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29 Sravana, 1935 (Saka)

PARLIAMENTARY DEBATES  
**RAJYA SABHA**  
OFFICIAL REPORT  
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## RAJYA SABHA

*Tuesday, the 20th August, 2013/29th Sravana, 1935 (Saka)*

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

### REFERENCE TO THE VICTIMS OF TRAIN ACCIDENT IN BIHAR

MR. DEPUTY CHAIRMAN: Hon. Members, as the House is aware, many persons lost their lives and many others were injured when they were run over by the Rajyarani Express at Dhamara Ghat railway station between Saharsa and Khagaria in Bihar on the 19th of August, 2013.

The loss of so many innocent lives is indeed very tragic.

I am sure the whole House will join me in expressing our heartfelt sympathy and condolences for the families of those who lost their near and dear ones and pray for the speedy recovery of those who were injured.

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

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

SHRI M. VENKAIAH NAIDU (Karnataka): Sir, we have given a notice. The House was assured that the Government would make a statement on the missing files of coal-gate scam. We were insisting that it is a very serious matter which is being monitored by the Supreme Court. Let the Prime Minister come to the House, make a statement and assure the House that these files are safe, and then take the House into confidence so that the country gets a clear message. This is a very important issue. Nothing else can happen without this. ...*(Interruptions)*... My request is: Let us first take this issue and then only go to other business. ...*(Interruptions)*...

श्री धर्मेन्द्र प्रधान (बिहार): सर, वह फाइल कहाँ गई?...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Yesterday, it was assured that Coal Minister would come. ...*(Interruptions)*... Papers to be Laid on the Table. ...*(Interruptions)*...

**PAPERS LAID ON THE TABLE****Notifications of the Ministry of Finance**

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA): Sir, I lay on the Table—

- (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Financial Services), under Section 27 of the Insurance Regulatory and Development Authority Act, 1999:—
- F.No. IRDA/Reg./6/64/2013, dated the 13th February, 2013, publishing the Insurance Regulatory and Development Authority (Insurance Brokers) (Second Amendment) Regulations, 2013.
  - F.No. IRDA/Reg./8/66/2013, dated the 18th February, 2013, publishing the Insurance Regulatory and Development Authority (Scheme of Amalgamation and Transfer of Life Insurance Business) Regulations, 2013.
  - F.No. IRDA/Reg./9/67/2013, dated the 18th February, 2013, publishing the Insurance Regulatory and Development Authority (Third Party Administrators - Health Services) (First Amendment) Regulations, 2012.
  - F.No. IRDA/Reg./10/68/2013, dated the 18th February, 2013, publishing the IRDA Regulations for Standard Proposal Form for Life Insurance, 2013.
  - F.No. IRDA/Reg./11/69/2013, dated the 18th February, 2013, publishing the Insurance Regulatory and Development Authority (Places of Business) Regulations, 2013.
  - F.No. IRDA/Reg./12/70/2013, dated the 18th February, 2013, publishing the IRDA (Issuance of Capital by General Insurance Companies) Regulations, 2013.
  - F.No. IRDA/Reg./13/71/2013, dated the 18th February, 2013, publishing the Insurance Regulatory and Development Authority (Non-Linked Insurance Products) Regulations, 2013.
  - F.No. IRDA/Reg./14/72/2013, dated the 18th February, 2013, publishing the Insurance Regulatory and Development Authority (Health Insurance) Regulations, 2013.
  - F. No. IRDA/Reg./15/73/2013, dated the 18th February, 2013, publishing

the Insurance Regulatory and Development Authority (Linked Insurance Products) Regulations, 2013.

- F. No. IRDA/Reg./16/74/2013, dated the 18th February, 2013, publishing the Insurance Regulatory and Development Authority (Investment) (Fifth Amendment) Regulations, 2013.
- F. No. IRDA/Notification./17/75/2013, dated the 18th February, 2013, publishing the Insurance Regulatory and Development Authority (Life Insurance - Reinsurance) Regulations, 2013.

[Placed in Library. For (1) to (11), *See* No. L.T. 9477/15/13]

- (ii) A copy (in English and Hindi) of the Ministry of Finance (Department of Financial Services) Notification No. G.S.R. 119 (E), dated the 22nd February, 2013, publishing the Debts Recovery Appellate Tribunal (Procedure) Amendment Rules, 2013, under sub-section (3) of Section 36 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993.

[Placed in Library. *See* No. L.T. 9541/15/13]

- (iii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 159 of the Customs Act, 1962, along with Explanatory Memoranda:—

- G.S.R. 192 (E), dated the 26th March, 2013, amending Notification No. G.S.R. 593 (E), dated the 29th July, 2011, to substitute certain entries in the original Notification, along with delay statement.
- G.S.R. 193 (E), dated the 26th March, 2013, amending Notification No. G.S.R. 185 (E), dated the 17th March, 2012, to substitute certain entries in the original Notification, along with delay statement.
- G.S.R. 253 (E), dated the 18th April, 2013, amending Notification No. G.S.R. 185 (E), dated the 17th March, 2012, to insert certain entries in the original Notification, along with delay statement.
- G.S.R. 301 (E), dated the 10th May, 2013, amending Notification No. G.S.R. 185 (E), dated the 17th March, 2012, to insert certain entries in the original Notification.
- G.S.R. 317 (E), dated the 16th May, 2013, amending Notification No. G.S.R. 185 (E), dated the 17th March, 2012, to insert certain entries in the original Notification.

[Shri Namu Narain Meena]

- G.S.R. 357 (E), dated the 5th June, 2013, amending Notification No. G.S.R. 185 (E), dated the 17th March, 2012, to insert certain entries in the original Notification.
- G.S.R. 383 (E), dated the 19th June, 2013, amending Notification No. G.S.R. 590 (E), dated the 13th August, 2008, to add certain entries in the original Notification.
- G.S.R. 468 (E), dated the 8th July, 2013, amending Notification No. G.S.R. 185 (E), dated the 17th March, 2012, to substitute certain entries in the original Notification.
- G.S.R. 499(E), dated the 22nd July, 2013, amending Notification No. G.S.R. 185 (E), dated the 17th March, 2012, to substitute certain entries in the original Notification.
- G.S.R. 500 (E), dated the 22nd July, 2013, amending Notification No. G.S.R. 423 (E), dated the 1st June, 2011, to insert certain entries in the original Notification.

[Placed in Library. For (1) to (10), *See* No. L.T. 9551/15/13]

(iv) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under sub-section (2) of Section 38 of the Central Excise Act, 1944, along with Explanatory Memoranda:—

- G.S.R. 333 (E), dated the 23rd May, 2013, rescinding Notification No. G.S.R. 561 (E), dated the 19th May, 1989.
- G.S.R. 334 (E), dated the 23rd May, 2013, seeking to exempt indigenous goods when brought into duty free shops located in the arrival halls at the international Customs Airports from the factories of their manufacture situated in India for sale to passengers or members of crew arriving from abroad from the whole of the duty of excise leviable thereon under the first schedule to the Central Excise Tariff Act, subject to the conditions specified therein.
- G.S.R. 358 (E), dated the 5th June, 2013, amending Notification No. G.S.R. 163 (E), dated the 17th March, 2012, to substitute certain entries in the original Notification.

[Placed in Library. For (1) to (3), *See* No. L.T. 9548/15/13]

**MOTION FOR ELECTION TO THE EMPLOYEES'  
STATE INSURANCE CORPORATION (ESIC)**

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI KODIKUNNIL SURESH): Sir, I move the following Motion:—

That in pursuance of clause (i) of Section 4 read with Section 5 of the Employees' State Insurance Act, 1948 (No. 34 of 1948) and Rule 2A of the Employees' State Insurance (Central) Rules, 1950, this House do proceed to elect, in such manner as the Chairman may direct, one Member from among the Members of the House to be a member of the Employees' State Insurance Corporation.

