

Vol. 255
No. 4



Thursday,
2nd December, 2021
11 Agrahayana, 1943 (Saka)

PARLIAMENTARY DEBATES

RAJYA SABHA

OFFICIAL REPORT (FLOOR VERSION)

(PART-II)

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NEW DELHI

PRICE: ₹ 100.00

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RAJYA SABHA

Thursday, the 2nd December, 2021/11 Agrahayana, 1943(saka)

The House met at eleven of the clock,

MR. CHAIRMAN in the Chair.

PAPERS LAID ON THE TABLE

Reports and Accounts (2018-19) of Kendriya Bhandar, New Delhi and CSOI, New Delhi and related papers

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): 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 Central Government Employees Consumer Co-operative Society Limited (Kendriya Bhandar), New Delhi, for the year 2018-19, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Society.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (a) above.

[Placed in Library. See No. LT-5862/17/21]

- (ii) (a) Annual Report and Accounts of the Civil Services Officers' Institute (CSOI), New Delhi, for the year 2018-19, 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 (a) above.

[Placed in Library. See No. LT-5863/17/21]

Report of the Comptroller and Auditor General of India

आवासन और शहरी कार्य मंत्रालय में राज्य मंत्री (श्री कौशल किशोर) : महोदय, मैं नियंत्रक और महालेखापरीक्षक, (कर्तव्य, शक्तियां तथा सेवा की शर्तें) अधिनियम, 1971 की धारा 19क के खंड (2) के अधीन, डी.एम.आर.सी. द्वारा दिल्ली मास रैपिड ट्रांज़िट सिस्टम के चरण-III के

कार्यान्वयन के संबंध में भारत के नियंत्रक और महालेखापरीक्षक का प्रतिवेदन - केन्द्रीय सरकार - आवासन और शहरी कार्य मंत्रालय (कार्य-निष्पादन लेखापरीक्षा) - 2021 का प्रतिवेदन संख्यांक 11 की एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखता हूँ।

[Placed in Library. See No. LT-5146/17/21]

MESSAGES FROM LOK SABHA

- (I) **The Personal Data Protection Bill, 2019**
- (II) **The Assisted Reproductive Technology (Regulation) Bill, 2021**

SECRETARY-GENERAL: Sir, I have to report to the House the following messages received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha:-

(I)

"I am directed to inform you that Lok Sabha, at its sitting held on the 1st December, 2021, has adopted the following motion regarding further extension of time for presentation of the Report of the Joint Committee of the Houses on the Personal Data Protection Bill, 2019:-

MOTION

"That this House do extend upto the last week of the Winter Session of Parliament, 2021, the time for presentation of the Report of the Joint Committee on the Personal Data Protection Bill, 2019."

(II)

"In accordance with the provisions of rule 96 of the Rules of Procedure and conduct of Business in Lok Sabha, I am directed to enclose the Assisted Reproductive Technology (Regulation) Bill, 2021 as passed by Lok Sabha at its sitting held on the 1st December, 2021."

Sir, I lay a copy of the Assisted Reproductive Technology (Regulation) Bill, 2021 on the Table.

REPORT OF THE COMMITTEE ON PAPERS LAID ON THE TABLE, RAJYA SABHA

SHRI K.C. RAMAMURTHY (Karnataka): Sir, I lay the 163rd Report (in English and Hindi) of the Committee on Papers Laid on the Table, Rajya Sabha on 'Laying of Annual Reports and Audited Accounts of University of Delhi (DU)'.

**REPORTS OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING
COMMITTEE ON CHEMICALS AND FERTILIZERS**

SHRI ARUN SINGH (Uttar Pradesh): Sir, I lay on the Table, a copy each (in English and Hindi) of the following Action Taken Reports of the Department-related Parliamentary Standing Committee on Chemicals and Fertilizers:-

- (i) Twenty-fourth Report on Action Taken by the Government on the Observations/Recommendations of the Committee contained in its Eighteenth Report (Seventeenth Lok Sabha) on 'Revival of Closed and Sick Fertilizers units' of the Ministry of Chemicals and Fertilizers (Department of Fertilizers);
- (ii) Twenty-fifth Report on Action Taken by the Government on the Observations/Recommendations of the Committee contained in its Twentieth Report (Seventeenth Lok Sabha) on 'Demands for Grants (2021-22)' of the Ministry of Chemicals and Fertilizers (Department of Fertilizers);
- (iii) Twenty-sixth Report on Action Taken by the Government on the Observations/Recommendations of the Committee contained in its Nineteenth Report (Seventeenth Lok Sabha) on 'Demands for Grants (2021-22)' of the Ministry of Chemicals and Fertilizers (Department of Chemicals and Petrochemicals);
- (iv) Twenty-seventh Report on Action Taken by the Government on the Observations/Recommendations of the Committee contained in its Sixteenth Report (Seventeenth Lok Sabha) on 'Demand and Availability of Petrochemicals including Imports and Exports' of the Ministry of Chemicals and Fertilizers (Department of Chemicals and Petrochemicals);
- (v) Twenty-eighth Report on Action Taken by the Government on the Observations/Recommendations of the Committee contained in its Twenty-first Report (Seventeenth Lok Sabha) on 'Demands for Grants (2021-22)' of the Ministry of Chemicals and Fertilizers (Department of Pharmaceuticals);
- (vi) Twenty-ninth Report on Action Taken by the Government on the Observations/Recommendations of the Committee contained in its

Seventeenth Report (Seventeenth Lok Sabha) on 'Review of Pradhan Mantri Bhartiya Janaushadhi Pariyojana (PMBJP)' of the Ministry of Chemicals and Fertilizers (Department of Pharmaceuticals); and

- (vii) Thirtieth Report on Action Taken by the Government on the Observations/Recommendations of the Committee contained in its Twenty-second Report (Seventeenth Lok Sabha) on 'Status of COVID-19 vaccine production in India' of the Ministry of Chemicals and Fertilizers (Department of Pharmaceuticals).

REPORT OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON SOCIAL JUSTICE AND EMPOWERMENT

श्रीमती रमिलाबेन बेचारभाई बारा (गुजरात): महोदय, मैं विभाग-संबंधित सामाजिक न्याय और अधिकारिता संबंधी संसदीय स्थायी समिति के "अनुसूचित जाति के बालकों और बालिकाओं के लिए बाबू जगजीवन राम छात्रावास योजना (बीजेआरसीवाई)" संबंधी छब्बीसवें प्रतिवेदन की एक-एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखती हूँ।

REPORTS OF THE COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES

श्रीमती गीता उर्फ चंद्रप्रभा (उत्तर प्रदेश): महोदय, मैं अन्य पिछड़े वर्गों के कल्याण संबंधी समिति के निम्नलिखित प्रतिवेदनों* की एक-एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखती हूँ:-

- (i) Twelfth Report of the Committee (2021-22) on Action Taken by the Government on the Observations/Recommendations contained in its Third Report (Seventeenth Lok Sabha) on "Measures undertaken to secure representation of OBCs in employment and for their welfare in Coal India Ltd. (CIL), Northern Coalfields Limited (NCL) and South Eastern Coalfields Limited (SECL)";

*These Reports were presented to Hon'ble Chairman, Rajya Sabha on 25.10.2021 and to Hon'ble Speaker on 04.10.2021 under Direction 71(A)(I) of the Directions by the Speaker, Lok Sabha. The Hon'ble Speaker was pleased to order the printing, publication and circulation of the Reports under Rule 280 of the Rules of Procedure and Conduct of Business in Lok Sabha.

- (ii) Thirteenth Report of the Committee (2021-22) on Action Taken by the Government on the Observations/Recommendations contained in its Fourth Report (Seventeenth Lok Sabha) on “Measures undertaken to secure representation of OBCs in employment and for their welfare in Rashtriya Chemicals & Fertilizers Limited (RCF)” ; and
- (iii) Fourteenth Report of the Committee (2021-22) on Action Taken by the Government on the Observations/Recommendations contained in its Sixth Report (Seventeenth Lok Sabha) on “Measures undertaken to secure representation of OBCs in admission in Ph.D. and appointment of teachers of Delhi University pertaining to the Ministry of Education.”

LEAVE OF ABSENCE

MR. CHAIRMAN: I have to inform hon. Members that a letter has been received from Dr. Manmohan Singh, Member, stating that he is unable to attend the entire current 255th Session of the Rajya Sabha, i.e. from 29th November to 23rd December, due to his illness. Does he have the permission of the House to remain absent from 29th November to 23rd December during the current Session of the Rajya Sabha?

(No hon. Member dissented)

MR. CHAIRMAN: Permission to remain absent is granted.

OBSERVATIONS BY THE CHAIR

MR. CHAIRMAN: Hon. Members, this is the fourth sitting of the first Session of this august House in the 75th year of our hard-fought Independence. The House could not transact any Business during the last three days.

The people of India gave themselves the Constitution of India that stipulated democracy as the instrument of nation-building as per the dreams of freedom fighters and the vision of makers of the sacred Constitution. The Constitution cast a huge responsibility on the legislatures and elected representatives of the people.

Since I can't go public with my anguish in any other way...*(Interruptions)*... Please sit down. ...*(Interruptions)*... You can't dictate and disrupt the Chairman.

...(Interruptions)... I can't go public with my anguish in any other way.
...(Interruptions)...

SHRI JAIRAM RAMESH (Karnataka): Sir, please allow the Leader of the Opposition.
...(Interruptions)...

THE LEADER OF THE OPPOSITION (SHRI MALLIKARJUN KHARGE): Sir,
...(Interruptions)...

MR. CHAIRMAN: We have heard the Leader of Opposition also. ...(Interruptions)... Please sit down. ...(Interruptions)... Since I can't go public with my anguish in any other way, the only platform to share my anguish and thoughts is to speak in the House. ...(Interruptions)... Some respected leaders and Members of this House, in their wisdom, chose to describe the suspension of 12 Members as undemocratic. ...(Interruptions)... I have struggled to understand if there was any justification for that kind of narrative being propagated, but could not. ...(Interruptions)... The latest suspension is not the first time to have happened. ...(Interruptions)... Such suspension of Members starting in 1962 happened on 11 occasions till 2010, further to a motion moved by the Government of the day. ...(Interruptions)... Were all of them undemocratic? ...(Interruptions)... If so, why was it resorted to so many times? ...(Interruptions)... The Rules of Procedure and Conduct of Business in the Council of States clearly provide for the Suspension of Members, for disrupting the proceedings of the House and for misconduct and lowering the dignity of the House, under Rules 255 and 256. ...(Interruptions)... The reasons for the latest suspensions were in the public domain. ...(Interruptions)... The Minister of Parliamentary Affairs gave reasons while moving the Motion for Suspension on the first day of this Session. ...(Interruptions)... I hope the entire country is watching what is happening. ...(Interruptions)... I don't want again to recall those forgettable acts of misconduct during the last Monsoon Session that laid ground for the latest suspension. ...(Interruptions)... While calling the suspension undemocratic both in and outside the House, not even a word is being said about the reasons given for the suspension and the disdainful conduct of some Members during the last Session, which I have categorically called as acts of sacrilege on the last day of last Session. ...(Interruptions)... Unfortunately, a message is sought to be sent that this sacrilege of the House is democratic and the action against this sacrilege is undemocratic. ...(Interruptions)... I am sure people of the country would not buy this new norm of democracy. ...(Interruptions)... Hon. Members, there were suspensions in the past and some of them were revoked prematurely because the errant Members regretted

their acts of misconduct in the House. ...*(Interruptions)*... I am deeply pained to know from media reports of categorical refusals to express any regret for the acts of misconduct during the last session that led to this round of suspensions. ...*(Interruptions)*... Then what is the way forward? ...*(Interruptions)*... You don't want to regret your misconduct but insist on revoking the decision of this august House taken as per due process laid under the Rules of the House. ...*(Interruptions)*... Does this amount to upholding the principles of democracy? ...*(Interruptions)*... The Leader of the House has stated in this House that revocation of suspension could be considered if the concerned Members express regret for what was done in the House during the last Session. ...*(Interruptions)*... The Deputy Chairman has urged both the sides to talk it out and do the needful to move forward to enable normal functioning of the House. ...*(Interruptions)*... It is human to err and it is also human to make amends. ...*(Interruptions)*.. One cannot refuse to amend and insist on glossing over the wrong doings. ...*(Interruptions)*... Suspensions, either in the past or now, are only the expression of disapproval of the acts of misconduct of some Members of the House. ...*(Interruptions)*... Disapproval of undemocratic conduct in the House cannot be described as undemocratic for sure. ...*(Interruptions)*.. I urge both sides of this august House to talk it out and find a way to do the mandated job of this House. ...*(Interruptions)*... This is my appeal to the entire House. ...*(Interruptions)*... Now, we go to Zero Hour. ...*(Interruptions)*... Shri Ajay Pratap Singh. ...*(Interruptions)*...

SHRI DIGVIJAYA SINGH (Madhya Pradesh): Sir, it is your responsibility. ...*(Interruptions)*...

DR. K. KESHA RAO (Telangana): Sir, why don't you make the Government and Opposition parties sit together? ...*(Interruptions)*.... It is your responsibility also. ...*(Interruptions)*... Something unfortunate has happened. ...*(Interruptions)*... We know that. ...*(Interruptions)*...

MR. CHAIRMAN: Right. ...*(Interruptions)*... I have heard the LoP on the first day. ...*(Interruptions)*... It is on record. ...*(Interruptions)*... You can't repeat it. ...*(Interruptions)*... This is not the way. ...*(Interruptions)*... I am not going to accept it. ...*(Interruptions)*... Please go to your seats. ...*(Interruptions)*.. Sit down. ...*(Interruptions)*... If I can't order, who else can order? ...*(Interruptions)*... The House is adjourned to meet at 12 O'clock.

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

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

ORAL ANSWERS TO QUESTIONS

SQ No. 46. [Question was withdrawn.]

MR. DEPUTY CHAIRMAN: Q.No. 47. ...*(Interruptions)*... Shrimati Jharna Das Baidya. ...*(Interruptions)*... प्लीज़, यह क्वेश्चन ऑवर है।...**(व्यवधान)**...मेरा आग्रह है कि आप सब खामोश रहें।...**(व्यवधान)**... क्वेश्चन ऑवर चलने दें।...**(व्यवधान)**...

SHRI K.C. VENUGOPAL: Sir, I have given notice on important issue of price rise. ...*(Interruptions)*... We need to discuss that. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: But this is Question Hour, hon. Venugopalji. ...*(Interruptions)*...

SHRI K.C. VENUGOPAL: Sir, I have already given notice. ...*(Interruptions)*... We need to discuss that. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I think, we will take Question Hour. ...*(Interruptions)*... Please. ...*(Interruptions)*... Q.No. 47. ...*(Interruptions)*... Shrimati Jharna Das Baidya. ...*(Interruptions)*... Shrimati Jharna Das Baidya, please. ...*(Interruptions)*...

Strengthening voluntary Buddhist organizations

†*47. SHRIMATI JHARNA DAS BAIDYA: Will the Minister of CULTURE be pleased to state:

(a) the steps being taken by Government for the purpose of strengthening the voluntary Buddhist/Tibetan organisations including the monasteries engaged in propagation and scientific development of Buddhist/ Tibetan culture and tradition and research in related fields; and

(b) whether separate financial provisions have been made in this regard, if so, the details thereof?

† Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF CULTURE (SHRIMATI MEENAKSHI LEKHI): A Statement is laid on the Table of the House.

Statement

(a) Ministry of Culture implements a financial grant scheme known as Scheme of Financial Assistance for the Development of Buddhist/Tibetan Culture and Art for the purpose of strengthening the voluntary Buddhist/Tibetan Organizations including the monasteries engaged in propagation and scientific development of Buddhist/Tibetan Culture and tradition and in research in related fields. Under this scheme, financial assistance is provided to the voluntary Buddhist and Tibetan Organizations including Monasteries engaged in the propagation and scientific development of Buddhist/Tibetan Culture and tradition, located in any part of the country. The quantum of funding is Rs.30.00 lakhs per year for an organization. The Expert Advisory Committee (EAC) on the scheme is empowered to recommend the amount beyond the maximum limit but not exceeding Rs.1.00 crore from this scheme. Complete details of this Scheme are **Annexed**.

(b) The Scheme of Financial Assistance for the Development of Buddhist/Tibetan Culture & Art is a component of “Kala Sanskriti Vikas Yojna (KSVY)” which is an umbrella Scheme of Ministry of Culture. The details of funds allocated under this scheme and the no. of voluntary Buddhist/Tibetan Organizations including monasteries to whom financial assistance has been provided during the last five years are as under:

Year	Budget Allocation (Rupees in Lakhs)	Expenditure incurred (Rupees in Lakhs)	No. of Organisations
2016-17	725.00	1054.00*	307
2017-18	1000.00	1124.00*	258
2018-19	1100.00	1393.09*	325
2019-20	1210.00	704.88	142
2020-21	1350.00	1607.99*	276
2021-22 (Till date)	1350.00	700.00	127

* Being a component of Kala Sanskriti Vikas Yojna (KSVY) which is an umbrella Scheme, re-appropriation of excess expenditure is allowable from the total Budget available under KSVY.

Annexure

Scheme of Financial Assistance for the Development of Buddhist/Tibetan Culture and Art

1. Objective :

To give financial assistance to the voluntary Buddhist/Tibetan organizations including Monasteries engaged in the propagation and scientific development of Buddhist/Tibetan culture, tradition and research in related fields.

2. Criteria for Grants :

- i. The voluntary Institutions/Organizations and Societies should be registered as a Society under the Societies Registration Act (XXI of 1860) or similar Acts.
- ii. Only those Organizations which are mainly devoted to Buddhist/Tibetan studies and have been functioning at least for the last three years will qualify for applying for a grant.
- iii. The Organization should be of regional or all-India character;
- iv. The grants will be ad-hoc and of a non-recurring nature;
- v. Grants from this scheme will be given only to those organizations which are not in receipt of grants from any other source for similar purposes.
- vi. Financial assistance may also be given for construction of hostel building, class rooms, school buildings and training centres ; and
- vii. Organizations which are doing good work in the field and having resources for meeting matching funds will be given preference.

3. Purpose and quantum of Assistance :

3.1 Financial assistance is given for all or any of the items listed below upto a maximum of Rs.30.00 lakhs per year for any single organization. In case of the organizations of all-India character and running a school for imparting monastic education, the financial assistance may be given beyond the ceiling, on the recommendation of the Expert Advisory Committee and approved by the Minister (Culture) in consultation with the FA, Ministry of Culture.

S. No	Items	Maximum Amount per annum
i	Maintenance (Salary of staff, Off. Exp/Misc. exp)	Rs.5,00,000/-
ii	Research Project on promotion of Buddhist/Tibetan Art and Culture	Rs.2,00,000/-

iii	Purchase of books, documentation and cataloguing relating to Buddhism	Rs.5,00,000/-
iv	Award of scholarships to monk/nunnery students	Rs.5,00,000/-
v	Holding of special courses on promotion of Buddhist /Tibetan Art and Culture	Rs.2,00,000/-
vi	Audio- Visual Recording/Documentation/ Archiving of the traditional materials for preservation and dissemination of Buddhist Art & Culture	Rs.5,00,000/-
vii	IT upgradation and IT-enabled Teaching/ Training aids for monastic/ nunnery schools	Rs.5,00,000/-
viii	Transport facilities for monastic/nunnery schools and monasteries located in remote areas	Rs.5,00,000/-
ix	Salary of teachers where organization is running a school imparting monastic/ nunnery education	Rs.5,00,000/-
x	Repairs, restoration, renovation of ancient monasteries and Heritage Buildings associated with Buddhism	Rs.30,00,000/-
xi	Construction/Repairs/Extension with toilet and drinking water for Class Rooms, School Buildings, Hostels and Training Centres which are focused on Buddhist/ Tibetan Art and Culture as well as skill development of traditional craft for monastic/ nunnery school	Rs.30,00,000/-

3.2 The maximum grant admissible to an organization would be 75% of the total expenditure to be incurred on any item subject to maximum ceiling fixed. The remaining 25% expenditure or more should be met by the State Govt./U.T. Administration failing which the grantee organization could contribute the amount from their own resources. However, in the case of North-Eastern States and Sikkim, funding will be shared between the Government of India and the State Government in the ratio of 90:10 respectively failing which the grantee organization could contribute from their own resources.

4. Procedure for application:

4.1 The organization shall submit complete application alongwith the following documents/information to judge the eligibility of the organization through the concerned State Government/UTs. The organisation, however, located in North Eastern States, Sikkim, Leh and Kargil districts of Jammu & Kashmir are exempted

to submit their applications direct to Ministry of Culture only with the recommendation of concerned District Collector/Dy. Commissioner.

S. No.	Documents/information
i.	Copy of the valid Registration Certificate clearly showing the validity of the Registration. The copy of the Registration Certificate will be duly certified by a Gazetted Officer.
ii.	Copy of Memorandum of Association
iii.	Copies of Audited Accounts for last three years.
iv.	Copies of Annual Report for last three years.
v.	Item-wise write-up on each activity to be undertaken incorporating detailed break-up of funds sought, no. of target beneficiary, time schedule of the Project, etc.
vi.	List of books to be purchased and their cost, if applicable.
vii.	Copy of registration certificate & other documents in proof of ownership of the land/building in case of civil construction, if applicable.
viii.	Detailed Project Report for civil works incorporating information, inter-alia, total land availability, estimated cost item wise, phasing of expenditure, completion schedule, approved estimates from State PWD for each item, details of Architect, details of class rooms — whether primary or secondary, Number of class rooms, Number of students per class rooms, what are the courses to be offered and upto which class, etc., if applicable.
ix.	<p>Details of teachers - name, age, qualifications and salary paid. Proposal relating to Salary of Teachers will be subject to the following:</p> <p>If the society is running a Monastic/Nunnery School in its building or it is running a school in its monastery.</p> <p>Number of monk/nun students taking training in such school.</p> <p>Number of teachers, their age and qualifications and salary paid to the teachers.</p> <p>Is the Monastic/Nunnery School affiliated with some local Education Board in the State or any other Educational Board?</p> <p>Are the student's day scholars or resident in the school?</p>
x.	<p>Proposal relating to Award of Scholarship to students will be subject to the following conditions:-</p> <p>Criterion for selection of persons for payment of scholarship.</p> <p>Does the organization notify in the beginning of the financial or academic year about the release of scholarship to the candidates to apply for scholarship? If yes mode of such notification and proof be given.</p>

4.2 Recommendation: The State Governments/UTs, District Collector/Dy. Commissioner while recommending the proposal will verify the following:

- i. Registration status of the organization.
- ii. Whether as per Memorandum of Association the objectives and activities of organisation are related to promotion of Buddhist/Tibetan Art and Culture.
- iii. In case funds are sought for IT upgradation, transport facilities, civil construction/ salary of teachers whether a Monastery, Monastic/Nunnery School exists/owned by the organisation.
- iv. Whether the organisation is capable of undertaking such projects.
- v. Recommend the activity/activities and the amount thereto.

4.3 The Central Institute of Buddhist Studies, Leh will act as 'Help Window', for the organisations located in Leh and Kargil districts of J & K.

5. Mode of and Conditions for Release of Grants:

a. Grant shall be given based on the appraisal of applications and recommendation by the Expert Advisory Committee and thereafter administrative approval and financial concurrence of competent authorities in the Ministry of Culture. The Joint Secretary In-Charge would be the competent authority for the release of funds upto 30.00 lakhs based on the recommendation of the Expert Advisory Committee and in consultation with IFD in each Case.

b. Grants will be paid in two equal instalments, the first being normally released with the approval of the project. The second instalment will be released on receipt of duly audited statement of accounts showing the utilization of the entire amount of grant plus the share of the grantee/concerned State/U.T. Government and other documents on behalf of Chartered Accountant. The release of the balance of grant will be decided on the basis of the actual expenditure incurred on the project subject to the maximum limit.

c. An organization in receipt of financial assistance under the scheme shall be open to inspection by an officer of the Ministry of Culture, Government of India or the State Government concerned.

- d. The accounts of the project shall be maintained properly and separately and submitted to the Government of India as and when required and will be subject to check by an officer of the Central Government or the State Government or by the Comptroller and Auditor General of India at his discretion.
- e. The organisation shall submit detailed break-up of expenditure under the head “Maintenance” in a separate annexure forming part of accounts.
- f. The grantee shall maintain :
 - i. Subsidiary accounts of the grants-in-aid received from the Government.
 - ii. Cash book Register in hand written bound books duly machine numbered.
 - iii. Grant-in-aid Register for the grant received from the Government and other agencies.
 - iv. Separate ledgers for each item of expenditure like construction of hostel building, etc.
- g. The organization shall maintain a record of all assets acquired wholly or substantially out of the Central Government grant and shall not dispose of or encumber or utilize for purposes other than those for which the grant was given without prior approval of the Government of India.
- h. If at any time, the Government of India has reason to believe that the sanctioned money is not being utilized for approved purposes, the payment of grant may be stopped and the earlier grants recovered.
- i. The organization must exercise reasonable economy in the working of the approved project.
- j. The grantee organization shall furnish to the Ministry of Culture a quarterly progress report of the project indicating in detail both the physical achievements and the expenditure incurred on each of the approved items separately.
- k. The organisations availing grant for civil works will not be eligible for the grant for similar purpose for the next ten years.
- l. The grantee shall furnish PWD completion certificate and photographic evidence for Civil Works.
- m. The grantee shall submit five copies of the Research Project.
- n. The grant for Repairs, restoration, renovation of Heritage Buildings associated with Buddhism is subject to certificate from Archaeological survey of India. An officer of appropriate level from ASI office/Circle concerned will be associated by the organisation for this activity.
- o. Applications against which previous grant/Utilisation certificate is pending will not be considered.

6. Mode of Payment :

All payments will be made through electronic transfers.

7. Outcome of the Scheme :

A Performance-cum-achievement Report on the activity undertaken will be submitted in triplicate, duly bound, at the time of seeking second and final instalment to the Ministry as per the following format:

**Scheme of Financial Assistance for the Development of Buddhist/Tibetan
Culture and Art**

Performance-cum-achievement Report

	Name, address, Tel/Fax of the organisation			
	Sanction No. and date			
	Total grant sanctioned/ expenditure	Item	Grant sanctioned	Expenditure incurred
	Location of the Project			
	No. of beneficiaries			
	Performance-cum-Achievements item-wise with photographs.			
	How it helped/will help for preservation and development of Buddhist Culture and Art			
	Any other point			

Signature_____

President/Secretary of organisation

8. Incomplete applications:

Incomplete applications not supported by the required documents and applications received without recommendation of the prescribed authority will not be considered and summarily rejected.

9 Special Provision:

The Expert Advisory Committee on the scheme is empowered to recommend or reject any proposal received without or with the recommendation of State Government/U.T. administration/ Local Administration and also to recommend the amount beyond the maximum limit but not exceeding Rs.1.00 crore from this scheme. In respect of any proposal which is of outstanding merit for which the EAC feels that the maximum limit would not be sufficient for undertaking the said project, with the approval of Minister (Culture) and concurrence of AS&FA, Ministry of Culture. However, in each such case, detailed justification would be given by EAC for exceeding the limit of Rs. 30.00 lakhs.

10. Inspection and Monitoring:

Inspection would be carried out by Ministry officials every year at least in 5% of the cases and also the services of autonomous institutions like Central University of Tibetan Studies, Sarnath, Nava Nalanda Mahavihara, Nalanda, Central Institute of Buddhist Studies, Leh, ZCCs would be utilized. The concerned state Govt./UTs Administration, District Collector/Dy. Commissioner will also monitor. The concerned State Govt/UTs Administration, District Collector/Dy Commissioner will also monitor.

11. Penalties in case of mis -utilization of Grants:

The members of the executive body of the organization would be liable for recovery of misused grants. The organisation will also be blacklisted for misuse of funds, fake registration certificate, etc. All immovable assets created from the Government grants would be taken over by local administration prescribed by the Ministry.

SHRI K.C. VENUGOPAL: Sir, I have already given notice. ...*(Interruptions)*...

श्री उपसभापति: माननीय मंत्री जी। ...*(व्यवधान)*... मैं सदस्यों से आग्रह करूंगा, कृपया बैल में न आएं।...*(व्यवधान)*... यह क्वेश्चन ऑवर है।...*(व्यवधान)*... You are very senior Members. ...*(Interruptions)*... You are a very senior Member. ...*(Interruptions)*... Please. ...*(Interruptions)*... Please go back to your seats. ...*(Interruptions)*... सदन में प्लैकार्ड्स लेकर आना और बैल में खड़े होना ठीक नहीं है।...*(व्यवधान)*... Please go back to your seats. ...*(Interruptions)*... Please, thank you. ...*(Interruptions)*... Q.No. 47. ...*(Interruptions)*... No supplementary. ...*(Interruptions)*... ...*(Interruptions)*...

Q.No. 48. ...*(Interruptions)*... Shri Harnath Singh Yadav. ...*(Interruptions)*...
Please lay. ...*(Interruptions)*...

SHRI K.C. VENUGOPAL: Sir, the price rise is hitting the common man of the country. ...*(Interruptions)*... We have to discuss it. ...*(Interruptions)*...

Action to control pollution

*48. SHRI HARNATH SINGH YADAV: Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

(a) whether it is a fact that India is one of the top polluted countries in the world;

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

(c) whether Government is aware that citizens are subjected to poor air quality and are inhaling very hazardous levels of polluted air in many metropolitan cities, especially in Delhi; and

(d) if so, the details thereof and the action being taken by Government to control pollution?

THE MINISTER FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE (SHRI BHUPENDER YADAV): A Statement is laid on the Table of the House.

Statement

(a) and (b) There is no established mechanism for ranking the countries in terms of pollution. The government is aware that several private institutions and universities are ranking cities adopting different methodologies, different data sets and different weightages to parameters. The data used for ranking is extracted primarily from satellite imageries, which is not validated by proper ground truthing. On the basis of monitoring of air quality, 124 Non-Attainment Cities (NACs) cities have been identified in the country based on exceedance of annual National Ambient Air Quality Standards with respect to any one of the notified parameters consecutively for five years.

(c) Ambient air quality data in 96 cities showed a decreasing trend of PM10 whereas 36 cities showed an increasing trend of PM10 concentration in 2020-2021 as

compared to 2019-2020. 18 cities were found to be within the prescribed National Ambient Air Quality Standard (PM₁₀ less than 60 µg/m³) in 2019-20 which has increased to 27 in year 2020-21. In the year 2020, in Delhi, the number of 'Good', 'Satisfactory' and 'Moderate' days increased to 227 against 108 in 2016.

(d) The Government has taken several steps to control and minimize air pollution from various sources in the country, which *inter alia* include:

Vehicular Emission

- Leapfrogging from BS-IV to BS-VI norms for fuel and vehicles since April, 2020.
- Network of metro rails for public transport are enhanced and more cities are covered.
- Development of Expressway and Highways are also reducing the fuel consumption and pollution.
- Eastern Peripheral Expressway & Western Peripheral Expressway have been operationalised to divert non destined traffic from Delhi.
- Ban on 10-year-old diesel vehicles and 15-year-old vehicles in Delhi NCR.
- Environment protection charges (EPC) have been imposed on diesel vehicles with engine capacity of 2000cc and above in Delhi NCR.
- Introduction of cleaner/alternate fuels like CNG, LPG, ethanol blending in petrol.
- Faster Adoption and Manufacturing of Electric Vehicles (FAME) -2 scheme has been rolled out.
- Permit requirement for electric vehicles has been exempted.
- Promotion of public transport and improvements in roads and building of more bridges to ease congestion on roads.

Industrial Emission

- Stringent emission norms for Coal based Thermal Power Plants (TPPs).
- Ban on use of pet coke and furnace oil in NCR with restricted use of pet coke in cement plants, lime kilns and calcium carbide manufacturing units.
- Shifting of industrial units to PNG.
- Installation of online continuous emission monitoring devices in highly polluting industries.
- Shifting of brick kilns to zig-zag technology for reduction of pollution

Air Pollution due to dust and burning of waste

- Notifications of 6 waste management rules covering solid waste, plastic waste, e-waste, bio-medical waste, C&D waste and hazardous waste.
- Setting up infrastructure such as waste processing plants.
- Extended Producer Responsibility (EPR) for plastic and e-waste management.
- Ban on burning of biomass/garbage.

Crop Residue Management

- Under Central Sector Scheme on 'Promotion of Agricultural Mechanization for in-situ management of Crop Residue in the States of Punjab, Haryana, Uttar Pradesh and NCT of Delhi', agricultural machines and equipment for in-situ crop residue management are promoted with 50% subsidy to the individual farmers and 80% subsidy for establishment of Custom Hiring Centres.
- Sustainable Alternative Towards Affordable Transportation (SATAT) has been launched as an initiative to set up Compressed Bio-Gas (CBG) production plants and make CBG available in the market for use in automotive fuels.

Monitoring of Ambient Air Quality

- Expansion of air quality monitoring network of manual as well as continuous monitoring stations under programmes such as National Air Monitoring Programme (NAMP).
- Initiation of pilot projects to assess alternate ambient monitoring technologies such as low-cost sensors and satellite-based monitoring.
- Implementation of Air Quality Early Warning System for Delhi, Kanpur and Lucknow. The system provides alerts for taking timely actions.
- Public Complaints regarding air pollution issues in Delhi NCR are taken through 'Sameer App', 'Emails' (Aircomplaints.cpcb@gov.in) and 'Social Media Networks' (Facebook and Twitter).

Monitoring implementation of NCAP

- Government has launched National Clean Air Programme (NCAP) as a national level strategy to reduce air pollution levels across the country. City Specific Clean Air Action Plans have been prepared and rolled out for implementation in 132 non-attainment and million plus cities.
- ₹ 375.44 crores have been sanctioned to non-attainment cities under NCAP for initiating actions such as expansion of monitoring network, construction

and demolition waste management facilities, non-motorised transport infrastructure, green buffers, mechanical street sweepers, composting units etc.

- As per the Fifteenth Finance commission recommendations ₹4400 crores have been released in the Budget of FY 2020-21 to tackle the burgeoning problem of air pollution for 42 urban centres with a million-plus population. Further, an amount of ₹12,139 crores has been allocated for improvement of air quality for the award period FY 2021-26.
- City Specific Action Plans for improvement of air quality has been prepared and approved for implementation.
- Implementation of the city specific action plans are regularly monitored by Committees at Central and State level namely Steering Committee, Monitoring Committee and Implementation Committee.
- PRANA a portal for monitoring implementation of NCAP has been launched.

श्री हरनाथ सिंह यादव: मान्यवर, आज महानगरों में वायु प्रदूषण का संकट दिन पर दिन गहराता चला जा रहा है। ...**(व्यवधान)**... इसका प्रमुख कारण कारखानों और वाहनों से निकलने वाला धुआं है।...**(व्यवधान)**...

SHRI K.C. VENUGOPAL: Sir, please. ...**(Interruptions)**...

श्री उपसभापति: मैं याचना करूंगा, प्लीज़...**(व्यवधान)**... You have already spoken. ...**(Interruptions)**... Please. ...**(Interruptions)**...

श्री हरनाथ सिंह यादव: वायु प्रदूषण के कारण मनुष्य व पशु-पक्षियों का जीवन संकटमय होता जा रहा है।...**(व्यवधान)**... मैं माननीय मंत्री जी से जानना चाहता हूं कि कारखानों की चिमनियों से निकलने वाली जहरीली गैसों, धुएं तथा वाहनों से निकलने वाले धुएं से मुक्ति दिलाने के लिए क्या सरकार ने ऐसी कोई वैकल्पिक व्यवस्था विकसित करने पर विचार किया है...**(व्यवधान)**... जिससे घातक गैसों तथा धुएं को वहीं पर कार्बन के रूप में रोक लिया जाए? ...**(व्यवधान)**...

श्री भूपेन्द्र यादव: उपसभापति जी, माननीय सदस्य ने एक बहुत महत्वपूर्ण विषय सदन के सामने रखा है। ...**(व्यवधान)**... मेरा यह मानना है कि जो सदस्य शोर मचा रहे हैं, उनको भी इस विषय पर व्यापक चर्चा करनी चाहिए...**(व्यवधान)**... क्योंकि यह हम सब के जीवन से जुड़ा हुआ विषय है।

MR. DEPUTY CHAIRMAN: This is Question Hour. ...**(Interruptions)**... It is very important. ...**(Interruptions)**... Please, this is Question Hour. ...**(Interruptions)**...

आपने कह दिया है, I will put it to the hon. Chairman. ...(*Interruptions*)... Please, you are a senior Member. ...(*Interruptions*)...

श्री भूपेन्द्र यादव: माननीय सदस्य ने प्रश्न पूछा है कि सरकार के द्वारा वाहनों के प्रदूषण और उसके साथ-साथ जो औद्योगिक प्रदूषण है, ...(**व्यवधान**)... उसके लिए क्या उपाय किए जा रहे हैं।...(**व्यवधान**)... मैं माननीय सदस्य को यह बताना चाहूंगा कि बीएस-4 से बीएस-6 के नॉर्म्स पथूल में इस्तेमाल किए जाएं, इसके लिए सरकार द्वारा कार्रवाई की जा रही है।...(**व्यवधान**)... दूसरा, विभिन्न शहरों में मेट्रो रेल के विस्तार के लिए कार्रवाई की जा रही है।...(**व्यवधान**)... तीसरा, दिल्ली में जहां पर बहुत ज्यादा प्रदूषण है और ईस्टर्न एक्सप्रेस हाईवे और वैस्टर्न एक्सप्रेस हाईवे बनाया गया है, जो fuel consumption की दृष्टि से न्यूनतम पड़ता है। उसके साथ-ही-साथ दिल्ली में दस साल पुराने जो डीजल व्हीकल्स हैं, उनको भी एनसीआर में प्रतिबंधित किया गया है।...(**व्यवधान**)... जहां तक औद्योगिक प्रदूषण का विषय है, तो निश्चित रूप से जो कोल बेस्ड थर्मल पावर प्लांट्स हैं, ...(**व्यवधान**)... उनके stringent emission के जो norms हैं, उनको सरकार के द्वारा लागू किया गया है। ...(**व्यवधान**)... इस बात को प्रोत्साहन भी दिया जा रहा है कि एनसीआर रीजन में जो औद्योगिक इकाइयां हैं, उनमें पीएनजी के द्वारा ज्यादा गैसेज का उपयोग हो।...(**व्यवधान**)... सरकार द्वारा एनसीआर रीजन में इस बात का भी प्रयास किया जा रहा है कि जो हमारा ईट-भट्टा उद्योग है, उसमें zig-zag technology का उपयोग किया जाए।...(**व्यवधान**)... उपसभापति जी, वाहन प्रदूषण और ध्वनि प्रदूषण को लेकर सरकार द्वारा विशेष कार्यक्रम किए जा रहे हैं।...(**व्यवधान**)... राष्ट्रीय स्तर पर भी वायु प्रदूषण के लिए 132 शहरों पर मॉनिटरिंग संयंत्र की स्थापना की गई है।...(**व्यवधान**)... इसको मॉनिटरिंग करके इसे व्यापक कार्यक्रम के नाते किया जा रहा है। ...(**व्यवधान**)... फाइनैस कमीशन के द्वारा भी चार हजार चार सौ करोड़ रुपये की राशि स्थानीय निकायों को उपलब्ध कराई गई है।

श्री उपसभापति: माननीय हरनाथ सिंह जी सेकंड सप्लिमेंटरी। ...(**व्यवधान**)... बहुत महत्वपूर्ण सवाल-जवाब हो रहे हैं। आपसे आग्रह है..(**व्यवधान**)... Please. ...(*Interruptions*)...

श्री हरनाथ सिंह यादव: महोदय, विगत सात वर्षों में सरकार द्वारा देश भर में राष्ट्रीय राजमार्ग बढ़ाने का कार्य बहुत तेजी से चल रहा है। ...(**व्यवधान**)... परंतु नवीन राष्ट्रीय राजमार्गों के दोनों ओर लम्बे और अधिक चौड़े आकार वाले पौधे लगाने का कार्य अपेक्षाकृत कम दिखाई देता है। ...(**व्यवधान**)... मैं माननीय मंत्री जी से जानना चाहता हूं कि जिस तेज गति से राष्ट्रीय राजमार्गों का निर्माण हो रहा है, उसी गति से राजमार्गों के दोनों ओर तेज गति से वृक्षारोपण कराने की क्या सरकार ने कोई कार्य योजना तैयार की है? ...(**व्यवधान**)... यदि हां, तो उसका पूर्ण विवरण क्या है?

श्री भूपेन्द्र यादव: राष्ट्रीय राजमार्गों के विकास और उनका जो कार्य है, वह सड़क परिवहन मंत्रालय का है। ...(**व्यवधान**)... जहां पर राष्ट्रीय राजमार्ग बनते हैं, अगर उसमें किसी भी प्रकार की forest जमीन का diversion होता है, तो उसके लिए compensatory afforestation किया जा

रहा है। ...**(व्यवधान)**... लेकिन मैं यह विशेष रूप से कहना चाहूंगा कि राष्ट्रीय राजमार्गों की authority के द्वारा यह कार्य किया जा रहा है और निश्चित रूप से जो माननीय सदस्य ने सुझाव दिया है, वह और तीव्र गति से किया जाएगा। ...**(व्यवधान)**...

ले. जनरल (डा.) डी.पी. वत्स (रिटा.): मैं माननीय मंत्री जी पूछना चाहूंगा कि ये जितनी highly-polluted cities हैं, ये सब कैपिटल सिटीज़ हैं, वह चाहे दिल्ली हो, कोलकाता हो, मुम्बई हो। ...**(व्यवधान)**... सरकार को कैपिटल को de-centralize करना पड़ेगा या चंडीगढ़ टाइप की जो 200 years ahead की सिटीज़ plan की हुई हैं, इसी तरह से मेन कैपिटल से दूर अलग से सिटीज़ बसानी पड़ेंगी। ...**(व्यवधान)**... वरना 'मर्ज बढ़ता गया, ज्यों-ज्यों दवा की' यही हाल दिल्ली का रहेगा। ...**(व्यवधान)**... मैं मंत्री जी से पूछना चाहता हूं कि क्या इस इश्यू पर कोई ऐसी थिंकिंग या प्लान है?

श्री भूपेन्द्र यादव: सर, देश के सभी राज्यों की एयर क्वालिटी की मॉनिटरिंग लगातार की जाती है। ...**(व्यवधान)**... हमने 132 शहरों को मॉनिटरिंग में लिया है और इस तरह हमने मॉनिटरिंग को अपने मंत्रालय का जो वेब पोर्टल है, "PRANA", उससे जोड़ा भी है। ...**(व्यवधान)**... एयर पॉल्यूशन के जो index होते हैं, उसमें gases के जो दस parameters रहते हैं, उनमें हमने एक standard तय किया है, उनको हम critical के अंदर लेते हैं। ...**(व्यवधान)**... वहां पर तीनों तरीकों से नेशनल एयर पॉल्यूशन कार्यक्रम के तहत कार्रवाई की जाती है। ...**(व्यवधान)**... Capacity building की दृष्टि से, strengthening की दृष्टि से और emission को कम करने के लिए वहां पर जो अन्य उपाय किए जाने चाहिए, वे पूरे किए जाते हैं। ...**(व्यवधान)**... क्षेत्रीय स्तर पर इसकी कार्यशाला का आयोजन किया जाता है। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: No point of order in Question Hour. ...**(Interruptions)**... No point of order, please. ...**(Interruptions)**...

