

Vol. 223
No. 13



सत्यमेव जयते

PARLIAMENTARY DEBATES

RAJYA SABHA

OFFICIAL REPORT

CONTENTS

Thursday
18 August, 2011
27 Sravana, 1933 (Saka)

Oral Answers to Questions (pages 1-35)

Written Answers to Starred Questions (pages 35-63)

Written Answers to Unstarred Questions (pages 63-243)

Statement by Minister Correcting Answer to Question - *Laid on the Table*
(page 243)

Papers Laid on the Table (page 244)

Reports of the Department Related Parliamentary Standing Committee on
Rural Development - *Laid on the Table* (page 250)

Statement by Minister-

Implementation of recommendation contained in the twenty-eighth
report of the Department Related Parliamentary Standing Committee on
Finance - *Laid on the Table* (pages 250-251)

Leave of Absence - *Granted* (page 251)

Farewell to the retiring Members (pages 251-258)

Government Bills-

The Inter-State Migrant Workmen (Regulation of Employment and
Conditions of Service) Bill, 2011 - *Introduced* (page 258)

The Border Security Force (Amendment) Bill, 2011 - *Introduced* (page
259)

The Administrators-General (Amendment) Bill, 2011 - *Introduced* (page
259)

©

RAJYA SABHA SECRETARIAT
NEW DELHI

Price : Rs. 50.00

Matters raised with permission-

Grim flood situation in Assam (pages 259-260)

Flood situation in Uttar Pradesh (pages 260-261)

Flood situation in Bihar, Uttarakhand, Assam, West Bengal and other parts of the Country (pages 261-263)

Killing of an RTI activist and safety issues concerning whistleblowers (pages 263-264)

Special Mentions - *Laid on the Table*

Concern over the vacancies of teaching posts in top technical and management institutions of the country (page 264)

Demand to enhance the amount of pension given under the Employees' Pension Scheme, 1995 (pages 264-265)

Demand to enhance the amount of financial assistance given to widows living under Below Poverty Line (pages 265-266)

Demand for speedy disposal of health insurance claims of weavers of Uttar Pradesh (pages 266)

Concern over the delay in implementation of Assam Accord (pages 266-267)

Demand to take suitable measures for the industrial development of backward regions of the country (pages 267-268)

Demand for separate reservation for backward classes and other backward classes (pages 268)

Demand to increase the storage capacity for foodgrains in the Food Corporation of India (pages 268-269)

Concern over the deteriorating financial condition of the Hindustan Paper Corporation Ltd. in Assam (pages 269-270)

Demand to allocate adequate funds for laying of a new railway line between Tuticorin and Madurai (page 270)

Need to take effective steps for propagation of Hindi throughout the country (pages 270-271)

Demand to allocate adequate quantity of fertilizers to the State of Tamil Nadu (pages 271-272)

Concern over danger to the country due to China having obtained approval for exploration in Indian Ocean from the International Seabed Authority (page 272)

Demand to take effective steps for early disposal of large number of pending cases in the courts of the country (page 273)

Demand to grant Presidential assent to the Karnataka Prevention of Slaughter and Preservation of Cattle Bill (page 273-274)

Concern over the delay in making refunds of cancelled tickets and excessive cancellation charges being imposed by the private airlines in the country (pages 274-275)

Demand to review the decision of allowing foreign direct investment into retail sector of the country (page 275)

Demand to restore the availability of coal and power to the State of Madhya Pradesh (pages 275-276)

Demand to set up a regulatory authority to monitor and set parameters for safe energy drinks in the country (page 276)

Concern over scarcity of power in Bihar (pages 276-277)

Demand to strengthen the security of Mumbai (pages 277-278)

Demand to make provisions of staff with salary on Government servants' pattern for the staff of Parliamentary Party Offices of Political Parties (page 278)

Demand for early completion of Cuddapah- Bangalore railway line (pages 278-279)

Concern over rotting of foodgrains in the country (page 279)

Motion for presenting an Address under article 217 read with clause (4) of article 124 of the Constitution to the President for removal from office of Justice Soumitra Sen of the Calcutta High Court (pages 280-359)

Motion for considering the Report of the Inquiry Committee constituted to investigate into the grounds on which removal of Shri Soumitra Sen, Judge, Calcutta High Court was prayed for (pages 280-359)

Motion for Address to the President under Clause (4) of Article 124 of the Constitution (pages 280-359)

Web-site Address : <http://rajyasabha.nic.in>
<http://parliamentofindia.nic.in>

E-mail Address : rsedit-e@sansad.nic.in

PUBLISHED UNDER RULE 260 OF RULES OF PROCEDURE AND CONDUCT OF BUSINESS
IN THE COUNCIL OF STATES (RAJYA SABHA) AND PRINTED BY SUNLIGHT PRINTERS,
E1/16, ANSARI ROAD, DARYAGANJ, DELHI-110002

RAJYA SABHA

Thursday, the 18th August, 2011/27 Sravana, 1933 (Saka)

The House met at eleven of the clock,

MR. CHAIRMAN in the Chair.

ORAL ANSWERS TO QUESTIONS

MR. CHAIRMAN: Question No. 241. ...(*Interruptions*)...

श्री मुख्तार अब्बास नकवी: सर, देश भर में, उत्तर प्रदेश में, उत्तराखंड में, तमाम महत्वपूर्ण जगहों पर बाढ़ आई हुई है।

श्री सभापति: कृपया आप इसे Zero Hour में उठाइएगा। Question No. 241. Hon. Member is not present. Any Supplementaries? Yes, Voraji.

Per capita steel consumption

*241. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of STEEL be pleased to state:

(a) the present per capita steel consumption as on 31 March, 2011;

(b) the initiatives Government is taking to accelerate per capita steel consumption, which presently is substantially lower than many of the developed and developing countries; and

(c) whether Government has identified areas where steel consumption could be improved through innovative design, technological and production based solutions?

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

Statement

(a) Provisional data maintained by Joint Plant Committee (JPC) shows that during 2010-11 (ending on 31st March, 2011), per capita consumption of total finished steel was 55 kgs in India.

(b) The Steel Industry in India is deregulated and hence Government plays only the role of a facilitator in accelerating the steel consumption in the country. In the recent years all major producers of steel have increased their capacity and production and also have taken action to expand their dealership in rural and semi urban areas substantially to make quality steel available to the users at their doorsteps.

(c) The consumption of steel moves in tandem with the growth in economy. The major areas of steel consumption in the country are:

1. Infrastructure
2. Construction
3. Capital goods
4. Automobiles
5. Consumers goods
6. Low cost steel housing
7. Steel agricultural implements
8. Community facilities like halls, toilets, bus stops etc.
9. Pre-fabricated steel structure.

श्री मोती लाल वोरा: सभापति महोदय, माननीय मंत्री जी ने अपने उत्तर में बताया है कि भारत में इस्पात की प्रति व्यक्ति खपत 55 कि.ग्रा. है, लेकिन मैं माननीय मंत्री जी से यह जानना चाहता हूँ कि अन्य जो विकासशील देश हैं, जो पड़ोस के देश हैं, वहां प्रति व्यक्ति इस्पात की कितनी खपत है? साथ ही, मैं यह भी जानना चाहता हूँ कि अर्थव्यवस्था के बारे में स्टील की खपत के संबंध में जो 9 बिन्दु दर्शाए गए हैं, इन बिन्दुओं पर कितनी खपत होती है?

श्री बेनी प्रसाद वर्मा: सर, भारत इस्पात उत्पादन में 5वें नम्बर पर है और हमसे आगे सिर्फ चीन, अमेरिका, कोरिया तथा जापान है।

श्री रुद्रनारायण पाणि: धन्यवाद, सभापति महोदय। महोदय, स्टील का प्रति व्यक्ति खपत बढ़ना विकास का लक्षण है, लेकिन हर काम में procedure भी ठीक होना चाहिए। देश में ज्यादा स्टील का उत्पादन करना है, तो इसका मतलब यह नहीं कि इसका उत्पादन गैर-कानूनी ढंग से होगा। ओडिशा में जो POSCO लगाया जा रहा है, वह एक अंतर्राष्ट्रीय प्रोजेक्ट है, ऑल इंडिया प्रोजेक्ट भी है और यह केवल स्टेट का मामला नहीं है। इसमें 52 हजार करोड़ रुपए का FDI का मामला है और कई मंत्रालय इसके ऊपर काम करते हैं। मेरा इतना निवेदन है कि 22 जून, 2005 को POSCO का ओडिशा सरकार के साथ पांच साल के लिए MoU हुआ था, लेकिन पांच साल समाप्त हो गये हैं। देश में स्टील का उत्पादन बढ़ाने के लिए POSCO के बारे में कुछ भी प्रगति करना गैर कानूनी माना जाएगा। वहां पास में पारादीप पोर्ट है, आप इसे पोर्ट बनाने के लिए दे रहे हैं और उसको iron ore एक्सपोर्ट करने का काम दिया जा रहा है। वह iron ore export कराएगा, तो POSCO के बारे में अभी जो भी हो रहा है, वह गैर-कानूनी हो रहा है।

श्री सभापति: पाणि जी, कृपया आप अपना सवाल पूछिए।

श्री रुद्रनारायण पाणि: सर, क्या इस्पात मंत्री आपके माध्यम से इस सदन को, राष्ट्र को और समूची दुनिया को यह बताएंगे कि POSCO राष्ट्र हित में है और अभी जो गैर-कानूनी काम हो रहा है, उसको कब तक रोकेंगे तथा वे राज्य सरकार के साथ मामला उठा रहे हैं या नहीं उठा रहे हैं?

श्री बेनी प्रसाद वर्मा: सर, POSCO ओडिशा में आ रहा है और उसके लिए जमीन भी करीब-करीब मिल गई है। यह दायित्व मुख्य रूप से राज्य सरकार का है। हम उसके touch में हैं। POSCO के आने से हमको नई technology मिलेगी और देश में स्टील का उत्पादन बढ़ेगा, इसलिए हम उसको देश में लाने के प्रति इच्छुक भी हैं।

श्री सभापति: श्री एन.के. सिंह। ... (व्यवधान) ...

श्री रुद्रनारायण पाणि: सर, मेरा जवाब नहीं आया। ... (व्यवधान) ... वहां जो हो रहा है, वह गैर-कानूनी हो रहा है। ... (व्यवधान) ...

श्री सभापति: पाणि जी, कृपया आप बैठ जाइए। ... (व्यवधान) ...

श्री रुद्रनारायण पाणि: सर, मैं आपके माध्यम से माननीय प्रधानमंत्री से गुहार लगाऊंगा ... (व्यवधान) ...

श्री सभापति: पाणि जी, कृपया आप बैठ जाइए। ... (व्यवधान) ...

श्री रुद्रनारायण पाणि: सर, माननीय प्रधानमंत्री को इस संवेदनशील विषय पर बताना चाहिए ... (व्यवधान) ... यह राष्ट्रीय महत्व का विषय है। ... (व्यवधान) ...

श्री सभापति: पाणि जी, आपका सवाल हो गया, इसलिए कृपया आप बैठ जाइए। ... (व्यवधान) ... श्री एन.के. सिंह। ... (व्यवधान) ...

श्री रुद्रनारायण पाणि: सर, आप माननीय प्रधानमंत्री जी से आग्रह कीजिए कि वे POSCO के बारे में सदन को, राष्ट्र को बताएं। ... (व्यवधान) ...

श्री सभापति: पाणि जी, कृपया आप बैठ जाइए। ... (व्यवधान) ... इनको सवाल पूछने दीजिए।

SHRI N.K. SINGH: Sir, the hon. Minister, in the written reply, has himself conceded that the per capita consumption of steel in this country at 55 kg. only is far below Asian averages, and certainly far below the global averages. Considering the daunting target of the Twelfth Five Year Plan, which seeks to promote the average growth in the region of nine per cent, what is the likely demand-supply gap in the consumption of steel which is likely to emerge? What steps does the Government have in mind to bridge this growing disequilibrium between demand and supply of steel in order to, at least, come up to Asian averages?

श्री बेनी प्रसाद वर्मा: सर, हमारा उत्पादन प्रति वर्ष करीब 10 फीसदी बढ़ रहा है और consumption भी 10 फीसदी बढ़ रही है। मांग और आपूर्ति में संतुलन बिल्कुल बना हुआ है। यह consumption देश की अर्थव्यवस्था, जीडीपी और जनसंख्या पर भी निर्भर करती है, लेकिन हमारे देश में जितनी आवश्यकता है, उतना हम स्टील प्रॉडक्शन कर रहे हैं।

SHRI N.K. SINGH: Sir, the hon. Prime Minister is here and he is the Chairman of the Planning Commission. My question was specific and related to the Twelfth Five Year Plan target, which we need in relation to the production of steel, what the likely supply would be and what the Government was doing to bridge this gap.

श्री बेनी प्रसाद वर्मा: सर, 2010-11 में स्टील क्षमता 78 मिलियन टन, फिनिशड स्टील उत्पादन 66 मिलियन टन और फिनिशड स्टील खपत 68 मिलियन टन है तथा 2020 तक हमारा उत्पादन का लक्ष्य 200 मिलियन टन है। ...**(व्यवधान)**...

MR. CHAIRMAN : That is all right. ...**(Interruptions)**... Question 242 ...**(Interruptions)**..

श्री पुरुषोत्तम खोडाभाई रूपाला: सर, इन्होंने पॉस्को का तो कुछ किया ही नहीं। ...**(व्यवधान)**... सर, पॉस्को का तो कुछ करवाइये। ...**(व्यवधान)**...

MR. CHAIRMAN: Please, ask the supplementary question. ...**(Interruptions)**... Please don't ...**(Interruptions)**... Nothing will go on record. ...**(Interruptions)**... What is this? ...**(Interruptions)**...

श्री रुद्रनारायण पाणि: *

MR. CHAIRMAN: Mr. Pany, please resume your place. ...**(Interruptions)**...

श्री विनय कटियार: सर, ...**(व्यवधान)**...

श्री सभापति: अगर आप इस पर डिस्कशन चाहते हैं, तो नोटिस दीजिए।

श्री विनय कटियार: सर, हमने पहले ही हाथ उठाया था। ...**(व्यवधान)**...

श्री सभापति: आप उस पर डिस्कशन मांग लीजिए। सप्लिमेट्री तो खत्म हो चुकी है।

श्री विनय कटियार: सर पॉस्को ...**(व्यवधान)**... वरिष्ठ सांसद और वरिष्ठ पदाधिकारी पॉस्को को बन्द कराने की बात कह कर आये थे ...**(व्यवधान)**... वहां से इस प्रकार की सहमति बन रही थी। ...**(व्यवधान)**... फिर क्या कारण है कि पॉस्को को चलाने की अनुमति मिली? ...**(व्यवधान)**...

श्री सभापति: देखिए, आप इस पर डिस्कशन मांगिए। यह अलग चीज़ है। ...**(व्यवधान)**...

श्री विनय कटियार: सर, ...**(व्यवधान)**...

*Not recorded.

श्री सभापति: नहीं, नहीं, प्लीज़ ... (व्यवधान)... अब हम अगले सवाल पर चले गये हैं ... (व्यवधान)... प्लीज़।

Malnourished children in urban slums

242. SHRI RAJKUMAR DHOOT: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether attention of Government has been drawn to media reports that 66 per cent children in urban slums in Delhi are malnourished;

(b) if so, the details thereof;

(c) whether it is a fact that similar situation prevails in rest of the country;

(d) if so, the details thereof; and

(e) the remedial measures Government has taken or proposes to take to minimize malnourishment amongst children in Delhi and rest of the country?

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

Statement

(a) to (e) Yes, Sir. A Survey has been conducted by a Non Government Organisation, Child Rights & You (CRY) along with its partners randomly in selected areas of Delhi. The Survey Report appears to have relied on multiple sources for information. A statement that 66% children are malnourished has been recorded in the Report based on the Survey of 2010. At the same time, the NGO has estimated malnourishment of 56.43% in the area surveyed by it directly. The methodology of survey is, thus, not clear and therefore, the Government is unable to comment on the credibility of conclusions made.

However, the National Family Health Survey-3 which was conducted in 2005-06, has reported 26.1% children who are underweight in Delhi in the age group 0-5 years. The percentage for Delhi slums is 35.3. At the national level, percentage of underweight children under 5 years is 42.5, while it is 32.7 and 45.6 in urban and rural areas respectively.

State-wise details of underweight children under 5 years in urban and rural areas is given in the Statement-I (See below) and that of the

underweight children in slum as well as non-slum areas of 8

cities in 7 States is given in the statement-II (See below). As would be seen, the percentage of underweight children in slum areas is higher than that of non-slum areas except for Uttar Pradesh where it is lower. In case of anaemia, the percentage of children is uniformly higher in slum areas *vis-a-vis* non-slum areas. As NFHS data is not available for States/UTs other than these 7 States, position in respect of mal-nourishment in slum areas *vis-a-vis* non-slum areas in them is not known. But, overall for the country, there are 42.5% children who are reported underweight in NFHS-3. Of them, 45.6% are in the rural areas and 32.7% in the urban areas. The rural areas have a higher burden of underweight children than that of the urban areas.

The problem of malnutrition is complex, multi-dimensional and inter-generational in nature. The causes are varied and include inadequate consumption of food, frequent infections, lack of availability of safe drinking water and proper sanitation, illiteracy specially in women, poor access to health services, low purchasing power, socio-cultural factors such as early marriages of girls, lack of care during pregnancy and infancy, ignorance about nutritional needs of infants and young children etc. Urban areas and particularly urban slums, have their population increasing due to migration and are strained due to inadequate infrastructure in terms of safe drinking water, proper housing, drainage and excreta disposal. All these make them vulnerable to infections, thus compromising the nutrition of those living there.

Government has accorded priority to the issue of malnutrition and is implementing several schemes/programmes of different Ministries/Departments through State Governments/UT administrations including Delhi which directly or indirectly have an impact on the nutritional status of the children. Several of the schemes namely, Integrated Child Development Services (ICDS) Scheme, National Rural Health Mission (NRHM), Mid Day Meal Scheme (MDM), Swarnajayanti Gram Swarajgar Yojna have been expanded in recent years to provide for increased coverage and improved services to the people and these would further improve the nutrition status of the children. A list of some of the major schemes based on the life cycle approach which have been expanded and made universal in coverage are given in Statement-III (See below).

Some of the recent decisions by the Government to improve the nutrition situation, have been to (i) strengthen and restructure ICDS

with special focus on pregnant and lactating mothers and children under three (ii) prepare a multi-sectoral programme to address the maternal and child

malnutrition in selected 200 high-burden districts (iii) launch a nationwide information, education and communication campaign against malnutrition and (iv) bring strong nutrition focus in programmes in sectors like health, drinking water supply and sanitation, school education, agriculture, food & public distribution.

The State Governments/UT Administrations have a crucial role to play in addressing malnutrition and its causes as they implement most of schemes for direct and indirect interventions addressing malnutrition. That is why, they (State Governments/UT Administrations) have been requested to expedite the setting up of the State Nutrition Council under the chairmanship of respective Chief Minister with the coordination mechanisms at the State and District level.

Statement-I

*Prevalence of Underweight in children (under 5 years) State-wise
in rural and urban areas - NFHS 3 (2005-06)*

Sl.No.	State	% Underweight children (below 5 yrs of age)		
		Urban	Rural	Total
1	2	3	4	5
1	Andhra Pradesh	28.0	34.8	32.5
2	Assam	26.1	37.1	36.4
3	Arunachal Pradesh	21.0	36.3	32.5
4	Bihar	47.8	57.0	55.9
5	Chhattisgarh	31.3	50.2	47.1
6	Delhi	26.5	22.5	26.1
7	Goa	19.8	31.6	25.0
8	Gujarat	39.2	47.9	44.6
9	Haryana	34.6	41.3	39.6
10	Himachal Pradesh	23.6	37.8	36.5
11	J&K	15.8	27.9	25.6
12	Jharkhand	38.8	60.7	56.5

13	Karnataka	30.7	41.1	37.6
14	Kerala	15.4	26.4	22.9

1	2	3	4	5
15	Madhya Pradesh	51.3	62.7	60.0
16	Maharashtra	30.7	41.6	37.0
17	Manipur	19.1	23.3	22.1
18	Meghalaya	39.6	50.3	48.8
19	Mizoram	15.1	24.1	19.9
20	Nagaland	19.3	26.6	25.2
21	Orissa	29.7	42.3	40.7
22	Punjab	21.4	26.8	24.9
23	Rajasthan	30.1	42.5	39.9
24	Sikkim	21.2	19.4	19.7
25	Tamil Nadu	27.1	32.1	29.8
26	Tripura	32.2	40.8	39.6
27	Uttar Pradesh	34.8	44.1	42.4
28	Uttrakhand	24.3	42.1	38.0
29	West Bengal	24.7	42.2	38.7
	India	32.7	45.6	42.5

Statement-II

Prevalence of Underweight & Anemia in children under 5 years in Slum areas

State-wise - NFHS 3 (2005-06)

Sl.No.	State	City	% Underweight children			
			% Anemic children		(below 5 yrs of age)	
			(below 5 yrs of age)	(below 5 yrs of age)		
			Slum Area	Non Slum Area	Slum Area	Non Slum Area
1	Andhra Pradesh	Hyderabad	26.0	18.4	59	53.1
2	Delhi	Delhi	35.3	23.9	71.4	51.6
3	Madhya Pradesh	Indore	49.6	36.7	59.8	53.4
4	Maharashtra	Mumbai	36.1	25.8	50.2	46.9
		Nagpur	41.7	28.4	71.1	58.4
5	Tamil Nadu	Chennai	31.6	20.6	72.2	59.9
6	Uttar Pradesh	Meerut	26.3	30.3	68.8	66.7
7	West Bengal	Kolkata	26.8	15.6	54.7	55.3

Statement-III

Beneficiaries	Schemes	Year of Expansion/ Universisation
1	2	3
Pregnant and Lactating Mothers	Integrated Child Development Services (ICDS), Reproductive and Child Health (RCH)-II, National Rural Health Mission (NRHM), Janani Suraksha Yojana (JSY), Indira Gandhi Matritva Sahyog Yojana (IGMSY) (52 districts)	NRHM (2005-06) JSY (2006-07) ICDS (2008-09)
Children 0-3 years	ICDS, RCH- II, NRHM, Rajiv Gandhi National Creche Scheme (RGNCs)	RGNCs (2005-06) ICDS (2008-09)
Children 3-6 years	ICDS, RCH- II, NRHM, Rajiv Gandhi National Creche Scheme, Total Sanitation Campaign (TSC), National Rural Drinking Water Programme (NRDWP)	TSC (2008-09)
School going children 6-14 yrs & Adolescent Girls 11-18 years	Mid Day Meals (MDM), Sarva Shiksha Abhiyan Rajiv Gandhi Scheme for the Empowerment of Adolescent Girls (RGSEAG) in 200 districts, Kishori Shakti Yojna (KSY), Total Sanitation Campaign (TSC), National Rural Drinking Water Programme (NRDWP)	SSA (2002/2005-06) MDM (2008-09) RGSEAG (2010-11) NRDWP (2010)

1	2	3
Adults	Mahatama Gandhi National Rural Employment Guarantee Scheme (MGNREGS), Skill Development Mission, Women Welfare and Support Programme, Adult Literacy Programme, Targeted Public Distribution System, <i>Antodaya Anna Yojana,</i> <i>Rashtriya Krishi Vikas Yojana,</i> Food Security Mission, National Rural Drinking Water Programme and Total Sanitation Campaign, National Horticulture Mission, National Iodine Deficiency Disorders Control Programme (NIDDCP), Nutrition Education and Extension, <i>Bharat Nirman, Rashtriya</i> <i>Swasthya Bima Yojana etc.</i>	NHM (2005-06) MGNREGS (2005-06) NIDDCP (1992) RSBY (2007) Bharat Nirman (2005)

SHRI RAJKUMAR DHOOT: Sir, children are the future citizens of every nation. Naturally, malnourished children cannot grow up to be healthy citizens. Unfortunately, malnourishment is widely prevalent among children, particularly those belonging to poor families, who are in a majority in the country. A survey was conducted in Delhi by an NGO working for the children. Has the union Government, on its own or in cooperation with State Governments, conducted any survey about the state of malnutrition among children of urban as well as rural and tribal areas of the country? If so, will the hon. Minister be able to give us figures of the number of malnourished children in our country at present, State-wise and Union Territory-wise?

MR. CHAIRMAN: Your supplementary is longer than your question.

श्रीमती कृष्णा तीरथ: सभापति महोदय, माननीय सदस्य ने दिल्ली में एक सर्वे की बात कही है। दिल्ली में "क्राय" संस्था द्वारा किए गए सर्वे की methodology का पता नहीं चल रहा है, लेकिन इतना जरूर है कि नेशनल फैमिली हेल्थ सर्वे 3 की रिपोर्ट के अनुसार वर्ष 2005-06 में पाया गया कि दिल्ली में 26.1 परसेंट बच्चे underweight

हैं जिस में 0 से 5 साल की उम्र के बच्चे हैं और दिल्ली स्लम एरियाज में यह प्रतिशत 35.3 है। महोदय, माननीय सदस्य ने पूछा है कि हम दूसरे राज्यों और अनुसूचित, जनजाति वाले राज्यों में क्या कर रहे हैं? महोदय, इस में हम ने आई.सी.जी.एस. को restructure किया है। इसके साथ-साथ आई.सी.जी.एस. को मिशन मोड में लाने की भी हमारी योजना है और कुपोषण की दर, एन.एच.एफ.एस. 2 और 3 में जो अन्तर है, उस में कमी आयी है। कम वजनी बच्चों में 3 प्रतिशत की कमी आयी है। महोदय, एन.एच.एफ.एस. 2 के अनुसार यह 43 परसेंट से 40 परसेंट हुआ है और मुझे उम्मीद है कि एन.एच.एफ.एस. 4 आने के बाद underweight बच्चों में और कमी आएगी। महोदय, यह छोटा प्रोग्राम नहीं है बल्कि एक बड़ा प्रोग्राम है जिस में हम undernourished व malnourished बच्चों को पूरा खाना मिले, इसके लिए जिस तरह से आई.सी.जी.एस. restructure कर रहे हैं, campaign शुरू कर रहे हैं। हमारी राज्य सरकार के मंत्रियों के साथ मीटिंग हुई है और इस में हर राज्य ने भी कुछ मदद करने की कोशिश की है। उन्होंने भी अपने यहां कार्यक्रम शुरू किए हैं। महोदय, मैं यह चाहती हूँ कि हम ने इस में जो एक मॉनीटरिंग कमेटी बनायी है जिस में मेंबर ऑफ पार्लियामेंट, एम.एल.एज. को रखा गया है। इस में नेशनल लेवल, स्टेट लेवल, डिस्ट्रिक्ट लेवल, ब्लॉक लेवल और विलेज लेवल कमेटीज बनी हैं। मुझे आप की मदद मिले तो मुझे लगता है कि कुपोषण की जो समस्या है इस से हम बाहर निकल सकते हैं।

SHRI RAJKUMAR DHOOT: My second question is: Does the Government intend to distribute multi-vitamin capsules and other nutrients to kuposhit children in jhuggi jhopri clusters and other slum areas through Anganwadi and mobile vans and intend to involve the genuine NGOs working for poor children in this regard? I shall be grateful if the hon. Minister could tell this august House about the role of her Ministry in the removal of malnutrition among the children who are dying due to kuposhan in tribal area in my home State Maharashtra.

श्रीमती कृष्णा तीरथ: सभापति जी, मैं आपके माध्यम से माननीय सदस्य को बताना चाहती हूँ कि यह प्रोग्राम पूरे भारत में चल रहा है। इसमें हेल्थ मिशन की ओर से फॉलिक एसिड और आयरन टैबलेट्स दी जाती हैं। बच्चों के लिए भी इस तरह की टैबलेट्स हेल्थ मिनिस्ट्री की ओर से आंगनवाड़ी सेंटर्स में दी जाती हैं। माननीय सदस्य ने Specifically महाराष्ट्र के बारे में पूछा है, महाराष्ट्र में भी ये सारे कार्यक्रम चलाए जाते हैं। आंगनवाड़ी चूंकि पहले एक आवाज उठी, आंगनवाड़ी कार्यकर्ता का ऑनररियम बढ़ा दो उसे हम ने 1500 से 3000 किया जिससे उन में एक शक्ति आयी है। अब उन्होंने वह काम ज्यादा मेहनत से करना शुरू किया है। मैंने आप को बताया कि हम इसे मिशन मोड में करने जा रहे हैं और खास तौर से इसे हम restructure कर रहे हैं, पक्का आंगनवाड़ी देने की बात कर रहे हैं, इस से इस के ऊपर जल्दी काम होगा। महोदय, मैंने recently पिछले महीने राज्य सरकारों के साथ मीटिंग की है जिस में राज्यों के मंत्री भी सहयोग दे रहे हैं और साथ में हमारी जो स्कीम्स हैं, उन्हें लागू करने के लिए उन को पूरी तरह से सारी चीजें देने की कोशिश की जा रही है। आप सभी लोगों की मदद मिले तो यह काम पूरी तरह से हो जाएगा।

श्री राम कृपाल यादव: सर, माननीय मंत्री जी ने अपने जवाब में कुछ महत्वपूर्ण योजनाओं की चर्चा की है। सर, माननीय मंत्री जी ने एक लिस्ट भी हम लोगों के पास भेजी है जिसमें बच्चों में कुपोषण के बारे में प्रदेशवार स्थिति बतायी गयी है कि कम वजनी बच्चे कहां-कहां और कितनी संख्या में हैं। महोदय, मैं माननीय मंत्री जी का ध्यान आकृष्ट कराना चाहूंगा कि तीन स्टेट्स में स्थिति बहुत ही खराब है।

अब देखिए हमारे प्रदेश बिहार में शहरी इलाके में 47.8 परसेंट और ग्रामीण इलाके में 57.0 परसेंट यानी कुल मिलाकर 55.9 परसेंट कम वजनी बच्चे हैं। इसी तरह से मध्य प्रदेश में शहरी इलाके में 51.3 परसेंट और ग्रामीण इलाके में 62.7 परसेंट यानी कुल मिलाकर 60.0 परसेंट कम वजनी बच्चे हैं। इसी तरह से छत्तीसगढ़ में लगभग 47.1 परसेंट कम वजनी बच्चे हैं। मैं आपके माध्यम से माननीय मंत्री महोदया से यह जानना चाहूंगा कि उन्होंने जो कार्यक्रम चलाए हैं, उन कार्यक्रमों का लाभ इन प्रदेशों को क्यों नहीं मिल रहा है? जिन प्रदेशों में स्थिति बद से बदतर है, जहां बच्चे कुपोषण के शिकार हैं, क्या वहां कोई विशेष अभियान चलाकर इन कम वजनी बच्चों के परसेंटेज को आप कम करने का प्रयास करेंगी?

श्रीमती कृष्णा तीरथ: सभापति जी, मैं आपके माध्यम से माननीय सदस्य के प्रश्न का उत्तर देना चाहती हूँ। इन्होंने छत्तीसगढ़, मध्य प्रदेश और बिहार की बात कही है। बिहार में मैं recently खुद visit करने गई थी। वहां यह पाया गया कि वहां के आंगनवाड़ी सेंटर्स पर पूरी तरह से खाना नहीं दिया जाता है, यहां तक कि हमारा जो supplementary nutrition है, उसे भी लेने के लिए वे तैयार नहीं हैं। मैं गया भी गई थी और वहां के दौर के बाद मैंने मुख्य मंत्री को पत्र भी लिखा कि हमारी जो स्कीम्स हैं, इनको ठीक से implement किया जाए। हम जहां-जहां भी गए, वहां जो-जो कमियां पाई गईं, उनके बारे में मैंने राज्य सरकारों को पत्र लिखे हैं और मैंने बिहार की राज्य सरकार का ध्यान भी इस ओर आकर्षित किया है। माननीय सदस्य, बिहार राज्य के हैं और मैं उनसे अनुरोध करूंगी कि वे इस मुद्दे को वहां उठाएं और जो मॉनीटरिंग कमेटी हमने बनाई है, उसे सहयोग दें। मैं निवेदन करूंगी कि वहां के MLAs और MPs इस बात पर जोर दें कि ICDS के अंतर्गत हमारी जो स्कीम्स हैं, उनको पूरी तरह से आंगनवाड़ी सेंटर्स पर implement किया जाए। इस दिशा में हम अपने कार्यक्रमों को आगे बढ़ा रहे हैं और जैसा मैंने बताया कि हम इन स्कीम्स को Mission Mode में ला रहे हैं। हमने उनका honorarium बढ़ा दिया है, उनके घंटे भी बढ़ाए जा रहे हैं। हमारी यह योजना है कि हम इस योजना को और प्वाइंट्स जोड़कर इसको implement करें, ताकि वहां बच्चों को अच्छी तरह से खाना मिल सके। हम चाहते हैं कि यहां से जो पैसा इन स्कीम्स के लिए जाता है, राज्य सरकारें उसे ठीक से utilize करें।

MS. SUSHILA TIRIYA: Sir, the report shows that malnutrition and anaemia is growing among women and children instead of reducing. So, I want to know from the hon. Minister that while preparing the budgetary action plan, whether she is giving any important incentive to the Scheduled

districts, Scheduled V and Schedule VI districts, for special attention where hospitals are far away and other treatment is also not available.

श्रीमती कृष्णा तीरथ: सभापति जी, माननीय सदस्या ने बहुत अच्छा प्रश्न पूछा है। इन्होंने महिलाओं और बच्चों में एनीमिया की बात की है, इसके लिए मैं यही कहूंगी कि हमने इसके लिए multi-sectoral programme बनाया है और अभी हमने पूरे भारत में 200 high-burdened districts लिए हैं और हम कुपोषण के खिलाफ campaign चला रहे हैं। महिलाओं में जो एनीमिया है, इसको दूर करने के लिए हम हेल्थ मिनिस्ट्री के साथ मिलकर प्रयास कर रहे हैं। जो महिलाएं हमारे आंगनवाड़ी सेंटर्स पर आती हैं, उनके स्वास्थ्य के लिए हमारी ASHAs के माध्यम से पूरा कार्यक्रम चल रहा है। हमारी दो स्कीमें अभी चल रही हैं। इंदिरा गांधी मातृत्व सहयोग योजना अभी 52 डिस्ट्रिक्ट्स में pilot project के रूप में चल रही है, जिसमें इस तरह की महिलाओं को 4,000 रुपए देने का प्रोग्राम है, जो अभी चल रहा है और बाद में हम इस प्रोग्राम को पूरे भारत में चलाएंगे, जिससे महिलाओं और बच्चों में जो एनीमिया है, जो कुपोषण की समस्या है, वह दूर हो सके।

प्रो. एस.पी. सिंह बघेल: सभापति जी, देश इस समय दो प्रकार की समस्याओं से गुज़र रहा है। जब मुझे Peters, Patric, St. Georges, Anthony, Mayo, Sherwood, Scindia Schools में जाने का मौका मिला, तो वहां सारे बच्चे मुझे overweight नज़र आए। एक तरफ कम वजनी बच्चे देश में हैं और दूसरी तरफ ज्यादा वजनी बच्चे भी देश में हैं, यानी ज्यादा वजनी बच्चों की समस्या भी हमारे सामने है।

एक तरफ पिज्ज़ा, बर्गर, कोल्ड ड्रिंक और चॉकलेट खाने वाले बच्चे हैं और दूसरी तरफ आपका सर्वे जो भी कह रहा हो, उस पर मैं नहीं जाऊंगा, लेकिन हमारी आंखें दिन भर देहात में सर्वे करती हैं कि देहात में जो पंचायत के स्कूल के बच्चे हैं, वे कुपोषण के शिकार हैं। अगर आप फल और ड्राई फ्रूट्स को लेआउट कर दें, इन बच्चों से इनकी शिनाख्त कराएं, तो वे बच्चे शिनाख्त नहीं कर पाएंगे कि काजू, किशमिश और पिस्ता क्या होता है। मैं यह कहना चाहूंगा कि यह सर्वे भी आया है कि ज्यादातर elite class के बच्चे, इंग्लिश स्कूलों के बच्चे बहुत ज्यादा वज़न होने की वजह से बीमार होते जा रहे हैं। दस-दस साल के बच्चों को diabetes हो रही है और वे कुपोषण के शिकार हो रहे हैं। इस प्रकार के बच्चों की हेल्थ के लिए आप क्या कर रही हैं, जो ज्यादा वज़न वाले हो रहे हैं? क्या कोई dietician वगैरह उन स्कूलों को भेजे जा रहे हैं? गांवों में जब जच्चा बीमार होगी, तो बच्चा भी बीमार होगा और मंत्री महोदया के पास दोनों विभाग हैं - महिला और बाल विकास भी और जिस देश की जच्चाएं बीमार हों, anemic हों, तो बच्चे इन बीमारियों को लेकर ही पैदा होंगे। इसलिए ज्यादा वज़न वाले और कम वज़न वाले, दोनों प्रकार के बच्चों के लिए आप क्या करने जा रही हैं, यही मैं आपसे पूछना चाहता हूं।

श्रीमती कृष्णा तीरथ: सभापति जी, माननीय सदस्य ने अच्छा प्रश्न पूछा है और इन्होंने obesity की बात की है, जो पूरे भारत में 6 प्रतिशत है। साथ ही इन्होंने कहा कि हम स्कूल में जाकर देखते हैं, तो जो मेरे पास बच्चे हैं, वे 0 से 6 साल के हैं। जहां तक आपने स्कूल की बात की है, मैंने बताया कि देश में obesity 6 प्रतिशत है - रूरल में 6 प्रतिशत और अर्बन में 9 प्रतिशत। इसके लिए हम जो awareness campaign चला रहे हैं, कुपोषण के awareness की बात कर रहे हैं कि कुपोषण न हो, इसके खिलाफ कैसे-कैसे campaign हम पूरे भारत में चलाएं और जैसे-मैंने कुपोषण की जानकारी दी, तो उसका एक कारण नहीं है - स्वच्छ पानी का न मिलना, proper sanitation न होना, स्कूल में एजुकेशन की कमी होना, खास तौर से जो माताएं हैं, वे अनपढ़ हैं और उन्हें पता ही नहीं चलता कि बच्चों को किस तरह का खाना दिया जाए। जो Public Distribution System है, उसको दुरुस्त करना भी जरूरी है और मैं यह चाहती हूँ कि स्कूल syllabus में nutrition को, पोषण को भी शामिल किया जाए, जिससे बच्चे शुरू से ही ओवरवेट या अंडरवेट न हों, बच्चे दुरुस्त रहें, इसके लिए घर से ही प्रयास हो और बहुत सारे एन.जी.ओज़. भी इसमें काम कर रहे हैं। मैं समझती हूँ कि जहां तक जंक फूड की बात है, इसके लिए हम एक awareness campaign भी करेंगे कि बच्चे जंक फूड न खाएं। जो McDonalds वगैरह का जंक फूड बच्चे खाते हैं, उसके लिए स्कूल टीचर्स को भी कहा जाए और स्कूलों में नोटिस भेजा जाए कि ये चीजें स्कूल की कैंटीन में बंद की जाएं।

श्री सभापति: प्रश्न संख्या 243 ... (व्यवधान) ...

डा. सी.पी. ठाकुर: सर, इस पर एक विशेष चर्चा कराई जाए।

श्री सभापति: आप इस पर डिस्कशन मांग लीजिए।

India's efforts to join Shanghai grouping

*243. SHRIMATI T. RATNA BAI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether India is making efforts to join Shanghai grouping;
- (b) if so, the details thereof; and
- (c) the present status thereof?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): (a) to (c) A statement is laid on the Table of the House.

Statement

India, as an Observer at the Shanghai Cooperation Organisation (SCO), has been regularly attending SCO Summits at the Ministerial level and has made clear its readiness to play a larger role in the Organisation. I attended the last SCO Heads of State Summit in Astana on 15th June, 2011 and reiterated this position. I am also in touch with all my counterparts in SCO member countries

(Russia, China, Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan) on India's case for full membership of the Organisation and have received positive responses.

The recent Summit (Astana, June, 2011) formally opened the SCO's doors to new members by approving a 'Memorandum of Obligations', which would enable non-member countries to apply for SCO membership. We are in the process of obtaining all relevant documents from the SCO Secretariat for further study before a formal application by India is made.

SHRIMATI T. RATNA BAI: Sir, what does being a part of the Shanghai Cooperation Organisation (SCO) imply for India's security concerns against its immediate neighbours Pakistan and China?

SHRI S.M. KRISHNA : Sir, the Shanghai Cooperation Organisation offers an excellent platform and an opportunity for enhancing both security and economic cooperation in the region. It also offers an additional forum to discuss the situation in Afghanistan. It would also enhance opportunities for economic cooperation in joint projects, particularly, in the energy sector. India's entry into the Shanghai Cooperation Organisation will not only bring value to India but will also add weight and stature to the Shanghai Cooperation Organisation itself. Mr. Chairman, how does the Shanghai Cooperation Organisation have anything to do with the Twelfth Five Year Plan of India?

DR. KARAN SINGH: Mr. Chairman, Sir, with the implosion of the Soviet Union, the Central Asian Republics have now come into their own, and I see that the Shanghai Cooperation Organisation very largely deals with at least four or five Central Asian Republics. Strategically, economically and politically, it is extremely important to develop our relations in the Central Asia. May I request the hon. Minister to let us know whether his Ministry is taking some special steps to strengthen our relations with Central Asian Republics because my impression is that anybody posted in Central Asia looks upon it as a hardship posting, whereas they are much more interested to go to a tiny country like Luxembourg or Belgium or something like that. I think, we have to shift our focus. In the same way as we have shifted it to the East, we must shift it to the Central Asia. Will the hon. Minister please enlighten us?

SHRI S.M. KRISHNA: Sir, it is a fact that the Shanghai Cooperation Organisation consists of the very weighty countries, which wield influence globally, such as Russia and China. They are important countries which are also members of the Shanghai Cooperation Organisation. India has always had a special relationship with the Central Asian Region and they are not of yesterday or the day before yesterday. I think, Sir, history and civilisation have provided ample opportunities for us to have interaction with the Central Asian Region and it is India's desire to continue to be active and engaged with Central Asian groupings in our economic and various other issues.

SHRI RAVI SHANKAR PRASAD: Sir, we are all aware that India has a historical civilisation linkage with the countries like Kazakhstan, Kyrgystan, Tajikistan and Uzbekistan. But, of late, we hear the reports that what is happening in Afghanistan and in the adjoining region is also have its reverberations in these countries. These countries are oil-rich countries. India can have a good strategic relationship with them as far as our fuel needs are concerned. In the light of this, just a kind of extension of what Shri Karan Singhji asked, what special efforts is our Government making to engage with these countries and have they pledged their support for India's case for being a Permanent Member of the UN Council?

SHRI S.M. KRISHNA: Mr. Chairman, I entirely agree with the hon. Member's suggestion that this is an important grouping and the countries that the hon. Member did mention are extremely important countries, not only for the economic potential that they offer but also politically. India has always been drawn very closer to these countries. I have been in touch with all the six countries who are the existing members of the Shanghai grouping. All of them are unanimous that India has played a very vital role in this region and India's association with the Shanghai grouping would only add strength to the Shanghai grouping itself. We will pursue it with all the diligence at the command of the Government.

SHRI T.K. RANGARAJAN: Sir, I am happy that the India's case for membership of the Shanghai Cooperation Organisation has received positive response. My question, through you, Sir, is this. The Shanghai Cooperation Organisation grouping is not liked by the United States. We are also moving towards United States. Can you assure this House that you will not succumb to the pressure of the USA in joining the Shanghai Cooperation Organisation?

SHRI S.M. KRISHNA: The question of India's succumbing to any pressure from any other country with reference to our relationship with such regional groupings is totally ruled out.

Fleet of NACIL

*244. SHRI DHIRAJ PRASAD SAHU: Will the Minister of CIVIL AVIATION be pleased to state:

(a) the number of different types of aircrafts being used in the fleet of National Aviation Company of India Limited (NACIL) and the number of those which are not being used therein;

(b) average utilization period of aircrafts in the existing fleet of Air India;

(c) whether any aircrafts of Air India have completed the utilization period and there is a need to replace them; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANSAMY): (a) to (d) A statement is laid on the Table of the House.

Statement

(a) The details of number and type of operational/non-operational aircraft of Air India is given in the Statement-I (See below).

(b) The average utilization of different type of aircraft in the existing fleet of Air India is given in the Statement-II (See below).

(c) and (d) No particular period is specified for utilization of an aircraft. An aircraft is considered airworthy provided the maintenance is as per approved schedule/programme and all mandatory requirements stipulated by DGCA and the regulatory authorities of the aircraft manufacturing country. Since all the aircraft in Air India's fleet are maintained to the highest airworthiness standards laid down by DGCA and meet all the requirement of the regulatory authorities, no aircraft is required to be replaced at present.

Statement-I

Air India Limited Fleet (As on 1st August, 2011)

Aircraft type	Owned	Sale & Lease Back	Dry Lease	Total
1	2	3	4	5
Operational Fleet				
Wide Body				
B777-200LR	8	-	-	8
B777-300ER	12	-	-	12
B747-400	3	2	-	5
A310-300	-	1	-	1
A330-200	-	-	2	2
Wide Body Total	23	3	2	28
Narrow Body				
B737-800 (AIX)	17	0	4	21
A320	15	6	0	21
A319	19	0	5	24
A321	20	0	0	20
CRJ-700	0	0	4	4
ATR42	0	0	7	7
Narrow Body Total	71	6	20	97
Total Operational Fleet		94	9	22
	125			
Non-Operational				
Aircraft				
Freighters				
A310-300	1	1	0	2
B737-200	6	0	0	6
Freighters Total	7	1	0	8

1	2	3	4	5
Other Grounded Aircraft				
A310-300	-	3	-	3
A-320^*	10	0	0	10
A-320#	0	2	3	5
B737-200^	5	0		5
DO-228^	2	0		2
Non-Operational Total 17		5	3	25
Ground Total	118	15	25	158

Note

Under return process to lessor.

^* 5 Aircraft are out of service and rest of the 5 aircrafts are assumed to be out of service

as per the Board approval.

^ Aircraft out of service, pending disposal.

Statement-II

Type of Aircraft	Daily Aircraft Utilization (Hours)		
	2009-10	2010-11	2011-12
	Actuals	RE	(Summer 11)
A-320	8.3	15.3	B777 13.8
A-319	9.3	7.7	B747 10.5
A-321	10.7	9.8	A330 14.4
A-330	8.0	6.2	A320 family 10.8
A-310-300	8.8	6.1	A310 6.4
B-777-300ER	13.6	13.9	
B-747-400	8.5	6.3	
B-777-200LR	15.3	12.9	

श्री धीरज प्रसाद साहू: सभापति महोदय, मेरा पहला पूरक प्रश्न है कि जो विमान काफी दिनों से इस्तेमाल नहीं हो रहे हैं और जिनके मेंटीनेंस का खर्च काफी ज्यादा है, जिससे वित्तीय नुकसान हो रहा है, इसलिए मैं जानना चाहता हूँ कि इन विमानों को किस उपयोग में लाया जाएगा?

SHRI V. NARAYANASAMY: Sir, the total number of aircraft, which have been grounded, is mentioned at Annexure-I. There are 17 aircraft. A310-300 is 25 years old, so it could not be operated. Out of another ten aircraft, five are out of service, and rest of the five aircraft are assumed to be out of service as per the approval of the Board. They are 20 years old. Sir, two A-320 aircraft were on lease. We are now going to return them. As far as five B737-200 aircraft are concerned, they are also pending disposal. There are two Dornier aircraft which are also very old. A total of 17 old aircraft are out of service because of their age and condition. They could not be operated because they are not safe for flying. Therefore, they have been grounded. The question of maintenance of those aircraft does not arise. Some of them have to be disposed of. That is the situation.

श्री धीरज प्रसाद साहू: सर, यह सच है कि पुराने विमानों के उपयोग के चलते दुर्घटनाएं होती रहती हैं और दुर्घटनाएं हुई भी हैं। क्या सरकार ऐसे पुराने विमानों को एयर इंडिया के बेड़े से हटाने के बारे में सोच रही है?

SHRI V. NARAYANASAMY: Sir, I already answered it in the first supplementary of the question when the hon. Member asked about the 17 aircraft. They are old, and they are unsafe for flying. Therefore, those aircraft have been grounded. The total number of operational aircraft in national and international routes is 125. It has been given very elaborately at Annexure-I.

SHRI PRAKASH JAVADEKAR: Sir, I am on Annexure-II which is about daily aircraft utilisation. Sir, while the private airlines in India and even the world average जहां हवाई जहाज का दिन में 14 और 16 घंटे उपयोग होता है, वहां अपना एवरेज आठ, दस, नौ, बारह, दस, सात ऐसा है। That is exactly what happened. जो स्केम की चर्चा हुई वह इसीलिए हुई कि इतना बड़ा एक्विजिशन कर लिया और उसका उपयोग नहीं कर पा रहे और इससे लॉस ही बढ़ेगा। My supplementary is this. In comparison with the world average and private airlines in India, how are you dealing with the deficiency in daily aircraft utilisation? This is part(a). और उसका एक "b" है इतने लार्ज एक्विजिशन के बारे में हम बार-बार न्यूज सुन रहे हैं कि कुछ नया एयरक्राफ्ट एक्विजिशन भी करने जा रहे हैं और पहले का उपयोग नहीं कर रहे हैं और अब नया ले रहे हैं। तो इसके बारे में स्थिति क्या है?

SHRI V. NARAYANASAMY: Sir, the hon. Member asked the question on Annexure-II. Flying hours of each aircraft have been mentioned at Annexure-II. Some of the routes in which the Air India operates are shorter routes. When there are shorter routes, the number of flying hours will be less.

The aircraft has to be stationed at the airport for a longer time. The hon. Member is right in saying about the flying hours of the private airlines. In terms of Jet Airways, it is 12 hours and 20 minutes. In terms of Kingfisher, it is 10 hours and 45 minutes. In terms of Spice Jet, it is about 12 hours.

Go Air is 13 hours; Indigo is 11 hours and 40 minutes. Therefore, Sir, to study the whole situation for better utilisation of the aircrafts - long routes and short routes - apart from the turnaround plan which has been going on from the Government side, a GoM has been constituted by the hon. Prime Minister. The hon. Finance Minister is looking into it for turnaround of aircrafts, for the purpose of better utilisation of the aircrafts. It will be worked out by the Government. Within a short period, the Government will come out with a package for the purpose of using those aircrafts and for maximum utilisation of those aircrafts which are flying for lesser hours. The plan is being worked out and it would be done in a short period of time.

श्री रामदास अग्रवाल: सभापति महोदय, मैं माननीय मंत्री जी से एक प्रश्न पूछना चाहता हूँ।

श्री सभापति: नहीं, आप बीच में मत बोलिए। ...**(व्यवधान)**... नहीं, नहीं, आप बीच में मत बोलिए। ...**(व्यवधान)**...

श्री रामदास अग्रवाल: कल जयपुर एयरपोर्ट पर मुझे कर्मचारियों ने बताया कि उन्हें ...**(व्यवधान)**...

श्री सभापति: आप बीच में मत बोलिए। ...**(व्यवधान)**...

श्री रामदास अग्रवाल: उन्होंने कहा कि उन्हें अभी तक जुलाई की सैलरी नहीं दी गई है। ...**(व्यवधान)**...

श्री रवि शंकर प्रसाद: सर, एयरपोर्ट के एम्पलाईज को तनखाह नहीं मिल रही है। ...**(व्यवधान)**...

श्री सभापति: देखिए, यह अलग सवाल है। ...**(व्यवधान)**... It's a different question.

श्री रामदास अग्रवाल: कर्मचारियों को सैलरी नहीं मिली है। ...**(व्यवधान)**...

SHRI V. NARAYANASAMY: If the hon. Chairman permits me, I would respond. ...**(Interruptions)**...

श्री सभापति: अग्रवाल जी, आप बैठ जाइए। ...**(व्यवधान)**... It's a different question. प्लीज़, आप बैठ जाइए। ...**(व्यवधान)**... आप बैठ जाइए। ...**(व्यवधान)**...

DR. YOGENDRA P. TRIVEDI: Sir, with due respect, it is submitted that the Minister need not respond because these are interruptions. ...(*Interruptions*)... He should respond to the supplementaries and not to interruptions. ...(*Interruptions*)...

SHRI V. NARAYANASAMY: I would like to submit up to July 2011, the salary of the employees has been given. For July, it is being distributed now. I want to clarify. ...(*Interruptions*)... I want to clear the doubt. ...(*Interruptions*)...

MR. CHAIRMAN: All right. ...(*Interruptions*)... Please go ahead with the supplementary. ...(*Interruptions*)...

DR. YOGENDRA P. TRIVEDI: If the hon. Minister will respond only to interruptions and not to supplementaries, we will stop asking supplementaries and we will only have interruptions. ...(*Interruptions*)...

Sir, I have gone through Annexure-I which is given and it gives a very intriguing picture. There is column 'sale and lease back'. Now, 'sale and lease back' is a method which is normally employed by corporations in order to do some tax planning. When a plant and machinery becomes old and on which, no depreciation is admissible, they sell it and take it back on lease so that they can get lease rent by way of deduction in order to decrease their profits. Air India is running at a loss. Why did they sell and then lease back the very same thing once again? Will the Minister be able to give reply to this?

SHRI V. NARAYANASAMY: Sir, in 'sale and lease back' column which is given, there are a total of 15 aircrafts. Wide body aircrafts are 3; narrow body aircrafts are 6; freighter is only one; and, non-operational are five. ...(*Interruptions*)... Sir, as far as 'sale and lease back' is concerned, normally, it is put in the column. After selling, we are not getting those aircrafts back from the people to whom we have sold. It is only mentioned in the column because when it is sold, it is not taken back on lease.

SHRI PREM CHAND GUPTA: Sir, I have gone through Annexure-II. The hon. Minister has given a reply that the turnaround time is too much and it takes most of the time. If you look at the figures given, A-330 is a long range aircraft. It is not a short range aircraft and the utilisation is 8 hours a day. If you look at B-777-300ER, the utilisation is only 13.6 hours a day. I think, this is a matter of mismanagement. There is total

mess at Air India.

MR. CHAIRMAN: What's the question?

SHRI PREM CHAND GUPTA: May I know from the hon. Minister what steps the Ministry is taking to ensure optimum utilization of the aircraft so that Air India doesn't go to a stage of no return?

SHRI V. NARAYANASAMY: Mr. Chairman, Sir, the hon. Member is right when he said that A-330 is a long haul flight. Sir, Boeing 777-300 is also like that. Its flying capacity is 13.6 hours; and A-330 flying capacity is about eight hours. It is a matter of concern. Actually, A-330 is flying to Europe. There is heavy competition on this route. We would like to improve the flying hours of those aircraft. I agree with the hon. Member. This is one of the items which is a matter of concern for the Government because on some of the long routes we will have to fly these aircraft for long hours. Therefore, we will definitely consider this.

MR. CHAIRMAN: Q.No.245. ...(*Interruptions*)... No supplementary on supplementary.

बुंदेलखंड को दिया गया पैकेज

†*245. श्री गंगा चरण : क्या प्रधानमंत्री यह बताने की कृपा करेंगे कि:

(क) बुंदेलखंड को दिए गए विशेष पैकेज के मामले में हुई प्रगति की वर्तमान स्थिति क्या है;

(ख) अभी तक किन-किन परियोजनाओं की स्वीकृति दी गई है और उन पर कितनी धनराशि व्यय हुई है;

(ग) क्या इस संबंध में कोई शिकायतें प्राप्त हुई हैं; और

(घ) यदि हां, तो उन पर की गई कार्रवाई का ब्यौरा क्या है?

योजना मंत्रालय के राज्य मंत्री (श्री अश्विनी कुमार): (क) से (घ) विवरण सभा पटल पर रख दिया गया है।

विवरण

(क) से (घ) सरकार ने बुंदेलखंड क्षेत्र में सूखा शमन कार्यनीतियों को कार्यान्वित करने के लिए 7266 करोड़ रुपये की लागत से दिनांक 19-11-2009 को एक विशेष पैकेज का अनुमोदन किया है, जिसमें उत्तर प्रदेश के लिए 3506 करोड़ रुपये और मध्य प्रदेश के लिए 3760 करोड़ रु. हैं जिसे वर्ष 2009-10 से शुरू कर तीन वर्षों में कार्यान्वित किया जाना है। पैकेज कार्यान्वयन के लिए 3450 करोड़ रु. की अतिरिक्त केन्द्रीय सहायता (एसीए)

†Original notice of the question was received in Hindi.

प्रदान करने की परिकल्पना की गई है। इसके अतिरिक्त सरकार ने बुंदेलखंड क्षेत्र में पेयजल प्रदान करने के लिए 19 मई, 2011 को 200 करोड़ रु. की अतिरिक्त केन्द्रीय सहायता का अनुमोदन किया है (उत्तर प्रदेश व मध्य प्रदेश प्रत्येक सरकार के लिए 100 करोड़ रुपये)। पेयजल घटक सहित उत्तर प्रदेश व मध्य प्रदेश का एसीए में शेष क्रमशः 1696 करोड़ रुपये तथा 1954 करोड़ रुपये है। पैकेज की शेष लागत को मौजूदा केन्द्रीय क्षेत्रक एवं केन्द्र प्रायोजित स्कीमों के संसाधनों का अभिसरण करके पूरा किया जाएगा।

उत्तर प्रदेश के लिए आबंटित 1696 करोड़ रुपये की एसीए में से 31-7-2011 तक 860.97 करोड़ रुपये (50.77%) की राशि जारी की जा चुकी है, जिसमें से राज्य द्वारा 30 जून, 2011 तक 214.21 करोड़ रुपये (24.9%) की राशि खर्च की जा चुकी है। मध्य प्रदेश के लिए आबंटित 1954 करोड़ रुपये की एसीए में से 31.7.2011 तक 1060.46 करोड़ रुपये (53.78%) की राशि जारी की जा चुकी है जिसमें से राज्य द्वारा 30 जून, 2011 तक 416.60 करोड़ रुपये (39.40%) की राशि खर्च की जा चुकी है। उत्तर प्रदेश और मध्य प्रदेश सरकारों को जारी निधियों के विवरण (नीचे देखिए) में दिए गए हैं। पैकेज के अंतर्गत कार्यान्वित की जा रही स्कीमें उत्तर प्रदेश व मध्य प्रदेश में कार्यान्वयन के विभिन्न चरणों में हैं तथा प्रगति की योजना आयोग/राष्ट्रीय वर्षा सिंचित क्षेत्र प्राधिकरण (एनआरए) द्वारा मॉनीटरिंग की जा रही है।

स्कीमों के कार्यान्वयन की प्रगति की मॉनीटरिंग योजना आयोग में निगरानी समिति द्वारा की जा रही है जिसके अध्यक्ष योजना आयोग में उत्तर प्रदेश व मध्य प्रदेश के प्रभारी सदस्य हैं तथा उपाध्यक्ष दोनों राज्यों के प्रमुख सचिव एवं विभागों से संबंधित सचिव सदस्य के रूप में हैं।

बुंदेलखंड क्षेत्र में अनुमोदित परियोजनाओं के कार्यान्वयन के संबंध में कुछ शिकायतें मिली हैं। शिकायतों में मुख्यतया निविदा प्रक्रिया के पर्याप्त पारदर्शिता का अभाव, ठेकेदारों को कार्य देने में सामान्य प्रक्रिया को न अपनाना, कुछ परियोजनाओं के कार्यों में निम्न गुणवत्ता तथा कार्यों, विशेषकर पेयजल हेतु हैण्ड पम्प लगाने के लिए सही स्थान का चयन नहीं करना शामिल है। यह निर्णय लिया गया है कि इस मामले में राज्य प्रशासन स्थानीय संसद सदस्यों से परामर्श करेगा।

चूंकि बुंदेलखंड क्षेत्र में सूखा शमन कार्यनीतियों हेतु विशेष पैकेज के अंतर्गत परिकल्पित परियोजनाओं/अंतःक्षेत्रों का कार्यान्वयन उत्तर प्रदेश व मध्य प्रदेश राज्य द्वारा किया जा रहा है, अतः इन शिकायतों को संबंधित राज्य सरकार को उनके द्वारा आवश्यक कार्रवाई हेतु भेज दिया गया है।

निगरानी समिति की बैठकों में विचार किए जाने वाले मुद्दों के अतिरिक्त राष्ट्रीय वर्षा सिंचित क्षेत्र प्राधिकरण के मुख्य कार्यपालक अधिकारी तथा तकनीकी विशेषज्ञ परियोजनाओं/कार्यकलापों के जमीनी स्तर पर कार्यान्वयन को देखने तथा दोनों राज्य सरकारों के संबंधित विभागों को सुधार हेतु आवश्यक सुझाव देने के लिए नियमित रूप से क्षेत्र का दौरा करते हैं।

इसके अतिरिक्त, बुंदेलखंड क्षेत्र की आवश्यकताओं के बारे में सलाह देने, भावी कार्यनीतियों का सुझाव देने, नई स्कीमों की आवश्यकता के संबंध में सलाह देने तथा बुंदेलखंड पैकेज से संबंधित सुझाव देने हेतु उपाध्यक्ष, योजना आयोग की अध्यक्षता में एक सलाहकार समिति का गठन किया गया है जिसके सदस्य बुंदेलखंड से चुने गए सभी संसद सदस्य (लोक सभा) हैं।

विवरण

उत्तर प्रदेश के एसीए; सीएस/सीएसएस; आरकेवाई/एमजीएनआरईजीए घटक को आबंटित एवं जारी की गई निधियां

(30.6.2011 की स्थिति) (करोड़ रुपये में)

क्षेत्रक से संबंधित स्कीमें अनुमानित		अतिरिक्त केन्द्रीय सहायता सीएस			/सीएसएस स्कीमेंआरकेवाई		/एमजीएनआरईजीए		
		बजट आबंटन जारी	की	खर्च की	आबंटन जारी	की	आबंटन जारी	की	
			गई राशि गई	राशि गई		राशि गई		राशि	
क जल	संसाधन विभाग	644.00	410.00	265.656	198.00	51.09	36.00	21.60	
ख जल	संभर प्रबंधन	1640.00	400.00	160.66	840.00	85.58	400.00	240.00	
ग पर्यावरण	एवं वन	72.00	31.56	21.60	5.44		35.00	21.00	
घ कृषि		1050.00	693.50	320.00	265.00	75.96			
ड पशुपालन		100.00	60.70	43.057	10.15		25.00	4.15	
च ग्रामीण	पेयजल आपूर्ति	100.00	100.00	50.00					
कुल उत्तर प्रदेश		3606.00	1695.76	860.973	214.21*	1318.59	212.63	496.00	286.75

मध्य प्रदेश के एसीए; सीएस/सीएसएस; आरकेवीवाई/एमजीएनआरईजीए घटक को आबंटित एवं जारी की गई निधियां

(30.6.2011 की स्थिति) (करोड़ रुपये में)

क्षेत्रक से संबंधित स्कीमें अनुमानित		अतिरिक्त केन्द्रीय सहायता सीएस				/सीएसएस स्कीमेंआरकेवाई		/एमजीएनआरईजीए	
		बजट आबंटन जारी	की गई राशि	खर्च की गई राशि	गई	आबंटन जारी	की राशि	गई	आबंटन जारी
क जल	संसाधन विभाग	1118.00	881.00	614.66		167.00	23.90	70.0	18.55
ख जल	संभर प्रबंधन	1300.00	210.00	71.40		480.00	21.65	610.0	108.65
ग पर्यावरण	एवं वन	242.00	107.00	23.52		20.00		115.0	30.475
घ कृषि		1000.00	594.50	270.00		276.5	135.96		
ड पशुपालन		100.00	60.70	20.88		10.15	1.70	25.0	11.64
च ग्रामीण	पेयजल आपूर्ति	100.00	100.00	60.00					
कुल मध्य प्रदेश		3860.00	1953.20	1060.46	416.60*	953.65	183.21	820.0	169.315
कुल उत्तर प्रदेश एवं मध्य प्रदेश		7466.00	3648.96	1921.43	630.81	2272.24	395.84	1316.0	456.07

* उत्तर प्रदेश सरकार को अतिरिक्त केन्द्रीय सहायता (एसीए) के रूप में जारी 860.97 करोड़ रु. में से राज्य ने 214.21 करोड़ रु. व्यय होने की सूचना दी है जो 30 जून, 2011 तक जारी एसीए का 24.9% उपयोगिता दर्शाता है। इसी प्रकार मध्य प्रदेश सरकार को अतिरिक्त केन्द्रीय सहायता (एसीए) के रूप में जारी 1060.46 करोड़ रु. में से राज्य ने 416.60 करोड़ रु. व्यय होने की सूचना दी है जो 30 जून, 2011 तक जारी एसीए का 39.4% उपयोगिता दर्शाता है।

Bundelkhand package

†*245. SHRI GANGA CHARAN: Will the PRIME MINISTER be pleased to state:

- (a) the present status of the special package given to Bundelkhand;
- (b) the names of the projects sanctioned so far along with the expenditure incurred thereon;
- (c) whether any complaint has been received in this regard; and
- (d) if so, the details of the action taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (DR. ASHWANI KUMAR): (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) to (d) The Government on 19.11.2009 approved a special package for implementing drought mitigation strategies in Bundelkhand region at a cost of Rs.7266 crore comprising Rs.3506 crores for Uttar Pradesh and Rs.3760 crores for Madhya Pradesh, to be implemented over a period of 3 years starting 2009-10. It is envisaged to provide an Additional Central Assistance (ACA) to the tune of Rs.3450 crore for implementing the package. The Government has further approved, on 19th May, 2011 an Additional Central Assistance of Rs.200 crore (Rs.100 crore each for the State Governments of Uttar Pradesh and Madhya Pradesh) to provide drinking water in the Bundelkhand region. The shares of Uttar Pradesh and Madhya Pradesh in ACA, including the component of drinking water, are Rs. 1696 crore and Rs.1954 crore respectively. The balance cost of the package will be met by converging resources from ongoing central sector and centrally sponsored schemes.

Out of the envisaged allocation of Rs. 1696 crore of ACA for Uttar Pradesh, an amount of Rs. 860.97 crore (50.77%) has been released till 31.07.2011 against which an amount of Rs. 214.21 crore (24.9%) has been spent by the State till 30th June, 2011. Out of the allocation of Rs. 1954 crore of ACA for the Government of Madhya Pradesh, an amount of Rs. 1060.46 crore (53.78%) has been released till 31.07.2011 against which the State has spent an amount of Rs. 416.60 crore

†Original notice of the question was received in Hindi.

(39.40 %) till 30th June 2011. The details of the funds released to Governments of Uttar Pradesh and Madhya Pradesh are given in the statement (See below). The activities being implemented under the package are at different stages of progress in Uttar Pradesh and Madhya Pradesh and progress is being monitored by the Planning Commission/National Rainfed Area Authority (NRAA).

The progress in implementation of the schemes is monitored by a Monitoring Committee in the Planning Commission with Members of Planning Commission in-charge of Uttar Pradesh and Madhya Pradesh as Chairman and Co-chairman, the Chief Secretaries of both the States, and the Secretaries of the related Departments as Members.

A few complaints have been received regarding implementation of the approved projects in Bundelkhand region. The complaints mainly pertain to lack of adequate transparency in the tendering process, not following the normal process in award of work to contractors, inferior quality of work in some of the projects and not choosing the right sites for the works, particularly for installation of hand pumps for drinking water. It has been decided that the State administration would consult local Members of Parliament in this matter.

Since implementation of the projects/interventions envisaged under the special package for drought mitigation strategies in Bundelkhand region is by the State Governments of Uttar Pradesh and Madhya Pradesh, these complaints have been referred to the State Government concerned to look into them and taking further required action.

In addition to the issues getting deliberated in the meetings of the Monitoring Committee, the Chief Executive Officer and the Technical Experts of the National Rainfed Area Authority are regularly visiting the region to see on the ground implementation of the projects/activities and provide necessary suggestions for improvement to the concerned Departments of the two State Governments.

Further, an Advisory Committee has been constituted under Chairmanship of the Deputy Chairman, Planning Commission with all Members of Parliament (Lok Sabha) from Bundelkhand as its Members to advise on requirements of Bundelkhand region, suggesting future strategy, advising on need for new schemes and giving suggestions on Bundelkhand Package.

Statement

*Allocation and Release of funds from ACA; CS/CSS; RKVY/MGNREGA
components to Uttar Pradesh (As on 30.6.2011)*

(Rupees in crore)

Projects/ schemes relating to the sector of	Estimated Budget	Additional Central Assistance			CS/CSS schemes		RKVY/MGNREGA	
		Allocation	Released	Amount Spent	Allocation	Released	Allocation	Released
A Water Resources Development	644.00	410.00	265.656		198.00	51.09	36.00	21.60
B Watershed management	1640.00	400.00	160.66		840.00	85.58	400.00	240.00
C Environment and Forest	72.00	31.56	21.60		5.44		35.00	21.00
D Agriculture	1050.00	693.50	320.00		265.00	75.96		
E Animal Husbandry	100.00	60.70	43.057		10.15		25.00	4.15
F Rural Drinking water supply	100.00	100.00	50.00					
Total UP	3606.00	1695.76	860.973	214.21*	1318.59	212.63	496.00	286.75

*Allocation and Release of funds from ACA: CS/CSS: RKVY/MGNREGA
components to Madhya Pradesh (As on 30.6.2011)*

(Rupees in crore)

Projects/ schemes relating to the sector of	Estimated Budget	Additional Central Assistance			CS/CSS schemes		RKVY/MGNREGA	
		Allocation	Released	Amount Spent	Allocation	Released	Allocation	Released
A Water Resources	1118.00	881.00	614.66		167.00	23.90	70.0	18.55
B Watershed management	1300.00	210.00	71.40		480.00	21.65	610.0	108.65
C Environment and Forest	242.00	107.00	23.52		20.00		115.0	30.475
D Agriculture	1000.00	594.50	270.00		276.5	135.96		
E Animal Husbandry	100.00	60.70	20.88		10.15	1.70	25.0	11.64
F Rural Drinking water supply	100.00	100.00	60.00					
Total MP	3860.00	1953.20	1060.46	416.60*	953.65	183.21	820.0	169.315
TOTAL UP and MP	7466.00	3648.96	1921.43	630.81	2272.24	395.84	1316.0	456.07

*Out of Rs.860.97 crore released as Additional Central Assistance (ACA) to the Government of Uttar Pradesh, the State has reported an expenditure of Rs.214.21 crore which represents 24.9% utilization of the released ACA till 30th June 2011. Similarly, out of Rs.1060.46 crore released as Additional Central Assistance (ACA) to the Government of Madhya Pradesh, the State has reported an expenditure of Rs.416.60 crore which represents 39.4% utilization of the released ACA till 30th June 2011.