*The question was put and the motion was adopted.*

MR. DEPUTY CHAIRMAN: Now, I will take up the Zero Hour. ...*(Interruptions)*...

श्री पुरुषोत्तम खोडाभाई रूपाला (गुजरात) : क्या इनको वह फाइल ही नहीं मिल रही है?...*(व्यवधान)*...

श्री उपसभापति: रूपाला जी, आप बैठिए। Your Deputy Leader is on his legs. ...*(Interruptions)*...

श्री रवि शंकर प्रसाद (बिहार) : सर, सत्ता पक्ष की ओर से कल यह बताया गया था कि इस पर स्टेटमेंट दिया जाएगा। कोयला घोटाले की फाइल्स मिसिंग हैं। आज मीडिया में यह जानकारी आई है कि इनमें से कई ऐसी फाइलें मिसिंग हैं, जिनका संबंध सत्ता के लोगों से है। उनकी कम्पनियों की फाइलें मिसिंग हैं, उनकी रिकमेंडेशंस मिसिंग हैं। यह मामला सुप्रीम कोर्ट की मॉनिटरिंग में है। पहले एक क़ानून मंत्री को इसलिए त्यागपत्र देना पड़ा क्योंकि आरोप था कि वे सीबीआई की रिपोर्ट को इफ्लुएंस कर रहे हैं। चूंकि प्रधान मंत्री कार्यालय...*(व्यवधान)*... हम चाहते हैं कि प्रधान मंत्री इसका उत्तर दें।...*(व्यवधान)*...

श्री उपसभापति : मंत्री जी ने कल आश्वासन दिया है कि स्टेटमेंट हो जाएगा।...*(व्यवधान)*...

श्री रवि शंकर प्रसाद : सर, हम इस का प्रधान मंत्री जी से उत्तर चाहते हैं।

श्री उपसभापति : रवि शंकर प्रसाद जी, आप पार्टी के डिप्टी-लीडर हैं। मंत्री जी ने कल आश्वासन दिया है, इस पर स्टेटमेंट हो जाएगा, तो हो जाएगा।...*(व्यवधान)*... It is an assurance. स्टेटमेंट हो जाएगा।

श्री थावर चन्द गहलोत (मध्य प्रदेश) : सर, यह आश्वासन कब तक चलेगा? उनका आश्वासन कब तक चलेगा।...*(व्यवधान)*... प्रधान मंत्री को अभी बुलवाकर...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: It is an assurance. ...*(Interruptions)*...

श्री रवि शंकर प्रसाद : आप हमें बताइए कि क्यों नहीं हैं?...*(व्यवधान)*...

श्री उपसभापति : श्री रूपाला जी, आप मेरे बहुत अच्छे दोस्त हैं, बैठिए।



श्री प्रकाश जावडेकर (महाराष्ट्र) : सर, 1100 फाइल्स मिसिंग हैं।...*(व्यवधान)*...

श्री उपसभापति : आप लोग बैठिए। जावडेकर जी, बैठिए। This is unfair. ...*(Interruptions)*...

This issue was raised yesterday in the Zero Hour. I allowed not only the Deputy Leader of Opposition and Shri Venkaiah Naidu but other Members also to have their say. Then, from the Government side, there was an assurance that the hon. Coal Minister would come and make a statement and...*(Interruptions)*... Please, listen. I hope, the Government will comply with that. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU (Karnataka): Where is the Coal Minister or the Prime Minister? I only request the Chair to respect the sentiments of the Members. ...*(Interruptions)*... Till such time, we cannot have any other...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Now, Zero Hour, Shri Sanjiv Kumar...*(Interruptions)*...

## MATTERS RAISED WITH PERMISSION

### Problems being faced by Mair/Modak community

श्री संजीव कुमार (झारखंड) : उपसभापति महोदय, मैं आपके माध्यम से केन्द्र सरकार का ध्यान...*(व्यवधान)*... झारखंड के मयरा समाज की ओर आकर्षित करना चाहता हूँ।

SHRI PRASANTA CHATTERJEE (West Bengal): Sir, when will the discussion on price rise take place? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: After Zero Hour, I will allow you. ...*(Interruptions)*...

श्री संजीव कुमार : उपसभापति महोदय झारखंड में काफी संख्या में मयरा जाति के लोग हैं, जो आर्थिक एवं सामाजिक रूप से पिछड़े हुए हैं।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: After Zero Hour, I will allow you to have your say. ...*(Interruptions)*...

श्री संजीव कुमार : उनकी सरकारी नौकरियों...*(व्यवधान)*... राजनीतिक क्षेत्र में भागीदारी नहीं के बराबर है।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: It is already decided. ...*(Interruptions)*...

श्री संजीव कुमार : दिनांक 26.6.2004 में इस जाति को अनेक्शर-1 में रखा गया।...*(व्यवधान)*... बाद में सितम्बर, 2009 में इसे...*(व्यवधान)*... अनेक्शर-2 में कर दिया गया। नेशनल कमीशन फॉर बैकवर्ड क्लासेज़ ने recommend किया है कि इस जाति को...*(व्यवधान)*... केन्द्र की OBC सेंट्रल लिस्ट में शामिल किया जाना चाहिए।

SHRI M. VENKAIAH NAIDU (Karnataka): Sir, the entire country is watching the Parliament. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: What can I do?

SHRI M. VENKAIAH NAIDU: You can ask the Government to make a statement. ...*(Interruptions)*... Please ask the Prime Minister to come. ...*(Interruptions)*...

श्री संजीव कुमार : इस संदर्भ में मैंने 17.12.2012 को पार्लियामेंट में स्पेशल मेशन किया था।...*(व्यवधान)*... उसके बाद जनवरी, 2013 में मिनिस्टर ऑफ सोशल जस्टिस एंड एम्पावरमेंट का पत्र मिला जिसमें उन्होंने आश्वासन दिया था कि नेशनल कमीशन फॉर बैकवर्ड क्लासेज़ ने रिकमंड किया है कि मयरा जाति को राष्ट्रीय ओ.बी.सी. सूची में शामिल करने के लिए...*(व्यवधान)*... शासन के विचाराधीन है।

मैं आपके माध्यम से दोबारा सरकार से आग्रह करना चाहता हूँ कि मयरा जाति को जल्द-से-जल्द राष्ट्रीय ओ.बी.सी. सूची में शामिल किया जाए।

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**RE. MISSING OF FILES RELATING TO  
COAL BLOCK ALLOCATION**

MR. DEPUTY CHAIRMAN: Where is the Parliamentary Affairs Minister? ...*(Interruptions)*... No, you are not permitted. Don't do this. This is against the rules. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU (Karnataka): Sir, nobody is here — no Prime Minister; no Parliamentary Affairs Minister. They are taking the House for granted and casually. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Distribution of pamphlets in the House is against the rules. ...*(Interruptions)*... Don't do that. ...*(Interruptions)*... Please don't do that. ...*(Interruptions)*... The House is adjourned for ten minutes.

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

The House re-assembled at twenty minutes past eleven of the clock,

[MR. DEPUTY CHAIRMAN in the Chair]

डा. नजमा ए. हेपतुल्ला (मध्य प्रदेश) : सर, प्रधान मंत्री जी नहीं हैं।...*(व्यवधान)*...

श्री एम. वेंकैया नायडु : सर, प्रधान मंत्री जी हाउस में आकर स्टेटमेंट दें।...*(व्यवधान)*... उन्हें कोल की मिसिंग फाइल्स की जानकारी देकर देश को आश्वस्त करना चाहिए।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Let me take up Zero Hour. ...*(Interruptions)*... Let us listen to the Minister. ...*(Interruptions)*... Listen to the Minister. ...*(Interruptions)*...