श्री भूपेन्द्र यादव: पिछले दिनों महाराष्ट्र, मध्य प्रदेश, गोवा, गुजरात राज्यों की एक क्षेत्रीय कार्यशाला बुलाई गई है। ...**(व्यवधान)**... अभी पूरे देश में इन क्षेत्रीय कार्यशालाओं के माध्यम से 132 शहरों की वायु गुणवत्ता की सुधार की दृष्टि से कार्यक्रम को और तेजी से लागू किया जाएगा। ...**(व्यवधान)**...

SHRI ANAND SHARMA: Mr. Deputy Chairman, Sir, the intent of point of order... **(Interruptions)**...

श्री उपसभापति: माननीय आनन्द शर्मा जी, Question Hour में, it is not entertained. ...**(Interruptions)**... The House is not in order. ...**(Interruptions)**... Please. ...**(Interruptions)**... Shri V. Vijayasai Reddy, put your question. ...**(Interruptions)**...

SHRI ANAND SHARMA: Sir, ... *(Interruptions)*...

SHRI V. VIJAYASAI REDDY: Sir, Andhra Pradesh is the home for several Buddhist sites located in Visakhapatnam, Amravati and Nagarjunakonda. ... *(Interruptions)*... I would like to know from the Minister as to what steps are being taken for promotion, maintenance and development of these sites. ... *(Interruptions)*...

SHRI JOHN BRITTAS: Sir, I have been asking for the point of order from the beginning. ... *(Interruptions)*...

MR. DEPUTY CHAIRMAN: Point of order in Question Hour.... ... *(Interruptions)*... Please, please. ... *(Interruptions)*...

SHRI JOHN BRITTAS: Sir, one minute. ... *(Interruptions)*...

MR. DEPUTY CHAIRMAN: Let me... ... *(Interruptions)*... Please. ... *(Interruptions)*... Go back to your seats. ... *(Interruptions)*... Go back to your seats. ... *(Interruptions)*...

श्री भूपेन्द्र यादव: सर, प्वाइंट ऑफ ऑर्डर उठाने वालों को पहले खुद ऑर्डर में आना चाहिए और अपनी सीट पर जाना चाहिए।... *(व्यवधान)*... जो अपनी सीट पर नहीं हैं, वे प्वाइंट ऑफ ऑर्डर भी नहीं उठा सकते हैं। ... *(व्यवधान)*...

श्री उपसभापति: माननीय आनन्द जी... *(व्यवधान)*...

SHRI JOHN BRITTAS: Sir, Rule 256. ... *(Interruptions)*... Rule 256. ... *(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. John Brittas, Question Hour में आम तौर से no point of order. Please. ... *(Interruptions)*... No point of order. ... *(Interruptions)*... No, I will come to that. क्वेश्चन ऑवर में आम तौर से प्वाइंट ऑफ ऑर्डर नहीं होता है। Please. ... *(Interruptions)*...

SHRI JOHN BRITTAS: Sir, it is my right. Please. ... *(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please. ... *(Interruptions)*... Shri Surendra Singh Nagar, supplementary question. ... *(Interruptions)*...

श्री सुरेन्द्र सिंह नागर: उपसभापति महोदय, मैं माननीय मंत्री जी से जानना चाहता हूँ कि हमारे जो कोल बेस्ड पावर जेनरेशन प्लांट्स हैं, खास तौर से जो एनसीआर में हैं, उनका पॉल्यूशन में कितना कंट्रीब्यूशन एनसीआर क्षेत्र में है? ... (व्यवधान)... क्या सरकार एनसीआर क्षेत्र में जो हमारे कोल बेस्ड पावर जेनरेशन प्लांट्स हैं, उनको गैस बेस्ड में कन्वर्ट करने के बारे में विचार कर रही है अथवा जो नये प्लांट्स आ रहे हैं, उन पर रोक लगाने के बारे में कोई विचार कर रही है? ... (व्यवधान)...

श्री भूपेन्द्र यादव: सर, एनसीआर में बदरपुर का कोल प्लांट बंद किया गया है। ... (व्यवधान)... अभी हम लोगों ने इस बात को किया है कि इसमें बायो फ्यूल का इस्तेमाल किया जाए, लेकिन जो एनसीआर के अंतर्गत कोल प्लांट्स हैं, वहां पर पर्यावरण के नियमों को कड़ाई से लागू किया गया है। ... (व्यवधान)...

श्री उपसभापति: एक मिनट, एक मिनट... (व्यवधान)...

THE LEADER OF THE OPPOSITION (SHRI MALLIKARJUN KHARGE): Sir, I am sorry, I am troubling you and I don't want to take much of your time. मैं आपका ज्यादा समय नहीं लेना चाहता हूँ। लास्ट टर्म में भी हम कुछ बातें रखना चाहते थे, लेकिन किसी वजह से...

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

श्री मल्लिकार्जुन खरगे: हम अपनी बात रखना चाहते थे, लेकिन किसी वजह से वह रिजेक्ट किया गया, उसके बाद में बोलने नहीं दिया गया। आज इम्प्लेशन सबका मुद्दा है, सभी लोग इस पर चर्चा चाहते हैं। ... (व्यवधान)...

MR. DEPUTY CHAIRMAN: Thank you. ... (Interruptions)... (व्यवधान)...

श्री मल्लिकार्जुन खरगे: अगर इस पर चर्चा के लिए गवर्नमेंट परमिशन नहीं देती या वह ... (व्यवधान)...

MR. DEPUTY CHAIRMAN: Thank you. ... (Interruptions)... Question No. 49.

श्री मल्लिकार्जुन खरगे: तो हम प्रोटैस्ट करते हुए वॉकआउट करते हैं। ... (व्यवधान)...

(At this stage, some hon. Members left the Chamber)

MR. DEPUTY CHAIRMAN: Question No. 49. Shri K.R.N. Rajeshkumar.

Power generation capacity of NPCIL

*49. SHRI K.R.N. RAJESHKUMAR: Will the PRIME MINISTER be pleased to state:

(a) the details of electricity being generated in the Nuclear Power Corporation of India Limited (NPCIL) units of Kudankulam and Kalpakkam in Tamil Nadu during the last three years, year-wise details thereof;

(b) the details of units distributed to the State of Tamil Nadu by Government during the last three years;

(c) the percentage of share of the State Government of Tamil Nadu and the Union Government in this distribution;

(d) whether the State Government of Tamil Nadu has requested for more allocation; and

(e) if so, action taken by Government on this request?

THE MINISTER OF STATE IN THE DEPARTMENT OF ATOMIC ENERGY (DR. JITENDRA SINGH): A statement is laid on the Table of the House.

Statement

(a) The year-wise details of electricity being generated in the Nuclear Power Corporation of India Limited (NPCIL) Units of Kudankulam and Kalpakkam in Tamil Nadu during last three years, is given below:

Energy Generated (Ex Bus) in Million Units (MU)			
Year	Kudankulam Unit-1	Kudankulam Unit-2	MAPS, Kalpakkam
2018-19	2468.48	2930.40	1118.51
2019-20	6575.17	3573.32	1451.99
2020-21	5157.76	5861.44	1348.66
2021-22 (April to October, 2021)	3081.85	3991.45	326.23

(b) The details of units distributed to Tamil Nadu by Government from the generating units of NPCIL located in Tamil Nadu, during the last three years are as under:

Energy Distributed to Tamil Nadu in Million Units (MU)			
Year	KudankulamUnit-1	Kudankulam Unit-2	MAPS, Kalpakkam
2018-19	1541.73	1715.48	870.25
2019-20	3886.53	2040.99	1085.45
2020-21	3097.02	3331.75	1021.76
2021-22 (April to October,2021)	1838.15	2263.13	237.81

(c) The percentage share of Tamil Nadu Government and the Union Government in the distribution of electricity to Tamil Nadu (TN) from the generating units of NPCIL at Kudankulam and Kalpakkam (located in Tamil Nadu), during last three years is given below:

Percentage (%) Share						
Year	KudankulamUnit-1		Kudankulam Unit-2		MAPS, Kalpakkam	
	Firm Share of TN	Share of TN from Unallocated Quota *	Firm Share of TN	Share of TN from Unallocated Quota*	Firm Share of TN	Share of TN from Unallocated Quota*
2018-19	46.25	12.67	46.25	10.00	74.32	0.73
2019-20	46.25	12.68	46.25	10.00	74.32	0.74
2020-21	46.25	12.65	46.25	10.00	74.32	0.88
2021-22 (April to October, 2021)	46.25	12.65	46.25	10.00	74.32	0.88

* Allocation of unallocated power by the Union Government.

(d) No, Sir.

(e) Does not arise in view of (d) above.

MR. DEPUTY CHAIRMAN: First supplementary.

SHRI K.R.N. RAJESHKUMAR: Respected Deputy Chairman Sir, I thank you for the opportunity given to raise this first question. In this moment, I would like to extend my thanks and gratitude to my beloved leader hon. Chief Minister of Tamil Nadu, Thalaivar Thalapathy and Annan Udayanithi for sending me to this Upper House.

The hon. Minister in a reply to the Lok Sabha Unstarred Question No.4668, ...*(Interruptions)*...dated 24th March, 2021 had stated that in respect ...*(Interruptions)*...of Kudankulam Project Units 3 & 4 which are expected to complete in 2023...Please. ...*(Interruptions)*... Sir, it is my first question. Please. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No. ...*(Interruptions)*... It is not a statement. No, I will not allow. ...*(Interruptions)*...

SHRI K.R.N. RAJESHKUMAR: And in respect of Kalpakkam PFBR Project which is expected to complete in 2022, out of the sanctioned cost of Rs.5,677 crores...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please. No. You have to put the question, Mr. Rajeshkumar...*(Interruptions)*...

SHRI K.R.N. RAJESHKUMAR: Only Rs.70 crores have been allocated in 2020-21, which are very meagre in nature. Keeping in view ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please. ...*(Interruptions)*...No. thank you.

SHRI K.R.N. RAJESHKUMAR: I would like to know ...*(Interruptions)*...the reasons for such meagre allocation. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN:...*(Interruptions)*... It is a question, no explanation. ...*(Interruptions)*...

DR. JITENDRA SINGH: Mr. Deputy Chairman, Sir, I appreciate the concern of the hon. Member, Thiru Rajeshkumar hailing from Tamil Nadu. He wants to learn about the status of Kudankulam. ...*(Interruptions)*...

श्री उपसभापति: माननीय सदस्यगण, प्लीज़, आपस में बात मत कीजिए। ... (व्यवधान)...

DR. JITENDRA SINGH: I am sure he will be delighted when I share with him that despite the Covid pandemic ... (Interruptions)... because of an extra impetus given by the hon. Prime Minister ... (Interruptions)...

MR. DEPUTY CHAIRMAN: It is Question Hour, I again request you, please go back to your seats. ... (Interruptions)...

DR. JITENDRA SINGH: Through the enhancement of economic revenue generation and setting up of new units of the reactor... (Interruptions)... the Kudankkulam plant has been progressively showing new constructions and increase in the generation. ... (Interruptions)...

श्री मो. नदीमुल हक: सर ... (व्यवधान)... सर, हम सदन से वॉकआउट करते हैं। ... (व्यवधान)...

† **جناب ندیم الحق :** سر، ہم سدن سے واک آؤٹ کرتے ہیں۔۔۔ (مداخلت)۔۔۔

(At this stage some hon. Members left the Chamber)

DR. JITENDRA SINGH: Now as far as this question relating to the completion of third and fourth unit is concerned, he will be happy to know that when this Government came in 2014, towards the end of 2013, Kudankkulam first unit had just been established but it was during this Government under the guidance of hon. Prime Minister, Shri Modi that 2014 onwards the Unit one became functional and, later on, precisely on the 15th of October, 2016, within two years, the second unit also became functional. Then, just one year later, in 2017, the construction for the third unit started. And, after six months, the construction for the fourth unit has also started. All this has happened only in the last six, seven years. And, hopefully, in 2021, we plan to start the construction of Unit five and Unit six as well. So, in other words, within these two terms of the present Government, Kundankulam is going to have as many as six units whereas in the earlier term of the UPA Government, hardly, the first Unit was in the process of being established. And, not only that, earlier on, the demand from the hon. Member's Party often was that there was lack of power generation and they wanted the share of the State to be increased. But, I am glad to

† Transliteration in Urdu script.

note that now there has no longer been any kind of demand of that nature which in itself is a testimony to the fact that the overall generation has increased and in 2017-18, if the generation registered were 38,336 mega units, this year ending 2020, despite Covid pandemic, it has been 46,472 mega units. In the Covid itself, we have increased the power generation by more than 4,000 mega units. Thank you.

MR. DEPUTY CHAIRMAN: Now, second supplementary; Rajeshkumarji, please be brief.

SHRI K.R.N. RAJESHKUMAR: Okay, Sir. Sir, my question is: Has any compensation been paid to the land owners and any jobs given to the wards of those who have given their land for the Kundankulam Power Project and is there any pending amount to be paid to the land owners on this basis?

DR. JITENDRA SINGH: I appreciate the hon. Member's concern but the matter of fact is that not only the land compensation is being taken care of, even the other aspects of it are being taken care of. In fact, in spite of the Covid pandemic, the NPCIL which is looking after the Kundankulam Project, was taking care not only of its labourers and workers but also of the Covid victims around and it had arranged railway trains to transport back labourers who hailed from Bihar, from Tamil Nadu to Bihar, and immediately Rs.26 crore was donated by the NPCIL for the relief of Covid victims. This was in addition to the CSIR amount from the overall Department of Atomic Energy. So, I think due care is being taken and I appreciate the concern of the hon. Member who hails from there.

MR. DEPUTY CHAIRMAN: Now, Shri K.J. Alphons. ...*(Interruptions)*...

SHRI K.R.N. RAJESHKUMAR: Sir, I would like to ask one more question. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, Rajeshkumarji, you have the right to ask only two questions. You have already completed two questions. Wait for next time. ...*(Interruptions)*... Now, Shri K.J. Alphons. ...*(Interruptions)*...

SHRI JOHN BRITTAS: Sir, as you are not allowing... ...*(Interruptions)*... In protest, I am walking out... ...*(Interruptions)*...

(At this stage, the hon. Member left the Chamber)

SHRI K.J. ALPHONS: Mr. Deputy Chairman, Sir, the fact that the Government has done fantastically well in the power sector and in the light of the fact that there have been accidents in nuclear power plants globally, nuclear power plants are being phased out, I would like to know what exactly the policy of the Government is? Are we going to set up more nuclear power plants because we have done very well in renewable energy and that has been the big focus? By 2030, I think close to 50 per cent of our power generation is going to come from renewable energy. Sir, are we going to really put up more nuclear power plants and what really are the safety valves? If they are going to do that, what are the safety measures that are being taken?

DR. JITENDRA SINGH: Mr. Deputy Chairman, Sir, I am glad that hon. Member has put this question because this gives me an opportunity to share with the august House that it was during the tenure of this Government, with the direct intervention of the hon. Prime Minister, a bulk approval of 10 indigenous reactors was done in a single Cabinet decision, which is a record in itself which had never happened in the history of Independent India. Not only that, in order to promote the setting up of new projects and to overcome the financial constraints that are faced in such situations, the Prime Minister took an out of box decision of allowing the Atomic Energy Department to enter into joint ventures which was never happening before and the insurance pool has also been increased. And, therefore, this is certainly going to lead to increased number of projects, and not only in the terms of the number of projects as the hon. Member has rightly pointed out which of course, I can give the figures also. By 2024, we will have 9 nuclear reactors plus 12 new additional which were approved during the Covid time with the capacity of 9,000 mega watts.

Sir, five new sites have also been identified. What is remarkable is that earlier all these nuclear plants were limited to a few States, a handful of States, like Andhra Pradesh, Tamil Nadu, etc., but, now, we have moved northwards also. We are going to have a nuclear project, first of its kind, in North India just about 150 kilometres from the place where we are sitting right now. It is a small township called Gorakhpur in Haryana. So, we have not only increased the number of plants, but, we are trying to make it a pan India generation project also.

DR. C.M. RAMESH: Sir, what is the per unit cost of generation of nuclear energy in comparison to other energies, like solar energy, thermal energy? Is it cheaper or is it costly? Also, what is the CAPEX cost for megawatt?

DR. JITENDRA SINGH: Sir, this is a question of common concern. All of us would appreciate that in the times to come, nuclear energy is going to be one of the most important sources of alternative energy or clean energy to fulfil the increasing energy demands of the country. As far as the cost precisely is concerned, it varies from plant to plant, and it also depends on the age of the plant. On an average, it comes to about Rs. 3 per unit. For example, Kudankulam has a larger cost maybe around Rs. 4 point something; Tarapur Plant is almost half a century old, so, the cost is less there. So, overall, it is coming like that. But, I am sure, in the times to come, the cost will further reduce as we have more number of plants, as well as they also age and start generating more.

At the same time, the other sources of energy will also start switching over to the atomic energy.

DR. C.M. RAMESH: Sir, what about the CAPEX cost?

DR. JITENDRA SINGH: It has already been increased from time to time. In the year 2019, the Prime Minister took a decision to give us Rs. 10,000 crores per year. This year's Budget was Rs. 17,796.24 crores. So, correspondingly, for the next ten years also, there is a plan to increase the Budget by Rs.10,000 crores per annum.

श्री महेश पोदार: उपसभापति जी, नाभिकीय विद्युत उत्पादन की दिशा में इस सरकार में उल्लेखनीय प्रगति हुई है, हम इसका स्वागत करते हैं। अब तक विदेशी तकनीक से विद्युत संयंत्र स्थापित होते थे। मैं माननीय मंत्री महोदय से जानना चाहूंगा कि स्वदेशीकरण की यात्रा में हमने इस मामले में किस हद तक रास्ता तय किया है और इसमें कितने प्रतिशत तकनीक indigenous हो गई है?

डा. जितेन्द्र सिंह : उपसभापति महोदय, आदरणीय सदस्य ने 'आत्मनिर्भर भारत' को लेकर एक बड़ा महत्वपूर्ण प्रश्न पूछा है जो आप सबके लिए प्राथमिकता का विषय है। पहले हमारे अधिकतर प्रोजेक्ट्स रूस और फ्रांस के सहयोग से हुआ करते थे। माननीय सदस्य को और आप सबको यह जानकर खुशी होगी कि अब धीरे-धीरे जो हमारे नए रिएक्टर्स लग रहे हैं, वे purely indigenous होते जा रहे हैं और इस दिशा में दिन-प्रतिदिन कार्य बढ़ रहा है।

MR. DEPUTY CHAIRMAN: Q. No. 50, Shri Sambhaji Chhatrapati, not present.

* 50. [The questioner was absent.]

Reduced budgetary allocation for atomic energy projects

*50. SHRI SAMBHAJI CHHATRAPATI: Will the PRIME MINISTER be pleased to state:

(a) whether the reduced capital expenditure for the Atomic Energy sector during 2021-22 is likely to affect a number of ongoing important projects;

(b) if so, the details of projects likely to get affected; and

(c) the steps Government proposes to take to ensure that the ongoing projects do not get adversely affected due to shortfall in budgetary allocation?

THE MINISTER OF STATE IN THE THE DEPARTMENT OF ATOMIC ENERGY (DR. JITENDRA SINGH): A statement is placed on the Table of the House.

Statement

(a) No, Sir. The Budget proposed by DAE for Capital expenditure during 2021-22 was Rs.17,796.24 crore and approved BE 2021-22 for Capital Expenditure is Rs.11,403.20 Crore. There is a shortfall of Rs. 6393.04 crore. However, it is brought out that due to Covid-19 Pandemic, the situation had not completely normalised at Project sites till the first half of 2021-22. Therefore, no major adverse impact is anticipated on the progress of various ongoing projects.

(b) Not applicable in view of reply at (a) above.

(c) No additional requirement of funds is anticipated during the year 2021–22. Re-allocation between the Projects would be made by reviewing their priority and completion status, for projects requiring additional funds.

MR. DEPUTY CHAIRMAN: Any supplementaries?

SHRI SUJEET KUMAR: Sir, I wish to know from the Government which are the foreign companies that are helping us in construction of our nuclear reactors and also which are the companies that are supplying essential equipments for the nuclear plants, and is there any China angle to it because of national security?

DR. JITENDRA SINGH: As far as foreign collaboration is concerned, wherever it is done, all the safeguards are in place. We have an Atomic Energy Regulatory Board, which lays down certain parameters, guidelines and advisories, and at the same time, we also follow the international guidelines. It is not only one part or one angle or one country, which you are referring to, but, other aspects are also taken into consideration. So, the plants are very secure and all the safeguards are in place. This is the reason that during Covid pandemic also, the generation of plants did not suffer to the extent that has been anticipated. If you see, broadly, the major projects are in collaboration with, as I said in my response to the earlier question, Russia, France and the U.S.--by a company called Westing House--a Government-linked company. Primarily, these are the companies. Even in respect of these countries, specifically, safeguards are taken. It is not that they are taken for granted. From time to time, inspections are done and all other regulations are also ensured to be put in place.

SHRI V. VIJAYASAI REDDY: Sir, for the year 2020-21, the budgetary grant towards capital expenditure of atomic energy is Rs. 9,345 crore whereas the revised figure is Rs. 5,962 crore. The hon. Minister, in his earlier answer, said that so many nuclear power projects have been sanctioned during the current regime. In reality, there is a gap of Rs. 3,383 crore between the original estimate and the revised estimate. It is an under-spending. May I know the reasons for the under-utilisation?

DR. JITENDRA SINGH: Sir, I agree with the hon. Member. There has been a shortfall which happened in all the Ministries and Departments. It is not specific to this Department or Ministry. It is mostly on account of Covid. In spite of the shortfall, it will not lead to any major adverse effect as far as power generation is concerned because, as I said, the generation has increased over the years due to a pro-active involvement of our scientists and workers. Not only that, in spite of the shortfall in the amount which you mentioned between the Budget allocation and the approved amount later, NPCIL, which controls the atomic energy plants, has been in a position to make monetary contributions to the cause of Covid, Rs. 26 crore directly, and, in the form of CSR, more than Rs. 42 crore. In addition, I would use this opportunity to place on record its contribution in the times of Covid; it has been miraculous. In fact, Bhabha Atomic Plant, for the first time, came out with a model of reusing PPE kits at a time when we were short of PPE kits. It also came out with Covid-V, Covid-Vikram. So, in spite of the shortfall, which was anticipated and which happened in every Department and Ministry, we have been able to cope up with it. I am sure, in the years to come, this would be made good in the proper sense.

MR. DEPUTY CHAIRMAN: Q. No. 51. The questioner is absent. माननीय मंत्री जी।

डा. जितेन्द्र सिंह : सर, उत्तर सभा पटल पर रख दिया गया है।

**51. [The questioner was absent.]*

Charge sheets against officers

*51. SHRI M.V. SHREYAMS KUMAR: Will the PRIME MINISTER be pleased to state:

(a) the details of charge sheets filed in various courts with regard to corruption or other crimes committed by the higher officers under the jurisdiction of the Union Government and the officers/employees selected by Union Public Service Commission during the last three years;

(b) the number of such officers/employees;

(c) the number of such officers who are still in service despite charge sheets filed against them; and

(d) whether Government is likely to take any concrete steps against such officers/employees?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): A statement is laid on the Table of the House.

Statement

(a) to (d) In pursuance of its commitment to “Zero Tolerance Against Corruption”, the Government has taken several measures to combat corruption which, inter alia, include amendment to The Prevention of Corruption Act, 1988, clearly criminalising the act of giving bribe and operationalization of the institution of Lokpal. During the last three years, action has been taken against several officers by different law

enforcement agencies. The details in respect of the Central Bureau of Investigation are as following :-

Year	Number of Charge sheets filed
2018	12
2019	19
2020	46
2021 (Up to October)	26

Charge sheets have been filed by the Central Bureau of Investigation against 112 officers including 76 officers who are still in service, during the period from 01.01.2018 to 31.10.2021. Officers against whom charge sheets have been filed in a Court of Law can be removed, dismissed or compulsorily retired from Government service if they are convicted on a criminal charge, after providing them an opportunity of making representation on the penalty so proposed. Further, the Government servants against whom the charge sheets have been filed in a Court of Law can also be proceeded against departmentally without waiting for the outcome of judicial proceedings. Furthermore, their cases for promotion due, if any, are also kept in a sealed cover till such time the judicial/departmental proceedings are concluded.

श्री उपसभापति : माननीय डी.पी. वत्स जी।

LT.GEN. (DR.) D. P. VATS (RETD.): Sir, I would like to know from the hon. Minister that as a policy of zero tolerance against corruption, the officers have been compulsorily retired and chargesheeted. But, this is mostly in the Central Government offices. The officers selected by the UPSC, which are seconded to the States, become immune to the Central investigating agencies.

श्री उपसभापति : माननीय वत्स जी, आप briefly question करें।

ले. जनरल (डा.) डी.पी. वत्स (रिटा.) : सर, मैं question कर रहा हूँ। मैं यह कहना चाहता हूँ कि जो officers States को seconded होंगे, वे एक तरह से CBI से immune हैं। वे immune इस तरह से हैं कि उनको trap करने के लिए State Government की permission लेनी पड़ती है और छोटी States में यह permission leak हो जाती है। मैं मंत्री जी से यह पूछना चाहता हूँ कि जो big fish States में immune बैठी हैं, उनके लिए सरकार क्या कर रही है?

डा. जितेन्द्र सिंह : माननीय उपसभापति जी, माननीय ले. जनरल साहब की चिंता वाजिब है। जहां तक भारत सरकार के कार्मिक विभाग का संबंध है, जिससे यह प्रश्न जुड़ा है, आपको स्मरण होगा कि 2014 में ही प्रधान मंत्री जी ने हमें zero tolerance towards corruption की नीति का पालन करने का आदेश दिया था। We have also managed to walk the talk. इसी सरकार के समय में, 2018 में 30 वर्ष पुराना Prevention of Corruption Act संशोधित किया गया था। The bribe giver was also made culpable and certain safeguards for good performing officers were also done. लोकपाल को भी इसी सरकार के द्वारा functional बनाया गया। सरकारी नियुक्तियों में इंटरव्यू की प्रथा समाप्त कर दी गई, to bring in transparency.

माननीय सदस्य का जो मूल प्रश्न है, कई ऐसी राज्य सरकारें हैं, जिनसे अपेक्षित सहयोग प्राप्त नहीं होता है। इनकी बात में अपनी बात को आगे जोड़ते हुए मैं एक चिंता भी व्यक्त करना चाहूंगा कि ऐसे कम से कम आठ राज्य हैं। इनमें वह राज्य भी शामिल है, जहां के माननीय सदस्य की तरफ से यह प्रश्न आया है, हालांकि अभी वे यहां पर उपस्थित नहीं हैं। ऐसे राज्य CBI का general consent यह आरोप लगाते हुए withdraw कर लेते हैं कि हमें CBI पर विश्वास नहीं है, उसका दुरुपयोग हो रहा है, इत्यादि, लेकिन जहां उनको suit करता है, वहां वे अपना selective consent देते रहते हैं। So, they don't trust CBI and withdraw the general consent, but they trust CBI when it suits them to fix their adversaries. मुझे लगता है कि it requires a larger introspection at the political level, moral level and also proprietary level. इस संबंध में हमारे पास गुजरात प्रदेश का बड़ा खूबसूरत उदाहरण है। 2014 से पहले गुजरात सरकार और उसके मंत्रियों के ऊपर बहुत सारे CBI के cases दर्ज कर दिए गए थे। स्वयं मुख्य मंत्री पर भी आरोप थे, लेकिन एक बार भी गुजरात की राज्य सरकार ने general consent withdraw नहीं किया, बल्कि उन्होंने CBI के साथ सहयोग किया। मुझे लगता है कि जनरल साहब ने बड़ा महत्वपूर्ण विषय उठाया है, which requires a larger introspection.

श्री बृजलाल : महोदय, मैं माननीय मंत्री जी से जानना चाहता हूं, माननीय प्रधान मंत्री जी की भ्रष्टाचार के मामले में zero tolerance की नीति है, तो All India Services and Central Services के ऐसे कितने अधिकारी हैं, जिनको बरखास्त किया गया है? कितने अधिकारियों को compulsory retirement दिया गया है? कितने ऐसे अधिकारी हैं, जिनके खिलाफ कोर्ट में chargesheet pending है?

डा. जितेन्द्र सिंह : इस प्रश्न के उत्तर में मैं यह कहूंगा कि भिन्न-भिन्न एजेंसीज द्वारा यह काम किया जाता है। बहुत सारी enquiries अभी Departmental level पर चल रही हैं। मुख्य तौर पर केन्द्र में दो एजेंसीज हैं, जो इस विषय को deal करती हैं - CBI and CVC. बहुत सारे प्रदेशों के अपने Anti-Corruption Bureaus भी हैं। जहां तक वर्तमान प्रश्न का संबंध है, प्रश्न में पूछा गया है कि पिछले तीन वर्षों में इसमें क्या हुआ है, तो मैं माननीय सदस्य को बताना चाहूंगा कि केन्द्र में CBI की ओर से लगभग 103 अधिकारियों को chargesheet किया गया है। जो non-performing officers हैं, समय-समय पर उनको बरखास्त किया जाता है। कुल मिलाकर यदि सारे प्रदेशों और

सारी एजेंसीज का आंकड़ा लेना हो, तो उसमें थोड़ी कठिनाई रहती है, because it is a dynamic figure, but the intent is very clear as far as the Modi Government is concerned.

SHRI A. VIJAYAKUMAR: If a subordinate officer has made a complaint against his superior officer, and at the same time, an FIR is also filed under investigation, the higher officer is in the same post only. At least we want to change it to an unrelated post. Then only the subordinate officer will get the remedy. What is the Union Government doing for that?

DR. JITENDRA SINGH: Once the case has come under purview of an investigating agency like CBI or CVC, then, it becomes their property. Normally the Government does not interfere in the functioning or in the decision-making or in the view taken by the CBI because we respect the autonomy and the independence of these agencies. So, it is their prerogative to decide, but, of course, when they feel that the concerned officer has to be moved from his position in the interest of fair jurisprudence the Government is always receptive to these suggestions, but the Government *per se* would always, as long as the present Government headed by Prime Minister Modi is concerned, like to disassociate itself and not interfere or give any kind of clues or cues to the CBI as to how it should proceed.

MR. DEPUTY CHAIRMAN: Q. No. 52.

Stimulus packages to assist artists of Odisha

*52. SHRIMATI MAMATA MOHANTA: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether Government has identified the number of artists in Odisha who have been unemployed due to COVID-19 pandemic and lockdown;

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

(c) whether Government proposes to introduce stimulus packages to assist artists of Odisha who have suffered financial loss due to COVID-19 pandemic and lockdown; and

(d) if so, the details thereof?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI BHUPENDER YADAV): A Statement is laid on the Table of the House.

Statement

(a) to (d) Government of Odisha has informed that they do not have information regarding unemployed artist due to Covid-19. However, they have organized many awareness programmes during COVID-19 to involve the artists to participate and earn their livelihood. 1.5 lakh folk artists have been identified and enrolled by the Government of Odisha under Artist Federation Scheme. Government of Odisha is also providing monthly financial assistance @ Rs. 1200/- per month to 35,000 numbers of artists of different categories under “Mukhyamantri Kalakar Sahayata Yojana”.

Ministry of Culture, Government of India has also taken a number of steps to extend help to artists during Covid-19 pandemic. Financial assistance to the tune of Rs. 9.27 crore has been extended to artists as remuneration, Dedicated help lines were opened to enable the artists to avail maximum benefits of the financial grant schemes, Folk/ Tribal artists were offered online platforms for paid performance and Old artists getting ‘Artist Pension’ were allowed the release of pension amount by way of granting exemption from the mandatory condition of submission of annual income certificate. Ministry of Culture has ensured speedy and timely release of the grants under the above said schemes to help the artists who faced financial crisis and lost their means of livelihood during Covid-19.

Further, Ministry of Culture is implementing various schemes viz., Financial assistance under Repertory Grant Scheme, Scheme of Financial Assistance for the Development of Buddhist/ Tibetan Art and Culture, Cultural Function and Production Grant Scheme, Scheme of Scholarship & Fellowship for promotion of Art & Culture, Financial Assistance to Cultural Organizations with National Presence, Scheme of Financial Assistance for the Preservation & Development of Cultural Heritage of Himalayas, Scheme of Pension & Medical Aid to Artists, Financial assistance under Seva Bhoj Yojna and Financial Assistance for Cultural Activities in Performing Arts for Building Grants Including Studio Theatres.

श्रीमती ममता मोहंता : माननीय उपसभापति महोदय, कोरोना वायरस ने सभी कलाकारों को आर्थिक संकट में डाल दिया है। उनकी रोजी-रोटी चली गई है। इस संकट से सभी कलाकार प्रभावित हुए हैं, चाहे वे नृत्य, संगीत, रंगमंच या चित्रकारी के कलाकार हों या हमारे ओडिशा के जात्रा कलाकार, छरू, झुमुर, पाला गायक या नाटककार हों। Social distancing के नियमों का

पालन करते हुए इस प्रकार के कार्यक्रमों का आयोजन करना लगभग असंभव हो गया है। सरकार उन कलाकारों को बचाने हेतु क्या मॉडल अपनायेगी जिससे उनकी आर्थिक स्थिति भी सुधरे और कला भी बचे?

श्री भूपेन्द्र यादव: सर, यह प्रश्न मूलतः कोविड-19 के दौरान जो लोक कलाकार हैं, उनके विषय में पूछा गया है। सरकार के द्वारा कोविड-19 में सभी वर्गों के अंतर्गत जो श्रम का नुकसान हुआ, उसके लिए अनेक योजनाएं चलाई गई हैं। जो संस्कृति मंत्रालय है, उसके द्वारा लोक कलाकारों के लिए कोविड-19 के दौरान जिस प्रकार का प्रबंध किया गया, उसके अंतर्गत 39 से ज्यादा वर्चुअल कार्यक्रम ओडिशा के अंतर्गत किये गये। उसके अलावा 12 ऑनलाइन प्रोग्राम भी सरकार के द्वारा किये गये। जैसे ओडिशा के अंतर्गत ऑनलाइन ओडिशी नृत्य प्रस्तुति, ऑनलाइन संबलपुरी नृत्य प्रस्तुति, ऑनलाइन संगीत उत्सव, ऑनलाइन शंखवादन नृत्य प्रस्तुति, स्वच्छ भारत, ऑनलाइन संगीत उत्सव, मास्क और चित्र की पेन्टिंग प्रदर्शनी पुरी में, ऑनलाइन आदिलोक रंग, ऑनलाइन नृत्य संगीत समारोह, ऑनलाइन नाट्य उत्सव, फेसबुक पेज पर छऊ कनेक्ट, ऑनलाइन नृत्य उत्सव, ऑनलाइन आदिलोक रंग (द्वितीय चरण), ऑनलाइन नृत्य और संगीत (द्वितीय चरण), ऑनलाइन आदिलोक रंग (तृतीय चरण), महात्मा गांधी की 151वीं जयन्ती स्वर्ण उत्सव आदि वे सारे 39 प्रोग्राम्स मैं सभा पटल पर रख दूंगा, जो संस्कृति मंत्रालय के द्वारा, कोविड-19 के दौरान इनका जो रोजगार छिन गया था, उसके लिए पूरे तरीके से किये गये हैं।

श्रीमती ममता मोहंता: सर, उन कलाकारों को राहत देने के लिए आर्थिक सहायता देने के अलावा और क्या-क्या कदम उठाये गये हैं?

श्री भूपेन्द्र यादव: महोदय, कलाकारों को आर्थिक सहायता के लिए सरकार के संस्कृति मंत्रालय द्वारा कोविड-19 महामारी के दौरान वित्तीय सहायता के लिए कौशल अनुदान योजना के तहत वित्तीय सहायता, बौद्ध-तिब्बत कला संस्कृति के लिए वित्तीय सहायता, सांस्कृतिक समारोह अनुदान योजना, कला संस्कृति को बढ़ावा देने के लिए छात्रवृत्ति फैलोशिप योजना, राष्ट्रीय उपस्थिति वाले सांस्कृतिक संगठनों को वित्तीय सहायता, हिमालय की सांस्कृतिक सहायता के संरक्षण, कलाकारों की पेंशन और चिकित्सा सहायता योजना, सेवा भोज योजना, स्टूडियो, थियेटर से अनुदान बनाने के लिए प्रदर्शनी और सांस्कृतिक गतिविधियों के लिए सांस्कृतिक मंत्रालय के द्वारा किये गये और अन्य सारे कार्य, रोजगार उत्पादन के लिए भारत सरकार के द्वारा कलाकारों के अतिरिक्त अगर कोई अन्य व्यक्ति भी रोजगार के अंतर्गत उसमें प्रभावित रहता था, तो भारत सरकार के विभिन्न मंत्रालयों के द्वारा रोजगार उत्पादक कार्यक्रम भी किये गये, जिनके अंतर्गत श्रम रोजगार मंत्रालय के अंतर्गत तीन योजनाएं — आत्मनिर्भर भारत रोजगार योजना, प्रधान मंत्री रोजगार प्रोत्साहन योजना, राष्ट्रीय कैरियर सेवा परियोजना, ग्रामीण विकास मंत्रालय के अंतर्गत महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार गारंटी अधिनियम, प्रधान मंत्री गरीब कल्याण रोजगार अभियान, राष्ट्रीय ग्रामीण आजीविका मिशन, पंडित दीनदयाल उपाध्याय ग्रामीण कौशल योजना, इनके अतिरिक्त शहरी आवास मंत्रालय में प्रधान मंत्री स्वनिधि योजना, शहरी क्षेत्र में

दीनदयाल अंत्योदय योजना, सूक्ष्म, लघु, मध्यम उद्योग में प्रधान मंत्री रोजगार सृजन कार्यक्रम, वित्त मंत्रालय में प्रधान मंत्री मुद्रा योजना, कौशल विकास में प्रधान मंत्री कौशल विकास योजना, कौशल विकास उद्यमशीलता में राष्ट्रीय शिक्षुता प्रोत्साहन योजना और इसके अतिरिक्त भी 13 मंत्रालयों के द्वारा उत्पादन से जुड़ी प्रोत्साहन योजनाओं को लागू किया गया। व्यापक रूप से सरकार के द्वारा कोविड-19 के दौरान असंगठित क्षेत्र में जिनके भी रोजगार का क्षरण हुआ, उनके लिए व्यापक योजनाओं को लागू किया गया है।

SHRI PRASANNA ACHARYA: Sir, hon. Minister in his reply to the question has stated that 1.5 lakh folk artists have been identified and enrolled by the Government of Odisha under the Artists Pension Scheme. And, at the same time, he has also replied that financial assistance to the tune of Rs. 9.27 crores has been extended to artists as remuneration.

I would like to know from the hon. Minister whether this amount is enough to meet the requirement of total number of artists enrolled under the Artists Pension Scheme.

Sir, during the COVID-19 period, as all of us know, artists of the country, like other sections of people, underwent several financial hardship. During that time, pension under the National Pension Scheme was not released to entitled artists by the Ministry. So, I would also like to know from the hon. Minister what was the total amount required annually to pay pension to artists and what was the total amount released by the Ministry for this purpose.

श्री भूपेन्द्र यादव: सर, आपने जो उत्तर पढ़ा है, उसका केवल पहला पैराग्राफ पढ़ा है, जिसके अन्तर्गत यह लिखा गया है कि संस्कृति मंत्रालय, भारत सरकार ने कोविड के दौरान कलाकारों को पारिश्रमिक के रूप में 9.27 करोड़ रुपये की वित्तीय सहायता प्रदान की है। जो दूसरा पैराग्राफ है, उसमें लिखा है कि इसके अलावा, संस्कृति मंत्रालय कोष अनुदान योजना के तहत वित्तीय सहायता.., जो मैंने पढ़ा है, मेरे पास जो तथ्य संस्कृति मंत्रालय के द्वारा उपलब्ध कराये गये हैं, उसके अन्तर्गत 5,462.69 लाख रुपये का अनुदान दिया गया है। इसको मैं सभा पटल पर रख दूँगा।

SHRI PRASANNA ACHARYA: What was the amount released?

श्री भूपेन्द्र यादव: सर, ...(व्यवधान)... नोटिफिकेशन के आधार पर ...(व्यवधान)... बाकी जो विषय है, मैंने जो योजनाएँ बतायी हैं, उनके अन्तर्गत आता है।

SHRI G.V.L. NARASIMHA RAO: Thank you, Mr. Deputy Chairman, Sir. My question relates to another section of the workers of the country who have suffered greatly on

account of COVID pandemic and lockdown. And, the Government was very kind to ensure that about Rs. 8,000 crores were released to them in COVID-1 and COVID-2. इसके लिए मैं सबसे पहले माननीय मंत्री जी और माननीय प्रधान मंत्री जी को धन्यवाद देना चाहता हूँ।

My question is, the assistance that was given to the construction and other workers was given in every State of the country. But, the amount of assistance varied from Rs. 1,000 in some States, to Rs. 5,000 in some other States. Even in some States where there were enough resources available in the pool of the welfare cess, they were given only Rs. 1,000. So, I would like to know from the hon. Minister whether any specific guidelines were given with regard to quantum of assistance; or, it was entirely left to the States. If no, why?

श्री भूपेन्द्र यादव: सर, यह प्रश्न इस मूल प्रश्न से अलग है, लेकिन मैं माननीय सदस्य की जानकारी के लिए बताना चाहता हूँ कि केन्द्रीय स्तर पर एक बोर्ड की स्थापना की गयी और विभिन्न राज्यों में भी इस बोर्ड की स्थापना हम राज्य सरकारों के माध्यम से ही करते हैं। राज्य सरकारें जिस प्रकार के अनुदान और अनुशंसा करती हैं, वह उनके आधार पर किया जाता है।

DR. AMAR PATNAIK: Sir, as the answer suggests, the Government of Odisha provided monthly financial assistance of Rs. 1,200 per month. I would like to know from the hon. Minister whether the Central Government could consider including these people under the scheme of the Central Government, meant for 'unorganized sector', where Rs. 3,000 is given as pension. In which case, it would supplement the efforts of the Central Government. Also, whether interest-free loan can be given to them to the extent of rupees one lakh for a certain period of time, so that they can at least survive for the time-being and later on once the art form comes back to life, they can repay the loan.

