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27 Vaisakha,, 1934 (Saka)

PARLIAMENTARY DEBATES
RAJYA SABHA
OFFICIAL REPORT
CONTENTS

Oral Answers to Questions (page 1-33)
Written Answers to Starred Questions (page 33-66)
Written Answers to Unstarred Questions (page 66-341)
Short Notice Question (page 341-45)
Papers Laid on the Table (page 345-64)
Report of the Committee on Subordinate Legislation – *Presented* (page 364)
Report of the Department Related Parliamentary Standing Committee on Rural
Development – *Laid on the Table* (page 364)

Statement by Ministers

Status of implementation of recommendations contained in first, fourteenth, nineteenth, thirty-first and forty-third reports of department-related parliamentary standing committee on personnel, public grievances and pensions-*Laid on the Table* (page 364)

Status of Implementation of recommendations contained in one hundred and fifty-second report of the department-related Parliamentary Standing Committee on transport, tourism and culture-*Laid on the Table* (page 365)

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Special Mentions-Laid on the Table

Demand to take necessary steps to improve the Health Services in the Country (page 365)

Demand to implement Uniform System of Education to Remove Social Imbalance from the Country (page 366)

Demand to set up the Office of Commissioner in Patna for Proper Implementation of Welfare Programmes for Bidi Workers in Bihar (page 366-67)

Demand to remove the anomalies in the pay of Group-B Officers of Indian Information Service (page 367)

Demand to Increase Import Duty on Apple on the Lines of Orange to protect the interests of Apple Growers in Himachal Pradesh (page 367-68)

Demand to take steps for Speedy Disposal of Cases of Sexual Harassment and Rape in the Country (page 368)

Demand for Immediate Appointment of A New Chairman of Cauvery Water Disputes Tribunal (page 368-69)

Demand to Streamline Telephone and Internet Services provided by MTNL and BSNL in Country (page 369-70)

Demand to extend the facility of minimal invasive robotic surgery to CGHS and ECHS beneficiaries in the country (page 370)

Statutory Motion – *Negatived*

For resolution that the Information Technology (Intermediaries Guidelines) Rules, 2011, laid on the Table of the House on 12th August 2011, be Annulled (page 370-411)

Message from Lok Sabha – *Reported*

The Central Educational Institutions (Reservation in Admission) Amendment Bill, 2012 (page 411)

Short Duration Discussion

On Normalisation of Relations with Pakistan and Issues Relating to Human Rights Violations of Minorities in Pakistan (page 411-42)

Recommendations of the Business Advisory Committee Page (442-43)

Government Bill –

The Copyright (Amendment) Bill, 2010 (page 43-96)

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RAJYA SABHA

Thursday, 17th May, 2012/27th Vaisakha, 1934 (Saka)

The House met at eleven of the clock,

MR CHAIRMAN, in the chair

ORAL ANSWERS TO QUESTIONS

New districts under BRGF

*581. SHRIMATI MAYA SINGH: Will the Minister of PANCHAYATI RAJ be pleased to state:

- (a) the number of new districts that are proposed to be included in the Twelfth Five Year Plan under the Backward Regions Grant Fund (BRGF);
- (b) the details thereof;
- (c) the achievement in the districts, that were under BRGF till date; and
- (d) whether the Ministry proposes to continue them or remove them from BRGF Scheme after they become stable development-wise?

THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO):

(a) and (b) The proposal to include additional districts under the Backward Regions Grant Fund (BRGF) programme is under consideration.

(c) The details of funds released State-wise, in respect of the existing 250 districts along with status of utilisation of these funds since inception of the programme in 2006-07 is given in Statement-I (*See below*).

(d) There is no proposal at this stage to remove the existing districts from BRGF after they become stable.

Statement-I*State-wise Funds Released and Utilisation Reported from 2006-07 to 2011-12 under BRGF Scheme of MoPR as on 31.3.2012*

Sl.No.	State	No. of BRGF Districts	2006-07		2007-08		2008-09		2009-10		2010-11		2011-12		Total	
			Funds Rele- ased	Utilisa- tion Reported	Funds Rele- ased	Utilisa- tion Reported	Funds Rele- ased	Utilisa- tion Reported	Funds Rele- ased	Utilisa- tion Reported	Funds Rele- ased	Utilisa- tion Reported	Funds Rele- ased	Utilisa- tion Reported	Funds Rele- ased	Utilisa- tion Reported
1.	Andhra Pradesh	13	13.00	13.00	316.18	316.18	250.38	250.38	357.39	357.39	348.34	331.11	366.59	59.52	1651.88	1327.58
2.	Arunachal Pradesh	1	0.50	0.50	0.10	0.10	11.07	11.07	14.67	12.79	12.70	9.46	10.70	0.00	49.74	33.92
3.	Assam	11	9.12	9.12	61.08	61.08	53.23	48.45	56.03	40.73	139.12	52.70	59.39	0.00	377.97	212.08
4.	Bihar	36	14.46	4.34	541.78	541.78	421.54	421.54	518.99	491.85	740.25	532.20	408.58	0.00	2645.66	1991.71
5.	Chhattisgarh	13	9.10	9.10	226.22	226.22	205.44	205.44	216.06	216.06	280.90	258.98	259.94	21.67	1197.66	937.47
6.	Gujarat	6	0.00	0.00	0.60	0.60	6.05	6.05	96.64	93.05	103.16	99.61	109.64	8.02	316.09	207.33
7.	Haryana	2	0.00	0.00	25.80	25.80	25.68	25.68	19.35	19.35	39.53	27.93	18.67	3.92	129.03	102.68
8.	Himachal Pradesh	2	0.00	0.00	27.85	27.85	23.48	23.48	27.41	27.41	30.50	24.29	23.62	6.21	132.86	109.24
9.	Jammu and Kashmir	3	0.00	0.00	0.30	0.30	40.77	40.77	9.00	0.00	41.26	27.21	30.40	0.00	121.73	68.28
10.	Jharkhand	21	0.00	0.00	23.10	2.10	290.27	290.27	209.18	209.18	331.02	193.79	183.60	0.00	1037.17	695.34
11.	Karnataka	5	0.00	0.00	94.97	94.97	0.00	0.00	103.27	103.27	118.48	101.70	92.74	8.64	409.46	308.58
12.	Kerala	2	0.00	0.00	23.38	23.38	0.00	0.00	24.21	23.32	31.59	20.81	354.66	0.00	113.84	67.51

13. Madhya Pradesh	24	35.01	35.01	404.82	404.82	324.44	324.44	315.65	315.65	535.80	454.40	403.37	52.69	2019.09	1587.01
14. Maharashtra	12	6.19	6.19	1.20	1.20	29.81	29.81	228.19	228.19	290.95	252.86	255.09	79.14	811.43	597.39
15. Manipur	3	0.00	0.00	34.96	34.96	14.62	14.62	27.71	27.71	54.32	40.31	32.16	4.80	163.77	122.40
16. Meghalaya	3	0.00	0.00	0.30	0.30	37.54	37.54	23.50	23.50	50.42	37.65	24.60	0.00	136.36	98.99
17. Mizoram	2	0.00	0.00	19.17	19.17	2.00	2.00	21.28	21.28	28.68	28.20	24.90	5.42	96.03	76.07
18. Nagaland	3	0.00	0.00	32.19	32.19	33.31	33.31	43.04	43.04	40.04	40.04	41.48	13.37	190.06	161.95
19. Odisha	19	0.00	0.00	283.62	283.62	227.84	227.84	223.67	211.56	385.20	380.79	325.95	63.64	1446.28	1167.45
20. Punjab	1	0.00	0.00	0.10	0.10	0.00	0.00	15.08	15.08	18.22	17.83	15.50	0.08	48.90	33.09
21. Rajasthan	12	7.88	7.88	302.10	302.10	183.50	183.50	141.42	141.42	304.68	279.92	286.15	40.40	1225.73	955.22
22. Sikkim	1	0.95	0.95	0.10	0.10	12.67	12.67	11.59	11.59	15.92	15.64	14.21	1.95	55.44	42.90
23. Tamil Nadu	6	0.00	0.00	0.60	0.60	113.53	113.53	62.09	62.09	113.28	102.72	106.03	4227	395.53	321.21
24. Tripura	1	0.00	0.00	0.10	0.10	11.82	11.82	8.58	8.58	13.21	13.21	13.66	5.57	47.37	39.28
25. Uttar Pradesh	34	0.00	0.00	28.70	28.70	541.74	541.74	579.87	579.87	668.09	557.95	540.81	115.84	2359.21	1824.10
26. Uttarakhand	3	0.00	0.00	0.30	0.30	9.00	8.29	0.00	0.00	37.66	25.09	29.54	0.00	76.50	33.68
27. West Bengal	11	10.50	10.50	193.37	193.37	159.53	159.53	181.10	181.10	276.68	206.23	205.02	2.43	1026.19	753.16
TOTAL	250	106.71	96.59	2642.99	2621.99	3029.23	3023.77	3534.96	3465.06	5050.00	4132.63	3917.00	535.58	18280.90	13875.62

Note : No funds have been released so far during the current financial year.

Oral Answers

[17 MAY, 2012]

to Questions 3

श्रीमती माया सिंह: सर, मैंने मंत्री जी से जो सवाल किया था, उसमें मेरे पहले सवाल का जवाब आपने दिया है कि बी.आर.जी.एफ. के अंतर्गत अतिरिक्त जिलों को सम्मिलित किये जाने का प्रस्ताव विचाराधीन है। सर, यह तो सवाल का जवाब नहीं है और विचाराधीन से क्या मतलब है? मतलब, इसमें क्यों समय लग रहा है, कितना समय लगेगा तथा कब तक निर्णय हो पाएगा, अगर इसकी कोई निश्चित समय-सीमा ये बताते तो कोई बात भी थी। इसमें अतिरिक्त जिलों को शामिल किए जाने के प्रस्ताव को ये जो बता रहे हैं कि वे विचाराधीन हैं, तो मैं मंत्री जी से यह जानना चाहती हूँ कि इनमें से किन-किन प्रदेशों के किन-किन जिलों के प्रस्ताव विचाराधीन हैं और उनमें मध्य प्रदेश के कितने जिले शामिल हैं, जिनके प्रस्ताव उन्होंने भेजे हैं और अभी यहां ऐसे ही पड़े हुए हैं?

SHRI V. KISHORE CHANDRA DEO: Mr. Chairman, Sir, I would first like to inform this hon. House that it is the Planning Commission which decides which districts are to be chosen or identified for being given this Backward Region Grant Fund. Sir, at present, there are about 32 proposals. Out of this, 19 proposals pertain to new districts which have been carved out in different States. As far as other proposals are concerned, some have come from State Governments, some have come from hon. M.Ps., and some have come from the local bodies. These proposals are being considered by the Planning Commission. It is not my Ministry which decides about it. This is done on the basis of certain data. If the hon. Member wants to know the criteria, which the Planning Commissions applies for choosing these districts, I can mention those criteria. The basic parameters are: the economic status, the health status, the educational status, and the infrastructural inadequacy. The district is generally taken as a unit, as suggested by the Inter-Ministerial Task Group. Based on these facts, the Planning Commission decides. Still, no proposals have been finalized. Therefore, I am not in a position to say which are those districts which will be further recognised as backward regions for the purpose of BRGF grants being released. As soon as the Planning Commission decides, and I get the list in my Ministry, I will be able to divulge those details.

श्रीमती माया सिंह: सर, मेरा मंत्री जी से सवाल यह है कि अगर प्लानिंग कमिशन आपके पूरे कार्यकाल तक यह सब काम करके नहीं देता है, तो क्या हम ऐसे ही बैठे रहेंगे या क्या आपकी तरफ से इसके लिए कोई प्रेशर डाला जाता है, उनसे बात की जाती है?

सर, माननीय मंत्री जी से मेरा दूसरा सप्लिमेंट्री यह है कि उन्होंने 250 जिलों के सम्बन्ध में कहा है कि राज्यवार जारी निधियों का विवरण इसमें संलग्न है, जो अभी मंत्री जी बता रहे थे। मैं यह जानना चाहती हूँ कि क्या कोई ऐसे राज्य हैं, जिन्होंने 2009-10 के यूटिलाइजेशन सर्टिफिकेट नहीं दिये हैं, जारी नहीं किये हैं, फिर भी आपने बिना उपयोग के ब्योरे के 2010-11 के लिए उनको पैसे जारी कर दिए हैं? मंत्री जी मुझे यह भी बताएं कि इसमें बी.आर.जी.एफ. के कामों के सम्बन्ध में जो शिकायतें आती हैं, उनकी जांच के लिए क्या आपका कोई मॉनिटरिंग सिस्टम है या आपने इस प्रोग्राम का analysis किया है, इसका अध्ययन

किया है कि इसका इम्पैक्ट क्या हो रहा है और इसकी जो गुणवत्ता है, उसको सुनिश्चित करने के लिए आप क्या कदम उठा रह हैं?

SHRI V. KISHORE CHANDRA DEO: Sir, first of all, I would like to inform the hon. Members, through you, Sir, that as far as identifying these districts is concerned, it is the job of the Planning Commission. Whenever we get any request from any hon. MP or from a State Government or from any person who wants to include a particular district in the list, we immediately forward it to the Planning Commission. It is not true to say that the Planning Commission keeps it pending for ever, for long periods of time. There is a process involved and there are certain criteria which have to be fulfilled. This information has to come from the State Governments and all this takes time. As soon as these statistics and figures are available, the Planning Commission has been systemically dealing with the subject in an appropriate manner. Sir, as far as utilization certificate is concerned, we first give 90 per cent of the funds in the first instalment and unless utilization certificate is issued by the concerned State Government that, at least, 60 per cent of funds are utilized, no further funds are released. There is no case where funds have been released without receipt of utilization certificate. I am not aware of any such case so far. As per the annexure, the list which is attached with the annexure, ...(Interruptions)... You can point out any one case where money has been released without the utilization certificate having been sent to the Centre and I will inquire into the matter. But so far no such case has been brought to my notice. As far as complaints are concerned, yes, we have received a lot of complaints. All these complaints are forwarded or sent by us to the State Governments and from there they go to the districts and replies also come to us. If there are any further points to be made or any further aspects to be raised regarding those complaints, we again refer them to the State Governments. As far as we are concerned, the job of my Ministry in the Central Government is just to ensure that the utilization certificates come in time and the progress report reaches us.

श्रीमती माया सिंह: सर, इसमें लिखा है ...(व्यवधान)...

श्री सभापति: नहीं, नहीं, आपके सवाल हो गए।

श्रीमती माया सिंह: सर, इसमें स्टेट्स का जो ब्योरा दिया गया है, उसमें सूचित उपयोग जीरो-जीरो लिखा हुआ है, इसलिए मैं माननीय मंत्री जी से जानना चाहती हूँ। ...(व्यवधान)...

श्री सभापति: माया जी, अगर उसमें inaccuracies है, तो आप in writing point out कीजिए।

SHRI D. BANDYOPADHYAY: Sir, this is one of the highly targeted programmes of the Government of India to bring about a balanced development in

the country. It is a very highly welcome programme. Every State sends a number of proposals and the hon. Minister has already informed about them. Sir, West Bengal has sent proposals for three districts, Darjeeling, Malda and Murshidabad, which are very backward districts, for which matters are pending. The Minister has already said that the matter is decided by the Planning Commission and they only execute it. But as an operational Ministry, he has something to do about it. May I, through you, Sir, request him whether he will process these three cases of West Bengal that have come to the Planning Commission, not to him, and see that they are included in the list of BRGF districts?

SHRI V. KISHORE CHANDRA DEO: Sir, whatever has come to us, it has already been sent to the Planning Commission. If there is any further information that the hon. Member has which the State Government would like to furnish, we will certainly send it to the Planning Commission with a request from us. Sir, I would also like to answer the earlier question which the hon. Member from the other side raised regarding the '0000'. This is about Arunachal Pradesh. This is for the year 2011-12. Now, the funds which are released in March, Sir, there is six months' time for them to send the utilization certificate ...(Interruptions)...

श्रीमती माया सिंह: इसमें जम्मू-कश्मीर का देखिए।

SHRI V. KISHORE CHANDRA DEO: These are for the year 2011-12. This is for the last year. So, for 2011-12, the funds which were released in March, within six months, up to September, they are to give the utilisation certificate.

SHRI RAMA CHANDRA KHUNTIA: Sir, I would like to know whether Odisha Government has given any proposal to include all 30 districts of Odisha as backward districts as per the criteria Backward Regions Grant Fund. If so, what action has been taken on the issue by the Government of India?

SHRI V. KISHORE CHANDRA DEO: Sir, I am not sure whether the Government of Odisha has sent any such request directly to the Planning Commission. But whatever requests have come to us, they have already been forwarded to the Planning Commission. I have got the list of 32 proposals which are under consideration, I shall furnish the details to the hon. Member.

श्री मंगल किसन: सर, मैं आपके ज़रिए माननीय मंत्री जी से यह जानना चाहता हूँ कि बी.आर.जी.एफ. प्रोग्राम आने के बाद 18,280 करोड़ रुपये खर्च किये गये हैं, तो इतनी राशि खर्च करने के बाद 250 required districts में क्या परिवर्तन हुए हैं? क्या बैकवर्ड एरिया को फॉरवर्ड एरिया के बराबर लाने के लिए बी.आर.जी.एफ. प्रोग्राम पर्याप्त है या इसके लिए सरकार के पास अन्य कोई योजना है? मंत्री जी यह बताने की कृपा करें।

SHRI V. KISHORE CHANDRA DEO: Sir, as far as implementation is concerned, it is done by the State Governments. We transfer the money to the

Consolidated Funds of the States. It is for the State Governments to send it to the districts and from those to the local bodies. As far as we are concerned, we insist only upon the progress report and the utilisation certificate. As far as the success of the programme is concerned, we judge it on the basis of the amount that has been utilized.

As far as the other programmes about which the hon. Member has asked are concerned, there are new programmes with an integrated action plan, which is being monitored by the Planning Commission directly. For this, there were 50 districts earlier and now it has been increased to 78. This is to bridge the gap of the lack of development; the development has not taken place in these areas. There is a State component apart from the component which the Ministry sends from here. I think, in most of the areas where these schemes have been taken up, the progress is visible though may not be in the same manner in all the States.

Prevention of atrocities act across states in the Country

*582. SHRIMATI VASANTHI STANLEY: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether it is a fact that there has been a growing trend of low rate of conviction and pendency in trial under the Prevention of Atrocities Act across States in the country;
- (b) what is the State-wise pendency of cases; and
- (c) what steps the Ministry has taken to ensure the proper implementation of the Act?

THE MINISTER FOR SOCIAL JUSTICE AND EMPOWERMENT (SHRI MUKUL WASNIK): (a) There has been no such consistent trend in the last five years (2006-2010), for which data is available.

(b) As per the statistics of the National Crime Records Bureau, State/UT wise number of cases pending in courts at the end of 2010, under the relevant Act, was as follows:

Sl.No.	Name of States*/ Union : Territories	Number of cases pending in courts at the end of the year 2010
1	2	3
States		
1.	Andhra Pradesh	5410
2.	Arunachal Pradesh	265

8	<i>Oral Answers</i>	[RAJYA SABHA]	<i>to Questions</i>
1	2	3	
3.	Assam	255'	
4.	Bihar	7776	
5.	Chhattisgarh	2968	
6.	Goa	8	
7.	Gujarat	9437	
8.	Haryana	555	
9.	Himachal Pradesh	167	
10.	Jharkhand	1195	
11.	Karnataka	6044	
12.	Kerala	1398	
13.	Madhya Pradesh	13590	
14.	Maharashtra	7262	
15.	Manipur	0	
16.	Meghalaya	0	
17.	Mizoram	0	
18.	Nagaland	0	
19.	Odisha	8826	
20.	Punjab	252	
21.	Rajasthan	11524	
22.	Sikkim	22	
23.	Tamil Nadu	2839	
24.	Tripura	21	
25.	Uttar Pradesh	19939	
26.	Uttarakhand	154	
27.	West Bengal	79	

1	2	3
28.	Andman and Nicobar Islands	19
29.	Chandigarh	3
30.	Dadar and Nagar Haveli	27
31.	Daman and Diu	1
32.	Delhi	49
33.	Lakshadweep	1
34.	Puducherry	12
TOTAL		1,00,098

* The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, does not extend to Jammu and Kashmir.

(c) The Act is implemented by the respective State Governments and Union Territory Administrations. With a view to ensure its effective implementation, following steps taken by the Ministry:-

- (i) Central assistance is provided to States/Union Territories, *inter-alia* for:-
 - (a) strengthening the enforcement and judicial machinery,
 - (b) relief and rehabilitation of the affected persons, and
 - (c) awareness generation.
- (ii) Central Government has, by notification dated 23.12.2011, amended rules under the PoA Act and effected an increase -generally of 150% in the minimum scale of relief for victims of various types of atrocities.
- (iii) A Committee constituted, in 2006, under the Chairpersonship of the Union Minister for Social Justice and Empowerment, has so far held seventeen meetings wherein implementation of the Act in 24 States and 4 Union Territories has been reviewed. Important points emerging from the review are followed up with State Governments.
- (iv) Offences under the PoA Act are reviewed, *inter-alia*, in the Conference of Ministers/Secretaries in charge of Social Justice/Welfare, organized by the Ministry every year.
- (v) On the request of this Ministry, the Ministry of Home Affairs organized

a one-day meeting of Home Ministers and Social Justice/Welfare, Principal Secretaries of Home, SC/ST Development Departments, and DGPs of States, on 17.04.2012, on the “Effective Implementation of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989”.

- (vi) The more heinous crimes reported in the media are followed up with the State Governments for effective action.
- (vii) Awareness generation.

SHRIMATI VASANTHI STANLEY: Thank you, Mr. Chairman, Sir. I would like to congratulate Mr. Mukul Wasnik for taking the initiative of coordinating with the MHA and holding this conference towards effective implementation of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, in April. He has also quoted this in his answer. But, Sir, this has exposed the lack of strategy to combat caste violence. At least, 32,712 cases are reported against the Scheduled Castes and 5,885 crimes were committed against the tribals in 2010. Nearly 10 States account for 93 per cent of the crimes against the Scheduled Castes and some of the States account for 93 per cent of the anti-tribal atrocities. But, this shows the lack of interest by the States in initiating protection. Instead of putting in their full effort in booking the persons responsible for violating the laws, actually the welfare measures are being offered. In the Paramakudi case, in Tamil Nadu, when an open firing was done on the Scheduled Castes by the Police, the Police officers were transferred. A woman rightly asked, “I am ready to give back Rs.2 lakh towards welfare given by the Government. Will the Government give back the life of my husband?” So, the welfare versus the rights-based approach should not be there. I would like to know from the hon. Minister, through you, Sir, about the real approach of the Ministry to convince the States to have a real rights-based approach instead of welfare-based approach.

SHRI MUKUL WASNIK: Sir, this is a very important issue and we are all very concerned about this. But, as far as the implementation of these Acts regarding prevention of atrocities or protection of civil rights are concerned, Police and public order being a State-subject, it is primarily the State Governments’ responsibility to implement these Acts. But, we are also concerned and the Government of India attaches high importance to protect the lives of the Scheduled Castes and the Scheduled Tribes. When we say this, we clearly imply that it is the right of every citizen to live with dignity and this right is available to the Scheduled Castes and the Scheduled Tribes. This is not just an issue of welfare, but an issue of right of

every citizen which includes the Scheduled Castes and the Scheduled Tribes. Keeping this in mind, we try to follow up with the 'State Governments to ensure effective implementation of these Acts.

I would like to mention here, specifically, that, from the year 1997 till 2011, the Ministry of Home Affairs issued 12 advisories to the State Governments, advising them as to how they should be implementing these Acts. The Prime Minister himself chaired an Inter-State Council meeting only to discuss the offences about untouchability as well as to protect the lives of the Scheduled Castes and the Scheduled Tribes. We are also having review meetings in almost all the States with high incidence of atrocities. I would like to assure the hon. Member that with this seriousness, we will continue to follow up with the State Governments.

SHRIMATI VASANTHI STANLEY: Sir, my second supplementary is this. It is, again, the follow up of the first question. So far, no special police stations have been set up except in Bihar, Chattisgarh and Madhya Pradesh. No special courts have been formed by most of the States. No periodical reviews, of performance of Special Public Prosecutors and of prosecution of cases is being held. In some of the States like Bihar, Sir. Government has come up to pay DA to witnesses to present themselves in the court. But I appreciate the many steps being taken by the Department like special care given for health, hostel facilities and organising balwadis etc., etc. But I would like to know whether the Ministry will pay special attention to this that, right from booking of the FIR till booking of persons who are violating the Act, free assistance is given to the victims. Will the Ministry concentrate on this, particularly? There are already legal-awareness programmes, and all that, but that is not enough. Full free legal assistance should be given right from booking of the FIR till the conducting of the case and booking of persons who are violating the Act. Will the Ministry come forward to do this through the State Governments?

SHRI MUKUL WASNIK: Sir, there is a mechanism available at the District and the State levels of Vigilance and Monitoring Committees. These Committees are, basically, to review the cases, the progress made in each and every case. As far as relief is concerned, I would like to tell the hon. Member that relief and rehabilitation provided under the rules of this Act was provided in the year 1995. Recently, we have amended the rules and we have increased the relief and rehabilitation by almost 150 per cent. As far as legal aid is concerned, I would like to assure the hon. Member that sufficient care will be taken so that any victim of atrocity is not denied legal assistance.

MR. CHAIRMAN: Thank you. Mr. Venkatah Naidu.

SHRIMATI VASANTHI STANLEY: Sir, the Minister has stated that, probably, from three to eight per cent ... (*Interruptions*)..

MR. CHAIRMAN: No supplementaries on supplementaries! ..(*Interruptions*).. Please sit down.

SHRI M. VENKAIAH NAIDU: Mr. Chairman, Sir, in view of the large number of pendency of cases, even according to the Minister's reply, by the end of 2010, there were 1,00,098 cases which were pending in various States. So, keeping this in mind, will the Central Government call a meeting of the Chief Ministers of the State, discuss with them about the ways and means of disposing of these cases at the earliest and, then convincing the States which have not set up special courts, to set up special courts at the earliest?

SHRI MUKUL WASNIK: Sir, there is no proposal at the moment to call a meeting of the Chief Ministers on this issue. As I have mentioned earlier, in the year 2006, the Prime Minister chaired an Inter-State Council meeting and just about a month back, the Home Minister had convened a meeting of State Home Ministers, State Social Justice Ministers, the DGPs and all the other officers concerned, primarily, to discuss this issue. Therefore, we will follow up on the discussions which we had in the Conference, which the Home Minister had called. As far as setting up of Special Courts is concerned, today, there are almost about 170 Exclusive Special Courts which have been set up and there are States with Exclusive Special Courts where conviction rate has improved.

But we are asking the State Governments that they should set up Exclusive Special Courts, especially, in those districts where the conviction rate is low, where pendency is high and where registration of cases is on the higher side. We are following up with the State Governments and hope that the State Governments will respond.

As far as the special public prosecutors are concerned, in the rules it is provided that if any special public prosecutor is found wanting in his duties, then he can be denotified. We are requesting the State Governments that they should make use of this provision in the rules so that any public prosecutor who has failed to represent the case properly and effectively should be denotified.

SHRI D. RAJA: Sir, agreeing with my colleague, Mr. Venkaiah Naidu, I would like to put this question. As per the rules to the Act, District Collectors are expected to monitor the registration, prosecution and conviction of cases every month, and the Chief Ministers of the States are expected to review the situation every six months. These are not taking place regularly and systematically. As the Minister has

admitted, there are no dedicated Special Courts to tackle these cases on time. In such a situation, there is a demand to amend the existing Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act in order to strengthen several clauses so that justice is delivered on time. I would like to ask the Minister whether such amendments are pending with the Government or whether it is under its consideration and whether the Government will come forward with suitable amendments to the existing Act.

SHRI MUKUL WASNIK: Yes, Sir. We are in the process of amending the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. We have already sent the concept note to all the State Governments, including the National Commission for Scheduled Castes and the National Commission for Scheduled Tribes. Most of the States have sent their comments, but about half-a-dozen States still remain to send their comments. As soon as we receive the comments, we will be taking further action on this. But I definitely agree that there is a need to amend the Atrocities Act and we are in the process of doing that.

SHRI PRAVEEN RASHTRAPAL: Sir, appreciating that the subject pertains to the State Government, the Central Government has got constitutional responsibility as far as this particular issue is concerned. According to Provision 21(4) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, the Ministry is supposed to produce Annual Report and inform the Parliament about the status of implementation the SC/ST Act, 1989 and Rule, 1995. According to my information, this is not done during the last three years. I would like to know whether the Report for the year 2009-10, 2010-11 and 2011-12 is prepared by the Ministry and produced before the Government or the Parliament, or not.

And, second thing, Sir, is ...

MR. CHAIRMAN: One question, please.

SHRI PRAVEEN RASHTRAPAL: One second, please. It is a very important subject.

MR. CHAIRMAN: No, no. One question.

SHRI PRAVEEN RASHTRAPAL: It is part (b) of the main question.

MR. CHAIRMAN: There is no part (b).

SHRI PRAVEEN RASHTRAPAL: Sir, in answer, these are (a), (b), (c), (d)

MR. CHAIRMAN: No; you are asking a supplementary question. Please ask one supplementary question. ...*(Interruptions)*...

SHRI PRAVEEN RASHTRAPAL: Sir, you would appreciate that this is part and parcel of a social discrimination. Right now, the National Human Rights Commission is on tour in the State of Gujarat.

MR. CHAIRMAN: No; no; that's not the question. You have asked one question. Let the Minister reply. . . .(Interruptions).. राष्ट्रपाल जी, प्लीज बैठ जाइए। Let one question be replied. ...(Interruptions)...

SHRI PRAVEEN RASHTRAPAL: Sir, you are not allowing me to ask question about my own State. ...(Interruptions)...

MR. CHAIRMAN: You could have changed the order of your sentence. ...(Interruptions)...

SHRI PRAVEEN RASHTRAPAL: Sir, let me complete.

MR. CHAIRMAN: No, no.

SHRI PRAVEEN RASHTRAPAL: Sir, I am withdrawing that State question because you are ...

MR. CHAIRMAN: No; you can't withdraw. You have asked a supplementary question . Let it be answered. That's all. ...(Interruptions)...

SHRI PRAVEEN RASHTRAPAL: Sir, let me complete my question.

MR. CHAIRMAN: No, no; you have asked the question.

SHRI PRAVEEN RASHTRAPAL: Sir, the rate of acquittal ...

श्री सभापति: टाइम मत लिजिए। We have other questions also. ...(Interruptions)...

SHRI PRAVEEN RASHTRAPAL: Please let me put this question.

MR. CHAIRMAN: Hon. Minister, please reply to the first question related to the reports.

SHRI MUKUL WASNIK: Yes, Sir. The rules provide that we should place the Annual Report, on the Table of both Houses of Parliament, on the implementation of the Prevention of Atrocities Act as well as the Protection of Civil Rights Act. We have tabled the Report during this Session itself. I would like to admit one aspect here. It so happens that the State Governments take a terribly long time in providing information on the status of implementation of these Acts and, therefore, sometimes we are not able to table the Reports on time. But, in this Session itself we have tabled some of the Reports.

MR. CHAIRMAN: Question No. 583.

श्री अवतार सिंह करीमपुरी: मान्यवर, हमने सप्लीमेंट्री मांगा था।

श्री सभापति: नहीं-नहीं, ठीक है। मैंने तीन सप्लीमेंट्री दिए हैं। इस पर कोई डिस्कशन नहीं होगा।

श्री अवतार सिंह करीमपुरी: हमें मौका नहीं मिला है, यह प्रश्न बड़ा इम्पोर्टन्ट है।
...(व्यवधान)

MR. CHAIRMAN: No, no. That is not right. (*Interruptions*)

श्री अवतार सिंह करीमपुरी: सर,(व्यवधान)

MR. CHAIRMAN: Please, hon. Members. ..(*Interruptions*)

श्री अवतार सिंह करीमपुरी: सर,(व्यवधान)

श्री सभापति: आपने सवाल नहीं पूछा था।(व्यवधान) नहीं, आपने सवाल नहीं पूछा था। It is not listed here. (*Interruptions*)

श्री अवतार सिंह करीमपुरी: हमने सप्लीमेंट्री पूछा था।

श्री सभापति: आपका सप्लीमेंट्री कोई राइट नहीं है। Supplementary questions have to be rotated around the House. (*Interruptions*) देखिए, करीमपुरी जी, प्लीज, आप समय ले रहे हैं, दूसरों के सवाल आने वाले हैं।(व्यवधान) आप बैठ जाइए।(व्यवधान) आप बैठ जाइए।

श्री अवतार सिंह करीमपुरी: *

श्री सभापति: आप बैठ जाइए। This is not going on record. (*Interruptions*)

श्री अवतार सिंह करीमपुरी: *

MR. CHAIRMAN: Please sit down. (*Interruptions*) This is not going on record. Please sit down. (*Interruptions*) Please sit down.

श्री अवतार सिंह करीमपुरी: *

MR. CHAIRMAN: This is not going on record. Please sit down. (*Interruptions*) Mr. Karimpuri, please sit down. It cannot be answered like this.(*Interruptions*) आप बैठ जाइए। देखिए, अभी दूसरे सवाल लेने हैं।

MR. CHAIRMAN: Is it the wish of the House that the Question Hour be disrupted? (*Interruptions*) Question 583. (*Interruptions*)

श्री ब्रजेश पाठक: सर, ...(व्यवधान)

श्री सभापति: पाठक जी, आप बैठ जाइए। ...(व्यवधान)... प्लीज, बैठ जाइए। (Interruptions) Question 583. तिवारी जी, (Interruptions) आप बैठ जाइए, बैठ जाइए।(Interruptions)

SHRIMATI RENUKA CHOWDHURY: Sir, I object to this kind of behaviour. It is very offensive. (Interruptions)

MR. CHAIRMAN: Please, Mr. Karimpuri... (Interruptions) Please sit down. (Interruptions) आप अपनी जगह पर वापिस जाइए। ...(व्यवधान)... आप बैठ जाइए।(व्यवधान) आप अपनी जगह पर जाइए, तिवारी जी को पूछने दीजिए।(व्यवधान) नहीं- नहीं, आप यहां नहीं आएंगे। देखिए, आप अपनी जगह पर वापिस जाइए।(व्यवधान) सवाल आपका नहीं है, आप सवाल पूछिए।(व्यवधान) यह नहीं पूछा है, इस लिस्ट में आपका नाम नहीं है।(व्यवधान) आपका हक नहीं है। आप अपनी जगह पर वापिस जाइए।(व्यवधान) देखिए, आप यहां नहीं रह सकते हैं। यह रिकार्ड पर नहीं जा रहा है। The television has been switched off. So, what are you trying to do? (Interruption) What am I supposed to do? (Interruption).

पंचायती व्यवस्था को सुदृढ़ बनाए जाने का आवश्यकता

*583. श्री शिवानन्द तिवारी: क्या पंचायती राज मंत्री यह बताने की कृपा करेंगे कि:

(अ) क्या यह सच है कि देश में पंचायती व्यवस्था को और अधिक प्रभावी एवं सुदृढ़ बनाए जाने की आवश्यकता है;

(ख) यदि हां, तो इस पर सरकार की क्या प्रतिक्रिया है;

(ग) क्या ग्रामीण विकास मंत्रालय द्वारा इस प्रयोजनार्थ एक बड़ी धनराशि प्रदान किए जाने की संभावना है; और

(घ) यदि हां, तो तत्संबंधी तथ्य क्या हैं और विभिन्न मदों पर, मद-वार, कितनी-कितनी धनराशि व्यय की जाएगी?

पंचायती राज मंत्री (श्री वी. किशोर चंद्र देव): (क) से (घ) एक विवरण सदन में रखा जाता है।

विवरण

(क) एवं (ख) पंचायती राज मंत्रालय (एम.ओ.पी.आर.) ने संविधान में किए गए प्रावधानों के अनुसार पंचायतों को शक्तियां अंतरित करने के लिए राज्यों/संघ राज्य क्षेत्रों से निरंतर आग्रह किया है। पंचायती राज मंत्रालय ने राष्ट्रीय ग्राम स्वराज योजना (आर.जी.एस.वाई.), पिछड़ा क्षेत्र अनुदान निधि (बी.आर.जी.एफ.) और पंचायत महिला एवं युवा शक्ति अभियान (पी.एम.ई.वाई.एस.ए.) के माध्यम से पंचायतों के क्षमता निर्माण करने के लिए राज्यों को सहायता उपलब्ध कराई है और ई-पंचायत स्कीम के माध्यम से पंचायतों की ई-सक्षमता को उन्नत किया है। बीआजीएफ के

अन्तर्गत विकेन्द्रीकृत आयोजना के आधार पर 250 पिछड़े जिलों में स्थानीय अंवसंरचना में महत्वपूर्ण अंतरालों को पाटने के लिए राज्यों के माध्यम से पंचायतों को अबद्ध अनुदान उपलब्ध कराया जाता है। पंचायती राज मंत्रालय ने पंचायत अधिकारिता एवं जवाबदेही प्रोत्साहन योजना (पी.ए.आई.एस.) के माध्यम से पंचायतों को 3व के अंतरण के लिए राज्यों को और पंचायतों को उनके कार्यनिष्पादन के लिए प्रोत्साहित किया है।

(ग) और (घ) मंत्री, ग्रामीण विकास एवं पेय जल एवं स्वच्छता ने योजना आयोग को यह सुझाव दिया है कि ग्रामीण विकास के लिए परिव्यय का 1% पंचायतों को सुदृढ बनाने के लिए अलग से रखा जाए। योजना आयोग के साथ विचार-विमर्श प्रगति पर है।

Need to Strengthen Panchayat System

†*583. SHRI SHIVANAND TIWARI: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) whether it is a fact that the Panchayat system needs to be made more effective and strengthened in the county;

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

(c) whether Ministry of Rural Development is likely to provide a large amount of fund for the above said purpose; and

(d) if so, the facts thereof and the item-wise details of the amount to be spent on different issues?

THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO):
(a) to (d) A Statement is laid on the Table of the House.

(a) and (b) The Ministry of Panchayati Raj (MoPR) has continuously urged States/UTs to devolve powers to the Panchayats in accordance with the Constitutional stipulation. 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. Through the Panchayat Empowerment and Accountability Incentive Scheme (PEAIS), MoPR has incentivized States for devolving 3Fs to Panchayats, and has incentivized Panchayats for performance.

†Original notice of the question was received in Hindi.

(c) and (d) The Minister, Rural Development and Drinking Water and Sanitation has suggested to the Planning Commission that 1% of the outlay for rural development should be earmarked for strengthening Panchayats. Discussion with the Planning Commission is in progress.

श्री शिवानन्द तिवारी: सभापति जी, पंचायतों को काफी अधिकार दिए गए हैं और लगभग 29 विभाग पंचायतों के अधीन हैं। इन पंचायतों को एक तरह से सरकार की भूमिका में लाया गया है, लेकिन उसके लिए जो वाजिब इन्फ्रास्ट्रक्चर चाहिए, वह पंचायतों के पास नहीं है। मैंने देखा है कि पंचायतों के पास अपने भवन तक नहीं हैं। ऐसी हालत में पंचायतों का काम करना मुश्किल है और उनसे जो अपेक्षा की जाती है, वह पूरी नहीं हो सकती। हमारे यहां बिहार में 8,463 पंचायतें हैं और वहां भी ऐसी ही स्थिति है। अभी जो 12वें फाइनंस कमीशन का पैसा मिला है, उसमें हमारी सरकार ने टारगेट रखा है कि हम इन पंचायतों के लिए अलग से एक सचिवालय बनाएंगे, ताकि पंचायतों को ये जो अलग-अलग विभागों की जवाबदेही दी है, उन सबका एक जगह पर बैठने का इन्तजाम हो सके। मैं माननीय मंत्री जी से यह जानना चाहता हूं कि क्या इस तरह की कोई योजना मंत्री जी पूरे देश में बनाएंगे, ताकि पंचायतों को इन विभागों की जो जवाबदेही दी गई है, उन सबको एक जगह लाया जाए और सब लोग एक साथ बैठकर अपने कार्यों का निष्पादन करें?

SHRI V. KISHORE CHANDRA DEO: Mr. Chairman, Sir, I agree with hon. Member that infrastructure is the basic requirement for every Panchayat. Sir, We have 2,40,000 Panchayats in the Country. I think, out of that, about 60,000 Panchayats do not have even buildings. In the BRGF Grant, there is a component for capacity building as far as the BRGF districts are concerned. As far as the Capacity-Building Grant is concerned, it can be utilized for building *panchayat ghars* in the BRGF districts. There are also a lot of schemes of the Ministry of Rural Development, which are being implemented through Panchayats. Therefore, the Minister of Rural Development also agreed that certain percentage from his Ministry's grant could be utilized for the purpose of strengthening the Panchayat infrastructure; that will enable implementation of their schemes. Already two per cent of NREGA Funds has been given by the Ministry of Rural Development for creating infrastructure in the Left Wing Extremism affected districts and in the IAP districts. In certain LWE districts in the Scheduled Areas, 75 per cent is given by the Central Government and 25 per cent has been borne by the State Governments and in the IAP districts 90 per cent is proposed to be given by the Central Government and 10 per cent will have to be contributed by the State Governments. Sir, this is a very important factor. The hon. Member had asked about one per cent grant from the MoRD. Yes, Sir, the Minister of Rural Development has suggested to the Planning Commission that one per cent of the grant from his Ministry be allotted for building up the infrastructure in Panchayats. This is still under the consideration of the

Planning Commission. While the Planning Commission has agreed in principle, the detailed proposal has to be approved by the Planning Commission. This will have to be followed by approval of the EFC. The next step is the approval of the Cabinet Committee for Economic Affairs. Since these are grants which have been approved by Parliament, at the RE stage the Ministry of Rural Development will have to surrender one per cent of the Budget to the Ministry of Panchayati Raj, which will be augmented to this extent with the approval of Parliament. So, this cannot be done without the approval of Parliament. It is a suggestion. In principle, it has been agreed by the Minister of Rural Development. It has been agreed by the Planning Commission.

It is being worked out and the moment this process is through, this fund can also be utilised for building up the infrastructure for Panchayati Raj institutions throughout the country.

श्री शिवानन्द तिवारी: सभापति महोदय, मेरा जो पहला सवाल था, उसका स्पष्ट जवाब हमें नहीं मिला है। हम यह जानना चाहते थे कि जिस तरह से दिल्ली या पटना में राज्य सरकार सचिवालय है, उसी तरह पंचायत सरकार के लिए कोई सचिवालय बनाने की आपकी कोई योजना है? इसके बारे में मंत्री जी ने कोई स्पष्ट जवाब नहीं दिया है।

महोदय, मेरा दूसरा सवाल यह है कि जितना काम आपने पंचायतों को दिया है, उस काम के लायक जो योग्यता चाहिए, जैसे मुखिया हैं, सरपंच हैं और बाकी लोग हैं, वे कोई technical आदमी नहीं हैं, तो जितनी भी जवाबदेही उनको दी गई है, उस जवाबदेही के आधार पर क्या आपको आप skilled लोगों की assistance देने की कोई योजना रखते हैं, ताकि पंचायतों को अपनी जवाबदेही के implementation में वे सहयोग कर सकें?

SHRI V. KISHORE-CHANDRA DEO: Sir, I would like to inform this august House that Panchayat Raj is a Concurrent List subject. Every State has its own Panchayat Raj Act. It differs from State to State.

श्री शिवानन्द तिवारी: सभी विभागों में राज्य सरकार की ही जवाबदेही हो रही है।

श्री सभापति: आप उनकी बात सुन लीजिए।

SHRI V. KISHORE CHANDRA DEO: Sir, there are 29 subjects which have been listed in the Constitution after the 73rd Amendment which are to be devolved to the local bodies. Many of the States have not devolved all these. We have been trying to persuade them, writing to them. Some States have done good job of devolving these powers—Kerala, West Bengal, Karnataka and Maharashtra. But it is different in every State. So, when it is a State subject, beyond a point, it is not possible for me to interfere or intervene. Depending on every Act on Panchayat Raj that every State has, they have to devolve the powers. In fact, it lies upon the State

Governments also to provide infrastructure. But, we are willing to give our assistance to the extent possible, and with the availability of funds and whatever is allotted to us by the Planning Commission in the Twelfth Plan period, we have requested that some funds may be allocated for this purpose. If that is done, we will certainly help from here. But, unless the State Government take the initiative, it will be possible for us to do it alone in the present Constitutional scheme of things.

श्री ईश्वर सिंह: सर, मैं आपके माध्यम से माननीय मंत्री जी से कहना चाहता हूँ कि प्रश्न यह है कि पंचायती व्यवस्था को और अधिक प्रभावी और सुदृढ़ बनाने की आवश्यकता है। सर, पंचायती व्यवस्था सुदृढ़ और प्रभावी तब बने, जब गांव-देहात के अंदर जो महिला सरपंच चुनी जाती है, वे मुख्य धारा में आएँ, खासकर दलित वर्ग से। वैसे तो असल बात यह है कि पंचायत के अंदर जो महिलाएं चुनी जाती हैं, उनके पति ही मोहर रखते हैं और वे खुद ही सरपंच बने रहते हैं। स्टैम्प उनके पास होती है और उन महिलाओं को पता ही नहीं होता कि पांच साल में उनकी ड्यूटी क्या है? पांच साल तो वैसे ही गुज़र जाते हैं, और जो प्रभावशाली और बड़ी जाती के लोग होते हैं, वे ही सरपंची करते हैं, तो क्या मंत्री जी के संज्ञान में यह बात है? उन महिला सरपंचों को लोकतंत्र की मुख्य धारा में लाने की व्यवस्था वे कैसे करेंगे, यह मैं माननीय मंत्री जी से पूछना चाहता हूँ?

SHRI V. KISHORE CHANDRA DEO: Mr. Chairman, Sir, I will not fully agree with the hon. Member when he says that women in all Panchayats are remote-controlled by the men folk or the husbands. That may be the case in some places in some States, but we have very good examples, especially in our State where a large number of women have come into local bodies as Chairpersons of Zila Parishads, or, Panchayats. They have been doing very well. They have been asserting. In fact, the hon. Member will be glad to hear that in many cases, I have heard complaints in my State, in my district, where men come and say that women are not listening to them any more. I think this is a happy development that is taking place. I hope that this will happen in other States also.

For this, Sir, capacity building and training has to be given to these elected representatives. This is why, we give funds for capacity building. There are institutes for this purpose. There is the National Institute of Rural Development in Hyderabad. There are State institutes of rural development which also have training classes, programmes for these elected representatives. Recently, Mr. Chairman, Sir, you will be glad to know that in Jammu and Kashmir, elections were held after more than a decade. And, with the help of the Central Government, we have been able to give training to 40,000 elected representatives from that State. So, this is an ongoing process and all the woman representatives, who get elected, will also have this training and they will be made aware of their rights and duties.

DR. (SHRIMATI) NAJMA A. HEPTULLA: Sir, my question has been asked by the hon. Member in a negative way.

MR. CHAIRMAN: Then, you could forego it.

DR. (SHRIMATI) NAJMA A. HEPTULLA: No, Sir, he asked it in a negative way, I want to put it in a positive way. Sir, we started with the 33 per cent reservation. The Parliament passed the legislation. Subsequently, some States have given 50 per cent reservation to women. I want to ask the hon. Minister as to what kind of support the Central Government is giving to the State Governments for capacity building of these women so that such complaints, as made by the hon. Member, do not arise. "प्रधान पति" की जो बात उन्होंने कही है, I do not agree with that.

What is the Central Government doing and what extra grant is being given to the State Governments for the capacity building of those rural women who are getting elected to the Panchayats? They are in very large numbers. Do you have any survey showing how much capacity is built with regard to these women?

SHRI V. KISHORE CHANDRA DEO: Out of the total elected representatives that we have in our country, I think, one-third of them are women. In fact, as the hon. Member has rightly mentioned, there are many State Governments which have given more than 50 per cent reservation to the women. I am proud to say that my State is also one of them. There are many other States which have done so. In fact, there is a proposal to give 50 per cent reservation in all the States. I think, that proposal has been cleared by the Cabinet, and, probably, as and when the time comes, either in this Session or the next Session, I hope this will be cleared by the Parliament also.

As far as the capacity building is concerned, I do not have the exact numbers and figures of how many of them have been trained but this is a process, which is taken up by the State Governments and we are also assisting them as and when a request comes. I have also written to several Chief Ministers and the Ministers of Panchayati Raj offering them our help and assistance for capacity building for elected representatives of Panchayats.

SHRI DEVENDER GOUD T.: Sir, fortunately, the Prime Minister is also sitting here. Most of the States are not conducting elections regularly. In our own State, Andhra Pradesh, there have been no elections at all in the last three years. There is no Sarpanch, no Mandal President, no Chairman of Zila Parishad. They are not conducting elections on some pretext or the other.

Secondly, Sir, it took more than forty years for this country to give Constitutional guarantee to the Panchayati Raj Institutions. Even after twenty years, no State has devolved the powers to Panchayati Raj Institutions. I request the hon. Prime Minister to please call a Chief Ministers' Conference, especially for this particular subject, and, pressurize them in this regard; otherwise, decentralization will not take place.

Sir, I want to know from the hon. Minister as to what action the Government of India is taking against the States which are not conducting elections regularly. My second question, Sir, ...*(Interruptions)*...

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

SHRI DEVENDER GOUD T. : How many States have devolved the powers to the Panchayati Raj Institutions?

MR. CHAIRMAN: Does it relate to the Question?

SHRI DEVENDER GOUD T. : Yes, Sir, it is related. *(Interruptions)* If it is not so, then, what action have you taken in that regard?

SHRI V. KISHORE CHANDRA DEO: Sir, as far as elections to the Panchayati Raj Institutions are concerned, grants from the Ministry of Panchayati Raj will be withheld in these cases. We have not been sending the grants due from my Ministry to the States, which have not held elections. As far as Andhra Pradesh is concerned, we have intimated to the Government of Andhra Pradesh from here that until elections are held, funds will not be released by the Central Government, and, this is as per general guidelines, which are valid for all the States. These funds do not lapse but these funds will not be released until and unless the elections are held. As far as elections in Andhra Pradesh are concerned, I am told by the State Government that elections have not been held because of a stay that was given by the High Court. We have advised them to actually vacate the stay and hold elections. Sir, as far as devolution of functions are concerned, we have been persuading and requesting the States in this regard, and, as I told you, many States have complied with it, and, they have been very, very responsive and positive. This is done in different degrees in different States. We are still pursuing the matter. But, beyond that, I think there is nothing that we can do. We will have to only convince the States and persuade them which we have been doing.

SHRI DEVENDER GOUD T. : Sir, this is nothing but a violation of the Constitution. ..*(Interruptions)*..

MR. CHAIRMAN: No, no, please ..*(Interruptions)*.. This question is over. ..*(Interruptions)*.. We are on to the next question. ..*(Interruptions)*..

SHRI DEVENDER GOUD T. : This is a violation of the Constitution, Sir.
..(Interruptions)..

MR. CHAIRMAN: No, no, please. ..(Interruptions).. No discussion on this.
..(Interruptions)..

SHRI PRASANTA CHATTERJEE: Sir, no elections have taken place
..(Interruptions)..

MR. CHAIRMAN: We can't go into a discussion on this. ..(Interruptions)..
No, no, please. ..(Interruptions)..

SHRI DEVENDER GOUD T. : Sir, for the last three years ..(Interruptions)..

यूरोप में रह रहे कामगार और विद्यार्थी

*584. श्री ईश्वरलाल शंकरलाल जैन: क्या प्रवासी भारतीय कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) मित्र यूरोपीय देशों में कितने अनिवासी भारतीय कामगार और विद्यार्थी रह रहे हैं;

(ख) क्या पिछले तीन वर्षों के दौरान, अधिक से अधिक संख्या में कामगार कार्य करने हेतु यूरोपीय देशों में गए हैं; और

(ग) यदि हां, तो पिछले तीन वर्षों के दौरान काम के लिए यूरोपीय देशों में गए अथवा वहा रह रहे कामगारों तथा अध्ययन के लिए वहां गये विद्यार्थियों का राज्य-वार ब्यौरा क्या है?

सूचना और प्रसारण कार्य मंत्री (श्रीमती अम्बिका सोनी): (क) से (ग) 29 यूरोपीय देशों के संबंध में भारतीय मिशनों से प्राप्त अनुमान विवरण में दिए गए हैं (नीचे देखिये)। यूरोपीय देशों में रहने वाले कामगारों और विद्यार्थियों के बारे में सूचना का राज्य-वार और वर्ष-वार ब्रेक अप नहीं रखा जाता।

विवरण

यूरोपीय देशों में रह रहे भारतीय/कामगारों और विद्यार्थियों की अनुमानित संख्या

क्रम सं०	देश/मिशन	भारतीय/कामगार	विद्यार्थी
1.	अलबानिया	70	-
2.	आस्ट्रिया, वियना	2500	50
3.	अलरबेइजान, बाकू	102	10
4.	बोस्निया एंड हर्जगोविना	50	-
5.	ब्रातिस्लावा	200	-

क्रम सं०	देश/मिशन	भारतीय/कामगार	विद्यार्थी
6.	बुल्गारिया, सोफिया	90	180
7.	क्रोएटिया, जाग्रेब	05	03
8.	साइप्रस, निकोसिया	1600	500
9.	चेक रिपब्लिक	300	-
10.	डेनमार्क, कोपनहेगन	4889	150
11.	फ्रांस, पेरिस	1534	6374
12.	जर्मनी, बर्लिन	42500	-
13.	यूनान	12000	01
14.	हंगरी	330	-
15.	इटली, रोम	70248	1198
16.	लिथुआनिया	50	-
17.	मेसिडोनिया	10	-
18.	माल्टा	300	-
19.	मोलदोवा	90	5
20.	नीदरलैंड, दि हेग	19250	750
21.	नार्वे, ओसलो	-	194
22.	पोलैंड, वार्सा	1000	120
23.	पुर्तगाल, लिस्बन	4000	29
24.	रोमानिया	1000	203
25.	रूस, मॉस्को	10000	4500
26.	स्पेन, मैड्रिक	34130	-
27.	स्विट्जरलैंड	11000	-
28.	तुर्की, अंकारा	200	-
29.	ब्रिटेन, लंदन	500000	39000

Workers and students living in Europe

†*584. SHRI ISHWARLAL SHANKARLAL JAIN: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) the number of NRI workers and students living in friendly European countries;

(b) whether more and more workers have gone to the European countries for work during the last three years; and

(c) if so, the State-wise details of workers and students who went to or are living in European countries during last three years for work and studies respectively?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI AMBIKA SONI): (a) to (c) Estimates received from Indian Missions in respect of 29 European Countries are given in the Statement (*See below*). State-wise and year-wise break-up of information about workers and students living in European countries is not maintained.

Statement*Estimated numbers of Indians/workers and Students living in European countries*

Sl.No.	Countries/Missions	Indians/workers	Students
1.	Albania	70	-
2.	Austria, Vienna	2500	50
3.	Azerbaijan, Baku	102	10
4.	Bosnia and Herzegovina	50	-
5.	Bratislava	200	-
6.	Bulgaria, Sofia	90	180
7.	Croatia, Zagreb	05	03
8.	Cyprus, Nicosia	1600	500
9.	Czech Republic	300	-
10.	Denmark, Copenhagen	4889	150

†Original notice of the question was received in Hindi.

Sl.No.	Countries/Missions	Indians/workers	Students
11.	France, Paris	1534	6374
12.	Germany, Berlin	42500	-
13.	Greece	12000	01
14.	Hungary	330	-
15.	Italy, Rome	70248	1198
16.	Lithuania	50	-
17.	Macedonia	10	-
18.	Malta	300	-
19.	Moldova	90	5
20.	Netherlands, The Hague	19250	750
21.	Norway, Oslo	-	194
22.	Poland, Warsaw	1000	120
23.	Portugal, Lisbon	4000	29
24.	Romania	1000	203
25.	Russia, Moscow	10000	4500
26.	Spain, Madrid	34130	-
27.	Switzerland	11000	-
28.	Turkey, Ankara	200	-
29.	United Kingdom, London	500000	39000

MR. CHAIRMAN: Question no. 584; Shrimati Amibka Soni to answer the question.

SHRI M. VENKAIAH NAIDU: Sir, what happened to the concerned Minister?

MR. CHAIRMAN: The Minister is away. There is a request from the Minister. *..(Interruptions)..* No, no, there is a request from the Minister which has been accepted by the Chair.

SHRI ISHWARLAL SHANKARLAL JAIN: Sir, I have to ask the question.

MR. CHAIRMAN: No, no, wait. First listen to the answer.

SHRI ISHWARLAL SHANKARLAL JAIN: The answer is already given in writing.

MR. CHAIRMAN: No, no, please follow the etiquette of the House. Now, you ask your supplementary question.

SHRI ISHWARLAL SHANKARLAL JAIN: I would like to seek your protection. Sir.

MR. CHAIRMAN: There is no protection involved; procedure is involved.

SHRI ISHWARLAL SHANKARLAL JAIN: Sir, mine is a starred question. The Department writes that it is an answer to an unstarred question. Is it an unstarred question or is it a starred question?

MR. CHAIRMAN: It is a starred question. It is listed among starred questions.

SHRI ISHWARLAL SHANKARLAL JAIN: But here, it is written that it is an answer to an unstarred question.

MR. CHAIRMAN: It is a typographical error which is regretted. What is your supplementary question?

SHRI ISHWARLAL SHANKARLAL JAIN: My supplementary question is this. I am again pointing out to the second mistake. I had asked in question (b) "whether more and more workers have gone to the European countries for work during the last three years". But answer is not given to that at all. My question was whether more and more workers have gone. The answer could be 'yes' or 'no'. But they have not given that. They have just given the figures that these many persons have gone abroad to the European countries. My question was whether more and more people have gone to the European countries in search of work. The answer has not been given to that at all. They are taking it lightly.

SHRIMATI AMBIKA SONI: Sir, the Ministry informed that except for seventeen countries, where an immigration control check is undertaken, no registers are maintained about Indian citizens travelling, working or living outside. But the Ministry has an approximate idea from the Indian Embassies abroad, in the European countries, of how many people are living in those countries. If the hon. Member wants, I can read that out or I can give it to him or supply it to the whole House. But I have the figures with me.

MR. CHAIRMAN: You can make the information available. Second question, please.

SHRI ISHWARLAL SHANKARLAL JAIN: Sir, my question is still ..(*Interruptions*)..

MR. CHAIRMAN: Please listen to the answer.

SHRI ISHWARLAL SHANKARLAL JAIN: I pointed out the deficiencies that are there. I have to ask the question now. So, what is the reason behind people preferring to go to European countries in search of work? What is the reason? And, what type of work are they getting there? What types of jobs are they engaged into?

SHRIMATI AMBIKA SONI: Sir, it is a very difficult question to answer, especially when no records are kept. It is a free movement of citizens travelling to various countries abroad, as they travel to India. The Indian Embassies have a loose understanding Indian citizens who check in with the Embassies. They are working in different professions, I understand. We don't have that information available since this information is not maintained. I said right in the beginning that this information is not maintained. There are professionals and workers of Indian companies, it's a free choice of people how they want to work.

SHRI ISHWARLAL SHANKARLAL JAIN: Since our country is badly in need of foreign exchange, is the Government contemplating of creating any facility or any department that helps them to seek the job outside so that more and more people can go outside? The jobless figure will go down and our foreign exchange earning will also go up. As we are trying to increase our exports, this is also nothing but the same type of work to earn foreign exchange. Will the Government work on these lines?

SHRIMATI AMBIKA SONI: Sir, the trend shows that there is an increase in the number of people going to these 29 European countries. As India's economic status and power is growing, Indian companies are setting up offices in different parts of the world. These Indian companies abroad are employing more and more Indian, citizens. The Ministry of Overseas Indian Affairs has undertaken some very proactive steps to ensure that those who are vulnerable amongst the emigrants in different countries, especially the emigration controlled passport holders, get the facility of resource centres where they can get help. During the *Pravasi Bharatiya Divas* in India, they told us about insurance for workers going abroad. The Indian Government is working on a path-breaking social security arrangements which we

are signing with some of the European countries. Eight countries have already signed it. Now the people from India don't have to pay twice over for their social security contribution there. There are four countries with which these have already been signed but not yet notified.

SHRI PREM CHAND GUPTA: Sir, with your permission, I want to expand the scope of the question. This question is about Indian workers going to European countries for work. What is happening is that Indian workers or businessmen going abroad for work, but there is hardly any assistance being given by the Indian Embassy or the High Commission to our people. They are left in cold. They are not given any assistance or any protection. Sir, you might have read it in the newspapers. Recently, there were many instances involving Indian workers stranded in Africa. They were not given any assistance.

MR. CHAIRMAN: it was discussed yesterday. We need not go into that.

SHRI PREM CHAND GUPTA: Sir, I requested you that I had wanted to expand the scope of the question.

MR. CHAIRMAN: No. Please don't expand the scope of the question. You can't do that in a supplementary.

SHRI PREM CHAND GUPTA: Sir, it is a question of Indians going abroad to work. Sir, I want to know from the hon. Minister about the protection given to our people who are going abroad to work.

SHRIMATI AMBIKA SONI: Sir, I may not be quite empowered to answer it. But still I will answer it. The Ministry has informed that they have successfully set up the Indian Workers Resource Centre in Dubai. This was set up in 2010. This is like one-stop service outlet for addressing the needs of emigrants like providing them information and assistance. The Ministry hopes to set up another six in the very near future. One will be in Malaysia.

श्री मुख्तार अब्बास नकवी: सभापति महोदय, माननीय मंत्री जी ने अपने उत्तर में friendly countries कई देशों का नाम दिया है, जिन्होंने छात्रों को वर्क परमिट भी दिया है। लेकिन कई ऐसे देश हैं, जिनसे वर्क परमिट के बारे में बात पेंडिंग चल रही है और वहां के छात्रों की बहुत ज्यादा मांग है कि उन्हें पढ़ाई के साथ-साथ वर्क परमिट दिया हुआ है, इसी के साथ-साथ कुछ देशों ने अधिकृत रूप से वहां पढ़ने वाले छात्रों को वर्क परमिट दिया हुआ है, लेकिन उसके बावजूद भी उनके साथ हिंसक और दुर्व्यवहार की घटनाएं हो रही हैं, जिनकी सरकार को जानकारी है।

सभापति महोदय, मैं आपके माध्यम से यह जानना चाहता हूँ कि क्या सरकार यह बताने का कष्ट करेगी कि जिन देशों के साथ वर्क परमिट पेंडिंग है उसको तत्काल हल करने

के लिए सरकार क्या कर रही है और कुछ देशों में, जैसे कि आस्ट्रेलिया है, वहां जो हिंसक और दुर्व्यवहार की घटनाएं हो रही हैं सरकार उस बारे में क्या कर रही है?

MR. CHAIRMAN : Naqvi sahib, this is a valid question, but it does not relate to this question. It cannot be introduced in a supplementary.

श्री मुख्तार अब्बास नकवी: सर, मेन क्वेश्चन में देखिए, इसमें विद्यार्थी और वर्क पररमिट दोनों हैं। आप लास्ट में देखिए, दोनों हैं और यह क्वेश्चन इसी से रिलेटिड है।

अगर माननीय मंत्री जी ने तैयारी नहीं की है तो माननीय प्रधानमंत्री जी यहीं पर हैं, मैं उनसे कहना चाहता हूं कि यह बहुत ही संवेदनशील और महत्वपूर्ण मुद्दा है।

SHRIMATI AMBIKA SONI: Sir, the Ministry does inform that this is as per the immigration policy of every single country. It depends on where the students are working and what the immigration policy of that country is. Work permits are not granted as a matter of rule to anybody who goes there. It depends on the country concerned. Secondly, the problems relating to students abroad are routed through the HRD Ministry.

DR. YOGENDRA P. TRIVEDI: Sir, actually, this is a two-way traffic. The workers and students from India go to the European countries and the workers and students from the European countries also come to our country. I do not know what is the trade surplus or trade deficit. But, I want to ask a simple question. In how many of these countries, Indians are discriminated? Some sort of a racial bias is there. Are we doing anything to any one of them? In Britain, there is an allegation that our students are being discriminated.

SHRIMATI AMBIKA SONI: Sir, the Ministry has not received any specific complaint of discrimination. Wherever such complaints come, I am confident that the Ministry addresses those complaints in a proactive manner but, surely, one cannot depend on the immigration policy for Indians and students based on this criterion.

MR. CHAIRMAN: Question No. 585. (*Interruptions*)

SHRI M. VENKAIAH NAIDU: Sir, I want your protection. The House would like to know what happened to the Minister. Why is the other Minister being allowed to answer? (*Interruptions*)

MR. CHAIRMAN: I will tell you. (*Interruptions*)

SHRI M. VENKAIAH NAIDU: Sir, we are here to better the functioning of Parliament. (*Interruptions*)

MR. CHAIRMAN: Let me answer the point raised by the hon. Member. There

is an established practice in this House that if a Minister has to be away on some official business then, the Minister writes to the Chair that another Member of the Council of Ministers will stand in for him or her and answer the questions. There is a written request which has been received from the Minister, it has been accepted. I said this right in the beginning. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: Sir, Parliament is in session. If there is an international conference, we do admit and understand. But, going for a political purpose to Andhra Pradesh when the House is in session... *(Interruption)*

MR. CHAIRMAN: I do not know where he has gone. But, if the Parliament wishes to make such a rule, the Chair has no objection. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: The Chair has got a letter. *(Interruptions)*

MR. CHAIRMAN: We can take another question. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: What is being preferred to Parliament? *(Interruptions)* is Party being preferred to Parliament? *(Interruptions)*

MR. CHAIRMAN: This is not something that has been invented. *(Interruptions)* It is a well established practice. *(Interruptions)*

SHRI V. NARAYANASAMY: Why is he questioning the Chair? *(Interruptions)* He has already given permission. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: I am asking the Chairman to enlighten the House. *(Interruptions)* I can ask the Chairman to enlighten the House, *(Interruptions)* I don't know what is your problem. *(Interruptions)* Is it official programme? *(Interruptions)*

MR. CHAIRMAN: I have explained the position to you. *(Interruptions)* If it is anything beyond that, it is not in the power of the Chair. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: Sir, does the letter say 'official programme'?

MR. CHAIRMAN: There is a programme to which the Minister has gone. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: Programme means Party programme. *(Interruptions)*

MR. CHAIRMAN: I do not know. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: I leave it to the Chair ...*(Interruptions)*...

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

SHRI TIRUCHI SIVA: If the Minister has informed the Chair, why should we go into the reasons? (*Interruptions*)

MR. CHAIRMAN: The Chair does not pry into the affairs of Members outside the Chamber. (*Interruptions*) The Parliament is sovereign to make such rules that there shall be no absentees from Parliament at any time of the day during sessions. But, that is the right of Parliament. It cannot be imposed by the Chair. The Chair has only communicated what is the established practice. The Chair has acted in accordance with the established practice, (*Interruptions*) Now, let us go to the next question.

Seregation of ATC Operations

*585. DR. K.V.P. RAMACHANDRA RAO: Will the Minister of CIVIL AVIATION foe pleased to state:

- (a) whether it is a fact that a proposal is under consideration to segregate Air Traffic Control operations from the control of Airports Authority of India;
- (b) if so, the details thereof;
- (c) the main objective; and
- (d) by when it is likely to be done?

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

Statement

(a) and (b) The issue of separating ATC services from aerodrome operator had been pending before the Government for a long time. Various Committees had recommended this, starting from 1976, the latest being Naresh Chandra Committee of 2004. After detailed expert study in 2008 and careful examination, the Government had then decided that ATC services may be hived off from AAI. It was also decided to aggregate all ANS activities under a separate Member (ANS) in the first stage.

(c) The objective behind setting up a separate entity for Air navigation Services is to give undivided focused attention to augmentation/up-gradation/improvement of CNS/ATM infrastructure to match with the future huge growth of aircraft movement with safety, efficiency, adequate system capacity and improve the quality of services based on new and emerging technologies. Further it will result in separation of airport operator (AAI) and air navigation service provider (CNS/ATM) thereby avoiding any conflict of interest situation which is line with ICAO recommendations.

- (d) AAI has further undertaken a detailed study of the process of hiving off

the ANS entity through experts. Various alternatives suggested by the study so far are being examined in the Board of AAI.

DR. K.V.P. RAMACHANDRA RAO: Sir, ATC is having problems due to lack of sufficient strength and new and latest gadgets. To what extent, will these problems be solved by creating a separate organisation of ATC?

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

WRITTEN ANSWERS TO STARRED QUESTION

Growth with Distribution

586*. SHRI HUSAIN DALWAI: Will the PRIME MINISTER be pleased to state:

- (a) whether it is a fact that though the incidence of poverty has come down during 2004-05 to 2009-10, the inequality has increased;
- (b) if so, the details thereof;
- (c) whether Government has nothing to do with the objective of “growth with distribution”; and
- (d) if not, in what manner Government proposes to correct the situation?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (d) The poverty estimates based on the extant methodology reveal that the percentage of population below poverty line has declined from 37.2% in 2004-05 to 29.8% in 2009-10. The data on distribution of income is not compiled centrally. However, the data on household consumption expenditure collected by the National Sample Survey Office (NSSO) could be used as a proxy to capture the economic disparities. On the basis of such data, it is estimated that in the rural areas, the average monthly per capita consumption expenditure (MPCE) of the top 10% of population was 5.76 times more than that of the bottom 10% of the population for the year 2009-10 as compared to 5.26 times in 2004-05. Similarly, it is estimated that in urban areas the average MPCE of the top 10% of population was 10.11 times more than that of the bottom 10% of the population for the year 2009-10 as compared to 8.41 times in 2004-05. This indicates that increase in inequality in consumption expenditure in rural areas during this period was much lower as compared to the increase in urban areas.

Reduction of economic inequalities has been one of the primary policy

objectives of the development planning in India. International experience suggests that the inequalities tend to increase in the early phase of development. However, because of sound economic fundamentals, the high rate of economic growth that India witnessed recently has enormously improved the capacity to make a decisive impact on the quality of life of the masses, especially the poor and the marginalized. This has enabled the Government to allocate substantial amount of resources on the development of social, economic and physical infrastructure which has started showing positive results and the harsh edges of poverty have been blunted. In addition, the Eleventh Five Year Plan adopted the strategy of inclusive growth to ensure that the benefits of growth reach all the sections of the society. To achieve this objective, the Government have implemented a number of flagship programmes such as Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), Swarnajayanti Gram Swarozgar Yojana (SGSY), Swarna Jayanti Shahri Rozgar Yojana (SJSRY), Integrated Child Development Scheme (ICDS), Mid-Day Meal Scheme, Sarva Shiksha Abhiyaan (SSA), National Rural Health Mission (NRHM), Rural Drinking Water Supply and Total Sanitation Campaign, Indira Awaas Yojana (IAY), Targeted Public Distribution System (TPDS) and social security measures like National Social Assistance Programme (NSAP), Rashtriya Swasthaya Bima Yojana (RSBY) etc. Through these measures the Government has tried to ensure that the increase in inequalities is minimized. As a result of these interventions, it is estimated that, in absolute numbers, there is a net reduction of around 5.25 crore persons living in abject poverty between 2004-05 to 2009-10.

The Government remains fully committed to ensure balanced regional growth and reduction of inequalities. The Approach Paper to the 12th Five Year Plan also emphasizes the need to build upon the achievements of the 11th Five Year Plan and strive for faster, sustainable and more inclusive growth. It will further help in reducing economic disparities in India in future.

Security of Kudankulam Nuclear Plant

*587. SHRI T.M. SELVAGANAPATHI : Will the PRIME MINISTER be pleased to state:

- (a) whether the pacts for Kudankulam units No. III and IV are almost ready;
 - (b) if so, the details thereof;
 - (c) whether Russia has assured security for all the units in Kudankulam;
- and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) to (d) An Inter Governmental Agreement (IGA) was signed on December 5, 2008 between India and Russian Federation to extend the cooperation in peaceful use of nuclear energy, including the construction of additional nuclear power plant units at Kudankulam site. The IGA provides *inter-alia* for supply of fuel throughout the operational period of power units of the nuclear power plants at the Kudankulam site. The text of the Protocol for extending Russian State credit for implementation of KKNPP-Units 3 and 4 has been approved by the Central Government. The proposal for financial sanction of Kudankulam Units-3 & 4 is under consideration of the Central Government.

Details of Funds given to Uttar Pradesh

*588. SHRI MOHAMMED ADEEB: Will the Minister of CIVIL AVIATION 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 three years and the current year so far;

(b) the purposes for which these funds were given/spent; and

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

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) Details of funds earmarked and spent by Airports Authority of India (AAI) on airports in Uttar Pradesh during the last three years and current years are given in Statement. (See below)

(b) and (c) AAI has incurred these funds for creation of airport infrastructure as well as operation and maintenance of these airports. Allocation of funds for capital works is made based on traffic projections. Funds for operation and maintenance is made based on the requirement projected.

Statement*Airport Authority of India**Summary of Amount plan and spent during last three years and
Current year planned expenditure in Uttar Pradesh*

(Rs. in crores)

Sl. No.	Particulars	Expenditure 2009-10	Expenditure 2010-11	Expenditure 2011-12 (Prov.)	BE 2012-13
Uttar Pradesh					
Aerodrome Works					
1.	Agra	11.98	11.13	11.11	11.60
2.	Aligarh	0.78	1.03	1.77	1.821
3.	Gorakhpur	2.10	1.93	2.38	2.58
4.	Kanpur	4.75	6.44	8.22	8.86
5.	Lucknow	88.51	81.02	83.40	78.51
6.	Pratapgarh	0.66	0.91	1.28	1.38
7.	Varanasi	71.51	69.15	72.12	68.58
8.	CATC, Allahabad	27.59	42.77	40.18	42.17
GRAND TOTAL		207.88	214.38	220.46	215.50

Development of NHs in Madhya Pradesh

*589. SHRI FAGGAN SINGH KULASTE: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether any plan has been formulated for the development of National Highways in Madhya Pradesh during the financial year 2012-13;

(b) if so, the amount allocated for the extension, renovation and maintenance of National Highways in Madhya Pradesh during the current financial year;

(c) the names of the highways on which the said amount would be spent; and

(d) the details thereof?

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS (SHRI C.P. JOSHI): (a) and (b) Yes, Sir. Development and Maintenance of National Highways (NHs) is a continuous process depending on inter-se-priority and availability of funds. For development of NHs entrusted with State Public Works Department, Annual Plan for the year 2012-13 amounting to Rs. 253.00 crore has been finalised. Based on Vote on Account, Rs. 54.09 crore and Rs. 11.24 crore has been earmarked for development and maintenance of NHs respectively during the year 2012-13. Besides this, stretches of NHs are planned for its development on Public Private Partnership (PPP) mode.

(c) and (d) The details are in Statement.

Statement

Madhya Pradesh Approved Annual Plan 2012-13 [NH(O) works]

Sl. No.	Head	NH No.	Name of works	Length in Kms	Approx. Cost (Rs. in Crores)
1	2	3	4	5	6
A	Four Laning / PPP Projects under NHDP-IV				
	(i) FS/Detailed Engineering				
			SUB TOTAL	0.00	0.00
	(ii) L.A.R&R				
			SUB TOTAL	0.00	0.00
	(iii) Shifting of utility services				
			SUB TOTAL	0.00	0.00
	(iv) Construction		Nil		
			SUB TOTAL	0.00	0.00
			TOTAL	0.00	0.00
B	Bypasses				
	(i) L.A. only				
			SUB TOTAL	0.00	0.00

1	2	3	4	5	6
	(ii) Construction				
			SUB TOTAL	0.00	0.00
			TOTAL	0.00	0.00
	C. R.O.B./R.U.B.				
	(i) FS/ Detailed Engineering	26A	3 no. Of RGBs on Sagar-Bina road.	3.00	1.00
			SUB TOTAL	3.00	1.00
	(ii) L.A.				
	(iii) Construction	86	Km. 5/6 at Makornia	1.00	6.00
			SUB TOTAL	1.00	6.00
			TOTAL	7.00	
	D. Missing Link/New National Highways				
	(i) FS/Detailed Engineerig				
	(ii) L.A.				
	(iii) Construction				
			SUB TOTAL	0.00	0.00
			TOTAL	0.00	0.00
	E. Widening to two lane				
			TOTAL	0.00	0.00
	F. Videning to two lane with geometries improvements				
			TOTAL	0.00	0.00
	G. Strengthening				
		59A	Km. 93 to 126/6, km. 126/8 to 128	34.80	25.00
		59A	Km. 182 to 190	9.00	7.00
		59A	Km. 215 to 231	17.00	12.00
		59A	Km. 1/2 to 23	21.00	15.00

1	2	3	4	5	6
		86	Km. 3/2 to 87 and km 93 to 110	101.00	96.00
		12A	Km. 119 to 142	24.00	12.00
			SUB TOTAL	206.80	167.00
			TOTAL	206.80	167.00
	H. Improvement of riding quality				
		12A	Km. 156 to 175	20.00	8.00
		78	Km. 74 to 82	9.00	4.50
		78	Km. 83 to 102	20.00	8.00
		78	Km. 113 to 132	20.00	8.00
		59A	Km. 232 to 242	11.00	5.00
		59A	Km. 243 to 266/4	24.60	11.00
		12	km 286 to 301	18.00	8.00
			SUB TOTAL	122.60	52.50
			TOTAL	122.60	52.50
	I. Paved Shoulders				
			SUB TOTAL	0.00	0.00
			TOTAL	0.00	0.00
	J. Widening/reconstruction	All NHs	Selected structures of culvert		
			TOTAL	0.00	0.00
	K. Renewal				
			TOTAL	0.00	0.00
	L. Misc.	NHs	load safety works, protective works, drains, culverts, improvement of junction, geometrics improvement, electronic road Register, Land	I.S.	5.00

1	2	3	4	5	6
			Plans, Consultancy works etc./osting less than 50 Lakhs		
			SUB TOTAL	0.00	5.00
		NHs	Survey and Investigation	LS	2.00
			repair rehabilitation, minor bridges costing less than 50 lakhs		
			SUB TOTAL	0.00	2.00
			MISC. TOTAL	0.00	7.00
(I)			GRAND TOTAL (I) (A to L)	329.40	233.50
M.	Major Bridge				
	(i) Reconstruction/ Widening				
			SUB-TOTAL	0.00	0.00
	(ii) Rehabilitation				
			SUB-TOTAL	0.00	0.00
	(iii) LA				
			SUB-TOTAL	0.00	0.00
	(iv) FS/DPR				
			SUB-TOTAL	0.00	0.00
			TOTAL	0.00	0.00
N.	Minor Bridge				
	(i) Reconstruction/ Widening				
	76	Km. 84/6, 85/6		2.00	3.00
	12	km 287/2 near Jhakela		1.00	4.00
	59A	km 47 at Kalisatu		1.00	4.50
		SUB TOTAL		4.00	11.50
	(ii) Rehabilitation				
	12	km 130/2 across Sindur river		1.00	3.00

1	2	3	4	5	6
		12	km. 295/6 Kalia Sot	1.00	3.00
			SUB TOTAL	2.00	6.00
	(iii) L.A. only				
			SUB-TOTAL	0.00	0.00
			TOTAL	0.00	17.50
			SUB TOTAL	6.00	17.50
	(II)		GRAND TOTAL (II) (M to N)	6.00	17.50
	P. Road Safety and environment		TOTAL		2.00
	(III)		GRAND TOTAL (III)(P)		2.00
			GRAND TOTAL PLAN	335.40	253.00
			(I)+(II)+(III)		

Vacant Posts of Deputy Secretary in CSS Cadre

*590. SHRI PANKAJ BORA: Will the PRIME MINISTER be pleased to state:

(a) the number of Deputy Secretary posts in the cadre of CSS that were vacant in February, 2012;

(b) whether any efforts have been made by Department of Personnel and Training to fill up the vacancies; and

(c) if so, the number of Under Secretaries who has become eligible for promotion to Deputy Secretary by February, 2012 and the number of vacant posts that would be filled up against retirees?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONAL, PUBLIC GRIEVANCES AND PENSIONS. (SHRI V. NARAYANASAMY): (a) By the end of February, 2012 there were 108 vacancies in the grade of Deputy Secretary/Director in the Central Secretariat Service (CSS).

(b) It was not possible to fill up the vacancies since the seniority in the grade of Under Secretary is sub-judice.

(c) 652 Under Secretaries had completed the minimum residency requirement of five years for promotion to the grade of Deputy Secretary by February, 2012.

Manufacturing of special tubes fore Nuclear Plants

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

(a) whether Nuclear Fuel Complex (NFC), Hyderabad has successfully completed manufacturing of special quality tubes, useful for steam generators in Nuclear Power Plants;

(b) if so, the details thereof;

(c) whether the development reflects successful indigenisation and India's manufacturing capability in this strategic sector; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) Yes, Sir.

(b) The Nuclear Fuel Complex (NFC) has successfully manufactured Steam Generator tubing in 9 CM Mo (Mod) for Prototype Fast Breeder Reactors (PFBRs) and incoloy-800 Steam Generator tubings for the forthcoming 700 MWe Pressurized Heavy Water Reactors (PHWRs).

(c) Yes, Sir.

(d) This is a successful indigenization effort, as these tubes were hitherto imported.

Proper Nutrition for Children

592. SHRI PARSHOTTAM KHODABHAI RUPALA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the action that has been taken by Ministry on the fact that a large number of children are not getting proper nutrition;

(b) whether Government has conducted any survey in this regard;

(c) the number of cases registered in this matter, State-wise; and

(d) the amount of fund that has been allocated for the last three years and proposed for coming three years, State-wise?

THE MINISTRY OF STATE OF THE WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (d) As per the National Family Health

Survey-3 (NFHS-3), 2005-06, in India 42.5% children under 5 years are underweight. The State-wise details are given in Statement-I (*See* below).

The approach to dealing with the nutrition challenges has been two pronged; Multi-sectoral approach for accelerated action on the determinants of malnutrition in targeting nutrition in schemes/programmes of all the sectors. As the multi-sectoral approach takes some time to show results and when implemented together, have a trickle down and horizontal effect to benefit the population over a period of time, other part of the approach is direct and specific interventions targeted towards the vulnerable groups such as children below 6 years, adolescent girls, pregnant and lactating mothers.

The Government has accorded high priority to the issue of malnutrition and is implementing several schemes/programmes of different Ministries/Departments through State Governments/UT Administrations. The schemes/programmes include the Integrated Child Development Services (ICDS), National Rural Health Mission (NRHM), Mid-Day Meal Scheme, Rajiv Gandhi Schemes for Empowerment of Adolescent Girls (RGSEAG) namely SABLA, Indira Gandhi Matritva Sahyog Yojna (IGMSY) as Direct targeted interventions. Besides, indirect Multi-sectoral interventions include Targeted Public Distribution System (TPDS), National Horticulture Mission, National Food Security Mission, Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), Total Sanitation Campaign, National Rural Drinking Water Programme etc. All these schemes have potential to address one or other aspect of Nutrition. Several of the existing schemes/programmes including ICDS have been expanded/universalized just before or during the Eleventh Five year Plan, hence, the results are likely to be visible after some time.

The ICDS and the RGSEAG (SABLA) are the two major nutrition related programmes being implemented by the Ministry of Women and Child Development. Supplementary nutrition as a gap filling measure is provided to children below six years of age, pregnant and nursing mothers as one of the services under the Integrated Child Development Services Scheme (ICDS). The ICDS is a universal but a self selecting programme. The services are currently availed by 967.41 lakh beneficiaries which include 786.30 lakh children (6 months to 6 years) and 181.10 lakh pregnant and lactating mothers. The RGSEAG or SABLA provides a package of services including health and nutrition to adolescent girls in the age group of 11-14 years for out of school girls and 15-18 years for all girls for nutrition in 200 districts as a pilot. The scheme includes Nutrition provision (@ Rs. 5 per day per beneficiary (same as P&L mothers under ICDS). Nearly 100 lakh adolescent girls are expected to be benefited under the scheme.

The ICDS is a Centrally sponsored scheme, implemented by the States on a sharing basis. Government provides Grants-in-Aid in the ratio of 50:50 (90:10 for NER States) between the Centre and the States for supplementary nutrition on a year to year basis as per approved budgetary allocations and availability of funds. For other components of ICDS General it is 90:10 for all States. State-wise funds released to States/UTs for ICDS (SNP, ICDS general and training) for the years 2009-10, 2010-11 and 2011-12 are at Statement-II and III (*See below*). Funds released for SABLA are given in Statement-IV (*See below*).

Statement-I

*Prevalence of Underweight in children below the age of five years,
NFHS 3, (2005-06) State-wise*

Sl. No.	State	% Underweight Children
	India	42.5
1.	Madhya Pradesh	60.0
2.	Jharkhand	56.5
3.	Bihar	55.9
4.	Meghalaya	48.8
5.	Chhattisgarh	47.1
6.	Gujarat	44.6
7.	Uttar Pradesh	42.4
8.	Odisha	40.7
9.	Rajasthan	39.9
10.	Haryana	39.6
11.	Tripura	39.6
12.	West Bengal	38.7
13.	Uttarakhand	38.0
14.	Maharashtra	37.0
15.	Karnataka	37.6

Sl. No.	State	% Underweight Children
16.	Himachal Pradesh	36.5
17.	Assam	36.4
18.	Andhra Pradesh	32.5
19.	Arunachal Pradesh	32.5
20.	Tamil Nadu	29.8
21.	Delhi	26.1
22.	Jammu and Kashmir	25.6
23.	Nagaland	25.2
24.	Goa	25.0
25.	Punjab	24.9
26.	Kerala	22.9
27.	Manipur	22.1
28.	Mizoram	19.9
29.	Sikkim	19.7

Statement-II*Funds released for ICDS***Funds' released for Supplementary Nutrition for the year 2009-10, 2010-11 and 2011-12**

		Rupees in lakh		
Sl.No.	State/UT	2009-10	2010-11	2011-12
		Funds released	Funds Released	Funds Released
1	2	3	4	5
1.	Andhra Pradesh	31285.70	16003.74	48307.39
2.	Bihar	40695.19	48335.94	35452.88
3.	Chhattisgarh	7461.68	14211.95	14714.72

1	2	3	4	5
4.	Goa	375.94	418.23	410.97
5.	Gujarat	8696.39	11985.65	36389.64
6.	Haryana	6884.01	5211.60	6391.63
7.	Himachal Pradesh	2939.36	2466.48	2819.49
8.	Jammu and Kashmir	1671.09	1949.78	1949.76
9.	Jharkhand	16893.64	23438.78	12136.86
10.	Karnataka	26325.26	23585.19	31664.85
11.	Kerala	7545.81	8071.33	7459.55
12.	Madhya Pradesh	22339.36	38917.63	52322.73
13.	Maharashtra	20350.12	20350.12	66743.56
14.	Odisha	13968.2	19490.01	32289.69
15.	Punjab	1748.03	4402.84	9001.16
16.	Rajasthan	11014.23	20449.06	26747.43
17.	Tamil Nadu	13268.00	12395.76	17072.64
18.	Uttar Pradesh	86778.09	138267.06	131600.18
19.	Uttarakhand	740.47	1303.60	1313.20
20.	West Bengal	13577.01	35274.00	36926.45
21.	Andman and Nicobar Islands	144.80	106.95	120.80
22.	Chandigarh	193.78	129.88	189.23
23.	Dadra and Nagar Haveli	91.58	62.90	53.10
24.	Daman and Diu	50.37	33.58	32.38
25.	Lakshadweep	42.87	29.69	29.69
26.	Delhi	4171.53	4004.05	2017.30
27.	Pondicherry	139.91	395.95	1016.39
28.	Arunachal Pradesh	856.32	3047.89	2760.74

1	2	3	4	5
29.	Assam	17660.74	21579.99	30082.76
30.	Manipur	1477.61	4449.60	2248.30
31.	Meghalaya	5301.00	5650.42	5953.12
32.	Mizoram	2020.79	2241.65	1867.08
33.	Nagaland	2658.79	4782.37	4855.60
34.	Sikkim	794.39	362.44	563.44
35.	Tripura	2851.68	3464.40	6746.08
TOTAL		373013.74	496870.51	630250.79

Statement-III

State-wise position on funds released and expenditure reported under ICDS Scheme (General) and Training during year 2009-10, 2010-11 and 2011-12

Rs. in lakh

SI. No.	STATE	2009-10	2010-11	2011-12
		Funds released	Funds released	Funds released
1	2	3	4	5
1.	Andhra Pradesh	36306.76	36639.25	44587.98
2.	Bihar	29764.48	25185.20	46456.23
3.	Chhattisgarh	14393.91	12064.65	23787.53
4.	Goa	839.01	802.74	846.52
5.	Gujarat	15987.35	18932.53	44276.04
6.	Haryana	8176.56	10817.84	16360.93
7.	Himachal Pradesh	7088.51	8727.11	11903.95
8.	Jammu and Kashmir	8329.08	14751.62	15008.35
9.	Jharkhand	12891.82	17918.00	20501.65
10.	Karnataka	21036.48	19388.69	45102.14

48	<i>Written Answers to</i>	[RAJYA SABHA]	<i>Starred Questions</i>	
1	2	3	4	5
11.	Kerala	14287.04	12751.76	29615.76
12.	Madhya Pradesh	20518.38	31172.69	40554.56
13.	Maharashtra	32238.38	42503.36	76225.79
14.	Odisha	22504.10	21677.68	36038.97
15.	Punjab	9260.96	11832.38	17257.36
16.	Rajasthan	22550.03	17014.35	32506.33
17.	Tamil Nadu	17967.07	26319.84	37210.68
18.	Uttarakhand	3717.73	3857.79	10502.09
19.	Uttar Pradesh	51542.93	48631.35	90164.50
20.	West Bengal	37016.49	30717.03	79235.59
21.	Delhi	3209.81	3644.46	4918.64
22.	Pondicherry	249.00	355.54	712.40
23.	Andaman and Nicobar	291.63	325.30	599.93
24.	Chandigarh	254.50	244.45	438.27
25.	Dadar and Nagar Haveli	129.84	137.53	145.33
26.	Daman and Diu	56.55	58.18	82.47
27.	Lakshadweep	121.03	27.49	169.83
28.	Arunachal Pradesh	3178.72	6391.53	7015.96
29.	Assam	23849.59	36402.43	38663.02
30.	Manipur	3387.50	3707.71	5924.06
31.	Meghalaya	2102.15	2482.89	3536.73
32.	Mizoram	2089.23	2315.96	2714.42
33.	Nagaland	5025.41	2264.01	5930.26
34.	Sikkim	683.53	503.29	772.27
35.	Tripura	7398.20	8132.21	6489.28
	LIC	691.80	742.00	663.72
	TOTAL	439135.56	479440.83	796919.54

Statement-IV*Rajiv Gandhi Scheme for Empowerment of Adolescent Girls (RGSEAG)-‘Sabla’*

(Rs. in lakh)

Sl. No.	States/UTs	2010-11		2011-12	
		Funds released	Funds Utilised (as reported by States/UTs)	Funds released (Rs.in lakh)	Funds Utilised (as reported by States/UTs)
1	2	3	4	5	6
1.	Andhra Pradesh	1963.3		3259.7	1963.3
2.	Arunachal Pradesh	119.58	13.18	79.56.	106.4
3.	Assam	1018.79	0	1592.98	979.79
4.	Bihar	2773.77	0	5081.73	1470.15
5.	Chattisgarh	938.71	0	1472.72	0
6.	Goa	79.81	0	207.98	173.15
7.	Gujarat	1357.68	—	2647.22	1731.37
8.	Haryana	405.22	3.99	701.44	264.15
9.	Himachal Pradesh	307.18	168.78	550.34	379.48
10.	Jammu and Kashmir	290.55	—	453.64	194.09
11.	Jharkhand	754.27	—	1493.32	342.15
12.	Karnataka	711.68	33.89	3053.55	3289.75
13.	Kerala	881.73	512.55	1284.66	202.33
14.	Madhya Pradesh	2470.64	497.72	4069.18	5140.1
15.	Maharashtra	2568.49	—	3957.22	1318.08
16.	Manipur	116.29	—	152.76	142.88
17.	Meghalaya	142.48	113.04	306.76	206.08

50	<i>Written Answers to</i>	[RAJYA SABHA]		<i>Starred Questions</i>	
1	2	3	4	5	6
18.	Mizoram	73.32	73.32	78.24	0.37
19.	Nagaland	87.05	87.05	147.49	110.36
20.	Odisha	1553.44	—	2382.98	50
21.	Punjab	591.3	190	874.8	0
22.	Rajasthan	1777.37	982.78	3369.05	2932.05
23.	Sikkim	41.8	1.12	66.05	68.58
24.	Tamil Nadu	1271.8	371.8	2686.32	2527.22
25.	Tripura	240.35	—	455.06	363.92
26.	Uttar Pradesh	4689.86	1347.04	11749.87	10120.22
27.	Uttaranchal	355.49	—	511.48	0
28.	West Bengal	1647.06	—	2758.74	0
29.	Andaman and Nicobar	31.76	26.32	51.99	25.7
30.	Chandigarh	32.94	6.12	48.78	23.56
31.	Daman & Diu	12.66	—	16.44	9.49
32.	D&NH	18.19	0	24.98	0
33.	Delhi	333.68	—	496.36	311.5
34.	Lakshdweep	6.61	—	8.94	0
35.	Pondicherry	8.56	0	19.02	8.56
TOTAL		29673.41	4428.7	56111.35	34454.77

Autonomy to Panchayats and Gram Sabhas

*593. SHRI N.K. SINGH: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) whether the autonomy assigned to the panchayats and gram sabhas is adequate;

(b) if so, the details thereof;

(c) whether Government proposes to empower the Panchayats and the gram sabhas by providing more autonomy to widen their role in the implementation of Centrally sponsored schemes;

(d) if so, the reaction of Government thereto and the details of the grants released to the panchayats directly during the last three years and the current year, scheme-wise and State-wise;

(e) whether Government periodically reviews the working of the Panchayati Raj Institutions; and

(f) if so, the details thereof along with the shortcomings and the measures taken to remove them?

THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO):

(a) and (b) As per Article 243G 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 per Article 243A, a Gram Sabha may exercise such power and perform such functions as the legislature of a State may, by law, provide. States vary in the extent to which they have devolved powers to the Panchayats and Gram Sabhas. The status of devolution of funds, functions and functionaries to Panchayats by States is given in Statement (*See below*).

(c) The Ministry of Panchayati Raj incentivizes devolution through the Panchayat Empowerment and Accountability Incentive Scheme (PEAIS). It also pursues with other Ministries to assign roles and responsibilities to Panchayats and Gram Sabhas in implementation of Centrally Sponsored schemes. Under the MGNREGS of the Ministry of Rural Development, the Gram Sabhas approve the plans and the Gram Panchayat is required to make voluntary disclosure before the Gram Sabha. Under the Backward Region Grant Fund (BRGF) Scheme of the Ministry of Panchayati Raj, the work to be taken up by Gram Panchayats is to be approved by the Gram Sabha. Ministry of Panchayati Raj also awards Rashtriya Gaurav Gram Sabhas Puraskar to encourage effective Gram Sabha.

(d) In so far as schemes administered by the Ministry of Panchayati Raj is concerned, Central Assistance to Panchayats are released to the State Governments concerned.

(e) and (f) The working of Panchayati Raj Institutions is evaluated from time to time, and award under PEAIS is given on the basis of such evaluation. Capacity

building of elected representatives and functionaries of Panchayats is supported by the Ministry of Panchayati Raj under Rashtriya Gram Swaraj Yojana and Backward Regional Grant Fund, MoPR periodically reviews the working of the PRIs with the State Governments in meetings, through field visits and other forums. A State of Panchayat Report (SoPR) is commissioned by the Ministry from time to time. In case of shortcomings, the matter is taken up with the State Governments. Panchayats are also enabled through e-Panchayat Scheme.

Statement

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

Sl. No.	State/UT	No. and names of the Departments/subjects transferred to Panchayats with respect to		
		Funds	Functions	Functionaries
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 taxes 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	Activity mapping has	Departmental staff

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| | collected by PRIs but a proposal regarding the same is under consideration of State Government. | been conducted. 20 line deptts. have issued GOs. | are answerable to departments. Anganwadi workers, teachers and health workers are appointed by PRIs. |
| 5. Chattisgarh | GP is authorized to collect various types of taxes. 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 from lease of Panchayat land, liquor cess and rental of Panchayat premises. | Panchayati Raj Act devolves 29 functions. GOs have been issued for 10 deptts. | 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 sense. Functionaries have been identified in the Activity Mapping document who will 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. | | |

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| 12. Karna-
taka | 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 function under dual control of the Deptts. concerned and the PRIs. |
| 13. Kerala | GPs have tax domain of 9 types of taxes.

Untied funds and funds for specific purposes by deptts are given to PRIs. | Activity mapping for all 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 collect taxes. Funds for departments covering matters are released PRIs. | GOs containing the Activity Mapping in respect of 25 matters pertaining to 22 deptts, have been issued. | Functionaries for 13 departments have been transferred to the PRIs.

There is a State Panchayat Service. |
| 15. Maha-
rashtra | 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 Parishad employees. |
| 16. Mani-
pur | Five Departments have issued GOs transferring funds to PRIs. | GOs have been issued devolving functions related to 22 departments. | 5 Departments have issued GOs transferring functionaries to PRIs. |
| 17. Orissa | 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. |

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| 19. Rajas-
than | 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 upto district level to PRIs. |
| 20. Sikkim | PRIs do not collect taxes. Funds are being transferred by 17 departments, 10% of total fund of each department 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 bodies will receive – 58% share. | Government of Tamil Nadu has delegated supervision and monitoring powers of 29 subject to PRIs. | There is no significant devolution of functionaries. |
| 22. Tripura | Part funds related to PWD Department, 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, women and child development and social welfare. | Functionaries of 5 subjects for which functions have devolved, have been transferred to Panchayats. |

56	Written Answers to	[RAJYA SABHA]	Starred Questions	
23.	Uttar Pradesh	All 3 tiers have the power to collect taxes.	16 subjects relating to 12 departments have been devolved to PRIs.	PRI do not have control over functionaries.
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.

Funds for Road Projects under NHAI

*594. SHRI P. BHATTACHARYA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether national and international financial institutions, including the World Bank, have been providing financial assistance/loans for the construction, development and maintenance of road projects under the National Highways Authority of India (NHAI);

(b) if so, the details of such projects during the last three years along with their current status project-wise, amount-wise and State-wise;

(c) whether World Bank's Institutional Integrity Unit has recently reported serious irregularities in some of the NHAI projects;

(d) if so, the details thereof, State-wise and project-wise and Government's reaction thereto; and

(e) the corrective measures taken in the matter?

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS (SHRI C.P. JOSHI): (a) International Financial Institutions namely, World Bank (WB), Asian Development Bank (ADB) and Japan Bank for International Cooperation (JBIC) have been providing financial assistance/loans for the construction and development of National Highways under National Highways Authority of India (NHAI).

(b) No Externally Aided Projects (EAP) have been awarded during last three years. However, State wise details of EAP projects under implementation are enclosed as Statement (*See* below).

(c) to (e) World Bank's Institutional integrity unit in its report has alleged that some companies executing World Bank funded projects in respect of contract packages WB-9, WB-10, WB-12 under Lucknow-Muzaffarpur National Highway project (LMNHP) in the State of Bihar, contract package IVA under Grand Trunk Road Improvement Project (GTRIP) in the State of Uttar Pradesh and Bihar and contract package V-C under Third National Highways Project (TNHP) in the State of Jharkhand have committed sanctionable practices. The matter is under examination.

Statement*Details of Externally Aided Projects Under Implementation*

Sl.No.	Stretch	State	NH No.	Total Length (in Km)	Completed Length (in Km)	Date of Start	Date of completion as per contract	Date of Completion/ Anticipated Completion	Total Project Cost (Rs. cr.)
Asian Deveelopment Bank									
1.	Lalitpur - Sagar (ADB-II/C-4)	Madhya Pradesh	26	55	55	Apr-2006	Oct-2008	May-2012	225
2.	Orai to Jhansi (UP-5)	Uttar Pradesh	25	50	49.85	Sep-2005	Mar-2008	Jun-2012	340.68
3.	Rajmarg Choraha to Lahknadon (ADB-II/C-8)	Madhya Pradesh	26	54	46	Apr-2006	Oct-2008	Dec-2012	251.03
4.	Rajmarg Choraha to Lakhandon (ADB-II/C-9)	Madhya Pradesh	26	54.7	51.06	Apr-2006	Oct-2008	Sep-2012	229.91
5.	Sagar Bypass (ADB-II/C-5)	Madhya Pradesh	26	26	26	Apr-2006	Oct-2008	May-2012	151.3
6.	Sagar -Rajmarg Choraha (ADB-H/C 6)	Madhya Pradesh	26	44	40.84	Apr-2006	Oct-2008	Dec-2012	203.43

World Bank

1. Agra-Shikohabad (GTRIP/I-A)	Uttar Pradesh	2	50.83	50.76	Mar-2002	Mar-2005	Jun-2012	367.49
2. Deewapur to UP/Bihar Border (LMNHP-9)	Bihar	28	41.085	29.78	Nov-2005	Oct-2008	Dec-2012	300
3. Kotwa to Dewapur (LMNHP-10)	Bihar	28	38	37.5	Nov-2005	Nov-2008	Jun-2012	240
4. UP/Bihar Border to Kasia (LMNHP-8)	Uttar Pradesh	28	41.115	40.5	Dec-2005	Dec-2008	May-2012	227

*Written Answers to**[17 MAY, 2012]**Starred Questions 59*

Construction cost of New National Highways

†*595. SHRI RAVI SHANKAR PRASAD: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that the system for collection of construction cost of new national highways from their users by private institutions is in vogue today after these roads are constructed by joint entrepreneurship of private and public sectors in the country;

(b) if so, the details thereof;

(c) whether it is also a fact that there is no mechanism to attend to grievances and to remove the hardships of users on these roads; and

(d) if such mechanism is available, the outlines thereof and the number of average annual complaints received in this regard?

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS (SHRI C.P. JOSHI): (a) and (b) User fees for roads are collected in accordance with the National Highways Fee (Determination of Rates and Collection) Rules, 2008 as amended from time to time, for PPP projects as well as public funded projects.

(c) and (d) There are systems in place to address the representations and complaints by users. The number of complaints received in the last three years is as under:

Year	No of Complaints	No of sections and bridges under tolling	Disposal status of complaints
2009-10	20	150	20
2010-11	21	167	21
2011-12	30	196	27

Complaints of overcharging tolls

*596. SHRI PRAKASH JAVADEKAR: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether there are complaints of delays and overcharging the tolls for long time on various toll booths on National Highways;

(b) if so, the details thereof; and

†Original notice of the question was received in Hindi.

- (c) the steps that are being taken by Government to handle this problem?

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS (SHRI C.P. JOSHI): (a) and (b) Yes, Sir. The detail of complaints of delay in collection of user fee at the fee plazas and overcharging are enclosed as Statement-I (*See* below).

(c) To ensure seamless movement of traffic and collection of toll as per the notified rates, Ministry is switching over from existing manual toll collection to Electronic Toll Collection. A pilot project is already under implementation on Zirakpur-Parwanoo Section of NH-22. Further there is a provision in the contract agreement for levy of penalty in case of overcharging.

Statement-I

Details of Complaints of Delay (Long Queues)

Sl.No.	Name of Plaza	Remarks
1.	Khedshivpur at Km 819.240 of NH 4 in the State of Maharashtra.	There are complaints of delays at both the toll plazas, the reasons being the work of six laning in progress.
2.	Anewadi at Km 748/600 of NH 4 in the State of Maharashtra. There are 10 lanes at Anewaadi toll plaza and 12 lanes at Khedshivpur toll plaza.	The delays are being minimized by using hand had machines and by increasing the toll lanes from 10 to 12 at Khedshivpur and from 8 to 10 at Anewaadi toll plaza. This problem will be completely resolved once the work of six laning is completed so as to ensure that the service time of not more than 10 seconds per vehicle at peak flow.
3.	Vadape - Gonde (Km 539.500 to Km 440.00) Section at both the Toll Plazas (Arjunali and Ghoti)	The complaint of lane closure causing queuing up of vehicles has been received. The Concessionaire was warned to keep all lanes operational so that there may not be any queuing.
4.	Delhi - Gurgaon section of NH 8 in the State of Delhi and Haryana, Fee Plaza at	There are reports/complaints of long queues at toll plaza Notices were issued to the Concessionaire <i>inter-alia</i> for expansion of above toll plazas, but

Sl.No.	Name of Plaza	Remarks
	Km 24 (Sirhot) and Km 42 (Kharki Dhaula)	Concessionaire failed to comply and accordingly, Termination Notice has been issued on 18.02.2012. However, as per interim order of the Hon'ble Court the rate has not to be given effect till next hearing (21.05.2012). Thus matter is sub-judice.
5.	Surat - Dahisar section of NH 8 in the State of Gujarat and Maharastra.	Mostly queuing occur due to sudden onslaught of traffic because of release of Traffic Jams. The system at toll plazas are capable to process vehicles in 5-7 seconds. In case of heavy traffic additional staff is deployed to manage the traffic.
6.	Tada-Chennai section of NH 5 in the State of Tamil Nadu	There were complaints of long queues at Vijayanallur (Km 21.550), where 6 laning is in progress. To over come the queuing problem it is proposed to increase the lanes as part of on going 6 laning work.

Statement-II***Detail of Complaints of Overcharging received against the Fee Collecting Contractors***

Sl.No.	Location of Fee Plaza	NH No.	Detail of complaint received.
1.	At km 530.404, Laxmipuram (AP)	5	Letters dt. 27.06.2011 and dt 30.06.2011 from The Andhra Pradesh Lorry Owners' Association and All India motor Transport Congress respectively were received regarding overcharging at Laxmipuram Toll Plaza. After investigation, a penalty of Rs. 25717500.00 (Rs. 2.57 crore) was levied on the fee collecting contractor and the contract was also terminated.

Sl.No.	Location of Fee Plaza NH No.	Detail of complaint received.
		Against the penalty and termination of the contract, the contractor has filed a writ petition in the Hon'ble High Court of AP. Presently, the matter is sub judice. The Court case is being pursued.
2.	Sunnambatti Fee Plaza (AP)	5 Letters dt. 06.07.2011 and dt. 23.07.2011 from All India Motor Transport Congress and letter dt 09.08.2011 from The Andhra Pradesh Lorry Owners' Association. (APLOA) were received regarding overcharging at Sunnambatti Fee Plaza. After investigation, a penalty of Rs. 10582500.00 was levied on the Contractor which has been recovered.
3.	At km 416.00, Vantada toll plaza (Gujarat)	8 Letter dated 02.04.2011 and 20.04.2011 from Shri, Jagdish Thakor (MP) and Shri Sandeep Yadav respectively were received regarding overcharging at Vantada Fee Plaza. Penalty of Rs. 14829000.00 (Rs One Crore Forty Eight Lacs Twenty Nine Thousand only) has been levied on the fee collecting contractor. Against the penalty, the contractor has filed a writ petition in the Hon'ble High Court of Gujarat and got a stay on recovery of the penalty. The Court case is being monitored closely.
4.	JATL Fee Plaza Km 410.14 and Km 446.960 (Punjab)	1 Letter dated 19.10.2010 from Shri Rajan Khanna regarding over charging at JATL toll plaza. The complaint was got investigated. However, the allegation could not be substantiated.
5.	Vadape - Gonde	3 Complaints received of over charging at both

Sl.No.	Location of Fee Plaza NH No.	Detail of complaint received.
	(Km 539.500 to Km 440.00) section at both the TollPlazas (Arjunali and Ghoti) Maharashtra	the fee plazas. The complaint was got investigated. However, the allegation could not be substantiated.

India's Engagement in Afghanistan

*597. SHRI PIYUSH GOYAL: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether India's engagement in Afghanistan has increased over the years;
- (b) if so, the details of number of Indian personnel in Afghanistan, during the past five years;
- (c) whether Government has conducted any study to identify its future engagement policy in Afghanistan;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefore?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI PRANEET KAUR): (a) India has significantly expanded its engagement with Afghanistan since the ouster of the Taliban in 2001 beginning with humanitarian medical missions and wheat supplies in the early years to a full-fledged relationship that includes high-level visits, a US \$2 billion commitment to Afghanistan's reconstruction and development, bold steps in trade and investment, and a robust people-to-people relationship covering education, health and other areas. A long-term and comprehensive Strategic Partnership Agreement between Afghanistan and India reflecting this wide-ranging engagement was signed between Prime Minister Dr. Manmohan Singh and President Hamid Karzai, during the latter's visit to India in October 2011.

(b) Apart from the personnel of the Embassy of India and the four Consulates General of India in Afghanistan, while there are a few Indians working as experts and advisors with the Government of Afghanistan, UN organizations, NGOs, and other international organisations as well as in various professional capacities and in business. The approximate number of Indians in Afghanistan has varied from around 3500 to 4200 in the last five years.

(c) to (e) Government continuously assesses the situation in Afghanistan and reviews its policy taking into account the anticipated impact of those developments that are likely to affect India. The nature and direction of India's future engagement has been spelt out in the Strategic Partnership Agreement between India and Afghanistan signed in October 2011. The agreement reinforced the strong, vibrant and multi-faceted relations between the two countries and established a framework for cooperation in various areas between the two countries: political and security cooperation; trade and economic cooperation; capacity development and education; and social, cultural, civil society and people-to-people relations.

China Aiding Insurgency in North Eastern States

*598. DR. JANARDHAN WAGHMARE: Will the Minister of EXTERNAL AFFAIRS be pleased to state: ,

(a) whether the Indian Government has given evidence to China on several occasions of its involvement in aiding insurgency movement in India's North East;

(b) if so, whether the Heads of insurgents from India's North-East are meeting Chinese intelligence officials regularly in Yunnan (China) and in Nepal;

(c) if so, the reaction of Government on such meetings; and

(d) the steps taken by Government to check nexus of China with India's insurgents in North-East?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI PRENEET KAUR): (a) to (d) Government has taken up this matter with the Chinese side through diplomatic channels. The Chinese Government has conveyed that it would never support armed groups that are against the Government of India. The Chinese Foreign Ministry has stated that the Chinese Government always adheres to the principle of non-interference in other countries' internal affairs and they do not support any anti-government forces in India. India and China have an annual Counter-Terrorism Dialogue under which the two sides discuss all such issues. The fifth round of this Dialogue was held on March 1, 2012 at New Delhi. Government keeps a constant watch on all developments having a bearing on India's security and takes all necessary measures to safeguard it.

Data Collection of Visitors at Airports

599. SHRIMATI T. RATNA BAI: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether the Finance Ministry has asked the Civil Aviation Ministry to strengthen data collection of visitors at airports;

- (b) if so, the details thereof and the reasons therefor;
- (c) whether such steps would put passengers to inconvenience; and
- (d) if so, the steps being taken to avoid such data collection at airports?

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

- (b) Does not arise.
- (c) and (d) Do not arise.

Social Security Agreement with Germany

*600. SHRI ANIL MADHAV DAVE: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

- (a) whether it is a fact that a Social Security Agreement has been signed by Government and Germany recently;
- (b) if so, the details thereof; and
- (c) the total number and details of Social Security Agreements signed with other nations?

THE MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRI VAYALAR RAVI): (a) and (b) Yes, Sir. A comprehensive Social Security Agreement has been signed by the Government of India with Germany on the 12th October, 2011. Earlier, an Agreement on Social Insurance was signed with Germany on the 8th October, 2008 in respect of Posted Workers.

(c) India has so far signed and operationalized bilateral Social Security Agreements with Belgium, France, Germany (Social Insurance for posted workers), Switzerland, Luxembourg, The Netherlands, Denmark and Republic of Korea. The bilateral Social Security Agreements which have been signed with Hungary, The Czech Republic, Norway and Germany (Comprehensive SSA) will be operationalized in due course.

WRITTEN ANSWER TO UNSTARRED QUESTION

Jaitpur Nuclear Power Project

†4496. SHRI ISHWARLAL SHANKARLAL JAIN: Will the PRIME MINISTER be pleased to state:

- (a) whether the Government has moved ahead with the nuclear power project at Jaitapur in Maharashtra; and

†Original notice of the question was received in Hindi.

- (b) if so, the details thereof;
- (c) whether Government is running or proposing to start nuclear power projects in other States as well besides Maharashtra; and
- (d) if so, the place where the first project in phase one is being started?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) and (b) It is proposed to set up six nuclear power reactors, each of 1650 MW in phases of twin units at Jaitapur in Maharashtra. The reactors are planned to be set up in technical cooperation with AREVA, France. The work on the first phase of two units is planned to be started in the XII Five Year Plan.

(c) In addition to Maharashtra, nuclear power plants are in operation in Gujarat, Karnataka, Rajasthan, Tamil Nadu and Uttar Pradesh and under construction in Gujarat, Rajasthan and Tamil Nadu. The Central Government has accorded in principle approval for sites in Andhra Pradesh, Gujarat, Haryana, Karnataka, Madhya Pradesh, Maharashtra, Rajasthan, Tamil Nadu and West Bengal.

(d) The first new project in the XII Five Year Plan is planned to be started at Kudankulam in Tamil Nadu (KKNPP 3 & 4).

Environmental Concerns on Jaitpur Nuclear Plant

4497. SHRI HUSAIN DALWAI: Will the PRIME MINISTER be pleased to state:

- (a) whether the environmental concerns expressed against Jaitapur nuclear power project are misconceived;
- (b) if so, the details thereof;
- (c) whether certain international groups are misguiding the locals regarding the plant; and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) Yes, Sir.

(b) Apprehensions about environmental degradation and loss of biodiversity on setting up of the project have been expressed by groups ideologically opposed to nuclear power. Nuclear power is a clean source of energy as it does not emit greenhouse gases. The nuclear power plants do not adversely impact the environment. The exclusion zones of nuclear power plants have flourishing flora and

fauna, including some critically endangered species thriving there. A detailed Environmental Impact Assessment (EIA) study has been carried out and the environmental clearance for the project has been accorded by Ministry of Environment and Forests following the due process.

(c) and (d) There have been reports to the effect in sections of the media.

Atomic rnergy plants in Rajasthan

†4498. SHRI ASHIK ALI TAK: Will the PRIME MINISTER be pleased to state:

(a) the number of atomic power stations proposed to be built in Rajasthan along with their locations; and

(b) whether the proposal to increase the capacity of atomic power station at Rawatbhata in Kota is under consideration of Government; and

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

THE MINISTER OF STATE FOR IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) and (b) There are Six nuclear power reactors in operation with an aggregate capacity of 1180 MW at Rawatbhata in Rajasthan. In addition, two reactors, Rajasthan Atomic Power Plant, Units-7 and 8 (RAPP 7 and 8 - 2X 700 MW) are under construction. With the proposed completion of these reactors by the year 2017, the capacity in operation at Rawatbhata will reach to 2480 MW. In addition, the Central Government has accorded 'in principle' approval of an additional site in July 2011 at Mahi Banswara in Rajasthan for locating four nuclear power reactors each of 700 MW. Currently, this site is under initial pre-project activities.

(c) RAPP 7 and 8 project has achieved a cumulative physical progress of 13.8% as of April 2012.