संसदीय कार्य मंत्रालय में राज्य मंत्री तथा योजना मंत्रालय में राज्य मंत्री (श्री राजीव शुक्ल) : सर, हमने कोल मिनिस्टर को इन्फॉर्म कर दिया है। कुछ ही मिनटों में वे यहां आकर अपना स्टेटमेंट देंगे।...*(व्यवधान)*... I have informed the Coal Minister. ...*(Interruptions)*... Within a few minutes he will be here and he will be making a statement on this issue. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Will he come now? ...*(Interruptions)*...

SHRI RAJEEV SHUKLA: Yes, Sir. He will come now. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: Sir, we want the Prime Minister to ...*(Interruptions)*... Please try to understand. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Venkaiahji, please. ...*(Interruptions)*... Yesterday, the assurance from the Government was that the Coal Minister will come and make a statement. ...*(Interruptions)*... That will happen in a few minutes. ...*(Interruptions)*... No. ...*(Interruptions)*... You are modifying the assurance. ...*(Interruptions)*... You cannot modify the assurance. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: Sir, I am not modifying it. ...*(Interruptions)*...

श्री थावर चन्द गहलोत (मध्य प्रदेश) : सर, उस समय कोयला मंत्री मनमोहन सिंह जी थे। उनसे जवाब दिलाया जाए।...*(व्यवधान)*...

श्री राजीव शुक्ल : फाइलों का यह मामला तो अब का है।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: You cannot modify it. ...*(Interruptions)*... Please cooperate. ...*(Interruptions)*... There are so many notices from hon. Members for Zero Hour. ...*(Interruptions)*... They are very important. ...*(Interruptions)*... The Government will comply with the assurance. Within a couple of minutes, the Coal Minister will come and make a statement. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: We want it from the Coal Minister who was in charge of the Coal Ministry at that time. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is not a reasonable demand. ...*(Interruptions)*... That is not a reasonable demand. ...*(Interruptions)*...

SHRI RAJEEV SHUKLA: It is about missing files. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is not a reasonable demand. ...*(Interruptions)*...

SHRI RAJEEV SHUKLA: How can you ask for ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is not a reasonable demand. ...*(Interruptions)*... Venkaiahji, that is not a reasonable demand. ...*(Interruptions)*... I can understand you are asking the Government to make a statement as per the assurance given yesterday.

...(Interruptions)... I can understand that. ...(Interruptions)... I want the Government to make that statement. ...(Interruptions)...

श्री थावर चन्द गहलोत : प्रधान मंत्री जी का स्टेटमेंट हो...(व्यवधान)... फाइलें गायब हो रही हैं।...(व्यवधान)...

श्री राजीव शुक्ल : आप आगे का जिक्र कीजिए। मैं कोल मिनिस्टर को बुला रहा हूँ।...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Don't make extra demands. ...(Interruptions)... Don't modify the assurance. ...(Interruptions)...

SHRI RAJEEV SHUKLA: I am calling the Coal Minister. He will be here any moment. ...(Interruptions)... He is here. ...(Interruptions)...

श्री उपसभापति : आप लोग बैठिए।...(व्यवधान)... आप लोग बैठिए...(व्यवधान)... I am allowing your Deputy Leader. ...(Interruptions)... I have allowed only your Deputy Leader. All others, please take your seats. ...(Interruptions)...

श्री रवि शंकर प्रसाद (बिहार) : सर, मैं कृतज्ञ हूँ कि आपने मुझे बोलने का मौका दिया है। जो बात वेंकैया जी और हमारे बाकी सम्मानित सदस्य उठा रहे हैं, इस विषय की गंभीरता इसलिए है कि यह देश का सबसे बड़ा घोटाला था, सुप्रीम कोर्ट की मॉनिटरिंग थी, इन्वेस्टीगेशन के बावजूद फाइलें गायब हैं। इसके पहले भी कार्यवाही हुई है। प्रधान मंत्री जी कोयला मंत्री थी, इसलिए देश को आश्वस्त करने के लिए हम अपेक्षा करते हैं कि प्रधान मंत्री जी इस बारे में उत्तर दें।...(व्यवधान)... उनकी भूमिका स्वयं काफी सवालों के घेरे में हैं। हम उनसे कोई बहस नहीं करेंगे।...(व्यवधान)... वे प्रधान मंत्री हैं, लेकिन उनके बारे में कई सवाल उठे हुए हैं।...(व्यवधान)...

MR. DEPUTY CHAIRMAN: No. ...(Interruptions)... The Coal Minister is here to make a statement. ...(Interruptions)... No. ...(Interruptions)... Yesterday, you wanted the Coal Minister to come and make a statement. ...(Interruptions)... He is here to make a statement. ...(Interruptions)... Don't make any other demand which is not reasonable. ...(Interruptions)... Coal Minister, please. ...(Interruptions)... Coal Minister, please. ...(Interruptions)... Coal Minister, please. ...(Interruptions)... Coal Minister, please. ...(Interruptions)... Coal Minister, please. ...(Interruptions)... I have called the Coal Minister. ...(Interruptions)...

THE MINISTER OF COAL (SHRI SHRIPRAKASH JAISWAL): Mr. Deputy Chairman, Sir, as reported by the Central Bureau of Investigation, ...(Interruptions)... it has registered three Preliminary Enquiry cases and 13 FIRs since May, 2012 ...(Interruptions)...

श्री नरेश अग्रवाल (उत्तर प्रदेश) : सर, स्टेटमेंट की कॉपी नहीं है।...(व्यवधान)...

DR. V. MAITREYAN (Tamil Nadu): Where is the copy of statement? ...(Interruptions)...

MR. DEPUTY CHAIRMAN: You listen to the statement. ...(Interruptions)...

SHRI SHRIPRAKASH JAISWAL: ..regarding alleged irregularities in allocation of coal blocks since 1993. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: One second. ...*(Interruptions)*... You demanded it now. ...*(Interruptions)*... Rajeev Shuklaji, have you got copies of the statement? ...*(Interruptions)*...

SHRI RAJEEV SHUKLA: Sir, copies have been made. ...*(Interruptions)*... They are sent for circulation. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You wanted it now. ...*(Interruptions)*... Copies will be distributed. ...*(Interruptions)*...

श्री थावर चन्द गहलोत : सर, मेरा पाइंट ऑफ ऑर्डर है।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: What is your point of order? ...*(Interruptions)*... Mr. Minister, please wait. ...*(Interruptions)*...

श्री थावर चन्द गहलोत : सर, रूल 258 के अंतर्गत मुझे औचित्य का प्रश्न उठाना है।\*...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: No, no, that is expunged. ...*(Interruptions)*... It is ruled out. You can't make such an allegation. ...*(Interruptions)*... By raising a point of order, you can't make such an allegation. ...*(Interruptions)*... That is expunged. ...*(Interruptions)*... It is not correct on your part. You are using 'point of order' to make an allegation. ...*(Interruptions)*... Don't do that. ...*(Interruptions)*...

श्री थावर चन्द गहलोत : सर, यह बात सुप्रीम कोर्ट ने कही है।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Mr. Gehlot, this is not a proper behaviour. It is very bad using a 'point of order' to make an allegation. ...*(Interruptions)*... No, please, take your seats. If you don't want the statement, then, I will have to adjourn the House. ...*(Interruptions)*...

श्री थावर चन्द गहलोत : सर, इनसे हमें सही जानकारी नहीं मिलेगी।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: It seems you don't want the statement.

श्री थावर चन्द गहलोत : \*...*(व्यवधान)*... जवाब के लिए प्रधान मंत्री को यहां आना चाहिए। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Am I to take it that you don't want the statement? ...*(Interruptions)*... Then, I will adjourn the House. ...*(Interruptions)*...

श्री थावर चन्द गहलोत : सर, सुप्रीम कोर्ट के अनुसार...*(व्यवधान)*...

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\* Expunged as ordered by the Chair.

MR. DEPUTY CHAIRMAN: How do you make an allegation after raising a point of order? It is against the rules. It is not a proper behaviour. *...(Interruptions)...* I would like the hon. Members on this side to tell me whether you want a statement or not. *...(Interruptions)...* If you don't want the statement, then, you ask your colleagues to take their seats. *...(Interruptions)...* The Minister is ready with the statement.