श्री भूपेन्द्र यादव: सर, माननीय सदस्य के प्रश्न के दो भाग हैं। पहला विषय ओडिशा के लोक कलाकारों से जुड़ा हुआ है और ओडिशा के अन्तर्गत जो स्कीम है, वह उसके अन्तर्गत आती है। जहाँ तक केन्द्र सरकार की बात है, मैंने विभिन्न योजनाओं के नाम पढ़े हैं, जो संस्कृति मंत्रालय द्वारा संचालित की जाती हैं। आपका जो तीसरा विषय unorganized sector के लिए है, भारत सरकार के द्वारा unorganized sector के हमारे कारीगरों का एक पूरा डेटा इकट्ठा किया जा रहा है, जिसको e-sharam portal के माध्यम से इकट्ठा किया जा रहा है। मुझे सदन को यह बताते हुए खुशी है कि हमने यह तय किया था कि हम 100 दिनों में 10 करोड़ लोगों का रजिस्ट्रेशन करेंगे, लेकिन 100 दिनों से पहले ही माननीय प्रधान मंत्री जी की प्रेरणा से 10 करोड़ के डेटा को हमने प्राप्त किया है और कुल मिलाकर देश में unorganized sector में 160 किस्म के रोजगारों को हमने उसमें दिया है, लेकिन 400 से ज्यादा किस्म के जो occupations हैं, वे देश के अन्तर्गत

हैं। देश की सरकार पूरे तरीके से unorganized sector के जो workers हैं, उनकी सामाजिक सुरक्षा के लिए प्रतिबद्ध है। एक वर्ष के लिए उनकी सामाजिक सुरक्षा की व्यवस्था भी की जा रही है। इसके अतिरिक्त भी, भारत सरकार के द्वारा विभिन्न क्षेत्रों में कोविड-19 के नुकसान के बाद unorganized sector में अनेकों कार्यक्रम भी शुरू किये गये हैं, जैसे Digital India, Make in India, श्यामा प्रसाद मुखर्जी रुर्बन मिशन, राष्ट्रीय औद्योगिक गलियारा विकास प्राधिकरण, Standup India, Startup India, प्रधान मंत्री आवास योजना, स्वच्छ भारत मिशन-ग्रामीण, स्वच्छ भारत मिशन-शहरी, SVSU, Smart Cities Mission, कायाकल्प और शहरी परिवर्तन के लिए अटल मिशन, प्रधान मंत्री गरीब कल्याण योजना हैं, जिनमें कोविड-19 के बाद अकुशल क्षेत्र के रोजगारों को बड़ा अवसर प्रदान करने का काम केन्द्र सरकार द्वारा किया गया है।

Swadesh Darshan Scheme for Jharkhand

†*53. SHRI DEEPAK PRAKASH: Will the Minister of TOURISM be pleased to state:

(a) whether the State of Jharkhand has been included in Swadesh Darshan Scheme; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM (SHRI SHRIPAD YESSO NAIK): A Statement is laid on the table of the House.

Statement

(a) and (b) Yes sir, the Ministry of Tourism has sanctioned a project 'Development of Eco Circuit: Dalma- Chandil- Getalsud- Betla National Park - Mirchaiya - Netarhat' in Jharkhand in the year 2018-19 under Swadesh Darshan Scheme for an amount of Rs. 52.72 Crore. An amount of Rs. 15.07 Crore has been released by the Ministry of Tourism and Jharkhand Tourism Development Corporation Ltd., the implementing agency, has utilised Rs. 11.30 Crore so far.

श्री दीपक प्रकाश : उपसभापति महोदय, भारत के यशस्वी प्रधान मंत्री सम्माननीय नरेन्द्र मोदी जी की महत्वाकांक्षी योजना 'स्वदेश दर्शन योजना' के लिए मैं सबसे पहले उनको बधाई देता हूँ और उनका अभिनंदन करना चाहता हूँ। उसके माध्यम से भारत की एकात्मकता और पर्यटन को बढ़ावा देकर रोजगार के सृजन और आर्थिक विकास में उनकी जो योजना है, उसके संदर्भ में मंत्री जी से मेरा प्रश्न है कि क्या झारखंड राज्य को 'स्वदेश दर्शन योजना' में शामिल किया गया है? यदि हाँ, तो तत्संबंधी ब्यौरा क्या है?

† Original notice of the question was received in Hindi.

श्री श्रीपाद यसो नाईक : माननीय उपसभापति महोदय, 'स्वदेश दर्शन स्कीम' में हमने झारखंड को 52.72 करोड़ रुपये का 6 डेस्टिनेशनस का एक प्रोजेक्ट दिया हुआ है। यह प्रोजेक्ट 2018 में sanction हुआ था और इन 6 डेस्टिनेशनस में से 4 डेस्टिनेशनस में प्रोजेक्ट का काम ज्यादा हुआ है और 2 डेस्टिनेशनस में अभी तक शुरू नहीं हुआ है, क्योंकि वहां की राज्य सरकार से थोड़ा डॉक्यूमेंटेशन आदि का काम बाकी था। साधारणतः ये 6 प्रोजेक्ट्स अलग-अलग डेस्टिनेशनस पर हैं। उनमें हैं दमला, चांडिल, गतलसूद, मिरचैया, बेतला राष्ट्रीय अभयारण्य, नेतरहाट का विकास। साधारणतः पहला जो दमला प्रोजेक्ट है, उसकी financial progress 5 percent है और physical progress 10 percent है। बाकी चांडिल और गतलसूद का काम अभी तक शुरू नहीं हुआ है। साधारणतः मिरचैया का 338 करोड़ का lakes का जो प्रोजेक्ट है, उसकी financial progress 67 percent है और वह 79 percent कम्प्लीट हुई है। वैसे ही बेतला नेशनल पार्क के काम में 86 percent financial progress हुआ है और 86 percent physical progress हुआ है। नेतरहाट का जो दूसरा प्रोजेक्ट है, उसकी 39 परसेंट financial progress हुई है और 39 percent physical progress हुई है। इन सबको छोड़कर ये जो signages वगैरह हैं, इनकी 58 percent financial progress हुआ है और 65 percent physical progress हुई है। कुल मिलाकर यह प्रोजेक्ट थोड़ा लंबा चला। आप तो जानते हैं कि कोरोना के कारण दो-पौने दो साल तो ऐसे ही चले गये। हम चाहते हैं कि अगले आने वाले समय में जल्दी-से-जल्दी ये प्रोजेक्ट्स पूरे कर दिये जाएं।

श्री उपसभापति : सेकंड सप्लीमेंटरी, माननीय दीपक जी।

श्री दीपक प्रकाश : महोदय, मेरा दूसरा सप्लीमेंटरी यह है कि जिस प्रकार से प्राकृतिक दृष्टिकोण से झारखंड बहुत ही अमीर है। हम नेतरहाट, बेतला की बात कर रहे हैं, लेकिन Itkhorि एक ऐसा स्थान है, जो सनातन, जैन और बौद्ध तीनों का वह मिलन स्थल है और वह एक आस्था का विषय है। दूसरा इसी से जुड़ा हुआ मेरा विषय है...

श्री उपसभापति : एक ही सवाल पूछिए।

श्री दीपक प्रकाश : सर, केवल एक ही सवाल है कि प्रधान मंत्री जी ने 15 नवंबर को 'जनजातीय गौरव दिवस' घोषित करके वहां के जनजातीय समाज को एक बड़ा सम्मान देने का काम किया है। उसी संदर्भ में मेरा प्रश्न है कि वहां के ट्राइबल के जो पवित्र स्थल हैं, जैसे संधाली समाज के लिए लुगु बुरु, मुंडारी के लिए टियागो ...

श्री उपसभापति : माननीय दीपक जी, एक ही सवाल रखें।

श्री दीपक प्रकाश : सर, जैसे उरांव का सिरासीता है, तो जो आदिवासी समाज के आस्था के स्थान हैं, पवित्र स्थल हैं, क्या इनको इस योजना में जोड़ने की सरकार की कोई योजना है?

श्री उपसभापति : ये आपके सुझाव हैं। माननीय मंत्री जी उस पर बताएं।

श्री श्रीपाद यसो नाईक : माननीय उपसभापति, पर्यटन राज्य का विषय है और केन्द्र सरकार अलग-अलग योजनाओं से उसको financial मदद करती है। जब तक वहां से प्रस्ताव नहीं आयेगा, तब तक हम उसके ऊपर कुछ कह नहीं सकेंगे। मैं माननीय सदस्य से रिक्वेस्ट करता हूँ कि जहाँ-जहाँ आपने बताया है, वह प्रस्ताव भेज दें, हम निश्चित तौर से उसके ऊपर गौर करेंगे।

श्री राकेश सिन्हा : माननीय उपसभापति महोदय, सबसे पहले मैं आपके माध्यम से सरकार को बधाई देना चाहता हूँ कि पर्यटन के क्षेत्र में बहुत ही महत्वपूर्ण प्रगति हुई है और प्रधान मंत्री जी ने पर्यटन को बढ़ावा देने के लिए अनेक तरह की योजनाओं की पहल की है। झारखंड के संबंध में मेरा एक सवाल है और उपसभापति महोदय, आप भी उस जगह से अच्छी तरह से परिचित हैं, वह नेतरहाट है। नेतरहाट एक ऐसा क्षेत्र है, जहाँ पर पहले से पर्यटक आते रहे हैं, लेकिन इसकी जितनी प्रसिद्धि होनी चाहिए, वह नहीं हो पाई है। वहाँ पर एक प्रसिद्ध स्कूल, नेतरहाट स्कूल है। संयोग से मैं उसी स्कूल का छात्र था। क्या नेतरहाट को बढ़ाने के लिए और नेतरहाट को अंतर्राष्ट्रीय मानचित्र पर लाने के लिए कोई योजना है? इस पर्यटन स्थल की बहुत प्रसिद्धि है और अंग्रेजों के काल से इस स्थल से संबंधित अनेक तरह की कहानियाँ हैं। ग्रीष्मकाल में बिहार की राजधानी नेतरहाट हुआ करती थी एवं गवर्नर वहीं पर जाकर रहते थे। ऐसी स्थिति में मेरा सरकार को सुझाव है और माँग भी है कि नेतरहाट को 'भारत दर्शन' और पर्यटन के क्षेत्र में उचित स्थान दिया जाए।

श्री उपसभापति : यह भी सुझाव है। माननीय मंत्री जी, कृपया आप नेतरहाट के संबंध में बताएँ।

श्री श्रीपाद यसो नाईक : उपसभापति महोदय, माननीय सदस्य की जो माँग है, मैं उसके संबंध में यह कहना चाहता हूँ कि 'स्वदेश दर्शन स्कीम' में 70 प्रोजेक्ट्स लिए गए हैं, उनमें 16 प्रोजेक्ट्स पूर्ण हुए हैं, 29 प्रोजेक्ट्स इसी महीने में पूर्ण होंगे, 20 प्रोजेक्ट्स को मार्च, 2022 तक पूर्ण करने की मंशा है और 11 प्रोजेक्ट्स 31 दिसम्बर, 2022 में पूर्ण करने की योजना है। जैसा माननीय सदस्य ने कहा है, हम नेतरहाट प्रोजेक्ट को priority देने का प्रयास करेंगे।

श्री महेश पोद्दार : महोदय, माननीय मंत्री जी का जो लिस्ट है, उससे ऐसा पता चलता है कि झारखंड के कुछ दर्शनीय स्थल, जहाँ पर अमूमन टूरिस्ट जाते हैं, उन स्थलों का चयन किया गया है, लेकिन देश का एक बहुत महत्वपूर्ण ज्योतिर्लिंग, बाबा बैद्यनाथ, झारखंड के देवघर में है। मैं

आपके माध्यम से माननीय मंत्री जी से यह जानना चाहूँगा कि क्या religious tourism को प्रमोट करने के लिए जो योजना है, उसके अंतर्गत यह स्थल आता है या नहीं आता है? यदि आता है, तो क्या वे इस पर विचार करेंगे?

श्री श्रीपाद यसो नाईक : उपसभापति महोदय, माननीय सदस्य ने जिस स्थल का नाम लिया, वहाँ के लिए प्रोजेक्ट लिया हुआ है। वहाँ की जो एक रोड है, उससे संबंधित प्रोजेक्ट पहले से आया हुआ है। मैं यह कहना चाहता हूँ कि ऐसे जो untapped destinations हैं, उनकी जल्दी से जल्दी प्रोग्रेस के लिए हम priority देंगे।

श्री सैयद जफर इस्लाम : सर, झारखंड से ही जुड़ा हुआ मेरा एक सवाल है। वहाँ पर हजारीबाग एक जगह है, जो टूरिज्म के लिए जानी जाती है। वहाँ पर बहुत से tourist spots हैं। अगर आप गूगल के माध्यम से हजारीबाग के बारे में जानना चाहेंगे, तो उसमें सबसे पहले जो चीज़ आती है, वह है हजारीबाग नेशनल पार्क, लेकिन उस नेशनल पार्क की स्थिति बहुत दयनीय है। मैं वहीं पर पैदा हुआ हूँ और हमारे लिए हजारीबाग ही स्पॉट हुआ करता था - यह बात आप भी जानते हैं।

श्री उपसभापति : कृपया आप अपना सवाल पूछिए।

श्री सैयद जफर इस्लाम : सर, आज वह नेशनल पार्क बहुत दयनीय स्थिति में है, बहुत बुरी हालत में है। वहाँ पर न तो कोई टूरिस्ट जाता है और न उस पर कोई ध्यान दिया जाता है। जो भी झारखंड से जुड़ा हुआ है या पश्चिमी बंगाल से जुड़ा हुआ है, वह छुट्टियों में हजारीबाग जरूर visit करता था। आज वे नहीं जा पाते हैं, क्योंकि आज वह नेशनल पार्क बंद पड़ा है। मैं यह जानना चाहता हूँ कि क्या मंत्रालय इस पर ध्यान देगा?

श्री श्रीपाद यसो नाईक : उपसभापति महोदय, Eco-tourism के अंतर्गत जो नेशनल पार्क्स हैं, उनकी मरम्मत या फंडिंग देने तथा संबंधित प्रोजेक्ट तैयार करने का काम मंत्रालय कर रहा है और इसको priority भी दे रहा है। जो 70 eco-tourism projects हैं, हम उनमें मदद कर रहे हैं। जैसा माननीय सदस्य ने कहा कि वहाँ का जो प्रोजेक्ट है, वह दे दिया गया है, हम निश्चित रूप से जल्दी करने का प्रयास करेंगे और इसमें मैं माननीय सदस्य की सहायता चाहूँगा।

श्री उपसभापति : क्वेश्चन नंबर 54, माननीय चौधरी सुखराम सिंह यादव जी। Absent.

* 54. [The questioner was absent.]

Vacant posts in various Departments

†*54. CH. SUKHRAM SINGH YADAV: Will the PRIME MINISTER be pleased to state:

- (a) the number of posts vacant in various Departments in the country at present;
- (b) the number of vacant posts filled and the number of posts abolished during the last 5 years; and
- (c) whether it is a fact that almost 9 lakh posts are lying vacant in various subordinate departments of the Central Government which the Government is not serious to fill?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): A statement is laid on the Table of the House.

Statement

(a) to (c) As per the Annual Report of Pay Research Unit of the Department of Expenditure, following is the position with reference to vacancies in various Ministries /Departments of the Central Government as on 01.03.2020:

Sanctioned Strength	Employees in Position	Vacant Posts
40,04,941	31,32,698	8,72,243

Statement showing the number of sanctioned posts and the number in position as on 01.03.2020 in various Ministries /Departments of the Central Government is enclosed as **Annexure-I**.

2. Year-wise recruitments made by three major recruiting agencies i.e. Staff Selection Commission (SSC), Union Public Service Commission (UPSC) and Railway Recruitment Boards (RRBs) in Central Government during the last five years is as follows:

YEAR	UPSC	SSC	RRBs	Total
2016-17	5,735	68,880	27,538	1,02,153
2017-18	6,294	45,391	25,507	77,192

† Original notice of the question was received in Hindi.

2018-19	4,399	16,748	17,680	38,827
2019-20	5,230	14,691	1,28,456	1,48,377
2020-21	3,609	68,891	5,764	78,264
TOTAL	25,267	2,14,601	2,04,945	4,44,813

3. Recruitment against vacant posts is a continuous process. By the time vacancies reported by a Department get filled up, some new vacancies arise. Vacancies in various Ministries /Departments of the Central Government, their attached and subordinate offices are caused due to retirement, resignation, death, promotion, etc. Where a post remains vacant for more than two years /three years, the same becomes “deemed abolished” as per Department of Expenditure OM No. 7(1)/E-Coord-I/2017 dated 12.04.2017. However, based on the functional justification, such posts may be revived.

4. Government issues instructions from time to time for timely and advance action to fill up the vacant posts. All Ministries /Departments of the Central Government have been requested to take time bound action to fill the existing vacancies in various Ministries/ Departments and their attached /subordinate offices.

Annexure-I

GROUP-WISE AND STATUS-WISE (G/NG) ESTIMATED NUMBER OF CENTRAL GOVERNMENT CIVILIAN REGULAR EMPLOYEES AS ON 01.03.2020											
S.No	Ministry/Department	Number of Sanctioned Posts					Number in Position				
		A(G)	B(G)	B(NG)	C(NG)	Total	A(G)	B(G)	B(NG)	C(NG)	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
1	Agricultural Research and Education	19	11	10	14	54	16	5	5	6	32
2	Agriculture , Cooperation and Farmers Welfare	620	519	583	4069	5791	394	332	370	2523	3619
3	Animal Husbandry and Dairying & Fisheries	305	120	100	2930	3455	196	73	66	1775	2110
4	Atomic Energy	11874	573	9523	16110	38080	11932	592	8725	11515	32764
5	AYUSH	69	27	49	39	184	67	15	38	40	160
6	Bio-Technology	95	46	42	72	255	75	25	24	47	171
7	Cabinet Secretariat	76	56	81	129	342	70	57	63	105	295
8	Chemicals and Petrochemicals & Pharmaceuticals	88	6	99	127	320	99	9	87	118	313
9	Civil Aviation	797	73	361	875	2106	503	51	211	489	1254
10	Coal	69	57	99	209	434	52	35	79	119	285
11	Commerce	821	867	1119	2552	5359	492	439	840	1435	3206
12	Consumer Affairs	206	185	284	618	1293	165	128	171	314	778
13	Corporate Affairs	732	0	885	976	2594	598	0	506	414	1518
14	Culture	466	230	1437	8161	10294	260	127	866	5468	6721
15	Defence (Civil)	18107	24283	95067	495682	63139	14627	20647	59874	290489	385637
16	Development of NE Region	66	46	83	141	336	50	32	46	97	225
17	Drinking Water and Sanitation	55	32	43	28	158	42	18	32	15	107
18	Empowerment of Persons with Disabilities	38	32	56	17	143	30	13	39	9	91
19	Earth Sciences	766	1654	2247	2841	7508	312	1084	1918	1335	4649
20	Economic Affairs	335	142	207	719	1403	277	130	192	441	1040
21	Environment , Forests and Climate Change	714	192	1272	2691	4869	545	85	642	1350	2622
22	Expenditure	289	530	250	528	1597	189	452	173	258	1072
23	External Affairs	2311	2314	2737	3673	11035	2117	1646	2153	2915	8831
24	Fertilizers	27	62	11	149	249	26	57	9	134	226
25	Financial Services	289	139	401	784	1613	220	99	291	658	1268
26	Food and Public Distribution	158	108	257	504	1027	118	98	223	318	757

27	Food Processing Industries	57	59	7	58	181	55	27	5	34	121
28	Health and Family Welfare	2545	710	1117	18638	23010	2311	646	1015	16935	20907
29	Health Research	5	1	2	34	42	3	1	1	20	25
30	Heavy Industry	57	40	47	103	247	42	23	37	64	166
31	Higher Education	205	218	359	373	1155	171	132	301	240	844
32	Home Affairs	22634	4529	54501	1002766	1084430	18744	5143	42332	889369	955588
33	Indian Audit and Accounts Department	6508	12724	0	48290	67522	5906	10838	0	27541	44285
34	Promotion of Industry and Internal Trade	1101	217	383	869	2570	934	94	179	457	1664
35	Information and Broadcasting	467	524	718	3626	5335	323	320	546	2190	3379
36	Electronics and Information Technology	4147	171	379	1852	6549	3554	111	307	1141	5113
37	Investment and Public Asset Management	34	16	21	15	86	30	9	16	13	68
38	Labour and Employment	1196	407	537	4571	6711	749	263	476	2580	4068
39	Land Resources	37	0	57	34	128	32	0	24	24	80
40	Law and Justice	608	353	469	1273	2703	437	302	290	942	1971
41	Micro, Small and Medium Enterprises	71	98	40	243	452	69	96	38	240	443
42	Mines	4396	1428	3187	5008	14019	2785	855	1378	2076	7094
43	Minority Affairs	76	66	54	71	267	62	37	29	49	177
44	New and Renewable Energy	142	47	50	91	330	77	21	42	73	213
45	Panchayati Raj	38	23	24	42	127	29	7	20	18	74
46	Parliamentary Affairs	23	22	45	60	150	20	13	30	54	117
47	Personnel, Public Grievances and Pensions	1102	1190	2607	6225	11124	804	874	1810	5261	8749
48	Petroleum and Natural Gas	70	63	73	126	332	59	49	53	61	222
49	Niti Aayog	216	336	59	128	739	133	180	43	141	497
50	Posts	850	450	10299	255892	267491	671	404	9343	167023	177441
51	Power	620	194	196	429	1439	368	128	60	222	778
52	President's Secretariat	43	44	75	218	380	34	39	59	157	289
53	Prime Minister's Office	62	65	118	201	446	73	63	114	79	329
54	Public Enterprises	30	11	14	52	107	25	9	6	32	72
55	Railways	13662	5318	620	1488094	1507694	12593	4520	0	1253286	1270399
56	Revenue	12126	32212	33303	100791	178432	8153	26680	17138	50134	102105
57	Road Transport and Highways	377	77	188	334	976	299	61	149	217	726
58	Rural Development	126	108	128	187	549	108	53	89	130	380
59	School Education and Literacy	54	47	81	94	276	41	52	50	59	202
60	Science and Technology	643	818	3037	7946	12444	300	580	1620	1717	4217
61	Scientific and Industrial Research	49	13	19	35	116	44	12	8	13	77
62	Ports, Shipping and Waterways	287	243	610	1502	2642	209	159	345	859	1572
63	Skill Development and Entrepreneurship	367	124	811	685	1987	258	65	481	419	1223
64	Social Justice and Empowerment	133	103	170	260	666	76	58	118	199	451
65	Space	9704	161	4032	4805	18702	9438	133	3782	2661	16014
66	Statistics and Programme Implementation	547	1823	2646	1136	6152	368	1567	1512	772	4219
67	Steel	59	42	87	114	302	71	34	69	101	275
68	Telecommunications	987	235	1328	996	3546	1140	192	1082	935	3349
69	Textiles	319	206	725	3489	4739	288	198	730	3437	4653
70	Tourism	75	102	134	268	579	60	95	115	192	462
71	Tribal Affairs	75	48	47	143	313	52	30	26	64	172
72	Union Public Service Commission	220	277	498	833	1828	175	187	322	480	1164
73	Housing and Urban Affairs	3420	3038	526	12523	19507	3406	3038	526	12523	19493
74	Vice President's Secretariat	6	5	8	43	62	5	5	5	36	51
75	Water Resources, River Development and Ganga	1209	787	1449	7194	10639	895	691	807	3689	6082
76	Women and Child Development	113	97	136	352	698	102	63	130	301	596
77	Youth Affairs and Sports	59	70	85	168	382	42	61	63	125	291
	Total	131350	102264	243409	3527918	4004941	110095	85467	165364	2771772	3132698

श्री उपसभापति : माननीय राम नाथ ठाकुर जी।

श्री राम नाथ ठाकुर : उपसभापति महोदय, मैं आपके माध्यम से माननीय मंत्री जी से यह जानना चाहता हूँ कि स्टेटवाइज़ कितने केन्द्रीय कर्मचारियों, पदाधिकारियों के पद रिक्त हैं और वे कब तक भरे जाएँगे?

डा. जितेन्द्र सिंह : उपसभापति महोदय, माननीय सदस्य की चिंता, सारे समाज की चिंता रहती है कि कितने पद हैं, कितनी नियुक्तियाँ होंगी और कितना अभाव है, परंतु उन्हें यह जानकर संतोष होगा कि मोदी जी के नेतृत्व में जहाँ एक ओर नियुक्तियों की प्रक्रिया को तीव्र गति दी गई, वहीं साथ-ही-साथ, अनेक नई वैकेन्सीज़ भी क्रिएट करने का प्रयास हुआ है। यदि आप आंकड़े देखें, यदि आप वर्तमान सरकार के सात वर्षों की तुलना पिछले सात वर्षों से करें, अर्थात् 2007-08 से लेकर 2013-14 तक, उस अंतराल में यूपीएससी, रेलवे रिक्रूटमेंट बोर्ड और एसएससी, जो केन्द्र की संस्थाएँ हैं, उनके माध्यम से 6,19,027 नियुक्तियाँ हुई थीं। इसके विपरीत अब सात वर्षों में, यद्यपि डेढ़-दो वर्ष कोविड काल भी रहा, फिर भी नियुक्तियों की संख्या में लगभग एक लाख की वृद्धि हुई है, अर्थात् 6,98,011 नियुक्तियाँ हुई हैं। इसके अतिरिक्त, यदि आप नई वैकेन्सीज़ पैदा करने का क्रम देखें, तो जब 2014 में यह सरकार आई, तब केन्द्रीय पदों की sanctioned strength 36,45,584 थी। अब 2021 होने को है कोविड के बावजूद 2020 के अंत तक यह आंकड़ा बढ़कर 40,04,941 हो गया है। मेरा कहने का तात्पर्य यह है कि एक ओर वैकेन्सीज़ बढ़ाने का प्रयास हो रहा है, दूसरी ओर गति भी बढ़ाई जा रही है। इसमें एक बाधा आती है, जिसके लिए सभी माननीय सदस्य प्रयास कर सकते हैं, हम भी करते हैं। आपस में बहुत सी litigations ऐसी रहती हैं, जिनके कारण पदोन्नति करने में दिक्कत हो जाती है और अगर ad hoc की जाए, तो उसके लिए भी कभी-कभी writ हो जाती है। इसमें सरकार की ओर से किसी प्रकार का विलम्ब या कमी नहीं रहती है, बल्कि इसमें और ज्यादा पारदर्शिता लाने के लिए पहली जनवरी, 2016 से इंटरव्यू की प्रथा भी समाप्त कर दी गई और आने वाले समय में इसे और सरल बनाने के लिए National Recruitment Agency के तहत एक common eligibility test रहेगा। हमारी कल्पना तो यह थी कि इसी वर्ष अक्टूबर में इस तरह का पहला टैस्ट हो जाता। देश के प्रत्येक जिले में एक सेंटर रहेगा, level playing field रहेगा, किसी को किसी तरह की disadvantage नहीं रहेगी, चाहे उम्मीदवार किसी भी वर्ग से संबंधित क्यों न हो। शुरुआत में यह टैस्ट तीन विभागों को लेकर किया जाएगा, उसमें रेलवे, बैंकिंग सेक्टर और एसएससी वाले पद रहेंगे और आगे चलकर अनुभव के आधार पर इसे और व्यापक बनाने का प्रयास रहेगा।

SHRI P. WILSON: Sir, I would like to know about the steps that the Government has taken to fill up the vacancies meant for Scheduled Castes, Schedule Tribes and OBCs. We find that there are a large number of vacancies, without posts getting filled up. Have you taken any steps to bring in a constitutional amendment for reservation of OBCs in promotion posts like that of Art. 16(4)(A) for SC & ST?

DR. JITENDRA SINGH: Mr. Deputy Chairman, Sir, I appreciate the concern of the hon. Member. As you would have noticed, the present Government headed by Prime Minister, Shri Modi, has always given high priority to the concerns and conditions of the Scheduled Castes and Scheduled Tribes, other weaker sections and also the OBCs, as mentioned by the hon. Member. Now, this Government has actually tried

to walk the extra mile. What was happening was that sometimes posts remained vacant because of the lack of availability of candidates in that category, but we have started a drive at the awareness level and also at the social level, to educate and motivate more and more candidates from these sections of the society to come forward and apply for Government jobs. Not only this, circulars are issued by the Department of Personnel and Training from time to time, urging upon the other Ministries also to do so. Special recruitment drives have been made by the DoPT from time to time, as I said, to motivate and to stimulate them to get into these jobs. Now, as far as reservation in promotion is concerned, that is an issue which is entangled in a lot of litigation, right from the famous *Nagaraj* case, coming down. So, we are trying to sort it out as best as possible. But it is still in a *sub judice* state.

MR. DEPUTY CHAIRMAN: Question Hour is over. The House stands adjourned till 2:00 p.m.

[*Answers to Starred and Un-starred Questions (Both in English and Hindi) are available as Part -I to this Debate, published electronically on the Rajya Sabha website under the link <https://rajasabha.nic.in/Debates/OfficialDebatesDateWise>]*

The House then adjourned for lunch at one of the clock.

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

GOVERNMENT BILL

The Dam Safety Bill, 2019*

श्री उपसभापति : माननीय मंत्री जी, प्लीज़।

SHRI JOHN BRITTAS (Kerala): Sir, I have a point of order.

MR. DEPUTY CHAIRMAN: Yes. Are you on your seat?

SHRI JOHN BRITTAS: Sir, it is my leader's seat.

* Further discussion continued from the 1st December, 2021.

MR. DEPUTY CHAIRMAN: Okay. It is the leader's seat, not your own seat.

SHRI JOHN BRITTAS: Sir, you have suspended the leader.

MR. DEPUTY CHAIRMAN: No, I have not. Now, please come on the point.

SHRI JOHN BRITTAS: Sir, Rule 256, sub-rule (1) states that the Chairman may, if he deems it necessary -- of course, you have decided -- name a Member who disregards the authority of the Chair or abuses the rules of the Council by persistently and wilfully obstructing the business thereof.

MR. DEPUTY CHAIRMAN: Please. We have already started the discussion on the Dam Safety Bill, 2019. You can raise any point of order on this Bill only. ...*(Interruptions)*...

SHRI JOHN BRITTAS: No, Sir.

MR. DEPUTY CHAIRMAN: Please. As per rules, I am telling you that you can make a point of order only regarding this Dam Safety Bill, not on any other issue. माननीय मंत्री जी, please continue. ...*(Interruptions)*...

SHRI JOHN BRITTAS: Sir, please allow.

MR. DEPUTY CHAIRMAN: Sorry. ...*(Interruptions)*... Nothing is going on record.

जल शक्ति मंत्री (श्री गजेन्द्र सिंह शेखावत) : धन्यवाद, उपसभापति महोदय। मैंने जब कल अपनी प्रारम्भिक टिप्पणी में यह निवेदन किया था कि भारत में...

MR. DEPUTY CHAIRMAN: Nothing is going on record. ...*(Interruptions)*...

SHRI JOHN BRITTAS:*

MR. DEPUTY CHAIRMAN: Please. I have to follow the rules. Both of us have to follow the rules of the House. ...*(Interruptions)*... Anandji, please.

* Not recorded.

SHRI ANAND SHARMA (Himachal Pradesh): Sir, just one thing needs more clarity. जब व्यवस्था का प्रश्न उठता है, कोई भी माननीय सदस्य नियमावली के हिसाब से उसे उठाता है, तो मेरी समझ में उस पर गौर करना ज़रूरी हो जाता है। यह कहीं नहीं है कि जो विषय चर्चा में हो, उस पर ही वह आएगा - प्वाइंट ऑफ ऑर्डर किसी भी विषय पर आ सकता है, यह नियम है। दूसरा यह कि अगर कोई भी प्वाइंट ऑफ ऑर्डर संविधान के तहत आता है तो यह अनिवार्य हो जाता है कि उसको सुना जाए। पीठ का जो भी आदेश है, आपका जो भी निर्णय है, वह सर्वमान्य होता है। वह निर्णय आपको लेना है। प्वाइंट ऑफ ऑर्डर ज़रूर सुनना चाहिए।

श्री उपसभापति : माननीय आनन्द शर्मा जी, आप एक सीनियर मेम्बर हैं। आप अगर कहें तो मैं आपको रूल्स भी क्वोट कर दूँ और अनेक रुलिंगज़ दिखा दूँ कि जो बिज़नेस हाउस के सामने है, उसी पर प्वाइंट ऑफ ऑर्डर उठ सकता है। So, I am not...(Interruptions)...

SHRI ANAND SHARMA: Nothing overrides the Constitution. ...(Interruptions)...

SHRI JOHN BRITTAS: Sir, absence of Mr. Elamaram Kareem is a relevant issue.

MR. DEPUTY CHAIRMAN: No, please. माननीय मंत्री जी, प्लीज़।

श्री गजेन्द्र सिंह शेखावत : माननीय उपसभापति महोदय, मुझे बोलने की अनुमति प्रदान करने के लिए आपका धन्यवाद करते हुए, मैं अपनी बात प्रारम्भ करना चाहता हूँ।

MR. DEPUTY CHAIRMAN: Nothing is going on record. I will request you to keep silent. ...(Interruptions)... Nothing is going on record. Sorry. Nothing is going on record. ...(Interruptions)...

SHRI JOHN BRITTAS: *

श्री गजेन्द्र सिंह शेखावत : माननीय उपसभापति महोदय, जैसा मैंने कल अपनी प्रारम्भिक टिप्पणी करते हुए कहा था...(व्यवधान)... दुनिया में मध्यम श्रेणी और बड़े बांधों की श्रृंखला में सर्वाधिक बांध चीन में हैं, उसके बाद अमेरिका का नम्बर आता है और तीसरे नम्बर पर भारत है। ...(व्यवधान)... जैसा मैंने कल इस बात का उल्लेख किया था कि हमारे 25 प्रतिशत बांध ऐसे हैं, ...(व्यवधान)... जिनकी उम्र 50 साल से अधिक हो गई है। ...(व्यवधान)... हालांकि दुनिया में बांधों की उम्र के साथ उनका रखरखाव और maintenance ठीक से किया जाए, तो उनकी सुदृढ़ता को लेकर कहीं कोई प्रश्न नहीं होता। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: I have already said it. ...(Interruptions)...

श्री गजेन्द्र सिंह शेखावत : लेकिन साथ ही पूरे भारत में 90 प्रतिशत से ज्यादा बांध ऐसे हैं, जो इंटर-स्टेट रिवर्स पर बने हुए हैं और इंटर-स्टेट रिवर्स पर बने होने के कारण से ...(व्यवधान)... जैसा कि हम सब जानते हैं कि यदि कोई बांध टूटता है या ...(व्यवधान)... एकाएक बांध में पानी प्रवाहित किया जाता है, जल छोड़ना पड़ता है, तो उसका प्रभाव downstream में आने वाले सारे क्षेत्र पर, विभिन्न स्टेट्स पर और न केवल मानव पर, अपितु complete flora and fauna and riverine structure पर पड़ता है। ऐसे में निश्चित ही बांधों की सुरक्षा और उचित रख रखाव का मुद्दा अंतर्राज्यीय विषय बनता है। माननीय उपसभापति महोदय, केन्द्रीय जल आयोग ने, अब तक जो बांधों की विफलता देश में हुई है, ..(व्यवधान)... ऐसी registered घटनाएं लगभग 42 के आसपास हैं। ..(व्यवधान)... अभी आज ही मैं Annamayga बांध..(व्यवधान)...

MR. DEPUTY CHAIRMAN: Just one minute please. I am on my legs. I will just read the ruling on this point of order.

SHRI JOHN BRITTAS: *

MR. DEPUTY CHAIRMAN: Nothing else is going on record. ...(*Interruptions*)... सबजेक्ट कुछ और है, और ये कुछ और सबजेक्ट उठा रहे हैं। I am quoting, "A point of order should concern a matter which is immediately before the House and not a matter discussed earlier." ...(*Interruptions*)... Please sit down. ...(*Interruptions*)... The discussion has already started on this, Sir. Let me read it. "On 14th March, 1985, in the course of a discussion on the handloom..." I can read the details. This is the rule, which I have already quoted and explained. So, please sit down. ...(*Interruptions*)... Hon. Minister may please continue.

श्री गजेन्द्र सिंह शेखावत: माननीय उपसभापति महोदय, धन्यवाद।..(व्यवधान)... 1979 में गुजरात के मोरबी में बांध टूटने की घटना, जिसमें हजारों लोगों का जीवन चला गया था, तब से लेकर अभी हाल ही में आंध्र प्रदेश में पिछले महीने में जो घटना हुई है, तब तक ऐसी 42 घटनाएं हैं, जिनमें करोड़ों रुपये का जान-माल का नुकसान और बहुत सारे लोगों के जीवन की क्षति हुई है।..(व्यवधान)... जैसा मैंने निवेदन किया.. (व्यवधान)...

श्री आनन्द शर्मा: आपके कहने के बाद ही मैं यह बात कहना चाहता हूं।

MR. DEPUTY CHAIRMAN: Anand Sharma ji, I will allow you after this. Let him complete. ...(*Interruptions*)... Let the Bill be moved. ...(*Interruptions*)...

* Not recorded.

SHRI JOHN BRITTAS: *

श्री गजेन्द्र सिंह शेखावत: क्योंकि बांध टूटने का प्रभाव केवल मनुष्यों पर ही नहीं, complete riverine structure पर पड़ता है। ऐसे में बांधों की सुरक्षा निश्चित रूप से अत्यन्त महत्वपूर्ण हो जाती है।

SHRI JOHN BRITTAS: *

श्री गजेन्द्र सिंह शेखावत: ऐसे में बांधों की सुरक्षा की महत्ता को देखते हुए और जैसा मैंने कहा कि हमारे 92 परसेंट बांध inter-state rivers पर बने हुए हैं, river basins पर बने हुए हैं। ..(व्यवधान)... No, I am not yielding. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: He is not yielding. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*...

श्री गजेन्द्र सिंह शेखावत: मैं आग्रह करना चाहता हूँ कि 1982 से लेकर आज 40 साल बीत जाने के बाद भी-1979 में मोरबी का बांध टूटने के बाद जो पहली कमेटी बनी थी- तब से लेकर आज तक 40 साल से लगातार देश में बांधों की सुरक्षा का एक national level protocol बने, इसके लिए प्रयास हो रहे हैं।..(व्यवधान)... मैं चाहता हूँ, मैं माननीय सदस्य से निवेदन करूंगा कि यह ऐसा महत्वपूर्ण प्रश्न है, जिसका विषय, जिसका सम्बन्ध देश के प्रत्येक नागरिक से है और ऐसे महत्वपूर्ण विषय पर, जिस पर 40 साल से देश में विचार हो रहा है, उस विषय को समाप्त होने दिया जाये। उस विषय पर चर्चा की जानी चाहिए। मैं यह मानता हूँ कि पिछले कई वर्षों से बांध टूटने की घटना का, बांधों के रख-रखाव का ठीक से protocol न होने के कारण से ..(व्यवधान)... इस बीच के कालखंड में यदि एक भी बांध टूटा है तो उसकी..(व्यवधान)... जिम्मेदारी कहीं न कहीं है, इसलिए मैं आग्रह करूंगा कि हम इस bill पर यहां चर्चा करें, जिसे लोक सभा ने दो साल पहले पारित कर दिया है।..(व्यवधान)... महादय, मैं आज अपनी बात समाप्त करूँ, उससे पहले एक विषय रखना चाहता हूँ कि..(व्यवधान)...

SHRI JOHN BRITTAS: Sir, the hon. Minister is yielding. ...*(Interruptions)*...

SHRI GAJENDRA SINGH SHEKHAWAT: I am not yielding, please. ...*(Interruptions)*...

* Not recorded.

SHRI JOHN BRITTAS: *

श्री गजेन्द्र सिंह शेखावत : मैंने अपनी प्रारम्भिक टिप्पणियों में यह बात कही है कि बांधों की महत्ता भी है और बांधों की सुरक्षा भी महत्वपूर्ण है, ऐसे में यह केवल बांध टूटने का भी विषय नहीं है, अपितु बांध में..(व्यवधान)...

पर्यावरण, वन और जलवायु परिवर्तन मंत्री; तथा श्रम और रोजगार मंत्री (श्री भूपेन्द्र यादव): जो पॉइंट ऑफ ऑर्डर उठा रहे हैं, उनको रूल 235(ix) पढ़ना चाहिए कि वे किसी भी सदस्य को obstruct न करें। यह संसदीय तरीका नहीं है। इनको बैठाया जाये। ..(व्यवधान)...

श्री गजेन्द्र सिंह शेखावत: उपसभापति महोदय, मैं धन्यवाद करना चाहता हूँ। यह बांधों के टूटने का विषय ही नहीं है, बांधों से अचानक पानी छोड़ देने के कारण से भी कई समस्याएं उत्पन्न होती हैं और उसके कारण जान-माल को खतरा बनता है तो उसकी भी चिन्ता इस सदन को निश्चित रूप से करनी चाहिए। महोदय, मैं अन्त में एक बात माननीय सदस्यों की clarity के लिए कहना चाहता हूँ कि इस बिल के माध्यम से न हम बांधों पर स्वामित्व लेना चाहते हैं, न बांध के पानी पर अपना अधिकार लेना चाहते हैं, न उससे आने वाली बिजली पर हम अपना अधिकार लेना चाहते हैं, न उसके operation और maintenance पर अपना अधिकार लेना चाहते हैं। इस बिल को लाने का हेतु केवल और केवल इतना है कि देश में बांधों की सुरक्षा जैसे महत्वपूर्ण विषय पर कोई न कोई व्यवस्था देश भर में बननी चाहिए, एक eco system ऐसा बनना चाहिए। ताकि आने वाले समय में यह खतरा पैदा न हो, क्योंकि बांध का टूटना या बांध में एकाएक पानी छोड़ने से निश्चित रूप से जान-माल का खतरा होता है और वह पूरे राष्ट्र के लिए शर्म का विषय भी बनता है। ... (व्यवधान)... ऐसी परिस्थितियां देश में पैदा न हों, इसलिए इस बिल को पारित करना आवश्यक है। मान्यवर, मैं इसी भावना के साथ सभी माननीय सदस्यों से आग्रह करूंगा कि इस बिल को पारित करने में सहयोग प्रदान करें। ... (व्यवधान)... आपका बहुत-बहुत धन्यवाद।

MR. DEPUTY CHAIRMAN: There are two Amendments, one is by Shri Vaiko and the other one is by Shri Tiruchi Siva, for reference of the Dam Safety Bill, 2019, as passed by the Lok Sabha, to a Select Committee of the Rajya Sabha. Members may move their Amendments at this stage without any speech. Shri Vaiko; not present. Shri Tiruchi Siva, are you moving your Amendment? ... (Interruptions)...

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, I move:

"That the Bill to provide for surveillance, inspection, operation and maintenance of the specified dam for prevention of dam failure related disasters and to provide for

* Not recorded.

institutional mechanism to ensure their safe functioning and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be referred to a Select Committee of the Rajya Sabha, consisting of the following Members:-

1. Shri R.S. Bharathi
2. Shri Bikash Ranjan Bhattacharyya
3. Shri John Brittas
4. Shri G.C. Chandrashekhar
5. Shrimati Vandana Chavan
6. Shri T.K.S. Elangovan
7. Dr. L. Hanumanthaiah
8. Prof. Manoj Kumar Jha
9. Shri Tiruchi Siva
10. Prof. Ram Gopal Yadav

with instructions to report by the last day of the first week of the next Session (256th) of the Rajya Sabha".

India is a Union of States. A unique feature of our democracy and Constitution is that it works on federalism. The States have their own rights. Entry 17 of the State List provides for the States to make laws with regard to water supplies, drainage and embankments, water storage and water power subject to Entry 56, which is the Union List. According to Entry 56, the Parliament can make laws on regulation of inter-State rivers and valleys. However, it does not have power to regulate intra-State water, rivers and valleys. Recently, most of the Bills that are being brought are transgressing the rights of the States. This Bill provides for constitution of a National Committee on Dam Safety and a National Dam Safety Authority. The control of the National Committee on Dam Safety and the National Dam Safety Authority comes under the Central Government. Appointing States' representatives and specialists is also coming under the Central Government. It already comes under the State List. States have these rights. But this Bill takes away the rights of the States. In several other Bills, which have been passed, we expressed our reservation. This is another such Bill. Not on any account federalism can be crippled. The States' powers cannot be encroached or transgressed. So, I urge that this Bill has to be referred to a Select Committee.