Nuclear Station in Country

†4499. SHRI FAGGAN SINGH KULASTE : Will the PRIME MINISTER be phased to state:

(a) the number of nuctear stations constructed in the country so far and the number of nuclear stations proposed to be constructed in the country now;

(b) the details thereof, State-wise; :

(c) whether Government's approval has been received to start the proposed projects; and

†Original notice of the question was received in Hindi.

(d) if so, names of States and the places which have been selected?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) and (b) Twenty nuclear power reactors have been constructed so far in the country and nineteen are in operation. One reactor at Rajasthan Atomic Power Station-1 (100 MW) is under long term shutdown. In addition, there are seven nuclear power reactors under construction. In the XII Five Year Plan, start of work on 19 new nuclear power reactors is proposed. Pre-project activities have also been planned at two green field sites during the XII Five Year Plan. The state-wise details in respect of nuclear power plants in operation, construction and proposed are given below:-

State	Site	Capacity (MW)		
		In operation	Under construction	XII Plan new starts proposed
Maharashtra	Tarapur	(2x1 60)+(2x540)		
	Jaitapur			2x1650
Rajasthan	Rawatbhata	100+200+(4x220)	2x700	
	Mahi, Banswara*			2x700
Tamil Nadu	Kalpakkam	2x220	1x500	2x500
	Kudankulam		2x1000	2x1000
Uttar Pradesh	Narora	2x220		
Gujarat	Kakrapar	2x220	2x700	
	ChhayaMithi Virdi *			2x1100*
Karnataka	Kaiga	4x220		2x700
Haryana	Gorakhpur *			2x700
Madhya Pradesh	Chutka *			2x700
	Bhimpur *		Pre-project activities	
Andhra Pradesh	Kovvada *			2x1500*
West Bengal	Haripur*		Pre-project activities	

(*New Sites)

In addition, work on an Advanced Heavy Water Reactor (300 MW) is proposed to be started in the XII Five Year Plan, for which the site is yet to be decided.

(c) and (d) The Central Government has accorded 'in principle' approval of the sites for the projects proposed to be set up in the XII Five Year Plan period. The proposals for financial sanction of the proposed new projects are at various stages of preparation/approval.

Electricity generating nuclear plants

4500. SHRI PRAKASH JAVADEKAR: Will the PRIME MINISTER be pleased to state:

- (a) the status of various nuclear power projects generating electricity and others which are being installed;
- (b) the cost of production per unit (kwh) of each unit; and
- (c) the details thereof, project-wise?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) There are 20 nuclear power reactors with an installed capacity of 4780 MW in the country. Of these one reactor Rajasthan Atomic Power Station (RAPS-1-100MW) is under long term shutdown and 19 nuclear power reactors with a capacity of 4680 MW are presently generating electricity. There are 7 reactors with a capacity of 5300 MW under construction. With the progressive completion of these reactors the nuclear power capacity will reach 10,080 MW by the year 2017.

(b) and (c) The notified tariffs (per kWh) of the units currently in operation are as under:

Stations	Tariff in Paise/kWh
Tarapur Atomic Power Station 1 and 2	94
Tarapur Atomic Power Station 3 and 4	280
Rajasthan Atomic Power Station 2, 3 and 4	274
Rajasthan Atomic Power Station 5 and 6	341
Madras Atomic Power Station 1 and 2	200
Narora Atomic Power Station 1 and 2	239
Kakrapar Atomic Power Station 1 and 2	228
Kaiga Generating Station	298

Air India loses on unused property

4501. SHRI MOHD. ALI KHAN SHRIMATI T. RATNA BAI: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) whether it is a fact that indecisive Air India loses Rs. 80 crore annually on unused prime property;
- (b) if so, the details thereof and reasons therefor;
- (c) the steps being taken to utilise such property in future?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (c) As part of the decisions taken on the Turn Around Plan, Air India is in the process of monetization of its assets including its immovable properties at all locations. It will also create more available space which can be put on rent to raise revenue. There are some vacant spaces but under litigation with previous tenants. Efforts are being made to resolve such disputes. No study has been undertaken to evaluate any notional loss on this account.

Shortage of air traffic controller in the Country

4502. DR. K.V.P. RAMACHANDRA RAO: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) whether it is a fact that there is a shortage of Air Traffic Controllers in airports in the country;
- (b) if so, the status in this regard; and
- (c) the steps being taken to fill up the vacancies In ATC?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) and (b) The actual strength of Air Traffic Controllers (ATCOs) at present is 2131 against the sanctioned strength of 2417 with a shortfall of 226.

- (c) Airports Authority of India has initiated necessary steps for recruitment of 200 Junior Executive in the ATC Discipline.

Foreign Investment in the Civil Aviation Sector

†4503. SHRI PRABHAT JHA: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) whether it is a fact that Government has decided to permit investment by the foreign airlines in the civil aviation sector of the country;
- (b) if so, the details thereof;

†Original notice of the question was received in Hindi.

(c) whether Government has assessed and analysed the possible fall-outs of foreign investment in the civil aviation sector of the country;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (e) A proposal to allow Foreign Airlines to invest in the domestic carriers is under examination of Department of Industrial Policy and Promotion (DIPP).

Official suspended from DGCA for issuing licenses

4504. SHRI KANWAR DEEP SINGH : Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government has recently suspended officials from the Director General of Civil Aviation (DGCA) for issuing licenses classifying 28 flying schools as charitable non-profit entities instead of fully commercial entities;

(b) if so, whether the erring flying clubs/schools have been identified;

(c) if so, the details thereof;

(d) the details of recommendations given by CVC in this regard; and

(e) the steps taken by Government to bring transparency in the working of the DGCA?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (e) Based on the investigation report submitted by the Chief Vigilance Officer in the Directorate General of Civil Aviation in the matter of classification of flying clubs/schools, which could be charged concessional rates by Airports Authority of India, the CVC had directed this Ministry to fix responsibility of officials of DGCA and Airports Authority of India (AAI). Accordingly, it was decided to suspend the three officials alleged to have been involved in preparation of the list of flying clubs/schools and to initiate disciplinary proceedings against them. It has also been decided to re-examine the eligibility criteria for flying clubs/schools for availing the facility of payment of nominal rates for different charges in the context of requirement of flying clubs for training purposes in the whole country.

More foreign flights to save fuel costs

4505. SHRIMATI T. RATNA BAI:

SHRI MOHD. ALI KHAN:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Air India plans more foreign flights to save fuel cost in future;

(b) if so, the details thereof; and

(c) the present status thereof comparatively during the last five years in this regard?

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

(b) Does not arise.

(c) The network of Air India and its subsidiaries now spreads over to 64 domestic (covering all remote areas of country) and 32 international destinations (covering North America, Europe, Far East, South-East Asia, South Asia and Middle East) connecting 159 domestic city-pairs and 127 international city pairs on 305 domestic departures and 175 international departures daily. The comparative scenario of the last 6 seasons are given in Statement.

*Statement**Air India International Route Network*

WINTER 2011	SUMMER 2011	WINTER 2010	SUMMER 2010	WINTER 2009	SUMMER 2009
Paris (FRA)-Delhi-Chennai FRA-Delhi	Paris-Delhi-Chennai FRA-Delhi-Mumbai	Paris-Delhi FRA-Delhi-Mumbai	Paris-Delhi FRA-Delhi	Paris-Delhi-Mumbai FRA-Ahmedabad (upto 30.11.09) FRA-Delhi	Paris-Delhi-Mumbai FRA-Ahmedabad
Kolkata-Delhi-London (LHR)	Kolkata-Delhi-LHR	Kolkata-Delhi-LHR	Kolkata-Delhi-LHR	Kolkata-Delhi-LHR	Kolkata-Delhi-LHR
Amritsar-Delhi-London	Amritsar-Delhi-LHR	Amritsar-Delhi-LHR	-	-	-
London-Mumbai-Ahmedabad	LHR-Mumbai-Ahmedabad	LHR-Mumbai- Ahmedabad	LHR-Mumbai-Ahmedabad	LHR-Mumbai- Ahmedabad	LHR-Mumbai- Ahmedabad
Mumbai-Delhi-Hong Kong (HKG)-Seoul	Mumbai-Delhi-HKG-Seoul	Mumbai-Delhi-HKG- Seoul	Mumbai-Delhi-HKG- Seoul (from 01.08.2010)	Mumbai-Delhi-HKG	Mumbai-Delhi-HKG
Mumbai-Delhi-HKG-Osaka	Mumbai-Delhi-HKG-Osaka	Mumbai-Delhi-HKG- Osaka	Mumbai-Delhi-Hong Kong-Osaka	Mumbai-Delhi-Hong Kong-Osaka	Mumbai-Delhi-Hong Kong-Osaka
Delhi -Tokyo	Delhi-Tokyo	Delhi-Tokyo	Mumbai-Delhi-Tokyo	Mumbai-Delhi-Tokyo	Mumbai-Delhi-Tokyo

Mumbai-Delhi-Shanghai	Mumbai-Delhi-Shanghai	Mumbai-Delhi-Shanghai	Mumbai-Delhi-Shanghai	Mumbai-Delhi-Shanghai	Mumbai-Deihi-Shanghai
Abu Dhabi-Delhi	Abu Dhabi-Delhi	Abu Dhabi-Delhi	Abu Dhabi-Delhi	Abu Dhabi-Delhi	Abu Dhabi-Delhi
Abu Dhabi-Mumbai	Abu Dhabi-Mumbai	Abu Dhabi-Mumbai	Abu Dhabi-Mumbai	Abu Dhabi-Mumbai	Abu Dhabi-Mumbai
Dammam-Mumbai	Dammam-Mumbai	Dammam-Mumbai	Dammam-Mumbai	Dammam-Mumbai	Dammam-Mumbai
Dammam-Delhi	Dammam-Delhi	Dammam-Delhi	Dammam-Delhi	Dammam-Delhi	Dammam-Delhi
Dammam-Hyderabad	Dammam-Hyderabad	Dammam-Hyderabad	Dammam-Hyderabad	Dammam-Hyderabad	Dammam-Hyderabad
–	Dammam-Chennai (w'drawn May 2011)	Dammam-Chennai	Dammam-Chennai	Dammam-Chennai	Dammam-Chennai
Dammam-Kochi-Trivandrum (TRV)-Mumbai	Mumbai-TRV-Dammam (upto 19.8 Dammam-TRV-Delhi upto 30.08 Dammam-Cochin -TRV-Murnbai Kochi -Dammam	Trivandrum-Dammam	Mumbai-TRV-Dammam (upt 26.05) TRV-Dammam	Mumbai-TRV-Dammam	Mumbai-TRV-Dammam Kochi -Dammam
Kozhikode-Dammam	Kozhikode-Dammam	Kochi-Kozhikode-Dammam	Kochi-Kozhikode-Muscat-Dammam (upto 17.06)	Kochi-Kozhikode-Muscat-Damrnam	Kozhikode-Dammam

Written Answers to

[17 MAY, 2012]

Unstarred Questions

75

WINTER 2011	SUMMER 2011	WINTER 2010	SUMMER 2010	WINTER 2009	SUMMER 2009
				Kochi-Kozhikode-Dammam	Kozhikode-Doha-Bahrain
Dubai-Kczhikode	Dubai-Kozhikode	Dubai-Kozhikode	Dubai-Kozhikode	Dubai-Kozhikode	Dubai-Kozhikode
Dubai-Mumbai	Dubai-Mumbai	Dubai-Mumbai	Dubai-Mumbai	Dubai-Mumbai	Dubai-Mumbai
Dubai-Delhi	Dubai-Delhi	Dubai-Delhi	Dubai-Delhi	Dubai-Delhi	Dubai-Delhi
Dubai-Goa-Bangalore	Dubai-Goa-Bangalore	Dubai-Goa-Bangalore	Dubai-Goa-Bangalore	Dubai-Goa-Bangalore	Dubai-Goa-Bangalore
Hyderabad-Dubai	Hyderabad-Dubai	Hyderabad-Dubai	Hyderabad-Dubai	Hyderabad-Dubai	Hyderabad-Dubai
Chennai-Dubai	Chennai-Dubai	Chennai-Dubai	Chennai-Dubai	Chennai-Dubai	Chennai-Dubai
Jeddah-Mumbai	Jeddah- Mumbai	Jeddah-Mumbai	Jeddah- Mumbai	Jeddah- Mumbai	Jeddah-Mumbai
Jeddah-Hyderabad-Mumbai	Jeddah-Hyderabad-Mumbai	Jeddah-Hyderabad-Mumbai	Jeddah- Hyderabad-Mumbai	Jeddah-Hyderabad-Mumbai	Jeddah-Hyderabad-Mumbai
				Mumbai	Mumbai
Jeddah- Delhi	Jeddah- Delhi	Jeddah-Delhi	Jeddah-Delhi	Jeddah-Delhi	Jeddah-Delhi
Jeddah-Kozhikode-Kochi	Jeddah-Kozhikode-Kochi	Jeddah-Kozhikode-Kochi	Jeddah-Kozhikode-Kochi	Jeddah-Kozhikode-Kochi	Jeddah-Kozhikode-Mumbai

Jeddah-Kozhikode	Jeddah-Kozhikode							
Chennai-Goa-Kuwait	Chennai-Goa-Kuwait	Chennai-Goa-Kuwait	Chennai-Goa-Kuwait	Chennai-Goa-Kuwait	Chennai-Goa-Kuwait	Chennai-Goa-Kuwait	Chennai-Goa-Kuwait	Chennai-Goa-Kuwait
Chennai-Hyderabad-	Chennai-Hyderabad-	Hyderabad-Ahmedabad-	Hyderabad-Ahmedabad-	Hyderabad-	Hyderabad-	Hyderabad-	Hyderabad-	Hyderabad-
Ahmedabad-Kuwait	Ahmedabad-Kuwait	Kuwait	Kuwait	Ahmedabad-Kuwait	Ahmedabad- Kuwait	Ahmedabad- Kuwait	Ahmedabad- Kuwait	Ahmedabad- Kuwait
			Chennai-Kozhikode-	Chennai-Kozhikode-	Chennai-Kozhikode-	Chennai-Kozhikode-	Chennai-Kozhikode-	Chennai-Kozhikode-
			Mumbai-Kuwait	Mumbai-Kuwait	Mumbai-Kuwait	Mumbai-Kuwait	Mumbai-Kuwait	Mumbai-Kuwait
Ahmedabad-Mumbai-	Ahmedabad-Mumbai-	Ahmedabad-Mumbai-	Ahmedabad-Mumbai-	Ahmedabad-Mumbai-	Ahmedabad-Mumbai-	Ahmedabad-Mumbai-	Ahmedabad-Mumbai-	Ahmedabad-Mumbai-
Muscat	Muscat	Muscat	Muscat-	Muscat	Muscat	Muscat	Muscat	Muscat
ME	Muscat	Bangalore-	Bangalore-	Bangalore-	Bangalore-	Bangalore-	Bangalore-	Bangalore-
		Hyderabad-	Hyderabad-	Hyderabad-	Hyderabad-	Hyderabad-	Hyderabad-	Hyderabad-
		Muscat	Muscat	Muscat	Muscat	Muscat	Muscat	Muscat
ME	Muscat	Delhi-Muscat	Delhi-Muscat	Delhi-Muscat	Delhi-Muscat	Delhi-Muscat	Delhi-Muscat	Delhi-Muscat
ME	Muscat	Chennai-Muscat	Chennai-Muscat	Chennai-Muscat	Chennai-Muscat	Chennai-Muscat	Chennai-Muscat	Chennai-Muscat-
								Murnbai-

Written Answers to

[17 MAY, 2012]

Unstarred Questions

77

WINTER 2011		SUMMER 2011		WINTER 2010		SUMMER 2010		WINTER 2009	SUMMER 2009
ME	Riyadh								Riyadh-Delhi-Mumbai
	Riyadh								Mumbai-Delhi-Riyadh-Mumbai
ME	Riyadh	Riyadh-Mumbai	Riyadh-Mumbai	Riyadh-Mumbai	Riyadh-Mumbai	Riyadh-Mumbai	Riyadh-Mumbai		
ME	Riyadh	Riyadh-Delhi	Riyadh-Delhi	Riyadh-Delhi	Riyadh-Delhi	Riyadh-Delhi	Riyadh-Delhi		
ME	Riyadh	Riyadh-Trivandrum-	Riyadh-	Riyadh-	Riyadh-	Riyadh-	Riyadh-	Riyadh-	
		Kochi-Riyadh	Trivandrum-Kochi-	Trivandrum-	Trivandrum-	Trivandrum-	Trivandrum-	Trivandrum-	
			Riyadh	Kochi-Riyadh	Kochi-Riyadh	Kochi-Riyadh	Kochi-Riyadh	Kochi-Riyadh	
ME	Riyadh	Riyadh-Kozhikode-	Riyadh-	Riyadh-	Riyadh-	Riyadh-	Riyadh-	Riyadh-	
		Riyadh	Kozhikode-	Kozhikode-	Kozhikode-	Kozhikode-	Kozhikode-	Kozhikode-	
			Riyadh	Riyadh	Riyadh	Riyadh	Riyadh	Riyadh	
ME	Riyadh				Kochi-	Kochi-	Kochi-	Kochi-	Kochi-Riyadh-Kochi
					Kozhikode-	Kozhikode-	Kozhikode-		
					Riyadh	Muscat-Riyadh	Muscat-Riyadh		
						(upto 17.6.10}			
ME	Riyadh				Riyadh-	Riyadh-	Riyadh-		Riyadh-Trivandrum-

78

Written Answers to

[RAJYA SABHA]

Unstarred Questions

					Trivandrum-	Trivandrum-	Trivandrum	Kozhikode-
					Kozhikode-	Kozhikode-	Kozhikode-	Riyadh
					Riyadh	Riyadh	-Riyadh	
ME	Sharjah	Delhi-Amritsar	Amritsar-SHJ-	ATQ-SHJ	ATQ-Sharjah	ATQ-Sharjah-	ATQ-Sharjah-	DEL- ATQ-Sharjah-
	(SHJ)	(ATQ)-SHJ	Dammam	(DEL-ATQ-SHJ				
				16.9.11-27.10.11)				
ME	Sharjah	Kozhikode-Sharjah	Kozhikode-	Kozhikode-	Kozhikode-	Kozhikode-	Kozhikode-	Kozhikode-Sharjah
			Sharjah	Sharjah	Sharjah	Sharjah	Sharjah	
ME	Sharjah	Kochi-Sharjah	Kochi-Sharjah	Kochi-Sharjah	Kochi-Sharjah	Kochi-Sharjah	Kochi-Sharjah	Kochi-Sharjah
ME	Sharjah	Delhi-Lucknow	LKO-Sharjah	LKO-Sharjah	LKO-Sharjah	LKO-Sharjah	LKO-Sharjah	DEL-LKO-Sharjah
		(LKO)-Sharjah	(DEL-LKO					
			28.6.11-27.10.11)					
ME	Sharjah	Trivandrum-	Trivandrum-	Trivandrum-	Trivandrum-	Trivandrum-	Trivandrum-	Trivandrum-SHJ
	Sharjah	Sharjah	Sharjah	Sharjah	Sharjah	Sharjah	Sharjah	MOM-SHJ
	Sharjah				Hyd-SHJ	HYD-SHJ	HYD-SHJ	HYD-SHJ
					(only Nov.,10)			

Written Answers to

[17 MAY, 2012]

Unstarred Questions

WINTER 2011		SUMMER 2011		WINTER 2010		SUMMER 2010		WINTER 2009		SUMMER 2009	
SAARC	Colombo	Chennai-Colombo	Chennai-Colombo	Chennai-Colombo	Chennai-Colombo	Chennai-Colombo	Chennai-Colombo	Chennai-Colombo	Chennai-Colombo	Chennai-Colombo	Chennai-Colombo
SAARC	Kabul	Delhi-Kabul	Delhi-Kabul	Delhi-Kabul	Delhi-Kabul	Delhi-Kabul	Delhi-Kabul	Delhi-Kabul	Delhi-Kabul	Delhi-Kabul	Delhi-Kabul
SAARC	Kathmandu	Kolkata-KTM	Kolkata-KTM	Kolkata-KTM	Kotkata-TM	Kofkata-KTM	Kolkata-KTM	Kolkata-KTM	Kolkata-KTM	Kolkata-KTM	Kolkata-KTM
	(KTM)										
SAARC	Kathmandu	Delhi-Kathmandu	Delhi-Kathmandu	Delhi-KTM	Delhi-KTM	Delhi-KTM	Delhi-KTM	Delhi-KTM	Delhi-KTM	Delhi-KTM	Delhi-KTM
SAARC	Kathmandu	Varanasi-Kathmandu	Varanasi-KTM	Varanasi-KTM	Varanasi-KTM	Varanasi-KTM	Varanasi-KTM	Varanasi-KTM	Varanasi-KTM	Varanasi-KTM	Varanasi-KTM
SAARC	Male	Trivandrum-Male	Trivandrum-Male	Trivandrum-Male	Trivandrum-Male	Trivandrum-Male	Trivandrum-Male	Trivandrum-Male	Trivandrum-Male	Trivandrum-Male	Trivandrum-Male
SAARC	Male	Bangalore-Male	Bangalore-Male	Bangalore-Male	Bangalore-Mate	Bangalore-Male	Bangalore-Male	Bangalore-Male	Bangalore-Male	Bangalore-Male	Bangalore-Male
SAARC	Yangon	Kolkata-Gaya-	Kolkata-Gaya-	Kolkata-Gaya-	Kolkata-Gaya-	Kolkata-Gaya-	Kolkata-Gaya-	Kolkata-Gaya-	Kolkata-Gaya-	Kolkata-Gaya-	Kolkata-Gaya-
		Yangon	Yangon	Yangon	Yangon	Yangon	Yangon	Yangon	Yangon	Yangon	Yangon
SAARC	Yangon	Kolkata-Yangon	Kolkata-Yangon	Kolkata-Yangon	Kolkata-Yangon	Kolkata-Yangon	Kolkata-Yangon	Kolkata-Yangon	Kolkata-Yangon	Kolkata-Yangon	Kolkata-Yangon
SEA	Bangkok	Mumbai-Bangkok	Mumbai-Bangkok	Mumbai-Bangkok	Mumbai-Bangkok	Mumbai-Bangkok	Mumbai-Bangkok	Mumbai-Bangkok	Mumbai-Bangkok	Mumbai-Bangkok	Mumbai-Bangkok
SEA	Bangkok	Delhi-Bangkok	Delhi-Bangkok	Delhi-Bangkok	Delhi-Bangkok	Delhi-Bangkok	Delhi-Bangkok	Delhi-Bangkok	Delhi-Bangkok	Delhi-Bangkok	Delhi-Bangkok
SEA.	Kuala				Chennai-Kuala	Chennai-Kuala	Chennai-Kuala	Chennai-Kuala	Chennai-Kuala	Chennai-Kuala	Chennai-Kuala
	Lumpur				Lumpur (only	Lumpur	Lumpur	Lumpur	Lumpur	Lumpur	Lumpur
					Nov.,10)						
SEA	Singapore	Mumbai-Singapore	Mumbai-SIN	Mumbai-SIN	Mumbai-SIN	Mumbai-SIN	Mumbai-SIN	Mumbai-SIN	Mumbai-SIN	Mumbai-SIN	Mumbai-SIN

					Singapore	Singapore	Singapore	Singapore
SEA	Singapore				Bangalore-SIN	Bangalore-	Bangalore-	Bangalore-
	(SIN)				(Discontinued	Singapore	Singapore	Singapore
					Nov., 10)			
SEA	Singapore	Chennai-	Chennai-	Chennai-	Chennai-	Chennai-	Chennai-	Chennai-
		Singapore	Singapore	Singapore	Singapore	Singapore	Singapore	Singapore
SEA	Singapore	Delhi-	Delhi-	Delhi-	Delhi-	Delhi-	Delhi-	Delhi-
		Singapore	Singapore	Singapore	Singapore	Singapore	Singapore	Singapore
US	Newark	Newark-Mumbai-	Newark-Mumbai-	Newark-	Newark-	Newark-	Newark-Paris-	Newark-Paris-
CAN		Ahmedabad	Ahmedabad	Mumbai-	Mumbai-	Mumbai-	Mumbai-	Mumbai-
				Ahmedabad	Ahmedabad	Ahmedabad	Chennai (till	Ahmedabad
							30.11.09	{till 31.5.09}
								Newyark-Paris-
								Mumbai-
								Chennai from
								1.8.2009}
US	New York	Mumbai-Delhi-New	Mumbai-Delhi-	Mumbai-Delhi-	Mumbai-	Kolkata-Delhi-	Kolkata-Delhi	Kolkata-Delhi-
CAN	(JFK)	York	New York	New York	Delhi-New	JFK-	JFK	JFK

Written Answers to

[17 MAY, 2012]

Unstarred Questions

WINTER 2011		SUMMER 2011		WINTER 2010		SUMMER 2010		WINTER 2009		SUMMER 2009
US	JFK				York	Washington	Koikata-Delhi-			
						(IAD) till 04.10	JFK-IAD (Dec 09 to Apr 10}			
CAN						JFK-BOM-HYD	JFK-BOM-HYD	JFK-BOM-HYD		
	Chicago (ORD)	ORD-DEL-HYD	ORD-DEL-HYD	ORD-DEL-HYD	ORD-DEL-HYD	ORD-FRA-HYD-BOM	ORD-FRA-DEL-HYD till 1.2.2009	HYD-DEL-FRA-ORD		
							ORD-FRA-BOM- HYD from 1.12.09			
US	Toronto	Amritsar-DEL-	Amritsar-DEL-	Amritsar-DEL-	Amritsar-DEL-	Amritsar-LHR-	Amritsar-LHR-	Amritsar-LHR-		
CAN	(YYZ)	YYZ	YYZ	YYZ	YYZ	YYZ (4/wk)	YYZ (4/wk)	YYZ (4/wk)		
						DEL-LHR-YYZ (3/wk)	DEL-LHR-YYZ (3/wk)	DEL-LHR-YYZ (3/wk)		

ME - Middle East, SAARC- South Asian Association for Regional Cooperation, SEA - South East Asia, US CAN - United States Canada

Relief to TO AI and IA

‡4506. SHRIMATI MAYA SINGH: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that the Ministry has not fully spent the allocated funds in the Eleventh Five Year plan and it kept on asking for economic relief by citing the economic plight of the Indian Airlines and the Air India;

(b) if so, the details thereof;

(c) the details of the amount received during the above said period for ameliorating the economic plight of both the Airlines; and

(d) the improvement being made in the economic condition of Air India subsequent to the merger of both the airlines at present?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) and (b) The Eleventh Five Year Plan was approved for an outlay of Rs. 32,730.71 crore. The actual outlay during this period 2007-08 to 2011-12 was Rs. 24,763.36 crores including equity infusion of Rs. 3200 crores for Air India. The reduction in the actual expenditure as compared to the Eleventh Plan Outlay is primarily due to delay in delivery of B787 aircraft due to production related issues. Further, there was a reduction in the other capital projects due to the liquidity crisis faced by the company during this period as only operationally essential projects were undertaken.

(c) During the financial year 2009-10, 2010-11 and 2011-12, Government has infused Rs. 800 crores, Rs. 1200 crores and Rs. 1200 crores respectively in Air India as equity investment for easing the liquidity crunch faced by the company and to address adverse Debt-equity ratio.

(d) Air India has taken several initiatives towards cost cutting and revenue enhancement which includes several measures. Moreover, the Group of Ministers decided that a detailed Turn Around Plan and Financial Restructuring Plan be devised for the airline. This has since been approved by the Cabinet Committee on Economic Affairs and implementation has commenced.

Cess charges increased by airports

4507. SHRI T.M. SELVAGANAPATHI: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that most of the airports in the country have increased many of their cess by manifolds;

‡Original notice of the question was received in Hindi.

(b) if so, the details thereof;

(c) whether it is a fact that Mumbai airport has hiked the charges by 500 per cent and Delhi airport by around 400 percent; and

(d) if so, the details thereof?

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

(b) Does not arise.

(c) and (d) In exercise of power conferred under Section 22A of the Airports Authority of India (AAI) Act, 1994, Airport Economic Regulatory Authority (AERA) has approved the levy of Development Fee at following rates:

At Mumbai International Airport:

@ Rs. 100/- per domestic and @ Rs. 600/- per international departing passenger w. e. f. 01.05.2012 for a period of 23 months I. e. upto March, 2014.

and

At Delhi International Airport:

@ Rs. 1300/- per embarking international and @ Rs. 200/- per embarking domestic passenger for a period of 18 months, w. e. f. 01.12.2011 i. e. upto May, 2013. In addition AERA has determined the tariff and other charges for Delhi airport which became effective from May 15, 2012. Details are given in Statement.

Statement

Details of Aeronautical Charges (Existing Rate, Revised Rate for Financial Year 2012-2013 w.e.f. 15th May 2012 and revised rate for Financial Year 2013-2014 w.e.f. 01st April 2013)

Revenue Head	Domestic/ International	Criteria		Existing Rate	Revised Rate (2012-13) w.e.f. 15th May 2012	Revised Rate (2013-14) w.e.f. 01st April 2013
1	2	3	4	5	6	7
Landing	Domestic	Less Than 100 MT		187.88	281.82	301.55
		More than 100 MT		252.50	378.75	405.26
	International	Less Than 100 MT		250.47	551.03	589.61
		More than 100 MT		336.60	740.52	792.36
Parking		Less Than 100 MT		4.07	13.23	14.15
		More than 100 MT		5.39	17.52	18.74
Housing		Less Than 100 MT		8.14	26.46	28.31
		More than 100 MT		10.78	35.04	37.49
UDF	Domestic	Arriving	Short Haul -INR	0.00	195.80	207.32

Written Answers to

[17 MAY, 2012]

Unstarred Questions

85

1	2	3	4	5	6	7
			Short Haul - USD	0.00	\$3.86	\$4.09
			Long Haul - INR	0.00	391.60	414.65
			Long Haul - USD	0.00	\$7.73	\$8.18
		Departing	Short Haul - INR	77.00	231.40	245.02
			Short Haul - USD	\$1.93	\$4.57	\$4.84
			Long Haul - INR	77.00	462.80	490.04
			Long Haul - USD	\$1.93	\$9.14	\$9.67
	International	Arriving	Short Haul - INR	0.00	436.10	461.77
			Short Haul - USD	0.00	\$8.61	\$9.11
			Medium Haul - INR	0.00	699.97	741.16
			Medium Haul - USD	0.00	\$13.82	\$14.63
			Long Haul - INR	0.00	881.10	932.95
			Long Haul - USD	0.00	\$17.39	\$18.42
		Departing	Short Haul - INR	77.00	534.00	565.43

			Short Haul - USD	\$1.93	\$10.54	\$11.16
			Medium Haul -INR	77.00	845.50	895.26
			Medium Haul -USD	\$1.93	\$16.69	\$17.67
			Long Haul -INR	77.00	1068.00	1130.85
			Long Haul -USD	\$1.93	\$21.08	\$22.32
CUTE	Domestic	Per Departing		--	500	500
Counter		Flight				
Charges	International			--	1500	1500
Fuel	Domestic/	Per Kilo litre		Increased to	Increased to	688.17
Throughput	International			601.07 w.e.f.	643.15 w.e.f	
charges				01.04.2011	01.04.2012	

Written Answers to

[17 MAY, 2012]

Unstarred Questions

Routes transferred to private airlines

4508. DR. BHALCHANDRA MUNGEKAR: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) how many routes of the Air India and Indian Airlines were transferred to the private Airlines during the last five years i.e. since 2007-08;
- (b) the separate details of international and domestic routes; and
- (c) how far such transfer affected the earnings and profitability of the Air India and Indian Airlines?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) No route of the Air India and Indian Airlines have been transferred to private airlines. Air India makes changes to its schedule of operations based on its own evaluation in line with the availability of their resources and their commercial priorities.

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

Bhubaneswar as international airport

4509. SHRI RABINARAYAN MOHAPATRA: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) how many airports have been declared as international airport in the country, the criteria to declare as international airport; and
- (b) whether Government is considering the proposal to declare Biju Pattanaik airport, Bhubaneswar as international airport and if so, the time line by which international operations can be started from Bhubaneswar?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) So far, 17 airports have been declared as International In the country. The essential parameters to consider declaring of an airport as international *inter-alia* include international sector traffic potential, requirements of airlines, availability of international cargo complex, adequate size of terminal building, night landing facilities, navigational aids, customs, Immigration, health services and animal plant quarantine etc. and bilateral agreement with foreign countries.

- (b) Declaration of the airport as international is subject to airport modernisation underway. It includes construction of a new Terminal Building with all modern amenities including two aerobridges for handling 800 passenger at a time. After commissioning of the New Domestic Terminal Building, modification/ renovation of the existing Domestic Terminal Building will be undertaken to make it

suitable for International operations. The Indian carriers are eligible to operate the foreign destinations from any point in India as per the respective bilateral air services agreements with concerned foreign countries. However, actual operations by any airlines is always guided by its commercial judgment.

Revision of aeronautical and airport development fee

4510. SHRI JAI PRAKASH NARAYAN SINGH: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Airport Economic Authority has approved the revision of aeronautical and airport development fee of Delhi International Airport Ltd. (DIAL) with effect from May 15, 2012;

(b) if so, the reasons for revising exorbitant fees when passengers are already paying more taxes/fees etc. than the passenger fares;

(c) whether Prime Minister or cabinet have approved the proposal of increase in exorbitant fees in favour of DIAL; and

(d) if not, the reasons therefor?

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

(b) to (d) Airports Economic Regulatory Authority (AERA) is the independent regulatory established under the AERA Act, 2008 to determine the aeronautical tariff at major airports. In accordance with the provisions of State Support Agreement (SSA) and Operation, Management and Development Agreement (OMDA) signed by Government of India and Airports Authority of India respectively with M/s. Delhi International Airport Pvt. Ltd. (DIAL), M/s. DIAL submitted a proposal for tariff revision to AERA. Pursuant to their submission of the proposal, AERA has determined revision in Aeronautical Charges for Indira Gandhi International Airport (IGIA), Delhi vide order No 03/2012-12 dated April 20, 2012 (issued on 24.04.2012) for first five year control period (i.e. 2009-10 to 2013-14), with effect from May 15, 2012 after following a series of discussions, meetings, presentations and consultations process including stakeholders consultations i.e. Airline Operators, Federation Indian Airlines (FIA), International Air Transport Association (IATA), Passengers Association, Confederation of Indian Industry (CII), Federation of Indian Chambers of Commerce and Industry (FICCI), etc. and arrived at revised tariff to cover the cost of investment made by the DIAL and ensure fair rate of return for the airport. The aeronautical tariff in respect of IGI Airport, New Delhi have been determined after following the due process of stakeholder consultation in accordance with the provisions of AERA Act, 2008. As per provisions of the act it is not required to be

approved by the Hon'ble Prime Minister or the Cabinet, any person aggrieved by the order of AERA can appeal before Airports Economic Regulatory Authority Appellate Tribunal.

Funds spent in Bihar

4511. SHRI SABIR ALI: Will the Minister of CIVIL AVIATION be pleased to state:

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

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

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

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) Details of funds earmarked and spent by Airports Authority of India (AAI) on airports in Bihar during the last three years and current year are at Statement (*See* below).

(b) AAI has incurred these funds for creation of airport infrastructure as well as operation and maintenance of these airports.

(c) Allocation of funds for capital works is made based on traffic projections. Funds for operation and maintenance is made based on the requirement projected.

Statement

Airport Authority of India

Summary of Amount plan and spent during last three years and Current year planned expenditure in Bihar for creation of Airport Infrastructure and operation of Airports

(Rs. in crores)

Sl. No.	Particulars	Expenditure 2009-10	Expenditure 2010-11	Expenditure 2011-12	BE 2012-13
1	2	3	4	5	6
	Aerodrome Works Bihar			(Provisional)	
1.	Gaya	20.10	22.45	27.40	28.04

1	2	3	4	5	6
2.	Katihar	0.84	1.29	2.18	2.33
3.	Kishanganj	0.32	0.33	0.28	0.30
4.	Patna	29.81	43.25	52.19	41.01
GRAND TOTAL		51.07	67.32	82.05	71.68

Shortage of pilots in the country

†4512. SHRI OM PRAKASH MATHUR: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that there is a shortage of pilots in the country keeping in view the current level of pressure;

(b) if so, the details thereof; and

(c) whether there is a shortage of pilots in Air India also and if so, by when Government proposes to meet the shortage?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) and (b) No, Sir. However there is shortage of type rated Commanders. To cover the shortage of type rated Commanders, Foreign Aircrew Temporary Authorisation (FATA) policy has been reviewed by Ministry of Civil Aviation and extended upto 31st December 2013, on case to case basis.

(c) Air India has requisite number of pilots for their current schedule of operation. However, for future expansion, planning/training is under process.

As regards, Air India Express, there is a shortage of pilots and the recruitment drive is on to fill up the vacancies.

Airport in the State of Sikkim

4513. SHRI PIYUSH GOYAL: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that there is no airport in the State of Sikkim so far;

(b) if so, the reasons therefor;

(c) whether it is also a fact that Government is building an airport in Sikkim;

†Original notice of the question was received in Hindi.

- (d) if so, the details thereof; and
- (e) the cost of the project and timeframe for completion?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (d) Yes, Sir. At Pakyong village, 33 Km. South West of Gangtok, construction of a new Greenfield airport has been undertaken for operation of ATRs, with the following facilities: runway of length 1700 mt; apron to accommodate two ATRs; Terminal Building for 100 passengers; car park for 50 cars; Control Tower-cum-Fire Station; Communication / Navigation Aids, Ground Lighting Facility; etc.

(e) The present physical progress of the project is 63% and scheduled date of completion is December, 2013. The cost of this project as approved by the Planning Commission is Rs. 309.46 crores.

Work awarded to contractors and outsourcing agencies

4514. DR. RAM PRAKASH: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) number of works awarded to outsourcing agencies and contractors and funds spent on them in the last two years by Air India, month-wise and work-wise;
- (b) number of contracts awarded in the last two years by Air India and its subsidiary companies and fund-spent on them, the details month-wise, work-wise; and
- (c) number of civil, mechanical, manpower, stores, transport, IT, commercial contracts awarded in the last two years and funds spent on them?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (c) The required information is being compiled.

Subsidy and incentives to airlines operators

4515. SHRI BIRENDRA PRASAD BAISHYA: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) whether Government is providing any subsidy and incentives to the airline operators to operate their services in the North Eastern region;
- (b) if so, the details thereof; and
- (c) the detailed list of airline firms including year-wise total amount availed as subsidies and incentives for operating air services in and around NE region since 2001, along with their present operational status?

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

(b) North Eastern Council (NEC) provided viability gap funding to the Alliance Air since 10th Five Year Plan Period till 31st December, 2011.

(c) Initially the arrangement with the Alliance Air was for 5 years w.e.f. 1st January, 2003 at an estimated cost of Rs. 175.00 Cr. The arrangement was extended thrice as under:

Year	Amount
2008	Rs. 38.50 Cr.
2009	Rs. 47.07 Cr.
2010 and 2011	Rs. 94.14 Cr.

Against this the, year wise fund provided to Alliance Air is as under:

Year	Amount
2002-03	Rs. 35.00 Cr.
2003-04	Rs. 35.00 Cr.
2004-05	Rs. 35.00 Cr.
2005-06	Rs. 35.00 Cr.
2006-07	Rs. 35.00 Cr.
2007-08	Rs. 10.00 Cr.
2008-09	Rs. 40.00 Cr.
2009-10	Rs. 28.49 Cr.
2010-11	Rs. 40.60 Cr.
2011-12	Rs. 40.00 Cr.

TOTAL FUND PROVIDED	Rs. 323.49 Cr.
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After 31.12.2011, the arrangement has not been extended.

New airports projects sanctioned for Kerala State

4516. SHRI K.N. BALAGOPAL: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether any new airport projects are sanctioned in the State of Kerala;

(b) if so, the details thereof;

(c) whether the technical details about length of runway, area of land needed, estimated passenger flow, the total project costs etc. are with Government; and

(d) If so, the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (d) Government of India has granted 'in-principle' approval to Government of Kerala for setting up of a Greenfield airport at Kannur in Kerala in January, 2008. The project is to be implemented on Build Own and Operate (BOO) model. Government of Kerala has appointed M/s. Kerala Industrial Infrastructure Development Corporation (KINFRA) as nodal agency for development of the airport. A company namely Kannur International Airport Limited (KIAL) has been formed for development of the airport. 1276 acres of land has been acquired and another 783 acres is under acquisition. As per draft Detailed Project Report (DPR), the length of the runway planned is 3400 meters on 07/25 orientation, estimated project cost is Rs. 1400 crores in the first phase and the passenger traffic estimated during 2016 is 21.1 lakhs, with a peak hour passenger traffic of 843.

Corporatisation of Air Navigation Service

4517. DR. K.V.P. RAMACHANDRA RAO: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Airports Authority of India had engaged KPMG to conduct a pre-feasibility study for the corporatisation of Airports Authority of India's Air Navigation Service (ANS);

(b) if so, whether the study has been completed; and

(c) the present status in this regard?

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

(b) and (c) Yes, Sir. M/s. KPMG was engaged to conduct pre-feasibility study for the corporatisation of Airports Authority of India's Air Navigation Services (ANS) in December 2007, based on the findings of various Committees, which includes Tata Committee (1976), Justice Lahoti Committee (1996), Julka Committee (1997), Naresh Chandra Committee (2003) and the Roy Paul Committee (2006). The Ministry of Civil Aviation had accepted the recommendation of M/s. KPMG for hiving of ANS as a separate entity. The key recommendations of the study were:

(i) Consolidate ANS under Member (ANS), as part of AAI; and

- (ii) Segregate ANS from AAI and establish it as a separate Government of India enterprise. The new ANS entity shall have stringent performance parameters and monitoring mechanism.

Budgetary support to Air India

4518. DR. K.V.P. RAMACHANDRA RAO: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) whether it is a fact that Air India will get Rs. 928 crores through Internal and Extra Budgetary Resources (IEBR) and Rs. 4000 crores under budgetary support in 2012-13;
- (b) if so, to what extent the enhanced allocation under the budgetary support will help Air India Limited to come out of its difficulties; and
- (c) the targets fixed in this regard?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) The Annual Plan outlay provision for 2012-13 of Air India Limited is Rs. 4928.00 crores including a budgetary support provision of Rs. 4000.00 crores. Plan expenditure to the tune of Rs. 928.00 crores will be met by the company from its own Internal and Extra Budgetary Resources (I&EBR).

(b) and (c) The amount of Rs. 4000.00 crore would be released to Air India as equity as per the Financial Restructuring Plan of Air India approved by the Government. The release of equity would be linked with achievement of milestones such as increase in on time performance, passenger load factor, yield, asset monetisation, hiving off the MRO and ground handling activities etc.

Merger of IAAI and NAA

4519. SHRI N. BALAGANGA: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) whether International Airport Authority of India (IAAI) and National Airport Authority (NAA) had been merged administratively and financially as per the Act passed by the Parliament;
- (b) if so, the details thereof;
- (c) whether it is a fact that merger of the employees had not been effected so far, despite several recommendations of the committee which went into the issue, causing hardships to several thousand employees;

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

(e) the action proposed to be taken/taken by Government to sort out this issue forthwith?

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

(b) After formation of Airports Authority of India (AAI) w.e.f. 1.4.1995, the erstwhile IAAI and NAA were working as separate Divisions for a period of one year which was further extended under section 18 of the AAI Act. The erstwhile IAAI and NAA had different Rules for recruitment and promotion (R&P Rules), different service conditions, different work culture, etc. To recommend the principles of integration of seniority, unified Pay Scales, Service Conditions and other related issues, a Committee under Justice (Retd.) J.D. Jain was constituted. The said Committee submitted its report in 1997. The report of the Justice Jain Committee was examined by the Board of AAI in March 1997 and January 1998 and it gave approval for the adoption of unified pay scales and designations in AAI w.e.f. 1.4.1996. Thus, it was decided to implement common service conditions. In accordance with provision under section 42 of the Act, the regulations namely, AAI (General conditions of Service and Remuneration of employees) Regulations 2003 and Recruitment and Promotion guidelines, Gratuity, House Building Advance, Leave etc were notified in the official gazette and implemented in 2003 and 2005 respectively. The Recruitment and Promotion guidelines were formulated and implemented w.e.f. 1.2.2005 under AAI (General Conditions of Service and Remuneration of employees) Regulations 2003. Accordingly, the common recruitment in most of the cadres is being done including posting of employees.

(c) to (d) No, Sir. The service conditions, designations and pay scales of both Divisions are common. Since, the issue of inter-se-seniority is a very complex and vexed, the same has been examined and considered in respect of common cadres on a number of occasions by various committees. The recommendations of the committees after discussion with the employees representatives who have divergent view are under consideration.

State having AIR link with Gujarat at present

4520. SHRI DILIPBHAI PANDYA: Will the Minister of CIVIL AVIATION be pleased to state:-

(a) the States having air link with Gujarat at present;

(b) the names of the State capitals having air link with Ahmedabad;

(c) whether Government proposes to link Ahmedabad-Bhavnagar-Rajkot-Surat and Vadodara with the capitals of the remaining States;

(d) if so, the names of the cities having air link with Vadodara; and

(e) the details of the proposed schemes to air link Surat with others cities?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) Currently, the following States and UTs are air linked with Gujarat viz. Delhi, Maharashtra, Tamil Nadu, Andhra Pradesh, Madhya Pradesh, West Bengal, Rajasthan, Karnataka, Goa and Diu.

(b) The following State capitals are air linked with Ahmadabad viz. Delhi, Mumbai, Kolkata, Chennai, Hyderabad, Bhopal, Bangalore, Jaipur, Goa and Diu.

(c) to (e) At present Bhavnagar, Rajkot, Surat and Vadodara are air linked with following States capital:

- Bhavnagar- Mumbai,
- Rajkot- Mumbai,
- Surat- Delhi, Mumbai,
- Vadodara-Delhi, Mumbai.

Operations in domestic sector have been deregulated and flights are being operated by concerned airlines on the basis of commercial viability subject to adherence of 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.

Independent regulatory authority for aviation sector

4521. SHRI KANWAR DEEP SINGH:

SHRI N.K. SINGH:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Government is proposing to setup an independent regulatory authority for the aviation sector;

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

- (c) if so, the role and functions envisaged for the authority along with its proposed composition and the present status;
- (d) the role of the Director General of Civil Aviation in the event of establishment of new authority; and
- (e) the time-frame for the setting up of the new authority?

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

(b) It is proposed to set up a Civil Aviation Authority (CAA) which would have not only the regulatory safety oversight functions of the current DGCA but also functions relating to certain economic regulations, consumer protection and environment regulation. The proposed CAA would have financial and administrative flexibility to meet functional requirements of an effective safety oversight system. Setting up of the CAA is being proposed to overcome the constraints presently faced by DGCA in terms of recruitment and retention of technical manpower and inability to quickly address ongoing operational issues due to lack of adequate administrative and financial authority as of now.

- (c) to (e) The proposal to form CAA is still at a formative stage.

Proposals of Uttar Pradesh lying with Government

4522. SHRI MOHAMMED ADEEB: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) the details of proposals of Uttar Pradesh regarding civil aviation lying with Government;
- (b) by when those are lying; and
- (c) the steps being taken to expedite action on those proposals?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (c) Government of India has already granted 'in-principle' approval for setting up of a Greenfield airport at Kushinagar in Uttar Pradesh. In addition, Government of India had received a proposal from Government of Uttar Pradesh for setting up of a Greenfield airport at Jewar (Greater Noida). The proposal was considered by the Union Cabinet and the Union Cabinet referred the matter to a Group of Ministers (GoM) for looking into the legal and other related aspects of the matter.

Economic plight of Air India

†4523. SHRI PRABHAT JHA: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) whether it is a fact that the Parliamentary Committee has held policies of the Government responsible for the economic plight of Air India;

†Original notice of the question was received in Hindi.

- (b) if so, the details thereof;
- (c) whether the Parliamentary Committee has revealed that Air India has not been able to spend the allocated amount completely during the Eleventh Five Year Plan;
- (d) if so, the details thereof;
- (e) whether it is a fact that on the one hand Air India is demanding relief package, on the other hand it is not able to spend the allocated amount; and
- (f) if so, the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) and (b) Various Parliamentary Committees have reviewed the performance of Air India from time to time and have expressed their opinions on the subjects examined. These reports have already been laid on the table of both houses of Parliament.

(c) and (d) The reduction of actual expenditure as compared to the Eleventh Plan outlay is primarily due to delay in delivery of B787 aircraft due to production related issues. Further, there has been a reduction in other capital projects due to the liquidity crisis faced by the company during the period 2007-08 to 2011-12 and only operationally essential projects were undertaken.

(e) and (f) The Eleventh Five Year Plan was approved for an outlay of Rs. 32,730.71 crores. The actual outlay during this period 2007-08 to 2011-12 was Rs. 24,763.36 crores including equity infusion of Rs. 3200 crores. The reduction in the actual expenditure as compared to the Eleventh Plan Outlay is primarily due to delay in delivery of B787 aircraft due to production related issues. Further, there was a reduction in the other capital projects due to the liquidity crisis faced by the company during this period as only operationally essential projects were undertaken.

Construction of new hanger complex at Begumpet

4524. SHRI PALVAI GOVARDHAN REDDY: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) whether any proposal from Government of Andhra Pradesh has been received in the Ministry for allotment of land at Begumpet Airport for construction of a new hanger complex and also administrative block of Andhra Pradesh Aviation Corporation Limited (APACL);
- (b) if so, the details thereof;

(c) whether it is a fact that Airport Authority of India (AAI) has put some conditions related to APACL; and

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

MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) and (d) Yes, Sir. Airports Authority of India (AAI) has allotted 8880 sqmtrs of land to Government of Andhra Pradesh on payment of nominal licence fee of Rs. 1/- per square meter per annum for a period of 5 years.

(c) and (d) The land has been allotted to Government of Andhra Pradesh for construction of Hangar(s) and other facilities and allotted land is to be used for parking of State Government aircraft(s)/Helicopter(s) and not for any commercial use.

Andhra Pradesh Government will be required to obtain prior approval of plans/construction drawings before commencement of construction work and will be also required to obtain NOC for height clearance.

Proposal to hive off the Air India's Engineering Division

4525. SHRI M.P. ACHUTHAN:

SHRI D. RAJA:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Government is considering a proposal to hive off the Air India's engineering division and form a separate company called Air India Engineering Services Limited (AIESL);

(b) if so, the details thereof;

(c) whether the engineers association and other trade unions of Air India are consulted about this proposal; and

(d) if so, the details and their reaction thereto?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) and (b) Yes, Sir. Air India Engineering Services Limited (AIESL), which was formed as a wholly owned subsidiary company of erstwhile Air India, is planned to be developed as a subsidiary company of Air India to offer Maintenance, Repair and Overhaul services to aviation industry including Air India. Operationalisation/hiving off of this subsidiary company is part of Turn Around Plan (TAP) of Air India which was approved by the Government.

(c) and (d) Yes, Sir. The Air India Management met various Unions/Associations on different occasions in this regard and the clarifications sought on various issues were explained to them alongwith the business plan and its advantages.

Dharmadhikari Committee Report on Air India

4526. DR. RAM PRAKASH:

SHRIMATI KUSUM RAI:

SHRI PRABHAT JHA:

Will the Minister of CIVIL AVHATION be pleased to states:

(a) whether Justice Dharnadhikari Committee has submitted its report to Government regarding Air India HR issue;

(b) whether Government has set up an internal committee to look into the recommendations of the report;

(c) the recommendations of Justice Dharmadhikari Committee; and

(d) the reasons for not implementing the recommendations of justice Dharmadhikari report so far?

THE MINISTER OF CIVIL AVIATION (SHRK AJIT SINGH): (a) and (b) Yes, Sir.

(c) and (d) The recommendations of Justice Dharmadhikari Committee are under consideration of the internal Committee which is considering the implementation schedule.

AIR China expands India operations

4527. SHRI MOHD. ALI KHAN:

SHRIMATI T. RATNA BAI:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Air China expands India operations;

(b) if so, the details thereof; and

(c) the impact of such operations on our country and the people?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (c) As per the Air Services Agreement between India and China, designated airlines of both countries are entitled to operate 42 services per week to each other's territory. At

present, Air China is operating 10 services per week to/from India. Air Services are a vital link between two nations to promote trade, tourism and people to people contact.

Grant-in-aid to the non-profit organizations

4528. SHRI BIRENDRA PRASAD BAISHYA: Will the Minister of DEVELOPMENT OF NORTH EASTERN REGION be pleased to state:

(a) whether the Ministry has sanctioned and released funds/grant-in-aid to the various non-profit organizations, institutions, trusts and individual body for organizing different programmes, seminars, award ceremony etc.;

(b) if so, the details of organization-wise programme conducted, amount sanctioned, released, utilisation and achievement made, which incurred funds/grant-in-aid from the Ministry during the last three years and the current year till March, 2012;

(c) whether the Ministry has earmarked fund for sanctioning as grant-in-aid to the non-profit organizations as well as amount earmarked for the Twelfth Five Year Plan in this regard;

(d) if so, the details thereof; and

(e) if not, the reason therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION (SHRI PABAN SINGH GHATOWAR): (a) and (b) Details of programmes conducted, amounts sanctioned and released, amounts utilized and achievements under Plan Schemes “Advertising and Publicity” and “Capacity Building and Technical Assistance” during 2008-09, 2009-10, 2010-11 and 2011-12, are at Annexures I and II respectively. Annexure I and II have been put on the website of the Ministry i.e. www.mdoner.gov.in

(c) to (e) Rs. 40.00 crore has been proposed under “Advertising and Publicity” and Rs. 141.00 crore under “Capacity Building and Technical Assistance” in XIIth Five Year Plan proposals of this Ministry.

Fund provided in the State of Mizoram

4529. SHRI LALHMING LIANA: Will the PRIME MINISTER be pleased to state:

(a) details of fund provided to the State of Mizoram for implementation of New Land Use Policy (NLUP) during the last three years;

(b) whether the funds so provided were given from Prime Minister's Special Package; and

(c) the mechanism devised by the Centre to monitor the utilization of the fund?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) The "Comprehensive and Integrated Socio-Economic Development Project under the New Land Use Policy (NLUP) of Govt. of Mizoram" approved by Cabinet Committee on Economic Affairs (CCEA) on 15/7/2010 at an estimated cost of Rs. 2873.13 crore to be implemented over a period of five years. Out of this Rs. 1000.84 crore is to flow from Centrally Sponsored Schemes (CSS); Rs. 1526.14 crore as Additional Central Assistance (ACA) under the State Plan and Rs. 346.15 crore has to come as beneficiary contribution. During 2010-11 and 2011-12, Planning Commission provided ACA (grant) of Rs. 234.82 crore and Rs. 234.00 crore respectively. As per the available information the estimated flow from CSS was Rs. 246.38 crore during the last two years. Annual Plan 2012-13 has not been finalized.

(b) As mentioned above, the fund flow for this Special Programme comprises of CSS funds from various Ministries, ACA provided under State Plan and beneficiary contribution. The ACA component is earmarked as "ACA for NLUP" under the State's Annual Plan as per the approval of the CCEA. It has been ensured that activity wise details are reflected in the Plan Document of the State Government.

(c) One representative of the Planning Commission is included as a Member in the NLUP Apex Board. In addition, one additional Member has been included in the Board as "Expert on technical matters". This gives an opportunity to review the status of implementation of the programme. In addition, the project is to be monitored by Ministry of Rural Development. The Planning Commission also monitors the progress based on the information made available by the State Govt.

Projects/schemes sanctioned to State of Mizoram

4530. SHRI LALHMING LIANA: Will the Minister of DEVELOPMENT OF NORTH EASTERN REGION be pleased to state:

(a) the details of projects/schemes sanctioned for the State of Mizoram during the last three years; and

(b) the quantum of funds sanctioned for each project/scheme and the status of implementation of those schemes?

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF

NORTH EASTERN REGION (SHRI PABAN SINGH GHATOWAR): (a) and (b) Details of projects/schemes sanctioned by Ministry of Development of North Eastern Region and North Eastern Council to Mizoram during last three years, fund sanctioned for each project/scheme and status of its implementation are given in Statements (*See below*).

Statement-I: Details of projects/schemes sanctioned under Non-Lapsable Central Pool of Resources (NLCPR) scheme,

Statement-II: Details of projects/schemes sanctioned under schemes of North Eastern Council, and

Statement-III: Details of projects/schemes under Advocacy and Publicity scheme of Ministry of Development of North Eastern Region.

Statement-I

Projects sanctioned for the State of Mizoram during 2009-10, 2010-11 and 2011-12 under Non-Lapsable Central Pool of Resources Scheme; quantum of funds released and utilised for each of the projects

(Rs. in Lakh)					
Sl. No.	Name of project	Date of sanction	Approved cost	Quantum of funds released	Utilisation of released fund
1	2	3	4	5	6
Education					
1.	Infrastructure development of 4 college in Mizoram	18-09-2009	546.32	196.68	0.00
2.	Construction of Post-Matric Students Hostel at Aizawl in Mizoram	22-02-2010	190.10	60.00	60.00
3.	Infrastructure Development of Lawngtlai College, Lawngtlai, Mizoram	04-05-2011	136.09	48.99	0.00
4.	Construction of Multi Complex Building Auditorium at Pachhunga University College, Aizawl, Mizoram	23-12-2010	285.26	102.69	0.00

1	2	3	4	5	6
5.	Construction of Examination Hall for MPSC, Mizoram	23-12-2010	288.32	102.31	0.00
6.	Infrastructure Development of Govt. Champhai College at Champhai, Mizoram	17-03-2011	951.29	342.46	0.00
7.	Infrastructure Development of various colleges (10 Nos.) in Mizoram	24-06-2011	1367.64	482.70	0.00
8.	Construction of Boys and Girls Hostel at Saitual and Thingsulthliah in Mizoram	04-07-2011	189.99	67.98	0.00
9.	Establishment of Sainik School at Chhingchhip, Serchhip District, Mizoram	29-02-2012	5064.23	1787.38	0.00
Total of Education sector (9 Projects)			9019.24	3191.19	60.00
Health					
10.	Construction of Medical Staff Quarters for CHC at Saitual and Thingsulthliah in Mizoram	03-05-2011	132.21	46.66	0.00
11.	Veterinary Polyclinic at Aizawl	02-03-2012	482.30	173.63	0.00
Total of Health sector (2 Projects)			614.51	220.29	0.00
Miscellaneous					
12.	Intensive and Strengthening of Central Rural Sanitation Programme in Mara Autonomous District Council Area of Mizoram	28-10-2009	46.86	42.18	33.74
13.	Construction of RA Lorrain Market Centre at Saiha in Mizoram	08-04-2010	380.87	270.10	135.05
14.	Upgradation of Lawngtlai Town in the Lai Autonomous District Council in Mizoram	03-05-2011	1180.69	417.09	0.00

1	2	3	4	5	6
15.	Upgradation of Lengpui Airport in Mizoram	15-03-2011	2481.62	875.47	0.00
16.	Construction of Community Halls at Various Places in Mizoram (Part-II)	23-02-2011	206.49	74.34	0.00
17.	Strengthening of Government Press, Aizawl, Mizoram	14-03-2011	842.47	297.34	297.34
18.	Construction of Multi-Level Parking, Community Centre and Office Complex at Aizawl North in Mizoram	15-12-2011	1298.26	458.21	0.00
Total of Miscellaneous sector (7 Projects)			6437.26	2434.73	466.13
Road and Bridges					
19.	Construction of Approach Road to Tuival from Mimbung and approach road to Godown at Kawlkulh, Mizoram	24-06-2011	367.09	129.56	0.00
20.	Construction of Sihpui to Thuampui Road in Mizoram	13-12-2010	248.23	87.61	0.00
21.	Construction of Road from Ramthar 'N' to Ramhlum Sport Complex in Mizoram	23-12-2010	202.23	71.38	0.00
22.	Construction of Road from Chuhvel to Sihthiang in Mizoram	23-02-2011	223.53	78.89	0.00
23.	Construction of Khanpui to Tualbung road	04-07-2011	197.21	69.60	0.00
24.	Construction of Jeepable Suspension Bridge over R. Chhimtuipui at Darzokai on Hnahthial to Sangau Road	02-03-2012	216.21	76.31	0.00
Total of Road and Bridges sector (6 Projects)			1454.50	513.35	0.00

1	2	3	4	5	6
Sports					
25.	Construction of Aizawl Cricket Stadium at Sihhmui, Mizoram	21-12-2009	1128.16	796.34	398.17
26.	State Sports Academy, Zobawk	02-08-2010	1751.24	630.45	0.00
27.	Construction of Indoor Stadium at Keitum in Mizoram	23-12-2010	173.75	62.55	0.00
28.	Construction of Indoor Stadium at Bungtlang in Mizoram	23-12-2010	173.75	62.55	0.00
Total of Sports sector (4 Projects)			3226.9	1551.89	398.17
Water Supply					
29.	Bilkhwthlir Water Supply Scheme, Kolasib District in Mizoram	03-05-2011	780.47	275.49	0.00
30.	Greater Hnahthial Water Supply Scheme in Mizoram	29-11-2010	825.60	291.39	0.00
31.	Greater Lawngtlai Water Supply Scheme in Mizoram	08-10-2010	2564.50	905.00	0.00
32.	Tuipang Water Supply Scheme, Mara Autonomous District Council in Mizoram	24-12-2010	941.13	332.16	0.00
33.	Greater Saitual Water Supply Scheme in Mizoram	08-10-2010	2153.20	759.90	759.90
34.	W. Phaileng Water Supply Scheme (Pumping) in Mizoram	24-06-2011	995.19	358.27	0.00
35.	Bairabi Water Supply Scheme in Mizoram	04-07-2011	490.37	173.07	0.00
36.	South Khawbung Water Supply Scheme in Mizoram	15-12-2011	827.38	297.86	0.00
37.	Sairang Water Supply Scheme in Mizoram	20-03-2012	221.14	0.00	0.00
Total of Water Supply sector (9 Projects)			9798.98	3393.14	759.90
TOTAL			30551.39	11304.59	1684.20

Statement-II

Projects/scheme sanctioned for the State of Mizoram during 2009-10, 2010-11 and 2011-12 under various schemes of North Eastern Council (NEC) and status of implementation

Agriculture and Allied Sector:

(Rs. in lakhs)

Sl. No.	Details of projects/ scheme sanctioned during the last three years	Quantum of funds sanctioned for each project/scheme	Status of implementation
1	2	3	4
2009-10			
1.	Cultivation of grapes on commercial scale, Champhai	108.77	Cultivation of grapes by 40 families in 100 acres area to generate local employment and income and to convert present jhum lands to permanent settlement. Nothing about the status is known as yet.
2010-11			
1.	NIL		
2011-12			
1.	Hill Terrace Construction at Degraded Jhum Land under Mara Autonomous District Council in Mizoram	65.00	Not known since the project has been sanctioned in the last Financial Year only.
2	Establishment of Integrated Horticulture Training Centre at Chithe, Aizawl*	95.76	Not known since the project has been sanctioned in the last Financial Year only.
TOTAL		269.53	

* This project was actually sanctioned in 2010-11 but no release could be made in that year on this due to paucity of fund.

Power and Renewable Resource Energy Sector

Sl. No.	Details of projects/ scheme sanctioned during the last three years	Quantum of funds sanctioned for each project/scheme	Status of implementation
1	2	3	4
SYSTEM IMPROVEMENT SCHEME			
A	2009-10		
	Nil	Nil	Nil
B	2010-11		
1.	Construction of 132KV Khumtung-I Bay at Melriat, Mizoram	160.00	60% of work completed
2.	Renovation and modernization of 132KV S/s at Bukpuii, Serchhip	150.00	40% of work completed
3.	Construction of 132KV Khumtung-II Bay at Melriat, Mizoram	80.00	50% of work completed
	TOTAL	390.00	
C	2011-12		
4.	Improvement of 33KV Sub-Station at Ngopa with associated lines, Mizoram	145.00	New project sanctioned on Dec 2011. 15% work completed.
5.	Construction of 33/11 kV Sub-Station at Durtlang with 9 kms 33 kV line from 132 kV Zuangtui Sub-Station	150.00	New project sanctioned on Feb' 2012
	TOTAL	295.00	
Total (A+B+C)		685.00	

1	2	3	4
Renewable Resources of Energy			
2011-12			
1.	Tuiriza and Tuiching Micro Hydel Project 2x100 kW each (100 kW) in Phullen and Hrianghmun, Mizoram	60.00	New project sanctioned during Feb, 2012.
Total (SIS + RRE)		745.00	
Irrigation and flood Control and Water Supply			
Sl. No.	Details of projects/ scheme sanctioned during the last three years	Quantum of funds sanctioned for each project/scheme	Status of implementation
1	2	3	4
2009-10			
Implementation of FC and River Management Project			
1.	Sangau Water Supply Scheme (Pumping) Phase-I	35.00	The project was sanctioned in 2009-10 with an estimated cost of Rs. 484.00 lakhs
Implementation of Irrigation Projects			
2.	Flood Control and Irrigation Potential of agricultural areas of Ngopa RD Block	30.00	The project was sanctioned in 2009-10 with an estimated cost of Rs. 432.16 lakhs
Survey and Investigation of HEP/MPP			
3.	Survey and Investigation of Mat-Sekawi H.E.P	30.00	The project sanctioned in 2009-10 with an approved amount of Rs. 381.34 lakhs
2010-11			
Implementation of FC and River Management Project			
1.	Sangau Water Supply Scheme (Pumping) Phase-I	180.00	Ongoing project released as 2nd installment

1	2	3	4
2.	Phuaibuang Pumping Water Supply Scheme in Mizoram	117.00	The project was sanctioned in 2010-11 at an approved cost of Rs. 391.50 lakhs (New Project)
3.	Construction of Check Dam/retaining wall and drainage network to prevent major landslide at the cemetery in Dwarpui Vengthar in Aizawl	80.00	The project was sanctioned in 2010-11 at an approved cost of Rs. 258.00 lakhs (New Project)
4.	Bualpui "NG" and Lunzarhtum combined Water Supply Scheme	120.00	The project was sanctioned in 2010-11 at an approved cost of Rs. 493.00 lakhs (New Project)
Survey and Investigation of HEP/MPP			
5.	Survey and Investigation of Mat-Sekawi HEP	210.00	Ongoing Project. 2nd installment

2011-12**Implementation of Irrigation Projects**

1.	Flood Control and Irrigation Potential of agricultural areas of Ngopa RD Block	155.57	Ongoing project released 2nd installment on 21.06.2011
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Survey and Investigation of HEP/MPP

2.	Survey and Investigation of Mat-Sekawi HEP	141.34	Ongoing Project released 3rd installment
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Implementation of FC and River Management Project

3.	Sangau Water Supply Scheme (Pumping) Phase-I	130.68	Ongoing project released 3rd installment
4.	Phuaibuang Pumping Water Supply Scheme in Mizoram	140.94	Ongoing project released as 2nd installment

1	2	3	4
5.	Construction of Check Dam/retaining wall and drainage network to prevent major landslide at the cemetery in Dwarpui Vengthar in Aizawl	92.88	Ongoing project. Released as 2nd installment
6.	Lengpui Town and Lengpui Airport Water Supply Scheme (Pumping)	150.00	Project was sanctioned with an estimated cost of Rs. 458.20 lakhs (New Project).
TOTAL		1613.41	

Industries

(Rs. in lakhs)

Sl. No.	Details of projects/ scheme sanctioned during the last three years	Quantum of funds sanctioned for each project/scheme	Status of implementation
1	2	3	4
2009-10			
1	NIL	—	—
2010-11			
1	NIL	—	—
2011-2012			
1.	Upgradation of Mizoram Handloom and Handicrafts Development Corporation Ltd.	110.53	This project was sanctioned on 07.12.2011. Progress report is awaited.
Total		110.53	

Transport and Communication

(Rs. in lakhs)

Sl. No.	Details of projects/ scheme sanctioned during the last three years	Quantum of funds sanctioned for each project/scheme	Status of implementation
2009-10			
1	NIL	—	—
2010-11			
1.	Upgradation of Thanlon-Singhat Road (Ngopa-Tuivai)	1400.00	F=10.00 Km
2011-12			
1.	Upgradation of Sherkhan Bagabazar Road	2200.00	F=8.00 Km
TOTAL		3600.00	

F = Formation

Medical and Health

(Rs. in lakhs)

Sl. No.	Details of projects/ scheme sanctioned during the last three years	Quantum of funds sanctioned for each project/scheme	Status of implementation
1	2	3	4
2009-10			
1.	Strengthening and Improvement of Central Sterile and Supply Department (CSSD) in District Hospitals	300	The project was Sanctioned during 2009-10.
TOTAL		30.00	

1	2	3	4
2010-11			
	Strengthening and Improvement of Central Sterile and Supply Department (CSSD) in District Hospitals	50.00	Under implementation
	Support for Development and Implementation of Computerized Hospital Management Information System (HMIS) at a Civil Hospital, Aizawl	130.00	The project was sanctioned during 2010-11
	TOTAL	180.00	
2011-12			
	Strengthening and Improvement of Central Sterile and Supply Department (CSSD) in District Hospitals	100.00	Under implementation
	Support for Development and Implementation of Computerized Hospital Management Information System (HMIS) AT Civil Hospital, Aizawl	180.00	Under implementation
	Establishment of Blood Bank at Bethesda Hospital and Research Centre, Aizawl	75.00	The project was sanctioned during 2011-12
	Support for Procurement of CT Scan (16 slices) at Civil Hospital, Aizawl	100.00	The project was sanctioned during 2011-12
	TOTAL	455.00	
	TOTAL	665.00	

Human Resource Development

(Rs. in Lakhs)

Sl. No.	Details of projects/ scheme sanctioned during the last three years	Quantum of funds sanctioned for each project/scheme	Status of implementation
1	2	3	4
2009-10			
A	Sports Infrastructure		
1.	Establishment of Regional Sports training Centre at Saidan, Kolasib, Mizoram	100.00	Ongoing Project
B	Sports Events		
1.	5th National Youth Women Boxing Championship at Aizawl	7.00	Completed
2010-11			
A	Sports Infrastructure		
1.	Construction of Mini Sports Complex Lengpui, Mizoram	188.00	U/C received. Recommended for inspection.
2.	Financial assistance for construction of Y.M.A playground electric branch Hnathial, Lunglei District, Mizoram	97.20	U/C awaited for Rs. 97.20 lakhs
B	Sports Events		
1.	Holding of Wrestling Tournament at Aizawl among 8 (Eight) Sister States of NE from 22nd November, 2010 to 27th November, 2010	5.50	U/C awaited for Rs. 5.50 lakhs
2.	Financial assistance for Hosting of North East Women's Hockey League at Aizawl from 8th November, 2010 to 17th November, 2010	3.50	U/C awaited for Rs. 3.50 lakhs

1	2	3	4
3.	Financial assistance for organizing 2nd East Zone Taekwando Championship and 1st East Zone Poomsae Championship at Aizawl w.e.f. 4th to 8th November, 2010	4.00	Championship is as per schedule
4.	Financial assistance for organizing North East Volleyball Championship for Men and Women	4.00	Championship is as per schedule
5.	Organising the 11th National Senior (Male and Female) Muay Thai championship 2010	6.00	Championship is as per schedule
6.	Hosting of federation cup National Championship for Men and Women Aizawl (Tug of War)	3.50	Championship is as per schedule

2011-12**A Sports Infrastructure**

1.	Construction and Establishment of Sports Centre at Phulpui Aizawl, Mizoram	140.00	U/C awaited for Rs. 140.00 lakhs
2.	Construction of Multi Sports Centre at Muallungthu	150.00	U/C awaited for Rs. 150.00 lakhs
3.	Sports Infrastructure and requirement of sports materials for hosting of the 26th North East Games, 2012	85.00	U/C awaited for Rs. 85.00 lakhs
4.	Establishment of Regional Sports Centre at Saidan, Kolasib Mizoram	197.00	U/C awaited for Rs. 197.00 lakhs.

B Sports Events

1.	Hosting of 6th National Karate championship at Aizawl, Mizoram	4.00	U/C awaited for Rs. 4.00 lakhs
2.	Hosting of federation cup National Championship for Men and Women Aizawl (Tug of War)	0.50	U/C awaited for Rs. 0.50 lakhs

1	2	3	4
3.	2nd East Zone Taekwando Championship at Aizawl	1.00	U/C awaited for Rs. 1.00 lakhs
4.	Organising the 11th National Senior (Male and Female) Muay Thai championship 2010	1.00	U/C awaited for Rs. 1.00 lakhs
5	Financial assistance for Hosting of North East Women's Hockey League at Aizawl from 8th November, 2010 to 17th November, 2010	2.00	U/C awaited for Rs. 2.00 lakhs
6.	Financial assistance for organizing North East Volleyball Championship for Men and Women	1.00	U/C awaited for Rs. 1.00 lakhs
C Sports Talent Search			
1.	Financial assistance for nurturing young excellence in Sports, Mizoram	20.00	U/C awaited for Rs. 20.00 lakhs
TOTAL		1020.20	

Science and Technology

(Rs. in Lakhs)

Sl. No.	Details of projects/ scheme sanctioned during the last three years	Quantum of fund s sanctioned for each project/scheme	Status of implementation
1	2	3	4
2009-10			
1.	North East IT summit 2009	1.50	completed
2010-11			
1	Nil		
2011-12			
1.	IT Education and Science and Technology Awareness Programme: Programme at 300 schools in Mizoram	69.00	The Scheme is in the initial stage of implementation.

1	2	3	4
2.	Establishment of Rural Information Kiosks in 300 villages in the state of Mizoram	130.00	The Scheme is in the initial stage of implementation.
TOTAL		200.50	

Information and Public Relations

(Rs. in Lakhs)

Sl. No.	Details of projects/ scheme sanctioned during the last three years	Quantum of funds sanctioned for each project/scheme	Status of implementation
2009-10			
1.	Up-gradation of the NEC Information Cell at the State Capital of Mizoram	5.00	To be implemented by Information and Public Relations Department of the State Government.
2010-11			
2.	Up-gradation/Maintenance of the NEC Information Cell at the State Capital of Mizoram	4.25	-do-
2011-12			
3.	Documentation of NEC Activities in the form of Coffee Table Book	2.50	-do-
TOTAL		11.75	
GRAND TOTAL OF ALL THE SECTORS		8235.92	

Statement-III

Projects sanctioned to the State of Mizoram during 2009-10, 2010-11 and 2011-12 under Advocacy and Publicity scheme; quantum of funds released and status of implementation, of each of these projects

Sl. No.	Name of Project	Funds sanctioned (Rs. Lakh)	Funds released (Rs. Lakh)	Status of implementation
1.	Participation of Troupe in Parvasi Bharatya Divas convention 2011	1.50	1.50	The event took place in January, 2011
2.	Celebration of completion of 25 years of Mizo Peace Accord	16.32	3.92	The event took place during 29th-30th June 2011. Balance amount of Rs. 12.41 lakh is being released now.
3.	Participation of Cultural Troupe on Inauguration Day of Working Women's Hostel at Jasola, New Delhi	0.20	0.20	The event took place on 20th August 2011
TOTAL		18.02	5.62	

Review of the performance of North Eastern States

4531. SHRI KHEKIHO ZHIMOMI: Will the Minister of DEVELOPMENT OF NORTH EASTERN REGION be pleased to state:

(a) whether any review of the performance of North Eastern States has been carried out by Government;

(b) if so, the details thereof;

(c) if not, whether Government proposed to undertake a review plan in performance of the North Eastern States;

(d) if so, the details thereof;

(e) the details of assistance provided to North Eastern States under different Central programmes/schemes in last three years; and

(f) the details of various programmes implemented in this regard along with the funds allocated and utilised during the last three years and current year?

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION (SHRI PABAN SINGH GHATOWAR): (a) to (d) Performance of projects sanctioned under schemes being implemented by Ministry of Development of North Eastern Region is reviewed regularly *inter-alia* through meetings, periodical progress reports, utilisation certificates and site-visits, by officers of the Ministry. State Governments are advised to review progress of projects on regular basis at level of Chief Secretary/senior officers.

(e) and (f) Planning Commission finalises annual plans of States, including those from North Eastern Region in consultation with concerned State Governments. Size of each year's plan is finalised based on resources available with State Government (State's own funds, borrowings and any other resources) and Central Assistance for State's Plan. A statement indicating Annual Plan outlays/actual expenditure during 2009-10, 2010-11 and 2011-12 of North Eastern States is given in Statement (*See below*).

Grants-in-aid to North Eastern State Governments are also released under Non Lapsable Central Pool of Resources (NLCPR) Scheme of Ministry of Development of North Eastern Region and schemes of North Eastern Council. Details of schemes/programmes implemented by Ministry of Development of North Eastern Region (including North Eastern Council) and Budget Estimates for these schemes during last three years and current year and funds utilised thereunder are given in Tables 1 and 2:

Table 1: Funds released, Utilisation Certificates received from 2009-10 to 2012-13 under NLCPR Scheme and Special BTC Package.

(Rs. in crore)

Years	NLCPR Scheme		Special BTC Package	
	Funds Released	Utilisation Certificates Received	Funds Released	Utilisation Certificates Received
1	2	3	4	5
2009-10	668.62	577.18	3.15	42.82
2010-11	805.77	587.28	50.00	47.94

1	2	3	4	5
2011-12	798.99	543.71	50.00	33.55
2012-13	2.93	8.14	0.00	0.00
TOTAL	2276.31	1716.31	103.15	124.31

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

Table 2: Details of funds allocated to North Eastern Council and released by it to North Eastern States from 2009-10 to 2012-13.

(Rs. in crore)		
Year	Funds allocated	Funds released
2009-10	624.00	620.99
2010-11	700.00	678.30
2011-12	700.00	688.18
2012-13	770.00	62.73

Statement

Annual Plan Outlays/Expenditure during last three years-North Eastern States

(Rs. in crore)

State	2009-10		2010-11		2011-12	
	Approved outlay	Actual Expenditure	Approved outlay	Actual Expenditure	Approved outlay	Actual Expenditure
Arunachal Pradesh	2100.00	2591.90	2500.00	2500.00	3200.00	3200.00
Assam	6000.00	5023.09	7645.00	6883.00	9000.00	9000.00
Manipur	2000.00	1784.41	2600.00	2600.00	3210.00	3210.00
Meghalaya	2100.00	1417.86	2230.00	2127.73	2727.00	2727.00
Mizoram	1250.00	1067.22	1500.00	1500.00	1700.00	1700.00
Nagaland	1500.00	1428.50	1500.00	1500.00	1810.00	1810.00
Sikkim	1045.00	1019.26	1175.00	1175.00	1400.00	1400.00
Tripura	1680.00	1735.57	1860.00	1447.43	1950.00	1950.00

Source: Planning Commission.

Oil exploration in South China sea

4532. DR. JANARDHAN WAGHMARE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether plans of India and Vietnam for joint exploration in South China sea has been widely protested by China;

(b) if so, whether Oil and Natural Gas Corporation Videsh Limited (OVL) has sought clearance from the Ministry of External Affairs;

(c) if so, whether the blocks identified for exploration in the South China sea belongs to Vietnam; and

(d) if so, the reaction of Government on such deals with Vietnam?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (d) Sovereignty over areas of the South China Sea is disputed between many countries in the region. India is not a party to this dispute. As two developing countries with growing energy needs, India and Vietnam have been cooperating in the oil and gas industry to enhance their energy security. 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 ONGC's decisions are taken entirely on techno-economic criteria. Sovereignty issues must be resolved peacefully by the countries which are parties to the dispute in accordance with international law and practice.

Rejection of sea

4533. DR. K.P. RAMALINGAM: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India has expressed concern over the rejection of visas in both H1B and LI categories for Indians while it has gone up for other countries;

(b) whether the sharp increase in rejection in H1B category and the rate of rejection in LI category rose to 28 percent in 2011;

(c) if so, the details thereof and whether Government has complained to US about the increase in the rate of rejection of US visas for Indian professionals; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) and (b) The Government is aware of difficulties faced by the Indian professionals in obtaining U.S. visas, including denial of visas, increase in visa fees and other procedural difficulties. A report, compiled by the National Foundation for American Policy in November 2011, states that the L-1 visas issued by the U.S. to Indians declined by 28% in U.S. fiscal 2011 compared to US fiscal 2010 while LI visas issued globally (except India) increased by 15%.

(c) and (d) The Government uses every opportunity, including during trade-related meetings, to raise with the U.S. Government its concerns regarding visa difficulties faced by Indian professionals. In his meeting with U.S. Secretary of State Hillary Clinton in New Delhi on 8 May 2012, the External Affairs Minister conveyed Indian concerns about the continuing difficulties on mobility of professionals, especially for IT companies, and protectionist sentiments in the U.S. with regard to global supply chain in services industry.

Projects of GOI in Sri Lanka

4534. SHRI T.M. SELVAGANAPATHI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Joint Parliament Delegation to Sri Lanka had taken up with the Sri Lankan Government about various projects being undertaken by Government of India in Sri Lanka;

(b) if so, the details thereof; and

(c) whether the team emphasized upon the Sri Lankan Government that steps taken by Government in Sri Lanka should go to Sri Lankan Tamils?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (c) A 12-member Joint Parliamentary delegation, led by the Hon'ble Leader of the Opposition in the Lok Sabha, during its visit to Sri Lanka from 16-21 April 2012, *inter-alia* discussed the implementation of various Government of India (GoI) assisted projects for the Internally Displaced Persons (IDPs) in Sri Lanka at its meetings with the President and Ministers of the Sri Lankan Government.

The delegation visited several places, including Vavuniya, Mullaitivu, Jaffia, Kankesanthurai, Kalutara and Batticaloa, where projects are being implemented under GoI assistance, including those related to the development of rail and port infrastructure, connectivity and transportation, education, public health, housing, de-mining, vocational training and economic revival. A vast majority of the beneficiaries of these Projects are Tamil speaking.

Expansion OF UNSC

4535. SHRI N.K. SINGH: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether Government is pushing for expansion of the United Nations Security Council (UNSC);
- (b) if so, the details of the steps taken in this regard;
- (c) the reaction of the permanent members of the UNSC thereto;
- (d) the steps being taken by G-4 group to persuade the permanent members for reform of the UNSC both in the permanent as well as non-permanent categories; and
- (e) the present status of the UNSC reforms?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (e) The Government of India has been working along with other like-minded countries for building support among the UN membership for a meaningful restructuring and expansion of the UN Security Council. We have, in collaboration with Brazil, Japan and Germany (together known as the G-4) proposed expansion of the membership of the UN Security Council from the present fifteen to twenty-five by adding six permanent and four non-permanent members.

The efforts of the G-4 and other pro-reform countries were instrumental in the commencement of text-based inter-governmental negotiations in the UN on the issue of Security Council reform in July 2010. Recognizing that there is widespread support to take the reform process towards a concrete outcome, the G-4 Foreign Ministers met in New York in February 2011 and decided to press ahead with all necessary steps to achieve at the earliest an expansion in both the permanent and non-permanent categories of membership of the Security Council. This was followed by intensive outreach efforts by the G-4 countries to engage other Members States of the UN and build support for their proposal. The G-4 Foreign Ministers again met in New York in September 2011 where they agreed that the strong support received for their initiative should be considered as the basis for further discussions in the inter-governmental negotiations.

Among the permanent members of the Security Council, UK and France have supported the G-4 proposal as well as the candidatures of the G-4 countries for permanent membership of an expanded Council. USA is in favour of limited expansion in permanent and non-permanent membership of the Council and would

like the new permanent members to be selected on the basis of their contribution to maintenance of international peace and security. In a speech to our Parliament in November 2010, US President Obama said that in the years ahead he looked forward to a reformed Security Council that included India as a permanent member. Russia and China have also articulated support for expansion of the Security Council but they would like any expansion to be limited, gradual and based on the widest possible consensus among the UN membership. Russia has separately expressed strong support to India for a permanent seat in an expanded Security council. India and other G-4 countries continue to remain engaged with the permanent members as part of their outreach efforts to build support for reform and expansion of the Security Council.

During the current UN General Assembly session, five meetings of the inter-governmental negotiations have been held. In these meetings, it was seen that a large majority of the Member States prefer a reform model based on expansion in both the permanent and non-permanent categories of membership. This has reinforced the support for the ongoing G-4 initiative.

Chinese Rail and Air Connectivity with Arunachal Pradesh

†4536. SHRI ISHWARLAL SHANKARLAL JAIN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Chinese Government is strengthening its rail and air connectivity as well as its vigilance mechanism along its borders with India at Arunachal Pradesh;

(b) if so, the details thereof;

(c) whether the Indian Government has taken any further steps and is holding discussion on issues for protecting its interests and safeguarding its borders, keeping in view the situation prevailing at the Indo-Chinese border; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (d) Government is aware that China is developing the infrastructure in the border regions opposite India in the Tibet Autonomous Region. This includes the Qinghai-Tibet Railway line, with proposed extension up to Xigaze and Nyingchi, and development of road and airport facilities. Government is giving careful and special attention to the development of infrastructure in the border areas

†Original notice of the question was received in Hindi.

opposite China, in order to meet our strategic and security requirements and also to facilitate the economic development of these areas including 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.

Nuclear Weapon Programmes by Neighbouring Countries

4537. SHRI BHUPENDER YADAV: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether Government is aware about the development and strengthening of nuclear weapon programmes by our neighbouring countries;
- (b) if so, the details thereof;
- (c) whether such development would be in consonance with peace keeping measures in this region;
- (d) if so, the details thereof; and
- (e) the steps taken or proposed to be taken to counter such developments?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (e) Government has seen reports about the nuclear weapons programmes in our neighbouring countries. Government continuously monitors all developments having a bearing on India's national security and takes all necessary steps to safeguard it.

Modification in process for application for passports

†4538. DR. YOGENDRA P. TRIVEDI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether the process of applying for passport and issuance thereof has been changed from 2012;
- (b) if so, the reasons therefor;
- (c) the details of this new process and whether any private firm was appointed to issue the passport;
- (d) if so, to whom and the places where its centres are located in Maharashtra;
- (e) whether with this new process, the people and senior citizens would have to wait for hours for their turn by wasting their whole day; and
- (f) the details thereof?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (c) The process of submission of application for passport and its issuance is being reformed under the ongoing Passport Seva Project. In order to meet growing demand of passports and to improve the efficiency of passport issuance system, the Government had appointed the National Institute of Smart Governance (NISG), Hyderabad—a Government agency, as Consultant in 2006 to conduct an independent study of the system. The NISG, after a comprehensive study, submitted a detailed project report in February 2007 and recommended launch of Passport Seva Project (PSP) in Public-Private-Partnership (PPP) mode, envisaging *inter-alia* setting up of 77 Passport Seva Kendras (PSKs) across the country, based on the number of passport applications received from various districts under each Passport Office. The PSP is one of the 27 Mission Mode Projects under the National e-Governance Plan. It aims at delivering all passport related services to the citizens in a timely, more transparent, accessible, comfortable and reliable manner. The PSP was approved by the Union Cabinet on 6th September, 2007 to establish PSKs on PPP basis. Following a two bid process, M/s. Tata Consultancy Services (TCS) were selected as Service Provider in May 2008 for implementation of Passport Seva Project. The pilot PSKs were launched in Bengaluru and Chandigarh in May 2010 and August 2010 respectively. After their certification by the Standardisation, Testing and Quality Certification (STQC), the Third Party Audit Agency under the Department of Information Technology, in January 2011, the Passport Seva Project was cleared for launch across the country. As on 14th May 2012, 74 PSKs have been established in the States/UT of Andhra Pradesh, Assam, Bihar, Chandigarh, Chhattisgarh, Goa, Gujarat, Haryana, Jammu and Kashmir, Karnataka, Kerala, Maharashtra, Odisha, Punjab, Himachal Pradesh, Rajasthan, Tamil Nadu, UP, Uttarakhand, West Bengal and National Capital Territory.

Applicants need to apply online through the portal (www.passportindia.gov.in) and visit the PSK at the appointed date and time. Staff from the service provider check the demographic information, scan and upload supporting documents, take the applicants' photograph and biometrics and accept application fees on behalf of the Government. The sovereign and fiduciary functions of verification, granting and issuing of passport are performed by the Government officials. The entire process is online and streamlined including interface with the Police for verification of personal particulars of applicants and with India Post for tracking delivery of passports. The Electronic Queue Management System at the PSK ensures 'first-in-first-out' principle in application processing.

(d) Out of 77 PSKs planned for the country, seven PSKs have been set up

in Maharashtra. Three in Mumbai and one each in Thane, Nashik, Pune and Nagpur in PPP mode in partnership with TCS.

(e) and (f) The PSK provides a comfortable ambience and amenities including photocopying, food and Beverage facilities, public phone booth, baby care, newspapers and magazines and television in an air-conditioned waiting lounge. As the number of public dealing counters have been increased from the erstwhile 350 to 1610 in the new system and public dealing hours have gone up from 4 hours to 7 hours a day, the applicants do not have to wait long for submission of passport applications. Moreover, under PSP, there is provision of giving on-line appointment to applicants in order to visit the PSK at the appointed hour and the date to reduce waiting time at the PSK. Senior Citizens and differently abled applicants are given priority tokens in the PSK.

Timley Selection of Khadimul Hujjaj

†4539. SHRI ASHK ALI TAK: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that many State Governments do not make timely selection of the Khadimul Hujjaj to be sent for the service of the Haj pilgrims;

(b) whether it is a fact that due to the late selection of the Khadimul Hujjaj, they are being sent along with the Haj pilgrims;

(c) whether it is a fact that the Haj pilgrims have to face a lot of hardships due to Khadimul Hujjaj not being sent in advance; and

(d) whether Government would arrange at least one Khadimul Hujjaj in every aeroplane meant for the Haj pilgrims?

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

(c) and (d) Adequate arrangements are made by Government of India and the Haj Committee of India, Mumbai for facilitating the stay of Haj Pilgrims in Saudi Arabia. If Khadimul Hujjaj nominated by the State Haj Committees travel with the pilgrims of the respective State, it will be an added advantage. Government has already directed the Haj Committee of India, Mumbai and all the State Haj Committees to ensure that Khadimul-Hujjaj travel with Haj is during Haj 2012.

†Original notice of the question was received in Hindi.

Resolving of objection raised by foreign nations

4540. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether alleged dispute between India and China has been resolved satisfactorily as China has been raising objections when India signed an oil exploration agreement with Vietnam, or when a 'Milan' naval sea exercise was done during 2009; and

(b) whether there are other countries who have raised maritime disputes, which can threaten our security when India engages itself in activities like oil explorations either of its own or in collaboration with other countries, or undertakes routine multi-nation sea exercises?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) 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. China has not raised any concerns in regard to the Milan naval exercises.

(b) No.

Concern over Chinese development

†4541. SHRI RAM JETHMALANI:

SHRI RAVI SHANKAR PRASAD:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that India's growing concerns are but natural as a result of military build up together with adoption of assertive policy following growth in economic sector by neighbouring country China;

(b) if so, Government's reaction thereto;

(c) whether Government would take diplomatic steps at international level to neutralise this pressure from China; and

(d) if so, Government's reaction thereto?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) and (b) Government pays close attention to China's military modernization program as well as its infrastructure development projects in the border regions opposite India in the Tibet and Xinjiang Autonomous Regions. Government keeps a constant watch on all developments having a bearing on India's security and takes all necessary measures to safeguard it.

(c) and (d) India and China have established a Strategic and Cooperative Partnership based on the principles of Panchsheel, equality and mutual sensitivity to each other's concerns and aspirations. During his meeting with PM on the sidelines of BRICS Summit in March 2012, Chinese President Hu Jintao noted that China is firmly committed to seeking friendship with India and is willing to work with India to make greater contribution to peace, stability and development of Asia and the World. India continues to actively pursue its relations with all major powers so as to provide itself diplomatic space and preserve the national interest.

Maintenance of temples in SAARC countries

4542. SHRI ANIL MADHAV DAVE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government has taken up the issue of maintenance and construction of temples of historical and archaeological importance in SAARC countries;

(b) the details of such temples, country-wise;

(c) the present status of maintenance and work executed in such temples; and

(d) the details of funds allocated for such temples in last two years?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI PRENEET KAUR): (a) and (b) The Government has no plan to allocate funds for construction and maintenance of temples in SAARC countries.

(c) and (d) However, in Bhutan, Nepal and Sri Lanka, Indian embassies have been providing assistance for construction/expansion/renovation of temple related Structures of religious cultural and historical significance. Project-wise detail is at Statement (*See below*). There are no SAARC mandated activities for maintenance and construction of temples in SAARC countries.

Statement*Government of India Ministry of External Affairs**Renovation/repair projects by Indian Embassies***Bhutan**

Sl. No.	Project	Commitment (in Million Rupees)	Released (in Million Rupees)
1	2	3	4
1.	Expansion of Tango Buddhist Collage	220.01	85.000
2.	Construction of Anim Sheda (Nunnery)	68.000	40.000
3.	Construction of New Zhirim Lobda (Monastic)	72.000	40.000
4.	Construction of Zhirim Labada Labada (Monastic education Centre) at Pochu Dumra, Punakha	56040	48083
5.	Construction of Pema Gatshel Dzang	10000	31000
6.	Renovation of Daga Tashiyangtse Dzong and construction of Drashag (monestry for the Dzong, Dagana)	125000	41940
7.	Renovation of W/Phodang Dzong	200000	10810
8.	Renovation of Paro Dzong	100000	4715
9.	Construction of Darshag and renovation of Dzong, Lhuentse	120000	69075
10.	Construction of National Conservation Lab. Thimpu-at Cultural Centre Site	44000	2595

Nepal

11.	132-room Dharamshala for Muktinath Temple	18.75	completed
12.	Musuem at Janakidevi Temple in Janakpur	18.75	completed
13.	Musuem at Lumbini	11.9	completed
14.	Renovation, conservation and preservation of Shree Bala Tripurasundary Bhagwati Temple	20.8	Yet to start

1	2	3	4
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Sri Lanka

15. Thiruketheeswaram Temple in Mannar. The Archaeological Survey of India is the Technical Consultant for the project and the college of Architecture and Sculpture Mamallapuram, TN is the Executing Agency.

NIL

Officials visit to Dhaka and Pakistan

4543. SHRI MOHD. ALI KHAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether the Ministry's officials visited Dhaka and Pakistan recently to sign key agreements;
- (b) if so, the details thereof; and
- (c) the progress made from such visit to Dhaka?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (c) The Ministry's officials visited Dhaka on January 18-20, 2012 to review the progress in the implementation of the USD 1 billion Line of Credit (LOG) extended to Bangladesh by India. The two sides agreed to expedite the procedures and formalities for ensuring timely implementation of the projects under the LOG. The Ministry's officials were also part of Inter-Ministerial delegations that visited Dhaka to participate in the Inter-Governmental Railway Meeting and the Standing Committee Meeting under the Protocol on Inland Water Transit and Trade, in January and February 2012, respectively. No key Agreements were signed during these visits.

The Ministry's officials visited Pakistan to attend the fifth round of Expert Level Talks on Conventional Confidence Building Measures (CBMs) and the sixth round of Expert Level Talks on Nuclear CBMs between India and Pakistan, held on December 26-27, 2011. The two sides had agreed to recommend to their Foreign Secretaries to extend the validity of the "Agreement on Reducing the Risk from Accidents Relating to Nuclear Weapons" for another five years. The Agreement was extended for another 5 years through the exchange of Note Verbale in February 2012.

Launching of Rocket by North Korea

†4544. SHRI THAAWAR CHAND GEHLOT: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether North Korea has launched a rocket despite international opposition;
- (b) if so, the details thereof;
- (c) whether the above launch has created any security threat;
- (d) if so, the reaction of Government on this launch;
- (e) whether this launch is a violation of international laws; and
- (f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (f) Yes. DPRK attempted to launch an “application satellite” on 13th April, 2012. The launch ended in failure. India voiced its serious concern at the attempted launch of a rocket by the DPRK since it violated United Nations Security Council Resolution 1874 and adversely impacted peace and stability in the Korean Peninsula.

Sea route between India and Sri Lanka

4545. SHRI BALWINDER SINGH BHUNDER: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether the two sea routes proposed to be established between Tamil Nadu in India and Sri Lanka to boost trade and tourism have been opened;
- (b) if not, the reasons for delay in establishing these sea routes; and
- (c) the new date for opening these routes?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (c) A Memorandum of Understanding was signed between India and Sri Lanka on 7th January 2011 to commence passenger services between the ports of Tuticorin and Colombo and between Rameswaram and Talaimannar.

The Tuticorin-Colombo ferry services commenced on 13th June, 2011. The services, however, have been temporarily suspended due to technical reasons from 18th November 2011.

†Original notice of the question was received in Hindi.

The ferry services between Rameswaram and Talaimannar are expected to start once the requisite infrastructure facilities are in place at both the ports.

Definition of friendly nations

4546. SHRI PRABHAT JHA:

SHRIMATI KUSUM RAI:

Will the Minister of EXTERNAL AFFAIRS be pleased to state;

(a) whether there is any official definition and categorization of friendly and least friendly/enemy nations as per Government;

(b) if so, the details of friendly and least friendly/enemy nations; and

(c) if not, the details of the number of cases in which Ministry of External Affairs has denied information under RTI Act, 2005 and to Members of Parliament stating that the requirement information would affect the relations with friendly nations, during last two years, year-wise?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI PRENEET KAUR): (a) No.

(b) Does not arise.

(c) Section 8(1)(a) of the RTI Act, 2005 was invoked in response to 21 and 35 applications in 2010-11 and 2011-12 respectively.

Change in contract condition by Gulf employers

4547. SHRIMATI GUNDU SUDHARANI: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether it has come to the notice of the Ministry that employers in Gulf countries are changing the contract conditions which have been agreed upon between Indian workers and Gulf employers the moment Indian workers join in their companies in their favour;

(b) if so, the action the Ministry has taken in this regard to protect Indian workers;

(c) whether passports are also taken by employers and they start harassing Indian workers;

(d) if so, whether any mechanism through diplomatic or other channels has been thought of to protect Indian workers; and

(e) if not, the reasons therefor?

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

(a) and (b) From time to time complaints relating to contract violations including changing of the employment terms are received. On receipt of such complaints, the workers are asked through the Indian Mission to submit copies of their work permit and Employment Contract and if any discrepancy is noticed, the Mission takes up the matter with the employer/sponsor for remedial action.

(c) Instances have also come to the notice of the Government where the employers take passports of the workers on the pretext of safe custody of the passport or stamping of residence permit, etc. It is also noted in certain cases that the employers keep the passports of the expatriate workers in their custody and the workers can not leave the country without an 'exit visa' which is to be arranged by the employer.

(d) and (e) India has signed a Labour Welfare Agreement with Qatar; Memoranda of Understanding (MoU) on Labour welfare with United Arab Emirates (UAE) in December 2006, with Kuwait in April 2007, with Oman in November 2008 and with Bahrain in June 2009. An Additional Protocol to the existing Labour Agreement between India and Qatar was signed in November, 2007.

Under these Agreement and MoUs, Joint Working Groups (JWG) are constituted. Issues relating to the welfare of Indian workers including passport custody are taken up during the regular meetings of these JWG.

Pension/insurance scheme for NRIs

4548. SHRI A. ELAVARASAN:

SHRI RAJKUMAR DHOOT:

Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether Government has decided to cover overseas Indian workers under pension and insurance scheme;

(b) if so, the details thereof;

(c) whether the scheme will benefit around 7.5 million workers in getting insurance and pension benefits on return to the country; and

(d) if so, the details thereof:

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

(a) Yes, Sir. Male and female overseas Indian workers with Emigration Check Required (ECR) passports and aged between 18 and 50 years who are emigrating

overseas or have already emigrated overseas on an employment/contract visa are eligible to join the scheme called Pension and Life Insurance Fund (PLIF).

(b) The details are at Statement (*See below*).

(c) The scheme will benefit overseas Indian workers with ECR passports in BCR countries. These countries are Afghanistan, Bahrain, Indonesia, Iraq, Jordan, Kuwait, Saudi Arabia, Libya, Lebanon, Malaysia, Oman, Qatar, Sudan, Syria, Thailand, United Arab Emirates and Yemen.

(d) Overseas Indian workers will be able to withdraw their accumulated Return and Resettlement savings as a lump sum upon their return to India. The savings of PLIF subscribers in National Pension System (NPS)-Lite shall remain invested in a PFRDA regulated pension fund and shall be returned to them when they reach the age of 60 years in the form of pension as per PFRDA rules. The Lump sum Return and Resettlement withdrawals as well as pension benefits through NPS-Lite shall be paid into the bank account of each individual PLIF subscriber. The workers would also be given life insurance cover against natural death during the period of coverage.

Statement

Pension and Life Insurance Fund (PLIF)

The Government has approved the Pension and Life Insurance Fund (PLIF) for Overseas Indian workers having Emigration Check Required passports on 4th January, 2012. The objective of PLIF scheme is to encourage and enable overseas Indian workers by giving co-contribution to (a) save for their return and resettlement, (b) save for their old age (c) obtain a low cost Life Insurance cover against natural death during the period of coverage.

2. The co-contribution by Government available under the PLIF scheme for a period of five years or till the return of workers to India, whichever is earlier, are:

- (a) A co-contribution of Rs. 1000 per annum in line with Swavalamban platform for all PLIF subscribers who save between Rs. 1000 and Rs. 12000 per year in NPS-Lite;
- (b) An additional co-contribution of Rs. 1000 per annum by MOIA for overseas Indian women workers who save between Rs. 1000 and Rs. 12000 per annum in NPS-Lite; and
- (c) A special Return and Resettlement co-contribution of Rs. 1000 by MOIA to overseas Indian workers who save Rs. 4000 per annum towards Return and Resettlement.

3. This scheme is implemented using the Pension Fund Regulatory and Development Authority (PFRDA), Security and Exchange Board of India (SEBI), and Insurance Regulatory and Development Authority (IRDA) regulated products as per their institutional architecture. There will be an Integrated enrolment process for the subscribers who will be issued a unique PLIF Account number upon enrolment. On their return to India, the subscriber can withdraw the Return and Resettlement savings as a lump sum. However, the subscriber would be able to continue savings for their old age in NPS-Lite and the same shall remain invested with a PFRDA regulated pension fund. The PLIF subscriber can withdraw pension corpus as per the guidelines prescribed by the PFRDA.

Spirit behind establishment of PRI

†4549. SHRI FAGGAN SINGH KULASTE: Will the Minister of PANCHAYATI RAJ be pleased to state:

- (a) whether Panchayati Raj Institution in the country is working as per the spirit behind its establishment;
- (b) if so, the extent to which the powers given to Gram Sabhas, is being implemented and the extent to which it is being complied with by State Governments on its actual aspect; and
- (c) the actual position thereof?

THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO)

(a) Yes Sir.

(b) and (c) Regular elections to Panchayats have been held with reservation for Scheduled Castes, Scheduled Tribes and women as mandated in the Constitution. As per Article 243G of the Constitution, the legislature of a State may, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government and for the preparation of plans and implementation of schemes for economic development and social justice including on matters listed in the Eleventh Schedule. As per Article 243H, the State legislature may, by law authorize Panchayats to levy and collect or assign taxes, duties, tolls and fees and provide for grants-in-aid to the Panchayats. As the Constitution leaves it to the States to devolve powers and funds to Panchayats, States vary in the extent to which they have devolved funds, functions and functionaries (3Fs). Some States, notably, like Kerala, Karnataka, West Bengal and Maharashtra have devolved considerable powers to the Panchayats. The status of devolution across States is given in Statement.

†Original notice of the question was received in Hindi.

Statement

Status of devolution of Departments/subjects with funds, functions and functionaries to the Panchayati Rai Institutions for Major States/UTs.

Sl. No.	State/UT	No. and names of the Departments/subjects Transferred to Panchayats with respect to		
		Funds	Functions	Functionaries
1	2	3	4	5
1.	Andaman and Nicobar Islands	Grant-in-aid is released to PRI's to discharge their functions.	All the functions (29 subjects) have been transferred to the PRIs.	639 functionaries of various Departments have been transferred to the PRIS
2.	Andhra Pradesh	Only Gram Pancha-yats (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.
3.	Arunachal Pradesh	PRIs do not collect taxes. Transfer of funds by Departments has not	29 subjects have been devolved. GOs covering 20 Departments have been issued, but not yet implemented.	Functionaries have not been transferred.
4.	Assam	PRIs are empowered to collect taxes 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.
5.	Bihar	No taxes are collected by PRIs but a proposal regarding the same is	Activity mapping has been conducted. 20 line deptts. have issued GOs.	Departmental staff are answerable to Departments. Angandwadi workers,

	under consideration of State Government.		teachers and health workers are appointed by PRIs.	
6. Chattisgarh	GP is authorized to collect various types of taxes. Funds for 12 Departments have been devolved.	Activity Mapping of 27 matters has been undertaken. GOs not issued.	Panchayat make recruitments for 9 Departments.	
7. 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.	
8. 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.	
9. Haryana	GPs generate revenue from lease of Panchayat land, liquor cess and rental of Panchayat premises.	Panchayati Raj Act devolves 29 functions. GOs have been issued for 10 deptts.	There is no significance devolution of functionaries.	
10. 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.	
11. Jammu and Kashmir	State Govt. has issued GO notifying activity mapping. Funds have been devolved in a limited sense. Functionaries have been identified in the activity mapping document who will assist Panchayats in carrying out assigned functions but have not been transferred.			
12. Jharkhand	Elections to PRIs were held in November-December 2010 for the first time since 73rd Constitution Amendment Act came into force. Activity Mapping has not been done so far.			
13. 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 function under dual control of the Deptt. concerned and the PRIs.	

Written Answers to

[17 MAY, 2012]

Unstarred Questions 139

1	2	3	4	5
14. Kerala	GPs have tax domain of 9 types of taxes. Untied funds and funds for specific purposes by deptts 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.	
15. 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 deptts. have been issued.	Functionaries for 13 Department have been transfered to the PRIs. There is a State Panchayat Service.	
16. 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 Parishad employees.	
17. Manipur	Five Departments have issued GOs transferring funds to PRIs.	GOs have been issued devolving functions related to 22 Departments.	5 Departments have issued GOs transferring functionaries to PRIs.	
18. Odisha	PRIs collect 6 types of texes. There is no clear devolution of united funds.	11 Departments have devolved 21 subjects.	Officials of 11 departments are accountable to PRIs.	
19. 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.	

20. Rajasthan	5 Departments have issued GOs transferring funds to PRI up to district level. 10% united 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 upto district level to PRI.
21. Sikkim	PRIs do not collect taxes. Funds are being transferred by 17 Departments. 10% of total fund of each department is given to Panchayats. United 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.
22. Tamil Nadu	Only village Panchayats have the power to levy taxes. 9% of the State own tax revenue devolved to Local Bodies, of which rural local bodies will receive 58% share.	Government of Tamil Nadu has delegated supervision and monitoring power of 29 subjects to PRIs.	There is no significance devolution of functionaries.
23. Tripura	Part fund related to PWD Department, primary schools and Social Welfare and Social Education Department and Pension funds have been transferred to the Panchayats. United 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, women and child development and social welfare.	Functionaries of 5 subjects for which functions have devolved, have been transferred to Panchayats.
24. 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 functionaries.

1	2	3	4	5
25. 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.	
26. West Bengal	GPs can impose and realize taxes. Untied funds are allocated under the Twelfth Finance Commission grant as well as State Finance Commission 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.	
27. Daman and Diu	Not available.	12 subjects are fully devolved and 10 subjects are partially devolved.	Functionaries for 13 Departments have been transferred to PRIs.	
28. Puducherry	Panchayats collect taxes and receive funds from the state budget under the community development sector.	22 functions have been devolved to the PRI.	Devolution of functionaries has not been done yet.	
29. Lakshadweep	Entire Plan and Non Plan budget required for Schemes and Programmes being implemented by 5 Departments viz Education, Medical and Health Services, Fisheries, Animal Husbandry, and Agriculture	All Schemes and programmes being implemented by five major Departments, viz Education, Medical and Health Services, Fisheries, Animal Husbandry, and Agriculture have been transferred to the PRIs	Entire establishments of five major Departments, viz Education, Medical and Health Services, Fisheries, Animal Husbandry and few staff have been transferred to District Panchayat and Village (Dweep) Panchayats.	

is transferred to the District Panchayat and Village (Dweep) Panchayats.

w.e.f 1st April 2010.

30. Chandigarh

A committee constituted by the Chandigarh Administration recommended transfer of some functions of 12 Departments. However, the State Government felt that such an exercise of devolving the functions to PRIs would only be an interim measure because fast urbanization would result in villages becoming part of Municipal Corporation in near future.

Note: Mizoram, Meghalaya and Nagaland are exempt.

- Delhi has no Panchayats.
- Information is not available for UT of Dadra and Nagar Haveli.

Funds for PRIs as per UPA's programme

4550. SHRI MANI SHANKAR AIYAR: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) the present status of the scheme formulated by the Ministry for Efficient and Simple Financial Management System and on-line Transfer and Tracking of Funds, based on the earlier proposal for electronic tagging and tracking of Central funds meant for deployment at the Panchayat level; and

(b) in this connection, the progress with respect to ensuring that State Governments and Union Territory Administrations ensure that funds for Panchayati Raj Institutions (PRIs) reach PRJs 'without delay and diversion' as pledged in the UPA's Common Minimum Programme?

THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO):

(a) and (b) The mechanism of efficient and simple financial management system and on-line transfer and tracking of funds is presently being implemented in the Backward Regions Grand Fund Scheme administered by the Ministry of Panchayati Raj. The Guidelines of the Scheme, *inter-alia*, stipulate that all funds will be transferred to the Consolidated Funds of State Governments. Those funds that are to be transferred to Panchayats and Municipalities by the State Governments will be transferred to their bank accounts, following the same stipulations as prescribed for the devolution of 12th Finance Commission Grants, namely, within 15 days of the release of funds to the Consolidated Fund. From the State level, the funds will be directly deposited into the bank accounts of the Panchayat or Municipality concerned, using the mechanism of bank transfers suggested by the Task Force of the Ministry of Panchayati Raj to study the feasibility of rapid transfer of funds through banks to Panchayats. Further, it has also been stipulated that in case of delay in transfer of funds by the State Governments beyond the 15 days period, a penal interest @ equal to RBI bank rate shall be required to be transferred by the State Governments to PRIs/ULBs along with such delayed transfer of fund.

Centrality of Panchayati Raj Institutions

4551. SHRI MANI SHANKAR AIYAR: Will the Minister of Panchayati Raj be pleased to state:

(a) whether a detailed advisory was issued to all Union Ministries undertakings Centrally Sponsored Schemes and Additional Central Assistance regarding the need to review their respective guidelines to ensure the centrality of Panchayati Raj Institutions in planning and implementation in conformity with the provision of the Constitutions;

(b) if so, the details of the progress achieved in the last two years; and

(c) the reasons for which the process of reviewing the guidelines has not been uniform across Union Ministries, resulting in some lagging far behind others?

THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO):

(a) and (c) This Ministry has taken up the issue of centrality of Panchayati Raj Institutions in various Centrally Sponsored Schemes (CSSs) and Additional Central Assistance (ACAs) in various forums. Among the major CSSs, Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), Saakshar Bharat Mission, Indira Awas Yojana (IAY), Pradhan Mantri Adarsh Gram Yojana (PMAGY) and National Rural Drinking Water Programme (NRDWP) provide significant roles and responsibilities to Panchayats. Under the Backward Regions Grant Fund (BRGF), which is an ACA, Ministry of Panchayati Raj (MoPR) provides untied funds through States to Panchayats and Municipalities on the basis of plans made by Panchayats. The Ministry of Drinking Water and Sanitation has revised the NRDWP guidelines under which, from 2011-12, in the inter-State allocation criteria, 10% scheme funds have been linked to States' performance on a Management Devolution Index (MDI) which measures the extent to which a State has decentralized the management of the programme. Ministry of Health and Family Welfare has issued instructions in July, 2011 that Village Health, Sanitation and Nutrition Committee should preferably function as a sub-committee of the Gram Panchayat. In the revised Sarva Shiksha Abhiyan guidelines of 2011, responsibilities of Panchayats in elementary education have been indicated. The extent to which various Ministries have incorporated the role of Panchayats in scheme guidelines varies as per the existing structure of the scheme and perceptions of that Ministry about the role of Panchayats etc.

Projection of Panchayati Raj Institutions

4552. SHRI MANI SHANKAR AIYAR: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) whether as against the Ministry's projection to the Thirteenth Finance Commission of a requirement of over Rs. 1,00,000 crore for Panchayati Raj Institutions, the Basic Grant and Performance Grant taken together amount only to Rs. 63,050 crore, that is, 40 per cent less than asked for;

(b) the progress in regard to the release of Basic and Performance Grants, State-wise; and

(c) the proposed projection of Panchayati Raj Institutions' requirement to the Fourteenth Finance Commission?

THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO):

(a) In the memorandum to the 13th Finance Commission, this Ministry has classified the requirements of Panchayati Raj Institutions into two categories. Under the first category, it proposed 4 per cent of the divisible pool be allotted to local bodies and earmarked for the activities, such as, construction of Panchayat Ghars, providing skeleton staff for each Panchayat as well as honoraria and sitting fees for elected representatives, office expenses and e-governance. Under the second category, Ministry proposed that 1 per cent of the divisible pool be given as a specific purpose grant-in-aid to panchayat for preparation of data bases; incentivisation of State Governments to empower panchayats; and provision of grants for area planning and capacity building. The 13th Finance Commission has recommended an amount of Rs. 63050.5 crore as Basic and Performance Grants.

(b) A Statement indicating State wise release of Basic Grants and Performance Grants for Panchayati Raj Institutions as per recommendation of 13th Finance Commission is given in Statement (*See* below);

(c) 14th Finance Commission has yet to be notified.