SHRI RAVI SHANKAR PRASAD: We want a statement but from the Prime Minister. *...(Interruptions)...* Sir, I am sorry to say that *...(Interruptions)...* Kindly appreciate that a serious question is being raised about the hon. Minister. I don't want to say anything further. A serious question is being raised against the hon. Minister.

MR. DEPUTY CHAIRMAN: No, no, I can't change the Minister and get the statement. It is not possible. That is not a reasonable demand. *...(Interruptions)...* No, no. The House is adjourned up to 12.00 noon.

The House then adjourned at twenty-seven minutes  
past eleven of the clock.

The House re-assembled at twelve of the clock,  
MR. DEPUTY CHAIRMAN in the Chair.

MR. DEPUTY CHAIRMAN: Now, Zero Hour mentions. *...(Interruptions)...*

SHRI RAVI SHANKAR PRASAD: Sir, the hon. Leader of the Opposition wants to say something.

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Mr. Deputy Chairman, Sir, yesterday, when this issue was raised, the Minister of State for Parliamentary Affairs, Shri Rajeev Shukla, had said that the statement would be made on behalf of the Government. Now, the hon. Coal Minister is here to make a statement. That is what we were told in the morning. I would urge upon you and also urge upon the Government to seriously consider whether this is a matter in which the hon. Coal Minister himself should make a statement or whether somebody else in the Government, preferably the Prime Minister, should make a statement. My reason is, precisely, this. Allocations of coal have been made, which is a subject-matter of investigation, and I won't repeat this. One of the beneficiaries of that allocation was a person with whom it was alleged that the Coal Minister himself had close proximity. In fact, the document had surfaced that he would be the mediator in their family disputes on this issue as well. His case was that it was not acted upon. That being the position, if the files of that very family are now missing from the Coal Ministry, and that was a subject-matter with which, let me assume for the moment, even if he didn't have a direct interest, he had an indirect connection, then, should he be making a statement on the missing

[Shri Arun Jaitley]

files themselves? And the newspaper reports are that it is those files of that family which are amongst the files which are missing. Therefore, it is you, Sir, and also for the Government and the Coal Minister to consider whether, on account of this conflict of interest, he is the appropriate person to make this statement.

SHRI RAJEEV SHUKLA: What I would request the Leader of the Opposition is, since he has made this observation, let the Minister make his statement. ...*(Interruptions)*...

श्री धर्मेन्द्र प्रधान (बिहार) : ऐसे नहीं चल सकता है। यह कैसे होगा?...*(व्यवधान)*...

SHRI RAJEEV SHUKLA: As regards the issue which he has raised, we can respond to it. ...*(Interruptions)*... We will respond to the point of objection that he has raised after his statement. ...*(Interruptions)*...

SHRI ARUN JAITLEY: Sir, I have no difficulty in his making a statement if the files of the family, which I am referring to, are not a subject-matter of the missing files. But newspaper reports indicate that some of their files are also missing.

MR. DEPUTY CHAIRMAN: Let me now respond. The hon. Leader of the Opposition has raised a point. The problem is, the Chair cannot take a decision on the basis of inferences taken from reports appearing in newspapers. ...*(Interruptions)*... Let me complete. Mr. Chatterjee, you are not allowing me to complete what I wanted to say. ...*(Interruptions)*... Let me complete. I have started to say something. I heard the hon. Leader of the Opposition with full attention. My difficulty is that the Chair cannot take a decision on the basis of inferences derived from newspaper reports. Nor, can the Chair direct the Government that a particular Minister should reply because there is already, what is called, collective responsibility. Furthermore, we cannot make an allegation against a Minister or a Member of the House, just like that, without prior intimation to the Chairman. Therefore, the Chair cannot presume that any Member or a Minister, for that matter, is guilty. The Chair is neutral in that matter. If the Government wants to make the statement through a particular Minister, it is up to them. I cannot direct the Government that a particular Minister should do it. ...*(Interruptions)*... Please, let me complete. ...*(Interruptions)*...

DR. NAJMA A. HEPTULLA: Sir, before you give your ruling, please listen to everybody. Your ruling is very valuable. But let everybody express their concern. Propriety demands that, voluntarily, the Minister should not speak because his name has come into it. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: The difficulty is ...(*Interruptions*)...

DR. NAJMA A. HEPTULLA: Sir, I remember, Mr. Jethmalani...(*Interruptions*)...  
Sir, one minute आप सुन तो लिया करिए।

MR. DEPUTY CHAIRMAN: Okay; I am always allowing you.

DR. NAJMA A. HEPTULLA: Thank you very much, Sir, I am very obliged.

SHRI RAJEEV SHUKLA: Let him make a statement. After that he can clarify his point also.

DR. NAJMA A. HEPTULLA: Sir, I gave a ruling from the Chair to Mr. Jethmalani voluntarily to keep the dignity of the House. Voluntarily he should not speak because he was the retainer of Harshad Mehta whose matter we were discussing in the House. There is a precedent, Sir. You go through the records and see what I had said. Voluntarily he should not speak. I think the propriety demands that voluntarily he should not speak because his name is there.

MR. DEPUTY CHAIRMAN: Najmaji, the Chair cannot presume that somebody is guilty. I cannot presume that somebody is guilty. That is the problem.

SHRI RAVI SHANKAR PRASAD: Sir, my plea, with great respect, is entirely different. When the coalgate scam came, we raised certain issues. You recall that. The House could not function last year and otherwise. There was repeated assurance from the Treasury Benches, including the Prime Minister, that we should ensure a completely free and fair probe. That is an assurance to the House.

MR. DEPUTY CHAIRMAN: Probe and statement are different.

SHRI RAVI SHANKAR PRASAD: Please, Sir, let me complete.

MR. DEPUTY CHAIRMAN: Okay.

SHRI RAVI SHANKAR PRASAD: Now this probe includes availability of documents and files. As I said earlier, the matter is under investigation before the Supreme Court. Now, consistent with that assurance before this House that the Government is determined to have a fair probe, will it not be in consonance with propriety that when a serious question of missing files of many companies has come about, having high political linkages, in view of the circumstances raised by hon. Leader of the Opposition, at least the Minister should voluntarily recluse himself? We are not saying that the reply should not come. But if this question has been raised, it is a serious issue. Instead of you taking the call, it would be appropriate for the Minister himself



[Shri Ravi Shankar Prasad]

to reclude himself from reply to this query. We are raising it in all earnestness, in all seriousness and, if, there would be insistence still then, we will be constrained to raise objection that there is something seriously fishy. That is what we are saying.

SHRI SITARAM YECHURY (West Bengal): All that has been asked is an explanation of how the files are missing. We are not saying that we are conducting a probe. We are not questioning anything else, *i.e.* the hon. Supreme Court is guiding that investigation. All that the House wants to know is about the missing files. Now the responsibility of these files missing will be determined by who was controlling the Ministry at that point of time when the files were missing. Now it is as simple as that. It is very logical and very simple that the House must know how these files are missing. If that is what the House wants to know, it is only appropriate that the Minister, then in charge, should make this clarification to the House as to what is the status. Secondly, Sir, ....

MR. DEPUTY CHAIRMAN: It amounts to presuming that he is guilty. How can we do that?

SHRI SITARAM YECHURY: No, no; not at all. ...*(Interruptions)*... Not at all, Mr. Deputy Chairman, Sir. ...*(Interruptions)*... May I submit, Sir? I have full right. Sir, supposing my name is invoked in something and an allegation is made. I can stand up here and refute that allegation saying that, 'That is wrong.'

MR. DEPUTY CHAIRMAN: Then, you allow the Minister. Having said all this, let us allow him to have his say.

SHRI SITARAM YECHURY: No, no; the then Minister concerned...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: In any case, having said all this, it is advisable and better for this House to allow the Minister to have his say. Let him say. You can deny the charge.