MR. DEPUTY CHAIRMAN: Are you moving it?

SHRI TIRUCHI SIVA: Yes, Sir, I am moving it.

The question was proposed.

SHRI ANAND SHARMA: Hon. Deputy Chairman, Sir, I want to raise a point of order for clarification. This is important not just for me, but I think for history and also for the entire House. First is that this House is the Council of States under Article 83 of the Constitution and therefore this House is a permanent House and the Constitution is clear that it shall never be subject to dissolution like the House of people is. I want to take you to Article 85(1). It says, "The President shall from time to time summon each House of Parliament to meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one session and the date appointed for its first sitting in the next session." Then Article 85(2) says, "The President may from time to time (a) prorogue the Houses or either House; (b) dissolve the House of the People."

Sir, here I need a ruling. This is the Winter Session. It was summoned by the President of India. The Gazette Notification was issued and this House started its first sitting on the 29th of November. Before that, in the last Session there's no violation as far as the timing is concerned.

The last Session was Monsoon Session. I am not going into what happened or anything else. That Session was adjourned by the Chair. Hon. Deputy Chairman was there. It was adjourned on the 11th of August. Thereafter, the processes, which are constitutional processes, have to be completed by the Chairman and Rajya Sabha Secretariat, and, for that matter, in the House of People, by the Speaker and Lok Sabha Secretariat. Then, the information is sent to the hon. President which is processed and both Houses are constitutionally prorogued. So, the House was prorogued on 31st of August. So, I want a ruling from the Chair. The Monsoon Session was prorogued on the 31st of August. It was adjourned on 11th August and prorogued on 31st August through a gazette notification. Sir, through you and through a ruling, which will be important now, I want to know: Was the prorogation in order? If so, is this Session a separate Session or a continuation? I want a ruling on that.

MR. DEPUTY CHAIRMAN: I will come to that ruling. I will explain it. Let this debate continue. ...*(Interruptions)*...

SHRI JOHN BRITTAS: Sir, I have a point of order. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I have already clarified. ...*(Interruptions)*... I will allow point of order on this subject only. ...*(Interruptions)*... Otherwise, I am not going to allow any other point of order. ...*(Interruptions)*... Please. ...*(Interruptions)*... I have clarified it. ...*(Interruptions)*...

SHRI JOHN BRITTAS: Sir, we are walking out.

(At this stage, some hon. Members left the Chamber)

MR. DEPUTY CHAIRMAN: Shri Shaktisinh Gohil.

श्री शक्तिसिंह गोहिल (गुजरात): माननीय उपसभापति महोदय, आज जब मैं Dam Safety Bill, 2019 को देख रहा हूँ और कुछ दिन पहले की बातें सुन रहा हूँ, तो मेरे मन में बड़ा दर्द होता है कि कुछ ही दिन पहले हमने संविधान दिवस मनाया और संविधान दिवस मनाने के बाद जब यह Dam Safety Bill, 2019 आता है, जो संविधान के प्रावधानों की धज्जियां उड़ाने वाला बिल है, उसके खिलाफ मेरी आवाज है। हमारे संविधान ने दुनिया के किसी भी संविधान से बेहतरीन प्रावधान किए हैं। यहां कोई कन्फ्यूजन का अवकाश नहीं रखा है। इसी बिलिंग में संविधान सभा ने बैठकर यह संविधान बनाया और उस संविधान में Union List, State List, Concurrent List को बहुत अच्छी तरह से डिफाइन किया।

माननीय उपसभापति महोदय, मैं आपके ज़रिए इस सदन में यह demonstrate करना चाहता हूँ कि कैसे संविधान की धज्जियां उड़ाई गई हैं। यह महत्वपूर्ण था इसलिए सभी विरोधी दल के नेताओं ने बैठकर तय किया कि हम हमारी जिम्मेवारी - हमारे साथी यहां नहीं हैं, उसका दर्द है - पर हमारी जिम्मेवारी है कि हम इसको नहीं छोड़ें। हमारे साथी बाहर हैं, उसका दर्द है, पर हमारी जिम्मेवारी है कि जब ऐसी चीजें आती हैं और लोग बड़े परेशान हैं, तो आवाम के मुद्दे तो उठने ही चाहिए।

माननीय उपसभापति महोदय, let us read Entry 17 of State List. What does Entry 17 say? It says, "Water, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power subject to the provisions of Entry 56 of List I." यह स्टेट का अधिकार है, सिर्फ subject to Entry 56. अब Entry 56 क्या कहती है कि स्टेट में पानी बह रहा है और कोई ट्रांसपोर्टेशन का उपयोग होता है, तो उसके ऊपर टैक्स सेन्ट्रल गवर्नमेंट लगा सकती है, पर राज्य के अंदर पानी का बहाव, पानी का रोकना, ड्रेनेज, बांध बनाना, यह पूरी तरह से राज्यों का विषय है और इसमें कानून बनाने का कोई अधिकार भारत सरकार का नहीं है - यह संविधान कहता है। मैं जानता हूँ और आपके through कहना भी चाहता हूँ कि मेरे सामने Treasury Benches के साथी कहेंगे कि यह बिल तो 2010 में आया था और कांग्रेस पावर में थी, तो मैं उनको याद दिलाना चाहता हूँ कि हां, यह बिल 2010 में आया था। परन्तु उसके Preamble में लिखा था कि भारत सरकार को इसका कानून बनाने का अधिकार संविधान में नहीं है, वह Preamble में था और Article 252 के तहत वह बिल लाया गया था। Yes, Article

252 के तहत Central government का अधिकार कैसे है - अगर कोई दो राज्य हाज़िर, यानी मौजूद और वोटिंग करने वाले सदस्यों की two-third majority से भारत सरकार को request करते हैं कि यह State List में है, परन्तु आप कानून बनाइए - जब कम से कम दो राज्य होते हैं, तो भारत सरकार कानून बना सकती है। परन्तु वह किन पर लागू होगा - जिन राज्यों ने two-third majority से विधान सभा में प्रस्ताव पारित किया है, उन्हीं पर, देश के जिन दो राज्यों ने two-third majority से मांग की है। इस देश में 2010 में संविधान का सम्मान करने वाली सरकार कानून लेकर आई। 2010 में Article 252 के तहत यह लाया गया ताकि पूरे देश में जो राज्यों के अधिकार हैं, उनके ऊपर कोई अतिक्रमण नहीं हो। बाद में अगर कोई राज्य उस कानून को लागू करना चाहता भी है, तो उसके लिए उनको अपना Resolution पास करना होगा और तभी जाकर उस राज्य पर यह कानून लागू होगा। आपने Committee में इस बिल को भेजा, वह भी क्या प्रावधान था? कमेटी ने भी सोचा, किस आधार पर सोचा कि हां, यह आर्टिकल 252 के तहत आता है, यह सिर्फ उन्हीं राज्यों में लागू होगा, जो two-third majority से इस कानून को लागू करने की मांग करेंगे। आप क्या कर रहे हैं - आप राज्यों के अधिकार पर अतिक्रमण कर रहे हैं। यह राज्य का अधिकार है। आपको इस पर कानून बनाने का अधिकार नहीं है।

उपसभापति महोदय, मैं आपके जरिए से हाउस के सभी मेम्बर्स से रिक्वेस्ट करता हूँ कि संविधान सभा की उस डिबेट को देख लें। उसमें राज्य सभा का प्रावधान होते वक्त यह डिबेट हुई कि राज्यों के अधिकारों की रक्षा कौन करेगा। हम राज्यों से चुनकर आते हैं, हमारी prime responsibility है कि राज्यों के अधिकार के ऊपर कहीं अतिक्रमण नहीं होना चाहिए। माननीय उपसभापति जी, मैं आपके जरिए से इधर बैठे या उधर बैठे, इस गृह के सभी सभासदों से यह गुज़ारिश करना चाहता हूँ कि हमारा धर्म है कि राज्यों के अधिकार को बचाया जाए और संविधान की Entry 17 क्लियरली कहती है कि राज्यों के अंदर बहते पानी, dam, drainage पर कानून बनाने का अधिकार सिर्फ राज्य को है, सेंट्रल गवर्नमेंट इसमें हस्तक्षेप नहीं कर सकती। आप कौन-सी बात करते हैं? क्या आप यह मानते हैं कि हम सेंटर में हैं, तो हम ईश्वर के अवतार हैं, सब कुछ हमें ही ज्ञान होता है और राज्य ठीक नहीं कर सकता है? हमने गुजरात में नर्मदा डैम बनाया। मेरा सौभाग्य रहा कि उस डिपार्टमेंट का मैं मिनिस्टर भी रहा हूँ। यह गुजरात की जनता ने बनाया। 'हमने' का मतलब है कि गुजरात की जनता ने बनाया। मुझे किसी और की तरह वह आदत नहीं है - * - वह मैं नहीं करता हूँ।...(व्यवधान)... मैं, * नहीं कहता हूँ। मैं गुजरात की बात करता हूँ।...(व्यवधान)... मैं मेरे गुजरात की बात करता हूँ और जब मेरे गुजरात की बात करता हूँ तब ...

एक माननीय सदस्य: आपने रोका था।...(व्यवधान)...

श्री शक्तिसिंह गोहिल: उस नींव से लेकर बहते पानी के बीच sluice gate बंद करने का काम भी उसी सरकार में हुआ, जो सरकार आपकी नहीं थी। उस नींव की ईंट डालने वाली सरकार- वह

* Expunged as ordered by the Chair.

हमारी सरकार थी। हां, कंगूरे में कहीं थोड़ा बहुत करके - हमारे यहां पर कहा जाता है - जैसे 'शकट नो भार जेम श्वान ताणे', वह करने की जरूरत हमारे लिए नहीं है।

उपसभापति महोदय, मैं इस बिल के कुछ प्रावधानों के बारे में आपके जरिए से कहना चाहता हूं। मेरा सबसे पहला यही अनुरोध है कि हमारे माननीय सदस्य श्री तिरुची शिवा जी ने जो कहा है, इसे Select Committee को भेजना पड़ेगा। क्योंकि यह unconstitutional है, ultra vires है, अगर आप पास भी कर देंगे, तो उसका फायदा नहीं होगा, कल को कोई challenge करेगा। वह अपमान सिर्फ सरकार का अपमान नहीं होता है। जब सुप्रीम कोर्ट इस सदन में पास किए हुए किसी बिल पर रोक लगाता है या इसके वायरस चैलेंज होते हैं और वह ultra vires ठहराया जाता है, तो यह पूरे सदन का अपमान होता है। इसलिए मैं कहता हूं कि आप सोच-समझकर चलिए, जल्दबाजी मत कीजिए। माननीय उपसभापति महोदय, ऐसा कहा जाता है कि कुछ लोग ऐसे होते हैं जो किसी की नहीं सुनते, पर जब उनको ठोकर लगती है, तब वे जरूर सुधरते हैं। ..(व्यवधान)...

श्री उपसभापति: प्लीज, आपस में बात मत कीजिए। ..(व्यवधान)...

श्री शक्तिसिंह गोहिल: हाँ, हम आपको कह रहे थे, हम आपके ज़रिये बहुत चिल्ला-चिल्लाकर कह रहे थे, हमारा गला बैठ गया था कि साहब, जल्दबाजी मत कीजिए, ठीक से डिस्कशन कीजिए, वोटिंग डिवीज़न से निर्णय दीजिए, ऐसा मत कीजिए, आपका कृषि कानून आगे नहीं चलेगा। आप नहीं माने और सुप्रीम कोर्ट से भी रोक-टोक हुई। मैं जगत के उस तात को सैल्यूट करता हूं, जो बड़े-बड़े सुल्तान को झुका सकता है। वह जगत का तात है। जब आपने इस तरह से इतनी बड़ी ठोकर खाई है, तब आप फिर भी इस बिल को लेकर आ रहे हैं। अगर आपको इस बिल को, इस बिल के प्रावधान को ठीक से समझना है तो आप उस सेलेक्ट कमेटी पर विश्वास कीजिए, जहाँ इस गृह में बैठी हुई सभी पार्टियों के सदस्य मेम्बर्स होंगे और आराम से बैठकर इस पर discussion करेंगे, वे इसको देखेंगे। मैं यह नहीं कहता हूं कि वे मेरी बात मान लें, वे संविधान की बात को मानेंगे, लेकिन अगर जरूरत पड़ी तो वह कमेटी एक्सपर्ट्स को भी बुलाएगी और मुझे पूरा विश्वास है, क्योंकि मैं लॉ का विद्यार्थी रहा हूं, मैंने लॉ में मास्टर्स की है, डिग्री ली है और एक विद्यार्थी होने के नाते मैंने जो स्टडी की है, उसके आधार पर कहता हूं कि यह आपके अधिकार क्षेत्र का बिल नहीं है, यह राज्यों के अधिकार क्षेत्र पर अतिक्रमण हो रहा है।

माननीय उपसभापति महोदय, यहाँ पर एक और चीज़ है, जो बहुत ध्यान आकर्षित करने वाली है। इस बिल के अंदर आपने Chairman, Central Water Commission को *ex-officio* Chairman of National Commission on Dam बना दिया है। ये कहते हैं कि checks and balances बहुत जरूरी होता है। जो डिज़ाइन पास करता है, वही सेफ्टी भी देखेगा, मायने कभी-कभी ऐसा नहीं चलता है। हमारे यहाँ पर कहा जाता है, मैं ही चोर, मैं ही कोतवाल, मैं ही न्यायाधीश - वह ठीक नहीं चलता है। माननीय उपसभापति जी, इस बिल के प्रावधान कुछ-कुछ उसी तरह के हैं कि जहाँ बहुत सारी चीज़ों पर अतिक्रमण होता है। ..(व्यवधान)...

MR. DEPUTY CHAIRMAN: Please. ...*(Interruptions)*... Please. ...*(Interruptions)*... आपस में बात मत कीजिए। ..*(व्यवधान)*..प्लीज माननीय मंत्री जी।..*(व्यवधान)*.. Please. ...*(Interruptions)*...

श्री शक्तिसिंह गोहिल : माननीय उपसभापति जी, दर्द तो तब होता है, जब ट्रेजरी बेंच पर बैठे हुए मंत्री जी डिस्टर्ब करते हैं। यदि कोई मेरे जैसा जूनियर मेम्बर कर ले, तो वह डिस्टर्ब करना नहीं होता है। माननीय उपसभापति महोदय, हमारे संविधान से पहले The Government of India Act, 1935 था। यह संविधान से भी पहले था। उस एक्ट में भी राज्यों को अधिकार मिला था। यह अधिकार उसकी जमीन पर, उसके पानी पर था। उन चीजों के ऊपर यह अधिकार दि गवर्नमेंट ऑफ इंडिया एक्ट, 1935 में भी दिया गया था और हमारे संविधान ने तो एंट्री 17 से बहुत क्लैरिटी कर दी है, इसलिए कम से कम उसको देखने का काम करें।

माननीय उपसभापति जी, कुछ एक्सपेरिमेंट होते रहते हैं। भगवान महावीर स्वामी ने कहा था, "पानी का उपयोग घी की तरह करो।" उन्होंने उस वक्त पानी का महत्व समझाया था। आज उसकी चिंता जरूर होनी चाहिए, पर इस तरह से नहीं। हमारे यहां गुजरात में आप कहते हो कि पिछले 70 सालों में देश में क्या हुआ। आपका डेटा कहता है कि 5,265 डैम बने, आपकी सरकार नहीं थी, तब इस देश में बने। आपने क्या बनाया, उसे मैं बताना चाहता हूं। गुजरात में पानी बचाने के लिए एक स्कीम आई और वह स्कीम थी कि हम बोरीबांध बनाएंगे। उपसभापति महोदय, बोरीबांध का मतलब यह होता है कि सीमेंट की खाली यूज्ड बोरियां होती हैं, उनमें रेत भर कर जहां पानी का बहाव होता है वहां बिछा देते हैं और कह देते हैं कि बांध बन गया, बोरीबांध बन गया। उसके बाद उसका फोटो लेते हैं, बिल लेते हैं और ट्रैक्टर की ट्रॉली में भर कर दूसरी जगह लगाते हैं और कह देते हैं कि दूसरा बांध बन गया। इस तरह से मोदी जी के शासन में लाखों बोरीबांध बन गए, ऐसा प्रचारित किया जाता है। उसका फायदा क्या हुआ, यह मैं बताना चाहूंगा। जब मैंने इस बारे में एक आरटीआई दाखिल की तो पता चला कि पूरे देश ने दस साल में जितना सीमेंट यूज नहीं किया था, उतने सीमेंट की बोरियां सिर्फ छः महीने में गुजरात ने यूज कर लीं। मैं कहना चाहता हूं कि इसका भी एक तरीका होता है। अगर आप सीरियस हो, कम से कम कानून के लिए सीरियस हो...*(व्यवधान)*..

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS; AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI V. MURALEEDHARAN): I request the hon. Member to speak... *(Interruptions)* ... instead of on the admissibility of the Bill...*(Interruptions)*...

SHRI SHAKTISINH GOHIL: This Bill is related to...*(Interruptions)*...I am on my legs. ..*(Interruptions)*... उपसभापति महोदय, इसमें यह है कि सरकार की वाहवाही किसी भी तरह से करो तो आप स्कोप में हो। अगर सच का आईना दिखाओ तो आप स्कोप से बाहर हो, यह सरकार का मापदंड है।

श्री उपसभापति : माननीय सदस्य, कृपया अपनी बात समाप्त करें।

SHRI V. MURALEEDHARAN: I am only advising because looking at the time...(*Interruptions*)...

श्री शक्तिसिंह गोहिल : मैं अपनी बात यहीं खत्म करते हुए अपने दूसरे साथी को बोलने का समय देते हुए फिर से गुज़ारिश करता हूँ कि जो मांग की गई है by the learned Member, Shri Tiruchi Siva, to send this Bill to a Select Committee, I support that demand. And I will also request all the hon. Members of this House that since this Bill is unconstitutional, beyond the powers of the Central Government, we should not support this Bill. And today, with a very heavy heart, my twelve colleague Members are not in the House, but in the larger interest of the people, we are participating in this debate.

MR. DEPUTY CHAIRMAN: Now, Shri K.J. Alphons.

SHRI K.J. ALPHONS (Rajasthan): Sir, how many minutes do I have?

MR. DEPUTY CHAIRMAN: Ten minutes.

SHRI K.J. ALPHONS: Can I take fifteen minutes? Sir, I believe that this Bill is an ultimate tribute to federalism. Water is the most important resource that nature has given us. In fact water is life. In fact, when we go exploring the universe, the first thing that we explore is water. So water is a source of life. For 75 years, in India, we have not been able to arrive at a consensus on regulation on controlling water. Big dams are basically water bombs. We have not been able to control it. Therefore, it becomes the responsibility of this House and the Parliament to pass a legislation, and two States, Andhra Pradesh and West Bengal passed a resolution in the Assembly saying that there is a need for a central legislation and therefore, this House has taken it up because two Assemblies have passed a resolution. Therefore, this Bill is constitutional and the way the Government has drafted it guarantees everything that the Constitution really requires. This is a tribute to federalism, that we say. Take, for example, Clause 52. It empowers the Central Government to make rules; Clause 53, it empowers the State Governments to make rules for the fulfilment or the objectives or whatever is being said here; Clause 54 empowers the authority which is the National Dam Authority to make rules. Therefore, Sir, it is an absolute play of federalism here empowering the Central Government and at the same time empowering all the State Governments to do this. Everything that is required for

control of dams, to regulate it, everything that is required is there in the Bill. All the clauses, Central Government can take actions, and State Government can take. But Sir, I would like to bring to the attention of the hon. Ministers, you have Schedule I which contains the powers of the Central Government, of the Central Dam Committee; Schedule II, which lays down the powers of the State Dam Committee, and Schedule III which lays down the powers of the Central Authority. But, Sir, I think there should have been Schedule IV also which would have laid down the powers of the State Dam Organisation. If that can be incorporated, I think it will ensure that the powers of the State Dam Organisation will also be clearly spelt out here. Sir, Clause 36 of the Bill lays down that emergency plan that must be drawn up by the State Committee and by the State Organisation and, therefore, all the necessary legal powers are granted across the board, from the Central Government to State Government, and to various authorities. I do not understand why you have laid down a proviso after Section 56. Would the Hon. Minister like to explain this in his reply? See, this is the power to remove difficulties. Whenever we make a law, we have 'saving clause' saying the Government will have the powers to make rules. Here the proviso says, 'Provided that no order shall be made under this section after the expiry of three years from the date of commencement of this Act.' I think this is tying the hands of the Central Government and also the State Governments. I think that the proviso simply needs to be deleted because we should not tie our hands. After ten years, suppose we want to bring about some changes in the regulations, why are we tying our hands? And, therefore, possibly, if you think fit, that proviso can be avoided. Sir, I would like to bring to the notice of this Hon. House a very important issue of human existence and I want indulgence from all my fellow MPs from Tamil Nadu, Andhra Pradesh; please hear me with patience and also with compassion. I am just going to place facts before you regarding an issue of extreme importance. Sir, this is regarding the Mullaperiyar Dam. ...*(Interruptions)*...

SHRI JOHN BRITTAS: Sir, he didn't say about Kerala...

MR. DEPUTY CHAIRMAN: Please take your seat.

SHRI K.J. ALPHONS: I am coming to that, John. ...*(Interruptions)*... Sir, I would like to speak about the case of Mullaperiyar Dam. This Dam is situated in Kerala. In 1886, the Maharaja of Travancore, executed a lease deed with the Secretary of State in India of the British Empire, leasing out 8,000 acres of land in Kerala to Tamil Nadu to build a dam and all the water from this dam would go to Tamil Nadu. Fair enough!

And, the amount of lease that was fixed was Rs.40,000. I have no complaint. We became independent. In 1956, Kerala became a State. In 1970, Kerala voluntarily signed a supplementary lease agreement saying, 'Tamil Nadu will not only have the water, you can also produce electricity'. The total lease amount annually for this entire 8,000 acres of land is only Rs.2,50,000. Doesn't matter! In fact, I live in 2, Lodhi Estate and the Jor Bagh is next door. One square meter of land in Jor Bagh is going at 15 lakhs; and 8,000 acres of land in Kerala is going at annual rental of two lakh and fifty thousand rupees! Doesn't matter, Sir. According to me, I will appeal to the Chief Minister of Kerala to make it free. Why should we collect this amount? Water is the national resource? It belongs to the people of India. If there is a plenty of rain in Kerala, which God has given, nature has given it -- in fact, we have excess rain in Kerala -- that water should be shared with the neighbouring State of Tamil Nadu free and, therefore,... *(Interruptions)*... Please, Mr. John Brittas, I am trying to speak here... *(Interruptions)*... Please...

MR. DEPUTY CHAIRMAN: Please take your seat. ...*(Interruptions)*...

SHRI JOHN BRITTAS: Sir, he has named me... *(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, not allowed. ...*(Interruptions)*... He is not yielding. ...*(Interruptions)*...

SHRI K.J. ALPHONS: I am capable of saying what I want to tell. ...*(Interruptions)*... Please persuade your Chief Minister to execute a supplementary agreement by which the water will be given free. Now, Sir, Kerala depends on Tamil Nadu for everything. For our existence, we depend on Tamil Nadu. All the food that is eaten in Kerala is either produced in Tamil Nadu or comes through Tamil Nadu. All the vegetables that are consumed in Kerala are produced in Tamil Nadu. Our own language, Malayalam, it is only about a few hundred years old; it has evolved from Tamil. Therefore Sir, we are completely obliged to Tamil Nadu for our culture, for our existence. Again, in a lighter sense, if liquor does not come through Tamil Nadu, Kerala will go crazy because we have the highest consumption of liquor in Kerala. I am deeply obliged, on behalf of the people of Kerala; I would like to place on record my deep appreciation to Tamil Nadu.

Hon. Sivaji, we have lost in the court. Supreme Court has said sorry, you do not need a new dam, even though the dam was commissioned in 1895. Sir, it is a 126 years old dam which is made of no concrete; it a surkhi dam. What is surkhi? It is

made of lime, egg white and jaggery. Have you ever heard of a dam made like this? You know, Sir, as to what is its capacity? It is 11.27 TMC; can you imagine the holding capacity of that dam? Sir, Supreme Court says that the dam is safe. I have no complaints; you have won, Kerala lost. In 2014 again, Supreme Court said that the dam is safe. Sir, we have lost again; Tamil Nadu won. If this dam breaks, five Districts of Kerala will get completely washed out; three-and-a-half million people will die. This will be the biggest tragedy in the history of the world. At Hiroshima Nuclear bombing, 1 lakh 70 thousand people died; at Nagasaki, seventy three thousand people died. Sir, if this dam breaks, and mind you, this lease is for 999 years and there is no clause which says that this dam needs to be rebuilt; 3.5 million people will die.

SHRI JOHN BRITTAS: What is the Central Government doing?

श्री उपसभापति : प्लीज़, आप सीट पर बैठ कर आपस में बात न करें।

SHRI K.J. ALPHONS: Sir, I agree that there is no clause for reconstruction of the dam.

SHRI JOHN BRITTAS: What was your Central Government doing? You have the Minister here.

श्री उपसभापति : आपकी कोई भी बात रिकॉर्ड पर नहीं जा रही है।...(व्यवधान).. कृपया आप सीट पर बैठ कर न बोलें।

SHRI K.J. ALPHONS: Sir, human life has an expectancy. ...(*Interruptions*)..

MR. DEPUTY CHAIRMAN: You are not allowed.

SHRI K.J. ALPHONS: Hon. John Brittas, please sit down, you are eating into my time; you are not allowing me to speak on behalf of the people of Kerala. Sir, there is a life expectancy for everything. We do not live for 200 years. I think the life expectancy in India is about sixty five years. In South India, in Kerala, possibly, it is about 75 years. Sir, everything which is man-made has a life. This surkhi dam has survived for 126 years. The entire people of Kerala, 35 million people, go to sleep with this nightmare. They are not able to sleep because three and a half million people may die. I appeal to my fellow brethrens in this Hon. House, Sir, please go back to your people, please go back to your Assembly, please go back to your Government and

talk to them. I discussed with the Chief Minister of Kerala, Sir, we will build a new dam, just about 1,300 feet down-stream. Sir, you take all the water you want, produce all the electricity you want, you want to come and fish there, please come and catch fish, take everything you want. But, please let Keralites sleep peacefully. This is my appeal to you. In the year 1979, the year I got into IAS, and I was a sub-Collector of the area where the Mullaperiyar Dam is located, on 20.12.1979, the Tamil Nadu officials and the Kerala officials met--I am placing it on the Table of the House-- a decision was taken to construct a new dam and the location of the dam was also decided; a life-time and nothing happens. I am placing it on the Table of the House. Here is the minutes of the meeting of the Central Water Commission where both the State Government representatives were present, this is dated 29.04.1980. It was decided that in the long-term, a dam necessary. I am placing both these records on the Table. Please, Sir, save us. Hon. Minister, you are an extremely capable person, please take it up. This is a central issue; it is not a question of life of a few Keralites or a few Malayalees out there. Sir, please take it up, please take it to the Prime Minister; please take it to the country. India is one, Sir, we are one, we are all one. We all come from different places. I was conceived in Maharashtra, delivered in Kerala, studied in Kerala, studied in Shillong, I got into the IAS Kerala Cadre, worked as Commissioner of DDA, became an MLA in Kerala and now I am an MP from Rajasthan, Sir. We all belong to this country, this country is ours. India first, Sir, and we have to protect every life and we have failed. ...*(Interruptions)*.. Sorry, Sir, Kerala failed. Sorry, I am using a very unparliamentary word, Sir. In Kerala, we do not touch anybody's feet because it is not our practice. ...*(Interruptions)*.. I respect greatly the practice of North Indians when they touch the feet of elders. It is a great practice. I am willing to go and touch the feet of everybody in this House and say to the people of Tamil Nadu: "please, let us live". Please. I support this Bill hugely and request the Hon. Minister please take up this case.

MR. DEPUTY CHAIRMAN: Mr. Nadimul Haqueji.

SHRI G.V.L. NARASIMHA RAO (Uttar Pradesh): Sir, I am on a point of order. It is under Rule 258 which says, "You cannot reflect upon the conduct of a person in high authority unless the discussion is based on a substantive motion drawn in proper terms." While speaking, hon. Member, Shri Shaktisinh Gohil made certain observations against the former Chief Minister and current Prime Minister. This was not even relevant to the subject in hand. ...*(Interruptions)*.. Therefore, I request you to expunge it. ...*(Interruptions)*.. I request that all those remarks which are

irrelevant, which are in the nature of an allegation, should be removed from the record, Sir.

MR. DEPUTY CHAIRMAN: We will look into your point of order. ...(*Interruptions*)..
Hon. Md. Nadimul Haque ji.

SHRI MD. NADIMUL HAQUE (West Bengal): I thank you, Mr. Deputy Chairman, Sir, for giving me this opportunity to speak on the Bill. I would like to take this opportunity to point out a few problematic provisions in the Dam Safety Bill, 2021 that need to be urgently brought to the attention of all those concerned. Based on the data available from the National Register of Large Dams, 2019, there are 5344 large dams in the country. Of these, 293 dams are over 100 years old and 1041 are between 50 and 100 years old. While this does necessitate urgent measures to ensure the safe functioning of these river valley projects, the peculiar way in which The Dam Safety Bill, 2019 has been framed needs serious scrutiny. The Bill provides for surveillance, inspection, operation and maintenance of all specified dams in the country. Specified dams are those which satisfy a few structural criteria. It calls for the establishment of two bodies at national and State levels to formulate and execute policies, resolve conflicts between States, and so on, within their respective jurisdictions. The Central Water Commission has noted that the functioning of Dam Safety Organisations in various states is sub-par and needs urgent intervention. However, the Dam Safety Bill, in its current form, is replete with many contentious clauses, namely: firstly, subjects such as water supply, irrigation and canals, embankments, water storage and water power fall under the State List in the Constitution, as per Entry 17. The Central Government, as per Entry 56, can legislate on subjects such as inter-state rivers and river valleys only if such legislation has been declared to be in the public interest. This poses a problem as 92 per cent of all specified dams in the country involve more than one State. If the Central Government were to legislate on such a subject, it would be a clear encroachment of States' sovereignty and hence unconstitutional. Sir, the predecessor of the 2019 Bill, the Dam Safety Bill, 2010 was introduced in the Parliament under Article 252, as pointed out by my colleague here. This article allows the Parliament to make laws on subjects in the State List if two or more States pass resolutions demanding the passage of such a law.

[THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA) *in the Chair.*]

A law so made would only be applicable to those States. Any other State that

chooses to adopt the law may do so by passing resolutions. In this case, two States had passed laws requiring dam safety in 2007. Sir, the Dam Safety Bill, 2010 had hence come through a constitutional provision and had given the States the power to manage their dams and enact laws on dam safety. The current Bill, on the other hand, does not guarantee any such powers to the States. It is yet another legislation that seeks to snatch away constitutionally guaranteed power of the States.

Ever since the inception of this regime, we have seen how the States' rights have been trampled upon. The Union Government has been constantly legislating on subjects outside its legal jurisdiction, as was seen in the case of the recently repealed Farm Laws, for instance. In the case of subjects that fall under Concurrent List, most decisions have been taken unilaterally by the Central Government with no consultations whatsoever.

Secondly, the provision to have a representative of the Central Water Commission as a member of the NCDS, a regulatory body, would mean that CWC will function as both, an advisor and a regulator, which is impermissible under the Constitution according to the Supreme Court.

Thirdly, the financial memorandum of this Bill states that Rs. 47 crores will be spent to set up the authorities and structure. It is completely silent on the flow of funds to the States. This effectively means that the States will have to pay, while the Centre will merely give directions.

Fourthly, the National Committee of Dam Safety is to have a 21-member committee. Chairperson and 10 people who will be nominated by the Central Government, seven people from the States who will be nominated again by the Central Government, and three experts who are also to be nominated by the Central Government. So, Sir, all the 21 members will be nominated by the Central Government. This is a classic case of infringement of States' autonomy. Every single State in which a large dam exists should have the full freedom to nominate the members to the committee, as per their wish.

Finally, Sir, the provision in the Bill that allows core functions of the national and State level bodies to be amended through a Government notification may also not be legally admissible. The Dam Safety Bill, 2019 is without a doubt unconstitutional and, clearly, yet another attempt to encroach upon the sovereignty of States and violate the principles of federalism.

Hence, I urge the Minister to take these rather crucial points into consideration and address the inadequacies in the Bill and ensure that it does not violate constitutional principles before going any further with it. Sir, my colleague,

Mr. Siva, had asked for a select committee. We endorse his view and since it is such a contentious Bill, we ask that it should go to a select committee so that it is studied further before it is brought to the House. Thank you, Sir.

SHRI T.K.S. ELANGO VAN (Tamil Nadu): Mr. Vice-Chairman, Sir, thank you for giving me this opportunity to speak. This Bill, as was stated by my colleague earlier, is in violation of Article 252 of the constitutional provisions. If the Government wanted a Bill of this kind to be brought in, they should have sought the consent of two or more States. This Government has not taken the consent of the States. The question is not about the dam safety. The question now we raise is about the safety of powers of the States being infringed upon. That is the only question.

Sir, Tamil Nadu is the first State where the idea of storing water during the rainy season and using it subsequently for irrigation originated. The first dam in India that was built two thousand years back is the Grand Anicut Kallanai, which is still strong and we are using it even now. So, construction of a dam is not new to Tamil Nadu. We know how to do it. My friend, Mr. Alphons, was very considerate in giving water. But, what he said has a clue. If the dam is not safe, Kerala will build the dam, not the Central Government nor under the supervision of the Central Government. It is between these two States to decide whether the dam is strong or weak. They are all our friends. They were all part of the old Madras Presidency when the dam was built. They are not our enemies. The only thing is, nowadays, Tamil Nadu is more dependent on water from the neighbouring States. The Delta area is the richest crop area in Tamil Nadu, but we are dependent on other States only because after Independence these States were made linguistic States. Otherwise, these dams were built by us, by the Madras Presidency. The water agreement was between the Madras Presidency and the Mysore Maharaja. The water agreement of Mullaiperiyar Dam is between Madras Presidency and Travancore Maharaja. So, we want our Kerala people to be safe. We are not against them. That is why we wanted the Supreme Court's intervention and Supreme Court inspected the dam and said that it is strong. It is the Supreme Court's order. Even if somebody finds that the dam is not strong even now, it is the duty of the State to repair it because the owner of the dam is the State. The Bill also mentions about it. It is the responsibility of the owner to rectify whatever problem exists in the dam or any construction. It is only dams. Sir, they are talking about dams. There are many buildings built by the State Government. Will the Government of India come forward and say that for any construction we will bring in a legislation to see, study the strength of the construction because even if one building falls, at least, two people will die? So, they are not for the people. Our fear

is that, we have faced many problems. Tamil Nadu had faced many problems in the sharing of waters. Every time we had to approach the court of law. The first question was that, after 50 years, whether the agreement is still alive or not. The world over, the lower riparian rivers were never stopped from using the rainwater. You know the longest river in the world is the Nile. It starts from Egypt. It goes near South Africa, but no State in between uses that because there is a due share of water in the Nile, but we have certain problems. We have faced certain problems. Often we have to go to the court. The Central Government did not come to our support. Now you are bothered about dams. If you really want the people of the States to survive and live in peace, you should be bothered about water, not dams. We will take care of the dams. We are the owner of that construction. We will take care, but the Government of India should be bothered about water and proper distribution of water to all States. Safety is our concern. We are the owners of the dams. The States are the owners of the dam. It is our concern. Secondly, as per Article 252, if you are really interested in bringing a legislation like that, you should have followed Article 252 and got the consent of all the States in the country. Why are you not respecting the State Governments? Our worry is that Schedule 7, the State List, is becoming smaller and smaller and most of the rights right from education is being taken away by the Union Government. We are also elected by the people. We know how to run the State. People have faith in us and have elected us to rule the State. Ultimately, the powers are being taken away by the Centre which is against the Constitution. So, there are certain legal issues. This Bill may even go to the court of law. So, please send the Bill to a select committee and let the select committee decide on this Bill. Thank you, Sir.

3.00 P.M.

SHRI PRASANNA ACHARYA (Odisha): Sir, what is the time allotted to my party?

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): It is four minutes. You start. We will see.

SHRI PRASANNA ACHARYA: Sir, it is the Dam Safety Bill; but, there is no time safety for the Members!

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Don't worry. You take it.

SHRI PRASANNA ACHARYA: Thank you, Sir.

Sir, this is a very old Bill pending since long. I think, this was initiated in 2010. And, due to various reasons, including the dissolution of the Lok Sabha, this was pending. Finally, the Lok Sabha had passed it two years ago. Last year the Government did not bring this Bill to this House.

Sir, many lacunae in the Bill have already been pointed by the hon. Members. I have 3-4 points to make. As has been mentioned, there are so many big and small dams in our country. And, there are a few dams which are more than 100 years old, but are still functioning. As we heard just now that there is a dam in Tamil Nadu which is 2,000 years old is still safe and working and providing water to the people of the State.

Sir, bridges were also constructed in the earlier days. We all the time talk about Ram Sethu. There are still reminiscence of the Ram Sethu. And, it is being scientifically examined whether the Ram Sethu really exists. But, it was built 4,000 years ago during the Treta Yug where we had Raghu Ramchandra. So, the Indian scientists in the earlier days were also competent to build big dams and big bridges which today's scientists should understand the science behind it.

Sir, there are many dams, as has been mentioned, in India and, truly, the Government of India is concerned about the safety of these dams. But, I wish to point out 2-3 issues. Yes; there was a dam disaster in the world. If I am correct, the biggest dam disaster was in China. In 1975, in the Banqiao dam disaster in China 2,30,000 people died. It is in one single dam disaster. So, obviously, everybody will also be concerned about dam disasters in our country. But, Sir, one pertinent point that all the hon. Members pointed out is that 'Water' is absolutely a State Subject as per the Seventh Schedule to the Constitution. Almost all dams are under the administrative control of the State Government concerned. Many State Governments, including my Government in Odisha, are very well managing and taking care of the safety, security and management of dams.

As per the provisions of the Constitution, minimum of two States have to pass resolution. And, Sir, ten years before, resolution was passed by two States — West Bengal and the then Andhra Pradesh. I reiterate the then Andhra Pradesh, not the present Andhra Pradesh. I am not sure, whether resolutions passed ten years before still stand good today. This is number one.

Secondly, now, Andhra Pradesh has been bifurcated into Andhra Pradesh and Telangana. Telangana State Legislative Assembly has not passed any resolution, if I am correct. It was only the then Andhra Pradesh Legislative Assembly which passed the resolution. I wanted to know whether it holds good today. This is my question.

I request the hon. Minister to kindly reply to this when he replies to the debate. This is the doubt in my mind. I am not a constitutional expert.

Thirdly, there are dams in other countries as well. What is the system there? Who control dams there? In most of the countries it is not the Union Government. It is the respective local Government which controls safety and security of dams. I will give some examples. In the UK, dam safety is the responsibility of the local Government, not the Union Government or the Federal Government. In New Zealand, it is the local Government. In Australia, it is absolutely a State matter. In Canada, it is the responsibility of the province concerned. The Central Government of Canada only issues guidelines. But, States have the authority over their dams. In India, as has been pointed out by the hon. Members, we have a strong federal system, federal character and passing of this Bill and taking over the subject of dam safety does not happen in most of the unitary form of Governments. I well appreciate the concern of the Central Government about the safety of the dams. But the State Governments are competent enough to take care of safety of their respective dams.

Sir, the hon. Member from the DMK was pointing out about the nomination in the NCDS. I am just reiterating, my friend from the TMC was also pointing it out, that all 21 members are to be nominated by the Central Government. Even the seven representatives of the State Governments will be nominated by the Central Government. There is a rotational system for the States. The rotational system of the State representation also deprives most of the States' representation in the NCDS. Once one State is represented, the other States will have to wait for a couple of years for their turn to come. So, many of the States will go unrepresented in the NCDS. This is a very pertinent point. The Central Government should take care of this point.

Then, the Financial Memorandum of the Bill provides funds for the NCDS, but does not provide any expenditure for the similar State body. We will not get any funds; we will get only directives and advices from the Central Government.

My next point has two parts. One is the operational safety and the other is structural safety. The Bill is too focused on the structural safety of dams, and not on their operational safety and flow control system. The other Members have cited the example of their States. I am citing the example of my own State. Odisha is a riparian State. Mahanadi flows in Chhattisgarh and Odisha. We are in the downstream and, in the recent years, several dams have been constructed in the upstream. I do not know whether the Central Government had given its permission for this. I do not know whether the concerned authorities had given the permission for this. But, the riparian State had not been consulted. Odisha had not been consulted. No permission has

been taken from the Government of Odisha. Even the State Government had not been informed. The construction of many dams in the upstream is severely affecting the State of Odisha. As we all know, Hirakud Dam is one of the oldest dams in the country, which had been started during Nehruji's period. So far as I have gone through this Bill -- if I am not correct, the hon. Minister may correct me -- there are many provisions about the operational safety, but the flow control system has not been adequately dealt with in the Bill. So, there is no remedy for the downstream States, the riparian States in the Bill.

Then, I come to the issue of dam disaster. I pray to God that no dam disaster should happen in India. But, if it happens, is there any provision for compensation of the victims of a dam disaster? So far as my understanding goes, there is no such provision for that. I would request the hon. Minister to look into this.

Lastly, the States are managing their dams very well and very perfectly. Here, again, I will cite the example of my State Odisha. There is Hirakud Dam and many other small, small dams. We have a much better dam safety mechanism in place. There are 204 small and large dams in my State. And, we have an elaborate mechanism to deal with dam safety. The State Dam Safety Organization is there to conduct pre and post monsoon inspection. We do this inspection twice in a year -- before the monsoon and after the monsoon. We also do the Investigation and Hydrological Structural Review twice a year. There is one Inter-State Dam Safety Sub-Committee also. We have a Dam Safety Review Panel too. And, we also constitute an Expert Panel to review dam safety once in ten years. So, as a State, we take all the dam safety measures. There is no deficiency in that. So, why don't you give exception to such States, which are self-sufficient in managing their own dams? Why will the Centre interfere? We have to maintain our federal structure. I am not questioning upon the intention of the Central Government because there are very big dams and, obviously, the Central Government should be concerned about their safety. But being a federal country, we must allow States also, within the limits of the Constitution or the provisions of the Constitution, to function independently. I think all these points of mine would be taken into consideration by the hon. Minister. If he deems our arguments and viewpoints logical, he should make certain changes in the Bill itself. There is enough time. With these words, I conclude, Sir.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you, Mr. Acharya. Now, Shri V. Vijayasai Reddy.