Statement

Release of grant for Panchayati Raj Institutions (PRIs) as per recommendation of FC- XIII

(Rs. in crore)										
SI. No.	States	2010-11			2011-12			2012-13 (as on 10-5-2012)		
		Basic Grant	Performance Grant	Total	Basic Grant	Performance Grant	Total	Basic Grant	Performance Grant	Total
1	2	3	4	5	6	7	8	9	10	11
1.	Andhra Pradesh	480.74	0	480.74	304.70	0	304.70			0.00
2.	Arunachal Pradesh	25.20	0	25.20	16.14	1.57	17.71	92.95		92.95
3.	Assam	73.44	0	73.44	164.62	53.37	217.99			0.00
4.	Bihar	455.69	0	455.69	583.77	168.7	752.47			0.00
5.	Chhattisgarh	153.67	0	153.67	196.86	56.53	253.39		33.92	33.92
6.	Goa	4.21	0	4.21	4.11	0.51	4.62			0.00
7.	Gujarat	217.24	0	217.24	272.31	13.52	285.83			0.00
8.	Haryana	101.16	0	101.16	126.80	58.81	185.61			0.00
9.	Himachal Pradesh	51.20	0	51.20	65.59	30.11	95.70			0.00

Written Answers to

[17 MAY, 2012]

Unstarred Questions 147

1	2	3	4	5	6	7	8	9	10	11	148
10.	Jammu and Kashmir	0.00	0	0.00	108.23	5.34	113.57			0.00	Written Answers to
11.	Jharkhand	139.48	0	139.48	178.68	8.81	187.49			0.00	
12.	Karnataka	419.38	0	419.38	525.71	243.87	769.58			0.00	
13.	Kerala	179.35	0	179.35	229.75	66.35	296.10			0.00	
14.	Madhya Pradesh	378.42	0	378.42	484.78	140.02	624.80			0.00	[RAJYA SABHA]
15.	Maharashtra	505.78	0	505.78	647.93	186.06	833.99		111.66	111.66	
16.	Manipur	20.13	0	20.13	0.00	1.28	1.28			0.00	
17.	Meghalaya	28.77	0	28.77	36.86	1.83	38.69			0.00	
18.	Mizoram	18.55	0	18.55	11.88	1.17	13.05			0.00	
19.	Nagaland	14.20	0	14.20	13.86	1.75	15.61			0.00	
20.	Odisha	238.31	0	238.31	305.29	15.02	320.31			0.00	
21.	Punjab	103.50	0	103.50	0.00	6.51	6.51			0.00	Unstarred Questions

22.	Rajasthan	366.68	0	366.68	459.65	213.27	672.92		0.00
23.	Sikkim	8.58	0	8.58	30.11	1.06	31.17		0.00
24.	Tamil Nadu	287.10	0	287.10	359.89	17.87	377.76		0.00
25.	Tripura	26.95	0	26.95	34.52	1.72	36.24		0.00
26.	Uttar Pradesh	911.30	0	911.30	1142.33	331.18	1473.51		0.00
27.	Uttarakhand	54.37	0	54.37	69.65	3.44	73.09		0.00
28.	West Bengal	381.20	0	381.20	241.61	24.01	265.62		0.00
TOTAL		5644.60	0.00	5644.60	6615.63	1653.68	8269.31	92.95	145.58
									238.53

Note : Performance grant is recommended from 2011-12.

Written Answers to

[17 MAY, 2012]

Unstarred Questions 149

Online application for UPSC exams

4553. SHRI RAJKUMAR DHOOT: Will the PRIME MINISTER be pleased to state:

- (a) whether it is a fact that Union Public Service Commission (UPSC) has made compulsory for filling forms for various competitive examinations online;
- (b) if so, the details thereof;
- (c) whether it is also a fact that poor and rural candidates are facing difficulty in submitting their application forms online; and
- (d) if so, the remedial measures Government proposes to take in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) Yes, Sir. The UPSC had initiated a system of online based filling up of application forms from January, 2010 on a pilot basis and from 2012, this system has been made mandatory in respect of all examinations conducted by the UPSC.

- (c) No such instance has come to the notice of the UPSC.
- (d) In view of (c) above, question does not arise.

Setting up of special CBI courts

4554. SHRI RAJEEV CHANDRASEKHAR: Will the PRIME MINISTER be pleased to state:

- (a) whether the Supreme Court has recently expressed its displeasure over the fact that many States have not set up special CBI Courts in their territorial jurisdictions, despite the Prime Minister's letter to States;
- (b) if so, the details thereof;
- (c) the defaulting States in this regard; and
- (d) the remedial measures Government proposes to take in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) No, Sir. Supreme Court directed the Central Government in criminal appeal No. 88-93 of 2003, CBI Vs Saurin Rasiklal Shah and others to sanction additional number of special courts for ensuring expeditious disposal of cases filed under the Prevention of Corruption Act, 1988 and other contemporaneous statutes. The Hon'ble Court has been monitoring

the progress of setting up special additional courts for CBI since then. The Supreme Court directed the CBI, the State Governments and High Courts to file latest status reports during subsequent hearings of the case.

(b) During the hearing in the case on 15.02.2011, the Supreme Court had taken stock of progress achieved in establishment of 71 Special Courts sanctioned by the Central Government on the orders of the Prime Minister in pursuance of the recommendations of the then Chief Justice of India. It was brought to the notice of the Supreme Court that only 10 such courts out of 71 had become functional by then. As of now, out of 71 Special Courts, 62 have become functional till date,

(c) State-wise details showing status of special courts which have become functional and those yet to be functioning are at Statement (*See below*).

(d) For the remaining CBI Special Courts, matter is being pursued by the Ministry of Personnel, Public Grievances and Pensions as well as CBI with the concerned State Governments for making them functional at the earliest.

Statement

A. Details of the additional special courts have stated functioning

Name of the State	Location of the Court	No. of Court Started Functioning	Year of Functioning
1	2	3	4
Hyderabad Zone			
Andhra Pradesh	Hyderabad	03	2012
	Visakhapatnam	02	2012
Karnataka	Bangalore	02	2010
	Dharwad	01	2011
Patna Zone			
Bihar	Patna	03	2011
Jharkhand	Ranchi	02	2011
	Dhanbad	04	
Delhi Zone			
Delhi	Delhi	12 (Out Of 15)	09 in 2011 03 in 2012

1	2	3	4
Rajasthan	Jaipur	02	2011
Lucknow Zone			
Uttar Pradesh	Lucknow	04	2010
	Ghaziabad	02	2010
Mumbai Zone-I			
Maharashtra	Mumbai	03	2010
	Nagpur	01	2011
	Amravati	01	2011
	Pune	01	2011
Mumbai Zone-II			
Gujarat	Ahmedabad	02	2011
Chandigarh Zone			
Jammu and Kashmir	Jammu	01	2011
Haryana	Panchkula	01	2011
Bhopal Zone			
Madhya Pradesh	Bhopal	01	2009
	Jabalpur	01	2009
Chattisgarh	Raipur	01	2012
Kolkata Zone			
West Bengal	Kolkata	06	03-2011 03-2012
Guwahati Zone			
Assam	Guwahati	02	2012
Chennai Zone			
Tamil Nadu	Chennai	03	2010
Kerala	Thiruvananthapuram	01	2011
TOTAL		62	

B. No. of Courts yet to start functioning

Sl.No.	Name of the state	Location of courts	No. of Courts yet to start functioning
1.	Delhi	Delhi	03 (Out of 15)
2.	Odisha	Bhubaneshwar	04
3.	Goa	Goa (Panaji)	01
TOTAL			08

C. Concurrence of the State Government not received for remaining 01 Additional Special Court

1.	Haryana	Panchkula	01
TOTAL			01

Compliance of RTI act in States

†4555. SHRI OM PRAKASH MATHUR: Will the PRIME MINISTER be pleased to state:

(a) whether Government is aware that the Right to Information (RTI) Act is not being followed as per the rules in many States;

(b) if so, the States against which such information have been received; and

(c) the steps to be taken by Government against those State Governments?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) Government of India has not carried out any study which points out that the RTI Act is not being followed as per the rules in many States.

(c) Does not arise.

(c) The Act envisages a federal structure, wherein the States, as Appropriate Governments are statutorily bound to implement all the provisions of the Act and frame the Rules thereunder.

Change in grade pay of SOs

4556. SHRI PANKAJ BORA: Will the PRIME MINISTER be pleased to state:

(a) whether Government is aware about the change of grade pay proposed by

†Original notice of the question was received in Hindi.

Department of Personnel and Training (DoPT) of the Section Officers (SOs) to Rs. 5400/- along with the change of grade pay of Assistants to Rs. 4600/- of Central Secretariat Service;

- (b) if so, whether DoPT pursued the matter with Department of Expenditure;
- (c) if so, the details thereof; and
- (d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) to (d) Yes, Sir. Such a proposal was considered by Department of Personnel and Training in consultation with Department of Expenditure, Ministry of Finance. The Grade Pay of Assistants of the Central Secretariat Service has been upgraded to Rs. 4600/- in PB-2. However, in the case of Section Officers who are placed in the Grade Pay of Rs. 4800/- in PB-2 initially and Rs. 5400/- in PB-3 on completion of 4 years of service, no change in Grade Pay has been made.

Efficiency of RTI Act

4557. SHRI N. BALAGANGA: Will the PRIME MINISTER be pleased to state:

- (a) whether Government has undertaken any study to find out the efficiency of the Right to Information (RTI) Act, 2005;
- (b) if so, the details thereof;
- (c) whether there are any complaints that many requests under RTI are getting rejected; and
- (d) if so, the details of action taken by Government to address such complaints?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) No, Sir.

- (b) Does not arise.
- (c) The Information Commission may receive and inquire into a complaint from any person:
 - (i) who has been unable to submit a request to a Public Information Officer either by reason that no such officer has been appointed under this Act, or because the Assistant Public Information Officer has refused to

accept his or her application for information or appeal under this Act for forwarding the same to the Public Information Officer or senior officer specified in sub-section (1) of section 19 or the Information Commission;

- (ii) who has been refused access to any information requested under the Act;
- (iii) who has not been given a response to a request for information or access to information within the time limit specified under the Act;
- (iv) who has been required to pay an amount of fee which he or she considers unreasonable;
- (v) who believes that he or she has been given incomplete, misleading or false information under the Act; and
- (vi) in respect of any other matter relating to requesting or obtaining access to records under the Act.

The Commission does not maintain a record of complaints before it.

(d) Appeal and Penalty provisions available in the RTI Act take care of RTI requests rejected malafidely.

List of various aspects of Under Secretary grade

†4558. SHRI SHIVANAND TIWARI: Will the PRIME MINISTER be pleased to state:

- (a) whether it is a fact that a selected list including the various aspects of the Under Secretary (US) grade was prepared in the year 2003;
- (b) if so, whether the Supreme Court has considered and has given its ruling on 13th February, 2012 regarding the dispute that emerged about this list;
- (c) if so, whether orders for the implementation of this decision have been issued; and
- (d) if so, on which date and if not, the reasons for the delay?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) Select List for the year 2003 in respect of the grade of Under Secretary of Central Secretariat Service was prepared in terms of then extant CSS Rules, 1962 and issued on 25.8.2009.

†Original notice of the question was received in Hindi.

(b) On an Original Application filed in the Central Administrative Tribunal (CAT), New Delhi challenging the aforesaid Select List, the Tribunal *vide* their order dated 9th May 2011 directed the Government to redraw the said Select List by considering such of the direct recruit Section Officers who may be short of eligibility service by up to two years.

A Special Leave Petition (SLP) was filed by the Department of Personnel and Training against said order dated 9th May 2011.

The SLP filed by the Government was dismissed by the Supreme Court *vide* their order dated 13.2.2012 on the ground that writ petitions challenging the said order of the Tribunal were already pending before High Court of Delhi.

(c) and (d) The matter is sub-judice.

Attending of calls in Government offices

4559. SHRI BHARAT SINH PRABHAT SINH PARMAR:

SHRI PARSHOTTAM KHODABHAI RUPALA:

Will the PRIME MINISTER be pleased to state:

(a) the action taken by Government on fact that in many Government offices, telephone allocated to officials are not attending the calls as caller ID has been installed and due to this lot of difficulties are being faced by public representative to approach Government officials on issues of people;

(b) the action taken by Government on the fact that official email of Members of Parliament are not responded by Government officials despite the fact that Government is moving for paperless work and computerization; and

(c) whether Government intends to issue any directives in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) to (c) Detailed instructions have been issued by DoPT *vide* O.M. No. 11013/4/2011-Estt. (A) dated 01.12.2011 is given in Statement (*See* below) regarding observance of proper procedure in official dealings between Administration and Members of Parliament/ State Legislatures after consultation with the Privilege Committee of the Lok Sabha, Sub-para (xii) of para 5 of the O.M. stipulates that officers should not ignore telephonic messages left for them by Members of Parliament/State Legislatures in their absence and should try to contact at the earliest the Members concerned.

These instructions also include SMS and e-mails received on official mobile telephones. Cases of specific instances/complaints on non-observance of these instructions are to be dealt with by the concerned controlling Administrative Authorities in the Central or State Governments as the case may be.

Statement

No. 11013/4/2011-Estt. (A)

Government of India

Ministry of Personnel, Public Grievances and Pensions

(Department of Personnel and Training)

North Block, New Delhi.

01st December, 2011

OFFICE MEMORANDUM

Subject: Official dealings between the Administration and Members of Parliament and State Legislatures—Observance of proper procedure.

The Members of Parliament and State Legislatures as the accredited representatives of the people occupy a very important place in our democratic set-up. In connection with their duties, they often find it necessary to seek information from the Ministries/Departments of the Government of India or the State Governments, or make suggestions for their consideration or ask for interviews with the officers. Certain well-recognized principles and conventions to govern the relations between the Members of Parliament/State Legislatures and Government servants have already been established.

2. Reference is invited to the guidelines concerning the official dealings between Administration and Members of Parliament and State Legislatures which were issued by the Cabinet Secretariat (Department of Personnel and Administrative Reforms, in the O.M. No 25/19/64-Estt (A) dated 08.11.1974). The importance of adherence to these guidelines was reiterated in the Department of Personnel and Training's O.M. No. 11013/6/2005-Estt (A) dated 17.08.2007. The provisions of the Central Secretariat Manual of Office Procedure regarding prompt disposal of communications from MPs have also been reiterated by the Department of Administrative Reforms and Public Grievances. The Minister of State for Personnel, Public Grievances and Pensions has also written to all Ministers in this regard *vide* D.O. letter dated 5th May, 2011, requesting that a mechanism may be set up to periodically monitor progress in disposal of references received from Members of Parliament.

3. Some instances of non-adherence to the existing guidelines have been brought to Government's attention by Members of Parliament and a need has been felt for again sensitizing all administrative authorities concerned.

4. The Central Secretariat Manual of Office Procedure provides following instructions for prompt disposal of letters from Members of Parliament:

Correspondence with Members of Parliament—

- (1) Communications received from a Member of Parliament should be attended to promptly.
- (2) Where a communication is addressed to a Minister or a Secretary to the Government, it should, as far as practicable, be replied to by the Minister or the Secretary himself as the case may be. Where it is not practicable for the Minister to reply, a reply should normally be issued under the signature of an officer of the rank of Secretary to the Government.
- (3) Where a communication is addressed to the head of an attached or subordinate office, Public Sector Undertakings, Financial Institutions (including nationalized banks) Division/Branch in charge in a Ministry/Department/Organization, it should be replied to by the addressee himself. In such cases, care may be taken to ensure that wherever policy issues are involved, approval of the competent authority is obtained before a reply is sent. It should, however, be ensured that the minimum level at which such replies are sent to Member of Parliament is that of Under Secretary and that also in a polite letter form only.
- (4) Information sought by a Member of Parliament should be supplied unless it is of such a nature that it would have been denied to him, if similar information had been sought in Parliament
- (5) While corresponding with Members of Parliament, it should be ensured that the letter is legible. Pre-printed or cyclostyled replies should be scrupulously avoided.
- (6) In case a reference from an ex-member of Parliament is addressed to a Minister or Secretary, reply to such reference may be sent by the concerned Divisional Head after obtaining approval of the Secretary of Ministry/Department.

In case the reference is addressed to a lower level officer, reply to such reference could be sent by the officer on his own in non-policy cases

and after obtaining approval of the higher authorities in policy cases. Here also, it may be ensured that the minimum level at which a reply is sent is that of an Under Secretary and that too in a polite letter form only.

Prompt response to letters received:

- (1) Each communication received from the Member of Parliament, a member of the public, a recognized association or a public body will be acknowledged within 15 days, followed by a reply within the next 15 days of acknowledgement sent.
- (2) Where a delay is anticipated in sending a final reply, or where the Information has to be obtained from another Ministry or another office, an interim reply may be sent within a month (from the date of receipt of the communication) indicating the possible date by which a final reply can be given.
- (3) If any such communication is wrongly addressed to a department, it should be transferred promptly (within a week) to the appropriate department under intimation to the party concerned.

5. The aforesaid guidelines also cover Official dealings between Administration and Members of Parliament/State Legislatures. In this context, attention is also invited to Rule 3(2A) of All India Service (Conduct) Rule, 1968 and Rule 3-A of Central Civil Service (Conduct) Rules, 1964 which provide as follows:-

Every member of the service shall in the discharge of his duties act in a courteous manner and shall not adopt dilatory tactics in his dealings with the public or otherwise.

The existing instructions are hereby appropriately strengthened to emphasize the basic principles to be borne in mind by the Government servants while interacting with the Members of Parliament and State Legislatures. These are as follows:

- (i) Government servants should show courtesy and consideration to Members of Parliament and State Legislatures;
- (ii) while the Government servants should consider carefully or listen patiently to what the Members of Parliament and of the State Legislatures may have to say, the Government servant should always act according to his own best judgment and as per the rules;

- (iii) Any deviation from an appointment made with a Member of Parliament/ State Legislature must be promptly explained to him to avoid any possible inconvenience. Fresh appointment should be fixed in consultation with him;
- (iv) An officer should be meticulously correct and courteous and rise to receive and see off a Member of Parliament/State Legislature visiting him. Arrangements may be made to receive the Members of Parliament when, after taking prior appointment, they visit the officer of the Government of India, State Government or local Government. Arrangements may also be made to permit entry of vehicles of the Members to these Offices subject to security requirements/restrictions;
- (v) Members of Parliament of the area should invariably be invited to public functions organized by a Government office. Proper and comfortable seating arrangements at public functions and proper order of seating on the dais should be made for Members keeping in view the fact that they appear above officers of the rank of Secretaries to Government of India in the Warrant of Precedence; The invitation cards and media events, if organized for the function held in the constituency, may include the names of the Members of that constituency who have confirmed participation in these functions.

It is clarified that If a constituency of any Member of Parliament is spread over more than one District, the M.P. should invariably be invited to all the functions held in any of the Districts which are part of his/her constituency;

- (vi) Where any meeting convened by the Government is to be attended by Members of Parliament, special care should be taken to see that notice is given to them in good time regarding the date, time, venue etc. of the meeting. It should also be ensured that there is no slip in any matter of detail, however minor it may be. It should especially be ensured that:
 - (a) intimations regarding public meetings/functions are sent through speedier communication devices to the M.Ps, so that they reach them well in time, and
 - (b) that receipt of intimation by the M.P is confirmed by the officer/ official concerned;
- (vii) Letters from Members of Parliament and Members of State Legislatures must be promptly acknowledged, and a reply sent at an appropriate level

expeditiously as per the relevant provisions of the Central Secretariat Manual of Office Procedure;

- (viii) Information or statistics relating to matters of local importance must be furnished to the MPs and MLAs when asked for. The information so supplied should be specific and answer the points raised. A soft copy of the information should also be sent to the Member *via* e-mail;
- (ix) If the information sought by a Member of Parliament cannot be given and is to be refused, instructions from a higher authority should be taken and the reasons for not furnishing the information should be given in the reply;
- (x) Wherever any letter from a Member of Parliament is in English and the reply is required to be given in Hindi in terms of the Official Languages Act, 1963 and the rules framed there under, an English translation should also be sent along with the reply for the convenience of such Members of Parliament from non Hindi speaking areas;
- (xi) References from the Committees of Parliament must be attended to promptly;
- (xii) The officers should not ignore telephonic messages left for them by the Members of Parliament. State Legislatures in their absence should try to contact at the earliest the Member of Parliament/State Legislature concerned. These instructions also include SMS and e-mails received on official mobile telephones which also should be replied to promptly and on priority;
- (xiii) All Ministries/Departments may ensure that the powers of Members of Parliament/State Legislatures as Chairpersons/Members of committees under various Centrally Sponsored/Central Sector government schemes are clearly and adequately defined; and
- (xiv) A Government servant should not approach MPs/MLAs for sponsoring his individual case as bringing or attempting to bring political or non-official or other outside influence is prohibited under the conduct Rules *e.g.* Rule 18 of the All India Service (Conduct) Rules, 1968 and Rule 20 of the Central Civil Services (Conduct) Rules.

6. All Ministries/Departments are requested to ensure that the above basic principles and instructions are followed by all officials concerned, both in letter and spirit. Violation of the guidelines laid down on this subject will be viewed seriously,

7. Any violation of relevant Conduct Rules in this regard, which violation is established after due enquiry will render the Government servant concerned liable for appropriate punishment as per Rule.

(C.A. Subramanian)

Joint Secretary to the Government of India

To

All the Ministries/Departments of Government of India

Copy to:

1. Presidents Secretariat/Vice Presidents Secretariat.
2. PMO/Cabinet Secretariat.
3. Comptroller and Auditor General of India.
4. UPSC/SSC/LBSNAA/ISTM/CVC/CIC.
5. Lok Sabha Secretariat/ Rajya Sabha Secretariat.
6. All Officers/Sections in Ministry of Personnel, PG and Pension.
7. NIC, DOPT-please upload this OM on this Department's website.

Copy also to:

Chief Secretaries of all States/UTs with a request to circulate these instructions to all State Government officials at the State/Division and District levels and to periodically review implementation.

(C.A. Subramanian)

Joint Secretary to the Government of India

Amount spent on UID in States

†4560. SHRI ASHK ALI TAK: Will the PRIME MINISTER be pleased to state:

- (a) the details of the amount spent on Unique Identification Project in different States;
- (b) whether said project is now being changed; and
- (c) the financial burden to be incurred by Government due to this changes?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) UID is a central sector scheme and implemented across India from central Govt. budget. Therefore no State-wise expenditure is incurred. However, funds are released to Registrars who are either State Government Departments or Central Registrars like India Post, PSU Banks, LIC, NSDL etc. at the rate of Rs. 50/- per successful enrolments of residents done through them. UIDAI is also providing ICT assistance to the States and Union Territories who seek such support towards integration of the various services with UID number. Details of funds released to States/UT Governments under Assistance to Registrars for enrolling residents and under ICT Assistance to States/UTs are given at Statement-I and Statement-II respectively (*See* below). Ever since its inception, so far up to 31 March 2012, a total expenditure of Rs. 1482.16 Cr. has been incurred. Details of expenditure is as under:

Head	Expenditure during 2009-10 in Rs. (crore)	Expenditure during 2010-11 in Rs. (crore)	Expenditure during 2011-12 in Rs. (crore)	Total Expenditure upto 31 Mar 2012 in Rs. (crore)
Establishment	12.85	59.03	101.06	172.94
Assistance to Registrars for enrolling residents	---	77.54	605.98	683.52
Information Technology including logistics	6.40	36.04	234.51	276.95
Major Works	---	49.84	26.07	75.91
Machinery and Equipment	6.96	45.96	219.92	272.84
TOTAL	26.21	268.41	1187.54	1482.16

(b) No, Sir. There is no change in the concept and execution of the project

(c) In view of the position as explained above, there is no additional financial burden.

Statement-I*Reimbursement to State Government Departments (Registrars) (In Rupees)*

Sl. No.	Registrars	2010-11	2011-12	Total
1.	GNCT Delhi	2232050	349508600	351740650
2.	Government of Karnataka	61861500	361951150	423812650
3.	Government of Madhya Pradesh	4759400	113187550	117946950
4.	Government of Maharashtra	19410050	1095008350	1114418400
5.	Government of Jharkhand	16593000	240600950	257193950
6.	Government of Tripura	24092800	110393150	134485950
7.	Government of Kerala	4850	128322550	128327400
8.	Government of Himachal Pradesh	4522200	96797650	101319850
9.	Government of Sikkim	54900	12498850	12553750
10.	Government of Andhra Pradesh	62331800	989762450	1052094250
11.	UT of Puducherry	88100	34193250	34281350
12.	Government of Punjab	0	317994300	317994300
13.	Government of Haryana	0	22781700	22781700
14.	UT of Daman and Diu	0	5854250	5854250
15.	Government Gujarat	0	392400	392400
16.	Andman and Nicobar Island	0	4044850	4044850
17.	Government of Goa	0	19963550	19963550
18.	Government of Rajasthan	0	10775300	10775300
19.	Government of Chattishgarh	57600	0	57600
TOTAL		196008250	3914030850	4110039100

Statement-II*Funds released to State/UTs under ICT assistance*

Sl. No.	States/UTs	2010-11 in Rs. (crore)	2011-12 in Rs. (crore)	Total in Rs. (crore)
1.	Himachal Pradesh	1.00	--	1.00
2.	Haryana	1.00	--	1.00
3.	Tripura	0.50	--	0.50
4.	Karnataka	1.00	--	1.00
5.	Kerala	1.00	--	1.00
6.	Jharkhand	0.20	--	0.20
7.	Rajasthan	--	1.00	1.00
8.	Andhra Pradesh	--	0.50	0.50
9.	Sikkim	--	0.50	0.50
10.	Delhi (DUSIB)	--	0.65	0.65
TOTAL		4.70	2.65	7.35

Man made rain water harvesting projects

4561. SHRI ANIL MADHAV DAVE: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that not even 10 per cent of rainfall is utilized in man-made rain water harvesting projects;

(b) if so, whether Government proposes to improve technology for rain water harvesting under the Twelfth Plan, the details thereof; and

(c) if not, the tentative percentage of rainfall that is currently being harvested by India?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) and (c) No assessment has been made regarding the percentage of rain water harvested and utilized through the man-made rain water harvesting projects. However, utilization of rainfall in man-made rain water harvesting projects varies from place to place depending upon various factors like evapo-

transpiration, evaporation losses, surface ruggedness, terrain slope, infiltration capacity, runoff generated etc. Water being a state subject, several measures for rain water harvesting have been taken up by the State Governments, which *inter-alia* include creation of storages, restoration of water bodies, roof top rain water harvesting and artificial recharge to groundwater. For man-made rain water harvesting, a large number of major, medium and minor water resources projects including the water storage structures under watershed development programmes have been taken up in the country. As per the Central Water Commission's latest tentative assessment, the total live storage capacity created in the country so far is 253.388 billion cubic metre (BCM) and further reservoirs with live storage capacity of 50.74 BCM are under construction.

(b) The technologies for rain water harvesting are already available and their improvement is an on-going process through Research and Development and action research by various institutions/agencies.

Fall in poverty level

4562. SHRIMATI SMRITI ZUBIN IRANI: Will the PRIME MINISTER be pleased to state:

(a) whether this is a fact on one hand the Planning Commission and Ministry of Rural Development has declared that poverty level fall by 7 percentage points in five years taking into consideration Tendulkar Committee Methodology as reported in news on 20 March, 2012 and on the other hand the Ministry of Planning had contradicted this statement and stated that the Government has taken a decision to set up a technical group to revise the methodology for estimating poverty in a manner consistent with the current realities' as reported in newspaper on 22 March, 2012;

(b) if so, the details thereof and the reasons for two different views on the same matter by the two different Ministries in the UPA Government; and

(c) the correct factual position on this so that the actual poverty level and the people living in poverty can be accessed ?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (c) Planning Commission is the nodal agency in the Government for estimation of poverty at the national and State level and hence, other Ministries and Departments of Government do not estimate poverty. The methodology for estimation of poverty has been reviewed from time to time. The Expert Group headed by Prof. Suresh D. Tendulkar that submitted its report in

December 2009, computed the poverty lines at all India level as MPCE of Rs. 447 for rural areas and Rs 579 for urban areas in 2004-05.

The large sample surveys on Household Consumer Expenditure which are the basis for estimating poverty 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 through a Press Note. As indicated in the Press Note, poverty line at all India level is estimated as MPCE of Rs. 673 for rural areas and Rs. 860 for urban areas in 2009-10 and the poverty ratio in the country has come down from 37.2% in 2004-05 to 29.8% in 2009-10.

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 and is an ongoing exercise. 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.

The above is the official view of the Government and involves no contradiction.

Disagreement between UIDAI and Home Ministry

†4563. SHRI BHAGAT SINGH KOSHYARI: Will the Prime Minister be pleased to state:

- (a) whether Government is taken any concrete steps to provide Aadhaar cards to the citizens;
- (b) if so, the steps taken so far for providing Aadhaar card at the earliest;
- (c) whether any hurdles are being faced in providing Aadhaar cards;
- (d) whether there is any disagreement between the Unique Identification Authority of India and the Ministry of Home affairs on the issue of accepting Aadhaar Cards for all purposes; and
- (e) if so, the details thereof, and the steps taken for sorting out the issue?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) and (b) The Unique Identification Authority of India (UIDAI) has been mandated to generate and issue unique identification numbers (Aadhaar) to all the residents of India. UIDAI was authorized to enroll, through Multiple Registrars upto 200 million residents by March 2012. The initial phase of enrolling 200 million residents has already been completed. The Cabinet Committee on UIDAI has given its approval for enrolment of additional 400 million residents by UIDAI through Multiple Registrars in 18 States/UTs as per Statement (*See* below). The enrolments are expected to be covered over the next 18 to 24 months.

(c) Initially, there was inadequate printing and dispatch capacity due to which a backlog in printing and dispatch had arisen resulting in delays in delivery. The creation of additional printing facilities has improved the situation since February 2012 and presently, no hurdles are being faced in the delivery of the Aadhaar letters.

(d) and (e) The Registrar General, India (RGI) is creating a 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. UIDAI is issuing Unique Identification Numbers (called Aadhaar numbers) to all residents as a developmental initiative, RGI is one of the Registrars of UIDAI. Earlier, there was a difference of opinion between the Home Ministry and the Unique Identification Authority of India regarding acceptance of biometric data of other Registrars of the UIDAI eco-system. Now this difference of opinion has been resolved during the meeting of the Cabinet Committee on UIDAI held on 27th January 2012. In order to streamline biometric data collection of the residents, the Government has decided that in States where UIDAI has made good progress or where States/UTs Governments have given commitments for Aadhaar enrolments and are planning to integrate with various service delivery applications, Aadhaar enrolments through non RGI Registrars will continue. Accordingly, certain States have been specified where UIDAI will collect data. It has also been decided that the NPR enrolment will continue as envisaged, but if in the course of enrolment, a person indicates that he/she is already enrolled for Aadhaar, the biometric data will not be captured by RGI. Instead, the Aadhaar number/enrolment number will be recorded in NPR and biometric data will be given to the RGI by UIDAI. It was also decided that in the event of any discrepancy between NPR and UIDAI database, NPR data will prevail.

Aadhaar is an enabler. The genesis of the Unique Identification Programme (Aadhaar) lay in the fact that the poor and marginalized in India may get excluded

from access to social welfare schemes and programmes and meant for them for want of identity documents. Aadhaar aims to provide a soft identity infrastructure which can be used to re-engineer public services so that these lead to equitable, efficient and better delivery of services.

Statement

Unique Identification Authority of India

Sl. No.	States/UTs
01.	Andhra Pradesh
02.	Chandigarh
03.	Daman and Diu
04.	Goa
05.	Gujarat
06.	Haryana
07.	Himachal Pradesh
08.	Jharkhand
09.	Karnataka
10.	Kerala
11.	Madhya Pradesh
12.	Maharashtra
13.	NCT of Delhi
14.	Puducherry
15.	Punjab
16.	Rajasthan
17.	Sikkim
18.	Tripura

Millennium Development Goal for Reducing Poverty

4564. SHRIMATI KANIMOZHI: Will the PRIME MINISTER be pleased to state:

- (a) the annual target for poverty reduction set in the Eleventh Five Year Plan;

(b) whether this target was achieved in each of the years and the details thereof;

(c) if not, during which years the target was not achieved and the reasons therefor; and

(d) whether India would be able to achieve its Millennium Development Goal of reducing poverty by fifty percent by 2015?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (c) The Eleventh Plan had set a target of reduction in the head-count ratio of consumption poverty by 10 percentage points for the country during entire Eleventh Plan period. It was not set on annual basis. The Planning Commission estimates poverty lines and poverty ratios for the years for which Large Sample Surveys on Household Consumer Expenditure have been conducted by the National Sample Survey Office (NSSO). These surveys are conducted quinquennially. The latest two periods for which poverty estimates are available are 2004-05 and 2009-10. The poverty ratio in the country has come down from 37.2% in 2004-05 to 29.8% in 2009-10. As a result, the number of poor persons in the country has reduced from 40.7 crore in 2004-05 to 35.5 crore in 2009-10. The next Large Sample Survey on Household Consumer Expenditure is being conducted during 2011-12 which coincides with the terminal year of Eleventh Five Year Plan, data from which will become available only in 2013.

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. 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.

(d) The millennium development goal relating to poverty is to “Halve, between 1990 and 2015, the Percentage of Population below the National Poverty Line”. This implies reduction of 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.

Flexibility to States in CSS

4565. SHRI DILIPBHAI PANDYA: Will the PRIME MINISTER be pleased to state:

(a) whether there is proposal to grant more flexibility to States in Centrally Sponsored Schemes;

(b) if so, the details thereof;

(c) the extent to which this would help the States to attend to urgent works not included in the programme;

(d) whether it is proposed to create flexi funds at the level of each Ministry in accordance with the requirements;

(e) if so, the details thereof; and

(f) the extent to which this would help for timely and positively execution of projects in the States without seeking approval of the Centre from time and again?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (c) Planning Commission had set up a Sub-committee under the chairmanship of Shri. B.K. Chaturvedi, Member, Planning Commission for suggesting measures for restructuring of centrally sponsored schemes (CSS) to enhance its flexibility and efficiency. The Sub-committee has recommended building flexibility in design of CSS that would enable State Governments to meet their special needs. The committee has also recommended providing flexibility in physical and financial norms of the scheme and laid down the procedure for affecting the same. The detailed report of the committee is available in the website of Planning Commission (<http://planningcommission.nic>). In addition, the Subcommittee has recommended that Flexi Funds may be created in each scheme for which guidelines should be notified by the Ministries concerned. Such funds may be used by the State Governments on sub-schemes or components of the CSS. It is expected that this flexibility would optimize the use of resources of States and the Centre and promote an effective convergence of schemes and objectives.

(d) to (f) The Committee has recommended that 20 per cent of budget allocation in all the CSS (10 per cent in Flagship Schemes) may be earmarked as 'Flexi Funds' in each scheme. The committee observed that these flexibilities would enable the States to undertake projects that would help them meet the developmental gaps and ensure effective implementation of the CSS.

Poverty alleviation programme in Andhra Pradesh

4566. SHRI PALVAI GOVARDHAN REDDY: Will the PRIME MINISTER be pleased to state:

(a) the details of each of the poverty alleviation programmes being implemented in Andhra Pradesh during the last three years, year-wise and scheme-wise;

(b) the physical targets set and achieved in each of the above scheme during the last three years, year-wise;

(c) to what extent Government has been able to reduce the poverty after implementation of the above schemes; and

(d) what more efforts it is making to improve the left out poor people in Andhra Pradesh?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (b) The Government of India is implementing many poverty alleviation programmes in Andhra Pradesh through Central Ministries and State Government to increase the income level of the poor. The major schemes /programmes are as follows:

1. Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) which provides a legal guarantee of at least 100 days of wage employment in a financial year to a rural household whose adult member volunteers to do unskilled manual work;
2. Swarn Jayanti Gram Swarozgar Yojana (SGSY), a holistic programme covering all aspects of self employment, such as organization of rural poor into Self Help Groups and their capacity building .training, planning of activity clusters, infrastructure development, financial assistance through bank credit, subsidy and marketing support;
3. Swarn Jayanti Shahri Rojgar Yojana (SJSRY) that strives to provide gainful employment to the urban unemployed and under employed poor;
4. Indira Awas Yojana (IAY) which is implemented with the objective of providing assistance for shelter to the rural poor living below the poverty line.

The physical and financial achievements of major poverty alleviation programmes/schemes are given in Statement (*See below*).

(c) As per Tendulkar Committee methodology, the total number of people below poverty line in Andhra Pradesh has declined from 29.6% in 2004-05 to 21.1% in 2009-10.

(d) Planning Commission advises concerned Ministries and State Government to take up schemes and programmes as well as improving their access to education, health, safe drinking water, electricity and sanitation.

Statement

*Physical and financial performance of MGNREGA during
last three years (2009-10 to 2011-12)*

(Rs. in lakh)

Years	Central Release (Rs. in lakh)	Expenditure (Rs. in lakh)	Persondays generated (in lakh)	Household employment provided (in lakh)
2009-10	378160.23	450918.00	4044.30	61.58
2010-11	741807.00	543938.55	3351.61	62.00
2011-12	147757.89	307582.14	2242.59	46.06

**Financial and Physical Achievement of IAY during last three years
(2009-10 to 2011-12)**

(Rs. in lakh)

Years	Central Allocation	Central Release	Expenditure	Physical Target (No. of houses)	Achievement (No.)
2009-2010	75900.82	85629.11	130796.29	371982	434733
2010-2011	86772.58	87366.08	113480.85	257104	257104
2011-2012	84762.05	89237.17	102729.15	249013	236575

***Financial and Physical Achievement of SGSY during last three years
(2009-10 to 2011-12)***

(Rs. in lakh)

Years	Central Allocation	Central Release	Expenditure	Credit Target	Credit Disbursed	Swaroz-gars Assisted (No.)	SHGs formed during the year (No.)
2009-10	10887.00	11476.59	16221.54	23997.60	28826.68	295568	90929
2010-11	12557.00	12695.33	18460.59	27586.35	35105.72	165205	33072
2011-12	11472.00	11472.00	8928.52	32130.00	15256.89	57659	23134

***Financial and Physical Achievement of SJSRY during last three years
(2008-09 to 2010-11)***

(Rs. in lakh)

Year	Central Tentative Allocation	Central Actual Funds Released	Expenditure Reported	No. of Urban poor assisted to set up individual/group micro enterprises	No. of Urban poor provided training	No. of Mandays of Work generated (in Lakh)
2008-09	3115.78	4327.22	1773.79	29156	45369	8.23
2009-10	3390.53	3390.53	3162.76	8389	23914	0
2010-11	3790.43	3790.43	3839.19	14304	20559	0.16

Performance scheme for hilly States

‡4561. SHRI BHAGAT SINGH KOSHYARI: Will the PRIME MINISTER be pleased to state:

(a) whether Government has carried out any assessment as regards the performance of schemes meant for hilly States like Uttarakhand and Himachal Pradesh;

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

(c) if not, the reasons therefor?

‡Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (c) Arunachal Pradesh, Assam, Manipur, Meghalaya, Tripura, Mizoram, Nagaland, Sikkim, Uttarakhand, Jammu and Kashmir and Himachal Pradesh are generally considered as hilly States as a large proportion of their territory is of hilly terrain. The financial performance of the State Plan for these States during Eleventh Plan is given at Statement (*See* below). Further during annual plan discussions with States including Hilly States, the performance of different sectors is reviewed in consultation with the States. The annual plan is also finalized during these discussions.

Statement

The financial performance of State Plan during Eleventh Plan.

Sl. No.	States	(Rs. in crore)								
		Annual Plan 2007-08		Annual Plan 2008-09		Annual Plan 2009-10		Annual Plan 2010-11		Annual Plan 2011-12
		Approved Outlay	Actual Expenditure	Approved Outlay	Actual Expenditure	Approved Outlay	Actual Expenditure	Approved Outlay	Anticipated Expenditure	Approved Outlay
1.	Arunachal Pradesh	1320.00	1082.98	2264.60	1739.28	2100.00	2016.00	2500.00	2560.93	3200.00
2.	Assam	3800.00	2669.28	5011.51	3593.76	6000.00	5023.09	7645.00	7799.68	9000.00
3.	Himachal Pradesh	2100.00	2098.75	2400.00	2310.47	2700.00	2807.67	3000.00	3060.30	3300.00
4.	Jammu and Kashmir	4850.00	4403.31	5512.97	4773.68	5500.00	5279.14	6000.00	6000.00	6600.00
5.	Manipur	1374.31	1336.50	1660.00	1521.50	2000.00	1784.41	2600.00	2581.88	3210.00
6.	Meghalaya	1120.00	984.07	1500.00	1386.96	2100.00	1417.86	2230.00	2230.00	2727.00
7.	Mizoram	850.00	767.33	1000.00	822.53	1250.00	1067.22	1500.00	1263.95	1700.00
8.	Nagaland	900.00	846.95	1200.00	1097.42	1500.00	1428.50	1500.00	1428.82	1810.00
9.	Sikkim	691.14	607.04	852.00	1140.25	1045.00	1019.26	1175.00	1175.00	1400.00
10.	Tripura	1220.00	1067.15	1450.00	1431.16	1680.00	1735.57	1860.00	1368.21	1950.00
11.	Uttarakhand	4378.63	3944.88	4775.00	3653.57	5800.81	3514.09	6800.00	6800.00	7800.00

176 Written Answers to

[RAJYA SABHA]

Unstarred Questions

New study by government to fix poverty line

†4568. SHRI RAM JETHMALANI: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that according to a new study conducted by Government to fix the poverty line, the average daily requirement of an individual living in urban areas is Rs. 66.10 per day and that of an individual living in rural areas is Rs. 35.10 per day;

(b) if so, the details thereof and whether Government has accepted these figures; and

(c) whether it is also a fact that the huge difference between the actual figures and the above figures in the urban and rural areas is still a major issue of criticism?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (c) The National Sample Survey Office (NSSO) conducts nationwide household consumer expenditure survey at regular intervals as part of its “rounds”, each round normally of a year’s duration. The household Consumer Expenditure Survey (CES) is generally covered as one of the main subjects of the NSS survey at quinquennial intervals. The 66th Round Survey conducted during 2009-10 is a survey of this quinquennial series. The NSS consumer expenditure survey aims at generating estimates of household monthly per capita consumer expenditure (MPCE) and its distribution separately for the rural and urban sectors of the country, for States and Union Territories.

From the 66th round survey, three estimates of average and distribution of MPCE have been obtained depending upon the reference period for which the data is collected for different items. These three MPCE measures are as follows:

- (i) **Uniform Reference Period MPCE (or MPCEURP):** This is the measure of MPCE obtained by the NSS consumer expenditure survey (CES) when household consumer expenditure on each item is recorded for a reference period of “last 30 days” (preceding the date of survey).
- (ii) **Mixed Reference Period MPCE (or MPCEMRP):** This is the measure of MPCE obtained by the CES when household consumer expenditure on items of clothing and bedding, footwear, education, institutional medical care, and durable goods is recorded for a reference period of “last 365 days”, and expenditure on all other items is recorded with a reference period of “last 30 days”.

†Original notice of the question was received in Hindi.

- (iii) **Modified Mixed Reference Period MPCE (or MPCEMRP):** This is the measure of MPCE obtained by the CES when household consumer expenditure on edible oil, egg, fish and meat, vegetables, fruits, spices, beverages, refreshments, processed food, pan, tobacco and intoxicants is recorded for a reference period of “last 7 days”, and for all other items, the reference periods used are the same as in case of Mixed Reference Period MPCE (MPCEMRP).

The Planning Commission uses the data generated by NSS Consumer Expenditure surveys for estimation of poverty lines and poverty ratios. As recommended by Tendulkar Committee, the poverty estimates are based on MPCEMRP.

As per the report of 66th round, the average Monthly Per Capita Consumption Expenditure (MPCE) with Mixed Modified Reference Period (MMRP) is Rs. 1054/- in rural areas and Rs. 1984/- in urban areas. This amounts to an average per capita expenditure of Rs. 35.10 per day in rural areas and Rs. 66.10 in urban areas. This is the average consumption expenditure of the population and is not the same as that of poverty line as defined by the Planning Commission. On the basis of 66th round data of household consumer expenditure survey of NSSO for 2009-10, the poverty line based on Tendulkar methodology works out to be monthly per capita consumption expenditure of Rs. 673 in rural areas and Rs. 860 in urban areas.

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. Government has since decided to set up a Technical Group to revisit the methodology for estimation of poverty and identification of poortaking 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.

134th position of India in UN Development Report

4569. SHRI VIJAY JAWAHARLAL DARDA: Will the PRIME MINISTER be pleased to state:

- (a) whether it is a fact that India is stagnating at the 134th position in the UN Development Report;
- (b) if so, how far the situation has improved with the increase in financial allocation to Rs. 1,85,000 crore from Rs. 7608 crore in 1995 in social sector; and
- (c) whether Government is thinking of launching a dedicated programme aiming at improving socio-economic conditions especially in rural area, so that India

could appropriately find a better position in UN Development Report during the Twelfth Five Year Plan?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING:
(SHRI ASHWANI KUMAR): (a) to (c) As per the Human Development Report (HDR) 2011 of United Nations Development Programme, India is placed at 134th position out of 187 countries with a Human Development Index (HDI) value of 0.547, whereas HDR 2010 placed India at 119th position with HDI value of 0.519. It has been clarified in the report that International Data Agencies continuously improve their data series and update the historical data. Therefore, year to year changes in the HDI values and rankings across editions of the HDR are not strictly comparable. India has registered a consistent improvement in HDI value which increased from 0.410 in 1990 to 0.461 in 2000 and further to 0.547 in 2011. In fact, India has registered highest ever average annual HDI growth rate of 1.66 percent during the decade 2000-2010.

The Government's strategy of achieving high growth rate by making higher allocations for generating more employment opportunities and strengthening social infrastructure such as public health and education through implementation of flagship programmes like Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), National Rural Health Mission (NRHM), Sarva Shiksha Abhiyaan (SSA) and poverty alleviation by providing wage and self-employment, safe drinking water and total sanitation campaign, etc. have impacted the human wellbeing positively and are expected to further improve HDI. There has been a considerable improvement in various indicators of the human development over the years. As per the Census 2011, the overall literacy rate in the country has increased from 64.83% in 2001 to 74.04% in 2011. The percentage of population below poverty line has declined from 45.3% in 1993-94 to 37.2% in 2004-05 and to 29.8% in 2009-10. The Infant Mortality Rate has come down from 66 per thousand live births in 2001 to 47 per thousand in 2010. The Maternal Mortality Rate (MMR) was 424 per lakh live births in 1992-93 and has come down to 212 per lakh in 2007-09. The percentage of people using improved source of drinking water has increased from 68.2% in 1992-93 to 91.4% in 2008-09. Similarly, the percentage of households without sanitation facilities has declined from 70% in 1992-93 to 49.2% in 2008-09.

Population below poverty line

†4570. SHRI SHIVANAND TIWARI:

SHRI RAMCHANDRA PRASAD SINGH:

Will the PRIME MINISTER be pleased to state:

(a) whether Government's attention has been drawn towards the news-items

†Original notice of the question was received in Hindi.

published in the media on 29th April, 2012 titled “60 per cent of population in most States below poverty line.”

(b) if so, whether it is a fact that 60 per cent population in most States of the country are still living below the poverty line; and

(c) if so, Government’s reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (c) No, Sir. An article published in Times of India on 29th April 2012 entitled “60% of population in most States below poverty line” mentions that almost all states show more than 60% population below the monthly expenditure averages. The average monthly consumption expenditure at all India level as mentioned in this article is Rs. 1054 in rural areas and Rs. 1984 in urban areas.

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. An Expert Group was constituted under the chairmanship of Prof. Suresh D. Tendulkar in 2005 to review the methodology for estimation of poverty. The Tendulkar Committee 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 Tendulkar Committee, which submitted its Report in 2009, has incorporated adequacy of expenditure from the normative and nutritional viewpoint. It stated:

“while moving away, from the calorie norms, the proposed poverty lines have been validated by checking the adequacy of actual private expenditure per capita near the poverty lines on food, education and health by comparing them with normative expenditures consistent with nutritional, educational and health outcomes.”

Since poverty line is different from the average monthly consumption expenditure level of the population, the percentage of people living below the poverty line is different from the percentage of people living below average consumption expenditure. According to the poverty estimates, of Planning Commission for 2009-10, the percentage of population living below the poverty line is estimated as 33.8% in rural areas and 20.9% in urban areas. The poverty line at all India level at 2009-10 prices is estimated as monthly consumption expenditure of Rs. 673 in rural areas and Rs 860 in urban areas. The poverty line and percentages of population living below poverty line differ from state to state. None of the States

of the country has 60 per cent population living below the poverty line in 2009-10. The State-wise percentage of population living below poverty line in 2009-10 is given in Statement (*See below*).

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. 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.

Statement

*Percentage of Population below poverty line by
(Tendulkar Methodology) States –2009-10*

Sl. No.	States	RURAL	Urban	Combined
1.	Andhra Pradesh	22.75	17.70	21.09
2.	Arunachal Pradesh	26.16	24.89	25.87
3.	Assam	39.87	26.05	37.94
4.	Bihar	55.33	39.40	53.54
5.	Chhattisgarh	56.13	23.79	48.72
6.	Delhi	7.68	14.37	14.18
7.	Goa	11.54	6.92	8.72
8.	Gujarat	26.65	17.90	22.97
9.	Haryana	18.56	23.01	20.08
10.	Himachal Pradesh	9.12	12.58	9.47
11.	Jammu and Kashmir	8.10	12.78	9.36
12.	Jharkhand	41.56	31.08	39.06
13.	Karnataka	26.14	19.57	23.64
14.	Kerala	12.00	12.07	12.03

Sl. No.	States	RURAL	Urban	Combined
15.	Madhya Pradesh	41.98	22.92	36.74
16.	Maharashtra	29.51	18.27	24.46
17.	Manipur	47.42	46.39	47.11
18.	Meghalaya	15.34	24.07	17.09
19.	Mizoram	31.12	11.51	21.06
20.	Nagaland	19.32	24.99	20.89
21.	Odisha	39.20	25.93	37.01
22.	Puducherry	0.18	1.63	1.17
23.	Punjab	14.61	18.11	15.91
24.	Rajasthan	26.42	19.94	24.82
25.	Sikkim	15.51	4.97	13.07
26.	Tamil Nadu	21.18	12.76	17.14
27.	Tripura	19.84	9.99	17.36
28.	Uttar Pradesh	39.36	31.67	37.66
29.	Uttarakhand	14.85	25.23	17.97
30.	West Bengal	28.79	22.01	26.66
31.	Andaman and Nicobar Island	0.40	0.31	0.37
32.	Chandigarh	10.34	9.17	9.21
33.	Dadra and Nagar	55.89	17.71	39.11
34.	Daman and Diu	34.19	33.00	33.33
35.	Lakshwadeep	22.20	1.72	6.75
ALL INDIA		33.80	20.85	29.81

Percentage of people living below poverty line

4571. SHRI P. RAJEEVE: Will the PRIME MINISTER be pleased to state:

(a) the per capita monthly consumption expenditure being used at present to fix the “poverty line” in urban and rural areas respectively;

(b) based on the above, the daily per capita consumption expenditure in urban and rural areas respectively;

(c) whether, based on these estimates, it has been seen that there has been a certain percentage point reduction in the national incidence of poverty from 2004-05 and 2009-10;

(d) if so, the details thereof;

(e) the percentage of people living below the poverty line in the States of Uttar Pradesh, Jharkhand, Madhya Pradesh and Odisha; and

(f) whether there has been an increase in destitution level in Assam, Manipur and Nagaland and if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (f) The Planning Commission estimates poverty on the basis of large sample survey data of National Sample Survey Office (NSSO) on household consumer expenditure. The survey tabulates the expenditure of households numbering about one lakh households. Since the households have different number of members, the NSSO for purpose of comparison divides the household expenditure by the number of members to arrive at per capita consumption expenditure per month which is called MPCE. The poverty line has been conventionally expressed in terms of this MPCE. The methodology for estimation of poverty has been reviewed from time to time. An Expert Group was constituted under the chairmanship of Prof. Suresh D. Tendulkar in 2005 to review the methodology for estimation of poverty. The Tendulkar Committee 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 Tendulkar Committee, which submitted its Report in 2009, has incorporated adequacy of expenditure from the normative and nutritional viewpoint. It stated:

“while moving away from the calorie norms, the proposed poverty lines have been validated by checking the adequacy of actual private expenditure per capita near the poverty lines on food, education and health by comparing them with normative expenditures consistent with nutritional, educational and health outcomes.”

The large sample surveys on Household Consumer Expenditure which are the basis for estimating poverty 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 through a Press Note. As indicated in the Press Note, poverty line at all India level is estimated as MPCE of Rs. 673 for rural areas and Rs. 860 for urban areas in 2009-10 and the poverty ratio in the country has come down from 37.2% in 2004-05 to 29.8% in 2009-10. The state-wise percentage of people living below poverty line including the states of Uttar Pradesh, Jharkhand, Madhya Pradesh and Odisha is given in Statement (*See below*). [Refer to the Statement Appendix to the Answer to USQ No. 4570 (Part (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. 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.

During 2004-05 to 2009-10, Poverty ratio has increased in Assam, Manipur and Nagaland by 3.5 percentage points, 9.2 percentage points and 12.1 percentage points respectively. However, many developmental initiatives have been taken up by the Centre for North-Eastern States during the Eleventh Plan, which are special category states. Planning Commission provided substantial financial support under the States' plan as Special Plan Assistance (SPA) and Special Central Assistance (SCA) to supplement the resource requirements. During the Annual Plan 2011-12 the Government of Assam has been provided an amount of Rs. 300 crore as SPA against the priority projects and Rs. 500 crore as SCA to supplement the resources for taking up developmental activities. The Government will continue to emphasize on economic growth and employment generation in the Twelfth Five Year Plan through various developmental programmes to address the issue of poverty.

Criteria for SC/ST officer to get benefit to concession

4572. SHRI LALHMING LIANA: Will the PRIME MINISTER be pleased to state:

(a) the interpretation of 'not adjudged unfit for promotion' expressed in 3 bench Supreme Court citation 1995 AIR 1457 1995 SSC (3) 532 JT 1995 (3) 366 1995

SCALE (2) 282 in connection with Ministry of Home Affairs OM No. 1/9/69-Estt (SCT) dt. 26th March, 1970 as per the interpretation of DoPT and DPE;

(b) whether nothing adverse in APA is the sole requirement for SC/ST officer to get benefit of the provision of concession of above MHA OM; and

(c) whether DoPT 36012/12/88-Estt. (SCT) dated 21st September, 1988 6/11/2004-DPE (SC/ST Cell) dated 8th November, 2004 and DOPAR OM No. 36012/3/75-Estt. (SCT) dated 6th October, 1976 was for compliance to Indian Airlines as well?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCE AND PENSION (SHRI V. NARAYANASAMY): (a) The Supreme Court in the matter of National Federation of SBI and Ors. V/s Union of India (1995 AIR 1457) has held that in the matter of promotion to posts within Class-I, which carry an ultimate salary of Rs. 2250/- (Pre revised) there is no reservation in favour of Scheduled Castes/Scheduled Tribes but they are entitled to concession contained in para 2 of the OM dated March, 26, 1970 issued by the Ministry of Home Affairs. The concession is that those SC/ST officers who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the select list is being drawn up will be included in the select list provided they are not considered unfit for promotion. The Supreme Court has further held that the said candidates would not be entitled, for the purpose of selection one grading higher than the grading otherwise assignable to them on the basis of their record of service. OM dated 26.03.70 also contains the same instructions that they would not be given, for this purpose, one grading higher than the grading otherwise assignable to them as per their record of service.

(b) The respective Department Promotion Committees (DPCs) enjoy full discretion to devise their own methods of procedures for objective assessment of the suitability of candidates who are to be considered by them. The Supreme Court has also held that DPC is required to make an overall assessment of the performance of each candidate separately but by adopting same standards/yardstick/norms. The DPC should not be guided merely by the overall grading, if any, that may be recorded in the Confidential Reports (APARs) but should make its own assessment on the basis of the entries in the APARs, because it has been noticed that sometimes the overall grading in the APAR may be inconsistent with the grading under various parameters or attributes.

(c) The instructions issued by DoPT on the subject have been extended to all Central Public Sector Units (CPSUs) by the Department of Public Enterprises Office Memorandum (OM) dated 27th September, 1978.

Completion of Phase-I of Aadhaar Cards

4573. SHRI NAND KUMAR SAI: Will the Prime Minister be pleased to state:

- (a) whether enrolments for Phase I for Aadhaar has been completed;
- (b) if so, the details of the targets fixed and achieved for the Phase I;
- (c) whether the Phase II for enrolments of Aadhaar has been launched in the recent past;
- (d) if so, the details of the changes/amendments made in Phase II after the experiences of Phase I; and
- (e) the details of the steps taken by Government to achieve the targets of Phase II in time?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) and (b) The Unique Identification Authority of India (UIDAI) has been mandated to generate and issue unique identification numbers (Aadhaar) to all the residents of India, UIDAI was authorized to enroll, through Multiple Registrars, upto 200 million residents by March 2012. The initial phase of enrolling 200 million residents has already been completed and about 16.99 Aadhaar numbers have been generated as on 08.05.2012.

(c) to (e) UIDAI has been mandated to by Cabinet Committee on UIDAI to enrol additional 40 crore Residents for Aadhaar in Phase II. The States/UTs in which the enrolments will takes place are given in Statement (*See below*).

Drawing learnings from the experience of the Phase I and the various suggestions received from Stakeholders of the UIDAI Eco-System, the following amendments/improvements have been incorporated in the existing process/guidelines and technology:—

- (i) UIDAI will continue to have Multi Registrars Model to cover the target population within the given time frame. All registrars of UIDAI (excluding RGI) will enrol within the geographical boundaries of 18 States/UTs. Non State Registrars (Banks, IGNOU, NSDL etc.) will work on the model of enrolments within/near own premises under intimation to regional Offices of UIDAI. They will follow enrolment model of sweep approach in consultation with Regional Offices and State Governments.
- (ii) Registrars have been advised to engage UIDAI empanelled enrolment agencies for undertaking enrolments. Enrolment Agencies will also

undergo enrolment centre on-boarding process prior to launching enrolment activities. Enrolling Agencies are to re-register all their machines before launching fresh enrolment. They have to also prepare enrolment plans. Training for Admin Staff, and Operators/Supervisors has been emphasized.

- (iii) There would be special focus on social inclusion during enrolment.
- (iv) Setting up of permanent enrolment centres for those who have missed the first phase of enrolment. These centres can also be a touch point for correction/modification/updation and re-enrolment, if necessary.
- (v) It has been re-emphasized that no sub-contracting of enrolment work is permissible.
- (vi) It has been decided that third party audit of EA performance needs to be implemented to review process compliance with enrolment process.
- (vii) To de-incentivize errors committed by operators/supervisors during enrolment in the field, provision has been made to impose penalties.
- (viii) It has been mandated that Registrars will ensure the presence of document verifiers at all enrolment centres.
- (ix) GPS system should be activated as soon as possible to ascertain the location of enrolment centres and as a security feature.
- (x) All operators will do End of Day Review (EOD) of their enrolments to ensure demographic errors are minimized.
- (xi) Syncing of enrolment stations every 10 days with CIDR and uploading of packets within 20 days of enrolment.
- (xii) Java based Single client version *i.e.* Java based client version 2.1.0.0 has already been rolled out on 07.05.2012 for resident enrolment during phase II.
- (xiii) There should be provision of scanning of PoI/PoA documents provided by the residents during the time of enrolment.

The necessary hardware for processing the additional enrolments will be acquired as per need. The Government has approved a total of Rs. 8814.75 for Phase-III, which subsumes Rs. 3023.01 crore provided in Phase II. For the financial year 2012-13, a budget provision of Rs. 1758 Crore has been made by the Government to enable UIDAI to carry out its mandate.

Statement***Unique Identification Authority of India***

Sl. No.	States/UTs
01.	Andhra Pradesh
02.	Chandigarh
03.	Daman and Diu
04.	Goa
05.	Gujarat
06.	Haryana
07.	Himachal Pradesh
08.	Jharkhand
09.	Karnataka
10.	Kerala
11.	Madhya Pradesh
12.	Maharashtra
13.	NCT of Delhi
14.	Puducherry
15.	Punjab
16.	Rajasthan
17.	Sikkim
18.	Tripura

Implementation of Bharat Nirman Programme

4574. SHRI MOHD. ALI KHAN: Will the PRIME MINISTER be pleased to state:

- (a) whether Government is implementing Bharat Nirman Programme;
- (b) if so, the details thereof, State-wise and scheme-wise;

(c) the funds allocated and spent, so far; and

(d) the programmes which are meant only for backward areas, State-wise including Andhra Pradesh?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (d) Yes, Sir, Bharat Nirman is a business plan for connecting rural India to opportunities physical connectivity through roads (Pradhan Mantri Gramin Sadak Yojana), electricity (Rajiv Gandhi Gramin Vidutikaran Yojana) and telephones; basic services through housing (Indira Awas Yojana) and water supply (National Rural Drinking Water Programme) and improving agricultural productivity and incomes through investments in irrigation (Accelerated Irrigation benefit Programme) within a definite time frame. The programmes under Bharat Nirman are being implemented by the States/UTs Governments and their agencies. The Administrative Ministries/Departments concerned deal with the schemes, guidelines, release of funds, monitoring of utilization of funds and keeping track of performance of the programmes implemented by the States. These programmes are implemented in the rural areas including backward areas of the States. The State-wise, details of the programmes implemented under Bharat Nirman during last three years is given in Statements I to IV.

Statement-I

Rural Roads component under Bharat Nirman Programme

State-wise Allocation, Release and Expenditure under

Pradhan Mantri Gram Sadak Yojana (PMGSY)

(Rs. in crore)

Sl. No.	State	2009-10		2010-11		2011-12 (up to Feb., 2012)	
		Release	Expend- ture	Release	Expendi- ture	Release	Expendi- ture
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	877.46	886.37	672.15	473.94	607.48	276.15
2.	Arunachal Pradesh	282.51	247.61	371.87	348.85	214.27	104.00
3.	Assam	1179.00	1412.91	1900.67	1300.79	1682.84	987.38
4.	Bihar	1750.73	1874.51	3477.06	2694.91	3374.25	2344.37

1	2	3	4	5	6	7	8
5.	Chhattisgarh	540.03	805.06	678.58	304.16	801.51	205.88
6.	Goa	0.00	0.00	0.00	0.00	0.00	0.00
7.	Gujarat	193.80	190.46	322.43	243.84	66.59	147.66
8.	Haryana	255.49	277.16	157.75	108.03	60.00	50.98
9.	Himachal Pradesh	124.96	220.10	199.30	142.67	310.30	86.87
10.	Jammu and Kashmir	372.61	359.42	366.09	297.40	762.10	436.32
11.	Jharkhand	417.74	457.79	843.81	538.44	860.74	294.96
12.	Karnataka	764.87	883.97	927.68	634.80	0.00	253.47
13.	Kerala	100.11	113.77	146.27	146.14	200.00	41.30
14.	Madhya Pradesh	2135.66	2234.83	1966.12	1409.49	1138.05	722.59
15.	Maharashtra	949.18	994.60	1242.55	1012.48	796.01	471.06
16.	Manipur	149.16	145.13	144.98	122.34	177.53	135.70
17.	Meghalaya	0.00	20.38	64.55	36.39	38.00	27.69
18.	Mizoram	44.58	66.86	95.59	82.24	93.63	60.85
19.	Nagaland	65.02	71.61	25.13	29.67	11.00	11.59
20.	Odisha	1594.35	1895.25	2477.36	1924.25	1969.95	1045.65
21.	Punjab	348.42	322.64	196.43	155.34	164.61	47.32
22.	Rajasthan	603.41	795.03	886.22	686.39	667.76	231.62
23.	Sikkim	71.80	80.17	79.38	85.53	80.00	13.93
24.	Tamil Nadu	525.00	560.20	469.54	304.81	160.00	189.81
25.	Tripura	168.49	253.74	285.76	237.51	229.79	164.55
26.	Uttar Pradesh	2844.51	2914.96	1308.83	868.54	213.77	162.53
27.	Uttaranchal	165.95	172.57	240.26	191.74	300.32	145.58
28.	West Bengal	375.00	575.82	819.68	530.29	828.91	345.27
TOTAL (States)		16899.82	18832.92	20366.04	14910.98	15809.41	9005.08

Statement-II*Rural Electrification component under Bharat Nirman Programme:**State-wise Funds released under Rajiv Gandhi Gramin Vidyutikaran Yojana
(RGGVY)*

(Rs. in crore)

Sl. No.	Name of State	2009-10	2010-11	2011-12
1.	Andhra Pradesh	158.28	155.10	31.46
2.	Arunachal Pradesh	225.27	165.54	40.01
3.	Assam	459.62	698.42	553.53
4.	Bihar	697.41	580.38	304.22
5.	Chhattisgarh	333.56	163.65	119.84
6.	Gujarat	94.32	76.80	30.62
7.	Haryana	60.67	21.27	20.97
8.	Himachal Pradesh	122.46	59.90	21.25
9.	Jammu and Kashmir	363.92	67.32	75.56
10.	Jharkhand	750.48	161.89	116.54
11.	Karnataka	67.60	62.92	48.95
12.	Kerala	10.59	31.89	0.00
13.	Madhya Pradesh	416.47	288.27	431.00
14.	Maharashtra	200.77	162.08	55.00
15.	Manipur	63.17	95.95	80.12
16.	Meghalaya	129.38	86.86	105.05
17.	Mizoram	81.02	78.28	0.00
18.	Nagaland	59.26	61.86	28.14
19.	Odisha	998.65	605.74	390.31
20.	Punjab	0.00	0.00	0.00

Sl. No.	Name of State	2009-10	2010-11	2011-12
21.	Rajasthan	159.10	83.58	221.54
22.	Sikkim	44.90	43.62	40.62
23.	Tamil Nadu	119.30	39.12	41.41
24.	Tripura	52.29	33.96	52.39
25.	Uttar Pradesh	192.92	72.45	95.50
26.	Uttarakhand	102.06	9.69	0.00
27.	West Bengal	619.18	508.95	168.01
TOTAL (States)		6582.65	4415.49	3072.04

Statement-III***Rural Telephony component under Bharat Nirman Programme***

Agreements were signed by Universal Service Obligation (USO) with BSNL in November 2004 to provide subsidy support for provision of Village Public Telephones (VPTs) in 62302 nos. of uncovered villages in the country excluding those villages having population less than 100, those lying in deep forests and those affected with insurgency. The provision of VPTs in these villages has been included as one of the activities under Bharat Nirman Programme. The programme is not applicable to Andaman and Nicobar, Bihar, Chandigarh, Delhi, Haryana, Kerala, Lakshadweep, Karnataka, Punjab, Uttar Pradesh, West Bengal, Sikkim, Tamil Nadu, and Puducherry since all the villages (with population more than 100) in these States were already having public telephone connectivity. As on 29th February 2012, 62063 *i.e.* 99.62% VPTs have been provided under this scheme.

There is no year wise allocation of USO Fund for disbursement to various States. Budgetary allocations are not made activity wise/service area wise. Funds are released centrally and disbursed by Controller of Communication Accounts (CCA) offices accordingly. There is therefore no difference between the funds released and the actual expenditure. USO subsidy claims are settled by CCA offices service area wise. The details of disbursement of subsidy support from USOF in respect of the above scheme are given in the Table below:

*Details of disbursement of subsidy to BSNL for provision of VPT in
uncovered villages (census 1991) under Bharat Nirman Programme*

(Rs. in crore)

Service Area	Expenditure From FY 2005-06 to FY 2011-12 (up to Jan 20 12)
Andhra Pradesh	1.79
Assam	17.19
Chhattisgarh	13.26
Gujarat	10.65
Himachal Pradesh	4.31
Jammu and Kashmir	5.48
Jharkhand	1.68
Maharashtra	20.62
Madhya Pradesh	46.08
Northeast-I	6.07
Northeast-II	6.98
Odisha	22.22
Rajasthan	48.17
Uttaranchal	16.31
GRAND TOTAL	220.81

Note: 1. Gujarat Service Area includes Daman, Diu, Dadar and Nagar Haveli.

2. Maharashtra Service Area includes Goa.

3. NE-I Service Area consists of Meghalaya, Mizoram and Tripura.

4. NE-II Service Area consists of Arunachal Pradesh, Manipur and Nagaland.

5. BSNL is the sole operator for this scheme.

Statement-IV

Rural Housing component under Bharat Nirman Programme

State-wise Allocation, Release and Expenditure under Indira Awaas Yojana (IAY)

(Rs. in lakhs)

Sl. No.	Name of State	2009-10			2010-11			2011-12 (update 10.04.2012)		
		Central Allocation	Central Release	Expenditure	Central Allocation	Central Release	Expenditure	Central Allocation	Central Release	Expenditure
1	2	3	4	5	6	7	8	9	10	11
1.	Andhra Pradesh	75900.82	85629.11	130796.29	86772.58	87366.08	113480.85	84762.05	89237.17	102729.15
2.	Arunachal Pradesh	2935.66	3336.76	2167.32	3372.56	3784.31	3821.79	3294.85	3197.95	466.93
3.	Assam	64914.87	66736.67	86355.23	74575.72	71031.77	93331.94	72857.40	76768.36	80779-38
4.	Bihar	224039.39	200854.99	299594.41	256130.00	226058.94	332483.78	250195.44	217691.10	256502.23
5.	Chhattisgarh	11737.44	16279.90	32204.97	13418.67	13279.76	19630.74	13107.75	25387.10	13476.18
6.	Goa	467.49	467.49	543.14	534.46	517.43	803.90	522.07	545.20	964.49
7.	Gujarat	37223.48	41574.95	56795.96	42555.24	51934.99	69276.70	41569.23	38069.29	57648.60

8.	Haryana	5226.21	5244.96	8261.87	5974.79	5974.80	8226.32	5836.35	6045.43	6317.75
9.	Himachal Pradesh	1843.31	1863.81	3055.84	2107.33	2143.04	2925.48	2058.51	2118.67	1949.89
10.	Jammu and Kashmir	5725.42	5725.42	5968.31	6545.51	6643.35	5375.77	6393.85	5830.04	1635.45
11.	Jharkhand	19983.33	30160.35	35987.48	56595.67	55864.20	69357.02	22316.33	21816.66	35866.28
12.	Karnataka	29242.52	30227.03	53634.35	33431.11	38798.37	48249.34	32656.50	29895.68	25193.07
13.	Kerala	16261.55	16261.55	21256.92	18590.80	18590.80	23758.63	18160.05	18964.62	19075.84
14.	Madhya Pradesh	23343.61	24086.27	33954.03	26687.27	44223.47	32418.00	26068.92	43588.24	55124.83
15.	Maharashtra	45773.50	47443.24	127918.21	52329.94	52313.82	105934.60	51117.44	53881.90	70645.47
16.	Manipur	2548.30	2065.92	1528.91	2927.55	2541.31	1450.05	2860.10	2362.86	1617.69
17.	Meghalaya	4438.24	3783.31	3854.48	5098.75	5572.45	5404.88	4981.27	5513.12	7428.68
18.	Mizoram	945.84	1267.79	1422.31	1086.60	1335.55	1340.29	1061.56	1108.60	1085.90
19.	Nagaland	2936.92	3996.0	3038.92	3374.01	4455.68	5081.19	3296.27	3442.32	2801.19
20.	Odisha	44016.5	46025.7	76884.1	50321.27	47573.66	69101.95	49155.32	62730.58	47460.79
21.	Punjab	6463.27	6463.27	7782.73	7389.05	6358.58	7641.13	7217.84	2175.07	4037.41
22.	Rajasthan	18705.3	18869.60	29866.62	21384.64	37422.23	37643.04	20889.15	39472.88	53388.90

Written Answers to

[17 MAY, 2012]

Unstarred Questions

195

1	2	3	4	5	6	7	8	9	10	11
23.	Sikkim	561.6	561.6	780.72	645.29	852.16	1328.40	630.42	501.54	1024.14
24.	Tamil Nadu	30388.9	30547.0	44487.29	34741.77	34801.2	44072.40	33936.80	35173.29	27597.23
25.	Tripura	5718.4	6368.5	3818.9	6569.52	10826.77	8621.91	6418.13	11530.63	5618.78
26.	Uttar Pradesh	100629.3	101479.9	158769.94	115043.10	114990.42	147833.00	112377.53	115805.74	137010.65
27.	Uttarakhand	5044.9	5044.9	7828.1	5767.56	5395.0	8062.20	5633.93	5827.08	6718.38
28.	West Bengal	60717.1	60727.4	89164.2	69414.0	63014.36	79682.63	67805.68	67609.09	72235.08
TOTAL (States)		847733.50	863573.9	1327984.	1005370.0	1013945.40	1346572.75	949120.00	986477.80	1096524.92

Statement-V*Rural Drinking Water component under Bharat Nirman Programme**State-wise Allocation, Release and Expenditure under National Rural Drinking Water Programme (NRDWP)*

(Rs in crores)

Sl. No.	Name of State	2009-10			2010-11			2011-12		
		Allocation	Release	Expenditure	Allocation	Release	Expenditure	Allocation	Release	Expenditure*
1	2	3	4	5	6	7	8	9	10	11
1.	Andhra Pradesh	437.09	537.37	394.45	491.02	558.74	423.37	546.32	462.47	446.37
2.	Arunachal Pradesh	180.00	178.20	193.79	123.35	199.99	176.55	120.56	184.83	213.38
3.	Assam	301.60	323.50	269.34	449.64	487.48	480.55	435.58	522.44	468.49
4.	Bihar	372.21	186.11	279.36	341.46	170.73	425.91	374.98	330.02	367.30
5.	Chhattisgarh	116.01	128.22	104.06	130.27	122.01	97.77	143.57	139.06	141.12
6.	Goa	5.64	3.32	0.50	5.34	0.00	1.16	5.20	5.01	1.16
7.	Gujarat	482.75	482.75	515.68	542.67	609.10	610.50	478.89	571.05	467.62
8.	Haryana	207.89	206.89	132.35	233.69	276.90	201.57	210.51	237.74	344.71
9.	Himachal Pradesh	138.52	182.85	160.03	133.71	194.37	165.59	131.47	146.03	145.22
10.	Jammu and Kashmir	447.74	402.51	383.49	449.22	468.91	506.52	436.21	420.42	394.91
11.	Jharkhand	149.29	111.34	86.04	165.93	129.95	128.19	162.52	148.17	169.84
12.	Karnataka	573.67	627.86	473.71	644.92	703.80	573.93	687.11	667.78	776.11

1	2	3	4	5	6	7	8	9	10	11
13.	Kerala	152.77	151.89	150.56	144.28	159.83	137.97	144.43	113.39	126.98
14.	Madhya Pradesh	367.66	379.66	354.30	399.04	388.33	324.94	371.97	292.78	339.59
15.	Maharashtra	659.43	647.81	625.59	733.27	718.42	713.48	728.35	718.35	642.13
16.	Manipur	61.60	38.57	30.17	54.61	52.77	69.27	53.39	47.60	47.03
17.	Meghalaya	70.40	79.40	68.57	63.48	84.88	70.47	61.67	95.89	85.44
18.	Mizoram	50.40	55.26	51.11	46.00	61.58	58.02	39.67	38.83	54.03
19.	Nagaland	52.00	47.06	71.58	79.51	77.52	80.63	81.68	80.91	81.82
20.	Odisha	187.13	226.66	198.86	204.88	294.76	211.11	206.55	171.05	239.60
21.	Punjab	81.17	88.81	110.15	82.21	106.59	108.93	88.02	123.44	122.32
22.	Rajasthan	1036.46	1012.16	671.30	1165.44	1099.48	852.82	1083.57	1153.76	1429.18
23.	Sikkim	21.60	20.60	28.99	26.24	23.20	19.51	28.10	69.19	24.49
24.	Tamil Nadu	320.43	317.95	370.45	316.91	393.53	303.41	330.04	429.55	287.60
25.	Tripura	62.40	77.40	77.35	57.17	74.66	67.20	56.20	83.86	108.39
26.	Uttar Pradesh	959.12	956.36	967.39	899.12	848.68	933.28	843.30	802.32	750.65
27.	Uttarakhand	126.16	124.90	67.24	139.39	136.41	55.44	136.54	75.57	118.72
28.	West Bengal	372.29	394.30	368.77	418.03	499.19	420.22	343.60	342.51	519.48
TOTAL (States)		7986.43	7989.72	7205.18	8540.80	8941.81	8218.31	8330.00	8474.02	8913.68

* As per Integrated MIS of Ministry of Drinking Water and Sanitation last updated on 10.05.2012.

Statement-VI

Irrigation component under Bharat Nirman Programme
State-wise Ceiling & Release of Funds under Accelerated Irrigation
Benefit Programme (AIBP)

(Rs. in crore)

Sl. No.	State's Name	2009-10		2010-11		2011-12	
		Ceiling	Release	Ceiling	Release	Ceiling	Release
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	2000.00	1300.73	1413.00	22.79	1075.00	397.88
2.	Arunachal Pradesh	20.00	30.78	100.75	48.63	85.76	33.79
3.	Assam	69.09	589.97	759.00	406.40	810.43	424.71
4.	Bihar	600.00	77.91	752.00	55.75	700.00	15.53
5.	Chattisgarh	300.00	60.89	441 .26	174.81	540.00	201 .47
6.	Goa	25.00	20.25	33.00	20.00	32.11	20.25
7.	Gujarat	800.00	6.08	1300.00	361.42	1057.82	0.00
8.	Haryana	40.00	0.00	170.38		189.50	0.00
9.	Himachal Pradesh	200.00	90.68	327.45	43.52	250.00	129.71
10.	Jammu and Kashmir	254.27	171.73	324.31	156.03	560.96	225.12
11.	Jharkhand	130.00	0.00	620.50	242.89	534.50	559.96
12.	Karnataka	500.00	823.83	1307.47	567.76	1568.30	511.40
13.	Kerala	40.00	3.81	88.00	10.02	100.00	0.00
14.	Madhya Pradesh	1167.00	758.75	1159.33	658.69	1119.50	473.46
15.	Maharashtra	2200.00	1395.39	2620.00	2069.06	2726.96	1199.89
16.	Manipur	190.00	42.54	298.00	250.00	290.00	44.55
17.	Meghalaya	40.00	22.50	140.61	110.19	253.34	81.30
18.	Mizoram	50.00	36.45	63.75	51.09	75.00	42.11
19.	Nagaland	97.30	57.29	130.00	70.00	140.00	72.65
20.	Odisha	1200.00	871.57	1336.35	591.68	1100.00	614.94
21.	Punjab	110.00	22.05	667.00	140.48	624.00	43.60
22.	Rajasthan	300.00	157.58	330.58	41.92	354.56	3.38

1	2	3	4	5	6	7	8
23.	Sikkim	40.00	2.60	72.29	14.36	131.47	33.71
24.	Tamil Nadu	4.86	0.00	160.00	0.00	275.00	0.00
25.	Tripura	72.97	36.21	113.05	48.00	150.00	34.88
26.	Uttar Pradesh	500.00	238.08	936.58	432.54	800.00	279.84
27.	Uttarakhand	500.00	127.01	448.30	160.06	373.70	232.75
28.	West Benaal	300.00	0.91	1205.00	89.10	752.14	107.00
TOTAL		11750.49	6945.59	17317.96	6837.20	16670.05	5783.91

Independent financial advisor for UIDAI

4575. SHRI B.S. GNANADESIKAN: Will the PRIME MINISTER be pleased to state:

(a) whether the Planning Commission has raised questions about the administrative structure of the Unique Identity Authority of India (UIDAI) and called for the appointment of an independent financial advisor to monitor its finance and transactions;

(b) if so, the details thereof and also whether the Government has rejected Rs. 15000 crore funding proposal of UIDAI; and

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

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) UIDAI is an attached office of the Planning Commission. Planning Commission had taken up the matter with Ministry of Finance, Department of Expenditure, to streamline processes for handling files in the Planning Commission that come from UIDAI as an attached office. These matters have since been resolved and processes have been streamlined as per the existing Government procedures.

UIDAI already has an independent Financial Adviser appointed by Department of Expenditure in December, 2009.

(b) No, Sir. The Government has not rejected the funding proposal of UIDAI. The cost estimates of the entire project were brought before the Expenditure Finance Committee (EFC) as Phase III after preparation of the Detailed Project Report (DPR) of the Project. The DPR addressed the entire gamut of the Unique Identification (UID) Scheme, which apart from enrolments and issuance of Aadhaar numbers

extends to providing updation services, a robust authentication process as a means of enhancing the service delivery of various social schemes and facilitating development of Aadhaar enabled applications to leverage Aadhaar. Based on the DPR, which identified the various project components and costs, including the cost of enrolment through the multiple registrar approach for the entire estimated population of 1.12 billion residents upto March 2017, an estimated project cost of INR 17,863.90 crore was brought before the EFC as Phase-III of the scheme. This estimate subsumed the cost estimates of INR 3,023.01 crore of Phase-II, which was earlier approved by the Cabinet Committee on UIDAI related issues (CC-UIDAI).

The EFC after deliberating the various project components recommended an overall outlay of INR 8,814.75 crore for Phase III, by restricting the Assistance to Registrars towards enrolment cost and cost of printing and delivery of Aadhaar letters to 20 crore residents as against the cost of enrolment and logistics sought for 1.12 billion residents. The outlay of INR 8,814.75 crore was since approved by the CC-UIDAI.

Further, the CC-UIDAI has approved an additional enrolment mandate of 40 crore residents through Registrars other than the RGI in 19 identified States/UTs. A proposal for Phase IV for INR 5061 crore to take care of the additional mandate of 40 crore is under consideration of the EFC.

(c) In view of the above, follow up action does not arise.

Upliftment of BPL families

4576. DR. K.P. RAMALINGAM: Will the PRIME MINISTER be pleased to state:

(a) the details of schemes formulated for the benefit and upliftment of BPL families; and

(b) the number of BPL families benefited from these schemes and crossed BPL line State/UT-wise?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) The Government is implementing a number of schemes and programmes in the country for the benefit and upliftment of poor. The major schemes and programmes in this regard are (i) Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), which provides a legal guarantee of at least 100 days of wage employment in a financial year to rural household, whose adult members volunteer to do unskilled manual work; (ii) Swarnajayanti Gram

Swarozgar Yojana (SGSY), a holistic programme covering all aspects of self-employment, such as organization of rural poor into Self Help Groups and their capacity building, training, planning of activity clusters, infrastructure development, financial assistance through bank credit and subsidy and marketing support etc.; (iii) Indira Awaas Yojana (IAY), which provides assistance for construction of dwelling units and up-gradation of existing unserviceable kutchha houses for the rural families living below poverty line; (iv) Swarn Jayanti Shahri Rozgar Yojana (SJSRY) that strives to provide gainful employment to the urban unemployed and under-employed poor, through encouraging the setting up of self-employment ventures by the urban poor living below the poverty line, and also through providing wage employment by utilizing their labour for construction of socially and economically useful public assets; (v) National Social Assistance Programme (NSAP) comprising of five schemes namely, Indira Gandhi National Old Age Pension Scheme (IGNOAPS), Indira Gandhi National Widow Pension Scheme (IGNWPS), Indira Gandhi National Disability Pension Scheme (IGNDPS), National Family Benefit Scheme (NFBS) and Annapurna to provide social security to the vulnerable sections of the society; and (vi) Rashtriya Swasthaya Bima Yojana (RSBY) aims to provide health insurance coverage for below poverty line (BPL) families. Its objective is to provide protection to BPL households from financial liabilities arising out of health shocks that involve hospitalization coverage up to Rs. 30000/- for most of the diseases that require hospitalization.

(b) The State/UT wise details of beneficiaries of these schemes during 2011-12 are given in Statement-I (*See below*).

As a result of implementation of the various policy initiatives of the Government including those referred to above, the harsh edges of absolute poverty have declined over the years and a large number of people have been lifted above the poverty line as had been determined in the past. Planning Commission estimates percentage and number of people living below poverty line using large sample survey data of Household Consumer Expenditure collected by National Sample Survey Office (NSSO). The surveys are carried out by the NSSO every 5 years. On the basis of two latest surveys conducted during 2004-05 and 2009-10, the number of poor persons in the country has reduced from 40.7 crore in 2004-05 to 35.5 crore in 2009-10. The State/UT-wise details of reduction in number of poor persons during 2004-05 to 2009-10 are given in Statement-II (*See below*).

However, Government identifies BPL families through Below Poverty Line (BPL) Survey conducted by the States/UT Administration with the financial and

technical support of the Ministry of Rural Development. The last BPL survey to identify rural BPL families was conducted in 2002. The Socio Economic Caste Census (SECC), 2011 is underway to identify the BPL families.

Statement-I

State/UT wise details of beneficiaries of Schemes during 2011-12

Sl. No.	Name of the State/UT	(Number of beneficiaries)					
		MGNREGA (House-holds provided employment)	SGSY (Swaro-zgaris assisted)	IAY (Houses Compl-eted/ upgra-ded)	SJSRY (Provi-ded skill develop-ment training)	NSAP (Benefi-ciaries)	RSBY (Smart card issued as on 29.02.2012)
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	4606685	57659	236575	67664	1870510	NA
2.	Arunachal Pradesh	2381	308	1163	213	35360	39615
3.	Assam	1140456	143883	124503	1006	684724	204548
4.	Bihar	852634	100616	270516	412	3574239	7096914
5.	Chhattisgarh	2486024	44885	28684	8512	777003	1384680
6.	Goa	10872	184	1032	59	2690	**
7.	Gujarat	768275	30267	109351	43179	361727	1850643
8.	Haryana	244177	24435	13238	2440	174730	584683
9.	Himachal Pradesh	437826	10828	4574	262	107076	235131
10.	Jammu and Kashmir	257596	5236	4403	1380	NA	NA
11.	Jharkhand	1372456	57019	79201	438	969294	9484
12.	Karnataka	1288448	80754	21569	22370	1211044	1060286
13.	Kerala	1390083	40311	40814	5040	306301	1748471
14.	Madhya Pradesh	3185748	88860	52795	26704	1821768	NA
15.	Maharashtra	1049273	152429	110432	56168	1626000	2172918

1	2	3	4	5	6	7	8
16. Manipur		256563	363	2460	1283	NA	31921
17. Meghalaya		293653	5182	11399	0	67465	67150
18. Mizoram		167696	3010	2664	2755	30742	43256
19. Nagaland		229015	5519	8083	864	57047	77870
20. Odisha		1236673	129363	94183	6815	2161945	1100793
21. Punjab		209817	10287	13705	995	195626	220486
22. Rajasthan		4378929	76149	74565	6473	820170	**
23. Sikkim		43964	1337	1805	908	NA	NA
24. Tamil Nadu		5967908	72095	49066	24589	1504140	**
25. Tripura		561434	13456	7405	1688	164586	258402
26. Uttar Pradesh		6609552	341935	283133	29439	4091879	4145925
27. Uttarakhand		374643	17673	11323	1890	268857	338879
28. West Bengal		4375545	74494	151334	24870	2221645	4486192
29. Andaman and Nicobar Islands		14531	359	532	0	NA	NA
30. Dadara and Nagar Haveli		0	0	0	60	NA	NA
31. Daman and Diu		0	0	0	0	NA	NA
32. Lakshadweep		3501	0	0	0	NA	NA
33. Puducherry		40217	2256	0	92	29391	NA
34. Chandigarh		0	0		616	6916	4913
35. NCT Delhi		0	0		1230	221186	144518
TOTAL		43856575	1591152	1810507	340414	25364061	27987800

** Scheme discontinued.

NA: Not available.

MGNREGA-Mahatma Gandhi National Rural Employment Guarantee Act; SGSY-Swaranjayanti Gram Swarozgar Yojana; IAY-Indira Awaas Yojana;

SJSRY-Swaran Jaynati Shahari Rozgar Yojana; NSAP-National Social Assistance Programme; RSBY-Rashtriya Swasthaya Bima Yojana.

Statement-II

State/UT-wise Reduction in Number of people living below poverty line during 2004-05 to 2009-10.

Sl. No.	States	(Tendulkar Methodology)		(Number in lakhs)
		2004-05	2009-10	Reduction
1.	Andhra Pradesh	235.08	176.56	58.52
2.	Arunachal Pradesh	3.78	3.50	0.28
3.	Assam	97.68	116.42	-18.74
4.	Bihar	493.85	543.50	-49.65
5.	Chhattisgarh	111.52	121.89	-10.37
6.	Delhi	19.32	23.27	-3.96
7.	Goa	3.43	1.26	2.17
8.	Gujarat	171.44	136.22	35.22
9.	Haryana	54.61	49.96	4.65
10.	Himachal Pradesh	14.64	6.41	8.22
11.	Jammu and Kashmir	14.50	11.50	3.00
12.	Jharkhand	132.15	126.18	5.97
13.	Karnataka	186.55	142.35	44.20
14.	Kerala	61.97	39.59	22.37
15.	Madhya Pradesh	315.74	261.80	53.94
16.	Maharashtra	392.45	270.75	121.69
17.	Manipur	9.00	12.53	-3.53
18.	Meghalaya	4.12	4.94	-0.83
19.	Mizoram	1.49	2.25	-0.76
20.	Nagaland	1.73	4.12	-2.39
21.	Odisha	221.58	153.22	68.37

Sl. No.	States	2004-05	2009-10	Reduction
22.	Puducherry	1.52	0.14	1.38
23.	Punjab	53.61	43.50	10.10
24.	Rajasthan	209.83	167.01	42.82
25.	Sikkim	1.72	0.78	0.94
26.	Tamil Nadu	194.15	121.81	72.34
27.	Tripura	13.43	6.27	7.16
28.	Uttar Pradesh	730.68	737.91	-7.23
29.	Uttarakhand	29.71	17.85	11.85
30.	West Bengal	288.29	240.25	48.04
31.	Andaman and Nicobar Island	0.11	0.01	0.10
32.	Chandigarh	1.10	0.95	0.15
33.	Dadra and Nagar	1.26	1.27	-0.01
34.	Daman and Diu	0.15	0.75	-0.60
35.	Lakshwadeep	0.04	0.04	-0.01
ALL INDIA		4072.20	3546.79	525.41

Details of Proposals from Maharashtra

†4577. DR. YOGENDRA P. TRIVEDI: Will the PRIME MINISTER be pleased to state:

(a) the number of proposals sent by State Government of Maharashtra to Central Government for approval for the last three years, year-wise and Ministry-wise;

(b) the number of proposals which have been approved by Government along with the number of proposals rejected and the number of proposals which are under consideration, the status thereof; and

(c) the details thereof?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (c) The details of various proposals of the Government of Maharashtra received in the Planning Commission and their status of approval for the last three years is given in the Statement.

Statement

The details of various proposals of Govt. of Maharashtra Received in Planning Commission and their status of approval for the last three years

Year	Name of the proposal/Ministry	Status of the proposal
Drinking Water (M/o Drinking Water and Sanitation)		
2010-11	Jalswarajya-II	In principle approval accorded by the Planning Commission and conveyed to the Government of Maharashtra.
Health (M/o Health and Family Welfare)		
2010-11	Super Speciality Hospital (Establishment of AIIMS like institution at Panvel, Maharashtra)	Proposal was turned down by the M/o Health and Family Welfare on the ground of insufficient land and other reasons. The Government of Maharashtra was informed accordingly by the MoH and FW.
2010-11	Establishment of Maharashtra University for Medical Research	Proposal was not recommended by the ICMR. Reasons conveyed to the GOM.
Irrigation (M/o Water Resources)		
2009-10	Gunghsi Barrage Irrigation Project (New Medium)- Maharashtra	Investment Clearance has been accorded by the Planning Commission.
2010-11	Purna Barrage-II (Ner-Dhamana) New Medium Project	-do-
2010-11	Shelgaon Barrage Project (New Medium)	-do-
2010-11	Tembhu Lift Irrigation Project (New Major)	-do-

Year	Name of the proposal/Ministry	Status of the proposal
2010-11	Bodwad Parisar Sinchan Yojana (New Major)	-do-
2011-12	Upper Kundlika Project	-do-
2011-12	Flood Protection works of Lendi Nalla at Katol Town in Nagpur District	-do-
2011-12	Mirya Bay Coastal Erosion Protection Project	Concurrence of Finance Department of Government of Maharashtra has been sought.
2011-12	Maharashtra Water Sector Improvement Project	Concurrence/comments of Finance Department, financial phasing, components of foreign exchange status of rehabilitation and settlement issues have been sought from the GOM.

Transport (M/o Road, Transport and Highways)

2009	4-laning of Aurangabad Paithan Highway	Approved by the Planning Commission and Empowered Institution, MOF.
2009	4--Laning of Nanded Narsi Road Section	-do-
2009	2-Laning of Shirur Tejbhand-Mukhed-Narsi road	-do-
2009	4--laning of Akola Patur Washim Hanergaon Hingoli Waranga Phata SH 204	-do-
2009	4--laning of Tembhurni-Kurduwadi-Barshi-Yedshi Section of SH-77	-do-
2009	2\4-laning of Karanji-Wani-Ghuggus-Chandarapur Road Government of Maharashtra	-do-

Year	Name of the proposal/Ministry	Status of the proposal
2010	4-laning of Jalna-Deoulgaonraja-Berala Phata (SH-176)	-do-
2010	4-laning of Hadapsar-Phata-Jejuri (SH-64) Govt. of Maharashtra.	-do-
2011	Four Laning of Baramati Phaltan Road SH 10 and Shirwal Road SH-70	-do-
2011	4-laning of Nashik-Niphad-Vaijapur-Aurangabad Road of SH-30 and 2-laning with paved shoulders	-do-
2011	4-laning of Berate Phata-Chikhali-Amdapur-Khamgaon Road	-do-
2011	4-laning of Shikarapur-Nhavra Rd. of SH-55 in Pune District in the State of Maharashtra under BOT basis.	-do-
2011	4-laning of Warora-Chandrapur-Ballarpur Bamani in Maharashtra	-do-
2011	4-laning of Jam-Warora, Km 01.000 to km 40.000	-do-
2012	VGF support for Mumbai Trans-Harbour Link Project	Revised document awaited from the Government of Maharashtra
2012	4-laning of Chandwad-Manmad-Nandgaon of BOT (Toll), Govt. of Maharashtra	Under examination

One Time Additional Central Assistance (M/o Planning)

Year	Name of the proposal/Ministry	Status of the proposal
2009-10	Construction of Anganwadi Buildings under Maharashtra Human Development Mission	One Time Additional Central Assistance grant was sanctioned
2010-11	Committed liabilities of Sports Infrastructure Scheme	-do-
	Construction, Upgradation and Purchase of Equipment of Rural Hospitals and Other major health institutions	-do-
2011-12	Construction, upgradation and purchase of equipments for health institutions	-do-

NHAI switching to e-tendering

4578. SHRI NAND KUMARSAI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the National Highways Authority of India (NHAI) has completely switched to e-tendering;

(b) if so, the details in this regard and the extent to which the awarding of tender and transparency have been maintained in e-tendering;

(c) the details of new road projects awarded during 2011-12, State-wise;

(d) the details of present value of these awarded projects along with date of completion fixed for these projects;

(e) the details of new road projects awarded during 2010-11 along with the details of such projects that failed to achieve their schedule targets;

(f) whether the NHAI have made any mechanism to check/stop delays in timely completion of road projects; and

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

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) Yes, Sir. In order to improve

transparency and accountability, NHAI has switched to e-tendering for all types of projects including BOT since July, 2011. In e-tendering mode 339 tenders have been floated by NHAI till 01.05.2012.

(c) and (d) The State-wise details of projects awarded during 2011-12 are given in Statement-I (*See* below).

(e) The details of new road projects awarded during 2010-11 are given in Statement-II (*See* below).

(f) and (g) In order to expedite implementation of projects Regional Offices each headed by Chief General Manager have been set up by NHAI. High Powered Committee has been constituted under Chief Secretary in the states, where Regional officer of NHAI acts as a member Secretary along with Principal Secretaries of PWD, Revenue, Power and Water Supply apart from other State Government officials as Members of the committee. The Committee's mandate is expeditious resolution of issues for faster implementation of project *inter-alia* including land acquisition, shifting of utilities and rehabilitation and resettlement. Achievement of targets is being monitored closely. Projects are periodically reviewed at field and at Head Quarters.

Statement-I*List of Projects awarded during 2011-12*

Sl. No.	Name of the project	State	Length (Km.)	Total Project Cost (Rs. cr)	NHBP Phase	Date of LOA	Completion period as per Concession Agreement (CA)
1	2	3	4	5	6	7	8
1.	Kota-Jhalawar	Rajasthan	88.09	530.01	III	27-04-2011	30 months
2.	Ahmedabad-Vadodara	Gujarat	102.30	2125.40	V	28-04-2011	30 months
3.	Beawar-Pali-Pindwara	Rajasthan	244.12	2388.00	III	10-05-2011	30 months
4.	Nagpur-Wainganga Bridge	Maharashtra	45.43	484.19	III	09-05-2011	30 months
5.	Barwa Adda-Panagarh	Jharkhand/West Bengal	122.88	1665.00	V	19-05-2011	24 months
6.	Tindivanam-Krishnagiri	Tamil Nadu	182.18	624.20	III	19-05-2011	24 months
7.	Jabalpur- Lakhanadon	Madhya Pradesh	80.82	776.76	IV	28-07-2011	CA not yet signed
8.	Panikholi- Rimoli	Odisha	166.17	1410.00	III	11-08-2011	30 months
9.	Jabalpur-Katni-Rewa	Madhya Pradesh	225.69	1895.45	IV	29-08-2011	30 months

10. Chhattisgarh/Odisha Border-Aurang	Odisha	150.40	1232.00	IV	29-08-2011	30 months
11. Gwalior- Shivpuri	Madhya Pradesh	125.30	1055.00	IV	22.09.2011	30 months
12. Shivpuri- Dewas	Madhya Pradesh	321.00	2815.00	IV	22.09.2011	30 months
13. Meerut- Bulandshahar	Uttar Pradesh	62.52	508.87	IV	22.09.2011	30 months
14. Kishangarh-Udaipur-Ahmedabad	Rajasthan/Gujarat	555.50	5387.30	V	22.09.2011	36 months
15. Muzaffarpur-Barauni	Bihar	107.56	354.09	IV	05.10.2011	24 months
16. Hospet-Bellary-KNT/AP Border	Karnataka	95.44	910.08	IV	17.10.2011	30 months
17. Lucknow-Sultanpur	Uttar Pradesh	125.90	1043.51	IV	20.10.2011	30 months
18. Patna-Buxar	Bihar	125.44	1129.11	III	2.11.2011	30 months
19. Vijayawada-Machhlipatanam	Andhra Pradesh	64.60	606.00	III	11.11.2011	24 months
20. Angul-Sambalpur	Odisha	153.00	1220.32	IV	30.11.2011	30 months
21. Hospet-Chitradurga	Karnataka	120.03	1033.65	III	30.11.2011	30 months
22. Cuttack-Angul	Odisha	112.00	1123.65	III	30.11.2011	30 months
23. Rampur-Kathgodam	Uttar Pradesh	93.29	790.00	III	30.11.2011	30 months
24. Etawah-Chakeri	Uttar Pradesh	160.21	1573.00	V	30.11.2011	30 months
25. Agra-Etawah Bypass	Uttar Pradesh	124.52	1207.00	V	30.11.2011	30 months

Written Answers to

[17 MAY, 2012]

Unstarred Questions

213

1	2	3	4	5	6	7	8
26.	Mah/KNT Border-Sangareddy	Karnataka	145.00	1266.60	III	30.11.2011	30 months
27.	Raipur-Bilaspur	Chhatisgarh	125.53	1216.03	IV	30.11.2011	30 months
28.	Muhulia-Baharagora	Jharkhand/West Bengal	127.13	940.00	IV	7.12.2011	30 months
29.	Rohtak - Jind	Haryana	48.60	283.25	III	23.12.2011	24 months
30.	Solapur-Mah/KNT Border	Maharashtra	100.06	923.04	IV	23.12.2011	30 months
31.	Lucknow - Raebareli	Uttar Pradesh	70.00	635.90	IV	November 2011	30 months
32.	Kiratpur-Ner Chowk	Himachal Preadesh	84.32	1818.47	IV	2.2.2012	36 months
33.	Vijaywada-Elluru-Gundugolanu	Andhra Pradesh	103.59	1684.00	V	2.2.2012	30 months
34.	Obdeduliganj-Betul	Madhya Pradesh	121.00	912.00	III	6.2.2012	30 months
35.	Mulbagal - Karnataka/AP Border	Karnataka	22.19	141.11	III	7.3.2012	12 months
36.	Gomti-Udaipur	Rajasthan	79.31	942.45	IV	12.3.2012	30 months
37.	Baleshwar-Khargpur	West Bengal/Odisha	111.40	471.05	I	12.3.2012	30 months
38.	Jowai-Meghalaya/Assam Border	Meghalaya	102.26	390.74	III	20.3.2012	CA not yet signed

214 Written Answers to

[RAJYA SABHA]

Unstarred Questions

39. Birmiltrapur-Barkote	Odisha	125.62	778.15	IV	20.3.2012	30 months
40. Haryana/Uttar Pradesh Border- Yamunanagar-Barwala-Panchkula	Haryana	104.77	934.93	III	20.3.2012	30 months
41. Khagria-Bakhtiarpur	Bihar	112.98	1635.33	III	20.3.2012	30 months
42. Solapur -Maharashtra/Karnataka Border-Bijapur	Maharashtra	110.00	990.60	III	31.3.2012	30 months
43. Aurangabad-Barwa Adda	Bihar and Jharkhand	220.00	2419.00	V	31.3.2012	30 months
44. Amravati-Jalgaon,	Maharashtra	275.22	2537.81	IV	31.3.2012	30 months
45. Jalgaon-Mah/Gujarat Border	Maharashtra	208.84	1968.57	IV	31.3.2012	30 months
46. Hoskote-Dobespet	Karnataka	89.00	772.41	IV	31.3.2012	CA not yet signed
47. Rajahmundry-Gundugulanu	Andhra Pradesh	121.00	1617.00	V	31.3.2012	30 months
48. Anandpuram-Vishakhapatnam	Andhra Pradesh	59.00	863.00	V	31.3.2012	30 months
49. Jind-Haryana/Punjab Border	Haryana	69.55	446.00	III	31.3.2012	30 months

Written Answers to

[17 MAY, 2012]

Unstarred Questions

Statement-II*List of Projects Awarded during 2010-11*

Sl. No.	Strech	Stale	NH No.	Total Length (in Km)	Com- pleted Length (in Km)	Funded By	Date of Start	Date of completion as per contract	Date of Completion/ anticipated Completion	TPC (Rs. cr.)	LOA Date
1	2	3	4	5	6	7	8	9	10	11	12
1.	Six Laning of Chandikhol-Jagatpur- Bhubaneswar (Approved Length 61 km.)	Odisha	5	67	2	BOT	Dec. 2011	Jun. 2014	Jun. 2014	1047	Apr. 2010
2.	Tirupati-Tiruthani-Chennai (Approved Length 125.5 Km.)	Tamil Nadu [61.47]/ Andhra Pradesh [63.23]	205	124.7	7	BOT	Apr. 2011	Oct. 2013	Oct. 2013	571	Apr. 2010
3.	Devihalli-Hassan (Approved Length 73 Km.)	Karnataka	48	77.23	6	BOT	Dec. 2010	May. 2013	Jun. 2013	453	Apr. 2010
4.	Varanasi-Aurangabad	Bihar [135]/ Uttar Pradesh [57.4]	2	192.4	10	BOT	Sep. 2011	Mar. 2014	Mar. 2014	2848	Apr. 2010

5.	Rimoli-Roxy-Rajamunda (Approved Length 1631km.)	Odisha	215	96	0	BOT	Jul. 2011	Jan. 2014	Jan. 2014	586	Apr. 2010
6.	Bareilly-Sitapur (Approved Length 134 Km)	Uttar Pradesh	24	151.2	0	BOT	Mar. 2011	Sep. 2013	Sep. 2013	1046	Apr. 2010
7.	Deoli-Kota	Rajasthan	12	83	2.2	BOT	Jan. 2011	Jul. 2013	Jul. 2013	593	Apr. 2010
8.	Quazigund-Banihal	Jammu Kashmir	1A	15.25	0	Annuity	Jul. 2010	Jul. 2015	Jul. 2015	1987	Apr. 2010
9.	Jammu-Udhampur	Jammu Kashmir	1A	65	0	Annuity	Jul. 2010	Jul. 2013	Jun. 2014	1813.76	Apr. 2010
10.	Six Laning of Hosur-Krishnagiri	Tamil Nadu	7	59.87	0	BOT	Jun. 2011	Dec. 2013	Dec. 2013	535	May 2010
11.	Sambalpur-Baragarh- Chattisgarh/Odisha Border	Odisha	6	88	2	BOT	Nov. 2011	May 2014	May 2014	909	May 2010
12.	2-Laning of Shillong-Bypass	Meghalaya	40 and 44	50	16	Annuity	Feb. 2011	Feb. 2014	Feb. 2014	226	May 2010
13.	Jorbat-Barapani	Meghalaya	40	61.8	0	Annuity	Jan. 2011	Jan. 2014	Jan. 2014	536	May 2010
14.	KNT/Kerala Border to Kannur Section (Approved Length 286.3)	Kerala	17	126.6	0	BOT	LOA issued on May 2010			1157.16	May 2010
15.	Bhopal-Sanchi (Approved Length 40 Km)	Madhya Pradesh	86Ex	53.78	0	Annuity	LOA issued on May 2010			209	May 2010

Written Answers to

[17 MAY, 2012]

Unstarred Questions 217

1	2	3	4	5	6	7	8	9	10	11	12
16.	Belgaum-Dharwad (Approved Length 111 km.)	Karnataka	4	80	26.51	BOT	Dec. 2010	Jun. 2013	Oct. 2013	480	May 2010
17.	Delhi-Agra (Approved Length 180.3 km.)	Haryana[74]/ Uttar Pradesh [105.5]	2	179.5	0	BOT	LOA issued on May 2010			1928.22	May 2010
18.	4 Laning of Nagpur Betul	Madhya Pradesh [120]/ Maharashtra [56.3]	69	176.3	0	Annuity	Feb. 2011	Aug. 2014	Aug. 2014	2498.76	May 2010
19.	2 Laning of Forbesganj-Jogwani (Approved Length 13 km.)	Bihar	57A	9.258	0	Annuity	Mar. 2011	Oct. 2013	Oct. 2013	73.55	May 2010
20.	Six Laning of Nellore-Chilkaturipet	Andhra Pradesh	5	183.52	18.225	BOT	Nov. 2011	May 2014	May 2014	1535	May 2010
21.	Two Laning of Trichy-Karaikudi and Trichy bypass (Approved Length 100 Km)	Tamil Nadu	210 and 67	110.372	8	Annuity	May 2011	May 2013	May 2013	374	May 2010
22.	2 Laning of Dindigul-	Tamil Nadu	220	134	6	Annuity	Sep. 2011	Aug. 2013	Aug. 2013	485	May 2010

218 Written Answers to

[RAJYA SABHA]

Unstarred Questions

Perigulam-Theni-Kumili											
23.	2 Laning of Mokama-Munger (Approved Length 70 km.)	Bihar	80	69.27	34.058	Annuity	May 2011	May. 2013	Mar. 2014	351.54	May 2010
24.	Chenani-Nashri	Jammu Kashmir	IA	12	0	Annuity	Jun. 2010	Jun. 2015	Jun. 2015	2159	May 2010
25.	4 Laning of Chappra-Hajipur (Approved Length 153 km.)	Bihar	19	65	6	Annuity	Jan. 2011	Jul. 2013	Jul. 2013	575	May 2010
26.	4 Laning of Barhi-Hazaribagh (Approved Length 40 km.)	Jharkhand	33	41.314	0	BOT	LOA issued on May 2010			398	May 2010
27.	4/6 Laning of Maharastra/Goa Border-Panaji Goa/KNT Border	Goa	17	139	0	BOT	LOA issued on May 2010			1872	May 2010
28.	Bhubneshwar-Puri (Approved Length 59 km.)	Odisha	203	67	0	BOT	Mar. 2011	Aug. 2013	Aug. 2013	500.29	May 2010
29.	Chitradurga-Tumkur Bypass (Approved Length 145 km.)	Karnataka	4	14	22.235	BOT	Mar. 2011	Aug. 2013	Dec. 2013	839	May 2010
30.	4 Laning of Belgaum-Khanpur Section (km. 0.00 to km. 30.00) and 2 Laning with paved shol- shoulders of Khanpur-Knt/Goa border (km. 30.00 to km. 84.120)	Karnataka	4A	81.89	0	BOT	Mar. 2011	Sep. 2013	Jul. 2014	359	Jul. 2010

Written Answers to

[17 MAY, 2012]

Unstarred Questions 219

1	2	3	4	5	6	7	8	9	10	11	12
31.	2 Laning of Muzaffarpur-Sonbarsa (Approved Length 89 km.)	Bihar	77	86	20.5	Annuity	May 2011	Nov. 2013	Nov-2013	511.54	Jul. 2010
32.	Srinagar to Banihal	Jammu Kashmir	1A	67.76	0	Annuity	LOA issued on Sep. 2010			1100.7	Sep. 2010
33.	4 Laning of Jetpur-Somnath section of NH-8D (approved length 127.6)	Gujarat	8D	123.45	0	BOT	LOA issued on Sep. 2010			828	Sep. 2010
34.	Panvel-Indapur	Maharashtra	17	84	0	BOT	LOA issued on Oct. 2010			942.69	Oct. 2010
35.	Multai-Chhindwara-Seoni section and Narsinghpur-Amarwara-Umrana-Saoner section (2-Laning with 4 paved shoulders)	Madhya Pradesh[405]/ and Maharashtra [13]	69A and 26B	418	0	NHAI	LOA issued on Oct. 2010			1565	Oct. 2010
36.	2-Laning with PS Agra-Aligarh	Uttar Pradesh	93	79	0	BOT	LOA issued on Nov. 2010			250.5	Nov. 2010
37.	2-Laning with PS Kanpur-Kabrai	Uttar Pradesh	86	123	0	BOT	LOA issued on Nov. 2010			373.47	Nov. 2010
38.	Four Lanning of Ludhiyana-Talwandi section	Punjab	95	78	0	BOT	LOA issued on Dec. 2010			479	Dec. 2010

220 Written Answers to

[RAJYA SABHA]

Unstarred Questions

39.	Development of Adiquate Road Connectivity to Chennai-Ennore Port Connectivity	Tamil Nadu	SR	30.2	8.6	SPV	Jun. 2011	Jun. 2013	Jun. 2013	600	Dec. 2010
40.	2-Laning with PS Aligarh-Kanpur	Uttar Pradesh	91	268	0	BOT	LOA issued on Dec. 2010			723.68	Dec. 2010
41.	Laning with PS Raibariely to Allahabad	Uttar Pradesh	24B	119	0	BOT	LOA issued on Dec. 2010			291.36	Dec. 2010
42.	Patna-Bakhtiarpur	Bihar	30	50.6	9	BOT	Sep. 2011	Mar. 2014	Mar. 2014	574	Dec. 2010
43.	2-Laning with PS Motihari-Raxaul (Approved Length 67 km.)	Bihar	28A	68.79	6	BOT	Oct. 2011	Apr. 2014	Apr. 2014	375.09	Jan. 2011
44.	2-Laning with PS khagaria-Purnea	Bihar	31	140	8	Annuity	May-2011	Feb. 2014	Feb. 2014	664	Feb. 2011
45.	Barasat-Krishnanagar	West Bengal	34	84	0	Annuity	LOA issued on Feb. 2011			867	Feb. 2011
46.	Krishnanagar-Berhampore	West Bengal	34	78	0	Annuity	Feb. 2012	Jul. 2014	Jul. 2014	702.16	Feb. 2011
47.	2-Laning with PS Gopalganj-Chappra	Bihar	85	92	0	Annuity	Dec. 2011	May 2014	May 2014	325	Feb. 2011
48.	6-Laning of Dhankuni-Khargpur Section	West Bengal	6	111.4	0	BOT	LOA issued on Feb. 2011			1396.18	Feb. 2011
49.	Ranchi-Rargaon-Jamshedpur	Jharkhand	33	163.5	0	Annuity	LOA issued on Mar. 2011			1479	Mar. 2011
50.	Reengus-Sikar	Rajasthan	11	43.887	0	Annuity	LOA issued on Mar- 2011			333.51	Mar-2011

Written Answers to

[17 MAY, 2012]

Unstarred Questions 221

Amendment in Motor Vehicles Act, 1985

4579. SHRIMATI VASANTHI STANLEY: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the Ministry consider amending the Motor Vehicles Act, 1985 considering the fact that India is the topper in road accidents caused by drunken driving; and

(b) whether the Ministry consider drafting a law to deal with death caused by drunken driving as 70 per cent of road accidents are due to drunken driving?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAY (SHRI TUSHAR BHAI CHAUDHARY): (a) and (b) The Government proposes to amend the Motor Vehicles Act, 1988 *inter-alia* to provide for enhanced penalties for driving by a drunken person. The Motor Vehicles (Amendment) Bill, 2012 has already been passed by Rajya Sabha on 08.05.2012.

NH in Kerala under Hot Scheme

4580. SHRI K.N. BALAGOPAL: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) Whether any portion of the National Highways in Kerala is completed under Built, Operate and Transfer Scheme;

(b) if so, the details thereof;

(c) the cost per kilometer and the cost per project; and

(d) the expected collection per year in these projects?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) Yes Sir. The section of NH-47 from km. 270.00 to km. 342.00 of Thrissur-Angamaly-Edapally was completed on BOT (Toll) by M/s Guruvayoor Expressway Ltd. in December 2011.

(c) The construction cost is Rs. 4.786/- crore per km and the estimated cost of the project is Rs. 312.54 crores.

(d) The tolling of the project has started from 9th February 2012 and toll collection upto April 2012 is given as under:

February 2012	Rs. 3,77,73,927/-
March 2012	Rs. 4,48,89,586/-
April 2012	Rs. 3,94,88,998/-

Highway proposals by Rajasthan Government

4581. DR. GYAN PRAKASH PILANIA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS ' be pleased to state:

- (a) the number of proposals sent by Rajasthan Government to Central Government pertaining to highways during the last three years;
- (b) the number of proposals approved out of these so far by Central Government;
- (c) the number of the remaining pending proposals; and
- (d) by when action will be taken on those proposals?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) The number of proposals received from State Government of Rajasthan and approvals issued by the Ministry in respect of National Highway works during the last three years are tabulated in the given Statement (*See below*).

(c) and (d) The proposals which could not be sanctioned due to sanction limits under these Annual Plans have been returned for inclusion in the subsequent Annual Plan, keeping in view the *inter-se* priority of works and availability of funds.

Statement

Number of proposals received from State Govt. of Rajasthan and approvals issued by the Ministry in respect of National Highway works

Year	Plan Works NH(O)		Non Plan Works (M&R)	
	No. of proposal Received	No. of proposal Approved	No. of proposal Received	No. of proposal Approved
2009-10	25	25	37	37
2010-11	28	9	46	46
2011-12	18	12	12	12

National Highway given on PPP Mode

4582. SHRI PALVAI GOVARDHAN REDDY: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) the number and names of National Highways in Andhra Pradesh;

- (b) whether it is a fact that some of the National Highways have been given under PPP mode;
- (c) if so, the details of each stretch of the National Highway that has been given on PPP mode during the last three years, year-wise and stretch-wise;
- (d) the text of terms and conditions under which each of the above projects given under PPP;
- (e) the progress of each of the above projects;
- (f) whether it is a fact that there is delay in some of the projects; and
- (g) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) to (g) Information is being collected and will be laid on the table of the House.

Declaration of NHs in Madhya Pradesh

‡4583. SHRI RAGHUNANDAN SHARMA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether Madhya Pradesh Government has submitted a proposal to declare some roads as National Highways before Central Government;
- (b) whether Ministry has considered this proposal;
- (c) if so, the current level at which this proposal is being considered; and
- (d) by when this 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 Madhya Pradesh has submitted 4 proposals for declaration of new National Highways. The Ministry has recently declared a 37 km. stretch of State Road from Rajasthan Border to Ratlam as National Highway. The expansion of NH 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.

Plans of Gujarat for 2011-12

4584. SHRI NATUJI HALAJI THAKOR: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state;

- (a) the number of plans and estimates submitted by State Government of Gujarat for the year 2011-12;

‡Original notice of the question was received in Hindi.

- (b) of these, how many have been approved till date; and
- (c) the numbers that are likely to be approved in the current financial year along with likely month of approval of each?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) to (c) Out of 19 estimates received from State Government of Gujarat, 6 estimates have been sanctioned during the year 2011-12 within the available sanction limit. Approval of estimates submitted by State Government is a continuous process and estimate are sanctioned every year based on *inter-se*-priority and availability of funds.