SHRI SITARAM YECHURY: The point is, the missing files relate to a certain period. We do not know whether that is right or wrong. What I am saying is, the Government should clarify. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: So, let us hear him. If after hearing, we are not satisfied with the statement, we can further ask clarifications.

SHRI RAJEEV SHUKLA: Mr. Deputy Chairman, Sir, first of all, the House is not aware which files are missing. Unless he makes a statement, it cannot conveyed to the

House which files are missing because if you go by the media report, media report says that the files, from 1992 upto 2004 or, maybe, later, are missing. That means, how should the Coal Minister be responsible from 1992 onwards till today? ...*(Interruptions)*...Sir, it is not possible. The Report has come when he is the Coal Minister. So, he should be allowed to give an explanation.

MR. DEPUTY CHAIRMAN: I think, in the fairness of things, let us hear the hon. Minister. That is what I feel. Let him tell us which file is missing or whether any file is missing or not...*(Interruptions)*...

SHRI NARESH GUJRAL (Punjab): Sir, how can he make the statement? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Why don't you allow him? ...*(Interruptions)*...Yes; what do you want to say? ...*(Interruptions)*...

SHRI RAJEEV SHUKLA: How can an accusation be made without a basis?...*(Interruptions)*...

SHRI DEREK O'BRIEN (West Bengal): Sir, I want to say one sentence which is going beyond the missing files. Yesterday, no less a person than the Congress National Spokesperson, on national television, said that the files which have gone missing are\*.

MR. DEPUTY CHAIRMAN: No, no. That is not to be said here.

SHRI DEREK O'BRIEN: No, no. Wait.

MR. DEPUTY CHAIRMAN: That has no relevance here.

SHRI DEREK O'BRIEN: Sir, the files have been\*.... The files have been...

MR. DEPUTY CHAIRMAN: No, no. What the Congress Spokesperson said has no relevance here...*(Interruptions)*...That has no relevance here...*(Interruptions)*... No, no ...*(Interruptions)*...

SHRI DEREK O'BRIEN: Bur, Sir, the files have been\* ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no...*(Interruptions)*...

श्री थावर चन्द गहलोत : नेता प्रतिपक्ष ने जानकारी दी थी...*(व्यवधान)*... उन तथ्यों के आधार पर...*(व्यवधान)*...

SHRI DEREK O'BRIEN: Why not, Sir?...*(Interruptions)*... Sir, the files have been \* I am not saying this, Sir. The National Spokesperson of the Congress said that the files have been \*. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no. That is not going on record. That will not go on record...*(Interruptions)*...Such allegations ...*(Interruptions)*...Don't make wild allegations ...*(Interruptions)*... You cannot make wild allegations. That will not go on record ...*(Interruptions)*...They are wild allegations...*(Interruptions)*...

SHRI DEREK O'BRIEN: \*

SHRI C.M. RAMESH (Andhra Pradesh): Sir, what he is saying is correct ...*(Interruptions)*... The files have been—

MR. DEPUTY CHAIRMAN: I think, in the fairness of things, the Minister should be allowed...*(Interruptions)*...Mr. Minister, either you read it or you lay it on the Table...*(Interruptions)*...You do whatever you want...*(Interruptions)*...Okay; lay it on the Table ...*(Interruptions)*...

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#### STATEMENT BY MINISTER

##### **Investigation of coal block allocations by Central Bureau of Investigation (CBI) and furnishing of documents to C.B.I**

कोयला मंत्री (श्री श्रीप्रकाश जायसवाल) : सर, माननीय नेता विरोधी दल ने...*(व्यवधान)*... सबसे पहले तो मैं इस बात का...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: You just lay it on the Table ...*(Interruptions)*...

श्री श्रीप्रकाश जायसवाल : माननीय नेता विरोधी दल ने...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Copy to be circulated...*(Interruptions)*...

श्री श्रीप्रकाश जायसवाल : माननीय नेता विरोधी दल ने हमारा नाम लेकर, ...*(व्यवधान)*... हम पर आरोप लगाने की कोशिश की है।

माननीय सभापति जी, मैं स्पष्ट करना चाहूंगा कि हम पर प्रत्यक्ष या अप्रत्यक्ष आरोप लगाने की कोशिश की गई है।...*(व्यवधान)*... अगर किसी तरह से ये आरोप सिद्ध हो जाएं, तो मैं हर तरह की सज़ा भुगतने के लिए तैयार हूँ।...*(व्यवधान)*...

श्री उपसभापति : आप ले कर दीजिए।

श्री श्रीप्रकाश जायसवाल : माननीय नेता प्रतिपक्ष यह बताएं कि ये कौन सी सज़ा भुगतेंगे?...*(व्यवधान)*...

श्री उपसभापति : आप ले कर दीजिए।...*(व्यवधान)*...

श्री श्रीप्रकाश जायसवाल : ले कर दूँ?...*(व्यवधान)*...

**श्री उपसभापति :** हां, आप ले कर दीजिए।...**(व्यवधान)**...

**श्री श्रीप्रकाश जायसवाल :** सीबीआई द्वारा दी गई सूचना के अनुसार, इसने कोयला ब्लॉकों के आबंटन में कथित अनियमितताओं के संबंध में 1993 से किए गए कोयला ब्लॉकों के आबंटन के संबंध में...**(व्यवधान)**...

**MR. DEPUTY CHAIRMAN:** You please lay it...**(Interruptions)**...

**श्री श्रीप्रकाश जायसवाल :** मई, 2012 से प्रारंभिक जांच के 3 मामले तथा 13 एफआईआर दर्ज की गई हैं।...**(व्यवधान)**... प्रारंभिक जांच दर्ज करने के पश्चात् सीबीआई ने कोयला मंत्रालय से फाइलें/दस्तावेज/फीडबैक फार्म/एजेंडा फार्म आदि मूल रूप में मांगे हैं।...**(व्यवधान)**... अब तक लगभग 769 फाइलें/फोल्डर/आवेदन-पत्र/एजेंडा पुस्तिकाएं/पुस्तिकाओं से फीड बैक आदि मूल रूप में सीबीआई को जांच के लिए सौंप दी गई हैं, जो 1,50,000 पृष्ठों से अधिक हैं।...**(व्यवधान)**... चूंकि जांच प्रगति पर है, यदि सीबीआई द्वारा अतिरिक्त दस्तावेजों की मांग की जाती है, तो मंत्रालय उन्हें सीबीआई को सौंप देगा...**(व्यवधान)**... और यदि कोई दस्तावेज उपलब्ध नहीं है, तो उनकी तलाश करने के हर संभव प्रयास किए जाएंगे तथा उसे सीबीआई को दे दिया जाएगा।...**(व्यवधान)**... सीबीआई ने अन्यो के साथ-साथ, उन 157 कम्पनियों के आवेदनों/दस्तावेजों की मांग की है, जिन्होंने 28.06.2004 से पूर्व आवेदन दिए थे, किन्तु कोयला ब्लॉक आबंटित नहीं किए गए हैं।...**(व्यवधान)**... चूंकि, कोयला मंत्रालय में कुछ दस्तावेजों और आवेदनों का पता नहीं लग सका था, इसलिए मैंने 11 जुलाई, 2013 को अपर सचिव (कोयला) की अध्यक्षता में एक अंतर-मंत्रालयी समिति का गठन किया है...**(व्यवधान)**... जिसमें विद्युत, इस्पात, औद्योगिक नीति एवं संवर्धन मंत्रालय/विभाग तथा कोल इंडिया लि. (सीआईएल) एवं सेंट्रल माइन प्लानिंग एंड डेवलपमेंट इंस्टीट्यूट लि. (सीएमपीडीआईएल) के प्रतिनिधि शामिल हैं। समिति को फाइलें/दस्तावेजों की अनुपलब्धता की जांच करने तथा उनकी समीक्षा प्रस्तुत करने...**(व्यवधान)**... और उनका पता लगाने के लिए समुचित कार्रवाई करने तथा सुझाव देने का अधिदेश दिया गया है।

समिति की अब तक 2 बैठकें हो चुकी हैं और सदस्यों ने अपने-अपने संगठनों में दस्तावेजों/आवेदनों की प्रतियों का पता लगाने का अनुरोध किया गया है।...**(व्यवधान)**...