SHRI V. VIJAYASAI REDDY (Andhra Pradesh): Mr. Vice-Chairman, Sir, I thank the Government for having brought this legislation. It was Dr. Y.S. Rajasekhara Reddy *Garu*... As Prasanna Acharya *ji* has pointed out, in 2007, --my friend and colleague, Jairam Ramesh *ji*, is fully aware of it -- in the composite Andhra Pradesh, a resolution was passed in the Assembly. The West Bengal Government also had passed a resolution. Both the State Governments, Andhra Pradesh Government and the West Bengal Government, passed the Resolutions and sent them to the Central Government for legislating it under Article 252 of the Constitution. Article 252 of the Constitution, which allows the Parliament to make laws on the State subjects, will apply to those States that pass a resolution requiring such law. This is Article 252, Sir. Therefore, there is an urgent need for passing this legislation. In case the Opposition wants to make some suggestions, they are welcome to make the suggestions. There is no need to delay the legislation. The suggestions that will be given by the Opposition may be considered by the Government. Sir, I am not talking about a select committee because I feel that there is an urgency to make the legislation as of now because two of the State Assemblies have passed the Resolution and there are a lot of issues involved. As I have said, the Bill is urgently needed because according to the National Register of Large Dams, there are about 5,745 large dams and 75 per cent of them are more than 20 years old. There are about 220 dams, of relatively smaller size, which are 100 years old. In Andhra Pradesh, we have Dowleswaram barrage, which was constructed in 1850, which is about 171 years old. Then, we have Prakasam Barrage, which was constructed in 1855, which is about 166 years old. Then, there is Thotapalli Barrage, which was constructed in 1980, which is about 112 years old. The Siddapuram tank, which was constructed in 1919, is about 101 years old. Therefore, this Dam Safety Bill is the need of the hour and it has to be legislated immediately. The only thing is, under this Bill, dam owner should assume the responsibility and ensure that these old dams should not suffer any breach or cause damage to the life and property and a proper monitoring mechanism is very much essential.

Coming to fixing the responsibility, according to me, dam owners are responsible for safe construction, operation, maintenance and supervision of their respective dams. My suggestion in this regard would be that they must provide a dam safety unit for each dam, whether the Central Government does it or the respective dam owner does it, but a dam safety unit for each of the dams is very much required. Sir, the National Dam Safety Authority is mandated to implement policies and guidelines of the National Committee on Dam Safety and resolving issues between two States. In fact, Alphons *ji* has pointed out the issues between Tamil Nadu and

Kerala and raised so many issues. This particular Authority has mandated to resolve and maintain the national data base of the dams. ... (*Time Bill rings*)... Sir, I need, at least, ten minutes more.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): No, you don't have ten minutes. But I am giving you two minutes. Please complete it.

SHRI V. VIJAYASAI REDDY: Sir, almost 92 per cent of the dams that are located in India are inter-State river water basins. Therefore, the role of resolving inter-State issues is very much crucial for the country. Sir, we all know how the lower- riparian States are being subjected to harassment and denial of right share of water. Sir, insofar as A.P. is concerned, the upper-riparian States have infringed the rights of A.P. and A.P. did not get the water. Even today, it does not get the water, a fair share of water which Andhra Pradesh is entitled to.

Sir, 65 per cent of the Andhra Pradesh population -- it is basically an agrarian State -- are agriculturists, and they depend on the agriculture. This adjudicating mechanism is just fair and should be efficient so that justice is done to the people of the country and, more particularly, the farmers.

Sir, I have some concerns which I would like to bring to the notice of the hon. Minister and I request the hon. Minister to kindly pay attention to this.

Sir, there is 'amendment to the schedules'. Any amendment to the schedule, according to this Bill, can be done by the Central Government without coming to this House, and they can issue a notification and then amend the Schedule. What is there in the Schedule? The functions of the Authorities established under the Bill are listed in the Schedule of the Bill. The point now for consideration is, whether the Central Government is empowered to make the amendments under this legislation by issuing a notification or not. This is the point. The point is, the core functions of Authorities cannot be amended merely by issuing notification but only by coming to this House and seeking the approval of the House.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please conclude now.

SHRI V. VIJAYASAI REDDY: Three more minutes. ...(*Interruptions*)... Sir, there are no speakers.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): No; no.

SHRI V. VIJAYASAI REDDY: There is no point in denying me an opportunity. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Don't say that. There are enough speakers, including your neighbour, who is making his maiden speech. ..*(Interruptions)*...

SHRI V. VIJAYASAI REDDY: You have given two hours for the Bill. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please conclude now. ...*(Interruptions)*...

SHRI V. VIJAYASAI REDDY: I am not supporting the Opposition. I am supporting them. You are denying the opportunity. What is it? ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please conclude now. ...*(Interruptions)*...

SHRI JAIRAM RAMESH (Karnataka): Sir, the Government has no other Business. Extend the time for the Bill. ...*(Interruptions)*...

SHRI V. VIJAYASAI REDDY: Though I am not supporting the Opposition, he is coming to my rescue. My friend, Jairamji, is coming to the rescue. Please allow me more time. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I have extended the time of every speaker. ...*(Interruptions)*.. You had three minutes. You have already spoken seven-eight minutes. So, now you conclude.

SHRI V. VIJAYASAI REDDY: Sir, Clause 6, sub-clause 3, of the Bill speaks about the stakeholders. Under Clause 4, there is no definition for the stakeholders. What is the this lacuna? The minute you use the word 'stakeholders', it has to be defined and, particularly, under this Bill under Clause 4 where all the definitions are there, it has to be defined under Clause 4 of the Bill.

Then there is National Committee on Dam Safety. In fact, Acharyaji also has pointed it out. This Bill provides for appointment of just total seven members from

29 States on rotational basis, which is totally unjustified, and, that too, on rotational basis. I don't know for how long it will take for each State to get its representative on the Board. It is totally unfair, unjust and not tenable.

Sir, this will particularly make the State unrepresented, the States which do not have the representatives on the Board. This would hamper the interests of the State.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you. You have made your point.

SHRI V. VIJAYASAI REDDY: Sir, there is one more important issue. ...(*Interruptions*)... Don't deny this opportunity. I will have to criticize the Treasury Benches too.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I can't give you more time. I have given you extra time.

SHRI V. VIJAYASAI REDDY: Sir, there is one more point.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I have given you extra time. Now, I am giving you one more minute. Please conclude. Otherwise, I would call the next speaker.

SHRI V. VIJAYASAI REDDY: Sir, I now come to the Treasury Benches. This is a very important point. The injustice that has been done to Andhra Pradesh by the Treasury Benches has to be explained here, in this House. I am talking about the Polavaram Project. Without delving on details, I urge the Government, particularly the Minister for Jal Shakti, to approve the second revised cost estimates. Sir, I am asking this of the Minister. Both, the Technical Advisory Committee and the Revised Cost Estimates Committee, have approved the revised cost estimates. I really don't understand why the hon. Minister has not been in a position to approve the revised project cost for the last so many years. I request the Government to grant the approvals for the projects at the earliest in the interest of the people of Andhra Pradesh.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you.

SHRI V. VIJAYASAI REDDY: Sir, Let me make one last point. This is the final point.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): How many last points do you have?

SHRI V. VIJAYASAI REDDY: Sir, the Government of Andhra Pradesh has submitted a proposal for rehabilitation of 31 dams such as the Chitravati Balancing Reservoir, Gundlakamma Reservoir, Pampa Reservoir, Paderu Reservoir, Godavari Barrage and mid-Pennar, stage-I, Somasila Dam, Veligonda and Srisailem Reservoir. For all these projects estimates have been submitted and the estimates come to about Rs. 776 crores under the Dam Rehabilitation and Improvement Programme. I request the hon. Minister to approve this. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you. Let me call the next speaker. Now, Dr. V. Sivadasan. Since, it is your maiden speech, you may conclude your speech in ten minutes. I am giving you ten minutes.

DR. V. SIVADASAN (Kerala): Respected Vice-Chairman, Sir, I am sorry to say that this Bill goes against the spirit of our age. The spirit of our age is democracy, but the content of this Bill is totally against the spirit of democracy. You cannot impose things which go against the Constitution and democracy just because you have the numbers inside the House. Our Constitution provides some rights to the States. Please do not trample upon those rights.

Dams are very important for our social and economic development. India has a large number of rivers and dams. There are 5,701 large dams in India. I am very much concerned about the dangerous provisions in this Bill. It would take away the States' ability to protect their interests. The Bill says that this would be applicable to the whole country. As per Entry 17 in List 2 of our Constitution, Water is a State subject, subject to Entry 56 of List 1, related to inter-State waters. Entry 17 says, "Water, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power is subject to the provisions of Entry 56 of List 1." Entry 56 says, '...regulation and development of inter-State rivers and river valleys to the extent to which such regulation and development under the control of the Union is declared by Parliament, by law, to be expedient in the public interest'. Thus, the preamble and provisions of the Bill go against the Constitution as far as it relates to 'operation of dams'. So, all mentions about operation of dams should be deleted from the Bill.

Sir, it has to be noted that this is not the first Dam Safety Bill that has been brought in this august House. In 2010, a Dam Safety Bill was brought in Parliament.

It was introduced by virtue of Article 252. The Bill was introduced on the demand of West Bengal and the then Andhra Pradesh. The Preamble of that Bill clearly stated that it would be applicable to those States who accept it by a Resolution, which must be practised even now. But, this proposed Bill transfers the entire power to the Union Government. This directly goes against the law of the land and the federal provisions of the Constitution. We have just seen what happened to a similar set of laws which encroached upon the subject of Agriculture. The Government was forced to withdraw these legislations because these were not suitable for the States. It tried to impose homogeneity from above, where the need was for diversity.

In this Bill, we are seeing vague definitions. It will facilitate arbitrary use of power by the Union Government. One of the definitions of "specified dam" is a "dam of unusual design". This is completely nonsensical. Each and every dam has been built with diverse standards and techniques. India has 5,701 large dams. These have been built with diverse technologies. The design standards and construction practices are very different.

Indian Standard IS:456:1978 (Plain and reinforced concrete) was published in 1953, revised in 1964 and 1978 and then in 2000 (22 years later). Similarly IS:6512-1984 (criteria of the design of solid gravity dams) was first published in 1972 and was revised in 1984. Now, we have BIS (2010). The word "unusual" can be applied, in almost any dam, being included in this list. We have seen plenty of examples of such loopholes being misused in the past. It will be unwise to leave this diverse situation to be handled by the Union Government. The State should have the freedom to assure safety of the dams which are inside the State. We are sure that this Bill will give opportunity to take away the autonomy of the State by the Union executives.

I sincerely request the ruling party to make laws suitable for future too. Don't make the law in such a way that it suits you in the present moment as a ruling party. Tomorrow, things will be changed. I am saying this because you have followed the same pattern in every other legislation; be it the Labour Codes, or, be it the farm laws.

Sir, the attack on the federal structure of our nation is also clearly visible in this Bill. The National Committee on Dam Safety has a maximum number of seven representatives of the State Governments, such as Engineer-in-Chief or equivalent by rotation, to be nominated by the Union Government. What is the position about the other State Governments except these seven? What is the guarantee that the States, which are ruled by the Opposition parties, will find their places in the Committee? The number of representatives of the Union Government officials is ten. The number of independent experts in the Bill, proposed to be appointed by the Union

Government, is three. This makes the States as minority within the Committee. The minimum number of representatives of the States is not specified. This is even more sinister.

The Bill has provisions, which give blank cheque to the Union Government to arbitrarily expand their powers. The functions of the National Committee on Dam Safety, the National Dam Safety Authority, and the State Committee on Dam Safety are provided in the Schedules of the Bill. This Bill says that those Schedules can be amended through notification. This means, the core functions of these bodies can be changed by the Executive through notification, without prior Amendment of the Act by the Parliament. This is a highly undemocratic move. If you check the 2010 Bill, it can be seen that the functions of all the authorities were specified in that Bill.

The National Dam Safety Authority has been given the final decision-making power, which is again problematic. The parties should have recourse to other legal measures. I request the Government to desist from the practice of creating institutions, which are highly centralized.

It is unfortunate that we are doing this at a time when the world is increasingly becoming aware of the need of micro-level planning and decentralization. This Bill is a direct attack on the Constitution. This Bill is a frontal attack on the federal character and diversity of our nation.

Sir, we all know the existence of our great nation, India, is linked with the existence of its basic character, 'inclusiveness', that is, 'unity in diversity'. If the diversity is ruined, then, the majority of the people will be marginalised. That means, they will lose their identity, they will lose their language and they will lose their culture and habitat. It cannot help in their development.

Diversity is the basic principle of the federal structure of our nation. Unity develops and strengthens in this diversity. The very structure of our nation, India, as the Union of the States, is built by the positive spirit of love, affection and diversity. Our great nation, India was not built by bricks and stones, or, bullets and guns, or, the missiles and force. It was built by the ideas of the freedom fighters, it was built by the tears of the workers and it was built by the sweat of the farmers. They have differences in their religion, language, ideas and identity but in spite of all these differences, they had deep commitment to the values of humanity, *manavta*.

Here, what do we see? The rights of the States are being reduced day-by-day by the Union Government. Not only the rights of the States, the rights of Rajya Sabha have also been reduced by the same Government through the Money Bills. If, as the representatives of the States, we fail to protect the interests of the States, then, the great values of federalism will be destroyed by the rulers.

World history reminds us that the autocrats and their political parties have always attacked the diversity and they have tried to establish their own power and they have promoted monolithic culture in every field. The dangers of this attitude had been proven by the experience in various countries like Italy and Germany. Sir, we, as representatives of the people, as representatives of the States of India, should oppose the attack on diversity and rights of the States. We should also oppose the undemocratic ways and means. Sir, in India, we have various identities. It is our strength. The great forefathers of our nation told us to unite against intolerance.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please conclude.

DR. V. SIVADASAN: Sir, please give me some more time.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I have given you enough time but I cannot give you all the time. Please.

DR. V. SIVADASAN: Sir, when the British colonial powers had divided the State of Bengal into West Bengal and East Bengal, the people of Bengal had united and fought against the bifurcation.

Finally, the British empire had to surrender in front of the mass movement by the people. The leaders of the present colonialism, big corporates, who want these types of legislations, have identified that one of their premier enemies is the unity of the people. That is why the ruling class of the country is practicing the same kind of policy of 'divide and rule' through legislations. Sir, the unity of the people can destroy the chances of loot by the corporate. History has proven this fact.

Sir, I am sad to say that unfortunately, in India, the present Government is working as a Government of the corporate, by the corporate and for the corporate. The corporate loot is continuing with the support of the legislations by the Government. For continuing this exploitation, they are trying to divide the unity of the people. But I am sure, people will unite against the exploitation of man by man and against all types of discriminations.

We have great experiences of the past; we had inspiring legendary figures like Bhagat Singh, Raj Guru, Sukhdev and Ashfaqulla Khan and the teachings of great sons and daughters of our nation like Mahatma Gandhi, Savitribai Phule, Jawaharlal Nehru, Baba Saheb Ambedkar and A.K. Gopalan. They all taught us that unity against exploitation is our prime goal. So, I am sure that we will reach our destination and people will protect their unity against the policies of Indian ruling class. The ruling

class is trying to divide us, through language, colour, food and dress but we shall overcome, we shall overcome.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you(*Interruptions*)...

DR. V. SIVADASAN: The history of every nook or corner of our nation proves the truthfulness of these words. ...(*Interruptions*)... Please give one or two minutes. Wherever we are in India, we are able to hear the strongest words for unity, hope and questions against the discrimination across the States, across the languages. The works in Telugu, in Tamil, in Malayalam, everywhere, we are seeing these things...(*Interruptions*)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): The Bill is Dam Safety Bill. It is not a Bill on language.

DR. V. SIVADASAN: The safety of the people...(*Interruptions*)... Sir, the question of federalism is the matter. That is why I am telling this. The Telugu poet Sreerangam Sreenivasa Rao sung to us. * 'A new world is calling, go ahead.'

He told us that a new world is coming, new world is coming.... go ahead, go ahead.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you.

DR. V. SIVADASAN: Sir, the capital of Tamil Nadu, Chennai and the entire Tamil Nadu was the centre of the struggle against colonial administration, colonial powers. The great patriot, great leader Bharathiyar told, ** 'This country presents an unparalleled modernity to the world. Hail Indian society.'

Sir, an unparalleled society without discrimination is a novelty to the world. The great poet Bharathiyar added, ** 'All of us are the citizens of this country.' It means we all are the citizens of the nation. Then he added another poem ** 'All of us are the kings of this country. All citizens are the kings of this country.'

We all are the kings of the nation, we all are the Kings of the nation. हम सब नागरिक हैं, हम सब राजा भी हैं। Yes, we are all Indians, whatever differences are there.

* English translation of the original speech delivered in Telugu.

** English translation of the original speech delivered in Tamil.

At the time of the preparation of the legislations, the rules of the country should not forget these poets. ...(*Interruptions*)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you.

DR. V. SIVADASAN: One minute, Sir. Then Kannada poet, Kuvempu sung to us, [¥] 'Land of Karnataka is blessed with waters of great rivers Krishna, Sharavathi, Tunga and Kaveri.'

He says that the land of Karnataka is blessed with the waters of great rivers, Krishna, Sharavathi, Tunga and Kaveri. Then he added, [¥] 'The land of Karnataka is blessed.'

The land of Karnataka is blessed with the waters...(*Interruptions*).... This is the diversity. ...(*Interruption*)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you. This is your maiden speech that is why I had not stopped you. ...(*Interruptions*)... Now, I am going to the next speaker.

DR. V. SIVADASAN: Sir, I want to add one point.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): You have made enough points.

DR. V. SIVADASAN: Only one point. This India, this great nation, diversity is the spirit of the nation. So federal structure is the core content of our Constitution; it will be protected by the people. The Bill should be rejected by the august House. Sir, this is our request. I thank you for giving me time.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): The next speaker is Shri A. Navaneethakrishnan.

SHRI A. NAVANEETHAKRISHNAN (Tamil Nadu): Sir, subject to correction and approval by this august House, I make my submissions for the kind consideration of all the Members of this august body. This Dam Safety Bill is inherently defective. It is

[¥] English translation of the original speech delivered in Kannada.

having contradictory, impermissible, arbitrary, unfair clauses. I repeat, contradictory, impermissible, arbitrary, unfair clauses. Four entities have been contemplated under this Bill. National Dam Safety Committee, National Dam Safety Authority, State Dam Safety Organisation and the State Dam Safety Committee. Of all the authorities, the National Dam Safety Authority is the most powerful, that is of the Central Government headed by the Additional Secretary of the Central Government and its officers. And the role of the Central Authority is to arbitrate any dispute between the State Dam Safety Organisation and the owner of the dam. So, it is an arbitrator. Its decision is final, binding. Sir, the National Dam Safety Authority, in other words, is the Central Government. It is also specifically mentioned that the Central Government is entitled to give directions to these authorities and these directions would bind the authority. So, the Central Government is most powerful. It is very clear in these provisions. Now, as far as our State, Tamil Nadu is concerned, we are having 4 dams in Kerala. They are Mullaperiyar, Parambikulam, Thunakadavu and Peruvuripallam. So, we are the owner of the dams but located or situated in Kerala. Now, the State Dam Safety Organisation, means the Kerala Safety Dam Organisation normally. Now, Clause 24 clearly says that if the dam is belonging to one State and located in another State, the National Dam Safety Authority would become the State Dam Safety Organisation. So, for all the four dams, the Central Government, or to say, the National Dam Safety Organisation is the authority in charge of the safety of the dam. So, the role of the State Dam Safety Organisation is taken over by the National Dam Safety Authority. Now, the owner of the dam is Tamil Nadu. The dispute between the State of Kerala... ...*(Interruptions)*... Because the State of Kerala is not even permitting the PWD officials to travel, to walk through the forests and... ...*(Interruption)*... Let me complete it. ...*(Interruption)*... Subject to correction, I said; don't interrupt. ...*(Interruption)*... No, no. ...*(Interruption)*... Wait, wait. ...*(Interruption)*...

SHRI JOHN BRITTAS: Sir, we have no problem... ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please do not disturb. You had your say. Let him say now. ...*(Interruption)*... Please don't disturb him now. ...*(Interruption)*... Please take your seats. ...*(Interruption)*... Navaneethakrishnanji, you carry on.

SHRI A. NAVANEETHAKRISHNAN: Recently, the Kerala Government permitted the PWD officials of the State of Tamil Nadu to cut and remove the trees. But, subsequently, that order has been withdrawn by the Kerala Government. I am telling

the fact. Now, the entire Bill, whether it is Authority or the National Committee or the State Dam Organisation, no representation given to the owner of the dam. So, for all the four dams, if there is any genuine grievances of the State of Tamil Nadu, there is no forum to ventilate their grievances. Now, Clause 24 clearly says that in all the four dams situated in Kerala, owned by and maintained by Tamil Nadu is going to be looked after only by the Central Authority. So, now as per Clause 9(2), if there is any dispute between the State Dam Safety Organisation and the owner of the dam, the Central Authority will decide the dispute and its decision is going to be final one, binding one. Now, in all the four dams, the Tamil Nadu Government is the owner. As per the provisions, all the expenditure is to be incurred only by the Tamil Nadu Government whatever it is. Even the consultation fees, it must be borne out by the exchequer of the Tamil Nadu Government. So, for all the four dams, now if there is any dispute, the Central Government cannot arbitrate because it is going to take the decision to carry out the repairs, to change the design or any such thing. So, the Central Authority, the National Dam Safety Authority, acting as the State Dam Safety Organisation, it cannot decide the issue, grievances of the Tamil Nadu Government, Tamil Nadu People independently, unbiasedly. There is no provision in the Bill as to what is to be done in such a situation. There is no provision in this Bill, subject to correction, Sir. So, my humble submission would be owner of the dam, i.e., Tamil Nadu is having enormous, lot of complaints, but we have to ventilate, we have to redress the grievances, so, there is no provision. ...(*Time Bell rings*)... Further, in one way, my Kerala friends, subject to correction, Sir, you cannot go near to the dam, you cannot go near to Mullaperiyar, you cannot go near to Parambikulam, Thunakkadavu, Peruvairipallam. The Act is very clear. ...(*Interruptions*)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please let him have his say. Please do not do this.

SHRI A. NAVANEETHAKRISHNAN: It is only the Central Government who can direct the owner of the dam to effect repairs. ...(*Interruptions*)... As per the Clauses of this Bill, Central Government alone is competent to direct Tamil Nadu, 'to do this and not to do this'. Likewise, full power is vested with Central Government. My grievance is already our hon. Amma had written a letter to the Central Government saying that the Tamil Nadu PWD officials must be permitted to go into the forest and make use of it for proper maintenance of this dam....(*Time-Bell rings*)... So, for the proper maintenance of the dam, the officials must go to the places and do the needful. Definitely, they will not cause any harm or damage to the State of Kerala. So, my

humble submission would be there must be a provision to enable the National Dam Safety Authority to direct the State of Kerala to perform certain acts and to enable the State Government of Tamil Nadu to do certain things for the safety of all the four dams.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you.

SHRI A. NAVANEETHAKRISHNAN: Sir, please one minute. So, my humble submission would be the Central Government as per the Bill, needs to act as an independent arbitrator in between the owner of the dam and the State Dam Safety Organisation. Now, in this case, the Central Government is the party to the dispute. So, this provision cannot be worked out. This provision is redundant, meaningless, and impermissible. It will not work out, there is no remedy. So, for the redressal of the grievances of the State of Tamil Nadu, there must be a provision to control or to act reasonably, fairly by the State of Kerala. My humble suggestion would be the four dams are owned and maintained, all expenses incurred by Tamil Nadu, but, it is going to be administered by the Central Government. The Central Government do not have any control over the Kerala Government and also the genuine grievances of Tamil Nadu cannot be redressed. There are no enabling provisions.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you. ...*(Interruptions)*... no, do not disturb him.

SHRI A. NAVANEETHAKRISHNAN: Sir, please wait. Also, regarding the safety of Mullaperiyar Dam, hon. Amma waged all-out war to see that the interest of the people of Tamil Nadu is protected. She won the case. Now, this Dam is under the...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): You have to conclude now.

SHRI A. NAVANEETHAKRISHNAN: I am concluding, Sir. The matter is pending before the Supreme Court. On or before 10th December, the decision will be rendered, a complete decision will be given. We read that in the newspapers.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you.

SHRI A. NAVANEETHAKRISHNAN: One minute, Sir.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please address the Chair; you do not need to address them.

SHRI A. NAVANEETHAKRISHNAN: The condition of Mullaperiyar Dam is hydrologically, structurally and seismically very good. It is under the control of Supervisory Committee of Supreme Court of India. So, now nobody needs to worry about the safety of anybody. ...*(Interruptions)*... The matter is seized by the Supreme Court; the Supreme Court is going to render a right decision. It has already rendered in favour of the State of Tamil Nadu that the Dam is good, very good and the best.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Thank you. ...*(Interruptions)*..

SHRI A. NAVANEETHAKRISHNAN : Sir, one minute. ...*(Interruptions)*..

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Your time is over. ...*(Interruptions)*.. I have given you extra three minutes. ...*(Interruptions)*.. Kindly conclude. ...*(Interruptions)*.. You conclude in one sentence. ...*(Interruptions)*..

SHRI A. NAVANEETHAKRISHNAN: I want to bring to the notice of the hon. Prime Minister that Cauvery Delta has become the protected agricultural zone only because of the efforts taken by the hon. Prime Minister. I want to place it on record that the farmers are really very happy. They are thanking the hon. Prime Minister. It was only because of his assent and efforts now that Cauvery Delta has become a prohibited agricultural source. So, I take this opportunity to thank the hon. Prime Minister. The hon. Prime Minister must intervene in this matter and bring in necessary amendments. If it is referred to a Select Committee, it is well and good. The Committee will examine each and every clause and make suggestions. So, this Bill has to go. My humble submission would be that I am strongly opposing this Bill. Thank you, Sir.

श्री राम नाथ ठाकुर (बिहार): महोदय, आपने मुझे इस बिल पर बोलने का मौका दिया, इसके लिए मैं आपको धन्यवाद देता हूँ। मैं इस बिल के समर्थन में बोलने के लिए खड़ा हुआ हूँ। मैं अभी इस बिल के बारे में सुन रहा था, मैं समझता हूँ कि सबको एक विचार से, सहमति से, जनता की जो समस्या है, जो दर्द है, उसे समाप्त करने के लिए इस बिल को पास करना चाहिए।

मैं मंत्री जी से कहना चाहता हूँ कि कुल 5,334 बड़े बांध बनाए गये और 411 बांध निर्माणाधीन हैं। मैं जानना चाहता हूँ कि किन-किन राज्यों में बड़े बांध बनाए गये और किन-किन राज्यों में 411 बांध निर्माणाधीन हैं? जब वे जवाब दें तो इसके बारे में बताने की कृपा करें।

महोदय, मैं बिहार से आता हूँ। जो दक्षिण भारत के लोग हैं और जो अन्य प्रदेशों के लोग हैं, वे अखबारों और टीवी के माध्यम से देखते होंगे कि बिहार में जब 10 जून के बाद बाढ़ आती है तो वहाँ के लोग क्या महसूस करते हैं किस तकलीफ में रहते हैं, उस तकलीफ को देखते हुए मैं भारत सरकार के मंत्री जी से निवेदन करना चाहता हूँ कि बिहार की लगभग 12 करोड़ जनता, जो तबाही में फँसती है, उस तबाही को दूर करने के लिए वे कठोर निर्णय लेने का काम करेंगे। इस संबंध में भारत सरकार नेपाल सरकार से बात करके हाई डैम बनाने का निर्णय लें जिससे कि बिहार की लगभग 12 करोड़ जनता की रक्षा हो सके। हम यह समझते हैं कि ज्यादा भाषण देने से, ज्यादा सुझाव देने से काम नहीं चलता। हम भारत सरकार से सिर्फ निवेदन, प्रार्थना और आरजू करते हैं कि अगले वर्ष बिहार के लोग तंग और तबाह न हों, इसे ध्यान में रखते हुए एक निश्चित समय सीमा के अंदर हाई डैम बनाने का निर्णय लें और बिहार की रक्षा करें।

*"मैं नहीं कहता कि तू सवेरा कर दे,
दो काम में एक काम तू मेरा कर दे।
रोशनी तेज कर दे कि मैं कुछ देख सकूँ,
नहीं तो घनघोर अंधेरा कर दे॥"*

इन्हीं चंद शब्दों के साथ, मैं अपनी बात खत्म करता हूँ। जय हिन्द, जय भारत।

प्रो. मनोज कुमार झा (बिहार) : सर, आपका शुक्रिया! यह अद्भुत संयोग है कि बीते मानसून सत्र से दो-तीन दफा जब भी मैं बोलने के लिए उठ कर खड़ा हुआ, तब-तब चेयर पर आप बैठे, इसलिए आपका बहुत-बहुत शुक्रिया।

सर, अपनी बात शुरू करने से पहले, चूँकि हमारे कुछ सांसद निलम्बित हैं, तो कल से मुझे एक खयाल आया, जो आपके माध्यम से मैं चाहता हूँ कि ...(व्यवधान)... अगर आप मेरी बात सुनिएगा, तो वह आपको बुरी नहीं लगेगी। आप सुन लीजिए। सर, मैं आपके माध्यम से माननीय प्रधान मंत्री जी तक एक बात पहुँचाना चाहता हूँ। Cabinet formation तो प्राइम मिनिस्टर का prerogative होता है, उसमें हम कोई दखल नहीं चाहते। ऐसा हम चाहते भी नहीं, लेकिन Parliamentary Affairs Minister का चयन तो opposition की vetting से होना चाहिए। अगर अपोज़िशन की कोई भूमिका हो तो मैं समझता हूँ कि इस तरह का blockade, disruption नहीं होगा, आधी चीज़ें एक मुसकराहट में खत्म हो जायेंगी। वैसे मुसकराने वाले लोग वहाँ बहुत हैं।

I am just wanting to begin some of my observations, Mr. Vice-Chairman, Sir. I wish to represent the sentiments of the people of Tamil Nadu, Karnataka, Kerala and Odisha. I know, there are serious issues and concerns. We can't actually put all those concerns under the carpet that the Union of India has decided to frame a law, because one fine morning they saw a dream that a law has to be formed! Sir, now

when I look at some of the legislations, I have seen enough in this Government. Always, there is a temptation in their behaviour to encroach upon the State-subjects. Probably, they forget that they are not going to remain there forever. अगर मैं आप ही के President की बात मानूँ, former President की, तो उन्होंने भी 50 साल की सीलिंग रखी थी, लेकिन 51वें साल में! बदलाव तो होगा। यह प्रकृति का नियम है। तो जो एक federal structure हमारे पुरखे हमें सौंप गये थे, कृपापूर्वक उसमें सेंध मत मारिए। सेंध क्या, आपने तो उसको पूरा का पूरा खत्म करके रख दिया है। ...(व्यवधान)... सर, यह सबके लिए है। उन्होंने सबके लिए किया और आप उसको आगे बढ़ा रहे हैं।

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता): मनोज जी, आपको उन्हें जवाब नहीं देना है। आप Dam Safety Bill पर बोलिए।

प्रो. मनोज कुमार झा: सर, मैं यह कहना चाह रहा था कि if you look at the jurisdiction of the Parliament in this case, -- many of my colleagues have spoken about it -- why enter in a realm or area where you are not even empowered? Constitutionally, you are not empowered. आर्टिकल 252 में जो स्टेट्स आपको कहते हैं, उनकी बात मान लीजिए। मैंने इसीलिए शुरू में कहा कि हम तो एक ऐसे राज्य से आते हैं -- माननीय मंत्री महोदय, इसमें व्यवस्था कीजिए -- हमारे यहाँ बाँध को चूहे खा जाते हैं। इसलिए चूहों के लिए भी कुछ व्यवस्था इसके अन्दर होनी चाहिए। ...(व्यवधान)... सर, वे चूहे अद्भुत हैं। वे लाखों लीटर शराब भी पी जाते हैं। Sir, as I said earlier, it violates the principle of federalism. I am shocked, but not surprised.

The second point is the arbitrary power to change the functions of the authority. चाहे वह NCDS हो या NDSA हो, ऐसा करेंगे कि आप पार्लियामेंट से इस एक्ट को पास कर रहे हैं, लेकिन कोई भी बदलाव आप नोटिफिकेशन से कर लेंगे, तो पार्लियामेंट की भी जो एक पावर है, आप उसको undermine कर रहे हैं। उसको एक तरह से गैरप्रासंगिक कर रहे हैं। मैं समझता हूँ कि यह हमारा 75वाँ 'अमृत महोत्सव' है, जो हम मना रहे हैं। हमें 75वें 'अमृत महोत्सव' में मानदंड ऊँचे करने होंगे। निचले मानदंड के साथ हम कौन से मुँह से आजादी का 75वाँ महोत्सव मना रहे हैं?

सर, यहाँ मैं पंचतंत्र की एक छोटी सी कहानी सुनाऊँगा, क्योंकि आपने 3 वालों को 13 मिनट दिये, आज मैंने देखा - न 3 में, न 13 में। सर, हुआ यूँ कि एक बिच्छू नदी किनारे बैठा था। एक मेंढक आया और उससे पूछा कि तुम इतने उदास क्यों हो? तब बिच्छू ने कहा कि मेरे दोस्त, मुझे नदी पार करनी है। तब मेंढक ने कहा कि तुमने मुझे 'दोस्त' कहा है, तो मैं तुम्हें पार कराऊँगा, चिन्ता की बात नहीं है।

4.00 P.M.

तो धारा में चले गये। मेंढक ने अपनी पीठ पर बिच्छू को बिठाया और आधे रास्ते में बिच्छू ने डंक मार दिया। तो मेंढक ने कहा कि यार, तुमने तो दोस्त कहा था, फिर तुमने डंक क्यों मारा? उसने बोला कि दोस्ती अपनी जगह है, लेकिन डंक मारना मेरी फितरत है। मैं इसलिए कह रहा हूँ कि यह मेरी कहानी नहीं है, पंचतंत्र की कहानी है और वह मेंढक बाकायदा उनको उस किनारे ले गये या नहीं, मैं नहीं जानता, लेकिन कृषि बिल मुझे कुछ और कहता है। मैं देख रहा हूँ कि कृषि बिल का जो हादसा हुआ, कहीं बाकी चीजें भी उसी दिशा में न जाएं।

उपसभाध्यक्ष जी, एक और महत्वपूर्ण बात है dual or rather dubious role of CWC. आप पॉलिसी मेकर को regulator भी बना रहे हैं। ये clear case of conflict of interest है। We should avoid these kinds of anomalies. I can advise the hon. Minister. Sir, if possible, change that. A policy-maker cannot be a regulator. “बने है अहल-ए-हवस मुद्ई भी, मुंसिफ भी, किससे वकील करें, किससे मुंसिफी चाहें।” You must look at these issues. मेंबर्स के नॉमिनेशन के बारे में कहा। सर, आप तो बहुत बड़ी पार्टी हैं, 303 की संख्या है, आपको क्यों अपने लोगों को हर जगह भरना होता है? राज्य नाम की इकाई का कोई महत्व ही नहीं है। वह कहते हैं न कि ‘अहं ब्रह्मास्मि- मैं ही मैं।’ इससे थोड़ा बाज आना चाहिए। यह “मैं वाद” जो है न, यह ‘मयवाद’ में तब्दील हो जाता है। मैं समझता हूँ कि यह हर एक के लिए है। आगे मंत्री महोदय, Structural safety पर बहुत फोकस है। It is good if I leave aside everything, but operational safety. हमारे यहां ज्यादातर जो डिजास्टर्स हुए हैं, वे operational safety mechanism की चूक के कारण, उसकी inadequacies के कारण हुए हैं। Have we done any kind of due diligence on that?

उपसभाध्यक्ष जी, मैं मंत्री महोदय से एक और चीज कहना चाहूँगा। जब आप independent experts की बात करते हैं, संभवतः मुझे वह नहीं मिला कि आपने एक्ट में कहीं भी उसे डिफाइन किया हो। यह अद्भुत चीज होती है ‘independent experts’। आजकल जो सबसे ज्यादा dependent होता है, वही independent कहा जाता है। तो मेरा मानना है कि independent को डिफाइन कीजिये, राज्यों को स्वायत्तता दीजिए। क्योंकि सर, यदि राज्य आपके तौर-तरीकों से चलेंगे, तो वे कुछ दिन में संग्रहालय की विषयवस्तु बन जायेंगे। ऐसा कहा जाएगा कि ‘Once upon a time there used to be States in India’। अब तो सब जगह यूनियन ही यूनियन है।

सर, एक आखिरी टिप्पणी करके मैं अपनी बात खत्म करूँगा कि पार्लियामेंट में हम legislation के लिए आते हैं। आज मुझे बहुत अच्छा लग रहा है। यकीन मानिए सर, मैं आपके माध्यम से कहना चाहता हूँ कि हममें से किसी को भी stalemate अच्छा नहीं लगता है, लेकिन हमने यह सीखा है कि विश्व भर में Parliamentary democracy सत्ता प्रतिष्ठान के दो सकारात्मक कदम आगे लेने से चलती है। जिस दिन आप दो सकारात्मक कदम ले लेंगे, चार कदम विपक्ष लेगा। विपक्ष करे भी तो क्या? उसे तो आपके legislation पर अपनी बात रखनी है। उसे आपसे इत्तेफाक नहीं रखना है, आपको सलाह देनी है। सर, विपक्ष का काम आपकी ऑर्केस्ट्रा में तुरही बजाना नहीं है। जब आप विपक्ष में थे, तो आप भी किसी की ऑर्केस्ट्रा में तुरही नहीं बजाते

थे, तो हम क्यों बजायें? बस, मैं तो आपसे इतना ही आग्रह करूंगा कि एक बार मान्यताओं को देखते हुए श्री शिवा ने जो प्रपोज किया था, जिसमें मैं भी signatory था, उसे Select Committee को भेजिए। Sir, please send it to the Select Committee. (Time-bell) सर, इसमें ईगो का कोई मसला नहीं है। मैं अपनी बात खत्म कर देता हूँ। आप आदेश करें, तो मैं अभी खत्म कर देता हूँ, सिर्फ 30 सेकेंड दे दीजिए। मैं आम तौर पर कोई ऐसी बात करता नहीं, जो किसी को चुभे, हालाँकि चुभने के कारण बहुत हैं, लेकिन उन सब चीजों के संबंध में मैं कलेजे पर पत्थर रखकर ही बोल रहा हूँ। मैं सिर्फ इतना कहना चाहता हूँ that in the best interest of Parliamentary democracy, in the 75th year of our Independence, it is our duty, it is incumbent upon all of us, whether it is you or me or the Chair. सर, आपके ठीक सामने सर्वपल्ली राधाकृष्णन जी हैं, वे आपको देखते हैं, उपसभापति महोदय को भी देखते हैं, हम सबको भी देखते हैं। उन्होंने कहा था कि 'Parliament without deliberation is meaningless'. हमने इसे क्या बनाकर रख दिया है? यह मैं सिर्फ आपको नहीं कह रहा हूँ, कहीं और से भी कभी शुरुआत हुई होगी, क्योंकि आप बताते हैं कि फलाने टाइम में तो ऐसे-ऐसे बिल पास हो गये, चिलाने टाइम में ऐसे हो गये, तो आप बुरी परंपराओं को क्यों अपना रहे हैं? आप तो कह रहे थे कि आप नई लकीर खींचेंगे, आप तो पुरानी लकीर के फकीर बने जा रहे हैं।

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : कृपया आप अपनी बात समाप्त कीजिए।

प्रो. मनोज कुमार झा : सर, मैं समाप्त ही कर रहा हूँ। मैं आपके ही संदर्भ में कह रहा हूँ। आपके वहाँ बैठे रहने से बड़ा सुकून होता है। मैंने पहले जो सलाह दी थी, मेरी उस बात को माननीय प्रधान मंत्री जी तक पहुँचा दी जाएगा। Parliamentary Affairs Minister should be vetted by the Opposition. फिर कभी कोई दिक्कत नहीं होगी। जिन्दाबाद, जय हिन्द।

SHRI VAIKO (Tamil Nadu): Mr. Vice-Chairman, Sir, I strongly oppose this Bill, because it is an obnoxious attack on the federal concept and unity of the country.

The Tamil moralist, Thiruvalluvar in Thirukkural Chapter -- Excellence of Rain -- emphasized the importance of rain water. * 'When water fails, functions of nature cease'.

The meaning of this is: When water fails, functions of nature cease.

Thus when rain fails, no man can walk in duty's ordered way.

Inaugurating the Bhakra Nangal Dam, Pandit Jawaharlal Nehru said, 'Dams are the temples of India.' After China and USA, India stands third position in construction of dams. Sir, 5,254 dams have been completely constructed and 44 dams are under construction.

* English translation of the original speech delivered in Tamil.

Before the States' Reorganisation, dams were constructed in composite Madras State by the Madras Presidency Government. We treat the people of Andhra Pradesh, Karnataka and Kerala as brothers and sisters. But, what is happening? These States are trying to strangle the life of Tamil Nadu and refusing to release water from dams situated in their territory. Sir, Tamil Nadu is the worst affected State by this Dam Safety Bill. This is not Dam Safety Bill, but Disaster Sowing Bill.

Of course, dams break and failures happen. But, Grand Anicut, constructed by the great Chola King Karikalan, two thousand years back, still stands there. The Technocrats and experts from Germany surprised that how this was constructed. This dam is one of the wonders of the world. It will stay for another 2000 years.

When famine attacked Tamil Nadu in the southern districts in the 19th Century, the British Engineer, Col. Benny Quick, Sir Arthur Cotton constructed dams in India. Another versatile engineer, Lord McKenzie, described that this dam will last for thousands of years. Mullapperiyar Dam, constructed by Col. Benny Quick, in the 19th Century, became a panacea for the Southern districts of Tamil Nadu.

I am pained to point out that due to instigation and false propaganda, my brothers and sisters from Kerala started movement against Mullapperiyar Dam, as if the dam will break, and hundreds of thousands of people will die. This is not at all true.

Finally, the litigation went to Supreme Court. It constituted two Expert Committees — S.S. Brar Committee and D.K. Mittal Committee. Finally, the Judges, Justice Anand, Justice A.R. Lakshmanan and Justice Thomas, visited Mullapperiyar and gave a clean chit that the dam will stand any earthquake. Because of the misinformation, Kerala, raised the slogan, 'Break the dam and save the people.' The effigy of the then Chief Minister of Tamil Nadu and myself, Vaiko, were burnt at many places in Kerala.

The apex court gave a verdict that Mullapperiyar Dam water level should be raised to 142 ft and subsequently, after strengthening the baby dam, up to 152 ft. However, many resorts were built in the water catchment areas. The resort owners instigated the people in Kerala. Therefore, there were attempts to break the dam with hammers and iron rods. Now, the owner of the dam is Tamil Nadu. But, it is located in Kerala!

Throwing the judgment of Supreme Court into the winds, the Kerala Assembly adopted a resolution stating, 'No court of India could interfere in our State affairs.' Even today, the demand of Kerala is to demolish Mullapperiyar Dam and construct a new dam. If it happens, we will be at their mercy. They will not release water. Six districts of Tamil Nadu will become desert.

Already my brothers and sisters of Karnataka are not obliging the orders of the Supreme Court and trying to construct a new one on Cauvery at Makedattu, in Mysore, Karnataka, against the letter and spirit of the Supreme Court Judgment and the final verdict of the Cauvery Tribunal.