Mumbai-Goa Highway Progress

4585. SHRI HUSAIN DALWAI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether the work of broadening of certain sections of the Mumbai-Goa highway is under progress;
- (b) if so, the details thereof;
- (c) the details of funds sought for by State Government of Maharashtra and provision made against the requirement; and
- (d) the reasons for not providing sufficient funds for this project, completion of which would help in reducing accidents?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) to (d) the works of widening from two lane to four lane from Km 0/00 to km 84/00 (Panvel to Indapur section) under Design Built Operate and Transfer and widening to four lanes from Zarap to Patradevi (Km 0/00 to 21/500) on Mumbai-Goa Highway NH-17 are under progress. Second revised estimate for the project of four laning from Zarap to Patradevi section submitted by the Government of Maharashtra has already been approved for Rs. 264.05 crores.

Road Development Project in Naxal Affected Areas

4586. SHRI PIYUSH GOYAL: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether it is a fact that many road development projects in naxal affected areas have not been completed;
- (b) if so, the details thereof;

- (c) the reasons therefor;
- (d) the amount of money sanctioned for these projects;
- (e) the steps taken by Government to speed up the process of connectivity in the naxal affected areas; and
- (f) the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) Yes Sir.

(b) The detail of ongoing projects in Left Wing Extremism (LWE) affected areas is given in Statement (*See* below).

(c) Completion period for the projects varies from 12 to 36 months based on the size of the project. The works are in different stages of implementation.

(d) Projects for development of 5339 km roads at an estimated cost of Rs. 7463 crore have been sanctioned in 34 Left Wing Extremism affected districts in 8 States.

(e) and (f) State Governments have been asked to initiate the tendering process in advance, after technical approval of the individual projects. This has resulted in early award of works and taking up the construction work immediately after sanction of the projects. Further, relaxation in eligibility criteria has been given to encourage larger participation of contractors for LWE works.

Statement

Detail of ongoing projects in Left Wing Extremism affected areas:

State	Ongoing projects		
	No.	Length in Km	Cost in Rs. Crore
Andhra Pradesh	23	557	1054
Bihar	29	542	511
Chhattisgarh	31	1396	1720
Jharkhand	16	542	728
Madhya Pradesh	4	131	106
Maharashtra	22	363	611
Odisha	13	615	904
Uttar Pradesh	2	67	42

Deaths of Pedestrians in Road Accidents

4587. DR. JANARDHAN WAGHMARE: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the Union Government is aware that a large number of pedestrians are killed in road accidents at a particular stretch of National Highway No. 8;

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

(c) whether representations have been received by the Union Government to construct pedestrian underpass at some selected places on National Highway 8 where accidents are held at large; and

(d) if so, the time by which underpass at those stretches of NH-8 are likely to be constructed?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI TUSHAR CHAUDHARY): (a) and (b) Ministry of Road Transport and Highways collects and compiles information on road accidents from Police Departments of State Governments/UT Administrations in a 19-item format devised under the Asia Pacific Road Accident Database (APRAD) project of the United Nations Economic and Social Commission for the Asia and the Pacific (UNESCAP) region on an annual basis. In this format, NH wise data are not compiled by this Ministry.

(c) Yes, Sir.

(d) During the construction of Delhi-Gurgaon project, two pedestrian underpasses in Delhi, one each at Km. 14.400 near Kendriya Vidyalaya and at km. 23.150 near Rajokri and two more underpasses in Haryana at km. 35.100 near Anaj Mandi and at km. 40.475 near Kherki Daula were provided based on the representations received. As far as NH-8 passing through the states of Gujarat and Rajasthan is concerned, no specific request for construction of pedestrian underpasses have been received. However, from safety consideration, underpasses/structures have been provisioned in Concession Agreement of 4/6 laning of sections of NH-8 under jurisdiction of NHAI in Rajasthan and Gujarat.

Proposals of Andhra Pradesh

4588. SHRIMATI GUNDU SUDHARANI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that State Government of Andhra Pradesh has sent 11 proposals of State Highways to be declared as National Highways;

(b) if so, the details of the proposals; and

(c) the action that the Ministry has taken on the above proposals?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) to (c) The State Government of Andhra Pradesh has submitted 53 proposals for declaration of new National Highways. The details of the proposals are given in Statement (*See below*). The expansion of NH 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.

Statement

Details of proposals submitted by State Government of Andhra Pradesh for declaration of National Highways

Name of the State		Details of Roads/Stretches	Length in Km
1	2	3	4
Andhra Pradesh	1.	Nellore-Atmakur-Badvel-Mydukure-Gooty	314
	2.	Hyderabad-Ramagundam-Mancherla-Chanda	330
	*3.	Hyderabad-Srisailem-Dornala-Atmakur-Nandyal	353.18
	4.	Gundugolnu-Nallageria-devarapalli-Vernagiri road	83
	5.	Krishnapatnam port-Nellore-Chellakara near Chitradurg	470
	6.	Hyderabad-Medak-Bodhan-Basar-Luxettipet	395
	*7.	Kakinada-Dwarapudydi-Rajamundry-Kovvur-Jangareddygudem-Aswaraopeta-Khammam-Suryapeta	310
	8.	Rajamundry-Maredumilli-Chinturu-Bhoopalapatnam	400
	9.	Kurnool-Atmatur-Dornala-Thokapalli-Pericherla-Guntur	300
	10.	Kodad-Miryalaguda-Devarakonda-Tandur-Chincholi	240
	11.	Bellary-Adoni-Raichut-Mehboobnagar-Jadcherla	200
	12.	Kalingapatnam-Srikakulam-Raygadh to NH 201	120
	*13.	Sironcha-Mahadevapur-Parkal-Warangal-Tungaturthi-Nakrekal-Salgonda-Chalakurthi-Macherla-Erragondapalem-Thokapalli-	725

1	2	3	4
	Markapur-Besthavaripeta-Kanigiri-Rapur-Venkatagiri-Erpedu-Renigunta		
14.	Anakapalli-Anadapuram		50
15.	Kuppam-Gundipalli-Kolar to NH 219		70
16.	Kodad-Khammam-Thorrur-Warangal-Jagityal		290
17.	Ananthapur-Uravakonda-Bellary		78
18.	Puthalapattu-Naidupet road		117
19.	Kurnool-Bellary road		126
20.	Tadipatri-Raichur road via ananthapur-Urvakonda road		146.7
*21.	Road from “ Guntur- Vinukonda- Tokapalli-Nandyal Banaganapalli- Owk-Thadapatri-Dharmavaram- Kodur.		530
*22.	Adilabad-Utnoor-Khanapur-Korutla-Vemulawada-Siddipet- Janagon-Suryapeta-Miryalguda-Piuguralla- Narasaraopeta-Vodarevu,		630
23.	Nizampatnam-Repalle-Tenali-Guntur-Vinukonda-Thokapalli- Nandyal-Banaganapalli-Owk-Tadapatri-Dharmavaram-Kodur		625
24.	Krishnapatnamport-Atmakur-Badvel-Mydukur-Proddatur- Jammalamadugu-Gooty		353
25.	Visakhapatnam-Tallapalem-Narsipatnam-Chintapalli-Sileru- Uppersileru-Donkarai-Motigudem-Lakkavaram-Chinturu		238
26.	Visakhapatnam-Pendurthi-Srugavarapukota-Anantagiri- Sunkaravarimetta-Araku-Orissa State Border.		126
27.	Nirmal-Khanapur-Luxettipeta.(extension of NH222)		108
28.	Rajahmundry, Gokavaram, Rampachodavaram, Maredimilli, Chintoor, Bhadrachalam, Charla, Venkatapuram		293
29.	Golaon-Asifabad-Mancheral-Peddapalli-Karimnagar-Warangal- Mahaboobabad-Khammam-Kodad		390
30.	Kodad-Miryalaguda-Devarakonda-Kalwakurthi-Mahaboobnagar- Raichur-Mantralayam-Adoni-Aluru-Uravakonda-Anantapur		580

1	2	3	4
	31.	Tada-Srikalahasi-Renigunta-cuddapah	208
	32.	Gudur-Rapur-Rajampet-Rayachoti-Kadiri-Hindupur-Madakasira	356
	33.	Penugonda-Madakasira-Hirayur	133
	34.	Sangareddy-Narsapur-Bhongir-Chityala-Shadnagar-Chevella-Sangareddy	367
	35.	Pamaru-Challa Palli road	27
	36.	Sangareddy-Nanded-Akola	141
	37.	Hyderabad-Medak-Yellareddi-Banswada-Bodhan	156
	38.	Tirupathi-Naidupeta Road	59
	39.	Hyderabad-Bijapur road (<i>via</i>) Moinabad, Chevella, Manneguda, Kodangal	132.26
	40.	Nandyal-Atmakur-Nandikotkur-Alampur-Aiza road to meet NH in Karnataka	187
	41.	Mangalore (Karnataka) to Thiruvannamalai (Tamilnadu) <i>via</i> Venkatagiri in Andhra Pradesh	24
	42.	Calingapatnam port to meet NH-5 (New NH No. 16) in Srikakulam District	31.60
	43.	Bhimili Port to meet NH-5 (New NH No. 16) in Visakhapatnam Dist.	9.0
	44.	Viskhapatnam port to meet Nh-5 (New NH No. 16) in Visakhapatnam Dist.	12.50
	45.	Gangavaram port to meet NH 5 (NH No. 16) in Visakhapatnam Dist.	3.80
	46.	Kakinada to Rajanagaram (A.D.B.) Roads as New National Highway (new NH. No. 16)	55.80
	47.	Machilipatnam Port to Hanman junction (New NHNo. 16)	60.14
	48.	Nazampatnam-Repalle-Tenali-Guntur Road	94.09
	49.	Up gradation of road from Vadarecu Port to NH-5 (New NH No. 16)	44.73

1	2	3	4
	50.	Ongole to Kothapatnam	17.17
	51.	Krishnapatnam port to NH-5 (New NH no. 16)	19.25
	52.	Port Connectivity Road from Guduru to Krishnapatnam Port	33.20
	53.	Rayachoti-Chinnamandem-Gurramkonda-Kurabalakota	58
	SUB-TOTAL		11219.89

Poor State of Highways in Madhya Pradesh

†4589. SHRI FAGGAN SINGH KULASTE: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government is aware of fact that National Highways in Madhya Pradesh; especially NH No. 7 and NH No. 12A, are in a very poor shape;

(b) if so, whether any plan is being formulated for widening and repairing of the said National Highways;

(c) if so, the details thereof; and

(d) if not, the reasons for not paying attention towards these Highways?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) Responsibility for development and maintenance of National Highways (NH) in the country lies with Ministry of Road Transport and Highways. NHs in the country including NH-7 and NH-12A are maintained to traffic worthy condition subject to availability of funds and *inter-se* priority.

(b) to (d) The development of NHs is a continuous process. Depending on the availability of funds and *inter-se* priority the prioritization of stretches are made and executed.

Safety measures for East-West-Corridor

4590. SHRI BIRENDRA PRASAD BAISHYA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state :

(a) whether it is a fact that number of road accidents are mounting on NH-37 and NH-31 that caused many persons killed and casualties happened as these National Highways is under construction for East-West Corridor;

(b) if so, the details thereof;

†Original notice of the question was received in Hindi.

(c) the details of number of such accidents that took place on NH-31 and NH-37 along with total persons killed and damage occurred since the construction of East West Corridor has been started on these NHs; and

(d) the details of steps taken for safety measures by the National Highways Authority of India and physically obtained by the construction companies entrusted for East-West Corridor to minimize such incidents at ongoing construction sites’?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) No, Sir.

(c) Ministry of Road Transport and Highways collects and compiles information on road accidents from Police Department of State Governments/UT Administrations in a 19-item format devised under the Asia Pacific Road Accident Database (APRAD) project of the United Nations Economic and Social Commission for the Asia and the Pacific (UNESCAP) region on an annual basis. In this format, NH wise data are not compiled by this Ministry.

(d) Adequate safety measures such as signboards/caution board and crash barrier has been provided at the required locations.

Safer roads for pedestrians

4591. SHRI RAJKUMAR DHOOT: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government has put in place an action plan to make roads safe for pedestrians in the country as majority of deaths in road accidents are those of pedestrians; and

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

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI TUSHAR BHAI CHAUDHARY): (a) and (b) Ministry of Road Transport and Highways has taken the following steps to make roads safe for pedestrians in the country:

- (i) Emphasis is given in various aspects pertaining to engineering measures of road safety integrally during planning, development, maintenance and operation stages (wherever applicable) in projects on National Highways (NHs)/Expressways,
- (ii) Various measures are taken for implementation of NH projects primarily under National Highways Development Project (NHDP) to enhance road

safety such as laying of road markings/road signs, installation of crash barriers, guard stones, delineators, etc. Further in many projects, Highway Traffic Management System, using Intelligent Transport System has been introduced.

- (iii) Provision of service roads and paved shoulders are made, *inter-alia* enabling segregation/movement of other slow moving vehicles.
- (iv) Spreading awareness about road safety amongst all road users through print and electronic media.
- (v) Pedestrian under passes/over passes and service lanes are provided for enhancing safety on National Highways and Expressways in the country.
- (vi) Revision of guidelines for pedestrians facilities as published by Indian Road congress as per the current practice in advanced countries.
- (vii) Sensitizing all implementing and enforcement agencies about safety of vulnerable road users including pedestrians by holding a National Workshop on the theme of “improving the safety of most vulnerable road users” held on 3rd April, 2012 in New Delhi.

Approval of Estimates

4592. SHRIMATI SMRITI ZUBIN IRANI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether it is a fact that estimates of works of Approved Annual Plan amounting to Rs. 276.50 crore are pending for approval;
- (b) whether Government is willing to approve all the estimates during 2011-12 if so by when, if not, the reasons therefor;
- (c) whether the Ministry has applied uniform formula for calculation of limit of sanction under NH(o) the formula and State-wise sanction limit *vis-a-vis* allocation and BOS as on 1st April, 2011, if not, the reasons therefor; and
- (d) whether the Ministry intends to approve all the estimates of NH(o) submitted by Government of Gujarat in current year?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) No, Sir.

- (b) and (d) No, Sir. The development and maintenance of National Highways

(NHs) is a continuous process and the improvement works are approved accordingly for being taken up based on the traffic intensity, condition of Pavement and availability of funds.

(c) Yes, Sir. A uniform formula for calculating upper limit for sanction of estimates has been followed depending upon available budget allocation and outstanding liabilities of works in progress. Bank of sanction (BOS) ratio under NH (O) as on 1st April, 2011 is three times of budget allocation for each State except North- Eastern States where BOS ratio is 3.5 times in view of less availability of working season.

Bypass Proposed in Karnataka

4593. SHRI RAJEEV CHANDRASEKHAR: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the number of bypasses proposed to be constructed or which are presently under construction on the National Highways network in the State of Karnataka with details of each such bypass; and

(b) the present status of each of these bypasses?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) There is no standalone bypass in Karnataka State. However, bypasses are to be constructed as a part of a National Highway development project. Details are provided in the Statement.

Statement

Detail is of Bypass to be constructed as a part of National Highway Development Project

Sl.No.	Stretch along with NH No.	Name of the Bypass	Status
Bypasses under construction			
1.	Devihalli-Hassan Section of NH-48	(i) Channarayapatna	Targeted to be completed by June 2013.
2.	Belgaum-Khanapur-Goa / Karnataka Border section of NH-4A	(ii) Belgaum (iii) Khanapur	Under progress
Bypasses proposed to be constructed			
3.	Hoskote-Dobespet Section of NH-207	(i) Devanahalli (ii) Doddaballapur	Target date of completion is Dec., 2015

Sl.No.	Stretch along with NH No.	Name of the Bypass	Status
4.	Hubli-Humnabad Section of NH-218	Navalgund and Naragund	Estimate for feasibility study approved by Ministry for Rs. 45.20 lakhs on 30.03.2012.
5.	NH-218, 63 and 4.	Hubli	Land acquisition is in process.
6.	Hassan-BC Road section of NH-48	Sakaleshpura	Land acquisition and disbursement of payment to land owners is in process.

Delays in National Highway Projects

4594. SHRI S. THANGAVELU: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the National Highway projects have witnessed a lot of delays now a days and some even stretching beyond seven years;

(b) if so, the details thereof;

(c) whether it is a fact that the World Bank which is funding these projects is upset with long delays in the implementation of these projects and asked NHAI to look for alternative ways of awarding contracts to private companies; and

(d) if so, the details thereof and the steps taken by Government to complete the pending NHAI projects within the specific time period?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) Some projects have been delayed beyond the stipulated completion period and a few of them have even stretched beyond seven years. The details of delayed ongoing projects is given in Statement (*See below*).

(c) and (d) Delayed projects are under public funded as well as under BOT scheme. Only one delayed project is with World Bank assistance, which is nearing completion. There is no proposal under consideration regarding alternative ways of awarding contracts to private companies under World Bank loan. In order to expedite implementation of projects Regional Offices each headed by Chief General Manager have been set up by NHAI. High Powered Committee has been constituted

under Chief Secretary in the states, where Regional officer of NHAI acts as a member Secretary along with Principal Secretaries of PWD, Revenue, Power and Water Supply apart from other State Government officials as Members of the committee. The Committee's mandate is expeditious resolution of issues for faster implementation of project *inter-alia* including land acquisition, shifting of utilities and rehabilitation and resettlement. Achievement of targets is being monitored closely. Projects are periodically reviewed at field and at Head Quarters.

Statement

To in reply to Part (a) and (b)

List of delayed under Implementation projects (status as on 31st March 2012)

Sl. No.	Stretch	State Name	NH No.	Total Length (In Km)	Completed Length (In Km)	Funded By	Date of Start	Date of Completion as per Contract	Date of Completion	TPC (Rs.Cr.)	LOA Date	Time overrun (Months)	NHDP Phase Category
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.	Bridges section (WB-III)	West Bengal	6	1.732	0.48	NHAI		Terminated		81	Jan-2001	59	NHDP Phase I
2.	Kelapur-Pimpalkhatti (NS-62)	Maharashtra	7	22	8.5	NHAI		Terminated		117.4	Sep-2005	31	NHDP Phase II
3.	Gundla Pochampalli to Bowenpalli Shivarampalli to Thondapatli (NS-23/AP)	Andhra Pradesh	7	23.1	21.25	NHAI		Terminated		71.57	Sep-2001	53	NHDP Phase I
4.	Borkhedi-Jam (NS-22/MH)	Maharashtra	7	27.4	27	NHAI	Jun-2005	Dec-2007	Apr-2012	110	Feb-2005	52	NHDP Phase II
5.	UP/Bihar Border to Kasia LMNHP-8)	Uttar Pradesh	28	41.115	40.5	WB	Dec-2005	Dec-2008	May-2012	227	Sep-2005	40	NHDP Phase II

Written Answers to

[17 MAY, 2012]

Unstarred Questions

237

1	2	3	4	5	6	7	8	9	10	11	12	13	14
6.	Jhubaneswar-Khurda (OR-I)	Orissa	5	27.15	27.15	NHAI	Jan-2001	Jan-2004	Apr-2012	140.85	Jan-2001	99	NHDP Phase I
7.	Kunjwani to Vijaypur (NS-15/J&K)	Jammu Kashmir	1A	17.2	17.2	NHAI	Jan-2002	Dec-2004	Apr-2012	110	Jan-2002	88	NHDP Phase I
8.	Haldia Port	West Bengal	41	53	52.482	SPV	Sep-2008	Sep-2010	Apr-2012	522	Sep-2002	19	NHDP Phase I
9.	Neelamangsla Junction on NH 4 with NH 48 to Devihalli	Karnataka	48	81	81	BOT	Jan-2008	Jul-2010	Apr-2012	441	Apr-2007	21	NHDP Phase III
10.	Lalitpur-Sagar (ADB-II/C-4)	Madhya Pradesh	26	55	55	ADB	Apr-2006	Oct-2008	Apr-2012	225	Dec-2005	42	NHDP Phase II
11.	Annur to Kadloor Yellareddy (NS-2/AP-1) (Approved Length 60.25)	Andhra Pradesh	7	59	56.225	BOT	Feb-2010	Feb-2012	Apr-2012	390.56	May-2009	2	NHDP Phase II
12.	Pune-Sholapur Pkg-I (Approved Length Pkg I & II 170 Km)	Maharashtra	9	110.05	79	BOT	Nov-2009	Mar-2012	May-2012	1110	Feb-2009	2	NHDP Phase III

13.	Vijaypur to Pathankot (NS-35/J&K)	Jammu Kashmir	1A	30	29.65	NHAI	Sep-2005	Feb-2008	May-2012	193.1	Jun-2005	51	NHDP Phase II
14.	Vijaypur to Pathankot (NS-34/J&K)	Jammu Kashmir	1A	33.65	33.25	NHAI	Sep-2005	Feb-2008	May-2012	166.3	Jun-2005	51	NHDP Phase II
15.	Jammu to Kunjwani (Jammu Bypass) NS-33/J&K	Jammu Kashmir	1A	15	14.7	NHAI	Nov-2005	May-2008	May-2012	85.34	Jun-2005	48	NHDP Phase II
16.	Sonapur to Guwahati (AS-3)	Assam	37	19	16.5	NHAI	Sep-2005	Jun-2009	May-2012	245	Mar-2005	35	NHDP Phase II
17.	Nalbari to Bijni (AS-9)	Assam	31	21.5	19.4	NHAI	Dec-2005	Jun-2008	May-2012	142	May-2005	47	NHDP Phase II
18.	MH Connectivity to ICTT Vallarpadam	Kerala	47C	17.2	15.1	NHAI	Aug-2007	Feb-2010	May-2012	557	May-2007	27	Misc. Projects
19.	Sagar Bypass (ADB-II/C-5)	Madhya Pradesh	26	26	26	ADB	Apr-2006	Oct-2008	May-2012	151.3	Dec-2005	43	NHDP Phase II
20.	Salem-Ulundrupet (BOT-1/TN-06)	Tamil Nadu	68	136.357	133.5	BOT	Jan-2008	Jan-2011	May-2012	941	Mar-2007	16	NHDP Phase III
21.	Gurgaon-Kotputli-Jaipur (Six lane)	Haryana [64.3]/ Rajasthan [161.3]	8	225.6	137.2	BOT	Apr-2009	Oct-2011	Jun-2012	1673.7	Feb-2008	8	NHDP Phase V

Written Answers to

[17 MAY, 2012]

Unstarred Questions 239

1	2	3	4	5	6	7	8	9	10	11	12	13	14
22.	Silchar-Udarband (AS-1)	Assam	54	32	19.5	NHAI	Sep-2004	Sep-2007	Jun-2012	154.57	Sep-2004	57	NHDP Phase II
23.	Nagaon to Dharmatul (AS-2)	Assam	37	25	21.75	NHAI	Dec-2005	Jun-2008	Jun-2012	264.72	Jun-2005	48	NHDP Phase II
24.	Nalbari to Bijni (AS-6)	Assam	31	25	22.5	NHAI	Nov-2005	Jun-2009	Jun-2012	225	Mar-2005	36	NHDP Phase II
25.	Daboka to Nagaon (AS-17)	Assam	36	30.5	30.05	NHAI	Dec-2005	Jun-2008	Jun-2012	225	Apr-2005	48	NHDP Phase II
26.	Dharamtul to Sonapur (AS-19)	Assam	37	25	19.9	NHAI	Dec-2005	Jun-2008	Jun-2012	200	Apr-2005	48	NHDP Phase II
27.	Kotwa to Dewapur (LMNHP-10)	Bihar	28	38	37.5	NHAI	Nov-2005	Nov-2008	Jun-2012	240	Sep-2005	43	NHDP Phase II
28.	Ganga Bridge to Rama Devi Crossing (UP -6)	Uttar Pradesh	25	5.6	1.64	NHAI	Dec-2005	Sep-2008	Jun-2012	201.66	May-2005	45	NHDP Phase II
29.	Surat-Dahisar (Six lane)	Gujarat [118.2]/ Maharashtra 20.77]	8	239	228.497	BOT	Feb-2009	Aug-2011	Jun-2012	1693.75	Feb-2008	10	NHDP Phase V

240 Written Answers to

[RAJYA SABHA]

Unstarred Questions

30. Jhanjhapur to Darbanga (BR 7)	Bihar	57	37.59	37	NHAI	Apr-2006	Sep-200	Jun-201	340	Nov-2005	45	NHDP Phase II
31. Lucknow Bypass (EW-15/UP)	Uttar Pradesh and B	56A	22.85	22.25	NHAI	Mar-2009	Aug-2010	Jun-201	111.78	Sep-2001	22	NHDP Phase I
32. Haveri-Harihar	Karnataka	4	56	56	NHAI	Nov-2008	Jul-2010	Jun-2012	196.65	Mar-2002	23	NHDP Phase I
33. Assam/WB Border to Gairkatta (WB-I)	West Bengal	31C	32	24.2	NHAI	Jun-2006	Nov-2008	Jun-2012	221.82	Jun-2005	43	NHDP Phase II
34. Ganjam-Icchapuram (OR-VIII)	Orissa	5	50.8	50.69	NHAI	Jul-2006	Nov-2008	Jun-2012	263.27	Jun-2001	43	NHDP Phase I
35. Pathankot to Bhogpur (NS-37/PB)	Punjab/ Himanchal Pradesh [11]	1A [29]	40	39.82	NHAI	Nov-2005	May-2008	Jun-2012	284	Jul-2005	49	NHDP Phase II
36. Bijni to Assam/WB Border (AS-II)	Assam	31C	30	15.5	NHAI	Nov-2005	Jun-2008	Jun-2012	195	Jun-2005	48	NHDP Phase II
37. Dharamtul to Sonapur (AS-20)	Assam	37	22	19.5	NHAI	Nov-2005	May-2008	Jun-201 2	160	Apr-2005	49	NHDP Phase II

Written Answers to

[17 MAY, 2012]

Unstarred Questions 241

1	2	3	4	5	6	7	8	9	10	11	12	13	14
38.	Gorakhpur Bypass	Uttar Ptadesh	28	32.6	32.27	Annuity	Apr-2007	Oct-2009	Jun-2012	600.24	Apr-2006	32	NHDP Phase II
39.	Garhmukteshwar- Muradabad	Uttar Pradesh	24	56.25	55.85	NHAI	Mar-2005	Sep-2007	Jun-2012	275	Mar-2005	57	NHDP Phase II
40.	Aurang-Raipur	Chattis- garh	6	43.485	42.5	BOT	Apr-2006	Jan-2009	Jun-2012	190	Mar-2005	41	NHDP Phase III
41.	Nagpur-Kondhali	Maha- rashtra	6	40	39.84	BOT	Jun-2006	Dec-2008	Jun-2012	168	Sep-2005	42	NHDP Phase III
42.	Lucknow-Kanpur (EW/3B)	Uttar Pradesh	25	16	15.3	NHAI	Feb-2010	Aug-2011	Jun-2012	54	Dec-2003	10	NHDP Phase I
43.	Hapur-Garhmukteshwar	Uttar Pradesh	24	35	32.6	NHAI	Mar-2005	Sep-2007	Jun-2012	220	Mar-2005	57	NHDP Phase II
44.	Agra-Shikohabad (GTRIP/I-A)	Uttar Pradesh	2	50.83	50.76	WB	Mar-2002	Mar-2005	Jun-2012	367.49	Mar-2002	87	NHDP Phase I
45.	Orai to Jhansi (UP-S)	Uttar Pradesh	25	50	49.85	ADB	Sep-2005	Mar-2008	Jun-2012	340.68	May-2005	51	NHDP Phase II
46.	End of Durg Bypass- Chaltisgarh/Maharash- tra Border	Chattis- garh	6	82.685	82	BOT	Jan-2008	Jan-2011	Jun-2012	464	Dec-2006	17	NHDP Phase III

47. Harihar-Chitradurga	Karna- taka	4	77	77	NHAI	Oct-2008	Jun-2010	Jun-2012	207.56	Mar-2002	24	NHDP Phase I
48. Natbari to Bijni (AS-8)	Assam	31	30	27.94	NHAI	Dec-2005	Jun-2008	Jun-2012	200	May-2005	48	NHDP Phase II
49. New Mangalore Port	Karna- taka	3, 17 and 48	37	36.74	SPV	Jun-2005	Dec-2007	Jun-2012	196.5	Mar-2005	54	NHDP Phase I
50. Tuticorin Port	Tamil Nadu	7A	47.2	40.5	SPV	Apr-2010	Apr-2012	Jul-2012	182.25	Feb-2004	3	NHDP Phase I
51. Surtakhala-Ganjam (OR-VII)	Odisha	5	55.713	47.79	NHAI	Oct-2009	Oct-2011	Jul-2012	241.53	Aug-2001	9	NHDP Phase I
52. Balasore-Bhadrak (OR-III)	Odisha	5	62.64	52.61	NHAI	Dec-2008	Dec-2010	Jul-2012	228.7	May-2001	19	NHDP Phase I
53. Bijni to Assam/WB Border (AS-12)	Assam	31C	30	27.2	NHAI	Nov-2005	Jun-2008	Sep-2012	230	Jul-2005	54	NHDP Phase II
54. Kota Bypass (RJ-4)	Rajas- than	76	26.42	26.35	NHAI	May-2006	Nov-2008	Sep-2012	250.39	Sep-2005	46	NHDP Phase II
55. Rajmarg Choraha to Lakhandon (ADB-II/C-9)	Madhya Pradesh	26	54.7	51.06	ADB	Apr-2006	Oct-2008	Sep-2012	229.91	Dec-2005	47	NHDP Phase II

Written Answers to

[17 MAY, 2012]

Unstarred Questions

243

1	2	3	4	5	6	7	8	9	10	11	12	13	14
56.	Four laning from MP/ Maharashtra border to Nagpur I/C Kamptee Kanoon and Nagpur bypass	Maha-rashtra	7	95	58.5	BOT	Apr-2010	Jun-2012	Oct-2012.	1170.52	Aug-2009	4	NHDP Phase II
57.	Srinagar Bypass (Bridge Portion) (NS-30A)	Jammu Kashmir	1A	1.23	0	NHAI	Jun-2006	Dec-2008	Oct-2012	62.96	Aug-2006	46	NHDP Phase II
58.	Laklinadon to MP/MH Border (NS-I/BOT/MP-3)	Madhya Pradesh	7	56.475	27.73	Annuity	Dec-2007	Jun-2010	Oct-201 2	407.6	Jan-2007	28	NHDP Phase II
59.	Lakhnadon to MP/MH Border (NS-I/BOT/MP-2)	Madhya Pradesh	7	49.35	40.11	Annuity	Mar-2007	Sep-2009	Oct-201 2	263.17	Apr-2006	37	NHDP Phase II
60.	Wadner-Devdhari (NS-60/MH)	Mahara-shtra	7	29	0	NHAI	Feb-2011	Nov-2010	Nov-2012	193.45	Apr-2005	24	NHDP Phase II
61.	Thanjarur-Trichy	Tamil Nadu	67	56	54.2	BOT	Dec-2006	Jun-2009	Nov-2012	280	Feb-2006	41	NHDP Phase III
62.	Gwalior-Jhansi	Madhya Pradesh[68.5] Uttar Pradesh[11.5]	75	80	52.77	Annuity	Jun-2007	Dec-2009	Dec-2012	604	May-2006	36	NHDP Phase II

63.	Gwalior Bypass (NS-/BOT/MP-I)	Madhya Pradesh	75 3	42	40.45	Annuity	Apr-2007	Oct-2009	Dec-2012	300.93	May-2006	38	NHDP Phase II
64.	Brahmaputra Bridge (AS-28)	Assam	31	5	0	NHAI	Oct-2006	Apr-2010	Dec-2012	217.61	May-2006	32	NHDP Phase II
65.	Nalbari to Bijni (AS-7)	Assam	31	27.3	18	NHAI	Oct-2005	Apr-2008	Dec-2012	208	May-2005	56	NHDP Phase II
66.	Guwahati to Nalbari (AS-4)	Assam	31	28	10.6	NHAI	Dec-2005	Apr-2008	Dec-2012	175.96	Jun-2005	56	NHDP Phase II
67.	Guwahati to Nalbari (AS-5)	Assam	31	28	15.5	NHAI	Oct-2005	Apr-2008	Dec-2012	198.16	Jun-2005	56	NHDP Phase II
68.	Forbesganj-Simrahi (BR-3)	Bihar	57	34.87	32	NHAI	Apr-2006	Sep-2008	Dec-2012	332.94	Nov-2005	51	NHDP Phase II
69.	Deewapur to UP/Bihar Border (LMNHP-9)	Bihar	28	41.085	29.28	NHAI	Nov-2005	Ocl-2008	Dec-2012	300	Sep-2005	50	NHDP Phase II
70.	Delhi/Haryana Border to Rohtak	Haryana	10	63.49	58	BOT	May-2008	May-2010	Dec-2012	486	Jul-2007	31	NHDP Phase III
71.	Bijni to Assam/WB Border (AS-10)	Assam	31C	33	25.08	NHAI	Nov-2005	Jun-2008	Dec-2012	237.8	Jun-2005	54	NHDP Phase II
72.	Dholpur-Morena Section including chambal bridge) NS-I/RJ-MP/1	Madhya Pradesh [1]/ Rajastlian [9]	3	10	6.855	NHAI	Sep-2007	Sep-2010	Dec-2012	232.45	Jun-2007	27	NHDP Phase II

Written Answers to

[17 MAY, 2012]

Unstarred Questions 245

1	2	3	4	5	6	7	8	9	10	11	12	13	14
73.	Jhansi to Lalitpur (NS-I/BOT/UP-2)	Uttar Pradesh	25, 26	49.7	44.38	Annuity	Mar-2007	Sep-2009	Dec-2012	355.06	Apr-2006	39	NHDP Phase II
74.	Siliguri to Islampur (WB-7)	West Bengal	31	26	18.06	NHAI	Jan-2006	Jul-2008	Dec-2012	225	Oct-2005	53	NHDP Phase II
75.	Rajmarg Choraha to Lahknadon (ADB-II/C-8)	Madhya Pradesh	26	54	46	ADB	Apr-2006	Oct-2008	Dec-2012	251.03	Dec-2005	50	NHDP Phase II
76.	Sagar -Rajmarg Choraha (ADB-II/C-6)	Madhya Pradesh	26	44	40.84	ADB	Apr-2006	Oct-2008	Dec-2012	203.43	Dec-2005	50	NHDP Phase II
77.	Maibang to Lumding (AS-27)	Assam	54	21	0	NHAI	Oct-2006	Apr-2009	Mar-2013	200	Feb-2006	47	NHDP Phase II
78.	Harangajo to Maibang (AS-23)	Assam	54	16	11.08	NHAI	Aug-2006	Feb-2009	Mar-2013	280	Mar-2006	49	NHDP Phase II
79.	Trichy-Karur	Tamil Nadu	67	79.7	69.5	BOT	Jan-200	Jul-2010	Mar-2013	516	Mar-2007	32	NHDP Phase III
80.	Upgradation of Hyderabad-Bangalore Section (Upgradation on emting Six Lane)	Karnataka	7	22.12	13.35	BOT	Nov-2010	Nov-2012	Apr-2013	680	Feb-2010	5	NHDP Phase VII

81. New 4 laning Agra Bypass NS-I/UP-1)	Uttar Pradesh	2, 3	32.8	0	NHAI	Oct-2007	Oct-2010	Jun-2013	465.5	Jun-2007	32	NHDP Phase II
82. Amritsar-Pathankot Approved Length 101Km)	Punjab	15	106	27.28	BOT	May-2010	Nov-2012	Jun-2013	705	Jul-2009	7	NHDP Phase III
83. Pathankot to Jammu and Kashmir Border (NS-36/J&K)	Punjab	1A	19.65	18.65	NHAI	Nov-2005	May-2008	Jun-2013	97-73	Jun-2005	61	NHDP Phase II
84. Chilkaluripet-Vijayawada Six Lane)	Andhra Pradesh	5	825	21.7	BOT	May-2009	Oct-2011	Jun-2013	572.3	Feb-2008	20	NHDP Phase V
85. Panipat-Jalandhar (Six lane)	Haryana [116]/ Punjab[I75.11]	1	291	215.93	BOT	May-2009	May-2011	Aug-2013	2288	Feb-2008	27	NHDP Phase V
86. Chambal Bridge (RJ-5)	Rajasthan	76	1.4	0	NHAI	Nov-2006	Feb-2010	Dec-2013	281.31	Jun-2006	46	NHDP Phase II
87. Chennai-Tada (Six lane)	Tamil Nadu	5	43.4	6	BOT	Apr-2009	Oct-2011	Mar-2014	353.37	Feb-2008	29	NHDP Phase V

Written Answers to

[17 MAY, 2012]

Unstarred Questions 247

Persons violated the Traffic Rules

4595. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that 7115 persons have been prosecuted and 2200 persons have gone to jail in Delhi in 2012 for violating the traffic and majority of people caught driving are young and highly educated; and

(b) the precaution taken by Government to prevent drunk driving?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI TUSHAR BHAI CHAUDHARY): (a) 7115 persons were prosecuted and 2200 persons were awarded imprisonment (upto 15.04.2012) for drunken driving in the NCT of Delhi. However data is not available regarding age and education level of these violators.

(b) The following steps have been initiated by the Government to curb the number of road accidents caused by drunken driving:—

- (i) All State Governments have been advised for strict enforcement of Section 185 of Motor Vehicles Act, 1988 which provides for punishment of imprisonment or fine or both for the offence of drunken driving cases.
- (ii) All the State Government/UTs have been advised that no license is issued to liquor vendors along National Highways. Further they have also been requested to review cases where licence has already been given for liquor vendors along National Highways and to take corrective action.
- (iii) Ministry as well various State Governments undertake campaigns through print and electronic media to spread awareness about dangers of drunken driving.
- (iv) Motor Vehicles (Amendment) Bill, 2007, which provides for enhanced fines for the offence of drunken driving and other traffic violations has already been introduced in the current session of the Parliament and the same has already been passed in the Rajya Sabha on 08.05.2012.
- (v) Delhi Police has laid special emphasis on enforcement action against drunken driving in the NCT of Delhi. Special drives alongwith mobile patrolling and group checking for drunken driving are conducted at important vulnerable locations in NCT of Delhi.

Road viability gap

4596. SHRIMATI T. RATNABAI:

SHRI MOHD. ALI KHAN:

Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether the road viability gap finding may be halved;
- (b) if so, the details thereof and reasons therefor; and
- (c) the views of each State, especially Andhra Pradesh in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) No, sir.

(b) and (c) Do not arise.

Establishing of non-major ports

4597. SHRI PYARIMOHAN MOHAPATRA: Will the Minister of SHIPPING be pleased to state:

- (a) the reasons for which the Ministry is trying to stifle the initiatives of State Government for establishing non-major ports by attempting Central Legislation like Port Regulation Authority Bill, 2011; and
- (b) in view of the federal structure of the polity, whether the Ministry would refrain from interfering with the authority of State Governments and arrogating the States' power to itself?

THE MINISTER OF SHIPPING (SHRI G.K. VASAN): (a) and (b) No final decision has been taken in regard to the Ports Regulatory Authority Bill, 2011. An Inter-Ministerial Task Force under the Chairmanship of Member (Transport), Planning Commission was constituted to make appropriate recommendation regarding regulation/deregulation of Port Tariffs. There is no question of stifling initiative of State Governments or to interfere with their authority.

Visit of high level delegation from India

4598. SHRI NAND KUMAR SAI: Will the Minister of SHIPPING be pleased to state:

- (a) whether a high level delegation from India has visited the Netherland and held discussions related to Ports, Maritime Transport and Logistics etc;

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

(c) the details of the issues on which both the countries have agreed and signed Memorandum of Understandings;

(d) whether the Dredging Corporation of India proposes to procure 9000 Cubic Metres Hopper Capacity Dredgers; and

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

THE MINISTER OF SHIPPING (SHRI G.K. VASAN): (a) to (c) A delegation of senior officers of Ministry of Shipping and Dredging Corporation of India Limited visited the Netherlands under my leadership for attending the launching ceremony of 1st Dredger (DCI DR-X1X, Yard No. 1264) on 2.4.2012.

A Secretary level meeting was held between India and the Netherlands and discussions held on the issues related to—Environment, Investments in Port / Sector etc. No Memorandum of Understanding was signed.

(d) No, Sir.

(e) Does not arise.

Development of Major and Minor Ports

4599. SHRI ANIL MADHAV DAVE: Will the Minister of SHIPPING be pleased to state:

(a) the plans of Government to develop major and minor ports across India's coastline;

(b) the existing capacity, proposed capacity and time by which these are expected to be fully developed; and

(c) the number of proposals for the development of ports cleared and pending with the Government in last two years?

THE MINISTER OF SHIPPING (SHRI G.K. VASAN): (a) As per Indian Ports Act, 1908, the development of Minor/Non-Major Ports vest with respective State Governments. As regards Major Ports, they are under the control of Government of India. In the 12th Five Year Plan the Government of India has proposed to invest Rs. 73,793.95 crore for development of various projects in port sector.

(b) The existing capacity by the end of March, 2012 of Major Ports is 689.83 million tonnes per annum. As per 12th Five year plan the capacity of Major Ports will be increased to 1229.24 million tonnes per annum by the end of March, 2017. In

the year 2012-13, 25 Projects have been identified for award at various Major Ports in the country under Public Private Partnership mode.

(c) The numbers of projects cleared in the last two years for award in Major Ports are as under:

	2010-11	2011-12
(i) Public Private Partnership Projects	9	3
(ii) National Maritime Development Programme	13	5

Funds for carrying goods by Indian Ships

4600. SHRI A. ELAVARASAN: Will the Minister of SHIPPING be pleased to state:

(a) whether Government appointed working group asked the exporters and importers with more than a pre-specified annual turnover to compulsorily use Indian ships for carrying a third of their goods;

(b) if so, the details thereof;

(c) whether the move is expected to boost the cargo share of national carriers and also help expand Indian tonnage and even lead to FDI inflow in the sector as there has been hardly any investment in shipping because there is no special advantage in operating under the Indian flag; and

(d) if so, the details thereof?

THE MINISTER OF SHIPPING (SHRI G.K. VASAN): (a) No, Sir.

(b) to (d) Do not arise.

Office of ADG (Shipping) in Gujarat

4601. SHRI BHARATSINH PRABHATSINH PARMAR:

SHRI PARSHOTTAM KHODABHAI RUPALA:

Will the Minister of SHIPPING be pleased to state:

(a) the reasons for the Ministry in not considering to set up office of Additional Director General of Shipping in Gujarat State even though Gujarat has longest coastal line of our nation and it will boost up cargo movement from Gujarat State which will also boost up economic growth of nation; and

(b) whether Government has conducted any survey in this regard; if so, the details thereof?

THE MINISTER OF SHIPPING (SHRI G.K. VASAN): There is no proposal for setting up office of the Additional Director General of Shipping in Gujarat. Gujarat State is already having a full fledged office at the level of the Principal Officer-cum-Joint Director General of Shipping (Tech.), Mercantile Marine Department at Kandla and Surveyor-in-Charge-cum-Deputy Director General of Shipping (Tech.), Mercantile Marine Department at Jamnagar. These are adequate to service the said requirements in Gujarat.

(b) No, Sir.

Begging Tendency

†4602. SHRIMATI MAYA SINGH: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the details of the schemes being run for the begging children and women in the metropolitan cities of the country along with the amount spent on these schemes in the last five years;

(b) whether it is a fact that despite these ongoing schemes the number of street beggars has not come down as expected;

(c) whether the factors, due to which the tendency of begging has not decreased, have been ascertained; and

(d) the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) The details on the basis of available informations are given in Statement (*See* below).

(b) to (d) No authentic information is available in this regard.

Statement

Details of Schemes being run for the begging children and women in the Metropolitanities of the Country and amount spent on these schemes in the last five years

1. The Government of NCT of Delhi has informed that the Bombay Prevention of Begging Act 1959 has been extended to the NCT of Delhi in the year 1960. Under the said Act, the following steps are being taken;

- 11 Certified Institutions including specifically two female beggars homes namely, Home for Able and Disable Female Beggars (HADFB) and Home for Able, Disable and Diseased Female Beggars (HADDDB) have been set up;

†Original notice of the question was received in Hindi.

- Beggars Courts has been set up for production and trial of female beggars;
- Those remanded to Female Beggar Homes are provided basic amenities like food, medical facility, recreational activities, counselling and psycho social support, clothing, bedding etc. during the period of their detention;
- Vocational training is imparted to the able bodied beggars during their stay in certified homes;
- Agencies like Temple Committees have been requested to help in discouraging begging in the public places like temple etc; and
- Children along with the female beggars if they are below five years of age are educated through play way method, pictures and charts for their all round development. The children above five year of age are being transferred to respective children Home run by the Department of Women and Child Development for further education and care through Child Welfare Committee.

Amount spent on two female beggar Homes in the year

(Rs. in lakh)

Year	HADFB (Non-Plan)	HADDFB (Non-Plan)	Plan
2007-08	16.92	19.68	
2008-09	18.66	28.73	
2009-10	24.14	33.25	
2010-11	25.10	34.56	0.88
2011-12	31.66	39.48	

2. The **Government of Maharashtra** has informed that as per provisions of Juvenile Justice Act, 2000, child beggars are produced before the Child Welfare Committees and then admitted to Children's Homes/Observation Homes for education, training and rehabilitation. There are 39 such Children's homes in Mumbai, 59 in Pune and 27 in Nagpur where such child beggars are admitted through Child Welfare Committees. The amount spent is Rs. 950/- per child per month for food, clothing and other expenses in the institution. Mostly these children stay in the homes for a limited period and are then released back to their parents on the orders of the Child Welfare Committees.

So far as women beggars are concerned, they are rounded up by the police under the provisions of the Bombay Prevention of Begging Act, 1959 and produced before a Magistrate. Thereafter, they are remanded to beggars homes for a period of 1 to 3 years as per the Court's orders. They are given training or kept gainfully occupied in activities such as broom making, nursery, plantation etc. in the beggars homes. There are 2 number of Women's beggars homes in the State with a capacity of 500.

The full cost of meals and shelter *i.e.* including food grains, vegetables, pulses, clothing etc. in these beggars homes are borne by the Government. However, the budget/expenditure on these children homes and beggars homes for the last five years is not readily available.

3. The **Government of Tamil Nadu** has informed that persons convicted by the Judicial Magistrates are kept in the Government Care Camp at Melpakkam and provided with free boarding, lodging, clothing, medical facilities. They are also given training in various trades like weaving, carpentry, pottery and tailoring.

Two towels, two sets of shirts and shorts to the male inmates and two sets of sarees and blouses to the female inmates are supplied once in a year. Apart from this, free dhotis and sarees are supplied on the Pongal Day. Inmates are provided with mats, bedsheets, plates and coconut oil, etc. On completion of the conviction period, they are sent back to their native place.

The expenditure details for the last five years are given below:

Year	Physical		Financial	
	Target	Achievement	Target	Achievement
	(No. of Beneficiaries)		(Rs. in lakh)	
2007-08	950	112	82.17	45.26
2008-09	950	161	63.43	54.68
2009-10	950	139	72.37	70.10
2010-11	950	78	81.00	71.53
2011-12	950	78	84.02	69.14

Percentage of population of SCs, STs, and OBCs in Odisha

4603. SHRI BAISHNAB PARIDA: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether it is a fact that in Odisha State, the percentage of population of STs is 24 per cent, SCs 14 per cent and OBCs 52 per cent of the total population;

(b) if so, in order to meet the ends of justice to OBC community under 9th Schedule of the Constitution, the reservation in Government vacancies need to be increased to 69 per cent as has been done in Tamil Nadu and Karnataka States in terms of provisions of the Constitution; and

(c) if so, the action plan of Government to fall in line with the above provisions of the Constitution to help the OBCs of Odisha region?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) As per 2001 census report, the percentage of population of STs and SCs in the State of Odisha is 23.13% and 16.53% respectively. The percentage of population of OBC category in the State is not available separately.

(b) and (c) At present, no such proposal is under consideration.

School for blind children

4604. SHRI N. BALAGANGA: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Government is running any schools for the blind children in the country;

(b) if so, the details thereof including the number of such schools functioning in the country, State-wise;

(c) whether such schools are being funded by Government; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (D. NAPOLEON): (a) to (d) As per entry No. 9 in the 'State List' of the Seventh Schedule of the Constitution "Relief of the Disabled and Unemployable" is a State Subject. However, the Central Government supplements the efforts of the State Governments in this regard.

Under the Deendayal Disabled Rehabilitation Scheme (DDRS), financial assistance is provided to non-governmental organizations for running various projects including Special Schools for the children with visual impairment. State-wise details of such schools assisted under DDRS during the year 2011-12 are given in Statement.

Statement***Details of schools assisted under DDRS***

Sl .No.	State	Number of schools for children with visual impairment assisted under DDRS
1.	Andhra Pradesh	07
2.	Bihar	02
3.	Chhattisgarh	01
4.	Delhi	03
5.	Haryana	03
6.	Himachal Pradesh	01
7.	Karnataka	11
8.	Kerala	02
9.	Madhya Pradesh	02
10.	Mizoram	01
11.	Odisha	08
12.	Punjab	03
13.	Rajasthan	03
14.	Tamil Nadu	07
15.	Uttar Pradesh	05
16.	West Bengal	5
TOTAL		64

Prevention of atrocities against the SCs and STs

4605. DR. BHALCHANDRA MUNGEKAR: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the steps being taken by Government to improve the extremely low conviction rate on the application of the prevention of atrocities against the SCs and STs Act, 1989;

- (b) the response of various State Governments, the details thereof;
- (c) whether Government is thinking to amend the Act for its better implementation; and
- (d) if so, specify the broad potential provisions?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) and (b) The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (PoA Act) is implemented by the respective State Governments and Union Territory Administrations. With a view to ensure its effective implementation, following steps are taken by the Ministry:

- (i) Central assistance is provided to States Union Territories, *inter-alia*, for:
 - (a) strengthening the enforcement and judicial machinery,
 - (b) relief and rehabilitation of the affected persons, and
 - (c) awareness generation.
- (ii) Central Government has, by notification dated 23.12.2011, amended rules under the PoA Act and effected an increase-generally of 150% in the minimum scale of relief for victims of various types of atrocities.
- (iii) A Committee constituted, in 2006, under the Chairpersonship of the Union Minister for Social Justice and Empowerment, has so far held seventeen meetings wherein implementation of the PoA Act in 24 States and 4 Union Territories has been reviewed. Important points emerging from the review are followed up with State Governments.
- (iv) Offences under the PoA Act are reviewed, *inter-alia*, in the Conference of Ministers/Secretaries in charge of Social Justice /Welfare, organized by the Ministry every year.
- (v) On the request of this Ministry, the Ministry of Home Affairs organized a one-day meeting of Ministers of Home and Social Justice/Welfare, Principal Secretaries of Home, and SC/ST Development Departments, and DGPs of States, on 17.04.2012, on curbing atrocities against SCs/STs,
- (vi) The more heinous crimes reported in the media are followed up with the State Governments for effective action.
- (vii) Dr. Ambedkar Foundation, an autonomous organization under this Ministry, also implements a Scheme to provide relief to SC victims of heinous crimes.
- (viii) Awareness generation about provisions of the Act.

(c) and (d) The Ministry has invited considered views of concerned Ministries, State Governments/Union Territory Administrations and concerned agencies regarding amendments in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Menace of begging on the road

4606. SHRI JAI PRAKASH NARAYAN SINGH:

SHRI SALIM ANSARI:

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether it is a fact that on the major thorough fares of National Capital of Delhi, poor children and women are seen begging at traffic junctions;

(b) whether these children and women are reported to be orphaned or abandoned children;

(c) if so, the details in this regard; and

(d) the steps Government has taken or proposes to take to stop completely the menace of begging on the road of NCT?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) The Government of NCT of Delhi has informed that on major thoroughfare of NCT of Delhi, poor children and women are seen begging at traffic junctions.

(b) and (c) There is no authentic information available in this regard.

(d) The Bombay Prevention of Begging Act, 1959 has been extended to the NCT of Delhi in the year 1960. The following steps are being taken by the Government of NCT of Delhi under the Act:

(i) Anti-begging teams are operational to apprehend beggars from different places of Delhi. Those apprehended beggars are produced before designated Beggars Courts;

(ii) Those remanded to Beggar Homes are provided with food, medical facility, recreational activities, counselling and psycho social support, clothing, bedding, etc. during the period of their detention; and

(iii) Vocational training is imparted to the able bodied beggars and they are paid stipend for the vocational training.

Harassment to the disabled passengers in flights

4607. SHRI D. RAJA:

SHRI M.P. ACHUTHAN:

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Government's attention has been drawn to the two recent incidents wherein a women passenger with cerebral palsy was rudely deplaned by a Spicejet flights and a woman suffering from muscular dystrophy was harassed by Jet Airways functionary, not recognizing and respecting the human rights of the disabled people;

(b) if so, the details thereof; and

(c) the steps being taken, if any, by the Minister to impress upon the Civil Aviation Ministry the need to discipline those who wilfully flouted the DGCA's guidelines in this case?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) and (b) Yes, Sir. As per information provided by Ministry of Civil Aviation, Ms. Jeeja Ghosh, suffering from cerebral palsy, was de-boarded from the Spicejet flight SG-803 at Kolkata on 19.02.2012 and Ms. Anjlee Agarwal, suffering from muscular dystrophy was reportedly harassed by personnel of Jet Airways while traveling between Delhi and Raipur by Jet Connect flight No. 9W2211 in Feb, 2012. Ministry of Civil Aviation has constituted a Committee to look into the best practices in the world on dealing with air travel of persons with disabilities. The Committee would give suggestions for appropriate modification of the civil aviation requirements and for the improvement of designs of airline websites, accessories, facilities/infrastructure etc. specially meant to facilitate comfortable air travel for the persons with disabilities.

(c) The Ministry of Social Justice and Empowerment through its Minister has impressed upon the Ministry of Civil Aviation to include vital issue of sensitization of staff of commercial airlines and airport operators in disability issues as one of the terms of reference of the above Committee constituted for the purpose of reviewing the existing guidelines for carriage of persons with reduced mobility and disability.

Setting up National Council for Senior Citizens

4608. SHRI AMBETH RAJAN: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state;

(a) whether the Ministry proposes to set up a National Council for Senior Citizens;

- (b) if so, the details of mandate of the Council; and
- (c) tentative time by which the Council will be set up?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) to (c) The National Council for Older Persons had been reconstituted and renamed as National Council of Senior Citizens (NCSrC). A Resolution dated 17th February, 2012 to this effect had already been published in the Gazette of India Extraordinary on 22nd February, 2012. The NCSrC will advise Central and State Governments on the entire gamut of issues related to welfare of senior citizens and enhancement of their quality of life, with special reference to policies, programmes and legislative measures; promotion of physical and financial security, health, and independent and productive living; and awareness generation and community mobilization.

Entry into Odisha temple

4609. SHRI NANDI YELLAIAH: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether it is a fact that Chairman of the National Commission for Scheduled Castes was recently prohibited to enter a Odisha temple by the temple authorities in a conspired planned manner, by closing the entrance gate; and
- (b) if so, the subsequent rules framed and followed by the Ministry to put an end to such type of untouchability in India, which is still going on in several temples of India?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) National Commission for Scheduled Castes has confirmed the incident.

- (b) Preventing any person from entering any place of worship which is open to other persons professing the same religion or any section thereof, as such person, on the ground of "Untouchability" is already an offence under Section 3 of the Protection of Civil Rights Act, 1955.

Teaching Posts in DDU Institutes for Physically Handicapped

4610. SHRI PRABHAT JHA:

SHRIMATI KUSLM RAI:

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) the details of sanctioned strength of assistant professor/lecturer,

associate professors and demonstrators for physiotherapy and occupational therapy courses in Ft. Deen Dayal Upadhyay Institute for Physically Handicapped, New Delhi;

(b) the details of existing strength for above posts in the institute at present;

(c) whether there is huge gap between sanctioned and existing strength for these posts;

(d) if so, the reasons therefor;

(e) whether staff inspection unit of Ministry of Finance and Standing Committee of the Institute have recommended from time to time for creation of teaching posts; and

(f) if so, the reasons for non-creation of these posts?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) and (b) Details of sanctioned strength and actual strength of assistant professor/lecturer, demonstrators for Physiotherapy and Occupational Therapy courses in PDUIPH, New Delhi are as follows:

Name of posts	Sanctioned strength	Actual strength
Physiotherapy (PT)		
Assistant Professor	01	01
Lecturer	01	01
Demonstrator	03	02
Occupational Therapy (OT)		
Assistant Professor	01	01
Lecturer	01	01
Demonstrator	03	02
TOTAL	10	08

(c) and (d) There is no huge gap between sanctioned and existing strength for these posts, Filling up vacant posts, as per prescribed procedure, is a continuous process.

(e) and (f) The Staff Inspection Unit (SIU) of the Ministry of Finance, submitted its report on work measurement study of the Institute on 30th July, 2009. SIU has recommended for creation of 30 posts including 15 teaching posts and abolition of 99 posts in various grades. After having examined the report, Ministry has asked the Institute to take further necessary action in the matter.

Post matric scholarship for OBC students of Maharashtra

4611. DR. BHARATKUMAR RAUT: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether it is a fact that the proposal for release of Central assistance under Post Matric Scholarship for Other Backward Class students of Maharashtra State is long pending before the Ministry;

(b) whether a proposal for reimbursement of Rs. 1595.20 crores spent by the State Government during 2001-02 to 2011-12 under this scheme has been submitted to the Ministry as the aforesaid scheme is totally Centrally sponsored scheme; and

(c) by when it is likely to be released?

THE MINISTER OF STATE IN MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) to (c) Proposal for release of Rs. 1414.11 crore for the period 2001-02 to 2011-12 under the Centrally Sponsored Scheme of Post-Matric Scholarship to students belonging to Other Backward Classes was received from the State Government of Maharashtra during 2011-12. An amount of Rs. 191.35 crore was released to State Government of Maharashtra during the said period under the above scheme, against the total amount of Rs. 1537.73 crore released to all State Governments/Union Territories under the scheme. Funds are released based on annual budgetary allocations and no arrear payments are made to State Governments/Union Territories.

Quota for OBCs in government services

4612. SHRI BAISHNAB PARIDA: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether the quota for OBCs in Government services in Odisha State has been reduced from 27 per cent to 11 per cent in view of the judgement of Odisha High Court, as the total reservation quota need not cross 50 per cent of the total, in view of constitutional provisions;

(b) whether in Tamil Nadu and Karnataka States, such a quota has been increased, under Schedule IX of the Constitution;

(c) whether it is proposed to increase this quota for OBCs in Odisha State as well, to meet the ends of justice for OBCs, under the above Schedule of the Constitution, since the OBC, ST and SC population is more than 90 per cent of the Odisha's total population; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) This matter concerns the State Government of Odisha.

(b) The Tamil Nadu, Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of Seats in Educational Institution and of Appointments or Posts in the Services under the State) Act, 1993 (Tamil Nadu Act 45 of 1994) was included in the IX Schedule of the Constitution of India. No similar amendment has been carried out in respect of Karnataka.

Development of hospitals and coaching centres for OBCs in Odisha

4613. SHRI BAISHNAB PARIDA: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the details of funds that have since been given by Government for development of hostels and coaching centres for OBCs and their wards in Odisha State;

(b) the details of infrastructure that has since been created out of these funds;

(c) whether such funds are best used for these infrastructure even where the matching grants are not given by the State Government;

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

(e) the action plan to ensure that Central funds are utilized for the purpose for which these are given to the State authorities?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) The Ministry of Social Justice and Empowerment have released a sum of Rs. 461.71 lakh to the State Government of Odisha for construction of hostels for OBC Boys and Girls during the period 2002-03 to 2011-12. Under the Scheme of "Free Coaching for SC and OBC students", grant-in-aid is released to various institutions only for providing coaching to SC and OBC students, but no grant-in-aid is provided for development of coaching centres.

Under this Scheme, Rs. 39.52 lakh have been released from 2007-08 to 2011-12 for running of coaching centres in the State of Odisha.

(b) to (d) Government of Odisha have reported that eight (8) hostels have been completed, utilizing the central assistance and matching state government contribution.

(e) The Utilization Certificate and progress report on the construction of the hostels are received from the State Government from time to time. Further, Central assistance is released to the State Government during the financial year on the basis their confirmation that matching share has been provided in the State Budget.

Villages covered under PMAGY in Karnataka

4614. SHRI RAJEEV CHANDRASEKHAR: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether it is a fact that a Central Scheme, Pradhan Mantri Adarsh Gram Yojana (PMAGY) is being implemented by Government for villages with more than 50 per cent Scheduled Caste population;

(b) if so, the details thereof;

(c) how many villages in Karnataka have been covered under the PMAGY, district-wise; and

(d) what facilities have so far been provided to these villages in the State under the scheme?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) and (b) The Centrally Sponsored Pilot Scheme of "Pradhan Mantri Adarsh Gram Yojana" is being implemented in 1000 selected villages having more than 50% Scheduled Castes (SC) population, in five States viz. Assam (100 villages), Bihar, Himachal Pradesh, Rajasthan and Tamil Nadu (225 villages each).

(c) and (d) Karnataka has not been included in the pilot phase.

Survey to ascertain differently abled persons

†4615. SHRI BHAGAT SINGH KOSHYARI: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether any survey has been conducted by Government during past three years to ascertain the number of differently abled persons;

†Original notice of the question was received in Hindi.

- (b) if so, the State-wise details thereof and the results thereof;
- (c) the steps taken/proposed to be taken by Government for enhancing physical, social and psychological rehabilitation for differently abled persons; and
- (d) if so, the steps taken so far proposed to be taken?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) and (b) The total number of Persons with Disabilities are 2.19 crore as per Census 2001 . The State-wise data is in Statement (*See below*). The disability related data of Census 2011 is not available.

(c) and (d) The Government of India has been implementing various schemes/programmes for enhancing physical, social and psychological rehabilitation for persons with disabilities. Grants-in-aid is released to State Governments/UTs, Universities, Non-Government Organizations etc. for creation of barrier free environment, providing assistive devices, special education, vocational training, pre-school programme, vocational rehabilitation centre and by early intervention through its various schemes/programmes. Special Employment Exchanges and Special Cells have also been set up for providing placement services. The Ministry supports seven autonomous National Institutes, eight Composite Regional Centres (CRCs) and 215 District Disability Rehabilitation Centre (DDRCs) for providing rehabilitation services to Persons with Disabilities. National Handicapped Financial and Development Corporation (NHFDC) provides concessional credit for setting up income generating activities for self-employment. An Indian Sign Language Research and Training Centre has been established. A scheme of Incentives to Employers in the Private Sector for providing Employment to the Persons with Disabilities have also been launched to provide the employer's contribution for Employees' Provident Fund (EPF) and Employees State Insurance (ESI) for 3 years. A scheme of Inclusive Education for Disabled at Secondary State (IEDSS) is also implemented to cover children with disabilities in Class IX-XII with the aim to enable all students with disabilities including girls with disabilities to pursue secondary-schooling in an inclusive environment. The Government is implementing Sarva Shiksha Abhiyan (SSA) as main programme for universalizing elementary education for all children from 6-14 years of age. Its overall goals include universal access and retention, bridging of gender and social category gaps in education and enhancement of learning levels of children. Under this programme, Children with Special Needs (CWSN) are also covered. SSA provides Rs. 3,000/- per child per annum as a budgetary norm. Indira Gandhi National Disability Pension Scheme (IGNDPS) which is one of the schemes of National Social Assistance Programme (NSAP) provides

pension to BPL persons with severe or multiple disabilities between the age group of 18 to 59 years @ of Rs. 200 p.m. per beneficiary.

Statement

State-wise data of disabled population, as per Census 2001

Sl. No.	State/UT	Disabled population
1.	Andaman and Nicobar Islands	7,057
2.	Andhra Pradesh	13,64,981
3.	Arunachal Pradesh	33,315
4.	Assam	5,30,300
5.	Bihar	18,87,611
6.	Chandigarh	15,538
7.	Chhattisgarh	4,19,887
8.	Dadra and Nagar Haveli	4,048
9.	Daman and Diu	3,171
10.	Delhi	2,35,886
11.	Goa	15,749
12.	Gujarat	10,45,465
13.	Haryana	4,55,040
14.	Himachal Pradesh	1,55,950
15.	Jammu and Kashmir	3,02,670
16.	Jharkhand	4,48,377
17.	Karnataka	9,40,643
18.	Lakshadweep	1,678
19.	Kerala	8,60,794
20.	Madhya Pradesh	14,08,528
21.	Maharashtra	15,69,582

Sl. No.	State/UT	Disabled population
22.	Manipur	28,376
23.	Meghalaya	28,803
24.	Mizoram	16,011
25.	Nagaland	26,499
26.	Orissa	10,21,335
27.	Puducherry	25,857
28.	Punjab	4,24,523
29.	Rajasthan	14,11,979
30.	Sikkim	20,367
31.	Tamil Nadu	16,42,497
32.	Tripura	58,940
33.	Uttar Pradesh	34,53,369
34.	Uttarakhand	1,94,769
35.	West Bengal	18,47,174
TOTAL		2,19,06,769

Arrears paid by ISRO/DOS

4616. SHRI Y.S. CHOWDARY: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that ISRO/DOS has paid some arrears to some retired DOS Officials in compliance to common orders of Hon'ble High Court of Kerala and Hon'ble Supreme Court of India;

(b) if so, the details thereof;

(c) whether above orders are also applicable to other retired Scientists/Engineers of ISRO/DOS; and

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

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) Yes, Sir.

(b) In compliance of the order dated 18.1.2007 of the Hon'ble High Court of Kerala which has been upheld by the Hon'ble Supreme Court in orders dated 4.4.2011 and 24.8.2011, arrears on account of reckoning of 2 additional increments granted w.e.f. 1.1.1996 for the purpose of Dearness Allowance, House Rent Allowance, Pension and Pensionary benefits as well as Professional Update Allowance for the year 1998-99 have been paid to 12 petitioners who are retired Scientists/Engineers of ISRO.

(c) and (d) Since the orders of the Hon'ble High Court of Kerala and Hon'ble Supreme Court do not direct that the judgements should be extended to the non-applicants as well, the applicability of the court orders to other retired Scientists/Engineers have not been agreed to by the Government.

Giving chance to Scientist to be heard before being sacked

4617. PROF. SAIF-UD-DIN SOZ: Will the PRIME MINISTER be pleased to state:

(a) whether he had made a statement that ISRO would be heard in connection with the irregularities on S Band Spectrum; and

(b) if so, would he not consider it to be right to ask the Department of Space as to why the scientists were not given a chance to explain their position before sacking them summarily?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) No, Sir.

(b) In the context of annulment of Antrix-Devas Agreement in February 2011, the Central Government had set up a Two-member High Powered Review Committee (HPRC) on February 10, 2011, comprising Shri B.K. Chaturvedi, Member of Planning Commission and Prof. Roddam Narasimha, Member of Space Commission and mandated it to (i) review the technical, commercial, procedural and financial aspects of the Agreement, taking into account the report of the internal review conducted by Department of Space (DoS), suggest corrective actions and fix responsibility for lapses if any, and (ii) review adequacy of procedures and approval processes followed by ANTRIX, ISRO and DOS and suggest improvements and changes. The full text of HPRC report, submitted on March 12, 2011, is available on the websites of DoS (www.dos.gov.in) and ISRO (www.isro.gov.in)

Based on examination of the HPRC report, in order to enquire into the circumstances that led to the signing of Antrix-Devas agreement and subsequent

approvals taken in respect of GSAT-6/6A, a High Level Team (HLT) was constituted by Cabinet Secretariat on May 31, 2011 under the chairmanship of Shri Pratyush Sinha IAS (Retd) and former CVC. Secretaries of the Departments of Space (Dr. K Radhakrishnan), Telecommunications (Shri R. Chandrashekhar) and Expenditure (Shri Sumit Bose) of Government of India were members of HLT.

The HLT had sought clarifications from all the officers (including concerned former Scientists) who at any point in time had dealt with the files concerning the Antrix-DEVAS agreement and the decisions on the satellites.

The High Level Team had sent detailed letters to these Officials, in July 2011, seeking clarifications for their involvement in various lapses and issues including those pointed out by High Powered Review Committee (HPRC) constituted earlier in Feb 2011 in the context of Antrix-Devas deal. While requesting clarifications within 10 days, it was also stated that (i) in case there is a requirement, the officer may also be requested to appear before the HLT; and (ii) if the officer desires, the HLT would be willing to give opportunity for personal hearing and giving views regarding the agreement. HLT received written replies by August 11, 2011. Chairman of the HLT provided opportunity for personal hearing as requested by former Chairman of ISRO. Further, the former Chairman of ISRO followed it up with a letter to Chairman HLT, on August 10, 2011.

The HLT Report was submitted to the Cabinet Secretariat on September 2, 2011. The Conclusions and Recommendations of HLT (Chapter 6 of the Report) are available in the Web sites of DoS (www.dos.gov.in) and ISRO (www.isro.gov.in).

Based on the findings of the High Level Team, the former ISRO Chairman and three other former scientists (who were already superannuated from service) of Department of Space have been excluded from re-employment, committee roles or any other important role under the Government and have been divested of any current assignment / consultancy with the Government.

As elaborated above, the former scientists concerned of ISRO have been given due and adequate chance to explain their position by the High Level Team before taking action.

Executive leaving company

4618. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of STEEL be pleased to state:

(a) whether it is a fact that although Odisha Mineral Development Company (OMDC) All Mines Bisra Lime Stone and Dolomite mines have become the

subsidiaries of Rashtriya Ispat Nigam Ltd. (RINL) and these Institutions have been designated as 'B' Categories and since the scale allowances, and other benefits of executives, employees and workers have not been revised, all top executives are leaving the company and nobody is willing to join in any executives or top management post; and

(b) if so, the details thereof and the action taken in this regard?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) and (b) Orissa Minerals Development Company Limited (OMDC) and Bisra Stone Lime Company Limited (BSLC) are the subsidiaries of Eastern Investments Limited, which is a subsidiary of Rashtriya Ispat Nigam Limited (RINL). The OMDC and BSLC have been initially categorized by the Department of Public Enterprises as Schedule 'B' and 'C' Public Sector Undertakings respectively w.e.f. 19.03.2010. Sixteen (16) executives have left the Company since 2009 on the ground of personal reasons, unavoidable circumstances, domestic reasons and sickness, but no executive left the Company on the ground of non-revision of pay scales.

Exports of Minerals by NMDC

†4619. SHRI RAGHUNANDAN SHARMA: Will the Minister of STEEL be pleased to state:

(a) the reasons for granting the permission of export of the precious and high-quality minerals from the National Mineral Development Corporation (NMDC) mines situated at Baladila to the Japanese/Korean steel mills despite the fact that iron ore is not available even to cater to the needs of the domestic steel industries of the country, and on whose direction the permission was granted;

(b) whether the NMDC itself and the Ministry of Steel had opposed this export in view of the domestic requirements; and

(c) if so, the reasons for overlooking their objections, the details thereof?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) to (c) The decision to export iron ore, including those from Bailadila mines of NMDC Limited, to the Japanese and Korean steel mills under Long term Agreement has been taken by the Government, after taking into consideration views of various stakeholders including NMDC Limited and Ministry of Steel, as supply of iron ore is a core element in the bilateral ties of India with both these partner countries.

†Original notice of the question was received in Hindi.

Advisor appointed by SAIL

4620. SHRI PRASANTA CHATTERJEE: Will the Minister of STEEL be pleased to state:

(a) the number of advisers that have been appointed by Steel Authority of India (SAIL) during the years 2008-09, 2009-10, 2010-11 and 2011-12;

(b) whether these advisers and ex-SAIL employees or consultants are from different discipline; and

(c) the bio-data of the present advisers along with details of their area of advice, their emoluments plus fringe benefits?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) The number of advisers engaged by SAIL during the period 2008-09 to 2011-12 are as under:

Year	Number of Advisors/Consultants
2008-2009	24
2009-2010	24
2010-2011	23
2011-2012	30

(b) SAIL engages advisers as per its organisational requirements, for which ex-employees as well as experts from other fields who have expertise/specialization in the concerned area are engaged.

(c) Presently 17 advisers are engaged in SAIL, details of whom are given in the Statement.

Statement

Details of Advisors engaged in SAIL

Sl.No.	Name (S/Shri)	Brief Bio-data/Area of expertise	Area of Advise	Terms and Conditions
1.	S.R. Jain Advisor, SAIL	<ul style="list-style-type: none"> • Ex.-Chairman, SAIL • Expertise in various areas of plants functioning. 	<p>To advise SAIL on various improvements which can be brought in SAIL Plants / Units in the areas of:</p> <ul style="list-style-type: none"> - Reducing cost of production - Optimising use of resources - Improved availability and utilisation of equipments - Capacity utilisation 	<ul style="list-style-type: none"> • Rs. 50,000/- p.m. • During visits to Plants/Units treated as Company's guest and boarding/lodging and transport organized by plants/units.
2.	A. Gopalakrishna Railway Co-ordinator for SAIL at Vizag.	<ul style="list-style-type: none"> • Retired Chief Divisional Transportation Inspector of East Coast Railway 	<ul style="list-style-type: none"> • Coordination with East Coast Railway. Waltair Division as well as Coast Railway Headquarter at Bhubaneswar to ensure timely supply of rakes at Vizag Port for loading of imported coal. • Coordination with port railway to sort out problems of daily indent and supply. • Follow-up movement of loaded rakes/ supply and movement of rakes at Paradip Port/export rakes <i>via</i> Vizag Port. 	<ul style="list-style-type: none"> • Rs. 7,500/- p.m. • Monthly telephone allowance of Rs. 500/- p.m/ Conveyance Allowance of Rs. 1500/- p.m. • TA/DA at par with Wagon Chaser of Rail Movement Cell

3.	P.V. Manikandan Consultant (Protocol and Admn.)	<ul style="list-style-type: none"> • Ex.-Manager (P&A), Regional Office-Southern Region (RO-SR), Chennai 	<ul style="list-style-type: none"> • Consultancy to Sr. Regional Manager, RO, SR, Chennai for jobs related to Protocol, Liaison, Guest House Management, Hospital Co-ordination and Office Administration. 	<ul style="list-style-type: none"> • Rs. 25,000/- per month
4.	D. Kobi . Consultant, SAIL	<ul style="list-style-type: none"> • Ex.-ED(Mktg.), CMO • Vast experience of marketing discipline in the areas of International Trade Division, Warehousing Division, Home Sales for Long and Flat Products and Products Management Group 	<ul style="list-style-type: none"> • Marketing of Special steel and Value added products/ product development. • Product mix finalisation for future expansion in capacity. • Coordination in segment study. 	<ul style="list-style-type: none"> • Rs. 50,000/- per month • TA/DA at par with executives of the Company in E9 grade • Company leased accommodation/ company accommodation/self lease • Telephone expenses (official) limited to Rs. 2,000/- p.m and Company Car limited to 3000 kms. p.m.
5.	S. K. Jha Consultant, SAIL	<ul style="list-style-type: none"> • Ex.-AGM (Mktg.), Alloy Steel Plant. • Experience in R&C Lab, BF, Sintering Plant, RMD, SM & HSM of BSL & Modification of stockyards and working procedures in stockyards. 	<ul style="list-style-type: none"> • Assisting SAIL in handling matters before Arbitrators as well as Courts. 	<ul style="list-style-type: none"> • Rs. 30,000 p.m. Consolidated TA/DA and Tele- expenses phone as per entitlement in E6 grade.

Sl.No.	Name (S/Shri)	Brief Bio-data/Are of expertise	Area of Advise	Terms and Conditions
6.	Md. Qaseem Consultant, SAIL	<ul style="list-style-type: none"> • 20 years experience of practice at Lucknow Bench of Allahabad High Court. 	<ul style="list-style-type: none"> • To provide consultancy to SAIL Jagdishpur Unit on matters pertaining to the cases of the Company and other matters coming on day to day basis. 	<ul style="list-style-type: none"> • Rs. 20,000/- p.m. Consolidated
7.	Ram K. Iyengar Consultant, SAIL	<ul style="list-style-type: none"> • President and Chief Technical Consultant of Technovation International Inc. in USA which provide innovation based services to manufacturers of high performance materials and products. 	<ul style="list-style-type: none"> • Implementing the various initiatives as per SAIL R&D Master Plan, providing knowledge/information-based inputs, oversight, guiding and training champions, managers and engineers for enhancement of skill, expertise and capabilities in R&D projects for Technology up-gradation/development • Assisting, guiding and providing inputs for the creation of Centre of Excellence/High Impact Projects/Technology Mission Projects. 	<ul style="list-style-type: none"> • Rs. 63.4 lakhs for implementation of 'R&D Master Plan of SAIL'
8.	H. K. Jain Consultant, SAIL	<ul style="list-style-type: none"> • Ex.-ED (CET), SAIL • Contribution in alleviating usage of prime quality coking coal and iron ore for iron and steel making and revival of Jagdishpur Steel Plant. 	<ul style="list-style-type: none"> • To work on ITmK3 and Jagdishpur Steel Plant and preparation of Detailed Project Report for the same. 	<ul style="list-style-type: none"> • Rs.50,000/- per month • TA/DA at par with executives of the Company in E9 grade and Provision of a car for official use.

9.	S. K. Jain Consultant, SAIL	<ul style="list-style-type: none"> • Ex.-Director (Personnel), BHEL. • Has experience of business excellence and balance score card methodology 	<ul style="list-style-type: none"> • Provide consultancy in areas related to Balanced Scorecards/Business Excellence/Total Quality Management • Review of Employees Performance Management system, Recruitment manual/systems. 	<ul style="list-style-type: none"> • Rs. 10,000/- per day subject to ceiling of 12 days. • TA/DA as per entitlement of Functional Directors Provision of a car for official use or Rs. 1000/- per day
10.	M. K. Garg Insurance Consultant, SAIL	<ul style="list-style-type: none"> • Ex. CMD, United India Insurance Company and experience in all areas of Insurance 	<ul style="list-style-type: none"> • Advice in the areas of Mediciclaim Policy and improvements in the implementation of insurance policies. 	<ul style="list-style-type: none"> • Rs.20,000/- per month
11.	S. Bhattacharya Advisor, SAIL	<ul style="list-style-type: none"> • Ex.-Director (Finance), SAIL • Vast experience of working in the areas of Works and Finance. 	<ul style="list-style-type: none"> • Monitoring the progress of implementation of modernization and expansion project of IISCO Steel Plant by providing strategic interventions and suggestions for ensuring timely completion and stabilization. 	<ul style="list-style-type: none"> • Rs. 10,000/- per day as per actual • Reimbursement of telephone expenses as per actuals • TA/DA at par with the level of Directors in SAIL
12.	V. K. Misra Consultant (Coke Ovens), SAIL	<ul style="list-style-type: none"> • Ex.-ED (Internal Audit), SAIL • Vast experience of working in the coke ovens 	<ul style="list-style-type: none"> • Documentation of performance parameters of Coke Oven Batteries of the 5 Integrated Steel plants. • Regular monitoring of the health and maintenance of coke ovens/facilitate transfer of good practices of coke 	<ul style="list-style-type: none"> • Company car facility • Rs. 50,000/- p.m. Consolidated • TA/DA and Company accommodation as per entitlement in E9 grade • Company Car limited to 1500Kms. p.m.

Written Answers to

[17 MAY, 2012]

Unstarred Questions 275

Sl.No.	Name (S/Shri)	Brief Bio-data/Area of expertise	Area of Advise	Terms and Conditions
13.	A.P.V.N. Sarma Advisor, SAIL	<ul style="list-style-type: none"> • Former Secretary, Ministry of Shipping • Diverse experience in Coal and Shipping 	<p>ovens from one plant to another.</p> <ul style="list-style-type: none"> • Suggest measures for improving various parameters for improving coke quality and coke oven performance. • Participate in the deliberations of the Committees and guide evaluation of various offers received against the EOI floated for the purpose of identifying additional facilities in terms of Ports/ Berths for handling increased volume of imported coking coal • Participate/provide guidance/advice in the deliberations on matters relating to finalisation of detailed logistic matrix for movement of imported coking Coal 	<ul style="list-style-type: none"> • Reimbursement of telephone expenses as per actuals. • At par with the honorarium paid to independent Directors of SAIL for attending the meetings for similar advisory activities. • TA/DA as per entitlement of Directors.
14.	D. K. Dasgupta Consultant, RSP	<ul style="list-style-type: none"> • GM I/c (Services), RSP • Expertise in the area of Coke Making. 	<ul style="list-style-type: none"> • Overseeing of smooth commissioning of COB-VI and stabilisation thereafter • Repair and rebuilding plan of existing Coke Oven Batteries. 	<ul style="list-style-type: none"> • Rs. 40,000/- p.m. Consolidated • TA/DA & Telephone expenses both as per entitlement of executives in E8 grade.

15.	R.S. Gumbar Consultant, BSP	<ul style="list-style-type: none"> • Ex.-DGM I/c (Projects-Coke), BSP. 	<ul style="list-style-type: none"> • Effective implementation of COB 11 and COB 9 projects at Bhilai Steel Plant 	<ul style="list-style-type: none"> • Rs.35,000/-p.m.Consolidated • TA/DA and Telephone expenses as per entitlement of executives in E7 grade.
16.	N.C. Jha Technical Advisor, SAIL	<ul style="list-style-type: none"> • Former CMD, Coal India Ltd. • Expertise in Mining Technology and knowledge of Coal Basins of the world. 	<ul style="list-style-type: none"> • Expediting development of Tasra and Sitanala Coal blocks/Augmenting production from existing collieries/Identifying potential for strategic partnership with Coal Companies. • Identifying suitable coking and thermal coal blocks for allocation to SAIL and developing strategies for their development. 	<ul style="list-style-type: none"> • Rs. 50.000/- - p.m. Consolidated • Reimbursement of telephone expenses as per actuals • TA/DA at par with the level of Directors in SAIL • Car facility for official use
17.	A. M. Banerjee Consultant, ISP	<ul style="list-style-type: none"> • Ex.-GM (Projects), ISP 	To facilitate SAIL, IISCO Steel Plant for conducting smooth trial run and successful commissioning of Power and Blowing Station and Oxygen Plant packages under expansion Project of ISP.	<ul style="list-style-type: none"> • Rs. 40,000/- p.m. Consolidated • TA/DA and Telephone expenses as per entitlement of E8 grade executives of SAIL

Written Answers to

[17 MAY, 2012]

Unstarred Questions 277

Rise in prices of Steel

4621. SHRI K.N. BALAGOPAL: Will the Minister of STEEL be pleased to state:

(a) whether Government has noticed about the huge rise in prices of steel, especially for building purposes, in the country;

(b) if so, the details of average monthly prices of steel for the last three years in different States;

(c) whether Government has any system to intervene in the hoarding and skyrocketing of prices; and

(d) if so, the details thereof?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) and (b) The prices of steel items in the domestic market have been fluctuating in accordance with the market conditions such as demand supply scenario, trend of international steel prices, cost of raw materials and other inputs. A table indicating monthly price movement in respect of representative category of steel items including those used for building purposes in retail market in four main regions—Kolkata, Delhi, Chennai and Mumbai during the last three years (2009-10, 2010-11 and 2011-12) is given in Statement (*See* below).

(c) and (d) Steel is a deregulated sector. Accordingly, prices of various steel items are decided by the individual producers based on market conditions including demand supply scenario, trend of international steel prices, cost of raw materials and other inputs, etc. Government has no direct role in fixation of steel prices. However, Government intervenes through fiscal measures, as and when need arises, to maintain steady supply position in the domestic market and to boost steel production in the country.

Statement-I

Indicative retail price in various markets during 2009-10

(Rs. Per Tonne)														
Sl.No.	Item	Region	APR	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
1.	Rounds 12mm	Kolkata	33382	33951	32657	32276	30989	31634	31552	30230	32720	34320	32570	34280
		Delhi	34102	34697	34021	32166	31444	31794	31514	30380	31990	33810	31810	33630
		Mumbai	33406	33354	33168	33080	32061	31466	31518	31280	30850	32020	30920	32070
		Chennai	33235	33053	31831	31285	29459	30297	29823	28850	30700	32380	31710	33010
2..	TOR/TMT/CTD 12mm	Kolkata	33235	34743	33833	33469	33605	33941	34015	33030	32660	34880	33240	35010
		Delhi	33041	34910	35190	32915	33545	33930	33405	33020	32270	33620	32340	34200
		Mumbai	33222	35003	34601	34846	35213	35003	34303	34580	33560	35020	33890	35630
		Chennai	33755	34489	33943	33579	32924	33943	33397	32850	33230	35050	34250	36330
3.	HR Coils 2.50mm	Kolkata	33163	33197	33093	33093	34262	34511	34505	34920	34370	34820	34750	35130
		Delhi	33608	33689	33699	33729	35388	35608	35428	35740	34010	34270	34270	34660
		Mumbai	33832	33758	33738	33743	34969	35106	35086	35500	34930	35100	35000	35730
		Chennai	33553	33395	33395	33343	34486	34746	34715	35200	35720	35980	35890	36810

Written Answers to

[17 MAY, 2012]

Unstarred Questions

279

Sl.No.	Item	Region	APR	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
4.	CR Coils	Kolkata	35472	37310	36006	36138	37594	38422	38156	37910	35220	35680	35550	36040
	0.63mm	Delhi	35828	36568	36568	36568	38374	39774	39614	38690	34910	35200	35220	35790
		Mumbai	35388	35684	36024	36024	37294	38064	37824	37040	38570	39380	39270	39570
		Chennai	36564	36956	36332	36124	37620	39575	39492	39490	38690	39530	40090	41210
5.	GP Sheets	Kolkata	39720	40788	40647	41190	41666	42497	42647	42400	42850	43290	43530	43190
	0.63mm	Delhi	39328	40588	38788	40588	40388	42128	41888	41170	42660	44480	44070	44270
		Mumbai	40842	40726	42196	42256	42488	42448	44048	42760	42400	43200	43230	43740
		Chennai	40280	40472	40784	40784	41928	42936	42936	42670	41170	44050	44350	45720

(Source: Joint Plant Committee, (JPC), Ministry of Steel)

Statement

Indicative retail price in various markets during 2010-11

(Rs. Per Tonne)														
Sl.No.	Item	Region	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
1	Rounds 12mm	Kolkata	39060	38400	38150	34790	34840	35070	35260	35040	35300	36540	40420	40530
		Delhi	40220	38820	38470	34810	35690	34990	35510	35270	35690	38490	40890	40360
		Mumbai	39440	38740	37050	33570	33910	34000	34230	34010	34630	36430	40310	40450
		Chennai	38280	37300	37010	33570	33680	34410	34410	34190	34340	35690	39660	40500
2	TOR/TMT/CTD 12mm	Kolkata	40090	39180	38920	37020	37350	37780	37600	37220	37430	38540	41190	41250
		Delhi	40590	39080	38870	36710	37340	37030	37520	37520	37620	40530	41160	40640
		Mumbai	40770	39890	38810	36860	37210	37490	37600	37360	37480	39640	41270	41400
		Chennai	40120	38740	38840	37060	37170	37900	37900	37570	37600	39020	40650	41480
3	HR Coils 2.50mm	Kolkata	43830	43770	43680	42480	42390	42370	42480	42400	42480	42660	44210	44320
		Delhi	45090	44940	44660	43410	43590	43610	43610	43490	43540	44140	45710	45250
		Mumbai	44140	44550	44610	43370	43190	43320	43260	43270	43270	43450	45130	45210
		Chennai	43650	44090	43830	42580	42580	42640	42670	42610	42580	42900	44560	44400

Written Answers to

[17 MAY, 2012]

Unstarred Questions

281

Sl.No.	Item	Region	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
4	CR Coils 0.63mm	Kolkata	47580	45770	45720	45470	45460	45500	45790	45810	45100	47080	47640	47450
		Delhi	47580	47580	46780	45780	46580	47220	47260	46780	47340	48500	49980	48780
		Mumbai	45240	45400	45640	45000	44400	44400	44600	44480	43960	45880	46920	46880
		Chennai	47740	46800	47110	46490	46700	47320	47320	47320	46910	47320	47530	47110
5	GP Sheets 0.63mm	Kolkata	48970	48980	48740	48200	48440	49070	49390	49470	48560	51300	52900	54290
		Delhi	52580	51260	48800	46350	48090	48750	48750	48030	49230	51750	54360	52440
		Mumbai	49870	49870	49870	50240	49760	49040	49640	49220	49040	49640	52840	53680
		Chennai	51740	51430	51120	50890	49330	51520	51830	51830	53080	53390	56260	56570

(Source: Joint Plant Committee, (JPC), Ministry of Steel)

Statement III

Indicative retail price in various markets during 2011-12

			(Rs. Per Tonne)											
Sl.No.	Item	Region	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
1.	Rounds	Kolkata	40760	41070	41140	41360	41470	41520	41650	43400	43770	44420	44580	45300
	12mm	Delhi	41020	41020	42420	42420	42420	42420	42770	44210	44590	44940	45290	457.10
		Mumbai	41270	41460	43450	41960	41980	43710	42600	43940	44090	44740	44550	45470
		Chennai	42050	42310	42210	42140	42410	42140	42280	44340	44610	45350	45620	47610
2.	TOR/TMT/CTD	Kolkata	41790	41510	41790	42020	42150	42030	42300	44720	44930	45460	45540	46280
	12mm	Delhi	41930	41930	42630	42810	42490	42490	43260	45050	45000	45420	45630	46500
		Mumbai	42680	42590	43470	43100	43410	43530	43620	46110	46290	47330	47640	47940
		Chennai	43500	43520	43320	43650	43320	43010	43170	45560	45550	46510	46750	48860
3.	HR Coils	Kolkata	43070	43160	43100	43160	43060	43090	43310	44680	44760	44930	44890	45020
	2.50mm	Delhi	43860	43960	44110	43960	44160	44160	44360	46370	46250	46400	46490	46550
		Mumbai	44120	44190	44260	44130	44180	44200	44300	46800	46800	46900	46870	46980
		Chennai	43900	43950	44050	44090	44020	43990	44150	46630	46580	46580	46630	46730

Written Answers to

[17 MAY, 2012]

Unstarred Questions

283

Sl.No.	Item	Region	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
4.	CR Coils	Kolkata	46990	47190	46460	46530	47900	47640	48340	50810	51130	51650	51630	51930
	0.63mm	Delhi	48380	48380	47580	47580	48500	49180	48980	51360	51960	52360	51680	52040
		Mumbai	47080	46440	47600	47080	47300	47360	47570	51340	51550	52010	51760	52460
		Chennai	47110	47530	47320	47080	47500	47080	47500	52280	52070	52280	52280	52490
5.	GP Sheets	Koikata	53780	54130	53750	53860	53250	52910	54110	54540	53880	55210	55160	55680
	0.63mm	Delhi	51540	51540	52740	51840	52140	52140	52740	53580	52980	53580	53520	52980
		Mumbai	53560	52540	54340	54250	54010	54250	54560	55820	55660	55970	55970	56290
		Chennai	58440	59070	59070	59110	58480	58800	59430	60780	60470	59840	59840	60150

(Source: Joint Plant Committee, (JPC), Ministry of Steel)

Import of steel

4622. SHRI KANWAR DEEP SINGH:

SHRI N.K. SINGH:

Will the Minister of STEEL be pleased to state:

(a) whether it is a fact that India has become a net importer of steel over the last few years;

(b) if so, the details thereof;

(c) the quantum of steel imported during the last three years and the current year; and

(d) the steps taken/proposed by Government to increase indigenous production of steel in the country?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) Yes, Sir. India is a net importer of total finished steel since 2007-08.

(b) and (c) Data on import, export and net import of total finished steel for the last three years and April, 2012 is shown in the table below:

Year	Total Finished Steel (million tonnes or mt)		
	(a) Import	(b) Export	Net Import (a-b)
2009-10	7.382	3.251	4.131
2010-11	6.664	3.637	3.027
2011-12*	6.826	4.041	2.785
April, 2012*	0.545	0.312	0.233

Source: Joint Plant Committee (JPC); *provisional;

(d) Steel is a de-regulated sector. In a de-regulated, open market economy, the role of the Government is that of a facilitator and in that capacity, it promotes/ encourages growth of steel industry through suitable policy measures. In order to promote the domestic steel industry, the Government has framed the National Steel Policy and constituted an Inter-Ministerial Group (IMG) to monitor and coordinate the issues concerning major steel investments in the country related to infrastructure, raw material supply, environmental clearance and other resource constraints.

Development of roads in tribal areas in Andhra Pradesh

4623. SHRIMATI GUNDU SUDHARANI: Will the Minister of TRIBAL AFFAIRS be pleased to State:

(a) whether it is a fact that the Road Transport Ministry has identified some of the State roads in tribal areas in Andhra Pradesh to be developed as national highways under the Tribal Sub-Plan;

(b) if so, the details of stretches identified and the estimated investment required for this purpose;

(c) whether any time-frame has been fixed for completing the above stretches;

(d) whether his Ministry is providing any money for this purpose; and

(e) if so, the details thereon?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADAV S. KHANDELA): (a) to (e) No Sir, as per the information received from the Ministry of Road Transport and Highways. The expansion of NH 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.

Vocational training centre in tribal area scheme in Jharkhand

4624. SHRI PARIMAL NATHWANI: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) the details of Vocational Training Centre in Tribal Areas Scheme with objectives and strategies;

(b) how far the scheme has performed in Jharkhand in terms of Skill development of the tribal youth for variety of jobs; and

(c) the steps taken to improve the effectiveness of the scheme?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV S. KHANDELA): (a) and (b) The Ministry of Tribal Affairs implements a Central Sector Scheme called 'Vocational Training in Tribal Areas' under which grant-in-aid is provided to the State Governments/UT Administrations and Non-Governmental Organizations (NGOs) for running Vocational Training Centres (VTCs). The main aim of this scheme is to upgrade the skills of tribal

youth in various traditional/modern vocations depending upon their educational qualifications, present economic trends and market potential. The grant-in-aid is provided for imparting training to Scheduled Tribes in VTCs to enable them to get employment/self-employment. Under this scheme, no proposal has been received from the State Government of Jharkhand during the last three years and the current year.

(c) In order to make the Vocational Training Centres more effective, the scheme has been revised w.e.f. 1.4.2009. In the revised scheme (i) financial assistance under the scheme has been enhanced (ii) instead of training in two trades, the trainee receives training in one trade of his/her choice. The training duration is extended to one year instead of six months (iii) In addition to already established Vocational Training Centres and institutions, State Govt. may also recommend training to ST candidates in private recognized institutions. Preference is given to those institutions which guarantee placement/employment after completion of training.

Funds to NGOs engaged for the welfare of tribals

4625. DR. T. SUBBARAMI REDDY: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether Government provides funds to Non-Governmental Organisations (NGOs) engaged in carrying out centrally sponsored schemes for the welfare of tribals;

(b) if so, the funds sanctioned, released and utilised by these NGOs during each of the last three years and the current year so far, State-wise including Andhra Pradesh.

(c) whether Government has any mechanism to monitor the progress of these NGOs; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV S. KHANDELA): (a) and (b) The Ministry of Tribal Affairs does not provide funds to Non-Governmental Organizations (NGOs) for carrying out Centrally Sponsored Schemes for the welfare of tribals. However, funds are provided to NGOs working for welfare of tribals under the Central Sector Schemes. Details of such funds sanctioned, released and utilized during the last three years including current year under the Central Sector Scheme are given in Statement (*See*

below).

(c) and (d) The projects are monitored through following:

- (a) Mandatory annual inspection by District Authorities.
- (b) Scrutiny of proposals by Multidisciplinary State Level Committee for Voluntary Efforts every year.
- (c) Field Inspection by Ministry Officials while going on tour to States/UT.
- (d) Besides the above, the Ministry has engaged a professional agency for the concurrent monitoring of NGO run projects.

Statement

A. Details of funds released to NGOs under the scheme of grant-in-aid to Voluntary organisations working for the Welfare of STs

		(Amount in Rs)		
Sl.No.	Name of the State	2009-10	2010-11	2011-12
1.	Andhra Pradesh	25664946	46259626	13295048
2.	Andman and Nicobar Island	437670	145890	0
3.	Arunachal Pradesh	56824832	46179826	47203584
4.	Assam	9673291	6129056	11255657
5.	Chhattisgarh	9585522	11326611	8163182
6.	Gujarat	9867645	16111702	15639724
7.	Himaachal Pradesh	19927693	15027497	16147007
8.	Jharkhand	49608752	38251685	48043942
9.	Jammu and Kashmir	4502614	6923452	1656143
10.	Karnataka	12704778	40324116	30379199
11.	Kerala	10305421	10877235	14837119
12.	Madhya Pradesh	11419529	18166834	7369659
13.	Maharashtra	20541763	25904444	11269320
14.	Manipur	14829900	39148601	13765618

Sl.No.	Name of the State	2009-10	2010-11	2011-12
15.	Meghalaya	49119045	61925620	64255259
16.	Mizoram	2824526	2419836	7724400
17.	Nagaland	1557734	3360016	1767949
18.	Odisha	61402124	48752879	124384583
19.	Rajasthan	4684707	6062895	8152117
20.	Sikkim	11283346	5864153	5747033
21.	Tamil Nadu	6759317	3173440	4572178
22.	Tripura	6584729	4874370	3297751
23.	Uttarakhand	4492593	11334393	8369492
24.	Uttar Pradesh	1808293	5483220	9169636
25.	West Bengal	58196059	51092608	57462983
26.	Delhi	893745	972198	893745
GRAND TOTAL		465500574	526092203	534822328

*Details of funds released to NGOs under the scheme of coaching
for Scheduled Tribes*

(Amount in Rs)

Sl.No.	Name of the State	2009-10	2010-11	2011-12
1.	Chhattisgarh	4141000	0	0
2.	Delhi	5303000	281000	2550000
3.	Gujarat	0	0	3597000
4.	Jharkhand	2565000	2620000	1775000
5.	Kerala	0	0	1032000

Sl.No.	Name of the State	2009-10	2010-11	2011-12
6	Maharashtra	0	0	980000
7.	Madhya Pradesh	8686000	6477000	3514000
8.	Manipur	620000	2100000	1520000
9.	Odisha	932000	1270000	0
10.	Rajasthan	5953000	1316000	8694000
11.	Tripura	900000	230000	1331000
TOTAL		30000000	15274000	24993000

B. Details of funds released to NGOs under the scheme of strengthening education among ST Girls in Low Literacy Districts

(Amount in Rs)

Sl.No.	Name of the State	2009-10	2010-11	2011-12
1.	Andhra Pradesh	175274250	159306090	118832038
2.	Arunachal Pradesh	2204200	1222500	3976457
3.	Chhattisgarh	2893762	3491440	3663316
4.	Gujarat	3792905	5355183	8244694
5.	Jharkhand	1134600	2335999	3602800
6.	Madhya Pradesh	11423289	76903415	61280555
7.	Maharashtra	2770400	5144400	5159400
8.	Odisha	123882951	113342664	98668331
9.	Rajasthan	11623643	8500847	8891580
TOTAL		335000000	375602538	312319171

Details of Funds released to NGOs under the Scheme of Vocational Training in Tribal Areas.

(Amount in Rs.)

Sl.No.	Name of the State	2009-10	2010-11	2011-12
1.	Assam	5400000	3120000	11860000
2.	Karnataka	1940000	1108000	2400000
3.	Madhya Pradesh	0	3120000	0
4.	Meghalaya	3288000	0	0
5.	Nagaland	9372000	0	3696000
6.	Tamil Nadu	0	1446000	0
GRAND TOTAL		20000000	8794000	17956000

Details of Funds released to NGOs under the Scheme of Development of PTG

(Amount in Rs)

Sl.No.	Name of the State	2009-10	2010-11	2011-12
1.	Andman and Nicobar Island	0	18400000	0
2.	Chhattisgarh	1758900	1281611	438000
3.	Jharkhand	27203100	21868106	47081939
4.	Karnataka	2047400	0	0
6.	Maharashtra	2819400	2777209	0
7.	Tamil Nadu	6166300	7758086	8510656
GRAND TOTAL		39995100	52085012	56030595

Note:(i) Grants are released to NGOs only after having received the Utilization Certificate for the previous year's grant.

(ii) No funds under the scheme have been released during the current year 2012-13.

Issues of governance of tribal Areas of Jharkhand

4626. SHRI PARIMAL NATHWANT: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) how far Government has been successful addressing the issues of

exclusion, exploitation, marginalization, unrest and governance concerned to tribals and tribal areas with special reference to Jharkhand during the Eleventh Five Year Plan; and

(b) the details of the strategy proposed to be adopted during the Twelfth Five Year Plan?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV S. KHANDELA): (a) (i) Various schemes of Government of India aim to bring about improvement in the living conditions of the Scheduled Tribes of India, Including their quality of life,.

(ii) The Ministry of Tribals Affairs is implementing Central Sector Schemes, Centrally Sponsored Schemes and Special Area Programmes for the integrated socio-economic development and welfare of the Scheduled Tribe population. These schemes are implemented in all the States/UTs having Scheduled Tribe population including Jharkhand. These schemes are indicated in Statement (*See* below).

(iii) The main objective of the schemes/programmes implemented by the Ministry of Tribal Affairs as well as other Ministries of Government of India is to bring the tribal people into the mainstream through their economic, educational, health and social development, while simultaneously retaining their culture and traditions to suit their own genius. As a result of these schemes, there has been socio-economic development of tribal people.

(b) The exiting scheme in the 11th Plan is to be continued in the 12th Plan.

Statement

Sl. No.	Name of Schemes/Programmes
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A. Special Central Assistance (SCA)

1. SCA to Tribal Sub-Plan
2. Article 275(1) of the Constitution

B. Central Sector Scheme

1. Grant-in-Aid to NGOs for STs including Coaching and Allied Scheme and Award for Exemplary Service
 2. Vocational Training Centres in Tribal Areas
 3. Strengthening of Education among ST girls in low literacy Districts
 4. Market Development of Tribal Products/Produce
-

Sl. No.	Name of Schemes/Programmes
5.	State Tribal Development Cooperative Corporations for Minor Forest Produce
6.	Development of Particularly Vulnerable Tribal Groups (PTG)
7.	Support to National/State Scheduled Tribes Finance and Development Corporations
8.	Rajiv Gandhi National Fellowship for ST Students
9.	Scheme of Institute of Excellence/Top class institute
10.	National Overseas Scholarship Scheme

C. Centrally Sponsored Schemes

1. Scheme of PMS, Book Bank and Upgradation of Merit of ST students
2. New Scheme of Pre Matric Scholarship for ST students
3. Scheme of Hostels for ST Girls and Boys
4. Establishment of Ashram Schools
5. Research Information and Mass Education, Tribal Festival and Others

Special package to Bihar for development of tribal areas

4627. SHRI N.K. SINGH: Will the Minister of TRIBAL AFFAIRS be pleased to State:

- (a) whether Government proposes to give more funds under special package to Bihar State in the coming financial year for development of tribal areas;
- (b) if so, the details thereof; and
- (c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV S. KHANDELA): (a) to (c) As per the information received from the Planning Commission, a Special Plan for Bihar has been in operation from Tenth Five Year Plan onwards which also covers its tribal areas. Annual allocation of Rs. 1000 crore was made on 100% grant basis during Tenth Five Year Plan for the Special Plan. During the Eleventh Plan period, the Special Plan was funded under the Backward Regions Grant Fund (BRGF). The allocation in Eleventh Plan period was Rs. 1000 crore per annum for the first three years, Rs. 2000 crore for the year 2010-11 and Rs. 1468 crore for the year 2011-12. The Special Plan for Bihar is proposed to be continued in the Twelfth Plan period.

In addition to the Special Plan, the Integrated Action Plan (IAP) for selected tribal and backward districts is also being implemented in Bihar. Presently, nine districts of Bihar, namely, Arwal, Aurangabad, Gaya, Jamui, Jehanabad, Kaimur, Munger, Nawada and Rohtas are covered under this programme. An amount of Rs. 30 crore per district has been allocated for implementation of projects under the IAP in 2012-13.

The allocation for the last two years of the Eleventh Plan were Rs. 2000 crore and Rs. 1468 crore respectively. The Special Plan for Bihar is proposed to be continued during the Twelfth Five Year Plan period.

Pending proposal for day care centres

4628. DR. VIJAY MALLYA: Will the minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether any proposal is pending with Government pertaining to Karnataka in respect of releasing funds for Day Care Centres;
- (b) if so, since when this proposal is pending;
- (c) the reasons for not releasing funds;
- (d) the total amount of this proposal district-wise break-up; and
- (e) the number of Day Care Centres that would be covered under this proposal?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (e) The Ministry of Women and Child Development is, at present, implementing the Rajiv Gandhi National Creche Scheme for the Children of Working Mothers through the Central Social Welfare Board (CSWB) and Indian Council for Child Welfare (ICCW). The Scheme provides for running caches for children of 0-6 years of working mothers with family income of less than Rs. 12000 per month. As informed by CSWB and ICCW the district-wise break-up of the amount pending, alongwith number.of Creches covered in Karnataka for the financial years 2010-11 and 2011-12 is given in Statement (*See below*).

As per information furnished by ICCW and CSWB, the funds could not be released due to non-submission of statement of accounts by the grantee organizations as well as due to less allocation of funds.

Statement

District-wise break-up of the amount pending alongwith number of creches covered in Karnataka for the financial year 2010-11 and 2011-12

Sl.No.	Name of the District	No. of Creches	Pending grant (In Rupees)
1.	Bangalore	67	1429867
2.	Bellary	36	497880
3.	Bagalkote	30	439081
4.	Bidar	44	281576
5.	Belgaun	119	1196956
6.	Bijapur	84	1716928
7.	Chamarajanagara	28	717316
8.	Chikballapur	9	20840
9.	Chitradurga	67	4585596
10.	Chikkamagalur	61	1396340
11.	Coorg	12	381408
12.	Dharwad	17	275488
13.	Davangere	84	765954
14.	Dakshina Kannada	18	349632
15.	Gadag	27	264600
16.	Gulberga	12	197251
17.	Hassan	8	127104
18.	Haveri	21	275304
19.	Kolar	24	483241
20.	Koppal	11	87598
21.	Kodagu	10	211920
22.	Mandya	40	497624

Sl.No.	Name of the District	No. of Creches	Pending grant (In Rupees)
23.	Mysore	98	2196840
24.	Ramnagar	2	21168
25.	Raichur	23	321405
26.	Shimoga	38	476133
27.	Tumkur	29	640496
28.	Udupi	28	370836
29.	Uttara Kannada	90	2359468
TOTAL		1137	22585850

Vocational training for skill development of girls

4629. SHRI AMBETH RAJAN: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether it is a fact that non-nutrition component in Rajiv Gandhi Scheme for adolescent girls-Sabla is a non-starter in most of the States/UTs; and

(b) if so, the details of the States/UTs in which vocational training for skill development of girls above 16 year age has not been initiated till now?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) and (b) The scheme Sabla has two major components Nutrition and Non Nutrition. In the Non Nutrition Component, the out of school Adolescent Girls (AGs) 11-18 years are provided IFA supplementation, Health check-up and Referral services, Nutrition and Health Education, Counselling/ Guidance on family welfare, Adolescent Reproductive Sexual Health (ARSH), child care practices, life skill education, accessing public services and 16-18 year old AGs are also given vocational training. The progress under non-nutrition component was slow in the year 2011-12 as this was the first complete year of implementation of the scheme and also lot of preparatory activities were to be undertaken.

As reported by the States/UTs, till now the vocational training component of non-nutrition component under Sabla has not been initiated in eleven States namely Andhra Pradesh, Bihar, Chhattisgarh, Jharkhand, Mizoram, Orissa, Sikkim, Tripura, Uttar Pradesh, A & N Islands and Pondicerry. No reports in the matter have been

received from nine States namely Arunachal Pradesh, Maharashtra, Meghalaya, Sikkim, Tamil Nadu, Uttarakhand, West Bengal, D & N Haveli and Lakshadweep.

Vedanta running anganwadi centres

4630. SHRI PRASANTA CHATTERJEE: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether Government of India or some State Governments have involved M/s Vedanta in running anganwadi centres in some States;
- (b) if so, the details of the same including terms and conditions, location etc.;
- (c) whether any other Corporate or business houses/NGOs etc. have also been involved in addressing the issue of malnutrition among children;
- (d) whether Government has entered into an agreement with such Corporate or business houses to involve them in ICDS; and
- (e) if so, the terms and conditions of such agreement?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (e) The Scheme of ICDS is a Centrally Sponsored Programme implemented through the State Governments/UT Administrations. The Scheme, since inception, envisaged involvement of Voluntary Organisations, Central Social Welfare Board, local bodies, Panchayati Raj Institutions; (where these are functioning efficiently) etc. to be actively involved in this Programme for implementation, soliciting community support etc.

The States have been given the autonomy, within the overall framework of the ICDS, to entrust whole or part of the ICDS projects to a voluntary organization including NGOs for which grants to them would be provided by the concerned State Government/UT Administration. The responsibility for deciding on terms and conditions of MOUs, Agreements with NGOs etc. rests with the State Governments/UT Administrations. The Central Government has not involved M/s. Vedanta in running AWCs in any State/UT.

High incidences of malnourishment

4631. DR. JANARDHAN WAGHMARE:

SHRI N.K. SINGH:

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

- (a) whether Government has taken note of high incidences of malnourishment among children and women in the country;

(b) if so, the details thereof and the reaction of Government thereto;

(c) whether Government proposes to revamp/restructure the Integrated Child Development Services (ICDS) scheme; and

(d) if so, the details and the justification thereof?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) and (b) As per the National Family Health Survey-3 (NFHS-3), 2005-06, 42.5% children under 5 years are underweight and 35.6% of women in the age group of 15-49 years suffer from chronic energy deficiency (CED) (measured a slow body mass index). The State-wise details of the underweight children and women are given in Statement (*See* below).

Malnutrition is manifestation of several underlying factors and causes and is complex, multidimensional and inter-generational in nature. The approach to dealing with the nutrition challenges has been two pronged: Multi-sectoral approach for accelerated action on the determinants of malnutrition in targeting nutrition in schemes/programmes of all the sectors. As the multi-sectoral approach takes some time to show results and when implemented together, have a trickle down and horizontal effect to benefit the population over a period of time, other part of the approach is direct and specific interventions targeted towards the vulnerable groups such as children below 6 years, adolescent girls, pregnant and lactating mothers.

The Government has accorded high priority to the issue of malnutrition and is implementing several schemes/programmes of different Ministries/Departments through State Governments/UT Administrations. The schemes/programmes include the Integrated Child Development Services (ICDS) Scheme, National Rural Health Mission (NRHM), Mid-Day Meal Scheme, Rajiv Gandhi Schemes for Empowerment of Adolescent Girls (RGSEAG) namely SABLA, Indira Gandhi Matritva Sahyog Yojna (IGMSY) as Direct targeted interventions. Besides, indirect Multi-sectoral interventions include Targeted Public Distribution System (TPDS), National Horticulture Mission, National Food Security Mission, Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), Total Sanitation Campaign, National Rural Drinking Water Programme etc. All these schemes have potential to address one or other aspect of Nutrition. Several of the existing schemes/programmes have been expanded/universalized just before or during the Eleventh Five Year Plan, hence, the results are likely to be visible after some time.

The responsibility of implementation of most of the above schemes lies with State Governments/UT Administrations who have been advised from time to time to set up State Nutrition Council and other mechanisms to address the issue.

To address the issue of malnutrition, some of the recent decisions by the Prime Minister Council on India's Nutrition Challenges are to (i) strengthen and restructure ICDS with special focus on pregnant and lactating mothers and children under three (ii) prepare a multi-sectoral programme to address the maternal and child malnutrition in selected 200 high-burden districts (iii) launch a nationwide information, education and communication campaign against malnutrition and (iv) bring strong nutrition focus in programmes in sectors like health, drinking water supply and sanitation, school education, agriculture, food and public distribution. Work on all these issues is in progress. In addition, the proposed National Food Security Bill contemplates provision of supplementary nutrition under the ICDS scheme and maternity benefits for pregnant and lactating mothers and will contribute to Food security.

(c) and (d) The scheme of ICDS was initiated in 1975 with 33 projects and 4891 Anganwadi centres (AWCs). The scheme was gradually universalised, in phases, and finally in 2008-09 with approved 7076 projects and 14 lakh AWCs. The universalisation of the scheme led to increased outreach which necessitated operational, programmatic and other reforms.

In order to address various programmatic, managerial and Institutional reforms as well as to meet administrative and operational challenges, the Ministry of Women and Child Development has formulated a comprehensive proposal on ICDS Strengthening and Restructuring which *inter-alia* include addressing the gaps and challenges with (a) special focus on children under 3 years and pregnant and lactating mothers (b) strengthening and repackaging of service including , care and nutrition counseling services and care of severely underweight children (c) a provision for an additional Anganwadi Worker cum Nutrition Counselor for focus on children under 3 years of age and to improve the family contact, care and nutrition counseling for P&L Mothers in the selected 200 high-burden districts across the country, besides having pilots on link worker, 5% creche cum Anganwadi centre (d) focus on Early Childhood Care and Education (ECCE) (e) forging strong institutional and programmatic convergence particularly, at the district, block and village levels (f) models providing flexibility at local levels for community participation (g) improving Supplementary Nutrition Programme including cost indexation, (h) provision for the construction and improvement of Anganwadi centres (i) allocating adequate financial resources for other components including Monitoring and Management and Information System (MIS), Training and use of Information and communication technology (ICT) and (j) to put ICDS in a mission mode etc.

Statement*State-wise details of under weigh children and women*

Sl.No	State	Undernutrition	
		Children (below 5 years) %	Women (15-49 yrs) (BMI below normal) %
1	2	3	4
1.	Andhra Pradesh	32.5	33.5
2.	Assam	36.4	36.5
3.	Arunachal Pradesh	32.5	16.4
4.	Bihar	55.9	45.1
5.	Chhattisaarh	47.1	43.4
6.	Delhi	26.1	14.8
7.	Goa	25.0	27.9
8.	Gujarat	44.6	36.3
9.	Haryana	39.6	31.3
10.	Himachal Pradesh	36.5	29.9
11.	Jammu and Kashmir	25.6	24.6
12.	Jharkhand	56.5	43.0
13.	Karnataka	37.6	35.5
14.	Kerala	22.9	18.0
15.	Madhva Pradesh	60.0	41.7
16.	Maharashtra	37.0	36.2
17.	Manipur	22.1	14.8
18.	Meghalava	48.8	14.6
19.	Mizoram	19.9	14.4
20.	Nagaland	25.2	17.4

1	2	3	4
21.	Odisha	40.7	41.4
22.	Punjab	24.9	18.9
23.	Rajasthan	39.9	36.7
24.	Sikkim	19.7	11.2
25.	Tamil Nadu	29.8	28.4
26.	Tripura	39.6	36.9
27.	Uttar Pradesh	42.4	36.0
28.	Uttarakhand	38.0	30.0
29.	West Bengal	38.7	39.1
	India	42.5	35.6

Demand for Anganwadi in Karnataka

4632. DR. VIJAY MALLYA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether the State Government of Karnataka had submitted to the Ministry a district and Taluk wise lists of Anganwadis totaling to 1156 Anganwadi;

(b) whether the Minister would state what further action is proposed to be taken in this regard to expedite establishment of these institutions in the State; and

(c) whether the State Government be apprised of the approval in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (c) State Government of Karnataka sent a proposal for 1156 Anganwadi Centres. Government of India has since sanctioned 1141 Anganwadi Centres to the State of Karnataka.