उन दस्तावेजों का पता लगाने के सभी प्रयास किए जा रहे हैं, जो कोयला मंत्रालय में तत्काल उपलब्ध नहीं हैं।...**(व्यवधान)**... मैं सदन को आश्वस्त करना चाहूंगा कि सीबीआई द्वारा मांगे गए दस्तावेजों का पता लगाने और उन्हें मुहैया कराने के लिए मेरा मंत्रालय किसी प्रकार की कोई कसर नहीं छोड़ेगा।...**(व्यवधान)**...

**MR. DEPUTY CHAIRMAN:** I have called Mr. Sitaram...**(Interruptions)**...

**श्री श्रीप्रकाश जायसवाल :** उपसभापति जी, जो बात मैंने पहले कही है, उस पर नेता विपक्ष द्वारा भी थोड़ा सा क्लैरिफिकेशन आना चाहिए...**(व्यवधान)**... मैंने कहा है कि मुझ पर जो आरोप लगाए गए हैं...**(व्यवधान)**... अगर वे कहीं से भी सिद्ध हुए तो मैं हर तरह की सजा भुगतने के लिए तैयार हूँ और अगर आरोप गलत हैं तो कृपया नेता विपक्ष यह बताएं कि ये कौन सी सजा भुगतेंगे?...**(व्यवधान)**...

**MR. DEPUTY CHAIRMAN:** That is over. ...**(Interruptions)**...

SHRI SITARAM YECHURY (West Bengal): Sir, the hon. Minister is saying that they would make all efforts to trace the untraceable files. He is saying, and I quote, "The mandate given to the Committee is to examine and review non-availability of files/documents and suggest appropriate action for locating the same." The point is: why are they not available? That is the question that we need an answer for. Now, the CAG has presented a detailed report on this entire coal block allocations. The CAG has, obviously, gone through these files and presented its report. Since the CAG has access to the files, why can't you get them from there? It is very simple. You have to tell us why these files are missing.

श्री श्रीप्रकाश जायसवाल : उपसभापति जी, मैंने शुरू में ही अपने स्टेटमेंट में यह स्पष्ट कर दिया है कि कुछ फाइलें, कुछ कागजात मिसिंग हैं, जिनकी तहकीकात करने के लिए एडिशनल सेक्रेट्री (कोल) की अध्यक्षता में एक कमेटी बनाई गई है, जो इस बात की जांच कर रही है...(व्यवधान)... कि ये फाइलें कैसे मिसिंग हैं...(व्यवधान)... ये सारे के सारे डॉक्यूमेंट्स 2004 से पूर्व के हैं...(व्यवधान)...

श्री सीताराम येचुरी : उपसभापति जी, वह बात तो हमने सुन ली है...(व्यवधान)...

श्री पुरुषोत्तम खोडामाई रूपाला (गुजरात) : सर, आप तो कुछ बोलिए...(व्यवधान)...

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Sir, files don't disappear; they are made to disappear. These files were in the Ministry. These were files of the Coal Ministry. The files contained evidence that the allocation of coal blocks had been arbitrary and not done in a fair and proper manner. The evidence of the crime is in these files. Now, obviously, those who are being targeted by the investigation will have an interest that if the evidence disappears, that is, the files disappear, the possibility of their escaping punishment for the crime would also be there. Now, destruction of evidence of a case which is being investigated by the CBI, monitored by the Supreme Court, or even otherwise, itself is a serious crime. Destruction of evidence in a case being investigated is a crime. Has your Ministry registered an FIR that evidence which was contained in these files has been taken away or destroyed? Have you taken legal recourse to get investigators to find out where these files are? The movement of every file is registered in the logs of the Government. Where did this file move, or, was it physically lifted and taken away? Will you please give us a list of those companies whose files are missing, because a large number of files have been handed over? Who are these people who are the beneficiaries of allotments or who are the applicants for these allotments whose files have been made to disappear?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI RAJEEV SHUKLA): These are pre-2004 files. ...*(Interruptions)*... What interest has he got?...*(Interruptions)*...

SHRI ARUN JAITLEY: Even prior to 2004, there were individuals. The files didn't disappear prior to 2004. They have disappeared in 2013. ...*(Interruptions)*...

श्री श्रीप्रकाश जायसवाल : सबसे पहले तो मेरा ऑब्जेक्शन इस बात पर है कि इन्होंने जो एलिगेशन सबसे पहले लगाया था, जिसे पर मैंने सबसे पहले चैलेंज दिया है कि अगर मेरा प्रत्यक्ष या अप्रत्यक्ष रूप से किसी तरीके का कोई रिश्ता पाया जाता है, तो मैं हर सजा भुगतने के लिए तैयार हूँ। उसके बारे में मैंने कहा था कि ...*(व्यवधान)*... हर तरह की सजा भुगतेंगे।...*(व्यवधान)*... कोई जवाब नहीं दिया गया...*(व्यवधान)*... इन्होंने कोई जवाब नहीं दिया।...*(व्यवधान)*... उसका जवाब इन्हें देना चाहिए। जहां तक सीबीआई की बात है, सीबीआई इंवेस्टिगेशन कर रही है। 2004 से पहले के कुछ डॉक्युमेंट्स मिसिंग हैं, जिनके लिए कमेटी का गठन कर दिया गया है। उस कमेटी की रिपोर्ट के आधार पर ही किसी तरीके का एक्शन लिया जा सकता है। उसके लिए परेशान न हों। 2004 से पहले की फाइलें कौन गुम करेगा, इसमें किसका इंटरैस्ट है, इस पर गौर किया जाना चाहिए।...*(व्यवधान)*...

श्री अरुण जेटली : सभापति जी, ...*(व्यवधान)*...

श्री प्रकाश जावडेकर (महाराष्ट्र) : यह सच नहीं है।...*(व्यवधान)*...

श्रीमती माया सिंह (मध्य प्रदेश) : सर, यह सच नहीं है। ये फाइलें आपने अपनी बात को रखने के लिए गुम करवा दी होंगी।...*(व्यवधान)*...

श्री सीताराम येचुरी : मंत्री महोदय, मैं आपसे यह पूछना चाहता हूँ कि ये फाइलें मिसिंग हैं या ये फाइलें चोरी हो गई हैं? अगर चोरी हुई हैं, तो क्या आपने चोरी की रिपोर्ट की, आपने कोई कम्प्लेंट दर्ज की, आपने कोई एफआईआर दर्ज की कि ये फाइलें चोरी हुई हैं।...*(व्यवधान)*...

श्री श्रीप्रकाश जायसवाल : मुझे आपका क्वेश्चन समझ में आ गया। अगर चोरी की जानकारी मिली होती, डिस्ट्रक्शन की जानकारी मिली होती, तो उसके खिलाफ एफआईआर की जाती।...*(व्यवधान)*... मिसिंग की जानकारी मिली है, इसके लिए एक कमेटी का गठन किया गया है। कमेटी की रिकमेंडेशंस के आधार पर ही कार्रवाई होगी।...*(व्यवधान)*... तब जब तक कमेटी की रिपोर्ट नहीं आती है, तब तक किसी तरीके का कोई एक्शन नहीं लिया जा सकता।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Now, we will take up the Zero Hour. ...*(Interruptions)*...

SHRI SUKHENDU SEKHAR ROY (West Bengal): Sir, the Statement given by the hon. Minister suffers from material facts. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: We will take up the Zero Hour. ...(*Interruptions*)...