श्री गंगा चरण: सभापति महोदय, बुंदेलखंड में 2005 से लेकर 2010 तक, पांच साल का सूखा पड़ा। पानी के अभाव में फसलें बर्बाद हो गईं, पेय जल का संकट हुआ, आदमी की छोड़िए, जब जानवर पानी के अभाव में मरने लगे, तो हम सरकार से गुहार करते रहे कि हमारी कुछ अतिरिक्त सहायता दीजिए, लेकिन सरकार ने हमारी गुहार नहीं सुनी। 2007 में, जब उत्तर प्रदेश में बहिन कुमारी मायावती जी मुख्य मंत्री बनीं, तब वे सबसे पहले प्रधानमंत्री जी से आकर मिलीं और उन्होंने भी सहायता की गुहार की, बुंदेलखंड की भयावह स्थिति बताई। मैं बुंदेलखंड का रहने वाला हूँ, मुझे याद है कि जानवर, जो गाय थीं, बछड़े थे, जब उनको चारा नहीं मिला, पानी नहीं मिला तो किसानों ने उनको रेलवे लाइन के किनारे खड़ा कर दिया। ट्रेन आती थी और कुचलती हुई चली जाती थी। तमाम लोगों ने आत्महत्याएं की, लोगों का पलायन हो गया। हर जगह जनसंख्या बढ़ी, लेकिन बुंदेलखंड में पलायन के कारण जनसंख्या घटी। जनसंख्या इतनी घटी कि वहां की दो विधान सभा सीटें भी कम हो गईं। मैं प्रधानमंत्री जी को बताना चाहता हूँ कि जो विवरण सभा पटल पर रखा गया है, उसमें यह है कि 2009 में, 19 नवम्बर को स्पेशल पैकेज की घोषणा हुई, यह बताया गया कि 7266 करोड़ रुपये दिए गए। इसमें उत्तर प्रदेश के बुंदेलखंड को 3506 करोड़ रुपये और मध्य प्रदेश के बुंदेलखंड को 3760 करोड़ रुपये दिए गए। आपका जो जवाब आया है, उसमें ACA, जो केन्द्रीय अतिरिक्त सहायता दी गई है, उत्तर प्रदेश को 1696 करोड़ रुपये और मध्य प्रदेश को 1954 करोड़ रुपये दिए गए हैं। जब प्रधान मंत्री जी बांदा गये थे, उन्होंने पेय जल संकट के लिए 200 करोड़ रुपये दिए थे, उसमें वे 200 करोड़ रुपये भी शामिल हैं। मैं प्रधानमंत्री महोदय से जानना चाहता हूँ कि आपने जो 7266 करोड़ रुपये की घोषणा की थी, उसमें अतिरिक्त केंद्रीय सहायता तो आपने मात्र 1696 करोड़ रुपये और 1954 करोड़ रुपये मिलाकर मात्र 3650 करोड़ रुपये दिए हैं, बाकी आपने लिखा है कि शेष लागत केन्द्रीय क्षेत्रक, जो centrally sponsored scheme थीं, ... (व्यवधान) ...

श्री सभापति: सवाल क्या है?

श्री गंगा चरण: उससे दिया है ... (व्यवधान) ... यह महत्वपूर्ण सवाल है। ये सदन को गुमराह कर रहे हैं, पूरे बुंदेलखंडवासियों को गुमराह कर रहे हैं ... (व्यवधान) ... ये 7200 करोड़ रुपये आपने दिए कहां हैं? ... (व्यवधान) ... यह तो आपने मनरेगा का पैसा इसी में जोड़ दिया, इसी में RKVY का पैसा जोड़ दिया है, राष्ट्रीय कृषि विकास योजना का पैसा भी इसी में जोड़ दिया है, centrally sponsored scheme का भी जोड़ दिया है।

श्री गंगा चरण: मान्यवर, आपने कुल तो दिया है।

श्री सभापति: आप सवाल पूछिए।

श्री गंगा चरण: सवाल यही है कि आपने 7,200 करोड़ रुपए की जो घोषणा की थी, वह देंगे या नहीं?

श्री अश्विनी कुमार: सभापति जी, मैं आपके माध्यम से माननीय सदस्य को सूचित करना चाहता हूँ कि प्रधानमंत्री जी ने 19 नवम्बर, 2009 को बुंदेलखंड के सूखाग्रस्त इलाके के लिए सिंचाई और कृषि के विकास के लिए

7,266 करोड़ रुपए का एक प्रावधान किया। उसके बाद 19 मई, 2011 को पेयजल के लिए अतिरिक्त 200 करोड़ रुपए का प्रावधान किया गया। इस सारे पैकेज का मूल मकसद है बुन्देलखंड के इलाके में सिंचाई, पेयजल और कृषि के विकास की व्यवस्था करना। इसके कई heads हैं, जिनका प्रश्न के जवाब में ज़िक्र है। 7,266 जमा 200 करोड़, यानी 7,466 करोड़ का जो पैकेज है, उसका जो break-up है, वह भी जवाब में दिया गया है। अतिरिक्त केन्द्रीय असिस्टेंस के बारे में आपने जो आंकड़े पढ़े, जो हमारे जवाब से हैं, वह सही बात है। मगर चूंकि RKVY, मनरेगा और कई Centrally-sponsored schemes के जो मुख्य उद्देश्य हैं, वे इन्हीं चीजों के लिए हैं, जो बुन्देलखंड पैकेज में शामिल होते हैं। इसलिए जो टोटल पैकेज बना है, जिसका केन्द्र बुन्देलखंड का विकास है ...**(व्यवधान)**... में अपनी बात पूरी कर लूं, फिर आप पूछ लें। मैंने जो break-up दिया है ...**(व्यवधान)**...

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

श्री विनय कटियार: एक तरफ तो आप 7 हजार करोड़ रुपए के पैकेज की घोषणा करते हैं ...**(व्यवधान)**...

श्री सभापति: विनय जी, आप बैठ जाइए प्लीज़। ...**(व्यवधान)**... इससे कोई फायदा नहीं है।

श्री वीर सिंह: सर, इन्होंने पूछा है ...**(व्यवधान)**... प्रधानमंत्री जी ने जो घोषणा की थी, वह कहां गई? ...**(व्यवधान)**...

श्री सभापति: आप सवाल का जवाब सुनना चाहते हैं या नहीं? ...**(व्यवधान)**... आप बैठ जाइए ...**(व्यवधान)**... आप बैठ जाइए ...**(व्यवधान)**...

श्री वीर सिंह: प्रधानमंत्री जी ने जो घोषणा की थी, वह कहां गई? ...**(व्यवधान)**...

श्री सभापति: जवाब देने दीजिए ...**(व्यवधान)**...

श्री अश्विनी कुमार: मैं किसका जवाब दूं? ...**(व्यवधान)**...

AN HON. MEMBER: This is a Budgeted item already. ...**(Interruptions)**...

MR. CHAIRMAN: If you don't want supplementaries, I will go to the next question. ...**(Interruptions)**...

श्री गंगा चरण: सर, यह मेरा क्वेश्चन है, मैं पूछूंगा। ...**(व्यवधान)**...

श्री अश्विनी कुमार: मैंने आपको जो जवाब दिया है, उसमें मैंने आपको 7,266 करोड़ जमा 200 करोड़ रुपए का विवरण दिया है। उस विवरण में हमने दो बातें कही हैं कि जो आंकड़े हमने दिए हैं, यानी 1,696 करोड़ रुपए उत्तर प्रदेश के लिए और 1,954 करोड़ रुपए मध्य प्रदेश के लिए, यह अतिरिक्त केन्द्रीय सहायता है। इसके अलावा Centrally-sponsored schemes के जो कार्यक्रम चल रहे थे, उनको बुन्देलखंड पर केन्द्रित किया गया है। इसलिए मकसद ...**(व्यवधान)**...

श्री विनय कटियार: सर, मंत्री जी भोली भाली जनता को गुमराह कर रहे हैं ... (व्यवधान) ...

श्री गंगा चरण: कटियार साहब, आप हमें बोलने दीजिए, आप अपनी सप्लीमेंटरी में इसे पूछिए।
... (व्यवधान) ...

श्री कलराज मिश्र: सभापति जी, ... (व्यवधान) ...

श्री सभापति: कलराज जी, प्लीज़, आपकी बारी आएगी, आप ज़रा बैठ जाइए।
... (व्यवधान) ...

श्री विनय कटियार: देश को गुमराह किया जा रहा है ... (व्यवधान) ...

श्री सभापति: कटियार जी, आप बैठ जाइए। ... (व्यवधान) ... यह उनका सवाल है।
... (व्यवधान) ... देखिए, सवाल उनका है। आप बैठ जाइए। Okay. Second supplementary.

श्री गंगा चरण: सर, सेकंड सप्लीमेंटरी का सवाल तब उठता है, जब मेरे पहले प्रश्न का सही जवाब आ जाए। ... (व्यवधान) ...

श्री सभापति: आप सिर्फ़ दो प्रश्न पूछ सकते हैं। ... (व्यवधान) ... आप बैठ जाइए।

श्री गंगा चरण: सर, मेरा सवाल है कि इन्होंने 7,266 करोड़ रुपए के Special Package का announcement किया। या तो आप आज सदन के सामने कहिए कि हम इसे वापस लेते हैं, हमने मात्र लगभग 2,400 करोड़ रुपए का पैकेज दिया है...।

पैकेज का मतलब है - अतिरिक्त सहायता। मनरेगा में तो आप वैसे ही हर जगह पैसा देते हैं, कृषि विकास योजना के लिए भी आप पैसा देते हैं, रूरल डेवलपमेंट के अंतर्गत पेयजल के लिए भी पैसा देते हैं। लेकिन प्रधानमंत्री जी ने जो 7,266 करोड़ रुपए की घोषणा की थी, उस घोषणा के अनुसार हमें 7,266 रुपया पूरा चाहिए। या तो आप कहें कि पैसा नहीं दे रहे हैं अथवा कहें कि दे रहे हैं। जो भी स्थिति है, उसके बारे में सदन को बताया जाए।

श्री अश्विनी कुमार: सर, जवाब तो वही दिया जा सकता है, जो सच्चाई है।

श्री गंगा चरण: तो आप सदन को सच्चाई ही बताइए।

श्री अश्विनी कुमार: आप सच्चाई सुन तो लें। पहले आप जवाब सुन तो लें। जवाब यह है कि 7266+200 करोड़ रुपए यानी 7466 करोड़ रुपए का केन्द्रित पैकेज बुंदेलखंड पर है। यह सच्चाई है। अगर आप यह मानकर चलें कि जो एडीशनल केन्द्रीय सहायता है, केवल वही पैकेज है, तो मैं समझता हूँ कि मेरी और आपकी समझ में अंतर है। पैकेज तो है, मगर यह कहना कि पैकेज वही माना जाएगा, जिसका नाम additional Central assistance होगा, यह उचित नहीं है, यह गलत है और सच्चाई से परे है ... (व्यवधान) ...

श्री विनय कटियार: आप देश को गुमराह क्यों कर रहे हैं? मनरेगा के अंतर्गत तो वैसे ही पैसा जाता है, लेकिन आप उसे भी इसके अंदर जोड़ रहे हैं ... (व्यवधान) ...

श्री कलराज मिश्र: सभापति महोदय, मुझे भी प्रश्न पूछना है ... (व्यवधान) ...

MR. CHAIRMAN: Kalraj ji, I am coming to you. ...*(Interruptions)*... Please. ...*(Interruptions)*... लेकिन आप अपने पड़ोसियों से कहिए कि ज़रा बैठ जाएं ...*(व्यवधान)*... आप ज़रा बैठ जाइए, पहले उनका दूसरा सवाल पूरा हो जाए ...*(व्यवधान)*... वैसे आपका दूसरा सवाल हो चुका है ...*(व्यवधान)*...

श्री गंगा चरण: सर, अभी तो मेरे पहले सवाल का ही उत्तर नहीं आया है।

श्री सभापति: आपके दो सवाल हो गए, अब आप बैठ जाइए ...*(व्यवधान)*... प्लीज़, प्लीज़ ...*(व्यवधान)*...

श्री गंगा चरण: सर, मेरा सैंकेंड सप्लीमेंट्री भी है ...*(व्यवधान)*... चलिए, आपने स्वीकार कर लिया कि आपने 7266 करोड़ रुपये का ...*(व्यवधान)*...

श्री सभापति: देखिए, यह डिस्कशन नहीं है ...*(व्यवधान)*...

श्री गंगा चरण: सर, मैं डिस्कशन नहीं कर रहा ...*(व्यवधान)*... आपने स्वीकार कर लिया कि हमने 2400 करोड़ रुपये का स्पेशल पैकेज दिया, 7266 करोड़ रुपये नहीं दिया ...*(व्यवधान)*...

श्री अश्विनी कुमार: 7266 करोड़ रुपये का ही पैकेज है ...*(व्यवधान)*...

श्री गंगा चरण: लेकिन मैं प्रधानमंत्री जी से पूछना चाहता हूँ कि बुंदेलखंड की भयावह स्थिति, गरीबी, भूख, बदहाली, बेरोज़गारी ...*(व्यवधान)*...

श्री सभापति: देखिए, आप लोग इस सवाल में बहुत समय लगा रहे हैं ...*(व्यवधान)*...

श्री गंगा चरण: सर, मैं प्रधानमंत्री जी से जानना चाहता हूँ कि बुंदेलखंड में उद्योगों को लगाने के लिए, प्रोत्साहन देने के लिए केन्द्रीय सरकार Central excise duty and income-tax में जैसे नये राज्यों को छूट देती है, क्या बुंदेलखंड को भी वैसी ही छूट देकर डेवलप करने का प्रयास करेगी?

श्री विक्रम वर्मा: भारत सरकार सिर्फ राजनैतिक घोषणाएं करती है।

MR. CHAIRMAN: One minute please. ...*(Interruptions)*... ज़रा एक मिनट बैठ जाइए ...*(व्यवधान)*... देखिए, ज़रा एक मिनट बात सुन लीजिए ...*(व्यवधान)*...

श्री रघुनंदन शर्मा: सर, उत्तर प्रदेश को एक भी पैसा नहीं दिया।

श्री सभापति: एक मिनट, पहले मेरी बात सुन लीजिए ...*(व्यवधान)*... Please, one minute. ...*(Interruptions)*... आप बैठ जाइए ...*(व्यवधान)*... Hon. Members, please. ...*(Interruptions)*... बैठ जाइए ...*(व्यवधान)*... अगर आप लोगों को सवालों का जवाब चाहिए तो खामोशी से जवाब सुनना होगा। अगर जवाब में गलती है, तो आप लिखित में उस पर सरकार की तवज्जोह दिलाइए, मगर आप जवाब सुन नहीं रहे हैं, इससे क्या फायदा होगा। इससे कुछ नहीं होगा। श्री चतुर्वेदी, प्लीज़ ...*(व्यवधान)*...

श्री विक्रम वर्मा: सर, हमें सवाल पूछने तो दीजिए।

श्री सभापति: नहीं, इस सवाल में आपने बहुत समय ले लिया, अब इससे ज्यादा और समय नहीं ... (व्यवधान) ... The House is adjourned till 12.00 hours.

The House then adjourned at fifty-four minutes
past eleven of the clock.

WRITTEN ANSWERS TO STARRED QUESTIONS

Visit of Pakistan's Foreign Minister

†*246. SHRI MOHAN SINGH: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Foreign Minister of India had meaningful talks with the Foreign Minister of Pakistan during her visit to India in order to improve bilateral relations;

(b) whether this will help favourable Indo-Pak relations;

(c) whether Government of Pakistan is committed to curb the activities of the terrorist organizations taking shelter at Indo-Pak border; and

(d) if so, the promise made by the Pakistan's Foreign Minister?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): (a) to (d) External Affairs Minister met the Foreign Minister of Pakistan in New Delhi on July 27, 2011. The Ministers reviewed the status of bilateral relations, expressed satisfaction on the holding of various Secretary level meetings and affirmed the importance of carrying forward the dialogue process with a view to resolving peacefully all outstanding issues. The Ministers agreed that terrorism poses a continuing threat to peace and security and reiterated the firm and undiluted commitment of the two countries to fight and eliminate this scourge in all its forms and manifestations. On terrorism, Pakistan's Foreign Minister stated that Pakistan's commitment to fight terrorism should not be doubted and it was not Pakistan's policy to support terrorism in any country. She further stated that Pakistan was ready to have a dialogue with India on the issue and there was a need for cooperation to combat terrorism. Both sides agreed on the need to strengthen cooperation on counter-terrorism including among relevant departments as well as agencies to bring those responsible for terror crimes to justice.

†Original notice of the question was received in Hindi.

Losses suffered by Air India

*247. SHRIMATI KUSUM RAI: Will the Minister of CIVIL AVIATION be pleased to state:

(a) the details of loss suffered by Air India during the last financial year;

(b) whether Air India has working capital loans of Rs. 22,000/- crore along with loans of Rs. 40,000/- crore, dues of Rs. 5,000/- crore and accumulated losses of Rs. 20,000/- crore at present;

(c) if so, the details thereof;

(d) the details of dues of Air India on various Ministries/ departments of Government and on other Government agencies at present;

(e) whether Government has approved recently for equity infusion of Rs. 1,200/- crore during this fiscal year; and

(f) if so, the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) As per provisional estimates, the loss before tax during FY 2010-11 is expected to be Rs.6994 crores.

(b) and (c) Air India has following outstanding loans and dues:

Working Capital Loan	Rs.21,200 crores
Long-term loan on fleet acquisition	Rs.22000 crores
Vendor Dues	Rs.4600 crores
Accumulated Loss	Rs.20,320 crores

(including provisional account for 2010-2011).

(d) As per Air India, approximately an amount of Rs,613 crore is due for payment by various Ministries/Departments of the Government and other Government agencies.

(e) and (f) Government have made a provision of Rs.1200 crores towards equity investment in Air India during 2011-12.

Credentials of pilots

*248. SHRIMATI SHOBHANA BHARTIA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government has crosschecked credentials of all pilots, given that a few were recently caught having presented fake documents to get jobs, who actually man the aircrafts;

(b) if so, the details thereof;

(c) whether any mechanism has been put in place to ensure that only qualified pilots are recruited; and

(d) if so, the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (b) Yes Sir, after the incident of nose landing on 11.01.2011 involving Indigo Airbus - 320 aircraft, Directorate General of Civil Aviation (DGCA) conducted a drive to scrutinize the examination history of candidates who have been allotted Airlines Transport Pilot License and Commercial Pilot License. In all 9 cases of Commercial Pilot Licence (CPL) and 6 cases of Airlines Transport Pilot Licence (ATPL) were found to be procured by submitting fake mark-sheet. These licences have been placed under suspension and the cases have been handed over to Police Authorities for further investigation.

(c) and (d) The existing procedures in the Licensing Directorate of DGCA are strictly enforced. Result of DGCA examination submitted by the candidates are cross-verified with the Master result sheet from Central Examination Organisation available with the Directorate of Licensing and in case of non-availability of the result sheet, the papers are required to be sent to Central Examination Organisation for verification. Also, before conversion of foreign licences into Indian licences, the licences are verified from the concerned regulatory authority of the State issuing the foreign licence.

Further, the report of the Expert Committee constituted by the Government to look into the current system of examination and licensing of pilots and make recommendations to make the system secure, credible and efficient and in line with modern and best practices has been accepted for implementation.

Reforms in Civil Services Examination

†*249. SHRIMATI MAYA SINGH: Will the PRIME MINISTER be pleased to state:

†Original notice of the question was received in Hindi.

(a) the recommendations of the Y.K. Alagh Committee for reforms in Civil Services Examination and the recommendations out of these which have been implemented;

(b) whether it is a fact that there were nine compulsory questions of English in UPSC's preliminary examination conducted on 12 June, 2011;

(c) if so, whether it is justifiable in respect of Hindi medium candidates; and

(d) the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANSAMY): (a) The salient recommendations of the Y.K. Alagh Committee pertained to eligibility parameters of candidates appearing for Civil Services Examination, schemes of Preliminary and Main Examinations, Personality Testing, allocation of Services and post-induction issues of training and management of services. The Second Administrative Reforms Commission (ARC), constituted on 31.08.2005, after considering the recommendation of the Alagh Committee submitted a report titled "Refurbishing of Personnel Administration - scaling New Heights". After considering the recommendation of the Alagh Committee, the Second ARC and an Expert Committee constituted by UPSC, changes have been introduced in the Civil Services (preliminary) Examination with effect from Civil Services Examination (CSE), 2011. Till CSE, 2010, for the Preliminary Examination, there was one paper of General Studies, which carried 150 marks, and a second Paper where the candidate had the option to choose from 23 optional Papers and which carried 300 marks. Under the revised pattern there are two papers each carrying 200 marks for the Preliminary Examination. The details are given in Statement-I (See below).

(b) Yes, Sir. There were 9 questions on English Language out of a total of 80 questions in Paper-II of Civil Services Preliminary Examination - 2011.

(c) and (d) The Civil Services (Mains) Examination already has a compulsory paper on English carrying 300 marks which is of qualifying nature. Inclusion of English Language Comprehension Skills as a part of Preliminary Examination would help preparedness of a candidate for taking Civil Services (Main) Examination. The questions are of Class X level.

Statement-I

From Civil Service Examination - 2011, Preliminary Examination would consist of Paper I and Paper II. The syllabus and pattern of the Preliminary Examination would be as under:

(Paper I) (200 marks) Duration: Two hrs.

- Current events of national and international importance
- History of India and Indian National Movement
- Indian and World Geography - Physical, Social, economic geography of India and the World
- Indian Polity and Governance - Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.
- Economic and Social Development - Sustainable Development, Poverty, Inclusion, Demographics, Social Sector Initiatives, etc.
- General issues on Environmental ecology, Biodiversity and Climate Change - that do not require subject specialization General Science.

(Paper II) (200 marks) - Duration: Two hrs.

- Comprehension
- Interpersonal skills including communication skills
- Logical reasoning and analytical ability
- Decision making and problem solving
- General mental ability
- Basic numeracy (numbers and their relations, orders of magnitude etc.) (Class X level) and Data interpretation (Graphs, charts, tables, data sufficiency etc.) (Class X level)

Money spent on V.V.I.P. travel

*250. SHRI NARESH GUJRAL: Will the Minister of CIVIL AVIATION be pleased to state:

(a) the amount of money that was spent on V.V.I.P. travel in the last financial year for overseas travel;

(b) the number of trips undertaken by such V.V.I.Ps in the last financial year;

(c) the total amount billed to Government by Air India for these trips; and

(d) the amount of money that has been paid to Air India on this account?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (c) For VVIP flights operated during 2010-11 by Air India, the Government is expected to pay an amount of Rs.151.28 crore for which invoices have been raised.

(b) Air India operated 10 flights for VVIP travel during 2010-11.

(d) For VVIP flights operated during 2010-11, Air India has received an amount of Rs.40.46 crore.

Accidents involving helicopters

*251. SHRI PARIMAL NATHWANI: Will the Minister of CIVIL AVIATION be pleased to state:

(a) the number of accidents involving helicopters that occurred during the last five years;

(b) the details of each accident with deaths involving VIPs;

(c) the causes of such accidents; and

(d) the steps taken to avert such accidents?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) There were 15 accidents to Indian Civil Registered helicopters since 2006 till date.

(b) and (c) The details are given in Statement (See below).

(d) Various accident prevention programmes have been initiated by the Directorate General of Civil Aviation (DGCA), which include safety audits, surveillance inspections, dissemination of safety information, issue of Air Safety Circular/Civil Aviation Requirements, establishment of Aviation Safety Board etc. Further, safety recommendations emanating from investigation of helicopter accidents are followed up for implementation by the concerned agencies to prevent recurrence of similar accidents.

Statement

Accidents involving aircraft carrying WVIPS/VIPS during the last five years

(2007-2011 till date)

Sl. No.	Date/ Place	A/c Type/ Regn.	Operator	Fatalities	Details of Accident/ Probable Cause.	VIP / State Ministers	Investigated by
1.	02-09-2009 Rudrakodru under rule	Bell 430 Helicopter	M/s Andhra Pradesh	0 5	Helicopter flying form Begumpet Airport, Hyderabad to Hills, Kurnool, of Andhra Pradesh Andhra Pradesh	Sh. Y.S.R. Reddy, Hon'ble Chief Minister Chittoor crashed at Rudrakodru	Committee of Inquiry
			VT-APG 74 of Aircraft	Government	Hill, Kurnool district in Bad weather. All the five persons on board including Hon'ble Chief Minister of Andhra Pradesh received fatal Injuries. Aircraft was destroyed in Fire		Rule
2.	30-04-2011 Lobotong rule	AS350 B-3 Helicopter	Pawan Hans Helicopters Limited	0 5	Helicopter flying form from Tawang Helipad to Itanagar crashed at Lobothonng near Tawang in Bad weather. All the five persons on board including Hon'ble Chief Minister of Arunanchal Pradesh received fatal Injuries. Aircraft was destroyed in Fire	Sh. Dorjee Khandu Chief Minister of Arunanchal Pradesh	Committee of Inquiry under 74 of Aircraft Rule Under Investigation

(a) Accidents to Indian Civil Registered Helicopters in 2006

Sl. No.	Date/ Place	A/c Type/ Regn.	Operator/ Catagory	Fatalities	Number of Engine/ Helicopter	Damage Details	Details of Accident/Probable Cause.
1	05-06-2006 Near Jakkur Aerodrome, Bangalore	Bell 407 Helicopter VT-DAC	Deccan Aviation Non- Scheduled	Nil	Single Engine Helicopter	Substantial	The accident occurred due to Rotor RPM drop during approach with FADEC engaged in MANUAL mode. The exact cause of rotor RPM drop could not be ascertained.

(b) Accidents to Indian Civil Registered Helicopters in 2007

Sl. No.	Date /Place	A/c Type/ Regn.	Operator / Category	Fatelities	Number of Engine / Helicopter	Damage Details	Details of Accident/ Probable Cause.
1	19-01-2007 Bangalore	Schweizer Helicopter VT-HAI	HAL Rotary Wing Academy Non-Scheduled	Nil	Single Engine Helicopter	Substantial	Uncontrolled movement of Helicopter during hover exercise & delayed corrective action by instructor resulted in crash

landing of helicopter.

<p>2</p> <p>rotating</p> <p>one</p> <p>this</p> <p>injuries</p>	<p>22-05-2007</p> <p>Kedarnath</p> <p>Helipad</p> <p>VT-EGK</p>	<p>Alloute III Helicopter</p> <p>Pvt. Ltd. Non-Scheduled</p>	<p>Prabhatam Aviation</p>	<p>01</p>	<p>Single Engine Helicopter</p>	<p>Minor</p>	<p>After landing, when the main blades were</p> <p>at full RPM with passengers on board,</p> <p>of the ground staff approached towards the front right side of the helicopter and during</p> <p>process the main rotor blade hit him and he succumbed to his</p>
<p>was non</p> <p>adequate</p> <p>crew</p> <p>operation</p>	<p>14.07.2007</p> <p>Near Lanji, Raipur Chhattisgarh</p> <p>VT-CGH</p>	<p>EC135 T1 Helicopter</p> <p>Private</p>	<p>Govt. of Chhattisgarh</p>	<p>04</p>	<p>Multi Engine Helicopter</p>	<p>Destroyed</p>	<p>The probable cause of accident</p> <p>adherence of the SOP wherein the flight crew failed to maintain</p> <p>terrain clearance.Bad weather and improper</p> <p>detailing who were not qualified for such</p>

factor.

was the contributory

(c) Accidents to Indian Civil Registered Helicopters in 2008

Sl. No.	Date/ Place	A/c Type/ Regn.	Operator / Catagory	Fatalities	Number of Engine/ Helicopter	Damage Details	Details of Accident/ Probable Cause.
1	18-01-2008 Mysore tail control location contributory	Bell-206-L3 helicopter VT-DAK	Deccan Aviation, Bangalore Non- Scheduled	Nil	Single Engine Helicopter	Substantial	During landing pilot experienced loss of rotor effectiveness at hover and entered in to right yaw due changing wind conditions which resulted in loss of control and crash landing of helicopter. Wrong location of the windsock at the helipad was contributory factor to the accident.
2	03-08-2008 Near Kodijutta weather hill Venkatpuram, A.P.	Bell 430 Helicopter VT-REO	M/s Ran Air Non-Scheduled	04	Multi Engine Helicopter	Destroyed	Helicopter descended below the minimum safe altitude due bad weather and collided with the hill en route. Contributory factors: 1. Crew did not obtain

briefing

the meteorological

before departure.

2. Selection of the
improper route by the
crew.

(d) Accidents to Indian Civil Registered Helicopters in 2009

Sl. No.	Date/ Place	A/c Type/ Regn.	Operator / Category	Fatalities	Number of Engine / Helicopter	Damage Details	Details of Accident/ Probable Cause.
1	2	3	4	5	6	7	8
1	09-07-2009 Near Amarnath Cave, J&K	Helicopter Lama 315B VT-WEX	M/s Himalayan Heli Services Pvt. Ltd.	01	Single Engine Helicopter	Substantial	Accident occurred due to the sudden sink experienced by the pilot during landing at Sh. Amarnathji helipad and his inability to recover from it. Contributory Factors are: (1) Improper technique used for the steep approach. (2) Approaching the landing site at an angle from the left and making steep bank during the recovery process.

1	2	3	4	5	6	7	8
2	02-09-2009	Helicopter	M/s Andhra	05	Multi Engine Helicopter	Destroyed	Accident occurred due to
	Rudrakodru	Bell 430	Pradesh				loss of control
	Hills Kurnool,		VT-APG	Government			in uncontrolled
	descent in						the terrain at a
	Andhra Pradesh						rate of descent due to
	very high						entry into severe
							downdraught.
							Contributory Factors:
							1) Crew noticed a snag
							and was engrossed for
							more than vital six
	minutes						before the impact in
							searching for relevant
							information in the
							emergency checklist and
							the Flight Manual. This
	attention						distracted their
							from the prevailing
	weather						conditions which led to
							loss of situational
							awareness.
							2) The Crew was flying
	in						

Meteorological

whereas

cleared

intention

return

Instrument

Conditions (IMC)

the flight plan was

for VFR flying.

3) They had no

either to divert or

back to base.

(e) Accidents to Indian Civil Registered Helicopters in 2010

Sl.	Date /Place	A/c Type/ Regn.	Operator / Category	Fatelities Number of Engine / Helicopter	Damage Details	Details of Accident/ Probable Cause.
1	06-08-10 Chukham, crew Itanagar, while Arunanchal Pradesh	M-172 Helicopter VT-PHF	Pawan Hans Helicopter Limited's	1 Multi Engine Helicopter	NIL	Accident occurred due to falling of the cabin from the helicopter he was attempting to close the forward left hand passenger door in flight. During training
2	27-08-2010 exercise, HAL Bangalore helicopter Airport, Bangalore injuries &	Chetak Helicopter VT-EIV	M/s Rotary Wing Society Bangalore	NIL Single Engine Helicopter	substantial	while hovering become uncontrollable & fell on ground. Both trainee & Instructor received serious
3	16-12-2010 Chandigarh during resulted into the into a	Dauphin AS 365 N3 helicopter VT-SQK	M/s Pawan Hans Helicopter Limited	NIL Multi Engine Helicopter	substantial	helicopter was damaged. Mishandling of controls on the slope area taxing Helicopter entering dynamic roll thereby

on

the

impacting heavily with
ground causing
substantial damage to
Helicopter. The slope

the apron area was the
contributing factor to

accident.

(f) Accidents to Indian Civil Registered Helicopters in 2011

Sl. No.	Date/ Place	A/c Type/ Regn.	Operator / Category	Fatalities	Number of Engine/ Helicopter	Damage Details	Details of Accident
1	19-04-2011 Tawang Helipad, Arunanchal Pradesh	MI-172 Helicopter VT-PHF	Pawan Hans Helicopters Limited Non-Scheduled	18	Multi Engine Helicopter	Destroyed	During landing, helicopter fell in gorge near the helipad & caught fire. Eighteen (18) persons on board received fatal injuries. Five (05) persons received injuries & survived. Accident is under Investigation
2	30-04-2011 at Labotang Arunanchal Pradesh	Ecureuil AS350 B-3 Helicopter VT-PHT	Pawan Hans Helicopters Limited Non-Scheduled	5	Single Engine Helicopter	Destroyed	Helicopter flying from Tawang Helipad to Itanagar crashed at Lobothon near Tawang in Bad weather. All the five (05) person on board including Hon'ble Chief Minister of Arunanchal Pradesh received fatal Injuries. Accident is under Investigation

3	13-05-2011	Chetak Helicopter operating a Fatehpur Helicopter Nagar Village, Near Mount Abu, Rajasthan	Border Security Force	4	Single Engine Helicopter Destroyed	flight from Gandhi to Jodhpur crashed at Fatehpur Village, Near Mount Abu, Rajasthan. All the four persons on board including two crew members received fatal Injuries due to fire. Helicopter destroyed in fire. Accident is under Investigation
4	19-06-2011	Bell 407 Ladpur, Dehradun	M/s Swajas Air Charters Pvt. Ltd	Nil	Single Engine Helicopter Substantial	M/s Swajas Air Charters Pvt. Ltd. Bell 407 helicopter crashed at Ladpur, Dehradun while operating flight from Grant Airport, Dehradun to Sehestra dhara Pilot & Engineer injuries & helicopter substantially damaged. Accident is under Investigation

Reforms introduced by DG of Shipping

*252. SHRI SYED AZEEZ PASHA: Will the Minister of SHIPPING be pleased to state:

(a) the reforms introduced by the Director General of Shipping to simplify the inspection, certification and survey process in 2010-11;

(b) whether it is a fact that no changes have been affected in any substantial way in Mercantile Marine Department (MMD) procedures;

(c) the reasons for neglecting reforms in the regulatory bodies of shipping and oceangoing vessels;

(d) whether Government would list the actual changes done to help the Indian maritime sector; and

(e) the details thereof?

THE MINISTER OF SHIPPING (SHRI G.K. VASAN): (a) Yes, Sir. The following steps have been taken by Directorate General of Shipping:

(i) River Sea Vessels Notification was issued by the Directorate General of Shipping in 2010 for simplifying the survey and certification process for vessels operating with territorial waters of India.

(ii) A Notification was issued by the Directorate General of Shipping in 2011 which dedicated the survey works of ship below 5000 GRT to other six recognized organizations besides the IRS.

(iii) Comprehensive uniform survey check list for sailing vessel and fishing vessels have been issued.

(iv) User friendly General Trading Licence (GTL) and specified period licence (SPL) issuance process by introducing green channel concept.

(v) Green channel concept in implementation of ISM certification.

(b) No, Sir. Many initiatives have been taken by Directorate General of Shipping such as:

(i) Survey works of Indian flag vessels upto 5000 GRT have been delegated to all the recognized organizations, with effect from 14th March, 2011.

(ii) Online booking for examination for candidates appearing for the MEO Class-I & Class-II examinations.

(iii) Online examination for MEO Class-IV examination is being developed.

(c) There is no neglect in implementation of reforms.

(d) and (e) The following steps have been taken to help the Indian Maritime sector:

(i) The Government of India introduced the Tonnage Tax Scheme in the Finance Bill, 2004 as an alternative to regular corporate tax.

(ii) The said River Sea Vessels (RSV) Notification was issued by the Directorate General of Shipping in 2010, with a view to simplify the technical requirements, survey and certification processes of vessels which are operating within the territorial waters of India.

(iii) In order to provide more training opportunities for cadets on offshore supply vessels, the Directorate granted certain relaxation from the accommodation requirements for cadets on existing vessels, without compromising the basic amenities and quality of living.

(iv) The Directorate has issued an order permitting a limited number of foreign crew on Indian Ships when they operate in the coastal waters of certain countries which have mandated such requirements, on the conditions that these vessels provide specified number of additional training slots for Indian seafarers.

(v) Crewing requirements are also imposed on foreign chartered ships engaged in Indian coastal waters, when they are deployed for a period of more than 90 days.

Traffic congestion at airports

*253. SHRI PRAKASH JAVADEKAR: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that many inward and outward flights to and from Delhi and Mumbai airports are held up because of traffic congestion;

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

(c) the steps taken by authorities in this regard?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (b) Yes Sir, at times traffic congestion takes place due to bunching of flights. Some reasons for traffic congestion are as under:

- (i) Inability of Airlines to adhere to their schedule results in bunching of flights.
 - (ii) Most of the airlines want to operate their flights in the morning and evening hours due to commercial reasons. As a result, all the slots get occupied during these hours.
 - (iii) Flights are also delayed due to weather phenomenon like fog, thunderstorm, dust storm and heavy rain etc.
- (c) Following steps have been taken by the concerned authorities to avoid bunching of flights and reduce delays:
- (i) At the time of slot allocation, number of hourly movements is maintained in accordance with the runway capacity.
 - (ii) Central Air Traffic Flow Management System is being introduced in collaboration with Federal Aviation Academy (FAA), USA to reduce holding in air.
 - (iii) Performance Based Navigation (PBN) procedures are already in place at Delhi, Mumbai.
 - (iv) Improved ATC Procedures have been implemented and Clearance Delivery Position has been established at Mumbai & Delhi airports.
 - (v) The ATM Automation System at Mumbai and Delhi has already been upgraded.
 - (vi) Additional sectors in ATC Units with additional control positions are being manned.
 - (vii) Advanced Surface Movement Guidance & Control System (ASMGCS) along with Surface Movement Radar is operational at Delhi and Mumbai.
 - (viii) Cross Runway Operations at Mumbai and simultaneous use of two runways at Delhi has been implemented.
 - (ix) Rapid Exit Taxiways have been constructed at Delhi and Mumbai to reduce runway occupancy time.

Progress in Indo-US Civil Nuclear Agreement

*254. SHRI NARENDRA KUMAR KASHYAP: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the details of the progress made so far following Indo-US civil nuclear agreement;

(b) whether the locations have been identified in the country for setting up of nuclear plants for utilizing atomic energy in public interest; and

(c) the time by when the current power demand is likely to be met with atomic power?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): (a) to (c) The India US Agreement for cooperation concerning peaceful uses of nuclear energy was signed on 10 October, 2008 and entered into force on 6 December, 2008. Arrangements and procedures between the two governments pursuant to Article 6(iii) of the Agreement was signed on 30 July 2010. In October, 2009, Government of India announced the allocation of two sites-Chhayamithi Virdi and Kowada - for setting up Light Water Reactor (LWR) based power plants in cooperation with the US. The two sides are in discussion regarding the setting up of nuclear power plants and other cooperation in the nuclear field.

Tourism development in Rajasthan

†*255. SHRI ASHK ALI TAK: Will the Minister of TOURISM be pleased to state:

(a) whether it is a fact that there is a lot of possibility of tourism development in the State of Rajasthan, if so, the details thereof;

(b) the details of funds provided by Government to the State Government for the development of tourism during the last three years, work-wise; and

(c) whether Central Government proposes to provide the funds under a special package to the State Government for the development of tourism, if so, the quantum thereof?

THE MINISTER OF TOURISM (SHRI SUBODH KANT SAHAY): (a) and (b) Yes, Sir. Development, promotion, implementation and monitoring of tourism projects is primarily undertaken by the State Governments/Union

Territories. However, Ministry of Tourism provides Central Financial

†Original notice of the question was received in Hindi.

Assistance (CFA) for tourism projects which are prioritized and complete as per scheme guidelines subject to submission of utilization certificates for funds released earlier under various schemes.

The details of funds sanctioned in the years 2008-09, 2009-10, 2010-11 and 2011-12 (upto 31.07.2011) for development of tourism in the State of Rajasthan are as under:

(Rs. in crore)

Sl. No.	Year	Number of Projects	Amount sanctioned
1.	2008-09	09	44.31
2.	2009-10	07	19.74
3.	2010-11	07	31.32
4.	2011-12	01	5.00
TOTAL		24	100.37

The list of projects is given in Statement (See below).

(c) The project proposals submitted by the State Governments/Union Territory Administrations are prioritized based on discussions in the prioritization meetings held in the Ministry of Tourism.

Statement

Projects sanctioned to the State of Rajasthan during the years 2008-09, 2009-10, 2010-11 and 2011-12 (Upto 31.07.2011)

(Rs. in lakh)

Sl. No.	Name of the Project	Amount Sanctioned
1	2	3
2008-09		
1.	Construction, Restoration of Parkota and various Buildings, Shergarh Baran.	461.44
2.	Conservation, Restoration and Development of Nahargarh Fort, Jaipur.	432.06

1	2	3
3.	Conservation & Restoration of Muchkund Dholpur.	441.21
4.	Conservation & Restoration of Hawa Mahal Phase-II.	360.66
5.	Conservation & Restoration of Jantar Mantar Phase-II.	193.90
6.	Conservation & Restoration of Bala Qila and Kanakwari Fort, Alwar.	480.61
7.	Ajmer-Pushkar Mega Project.	1069.68
8.	Integrated Development of Udaipur.	241.37
9.	New Broad Gauge-II Palace on Wheels train under Large Revenue Generating scheme.	750.00
Total		4430.93

2009-10

1.	Infrastructure Development for Destination Salgaon Mount Abu.	231.05
2.	Central Financial Assistance for Development of Keoladeo National Park, Bharatpur.	266.19
3.	Conservation, Restoration & Development work of Taragrah Fort, Ghanta Ghar & Shaheed Park.	499.39
4.	Conservation, Restoration & Development of Ghat Ki Guni Complex (Purana Ghat), Jaipur.	479.36
5.	Conservation and Development of Amer Palace Jaipur	485.39
6.	Central Financial Assistance for organizing Elephant Festival, Jaipur (28th Feb., 2010)	5.00
7.	Central Financial Assistance for organizing Desert Festival, 8.00 Jaisalmer.	
Total		1974.38

2010-11

1.	Infrastructure Development of Eco-Tourism Destination, Kumbalgarh-Todgarh-Raoli-Ranakpur as Tourist Destination & Development Circuit.	594.55
----	----------------------------------------------------------------------------------------------------------------------------------------	--------

1	2	3
2.	Construction of Wayside facilities of Rajasthan Tourism Development Corporation situated on National Highways.	605.64
3.	Central Financial Assistance for beautification of Jaipur in Rajasthan.	275.00
4.	Central Financial Assistance for the project Hathi Gaon, Phase-II, Amber (Jaipur) Rajasthan.	321.69
5.	Development of Dang Tourist Circuit as Tourist Destination.	795.31
6.	Conservation & Restoration of Shiv Temple Bandevra, Ramgarh, Baran.	489.73
7.	Central Financial Assistance for celebration of Deepotsav during Commonwealth Games-2010 in Jaipur.	50.00
Total		3131.92
2011-12		
1.	Conservation and Restoration of Fresco painting & Murals of Nahargarh Fort, Jaipur	500.00
TOTAL		500.00
GRAND TOTAL		10037.23

Relief to Indo-Pak Civil Society through CBMS

*256. PROF. SAIF-UD-DIN SOZ: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Pakistan civil society was very eager that India and Pakistan should adopt Confidence Building Measures (CBMs) of various nature to bring relief to the lives of civil society on both sides;

(b) whether it is a fact that many Parliamentarians in Pak want to establish an Indo-Pak Parliamentary Forum; and

(c) the action that was envisaged in the Ministry on this development?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): (a) The leadership of Pakistan has from time to time conveyed that the Government and people of Pakistan desire

harmonious, cooperative and friendly relations between the two countries. Both countries have underlined that people of the two countries are at the heart of the relationship and have acknowledged the need for promotion of friendly exchanges, including enhanced people-to-people contacts, by adopting appropriate CBMs in this regard.

(b) and (c) An India-Pakistan Friendship Group has been constituted comprising 22 members from the Lok Sabha and Rajya Sabha. A Pakistan-India Parliamentary Friendship Group has been setup in Pakistan comprising 27 members of the National Assembly and the Senate of Pakistan.

Increase in the prices of steel

†*257. SHRI BHAGAT SINGH KOSHYARI: Will the Minister of STEEL be pleased to state:

(a) whether a tendency of increase in the prices of steel has been seen during the last three years;

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

(c) whether cartel of producers in the field of steel has come into light;

(d) if so, the details thereof;

(e) whether Government has taken steps to maintain a permanent balance between demand of steel in the market and its supply on fair prices and to eliminate the cartel of producers in the field of steel; and

(f) if so, the details thereof?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) and (b) The price of steel in the domestic market was at its peak during April to July, 2008. During the last three years, the price of steel items in the domestic market has been fluctuating in accordance with the domestic market conditions, international steel market prices and price movement in raw material in the international market. A table indicating quarterly price movement in respect of the representative category of steel items in domestic market is given in the Statement (See below).

(c) and (d) The cases of cartelisation fall under the investigation purview of Competition Commission of India under the Competition Act 2002. As reported by the Competition Commission

of India, a *suo motto* case initiated by erstwhile Monopolies and Restrictive Trade Practices

†Original notice of the question was received in Hindi.

Commission (MRTPC) in the year 2008 on cartelisation in steel sector was transferred to them. The case has been investigated and the matter has been submitted to the Commission.

(e) and (f) The price of steel in the country is deregulated and is decided by the individual producers based on various market conditions, such as demand supply scenario, movement in international steel market prices, cost of raw materials and other input costs. Considering the increasing steel demand in the domestic market, Government has taken various fiscal steps to maintain a steady supply position in the domestic market and also to boost steel production in the country. These are:

- (i) Import duty on raw material such as coking coal and Steel Melting Scrap is NIL.
- (ii) Export duty of 20% has been imposed on export of all grades and sizes of iron ore.
- (iii) Import duty on Steel items is 5%.

Statement

*Retail Steel price Movement in Delhi Market during
June 2008 to July 2011*

(Rs./tonne)			
Month	Hot Rolled Coils 2.0 mm	TMT 10 mm	Pig Iron
1	2	3	4
June 2008	50045	47451	32900
Sept. 2008	45327	41934	36000
Dec. 2008	36498	36565	24500
April 2009	34450	34262	22000
June 2009	34289	35479	23200
Sept. 2009	35653	32818	24500
Dec. 2009	35310	32290	22500
March 2010	36240	35100	24800

1	2	3	4
June 2010	44660	39210	28000
Sept. 2010	43320	36350	24800
Dec. 2010	44840	36930	28000
March 2011	45540	41990	32000
June 2011	43330	43220	32300
July 2011	43020	44180	31500

* Indicative price in Delhi market inclusive of transportation, taxes & duties.

Details of District Planning Committees

*258. DR. BHALCHANDRA MUNGEKAR: Will the Minister of PANCHAYATI RAJ be please to state:

(a) the details of working of District Planning Committees;

(b) whether there is any set of guidelines that govern the functioning of district planning authorities;

(c) the formula for distribution of grants among Panchayats in various districts, out of the total money earmarked for Panchayats; and

(d) the procedure for distribution of funds across the three tiers of the Panchayats?

THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO): (a) and (b) Under Article 243ZD of the Constitution, the District Planning Committee (DPC) shall be constituted at the District level in every State to consolidate the Plans prepared by Panchayats and Municipalities in the district and to prepare a draft development plan for the district as whole. The composition and functions to be assigned to the DPCs are decided by the State Legislature. While preparing the draft development plan, DPCs have to take into consideration (i) matters of common interest between the Panchayats and the Municipalities including spatial planning, sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental conservation and (ii) the extent and type of available resources whether financial or otherwise. The Planning

Commission has issued guidelines for preparation of district plans in August, 2006. A comprehensive Manual for Integrated District Planning has also been prepared in 2008. Moreover, Ministry of Panchayati Raj has issued guidelines dated 29.5.2009 to the States in this regard.

(c) and (d) Grants to Panchayats are given under BRGF, Thirteenth Finance Commission, etc. The formula and procedure for distribution among the Panchayats varies from scheme to scheme.

Status of Atomic Energy Act, 2008

*259. SHRI RAM KRIPAL YADAV: Will the PRIME MINISTER be pleased to state:

- (a) the status of the Atomic Energy Act, 2008; and
- (b) the details of benefits availed under this act so far?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) and (b) There is no Act called 'Atomic Energy Act, 2008' enacted by the Government. However, the Atomic Energy Act, originally enacted in 1948, was repealed in 1962 when the Atomic Energy Act, 1962 was enacted. Minor amendments to the Act were made in 1986 and 1987. The Department of Atomic Energy reviewed the need for amending the provisions of the Act, and action taken thereon from time to time since the beginning of the 1990's. The Department of Atomic Energy is now in the process of finalizing draft amendments to be made to the Atomic Energy Act, 1962. Atomic Energy Act, 1962 essentially provides the legal framework for development, control and use of atomic energy for the welfare of people of India and for other peaceful purposes and for matters connected therewith. The benefits availed under Atomic Energy Act, 1962 so far are as follows:-

1. Indigenous development of nuclear power technology and nuclear fuel cycle technology.
2. Large scale application of radioisotopes in
 - (a) healthcare i.e. radiation, hygienisation of medical products
 - (b) radiopharmaceuticals for diagnostics and therapy
 - (c) radiation treatment for cancer (teletherapy and brachytherapy)
 - (d) Nuclear agriculture: Use of radioisotopes for mutation of seeds (largely oil seeds and pulses) for improvement in yield,

resistance against pest and shortening of maturity period, etc.

- (e) Application of radioisotope for food preservation.
- (f) Industrial applications: non-destructive testing using gamma rays, gamma scanning of petro-chemical towers, logging of oil wells, radiation processing of polymers, industrial gauging etc.
3. Capacity building for strategic activities.

Number of Haj Applications

*260. SHRI MOHAMMED ADEEB: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) the total number of applications received for Haj this year;
- (b) the number of such applications, State-wise and Union Territory-wise;
- (c) the quota allotted to each State & UT;
- (d) in what manner wait-listed candidates have been selected and confirmed;
- (e) what were their waiting numbers;
- (f) the details of those whose waiting number was much above those who have been selected; and
- (g) whether the methodology adopted has not been transparent and fair?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): (a) 3,02,616.

(b) and (c) Required information is given below:

Quota for Haj 2011 (as on 12.08.2011)

Sl. No.	Name of State/Union Territory	Total Applications	Quota entered	Additional seats allotted to States with excess applications from Govt.	Total Quota
1	2	3	4	5	6
1.	Andaman & Nicobar (UT)	79	26	1	27
2.	Andhra Pradesh	17001	6137	206	6343

3.	Assam	3951	3951	0	3951
----	-------	------	------	---	------

1	2	3	4	5	6
4.	Bihar	5799	5815	0	5815
5.	Chandigarh (UT)	47	31	1	32
6.	Chhattisgarh	1258	360	12	372
7.	Dadra & Nagar Haveli (UT)	28	6	0	6
8.	Daman & Diu (UT)	47	11	0	11
9.	Delhi (NCT)	6889	1426	48	1474
10.	Goa	312	81	3	84
11.	Gujarat	32021	4035	136	4171
12.	Haryana	4636	1074	36	1110
13.	Himachal Pradesh	95	90	0	90
14.	Jammu & Kashmir	24696	5968	1500	7468
15.	Jharkhand	3040	3039	0	3039
16.	Karnataka	12807	5677	191	5868
17.	Kerala	41431	6908	232	7140
18.	Lakshadweep (UT)	623	51	239	290
19.	Madhya Pradesh	16163	3374	113	3487
20.	Maharashtra	38822	9023	302	9325
21.	Manipur	467	168	5	173
22.	Orissa	786	669	23	692
23.	Pondicherry (UT)	305	52	2	54
24.	Punjab	574	336	10	346
25.	Rajasthan	14821	4207	141	4348
26.	Tamil Nadu	10458	3049	103	3152
27.	Tripura	134	134	0	134

1	2	3	4	5	6
28.	Uttar Pradesh	51453	27004	906	27910
29.	Uttarakhand	3463	889	29	918
30.	West Bengal	10410	10410	0	10410
TOTAL		302,616	104,001	4239	108240

(d) to (g) Haj Committee of India selects/confirms candidates in the waiting-lists against seats available on account of cancellations/release of additional seats to States & Union Territories under Government quota in the order of their position in the waiting lists. The process is underway. The methodology adopted by the Haj Committee of India is transparent and fair.

WRITTEN ANSWERS TO UNSTARRED QUESTIONS

Advancement in Nuclear Energy Partnership

1861. SHRIMATI RENUBALA PRADHAN: Will the PRIME MINISTER be pleased to state:

(a) to what extent India advanced in setting up Global Centre for nuclear energy partnership;

(b) the partner countries with whom India has decided to have a partnership in the field;

(c) whether those countries are good enough in the development of proliferation resistant reactor technologies, nuclear security technologies, radiology safety and radiation technology application; and

(d) if so, the credentials of those countries in those fields in arresting related problems in these areas so far?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) Global Centre for Nuclear Energy Partnership is proposed to be set up in Haryana. Land for this purpose has been identified and payment has also been made to Government of Haryana. Plans for the Centre have been made and to firm up the site plans steps for finalizing architectural consultant are being taken.

(b) India has, so far, signed co-operation agreements on Global Centre for Nuclear Energy Partnership with France, Russia, and USA.

(c) Yes, Sir.

(d) Concepts of Proliferation Resistant Reactor Technologies are being examined by the above countries. In India, the development of Advanced Heavy Water Reactor and its associated Fuel Cycle using Thorium has a bearing on their intrinsic proliferation resistance.

Functional uranium mines in India

1862. SHRIMATI BRINDA KARAT: Will the PRIME MINISTER be pleased to state:

(a) the total number of Uranium mines that have been functional in India;

(b) whether such Uranium mining have caused any health related hazards in any part of mining areas;

(c) if so, the steps Government has undertaken to provide safety to the inhabitants near Uranium mining; and

(d) the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) Uranium Corporation of India Limited (UCIL), a Public Sector Undertaking under the Department of Atomic Energy (DAE) for carrying out the mining and processing of Uranium minerals, is presently operating five underground Uranium mines at Jaduguda, Bhatin, Narwapahar, Turamdih & Bagjata and one opencast mine at Banduhurang all in East Singhbhum District of Jharkhand State.

(b) No, Sir.

(c) and (d) Does not arise in view of reply to (b) above. However, the operations of UCIL are earned out .under strict surveillance of Atomic Energy Regulatory Board (AERB), State Pollution Control Board and Director General of Mines & Safety (DGMS). UCIL has a track record of adopting absolute safe and environment friendly working practices in uranium mining and processing activities as prescribed by AERB. Radiation monitoring is carried out by Environmental Survey Laboratory, Bhabha Atomic Research Centre (BARC) in all mines and neighbouring areas in a systematic manner. Results of radiation monitoring are subjected to inspection by AERB. Periodical medical check ups of the employees are done as per approved schedule. A full-fledged

Environmental Survey Laboratory cum health Physics Unit - an independent body under the administrative control of BARC is in operation since inception of the mines and related facilities to carry out environmental and radmogical surveillane in and around UCIL's units. The reports of the survey are reviewed by AERB through its various constituents. UCIL provides comprehensive health care to all persons employed in mine and their families.

Preparedness of atomic plants to withstand

1863. DR. K.V.P RAMACHANDRA RAO: Will the PRIME MINISTER be pleased to state:

(a) whether Indian atomic plants can withstand any disasters, both manmade and natural, particularly in the light of the recent disaster that took place in Japan;

(b) if so, the preparedness of the plants in India; and

(c) further steps that are proposed to be taken in this regard?

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

(b) The nuclear power plants are sited, designed, constructed and operated to be safe in the event of any natural and man induced events. In the light of the recent incidents at Fukushima in Japan. Nuclear Power Corporation of India Limited (NPCIL) constituted four task forces for different technologies in operation These task forces have revisited the safety of all the nuclear power plants and found that Indian nuclear power reactors are safe and have sufficient margins and features in the design to withstand extreme natural events. The reports of the task forces have been submitted and made public. The Atomic Energy Regulatory Board (AERB) and Bhabha Atomic Research Centre (BARC) have also constituted committees whose reports are expected in the near future.

(c) To further enhance the safety of the nuclear power plants, recommendations have been made by the task forces which are being implemented after due process of approval. The salient recommendations made by the task forces are:

- Automatic reactor shutdown initiation sensing seismic activity.
- Augmentation of cooling water inventories and provisions for additional hook up arrangements through external sources and

provision of mobile diesel driven pump sets.

- Increasing the duration of the passive power sources/battery operated devices for monitoring important parameters for a longer duration.
- Additional shore protections measures at Tarapur Atomic Power Station and Madras Atomic Power Station
- Revision of Emergency-Operating Procedures (EOPS) and structured training programs to vam plant personnel on modified EOPs.
- Inerting (filling up of the containment with nitrogen) of the TAPS-1 & 2 containment.

Uranium Reserves in Andhra Pradesh

†1864. SHRI RAM JETHMALANI:

SHRI RAVI SHANKAR PRASAD:

Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that uranium reserves of India have now doubled as compared to earlier one, as a result of finding the new reserves of uranium in Andhra Pradesh;

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

(c) whether the cost of production from these new mines has also been estimated and;

(d) if so, the details thereof and the assessment regarding dependence on fuel to be imported from foreign countries to meet the demand of uranium in the country?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) and (b) Uranium reserves in India has enhanced substantially over the years which stands at 1,72,762 tonnes of Uranium (U₃O₈) as on 30.06.2011. Major part of these uranium resources are from the State of Andhra Pradesh which is 83,538 tonnes of Uranium (U₃O₈). Based on the establishment of uranium resources, the Uranium Corporation of India Ltd. (UCIL), a Public Sector Undertaking under the Department of Atomic Energy (DAE) has taken up construction of uranium mines and mineral processing plant in Andhra Pradesh (Tumalalpalte Project).

(c) Yes, Sir.

†Original notice of the question was received in Hindi.

(d) The estimated cost of production for Jummalapalle Project is Rs.11,770/- per kg Uranium (U_3O_8) (Base Date: December, 2005) and Rs 15,680/- per kg Uranium (U_3O_8) for expansion of Tummalapalle Project (Base Date: March, 2010). The indigenous uranium will help India to increase the installed nuclear capacity thereby providing more electricity for economic growth of the country.

Policy change in respect of atomic power plant

†1865. DR. YOGENDRA P. TRIVEDI: Will the PRIME MINISTER be pleased to state:

(a) whether country is trying to change its policy related to the atomic power plants considering the radiation emanating from the atomic energy plants, Japan;

(b) if so, the norms of project; and

(c) the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) The incident at Fukushima Daiichi Nuclear Power Plant in Japan resulted from an extreme natural event of a massive earthquake of magnitude 9.0 followed by an over 14 m high Tsunami. Although the reactors were shutdown and nuclear chain reaction terminated, the total loss of power and resultant loss of reactor core cooling led to formation and subsequent explosion of Hydrogen which in turn led to release of radioactive materials into the atmosphere. Prompt emergency measures ensured that there were no fatalities as a result of the nuclear incident and no member of public has been exposed to radiation beyond stipulated limits. The situation is now being stabilized. Safety is a moving target and regular reviews of incidents at national and international levels and incorporation of lessons learnt from these, as appropriate, are inbuilt in safety culture at Indian nuclear power plants. In line with this, Nuclear Power Corporation of India Limited (NPCIL) constituted six task forces, to review the safety of Indian reactors in the context of the Fukushima incident. The, safety evaluation has found that Indian nuclear power reactors are safe against extreme natural events. The reports have been submitted to the government and also put in public domain. Committees have also been constituted by the Atomic Energy Regulatory Board (AERB) and Bhabha Atomic Research Centre (BARC) which are evaluating the safety of nuclear power reactors. Their recommendations and that

†Original notice of the question was received in Hindi.

of a other international studies will also be appropriately implemented. India's energy resources are limited and its demand is huge and rapidly growing. In the Indian scenario, all sources of electricity generation need to be harnessed optimally. Given India's energy resource profile, nuclear power is an important clean energy option for long term energy security and sustainability. It will be pursued, with enhanced emphasis on safety.

(b) and (c) Additional safety features which have been recommended by NPCIL task forces are:

- Automatic reactor shutdown initiation sensing seismic activity.
- Augmentation of cooling water inventories and provisions for additional hook up arrangements through external sources and provision of mobile diesel driven pump sets.
- Increasing the duration of the passive power sources/battery operated devices for monitoring impotent parameters for a longer duration.
- Additional shore protection measures at Tarapur Atomic Power Station and Madras Atomic Power station.
- Revisior of Emergency Operating Procedures (EOPs) and structured training programs to train plart personnel on modified EOPs.
- Inerting (filling up of the containment with nitrogen) of the TAPS-1 & 2 containment.

Uranium discovered in Tumulapalli

1866. PROF. P.J. KURIEN: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that huge quantity of uranium has been discovered in the Tumulapalli region in Andhra Pradesh;

(b) if so, the details thereof;

(c) the details of action plan of Government to use this uranium in our Reactors and also to commercially exploit the same; and

(d) to what extent would this new finding of uranium help the country to reduce its dependence on other countries for import of enriched uranium?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V.

NARAYANASAMY): (a) Yes, Sir.

(b) The Atomic Minerals Directorate for Exploration and Research (AMD), a constituent Unit of the Department of Atomic Energy, has so far established the presence of 63,269 tonnes of uranium resources (U_3O_8) in Tumallapalle area, Kadapa District, Andhra Pradesh.

(c) The Uranium Corporation of India Ltd. (UCIL), a Public Sector Undertaking under Department of Atomic Energy, has undertaken the construction of an underground mine and plant of 3000 tonnes per day (tpd) ore capacity which is expected to be commissioned in the year 2012. The pre-project activities for augmenting the production and processing capacity to 4500 tpd ore are in progress and expected to be commissioned in the year 2015. Further plans have been envisaged to construct a mine and a plant of 6000 tpd ore capacity (in stages) after successful commissioning of the ongoing project.

(d) The indigenous uranium will help India to increase nuclear installed capacity, thereby, prodding more electricity for economic growth of the country.

Impact of Fukushima disaster on nuclear cooperation agreement

†1867. SHRI ISHWARLAL SHANKARLAL JAIN: Will the PRIME MINISTER be pleased to state:

(a) whether the effect of damages taken place in the Fukushima nuclear reactors due to recent Tsunami, is likely to be casted on the nuclear cooperation agreement dialogue with India;

(b) whether Government after being alerted from Tsunami has assessed the, locations of its nuclear plants keeping in view the damages of nuclear reactors due to Tsunami in Japan;

(c) whether any meetings/reviews are being held in India and Japan with regard to the security of nuclear power houses; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) No Sir. The Fukushima (Japan) incident is not expected to have a negative impact on bilateral nuclear cooperation.

(b) Yes Sir. The Tsunamigenic setting of the Indian coastal nuclear power plants is different from that of Japan. The Tsunamigenic faults (where Tsunamis originate) in case of India, the Makran

†Original notice of the question was received in Hindi.

Fault in respect of the West coast and the Sumatra Fault in respect of the East coast are 990 and 1300 km away from the locations of Indian nuclear power plants, as against 130 km in case of Fukushima in Japan. This long distance provides sufficient warning and also reduces the energy of the Tsunami. The Madras Atomic Power Station (MAPS) and Kudankulam project (under construction) in Tamil Nadu on the east coast were not affected by the 2004 Tsunami caused by an earthquake of magnitude 9.2.

(c) Yes, Sir.

(d) Safety and security reviews of existing nuclear power plants in the context of Fukushima incident have taken place in India and across all countries with nuclear power programmes. In India, the safety of Indian nuclear power plants has been reviewed in the context of the Fukushima incident by task forces constituted by Nuclear Power Corporation of India Limited (NPCIL). These task forces have submitted their reports and they have been put in public domain on the websites of NPCIL and Department of Atomic Energy (DAE). They have found that the Indian nuclear power plants are safe against extreme natural events. Committees constituted by the Atomic Energy Regulatory Board (AERB) and the Bhabha Atomic Research Centre (BARC) are also conducting a review of safety of Indian nuclear power plants. The task forces have made recommendations to further enhance the safety of existing nuclear power plants, which are being implemented after due process of approval. India is also participating in safety review meetings being organised by International Atomic Energy Agency (IAEA).

Green signal to Jaitapur nuclear project

1868. SHRI MOHD. ALI KHAN: Will the PRIME MINISTER be pleased to state:

(a) whether Government has given green signal for Jaitapur nuclear project;

(b) if so, the details thereof; and

(c) the safety measures to be adopted in future?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) and (b) Government accorded 'in principle' approval for locating two units at Jaitapur site in the year 2005 and subsequently in 2009, for the full potential of the site for locating six units of 1650

MW was approved. Following 'in principle' approval, detailed Environment Impact Assessment (EIA)

studies were carried out. After due process, the Ministry of Environment and Forests accorded environmental clearance. Coastal Regulation Zone (CRZ) clearance for the project has also been accorded. The Project is planned to be implemented in a phased manner with two 1650 MW reactors in the first phase to begin with. Discussions are in progress between Nuclear Power Corporation of India Ltd. (NPCIL) and Areva to arrive at detailed project proposals. On finalization of the project proposal, financial sanction will be obtained. Meanwhile, certain apprehensions were raised by the local people on the project and their doubts/misconceptions have been clarified.

(c) A comprehensive review of the safety features project designs is being carried out by the designers and regulatory body of the vendor country and also by India's Atomic Energy Regulatory Board (AERB). Any additional safety features recommended will be incorporated for further enhancing the safety.

Impact of Fukushima accident on installation of nuclear plants

1869. SHRI K.E. ISMAIL:

SHRI M.P. ACHUTHAN:

Will the PRIME MINISTER be pleased to state:

(a) whether the set back in Fukushima atomic power plant in Japan made any impact on the installation processes of nuclear power plants in India;

(b) if so, the details thereof;

(c) whether Government is actively considering to add more safety measures in the present design for those plants on the basis of Fukushima set back; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) and (b) The Indian nuclear power programme is on course, with enhanced emphasis on safety. The safety of Indian nuclear power plants has been reviewed in the context of the Fukushima (Japan) incident by task forces constituted by Nuclear Power Corporation of India Limited (NPCIL). These task forces have submitted their reports. They have found that the Indian nuclear power plants are safe against extreme natural events. These reports have also been placed in public domain on the websites of NPCIL and Department of Atomic Energy (DAE).

(c) The NPCIL task forces have made recommendations to further enhance the safety of existing nuclear power plants, which are being implemented after due process of approval. The recommendations of the committee constituted by the Atomic Energy Regulatory Board (AERB) are expected in near future. Same will also be implemented.

(d) The salient recommendations to further enhance the safety made by the task forces are.

- Automatic reactor shutdown initiation sensing seismic activity.
- Augmentation of cooling water inventories and provisions for additional hook up arrangements through external sources and provision of mobile diesel driven pump sets.
- Increasing the duration of the passive power sources/battery operated devices for monitoring important parameters for a longer duration.
- Additional shore protections measures at Tarapur Atomic Power Station and Madras Atomic Power Station.
- Revision of Emergency Operating Procedures (EOPs) and structured training programs to train personnel on modified EOPs.
- Inerting (filling up of the containment with nitrogen) of the TPAS-1&2 containment.

Policy for setting up nuclear plants

†1870. SHRI SATYAVRAT CHATURVEDI:

SHRI MOTILAL VORA:

Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that after blasts in three reactors of Fukushima nuclear plant of Japan, some countries of the world are considering closing down of nuclear power plants and exploring alternative power;

(b) the policy of Government with regard to setting, up new nuclear power plants;

(c) whether Germany has proposed to provide support to India for solar energy and renewable energy; and

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

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V.

NARAYANASAMY): (a) There are 30 countries where 440 nuclear power plants are in operation. There are 65 reactors

†Original notice of the question was received in Hindi.

under construction in 15 countries. Following the Fukushima incident (Japan), only two countries, viz. Germany and Switzerland have announced phasing out nuclear power.

(b) India's energy resources are limited and its demand is huge and rabidly growing. In Indian scenario, no single source of power can meet the demand and all sources need to be deployed optimally. Nuclear power is an important clean energy option for long term energy security. The Indian nuclear power programme will continue with enhanced emphasis on safety.

(c) There is no proposal from Germany to support entire solar energy and renewable energy sector. However, there are some projects where German companies/technologies are involved.

(d) The Government desires to develop renewable energy in a big way and welcomes collaborations which benefit the country.

Dues of fuel supplier of Air India

†1871. SHRI SATYAVRAT CHATURVEDI:

SHRI MOTILAL VORA:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Air India has an outstanding amount of two thousand crores rupees towards the public sector oil companies due to which oil companies have started "Cash and Carry" system from January, 2011;

(b) whether it is also a fact that eight flights, including the international flights, were cancelled due to withdrawing of fuel supply by oil companies on 27 May, 2011;

(c) the losses that Air India incurred due to cancellation of flights;

(d) whether Delhi and Hyderabad airports have also served notice to pay the outstanding amount by 1 June, 2011; and

(e) if so, the steps taken by Air India for timely payment of all dues?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (b) Yes, Sir.

(c) Air India and Air India Express had incurred Rs.10 crore loss

due to cancellation of 147 flights between 27.5.2011 and 2.6.2011 due to shortage of fuel.

†Original notice of the question was received in Hindi.

(d) and (e) Yes, Sir. Air India has sought time from its creditors for payment of outstanding dues till easing of cash flow situation.