Filling of reserved vacancies

4633. SHRI SANJAY RAUT:

SHRI ANIL DESAI:

Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that DoPT has asked to submit a status report on whether the 60,000-odd reserved vacancies in Government jobs, including for the OBCs, have been filled;

(b) if so, the response of the Ministries to this request; and

(c) by when all the posts reserved for SCs, STs and OBCs would be filled up?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) The Special Recruitment Drive, 2008 was reviewed and the Government had relaunched the Drive on 26.7.2011 and all the Central Ministries/Departments were requested to fill up the backlog reserved vacancies by 31st March, 2012. All the Ministries/Departments have also been asked to submit the status of filling up of the post through the Drive. The Ministries/Departments have been reminded to furnish the final report of the Drive by 21st May, 2012. The final status from various Ministries/Departments is being received.

(c) Some reserved vacancies remain vacant for reasons like non-availability of suitable candidates, gap between arising of a vacancy and its filling up etc. It may, therefore, be not possible to fix any time line for filling up of all reserved vacancies. However, all efforts are being made to fill up the backlog reserved vacancies. Instructions already exist that if sufficient numbers of SC/ST/OBC candidates do not become available to fill up vacancies reserved for them in the first attempt of recruitment, a second attempt should be made for recruiting suitable candidates belonging to the category concerned in the same recruitment year, as early as possible, before the next recruitment. Moreover, Special Recruitment Drives are launched, from time to time, for filling up of the backlog vacancies.

Committee to study the status of women

4634. SHRIMATI KANIMOZHI: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether Government has set up a High Level Expert Committee to study the status of women in the country and details thereof;

(b) the names of the members of this Committee and what would be its mandate; and

(c) whether the Committee specifically study on the access of women to employment and issues of discrimination in the labour market?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) Yes, Sir. The Government has set up a High Level Committee on the status of women to undertake comprehensive

study to understand the status of women since 1989 as well as to evolve appropriate policy interventions based on a contemporary assessment of women's needs.

(b) The composition of the Committee is as under:

i)	Justice Ruma Pal	Chairperson
ii)	Prof. Bina Agarwal	Member
iii)	Dr. Amita Singh	Member
iv)	Dr. Pam Rajput	Member
v)	Ms. Rita Sarin	Member
vi)	Dr. Manorma Singh	Member
vii)	Dr. Shantha Krishnan	Member
viii)	Dr. Nirmala Devi	Member
ix)	Ms. Manira A Pinto	Member
x)	Smt. Vijayluxmi Kol.	Member
xi)	Ms. Pratima Thami	Member
xii)	Mrs. Suman Kumar	Member
xiii)	Mrs. Anusuiya Sharma	Member
xiv)	Dr. Simrit Kaur	Member
xv)	Smt. Deepa Jain Singh	Member Secretary

The Terms of Reference of the above High Level Committee (HLC) is as follows:

- (i) The HLC will conduct an intensive literature survey to take stock of published data, reports, articles and research from about 1989 onwards, on the status of women in India.
- (ii) The HLC will prepare a Report on the current socio-economic, political and legal status of women in India. The Report will also bring out the interconnectedness of these aspects in terms of their impact on women and recommend measures for holistic empowerment of women.
- (iii) The HLC will examine the overall status of women including, *inter-alia*, the socio-economic, health and nutritional, legal and political status, disaggregated by rural/urban, economic and social position (e.g. APL/

BPL, SC/ST, single women, disabled women, migrant women) and wherever possible by minority status (e.g. muslims/others). The analysis would take account of cross-regional differences and focus on inequalities both within and outside the household. It would also assess the impact made by existing policies and legislative changes on equality, security and holistic empowerment of women, and will identify inequalities in policy and legislation as well as gaps in implementation.

(c) The HLC will, *inter-alia* examine:

- (i) women's access to and participation in formal and informal paid employment; emerging areas of participation, geographical pattern of their economic activity, unpaid work/care economy, etc.
- (ii) access to micro-finance, bank credit, training and skill Upgradation, marketing etc. and constraints on increase in productivity.

Non-Functional Anganwadi Centres

4635. SHRIMATI KANIMOZHI: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether it is a fact that Hon'ble Minister had claimed that over one lakh Anganwadi centres were not functional;
- (b) if so, the details thereof; and
- (c) the steps that have been taken in the current financial year to operationalise all such Anganwadi centres?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (c) With a view to universalize the Integrated Child Development Services (ICDS) Scheme, Government of India has approved 14 lakh Anganwadi Centres (AWCs) including Mini-AWCs and 20,000 Anganwadi-on-demand. Based on the requirements indicated from time to time by the State Governments/Union Territory Administrations, Government of India has so far sanctioned 13.71 lakh AWCs/mini-AWCs. There were 13,11,080 AWCs/mini-AWCs functioning in the country as on 30.04.2012, leaving a balance of around 60 thousand AWCs yet to be made functional. State-wise details are given in Statement (*See below*).

Integrated Child Development Services (ICDS) being a Centrally Sponsored Scheme, implementation of the Scheme is with the State Governments/Union Territory Administrations. The delay in the operationalisation of Anganwadi centres

by the States/UTs is reported due to delay in issue of administrative sanctions/action by State Governments/UT Administrations on account of court cases on recruitment, etc. Ministry of Women and Child Development, Govt. of India is regularly monitoring and reviewing the implementation of ICDS Scheme with the State Governments/UT Administrations and pursuing with them to take all required administrative measures for early operationalisation of the sanctioned AWCs including mini-AWCs.

Statement

*State-wise number of non-functional anganwadi centres (AWCs)
in the country as on April 2012*

Sl. No.	State/UT	No. of Anganwadi Centres		
		Sanctioned	Operational	Non-functional
1	2	3	4	5
1.	Andhra Pradesh	91307	86957	4350
2.	Arunachal Pradesh	6225	6028	197
3.	Assam	62153	58348	3805
4.	Bihar	91968	81766	10202
5.	Chhattisgarh	64390	48660	15730
6.	Goa	1262	1262	0
7.	Gujarat	52137	50226	1911
8.	Haryana	25962	25171	791
9.	Himachal Pradesh	18925	18571	354
10.	Jammu and Kashmir	28577	26400	2177
11.	Jharkhand	38296	38186	110
12.	Karnataka	64518	63376	1142
13.	Kerala	33115	33082	33
14.	Madhya Pradesh	90999	90999	0
15.	Maharashtra	110486	106231	4255

1	2	3	4	5
16.	Manipur	11510	9883	1627
17.	Meghalaya	5156	5115	41
18.	Mizoram	1980	1980	0
19.	Nagaland	3455	3455	0
20.	Orissa	72873	70849	2024
21.	Punjab	26656	26656	0
22.	Rajasthan	61119	58494	2625
23.	Sikkim	1233	1233	0
24.	Tamil Nadu	55020	54439	581
25.	Tripura	9911	9906	5
26.	Uttar Pradesh	187517	186891	626
27.	Uttarakhand	23159	17568	5591
28.	West Bengal	117170	116390	780
29.	Andman and Nicobar Islands	720	697	23
30.	Chandigarh	500	420	80
31.	Delhi	11150	10577	573
32.	Dadra and Nagar Haveli	267	267	0
33.	Daman and Diu	107	102	5
34.	Lakshadweep	107	107	0
35.	Puducherry	788	788	0
ALL INDIA		1370718	1311080	59638

Regular evaluation of ICDS

4636. SHRI PARIMAL NATHWANI: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether the National Council of Applied Economic Research (NCAER) is conducting regular evaluation of Integrated Child Development Scheme (ICDS);

- (b) if so, the findings thereof;
- (c) how far the scheme has performed in Jharkhand; and
- (d) the details of steps taken to make the scheme more effective in terms of impacts and outcomes?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (d) The Integrated Child Development Services (ICDS) is a centrally sponsored scheme implemented through the State Governments/UT Administrations. The Scheme is evaluated on time to time. Recently, the Programme Evaluation Organization of the Planning Commission conducted an evaluation of ICDS through National Council for Applied Economic Research (NCAER) during 2009. Draft report of the said evaluation study was disseminated in August 2010 by the Planning Commission, following which the Ministry of Women and Child Development provided detailed comments on the draft report for its finalization. Some of the findings contained in the draft report were not agreed to by the MWCD due to their factual incorrectness. Some of the key findings in the draft report are as below;

- i. About two third (64%) of the children received supplementary nutrition (may not be for all 300 days) out of total children recorded in the delivery register by AWW. Against the norm of 25 days a month, on an average they received food for 16 days in a month.
- ii. Overall 42.5% of sampled AWCs have their own buildings, 17.4% are in rented buildings, 17.3% are located in primary schools and other 22.9% are running from AWW/AWH house, panchayat and community buildings.
- iii. Country-wide, a total of about 87% AWCs were found to have drinking water supply,
- iv. 69% of sampled AWCs having functional baby weighing scale;
- v. About 94% of sampled AWWs reported to have been adequately trained to conduct preschool education;
- vi. About 40% of AWWs reported getting some help from Panchayat with about 36% in monitoring and 34% in providing infrastructure. About 70% of the community leaders felt that the ICDS programme was very useful to the community;

- vii. Average attendance of no. of children 3-6 yrs based on three sudden visits by the Research Team was found to be 14.
- viii. Intended behavioural changes of varied intensity have been observed in Kerala, Himachal Pradesh, Andhra Pradesh, Tamil Nadu, Maharashtra, West Bengal and Jharkhand. In general, the practice of breast feeding within an hour of birth is found to be more widespread among ICDS beneficiaries;
- ix. ICDS has also positively influenced formal school enrolment and reduction in early discontinuation among beneficiaries;
- x. At the national level, ICDS programme has impacted the immunization coverage, especially measles vaccination.

In Jharkhand, about 19.97 lakh children (6 months to 6 years) and about 66 thousand pregnant women and lactating mothers received supplementary nutrition under the scheme as on March 2012. The NCAER Study found that on an average supplementary food was provided to children for 18 days per month at the AWCs in Jharkhand, which is slightly above the national average of 14 days. Based on a composite index of selected parameters, the State of Jharkhand was ranked five among the 20 major States by the said study, in respect of overall performance of ICDS.

Improvement in implementation of the Scheme is a continuous process. The universalization of the Scheme has led to increased outreach which necessitated operational, programmatic and other reforms. Notwithstanding the findings of the report, the Ministry of Women and Child Development has formulated a comprehensive proposal on ICDS strengthening and restructuring to address some of the key gaps and challenges in the aforesaid areas keeping in view better programme outcomes and impacts.

Sexual harassment in work place

4637. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether Government is bringing a Comprehensive Labour Legislation on the line of Hon'ble Supreme Court decision in 1997 to stop the sexual harassment of women in work place and assault on personal privacy;

(b) whether all Government/Private sectors organisations, hospitals and universities and unorganized sector comes under the purview of the Hon'ble Supreme Court guidelines; and

(c) if so, the details of sexual harassment cases reported and action taken, State-wise?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) and (b) Yes, Sir. The 'Protection of Women against Sexual Harassment at Workplace Bill, 2010' was introduced in the Lok Sabha on 07.12.2010. The Bill seeks to provide protection to women against sexual harassment at all workplaces both in the public and private sector, whether organised or unorganised. It provides for prevention and redressal of complaints of sexual harassment. Women who are employed as well as those who enter the workplace as clients, customers or apprentices besides the students and research scholars in colleges and universities and patients in hospitals are sought to be covered under the proposed legislation.

(c) All workplaces including Central Government institutions are mandated to follow Supreme Court guidelines on sexual harassment laid down in the Vishakha judgment. These Guidelines include setting up of appropriate complaint redressal mechanism in the form of Complaint Committees. As the complaints are handled by such Committees in the respective institutions, there is no centralized database on the number of complaints filed, their disposal and punishment awarded by these Committees in different cases.

Employment and Rehabilitation of orphans

4638. DR. T. SUBBARAMI REDDY: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether the Union Government has taken any new scheme for the empowerment and rehabilitation of orphans;

(b) if so, the details thereof along with status and criteria of the implementation;

(c) whether Government proposes to conduct any survey in respect of rise in number of orphans living on footpaths and various Railway Stations of the country including Andhra Pradesh; and

(d) if so, the details thereof and the steps taken by Government to improve the condition of such children?

THE MINISTER STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) The Government, in the Ministry of Women and Child Development, introduced, in 2009-10, a Centrally

Sponsored Scheme, namely, Integrated Child Protection Scheme (ICPS), for rehabilitation, and reintegration into society, of children in difficult circumstances, including orphans.

(b) Under ICPS, financial assistance is provided to State Governments/UT Administrations *inter-alia* for both institutional care as well as non-institutional care, such as adoption, sponsorship and foster-care, for children. Accordingly, grants are provided for setting up and maintenance of Homes of various types, adoption agencies as well as Open Shelters in Urban and Semi-Urban areas. Besides, funds are also provided for putting in place Child Welfare Committees in the districts and dedicated service delivery structures with staff exclusively engaged in child protection measures at State and district levels.

To receive financial assistance under the scheme, the State Government/UT Administration is required to sign a Memorandum of Understanding with the Ministry. All States/UTs, except the State of Jammu and Kasnmir, have signed the MoU for implementation of the ICPS.

(c) and (d) Financial assistance is provided under ICPS to the State Governments/UT Administrations, including Andhra Pradesh, for undertaking situational analysis of children in difficult circumstances at district level, and they are urged from time to time to carry out district need assessment studies and prepare district plans for implementation of ICPS accordingly.

Protection of child rights study

4639. DR. K.P. RAMALINGAM: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether the National Commission for Protection of Child Rights study informed that corporal punishment has not been reduced despite the fact that preventive actions have been taken by Government;

(b) if so, the details thereof and whether Government has taken any further action to urge State Governments to be strict in preventing corporal punishment in schools; and

(c) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) The National Commission for Protection of Child Rights (NCPCR) has informed that the objective of the study conducted by the NCPCR was to study the scale and magnitude of corporal punishment in the everyday school experience of India's children and to analyse the

different types of punishment in schools, and it cannot be inferred from the study whether or not corporal punishment has been reduced despite the preventive actions taken by the Government.

(b) and (c) Does not arise.

Condensed courses of education for women

4640. SHRI Y.S. CHOWDARY: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the details of financial assistance provided, State-wise during the last three years for condensed courses of education for women;

(b) the number of girls/women benefitted from the scheme during the last three years;

(c) whether Government is satisfied with the performance/results achieved so far under the scheme;

(d) whether Government has conducted any social audit to evaluate the performance of the scheme during the last three years; and

(e) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) Details of the financial assistance provided under the scheme of Condensed Courses of Education for women during the last three years, State-wise are given in Statement (*See below*).

(b) 10,525 girls/women benefitted from the scheme in 2009-10 and this number rose to 19,500 during 2010-11 and 2011-12;

(c) Yes Sir

(d) No Sir

(e) Does not arise.

Statement

Details of Financial Assistance

Sl.No.	State	2009-10	2010-11	2011-12
		Amount Sanctioned (Rs. Lakhs)		
1	2	3	4	5
1.	Andhra Pradesh	0.54	18.70	14.66
2.	Andaman and Nicobar	0	2.00	0.00

1	2	3	4	5
3.	Arunachal Pradesh	17.56	12.56	17.97
4.	Assam	22.88	28.19	17.20
5.	Bihar	51.08	58.84	36.78
6.	Chandigarh	0.78	2.00	3.16
7.	Chhattisgarh	22.48	36.98	28.99
8.	Delhi	10.92	9.45	18.27
9.	Goa	0.00	5.00	2.32
10.	Gujarat	15.33	34.00	6.77
11.	Haryana	10.00	9.21	9.02
12.	Himachal Pradesh	3.00	5.95	3.06
13.	Jammu and Kashmir	17.75	35.19	19.28
14.	Jharkhand	18.33	47.13	38.96
15.	Karnataka	0.00	21.35	15.90
16.	Kerala	3.20	5.00	0.00
17.	Lakshadweep	0	2.00	0.00
18.	Maharashtra	28.00	44.99	18.74
19.	Manipur	10.00	26.56	7.36
20.	Meghalaya	10.66	10.13	7.52
21.	Mizoram	5.00	6.43	8.72
22.	Madhya Pradesh	42.10	66.04	40.97
23.	Nagaland	11.99	12.63	7.91
24.	Odisha	31.05	29.76	22.76
25.	Pondicherry	0.00	6.20	1.72
26.	Punjab	10.28	13.21	5.00
27.	Rajasthan	23.94	25.48	20.90

1	2	3	4	5
28.	Sikkim	7.73	2.94	1.00
29.	Tamil Nadu	0	40.80	21.23
30.	Tripura	7.15	8.34	2.12
31.	Uttarpradesh	34.40	87.68	85.25
32.	Uttarakhand	5.67	17.16	8.49
33.	West Bengal	25.00	51.20	21.09
TOTAL		446.82	783.10	513.12

Fund for day care centres in district in of Karnataka

4641. DR. VIJAY MALLYA: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Karnataka State Women's Development Corporation has approached the Ministry for release of grant instalments which are due which comes to Rs. 45,75,000 for 2008-09, Rs. 61,00,000 for 2009-10 and Rs. 61,00,000 for 2010-11 for running day care centres in five districts in Karnataka; and

(b) by when will the funds as requested be released?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) Under the Ministry's Scheme of Integrated Programme for Older Persons, financial assistance is given to the implementing agencies viz. Non Governmental Organization, State Governments, Panchayati Raj Institutions and local bodies, for running and maintenance of day care centres based on the recommendations of the State level Grant-in-aid Committees and satisfactory inspection reports furnished by State Governments. No proposal of Karnataka State Women's Development Corporation for running day care centres in five districts of Karnataka has been received from the Government of Karnataka during these years.

(b) Does not arise.

Maintenance of sports facility at local level

4642. SHRI DILIP KUMAR TIRKEY: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether Government has a plan to involve PSUs in whose payrolls the

elite sportspersons are engaged, in providing and maintaining sports grounds/trainers and facilities/physiotherapists of National/International standard at local level for use by such sports persons on their return to base after participating in an international competition or returning after attending a national level camp to keep their practice and fitness level intact;

(b) whether Government has any programme/schedule on monitoring the above requirements on weekly or monthly basis at the Ministry level;

(c) if so, details of the action or proposed action taken thereon; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) No, Sir

(b) and (c) Questions do not arise.

(d) Responsibility of utilizing the sports grounds for training and practice of the sportspersons on the payrolls of the Public Sector Undertaking (PSUs) after their return from participation in international sports competitions or after attending a national level camp is that of the respective Public Sector Undertakings.

Funds for development of youth

4643. DR. GYAN PRAKASH PILANIA: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) funds earmarked for the development of youth during the last three years, in Rajasthan;

(b) funds spent and achievements thereof;

(c) whether any proposals from Rajasthan are pending with the Ministry;

(d) if so, the details thereof; and

(e) the time-frame for their disposal?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) and (b) No funds are earmarked to any specific state under the scheme of National Programme for Youth and Adolescent Development (NPYAD). However, funds released for development of youth in Rajasthan during the last three years through State Government Organizations and NGOs are as under:

Funds released 2009-10 (In lakhs)	Funds released 2010-11 (In lakhs)	Funds released 2011-12 (In lakhs)
88.42	346.39*	51.04

Around 900 youth, in the year 2009-10, 4000 in 2010-11 and 600 in the year 2011-12, participated in the programmes under the Scheme.

*In the year 2010-11, National Youth Festival was celebrated at Udaipur in Rajasthan, therefore, additional amount of Rs. 200.18 lakhs was release to Rajasthan.

(c) No proposals for financial assistance under the National Programme for Youth and Adolescent Development scheme from Rajasthan are pending in the Ministry.

(d) and (e) Does not arise.

Implementation of schemes in Bihar and Uttar Pradesh

4644. SHRI SABIR ALI:

SHRI MOHAMMED ADEEB:

Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) the details of programmes and schemes of the Ministry being implemented in Bihar and Uttar Pradesh;

(b) the details of achievements as against the targets during the last three years, year-wise;

(c) the steps being taken to ensure that full targets are achieved during the current year; and

(d) the steps being taken to increase the allocations for strengthening the infrastructure and facilities in the State?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORT (SHRI AJAY MAKEN): (a) The details of programmes and schemes of Department of Youth Affairs being implemented in Bihar and Uttar Pradesh are as under:

Nehru Yuva Kendra Sangathan (NYKS): Programmes/Schemes and activities conducted from grants given to Nehru Yuva Kendra Sangathan (NYKS) fall in two broad categories i.e. Regular Programmes and Special Programmes.

Regular Programme

Under the regular programmes, funded by the Ministry of Youth Affairs and Sports, core activities are aimed at strengthening the Youth Club network and capacity building of youth club members and these programmes are mostly common to all Nehru Yuva Kendras (NYKs).

Special Programme

Under the special programmes, Schemes of the Ministry of Youth Affairs and Sports are implemented to further the cause of Youth Development and their participation in nation building activities.

National Programme for Youth and Adolescent Development (NPYAD): A scheme titled National Programme for Youth and Adolescent Development (NPYAD) is being implemented throughout the country including the State of Bihar and Uttar Pradesh. Under the Scheme, the following activities are undertaken:

1. Youth Leadership and Personality Development;
2. Promotion of National Integration;
3. Promotion of Adventure;
4. Development and Empowerment of Adolescents; and
5. Technical and Resource Development.

National Service Scheme (NSS): National Service Scheme (NSS) is a centrally sponsored scheme of the Ministry of Youth Affairs and Sports aiming at personality development of student youth through community service, launched in 1969. The scheme is being run in 298 Universities across the country in the educational institutions at +2 level, with about a volunteer strength of around 32.5 lakh, youth.

The Details of programmes and schemes of Department of Sports

Panchayat Yuva Krida aur Khel Abhiyan (PYKKA): In Bihar, during the year 2008-09, an amount of Rs. 10.44 crores was approved for development and maintenance of sports infrastructure in 847 Village Panchayats and 53 Block Panchayats under the PYKKA scheme. Out of this, an amount of Rs. 10.22 crores has been released to the Government of Bihar during the years 2008-09 and 2009-10. The balance amount could not be released to the State Government due to non-submission of Utilization Certificate. In Uttar Pradesh, during the years 2008-09 to 2011-12, an amount of Rs. 112.74 crores was approved for development and maintenance of sports infrastructure in 9696 Village Panchayats and 164 Block Panchayats under the PYKKA scheme. Out of this, an amount of Rs. 107.62 crores has been released to the Government of Uttar Pradesh during the years 2008-09, 2009-10, 2010-11 and 2011-12. The balance amount could not be released to the State Government due to non-submission of Utilization Certificate.

(b) and (c) Details of achievements are given in Statement-I (*See below*).

In order to achieve the physical and financial targets during 2012-13, the following steps are being taken by:

Under the Department of Youth Affairs monitoring is being done to ensure:

- (i) The funds will be released to field offices on time.

- (ii) Close monitoring of the Programmes.
- (iii) Frequent field visits undertaken for timely execution.

Department of Sports:

PYKKA: No specific targets were set up under PYKKA Scheme. However, both the State Governments viz. Govt. of Bihar and Govt. of Uttar Pradesh were required to develop the approved number of playfields. While, no report has been received from the Govt. of Bihar in this regard, in spite of repeated reminders, the Govt. of Uttar Pradesh has informed that 5203 Playfields at Village Panchyat level and 82 playfields at Block Panchyat level have been developed during the last three years. Both the State Governments are being reminded from time to time to develop the approved number of playfields.

(d) To increase the allocation for strengthening the infrastructure and facilities in the state following steps have been taken:

NYKS:

- (i) Time to time request has been made to enhance the plan and non-plan budget allocations of NYKS.
- (ii) The issues have been raised at Ministry of Youth Affairs and Sports and Planning Commission level.
- (iii) 16 new Nehru Yuva Kendra are being established in Uttar Pradesh and 04 in Bihar. A list of these Kendras is given in Statement-II (*See below*).

NSS: Awards have been constituted to motivate the NSS functionaries at the grass root level for better achievement of the targets. Numbers of awards as well as prize money at University, Colleges and Volunteers levels have been almost doubled to motivate NSS functionaries and volunteers. More and more training programmes are being conducted to train the NSS Programme Officers. Monitoring part is being strengthened by giving more visits to the institutions by NSS Officers of NSS Regional Centres, located at the State Capitals, with the involvement of State Governments.

PYKKA: No State-wise allocation is made for development and maintenance of playfields under the PYKKA Scheme. The release of funds to the State Governments depends upon their ability to fulfill the terms and conditions of implementation of the Scheme like development of the approved number of playfields, timely submission of Utilization Certificates for the grants release for the previous years etc.

Statement

A. Target set and Achievements of Regular Programme by NYKS organized in the state of Bihar and Uttar Pradesh for last three years (2009-10 to 2011-12)

Sl. No.	Name of Programme	Bihar						Uttar Pradesh					
		2009-10		2010-11		2011-12		2009-10		2010-11		2011-12	
		Target Set	Achieve-ment	Target Set	Achieve-ment	Target Set	Achieve-ment	Target Set	Achieve-ment	Target Set	Achieve-ment	Target Set	Achieve-ment
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.	Youth Awareness Campaign	153	146	-	-	-	-	241	240	-	-	-	-
2.	Meeting of Youth Leaders	187	177	221	220	-	-	296	296	338	330	-	-
3.	Provision of Sports Material to Youth Clubs	3825	3631	3842	3842	1921	1921	5986	5972	6020	5794	3010	2946
4.	Block Sports Tournaments	170	162	221	221	-	-	262	261	338	335	-	-
5.	District Sports Tournaments	34	32	34	34	-	-	55	55	55	52	-	-

6.	District Folk Cultural Festival	34	32	34	34	34	34	55	55	55	53	55	55	Written Answers to
7.	Block Folk Cultural Festival	-	-	221	220	221	221	-	-	338	333	338	329	
8.	Distt. Youth Awards (Individual)	68	59	68	42	68	32	110	100	110	74	110	58	
9.	Celebration of Important National/ International Days/week	340	320	340	340	340	340	550	730	550	623	550	587	
10.	Work Camp	153	145	221	220	119	115	241	239	338	314	186	181	[17 MAY, 2012]
11.	Quarterly Meeting of DACYP	136	44	136	54	136	55	220	108	220	113	220	86	
12.	District Youth Convention	34	32	34	33	34	33	55	54	55	49	55	55	Unstarred Questions
13.	Capacity Building of Youth for Employ-ability	3400	3400	3740	3740	-	-	5500	5406	6050	5612	-	-	
14.	Incentive to Youth Clubs	663	627	-	-	-	-	1053	824	-	-	-	-	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	320
15. Skill Up-gradation Training Programme for Women in 200 Border/ Tribal/ Backward Districts (Sort Term		88	77	154	154	154	154	66	49	187	164	.187	184	Written Answers to
16. Skill Development Training Programme under NCVT Scheme		-	-	300	300	560	375	-	-	600	364	963	480	[RAIYA SABHA]
17. Youth Club Exchange Programme		-	-	17	17	17	17	-	-	27	26	27	26	
18. Mentor Youth Club Project		-	-	-	-	1022	462	-	-	-	-	1396	318	Unstarred Questions

B. State wise activities of NPYAD scheme for last three years

Sl. No.	State/UT	National Integration Camps						Adventure Camps		Youth Leadership and Personality Development Training				Life Skills Training Programme for Adolescents			
		2009-10		2010-11		2011-12		2009-10		2009-10		2010-11		2009-10		2010-11	
		T. Set	T. Achi.	T. Set	T. Achi.	T. Set	T. Achi.	T. Set	T. Achi.	T. Set	T. Achi.	T. Set	T. Achi.	T. Set	T. Achi.	T. Set	T. Achi.
1.	Bihar	6	6	12	12	12	12	6	6	2	2	5	5	3	3	3	3
2.	Uttar Pradesh	10	10	21	21	23	23	10	10	5	5	10	10	4	4	4	4
	TOTAL	16	16	33	33	35	35	16	16	7	7	15	15	7	7	7	7

C. State wise NYC deployment during 2010-2011 and 2011-2012

Sl.No.	State	2010-11	2011-12
1.	Bihar	1101	1101
2.	Uttar Pradesh	1621	1293

D. Target set and Achievements of Regular Programme by NSS organized in the state of Bihar and Uttar Pradesh for last three years

State	Enrolment		Special Camps		Adopted Villages	
	Target	Achievement	Target	Achievement	Target	Achievement
Bihar						
2009-10	47200	28287	198	76	198	250
2010-11	57200	42802	198	92	198	331
2011-12	57200	41078	198	80	198	262
Uttar Pradesh						
2009-10	263700	189016	770	793	770	794
2010-11	263700	227800	2198	2245	2198	2291
2011-12	263700	261663	2198	2292	2198	2291

Statement-II

List of newly approved districts for opening of Nehru Yuva Kendras in Bihar and Uttar Pradesh

Sl.No.	State	No. of Districts	District Name
1.	Uttar Pradesh	16	1. Jyotiba Phule Nagar 2. Baghpat 3. Gautam Budh Nagar 4. Hathras 5. Kannauj 6. Mahoba 7. Chitrakoot 8. Kaushambi 9. Ambedkar Nagar 10. Shravasti 11. Balrampur 12. Sant Kabir Nagar 13. Kushingar 14. Chandauli 15. Sant Ravidas Nagar 16. Auraiya
2.	Bihar	4	17. Sheohar 18. Lakhisarai 19. Sheikhpur 20. Arwal

Participation of dope tainted athletes in events

4645. SHRI RAJKUMAR DHOOT: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

- (a) whether it is a fact that of late the number of dope tainted athletes

participating in domestic and international events is increasing thereby bringing shame to the nation;

(b) if so, the details thereof; and

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

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) and (b) The details of number of cases reported during last three years are given in Statement (*See below*).

(c) The following remedial measures have been to curb doping in sports:

- (i) Increasing the frequency of testing of Core probable undergoing training at various centres for London Olympics, 2012.
- (ii) Surprise checking of rooms of Athletes, Coaches and Support Personnel at training institutes and surprise collection of samples.
- (iii) Distribution of educational material related to dope related issues amongst Sportspersons, Coaches and Support Personnel.
- (iv) Increase in Seminar/Workshops/Teaching Sessions with Athletes and Coaches.
- (iv) Closer surveillance and vigilance on Coaches and Support Personnel.

Statement

Details of member of cases reported during last three years

Sl.No.	Disciplines	Number of Positive Cases		
		2009	2010	2011
1	2	3	4	5
1.	Athletics	12	15	25
2.	Bodybuilding	29	02	04
3.	Kabaddi	—	32	21
4.	Weightlifting	09	19	20
6.	Boxing	04	06	11
7.	Wrestling	05	08	06

1	2	3	4	5
8.	Judo	02	02	02
9.	Swimming	01	03	03
10.	Powerlifting	02	12	11
11.	Rowing	—	—	02
12.	Basketball	—	01	01
13.	Volleyball	—	01	01
14.	Triathlon	—	—	01
15.	Equestrian	—	—	02
16.	Football	—	—	02
17.	Cycling	03	—	02
18.	Taekwondo	—	02	01
19.	Kay and Canoeing	—	—	01
20.	Shooting	—	—	—
21.	Rugby	—	01	—
22.	Soft Tennis	—	01	—
23.	Hockey	—	01	—
24.	Netball	—	01	—
Total Positive Cases		67	107	116
Total Samples Taken		2331	2794	3206
Percentage		2.87	3.83	3.62

Maintenance of play grounds and stadia

4646. SHRI DILIP KUMAR TIRKEY: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether Government is aware that sports play grounds of schools and colleges run by Government/Government-aided stadia of Central/State Government are not properly maintained/renovated/unavailable for sports activities;

(b) if so, the details thereof and the details of Central schemes/grants being given or proposed to be given to such institutions in the country, State-wise;

(c) the details in respect of Odisha; and

(d) the details of number of stadia maintained by Central Government/Sports Authority of India including play grounds, State-wise?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) Yes, Sir. Some play-grounds/stadia do may not be properly maintained/renovated and may be unavailable for sports activities.

(b) and (c) The Government of India have launched a Scheme during 2008-09 titled Panchayat Yuva Krida Aur Khel Abhiyan (PYKKA) which aims at development of playfields in all the village and block panchayats across the country in a phased manner 53,297 village/block panchayats have been covered under the PYKKA Scheme, for the last four years (2008-09 to 2011-12) for development of play fields. Most of the play grounds under the scheme have been developed in the government schools all over the country. State-wise sanction and release of funds under the PYKKA Scheme given in Statement-I to III.

(d) Five stadia in Delhi are being maintained by Sports Authority of India. The names of the stadia are given as under:

Name of Stadium
Jawaharlal Nehru Stadium
Indira Gandhi Stadium
Major Dhyan Chand Stadium
Dr. Shyama Prasad Mukherjee Swimming Pool Complex
Dr. Karni Singh Shooting Range Complex

Statement-I

State-wise sanction and release of funds under PYKKA Scheme for development of playfields during 2009-2010

Sl. No.	Name of State	Development of playfields	
		Amount approved	Amount released
1	2	3	4
1.	Andhra Pradesh	25.98	12.99
2.	Arunachal Pradesh	5.56	4.44

1	2	3	4
3.	Assam	-	3.85
4.	Bihar	-	5.02
5.	Chhattisgarh	-	5.06
6.	Goa	-	0.18
7.	Gujarat	-	7.10
8.	Haryana	-	3.25
9.	Himachal Pradesh	-	2.01
10.	Jammu and Kashmir		2.10
11.	Jharkhand	4.79	2.39
12.	Kerala	-	0.80
13.	Karnataka	6.22	3.12
14.	Madhya Pradesh	-	-
15.	Meghalaya	1.32	1.06
16.	Maharashtra	-	4.86
17.	Manipur	-	-
18.	Mizoram	2.08	0.21
19.	Nagaland	-	0.30
20.	Odisha	7.34	8.05
21.	Punjab	-	6.27
22.	Rajasthan	-	4.72
23.	Sikkim	1.35	0.13
24.	Tamil Nadu	-	1.91
25.	Tripura	-	
26.	Uttar Pradesh	-	16.96
27.	Uttarakhand	-	5.90
28.	West Bengal	-	2.32
TOTAL		54.64	105.00

Statement-II

State-wise sanction and release of funds under PYKKA Scheme for development of playfields during 2010-2011

(Rs. in crore)

Sl. No.	Name of State	Development of playfields	
		Amount approved	Amount released
1	2	3	4
1.	Andhra Pradesh	51.96	25.98
2.	Arunachal Pradesh	11.11	10.51
3.	Assam	-	-
4.	Bihar	-	-
5.	Chhattisgarh	-	-
6.	Goa	-	-
7.	Gujarat	11.35	02.55
8.	Haryana	14.43	14.43
9.	Himachal Pradesh	8.79	8.80
10.	Jammu and Kashmir	-	-
11.	Jharkhand	-	-
12.	Karnataka	12.47	14.86
13.	Kerala	11.17	11.17
14.	Madhya Pradesh	-	-
15.	Maharashtra	28.16	41.94
16.	Meghalaya	1.32	01.19
17.	Mizoram	2.25	02.27
18.	Nagaland	5.92	02.96
19.	Odisha	10.35	05.98
20.	Punjab	27.87	26.66

1	2	3	4
21.	Sikkim	0.67	2.02
22.	Tamil Nadu	-	-
23.	Tripura	7.06	03.24
24.	Uttar Pradesh	58.83	62.27
25.	Uttarakhand	19.43	19.43
26.	West Bengal	-	02.32
27.	Andaman and Nicobar	01.06	01.06
28.	Lakshadweep	00.51	00.51
29.	Puducherry	00.69	00.69
30.	UT of Chandigarh	-	-
GRAND TOTAL		285.40	260.84

Statement-III

State-wise sanction and release of funds under PYKKA Scheme for development of playfields during 2011-2012

(Rs. in crore)

Sl. No.	Name of State	Development of playfields	
		Amount approved	Amount released
1	2	3	4
1.	Andhra Pradesh	-	25.98
2.	Arunachal Pradesh	-	-
3.	Chhattisgarh	-	-
4.	Gujarat	2.08	13.43
5.	Haryana	5.09	5.09
6.	Himachal Pradesh	4.02	3.66
7.	Jammu and Kashmir	-	0.56
8.	Jharkhand	-	2.40
9.	Karnataka	-	-
10.	Kerala	-	-

1	2	3	4
11.	Madhya Pradesh	23.65	39.99
12.	Maharashtra	-	-
13.	Meghalaya	1.32	1.72
14.	Manipur	-	0.22
15.	Mizoram	-	2.07
16.	Nagaland	1.48	4.70
17.	Odisha	-	7.34
18.	Punjab	-	-
19.	Rajasthan	7.82	2.75
20.	Sikkim	1.66	1.66
21.	Tripura	4.09	4.09
22.	Uttar Pradesh	-	18.39
23.	Uttarakhand	-	-
24.	West Bengal	-	-
UTs			
25.	Andaman and Nicobar	-	-
26.	Lakshadweep	-	-
27.	Puducherry	-	-
TOTAL		51.21	134.05

Projects taken up by SAI in Odisha

4647. SHRI DILIP KUMAR TIRKEY: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) the number of projects taken up by Sports Authority of India (SAI) in Odisha, sportswise during last three years;

(b) project-wise details of allotment and percentage utilisation of grants for the last three years;

- (c) the number of projects taken by SAI in Sundergarh district of Odisha;
- (d) the details of allotment and expenditure during last three years; and
- (e) the details of the projects of SAI at village Bhavanipur in Sundergarh district of Odisha?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) Sports Authority of India (SAI) has taken up the following sports project, in the State of Odisha:

- (i) Laying of Astro Turf Hockey Field at Special Area Games (SAG) Centre, Sundargarh.
 - (ii) Construction of 100 bedded hostel and boundary wall and gate at SAG Centre, Jagatpur.
- (b) Project wise expenditure incurred is as under:
- (i) Laying of Astro Turf Field at SAG Centre, Sundargarh at a cost of Rs. 290 lakh. The funds have been released and utilized.
 - (ii) Construction of 100 bedded hostel and boundary wall and gate at SAG Centre, Jagatpur. Funds amounting to Rs. 621.23 lakh have been released and utilized. Proposal for revised estimate has been received.
- (c) One project, lying of Astro Turf Hockey field at SAG Centre, Sundargarh.
- (d) The expenditure incurred on trainees under various SAI Schemes operational in Odisha is as follows:

2007-08	Rs. 1,24,40,858/-
2008-09	Rs. 1,46,23,528/-
2009-10	Rs. 1,26,88,023/-
2010-11	Rs. 1,57,67,415/-
2011-12	Rs. 1,16,85,497/-

- (e) One project, lying of Astro Turf Hockey Field at SAG Centre, Sundargarh.

Funds allocated to promote various sports

4648. DR. T. SUBBARAMI REDDV: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

- (a) the details of funds allocated/released/expenditure incurred to promote various sports disciplines during each of the last three years and the current year;

(b) whether Government proposes to give special emphasis to promote kabaddi, football, hockey, basketball, volleyball and other traditional sports and provide special sports training to the sports persons; and

(c) if so, the details thereof and the number of sports training centres set up/proposed to be set up for the purpose?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) to (c) Government is implementing the scheme of "Assistance to National Sports Federation" under which financial assistance is provided to the National Sports Federations (NSFs) to promote sports and games including traditional games such as Kabaddi, football, hockey, basketball, volleyball etc. Financial assistance is provided to the NSFs for training and participation in international events abroad, holding of national/international events in India, coaching/training of national teams/sportspersons through Indian and foreign coaches, procurement of equipment and other scientific support. The details of financial assistance provided to the NSFs under the scheme of assistance to the NSFs for carrying out the aforesaid activities, during the last 3 years is given in Statement-I (*See below*).

The Government through its various Scheme and those of the Sports Authority of India (SAI), augment the efforts of the recognized National Sports Federations (NSFs) and encourages domestic and traditional games. SAI's efforts for promotion of traditional games are channelized through their promotional schemes of National Sports Talent Contest Scheme (NSTC), SAI Training Centre (STC), Special Areas Games (SAG), Centre of Excellence (COE) across the country, where training is imparted in different disciplines including the traditional games such as Hockey, Kabaddi etc. Under the 'Come and Play Scheme', training in disciplines of Hockey, Kabaddi etc. is imparted at various Centres of SAI across the country. List of SAI Training Centres, Special Area Games Centres and Centres of Excellence State-wise are given in Statement-II (*See below*)

Statement-I

Details of Financial Assistance to NSFs

Sl. No.	Name of the Federation	2009-10	2010-11	Rs. In lakhs	
				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*	724.23

1	2	3	4	5	6
23.	Amateur Handball Federation of India, Jammu and Kashmir	13.55	46.44	78.70	138.69
24.	Basketball Federation of India, New Delhi	61.60	24.24	227.89	313.73
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

1	2	3	4	5	6
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, Kolkatta	38.87	50.11	50.20	139.18
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

Statement-II

State-wise details of Sports Authority of India (SAI) Centre

Sl.No.	State	Centres		
		SAI Training Centre (STC)	Special Area Games (SAG)	Centre of Excellence (COE)
1	2	3	4	5
1.	Andhra Pradesh	Secunderabad	—	—
		Eluru	—	—
		Kurnool	—	—

1	2	3	4	5
		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
		Kurukshetra	—	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	—	—

1	2	3	4	5
14.	Madhya Pradesh	Bhopal	Dhar	Bhopal
		Dhar	—	—
		Indore	—	—
		Jabalpur	—	—
		Tikamgarh	—	—
15.	Maharashtra	Kandivali	—	Kandivali
		Aurangabad	—	—
16.	Manipur	Imphal	Imphal	Imphal
		—	Uitov	—
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.	Tamilnadu	Chennai	Nagercoil	—
		Salem	Mayiladuthurai	—
25.	Tripura	—	Agartala	—

1	2	3	4	5
26.	Uttar Pradesh	Raibarielly	—	—
		Jhansi	—	—
		Safai Etawah	—	—
		Lucknow	—	—
		Allahabad	—	—
		Bareilly	—	—
27.	Uttarakhand	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.	Pondicherry	Pondicherry	—	—

Poor maintenance of Commonwealth sporting infrastructure

4649. SHRIMATI VASANTHI STANLEY: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether it is a fact that Commonwealth Games, 2010 sporting infrastructure is wearing away due to lack of use and poor maintenance;

(b) if so, the reasons therefor;

(c) whether the facilities have been frequently monitored and inspected; and

(d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) and (b) No, Sir. The stadia/sporting infrastructure constructed/renovated for Commonwealth Games, 2010 are being maintained and are being regularly used for holding of various sporting events/camps. The stadia are also being used for training of sportspersons under 'Come and Play' Scheme.

(c) and (d) Maintenance of the stadia/sporting infrastructure is closely monitored by respective Stadium Administrators/Senior Officers of Sports venues.

National Integration Schemes for youth across the country

4650. SHRI Y.S. CHOWDARY: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state;

(a) the details of financial assistance provided during the last three years for promotion of National Integration, among youth across the country, State-wise;

(b) whether there is any monitoring mechanism in place to evaluate the performance of National Integration Schemes, across the country; and

(c) if so, the results achieved during the last three years?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) The details of financial assistance provided during the last three years for promotion of National Integration among youth across the country under different programmes such as National Integration Camps, Inter-State Youth Exchange Programme, Multi-Cultural Activities, National Youth Festival, State Youth Festival and National Youth Award, State-wise, are given in Statement (*See below*).

(b) The monitoring mechanism is inherent in the scheme of National Programme for Youth and Adolescent Development, as the grantee organization, on completion of the programme, is required to submit the details of the activities done under the programme along with performance report, list of participants indicating their age, gender, caste, funds utilization certificate and Accounts Statement duly signed by a Chartered Accountant, and an Inspection Report signed by either a State Govt. Officer or by a District Youth Coordinator of NYKS.

(c) Around 4,27,000 youth, both male and female, in the year 2009-10, 3,13,000 in 2010-11 and 4,44,000 during 2011-12, participated in the programmes mentioned at (a) above.

Statement

Details of financial assistance provided during the last three years for promotion of National Integration among youth of the country under different programmes

(Rupees in lakhs)

Sl.No.	Name of State	Allocation 2009-10	Allocation 2010-11	Allocation 2011-12
1	2	3	4	5
1.	Andhra Pradesh	14.91	36.14	36.10
2.	Arunachal Pradesh	4.30	11.38	11.30
3.	Assam	24.91	32.60	52.46
4.	Bihar	25.53	46.21	43.21
5.	Chattisgarh	7.84	18.45	14.91
6.	Goa	3.54	3.54	3.53
7.	Gujarat	14.91	29.06	32.60
8.	Haryana	14.15	29.06	29.00
9.	Himachal Pradesh	11.38	25.53	21.88
10.	Jammu and Kashmir	11.38	25.53	25.50
11.	Jharkhand	11.38	25.53	25.52
12.	Karnataka	24.91	36.14	236.10
13.	Kerala	11.38	25.53	25.52
14.	Madhya Pradesh	29.07	53.83	57.36
15.	Maharashtra	21.99	57.36	53.82
16.	Manipur	13.69	18.45	37.38
17.	Meghalaya	4.30	111.38	11.37
18.	Mizoram	4.30	7.84	7.83

1	2	3	4	5
19. Nagaland		105.04	11.38	11.37
20. Odisha		239.38	29.06	29.06
21. Punjab		14.91	32.60	21.98
22. Rajasthan		21.99	266.29	53.82
23. Sikkim		4.30	11.38	7.73
24. Tamil Nadu		17.84	43.21	43.21
25. Tripura		4.30	4.30	7.83
26. Uttar Pradesh		36.14	75.05	82.10
27. Uttarakhand		17.84	14.91	14.91
28. West Bengal		29.83	43.21	43.21
29. Delhi		226.81	302.53	101.95
30. Chandigarh		4.30	3.54	4.30
31. Dadra and Nagar Haveli		3.54	3.54	3.53
32. Daman and Diu		—	3.54	3.53
33. Pondicherry		—	3.54	3.53

12.00 NOON

SHORT NOTICE QUESTION

Need for Airport at Raxual in Bihar

9. SHRI SABIR ALI: Will the Minister of CIVIL AVIATION be pleased to state:

- (a) whether it is a fact that earlier there used to be an Airport at Raxaul;
- (b) whether it is a fact that the same is not operational nowadays;
- (c) whether it is also a fact that properties of defunct airport have been encroached upon and misappropriated;

(d) if so, the details in this regard; and

(e) the steps that are being taken to revive the airport in view of its strategic importance on the Indo-Nepal Border?

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

Statement

(a) Yes, Sir.

(b) Yes, Sir.

(c) and (d) No, Sir. There are no encroachments or unauthorized structure on AAI Band at this airport. However, it may be mentioned that the airport does not have any boundary wall/fencing.

(e) At present, AAI does not have any plan to revive the airport due to lack of traffic demand. The airlines operators have also not shown interest to provide air services.

MR. CHAIRMAN: Now, we will take up Short Notice Question No. 9, Shri Sabir Ali.

श्री साबिर अली: सर, मैंने आन्सर देखा। बिहार में रक्सौल नेपाल का सबसे बड़ा सीमा इलाका है। तीन दशक पहले वहां एक एयरपोर्ट था, जो चलता था और वहां फ्लाइट उतरती थी। मैंने इसके लिए 2008 से लेकर 2011 तक चार चिट्ठियां लिखीं, इनके जवाब भी आए। इनसे पहले जो मंत्री थे, प्रफुल्ल पटेल जी, उन्होंने कहा कि रक्सौल एयरपोर्ट को ट्रेनिंग सेंटर के लिए खोला जाएगा, ताकि बच्चे वहां पर ट्रेनिंग लें और वहां पर एयरक्राफ्ट के मेंटेनेंस के लिए वर्कशॉप बनाई जाएगी, लेकिन इनके जवाब में इस बात को नकारा गया, यह बहुत दुखदायी है। मेरे पास इन्हीं के मंत्रालय की चिट्ठी है।

श्री सभापति: अपना सवाल क्या है?

श्री साबिर अली: सर, मैं सवाल पर आ रहा हूं। सर, मुझे चेयर का प्रोटेक्शन चाहिए। अगर मंत्रालय से जवाब गलत आता है, तो बड़ी दुखद बात है। मेरे पास इनके मंत्रालय की चिट्ठी है। उन्होंने लिखा है कि एयरक्राफ्ट के मेंटेनेंस के लिए और पायलट की ट्रेनिंग के लिए रक्सौल को ऑपरेट किया जाएगा। इन्होंने उस जवाब को नकार दिया है कि न तो हमने ऐसा कोई जवाब दिया है, न हमारे पास ऐसा कोई प्रोविजन है और न ही हम ऐसा सोच रहे हैं। इन्हीं के मंत्रालय से कंट्राडिक्टरी जवाब आया है। मेरा कहना यह है कि रक्सौल एक ऐसा क्षेत्र है, जो नेपाल के मिडिल में है और चीन के बॉर्डर के लिए सबसे ज्यादा उपयोगी है। चीन के साथ इस देश का जो सम्बन्ध है, यह किसी से छिपा नहीं है। बिहार 10.5 करोड़ की आबादी वाला प्रदेश है, जहां सिर्फ गया और पटना के अलावा कोई एयरपोर्ट नहीं है। वहां से आपको जितना ट्रैफिक चाहिए, वह मिलता है। मैंने चिट्ठी में इसके बारे में पूछा, तो इन्होंने दो चीजों को नकारा। एक तो इन्होंने नकारा कि वहां कोई इंक्रोचमेंट नहीं है। सर, उनका

जवाब निगेटिव है। इसलिए मुझे यह कहना पड़ता है, मैं भाषण देने के लिए नहीं खड़ा हूँ, लेकिन मुझे आपका प्रोटेक्शन चाहिए, क्योंकि पहले उनके मंत्रालय ने यह एक्सेप्ट किया कि वहां इंक्रोचमेंट हुआ है, अभी इनका जवाब आता है कि इंक्रोचमेंट नहीं है। मैं उस शहर का रहने वाला हूँ। वहां इनकी जितनी जमीन थी, लोगों ने इंक्रोच कर ली। उसकी रनवे टूट गई, इनकी बिल्डिंग ध्वस्त हो गई और उसका कोई माई-बाप नहीं है। उनसे इतना भी नहीं हो सका कि अपनी जमीन का प्रोटेक्शन करें।

श्री सभापति: आप जवाब सुन लीजिए।

श्री साबिर अली: सर, मैं प्रमाण दे रहा हूँ, मेरे पास पहले की चिट्ठी है, 2008 से लगातार 4 साल हो गए मुझे चिट्ठी लिखते हुए। इस पर हमको एक शेर याद आता है।

श्री सभापति: आप शेर मत सुनाइए, that will not go on record.

श्री साबिर अली: *

श्री सभापति: देखिए, क्वेश्चन ऑवर में तकरीर नहीं होगी।

श्री साबिर अली: सर यह दुख की बात है।

श्री सभापति: आपको सप्लीमेंट्री पूछना है या नहीं?

श्री साबिर अली: सर, मैं अपना सवाल रख रहा हूँ।

श्री सभापति: आप फौरन अपना सवाल रखिए।

श्री साबिर अली: सर, मैंने चिट्ठियां बहुत लिखी हैं। मेरा सवाल यह है कि ऐसी संवेदनशील जगह, जहां इसकी अति आवश्यकता है, वहां आपके पास अपनी जगह है, आपका एयरपोर्ट पहले चालू था, अगर आने वाले समय में आप वहां इसे नहीं खोलना चाहते हैं, तो क्या सरकार की पी.पी.पी. में वहां एयरपोर्ट चालू करने की अभी कोई योजना है या नहीं?

SHRI AJIT SINGH: Sir, for 30 years there has been no airport in Raxaul. No flight has taken place. We have studied and there is no demand for any airlines. They are not asking us that they want to fly there. So, for 30 years nothing has happened. If the hon. Member says that he has our previous reply, I would request him to come to our Ministry and we can discuss it.

श्री साबिर अली: सर, मेरे पास वह चिट्ठी है, जो एअर इंडिया और एयरपोर्ट अथॉरिटी की तरफ से आई थी, उसके रिप्लाय के साथ मैं इनके पास चला जाऊंगा। मेरा सिर्फ इतना कहना है कि आपके पास एअरपोर्ट की कोई योजना है नहीं, तो कोई एअरलाइन्स आपके पास कैसे आएगी? जब आप इसे अखबार में देंगे, अपना इंटरेस्ट बताएंगे, तभी कोई इंटरेस्ट आपको भेजेगा।

श्री सभापति जी, मैं आपके माध्यम से मंत्री जी को बताना चाहता हूँ कि मैंने बहुत सी एअरलाइन्स के लोगों से बात की है, चूंकि वहां पर इतना ट्रैफिक है, इसलिए वे वहां जाने के

लिए तैयार हैं। लेकिन आपका इंटररेस्ट क्या है? वहां एअरपोर्ट चालू करने में क्या आपका कोई इंटररेस्ट है, आप सिर्फ यह बताइए? वहां से तकरीबन दस जिलों के लोग और साथ ही नेपाल के लोग फ्लाई करने के लिए तैयार हैं।

श्री अजित सिंह: माननीय सभापति जी, जैसा मैंने कहा, हम माननीय सदस्य से बात करेंगे और मालूम करेंगे कि हम इसमें क्या कर सकते हैं। लेकिन आज की स्थिति के अनुसार हमारे पास जो जानकारी है और आप बता रहे हैं कि तीस साल से वह एयरपोर्ट ऑपरेशनल नहीं हैं हमें नहीं लगता कि वहां पर फ्लाइट चलाने की अभी कोई संभावना है, लेकिन आप आइए, हम आपसे बात करेंगे। अगर आप कह रहे हैं आपके साथ एअरलाइन्स ने बात की है और वहां पर इतने लोग हैं, तो हम भी जरूर चाहेंगे। आपने बताया कि रक्सौल एक सेंसिटिव जगह है और वहां पर आस-पास के बहुत से लोग ट्रेवल करना चाहते हैं। हमें प्रसन्नता होगी अगर आप हमें इस बारे में कुछ डाटा दे सकें। वहां पर अगर एअरपोर्ट बन सकता है, तो उस पर हम जरूर विचार करेंगे।

श्री नरेश अग्रवाल: सभापति जी, मैं आपके माध्यम से माननीय मंत्री जी से कहना चाहता हूं कि एअरपोर्ट अथॉरिटी घाटे का सौदा नहीं है, वह फायदे का सौदा है। एअरलाइन्स जरूर घाटे में हैं, लेकिन एअरपोर्ट अथॉरिटी फायदे में है। माननीय मंत्री जी देश में कितनी ऐसी हवाई पट्टियां हैं, जो इस प्रकार की हैं, जिन हवाई पट्टियों को रिवाइव करके सेवा को बढ़ाया जा सकता है?

मैं जानना चाहूंगा कि बिहार और उत्तर प्रदेश में, आप भी वहीं के रहने वाले हैं, ऐसी कितनी हवाई पट्टियां हैं, जिनमें अभी तक एअरलाइन्स इंटररेस्टेड नहीं हैं, लेकिन काम कर रही हैं? ...*(व्यवधान)*

श्री सभापति: यह सवाल रक्सौल पर है।

श्री नरेश अग्रवाल: सर, हम पूरे देश के बारे में पूछ रहे हैं।

श्री अजित सिंह: महोदय, पहली बात तो यह है कि यह सवाल रक्सौल के बारे में है। दूसरा, आज चार घंटे एविएशन मिनिस्ट्री के बारे में बहस है कि वहां क्या-क्या चल रहा है। मैं आशा करूंगा कि ये सब सवाल आप वहां पूछें, तब मैं आपको इसका जवाब दे सकूंगा ...*(व्यवधान)*

श्री नरेश अग्रवाल: मुझे बड़ी खुशी है कि कम से कम आपके दर्शन तो हो गए।

श्री उपेन्द्र कुशवाहा: सर, रक्सौल में विमान की आवाजाही के बारे में मंत्री जी ने जवाब दिया है। ठीक है, जब होगा करेंगे, लेकिन चूंकि वह इंटरनेशनल प्लेस है, उस हवाई अड्डे की जमीन का उपयोग करके वहां दूसरी एक्टिविटीज चालू की जा सकती हैं। पहले सवालकर्ता महोदय ने पूछा भी है कि विभाग की ओर से पहले उसमें कोई दूसरी एक्टिविटी या कोई ट्रेनिंग सेंटर वगैरह खोलने का प्रस्ताव था। मैं मंत्री महोदय से जानना चाहता हूं कि उस प्रस्ताव पर सरकार क्या कर रही है?

श्री अजित सिंह: माननीय सभापति जी, जैसा मैंने कहा था कि यह हमारी जानकारी में नहीं है, लेकिन अगर वह कह रहे हैं कि उनके पास इस तरह के पहले के कोई जवाब और कुछ डाटा हैं, तो जरूर इस पर वे आ कर बात करें, हम उस पर विचार करेंगे।

श्री रवि शंकर प्रसाद: माननीय मंत्री जी, मैं आपको एक सूचना देना चाहता हूँ कि रक्सौल बिल्कुल नेपाल के बॉर्डर पर है। नेपाल में जो तराई के लोग हैं, उनमें बहुत से बिहार मूल के लोग भी हैं, जिनको मधेशी कहते हैं और जो वहां की राजनीति में भी काफी आगे बढ़े हैं। उन लोगों की अक्सर दिल्ली आने की इच्छा होती है, लेकिन इसके लिए उनको काठमांडु जाना पड़ता है या फिर पटना ड्राइव करके आना पड़ता है।

हमारे मित्र ने जो सवाल उठाया है, तीस साल से आपके द्वारा उस एअरपोर्ट का कोई मेंटेनेन्स नहीं हुआ है। अगर आप एअरपोर्ट को ठीक कर देंगे, जो आपके क्षेत्राधिकार में आता है, तो बहुत सारी प्राइवेट एअरलाइन्स वहां आएंगी और बहुत अच्छा बिजनेस होगा। आप इस विषय की गंभीरता को समझें, मैं आपसे यही आग्रह करना चाहता हूँ।

श्री अजित सिंह: मैं पहले ही कह चुका हूँ, वहां पर जो एअरलाइन्स आना चाहती हैं, इसके बारे में जो डाटा माननीय सदस्य के पास है, उस पर वे हमसे बात करें।

मैंने पहले भी कहा है कि वह एक सेंसिटिव जगह है और अगर वहां कोई सम्भावना होगी, तो उस पर हम जरूर विचार करेंगे।

PAPERS LAID ON THE TABLE

Reports and Accounts (2010-11) of AIL and its subsidiaries, New Delhi and ACI, New Delhi and related papers.

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): Sir, I lay on the Table:

I. (1) A copy each (in English and Hindi) of the following papers, under sub-section (1) of Section 619A of the Companies Act, 1956:—

- (a) Annual Report and Accounts of the Air India Limited and its Subsidiaries, New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
- (b) Review by Government on the working of the above Company.

(2) Statement (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (1) above. [Placed in Library. See No. L.T. 6857/15/12]

II. A copy each (in English and Hindi) of the following papers:—

- (a) Annual Report and Accounts of Aero Club of India (ACI), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Statement by Government accepting the above Report.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (a) above. [Placed in Library. *See* No. L.T. 5400/15/12]

[THE VICE-CHAIRMAN (PROF. P. J. KURIEN) in the Chair.]

Reports and Accounts (2010-11) of NCPCR, New Delhi and CARA, New Delhi and related papers

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): Sir, I lay on the Table:—

I. (1) A copy each (in English and Hindi) of the following papers, under sub-section (2) of Section 16 and sub-section (4) of Section 29 of the Commissions for Protection of Child Rights Act, 2005:—

- (a) Annual Report and Accounts of the National Commission for Protection of Child Rights (NCPCR), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Commission.

(2) Statement (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (1) above. [Placed in Library. *See* No. L.T. 6808/15/12]

II. A copy each (in English and Hindi) of the following papers.

- (a) Annual Report and Accounts of Central Adoption Resource Authority (CARA), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.
- (b) Statement giving reasons for the delay in laying the papers mentioned at (a) above. [Placed in Library. *See* No. L.T. 6933/15/12]

Report and Account (2010-11) of NYKS, New Delhi and related papers

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): Sir, I lay on the Table, a copy each (in English and Hindi) of the following papers:—

- (a) Annual Report and Accounts of the Nehru Yuva Kendra Sangathan (NYKS), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Sangathan.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (a) above. [Placed in Library. *See* No. L.T. 6841/15/12]

MOU (2012-13) between Govt. of India and NEHDC

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI PABAN SINGH GHATOWAR): Sir, I lay on the Table, a copy (in English and Hindi) of the Memorandum of Understanding between the Government of India (Ministry of Development of North Eastern Region) and the North Eastern Handicrafts and Handlooms Development Corporation Limited (NEHHDC), for the year 2012-13. [Placed in Library. *See* No. L.T. 6843/15/12]

Notification of Ministry of Personnel, Public Grievances and Pensions

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): Sir, I lay on the Table :—

I. 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), under subsection (2) of Section 3 of the All India Services Act, 1951:—

- (i) G.S.R. 300 (E), dated the 18th April, 2012, publishing the Indian Administrative Service (Regulation of Seniority) Amendment Rules, 2012.
- (ii) G.S.R. 301 (E), dated the 18th April, 2012, publishing the Indian Police Service (Regulation of Seniority) Amendment Rules, 2012,
- (iii) G.S.R. 302 (E), dated the 18th April, 2012, publishing the Indian Forest Service (Regulation of Seniority) Amendment Rules, 2012. [Placed in Library. *See* No. L.T. 6858/15/12]

II. A copy (in English and Hindi) of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) Notification No. G.S.R. 76(E), dated the 21st April, 2012, publishing the Central Information Commission (Group 'A' and Group 'B' posts) Recruitment Rules, 2012, under Section 29 of the Right to Information Act, 2005. [Placed in Library. *See* No. L.T. 6859/15/12]

Notification of Ministry of Road Transport and Highways

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAY (SHRI JITIN PRASAD): 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:—

- S.O. 2463(E), dated the 8th October, 2010, regarding acquisition of land, with or without structure, from km. 364.125 to km. 59.000 (Kishangarh-Beawar Section) on National Highway No. 8 in Ajmer District in the State of Rajasthan.

- S.O. 2616 (E), dated the 25th October, 2010, regarding acquisition of land, with or without structure, from km. 95.000 to km. 100.000 (Ahmedabad-Gujarat/MP Border) on National Highway No. 59 in Vadodara District in the State of Gujarat.

[Placed in Library. *See* No. L.T. 6708/15/12]

- S.O. 2631(E), dated the 25th October, 2010, amending Notification No. S.O. 126(E), dated the 22nd January, 2008, to substitute certain entries in the original Notification.
- S.O. 2738(E), dated the 8th November, 2010, regarding acquisition of land, with or without structure, from km. 103.000 (Gujarat/Maharashtra Border) to km. 49.700 on National Highway No. 6 in Tapi District in the State of Gujarat.
- S.O. 2766(E), dated the 11th November, 2010, publishing Corrigendum (English Version) to Notification No. S.O. 1266 (E), dated the 1st June, 2010.
- S.O. 2834 (E), dated the 24th November, 2010, regarding appointment of competent authority for acquisition land from km. 346.000 to km. 412.000 on National Highway No. 12 in Jhalawar District in the State of Rajasthan.
- S.O. 2877 (E), dated the 1st December, 2010, regarding appointment of competent authority for acquisition of land from km. 0.000 to km. 16.000 and km. 15.000 to km. 34.400 on National Highway No. 79A and 79 in the State of Rajasthan.
- S.O. 2893 (E), dated the 3rd December, 2010, regarding acquisition of land, with or without structure, from km. 113.800 to km. 122.665 (Udaipur-Chittorgarh Section) on National Highway No. 76 in Udaipur District in the State of Rajasthan.
- S.O. 2898 (E), dated the 6th December, 2010, publishing Corrigendum (Hindi Version) to Notification No. S.O. 2251 (E) dated the 13th September, 2010.
- S.O. 2921 (E), dated the 9th December, 2010, regarding acquisition of land, with or without structure, from km. 298.050 to km. 341.047 (Reengus-Sikar Section) on National Highway No. 11 in Sikar District in the State of Rajasthan.
- S.O. 2949 (E), dated the 15th December, 2010, regarding acquisition of land, with or without structure, from km. 287.000 to km. 298.050 (Jaipur-

Reengus Section) on National Highway No. 11 in Sikar District in the State of Rajasthan.

- S.O. 2956(E), dated the 15th December, 2010, regarding acquisition of land, with or without structure, from K.M. 165.000 to K.M. 169.860 (Deoli-Jalawar Section) on National Highway No. 12 in Bhilwara District in the State of Rajasthan.
- S.O. 39(E), dated the 11th January, 2011, regarding acquisition of land, with or without structure, from km. 151.000 to km. 159.000 on National Highway No. 79, km. 0.000 to km. 29.600 (Chittorgarh Bypass) and km. 165.625 to km. 213.000 (Chittorgarh-Mangalwar Section) on National Highway No. 76 in Chittorgarh District in the State of Rajasthan.

[Placed in Library. See No. L.T. 6708/15/12]

- S.O. 44(E), dated the 11th January, 2011, regarding appointment of competent authority for acquisition of land from km. 298.050 to km. 341.047 on National Highway No. 11 in Sikar District in the State of Rajasthan.
- S.O. 45(E), dated the 11th January, 2011, regarding acquisition of land, with or without structure, from km. 0.000 to km. 38.000 (Kandla-Chandroda Section) on National Highway No. 8A (Extension) in Kachchh District in the State of Gujarat.
- S.O. 268(E), dated the 7th February, 2011, regarding acquisition of land, with or without structure, from km. 38.000 to km. 74.200 (Chhasra Mundra (Siracha Junction Section) on National Highway No. 8A (Extension) in Kachchh District in the State of Gujarat.
- S.O. 327(E), dated the 11th February, 2011, regarding acquisition of land, with or without structure, from km. 271.500 to km. 318.600 (Surat-Dahisar Section) on National Highway No. 8 in Navsari District in the State of Gujarat.
- S.O. 341(E), dated the 14th February, 2011, regarding appointment of competent authority for acquisition of land from km. 180.000 to km. 224.500 (Padhi-Dahod Section) on National Highway No. 113 in the State of Gujarat.
[Placed in Library. See No. L.T. 6708/15/12]
- S.O. 348(E), dated the 14th February, 2011, regarding appointment of competent authority for acquisition of land from km. 280.300 to km. 375.740 (Hospet-Bellary Andhra Pradesh/Karnataka Border Section) on National Highway No. 63 in Belari District in the State of Karnataka.

- S.O. 371(E), dated the 14th February, 2011, regarding appointment of competent authority for acquisition of land from km. 0.000 to km. 268.700 on National Highway No. 63 in Uttara Kannada District in the State of Karnataka.
- S.O. 402(E), dated the 21st February, 2011, regarding appointment of competent authority for acquisition of land on National Highway No. 211 (New National Highway No. 52) (Aurangabad-Dhule Section) in the State of Maharashtra. [Placed in Library. *See* No. L.T. 6973/15/12]
- S.O. 437(E), dated the 25th February, 2011, regarding acquisition of land, with or without structure, from km. 388.200 to km. 509.000 (Ratanpur-Ahmedabad Section) on National Highway No. 8 in Sabarkantha District in the State of Gujarat. [Placed in Library. *See* No. L.T. 6708/15/12]
- S.O. 458(E), dated the 1st March, 2011, regarding acquisition of land, with or without structure, from km 380.000 to km. 440.000 (Pimpalgaon-Nashik-Gonde Section) on National Highway No. 3 in Nashik District in the State of Maharashtra.
- S.O. 459(E), dated the 1st March, 2011, regarding acquisition of land, with or without structure, from km. 380.000 to km. 440.000 (Pimpalgaon-Nashik-Gonde Section) on National Highway No. 3 in Nashik District in the State of Maharashtra. [Placed in Library. *See* No. L.T. 6973/15/12]
- S.O. 562(E), dated the 15th March, 2011 regarding acquisition of land, with or without structure, from km. 287.500 to km. 380,000 (Dhule-Pimpalgaon Section) and km. 440.000 to km. 470.000 (Vadape-Gonde Section) (Amravati-Gujrat/Maharashtra Border Section) on National Highway No. 3 in Nashik District in the State of Maharashtra. [Placed in Library. *See* No. L.T. 6973/15/12]
- S.O. 633(E), dated the 25th March, 2011, regarding acquisition of land, with or without structure, from km. 271.500 to km. 318.600 (Surat-Dahisar Section) on National Highway No. 8 in Navsari District in the State of Gujarat. [Placed in Library. *See* No. L.T. 6708/15/12]
- S.O. 734(E), dated the 8th April, 2011, regarding acquisition of land, with or without structure, from km. 485.000 to km. 508.100 (Bhandara-Nagpur Section) on National Highway No. 6 in Bhandara District in the State of Maharashtra.

- S.O. 795(E), dated the 26th April, 2011, regarding appointment of competent authority for acquisition of land from km. 0.000 to km. 113.900 (Mumbai-Vadodara Expressway) in the State of Maharashtra.
- S.O. 798(E), dated the 26th April, 2011, regarding acquisition of land, with or without structure, from km. 652.000 to km. 723.000 on National Highway No. 7 in Nagpur District in the State of Maharashtra.
- S.O. 822(E), dated the 26th April, 2011, amending Notification No. S.O. 1500 (E), dated the 21st June, 2010, to substitute certain entries in the original Notification. [Placed in Library. See No. L.T. 6973/15/12]
- S.O. 918(E), dated the 29th April, 2011, regarding acquisition of land, with or without structure, from km. 20.900 to km. 95.000 (Ahmedabad-Gujarat/MP Border Section) on National Highway No. 59 in Kheda District in the State of Gujarat.
[Placed in Library. See No. L.T. 6700/15/12]
- S.O. 919(E), dated the 29th April, 2011, regarding , appointment of competent authority for acquisition of land from km. 167.000 to km. 360.000 on National Highway No. 6 in the State of Maharashtra.
- S.O. 967(E), dated the 3rd May, 2011, regarding acquisition of land, with or without structure, from km. 3.000 to km. 59.300 (Nagpur-Saoner-Pandhurna Section) on National Highway No. 69 in Nagpur District in the State of Maharashtra.
- S.O. 970(E), dated the 3rd May, 2011, regarding acquisition of land, with or without structure, from km. 380.000 to km. 440.000 (Pimpalgaon-Nashik-Gonde Secion) on National Highway No. 3 in Nashik District in the State of Maharashtra.
- S.O. 981(E), dated the 4th May, 2011, regarding acquisition of land, with or without structure, from km. 0.000 to km. 84.400 (Belgaum-Karnataka/Goa Boundary Section) on National Highway No. 4A in Belgaum District in the State of Karnataka.
[Placed in Library. See No. L.T. 6973/15/12]
- S.O. 1081(E), dated the 16th May, 2011, regarding acquisition of land, with or without structure, from km. 170.800 to km. 539.500 (Vadape-Gonde Section) on National Highway No. 3 in Thane District in the State of Maharashtra.

- S.O. 1188(E), dated the 26th May, 2011, regarding appointment of competent authority for acquisition of land on National Highway No. 6 in the State of Maharashtra.

[Placed in Library. *See* No. L.T. 6973/15/12]

- S.O. 1193(E), dated the 26th May, 2011, regarding acquisition of land, with or without structure, from km. 380.000 to km. 440.000 (Pimpalgaon-Nashik-Gonde Section) on National Highway No. 3 in Nashik District in the State of Maharashtra.

- S.O. 1195(E), dated the 26th May, 2011, regarding acquisition of land, with or without structure, from km. 5.330 to km. 192.520 excluding km. 183.050 to km. 185.500 (Pali Section) on National Highway No. 14 in Pali District in the State of Rajasthan.

[Placed in Library. *See* No. L.T. 6708/15/12]

- S.O. 1319(E), dated the 7th June, 2011, amending Notification No. S.O. 42 (E), dated the 11th January, 2011, to substitute certain entries in the original Notification. [Placed in Library. *See* No. L.T. 6973/15/12]

- S.O. 1357(E), dated the 13th June, 2011, regarding acquisition of land, with or without structure, from km. 144.000 to km. 179.300 (Ahmedabad-Gujarat/MP Border Section) on National Highway No. 59 in Dahod District in the State of Gujarat.

- S.O. 1366(E), dated the 13th June, 2011, regarding acquisition of land, with or without structure, from km. 100.000 to km. 144.000 (Ahmedabad-Gujarat/MP Border Section) on National Highway No. 59 in Panchmahal District in the State of Gujarat.

[Placed in Library. *See* No. L.T. 6708/15/12]

- S.O. 1563(E), dated the 8th July, 2011, regarding acquisition of land, with or without structure, from km. 0.000 to km. 84.400 (Belgaum-Karnataka/Goa Boundary Section) on National Highway No. 4A in Belgaum District in the State of Karnataka.

- S.O. 1565(E), dated the 8th July 2011, regarding acquisition of land, with or without structure, from km. 1041.000 to km. 1065.000 (Nalbari-Bijni Section) on National Highway No. 31 in Nalbari District in the State of Assam, along with delay statement.

- S.O. 1566(E), dated the 8th July 2011 regarding acquisition of land, with or without structure, from km. 1077.693 to km. 1121.000 (Guwahati-Nalbari

Section) on National Highway No. 31 in Kamrup District in the State of Assam, along with delay statement.

- S.O. 1567(E), dated the 8th July, 2011, regarding appointment of competent authority for acquisition of land from km. 7.400 to km. 26.000 on National Highway No. 235 in Meerut District in the State of Uttar Pradesh.
[Placed in Library. See No. L.T. 6973/15/12]
- S.O. 1592(E), dated the 11th July 2011, amending Notification No. S.O. 405 (E), dated the 16th February, 2010 to insert certain entries in the original Notification, along with delay statement.
- S.O. 1598(E), dated the 11th July 2011, regarding acquisition of land, with or without structure, from km. 168.500 to km. 265.000 (MP/ Maharashtra Border Dhule Section) on National Highway No. 3 in Dhule District in the State of Maharashtra.
[Placed in Library. See No. L.T. 6973/15/12]
- S.O. 1599(E), dated 11th July, 2011, regarding acquisition of land, with or without structure, from km. 224.500 to km. 267.000 (Padh-Dahod Section) on National Highway No. 113 in Dahod District in the State of Gujarat.
[Placed in Library. See No. L.T. 6708/15/12]
- S.O. 1670(E), dated the 21st July 2011, regarding acquisition of land, with or without structure, from km. 1182.802 to km. 1307.900 (Chilakaluripet-Rudrakota Section) on National Highway No. 5 in Prakasam District in the State of Andhra Pradesh, along with delay statement.
- S.O. 1706(E), dated the 25th July, 2011, regarding acquisition of land, with or without structure, from km. 453.000 to km. 487.000 (Chariabahi-Teok Section) on National Highway No. 37 in Jorhat District in the State of Assam, along with delay statement.
- S.O. 1707(E), dated the 25th July, 2011, regarding acquisition of land, with or without structure, from km. 487.000 to km. 538.000 (Morabazar-Khaloighuguti Section) on National Highway No. 37 in Sivasagar District in the State of Assam, along with delay statement.
- S.O. 1710(E), dated the 25th July, 2011, regarding acquisition of land, with or without structure, from km. 402.500 to km. 426.820 on National Highway No. 37 in Golaghat District in the State of Assam, along with delay statement.

- S.O. 1719(E), dated the 25th July, 2011, regarding acquisition of land, with or without structure, from km. 299.000 to km. 378.200 (Hospet Chitradurga Section) on National Highway No. 13 in Bellary District in the State of Karnataka.
- S.O. 1725(E), dated the 25th July 2011, regarding acquisition of land, with or without structure, from km. 40.000 to km. 144.400, (Pune-Solapur Section) on National Highway No. 9 in Pune District in the State of Maharashtra. [Placed in Library. *See* No. L.T. 6973/15/12]
- S.O. 1792(E), dated the 3rd August, 2011, amending Notification No. S.O. 1096(E), dated the 4th August, 2005, to substitute certain entries in the original Notification. [Placed in Library. *See* No. L.T. 7056/15/12]
- S.O. 1818(E), dated the 8th August, 2011, regarding acquisition of land, with or without structure, from km. 295.700 to km. 299.000 (Hungund-Hospet Section) on National Highway No. 13 in Bellary District in the State of Karnataka. [Placed in Library. *See* No. L.T. 6973/15/12]
- S.O. 1854(E), dated the 10th August, 2011, regarding appointment of competent authority for acquisition of land from km. 264.000 to km. 331.000 on National Highway No. 74 (New National Highway No. 30) in Pilibhit District in the State of Uttar Pradesh.
- S.O. 1856(E), dated the 10th August, 2011, regarding acquisition of land, with or without structure, from km. 439.000 to km. 453.000 on National Highway No. 37 in Jorhat District in the State of Assam, along with delay statement.
- S.O. 1925(E), dated the 19th August, 2011, regarding appointment of competent authority for acquisition of land from km. 82.000 to km. 124.000 on National Highway No. 24B km. Raibareilly District in the State of Uttar Pradesh. [Placed in Library. *See* No. L.T. 6973/15/12]
- S.O.1960(E), dated the 25th August, 2011, regarding appointment of competent authority for acquisition of land on National Highway No. 11 in Sikar District in the State of Rajasthan, along with delay statement.
- S.O.1961(E), dated the 25th August, 2011, regarding appointment of competent authority for acquisition of land on National Highway No. 15 (Bikaner-Suratgarh Section) in Bikaner District in the State of Rajasthan, along with delay statement.
- S.O.1962(E), dated the 25th August, 2011, regarding appointment of

competent authority for acquisition of land from km. 0.000 to km. 161.000 (Ajmer-Nagaur Section) on National Highway No. 89 in Nagaur District in the State of Rajasthan, along with delay statement.

- S.O.1963(E), dated the 25th August, 2011, regarding appointment of competent authority for acquisition of land from km. 5.400 to km. 80.000 on National Highway No. 113 in Chittorgarh District in the State of Rajasthan, along with delay statement.

[Placed in Library. See No. L.T. 6830/15/12]

- S.O. 1994(E), dated the 27th August, 2011, regarding acquisition of land, with or without structure, from km. 0.000 to km. 84.400 (Belgaum-Goa/Karnataka Border Section) on National Highway No. 4A in Belgaum District in the State of Karnataka.

[Placed in Library. See No. L.T. 6973/15/12]

- S.O. 1996(E), dated the 27th August, 2011, regarding acquisition of land, with or without structure, from km. 12.900 to km. 127.000 (Junagadh Section) on National Highway No. 8D in Junagadh District in the State of Gujarat.

[Placed in Library. See No. L.T. 6708/15/12]

- S.O. 1997(E), dated the 27th August, 2011, amending Notification No. S.O. 393(E), dated the 15th February, 2011, to insert certain entries in the original Notification.

- S.O. 1999(E), dated the 27th August, 2011, regarding acquisition of land, with or without structure, from km. 0.000 to km. 84.400 (Belgaum-Goa/Karnataka Border Section) on National Highway No. 4A in Belgaum and Uttar Kannada Districts in the State of Karnataka.

[Placed in Library. See No. L.T. 6973/15/12]

- S.O. 2018(E), dated the 29th August, 2011 regarding acquisition of land, with or without structure, from km. 70.000 to km. 71.300 (Bamitha-Satna Section) on National Highway No. 75 in Chattarpur District in the State of Madhya Pradesh, along with delay statement.

- S.O. 2038(E), dated the 2nd September, 2011, regarding acquisition of land, with or without structure, from km. 0.000 to km. 22.000 (Gwalior-Bhind Section) on National Highway No. 92 in Gwalior District in the State of Madhya Pradesh, along with delay statement.

- S.O. 2039(E), dated the 2nd September, 2011, regarding acquisition of land, with or without structure, from km. 77.200 to km. 77.800, km. 95.200 to km. 95.700, km. 95.700 to km. 96.000 and km. 104.200 to 106.900

(Bhind-Itawa Section) on National Highway No. 92 in Bhind District in the State of Madhya Pradesh, along with delay statement.

[Placed in Library. *See* No. L.T. 6830/15/12]

- S.O. 2160(E), dated the 22nd September, 2011, regarding acquisition of land, with or without structure, from km. 348.800 to km. 423.750 (Maharashtra/Karnataka border-Sangareddy Section) on National Highway No. 9 (New National Highway No. 65) in Bidar District in the State of Karnataka, along with delay statement.
- S.O. 2162(E), dated the 22nd September, 2011, regarding acquisition of land, with or without structure, from km. 459.350 to km. 502.370 (Bharol-Dahisar Section) On National Highway No. 8 in Thane District in the State of Maharashtra.
- S.O. 2167(E), dated the 22nd September 2011, publishing Corrigendum to Notification No. S.O. 2638 (E), dated the 25th October, 2010.
- S.O. 2181(E), dated the 22nd September, 2011, regarding appointment of competent authority for acquisition of land from km. 165.000 to km. 186.000 on National Highway No. 91 in Mahamayanagar District in the State of Uttar Pradesh.
- S.O. 2218(E), dated the 26th September 2011, regarding acquisition of land, with or without structure, from km. 237.000 to km. 318.000 (Mulbagal-Kolar-Bangalore Section) on National Highway No. 4 in Kolar and Bangalore Rural Districts in the State of Karnataka.
- S.O. 2233(E), dated the 28th September, 2011, regarding appointment of competent authority for acquisition of land from km. 195.000 to km. 418.000 (Bijapur-Gulbarga-Homnabad Section) on National Highway No. 218 in Bijapur District in the State of Karnataka.
- S.O. 2240(E), dated the 28th September, 2011, regarding appointment of competent authority for acquisition of land from km. 64.110 to km. 113.670 on National Highway No. 56 in Chattarpati Shahuji Maharaj Nagar District in the State of Uttar Pradesh.

[Placed in Library. *See* No. L.T. 6973/15/12]

- S.O. 2248(E), dated the 28th September, 2011, amending Notification No. S.O. 1096(E), dated the 4th August, 2005, to substitute certain entries in the original Notification.

[Placed in Library. *See* No. L.T. 6830/15/12]

- S.O. 2250(E), dated the 28th September, 2011, amending Notification No. S.O. 1096(E), dated the 4th August, 2005, to substitute certain entries in the original Notification.
- S.O. 2280(E), dated the 30th September, 2011, regarding acquisition of land, with or without structure, from km. 378.200 to km. 418.500 (Hospet-Chitradurga Section) on National Highway No. 13 in Davangere District in the State of Karnataka.

[Placed in Library. See No. L.T. 6973/15/12]

- S.O. 2325(E), dated the 10th October, 2011 regarding appointment of competent authority for development and maintenance of the stretch from km. 391.000 on National Highway No. 76 and terminating at km. 11.700 on State Highway No. 33 which further joins National Highway No. 12 at km. 240.000 in the State of Rajasthan. [Placed in Library. See No. L.T. 6830/15/12]
- S.O. 2376(E), dated the 15th October, 2011, regarding appointment of competent authority for acquisition of land from km. 100.372 to km. 142.220 on National Highway No. 93 in Bulandshahr District in the State of Uttar Pradesh.
- S.O. 2382(E), dated the 15th October 2011, regarding appointment of competent authority for acquisition of land from km. 93.700 to km. 283.300 (Panaji-Mangalore Section) on National Highway No. 66 in the State of Karnataka.
- S.O. 2384(E), dated the 15th October, 2011, regarding acquisition of land, with or without structure, from km. 485.000 to km. 508.100 (Bhandara-Nagpur Section) on National Highway No. 6 in Bhandara District in the State of Maharashtra.
- S.O. 2417(E), dated the 19th October, 2011, regarding appointment of competent authority for acquisition of land from km. 166.725 to km. 360.000 on National Highway No. 6 in the State of Maharashtra.

[Placed in Library. See No. L.T. 6973/15/12]

- S.O. 2434(E), dated the 25th October, 2011, amending Notification No. S.O. 1096(E), dated the 4th August, 2005, to substitute certain entries in the original Notification.

[Placed in Library. See No. L.T. 6830/15/12]

- S.O. 2455(E), dated the 28th October, 2011, amending Notification No. S.O. 395(E), dated the 15th February, 2011, to insert certain entries in the original Notification.

- S.O. 2460(E), dated the 28th October, 2011, amending Notification No. S.O. 391(E), dated the 15th February, 2011, to insert certain entries in the original Notification.
- S.O. 2466(E), dated the 28th October, 2011, amending Notification No. S.O. 394(E), dated the 15th February, 2011, to insert certain entries in the original Notification . [Placed in Library. *See* No. L.T. 6973/15/12]
- S.O. 2491(E), dated the 3rd November, 2011, regarding acquisition of land, with or without structure, from km. 316.000 to km. 334.900 (Bhopal-Biaora Section) on National Highway No. 12 in Bhopal District in the State of Madhya Pradesh, along with delay statement.
- S.O. 2492(E), dated the 3rd November, 2011, regarding acquisition of land, with or without structure, from km. 334.900 to km. 359.200 (Bhopal-Biaora Section) on National Highway No. 12 in Sehore District in the State of Madhya Pradesh, along with delay statement.
[Placed in Library. *See* No. L.T. 6830/15/12]
- S.O. 2501(E), dated the 4th November 2011, amending Notification No. S.O. 348(E), dated the 14th February, 2011, to insert certain entries in the original Notification. [Placed in Library. *See* No. L.T. 6973/15/12]
- S.O. 2571(E), dated the 14th November, 2011, amending Notification No. S.O. 1096(E), dated the 4th August, 2005, to substitute certain entries in the original Notification.
- S.O. 2573(E), dated the 14th November, 2011, amending Notification No. S.O. 1096(E), dated the 4th August, 2005, to substitute certain entries in the original Notification.
- S.O. 2608(E), dated the 22nd November, 2011, regarding acquisition of land, with or without structure, from km. 400.100 to km. 421.775 (Bhopal-Biaora Section) on National Highway No. 12 in Raj Garh District in the State of Madhya Pradesh, along with delay statement.
- S.O. 2639(E), dated the 25th November, 2011, regarding acquisition of land, with or without structure, from km. 422.000 to km. 528.300 (Chitradurga-Shimoga Section) on National Highway No. 13 in Chitradurga District in the State of Karnataka, along with delay statement.
- S.O. 2640(E), dated the 25th November, 2011, regarding acquisition of land, with or without structure, from km. 359.200 to km. 376.500 and km.

394.900 to km. 400.100 (Bhopal-Biaora Section) on National Highway No. 12 in Raj Garh District in the State of Madhya Pradesh, along with delay statement.

- S.O. 2641(E), dated the 25th November, 2011, regarding appointment of competent authority for acquisition of land from 50.700 to km. 209.500 (Patiala-Sangrur-Bathinda Section) on National Highway No. 64 in the State of Punjab, along with delay statement.

[Placed in Library. See No. L.T. 6830/15/12]

- S.O. 2720(E), dated the 30th November, 2011, amending Notification No. S.O. 1096(E), dated the 4th August, 2005, to substitute certain entries in the original Notification. [Placed in Library. See No. L.T. 7055/15/12]

- S.O. 2721(E), dated the 30th November, 2011, amending Notification No. S.O. 333(E), dated the 11th February, 2011 to substitute certain entries in the original Notification, along with delay statement.

- S.O. 2809(E), dated the 16th December, 2011, amending Notification No. S.O. 1667(E), dated the 21st July, 2011 to substitute certain entries in the original Notification, along with delay statement.

[Placed in Library. See No. L.T. 6830/15/12]

- S.O. 2859(E), dated the 29th November, 2011, publishing Corrigendum to Notification No S.O. 1266(E), dated the 1st June, 2010.

[Placed in Library. See No. L.T. 6708/15/12]

- S.O. 48(E), dated the 10th January, 2012, regarding appointment of competent authority for acquisition of land from km. 180.000 to km. 248.650 (Suratgarhr-Sriganga Nagar Section) on National Highway No. 15 in Sri Ganganagar District in the State of Rajasthan.

- S.O. 49(E), dated the 10th January, 2012, regarding appointment of competent authority for acquisition of land from km. 248.650 to km. 249.200 on National Highway No. 15 in Firozpur District in the State of Punjab.

- S.O. 51(E), dated the 10th January, 2012, amending Notification No. S.O. 1096 (E), dated the 4th August, 2005, to substitute certain entries in the original Notification.

- S.O. 77(E), dated the 17th January, 2012, regarding acquisition of land, with or without structure, from km. 117.600 to km. 268.475 (Kerala-

Kollegal Section) on National Highway No. 212 in Chamrajanagara District in the State of Karnataka.

- S.O. 78(E), dated the 17th January, 2012, regarding acquisition of land, with or without structure, from km. 135.000 to km. 149.000 (Bamitha-Satna Section) on National Highway No. 75 in Satna District in the State of Madhya Pradesh.
- S.O. 92(E), dated the 19th January, 2012, regarding appointment of competent authority for acquisition of land from km. 0.000 to km. 161.000 (Ajmer-Nagaur Section) on National Highway No. 89 in Ajmer District in the State of Rajasthan.
- S.O. 93(E), dated the 19th January, 2012, regarding acquisition of land, with or without structure, from km. 229.829 to km. 228.976 (Rewa-Hanumana Section) on National Highway No. 7 in Rewa District in the State of Madhya Pradesh.
- S.O. 94(E), dated the 19th January, 2012, regarding acquisition of land, with or without structure, from km. 258.976 to km. 194.210 (Rewa-Hanumana Section) on National Highway No. 7 in Rewa District in the State of Madhya Pradesh.
- S.O. 187(E), dated the 30th January, 2012, regarding acquisition of land, with or without structure, from km. 70.000 to km. 71.300 (Bamitha-Satna Section) on National Highway No. 75 in Chattarpur District in the State of Madhya Pradesh.
- S.O. 205(E), dated the 1st February, 2012, regarding acquisition of land, with or without structure, from km. 0.000 to km. 50.700 (Zirakpur-Patiala Section) on National Highway No. 64 in Patiala District in the State of Punjab. [Placed in Library. See No. L.T. 6830/15/12]
- S.O. 206(E), dated the 1st February, 2012, regarding acquisition of land, with or without structure, from km. 0.000 to km. 50.700 (Zirakpur-Patiala Section) on National Highway No. 64 in Mohali District in the State of Punjab.
- S.O. 271 (E), dated the 14th February, 2012, amending Notification No. S.O. 1096 (E), dated the 4th August, 2005, to substitute certain entries in the original Notification.
- S.O. 275(E), dated the 14th February, 2012, amending Notification No. S.O. 1096(E), dated the 4th August, 2005, to substitute certain entries in the original Notification.

- S.O. 277(E), dated the 14th February, 2012, amending Notification No. S.O. 1096(E), dated the 4th August, 2005, to substitute certain entries in the original Notification.
- S.O. 312(E), dated the 22nd February, 2012, regarding declaration of certain Highway to be National Highways.

[Placed in Library. See No. L.T. 6830/15/12]

II. A copy each (in English and Hindi) of the following Notifications of the Ministry of Road Transport and Highways, under Section 37 of the National Highways Authority of India Act, 1988:

- S.O. 1171(E), dated the 25th April, 2011, regarding entrustment of National Highway No. 47C to National Highways Authority of India.
- S.O. 1791(E), dated the 3rd August, 2011, regarding entrustment of National Highway No. 48 to National Highways Authority of India.
- S.O. 2247(E), dated the 28th September, 2011, regarding entrustment of certain stretches of National Highway No. 95 in the State of Punjab and National Highway No. 11 and 12 in the State of Rajasthan to National Highways Authority of India.

[Placed in Library. See No. L.T. 6831/15/12]

- S.O. 2249(E), dated the 28th September, 2011, regarding entrustment of the stretch from km. 207.200 to km. 222.000 (Hazipur-Patna Section) of National Highway No. 19 in the State of Bihar to National Highways Authority of India. [Placed in Library. See No. L.T. 6975/15/12]
- S.O. 2433(E), dated the 25th October, 2011, regarding entrustment of certain stretches of National Highway No. 205 in the State of Andhra Pradesh and National Highways No. 45, 210 and 220 in the State of Tamil Nadu to National Highways Authority of India.
- S.O. 2570(E), dated the 14th November, 2011, regarding entrustment of stretch from km. 88.000 to km. 238.000 (Odisha/Chhattisgarh Border-Aurang Section) of National Highway No. 6 in the State of Chhattisgarh to National Highways Authority of India.
- S.O. 2572(E), dated the 14th November, 2011, regarding entrustment of certain stretches of new National Highway Nos. 123, 148D, extension of National Highway Nos. 58, 458 and 758 in the State of Rajasthan to National Highways Authority of India.

[Placed in Library. See No. L.T. 6831/15/12]

- S.O. 2719(E), dated the 30th November, 2011, regarding entrustment of certain stretches of New National Highway Nos. 31, 128 and 335 in the State of Uttar Pradesh to National Highways Authority of India.

[Placed in Library. *See* No. L.T. 6831/15/12]

- S.O. 50(E), dated the 10th January, 2012, regarding entrustment of stretch from km. 0.000 to km. 127.650 (Raipur-Bilaspur Section) of National Highway No. 200 in the State of Chhattisgarh to National Highways Authority of India.
- S.O. 270(E) dated the 14th February, 2012, regarding entrustment of certain stretches of National Highway Nos. 23 and 56 in the State of Rajasthan to National Highways Authority of India.
- S.O. 272(E), dated the 14th February, 2012, amending Notification No. S.O. 418(E), dated the 22nd March, 2007, to omit certain entries in the original Notification.
- S.O. 273(E), dated the 14th February, 2012, amending Notification No. S.O. 910(E), dated the 21st April, 2010, to omit certain entries in the original Notification.
- S.O. 274(E), dated the 14th February, 2012, amending Notification No. S.O. 1939(E), dated the 9th August, 2010, to omit certain entries in the original Notification.
- S.O. 276(E), dated the 14th February, 2012, regarding entrustment of certain stretches of New National Highway Nos. 5 and 205 in the State of Punjab and New National Highway No. 5 in the Union Territory of Chandigarh to National Highways Authority of India.
- S.O. 257(E), dated the 10th February, 2012, publishing Corrigendum to the notification No S.O. 1171(E), dated the 23rd May, 2011.

[Placed in Library. *See* No. L.T. 6831/15/12]

III. A copy (in English and Hindi) of the Ministry of Road Transport and Highways Notification No. S.O. 2313(E), dated the 7th October, 2011, amending Notification No. S.O. 76(E), dated the 20th January, 2005, to substitute certain entries in the original Notification, under sub-section (3) of Section 50 of the Control of National highways (Land and Traffic) Act, 2002.

[Placed in Library. *See* No. L.T. 6974/15/12]

**Reports and Accounts (2009-10 and 2010-11) of various
institutions and related papers**

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): Sir, I lay on the Table, a copy each (in English and Hindi) of the following papers:—

- (i) (a) Annual Report and Accounts of the National Institute of Social Defence (NISD), New Delhi for the year 2009-10, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (i)(a) above. [Placed in Library. See No. L.T. 6977/15/12]
- (ii) (a) Annual Report and Accounts of the Pt. Deendayal Upadhyaya Institute for the Physically Handicapped (IPH), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (ii) (a) above. [Placed in Library. See No. L.T. 6976/15/12]
- (iii) (a) Annual Report and Accounts of the National Institute for the Orthopaedically Handicapped (NIOH), Kolkata, for the year 2010-11, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (iii)(a) above. [Placed in Library. See No. L.T. 6979/15/12]
- (iv) (a) Annual Report and Accounts of the Swami Vivekanand National Institute of Rehabilitation Training and Research (SVNIRTAR), Cuttack, Odisha for the year 2010-11, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (iv)(a) above. [Placed in Library. See No. L.T. 6980/15/12]
- (v) (a) Twenty-seventh Annual Report and Accounts of the National Institute for the Mentally Handicapped (NIMH), Secunderabad, Andhra Pradesh,

for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (v)(a) above. [Placed in Library. *See* No. L.T. 6978/15/12]

REPORT OF THE COMMITTEE ON SUBORDINATE LEGISLATION

श्रीमती माया सिंह (मध्य प्रदेश): महोदय, मैं राज्य सभा के 223वें सत्र के दौरान सभा-पटल पर रखे गए कानूनी आदेशों के संबंध में एक सौ सत्तानवेवां प्रतिवेदन (अंग्रेजी तथा हिन्दी में) प्रस्तुत करती हूँ।

REPORT OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON RURAL DEVELOPMENT

SHRIMATI MAYA SINGH (Madhya Pradesh): Sir, I lay on the Table, a copy (in English and Hindi) of the Thirty-first Report of the Department-related Parliamentary Standing Committee on Rural Development on 'The Land Acquisition, Rehabilitation and Resettlement Bill, 2011' of the Ministry of Rural Development (Department of Land Resources).

STATEMENTS BY MINISTERS

Status of implementation of recommendations contained in first, fourteenth, nineteenth, thirty-first and forty-third reports of department-related parliamentary standing committee on personnel, public grievances and pensions

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): Sir, I make a statement regarding Status of implementation of recommendations contained in the First Report on Demands for Grants (2004-05), Fourteenth Report on Demands for Grants (2006-07), Nineteenth Report on Demands for Grants (2007-08), Thirty-first Report on Demands for Grants (2008-09) and Forty-third Report on Demands for Grants (2010-11) of the Department-related Parliamentary Standing Committee on Personnel, Public Grievances and Pensions pertaining to the Ministry of Personnel, Public Grievances and Pensions.

Status of Implementation of recommendations contained in one hundred and fifty-second report of the department-related Parliamentary Standing Committee on transport, tourism and culture

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM (SHRI SULTAN AHMED): Sir, I make a statement regarding Status of implementation of recommendations contained in the One Hundred and Fifty-second Report of the Department-related Parliamentary Standing Committee on Transport, Tourism and Culture on the Action Taken by the Government on the observations/recommendations contained in the One Hundred and Fortieth Report on 'Promotion of Tourism in Jammu and Kashmir' pertaining to the Ministry of Tourism.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Special Mentions to be laid on the Table of the House.

SPECIAL MENTIONS*

Demand to take necessary steps to improve the Health Services in the Country

श्री अवतार सिंह करीमपुरी (उत्तर प्रदेश): महोदय, हमारा देश विश्व स्तर पर एक समृद्ध देश बनने के लिए संघर्ष कर रहा है और लोकतांत्रिक प्रणाली को लागू करने की दिशा में हमारे देश ने भले ही बड़ी उपलब्धि हासिल कर ली हो, परन्तु स्वास्थ्य के क्षेत्र में आज भी हमारा देश दुनिया के बहुत सारे देशों के पीछे है और विशेषकर भारत के ग्रामीण क्षेत्रों में स्वास्थ्य की स्थिति बहुत खराब है। स्वास्थ्य केन्द्रों की बेहतर स्थापना व अच्छे डॉक्टर्स तथा अस्पतालों की व्यवस्था न होने के कारण अनेकों गरीब लोग छोटी-बड़ी बीमारियों से अपने आप को अलग नहीं कर पाते। बड़े शहरों व महानगरों में मंहगे इलाज व यातायात की कमी से बहुत सारे मरीज दम तोड़ जाते हैं। गर्भवती महिलाओं को और अधिक परेशानियों का सामना करना पड़ता है। यदि उन्हें प्रसव के लिए शहरों में जाना पड़े तो अस्पतालों की दूरी की वजह से प्रसव क्रिया भी रास्ते में ही हो जाती है। अनेकों बात इस संबंध में देश के अंदर बड़े आन्दोलन व संघर्ष हुए हैं। परन्तु अभी तक सरकार स्वास्थ्य के क्षेत्र में बहुत बड़ी सफलता हासिल नहीं कर पायी है।

यहां पर यह भी बताना उचित समझता हूं कि प्रत्येक 1000 जनसंख्या पर एक डॉक्टर का होना सरकार का लक्ष्य है। परन्तु हमारे देश में प्रत्येक 2000 जनसंख्या पर एक डॉक्टर अभी तक मिलता है और इससे भी ज्यादा निराशा की बात यह है कि हमारे देश में साढ़े सात लाख डॉक्टर (MCI) रजिस्टर्ड हैं, जिनमें से दो लाख डॉक्टर स्वास्थ्य सेवा के क्षेत्र से दूर हैं। स्वास्थ्य कार्यों को व्यवस्थित करने के लिए 10.7 लाख नर्सों की जरूरत है, लेकिन स्वास्थ्य सेवाओं के लिए 6 लाख नर्सों भी उपलब्ध नहीं हो पा रही हैं।

अतः मैं आपके माध्यम से सरकार से मांग करता हूं कि भारतवर्ष में डॉक्टर व नर्सों की कमी को पूरा करके स्वास्थ्य के क्षेत्र में देश को स्वावलम्बी बनाने की कृपा करें, ताकि आम आदमी को समय पर सस्ता इलाज उपलब्ध हो सके।

* Laid on the Table

**Demand to implement Uniform System of Education to Remove
Social Imbalance from the Country**

श्री नरेन्द्र कुमार कश्यप (उत्तर प्रदेश): महोदय, भारत में लोकतंत्र के 60 वर्षों को संसदीय परम्पराओं के अनुसार उत्सव के रूप में मनाया गया है, परन्तु भारतवर्ष में आज भी ऐसी अनेकों चुनौतियां हैं, जिनका सामना करना देश की लोकतांत्रिक सरकार की जिम्मेदारी है। अनपढ़ता बहुत बड़ी समस्या है जिसका समाधान आजादी के 64 वर्षों के उपरान्त भी नहीं हो सका है। हमारे देश में आबादी का प्रतिशत हमेशा बढ़ता गया, लेकिन शिक्षा के संस्थान उस अनुपात में नहीं बढ़ सके हैं, विशेषकर भारत के ग्रामीण क्षेत्रों में शिक्षा का स्तर आज भी निम्न दर्जे का है, जिसका सबसे बड़ा अपवाद दोहरी शिक्षा प्रणाली है। हमारे देश के ग्रामीण व शहरी क्षेत्रों में सी.बी.एस.सी., आई.सी.एस.सी., कॉन्वेंट में हिंदी माध्यम से शिक्षण कार्य होता है और आर्थिक रूप से सम्पन्न समाज तो इन स्कूल, कॉलेजों में अपने बच्चों को पढ़ाकर उच्च शिक्षा में आगे बढ़ा देता है, परन्तु ग्रामीण क्षेत्रों व शहरों की दलित, मलिन व पिछड़ी बस्तियों में रहने वाले दलित, पिछड़े, अल्पसंख्यक व सामान्य वर्ग के गरीब बच्चे, हिंदी माध्यम वाले सरकारी स्कूल व कॉलेजों में पढ़ने के लिए मजबूर होते हैं, जिनमें अध्यापकों का हमेशा अभाव रहता है। स्कूल व कॉलेजों में बच्चों के बैठने व खेलने आदि के संसाधनों की कमी रहती है।

महोदय, दोहरी शिक्षा प्रणाली भारत में गरीब व अमीर बच्चों के बीच बहुत बड़ा असंतुलन पैदा कर रही है। गरीब बच्चे मायूस व कमजोर मनोबल के कारण उच्च शिक्षा पाने से महरूम हैं।

अतः मैं आपके माध्यम से सरकार से अनुरोध करता हूँ कि भारत में एकल शिक्षा प्रणाली लागू करके, सामाजिक असंतुलन समाप्त कर देश के दलित, पिछड़े, अल्पसंख्यक व सामान्य वर्ग के गरीब बच्चों को आगे बढ़ाने का मौका दें।

**Demand to set up the Office of Commissioner in Patna for Proper
Implementation of Welfare Programmes for Bidi Workers in Bihar**

श्री अली अनवर अंसारी (बिहार): उपसभाध्यक्ष महोदय, बिहार के बीड़ी श्रमिकों के साथ केन्द्र सरकार का श्रम विभाग घोर उपेक्षा बरत रहा है, जिससे वहां बीड़ी श्रमिकों के कल्याण के लिए बनी योजनाएं लागू नहीं हो पा रही हैं। सरकारी आंकड़े के अनुसार बिहार में कार्यरत बीड़ी श्रमिकों की संख्या नौ लाख बत्तीस हजार एक सौ बयालीस है, जिसमें पुरुष चार लाख बत्तीस हजार तिरैसठ, महिलाएं पांच लाख बयालीस हजार सात एवं बाल श्रमिक अट्ठाइस हजार छः सौ बहत्तर हैं।

महोदय, केन्द्र सरकार ने बीड़ी श्रमिकों के कल्याण के लिए कई योजनाएं चला रखी हैं, लेकिन बिहार में बीड़ी श्रमिक कल्याण आयुक्त का कार्यालय नहीं होने के कारण योजनाओं का कार्यान्वयन नहीं हो पा रहा है। बिहार सरकार और बिहार के कई माननीय सांसदों द्वारा भी सन 2001 से ही पटना में आयुक्त कार्यालय खोलने की मांग की जाती रही है। तत्कालीन श्रम मंत्री के आश्वासन के बाद भी यह कार्यालय आज तक नहीं खुला। वित्तीय वर्ष 2007-2008 से 2010-11 तक बीड़ी मजदूरों के लिए एकीकृत आवास योजना के अंतर्गत कुल 1528 घर ही स्वीकृत हुए। इनमें भी प्रशासनिक लापरवाही के चलते कुल 1010 घर ही बनाए जा सके,

जबकि बिहार सरकार ने इस योजना के अंतर्गत राज्य सरकार के अंशदान पहले जमा कर दिए। महोदय, सरकारी उपेक्षा के चलते बीड़ी मजदूरों के बच्चों के लिए छात्रवृत्ति योजना, मातृत्व लाभ में बिहार पिछड़ गया है। यहां यक्ष्मा रोग से ग्रसित बीड़ी मजदूरों का इलाज नहीं हो पा रहा है। यहां के बीड़ी मजदूरों के आई-काई तक नहीं बनाये जा रहे हैं।

अतः हम सरकार से मांग करते हैं कि पटना में तत्काल आयुक्त कार्यालय खोला जाए तथा बीड़ी मजदूरों के कल्याणार्थ तमाम योजनाएं विशेष अभियान चलाकर लागू की जाएं।

Demand to remove the anomalies in the pay of Group-B Officers of Indian Information Service

SHRI PRAVEEN RASHTRAPAL (Gujarat): According to informed source, in a detailed note to the Department of Expenditure, Ministry of Finance, the secretary of the I & B Ministry explained how the Group-B segment of the Indian Information Service "is important in projecting the Government's profile." However, the Finance Ministry was apathetic on the request.

The Anomaly Committee recommended an IIS Group-B officer Grade Pay of Rs. 4,800 and non-functional selection Grade (Grade Pay of Rs. 5,400 in PB-3) after 4 years of regular service. However, the recommendations by the I & B Anomaly Committee also met the same fate as that of the I & B secretary.

The Commission recommended merging the Junior and Senior grades in the Group-B segment of the IIS. Both the Ministries accepted the recommendation and issued orders accordingly. However, the Finance Ministry, the sources say, was reluctant to issue a formal order which would facilitate a little financial benefit to about 80 officers amounting to less than Rs. 15 lakh.

It is really shocking that section officers who were drawing the Pay scale of Rs. 6,500 were given Rs. 8,000 after 4 years of service, but the same benefit was not allowed to the IIS Group-B officers. The D.O. letter dated 19.11.2010 from Secretary of I & B Ministry addressed to Secretary, Department of Expenditure, Finance Ministry, is self explanatory and requires urgent action by the same Ministry.

Demand to Increase Import Duty on Apple on the Lines of Orange to protect the interests of Apple Growers in Himachal Pradesh

श्रीमती बिमला कश्यप सूद (हिमाचल प्रदेश): उपसभाध्यक्ष जी, हिमाचल प्रदेश भारतवर्ष के उन सभी सब्जी एवं फल उत्पादकों में से एक हैं, जहां कई प्रकार की सब्जियां तथा फल पैदा किए जाते हैं। मान्यवर, हिमाचल प्रदेश सेब, आलू, नाशपाती, चैरी, आड़ू, खुमानी तथा प्लम आदि अनेक फलों को पैदा करने वाला राज्य है। सेब न केवल पूरे भारतवर्ष में सप्लाई होता है, बल्कि विदेशों को भी निर्यात किया जाता है।

[श्रीमती बिमला कश्यप सूद]

महोदय, अंग्रेजी में एक कहावत है—"An Apple a day, keeps the Doctor away", परन्तु खेद का विषय है कि सेब पर आयात शुल्क 53 फीसदी से घटाकर 29 फीसदी कर दिया गया है, जब कि इसके विपरीत संतरे पर आयात शुल्क 100 फीसदी से 130 फीसदी तक बढ़ाया गया है।

मान्यवर, हिमाचल प्रदेश के लाखों सेब बागवानों के साथ इस तरह का भेदभाव क्यों हो रहा है? हिमाचल प्रदेश सरकार और केन्द्र सरकार के मंत्रियों के बीच इस मामले को हल करने के लिए कई बार पत्र व्यवहार व बातचीत हुई, लेकिन प्रदेश के सेब बागवानों की इस मांग को केन्द्र सरकार ने फिर से खारिज कर उदासीन रवैया अपनाया है, जो बड़े दुःख की बात है।

अतः मेरा आपके माध्यम से केन्द्र सरकार से अनुरोध है कि संतरे की तर्ज पर ही सेब पर भी आयात शुल्क 53 फीसदी से बढ़ाकर 100 फीसदी कर दिया जाए तथा आढ़तियों द्वारा सेब उत्पादकों से वसूले जाने वाले कमीशन को भी खत्म कर दिया जाए, ताकि हिमाचल प्रदेश के लाखों फल उत्पादकों को उचित दाम मिल सके। धन्यवाद।

Demand to take steps for Speedy Disposal of Cases of Sexual Harassment and Rape in the Country

डा. प्रभा ठाकुर (राजस्थान): उपसभाध्यक्ष महोदय, अनेक कठोर कानूनों के बावजूद आज देश में ऐसी स्थिति है कि दिल्ली सहित अनेक राज्यों में बलात्कार एवं यौन शोषण संबंधी घटनाओं में वृद्धि ही दिखाई देती है। छोटी-छोटी बच्चियों एवं बालकों के साथ हो रहे अमानवीय दुष्कर्म बढ़ने का कारण शायद यही है कि अपराधियों को कानून का कोई डर नहीं रहा, क्योंकि आम तौर पर ऐसे मामलों में सजा मिलने में ही कई वर्ष लग जाते हैं तथा अधिकांश अभियुक्त या तो पकड़े नहीं जाते या उन्हें सजा नहीं मिलती। अनेक ऐसे मामलों में मेडिकल रिपोर्ट को भी अपराधी धनबल अथवा किसी और प्रभाव से प्रभावित कर देते हैं, तथा अधिकांश पीड़ितों को न्याय नहीं मिल पाता। इस चिंताजनक स्थिति के निवारण के लिए कुछ सुझाव प्रस्तुत हैं—

मेडिकल परीक्षण रिपोर्ट 15 से 20 दिन के अंदर दिया जाना अनिवार्य किया जाए। ऐसे मामलों की सुनवाई जिन अदालतों में हो, उनका फैसला तीन-चार माह के भीतर निश्चित किया जाए। गलत मेडिकल रिपोर्ट देने पर संबंधित डॉक्टर अथवा पुलिस अधिकारी के लिए भी दंड का प्रावधान हो। जी.एन.ए. प्रोफाइलिंग की सुविधा हर जिले में हो। अभियुक्तों को कठोर दंड मिलने पर ही ऐसी वारदातों में कमी आ सकेगी।

Demand for Immediate Appointment of A New Chairman of Cauvery Water Disputes Tribunal

SHRI A. ELAVARASAN (Tamil Nadu): Sir, I would like to urge the Government to take immediate measures for appointment of a new Chairman to the Cauvery Water Disputes Tribunal in place of the previous Chairman who has resigned recently. The Government of Tamil Nadu had filed a Civil Miscellaneous

Petition before the Tribunal to take up the pending applications filed by the party States and the Central Government, under section 5(3) of the said Act and, dispose of the same at the earliest. After a week, the Tribunal had also issued a notice about the listing of this petition before it last month, but because of resignation of earlier chief, it could not be taken. The resignation of Chairman of the Cauvery Tribunal has caused deep concern and anxiety in the minds of people of Tamil Nadu. The Tribunal cannot function without Chairman as required under section 4(2) of the Inter-State River Water Dispute Act. As per section 5A of the said Act, the proceedings of the Tribunal can be continued only if a person is nominated as Chairman. Hon. Chief Minister of Tamil Nadu has already insisted the Government to take immediate measures for appointing new Chairman to this Tribunal so as to take up the pending applications filed in the Tribunal, and the Tribunal can be continued only if the Chairman is appointed. Therefore, in view of the importance of this issue, I once again urge the Government to appoint the Chairman for the Cauvery Tribunal as soon as possible.

**Demand to Streamline Telephone and Internet Services provided by
MTNL and BSNL in Country**

SHRI RAMA CHANDRA KHUNTIA (Odisha): Sir, there are always interruptions and noises in the MTNL and the BSNL telephones and also on the Internet. People have more confidence in them, as they are public sector units and have better infrastructure. Members of Parliament have been given the MTNL and the BSNL telephones. But because of poor service, carelessness of these Corporations, people have lost the confidence and they are mostly shifting to private mobile companies.

Even some high officials of the BSNL and the MTNL companies keep mobiles belonging to private companies. On the other hand, the profit-earning BSNL and the MTNL companies have been suffering losses since the last three years. Why? Who is responsible for this?

Sir, as far as interruption in my own telephone No. 09437029595, Bhubaneswar, of BSNL is concerned, Internet is not working. I made a complaint, talked to the GM, Mobile, BSNL, but, still, my telephone is not working. In rural areas, BSNL Telephone Exchanges are not working. Landline telephones and mobile phones have not been working in rural remote areas for months together and nobody bothers to receive the complaint. That is the reason why the number of landline telephones and mobile phones of the BSNL and the MTNL is decreasing and private companies are capturing the market. This is a serious and alarming situation.

[Shri Rama Chandra Khuntia]

I, therefore, urge upon the Government to develop and expand the infrastructure, ensure better service and stop all deputation allowances in the MTNL and the BSNL. Making Code of Conduct more stringent will make the MTNL and the BSNL perform for its survival and also compete with the other private mobile and telephone companies.

Demand to extend the facility of minimal invasive robotic surgery to CGHS and ECHS beneficiaries in the country

SHRI KANWAR DEEP SINGH (Jharkhand): Sir, a revolutionary advanced treatment in minimal invasive surgery through robotic surgical system has been introduced in India. It is performed through 1-2 cm incisions by a surgeon using a robotic surgical system called DA VINCI, which enables surgeons performing these surgeries to be more precise. This has advantages of faster recovery and resumption of normal routine within 10 days or sooner, lesser pain and trauma. It also improves dexterity of the surgeon. The robotic surgery thus can be performed for cardiac thoracic, urology, gynaecology, general, head, neck and orthopaedic procedures. It is a blessing in disguise as major heart surgeries are performed through three to four incisions. Unlike the traditional methods of surgery, the chest is not opened to access the heart. There is less pain, shorter hospitalization, faster recovery, lesser blood loss and risk of infection, and minimal scarring. In India, the first-ever robotic surgery was performed in 2002 at New Delhi. Since then, the robotic systems in India have increased from 1 to 22. This robotic surgery has been practised in many countries for the past 22 years. The idea is to make India self-sufficient and make this advanced form of surgery easily available in India.