SHRI SUKHENDU SEKHAR ROY: Sir, you are not allowing me. ...(*Interruptions*)...  
Sir, please allow me. ...(*Interruptions*)... Sir, please allow me. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: We will take up the Zero Hour. ...(*Interruptions*)...

श्री सत्यव्रत चतुर्वेदी (मध्य प्रदेश) : उपसभापति महोदय, 2004 से पहले की फाइलें मिसिंग हैं।...(*व्यवधान*)...  
उन फाइलों के मिसिंग होने में किसका इंटरैस्ट है।...(*व्यवधान*)... मैं तो यह जानना चाहता हूँ कि मंत्री  
जी यह बताएं कि जो फाइलें मिसिंग हैं, ...(*व्यवधान*)... उस समय एनडीए सरकार थी और एनडीए सरकार  
के जमाने में जो घोटाले हुए थे...(*व्यवधान*)... उन घोटालों की पूरी एविडेंस उन फाइलों में मौजूद थी।...(*व्यवधान*)...  
उन फाइलों को गायब कराने में किसकी रूचि हो सकती है, किसका हाथ हो सकता है, क्या वे  
इस बात की भी जांच कराएंगे?...(*व्यवधान*)...

MR. DEPUTY CHAIRMAN: If all of you stand up what do I do? ...(*Interruptions*)...  
If all of you stand up what do I do? ...(*Interruptions*)...

श्री रवि शंकर प्रसाद (बिहार) : 2006 से 2009 की फाइलें गायब हैं या नहीं, आप यह बताएं?  
...(*व्यवधान*)...

MR. DEPUTY CHAIRMAN: If all of you stand up what do I do?  
...(*Interruptions*)...

SHRI ARUN JAITLEY: Sir, I have a specific question, is no file subsequent to  
2004 missing? Instead of giving an evasive reply, let the Minister give a categorical  
reply that every file after 2004 is present.

श्री श्रीप्रकाश जायसवाल : इसकी सारी जानकारी, चूंकि सीबीआई इंवेस्टिगेट कर रही है, वही ...(*व्यवधान*)...

श्री अरुण जेटली : आप इसका जवाब दीजिए।...(*व्यवधान*)... Sir, he is ... ...(*Interruptions*)...  
He is trying to mislead the House. ...(*Interruptions*)...

SHRI RAVI SHANKAR PRASAD: He is misleading the House. ...(*Interruptions*)...

SHRI SITARAM YECHURY: Sir, I asked him a simple question why no FIR has  
been filed. ...(*Interruptions*)...

श्री श्रीप्रकाश जायसवाल : जितनी जानकारी सीबीआई ने दी है, उसके आधार पर मैंने इसका जवाब  
दे दिया है।...(*व्यवधान*)... अगर सीबीआई और जानकारी देगी, तो वह बयान उसके सामने प्रस्तुत  
होगा।...(*व्यवधान*)...

MR. DEPUTY CHAIRMAN: The House is adjourned till 2.00 p.m.

The House then adjourned at twenty-four minutes past twelve of the clock.

The House reassembled at two of the clock,  
MR. DEPUTY CHAIRMAN in the Chair.

MR. DEPUTY CHAIRMAN: Okay, can I take up the Bill? ...*(Interruptions)*...

DR. V. MAITREYAN (Tamil Nadu): Instead of food security, we should have a 'file security' Bill. ...*(Interruptions)*...

श्री नरेश अग्रवाल (उत्तर प्रदेश) : कोयला मंत्री इस्तीफा दें।...*(व्यवधान)*...

श्री रवि शंकर प्रसाद : सर, प्रधान मंत्री सदन में आ कर जवाब दें।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Chair has become helpless. ...*(Interruptions)*... Why are you getting up? ...*(Interruptions)*... The Coal Minister has already replied. ...*(Interruptions)*... He has made a statement. ...*(Interruptions)*... So, the Bill is not to be passed. ...*(Interruptions)*... The Indian Medical Council Bill is very important. ...*(Interruptions)*... Mr. Maitreyan, give me a solution ...*(Interruptions)*... What is the solution?

DR. V. MAITREYAN: The solution is that the Prime Minister should come to this House. ...*(Interruptions)*...

श्री नरेश अग्रवाल : इसमें कोयला मंत्री भी शामिल हैं और उनके रिश्तेदार भी शामिल हैं। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Now that is enough. ...*(Interruptions)*... Now you should stop. ...*(Interruptions)*... Now let me take up the Bill. ...*(Interruptions)*... The House is adjourned for thirty minutes.

The House then adjourned at four minutes past two of the clock.

The House reassembled at thirty-four minutes past two of the clock,  
MR. DEPUTY CHAIRMAN in the Chair.

#### **SPECIAL MENTIONS\***

MR. DEPUTY CHAIRMAN: Special Mentions can be laid on the Table. ...*(Interruptions)*...

Shri Mansukh L. Mandaviya, not present; Shri Piyush Goyal, not present; Chaudhary

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\*Laid on the Table.



[Mr. Deputy Chairman]

Munavver Saleem, please lay your Special Mention on the Table. ...*(Interruptions)*... Are you doing? ...*(Interruptions)*... He is not doing. ...*(Interruptions)*... Shrimati T. Ratna Bai, not present. ...*(Interruptions)*...

Shri Y.S. Chowdary. Lay it on the Table. ...*(Interruptions)*...

**Demand for early sanctioning of funds for various road works  
under Panchayati Raj in Andhra Pradesh**

SHRI Y.S. CHOWDARY (Andhra Pradesh): The Principal Secretary, Panchayati Raj, Government of Andhra Pradesh had addressed a D.O. letter dated 21-01-2012 to the Joint Secretary, Ministry of Rural Development, Government of India, requesting to sanction 1580 road works for 4929.36 KMs at an estimated cost of Rs.1774.80 crores under the new connectivity category. But the sanction is still awaited from the Ministry.

With the sanction of 1580 road works for 4929.36 KMs about 1880 habitations having a population of 600 plus and 708 habitations having a population of less than 600 will be connected with all weather roads, and it will also generate employment.

In view of the above, I urge upon the Central Government to convey sanction for 1580 road works for 4929.36 KMs to the Government of Andhra Pradesh, without any further delay.

MR. DEPUTY CHAIRMAN: Shri Rabinarayan Mohapatra. Lay your Special Mention on the Table. ...*(Interruptions)*...

**Demand to revise the rates of royalty and dead  
rent for major minerals in Odisha**

SHRI RABINARAYAN MOHAPATRA (Odisha): Odisha is a unique State, where a gamut of mineral resources exists in bounty. It has a lion's share of country's mineral reserves, some of these also account for a visible spot in the world's mineral map.

In spite of having valuable natural resources, it is noticed that Odisha is incurring loss of more than twenty thousand crores in the year due to delay in revision of rates of royalty and dead rent of major minerals, which were last revised by the Government of India with effect from 13.8.2009. As such, enhancement in the rates of royalty and dead rent was due from 13.8.2012 as per the provision provided under sub-section (3) of section 9 of the MDR Act, 1957.

The Chief Minister of Odisha has urged upon the Government several times to enhance it without any delay.

Unstarred Questions, No. 727 and No. 4273, were put by me on this issue on 4th March, 2013 and 6th May, 2013, respectively.

In view of the above, when the Study Group Report has already been submitted in this context, I would like to draw the kind attention of the hon. Minister of Mines, considering the concern and huge loss of Odisha, to revise the rates of royalty and dead rent without any further delay and to make it effective from 13.8.2012, (which is the due date for revision) in the interest of law and in the interest of people of Odisha.

MR. DEPUTY CHAIRMAN: Shri Bhagat Singh Koshyari. Yes, lay it on the Table. ...*(Interruptions)*...