Already, Karnataka Government has allotted Rs. 5,962 crores for the construction of Makedattu Dam. On 7th and 8th of December 2015, a conspiracy was hatched and a secret meeting was conducted in the bungalow of a Karnataka central Minister which all the Karnataka politicians, Ministers and MPs attended. The then Environmental Minister participated in the meeting and said, 'We won't give clean chit. It is an open permission. You go ahead and construct the dam.' This is the conspiracy. This is the conspiracy. Hence, the Karnataka Government is doing everything to construct the dam. It is against the letter and spirit of 1924 Agreement between Madras Presidency and the Government of Mysore. They are all least bothered about the Supreme Court judgement and also the final verdict of the Cauvery River Water Tribunal. When we came to know about the danger, we, the people of Tamil nadu, started peaceful agitation, which is going on even today. I am sorry to say, the Government of Andhra Pradesh is constructing check dams on Palar River, obstructing the due share of water, which was enjoyed for hundreds of years in the Northern districts of Tamil Nadu. ...(*Time-Bell rings*).. Sir, I will take only two more minutes.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Okay, take one more minute. ...(*Interruptions*)...

SHRI VAIKO: Sir, I missed my flight, therefore, I could not move the motion for reference of the Bill to Select Committee. Give me some time.

It is against the 1892 agreement between Madras State and Mysore State. No dam should be constructed without the consent of the other State. If Karnataka constructs the dam, five districts in Tamil Nadu will become a desert. The Central Government should intervene in the matter and stop the construction of the dam.

When the previous Government of Dr Manmohan Singh, mooted the idea of this Dam Safety Bill on 3rd December, 2011, the then Chief Minister of Tamil Nadu wrote a strong letter against this pernicious move.

After two days, on 6th December 2011, I came to Delhi and met the Hon. Prime Minister, Dr. Manmohan Singh, who has brotherly affection towards me. I told him what had happened in the Soviet Union will happen in India. Ukraine claimed that all the Soviet establishments, made in Ukraine State, thereafter was their property.

Therefore, the balkanization of Soviet Union took place. If Tamil Nadu is deprived of its historical legal rights over the waters of the rivers in the adjoining states, one day my grandson will say, "Naval establishment of Vijayanarayanam in Tirunelveli district is our property; Neyveli Lignite Corporation is our property; Avadi Tank factory is our property". This will happen. Therefore, Dr. Manmohan Singh agreed with my views and dropped the proposal.

If this Bill is adopted, the worst affected State in India will be my State, the State of Tamil Nadu. Therefore, I oppose this Bill lock, stock and barrel.

SHRI KANAKAMEDALA RAVINDRA KUMAR (Andhra Pradesh): Sir, I am very much thankful to you for giving me the opportunity to speak on the Dam Safety Bill.

This Bill is mandated to provide for surveillance, inspection, operation and maintenance of the specified dam for prevention of dam failure, related disasters, and to provide for institutional mechanism to ensure their safe functioning and for matters connected therewith or incidental thereto.

Sir, dams have played a key role in rapid sustainable agricultural and rural growth of our country. There are about 5254 dams which are completely constructed, about 447 dams are under construction, out of which 293 are more than 100 years old and 1000 dams are under 52 years old.

In Andhra Pradesh, the Prakasam Barrage, Dowelswaram Barrage, and more than fifty other dams are very old. Reservoirs are also there. It has to be addressed and looked into.

The Polovaram Project in the State of Andhra Pradesh was given the Status of National Project in pursuance of the AP Recognition Act 2014. The project construction was in full swing till 2019. Subsequently, the progress of the said project is very slow. Earlier, the Technical Committee had approved the revised DPR of about Rs. 55,000 crores. But, till now, it has not been finalized. During Shri Nara Chandra Babu Naidu's regime till 2019, the State spent its money and brought it to this Stage. Thereafter, the State Government is not in a position to invest any money on this project. I request the hon. Minister to be magnanimous and generous towards Andhra Pradesh and see to it that the revised DPR is approved and released, so that the Polovaram Project could be completed in a time-bound manner. There are only two more years are left out of this ten-year project. In respect of Clause 24 of the Bill, many States, like, Tamil Nadu, Kerala, etc., have expressed their strong reservations on this Bill, as it is encroaching upon the rights of the States.

As per Clause 24(1), the entire power of authority will be vested with the National Committee. As some of the dams belong to one State, but are situated in other States, in such a situation, both the States should be given priority in the National Committee. As per Clause 8, the National Dam Safety Authority shall be chaired by an officer not below the rank of Additional Secretary to the Government of India. But he is not a technical person. A competent technical person has to be appointed as Head of the Authority along with other members. As per sub-clause 9(3), the decision of the authority shall be final and binding on the parties to the issue. It shows that there is no appellate authority to question the decision of the single-member authority. It is not advisable legally. (*Time-bell rings*) The Bill does not define the term 'Stakeholders'. Similarly, the Bill does not focus on operational safety; it focuses only on structural safety. Clause 5 of the Bill deals with the composition of a national committee on dam safety. Clause 5(1)(c) says, "not exceeding seven representatives of the State Government of the level of Engineering in-Chief or equivalent by rotation, nominated by the Central Government." The Central Government is appointing only seven members from 29 States on rotation basis. For example, the term of one member appointed from the State of Andhra Pradesh will expire by 2023. As per the rotation, the Andhra Pradesh will get next chance in 2038. This will create so many problems. Therefore, I request the hon. Minister to consider giving representation to all the States in the committee like in the GST Council. Nothing will cause any harm to providing similar provisions in National Committee on Dam Safety. Since our country is having a federal structure, it is neither advisable nor desirable to encroach upon the rights of the States. I would like to make one more important issue. As far as Krishna River dispute is concerned, there are four States involved - Maharashtra, Karnataka, Telangana and Andhra Pradesh. There is a long-standing dispute with regard to the distribution of Krishna River water. The upper riparian States are getting benefits but lower riparian States are not getting water in the absence of rainy season. The proportionate release of water is very much required.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Your time is over, please conclude.

SHRI KANAKAMEDALA RAVINDRA KUMAR: Not only the dam safety, but proportionate release of water in all lower riparian States is also important. That should also be given by priority. Apart from that, the lower riparian States should be given absolute right with regard to the water, which is going to sea. That also be

given priority and needs to be taken into consideration. I request the hon. Minister to ensure that surplus water is to be utilised with absolute rights by the lower riparian States. Thank you.

श्री संजय सिंह (राष्ट्रीय राजधानी क्षेत्र, दिल्ली) : मान्यवर, आपने मुझे इस बहुत ही महत्वपूर्ण विषय पर अपनी बात कहने का अवसर दिया, इसके लिए आपका धन्यवाद।

मान्यवर, मैं आपके माध्यम से बड़ी विनम्रतापूर्वक इस सरकार से पूछना चाहता हूँ कि क्या इस देश के संविधान से बढ़कर कोई है? क्या इस देश के संविधान से बढ़कर यह सरकार है? क्या इस देश के संविधान से बढ़कर कोई राज्य सरकार है? क्या इस देश के संविधान से बढ़कर सदन का कोई सदस्य है? मान्यवर, इस देश के संविधान ने व्यवस्था दी, इस देश के संविधान ने राज्यों को अधिकार दिया, लेकिन धीरे-धीरे करके आप राज्यों के दिए गए अधिकारों को छीनने का काम कर रहे हैं। Sales Tax - राज्य का अधिकार, आप GST लेकर आते हैं! Motor vehicle - राज्य का अधिकार, आप Motor Vehicle Act लेकर आते हैं! कृषि - राज्य का अधिकार, आप कृषि के लिए काला कानून लेकर आते हैं! देश के संविधान के तहत बनाई गई दिल्ली की विधान सभा, आप विधान सभा की कमिटियों की भी पावर छीन लेते हैं! इस Dam Safety Bill में भी आप वही काम कर रहे हैं। हमारे यहाँ एक कहावत है - "तू कौन? मैं ख्वामखाह!" आपसे किसने कहा कि आप राज्यों की dam safety के अंदर interfere कीजिए? किस राज्य ने आपसे अनुरोध किया? तमिलनाडु का विरोध है, केरल का विरोध है, ओडिशा का विरोध है, कर्णाटक का विरोध है और साफ तौर से देश के संविधान की धारा-252 कहती है कि दो राज्यों के अनुरोध के बगैर आप कोई हस्तक्षेप नहीं कर सकते। बावजूद इसके, आप देश के संविधान के विपरीत जाकर हर क्षेत्र में अपनी मनमानी और * थोपते जा रहे हैं, इसलिए मैं इस बिल की निन्दा करता हूँ, आलोचना करता हूँ। जैसे, कृषि बिल में एक साल तक किसानों को सड़क पर रख कर, 750 किसानों की शहादत लेकर, यूपी का चुनाव देखते हुए वह बिल वापस लेने के लिए आपको मजबूर होना पड़ा, ऐसी परिस्थितियाँ आएँगी कि आपको कल को यह बिल भी वापस लेना पड़ेगा, इसलिए अभी भी हमारा सुझाव है कि इस बिल को आप सेलेक्ट कमिटी के पास भेजिए।

हर चीज़ में अपनी * और मनमानी से बिल पर बिल थोपने का काम मत कीजिए। मैं उम्मीद कर रहा था कि इस सेशन में आप एमएसपी की गारंटी का कानून लेकर आएंगे, लेकिन आपको हर वह कानून लाना है, जिससे राज्यों में झगड़ा बढ़े। मान्यवर, आपने इसमें क्या-क्या प्रावधान दिए हैं? इस बिल के अंदर maintenance के लिए जो पैसा है, जो फंड है, वह तो आप राज्य सरकार से लेंगे, इस बिल में जितने आपके instructions होंगे, सबको follow करने की जिम्मेदारी तो राज्य की है, आप राज्य के अधिकारियों के ऊपर अपने अधिकारी, कमीशंस और अपनी कमेटी, सब बिठा देंगे, लेकिन जब उनको maintenance के लिए पैसा देने की ज़रूरत आती है, फंड देने की ज़रूरत आती है, तो उसमें आप एक पैसा नहीं लगा रहे हैं, उसमें आपकी अपनी मनमानी चलेगी। मैं यह पूछना चाहता हूँ कि आप यह बिल किसलिए लेकर आए हैं?

* Expunged as ordered by the Chair.

जहां पर आपकी राज्य सरकारें हैं, आप उनका फेवर करने के लिए यह बिल लेकर आए हैं, दो राज्यों के बीच में पानी का झगड़ा करवाने के लिए आप यह बिल लेकर आए हैं और भविष्य में राज्यों के बीच में झगड़े करा कर अपनी राजनीति साधने के लिए तथा चंद पूंजीपतियों को maintenance और safety के नाम पर बड़ा ठेका देने की मंशा से आप यह बिल लेकर आए हैं। इस बिल के पीछे यही मंशा है। ...**(व्यवधान)**... मान्यवर, आपने सबको समय दिया है।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : आपको भी समय दिया है।

श्री संजय सिंह : मेरी बात पूरी होने वाली है।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : मेरे पास अन्य 11 वक्ताओं के नाम हैं।

श्री संजय सिंह : मैं अपनी बात समाप्त कर रहा हूं।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : आप एक मिनट में अपनी बात समाप्त कीजिए।

श्री संजय सिंह : महोदय, बिजली, सिंचाई, पीने का पानी आदि की निर्भरता पर जो राज्यों के पास अधिकार हैं, उन पर आप अपना अधिकार जमाना चाहते हैं और हर चीज़ में, चाहे वह बिजली का उत्पादन हो, सिंचाई हो या पीने का पानी हो, हर चीज़ में आपका हस्तक्षेप इस बिल के माध्यम से धीरे-धीरे बढ़ेगा। यह एक बहुत बड़ी चिंता का विषय है। यह बिल राज्यों के, देश के संविधान के, देश के संविधान की मूल भावना के और इस देश के संघीय ढांचे के खिलाफ है।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : धन्यवाद।

श्री संजय सिंह : सर, मैं अपनी बात समाप्त कर रहा हूं।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : कृपया आप अपनी बात समाप्त कीजिए।

श्री संजय सिंह : यह बिल राज्यों के अधिकारों और संघीय ढांचे के खिलाफ है। मान्यवर, मैं अंत में आपके माध्यम से इस सरकार से यही अनुरोध करना चाहता हूं कि आपने 12 सांसदों को निलम्बित किया है, आज इस बिल की चर्चा में हम लोग शामिल नहीं होते, लेकिन यह जनहित का एक बड़ा मुद्दा था।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : यह विषय नहीं है।

श्री संजय सिंह : राज्यों के हित का एक बड़ा मुद्दा था, इसलिए हम लोग चर्चा में शामिल हुए हैं।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : आप विषय पर बोल चुके हैं, अब मैं नेक्स्ट स्पीकर को बोलने की अनुमति दे रहा हूँ।

श्री संजय सिंह : अब इस भावना का सम्मान करते हुए हमारे साथी सांसदों को सदन में लाइए और उनके निलम्बन को वापस लीजिए। ...**(व्यवधान)**... आपने उनके अधिकारों को छीनने का काम किया है।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : मैं अब नेक्स्ट स्पीकर को बोलने की अनुमति देता हूँ। डा. फौजिया खान।

श्री संजय सिंह : आपने 12 सांसदों को निलम्बित करके बाहर कर दिया।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : आप माननीय सदस्य का समय ले रहे हैं, इससे इनका बोलने का समय कम हो जाएगा।

श्री संजय सिंह : आप हिन्दुस्तान में * की सरकार चला रहे हैं। * से लोकतंत्र नहीं चलता, * से संसदीय परम्परा नहीं चलती।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : आप डा. फौजिया खान का समय ले रहे हैं, इनका समय कम हो जाएगा।

श्री संजय सिंह : आप अरुण जेटली साहब को पढ़ लीजिए। वे सदन की बाधा को लोकतंत्र की मजबूती के लिए अच्छा बताते हैं। आप श्री अटल बिहारी वाजपेयी जी को भी पढ़ लीजिए। वर्ष 2001 में...**(व्यवधान)**...

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : एक मिनट के लिए रुक जाइए, माननीय सदस्य का प्वाइंट ऑफ ऑर्डर है।

श्री संजय सिंह : महोदय, मैं अपनी बात समाप्त कर रहा हूँ।

उपसभाध्यक्ष (श्री भुबनेश्वर कालिता) : माननीय सदस्य का प्वाइंट ऑफ ऑर्डर है।

श्री संजय सिंह : महोदय, मुझे माननीय अटल बिहारी वाजपेयी जी का वक्तव्य याद करा लेने दीजिए। ...**(व्यवधान)**... स्वर्गीय प्रधान मंत्री अटल बिहारी वाजपेयी जी ने कहा था...**(व्यवधान)**...

* Expunged as ordered by the Chair.

SHRI G.V.L. NARASIMHA RAO: Sir, I am on a point of order. ...(*Interruptions*)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Under what rule? ...(*Interruptions*)...

SHRI G.V.L. NARASIMHA RAO: Under Rule 238 and under Rule 261. ...(*Interruptions*)...

श्री संजय सिंह : बहुमत के दल पर सदन चलाने की सबसे बड़ी ज़िम्मेदारी है। आज सदन को चलाने की ज़िम्मेदारी आपके ऊपर है। आप इस तरह से विपक्ष के सांसदों के अधिकारों का हनन नहीं कर सकते। ...(**व्यवधान**)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): What is the point of order?

SHRI G.V.L. NARASIMHA RAO: Sir, I would like to mention that Rule 238, sub-rule (iii) clearly mentions that while speaking, you cannot use offensive expressions about the conduct or proceedings of the House or any Legislature. ...(*Interruptions*)... Sir, let me complete. ...(*Interruptions*)...

श्री संजय सिंह : आप उपदेश नहीं दीजिए। ...(**व्यवधान**)...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : आपको सबने सुना, अब आप सबको सुनिए।

SHRI G.V.L. NARASIMHA RAO: Rule 238 (iv) says, 'you cannot reflect on any determination of the Council except on a motion.' ...(*Interruptions*)...

श्री संजय सिंह : हम लोग छोटे बच्चे नहीं हैं। ...(**व्यवधान**)...

श्री जी.वी.एल. नरसिंहा राव : हम हर दिन रूल्स एंड प्रोसीजर की चर्चा मीडिया में कर रहे हैं। ...(**व्यवधान**)...

उपसभाध्यक्ष (श्री भुवनेश्वर कालिता) : प्वाइंट ऑफ ऑर्डर का अलग टाइम मिलता है। आप रूल बुक देख लीजिए। ...(**व्यवधान**)...

SHRI G.V.L. NARASIMHA RAO: Sir, Rule 261... ...(*Interruptions*)... Rule 261 - 'Expunction of words from proceedings', says, "If the Chairman is of the opinion

that... .. (*Interruptions*)... "If the Chairman is of opinion that a word or words has or have been used in a debate which is or are defamatory or indecent or unparliamentary or undignified, he may in his discretion, order that such word or words be expunged from the proceedings of the Council." ...(*Interruptions*)... Three times, hon. Member, Shri Sanjay Singh, used the word 'मनमानी'. This is not a House that runs on 'मनमानी'. So, that is a very unparliamentary word. The word * was used twice. This is a House for democracy. ...(*Interruptions*)... * is irrelevant in this House.... (*Interruptions*)... Sir, the words 'काला कानून' cannot be used because that was a law that was passed in this House. ...(*Interruptions*)... So, I want all these three words to be expunged. 'मनमानी', * 'काला कानून' -- all these words must be expunged, Sir. ...(*Interruptions*)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I have heard you, Mr. Rao. I would go through the records. ...(*Interruptions*)... I would go through the records and see if there is anything... ..(*Interruptions*)... Now, the next speaker is Dr. Fauzia Khan.

SHRI SHAKTISINH GOHIL: Sir, I wish to speak on this point of order. ...(*Interruptions*)...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I have already given the floor to Dr. Fauzia Khan. ...(*Interruptions*)...

डा. फौजिया खान (महाराष्ट्र): मेरा समय कोई और ले रहा है, मेरा समय मेरा है, please.

Sir, thank you very much. There have been elaborate discussions on the jurisdiction of the Bill. I would also speak a little on that. Entry 17 of the State List allows the State to make laws subject to Entry 56 of the Union List, which allows the Parliament to make laws on the regulation of inter-State rivers and river valleys, if it declares such a regulation to be expedient in public interest.

Sir, the Bill does declare it expedient in public interest and the Union can regulate a uniform dam safety procedure for all specified dams. We agree on that, Sir. However, in Entry 17, it is unclear how the Parliament would have the jurisdiction to frame a law for dams on rivers and river valleys which are within the jurisdiction of the State. So, this is not clear and this certainly encroaches upon the sovereignty of a

* Expunged as ordered by the Chair.

State and infringes upon the federal structure which everyone else has been speaking about. If this is legislated, this is going to be an encroachment upon the rights of the State, Sir. As hon. Member, Shaktisinhji, has said, if a court of law strikes it down as *ultra vires*, it will not only be humiliation to the Government, it will also be humiliation to the entire House, क्योंकि, सरकार अगर जवाबदेह है तो जनता के प्रति हम भी जवाबदेह हैं और देश का federal structure बचाने की जिम्मेदारी अगर सरकार की है तो वह जिम्मेदारी विपक्ष की भी है, क्योंकि अगर हमसे पूछा जाये, जनता हमसे पूछ सकती है, तो हम क्या जवाब देंगे? 'दुनिया करे सवाल तो हम क्या जवाब दें, उनको न हो खयाल तो हम क्या जवाब दें।' मैं आपके माध्यम से यह बोलना चाहूंगी कि भले ही यह मान लिया जाये कि बहुत बुद्धि ईश्वर ने उधर दी है, लेकिन कुछ बुद्धि, मुझे लगता है कि ईश्वर ने इधर भी दी होगी तो कभी तो विपक्ष की बात भी मान लिया कीजिए, यह मैं कहना चाहूंगी।

Sir, there is a clear conflict of interest seen when we talk about the representative of the Central Water Commission because one cannot be an advisor as well as a regulator. So, this is one lacuna in the Bill. There is no appellate authority. The Bill makes no mention of any procedure where somebody can appeal against the decision of an authority. So, if an Additional Secretary-rank official is chairing the National Committee on Dam Safety and there is no appeal, it is against the principle of natural justice. Mr. Vice-Chairman, Sir, the Bill has no focus on minor and medium dams. We are not speaking anything about it. We are only speaking about the dams that are 15 metres in height, or 1 cubic metre per second in capacity, or 500 metres or more length of the crest. So, even these dams need attention, I feel.

About compensation for the disaster victims, the Dam Safety Bill, 2019, as recommended by the Parliamentary Standing Committee, in its 2011 Report, says that the Bill must include a clause for compensation to the victims of every dam disaster. However, this Bill speaks nothing about compensation. It speaks nothing about any avenue and no avenue of any fund whatsoever. Some of the high-risk dams which remain excluded from the definition of 'specific dams' in the Bill are under-construction dams, ash ponds, mining tailing dams, and so on.

At the end, I will raise one point that there are definitional issues also in this Bill. The Bill, in clause 6(3), refers to stakeholders. It states that knowledge and information needs to be disseminated to the stakeholders, but if you have no clarity on who these stakeholders are, how will you disseminate this knowledge and information? Hence, I request you to please send this Bill to a joint select committee. Thank you.

SHRI BIRENDRA PRASAD BAISHYA (Assam): Thank you, Mr. Vice-Chairman, Sir, for allowing me to speak on the Dam Safety Bill, 2019. The Bill is the need of the

hour. Due to the disasters from the dams, more than 6,000 people have lost their lives in our country. So, this Bill is very important.

Secondly, regarding federal structure of the Constitution, many speakers have spoken, but I believe that this Bill is not going to disturb the federal structure of the country. Already, West Bengal Assembly and Andhra Pradesh Assembly have passed a resolution about the safety of dams. I would like to point out one more thing that a dam is not related to one State only. A dam is related to more than one, two or three States. For example, certain dam was constructed in one State, the depth area was in another State and the effect from the dam was in another State. We have seen differences of opinion regarding the water sharing among so many States. To resolve this problem, only a Central legislation can help. So, this Bill is very important. India has more than 5,344 dams. Among them, some big dams and some small dams are there. India has witnessed disasters from big dams. Till now, 36 disasters have occurred in our country and more than 6,000 people have lost their lives. So, a Central legislation is very important. I would like to give the example of the Mekong River. Water of the Mekong River is shared by six neighbouring nations, but they have one common agreement regarding sharing water of the Mekong River. Out of 36 disasters related to dams, the worst disaster occurred in Gujarat where more than 5,000 people lost their lives. Second disaster took place near Pune where more than 1,000 people lost their lives. In 2020, another disaster took place in Uttarakhand where many people lost their lives and property. Therefore, Sir, I welcome this Bill as I hope that this Bill will resolve these issues. Sir, there is one more thing which I would like to mention is regarding the irrigation facilities. Regarding the water sharing, there are lots of differences among the States. I hope that through this Bill, these disputes will be resolved.

Sir, I would like to draw the attention of the hon. Minister towards Lower Subansiri Dam in Arunachal Pradesh. The dam is constructed in Arunachal Pradesh but the effect will be in Assam. Sir, the dam is constructed in earthquake zone, the effects of the disaster will go to the people of Assam.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please conclude.

SHRI BIRENDRA PRASAD BAISHYA: I want the Government to look into this issue. Downstream Assam and the structures there should not get affected. I would like to request the hon. Minister to look into this issue. We want to protect lives and property of the people of Assam. We are not against the energy generation but it should not be at the cost of lives and property of the people. So, I request the hon.

Minister to look after the downstream effects of this project. *(Time-bell rings)* Sir, please allow me to speak for one more minute.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I have already given you two more minutes.

SHRI BIRENDRA PRASAD BAISHYA: Sir, it is an important issue. I will conclude in a minute.

Sir, our neighbouring country, China, has constructed many, many big dams on the River Brahmaputra. Brahmaputra is our lifeline. Due to big dams constructed by China at the source of River Brahmaputra, the water of Brahmaputra is declining like anything. So, I would like to request the hon. Minister to look into this issue because Brahmaputra River is our lifeline. If this River dies, our civilization will die.

Sir, there is a joint agreement by six neighbouring States regarding sharing water of the Mekong River but there is no agreement with China. Sir, I hope that with a view to save River Brahmaputra, the Government would take all steps including talking to China and resolve this issue. Thank you very much.

SHRI G.C. CHANDRASHEKHAR (Karnataka): Sir, I thank you for giving me the opportunity to speak on this Bill. This is a move to safeguard the dams, and, surveillance, monitoring, operation and maintenance of the dams but I have a few concerns which I would like to bring to your kind notice.

Sir, as you know, all the southern States are opposing this Bill and yet the Government wants to pass this Bill. It is really unfortunate. Sir, dams are not just the physical structures but lots of emotions of people are involved. For example, her Highness, Maharani of Kempa Nanjammani, Mysuru, Vani Vilasa Sannidhana sold family jewellery to fund construction of KRS dam across river Kaveri in Mysore. Can you imagine a compassionate queen sacrificing her precious jewels for a project that would one day become a lifeline for millions of people in Tamil Nadu and Karnataka?

Let me give you one more example. The dam is named as Shrama Bindu Sagar and is built across Krishna River in Jamkhandi, Karnataka. It was constructed by raising Rs.90 lakhs from the farmers, and it was India's first private dam built by the farmers to irrigate 35,000 acres in a record time of 11 months. I can go on and give multiple examples like this. Sir, I quoted these examples just to tell you as to why all these dams and the attachment of the dams to the States are so important. With this, I begin my views on the current Bill and how this Bill is weakening the powers of the State.

The Dam Safety Bill, 2010 recognizing that water in India is a State subject, was brought under Article 252 of the Constitution which meant that even when the Bill becomes an Act, it would be effective in any State only after the State Assembly also passes the Act. It said "And whereas Parliament has no power to make laws for the States with respect to any of the matters aforesaid except as provided in Articles 249 and 250 of the Constitution; and whereas in pursuance of Clause (1) of Article 252 of the Constitution, resolutions have been passed by all the Houses of Legislatures of the States of Andhra Pradesh and West Bengal to the effect that the matters aforesaid should be regulated in those States by law made by the Parliament." It offered a choice to other States to allow the law to apply to them if they pass a resolution on the matter. But the Bill offers no such choice. The NDA Government has invoked Article 246 to introduce the 2019 Bill whereby the Parliament can make laws on entries on the Union List. Entry 56 of the Union List provides 'regulation and development of inter-State rivers and river valleys to the extent to which such regulation and development under the control of the Union is declared by the Parliament to be expedient in the public interest.'

Sir, one major change in the DSB, 2019 is Clause 2, which was not there in DSB, 2018 and this clearly is a departure from the approach of DSB, 2010. Several sections of the Bill suggest that the State Dam Safety Organisation is subservient to the National Dam Safety Authority. Further, Clause 49, 'Power to amend Schedules' states that the Central Government has the power to alter the functions of the State Committees on Dam Safety through a notification. Clause 50 of the Bill states, "The Central Government may give such directions, as it may consider necessary, to the State Government where that Government is the owner of the specified dam and to the owner of a specified dam in any other case for the effective implementation of the provisions of this Act." This is a blatant attempt to restrict States' control over their dams. Sir, I have another three more minutes.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): No, your party's time is over. I am giving you three extra minutes.

SHRI G.C. CHANDRASHEKHAR: Sir, I have just started.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please conclude now.

SHRI G.C. CHANDRASHEKHAR: Sir, I have just started. I need another three-four minutes. And the next thing is, all the 21 members of the Committee would be

nominated by the Central Government, and even the State representatives. Instead of working in consultation with States, the Centre believes only in issuing directives.

CWC, as a member of the NCDS, will function both as an advisor and regulator, which is impermissible under the Constitution according to the Supreme Court and also a representative of CWC is a member of each State Committee on Dam Safety. There is still no inclusion of compensation to the victims of dam failures or dam incidents. There is not much detail on human life, livestock and property. The CWC had very poor track record in dam safety and hesitant to place the blame on dam operators for wrong or unsafe operation of dams. After the 2018 floods in Kerala, the CWC delegation's report stated that dams cannot be blamed for worsening the Kerala flood disaster of August, 2018 when all evidence pointed to the contrary.

I want to give one more example. In 1979, the Machhu II dam disaster in Gujarat killed around 2,000 people (officially accepted by the Central Water Commission) but local estimate is something different. We still do not know who was responsible for that dam disaster. What has CWC done about it?

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please conclude now.

SHRI G.C. CHANDRASHEKHAR: Dams are governed by pre-existing long-term agreements among the States. This Bill is against the interest of the States in case of inter-State water sharing. We already have that Committee and forming another is a big burden to the State. According to the Central Government...

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please conclude.

SHRI G.C. CHANDRASHEKHAR: Sir, two minutes please. Sir, till today the entire dam authority is with the States, even now the States could not meet the water sharing allocation as per the tribunal due to unavoidable situations like drought, less-rain, other natural calamities, etc.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Please conclude now.

SHRI G.C. CHANDRASHEKHAR: Sir, just one minute.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): I am calling the next speaker now.

SHRI G.C. CHANDRASHEKHAR: Sir, just one minute, I will finish it. Finally, anyhow the Government has repealed the Farm Laws, now, I am requesting you to repeal the suspension of our colleagues because they are not our enemies; our colleagues are suffering in the cold. Please, the House has to consider it. Thank you.

THE VICE-CHAIRMAN (SHRI BHUBANESWAR KALITA): Okay, thank you. Now, the next speaker is Shri Rambhai Harjibhai Mokariya.

श्री रामभाई हरजीभाई मोकरीया (गुजरात) : माननीय उपसभाध्यक्ष जी, मैं बाँध सुरक्षा बिल के समर्थन में बोलने के लिए खड़ा हुआ हूँ। आज इस सदन में हमारे देश के यशस्वी प्रधान मंत्री, श्री नरेन्द्र भाई मोदी जी के नेतृत्व में हमारे माननीय कद्दावर नेता और मंत्री, श्री गजेन्द्र सिंह शेखावत जी ने यह बिल पेश किया है, इसका मैं तहे-दिल से स्वागत करता हूँ और समर्थन करता हूँ और मैं दोनों वरिष्ठ नेतागण का आभार व्यक्त करता हूँ।

महोदय, बाँध सुरक्षा के बारे में पिछली सरकारों ने भी सोचा था, समिति का गठन भी हुआ था, लेकिन वे सफल नहीं रहीं। परन्तु हमारी मोदी जी की सरकार ने हमारे किसान भाइयों के हित में, जन समुदाय के हित में, सुरक्षा के हित में यह बड़ा निर्णय किया है। देश में 5,200 से अधिक बड़े बाँधों, जिनकी ऊँचाई 10-15 मीटर से अधिक है, यह उन पर लागू होगा। यह बिल लाने से बाँध बनाने में समय की मर्यादा में काम होगा, structure और design अच्छा होगा, विस्थापित लोगों के लिए कोई भी विवाद नहीं होगा और foreign funds से sponsored activists बाँध बनाने में बाधा नहीं डाल सकते, जैसे हमारे गुजरात में नर्मदा बाँध के समय डाली गई थी।

(उपसभापति महोदय पीठासीन हुए)

मान्यवर, मैं गुजरात से आता हूँ। काश यह बाँध सुरक्षा बिल पहले आया होता, तो हमारे गुजरात के मोरबी शहर के मच्छु डैम का जो हादसा हुआ था, वह हादसा भी नहीं होता। मुझसे पूर्व वक्ता ने कहा कि उसमें 5 हजार लोग मर गए थे, उसमें काफी जन हानि हुई थी, वह भी नहीं होती। नर्मदा बाँध का विवाद वर्षों तक चलता रहा। नेहरू जी ने स्टोन लगाया, फिर नानी जी आई, नानी जी के बाद फिर लड़का आया, लड़के के बाद फिर पोता आया, फिर भी हमारा डैम पूरा नहीं हुआ। इसके लिए हमारे तत्कालीन माननीय मुख्यमंत्री, नरेन्द्र मोदी जी को उपवास पर बैठना पड़ा और उपवास के बाद यह काम आगे बढ़ा। नर्मदा बाँध का विवाद, जो लंबे समय तक चलता रहा, अगर यह बिल पहले आ गया होता, आपने पास करवाया होता, तो ऐसा कुछ नहीं होता। इसलिए मैं फिर से इस बिल का समर्थन करता हूँ और हमारे यशस्वी प्रधान मंत्री, नरेन्द्र मोदी जी और गजेन्द्र सिंह शेखावत जी को धन्यवाद देता हूँ। मान्यवर, अब मैं गुजराती में बोलता हूँ, चूँकि मैं गुजरात से आया हूँ।

* 'दर्द है सर में और पेट में कूट रहे हैं,
बाहर बारह बैठे हुए हैं,
और इसकी हमारी कोई ज़िम्मेदारी नहीं है,
ज़रा माफ़ी मांगिए और अंदर आइए,
कोई तकलीफ नहीं है।'

पानी बिन मछली, सत्ता बिन विपक्ष, तो दिक्कत तो आती है। अगर नहीं समझेंगे, तो हम 303 से 404 हो जाएँगे; अगर नहीं समझेंगे, तो 40 से 4 हो जाएँगे।

मेरी आप सभी से विनती है कि आप इस बिल का समर्थन करें, ताकि जल्दी से जल्दी जरूरी कार्रवाई हो जाए। आप भी यहाँ बैठे रहें, सेवा करें और हम भी सेवा करें। आप लोगों का काफी पैसा बरबाद कर रहे हैं। यह जरूरी नहीं है। आपको और हमें, सबने अच्छा काम करने के लिए भेजा है, देश की सेवा में भेजा है, लेकिन आप काफी नुकसान कर रहे हैं। आप फिर एक बार माफ़ी माँग लीजिए और जिनको बाहर भेजा हुआ है, उनको अन्दर ले आइए। धन्यवाद।

MR. DEPUTY CHAIRMAN: The next Speaker is Shri Ajit Kumar Bhuyan. कृपया सीट पर बैठ कर बात न करें।...(व्यवधान)... आपकी कोई बात रिकॉर्ड पर नहीं जाएगी। ...(व्यवधान).. The next Speaker is Shri Ajit Kumar Bhuyan; not present. Now, the next Speaker is Shri Harshvardhan Singh Dungarpur. Shri Ajit Kumar Bhuyan is sitting in Gallery No. 5, please speak.

SHRI AJIT KUMAR BHUYAN(Assam): Sir, I am an independent Member, so, may I know about the time that is allocated to me?

MR. DEPUTY CHAIRMAN: You have ten minutes; please speak.

SHRI AJIT KUMAR BHUYAN: Thank you, Sir, for giving me an opportunity to speak on the Dam Safety Bill, 2019. Sir, the idea of dams in India was conceived as a temple of development, but, the recent approach and direction in the context of dams do not have the human touch. Sir, development cannot be possible if humane or nation-centric approach is missing. I believe the safety of human kind and nature should be the guiding parameters for the safety of dams. So, I hope the Minister will seriously consider this angle. The basic philosophy of dams should not disseminate people and their identity, long and self-drove culture, harmonious in-built relations with community and surroundings. Sir, I am from Assam and we have been witnessing a very long and strong movement for the last several years, for more than

* Hindi translation of the original speech delivered in Gujarati.

maybe ten years. In different times, in the midst of movement, Expert Committees were formed, but, we do not have any information as to how that was implemented. There is an apprehension among people, we are not against the dam, but, it is a big Dam, as Shri Birendra Prasad Baishya rightly said, that is situated at the border of Assam and Arunachal. It is under Brahmaputra River, so, people are apprehending that their life will be in danger in due course. Sir, the major victims of unmindful concept of design for dam in recent decades have been the rural folk and marginalised section of society and with safety measures, it should be minimised. Sir, there are some lacunas in the Bill which are elaborately raised by our hon. Members; I do not like to deal with that. But, it should not go against the Constitution, and it should not affect the federal structure of the country. With these words, I conclude, thank you.

SHRI HARSHVARDHAN SINGH DUNGARPUR (Rajasthan): Thank you Sir, for allowing me to speak. Sir, the Dam Safety Bill, 2019 is an excellent proposal by our hon. Prime Minister, Shri Narendra Modi ji and our Minister for Jal Shakti, Shri Gajendra Singh Shekhawat and the Ministry of Jal Shakti. Sir, the Dam Safety Bill, 2019 is basically to set up a uniform safety system and standards for all specified dams across the country. Sir, there are about 450 dams which are under construction, and 5500 large dams are there in the country. So, the more important part is that about 295 dams are more than 100 years old. So, that is pre-Independence era. I just want to bring it to the notice of the House that most of these dams were built by the former princely rulers of their respective States. These dams are still providing water supply to a lot of people even today. A very solid construction was done long ago. As few examples, as some of the speakers before me mentioned Travancore, even Mysore, where one example is of Krishnaraja Sagar Dam and some dams are in Udaipur. Not only that, but these dams are also providing opportunities for tourism. So, dam safety is also important. Sir, in even my town of Dungarpur, today the water supply comes from a dam built by my grandfather in pre-Independence era. So, this is just to mention a few examples, which are there. Even today there is no seepage in those dams and the structure is solid. Some dams, say, about 1050 dams, were built about fifty years ago. This Bill is more important today because of global warming, change in climatic patterns and change in weather patterns. So, what is happening is as we are seeing even today that in Tamil Nadu and other places, there have been very heavy rains and sudden burst of heavy rains. So, keeping this in mind, this Bill is all the more important that we look into national dam safety and the Authority would be called the National Dam Safety Authority. The

Bill has also made provision for an obligation upon every owner of a specified dam to establish operational maintenance set-up to ensure continued safety of such dams. Sir, NDSA has been set up for that. Another important part of this Bill is to analyse causes of major dam failures and suggesting changes in dam safety practices. Sir, the Bill has, however, received criticism from a few Members of this House and some people allege that the Bill attempts to encroach upon the rights of States in the guise of dam safety. Sir, our hon. Minister, Gajendra Singh Shekhawat, said that the Bill was needed since most States in the country have not prepared an emergency action plan. That is a very important point. There are security concerns. Mere operational maintenance is not adequate. We need to avoid disasters like the one happened in Kerala last years. Responding to the concerns of the opposition, the hon. Minister said that these are your dams, your water and your power. The power share shall remain the same. So, as regards the operation and management of these dams, it is just that the new Committee which would supervise the safety of these dams for the purpose of national security to avert disasters. So, it is very important to note that the Centre is not interfering in the States' rights whatsoever. Wherever there is a disaster, don't forget that the Central assistance is sought and the Prime Minister provides Central assistance to mitigate the disaster. Sir, a very important part of this Bill is emergency action plan and disaster management. This, I feel, is a very important clause because whenever there is an emergency, there is not much time to mitigate the disaster. Sir, for the dams above 30 meters, there will be seismological stations which will keep a close watch. Then there is also a proposal to establish well-design hydro-meteorological network for inflow forecasting system.

5.00 P. M.

Sir, this is a very important part of the Bill. Another important part is to establish an emergency flood warning system for the probable flood-affected areas downstream. So, it is all about inflow and downstream. So, looking into all these facts, it is very important. If there are heavy rains overnight and suddenly the gates are to be opened, then we need an early warning system to warn the people downstream also. So, we should install such scientific and technical instruments which are invented or adopted from time to time for the purpose of ensuring dam safety and to save the life and property of the people downstream. It will be constantly monitored to upgrade the instruments and various methods.

Sir, every owner of the specified dam shall carry out risk management studies at such intervals as may be specified by regulations and the first such study shall be

made within five years. This is what is mentioned in the Bill. But, I request the hon. Minister that this period of five years should be reduced to two years. We need to do it earlier. There are laws for the safety of even small, small things like lifts that we use to go up and down a building or a workshop. Then, why not we have this Bill for the safety of dams which are such large super-structures?

Sir, in the end, I would like to say that it is better to be safe than sorry. With that, I support the Bill and our Prime Minister. Thank you.

SHRI ABDUL WAHAB (Kerala): Mr. Deputy Chairman, Sir, I thank you for the opportunity to speak. Always when you are in the Chair, I speak.

I rise to strongly oppose this Bill because it is anti-constitutional and anti-federal. I am not going into the details because I am not an expert on the plus and minus of the Bill. But, one thing is sure. About Mullaperiyar Dam, we know what is happening there. Our Vaiko and our Navaneethakrishnan were saying about yesterday night, not long back. Yesterday night, Tamil Nadu, without informing the Kerala State, opened the gates. Without a single alarm, they opened gates and so many houses are immersed because of flooding. ...*(Interruptions)*... He or someone else was saying 'in case if something happens'! 700 people died during the farmers' agitation, they are still asking for compensation. The number of people who live in the downstream is in hundreds of thousands. I also live in a downstream area. In my State, five districts are under threat. We are ready to give water, or whatever they want, to them. We want only one thing and that is safety. We don't want water, at all. ...*(Interruptions)*...

During the time of the Madras Presidency, Andhra Pradesh, Karnataka, Kerala and Tamil Nadu were all under it. Now, things have changed. Now you are saying, 'It is our dam; that is your dam', etc. But, now, as it is, in Kerala, in the districts of Idukki and all, we are pleading with our Tamil Nadu friends, 'You take all the water.' ...*(Interruptions)*... 'You take all the water, all the power. But, please give back our lives.' Even I am under threat. ...*(Interruptions)*...

I hope, this is my maiden speech!

MR. DEPUTY CHAIRMAN: You have had so many maiden speeches!

SHRI ABDUL WAHAB: Sir, every time, there should be one maiden speech!

MR. DEPUTY CHAIRMAN: You always abide by the time-limit.

SHRI ABDUL WAHAB: Sir, regarding the safety of the dams, we are all concerned. Legislation is a must. But, Kerala can't make it, Tamil Nadu can't make it. Then, the Centre has to initiate some measures but not in an arbitrary way. You should consider our sentiments also. Shekhawatji, please consider our concerns. I have one more point, lastly. I think I am the last speaker. Next time you should do the other way round. I should be the first and the BJP and Congress should be the last. At least Members will be here to listen. Now, nobody is here. My last point is this. Our good friend from Kerala, our former Minister in BJP, accidentally, I should say, Shri Alphons, he was very vocal. I was hearing his speech from my house.

MR. DEPUTY CHAIRMAN: You speak on the subject.

SHRI ABDUL WAHAB: Yes, Sir. He is not talking about the sentiments of Kerala. Thank you very much.