Violation by Foreign airlines

1872. SHRI SABIR ALI:

SHRI MOHAMMED ADEEB:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that some foreign airlines indulge in violations of various types;

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

(c) the mechanisms that have been put in place to check such violations?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (b) No violation by any foreign airline has come to the notice of the Government.

(c) The Aircraft Act 1934, Aircrafts Rules 1937 and the Air Services Agreement provide the legal framework for prevention of dealing with violation.

Closed and defunct airports

1873. SHRI BHARATSINH PRABHATSINH PARMAR:

SHRI NATUJI HALAJI THAKOR:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that the Ministry has recently announced that some 35 closed and defunct airports of the country will come under re-operational category for domestic flights from the said airports to meet new prospects of Indian aviation sector;

(b) if so, the broad details of the proposal frame-out by the Ministry;

(c) the present status of ground facilities available for technical operation; and

(d) if so, by when same would become operational?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) Yes, Sir.

(b) Feasibility study of 33 non operational/defunct airports of Airports Authority of India (AAI) for development/operationalisation was

conducted. 13 of these small airports of AAI were recommended for development/operationalisation. The names of the airports are Akola, Sholapur

†Original notice of the question was received in Hindi.

(Maharashtra), Vellore (Tamil Nadu), Mysore (Karnataka), Warangal, Cuddapah (Andhra Pradesh), Chakulia (Jharkhand), Malda (West Bengal), Jharsuguda (Orissa), Tezu, Passighat (Arunachal Pradesh), Rupsi (Assam) and Kamalpur (Tripura).

(c) and (d) Mysore airport has already been made operational in May, 2010 and is fit for ATR-72 type of aircraft operations. The status of remaining airport of remaining airport is given in Statement.

1. Cuddapah:

Work to operationalise Cuddapah airport for ATR-72 aircraft operations is in progress. Pavement works i.e. runway, taxiway, apron, etc. have been completed at a cost of Rs.21 crores. Work on the construction of the new Terminal Building is in progress and expected to be completed by March, 2013.

2. Tezu:

Airport handed over by State Government to AAI for development to handle ATR-72 type of aircraft with financial grant of Rs.79 crores to be provided by NEC/Govt. of India. Works likely to be completed by June, 2013.

3. Passighat:

As per PMO directive, Passighat Aerodrome belonging to AAI has been transferred to IAF (MOD) for development of the Civil Enclave for AIR type of aircraft operations. AAI has projected a requirement of land measuring 12,7 acres to the Defence Authorities for development of a Civil Enclave.

4. Ziro:

To be development by IAF for ATR-42 type of aircraft. AAI has projected land requirement of 7.7 acres from State Government and 4 acres from IAF for development of Civil Enclave.

5. Along:

To be development by IAF for ATR-42 type of aircraft. AAI has projected land requirement of 5.5 acres from State Government for development of Civil Enclave.

6. Daparizo:

Airport belonging to State Government and is to be developed by AAI

for ATR-42 type of aircraft operations. AAI has projected land requirement of 25.7 acres for Phase-I development

for 20-seater aircraft operations and additional 8.6 acres (Total 34.3 acres) for ATR-42 type of aircraft operations.

7. Sholapur:

The existing airport cannot be upgraded in view of around urbanization. State Government has plans to construct and develop an alternative new Greenfield airport at Boramani in the vicinity. Also the ownership issue of Sholapur airport is yet to be decided.

8. Other Small Airports:

AAI has already projected additional land request, as per Master Plan, to State Govts. in respect of Warangal, Malda, Jharsuguda, Kamalpur & Vellore airports for developing these airports in phases, Concurrence of the State Government is awaited.

Baljek Airport

1874. SHRI THOMAS SANGMA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government is aware of the fact that the Baljek airport project of the AAI has been completed but has not become functional;

(b) if so, the reasons therefor; and

(c) by when it will become functional?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) to (c) Airports Authority of India (AAI) has constructed a small airport at Tura in Meghalaya. The airport has been constructed by AAI as a deposit work for the State Government and the airport is fit for DO-228 type of aircraft operations.

Regarding operation of flights, Government has laid down route dispersal guidelines with a view to achieve better regulation of air transport services taking into account the need for air transport services of different regions of the country including North-East region. It is however, up to the airlines to provide air services to specific places including airport at Tura depending upon the traffic demand and commercial viability. As such, airlines are free to operate anywhere in the country subject to compliance of route dispersal guidelines issued by the Government.

Predatory pricing of air tickets

1875. SHRI R.C. SINGH: Will the Minister of CIVIL AVIATION be pleased to state:

(a) the reasons that private airlines are indulging in predatory pricing of air tickets;

(b) whether any committee has been constituted to study the whole gamut of issues behind the exorbitant airfares;

(c) if so, the details thereof;

(d) the details of airlines that are indulging in such activities; and

(e) the action taken by DGCA/Ministry on such airlines so far?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (d) Domestic Air fares are determined by market forces. No case of predatory pricing of Air tickets by private airlines has been brought to the notice of the Ministry, so far.

(b), (c) and (e) A working group has been setup under the Chairmanship of Director General of Civil Aviation on Regulatory Framework to protect consumer interest including disclosure of tariffs and conditions of service by domestic airlines.

With a view to maintaining transparency in tariff publication, Directorate General of Civil Aviation (DGCA) has taken following steps:

- Scheduled domestic airlines have been directed to display established tariff route-wise and fare category-wise in their websites, on monthly basis and also to notify any significant and noticeable changes to DGCA within 24 hrs. of effecting such a change.
- A Tariff Analysis Unit has been set up in DGCA to monitor air fares of Domestic airlines on a regular basis at periodic intervals.

Expansion project of Chennai Airport

1876. SHRI S. THANGAVELU: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether the Airport Authority of India has requested loans to bear the cost escalation in the Chennai airport expansion project;

(b) if so, the details thereof and whether Government has contemplated any plan to provide loan to AAI for early completion of airport expansion projects at Chennai; and

(c) if so, the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) No, Sir.

(b) and (c) Not applicable in view of above.

BPL criteria

1877. SHRIMATI KUSUM RAI: Will the PRIME MINISTER be pleased to state:

(a) the number of BPL families in the country, State-wise;

(b) the number of BPL families in U.P. and Bihar, district-wise;

(c) the criteria adopted for identifying BPL families in rural and urban areas;

(d) whether Government is contemplating to revise BPL cut-off;

(e) when the criteria for BPL families was revised;

(f) whether as per the norms of Government, Rs. 17 per day and Rs. 20 per day in rural and urban areas, respectively is the cut-off for poverty line; and

(g) whether Supreme Court has expressed serious concern over cut-off set by Planning Commission for rural and urban poor?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (DR. ASHWANI KUMAR): (a) The number and proportions of persons living Below Poverty Line (BPL) are computed by using the data from Large Sample Surveys on Household Consumer Expenditure carried out by the National Survey Organization (NSSO). The identification of BPL families is done through BPL Census conducted by the State Govt./UT Administration. The Ministry of Rural Development provides financial and Technical support to the States/UTs. Last BPL Census to identify BPL families in rural areas was conducted in 2002. Thereafter, no BPL Census has been conducted till 2010. This is

too early to get BPL population figure for the states as well as for the country as the Socio-Economic

survey is underway. States/UTs have identified 550.821 lakh rural families as BPL under BPL Census 2002. This does not include BPL families of 6 States/UTs namely Kerala, Orissa, Sikkim, Tripura, Puducherry and Lakshadweep as these States/UTs have not finalized the BPL lists. For the urban areas Socio- Economic Survey for identifying BPL families has not been conducted so far. State-wise details are given in Statement-I (See below).

(b) Government of Bihar and Government of Uttar Pradesh have identified 113.40 lakh and 100.271 lakh families respectively. District wise number of rural BPL families in Uttar Pradesh and Bihar are given in statement-II and III (See below).

(c) The BPL Census 2011 is underway to identify the people Below Poverty line (BPL) based on a self-declaration of respondents in response to the criteria finalized for the survey by the Ministry of Rural Development. In rural areas the classification of households is to be done in three steps. The first stage is to apply the exclusion criteria. When any household satisfies any of the 13 criteria, the household will be excluded - (list of criteria is given in Statement-IV (See below). Subject to exclusion criteria, five categories of families will be compulsorily included (List of categories enclosed).

Remaining (subject to automatic inclusion & exclusion) will be assigned deprivation scores depending on the numbers of deprivation indicators they satisfy (which are 7 in number and their list is enclosed).

Inclusion priority - Households eligible under compulsory inclusion will have highest priority. For the households eligible for ranking under deprivation indicators as above, a deprivation score would be derived for each household by adding up the number of deprivations satisfied by the household. This score will vary from a minimum 0 to maximum 7. The order of priority for inclusion of households in the BPL list would be from largest number of deprivations to smallest number of deprivations. For the purpose of coverage under welfare schemes of the Government, households eligible for compulsory inclusion will have highest priority, followed by households with higher deprivation scores. For such welfare programme where universal coverage is not permissible, the system would be capable of generating a ranking of priority household till poverty caps prescribed by the Planning Commission are attained. The deprivation cut-off will be chosen in such a manner that the total percentage of

households will be less than or equal to the cut-off poverty ratio prescribed by

the Planning Commission. The difference in the number of households prescribed by Planning Commission and arrived at by deprivation cut-off method, if any, will be identified by permitting households with one less deprivation than deprivation cut-off from Panchayats which have highest percentage of SC/ST population in the State arranged seriatim in decreasing order of percentage of SC/ST population. This method can be used to arrive at any cut-off as required.

In urban areas, poverty is to be identified through identification of specific vulnerabilities covering three broad categories namely, residential, occupational and social. Details are given in Statement-V (See below).

(d) In the light of recent directions of the Supreme Court, the Planning commission is in the process of estimating the revised per capita poverty line as per the Tendulkar Methodology on the, basis of 2009-10 survey data on Household Consumer Expenditure, which are now available.

(e) The methodology for conducting the Below Poverty Line (BPL) Census 2011 for the 12th Five Year Plan has been approved by the Cabinet in its meeting held on 19th May, 2011.

(f) The poverty line has been defined by the Planning Commission on the basis of Monthly Per Capita Consumption Expenditure (MPCE) as the criterion. As per Tendulkar Committee Report, the poverty line at the national level is fixed at Rs.446.68 per capita per month in rural areas and Rs.578.80 per capita per month in urban areas at 2004-05 price level.

On applying price increase using Consumer Price Index for Industrial Workers (CPI-IW) for urban areas and Consumer Price Index for Agricultural Labourers (CPI-AL) for rural areas, the poverty line at June 2011 price level comes to Rs.965 per capita per month in urban areas and Rs.781 per capita per month in rural areas. For a family of 5 this poverty line would amount to Rs.4,824 per month in urban areas and Rs.3,905 per month in rural areas at June, 2011 price level.

(g) The Hon'ble Supreme Court in their order dated 29.03.2011 passed in Civil Writ Petition No. 196/2001 in the matter of PUCL v/s UOI, made certain observations/interventions with regard to a situation where State Governments claim higher number of persons living below the poverty line as compared to the poverty estimates released by the Planning Commission and has directed the Planning Commission to review the poverty estimates.

Statement-I

State-wise number of BPL families identified by the States/UTs
under BPL Census 2002 in rural areas:

(Families in lakh)

Sl.No.	States/UTs	No of BPL families identified by States/ UTs
1	2	3
1	Andhra Pradesh	29.893
2	Arunachal Pardesh	0.830
3	Assam	18.728
4	Bihar	113.410
5	Chhattisgarh	17.892
6	Delhi*	-
7	Goa	0.071
8	Gujrat	14.512
9	Haryana	8.583
10	Himachal Pardesh	2.823
11	Jammu & Kashmir	6.179
12	Jharkhand	25.480
13	Karnataka	19.190
14	Kerala	NA
15	Madhya Pradesh	40.842
16	Maharashtra	45.025
17	Manipur	1.693
18	Meghalaya	2.052
19	Mizoram	0.374
20	Nagaland	1.558
21	Orissa	NA

1	2	3
22	Punjab	3.445
23	Rajasthan	17.362
24	Sikkim	NA
25	Tamil Nadu	34.848
26	Tripura	NA
27	Uttar Pradesh	100.271
28	Uttarakhand	6.238
29	West Bengal	39.250
30	A & N Island**	0.107
31 ,	Chandigarh*	-
32	D & N Haveli	0.160
33	Daman & Diu	0.005
34	Lakshadweep	NA
35	Pudducherry	NA
TOTAL		550.821

*Rural Development programmes are not implemented.

**For Andaman only.

NA: BPL list not finalized by State Government.

Statement-II

District-wise number of BPL households in rural areas of
Uttar Pradesh as per BPL Census 2002

Sl.No.	Name of district	Number of BPL Household
1	2	3
1	Allahabad	279542
2	Agra	71088
3	Aligarh	58088
4	Ambedkarnagar	195919

1	2	3
5	Azamgarh	216733
6	Bagpat	11996
7	Bahraich	310724
8	Balia	181771
9	Balrampur	94789
10	Banda	105663
11	Barabanki	314363
12	Bareilly	152992
13	Basti	166565
14	Bijnor	110395
15	Budaun	163932
16	Bulandshehar	46066
17	Chandauli	135893
18	Chitrakoot	78047
19	Deoria	131101
20	Etah	92071
21	Etawah	103978
22	Faizabad	140752
23	Farrukhabad	95932
24	Fatehpur	138304
25	Firozabad	41264
26	Gautam Budh Nagar	21050
27	Gazipur	215132
28	Ghaziabad	20976

1	2	3
29	Gonda	222383
30	Gorakhpur	206223
31	Hamirpur	80834
32	Hardoi	352986
33	Hathras	37101
34	Jalaun (orai)	102962
35	Jaunpur	222730
36	Janshi	71962
37	Jyotiba Phoole Nagar	57106
38	Kanooj	75218
39	Kanpur (Dehat)	183532
40	Kanpur (Nagar)	133243
41	Kaushambi	149471
42	Kushi Nagar	282522
43	Lakhimpur-Khedi	317547
44	Lalitpur	55215
45	Lucknow	134809
46	Maharajganj	117638
47	Mahoba	37109
48	Mainpuri	118199
49	Mathura	42290
50	Mau nath Bhanjan	116424
51	Meerut	19543
52	Mirzapur	213658

1	2	3
53	Moradabad	92857
54	Muzaffar Nagar	58513
55	Oraiyya	99783
56	Pilibhit	112869
57	Pratapgarh	257907
58	Raebareili	316948
59	Rampur	84416
60	Saharanpur	97096
61	Sant Kabir Nagar	138999
62	Sant Ravidas Nager	51352
63	Shahjahanpur	181413
64	Shravati	93614
65	Siddharth Nagar	151438
66	Sitapur	348592
67	Sonbhadra	221480
68	Sultanpur	299713
69	Unnao	283272
70	Varanasi	91043

Statement-III

District-wise number of BPL households reconfirmed according to BPL Survey of 2007 (No. of Household scoring 0-13) as reported by the Government of Bihar in rural areas:

Sl.No.	Name of district	Number of BPL Household
1	2	3
1	Araria	304793
2	Arwal	80274
3	Aurangabad	226526

1	2	3
4	Banka	206944
5	Begusarai	319388
6	Bhagalpur	279170
7	Bhojpur	256221
8	Buxar	170332
9	Darbhanga	371134
10	East Champaran	594443
11	Gaya	360848
12	Gopalganj	265491
13	Jamui	195234
14	Jehanabad	96258
15	Khagaria	233715
16	Kishanganj	262574
17	Kaimur	187599
18	Katihar	295576
19	Lakhisarai	76706
20	Madhubani	662909
21	Munger	136619
22	Madhepura	235255
23	Muzaffarpur	596244
24	Nalanda	330943
25	Nawada	193116
26	Patna	403781
27	Purnia	482114

1	2	3
28	Rohtas	282017
29	Saharsa	212465
30	Samastipur	459922
31	Sheohar	80569
32	Sheikhpura	59492
33	Saran	405443
34	Sitamarhi	444998
35	Supaul	305815
36	Siwan	315461
37	Vaishali	470215
38	West Champaran	480386
Total		11340990

Statement-IV

List of criteria regarding 'BPL Criteria' for rural areas

1. **List of Automatic Exclusions:** The following are the criteria for automatic exclusions:
 - (i) Households owning Motorized Two/Three/Four Wheelers/Fishing boats (which require registration);
 - (ii) Households owning mechanized Three/Four wheeler agricultural equipments such as tractors, harvesters etc;
 - (iii) Households having Kisan Credit Card with the credit limit of Rs.50,000 and above;
 - (iv) Households with any member as Government Employee: gazetted and non-gazetted employees of Central Government, State Government, Public Sector Undertakings, Government-aided autonomous bodies and local bodies. This will exclude incentive and other honorarium based workers;

- (v) Households with Enterprises registered with the Government for any purpose: any non agricultural enterprise registered with the Central or State Governments;
- (vi) Households with any member in the family earning more than Rs. 10,000 p.m.;
- (vii) Households paying income tax or professional tax;
- (viii) Households with three or more rooms with pucca walls and pucca roof;
- (ix) Households owning Refrigerator;
- (x) Households owning landline phones;
- (xi) Households owning 2.5 acres or more irrigated land with at least one irrigation equipment such as diesel/ electric operated bore well/tubewell;
- (xii) 5 acres or more land irrigated for two or more crop seasons;
- (xiii) Households owning 7.5 acres or more land with at least one irrigation equipment such as diesel/electric operated borewell/ tubewell;

2. **List of Automatic Inclusions:** Following categories of households would be compulsorily included subject to exclusion criteria:

- (i) Households without shelter;
- (ii) Destitutes/living on alms;
- (iii) Manual scavengers;
- (iv) Primitive Tribal Groups;
- (v) Legally released bonded labourers;

3. **Deprivation Indicators:** The following are the deprivation indicators used for inclusion:

- (i) Households with only one room with kucha walls and kucha roof;
- (ii) Households with no adult member between age 16 to 59;
- (iii) Female headed households with no adult male member between

age 16 to 59;

(iv) Households with any disabled member and no able bodied adult member;

- (v) SC/ST households;
- (vi) Households with no literate adult above 25 years;
- (vii) Landless households deriving the major part of their income from manual casual labour;

Statement-V

Details of Criteria for Identifying BPL people in Urban areas as based on interim report recommendations of Hashim Committee to Government of India in May, 2011

Categories of vulnerabilities:

1. **Residential Vulnerability:** The following categories of households are defined as 'residentially vulnerable' i.e. houseless population, persons living in Kuchha/temporary houses, where usage of dwelling space (whether ownership-based or rented accommodation) is susceptible to insecurity of tenure, and households are affected by the deprivation of access to basic civic services.
2. **Occupational Vulnerability:** The following categories of households could be classified as occupationally vulnerable: persons unemployed for a significant proportion of time and/or the duration of his/her employment is uncertain or irregular; persons engaged in informal/casual, low-end occupations with low and uncertain wages/earnings; persons whose employment is subject to unsanitary, unhealthy and hazardous work conditions, oftentimes bounded/semi-bounded in nature or undignified and oppressive in the conditions of labour, etc., and finally, persons occupationally vulnerable on the basis of stability/nature/periodicity of payment.
3. **Social Vulnerability:** The following categories of households could be classified as occupationally vulnerable: female-headed households, minor-headed households, old age in terms of dependency on the head of household, and education in terms of level of literacy, health in terms of disabilities and/or chronic illnesses.

Skidding incident of Kanpur airport

†1878. SHRI JAI PRAKASH: Will the Minister of CIVIL AVIATION be pleased to state:

†Original notice of the question was received in Hindi.

(a) whether it is a fact that the recent incident of an Air India aeroplane skidding off the runway in Kanpur has adversely affected Air India's scheme of launching the air services from small cities; and

(b) if so, the steps being taken by Government to tackle this situation so that around 40-42 cities of the country may be connected through air services as per scheme of Government?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) No, Sir.

(b) Does not arise.

Disaster management of airports

1879. DR. K.V.P. RAMACHANDRA RAO: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether arrangements for averting and managing disasters are sufficient at all the airports in the country;

(b) the present state of the arrangements;

(c) whether there are any deficiencies; and

(d) the steps proposed to be taken to upgrade the arrangements?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (b) Yes, Sir. The existing Airport Emergency Plan (AEP) is considered sufficient to handle the present types of emergencies at the airports. In addition, Airport Rescue and Fire Fighting services are also available to meet any emergencies. Wherever required, the resources of State Disaster Management Authority, city fire brigade, hospitals and ambulance services are also availed to meet the emergencies. The AEP is practiced at regular intervals and mock emergency drills are regularly conducted to test the efficacy of the Plan and services.

(c) No deficiencies have been noticed in the existing AEP.

(d) The AEP is regularly updated to make it realistic to meet real-time emergencies. Also, the present AEP is in line with International Civil Aviation Organisation (ICAO) guidelines and Directorate General of Civil Aviation (DGCA) regulations.

Replacement of foreign pilots

1880. DR. BHARATKUMAR RAUT: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Directorate General of Civil Aviation (DGCA) is in the process of replacing foreign pilots from the Indian aviation industry;

(b) whether any deadline has been set for the foreign pilots to leave India;

(c) if so, the details thereof;

(d) the number of foreign pilots working with Indian aviation industry; and

(e) whether the Indian airline industry would increase its savings after leaving the foreign pilots from the country?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) to (d) At present there are 526 foreign pilots employed by various aviation companies in India. Ministry of Civil Aviation has renewed Foreign Aircrew Temporary Authorisation (FATA) policy and directed Directorate General of Civil Aviation (DGCA) to consider grant of FATA up to 31st December, 2013 on case to case basis. Guidelines have been issued by the Directorate General of Civil Aviation (DGCA) to airlines to adopt effective training programmes for their Indian co - pilots for upgradation to Pilot-in-Command positions in order to gradually phase out expatriate pilots and in the process creating employment opportunities for Indian pilots.

(e) The Government does not regulate financial and commercial matters of the Airlines.

Training aircrafts

1881. SHRI N. BALAGANGA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government has any training aircrafts in place;

(b) if so, the details thereof, including the type of training aircrafts, number of such aircrafts, etc.;

(c) the number of pilots so far trained in such aircrafts; and

(d) the details of the avionics provided for the trainers and the

type of simulators provided for training etc.?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (b) Government does not own any trainer aircraft. However, Indira Gandhi Rashtriya Uran Akademi and Aero Club of India have training aircrafts procured out of Grants in Aid provided by the Government. Similarly, flying clubs run by the State Governments are also having training aircraft. The details of aircraft are annexed.

(c) The Ministry does not maintain such records.

(d) The avionics are available with the flying clubs as per the aircraft available with them. Also, simulators have been provided for the type of aircraft used by them. The list of flying clubs to whom simulators are given in statement (See below).

Statement

Details of training aircraft with Government organisations

Sl.No.	Institute	Type	of	Aircraft
No. of Aircraft				
1	2	3		4
1.	Indira Gandhi Rashtriya Uran Akademi Fursatganj (Airfield), Distt-Raebareli, UP) .	Diamond DA-40		14
2			Diamond DA-42	
		TRINIDAD TB-20		5
		ZLIN242		5
		King Air C-90A		1
2.	Aero Club of India.	Cessna 152		9
		Beech Baron B-58		1
		Cessna 172R		13
3.	Rajiv Gandhi Academy for Aviation Technology (A Govt. of Kerala Undertaking),	Cessna 172R		2
4.	Andhra Pradesh Aviation Academy, Hyderabad	Cessna 152		2
5.	Government Aviation	Cessna-172		1

Training, Institute

Bhubaneswar, Orissa.

Cessna 152

1

1	2	3	4
6.	Bihar Flying Institute, Patna, Bihar	Cessna-172R	4
7.	The Madhya Pradesh Flying Club, Bhopal	Cessna 152 P68C	3 1
8.	Haryana Institute of Civil Aviation, Karnal, Hissar and Pinjore	Cessna 172R	6
9.	Amritsar Aviation Club, Amritsar 1		Baron G-58
10.	Patiala Aviation Club, Amritsar 2		Baron G-152
11.	The Madras Flying Club Ltd., Chennai	Cessna 152	3

*List of flying clubs to whom Simulators have been
provided for training purposes.*

Sl.No.	Name of the Flying Club
1.	Indira Gandhi Rashtriya Uran Akademi
2.	Andhra Pradesh Flying Club, Andhra Pradesh
3.	Madras Flying Club, Chennai
4.	Bombay Flying Club, Mumbai.
5.	Madhya Pradesh Flying Club, Ludhiana.
6.	Ludhiana Flying Club, Ludhiana.
7.	Delhi Flying Club, Delhi.
8.	Bihar Flying Club, Bihar.
9.	Govt. Flying Training School, Bangalore.
10.	Gujarat Flying Club, Vadodara.
11.	GFTC, Lucknow.
12.	Amritsar Flying Club, Amritsar.
13.	Rajasthan State Flying School, Jaipur

Salary structure within Air India

1882. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that although Air India is a Public Sector, there are different pay structure, salary allowances for the Pilots, Engineers, Staff, Captain, Ground Staff and Cabin Crew, working in Air India, Air India Express, Air India Charter and Alliance Airlines;

(b) whether some employees are getting arrear dues whereas other employees are not getting; and

(c) if so, the reasons for such discrimination?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) Yes, Sir.

(b) and (c) Yes, Sir. There has been delay in payment of arrear dues because of the severe liquidity crisis in Air India. The delays, when they occur, affect all categories of employees and are not selective.

Verification of licences by DGCA

1883. SHRI B.S. GNANADESIKAN: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Directorate General of Civil Aviation has verified nearly 3000 to 4000 licences in view of an Air India pilot obtaining flying licence by allegedly forging marksheets recently;

(b) if so, the details thereof and total number of pilot licences issued for the last three years; and

(c) the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) to (c) Since January, 2008 till date, Directorate General of Civil Aviation (DGCA) has issued 5016 Commercial Pilot Licence (CPL), 268; Commercial Helicopter Pilot Licence (CHPL); 1322 Airlines Transport Pilot Licence (ATPL); 28 Airlines Transport Pilot Licence (H) and 827 Private Pilot Licence. Recently cases of candidates

obtaining licences on the basis of forged mark - sheets and flying hours have been noticed. DGCA conducted a drive to check the examination history of all candidates holding 1704 Airlines Transport Pilot Licence (ATPL) and 6331 Commercial Pilot Licence (CPL). In all 9 cases of CPL and 6 case of ALTP were found to be procured by submitting fake mark-sheets. In all above 15 cases, the licences were suspended and cases were handed over to Delhi Police Authorities and are under investigation. 15 cases of pilots obtaining licence on the basis of forged flying records were also noticed as detected by Anti Corruption Bureau, Rajasthan and are being investigated by Anti Corruption Bureau, Rajasthan. As a result of investigation by Crime Branch of Delhi Police, eleven pilots, five middlemen and three officials of DGCA were arrested for their involvement in the irregularity. All three officials of DGCA have been suspended. 15 pilots involved in forged flying records in Rajasthan have been arrested and their licences suspended. Licence issued to Rajasthan State Flying School, Jaipur has since expired and has not been renewed.

Flying schools in country

1884. SHRI SYED AZEEZ PASHA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government has constituted a Committee to overhaul the education system in 40 flying schools in the country;

(b) the number of pilots being trained and graduated every year from these 40 flying schools;

(c) whether DGCA has totally neglected proper supervision of the flying schools till now;

(d) to what extent is the DGCA qualified and capable to monitor education in the Civil Aviation sector;

(e) the steps proposed to increase the number of flying schools and encouraging higher standards?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) The Government has formed an Expert Committee to review the existing flying training system in the country and to recommend ways to improve the

quality of flying training.

(b) Trainee pilots are given flying training to acquire licences from Directorate General of Civil Aviation (DGCA) after meeting the minimum requirement of 200 hours. The number of pilots trained and number of trainees varies for each flying club from time to time. The Ministry does not maintain records of number of pilots trained every year from flying schools.

(c) and (d) DGCA has hired qualified personnel to audit the flying clubs. The approval to flying training institutes is renewed on yearly basis after carrying out inspection as per Civil Aviation Requirements Section 7, Series D, Part II.

(e) Setting up of flying training institutes is an ongoing process based on requirements. The standards prescribed for flying training are in accordance with the guidelines of International Civil Aviation Organisation (ICAO).

Complaints against private airlines

†1885. SHRI KAPTAN SINGH SOLANKI: Will the Minister of CIVIL AVIATION be pleased to state :

(a) the details of the information released by Directorate General of Civil Aviation (DGCA) regarding complaints made by passengers against private airlines;

(b) whether Government has taken any action in this regard; and

(c) if so, the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) to (c) As informed by private scheduled airlines, the airline-wise details of complaints during the month of June, 2011 are as follows:

Jet Airways-331, JetLite-67, Kingfisher Airlines-197, Spicejet-179, Go Air-98 and IndiGo-175.

The carriage by air is a contractual matter between the passenger and the carrier. The complaints are filed with the airlines by the passenger. Directorate General of Civil Aviation (DGCA) is not concerned with the matter in the normal course. However, some passenger choose to take up the matter with DGCA, which are taken up with the airlines for redressal.

†Original notice of the question was received in Hindi.

Accidents of helicopters

1886. SHRI BALWINDER SINGH BHUNDER: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that helicopters of Pawan Hans Helicopters Limited (PHHL) are frequently meeting with accidents; and

(b) if so, the reasons and remedial measures taken by the PHHL in this regard?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (b) During the last three years, there had been three accidents involving helicopters of Pawan Hans Helicopters Limited (PHHL). The details of the accident and the reasons for the same are given in statement (See below). Various steps have been taken including (i) holding of Orientation Programme for Safety Management System (SMS) on 31st March and 1st April, 2011 at Indian Aviation Academy (IAA), New Delhi by DGCA in association with Rotary Wing Society of India (RWSI) for helicopter operators and General Aviation; (ii) conducting course on SMS in association with RWSI for 2 days at Mumbai on 23-24th May, 2011 for all helicopter operators and General Aviation by DGCA; (iii) conducting course in association with European Union for 08 days from 22nd June, 2011-2nd July, 2011 covering all areas of safety management system (SMS) for MROs, Airport Operators and ATM by DGCA; (iv) on 8th July, 2011, DGCA conducted meeting of CEOs of all Helicopter operators on safe operation of Helicopter and detailed discussion was held regarding weather briefing, Standard Operating Procedures, maintenance etc; (iv) Special Safety Audit of Pawan Hans Helicopters was carried out by DGCA in the Month of May, 2011 to check the safety standards and suggest improvement required to be done by Pawan Hans.

Statement

Accidents to Pawan Hans Helicopters Limited (PHHL) in 2009-2011 till date

2009 - Nil

2010

Sl. No.	Date/ Place	A/c Type/ Regn.	Operator / Category	Fatalities	Number of Engine / Helicopter	Damage Details	Details of Accident/ Probable Cause
1	06-08-10 Chukham, Itanagar, helicopter Arunanchal Pradesh left	MI-172 Helicopter VT-PHF	Pawan Hans Helicopter Limited's	1	Multi Engine Helicopter	NIL	Accident occurred due to falling of the cabin crew from the while he was attempting to close the forward hand passenger door in flight.

2011 till Date

1	19-04-2011 Tawang gorge Helipad, Arunanchal (18) Pradesh	MI-172 Helicopter VT-PHF	Pawan Hans Helicopters Limited Non- Scheduled	18	Multi Engine Helicopter	Destroyed	During landing, helicopter fell in near the helipad & caught fire. Eighteen persons on board received fatal
---	----------------------------------------------------------------------------	--------------------------------	-----------------------------------------------------------	----	-------------------------	-----------	---------------------------------------------------------------------------------------------------------------------------

injuries.

is

Five (05) persons
received injuries &
survived. **The accident**

under Investigation.

2	30-04-2011	Ecureuil	Pawan	5	Single Engine Helicopter	Destroyed
	at Labotang	AS350	Hans			
	Arunanchal	B-3	Helicopters			
	Pradesh	Helicopter	Limited			
		VT-PHT	Non-			
			Scheduled			

Helicopter flying form from Tawang Helipad to Itanagar crashed at Lobothonng near Tawang in Bad weather. All the five (05) person on board including Hon'ble Chief Minister of Arunanchal Pradesh received fatal

Injuries.

is

Aircraft was destroyed in Fire. **The accident**

under Investigation.

Harassment of Sikh passengers at airports

1887. SARDAR SUKHDEV SINGH DHINDSA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Sikh passengers in the domestic flights of Air India and other airlines are allowed to carry small swords (Kirpans) with them;

(b) if so, the specific rule in this regard; and

(c) whether Government issues necessary instructions in this regard to airport authorities periodically to avoid harassment to Sikh passengers?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) Yes, Sir.

(b) Bureau of Civil Aviation Security (BCAS) has issued circular No. 14/2005 dated 15.04.2005 regarding carriage of "Kirpan" by Sikh passengers while travelling by air within India which is adhered to by all the concerned agencies.

(c) Periodic audit is conducted by BCAS to ensure that all such instructions issued by BCAS are strictly complied with by all the concerned agencies.

Tyre burst of Air India plane at Kanpur airport

1888. DR. JANARDHAN WAGHMARE: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether an Air India plane with 54 passengers and some crew members on board skidded off the runway after a tyre burst while landing at Kanpur airport recently;

(b) if so, whether the DGCA has inquired the matter and if so, the details thereof; and

(c) the steps taken by Government to prevent recurrence of such incidents in future?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) CRJ 700 aircraft VT-RJB skidded from Runway while landing on 20.07.2011 at Kanpur airport.

(b) Yes, Sir. The investigation is in progress.

(c) Safety recommendations emanating from investigation of serious incident are followed up for implementation with the concerned agencies

so as to prevent recurrence of similar serious incident.

Airport in Sikkim

1889. SHRI O.T. LEPCHA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) the details of the progress made toward completion of airport in the State of Sikkim;

(b) whether the pace of work is going on as per the schedule or there is any delay and cost overrun;

(c) if so, the details thereof; and

(d) by when the work is likely to be completed?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) Work has been awarded in respect of earth work in cutting and filling, construction of Geogrid Reinforced Retaining Wall, drainage system including box culverts and aerodrome pavements, etc. The present progress of this work is 48.5%.

(b) and (c) There has been delay in completion of the runway work due to excessive rains, closure of the National Highway due to frequent bandhs and agitations, non-availability of diesel for earth work equipment's, etc. which has affected the progress of the work. As of now, no cost overrun is anticipated on the runway work. Final amount will be known after award of balance packages.

(d) The entire project scheduled for completed by December, 2012.

Biju Patnaik airport, Bhubaneswar

1890. SHRI PYARIMOHAN MOHAPATRA: Will the Minister of CIVIL AVIATION be pleased to states:

(a) whether Government is considering to declare Biju Patnaik Airport, Bhubaneswar as an international airport and if so, the date by which international flights can be expected to start from Bhubaneswar; and

(b) whether Government has received a request from the State Government of Orissa for upgradation of Biju Patnaik Airport, Bhubaneswar to an international airport standards and if so, the steps Government have taken in the matter?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (b) Government of Orissa had sent a proposal for grant of international

status to Biju Patnaik Airport at Bhubaneswar.

Bhubaneswar airport has not been declared as an International airport. However, construction of a new Terminal Building with world class facilities which includes aerobridges, CCTV system, inline baggage handling system, lifts and elevators, conveyors with built in weighing machines for check-in-counters etc. has been taken up by Airports Authority of India (AAI) at a cost of Rs. 145.54 crores, which is scheduled to be completed by April, 2012.

This airport has been designated as a point of call for international operations for some foreign airlines. The Indian carriers are eligible to operate the foreign destinations from any point in India as per the respective bilateral air services agreements with concerned foreign countries. However, actual operations by any airlines is always guided by its commercial judgment.

Upgradation of airports in Non-metro cities

1891. SHRIMATI SHOBHANA BHARTIA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government is considering to expedite plans for upgradation of airports in 35 non-metro cities which is crucial to handle the increasing passenger and cargo air traffic in the country;

(b) if so, the details thereof;

(c) whether Government is in a position to suggest a new deadline for upgradation of Chennai airport which earlier stood at June, 2011 and has been missed;

(d) whether the Kolkata airport upgradation deadline of August, 2011 is going to be met; and

(e) the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (b) Yes, Sir. The details are given in the statement (See below).

(c) The revised date of completion of the Chennai airport modernization project is December, 2011.

(d) and (e) The revised date of completion of the Kolkata airport modernization project is March, 2012.

Statement

Upgradation of airports in 35 non metro cities

Work in progress

S.No.	Name of Schemes	Amount Sanctioned (Rs. in crores)	Progress made upto 31.07.2011	The time by which likely to be completed
1	2	4	5	5
Northern Region				
1	Chandigarh Development of Chandigarh International Airport Ph-I, Mohali	452.00		Dec-11
2	Jaisalmer Construction of apron and link taxi track including modification of terminal building Dec.-11		81.00	73%
3	Jammu Extension of Apron	15.00	9.5%	March-12
4	Khajuraho Construction of New Terminal Building	75.32	29%	December-11
5	Lucknow Construction of New Integrated Terminal Building	129.38	93%	September-11
Eastern Region				
6	Ranchi Construction of New Integrated Passenger Terminal Building	137.79	86%	December-11

1	2	4	5	5
7	Bhubaneswar Construction of New Integrated Passenger Terminal Building	145.54	40%	April-12
8	Portblair Construction of Hangar, Annexe Building, Apron and Link Taxiway etc.	5.34	21%	September-11
9	Patna Re-carpetting of Runway, taxiway & apron and allied works at JPNI Airport.	23.08	99.5%	August-11
10	Raipur Construction of New Expandable Modular integrated Terminal Building,	135.72	82%	December-11
North Eastern Region				
11	Agartala Construction of Control Tower	9.67	46%	December-11
12	Daparizo Construction of Daparizo Airport			
13	Itanagar Construction of New Airport	812.00		48 months after award of work
14	Imphal Construction of New Apron	11.83	46%	September-11
15	Pakyong Construction of New Airport at Pakyong, Sikkim. (SH: Earth work in cutting and filling, geogrid reinforced retaining wall, drainage system including box culvert, aerodrom pavement etc.)	309.00	48.5%	December-12
16	TEZU Extension and strengthening of runway, construction of apron and terminal building along with allied structure	79.00		June-23

Western Region

17	Jalgaon	Construction of runway, taxi track and parking bays	61.00	80%	Nov-11
18	Gondia	Extension of Runway	42.19	4%	March-12
		Construction of IInd module of Passenger launge	12.97	25%	November-12
19	Goa	New International Terminal, Car Park, Extension of Apron and Allied Works	330.02	21%	December-12
20	Vadodara	Construction of New Terminal Building	115.97	1%	October-12

Southern Region

21	Agatti	a) Strengthening of runway at Agatti	11.26		Completed
		b) Development of Agatti Airport			
22	Cuddapah	Construction of New Modular Terminal Building	40.40	40%	December-11
23	Puducherry	Construction of Passenger Terminal Building	29.87	30%	December-11
24	Rajamundry	Construction of New Terminal Building including Car Park	43.29	95%	September-11
25	Tirupati	Construction of New Apron	174.00	46.4%	March-12
		Construction of New Integrated Terminal Building		0.1%	February-13

Performance linked incentives

1892. SHRIMATI SHOBHANA BHARTIA:

SHRI N.K. SINGH:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether the Indian Airlines (AI) paid salaries to its employees for the months of April and May in the last week of June, 2011;

(b) if so, whether the Performance Linked Incentive also paid to those qualified;

(c) whether the Airlines is in a position to pay the salaries over next few months; and

(d) if so, the details on how this will be managed?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) Air India paid salary for the month of April, 2011 was paid on 10.5.2011 and for the month of May on 28.06.2011.

(b) Performance Linked Incentive payable in the month of April was paid on 9.8.2011.

(c) and (d) Yes, Sir. The salaries are presently proposed to be managed out of the equity infusion by Government of India and realisation of outstanding dues from Government.

Traffic at Visakhapatnam airport

1893. SHRI AVINASH RAI KHANNA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that traffic like car, jeep, buses, scooter, cycles etc. is crossing the runway at Visakhapatnam airport;

(b) if so, whether Government is planning to construct under-bridge for passing of traffic other than plane/aircraft;

(c) if so, the steps taken in this regard; and

(d) if not, the reasons therefor?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) Yes, Sir.

(b) Visakhapatnam airport is under the control of Ministry of Defence. The information is being collected.

(c) and (d) No comments in view of (b) above.

Salary to staff members

1894. SHRI RAJNITI PRASAD: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Air India crew members and staff are not getting their salary regularly;

(b) whether it is also a fact that they often get salary for one month after an expiry of six months;

(c) if so, the reasons therefor; and

(d) the steps Ministry is contemplating for smooth and timely payments to crew members and staff of Air India and by what time the backlog of arrears will be streamlined?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI) : (a) to (c) Yes, Sir. There has been recent delays in payment of salary due to severe liquidity crisis in Air India. Salaries upto July, 2011 are being paid. PLI upto May, 2011 has been released.

(d) The financial position of the Air India is being intensively monitored by the Government. The Turnaround Plan and with Financial Restructuring Plan of Air India is presently being examined by a Group of Ministers. Efforts are being made to improve the cash liquidity position of Air India.

Private Training Institutes

†1895. SHRI NARESH CHANDRA AGRAWAL: Will the Minister of CIVIL AVIATION be pleased to state:

(a) the conditions laid down by the DGCA for becoming a pilot;

(b) whether it is a fact that all the private sector pilot training institutes running in the country are not meeting the parameters as a result of which many fake pilots were apprehended last year in the country; and

(c) if so, the action taken against such pilots and institutes and if not, the reasons therefor?

†Original notice of the question was received in Hindi.

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) The requirement and qualification for becoming a pilot are laid down in Schedule I of Aircraft Rules, 1937, which is available on the website of Directorate General of Civil Aviation (DGCA).

(b) and (c) The Pilot Training Institutes are approved by Directorate General of Civil Aviation (DGCA) in accordance with the requirements laid down under Civil Aviation Requirements Section 7, Series D, Part I. DGCA ensures compliance of these requirements through periodic audits. Recently however, cases of candidates obtaining licences on the basis of forged mark - sheets and flying hours have been noticed. DGCA conducted a drive to check the examination history of all candidates holding 1704 Airlines Transport Pilot Licence (ATPL) and 6331 Commercial Pilot Licence (CPL). In all 9 cases of CPL and 6 case of ALTP were found to be procured by submitting fake mark-sheets. In all above 15 cases, the licences were suspended and cases were handed over to Delhi Police Authorities and are under investigation. 15 cases of pilots obtaining licence on the basis of forged flying records were also noticed as detected by Anti Corruption Bureau, Rajasthan and are being investigated by Anti Corruption Bureau, Rajasthan. As a result of investigation by Crime Branch of Delhi Police, eleven pilots, five middlemen and three officials of DGCA were arrested for their involvement in the irregularity. All three officials of DGCA have been suspended. 15 pilots involved in forged flying records in Rajasthan have been arrested and their licences suspended. Licence issued to Rajasthan State Flying School, Jaipur has since expired and has not been renewed.

MIHAN project at Nagpur

1896. SHRI GOVINDRAO ADIK: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether the State Government of Maharashtra has requested for the early approval of Government for the MoU signed for the transfer/exchange of land to the MIHAN project, Nagpur;

(b) if so, the details of the proposal and Government's response thereto; and

(c) the reasons for the delay to grant land to the MIHAN project, Nagpur and by when it will be sanctioned?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) to (c) The airport at Nagpur, including the land, has been handed over by Airports Authority of India (AAI) to the Joint Venture Company (JVC) in August, 2009. The Lease Deed for the lease of land at this airport is subject to finalization of land valuation.

Financial crisis of Air India

1897. SHRI K.E. ISMAIL: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that the national carrier Air India is facing an acute financial crisis so much so that it was not able to pay salaries to its staffs as well as to suppliers;

(b) if so, the details thereof;

(c) whether it is also a fact that a large amount is pending with Government itself regarding VIP movement and evacuation programmes of Indian nationals;

(d) if so, the details thereof;

(e) whether Government has released its dues to Air India along with any emergency financial assistance; and

(f) if so, the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (b) Yes, Sir. Air India is passing through severe financial crisis. The airline is suffering from high fixed cost, such as high expenditure on insurance, interest on working capital, aircraft loan and on leasing of aircraft which resulted in delay of payment of wages and salaries as also suppliers dues.

(c) and (d) Bill amounting to Rs.373 crores have been raised to different Ministries/Departments by Air India for operating VVIP charter flights and evacuation flights. Besides, Air India has also claimed from the Government the cost of maintaining aircraft for VVIP operations.

(e) and (f) Government has made a provision of Rs.705 crore in the first supplementary demand presented in the Parliament during the ongoing Monsoon session. The amount due to Air India on account of VVIP and evacuation flights would be released as soon as the supplementary demand is passed. Pending payment of outstanding dues for VVIP operations, Government had paid an amount of Rs.500 crore on *ad-hoc* basis from the

equity provision of Rs.1200 crore for 2011-12 to Air India.

Vacant post of DGCA

1898. SHRI RAJEEV CHANDRASEKHAR: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that about 70 per cent posts are vacant in the Directorate General of Civil Aviation (DGCA);

(b) if so, the reasons therefor; and

(c) by when the DGCA intends to fill these posts?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) to (c) The Government has created 427 additional Group "A" posts in various Directorates of Directorate General of Civil Aviation (DGCA) in May, 2009. Filling up of newly created posts involves framing/revision of Recruitment Rules, consultation of Department of Personnel and Training, Union Public Service Commission after adhering to all procedures. Due to the same, filling up of posts takes time. Out of 597 sanctioned posts in Group 'A', 142 have been filled up on regular basis. Apart from this 96 posts have been filled up by consultants on short term contract basis and another 39 on secondment basis. In Group 'B' out of 31 sanctioned posts, 14 are occupied. In Group 'C' and 'D' out of 369 sanctioned posts, 269 are occupied on regular basis. As per the Phasing Plan approved by Department of Expenditure, the posts are required to be filled by 30.4.2012. Ministry has taken up the matter with UPSC for expeditious finalisation of recruitment.

Audit of flying schools

1899. SHRI RAJEEV CHANDRASEKHAR: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government has completed the audit of all the flying schools in the country;

(b) if so, the findings of the audit report; and

(c) the action that has been taken against the erring schools?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) to (c) Audit is an ongoing process. 20 Flying Clubs have been audited by Directorate General of Civil Aviation (DGCA). The discrepancies found during the audit include not maintaining proper documents; non-completion of

Flying training Dossiers; improper briefing and de-briefing; non-maintenance of dissemination registers for working engineers etc. Corrective action as per the nature of Audit Observation is taken with the concerned flying training institutes with the aim to improve the system. Further, inspections of facilities at the flying training institutes is carried out by DGCA to ensure compliance of laid down norms and procedures before renewal of approval.

Nuclear supply to the country

1900. SHRI K. N. BALAGOPAL: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the International Nuclear Supply Group is ready to give nuclear supply without any new conditions;

(b) if so, the details of supply received and supply contracts signed;

(c) whether any country in the above group is stipulating any new condition regarding nuclear supply; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (d) The Nuclear Suppliers Group (NSG) Statement on Civil Nuclear Cooperation with India issued on 6 September, 2008 spells out the scope of our international cooperation in this field. Subsequently, India has signed bilateral arrangements on cooperation in the peaceful uses of nuclear energy with a number of countries. During its plenary meeting in the Netherlands on 23-24 June, 2011, NSG agreed on new guidelines on the transfer of enrichment and reprocessing technologies. In this context, the United States, France and Russia have clarified in separate statements their positions on NSG decision and have reiterated commitment to the full implementation of the respective bilateral agreements with India on cooperation in the peaceful uses of nuclear energy. As far as India is concerned, the September, 2008 decision is the basis and overarching framework that governs our international cooperation in civil nuclear matters. The agreements reached for permitting international civil nuclear cooperation with India contain commitments on both sides. We expect all NSG members to honour their commitments as reflected in the 2008 NSG Statement and our bilateral cooperation agreements.

Leakage of sensitive information from Indian Embassy

1901. SHRI T.M. SELVAGANAPATHI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government is aware that sensitive information from the Indian Embassy in Moscow, Russia, has been leaked to foreign security outfits;

(b) if so, the details thereof;

(c) whether Government had asked its Embassies overseas to take extra care to prevent leakage of vital informations; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) and (b) There has been no leakage of sensitive information from the Indian Embassy in Moscow. However, an unclassified letter sent by fax by the Air Wing of the Embassy of India, Moscow, to a Russian supplier of spare parts, M/s. Aviazapchast, was made available to the media following a reported hacking of the database of Italian Computer Crime Centre of Critical Infrastructure Protection (CNAIPIC). Our initial enquiries reveal that the unclassified document was not leaked from the Embassy, and it may have leaked from some other source. Nevertheless, the Embassy has since reinforced its security measures.

(c) and (d) Indian Embassies overseas stand suitably advised in such matters from time to time. The Ministry has issued comprehensive IT Security instructions and guidelines to the Missions and Posts abroad. As Information Technology continues to evolve, these instructions are revised to take into account new challenges and re-emphasized from time to time.

Restoring communication with Pakistan

1902. DR. E.M. SUDARSANA NATCHIAPPAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government is contemplating to restore the communication with Pakistan;

(b) whether there would be commercial flights to Pakistan by Air India and other private airlines;

(c) whether roaming facilitated SIM for mobile and internet etc. would be started; and

(d) whether there would be visa reforms for identified families and civilians such as Journalists, Lawyers, Physicians, Parliamentarians, Intellectuals, women civil society activists etc.?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) Communication links with Pakistan already exist.

(b) No Indian carrier is operating to Pakistan at present. Air India and Jetlite are the designated carriers of India to operate on Pakistan sector. However, actual operations are guided by the commercial judgment of the airline.

(c) The License Provisions do not restrict sale of SIM cards with roaming facility and internet access.

(d) A Joint Working Group to examine the modalities for streamlining the visa procedure/modalities and for giving a final shape to revision of the Bilateral Visa Agreement has been set up following the Home/Interior Secretary level talks between India and Pakistan in March 2011. The first meeting of the Joint Working Group was held in Islamabad on June, 2-3, 2011.

Stapled visa to sportspersons

†1903. SHRI SHREGOPAL VYAS: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether some Indian sportspersons have been prevented to go to China due to stapled visas;

(b) the number of occasions and levels at which talks have been held with China on this issue;

(c) the details of the response given by China on each occasion; and

(d) the future course of action of Government?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (d) Government is aware that the Chinese Embassy issued stapled visas to five Indian nationals from Arunachal Pradesh visiting China for a Karate Championship. Visas issued on a

†Original notice of the question was received in Hindi.

separate sheet of paper stapled to passports are not considered valid for travel out of the country. Government's position that Jammu & Kashmir and Arunachal Pradesh are integral parts of India and that there should be no discrimination against visa applicants of Indian nationality on grounds of domicile and ethnicity has been clearly conveyed to the Chinese Government, at the highest level, on several occasions, including during the recent visit to India by Chinese Premier Wen Jiabao in December 2010.

Incident in Temple of Bhutan

†1904. SHRI SHREGOPAL VYAS: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the devotees of Bhutan wearing Dhoti-Kurta have been sent back before entering a temple in Jalgaon by Bhutanese security officials;

(b) whether Government has received information regarding this incident and the matter has been investigated;

(c) whether this matter has been taken up with Bhutan; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) and (b) The Government has not received any specific information regarding this matter.

(c) and (d) Does not arise.

Haj seats allotted to PTOs

1905. SHRI MOHAMMED ADEEB: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the number of Haj seats allotted to various Private Travel Operators (PTOs) this year;

(b) the names of various PTOs who have been allotted seats along with the number of seats allotted to them;

(c) the procedure adopted in allotting seats;

(d) whether there have been malpractices in allotting seats to PTOs; and

(e) if so, the measures taken to fix the responsibility and correct the system?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) Process for registration and allotment of Haj seats to Private Tour Operators (PTOs) for Haj - 2011 is underway and as of now, no seats have been released.

(b) to (e) Dose not arise.

Details of Haj quota

1906. SHRI MOHAMMED ADEEB: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the details of Government's Haj quota this year;

(b) the number of seats that have been allotted to Haj pilgrims on recommendations of Members of Parliament;

(c) the maximum and minimum number of seats allotted on the recommendation of various MPs;

(d) whether allotting of Government Haj quota is not fair and transparent;

(e) if so, the details in this regard; and

(f) the steps being taken to make it just and transparent?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) Government's Haj quota for Haj 2011 is 6000.

(b) Process for allotment of Government Haj quota for Haj-2011 is underway. As of now, no seats have been allotted to Haj pilgrims on the recommendations of Members of Parliament.

(c) Recommendations for allocation of seats for Haj from the Government quota are received from the Hon'ble Ministers, Members of Parliament and other dignitaries. Efforts are made to allot seats based on the recommendations received and the availability of seats.

(d) No.

(e) and (f) Does not arise.

Enhanced security checks at US airport

1907. SHRI TARIQ ANWAR: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Indian diplomats have been subjected to enhanced security checks at US airports;

(b) if so, whether Government has registered our protest about it with the US authorities; and

(c) whether Government is considering to extend the same treatment to the diplomats of the countries who don't extend the diplomatic privileges to our diplomats?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) Government is aware that enhanced security procedures, inconsistent with diplomatic courtesies and privileges, were recently sought to be applied at US airports for India's Ambassador to the United States and India's Permanent Representative to the United Nations.

(b) Indian diplomats are accorded privileges in the United States under the Vienna Convention on Diplomatic Relations. Government has conveyed to US Government that while it respects the right of each country to institute necessary security procedures at their airports, internationally recognised diplomatic courtesies and privileges, as well as the cultural and religious sensitivities of all travellers, must be respected. The US Government has expressed regret for these incidents and has conveyed that it will take steps to avoid similar incidents in the future.

(c) Government accords diplomatic privileges to all foreign diplomats in accordance with the Vienna Convention on Diplomatic Relations.

Outcome of meeting with Pakistan's Foreign Minister

1908. DR. BHARATKUMAR RAUT: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the outcome of the recent meeting of Foreign Ministers of India and Pakistan in New Delhi;

(b) the details of the issues discussed in the meet;

(c) the views of the Pakistani delegation regarding the trials going on in Rawalpindi Courts on the accused of 26/11 Mumbai terrorist attacks;

(d) whether any agreements were signed on the issue of trading through LoC; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (e) The Minister of Foreign Affairs of Pakistan visited India from July 26-28, 2011 and held discussions with External Affairs Minister (EAM) in New Delhi on July 27, 2011. The Ministers reviewed the status of bilateral relations, expressed satisfaction on the holding of various Secretary level meetings and affirmed the importance of carrying forward the dialogue process with a view to resolving peacefully all outstanding issues. They agreed that terrorism poses a continuing threat to peace and security and reiterated the firm and undiluted commitment of the two countries to fight and eliminate this scourge in all its forms and manifestations and in this regard agreed on the need to strengthen cooperation on counter-terrorism to bring those responsible for terror crimes to justice. On the Mumbai terrorist attacks trial, underway in Pakistan, Foreign Minister of Pakistan requested India to have patience, trust and confidence in the process. According to her, Pakistan was not trying to abdicate responsibility and is committed to assist the process to bring the perpetrators of Mumbai attacks to justice. The Ministers decided to resume the work of the India-Pakistan Joint Commission. The Ministers agreed to convene separate expert level meetings on Nuclear and Conventional Confidence Building Measures (CBMs), in Islamabad in September 2011. As an outcome of the talks, several Cross-LoC trade and travel facilitation measures for Jammu & Kashmir were included in the Joint Statement issued after the talks. The Ministers agreed to the continuation of the dialogue process and to convene a series of Secretary level meetings on all issues, prior to the visit of EAM to Pakistan in the first half of 2012.

Upgradation of entry point with Myanmar

1909. DR. E.M. SUDARSANA NATCHIAPPAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government has taken steps to upgrade the entry point (Land Port) with Myanmar by discussing with Ministry of Home and Government of Myanmar; and

(b) if so, the other efforts taken to improve the trade, cultural and social relations with Myanmar in the process of dialogue with Democratic Government in Myanmar?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) Government, in consultation with the Government of Myanmar, has decided to set up an Integrated Check Post at Moreh, Manipur along the India-Myanmar border.

(b) There are various bilateral institutional dialogue mechanisms between India and Myanmar which regularly discuss all matters of mutual interest in order to advance our bilateral relations, including in the fields of trade, culture and promotion of people to people contacts. These include Foreign Office Consultations, Joint Trade Committee and others. Eighteen additional items have been included in the existing list of 22 items for the border trade between India and Myanmar as was jointly agreed during the 3rd India-Myanmar Joint Trade Committee meeting held on 14-15 October, 2008. Regular exchange of high level political visits is also taking place between the two countries. External Affairs Minister paid an official visit to Myanmar in June 2011. During the visit he held discussions with the Myanmar leadership on the entire gamut of bilateral ties.

Introduction of e-passport system

1910. SHRI KANWAR DEEP SINGH: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government has any plan to introduce e-passport system from current year on the basis of successful completion of e-passport pilot project;

(b) if so, the details thereof;

(c) whether Government plans to issue e-passports to all applicants, who are applying for passports from next year; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (d) In accordance with International Civil Aviation Organization (ICAO) guidelines to incorporate Biometrics data in the Machine Readable Travel Documents (MRTDs), Government of India has decided to upgrade its existing Passports to electronic category of E-passports. Based on the experience gained through the pilot phase of issuance of E-Passports in the diplomatic and official categories, steps are being taken to implement a full roll out of e-passports in the ordinary category. Government has introduced e-passports in the

categories of diplomatic and official passports in June, 2008.

Visit of Pakistan's Foreign Minister

†1911. SHRI RAMCHANDRA PRASAD SINGH:

SHRI RAVI SHANKAR PRASAD:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that Shrimati Heena Rehani, Foreign Minister of Pakistan visited India in the last week of July, 2011;

(b) if so, whether it is also a fact that she met the separatist activists from the State of Jammu and Kashmir before meeting the representatives of Government of India;

(c) if so, whether it is also fact that the Foreign Minister was encouraged to talk about Kashmir in the interactive talks and she insisted on raising Kashmir issue during Indo-Pak talks; and

(d) if so, the reaction of Government in this regard?

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

(c) and (d) During the meeting of External Affairs Minister (EAM) with the Mimster of Foreign Affairs of Pakistan in New Delhi on July 27,2011, the Foreign Ministers held discussions on, among other issues, the issue of Jammu and Kashmir and agreed to the need for continued discussions, in a purposeful and forward looking manner, with a view to finding a peaceful solution by narrowing divergences and building convergences. During the discussions, EAM conveyed our displeasure at Pakistan's Foreign Minister meeting Hurriyat leaders on July 26, even before bilateral discussions between the two Governments could commence.

Issues discussed during Indo-China meeting

†1912. DR. YOGENDRA P. TRIVEDI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the details of issues which were discussed during a meeting held in April, 2011 in China and the important decisions taken therein;

(b) whether economics issues were also discussed between India and China; and

†Original notice of the question was received in Hindi.

(c) if so, details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (c) Prime Minister met the Chinese President Hu Jintao on 13 April, 2011 on the sidelines of the BRICS meeting in Sanya, China. It was a productive and friendly meeting, covering the entire range of bilateral relations and international issues. Both the leaders expressed satisfaction at the steady growth in the bilateral relationship. They looked forward to a further expansion of the relationship and formally launched the Year of India-China Exchange in 2011. They also reviewed the trade and economic relationship between the two countries, and expressed confidence on achieving the trade target of USD 100 billion by 2015 set last year. The two leaders also discussed the need to take our relationship to a higher level by focusing more on investment, and providing better market access for Indian exports particularly in the IT, pharmaceuticals, agro-products, and engineering sectors.

Deep-sea mining in Indian Ocean by China

1913. SHRI H.K. DUA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government is aware that China is set to acquire a deep-sea mining license in the Central Indian Ocean to tap its mineral resources;

(b) whether the International Sea-bed Authority consulted India and other Indian Ocean countries in this connection; and

(c) whether Government is concerned about this development in the Indian Ocean ?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (c) Government is aware that the International Seabed Authority (ISA) has approved the plan of work for exploration of polymetallic sulphides by China Ocean Mineral Resources Research and Development Association (COMRA). ISA is an institution established under the United Nations Convention on the Law of the Sea (UNCLOS) mandated for governance of areas lying beyond national maritime jurisdictions of States. The Chinese plan of work for exploration in the southwest Indian Ocean Ridge is in an area beyond the national jurisdiction of any State. It will be carried out under the regulatory framework adopted by ISA for polymetallic sulphide exploration. Government keeps a constant watch on

all developments having a bearing on India's national interest and takes all necessary measures to safeguard it.

Harassment of Indian families by Diplomats

1914. SHRI NARENDRA KUMAR KASHYAP: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government is aware of the case of harassment of Indian families by the diplomats abroad;

(b) if so, the details thereof;

(c) the details of number of cases of harassment of families by Indian diplomats abroad, reported during the last three years, year-wise and country-wise; and

(d) the action taken by Government against these diplomats to curb such incidences in future?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI PRENEET KAUR): (a) to (c) Reported cases of harassment are investigated thoroughly by the Ministry. In this context, investigation of the case involving an officer who was posted in the Indian High Commission in London resulted in the officer's premature transfer back to India in January 2011. Disciplinary action against the officer is to be taken by his parent cadre.

(d) Officials posted in Missions and Posts abroad are governed by the Central Civil Services (Conduct) Rules, 1964. Instructions are also issued from time to time on behaviour expected from officers. In this context, Foreign Secretary had reiterated such instructions to all officers and staff in Missions abroad and emphasized that any reported case of harassment will result in the officer/officials' recall to headquarters. Disciplinary action in individual cases is based on the nature of the complaint filed against the officer/official.

Denial of Re-entry work Visa by US

1915. SHRI SYED AZEEZ PASHA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government has any agreement or talks with US Government to treat all Indian Visa Applicants with fairness and predictability;

(b) whether Government is aware that thousands of software personnel from Andhra Pradesh are routinely harassed and denied their re-entry work visas on frivolous grounds;

(c) whether Government is aware that Indian citizens are not allowed to re-enter USA when they are mid-way in their jobs; and

(d) the steps Government would take to discuss with US Government on their deliberate policy of harassing Indians who come for short periods to India?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) India and the United States have established a Joint Working Group on Consular issues, including visas. The first meeting of the JWG was held on 25 July, 2011 in Washington DC.

(b) and (c) The Government is aware of the concerns of Indian IT companies and IT professionals regarding increase in the rate of denial and delays in the issue of the US visas. The IT industry has also drawn attention to incidents of IT professionals with valid visas, being denied entry at US airports.

(d) The Government uses every opportunity, including during trade-related meetings, to raise with the U.S. Government the concerns of the Indian IT companies and professionals. During the visit of US President Barack Obama to India in November 2010, the two sides agreed to facilitate greater movement of professionals between the two countries to enhance their economic and technological partnership. External Affairs Minister once again conveyed our concerns to the US Secretary of State Hillary Clinton during the second India-US Strategic Dialogue on 19 July, 2011 in New Delhi. Secretary Clinton assured External Affairs Minister that she would convey our concerns to the appropriate US government agencies.

Website for Nalanda university

1916. SHRI ANIL MADHAV DAVE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Nalanda University has launched its website as mandated in the Nalanda University Act, 2010;

(b) if so, the website address thereof;

(c) if not, the reasons therefor; and

(d) by when the University's site would become operational?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) No. The Nalanda University has not yet launched its website.

(b) Not applicable.

(c) The University has informed that the website is under construction.

(d) It is expected that the website will become operational soon.

Conditions for Civil Nuclear Pact with US

1917. SHRI KALRAJ MISHRA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the US Secretary of State during her recent visit reiterated US commitment to the civil nuclear pact with India and asked India to ratify the UN convention on Nuclear damages and bring its domestic liability regime in line with the international norms;

(b) if so, the decision taken by Government on said US demand; and

(c) the implications and impact thereof on India's Nuclear programme?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (c) During the recent visit of the US Secretary of State, Ms. Hillary Clinton to India in July 2011, both sides reiterated their continued commitment for full implementation of the Indo-US Agreement for cooperation concerning peaceful uses of nuclear energy. The US had ratified the Convention on Supplementary Compensation (CSC) and India conveyed its intention to ratify the CSC within this year. India is committed to ensuring a level playing field for US companies seeking to enter the Indian nuclear energy sector, consistent with India's national and international legal obligations.

Hike in visa fee by US

1918. SHRI KALRAJ MISHRA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether US has increased visa fee which would erode the competitive-ness of Indian information technology firms;

(b) if so, whether Government of India is taking up the matter with US Government; and

(c) the reaction of the US Government?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) The U.S. has enacted the Emergency Supplemental Appropriations Act in August 2010 to raise \$ 600 million for augmenting US Border Security by hiking the fee applicable to H1B and L category visas until 2014. In a legislation enacted in December 2010 termed 9/11 Health and Compensation Act, the period of enhanced fees on H1B and L visa categories has been further extended by a year to 2015. The Government is conscious of the potential adverse impact of recent increase in H1B and L category visa fees on the Indian IT companies.

(b) and (c) The Government has repeatedly conveyed to the United States Government its concerns over the increase in fees for H1B and L category visas. External Affairs Minister had raised this issue once again with the US Secretary of State Hillary Clinton during the Indo-US Strategic Dialogue held in New Delhi on 19 July 2011. The US Secretary of State Hillary Clinton assured us that she would convey our concerns to the appropriate agencies in the US Government.

Plight of migrant labourers abroad

1919. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state :

(a) whether it is a fact that Many Migrant Labourers from Jajpur, Jagatsinghpur, Kendrapada, Ganjam and Gajapati districts of Orissa who are working in South Africa, Central Africa and Sudan are being harassed and forced to work for more than eighteen hours a day and also not allowed to come back to India;

(b) whether it is a fact that in Bangshree Cement Factory of Africa one Narendra Mallick of Bari Jajpur district died and many of them are suffering from serious diseases;

(c) whether Government has taken any steps to identify them and evacuate them and bring them back to their home State; and

(d) if so, the details thereof?

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

Indian High Commission at South Africa has informed that no case of migrant Indian labourer being harassed and forced to work for more than 18 hours, a day, has come to their notice. Government has received

report of 23 workers from Orissa deployed at the site of commissioning of a cement plant at Bangui, Central African Republic, living in poor and unhygienic conditions.

In another case, 216 workers from Orissa who were deployed for the execution of a power plant in Sudan, a project under execution by Bharat Heavy Electricals Limited (BHEL) have complained of harassment and non-payment of assured wages, food, shelter etc. and have requested for their repatriation.

(b) Indian Embassy at Kinshasa has reported that Shri Narendra Malik had died of sickness on 24th June, 2011 in Bangui. Central African Republic which is a malaria-prone country. Living conditions in the country are difficult and medical facilities are poor. However it cannot be said that many of the 23 Indian workers are suffering from serious diseases.

(c) and (d) Embassy of India, Sudan has informed that of 216 workers, 198 have returned to India by 31.12.2010 and 18 workers have agreed to continue to work in Sudan. Regarding the 23 workers in Bangui, the Ministry of Overseas Indian Affairs had taken up the matter with the Indian Embassy, Kinshasa for their immediate and safe return to India. With the intervention of Embassy of India, Kinshasa, all the 23 workers have since been repatriated.

Election of Panchayat Member without Political parties

1920. SHRI P. RAJEEVE: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) the number of States where elections are held for Panchayat Members without the participation of political parties;

(b) the details thereof;

(c) in such States, the average period a person spends as a Panchayat Member after becoming one; and

(d) State-wise details of such members who are women?

THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO): (a) and (b) As per Article 243K of the Constitution of India, the Legislature of State may, by law, make provision with respect to matters relating to elections to Panchayats. Different States/UTs have different laws laws and rules regarding participation of political parties in Panchayat

elections. In some States

political parties are allowed to contest elections at all levels of Panchayats; in some, political parties are allowed to contest elections to Intermediate and District Panchayats; and in some other, political parties are not allowed to contest elections to any tier of Panchayats.

(c) and (d) As per Article 243E of the Constitution, the tenure of Panchayats is five years. Information relating to the average period a member spends as a Panchayat Member is not maintained centrally.

Panchayat elections

†1921. SHRI MOHAN SINGH: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) the names of the States of India, where Panchayati Raj institutions have been formed in accordance to constitutional provisions;

(b) whether all the States of India regularly conduct Panchayat elections on time and constitute them;

(c) the names of those States, where Panchayat elections were not held on time; and

(d) the steps being taken by government of India to constitute Panchayati Raj institutions in these States by conducting Panchayat elections on time?

THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO): (a) Panchayati Raj Institutions have been formed in all the States where Part IX of the Constitution applies.

(b) and (c) Where Part IX of Constitution applies, elections have been conducted in all States. There has been delay in holding Panchayat elections in Andhra Pradesh due to be held between June and August, 2011 as these have been stayed by an Order of the Hon'ble High Court of Andhra Pradesh. In Puducherry notification for Panchayat elections to have been held between June & July, 2011 has not been finalized.

(d) Ministry of Panchayati Raj regularly interacts with States to ensure elections to Panchayats on time.

†Original notice of the question was received in Hindi.

Development Scheme after 15th Census

†1922. SHRIMATI MAYA SINGH: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) whether 250 backward districts have been presently covered under B.R.G.F. and different development works are being done for their development under this scheme;

(b) the details of development works being done in these districts under this scheme; and

(c) whether on the basis of the data received from the 15th census, any proposal is being considered for taking concrete steps to cover more 'districts of the country under this scheme and develop them?

THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO): (a) and (b) Yes, Sir. The District Plans received from various States indicate that the untied funds allocated to the districts are generally being used for filling infrastructure gaps in drinking water, connectivity, health, education, social sectors, electrification etc. The basket of works taken up includes construction of school buildings/classrooms, health sub centres, drinking water facilities, sanitation facilities, anganwadi building, panchayat building, irrigation tanks/channels, street lights, link roads, culverts, soil and water conservation resources etc.

(c) No, Sir.