I request the Health Minister to promote this latest technique of minimal invasive robotic surgery and extend the benefit of this advanced treatment to the beneficiaries of CGHS and the Defence Minister to extend this benefit to ECHS beneficiaries and also introducing this surgical technique in the medical facilities of the Armed Forces as it will be a boon to the injured due to the faster recovery period.

STATUTORY MOTION

For resolution that the Information Technology (Intermediaries Guidelines) Rules, 2011, laid on the Table of the House on 12th August 2011, be Annulled

SHRI P. RAJEEVE (KERALA): Sir, I move:

“That this House resolves that the Information Technology (Intermediaries Guidelines) Rules, 2011 issued under clause (zg) of sub-section (2) of Section

87 read with sub-section (2) of Section 79 of the Information Technology Act, 2000 published in the Gazette of India dated the 13th April, 2011 vide Notification No. G.S.R 314(E) and laid on the Table of the House on the 12th August, 2011, be annulled; and

That this House recommends to Lok Sabha that Lok Sabha do concur in this Motion.”

Sir, after a long time, our Parliament is discussing a Statutory Motion. This is one of the rarest occasions in Parliamentary proceedings. Normally, Parliament would not get an opportunity to discuss rules. Statutory Motion is the only opportunity for Parliament to discuss rules. Parliament has the power to make laws. But the power to make rules is delegated to the Executive. The legal requirement is that the rule should be in accordance with the parent Act. But, nowadays, we find that most of the rules are *ultra-vires* the parent Act. The Information Technology (Intermediaries Guidelines) Rules, 2011, is a clear-cut illustration of this trend, which needs to be curbed by the supreme law-making body of the country, that is, Parliament. The World Summit on the Information Society is going to be held in Geneva tomorrow, where different aspects, including Government-control on internet by our country, are going to be discussed. We are discussing this Motion today, and this would reflect on the Conference which is to be held in Geneva.

Coming to the grounds for this Statutory Motion, I would like to state one important thing. I am not against any regulation on internet, but I am against the control on internet. What is the difference between regulation and control? Recently, Justice Markandey Katju correctly made a distinction between control and regulation. In control, there is no freedom. In regulation, there is freedom within the reasonable restrictions given under our Constitution. The Information Technology (Intermediaries Guidelines) Rule is an attempt to control the cyber space. It is an attempt to curtail freedom of speech and expression which has been ensured under article 19(1)(a) of the Constitution. Sir, we have enough legal provisions to regulate the internet. The I.T. Act, 2000, has a very strong provision to regulate internet. I would like to invite the attention of this august House to Section 69 of the Act. Section 69(1) gives powers to issue direction for blocking, for public access, any information through any computer resource. This Section has correctly specified what the offendable things are. Now, I quote Section 69(1): “If satisfied that it is necessary or expedient so to do in the interest of the sovereignty or integrity of India, the security of the State, friendly relations with foreign States or public order or for preventing incitement to the commission of any cognizable offence, relating to above, it may subject to the provisions of sub-section (2).” These are correct

[Shri P. Rajeeve]

formulations. This is in accordance with article 19(2) of the Constitution. But, in addition to that, Section 69(3) talks about intermediaries. What are intermediaries? Now, when we use the I-pad in Parliament, we get the internet access through the MTNL. So, that is an intermediary. Likewise, Google and Yahoo are intermediaries. Facebook and Twitter are intermediaries. Web hosters are intermediaries. These are intermediaries. In the Act itself there are strong provisions to control these intermediaries. 69A(3), “The intermediary who fails to comply with the direction issued under sub-section (1) shall be punished with an imprisonment for a term which may extend to seven years”. Section 69A(3) is a very strong provision in the Act itself. Sir, the Government has made rules on the basis of Section 69, *i.e.* the Information Technology (Procedure and Safeguards for Blocking for Access of Information by Public) Rules, 2009. Sir, if the formulation of procedure is very correctly framed, then, how can the content be blocked by an intermediary? The designated officers are there. Specific Committees are there. Reviewing Committees are there and as per this Rule, there is a strong provision to control the intermediaries also. A provision to not only regulate, but even to control the intermediaries’ is there in the Act itself. Then, Sir, there are too many criminal provisions in the IT Act. While coming to Section 66A of the IT Act, “causing annoyance or inconvenience electronically has a penalty of three years and does not require a warrant to arrest.” That is the provision of the Act itself. That shows the IT Act itself and the rule in accordance with several sections of the Act give power to the Government, and also to the intermediaries, to deal with all these things. Then, what is the urgency for the new rule? Sir, in 2004, Avnish Bajaj, the CEO of Baazee.com, an auction portal, was arrested for an obscene MMS clip that was put up for sale on the site by a user. The Baazee.com case, a well-known case, resulted in an appeal by the industry to amend the Information Technology Act by providing protection to intermediaries from liabilities arising out of user-generated content. Sir, the intermediaries have no editorial control on the content. That is true. Then, certain protection should be there. For this, the IT (Amendment) Act, 2008 amended Section 79 of the IT Act, 2000 to provide for safe harbour protection to intermediaries. The safe harbour protection available to intermediaries is conditional upon their observing “due diligence” while discharging their duties under the Act and observing guidelines issued by the Government in this regard. Sir, these guidelines prescribing “due diligence” to be observed by intermediaries were notified in April 2001 in the form of IT (Intermediaries Guidelines) Rules 2011. Sir, why should these rules be annulled? That is the content of the Statutory Motion.

Firstly, Sir, these rules are *ultra vires* to the parent Act. Section 79 intended to give harbour protection to the intermediaries. The purpose of Section 79, amended Section, is to give harbour protection to the intermediaries from other liabilities, but this rule has gone against the intent of Parliament by introducing a private censorship mechanism. Sir, this is private censorship. Delhi High Court in 2002 has specifically stated that pre-censorship cannot be countenanced in the scheme of our Constitutional framework. That is the verdict of Delhi High Court in 2002. These Rules, the new Rules, which we are discussing now, cast an obligation on the intermediaries to remove access to any content within 36 hours on receiving a complaint from an affected person, that falls under the category of a wide vague undefined list of “unlawful” content specified in the Rules. That is true. The rule should act, but *de-facto* they are compelled to remove the content.

That is the reality. It has been experienced by several organisations and other people by giving some complaints and the content was removed within 36 hours. The unlawful content has been mentioned under Rule 3(2) of Intermediaries Guidelines. Rules 3(2) says, “Such rules and regulations, terms and conditions or user agreement shall inform the users of computer resource not to host, display, upload, modify, publish, transmit, update or share any information.” Then, Sir, 3(2)(b) specifically states what are the offendable contents, but without defining what are these. Sir, I would not like to take more time to read all these things. But, I would only say any information that is grossly harmful, harassing, blasphemous, defamatory, obscene, pornographic, pedophilic, libellous and there are several things has to be informed to the computer users. It is neither defined in the Rules nor is defined in the Act.

But, Sir, Section 69 of the Act specifically defined unlawful content. The correct formulation of Section 69 specifically defined unlawful content which came under the purview of Article 19(2) of the Constitution. But, Rule 3(2) of the Intermediaries Guidelines goes beyond the Act which is a clear violation of the Act.

Sir, my second point on the *ultra vires* of the parent Act is Section 69. Sir, Section 69 of the Act gives power to the Government to issue direction for interception or monitoring or decryption of any information through any computer resource. Sir, Section 69(2) provides for procedures and safeguards subject to which such interception or monitoring may be carried out. The executive has made a rule on the basis of Section 69. It clearly specifies what are the provisions and procedures followed by the executive to take information with regard to the user. But, Sir, Sub-Rule 7 of Rule 3 of the Intermediaries Guidelines mandates the intermediary to provide information of any such assistance to Government agencies

[Shri P. Rajeeve]

without any safeguards. This is a clear violation of the Act. This is clearly against the guidelines specifically framed by the Supreme Court in Telephone Tapping Case. This is a clear violation of Section 69 of the IT Act and this could have serious implications on the right to privacy of citizens.

I come to Section 88 of the Act. There is a provision for Cyber Regulations Advisory Committee. Soon after commencement of the Act, Cyber Regulations Advisory Committee consisting of who? the interests of principally affected or having special knowledge on the subject matter to advise the Government on framing the rules. In the Act itself, there is a provision to constitute an Advisory Committee. Sir, Information Technology, cyber space, etc., are new sectors and hence expertise is required. So, the Government has correctly framed Section 88 in the IT Act to constitute Cyber Regulations Advisory Committee to advise the Government for framing the rules. These rules, without seeking any advice from the Committee, have been framed. It is because even after one decade this body has not yet been formed. The advisory mechanism or body to guide the Government on framing the rules has not yet been constituted even after one decade of the Act! This is a very serious thing.

Sir, the apex court of the country has quoted several rules which are *ultra vires* of the parent Act. I am sure, as an eminent lawyer, our hon. Minister, Mr. Kapil Sibal, is well aware of the fundamental principles of the Subordinate Legislation that essential legislative function cannot be undertaken by the executive since it is the sole prerogative function of the Parliament. It is the sole prerogative function of the Parliament. It should not be delegated to the executive. If the Government wants any change, it has to come to Parliament. That is my first ground on this Motion.

Secondly, this rule is violation of the Constitution.

Article 19(1) of the Constitution ensures the right to freedom of speech and expression. Article 19(2) of the Constitution specifically defines the 'reasonable restrictions'. But, Rule 2 goes beyond article 19(2) of the Constitution. The Supreme Court held in the *Express Newspaper Private Limited versus the Union of India* case that if any limitation on the exercise of the Fundamental Right under article 19(1) does not fall within the purview of article 19(2) of the Constitution, it cannot be upheld. This was the verdict given by the apex Court in that case. In several cases, such as that of *Mohini Jain versus the State of Karnataka*, the Supreme Court of India quashed the rule saying that it was *ultra vires* of the Constitution, stating that the rule violates the principle of natural justice.

The rule does not provide an opportunity to the user who has posted to reply to the complaint and justify his or her case. This whole mandates the intermediary to disable the content without providing an opportunity to hear the user who posted the content. In some countries like America and the European Union countries, there is a provision to hold the content, remove the content for some days and after hearing the user who posted the comment, there is a provision to repost it. Such safeguards are not here. This is a clear violation of the principle of natural justice and it is highly arbitrary.

Fourthly, this rule prohibits the posting of certain content on the Internet while it may be lawful in the other media. For example, an article may be permitted in the print media, it may be permitted on television, the visual media, but the same article might be prohibited from being reproduced in a web edition.

Sir, the Ministry issued a clarification in 2011. In that clarification, the Ministry had claimed, and stated:—

“These due diligence practices are the best practices followed internationally by well-known mega-corporations operating on the Internet”.

Sir, it might be true. But self-regulation should not be equated with Government control. The Ministry, in the same clarification, also stated, and I quote:—

“The terms specified in the Rules are in accordance with the terms used by most of the Intermediaries as part of their existing practices, policies and terms of service which they have published on their website. In case any issue arises concerning the interpretation of the terms used by the Intermediary, which is not agreed to by the user or affected person, the same can only be adjudicated by a court of law”.

What is the logic, Sir? Their attitude is, ‘run away from defining these terms’. The Ministry has stated that the Intermediaries have defined these terms; if you have any objection to the definition, then, you can approach the court of law. What a logic, Sir! We are creating an avenue for judicial interpretation. We are running away from our own responsibilities. This is totally against the basic principles that we follow in law-making and in rule-making.

Finally, Sir, I would like to submit what the international approach is. The U.N. Human Rights Council says, and I quote:—

“Censorship measures should never be delegated to a private entity. No one

[Shri P. Rajeeve]

should be held liable for content on the Internet of which they are not the author. Indeed, no state should use or force Intermediaries to undertake censorship on its behalf”.

This is what the declaration of the U.N. Human Rights Council states. That is the duty of the Government. As per the Act itself, there are certain provisions by which the Government can intervene and regulate the Internet. Several rules are there as per section 69 of the Act. But these rules in accordance with section 79 of the I.T. Act go beyond the Fundamental Rights enshrined in the Constitution, they also go beyond the principles which are being followed internationally and they also go against the declaration of the U.N. Human Rights Council.

Finally, Sir, we should recognize multi-stakeholder nature of internet. Tomorrow, in Geneva, there is a very serious debate on this multi-stakeholder. India has proposed some code and some Government control measures. I support some part of it. But, we should protect multi-stakeholder nature of the internet. This is a very serious attack on the freedom of speech and expression. This is a very clear violation of the parent Act, which is ultra vires to the parent Act, and ultra vires to the Constitution. This is against the principles of natural justice.

So, I request the House to annul this rule itself to protect the rights of Parliament. Do not delegate these powers to the Executive. If the Minister wants any change, let him come to the House with an amendment Bill and make the rules accordingly. With these words, I conclude. Thank you, Sir.

The question was proposed

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Mr. Vice-Chairman, Sir, let me, first of all, compliment the hon. Member, Shri Rajeeve, for familiarizing all of us that we have a role in overseeing even subordinate legislations. Otherwise, most of us were under the impression that the law is framed by Parliament, and rules and regulations are framed by the Government and placed on the Table of the House. I think, he deserves a compliment for educating us on this rule that Parliament has a supervisory control as far as subordinate legislations are concerned, and, if need be, we can express our vote of disapproval to the subordinate legislations.

Sir, we are dealing with a very difficult issue. We can allow ourselves to be carried away by either a popular sentiment which is always against any form of

restraint or censorship; we can also allow ourselves to be carried away by a certain amount of anguish and irritation as to the kind of material we see on the internet or on various sites. The fundamental principle is that it is extremely difficult, if not impossible, to control technology. It would not even be desirable to do so. It is impossible to defy technology. So, the days of censorship, the days of withholding back information is all over. I always believe that if the internet had been in existence, the internal Emergency of 1975 would have been a big fiasco. You could restrain and create awe by censorship of the print media and control the electronic media, but you could never control the internet. Therefore, there would be a free flow of information; information would come from all over the world. There would be angry exchange of articles and the circulation would have been so wide that the whole fear psychosis which was built up would itself have been demolished. Therefore, these institutions which have come up by virtue of technology have a great role to play.

But, then, there is the other danger. The other danger is, there is a situation of incitement of certain offences in the society. There is hate speech. There is religious hatred being created. There is caste hatred being created. There is an incitement to violence being created. You can have a flow of information which can then end up creating frenzy as far as the society is concerned. If that kind of frenzy is created, you will see the negative impact of allowing this kind of information. Therefore, we have to take a balanced approach as to how to go about in the matter, the rules which have been prepared by the Government and placed on the Table of the House. In fact, rules themselves are attempting to devise a mechanism. The mechanism is that, on account of technology, there is inflow of information. Suppose, there is inflow of information into the YouTube. Those who own or administer YouTube do not censor every article or any piece of information, a video or an audio that goes on to the YouTube. Anybody can enter the information at any point. Their only authority or domain would be to remove it once it enters.

Now, the information is going to be so large; the content is going to be so large, that they would not even be aware of what is actually contained therein. Therefore, most sites invent the procedure by which they have internal alerts. So, if there is anything which is pornographic, the alert goes up and it is immediately taken off. This can go off, not in minutes, it can go off in seconds itself. If there is something which relates to incitement of an offence, there will be several indications of alerts within the internal system. Then, there is a system of 'outside alerts'. You don't catch that objectionable material, but somebody else brings it to your notice. Therefore, you have to then take it off. In that sense, the rule really says that every

[Shri Arun Jaitley]

intermediary will be given the following information, which he cannot carry. If his internal and external alerts bring it to his notice, it is incumbent on him to take it off within 36 hours. This is the architecture which this rule appears to have devised. Don't put anything on these knowingly, which is objectionable. But if, unknowingly, something appears on your site, and if the alert brings it to your notice, then it will have to be taken off. The difficulty will arise this procedure, *prima facie*, appears to be reasonable if the kind of information which is sought to be objected to and removed becomes too wide, and then becomes a threat to free speech. My limited point is and I urge the hon. Minister that I have no serious personal objection against the architecture that he has devised it is an architecture where there is no prior censorship; it is an architecture where anything can go on these sites. If something is objectionable, and if it is by an alert system brought to your notice, then, within a reasonable period of time, you take it off. Now, you see the kind of information which is being restrained. I draw the hon. Minister's attention to Regulation No. 3; it is contained in sub-clause (2) of Regulation No. 3. Now, take category (b) out of that. Here, Mr. Rajeev's point is that link it to what are the restrictions in article 19(2) of the Constitution. There is a clause which incorporates some of them; then, it adds something more. There are certain laws which prohibit carrying of certain kind of information. That may be in addition to article 19(2). For instance, an obscene display of women; somebody else's copyrights; somebody else's patents; somebody else's trade information, you can't carry that. Now, this broadly deals with these categories. But, then, the expressions used in some of the cases are so wide that my fear is that at some stage, they could even be used to curtail some amount of free speech. In clause (b) you said, "If that information is grossly harmful". Now, the word 'harmful' is absolutely subjective. Now, there is information which some of my friends in the Government may consider very harmful to them. I may think it is my right to express that information. It is 'harassing'. Now, 'harassing' is not a word which is capable of a strict legal definition. It can be stretched to such an extent: are we going to empower the Executive? I can understand that anything which harasses an individual lady, if it was specific, I may have had no objection. But if you say, 'it is harmful', 'it is harassing', it is not proper. The third word is 'blasphemous'. I would urge the hon. Minister to kindly replace this word with what is contained in Indian law. Now, we have a very secular penal law that anybody who creates incitement against any religion or who expresses disrespect is liable. Now, 'blasphemous', internationally, at least, in some countries, is very narrowly defined. In England, for instance, 'blasphemy' is only against one religion.

So, blasphemy is only against one religion. If blasphemy is an offence, it is against Christianity. It is not an offence against Islam, Hinduism, or Zoroastrianism. You have the judicial pronouncements in the British Courts when a restraint was sought on the Satanic Verses, they said, no, you are saying that this is blasphemous of Islam, but this is an offence available only against Christianity. So, the word really comes from the English Dictionary, and, therefore, rather than using the word 'blasphemous', I have no difficulty if the words were, 'anything which incites religious hatred or disrespect to any religion' are used. You can have that power. Now this 'defamatory' in this, I have a positive objection to it. I am entitled to defame somebody as long as can plead truth as a defence. Therefore, every time I get up and on the net an allegation is made that somebody is corrupt, it is obviously defamatory. But then the person making that allegation has a right to plead that what I have said is true. Now you seek to restrain anything which is defamatory. So, both in common law and also in our penal law, defamation is permissible as long as you can justify the defamation. You can either justify or you can have a qualified privilege in a response to defamation, and then to say that anything defamatory will not be allowed, if I get up and say that I have a serious objection that so and so is *prima facie* guilty in such corruption scandals, it is obviously defamatory. But I am entitled to say so as long as I can plead truth as a defence. So, anything which is defamatory, I think, if it goes off the net completely, then we will probably have a very boring internet as far as this country is concerned because a lot of material which comes up enlightens people and informs us of what kind of things which are taking place. Similarly, there are words 'libellous', 'disparaging'. Now somebody can get up and criticise my party or criticise me, it is disparaging as far as my party or my criticism is concerned. Do I have a right to say that it be taken off the net? I think, the words which have been used are being capable of stretched in a manner that there is a huge possibility of a future misuse. Sub-clause (f) says, 'deceives or misleads the addressee about the origin of such messages or communicates any information, which is grossly offensive or menacing in nature'. Now 'offensive' or 'menacing' are not being capable of put in a definitional narrow jacket. Now something maybe offensive for some and may not be offensive for some. Similarly, (g) is, 'impersonates another person'. Sir, my grievance is that both in Parliament, in our media and public discourse, we are losing a sense of humour. There are cases of impersonation that I see, particularly, on the Twitter. I have had somebody impersonating a site as my site. I made a grievance and I found a lot of humours and funny things, including ridiculous to me coming from that particular impersonator. You have somebody imitating people in high places. As long as it is a part of permissible humour, it is all right, but if it is a case where somebody

[Shri Arun Jaitley]

is committing an offence through impersonation, I think, there is a need for law to step in. But if it is a case where somebody has a satirical site or a satirical space on the Twitter, this is not intended to really stop that. In (i), there are two cases. I have no difficulty with the first part of (i), that is actually reproduction of article 19 (2) where reasonable restrictions are possible, and it says, 'threaten the unity, integrity, defence, security, sovereignty of India, friendly relations with foreign states or public order or causes incitement of a commission of a cognizable offence'. These are the words literally picked up from the Constitution. We have accepted them. They have stood the test of time, I have no difficulty. Then it says, 'or prevents the investigation of an offence.' Now do I not have a right to criticise an investigative agency? We have seen misuse of investigating agency.

I can criticise it in the print media; I can't do it on the Net. The last one, again, I think, is very broad. I would urge the Minister to retain only the first language, "friendly relations with foreign States". That is the language of the Constitution, article 19(2). Now, you are bringing a new category saying , "or is insulting any other nation". Now, in a huge discourse on Foreign Policy on national relationships, we are entitled to criticise other States. The Government of India may use restrained language; we, in Parliament, may use restrained language, but on the Net, you will find a number of comments about a country where Osama Bin Laden was eventually found. We also in politics say, 'Terror as an instrument of State Policy, the Government is encouraging it.' We criticise the institutions. My fear is that they will come within the meaning of the words, 'insulting any other nation'. Therefore, a legitimate criticism, which is Constitutionally permissible, which, doesn't really offend foreign relations with friendly States, is something which is permissible. So, if I may just, in a nutshell, say, I am with the architecture that the hon. Minister is creating, because, if, as I said, there is some kind of a communal or caste problem, the Net can go viral and you can have a frenzy in the society, certain kind of information which creates disorder in the society may have to be restrained. But, then, to say, 'take that power and then extend it by the use of such words where legitimate expression may become difficult', there would be apprehension. Powers are, normally, assumed under these rules on the assumption that they won't be misused. We feel the pinch only when they are misused. Therefore, I would urge the Minister to kindly reconsider the language of the kind of restraints that he wants to bring as a result of this notification. Thank you, Sir.

DR. E.M. SUDARSANA NATCHIAPPAN (Tamil Nadu): Sir, I am very happy

that the hon. Members are taking up these issues for a wide discussion. But, at the same time, in our House Committees, there is a Committee on Subordinate Legislation. When these types of issues come, we can request the Committee on Subordinate Legislation to go in depth and take the evidence from the Government to know whether there is a necessity for such a rule or not. Since the so-called Plenary Session of the Parliament is having sufficient work in hand, we have created House Committees where this type of issues can be raised. But even then, our hon. Member has attracted the attention of the media, and also of the House, to take cognizance of this issue. But, Sir, after reading the rule which has now been framed, I find it to be a very carefully drafted one. I fully respect the Leader of the Opposition for making certain observations. Those are all to be considered by the Government. But, at the same time, when this particular rule is drafted, I feel, every word is having its own meaning, because the wider aspect of the extreme cases are there. We can take the extreme case of using the Twitter or Face Book, any Government can be collapsed. Egypt and Lebanon have already faced the situation; it created a situation where people opposed the Government. In the same way, I can take small example of today's newspaper. Today's 'Hindustan Times' says, "Innocent lost Facebook photo at the root of the killer rage"—this is the heading which is given in the 'Hindustan Times', simply because some group of people have created a message in the Facebook and on seeing the photograph, that person was killed. This is what is happening now. Many of the countries including the USA are now considering in which way we can regulate this freedom, which is given to the people of their own country. When that is the situation, our country is very much correct in having a regulatory system which was on the basis of the enactment made by this Parliament as the Information Technology Act, 2000.

Under that Act, there is a particular Rule. For the convenience of the hon. Members, I will read that Rule. It is Rule 3. The title itself is very, very carefully put up. Its title is: 'Due diligence to be observed by the intermediary.' Sir, one can see how sophisticated language has been used here. We can appreciate it. "The intermediary shall observe the following due diligence while discharging his duties, namely, (1) The intermediary shall publish the rules and regulations, privacy policy and user agreement for access or usage of the intermediary computer resources of any person." It goes on like that. Then, Sir, I would like to quote Rule 2, which is challenged by the hon. Member, Mr. Rajeev. It says, "(b) is grossly harmful, harassing, blasphemous, defamatory, obscene, pornographic, paedophilic, libellous, invasive of another's privacy this is very, very important hateful, or racially, ethnically objectionable, disparaging, relating or encouraging money laundering or gambling, or otherwise unlawful in any manner whatever; (c) harm minors in any

[Dr. E. M. Sudarsana Natchiappan]

way; (d) infringes any patent, trademark, copyright or other proprietary rights; (e) violates any law for the time being in force; (f) deceives or misleads the addressee about the origin of such messages or communicates any information which is grossly offensive or menacing in nature; and (g) impersonate another person.”

Sir, these things are already available in the Indian Penal Code and all other legislations which are covering the privacy of a particular individual. Sir, the reputation of a person can be very easily damaged by way of messaging something on Twitter, Facebook, etc. What is the remedy? The remedy is now provided under the Regulatory Authority under this enactment, which is the Regulator. That Regulator can prescribe certain rules and guidance which are to be followed. Now, Section 89 of the Act talks about the power of the Controller to make regulations. It says: “(1) the Controller may, after consultation with the Cyber Regulation Advisory Committee and with the previous approval of the Central Government by notification in the Official Gazette make regulations consistent with the Act and the Rules made thereunder to carry out the purposes of this Act.”

This is purely a regulatory mechanism which was provided through the enactment, which was made by way of a Parliamentary legislation and which is also very necessary. Sir, we have to look into the print media. If some damaging information is published in the print media about somebody, any individual or a group of people or an organization or any Government official has got a right to challenge it by way of filing a defamation suit, and also by way of criminal prosecution against that individual. This right has been given to us. Under the Constitution, we have got every right to see that our reputation is not damaged. Every individual has got it. He may be a billionaire or a millionaire or an ordinary person; everybody has got the right and the capability to use the legal provisions. If something is televised in the television, then also, we have got the Regulatory Authority under the Television Cable Networking Act by which that can also be controlled. But there is no regulation at all for the Internet. Even America is now thinking as to how much liberty it can give to it or how it can restrict it. All the European countries are worried about it because a lot of false information is put therein every minute and it is going throughout the world. To whom it goes? Who is taking it? Who is taking up arms? Who is indulging in the Unlawful Activities? Nobody knows? Nobody can control it. None of the State has got the capacity to control this information as to where it goes and how they are going to use it, how they are going to plan it. This is the greatest challenge before the civil society.

We are facing cyber crime. It happens every day. Lives of so many people are destroyed, and even Governments have been pulled down. Even riots have taken place in some areas because of it. How do we control it? This is something which

even the United Nations is pondering over. They are trying to work out ways to control such things. Now, when such is the case, I feel sorry that the words used in this particular rule are very soft. The words used are “due diligence”. This would not be able to control it.

Sir, I feel that all of us must support this law and this particular rule.
(*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Hon. Members, we have a lot of business listed for today. We have to finish the present discussion, and then, we have The Copyright (Amendment) Bill and other Bills as well. So, let us do away with the lunch-hour. Nobody has any objection to that. (*Interruptions*)

DR. E.M. SUDARSANA NATCHIAPPAN: I would request everybody present here that let us support this law. (*Interruptions*) It is the right time for us to express our views. Even the media is being affected in some cases. Even the print and television media are being affected by these internet messages and messages on Twitter, Facebook, and other such things. Huge funds are allocated for managing the intermediaries. These intermediaries ought to be regulated. It is the thought of the international community now, and even the United Nations and other organizations have come forward with new regulations. (*Interruptions*)

DR. NAJMA A. HEPTULLA (Madhya Pradesh): Sir, let us adjourn for lunch.
(*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That is what I had talked about a little while ago; let us do away with the lunch hour. Everybody accepted it.

DR. NAJMA A. HEPTULLA: No, Sir. The sense of the House must be taken.
(*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I had said, let us do away with the lunch hour, and nobody objected to it. (*Interruptions*)

SHRI RAVI SHANKAR PRASAD (Bihar): Sir, it is necessary to take the sense of the House. (*Interruptions*)

SHRI N.K. SINGH (Bihar): Sir, the sense of the House must be taken.
(*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay; I agree. (*Interruptions*)

DR. NAJMA A. HEPTULLA: Sir, it cannot come from the Chair. It should have originated from the House. (*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I do agree. (*Interruptions*) आप बैठिए, आप बैठिए।... (व्यवधान).. I do agree. I had announced it then and since nobody objected to it, I thought it was a consent. (*Interruptions*) Okay. What does the Government have to say? (*Interruptions*)

श्री राम कृपाल यादव (बिहार): उपसभाध्यक्ष महोदय, जब आपने घोषणा की तो हमने सुना ही नहीं।... (व्यवधान)..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): All right. The House is supreme. The House could decide. The only point is, since we have a lot of business to be taken up, especially the present one and the Bill too, if the House so agrees, we could do away with the Lunch Hour.

SOME HON. MEMBERS: No, Sir.

SHRI N.K. SINGH: Sir, the Government has burdened this House today with excessive business. (*Interruptions*)

SHRI M. VENKAIAH NAIDU (Karnataka): Sir, we shall have lunch and come back. (*Interruptions*)

श्री विनय कटियार (उत्तर प्रदेश): सर, पाकिस्तान में अल्पसंख्यकों के साथ जो व्यवहार हो रहा है, पहले इस विषय को ले लिया जाए।... (व्यवधान)..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I did not ask you to do away with the lunch; I have only said, let us do away with the lunch hour. (*Interruptions*)

श्री विनय कटियार: उपसभाध्यक्ष महोदय, हम सब लोग सहमत हैं कि पाकिस्तान में अल्पसंख्यकों के साथ जो व्यवहार हो रहा है, यह विषय पहले ले लिया जाए, मेरा इतना ही निवेदन है। ... (व्यवधान)... इस सेशन को पूरा करने के बाद, इसको ले लिया जाए।... (व्यवधान)..

श्री बलबीर पुंज (ओडिशा): उपसभाध्यक्ष जी, पाकिस्तान में अल्पसंख्यकों पर अत्याचार होते रहते हैं और इस मुद्दे को हम संसद में उठाने की कोशिश करते रहे हैं।... (व्यवधान)..

श्री मुख्तार अब्बास नकवी (उत्तर प्रदेश): आपको पाकिस्तान के नाम पर क्यों परेशानी हो रही है?... (व्यवधान)... यह राष्ट्रीय महत्व का मुद्दा है।... (व्यवधान)..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I would not be able to understand it if all of you speak at once. (*Interruptions*)

श्री मुख्तार अब्बास नकवी: इसके बाद इसी पर चर्चा होनी है।... (व्यवधान)...

श्री बलबीर पुंज: पाकिस्तान में अल्पसंख्यकों के साथ अन्याय हो रहा है।... (व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): The House is adjourned for lunch up to 2.00 p.m.

The House then adjourned for lunch at five minutes past one of the clock.

The House re-assembled after lunch at two minutes past two of the clock,
THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Natchiappan, did you finish your speech ?

DR. E.M. SUDARSANA NATCHIAPPAN: No, Sir.

श्री विनय कटियार: उपसभाध्यक्ष जी, हम आपको disturb नहीं करना चाहते हैं। मेरा यह महना है कि पाकिस्तान के अंदर यह जो अल्पसंख्यकों का मामला है, जिसकी आपने इसमें चर्चा भी रखी है, मेरा ऐसा कहना है इस समय जो बिल चल रहा है..(व्यवधान)..

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): आप बैठ जाइए, इस पर 5 बजे चर्चा हो जाएगी। ..(व्यवधान)..

श्री विनय कटियार: सर, आप मेरी बात तो पूरी होने दीजिए। मेरा एक निवेदन है, मेरा यह कहना है कि बिल पर जो बहस चल रही है, आप इसको पूरी कर लें, इसके बाद इसको ले लें।..(व्यवधान)..

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): वह 5 बजे लिया जाएगा।

श्री विनय कटियार: उपसभाध्यक्ष जी, यह जान-बूझकर हो रहा है..(व्यवधान).. देखिए, यह बहुत ही गंभीर और आपातकालीन स्थिति है।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): देखिए, रूल के अनुसार 5 बजे होना है, This is the rule. ...(Interruptions)...

श्री विनय कटियार: ऐसा कोई रूल नहीं है।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): क्या यह Short Duration Discussion है?

श्री रवि शंकर प्रसाद: यह बहुत गंभीर विषय है।..(व्यवधान)..

श्री विनय कटियार: ऐसा कोई रूल नहीं है और यह विषय भी बहुत गंभीर है..(व्यवधान).. पाकिस्तान में हिंदुओं का जो मामला है, उनके साथ जो अन्याय हो रहा है।..(व्यवधान)..

श्री रवि शंकर प्रसाद: पाकिस्तान में उनके साथ क्या हो रहा है..(व्यवधान).. उनके साथ अन्याय हो रहा है, आप इसके बाद उसको लीजिए।..(व्यवधान)..

श्री विनय कटियार: सर, हम किसी के कार्य का विरोध नहीं कर रहे हैं। मेरी आपसे केवल इतनी प्रार्थना है कि आप इस चर्चा को समाप्त करने के बाद सीधा इस विषय को ले लीजिए। पाकिस्तान में अल्पसंख्यकों के साथ जो हो रहा है, वहां पर जो मानवाधिकार का उल्लंघन हो रहा है, उनके साथ जो अत्याचार हो रहा है, आप इस विषय को ले लीजिए, और इसके बाद बाकी विषय लीजिए, नहीं तो हमें यह विषय टलता हुआ नजर आता है।

THE VICE-CHAIRMAN (PROF. P.J. CURIEN): You made your point. ...*(Interruptions)*...

श्री प्रकाश जावडेकर (महाराष्ट्र): 5 बजे का कोई रूल नहीं है, यह Short Duration Discussion है, this is not Special Mention. ...*(Interruption)*... This is Short Duration. ...*(Interruption)*...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): आप बैठिए।..*(व्यवधान)*..

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RAJEEV SHUKLA): How can we take it for discussion now? ...*(Interruptions)*...It can be taken up after four of the clock. ...*(Interruptions)*...

श्री विनय कटियार: यह नहीं हो सकता है, क्योंकि अन्य विषय भी 5 बजे के बाद हो सकते हैं। क्या आप चाहते हैं कि पाकिस्तान में हिन्दू लोग मारे जाएं ..*(व्यवधान)*.. इसकी चर्चा पहले होनी चाहिए। ..*(व्यवधान)*..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You made your point. ...*(Interruptions)*... Let me ask the Government. ...*(Interruptions)*...

श्री विनय कटियार: यह पाकिस्तान का रोज का आंकड़ा है..*(व्यवधान)*.. हर महीने 25 से 30 हिंदू अल्पसंख्यकों का धर्म परिवर्तन किया जा रहा है..*(व्यवधान)*.. उनके परिवारों को लूटा जा रहा है..*(व्यवधान)*..उनको बर्बाद किया जा रहा है, इसलिए इस चर्चा को पूरा करने के बाद इस विषय को ले लीजिए..*(व्यवधान)*..

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): विनय जी, मैंने सुन लिया है, आप बैठिए ..*(व्यवधान)*.. Let me take the view from them. ...*(Interruptions)*...I have heard you. ...*(Interruptions)*... I took cognizance of it. ...*(Interruptions)*... ..*(Interruptions)*...मैंने सुन लिया है, मैंने बात समझ ली है, आप मुझे consult तो करने दीजिए..*(व्यवधान)*..allow me to consider. ...*(Interruption)*...आप बैठिए..*(व्यवधान)*..Let me ask from the Government. ...*(Interruptions)*...According to the order in the List of Business, after this Resolution, there is a Bill. That is the order. It is up to the House to change it. I would like to know from the Government. ...*(Interruptions)*...Would you like to say anything? ...*(Interruptions)*...

RAJEEV SHUKLA: Sir, we have already slotted time for this discussion after the Government Bills and the discussion on the working of the Ministry of Civil Aviation. So, we will take it up in the later part of the day.

श्री विनय कटियार: फिर सदन में कोई चर्चा नहीं होगी।..*(व्यवधान)*..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It will be taken up ...*(Interruptions)*. It cannot be changed like that.

श्री विनय कटियार: उपसभाध्यक्ष जी, यह विषय जान-बूझ कर बाद में रखा गया। आप इस पर चर्चा करा लीजिए।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): इस पर चर्चा होगी।...(व्यवधान)...

श्री विनय कटियार: यह विषय सदन के अन्दर न आने पाए....(व्यवधान)...अगर यह कहें कि बाद में चर्चा होगी....(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Dr. Natchiappan please, ...(Interruptions).

श्री विनय कटियार: सर, यह मामला बहुत गम्भीर है। ऐसा बिल्कुल नहीं होगा। ...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You have made your point. That is enough. ...(Interruptions).

श्री विनय कटियार: सर, यह मामला बहुत गम्भीर है। ऐसा बिल्कुल नहीं होगा।(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Katiyarji, you made your point. That is enough. Now, Dr. Natchiappan.

DR. E.M. SUDARSANA NATCHIAPPAN: Thank you, Mr. Vice-Chairman, Sir. I would like to...(Interruptions).

श्री विनय कटियार: ऐसा बिल्कुल नहीं होगा।...(व्यवधान)...

श्री रवि शंकर प्रसाद: सर, आप हम लोगों के सेंटिमेंट को समझिए, इस पर आप आधे घंटे की चर्चा तो करा दें।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): इस पर चर्चा होगी।

श्री विनय कटियार: बस इतना बता दीजिए कि चर्चा कब होगी?

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): बिल के बाद चर्चा होगी, लेकिन बिल के बाद एक रिजोलुशन है। The Members can decide. See, the house is Supreme. I have no problem. I can go by the decision of the House. Even to change the order of the List of Business, if the House wants, I have no objection. That is my position. Now, we have started this Resolution. Let us finish it and then, we will decide.

श्री विनय कटियार: आप इसे इस रिजोलुशन के बाद लेंगे?

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, after we finish it, I will take the sennse of the House on your suggestion.

श्री राजीव शुक्ल: इसके बाद एक बिल और बिल के बाद आपका विषय लिया जाएगा। या दो बजे हो या पांच बजे, इससे क्या फर्क पड़ेगा।

श्री विनय कटियार: इस रिजोलुशन के बाद लिया जाएगा न?

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): मंत्री जी ने कहा कि बिल के बाद इसे लिया जाएगा।

श्री नरेश अग्रवाल (उत्तर प्रदेश): माननीय उपसभाध्यक्ष जी, सवेरे 10.30 बजे जो बैठक हुई, उसमें सारे दल के लोग थे, उसमें आज का पूरा कार्यक्रम तय हो गया। आपकी तरफ से भी लोग मौजूद थे। इसके बाद जबर्दस्ती अपने सदस्यों की संख्या के बल पर वे कार्यक्रम को कैसे चेंज करा लेंगे और आप भी पीठ से कैसे निर्देश देंगे?

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That is the point

श्री नरेश अग्रवाल: बिना सबकी सहमति के न तो इसे संसदीय कार्य मंत्री चेंज करा सकते हैं, न कोई दल चेंज करा सकता है।...*(व्यवधान)*...यह तो सारे दलों के नेताओं की सहमति से होगा कि क्या काम होगा। आप अपने आप कैसे कर देंगे?...*(व्यवधान)*...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): विनय कटियार जी, आप जरा बैठिए। अग्रवाल जी, आप भी बैठिए।...*(व्यवधान)*...Mr. Vinay Katiyar, take your seat. I am on my legs. See, the point Mr. Naresh Agrawal made is correct. In the morning, leaders of the parties, informally agree about the List of Business. Of course, it is informal, but it is a gentleman's agreement. They have agreed on the List of Business. After that, coming here and asking to change the same is not fair. But, however, if the House is in total agreement with this, I also have no objection. The hon. Minister has said that after the Bill, it can be taken up. If there is a consensus in the House on this, I have no objection.

SHRI RAVI SHANKAR PRASAD: Sir, then it will not be taken up.
...*(Interruptions)*.

श्री विनय कटियार: अभी जो चर्चा हो रही है, वह हो जाए, उसके बाद ले लीजिए।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): मैंने बता दिया। Yes, Dr Natchiappan...
...*(Interruptions)*. I gave my ruling...*(Interruptions)*

श्री विनय कटियार: हम आपकी रूलिंग को चैलेंज नहीं कर रहे हैं। हम इसे मानेंगे, लेकिन सवाल यह उठता है ...*(व्यवधान)*...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): मैंने रूलिंग दे दी।...*(व्यवधान)*...

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, before the Bill, we have decided to take up the other Motion....*(Interruptions)*. In the morning meeting, we decided that after the Bill, the other Motion will be taken up.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Yes, that is also there. What can I do?...*(interruptions)*. Now, sit down.

श्री विनय कटियार: उपसभाध्यक्ष जी, कई बात जो तय होता है, सदन के अन्दर उससे पहले बड़े महत्वपूर्ण विषय लिए जाते हैं। यह हमेशा प्रैक्टिस में भी रहा है।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I can change the order only if there is complete consensus. Otherwise, I cannot do it. That is the problem. Here, other Members have objection.

श्री विनय कटियार: *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, you are not permitted. It won't go on record....(*Interruptions*). It won't go on record. You know the rules. There is no consensus.

श्री विनय कटियार: *

SHRI RAVI SHANKAR PRASAD: Minorities in Pakistan are being denied human rights. It is a question of sentiment. It is a larger issue also....(*Interruptions*).

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That is very important subject. But, the House has to agree.

श्री विनय कटियार: सर पाकिस्तान के अन्दर हिन्दू समाज के साथ जो हो रहा है ...(*व्यवधान*)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, you please sit down. (*Interruptions*) Please. You made your point. (*Interruptions*)

श्री विनय कटियार: एक-दो माननीय सदस्य कह रहे हैं कि नहीं हो रहा है...(*व्यवधान*)... इनकी पार्टी कह रही है कि हो रहा है...(*व्यवधान*)... नरेश अग्रवाल जी हमारे पुराने मित्र हैं ...(*व्यवधान*)... (*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): The Leaders can sit and decide it. (*Interruptions*) I can suggest the leaders to separately decide and come to me. (*Interruption*)

श्री विनय कटियार: इस पर हम adamant ह...(*व्यवधान*)...इस पर हम adamant हैं कि पहले आप इस पर बहस करवाइए, इसके बाद दूसरे सब्जेक्ट को लीजिए....(*व्यवधान*)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, please. (*Interruptions*) Mr. Natchiappan, please speak. (*Interruptions*)

DR. E.M. SUDARSANA NATCHIAPPAN: Mr. Vice-Chairman, Sir, I would like to...(*Interruptions*)...

श्री विनय कटियार: *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It will not go on record. (*Interruption*) मैं सहमत हूँ, लेकिन मैं क्या करूँ?...(*व्यवधान*)...

श्री नरेश अग्रवाल: *

श्री विनय कटियार: *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is not going on record. *(Interruptions)* Mr. Vinay Katiyar, it is indiscipline. *(Interruptions)* Please. This is indiscipline. *(Interruptions)*

श्री मुख्तार अब्बास नकवी: सर, यह मुद्दा बहुत महत्वपूर्ण है, हम लोग आश्वासन चाहते हैं....*(व्यवधान)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Yes, महत्वपूर्ण है। Naqvi ji, it is very important. It is listed. It will be taken up. You take your seat. *(Interruption)*

श्री मुख्तार अब्बास नकवी: इसके अलावा कोई चर्चा नहीं होगी...*(व्यवधान)*... सबसे पहले इसी पर चर्चा होगी...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No please. आप ऐसा नहीं बोल सकते...*(व्यवधान)*

श्री विनय कटियार: इस पर चर्चा होगी और चर्चा हो कर रहेगी...*(व्यवधान)*

श्री मुख्तार अब्बास नकवी: यह राष्ट्रीय महत्व का मुद्दा है...*(व्यवधान)* जानबूझ कर इसे हटाने की कोशिश की जा रही है...*(व्यवधान)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please. *(Interruption)*

श्री थावर चन्द गहलोत (मध्य प्रदेश): सर, ये जानबूझ कर इसे नहीं आने देना चाह रहे हैं ...*(व्यवधान)* 21-22 तारीख को दूसरा बिज़नेस आ जाएगा...*(व्यवधान)*

श्री मुख्तार अब्बास नकवी: सर, यह सदन की भावना है...*(व्यवधान)*

श्री विनय कटियार: आप हाउस को एडजर्न कर दीजिए...*(व्यवधान)*

श्री रवि शंकर प्रसाद: सर, इस पर चर्चा...*(व्यवधान)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Ravi Shankar Prasad, you are a senior leader. *(Interruptions)* Please advise them. *(Interruptions)* What can I do? I can go by Rules. *(Interruptions)*

श्री रवि शंकर प्रसाद: सर, मेरा आपसे निवेदन है कि...*(व्यवधान)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Hon. Members, what Mr. Vinay Katiyar is saying, is an important subject. I agree. *(Interruptions)* आप चुप रहिए...*(व्यवधान)* पहले आप सुनिए...*(व्यवधान)* But to change the order of the List of Business, I have to take the consent of the House, and, you found that there is no consensus. There is objection. *(Interruptions)* What can I do?

* Not recorded.

श्री मुख्तार अब्बास नकवी: कुछ ऐसे मुद्दे होते हैं, जिनमें ऑर्डर चेंज हो सकता है ...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is for the House only It is not for me...*(Interruptions)*...

श्री मुख्तार अब्बास नकवी: यह बहुत महत्वपूर्ण मुद्दा है और इस पर चर्चा...*(व्यवधान)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is up to the House ...*(Interruptions)*...

श्री थावर चन्द गहलोत: सर, मेरा एक प्वाइंट ऑफ ऑर्डर है...*(व्यवधान)* मेरा एक प्वाइंट ऑफ ऑर्डर है...*(व्यवधान)*

SHRI D. RAJA: Sir, after this item is over, let us ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Yes. They are not agreeing. Let them agree. *(Interruptions)* If all of you speak, then, how will I listen? *(Interruptions)* What is the Point of Order? *(Interruptions)* One of you should speak. Others may take their seats. ...*(Interruptions)*...

श्री थावर चन्द गहलोत: सर, मेरा एक प्वाइंट आफ ऑर्डर है।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is under which Rule?

श्री थावर चन्द गहलोत: कार्यविन्यास का जो नियम 23 है, उसके अनुसार जो बिज़नेस लिस्ट बनती है, अगर हाउस चाहे तो उसमें संशोधन होता है...*(व्यवधान)* मैं आपसे निवेदन करना चाह रहा हूँ...*(व्यवधान)*

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): हाउस नहीं चाहता है...*(व्यवधान)*

श्री थावर चन्द गहलोत: सर, आप मेरा निवेदन तो सुनिए...*(व्यवधान)* आप मेरा निवेदन तो सुनिए ...*(व्यवधान)* नियम 23 में कार्यविन्यास से संबंधित प्रावधान है कि अगर बिज़नेस लिस्ट बन गई, अतिमहत्वपूर्ण मामला है और हम आपसे निवेदन कर रहे हैं...*(व्यवधान)* आप पहले हाउस की राय जान लें और फिर इस पर चर्चा करवा लें...*(व्यवधान)* पहले भी ऐसा हो चुका है...*(व्यवधान)* ऐसा पहले भी हुआ है, आज भी किया जाना चाहिए, यह अजि महत्वपूर्ण मामला है...*(व्यवधान)* यह बहुत ज्यादा जरूरी मामला है...*(व्यवधान)*

सरकार इस पर चर्चा कराना नहीं चाहती है।...*(व्यवधान)*...सरकार इस पर चर्चा कराना नहीं चाहती है, इसका अर्थ यह निकलेगा।...*(व्यवधान)*...और यह अर्थ निकलना...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I will give the ruling. ...*(Interruptions)*...

श्री विनय कटियार: इसी बात पर अभी चर्चा होनी चाहिए।...*(व्यवधान)*...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): बैठिए, बैठिए।...*(व्यवधान)*... You see...*(Interruptions)*... Please ...*(Interruptions)*... This is, nothing about obstinacy. The point is, there is a List of Business and there is an order. I agree that if the House wants, it can change it. ...*(Interruptions)*... I put the question here...*(Interruptions)*... No, please. ...*(Interruptions)*... I took the view...*(Interruptions)*...

श्री विनय कटियार: सर,...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I am on my legs. I will allow you. No problem...*(Interruptions)*... Katiyar ji, please...*(Interruptions)*... Katiyar ji, I am on my legs. At least, respect the basic rules. Please respect the basic rules of the House. When the Chair is on his legs, please don't stand up and talk. आपको रुल्स भी पढ़ने चाहिए। आप सुनिए।...*(व्यवधान)*... There is a proposal. I asked the House. This side is not agreeing. That side is not agreeing...*(Interruptions)*...

SHRI THAAVAR CHAND GEHLOT: Everybody is agreeing...*(Interruptions)*...

श्री मुख्तार अब्बास नकवी: सर, यह नहीं होगा।...*(व्यवधान)*... इस पर चर्चा को खत्म करने के बाद...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Do you want ...*(Interruptions)*... Yes, Mr. Maitreya, what do you want to say?...*(Interruptions)*... Please ...*(Interruptions)*... I allowed Mr. Maitreya...*(Interruptions)*... I allowed Mr. Maitreya. ...*(Interruptions)*... Mr. Naqvi, you are a senior Member.

DR. V. MAITREYA (Tamil Nadu): Sir, we are already in the middle of a discussion. Let that discussion be over. After that, you take the sense of the House, if necessary, with the division, and then take a decision...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay. I accept that Your proposal is accepted. Yes, Mr. Natchiappan, please proceed...*(Interruptions)*..

श्री मुख्तार अब्बास नकवी: सर,...*(व्यवधान)*... पाकिस्तान में हो रहे अत्याचार और हिंसा ...*(व्यवधान)*... पाकिस्तान में हो रहे अत्याचार...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, no. Let this be over. ...*(Interruptions)*... You cannot do like this...*(Interruptions)*.. You cannot do like this. ...*(Interruptions)*...

श्री थावर चन्द गहलोत: सर,...*(व्यवधान)*... यह एक महत्वपूर्ण विषय है।...*(व्यवधान)*... इसमें परिवर्तन करके आज इस पर चर्चा करायी जाए।...*(व्यवधान)*...

SHRI TIRUCHI SIVA: Sir, in the morning, when the President of that Party was also there, none of them raised this issue at that time...*(Interruptions)*...

श्री थावर चन्द गहलोत: महोदय, आपसे यह आग्रह है कि यह एक महत्वपूर्ण मामला है।

...(व्यवधान)...सरकार की तरफ से यह मैसेज़ नहीं जाना चाहिए कि आप इस पर चर्चा नहीं कराना चाहते।...(व्यवधान)...

श्री नरेश अग्रवाल: माननीय उपसभाध्यक्ष जी, मेरा एक point of order है।...(व्यवधान)...

श्री प्रकाश जावड़ेकर: सर,...(व्यवधान)...इस पर चर्चा लम्बित है।...(व्यवधान)...

श्री राजीव शुक्ल: नरेश जी, एक मिनट शांत रहिए।...(व्यवधान)...प्रकाश जी, एक मिनट।
...(व्यवधान)...आप मेरी पूरी बात तो सुन लीजिए, फिर आप बोल लीजिएगा।

अगर हम इस पर चर्चा कराना नहीं चाहते, तो इसे हम आज के बिजिनेस में क्यों डालते? हम इस पर पूरी चर्चा कराना चाहते हैं, लेकिन उससे पहले जो बिल है, उसे तो पास हो जाने दीजिए। उसके बाद हम इस पर चर्चा करायेंगे।...(व्यवधान)...

श्री मुख्तार अब्बास नक़वी: नहीं, आप यह ensure करिए कि इस पर जो चर्चा है, उसके बाद।...(व्यवधान)...

श्री राजीव शुक्ल: इस पर आज ही चर्चा होगी।...(व्यवधान)...आज चर्चा होगी।
...(व्यवधान)...

श्री मुख्तार अब्बास नक़वी: पाकिस्तान में हो रहे अत्याचार पर भी चर्चा होगी।
...(व्यवधान)...

SHRI D. RAJA (Tamil Nadu): Sir, listen to me...(Interruptions)...Listen to me,
Sir. ...(Interruptions)...

SHRI MUKHTAR ABBAS NAQVI: We want an assurance that after this
...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I have already said
...(Interruptions)...I have already said that after finishing this business, I will take the
sense of the House. I have given the ruling. After finishing this business, I will take
the sense of the House. That is the ruling...(Interruptions)...Sit down.
...(Interruptions)...No, no, I have given the ruling...(Interruptions)...This is unfair.
...(Interruptions)...

श्री मुख्तार अब्बास नक़वी: सर,...(व्यवधान)...आप क्या सेंस लेना चाहते हैं?...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): In the List of Business
...(Interruptions)...We are discussing it...(Interruptions)...This is unfair.
...(Interruptions)...I don't agree with this...(Interruptions)...This is indiscipline.
...(Interruptions)...This is nothing but indiscipline.

SHRI SITARAM YECHURY (West Bengal): Sir, may I suggest?
...(Interruptions)...Let the continuing discussion be over and then we will take the
sense of the House...(Interruptions)...

श्री नरेश अग्रवाल: सर, मेरा एक point of order है।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): आपका क्या point of order है?

श्री नरेश अग्रवाल: सर, आपने अभी नियमावली के नियम 23 का रेफरेंस लिया और उसके आधार पर आपने एक रूलिंग दी। हम उस रूलिंग को चैलेंज नहीं कर रहे हैं। हम उसे शिरोधार्य करते हैं, क्योंकि उस चेयर से जो भी निर्णय होगा, हमें स्वीकार है। लेकिन, कहीं-न-कहीं जब नियमावली का variation होता है, तब अपनी बात कहने का हमें अधिकार है।...(व्यवधान)...हम आपके निर्णय को चैलेंज नहीं कर रहे हैं।...(व्यवधान)...

लेकिन जिस निर्णय से नियमावली पर अंतर पड़ रहा है, मैं उन चीजों के बारे में कहना चाहता हूँ।...(व्यवधान)...अगर सुबह सभापति जी के साथ सभी दलों के नेताओं की बैठक न की होती और बैठक के बाद अगर business नहीं तय हुआ होता, तब तो आप नियम 23 को अप्लाई कर सकते थे और इस सदन की राय ले सकते थे।...(व्यवधान)...जब सुबह सभी दलों के नेताओं की राय हो गई, उसके बाद नियम 23 के अंतर्गत दोबारा हाउस में यह नहीं हो सकता है, जब तक कि इसमें सभापति खुद न चाहें। इस पर उपसभाध्यक्ष निर्णय नहीं ले सकते हैं।...(व्यवधान)...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): बैठिए, बैठिए।...(व्यवधान)...I am on my legs. ...*(Interruptions)*... It is not allowed....*(Interruptions)*...

श्री विनय कटियार: सर...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. PJ. KURIEN): Katiyarji, I am on my legs. ...*(Interruptions)*...I am on my legs....*(Interruptions)*...Please sit down. ...*(Interruptions)*...Hon. Members, I am telling you that we cannot proceed like this. Shri Naresh Agrawal said something. There is a point in that....*(Interruptions)*...

SHRI PRAKASH JAVADEKAR: Sir, your ruling....*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. PJ. KURIEN): Please sit down. ...*(Interruptions)*...Please take your seat....*(Interruptions)*...Mr. Javadekar, please sit down....*(Interruptions)*...After this, I will give you time. This is not fair. Please try to understand. Shri Naresh Agrawal raised a point....*(Interruptions)*...Please sit down. ...*(Interruptions)*...I am on my legs. Try to understand it. As Shri Naresh Agrawal said, there's an informal decision. It's a gentleman's agreement....*(Interruptions)*...All the leaders agreed to it....*(Interruptions)*...Let me complete....*(Interruptions)*...I am telling you, I will name you if you proceed like this....*(Interruptions)*...Please listen to the Chair. Have patience....*(Interruptions)*...Please listen to the Chair.

श्री विनय कटियार: सर, हम देश के लिए तैयार हैं।...(व्यवधान)...हम हिन्दुओं को बचाने के लिए तैयार हैं।...(व्यवधान)...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): आप बैठिए। ..(व्यवधान)...Mr. Ravi Shankar Prasad,

please ask him to behave....(*Interruptions*)...Please ask him to behave.
...(*Interruptions*)...The House is adjourned for ten minutes.

The House then adjourned at twenty three minutes past two of the clock.

The House re-assembled at thirty-three minutes past two of the clock,

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN) in the Chair.

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): The House is adjourned for ten minutes.

The House then adjourned at thirty-three minutes past two of the clock.

The House reassembled at forty-three minutes past two of the clock,

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN) in the Chair.

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): The House is adjourned for 15 minutes.

The House then adjourned at forty-four minutes past two of the clock.

The House re-assembled at three of the clock,

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Hon. Members, we will continue with the discussion and finish it as early as possible. The remaining Members will speak for only five minutes and we will finish this discussion ...(*Interruptions*)

श्री नरेश अग्रवाल: सर, पहले कौन सा लिया जाएगा?

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): This will continue After this, we will take up the Pakistan issue for one hour...

श्री नरेश अग्रवाल: सर, हमारी थोड़ी सी आपत्ति है।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): बोलिए।

श्री नरेश अग्रवाल: हम इसके विरोधी नहीं हैं। पूरे विश्व में कहीं की भी माइनोंरिटी हो, हम तो माइनोंरिटी के पक्षधर हैं, लेकिन नियम 37 की जो बात कही गई है, जो नियम 37 का सवाल उठा, आप नियम 37 देख लीजिए।...(*व्यवधान*) नहीं, नियम 37 की बात है। ...(*व्यवधान*)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I will handle him. You leave it to me.

श्री नरेश अग्रवाल: सर, हम तो चर्चा के पक्ष में हैं। मुझे खुद तकलीफ है कि देश के प्रधानमंत्री माइनॉरिटी से हैं, लेकिन माइनॉरिटी के हितों की बात ही नहीं कर रहे हैं। पाकिस्तान के प्राइम मिनिस्टर से उन्होंने इतनी बात बार नहीं की। आप यह नियम 37 देखिए, लिखा है, and I read : “No variation in the Allocation of Time Order shall be made except by the Chairman, who may make such variation if he is satisfied after taking the sense of the Council that there is a general agreement for such variation.”

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I am coming to that.

श्री नरेश अग्रवाल: सर, हम प्रस्ताव करते हैं, एज ए मेम्बर हम यह प्रस्ताव कर रहे हैं, ...(व्यवधान)...This is my right, इस सभा में हम समाजवादी पार्टी की तरफ से एज ए मेम्बर प्रस्ताव कर रहे हैं कि विश्व में कहीं भी अगर माइनॉरिटी के खिलाफ अत्याचार हो, तो यह सदन चर्चा करे। हम तो इतना भी कहते हैं कि आप इस कॉपी राइट को पहले रोक दिया जाये, पहले इस पर चर्चा करा लीजिए, यह ज्यादा जरूरी है। श्रीमान्, आज माइनॉरिटी कहीं भी हो, किसी भी रूप में हो, मैं तो यह कहता हूँ कि कॉपी राइट जरूरी नहीं है, जितना यह जरूरी है कि विश्व में कहां-कहां माइनॉरिटी पर अत्याचार हो रहे हैं, उस बारे में पहले सदन में चर्चा की जाये, मगर यह चर्चा खाली ऐसे ही न की जाए, प्रधान मंत्री जी यहां मौजूद हों। बिना प्रधान मंत्री जी की मौजूदगी के चर्चा का कोई औचित्य नहीं है। श्रीमन् राज्य मंत्री, संसदीय कार्य मंत्रालय जवाब दे दें, इससे हम सहमत नहीं हैं, हमारी समाजवादी पार्टी इससे सहमत नहीं है। आप चर्चा तब करायें, जब प्रधान मंत्री जी यहां मौजूद हो, उनकी मौजूदगी में हम चर्चा करें, अपनी बात कहें और प्रधान मंत्री जी उनका उत्तर दें, तब मैं समझूंगा कि यह सदन इस विषय को गंभीरता से ले रहा है, सरकार गंभीरता से ले रही है, अन्यथा हम इससे सहमत नहीं हैं।

SHRI K.N. BALAGOPAL (West Bengal): Sir, I want a clarification from you. In the List of Business, there are two Statutory Motions. The first one relates to the I.T. Rules, which we are discussing now. The other one relates to the Authority of India (Major Airports) Development Fee Rules, 2011. I gave a notice for my Motion in the month of August, 2011, when it was listed for the first time. For the last eight months, it has been continuing in the list. And, in December, the Chair said that the period was over. Then, I petitioned, after which, there was a consultation with the Law Ministry, and it was admitted again. Sir, this is the last Session for considering that Motion. And it is mandatory on the part of the Chairman and on the part of the House that when a Member gives a Motion, then, within thirty days, it should be considered. The rule is also that if this House concurs with this Motion, then, it will have to go to the Lok Sabha, and the Lok Sabha also has to concur with it. This is a constitutional requirement. Sir, I fear that there is a very serious conspiracy on the part of some people because the Airports User Fee, which they were collecting earlier...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That is over. You have made your point.

SHRI K.N. BALAGOPAL: It was Rs. 1,200. Now it has been increased by Rs. 365 per person. The Airports Authority of India Act, which we passed, says that...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That is over now.

SHRI K.N. BALAGOPAL: It says that only on embarking passengers, they will levy this fee. Now they say that even from disembarking passengers, they will charge this fee...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): This is no discussion. You have made your point.

SHRI K.N. BALAGOPAL: Sir, I want your ruling.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Baiagopalji, you raised a pertinent point, out your Resolution will be taken up, if not today, there are three more days. It will be included in the List of Business. With regard to what Nareshji has said, I am happy that Nareshji also fully endorses and agrees that there should be a discussion on the subject raised by them. In fact, you only wanted that the reply should be elevated to a higher level. That means आप उनकी बात से पूरी तरह सहमत हुए, आपको बस इतना चाहिए कि Prime Minister यहां आए। On that the Chair cannot direct the Government that which Minister should come and answer. That is the position. You know that. इसका मतलब है कि आप भी सहमत हैं। You are also in agreement with this discussion. That means I understand there is consensus. Therefore, I am giving a ruling. We now continue with the discussion of this Resolution. After that, for one hour or a maximum of one hour and fifteen minutes we will take up the Short Duration Discussion and after that we will take up The Copyright (Amendment) Bill. Further, I would assure that the point raised by Shri Balagopal, for which I have already given a ruling, thus stands. This has the consent of all parties, including the hon. Leader of the Opposition. Therefore, I request that the remaining Members should take only five minutes to speak.

DR. E. M. SUDARSANA NATCHIAPPAN : Sir, I will just quote Rule 3(2)(i) Objectionable content includes anything that “threatens the unity, integrity, defence, security or sovereignty of India and/or friendly relations with foreign States or public order or causes incitement to the commission of any cognizable offence or prevents investigation of any offence or is insulting any other nation.” These are all issues which have to be looked into. Therefore, I feel that the Resolution need not be passed. It can be withdrawn. Thank you.

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): करीमपुरी जी, आप सिर्फ 5 मिनट में बोलिए। अगर इससे कम समय लेंगे, तो ज्यादा अच्छा है।

श्री अवतार सिंह करीमपुरी (उत्तर प्रदेश): जी, मैं आपसे cooperate करूंगा। सर, Information Technology के इस मोशन पर यहां डिस्कशन हो रहा है। सैक्शन 79 के अन्तर्गत इन Intermediaries को लीगल प्रोटेक्शन दिया गया है। मैं महसूस करता हूं कि यह जो नया प्रपोजल है, इसके तहत जो E-mail है, Google है, Facebook है, Twiter है, Yahoo है, उनको प्रोटेक्शन नहीं मिलेगा, क्योंकि अगर कोई भी यह कहता है कि यह जो मैटर फीड किया गया है, हमें इसके ऊपर ये ऐतराज हैं, तो उन्हें 36 घंटे के भीतर उसे revoke करना पड़ेगा। उनके खिलाफ जो कंप्लेंट है और जिसने intermediaries को create किया है, उसे भी clarification का वक्त नहीं दिया गया। मेरा यह कहना है कि जो नए रूल्स हैं, उनके मुताबिक हम यह तो कहते हैं कि अगर कोई नफरत भरी स्पीच देता है, कोई racial attack करता है या pornography है, ऐसी जो चीजें हैं, उनके ऊपर तो यह प्रावधान हो सकता है, लेकिन अगर हम हर फील्ड में ऐसा कर दें, तो मैं समझता हूं कि हम यह सही नहीं करने जा रहे हैं। आदरणीय मंत्री जी रूल्स में अमेंडमेंट की बात सोचकर आए हैं नए रूल्स के बारे में सोचकर आए हैं, लेकिन बहुजन समाज पार्टी की यह राय है कि intermediaries की जो आर्गनाइजेशन है, एक बार उनके साथ भी वार्तालाप कर ली जाए कि वे क्या चाहते हैं, क्योंकि हमें इसे सेंसर नहीं करना चाहिए, बल्कि issue की sensitiviy को देखना चाहिए। कि जिससे हमारे नेशन पर, हमारी generation पर कोई बुरा असर पड़ता है, हम उसके बारे में सोचकर आगे बढ़ें, न कि हम ऐसा sensor कर दें कि यह सारा जो नेटवर्क है, यह meaningless हो जाए। इसलिए हम आपके माध्यम से मंत्री जी से अपील करेंगे कि वे जो रूल्स के अमेंडमेंट्स के लिए proposal लेकर आए हैं, इसकी कृपया consider करें और जो उनकी intermediary की organizations हैं, उनके साथ बैठकर बातचीत करें। साथ ही यहां भी जो political parties के लीडर हैं, उनके साथ भी बातचीत करके अगर आगे बढ़ा जाए, तो ज्यादा अच्छा होगा।

SHRI N.K. SINGH: Thank you very much, Sir.

Considering the limitation of time, I have only a couple of points' to make. The first and foremost, let me say, in principle, is, I am not opposed to the formulation of these rules to put restrictions which, I believe, are reasonable.

My first point really, Sir, to the hon. Minister is, these rules are not in consonance with the best international practices. If you look at the Report called Detailed Country-by-Country information on Internet censorship is provided by the OpenNet Initiative or Reporters Without Borders or Freedom House, all these Reports suggest that most of these restrictions in other countries are somewhat milder and somewhat narrower as has been defined under the Digital Millennium Copyright Act of the US. So, the hon. Minister may like to review the entire framework of these rules to put these rules at par with the best international practices.

My second point really is, many of the words and terms which have been used, particularly in Article 3 of these rules, are ambiguous in nature, because these have not been defined either in the rules or necessarily in the parent Act.

My third point really is, in the application of these rules, they are not at par with the restrictions which are available on the other forms of media. So, it would be somewhat restrictive if only these rules are applicable to one particular form in which communication is being done and really not applicable to other forms.

My fourth point really Sir, is, some of these restrictions could, the hon. Minister may like to consider, be in consonance with the provisions of Article 19(1) constituting an infringement of the Right of the Freedom of Speech.

The fifth point is, there is lack of transparency in relation to the application of these rules.

And, my last point really on this is, there is a presumption that all complaints which are filed for removal of offensive matter are necessarily correct. This is particularly sad when the person who has initially put it on the net is not being heard and action is taken unilaterally.

I would, therefore, end by saying that the hon. Minister may like to review all these things. And pending a review of this, send it to the Council which is mandatory and which can review the best international practice and bring it on the best footing for that.

SHRI DEREK O'BRIEN (West Bengal): Sir, I will begin by a self-depreciatory comment, because I am a little bit Internet addict. I spend about 2-3 hours everyday on Internet. And then, I will quickly go to a self-congratulatory comment where recently I had the privilege of being listed in a list which talked about influencing commentary in India.

That apart, I think, there are some key issues here. The first one is, I myself come from a State where I lived 3½ decades of my life. So, we, now, know what the value of freedom of expression is and what freedom of speech is.

And, that has been a major change in the last one year. So, we know that. But, the key thing today is to understand that the content which is uploaded on the Internet, unlike any other medium today, cannot be pre-empted. Any attempt to pre-empt this would be foolhardy.

Now, Sir, that having been said, steps need to be taken to limit the damage after that, because there is no doubt in anyone's mind that the most egalitarian, the most emancipatory, the most open of all spaces, is the Internet. I think, once we allow the first thing to happen—because you cannot stop the first—the second is important. For example, Sir, if you say 'freedom of expression', I am entitled to my freedom of expression. But what happens if someone impersonates me, uses another

[Shri N. K. Singh]

mail account—I think, the LoP mentioned this? What happens to one's freedom of expression then? This is where the freedom of expression, in fact, goes beyond the *lakshman rekha*.

Sir, in so many ways we are celebrating this freedom of expression, but I think, in this freedom on the internet, it cannot be a highway only with green lights; there need to be some amber lights. Someone was suggesting that those amber lights can be self-regulatory which happens sometimes on the Internet. But that doesn't always happen because people hack into accounts. I will give you, as an example, a very non-political, a very poignant story of an 18-year old boy who got admission into an international college; then, he got a regret letter from that college because someone had hacked into the college account and, then, sent him the regret letter. The boy lost a chance to study in the U.S.

The Left Front in Bengal in the 1960s and 70s was famously mixing up the terms 'computer' and 'compounder' and it is an irony that today they are talking about the freedom on the Internet because, for true freedom, Sir, it needs not only responsibility, but there also needs to be drawn a line. My only suggestion is, you cannot preempt the uploading, but steps need to be taken to pre-empt the damage. Sir, like every human framework, as much as we celebrate the joys and the freedom of the social media, I think, as is being suggested, there needs to be some—I wouldn't use the word 'curbs' but kind of way of keeping an eye on it. And the Internet Service Providers also have a responsibility.

I would like to end, Sir, with quoting somebody who died long years ago but his words are so relevant even when we are discussing a subject as new as the Internet. I am talking of Rabindra Nath Tagore who said, "I would let the winds of the world blow through the doors and windows of my house, but I will not be blown away". Thank you, Sir.

प्रो. राम गोपाल यादव (उत्तर प्रदेश): धन्यवाद उपसभाध्यक्ष महोदय, यह जो Statutory Resolution है, इसमें कुछ बिन्दुओं पर मुझे आपत्ति है। एक बात तो यह है कि यह आम चलन हो गया है कि सबॉर्डिनेट लेजीस्लेशन के तहत जब भी नियम बनाए जाते हैं, बायलॉज बनाए जाते हैं, तो आम तौर पर जो मुख्य कानून होता है, उसका अतिक्रमण कर देते हैं और ऐसा समझते हैं कि संसद में या कहीं भी अगर यह मुद्दा आएगा तो लोग उसको ओवरलुक कर देंगे और जैसा चाहे, वैसा कानून बना देंगे। जब भी कोई बायलॉज सबॉर्डिनेट लेजीस्लेशन के जरिए बनता है, तो कभी भी वह मदर ऐक्ट को वॉयलेट नहीं कर सकता। इसमें ऐसा लग रहा है कि जो मूल कानून है, कुछ उपबंध उसका अतिक्रमण कर रहे हैं, जो नहीं होना चाहिए।

दूसरा, हमें संविधान ने आर्टिकल 19 के तहत अभिव्यक्ति की स्वतंत्रता दी है, जिसके अंतर्गत प्रेस और पब्लिकेशन, ये सारी फ्रीडम्स प्राप्त हैं। यह सही है कि उन पर रीजनेबल रेस्ट्रिक्शंस हैं, लेकिन रीजनेबल रेस्ट्रिक्शंस के नाम पर हमने इस देश में देखा है कि किस तरह से पूरी तरह से स्वतंत्रता का हनन किया गया, स्वतंत्रता को छीना गया और लोगों के मुह से निकले हुए किए भी शब्द के आधार पर उनको जेलों में डाल दिया गया।

ऐसा हुआ है। इसलिए मेम्बर्स की यह आशंका निराधार नहीं हो सकती कि जो नियम और परनियम बनाए गए हैं, इनके जरिए भी अंततोगत्वा सेंसरशिप जैसी बात आ सकती है। हमारे देश में लोगों को कई तरह की स्वतंत्रताएं प्राप्त हैं, उन पर अंकुश लग सकता है।

उपसभाध्यक्ष महोदय, समय की कमी है, इसलिए मुझे ज्यादा कुछ नहीं कहना है। सिर्फ इतना ही कहना चाहूंगा कि जब मंत्री जी बोलने के लिए खड़े हों तो यह आश्वासन जरूर दें कि कोई भी ऐसा नियम, उपनियम, जो मूल कानून का उल्लंघन करता है, वह आपरेटिव नहीं होगा। इनके माध्यम से किसी भी तरह की फ्रीडम का हनन नहीं किया जाएगा। हां, जहां ambiguity है, जहां ambiguity है, किसी की कोई परिभाषा नहीं है, उस पर मनचाहे तरीके से कहा जा सकता है कि यह इसके अंतर्गत आता है, इसको सेंसर कर दिया जाए, इसको रोक दिया जाए। इंटरनेट पर तमाम तरह की सर्विसेज होती हैं, उन पर पाबंदी लग सकती है। इस तरह की अवांछनीय पाबंदियां नहीं लगाई जायेंगी, ये आश्वासन माननीय मंत्री जी की तरफ से इस सदन को देना चाहिए, यह मेरा उनसे अनुरोध है।

SHRI TIRUCHI SIVA: Mr. Vice-Chairman, Sir, at the outset, before going into the merits of the Motion, I would say that the Motion moved is a very good precedent of establishing supremacy of Parliament. Sir, the rules drafted and notified by the Government could be perused by Parliament is a fact that has been established today by the Motion moved by Mr. Rajeeve.

Realising the constraint of time, I would like to say only one point. Gaining access to private communication on internet is more or less amounting to tapping of phones. Anyhow, Parliament recognized that fact and directed the Government to propose some safeguards. These safeguards were prescribed by the Information Technology Procedure and Safeguards for interception, monitoring and decryption of Information Rules, notified by the Government. Now, the mover has got a reservation with regard to sub-rule 7 of rule 3 of the new rules because he says that the Government agencies can have access to any internet connection, private communication, without safeguards.

Another thing is, as the Leader of the Opposition has pointed out, with regard to clause 2(b). There are some terms which may be stretched and could be used to the convenience of any person. Sir, on any account, every one is very clear that the freedom of expression, which is a fundamental right, cannot be compromised for anything. At the same time, the technological developments which have been

[Shri Trucni Siva]

increased to a larger extent bring along with them some implications. So, I would suggest to the Minister—that after taking into consideration all the views which have been expressed by the hon. Members here, the basic intention of the mover of the Motion and the views of the Leader of the Opposition—to defer these rules to the Cyber Regulation Advisory Committee. Also, I would urge the Subordinate Legislations Committee of this House to take cognizance of these rules and examine these.

I think, only after a perusal, the apprehensions which the Members have, could be eluded. So, I think, the Minister would accept the suggestion. Though the rules are already operational, I think, the Minister could defer it to the Cyber Regulation Advisory Committee. Thank you, Sir.

SHRI D. RAJA: Mr. Vice-Chairman, Sir, at the outset, I would like to compliment my hon. colleague, comrade Rajeeve, for raising this very important issue through a Motion. Sir, the Notification on the Intermediary Guidelines of Rules, 2011 to the Information Technology Act was issued on 11th April, 2011. After almost a year, the Rajya Sabha is scrutinizing the validity of these rules. I think the rules must be in accordance with the Constitutional provision on the question of fundamental rights, liberties as well as, in accordance with the primary objective of the very Act itself. The rules appear contrary to the Act or contrary to the Constitutional provisions or contradictory to these provisions. Then, we need to re-look at these rules and scrutinize it. I am one who stands for freedom of expression, freedom of writing, freedom of thought, and everything. Having said that, Sir, whatever the Government does, it should not snatch away institutionally guaranteed liberties of individuals as well as organisations. Now, it appears, although the Government has been taking steps to control the media and the citizens in their private communications or in the formal communications, I think, the Government should be cautious in addressing this issue. I do believe that there must be some regulatory mechanism for it. I find that even the Leader of the Opposition has read out the entire portion, i.e., due diligence to be observed by intermediary. Here, ‘I’ talks about unity, integrity, defence and all these things. I think the common good of the society, the common good of the humanity and the supreme interest of the nation cannot be compromised at any cost. There, the Government has a responsibility. As citizens, we do have a responsibility.

Sir, India has been emerging as a knowledge power, as a power for information technology. Sir, Indian citizens are now defined as ‘netizens’. Netizens

are those who have access to Internet and other things. So, Internet, Facebook, Twitter and all these things are new instruments of communications. Once upon a time, they were not known. It is not that the Left does not understand the difference between computer and compounder, as my friend says. We do move, again, with the change of time and change of science and technology. What we need is, there must be a balance between freedom and necessity. The hon. Minister will have to look at some of the apprehensions expressed as far as the rules are concerned. Once the hon. Minister responds positively, I think, the House will be able to solve this Motion. With these words, Sir, I conclude.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT AND THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI KAPIL SIBAL): Mr. Vice-Chairman, Sir, first of all, I want to congratulate the Mover of the Motion, Rajeeveji, for having brought these rules to the attention of the House. We have had a very informed debate. The Leader of the Opposition has, in his inimitable style, agreed with the broad contours and architecture of the rules, but has cautioned the Government, and rightly so, that the restrictive words in the rules might lead to an interpretation, which, in turn, might lead to harassment and impact on the fundamental right of free speech. I think there can be no doubt about that. I, on behalf of the Government, can assure this House that this Government does not stand for censorship; this Government does not stand for infringement of free speech. Indeed, this Government does not stand for regulation of free speech.

Now, why are we discussing this issue today in the context of rules that have been framed? Sir, we are dealing with a new medium. If you have the print medium and you have the electronic medium, all the companies who provide information through the print medium and electronic medium are registered in India, they are subject to Indian laws. But in the context of new medium, which is the internet, there is no registration of any of these mediums in India, and, therefore, they are not subject to Indian laws. If there is a terrorist attack that takes place and source of it is in some other part of the world and we wish to seek information about the source of that terrorist attack, it is not provided to us on the ground that they are not subject to Indian law. If people are trading in drugs, these are the cases that have happened in courts; actually people have gone to courts. If somebody is trading in a certain kind of psychotropic substance, the information is on the net. You say, please remove that site from the net and please inform us as to who are the persons behind it, the response is that they are not subject to Indian law. Now, I am not saying that we should subject them to Indian law per se but I am saying that these are very serious issues that arise in the course of the functioning of the State. I am sure that all the distinguished Members of this House will realize that many of these

[Shri Kapil Sibal]

have impact on the security of the State, many of these things impact public order, if you have certain sites on the internet, which are incendiary, which are hate speeches, what is the mechanism to deal with it? Now if you look at the Acts and rules you will realize that we have not infringed on the rights of the media at all. There is no government intervention in any of this. Let me, Sir, just point out and I will finish very quickly because you want to go on to the other matter, kindly look at section 66(a) of the Act, punishment for sending offensive messages through communication, this is now a substantive provision of the Act. I am not talking of section 69 but of section 66(a)—punishment for sending, offensive messages through communication, any information that is grossly offensive as a menacing character shall be punishable. This is provided in the substantive Act. We are not talking of the rules here. This is the substantive provision of the Act which has been passed by the Parliament. Section 66(b), punishment for dishonestly receiving stolen computer resource, let us leave that; punishment for identity theft, you impersonate somebody, that is identity theft. That is the substantive provision of the Act. And the rules we are talking about are in the context of these substantive provisions. There is excessive delegation of legislation here. The mover of the Motion read only section 69, but I am reading some of the other substantive provisions which indicate that all these rules are consistent with the provisions of the Act. Punishment for cheating any impersonation by using computer resource—the Leader of the Opposition talked about how impersonation can be, but it is a substantive offence. It is not something that is in the rules. The rules are in aid of the substance which is part of the statute. Punishment for violation of privacy which again is substantive provision; punishment for cyber terrorism, section 66(f), again is a substantive offence; punishment for publishing or transmitting of obscene material in an electronic form is-a substantive offence. Then you go on to section 69. So, the point I was trying to make is that there is a host of substantive provisions in the Act which declare substantive offences and the rules that have been framed are consistent with the Act.

So, the argument that the mover of the Motion has made is that this excessive delegation, with great respect, has no substance.

The second argument is that you are, actually, infringing; that the Government is trying to control the media. Now, Sir, let me indicate what the Act says; we will go to the rules a little later. Section 79 says, “Notwithstanding anything contained in any law for the time being in force but subject to the provisions of sub-sections (2) and (3), an intermediary shall not be liable for any

third party information, data or communication link made available or hosted by him, the provisions of sub-section (1) shall apply, (c) this is important—if the intermediary observes due diligence while discharging his duties under this Act and also observes such other guidelines as the Central Government may prescribe in this behalf.” So, the intermediary will not be liable subject to two things—due diligence and following such guidelines as the Central Government may make in that behalf. That is part of the Act; it has nothing to do with the rules. Now what is ‘due diligence’? That is what is prescribed in the rules. Therefore, if you look at sub-section 2, rule 3 of the rules framed under section 79, rule 3 is about ‘due diligence’—due diligence to be observed by intermediary. It is not Government’s interference. Government is not taking any action. But what is the ‘due diligence’ that the intermediary should observe? What is that? Such rules and regulations, terms and conditions or User Agreement shall inform the users. That means the intermediary must inform the users. The Government is not going to interfere in any of this. It is the ‘due diligence’ of the intermediary that is now being defined in the Act, which is the substantive provision of the Act, under section 79. So, he will inform the user of the computer resource not to host, display, upload, modify, publish, transmit, update or share any information that belongs to another person; that is impersonation; that is grossly harmful, harassing, blasphemous, defamatory, obscene, pornographic, paedophilic, libellous, invasive of another’s privacy; that harms minors, infringes patent, trademark, copyright or other proprietary rights, violates any law for the time being in force, and impersonates another person. The Leader of the Opposition talked about ‘prevents investigation of any offence or is insulting any other nation.’ Why did this ‘prevents investigation of any offence’ come about? It came about because of sub-rule 4. Sub-rule 4 says: “The intermediary on whose computer system the information is stored.” Supposing it deals with drugs. I am just giving an example. “..or hosted or published upon obtaining knowledge by itself or been brought to actual knowledge by an affected person—it is not necessarily the Government; it could be anybody—in writing or through e-mail, signed with electronic signature about any such information, as mentioned in sub-rule 2 above, shall act within 36 hours and where applicable, work with user...” Who will act? Not the Government! If I provide an intermediary with information about a drug which is a psychotropic substance, which is being traded, on the Net and which is being brought to India, then, in that situation, that information is given to the intermediary, and he must act within 36 hours, and, where applicable, work with user or owner of such information to disable such information. I pause here. This is the intermediary’s decision; it is not the Government’s decision. The intermediary can say ‘no’. There is no prescription that he has to remove. There is no direction that he has to do

[Shri Kapil Sibal]

what the Government says. The prescription is, we inform him that that is what is going on; please do some thing about it in 36 hours. He may write to us saying, or he may inform us, that there is nothing wrong with him. There is nothing that the Government can do. So, this impression 'that it is the Government which is interfering in the freedom of expression' is completely erroneous. The Government is informing the intermediary, consistent with his obligations of due diligence, under section 79 of the Act, that you are required to exercise due diligence when it comes to some of these things.

But it is your choice. Where you want to work with the person who supplied the information, work with him where applicable and do what you want to do. Where does the Government come? Where have we interfered with that infringement? Where have we infringed the Right to Freedom of Expression? Nowhere; because the Government is not in the picture. The Government is only saying that this is the kind of due diligence that is expected out of it. So, this impression 'that the Government is wanting to do something and wanting to restrict the right is unfair.'

Then, I was coming to what the Leader of the Opposition mentioned. And, Sir, it further says, '...information to disable such information that is in contravention of sub-rule (2). Further, the intermediary shall preserve such information and associated records for, at least, 90 days for investigation purposes.' Now, why did the question of investigation come that prevents investigation of any offence? That's because if the information is relating to a drug or terrorist act, he must preserve that information. Otherwise, how do we prosecute? If he immediately remove that information and doesn't pass it onto Government, how will the Government investigate? That is why in sub-rule (4), 'prevents investigation of an offence came in.' So, there, again, I would like clarify it to the learned Leader of the Opposition that it is in this context that where there are offences of this nature, the source and the material must be preserved for a period of, at least, 90 days so that if the investigation agency in India wants that information to investigate and prosecute, it can access to it. If we don't have this provision, we will never be able to prosecute. These are essential things. You know, I don't want a full debate on it. But I am just indicating to you that there is no attempt by Government to interfere in 'Freedom of Expression.'

Now, I come to the other point that my good friend raised, and I just want to point this out. Incidentally, I might mention that every jurisdiction in the world has these provisions, and I can point out law after law. Every jurisdiction in the world

has it, including the US, including Europe, and I have these provisions with me. Of course, we are more liberal-and we are proud of it-than Europe and we are more liberal than the United States of America, and I am proud of that. But the fact is, let's not cut our arms in order to ensure that they do justice.

Now, Sir, the other point that I want to make is, I have the guidelines; and whatever has been set out is consistent with the guidelines of the Net Providers themselves. Take, for example, the guidelines of Yahoo. What do the guidelines of Yahoo say? It is the same thing that 'please, you agree not to use.' What are we saying? 'You agree not to use'—Yahoo services to what? It is, 'Upload, post, email, transmit or otherwise make available any content that is unlawful, harmful, threatening, abusive, harassing, tortuous, defamatory, vulgar, obscene, libellous, invasive of another's privacy, hateful or racially, ethnically or otherwise objectionable.' This is much wider than our prescription, much wider. This is their own advice to their own users that please don't do this. So, if we, in Government, advise the intermediary, it's a violation of 'freedom of expression.' If the Net Provider advises its own user, it is nothing. Yet, I understand the sentiments of the House, and I request you to look at Article 19(2) of the Constitution of India. What are the words used in the 19(2)? It says, "Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interest of the sovereignty and integrity of India,—there is no problem in that—the security of the State, friendly relations with foreign States ...". Instead of saying 'abusive of a foreign State', you can use 'friendly', we will change that; there is no issue. Then, it further says, '... public order, decency ...'. Sir, does the Constitution define 'decency'? Nobody defines 'decency.' The Constitution has not defined 'decency.' Ultimately, what happens? If there is an issue of decency, it is decided by the courts? So, there will be expressions like 'morality'. The word 'morality' is also used—'decency or morality'.

What is 'moral'? The Constitution does not describe it, but who decides it? It is the courts of law. Sir, incidentally, these rules were cleared by the Committee on Subordinate Legislation. These are not executive rules framed by us. There were four meetings of the Committee on Subordinate Legislation and the rules were cleared by the Committee on Subordinate Legislation. So, it is not as if Parliament has not overseen these rules, and, not only that; we called for industry participation. I have the recommendations from the CII. The rules were put to the CII. The rules were put to the Data Security Council of India and other organizations. I have their comments. It is only after all this discussion happened, and they cleared it, that we brought the rules. So, it is not as if some officials in the Government of India and our

[Shri Kapil Sibal]

Department decided to have these rules. No; it was done with full participation of everybody.

In any case, I request distinguished Members of this House to please, write to me on any issues that they are concerned about, and I assure the House, I would take those issues into account. I will also call the Industry. I will have a full discussion on the subject; I will call distinguished Members of the House so that, after a full discussion, whatever emerges, I can implement it. I am sure that that would satisfy distinguished Members of this House and the mover of the Motion and we can all agree on a course of action because, under this new media, there would be several challenges that this nation would face, and we should be ready for those challenges. That can only be done through consensus and collaboration. Thank you very much.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That is very good. That is an assurance. Now, Mr. P. Rajeeve, you may briefly reply.

SHRI P. RAJEEVE: Sir, I am grateful to the hon. Minister, the hon. Leader of the Opposition and hon. Members who have participated in the discussion. Actually, I had tried to utilize the mechanism existing in the parliamentary system for getting more benefits for the community and the country. I am very much grateful to Derek for mentioning about the freedom of speech, which was reflected in the arrest of a Professor just for posting a cartoon on the Internet. Thank you for mentioning that!

SHRI DEREK O'BRIEN: Sir, this is not that. We are talking about impersonation, Sir. The Leader of the Opposition and the hon. Minister spent so much time talking about impersonation. (*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please don't worry. Everything is on record. (*Interruptions*) Everything is on record, Mr. Derek. Please take your seat.

SHRI P. RAJEEVE: Sir, actually, he was mentioning about the last several years of rule there. (*Interruptions*) I am just reminding about the recent developments in that State. I think he is more aware of that as a quiz master.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, no; don't get distracted. Come to your point.

SHRI P. RAJEEVE: Sir, the hon. Minister has mentioned several things.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): He has conceded. Then why are you raising it? You could send whatever points you have to him in writing.

SHRI P. RAJEEVE: That is true, Sir, but I have to mention a few things here. That is my right.

In the beginning, I have mentioned about clause 66A. I think the hon. Minister didn't have the time to listen to that.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): There is no need for this, Mr. Rajeeve. (*Interruptions*) All right then. Please take five minutes.

SHRI P. RAJEEVE: Sir, as the mover of the Motion, I think I have the right to put certain things to the Minister.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Yes, you do have the right. I am not questioning your right.

SHRI P. RAJEEVE: Sir, in the beginning, I have mentioned that in the Act itself there are some provisions. My question is: what is the litmus test to examine whether a rule is in accordance with the parent Act. That is the question we are discussing while considering a statutory Motion. I am totally in agreement with the remarks of the Minister about the Act. It was passed by the Parliament. But, Sir, what is an objectionable content? It has been mentioned in clause 69A. Now, clause 69A is in accordance with article 19(2) of the Constitution. The Minister must not look at this clause in isolation. It is specifically mentioned in clause 69A what objectionable content is, and it is in accordance with article 19(2)(a). My submission is, while the Minister explained that, the question is about clause 3(2). This clause, from (a) to (j), explains what an objectionable content is. It goes beyond the provisions of clause 69 of the Act. That is the basic question. The reply given by the Minister is not satisfactory on that point.

With regard to privacy thing, that is, 3(7), it is actually against the Act, which specifically mentions what are the provisions for getting information from a user. It specifically states that. The Government framed the Rules. I invite the attention of the hon. Minister to the other Rule. There are certain provisions in the Rule for the intervention of the Government for blocking contents. For getting information from a user, there are certain other rules. The Minister says that this is not a mandatory thing; there is no Government intervention. But, Sir, this is actually private censorship. But we are going to the words used in this Rule. 'Due diligence to be observed by intermediary', you look at it. There is 'shall' everywhere. While in the legislative process, we can find out several 'may'. But here, all are 'shall'. Recently, one organization posted contents to seven websites like Google, Twitter, Facebook, etc. Thereafter, the same organization sent a complaint saying that this is against the Rule. Within 36 hours, these all seven intermediaries removed the contents without

[Shri P. Rajeeve]

any enquiry. That is the reality. Finally, Sir, actually it is Government intervention and private censorship. That is private censorship. What is the reality in other countries? I would not like to take more time on that. Digital Millennium Copyright Act is actually related to copyright. But, in that Act itself, there is a provision. It is 'put back' provision, by which contents can be restored. If a counter-notice is sent by the author of the contents unless the copyright holder files a suit within ten days. That is Digital Millennium Copyright Act. There is a 'put back' provision. That type of provision is not existing in the Rule. While coming to the European Union, I would not like to take more time explaining the provisions ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude. ...*(Interruptions)*...

SHRI P. RAJEEVE: There is a specific provision....*(Interruptions)*...That is a reality....*(Interruptions)*...My question is: As per the Section 88, there is a provision for consultation with an Advisory Committee. It has been constituted. It may be right. But there were only two meetings in 2000. What is the rule of this Advisory Committee? As per the Act, "The Central Government.....either generally as regards any rules or for any other purpose connected with this Act." Now, the Minister claims that the Government has taken several steps in consultation with the industry and other stakeholders. But this is the mandatory provision in this Act. It may be true that the Government has taken several steps and discussed it with stakeholders. But this is mandatory as per the Rule. Why is the Government not taking the advice of the Advisory Committee for framing these Rules? Sir, 3(2) and 3(7) are totally against the Act. They are ultra vires of the Act. Considering the sense of the House and the issues that we have raised, the hon. Minister should consider all these things and come with an amended Rule within a time frame. Till that time, it should be kept in abeyance.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, I shall put the motion for amendment to vote...*(Interruptions)*...

SHRI ARUN JAITLEY: Can the hon. Minister give an assurance to this House that the Rules, after this broad-based discussion, will be relooked at, and if there are any words therein, which require to be replaced or removed, the Minister would replace or remove them? Are you agreeable for that?

SHRI KAPIL SIBAL: My assurance to this House is that I will request distinguished hon. Members to write letters to me objecting to any specific words. I will then call a meeting of the Members as well as the industry and all the stakeholders. We will have a discussion and whatever consensus emerges, we will implement it.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That's an assurance. So, I will put the question again. The question is:

“That this House resolves that the Information Technology (Intermediaries Guidelines) Rules, 2011 issued under clause (zg) of sub-section (2) of Section 87 read with sub-section (2) of Section 79 of the Information Technology Act, 2000 published in the Gazette of India dated the 13th April, 2011 vide Notification No. G.S.R 314(E) and laid on the Table of the House on the 12th August, 2011, be annulled; and

That this House recommends to Lok Sabha that Lok Sabha do concur in this Motion.”

The motion was negatived.

MESSAGE FROM LOK SABHA

The Central Educational Institutions (Reservation in Admission) Amendment Bill, 2012.

SECRETARY-GENERAL: Sir, I have to report to the House the following message received from Lok Sabha, signed by the Secretary-General of Lok Sabha:-

“In accordance with the provisions of rule 120 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to inform you that Lok Sabha, at its sitting held on the 16th May, 2012, agreed without any amendment to the Central Educational Institutions (Reservation in Admission) Amendment Bill, 2012, which was passed by Rajya Sabha at its sitting held on the 27 April, 2012.”

SHORT DURATION DISCUSSION

On Normalisation of Relations with Pakistan and Issues Relating to Human Rights Violations of Minorities in Pakistan

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, as per consensus, we shall take up the Short Duration Discussion on the normalisation of relations with Pakistan and issues relating to human rights violations of minorities in Pakistan. The time allotted is one hour and the hon. Minister's time will be extra fifteen or twenty minutes. So, we should finish it within one hour and everybody should stick to the time limit. Shri Balbir Punj, your party has 12 minutes, but you can take seven minutes.

श्री बलबीर पुंज (ओडिशा): उपसभाध्यक्ष जी, मैं आपका और इस सम्मानित सदन का बहुत आभारी हूँ कि एक तो इसने यह चर्चा स्वीकार की और आपने मुझे इस महत्वपूर्ण चर्चा पर बोलने का अवसर दिया।

[उपसभाध्यक्ष (डा. ई.एम. सुदर्शन नाच्चीयप्पन) पीठासीन हुए]

उपसभाध्यक्ष जी, सन् 1947 में देश स्वाधीन हुआ, देश के दो भाग हो गए, एक पाकिस्तान बना और दूसरा भारत बना और बंटवारा था, वह मजहब के आधार पर हुआ, क्योंकि पाकिस्तान इस आधार पर बना कि मुसलमानों को एक अलग देश चाहिए था। जब विभाजन हुआ, तो एक समस्या थी। पाकिस्तान के अंदर हिन्दू रहते थे और भारत के अंदर मुसलमानों की भी बड़ी संख्या थी। पाकिस्तान तो अपने-आपको एक इस्लामी राष्ट्र घोषित कर सकता था, परन्तु हमने ऐसा नहीं किया। हम ऐसा कर नहीं सकते थे, क्योंकि ऐसा करना भारत की सनातन और कालजयी संस्कृति के खिलाफ होता। हमने कभी भी मजहब के आधार पर राज नहीं किया। हमारे यहां राजाओं-महाराजाओं का अपना मजहब होता था। अगर आप बाहर से आये हुए मुस्लिम आक्रांत राजाओं को छोड़ दें और सम्राट अशोक, जो बाद में बौद्ध धर्म में दीक्षित हो गये, उनको भी छोड़ दें, तो किसी भी राजा-महाराजा ने राज्य के संसाधनों का या राज्य के बल का उपयोग अपने मजहब को फैलाने के लिए नहीं किया।

हमने एक सेकुलर संविधान अपनाया और हमको इस बात का गर्व है कि पिछले 65 सालों से हम एक लोकतांत्रिक और सेकुलर संविधान से लेकर चल रहे हैं और आज यह व्यवस्था हमारे देश में बहुत अच्छी तरह से चल रही है। कुछ लोग कहते हैं कि यह आपको अंग्रेजों से विरासत में मिली, क्योंकि भारत का संविधान तो 1935 का गवर्नमेंट ऑफ इंडिया एक्ट था। मैं ऐसे लोगों से पूछता हूँ कि अगर लोकतंत्र और सेकुलरिज्म हम लोगों को अंग्रेजों से विरासत में मिला, भेंट में मिला, तो यह पाकिस्तान को क्यों नहीं मिला? अगर भारत सेकुलर है, अगर भारत लोकतांत्रिक है, तो इसलिए नहीं कि यहां का संविधान लोकतांत्रिक है, यहां का संविधान इसलिए लोकतांत्रिक है, क्योंकि यहां की जो सनातन संस्कृति है वह **right to dissidence** को मान कर चलती है और इसलिए भारत का संविधान लोकतांत्रिक है। पाकिस्तान के अंदर अल्पसंख्यक लोग, जो मूलतः हिन्दू, सिख और थोड़े-से ईसाई हैं, उनकी हालत जानने के लिए और उस पर चर्चा करने के लिए हम लोग आज यहां हैं।

उपसभाध्यक्ष जी, आज जो हिस्सा पाकिस्तान कहलाता है, वहां की जनसंख्या में 1947 से पहले हिन्दूओं और सिखों की जनसंख्या की भागीदारी 15 प्रतिशत थी और जो हिस्सा बंगलादेश बन गया, उसमें यह भागीदारी 30 प्रतिशत थी। बंगलादेश में वे आज 30 प्रतिशत से 9 प्रतिशत पर आ गये। आज हम लोग पाकिस्तान पर चर्चा कर रहे हैं और पाकिस्तान में वह जनसंख्या, जो उस समय 15 प्रतिशत थी, 1951 की जब जनसंख्या-गणना हुई, **Census** हुई, तो पाकिस्तान में वह 11 और 12 प्रतिशत थी।

अर्थात् 3 प्रतिशत लोग ही वहां से यहां भारत आए थे। उपसभाध्यक्ष जी, वह 11-12 प्रतिशत की हिन्दूओं और सिखों की जनसंख्या आज 1.4 या 1.5 रह गई है। इस समय पाकिस्तान की जनसंख्या 18 करोड़ है। अगर वही प्रतिशत रहता, 10 प्रतिशत की जनसंख्या में हिन्दू और सिख होते तो आज पाकिस्तान में हिन्दूओं और सिखों की संख्या एक करोड़ अस्सी लाख होती, क्योंकि 18 करोड़ की जनसंख्या का 10 प्रतिशत एक करोड़ अस्सी लाख बनता है।

4.00 P.M.

उसके स्थान पर स्थिति क्या है? आज पाकिस्तान में हिन्दूओं और सिखों की जनसंख्या 30 लाख के लगभग है। तो वे एक करोड़ पचास लाख हिन्दू और सिख कहां चले गए? इस प्रश्न का किसी के पास कोई उत्तर नहीं है। इस प्रश्न का एक उत्तर है, बहुत थोड़ी संख्या में मार-पीटकर उन हिन्दूओं और सिखों को बेइज्जत करके भारत में शरण लेने के लिए मजबूर किया गया। इसके अलावा और जो अधिकांश हिन्दू और सिख हैं, जो पाकिस्तान में होने चाहिए थे, आज नहीं हैं, उनका बलपूर्वक धर्म परिवर्तन किया गया, उनको मुसलमान बनने के लिए मजबूर किया गया। पाकिस्तान के अन्दर **National Human Rights Commission** है। उसकी सरकारी रिपोर्ट है, यह रिपोर्ट हम सब लोगों को पढ़नी चाहिए। रिपोर्ट के अन्दर स्पष्ट रूप से लिखा है कि हर महीने ऐसे 25 से 30 मामले सरकारी रिकार्ड में आते हैं कि हिन्दू लड़कियों को, जो 15 साल की, 16 साल की, 17 साल की लड़कियां होती हैं, उनको जबर्दस्ती उठा लिया जाता है। यह पाकिस्तान के **National Human Rights Commission** की रिपोर्ट है। उसके बाद उनका मजहब परिवर्तन करके जबर्दस्ती निकाह कर दिया जाता है और उनको भी मुसलमान बना दिया जाता है। जब उसके माता-पिता और भाई-बहन न्यायालय का दरवाजा खटखटाते हैं, तब अन्दर सुनवाई हो रही होती है तो कई सौ और कई बार कई हजार की भीड़ अल्लाहो अकबर के नारे लगाते हुए बंदूकों से फायरिंग करते हुए, बाहर खड़ी होती है। वहां जो न्यायाधीश हैं, वे भी डरते हैं। हमको याद रखना चाहिए, अभी वहां के एक गवर्नर को उनके अंगरक्षक ने गोली मार दी थी और जिस न्यायाधीश ने उस खूनी को सजा दी, उसको अपनी जान बचाने के लिए दुबई में शरण लेनी पड़ी।

उपसभाध्यक्ष महोदय, यह बड़े दुख की बात है कि हम लोग यहां पर श्रीलंका में अपने जो तमिल भाई हैं, उनके मानवाधिकारों की चिंता करते हैं, हम तिब्बतियों के मानवाधिकारों की चिंता करते हैं, हम **Palestinians** के मानवाधिकारों की चिंता करते हैं। किसी कारण से यह सदन और यह संसद पाकिस्तान में जो हिन्दू हैं, उनके मानवाधिकारों की चर्चा करने से बचता है। इस सत्र के आरम्भ से मैंने और मेरे मित्र है श्री अविनाश राय खन्ना, जो इस मामले में निरन्तर रुचि लेते रहते हैं और तरुण विजय जी ने भी निरन्तर इस विषय को उठाने की कोशिश की है, आज भी इस पर बड़ी कठिनाई से यह अनुमति मिली। पाकिस्तान की जब स्थापना हुई थी, तब मोहम्मद अली जिन्ना, जो संस्थापक थे, 11 अगस्त, 1947 का उनका भाषण सर्वविदित है जिसमें उन्होंने कहा था कि मजहब के आधार पर पाकिस्तान में किसी के साथ भेदभाव नहीं होगा। उस समय जब बहुत संख्या में वहां से हिन्दू और सिख आना चाहते थे, तो कांग्रेस के नेताओं ने, देश के नेताओं ने उनको आश्वासन दिया था कि आपका मजहब आपको रोटी-रोजी कमाने की स्वतंत्रता इज्जत-आबरू के साथ देगा, आपको आने की जरूरत नहीं है। इसका ज्वलंत उदाहरण है, हमारे पूर्व प्रधानमंत्री इन्द्र कुमार गुजराल, उनके पिताजी इसी आश्वासन पर पाकिस्तान में 1948 तक रहे, उनके हस्ताक्षर पाकिस्तान के संविधान पर भी हैं। **He was a Member of the Constituent Assembly.**

THE VICE CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Balbir ji, there are two more Speaker from your Party.

श्री बलबीर पुंज: वे वहां पर इस आश्वासन पर रहे। जो लोग यहां आ गए, माननीय लाल कृष्ण आडवाणी जी रिफ्यूजी के रूप में यहां आए, देश के उप प्रधानमंत्री बने। भारतीय जनता पार्टी के बड़े नेता हैं, देश के नेता हैं।

डा. मनमोहन सिंह वहां से आए, आज डा. मनमोहन सिंह प्रधान मंत्री हैं। जो लोग वहां से आ गए, उनकी तो व्यवस्था हो गई, लेकिन जो इस देश के नेताओं पर विश्वास करके वहां रह गए, आज हम उनकी चिंता नहीं करते, इससे बड़ा कोई धोखा नहीं हो सकता।

उपसभापति जी, लाहौर में 1947 में 50 से अधिक ऐतिहासिक महत्व के गुरुद्वारे थे, मंदिर थे, आज वहां केवल एक गुरुद्वारा सुरक्षित है। मैं पाकिस्तान में चौधरी सुजात हुसैन का मेहमान था। मैं एक हफ्ता उनके यहां रहा। वे पूछते थे कि हम आपके लिए क्या करें? मैं कहता था मुझे यहां किसी मंदिर के दर्शन करा दीजिए। वे सातों दिन मुझे किसी मंदिर में नहीं ले जा सके। जब मेरे वापस जाने का समय आ गया और सातवें दिन मैंने दोबारा कहा, तो उनके ड्राइवर ने शरमाते हुए कहा कि हुजूर, एक मन्दिर था, वह भी 2007 में इसलिए गिरा दिया गया, क्योंकि वहां शॉपिंग मॉल बनाना था। वहां श्मशान भूमि नहीं है।...**(व्यवधान)**

श्री बलबीर पुंज: उपसभाध्यक्ष जी, मैं दो मिनट में खत्म कर रहा हूं। मेरे पास कहने के लिए बहुत कुछ है।...**(व्यवधान)**

THE VICE CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): You have to conclude now. There are more names from your party.

श्री विनय कटियार (उत्तर प्रदेश): उपसभाध्यक्ष जी, यह बहुत महत्वपूर्ण चर्चा है। आप समय थोड़ा और बढ़ा दीजिए।

श्री बलबीर पुंज: उपसभाध्यक्ष जी, यह ठीक है कि पाकिस्तान दूसरा देश है और हम लोग उनके मामलों में बहुत ज्यादा दखल नहीं दे सकते, लेकिन हम दो बातें कर सकते हैं। एक तो पाकिस्तान से जो रिफ्यूजीज आते हैं, हिंदू आते हैं, विदेश मंत्री यहां बैठे हैं, वे हमें कम से कम यह आश्वासन दें कि पाकिस्तान के हिंदुओं को तुरंत बिना दिक्कत वीसा दिया जाएगा। बीस-बीस, तीस-तीस सालों से जिन लोगों की वहां मृत्यु हो चुकी है, उनकी अस्थियां पाकिस्तान में पड़ी हुई हैं। स्वाभाविक रूप से हर हिंदू यह आशा करता है कि उसकी मृत्यु के बाद उसकी अस्थियां गंगा जी में प्रवाहित की जाएंगी, लेकिन वहां तीस-तीस साल तक वीसा नहीं मिलता और वे लोग आ नहीं पाते। अभी पीछे समाचार आया था कि एक व्यक्ति आया था और ऐसे लोगों की अस्थियां लेकर आया था, जिनका देहांत हुए 30-30 साल हो चुके थे। ऐसे 300 लोगों की अस्थियां गंगा में प्रवाहित की गईं। हमारे विदेश मंत्री जी यहां बैठे हैं, आप हमें आश्वासन करिए कि कम से कम हिंदुओं को यहां आने का वीसा आप आसानी से देंगे, उनको वहां के हाई-कमीशन के चक्कर नहीं काटने पड़ेंगे, उनको वहां हाई-कमीशन में रिश्तत नहीं देनी पड़ेगी, कम से कम इतना तो आप कर सकते हैं। वे हिंदू वहां से शरणार्थी के रूप में आते हैं। जो हिंदू यहां पर शरण लेना चाहते हैं, उनको भारत की नागरिकता तुरंत देनी चाहिए। यह हम कर कर्ज है, यह हमारा कर्तव्य है और आज अगर विदेश मंत्री जी यह स्पष्ट कर सकें, तो मैं मानूंगा कि आज की चर्चा सार्थक हुई। धन्यवाद।

THE VICE CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Now, Shri Husain Dalwai. You have to confine yourself to seven minutes. You have got one speaker more from your party.

श्री हुसैन दलवाई (महाराष्ट्र): उपसभाध्यक्ष जी, आज यहां एक अत्यंत गंभीर विषय पर बहस हो रही है। आपने मुझे इस विषय पर बोलने का मौका दिया, इसके लिए मैं आपका

आभारी हूं। आज पाकिस्तान में जो कुछ हो रहा है, वह खाली गंभीर नहीं है, वह **humanity** के खिलाफ है, इंसानियत के खिलाफ है। वे नेहरू-लियाकत एग्रीमेंट भूल गए शिमला एग्रीमेंट भूल गए, और यह अच्छी बात है कि वहां के **Human Rights Commission** के **Chairman** और **General Secretary** ने वहां क्या हालत है, इसके बारे में बड़े पैमाने पर ब्यान दिया है। इस पर हमारे देश में और अमरीका में भी बहस हो रही है और उन्होंने एक दबाव उन पर डाला है। आज वहां ऐसी हालत है कि वहां की औरतें सुरक्षित नहीं हैं। लड़कियों को उठाकर ले जाते हैं और **forcefully** उनका **conversion** करते हैं। **forcefully** उनके साथ **marriage** करते हैं। वहां यह सब हो रहा है। इसलिए वहां की बहुत सी हिंदू फैमिलीज, नॉन-मुस्लिम फैमिलीज यहां आ रही हैं और भारत में **migrate** हो रही हैं।

भारत में **migrate** होने के बाद जो रिपोर्ट आई, उसके अनुसार यहां जो कैम्पों में रहते हैं, उनके भी हालात बहुत बुरे हैं, लेकिन हमारी सरकार उनकी तरफ ठीक ढंग से ध्यान नहीं देती है, जो कि अच्छी बात नहीं है। एक तो इस सवाल पर चार-पांच दफा इस हाउस में और दूसरे आउस में बहस हुई। उस पर मंत्री महोदय ने जो उत्तर दिए हैं, उसके बारे में जो उन्होंने कहा है, वही आज उन्हें नहीं कहना चाहिए, यह मैं पहले ही कहूंगा, क्योंकि वही बात दोहराई जाती है कि पाकिस्तान ने कहा है कि हम पूरी तरह से संरक्षण देंगे, पूरी तरह से मदद करेंगे, लेकिन कितनी हद तक इस बात की दखल ली गई है? पाकिस्तान के यहां के कमिशनर को बुलाकर आप लोगों को उसको बताना चाहिए कि क्या हो रहा है? यह सवाल खाली कोई हिन्दुओं और मुसलमानों का सवाल नहीं है, यह पूरी **humanity** का सवाल है। हमें इस पर लज्जा आ रही है। सरकार को इस सवाल को उठाकर कहना चाहिए कि आप जल्दी से जल्दी इसके ऊपर क्या कर रहे हैं?