**Demand for regularising part-time teachers and guest faculty in Hemwatinandan Bahuguna University at Srinagar in Uttarakhand**

श्री भगत सिंह कोश्यारी (उत्तराखंड) : महोदय, हेमवतीनन्दन बहुगुणा विश्वविद्यालय, श्रीनगर, गढ़वाल के 2009 में केन्द्रीय विश्वविद्यालय बन जाने से 180 अंशकालिक व गेस्ट फैकल्टी अध्यापकों को अब तक नियमित न किए जाने से शिक्षकों व कर्मचारियों का भविष्य अंधकारमय हो गया है। इन अध्यापकों के पास बीस-बीस साल का अनुभव तथा निर्धारित योग्यता है। उक्त विश्वविद्यालय की परिसम्पत्तियां केन्द्रीय विश्वविद्यालय को दी गई हैं, किन्तु केन्द्र का लाएबिलिटीज़ से मुकरना न्याय संगत नहीं है। केन्द्रीय मानव संसाधन मंत्रालय उक्त शिक्षकों को तुरंत नियमित करे।

MR. DEPUTY CHAIRMAN: Shrimati Kusum Rai; not present. ...*(Interruptions)*... Shri Pankaj Bora. Lay it on the Table. ...*(Interruptions)*...

**Demand to include the perennial devastation caused by floods and erosion in Assam under National Disaster Response Fund**

SHRI PANKAJ BORA (Assam): In Assam, floods wreak havoc, but erosion is much bigger problem than floods. Since 1951, Assam has lost more than 4.30 lakh hectares of land and more than 9 lakh people, and displaced more than 1.25 lakh families. River bank erosion has caused major human and economic disasters which has further compounded by flood.

The problem of erosion did not get due attention in the past. The State Government has been raising this issue continuously during the last few years. When hon. Prime Minister visited Assam during flood, in 2012, he had mentioned erosion along with floods as a perennial problem of Assam and assured to provide all possible help by the Central Government and to find out solution to these twin problems.

A Group of Ministers has been formed to look into the issue of inclusion as an eligible calamity for relief under National Disaster Response Fund (NDRF)/State Disaster

[Shri Pankaj Bora]

Response Fund (SDRF). Now it is the responsibility of Government of India to include erosion in NDRF/SDRF.

Central Government with the help of State Government should come forward to solve the problem of rehabilitation of erosion-affected families. A Rehabilitation Authority and a dedicated Corpus Fund for rehabilitation of erosion-affected families has been proposed.

Keeping in view the devastation caused by the mighty river Brahmaputra, by way of perennial flood, and erosion, the Central Government should take it up as a National Problem and declare it as such for effective solution to this problem.

MR. DEPUTY CHAIRMAN: Shri C.P. Narayanan; not there. Shri Narendra Kumar Kashyap. Lay it on the Table. ...*(Interruptions)*...

**Demand to extend the national capital region to certain districts in  
Uttar Pradesh and constitute a seperate police force  
to check crimes in the region**

**श्री नरेन्द्र कुमार कश्यप** (उत्तर प्रदेश) : महोदय, भारत सरकार ने देश की राजधानी दिल्ली से सटे हुए कुछ क्षेत्रों को जोड़ कर राष्ट्रीय राजधानी क्षेत्र घोषित किया है। इसके विकास के लिए एक बोर्ड का गठन भी किया, जिसके माध्यम से राष्ट्रीय राजधानी के विकास को गति देने की शुरुआत हुई और विकास की दृष्टि से अच्छे परिणाम देखकर राष्ट्रीय राजधानी क्षेत्र की सीमा का विस्तार भी किया गया है। इसमें हरियाणा, उत्तर प्रदेश सहित राजस्थान के कुछ जिलों को शामिल किया गया है।

इसके विस्तार के समय हरियाणा व राजस्थान के क्षेत्रों को अधिक महत्ता दी गई है, जिसकी हमें खुशी है, परन्तु इसके साथ-साथ उत्तर प्रदेश को भी अवसर दिया जाता, तो उत्तर प्रदेश के लोगों की खुशी भी बढ़ जाती।

राष्ट्रीय राजधानी क्षेत्र में राजस्थान के जिले अलवर तक, जिसकी दिल्ली से करीब 160 किलोमीटर दूरी है, को तो शामिल किया गया, परन्तु उत्तर प्रदेश के मथुरा, अलीगढ़, मुरादाबाद, सहारनपुर, जिनकी दिल्ली से केवल 150 किलोमीटर की दूरी है, को शामिल नहीं किया गया।

राष्ट्रीय राजधानी क्षेत्र के विकास के साथ-साथ, जब तक सुरक्षा के कड़े प्रबंध नहीं किये जाएंगे, तब तक इसका पूरा लाभ नहीं मिल पाएगा। चूंकि पिछले कुछ समय से दिल्ली सहित राष्ट्रीय राजधानी में अपराध बढ़े हैं, विशेषकर गाजियाबाद में केवल दो घटनाओं में कुल 15 लोगों की हत्या हुई है, जिसमें एक परिवार के 7 लोग शामिल हैं। इसलिए जब तक दिल्ली की तरह पूरे राष्ट्रीय राजधानी क्षेत्र में पुलिस की व्यवस्था नहीं होगी, तब तक विकास भी अनदेखा हो जाएगा।

अतः मैं आपके माध्यम से सरकार से मांग करता हूँ कि राष्ट्रीय राजधानी क्षेत्र में उत्तर प्रदेश के उल्लिखित क्षेत्रों को शामिल करने तथा इस क्षेत्र की सुरक्षा हेतु अलग से सुरक्षा फोर्स गठित करने का कष्ट करें।

MR. DEPUTY CHAIRMAN: Shri Avtar Singh Karimpuri; not present. ...*(Interruptions)*... Shri Rama Chandra Khuntia; not present. ...*(Interruptions)*... Shri Ambeth Rajan. Yes, lay it on the Table. ...*(Interruptions)*...

### **Demand to grant Union Territory status to Karaikal**

SHRI AMBETH RAJAN (Uttar Pradesh): Sir, by an international treaty dated 20.10.1954, the erstwhile territories — Karaikal, Yenam, Mahe and Puducherry — of French Government were merged with India and Karaikal came under Government of India on 1.11.1954. As per the treaty, it was mandated that all four regions should have equal treatment in administration, health, education, infrastructure, industrial development, employment opportunities, etc. But, in reality, this is not happening and the condition of Karaikal has gone from bad to worse.

Out of 7400 total jobs for Karaikal region, 1640 posts are vacant. This huge vacancy affects the day-to-day administration in that area. As most of the posts are manned by people from outside, they are not sensitive to the needs and aspirations of Karaikal people. Medical services are inadequate and people go to nearby areas like Nagapattinam and Thiruvavur for their medical needs. There is only one Government college and it is also on the verge of closure. The substantial portion of Karaikal's budget is allocated to some other purpose and thus the development of this area is stunted and hampered.

The remedy for these problems lies in granting Union Territory status to Karaikal. There is also a need for establishing AIIMS-like hospital and a Central University in Karaikal. It is important to mention here that the existing UTs are having population less than Karaikal.

Therefore, I urge the Government, through this august House, to take effective and immediate steps to grant Union Territory status to Karaikal.

MR. DEPUTY CHAIRMAN: Yes, Mr. Shukla. What do you want to say? ...*(Interruptions)*...

SHRI RAJEEV SHUKLA: Sir, ... *(Interruptions)*...

डा. वी. मैत्रेयन (तमिलनाडु) : सर, यह कौन-सा Motion है?...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: First let me understand. ...*(Interruptions)*... First let me know what is there. ...*(Interruptions)*... I will tell you. Let me understand. ...*(Interruptions)*... First let me understand. ...*(Interruptions)*... I didn't hear. ...*(Interruptions)*... I also did not hear. ...*(Interruptions)*... I also did not hear. ...*(Interruptions)*...

The House stands adjourned to meet on Thursday, 22nd August at 11.00 a.m.

The House then adjourned at thirty-nine minutes past two of the clock till eleven of the clock on Thursday, the 22nd August, 2013.