Shortage of officers in CBI

†1923. SHRI MEGHRAJ JAIN:

SHRI RAGHUNANDAN SHARMA:

Will the PRIME MINISTER be pleased to state:

(a) whether there is shortage of officers and employees in Central Bureau of Investigation;

(b) if so, the reasons behind not filling up these posts so far;

(c) whether Government is making any long-term plan to overcome the difficulties being faced during investigation due to these vacant posts; and

(d) if so, the details thereof?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) As against a sanctioned strength of 6565, the actual strength as on date in CBI is 5389. Out of 1176 vacancies, 720 are under deputation quota which are filled by officers of State Police Forces/Central Police Forces and other organizations of the Central and the State Governments.

The reasons for these vacancies in the CBI are as under:

- (i) Some new posts have been created in 2010 and 2011 which are to be filled through UPSC/SSC.
- (ii) Unwillingness of some State Governments to spare officers for deputation.
- (iii) Unwillingness of officers of some States and some other organizations to join CBI on account of higher pay scale/ pay package in their own cadres/organizations.
- (iv) Time taken in recruiting officers under deputation quota in the ranks of Deputy Superintendent of Police/Additional Superintendent of Police/ Public Prosecutor and Senior Public Prosecutor.
- (v) Non availability of officers from the CPOs like BSF, CRPF, CISF, ITBP etc. on deputation as these organizations are expanding and are unable to spare officials for CBI.

(c) and (d) Yes, Sir. The Government is taking long term and short term measures to fill up the vacant posts. As a long term measure, the Government is considering changes in the Recruitment Rules to reduce the deputation quota at various levels and increase the promotion quota and the direct recruitment quota whereby CBI would be able to recruit and promote its own officers. In the short term, the Government has approved contractual appointment of law officers, technical officers, pairvi officers and clerks to fill up vacant posts in CBI and diversion of posts from deputation quota to promotion quota at the level of Deputy Superintendent of Police. Since January, 2010, as many as 1643 posts have been filled up through promotion, recruitment, deputation and contractual appointments.

Appointment of Chairman of NTPC

1924. SHRI JAI PRAKASH NARAYAN SINGH: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that Chairman of National Thermal Power Corporation Ltd. (NTPC) was not appointed on the proposal of Public Enterprises Selection Board (PESB) as No. 1 candidate;

(b) if so, the reasons for not accepting the recommendations of PESB;

(c) whether there were several complaints against the present incumbent appointed as CMD inspite of clean-image candidate recommended by PESB;

(d) if so, the reasons thereof and whether Government would enquire into the appointment procedure through CBI; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) The PESB, in its meeting held on 09.03.2010, had recommended a panel consisting of two names for the post of CMD, NTPC. Taking into account the views/observations of the administrative Ministry concerned viz., Ministry of Power (including experiences in project construction, project management, monitoring, tenure in PSU etc.) candidate at Sl. No. 2 of the panel was appointed as CMD, NTPC.

(c) to (e) There were representations against candidate at Sl. No. 2. However, in view of the reasons given by the Ministry of Power and the clearances received from the CVC and other agencies concerned, the appointment of candidate at Sl. No. 2 as CMD, NTPC was approved. Hence the question of enquiring into the appointment procedure through CBI does not arise.

Launching of special recruitment drive

1925. SHRI M.P. ACHUTHAN: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that Government has launched a special recruitment plan to fill nearly 60,000 reserved posts lying vacant in various Central Government departments; and

(b) if so, the details thereof and by when this plan is expected to be completed?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) The Government launched

two Special Recruitment Drives - one in November, 2008 to fill up the backlog vacancies reserved for Scheduled

Castes, Scheduled Tribes and Other Backward Classes and another in November, 2009 to fill up the backlog reserved vacancies of Persons with Disabilities. A total of 77,487 backlog vacancies were identified for SCs, STs and OBCs and 8,314 for PWDs. On review in June, 2011, it was found that a large number of backlog vacancies still remained unfilled. Therefore, the Drives have been relaunched and all the Ministries/Departments have been requested to fill up the remaining backlog vacancies by 31.3.2012.

Appointment of CMD in NALCO

†1926. SHRI RUDRA NARAYAN PANY: Will the PRIME MINISTER be pleased to state:

(a) whether it is appropriate to appoint a Chairman cum Managing Director (CMD) in a Navratna company like NALCO temporarily for a long time;

(b) if not, by when a permanent appointment would be made against this important post;

(c) whether any post of Director is vacant in NALCO;

(d) if so, by when this post would be fulfilled; and

(e) the measures being taken by Government to make appointments in the Navratna company transparent, keeping in view the imprisonment of CMD of NALCO?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) No, Sir.

(b) The regular incumbent of the post of CMD, NALCO was placed under suspension in February, 2011 in view of his arrest by the CBI in a trap case and registration of a CBI regular case against him. Additional charge arrangements for the post of CMD, NALCO had to be made in view of the fact that the Navratana Company could not be left headless. The Government will initiate action for filling up the post on regular basis as soon as a final decision is taken in the case of the CMD, currently under suspension.

(c) No, Sir.

(d) Does not arise.

†Original notice of the question was received in Hindi.

(e) The selection of candidates in PSUs is already being done in a transparent manner.

Legislation on appointment of Lokpal

1927. SHRI SANJAY RAUT: Will the PRIME MINISTER be pleased to state:

(a) whether the proposal to bring legislation on appointment of Lokpals under active consideration of Government;

(b) the *modus operandi* and terms and conditions for appointment of a person to this high office *vis-a-vis* statement and objects of the legislation; and

(c) the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) to (c) Yes, Sir. The Government has introduced Lokpal Bill, 2011 in the Lok Sabha on 04.08.2011 which seeks to establish an institution of Lok Pal for dealing with complaints of corruption against certain public functionaries in high places. The Bill provides, inter alia, for:

- (1) establishment of an institution of Lokpal with its own investigation and prosecution wing;
- (2) conferring the Lokpal with powers of a civil court for enforcement of attendance, etc.;
- (3) empowering the Lokpal to make searches and seizures and also to attach property which, prima facie, has been acquired by corrupt means".

The Lokpal will consist of Chairperson and not exceeding eight Members, of which half of the Members of the Lokpal shall be Judicial Members. The Chairperson would be from judiciary and only a serving or retired Chief Justice of India or a Judge of Supreme Court could be eligible for being appointed as Chairperson. A serving or retired judge of Supreme Court or a Chief Justice of High Court would be eligible for appointment as Judicial Member. A Member, other than the judicial Member, shall be a person of impeccable integrity, outstanding ability and standing having special knowledge and expertise of not less than twenty-five years in the matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law

and management. The Selection Committee would be Chaired by the Prime Minister with following Members:

- (a) The Speaker of the House of People.
- (b) The Leader of Opposition in the Lok Sabha.
- (c) The Leader of Opposition in the Rajya Sabha.
- (d) One Union Minister in the rank of Cabinet Minister.
- (e) One sitting judge of the Supreme Court.
- (f) One sitting Chief Justice of a High Court.
- (g) One eminent Jurist to be nominated by the Government.
- (h) One eminent person to be nominated by the Government.

Officers of Dubious integrity

1928. SHRI SANJAY RAUT: Will the PRIME MINISTER be pleased to state:

(a) whether the Central Information Commission (CIC) has directed CBI to make public the names of its officials with "dubious integrity" and to make public a list of officials against whom complaints are registered and are facing enquiries; and

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

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) The Central Information Commission (CIC), while disposing of the appeal No. CIC/SM/A/2011/000318/SG, filed by the RTI applicant, Shri Sujit Kumar Majumder, vide its decision No.CIC/SM/A/2011/000318/SG/13429 dated 13.07.2011 has directed the PIO, CBI, New Delhi to provide the list containing names of officers with doubtful integrity during period January, 2006 to till date; (ii) List containing names of CBI officers against whom the complaint were registered or contemplated and inquiry conducted or in progress.

(b) The matter is sub-judice, as against the decision of CIC, CBI has filed Writ Petition No. 13150(W) of 2011 beore the Hon'ble High Court of Kolkata.

View of political parties on Lokpal Bill

†1929. SHRI RANJITSINH VIJAYSINH MOHITE PATIL: Will the PRIME MINISTER be pleased to state:

†Original notice of the question was received in Hindi.

(a) whether it is a fact that Government has asked the political parties for their views on draft of Lokpal Bill;

(b) the total number of political parties that have been asked for their views on this matter and whether Government has received their views;

(c) whether representative of all political parties are there in the committee constituted in this regard; and

(d) if not, the names of the political parties which have not been given representation in the committee?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) Yes, Sir.

(b) The Chairperson of the Joint Drafting Committee, constituted to draft the Lokpal Bill, had requested twelve major political parties for their views in this matter. However, six out of these twelve political parties gave their views. An All Party Meet on Lokpal Bill was also held under the Chairmanship of Prime Minister on 03.07.2011.

(c) and (d) The Government had constituted a Joint Drafting Committee on 8.4.2011, consisting of five nominee Ministers from Government of India and five nominees of Shri Anna Hazare (including himself), to prepare a draft of the Lokpal Bill. No political party was associated with this Committee.

Formulation of rules for consultants

1930. SHRI A.A. JINNAH: Will the PRIME MINISTER be pleased to state:

(a) whether with the increasing number of recruitment of consultants in various departments/PSUs/Institutions Government proposes to formulate any rules governing their salary, leave, TA etc.;

(b) if so, by when; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) to (c) At present there is no proposal to formulate any rules relating to salary, leave, TA, etc., of consultants. Detailed terms and conditions are required to be issued by the Ministries/Departments concerned within the basic rules of the

General Financial Rules (GFR), 2005 governing the hiring of Consultants in line with instructions issued by the Government of India, from time to time, on economy measures.

GoM to check corruption

†1931. SHRI RAM JETHMALANI:

SHRI RAMCHANDRA PRASAD SINGH:

Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that a Group of Ministers headed by Shri Pranab Mukherjee was constituted in January, 2011 for implementation of suggestions received to effectively tackle the corruption related cases for improving Government image tarnished by scams in the country; and

(b) if so, the facts thereof and the issues on which this group was given the responsibility to make suggestion, and the time by which the group was entrusted to submit them to Government?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) A Group of Ministers (GoM) headed by Shri Pranab Mukherjee was constituted on 6th January, 2011 to consider measures that can be taken by the Government to tackle corruption.

(b) The terms of reference of the GoM were as follows:

(i) To consider all measures, including legislative and administrative, to tackle corruption and improve transparency;

(ii) In particular, the GoM may consider and advise on the following:

(a) State funding of elections;

(b) Fast tracking of all cases of public servants accused of corruption;

(c) Ensuring full transparency in public procurement and contracts, including enunciation of public procurement standards and a public procurement policy;

(d) Relinquishing discretionary powers enjoyed by Ministers at the Centre;

(e) Introduction of an open and competitive system of exploiting natural resources;

†Original notice of the question was received in Hindi.

- (f) Amendment to Article 311 of the Constitution to provide for summary proceedings in cases of grave misdemeanor or blatant corruption by public servants; and
- (g) Consideration of relevance/need for section 6(A) of the Delhi Special Police Establishment Act, 1946.

The GoM was initially given time of 60 days to submit its recommendation. However, this time limit has been extended from time to time. The GoM has already submitted its First Report to the Government.

Directives for setting up RTI cell in Ministries/Departments

1932. SHRI A. ELAVARASAN: Will the PRIME MINISTER be pleased to state:

(a) whether Government has directed all Ministries/Departments and public sector units to set up an exclusive RTI Cell to streamline disposal of application and bring in more transparency;

(b) if so, the details thereof;

(c) whether Government also decided to give financial help to develop infrastructure and purchase of equipment to set up RTI Cell; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) Office Memorandum No. F. 1/12/2010-IR dated 19th May, 2011 Government in Department of Personnel & Training has recommended that all Central Ministries/Departments may set up RTI Cells to streamline receipt and disposal of RTI applications.

(c) and (d) Vide the OM referred to in parts (a) & (b) above, Ministries/Departments have been advised that they can avail of a grant of upto Rs. 50,000/- for procuring a computer alongwith a printer and scanner facility for the RTI Cells under the Centrally Sponsored Plan Scheme "Improving Transparency and Accountability through Effective Implementation of RTI" being implemented by the Department.

Cases pending with CBI

†1933. SHRI KAPTAN SINGH SOLANKI: Will the PRIME MINISTER be pleased to state:

†Original notice of the question was received in Hindi.

(a) whether it is a fact that 2300 cases are pending with CBI for the last 10 years;

(b) if so, the details thereof;

(c) whether Government has formulated any work-plan in this regard; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) 2272 CBI cases are pending trial in various courts for more than 10 years as on 30.06.2011.

(c) and (d) The Central Government has decided to set up 71 Additional Special Courts for CBI cases in the Country. Sanction order have, so far, been issued by the Central Government for setting up of 68 Courts out of which 30 are already functional. Details are given in statement (See below). The State Governments have been requested to take necessary steps for operationalization of remaining special courts sanctioned by the Central Government.

Statement

Name of State	Location	No. of Addl. Courts proposed	No. of Courts Sanctioned	No. of Courts functional
1	2	3	4	5
Andhra Pradesh	Hyderabad	3	3	
	Visakhapatnam	2	2	
Assam	Guwahati	2	2	
Bihar	Patna	3	3	3
Chhattisgarh	Raipur	1		
Delhi	Delhi	15	15	4
Gujarat	Ahmedabad	2	2	
Goa	Goa	1		
Himachal Pradesh	Shimla	1		
Haryana	Panchkula	1	1	1
Jharkhand	Ranchi	2	2	
	Dhanbad	4	4	

Jammu & Kashmir	Jammu	1	1	
Karnataka	Bangalore	2	2	2
	Dharwad	1	1	1

1	2	3	4	5
Kerala	Thiruvananthapuram	1	1	
Madhya Pradesh	Bhopal	1	1	1
	Jabalpur	1	1	1
Maharashtra	Mumbai	3	3	3
	Pune	1	1	1
	Nagpur	1	1	1
	Amravati	1	1	1
Orissa	Bhubaneswar	4	4	
Rajasthan	Jaipur	2	2	2
Tamilnadu	Chennai	3	3	3
Uttar Pradesh	Lucknow	4	4	4
	Ghaziabad	2	2	2
West Bengal	Kolkata	6	6	
		71	68	30

Increasing number of pending cases with CBI

1934. SHRI BALWINDER SINGH BHUNDER: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the number of cases pending with CBI is increasing;

(b) if so, the reasons for this increase and delay in solving the cases;

(c) whether one of the reasons for the delay and pendency is the shortage of officers; and

(d) if so, the efforts made to recruit more officers to wipe out pendency and delay in solving cases?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) The number of cases which are under various stages of investigation at the end of past 3 years i.e. 2008, 2009, 2010 and 2011 (up-to 30.6.2011) are as under:

Year	No. of cases
2008	1,005
2009	988

2010	815
------	-----

2011 (up-to 30.6.2011)	882
------------------------	-----

The general reasons why certain CBI cases remain pending under investigation for long are as under:

- Pendency of Letters Rogatory (LR) with foreign countries.
- Non-traceability of accused persons.
- Delay in getting expert opinion.
- Stay by Courts.
- Complex and voluminous nature of cases.
- Delay in handing over the cases to CBI for investigation after initial investigation by local police.

(c) and (d) No, Sir. However, despite some vacancies in CBI, speedy investigation of various cases is ensured through effective use and deployment of existing personnel.

The Government is taking long term and short term measures to fill up the vacant posts. Among long term measures, the Government is considering changes in the Recruitment Rules to reduce the deputation quota at various levels and increase the promotion quota and the direct recruitment quota whereby CBI would be able to recruit and promote its own officers and reduce dependency on lending organizations for sponsoring candidates for deputation to CBI. In the short term, the Government has approved contractual appointment of law officers, technical officers, pairvi officers and clerks to fill up vacant posts in CBI. The Govt. has also approved diversion of posts from deputation quota to promotion quota enabling CBI to fill up vacant posts at the level of Deputy Superintendent of Police. With these measures, the vacancies in CBI have been reduced to a large extent. Since January, 2010, as many as 1643 posts have been filled up through promotion, recruitment, deputation and contractual appointments.

List of IAS officers under investigation

1935. PROF. ANIL KUMAR SAHANI: Will the PRIME MINISTER be pleased to state:

(a) whether the CBI has submitted a list of IAS officials under investigation to the Parliamentary Committee on Assurances;

(b) if so, the details thereof;

(c) whether these officers misappropriated funds and entered into criminal conspiracies by making huge illegal financial transactions and amassed or misappropriated nearly Rs. 603 crore between 2007 and 2010;

(d) if so, the action taken against the said officers;

(e) the measures taken to wipe out corruption at higher levels; and

(f) the details of vigilance cases pending against IAS officers indicating against each officers the gist of charges and the reasons for the delay in finalising the cases?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) to (d) In a reply given to Lok Sabha Unstarred Question NO. 6414 on 5/5/2010, a list containing details of cases registered by the CBI against IAS officers during 2007, 2008, 2009 and 2010 (upto 30/4/2010) was furnished. The information given therein has been treated as an assurance by the Committee on Govt. Assurances Lok Sabha. The said list, indicating updated status of investigation and action taken in each case, is given in Statement (See below).

(e) Government has taken the following measures to combat corruption at higher levels:

(i) Constitution of a Group of Ministers to consider measures that can be taken by the Government to tackle corruption.

(ii) Introduction of the Lokpal Bill, 2011 in the Lok Sabha.

(iii) Ratification of United Nations Convention Against Corruption (UNCAC).

(iv) Introduction of the Prevention of Bribery of Foreign Public Officials and officials of Public International Organizations Bill, 2011 in the Lok Sabha.

(v) Introduction of the Judicial Standards and Accountability Bill, 2010 in the Parliament.

(vi) Taking of a decision to place the immovable property returns of all members of the All India Services and other Group 'A' officers of the Central Government in the public domain.

(f) The information relating to vigilance cases pending against IAS officers is not centrally maintained.

Statement

List of IAS officers under Investigation

Sl. No.	Case No., Date of Registration & Section of Law	Name of the accused officer with cadre	Department	Allegation in brief	Present Status
1	2	3	4	5	6
2007					
1	RC01/E/2007-Kol 04/01/2007u/s. 120B	R. Ezung, IAS (Retired)	Secretary, (NL: 91) Veterinary & Animal Husbandry, Govt. of Nagaland, Kohima	Misappropriation of an amount of Department of sanctioned and disbursed by National Cooperative Development Corporation during the year 1999-2000 and 2000-2001 as loan to the Department of Veterinary & Animal Husbandry, Govt. of Nagaland to provide assistance to Cooperative Societies engaged in poultry farming in Nagaland.	Under trial Rs. 383.71 lakhs,
2	RC 7(A)/2007- ACB/Chennai modernisation work of 12.02.2007U/s 120-B, 409, 420, 465, 471 IPC &	K.Mohana chandran, IAS (KL:65), (Retired)	Formerly Principal Secretary to Government, Department of Power, Govt. of Kerala & Chairman, Kerala State	Entered into criminal conspiracy in award Secretary to Government, Pallivasal, Sengulam and Panniyar Hydro electric Projects to SNC Lavalin, Canada at	Uhdar Trial of renovation and a high rate

	13(1)(c) & 13(1) (d) of PC Act, 1988		Electricity Board.	normal procedures and thereby caused unestimated amount of undue pecuniary loss to KSEB and State of Kerala and undue pecuniary gain of such an amount to SNC Lavalin. Also entered into criminal conspiracy and thereby failed to execute binding agreement with SNC Lavalin to ensure the grant offered for Malabar Cancer Centre and thereby allowed SNC Lavalin to cheat Govt, of Kerala to the tune of Rs. 86.25 crores by evading from the commitment of constructing Malabar Cancer Centre with an estimate cost of Rs. 98.3 crores.	
3	RC.40/2007- ACB/ Chennai are disproportionate 09.08.2007 U/s 13(2) r/w 13(1)(e) of PC Act, 1988.	Sukumar N. Oommen, IAS (MT:73) (Retired)	Chairman and Managing Director, Madras Fertilisers Ltd (MFL) Manali, Chennai	During the period from 2002 to 2005 the accused had huge financial transactions, to his known sources of income.	Case closed. investments which
4	RC 1(A)/2007- ACU (V/IV)	Sh. J.S.L. Vasava, IAS	Commissioner, Lower Assam Division,	It is alleged that Sh. J S L.Vasava, IAS (1982:AM) while posted in various	Sanction for prosecution

<p>dt. 01.1.2007/ U/s 13(2) r/w 13(1)(e) P.C. Act, 1988</p>	<p>(AM:82),</p>	<p>Guwahati</p>	<p>capacities as a public servant has amassed granted assets in his name and in the name of his on 08/06/2010 family members during the period 01.9.1982 to 31.12.2005 which prima-facie appear to be disproportionate to known sources of his income to the tune of Rs.34,54,399/-.</p>
<p>5 RC.1(A)/07- ACU.IX persons 23/4/2007 namely 120-Br/w420 Kaveri IPC 11 & 13 Pvt. (2) r/w 13(1) filed (d) P.C. court of Act, 1988*</p>	<p>Shri Rakesh Mohan, IAS (AGMUT:78)</p>	<p>The then CEO, Delhi Jal Board, Govt, of Delhi.</p>	<p>The accused persons conspired to award a One chargesheet contract for trenchless renovation of water against 4 rising mains of Delhi Jal Board to consortium and one firm of M/s K.IPL at exorbitant values of Rs. 35.84 M/s Crores. In the quid pro quo Shri Vijay Kumar infrastructures of M/s KIPL purchased a house in USA and Ltd., has been executed a special power of attorney in favour in the of son-in- law of Shri Rakesh Mohan, IAS. Special Judge for On the strength of this power of attorney CBI cases, Patiala a loan of approximately Rs. 3 Crores was House, New Delhi obtained from a bank in USA. on 31/7/2010. Case for grant of for prosecution of Shri Rakesh Mohan is underconsi-</p>
<p>sanction</p>			

deration of the

				Government. The case is pending	
	furthinvestigation.				
				The completion of investigation will	
be				over after receipt	
of				execution report	
of				LRs.	
2008					
1	RC-49/ was 2008-ACB/ court of Delhi Patiala Dt. 17.11.2008 30/7/2010. U/s 13(2) r/w 13(1) (e) of PC Act 1988	Jyoti Kalash, IAS (NL-90)	Compulsory Wait in D/o Heavy Industry & Public Enterprise.	It is alleged that the suspect officer has acquired assets by corrupt and illegal means in his own name and in the name of his family members, which are disproportionate to his known sources of income.	A closure report filed in the Special Judge House on The closure report has since been accepted.
2	RC.3(A)/2008/ State Project Director, ACU-IX	Shri Sanjiv Kumar, IAS	The then State Project Placed under Director, Haryana	Haryana Prathmik Siksha Pariyojana Parishad, suspension by	While posted as

the
dt .29.9.2008 (HR:85) Prathmik Pariyojana, Chandigarh during
1998-2000 entered into a Govt of Haryana.
u/s 2005 u/s Govt of Haryana criminal conspiracy with Shri Sushasnt Swain, Sanction
for 120-B IPC r/w the then Store Purchase Officer of (HPSPP) prosecution
granted 13(2) r/w 13(1) and other private persons to commit criminal on 15/10/2010
(d)ofPC Act. 1988 misconduct by awarding the contract for

printing/purchase of text book for HPSPP to the tune of Rs. 5.25 Crores (approx), which was beyond his financial powers.

2009

<p>1 RC 42(A)/2009- Shri K. Suresh, position in allowing a CBI has sent the ACB/Chennai IAS (MP: 82) Chennai Port Trust, report 03.08.2009 U/s Chennai 120-B r/w 420 IPC , i.e. M/s Olam International Approval of the 420 IPC and 13(2) r/w 13(1)(d) additional berth charges, authority for grant of PC Act, 1988</p>	<p>The then Chairman, dead ship to berth knowing very well that it would cause a huge loss to the Port Ltd Singapore had refrained from making demurrage and other related charges thereby causing a wrongful loss to the tune of Rs.20 crores.</p>	<p>Misuse of official investigation on 16/11/2010. Trust. The owner competent payments towards of sanction for prosecution accorded on 12/8/2011. Order under issue.</p>
<p>2 RC.53/2009- Shri K. Suresh, from September, 2003 to SP's report received ACB/Chennai IAS (MP: 82) dated 8/7/ 12.10.2009-U/s for 109 IPC and Sec for</p>	<p>-do- 04.08.2009, acquired assets in his name and in the name of his wife Dr.(Smt) Y.Geetha which are disproportionate to his known</p>	<p>During the period vide letter 2011. Proposal grant of sanction</p>

13(2) r/w 13(1)
(e) of PC

Act, 1988.

sources of income.

prosecution is
underconsideration

of the Government.

<p>3</p> <p>RC-6/09 ACU-IV dt. 15.12.2009</p> <p>members during the period from</p> <p>U/s. 13 (2) r/w 13 (1) (e) of P C Act, 1988 and Section 109 IPC</p>	<p>Sh Manoj Kumar Agarwal,</p> <p>IAS (90:WB), New Delhi</p>	<p>Commissioner, Land under investigation</p> <p>Govt, of Jharkhand</p>	<p>Amassed assets in his name and in the name Disposal, DDA, 20.08.90 to 30.06.2008 which prima-facie appear to be disproportionate to known sources of his income.</p>	<p>The case is of his family</p>
<p>4</p> <p>RC09(A)/2009- has</p> <p>AHD-R, dated.</p> <p>01.08.2009, U/s of</p> <p>5(2) r/w 13(1)(e) of PC Act 1947</p> <p>& 13(2) r/w also</p> <p>13 (1)(e) of Chief Prevention of Corruption Act, 1988</p> <p>Departmental</p> <p>the</p>	<p>Shri Avinash Kumar, IAS</p> <p>(JH: 93)</p>	<p>Govt, of Jharkhand</p>	<p>Acquisition of disproportionate assets.</p>	<p>A closure report been filed on 9/9/ 2010 in the Court Special Judge for CBI cases Ranchi, Matter has been referred to the Secretary, Government of Jharkhand for regular Action for major penalty against</p>

Departmental

officer.

action for major
penalty has been

					initiated by the
State					Government of Jharkhand vide memorandum dated 27/9/2010
5	RC11(A)/2009- AHD-R, dated 29.08.2009, U/s 14/12/2010. 120B, 420, 467, 468 & 471 IPC and Section 13(2) r/w 13(1) (c) & 13(1) (d) of PC Act, 1988.	Dr. Pradeep Kumar IAS (JH:91)	The then Secretary, Health Department, Govt of Jharkhand, Ranchi	Entered into a criminal conspiracy and abused his official position as public servant in fraudulent and dishonest purchase of medicines, medical equipment/ appliances, sundry items etc. used in the hospital from nineteen suppliers worth Rs. 1,30,50,79,951.74 without assessing the actual requirement and without observing the codal formalities prescribed in this regard. The amount squandered was out of the fund allotted for "National Rural Health Mission (NRHM)", an scheme sponsored and financed by the Govt, of India.	CBI has submitted the investigation report on Sanction for prosecution issued on 5/8/2011.
6	RC14(A)/2009- AHD-R, dated. 31.10.2009, 4/11/2010.	Dr. Pradeep Kumar, IAS (JH:91)	-do-	Entered into a criminal conspiracy and abused his official position as public servants, in fraudulent and dishonest order	CBI has submitted the investigation report on

U/ss 120B, 420,
grant of
468 & 471 IPC
for
and Section
13(2) r/w 13(1)
underconsideration
(d) PC Act,
Government.
1988.

of procurement of seventy two (72) chassis, Proposal for
out of the fund allotted for the implementation sanction
of National Rural Health Mission Scheme, prosecution is
from M/s Tata Motors Ltd., Jamshedpur and the
conversion of seventy nine (79) chassis into a of
Mobile Medical Unit by offering exorbitant rate
for their conversion which caused heavy
wrongful pecuniary loss to the Government
of India and corresponding pecuniary gain to
themselves and/or to others.

7 RC.6(A)/2009- Sh. T. Panmei,
criminal conspiracy in dishonestly
GWH 16.4.2009 IAS, (MT: 95)
exemption of Rs. 1.15 Crores
U/s 120B, 420
IPC & Sec. 13
(2) r/w 13(1)
(d) of PC Act,
1988

The case is under
Commissioner, Senapati
trial.
District, Govt, of
Manipur

The then Dy. Entered into
allowing 100%
claimed by the Pvt. Person in his IT Return
towards donation under Sec. 35 4C of IT Act,
1961 to M/s Rural Development Centre which
is non-existent and thus caused wrongful loss
to the Govt. to the tune of Rs.41,25,625.00.

2010 (as on 30.04.2010)

1 RC 2(A)/10- Shri Abraham
criminal conspiracy and abused
Cochin Varickamakkal,

The then Collector and
The case is under
Development

Entered into
official position

in unauthorisedly awarding

Dt.25.02.10

IAS

U/s 120 B r/w

(AGMUT:98)

420 IPC and

Investigation

Commissioner,

Chairman of LBDB,

Administration

contract for supply of granite chips and river
sand from the main land to the Island of
Lakshadweep at exorbitant prices.

	Sec.11, 14 & 13(2) r/w 13(1)(d) & 13(a) of PC Act, 1988.		of UT of Lakshadweep, Kavarathi.	
2	RCJAI 201 registered on the OS 0007 Dt. 29.01.2010 Jaipur in SB Civil Writ U/s 120-B r/w 11394/2009. Entered into a criminal 420, 467, 468 & 471 IPC and Sec. 12 of Indian Passport Act, 1967. 03.07.07 in the name of said	Sh. Sanjay The case is under Dixit, IAS (RJ: 86)	The then Secretary in Govt. of Rajasthan, Deptt. of Horticulture, Jaipur, now Secretary to Govt. Of Rajasthan, Command Area Development Jaipur.	This case has been orders of Hon'ble High Court of Judicature Investigation for Rajasthan at Petition No. conspiracy with Sh.Ranjeet Singh S/o Sh. Narayan Singh, R/o Plot No. 85, Sonabari, Gopalpura Bypass, Jaipur and issued a verification certificate dated
				Sh. Ranjeet Singh, which contained false and misleading declaration about moral character of Sh. Ranjeet Singh against whom several criminal cases were pending and who had been declared history sheeter by the concerned Police Station of Jaipur.
3	RC2/2010-EOW-I submitted Dt. 27.4.2010 U/s investigation	Sh. O. Ravi, IAS (GJ:83)	Joint Secretary, Disaster management,	Entered into criminal conspiracy with the CBI has other private persons i.e. owners/Directors of part

120-B r/w 420 of 25/3/2011.
IPC and u/s 9,
for grant of
13(2) r/w 13(1)
for
(d) of PC Act,
prosecution is
1988 & substantive
assured Sh. Ashok Khemani
offences thereof.
Government.

MHA, GOI, New Delhi.

various private Distilleries of Daman and in report on
pursuance of the aforesaid criminal conspiracy,
facilitated evasion of excise duty and VAT to
the tune of Rs.340 Crores. It is further alleged
that Sh. O. Ravi
that he will use his personal influence over of the
Senior Functionaries in Govt, of India and
manage transfer of the Administrator of
Daman. In lieu of providing such services
to Sh. Ashok Khemani, Sh. O. Ravi
accepted an illegal gratification.

Guidelines for IAS officers to declare assets

1936. SARDAR SUKHDEV SINGH DHINDSA: Will the PRIME MINISTER be pleased to state:

(a) whether Government has issued guidelines/instructions for IAS officers to declare their assets by June, 2011;

(b) if so, the number of officers who have since declared their assets;

(c) whether Government propose any action against the defaulters; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) Yes, Sir.

(b) 4128 IAS Officers have furnished their annual Immovable Property Returns for the year 2010 and the same have been put in public domain.

(c) and (d) The Department of Personnel and Training has asked all cadre authorities to call for explanation of such officers who have not submitted their returns so far.

Task force to eradicate corruption

1937. SHRIMATI T. RATNA BAI: Will the PRIME MINISTER be pleased to state:

(a) whether the Prime Minister has appointed any task force to eradicate corruption;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) to (c) No Sir. However, the Government had constituted a Group of Ministers (GoM) on 6 January, 2011 to consider measures that can be taken by the Government to tackle corruption. The terms of reference of the GoM are as follows:

(i) To consider all measures, including legislative and administrative, to tackle corruption and improve transparency;

(ii) In particular, the GoM may consider and advise on the following:

- (a) State funding of elections;
- (b) Fast tracking of all cases of public servants accused of corruption;
- (c) Ensuring full transparency in public procurement and contracts, including enunciation of public procurement standards and a public procurement policy;
- (d) Relinquishing discretionary powers enjoyed by Ministers at the Centre;
- (e) Introduction of an open and competitive system of exploiting natural resources;
- (f) Amendment to Article 311 of the Constitution to provide for summary proceedings in cases of grave misdemeanor or blatant corruption by public servants; and
- (g) Consideration of relevance/need for section 6(A) of the Delhi Special Police Establishment Act, 1946.

Right to Privacy Bill

1938. SHRIMATI T. RATNA BAI: Will the PRIME MINISTER be pleased to state:

- (a) whether Government is working on "Right to Privacy" bill;
- (b) if so, the details thereof; and
- (c) the objectives thereof and views of each State in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) to (c) Yes, Sir. The Government proposes to bring out a legislation that will provide protection to individuals in case their privacy is breached through unlawful means. The drafting of the legislation is at a very preliminary stage and details of the legislation are yet to be finalized.

Expanding the definition of family

1939. SHRI RAJNITI PRASAD: Will the PRIME MINISTER be pleased to refer to answer to Unstarred Question 3329 given in the Rajya Sabha on 9th December, 2010 and state:

(a) whether Sixth Central Pay Commission had recommended to expand the definition of 'family' of Government Servant to include the minor and dependent children of widow/divorced daughters for the purpose of medical facilities;

(b) the action taken by Government thereon;

(c) whether the term 'family' defined by the DoPT is acceptable to all Government Departments; and

(d) if so, whether the DoPT would enlarge the definition of 'family' as per recommendation of Sixth Central Pay Commission?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) Yes, Sir.

(b) Recommendation is being examined.

(c) The term 'family' has been defined by DoPT for the purpose of LTC only and is not applicable for other purposes.

(d) Does not arise.

Cases of corruption/Disproportionate assets

†1940. SHRI SHIVANAND TIWARI: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that lots of cases of corruption and disproportionate assets against several senior officers are pending for obtaining permission for filing of cases by CBI and other agencies;

(b) the details of the pending cases thereof; and

(c) the time by which sanction is likely to be accorded for filing of cases?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) As per information provided by the CBI, as on 30.6.2011, 151 requests against Government officials involving 62 cases were pending with various Central Government Ministries/State Governments for sanction for prosecution. The details are given in Statement (See below).

†Original notice of the question was received in Hindi.

(c) The Hon'ble Supreme Court of India in case of Vineet Narain vs Union of India had directed that "time limit of three months for grant of sanction for persecution must be adhered to. However, additional time of one month may be allowed where consultation is required with the Attorney General (AG) or any Law Officer in the AG's office". In order to check delays in grant of sanction for prosecution, the Department of Personnel & Training has issued guidelines vide its OM No. 399/33/2006-AVD-III dated 6th November, 2006 followed by another OM dated 20th December, 2006, providing for a definite time frame at each stage and fixing responsibility for deliberate delays.

Statement

Sl. No.	Name of the Ministries of Central/State Government	No. of cases	No. of requests
1	2	3	4
1	Ministry of Finance (Department of Economic Affairs)	1	1
2	Ministry of Coal & Mines	2	11
3	Ministry of Communication	5	9
4	Ministry of Defence	2	2
5	Ministry of Finance (Department of Financial Services)	9	24
	Ministry of Finance (Custom & Central Excise)	4	8
6	Ministry of Finance (Income Tax)	4	5
7	Ministry of Health & Family Welfare	1	1
8	Ministry of Home Affairs	2	2
9	Ministry of Human Resources & Development	3	5
10	Ministry of Information & Broadcasting	1	1
11	Ministry of Labour	1	1
12	Ministry of Micro, Small and Medium Enterprises	1	2
13	Ministry of Personnel, P.G. & Pensions	5	5
14	Ministry of Petroleum & Natural Gas	2	17
15	Ministry of Railways	2	6

1	2	3	4
16	Ministry of Shipping	1	1
17	Ministry of Steel	1	1
18	Ministry of Urban Develop & Poverty Alleviation	6	12
19	Administration of Andman	1	3
20	Govt. of Assam	2	14
21	Govt of Delhi	1	1
22	Govt. of Jharkhand	1	1
23	Govt. of Punjab	1	9
24	Govt. of Rajasthan	3	10
TOTAL		62	151

World Bank Report on Public Distribution System

†1941. SHRIMATI. HEMA MALINI:

SHRI PRABHAT JHA:

Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that in accordance with the order of Planning Commission, World Bank has prepared a report on the basis of a study of MNREGA, Public Distribution System, National Rural Health Mission and many other social development programmes;

(b) if so, the details thereof;

(c) whether World Bank has made any observation on the current structure of Public Distribution System in its report; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (DR. ASHWANI KUMAR): (a) to (d) A report on "Social Protection for a Changing India" has been brought out by the World Bank in May, 2011. The report has been prepared in response to a request from the Government of India during consultations for the formulation of the World Bank's Country Strategy for India in 2004.

†Original notice of the question was received in Hindi.

The report has examined the social protection policy and delivery systems in the country in the recent years. It documents the successes and challenges of various social security programmes such as Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), Public Distribution System (PDS), Rashtriya Swasthya Bima Yojana (RSBY), among others.

The report has used the National Sample Survey (NSS) data to analyze the performance of the Public Distribution System in India. As one of several options, it recommends offering households the option of a cash transfer where appropriate. Other suggestions include improving viability of Fair Price Shops, decentralization of grain purchases, strengthening the use of Information and Communication Technology (ICT), etc.

Target during 2007-12

1942. SHRI DHIRAJ PRASAD SAHU: Will the PRIME MINISTER be pleased to state:

(a) whether the Eleventh Five Year Plan has fixed their target to achieve and provide developed infrastructure properly all over the country during the term 2007-12;

(b) if so, the present status; and

(c) the steps being taken to achieve the target fixed for Eleventh Five Year Plan during next two years?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (DR. ASHWANI KUMAR): (a) and (b) Yes, Sir. The Eleventh Five Year Plan has set an ambitious target of increasing the total investment in infrastructure from about 5 per cent of GDP in the Tenth Five Year Plan to about 9 per cent of GDP by the terminal year (2011-12) of the Eleventh Plan. This amounts to an investment of Rs. 20,56,150 crore over the Plan period (2007-12) in electricity (including non-conventional electricity), roads & bridges, telecommunications, railways (including mass rapid transit system), irrigation (including watershed), water supply & sanitation, ports (including inland waterways), airports, storage and oil & gas pipelines sectors. The sector-wise Eleventh Plan targets and anticipated achievements in the first three years of the Plan are given below:

Targets and achievements of investment in infrastructure in the Eleventh Plan

(Rs. crore at 2006-07 prices)

Sectors	Eleventh Plan Target	Anticipated achievement in first three years of the Plan
Electricity (including non-conventional electricity)	6,66,525	3,54,185
Roads and Bridges	3,14,152	1,45,487
Telecommunication	2,58,439	1,48,401
Railways (including mass rapid transit system)	2,61,808	1,13,107
Irrigation (including watershed)	2,53,301	1,32,740
Water Supply & Sanitation	1,43,730	60,990
Ports (including inland waterways)	87,995	20,413
Airports	30,968	21,526
Storage	22,378	3,856
Oil & Gas Pipelines	16855*	65,124
TOTAL	20,56,150	10,65,828

* Eleventh Plan target pertains to gas pipelines only.

(c) The Government has taken following steps to achieve the targets fixed for the Eleventh Five Year Plan:

Cabinet Committee on Infrastructure (CCI)

The CCI was constituted under the chairmanship of the Prime Minister on July 6, 2009. The CCI approves and reviews policies and annual targets and projects across infrastructure sectors.

Public Private Partnership Appraisal Committee (PPPAC)

For streamlining and simplifying the appraisal and approval process for PPP projects, the PPPAC has been constituted under the chairmanship of Secretary, Department of Economic Affairs.

Empowered Committee / Institution (EC/EI)

An institutional framework has been established for appraising and approving PPP projects for availing the Viability Gap Funding (VGF) grant of up to 20 per cent of the cost of infrastructure projects.

Viability Gap Funding (VGF) Scheme

To enhance the financial viability of competitively bid PPP infrastructure projects which do not pass the standard thresholds of financial returns, VGF grant up to 20 per cent of capital costs is provided by the Central Government to projects undertaken by any Central Ministry, State Government, statutory entity or local body. An additional grant of up to 20 per cent of the project costs can be provided by the sponsoring authority.

India Infrastructure Finance Company Limited (IIFCL)

The IIFCL was set up as a non-banking company for providing long-term loans for financing infrastructure projects that typically involve long gestation periods. The IIFCL lends up to 20 per cent of the project costs.

Model Documents

Model documents that incorporate key principles and best practices relating to the bid process for PPP projects have also been developed. Guidelines for the pre-qualification of bidders along with a Model Request for Qualification (RFQ) document have been issued by the Ministry of Finance.

Indians in Forbes Rich List

†1943. SHRI RAVI SHANKAR PRASAD:

SHRI RAMCHANDRA PRASAD SINGH:

Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the number of Indians have increased from 1 to 49 in Forbes rich list during the period from 1990 to 2010;

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

(c) whether it is also a fact that the Gross Domestic Product of the country which was of \$ 433 billion in 1990 on the basis of the prices of 2010, has reached to \$ 1.186 billion in 2010; and

†Original notice of the question was received in Hindi.

(d) if so, the facts in this regard and whether there has been wealth-contraction in this period?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (DR. ASHWANI KUMAR): (a) to (d) The list of billionaires compiled and published by Forbes magazine on 10th March 2011 includes the names of 55 Indians as "dollar-billionaires", i.e. individuals with a total net worth of one billion dollars and above. These 55 Indians account for roughly 4.5% of the global total of 1210 billionaires across six continents.

Based on the data of World Development Indicators, the Gross Domestic Product (GDP) of India at 2000 prices increased from 270.5 billion US dollar in 1990 to 971.5 billion US dollar in 2010 registering an annual average growth rate of 6.6% in real terms. Therefore, there is no indication of wealth contraction during the period.

Annual growth rate of GDP

†1944. SHRI RAMCHANDRA PRASAD SINGH:

SHRI RAM JETHMALANI:

Will the PRIME MPNISTER be pleased to state:

(a) whether it is a fact that annual growth rate of GDP has been effective continuously over the years in the country;

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

(c) whether it is also a fact that share of export in this growth is more than that of the manufacturing and agriculture sectors; and

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

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (DR. ASHWANI KUMAR): (a) to (d) The Gross Domestic Product (GDP) at factor cost at constant (2004-05) prices has increased at an annual average growth rate of 8.6% in the country during the period 2004-05 to 2010-11. The GDP growth rate has remained consistently higher than 8% in each of these years except for 2008-09, which registered a relatively lower GDP growth rate of 6.8% due to global economic crisis and

†Original notice of the question was received in Hindi.

negative growth in agriculture sector caused by bad monsoon. During this period agriculture sector and manufacturing sector have registered an average annual growth rate of 3.7% and 9.3% respectively. The share of agriculture in GDP has come down from 19% in 2004-05 to 14.4% in 2010-11, whereas the share of manufacturing in GDP has increased from 15.3% to 15.8% during the same period. The share of export in GDP during this period has increased from about 11.6% in 2004-05 to 13.2% in 2007-08, 15.1% in 2008-09, 12.9% in 2009-10 and 14.7% in 2010-11. Export is not one of the production sectors unlike that of agriculture and industry. In the National Accounts Statistics (NAS) framework export is a component of the aggregate demand where as Gross Value Added (GVA) in agriculture, industry and services represent supply side of the economy and therefore can contribute to export growth.

Formula for assessing the poor

1945. SHRI NARENDRA KUMAR KASHYAP: Will the PRIME MINISTER be pleased to state:

(a) the criteria for selecting a poor in the country;

(b) whether Government has devised any concrete formula for assessing the poor in the country based on the Tendulkar Committee report;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (DR. ASHWANI KUMAR): (a) to (d) The poverty line has been traditionally defined by the Planning Commission on the basis of Monthly Per Capita Consumption Expenditure (MPCE) as the criterion. The method for estimation of poverty has been reviewed by the Planning Commission from time to time.

The Planning Commission constituted a Task Force (Alagh Committee) on 'Projections of Minimum Needs and Effective Consumption Demand' in 1977 which defined the poverty line as per capita consumption expenditure of Rs.49.09 per month in rural areas and Rs.56.64 per month in urban areas at 1973-74 prices at national level. These poverty lines correspond to a basket of goods and services anchored on a norm of per capita daily calorie requirement of 2400 kilo calories in rural areas and 2100 kilo calories in urban areas applied uniformly for all the states. Subsequently, the Expert Group on 'Estimation of Proportion and Number of

Poor' (Lakdawala Committee) constituted in 1989 retained the poverty lines defined by the Alagh' Committee and disaggregated the National Poverty lines into State specific poverty lines in order to reflect the inter-state price differentials.

The Tendulkar Committee, which submitted its Report in 2009, took the urban headcount ratio of 25.7% in 2004-05, arrived at by following Lakdawala methodology, as the starting point. It used Mixed Recall period (MRP) based MPCE corresponding to this ratio as the new reference Poverty Line Basket (PLB) in urban areas and recommended that the rural poverty line should be recomputed to reflect money value in rural areas of the same PLB. Based on the Tendulkar Committee methodology, the poverty lines in 2004-05 at all India level were calculated as per capita consumption expenditure of Rs 446.68 per month for rural areas and Rs. 578.80 for urban areas. The Tendulkar Committee has incorporated adequacy of expenditure from the normative and nutritional viewpoint. It stated:

"while moving away from the calorie norms, the proposed poverty lines have been validated by checking the adequacy of actual private expenditure per capita near the poverty lines on food, education and health by comparing them with normative expenditures consistent with nutritional, educational and health outcomes."

Prospective plan for KBK region

1946. SHRI PYARIMOHAN MOHAPATRA: Will the PRIME MINISTER be pleased to state:

(a) whether State Government of Orissa has submitted a 8 year prospective plan for the KBK region to the Planning Commission and Government of India and if so, the major differences between this plan and the plan for KBK region sanctioned by Government of India in the year 1995; and

(b) whether the approval for the prospective plan has been accorded by the Planning Commission and Government and if not, by when it is likely to be approved?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (DR. ASHWANI KUMAR): (a) The State Government of Odisha has submitted an Eight-Year Special Action Plan for the KBK region of Odisha for Special Central Assistance of Rs.4550 crore for the period 2009-2017 on 100% grant basis.

In 1995, a Long Term Action Plan (LTAP) for a seven year period (1995-96 to 2001-02) was

launched to pool the available resources and integrate them scientifically for the speedy development of the KBK districts. In 1998-99, the LTAP was replaced by a Revised Long Term Action Plan (RLTAP) for a nine year period (1998-99 to 2006-07) with a total outlay of Rs.6061.83 crore consisting of Additional Central Assistance (ACA) and Centrally Sponsored Schemes in various sectors, namely, agriculture, horticulture, watershed development, afforestation, irrigation, health, drinking water, emergency feeding, welfare of SCs/STs and rural connectivity. The Additional Central Assistance (ACA) was allocated annually by the Planning Commission on 70:30 basis (70% loan and 30% grant). The ACA allocated for the KBK districts during the period 1995-96 to 1997-98 under LTAP was Rs. 20.49 crore. The ACA during the period 1998-99 to 2001-02 under the RLTAP was Rs.243.95 crore.

In 2002-03, a Special Plan for the KBK districts was formulated under the Rashtriya Sam Vikas Yojana (RSVY) with Special Central Assistance of Rs.200 crore for 2002-03 and Rs.250 crore per annum during the Tenth Five Year Plan period on 100% grant basis. The RSVY was replaced by the Backward Regions Grant Fund(BRGF) and the KBK districts continue to be allocated Rs.250 crore per annum, Rs.130 crore under the Special Plan for KBK Districts and Rs.120 crore under the District Component of BRGF during the Eleventh Five Year Plan.

The main differences between the LTAP/RLTAP and the Eight Year (2009-2017) Special Action Plan submitted by the State Government for the KBK region are as under:

- (i) While ACA under LTAP/RLTAP was in the ratio of 70:30 between loan and grant, the funding under the Eight Year Special Action Plan submitted by the State Government is on 100% grant basis.
- (ii) The quantum of ACA allocated under LTAP/RLTAP during the period 1995-96 to 2001-02 was Rs. 264.44 crore, the SCA requested under the Eight Year Special Action Plan for the period 2009-2017 is Rs. 4550 crore.

(b) The Government of India has recently approved an Integrated Action Plan (IAP) for 60 Selected Tribal and Backward Districts with a block grant of Rs. 25 crore for 2010-11 and Rs. 30 crore for 2011-12. All the eight KBK districts are covered in the list of 60 IAP districts, and Rs. 200 crore (Rs. 25 crore for each of the eight KBK districts) was released for the financial year 2010-11. The allocation for eight KBK Districts in 2011-12 is Rs. 240 crore (Rs. 30 crore for each of the eight

KBK districts). Taking into account the allocations under all the components of the BRGF, namely, Special Plan for the KBK districts, District Component and the Integrated Action Plan, a sum of

Rs.490 crore has been allocated in 2011-12 for the KBK districts on 100% grant basis. During the period from 2002-03 to 2011-12, an amount of Rs. 2890 crore have been allocated to KBK Districts under Special Plan, District Component of BRGF and IAP.

In view of the fact that the KBK districts are already being allocated a sum of Rs.490 crore from three different sources, it has been decided that there is no need to consider the Eight Year Special Action Plan for the KBK region for the period 2009-2017 during the Eleventh Five Year Plan period.

Suggestions for price list

†1947. SHRIMATI MAYA SINGH: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the Planning Commission has stated that the rural public and the urban public can get nutritious food comprising 2400 calories for Rs. 17/- and 20/-respectively; and

(b) if so, the details of Planning Commission's suggestions in the present phase of price rise?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (DR. ASHWANI KUMAR): (a) The poverty line has been traditionally defined by the Planning Commission on the basis of Monthly Per Capita Consumption Expenditure (MPCE) as the criterion. The method for estimation of poverty has been reviewed by the Planning Commission from time to time.

The Planning Commission constituted a Task Force (Alagh Committee) on 'Projections of Minimum Needs and Effective Consumption Demand' in 1977 which defined the poverty line as per capita consumption expenditure of Rs.49.09 per month in rural areas and Rs.56.64 per month in urban areas at 1973-74 prices at national level. These poverty lines correspond to a basket of goods and services anchored on a norm of per capita daily calorie requirement of 2400 kilo calories in rural areas and 2100 kilo calories in urban areas applied uniformly for all the states. Subsequently, the Expert Group on 'Estimation of Proportion and Number of Poor' (Lakdawala Committee) constituted in 1989 retained the poverty lines defined by the Alagh Committee and disaggregated the National Poverty lines into State specific poverty lines in order to reflect the inter-state price differentials.

The Tendulkar Committee, which submitted its Report in 2009, took the

urban headcount ratio of 25.7% in 2004-05, arrived at by following Lakdawala methodology, as the starting point. It used

†Original notice of the question was received in Hindi.

Mixed Recall period (MRP) based MPCE corresponding to this ratio as the new reference Poverty Line Basket (PLB) in urban areas and recommended that the rural poverty line should be recomputed to reflect money value in rural areas of the same PLB. Based on the Tendulkar Committee methodology, the poverty lines in 2004-05 at all India level were calculated as per capita consumption expenditure of Rs 446.68 per month for rural areas and Rs. 578.80 for urban areas. The Tendulkar Committee has incorporated adequacy of expenditure from the normative and nutritional viewpoint. It stated:

"while moving away from the calorie norms, the proposed poverty lines have been validated by checking the adequacy of actual private expenditure per capita near the poverty lines on food, education and health by comparing them with normative expenditures consistent with nutritional, educational and health outcomes."

(b) The Planning Commission estimates poverty lines and poverty ratios for the years for which Large Sample Surveys on Household Consumer Expenditure have been conducted by the National Sample Survey Organisation (NSSO). These surveys are conducted quinquennially. After 2004-05, this survey has been conducted in 2009-10. The Planning Commission is in the process of estimating the revised poverty line taking into account changes in the price level as per the Tendulkar Methodology on the basis of 2009-10 survey data on Household Consumer Expenditure, which are now available.

Existing norms for poverty line

†1948. SHRI RAM VILAS PASWAN: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that as per the existing norms of the Planning Commission, the criterion for poverty line for urban areas is twenty rupees, and for rural areas it is ten rupees;

(b) whether it is a fact that on 22nd July, 2011, Supreme Court observed that the criterion fixed for determining poverty line is inadequate;

(c) whether Government has taken note of the title "Food security: SC punches holes in plan panel figures" carried by the media publishing from Delhi; and

†Original notice of the question was received in Hindi.

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

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (DR. ASHWANI KUMAR): (a) to (d) The poverty line has been defined by the Planning Commission on the basis of Monthly Per Capita Consumption Expenditure (MPCE) as the criterion. As per Tendulkar Committee Report, the poverty line at the national level is fixed at Rs. 446.68 per capita per month in rural areas and Rs. 578.80 per capita per month in urban areas at 2004-05 price level.

The Hon'ble Supreme Court in their order dated 22nd July 2011 passed in Civil Writ Petition no. 196/2001 in the matter of PUCL v/s UOI, observed that the Planning Commission may file an additional affidavit, if any, in response to the report submitted by Central Vigilance Committee on Public Distribution System headed by Justice D.P. Wadhwa.

A news item entitled "Food security: SC punches holes in Plan panel" was published in the Indian Express dated 23.07.2011. It relates to earlier observations made by the Hon'ble Supreme Court in their order dated 14.05.2011 in the same case that with the present limit of Rs. 15/- per capita per day in rural areas and Rs. 20/- per capita per day in urban areas, it is impossible for an individual to consume 2400 and 2100 calories in rural and urban areas respectively. The Supreme Court has directed that Planning Commission may revise norms of per capita amount by taking into account to the price index of May 2011 or any other subsequent date.

In the light of recent directions of the Supreme Court, the Planning Commission is in the process of estimating the revised per capita poverty line as per the Tendulkar Methodology on the basis of 2009-10 survey data on Household Consumer Expenditure, which are now available.

Increasing number of accidents of National Highways

†1949. SHRI PRABHAT JHA:

SHRIMATI HEMA MALINI:

Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that the cases of road accidents in the country has increased manifold for the last five years;

†Original notice of the question was received in Hindi.

(b) if so, the details thereof;

(c) if not, the details thereof; and

(d) whether it is a fact that maximum Number of Road accidents occur on the national highways?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (DR. TUSHAR CHAUDHARY): (a) to (d) The number of road accidents in India is showing increasing trend during the last five years with compound annual growth rate of 2.58%. However the number of road accidents on National Highways decreased marginally for the years 2007 and 2008 but again increased during the year 2009. The percentage share of accidents on National Highways during the years 2005 to 2009 has been fluctuating between 28.5% to 30.4% of the total number of road accidents in the country, as per details given below:

Year	Total No. of road accidents	No. of road accidents on National Highways	Proportion of road accidents on National Highways
2005	439255	129994	29.6
2006	460920	140158	30.4
2007	479216	138922	29.0
2008	484704	137995	28.5
2009	486384	142511	29.3

Upgradation of roads in Karnataka

1950. DR. PRABHAKAR KORE: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether State Government of Karnataka had submitted a proposal to the Centre for upgradation of State Highways to National Highway involving 21 roads with a total length of 4031 kms. in 2010;

(b) whether the proposal was further pursued by the Chief Minister of Karnataka with the Prime Minister of India during August, 2010 to accord top priority to upgradation of 5 roads involving 1525 kms., of State highways to National Highways; and

(c) if so, the present status of the proposal pending with the

Centre?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) Yes, Sir. The State Government of Karnataka had submitted proposal to the Centre for a total length of 8020 Km for upgradation of State highways to National Highways including 21 roads with a total length of 4031 kms till date.

(b) and (c) Yes, Sir. State Government has requested for upgradation of 5 State Highways into National Highways and they have been intimated that the expansion of National Highway network is a continuous process and declaration of new National Highway is taken up from time to time depending upon, requirement of connectivity, inter-se priority and availability of funds.

NH-6 connecting Hazira port

1951. SHRI PARSHOTTAM KHODABHAI RUPALA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether NHAI has received approval from Gujarat State Government for taking over land of Suvali minor canal to build National Highway No. 6 connecting to Hazira port;

(b) the steps that are taken by NHAI for early completion of road construction from ONGC Chokdi to Hazira port; and

(c) the amount and by when NHAI will pay to irrigation department for land of Suvali minor canal strip?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) Yes Sir.

(b) The concessionaire has been appointed by NHAI to take up the work of this project for Four/Six Laning of Gujarat/Maharashtra Border-Surat-Hazira Port Section of NH-6 in the State of Gujarat under National Highway Development Project. The concessionaire has mobilized at site and shifting of utilities is being carried out.

(c) This matter comes under transfer of Government land and has already been taken up with the Government of Gujarat through District Collector, Surat as per the existing policy of Land Acquisition Act.

Conversion of State roads into National Highways

1952. SHRI N.K. SINGH: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government has since finalised the process of identifying 10000 Km. roads running through different States to be upgraded to NHs;

(b) if so, the details thereof;

(c) whether several State Governments/Union Territories have urged Government to convert State roads into NHs in the past few years;

(d) if so, the action taken by Government in this regard; and

(e) the time by which important State roads are likely to be converted into NHs?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) to (e) Several State Governments/Union Territories have submitted proposals to convert State Highways covering more than 60,000 Km. into National Highways. However; expansion of National Highways network is a continuous process and declaration of new National Highway is taken up from time to time depending upon requirement of connectivity, inter-se priority and availability of funds.

Long jams on National Highways

1953. SHRI RAJKUMAR DHOOT: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that incidents of long jams on National Highways and roads due to accidents, overturning of trucks and other vehicles have become common in the country;

(b) if so, the details thereof; and

(c) the corrective measures that Government has taken or propose to take in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) No, Sir.

(b) Does not arise.

(c) The measures taken to avoid disruption of traffic include widening of highways to 2 lane with paved shoulder, 4 /6 lanes under various phases of NHDP, improving the designs to enhance road safety, provision of incident management services which include ambulances/cranes/tow away vehicles/patrol vehicles.Public Private Partnership (PPP) projects under new model concession agreement also provides for traffic aid posts at all toll plazas. 6 laning projects have provision for Advanced Traffic Management Systems comprising of emergency call boxes, variable messages signs, CCTVs, traffic counters cum classifiers, etc.

Target fixed for highway construction in 2010-11

1954. SHRI PRAKASH JAVADEKAR: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) the targets fixed by Government for Highways construction in 2009-10 and 2010-11;
- (b) the details thereof;
- (c) whether Government has achieved the target;
- (d) the reasons for under performance; and
- (e) the action Government proposes to take in future to speed up?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) to (c) This Ministry is primarily responsible for the development and maintenance of National Highways (NHs) and roads other than NHs are under the purview of the respective State Governments. The details of targets fixed for development of NHs during 2009-10 & 2010-11 and achievements thereof are as under:

Sl. No.	Name of the scheme	Targets for the year 2009-10	Achievements for the year 2009-10	Targets for the year 2010-11	Achievements for the year 2010-11
1	2	3	4	5	6
1	Widening single lane to two lanes (kms)	1320.95	1233.85	1116.97	1042.07
2	Strengthening of existing weak two lane pavement (kms)	1058.08	1012.70	1213.41	1015.82

1	2	3	4	5	6
3	Widening to four / six lanes (kms)	3244.50	2742.58	2637.55	1882.85
4	Improvement of riding quality (kms)	2510.31	3168.02	2307.04	2025.88
5	Construction of missing link (kms)	8.80	3.21	2.60	0.10
6	Improvement of low grade sections (kms)	20.03	30.67	1.00	1.29
7	Construction of bypasses (Nos)	19 .	3	27	8
8	Construction / rehabilitation of bridges (Nos)	134	122	189	103

(d) The reasons for slight shortfall in achievement of targets include poor performance of contractors, delays in obtaining forest/wild life/railway clearances, law & order problems in some States, delay in land acquisition, etc.

(e) To speed up implementation of these projects, Government / National Highways Authority of India (NHAI) has taken several steps such as setting up Regional Offices headed by Chief General Managers with adequate delegation of powers, setting up of special land acquisition units, setting up of High Powered Committees under the Chairmanship of Chief Secretaries of State Governments to resolve the bottlenecks relating to shifting of utilities, land acquisition issues, etc. Further, the delayed projects are closely monitored and periodically reviewed at the Headquarter as well as the field units for expeditious completion.

Implementation of road safety plan

1955. SHRI V. HANUMANTHA RAO: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government is considering to implement any road safety plan to curb the road accidents in the country;

(b) if so, the details thereof;

(c) whether Government has made consultations with stakeholders including State Governments, in this regard; and

(d) whether Government is also planning to establish any national authority for monitoring the safety plan?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (DR. TUSHAR CHAUDHARY): (a) to (d) The Government has already approved a National Road Safety Policy. This Policy outlines various policy measures such as promoting awareness, establishing road safety information data base, encouraging safer road infrastructure including application of intelligent transport, enforcement of safety laws etc. The Policy envisages implementation of Road Safety activities through a dedicated agency, namely National Road Safety and Traffic Management Board.

The Ministry has also requested all States/UTs on 18.02.2010 for setting up of State Road Safety Council and District Road Safety Committees, if not already done, and to hold their meetings regularly so that the right message to curb the menace of Road Accidents reaches all concerned and due priority is given to road safety.

The National Road Safety Council (NRSC) is the apex body for road safety that advises on all matters pertaining to planning and coordination of policies and standards of safety in Road Transport Sector including formulation of road safety programmes for implementation by State Road Safety Organizations and suggesting areas for research and development to improve road safety aspects in Road Transport.

As per the deliberations in the last meeting of the National Road Safety Council, held on 25th March, 2011, the Ministry has formed five separate working groups on four E's of Road Safety viz. (i) Education (ii) Enforcement (iii) Engineering (roads as well as vehicles) and (iv) emergency care to lay out the macro and micro dimensions with potential solutions to road safety and to suggest short term and long term measures to curb road accidents in the country. NRSC will deliberate on the recommendations of the working groups after receipt of reports from all the five working groups. Based on the recommendations of these groups, a comprehensive Road Safety Plan will be prepared by the Ministry with the approval of NRSC.

Construction of ring road at Dhanbad

1956. MS. MABEL REBELLO: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the Ministry is aware of the fact that construction of the ring road at Dhanbad is proposed for implementation by NHAI under NHDP Phase VII;

(b) whether feasibility study undertaken by NHAI in February, 2009 has been finalized;

(c) whether PPPAC documents have been prepared and approval of PPPAC obtained;

(d) whether Chief Minister of Jharkhand wrote to the Minister on 28th October, 2010 and 28th May, 2011 and also met on 29th October, 2010 and 7th July, 2011 to request approval of the project; and

(e) if so, when does the Ministry proposes to invite bids for the aforementioned project?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) Yes Sir. The alignment of Dhanbad Ring Road is passing through many inhabited areas and the mining zone involving some active fire zones. The Central Institute of Mining & Fire Research (CIMFR) was entrusted the investigations and the study on the sustainability of routing the ring road through the mining & active fire zones. Based on the CIMFR report the alignment for the ring road has been finalized in June, 2011 in consultation with State Government, Jharia Coal mines, Bharat Cooking Coal Ltd. and CIMFR. The feasibility study is in progress.

(c) No Sir. The PPPAC document is to be prepared base on the feasibility study report.

(d) and (e) Yes Sir. Bids are to be invited after approval of the proposal by PPPAC.

Status of proposals from Andhra Pradesh

1957. SHRI NANDI YELLAIAH: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the current status of 128 proposals of Andhra Pradesh Government costing Rs. 1124.4 crore submitted to the Ministry under 'Economic Importance' in September, 2009 for approval;

(b) the reasons for delay in according approval to these proposals; and

(c) by when all these proposals are likely to be cleared and implemented?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) Under the Centrally Sponsored Scheme for State Roads of Economic Importance, 128 proposals costing Rs. 1124.11 crore were received from Government of Andhra Pradesh in September, 2009. These proposals were returned unapproved to the State Government on account of a very high bank of sanction already available to the State and meager availability of funds for Andhra Pradesh, amounting to Rs. 9.55 crore only, under this scheme, which was utilized to meet the expenditure on the already sanctioned ongoing works.

(c) Does not arise.

Process of electronic toll collection

1958. SHRI NAND KUMAR SAI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government has set up a Committee to carry forward the process of electronic toll collection in the country;

(b) if so, the details in this regard along with the terms of reference of the Committee;

(c) whether Government proposes to set up GSI based satellites imagery for planning and monitoring of National Highways in the country;

(d) if so, the details thereof and the salient features thereof; and

(e) the details of the progress so far made in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) Yes Sir.

(b) A Committee was constituted under the Chairmanship of Shri Nandan Nilekani, Chairman, Unique Identification Authority of India (UIDAI) to examine all technologies available for Electronic Toll Collection (ETC) and recommend the most suitable one for implementation

throughout India. The Committee submitted its Report on 02.07.2010 recommending adoption of Radio Frequency Identification (RFID). To implement the ETC an Apex Committee has been constituted. Terms of Reference of the Committee are:

- (i) To develop strategy for implementation of ETC in the country including planning, operational methodology, process design, system design, security function and performance requirements;
- (ii) To evolve and finalize standards for various components of ETC system;
- (iii) To evolve an institutional framework for implementation and operation of ETC;
- (iv) To oversee the implementation of the project by the designated agencies.
- (v) To consider issue of upgrading High Security Registration Plates (HSRP) by using RFID Technology.

(c) to (e) NHAI has envisaged a Pilot project of GIS based Satellite Imagery for Planning & Monitoring of National Highways for 1200 km covering Country's far flung areas. The modalities of such a pilot project are being worked out. However, timeframe for implementation of such pilot project cannot be predicted at this point of time.

Road safety awareness programme

1959. SHRI MANGLA KISAN: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the grants-in-aid proposed to be provided to the NGOs of the State of Orissa for conducting road safety awareness programmes; and

(b) the number of road safety equipments like crane, ambulance, interceptor, sound level meter etc. proposed to be provided to the State of Orissa for using in case of road accidents?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (DR. TUSHAR CHAUDHARY): (a) The scheme regarding grant-in-aid to NGOs for conducting road safety awareness programmes has been discontinued since 2009-10.

(b) Under the scheme "National Highways Accident Relief Service Scheme (NHARSS)", Ministry provides Basic Life Support (BLS) Ambulance,

10 Ton Cranes and Small Recovery Cranes

for hilly areas to all states/UTs including State of Orissa based on their proposals subject to availability of funds for the year.

Penalty to companies assigned works in Himachal Pradesh

1960. SHRIMATI VIPLOVE THAKUR: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the names of companies assigned work in Himachal Pradesh by National Highways Authority of India (NHAI);

(b) the procedure and mechanism of awarding such contracts;

(c) the names of companies listed as poor performers during the last three years and the current year; and

(d) the company-wise amount of penalty imposed and number of those against whom legal action has been initiated?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) So far no Highway project has been award to any company, in Himachal Pradesh, by NHAI.

(b) to (d) Do not arise.

Linking of roads with National Highways

1961. SHRIMATI VIPLOVE THAKUR: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be please to state:

(a) whether Government has received any proposal from State Government of Himachal Pradesh for linking the various roads with National Highways;

(b) if so, the details thereof along with the current status of the proposals;

(c) whether Government has given its sanction for linking these roads with National Highways; and

(d) if so, the details thereof along with the action Government has taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) No, Sir.

(b) to (d) Do not arise.

Conversion of State Highways into National Highways in Maharashtra

†1962. SHRI ISHWARLAL SHANKARLAL JAIN: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government is consider in willing to convert some State Highways of all the States of the country into National Highways;

(b) if so, whether Government has received any proposals from the State Government in this regard;

(c) if so, the State Highways of Maharashtra identified for this purpose and whether Government has started the process of selection for these State Highways; and

(d) the length of existing district level roads, rural roads and other roads in the country?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) to (c) Yes, Sir. Expansion of National Highway network is a continuous process and declaration of new National Highway is taken up from time to time depending upon, requirement of connectivity, *inter-se* priority and availability of funds. The Government has received proposals from various State Government including that of Maharashtra for conversion of more than 60,000 Kms of State Highways into National Highways.

(d) The length of existing roads under categories 'Other PWD Roads', 'Rural Roads' and 'Other Roads' as on 31.8.2008 are as follows:

Category of Road	Road length (in Kms.) as on 31st March, 2008
Other PWD Roads included District Roads	8,63,241
Rural Roads included Panchyat Raj Roads and roads constructed under Jawahar Rozgar Yojana (JRY) as on 31.03.1996 and roads constructed under Pradhan Mantri Gram Sadak Yojana (PMGSY) since 2000.	24,50,559
Other roads included Urban Roads & Project Roads.	5,74,516

†Original notice of the question was received in Hindi.

**Proposals to convert State Highways into
National Highways**

1963. SHRI SABIR ALI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that some State Highways are proposed to be made National Highways;

(b) whether some States have also made request to Government in this behalf; and

(c) if so, the details of the State Highways proposed to be converted in the National Highways and how much expenditure is likely to be incurred in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) to (c) Yes, Sir. The Government has received various proposals from State Governments for declaration of more than 60,000 Kms of state roads as National Highways. Expansion of National Highway network is a continuous process and declaration of new National Highway is taken up from time to time depending upon, requirement of connectivity, *inter-se* priority and availability of funds.