सर, तालिबानी लोग जिस ढंग से लोगों को तकलीफ देते हैं, आप यह मत समझना कि वे खाली हिन्दुओं को तकलीफ देते हैं, वहां जरा भी गैर बात की, तो वे मुसलमानों को भी तकलीफ देते हैं। वहां के एक जज को भी मारा गया जिन्होंने यह कहा कि जो **Blasphemy** कानून है, वह कानून बराबर नहीं है। **Blasphemy** कानून बिल्कुल गलत कानून है और उसमें बदलाव आना चाहिए—ऐसा वहां के कुछ अक्लमंद लोगों का कहना है, तो उनको भी मारने का काम हुआ। गोलियां चलाकर उनका मर्डर किया गया। इस तरह से पाकिस्तान में जो हुआ, हमारे पड़ोस के देश में जो हुआ, मुझे लगता है कि उस पर हमारा चुप रहना बिल्कुल गैर बात है। हमें यह सवाल खाली उनके साथ लेना चाहिए, ऐसी बात नहीं है, बल्कि इंटरनेशनल फोरम में भी, यू.एन. में यह सवाल उठाना चाहिए कि **humanity** का खून हो रहा है और सारी दुनिया चुप बैठी है, यह बिल्कुल गलत बात है। जैसे इसराइल के लोग फिलीस्तीन वगैरह में कर रहे हैं, उससे भी गैर बात यह हो रही है, क्योंकि यहां की आबादी बिल्कुल छोटी है। दो परसेंट हिन्दू भी अब वहां नहीं रहे हैं। यहां गड़बड़ी नहीं होती है, ऐसा नहीं है। यहां भी होती है और उसके खिलाफ हम हमेशा बोलते हैं, लेकिन यहां का हिन्दू **liberal** है। वह हमारा साथ देता है। वहां फसाद होता है, इसलिए यहां का मुसलमान लुट कर भी पाकिस्तान नहीं जाता। लोगों को एहसास है कि भले ही यहां गड़बड़ी होती हो, लेकिन इंसाफ है। वहां इंसाफ नहीं है, इसलिए वे यहां आ रहे हैं, तो उन लोगों की पूरी तरह से मदद करना हमारे लिए जरूरी है, लेकिन यह मदद होती नहीं है। यह नहीं कहते, वहां का **Human Right**

[श्री हुसैन दलवाई]

Commission कह रहा है कि वहां कभी-कभी *police sponsored atrocities* होती हैं। वहां फसाद नहीं होता है। फसाद करने के लिए कहीं न कहीं जमात होनी चाहिए। अगर दो गुट ठीक ढंग से नहीं रहेंगे, तो फसाद हो सकता है लेकिन पुलिस, सरकार, वहां की मिलिटरी, सब ठीक रहें, तो फसाद होने का सवाल ही नहीं है। खाली *atrocities* होती है। अगर ये *atrocities* बंद करनी हैं, तो मेरे ख्याल से सरकार ने ज़रा *strong* शब्दों में उनको सुनाना चाहिए। सुनाकर नहीं चलेगा, बल्कि यह कहना चाहिए कि अगर इस तरह से यह बंद नहीं होगा, तो यह बात हम इंटरनेशनल फोरम पर उठाएंगे और पाकिस्तान की पूरी रतह से बेइज्जती करेंगे कि पाकिस्तान जिस ढंग से बना, वही गलत था। मज़हब के तौर पर किसी देश का बनना बिल्कुल गलत था और इस गलती का एहसास सब लोगों को होने लगा है। इसके बारे में, हिंदुस्तान-पाकिस्तान *partition* के बारे में माधव गोडबोले साहब ने जो किताब लिखी है, उसमें एक बात लिखी है, जिसे पढ़कर मुझे जरा आश्चर्य लगा। डा. लोहिया हमेशा बोलते थे कि *confederation* बनाना चाहिए। यह जो हुआ, इसके लिए ये-ये जिम्मेदार हैं, लेकिन आगे जाकर उन्होंने रिसर्च करके यह बताया है कि जब *partition* हुआ, तो उसकी तैयारी उसमें की गई। लोगों को मालूम नहीं था, कहां हमारा गांव रहेगा, कहां हमारी बस्ती रहेगी? इतना *confusion* था, जिसकी वजह से बहुत बड़े पैमाने पर लोग मर गए। बड़े पैमाने पर *honour killings* भी हो गई, क्योंकि हमारी बेटी कहां जाएगी, हमारी बीवी कहां जाएगी, इसके लिए सिख लोगों में बड़े पैमाने पर *honour killings* भी हुई, जिसके बारे में एक बुक आई है। मुझे अभी उसका नाम याद नहीं आ रहा है। इन सारी बातों को सरकार को ध्यान में रखना चाहिए। सर, यह हिन्दू-मुसलमानों का सवाल है, ऐसा मैं नहीं समझता हूं, यह सवाल इंसानियत का है। यह इंसानियत का सवाल है इसलिए मैं आपके जरिए हमारी सरकार से कहना चाहूंगा, मंत्री महोदय से कहना चाहूंगा कि इसके संबंध में थोड़ा कड़ा कदम उठाइए क्योंकि पिछले साल इसके ऊपर तीन-चार दफा बहस हुई, वहां भी हुई, यहां पर भी हुई। मैंने खुद यहां पर जीरो ऑवर में आपको नोटिस दिया था, लेकिन आपने कहा कि इस पर सब लोग बहस करने वाले हैं, इसलिए मैंने अपना नोटिस वापस लिया। मैं यह देखना करूंगा कि इसके बारे में स्टर्न ऐक्शन लेना चाहिए, कड़ा कदम अपनाना चाहिए। अगर ऐसा होगा तब ही सबको तसल्ली मिलेगी। सर, मैं एक मुस्लिम हूं। मुस्लिम होने के बावजूद मुझे लगता है कि जिस तरह से इस देश में मैं मुसलमान करके रहता हूं, वैसे ही वहां का हिन्दू भी रहना चाहिए, यह जिम्मेदारी पाकिस्तान की गवर्नमेंट की है। मुझे यहा घूमने-फिरने की पूरी आजादी है। मैं आपको बताना चाहता हूं कि अगर कहीं महाराष्ट्र में फसाद होता है तो मैं वहां पर पुलिस लेकर लेकर नहीं जाता हूं, मैं वहा पर अकेला जाता हूं। वहां कभी किसी ने मेरे खिलाफ कुछ नहीं किया। यही हालात हर जगह होने चाहिए। पाकिस्तान की हमेशा साइड लेने वाला यू.एस. अगर इस वक्त आवाज उठाता है तो यह अच्छी बात है। इसका फायदा उठाकर हम लोगों को यह सवाल पूरी तरह से इंटरनेशनल लेवल पर लेकर जाना चाहिए। इतना कहकर मैं आनी बात खत्म करूंगा। आपने मुझे टाइम दिया, इसके लिए मैं आपका शुक्रगुज़ार हूं। धन्यवाद। जय भारत।

उपसभाध्यक्ष (डा. ई.एम. सुदर्शन नाच्चीयप्पन): श्री शिवानन्द तिवारी। आपके पास पांच मिनट हैं।

श्री शिवानन्द तिवारी (बिहार): धन्यवाद उपसभाध्यक्ष महोदय, अभी हुसैन दलवाई साहब का भाषण बहुत ही बढ़िया रहा। हमें लगता है कि बलबीर पुंज साहब ने जिस तरह से बातों को

रखा था, मैं उनसे थोड़ा असहमत हूँ। असहमत इसलिए हूँ कि मैं नहीं मानत हूँ कि इसको हिन्दू-मुसलमान के नजरिए से देखा जाना चाहिए। यह दुर्भाग्य है कि इस देश का जो बंटवारा हुआ, उस बंटवारे के बाद पाकिस्तान कभी नेशन नहीं बन पाया, कभी राष्ट्र नहीं बन पाया। हमें याद है कि जब पाकिस्तान बना, उसके तुरंत बाद अहमदिया लोगों के खिलाफ वहां पर भयानक दंगा हुआ और वहां के जो कट्टरवादी मुसलमान थे, उन लोगों ने कहा कि अहमदिया लोग मुसलमान नहीं हैं। तब पाकिस्तान सरकार ने एक ज्युडिशियल कमीशन बनाया। उस ज्युडिशियल कमीशन का एजेंडा यह था कि वह तय करे कि सही मुसलमान कौन हैं। लगभग तीन-चार वर्षों तक ज्युडिशियल कमीशन इस बात की चर्चा करता रहा, अलग-अलग समूह से एविडेंस लेता रहा कि असली मुसलमान कौन हैं, लेकिन यह तय नहीं हो सका कि असली मुसलमान कौन हैं उस कमीशन ने अपना पोथी-पत्रा बंद कर दिया। आज आपको याद होगा कि लियाकत अली साहब, जो मोहम्मद अली जिन्ना के बाद पाकिस्तान के सबसे प्रभावशाली नेता थे और पाकिस्तान के प्रधान मंत्री थे, 1951 में उनकी हत्या हुई। इसी तरह जुल्फीकार अली भुट्टो को वहां फांसी दे दी गई, बेनजीर भुट्टो को गोली मारी गई। इस प्रकार पाकिस्तान देश तो कभी बना ही नहीं। अगर आप इतिहास देखें तो हाल के वर्षों में पाकिस्तान में कट्टरपंथियों का जो दबदबा बढ़ा है, उसमें लगभग 35-40 हजार लोग मारे गए। जो 35-40 हजार लोग मारे गए हैं, उनमें प्रायः सारे के सारे मुसलमान लोग हैं। यह वहां की हालत हो गई है। अभी वहां पर ब्लूचिस्तान का जो इलाका है, उस इलाके के लोग पाकिस्तान से अलग होने की मांग उठा रहे हैं। नॉर्थ-वेस्ट फ्रंटियर में जो अलग-अलग कबिलाई हैं, उनको याद है कि मोहम्मद अकबर बुक्ती कितनी शानदार पर्सनेलिटी थे। हमने डिसकवरी ऑफ इंडिया में उनका एक कार्यक्रम देखा था, वह दिखने में कितना शानदार था, एकदम जवान था, उसको पाकिस्तान की सरकार ने, जब मुशर्रफ साहब वहां के राष्ट्रपति थे, मिसाइल से मार दिया गया। इस प्रकार पाकिस्तान की हालत बहुत खराब है। इसीलिए जो वहां का मसाल है, उसको हिन्दू-मुसलमान के नजरिए से हम लोग न देखें। आजादी के पहले इसी नजरिए ने इस देश का बंटवारा किया। हमें तो कभी-कभी लगता है कि देश के बंटवारे का जो इतिहास है, उसको फिर से लिखा जाना चाहिए। 1940 में मुस्लिम लीग की लाहौर में जो कॉन्फ्रेंस हुई, उसमें मुसलमानों के लिए अलग राष्ट्र की मांग की गयी। लेकिन उसके पहले 1937 में हिन्दू महसभा की कॉन्फ्रेंस हुई, उसमें सावरकर साहब ने टू-नेशन थ्योरी का प्रस्ताव रखा था। लाला लाजपत राय ने उसका समर्थन किया। इस देश में हिन्दू और मुसलमान दोनों अलग-अलग कौम हैं, यह सिलसिला लम्बे समय से चलता रहा है और हिन्दुओं का भी एक धड़ा यह मानता रहा कि यह देश हिन्दुओं का है। इस देश में दूसरी कौम के जो लोग रहेंगे, उनको सेकेंडरी सिटिजन बनकर रहना पड़ेगा, यह कहता रहा और मुसलमानों को चिंता यह रही कि साहब आजाद भारत में, जब जम्हूरियत लागू होगी, तो हमेशा बहुमत हिन्दुओं का रहेगा और हमारा जो अधिकार है, हमारा जो राइट है, उसकी सुरक्षा कैसे हो पायेगी, यह चिंता उनको रही।

हमें याद है जब 1937 का चुनाव हुआ। उत्तर प्रदेश का बहुत बड़ा रोल इस देश के बंटवारे में रहा है। आप देखिएगा, जो 1937 का चुनाव हुआ, उसमें कांग्रेस पार्टी और मुस्लिम लीग ने अनआफिशियल डंग से यानी समझौता करके चुनाव लड़ा। मोटा-मोटी यह बात थी कि चुनाव के बाद दोनों मिलजुलकर सरकार बनायेंगे। उस समय का मुस्लिम लीग का इलेक्शन मेनिफेस्टो देखिए और कांग्रेस पार्टी का इलेक्शन मेनिफेस्टो देखिए। मुस्लिम लीग चूंकि मुसलमानों

[श्री शिवानन्द तिवारी]

को रिप्रजेंट करती थी, इसलिए कुछ बातों को छोड़कर कांग्रेस और मुस्लिम लीग के इलेक्शन मेनिफेस्टो में कोई फर्क नहीं था। चुनाव से पहले कांग्रेस को उम्मीद नहीं थी कि उसको बहुमत मिलेगा, लेकिन चुनाव के बाद कांग्रेस को बहुमत मिल गया। वहां पर कांग्रेस और मुस्लिम लीग की मिली-जुली सरकार बनती, लेकिन वे तैयार नहीं हुए। मौलाना आजाद ने 'India Wins Freedom' में लिखा है कि चौधरी खलिक जुमा और मिर्जा नवाब इस्माइल, ये दोनों लोग कांग्रेस के साथ मिलने के लिए तैयार थे, मिनिस्ट्री में शामिल होने के लिए। लेकिन पंडित जवाहर लाल नेहरू ने कहा कि हम दोनों में से एक को ही शामिल करेंगे। उस समय परिस्थिति ऐसी थी कि या तो दोनों शामिल होते या दोनों शामिल नहीं होते। नतीजा यह हुआ कि दोनों शामिल नहीं हुए, वे इसके लिए राजी नहीं हुए। यह आजाद साहब ने कहा है कि अगर दोनों लोग केबिनेट में आ जाते तो शायद पाकिस्तान नहीं बनता और मुस्लिम लीग की ताकत वहीं ध्वस्त हो जाती। हमको लगता है कि यह जो हमारे दिमाग में बैठा हुआ है कि मुस्लिम लीग के कारण या मुसलमानों के कारण ही इस देश का बंटवारा हुआ। बंटवारे का इतिहास फिर से लिखा जाना चाहिए। इसमें किस-किस की भूमिका रही है।

उपसभाध्यक्ष महोदय, लोक सभा में इस मामले पर बहस हुई है। यहां पर विदेश मंत्री जी मौजूद हैं, उस सदन में भी उन्होंने आश्वासन दिया था, हम लोगों को मजबूती के साथ यह कहना चाहिए और मैं तो यह कहूंगा कि यह जो मांग की गई, हुसैन दलवाई ने भी यह मांग की कि वहां से जो लोग यहां आ रहे हैं, उनको नागरिकता दीजिए। वहां पर जो भी माइनॉरिटीज हैं, चाहे वह हिन्दू माइनॉरिटी हो, ईसाई माइनॉरिटी हो या मुसलमानों का भी वह तबका जिसको वहां पर वे मुसलमान नहीं मानते। उनको तरह-तरह से प्रताड़ित किया जाता है, उनकी इबादत की जगहों पर हमला होता है, उनके समारोहों पर हमला होता है और उसमें वे मारे जाते हैं, जो लोग भी वहां से आना चाहते हैं हिन्दुस्तान उनको शरण दे। मजबूती के साथ, अंतर्राष्ट्रीय स्तर पर जनमत बनाकर पाकिस्तान पर दबाव डाला जाना चाहिए कि वह अपने यहां पर माइनॉरिटीज की हिफाजत करे। इसी के साथ, मैं अपनी बात समाप्त करता हूं।

SHRI BALBIR PUNJ: I just want to add one sentence to what Shivanand Tiwariji has said. ये 1937 तक गए कि विभाजन की नींव कैसे पड़ी। मैं इनको 1888 तक ले जाना चाहता हूं। पहली बार 1888 में सर सैयद ने मेरठ में भाषण दिया और कहा कि हिन्दू और मुसलमान कभी इकट्ठा नहीं रह सकते।

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Please, Please (*Interruptions*) Nothing will go on record.

SHRI BALBIR PUNJ:*

SHRI PRAVEEN RASHTRAPAL (Gujarat): *

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): No, no. Nothing will go on record. Now, Shri Naresh Agarwal. (*Interruptions*) Except what Shri Naresh Agrawal says, nothing will go on record. (*Interruptions*)

Not recorded.

श्री नरेश अग्रवाल (उत्तर प्रदेश): माननीय उपसभाध्यक्ष जी,...(व्यवधान)...

SHRI PRAVEEN RASHTRAPAL:*

THE VICE-CHAIRMAN (DR. E.M. SUDARSAN NATCHIAPPAN): A healthy debate is taking place. Please, do not disturb it.

श्री नरेश अग्रवाल: माननीय उपसभाध्यक्ष जी, पहली तो हमारी यह आपत्ति है कि हमारे दल को दो मिनट का समय क्यों अलाट हुआ। हम 8 सदस्य हैं, बल्कि हमें 9 गिना जाना चाहिए, हमारे एक मेम्बर की डेथ हो गई, उनकी जगह पर मेम्बर इलेक्शन में चुन जायेंगे। जनता दल (यू) के 9 मेम्बर्स वाले दल को आप 8 मिनट का समय दे रहे हैं और हमारी समाजवादी पार्टी के 8 मेम्बर्स हैं और हमें दो मिनट का समय दे रहे हैं, हमारी इस पर आपत्ति है। इसको आप ठीक कर लीजिए।...(व्यवधान)...

मैं इस बात की भर्त्सना करता हूँ कि जो दल इस डिस्क्शन में भाग नहीं ले रहे हैं और सदन छोड़कर चले गए हैं, उनको वोटों का डर होगा। मैं यह भी कहना चाहता हूँ कि अगर इसको हिन्दू-मुसलमान के रूप में न लेकर, हिन्दुस्तानी के रूप में लिया होता, नागरिकता या इंसानियत के रूप में लिया होता तो ज्यादा अच्छा होता। अगर विश्व में कहीं भी माइनोंरिटीज का सवाल आया है, तो हमारी समाजवादी पार्टी ने और हमारे नेता मुलायम सिंह जी ने हमेशा खुलकर माइनोंरिटीज का साथ दिया है। ऐसी बात नहीं है कि आज पाकिस्तान में माइनोंरिटीज के हिन्दुओं पर अत्याचार हो रहा है, बल्कि जो मुसलमान इस देश से पाकिस्तान में गए हैं, आज उनको भी पाकिस्तान में महाजिर माना जाता है। उनको महाजिर मानकर, उनके साथ ही सौतेला व्यवहार किया जा रहा है। यह गंभीर मामला है और मैं तो यह कहता हूँ कि यदि सरकार कमजोर होगी तो देशवासी भी परेशान होंगे और देश के लोग जो दूसरी जगह चले गए हैं, वे भी परेशान होंगे। हमारे प्रधान मंत्री जी का परिवार पाकिस्तान में रहा है। उस परिवार को इसकी पीड़ा मालूम है। इस देश का प्रधान मंत्री सबसे बड़े पद पर है, इसलिए मैंने कहा था कि अगर प्रधान मंत्री जी यहां आकर उत्तर दें तो ज्यादा अच्छा होगा। मैं अब भी यह समझता हूँ कि अगर प्रधान मंत्री जी इस चीज को गंभीरता से लेते हैं, तो उनको इस सदन में आकर जवाब देना चाहिए। इसके लिए हम सब चिंतित हैं। जो लोग पाकिस्तान में गए हैं वे सबसे ज्यादा उत्तर प्रदेश, पंजाब, हरियाणा, बंगाल और बिहार से गए हैं। मैं तो यह कहूंगा कि ज्यादातर लोग उत्तर भारत से ही पाकिस्तान में गए हैं। आज पाकिस्तान में जो कुछ हो रहा है, वह कोई इंसानियत का काम नहीं है।...(व्यवधान)....ये बी.जे.पी. वाले दूसरी भावना से बात रखते हैं, मुसलमान लोग कभी सम्प्रदायिक नहीं रहे हैं।

श्रीमान, इतिहास गवाह है कि हिन्दुस्तान में मुसलमान ने अपना नेता हिन्दु को माना, मुसलमान को नहीं माना। आप आजादी के बाद की हिस्ट्री उठाकर देख लीजिए कि इस देश के मुसलमान ने हर वक्त मैजोरिटी के व्यक्ति को अपना नेता माना और माइनोंरिटीज के व्यक्ति को नेता नहीं माना। आज भाजपा

[उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) पीठासीन हुए]

के लोग साम्प्रदायिकता की बात करते हैं, मैं उनसे सहमत नहीं हूँ। अभी पुंज जी बात कर

* not recorded

[श्री नरेश अग्रवाल]

रहे थे, मैं उनकी बात से बिल्कुल सहमत नहीं हूँ और मैं इसका विरोध करता हूँ। मैं यह बात इसलिए कह रहा हूँ कि यहां पर जो बात उठाई गई है,....(व्यवधान)....

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): मिस्टर कटियार, प्लीज़।..(व्यवधान)...

श्री विनय कटियार: पुंज जी ने एकजुटता की बात कही है।..(व्यवधान)...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): कटियार जी बैठिए।

श्री विनय कटियार: पुंज जी ने यह कहा कि विभाजन के बाद हिन्दुस्तान में जो मुसलमान रह गए थे, आज उनको बराबर का अधिकार प्राप्त है और हम धर्म-निरपेक्ष हैं। जो लोग पाकिस्तान में हैं, उनके साथ दुर्व्यवहार किया जा रहा है।..(व्यवधान)...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): कटियार जी, प्लीज़। अब उनका समय है।..(व्यवधान) आप बैठिए।

श्री नरेश अग्रवाल: श्रीमन्, इनका भी बोलने का समय आएगा।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): मिस्टर पुंज, आप बैठिए। ... (व्यवधान) ... अग्रवाल जी, आप बोलिए।

श्री नरेश अग्रवाल: श्रीमन्, 1965 के युद्ध के बाद ताशकन्द समझौता हुआ, शिमला पैक्ट हुआ और हर बार पाकिस्तान के प्रधान मंत्री हिन्दुस्तान आए। हमने उनका स्वागत किया और उनसे हमारी बातचीत भी हुई, लेकिन उस बातचीत में क्या हमारी सरकार ने कभी यह मुद्दा उठाया? माननीय विदेश मंत्री जी, उन समझौतों में आपने इस चीजों को वर्णित तो किया, लेकिन वर्णित होने के बाद क्या वे चीजें लागू हुई? मुझे याद है, जब लाल बहादुर शास्त्री जी ने ताशकन्द समझौता किया था, तो उनकी जान इसी में चली गई थी कि देश उनके खिलाफ खड़ा हो गया था। वे इस सदमें में सह नहीं पाए थे। आज आप यहां स्पष्ट घोषणा करिए कि पाकिस्तान में आज माइनॉरिटीज के साथ जो हो रहा है, क्या उसको रोकने के लिए आप कोई कड़ा कदम उठाएंगे? नहीं उठाएंगे, तो हम विश्व में बेइज्जत हो रहे हैं, वैसे ही बेइज्जत होंगे। हम हर रोज यहां पर बात उठाते हैं।... (समय की घंटी)... कोई कड़ा कदम उठाया जाना चाहिए। यह चर्चा तभी तार्किक होगी, जब कोई कड़ा कदम उठाया जाएगा। हमारे देश का नागरिक सरबजीत पाकिस्तान की जेल में बंद हैं। हम आज तक उसको रिहा नहीं करवा पाए हैं। एक तरफ तो हमारे यहां के काफी लोग पाकिस्तान की जेलों में बंद हैं और दूसरी तरफ हम कसाब के लिए न जाने कितना रुपया खर्च कर रहे हैं। आप इसके लिए कोई बोल्ड स्टेप उठाइए। यदि आप किसी चीज को कठोरता से लेंगे, तभी कोई नतीजा निकलेगा, अन्यथा जो पाकिस्तान में हो रहा है, वह रुक नहीं पाएगा। मैं अपने देश के संविधान के 4 आर्टिकल्स (5, 6, 7 और 8) की बात कर रहा हूँ।

माननीय मंत्री जी, आप आर्टिकल 7 परिवर्तित कर दीजिए, इसका संशोधन लाइए। संविधान के आर्टिकल 7 को संशोधित करके, जो लोग हिन्दुस्तान से पाकिस्तान चले गए हैं, जिनकी नागरिकता समाप्त कर दी गई है, उनको वापस लाकर, फिर से नागरिकता देकर, वे

अधिकार दीजिए, जो अधिकार हिंदुस्तान के हर नागरिक को प्राप्त हैं। आप तभी उनका बचाव कर पाएंगे, नहीं तो वहां की माइनॉरिटी का इस त्रासदी से बचाव नहीं कर पाएंगे। मैं चाहूंगा कि आप यहां पर, इस सम्बंध में एक स्पष्ट घोषणा करें।...**(व्यवधान)**...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): नरेश जी समाप्त कीजिए।

श्री नरेश अग्रवाल: सर, बस समाप्त कर रहा हूं, वहां जो रह रहे हैं इससे उनको यह संदेश जाए कि हिंदुस्तान में कमजोर सरकार नहीं है, यहां पर सबसे बड़े प्रजातंत्र की मजबूत सरकार एक निर्णय लेने की क्षमता रखती है। धन्यवाद।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): श्री बैष्णव परिडा, आपका दो मिनट का टाइम है, आप तीन मिनट बोलिए।

SHRI BAISHNAB PARIDA (Odisha): Sir, I would take four minutes.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No; you take three minutes.

SHRI BAISHNAB PARIDA (Odisha): Mr. Vice-Chairman, Sir, I thank you very much for allowing me to participate in this very important debate. At the outset, I want to say that India, since its formation as a Secular, Socialist Republic, declared that we are against any sort of oppression, subjugation or discrimination in the name of religion, race, caste and creed. So, we are against discrimination, subjugation and repression of any section of people in any part of the world.

Sir, many eloquent speeches have been delivered here. While speaking on this subject, my friends also depicted the history as to how India was divided into two nations. Sir, the very division of India was not just based on religion. It was also a political division. Maulana Azad's 'India Wins Freedom' and Dr. Lohia's 'Guilty Men of India's Partition', both these books have depicted that it was a political division. So, it is not that the Muslim League alone was responsible; but our fundamentalists and many of our top national leaders were also responsible for this. Sir, because of their mistakes, now both Hindus and Muslims are suffering both in Pakistan and India. So, it was a historical blunder. In the present civilized world, we have to solve this problem. India is a Secular country, but Pakistan is not so. They have declared 'Islam' as their national religion. India is a Secular State. Sir, still religious riots take place in our country; untouchability is still practised in villages of India; one section of the people is discriminated against; oppression of Dalits is going on even after 64 years of Independence. And 14 crores of Dalits are treated as 'untouchables'. What is this? Is it not violation of human rights? Definitely, I am against the fundamentalists of Pakistan, who are oppressing the Hindus. In the name of religion, discrimination is going on in that country. But, at the same time, when

[Shri Baishnab Parida]

Godhra massacre took place, I felt ashamed of my country, a Secular country, where such incidents occurred. So, Sir, this House must urge the Indian Government to take this issue at international forums. We must also try, through our bilateral discussions with Pakistan, that Hindus should not be discriminated against and oppressed in Pakistan, and their religious rights must be upheld by the Government of Pakistan. *(Interruptions)* At the same time, in India, it is also our constitutional duty to provide... *(Time-bell rings)* minorities and dalits to live here with all dignity, safety and with equal rights. Thank you very much, Sir. *(Interruptions)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): He can speak on the Copyright Bill, ...*(Interruptions)*... No; please. No, no; I cannot break the rules. This is not possible. *(Interruptions)* This way, I cannot run the House. ...*(Interruptions)*...

SHRIMATI JAVA BACHCHAN (Uttar Pradesh): Sir, please allow Shri Javed Akhtar to speak on this subject, ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Then,, all other Members should withdraw their names. *(Interruptions)* Okay; BJP can withdraw their other names. *(Interruptions)*. Why do you ask me to violate rules?... *(Interruptions)*...I have already got listed names....*(Interruptions)*...

DR. V. MAITREYAN (Tamil Nadu): Give our time, Sir. ...*(Interruptions)*...

SHRI SITARAM YECHURY (West Bengal): He can take time of CPI (M). ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD (Bihar): Please allow him, Sir. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): जया जी, आप बैठिए। See, I have a lot of respect for the hon. Member, you know, for obvious reason. But the point is that he wants to make his maiden speech for which I should allow him, at least, to speak for 20 minutes....*(Interruptions)*...I have already received names here. He should have given the name before the discussion started. I have already rejected some names. So, it will be a blatant violation of rules....*(Interruptions)*...Now you decide....*(Interruptions)*...I am on my legs. How can the Chair be asked to violate the rules?...*(Interruptions)*...Let me ask you....*(Interruptions)*...There are two points in this. Number one, I have already got the names which we got before starting the discussion. I cannot deny them. With that itself, one hour will be over. It was

decided by the Leaders that discussion will be for one hour. Time is accordingly allotted, accordingly we are speaking and full time one hour is already gone, according to the list. This is one point. The second point, he is coming and asking now. On that account, I have difficulty. Third point, I know this is his maiden speech. He could have asked me earlier. I would have adjusted him. ...*(Interruptions)*...I am very sorry....*(Interruptions)*... What I am suggesting is ...*(Interruptions)*...Please do not make it an issue....*(Interruptions)*...

SHRI JAVED AKHTAR (Nominated): Sir,I have only one question. Would you allow me...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I will give you time, no problem....*(Interruptions)*...Next Bill is Copyright Bill. He can make his maiden speech on that Bill for 20 minutes. If he speaks now, I can only give him one or two minutes, that is the problem. I am telling you this....*(Interruptions)*...

DR. NAJMA A. HEPTULLA (Madhya Pradesh): Sir, maiden speech is only a convention of the House, it is no rule. So, you can give him more time when he wants to speak on a subject....*(Interruptions)*...Let him speak now also. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now there is no time. ...*(Interruptions)*...The Leaders sit there in the Chamber and take a decision. ...*(Interruptions)*...Members of the parties are coming here and asking me to change it....*(Interruptions)*...I have lot of respect for Najmaji. The LoP has come and decided this time....*(Interruptions)*...Time is for one hour....*(Interruptions)*...I am telling this because Najmaji said it....*(Interruptions)*... It was decided with the LoP that it will be for one hour....*(Interruptions)*...How do I do that?...*(Interruptions)*...It is decided by the LoP to give one hour....*(Interruptions)*...

SHRIMATI JAYA BACHCHAN: Sir, this House is the House of Elders. I am definite and I am completely confident that Javed Sahib would have given a fantastic speech on this subject. He has not thought of it, but he got interested after listening to all the speakers who have spoken so well to also speak on the subject. I am very sad that on the floor of the House we are getting deprived of listening to somebody who would have spoken so very well on this subject. I am very sad, I want to say that....*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Let me also say ...*(Interruptions)*...Let me complete....*(Interruptions)*...I will allow you. ...*(Interruptions)*...

DR. M.S. GIL (Punjab): Sir, I am sadder. The subject what is going on in Pakistan is of great interest to many of us. That was partition of Punjab, essentially. What is going on has been followed by some of us. Don't eat into that time by every other extraneous and cosy arrangement.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I am equally sad, because this subject was in the List of Business in the morning itself. I am sorry, to be frank, to say that this subject was in the List of Business in the morning itself. Any hon. Member who was interested could have prepared and given the name in advance. After the start of discussion and time allotted to each Party, and after every Member has consumed more time, if Chair is asked, what can I do. I am replying to Shrimati Jaya. Shrimati Jaya should also read rules. Now, please continue...(Interruptions)... No, no; I don't want to violate rules. I don't want to break rules. Every hon. Member is equal. Every Member is honourable and equal. Personal respect is different. I have personal respect for many people, but, here, everybody is equal. I don't want to violate rules. Now, Dr. Bharatkumar Raut...(Interruptions)...

SHRIMATI JAYA BACHCHAN: Sir, I am not talking against the rule. ...*(Interruptions)*..*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, it is not going on record. You have no special privilege. Sit down.

श्री भारतकुमार राऊत (महाराष्ट्र): माननीय उपसभाध्यक्ष जी, आज मैं बहुत दुखी मन से इस सदन में भाषण देने के लिए खड़ा हूँ...(व्यवधान)... मैं बहुत दुखी मन से खड़ा हुआ हूँ क्योंकि इक्कीसवीं सदी के दस-बारह साल पूरे होने के बाद भी आज हम इस तरह के विषय पर यहां चर्चा कर रहे हैं।

महोदय, मैं कहना चाहता हूँ कि यह चर्चा हिन्दू वर्सिज मुस्लिम नहीं होनी चाहिए। अल्पसंख्यकों के जो मूलभूत अधिकार हैं, हम उन अधिकारों की रक्षा की चर्चा कर रहे हैं। भारत में किसी भी माइनॉरिटी के ऊपर जब थोड़ा-सा भी अत्याचार होता है, किसी एक लड़की की मृत्यु हो जाती है, तो दुनिया के सारे मानवतावादी और ह्यूमेन राइट्स वाले यहां आकर अपनी रिपोर्ट बनाते हैं और हमारे ऊपर कुछ न कुछ आरोप लगाते रहते हैं। हिन्दू पार्टियों के ऊपर, हिन्दू लोगों के ऊपर आरोप लगाए जाते हैं, लेकिन ह्यूमेन राइट्स कमिशन ऑफ पाकिस्तान की रिपोर्ट मेरे हाथ में है, 'State of Human Right in 2010', prepared by the Human Rights Commission of Pakistan, उन्होंने साफ-साफ यह बता दिया है कि इस देश में हिन्दुओं के ऊपर, विशेषकर माइनॉरिटीज के ऊपर बहुत सारी एट्रॉसिटीज या अत्याचार हो रहे हैं, लेकिन इसके ऊपर हम कोई दखलअंदाजी नहीं देते।

मैं आपको और इस सदन को बताना चाहता हूँ कि जब यह रिपोर्ट आई, तो बताया गया कि वहां के हिन्दू लोगों को अपने घर छोड़ने पड़े, अपने गांव छोड़ने पड़े और वे वहां

* Not recorded.

निर्वासित बन गए, **refugee** बन गए। इसके बाद पाकिस्तान की विदेश मंत्री भारत आई, उनके साथ हमारे विदेश मंत्री ने बातचीत की, उनके फोटो भी छप कर आए और पूरी दुनिया में इसकी चर्चा हुई। मैं आपसे यहां यह बात पूछना चाहता हूं कि क्या आप हमारे विदेश मंत्री ने पाकिस्तान की विदेश मंत्री से यह पूछा कि जब आप भारत में रहने वाले, जम्मू-कश्मीर में रहने वाले मुसलमानों की इतनी चिन्ता करती हो, तो पाकिस्तान में जो हिन्दू हैं, जो सिख भाई हैं, उनकी रक्षा की चर्चा कौन करेगा? उनकी रक्षा की जिम्मेवारी कौन लेगा? क्या पाकिस्तान सरकार इसकी जिम्मेवारी ले सकती है? हमारे विदेश मंत्री को यह प्रश्न उनसे पूछना चाहिए था, लेकिन उन्होंने यह प्रश्न उनसे पूछा होगा, ऐसा मुझे नहीं लगता। इसका कारण यह है कि यह सरकार कमजोर सरकार है। भारत की माइनोंरिटीज की रक्षा करना इसके लिए अनिवार्य है, लेकिन दूसरे देश में हमारे जो हिन्दू माइनोंरिटीज के लोग हैं, उनका ख्याल करना इनके बस की बात नहीं है। उनको कभी उनकी चिन्ता नहीं होती, क्योंकि वहां पर रहने वाले हिन्दू अपने कोई हैं, ऐसा इन्हें महसूस ही नहीं होता।

जब अन्य देशों में कोई भी वैसी स्थिति पैदा होती है...**(समय की घंटी)**...तब हम बताते रहते हैं, हम वहां पर विमान भेजते हैं, जहाज भेजते हैं और वहां से हम रिफ्यूजीज़ को लेकर आते हैं। क्यों न हम ऐसा कुछ करें कि वहां के जो हिन्दू हैं, जो हिन्दू कौम है, उन लोगों को हम भारत में लाकर उनको अच्छे सम्मान का दर्जा दें।

सर, मैं एक लास्ट प्वायंट बताता हूं। मैं ये सब विषय यूनाइटेड नेशंस में ले जाने के खिलाफ हूं, क्योंकि ऐसा करने से सिर्फ चर्चा चलती रहती है और सिर्फ चर्चा चलने से कुछ फायदा नहीं होता। हमारी हिम्मत यह होनी चाहिए कि अगर हमारी 450 हिन्दू फैमिलीज़ और 110 सिख फैमिलीज़ को वहां अत्याचार सहन करने पड़ रहे हैं, तो उनके खिलाफ हमें कार्रवाई करनी चाहिए। इसमें हम कार्रवाई करें, जब यह हमारी हिम्मत होगी, तभी यह सवाल हमें वहां या कहीं दूसरी जगह लेकर जाने का कोई मतलब होगा, नहीं तो यह कोई मतलब की बात नहीं है। हममें धैर्य होना चाहिए।...**(समय की घंटी)**...अगर हममें धैर्य होगा, तो यह सवाल **address** होगा, नहीं तो यह नहीं होगा। यह धैर्य हमारी सरकार में नहीं है। ...**(व्यवधान)**...धन्यवाद।

श्री अविनाश राय खन्ना (पंजाब): सर, मैं बड़े दुख के साथ यह विषय उठा रहा हूं। मैं अप्रैल, 2010 में एम.पी. बनकर राज्य सभा में आया था और 5.5.2010 को मैंने पहला पत्र पाकिस्तान में माइनोंरिटीज़ के साथ जो हो रहा है, उसके बारे में अपने प्रधान मंत्री जी और श्री कृष्णा जी को लिखा था। मैं ज्यादा उदाहरण न देकर एक-दो बातें करना चाहता हूं।

सर, हमारे सिखों के लिए गुरुद्वारे हैं, वहां एक लाइव गुरु का स्थान है। वहां की सिक्युरिटी पाकिस्तान के पास है, पाकिस्तान की आर्मी के पास है या उसकी **protection force** के पास है। उस गुरुद्वारे में उस सिक्युरिटी द्वारा मीट बनाने की बात ने हमारे सेंटीमेंट्स को बहुत धक्का पहुंचाया, तो मैंने वह पत्र उसी समय प्रधान मंत्री जी को लिखा। इसी तरह, हमारे एक बिजनेसमैन श्री बिशन सिंह जी हैं। वे बहुत तगड़े बिजनेसमैन हैं। पहले वे इंडोरियर से माइग्रेट होकर लाहौर में आए। उनको धमकी दी गई अगर आपने इतना **ransom** नहीं दिया, तो आपको खत्म कर दिया जाएगा। अब मैं एक और बात बताता हूं, जिसके बारे में मैंने श्री कृष्णा जी को लिखा था कि वहां पर एक ही दिन में चार डॉक्टर्स की गोली मारकर

[श्री भारतकुमार राऊत]

हत्या कर दी गई, क्योंकि वे माइनॉरिटी से थे। एक और घटना, जिसने सारे देश के रोंगटे खड़े कर दिए, वह है रिकल कुमारी का केस। रिकल कुमारी एक माइनॉरिटी की, हिन्दू की बेटी थी, जिसको किडनैप किया गया और उसकी जबर्दस्ती शादी कर दी गई। जब उसके मां-बाप ने सुप्रीम कोर्ट में रिट दायर की तो वहां पर वह पेश हुई और उसने कहा कि मेरे साथ जबर्दस्ती हुई है, मैंने अभी तो इस्लाम कुबूल नहीं किया और मैं **as a Hindu** रहना चाहती हूं। तो उसको धमकी मिली कि आपके परिवार को खत्म कर दिया जाएगा और उसी दिन उसके दादा को गोली से उड़ा दिया गया। जब फिर अगले दिन उसको सुप्री कोर्ट में पेश किया गया, तो रिकल कुमारी का जवाब था कि मैं एक अच्छी पत्नी बन कर रहना चाहती हूं और मैंने इस्लाम को कुबूल कर लिया है। यह अकेले रिकल कुमारी की घटना नहीं है। वहां हर महीने 25 लड़कियों को इसी तरह जबरदस्ती उठाया जाता है और उनको कन्वर्ट करके अपना धर्म छोड़ कर इस्लाम कुबूल करने के लिए मजबूर किया जाता है।

सर, इतना ही नहीं, मैं इन सभी विस्थापितों से मिला हूं। अमृतसर, जालंधर, खन्ना और राजपुरा में उन्होंने जो घटनाएं सुनाई, उस समय मुझे रोना आता था कि क्या ये मॉडर्न हिन्दुस्तान के, मॉडर्न दुनिया के वाशिंदे हैं, जो वहां रह रहे हैं। किसी ने एक घटना बताई कि उसकी बेटी पढ़ने में बहुत होशियार थी। वह स्कूल जाती थी और हर वर्ष फर्स्ट आती थी। वहां की एक मुस्लिम लड़की, जो उससे पीछे थी, उसने इसे कहा कि जा, अब तू पढ़ाई छोड़ दे या तेरी जिन्दगी खत्म हो जाएगी। तो हुआ क्या? जब वह आगे पढ़ती गई, तो उसने अपने भाई से कहा कि यह मुझसे होशियार है, आगे चलती है, इसका कुछ किया जाए। तो उसको जबरदस्ती उठाया गया, उसके साथ बलात्कार किया गया, उसको कन्वर्ट किया गया और उसके साथ शादी की गई। मानव अधिकारों की हम...(व्यवधान)...परिडा जी, प्लीज़!...(व्यवधान)...एक बच्चा एम.बी.बी.ए.स. में एडमिशन लेता है, तो उसके पिता को एक **threatening letter** जाता है कि आप **ransom** दो, नहीं तो आपके बच्चे को मार देंगे। वह पैसे देता है, लेकिन उस बच्चे की लाश भी घर आती है और पैसे भी ले जाते हैं। इस तरह से वहां पर मानव अधिकारों का हनन हो रहा है।

Recently, पाकिस्तान में एक सीमेंट की फैक्ट्री लगी, वह फैक्ट्री कटासराज के पास लगी, जहां पर भगवान शंकर के नाम से एक तालाब है, ऐसी मान्यता है कि यहां भगवान शंकर के आंसू गिरे थे और वहां नहाना बहुत पवित्र माना जाता है, लेकिन उस फैक्ट्री को पानी देने के लिए उस तालाब का पानी सुखा दिया गया। धार्मिक दृष्टि से, इंसानियत की दृष्टि से और राजनीतिक दृष्टि से वहां के लोगों के मानव अधिकारों का बहुत हनन हो रहा है। इसका कारण क्या है? इसका यह है कि जब भी वहां पर **minority** के साथ ऐसी कोई घटना होती है, तो वे एकदम भारत के तरफ देखते हैं, लेकिन अफसोस की बात यह है कि भारत की सरकार का कोई भी **reaction** कभी नहीं आता है। अपने आप कभी नहीं आता है। आज मैं आपके माध्यम से माननीय विदेश मंत्री से पूछना चाहता हूं कि जब इन घटनाओं को इनके ध्यान में लाया गया या उन्होंने अखबार में पढ़ा, तो कितनी बार इन्होंने पाकिस्तान के **ambassador** को बुला कर उनसे पूछा कि वहां हमारे **minority** के जो लोग रह रहे हैं, उनके साथ यह अन्याय क्यों हो रहा है? आज यह अच्छा होता कि आपके साथ गृह मंत्री जी भी बैठते, क्योंकि उनसे संबंधित भी यह विषय है।

सर, मैं चाहूंगा कि जिस ढंग से श्रीलंका में सभी पार्टियों का एक डेलिगेशन गया था, उसी तरह से वहां के minorities का हौसला बढ़ाने के लिए, उनमें securities की भावना को बढ़ाने के लिए सभी दलों का एक डेलिगेशन पाकिस्तान में जाए और वहां पर वह देखे कि वे कैसे रह रहे हैं और उनको बताए कि आप अकेले नहीं हैं, आपके साथ हिन्दुस्तान और हिन्दुस्तान की सरकार खड़ी है। (समय की घंटी)

सर, मैं एक बात आपके ध्यान में लाना चाहता हूं, जो कि गृह मंत्री से संबंधित है। वे वहां से यहां आ जाते हैं, यहां पर सरकार न उनको पानी देती है, न बिजली देती है, न रहने के लिए घर देती है, न स्कूल देती है और अगर उन्होंने कोई कनेक्शन ले भी लिया, तो उनका कनेक्शन काट दिया जाता है। अगर वे पासपोर्ट के लिए अप्लाई करते हैं...(व्यवधान)... उसके 5(1) में शुल्क पहले 200 रुपए था, उसको 5,500 कर दिया गया है, 5(1)(सी) में पहले 700 रुपए था, उसको आज 10,000 रुपए कर दिया गया है।...(व्यवधान)...

उपसभाध्यक्ष (प्रो. पी.जी. कुरियन): आपके 6 मिनट हो गए हैं।

श्री अविनाश राय खन्ना: सर, मैं एक मिनट में समाप्त करता हूं। 5(बी) में पहले 200 रुपए था, अब उसको 3,250 रुपए कर दिया गया है, 5(ई) में 2,200 रुपए था, अब उसको 12,500 रुपए तय कर दिया गया है। यह उनको discourage करने के लिए किया गया, ताकि वह यहां का नागरिक न बन सके। इसके लिए इतना लंबा procedure है कि वह वहां से जाए, अपना पासपोर्ट renew करवाए, computerize identity card बनवाए, जब वह पांच साल बाद पाकिस्तान जाता है, घर का एक सीनियर व्यक्ति वहां जाता है, उसको न पासपोर्ट मिलता है, न identity card मिलता है। वह वहां है और उसका परिवार यहां है।

सर, मैं चाहूंगा कि नागरिकता देने के जो rules हैं, उसको कम से कम simplify किया जाए और पाकिस्तान को strongly यह मेसेज दिया जाए कि अगर वहां किसी भी minorities के साथ अन्याय होगा, तो भारत अंतर्राष्ट्रीय दबाव बना कर पाकिस्तान को सारी दुनिया में बेइज्जत करेगा। मैं चाहूंगा कि जब मंत्री जी जवाब दें, तो जो मेरे letters के जवाब मिले हैं, वैसा जवाब न दें, वह मेरे पास है। आज कुछ concrete बात इस सदन में होनी चाहिए, क्योंकि वे लोग आज कैम्पों में बैठ कर सुन रहे हैं कि उनके हकों के बारे में क्या बात हो रही है और कौन क्या कर रहा है। बहुत-बहुत धन्यवाद।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Dr. M.S. Gill. You may take seven minutes.

DR. M.S. GILL (Punjab): Sir, I would like to have some more time. I would speak in English, as I would like to make it easier for the Foreign Minister, so that I convey things better.

Sir, thank God, this discussion has taken place. It is not a Party matter. It is an Indian matter. The Partition was essentially, brutally, of the Punjab, as history knows. My friend, Mr. Tiwari, was quoting history. I will go on reading Partition history till my last days. It is an event greater than *Changez Khan* or *Talmur*.

Sir, it continues to effect all of us. It is not a Hindu-Muslim matter. I am a friend of Pakistan. I had just been there for a week in February to stay with close friends, and had been all over. I don't worry about security because I am comfortable.

[Dr. M. S. Gill]

Sir, the point is this. Let history be what it is. What had happened, we accepted. We have no problem. But we also have to comprehend what goes on in our neighbourhood. My friend, Balbir Punj, was giving some figures. What I understand is that the Sikhs were driven out or left, I think, more sensibly immediately at partition. There were only about 6000 left. Some were left in the Frontier because Pathans used to have an honourable code here. They said., 'You won't go; we are here to protect you.' So, they were marooned. There is still a *gurudwara* at Peshawar. As per my guess, the Hindus were about eight to ten lakhs, mainly in Sindh. I don't want to go into figures. You can check them. What Punj is describing, I have read.

Pakistan's liberal press brings out these atrocities of girls being taken away. I have three girls; lots of you have girls. Somewhere in Sindh, thirteen, fifteen, seventeen years old girls are just taken away. Parents went begging to the Police. We have problems with the Police here; you can imagine their problems there, and for these people in Sindh. Girls are kept for six weeks. After six weeks, at abductors convenience, they are produced. The DSP and other religious people are there. Girls were in burkas. They looked through a slit and say, 'My name is Ayesha; my name is so and so, and we don't know these people'. Try thinking what might have happened to them. You all have daughters somewhere.

I have written on this matter ever since I have come to this House, to the highest in this country and in responsibilities. I understand that Pakistan is a sovereign country and there is only that much what the Minister and the Prime Minister can do. दिल का दुःख तो रोओ, बोलो तो सही।

This is democracy; everybody is allowed to do it. You do it for Palestine. I went to Palestine as the Chief Election Commissioner or rather as Agriculture Secretary. During the time of Shri Narasimha Rao, I was sent in a delegation. I went to Al-Aqsa; I went to Christ; I went to the Wailing Wall. मैंने सबको मत्था टेका। हम तो मानते हैं कि सब जगह परमात्मा के लोग ही होंगे। And I hugged the Palestinians. Beard and turban in Islam is long before the Sikhs. That history knows. I gave them every signal of our sympathy. So do you. You must give your signal here also. Why are we in sensitive here and do not stand up and speak up, even within the limitations and within the international codes? As my friends have said, take it to higher international bodies. I know that the higher society of Pakistan, up to the President, is appalled. I can understand. But their society, in whichever way, bullied, is letting this happen.

5.00 P.M.

And, there is a history to all this for those who read history. In 1761, the Marathas, when they could have ruled India, got the biggest defeat in Panipat, at the hands of Ahmad Shah Durrani. They were smashed due to bad generalship of Baji Rao. They brought thousands upon thousands of their ladies also. Why? This is history of 18th century Sikhs in India. It is not that we are making propaganda. They were being taken away to Ghazni because they are an economic asset. Even today, a woman or a girl is an economic asset there. They were being taken away, given away or sold away. How many of these thousands were pulled back by Sikh Guerillas of the 18th century and sent back to Maharashtra. This is history. Let anybody check it.

Surely, we have a right to say something to Pakistan. It may be a civilized way or a private way, but I don't see too much in that. Secondly, I want to say to the Foreign Minister about what we are doing. I have been to Islamabad long ago. Sometimes, I go there. Hindus in Panja Saheb Gurudwara in Islamabad cried to me. Ten-fifteen Sikhs with children were also there. They said that they could not get visa to go to Golden Temple, in Amritsar, Punjab. Everybody knows it. I wrote to the then Prime Minister. I won't name him. I got no responses.

यह तो जुल्म हो रहा है कि they cannot come to their place of worship. We allow everybody else and we should allow. मैं जाकर अजमेर में मत्था टेकता हूँ, मैं कौन सी मस्जिद या कौन सी दरगाह नहीं गया, या मंदिर नहीं गया, लेकिन यह तो कोई तरीका नहीं है। वे लोग कहते हैं कि हम Punjab नहीं आ सकते, हमको दिल्ली और दिल्ली से आगे के वीजा के बारे में कहते हैं। Are we, the people of Punjab, out of this country's zone of consideration? That is why, Mr. Balbir Punj has spoken and Mr. Khanna has spoken about it. They are from Punjab. We all feel the pain. Here, I am just taking your time to explain to you. Most people don't know; the ladies at the back said to me, वहाँ यह होता है कि लड़कियाँ ले जाते हैं। ऐसे रोज होता है और अभी हुआ, वे सारे केस मैं जानता हूँ। And, I want to say to the Foreign Minister, the first bus you started, and I spoke on that, was Delhi-Lahore. I beg the pardon of all my UP friends, but that was for comfort of those who did the maximum for partition, Khaliqzaman and other, about whom you have been talking. I can talk for hours. And, the bus is not to stop in Punjab. No Punjabi can get on it to go to Lahore, or, to Nankana Sahib. Sir, please.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Dr. Gill, I am not stopping you. See, there is a half-an-hour discussion scheduled at 5.00 p.m. If the House agrees,

we will take it up after this discussion, and after the Copyright (Amendment) Bill is passed.

DR. M.S. GILL: Sir, I will just take a few minutes to finish. I won't waste your time at all. Therefore, Sir, visas to Hindus and Sikhs, the few that are left in Pakistan, Must be given freely and easily. It's an amazing tragedy that after 60 years, we celebrate everything else, we comfort everybody else, and that's India. So, why not these people? Second, yesterday or the day before, we talked about those Burma refugees, and I was listening. I also read in Punjab newspapers because हरियाणा और पंजाब, आज भी एक है, एक ही रहेगा।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, please conclude.

DR. M.S. GILL: And, there are few thousand Hindus sitting in little towns in distress. आप उनको कोई राइट नहीं देते हैं, नागरिकता नहीं देते हैं। When our population is going up by so much, we get illegal migration of such large numbers. Can't you accommodate these few thousand of Hindus? I would request the Foreign Minister to please have a heart. Thank you.

श्री मोहम्मद अदीब (उत्तर प्रदेश): सर, आज जो यह बहस हो रही है, मैं पूरी शिद्दत के साथ यह कहना चाहता हूँ कि पाकिस्तान में माइनॉरटी के साथ जो जुल्म हो रहा है, उसको यह हाऊस पूरी कुव्वत के साथ कंडेम करे और मैं उसमें शरीक होऊँ। इसलिए शरीक होऊँ कि वह मुल्क इंसानी कदरें भूल चुका है, वह मुल्क एक दीवारों का मुल्क बन गया है। अफसोस यह है कि हम उसको हिन्दू-मुस्लिम मसले पर लेकर जा रहे हैं। हकीकत यह है कि वहां इंसानियत नाम की चीज रह ही नहीं गई है। उस मुल्क की बुनियाद ही ऐसी पड़ी, जब इस मुल्क में गांधी जी ने यह कहा कि जम्हूरियत होगी, सेक्युलरिज्म होगा और जमीनें बंटेंगी, तो उस समय राजा-महाराजाओं और पैसे वाले लोगों ने कहा कि यहां पर यह ऐसे नहीं होने पाएगा। उसी समय सावरकर का ऐलान आया कि दो नेशन थ्योरी चलेगी और जिन्ना ने उसको सेकंड कर दिया। उस वक्त मजहब के नाम पर जो यह बुनियाद पड़ी, उसको आज हमें भुला देना चाहिए, इसलिए कि वह एक गलती हुई थी, उसका मुजरिम कोई भी रहा हो, मजलूम हम हैं। हमारे पास ऑप्शन था कि हम पाकिस्तान जाते, लेकिन हम नहीं गए, गांधी के मुल्क को अपनाया। आज बड़े फख्र से कहते हैं कि हमने सही फैसला किया था, हमने पाकिस्तान की तरफ निगाह उठाकर नहीं देखा था और पाकिस्तान जो मजहब के नाम पर बनाया गया, दुनिया की तारीख है कि मजहब के नाम पर कोई मुल्क न जिन्दा रहता है और न ही चलता है।

आज के दौर में केवल दो मुल्क-इज़राइल और पाकिस्तान, मजहब के नाम पर चल रहे हैं और दोनों नहीं चल रहे हैं, सिर्फ जमीनी तौर पर दिखाई पड़ते हैं। मेरा अपने सभी साथियों से यह कहना है कि इस वक्त मजहब के नाम पर नहीं, बल्कि इंसानियत के नाम पर हुक्मते हिंद को चाहिए कि वह उसमें इंटरवीन करे और यह कहे कि बंगाल की नाइंसाफी

ہم بارداشت نہیں کریں گے۔ مجھے تکلیف ہوئی جب پونجی جی نے یہ کہا کہ وہاں کے ہندوؤں کو آنے دو۔ میرے بھائی، آپ کہتے ہیں کہ انسانیت کا تہاگہ ہے، ان سب مہملوں کے لیے دروازے کھول دو، جو آنا چاہتے ہیں، پھر دیکھو کہ اس ملک میں کتنے لوگ رہ جائیں گے؟ اگر ہم نے دروازے کھول کر رکھے، تو وہ ملک ختم ہو جائے گا، لیکن آج بھی ہم ہندو اور مسلمان پر بات کرتے رہے، تو انکو مہلے ملیں گے۔ لہذا جی یہ کہتے تھے کہ فڈریشن بنے۔ میں یہ کہتا ہوں کہ اگر فڈریشن نہیں بن سکتی، تو ہمارے فڈریشن مینسٹر کو یہ چاہیے کہ آس-پاس کے کتنے ملک ہیں، ان سبکا اک فڈریشن اس لیے بناؤں، تاکہ اکللیتوں کے ساتھ انساف ہو تہا اس میں ہندوستان بھی شریک ہو۔ وہ لوگ، جنکو آج بہت تکلیف ہے، میں ان سے کہنا چاہتا ہوں کہ کبھی-کبھی ہماری طرف بھی دیکھ لیا کیجیے اور وہاں پھر سے گجرات نہ کیجیے گا۔ اسے نہ کیجیے کہ ہمیں بھی کوی مہلے ملیں۔

ہم پھر فخر سے کہیں گے کہ سارے جہاں سے اچھا، ہندوستان ہمارا۔ ہمکو فخر ہے اور آج سرف یہ رےولوشن نہ پاس ہو، بلکہ مینسٹر سارہ کوی نہ کوی اسے فاسلا کریں، جس سے کتنے بھی لوگ وہاں پیڈت ہیں، اسی طرح سے رہیں، جسے ہم وہاں رہتے ہیں۔ ابھی گیل سارہ نے یہ بات کہی کہ یہ حقیقت ہے کہ ابھی وہاں کچھ اچھے لوگ بھی ہیں، ان کے سہنے میں بھی درد اٹتا ہے، انکو بھی اہساس ہوتا ہے کہ وہ لوگ جلم کر رہے ہیں۔ ان کے ساتھ کوی راتے بناؤں اور اسے کوشش کریں کہ جسے وہاں پر بڑا سکولر ہندو تہا ہماری ہفاکت کرتا ہے، ان لوگوں کو بھی ہم سمجھانے کی کوشش کریں کہ تم اپنے بھائیوں کو، جو پیچھے رہ رہ گئے ہیں اور جو تم سے تاداد میں کم ہیں، انکو مہلے دو۔ میں چاہوں گا کہ یہ رےولوشن ضرور پاس ہو اور پاکستان کو تہیہ کیا جائے، کوی نہ کوی تریکا نکالا جائے کہ ہماری اکللیت وہاں بچ کر رہے، اسی طرح سے رہے جسے ہم وہاں اس ملک میں رہتے ہیں۔ شکریا۔

† جناب محمد ادیب (اتر پردیش): سر، آج جو یہ بحث ہو رہی ہے، میں پوری شدت کے ساتھ یہ کہنا چاہتا ہوں کہ پاکستان میں ماننا رتی کے ساتھ جو ظلم ہو رہا ہے، اس کو یہ باؤس پوری قوت کے ساتھ کٹم کرے اور میں اس میں شریک ہوں۔ اس لئے شریک ہوں کہ وہ ملک انسانی قدریں بھول چکا ہے، وہ ملک ایک دیواروں کا ملک بن گیا ہے۔ افسوس یہ ہے کہ ہم اس کو ہندو-مسلم مسئلے پر لے کر جا رہے ہیں۔ حقیقت یہ ہے کہ وہاں انسانیت نام کی چیز ہی نہیں رہ گئی ہے۔ اس ملک کی بنیاد ہی ایسی پڑی، جب اس ملک میں گاندھی جی نے یہ کہا کہ جمہوریت ہوگی، سیکولرزم ہوگا اور زمینیں بنتیں گی، تو اس وقت راجہ-مہاراجاؤں اور پیسے والے لوگوں نے کہا کہ یہاں پر یہ ایسے نہیں ہونے پائے گا۔ اسی وقت ساورکر کا یہ اعلان آیا کہ دو نیشن تھیوری چلے اور جناح نے اس کو سیکنڈ کر دیا۔ اس وقت مذہب کے نام پر جو یہ بنیاد پڑی، اس کو آج ہمیں بھلا دینا چاہئے، اس لئے کہ وہ ایک غلطی ہوئی تھی، اس کا مجرم کوئی بھی رہا ہو، مظلوم ہم ہیں۔ ہمارے پاس آپشن تھا کہ ہم پاکستان جاتے، لیکن ہم نہیں گئے، گاندھی کے ملک کو

† Transliteration in Urdu Script.

اپنایا۔ آج بڑے فخر سے کہتے ہیں کہ ہم نے صحیح فیصلہ کیا تھا، ہم نے پاکستان کی طرف نگاہ اٹھا کر نہیں دیکھا تھا اور پاکستان جو مذہب کے نام پر بنایا گیا، دنیا کی تاریخ ہے کہ مذہب کے نام پر کوئی ملک نہ زندہ رہتا ہے اور نہ ہی چلتا ہے۔

5-05

آج کے دور میں صرف دو ملک - اسرائیل اور پاکستان، مذہب کے نام پر چل رہے ہیں اور دونوں نہیں چل رہے ہیں، صرف زمینی طور پر دکھائی پڑتے ہیں۔ میرا اپنے ساتھی بھائیوں سے یہ کہنا ہے کہ اس وقت مذہب کے نام پر نہیں، بلکہ انسانیت کے نام پر حکومت بند کو چاہئے کہ وہ اس میں انٹروین کرے اور یہ کہے کہ بغل کی ناانصافی ہم برداشت نہیں کریں گے۔ مجھے تکلیف ہوئی جب پونج جی نے یہ کہا کہ وہاں کے ہندوؤں کو آنے دو۔ میرے بھائی، آپ کہتے ہیں کہ انسانیت کا تقاضہ ہے، ان سب مظلوموں کے لئے دروازے کھول دو، جو آنا چاہتے ہیں، پھر دیکھو کہ اس ملک میں کتنے لوگ رہ جائیں گے؟ اگر ہم نے اپنے دروازے کھول کر رکھے، تو وہ ملک ختم ہو جائے گا، لیکن آج بھی ہم ہندو اور مسلمان پر بات کرتے رہے، تو ان کو موقع ملیں گے۔ لوہیا جی یہ کہتے تھے کہ فیڈریشن بنے۔ میں یہ کہتا ہوں کہ اگر فیڈریشن نہیں بن سکتی، تو ہمارے فارن منسٹر کو یہ چاہئے کہ آس پاس کے جتنے ملک ہیں، ان سب کا ایک فیڈریشن اسلئے بنائیں، تاکہ اقلیتوں کے ساتھ انصاف ہو اور اس میں ہندوستان بھی شریک ہو۔ وہ لوگ، جن کو آج بہت تکلیف ہے، میں ان سے کہنا چاہتا ہوں کہ کبھی کبھی ہماری طرف بھی دیکھ لیا کیجئے اور یہاں پھر سے گجرات نہ کیجئے گا۔ ایسا نہ کیجئے کہ ہمیں بھی کوئی موقع ملے۔

ہم پھر فخر سے کہیں گے کہ سارے جہاں سے اچھا، ہندوستان ہمارا۔ ہم کو فخر ہے اور آج صرف یہ ریزولوشن نہ پاس ہو، بلکہ منسٹر صاحب کوئی نہ کوئی ایسا فیصلہ کریں، جس سے جتنے بھی لوگ وہاں پیڑت ہیں، اسی طرح سے رہیں،

جیسے ہم یہاں رہتے ہیں۔ ابھی کل صاحب نے یہ بات کہی کہ یہ حقیقت ہے کہ ابھی وہاں کچھ اچھے لوگ بھی ہیں، ان کے سینے میں بھی درد اٹھتا ہے، ان کو بھی احساس ہوتا ہے کہ وہ لوگ ظلم کر رہے ہیں۔ ہم ان کے ساتھ کوئی رابطے بنائیں اور ایسی کوشش کریں کہ جیسے یہاں ایک بڑا سیکولر ہندو طبقہ ہماری حفاظت کرتا ہے، ان لوگوں کو بھی ہم سمجھانے کی کوشش کریں کہ تم اپنے بھائیوں کو، جو پیچھے رہ گئے ہیں اور جو تم سے تعداد میں کم ہیں، ان کو موقع دو۔ میں چاہوں گا کہ یہ ریزولوشن ضرور پاس ہو اور پاکستان کو تنبیہ کیا جائے، کوئی نہ کوئی طریقہ نکالا جائے کہ ہماری اقلیت وہاں بچ کر رہے، جیسے ہم یہاں اس ملک میں رہتے ہیں۔ شکریہ۔

श्री ओम प्रकाश माथुर (राजस्थान): उपसभाध्यक्ष जी, मैं अपने पूर्व वक्ताओं के साथ अपने को सम्बद्ध करते हुए कुछ अलग बातें बताना चाहूंगा। मैं उस प्रदेश से आता हूँ, जिसकी सीमा हमारे पड़ोसी देश से लगी हुई है। अभी कुछ दिन पहले सीमा क्षेत्र के दौरे पर गया था। मेरा BSF के जवानों के साथ लगभग 40 किलोमीटर घूमना हुआ। दूसरी तरफ पाक (PAK) रेंजर्स की चौकियां थीं। एक तरफ हमारे BSF के जवान मुस्तैदी से monitoring कर रहे थे और दूसरी तरफ वे सारी चौकियां खाली पड़ी थीं। जब मैंने उनसे इसका कारण पूछा, तो मुझे बताया गया कि ये खाली दिखावे के लिए बनाई गई हैं। जब आंधी और धूल उड़ती है, तो बॉर्डर पर रहने वाले लोग, पाकिस्तान के लोग उसका फायदा उठाकर हमारी सीमा के अंदर आने की कोशिश करते हैं। इसलिए ये चौकियां खाली रहती हैं।

महोदय, मैं राजस्थान से आता हूँ और राजस्थान में आजकल वे लोग आए हैं जो या तो अनुसूचित जाति के हैं या अनुसूचित जनजाति में भील समुदाय के हैं। वे पिछड़ गए। आज वे यहां रह रहे हैं। उनके लिए कोई सुविधा नहीं है। मुझे याद है कि 2005 में इन लोगों को भारतीय नागरिकता दी गई थी, उसके बाद किसी को नागरिकता नहीं दी गई। 1990 के बाद 30,000 लोग सिर्फ राजस्थान में आकर बसे हैं, जिनमें से किसी का पति वहां छूट गया है, किसी की मां वहां छूट गई है, किसी का भाई वहां छूट गया है, यानी परिवार बिछड़ गया है।

वे किसी और काम के लिए आए थे, लेकिन न तो उनको जाने की सुविधा है, न यहां रहने की सुविधा है। मैं आपके माध्यम से विदेश मंत्री जी से यह निवेदन करना चाहूंगा कि आखिर वे आए हैं, तो क्या हम उनको शरणार्थी घोषित नहीं कर सकते? क्या कारण है कि आज इतने वर्षों के बाद भी हम उनको शरणार्थी की श्रेणी में नहीं ले रहे हैं? वे आज पाक नागरिक के नाते, illegal तरीके से यहां रह रहे हैं हिन्दुस्तान की पुलिस, हमारे यहां के सिपाही और हमारे यहां का कानून उनको तंग करता रहता है। न तो वे उधर जा सकते हैं, न इधर रह सकते हैं।

महोदय, जहां तक वहां के जुल्म का सवाल है, पूरे सदन ने अपनी भावनाएं आपके बीच में रखी हैं। मैं आपको बताना चाहता हूँ कि कुछ महीने पहले हमारी आस्था के केंद्र में

[श्री ओम प्रकाश माथुर]

क्या हुआ? मैं चाहता हूँ कि इस विषय को हिन्दू-मुस्लिम में न बांटा जाए। हमारे यहां अजमेर में जब उर्स का मेला लगता है, तब हर साल उसमें सैकड़ों जायरीन आते हैं और पूरी ताकत से वहां का प्रशासन, अजमेर के नागरिक उनका तहेदिल से स्वागत करते हैं, लेकिन दूसरी तरफ हमारी आस्था का केंद्र हिंगलाज माता मंदिर आप लोगों ने देखा होगा। कुछ दिन पहले वहां के मुख्य पुजारी का अपहरण हुआ और अपहरण के बाद कत्ल करके उसको फेंक दिया गया। महोदय, मैं आपको बताना चाहता हूँ कि बहुत बार हमारी बैठकें होती हैं—प्रधान मंत्री लेवल पर होती हैं, विदेश मंत्री लेवल पर होती हैं, अधिकारियों के लेवल पर होती हैं, पर क्या कभी इस बात की भी चर्चा होती है कि वहां अल्पसंख्यकों पर कैसे जुल्म ढाए जा रहे हैं? आज तक वहां **Minority Commission** नाम की कोई चीज़ नहीं है। अभी मेरे मित्रों ने बताया कि किस प्रकार से एक लड़की ने कोर्ट में आकर बयान दिया। वहां के **Human Rights Commission** ने माना कि हर महीने बीस से पच्चीस लड़कियों को ज़बरन उठाया जाता है। मैं यही जानना चाहता हूँ कि क्या सरकारी लेवल पर हम इन विषयों को नहीं उठा सकते? क्या हम कभी यह जानने का प्रयत्न नहीं करेंगे कि वहां अल्पसंख्यकों पर किस प्रकार का अत्याचार हो रहा है? मैं दलवाई साहब को धन्यवाद देना चाहता हूँ, जिन्होंने इस विषय को बड़ी गंभीरता से उठाया।

महोदय, मैं आपके माध्यम से सरकार से निवेदन करना चाहता हूँ कि हमें गर्व है कि 64 वर्षों में हमारे यहां प्रधान मंत्री के कार्यक्रम में अल्पसंख्यकों के लिए पंद्रह सूत्री कार्यक्रम की योजना है। क्या पाकिस्तान में भी ऐसी कोई योजना बनी? इनके लिए सरकारी तंत्र में कोई व्यवस्था हो, क्या इस प्रकार का कोई कार्यक्रम लागू हो सका? क्या वार्ता में इन चीज़ों को डाला जाता है? नहीं, वार्ताएं दूसरी बातों पर होंगी, किन्हीं और चीज़ों पर वार्ताएं होंगी और वहां का मनुष्य परेशान होता रहेगा।

उपसभाध्यक्ष महोदय, ये सारी बातें मैं इसलिए आपके ध्यान में लाना चाहता हूँ कि वहां से गरीब लोग आए हैं वहां बड़े-बड़े कलाकार हैं। जूती बनाने वाला वर्ग वहां जूती बनाता है और बहुत अच्छी तरह की जूती वे बनाते हैं। खाली वे ही नहीं, एस.सी./एस.टी. के लोग ही नहीं, बड़ी संख्या में मुस्लिम समुदाय के लोग भी आकर बैठे हैं, जो आज वापस जा नहीं पाते हैं। मैं आपके माध्यम से आदरणीय विदेश मंत्री जी से निवेदन करना चाहता हूँ...**(समय की घंटी)**...कि सरकार उन लोगों को शरणार्थी की श्रेणी में लाए, उनके लिए विशेष सुविधाएं मुहैया करे।

महोदय, अंत में मैं एक बात और कहना चाहता हूँ।...**(समय की घंटी)**...अंत में मैं अपनी भावना सदन के सामने रखना चाहता हूँ। महोदय, जब मैं जोधपुर जाता हूँ, बीकानेर जाता हूँ, जैसलमेर जाता हूँ, बाड़मेर जाता हूँ, तो सैकड़ों की संख्या में एक ही समुदाय के नहीं, मुस्लिम समुदाय के लोग भी आकर मिलते हैं, किसी का भाई छूट गया है, किसी की पत्नी छूट गई है और किसी की मां वहां छूट गई है। मैं आपके माध्यम से सरकार से यही कहना चाहता हूँ कि कम से कम वह उनको शरणार्थी की श्रेणी में लाए, ताकि उनको सुविधाएं मिलें, यहां रहने की जगह मिले और यहां की पुलिस उनको तंग न करे।...**(समय की घंटी)**...माननीय विदेश मंत्री जी, "अपनी जड़ों को उखड़ने का दर्द बहुत गहरा होता है।" इस वेदना को या तो डाल से टूटा पत्ता समझ सकता है या नीड़ से बेदखल कोई परिंदा ही समझ सकता है, इसलिए आपसे मेरी प्रार्थना है कि उनको आप शरणार्थी की श्रेणी में लाएं। इसी के साथ मैं अपनी बात समाप्त करता हूँ, धन्यवाद।

श्री तरुण विजय (उत्तराखंड): उपसभाध्यक्ष महोदय, इस विषय पर मैं कई वर्षों से काम कर रहा हूँ और एक महीने से तैयारी कर रहा था। जो मेरा भाग्य पाकिस्तान के हिन्दुओं का है, वह भाग्य कई बार हमारे नसीब में आ जाता है। मैं केवल यह बताना चाहता हूँ कि पाकिस्तान में नफरत के कारण वहां के सभी अल्पसंख्यक बर्बरता का शिकार हो रहे हैं। अभी मैं पाकिस्तान गया था। जिस दिन हम वहां गए तो पेशावर में एक बस से 18 शिया बाहर निकालकर गोली से भून दिए गए। वहां के नोबल पुरस्कार विजेता अब्दुल सलाम को नमाजे-जनाज़ा के लिए कोई मौलवी नहीं मिला क्योंकि वे एक अहमदी थे। मैं केवल वहां के जो बहादुर *columnist*, लेखक, पत्रकारों के बारे में कहना चाहता हूँ, जिनमें मारवी सरमद और मारियाना बाबर जैसे लोग हैं, जो सबसे पहले वहां अल्पसंख्यकों और खास करके हिन्दुओं पर जो अत्याचार होते हैं, उनके बारे में बोलते हैं। वहां का जिन्ना इंस्टीट्यूट है, उसकी हिन्दुओं के बारे में एक रिपोर्ट है, जिसका प्रारम्भिक पृष्ठ कहता है: “Our temples are being vandalized and women being raped. Atrocities against us are increasing day-by-day. We won’t get permanent jobs unless we convert to Islam. In Pakistan, we are subject to persecution and have to live our daily lives in fear.” This is the first space which is quoting a Hindu from Umerkot, Sindh. It is quoted by Jinnah Institute. महोदय, वहां पर जो हिन्दू महिलाएं हैं, वे न बाजार में और न ही घरों में बिन्दी लगा सकती हैं, न मंगलसूत्र पहन सकती हैं। मैं कराची, लाहौर, तक्षशिला, बलूचिस्तान में हिंदोल, लासबेला, मिठी, लाहौर—सब जगह जाकर आया हूँ। अभी जब मैं मीरा कुमार जी के साथ पाकिस्तान गया था तो विदेश मंत्रालय से कहा कि उस यात्रा में मुझे एक मंदिर में ले चलिए। वे 6 दिन में मुझे एक मंदिर तक नहीं दिखा सके। वहां पर अधिकांश जो प्लेज़ और सीडीज़ मिलती हैं, उनमें हिन्दुओं को कार्टून विदूषक और घटिया दर्जे का एक करेक्टर बताया जाता है। हिन्दू महिलाओं के नाम पर वहां पर आक्षेप करने वाली फिल्में और सीडीज़ मिलती हैं। मेरे पास पचास ऐसी सीडीज़ प्रमाण के रूप में हैं। वहां पर महिलाएं अपने घरों में भी, आप उनकी शादी की एलबम देखिए, मंगलसूत्र, टीका और सिंदूर तक लगाने से डरती हैं। 80 परसेंट अत्याचार वहां पर शेडयूल्ड कास्ट हिन्दुओं पर होते हैं। वहां के सेंसस पर हिन्दुओं को अलग दिखाया जाता है तथा शेडयूल्ड कास्ट के लोगों को हिन्दुओं में शामिल नहीं किया जाता, एक अलग खाने में उनकी गणना की जाती है। इसी ह्यूमेन राइट में एक रूप चंद भील का है, जिसे उसके मुस्लिम लैंड ने “First, he was buried in the ground up to the waist and gashed on different parts of the torso with a sharp-edged object. Then he was pulled out, and an attempt was made to burn him to death.” उसे ज़िंदा जला दिया गया। इसी प्रकार आसिया बीबी का मामला है, ईद के मौके पर पिछले साल उन्होंने घोषित किया कि हम बकरे नहीं हलाल कर रहे। तीन सगे हिन्दू भाई थे, तीनों डॉक्टर थे। उन तीनों डॉक्टर भाइयों को शिकारपुर में गोली से उड़ा दिया गया, लेकिन अभी तक कोई पकड़ा नहीं गया। राम सिंह सोढा, वहां से एमएनए थे, उनको परिवार सहित घर छोड़ना पड़ा।...*(व्यवधान)*..

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): तीन मिनट हो गए हैं।...*(व्यवधान)*..

श्री तरुण विजय: परसों 13 साल की सिमरन बलूचिस्तान से अपहृत कर ली गयी और उससे जबर्दस्ती इस्लाम कबूलवाया गया।

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Please see the display board, *(Interruptions)* Mr. Tarun Vijay, please sit down.

श्री तरुण विजय: 82 साल के लखमीचंद, वहां के महंत, उनको वहां से उपहृत कर दिया गया।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): आप डिसप्ले बोर्ड देखिए।

श्री तरुण विजय: उनका गुनाह सिर्फ इतना है कि वे हिन्दू हैं। ये सब पाकिस्तान के अखबार हैं और ये यही बताते हैं कि..*(समय की घंटी)*..इस बारे में भारत सरकार और भारत की आवाज़ उठानी चाहिए और वहां पर जो अच्छे columnists हैं, उनको हमें रिपोर्ट करना चाहिए क्योंकि वे हिम्मत के साथ वहां के अल्पसंख्यकों की आवाज़ को उठा रहे हैं। धन्यवाद।

श्री नरेश अग्रवाल: उपसभाध्यक्ष महोदय, हमने शुरू में कहा था कि अगर प्रधान मंत्री जी जबाव दें, तो अच्छा होगा।...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, no. Please. No, no. Please.

श्री नरेश अग्रवाल: प्रधान मंत्री जी इसका जबाव कल दे सकते हैं, क्योंकि यह गंभीर प्रश्न है।...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Let him reply. आप बोलिए।
..*(व्यवधान)*..

श्री विनय कटियार: वहां दलित मारे जा रहे हैं और सरकार सो रही है। ..*(व्यवधान)*..
सरकार सो रही हैं।...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, please. Let him reply. Let him reply...*(Interruptions)*...आप बोलिए।...*(व्यवधान)*...

श्री विनय कटियार: सर, यह सरकार सो रही है।...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, no. Please, let him reply. You raised a very important issue. Don't you want a reply on that?
...*(Interruptions)*...

श्री विनय कटियार: सर, मैं आपका सम्मान करता हूँ।...*(व्यवधान)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, please. I don't agree. The Minister has started his reply. I don't allow...*(Interruptions)*...

श्री विनय कटियार: सर, मैं कहना चाहता हूँ कि जब इस पर रिप्लाय हो, तो प्रधान मंत्री जी उपस्थित होने चाहिए।...*(व्यवधान)*..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Vinay Katiyar, what is this? I don't like this...*(Interruptions)*...No, please. You raised a very important subject. The Minister is on his legs to reply...*(Interruptions)*...Mr. Ravi Shankar Prasad, please control him.

SHRI RAVI SHANKAR PRASAD: Sir, the hon. Minister can certainly reply. But, Sir, it is a case for intervention by the hon. Prime Minister. It is certainly called for his intervention. ..(*Interruptions*)..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, no. That is up to the Prime Minister...(*Interruptions*)...Your point is recorded. Your view is recorded. That is okay.

श्री रवि शंकर प्रसाद: सर, प्रधान मंत्री जी भी उपस्थित होते तो अच्छा रहता।
...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You please sit down But, you cannot insist for that. Please, it is up to the Government.

श्री तरुण विजय: सर, रिन्कल कुमारी का अपहरण करके उसका जबरदस्ती धर्मांतरण कराकर निकाह करा दिया गया।...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Tarun Vijay, this is very unkind.

श्री तरुण विजय: उसका न सुप्रीम कोर्ट ने साथ दिया, न पुलिस ने दिया। मैंने कल रात ही उसके रिश्तेदारों को कराची में फोन करके पूछा, उसकी हालत बहुत खराब है।
...(व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Tarun Vijay, please sit down...(*Interruptions*)...No, no. Whatever the Minister says will go on record.

श्री तरुण विजय: *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is not going on record. Only what the Minister says will go on record.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): Hon. Vice-Chairman, Sir, I have listened, though brief, but very moving speeches by all the hon. Members who have participated in this debate which is, indeed, sensitive and it is of paramount concern to every Indian. Hence, I treat this debate with the utmost respect. And I certainly will try to spell out the Government of India's position first, in general terms, and then take up a couple of particular issues which have been pointedly raised by hon. Members who have put in lots of their own time and studies into this question.

Well, there is an imperative need for India and Pakistan to live as good neighbours. That is possible only when Pakistan subscribes to the concept of 'good

* Not recorded.

[Shri S. M. Krishna]

neighbourly relationship.' In an earlier debate on this question of India and Pakistan, the hon. Prime Minister has made it abundantly clear that for a clap it needs two hands and there is nothing like a one-handed clap. And, we look forward for Pakistan's cooperation in solving a number of bilateral issues. Those issues have been bugging us, not from yesterday or the day before yesterday, but since the two nations—India and Pakistan—came into being and we have not been able to solve every problem. But, from the Indian side the effort has always been to make an earnest move in trying to come to an agreement which is going to be beneficial to both for India and for Pakistan.

We have, consistently, conveyed to Pakistan that for peace, progress and prosperity in our two countries, in the region and in the extended region of our neighbourhood, it is imperative for Pakistan to fulfill its solemn commitment of not allowing its territory to be controlled or to be used for fomenting terrorism against India.

In the last few years, it has come to our notice, and we have brought it to the notice of Pakistan, that forces which are hostile, which, at times, are inimically disposed towards India, are going scot-free in Pakistan and carrying on a hate-India-campaign. We have conveyed to Pakistan that this is not going to help in bettering India-Pakistan relations.

With reference to the issue of treatment of minorities in Pakistan, I might inform this august House that the Government has, from time to time, come across reports on the problems faced by members of minority communities in Pakistan. Incidents of persecution, intimidation, conversion of minority communities, have also been reported.

Recently, in separate incidents, three Hindu girls in Sindh province, after being forcibly converted to Islam, were married against their will to Muslim men. This issue is a matter of grave concern to the Government, to the people of India and to this august House.

Hon. Members, cutting across Party-lines, have given expression to their grave doubts, their concerns about the plight of minorities. Then, you have heard Dr. Gill, who did make a moving speech. We would certainly take note of such sentiments which have come across from all over.

SHRI RAVI SHANKAR PRASAD: Just a minute, Sir, if you permit me. Sir, you have, very rightly, mentioned about these three girls being submitted to forcible

conversion and marriage. We appreciate your frankness in sharing the concern expressed by Members. Now, as the Government of India has taken a position with regard to the Tamil minority in Sri Lanka by conveying its concern to the Government of Sri Lanka, does the Government of India propose to convey its strong concern and disapproval to the Government of Pakistan? We would like to know that from you, Sir.

SHRI S. M. KRISHNA: We certainly will. Well, I am myself going to Pakistan. It is on the cards. I would be expressing the sentiments of this august House. I would certainly convey it to my counterpart. So, this august House need not have any doubts about it.

SHRI NARESH AGRAWAL: Can you convey the message to Pakistan that if they cannot protect the interests of the minorities there, we will have no relations with them, whatsoever?

SHRI S.M. KRISHNA: Well, how we express our concern is a matter to be decided by the Government which is in power. When you come here, then, perhaps, you can pursue that line. (*Interruptions*)

Actually, and factually, on the 8th of May, we have conveyed to the Pak High Commission, to one of the senior functionaries, about our concerns about that incident which I mentioned.

In the past, we have also seen reports of kidnapping and killing of members of the minority communities and desecration and encroachment of their places of religious worship in Pakistan. A number of Members did raise this point about safeguarding the places of religious worship.

It is the responsibility of the Government of Pakistan to discharge its Constitutional obligations towards its citizens including those from the minority community. I have a copy of the Shimla Agreement here. While the Shimla Agreement of 1972 between India and Pakistan specifically provides for non-interference in each other's internal affairs, nevertheless, based on reports of persecution of minority groups in Pakistan, the Government has taken up the matter with the Government of Pakistan in the past. The Government of Pakistan stated that it was fully cognizant of the situation and they have conveyed their assurance that the welfare of all sections, all citizens, particularly the minority community is their concern .

I also wish to inform the august House that according to a Government of Pakistan press release, President of Pakistan has taken a serious note of the reports

[Shri S. M. Krishna]

of kidnapping of a Hindu girl from Mirpur Mathello, Ghotki district in Sindh and allegedly being forced by some influential people of the area to convert and called for a report from the Provincial Government of Sindh. The President of Pakistan also has called for transparent and expeditious investigations in the matter and to take action in accordance with the law, regardless of the influence and status of anyone involved in criminal activity. Several Members of Parliament, NGOs and civil society in Pakistan itself have also expressed grave concern on the incident and called for implementation of laws to protect the rights of the minority community in that country.

In November, 2011, on the killing of three Hindu doctors in Sindh, which was referred to by some of the hon. Members, the President of Pakistan has called for a report on the incident and directed immediate arrest of the people responsible for the killing. He had also said that it was the moral and legal responsibility of the Government to protect members of the minority community against vandalism and atrocities.

In August, 2011, while speaking on the occasion of the 'Minorities Day' in Pakistan, Prime Minister Yusuf Raza Gilani said, "Unfortunately, some extremist elements with a view to advancing their own narrow and bigoted agendas have targeted the minorities. The Government, however, stands fully committed to foil the designs of these extremist elements. The perpetrators of the crime against the minority community anywhere in Pakistan must be brought to justice and they will be." This is what Prime Minister Gilani has said. (*Interruptions*)

श्री तरुण विजय: लेकिन सर, जो मुख्य अपराधी है, मिया मिर्झा, वह तो मि. गिलानी हैं।

SHRI S.M. KRISHNA: While it is our hope that the Government of Pakistan will discharge its Constitutional duties towards the minority communities, in view of the purely humanitarian nature of this issue, we appeal to the people and Government of Pakistan to take all possible steps to protect the Constitutional rights of their minorities by ensuring their safety, security and well-being.

Mr. Vice-Chairman, Sir, some specific issues have been raised and I would try to answer them.

Sir, my distinguished friend, Shri Balbir Punj, did make a reference to certain Pakistani Hindu families, who came here, and they are staying in this country without any validity, even after the expiry of the visa. The hon. Member wanted to know whether the Government of India would provide them with citizenship. It has come to our notice that some Pakistani nationals belonging to minority communities in Pakistan, mainly Hindus and Sikhs, who come to India on Groups Pilgrim Visa

have not gone back to Pakistan on the grounds of religious persecution in Pakistan. Representations have been received, requesting for allowing extension of visas of such Pakistani nationals, and also for permitting them to apply for long-term visas. Grant of citizenship to foreign nationals is done as per the provisions of the Citizenship Act of 1955, depending on the number of years spent in India or on other factors, like marriage to an Indian national, foreigner being of Indian origin, etc. Section 5(1)(A) to (G) govern the process of citizenship by registration. So, if they want to apply for citizenship, then, they will have to go through this process, which has been prescribed by the Act of Parliament.

SHRI BALBIR PUNJ: Mr. Vice-Chairman, Sir,...

SHRI S.M. KRISHNA: Let me finish. Dr. Gill did talk about his own experience. Well, the rights and wrongs of the 40s' cannot be either way decided in the 21st century. Hence, we will have to take a lesson out of that experience, and, then, guide the destiny of this country. The question is about liberalisation of visa. The Revised Bilateral Visa Agreement is to be signed during the forthcoming Home Secretary level talks later this month. This will facilitate and liberalize travel between the two countries. Some of the salient features are: entries in number of cities to be visited by them; senior citizens and children visas on arrival; introduction of group tourist visa; introduction of business visas. Bilateral protocol on visit to religious shrines are being revised.

Sir, my distinguished friend, Shri Husain Dalwai, did also talk about the visa. On the issue of facilitation of visas, granting of long-term visas, and citizenship, I have already answered that question. But I certainly will convey the sentiments of the House to the hon. Minister who deals with it.

Sir, as I said in the opening part of my reply to this Short Duration Discussion that this is a very sensitive issue, a very delicate issue, and, especially when we are dealing with a country with which we have to live in harmony, with which we have to live with good standing and cordial relationship, we will have to be very cautious. Government, at least, will have to be very cautious in its approach to this problem.

But this much I can convey to this august House that we, as a Government, have understood the sense of the House, we have understood the concerns, we have understood your anguish and we have understood the agony with which all of you spoke, and especially those hon. Members who came from Punjab, from Haryana and from Northern parts of India and we respect those sentiments. We can only hope that Pakistan will see the path of reason and then continue to help us in bettering our relationship....(*Interruptions*)...

SHRI BALBIR PUNJ: I agree with the hon. Foreign Minister that he has taken cognizance of the sense of the House. Sir, there are two things. Number one, the people who seek visas, the minority people, the people belonging to the minority class, you cannot apply your usual bureaucratic procedures. You have to be liberal to them. Number two, Sir, when they come here and seek refuge, we have a historical responsibility towards them and granting them citizenship should not be caught up in the usual red tape. I think India will have to go an extra mile in offering comfort to those people who have escaped religious persecution. The bilateral ties are not involved in it, Sir, because when we offer something to people who have come and sought refuge in our country, then Pakistan is not...(*Interruptions*)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Yes, that is all. ...(*Interruptions*)... You have made your point.

SHRI BALBIR PUNJ: Sir, you are going to Pakistan, I will bring one thing to your notice, one thing. You talked about desecration of religious places. There is a restaurant called Cuckoo Nest in the heart of Lahore City, it is just behind the Red Fort there. This is a four-storied structure and, Sir, each floor of that restaurant has broken, disfigured statues of Hindu gods and goddesses, of the Jain Tirthankars and Mahatma Buddha. All the floors are occupied and decorated by disfigured, broken statues of the Hindu gods and goddesses. I have written to the then Prime Minister, Choudhury Sujat Hussain,—he was a Prime Minister for a while—and I got a telephone call from him. (*Time-bell rings*) just give me one second. Sir. I did not get any written reply, I did get a telephone call saying that this will be remedied but my report is that still the statues of the Hindu gods and goddesses, Jain Tirthankars and Mahatma Buddha are lying like this. It is very insulting and hurting. If you are going to Pakistan, you can take up this with the Government of Pakistan. The least they can do is to ask the owner to remove those statues, Sir, which have been vandalised. Thank you, Sir.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You have made your point. Mr. Minister, would you like to react?

SHRI S.M. KRISHNA: When I take up this issue of protection and safety of the minorities and their rights and the obligations, which is incumbent on the Government of Pakistan, I certainly can take up this question.

SHRI BALBIR PUNJ: Thank you, Sir.

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 in its meeting held on the 17th

May, 2012, has allotted time for Government Legislative Business, as follows: :

Business	Time Allotted
1. Consideration and passing of the following Bills:	
(a) The Tamil Nadu Legislative Council (Repeal) Bill, 2012	One hour
(b) The Anand Marriage (Amendment) Bill, 2012	Half-an-hour
2. Further consideration and passing of the Copyright (Amendment) Bill, 2010	Two Hours.

(THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair)

GOVERNMENT BILL

The Copyright (Amendment) Bill, 2010

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT AND THE MINISTER OF COMMUNICATION AND INFORMATION TECHNOLOGY (SHRI KAPIL SIBAL): Sir, I move:

That the Bill further to amend the Copyright Act, 1957, be taken into consideration.

Sir, we are in the midst of a new era, which I call the digital era. In this new digital world, the nature of rights of various stakeholders need to be looked at afresh. As technology moves forward and new innovations give scope to accessing entertainment to ordinary people in this country through the digital world, we need to understand its complexity and to ensure that key stakeholders are protected and are conferred with rights, so that they could benefit from the new technologies in this new era. It is in this larger context that I am moving this Bill for the consideration of this House. A time comes in the life of a legislation that we need to move away from the past and embrace the future. We have been witnessing a situation in the past where certain stakeholders have had access to rights and other stakeholders, who are the creators of intellectual property, have been denied that access. We are in an era where the visually impaired can now use technologies to empower themselves. We are in an era where the resolution of disputes between key stakeholders must be addressed and a permanent mechanism be created for the resolution of those disputes. We are in an era where international conventions to which we are signatories, persuade us to bring our laws consistent with international conventions. Sir, I would like to address this issue in seven parts because I would not like to take the time of this House dealing with individual sections. There are seven broad areas which are reflected in these amendments; that need to be addressed. Number one, protecting rights of authors and music composers who are

[Shri Kapil Sibal]

the real creators of intellectual property. Number two, enabling rights conferred upon the visually impaired. Number three, extending the compulsory licence regime to unpublished works other than orphaned works. Number four, having a new regime of statutory licences in respect of cover version recordings and a statutory licence for broadcasters. Number five, bringing the law in harmony with WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty that our Copyright Act provisions are consistent with those treaties, to enlarge the rights of performers. Number six, impose certain exceptions and limitations wherein we stipulate that certain Acts will not be deemed to be infringement of the copyright laws. Number seven, prescribe some punitive action for those who still seek to infringe the Copyright law through new technologies.

These, Sir, are the seven broad areas which are dealt with in these amendments, and I would like to address each of these areas succinctly for the consideration of this House.

The first, Sir, is related to the protection of authors and music composers. Sir, as you know, the regime that has existed in the past has been that the real creator who creates that intellectual property like the wonderful artist who played the Santoor the other day in the Central Hall, Pandit Shiv Kumar Sharma, then Shubaji who enthralled us with her music and her vocal performance, get no share of the profits made by music companies. These are the people who are the real creators and who form the backbone of the artistic world. They are creators on which the business community draws from their creativity to take the entertainment industry forward.

In the past what has happened is that those who have money power have sought the assignments of the creators intellectual property unconditionally to themselves and, then, use those assignments for the purposes of exploiting their works, not just in cinema, but through other media, the result of which has been that the artist who is the creator of intellectual property gets no share of the profits. That has been the legacy of this industry in the past. We want to correct that legacy. We want to ensure that the author, the music composer and the artist have equal share in the profits that the assignee makes through other media, and it is in that context that we have amended Section 17 of the Act, wherein, we say the following. The proviso in that Section reads: 'Provided further that in the case of any work incorporated in a cinematograph work nothing contained in clauses (b) and (c) shall affect the right of the author in the work referred to in clause (a) of sub-section (1) of Section 13.' So, the right of the author is preserved. The right of the author is

protected. Similarly, in Section 18, which deals with assignments, we have added another proviso which states: 'Provided also that the author of the literary or musical work included in a cinematograph film shall not assign or waive the right to receive royalties to be shared on an equal basis with the assignee of copyright for the utilization of such work in any form other than for the communication to the public of the work along with the cinematograph film in a cinema hall, except to the legal heirs of the authors or to a copyright society for collection and distribution and any agreement contrary to that shall be void.' What is the purpose of this? The purpose of this is that in the past, these rights used to be assigned. The author had no share in the exploitation of that work through another medium, and now we are ensuring that the author has equal share in the distribution of the profits made by the assignee through another medium. The same is being protected with respect to the literary or musical works included in a sound recording. So, the author is being protected and the music composer is being protected so that they have equal share in the profits that will be earned through other media. We have also decided to determine the mode of assignment which is reflected in Section 19 which states. "No assignment of copyright in any work to make a cinematograph film shall affect the right of the author of the work to claim an equal share of royalties and consideration payable in case of utilization of the work in any form other than for the communication to the public of the work, along with the cinematograph film in a cinema hall."

The same applies to sound recordings, the idea being, you can have the work assigned, but you cannot have the royalties assigned. You can use that work through other media, but there can be no assignment of royalty. So, the author and the music composer would share royalty with the producer, the assignee, in equal terms. That is really the concept behind these amendments, protecting the right of the author and the music composer. We have had to, therefore, amend clauses in The Copyright Act in respect of copyright societies, wherein we are ensuring equal representation of both authors and composers and owners of rights in copyright societies so that the member of the copyright society are not limited only to producers. There is equal representation of the creators of copyright as well as those who exploit the copyright. Therefore, we have made amendments in Section 33 to that effect, I will quickly refer to it. We have added a proviso to section 33: "Provided further that the business of issuing or granting licence in respect of literary, dramatic, musical and artistic works incorporated in a cinematograph film or a sound recording shall be carried out only through a copyright society duly registered under this Act; provided also that the registration granted to a copyright society under sub-Section 3 shall be for a period of five years and may be renewed

[Shri Kapil Sibal]

from time to time before the end of every five years; provided further that the renewal of the registration of a copyright society”—and this is important—“shall be subject to the continued collective control of the copyright society being shared with the authors of works in their capacity as owners of copyright or of the right to receive royalty.”

So, the authors are now sharing the ownership of the copyright. They are equal partners in this enterprise; the share it equally. Therefore, the copyright societies which collect royalties, collect the monies, will share those monies equally with the authors. That is the amendment that was required under The Copyright Act. That we have done so that the authors and other owners are also equally represented in these societies.

We wanted, actually, to give this right also to the principal Director. So, remember, there may be many elements in this—the music composer, the author, the photographer, the choreographer, who have contributed to the Industry, who are also creators.

SHRIMATI JAYA BACHCHAN (Uttar Pradesh): And the actors!

SHRI KAPIL SIBAL: And the actors, and, of course, the Director. Director has an enormous role to play in the making of a film. In fact, he is, according to me, perhaps, the principal creator. I very much wanted that the principal Director should actually share in the profits. But, unfortunately, there was a feeling in the Standing Committee that the time was not right for the Indian Industry to give that equal share to the Director his due share. I bowed to the wisdom of the Standing Committee. Therefore, we are dropping that particular amendment that I had proposed which was intended to give rights to the principal Director as well. We also had to amend Section 2 to ensure that this right is not given to the principal Director; we have had to amend section 17 and Section 26 so that the principle Directors have no share in the profits. This is the first issue that I wanted to place before the hon. Members of this House.

The second relates to the visually impaired. I think new technologies are now out there for the visually impaired to access, to empower themselves, to educate themselves, to participate and, to contribute to society and, therefore, we had to confer those rights under Section 52(1)(zb). I will indicate to you what those rights are. We are now saying that the adaptation, reproduction issue of copies of communication to the public, of any work in any accessible format by any person to facilitate persons with disability access to works including sharing with any person with disability of such accessible format for private or personal use, educational

6.00 P.M.

purposes, or research or any organization working for the persons with a disability, in case of the normal format prevents the enjoyment of such works by such persons.

Provided that copies of the works in such accessible format are made available to the persons with disabilities on a non-profit basis but to recover only the cost of production: Provided further that the organization shall ensure that the copies of works in such accessible format are used only by persons with disabilities and takes reasonable steps to prevent its entry into ordinary channels of business.” We are protecting the visually impaired and conferring upon them the right to access in any format of technology for their empowerment. No fee, no royalty, nothing can be charged. Of course, if there are a set of persons which want to use this material and provide it to the visually impaired for profit. In that case, they will have to take a compulsory licence. Otherwise, the works can be used in any format, and this is reflected again in Section 31B. Section 31B states as follows: “Any person working for the benefit of persons with disability on a profit basis or for business may apply to the Copyright Board.” The Copyright Board is bound to grant them a licenced. Then, of course, this activity can be done for profit as well. That is the second issue that I wanted to place before the distinguished Members of this House. The third is, granting a compulsory licence under Section 31A. This is a new section. We are now, as I indicated in my opening intervention ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Hon. Minister, wait for a second. It is six o'clock. It is already decided by leaders that we would pass this Bill today. I have the consensus. I hope the House agrees to it. ...*(Interruptions)*...

श्री नरेश अग्रवाल (उत्तर प्रदेश): सर, बिल पेश हो गया है और छः बज रहा है,*(व्यवधान)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It was decided that it would be passed today. ...*(Interruptions)*...

श्री नरेश अग्रवाल: कल की भी तैयारी करनी है। उच्च सदन में वैसे भी पांच बजे के बाद काम वर्जित था। उच्च सदन यह सोचकर बना था कि यहां के मेम्बर्स को 5 बजे के बाद का समय रिलेक्स होने के लिए दिया जाएगा। तो मैं आपसे अनुरोध करूंगा कि इसको कल 12 बजे के बाद रखें या Mondsy को फर्स्ट आइटम रख लें, जिससे कि हम लोग अपने विचार रख सकें।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It was also decided in the Business Advisory Committee that it would be passed today. If everybody

cooperates and speaks for five minutes each, we can finish it in one hour. ...*(Interruptions)*...

SHRI NARESH AGRAWAL: It is not possible to finish it in one hour. ...*(Interruptions)*... आप बतला दीजिए कितने बजे क सदन चलेगा?

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We will take it up to 7.30. ...*(Interruptions)*... In half-an-hour ...*(Interruptions)*... We can postpone it with the consent of the House. ...*(Interruptions)*...

SHRI P. RAJEEVE (Kerala): Sir, the time allotted for discussion is two hours. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We will pass this Bill and adjourn. ...*(Interruptions)*... Don't try to change the decision already taken. ...*(Interruptions)*... Don't try to change the decision already taken. ...*(Interruptions)*... Mr. Rajeeve, please don't do this. ...*(Interruptions)*... Please, don't do this. ...*(Interruptions)*...

SHRI NARESH AGRAWAL: Two hours are allotted. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Two hours are there. ...*(Interruptions)*... Half-an-hour passed; it will be over by 7.30. ...*(Interruptions)*...

SHRI NARESH AGRAWAL: Sir, it is not possible. ...*(Interruptions)*... यह एक घंटे में खत्म नहीं होगा। How can you give this ruling? ...*(Interruptions)*... It is not possible. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is given two hours. ...*(Interruptions)*... It was decided. ...*(Interruptions)*... That is the ruling. ...*(Interruptions)*...

SHRI NARESH AGRAWAL: Two hours is excluding the Minister, not including. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Agrawalji, please. ...*(Interruptions)*... अग्रवाल जी, आप मेरे बड़े अच्छे दोस्त हैं, बैठिए।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) (Contd.): We took a decision earlier that we will pass it. Everybody is party to this decision. Please don't violate the gentlemen's agreement. But I request every hon. Member to be brief. *(Interruptions)* Please.

DR. V. MAITREYA (Tamil Nadu): Say tis to the hon. Minister. *(Interruptions)*

SHRI KAPIL SIBAL: I will finish in ten minutes. *(Interruptions)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please. (*Interruptions*) Mr. Minister, how many more minutes do you want? (*Interruptions*)

श्री कपिल सिब्बल: मैं बैठ जाता हूँ, आप बात कर लीजिए, कर लीजिए पास ..(*व्यवधान*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Hon. Minister, have you moved it? (*Interruptions*)

SHRI KAPIL SIBAL: I have moved it. (*Interruptions*) If the Members do not want to listen, I have to move it.

The question was proposed.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): During your reply, you can say the remaining things. (*Interruptions*) Please. Now, according to this list, the first speaker is Shri Ravi Shankar Prasad. Shri Javed Akhtar has also given a request. Akhtar Saheb, do you want to speak first or do you want to speak after him? (*Interruptions*)

SHRI JAVED AKHTAR (Nominated): He is my senior. (*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): He has agreed. आप बोलिए, वे सहमत हैं। Everybody wants to listen to you. सभी लोग अपनी स्पीच सुनना चाहते हैं। It is your maiden speech. बोलिए।

SHRI JAVED AKHTAR: Mr. Vice-Chairman, Sir, I must immediately declare that whatever I speak here will have something to do with this Bill under consideration, which has something to do with the music industry. I work for the music industry. My relationship with music is like a farmer's relationship with agriculture, or, a lawyer's relationship with judiciary. So, I hope, it will not be considered as any kind of conflict of interest.

दूसरी बात मैं यह कहना चाहता हूँ कि तीन बरस से यह स्पीच तैयार कर रहा था, मेरे पास बहुत नोट्स हैं और बहुत मैटीरियल है, लेकिन मैंने उसे फेंक दिया, इसलिए कि जब मैं यहा बैठा था और सुन रहा था, तो मुझे लगा कि कुछ और भी बातें हैं, शायद जो बात मैं कह रहा हूँ, उससे भी ज्यादा हैं। मैं एक writer हूँ एक lyrics हूँ, लेकिन इन तमाम चीजों से पहले मैं एक हिंदुस्तानी हूँ और जब मुझे मालूम होता है, यह तो 60-65 साल पहले की बात है कि लकीर पुंछ से खींची गई हैं, ये हिंदुस्तानी हैं, तो वहां trapped हैं। ये कौन लोग हैं? ये आज से 65 साल पहले तो हिंदुस्तानी ही थे। ये वहां घिरे हुए हैं। इनमें और अंगोला में जो हिंदुस्तानी हैं, उन दोनों में कोई फर्क नहीं है। हमारा फर्क है कि हम बहुत संजीदगी से इसके बारे में सोचें, लेकिन मुझे यहां जो बातें सुनने को मिलीं वे एक आदमी के बारे में, एक incident के बारे में सुनने को मिलीं। incident और आदमी बड़े मामूली होते हैं, पीछे होता है ज़हन, पीछे होती है ideology, पीछे होती है thinking, पीछे होता है

[Shri Javed Akhtar]

mindset. पाकिस्तान का mindest क्या है? आप किस मुल्क से मांग रहे हैं कि वह अपनी minority को सही तरीके से ट्रीट करे। जिस मुल्क की बुनियादों में ही नफरत डाली गई है, जो नफरत की वजह से बना है, आप उससे कह रहे हैं आप अपनी minority को ठीक से ट्रीट करिए। अगर वह अपनी minority के साथ सही सुलूक करे, अगर वह हर इंसान को इंसान समझे, अगर वह हर citizen को बराबर का citizen समझे, तो पाकिस्तान क्यों बनाया था?

मेरा एक शेर है—

मेरी बुनियादों में कोई टेढ़ थी,
अपनी दीवारों को क्या इल्जाम दू?

इसकी बुनियाद में टेढ़ है, आप इसकी दीवारों को सीधा करने के लिए कह रहे हैं, से कैसे सीधी होंगी? ये दीवारें तो टूटेंगी ही, और कुछ नहीं होने वाला। दीवार 1971 में टूटी थी, दीवार फिर टूटेगी। ये बड़ा politically correct statement है “We want a stable Pakistan”. मुझे तो politics में नहीं जाना है, न कोई पार्टी join करनी है, न मुझे किसी का वोट चाहिए। I do not want a stable Pakistan because it is not possible, it is beyond any possibility. जिस चीज पर वह बना है, वह stable हो ही नहीं सकती।

(उपसभाध्यक्ष (डा. ई.एम. सुदर्शन नाच्चीयप्पन) पीठासीन हुए)

आज बलूचिस्तान का जो चीफ है, BLA का जो चीफ है, दो बरस पहले उसने एक स्टेटमेंट दिया था, edict जारी किया था कि बलूचिस्तान में कोई भी हिंदू, कोई भी क्रिश्चियन, कोई भी पारसी is most welcome, लेकिन कोई भी पंजाबी मुसलमान और कोई उर्दू स्पीकिंग मुसलमान यानी मुहाजिर हम यहां accept नहीं करेंगे। That much for the religious identity. आप तो मुसलमान तब तक है, जब तक हिंदू हैं। जब हिंदू ही खत्म कर दिए, तो आप शिया हो गए, सुन्नी हो गए, पता नहीं क्या-क्या हो गए? पहले तो सब मुसलमान थे, जब पाकिस्तान बन रहा था। फिर अहमयित नहीं रहे, कादियानी नहीं रहे, अब कहते हैं कि शिया, मुसलमान नहीं हैं। दो रवैये हैं ज़िंदगी के, एक अपनाने के, दूसरा छोड़ने के। जब आदमी छोड़ने के रास्ते पर चलता है, तो छोड़ता ही चला जाता है। उसकी कोई हद नहीं है। उसकी कोई हद नहीं। यह शेर तो इन्हीं के मुल्क के एक बहुत बड़े शायर का है—

"तुम्हारी तहज़ीब अपने खंजर से आप ही खुदकुशी करे,
जिस शाखे नाजूक पर आशियाना बनेगा ना पायदार।"

जिस कमज़ोर डाली पर आशियाना बनाओगे, तो वह तो गिरने ही वाला है। कमज़ोर डाली है, मुल्क धर्म से नहीं बनता। हमारे मुल्क में भी लोगों को सीखना चाहिए कि मुल्क धर्म से बनाओगे, तो यह होगा। मुल्क बनाते हैं कल्चर से, मुहब्बत से, अपनाइयत से, तमाम चीज़ें एक-दूसरे से अलग हैं, लेकिन आप जुड़कर रहें, तब मुल्क बनता है। मैं फ़ख़ से कहता हूँ कि मुल्क का बाशिन्दा हूँ कि जिस मुल्क में मैं पच्चीस बार आर.एस.एस. के खिलाफ स्टेटमेंट दे चुका हूँ, लेकिन जब मुझे कॉपीराइट की जरूरत पड़ती है, तो मैं अरुण जेटली साहब के पास

जाता हूँ और वे मेरी बात सुनते हैं और कहते हैं कि मैं तुम्हारी मदद करूँगा। यह है हिन्दुस्तान यह है कि मैं आगरा गया और मैंने जब ताजमहल देखा, तो वहाँ जो पत्तियाँ बनी थीं, मैंने पूछा कि ये किन लोगों ने बनाई हैं? अब ऐसे लोग क्यों नहीं हैं? तो बोले आइए दिखा देते हैं। हमें ले गए, लड़के एक लाइन से बैठे हुए वही संगमरमर की पत्तियाँ बना रहे थे। मैंने पूछा तो बताया कि गुजरात में एक जैन मन्दिर बन रहा है। उनका नाम पूछा तो सब मुसलमान थे। ये है हिन्दुस्तान! ये क्या करेंगे? इन्हें क्या मालूम? ये कुएं के मेंढक हैं, ये वहीं रह जाएंगे। इनका कुछ नहीं होना है। मुझे दुख है, मैं खुशी से नहीं कह रहा हूँ। पाकिस्तान में बहुत अच्छे लोग थे। फैज़ अहमद फैज़ पाकिस्तान के थे और उनकी सोच के बहुत लोग वहाँ हैं, लेकिन वे **minority** में हैं, वे कमज़ोर हैं। उनकी कोई सुनने वाला नहीं है। वहाँ आम इंसान भी अच्छा है। वह हिन्दुस्तान की फिल्में देखना चाहता है, हिन्दुस्तान के गाने सुनना चाहता है, हिन्दुस्तान की इंडस्ट्री से **impressed** है, हिन्दुस्तान की **democracy** से **impressed** है, लेकिन वह कुछ नहीं कर सकता। जिन लोगों के हाथ में ताक़त है, जिन लोगों के हाथ में फौज है, जिन लोगों के पास जागीरदारियाँ हैं और जागीरदारी उन्होंने खत्म नहीं की, वह लूट बाकी है। जब एक समाज में लूट रहे हों, जहाँ **human right** न हो जहाँ **equality** नहीं हो, तो उसे कवर करने के लिए आपको एक **philosophy** चाहिए होती है और वह **philosophy** उन्होंने अपने मज़हब की अख़्तियार की, जिसके नीचे दरअसल **economic exploitation** है। जिसके नीचे इंसान पर जुल्म है, कभी इस बहाने, कभी उस बहाने। आपने एक **minority** का ज़िक्र किया, मैं जानता हूँ कि वहाँ ईसाई **minority** के साथ क्या हो रहा है? तो आप यह सोचें, ज़रूर आप यह स्टेटमेंट दे दीजिए कि आपके **Ambassador** जाएंगे, वे आएंगे, बात कर लेंगे। इतिहास का पहिया खुद चलता है। अगर **Ambassadors** फैसले करके दुनिया बदल सकते तो क्या बात थी। यह वक्त का पहिया है और वक्त का पहिया गलत स्ट्रक्चर को तोड़ता है, तो आप इंतज़ार कीजिए।

अब आइए वापस आते हैं, जिस मुसीबत में मैं हूँ और हमारे हजारों लोग हैं। सर, बड़े ज़माने से ये तकलीफें थीं, लेकिन शायद हिन्दुस्तान के कलाकार समझते थे कि बोलेंगे, तो सुनने वाला कौन है? लेकिन अब वक्त बदल रहा है, लोग बदल रहे हैं, हालात बदल रहे हैं। उम्मीद करता हूँ कि कानून भी बदलेगा और हिन्दुस्तान के कलाकारों की किस्मत भी बदलेगी। तो आज इस यक़ीन से उनके बारे में बोल रहा हूँ कि इस किनारे से उस किनारे तक इस सदन में जितने लोग हैं, वे मेरी बात पूरे ध्यान से सुन रहे हैं, पूरे दिल से सुन रहे हैं और अगर बात हिन्दुस्तान के संगीतकारों और गीतकारों की है, तो ऐसा ही होना चाहिए, इसलिए कि यह मुल्क, यह धरती गीतकारों और संगीतकारों की है। यह बात मैं इसलिए नहीं कह रहा हूँ कि सुनने में अच्छी लगती है, बल्कि यह बात मैं इसलिए कह रहा हूँ कि सच्ची है। दुनिया में कौन सा दूसरा मुल्क है, जहाँ एक मुल्क में **classical** परम्परा की दो **traditions** सैकड़ों साल पुरानी हैं—हिन्दुस्तानी और कर्णाटक। दुनिया में कौन सा ऐसा मुल्क है जहाँ लोक संगीत के इन्द्रधनुष में इतने रंग हों, जितने यहाँ हैं? कश्मीर से कन्याकुमारी तक जाकर देख लीजिए, महाराष्ट्र से मणिपुर तक जाकर देख लीजिए, क्या-क्या रंग हैं म्यूज़िक में? दुनिया में कौन सा ऐसा मुल्क है जहाँ पवित्र ग्रंथों में भी शायरों का नाम और काम मिलता है? हमारे गुरु ग्रन्थ साहिब, हमारे रामचरितमानस में “रघुकुल रीति सदा चलि आई, प्राण जाई पर वचन न जाई”—राजा दशरथ रानी कैकयी से यह महाकवि तुलसीदास के शब्दों में कहते हैं। दुनिया में कहाँ ऐसा मुल्क है, जहाँ जन्म से लेकर मरण तक कोई जगह नहीं, कोई पल नहीं, कोई क्षण नहीं, जिस पर सैकड़ों गीत न हों? वह एहसास की कोई मंज़िल हो, वह भावना की कोई रुत हो, वह ख्याल का कोई रंग हो, आपको सैकड़ों गीत मिल जाएंगे।

[Shri Javed Akhtar]

फिर हमारे फिल्मी गीत हैं, जो रिलीज़ होते हैं तो फिल्मी गीत हैं, लेकिन कुछ दिनों के बाद वे लोकगीत बन जाते हैं। वक्त की छलनी से सब कुछ बह जाता है—एक्टर का चेहरा, फिल्म का नाम—और वह अमर गीत रह जाता है जो आपके अतीत का, आपकी यादों का हिस्सा बन जाता है। आज आपके कानों में जब कोई पुराना गीत गुंजता है तो ऐसा लगता है जैसे लड़कपन के किसी दोस्त ने कंधे पर हाथ रख दिया हो और कह रहा हो, बैठो, कहां जा रहे हो, बात करो। यादों का मेला लग जाता है। यह गीत कहां सुना था, कब सुना था, किसके साथ सुना था और कभी-कभी यह भी याद आता है कि किसके लिए सुना था। हैरत होती है और हैरत से ज्यादा ग़म होता है कि जिस मुल्क में संगीत के और शायरी के इतने चिराग रोशन हों, उनके नीचे देखिए तो अंधेरा ही अंधेरा है। जिस अंधेरे में हिन्दुस्तान के राइटर्स और म्यूज़िशियंस की ज़िंदगी बरसों से लाचार और बेबस भटक रही है। लेकिन दिल में एक उम्मीद है कि एक दिन आएगा, जब हमारी सुनी जाएगी। एक दिन आएगा जब हमें इंसाफ मिलेगा, एक दिन आएगा। जब हमें हमारा अधिकार मिलेगा। “आएगा आने वाला” बहुत मशहूर गीत था। साठ साल से ज्यादा पुराना गीत है। यह गीत कम्पोज़ किया था, पंडित खेमचंद्र प्रकाश ने, जो अपने ज़माने के बहुत बड़े संगीत विद्वान थे। पिछले दिनों एक अजीब वाक्या हुआ। सर, जब एक गाना रिकॉर्ड होता है तो उसमें दो रॉयल्टीज़ जेनरेट होती हैं, एक साउंड रिकॉर्डिंग रॉयल्टी कहलाती है जो साउंड रिकॉर्डिंग का मालिक है, प्रोड्यूसर या म्यूज़िक कम्पनी, उसके लिए होती है और एक परफॉर्मिंग होती है जो राइटर और म्यूज़िशियन के लिए होती है। यहां पर भी यह कानून है—यह अभी नहीं आ रहा है, यह कानून पहले से है—और बाहर भी है। बाहर ज़रा थोड़ा सा अलग है, वहां सचमुच राइटर और म्यूज़िशियन को पैसा दे देते हैं। वहां पर कहीं 13-14 हजार रुपये खेमचंद्र प्रकाश जी के अकाउंट में इस गाने के लिए जमा हो गए। वह पैसा यहां भेजा गया। खेमचंद्र प्रकाश जी तो इस दुनिया में नहीं हैं। जब ढूंढ़ा गया तो उनकी पत्नी मलाड में स्टेशन पर भीख मांगती हुई मिल गयी। यह कोई बहुत हैरत की बात नहीं है, ऐसी बहुत सी कहानियां हैं। इसी तरह ओ.पी. नैयर साहब थे। मुझे याद है, मैं तब छोटा सा था तो एक फिल्म आयी थी—“मुजरिम”, जिसमें शम्मी कपूर और पद्मिनी हीरो-हीरोइन थे। उसके पोस्टर पर हीरो-हीरोइन की तस्वीर नहीं थी बल्कि हारमोनियम लिए ओ.पी. नैयर साहब खड़े थे—सुर के जादूगर, ओ.पी. नैयर। वे ओ.पी. नैयर मुम्बई के बाहर नाला सुपारा नाम की एक छोटी सी बस्ती है, वहां पर अपनी आखिरी उम्र में एक फैन के घर में छोटे से कमरे में रहे थे और होम्योपैथी के इलाज से उन्होंने अपनी ज़िंदगी गुज़ारी, जबकि उनके सैकड़ों गाने बजते रहे और उसकी रॉयल्टी म्यूज़िक कम्पनीज़ लेती रहीं। इसी तरह से मज़रुह, शैलेन्द्र, गुलाम मोहम्मद—आपको कितने नाम बताऊं, जिन लोगों ने क्या-क्या कान्फ़ीड किया है? शैलेन्द्र जैसा गीतगार क्या कभी फिर पैदा होगा? क्या बर्बाद ख़ती है? क्यों, क्या वजह है? अगर हमारे यहां भी रॉयल्टी का कानून है ..(व्यवधान).. इन शहीदों का बड़ी लम्बी लिस्ट है, किस-किस का नाम लें? “नाम किस-किस के गिनाऊ, तुझे याद आए।” इसकी क्या वजह है? इसके मुकाबले में दूसरी तरफ चलिए। 69-70 में बीटल्स की टीम टूट गयी थी। पिछले साल सिर्फ Paul McCartney को, जिसने अपनी ज़िंदगी में 27 गाने लिखे, 16 मिलियन डॉलर गाना लिखने की रॉयल्टी मिली है। Elton John, जिसने पांच साल से कोई रिकॉर्ड नहीं बनाया, पिछले साल उसे 22 मिलियन डॉलर्स रॉयल्टी मिली है।

हमारे यहां जो रॉयल्टी का सिस्टम है, हमारे यहां आईपीआरएस है, Indian Performance Rights Society है, आप ही की दुनिया से जमा भी की जाती है। यह कहां चली जाती है? आप इजाज़त दें तो मैं एक छोटा सा पैराग्राफ आपको पढ़कर सुनाता हूं। यह एक compulsory move है जो हर कॉन्ट्रैक्ट में, वह चाहे भारत रत्न पंडित रवि शंकर के लिए हो या दो ऑस्कर के विनर ए.आर. रहमान के लिए हो या मेरे जैसे मामूली आदमी या गुलज़ार के लिए हो, यह कंडीशन उसमें होती है। “The rights assigned, included but not restricted to the rights of mechanical, digital, reproduction, in any manner or format or media whether existing or future, publication, broadcasting, reproducing, hiring, granting, translation, adaption, synchronization, making and used in a cinematographic film, performing in public, publishing in any other way, whole or part of the literary work, the rights to grant the mechanical and reproduction, publication, sound and television, broadcasting, transmission over the airways, electronically or through satellite or literary works.” Now, here the plot thickens.