MR. DEPUTY CHAIRMAN: You have excellent track record of speaking within the time limit. आपका टाइम के अंदर बोलने का एक excellent track record है। You maintain it always. Thank you. माननीय श्री कामाख्या प्रसाद तासा जी।

श्री कामाख्या प्रसाद तासा (असम): उपसभापति जी, मैं डैम सेफ्टी बिल, 2019 के समर्थन में खड़ा हुआ हूँ। मैं honorable Prime Minister नरेन्द्र मोदी जी और माननीय मंत्री श्री गजेन्द्र सिंह शेखावत जी को धन्यवाद देता हूँ कि वे इस बिल को 2019 के बाद फिर से लाए। जो लोग इसे सेलेक्ट कमेटी में ले जाने की बात कर रहे हैं, मैं उनका विरोध करता हूँ। सर, मैंने देखा कि हम लोगों की जो संसद है, उसमें विरोधी दल के सब लोगों ने federal structure की बात कही, लेकिन डैम के structure की बात कोई नहीं बोल रहा है। डैम के structure की बात बोलनी चाहिए और जो बिल में है उसकी बात बोलनी चाहिए। Federal structure की बात बोलने के लिए संसद है and all the MPs are representing the States. तो अगर स्टेट्स की कुछ क्षति होगी, तो हम लोग उसके लिए रिस्पॉंसिबल हैं और, वह बात हम लोग पार्लियामेंट में बोलें। We are represented by the States इसलिए ऐसा नहीं हो सकता कि federal State को कुछ क्षति पहुँचे और राज्य सभा में उसके बारे में न बोलें। इसीलिए मैं चाहता हूँ कि आप लोग डैम के बारे में सोचिए कि डैम की सेफ्टी कैसे हो सकती है। मैं honorable Minister को धन्यवाद देता हूँ कि वे डैम सेफ्टी बिल लाये हैं और इसकी जो height की बात बोल रहे हैं, तो उसके नीचे के छोटे डैम की सेफ्टी की भी बात आनी चाहिए, छोटे डैम को भी इसमें cover करना चाहिए। महोदय, कुछ तो अथॉरिटी चाहिए, जो डैम को देखे। डैम के inspection के लिए, डैम को देखने के लिए, इसकी टेक्निकल चीजों को देखने के लिए कुछ तो अथॉरिटी होनी चाहिए, वह अथॉरिटी यहां पर लायी गयी है। State National Committee on Dam Safety and others, जो State Dam Safety Organisation बनायी गयी है, वह बहुत जरूरी है, यह मैं कहना चाहता हूँ। मैं यह इसलिए बोल

रहा हूँ, असम में वर्ष 2005 से एक dam का construction हो रहा है, Lower Subansiri Dam जिसके बारे में अभी श्री बीरेन्द्र प्रसाद बैश्य जी ने बोला, इसका कोई मालिक ही नहीं है। मेरे पास श्री नबाम रेबिआ जी बैठे हुए हैं, वे बोल रहे हैं कि Subansiri Dam का कुछ नहीं होगा, लेकिन downstream पूरे Assam में है और क्षति पहुंचेगी। Largest river island माजुली के downstream के लिए NHPC काम कर रहा है, लेकिन कोई convinced नहीं है कि NHPC क्या बोल रहा है, क्योंकि उसमें कोई अथॉरिटी नहीं है, कोई convince कराने वाली अथॉरिटी नहीं है कि जो यह बोले कि Dam is good, Structure is good. बार-बार यह बात कही जा रही है कि वह seismic zone में है, कभी भी फटेगा तो आदमी मरेंगे। इस प्रकार से वहां बहुत सारी misunderstandings हैं, जिसके कारण all the people are concerned about this dam क्योंकि इस डैम के बारे में कोई बोलने वाला नहीं है। NHPC पर कोई विश्वास नहीं करता है, NHPC सन् 2005 से है। यहां पर श्री जयराम रमेश जी बैठे हुए हैं वे Environment Minister थे, वे वर्ष 2010 में वहां पर गये थे, शायद वे भी convince नहीं कर पाये। इसीलिए यहां से गये टर्बाइन को ब्रह्मपुत्र नदी में कई महीनों से बंद करके रखा है, अभी भी उसका construction होने में उसमें झमेला होता है। इसीलिए डैम्स का जो सेफ्टी बिल आया है, इसके लिए मैं मिनिस्टर साहब को धन्यवाद देता हूँ कि उन्होंने बिल में पूरे डिटेल्स लिखे हैं और डिटेल्स लिखकर उन्होंने बताया है कि कैसे होगा। आप लोग अपील की बात बोल रहे हैं। Central Government है, Minister हैं, State Government के Chief Minister हैं, वह appeal तो definitely होगी। हर समय आप लोग Central Government की बात उठा रहे हैं, मैं अपोजिशन से रिक्वेस्ट करता हूँ कि अगर कोरोना बीमारी होती है तो आइसीएमआर के ऊपर डिपेंडेंट होते हैं, Central Government के ऊपर डिपेंडेंट होते हैं, कोई लॉ एंड ऑर्डर होता है तो सीआरपीएफ पर डिपेंडेंट होते हैं। इसी प्रकार इसमें हो सकता है कि यदि कभी क्षति पहुंचेगी तो उसे Central Government ही देखेगी। Central Government is nothing else, but a separate system. यह separate system है। आप लोग बार-बार यह कह रहे हैं कि यह काला बिल है, लेकिन यह काला या white की बात नहीं है, बल्कि आप लोग यह सोचिए कि अगर किसी डैम को क्षति पहुंचेगी, तो उसको कौन देखेगा? इस बिल में चीफ इंजीनियर को मेम्बर बनाया गया है, सेंट्रल वॉटर कमीशन के चेयरमैन को मेम्बर बनाया गया है। मुझे नहीं लगता है कि सेंट्रल वॉटर कमीशन कोई गलत सजेशन देगा। जो नया डैम बना है तथा नॉर्थ-ईस्ट में भी जो बहुत सारे डैम्स बन रहे हैं, उनके बारे में मैं माननीय मंत्री जी से रिक्वेस्ट करना चाहता हूँ। हम लोगों को यह पता है कि नॉर्थ-ईस्ट में जब फ्लड आती है, तो किन-किन दिक्कतों का सामना करना पड़ता है। यह जो Subansiri Lower Dam बना है, जो गेरुकामुख में है, इसको एनएचपीसी बना रहा है। मैं ऐसा सोचता हूँ कि अरुणाचल प्रदेश का जो पानी है, उसको इसमें रुकवा करके इसको इरिगेशन, पावर जनरेशन तथा अन्य कामों में यूज किया जाएगा। अभी बिहार के एक सांसद ने भी बताया है और यह माँग की है कि वहाँ पर और डैम्स बनें। डैम्स बनें, लेकिन वे डैम्स scientific हों, इसकी गारंटी definitely स्टेट गवर्नमेंट्स तो लेंगी ही, लेकिन अगर सेंट्रल गवर्नमेंट की एक अथॉरिटी होगी, तो अच्छा होगा। इस संबंध में अभी बिल आया है, इसके बनने के बाद इसमें जो कमियाँ हैं, उनको ठीक किया जाएगा। इसमें जो कमियाँ हैं, उनको बाद में दूर करके इसमें जोड़ा जाएगा। मैं इस बिल का सपोर्ट करता हूँ। यह बिल हमारी पार्टी लेकर आई है, ऐसी बात नहीं है, बल्कि 1982 से यह बिल चल रहा है। जो Subansiri Lower Dam बन रहा है,

वह 2007 से बन रहा है। इसके साथ-ही-साथ वहाँ दो-तीन और डैम्स बन रहे हैं, इनमें क्या materials use होंगे, क्या technical support होगा, structure कैसा होगा, इसका यहाँ पर पूरा विवरण है। जहाँ तक operational part की बात है, इस संबंध में यह कहना है कि इस बिल में जिस Central Dam Safety Organisation, Central Water Commission का जिक्र है, ये सब मिल कर इसके लिए जो सजेशनस देंगे, उन पर स्टेट का इंटरेस्ट definitely दिखेगा।

मैं माननीय मंत्री जी से यह रिक्वेस्ट करता हूँ कि डैम बनाना ठीक है, लेकिन इससे downstream में जो दिक्कतें होंगी, उनको भी देखना चाहिए। अभी जो डैम बन रहा है, उससे downstream में बहुत disturbance होगी - ऐसा बोल कर इसको रुकवाया गया है। अभी एनएचपीसी ने सिर्फ 30 किलोमीटर की गारंटी ली है। मेरा यह कहना है कि downstream में जहाँ तक इसका effect होगा, वहाँ तक इसको देखना चाहिए। ऐसा नहीं होगा, तो लोगों के मन में हमेशा यह बात रहेगी कि यह वॉटर बम है, यह कभी भी फट सकता है और इससे बहुत नुकसान होगा। इस तरह की बातें नीचे के लोगों के मन में आती हैं। इसके लिए गारंटी देने की जो बात आप लोग बोल रहे हैं, उसके संबंध में हमारी सरकार ने जो किया है, उसके लिए अपोजिशन को सपोर्ट करना चाहिए - यह मैं अपोजिशन से रिक्वेस्ट करता हूँ।

मैं तो बिल में यह देख कर हैरान हूँ कि 75 dams are more than 20 years, 227 dams are more than 100 years और महाराष्ट्र में 2,394, एमपी में 906, गुजरात में 632 डैम्स हैं। इनको देखने के लिए इतने दिनों के बाद, 40 वर्षों के बाद इस सरकार के द्वारा जो एक सेन्ट्रल अथॉरिटी के लिए चिन्तन किया गया है, यह चिन्तन right way में जा रहा है। आप लोग सिर्फ federal structure की बात बोलते हैं, स्टेट गवर्नमेंट्स का जो interest है, they will definitely look into States' interest. जीएसटी में तो कोई प्रॉब्लम नहीं हो रही है। सेन्ट्रल गवर्नमेंट के जितने भी एक्ट आए हैं, उनमें कभी भी स्टेट गवर्नमेंट की तरफ से कोई दिक्कत की बात नहीं होती है। हमारी राज्य सरकारें maximum time सेन्ट्रल गवर्नमेंट पर डिपेंड करती हैं। They depend on the Central Government as to what the Central Government should say.

आप लोग पानी के मामले में जो झगड़ा करते हैं, उसको थोड़ा कम कीजिए। आप लोगों को Cauvery water dispute को थोड़ा कम करना चाहिए। जब सेन्ट्रल गवर्नमेंट है, तो आप लोग क्यों झगड़ा करते हैं? वहाँ पर हमारी सरकार नहीं थी, वहाँ पर जब-जब डैम बना, उस समय आप लोगों की लोकल गवर्नमेंट थी। इसमें आप लोगों को भी देखना चाहिए।

अरुणाचल गवर्नमेंट और असम गवर्नमेंट के बीच पानी के यूज तथा पावर के यूज के संबंध में एक समझौता हुआ है। इसके लिए संबंधित दो चीफ मिनिस्टर्स ने एक साथ बैठ कर इन सारे मुद्दों पर बात की है। मेरे पास जो सांसद बैठे हैं, वे बोल रहे हैं कि आप बोलिए, मैं तो नहीं बोलूँगा, क्योंकि dam is in Arunachal Pradesh and Assam is downstream. वहाँ पर ब्रह्मपुत्र नदी है, जिसको Mighty river कहा जाता है। यह बहुत बड़ी नदी है, अरुणाचल प्रदेश की जो बड़ी-बड़ी नदियाँ हैं, वे सारी नदियाँ इसमें आकर मिलती हैं। इसके कारण वहाँ पर flood जैसी स्थिति होती है, यह हम लोगों के लिए disaster है। इस संबंध में हम लोगों ने यह माँग की है कि इसको national disaster के रूप में घोषित किया जाए। इस तरह के जो disaster होते हैं, उनके कारण जो क्षति होती है, उसके लिए स्टेट गवर्नमेंट को फंड कहाँ से मिलेगा? इसके लिए सेन्ट्रल गवर्नमेंट को ही स्टेट गवर्नमेंट्स को फंड देना पड़ेगा। अगर स्टेट गवर्नमेंट्स को फंड की कमी

होती है, तो सेन्ट्रल गवर्नमेंट को स्टेट गवर्नमेंट्स को फंड देना चाहिए। मैं माननीय मंत्री जी से रिक्वेस्ट करता हूँ कि इसमें जो कमियाँ बताई गई हैं, उनको वे थोड़ा देखें। और downstream बोलकर नहीं, मैं मंत्री जी से रिक्वेस्ट करता हूँ कि कभी छोटे डैम्स की सेफ्टी की बात भी लानी चाहिए। ऐसा नहीं होना चाहिए कि सिर्फ बड़े डैम्स को देखना चाहिए, कभी-कभी छोटे डैम्स भी बहुत नुकसान पहुंचाते हैं। हम लोगों ने देखा है कि जब NEEPCO पानी छोड़ता है, बिना पूछे छोड़ने के बाद धेमाजी टाउन और लखीमपुर में पानी की बहुत disturbance होती है, आदमी artificial flood में डूबते हैं, इसलिए मैं माननीय मंत्री जी से छोटे डैम्स का ख्याल रखने के लिए अनुरोध करता हूँ। जो पावर है, क्लीन पावर या ग्रीन पावर जो भी बोलिए, इसका और प्रोडक्शन करने के लिए ऐसे डैम की सेफ्टी होनी चाहिए। अगर आदमी के मन में सेफ्टी घुसेगी, जो downstream है या upstream है, तो क्या आदमी के मन में यह सब बात आएगी? अगर Dam is well, डैम का अच्छे से कंस्ट्रक्शन हुआ है और जो ऑर्गनाइजेशन हमने बनाई है, उस ऑर्गनाइजेशन ने उसे सर्टिफिकेट दिया है, तो इससे आदमी का जो विरोध होता है, कम-से-कम वह तो कम होगा। और, क्योंकि यह प्राइवेट पार्टी नहीं है, इसमें ownership को भी लेना चाहिए। आपने ownership को जो responsibility दी है, मैं सोचता हूँ कि ownership की responsibility ज्यादा बढ़ानी चाहिए। जैसा कि आप downstream के संबंध में बोले, downstream के आदमी की भी सेफ्टी और upstream की भी सेफ्टी - आप दोनों की सेफ्टी निश्चित कीजिए। यह बोलकर मैं इस बिल का सपोर्ट करता हूँ और आशा करता हूँ कि जो बड़ा डैम है, सौ साल का डैम है, उसका भी परीक्षण किया जाए, उसे भी देखा जाए। आप seismic zone में नहीं हैं, इसलिए आपको पता नहीं है, लेकिन जो seismic zone में होते हैं, उन्हें टेंशन होती है। बिना seismic zone में होते हुए भी, जिसने सौ साल cross किए, जिसने 20 साल cross किए, इसका भी एक परीक्षण, scientific study होनी चाहिए। इसे National Disaster Management Bill Authority की तरफ से भी examine किया जाए और वहां के आदमी को आश्वस्त किया जाए कि इसकी लाइफ कितनी है। हमारे यहाँ एक Saraighat bridge है, उसके लिए ब्रिटिश वहाँ से कहते हैं कि हमने Saraighat bridge को सौ साल का टाइम दिया था, इसे close किया जाए। मुझे लगता है कि ऐसी एक टाइम लिमिट भी होनी चाहिए, क्योंकि यह वॉटर बम जैसा है। इसे देखने के लिए आपने जो मंशा की है, वह ठीक है। इसके लिए मैं माननीय प्रधान मंत्री जी को धन्यवाद देता हूँ। माननीय मंत्री जी, आप और आपका डिपार्टमेंट यह जो बिल लाया है, जो डिटेल्स यहाँ पर मेशन की गई हैं, इनके लिए भी धन्यवाद देते हुए, मैं अपनी बात को विराम देता हूँ।

श्री उपसभापति : माननीय मंत्री जी।

जल शक्ति मंत्री (श्री गजेन्द्र सिंह शेखावत) : माननीय उपसभापति महोदय, बाँधों की सुरक्षा के लिए एक देशव्यापी प्रोटोकॉल बनाने की दृष्टि से लाए गए इस महत्वपूर्ण बिल पर सभा में हुई सार्थक चर्चा में 22 माननीय सदस्यों ने अपनी सहभागिता सुनिश्चित की। श्री तिरुची शिवा जी, शक्तिसिंह गोहिल जी, के.जे. एल्फोंस जी, जनाब नदीमुल हक जी, टी.के.एस. एलंगोवन जी, प्रसन्न आचार्य जी, वि. विजयसाई रेड्डी जी, शिवादासन जी, नवनीतकृष्णन जी, राम नाथ ठाकुर जी, प्रो. मनोज कुमार झा जी, श्री वाइको जी, रवींद्र कुमार जी, संजय सिंह जी, डा. फौजिया

खान साहिबा, श्री बीरेन्द्र प्रसाद जी, जी.सी. चन्द्रशेखर जी, रामभाई जी, अजीत कुमार भुयान जी, हर्षवर्धन जी, जनाब अब्दुल वहाब साहब और कामाख्या प्रसाद तासा जी, मैं इन सब माननीय सदस्यों को अंतर्मन की गहराई से धन्यवाद ज्ञापित करना चाहता हूँ। देश, देश की जनता और देश के ऐसे सारे जल संसाधन, जिन पर हमारा जीवन निर्भर है, वे अपनी सुरक्षा के लिए इस महत्वपूर्ण बिल का इंतजार 40 सालों से कर रहे हैं। मेरे साथियों ने चर्चा के दौरान अपने ज्ञान के आधार पर, कुछ साथियों ने अपने तकनीकी ज्ञान के आधार पर और कुछ साथियों ने केवल राजनीतिक प्रतिबद्धताओं के आधार पर अपने-अपने विचार प्रस्तुत किए। माननीय उपसभापति जी, जब मैं ऐसा कह रहा हूँ, तो मैं यह बात बिल्कुल जिम्मेदारी के साथ कह रहा हूँ। नया भारत बनाने को संकल्पबद्ध माननीय नरेन्द्र मोदी जी के नेतृत्व में देश की सरकार न केवल बाँधों की सुरक्षा - यह केवल एक विषय है, क्योंकि इस बिल पर अभी चर्चा हो रही है, इसलिए यह हो सकता है - अपितु मनुष्य जीवन और राष्ट्र की सुरक्षा से जुड़े हुए ऐसे सारे विषयों पर सुरक्षा आम करते हुए देश में सुरक्षा का एक नया वातावरण बनाने का काम कर रही है और देश में सुरक्षा की एक नई परिभाषा गढ़ने का काम माननीय मोदी जी के नेतृत्व में काम करने वाली इस सरकार ने किया है। यह सदन साक्षी है, सड़क सुरक्षा को लेकर नया कानून बनाया गया। रेल के परिचालन में यात्रियों की सुरक्षा और रेल की संपत्ति की सुरक्षा को प्राथमिकता दी जाए, इस नये विचार के साथ देश की सरकार ने 2014 से काम करना प्रारंभ किया। Space security पर, data security पर और देश की समग्र सुरक्षा को लेकर माननीय नरेन्द्र मोदी जी के नेतृत्व में सरकार ने व्यापक काम किया है, जिसे आज पूरा विश्व स्वीकार करता है।

माननीय उपसभापति महोदय, मैं सभी माननीय सदस्यों का आभारी हूँ, जिन्होंने इस चर्चा में भाग लेते हुए कहा कि जल हमारे जीवन के लिए सबसे महत्वपूर्ण है। साथ ही साथ, उन्होंने बाँधों की सुरक्षा के महत्व के बारे में भी बताया। यह दीगर बात है कि यह राज्य का विषय है, केन्द्र का विषय है, इस पर राज्य कानून बना सकता है या केन्द्र कानून बना सकता है। इस विषय पर सबने अपने-अपने हिसाब से विचार प्रस्तुत किए होंगे, लेकिन बाँधों की सुरक्षा की महत्ता को लेकर और जीवन में पानी की उपयोगिता को लेकर सबने समवेत स्वर से यह स्वीकार किया और एक राय होकर बात की, उसके लिए मैं सभी माननीय सदस्यों, जिन्होंने चर्चा में सहभागिता की और जो लोग सुन रहे थे, उन सबका अभिनन्दन करना चाहता हूँ, उन सबके प्रति आभार ज्ञापित करना चाहता हूँ।

लगभग दो वर्ष से भी कुछ समय पूर्व लोक सभा में यह बिल प्रस्तुत हुआ था। वहाँ भी दो दर्जन से ज्यादा माननीय सदस्यों ने इस विषय पर अपने विचार प्रस्तुत किए थे और लगभग समवेत स्वर से सभी ने बाँधों की सुरक्षा की महत्ता पर चिन्ता व्यक्त करते हुए, वर्तमान में बाँधों की सुरक्षा को लेकर जिस तरह की स्थितियाँ देश में हैं, उनको लेकर अपनी चिन्ताएँ वहाँ भी जाहिर की थीं। लोक सभा में सभी ने मिलकर इस बिल को पारित किया, मैं उस सदन के सभी माननीय सदस्यों का भी आज इस अवसर पर अभिनन्दन करना चाहता हूँ, उनको आभार ज्ञापित करना चाहता हूँ।

आदरणीय उपसभापति जी, मैं जब इसकी प्रस्तावना रखने के लिए खड़ा हुआ था, तो दुर्भाग्य से उसे मुझे तीन टुकड़ों में रखना पड़ा। यह हो सकता है कि उस समय मैंने जो कुछ कहा,

उसकी continuity सम्माननीय सदस्यों के जेहन में शायद न रह पायी हो, इसलिए मैं थोड़े-से शब्दों में उन सबको दोहराना चाहता हूँ।

बहुत सारे सदस्यों ने पुराने विषयों पर बात की, लेकिन जल की जीवन में महत्ता केवल इस बात से समझी जा सकती है कि दुनिया भर में सारी सभ्यताओं का जो विकास हुआ है, वह जल के संसाधनों पर और मुख्यतः नदियों के तट पर हुआ है। साथ-ही-साथ, मनुष्य ने न केवल अपने जल की आवश्यकता के लिए, सिंचाई की आवश्यकता के लिए, पीने के पानी की आवश्यकता के लिए, बिजली की आवश्यकता की पूर्ति के लिए, बल्कि बाढ़ से सुरक्षा के लिए भी विश्व भर में हजारों बाँधों का निर्माण पिछले हजारों सालों में किया है।

अभी जब सब लोग चर्चा कर रहे थे, तब दक्षिण भारत के मेरे साथी सदस्यों ने Kallanai बाँध की चर्चा की, जिसे चोल राजाओं ने लगभग 2,000 वर्ष पूर्व बनाया था। लेकिन, यदि हम दुनिया पर दृष्टिपात करें, तो पाएँगे कि दुनिया में ऐसे बहुत सारे देश हैं। 3,000 ईसा पूर्व तत्कालीन मेसोपोटामिया में पहले ऐसे structures बनाए गए थे, जिनका इतिहास में स्पष्ट उल्लेख मिलता है। आज के समय में, Egypt, रोम और श्रीलंका में बनाए गए ऐसे हजारों वर्ष पुराने बाँधों का अस्तित्व आज भी मौजूद है। यदि पूरी दुनिया की दृष्टि से देखें, तो जो Lake Homs Dam है, वह आज पूरी दुनिया का सबसे पुराना functional बाँध है।

हममें से कुछ माननीय सदस्यों ने बाँधों की बढ़ती हुई वय के संबंध में चर्चा की। निश्चित रूप से विश्व भर के अभियंता और इंजीनियर्स की दृष्टि में यह एक गंभीर विषय है कि बाँधों की वय बढ़ रही है, लेकिन बाँधों की वय का बाँधों की सुरक्षा से कहीं कोई प्रत्यक्ष संबंध नहीं है। मैं एक बार फिर यह दोहराना चाहता हूँ कि केवल बढ़ती हुई उम्र के कारण किसी बाँध को हम असुरक्षित कह दें, तो यह ठीक नहीं होगा। आज जब दुनिया के बहुत सारे देशों में हजारों साल पुराने बाँध भी successfully function कर रहे हैं, तब इस तरह की चिन्ता व्यक्त करना, आशंका व्यक्त करना कि मात्र 125 साल पहले कोई बाँध गुड़ से बनाया गया था, कोई बाँध चूने से बाँधा गया था, यह ठीक नहीं है। उस समय जिस तरह की तकनीक थी, उस तकनीक के ऊपर प्रश्नचिन्ह खड़ा करना ठीक नहीं है। मैं मानता हूँ कि उस समय के जो अभियंता थे, जो इंजीनियर्स थे, बेशक उन्होंने आईआईटी अथवा ऐसे किसी इंजीनियरिंग कॉलेज से डिग्री प्राप्त नहीं की होगी, लेकिन उन्होंने अपने अनुभव से जो सीखा था, उनके उस अनुभव पर हम जो प्रश्नचिन्ह खड़ा कर रहे हैं, मुझे लगता है कि वह ठीक नहीं है। मैं राजस्थान से आता हूँ। हम जल संरक्षण की बात करते हैं। राजस्थान के बहुत सारे किलों में ऐसी व्यवस्थाएं बनी हुई हैं, जो पिछले 700-800 सालों से किले में गिरने वाली एक-एक बूंद पानी को संचय करके, संरक्षित करके, उसमें रहने वाले लोगों की प्यास बुझाती थीं, पानी की आवश्यकता की पूर्ति करती थीं। आज 600-700 साल बाद भी वे स्ट्रक्चर्स बखूबी काम कर रहे हैं, एक-एक बूंद पानी सहेजा जाता है। वे बेशक आईआईटी में नहीं पढ़े थे, एमआईटी में नहीं पढ़े होंगे, लेकिन उन लोगो की विद्वता पर प्रश्न-चिन्ह खड़ा करने का अधिकार हमें नहीं है। हमें गर्व करना चाहिए कि हमारे प्राचीन काल के लोगों ने, उस समय के अभियन्ताओं ने अपने अनुभव, तकनीक और ज्ञान के आधार पर किस तरह से ऐसी संरचनाएं विकसित की थीं। साथ-ही-साथ दूसरी तरफ जब मैं वर्तमान में देखता हूँ तो वर्ष 2014 में लारजी बांध में अचानक पानी छोड़ा गया - अभी बहुत सारे सदस्यों ने चर्चा की, कल का उदाहरण भी दिया कि तमिलनाडु ने एकाएक पानी छोड़ दिया - हिमाचल प्रदेश में लारजी बांध में जब एकाएक पानी छोड़ा गया तो

उसमें डूबने के कारण 24 छात्रों की दर्दनाक मृत्यु हुई। अभी कुछ दिन पहले हमने समाचार पढ़ा था कि आंध्र प्रदेश में जब Annamayya बांध में एकाएक पानी आने लगा, जितनी उसकी spillway की capacity थी, जब उससे डेढ़ गुना ज्यादा पानी आने लगा, तो spillway टूटा और उसके कारण से कितनी बड़ी क्षति हुई। एकाएक पानी छोड़ दिए जाने से वर्ष 2018, वर्ष 2019 और वर्ष 2021 में किस तरह से केरल में तबाही हुई, सबके जेहन में वह अभी भी ताज़ा है, आप सबकी स्मृति में है। निश्चित रूप से आज इस बात की आवश्यकता भी है कि हम समग्र दृष्टि से इस सब पर विचार करें और विचार करते हुए देश में इस तरह का कानून बनाएं और इस तरह की व्यवस्था बनाएं कि हम ऐसी होने वाली घटनाओं से अपने देश को, देश की आवाम को, देश की जनता को और साथ-ही-साथ पूरे riverine structures को बचाएं, क्योंकि जब एक बांध टूटता है तो केवल मनुष्यों पर प्रभाव नहीं पड़ता, मैंने अपनी प्रारम्भिक टिप्पणी में भी यह बात कही थी, इसका प्रभाव उस पूरी riverine ecology पर पड़ता है, eco-system पर पड़ता है। उस नदी पर केवल हमारा अधिकार नहीं है। बांध बांधकर शायद उसके ईको-सिस्टम में बहुत सारे ऐसे अस्तित्व होंगे, जिनके जीवन पर हमने प्रश्नचिन्ह खड़े किए होंगे, लेकिन बांध टूटने के कारण से भी ऐसे सारे ईको-सिस्टम में जो परिवर्तन आता है, वह परिवर्तन न आए, इसकी जिम्मेदारी निश्चित रूप से सदन में बैठे हम सब लोगों की है। मैं माननीय सदस्यों से एक बार फिर निवेदन करना चाहता हूं कि यह माननीय मोदी जी के नेतृत्व में काम करने वाली सरकार है। हम देश को सशक्त, समृद्ध और मज़बूत भारत बनाने के लिए संकल्पबद्ध हैं और देश की सुरक्षा की चिंता, देश के नागरिकों की सुरक्षा की चिंता और देश की समृद्धि से जुड़े हुए हर एक विषय पर पूरी प्रतिबद्धता के साथ काम करते हैं। इसीलिए बांधों की सुरक्षा भी निश्चित रूप से एक महत्वपूर्ण विषय है। इस दृष्टि को लेकर यह बिल लाया गया है।

माननीय उपसभापति महोदय, आज मैं इस बिल का उत्तर देने के लिए आप सबके बीच आपके निर्देश पर इस सदन में खड़ा हूं। 29 जुलाई, 2019 को लोक सभा में इसे introduce किया गया और 2 अगस्त, 2019 को इस विधेयक को लोक सभा में पारित किया गया। वहां भी चर्चा में यही सब विषय, जिन विषयों पर आज हम इस सदन में बात कर रहे थे, इन सारे विषयों पर बात हुई। देश में कुल कितने बांध हैं, उनकी संख्या के बारे में, कितने बांध निर्माणाधीन हैं एवं बांधों के बढ़ते हुए व्यय के बारे में चर्चा की गई। यह कानून बनाना संविधानसम्मत है या नहीं है, इसके बारे में भी वहां प्रश्नचिन्ह खड़े किए गए। बांध की कितनी क्षमता है, जिसके कारण से खड़ा हुआ है, किस पानी पर किसका कितना अधिकार है, पानी के विषय और बांधों की सुरक्षा के विषयों पर चर्चा करते हुए हमने राज्यों के शेयर्स क्या होने चाहिए, उसको डिवाइड करने के बारे में उस सदन में भी चर्चा की और इस सदन में भी चर्चा की। साथ-ही-साथ उस चर्चा में एक बात कॉमन रूप से उभरकर सामने आयी कि हमारे देश के जो 92 परसेंट डैम्स हैं, वे इंटर-स्टेट रिवर बेसिन्स पर स्थित हैं। मैं पूछना चाहता हूं कि जो 92 परसेंट बांध इंटर-स्टेट रिवर्स पर स्थित हैं...जिनकी होने वाली किसी भी दुर्घटना, चाहे बांध में से एकाएक पानी छोड़ा जाये, चाहे वह बांध टूट जाये और अभी हमने Annamayya बांध की चर्चा की, उसका कुछ लोगों ने उल्लेख किया था। मैं आपके माध्यम से सदस्यों के संज्ञान में लाना चाहता हूं कि Annamayya बांध में जब एकाएक पानी आने लगा, उसकी spillway capacity से ज्यादा, डेढ़ गुना से ज्यादा पानी उस नदी में बह रहा था, तो यकायक निर्णय करना पड़ा कि पांचों गेट खोल दिये जायें, ताकि spillway और gates दोनों मिला

करके जितना पानी आ रहा है, उतना पानी बाहर निकल जाये, लेकिन मैं बड़े दुख के साथ कहना चाहता हूँ कि पांच gates में से एक gate नहीं खुल पाया, क्योंकि वह functional नहीं था, वह गेट काम नहीं कर रहा था। अब मैं पूछना चाहता हूँ कि उसकी जिम्मेदारी किसकी थी? क्या राज्य की जिम्मेदारी नहीं थी? आप देखिये कि उसका प्रभाव कितनी दूर तक पड़ा। जिन मवेशियों ने जान गंवाई, जिन लोगों ने जान गंवाई, जिनका माल का, जिनकी सम्पत्ति का नुकसान हुआ, क्या उसको लेकर पूरे देश का सिर शर्म से नहीं झुका? जब पूरी दुनिया में यह उल्लेख किया गया कि भारत में एक और बांध टूट गया है और पूरी दुनिया के engineers, जो dam safety पर काम करते हैं, ICOLD से लेकर सारी दुनिया के engineers बैठकर जब इस पर चर्चा करेंगे, विचार करेंगे कि भारत में एक बांध टूटा, उसको case study में लिया जायेगा, तो यह हम सब लोगों के लिए राष्ट्रीय शर्म का विषय है। तो इस तरह की व्यवस्था क्यों न develop की जाये, जहां accountability fix हो सके और ऐसी dam व्यवस्थाओं को हम एक कानून बनाकर के सुनिश्चित कर सकें।

माननीय उपसभापति महोदय, केन्द्रीय जल आयोग जो record maintain करता है, उसके हिसाब से देश में अब तक 42 बांध टूटे हैं। जब मैं लोक सभा में भाषण दे रहा था, उस दिन 41 बांधों की मैंने चर्चा की थी। उसके भी एक महीने पहले, एक संयोग है कि उस समय भी एक महीने पहले महाराष्ट्र में तिवारे बांध टूटा था, जिसमें 23 लोगों की जान गई थी और आज भी, यह एक संयोग है कि दो साल बाद से भी ज्यादा समय बाद जब आज मैं राज्य सभा में इस महत्वपूर्ण विषय पर चर्चा कर रहा हूँ, तो उसके बीच में एक बांध और टूट गया और हमारे खाते में एक और अपयश register हो गया।

माननीय उपसभापति महोदय, 1979 में जब मच्छु बांध, मोरबी का बांध टूटा, जिसके बारे में अभी गुजरात से आने वाले माननीय सदस्य चर्चा कर रहे थे, तो उसमें हजारों लोगों का जीवन चला गया। चीन का बांध टूटने की बात की गई, मैं उसको एक तरफ रख दूँ, जब मोरबी में बांध टूटा, उस समय इस देश में पहली बार बांधों की सुरक्षा को लेकर एक systematic protocol बनना चाहिए, इसके बारे में बातचीत प्रारम्भ हुई। जब बातचीत प्रारम्भ हुई, तब एक कमेटी का गठन किया गया। उस कमेटी ने तीन साल तक व्यापक रूप से राज्यों के साथ विचार-विमर्श किया और 1982 में कमेटी ने यह प्रस्तावित किया कि देश में बांधों की सुरक्षा को लेकर एक protocol बनना चाहिए, एक organized structure बनना चाहिए। हम चीन से तुलना करने की बात करते हैं, 1982 से लेकर हमारे देश की नदियों में कितना पानी बह गया होगा और कितने लोग इस सदन में आ करके शायद आमजन से बिछुड़ गये होंगे, दूर चले गये होंगे। आज 40 साल बाद उस विषय पर कानून बनाना अर्थात्, हम उसे सम्पूर्णता की तरफ ले जा रहे हैं।

माननीय उपसभापति महोदय, मैं इन सारे सदस्यों का अभिनन्दन करता हूँ कि 40 साल जिस विषय के लिए देश ने इन्तजार किया, उसके ऊपर मुहर लगाने का अवसर हम सबके पास आया है। 1982 की recommendations के आधार पर 2002 में एक draft Bill बनाया गया, और उस draft Bill को सारे प्रदेशों को circulate किया गया। अभी विभिन्न राज्यों से आने वाले माननीय सदस्य कह रहे थे कि यह राज्यों का विषय है, राज्यों को ही करना चाहिए। महोदय, यह राज्यों का अधिकार है, राज्यों के अधिकार में हम बेजा हस्तक्षेप कर रहे हैं। 2002 में यह बिल States को circulate किया गया था। केवल एक बिहार ऐसा राज्य था, जिसने उस बिल को State Assembly

में adopt किया। कुछ राज्यों ने उपबंध किये, गुजरात राज्य ने अपने यहां उपबंध किया, केरल राज्य ने भी उनका जो कानून था, उसमें एक chapter dam safety को लेकर जोड़ा, लेकिन देश के अन्य राज्यों के लोग और उसमें बनने वाले बांध आज भी वहां इस तरह का एक कानून बने, उस draft Bill को State Assemblies accept करें, उसका आज भी इन्तजार कर रहे हैं। कहने के लिए कि यह हमारा अधिकार है, संविधान ने हमें अधिकार दिया है, प्रदेशों को अधिकार दिया है, लेकिन प्रदेश उस अधिकार के लिए कितना सजग होकर अपने लोगों के लिए काम कर रहे हैं, इस बात पर विचार करने की जिम्मेदारी भी आज इस सदन में बैठकर हमारी ही है।

महोदय, 2010 की चर्चा की गई कि 2010 में West Bengal और Andhra Pradesh, दो प्रदेशों ने संसद के उपबंध के आधार पर देश की संसद से, देश की सरकार से आग्रह किया था कि इस तरह का बिल लाया जाये। संसद में यह बिल लाया गया है, बिल पर चर्चा भी हुई और चर्चा के बाद में बिल को Standing Committee को भेजा गया। Standing Committee ने 2011 में अपनी रिपोर्ट प्रस्तुत की थी। महोदय, मैं उस समय की स्टैंडिंग कमेटी का धन्यवाद करना चाहता हूं। यदि मैं गलत नहीं हूं, तो असम के पूर्व मुख्य मंत्री श्री गोगोई साहब उस कमेटी के चेयरमैन थे। मैं उन सभी माननीय सदस्यों का भी धन्यवाद करना चाहता हूं, जिन्होंने उसमें हिस्सा लिया। उन्होंने Preamble में पहले यह लिखा - यह राज्य का विषय है, क्योंकि यह आर्टिकल जिस उपबंध में लाया गया था, उस उपबंध में इसकी व्याख्या यही है। उसके बाद कमेटी ने अपनी रिपोर्ट में, अपने ही Preamble में लिखे हुए विषय 'क' के ऊपर कटाक्ष करते हुए कहा और माननीय सदस्यों की जानकारी के लिए मैं उस कमेटी की recommendation को क्वोट करना चाहता हूं। Here, I quote, "The Committee note that 'regulation of the Safety of Dams' has not yet been declared by the Parliament to be expedient in public interest. However, they are not inclined to accept the view that the Parliament has no powers to make laws for the States as stated in the Preamble of the Bill. Since, in terms of Entry-56 of the Union List of the Constitution, Parliament may declare by law if it is expedient in public interest to make a law for dam safety which is apparently an inter-State matter."

माननीय उपसभापति महोदय, इसके अतिरिक्त कमेटी ने जब अपनी अनुशंसा की, तब उन्होंने चिंता व्यक्त की कि 1982 से लेकर जिस विषय पर चर्चा हो रही है...(व्यवधान)... I am not yielding. ...(Interruptions)... I will clarify later on. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: He is not yielding. ...(Interruptions)...

श्री गजेन्द्र सिंह शेखावत: स्टैंडिंग कमेटी ने अपनी रिपोर्ट में यह उल्लेख किया कि वर्ष 1982 से लेकर 2011 तक इस देश में इस तरह का कानून क्यों नहीं लाया गया, इसे तुरंत बनाया जाना चाहिए। यदि यह जनहित में आवश्यक है, तो तुरंत संसद को इसे कानून बनाकर लागू करना चाहिए। मान्यवर, हमने बिल लाने से पहले देश के सॉलिसिटर जनरल की राय मांगी। सॉलिसिटर जनरल ने अपनी राय में यह कहा कि संविधान की सातवीं अनुसूची की प्रविष्टि 56 और 97 के साथ अगर अनुच्छेद 246 को पढ़ा जाए, तो उसकी शक्तियों का प्रयोग करते हुए देश

की संसद इस तरह का कानून बना सकती है। माननीय उपसभापति महोदय, यदि आप अनुमति दें, तो मैं यहां सॉलिसिटर जनरल की रिपोर्ट को भी क्वोट करना चाहता हूं - and here, I quote, "I am of the view that Entry-17 of the State List does not act as an embargo for the Union to legislate on the issue of dam safety. Entry-17 specifically provides that the provisions of the Entry are subject to the provisions of Entry-56 of List-I. While Entry-56 provides for the Centre to legislate on the issues of regulation and development of inter-State river and river valley, the Entry also expressly envisages that Parliament has the power to declare the law to be expedient in the public interest. Therefore, from a plain reading, it is understood that Entry-17 would yield to Entry-56." वे आगे लिखते हैं "In my considered opinion, the Union Government has the power to legislate on the subject 'dam safety'. The correct course of action for bringing in this legislation would be by exercising power conferred under Article 246, read with Entry-56 and Entry-97 of List-I of the Seventh Schedule of the Constitution. Although Union has power to legislate on the subject within power conferred under Entry-56, but as the word 'dam safety' has not been mentioned in any of the entire entries in these three Lists, it would be feasible to pass that enactment under Entry-97 along with Entry-56 of the Constitution."