Cancellation of bids for road development

1964. SHRI GOVINDRAO ADIK: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the specific reasons for the sudden decision for the cancellation of financial and technical bids for road development recently by the National Highway Authority of India;

(b) the number and details of such projects; and

(c) by when these projects will be reopened for the bids?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) to (c)

List of projects for which bids were cancelled recently:

Sl. No.	Name of project	Stage of cancellation	Reasons for cancellation
1	2	3	4
1	<p>Four laning of Bilaspur Ner Chowk section of NH-21 (from km. 134.500 to km. 186.500) in the State of Himachal Pradesh to be executed as BOT (Toll) project on Design Build Finance Operate and Transfer (DBFOT) pattern under NHDP Phase IV B.</p>	Request for Qualification (RFQ)	<p>Based on the discussion held in the Ministry the section was combined with Kiratpur-Bilaspur stretch. Accordingly Request For Qualification (RFQ) invited the stretch of Bilaspur-Ner Chowk section was Fresh RFQ for the combined section i.e. Kiratpur-Ner Chowk has been invited.</p>
2	<p>Two laning of Chhapra-Rewaghat-Muzaffarpur section of NH-102 from km. 0.0 to km. 74.200 in the State of Bihar under NHDP Phase-IVB through Public Private Partnership (PPP) on DBFOT Toll basis</p>	RFQ	<p>RFQ process was cancelled as the project is to be implemented by the State Government.</p>
3	<p>Two laning with paved shoulders of Ekangarsarai-Jehanabad-Arwal section from km. 34.800 to km. 93.558 of NH-110 to be executed as BOT (Toll) project on DBFOT pattern under NHDP Phase IV.</p>	RFQ	<p>RFQ process was cancelled as the project is to be implemented by the State Government.</p>

1	2	3	4
4	Four laning of Parwanoo Solan (Annuity) section of NH-22 from km. 67.000 Government to km. 106.000 in the State of Himachal Pradesh on DBFOT (Annuity) basis.	RFP	The bids for the project were invited on BOT basis in December 2010. Subsequently State requested some modification in the alignment and accordingly bidding process was cancelled.
5	Balance work of construction of 4 lane road from km. 165.400 to km. 190.587 of Jatinga junction to Harangajo section of NH-54 in the State of Assam	Balance work	The bid for the lowest bidder was considered as non- responsive and cancelled. Bids have already been re- invited.
6	Balance work of construction of 4 lane road for km. 140.700 to km. 164.080 of Nrimbanglo to Jatinga junction section of NH-54 in the State of Assam	Balance work	The bid of the lowest bidder was considered as non- responsive and cancelled. Bids have already been re- invited.
7	Two laning with paved shoulder of Biaora-MP/Rajasthan Border on NH-12 in from km. 2.600 to km. 67.000 in the State of Madhya Pradesh on BOT (Annuity) basis under DBFOT pattern project	RFQ	The project was not viable on BOT (Toll) basis and accordingly the RFQ was called for on BOT (Annuity) the month of September 2010. The project was not approved on BOT (Annuity) and was cancelled in the month of March, 2011.
8	Construction of new bridges repair/ rehabilitation of existing bridges and construction of protection work from km. 0.000 to km. 119.100 (Baleshwar-	Item rate	Bids were invited on EPC basis. The project was not approved on EPC basis and accordingly the bids were cancelled. The project has been prepared on PPP mode and PPPAC proposal for the project has been prepared

Kharagpur section) of NH-60 in the
State of Orissa and West Bengal

for approval.

National Road Safety and Traffic Management Board

1965. SHRI RAMDAS AGARWAL: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the number of road accidents on National Highways (NHs) is increasing day-by-day in the country resulting in death of more than 1.3 lakh people every year;

(b) if so, the reasons therefor indicating number of people who died on Indian roads during last three years, year-wise;

(c) whether it is also a fact that under the National Highway Relief Service Schemes, Government had not spent a single penny in 2009-10 against allocation of Rs.29.49 crore; and

(d) by when National Road Safety and Traffic Management Board would be set up to look into this problem?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (DR. TUSHAR CHAUDHARY): (a) The number of road accidents and number of persons killed on National Highways (including Expressways) during 2007 to 2009 (the latest available data) is given below:

Year	No. of Road Accidents on National Highways	No. of persons killed on National Highways
2007	138922	40612
2008	137995	42670
2009	142511	45222

(b) Road accidents are caused due to a number of factors such as driver's fault, mechanical defects in the vehicles, fault of pedestrians, bad roads, bad weather, cattle, increase in population, vehicular population, heterogeneous traffic, fallen trees etc. The details of number of persons killed in road accidents on all roads during 2007 to 2009 (the latest available data) is given below:

Year	Total No. of persons killed
2007	114444
2008	119860
2009	125660

(c) Under National Highway Accident Relief Service Scheme (NHARSS) Ten Ton Cranes, Small Recovery Cranes for Hilly Areas and Ambulances are procured and supplied to State Governments/UTs. The Ministry after finalization of tenders had already given work orders for Ten Ton Crane and Small Recovery Cranes for hilly areas but the selected firms could not deliver them before closure of the financial year. The funds earmarked for ambulances could not be utilized as the tender for purchase of ambulances was discharged due to poor response. Therefore, the allocated amount could not be utilized during the year 2009-2010.

(d) No specific time limit has been laid down for setting up of National Road Safety and Traffic Management Board.

Feasibility study on Vadodara-Mumbai Expressway

1966. SHRI KANJIBHAI PATEL: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) by when the feasibility study of Vadodara-Mumbai Expressway was to be completed;

(b) whether there has been any delay; if so, the reasons therefor; and

(c) in case of delay in feasibility study whether Government intends to compress the various activities so as to achieve the completion of the project by the scheduled date i.e. December, 2015?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) Feasibility study of Vadodara-Mumbai Expressway was to be completed by October, 2009. However, there has been delay in completion of feasibility study mainly due to addition of an extra length of about 94 km. as spur to Vadodara-Mumbai Expressway for suitable connectivity to NH-4 & Jawaharlal Nehru Port Trust within outer Mumbai region in the state of Maharashtra and finalization of alignment of spur by an inter-departmental committee constituted by the Government of Maharashtra. Feasibility study of Vadodara-Mumbai Expressway including spur alignment has now been completed.

(c) It has been decided further to carry out the preparation of Detailed Project Report (DPR), for the entire project, including spur for its implementation on Public Private Partnership (PPP) mode.

Six laning of Ahmedabad-Bamanbore section

1967. SHRI KANJIBHAI PATEL: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government has received any proposal for six laning of Ahmedabad-Bamanbore section of NH-8A from State Government of Gujarat at the cost of State Government of Gujarat and recovery through toll tax;

(b) if so, whether Union Government intends to approve the same; and

(c) if so, by when and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) Yes, Sir.

(b) and (c) The proposal received from the State Government has been examined and certain information has been called for from the State Government.

Blueprint to award 100 NHAI projects

1968. SHRI M.V. MYSURA REDDY: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that the Ministry has prepared a blueprint to award 100 NHAI projects in 2011-12;

(b) if so, the details of the blueprint and projects that are going to be awarded in Andhra Pradesh during the current year; and

(c) the details of completion of each of the above projects, with a particular reference to Andhra Pradesh?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) No, Sir. However, National Highways Authority of India (NHAI) has targeted award of 60 projects in 2011-12, details of which are given in Statement (See below).

(c) As the projects are targeted for award during 2011-12 it is too early to specify any completion date.

Statement

Blueprint to award 100 NHAI project'

Projects to be awarded in FY 2011-12

Sl.No.	NH No.	Project Name	State	Length	NHDP (km)
		Phase			
1	2	3	4	5	6
1	8	Ahmedabad-Vadodara	Gujarat	102	V
2	12	Kota-TeenDhar (Jhalwar)	Rajasthan	88	III
3	14	Beawar-Pali-Pindwara	Rajasthan	244	III
4	6	Nagpur-Wainganga Bridge	Maharashtra	45	III
5	47	Walayar-Vadakancherry	Kerala	54	II
6	215	Panikoili-Rimuli	Orissa	163	III
7	71	Rohtak-Jind	Haryana	46	III
8	66	Tindivanam-Krishnagiri	Tamil Nadu	178	III
9	2	Barwa Adda-Panagarh	West Bengal	122	V
10	7	Jabalpur-Lakhnadon	Madhya Pradesh	74	IV
11	3	Shivpuri-Dewas	Madhya Pradesh	330	IV
12	3	Gwalior-Shivpuri	Madhya Pradesh	125	IV
13	4	Walahjpet-Poonamallee	Tamil Nadu	92	V
14	NE-II	Eastern Peripheral Expressway		UP/Haryana	135
		Others			
15	44	Jowai-Meghalaya/ Assam Border	Assam	102	III
16	9	Vijayawada-Machhlipattnam	Andhra Pradesh	64.6	III
17	30 & 84	Patna-Buxar	Bihar	125	III
18	6	Aurang-Saraipally-Orissa	Chhattisgarh	150	IV
19	235	Meerut-Bulandshahar	Uttar Pradesh	63	IV

1	2	3	4	5	6
20	7	Jabalpur-Katani-Rewa	Madhya Pradesh	210	IV
21	8, 79A	Kishangarh-Udaipur-Ahmedabad	Rajasthan/Gujarat	556	V
22	87	Rampur-Kathgodam	Uttarakhand	93	III
23	93	Moradabad-Aligarh	Uttar Pradesh	145	IV
24	23	Birmitrapur-Barkote	Orissa	128	IV
25	71	Punjab/Haryana Border-Jind	Haryana	70	IV
26	63	Hospet-Bellary-KNT/AP Border	Karnataka	95	IV
27	9	Solapur-Mah/KNT Border	Maharashtra	126	IV
28	42	Angul-Sambalpur	Orissa	153	IV
29	28	Muzaffarpur-Barauni	Bihar	107	IV
30	21	Bilaspur-Ner Chowk	Himachal Pradesh	54	IV
31	2	Etawah-Chakeri	Uttar Pradesh	157	V
32	5	Vijayawada-Elluru-Gundugolanu	Andhra Pradesh	103.59	V
33	2	Agra-Etawah Bypass	Uttar Pradesh	125	V
34	73	Haryana/Uttar Pradesh Border-Yamunanagar-Barwala-Panchkula	Haryana	104	III
35	13	Hospet-Chitradurga	Karnataka	120	IV
36	9	Mah/KNT Border-Sangareddy	Karnataka	145	IV
37	42	Cuttak-Angul	Orissa	112	IV
38	200	Raipur-Bilaspur	Chhattisgarh	127	IV
39	56	Lucknow-Sultanpur	Uttar Pradesh	124	IV
40	5A	Chandikhole-Dubari-Talcher	Orissa	77	V

1	2	3	4	5	6
41	60	Kharagpur-Baleswar	Orissa	119	V
42	49	Madurai-Parmakudi- Ramanathapuram	Tamil Nadu	116	III
43	10	Rohtak-Hissar	Haryana	100	III
44	31	Khagaria-Bakhtiyarpur	Bihar	120	III
45	13	Solapur-Mah/KNT Border-Bijapur	Maharashtra	100	III
46	56	Varanasi-Sultanpur	Uttar Pradesh	142	IV
47	6	Amravati-Dhule- Gujarat Border	Maharashtra	480	IV
48	45C	Vikravandi-Kumbakonam- Thanajavur	Tamil Nadu	165	IV
49	6 & 33	Mahulia-Bahargora	Jharkhand	150	IV
50	200	Chandikhole-Paradeep	Orissa	133	III
51	17	Kundapur-KNT/Goa Border	Karnataka	192	IV
52	207	Hoskote-Dobespet	Karnataka	89	IV
53	95	Ludhiana-Chandigarh	Punjab	-	V
54	5	Rajahmundry-Gundugulanu	Andhra Pradesh	128	V
55	2	Chakeri-Allahabad	Uttar Pradesh	150	V
56	2	Allahabad Bypass-Varanasi	Uttar Pradesh	160	V
57	5	Anandpuram- Vishakhapatnam-Anakapalli	Andhra Pradesh	59	V
58	4	Mulbagal-Karnataka/AP Border	Karnataka	22	III
59	67	Coimbatore-Mettupalayam	Tamil Nadu	54	III
60	2	Aurangabad-Barwa Adda	Bihar	220	V

Disruption of National Highways due to civil agitations

1969. SHRI RAJIV PRATAP RUDY: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether there have been cases wherein National Highways have been disrupted due to civil agitations;

(b) the details thereof;

(c) the action taken by Government to avoid such incidents;

(d) whether Government has calculated losses to Government exchequer due to civil and public agitations; and

(e) the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) Yes, Sir. Instances of disruption of traffic on National Highways (NHs) have occurred due to civil and public agitations. However, the details in this regard are not being maintained by this Ministry.

(c) to (e) Do not arise.

Advantages of inland waterways modes of transport

1970. SHRI MOINUL HASSAN: Will the Minister of SHIPPING be pleased to state:

(a) whether inland waterways provide enormous advantages as compared to other modes of transport, such as cheaper capital and maintenance costs, greater fuel efficiency and easier integration with sea transport;

(b) whether despite India's 14,500 kilometers of navigable rivers and canals the inland water transportation remain largely undeveloped and neglected; and

(c) if so, reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING (SHRI MUKUL ROY):
(a) Yes, Sir.

(b) to (c) Over a long period, investment made in preservation and development of inland water transport infrastructure in the country was very small in comparison with the investments made to develop roads and railways. As a result, the inland water transport mode lost its importance in

most parts of the country except in a few areas where it enjoys natural advantage such as Assam, Goa, Kerala, West Bengal etc. Development of inland waterways is within the purview of the respective State Governments. The development and regulation of only those waterways which are declared as National Waterways come under the purview of Union Government.

Upto 1986, there was no proper organization at the Central Government to develop this mode. The Inland Waterways Authority of India (IWAI) was set up in 1986 by an Act of Parliament for development and regulation of inland waterways of the country. Since then the systematic development of potential waterways of the country started and three National Waterways were declared in 1986, 1988 and 1993. Thereafter, significant level of inland water transport infrastructure has been developed by IWAI on these National Waterways 1, 2 and 3. Two more waterways have been declared as National Waterways in November, 2008 but since no funds were allocated during 11th Plan, development works thereon have not started so far.

Welfare scheme for seafarers

1971. SHRI NAND KUMAR SAI: Will the Minister of SHIPPING be pleased to state:

(a) whether Government proposes to strengthen the welfare schemes for seafarers in the country;

(b) if so, the details thereof;

(c) whether Government has made consultations with various stakeholders before finalization of welfare schemes;

(d) if so, the details thereof; and

(e) the time by which Government proposes to finalize such welfare schemes for seafarers in the country?

THE MINISTER OF SHIPPING (SHRI G. K. VASAN): (a) and (b) Yes, Sir. The following measures for welfare of seafarers are under consideration:

(i) The Monthly Ex-gratia Monetary Assistance (MEMA) Scheme operated by the Seamen's Welfare Fund Society (SWFS) is proposed to be reinforced.

(ii) Introduction of a contributory Annuity Scheme for the seafarers.

(c) to (e) Yes, Sir. The proposed welfare schemes for the seafarers have been discussed with the stakeholders in the meetings of the National Welfare Board of Seafarers (NWBS) and are being finalized.

Ship hijacked by Somalian pirates

†1972. SHRI RANJITSINH VIJAYSINH MOHITE PATIL: Will the Minister of SHIPPING be pleased to state:

(a) whether Somalian pirates had hijacked a Panama bound ship on 28 September, 2010 and all the fifteen crew members onboard were Indians;

(b) whether the pirates had released 8 crew members out of those 15 Indian crew members;

(c) whether the Somalian Government has now appealed to the pirates to release the remaining 7 Indian hostages; and

(d) if so, the details thereof?

THE MINISTER OF SHIPPING (SHRI G. K. VASAN): (a) Yes, Sir.

(b) Yes, Sir.

(c) No, Sir.

(d) Does not arise.

Piracy at sea

1973. SHRI N. BALAGANGA: Will the Minister of SHIPPING be pleased to state:

(a) whether piracy at sea is on the increase in the recent past;

(b) if so, the details thereof including the number of such attacks during the last two years and this year, year-wise; and

(c) the action taken by Government to prevent such attacks and free the hostages held so far?

THE MINISTER OF SHIPPING (SHRI G. K. VASAN): (a) Yes, Sir.

(b) Details of Ships hijacked/attacked where Indian seafarers were serving as crew members during last two years and the current year is as under:

†Original notice of the question was received in Hindi.

Year	Ships	Mechanized Sailing Vessels (MSV)
2009	7	4
2010	11	10
2011	4	5
Total	22	19

(c) The Government has initiated various preventive/mitigating security measures that are as follows:

- (i) An Inter-Ministerial Group of Officers (IMGO) has been set up to deal with hostage situation arising out of the hijacking of merchant vessels with Indian crew on board.
- (ii) Issuance of Notices by Director General of Shipping detailing elaborate anti-piracy measures (Best Management Practices) including safe house/citadel.
- (iii) Banning of sailing vessels to ply in waters south or west of the line joining Salalah and Male.
- (iv) Naval escort provided by Indian Naval Ships in Gulf of Aden.
- (v) Enhanced vigil by Indian Navy in Indian Exclusive Economic Zone (EEZ) and westward up to 65 degree east longitude.

Dumping of toxic waste by ships

1974. SHRI Y.S. CHOWDARY: Will the Minister of SHIPPING be pleased to state:

- (a) whether ship Probo Koala containing tons of hazardous asbestos, after being banned by Bangladesh, headed to India;
- (b) if so, the details thereof;
- (c) whether it is a fact that India is becoming the dumping ground for toxic waste belonging to ships endangering the human lives and environment; and
- (d) if so, the action proposed to be taken?

THE MINISTER OF SHIPPING (SHRI G. K. VASAN): (a) and (b) Ship Probo Koala has not visited the Indian shore as per the information received from the various ports and Mercantile Marine Departments as on 10.08.2011.

(c) and (d) No, Sir.

Cargo handling capacity of Indian ports

1975. DR. JANARDHAN WAGHMARE: Will the Minister of SHIPPING be pleased to state:

(a) whether Indian port cargo handling capacity, connectivity and processes still lag behind the global standards;

(b) if so, the reasons therefor; and

(c) the steps taken by the Government to improve the performance of Indian ports?

THE MINISTER OF SHIPPING (SHRI G. K. VASAN): (a) No, Sir.

(b) Does not arise.

(c) The steps taken by the Government to improve the performance of Indian ports are (i) Capacity expansion by Dredging (ii) Construction of Berths (iii) Mechanization of ports (iv) improving connectivity.

Attack on Indian ships

1976. SHRI M.V. MYSURA REDDY: Will the Minister of SHIPPPNG be pleased to state:

(a) whether it is not a fact that shipping industry is hard-hit by pirates during the last few years;

(b) the details of Indian ships attacked or taken into their custody by pirates during the last five years, year-wise;

(c) whether it is a fact that Government is planning to enact anti-piracy law to protect shippers; and

(d) if so, the details thereof?

THE MINISTER OF SHIPPING (SHRI G. K. VASAN): (a) Yes, Sir. It is a fact that shipping industry is hard hit by pirates during the last few years.

(b) No Indian Merchant Ship has been hijacked so far, except Mechanized Sailing Vessels (MSVs). The details of Indian ships/MSV as per records available attacked or hijacked by sea-pirates during each of the last three years and the current year is as under:

Year	Indian ships		Indian Flag
	attacked	Mechanized Sailing Vessels (MSV)	
2008 (w.e.f. 21.08.2008)	1		1
2009	4		4
2010	3		9
2011	Nil		3
TOTAL	8		17

(c) and (d) Yes, Sir. India does not have a separate domestic legislation on piracy. It has been decided by the Government to prepare a comprehensive domestic legislation on piracy through an inter-ministerial consultation exercise involving Ministries of External Affairs, Defence, Shipping, Home Affairs and Law and Justice, Directorate General of Shipping, Indian Navy and the Coast Guard.

Pirates attack on Indian ships

1977. SHRI RAJIV PRATAP RUDY: Will the Minister of SHIPPING be pleased to state:

(a) whether it is a fact that there has been several cases of pirate attacks on Indian ships or ships with Indian men on board in the past one year;

(b) if so, the details thereof;

(c) the steps taken by Government to ensure the safety of our ships and sailors;

(d) Government's understanding of these pirate attacks, whether it is specifically targeted against Indian ships;

(e) whether Government is considering global co-ordination to combat the pirate menace; and

(f) the details thereof?

THE MINISTER OF SHIPPING (SHRI G. K. VASAN): (a) and (b) Yes, Sir. Though some Indian merchant ships have been attacked, but no Indian Ship has been hijacked so far by Somali pirates. However foreign flag ships have been hijacked with Indian seafarers serving as crew members. The details of ships attacked or hijacked by sea-pirates during last year and

the current year is as under:

Year	Indian ships attacked/ hijacked	Foreign Flag ships attacked/hijacked/ with Indian Seafarers
2010	3	8
2011	Nil	4
TOTAL	3	12

In addition 10 Mechanized Sailing Vessels (MSVs) were hijacked in 2010 and 5 MSVs in the current year.

(c) The Government has initiated various preventive/mitigating security measures as follows:

- (i) An Inter-Ministerial Group of Officers (IMGO) has been set up to deal with hostage situation arising out of the hijacking of merchant vessels with Indian crew on board.
- (ii) Issuance of Notices by Director General of Shipping detailing elaborate anti-piracy measures (Best Management Practices) including safe house/citadel.
- (iii) Banning of sailing vessels to ply in waters south or west of the line joining Salalah and Male.
- (iv) Naval escort provided by Indian Naval Ships in Gulf of Aden.
- (v) Enhanced vigil by Indian Navy in Indian Exclusive Economic Zone (EEZ) and westward up to 65 degree east longitude.

(d) No such indications targeting Indian Ships have been noted by the Government.

(e) and (f) Yes, Sir. India is participating in the Contact Group of Piracy off the Coast of Somalia (CGPCS) meetings, which is a United Nation (UN) initiative, to address the piracy related concerns. Since its inception, the Government have actively participated in all efforts of the CGPCS to share information, coordinate actions of its navies, raise public and merchant marine awareness of the risks of piracy and examine legal and criminal justice issues with respect to the apprehended pirates. India has successfully brought to the attention of the CGPCS the importance of the welfare of the hostages and their families and the responsibilities of the ship owners, both during a piracy situation as well as after the hostages have been released.

Welfare of differently abled persons

†1978. SHRI BHAGAT SINGH KOSHYARI: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Government is providing financial assistance to rehabilitation centres for the welfare of differently abled persons in the country;

(b) if so, total assistance provided to State Governments in the last three years, year-wise;

(c) whether Government is also planning to provide financial support to the urban and rural local bodies to curb consumption of liquor and drugs in the country; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) Yes, Sir.

(b) During 2008-09, 2009-10 and 2010-11, an amount of Rs.106.59 lakhs, Rs.201.08 lakhs and Rs.596.03 lakhs respectively has been provided to the State Governments for running District Disability Rehabilitation Centres (DDRCs).

(c) and (d) Under the Ministry's Scheme of "Prevention of Alcoholism and Substance (Drug) Abuse and for Social Defence Services", Panchayati Raj Institutions and Urban Local Bodies are already eligible for financial assistance, provided they send an appropriate proposal in this regard.

Cases of dalit harassment

†1979. SHRI AVTAR SINGH KARIMPURI: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the number of cases of dalit harassment (SCs/STs) reported during the past ten years; and

(b) the details thereof, State-wise and year-wise?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) and (b) As per the data provided by the National Crime Records Bureau, Ministry of Home Affairs, the number of cases of offences of atrocities against members of Scheduled Castes (SCs)/ Scheduled Tribes (STs), registered by Police under the SCs and the

STs (Prevention of Atrocities) Act, 1989, during 2001 to 2009, was 3,18,661. Data for 2010 is not available.

State and year-wise details are given in the statement.

†Original notice of the question was received in Hindi.

Statement

States/Union Territories wise number of cases of offence of atrocities on members of Scheduled Castes and Scheduled Tribes, registered under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, during the years 2001 to 2009.

Sl.No. States/UTs Tribes, during		Registered cases of offence of atrocities on members of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the years:								
		2001	2002	2003	2004	2005	2006	2007	2008	2009
1	2	3	4	5	6	7	8	9	10	11
1.	Andhra Pradesh	3107	3412	3944	3749	3571	4579	4011	4620	5293
2.	Arunachal Pradesh	72	87	66	75	56	27	32	63	21
3.	Assam	6	86	86	32	498	526	174	234	9
4.	Bihar	1261	1491	1711	2593	1811	2097	2851	3716	3903
5.	Chhattisgarh	984	926	1483	1374	950	1027	1126	1214	1017
6.	Goa	1	2	2	0	3	4	0	5	3
7.	Gujarat	1532	1703	1399	1545	1538	1155	1194	1450	1375
8.	Haryana	228	248	195	217	288	283	227	339	303
9.	Himachal Pradesh	110	90	118	98	60	107	89	68	88
10.	Jharkhand	440	249	184	249	592	620	806	829	813
11.	Karnataka	1790	1926	1938	1777	1913	1918	2032	2743	2436
12.	Kerala	582	626	504	517	427	439	565	625	569
13.	Madhya Pradesh	5744	9716	7285	6365	5970	5711	5607	4036	4175
14.	Maharashtra	802	829	871	920	1057	1284	1385	1440	1296
15.	Manipur	0	0	4	0	0	26	1	1	0

16. Meghalaya	0	2	0	0	0	0	0	0	0
---------------	---	---	---	---	---	---	---	---	---

1	2	3	4	5	6	7	8	9	10	11
17.	Mizoram	11	41	0	0	0	0	0	0	0
18.	Nagaland	311	388	290	0	0	114	0	0	0
19.	Orissa	2452	1672	1641	1917	2041	1502	1749	2344	2261
20.	Punjab	133	129	126	134	139	184	177	101	108
21.	Rajasthan	5915	5464	5241	5391	4657	4877	5284	5340	6168
22.	Sikkim	12	11	13	48	29	2	22	29	30
23.	Tamil Nadu	2323	2095	1360	1112	1207	931	1754	1629	1332
24.	Tripura	2	0	0	1	50	23	14	18	34
25.	Uttar Pradesh	10974	7866	2816	3755	4375	4838	6140	7969	7465
26.	Uttarakhand	186	102	134	140	100	69	72	42	: 58
27.	West Bengal	12	16	8	23	24	20	7	36	37
28.	A & N Islands	1	1	1	1	2	17	1	3	2
29.	Chandigarh	3	0	1	0	0	2	0	2	0
30.	D & N Haveli	6	3	23	4	4	3	3	11	17
31.	Daman & Diu	0	0	1	1	2	1	3	0	2
32.	Delhi	17	15	13	4	21	21	24	34	31
33.	Lakshadweep	0	1	0	0	0	0	1	0	0
34.	Puducherry	0	0	6	3	2	0	1	2	3
TOTAL		39017	39197	31464	32045	31387	32407	35352	38943	38849

Source: National Crime Records Bureau, Ministry of Home Affairs

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

Cases registered by Commission

†1980. SHRI AVTAR SINGH KARIMPURI: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the number of cases registered in Commission for Scheduled Castes during past ten years;

(b) the number of cases out of these where the said Commission has actually visited the sites; and

(c) the State-wise and year-wise details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) As per information furnished by the National Commission for Scheduled Castes (NCSC) the number of cases registered by it, during past ten years 2001-2010). is 66,250.

(b) NCSC has undertaken 1,874 visits.

(c) Details are given in statement.

†Original notice of the question was received in Hindi.

Statement

"Registered Cases by Commission"

Sl.No.	Name of the State/ UT	2001		2002		2003		2004		2005		2006		2007		2008		2009		2010	
		No. of Cases	No. of Visits	No. of Cases	No. of Visits	No. of Cases	No. of Visits	No. of Cases	No. of Visits	No. of Cases	No. of Visits	No. of Cases	No. of Visits	No. of Cases	No. of Visits	No. of Cases	No. of Visits	No. of Cases	No. of Visits	No. of Cases	No. of Visits
		perfor-	med	perfor-	med	perfor-	med	perfor-	med	perfor-	med	perfor-	med	perfor-	med	perfor-	med	perfor-	med	perfor-	med
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
1	Orissa	-	-	-	-	-	-	-	72	13	64	10	74	17	57	12	109	12	108	18	
2	West Bengal	122	22	142	20	114	14	87	14	99	20	94	16	91	16	86	18	97	20	133	20
3	U.P. & Uttrakhand	659	5	1220	9	1327	7	1021	1	1434	7	624	3	800	6	916	4	917	2	1064	6
4	Maharashtra & Goa	204	13	214	23	263	24	323	23	262	21	233	39	188	38	206	34	169	37	276	57
5	Kerala & Lakshadweep	239	6	315	8	187	10	166	11	189	19	147	20	168	17	167	19	197	16	185	33

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
6	Karnataka	181	26	284	25	297	16	324	15	205	16	237	12	226	6	224	4	215	7	278	8
7	Tamil Nadu & UT of Puducherry	887	50	962	49	1177	37	1203	47	1473	19	514	10	1027	13	1208	25	1240	22	1404	27
8	Bihar	284	6	260	3	191	5	451	10	340	5	386	2	475	4	448	4	482	9	405	-
9	Jharkhand	-	-	-	-	-	-	-	-	25	2	26	-	23	-	30	-	57	-	33	-
10	Andhra Pradesh, Madhya Pradesh & Chhattisgarh	348	29	513	26	586	41	452	38	547	62	480	54	561	68	721	85	611	63	1365	45
11	Arunachal Pradesh	1	-	-	-	-	-	1	-	-	-	1	-	-	-	1	-	-	-	-	-
12	Assam	59	-	45	-	61	-	72	-	63	-	69	-	75	-	66	-	79	-	84	-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
13	Manipur	2	-	1	-	-	-	2	-	-	-	-	-	2	-	1	-	2	-	1	-
14	Meghalaya	-	-	1	-	-	-	1	-	-	-	1	-	-	-	-	-	1	-	1	-
15	Mizoram	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16	Nagaland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
17	Gujarat	194	6	250	4	211	5	84	3	65	2	34	-	27	-	22	1	29	3	38	2
18	Dadra & Nagar Haveli	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
19	Daman & Diu	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
20	Rajasthan	-	-	-	-	-	-	-	-	13	-	2	-	32	1	48	2	76	4	73	6
21	Punjab	252	-	244	1	356	1	440	1	229	-	229	-	53	-	139	-	136	1	132	-
22	Haryana	181	-	234	3	235	4	428	2	376	5	267	1	205	-	109	1	174	-	209	-
23	Himachal Pradesh	66	-	92	-	52	-	84	3	45	-	78	-	60	-	55	-	35	-	30	-
24	J&K	31	-	88	-	150	-	24	-	20	-	15	-	6	-	7	-	88	-	10	-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
25	UT Admn. of Chandigarh	50	-	55	-	82	-	45	-	30	-	70	-	33	-	30	-	30	-	32	-
26	Tripura	18	1	19	3	20	2	23	1	27	2	20	1	26	3	21	1	25	2	23	3
27	NCSC Hqrs. New Delhi *	-	-	-	-	-	-	1467	-	2077	1	2475	-	2188	3	2403	6	1778	4	6130	4
TOTAL:		3779	164	4940	174	5310	166	6698	169	7591	194	6066	168	6340	192	6965	216	6547	202	12014	229

Note: Sikkim and Andaman and Nicobar Islands - Nil information.

* These cases pertain to various States.

Splitting of OBC quota

1981. SHRI Y.S. CHOWDARY: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether it is a fact that Government is considering to split 27 per cent OBC quota among different backward caste groups; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) At present there is no such proposal.

(b) Does not arise.

Awareness about schemes for SC/OBCs

1982. PROF. ANIL KUMAR SAHANI: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether there is general ignorance and lack of awareness among the citizens about the educational empowerment and scholarship schemes formulated for them by Government;

(b) whether the people in the interior villages of many States are not aware of the Babu Jagjivan Chhatravas Yojana for SC/OBC boys and girls, Top Class Education Scheme, National Overseas Scholarship Scheme etc.; and

(c) if so, measures taken to give wide publicity to all these schemes so that the benefits of these schemes could accrue to those sections of society for whom these are meant for?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) to (c) Various steps are taken by the Ministry to disseminate information about its Schemes to its target groups. It includes:

(i) Advertisements in the newspapers for:

(a) spreading information about various schemes of the Ministry;

(b) inviting applications from the eligible students under the Scheme of "National Overseas Scholarship for SC etc. candidates";

(c) inviting applications from the implementing agencies under

the

Scheme of "Free Coaching for SC and OBC students";

(ii) placing the information about the Schemes on the website of the Ministry; and

(iii) broadcasting the requisite information through Ministry's weekly Radio Programme "Sanwanti jayein jeewan ki raahein".

Centrally-sponsored schemes e.g. Post Matric Scholarship Scheme for SC students, Pre-Matric Scholarship Scheme for the Children of those Engaged in 'Unclean' Occupations and Babu Jagjivan Ram Chhatravas Yojana for SC students are implemented through the State Governments/UT administrations, who are also expected to give wide publicity to these schemes.

Gorkha communities in OBC

†1983. SHRI SAMAN PATHAK: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether it is a fact that the Gorkha Communities, living permanently in Uttarakhand, have been included in the Central list of OBC;

(b) if so, the details thereof;

(c) whether Brahmins and Khattris have also been included in the central list of OBC under Gorkha Community on the recommendation of the State Government of Uttarakhand;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) and (b) Yes, Sir. Gorkha Community of Uttarakhand has been notified, by the Government of India on 16.06.2011 at Entry No. 2 in the Central List of OBCs for the State of Uttarakhand as "Gorkha (excluding Brahmins and Kshatriya)".

(c) No, Sir.

(d) Does not arise.

(e) Castes/communities are ordinarily included in the Central List of OBCs on the advice of National Commission for Backward Classes. No advice for inclusion of Brahmins and Khattris under Gorkha community for Uttarakhand, has been received.

†Original notice of the question was received in Hindi.

Concession to mentally challenged

1984. SHRI SHIVANAND TIWARI: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether few States grant concession to mentally challenged persons for travelling in their buses along with escorts;

(b) whether Government proposes to direct all States/UTs to grant concession to the mentally challenged persons; and

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

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) to (c) "Relief of the disabled" figures at S. No. 9 in "List II" ("State List") in the Seventh Schedule of the Constitution. Hence, granting of concessions to various categories of persons with disabilities for travel in buses falls within the purview of the concerned State Governments.

Sardar Sarovar project

1985. SHRI NATUJI HALAJI THAKOR: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether any corrective measures has been taken by the Ministry to call for the report on the Resettlement and Rehabilitation (R&R) works relating to the Sardar Sarovar project in Maharashtra;

(b) if so, the details thereof; and

(c) the next schedule of meeting of the R&R sub group of Narmada Control Authority (NCA) being convened by the Secretary, Ministry of Social Justice and Empowerment?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) and (b) The Secretary, Ministry of Social Justice and Empowerment, in his capacity as the Chairperson of the R&R Sub-Group of Narmada Control Authority, wrote to the Government of Maharashtra on 25.2.2011, 20.6.2011 and 14.7.2011 for early completion of Resettlement and Rehabilitation (R&R) work (i) by way of allotment of one hectare additional land to major sons of Project Affected Families (PAFs) at the present dam height of EL 121.92 metres, and (ii) in respect of declared PAFs remaining for R&R: between present dam height and the Full Reservoir Level.

(c) Next meeting of the R&R Sub-Group has not yet been fixed.

Guidelines for SCP and TSP

1986. SHRI PRAVEEN RASHTRAPAL: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the reasons why various Central Ministries have not implemented the guidelines of Planning Commission on the allocation of Special Component Plan (SCP) and Tribal Sub-Plan (TSP) on the basis of population of SC/ST; and

(b) the action being taken by the Ministry to see that SC/ST do receive their due share for socio-economic development?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) and (b) Upto the year 2010-11, the funds allocated by Central Ministries/Deptts. for Schemes incorporating provisions that were substantially meant for the welfare of Scheduled Castes and Scheduled Tribes, were only being reflected in the Statement 21 of Expenditure Budget, Vol.1. However, in the absence of separate earmarking and budgeting of funds under Scheduled Castes Sub-Plan (SCSP) and Tribal Sub-Plan (TSP) by Central Ministries/Deptts., under the designated minor heads, it was not possible to ensure allocation and expenditure of funds under SCSP and TSP, as stipulated in the guidelines issued by the Planning Commission, in 2006, for formulation, implementation and monitoring of SCSP and TSP by the Central Ministries/Deptts.

This Ministry had taken up matter of non-implementation of SCSP Guidelines with the Planning Commission. The Commission constituted a Task Force under its Member, to re-examine and revise the extant Guidelines for implementation of SCSP and TSP.

The Task Force after holding wide consultations with the stakeholders submitted its report regarding revision of SCSP/TSP guidelines in respect of Central Ministries/Deptts. to the Planning Commission in November, 2010. The Planning Commission has issued revised guidelines for formulation and implementation of SCSP and TSP by the Central Ministries/Deptts., in December, 2010, to ensure stipulated earmarking of funds under SCSP and TSP in the Annual Plan Proposals beginning from 2011-12, by them, on a differentiated basis. The guidelines further stipulate that the scheme-wise earmarked funds under SCSP and TSP must be separately indicated in the Statement of Budget Estimates (SBEs) in the Annual Plan 2011-12. This Ministry vide its D.O. letter dated

16.12.2010, has requested the concerned Central Ministries/Depts. to *inter alia*, ensure that the above instructions of the Planning Commission, in respect of SCSP, were fully complied with, in preparation of their Annual Plan as well as Detailed Demands for Grants for 2011-12.

Detection of debris of crashed helicopter by satellites

1987. SHRI BHUBANESWAR KALITA: Will the PRIME MINISTER be pleased to state:

(a) whether ISRO Satellite has been able to detect the debris of the crashed helicopter in Arunachal Pradesh on April 30, 2011;

(b) if not, whether this failure pose a serious threat to the guarding of the sensitive border with People's Republic of China; and

(c) the steps that have been taken by ISRO to rectify the problem?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANSAMY): (a) No, Sir. If the crashed helicopter had carried a standard distress alert beacon, the chances of a search and rescue satellite detecting the crash would have been greater. The debris could not be located through our remote sensing satellites as these small objects were in a region covered with thick forest.

(b) No, Sir.

(c) The microwave remote sensing satellites planned for future will improve the possibility of detection under cloud coverage, but it would be very difficult to detect debris of very small size in a thick forest covered region.

Pricing of remote sensing data products

1988. SHRI A. ELAVARASAN: Will the PRIME MINISTER be pleased to state:

(a) whether Government has asked the National Remote Sensing Centre (NRSC) to streamline the pricing of its remote sensing data products to its global customers since the higher resolution satellite data in the global market were six times more than the price of comparable Indian remote sensing products;

(b) if so, the details thereof;

(c) whether it is a fact that the performance of three out of seven remote sensing satellites are below their maximum capacity in terms of

the number of remote sensing satellite data captured by them;

(d) if so, the details thereof; and

(e) the steps taken to explore the possibility of widening the customer base to create revenue from remote sensing satellite datas?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANSAMY): (a) and (b) No, Sir. The data products are made available to Indian users at affordable prices as a "public good" service as per the pricing policy. The International prices of Indian Remote Sensing (IRS) data products are fixed taking into account the prevailing international prices.

(c) and (d) The average capacity utilization, during 2002-08, of three of the seven Indian Remote Sensing Satellites namely IRS-P3, IRS-1C and IRS-P4 was 32%, 45% and 50% respectively of their maximum capacity, as observed in the Audit report of C & AG (Report No. 21 of 2010-11).

The IRS-P3, an experimental satellite launched in 1995 and IRS-1C launched in 1996 had completed their design life of three years by 1998 and 1999, respectively. The IRS-P4 Satellite launched in 1999 had completed its design life of five years by 2004.

Every Satellite has a design life in the orbit. However, based on the knowledge acquired over the years, the Department of Space was successful in operating them beyond their design life with some limited capacity utilization, by more efficient and effective mission management practices. IRS-P3 and IRS-1C were thus in their extended life period during the period under report.

In some cases, the Satellites would develop technical problems while in the orbit, limiting their capacity. In the case of IRS-P4 Satellite, there was a reduction in the availability of power onboard the Satellite that limited its capacity utilization since 2001.

(e) Steps taken by NRSC to widen the customer/user base of remote sensing data includes (i) Internet based User friendly On-line ordering system; (ii) Conducting annual User Interaction Meet; (iii) Participation in the Workshops/ conferences/Exhibitions and various meetings of the user Ministries/Departments to show case the potentials of remote sensing products; (iv) Publishing advertise-ments in scientific journals/magazines highlighting new products and services; (v) Popularizing the availability of products and services through various ISRO/DOS portals (BHUVAN portal is one typical example of popularizing

IRS data for Indian and Global users); (vi) positioning appropriate infrastructure towards improved turnaround time for supplying data products; (vii)

Providing data to Indian users at affordable price as a "public good service"; (viii) setting up of International Ground stations to receive IRS data by global customer; and (ix) promotion and sale of products to international customers.

Launching of GSAT-12

1989. SHRI MOHD. ALI KHAN: Will the PRIME MINISTER be pleased to state:

- (a) whether GSAT-12 is to be launched;
- (b) if so, the details thereof; and
- (c) the objectives thereof?

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

(b) The GSAT-12 satellite was launched on 15th July, 2011 aboard Polar Satellite Launch Vehicle (PSLV) from Satish Dhawan Space Center (SDSC), Shriharikota.

(c) the objectives of GSAT-12 satellite carrying 12 Transponders in Extended C-band frequencies, are to augment the transponder capacity and also to provide continuity to Societal Services like Tele-medicine, Tele-education, Village Resource Centres, Disaster Management Support, etc.

Iron ore mining in Kudremukh National Park

1990. DR. T.N. SEEMA: Will the Minister of STEEL be pleased to state:

(a) whether Government is thinking of reviving iron ore mining in Kudremukh National Park, located in the ecologically sensitive area of the Western Ghats in Karnataka;

(b) whether Kudremukh Iron Ore Cooperation Ltd. (KIOCL) has given any request to Government for permission to restart the mining operations in the land leased to the company; and

(c) whether Government would take any steps to hand over the leased land of 5000 hectares area now under the control of Kudremukh Iron Ore Cooperation Ltd., back to the forest department for amalgamation into the Kudremukh National Park?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) No, Sir. Government have no proposal so far, to reopen the iron ore mine in the area of Kudremukh National Park. However, a part of the loose secondary weathered ore lying in the already broken up area, is posing environmental and ecological threat to the surroundings, particularly to river Bhadra. To protect from the possible ecological damage, the Government has filed an IA No. 3087/2011 before the Hon'ble Supreme Court for allowing KIOCL Ltd. for removing approximately 20 million tonnes of loose secondary weathered ore without any drill or blasting.

(b) No, Sir.

(c) KIOCL Ltd. is not in the possession of any forest land falling in the Kudremukh National Park. Even the part of forest land which was under lease for mining to KIOCL Ltd. has been handed over to Forest Department of Government of Karnataka in compliance with the order of Hon'ble Supreme Court. Subsequently, Government of Karnataka had included an area of 3703.55 ha of forest land into the Kudremukh National Park *vide* its Gazette Notification dated 09.01.2007.

Steel production from Bhilai steel plant

†1991. SHRI MOTILAL VORA:

SHRI SATYAVRAT CHATURVEDI:

Will the Minister of STEEL be pleased to state:

(a) whether it is a fact that the present production capacity of Bhilai Steel Plant (BSP) is 4.5 million tonnes which needs about 9.5 million tonnes iron-ore per year;

(b) whether it is also a fact that iron-ore reserve in Dalli-Rajhara mines is at the verge of end and Bhilai Steel Plant commenced Rawghat project keeping in view of it;

(c) whether it is also a fact that the lease of 2028.79 hectare, in deposit of Rawghat has been provided to Bhilai Steel Plant and remaining deposit has been provided to private steel manufacturers by ignoring future requirements of Bhilai Steel Plant; and

(d) if so, the step being taken by Government to improve this situation?

†Original notice of the question was received in Hindi.

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) For the year 2011-12, the hot metal production plan of the Bhilai Steel Plant (BSP) of the Steel Authority of India Limited (SAIL) is 5.8 million tonnes and iron ore requirement is 9.49 million tonnes.

(b) The existing iron ore mines of the Bhilai Steel Plant (BSP), at Dalli-Rajhara are depleting and are expected to last for about 5-6 years. After grant of necessary statutory clearances, State Government of Chhattisgarh has granted mining lease of Rowghat Deposit-'F' with an area of 2028.797 hectares in favour of SAIL, Bhilai Steel Plant (BSP) on 21.10.2009. Development of the Rowghat mine is getting delayed on account of security reasons.

(c) and (d) No remaining area in the Rowghat deposit has been allotted to private steel manufacturers as informed by Government of Chhattisgarh.

Sound and light shows in Bellary and Bidar Forts

1992. DR. VIJAY MALLYA: Will the Minister of TOURISM be pleased to state:

(a) whether two proposals for installation of Sound and Light Shows at Bidar and Bellary Forts were submitted by the State Government of Karnataka in March and May, 2010;

(b) the present stage of consideration of these proposals; and

(c) by when approval to the proposals be communicated to the State Government?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM (SHRI SULTAN AHMED):
(a) Development and promotion of various tourism destinations/products/fairs/festivals/events including Sound and Light Shows are primarily the responsibility of the respective State Government/Union Territory (UT) Administration. The Ministry of Tourism, however, provides Central Financial Assistance (CFA) for tourism infrastructure development projects/fairs /festivals/events identified in consultation with them, subject to availability of funds, inter-se priority and adherence to scheme guidelines.

The Ministry of Tourism has not received any proposal for installation of Sound and Light Shows at Bidar and Bellary Forts from the State Government of Karnataka in March and May, 2010.

(b) to (c) Does not arise.

Tourism parks in country

1993. SHRI TARIQ ANWAR: Will the Minister of TOURISM be pleased to state:

(a) whether it is a fact that Government is planning to set up tourism parks in the country;

(b) if so, the details thereof;

(c) whether it is also a fact that Government would take the help of private persons in setting up these parks; and

(d) if so, whether locations have been finalized?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM (SHRI SULTAN AHMED):

(a) to (d) Development and promotion of tourism including the identification of new tourism destinations and setting up of Mega Tourism Parks for holding the tourists for a longer period as well as adopting public-private partnership model for their development are primarily the responsibility of the State Governments/Union Territories (U.T) Administrations.

Assistance from Ministry of Tourism to State Governments/U.T. Administrations in these activities may include services of consultants and financial assistance under its Plan Schemes as per the scheme guidelines, *inter-se* priority and subject to availability of funds. The projects to be funded by the Ministry of Tourism (MOT) are decided in the prioritization meeting with the States/UTs.

MOT has appointed a National Level Consultant (NLC) to develop action plans for setting up of Tourism Parks including their locations and integrated development of tourist destinations/circuits in consultation with States/UTs.

Sikkim as tourist destination

1994. SHRI O.T. LEPCHA: Will the Minister of TOURISM be pleased to state:

(a) whether there is any proposal to develop Sikkim as a world-class tourist destination;

(b) whether any financial assistance given to make Sikkim, a world-class tourist destination; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM (SHRI SULTAN AHMED):

(a) Development and promotion of tourism is undertaken primarily by the State Governments/Union Territory Administrations. The Ministry of Tourism, Government of India, extends Central Financial Assistance (CFA) to the State Governments/Union Territory Administrations for tourism related projects which are identified in consultation with them, under various tourism schemes of the Ministry, in accordance with the scheme guidelines, *inter-se* priority and availability of funds.

(b) and (c) Ministry of Tourism has sanctioned CFA to the Government of Sikkim for various tourism projects amounting to Rs.188.53 crore during the first four years of the 11th Plan, upto 31.03.2011.

Tribal Building Construction Scheme

1995. SHRI NATUJI HALAJI THAKOR:

SHRI BHARATSINH PRABHATSINH PARMAR:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) the details of the budget allocated for the tribal building construction scheme during the 2008-09, 2009-10 and 2010-11, State-wise and Tribal dominated districts; and

(b) the details of the budget allocated for the research and training programme being run in the field of tribal population of the country socio-economic development of tribal population of the country during the above period and the sharing budgetary allocation to such districts including the State of Gujarat?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV S. KHANDELA): (a) The Ministry does not implement specific scheme for the tribal building construction.

(b) Under the scheme of Grants-in-aid to Tribal Research Institutes (TRIs), funding support is given to State Governments, on 50:50 basis, for various activities such as conducting research studies on tribal issues, seminars, workshops and training programmes, promotion and construction of tribal museum etc. The State-wise release of funds under grant-in-aid to Tribal Research Institutes during the year 2008-09, 2009-10 and 2010-11 including State of Gujarat is given in statement.

Statement

*State-wise release of funds under grant-in-aid to Tribal Research
Institutes (TRIs) during the year 2008-09, 2009-10 and 2010-11*

(Rs. in lakhs)

Sl.No.	Name of State/TRIs	2008-09	2009-10	2010-11
		Sanctioned/ Released	Sanctioned/ Released	Sanctioned/ Released
1	Andhra Pradesh	44.29	35.58	0.00
2	Assam	50.75	17.44	32.69
3	Chhattisgarh	0.00	16.00	15.50
4	Gujarat	8.65	95.83	39.91
5	Himachal Pradesh	0.00	16.57	0.00
6	Jharkhand	29.87	41.79	0.00
7	Kerala	0.00	13.31	40.00
8	Karnataka	0.00	0.00	0.00
9	Madhya Pradesh	388.32	81.39	77.36
10	Maharashtra	48.45	74.78	30.67
11	Manipur	0.00	57.50	49.00
12	Orissa	77.25	50.31	64.83
13	Rajasthan	0.00	23.00	15.82
14	Tamil Nadu	0.00	0.00	0.00
15	Tripura	39.13	47.25	40.00
16	Uttar Pradesh	0.00	0.00	0.00
17	West Bengal	0.38	36.82	0.44
18	A&N Island	0.00	0.00	0.00
TOTAL		687.09	607.55	406.22

Special constitutional rights for tribes

1996. SHRI SHADI LAL BATRA: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether Government is contemplating to grant special constitutional rights for all nomadic tribes in the country;

(b) if so, the details thereof; and

(c) the action taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV S. KHANDELA): (a) Yes, Sir

(b) To consider various demands of nomadic tribes, Ministry of Social Justice and Empowerment constituted a Commission, namely, the National Commission for Denotified, Nomadic and Semi-Nomadic Tribes which submitted its report on 2nd July, 2008.

(c) The recommendations of the Commission are under consideration.

Tribal sub plan

1997. DR. BHALCHANDRA MUNGEKAR: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether Union and State Governments have earmarked enough funds under the Tribal Sub-Plan (TSP) at least in proportion to the population of STs;

(b) the status of implementation of TSP in the Union and State Budgets for the last four years of UP A Government that are coinciding the Eleventh Plan; and

(c) State-wise information on the amount allocated for TSP and the amount that remained unspent during three years i.e. 2007-08 to 2010-11?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV S. KHANDELA): (a) to (c) The information is being collected and will be laid on the Table of the House.

Awareness about rights

1998. DR. T. SUBBARAMI REDDY: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether a large number of tribals in the country are unaware of their constitutional and democratic rights;

(b) if so, whether there is any system to spread awareness about the constitutional and democratic rights to the tribals in the country;

(c) if so, the details thereof and the activities undertaken during the last three years; and

(d) the details of funds allocated for schemes/programmes and utilized during the said period?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV S. KHANDELA): (a) The large number of Scheduled Tribes in the country are aware of their Constitutional and democratic rights.

(b) The Constitutional provisions meant for the Scheduled Tribes are implemented by the concerned Central Ministries/Departments, State Governments and Union Territory Administrations.

(c) Such information is not maintained by this Ministry.

(d) Does not arise.

Inclusion in Scheduled Tribe list

†1999. SHRI SAMAN PATHAK: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether the Central Government have received any recommendation from the State Governments of West Bengal and Sikkim to accord Scheduled Tribe's status to the people belonging to Rai, Gurung and Dhimal sub castes of these States;

(b) if so, the details thereof; and

(c) whether Government is contemplating over giving Scheduled Tribes's status to the Rai, Gurung and Dhimal communities?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV KHANDELA): (a) Yes, Sir.

†Original notice of the question was received in Hindi.

(b) The State Government of West Bengal has submitted proposal for Dhimal community in the State list of Scheduled Tribe and the State Government of Sikkim has submitted proposals of Kirat Khambu Rai, and Gurung community in the State list of Scheduled Tribe.

(c) As per the provision of Article 342 of the Constitution, the Government on 15.6.1999 and further revised on 25.6.2002, had laid down the modalities for determining the claims for inclusion in, exclusion from and other modifications in Orders specifying Scheduled Castes and Scheduled Tribes lists. As per the modalities only those proposals, which have been justified and recommended by the concerned State Government and the Registrar General of India as well as the National Commission for Scheduled Tribes are to be considered and legislation amended. The proposal have been processed as per the prescribed modalities of the comments of the concerned State Governments have been asked.

Population of Tribals

2000. SHRI PRAVEEN RASHTRAPAL: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) the State-wise population of tribals as on January, 2001 and January 2011;

(b) the number of Central Government funded Boy's and Girl's School Hostels in the State of Gujarat, Maharashtra, Andhra Pradesh, Tamil Nadu and Karnataka; and

(c) the total requirements for the schools and college hostels for tribal's and the efforts made by the Ministry to achieve the targets?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV KHANDELA): (a) State-wise population of Scheduled Tribes as per 2001 census is given in statement (See below). The figures for Scheduled Tribes as per Census 2011 are not yet available.

(b) The Ministry of Tribal Affairs implements a Centrally Sponsored Scheme namely, "Hostels for ST girls and boys" under which grant-in-aid is released to State Governments/UT Administrations and Universities for construction of hostel buildings. The maintenance and running of these hostels is the responsibility of concerned State Govt./UT Admn./University. Apart from this, Ministry also releases funds to NGOs for maintenance and running of hostels for STs under the scheme of "Grant-in-aid to Voluntary Organizations working for the Welfare of

Scheduled Tribes". The number of hostels funded to the States of Gujarat, Maharashtra, Andhra Pradesh, Tamil Nadu and Karnataka under these schemes during the last 3 years is as under:-

(Figures in number)

Sl. No.	Name of State	2008-09			2009-10		
		2010-11					
		Hostels sanctioned to State Govt.	Hostels sanctioned to NGOs	Hostels sanctioned to State Govt.	Hostels sanctioned to NGOs	Hostels sanctioned to State Govt.	Hostels sanctioned to NGOs
1	Gujarat	0	02	44	04	0	02
2	Maharashtra	15	01	0	02	0	02
3	Andhra Pradesh	0	01	0	0	0	0
4	Tamil Nadu	0	01	08	01	0	0
5	Karnataka	0	01	10	0	0	01

(c) The State-wise/UT-wise requirement of hostels for STs are based on the assessment made by the respective State/UT. Such requirements are need-based and demand-driven; whenever such proposals are received in this Ministry, the Ministry accordingly considers these based on the guidelines of the scheme. The Ministry has made following budget provisions during the year 2011-12:

Sl.No.	Name of the Scheme	Budget Allocation (Rs. in Crore)
1.	Scheme of Hostels for ST girls and boys	78.00
2.	Grant-in-aid to Voluntary Organizations for the Welfare of STs	39.50

Statement

Sl.No.	State	ST Population
1	2	3
1.	Andhra Pradesh	5,024,104
2.	Arunachal Pradesh	705,158
3.	Assam	3,308,570
4.	Bihar	758,351

1	2	3
5.	Chhattisgarh	6,616,596
6.	Goa	566
7.	Gujarat	7,481,160
8.	Haryana	*
9.	Himachal Pradesh	244,587
10.	Jharkhand	7,087,068
11.	Karnataka	3,463,986
12.	Kerala	364,189
13.	Madhya Pradesh	12,233,474
14.	Maharashtra	8,577,276
15.	Manipur	741,141
16.	Meghalaya	1,992,862
17.	Mizoram	839,310
18.	Nagaland	1,774,026
19.	Orissa	8,145,081
20.	Punjab	*
21.	Rajasthan	7,097,706
22.	Sikkim	111,405
23.	Tamil Nadu	651,321
24.	Tripura	993,426
25.	Uttarakhand	256,129
26.	Uttar Pradesh	107,963
27.	West Bengal	4,406,794
28.	Andaman & Nicobar Islands	29,469

1	2	3
29.	Chandigarh	*
30.	Dadra & Nagar Haveli	137,225
31.	Daman & Diu.	13,997
32.	Delhi	*
33.	Lakshadweep	57,321
34.	Pondicherry	*
35.	J & K	1,105,979
	India	84,326,240

* There is no scheduled tribe population.

Inclusion of 'Lohar' in ST list

†2001. SHRI RAM VILAS PASWAN: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether it is a fact that 'Lohar' was included in the list of Scheduled Tribes in the scheduled to Constitution;

(b) whether it is a fact that 'Lohar' was de-notified from the list of Scheduled Tribes in 1995;

(c) whether it is a fact that 'Lohar' figured in the list of Scheduled Tribes in West Bengal and Orissa;

(d) whether it is a fact that the State Government of Bihar has submitted an ethnography report along with the recommendation to the Central Government, a year ago; and

(e) whether 'Lohar' will be included in Scheduled Tribes list by Government if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV KHANDELA): (a) No, Sir.

(b) No, Sir.

†Original notice of the question was received in Hindi.

- (c) No, Sir.
- (d) No, Sir.
- (e) Does not arise.

Ekalavya Model Residential School

2002. SHRI MANGALA KISAN: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) the number of "Ekalavya Model Residential Schools" (EMRS) that have been started for Scheduled Tribes Students with effect from financial year 2002-03 to 2010-11 in the Sub-Plan-Areas/Scheduled Areas of the country; and

(b) State-wise and year-wise figures of Model Schools started?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV KHANDELA): (a) and (b) Information is being collected and will be laid on the Table of the House.

Employment opportunity for tribals

†2003. SHRI BHAGAT SINGH KOSHYARI: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) the steps taken by Government to provide employment opportunities to the tribals within the villages itself; and

(b) the directions issued by Government to the State Governments to improve the quality of life of the tribal communities by making optimum utilisation of rural technology?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEV KHANDELA): (a) The Ministry implements a Central Sector Scheme called "Vocational Training in Tribal Areas" which is aimed at creating employment avenues and income generation opportunities by upgrading the skill of the tribal youths in various traditional/modern vocations depending upon their educational qualification, present economic trends and the market potential to enable them to gain suitable employment or self employment.

(b) The Ministry emphasises from time to time that Vocational Training be given in trades which have got the employability.

†Original notice of the question was received in Hindi.

Women trafficking

2004. SHRI BHUBANESWAR KALITA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether it is a fact that women trafficking is on the rise due to the unamanned international border, which continue to make North East women vulnerable to cross border human trafficking;

(b) whether it is a fact that over 220 cases were registered under the Immoral Trafficking (Prevention) Act in Assam in the last ten years and over 600 persons arrested in these connections;

(c) the anti-human trafficking measures that has been taken by the Ministry and the awareness programmes taken in Assam and North East;

(d) the number of girls who have been rescued and has been rehabilitated under various programmes under the Ministry; and

(e) the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) As per the National Crime Records Bureau (NCRB) data, a total of 3991, 3029 and 2848 cases were reported in the country in 2007, 2008 and 2009 respectively, under various crime heads relating to human trafficking such as Procurement of Minor Girls [Sec 366-A Indian Penal Code (IPC)], Importation of Girls (Sec 366-B IPC), Selling of Girls for Prostitution (Sec 373 IPC) and Immoral Traffic (Prevention) Act. The NCRB does not maintain data on cross border human trafficking.

(b) As per the information received from NCRB, total of 236 cases were reported and 616 persons were arrested under the Immoral Traffic (Prevention) Act in Assam during the 10 year period from 2000 to 2009.

(c) to (e) The Government is taking measures to combat trafficking for commercial sexual exploitation in the country. The Immoral Traffic (Prevention) Act, 1956 supplemented by the Indian Penal Code, prohibits trafficking in human beings, including children and lays down penalties for it. A comprehensive Advisory on Preventing and Combating Human Trafficking in India has been issued on 09.09.2009 by the Government of India to all States/Union Territories. Further, the Ministry has

been implementing the 'Ujjawala' Scheme, under which financial assistance is being provided for prevention of trafficking and for rescue, rehabilitation and re-integration of victims of trafficking for commercial sexual exploitation. Under the 'Ujjawala' Scheme, 21 projects have been sanctioned in the North Eastern States of Assam, Manipur, Mizoram and Nagaland. Of these, 19 projects are, inter alia, being provided financial assistance for prevention of trafficking which includes holding sensitisation and awareness generation workshops and preparing awareness generation material.

Rescue is undertaken by the Non-Government Organisations and Anti-Human Trafficking Units. Data on number of girls rescued is not centrally maintained. 76 Rehabilitation Homes which can accommodate upto 3800 beneficiaries have been sanctioned under the 'Ujjawala' Scheme in the country. This includes 12 Rehabilitation Homes in the North Eastern States of Assam, Manipur, Mizoram and Nagaland taken together.

Adoption in the country

2005. SHRI NARESH GUJRAL: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) the figure of total adoptions in the country in 2010-11;
- (b) the details of domestic and international adoptions in the last year;
- (c) in what manner these figures can be compared with adoptions in China/USSR;
- (d) the number of adoption agencies that have been granted licenses by Government all over the country;
- (e) whether it is a fact that CARA intends to centralize all international adoptions after October 1, 2011; and
- (f) if so, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) and (b) Statistics of adoptions are maintained calendar year wise. During the year 2010, the total reported adoptions were 6286, out of which 5693 were domestic adoption and 593 were inter-country adoptions.

(c) Government in the Ministry of Women and Child Development does not maintain data of adoptions in China and USSR.

As reported by the State Governments 318 agencies are recognized for processing cases of adoptions, out of which 72 agencies are recognized by CARA for processing cases of Inter-Country Adoptions.

(e) and (f) A system of centralized receipt of applications for inter-country adoptions has been introduced in the "Guidelines Governing Adoption of Children, 2011" to ensure expeditious rehabilitation of children. This is also in accordance with the direction of the Hon'ble Supreme Court of India in Writ Petition No. 1171 of 1982.

Survey report of National Family Health Survey

2006. SHRIMATI GUNDU SUDHARANI: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether it is a fact that as per the latest National Family Health Survey 46 per cent of women infants are malnourished and 49 per cent of women are anaemic;

(b) the reasons that mandated 300 calories of food under ICDS is not reaching to the children;

(c) whether the Ministry has ever tried to find out the reasons behind this lapse; and

(d) if so, the details thereon and action taken on such deficiencies?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (d) As per National Family Health Survey-3, 2005-06, 42.5% children under 5 years are underweight and 43.1% female children under five years of age are underweight. Prevalence of anaemia in women aged 15-19 years is 55.8% (Women aged 15-49 years).

The problem of malnutrition including anemia is multi-dimensional and inter-generational in nature, the determinants of which include household food insecurity, illiteracy and lack of awareness especially in women, access to health services, availability of safe drinking water, sanitation and proper environmental conditions and adequate purchasing power etc. The nutritional status of the population is the outcome of complex and inter-related set of factors and cannot be improved by the efforts of single sector or action alone.

The Government has been implementing several schemes/programmes of different Ministries/Departments through State Governments/UTs which impact directly or indirectly on the nutritional status. These schemes, *inter-alia*, include Integrated Child Development Services (ICDS), National Rural Health Mission (NRHM), Mid Day Meals Scheme, Drinking Water & Total Sanitation Campaign, Swarnjayanti Gram Swarozgar Yojana (SGSY), National Rural Employment Guarantee Scheme (NREGS), Public Distribution System etc.

Under the Integrated Child Development Services (ICDS) Scheme, supplementary nutrition is provided to bridge the gap between the Recommended Dietary Allowance and the Actual Dietary Intake. The type of SNP is in the form of Take Home Ration for children (0-3 years), Pregnant and Lactating mothers and Morning Snack and Hot Cooked Meal for children (3-6 years). Children under six years are provided with 500 k. calories and 12-15g proteins while severely underweight children are given 800 k. calories and 20-25g of protein. Besides the supplementary nutrition, the other services under ICDS include pre-school non-formal education, nutrition & health education, immunization, health check-up and referral services for women and children.

Disruptions in SNP is observed for reasons such as insufficient ingredients, reduced ingredients due to price rise, logistics & other Administrative reasons and problems in supply chain management.

The monitoring mechanism of SNP is done by food sample testing and follow up letters to the State, besides letter to Chief Ministers and Chief Secretaries. Regular review meetings with States and field visit/inspection are also carried out. Government has recently set up 5 tier Monitoring Committee involving Community leaders and people representatives.

Effectiveness of NGO's in various schemes

2007. SHRI PARIMAL NATHWANI: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether NGOs are the main implementers of schemes of the Ministry at the district level;

(b) if so, whether Government has conducted any study to ascertain effectiveness of NGO's in implementing various schemes;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) The Non-Governmental Organisations (NGOs) are involved in implementation of certain schemes of the Ministry of Women and Child Development. The major schemes in implementation of which the NGOs are involved are Rajiv Gandhi National Creche Scheme for the children of working mothers, Scheme for the welfare of working children in need of care and protection, Scheme of Assistance for the Construction/Expansion of Hostel Building for Working Women with a Day Care Centre, Support to Training and Employment Programme for Women (STEP), SWADHAR - A scheme for women in difficult circumstances and UJJAWALA - a Comprehensive Scheme for combating trafficking. The NGOs are also involved in implementation of schemes of Central Social Welfare Board (CSWB) and Rashtriya Mahila Kosh (RMK).

(b) to (d) All the schemes being implemented by the Ministry through NGOs have inbuilt system of evaluation and monitoring the implementation. The performance of NGOs involved is reviewed through periodical reports, review meetings and field visits by Officers.

Ready to use therapeutic food

2008. SHRI D. RAJA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether any one from UNICEF has been held responsible for illegally bringing into India Ready to Use Therapeutic Food (RUTF) in 2009;

(b) whether all the items that were imported have been sent back and audited;

(c) whether any of the imported such foods and milks were destroyed, if so, why;

(d) whether any or some of these items was consumed in India; if so, the details thereof;

(e) whether any study has been conducted on the children who received the RUTF on their body chemistry or other functions;

(f) whether any institutional mechanism has been established to prevent such actions in the future; and

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

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (g) UNICEF had procured and supplied Ready to Use Therapeutic Food (RUTF) called 'Plumpy Nut' in the States of Madhya Pradesh (Khalwa Block) and Bihar (Kosi flood affected areas) between September, 2008-May, 2009, without any request or approval of Government of India and in contravention of Government guidelines. As soon as the procurement and distribution of RUTF by UNICEF came to the notice of Government, UNICEF was confronted for an explanation.

Since, their explanation was not found satisfactory and since the decision for procurement and distribution of supplies was taken by UNICEF in an unauthorized manner, UNICEF was conveyed that it was not correct on their part to have introduced this new component in contravention of Government of India Policy on its own. It was further conveyed that any legal implications arising from this procurement shall rest with the UNICEF and not with the Government of India.

Alongwith, UNICEF was directed to ship out the supplies out of the country by 15th June, 2009 and restore the funds of equivalent value of the RUTF supplies to GOI-UNICEF India Country Programme for Child Development and Nutrition 2008-12.

In compliance of these directions, the UNICEF reported that the stocks of RUTF have been sent outside the country and an amount of US \$880,000 has been restored to GOI-UNICEF Country Programme for Child Development and Nutrition. Further, in order that it does not recur, the following decisions of the Government of India were conveyed to the UNICEF:

- (i) UNICEF should not act on any request received directly by it from State Governments. Any request for supplies or activities would be referred to the concerned Ministry of GOI for a decision under intimation to the nodal Ministry *i.e.* Ministry of Women and Child Development. States/UT Government have also been apprised of this decision of the Government of India
- (ii) UNICEF should, in future, respond to request for Vitamin A solution by State Governments only after specific clearance by Ministry of Women and Child Development and Ministry of Health and Family Welfare.

(iii) UNICEF should ensure that State/UT specific Annual Work Plans are in accordance with the UNICEF Annual Work Plan approved by the Government of India.

(iv) Disbursal of medicines and other health and family welfare related supplies are to be made under the supervision of the State Health and Family Welfare Authorities with the knowledge/concurrence of Ministry of Health and Family Welfare, Government of India.

UNICEF has confirmed discontinuation of use of RUTF and also that there would be no further imports of the RUTF by UNICEF unless and until there is an official request from the UNION Government. They have also assured their full compliance in this regard.

Government of India has not conducted any study on the children who received RUTF.

Proposal to save Indian childhood

2009. DR. GYAN PRAKASH PILANIA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the statistics pertaining to percentage and number of malnourished/anaemic/underweight children in the country, State-wise, Rural and Urban-wise;

(b) the number and percentage of infants and children under 5, who die each year in India; urban and rural-wise, State-wise;

(c) the detailed findings of UNICEF; 'State of World Children Reports 2008 and 2009', and Government's reaction thereto;

(d) Infant Mortality Rate (IMR) of India/States, urban and rural-wise; how they are compared with neighboring/Western countries;

(e) how alarming is above scenario; and

(f) the corrective measures Government proposes to take to save India's childhood?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (f) As per the National Family Health Survey-3 (NFHS-3), 2005-06, in India, 42.5% children under 5 years are underweight and 69.5% are anaemic.

Prevalence of underweight in urban and rural is 32.7% and 45.6% respectively. Prevalence of anemia among children under 5 years in urban and rural is 63% and 71.5% respectively. The State-wise details of the underweight and anaemia among children under 5 years in urban and rural areas are given in Statement-I and Statement-II (See below).

As per the report of Sample Registration System, RGI (SRS, 2009) the Infant Mortality Rate is 50 for the country and for urban and rural areas are 34 and 55 respectively. The Under Five Mortality Rate is 64. State-wise data on Infant Mortality Rate and Under Five Mortality Rate is given in Statement-III (See below).