‘Including all forms of communication, transmission, reproduction and exploitation of the literary work that may be discovered or invented in the future. The said work has been assigned by me for good and valuable consideration’ यह bonded labour नहीं तो क्या है? सिर्फ अंग्रेजी में लिख दिया, है। तो bonded labour और इसके ऊपर किसने शिकायत की? भारत रत्न रो रहा है। भारत रत्न मंत्री जी को, LoP को और प्राइम मिनिस्टर को लेटर लिख रहा है कि साहब ये रॉयल्टी का चेंज करा दीजिए। अगर ए.आर. रहमान और पंडित रवि शंकर को यह शिकायत है, तो बाकियों को हालात सोचिए क्या होगी? इससे भी ज्यादा एक शर्म की बात यह है कि कॉन्ट्रैक्ट सिर्फ हिन्दुस्तानी देसी कम्पनियां ही साइन नहीं करवाती हैं, बल्कि जो जापान की हैं, जो जर्मनी की हैं, जो अमेरिका की हैं, इनकी हिम्मत नहीं हो सकती कि जापान में, जर्मनी में या अमेरिका में किसी फनकार को, किसी कलाकार को यह कहें कि इस पर साइन कर दो। क्या फर्क है इनमें और ईस्ट इंडिया कम्पनी में और क्या फर्क है उन हिन्दुस्तानी कम्पनियों में और मीर जाफ़र में जो इनके साथ मिलकर काम कर रही हैं। हमारे कलाकार से, किस-किस से, मैं आपको नाम सुनाऊंगा, ये सिर्फ फिल्म की एक प्रॉब्लम नहीं है, हरेक की है। आप इन्हें जलील कर रहे हैं और ये सिर्फ पैसे के लिए बात नहीं है, जब इतनी grip होती है, मार्केटिंग इतनी strong हो जाए, तो creativity pays. मुझे पिछले दिनों शिव कुमार शर्मा जी मिले, हमें proud होना चाहिए कि हमारे पास एक ऐसा फनकार है, ऐसा कलाकार है। उन्हें एक म्यूजिक कम्पनी ने बुलाया। उनसे कहने लगे, देखिए, हम आपका ऐड बनाते हैं, आपका क्या है आप शुरू बड़ा धीरे-धीरे करते हैं। वह end में जो तेज़ होता है न, आप उससे शुरू कीजिए, folk चलेगा। यह म्यूजिक कम्पनी वाला शिव कुमार शर्मा को बता रहा है। उन्होंने कहा साहब, मेरे मोहल्ले में एक बैंड है, बारातों में जाता है, उसका ऐड बना लीजिए। मुझे माफ करना। एक बार मेरे साथ वाकिया हो चुका है। एक म्यूजिक सिटी में था, म्यूजिक कम्पनी के मालिक आ गये। मैंने सोचा शायद मेरे फैन होंगे, सुनने आये हैं मैंने क्या लिखा है। उन्होंने मुझे सुना और कहने लगे कि आपने पहली लाइन में एक वर्ड “रूठना” लिखा है, आप यह वर्ड निकाल दीजिए। मैंने कहा, क्यों? वे बोले आजकल यह वर्ड चलता नहीं है। मैंने कहा कि कहां नहीं चलता है, बोले नहीं,

[Shri Javed Akhtar]

नहीं। मैंने उन्हें कई गाने सुनाया, जिनमें “रूठना” वर्ड आया। उन्होंने कहा कि कभी होगा, यह वर्ड आप निकाल दीजिए। मैंने कहा कि भाई, अगर आपको इस तरह से काम करना है, तो मैं तो कर नहीं सकता हूँ, आप किसी और को ले लीजिए। वह मेरी बड़ी इज्जत करता था। अगले ही दिन मेरी बात मान गया और किसी और को ले लिया, मुझे निकाल दिया। जो लोग इस बिल के खिलाफ हैं, वे क्या करें? वे कहते हैं कि देखिए, आपने तो गाना लिखा, किसी ने म्यूजिक दिया, एक प्राड्यूसर ने बड़ा पैसा खर्च करके उसे तैयार किया, उस प्राड्यूसर ने उस गाने को बड़े-बड़े स्टार्स पर, बड़ी अजीब-अजीब लोकेशन पर जाकर पिक्चराइज़ किया, उसमें बड़े-बड़े शॉट डाले, बड़े-बड़े विजुअल डाले, ये सब किस काम के लिए किया, फिल्म के लिए किया। ये फिल्म प्रोड्यूसर है, यह म्यूजिक प्रोड्यूसर नहीं है। इसे यह गाना फिल्म के लिए चाहिए, यह गाना वह फिल्म के लिए record करता है। हम तो फिल्म से कुछ नहीं मांग रहे हैं। तुम्हारी फिल्म सुपरहिट हो जाए, तुम जानों, न चले तुम जानो, हमारा उससे कोई रिश्ता नहीं है। फिल्म बड़ी से बड़ी हिट हो जाए, मैंने बहुत सुपरहिट फिल्में लिखी हैं, मेरे पास तो कोई प्रोड्यूसर आया नहीं कि हज़ूर, आपने तो शोले लिख दी, दीवार लिख दी, त्रिशूल लिख दी, ये लीजिए, खुशी से आपके लिए आया हूँ, हमने तो नहीं देखा। ये तो पिक्चर के लिए था, हमने पैसा ले लिया, अब आपकी किस्मत, आप कैसी पिक्चर बनाते हैं, हम तो उसके लिए जिम्मेदार नहीं हैं। अगर हिट है, तो भी आपकी क्रेडिट और फ्लाप है तो भी आपकी क्रेडिट। जब आप इसमें से निकालते हैं और दूसरी जगह इस्तेमाल करते हैं, तो वहां भी जो रॉयल्टी होती है, जरा देखिए, सरकार ने कानून बनाया था कि वह 50 फीसदी जाएगी आर्टिस्टों को और 50 फीसदी हमें जाएगी। हम लोगों ने वहां पर कहा कि नहीं। अचानक ऐसी बात होगी, तो यह अच्छा नहीं लगेगा। आप 75 फीसदी उन्हें दे दीजिए और हमारे कहने पर चेंज किया गया, यह शरारत हमारी थी। मगर उनकी शरारत यह है कि उन्हें 99 नहीं चाहिए, उन्हें 100 चाहिए। यह तो दूसरी जगहों से आ रहा है, अगर यहां भी उनका हक है तो एक काम कीजिए। एक आदमी एक फिल्म बनाता है, उसमें शाहरूख खान हीरो है, पिक्चर चली, नहीं चली, कोई बात नहीं, मैं उसमें से चार शॉट निकाल कर, मैं प्रिंट का मालिक हूँ, एक ब्यूटी के ऐड में इस्तेमाल कर लेता हूँ।

मुझे इसका हक है। वह कहेगा कि मैंने यह शॉट तो फिल्म के लिए दिया था, आपने ब्यूटी की ऐड में कैसे इस्तेमाल कर लिया? यही मेरा सवाल है कि जहां हमने फिल्म के लिए दिया था, वहां हम कोई क्लेम नहीं कर रहे हैं। आज आप उसे फिल्म से निकाल कर इस्तेमाल करते हैं तब भी हम कहते हैं आप 75 परसेंट ले लो और आप को साढ़े बारह परसेंट देने में तकलीफ है। यह तो लालच की बात है, बहुत छोटी बात है। एक साहब गुप्ता जी हैं, कहने लगे कि साहब यह तो होगा कि आप एलाऊ नहीं करेंगे, आप सारी रॉयल्टी ले लेना। यहां इसमें copyright एसाइन्मेंट बैन नहीं है। यह सिर्फ discipline किया गया है कि आप उनसे इतनी रॉयल्टी नहीं ले सकते या आप नहीं दे सकते। यह पाबंदी प्रॉड्यूसर पर नहीं है, म्यूजिक कम्पनीज पर नहीं है, यह पाबंदी तो हम पर है, आर्टिस्ट्स पर है, राइटर्स पर है। लेकिन शिकायत उन लोगों को है, हम लोगों को शिकायत नहीं है। हिन्दुस्तान के सारे कलाकार अपोजिशन की ओर तथा सरकार की ओर हाथ जोड़ रहे हैं कि प्लीज़ इसे 25 परसेंट बोनाफाइड करवा दीजिए। आप इसमें से 75 परसेंट ले रहे हैं, फिर आपको और क्या

चाहिए? मगर कहते हैं कि कॉन्ट्रैक्ट पर हिन्ड्रेन्स है। अच्छा, minimum wages legislation भी कॉन्ट्रैक्ट पर हिन्ड्रेन्स है? आज हम जहां दिल्ली में खड़े हैं, यहां एग्रीकल्चर में skilled labour भी 328 रुपए से कम में काम नहीं कर सकता और unskilled labour 270 रुपए से कम में काम नहीं कर सकता। वे कह रहे हैं कि साहब, मैं डेढ़ सौ रुपए में करने को तैयार हूं। उन लोगों के लिए तो hindrance of contract हो गया। Dowry Prohibition Act क्या है? एक आदमी है और उसकी बेटी है, वह डावरी देने को तैयार है। उसकी बेटी डावरी के लिए तैयार है, लड़का डावरी लेने के लिए तैयार है और लड़के का बाप भी खुश है। सरकार को क्या ऐतराज है? सरकार को ऐतराज यह है कि उसे मालूम है कि यह इक्वल फैसला नहीं हो रहा है, यह मजबूर है। हमें इसको रोकना पड़ेगा। child labour में क्या गड़बड़ है? जो Child Labour (Prohibition and Regulation) Act है, वह क्या है? अरे भाई मां-बाप अपने बच्चों से काम करवाने को तैयार हैं, बच्चा तैयार है और कारखाने वाला भी तैयार है। हमें मालूम है कि यह तैयारी किस हालत में होती है। यह भी देखिए कि पिछले बीस बरस में स्टैंडिंग कमेटी ने कहा कि हमें एक कॉन्ट्रैक्ट लाकर दो, जिसमें राइटर्स ने अपनी पब्लिशिंग राइट तुम्हें नहीं दिए। वे नहीं ला सकते, इसलिए है ही नहीं। ये bounded labour हैं। उसके बाद हमदर्दी भी है, कह रहे हैं कि अगर उसको जरूरत पड़ गई, अचानक सब देखना चाहे, तो आपने तो उसका हाथ बांध दिया। मैं श्री एन.के. सिंह जी की इजाजत से शेक्सपियर को क्वोट करना चाहूंगा। मैं समझता हूं कि यहां कम से कम इस हाउस में उनके पास copyright है। (व्यवधान)।

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): You were actually allotted 20 minutes. We have to complete it on time.

SOME HON. MEMBERS: Let him speak, Sir. (Interruptions)

SHRI TIRUCHI SIVA (Tamil Nadu): This is his maiden speech, Sir.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RAJEEV SHUKLA): It this is his maiden speech, then, let him continue.

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Now, maiden speech is also restricted to twenty minutes.

SHRI TARIQ ANWAR (Maharashtra): In the last two years, he has not made any speech. (Interruptions) He should be given a special treatment.

THE VICE-CHAIRMAN (DR. E. M. SUDARSANA NATCHIAPPAN): All right. But there are thirteen Members who have yet to speak.

SHRI RAJEEV SHUKLA: Let him speak, Sir.

श्री जावेद अख्तर: यह पता नहीं किसका नजरिया है, जब मेरी बारी आई तो पर्दा गिरा दिया। सर, मैं सिर्फ चार या पांच मिनट लूंगा। “It is time to fear when tyrants kiss”. जब

[Shri Javed Akhtar]

जालिम हमदर्दी करे तो डरने का वक्त है। जब म्यूजिक कम्पनीज कह रही हैं कि बेचारे राइटर्स का क्या होगा अगर उसके बात ये राइट नहीं हुए तो? इसके खिलाफ कौन लोग हैं, जो खास जनों से कहते हैं कि भाई, यह मत कीजिएगा। आप जरा उनके नाम सुन लीजिए। सारे नाम तो बहुत ज्यादा हैं, मैं सारे नाम तो नहीं बता सकता, लेकिन कुछ नाम अवश्य बता देता हूँ, पं० रवि शंकर, पं० शिव कुमार शर्मा, पं० हरिप्रसाद चौरसिया, शोभा मुदगिल, विशाल भारद्वाज, गुलजार, प्रसून जोशी, जगजीत सिंह, अमजद अली खान, अमान अली खान और अयान अली खान। रवि जी, तो इंतजार में ही चले गए, जगजीत सिंह भी इंतजार में ही चले गए, इनके भी सिग्नेचर हैं। विशाल शेखर ...*(व्यवधान)*.. वे तो टेलेंटेड थे।

इनमें और भी बहुत से नाम हैं। फिल्म इंडस्ट्री के सारे नाम तो हैं ही, कलाकारों के भी नाम हैं। इनमें जाकिर का नाम है, इनका नाम है, साउथ के सारे बड़े सिंगर्स का नाम है, ए.आर. रहमान का नाम है, बंगाल के सारे बड़े सिंगर्स और म्यूजिशियन्स का नाम है। ये लोग कहते हैं इसको कर दीजिए। क्यों भई? अच्छा, एक बात और है, ये कहते हैं कर दीजिए, लेकिन यह पुराने पर नहीं होना चाहिए। यह बात किसी हद तक सही है, किसी हद तक सही नहीं है। मतलब, यदि यह बिल आ जाए और आप कल को यह कहें कि मेरा गाना 1960 में रिलीज हुआ था, आप मुझे उसका हिसाब बताइए, तो यह बेकार बात है, क्योंकि कोई भी लॉ रेप्रेसेंटेटिव में नहीं लग सकता है। ऐसा कानून है कि अगर अब गाना बजेगा तो उसकी रॉयल्टी होगी, तब, उस वक्त, आपने जो कर दिया, वह कर दिया, आप उसको भूल जाइए, हम भी भूल जाएंगे, इसलिए जब तक यह नहीं होता, यही एक तरीका है, क्योंकि सारे म्यूजिशियन्स, सारे राइटर्स गलत नहीं हो सकते हैं। एक तरफ ये हैं और दूसरी तरफ ये मल्टी नेशनल्स हैं, बड़े-बड़े प्रॉड्यूसर्स हैं, जो pretend कर रहे हैं कि प्रॉड्यूसर्स का बहुत नुकसान है। दरअलस जो अप फ्रंट मनी होती है, वह तो केवल दस, बारह प्रॉड्यूसर्स को मिलती है, बाकियों को एक नया पैसा तक नहीं मिलता है। जब यह बिल आएगा, तब पहली बार उन छोटे प्रॉड्यूसर्स को पैसा मिलेगा, वह इसलिए क्योंकि पब्लिशिंग हमारे हाथ में होगी और वह पब्लिश होगा, वरना म्यूजिक कम्पनियां सब ले जाती हैं, उसे बेच देती हैं। 90 परसेंट प्रॉड्यूसर्स को इससे फायदा ही होना है और सच तो यह है कि 10 परसेंट, जो यह समझ रहे हैं कि उनका नुकसान होगा, उनको भी फायदा ही होगा, क्योंकि वे जितने में बेचते हैं, वह कम है। लेकिन जब तक यह बिल पास नहीं होगा, तब तक यह जुल्म, यह सितम, यह लूट चलती ही रहेगी। यह एक अंधेरा है, जिसमें हम चल रहे हैं। मुझे एक शेर याद आता है कि,

सियाह रात, नहीं नाम लेती ढलने का,
यही तो वक्त है, सूरज तेरे निकलने का।

इसलिए यह बिल आज पास होना चाहिए। शुक्रिया।

श्री रवि शंकर प्रसाद: मंत्री जी, आप बताइए, आपका क्या आदेश है? हम उसी के अनुसार चलें, नहीं तो बैठ ही जाते हैं।

श्री कपिल सिब्बल: आप बोलिए।

श्री रवि शंकर प्रसाद: उपसभाध्यक्ष जी, आपने मुझे बोलने का मौका दिया है। अभी जावेद साहब की मेडेन तकरीर हुई, जिसमें content भी था, इमोशन भी थे, आह्वाहन भी था

और शायद उन्होंने पूरी सर्जना के महकमे को दो फ़र्कों में बांटने की कोशिश भी की थी। यह अच्छा है और हम उनका सम्मान करते हैं। सर, हिन्दुस्तान में सर्जना का सम्मान समाज अपने आप करता है। उन्होंने तुलसी की चर्चा की, तुलसी ने रामायण लिखी और वह अपने आप लोगों की जुबान पर आ गई। कॉपीराइट का सम्मान होना चाहिए। मैं आपको यह स्पष्ट बता दूँ कि मैं इस बिल के समर्थन में खड़ा हुआ हूँ। हिन्दुस्तान के इस मानस में, जब कोई सर्जना समाज के साथ अपने आप मिल जाती है, तो समाज उसे अंगीकार करता है। शायद, किसी भी नई जनरेशन को तुलसी की रामायण के लिए कुछ सीखने की जरूरत नहीं होती है और यह भी जानने की इच्छा नहीं होती है कि तुलसीदास को क्या मिला और क्या नहीं मिला, क्योंकि उनकी कीर्ति समाज सम्मान के साथ अंगीकार करता है और याद रखता है। 500 वर्ष हो गए हैं लेकिन कबीर के दोहे आज तक लोकप्रिय हैं, रहीम के दोहे आज तक लोकप्रिय हैं, जया जी यहा बैठी हुई हैं, हरिवंश राय बच्चन जी की मधुशाला शायद सन् 37 में लिखी गई थी, लेकिन वह आज भी वहीं संस्कार देती है, जो सन् 37 में देती थी। हिन्दुस्तान का समाज सर्जना का सम्मान करता रहा है, लेकिन यह समझने की जरूरत है कि जो शोषण करते हैं, वे इस समाज का प्रतिनिधित्व नहीं करते हैं। सर्जना कई प्रकार की होती है। एक सर्जना होती है, जो व्यक्ति खुद लाता है, उदाहरणार्थ श्री रवि शंकर जी सितार बजाते हैं। श्री शिव कुमार शर्मा संतूर बजाते हैं। अमहद अली साहब सरोद बजाते हैं। उनकी सर्जना एक solo performance होती है। जावेद साहब फिल्मों में गीत लिखते हैं और जावेद साहब “लावा” भी लिखते हैं। “लावा”, जो उनकी किताब है, अभी हाल में जो book release हुई थी, वह उनकी solo रचना है, सम्मान होना चाहिए। हम इसे किस रूप में देखना चाहते हैं, यह देखना बहुत जरूरी है।

जहां तक फिल्मी गीतों का सवाल है, उसके बारे में हमें एक-दो टिप्पणी जरूर करनी है। फिल्मी गीत के बारे में मैं हमेशा सोचता हूँ, तो it is a collective effort. एक संगीतकार ने अपनी रचना लिखी। उपसभाध्यक्ष जी, मैं देवानंद साहब का बहुत बड़ा मुरीद हूँ। मुझे इस बात का बहुत संतोष है कि जब मैं वाजपेयी जी की सरकार में I&B Minister था, तो उनको दादा साहब फाल्के अवार्ड देने का फैसला हुआ था। उनका एक गीत मुझे बहुत प्रभावित करता है—“हर फिक्र को धुएं में उड़ाता चला गया, मैं ज़िन्दगी का साथ निभाता चला गया”। यह “हम दोनो” की बहुत ही ज़हीन रचना है। जिसने लिखा, बहुत बढ़िया लिखा; जिसने म्यूजिक दिया, बहुत ही बेहतरीन म्यूजिक दिया; लेकिन शायद वह गीत सदाबहार नहीं होता, अगर देवानंद ने “हम दोनो” में उसे नहीं गाया होता। यहां जया जी बैठी हुई हैं। जया जी, मुझे आज यह कहना पड़ेगा कि मैं अपने स्टूडेंट लाइफ से आपका मुरीद रहा हूँ और मैं दिल से बोल रहा हूँ। आपकी एक्टिंग का, माफ करेंगे, I must clarify. मुझे ‘गुड्डि’ का वह गीत याद है—“हमको मन की शक्ति देना”। माननीय उपसभाध्यक्ष जी, वह गीत एक स्कूल की एक बड़ी अच्छी प्रार्थना थी, जहां वे गा रही थीं उस फिल्म में, लेकिन वह गीत आज तक इसलिए हमारे ज़ेहान में है कि जया जी ने उसे “गुड्डि” में गाया। “हम दोनो” का एक और गीत मुझे याद आया—“अल्लाह तेरो नाम, ईश्वर तेरो नाम”। ये सब collective effort के परिचायक हैं। जावेद साहब, हिन्दुस्तान की परम्परा यह भी है कि “बैजू बावरा” में “मन तड़पत हरि दर्शन को आज” शकीला साहब ने लिखा, नौसाद साहब ने म्यूजिक दिया और मोहम्मद रफी ने गाया—“मन तड़पत हरि दर्शन को आज”। हिन्दुस्तान में यह है सर्जना की परम्परा। ...*(व्यवधान)*... आप ज़रा शान्त रहिए, एक गम्भीर विषय पर चर्चा हो रही है।

[श्री रवि शंकर प्रसाद]

उपसभाध्यक्ष जी, मेरा कहना केवल यह है कि जब हम कॉपीराइट की बात करते हैं, तो मैंने पहले ही कहा कि मैं इस बिल का समर्थन करने के लिए खड़ा हुआ हूँ। **Individual artists**, पूरा सम्मान; फिल्म प्रोडक्शन, पूरा सम्मान; लेकिन सबों का सम्मान। मैं स्टैंडिंग कमेटी की रिपोर्ट देख रहा था, जब फिल्म बनती है, तो उसमें कोरियोग्राफर्स भी होते हैं, उसमें टेक्निशियंस भी होते हैं, उसमें छोटे आर्टिस्ट्स भी होते हैं, उनके बारे में यह बिल क्या कह रहा है? जब संसद यहां बैठ कर बात कर रही है, तो संसद सबों की बात करेगी। जावेद साहब की रचना की बात होगी, रहमान साहब के संगीत की बात होगी, गाने वाले की बात होगी, लेकिन उस गाने में जिसने कोरियोग्राफी की है, जो गरीब लाइटमैन है, जिसके कारण वह फिल्म चमकती है, उसके बारे में क्या सोचा जा रहा है? मुझे याद है, एक पिक्चर थी—“कागज के फूल”। मैं गुरुदत्त की फिल्मों का भी बड़ा फैन हूँ। बहुत लोग बैठे हुए हैं यहां पर। उस फिल्म में जब गुरुदत्त बुढ़े होकर आते हैं, उसमें **lighting** बहुत **famous** थी, वह 50s की पिक्चर थी। उस फिल्म में जो **lighting** करने वाले थे, उनकी ज़िन्दगी बुढ़ापे में कितनी गुरबत में गुजरी, उस पर मैंने एक लेख लिखा देखा। आज मैं माननीय मंत्री जी से पूछना चाहूंगा कि उस गाने को लोकप्रिय करने वाले जो छोटे-छोटे लोग हैं, इस बिल में उनकी क्या चिन्ता की गई? यह सवाल हम बहुत इज्जत के साथ उठाना चाहेंगे। हम चाहेंगे कि हमें इसके बारे में बताया जाए। जावेद साहब, हम बिल्कुल आपके साथ हैं, जो गीत लिखते हैं, तो गीत गाते हैं, उनका सम्बन्ध होना चाहिए, शोषण बंद होना चाहिए। माननीय उपसभाध्यक्ष जी, जो फिल्म बनाने वाले हैं, उनका क्या कहना है?

एक तस्वीर जो उन्होंने उनकी रखी, **They may fit in Marxian concept of the great exploiters. Maybe, he is right; he has the firsthand experience.** लेकिन इसका एक दूसरा स्वरूप यह है कि अगर हम फिल्म न बनाते, तो क्या जावेद अख्तर, जावेद अख्तर बनते? इस टीम एफर्ट में अगर हसरत जयपुरी और शैलेन्द्र को राज कपूर जगह नहीं देते, तो क्या शैलेन्द्र, शैलेन्द्र बनते? अगर मुकेश की आवाज को राज कपूर अपने गले से न उतारते, तो क्या मुकेश, मुकेश, मुकेश बनते? ये सवाल हैं, जिनका उत्तर ढूंढना पड़ेगा और जिनके बारे में ईमानदारी से सोचना पड़ेगा।

मैं चाहूंगा, मंत्री जी, जब आप बिल बना कर लाए हैं और संसद में हम आपका समर्थन कर रहे हैं, तो सभी के हितों की थोड़ी-थोड़ी चिन्ता होनी चाहिए, ताकि आगे से इसमें बिल्कुल कठिनाई न आए। यह बहुत ही संवेदनशील विषय है, जिसके बारे में थोड़ी चिन्ता करने की जरूरत है।

उपसभाध्यक्ष जी, मैं फिल्म के म्यूज़िक का मुरीद हूँ, क्योंकि हिन्दुस्तान की फिल्में हिन्दुस्तान को जोड़ने में बहुत बड़ा काम करती हैं। अभी देखिए, दक्षिण भारत में एक गाना बना ‘कोलावरी डी’। ‘कोलावरी डी’ तमिल में गाया गया ...**(व्यवधान)** माननीय उपसभाध्यक्ष जी, ‘कोलावरी डी’ तमिल में गाया गया गया गया और एक हफ्ते में पूरा हिन्दुस्तान उस गीत पर अपने पैर थपथपा रहा था। श्री ईडियट्स में आमिर खान ने ‘ऑल इज़ वेल’ गाया। जब यह पिक्चर आई, मुझे याद है, उस समय मैं असम गया हुआ था, उसके आगे त्रिपुरा हो या दक्षिण

भारत हो, लेकिन 'ऑल इज़ वेल' हिन्दुस्तान में सभी की ज़बान पर था। ...*(व्यवधान)* आपने ठीक कहा, 'मेरा जूता है जापानी' आज तक चलता है। हिन्दुस्तानी फिल्मों से, उसके गानों से अगर हिन्दुस्तान की आवाम जुड़ती है, तो फिल्म का मंच, रचनाकार की कृति, गाने वाले की कला और बनाने वाला का पुरुषार्थ, इन सबको साथ मिलाकर वह प्रोडक्ट निकलता है, जिसे हिन्दुस्तान की जनता प्यार से अपनाती है और जिन्दा रखे रहती है।

अब जया जी हमारे हाउस की मेम्बर हैं ...*(व्यवधान)* रेखा जी भी आ गई हैं। जया जी तो हमारी बहुत ही सीनियर मेम्बर हैं। आपने उस गीत का जिक्र किया इसलिए मैं उस गीत पर आता हूँ। एक नज़्म 'दिल चीज़ क्या है आप मेरी जान लीजिए, बस एक बार मेरा कहा मान लीजिए', Sir, it is very nice poetry, I must tell you. लेकिन अगर यह गीत 'उमराव जान' में रेखा जी उस संगीत के साथ नहीं गातीं, तो यह गीत इतना लोकप्रिय नहीं होता, इसे हमें ईमानदारी से स्वीकार करना पड़ेगा। इसलिए मैं कहता हूँ कि एक तो सर्जनाकार की अपनी रचना होती है, सोलो परफॉर्मेंस होती है और एक ग्रुप इनिशिएटिव होता है। मुझे लगता है, माननीय मंत्री जी, जब आप उत्तर देंगे, तो आप अवश्य देखिएगा कि आप किस तरह से इस पूरे मामले का सामंजस्य बैठाएंगे, खासकर जो छोटे कलाकार हैं, कोरियोग्राफर्स हैं, लाइट-मैन हैं, ग्रुप सिंगर्स हैं। अगर गाना लोकप्रिय होता है, तो उन सभी को कुछ न कुछ हिस्सेदारी जरूर मिलनी चाहिए, यह हम बहुत विनम्रता से कहना चाहेंगे। आप अपने उत्तर में इसे अवश्य शामिल कीजिएगा।

अब आपके बिल के बारे में मुझे कुछ स्पैसिफिक सवाल पुछने हैं। Sir, a few minutes more. आजकल मैं बहुत कम बोलता हूँ, मुझे पार्टी से बोलने का मौका ही बहुत कम मिलता है, इसलिए आज आप मुझे बोलने दीजिए ...*(व्यवधान)*। Hon. Minister, when I was going through the Objects of this Bill, I found that you have said that this Bill has been enacted to fulfil the obligations of the WIPO Copyright Treaty and WIPO Performances and Phonograms Treaty. This is how I see it. Therefore, you have also taken note of new expressions whereby you have used those expressions in this Bill. I will come to that separately. But you also say that the Government of India is yet to approve these Treaties. Why have these Treaties not been approved? It is very important. If these Treaties have not been improved, what is the compulsion to have this? Are these Treaties not being approved because there are lot of things therein against India's interest?

This is my information, Sir. I am saying this because in terms of digital creation, in the IT field, our great people have done a wonderful job. Therefore, the West is having a problem with that. There were serious reservations for the movements of goods, and also for the movement of human beings. But if these Treaties have not been approved, why have they not been approved? If they have not been approved, what is the compulsion to have the law? This is the question I would like to ask from the hon. Minister.

श्री रवि शंकर प्रसाद:

My second question is this. You have already explained to us that you have decided not to include the Principal Director concept. Therefore, I have to make certain submissions on that.

Now, I come to another aspect, that is, Section 31 of the original Copyright Act. We are very curious and a little disturbed to notice this kind of an amendment. Mr. hon. Minister mentioned about Section 31 of the Copyright Act of 1957. It says: "if at any time, during the term of copyright, in any Indian work which has been published or performed in public, a complaint is made..." Now, under this law, you are saying that for the words 'any Indian work', the words 'any work' shall be substituted. Why this? I fail to understand. What is the implication? What is the compulsion? What is the objective you would like to secure out of this? We would like to know this from you. This, indeed, is very important.

Then, comes paragraph 16 whereby you have sought to make amendments to Section 31 (A) of the Principal Act. This says: "Compulsory license in unpublished Indian works." Here also, you propose to make an amendment. In the marginal heading, for the words 'Indian work', the words 'or published work' shall be substituted. "My apprehension, hon. Minister, is that this particular law was designed for a specific purpose—recognition of the work of Indian authors who are living penury, or are living in ignominy or unknown existence. Their rights need to be brought about; we have no problem with that. But why is the word 'Indian' being deleted and 'any published work' is being included? This is a very serious situation. We are deeply concerned about this. After all, you have just heard a great commentary on the eloquence of Mr. Javed sahib that world over, the creativity of authors of films, songs and books are being recognised and they are paid handsomely. That is good. But the Indian authors are not being properly protected; therefore, there is a need for the amendment. Now, why is the word 'Indian' being deleted? Do we wish to include some work beyond India? Why so? Why are the words 'Indian work' being deleted? This is an issue on which I have a very serious reservation.

There are two more points, Sir. You have completely done away with 'Assignment'. It will be void.

KAPIL SIBAL: Only 'assignment of royalty, not 'assignment'.

SHRI RAVI SHANKAR PRASAD: Now, you have allowed 'assignment' in certain conditions. My query here would be that the objective of that is well taken,

but there can be a case where this window should not be closed completely. For instance, a creator is dead and none of his heirs are available. Suppose some of his distant heir wants to make a one-time settlement; the law completely prohibits that. Would hedging the maximum tough conditions be permissible? Suppose the heir of a good author or a creator is able to negotiate good terms of condition where, the heir or a distant heir of a creator is going to settle abroad, in America or somewhere else. I think there should be some window for that मंत्री जी, मुझे लास्ट में एक बात कहनी है कि कहीं ऐसा तो नहीं होगा कि अगर कोई बड़ा आर्टिस्ट मर गया और टीवी पर उस पर श्रद्धांजलि आ रही है, तो उसके गीत हम एक मिनट सुन भी नहीं सकते? यह एक बहुत बड़ी समस्या है, क्योंकि भारत की फिल्मों ने, भारत के शास्त्रीय संगीत ने और भारत के फिल्म-संगीत ने, इन सबों ने, इस देश को बनाने और जोड़ने का काम किया है।

Sir, I am always very proud of the great explosion of India's cultural milieu, and, in that, I also include television and other things. One of my favourite programmes on Times Now' is Total Recall', whereby, the great contribution of old film maestros in film music—the choreographers, the dress designers, everything—is sought to be re-lived today and it is all historically very well informed. Should we see a situation that all these programmes will come to a complete stop? Therefore, the rights of creators need to be protected. Their exploitation needs 'to end. Therefore, we support these Bills completely. But these concerns which I have raised need to be protected क्योंकि, उपसभाध्यक्ष जी, यह जो सर्जना की सरिता है, यह हमेशा बहनी चाहिए, यह सूखनी नहीं चाहिए। इसका ध्यान रखा जाए। बहुत-बहुत धन्यवाद।

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Mr. Shantaram Naik. Please confine to five minutes only.

SHRI SHANTARAM NAIK (Goa): Sir, I require a minimum of ten minutes.

श्री नरेश अग्रवाल: उपसभाध्यक्ष जी, जया जी को बुलवा दीजिए, उसके बाद मंत्री जी का जवाब करवा दीजिए। ...*(व्यवधान)*...

श्रीमती जया बच्चन: शान्ताराम जी तो हमेशा फिल्मों के against ही बोलते हैं। ...*(व्यवधान)*...

श्री शान्ताराम नायक: नहीं, नहीं, आपके समर्थन में बोलूंगा। ...*(व्यवधान)*...

(The Vice Chairman (Prof. P.J. KURIEN) in the Chair)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Shantaramji, please take only seven minutes.

SHRI SHANTARAM NAIK: I will need a minimum of ten minutes. Sir, I am from Congress side.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That is why I reduced some minutes.

SHRI SHANTARAM NAIK (Goa): Sir, at the outset, I would like pay my tributes to the great lyricist of this country. He began his speech by describing India-Pakistan relationship. I know he is a strong votary of the unity of the people of these two nations, and I would like to quote one of his songs which I quote several times in my public addresses, which describes that there are no borders between the two nations and that lyric is from the film 'Refugee'. "पंक्षी नदिया पवन के झोंके, कोई सरहद न इन्हें रोके, सरहदें इन्सानों के लिए हैं, सोचो तुमने और मैंने क्या पाया इन्सां हो के"

It means that it is 'we' who have created these borders, and for the birds which fly, for them, these borders do not exist. They fly without restrictions. This is one of his great lyrics and I pay my tribute to him for this.

Sir, as far as this Bill is concerned, this is quite an exhaustive Bill which treats the subject comprehensively. The earlier amendments in it were made in 1983, 1984, 1994 and 1999. The 1994 Amendment was an exhaustive one. This amendment is needed because of the advent of digital technology and Internet. In this scenario, the provision of protection of rights of people like Javedji has to be there, and, therefore, there is absolutely a need for having this legislation.

Sir, the Indian film industry is a great industry. In fact, we produce 1000 movies annually—if my figure is wrong, Jayaji and Javedji can correct me—and they employ about two million people. The people's feelings towards movies are such, especially, during old days, that a man could go without a meal, but he would not forgo a movie. That is the love or inclination towards movies in India, and I again pay my tribute to the entire film industry. Whenever wars had taken place, that is, in 1962, 1965, 1971, it was the film industry which had come to the forefront to get donations from the people, and the people have also immensely contributed on account of the appeal made by them.

But, again, it is the film industry which has rendered this copyright into a mess. One producer says, 'I am inspired by this movie; I am inspired by that song.' And, I don't know what is the definition of 'inspiration' In fact, there are movies like 'Woman of Substance' from which a TV serial was made by Sahara. 'Mere Yaar ki Shadi' was taken from 'My best friend's wedding'. 'Kante' was taken from 'Reservoir Dogs'. 'Rafoochakka' was from 'Some like it hot' 'Dil Hai ki Manta Nahin' was from some other movie.

“Aradhana” was ‘inspired’ by “To Each His Own”. I am stating all this to show that a mess has been created by some in the film industry people themselves, who have thrown the concept of copyrights to the winds. “Abhiman” was inspired by “A” Star Is Born”, Sholay by “Magnificent Seven”, and Karz by “Reincarnation of Peter Proud”. So, I don’t understand what these ‘inspired’ films are. Even the film industry has to answer to this ‘inspiration’ thing. Also, why does this piracy occur? It is because of the kind of money one has to pay today to go to movies; it is Rs. 150 to Rs. 200. Why? Watching a film is costly because the Producer has to pay crores of rupees to the actors, to the musicians, to actors for their appearances in weddings. I don’t know how much a lyricist gets these days. Maybe, people like Javed sahib get more money, but I don’t know how much an average lyricist gets. Javedji’s contribution to the film industry is tremendous. I can quote three-four films in which he has written beautiful songs, such as *1942-A Love Story*, *Tezab*, *Sitsila*, *Border*, *Lagan* and *Zubeida*. These are very good films for which he has penned good songs. I am tempted to quote two more pieces of lyrics written by Javedji. It is from the film *Veer Zaara*.

“धरती सुनहरी, अम्बर नीला, हर मौसम रंगीला, ऐसा देश है मेरा,
बोले पपीहा कोयल गाए, सावन घिर के आए, ऐसा देश है मेरा।”

Apart from these, there are lyricists from old films who have made tremendous contribution to the industry. We remember a forty year-old song:

“ऐ मालिक तेरे बन्दे हम, ऐसे हों हमारे करम,
नेकी पर चलें और बदी से टलें, ताकि हंसते हुए निकले दम।”

These are not just songs; these are songs which would remain etched in history. Like for instance, there is a song:

“ऐ वतन, ऐ वतन हमको तेरी कसम, तेरी राहों में जान तक लूटा जाएंगे,
फूल क्या चीज़ है तेरे कदमों में हम, भेंट अपने सरों की चढ़ा जाएंगे।”

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You are only quoting songs; you must sing them too ! (*Interruptions*)

SHRI SHANTARAM NAIK: Sir, I wish to quote another song, which I quote emotionally many a time in my public speeches.

“इतनी शक्ति हमें देना दाता, मन का विश्वास कमजोर हो ना,
हम चलें नेक रस्ते पे हमसे, भूल कर भी कोई भूल हो ना।”

..(समय की घंटी).. Rajiv quoted one son.

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): नायक जी, सात मिनट हो गये।..(*व्यवधान*)..

श्री शान्ताराम नायक: सर, बिल जल्दी पास होना है, यह इनको उस वक्त सोचना चाहिए था जब ये बोल रहे थे, लेकिन इन्होंने उस वक्त यह नहीं सोचा।..(व्यवधान)।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please conclude, Mr. Shantaram. We would like to pass the Bill. (*Interruptions*)

SHRI SHANTARAM NAIK: Sir, I belong to the Ruling side! Nobody disturbed any of the other Members when they spoke. What is this? (*Interruptions*) I am perturbed. What is this going on? Nobody disturbed him, Sir. (*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We would like to pass the Bill. (*Interruptions*)

SHRI SHANTARAM NAIK: Sir, nobody disturbed Mr. Ravi Shankar Prasad when he was speaking. I am from the Ruling side and you wish to curtail my speech! (*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No. We would like to pass the Bill. Please cooperate. (*Interruptions*)

SHRI SHANTARAM NAIK: Sir, I am from the Ruling Party side and you wish to curtail my speech! (*Interruptions*) I am resuming my place in protest. (*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please cooperate. Don't be angry.

SHRI SHANTARAM NAIK: Why is this so? (*Interruptions*) Look at the time you have given to others. With due apologies to the Chair, I would say that this is not fair. (*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We would like to pass the Bill. (*Interruptions*)

DR. PRABHA THAKUR (Rajasthan): Sir, he should be allowed to speak for five more minutes. (*Interruptions*) He should be allowed to continue. (*Interruptions*)

SHRI SHANTARAM NAIK: Sir, it is not only today, but we from the Ruling side have always been suffering. (*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): All right.

SHRI SHANTARAM NAIK: No, Sir. I am not in the mood to continue now.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please sit down.

SHRI SHANTARAM NAIK: It is my right.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is your right. I had said that you had only seven minutes. It is my right also.

7.00 P.M.

SHRI SHANTARAM NAIK: Fine.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): What is more important is to pass the Bill. (*Interruptions*)

What is more important is to pass this Bill. In all the seven minutes, I am sorry to say, you are only speaking about some words; you are not speaking about the Bill. You should know that also. ...(*Interruptions*)... You should know that also. ...(*Interruptions*)... I am sitting in the Chair. ...(*Interruptions*)... You are not speaking even for a single sentence about the Bill. ...(*Interruptions*)... You sit down. ...(*Interruptions*)... I have decided that you will be given seven minutes; it is seven minutes now. There is no harm in that. ...(*Interruptions*)... Now, Shri S.P. Singh Baghel. बघेल साहब, आपके 7 मिनट हैं।

प्रो. एस.पी. सिंह बघेल (उत्तर प्रदेश): सर, मैं समय खत्म करने की कोशिश करूंगा, केवल 2-3 मिनट ही बढ़ सकता है।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): क्योंकि हमको यह बिल आज ही पास करना है।

प्रो. एस.पी. सिंह बघेल: मैं आपकी बात से सहमत हूँ

सर, मैं पहले क्लियर कर दूँ कि मैं इस विधेयक के पक्ष में अपनी बात रखने के लिए खड़ा हुआ हूँ और चाहता हूँ कि यह आज और अभी पारित हो। सिब्बल साहब, आपका भी धन्यवाद करता हूँ कि आपके आते-आते बहुत देर कर दी, लेकिन देर-आयद-दुरुस्त-आयद। सिब्बल साहब, आपका सुप्रीम कोर्ट से बहुत वास्ता है, 1977 में माननीय सुप्रीम कोर्ट में जस्टिस कृष्णा जी ने कहा था कि इस देश के गीतकारों और संगीतकारों को बचाने के लिए कानून लाना चाहिए। पहले लाए थे, लेकिन ढीला-ढाला था, उसमें लूफ्ट्स बहुत थे। आज जो ये बौद्धिक सम्पदा के लोग हैं, अब खेतीबाड़ी तो करेंगे नहीं, पशु-पालन तो करेंगे नहीं, ईश्वर ने एक काम विशेष के लिए इन लोगों को पैदा किया है। यहां जावेद साहब हैं, इनके गीत, संगीत, कहानी व dialogue हैं तथा साहित्यकार भी हैं, ये इसी काम को करेंगे। तो इस प्रकार बौद्धिक सम्पदा के लोगों को संरक्षण मिलना चाहिए। 12 नवम्बर, 1993 में यह IPRS और PPL पर एग्रीमेंट हुआ था, मैं विधेयक पर ही बोलूंगा कि सरकार के अलावा इण्डस्ट्रीज में यह समझौता हुआ, जिसमें यह तय हुआ कि 50 परसेंट म्यूजिक कंपनियां लेंगी और 50 परसेंट में गीतकार, संगीतकार रहेंगे। लेकिन हकीकत में यह पैमेंट होता नहीं है। इण्डस्ट्रीज के लोग बेहतर जानते होंगे कि कानून क्या है, क्या तय होता है और क्या दिया जाता है। मैं irrelevant बात नहीं करना चाहता, लेकिन देश की आजादी में गीतकारों और संगीतकारों का भी बहुत बड़ा योगदान है। लोग सोचते हैं कि केवल कांग्रेस के नेताओं ने आजादी दिलाई है, या क्रांतिकारीयों ने दिलाई है, जबकि उस समय के तत्कालीन गीतकारों, कवियों और गायकों

[प्रो. एस.पी. सिंह बघेल]

का आजादी की लड़ाई में बहुत बड़ा योगदान है। उसके बाद आजादी के जज्बे को बनाए रखने के लिए भी बहुत अच्छे गीत लिखे गए। मैं फिल्मी गानों का उद्धरण नहीं दूंगा, लेकिन कुछ गाने हैं जो पान इत्यादि की दुकानों पर बजते रहते हैं। लेकिन मुझे लगता है जब तक सृष्टि रहेगी, यह गीत हर मौके पर बजेंगे, चाहे पॉलिटिकल पार्टी की मीटिंग हो, जल्सा हो, कोई कार्यक्रम हो और 26 जनवरी या 15 अगस्त हो। ये कुछ गाने हैं, “ऐ मेरे वतन के लोगों जरा आंख में भर लो पानी, जो शहीद हुए हैं, उनकी, जरा याद करो कुर्बानी, जब देश में थी दीवाली वे खेल रहे थे होली।” यह सब गाने आज भी राष्ट्रीय भावना पैदा करते हैं। “दे दी हमें आजादी बिना खडग बिना ढाल, सावरमती के संत तूने कर दिया कमाल।” हमें इससे भी हिम्मत मिलती है, “अपनी आजादी को हम हरगिज़ मिटा सकते नहीं, सर कटा सकते हैं लेकिन सर झुका सकते नहीं।” रामप्रसाद बिस्मिल क्रांतिकारी थे, कोई बड़े गीतकार नहीं थे, लेकिन उन्होंने क्या नहीं कहा, “सरफरोशी की तमन्ना अब हमारे दिल में है, देखना है जोर कितना बाजू-ए-कातिल में है।” “हम अभी से क्या बताएं वक्त आने पर बता देंगे, क्या हमारे दिल में है।” आज भी रिलेवेंट हैं दुष्यन्त के गीत, “कौन कहता है आसमां में छेद नहीं होता, एक पत्थर को तबियत से उछाला यारो।” अपने इस तालाब का पानी बदल दो, कि कमल भी अब कुम्हलाने लगे।” हमारी हर तकरीर खत्म होती है, “हो गई है पीर पर्वत सी पिघलनी चाहिए, इस हिमालय से कोई गंगा निकलनी चाहिए,” “आज यह दीवार पर्दों की तरह हिलने लगी, शर्त लेकिन यह थी कि यह बुनियाद हिलनी चाहिए।”

और “सिर्फ हंगामा खड़ा करना, मेरा मकसद नहीं, मेरी कोशिश है कि ये सूरत बदलनी चाहिए” और “मेरे सीने में नहीं, तो तेरे सीने में सही, हो कहीं आग, तो ये आग जलानी चाहिए।” ये पंक्तियां हमें प्रेरणा देती हैं। मैं कहता हूं कि ये लोग बौद्धिक सम्पदा के सृजक हैं और इन्हें संरक्षण मिलना चाहिए क्योंकि अगर संरक्षण मिल रहा होता तो आप यह बिल क्यों लाते? जब एक समझौते का पालन हो रहा था, तो आज इस कानून की जरूरत क्यों पड़ती? इसका मतलब कहीं-न-कहीं कमजोरी थी और उसमें लूप-होल्स थे, इसलिए हमें यह कानून लाने की जरूरत पड़ी।

महोदय, इसके पक्ष में कौन लोग हैं? एक साहब एक विधेयक लाना चाहते हैं, शायद आप भी एअरपोर्ट पर गए थे, सरकार गयी और उसके समर्थन में कोई आम लोग नहीं हैं। वे लोग हैं, जिन्हें हमने जनरल नॉलेज में पढ़ा है—पं० रविशंकर जी, शिव कुमार शर्मा जी, हरिप्रसाद चौरसिया जी, शोभा मुदगल जी, गुलजार साहब, एहसान लार्थ साहब, ए.आर. रहमान जैसे लोग हैं।

महोदय, मुझे लगता है कि ऑस्कर दुनिया का सबसे बड़ा पुरस्कार है। हमारा दादा साहब फाल्के और दुनिया का ऑस्कर, ये सबसे बड़े पुरस्कार हैं। जब ऑस्कर पुरस्कार प्राप्त लोग आपको चिट्ठी लिख रहे हैं, तो आपको उनकी मांग मान लेनी चाहिए। मैं कहना चाहूंगा कि वर्ष 2005 से इन गीतकार, लेखकों व अन्य कलाकारों को कहा जाने लगा कि आप लिखते जाओ। हमारा कोई अधिकार नहीं है कि पेमेंट करेंगे। अब सारे गीतकार जावेद साहब जैसे

नहीं हैं। कुछ गीतकार व लेखक गरीब भी हैं, कुछ संगीतकार गरीब हैं। फिल्म इंडस्ट्री में भी अलग-अलग टाइप के माफिया हैं। जब उन सब लोगों ने लिखा तो उनको थोड़ा-बहुत पैसा मिला। महोदय, “रॉयल्टी राइट” केवल एक एक्टर, गीतकार, डॉयलॉग राइटर, स्क्रिप्ट राइटर या संगीतकारों को जीवन-पर्याप्त ही नहीं बल्कि इनके बच्चों को भी मिलना चाहिए क्योंकि वह उनके पिताजी की सम्पत्ति है। फिर बुढ़ापा भी सभी को आता है। अभी यहां ओपी0 नय्यर साहब का या शैलेन्द्र जी का जिक्र आया। महोदय, साहित्यकारों का बुढ़ापा बहुत खराब होता है। गालिब साहब, जिनके ऊपर लगभग एक लाख लोग रिसर्च कर चुके हैं, उनका भी बुढ़ापा बहुत कष्ट में बीता था। जियाउद्दीन बरनी जब तक ठीक लिखता रहा तो बहुत अच्छे रहे, लेकिन दस समय दिल्ली की सल्तनत के खिलाफ जब उन्होंने थोड़ा सा लिखा तो उनके सारे पर्स समाप्त कर दिए गए थे। ए0के0 हंगल साहब का भी बुढ़ापा बड़ा खराब बीत रहा है। तो ये जो नाम मैंने अभी लिए जिनमें पंडित रविशंकर, शिव कुमार शर्मा, हरि प्रसाद चौरसिया, शोभा मुदगल, गुलजार साहब, एहसान लॉय, ए0आर0 रहमान साहब—ये कन्हड़ हैं, अपने जमाने के, चंदबरदायी हैं, अबुल फज़ल साहब हैं, बरनी हैं, आज के जमाने के अमीर खुसरों साहब हैं।

महोदय, राजनीति देश को तोड़ती है, लेकिन कलाकार व साहित्यकार देश को जोड़ते हैं। इसके साथ ही मैं यह भी कहूंगा कि यह संरक्षण और भी लोगों को मिल। इसमें किसान भी आता है, जिसके रिटायरमेंट को कोई उम्र नहीं है। वह जीवनभर काम करता है और जब बहुत बूढ़ा हो जाता है, तो घरवाले उसे फ्री में रोटी नहीं देते हैं। उसे खेत पर लगे ट्यूबवेल पर बिठा देते हैं कि रातभर खांसते रहना जिससे चोरी नहीं होगी, तब उसे रोटी मिलती है और जो किसान का पांच साल का बच्चा है, जोकि खेती नहीं कर पाता, वह भी भैंस के बच्चे को सानी-पानी देता है और बाबा के लिए खेत पर कलेऊ लेकर जाता है। हम रॉयल्टी लास्ट तक दे रहे हैं तो टमाटर पैदा करने वाले किसान को भी वह तब तक मिलनी चाहिए जब तक कि टमाटर से “कैच अप” नहीं बन जाता और मिर्ची के किसान को तब तक मिलनी चाहिए जब तक उसकी मिर्ची को चिली सॉस का लेबल नहीं मिलता। उसको थोड़ा-बहुत पैसा मिलना चाहिए और मुर्गी पालन करने वाले को तब तक मिलना चाहिए, जब तक कि ऑमलेट बनकर फाइव स्टार होटल में 500-700 रुपये का नहीं मिलता। बस यह मेरा अनुरोध है।

महोदय, मैं politicians के बारे में भी कहना चाहूंगा। वह पूरी जिंदगी सड़क, स्कूल, बिजली, पानी, नाली, खड़ंगा, फाइनल रिपोर्ट, चार्ज शीट, बंदूक का लाइसेंस, धरना, रैली, प्रदर्शन करता रहता है। उसके खुद का बच्चा बीमार है तो ड्राइवर ले जा रहा है और दूसरे के बच्चे को देखने वह अस्पताल जा रहा है। हम किसी के यहा पैदाइश से लेकर, पोस्टमार्टम, पंचायत घर, दाह संस्कार, उठावनी, तेरहवीं तक लोगों के साथ काम करते हैं। इसलिए आप ऐसा कुछ कॉपी राइट बनाइए कि हमारा बुढ़ापा ठीक हो जाए। हमने अपनी जिंदगी के बेहतरीन दिन देश को दिए हैं, सदन को दिए हैं।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): बघेल जी, बहुत-बहुत धन्यवाद।

प्रो. एस.पी. सिंह बघेल: इसलिए हमारी पेंशन भी थोड़ी handsome हो जाए ताकि हमें बाद में यह लगे कि हमने अपनी जिंदगी के जो बेहतरीन दिन अपने लोगों की सेवा में गुजारे हैं

[प्रो. एस.पी. सिंह बघेल]

... तो सरकार ने सदन में हमारे बुद्धापे के लिए भी कुछ देने का काम किया है। आपने मुझे बोलने का मौका दिया है, इसके लिए आपका बहुत धन्यवाद।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): धन्यवाद। ...*(व्यवधान)*..

प्रो. एस.पी. सिंह बघेल: हां, जावेद साहब को बहुत बधाई। आप हिन्दू मुसलमाना वाली क्यो सफाई देते हैं?

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): बैठिए, बैठिए, हो गया। ...*(व्यवधान)*..

प्रो. एस.पी. सिंह बघेल: आप राष्ट्रीय संपत्ति हैं। आदमी पैदा कहीं भी हो सकता है। ...*(व्यवधान)*... आप राष्ट्रीय संपत्ति हैं, आइकॉन हैं, रोल मॉडल हैं।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): हो गया। ..*(व्यवधान)*... बघेल जी, आप बैठिए। ..*(व्यवधान)*..

प्रो. एस.पी. सिंह बघेल: आप इतना अच्छा लिखते हैं। जब भी आपने लिखा है, अच्छा लिखा है और सभी लोग आपको चाहते हैं। राष्ट्रपति जी ने आपको यहां भेजा है।

आखिर में, जावेद साहब को मैं एक शेर नजर करुंगा, जो डा. श्याम सिंह शशि का है--

वह दो शब्द लिखते हैं और उम्र भर गाते हैं।

हम पोथियां लिखते हैं, एक उम्र दे जोते हैं।

आपने एक उम्र इस इण्डस्ट्री को दी है, आपको जरूर संरक्षण मिलना चाहिए। बहुत-बहुत धन्यवाद।

SHRI P. RAJEEVE (Kerala): Sir, I rise to make some observations and express certain objections to this Bill. Now the Minister has expressed his willingness for incorporating certain proposals covering various sections of the society. That is a good step? and I congratulate the hon. Minister for that. The Minister, correctly, stated that we are living in a digital era. At the same time, it is an era of knowledge-based economy and a knowledge-based society. Sir, one of the main slogans of this era is enclosure of treasure by enclosure of knowledge. It means creating more fences and walls for getting more and more profit. While we sit on a computer, we use the 'Windows', which means that Bill Gates is getting the money. That is his right. But what is the right of the user? I am purchasing a shirt. I have a right to make alterations on it according to my need. I have a right to change it from full-sleeve to short-sleeve, and I can change the size too. That is my right. But that right is not protected in the Copyright Regime. So, a new concept is emerging, and that is, Copyleft and Open Source. What is Copyleft? It is the right to transfer, the right to modify, according to our needs. That is the new emerging trend all over the

world, the scenario of Copyleft. A new Bill, introduced in this new scenario, should have enough provisions to address this new issue. Unfortunately, this Bill fails to do so. The State has the responsibility to ensure the right of the creator, at the same time, to avoid eyeless commercialization. The State should try to create an equilibrium to ensure the right of the creator, while at the same time, protect the right of the user to get the product at an affordable price. While we are discussing this Bill, the main responsibility of this House is to see whether the Minister has ensured this equilibrium in this Bill.

Sir, before coming to that, I would just mention some important technical things. If we go through the Statement of Objects and Reasons, it states that the Act is now proposed to be amended to comply with the provisions of the two World Intellectual Property Organisation (WIPO) Internet Treaties, namely, WIPO Copyright Treaty (WCT), 1996 and WIPO Performances and Phonograms Treaty (WPPT), 1996. I quote: "The member countries of the WIPO agreed on the utility of having the Internet treaties in the changed global technical scenario and adopted them by consensus." I would like to know from the hon. Minister whether India is a signatory to these two Treaties.. According to my understanding, India is not a signatory to these two International Treaties. If that is true, then, how is it claimed in the Statement of Objects and Reasons? There is a serious attempt to mislead the House. India is not a signatory to these two Treaties. If we look at the Statement of Objects and Reasons, it has, specifically, stated that the member countries of WIPO agreed on the utility. Sir, I would not like to, take more time of the House; I know there is time constraint. But please look into it. It is against the reality.

Sir, I am trying to come to the main objection. That is, the Minister has introduced a new amendment to delete the lines 23-25 on page 2 with regard to definition of 'parallel import'. 'Parallel import' means importation of legitimate goods from cheaper market to countries having higher price to protect goods. That means, if I have a copyright on goods, Akhtarji has the right to import those goods from other countries. That means, if that right is not there, I have shown authority to fix the price at any level. If that mechanism is there, it acts as a balancing mechanism. Sir, this would act as a pressure tactics or balancing mechanism to ensure affordable price. Sir, if a copyright holder fixes the price at a higher level then the public has the right to import it from any other country because the provision for 'parallel import' is compelled to fix at a reasonable price. This is a very important thing.

Then, the present Indian Copyright Law allows 'parallel import' as a law prohibiting only importation of infringed copies. There is no ban on importing legally to purchase copies from foreign market. But, Sir, the courts were very often

[Shri P. Rajeeve]

interpreting this wrongly as found in Penguin case, EuroKids case and John Wiley case. The 1994 amendment makes it clear that once the copies are in circulation the owner of the copy has no control over it and the copy can move freely to any territory following the principle of International exhaustion of copyright. Without taking note of the legislative index, court also interprets in a different way, and, often prevents the free movement of the copies, particularly imported from one country to India at a cheaper price or exporting to other countries, of books printed in India. Sir, secondly, the country follows International Exhaustion of Rights. It is known as a 'doctrine of first sale'. If you look into the Patent Act, Section 107B is there. That is for 'parallel import'. If you look into Trade Marks, Sir, Section 33 is there. That is for parallel import. If you look into TRIPS, Section 6, that is also for parallel import. But the Ministry has removed parallel import very cleverly to protect the interest of publishing companies. Sir, I kindly invite the attention of the Standing Committee Report. I quote: "The Committee is of the view that proposed inclusion of the provision in the definition of term 'infringing copy' seems to be a step in the right direction, especially in the prevailing situation at the ground level. The present practice of publishing books under territorial licence resulting in sales of book at very heavy price cannot be considered as..."

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Please conclude.

SHRI P. RAJEEVE: Sir, let me stick to the Bill. This is the recommendation of the Standing Committee. I would like urge the Minister to make an official amendment to delete this. This is a very important issue. I request the Minister to withdraw that amendment. One more thing is, India is not a signatory to WCCT and WPT. Hence, what is the relevance of Section 36? The amendment Bill, intends to incorporate protection of technological measures while users are given right to break laws for some purpose, but no right to any access to means. This provision is quite unnecessary. There is no public demand in India for PPM to be introduced. This pressure came from the United States of America in the form of Special 301 Report, prepared by USA by a representative. ...(*Time-bell rings*)... Sir, our country has taken a very strong stand against the technical measures in international forum. These two amendments could weaken India's stand in international forum. So, I urge the Minister, through you, to withdraw these two amendments. Thank you.

SHRI N. K. SINGH (Bihar): Sir, if it means any satisfaction to my very dear friend, Mr. Javed Akhtar, I will abstain from making any quotations from Shakespeare. Instead today, I will do something else. I have tried to look at the

earliest historical cases in respect of the right to copy. This time it does not come from Shakespeare. It comes from the catback oldest extent Irish manuscript in which King Diarmait had the first kind of a conflict to whom did the right to copy belong.

And, King Diarmait Mac Cerbhaill, at that time, pronounced, in his own subtle way, and I quote the judgment of that time. It says, “To every cow belongs her calf; therefore, to every book belongs its copy.” I think that is the origin in which the case-law on copyright has developed. The reasons why, Mr. Minister, I support this, legislation is, first and foremost, I regard this as a socially progressive legislation. I regard it an inclusive policy. I regard it at translating the benefits from a particular arena of economic activity to all stakeholders. The truth, Sir, is that I cannot really have the eloquence of Javed Akhtar or really Mr. Ravi Shankar Prasad, whom I did not know was such an arid watcher of films and really track down all the songs. Being a practitioner of economics—you know economics is, unfortunately, dismal science—we look at everything from the viewpoint of a dismal science. Mr. Minister, what is the entire market scenario? The market scenario is, what the economists call, typically, the market distortions emanating from a monopsonistic market distortion—the buyer are few, the sellers are huge and information asymmetry abounds. And, therefore, there is an inherent dichotomy in achieving a market equilibrium in which the different stakeholders can get prices which the market would determine, given the market distortions and given the market asymmetry. What this Bill seeks to do is to overcome these market distortions and to overcome the disabilities of a monopsonistic fragmentation of the entire market relating to that. From that point of view, Mr. Minister, this is a very socially progressive legislation and corrects an important economic distortion.

Secondly, Sir, some friends have spoken that we are not signatories to some of these treaties. But the fact remains that technology is advancing. We will surely become the signatories to this. We will surely become the signatories to the Two World Intellectual Property Rights, Internet Treaties and the WIPO Copyright Treaty of 1996, the WIPO Performance and Phonograms Treaty of 1996, which shall be negotiated and the Bill is intended to bring us in conformity with that. What is the objective of that? The objective is exactly what Mr. Minister you have said. How does WIPO, for instance, which has an overarching organisation, define the importance of the copyright, function? And, Sir, I quote from the WIPO. It says and I quote, “To encourage a dynamic culture, while returning value to creators so that they can lead a dignified economic existence, and to provide widespread, affordable access to content for the public.” This, Sir, is the overarching philosophy of all intellectual property rights. This is the overarching philosophy of the WIPO. This is

[Shri N.K.Singh]

the overarching philosophy which this Bill intends to achieve. Additionally, apart from the march of technology, apart from the fact that we surely become and really like to become in conformity with the evolving dynamics and the pace at which technology changing and you cannot change the copyright Act every now and then—it takes a long time to bring about a change—and we will bring ourselves in conformity with these evolving international practices and conventions, I believe, that the approval of this copyright Bill today is important. It seeks to strengthen the rights of artists and composers and the reasons we all know. It seeks to strengthen the performers' rights. It seeks to have provisions for compulsory and statutory licensing. It seeks to strengthen the provisions in respect of disability. And, it seeks to manage the import of impinging copies in a manner which could be considered reasonable. I think, I wish to deal with just one more point given the fact that I have only one minute left.

Sir, a point was raised by a distinguished speaker who said that film producers will suffer, film actors will suffer and many sentimental nostalgic examples were quoted. The fact remains that this is not a zero sum game. It is a zero sum game now in so far as artists are being denied their legitimate due.

What the Bill seeks to do is, precisely, obliterate that zero-some game, and to build a hierarchy in which the gains of royalty are evenly divided, and equitably divided, between the different stakeholders. So, it is not a case in which it was pointed out that there would be huge infliction of suffering. In fact, what will happen, Sir, is an equitable arrangement, a balanced arrangement, and for reasons of equity, for reasons of morality, for reasons of this being a progressive legislation and for the reasons of this correcting important market imperfection, I have risen in support of this Bill.

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): श्रीमती जया बच्चन। आपके पास पांच मिनट हैं।

श्रीमती जया बच्चन (उत्तर प्रदेश): अगर आप कहें तो मैं बैठ जाती हूँ, जाने दीजिए।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): नहीं, आप बोलिए।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): सर, पहले मैंने सोचा था कि मैं इस विषय पर नहीं बोलूंगी क्योंकि मेरी situation बड़ी odd है। मैं ऐसे परिवार में पैदा हुई जहां लेखनी को बहुत महत्व दिया जाता है, मेरी शादी ऐसे परिवार में हुई जहां लेखनी को बहुत महत्व दिया जाता है, और जो मेरा काम है, वह perform करने का काम है। आज मैं यहां खड़ी हूँ, वह इसी वजह से हूँ कि मेरे past में शायद कोई ऐसी चीज़ें रही होंगी, जिनको देखकर मेरी पार्टी ने सोचा की मैं उनमें काम आऊंगी।

Sir, I am basically a performing artist, and now, a parliamentarian because of my past achievement. यहां सबने, including जावेद अख्तर साहब, writer, lyricists और producers की बातें कीं। लेकिन जावेद अख्तर साहब, आपने collective effort की बात नहीं की। अब हम लोग छोटे-मोटे कलाकार हैं, रवि शंकर जी ने मेरा गाना भी आपको सुना दिया, उनके बारे में भी तो आपने इसमें कुछ सोचा होता।

श्री जावेद अख्तर: मैं तो आपसे 50-50 करने के लिए तैयार हूं।

श्रीमती जया बच्चन: बहुत से ऐसे गाने हैं जो हमारे परिवार ने फिल्मों में दिए। ऐसे बहुत से गाने हैं जो मेरे ससुर जी के लिखे हुए हैं, मेरे पति जी न गाए हैं, उनका क्या हुआ, वह तो छोड़ दीजिए; इनको आप भी अच्छी तरह से जानते हैं। मेरा मानना यह है कि जावेद साहब जो कह रहे हैं, वह बहुत सही कह रहे हैं। But, it should be actually divided between the persons who are participating in his creativity. This is What I feel.

सर, आपने आज तक piracy को नहीं रोका, which is a bigger malice, चाहे वह फिल्म piracy हो या music piracy होए, and music is worse. आपको पता है कि यह कैसे होता है? जो गाना रिकॉर्ड किया जाता है, उसका डुप्लीकेट बनाया जाता है और जो original गाना है, डुप्लीकेट गाना उससे ज्यादा नम्बर पर बनाया जाता है और उसको गनी बैग्स में भरकर ट्रेन से भेजा जाता है। फिर जब बात हो जाती तो सड़क पर कहीं भी बीच में वह गनी बैग फेंक दिया जाता है। उसके बाद जो in-between आदमी रहता है या जो लोग भी होते हैं, वे उसे लेकर जाते हैं और मार्केट को फलड करते हैं जिससे original music बहुत ज्यादा suffer करता है। उसके कॉपीराइट का क्या होगा? वहां तो कॉपीराइट लागू ही नहीं हो सकता है।

Sir, we need to control piracy. It is a very, very big problem in the film industry and in the music industry. पहले क्या होता था कि जो single performing artists थे, जैसे पंडित रवि शंकर हों या हरि जी हों, शिव जी हों, इन लोगों को कोई pirate नहीं करता था। आजकल उसे भी pirate करने लग गए हैं। There are so many places and occasions where music is used. सिर्फ फिल्मी गानों से तो नहीं चलेगा, इसलिए ये सब बनते हैं क्योंकि माहौल क्रिएट करना पड़ता है। शादी में पहले संतुर, सितार और flute से शुरुआत होगी और बाद में जाकर और कुछ होगा। इसलिए मेरी रिक्वेस्ट है कि in this Bill, please divide the copyright between all participating performers.

सर, अभी नायक जी ने बहुत सी फिल्मों के बारे में बात कही और आपने कहा कि ये विदेशी फिल्मों की कॉपी है। देखिए, आप ऐसे शब्द इस्तेमाल नहीं कर सकते, मैं आपसे माँफी मांगती हूँ। आपको फिल्म इंडस्ट्री से बहुत तकलीफ है, शुरु से आपका और मेरा यह चलता रहा है, इसी बात के ऊपर। इन्होंने बहुत सी फिल्में गिनाईं। इन्होंने एक फिल्म ऐसी गिनाई जो बिल्कुल ही inspired नहीं है, from the Star or whatever you said. That is Abhimaan. I am saying this on record; it is not. Please do not make this mistake by saying it publicly. You will get into a lot of trouble. (Interruptions) Thank you. सर, यहां आज

[श्रीमती जया बच्चन]

सदन में सारे वक्ताओं ने including, I think, the most talented writers of this country today, Shri Javed Akhtar, have quoted many old poets. जावेद साहब, आपके परिवार में कोई तो होंगे। ...*(व्यवधान)*... इसीलिए मैं बार-बार कह रही हूँ कि this should be a collective share. अभी आपको याद होगा कि आपने हिन्दुस्तान की आज़ादी का जिक्र किया। उसमें सबसे बड़ा नारा मौलाना हसरत मोहनी, जो लखनऊ के शायर थे, उन्होंने दिया था इन्क्लाब जिंदाबाद। सर, उसके कॉपी राइट का क्या होगा? प्रदीप साहब, जिन्होंने इनते बढ़िया गीत लिखे, एक आपने सुनाया—दे दी हमें आजादी बिना खड़ग, बिला ढाल। दूसरा गीत यह लिखा था—आओ बच्चों तुम्हें दिखाएं झांकी हिन्दुस्तान की। सर, वे चले गए, खत्म हो गए, मगर उनके गीत अमर हैं, उनकी लेखनी अमर है। मैं आपको अपने ससुर जी की एक मजेदार कहानी बताती हूँ, जिसे उन्होंने अपनी autobiography में लिखा। यह बहुत पुरानी बात है। वह पैसा बनाने के लिए भी लिखते थे और पब्लिशर उनको पैसा नहीं देता था। इसको कॉपी राइट वाला ही समझता है। वह पब्लिशर के पास गए कि भाई, मेरा पैसा दीजिए। आपने इतनी मेरी किताबें बेची हैं। उसने झूठ बोल दिया। उसने कहा कि हमने इतनी किताबें नहीं बेचीं। यह हो गया पॉयरेसी। वे बहुत परेशान थे कि मैं फैमिली में आज जाकर पैसे कैसे दूंगा। मैं राइटर आदमी हूँ और तो कुछ करता नहीं हूँ। वे टीचर थे, उस वक्त टीचर की क्या तनखाह होती थी, यह आप जानते हैं। वे बहुत ही जिद्दी किस्म के poet थे, उन्हें बहुत गुस्सा आया। उन्होंने कहा कि आज मैं प्रण लेता हूँ कि जब तक मेरा पब्लिशर खत्म नहीं हो जाए, मैं इसको curse करूंगा। वे पब्लिशर की दुकार से निकले, वहां पर दरबान था, उसे बोले मेरा पब्लिशर चोर है। आगे गए पत्थर दिखा, मेरा पब्लिशर चोर है। आगे गए एक खम्बा दिखा, बोले मेरा पब्लिशर चोर है। सर, वाकई मैं पब्लिशर थोड़े दिनों में मर गया।

जावेद साहब, आप यह ज़िद मत करिए। आर्टिस्टों की ज़िद और आर्टिस्टों का curse बहुत बुरा होता है।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Jayaji, I would like to give you more time, but I am helpless. *(Interruptions)* I am constrained by time.

श्रीमती जया बच्चन: सर, यह curse किसी को नहीं लेना चाहिए। मुझे लगता है कि आप इसको कंसीडर करें और इसको कलेक्टिव शेयरिंग में इन्क्लूड करके इस बिल को पास करें।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Shri Tiruchi Siva. Sivaji, five minutes. Please cooperate.

SHRI TIRUCHI SIVA (Tamil Nadu): Mr. Vice-Chairman, Sir, I rise to support the Copyright (Amendment) Bill. The Copyright Act was enacted in 1957 to protect the works of legendary poet, Rabindranath Tagore. Sir, this Act has undergone five amendments so far, and this is the sixth amendment. The earlier amendments were in the year 1983, 1984, 1992, 1994 and 1999. Sir, the 1994 amendment was the major one,

which harmonized the provisions of this Act with the Rome Convention, 1961 by providing protection to the rights of the performers, producers of phonograms and broadcasting organisations.

Sir, it also introduced the concept of registration of copyright societies for collective management of the rights to each category of copyright works. The last amendment in 1999 introduced some minor changes to comply with the obligations under the trade related aspects of the Intellectual Property Rights, that is, the TRIPS. This Bill has been brought to keep with the development of information and communication technology. It is important that we support the amendment being introduced today. Sir, some very important points I would like to make. One of the salient points is that this Bill seeks to make changes to the rights of authors as well as of users. It also seeks to bring relevant provisions of the Act in line with the World Intellectual Property Organisation Copyright Treaty and Public Performances and Phonograms Treaty to the extent considered necessary and desirable. India has not signed these Treaties as yet. It is signatory to the Bern Convention, 1886 under which a country recognises copyrights of authors from other member countries. Sir, there are two very important points which I would like to make here. The Minister who has done a very remarkable job has also to take note of the other communities apart from the film industry, music world and publishers. Sir, publishers are very unhappy because of amendment in section 2(m) in which it says that copy of work published in any country outside India with the permission of the author of the work and imported from that country to India shall not be deemed to be an infringement. The objective of the amendment is opening up of markets without any boundaries or territories for films, books and music should result in offering more variety to people. The industry feels that eliminating territories will curtail the Indian publishers' ability to have India specific rights. Sir, I would like to bring to the notice of the Minister, through this august House, Sir, that the royalty which the writers are getting through the publishers is just meagre 7.5 per cent. Supposing a book is sold at Rs.100/-, the writer will not get royalty of Rs. 7.5, it is only Rs. 3.75, half the price.

SHRI KAPIL SIBAL: They have all suffered.

SHRI TIRUCHI SIVA: Half the price! The price at which it is being sold to the wholesaler. is being given as royalty to the writers. I would like to mention some of the names of the renowned writers who were totally relying upon the writing and how meagre their living was, they included Akbar All Farooqui, Urdu, Girish Karnard, Kannada, Jay Goswami, Bengali, M.T. Vasudev Nayar, Malayalam, Sri Sri, Teiugu,

[Shri Tiruchi Siva]

Kunwar Narayan, Hindi, Indra Goswami, Assamese, Abdur Rahman Rahi, Kashmiri, Namdeo Dasal, Marathi, Sarojini Sahu, Oriya, Raghuvir Chandni, Gujarati and in Tamil, our own leader, Dr. Kalignar Karunanidhi was a great writer, K. Rajanarayanan Jayakanthan and many other people. Sir, many people who live on writing when they get a meagre royalty like this, I think, the Minister who has attempted to help the film industry, that too lyrists and music composers, has to take note of this. I request the Minister to kindly take note of this since you are also a sufferer as also Dr. Karan Singh. ...*(Interruptions)*... It is very important. I think in future, at least, he will take an initiative to rectify this discrimination which is being done to the publishers. Another very important thing is that section 52 already gives...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You have already taken five minutes.

SHRI TIRUCHI SIVA: It is about copyright exemption only for conversion of books into special format such as Braille and sign language.

Sir, this is a very important thing. It has been noted that a number of print-disabled people don't use Braille. A copyright lawyer with Inclusive Planet, an organisation working with the disabled, says, 'They scan and convert printed material into electronic formats and use screen reading softwares like NVDA or JAWS to listen to it. *(Time-bell rings)* Director is exempted, he says. Kindly take into consideration the writers, script writers of the film industry who are totally neglected.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay.

SHRI TIRUCHI SIVA: Sir, I would like to make only one more point and then conclude. Sir, you mentioned about the Standing Committee. The Standing Committee has strongly recommended that this Act has not addressed the issue of internet piracy. It has also suggested that the Copyright Act must be synchronised with the Information Technology Act, 2000, in order to combat the menace of Internet piracy. Plagiarism is an important issue which needs to be addressed. We have to ensure that the amendments and the rights of the creative people and producers are safeguarded and implemented, because, often there is a gap in between the actual law and its enforcement in practice. Thank you.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Shri Baishnab Parida. Please take less than five minutes.

SHRI BAISHNAB PARIDA (Odisha): Mr. Vice-Chairman, Sir, I rise to support

the Copyright (Amendment) Bill, 2010. I hope it will remove operational difficulties and address certain newer issues that have emerged in the context of digital technology and internet in view of the WIPO Internet Treaties. Sir, at the outset, I must express my deep thanks to the renowned lyricist, composer, poet, Javed Akhtar sahib who, through his persistent efforts, compelled the Government, to some extent, to bring this Bill to this august House. I must express my thanks to the hon. Minister. He created some historical events which remained neglected for many years. A large number of eminent writers, lyricists, composers, singers are deprived of their rights over their own intellectual creations. Sir, a country should be proud of its material wealth, but the real wealth of a country or a nation is the intellectual wealth. That intellectual wealth is consisting of music, art, literature, culture, etc. The country or the nation which does not pay due respect to the creators of this intellectual wealth, that country can't claim itself as a great nation or a civilised nation. In Indian history, the writers were treated as highly respected people. In Sanskriti, it is written स्वदेशे पूजयते राजा, विद्वान् सर्वत्र पूजयते The Raj'a is respected within the boundary of his Kingdom, but the intellectuals, vidwan, the poets, the writers, are respected throughout the world. Sir, in this pageant world, due to development of digital technology, a new problem has come up. In India, specifically, the film industry is the largest industry in the world.

Sir, it is one of the biggest sources of our income. And, through this soft diplomacy, we create cultural influence throughout the world. Sir, cinema is the most effective medium to create soft cultural diplomacy. Now, after so many years, the hon. Minister has brought forward this amending Bill. I think, it will help the real creators of the intellectual wealth to get their rights. You see, Sir, Karl Marx wrote in his Das Capital, "the labourer, the worker, who produces the product through his labour is alienated from that product. He can't claim that he has created it or he is the owner."

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Parida, please conclude.

SHRI BAISHNAB PARIDA: So, if the creators of intellectual wealth are not given their due, the country cannot claim its proud heritage and the present development of its intellectual prosperity.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): See, there are four more hon. Members who have to speak on this Bill. So, I request each of them to confine to four minutes.

श्री रवि शंकर प्रसाद: सर, अच्छा होता कि हम डा. कर्ण सिंह का एकाध गीत भी सुनते, तो फिर Copyright का मज़ा आता।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Dr. Bharatkumar Raut. Dr. Raut, only four minutes. Please cooperate.

DR. BHARATKUMAR RAUT (Maharashtra): Sir, I welcome this amending Bill with a few reservations.

Sir, sitting here today during this discussion was a great feast to my ears because I heard Javed Akhtarji, Jayaji, Ravi Shankar Prasadji and many other hon. Members. I recall our discussion on the Nalanda University Bill. So, I am really thankful for that.

Sir, when we bring this Bill, it is really a welcome step. However, there are some queries which I want to raise. One is, does this Bill also include those who broadcast from the foreign soil, the radio and television that are broadcast from the foreign soil? Does this Bill also include them or not? That is my first question. There are some local radio stations in England, in London particularly, and in many other areas, which are Hindi radio stations, which broadcast their programmes there. Does this Bill apply to them also?

Number two, as Jayaji had pointed out, what will happen to piracy, which is the biggest enemy of the industry? The biggest enemy of the industry is piracy. This Bill does not deal with that at all. When I say 'piracy', it also means the 'versions'. The new term of piracy is 'versions', where you just change one music piece, and you make another version, and that is played. So, what happens to that?

Secondly, sometimes, the words are changed from one language to another. In Marathi, there was a very popular song called '*Kombadi Palali*'. That came in Hindi as '*Chikni Chameli*'. The music was same; everything was same; only the words were changed. The Music Director also was, perhaps, the same. So, what happens to others? What happens to the singer? Do they get the royalty? And how do you allow that? That is my question to the hon. Minister.

Another thing is, Sir, here we are talking about the royalty part of the writers, music directors and, perhaps, singers. Now, the question is, what happens to others who are involved in the song-making? It is not only the writer or the music director or the singer who makes the song. There are associated musicians also.

What happens to their rights? Who controls them? Does the music director control them, or is it the music company that controls them? What happens to them? *Javedji* would definitely be knowing that there is something called 'side rhythm'. The side rhythm plays a vital role in the popularity of any song. लेकिन वह बेचारा गरीब वैसे का वैसे रह जाता है, आप उसका क्या करोगे? Nobody is looking at him.

Sir, the last point I would like to ask you is this. What have you thought for the young artists? When I was young, I used to go from one editor to another saying, 'मुझे पैसा मत दो, मेरा एक आर्टिकल छपवा दो'। Now, if there are singers, music directors or writers who go from one producer to another, from one music director to another, and says, 'don't pay us', or 'pay us a little, but use our songs and give us a chance', what will he do? Later, this could prove to be a loophole in this business, because if you say that it is provided for in this Bill, it would not be voluntarily accepted; it would be done out of compulsion. Therefore, my request to the hon. Minister is, now that you have brought this Bill, just fill in those lacunae and it would serve the purpose.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Mr. Prakash Javadekar. Please cooperate and take only four minutes.

SHRI PRAKASH JAVADEKAR (Maharashtra): Sir, I would take five minutes and conclude.

सर, मैं सदन की भावना से तो सहमत हूँ, लेकिन मैं पीछे की एक कहानी बताना चाहता हूँ। यह बिल, जो आज अच्छा लग रहा है, वह ऐसा नहीं था। जब बिल एच.आर.डी. कमेटी के सामने आया, तो हमने एक-एक करके स्टैक होल्डर्स को बुलाना शुरू किया। There was not a single stakeholder who was happy.

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): अभी ऐसा नहीं है।

श्री प्रकाश जावडेकर: सर, मैं वही बता रहा हूँ कि यह कैसे हुआ। ऑस्कर फर्नांडिस जी इस कमेटी के अध्यक्ष हैं। एक स्टैंडिंग कमेटी में क्या-क्या काम होता है, वह हम कभी प्रेस को ओपन नहीं करते, इसीलिए कभी पता ही नहीं चलता। हमारी 15 मीटिंग्स हुईं और पहली पांच मीटिंग्स होने के बाद यह तय हुआ कि यह बिल इतना बैडली ड्राफ्टेड है कि यह मिनिस्ट्री को वापस भेजा जाए। जब कपिल जी और कमेटी में बात हुई, तब उन्होंने कहा कि हम दो-तीन अधिकारियों की मदद लेते हैं, लेकिन आप इसे वापस मत भेजिए, इसे आप ही पूरा करिए। स्टैक होल्डर्स को सुनने का जो काम मिनिस्ट्री को करना चाहिए था, वह काम कमेटी ने किया। यह सब्जेक्ट इतना लीगल, कॉम्प्लिकेटेड और टेक्निकल है कि इसमें ब्रॉडकास्टर्स भी आ गए, म्यूज़ीशियंस भी आ गए, आर्टिस्ट भी आ गए, प्राड्यूसर्स भी आ गए, म्यूज़िक कम्पनियां भी आ गईं, इंटरनेट वाले भी आ गए, रेडियो वाले भी आ गए, इसलिए इसमें इतने स्टैक होल्डर्स हैं कि कमेटी ने 15 मीटिंग्स कीं, 68 घंटे काम किया और 19 प्रमुख सिफारिशें कीं।

आपको याद होगा कि जब ट्रिब्यूनल का बिल आया था, तब सारी चर्चा और बिल यहां से डेफर हो गया था। ऐसा इसलिए हुआ था कि कमेटी की एक भी रिकमेंडेशन मंत्रालय ने स्वीकार नहीं की थी। इस बार ऐसा नहीं हुआ है, 'देर आए दुरुस्त आए'। इन्होंने 19 में से 17 सिफारिशें स्वीकार कीं, जिसको आज सदन में एग्प्रिसिशन मिला। ये जो सारी सिफारिशें और बदलाव हुए, वे एचआरडी कमेटी के कारण हुए। मैं मीडिया को भी यह बताना चाहता हूँ कि

[श्री प्रकाश जावडेकर]

कमेटीज़ में कितना काम होता है। पार्लियामेंट में जो शोर-शराबा होता है, हम उसके बारे में तो बोलते रहते हैं, लेकिन पार्लियामेंट्री कमेटियों में इतना सीरियसली काम होता है और इतने अच्छे सुझाव आते हैं, जो मिनिस्ट्री को स्वीकार करने पड़ते हैं, लेकिन क्रेडिट उनको ही मिल रहा है। यह जो होता है, कभी इसका भी उल्लेख होना चाहिए, इसीलिए मैं आज खड़ा हुआ हूँ ...**(व्यवधान)** मैं अभी बता रहा हूँ। यह तैयार हुआ, इसके लिए कमेटी ने लड़ाई लड़ी और मिनिस्ट्री में स्वीकार करने के लिए भेजा। इसके लिए हमने उनको यह कहा कि हमारी जो सिफारिशें आप स्वीकार करोगे, वे तो बताओगे ही, लेकिन जो स्वीकार नहीं करोगे, वह आपका अधिकार तो है, लेकिन क्यों स्वीकार नहीं कर रहे, इसका रीज़न भी कमेटी को बताओगे।

यह एच.आर.डी. में शुरू हुआ है। मैं एक दूसरा उल्लेख भी करूंगा, क्योंकि आगे बहुत से बिल्स आने वाले हैं। कमेटी ने इधर दो सालों में, अभी 15 बिल्स पर अपनी रिपोर्ट्स दी है। तीन में बहुत-सारे सुझाव मंत्रालय ने स्वीकार किए हैं, लेकिन हमें लिखित रूप से केवल दो में ही रेस्पोंस मिले हैं, बाकी में रेस्पोंस नहीं मिले हैं। सर, मैंने यहां इन सब बातों का उल्लेख इसलिए किया कि लोकतंत्र में यह स्टैंडिंग कमेटी की पद्धति जो चल रही है, यह कितनी सफलता से काम करती है, यह बात दूं। मैं यही कहूंगा कि देर आए, दुरुस्त आए।

अब कमेटी की रिपोर्ट आने के बाद मंत्रालय ने अचानक रेडियो का एक नया विवाद खड़ा किया और पिछली बार ये एक नया अमेंडमेंट लेकर आए। यह भी सरकार की एक गलत प्रवृत्ति हो रही है कि रिपोर्ट आने के बाद उसमें बहुत सारी अमेंडमेंट्स करना। कम्पनीज़ एक्ट में क्या हुआ? कम्पनीज़ एक्ट में स्टैंडिंग कमेटी की रिपोर्ट के बाद उसको न दिखाते हुए बहुत-सारे नये अमेंडमेंट्स लाये गये, इसलिए वह डेफर हुआ। इसलिए, ऐसा खिलवाड़ मत करिए।

सर, मैं अभी केवल एक मिनट और लूंगा। इसमें मेरे ही तीन अमेंडमेंट्स हैं। मैं अब अमेंडमेंट का केवल एक ही मुद्दा बताऊंगा, जिसका पी. राजीव जी ने थोड़ा उल्लेख किया कि स्टूडेंट्स के लिए एक अधिकार है कि उनको ऑफिशियल कॉपी सस्ते में मिले।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): आपके चार मिनट हो गए।

श्री प्रकाश जावडेकर: ऑफिशियल कॉपी, पाइरेटेड कॉपी नहीं या जो सड़क पर मिलती है, वह नहीं। वह कीमत देकर ऑफिशियल कॉपी लेना चाहता है, लेकिन उसका वह अधिकार अभी तक उसमें प्रोटेक्ट नहीं हुआ है। ...**(समय की घंटी)**... उसके **parallel importation** के लिए मिनिस्टर साहब ने कहा था कि हम छः महीने में उसका अध्ययन करेंगे, लेकिन अब दो साल हो गए। वे आने वाले जुलाई के सेशन में अमेंडमेंट लाएं, इतना भी आश्वासन दे दें, तो यह ठीक होगा। इन बातों को रिकॉर्ड पर रखते हुए अपनी बात समाप्त करता हूँ। धन्यवाद।

SHRIMATI JAVA BACHCHAN: Sir, ...**(Interruptions)**...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I will give you time ...**(Interruptions)**... Dr. Prabha Thakur. Only four minutes.

डा. प्रभा ठाकुर: अब मुझे सोचना होगा कि मैं क्या बोलूँ और क्या न बोलूँ।

सर मैं सरकार द्वारा प्रस्तुत इस कॉपीराइट (अमेंडमेंट) बिल, 2010 का समर्थन करने के लिए यहां प्रस्तुत हूँ। अनेक विद्वान सदस्यों और लेखकों ने इस बिल का समर्थन किया है और कई सुझाव भी दिए हैं। प्रसिद्ध लेखक जावेद साहब ने जिस रूप में अपनी भावना को यहां प्रस्तुत किया, उससे सब इमोशनल हुए। प्रसिद्ध अभिनेत्री और महान कलाकार श्रीमती जया बच्चन जी पाइरेसी रोकने के सम्बन्ध में एक विशेष point जो लेकर आई हैं, उस पर भी गौर करना जरूरी है।

महोदय, मैं विशेष रूप से मंत्री जी का ध्यान आकर्षित करते हुए एक बात यहां यह

8.00 P.M.

कहना चाहती हूँ कि जिस स्पिरिट में यह कॉपीराइट बिल लाया गया है, उसी स्पिरिट में इस विधेयक को पारित किया जाए। जब फिल्म बनती है, तो उसमें रचनाकार, गीतकार, संगीतकार, कलाकार, तकनीशियंस, निर्देशक और परदे के पीछे कई अनेक लोग होते हैं। लेकिन, यहां जब कॉपीराइट का सवाल आता है, तो उसमें सिर्फ जो रचनाकर्मी हैं, चाहे वे संगीतकार हों, गीतकार हों या लेखक हों, वहीं उसके अंतर्गत आते हैं। मेरा यही निवेदन है कि कई संशोधनों के प्रस्ताव हालांकि दिए गए हैं, लेकिन अभी जिस स्पिरिट में इस विधेयक को लाया जा रहा है, उसी स्पिरिट में इस विधेयक को पारित किया जाए। बाद में जो अन्य बातें हैं, जैसे फिल्मों से जो अनेक लोग जुड़े हुए रहते हैं, तकनीशियंस, कलाकार और कई अन्य लोग, तो उनके बारे में अलग से कोई विधेयक लाया जाए और उनके लिए भी व्यवस्था अवश्य की जाए। वाकई यह सही है कि हॉलीवुड में जहां लेखकों को भरपूर पारिश्रमिक मिलता है बड़ी धनराशि मिलती है, वैसा बॉलीवुड में नहीं है, इसलिए लेखकों को, रचनाकारों को सरकार से संरक्षण मिलना ही चाहिए। कोई उनकी मेहनत को चुरा करके उससे खुद तो लाखों रुपए कमा ले, लेकिन उनको उसमें से उनका हिस्सा न मिले, उनका हक न मिले, यह उनके प्रति अन्याय है। इसलिए, उनको न्याय मिले, उनको उनका शेयर मिले। पाइरेसी पर भी राकथाम हो। दूसरे लोग, दूसरी बड़ी कम्पनीज़ के लोग या कॉर्पोरेट हाउस के लोग इसको अपने तरीके से लेकर, इसके गीत-संगीत को अपना कहकर और अपनी मुहर लगाकर, बनाकर उस तरह से पैसा कमाएं, यह उचित नहीं है। यह एक रचनाकर्मी के अधिकार का हनन है। इसलिए, मैं इस विधेयक का समर्थन करती हूँ। धन्यवाद।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): आपको भी बहुत-बहुत धन्यवाद। आपने दो मिनट में ही अपनी बात खत्म कर दी। Now, Shri M.P. Achuthan.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Shri M.P. Achuthan. Please take three minutes.

SHRI M.P. ACHUTHAN (Kerala): Mr. Vice-Chairman, Sir, I support this Bill. Generally, we do not get an opportunity to support a Bill piloted by Mr. Kapil Sibal. Now, after some changes, he has brought the Bill. Apart from the suggestions given by the Standing Committee, he has made so many amendments, which I support.

[Shri M. P. Achuthan]

Here, I would like to make only two points. We are in the era of e-books. The scope of e-books is widening, which means that the very concept of copyrights in the publishing industry is being reduced. In that context, we have to allow the parallel imports. Don't stick to that provision. It will help the students' education through books we have to import, and, you have to consider this.

Another point is that you have made a proposal to delete section 17(f), that is, share to principal director. While piloting the Bill, you said that the Director is the main creative artist, and, he has to get the due share, but, at the same time, you are deleting that provision. My request is that this should be included. Sir, I support most of the provisions, and, in the end, I would like to say that along with this you must seriously think of bringing a comprehensive Bill to protect the film and music industry from piracy. It must be coupled with IT industry so that it protects the interests of the artists covered under this Act and also artists in other sections. You have to protect them, for which, I hope, you will bring another Bill. With these words, I thank you.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Thank you for taking only two minutes. It was the best speech. Now, the hon. Minister.

KAPIL SIBAL: Mr. Vice-Chairman, Sir, I would like to thank all the distinguished Members who participated in this discussion for having supported this legislation.

I am very happy that, by and large, subject to some comments, the architecture of this Bill is being supported. Some distinguished Members made certain points, and, I would like to quickly deal with each of them in one sentence. I just want to mention that choreography, for example, is protected under the definition of section 2(h)–Part of Dramatic Work. So, choreographer is given this right. Then, light man, technician under the law, is not recognized as having any copyright. Cinematography is protected. As far as WCT and WPPT are concerned, we are bringing this Act in harmony with it even though we have not signed it. It gives further protection to our authors in the digital world, and, our performers in the digital world. So, unless we do that, we will not be able to protect their rights.

'Indian work' is deleted because compulsory license can be given even in foreign works, which is good for us because even for a foreign publisher, we can get compulsory license, and, publish that work in India. That is why, this provision is deleted as it includes all authors.

Whether song clips of artists after death are allowed to be shared? Well, song clips are allowed. In film copyrights, in film songs, it is 60 years and till such

time as the artist is alive, and, after his death, his legal heirs are entitled to the royalty. Nobody can stop that. As far as clips on TV are concerned, even on those clips, royalty will be receive. That is the law.

Assignment of copyright to producers is protected. I have already made that point. Now, by harmonizing with the WCT,.. (*Interruptions*)

श्री रवि शंकर प्रसाद: आप lightsmen के लिए कुछ तो कीजिए, गरीबों के लिए कुछ तो कीजिए। ..(*व्यवधान*)..

SHRI KAPIL SIBAL: The provisions of WCT and WPPT extend copyrights to the digital world to help the publishing, film and music industries and also the authors. They also extend rights to performers and give them exclusive rights and moral rights. I wanted to deal with it in my opening remarks itself. So, there is a specific provision in this Amendment for moral rights as well as exclusive rights. Piracy is also made punishable under this Act through the Amendment. Even if the Internet Service Providers, violate any copyright law, they are given 21days. If you produce an order from the Court within those 21 days, the Internet Service Providers will not be allowed to carry the work. So, piracy also is dealt with. Then, as far as parallel imports are concerned, the Committee recommended, and I quote: "The Committee would, however, like to "put a note of caution to the Government to ensure that the purpose for which the Amendment is proposed, that is, to protect the interests of students is not lost sight of." Therefore, what we have done is, we have referred to NCAER; they will give their report by August. Whatever their report is, we will address it, and, if necessary amendments are required, we will do that.

Then, there is a new clause 65(A) and 65(B), which helps our publishing, film and music industry, including authors, to protect their works from piracy in the internet world. So, that has been included. By and large, these, in substance, are the comments that have been made. As far as the directors are concerned, as I said, we wanted to give it. But the Standing Committee, in its wisdom,—we have, in fact, embraced the wisdom of the Standing Committee—said that directors should not be given right, in the present context. We, therefore, dropped it. As the industry moves forward, in the next few years, I think, it will get maturity and I am sure that others also will be protected.

"इन्कलाब जिन्दाबाद" is not copyrighted under the law. It cannot be copyrighted. Words and phrases cannot be copyrighted. I wish they could be. So, these are some of the comments that I wish to make. I thank the distinguished Members of this House for having supported the Bill. I commend that the Bill be passed.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, ...(*Interruptions*) Yes, Mrs. Jaya Bachchan. You wanted to say something.

SHRIMATI JAYA BACHCHAN: Sir, I would like to suggest something which I missed out while speaking. Today, there is a very important section of the industry. They are the dubbing artists, and Javed Saheb is familiar with this. There are songs sung by unknown artists, and later on, dubbed by well-known singers. And there are also dubbing artistes for regional films. When these films are dubbed in other languages, I do not know what happens to these people? Is there any protection for them?

SHRI KAPIL SIBAL: If the work of the dubbing artists amounts to copyrighted work, then, that will be protected. That is something that will have to be addressed. As far as version recording is concerned, there is a whole slew of clauses in this amended Bill which deal with version recording and putting restriction on version recordings.

SHRI V.P. SINGH BADNORE (Rajasthan): Sir, I have a very specific question. In the film making, the producer-director organizes all the funds. When he organizes all the funds, and if the film doesn't do well, he comes to the streets. There are times when this producer-director, who has got all the money organized, comes to the streets, and you are trying to share this royalty with all these guys. What happens to that producer-director? Will these people be liable to pay for the losses that person has suffered?

SHRI KAPIL SIBAL: It is a business decision that the producer makes. If he loses, he loses. It is like building a house. If, ultimately, the contractor loses money, at least, the person, who laid the bricks should get his due.

SHRI TIRUCHI SIVA: Clause 52 (b) grants copyrights exemption for conversion of books only for braille and sign languages. But it excludes people affected by cerebral palsy, dyslexia and low vision.

SHRI KAPIL SIBAL: All forms of access are now exempted under the amendment to this Act, not just one technology.

SHRI JAVED AKHTAR: I would like to thank the whole House on behalf of the writers...

THE VICE-CHAIRMAN (PROF P. J. KURIEN): After passing it, you may speak.

SHRI JAVED AKHTAR: I am thankful not only to the Government, but also to the Opposition, and I have a small request that there should be some words of wisdom from the Leader of the Opposition.

THE VICE-CHAIRMAN (PROF P. J. KURIEN): Let us pass the Bill first. The question is:

“That the Bill further to amend the Copyright Act, 1957, 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. We shall, now take up Clause 2. There are 12 amendments, Nos. 3-13, by Shri Kapil Sibal. There is also an amendment No. 46 by Shri Prakash Javadekar. He is absent. So, his amendment is not moved. I will now put the amendments moved by the Minister to vote.

Clause 2—Amendment of Section 2

SHRI KAPIL SIBAL: Sir, I move:

3. That at page _____**1**, lines **7** to **10**, be **deleted**.
4. That at page **2**, lines **1** to **4**, be **deleted**.
5. That at page **2**, line **5**, for the brackets and roman numeral “**(ii)**”, the brackets and roman numeral “**(i)**” be **substituted**.
6. That at page **2**, line **7**, for the brackets and roman numeral “**(iii)**”, the brackets and roman numeral “**(ii)**” be **substituted**.
7. That That at page **2**, after line **11**, the following be **inserted**, namely:-

“**Explanation:**—For the purposes of this clause, ‘a non-profit library or non-profit educational institution’ means a library or educational institution which receives grants from the Government or exempted from payment of tax under the Income-Tax Act, 1961”.
8. That at page **2**, line **12**, for the brackets and roman numeral “**(iv)**”, the brackets and roman numeral “**(iii)**” be **substituted**.
9. That at page **2**, lines **23** to **26**, be deleted.
10. That at page **2**, line **27** for the brackets and roman numeral “**(vi)**”, the brackets and roman numeral “**(iv)**” be **substituted**.
11. That at page **2**, line 33, for the brackets and roman numeral “**(vii)**”, the brackets and roman numeral “**(v)**” be **substituted**.
12. That at page **2**, line **42**, for the brackets and roman numeral “**(viii)**”, the brackets and roman numeral “**(vi)**” be **substituted**.
13. That at page **3**, lines **1** to **4**, be **deleted**,

The questions were put and the motions were adopted.

Clause 2, as amended, was added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up New Clauses 2A and 2B. There is one Amendment (No. 14) by Shri Kapil Sibal.

SHRI KAPIL SIBAL: Sir, I wanted to move a motion for suspension of 96 (1), for Clause 2A, Government Amendment No. 14. I beg to move:

That this House do suspend Clause 1 of Rule 96 of Rules of Business and Procedure and Conduct of Business in Rajya Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates in its application to the Government amendment No. 14 to the Copyright (Amendment) Bill, 2010.

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Amendment No. 14 Shri Kapil Sibal.

New Clauses—2A and 2B Amendment of Sections 11 and 12

SHRI KAPIL SIBAL: Sir, 1 move:

14. That at page 3, after line 4, the following new clauses be **Inserted**, namely:-

“2A. In section 11 of the principal Act,—Amendment

(a) in sub-section (1), for the words “not less than two nor more than fourteen other members”, the words “two other members” shall be **substituted**;

(b) For sub-section (2), the following shall be **substituted**:-

“(2) The salaries and allowances payable to and the other terms and conditions of service of Chairman and other members of the Copyright Board shall be such as may be prescribed:

Provided that neither the salary and allowances nor other terms and conditions of service of the Chairman or any other member shall be varied to his disadvantage after appointment;”

(c) for sub-section (4), the following sub-section shall be **substituted**, namely:-

“(4) The Central Government may, after consultation with the Chairman of the Copyrights Board, appoint a Secretary to the Copyright Board and such other officers and employees as may be considered necessary for the efficient discharge of the functions of the Board.”.

- “2B. In section 12 of the principal Act, in sub-section (2), for the words “members, each Bench consisting of not less than three members”, the word “**members.**” shall be **substituted.**

The question was put and the motion was adopted.

New Clauses 2A and 2B were added to the Bill.

Clauses 3 and 4 were added to the Bill.

- THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 5. There are three Amendments (Nos. 15 to 17) by Shri Kapil Sibal.

Clause 5—Amendment of Section 17

SHRI KAPIL SIBAL: Sir, I move:

15. That at page 3, for lines 30 and 31, the following be **substituted**, namely:-

“5. In section 17 of the principal Act, in clause (e), the following proviso shall be inserted at the end, namely:-

16. That at page 3, lines 32 to 41, be **deleted.**
17. That at page 3, line 42, the word “**further**” be **deleted.**

The questions were put and the motions were adopted.

Clause 5, as amended, was added to the Bill.

- THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 6. There is one Amendment (No. 18) by Shri Kapil Sibal.

Clause-6 Amendment of Section 18

SHRI KAPIL SIBAL: Sir, I move:

18. That at page 4, for lines 7 to 11, the following be **substituted** namely:-

“Provided also that the author of the literary or musical work included in a cinematograph film shall not assign or waive the right to receive royalties to be shared on an equal basis with the assignee of copyright for the utilization of such work in any form other than for the communication to the public of the work along with the cinematograph film in a cinema hall, except to the legal heirs of the authors or to a copyright society for collection and distribution and any agreement to contrary shall be void:

Provided also that the author of the literary or musical work included in the sound recording but not forming part of any cinematograph film

shall not assign or waive the right to receive royalties to be shared on an equal basis with the assignee of copyright for any utilization of such work except to the legal heirs of the authors or to a collecting society for collection and distribution and any assignment to the contrary shall be-void.”.

The questions were put and the motions were adopted.

Clause 6, as amended, was added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 7. There are two amendments. There is one Amendment (No. 19) by Shri Kapil Sibal and there is another Amendment (No. 47) by Shri Prakash Javadekar. Shri Prakash Javadekar is not present. So, his amendment is not moved. I will now put the amendment moved by the Minister to vote.

Clause-7 Amendment of Section 19

SHRI KAPIL SIBAL: Sir, I move:

19. That at page **4**, for lines **19** to **22**, the following be **substituted**, namely:

“(9) No assignment of copyright in any work to make a cinematograph film shall affect the right of the author of the work to claim an equal share of royalties and consideration payable in case of utilization of the work in any form other than for the communication to the public of the work, along with the cinematograph film in a cinema hall.

(10) No assignment of the copyright in any work to make a sound recording which does not form part of any cinematograph film shall affect the right of the author of the work to claim an equal share of royalties and consideration payable for any utilization of such work in any form.”.

The question was put and the motion was adopted.

Clause 7, as amended, was added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall, now, take up Clause 8. There are two Amendments (No. 20 and No. 21) by Shri Kapil Sibal.

Clause-8 Amendment of Section 19A

SHRI KAPIL SIBAL: Sir, I move:

20. That at page **4**, for line **23**, the following be **substituted**, namely:-

“**8.** In section **19A** of the principal Act:

(i) In sub-section **(2)**, in second proviso, for”.

21. That at page **4**, after line **29**, the following be **Inserted**, namely:-

“(ii) after sub-section (2), the following sub-section shall be inserted, namely:-

(3) Every complaint received under sub-section (2) shall be dealt with by the Board as far as possible and efforts shall be made to pass the final order in the matter within a period of six months from the date of receipt of the complaint and any delay in compliance of the same, the Board will record the reasons thereof.”.

The questions were put and the motions were adopted

Clause 8, as amended, was added to the Bill.

Clauses 9 to 11 were added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up Clause 12. There is one Amendment (No. 22) by Minister.

Clause 12—Amendment of Section 26

SHRI KAPIL SIBAL: Sir, I beg to move:

22. That at page **4**, lines **41** to **44**, be **deleted**.

The question was put and the motion was adopted.

Clause 12, as amended, was added to the Bill.

Clauses 13 to 16 were added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up Clause 17. There are four Amendments (Nos. 23, 24, 25 and 26) by Minister.

Clause 17—Insertion of new Sections 31B, 31C and 31 D

SHRI KAPIL SIBAL: Sir, I beg to move:

23. That at page **5**, for lines **26** to **29**, the following be **substituted**, namely:-

“31B.(1) Any person working for the benefit of persons with disability on a profit basis or for business may apply to the Copyright Board, in such”.

24. That at page **6**, line **1**, for the word “issued”, the words “**issued including the rate of royalty**” be **substituted**.

25. That at page **6**, lines **6** and **7**, be **deleted**.

26. That at page **7**, for lines **1** to **26**, the following be **substituted**, namely:-

“31D.(1) Any broadcasting organisation desirous of communicating to

the public by way of a broadcast or by way of performance of a literary or musical work and sound recording which has already been published may do so subject to the provisions of this section.

- (2) The broadcasting organisation shall give prior notice, in such manner as may be prescribed, of its intention to broadcast the work stating the duration and territorial coverage of the broadcast, and shall pay to the owner of rights in each work royalties in the manner and at 'the rate fixed by the Copyright Board.
- (3) The rates of royalty for radio broadcasting shall be different from television broadcasting and the Copyright Board shall fix separate rates for radio broadcasting and television broadcasting.
- (4) In fixing the manner and the rate of royalty under sub-section (2), the Copyright Board may require the broadcasting organisation to pay an advance to the owners of rights.
- (5) The names of the authors and the principal performers of the work shall, except in case of the broadcasting organisation communicating such work by way of performance, be announced with the broadcast.
- (6) No fresh alteration to any literary or musical work, which is not technically necessary for the purpose of broadcasting, other than shortening the work for convenience of broadcast, shall be made without the consent of the owners of rights.
- (7) The broadcasting organisation shall
 - (a) maintain such records and books of account, and render to the owners of rights such reports and accounts; and
 - (b) allow the owner of rights of his duly authorised agent or representative to inspect all records and books of account relating to such broadcast, in such manner as may be prescribed.
- (8) Nothing in this section shall affect the operation of any licence issued or any agreement entered into before the commencement of the Copyright (Amendment) Act, 2012.”.

The questions were put and the motions were adopted.

Clause 17, as amended, was added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up Clause 18. There is one Amendment (No. 27) by Minister.

Clause 18—Amendment of Section 33

SHRI KAPIL SIBAL: Sir, I beg to move:

27. That at page 7, for lines 27 to 41, the following be **substituted**, namely:-

“18. In section 33 of the principal Act:

- (i) In sub-section (1) for the words “**Provided further**”, the following shall be **substituted**, namely:

“Provided further that the business of issuing or granting license in respect of literary, dramatic, musical and artistic works incorporated in a cinematograph films or sound recordings shall be carried out only through a copyright society duly registered under this Act;

Provided also.”

- (ii) after sub-section (3), the following shall be **inserted**, namely:-

“(3A) The registration granted to a copyright society under sub-section (3) shall be for a period of five years and may be renewed from time to time before the end of every five years on a request in the prescribed form and the Central Government may renew the registration after considering the report of Registrar of Copyrights on the working of the copyright society under section 36:

Provided that the renewal of the registration of a copyright society shall be subject to the continued collective control of the copyright society being share with the authors of works in their capacity as owners of copyright or of the right to receive royalty:

Provided further that every copyright society already registered before the coming into force of the copyright (Amendment) Act, 2012 shall get itself registered under this Chapter within a period of one year from the date of commencement of the Copyright (Amendment) Act, 2012.”

- (iii) in sub- sections (4) and (5), for the words “**owners of rights**”, the words “**authors and other owners of right**” shall be **substituted**;
- (iv) in sub-section (5), for the word “**concerned**” the words “or for non-compliance of sections 33A, subsection (3) of section 35 and section 36 or any change carried out in the instrument by which the copyright society is established or incorporated and registered by the Central Government without prior notice to it” shall be **inserted**.

The question was put and the motion was adopted.

Clause 18, as amended, was added to the Bill.

Clause 19 was added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up Clause 20. There is one Amendment (No. 28) by Minister.

Clause 20—Amendment of Section 34

SHRI KAPIL SIBAL: Sir, I beg to move:

28. That at page 8, line 14, for the words “**author of works**”, the words “**author and other owners of right**” be **substituted**.

The question was put and the motion was adopted.

Clause 20, as amended, was added to the Bill.

Clause 21 was added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up Clause 22. There are two Amendments (Nos. 29 and 30) by Minister.

Clause 22—Amendment of Section 35

SHRI KAPIL SIBAL: Sir, I beg to move:

29. That at page 8, lines 17 and 18, for the words “**author of work**”, the words “**author and other owners of right**” be **substituted**.
30. That at page; 8, for lines 19 and 20, the following be **substituted**, namely:—

“(b) after sub-section (2) the following sub-sections shall be inserted, namely:—

- (3) Every copyright society shall have a governing body with such number of persons elected from among the members of the society consisting of equal number of authors and owners of work for the purpose of the administration of the society as may be specified.
- (4) All members of the copyrights society shall enjoy equal membership rights and there shall be no discrimination between authors and owners of rights in the distribution of royalties.”.

The questions were put and the motions were adopted.

Clause 22, as amended, was added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up Clause 23. There is one Amendment (No. 31) by Minister.

Clause 23—Amendment of Section 36A

SHRI KAPIL SIBAL: Sir, I beg to move:

31. That at page 8, line 25, for the figure 2010, the figure 2012 be **substituted**.

The question was put and the motion was adopted.

Clause 23, as amended, was added to the Bill.

Clauses 24 to 26 were added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up Clause 27. There are three Amendments (Nos. 32, 33 and 34) by Minister and one Amendment (No. 48) by Shri Prakash Javadekar. Mr. Javadekar is absent. Mr. Minister, you move your amendments:

Clause 27—Substitution of a new Section for Section 39A

SHRI KAPIL SIBAL: Sir, I beg to move:

32. That at page 9, line 23, after the figure and alphabet “33A”, the figures “34, 35, 36” be **substituted**.
33. That at page 9, line 28, for the word “on”, the word “no” be substituted.
34. That at page 9, line 29, for the words “shall take”, the words “shall be given” be **substituted**.

The questions were put and the motions were adopted.

Clause 27, as amended, was added to the Bill.

Clauses 28 to 30 were added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, there is one Amendment (No. 52) for insertion of a new Clause 30A by Shri P. Rajeeve. Are you moving your Amendment, Mr. Rajeeve?

SHRI P. RAJEEVE (Kerala): Sir, hon. Minister has already given an assurance on parallel import. So, I am not pressing for my amendment.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Amendment is not moved. So, we shall go to the next Clause No. 31. There are six Amendments (Nos. 35, 36, 37, 38, 39 and 40) by Minister.

Clause 31–Amendment of Section 52

SHRI KAPIL SIBAL: Sir, I beg to move:

35. That at page **10**, line **7**, for the word “**events**”, the words “**events and current affairs**” be **substituted**.
36. That at page **10**, line **15**, for the word “**and**”, the word “**or**” be **substituted**.
37. That at page **10**, line **18**, for the word “**and**”, the word “**or**” be **substituted**.
38. That at page **10**, after lines **23** to **26**, the following be **substituted**, namely:–

“Provided that if the person responsible for the storage of the copy has received a written complaint from the owner of copyright in the work, complaining that such transient or incidental storage is an infringement, such person responsible for the storage shall refrain from facilitating such access for a period of twenty-one days or till he receives an order from the competent court refraining from facilitating access and in case no such order is received before the expiry of such period of twenty-one days, he may continue to provide the facility of such access.

39. That at page **11**, line **29**, the word “**clauses**”, be **deleted**’
40. That at page **11**, after lines **31** to **34**, the following be **substituted**, namely:–

“(zb) the adaptation, reproduction, issue of copies or communication to the public of any work in any accessible format, by–

- (i) any person to facilitate persons with disability to access to works including sharing with any person with disability of such accessible format for private or personal use, educational purpose or research; or
- (ii) any organisation working for the benefit of the persons with disabilities in case the normal format prevents the enjoyment of such works by such persons:

Provided that the copies of the works in such accessible format are made available to the persons with disabilities on a non-profit basis but to recover only the cost of production:

Provided further that the organisation shall ensure that the copies of works in such accessible format are used by persons with

disabilities and takes reasonable steps to prevent its entry into ordinary channels of business.

Explanation.—For the purposes of the sub-clause, “any organisation” includes an organization registered under section 12A of the Income Tax Act, 1961 and working for the benefit of persons with disability or recognized under Chapter X of the Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995 or receiving grants from the Government for facilitating access to persons with disabilities or an educational institution or library or archives recognized by the Government.”

The questions were put and the motions were adopted.

Clause 31, as amended, was added to the Bill.

Clauses 32 to 35 were added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall now take up Clause 36. There are three Amendments (Nos. 49, 50 and 51) by Shri Prakash Javadekar. He is not present.

Clauses 36 and 37 were added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up Clause 38. There are five Amendments (Nos. 41, 42, 43, 44 and 45) by Minister.

Clause 38—Amendment of Section 78

SHRI KAPIL SIBAL: Sir, I beg to move:

41. That at page **13**, after line **25**, the following be **inserted**, namely:—

“(i) for clause (a), the following clause shall be substituted, namely:—

(a) the salaries and allowances payable to and the other terms and conditions of service of the Chairman and other members of the Copyright Board under sub-section (2) of section 11”;

42. That at page **13**, line **26**, for the brackets and roman numeral “(i)” the brackets and roman numeral “(ii)” be **substituted**’

43. That at page **13**, line **40**, for the brackets and roman numeral “(ii)”, the brackets and roman numeral “(iii)” be **substituted**.

44. That at page **13**, after line **44**, the following be **inserted**, namely:—

“(ccC) the form of application for renewal of registration of a copyright society and the fee which may accompany such application under sub-section (3A) of section 33;”.

45. That at page **13**, line **45**, for the brackets and roman numeral “**(iii)**” the brackets and roman numeral “**(iv)**” be ‘**substituted**’.

The questions were put and the motions were adopted.

Clause 38, as amended, was added to the Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall now take up Clause 1 There is one Amendment (No. 2) by the Minister.

Clause 1—Short title and commencement

SHRI KAPIL SIBAL: Sir, I move:

2. That at page **1**, line **2**, 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): We shall now take up the Enacting Formula. There is one Amendment (No. 1) by the Minister.

Enacting Formula

SHRI KAPIL SIBAL: Sir, I move:

1. That at page **1**, line **1**, far 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 KAPIL SIBAL: 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, there is one Half-an-Hour discussion. If the House so agrees, we can take it up.

SOME HON. MEMBERS: No, no.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay. We will take it up afterwards.

The House is adjourned to meet at 11.00 a.m. tomorrow morning.

The House then adjourned at twenty-two minutes past eight of the clock till eleven of the clock on Friday, the 18th May, 2012.

Government

[17 MAY, 2012]

Bill 497