उपसभापति महोदय, मैं यह विश्वास के साथ कह सकता हूं कि माननीय सदस्यों ने legislative competence को लेकर अभी जितनी चर्चा की, निश्चित रूप से केवल इन दो विषयों से उनको उत्तर मिल गए होंगे। माननीय उपसभापति महोदय, स्टैंडिंग कमेटी ने जो रिपोर्ट बनाई थी, मैं एक बार फिर उस स्टैंडिंग कमेटी के माननीय सदस्यों का अभिवादन करते हुए कहना चाहता हूं, उनका धन्यवाद करता हूं कि हमने उसी को बैकबोन मानते हुए, उसी को मेरुदंड मानते हुए इस बिल को बनाया है। मान्यवर, जब मैं परिचय प्रस्तुत कर रहा था, तब मैंने लोक सभा और राज्य सभा के उन सभी माननीय सदस्यों का अभिवादन किया, अभिनंदन किया। मैं एक बार फिर आप सभी का अभिवादन करना चाहता हूं। उसके साथ-साथ जब लोक सभा में बिल पारित हुआ था, तब से लेकर आज के बीच में जिन माननीय सदस्यों ने इस विषय को उठाया, संसद के विभिन्न उपबंधों का, नियमों के आधार पर इस विषय पर प्रकाश डालने और इस विषय को संसद और देश के सामने लाने का प्रयास किया, मैं उनका भी अभिनंदन करना चाहता हूं। इसी सदन के सदस्य डा. सस्मित पात्रा जी ने पिछले साल देश में बांधों और उनके वर्तमान हालात, बांधों की सुरक्षा और संरक्षण पर सवाल पूछे थे, जिसका हमने प्रत्युत्तर दिया था और उस समय भी हमने इस विषय को स्पष्टता के साथ रखा था। मैं स्वर्गीय राजीव सातव जी को भी याद करना चाहता हूं। आज दुर्भाग्य से वे हमारे बीच में नहीं हैं। उन्होंने भी 2021 में फरवरी के महीने में बांधों की सुरक्षा के ऊपर किस तरह की व्यवस्था देश की सरकार करना चाहती है, इसको लेकर प्रश्न किया था।

माननीय उपसभापति महोदय, वर्तमान बिल पर चर्चा करने से पहले मैं एक और विषय पर बात करना चाहता हूं। आज वर्तमान में क्या स्थिति है? हम सभी माननीय सदस्यों ने चर्चा की कि देश की सरकार राइट्स को एन्क्रोच करना चाहती है। आज वर्तमान में बांध सुरक्षा की दृष्टि से जो

देश में संस्थाएं काम करती हैं, जो सिस्टम काम करता है, जो प्रोटोकॉल है, वह प्रोटोकॉल में आप सबके सामने रखना चाहता हूं। अभी वर्तमान में देश में दो स्तर की स्थिति है। एक स्थिति है, जो केंद्र की सरकार के स्तर पर है और दूसरी राज्यों के स्तर पर है। केंद्र सरकार के स्तर पर जो दो संस्थाएं काम करती हैं, उनमें से एक है NCDS, National Committee on Dam Safety, जो एक थिंकटैंक की तरह काम करती है। CWC का चेयरमैन उसका चेयरमैन होता है। अभी बहुत सारे सदस्यों ने उसका उल्लेख किया था। दूसरी जो संस्था है, जो इसके इम्प्लिमेंटेशन को मॉनिटर करती है, वह है - नेशनल डैम सेफ्टी अथॉरिटी। स्टेट्स में ठीक इसी तरह की दो संस्थाएं बनी हुई हैं। नेशनल कमेटी ऑन डैम सेफ्टी जो रिकमंडेशन करती है, उनके आधार पर और साथ-साथ हमारी स्टेट्स में जिस तरह की परिस्थितियां हैं, हमारी स्टेट्स के डैम की जिस तरह की आवश्यकताएं हैं, क्योंकि भारत विविधताओं से भरा हुआ देश है, यहां पर जिस तरह की परिस्थितियां हैं, उनको लेकर अपनी स्टेट्स के अनुकूल नियमों को, स्टेट्स की आवश्यकता के अनुकूल उपबंधों को तैयार करना, उनके आधार पर जो इसमें चौथा टियर है, वह है स्टेट्स का स्टेट डैम सेफ्टी ऑर्गनाइजेशन, जो इसके रख-रखाव के लिए प्राथमिक रूप से जिम्मेदार है, जो इसके रख-रखाव के लिए काम करता है।

माननीय उपसभापति महोदय, जो वर्तमान में बिल है, उस बिल में भी ठीक यही व्यवस्था की गई है और इसके अतिरिक्त कोई नया प्रावधान नहीं है। वर्तमान में जो स्थिति है, वही स्थिति इस बार भी की गई है, उन्हीं व्यवस्थाओं को इस बार किया गया है, लेकिन साथ-ही-साथ जो वर्तमान विधेयक है, उस विधेयक में, उस व्यवस्था में ये संस्थाएं केवल एडवाइजरी रोल के साथ काम करती थीं। यदि कहीं भी डैम सेफ्टी पर बनाए गए किसी नियम, किसी निर्देश या किसी सुझाव को लेकर कहीं failure होता है, उसको लेकर operate नहीं किया जाता है, रूल्स तक नहीं बनाए जाते हैं, डैम सेफ्टी के प्रोटोकॉल का पालन नहीं किया जाता है, उसकी inundation study जो होनी चाहिए, वही नहीं होती है, disaster के समय उस पर क्या प्रोटोकॉल्स लिए जाएंगे, उसकी चिंता नहीं की जाती है, गेट के रिपेयर एंड मेन्टेनेन्स पर ध्यान नहीं दिया जाता है और अगर सुझाए गए, बताए गए काम के आधार पर काम न हो, तो उसकी अनुपालना कराने का कोई मार्ग किसी के पास नहीं है। अभी दक्षिण भारत के माननीय सदस्य और विशेष रूप से केरल और तमिलनाडु के माननीय सदस्य चर्चा कर रहे थे - मुल्लापेरियार डैम की। इलेक्ट्रिसिटी कनेक्शन के लिए माननीय सदस्य उस समय बड़ी जोर से बोल रहे थे। इलेक्ट्रिसिटी कनेक्शन देने के लिए सुप्रीम कोर्ट तक आना पड़ा कि बिजली का कनेक्शन होना चाहिए, इसको दिया जाना चाहिए, इसके लिए सुप्रीम कोर्ट को आदेश करना पड़ा। Free access मिलना चाहिए, इसको लेकर कोर्ट में लड़ाई की जा रही है। वहां 23 पेड़ काटने की परमिशन एक दिन दी जाती है और दूसरे दिन withdraw की जाती है। क्या इस तरह की स्थितियों पर कहीं-न-कहीं, किसी-न-किसी स्तर पर हमें विराम लगाने की आवश्यकता है या नहीं है, यह मैं आप सभी माननीय सदस्यों से पूछना चाहता हूं। आप अपनी अंतरात्मा की आवाज से कहिए कि क्या इस तरह की व्यवस्था देश में नहीं होनी चाहिए? आजादी के 75वें वर्ष में जब देश 'अमृत महोत्सव' मना रहा है, तब क्या हम केवल अपने अधिकारों की ही बात करेंगे या साथ में हम अपने कर्तव्यों की तरफ भी देखेंगे? हम सब लोगों के पास यह अवसर है कि हम अपने कर्तव्यों की तरफ देखें और जो वर्तमान में हमने व्यवस्था propose की है और राष्ट्रीय स्तर पर जो उपबंध किए हैं - वह

राष्ट्रीय बांध सुरक्षा प्राधिकरण के संबंध में है। उस अभिकरण के पास penalty impose करने की शक्ति होगी। वर्तमान व्यवस्था के अनुरूप अभी जो निर्देश दिए जाएंगे, यदि उसमें कोई intentionally obstruction करता है, उसकी अनुपालना नहीं की जाती है... उन निर्देशों के अनुकूल रख-रखाव नहीं किया जाता है, तो उसकी accountability fix करके उस प्रदेश को या उस व्यक्ति विशेष को दंडित किया जा सके, सिर्फ इतना-सा उपबंध इसमें जोड़ने का प्रावधान किया गया है।

माननीय उपसभापति महोदय, आज जो व्यवस्था है, उस व्यवस्था को लेकर 38 से ज्यादा NCDS की मीटिंग्स हो चुकी हैं और 38 बार से ज्यादा NCDS के लोग एक साथ बैठ चुके हैं। जब वे अंतिम बार बैठे थे, तब सारे प्रदेशों ने - मैं धन्यवाद करना चाहता हूँ कि कम से कम इस सदन में किसी ने यह नहीं कहा कि स्टेट्स के साथ consultation नहीं हुआ। जब लोक सभा में चर्चा हो रही थी, तब कई सदस्य कह रहे थे कि स्टेट्स के साथ consultation नहीं हुआ। इस पर तीन-तीन बार NCDS में consultation हुआ है। यहां पर नवनीतकृष्णन साहब बैठे हैं, वे मेरी बात सुन रहे हैं - वे हमसे कह रहे थे कि हमसे पूछा नहीं गया, स्टेट से राय नहीं ली गई। NCDS की 37वीं मीटिंग रुड़की में हुई थी। आप उस मीटिंग की रिपोर्ट उठाकर देख लीजिए, उस मीटिंग के मिनट्स उठाकर पढ़ लीजिए। आप ही के माननीय सदस्यों के निर्देश पर - नवनीतकृष्णन साहब, जो आपने प्रश्न खड़ा किया है - आप ही की स्टेट की रिकमंडेशन पर यह व्यवस्था की गई। यह कहा गया कि हमारे बांध की peculiar position है, हमारे बांध दूसरे स्टेट्स में हैं, वहां हमें अनुमति नहीं मिलेगी, वहां स्टेट की organisation हमारे लिए काम नहीं करेगी, इसीलिए इसकी जिम्मेदारी national level पर भारत सरकार को लेनी चाहिए। हमने इसका उपबंध किया है और आज आपका ही प्रदेश इसका विरोध कर रहा है।

माननीय उपसभापति महोदय, सुदृढ़ बांध, सुरक्षा प्रथम और प्रक्रियाओं के बावजूद extreme and natural conditions और अज्ञात कारणों से आपातकालीन स्थितियां पैदा होती हैं - एकाएक पानी बरस गया और उसके कारण हुआ, एकाएक डैम खोलना पड़ा, उसके कारण से परिस्थितियां उत्पन्न होती हैं। अभी कुछ माननीय सदस्यों ने चिंता व्यक्त की थी कि हम केवल structural विषयों को ही importance दे रहे हैं, यह मेरे भाई मनोज जी ने कहा था। मुझे लगता है कि PRS ने जो कागज छापा बहुत सारे लोगों ने केवल उसी पर अपने आपको सीमित कर लिया है। यदि बांध सुरक्षा के इस विधेयक को पूरा पढ़ा होता, तो अच्छा रहता। हमने केवल operational maintenance पर बात नहीं की है, इसके बारे में तो कोई प्रश्न खड़ा नहीं हो सकता था।

प्रो. मनोज कुमार झा: सर, कम की है।

श्री गजेन्द्र सिंह शेखावत: सर, इस देश में operational maintenance को लेकर भी protocol बनना चाहिए और उसको भी बराबर की importance मिलनी चाहिए, पहली बार उसका उपबंध हमने इस कानून के माध्यम से किया है।

माननीय उपसभापति महोदय, मुल्लापेरियार बांध की चर्चा हुई। कुछ माननीय सदस्यों ने, कुछ तमिलनाडु के सदस्यों ने केरल में जो चार बांध हैं, उनकी भी चर्चा की, लेकिन देश में चार ही ऐसे बांध नहीं हैं। देश में 14 ऐसे structures हैं, जिनकी ownership किसी और स्टेट के पास है

और उसकी location किसी और स्टेट में है। निश्चित रूप से उन सब की सुरक्षा की जिम्मेदारी हम सब की है। निश्चित रूप से उनकी सुरक्षा की जिम्मेदारी और भी ज्यादा महत्वपूर्ण है, क्योंकि वह किसी और प्रदेश में स्थित है। वहां की परिस्थितियां, वहां के political differences के कारण कहीं लोगों की जान खतरे में न पड़ जाए, इसकी जिम्मेदारी इस संसद में बैठे सदस्यों की है, इस सदन में बैठे हुए हम सब लोगों की है और हम अपनी जिम्मेदारी से मुक्त नहीं हो सकते। केवल राज्यों के अधिकारों की बात करके हम उस जिम्मेदारी से मुक्त होने का प्रयास करेंगे, तो मुझे लगता है कि कहीं न कहीं हम जनप्रतिनिधि होने के अपने धर्म के साथ न्याय नहीं कर पायेंगे। मैं माननीय सदस्यों से आग्रह करना चाहता हूं कि 2019 का जो बिल हम लेकर आए हैं, इस बिल में ऐसे सारे राज्यों के बांध, जो बांध किसी अन्य प्रदेश में अवस्थित हैं, उनको हमने बराबर की महत्ता दी है और हमने इसके लिए पूरी व्यवस्था की है। वहां पर conflict of interest हो सकता है, क्योंकि वह दो राज्यों के बीच में सामूहिक सम्पत्ति है। मैं नाम नहीं लेना चाहता हूं, मुझे एक बांध में जाने का अवसर मिला था। मैं उसकी gallery में गया, वह बांध, that is co-owned by the two States. जब मैं gallery में नीचे गया, तब देखा - आप कल्पना कीजिए कि यह बांध की gallery है, उसके आधे बांध में अच्छा रख-रखाव हुआ है, अच्छी painting हो रखी है, ठीक-ठाक व्यवस्था है, electricity connection है, सब कुछ ठीक है और बाकी बचे हुए आधे हिस्से में, क्योंकि वह दूसरे राज्य के हिस्से में आता है, उसी बांध की आधी दीवार के बाद में कहीं प्लास्टर उखड़ रहा है, कहीं पर तार लटक रहे हैं और वह बांध कभी भी टूट सकता है, इस तरह की परिस्थिति है। क्या हम बांध को आधा-आधा बांटकर उसकी सुरक्षा कर सकते हैं? इस तरह की स्थितियां पैदा न हों, इसके लिए ही यह उपबंध किया गया है कि ऐसे सारे बांध, जो दूसरे प्रदेश में उल्लेखित हैं, वहां पर जिस स्टेट ऑर्गनाइजेशन को देखना है, उसकी देखभाल का काम सेंट्रल कमेटी करेगी। इसके अतिरिक्त और कोई विषय हमने इसमें नहीं लिया है।

माननीय उपसभापति महोदय, माननीय सदस्यों ने चिंता व्यक्त की कि हमने NCDS में केवल सात प्रदेशों को ही प्रतिनिधित्व दिया है। महोदय, मैं विनम्रता के साथ निवेदन करना चाहता हूं कि यहां भी हमने पार्लियामेंटरी स्टैंडिंग कमेटी की सिफारिशों का अक्षरशः पालन किया है। वहां इस पर विस्तार से चर्चा हुई और कहा गया कि यदि आप इस पर 30, 40, 50 या 60 लोगों की कमेटी बना देंगे, तो उससे कभी न्याय नहीं हो पाएगा। मैं माननीय सदस्यों को विश्वास दिलाता हूं कि आपने जो चिंता व्यक्त की है, जब हम रूल बनाएंगे, तब इसमें सब-कमेटी का clause डालेंगे और उसको संसद के पटल पर भी रखेंगे कि ऐसे राज्यों को, जहाँ ऐसे critical structures हैं, वहाँ उनको प्रतिनिधित्व मिलना चाहिए। यह उन्हें उन Committees में Sub-Committees में मिले। इसके साथ-साथ विशेष आमंत्रित सदस्यों के रूप में यदि किसी ऐसे विषय पर चर्चा होती है, तो उस राज्य के प्रतिनिधि को भी बुलाया जाए, मैं इस उपबंध का भी आप सभी को विश्वास दिलाना चाहता हूं।

माननीय उपसभापति महोदय, अभी भारत सरकार ने माननीय प्रधान मंत्री जी के नेतृत्व में Dam Rehabilitation and Improvement Project का एक प्रोग्राम पूरा किया है। कुछ सदस्यों ने उसकी चर्चा की है। जब DRIP का पहला चरण पूरा हुआ, तब ऐसे अनेक विषय संज्ञान में आए। जब हमने बांधों को देखा, बांधों के रख-रखाव के बारे में अध्ययन किया, बांधों की स्थितियों के बारे में अध्ययन किया, तब यह जानकारी सामने आई कि स्थितियाँ कितनी भयावह हैं। छोटी-सी चूक,

जो बहुत बड़े डिज़ास्टर का कारण बन सकती है, के साथ हमें ऐसी कितनी सारी चूकें, जो उन राज्यों के बांधों के रखरखाव में की गई हैं, देखने को मिलीं। आज जब हमने उसमें 178 से ज्यादा बांधों को वापस strengthen किया है और एक बार फिर DRIP-2 and DRIP-3 में 10 हजार करोड़ रुपये की लागत के साथ देश के ऐसे 700 से ज्यादा बांधों पर इस तरह से काम करने के लिए हम आगे बढ़े हैं, तब निश्चित रूप से इस तरह के कानून की बहुत आवश्यकता है। The Dam Rehabilitation and Improvement Project में जो कमियां पाई जाती हैं, उन कमियों को समय पर पूरा किया जाए, इसके लिए निश्चित रूप से एक व्यवस्था बननी चाहिए। इस तरह की योजना की सफलता के लिए भी यह आवश्यक है कि हम इसकी एक व्यवस्था करें।

माननीय उपसभापति जी, मुझे लगता है कि सभी सदस्यों ने जो प्रश्न खड़े किए थे, मैंने अपनी बात कहते हुए उनके सामान्य रूप से, सहज रूप से जवाब दिए हैं।

मैं समाप्त करने से पहले एक अंतिम बात यह कहना चाहता हूं कि अंत में श्री वि. विजयसाई रेड्डी ने कहा था कि हमने उसमें आंध्र प्रदेश के बांधों को include नहीं किया। मैं बहुत दुख के साथ यह कहना चाहता हूं कि आंध्र प्रदेश ने World Bank का जो criteria था, वह meet out नहीं किया है। अगर आप criteria meet out करेंगे, तो मैं आज इस सदन के पटल पर खड़ा होकर आपको विश्वास दिलाता हूं कि हम इसमें आपकी सूची के बांधों को भी सम्मिलित करेंगे। बांध सुरक्षा का यह विधेयक पवित्र भाव से है। इसमें न आपके अधिकारों पर किसी तरह के encroachment का मंतव्य है, न आपके पानी पर किसी तरह के encroachment का मंतव्य है, न आपके operation के अधिकारों यथा बांध को खोलना, उसमें किसका, कितना शेयर होगा, किसका कितना हिस्सा होगा, किस राज्य को उससे बनने वाली कितनी बिजली मिलेगी, किस राज्य का बिजली पर अधिकार होगा आदि जो विषय हैं, हम उनमें कहीं पर भी interfere नहीं करना चाहते, हस्तक्षेप नहीं करना चाहते, encroachment नहीं करना चाहते। हम न आपके बांधों की ownership पर किसी तरह का प्रश्नचिह्न खड़ा करना चाहते हैं और न आपके operation और maintenance के अधिकारों पर प्रश्नचिह्न खड़ा करना चाहते हैं। हम तो एक व्यवस्था बनाना चाहते हैं कि देश के think tank बैंक के रूप में एनसीडीएस काम करे, कमेटी काम करे।

उपसभापति जी, कुछ लोगों ने conflict of interest की बात कही। आज भी देश के ऐसे सारे विषयों के लिए Central Water Commission एक organisation है, जिसके पास सर्वोच्च न्यायालय से लेकर राज्य की सरकारें तक appraisal के लिए विषय भेजती हैं। उस organisation का चेयरमैन ex-officio और उसके साथ जो experts की टीम है, वे सब मिलकर एक think tank के रूप में काम करें। वह think tank जो अनुशंसाएं करे और राज्यों के ऐसे थिंक टैंक्स भी जो अनुशंसाएं करें, उनको राज्यों की organizations ठीक से implement करें, उसमें किस स्तर का अधिकारी minimum होना चाहिए - इसका कानून बनाया जाए। क्योंकि किसी राज्य ने उसके लिए junior engineer को appoint किया है, किसी ने executive engineer को appoint किया है, किसी ने chief engineer को जिम्मेदारी तो दे रखी है, लेकिन ad-hoc charge executive engineer को दे रखा है, इसलिए इस तरह की व्यवस्थाएं समाप्त हों। जो कुछ देश स्तर और प्रदेश स्तर पर तय किया गया है, उसको गंभीरता के साथ नीचे लागू किया जाए - केवल मात्र एक ऐसा eco-system देश में बने, इसके लिए हम यह कानून लेकर आए हैं।

अधिकारों पर encroachment करना माननीय नरेन्द्र मोदी जी की सरकार की प्रथा नहीं है। मैं यहाँ से माननीय नरेन्द्र मोदी जी का वह भाषण याद दिलाना चाहता हूँ, जब उन्होंने बाहें पसारकर कहा था कि we will work as a Team India और हम cooperative federalism के नारे पर काम करते हैं। सबको साथ लेकर, सबको विश्वास में लेकर और सबके प्रयास से हम नया भारत बनाने के लिए काम कर रहे हैं। मैं आप सभी माननीय सदस्यों से विनम्र आग्रह करता हूँ कि अपनी राजनीतिक प्रतिबद्धताओं को एक तरफ रखकर सोचिए और केवल और केवल शुद्ध हृदय से कि यह बांध सुरक्षा का विधेयक जिस पवित्र भाव से लाया गया है, उस भावना के साथ न्याय करते हुए आप सभी माननीय सदस्य इसको पारित कराएंगे और देश के बांधों की सुरक्षा का एक नया अध्याय इस देश में आपके हाथों से लिखा जाएगा, इसके लिए आप सभी से आह्वान करते हुए मैं आप सभी का बहुत सारा धन्यवाद करता हूँ।

श्री उपसभापति : धन्यवाद माननीय मंत्री जी।

MR. DEPUTY CHAIRMAN: I shall now put the amendment moved by Shri Tiruchi Siva*ji* for reference of the Dam Safety Bill, 2019, as passed by Lok Sabha, to a Select Committee of the Rajya Sabha to vote. The question is:

"That the Bill to provide for surveillance, inspection, operation and maintenance of the specified dam for prevention of dam failure related disasters and to provide for institutional mechanism to ensure their safe functioning and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be referred to a Select Committee of the Rajya Sabha, consisting of the following Members:-

1. Shri R.S. Bharathi
2. Shri Bikash Ranjan Bhattacharyya
3. Shri John Brittas
4. Shri G.C. Chandrashekhar
5. Shrimati Vandana Chavan
6. Shri T.K.S. Elangovan
7. Dr. L. Hanumanthaiah
8. Prof. Manoj Kumar Jha
9. Shri Tiruchi Siva
10. Prof. Ram Gopal Yadav

with instructions to report by the last day of the first week of the next Session (256th) of the Rajya Sabha".

SHRI TIRUCHI SIVA: Sir, I want division.

श्री उपसभापति : माननीय सदस्य, लॉबीज क्लियर हो रही हैं, तब तक महज सूचनार्थ मैं बताना चाहता हूँ कि इस सदन के सम्मानित वरिष्ठ सदस्य माननीय जगत प्रकाश नड्डा जी का आज जन्मदिवस है। वे दीर्घायु हों, स्वस्थ रहें, देश और समाज को उनकी सेवाएं लगातार मिलती रहें, उन्हें हम सबकी शुभकामनाएं हैं।

श्री शक्तिसिंह गोहिल : उपसभापति जी, आज अनिल बलूनी जी का भी जन्मदिवस है।

प्रो. मनोज कुमार झा : उन्हें भी हम शुभकामनाएं देते हैं।

श्री उपसभापति : माननीय सदस्य अनिल बलूनी जी का भी आज जन्मदिवस है। वे भी स्वस्थ रहें, दीर्घायु हों, देश और समाज को उनकी सेवाएं मिलती रहें, उन्हें भी हम बहुत शुभकामनाएं देते हैं। धन्यवाद माननीय मनोज जी। The question is:

"That the Bill to provide for surveillance, inspection, operation and maintenance of the specified dam for prevention of dam failure related disasters and to provide for institutional mechanism to ensure their safe functioning and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be referred to a Select Committee of the Rajya Sabha, consisting of the following Members:-

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3. Shri John Brittas
4. Shri G.C. Chandrashekhar
5. Shrimati Vandana Chavan
6. Shri T.K.S. Elangovan
7. Dr. L. Hanumanthaiah
8. Prof. Manoj Kumar Jha
9. Shri Tiruchi Siva
10. Prof. Ram Gopal Yadav

with instructions to report by the last day of the first week of the next Session (256th) of the Rajya Sabha".

The House divided.

MR. DEPUTY CHAIRMAN:	Ayes	:	26
	Noes	:	80

Ayes : 26

Abdul Wahab, Shri
 Abdulla, Shri M. Mohamed
 Baidya, Shrimati Jharna Das
 Brittas, Shri John
 Chandrashekhar, Shri G.C.
 Dangi, Shri Neeraj
 Elangovan, Shri T.K.S.
 Gohil, Shri Shaktisinh
 Hanumanthaiah, Dr. L.
 Jha, Prof. Manoj Kumar
 Khan, Dr. Fauzia
 Navaneethakrishnan, Shri A.
 Rajeshkumar, Shri K.R.N.
 Ramesh, Shri Jairam
 Reddy, Shri V. Vijayasai
 Selvarasu, Shri Anthiyur P.
 Shanmugam, Shri M.
 Singh, Shri Digvijaya
 Siva, Shri Tiruchi
 Sivadasan, Dr. V.
 Somaprasad, Shri K.
 Somu, Dr. Kanimozhi NVN
 Vaiko, Shri
 Vijayakumar, Shri A.
 Wilson, Shri P.
 Yajnik, Dr. Amee

Noes : 80

Acharya, Shri Prasanna
 Agrawal, Dr. Anil
 Alla, Shri Ayodhya Rami Reddy
 Alphons, Shri K.J.

Amin, Shri Narhari
Anavadiya, Shri Dineshchandra Jemalbhai
Baishya, Shri Birendra Prasad
Bajpai, Dr. Ashok
Balasubramoniyar, Shri S.R.
Baluni, Shri Anil
Bara, Shrimati Ramilaben Becharbhai
Brijlal, Shri
Chandrasekhar, Shri Rajeev
Dasgupta, Shri Swapan
Dubey, Shri Satish Chandra
Dungarpur, Shri Harshvardhan Singh
Dwivedi, Shrimati Seema
Ganguly, Shrimati Roopa
Geeta alias Chandraprabha, Shrimati
Gehlot, Shri Rajendra
Goyal, Shri Piyush
Islam, Shri Syed Zafar
Jaishankar, Shri S.
Jangra, Shri Ram Chander
Javadekar, Shri Prakash
Kalita, Shri Bhubaneswar
Karad, Dr. Bhagwat
Kardam, Shrimati Kanta
Ketkar, Shri Kumar
Khan, Shri Muzibulla
Koragappa, Shri Narayana
Lokhandwala, Shri Jugalsinh
Mahatme, Dr. Vikas
Modi, Shri Sushil Kumar
Mokariya, Shri Rambhai Harjibhai
Mopidevi, Shri Venkataramana Rao
Muraleedharan, Shri V.
Murugan, Dr. L.
Nadda, Shri Jagat Prakash
Nagar, Shri Surendra Singh
Naqvi, Shri Mukhtar Abbas

Netam, Shri Ram Vichar
Nishad, Shri Jaiprakash
Oraon, Shri Samir
Patra, Dr. Sasmit
Pilli, Shri Subhas Chandra Bose
Poddar, Shri Mahesh
Prakash, Shri Deepak
Puri, Shri Hardeep Singh
Rajbhar, Shri Sakaldeep
Ramesh, Dr. C.M.
Rao, Shri G.V.L. Narasimha
Rathwa, Shri Naranbhai J.
Rebia, Shri Nabam
Rupala, Shri Parshottam
Sahasrabuddhe, Dr. Vinay P.
Selvaganabathy, Shri S.
Seth, Shri Sanjay
Shekhar, Shri Neeraj
Shukla, Shri Shiv Pratap
Singh, Shri Ajay Pratap
Singh, Shri Arun
Singh, Shri Ram Chandra Prasad
Sinha, Shri Rakesh
Solanki, Dr. Sumer Singh
Soni, Shri Kailash
Subhash Chandra, Dr.
Suresh Gopi, Shri
Tasa, Shri Kamakhya Prasad
Tendulkar, Shri Vinay Dinu
Thakur, Shri Ram Nath
Tomar, Shri Vijay Pal Singh
Trivedi, Dr. Sudhanshu
Uikey, Shrimati Sampatiya
Vaishnaw, Shri Ashwini
Vats (Retd.), Lt.Gen. (Dr.) D. P.
Verma, Shri B.L.
Verma, Shri Ramkumar

Yadav, Shri Bhupender
Yadav, Shri Harnath Singh

The motion was negatived.

MR. DEPUTY CHAIRMAN: I shall now put the motion moved by the Minister to vote.
The question is:

"That the Bill to provide for surveillance, inspection, operation and maintenance of the specified dam for prevention of dam failure related disasters and to provide for institutional mechanism to ensure their safe functioning and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration."

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: I shall now take up clause-by-clause consideration of the Bill.

Clause 2 was added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 3, there are 3 Amendments (Nos. 3 to 5) by Shri John Brittas and one Amendment (No. 6) by Dr. V. Savadasan. First, I will take up Mr. John Birttas's Amendments. Are you moving your Amendments, Mr. John Birttas?

Clause 3 - Application

SHRI JOHN BRITTAS : Sir, I move:

- (3) That at page 2, line 2, **after** the word "undertaking", the words "or local authority or company" be **inserted**.
- (4) that at page 2, line 5, **after** the word "body", the words "or any persons or organizations" be **inserted**.
- (5) That at page 2, line 6, **after** the word "controlled", the words "jointly or severally" be **inserted**.

MR. DEPUTY CHAIRMAN: Dr. Sivadasan, are you moving your Amendment?

DR. V. SIVADASAN : Sir, I move:

- (6) That at page 2, for line 3, the following be substituted, namely:-
“by the Central Government or jointly by more.”

MR. DEPUTY CHAIRMAN: I shall first put the Amendments (Nos. 3 to 5) moved by Shri John Barittas to vote.

The motion was negatived.

MR. DEPUTY CHAIRMAN: I shall now put the Amendment (No. 6) moved by Shri V. Sivadasan to vote.

The motion was negatived.

Clause 3 was added to the Bill.

MR. DEPUTY CHAIRMAN: We shall now take up Clause 4 of the Bill. In Clause 4, there are four Amendments. Amendments (Nos. 7 and 8) by hon. Shri John Brittas. Are you moving?

Clause 4 - Definitions

SHRI JOHN BRITTAS: Sir, I move:

- (7) That at page 2, line 11, for the word “giving”, the word “specifying” be substituted.

- (8) That at page 4, line 3, after the word “company”, the words “or institution” be inserted.

MR. DEPUTY CHAIRMAN: Then, Amendments (Nos. 9 and 10) by Dr. V. Sivadasan. Are you moving?

DR. V. SIVADASAN : Sir, I move:

- (9) That at page 4, lines 1 and 2, for the words “or a State Government or jointly by one or more Governments”, the words “or jointly by more Governments” be substituted.

- (10) That at page 4, line 14, after the words “a dam constructed”, the words “by the Central Government or jointly by more Governments” be inserted.

MR. DEPUTY CHAIRMAN: I shall first put the Amendments (Nos. 7 and 8) moved by Shri John Brittas to vote.

The motion was negatived.

MR. DEPUTY CHAIRMAN: I shall now put the Amendments (Nos. 9 and 10) moved by Dr. V. Sivadasan to vote.

The motion was negatived.

Clause 4 was added to the Bill.

MR. DEPUTY CHAIRMAN: We shall now take up Clause 5 of the Bill. In Clause 5, there are four Amendments. Amendment (No. 11) by Shri John Brittas. Mr. Brittas, are you moving?

Clause 5 - Constitution of National Committee

SHRI JOHN BRITTAS : Yes, Sir, I am moving. It is a very important amendment. Sir, I move:

- (11) That at page 4, for line 39, the following be substituted, namely:-

“(a) a person who is, or has been a judge of the Supreme Court, or is, or has been Chief Justice of a High Court, or a person of eminence in public life with wide knowledge and experience in law, technology, dam safety and allied fields, to be appointed on the recommendation of a three member committee consisting of the Prime Minister as Chairperson, the Leader of Opposition in the Lok Sabha and the Chief Justice of India, or judge of the Supreme court nominated by him — Chairperson;

(b) the Chairman, Central Water Commission — Member, ex-officio;”

MR. DEPUTY CHAIRMAN: Then, Amendment (No. 12) by Shri John Brittas and Shri Abdul Wahab. Are you moving?

SHRI JOHN BRITTAS: Sir, I move:

(12) That at page 4, line 44, for the word “seven”, the word “ten” be substituted.

MR. DEPUTY CHAIRMAN: Amendment (No. 13) by Dr. V. Sivadasan. Are you moving?

DR. V. SIVADASAN : Sir, I move:

(13) That at page 4, lines 44 and 45, the words “not exceeding seven” and the words “by rotation, nominated by the Central Government” be deleted.

MR. DEPUTY CHAIRMAN: Amendment (No.14) by Shri Abdul Wahab. Are you moving?

SHRI ABDUL WAHAB: Sir, seeing the sentiments of the House, I am not moving.

MR. DEPUTY CHAIRMAN: I shall first put the Amendment (No.11) moved by Shri John Brittas to vote.

The motion was negatived.

MR. DEPUTY CHAIRMAN: I shall now put the Amendment (No.12) moved by Shri John Brittas to vote.

The motion was negatived.

MR. DEPUTY CHAIRMAN: I shall now put the Amendment (No.13) by Dr. V. Sivadasan to vote.

The motion was negatived.

Clause 5 was added to the Bill.

MR. DEPUTY CHAIRMAN: We shall now take up Clause 6 of the Bill. There are two Amendments (Nos.15 and 16) by Shri Abdul Wahab.
Are you moving?

SHRI ABDUL WAHAB: Sir, I am not moving.

Clause 6 was added to the Bill.

Clause 7 was added to the Bill.

MR. DEPUTY CHAIRMAN: We shall now take up Clause 8 of the Bill. There are two Amendments. Amendment (No.17) by Shri John Brittas. Are you moving?

Clause 8: Establishment of National Dam Safety Authority

SHRI JOHN BRITTAS : Yes, Sir, I am moving. I move:

(17) That at page 5, lines 28 and 29, *for* the words “an officer not below the rank of Additional Secretary to the Government of India or equivalent”, the words “a person who is, or has been a judge of High Court” be *substituted*.

MR. DEPUTY CHAIRMAN: Then, Amendment (No.18) by Dr. V. Sivadasan. Are you moving?

DR. V. SIVADASAN: Sir, I move:

(18) That at page 5, line 34, for the words “comply with”, the words “guided by” be *substituted*.

MR. DEPUTY CHAIRMAN: I shall first put the Amendment (No.17) moved by Shri John Brittas to vote.

The motion was negatived.

MR. DEPUTY CHAIRMAN: I shall now put the Amendment (No.18) moved by Dr. V. Sivadasan to vote.

The motion was negatived.

Clause 8 was added to the Bill.

Clauses 9 to 56, the First Schedule, the Second Schedule and the Third Schedule were added to the Bill.

MR. DEPUTY CHAIRMAN: In Clause 1, there is one Amendment (No.2) by the Minister.

Clause 1 - Short Title, Extent and Commencement

SHRI GAJENDRA SINGH SHEKHAWAT: Sir, I move:

- (2) That at page 1, line 4, *for* the figure “2019”, the figure “2021” be *substituted*.

The question was put and the motion was adopted.

Clause 1, as amended, was added to the Bill.

MR. DEPUTY CHAIRMAN: In the Enacting Formula, there is one Amendment (No.1) by the Minister.

Enacting Formula

SHRI GAJENDRA SINGH SHEKHAWAT: Sir, I move:

- (1) That at page 1, line 1, *for* the words “Seventieth”, the word “Seventy-second” 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.

श्री गजेन्द्र सिंह शेखावत : महोदय, मैं प्रस्ताव करता हूँ :

"कि विधेयक को यथा संशोधित रूप में पारित किया जाए।"

The question was put and the motion was adopted.

SPECIAL MENTIONS

श्री उपसभापति : माननीय सदस्यगण, अब हम स्पेशल मेंशन्स लेंगे। Please wait for a few minutes.

Demand to establish permanent regional benches of the Supreme Court

SHRI P. WILSON (Tamil Nadu): Sir, I rise to draw attention to the urgent need for setting up of permanent Regional Benches of the Supreme Court of India at Delhi, Chennai, Mumbai and Kolkata apart from a Constitution Bench at Delhi. Access to justice is a Fundamental Right enshrined in our Constitution. The framers of our Constitution considered this right to be so sacrosanct that they enacted Article 32 - a direct access to the highest court of the land to enforce Fundamental Rights.

Access to the Apex Court cannot be deprived due to economic factors and such a situation is antithetical to the constitutional mandate. The need for setting up Regional Benches has been felt over the last three decades in all quarters and the Standing Committees of Parliament have recommended the setting up of Regional Benches of the Supreme Court. The Law Commission has also suggested the same. The hon. Chairman has also voiced the same. While doing so, suggestions have come from certain quarters to set up National Courts of Appeals. To have a court between the Supreme Court and the High Court as the alternative is not the answer. Our Constitution gives every citizen the right to have his case adjudicated finally at the highest Court or to approach the highest Court directly under Article 32 to establish their Fundamental Rights. Further, a court of appeal would not solve the problem.

Therefore, I request the Union Government, through you, Sir, to established permanent Regional Benches of the Supreme Court urgently.

DR. FAUZIA KHAN (Maharashtra): Sir, I associate myself with the Special Mention made by the hon. Member.

Demand for smooth passage of Indian trucks at Petrapole-Benapole crossing of Indo-Bangladesh border

SHRI MAHESH PODDAR (Jharkhand): Sir, it has been noted that Indian export trucks crossing into Bangladesh through the Petrapole-Benapole crossing have been stuck for some days now which has become a regular feature now, which is threatening the quality of products and incurring additional costs to the exporters. This aggravates the situation by burdening them with additional costs which they have to bear. It has been reported in the media too that the normal truck count that ranged around 6,000-8,000 daily has been reduced to 200-300 daily. Additionally, money is being demanded at this crossing for parking during this indefinite waiting

period. I would urge upon the Government to kindly intervene in this matter timely to ensure smooth trade across this land crossing.

MR. DEPUTY CHAIRMAN: Shri Bhaskar Rao Nekkanti is absent. Now, Dr. C.M. Ramesh.

Demand for urgent steps for linking of rivers in the country

DR. C. M. RAMESH (Andhra Pradesh): Sir, due to unpredictable monsoon and perennial scarcity of water in some parts of the country, interlinking of rivers has assumed great significance.

Interlinking of rivers can play a major role in water management in the country. Many regions routinely face severe drought and the States and the Centre try to tackle the situation. The main occupation of rural India is agriculture, and if monsoon fails in a year, then agricultural activities come to a standstill.

During monsoon season, most of the rains happen in northern and eastern parts of the country. The amount of rainfall in southern and western parts is comparatively low. Interlinking of rivers will help these areas to have water throughout the year.

The Ganga Basin and the Brahmaputra Basin see floods every year. Water from these areas has to be diverted to other areas where there is scarcity of water. This can be achieved only by linking of rivers. Under the National Water Development Agency, 30 links (16 under Peninsular Component and 14 under Himalayan component) are understood to have been identified and the link is under preparation.

I urge upon the Government to take up interlinking of rivers in the country in a big way and on priority basis as it would minimize water going into the seas and generate power apart from giving respite from floods. The drought-prone areas would also be immensely benefited. I hope all the States would cooperate with the Central Government in this regard to help find a permanent solution.

DR. FAUZIA KHAN (Maharashtra): Sir, I associate myself with the Special Mention made by the hon. Member.

Demand to re-open Ghare Baire Museum in Kolkata

SHRI MD. NADIMUL HAQUE (West Bengal): Sir, it is deeply saddening for art and history enthusiasts alike that a decision has been taken to close down the Ghare Baire

Museum in Kolkata merely two years after its opening on January 11th, 2020. The widely popular museum exhibition, Ghare Baire Museum, translated to ‘at home and the world’ derives its name from the famous Rabindranath Tagore’s novel of the same name. It was run jointly by DAG Museum, a private entity, the National Gallery of Modern Art and the ASI, the last two of which come under the Ministry of Culture. Based on information available, the contract between the DAG Museum and the Ministry of Culture expired last year; however, the Ministry had decided not to renew it. No specific reason has been given for this sudden and unfortunate decision. During the time of its functioning, the museum had to remain shut on several occasions due to COVID restrictions too.

The museum is housed in an equally historically important and architecturally marvelous Currency Building in Dalhousie Square. The exhibits were well-researched and had provided a much-needed platform for some of the best artists of the 20th century. The museum also held some exquisite Bengali art, with antique pieces as old as those from the 1700s. Some of its most famous artists were Sakti Burman, Haren Das, Gopal Ghose, Nemai Ghose, Ganesh Pyne and Abanindranath Tagore. The restoration of this museum, through a renewal of the contract, should hence be undertaken at the earliest.

Demand to conduct Socio-Economic Caste Census (SECC) along with general census

SHRI V. VIJAYASAI REDDY (Andhra Pradesh): Sir, the availability of caste census is important so that the Government can design effective and targeted welfare policies for the Backward Classes and also ensure that the benefits of BC reservation reach the poor and deserving.

For six decades, from 1872 to 1931, India conducted SECC within the General Census. But, in every census in the post-independence era, no caste data, apart from that relating to SCs and STs, has also been collected.

Although India has a large population of Other Backward Classes (OBCs) that do not fall under the category of SCs and STs, there is no precise data on them. This absence of accurate statistics on OBCs has led to many false and underserving people, claiming benefits of the Reservation Policy at the cost of the poor and deserving.

The General Census already includes the enumeration of SCs and STs, hence the possibility of additionally including OBCs within the 2021 General Census is a practical cost-effective method of assessing the social, educational and economic

backwardness of OBCs. It will also ensure the proper implementation of Articles 15 and 16 of the Constitution, dealing with reservations for OBCs in educational institutions and public employment.

The Government of Andhra Pradesh has already passed a resolution to this effect and would give all necessary support, including manpower, to facilitate such SECC, if the Central Government plans to undertake it.

Hence, I request the Home Ministry to conduct a caste-based census for its multiple benefits and the trickle-down effect of reservation.

DR. FAUZIA KHAN (Maharashtra): Sir, I associate myself with the Special Mention made by the hon. Member has said.

Demand to update the list of protected endangered species in Wildlife Protection Act, 1972

श्री राकेश सिन्हा (नाम निर्देशित) : महोदय, जानवरों की दुर्लभ और अस्तित्व के संकट से गुजर रही प्रजातियों को कानूनी संरक्षण देने के लिए Wildlife Protection Act, 1972 बनाया गया था। इसमें छः सूचियाँ हैं, जिनमें पहली दो सूचियों में जिन प्रजातियों को रखा गया, उन्हें पूर्ण वैधानिक संरक्षण दिया जाता है। उनका आखेट करना, उनको मारना या अपने कब्जे में रखना कानूनी अपराध है। ऐसे तो भारत में कुल 91,000 प्रजातियाँ हैं। 2002 में International Union for Conservation of Nature ने भारत की 191 प्रजातियों को critically endangered बताया था। प्रजातियों का अलग-अलग स्थानों में अलग-अलग स्थानीय नाम होता है। नामों की भिन्नता को दूर करने के लिए वैज्ञानिक नाम रखा जाता है। इन्हीं नामों के आधार पर कानूनी संरक्षण मिलता है। 1970 तक नामकरण का आधार प्रजातियों का बाह्य स्वरूप, morphological था। अब नामकरण में DNA तकनीक का उपयोग किया जा रहा है। इस प्रकार एक ही प्रजाति के DNA variants से नामकरण भिन्न हो जाता है। Wildlife Protection Act, 1972 की सूचियों में नए वैज्ञानिक नामों के update नहीं होने से अनेक दुर्लभ प्रजातियों को कानूनी संरक्षण नहीं मिल पा रहा है। Act की सूची में उदाहरण के तौर पर माउस डियर का नाम है, परन्तु इसी की अलग प्रजाति, जो भारत में है, का नया नाम मौसच्योलाइडिका है। यह नाम सूची में update नहीं हुआ। उसी तरह लोरिस टार्डिग्रेडस तो पहले से सूची में है, परन्तु भारत व श्रीलंका में पाए जाने वाले variant का नामकरण 1988 में लौरिस लैडिकैरियानस रखा गया। यह नाम भी update नहीं हुआ है।

अतः सदन के माध्यम से मेरा आग्रह है कि सरकार Wildlife Protection Act, 1972 में प्रजातियों के नए वैज्ञानिक नामों को निरंतर update करे, जिससे उन्हें कानूनी संरक्षण मिल सके।

DR. FAUZIA KHAN (Maharashtra): Sir, I would like to associate myself with the Special Mention made by the hon. Member.

Demand to address increasing malnutrition in the country

SHRI ABIR RANJAN BISWAS (West Bengal): Sir, globally, at least, one-third of the stunted children are in India which implies that India loses about 4 per cent of its annual GDP to malnutrition. According to the first round of the NFHS-5 survey, 13 out of 22 States and Union Territories have shown an increase in the percentage of stunted children below the age of 5 with Gujarat at the highest with 39 per cent. Sir, India is the highest in malnutrition in South Asia. Malnutrition is responsible for up to 60 per cent of child mortality in India because weaker children have very poor immunity and are therefore unable to fight infections. The issue of child and maternal malnutrition accounts for 15 per cent of India's total disease burden.

Sir, the Budget allocation for the Ministry of Women and Child Development has been slashed by 18.5 per cent which has led to a decline from Rs. 30,007.10 crores in Financial Year 2020-21 to Rs. 24,435 crores in Financial Year, 2021-22 thereby affecting adversely all the schemes which includes Integrated Child Development Services, commonly known as ICDS, Pradhan Mantri Matru Vandana Yojana (PMMVY) and National Creche Scheme. In Financial Year, 2020-21, the budget allocated separately for ICDS stood at Rs. 20,532 crores. However, this year ICDS has been clubbed under the Saksham scheme which also includes Poshan Abhiyan, Scheme for Adolescent Girls, and the National Creche Scheme; and the total fund allocated to the Saksham scheme stands at Rs. 20,105 crore which is lower than even last year's allocation which stood at Rs. 24,557 crores meant only for Saksham scheme and also less than the 2020-21 Budget allocated for ICDS alone.

Sir, I urge upon the Government to look into this matter urgently as the issue of malnutrition is waiting to become an impending doom. Thank you.

DR. FAUZIA KHAN (Maharashtra): Sir, I would like to associate myself with the Special Mention made by the hon. Member.

MR. DEPUTY CHAIRMAN: The House stands adjourned to meet at 11.00 hours on Friday, the 3rd December, 2021.

The House then adjourned at thirty-three minutes past six of the clock till eleven of the clock on Friday, the 3rd December, 2021.