The UNICEF's 'State of the World's Children 2008' report focuses on Child Survival and 'State of the World's Children 2009' focuses on the maternal and neonatal health and identifies the interventions and actions.

The comparison of the Infant Mortality Rate of India with the neighbouring/western countries are given in countries given in Statement-IV (See below). The Infant Mortality Rate of the States like Goa, Kerala and Manipur is 11, 12 and 16 respectively which are comparable with the IMR of western countries like Brazil, Canada, Mexico as well as neighboring countries such as China and Sri Lanka. The other States are having a rate comparable with some of the neighboring countries.

The problem of survival of children mortality and morbidity including anemia is multi-dimensional and inter-generational in nature, the determinants of which include household food insecurity, illiteracy and lack of awareness especially in women, access to health services, availability of safe drinking water, sanitation and proper environmental conditions and adequate purchasing power etc.

Government is committed to improve the child survival and development. Under the National Rural Health Mission (NRHM), the Reproductive & Child Health Programme (RCH)-II provides effective maternal and child health care interventions which include: Antenatal, intranatal and postnatal care including Iron and Folic Acid supplementation to pregnant & lactating women for prevention and treatment of anemia; Janani Suraksha Yojana (JSY), a cash benefit scheme with a special focus on Below Poverty Line (BPL) and SC/ST pregnant women; Janani Shishu Suraksha Karyakaram (JSSK), Universal provision for Essential and Home Based new born care, Facility based new born care,

micronutrient supplementation with Iron and Folic Acid and Vitamin A for Children 6 months to 6 years, management of diarrheal diseases and acute respiratory infections,

improving immunization coverage, Integrated Management of Neonatal and Childhood Illness (IMNCI), School health programme etc.; Village Health and Nutrition Days for provision of maternal and child health services and providing health and nutrition education.

The Integrated Child Development Services (ICDS) Scheme provides a package of six services namely supplementary nutrition, pre-school non-formal education, nutrition & health education, immunization, health check-up and referral services for women and children 3 of the later mentioned services are from the health system. The scheme has been universalized with revision in the financial, nutritional and population norms. There are 12.66 lakh AWCs operational benefitting 9.64 crore Pregnant and Lactating women and children under 6 for supplementary nutrition and 3.69 crore children of 3-6 years for pre-school non-formal education as on 30.06.2011.

Besides these, schemes such as Rajiv Gandhi National Drinking Water Mission, Total Sanitation Campaign, Indira Gandhi Matritva Sahyog Yojana (IGMSY) on pilot basis in 52 districts, Mid Day Meal (MDM) programme, Targeted Public Distribution System (TPDS), Mahatma Gandhi National Rural Employment Guarantee Scheme (MNREGS) would provide a better enabling environment for improved health and nutrition. Several of the schemes namely, ICDS, NRHM have been expanded to provide for increased coverage and improved services to the people which would further improve the survival of the children.

Statement-I

The State-wise details of the underweight and anaemia among children under 5 years in urban and rural areas

Sl.No.	State	% Underweight children (below 5 yrs. of age)		
		Urban	Rural	Total
1	2	3	4	5
1	Andhra Pradesh	28.0	34.8	32.5
2	Assam	26.1	37.1	36.4
3	Arunachal Pradesh	21.0	36.3	32.5
4	Bihar	47.8	57.0	55.9

1	2	3	4	5
5	Chhattisgarh	31.3	50.2	47.1
6	Delhi	26.5	22.5	26.1
7	Goa	19.8	31.6	25.0
8	Gujarat	39.2	47.9	44.6
9	Haryana	34.6	41.3	39.6
10	Himachal Pradesh	23.6	37.8	36.5
11	J&K	15.8	27.9	25.6
12	Jharkhand	38.8	60.7	56.5
13	Karnataka	30.7	41.1	37.6
14	Kerala	15.4	26.4	22.9
15	Madhya Pradesh	51.3	62.7	60.0
16	Maharashtra	30.7	41.6	37.0
17	Manipur	19.1	23.3	22.1
18	Meghalaya	39.6	50.3	48.8
19	Mizoram	15.1	24.1	19.9
20	Nagaland	19.3	26.6	25.2
21	Orissa	29.7	42.3	40.7
22	Punjab	21.4	26.8	24.9
23	Rajasthan	30.1	42.5	39.9
24	Sikkim	21.2	19.4	19.7
25	Tamil Nadu	27.1	32.1	29.8
26	Tripura	32.2	40.8	39.6
27	Uttar Pradesh	34.8	44.1	42.4
28	Uttarakhand	24.3	42.1	38.0
29	West Bengal	24.7	42.2	38.7
	India	32.7	45.6	42.5

Statement-II

*Prevalence of Anaemia in children under 5 years State-wise - NFHS 3
(2005-06)*

S.No	State	Anaemia in Children (Below 5 years)%		
		Urban	Rural	Total
1	2	3	4	5
1	Andhra Pradesh	66.8	72.7	70.8
2	Assam	60.5	70.8	69.6
3	Arunachal Pradesh	59.8	56.1	56.9
4	Bihar	67.1	79.4	78.0
5	Chhattisgarh	67.3	72.0	71.2
6	Delhi	56.2	62.9	57.0
7	Goa	37.7	38.7	38.2
8	Gujarat	61.9	74.6	69.7
9	Haryana	67.5	73.7	72.3
10	Himachal Pradesh	45.7	55.6	54.7
11	J&K	59.4	58.4	58.6
12	Jharkhand	56.9	73.4	70.3
13	Karnataka	67.1	72.0	70.4
14	Kerala	44.4	44.6	44.5
15	Madhya Pradesh	68.9	75.7	74.1
16	Maharashtra	58.7	66.8	63.4
17	Manipur	41.3	41.0	41.1
18	Meghalaya	55.6	66.7	64.4
19	Mizoram	35.6	51.4	44.2
20	Nagaland	-	-	NA

1	2	3	4	5
21	Orissa	53.9	66.6	65.0
22	Punjab	66.2	66.5	66.4
23	Rajasthan	62.9	71.4	69.7
24	Sikkim	65.0	58.1	59.2
25	Tamil Nadu	65.1	63.4	64.2
26	Tripura	67.3	62.1	62.9
27	Uttar Pradesh	71.4	74.5	73.9
28	Uttarakhand	56.4	63.0	61.4
29	West Bengal	58.7	63.8	61.0
	India	63.0	71.5	69.5

Statement-III

Infant Mortality Rate 2009 - State-Wise (Sample Registration System, RGI)

Sl.No.	State	Infant Mortality Rate, 2009			
		Under Five		Mortality Rate	
		Urban	Rural	Total	Total
1	2	3	4	5	6
1	Andhra Pradesh	35	54	49	52
2	Assam	37	64	61	87
3	Arunachal Pradesh	14	35	32	-
4	Bihar	40	53	52	70
5	Chhattisgarh	47	55	54	67
6	Delhi	31	40	33	37
7	Goa	10	11	11	-
8	Gujarat	33	55	48	61
9	Haryana	41	54	51	60
10	Himachal Pradesh	28	46	45	51
11	J&K	34	48	48	50
12	Jharkhand	30	46	44	62

1	2	3	4	5	6
13	Karnataka	31	47	41	50
14	Kerala	11	12	12	14
15	Madhya Pradesh	45	72	67	89
16	Maharashtra	22	37	31	36
17	Manipur	11	18	16	-
18	Meghalaya	40	61	59	-
19	Mizoram	19	45	36	-
20	Nagaland	23	27	26	-
21	Orissa	46	68	65	84
22	Punjab	31	42	38	46
23	Rajasthan	35	65	59	74
24	Sikkim	21	36	34	-
25	Tamil Nadu	26	30	28	33
26	Tripura	20	33	31	-
27	Uttar Pradesh	47	66	63	85
28	Uttrakhand	27	44	41	-
29	West Bengal	27	34	33	40
	India	34	55	50	64

Statement-IV

Comparison of Infant Mortality Rate 2009 with neighboring/western countries (UNICEF's Report-The State of the World's Children 2011)

Sl.No.	Country	
Infant Mortality Rate, 2009		
1	2	
3		
1	Afghanistan	134
2	Bangladesh	41
3	Bhutan	52
4	China	17
5	India	50

1	2	3
6	Nepal	39
7	Pakistan	71
8	Sri Lanka	13
9	Brazil	17
10	Canada	5
11	USA	7
12	Mexico	15
13	Denmark	3

Study on Child Abuse, India 2007

2010. DR. GYAN PRAKASH PILANIA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the statistics/observations, contained in the 'Study on Child Abuse, India 2007;

(b) the number of horrendous scenario of child abuse/violence in the country, State-wise;

(c) the criminal cases registered thereon; during last five years, their disposal, year-wise, State-wise; and

(d) the steps taken by Government to save children?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) The major statistics/observations of the report 'Study on Child Abuse: India, 2007' are given in statement (See below).

(b) and (c) The data on crimes committed against children is maintained by the National Crime Records Bureau (NCRB). State-wise, year-wise information on crimes registered from 2005 to 2009 can be referred in Table 6.2 of "Crime in India" 2005 to 2009 by NCRB, Ministry of Home Affairs at <http://ncrb.nic.in/>. Similarly, year-wise, State-wise information on disposal of cases from 2005 to 2009 is given at Table 6.7 of the same report.

(d) The Government has constituted a National Commission for Protection of Child Rights (NCPCR) in 2007 to protect the rights of the children. The Government in the Ministry of Women and Child Development is also implementing the Integrated Child Protection Scheme (ICPS) from 2009-10, for welfare of the children in need of care and protection. All States/Union Territories, except Jammu & Kashmir, have signed Memorandum of Understanding with the Ministry to implement the Scheme. Further, to save children from sexual abuse and exploitation, 'The Protection of Children from Sexual Offences Bill, 2011' has been introduced in the Rajya Sabha on 23rd March, 2011.

Statement

Findings of study on Child Abuse

Major findings of the Study:

Physical Abuse

1. Two out of every three children were physically abused.
2. Out of 69% children physically abused in 13 sample states, 54.68% were boys.
3. Over 50% children in all the 13 sample states were being subjected to one or the other form of physical abuse.
4. Out of those children physically abused in family situations, 88.6% were physically abused by parents.
5. 65% of school going children reported facing corporal punishment i.e. two out of three children were victims of corporal punishment.
6. 62% of the corporal punishment was in Government and municipal school.
7. The State of Andhra Pradesh, Assam, Bihar and Delhi have almost consistently reported higher rates of abuse in all forms as compared to other states.
8. Most children did not report the matter to anyone.
9. 50.2% children worked seven days a week.

Sexual Abuse

1. 53.22% children reported having faced one or more forms of sexual abuse.

2. Andhra Pradesh, Assam, Bihar and Delhi reported the highest percentage of sexual abuse among both boys and girls.

3. 21.90% child respondents reported facing severe forms of sexual abuse and 50.76% other forms of sexual abuse.
4. Out of the child respondents, 5.69% reported being sexually assaulted.
5. Children in Assam, Andhra Pradesh, Bihar and Delhi reported the highest incidence of sexual assault.
6. Children on street, children at work and children in institutional care reported the highest incidence of sexual assault.
7. 50% abusers are persons known to the child or in a position of trust and responsibility.
8. Most children did not report the matter to anyone.

Emotional Abuse and Girl Child Neglect

1. Every second child reported facing emotional abuse.
2. Equal percentage of both girls and boys reported facing emotional abuse.
3. In 83% of the cases parents were the abusers.
4. 48.4% of girls wished they were boys.

Separate wing for women in employment exchanges of State

†2011. DR. PRABHA THAKUR: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether it is necessary to open a separate department in employment exchanges of every State for receiving applications for Government jobs from the females due to the current increasing trend of education and jobs among girls so that every year correct State-wise data come to light that how much women are interested for Government job; and

(b) whether Government proposes to ascertain percentage of women Government jobs of all types so that the girls can get appropriate place in Government jobs, if so, the details thereof, if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) Employment Exchanges function under the direct financial &

†Original notice of the question was received in Hindi.

administrative control of the respective State Governments/UT Administrations. Opening of any type of Employment Exchange is decided by them as per local needs & availability of resources. As a matter of general policy, no discrimination is made between men and women job seekers while providing employment assistance by the Employment Exchanges. Efforts are also made, as far as possible to appoint one woman Employment Officer in the Employment Exchanges having more than two Employment Officers.

Government is modernizing the Employment Exchanges and on-line services for registration etc. are already being provided by many States/UTs. The modernisation and computerization of all the Employment Exchanges will provide easy access to services to all job seekers concerned.

(b) The Department of Personnel & Training had, as part of the 100 days action plan, attempted to ascertain percentage of women in Government jobs. The data was furnished by 63 Ministries/Departments only for the year 2009 and 30 Ministries/Departments only for the year 2010 which indicated the percentage of women employed in Government of India as 14.84% and 15.43% respectively for these years.

Inability to give supplementary nutrition regularly

2012. DR. MANOHAR JOSHI: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether Government's data shows that States including Assam, Punjab, Uttar Pradesh, Manipur and Bihar have not been able to give supplementary nutrition regularly due to rise in food prices;

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

(c) whether Government's study shows that out of 7.3 crore children between 0-6 years, only 31 per cent of the children receive supplementary nutrition and no significant improvement has been found;

(d) if so, the details thereof, state-wise;

(e) whether the States have demanded an increase in allocation and linking Government's Integrated Child Development Scheme (ICDS) with consumer Price Index; and

(f) the steps being taken by Government to effectively implement ICDS in all the States?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (f) All States/UTs including Assam, Punjab, Uttar Pradesh, Manipur and Bihar are providing supplementary nutrition (SNP) to children (6 months - 6 years) and pregnant women & nursing mothers under ICDS which is a self-selecting scheme. State-wise details of Anganwadi Centres (AWCs) providing SNP for more than 21 days in a month as against prescribed 25 days to children (6 months - 6 years) as reported by States is given in statement (See below). Disruptions in providing SNP by AWCs has been noticed in some of the AWCs in few States. The reasons for disruption in providing the SNP inter alia include administrative, logistic and inadequacy of cost norms of SNP which was revised in the year 2008-09 for children, malnourished children and pregnant women & nursing mothers @ Rs.47/-, Rs.6/- and Rs.5/- respectively per beneficiary per day for 300 days in year.

There were 12.05 crore child population (0 - 6 years) eligible for enrolment as per anganwadi survey register in 12.66 lakh operational AWCs, of which 7.84 crore children (6 months - 6 years) received supplementary nutrition as on 30.06.2011. The number of children (6 months - 6 years) who received supplementary nutrition, have increased from 7.22 crore as on 31.03.2009 to 7.28 crore as on 31.03.2010 and to 7.84 crore as on 30.06.2011.

Some of the State Governments have demanded increase in the existing SNP norms and its linkage to Consumer Price Index which has been given due consideration in the proposed restructuring and strengthening of ICDS Scheme.

For effective implementation of ICDS Scheme, it is monitored through prescribed monthly & annual progress reports, reviews, as well as supervision visits, etc. Food samples are also collected by the field units of Food & Nutrition Board (FNB) for quality assessment. Based on the inputs and feedback received, State Governments/ UT Administrations are addressed through letters and review meetings to improve the deficiencies and to improve the implementation of the Scheme including infrastructure and facilities at the AWCs. Recently, the Government has introduced 5-tier monitoring and review mechanism at National, State, District, Block and Anganwadi Levels and has issued guidelines on 31.03.2011.

Statement

*State-wise number of Anganwadi Centres (AWCs) providing Supplementary Nutrition
and beneficiaries for supplementary nutrition as on 30.06.2011*

Sl.No.	State/UT	Number of AWCs Supplementary Nutrition				Beneficiaries for		
		Operational	Reporting	Providing SN for 21+ days out of reporting	Providing SN 21+ days w.r.t. reporting	Total Children (0-6 Years) as per AW Survey register	Total Children (6 months - 6 years)	% Total Children (6 months-) 6 years)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	Andhra Pradesh	85202	85100	74865	87.97%	5845814	4208866	72.00%
2	Arunachal Pradesh	6028	6028	6028	100.00%	226621	226621	100.00%
3	Assam	56681	53184	26250	49.36%	4298690	2768894	64.41%
4	Bihar	80211	80211	80211	100.00%	9641830	3507877	36.38%
5	Chhattisgarh	39137	37446	35378	94.48%	2864733	1983043	69.22%
6	Goa	1258	1258	1258	100.00%	121868	49236	40.40%

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
7	Gujarat	49926	49891	48922	98.06%	4352938	3144873	72.25%
8	Haryana	21240	22871	22871	100.00%	2319963	1068535	46.06%
9	Himachal Pradesh	18413	18411	18411	100.00%	640871	402623	62.82%
10	Jammu & Kashmir	25793	22474	15774	70.19%	1176314	411037	34.94%
11	Jharkhand	38186	37366	31348	83.89%	4452935	2289440	51.41%
12	Karnataka	63366	63346	63131	99.66%	5194363	3553463	68.41%
13	Kerala	33026	33026	33021	99.98%	2786811	1015162	36.43%
14	Madhya Pradesh	90999	78590	78170	99.47%	9240243	6877584	74.43%
15	Maharashtra	106231	99368	91254	91.83%	8289149	6235281	75.22%
16	Manipur	9883	7621	7621	100.00%	384821	315529	81.99%
17	Meghalaya	5113	3877	3877	100.00%	393000	354929	90.31%
18	Mizoram	1980	1950	1942	99.59%	142334	124037	87.15%)
19	Nagaland	3455	3455	3455	100.00%	323052	305713	94.63%
20	Orissa	69572	66337	64085	96.61%	4458612	3935220	88.26%
21	Punjab	26656	26656	26656	100.00%	2292555	1134389	49.48%

22	Rajasthan	57511	56006	53361	95.28%	8954970	2891853	32.29%
23	Sikkim	1188	1188	1106	93.10%	52967	19098	36.06%
24	Tamil Nadu	54439	54439	54439	100.00%	4306377	2218764	51.52%
25	Tripura	9906	9906	9906	100.00%	395891	303461	76.65%
26	Uttar Pradesh	173533	167053	163434	97.83%	27209482	20898568	76.81%
27	Uttarakhand	16181	15244	11293	74.08%	1031486	571133	55.37%
28	West Bengal	111652	109727	101309	92.33%	7922638	6886315	86.92%
29	A & N Islands	697	697	697	100.00%	25768	16967	65.85%
30	Chandigarh	420	420	420	100.00%	84367	38386	45.50%
31	Delhi	6606	6606	6606	100.00%	952264	603601	63.39%
32	Dadra & N. Haveli	267	267	267	100.00%	16958	15130	89.22%
33	Daman & Diu	102	102	102	100.00%	10198	6582	64.54%
34	Lakshadweep	107	107	107	100.00%	5282	5282	100.00%
35	Puducherry	788	788	788	100.00%	72106	31910	44.25%
ALL INDIA		1265753	1221016	1138363	96.47%	120488271	78419402	65.08%

Note: Based on latest State level consolidated reports sent by States/ UTs. Number of Anganwadi Centres (AWCs) providing supplementary nutrition (SNP) for 21+ days in reporting month out of 1221016 reporting AWCs has been indicated in col.(5).

Abuse of children after adoption

2013. DR. MANOHAR JOSHI: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the total number of children adopted internationally from India during the last three years;

(b) whether adoptions are allowed from the citizens of such countries also that are not signatories to the Hague Convention on Child Protection;

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

(d) whether Government is considering to revise the guidelines for adoption with a view to bring more transparency;

(e) if so, the details thereof; and

(f) the steps being taken by Government to stop abuse of children after adoption?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) A total of 2080 children were adopted internationally from India during the last three years, i.e. 2008, 2009 and 2010.

(b) No, Sir.

(c) Does not arise.

(d) and (e) Guidelines for adoption have already been revised and notified on 27th June, 2011 as "Guidelines Governing the Adoption of Children, 2011". Salient features of these Guidelines are given in Statement. (See below).

(f) The Adoption Guidelines stipulate mandatory post adoption follow up for children placed both in domestic as well as inter-country adoption. This is done for a period of two years after adoption and is conducted by authorized adoption agencies.

Statement

Salient Features of Guidelines on Adoption of Children-2011

A. Source of Child

- Mandatory declaration by CWC before adoption placement so that the source of each child is verified.

B. Expeditious adoption process

- Centralized receipt of dossiers for inter-country adoption - all dossiers for inter-country adoption shall be received at CARA and then be forwarded to an agency where children are available for adoption-this would expedite rehabilitation.
- Special norms for adoption of special needs children for expeditious placement of such children.
- Permanent recognition for RIPA and AFFA unless revoked by CARA and recognition for five years for SAA. This would reduce undue delays and ensure expeditious and smooth functioning of the adoption process.

C. Safeguards and stringent post-adoption follow-up stipulations

- The guidelines govern adoption procedure only for orphan, abandoned and surrendered children as defined under JJ Act.
- In-country adoption follow-up for a period of two years.
- Inter-country adoptions only to countries which are signatories to the Hague Convention on Inter-country Adoption (exception for Indian nationals in non-Hague ratified countries).
- All inter-country adoptions to proceed only after final decree under JJ Act - this would ensure citizenship of the adopted child in the receiving country.
- To facilitate early citizenship for the adopted child, conformity certificate to be issued by CARA in each case.
- Special provisions to facilitate post-adoption follow-up. Specific and stringent guidelines for disruption and repatriation cases including provision of an FD of US \$ 5000 in the name of the repatriated child.
- Recommendation certificate by State Committee to ensure active involvement of State Government in inter-country adoption.

D. Priority to domestic adoption

- Ratio of 80:20 (in place of the present 50:50) for in-country *vis-a-vis* inter-country adoption excluding special needs children.

E. Ethical and best practices

- Provision of pre-adoption foster care for inter-country adoption to provide early deinstitutionalization of the child and promote bonding.

- Time bound rehabilitation for children in case of revocation of recognition of any agency.
- No donations permitted from PAPs, adoptive parents or CARA enlisted foreign adoption agencies.

F. Expand adoption base

- Linkages stipulated between SAA-RIPA under supervision of SARA to rehabilitate more children through adoption.

Non-existent youth clubs in NYKS

2014. SHRI RAMDAS AGARWAL: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether it is a fact that more than half of the three lakh youth clubs registered under Nehru Yuva Kendra Sangathan are reportedly non-existent and receiving huge funds of money from Centre every year;

(b) if so, the details of funds given to such youth clubs since the year 2007 onwards till date, State-wise; and

(c) whether Government proposes to hold any inquiry into how the non-existent of 1,75,000 fake clubs in the country are receiving huge funds?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) to (c) No Sir. A survey of youth clubs was carried out by Nehru Yuva Kendra Sangathan (NYKS) during the year 2010-11. As per the findings about one lakh youth clubs have been found to be functional and receiving funds from the Ministry.

Government of India through its flagship organisation Nehru Yuva Kendra Sangathan provides financial assistance to active Youth Clubs. For this purpose applications are invited from Youth Clubs registered under the Societies Registration Act or corresponding Act of the State and duly recommended by the Sarpanch/Pradhan of the Gram Panchayat. On the basis of appropriate verification of the particulars of the youth club and based on the recommendations of a Selection Committee headed by the District Collector/District Magistrate grant are released to the youth clubs. The financial grant so released is effectively monitored for which the grantee youth club is required to submit a Utilization Certificate (UC) as per the relevant provisions of General Financial Rules of the Government. No incident has been reported where grant has been released

to a non-existent youth club.

Support for sports academies in Andhra

2015. DR. T. SUBBARAMI REDDY: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) the details of scheme of Government to develop sports academies operated by the State Governments;

(b) whether any proposals have been received for support/grant for development of State sports academies run by the Andhra Pradesh Government; and

(c) if so, the action being taken by Government and by when these would be sanctioned along with the details of the likely date thereof?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) At present, there is no separate Scheme of the Ministry of Youth Affairs and Sports for development of sports academies operated by the State Governments. However, suitable and viable proposals received from State Government for setting up sports academies and players academies can be considered for assistance under the Scheme of National Sports Development Fund and the Scheme of Assistance for the creation of Urban Sports Infrastructure.

(b) No, Sir.

(c) Question does not arise.

The House reassembled at twelve of the clock,

MR. CHAIRMAN in the Chair

STATEMENT BY MINISTER CORRECTING ANSWER TO QUESTION

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): Sir, I lay on the Table, a Statement (in English and Hindi) correcting the answer to Unstarred Question No.585 given in the Rajya Sabha on the 4th August, 2011, regarding "S-band Devas Deal".

PAPERS LAID ON THE TABLE

Report and Accounts (2009-10) of NSTFDC and related papers

THE MINISTER OF TRIBAL AFFAIRS AND THE MINISTER OF PANCHAYATI RAJ
(SHRI V. KISHORE CHANDRA DEO): Sir, I lay on the Table:

I. (1) A copy each (in English and Hindi) of the following papers, under sub-section (1) of Section 619 A of the Companies Act, 1956:

(a) Ninth Annual Report and Accounts of the National Scheduled Tribes Finance and Development Corporation (NSTFDC), for the year 2009-10, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Review by Government on the working of the above Corporation.

(2) Statement (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (1) above. [Placed in Library. See No. L.T. 4895/15/11]

I. Report and Accounts (2009-10) of RMK and related papers

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI KRISHNA TIRATH): Sir, I lay on the Table, a copy each (in English and Hindi) of the following papers:

(a) Annual Report and Accounts of the Rashtriya Mahila Kosh (RMK), for the year 2009-10, together with the Auditor's Report on the Accounts.

(b) Statement by Government accepting the above Report.

(c) Statement giving reasons for the delay in laying the papers mentioned at (a) above. [Placed in Library. See No. L.T. 4896/15/11]

I. MoU between Government of India and NERAMAC

II. MoU between Government of India and NEHDC

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS
(SHRI PABAN SINGH GHATOWAR): Sir, I lay on the Table, a copy each (in

English and Hindi) of the following papers:

- I. (i) Memorandum of Understanding between the Government of India (Ministry of Development of North Eastern Region) and the North Eastern Regional Agricultural Marketing Corporation Limited (NERAMAC), for the year 2010-11. [Placed in Library. See No. L.T. 4828/15/11]
- (ii) Memorandum of Understanding between the Government of India (Ministry of Development of North Eastern Region) and the North Eastern Regional Agricultural Marketing Corporation Limited (NERAMAC), for the year 2011-12. [Placed in Library. See No. L.T. 4824/15/11]
- II. Memorandum of Understanding between the Government of India (Ministry of Development of North Eastern Region) and the North Eastern Handicrafts and Handlooms Development Corporation Limited (NEHHDC), for the year 2011-12. [Placed in Library. See No. L.T. 4825/15/11]

Notifications of the Ministry of Personnel, Public Grievances and Pensions

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANSAMY): Sir, I lay on the Table, a copy each (in English and Hindi) of the following Notifications of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training):

- (1) G.S.R. 442 (E), dated the 9th June, 2011, making amendment to the Second Schedule of the Right to Information Act, 2005, under sub-section (3) of Section 24 of the Right to Information Act, 2005. [Placed in Library. See No. L.T. 4834/15/11]
- (2) G.S.R. 472 (E), dated the 21st June, 2011, publishing the Union Public Service Commission (Exemption from Consultation) Amendment Regulations, 2011, under clause (5) of article 320 of the Constitution of India. [Placed in Library. See No. L.T. 4715/15/11]

Notifications of the Ministry of Road Transport and Highways

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): Sir, I lay on the Table, a copy each (in English and Hindi) of the following Notifications of the Ministry of Road Transport and Highways, under Section 10 of the National Highways Act, 1956:

- (1) S.O.1216 (E), dated the 24th May, 2010, regarding rate of fee to be recovered from the users of the Aroor Kumbalam and Kumbalam Panangad bridges on National Highway No. 47 in the State of Kerala.
- (2) S.O. 1693 (E), dated the 19th July, 2010, amending Notification No. S.O. 2224 (E), dated the 18th September, 2008, to substitute certain entries in the original Notification.
- (3) S.O. 2112 (E), dated the 30th August, 2010, amending Notification No. S.O. 2646 (E), dated the 21st October, 2009, to substitute certain entries in the original Notification.
- (4) S.O. 2367 (E), dated the 30th September, 2010, regarding acquisition of land, with or without structure, from K.M. 0.000 to K.M.81.600 (Tiruttani-Chennai Section) on National Highway No. 205 in Tiruvallur District in the State of Tamil Nadu.
- (5) S.O. 2582 (E), dated the 18th October, 2010, regarding acquisition of land, with or without structure, from K.M. 270.000 to K.M. 332.600 (Mannuthy-Aluva Section) on National Highway No. 47 in Thrissur and Ernakulam Districts in the State of Kerala.
- (6) S.O. 2630 (E), dated the 25th October, 2010, regarding acquisition of land, with or without structure, from K.M. 180.000 to K.M. 182.000 (Kannur Section) on National Highway No. 17 in Kannur District in the State of Kerala.
- (7) S.O. 2637 (E), dated the 25th October, 2010, regarding acquisition of land, with or without structure, from K.M. 0.000 to K.M.81.600 (Tiruttani-Chennai Section) on National Highway No.205 in Tiruvallur District in the State of Tamil Nadu.
- (8) S.O. 2664 (E), dated the 28th October, 2010, regarding acquisition of land, with or without structure, from K.M. 171.200 to K.M. 185.960 on National Highway No. 17 in Kannur District in the State of Kerala.
- (9) S.O. 2703 (E), dated the 2nd November, 2010, regarding acquisition of land, with or without structure, from K.M. 171.200 to K.M. 185.960 on National Highway No. 17 in Kannur District in the State of Kerala.

- (10) S.O. 2739 (E), dated the 8th November, 2010, regarding acquisition of land, with or without structure, from K.M. 75.200 to K.M. 94.000 (Tiruchirapalli-Karaikudi Section) on National Highway No. 210 in Sivaganga District in the State of Tamil Nadu.
- (11) S.O. 2802 (E), dated the 18th November, 2010, regarding acquisition of land, with or without structure, from K.M. 239.000 to K.M. 282.000 (Sambalpur Raipur Section) on National Highway No. 6 in Raipur District in the State of Chhattisgarh.
- (12) S.O.2828(E), dated the 24th November, 2010, regarding acquisition of land, with or without structure, from K.M.10.400 to K.M. 56.630 (Madurai - Ramanathapuram - Rameshwaram - Dhanuskodi Section) on National Highway No. 49 in Sivaganga District in the State of Tamil Nadu.
- (13) S.O. 2829(E), dated the 24th November, 2010, regarding acquisition of land, with or without structure, from K.M.56.630 to K.M.190.550 (Madurai- Ramanathapuram- Rameshwaram- Dhanuskodi Section) on National Highway No. 49 in Ramanathapuram District in the State of Tamil Nadu.
- (14) S.O. 2832 (E), dated the 24th November, 2010, regarding acquisition of land, with or without structure, from K.M. 65.420 to K.M. 77.900 (Raipur-Bilaspur Section) on National Highway No. 200 (New NH-130) in Durg District in the State of Chhattisgarh.
- (15) S.O. 2833 (E), dated the 24th November, 2010, regarding acquisition of land, with or without structure, from K.M. 77.900 to K.M. 126.000 (Raipur-Bilaspur Section) on National Highway No. 200 (New NH-130) in Bilaspur District in the State of Chhattisgarh.
- (16) S.O. 2920 (E), dated the 9th December 2010, regarding acquisition of land, with or without structure, from K.M. 365.600 to K.M. 387.100 (Panipat-Jalandhar Section) on National Highway No. 1 in Jalandhar District in the State of Punjab.
- (17) S.O. 2923 (E), dated the 10th December 2010, regarding acquisition of land, with or without structure, from K.M. 39.965 to K.M. 41.945 (Zirakpur-Parwanoo) Section) on National Highway No. 22 in Sahibjada Ajit Singh Nagar District in the State of

Punjab.

- (18) S.O. 2953 (E), dated the 15th December, 2010, regarding acquisition of land, with or without structure, from K.M. 33.412 to K.M. 93.000 (Athipalli-Krishnagiri Section) on National Highway No. 7 in Krishnagiri District in the State of Tamil Nadu.

- (19) S.O. 203 (E), dated the 1st February, 2011, regarding acquisition of land, with or without structure, from K.M. 0.000 to K.M.17.000 (Nagapattinam-Thanjavur Section) on National Highway No. 67 in Anandapettai village, Nagapattinam Taluk of Nagapattinam District in the State of Tamil Nadu.
- (20) S.O. 204 (E), dated the 1st February, 2011, regarding acquisition of land, with or without structure, from K.M. 0.000 to K.M.17.000 (Nagapattinam-Thanjavur Section) on National Highway No. 67 in Themangalam village, Nagapattinam Taluk of Nagapattinam District in the State of Tamil Nadu.
- (21) S.O. 333 (E), dated the 14th February, 2011, regarding appointment of competent authority for acquisition of land on National Highway No. 75 in Satna District in the State of Madhya Pradesh, along with delay statement.
- (22) S.O. 335 (E), dated the 14th February, 2011, regarding acquisition of land, with or without structure, from K.M. 116.000 to K.M. 312.400 on National Highway No. 200 in Bilaspur District in the State of Madhya Pradesh, along with delay statement.
- (23) S.O. 336 (E), dated the 14th February, 2011, regarding acquisition of land, with or without structure, from K.M. 70.000 to K.M. 149.000 on National Highway No. 75 in Chattarpur District in the State of Madhya Pradesh, along with delay statement.
- (24) S.O. 414 (E), dated the 23rd February, 2011, regarding appointment of competent authority for acquisition of land on National Highway No. 12 in Bhopal District in the State of Madhya Pradesh, along with delay statement.
- (25) S.O. 506 (E), dated the 11th March, 2011, regarding appointment of competent authority for acquisition of land on National Highway No. 92 in Gwalior District in the State of Madhya Pradesh, along with delay statement.
- (26) S.O. 1184 (E), dated the 26th May, 2011, regarding acquisition of land, with or without structure, from K.M. 506.000 to K.M. 546.400 on National Highway No. 7 in Seoni District in the State of Madhya Pradesh.

- (27) S.O. 1200 (E), dated the 26th May, 2011, regarding acquisition of land, with or without structure, from K.M. 221.000 to K.M. 295.620 (Bareli-Bhopal Section) on National Highway No. 12 in Raisen District in the State of Madhya Pradesh.
- (28) S.O. 1219 (E), dated the 27th May, 2011, regarding appointment of competent authority for acquisition of land on National Highway No. 7 in Rewa District in the State of Madhya Pradesh.
- (29) S.O. 1246 (E), dated the 31st May, 2011, regarding acquisition of land, with or without structure, from K.M. 1.60 to K.M. 67.000 (Biaora-MP/Rajasthan Border Section) on National Highway No. 12 in Rajgarh Tehsil of Rajgarh District in the State of Madhya Pradesh.
- (30) S.O. 1247 (E), dated the 31st May, 2011, regarding acquisition of land, with or without structure, from K.M. 1.600 to K.M. 67.000 (Biaora-MP/Rajasthan Border Section) on National Highway No. 12 in Khilchipur Tehsil in Rajgarh District in the State of Madhya Pradesh.
- (31) S.O. 1358 (E), dated the 13th June, 2011, regarding acquisition of land, with or without structure, from K.M. 10.250 to K.M. 19.500 (Jhansi-Lakhnadon Section) on National Highway No. 26 in Tikamgarh District in the State of Madhya Pradesh.
- (32) S.O. 1562 (E), dated the 8th July, 2011, regarding appointment of competent authority for acquisition of land, from K.M. 77.000 to K.M.80.600 (Balasore-Baripada-Jharpokharia Section) on National Highway No. 5 in Balasore District in the State of Orissa.
- (33) S.O. 1667 (E), dated the 21st July, 2011, regarding appointment of competent authority for acquisition of land on National Highway No. 27 in Rewa District in the State of Madhya Pradesh. [Placed in Library. For (1) to (33) See No. L.T. 5026/15/11]

Notification of the Ministry of Shipping

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING (SHRI MUKUL ROY):
Sir, I lay on the Table, under Section 38 of Inland Waterways Authority of India Act, 1985, a copy (in English and Hindi) of the Ministry of Shipping Notification No. IWAL/Cargo/184/2009, dated the 16th July-22nd July, 2011, publishing the Inland Waterways Authority of India (Levy and

collection of fees and charges) Regulations, 2011. [Placed in Library.
See No. L.T. 5029/15/11]

Notifications of the Ministry of Road Transport and Highways

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI TUSHARBHAI CHAUDHARY): Sir, I lay on the Table:

- I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Road Transport and Highways, under sub-section (3) of Section 20 of the Carriage by Road Act, 2007:
- (1) G.S.R. 176 (E), dated the 1st March, 2011, publishing the Carriage by Road Rules, 2011, along with delay statement and an Explanatory Memorandum.
 - (2) G.S.R. 205 (E), dated the 10th March, 2011, publishing the Corrigendum to Notification No. G.S.R. 176 (E), dated the 28th February, 2011, along with delay statement. [Placed in Library. See No. L.T. 5034/15/11]
- II. A copy (in English and Hindi) of the Ministry of Road Transport and Highways Notification No. G.S.R. 367 (E), dated the 9th May, 2011, publishing the Motor Vehicles (All India Permit for Tourist Transport Operators) Amendment Rules, 2011, under sub-section (4) of Section 212 of the Motor Vehicles Act, 1988, along with an Explanatory Memorandum on the Notification. [Placed in Library. See No. L.T. 5035/15/11]

**REPORTS OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON
RURAL DEVELOPMENT**

डा. राम प्रकाश (हरियाणा): महोदय, मैं विभाग संबंधित ग्रामीण विकास सम्बन्धी संसदीय स्थायी समिति (2010-11) के निम्नलिखित प्रतिवेदनों की एक-एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखता हूँ:-

- (i) ग्रामीण विकास मंत्रालय (पेयजल और स्वच्छता विभाग) की 'अनुदान माँगें (2011-12)' के संबंध में उन्नीसवाँ प्रतिवेदन; और
- (ii) ग्रामीण विकास मंत्रालय (ग्रामीण विकास विभाग) की 'अनुदान माँगें (2011-12)' के संबंध में बीसवाँ प्रतिवेदन।

STATEMENT BY MINISTER

Implementation of recommendations contained in the Twenty-eight report of the Department-related Parliamentary Standing Committee on Finance

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): Sir, I make a statement regarding Status of implementation of recommendations contained in the Twenty-

eighth Report of the Department-related Parliamentary Standing Committee on Finance on the Demands for Grants (2010-11) of the Ministry of Planning.

LEAVE OF ABSENCE

MR. CHAIRMAN: I have to inform the Members that three letters have been received from Shri P.R. Rajan stating that he is under medical treatment. He has, therefore, requested for grant of leave of absence from 1st to 19th August, 2011 of the current 223rd Session of the Rajya Sabha.

Does he have the permission of the House for remaining absent from 1st to 19th August, 2011 of the current Session of the Rajya Sabha?

(No hon. Member dissented)

MR. CHAIRMAN: Permission to remain absent is granted.

FAREWELL TO RETIRING MEMBERS

MR. CHAIRMAN: Hon. Members, on the completion of the term of office, some of our colleagues from the States of Gujarat and West Bengal are retiring today, the 18th of August, 2011. I am glad that Shri Ahmed Patel and Shri Sitaram Yechury have already been reelected.

On behalf of the whole House and on my own behalf, I bid farewell to the retiring Members, namely, Shri Surendra Motilal Patel, Shri Pravin Naik, Shri Abani Roy, Shrimati Brinda Karat, Shri Swapan Sadhan Bose and Shri Mohammed Amin.

The retiring Members have made valuable contributions to the proceedings of the House on many memorable occasions. I am sure they will cherish the memory of their association with this august House.

I wish them good health, happiness and success in every sphere of life. The House shall ever remember their association.

Now the retiring Members may wish to say a few words as per our traditional practice.

श्री अवनि राय (पश्चिम बंगाल): माननीय सभापति महोदय और साथ देने वाले सांसदों, मैंने इस सभा में इतने दिनों तक देश की समस्याओं को सामने रखने की कोशिश की। आप चाहे इसे उपदेश कहिए या सचेत करना कहिए, मैंने सरकार को कभी-कभी सचेत किया कि उसे कैसे चलना चाहिए या

उसे कैसा होना चाहिए। देश में जो

समस्याएं हैं, उनमें संसद की खास भूमिकाएं हैं। हमने इन भूमिकाओं के बारे में भी बात की। संसद में अपने इन 13 सालों के राजनीतिक जीवन में हमने संसद की गरिमा को बनाए रखने की कोशिश की।

इसके साथ-साथ, मैं यह भी कहूंगा कि हमारे देश में फिलहाल जो position चल रही है, उसमें पिछले कई सालों से एक प्रयास जारी है कि हम जनवादी व्यवस्था को कैसे खत्म करें? मैं आप सबसे अनुरोध करता हूँ कि भारत की जनवादी व्यवस्था को खत्म करने के लिए बहुत दिनों से जो प्रयास हो रहे हैं, उनमें संसद के बारे में, सांसदों के बारे में, हमारे देश की नीतियों के बारे में जो चीज़ सबसे ऊपर उभर कर आई है, वह है भ्रष्टाचार। जनवादी व्यवस्था में हमारे तीन स्तंभ हैं। जितना संभव हो सके, हमें हर स्तंभ को साथ लेकर चलना चाहिए, नहीं तो हम भ्रष्टाचार को कम नहीं कर पाएंगे। हम भ्रष्टाचार को अभी खत्म करने की बात नहीं कहेंगे, क्योंकि इसकी जड़ इतनी फैल गई है कि आज यह समाज के अंदर भी चली गई है। इन सबको खत्म करने के लिए जनवादी व्यवस्था को ठीक से कायम करके हमें ऐसे कदम उठाने चाहिए कि कोई संसद या सांसदों पर कभी भी कहीं पर कोई टिप्पणी न कर पाए।

जाते वक्त मैं इतना ही कहूंगा कि कभी-कभी जब चर्चा होती है, तो हम किसी न किसी पर व्यक्तिगत या राजनीतिक रूप से आक्रमण करते हैं। अगर हम ऐसा न करके एक ठोस कार्यक्रम दें, तो उससे हम देश की जनता को सुविधाएं दे सकते हैं, उनका साथ दे सकते हैं और साथ ही साथ हम देश को आगे ले जा सकते हैं।

महोदय, मैं माननीय प्रधानमंत्री जी से यह दरखास्त करूंगा कि देश को चलाने के लिए आपने जो जिम्मेदारी ली है, उस जिम्मेदारी को अपने हाथों में लेकर आप देश को आगे बढ़ाएं। भारत एक ऐसा देश है, जो एक समय सबसे ऊपर था और आज हम सबसे नीचे जा रहे हैं। क्यों न हम सब मिलकर कोशिश करें। चाहे वह पक्ष हो या विपक्ष, हम देश को आगे बढ़ाने के लिए सबको साथ लेकर चलें। देश की जनता भुखमरी से मर रही है, महंगाई से त्रस्त है और देश में बेरोजगारी तथा अशिक्षा की समस्या है, तो क्यों न हम इन समस्याओं को दूर करके भारत को ऊंची जगह पर ले जाएं और आगे बढ़ाएं। मैं माननीय प्रधानमंत्री से यह दरखास्त करूंगा कि यह जिम्मेदारी आपके पास है, इसलिए आप इसको जरूर आगे बढ़ाएं। यह आशा करते हुए, संसद के सभी सदस्यों को हमारी तरफ से नमस्कार! अगर इन 12-13 सालों में हमसे व्यक्तिगत रूप से कोई गलती हुई हो, तो उसके लिए मैं क्षमा चाहता हूँ। हम संसद में रहें या बाहर रहें, राजनीतिक लड़ाई तो होती रहेगी, लेकिन पार्टी की जो राजनीतिक इच्छा है, उसको हम आगे बढ़ाएंगे। आप सभी को हार्दिक शुभकामना देते हुए मैं इतना ही कहूंगा कि आप सब देश के लिए एक साथ होकर आगे चलिए और देश को आगे बढ़ाइए। धन्यवाद।

श्री सुरेन्द्र मोतीलाल पटेल (गुजरात): सभापति जी, मैं आभार मानता हूँ कि आप सब ने मुझे सहकार दिया। यहाँ आने के पहले मैं अर्बन डेवलपमेंट अथॉरिटी का चेयरमैन था। मुझे नरेन्द्र भाई ने बताया कि

अर्बन में बहुत काम करना है, इसलिए आप संसद में जाइए, क्योंकि वहां की जानकारी के माध्यम से आप यहां बहुत काम कर सकते हैं। यहां आने के बाद हमें बहुत जानकारी मिली और उस जानकारी के आधार पर हमने अहमदाबाद के अर्बन एरियाज़ में कई प्रोजेक्ट्स चलाए, जो एक जगह नहीं, सभी जगह सक्सेसफुल हुए। इसी प्रकार, हमने बाकी के भी कई प्रोजेक्ट्स सक्सेसफुल कर दिए। यहाँ मुझे बहुत जानकारी मिली और बहुत सहकार मिला।

वैसे ही शिक्षा के क्षेत्र में भी मैं एक यूनिवर्सिटी का प्रेजिडेंट हूँ और यहां से मुझे यूनिवर्सिटी की शिक्षा के क्षेत्र में काम करने की भी बहुत प्रेरणा मिली और आशा है कि आगे भी मुझे ऐसा सहकार मिलेगा। आप सभी लोगों ने मुझे सहकार दिया, इसलिए मैं आप सब का आभारी हूँ। धन्यवाद।

SHRIMATI BRINDA KARAT (West Bengal): Sir, I rise to bid farewell to this august House where I have served for the last six years.

I wish to express my deep appreciation to you, the Chairman of this House, to the Deputy Chairman, to the Rajya Sabha Secretariat, the Secretary-General and, of course, all the staff who make our work so much easier.

Sir, as a young woman - I am not going to go into my autobiography; I know I have limited time - I was inspired by the Marxist ideology and the thought that, hitherto, philosophers have only interpreted the world, but the point, however, is to change it. Inspired by this sermon when I was just 22 years old, I joined my Party. I am now 64. So, it is 42 years in politics for me in different fields, in trade unions, with women's movements and, I must say, in these 42 years, this six year period as a Member of Parliament, as it is for all of us, has been quite unique. These six years have been eventful and educative and I certainly hope to take with me the lessons learnt in this august House - some good; some perhaps not so good; but certainly lessons - for my work outside this House.

I was also very happy, Sir, to be here in this House when the Women's Reservation Bill, a historic Bill, was passed. There is a belief that women's movements are pitted against men. But I think that was an occasion when the whole country saw that for women's movements to go forward, for gender equality and emancipation to be established, we do need the support of thoughtful and sensitive men. And, I am so glad, Sir, that this House expressed that sensitivity by passing the Bill. I thank you all for that. I believe that there should not be any further delay in bringing that Bill to the Lok Sabha so that it can be enacted as law.

Sir, I was also very glad to be associated at the time with a negotiating team set up by my Party to discuss with the Government various provisions of the Rural Employment Guarantee Bill, which later became an Act and also for the Forest Rights Act. I believe that Parliament is the strongest and at its best when we enact laws which reflect the needs and requirements of the poor, the working poor of this country because, after all, as parliamentarians, it is our privilege to be here to serve the people and we do that in a spirit, not of patronage or charity, but of recognizing the entitlements of the mass of people of this country. I think that bringing such enactments that provide a share to the poor in the resources of this country as an entitlement, as a right, is something which we have to assert again and again.

I say farewell at a time when questions of democracy and the role of Parliament are being discussed with unusual intensity all through the country. Yesterday, we had a discussion on it. I do not want to labour any further on those points. But, today, I believe, more than ever, when social and economic inequalities give rise to the danger of India regressing from a democracy to a plutocracy, it is all the more required to remember the words of the founder of the Indian Constitution, Dr. Babasaheb Ambedkar, who had warned that political democracy is in perpetual conflict and contradiction with economic inequalities. Unless the contradiction is resolved by removing the economic inequalities, the edifice of political democracy itself will be in peril. I am sure that we as representatives of the people, and you as the representative of the people, will always keep this as a centrality in political agenda.

I thank all of you at my personal level. I have found so many friendships across the party-lines, Sir. I thank you for your warmth and the cordial relations.

अभी वो दिदा वो दिल की घड़ी नहीं आयी।

चले चलो कि वह मंजिल अभी नहीं आयी।

SHRI SWAPAN SADHAN BOSE (West Bengal): Sir, thank you. I thank you esteemed colleagues for the cooperation and help you have given me during my six years' tenure here. I have been given 3 minutes' time. But, today, I will become a friend of Panyji. Then, I would get six minutes' time. This I would teach to my son who will come tomorrow. *

*The Honourable Member spoke in Bengali

This was just a little humour at a time when I am leaving. Since Mr. Prime Minister is here, I am going to say something, and nothing about me. I cannot say I am fat and all that. The Planning Commission and the Prime Minister and everything else are the assets of this country. I think, my children are my main assets. Accordingly, the children of this country are the assets of this country. In this, I have a small finding. I would not read all of that. The effective literacy rate in the Census 2001 was 64.83 per cent which improved to 74.04 as per the Census 2011. Now, the average level of education is also in progress. But, as per a finding, as the Vice-President of the country released in January, 2011, it is well above 96 per cent. But, the big news is, there is no change in children's ability to read or do mathematics. The survey has found that only 53 per cent children in Class-V can read a Class-II level text and even worse. There has been a decline in their ability to do basic mathematics. In Class-V, only 36 per cent students can do simple division; a 2 per cent drop in numbers as compared to 2009. I would not go into more details because I will have to follow your stricture. But, I have a small thing to say. There is one District Primary Education Programme and there is Sarva Shiksha Abhiyan, which are too bureaucratic, Mr. Prime Minister.

We have now, a very, very learned Education Minister, Mr. Kapil Sibal. I know him because once he pleaded my Mohan Bagan Club case. Being an advocate, I admire; Mr. Jethmalani, you also have fought for my Club. But, with Mr. Kapil Sibal as Education Minister, and Mr. Manmohan Singh as Prime Minister, I expect that this bureaucratic procedure in the education system is minimized. Why not an SEZ coming to do business? Why not a special education zone created? I am an NRI. I run a radio station in Dubai. I have seen in a desert place how education is given the topmost priority, as a special zone. Mr. Prime Minister, it is high time that our children's welfare is taken up.

I have the last word. I just now told the Leader of the Opposition, Shri Arun Jaitley, about two States- Karnataka and Andhra Pradesh; one is run by the BJP Government and another by the Congress Government. In Bangalore and Hyderabad, an NGO is running mid-day meals scheme. What an excellent mid-day meal it is Rs.3 is given by the Government; actually it spends just one-and-a-half rupees. One-and-a-half rupee goes to the contractor, the system, bureaucrats. In this NGO, they give three rupees, and six rupees are collected. The money comes from Clinton Fund. All the

Indian businessmen have now learnt one word, 'give'. Quietly they do.
People who publicize,

they do not give. There are very big industrialists and big businessmen who have learnt the word, 'give'. I know some people who, in their will, have given 50 per cent to charity and 25 or 50 per cent to their family.

Sir, coming back to that point, why should we not improve the system of mid-day meal? We talked about fast food; we talked about fat boys. No; mid-day meal is the solution for nutrition. With the cooperation of BJP, the CPM and everyone, education should be promoted. I am saying this because everyone has got children. During this tenure, the hon. Prime Minister should complete his dream of bringing India to the top by nourishing the children. Thank you ladies and gentlemen.

श्री मोहम्मद अमीन (पश्चिम बंगाल): सभापति जी, मैं आपका शुक्रगुजार हूँ कि इस हाउस में मुझे अपनी बातें कहने का मौका मिला और इतने ज़माने से जो कुछ मैं कहना चाहता था, उसे कहने में कामयाब हुआ। अपनी बातें यहां रखते हुए मैंने उर्दू शैरो-शायरी का सहारा लिया और आज जब मैं रिटायर हो रहा हूँ, मेरे दिल में जो अहसास हो रहा है, उस पर मैं आपको आज भी एक शेर सुनाना चाहता हूँ-

"ये कैसा वक्त मुझ पर आ गया है,

सफर बाकी है और घर आ गया है।"

सर, यह सफर जारी रहेगा, इस हाउस में नहीं, इस हाउस के बाहर मैं जिस काम में लगा हुआ हूँ, उस काम में लगा रहूँगा और ज़िंदगी की आखिरी सांस तक लगा रहूँगा। मैं समझता हूँ कि हमारे देश की जो हालत है, उसको बदलने में, उसको बेहतर बनाने में तमाम लोगों के तआवुन की ज़रूरत है।

इस दौरान मैंने इस बात की कोशिश की कि अपनी बात भी कहूँ, दूसरों की बात भी सुनूँ और मैंने इससे बहुत कुछ सीखा। मैंने कभी भी किसी के बोलने पर कोई रुकावट नहीं डाली, न शोरगुल मचाया। मैं चुपचाप अपनी जगह पर बैठा रहता था। इससे मैंने सीखा है और सबकी बातों से सीखा है, इससे मुझे बड़ा फायदा भी हुआ है। मैं समझता हूँ कि पार्लियामेंटरी डेमोक्रेसी का यही तरीका, माकूल तरीका है कि आप अपनी बात भी कहें, दूसरों की बात भी सुनें और फिर जौ फैसला हो, सब मिलकर उस पर अमल करें।

इस वक्त देश में दो मसले सबसे संगीन हैं - एक है महंगाई और बेरोज़गारी का और दूसरा है करप्शन का। देश का भला चाहने वाले तमाम लोग तहेदिल से यह चाहते हैं कि ये हालात ठीक हों, लेकिन मेरी समझ यही है कि जब तक देश पूँजीवाद के रास्ते पर चलेगा, तब तक यह मसला हल होने वाला नहीं है। इसको बदलने के लिए आपको सोशलिस्ट रास्ता अख्तियार करना पड़ेगा और आज नहीं तो कल सारे देश को इसी नतीजे पर आना है।

سभाپتی جی، میں ایک بات اور کہنا چاہتا ہوں کہ میری سہولت کے دوران میں نے بہت سے بیمار لوگوں کے علاج کے لیے پرمیانی جی کے فنڈ سے پیسے کی سفارش کی تھی اور میں اس بات کے لیے پرمیانی جی کا شکریہ ادا کرنا چاہتا ہوں کہ انہوں نے سبھی کے لیے میں پیسے دیے - 25,000 روپے، 50,000 روپے، 40,000 روپے اور سبھی لوگ بھلے-بھلے ہو گئے تھے اور وہ سرکار کو دُعا دے رہے ہیں۔ میری یہ سفارش ہے کہ ریٹائر ہونے کے بعد بھی اگر اس قسم کا کوئی سہولت کار کے پاس آئے، تو جو Ex MPs ہیں، ان کی سفارشات پر سرکار توجہ دے اور ان کی یہ مدد جاری رہے۔ اس سے ملک کا بہت بھلا ہوگا۔ اتنی بات کہہ کر اور ایک شعر سننا کہ میں اپنی بات ختم کرنا چاہتا ہوں کہ -

"ہم رہیں یا نہ رہیں، یہ چمن آباد رہے۔"

کارواں چلتا رہے، اتنا فقط یاد رہے۔"

جناب محمد امین (مغربی بنگال) (Mohammad Amin) : سہولتی جی، میں آپ کا

شکرگزار ہوں کہ اس سفر میں مجھے اپنی باتیں کہنے کا موقع ملا اور اتنے زمانے میں جو کچھ میں کہنا چاہتا تھا، اسے کہنے میں کامیاب ہوا۔ اپنی باتیں یہاں رکھتے ہوئے میں نے اردو شعر و شاعری کا سہارا لیا اور آج جب میں ریٹائر ہو رہا ہوں، میرے دل میں جو احساس ہو رہا ہے، اس پر میں آپ کو آج بھی ایک شعر سناتا چاہتا ہوں۔

یہ کیسا وقت مجھ پر آگیا ہے

سفر باقی ہے اور گھر آگیا ہے

سر، یہ سفر جاری رہے گا، اس سفر میں نہیں، اس سفر کے باہر میں جس کام میں لگا ہوا ہوں، اس کام میں لگا رہوں گا اور زندگی کی آخری سانس تک لگا رہوں گا۔ میں سمجھتا ہوں کہ ہمارے پیش کی جو حالت ہے، اس کو بدلنے میں، اس کو بہتر بنانے میں تمام لوگوں کے تعاون کی ضرورت ہے۔

اس دوران میں نے اس بات کی کوشش کی کہ اپنی بات بھی کہوں، دوسروں کی بات بھی سنوں اور میں نے اس سے بہت کچھ سیکھا۔ میں نے کبھی بھی کسی کے بولنے پر کوئی رکاوت نہیں ڈالی، نہ شور و غل مچایا۔ میں جب چاپ اپنی جگہ پر بیٹھا رہتا تھا۔ اس سے میں نے سیکھا ہے اور سب باتوں سے سیکھا ہے، اس سے مجھے بڑا فائدہ بھی ہوا ہے۔ میں

†Transliteration in Urdu Script.

سمجھتا ہوں کہ پارلیمنٹری ڈیموکریسی کا یہی طریقہ، معقول طریقہ ہے کہ آپ اپنی بات کہیں، دوسروں کی بات بھی سنیں اور پھر جو فیصلہ ہو، سب مل کر اس پر عمل کریں۔ اس وقت دیش میں دو مسئلے سب سے سنگین ہیں، ایک ہے مہنگائی اور بے روزگاری کا اور دوسرا ہے کرپشن کا۔ دیش کا بھلا چاہنے والے تمام لوگ تب دل سے یہ چاہتے ہیں کہ حالات تھیک ہوں، لیکن میری سمجھ یہی ہے کہ جب تک دیش پونجی واد کے راستے پر چلے گا، تب تک یہ مسئلہ حل ہونے والا نہیں ہے۔ اس کو بدلنے کے لئے آپ کو سوشلسٹ راستہ اختیار کرنا پڑے گا اور آج نہیں تو کل مارے دیش کو اسی نتیجے پر آنا ہے۔

سہیا پتی جی، میں ایک بات اور کہنا چاہتا ہوں کہ میری سنسیتہ کے دوران میں نے بہت سے بیمار لوگوں کے علاج کے لئے پردھان منتری جی کے فنڈ سے پیسے کی سفارش کی تھی اور میں اس بات کے لئے پردھان منتری جی کا شکریہ ادا کرنا چاہتا ہوں کہ انہوں نے سبھی کیسیز میں پیسہ دیا، 25,000 روپے، 50,000 روپے، 40,000 روپے اور سبھی لوگ بھلے چنگے ہو گئے اور وہ سرکار کو دے رہے ہیں۔ میری یہ گزارش ہے کہ ریٹائر ہونے کے بعد بھی اگر اس قسم کا کوئی مصیبت زدہ کیس ہمارے پاس آئے، تو جو ایکس ایچ پی ہیں، ان کی سفارشوں پر سرکار دھیان دے اور انکی یہ مدد جاری رہے۔ اس سے دیش کا بہت بھلا ہوگا۔ اتنی بات کہہ کر اور ایک شعر سنا کر میں اپنی بات ختم کرنا چاہتا ہوں کہ

ہم رہیں یا نہ رہیں، یہ چمن آباد رہے
کارواں چلنا رہے، اتنا فقط یاد رہے

(MR. DEPUTY CHAIRMAN in the Chair)

GOVERNMENT BILLS

The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Bill, 2011

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE): Sir, I beg to move for leave to introduce a Bill further to amend the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.

The question was put and the motion adopted.

†Transliteration in Urdu Script.

SHRI MALLIKARJUN KHARGE: Sir, I introduce the Bill.

The Border Security Force (Amendment) Bill, 2011

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH): Sir, I beg to move for leave to introduce a Bill further to amend the Border Security Force Act, 1968.

The question was put and the motion was adopted.

SHRI JITENDRA SINGH: Sir, I introduce the Bill.

The Administrator's General (Amendment) Bill, 2011

THE MINISTER OF LAW AND JUSTICE AND THE MINISTER OF MINORITY AFFAIRS (SHRI SALMAN KHURSHEED): Sir, I beg to move for leave to introduce a Bill further to amend the Administrators-General Act, 1963.

The question was put and the motion was adopted.

SHRI SALMAN KHURSHEED: Sir, I introduce the Bill.

MATTERS RAISED WITH PERMISSION

Grim flood situation in Assam

SHRI BIRENDRA PRASAD BAISHYA (Assam): Thank you, Mr. Deputy Chairman, Sir. The flood situation in Assam has created a critical situation especially in Dehmaji, Dhakuthana, Jonai and Gahpur. It has worsened in the last few days. Sir, eight people lost their lives. Lakhs of people became homeless, thousands of hectares of cultivated land has been washed away in floods. Sir, the most tragic incident took place in Dehmaji in Assam where after losing their house, a family took shelter on the top of a tree but later the floods washed away the tree and all the family members lost their lives, Sir. Most of the affected people took shelter either in open environment or on roofs without food, drinking water and medical help. Disaster management and relief and rehabilitation totally failed in our State. The State Government is not providing any relief to the affected people. The affected people took shelter on the roads and roofs without food, drinking water and medical help.

Sir, it is the long standing demand of the people of Assam to declare Assam's flood problem as a national problem. The hon. Prime Minister is present here today, Sir, representing our State here. On behalf of the people of Assam, I demand from the Centre to declare Assam flood problem a national problem. Secondly, Sir, I request the hon. Prime Minister to send a Central team to the flood affected areas of Assam where people took shelter on the roads without food, drinking water and medical help. I would like to request the hon. Prime Minister to send an experts' team to Assam and provide the people of Assam food, drinking water and medical help. Sir, Dhemaji, Gahpur, Jonai and a certain area of Arunachal Pradesh are totally cut off from the rest of the country. Lack of railway communication and road communication worsened the flood situation, Sir. The National Highway No. 53 was destroyed due to flood waters in Assam. Trains are also not running since railway tracks were washed away with flood water. So, certain parts of Arunachal Pradesh and the Northern Brahmaputra are totally cut off from the rest of the country. Hence, I request the hon. Prime Minister to kindly respond to the situation. I also request him to help us in this critical juncture. Thank you.

SHRI KUMAR DEEPAK DAS (Assam): Sir, I want to draw the attention of the House to the problem where all the districts of Assam are reeling under floods. Sir, what happened in Dhamaji has been explained by hon. Birendra Baishya. Sir, the administrator of Dhemaji district not attended to the people of this district. In Dhemaji district, Sir, 10 people were washed away by floods when they have taken shelter on & under a tree. I demand that the administrators should be punished and the adequate compensation should be paid to those people. I also request the hon. Prime Minister to visit those places and a Central Team should immediately be sent to Assam to assess the damage so that this problem is settled. Sir, some of the villages in my area have washed away. Today also some of the villages have been washed away. It is all happening because of erosion. That is why, I sincerely hope and sure that the hon. Prime Minister take necessary action on this grave situation in Assam. Thank you.

SHRI BISWAJIT DAIMARY (Assam): Sir, I associate myself with the submission made by my friends on the flood situation in Assam. Thank you.

Flood situation in Uttar Pradesh

श्री कलराज मिश्र (उत्तर प्रदेश): उपसभापति महोदय, उत्तराखंड और उत्तर प्रदेश, दोनों प्रदेशों

में अत्यधिक बारिश के कारण जबरदस्त बाढ़ आयी हुई है। उत्तराखंड में तो ऐसी स्थिति निर्मित हो गयी है कि ऋषिकेश और बद्रीनाथ का जो मार्ग है, वह पूरा अवरुद्ध हो गया है। बारिश के साथ-साथ वहां पर लैंड-स्लाइड भी हुई है और सैकड़ों यात्री रास्ते में पड़े हुए हैं। इस प्रकार से वहां पर स्थिति बहुत दुर्दशापूर्ण है, जिसकी वजह से जनमानस

काफी परेशान है। उत्तर प्रदेश में, जहां यमुना, गंगा और घाघरा के बाढ़ के प्रकोप से गोरखपुर, वाराणसी, आजमगढ़ और देवरिया का इलाका बहुत बुरी तरह से प्रभावित हुआ है, वहीं मुजफ्फरनगर और पश्चिमी उत्तर प्रदेश का हिस्सा भी इस समय बाढ़ से ग्रस्त है। हजारों गांव इस बाढ़ से प्रभावित हुए हैं, जिसकी वजह से लोग बड़ी परेशानी का अनुभव कर रहे हैं। राज्य सरकार की तरफ से इस संबंध में प्रयत्न चल रहे हैं, लेकिन लगता है कि वे प्रयत्न नाकाफी हैं। इसलिए मेरा अनुरोध है कि केन्द्र सरकार को उन इलाकों की ओर विशेष ध्यान देना चाहिए। महोदय, केवल बाढ़ से जो गांव प्रभावित हो रहे हैं, वे तो अलग हैं, उसके साथ-साथ जो तटवर्ती क्षेत्र हैं, उन क्षेत्रों में भी अनेक प्रकार की संक्रामक बीमारियां लोगों को परेशान कर रही हैं। मैं विशेष रूप से गोरखपुर की तरफ की बात कहना चाहूंगा, पूर्वी उत्तर प्रदेश की बात कहना चाहूंगा कि उन इलाकों में उन बीमारियों से काफी संख्या में लोगों की मृत्यु हुई है। वहां पर मस्तिष्क ज्वर भी तेजी के साथ बढ़ा है, जिसके कारण काफी लोग काल को लिप्त हो गये हैं। वहां पर इस तरह की हालत उत्पन्न हो गयी है कि अगर तत्काल कोई व्यवस्था नहीं की जाती तो बड़ी परेशानी पैदा हो जाएगी। मैं सरकार का ध्यान इस मामले में आकर्षित करूंगा कि दोनों प्रदेशों में विशेष ध्यान देते हुए, किस तरीके से वहां पर लोगों को प्राकृतिक आपदा से बचाया जा सके, ऐसा प्रयत्न करें तो ज्यादा अच्छा होगा। धन्यवाद।

श्रीमती कुसम राय (उत्तर प्रदेश): महोदय, मैं माननीय सदस्य के वक्तव्य से स्वयं को संबद्ध करती हूं।

[उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) पीठासीन हुए]

Flood situation in Bihar, Uttarakhand, Assam, West Bengal
and other parts of the country

श्री मुख्तार अब्बास नकवी (उत्तर प्रदेश): महोदय, जैसा अभी माननीय कलराज मिश्र जी ने कहा, यह विषय काफी महत्वपूर्ण है। आज जब हम इस सदन में शून्यकाल में इस विषय पर चर्चा कर रहे हैं तो निश्चित तौर से यह केवल एक राज्य की बात नहीं है। उत्तर प्रदेश, उत्तराखंड, बिहार, असम, पश्चिम बंगाल और ऐसे तमाम राज्य हैं, जो पूरी तरह से भयंकर तरीके से बाढ़ से प्रभावित हैं। उत्तर प्रदेश के लगभग 24 जिले ऐसे हैं जो बाढ़ से प्रभावित हैं। उत्तराखंड का भी यही हाल है जैसा कलराज मिश्र जी ने भी जिक्र किया कि पहाड़ के गिरने से तमाम ऐसे यात्री हैं जो कि रास्ते में फंस गए हैं, तमाम तीर्थयात्री हैं जो रास्ते में फंसे हुए हैं। मैं अभी एक हफ्ते पहले रामपुर गया था। वहां पर तमाम गांव और गांव में रहने वाले लोग बुरी तरह से प्रभावित थे और वे सड़कों पर आ गए थे। बच्चे सड़कों पर आ गए थे। नौजवान और बच्चे बाढ़ की वजह से वहां नदियों में डूब गए तथा उनका कोई पता भी नहीं है। अनेक मौतें हो गई हैं। तमाम मवेशी, जानवर मर रहे हैं और उनकी लाशों से जो सड़ांध हो रही है उससे महामारी फैल रही

है, उससे बीमारी फैल रही है। अभी कल पता चला कि जिन सड़कों पर परिवार के लोग तथा महिलाएं और बच्चे शरण लेने आए थे, उन सड़कों पर भी पानी भर गया है और मजबूर होकर के उनको आज दर-बदर भटकना पड़ रहा है। उपसभाध्यक्ष महोदय, मैं आपके माध्यम से यह बताना चाहूंगा कि आज यह सरकार तिहाड़ जेल को मनेज करने में व्यस्त है, रामलीला मैदान को मनेज करने में व्यस्त है। मैं बताना चाहूंगा कि "सितारों के आगे जहां और भी है।" आज देश की इतनी तमाम जगहों पर बाढ़ की विभीषिका है, बाढ़ से आधे से ज्यादा देश प्रभावित है, लेकिन सरकार की तरफ से इस संबंध में कोई भी किसी भी तरह के उपाय के बारे में आज तक नहीं कहा गया है।

उपसभाध्यक्ष महोदय, इसके अतिरिक्त मैं आपके माध्यम से कहना चाहूंगा कि उत्तर प्रदेश में तीन दर्जन से अधिक जिले ऐसे हैं जो बाढ़ से बुरी तरह प्रभावित हुए हैं। सैकड़ों गांव तबाही से बुरी तरह से प्रभावित हो गए हैं, फसलें पूरी तरह से डूब गई हैं, इंसानी मौतें हुई हैं और मवेशी मर रहे हैं। इसके अलावा बीमार लोगों को चिकित्सा सुविधा पहुंचाने के रास्ते बंद हो गए हैं। उन तक चिकित्सा सुविधा नहीं पहुंच पा रही है। उपसभाध्यक्ष महोदय, यह एक महत्वपूर्ण विषय है। केन्द्र सरकार से मेरा अनुरोध है कि उत्तर प्रदेश के बारे में जैसा कलराज मिश्र जी ने कहा कि पश्चिमी उत्तर प्रदेश हो, पूर्वी उत्तर प्रदेश हो या जो बाढ़ से प्रभावित हैं, उत्तराखंड है, पश्चिम बंगाल है, असम है या अन्य जो देश के राज्य हैं वे भी आज बाढ़ से प्रभावित हैं, इसलिए सरकार थोड़ा सा तिहाड़ जेल से समय निकाल कर, रामलीला मैदान से समय निकाल करके कम से कम देश की इस महान समस्या के बारे में कुछ विचार करे और यहां से एक विशेष टीम भेजे। ...**(व्यवधान)**...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is over. ...*(Interruptions)*... Mike has been switched off. ...*(Interruptions)*... Nothing is going on record. ...*(Interruptions)*... It is over. ...*(Interruptions)*... तीन मिनट हो गए हैं, आप बैठिए। ...**(व्यवधान)**... Now, Shri Moinul Hassan. ...*(Interruptions)*...

SHRI RAM KRIPAL YADAV (Bihar): Sir. ...*(Interruptions)*... It is regarding floods. ...*(Interruptions)*...

श्री कलराज मिश्र: महोदय, राजस्थान के बाइमेर और जैसलमेर में भी बाढ़ आई हुई है और वहां पर भी लोग परेशान हैं।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): आपका नोट कर लिया है। ठीक है ...**(व्यवधान)**...

श्री राम कृपाल यादव: सर...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): हो गया, आपका सपोर्ट रिकार्ड में आ गया है। Your support is already recorded. ...*(Interruptions)*...

श्री राम कृपाल यादव: सर, हम एक मिनट बोलेंगे।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): कैसे हो सकता है, मैंने मोइनुल हसन जी को बुला लिया है, उसके बाद नहीं हो सकता। ...*(व्यवधान)*... That is against the rule. ...*(Interruptions)*... Don't ask me for that. ...*(Interruptions)*... I have already called his name. ...*(Interruptions)*... You cannot speak now. ...*(Interruptions)*...

**KILLING OF AN R.T.I. ACTIVIST AND SAFETY
ISSUES CONCERNING WHISTLE BLOWERS**

SHRI MOINUL HASSAN (West Bengal): Providing information to the millions of citizens is the motto of the Right to Information Act. But there is a new meaning of the Act. The RTI activists can get answer only in death. Day-before-yesterday, a thirty-five-year-old lady, named Shehla Masood, was killed in Bhopal. The incident, once again, has brought to light the fact that safety of whistleblowers is very dismal. After the murder of Shehla Masood, the police told that her campaign for wild life and tiger conservation might have hurt some vested interests. The social activist are exposing various illegal activities, throughout the country, ranging from diamond mafia, to mining scam, land scam, violations of environment laws. During the last year, ten social activists were killed. But, virtually, no action has been taken. Ms. Shehla Masood incident happened when lakhs and crores of people are protesting on the road against corruption.

So, Sir, I urge upon the Government to provide sufficient safety measures. There is an urgent need to provide protection to these whistleblowers along with ensuring that the laws such as the RTI Act don't go waste due to fear created by the killing of whistleblowers. These incidents are happening throughout the country. Last year ten people were killed. It has started again with the sad killing of Ms. Shehla Masood. I am raising this issue with your permission during Zero Hour. Thank you.

SHRI KUMAR DEEPAK DAS (Assam): Sir, I associate myself with the point made by the hon. Member.

SHRI BIRENDRA PRASAD BAISHYA (Assam): Sir, I also associate myself with the point made by the hon. Member.

SHRIMATI BRINDA KARAT (West Bengal): Sir, I also associate myself

with it.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I am requesting that every Member should lay his Special Mention on the Table of the House.

SPECIAL MENTIONS

**Concern over vacancies of teaching posts in top technical
and management institutions of the country**

DR. GYAN PRAKASH PILANIA (Rajasthan): Sir, it is a matter of serious concern that 1/3rd of teaching posts in top technical and management educational institutions, funded by the Ministry of Human Resource Development, is lying vacant. Out of 12,114 sanctioned posts, 4,083 are lying vacant in IITs/IIMs/National Institute of Technology, etc. The IITs, Altogether, have a sanctioned strength of 4,712 teaching posts, but only 3,148 are filled. The National Institutes of Technology have 4,632 posts, but there is vacancy for 1,522 slots. The Indian Institute of Science, Bangalore, has 150 vacancies - out of 518 posts, only 368 are filled.

The prestigious Indian School of Mines, Dhanbad, has filled only 172 of the 275 sanctioned posts. The National Institute of Training and Industrial Engineering, Mumbai, has 34 vacancies out of the total strength of 84. The Central Institute of Technology, Kokrajhar, has almost 50 per cent vacancy -18 out of sanctioned 37 posts have not been filled. The National Institute of Foundry and Forge Technology, Ranchi, has 13 vacancies out of the total sanctioned strength of 42.

In view of the above alarming scenario of vacancies of academy, I would urge the hon. Minister of HRD to examine what ails our top institutions. Thank you.

**Demand to enhance the amount of pension given under
the Employees Pension Scheme, 1995**

SHRI TAPAN KUMAR SEN (West Bengal): The Employees Pension Scheme, introduced in 1995, with much fanfare by the Central Government by diverting employer's contribution to the Provident Fund to the tune of 8.33 per cent of the wage of the workers, covered by the EPF, has proved to be a cruel joke to workers. No guaranteed minimum pension is ensured, as committed by the Government. More than one-third of pensioners get monthly pension much below Rs. 500 and

84 per cent of them get less than Rs. 1000, whatever be their last drawn wages, mocking at the very concept of pension. Government had unilaterally withdrawn its commitment for minimum guaranteed pension, annual revision of the pension amount matching the price rise and discontinued provision of return of capital and commutation for workers while rewarding the defaulting employers by drastically reducing the penalty for their deliberate defaults.

The Expert Committee, appointed by the Government, ignored unanimous recommendation of the Parliamentary Standing Committee on Labour (14th Lok Sabha) to enhance Government's contribution in pension fund to, at least, half the rate of employer's contribution and restoration of unilaterally withdrawn benefits.

I urge upon the Government to implement unanimous recommendations of the Parliamentary Standing Committee on Labour on EPS-1995 to enhance Government's contribution and ensure, at least, a minimum guaranteed pension of Rs. 1000 or pension calculated on the last pay drawn, whichever is higher, plus 3 per cent annual increase for price rise; to restore the benefits of commutation, return of capital, etc., unilaterally withdrawn by the Government, with retrospective effect for all the pensioners under the Scheme.

SHRI RUDRA NARAYAN PANY (Orissa): Sir, I associate myself with what the hon. Member, Shri Tapan Kumar Sen, has said.

**Demand to enhance the amount of financial assistance
given to widows living under below poverty line**

श्रीमती विप्लव ठाकुर (हिमाचल प्रदेश): महोदय, मैं सरकार का ध्यान एक बहुत गम्भीर विषय की ओर दिलाना चाहती हूँ। ग्रामीण विकास मंत्रालय के अन्तर्गत 'नेशनल फैमिली बनेफिट स्कीम' कार्यान्वित है, जिसके अंतर्गत ऐसे परिवार, जो गरीबी रेखा के नीचे रह रहे हैं और उनके परिवार के कमाऊ सदस्य की मृत्यु हो गई हो, तो उसकी विधवा को दस हजार रुपए आर्थिक सहायता के रूप में दिए जाते हैं।

महोदय, यह योजना 1995 में लागू की गई थी और तब से आज तक इस योजना के अन्तर्गत विधवा महिलाओं को दस हजार रुपए की ही आर्थिक सहायता प्रदान की जा रही है। आज तक इस राशि में किसी प्रकार की कोई बढ़ोतरी नहीं की गई। सर से पति का साया उठने की वजह से परिवार का भरण-पोषण कैसे करें, यह अहम सवाल उनके सामने बना रहता है। ऐसे समय में इस योजना के माध्यम से दी जाने वाली राशि उनके लिए बड़ी मददगार साबित होती है। बढ़ती महंगाई को ध्यान में रखते हुए, दस हजार रुपए की यह राशि बहुत कम है।

महोदय, यह योजना तभी कारगर साबित होगी, जब इसके अन्तर्गत उचित आर्थिक सहायता प्रदान की जाएगी। अतः मैं सरकार से पुरजोर अपील करती हूँ कि सरकार, 'नेशनल फैमिली बेनेफिट स्कीम' के अन्तर्गत गरीबी रेखा के नीचे रह रही विधवाओं को दी जाने वाली आर्थिक सहायता दस हजार रुपए की राशि को बढ़ाकर कम से कम पच्चीस हजार रुपए करे, जिससे उन विधवा महिलाओं को उचित आर्थिक मदद मिल सके। धन्यवाद।

**Demand for speedy disposal of health insurance
claims of weavers of Uttar Pradesh**

श्री मोती लाल वोरा (छत्तीसगढ़): महोदय, भारत सरकार द्वारा बुनकर समुदाय के कल्याण हेतु आई.सी.आई.सी.आई लोम्बार्ड जनरल इंश्योरेंस कम्पनी लि. के माध्यम से "बुनकर स्वास्थ्य बीमा योजना" विगत चार वर्षों से चलायी जा रही है। किन्तु, इस आशय की अनेक शिकायतें बुनकर समुदाय के लोगों से मिली हैं कि आई.सी.आई.सी.आई. की निष्क्रियता के कारण उनके हजारों क्लेम्स लखनऊ ब्रांच में लम्बित हैं। उदाहरण के लिए, आजमगढ़ जनपद के सैंकड़ों बुनकरों के कुल 3030 क्लेम्स विगत दो वर्षों से इस ब्रांच में अटके पड़े हैं, जिनका भुगतान नहीं किया गया है। दिनांक 5.5.2009 को 1205 क्लेम्स विकास आयुक्त, हथकरघा कार्यालय, नई दिल्ली के माध्यम से आई.सी.आई.सी.आई. को भेजे गये, जिनमें 1078 क्लेम्स वीवर्स के एवं 182 क्लेम्स हैंडीक्राफ्ट के थे, उनका निस्तारण अब तक नहीं हो पाया है।

उत्तर प्रदेश में बुनकरों की सर्वाधिक संख्या है। बुनकरों को "स्वास्थ्य बीमा योजना" का लाभ देने की भारत सरकार की योजना का लाभ इन बुनकरों को नहीं मिल पा रहा है। उत्तर प्रदेश के अन्य जनपदों के बुनकरों की भी कम्बोबेश यही स्थिति है।

मेरा केन्द्र सरकार से अनुरोध है कि बुनकरों को स्वास्थ्य लाभ मिले और उनके लम्बित पड़े क्लेम्स का शीघ्र निपटारा कराया जाए।

Concern over the delay in implementation of Assam Accord

SHRI BIRENDRA PRASAD BAISHYA (Assam): Sir, I would like to draw the attention of the Government towards a matter which is about the enormous delay in implementation of the Assam Accord, signed between the Centre, the State, the AASU, and the All Assam Gana Sangram Parishad in the presence of the then Prime Minister, Shri Rajiv Gandhi. The six years of mass agitation evoked against the illegal foreign nationals in Assam which concluded with some specific clauses in the Accord was not only a dream for the indigenous people of Assam, but also for the then Prime Minister, Shri Rajiv Gandhi. After 26 years of the signing of the Assam Accord, the Centre has totally failed to implement the core clauses. This is not only the betrayal of the people of Assam, but also of late Shri Rajiv Gandhi, who had taken the initiative of signing the Accord. The implementation

of detention and deportation of foreigners/illegal migrants, deletion of foreigners names from voters' list, border fencing, and NRC update in the entire State is going at a slow pace. Similarly, for national security reasons, highest priority is being given to the Indo-Pakistan Border and shoot-at-sight orders have been given. That Border is sealed, whereas, the Indo-Bangladesh Border remains open. The Border is porous, so, it is easily accessible for the Hujis, Jehadis and the foreign nationals. Accordingly, as per the Accord, revitalisation of the Ashok Paper Mill is far from implementation and operational status. May I, therefore, urge upon the Government to intervene and take up the matter seriously and consider safeguarding the ethnicity of the people of Assam for which the most-awaited Accord was signed.

**Demand to take suitable measures for the industrial
development of backward regions of the country**

DR. JANARDHAN WAGHMARE (Maharashtra): Development of backward regions or areas is a crucial problem. We find a marked imbalance between advanced regions and backward regions. Industries - heavy, medium or small - play a vital role in the development of a particular area or region. Backward regions like Marathwada, Vidarbha and Telangana, Bundelkhand or North-Eastern parts of the country are backward because industrialization has not taken place there. The result is poverty, illiteracy and unemployment. The scenario of the backward areas is frustrative.

We have adopted the policy of disinvestment. It is part of liberalization and privatization. Government does not want to take the responsibility of starting industries. It is of course gradually withdrawing itself from the public sector. The public sector is shrinking day by-day. But that will be disastrous ultimately. The recession or depression world-over has shown that the policy of disinvestment worsens the situation.

India should establish industries in backward areas to develop them. It can kill two birds with one stone by this. It can develop the backward areas industrially and provide employment to the poor. This task can be accomplished through public-private-partnership (PPP). Imbalance in development creates several problems. It will adversely affect the inclusive growth and development of the country. We should not neglect the public sector. Inclusive growth is necessary for establishing an egalitarian society. We should take measures to eradicate poverty,

illiteracy and unemployment in backward areas. Modernization comes with industrialization.

I call upon the Government to establish industries in backward areas and regions.

**Demand for separate reservation for backward classes
and other backward classes**

डा. राम प्रकाश (हरियाणा): मण्डल कमीशन लागू करने से पूर्व सामाजिक और शैक्षणिक रूप से पिछड़ी बिरादरियों को पिछड़े वर्ग की संज्ञा दी गयी थी। इन में प्रजापत, कश्यप, पाल- गढरिया, नाई, धोबी, वैरागी, तरखान, लुहार, धीमान, जांगड़, पांचाल, सुथार, रामगढ़िया, भट्ट, जोगी, सुनार, छिंभा, नाथ, कुचबंध, तेली, रायबारी, डकौत, शोरागिर, नट आदि प्रायः भूमिहीन शामिल हैं। एक गांव में इन की संख्या भले ही थोड़ी है पर हर गांव में इन के घर पाए जाते हैं। अकेले हरियाणा में इन की आबादी लगभग 17 प्रतिशत है। इन्हें पिछड़ा या अति पिछड़ा वर्ग माना गया है। प्रत्येक प्रांत में इन्हें नौकरियों और दाखिले में आरक्षण प्राप्त है। मण्डल कमीशन के बाद इन में कुछ और जातियां जोड़ दी गयीं जिन्हें अन्य पिछड़ा वर्ग (ओ.बी.सी.) कहा गया। ये दोनों वर्ग अलग-अलग हैं। इन्हें अलग-अलग आरक्षण चाहिए। कुछ प्रांतों में इन्हें बी.सी.-ए, बी.सी.-बी. कहकर आरक्षण दिया गया है। पंजाब हरियाणा उच्च न्यायालय ने इसे "आरक्षण के भीतर आरक्षण" मानकर अलग आरक्षण को रद्द कर दिया। इसलिए मेरा सरकार से अनुरोध है कि पिछड़े वर्ग को अन्य पिछड़े वर्ग से उसी तरह भिन्न माना जाए जैसे अनुसूचित जाति और अनुसूचित जनजाति को माना जाता है। एस.सी./एस.टी. के तर्ज पर इसे पिछड़ा/अन्य पिछड़ा वर्ग लिखा जाए। जनगणना के आधार पर दोनों के आरक्षण का अलग-अलग प्रतिशत तय किया जाए। यह आरक्षण प्रांतीय तथा केन्द्रीय स्तर पर उपलब्ध हो। यदि किन्हीं बिंदुओं पर और चिंतन की जरूरत हो तो पिछड़ा/अति पिछड़ा वर्ग कमीशन नियत कर के समयबद्ध सीमा में निर्णय किया जाए।

**Demand to increase the storage capacity for foodgrains
in Food Corporation of India**

DR. K.V.P. RAMACHANDRA RAO (Andhra Pradesh): Sir, rice production during 2010-11 was about 95 million MT. Buffer stocks with Government storage are now about 290 lakh tons, whereas the buffer-norm is around 142 lakh tons. I understand that in the last season the Government had faced a lot of problems in the procurement of rice. In Andhra Pradesh, adequate quantities of rice were not procured.

I am given to understand that the storage capacity of the FCI and the State agencies, put together, is less than 45 MT. The stocks now are about 65 MT. Sir, I am also given to understand that the FCI is facing a severe cash crunch due to which the procurement of foodgrains may be

affected. India has now a record harvest and the Government has announced a bonus of Rs.50 to wheat-farmers. The FCI is also gearing itself to increase its food stocks in view of the forthcoming Food Security Bill. In this scenario, within a week of India announcing a record harvest, it has been reported in the media that the nation's main grain buying agency, the Food Corporation of India, is running out of money for its massive nation-wide purchase operation. If this crisis continues, the FCI and the State agencies funded by it will not be able to procure grains. On the one side, the FCI is facing financial crunch to procure foodgrains and, on the other, there is a scarcity of the storage capacity. Under these circumstances, the Government needs to meet the situation very cautiously.

I urge upon the Government of India to take immediate necessary steps to increase the storage capacity for foodgrains and release the required amount to FCI to ensure that the procurement is not affected.

**Concern over the deteriorating financial condition of the
Hindustan Paper Corporation Ltd. in Assam**

SHRI KUMAR DEEPAK DAS (Assam): Sir, the major industries like Jagiroad Paper Mill and Panchgram Paper Mill of Hindustan Paper Corporation Ltd., in Assam is under a big financial crisis. HPC has continuously incurred a loss of about Rs.180 crores during the last two years. There is no permanent Chairman-cum-Managing Director (CMD) at the top most level. HPC has increased the price of bamboo of North Cachar Hills in Assam from Rs.1850.00 per MT to Rs.5600.00 per MT and has been paying this enhanced rate to the contractors. Surprisingly, the royalty of bamboo (Rs.300 to Rs.350 per MT) and price of home-grown bamboo (Rs.2100 per MT) being supplied by farmers of the State remained the same. Again, presently HPC is bringing wood from other States like Andhra Pradesh, West Bengal, etc., at a high rate (Rs.7100 per MT) whereas such home-grown soft wood is locally available at much lower cost. There are two examples which have also led to unsustainable cost of production in comparison to the market price of its finished product. On the other hand, the HPC being a 25 years old organization is mainly dependent on State forests resources for continuously producing paper.

Therefore, HPC needs a permanent CMD in the interest of the well growth of the Corporation. It also needs complete modernization and technical upgradation of the Jagiroad and Panchgram

plan. And, HPC Ltd. should declare a clear cut policy to ensure suitable compensation to the local bamboo growers to keep the required flow of this raw material and a foolproof price fixing mechanism of HPC Ltd., for procurement of raw materials.

**Demand to allocate adequate funds for a new railway line
between Tuticorin and Madurai**

SHRI S. THANGAVELU (Tamil Nadu): I request the Government to allocate adequate funds for newly-announced important railway line between Tuticorin and Madurai. The new railway line on this industrial corridor was under survey for the past few years and has been approved by the Railway Ministry. This new line also has many interlinked towns like Kariyappatti, Mallankinnar, Aruppukkottai, Vilathikulam including connectivity with VOC port of Tuticorin.

Further, there are a number of small and large-scale industries like of power production units, fertilizer industries and various production units situated along the line between Madurai and Tuticorin. So, the new railway line would be beneficial for industrial transportation, would provide link to various other places, State destinations and would help in development of export, import and other commercial activities. This new line was announced in the last Budget and actual estimated cost for this new line is Rs.601 crore, but the fund allocation made by the Government till now is just Rs.1 crore. Further, there is a long-pending demand for new day-time train between Tuticorin and Chennai which would benefit a number of employees, students and other patients who prefer to have medication in Madurai Government Hospitals and small traders. The meagre allocation for the new line between Tuticorin and Madurai raises questions about the realization of this new project and seems to be neglected. Therefore, I request the Government to look into this new line and speed up the same by allocating sufficient funds as well as introduce a new day-time train facility between Tuticorin and Chennai.

**Need to take effective steps for propagation of Hindi throughout the
country**

SHRI AMBETH RAJAN (Uttar Pradesh): Sir, strength of our nation lies in its unity in spite of vast diversity. Article 351 of the Constitution envisages that to preserve the composite culture of India, Hindi as well as other languages mentioned in Schedule VIII, will be used as medium of expression.

The Official Languages Rule, 1976 categorize States into three regions - region 'A', 'B' and 'C'. It is well known that in three-fourth States of our country, Hindi is in use in one form or another. The people of non-Hindi speaking States are deprived of learning Hindi through any proper way. So, a non-Hindi speaking person feels the pinch of not knowing Hindi whenever he or she moves to another place from his or her usual place of residence. So, it is the duty of the Government to take all possible steps like teaching Hindi through school curriculum or through specialized institutions as is being done by the Dakshin Bharat Hindi Prachar Sabha.

The Central Hindi Directorate is the only organization which imparts teaching of Hindi to the general public, through correspondence courses and is functioning under the Department of Higher Education in the Ministry of Human Resource Development. The Budget for this department is Rs. 85,00,000/- and around 10,000 students are studying. How will Hindi language be propagated with this amount of money?

Sir, I request the Government to take steps like giving incentives to Hindi learning persons, giving priority in employment for Hindi-knowing persons etc., and take concrete steps to propagate Hindi not only at the Central level but also encourage the State Governments to undertake this task.

Demand to allocate adequate quantity of fertilizers to the State of Tamil Nadu

SHRI A. ELAVARASAN (Tamil Nadu): Sir, I would like to request the Government through this august House for adequate supply of fertilizers to the State of Tamil Nadu. Fertilizer is the key input for increasing the productivity of crops. The total requirement of various fertilizers is estimated to be 26 lakh tones, comprising 11.12 lakh tones of urea, 3.66 lakh tones of DAP, 4.80 lakh tones of MOP and 6.52 lakh tones of complex fertilizer. Timely supply of above quantity of fertilizers is very essential for better and enhanced productivity. Especially the DAP is a critical input to raise paddy nurseries and to apply as basal dose to all crops. The Central Government has allocated to our State of Tamil Nadu 47,000 tonnes of DAP for the months of April and May, 2011, but the supply was 26,000 tonnes, leaving a shortfall of 21,000 tonnes of DAP. The current availability of water in the major reservoirs in this State is quite encouraging for crop cultivation. Further, the south-west monsoon has just commenced in the western part of the State. So, the

adequate supply of fertilizers at this

time is pertinent, lest the meager supply would affect the entire cultivation and resultantly there is a chance for the less food production. The State of Tamil Nadu is contributing a considerable percentage to agricultural production of this country. Hence, I urge upon the Government to allocate adequate fertilizers to our State keeping in view the necessity of adequate supply of fertilizers at this time and to ensure higher foodgrains production.

Concern over danger of country due to China having obtained approval for exploration in Indian Ocean from International Seabed Authority

SHRI ANIL MADHAV DAVE (Madhya Pradesh): As per a report, China has obtained approval from the International Seabed Authority (ISA) to explore 10,000 sq km. in an international seabed region in the Indian Ocean. The association will sign a 15-year exploration contract with the ISA around November this year. This move marks China's attempt to gain a foothold in the Indian Ocean. This is an alarm for our country. Such a craft could be potentially used to intercept or sever undersea communication cables to retrieve foreign weaponry on the ocean floor, or to repair or rescue naval submarines. They may try to develop their military goals in the areas which are closed to scrutiny from India. As per the Directorate of Naval Intelligence (DNI), it would provide them an opportunity to collect oceanographic and hydrological data in a legitimate manner. Further, it would also provide an excuse to operate their warships in this area. China's move has made a simple mining decision a national security concern. For at least the past six years, strategists in the Indian Naval establishments have been asking the Government to utilize India's mining rights in the Indian Ocean before China got it there first, and now China has. 'The difficulty,' said officials who are participating in the policy review, 'is the lack of coordination among various Government departments.'

Therefore, I request that the Government should discuss all aspects with major political parties, policy makers, security experts, and concerned officials with proper coordination between various departments. This is an issue of utmost national importance with grave portent for our national security. Without any further delay, the Indian Government should raise this issue at every possible international forum and authority.

Demand to take effective steps for early disposal of large number of pending cases in the courts of the country

श्री कलराज मिश्र (उत्तर प्रदेश): महोदय, यह पुरानी कहावत है कि "Justice delayed is justice denied." देश की विभिन्न अदालतों में लंबित मुकदमों हमारी न्याय व्यवस्था के लिए चुनौती बने हुए हैं। त्वरित न्याय का न हो पाना भी प्रशासन में फैले भ्रष्टाचार का एक कारण है। जहां देश के विभिन्न उच्च न्यायालयों में लंबित मामलों की संख्या लाखों में है, वहीं अधीनस्थ न्यायालयों में यह संख्या करोड़ों में है। वादी या अपीलकर्ता अपनी बारी का इंतजार करते और तारीख पर तारीख लेते-लेते काल के गाल में समा जाते हैं और यह काम उनके पुत्र-पुत्रियों या कभी-कभी तो पौत्र-पौत्रियों को करना पड़ता है। भारत के पूर्व रेल मंत्री - स्वर्गीय श्री ललित नारायण मिश्र की हत्या हुए लगभग 40 वर्ष का समय हो चुका है और मामला अभी भी दिल्ली की एक कोर्ट में लंबित है। ऐसे ही न जाने कितने मुकदमों हैं, जो दशकों से अदालतों में लटके हुए हैं। दूसरी ओर अदालतों में न्यायाधीशों के सैकड़ों पद खाली पड़े हैं। मेरे गृह राज्य - उत्तर प्रदेश के उच्च न्यायालय में न्यायाधीशों के स्वीकृत पदों की संख्या 160 है, जब कि इनमें से मात्र 62 न्यायाधीश कार्यरत हैं, अर्थात् लगभग 65 प्रतिशत पद खाली हैं। ऐसे में लंबित मुकदमों के निपटान की उम्मीद कैसे की जा सकती है? न्यायालयों में खाली पदों को भरने का क्या प्रयास हो रहा है? क्या न्यायाधीशों की सेवा निवृत्ति आयु (Retirement Age) को 62 से 65 वर्ष करने पर सरकार विचार कर रही है? यदि हां, तो इस विषय में शीघ्र कार्यवाही की आवश्यकता है, जिससे देश के गरीब लोग शीघ्र न्याय पा सकें। इसके अतिरिक्त न्यायालयों में खाली पद भी शीघ्रता से भरे जाने चाहिए।

Demand to grant presidential assent to the Karnataka Prevention of Slaughter and Preservation of Cattle Bill

SHRI M. RAMA JOIS (Karnataka): Sir, Karnataka Prevention of Slaughter and Preservation of Cattle Bill passed by the Karnataka Legislature was sent by the Governor of Karnataka to the President of India having reserved the Bill for the assent of the President and was sent to the President in the month of May, 2010.

In view of the inordinate delay in giving the assent, 250 citizens of Karnataka commenced Pada Yatra from Hubli in Karnataka to Delhi on 17th January, 2011 and had reached Delhi on 24th March, 2011, and held demonstration at Jantar Mantar urging the President to give assent to the Bill. Later, they came to know from news item published in Garden City Patrika that the Bill has not reached the Office of the President and its whereabouts are not known. Concerned Ministry of the Government of India not sending the Bill for the consideration of the President though it is more than one year, is highly regrettable.

Hence, through this Special Mention, I urge upon the concerned Department to send the Bill to the President for consideration.

Concern over the delay in making refunds of cancelled tickets and excessive cancellation charges being imposed by the private airlines in the country

श्री मोहम्मद अली खान (आन्ध्र प्रदेश): महोदय, मैं इस सदन का ध्यान प्राइवेट एयर लाइन्स के ज़रिए कैंसल कराए गए टिकटों का रिफंड देने में देरी और कैंसलेशन चार्ज के नाम पर ज्यादा पैसे काटने की पॉलिसी की तरफ दिलाना चाहता हूँ। टिकट कैंसल कराने पर एयर इंडिया सिर्फ 200 रुपए चार्ज करती है और बकाया पैसे भी जल्दी वापस कर देती है, लेकिन प्राइवेट एयर लाइन्स कैंसलेशन चार्ज के नाम पर सिर्फ 750 रुपए से 1000 रुपए तक चार्ज करती हैं, बल्कि बकाया पैसे वापस करने में दो से तीन महीने तक का वक्त लेती हैं जिससे मुसाफिरों को बहुत परेशानी होती है। कभी-कभी तो वी.आई.पी. और वी.वी.आई.पी. मुसाफिरों को भी अपने रिफंड के पैसे वापस लेने के लिए दो-तीन महीने तक इंतज़ार करना पड़ता है। इतने दिनों तक ये एयर लाइन्स इस पैसे को अपने इस्तेमाल में लाती हैं। फिलहाल प्राइवेट एयर लाइन्स को मनमाने कैंसलेशन चार्ज वसूल करने से रोकने के लिए कोई मैकेनिज्म नहीं है और बकाया पैसे वापस करने के लिए कोई मुद्दत मुकर्रर नहीं की गई है, जिसका नाजायज़ फायदा प्राइवेट एयर लाइन्स उठा रही हैं। इसलिए इस सदन के माध्यम से मैं सिविल एविएशन मिनिस्टर साहब से दरखास्त करता हूँ कि वे इस मामले में मुदाख़ालत करें और यह यकीनी बनाएं कि प्राइवेट एयर लाइन्स भी एयर इंडिया के बराबर ही कैंसलेशन चार्ज वसूल करें और बकाया रकम को जल्द से जल्द मुसाफिरों को वापस कर दें।

جناب محمد علی خان (آندھرا پردیش): مہودے، میں اس سدن کا دھیان پرائیویٹ انیر لائنس کے ذریعے کینسل کرانے گئے ٹکٹوں کا ریفانڈ دینے میں دیری اور کینسلیشن چارج کے نام پر زیادہ پیسے کاٹنے کی پالیسی کی طرف دلانا چاہتا ہوں۔ ٹکٹ کینسل کرانے پر انیر انڈیا صرف 200 روپے چارج کرتی ہے اور بقیہ پیسے بھی جلدی واپس کر دیتی ہے، لیکن پرائیویٹ انیر لائنس کینسلیشن چارج کے نام پر نہ صرف 750 روپے سے 1000 روپے تک چارج کرتی ہیں، بلکہ بقیہ پیسے واپس کرنے میں دو سے تین مہینے تک کا وقت لیتی ہیں جس سے مسافروں کو بہت پریشانی ہوتی ہے۔ کبھی کبھی تو وی۔آئی۔پی۔ اور وی۔وی۔آئی۔پی۔ مسافروں کو بھی اپنے

†Transliteration in Urdu Script.

ریفرنڈ کے پیسے واپس لینے کے لئے دو تین مہینے تک انتظار کرنا پڑتا ہے۔ اتنے دنوں تک یہ ایئر لائنس اس پیسے کو اپنے استعمال میں لاتی ہیں۔ فی الحال پرائیویٹ ایئر لائنس کو منمانے کیسلیشن چارج وصول کرنے سے روکنے کے لئے کوئی میکنزم نہیں ہے اور بقایا پیسے واپس کرنے کے لئے بھی کوئی مدت مقرر نہیں کی گئی ہے، جس کا ناجائز فائدہ پرائیویٹ ایئر لائنس اٹھا رہی ہیں۔ اس لئے اس سدن کے مادہیم سے میں سول ایونیشن منسٹر صاحب سے درخواست کرتا ہوں کہ وہ اس معاملے میں مداخلت کریں اور یہ یقینی بنائیں کہ پرائیویٹ ایئر لائنس بھی ایئر انڈیا کے برابر کیسلیشن چارج وصول کریں اور بقایا رقم کو جلد سے جلد مسافروں کو واپس کر دیں۔

(ختم شد)

Demand to review the decision of allowing foreign direct investment into retail sector of the country

श्रीमती माया सिंह (मध्य प्रदेश): महोदय, प्रत्यक्ष विदेशी निवेश (एफडीआई) की सचिवों की समिति द्वारा देश में बहु ब्रांड खुदरा कारोबार में 51 फीसदी की सिफारिश से खुदरा बाजार में लगे देश के कोने-कोने में किराना व छोटे-मझोले व्यवसाय करने वाले व्यापारियों तथा कामगारों के हित इस कदम से चरमराने वाले हैं और बहुराष्ट्रीय कम्पनियों के कुचक्र में फंसकर दशकों पुरानी भारतीय व्यापारिक व्यवस्था इस अनुमति से दम तोड़ देगी।

एकल ब्रांड खुदरा क्षेत्र में 51 फीसदी और थोक बाजार में 100 फीसदी की अनुमति एफडीआई को पहले से ही मिली हुई है। परिणामस्वरूप देश में बहुराष्ट्रीय कम्पनियों की हिस्सेदारी बाजार पर 15 फीसदी के आसपास है। यदि सचिवों की समिति की संस्तुति को सरकार मान लेती है तो देश के बाजारों में बहुराष्ट्रीय कम्पनियों की हिस्सेदारी 15 से बढ़कर 100 फीसदी हो जाएगी, जिससे देश का व्यवसायी पूरी तरह से प्रभावित होगा और पिछड़ जाएगा।

मेरा आग्रह है कि सचिवों की समिति द्वारा एफडीआई की अनुमति देने के सुझाव पर पुनः विचार हो और देश के व्यापारियों के हितों से जुड़े हर पहलू को बड़ी सावधानी से जांचा-परखा जाए। इसके अलावा यह सुनिश्चित हो कि छोटे व्यापारियों को ऐसी किसी भी अनुमति से कोई नुकसान न हो, नहीं तो आगे चलकर परिणाम घातक होंगे और फिर संभलने का वक्त नहीं मिलेगा क्योंकि हमारी व्यवस्थाएं तब तक चरमरा चुकी होंगी। धन्यवाद।

Demand to restore the availability of coal and power to the State of Madhya Pradesh

श्री कप्तान सिंह सोलंकी (मध्य प्रदेश): महोदय, केन्द्र सरकार द्वारा मध्य प्रदेश को मिलने वाले बिजली के कोटे को बार - बार कम किया जा रहा है, जिसके कारण मध्य प्रदेश में बिजली की समस्या उत्पन्न हो रही है।

†Transliteration in Urdu Script.

केन्द्रीय क्षेत्र के पूर्वी क्षेत्र में स्थित विद्युत गृहों से विवेकाधीन कोटे में लगातार कमी करते हुए पूर्व में मध्य प्रदेश राज्य को 350 मेगावाट बिजली मिला करती थी समस्या उत्पन्न हो रही है। केन्द्रीय क्षेत्र के पूर्वी क्षेत्र में स्थित विद्युत गृहों से विवेकाधीन कोटे में लगातार कमी करते हुए पूर्व में मध्य प्रदेश राज्य को 350 मेगावाट बिजली मिली करती थी। जिसको अब समाप्त कर दिया गया है। इसी प्रकार 2003 में केन्द्र सरकार द्वारा उत्तरी ग्रिड से राजस्थान के कोटा स्थित परमाणु विद्युत गृह से 143 मेगावाट का विशेष आवंटन किया गया था जिसको केन्द्र सरकार ने अब बंद कर दिया है। केन्द्रीय क्षेत्र के दामोदर घाटी निगम से हुए एक अनुबंध से पहले 400 मेगावाट बिजली मिलने की सम्भावना थी लेकिन इससे भी केवल 120-130 मेगावाट बिजली ही प्राप्त हो रही है। महोदय, केन्द्रीय क्षेत्र के वेस्टर्न कोल फील्ड द्वारा सतपुड़ा ताप विद्युत गृह से खराब कोयला प्रदर्शित किया जा रहा है, जिससे विद्युत के उत्पादन में 150-200 मेगावाट की कमी आई है। केन्द्र सरकार मध्य प्रदेश राज्य को मिलने वाली बिजली के कोटे में लगातार कटौती कर रही है। केन्द्र सरकार द्वारा मध्य प्रदेश के कोयले को राज्य से बाहर भेजा जा रहा है, जिससे राज्य के बिजली उत्पादन में कमी आई है। महोदय, मेरा आपसे आग्रह है कि सरकार द्वारा मध्य प्रदेश राज्य को निर्बाध कोयले की आपूर्ति की जाए तथा केन्द्रीय पूल से मिलने वाली बिजली भी पूर्व की भांति मिलनी चाहिए।

Demand to set up a Regulatory Authority to monitor and set parameters for safe energy drinks in the country

श्री प्रभात झा (मध्य प्रदेश): महोदय, देश में बिक रहे एनर्जी ड्रिंक्स में खतरनाक स्तर तक कैफीन का इस्तेमाल किया जा रहा है। सेंटर फॉर साइंस एंड एनवायरमेंट्स पॉल्युशन मॉनिटरिंग लैब (सीएसआई) के एक अध्ययन के अनुसार 44 प्रतिशत सैंपल में कैफीन का स्तर तय पैरामीटर से ज्यादा मात्रा में पाया गया। कैफीन की ज्यादा मात्रा से न केवल हार्ट अटैक बल्कि लकवे का खतरा बढ़ जाता है। यहां तक कि कैफीन की ज्यादा मात्रा शरीर में जाने से व्यक्ति की जान भी जा सकती है। देश में बेचे जा रहे एनर्जी ड्रिंक्स में कंपनियों द्वारा धड़ल्ले से तय पैरामीटर से ज्यादा कैफीन का इस्तेमाल किया जा रहा है, परन्तु इन पर नज़र रखने के लिए देश में कोई नियम, संस्था नहीं है। जाहिर है इसका फायदा उठाकर एनर्जी ड्रिंक्स कंपनियां देश के भोले-भाले लोगों की सेहत के साथ खिलवाड़ कर रही हैं।

अतः देश के लोगों के स्वास्थ्य हित में, मैं सरकार से यह मांग करता हूँ कि एक नियामक संस्था का गठन किया जाए जो कि देश में एनर्जी ड्रिंक्स कंपनियों के व्यापार एवं क्रियाकलाप पर नज़र रखे।

देश में एनर्जी ड्रिंक्स की मुक्त बिक्री पर प्रतिबंध लगाया जाए तथा मेडिकल प्रेस्क्रिप्शन की स्थिति में ही इसकी बिक्री की अनुमति का प्रावधान किया जाए। सरकार द्वारा एनर्जी ड्रिंक्स के प्रयोग से होने वाले साइड इफेक्ट्स के सन्दर्भ में देश के लोगों के बीच जागरूकता फैलाई जाए।

अंत में, मेरी सरकार से मांग है कि उपरोक्त बिन्दुओं को ध्यान में रखते हुए शीघ्र उचित कदम उठाए। धन्यवाद।

Concern over scarcity of power in Bihar

DR. C. P. THAKUR (Bihar): Sir, Bihar is a large State with a population of 9.2 crore; and 15 years of misrule during the RJD regime,

there has been a complete infrastructural failure, including

availability of electricity in Bihar. At present, Bihar produces electricity only at two small plants, that is, at Kanti and Barauni. Share in the Central quota is also not adequate. Naturally, no businessman wants to start any industry in Bihar because power is the key for industrial development. Even agriculture is suffering because of this. There is drought in Bihar except a bit of North Bihar. Even for getting drinking water, adequate electrical energy is required and, therefore, Bihar is not able to develop adequately in spite of the best intentions of the Government. To meet the day-to-day requirement of this huge population adequate power is required. Therefore, it is the responsibility of the Central Government to manage and supply of adequate power for all round development of Bihar. For this purpose, negotiation with neighbouring countries like Nepal and Bhutan would be important for supply of hydel power. If there is a possibility of accessing facilities of hydel power in any of our northern Himalayan States, then, Bihar can access those facilities. Even neighbouring countries like Nepal and Bhutan should be approached. This is a matter of urgent important for development of Bihar and it needs Central help and intervention.

Demand to strengthen the Security of Mumbai

SHRI SANJAY RAUT (Maharashtra): Sir, I would like to raise a serious issue regarding the lethargic attitude of both State and Central Governments towards purchasing modern weapons and better intelligence resources for the Mumbai security. Mumbai Police Department is demanding, from time to time, for modern weapons and other intelligence communication equipments for the security of Mumbai. Due to lethargic procedure for procurement of modern weaponry for the force, the Mumbai Police is unable to tackle armed extremists. There has been a complete deficiency of local and police intelligence. National intelligence is paper-thin, and despite repeated attacks, we have not learnt our lessons. The devastating attacks on Mumbai show that the Indian financial capital urgently needs a more modern police force and better intelligence resources.

There have been many loopholes in the security cover of Mumbai which has already been a terror victim for five times.

The Mumbai City Police and the entire Maharashtra Police were unprepared for such an eventuality. The reaction of the Mumbai Police was amateurish and unprofessional on account of lack of preparedness to deal with the situation.

More than anything, we need to prepare a professional response team and keep them well-trained, equipped and paid handsomely.

In view of security of Mumbai and Maharashtra, I request the Government to take immediate steps for providing weapons and latest communication equipments to Maharashtra Police for tackling the war against terrorists and its organisations.

Demand to make provisions of staff with salary on Government servants' pattern for the staff of Parliamentary party offices of political parties

DR. BHARATKUMAR RAUT (Maharashtra): Sir, I wish to mention an issue of providing staff component with salary on the pattern of Government servants for staff working in Offices of Parliamentary Parties situated in Parliament House.

Every national and regional political party has been provided office space in Parliament House for performing the parliamentary duties by its Members of Parliament. The necessary facilities, e.g., furniture, telephone, computers, internet, electricity, etc., have been provided by Government to these offices. But necessary staff is not provided by Government to assist the MPs.

Parliamentary Parties have employed a few staff on their own in these offices and give salaries from the monthly contributions collected from salaries of their respective MPs. Due to shortage of funds, party offices are unable to employ required staff, thus office work is hampered. Employees have been working for a long time (10 to 15 years) in these offices, but no basic facility such as provident fund, bonus, pension plan, etc., is being provided to them. Their future is uncertain. The Parliament is committed and responsible to make laws for the welfare of citizens of the country; then why justice is not done to persons who are serving the representatives of the people.

I request the Government to provide staff component with salary, allowances, etc., on the pattern of Government servants for staff working in the offices of Parliamentary Parties situated in Parliament House. By doing this future of present staff will be secured and the work in the Offices of Parliamentary Parties may be done properly.

Demand for early completion of Cuddapah-Bangalore railway line

SHRI Y.S. CHOWDARY (Andhra Pradesh): The Cuddapah-Bangalore new railway line is one of the South Central Railway's largest projects and

the foundation stone for the project has been laid

at the Cuddapah Railway Station. The new line will reduce the distance considerably between Cuddapah and Bangalore. It has the potential to boost the economy and generate employment in the region. The Cuddapah-Bangalore railway line once completed will shorten the distance by 226 kms. as compared to the route via Renigunta and will also provide a shorter alternative route between north India and Bangalore.

The project involves an investment of Rs. 2,000 crores, which the Central Government and the States of Andhra Pradesh and Karnataka have agree to bear on a 50:50 basis.

In view of the benefits that are likely to accrue to the people of the region and the economy from the new railway line between Cuddapah and Bangalore, I urge upon the hon. Minister of Railways to take interest in the railway line and ensure that the line is completed at the earliest. Thank you.

Concern over Rotting of Foodgrains in the country

श्रीमती कुसुम राय (उत्तर प्रदेश): एक ओर देश में गरीबी रेखा से नीचे रहने वालों की संख्या 37.52% से ऊपर पहुंच गई है और विश्व के 22% गरीब भारत में रहते हैं। UNFAO के अनुसार भारत में 23 करोड़ लोग भूख और कुपोषण के शिकार हैं और 56% महिलाएं एनीमिया की शिकार हैं।

एक अन्य सर्वेक्षण के अनुसार उ.प्र. स्थित बुन्देलखण्ड क्षेत्र में 3 वर्षों में भूख और गरीबी से त्रस्त आकर लगभग 1400 लोगों ने आत्महत्या की है और इनमें से अधिकांश दलित हैं।

दूसरी ओर भारतीय खाद्य निगम के गोदामों में लाखों टन अनाज भण्डारण सुविधा के अभाव में सड़ रहा है। यह कैसी त्रासदी है कि एक ओर, जहां लोग भूख से मर रहे हैं, वहीं लाखों टन अनाज गोदामों में सड़ रहा है। जिस भारत देश में दरिद्र नारायण की पूजा होती थी, उसी भारतवर्ष में लोग भूखों मर रहे हैं, अनाज गोदामों में सड़ रहा है और सरकार आंखें मूंदे बैठी है।

मैं सदन के माध्यम से मांग करती हूं कि सरकार अनाज को सड़ने से बचाने हेतु शीघ्र कदम उठाए तथा जरूरतमंदों तक अनाज पहुंचाने की शीघ्र व्यवस्था करे।

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): The House is adjourned to meet at 2.00 p.m.

The House then adjourned for lunch at fifty minutes past twelve of the clock.

The House re-assembled after lunch at two of the clock,

MR. CHAIRMAN in the Chair

MOTION FOR PRESENTING AN ADDRESS UNDER ARTICLE 217 READ WITH CLAUSE (4)
OF ARTICLE 124 OF THE CONSTITUTION TO THE PRESIDENT FOR REMOVAL FROM
OFFICE OF JUSTICE SOUMITRA
SEN OF THE CALCUTTA HIGH COURT;

AND

MOTION FOR CONSIDERING THE REPORT OF THE INQUIRY COMMITTEE CONSTITUTED TO
INVESTIGATE INTO THE GROUNDS ON WHICH REMOVAL OF SHRI SOUMITRA SEN,
JUDGE, CALCUTTA
HIGH COURT WAS PRAYED FOR:

AND

MOTION FOR ADDRESS TO THE PRESIDENT UNDER CLAUSE (4) OF ARTICLE 124 OF
THE CONSTITUTION

MR. CHAIRMAN: We shall now resume discussion on the Motion that could not be finished yesterday. The hon. Leader of Opposition.

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Mr. Chairman, Sir, yesterday, after some initial observations with regard to the bar being raised on issues of probity when it comes to Constitutional functionaries like the Judges, I had dealt with at length what the learned Judge had to say in his defence when he appeared before the House yesterday.

In a nutshell, so as to maintain the continuity, if I can just repeat two or three sentences, the case against the Judge is that from his tenure as an Advocate-Receiver to his tenure as a Judge, there is a thread of continuity where he never rendered accounts for monies which came into his possession as Receiver. He created, on his own admission, encumbrances. And I was trying to build up a case that he even misappropriated those funds. And, that is the case the Inquiry Committee has established and the in-House Judges Committee has established. This misappropriation spilled over into his tenure as a Judge. He became a Judge on 3rd December, 2003. It is only in 2006, when the Court passed an Order against him, that he had to then repay it under a coercive threat of a Court Order.

The second limb of the charge against him is that before various authorities, whether it was the Court, the in-House Committee, or the Inquiry Committee, he misrepresented the facts. He misled

them, and this entire misrepresentation was during his tenure as a Judge. A Judge is expected to be candid. A Judge is expected to be a role model litigant. A Judge does not come up and say, 'I invested this money erroneously, by an error of judgement, in Lynx India. The money got lost because of insolvency', when the fact is that he did not, from the monies, in this case, of Steel Authority of India, invest any monies in Links India.

Sir, since the House had adjourned yesterday for continuing this debate today, I got a further opportunity to read the entire evidence which came up before the Committee set up under The Judges Inquiry Act by the hon. Chairman. And, I must say that even when the learned Judge was here yesterday, and he made a very persuasive presentation, some of the facts that he stated - and I say this with a sense of responsibility - were not merely a continuation of this exercise to mislead the entire enquiry process, and earlier, the judicial process; when he appeared before this House, the entire basis of his defence, on the basis of documents admittedly before the inquiry which the hon. Chairman appointed, was completely at variance. The truth was something else. I will refer to three illustrations of this fact.

The hon. Judge says, "The Committee that the hon. Chairman appointed mentioned that the Judge was a holder of a particular account whereas the account belonged to some other Soumitra Sen, and that he was being hanged because the Committee attributed a bank account to him which was in the name of some other Soumitra Sen. When all of us heard this, we were actually surprised that how the Committee could commit such a patent error on the face of it. I checked up the entire evidence. When the charge was made against him that you obtained moneys by sale of goods in the Steel Authority case, you usurped those moneys; you misappropriated those moneys. On the contrary, from some other case of Calcutta Fans where you were a Special Officer, you invested those moneys in a company called Lynx India. The Committee or any other litigant did not make this charge of this account against him. This judge, in the first instance, through his mother went to a single judge of the Calcutta High Court and he told the single judge of the Calcutta High Court, "Well I had kept this money in Account No. 01SLP0156800 and this money was invested in Lynx India."

Through his mother he filed a written note. This account number that he himself gave was the account of the other Soumitra Sen. And that

written note - I hold in my hand the relevant extract - is before the Inquiry Committee. The Calcutta High Court never had an opportunity to see it. Even the

in-house inquiry did not get it. It's only the Inquiry Committee appointed by the hon. Chairman that obtained this by directing the bank to come here. Not only this, when we challenged the order of the Division Bench at two places and I will read it and those familiar with court proceedings will appreciate that this is in form of grounds of appeal and an interim application - he makes the same observation. "For the learned judge failed to appreciate that all investments made by the erstwhile Receiver in the company were by way of cheques drawn on ANZ Grindlays Bank from bank Account No.01SLP0156800." His defence was that from this account he made the investments in Lynx. So, both the High Court and everybody called for this account and they found that from this account no investments had been made. Twice he told the Division Bench this. After he told the Division Bench this and the single judge did not accept his case and they found that from this account no moneys had been paid to Lynx, the matter came up for inquiry under the Judges (Inquiry) Act. They charged him not for holding this account; but you say that from this account you paid moneys to Lynx, unfortunately, from this account no money has been paid. The copy of the charge is then given to him. He doesn't correct the error. The charge is then given to him. The charge doesn't say that you hold this account. The charge says from this account also no money has been paid to Lynx. So, the defence is false. When he comes up before the inquiry Committee, he files a detailed reply. Even in the reply, he doesn't say that this belongs to some other Soumitra Sen. It is only when the bank official comes his counsel now very conveniently puts a question to him, 'Well this account doesn't belong to my client, it belongs to somebody else'. So, the bank rightly says, 'Yes, it belongs to somebody else.' So, the Inquiry Committee says, 'You yourself put up a false account from which you had made the payments and when it is found out that this is not the real account, they get the account opening form. The account opening form is of one Soumitra Sen who is an employee of Food Specialities Ltd. So, you passed off his account as your account in the pleadings." So, the Inquiry Committee holds against him from these moneys of sale or this account you have not paid any money. Now what does he do when he appears before us? He comes here and says, 'Look so casual and vindictive was this Inquiry Committee that they foisted a false account on me.' Sorry, the

truth is otherwise. You passed off a false account as your account. When the bank was called, they detected this fraud and the Committee has, therefore, given a finding against you.

So, the first point on which he tried literally to rubbish the procedure of the inquiry was by saying that a false account is foisted on me. The second fact - and we can check up the record - is when he says, "The accounts were materially operated between 1993 and 1995. No bank statements are available, and I am being hanged without the bank statement showing expenditure." This worried me a little, Sir. So, I went and checked back the record at night, and from the evidence, which the Committee appointed by the hon. Chairman, I found that before the High Court, he never brought the bank statement. Obviously, he himself had to show the bank statement of expenditure. But, the inquiry appointed by the hon. Chairman directed one of the banks to come and show the statement. So, the bank filed the ledger. So, second falsehood where he misled the House yesterday was, "bank statements are not available". The bank statements are available. They are exhibited in the inquiry appointed by the hon. Chairman. What does the bank statement say? I am just holding the statement of Allahabad Bank where I had mentioned yesterday that some Rs.4,68,000 was deposited. From 24th March, 1993 onwards, by cash, and mostly by cash, some payments by cheque, he withdraws the money. And, Rs.4,68,000, on 8th March, 1996, within two years, becomes Rs.5,378. No money given to any workmen; no money given to Lynx India; all cash and cheque withdrawals for himself. Till date, he has not explained what did he do with this money. It's only in 2006, ten years later, when he got caught, he says, "Okay, I will pay with interest". So, this House was again misled yesterday by saying that bank statements are not here. Bank statements are available. I hold them in my hand.

The third thing he said yesterday where he tried to mislead us, "Even if you hold me guilty and remove me, I - will still shout from rooftops that I did not misappropriate the money." Well, you may have a great determination or a pathological conviction that you have not misused the money, but the best proof is how were the cheques cut out from this account? The cheques can't lie; individuals can. On the inquiry appointed by the hon. Chairman, what do the cheques show? I am holding zerox copies of the cheques which are on the record of the inquiry. The same names as I mentioned

yesterday cheques in favour of one K.L. Yadav, one Guru Enterprises, one Subroto Mukherjee, Prashed Prasad Chaudhary, Ram Nath Roy and the same names which I had mentioned yesterday. Now, who are these people? These are not workmen. What is the second set of cheques? Now, regarding the second set of cheques, the record is with me. It is in Committee's record. Any Member can borrow the record from me. All these cheques are cut out 'self and cash withdrawn. You can shout from rooftops that you did not withdraw this money, but these cheques and this misappropriation will hang like an albatross around your neck even when you are shouting from rooftops. These are all self withdrawals. These are all withdrawals in favour of a company, S.C. Sarkar and Company, the bookseller, publishers that I mentioned. And, then, there are cheques towards ANZ Grindlays Bank card number so and so which is for VISA credit card. These are exactly the same facts I had given yesterday. Now, you use the money, you utilise the money which is really custodial, as he says, in his possession, which is case property. He holds it as a trustee. And, when he holds it as a trustee, he not only misuses this money, misappropriates this money, but in 2003 when he becomes the Judge, he does not tell the Court that I should now be discharged. He continues this misappropriation. The misappropriation continues to 2006. And, the second limb of his offence is when he is called before Courts, when he is called before an in-House inquiry, when he is called before the inquiry appointed by the hon. Chairman, he tells them, "I made some wrongful investments. There must have been an error of judgement on my part, but there is no misappropriation."

Self cheques, credit card cheques, book publisher's cheques, cheques in favour of some other unknown gentleman! And, both the inquiries, the inquiry appointed by the Chief Justice of India, and, the inquiry appointed by the Chairperson of the Rajya Sabha, have come to a finding that this was a case of misappropriation.

He says that I eventually went and returned the money. I mentioned this yesterday, and, some of us who are familiar with this branch, know that the first explanation, in fact, that is the only explanation, to breach of trust deals with a situation when, as a trustee, you hold money which is to be used for a particular purpose. The explanation to section 403 of the IPC states that a dishonest misappropriation for a time only is a misappropriation with the meaning of this section.

So, any kind of misappropriation, even if it is for a temporary period, in this case, this period stretches to almost more than ten years, is a misappropriation. And, as a Judge, between 2003 to 2006, not only he continues the misappropriation but also misrepresents to every authority, and, he tells to every authority which is constituted, "well, these were some honest, bonafide investments, which got lost, and, therefore, I paid back after ten years with interest".

Can we afford to have a Judge whose conduct is of this manner? The plea that he raises is that since the main suit is pending, the issue is *sub judice*. The issue of Justice Sen's misconduct or proven misbehaviour within the meaning of article 124 and article 217 is not pending in any court. In fact, that is the sole jurisdiction of this House. He then says, "I did not claim a right of silence". The summons issued to him under the Judges Inquiry Act say, "you can appear in person and through counsel but be prepared to answer all the questions". So, his counsel appears, and, it is a clever strategy that he does not appear himself nor offer himself as a witness. He is the best available person who can tell us and produce his accounts. What would a Judge do? He will be candid and say, this is how I spent the money. It was an error of judgement. I compensate the loss caused. He does not appear because these cheques would be confronted to him, the accounts would be confronted to him, and, he will have no answers to give.

So, the second limb of the charge on which he is held guilty is his misconduct during his tenure as a Judge, both continuing the misappropriation and stating incorrect, inaccurate facts. So, on each of these grounds, two different bodies have come to a conclusion, and, in all fairness, we are not really bound by what the in-house inquiry has said; we are not even bound by what the then Chief Justice's letter to the Prime Minister contains. There may be many cases of a grosser impropriety, of which evidence, unfortunately, may not be forthcoming. Therefore, we have to consider how we strengthen the system that even those cases do not go unchecked. But is that a ground that because many people who have committed similar or larger offences have got away, therefore, why pick me up, why single me out? Can we afford to have a Judge whose conduct smacks of this kind of a proven misconduct? Therefore, when an opportunity has come, where a committee of two very eminent Judges and one very eminent jurist has come to a finding, is there anything extraordinary in his presentation saying that they have

violated the procedures, or, the substantive facts are incorrect, that we should really consider not accepting the committee's recommendation?

And, therefore, I concluded yesterday, and, I am reaffirming that, I support Mr. Sitaram Yechury's motion that this is a fit case of proven misconduct where the Judge concerned must be removed from office, and, the Address to the President should be so recommended by this hon. House.

Sir, I would now like to make just a few observations. The first thing that comes to our mind is - and this has nothing to do with this particular case - that even in 2003, when this misconduct was continuing, how come such persons get to be appointed? It really seriously means that we have to revisit that process. Originally, when the Constitution was framed, we had a system where Judges were appointed by the Executive Government in consultation with the Chief Justice of India. Ordinarily, the Government would be bound by the Chief Justice's advice. In 1993, that system got changed by a judicial interpretation and the advice of the Chief Justice of India was binding on the Executive Government. That is the position today. Today, even though the Government is a part of the consultation process, it can refer back the case once, but effectively, our experience has been, this was the experience when the NDA Government was in power, this is the experience of the present Government, that we are living in a system where Judges appoint Judges. The Government, at best, has only a very marginal say. There is no other process by which there is any kind of a participation in the process of appointment of Judges. Sir, both the pre-1993 system and the post-1993 system had several handicaps. The best in this country are not willing to become Judges. We have to seriously consider why. At times, the selection process, where only Judges appoint Judges and the process is a non-transparent process, will always create situations where rumours in the corridors of the court and those who are close observers of the judicial process will be far too many. It was unthinkable once upon a time; it is not unthinkable today. That is why whereas, on the one hand, I suggested that vigilance has to increase, at the same time, we think of an alternative. My suggestion to the alternative is, I am not going into the details but a two-fold alternative. We should seriously consider a system which is being debated about setting up a National Judicial Commission. The National Judicial Commission must have Judges. It must have the participation of the Executive. It can also have participation of the people selected by a collegium of some eminent citizens. It can't only remain the domain of the Judges. Therefore, public interest has to be protected in the matter of appointment of competent Judges, in the matter of appointment of Judges who are men of integrity,

men of scholarship. Not only this, the criteria for appointment today does not exist. Is it today the discretion of the collegium? Collegium is also a system of sharing the spoils. When the High Courts recommend, members of the collegium share the spoils. This is an impression which close observers have. Therefore, the discretion whether the collegium system continues or we have a National Judicial Commission must also be now statutorily regulated so that arbitrariness can be avoided. After all, there has to be some objective criteria. Except elected offices, there is no other appointment which is made where there is no threshold criteria for entry. What is your academic qualification? How bright were you during your academic days? What is your experience as a lawyer? If you are a Judge, how many judgements have you written? How many have been set aside? How many have been upheld? How many juniors have you trained? How many cases have you argued? How many cases have been reported which you have argued? Have you got laws laid down? Have you written papers on legal subjects? These are all objective criteria. One cannot disregard them and say I pick up a name out of my hat and appoint him because I am in the collegium. Therefore, we need, I am glad the hon. Prime Minister himself is here, a system where this should be seriously reviewed.

Secondly, Sir, the matter of Judges judging Judges and nobody else participating in this is also an issue which requires a serious review and which requires to be referred to, in my opinion, the same National Judicial Commission.

The third issue is this. When appointments are made we have to seriously consider how the institution functions, whether it functions without any pressures. Today, whether it is politicised appointments or it is appointments which lack credibility or it is subsequent lack of accountability or biases on account of relatives, biases on account of religion,, caste, and personal relationship, these are all areas where accountability and vigilance norms have to be improved and increased, so that the independence of the institution can seriously be preserved.

Sir, I have always believed that we must seriously consider this larger issue of almost every retiring judge, barring a few honourable exceptions, holding a belief that he is entitled to a job after retirement. Jobs have been provided in certain statutes; they are created by certain judicial orders. Therefore, search for a job on the eve of retirement begins, as a result of which there is a serious

doubt which is raised that retirement eve judgements at times get influenced by the desire to get a job after retirement.

Therefore, I think when there is a Bill pending with regard to increasing the retirement age from 62 to 65 in the case of High Court Judges, we should correspondingly think of increasing the strength of judges, even increasing the facilities, remuneration and pension available, but putting a stop to this practice of everybody being entitled to a job after retirement. The desire of a job after retirement is now becoming a serious threat to judicial independence.

Lastly, Sir, it is just a brief comment. I have said in the very beginning that the separation of powers is one of the basic features of our Constitution. At times it's argued that the separation of powers is threatened because Governments of the day don't want an independent judiciary. They want to influence the independence of judiciary. So the theories like committed judges, judges with the social philosophy were all propounded at one point in time. Those are now ideas of the past.

Separation of powers requires that every institution works in its own spheres. And if every institution works in its own spheres, it has to lay down the *lakshman rekha* of its own jurisdiction. But why is it necessary to lay down *lakshman rekha* of its own jurisdiction? What happens if one steps into the other's domain? And I must candidly confess that this attempt to encroach upon the *lakshman rekha* is neither coming from governments of the day in the Centre or the States nor is it coming from the Executive or the Legislature. Some serious sidestepping is coming from the judicial institution itself. Therefore, we require a certain element of judicial statesmanship; we require a certain legislative vision so that we can maintain this separation of powers. Otherwise, what should be the economic philosophy of India? What should be our economic policy? Whether we go to the post-91 policy of liberalisation or we go to State controls is the matter entirely for the Executive. Courts cannot say that this is neoliberalism which is creating problems. Courts cannot have an ideology. The only ideology that courts can have is commitment to the rule of law and what law is made by Parliament. Courts cannot tell this to the Government.

There was an incident in the past when a terrorist group was holed up in Kashmir and courts asked our security agencies how many calories were to be fed to the terrorists, because they have a

right under Article 21 carrying a gun in their own hands. How Maoism is to be fought or insurgency in the North-East is to be fought, we have gone through these debates in this House. That is the domain of the Government. The Government has to decide the policy. Courts cannot decide that policy. What should be the land acquisition policy? The Government is seriously contemplating a new Land Acquisition Act. What should be the quantum of relief and rehabilitation? These are all areas for the Government to decide.

I recently came across a fact that a Pakistani prisoner should be released. There may be some space for compassion in any civilised society.

But, whether the Government of India wants to release the Pakistani prisoner or it wants to exchange for another Indian prisoner in Pakistan, is a matter of the foreign policy or the security policy of the Government of India. We have not handed over the management of India's foreign policy to the Supreme Court of India and, therefore, how the Pakistani prisoner is to be treated - released or otherwise - is entirely in the domain of the Government of India. Now, these are all examples of recent past that I am mentioning where the space or line of separation of powers itself gets obliterated and the encroachment, in most cases, is neither coming from the Legislative nor the Executive. Therefore, we need a serious introspection and I, therefore, said that we need a judicial vision, a legislative statesmanship and *vice-versa* in this country so that the correct balance of separation of powers can itself be maintained.

Finally, Sir, we were dealing with the case of a delinquent Judge. I am of the clear opinion after going through the reasoning of the Inquiry Committee; detailed reasoning has been given; it's a very well written report which is substantiated by huge number of documents. The conduct of the Judge leaves much to be desired- his conduct as a receiver, his conduct as a Judge, his conduct in the course of inquiry and finally - though not a ground for impeachment, but a ground on the basis of which we must make our own assessment - the kind of statement he made yesterday. I think, this is a case which should leave none of us in doubt that it's a fit case for removal of this Judge and we must so make a recommendation of the Address to the President of India. Thank you.

DR. E.M. SUDARSANA NATCHIAPPAN (Tamil Nadu): Thank you, Sir. I support the Motion for presenting an Address under article 217 read with

clause (4) of article 124 of the Constitution

followed by the Motion for considering the Report of the Inquiry Committee constituted to investigate into the grounds on which removal of Shri Soumitra Sen, Judge, Calcutta High Court was prayed for and Address to the President under clause (4) of article 124 of the Constitution.

Sir, we respect the judiciary in all quarters. We never mention the name of any individual Judge or any action of the Judges or any of the courts. We are following the system of separation of power and more so, under the leadership of Dr. Manmohan Singhji, the Government always obliges and respects the orders and directions of the Supreme Court, the High Courts and all the courts. But, yesterday, we felt very sorry after hearing an eloquent speech of a Judge, who is a sitting Judge, where he attacked the judiciary to the maximum. We can even see that the words he used were never used in the record of the Parliament. Never as a politician or as a Member of Parliament, we used the word 'prejudice'; we never used the word 'pre-judge'; we never used the words 'they don't have any power'; we never said that Order 39 or Order 40 of CPC says that they cannot ask anything from the receiver. We never said like that. We oblige that they have got separate jurisdiction. We have our own jurisdiction. We are doing our job; they are doing their job. That was the nature of the speech that we had in Parliament yesterday.

Sir, really, it is a historic day that now we are discussing the issue which was initiated by the judiciary. It is not initiated by any Member of Parliament except the procedure. Under the Judges Inquiry Act 1968, there is a procedure that you have to come forward with a petition or complaint against the sitting Judge of the High Court or the Supreme Court with the signature of 50 or above Members of Rajya Sabha or 100 Members from Lok Sabha. That procedure alone is followed by our side and we initiated this procedure only on the basis of the judicial aspect. The hon. Chief Justice of India had made a request to the President, requesting initiation of these proceedings against a sitting Judge of the Calcutta High Court.

For that I am just quoting from the report of the Inquiry Committee, Volume-11, page 65, item No. 9, "On 03-12-2003 Receiver was elevated as a Judge of the Calcutta High Court." This is a date very important for us. From that date onwards our jurisdiction starts to discuss on this matter. Then, he cites 20 events which have happened before the single Judge of the Calcutta High Court where it

was dealing with a Receiver's petition, how the Receiver has not properly acted and how he has not produced the accounts. In spite of the repeated summons were issued to him, he did not appear before the court. He did not give proper answers to the court. Events according to him, have been given on pages 65, 66, 67 and 68.

Finally, Sir, on the 19th item, on 10-04-2006, hon. Justice Sengupta passed a detailed order, directing the erstwhile Receiver to pay a sum of Rs.52,46,454/- after adjusting the said sum of Rs.Five lakhs. The erstwhile Receiver and/or his agent, and/or representative was injunctioned from transferring, alienating, disposing of or dealing with right, title and interest in moveable and immovable properties lying at his disposal, save and except in usual course of business, though he was discharged on 03-08-2004.

Sir, it is a very pathetic situation. A Judge, who has assumed a position of a Judge, was continuing as a Receiver also for more than eight months. If he was really feeling that he was elevated to a Judge of High Court, the entire life of the people, the entire judicial system were in his hands, he should also feel that when the warrant of appointment had come from the President of India, he should have relinquished from the Receivership, he should have deposited the amount in the court and he should have given accounts to the court and then he should have assumed the position of the Judge of the High Court. He has never done it. From the dates of events, he has just passed on the case as a Judge while we are discussing on his misbehaviour and misappropriation only during the period he was a Judge. He was questioning how could you deal with the person, Receiver, how could you question the Receiver, only the court could do so. Further he quoted order 40 of the Civil Procedure Code. As a Judge he continued himself as a Receiver also for more than three years, that is, till he was relieved. Eight months after the single Judge decided the case on the basis of a petition, he was removed from the Receivership and somebody else was appointed in that place. Subsequently, the proceedings continued for four years. And for four years he was representing the matter through various agents and Advocates. Finally, when the clear order was given by the single Judge in 2007, he came forward to deposit the entire amount. He paid the first installment of Rs.40 lakhs. Then, he paid the rest of the amount on 27.06.2006.

I am quoting from page 69 of the report. On his own submission a sum of Rs.40 lakhs has been paid by the erstwhile Receiver. Then, on behalf of erstwhile Receiver the constituted Attorney filed an application for extension of time to deposit the balance amount. This matter was considered by the court when he was also a sitting Judge of the same Calcutta High Court.

Then the pitiable position was, on 17-11-2006 a publication was issued, in the local newspaper.

A publication on this issue was made in the local newspaper. Then, the Chief Justice of that particular High Court, Calcutta, Chief Justice V.S. Sirpurkar, wrote a letter to the Chief Justice of India on 25.11.2006. This I am placing from his own submission, given on page number 3 of the reply, which is given before the Inquiry Committee. I am reading it from page number 3, para 1.2:

"This private communication by the Learned Single Judge led to the formation of an adverse opinion by the Hon'ble Justice V.S. Sirpurkar against me on the basis whereof he said, Hon'ble Justice V.S. Sirpurkar wrote a letter to the then Hon'ble Chief Justice of India dated 25.11.06 informing him of the allegations against me and his opinion and/or his views."

In that way, it goes on, Sir. Therefore, this is a *suo motu* proceeding which started with the Chief Justice of a particular High Court and it goes to the Chief Justice of India. Then, subsequently, he started to work on. The Judge - he is also a sitting Judge in the same Court - started working on and paid the rest of the amount on 21.11.2006. The Learned Advocate on record of erstwhile Receiver by a letter deposited the remaining balance amount of Rs.12,46,454/- before the Registrar. Then the Single Judge orders, on 31.7.2007, the application being G.A. No. so and so, for recalling the order, dated so and so. In that way, he lifted the injunction imposed on him. Till 31.7.2007, the Judge has never challenged the order of the Single Judge. He has never gone to this Division Bench. He has never gone in for any other review or revision or any proceedings. He has never gone for that. He has never challenged it. He accepted it. But, subsequently when he finds out that Justice Sirpurkar has initiated the proceedings through the Chief Justice of India, then only he files a petition before the Division Bench; that is on 25.9.2007. Hon'ble Justice Pranab Kumar Chattopadhyay and Hon. Justice Kalidas Mukherjee were pleased to re-set aside the impugned

judgment on 31.7.2007. Sir, repeatedly, he was telling us, "We have to
rely upon this judgment.' Sir, nobody who has got

small knowledge of law can accept when the initiated proceeding is already on. Whatever thing had happened anywhere, that will not be counted. Already, a Single Judge has passed an order; that was obeyed by the particular person; he paid the deposit. That means, he accepted every misappropriation, mishandling, everything. It was accepted. Then where is the position for citing another Division Bench judgment on which he has initiated afterwards, through his mother and other persons, that this order is wrong and, therefore, you expunge the portion which has commented upon the Receiver who was a erstwhile Receiver, and, therefore, he initiated that proceedings? Therefore, we cannot look into the Division Bench judgment at all. It cannot be a binding. He was telling us, "You want to take away the proceedings of the Division Bench judgment and you don't want to obey the Judge's order. Sir, the Judge's order is not a judgment *in rem*. It is not a judgment for the whole world. He has not produced any particular thing. It was a judgment in a particular person per se. That particular person is going to get a relief by that order. If that is so, it is not binding upon anybody. And more so, Sir, he challenged every position afterwards. Sir, being a Judge of the High Court, he should understand how the proceedings of the law have come up, how the Supreme Court has evolved a new system of correcting themselves within their own peer group and how they came out. In 1968, we enacted the law. In 1993, they took their own power of appointing themselves as Judges, and within three years, a lot of complaints started coming. Therefore, many cases have come to light and one of the cases is Ravichandran Iyer vs. Justice Bhattacharya. In that judgement, Justice Ramaswamy and another Judge have passed a judgment saying that the time has come; therefore, we have to rectify ourselves by way of creating an in-house system.

By this system we have come forward with a new convention.

Sir, I am just citing from the 21st Report of the Department-related Parliamentary Standing Committee on Personnel, Public Grievances Law and Justice on Judges (Inquiry) Bill, 2006. It is on page 9, paragraph 10 and I quote:

"10.0. In 1997 the Supreme Court of India passed two resolutions dealing with Judicial Accountability viz Restatement of Values of Judicial Life and in-house procedure within the Judiciary. The Restatement of Values of Judicial Life Resolution was adopted in the full court meeting of the Supreme Court on May 7, 1997 which included

the following:

'That an in-house procedure should be devised by the Hon'ble Chief Justice of India to take suitable remedial action against the Judges who by their acts of omission or commission do not follow the universally accepted values of Judicial Life including those indicated in the Restatement of Values of Judicial Life'.

The in-house procedure is essentially meant for disciplining the Judges, against whom complaints of judicial misconduct and misbehaviour were received. The in-house procedure rests on the premise that there may be complaints casting reflection on the independence and integrity of a Judge which is bound to have a prejudicial effect on the image of the higher judiciary. In the in-house procedure, a complaint against a judge is dealt with at an appropriate level within the institution. It is examined by his peers and no outside agency is involved, thus the independence of judiciary is maintained".

This was actually made on the basis of an observation of the Supreme Court in C. Ravichandran Iyer vs. Justice A.M. Bhattacharjee and others case. The Law and Justice Department Standing Committee had sent the Bill to all the High Court Judges. That was the first time that the Judges (Inquiry) Bill was sent to the High Court Judges. A full court of ten or eleven High Courts were convened by the High Courts and all of them replied in certain ways. They supported the in-house system. They supported the amendment to insert the provision. They opposed certain provisions. This is the kind of reply given by the full court of every High Court. That was a new history which was created during that period. At that time they cited a full court decision of the Allahabad High Court, as they replied to the request of the Standing Committee. They cited the Ravichandran Iyer's case. I am just reading out that portion on page 134:

"The Apex Court itself has laid down that the Chief Justice of a High Court has ample power to deal with any Judge who misconduct himself. Self-regulation by Judiciary is the method which has been emphasized by the Apex Court. The in-house remedy for restoring the confidence of the people against errant behaviour or misconduct' by any Judge has functioned quite effectively.

The Chief Justice of India being head of the Judicial fraternity does not lack means and power to discipline the Judges. The gap between proved misbehaviour and bad behaviour inconsistent with high office can only be disciplined by self-regulation through an in-house procedure as laid down by the Apex Court in C. Ravichandran Iyer's case".

This is the position of the Supreme Court. How can a sitting Judge criticise and say that the Chief Justice of India had made his own effort and he had prejudged everything? He also commented that the in-house procedure is not at all correct because there was no resolution passed by Calcutta High Court. Sir, all of us very well know that an annual conference of Chief Justices of all High Courts is convened. The hon. Prime Minister also attends that meeting. At that time the Chief Justices of all High Courts come. They make certain procedure for themselves. They make their own resolution. They follow that resolution. That is the convention that we are following in India. It is happening every year. They are making resolutions and they are acting upon them. But he challenged even that. He challenged each and every system and institution. We can't tolerate this just like that. He challenges in-house proceedings. He challenges the Chief Justice of India. He challenges the Judges who were Members of the in-house proceedings.

He says that two judges were elevated as the Supreme Court Judge and another judge was not elevated. These are all the things which he has mentioned. Even we have never mentioned these things in this House. This is the first time when we have heard this from a sitting High Court Judge in this Upper House.

Sir, I have gone through each and every part of the evidence before the Committee. This Committee was constituted by the hon. Chairman only after the CJI was convinced after the In-House proceedings that there was misbehaviour and misappropriation and he recommended it to the President of India. On the basis of that, hon. Members of this House took this initiative and that initiation has led to the provision of appointing a new Committee. That Committee was also challenged by him. He questions as to what is the right of the Committee to look into receiver's activities; they have got no right on that. He was saying like this. We are not saying who should be appointed as a receiver; we are not asking as to how he was appointed; we are also not asking whether he was doing the work properly or not. No, we are not doing that job. We are trying to find out

after being a Judge of the High Court what is his conduct; what misappropriation he has done.

From his own submission, we can find out how he misappropriated. As I have submitted earlier, he admitted that by way of submitting to the Court's order he paid the amount after four years, after he became a judge of the same Court. That means after four years he comes out and deposits the amount. He says, "I deposited the amount twice; I have deposited all the money in the Lynx India Co. which has liquidated. Therefore, the matter is over." He wants to tell one part of the story. This is like the Shakespeare drama. 'Iron was eaten away by the rat'. That is the story he wants to tell. Subsequently, he says, "No, no, even then I paid from my own pocket; I deposited around Rs. 50 lakhs." Why did you deposit the money? If you have not misappropriated the money in the last 14 years, why did you deposit the money? He deposits the money and he does not challenge the order. Then he comes forward and says that it was purely on a prejudicial matter.

Sir, I would like to talk about another thing. He has even come to a conclusion that the selection process was poor. On page 61, para 3.6, in his reply to the Committee, he says, "Past actions of a Judge long prior to his elevation, cannot be the subject matter of impeachment. If past actions are brought within the ambit of Article 124 (4) read with the provisions of the Judges Inquiry Act, it will make a mockery of the selection process of a Judge of the High Court or the Supreme Court". Here I would like to submit one proposition. After 1993, the procedure which is being followed by the judges is totally different. They never consult the Executive. Previously, before 1993, the procedure was like this: The local Chief Minister, through the Governor, will give a list of names, who have got good background and good reputation. That will then be considered by the Chief Justice of the High Court. Then he will make his remark on that and then send it to the Ministry of Law and Justice. The Ministry of Law and Justice, through its apparatus as the department was looked after by Home Secretary will find out as to what is the background of that particular nominee. Then they will compile a report on the basis of his background and that is then submitted to the Chief Justice of India. The Chief Justice of India will consider it and finally he will take his decision and then it will be forwarded to the President of India for issuing the warrant of appointment.

That was the procedure followed before 1993. Sir, the Constitution never says as to who has to appoint a judge. It is the President's will. At the same time, the settled provision, which was followed

till 1993, was the will of the people, the will of the local federal Government, the will of the elected representatives. The Chief Minister represents the whole State, and, therefore, his will was to be considered. So, it was routed through him. But they have to find out whether they come within the purview of the judicial system. Therefore, the Chief Justice of that particular High Court made the recommendation. And, finally, they have to find out whether he is a person of integrity, whether he is having the national spirit and whether he will abide by the Constitution. These are all the things which will be considered by the Union Government. Then, it will go to the Chief Justice of India, and it will then go to the President. But, after 1993, they have been totally misled by the Judgement which was rendered by a Bench. Before that, in the Committee on Personnel, Public Grievances and Pensions, Law and Justice, the former Chief Justice of India, Justice R.S. Pathak, former Chief Justice of India, Justice P.N. Bhagwati, and former Chief Justice of India, Justice Ranganath Mishra, all of them deposed before the Committee. I would like to read out the 21st Report of the Committee. On Page No.27, it says: While taking stock of the impact of the post-1993 situation, the former Chief Justice of India, Justice P.N. Bhagwati, stated as follows: "Ask any lawyer, standard has gone down. Why? It is because of the mode of appointment. When the Supreme Court gave its Judgement that the appointment should be in the hands of the judiciary, the Government should be bound by it, and it should end with the judiciary, namely, the Chief Justice and first four Judges, everyone thought, perhaps, at least, some people thought, but I never thought myself that this would improve the appointment or quality of appointment of judges." Also, the former Chief Justice and Judge of the International Court of Justice, Shri R.S. Pathak, says, "So far as the collegium is concerned, I must frankly confess that I have serious reservations about it. In regard to the old practice that we used to follow in appointment of judges, although this is not a matter really for today's deliberations, in my Judgement in S.P. Gupta's case, you will find that I thought we were quite happy with the old system provided it worked out *bona fide*.' The former Chief Justice of India, Justice Ranganath Misra, summed up on the issue of appointment of Judges as under: "I had made a reference, as a Judge or as a Chief Justice, to a larger Bench of the Court to find out how this process will be worked out. It was sent to a Nine-Judge Bench. It was a larger Bench. We wanted a decision from the Supreme Court on the question. It was not a matter which was to go beyond

a point and decide how
the vacancies of the Judges would be filled up. There was a wrong thing,
probably, in my own way. I

3.00 P.M.

consider that the referring Bench had said that all other questions were closed and that was the only issue to be discussed by the larger Bench." And it goes on like that. Therefore, all the former Chief Justices of India, very reputed persons at the international level, they have come forward to say that post-1993 situation is bad enough. This particular occasion we can prove it. If, really, this particular appointment was a transparent one, it was known to the Judges of the Calcutta High Court, it was known to the advocates of the Calcutta High Court, it was known to the people of Calcutta because the fate of the State is to be decided by that particular judge when the case comes before him, then, they would have come forward and said, "Sir, he has already cheated up to Rs.35 lakhs. Therefore, he should not be appointed as a judge."

They will come out and they will tell the concerned people that this Judge has created a bad precedent. He swallowed the money in the past ten years. He has not placed the accounts before the court. He has not obeyed the orders of the court. Even if we accepted it for the sake of argument that he had deposited the money, the Lynx India Limited was not ordered to deposit by way of the order of the Court; it was done by him. That is the misappropriation. He accepted it in his own reply that he had deposited money. Where is the order for that? No court had ordered that but he had done it. Therefore, such persons are not needed in the Judiciary. And such persons can never be appointed if proper procedures are followed.

Therefore, Sir, my submission is that these proceedings are very clear. The Inquiry Committee has gone through each and every aspect of the case. Sir, he had even challenged these proceedings as 'criminal proceedings'. He wanted his innocence to be proved beyond doubt. It wasn't and it was very clearly explained in the Inquiry Committee Report (Volume I) at page 3, "The proceedings for the investigation into the conduct of a Judge under the 1968 Act are not criminal proceedings against the concerned Judge; the Judge whose conduct is under inquiry is not a person who is to be visited either with conviction, sentence or fine; nor is the Inquiry Committee, appointed under the 1968 Act, empowered to make any such recommendations. Besides, the Judge in respect of whose conduct an inquiry is ordered under the 1968 Act is not a person 'accused of any offence' and no fundamental

right of his under article 20(3) of the Constitution of India would be infringed by his giving evidence during an investigation into his conduct...". Sir, he avoided appearing before the Committee at every stage and he challenged the veracity of the Committee. And finally, he went on to say if he did not get justice from the inquiry committee, he would go to the rooftop and tell the world that he has not done anything. Such was his position. He misused his eloquence and, that too, at a place where he is not supposed to. Therefore, I finally submit that the impeachment proceedings should go on.

Sir, finally, the judiciary has to be clear in its mind. This is one of the cases, one of the test cases, where they have been challenged. We have not challenged them. No politician has challenged them. No parliamentarian has challenged them. But their own people have challenged them. It is high time they had reviewed their own position. They should not cross the Lakshman Rekha. This is how we have to work. This is the way in which the Parliament is working. This is the way in which the Executive is working. Therefore, we have to coexist and we have to protect the Constitution. Thank you, Sir.

SHRI SATISH CHANDRA MISRA (Uttar Pradesh): Sir, while agreeing on certain issues which both the speakers before me, especially the Leader of the Opposition, have stated, in respect of the role of the Judiciary and the way the Judiciary is now encroaching into the area of the Legislature and the Executive, with great respect, I disagree on certain other issues.

Hon. Chairman, Sir, the Parliament, Judiciary and the Press, the media, are the safeguards of justice and liberty and they embody the pillars and the spirit of the Constitution. But, unfortunately, today, the credibility of all these pillars is being openly questioned now.

Sir, as junior lawyers we were always taught by our seniors that while arguing cases in the court we should not see who the Judge is, we should not see the face of the Judge and start arguing but we should see the files and the merit of the case that we have. Similarly, at a certain point of time, most of the hon. Judges also conducted themselves with great dignity and did not see the faces of lawyers during the court proceedings. But they used to see the cases on merits what was the case which a lawyer was presenting before the hon. Judge.

But, Sir, today the situation is largely changed and it is unfortunate. Today, in the corridors of courts, and otherwise, when the lawyers are talking to litigants, they are not concerned to know how much law the lawyers know with respect to the matter or how expert he is in the law. But, now the question usually put to the lawyer is whether he knows the judge or not. So, that is the unfortunate situation which has now reached which, of course, requires serious consideration.

Sir, earlier we always had honourable judges, who used to function in a manner that it was not their job to make the law, but it was the job of the Parliament or the Legislature. But, today what the courts say is not what the Legislature says or what the Act or the Constitution says, but, it is a matter of fact; now the judges instead of discovering the law, stating the law and applying the law, not making the law, forgetting the judicial review part, have started framing the law which is what the hon. Leader of the Opposition has elaborated in detail with respect to the separation of powers-getting into the field where the separation of power is now given a go-bye, which is not correct.

Sir, before coming to the issue of the impeachment and on merits of impeachment which is before us, I would like to say that there are certain issues which the hon. Leader of the Opposition has spoken, and the other colleague has spoken, on the appointment of judges. It was said that in the appointment of the hon. judges, there is a detailed procedure. The judges have taken on themselves the appointment of judges, post-1993, and that is why the denigration in the system has been found today. The Executive or other authorities have no role to play now. Sir, I beg to disagree on this because I know that the judge whom we are impeaching today was appointed at a time when we had one of the finest and most eminent Law Ministers; the appointment was done in the year 2003. ...*(Interruption)*... In 2003, we had Shri Arun Jaitley as the Law Minister. The appointment was made at that time. The scrutiny was also made at that time by him in his capacity as the Law Minister. And, I, as an individual, say before the House that I know that the scrutiny that was done was not a scrutiny which was here and there; but it was a detailed scrutiny. Why I say this? Because I know this. I myself was one of the persons who got scrutinized by him. That is why I am saying this, with great respect. ...*(Interruption)*...

SHRI SITARAM YECHURY (West Bengal): That is why you were not appointed.

SHRI SATISH CHANDRA MISRA: I am coming to that. Sir, everybody knows; in my family, my father was a judge, he retired as the Chief Justice; my uncle was a High Court judge; my elder brother was a High Court judge, he retired as a High Court judge. But, Sir, when I was called upon by the hon. Chief Justice to give the consent, with folded hands I requested and said, "No, I am not the person who is fit to sit on that seat." But, then, I was asked from various sources; when the collegium members were asked to force me that I should give my consent. One of the hon. judges who was in the collegium is presently a judge in the hon. Supreme Court and the other retired as the Chief Justice.

Then, ultimately, Sir, I had given my consent, in spite of the advice given by my father that I should think it several times, but I was asked to give my consent and I gave my consent. After the consent was given, the collegium met, it cleared the name. The process followed. It went to the Chief Minister. The Chief Minister cleared it. Then, it came to Delhi. In the meantime, when it was being scrutinised in the Law Ministry, at that point of time, the Chief Minister was changed. A new Chief Minister came. Of course, from the same party. But, then, suddenly, a letter was written to the Law Ministry by the Chief Minister saying, "Look here, I have certain reservations for this gentleman, and one more gentleman who was there also for different reasons". The reason for this was, 'that we have found out that when he was the Chairman, Bar Council of U.P. and the Secretary of the Bar Association, he had led a big agitation of the lawyers because the jurisdiction of the Lucknow was being taken away by the Allahabad Bench. So, there was the agitation and he participated in that'. This was number one. Number two was, 'that kindly find out, according to an information, he is not an advocate'. I had already become a Senior Advocate by that time. The full court had designated me as a Senior Advocate. But why I was not an advocate was, because it was said, 'that he has several houses; he has several buildings; he has a building in Noida; he has a building in Nainital; he has a building in Lucknow, and he is getting rent from, those buildings. Though he is the highest income-tax payer amongst the lawyers in the State, but kindly scrutinise whether he is actually an advocate or something else or a builder'. So, this letter went. When it went to law minister of course, it was looked into, and the matter was forwarded to the collegium. Then, I wrote a letter saying,

"Kindly do not consider my name, if all this is being done, and I don't want to be considered". But the scrutiny was done. The scrutiny was done at that level and this intervention was there. As such an intervention was there and thus to say that 'no intervention' is done, is not correct. In spite of the fact the allegation was there that you are not an advocate, the fact was, I was not in politics; I was purely a lawyer. At that point of time, I was always engaged by the parties which were in the opposition. Those parties which were not in power used to engage me for their cases. The Bhartiya Janta Party which was there in the opposition had engaged me to challenge the President's rule, I had argued it before the Division Bench and before the full Bench and had won, and strictures were passed against the Presidential Proclamation, but still I was not a lawyer! So, this was the scrutiny which was done.

SHRI RAVI SHANKAR PRASAD (Bihar): You are better here.

SHRI SATISH CHANDRA MISRA: No, I am thankful. I thank the hon. Chief Minister who was in this House earlier. The day I took oath, I said, "Because of you I am here". Today, I get this opportunity to see whether a High Court judge should be impeached or not. This is the irony of the fate which is there. Therefore, to say that the appointment of the judges is purely by the judges, Sir, so far as I am concerned, I do not agree to that because I personally know these facts for that purpose.

SHRI SITARAM YECHURY: We are glad that you are here with us now.

SHRI SATISH CHANDRA MISRA: I thanked him for that.

Sir, now coming to the matter which is before us today, i.e., the Impeachment Motion, though the time has been allotted, I have seen the time, but I have made a written request, the time is at your discretion, that the time may be extended because I would be speaking, probably, a bit differently.

MR. CHAIRMAN: Please do economize.

SHRI SATISH CHANDRA MISRA: If I have to stand up and say, "I agree to the proposal, then, I can sit down straightway and I will not require any time". But this is a serious issue, Sir, where we have to consider the Motion with respect to impeachment of a sitting hon. judge. Therefore, we have to look into the background not only the facts and merits of the case but also the background with

respect to what is the scope of article 124 and what is misbehaviour within its meaning; how an act is considered as misbehaviour? All these aspects will have to be looked into, and, then, we have to see whether it falls into that category or not.

And whether it is a case where under impeachment we should accept the Resolution and remove the Judge. I also do not agree to what the hon. learned speaker spoke before me that the hon. Judge when he was standing yesterday and he was making his submissions did not speak properly. He had every right. A person who is coming as accused and who is being charged that you have to be removed. A right to defend has been given to him which, has also been considered by the hon. Supreme Court in Constitutional Bench judgements holding that he has full right to defend. If it is not given, then, of course, it will be violation and the entire action of this House is likely to be struck down even if it is passed. Therefore, he has every right to defend and once he is the defence he has the right to say that these are the facts which have been ignored or which have not been looked into and which should be seen. Therefore, for this purpose, I would refer to what was said by the Committee which was appointed in the case of Justice Ramaswamy, in the House Committee Report I one paragraph what they said at that point in time was: "The immunity of Judges is not for the protection of a malicious or a corrupt but for public in whose interest it is that Judges should be at liberty to exercise their functions with independence and without fear of consequences. However, the standards of ethical and intellectual rectitude expected of Judges are directly proportional to the exalted Constitutional protection that they deserve to enjoy. The country is entitled to be most exacting in its prescription of the standards of rectitude in judicial conduct. What might be pardonable in the case of an ordinary citizen or officer might in the case of a Judge look indeed unpardonable. His morals are not the standards of marked place but is the punctilio of a higher code."

Sir, in V. Ramaswami vs. Union of India while considering the matter the hon. Supreme Court had observed: "The Judge of the Supreme Court as well as the Judge of High Court is a Constitutional functionary and to maintain the independence of Judiciary and to enable the Judge to effectively discharge his duties as a Judge and to maintain the rule of law even in respect of the lis against the Central Government or the State Government, the Judge is made totally independent of the control

and influence of the Executive by mandatorily embodying in article 124 or article 217 that a

Judge can only be removed from his office in the manner provided in clause 4 and 5 of article 124. Thus a Judge either of a High Court or the Supreme Court is independent of the control of the executive while deciding cases between the parties including the Central Government, State Governments uninfluenced by the State in any manner whatsoever. It is beyond any pale of doubt. There is no master and servant relationship or employer and employee relationship between the Judge of a High Court and the President of India in whom the Executive power of the Union of India is vested under the provisions of article 53 of the Constitution. The President has not been given the sole power or the exclusive power to remove a Judge either of the Supreme Court or High Court from his office though the President appoints the Judge by warrant under his hand and seal after consultations with such of the Judges of the Supreme Court or High Court in the States as he may deem necessary for the purpose and in the case of appointment of a Judge of the High Court, the President appoints the Judge by warrant but still the only mode of removal of a Judge from his office is on the ground of proved misbehaviour..," The word is 'proved misbehaviour' ".or incapacity as laid down in clauses 4 and 5 of article 124." Here we are on the question of proved misbehaviour; we are not on the question of incapacity with respect to the hon. Judge. Sir, under article 124 of the Constitution action for removal of a Judge is only on proved misbehaviour. The word 'misbehaviour' was not advisedly defined. It is a vague and elastic word and embraces within its sweep different facets of conduct, as opposed to good conduct.

Sir, the word 'misbehaviour' has found place under Article 124. The scope of Article 124 was considered, again, in the case of Krishna Swamy in 1992. Sir, Krishna Swami was a Member of Parliament and belongs to this House. He was also an advocate. He had filed his petition before the hon. Supreme Court. A Constitution Bench had considered the matter and then it had considered the scope of Article 124 and it said in para 60, "The Committee as Judicial authority adopts the procedure of a trial of a civil suit under the Code of Civil Procedure; it is not inquisitorial but adversary to search for the truth or falsity of the charges by taking evidence during the investigation like a trial of a civil suit and it should be the duty of the advocate and the learned Judge or his counsel to prove/disprove if burden of proof rests on the Judge, as a fact by adduction of evidence or the affirmation or negation or disproof of the imputation under investigation. The word 'investigation'

is to discover and collect the evidence to prove the charge as a fact or disproved. The Evidence Act

defined the words 'proved' and 'disproved' as and when after considering the matters before it, the court either believes the fact to exist or not to exist or its existence is so probable/non-existence is probable and the test of acceptance or non-acceptance by a prudent man placed in the circumstances of particular case was adopted. The consideration of the evidence is like a criminal case..." hon. Chairman, Sir, this is very important "...as the finding would be 'guilty' or 'non-guilty' of misbehaviour under Section 6 of the Act. The test of proof is 'proof beyond reasonable doubt.'"

So, it is like a criminal case. It has to be either proved guilty or non-guilty. And, it has to be 'beyond a reasonable doubt.' If there is any doubt, you cannot prove him guilty. It has to be completely 'beyond a reasonable doubt.' That is the aspect which has been referred to in this judgment.

Sir, with respect to definition of 'misbehaviour', the same has further been discussed in the same judgment. It says in para 71, "Every act or conduct or even error of judgment or negligent acts by higher judiciary *per se* does not amount to misbehaviour. Willful abuse of judicial office, willful misconduct in the office, corruption, lack of integrity, or any other offence involving moral turpitude would be misbehaviour. Misconduct implies actuation of some degree of *mens rea* by the doer. Judicial finding of guilt of grave crime is misconduct. Persistent failure to perform the judicial duties of the judge or willful abuse of the office would be misbehaviour. Misbehaviour would extend to conduct of the judge in or beyond the execution of judicial office. Even the administrative actions or omissions too need accompaniment of *mens rea*. The holder of the office of the Judge of the Supreme Court or the High Court should, therefore, be above the conduct of ordinary mortals in the society." So, now, after going through this, we have to find out what the evidence is and what the charges are. The charges, to which a reference was made, are two. The first one is misappropriation of large sums of money which he received in his capacity as a Receiver appointed by the High Court of Calcutta. The second charge is, making false statements, misrepresented facts with regard to the misappropriation of money before the High Court of Calcutta. Now, the question is what is the finding? Before coming to the findings, a question arises. We have to see whether the misbehaviour is proved as a Judge or we have to see whether misbehaviour is proved as a lawyer. I was only thinking that if my name

had been cleared I would have been standing here for the behaviour as a lawyer either today or on some other day. But, is that the jurisdiction and scope under Article 124? We have to see this. We have to

look into what the hon. Supreme Court had said. It says 'proven misbehaviour' in the capacity of a Judge. Or, when he was a student or when he was in university or when he was an advocate, he did certain acts which, according to you, were not akin to what an advocate is expected to do, you prove him guilty and oust him from the position of Judge. That is not permissible under this. But, here, a reference is made. He did properly reply to these charges yesterday. It will have to be seen whether an act, as an advocate, would be a ground for his ousting as a Judge. It is not a case of a person committing murder which remained hidden or involved in dacoity or some other thing which remained hidden earlier and erupted suddenly.

He was a lawyer in that court from where the name was recommended. It was known that he was 'Receiver'; and, he was functioning as a Receiver when he was appointed. Now, the question is whether that becomes a ground for his removal as a Judge, which was before having been appointed as a Judge. For this purpose, I would like to refer to the findings of the Inquiry Report. Did the Inquiry Committee go into all those questions and all those grounds that were raised by him in his explanation? We find a very sketchy and short-inquiry report, which deals, very precisely, with the issues and it appears that the conclusion was already in the mind that he has to be held guilty, which ultimately comes out in the report. Up to page 22 of the report, which deal with respect to inquiry it is all with respect to the conduct as an advocate. After hearing the judge, I thought he had a case. But after hearing the hon. Leader of the Opposition, I thought he had no case at all and we were just made to hear something having no force for two hours. But, then, I thought that I should go deep into the Inquiry Committee's report and see what it says. Kindly see what the findings say. It says that it is diversion of funds; it is misapplication of funds, so far as the first charge is concerned, as an advocate. It does not say 'misappropriation of funds'. Now, it can be said that since it is misapplication of funds, since it is diversion of funds, therefore, it is a 'misappropriation'. Sir, 'misappropriation' to the understanding of common man, to the understanding of a layman would be that if I had been given some money or some property or anything in trust to me to keep it with myself till required to be returned; and, when I am supposed to return it, I don't return it and I misappropriate even that money, then, it would of course be misappropriation. ...*(Interruptions)*... Yes, diversion. ...*(Interruptions)*... It is said that there is diversion from one account to another account. That is the

finding. Now, if it is transferred from this account to that account, it would not

become misappropriation. Since reference has been made, I would like to refer to one of the paragraphs of the report, which says that when it was asked to make the payment, when he was directed to give the payment, he immediately paid that. He did not protest. That is the charge. That is the allegation. For arriving at the conclusion that he is guilty, his action of making payment of the entire money with full interest is taken in the report. And, it is said that it means he was guilty. So, this is not the right ground to hold him guilty. Had he taken the money himself, it would have been alright. The second most important thing is that the entire findings with respect to second charge and also the first charge are based through and through only on the basis of the hon. Single Judge order. It says that the hon. Single Judge said this and the hon. Single Judge said that, completely overlooking the Division Bench Order which sets aside Single Judge Order. It was looked in the manner in which, probably, the Committee wanted to look it. It completely over looked that this entire charge is demolished by the Division Bench. To say that when he was called by CIT, thereafter, he went back and filed an appeal and got it. The single judge order set aside, will not demolish the existence of Division Bench Order...(Interruptions)...

MR. CHAIRMAN: Conclude please.

SHRI SATISH CHANDRA MISRA: I am just going to conclude. But. ... (Interruptions)...

MR. CHAIRMAN: Your extended time is over.

SHRI SATISH CHANDRA MISRA: Sir, I had sought time for this purpose only. Please give me some more time. If the appellate order completely exonerates him from the misappropriation and says that there is no misappropriation, why was this order not challenged in the Supreme Court? Why didn't anybody else go to the Supreme Court? Why didn't anybody else or any of the parties go to the Supreme Court to say that the Division Bench had joined with him? Who else has been charged for this offence? Conspiracy cannot be single-handed. There have to be two minds and two people. There is no charge on anybody else with respect to this. It is like casting an aspersion on the Division Bench also to say that he obtained the orders. Therefore, my submission at the end is this.

Charge number one says, 'It is duly proved.' It is not proved. The charge was about misappropriation of large sums of money which he received in his capacity as a Receiver. There is no misappropriation. Simply say at the end of the Report that it is duly proved is not correct. And the Inquiry Committee's finding on this issue cannot be blindly accepted.

The second charge is about making false statements. It is said that the statements made by the mother in the affidavit were false. There is no misappropriation from this, and there is no proven misbehaviour.

I would only conclude by saying that I do not agree with the Motion which has been proposed. I feel that it should be rejected. I think all of us should not be swayed and conclude that we have to remove him come what may. We should look into the facts of the case. Each one of us have got the material. It is the duty of each one of us that we should tread very cautiously in this field. We should apply our minds. Thank you very much.

MR. CHAIRMAN: Before I call the next speaker, may I remind the hon. Members that the time allotted for this debate is four hours. Therefore, a certain time-discipline has to be maintained.

SHRI ARUN JAITLEY: We are glad Mr. Misra did not become a judge. ...*(Interruptions)*...

SHRI SITARAM YECHURY: Sir, do these four hours include today's timings or is yesterday's time also included in this?

MR. CHAIRMAN: I think there was no ambiguity about it. Today's timing is 2 hours 56 minutes. ...*(Interruptions)*... We will try to accommodate, but I do request everyone to maintain time-discipline because we have a process to go through at the end of it. ...*(Interruptions)*... No; there is a set procedure. Mr. N.K. Singh, please go ahead.

SHRI N.K. SINGH (Bihar): Sir, it is an immense privilege to participate in this very important debate. One must feel somewhat handicapped considering that one is speaking after three very

eminent lawyers who have already spoken at great length. My preceding speaker was Mr. Satish Chandra Misra. The first non-legal luminary, so to say, given with very ordinary discipline, I would beg to submit before this House eight points for your consideration.

First and foremost, clearly one is reminded of what an eminent jurist, Arthur Schlesinger had said. He said, "The genius of an impeachment proceeding lies in the fact that it punishes the man without punishing the office. "This is precisely what this House intends to do through this very important Motion moved by my senior esteemed colleague, Mr. Yechury. Sir, yesterday, when I heard with careful attention the defence made by Justice Sen, I got three distinct impressions which I must share with this House. First and foremost, the impression which I got was that he sought to create a false hiatus between the sovereignty of Parliament seeking to bring it in conflict with the higher Judiciary. He repeatedly quoted what has been happening by the higher judicial functions as if to say that we would really stand up to the underdog in which he claimed to place himself in that position. I do believe, Sir, that for the reasons that I am going to give, that was a false hiatus, and a somewhat misleading thing.

My third important point, Sir, is that in his entire defence, he sought to create straw-enemies and straw-allegations which he then started to destroy. What was that? For instance, Sir, kindly look at page 74 of his written reply where he mentions about the fact that an order passed; and he says, 'Unfortunately, my explanation that these withdrawals were towards payment of workers' dues pursuant to a Division Bench order ...' Sir, it was nobody's case. Nobody had alleged that he was being held responsible for the payment or the delay in the payment of workers' dues. So, to demolish something which was initially never leveled against him is like creating straw-enemies to be able to then answer that in his own way.

Similarly, Sir, I think that in the Inquiry Commission's Report, he has clearly sought to alter the meaning of misappropriation. My esteemed colleague, Mr. Misra, has dealt greatly with the meaning of what he believes is misappropriation. As a Trustee, Sir, it is clearly understood that the money which he received was to be held in Trust. That Trust enjoined upon him a responsibility that he could not divert the proceeds of that Trust into some other account. For instance, he could not use it for his

personal purposes, no matter whether he reimburses it subsequently or not. As a Trustee, Sir, there are certain obligations which are cast upon him and therefore, any attempt in his defence to alter the meaning of misappropriation, in my view, is flawed.

Also, Sir, his suggestion in his defence yesterday - and that is my next point - on biases and predilections of successive high judicial authorities and by successive inquires which were held, in my view, did not seem to be borne out, considering that he himself had not cooperated with any of the processes. If you look, Sir, at the successive adjournments which he sought, where he failed to appear himself personally, where he really appeared through his attorney and sometimes really giving petitions in the name of his mother, in my view, suggests that the suggestion of bias and predilection looks to be flawed.

My next point really, Sir, is about the credibility and the integrity of the processes and procedures which you have followed before these judicial findings were reached. I believe that nothing which he has said in his defence casts any doubt on the procedures and credibilities. I agree, Sir, that a Judge is not supposed to know anything about the facts of life until they have been presented to him in evidence, and, as has been said by very eminent jurists all over the world, explained to him at least three times. Indeed, Sir, they were explained to him more than three times. Sir, the findings which have been received in this, clearly, are findings in two parts. One, as very rightly pointed out by my esteemed colleague, Mr. Misra, is regarding his conduct as an advocate. As an advocate, he knows better than I do that you are enjoined upon as an Advocate to follow the Advocates Act. What did his conduct mean? What he did under the Advocates Act? Report comes to the conclusion that his conduct was most unbecoming of an advocate. There is a Part II which then deals with his conduct as a Judge. Therefore, Sir, in the findings which have been reached, in the concluding paragraph, in part 8 of the Inquiry Committee Report, the misappropriation is duly proved. This is in two parts, in his conduct as an Advocate and in his conduct really as a Judge.

Sir, I go to my last point which is about some of the broader issues.

This Impeachment Motion has enabled this House to deliberate, for the first time, on the area of stalled judicial reforms. Sir, India is seeking to become a major economic power. It is seeking to achieve over 8 per cent rate of

growth. Whether we go to John Rawls Theory of justice which really wants to seek an explanation that inequalities and certain kinds of economic deprivation can only be tolerated if it benefits all sections of society.

And we must ask ourselves this important question whether our present judicial system is adequate to meet India's changing economic realities. In terms of improving and the Prime Minister knows it better than anyone else, in choosing our climate of investment, on transfer of properties, on mergers, on pricing and a whole host of things and addressing it in a manner which really would enable this country to grow. Is our judicial system equipped for a system which is managing rapid economic changes, Sir, while maintaining the social cohesiveness of a social order with a nine per cent rate of growth? Indeed, Sir, as has been very rightly pointed out by the hon. Leader of Opposition, this Impeachment Motion has given us an invaluable opportunity to consider some of these things beyond narrow partisan confines.

Sir, I strongly believe in the appointment of a National Judicial Commission and the demarcation of responsibilities between the three functions. Indeed, many of us were shocked and I am sure many of us would have been shocked when certain judicial pronouncements were made which questioned the Parliament, which questioned, for instance, whether it was necessary to attend Parliament, which questioned the integrity of this very vital organ, which is the over-arching organ of our Constitution. Many of us were so appalled, many of us were ashamed to be part of a process when it was being pronounced, and certain aspersions were being cast on Parliament, and we were mute spectators. Indeed, if we do not consider this opportunity to think about major issues of judicial reforms, setting up a Judicial Commission, a better demarcation of responsibilities, a better examining of whether our present judicial system equips us to deal with rapid economic growth, with issues of poverty and inequalities, we will miss, Sir, a very important opportunity. I, therefore, support this Motion. I support it because I do believe that in the end, if we do not maintain justice, justice will not maintain us. This was a very important saying by Francis Bacon in 1615 at the impeachment of the then Attorney General in the House of Commons. You must be reminded of this. We must be reminded also that how easy it is to judge rightly after one sees what evil comes from judging wrongly. We must judge rightly. We must exercise the sovereignty of this House. We must not allow this valuable opportunity to slip away.

I support this Motion and I support also the opportunity of this Motion to bring about a kind of qualitative change in the way in which the demarcation of powers between the three important organs enshrined in our Constitution can be restored and a measure of dignity and respect for each of these organs which the Constitution defines.

MR. CHAIRMAN: Thank you for your precision. Mr. Tiruchi Siva.

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, I rise to support the Motion moved by Shri Sitaram Yechury.

Sir, Francis Bacon once said, "The place of justice is a hallowed place, and therefore, not only the Bench but also the foot-space and the confines and the purpose thereof ought to be preserved without scandal or corruption."

Sir, we are proud that we have a long-standing tradition of sustaining an independent judiciary which has safeguarded our democracy and Constitution. The Indian judiciary which has got its own tradition is considered to be one of the pillars of democracy and it is duty-bound to uphold the moral values and ethics to secure the trust of the people. The trust in the judiciary by the people of this country and the Constitution is so immense that the day that trust is breached, it is the breach of trust of the people of India and the Constitution.

Sir, it is to be understood that however carefully the institutional forms may be constructed, the final analysis mostly depends upon the actual behaviour and the accountability of the individuals concerned. What is 'accountability'? The Oxford dictionary says, one who is responsible for one's own actions and decisions and is expected to explain when asked for. So, accountability is an inevitable and indispensable part of democracy. No public functionary or no public institution is exempt of this accountability, Sir.

Sir, the judicial accountability may not be on the same lines of the accountability of the Legislature or the accountability of the Executive. But they are also not above scrutiny. Sir, when the faith of the people in the quality, integrity and efficiency of the Government institutions starts eroding, we have a responsibility. The check and balance system comes in between. When we find the breach of trust by the judiciary, the only remedy available is that of the impeachment brought in the Parliament. Sir, in the long history of our Parliament the first impeachment which was brought in the

other House fell through, but this is the first ever case the case of Justice Soumitra Sen. When we surveyed the pages of the Constituent Assembly, there was near unanimity in bringing the impeachment. Only one Member of the Assembly, Shri R.K. Sidhwa, from Central Province had cautioned on 24th May, 1949 while participating in the debate of the Constituent Assembly that if two-thirds majority of the two Houses sitting together want a judge to be removed it would be quite possible that no judge would be ever dismissed for an act of wrong-doing. This is the only observation, only caution, given by one Member. Otherwise, there was unanimity. And, we have experienced that. Even this one case is being criticized and evaluated and there were difference of views which cannot be disputed. This is very essential. The case of Justice Soumitra Sen also puts forward a strong case for judicial reformation in the country. Sir, the method of selection of judges, as earlier spoken by my colleagues here, to the High Courts and to the Supreme Court by the collegium should have to be reconsidered. The Legislature movement towards constitutional amendment in these lines is the need of the hour. Sir, may I quote Dr. Babasaheb Ambedkar in the Constituent Assembly regarding this? In fact, the question as to whether the appointment of judges requires the concurrence of the Chief Justice was seriously debated in the Constituent Assembly. Dr. Ambedkar responded to the said suggestion in the following words: "With regard to the question of concurrence of the Chief Justice, it seems to me that those who advocate that proposition seem to rely implicitly both on the impartiality of the Chief Justice and the soundness of his judgement. I personally feel no doubt that the Chief Justice is a very eminent person. But after all, the Chief Justice is a man with all failings, all the sentiments and all the prejudices which we as common people have; and I think to allow the Chief Justice practically a veto upon the appointment of judges is really to transfer the authority to the Chief Justice which we are not prepared to vest in the President or the Government of the day. I, therefore, think that that is also a dangerous proposition." That is the observation made by Dr. Babasaheb Ambedkar, not mine. Now, the Government's approval of the Judicial Accountability Bill is a positive step to check the discrepancies of the higher judiciary and to ensure necessary action to

be taken. In this context, I support the Motion moved by my colleague, Shri Yechury. Yesterday, we heard Justice Sen's defence argument. He was eloquent

as everyone appreciated. I would like to submit some of the observations, through you, to this august House. In what authority he went to that extent? There are two things. One is that the findings of the Committee appointed by you clearly say that there was a large-scale diversion of funds and such diversion was in violation of the orders of the High Court; the purpose for such diversion remains unexplained. Justice Soumitra Sen was appointed as High Court Judge on 3rd December, 2003. The Committee noted that Justice Sen's actions were an attempt to cover up the large-scale defalcation of Receiver's fund. Sir, out of the two grounds of misconduct, the second is misrepresentation of facts with regard to the misappropriation of money before High Court of Calcutta.

Sir, this is what Justice Soumitra Sen said in reply to the motion received under article 217, read with article 124(4) of the Constitution, to the Rajya Sabha. Sir, I will quote. He himself contradicts. At one place, he says, "The respondent was appointed as a Receiver in the year 1984 by Order dated 30.4.1984. Till 2003, neither the hon. Calcutta High Court nor any of the parties required the respondent to render any accounts. For the first time, on 27.2.2003, an application was made by the plaintiff seeking directions for accounts and sale of the remaining goods and handing over sale proceeds. Despite the aforesaid statutory matrix, for about 19 years, nobody sought accounts, which is a clear indication that in Calcutta High Court, a practice had developed of not giving periodical accounts to the Court". He himself says again, "Rule 15 of the Calcutta High Court OS Rules lays down that unless ordered otherwise, the order appointing a Receiver shall contain a direction that the Receiver shall file and submit for passing half-yearly accounts in the Office of the Registrar and that such accounts have to be made at the end of months June and December every year and are required to be filed in the months of July and January respectively." So, at one place, he says that in the Calcutta High Court, there is no practice of giving periodical accounts to the Court. On the other hand, the rule 15 of the Calcutta High Court clearly says that he has to maintain accounts and give every six months. Then, I come to the second most important point. I am having the synopsis of yesterday's debate. He has clearly observed that the sale is still not complete. Therefore, the matter

is still *sub judice* and it should not be discussed in the House. Sir, nowadays, it has become a fashion to question the sovereignty and the authority of the House. Sir, he says that it cannot be discussed in the House. But, Sir, we are empowered by the Constitution under article 124, clause (4) and clause (5) that we can impeach; we can take the case of a Judge under the provisions of this article. Article 124(5) states, "Parliament may by law regulate the procedure for the presentation of an address and for the investigation and proof of the misbehaviour or incapacity of a Judge under clause (4)." Sir, while submitting before the Judges Inquiry Committee, he very clearly says that a Receiver is answerable only to the Court which appoints him and to no one else, and, therefore, the hon. Committee cannot enquire into the conduct of the respondent in its capacity as the Receiver. So, he questions the authority of the Inquiry Committee. He questions the authority of the Parliament even when the Constitution has empowered the Parliament. I second my colleague, Shri N.K. Singh's observation that it is our foremost duty to uphold the sovereignty and authority of the Parliament.

MR. CHAIRMAN: Would you please conclude?

SHRI TIRUCHI SIVA: Sir, I would like to conclude by quoting hon. Justice J.S. Verma who said, "The existence of power must be accompanied by accountability. Erosion of credibility in the public mind resulting from any internal danger is the greatest latent threat to the independence of the Judiciary. Eternal vigilance to guard against any latent internal danger is necessary lest we suffer from self-inflicted moral wounds." Mr. Yechury, before he moved this motion, said that it is not a motion against the Judiciary; it is only a motion against the misbehaviour of one Judge. On these grounds, and on the arguments that we have placed, Sir, I support the motion moved by Mr. Yechury.

DR. YOGENDRA P. TRIVEDI (Maharashtra): Thank you, Sir. Mr. Arun Jaitley told us that this is rarest of the rare event. I agree with him. Here are so many legal luminaries giving their best, putting their viewpoint in a scintillating manner with eloquence and then is the catch word, all that they are doing is without charging any fees. That is the rarest of the rare event. I was hearing with rapt attention to Shri Sitaram Yechury when he referred to the trial of Robert Olive and Warren Hastings...

He quoted from the oration of Edmond Burke. I also looked into what happened at that trial, and, I would like to quote another eminent jurist who addressed the House of Lords. His name is Sheridan, and, in my opinion, Sheridan even excelled Burke in certain respects, and, this is what he

said while the trial of Warren Hastings was there. He said, "Not a hair shall be plucked from head to the ground unless legal guilt is established by legal proof." This is what Sheridan said. Mr. Yechury made out a very spirited and detailed account of what has happened. There was also a very spirited reply by Justice Soumitra Sen. He made out four points, which have to be examined because this House today is acting in the capacity both as jury as well as judge. So, let us look at what was the defence of Justice Sen. He said that he had collected the money as a receiver when he was a lawyer. A struggling lawyer; I can understand. He is in command of some money, which he put in here and there; for the time being, he parked the money somewhere. He parked the money with Lynx India Private Limited, which later went into liquidation. I am little surprised because according to my knowledge, Lynx India Private Limited is still a very living corporation. It has large properties in the city of Mumbai. The building in which I am staying in Mumbai, there also, it has a very valuable flat running into quite a few crores of rupees. So, it is not a dead company. It is Lynx India Private Limited. Then, he said, later on, he returned the money. He gave it to the workers, and, thereafter, returned the money. This is his first submission. The second thing which he said was that there is a difference between his role as a Receiver and later as a Judge. He says that as a judge, he has an impeccable career, and, none of his judgement was doubted, and, he has been an excellent and ideal judge.

Later, he talked about *res judicata* and referred to the Division Bench judgement, which has been referred to earlier, and, which is at page 31 of the Inquiry Report. Lastly, he said, and, this is something, which I did not expect from a Judge, that there are others who have done similar crimes and they have all escaped. Mr. Arun Jaitley, thereafter, took us through the facts. I believe that more than law, facts are more important. According to me, facts are like arguments of God. So, we must examine the facts very minutely. How the moneys were parked with Lynx India is mentioned at page 16. For what reason, the moneys were parked with a private limited company, and not with an established undertaking, not with a public sector company, not with a big corporation. We do not know for what reasons it was done. Later, thereafter, moneys were disbursed at various places, and, probably trying to get a soft corner from Mr. Yechury, he said that moneys were given to workers. It is a very humanitarian job, but whose money? It was not his personal money. It was the money which was deposited with him on escrow account, which he was

holding as a trustee, and,

4.00 P.M.

first of all, that money was given to the workers, as he says, and, later, thereafter, it was returned to the court as per the directions of the court, but at what stage? Much after he became the Judge. He became the Judge in 2003, and, moneys were returned sometime later in 2005 after the court's order.

This is the catch. If the moneys would have been returned before he became a judge, it was understandable. He could say, "I was a struggling lawyer. I was in possession of money which I might have misused or mismanaged. Now, I want to start a new career. So, I want to atone for my sins or whatever it may be and I am returning the money". But he did not do it. There was no atonement. There was no repentance. There was no *pashchataap*. But he continued to keep the money even after he became a Judge. That means it becomes a continuing offence. The offence which was committed earlier, he continued with the offence later also. He did not try to wriggle out of it. He could have returned the money saying 'sorry, I did it during those days when I was just a young lawyer'. What does this indicate? It indicates that this gentleman who came here, he lacks the basic streak. He is not a man of conviction; he is a man of convenience. When the convenience ran against him, he returned the money. He could have done it the moment he became a Judge. There is something like atonement; there is something like repentance which can absolve a man from any crime. But he did not do that. We know that past always haunts a man, and one has to get rid of that past in a very graceful manner. Otherwise, what happens? We should not only see that justice is done, but, as Justice Vivian Bose, in that famous judgement of *beedi* supply company has said, 'Justice should not only be done, but it should be seemed to be done'. The same probity which we expect from all sections of the society, including the politicians, we require from the Judges. An ideal Judge is the one who was in Maharashtra, Mr. Javadekar you will bear me out, Justice Ram Shastri, who stood before the Peshwas, did not allow the Peshwas elephant to go further. He said, "I will not allow that to happen". This is the type of ideal Judge which we want. Our judges should be sea-green incorruptible. The argument that some culprits have gone scot-free should not have come

from a Judge. One cannot say that because hundreds of murderers have gone scot-free, the murderer who is proved to be guilty before me should also be let off. It is not the argument of a Judge. After hearing Justice Sen, after hearing Mr. Yechury, after hearing Mr. Arun Jaitley, after hearing all the other eminent lawyers here, who just argued their case without charging fees, I have come to the conclusion that it is the rarest of the rare case. I support the Resolution and would not mind that in future also we should be ready and if more such cases come, we should be able to tackle them. Thank you.

श्री किशोर कुमार मोहन्ती (उड़ीसा): सभापति महोदय, आज इस सदन में जो Motion आया है, मैं उसे support करता हूँ और मैं चाहूँगा कि यह सदन अच्छी तरह से इस पर चर्चा करते हुए एक ऐसी सहमति पर पहुंचे, जिसे आने वाले कल में तवारीख याद रखे।

सर, आज सारे भारतवर्ष में जो हल्ला मचा हुआ है, वह एक ही चीज़ के ऊपर मचा हुआ है और वह है corruption. इसी corruption के ऊपर आज इस सदन में हम एक ऐसी चर्चा कर रहे हैं, जो एक न्यायाधीश के ऊपर है। यह अपने आप में एक बहुत बड़ी चीज़ है। इस सदन की गरिमा को बचाने के लिए हम सबको अच्छी तरह से सोच विचार कर इस कदम को उठाना है। जब मैंने सभी को सुना और मैंने रिपोर्ट देखी, तो मुझे ऐसा लगा कि कहीं पर जब वे एक वकील के तौर पर एक रिसेवर बने थे, तभी से उनकी मंशा में कहीं-न-कहीं खोट था।

महोदय, सौमित्र सेन जी को हाई कोर्ट ने 30.4.1984 को रिसेवर नियुक्त किया था। उस समय कलकत्ता हाई कोर्ट में इन्हें एडवोकेट के रूप में appoint किया गया था और 12.03.2003 को ये जज बने, लेकिन इसी बीच 27.02.2003 में एक केस, GA875-2003 फाइल हुआ था, जिसमें रिसेवर के रूप में टोटल account और proceeding देने के लिए हाई कोर्ट ने इनको कहा था। एक बात यह है कि 03.08.2004 को, जब कि ये जज बन चुके थे, हाई कोर्ट ने एक proceeding में कहा था कि एक और रिसेवर appoint किया जाए, तब तक ये रिसेवर भी थे। 03.08.2004 से पहले ये वहां पर रिसेवर भी थे और जज भी थे, क्योंकि दूसरा रिसेवर 03.08.2004 को appoint किया गया था। ये 03.12.2003 में जज के लिए योग्य हो चुके थे और इसके बाद ये वहां पर जज होते हुए भी रिसेवर थे, तो ये कैसे कहते हैं कि मैंने गलती नहीं की।

महोदय, मेरे पास एक और प्वाइंट है कि इन्होंने तब तक पैसा रिटर्न नहीं किया, जब तक कि हाई कोर्ट ने इन्हें पैसा रिटर्न करने के लिए नहीं कहा। 2006 में कोर्ट ने कहा कि आप पैसा वापस कीजिए, तब जाकर इन्होंने पैसा वापस किया। अभी एक साथी कह रहे थे कि अगर इनकी मंशा अच्छी होती, तो ये जज बनने से पहले ही

मजदूरों का पैसा वापस कर देते। अगर इनके दिल में कोई खोट नहीं था, तो 2006 में कोर्ट के द्वारा कहने के बाद इन्होंने पैसा क्यों वापस किया, इससे पहले क्यों नहीं किया? जब सरकार किसी को नौकरी देती है, तो वह थाने से उसके चरित्र के बारे में enquiry करवाती है और थाने से उसके चरित्र के बारे में लिखित रूप में प्रमाण पत्र मांगती है। चरित्र प्रमाण-पत्र मिलने के बाद ही उसको नौकरी दी जाती है, लेकिन मेरी समझ में यह नहीं आया कि जो पैसा मजदूरों पर खर्च करने के लिए इन्हें दिया गया था, उसको इन्होंने अपने दूसरे account में रख लिया और इतना करप्शन करने के बाद भी इनको जज कैसे नियुक्त किया गया?

महोदय, मेरा कहना यह है कि जजों के appointment का जो प्रोसेस है, इसको ठीक करने के लिए हम लोगों को एक Autonomous Judicial Commission बैठाने की जरूरत है, क्योंकि हम लोग देख रहे हैं कि जब courts के कोरिडोर में बातचीत चलती है, तो वहां पर भाई-भतीजावाद बहुत चलता है। वहां मुंह देखा-देखी बहुत चलता है कि यह जज हमारे क्लब का मेम्बर है या यह हमारा दोस्त है, इसलिए इनके लड़के को जज बना दो। इस संबंध में हम जानते हैं, क्योंकि ओडिशा से एक ऐसे ही जज थे, जिनको वहां के एक जज के प्रेशर के कारण हाई कोर्ट में आने नहीं दिया गया। सौमित्र सेन कह रहे थे कि जिन-जिन को सुप्रीम कोर्ट का जज नियुक्त किया गया, उनके कुछ स्वार्थ हैं, इसलिए वे मेरे विरुद्ध बोले, लेकिन हम जानते हैं कि उनमें ओडिशा के एक ऐसे जज थे, जिनके बारे में हम लोग जानते हैं कि वे एक सच्चे जज थे और बहुत अच्छे जज थे, उनके ऊपर भी ये आरोप लगाए हैं। जब ये सुप्रीम कोर्ट के जज के ऊपर आरोप लगा रहे हैं, तो इससे हम लोगों को समझ लेना चाहिए कि इनकी मंशा कितनी अच्छी है।

महोदय, मैं यह कहना चाहूंगा कि हाई कोर्ट में जो system of appointment of judges है, उसमें कुछ बदलाव लाना जरूरी है। आज थोड़ी-थोड़ी चीज के लिए संविधान को बदलने की आवाज उठने लगी है, हमारे संविधान में बदलाव लाने के लिए आवाज उठ रही है। सदन में हमारे काम करने की जो शैली है, उस पर आवाज उठने लगी है। आज लाखों-करोड़ों लोग हमारे खिलाफ, करप्शन के खिलाफ, हमारे काम के खिलाफ सड़कों पर candle लेकर आंदोलन कर रहे हैं। अगर हम लोग आज यह नहीं देखेंगे कि हमारे जजों का जो कर्तव्य है, वे लोग उसको सही तरीके से निभा रहे हैं या नहीं निभा रहे हैं, तो ये लोग हमको माफ नहीं करेंगे। हम आज इस सदन में इसको discussion के लिए लाए हैं।

यह इम्पीचमेंट मोशन एक जज के विरुद्ध आया है, लेकिन यह जज अकेला जज नहीं है, ऐसे कई जजेज हैं जो करप्शन में डूबे हुए हैं। ऐसी कई अदालतें हैं, जहां आदमी अपना हक नहीं पाता है। उनका जजमेंट उसके विरुद्ध जा रहा है। ऐसे जजमेंट्स को रोकने के लिए न्यायपालिका में परिवर्तन लाना जरूरी है। हमारे अपोजिशन के लीडर कह रहे थे कि Autonomous Judicial Commission बिठाना जरूरी है। अगर उसके जरिये जजेज अप्वाइंट होंगे, तो हम जरूर कुछ अच्छे जज पा सकेंगे, जो निर्भीक भाव से और अच्छे तरीके से जजमेंट दे सकेंगे तथा हर एक आदमी अपना हक पा सकेगा। यही कहते

हुए मैं अपनी बात समाप्त करता हूँ।

श्री मोहन सिंह (उत्तर प्रदेश): सभापति महोदय, मैं श्री सीताराम येचुरी द्वारा रखे गये महाभियोग के प्रस्ताव का समर्थन करने के लिए खड़ा हुआ हूँ। दसवीं लोक सभा में जब 1993 में सुप्रीम कोर्ट के जज के खिलाफ इम्पीचमेंट मोशन आया था, उस लोक सभा का मैं साक्षी हूँ। कपिल सिब्बल साहब ने अपने ढाई घंटे के भाषण में उनके ऊपर लगे आरोपों की जबर्दस्त सफाई दी, लेकिन हाउस का कोई दुर्भाग्य था, क्योंकि जांच करने वाली जो कमिटी बनी थी, उसके एक मੈम्बर पी.वी. सामंत साहब थे। इसलिए एक राज्य के प्रतिनिधि सांसद समझते थे कि इम्पीचमेंट होना चाहिए। चूंकि रामास्वामी के खिलाफ इम्पीचमेंट मोशन था, इसलिए एक राज्य के संसद सदस्य चाहते थे कि यह इम्पीचमेंट मोशन न हो। सरकारी पार्टी प्रांतीयता के झगड़े में फंस गयी, इसलिए उस मोशन के पक्ष या विपक्ष में सरकारी पार्टी ने कोई विह्वल जारी नहीं किया। नतीजा यह हुआ कि दो दिनों की बहस के बाद संसद के भीतर वोट के समय जो रिक्वायर्ड नम्बर्स होने चाहिए थे, वे लोक सभा में नहीं जुट पाये और वह प्रस्ताव गिर गया।

मैं समझता था कि राज्य सभा में सौमित्र सेन को कोई अधिवक्ता नहीं मिलेगा, लेकिन जब हाई कोर्ट की प्रैक्टिस खत्म हो जाती है, तो अपनी प्रैक्टिस का अभ्यास जारी रखने के लिए वह सिलसिला राज्य सभा में जारी रखना चाहिए, इसलिए आदरणीय मिश्रा जी उनकी वकालत के लिए यहां खड़े हो गये। मैं उनको धन्यवाद देता हूँ। मुझे खुशी हुई, लेकिन जिस तरह कल सौमित्र सेन ने तथ्यों को दबाया, उसी तरह पौने दो घंटे के भाषण में मिश्रा जी ने भी लिखित दस्तावेज में दिये हुए तथ्यों को बहुत होशियारी के साथ दबाने का काम किया।

सौमित्र सेन ने तीन बातें कहीं। एक तो उनकी समीक्षा के लिए चीफ जस्टिस ऑफ इंडिया के घर पर जांच करने वाले जो जज साहेबान थे, उन्होंने उनको बुलाया और इस बात का प्रलोभन दिया कि यदि आप त्याग-पत्र दे दें, तो आपको किसी प्राइवेट कम्पनी में अच्छी सर्विस दी जा सकती है। अब यह एक ऐसा आरोप है कि चार लोग एक कमरे में बैठे हैं, हाई कोर्ट का जो व्यक्ति जज हो, वह इस तरह के hearsay को इतने बड़े सदन के सामने रखे, जिसकी पुष्टि का कोई आधार हम लोगों के पास न हो। मैं समझता हूँ कि इस तरह का false evidence प्रस्तुत करना ही इम्पीचमेंट के लिए काफी है, ऐसा मैं आग्रह करना चाहता हूँ।

दूसरी बात उन्होंने यह कही कि बहुत सारे जजों ने ऐसा किया और उनको उस समय चीफ जस्टिस ऑफ इंडिया ने छोड़ दिया। उन्होंने चंडीगढ़ के एक जज का हवाला दिया। उन्होंने इलाहाबाद हाई कोर्ट के जजों, जो प्रॉविडेंट फंड के misappropriation में फंसे हैं, का भी हवाला दिया कि उनको छोड़ दिया गया। यह भी तथ्यों से परे है। सच्चाई यह है कि इलाहाबाद हाई कोर्ट के जजेज़ और जो डिस्ट्रिक्ट जज थे, उन्होंने अपने पद से त्याग-पत्र दे दिया। सीबीआई ने उनके खिलाफ जांच की। उनके खिलाफ डिस्ट्रिक्ट कोर्ट में चार्जशीट दाखिल की गयी और डिस्ट्रिक्ट जज ने उन जजों को जमानत पर छोड़ा है। यह स्थिति है और यही स्थिति चंडीगढ़ हाईकोर्ट के जज के

बारे में है कि सी.बी.आई. उन की जांच कर रही है। मैं समझता हूँ कि किसी जज के लिए यह safest course था, यदि उन की जांच सी.बी.आई. करती। यदि उन के खिलाफ कोई criminal proceedings जारी होती तो उन को संविधान के impeachment motion के जरिए सजा हो सकती थी। यदि पार्लियामेंट उन के खिलाफ कोई कार्यवाही करेगी तो किसी तरह के criminal procedure से उन के विरुद्ध कार्यवाही करने से पूरी बचत है। इसलिए उन्होंने बहुत आसान तरीका सोचा कि हम इस पार्लियामेंट के जरिए ही अपने को impeach करवा लें और उस तरीके के तहत जैसा कि रिपोर्ट में कहा गया है कि वह कमेटी के सामने आते ही नहीं थे, अपने किसी वकील को भेजते ही नहीं थे और इसके बारे में कहते थे कि एक महीने का समय दो, दो महीने का समय दो। सर, जो जजेज इन्क्वायरी के लिए बैठे थे, उन का कहना है कि इस तरह अपने को छिपाकर रखना यह माना जाएगा कि आप तथ्यों से बचना चाहते हैं और दोष को स्वीकार करना चाहते हैं। महोदय, यहां पर बड़ी मार्मिक व्याख्या की गयी कि wishful misbehaviour की परिभाषा क्या है? मैं ऐसा समझता हूँ और संविधान विशेषज्ञ इस बात को कहते हैं कि संविधान की धाराएं in letter and spirit, उन की मंशा और उस की भाषा - दोनों को जोड़कर पढ़ी जाती हैं। यदि संविधान में ऐसा लिखा गया है तो misbehaviour की जो मंशा है, उस मंशा पर जाने की हम को कोशिश करनी चाहिए। महोदय, हमारे क्षेत्र में एक वीडियो कंपनी का ऑफिस था। उस का दफ्तर shift हुआ और एक महीने तक कुल ढाई सौ रुपया उस ने अपनी जेब में रख लिया। उस को कंपनी के सी.डी.ओ. ने suspend कर दिया। उस ने हाई कोर्ट में याचिका दाखिल की तो हाई कोर्ट ने कहा कि तुम को इंचार्ज की हैसियत से उस पैसे को या तो सेफ में या बैंक में रखना चाहिए था। इस राशि को जेब में रखना अपवंचन है, अमानत में खयानत है और उस आदमी की नौकरी ढाई सौ रुपए के कारण चली गयी। महोदय, यहां तो मामला इतना बड़ा है। अभी मिश्रा जी ने कहा कि "वकील की हैसियत से।" लेकिन यह वकील की हैसियत से नहीं है, वकील की हैसियत से तो कोई केस नहीं हुआ। जब वह जज नियुक्त हुए तो उन के खिलाफ याचिका दायर हुई कि वह ट्रस्टी के रूप में इस पैसे को अपने खाते के अंदर लिए हुए हैं - जज रहते हुए और एक मामले में ट्रस्टी रहते हुए दोनों पलड़ों के ऊपर एक साथ थे। इसे misbehaviour के रूप में स्वीकार किया जाए या नहीं किया जाए?

महोदय, अभी एक मामला सुप्रीम कोर्ट के सामने आया। हिंदुस्तान की सरकार द्वारा एक व्यक्ति को हिंदुस्तान का मुख्य सतर्कता आयुक्त नियुक्त किया गया। उस को हटाने की कोई व्यवस्था नहीं थी। वह सुप्रीम कोर्ट में कहता रहा कि हम को हटाने की कोई व्यवस्था नहीं है। महोदय, मामला यह था कि एक राज्य के सचिव की हैसियत से पामोलिन का आयात करने पर उस के ऊपर कुछ आरोप लगे। उस की कुछ इन्क्वायरी भी नहीं हुई, उस के तथ्य भी सामने नहीं आए, लेकिन सुप्रीम कोर्ट ने कहा कि जिस पद पर आप बैठे हैं, वह पद सब की समीक्षा के लिए है। इसलिए आप का पद किसी भी तरह के संदेह से परे होना चाहिए। आप पर आरोप सिद्ध हुए या नहीं हुए,

आप दागी थे, इसलिए इस पद पर रहने के हकदार नहीं हैं। महोदय, मैं ऐसा समझता हूँ कि हाईकोर्ट के जज की पोस्ट किसी भी हालत में Chief Vigilance Commissioner से कम नहीं, उस से बड़ी हुआ करती है। ऐसी हालत में misbehaviour की एक तार्किक व्याख्या कर के उस की परिभाषा को बदलने का कोई मतलब नहीं। उस की मंशा पर हम को जाना चाहिए। महोदय, मंशा इस बात को बतलाती है कि जज का आचरण ऐसा हो जिस पर किसी तरह के संदेह की गुंजाइश न रहे। यदि अधिवक्ता के रूप में ही आप ने ऐसा किया तो आप की जज की नियुक्ति ही मैं समझता हूँ गलत है।

महोदय, आप बार-बार घड़ी देख रहे हैं। मुझे बहुत सारी बातें कहनी थीं, एक बात यहां नेता विरोधी दल की ओर से बहुत गंभीर कही गयी। महोदय, पिछले कई वर्षों से मैं हाईकोर्ट/सुप्रीम कोर्ट के जजमेंट्स को पढ़ता हूँ। पिछले कई वर्षों से सुप्रीम कोर्ट ने judicial verdict बहुत ही कम दिए वहीं administrative verdict बहुत से दिए हैं। अभी तीन दिन पहले उन्होंने कहा कि संविधान बड़ा है, संसद बड़ी नहीं है। तो हम जानना चाहते हैं कि संविधान ही यदि सर्वोच्च है, तो सुप्रीम कोर्ट उस से भी सर्वोच्च है?

सुप्रीम कोर्ट, हाई कोर्ट और संसद इन सबकी लक्ष्मण रेखा सुप्रीम कोर्ट ने ही 1964 में तय की थी। जब उत्तर प्रदेश का एक मामला आया - न्यायपालिका बनाम विधायिका, तो उसमें उन्होंने दोनों की लक्ष्मण रेखा को परिभाषित किया। मैं ऐसा समझता हूँ कि विगत कई महीनों और कई वर्षों से हिंदुस्तान की जुडिशियरी उस लक्ष्मण रेखा का निरंतर उल्लंघन कर रही है और इस संबंध में सारी परिभाषाएं दी जा रही हैं कि जुडिशियरी सर्वश्रेष्ठ है तथा संसद और कार्यपालिका उसके बहुत नीचे हैं। सच्चाई यह है कि भारत का संविधान दर्ज करते समय हमारे संविधान निर्माताओं ने खुद लिखा है कि "हम, भारत के लोग, भारत के संविधान को अपने ऊपर आत्मार्पित करते हैं।" भारत के लोग सर्वोच्च हैं, इसमें कोई दो रायें नहीं हैं, लेकिन वे लोग 5 साल के लिए अपनी संप्रभुता को संसद सदस्य के रूप में हमें दे देते हैं, हमें सांसद के रूप में delegated power है। 5 साल के लिए जनता की संप्रभुता संसद में निहित हो जाती है, मेरे हिसाब से यह संसद की परिभाषा है।

सभापति जी, लोक सभा में 3 दिनों तक बड़ी जबर्दस्त बहस हुई थी - न्यायपालिका बनाम संसद, इस पर 3 दिनों की बहस हुई। अगर राज्य सभा में भी ऐसी बहस हो, तो मैं समझता हूँ कि उसके कुछ सार्थक परिणाम निकल सकते हैं। इन्हीं शब्दों के साथ, मैं यह निवेदन करता हूँ कि या तो आप इस impeachment को पास करिए, नहीं तो आज़ादी के बाद जो एक ऐसी धारा हमारे संविधान में है, जिसको हमारे संविधान निर्माताओं ने incorporate किया था, उस धारा को निकालकर फेंक दीजिए। इतने वर्ष बीतने के बाद भी इसका इस्तेमाल संसद ने आज तक नहीं किया है, यदि संसद इसका इस्तेमाल नहीं करती, तो इस धारा को संविधान से निकालकर फेंक दिया जाए, इसकी कोई जरूरत नहीं है। यदि यह धारा है, तो इसका एकाध बार इस्तेमाल करके हमको यह बताना चाहिए कि भारत की संसद, न्यायपालिका के भ्रष्टाचार को खत्म करने के लिए कटिबद्ध है, प्रतिबद्ध है। इन्हीं शब्दों के साथ मैं इस मोशन का समर्थन करता हूँ।

SHRI D. RAJA (Tamil Nadu): Sir, I rise to support the Motion moved by my comrade, Shri Sitaram Yechury. Sir, it is a historic defining moment in the life of our Parliament. We do not come across impeachment motions to remove a judge quite often. The first impeachment motion was taken up in the Ninth Lok Sabha. The then Speaker, Shri Rabi Ray, admitted that impeachment motion against Justice Ramaswamy. How that impeachment motion fell through, my hon. colleague just now explained and I do not want to go into the details. This is the second impeachment motion. Both the motions are to impeach a sitting judge on the grounds of corruption.

Sir, right since the days of our struggle for Independence, the national leadership of the country has been stressing on the need for a judicial system based on probity and integrity. Sir, I would like to quote Mahatma Gandhi, the Father of the Nation, who led the non-cooperation movement, who asked people to violate laws even at that point of time. Mahatma Gandhi, in the year 1929 had said on the judge indictment, "Justice is practically unobtainable in the so-called course of justice in India." Then, Mahatma Gandhi goes on to stress on it in the year 1931. On 6th August, 1931, Mahatma Gandhi wrote, "What we must aim at is an incorruptible, impartial and able judiciary right from the bottom."

These are the words of Mahatma Gandhi. Now, we are discussing how to impeach, how to remove a judge. Yesterday, we heard Justice Sen. With due respect for his eloquence, I must point out the Justice himself admitted that he had mishandled the funds. He used the words, "mishandling of the funds. Inexperience of that person at that particular point of time, and money has no colour". These are the words he used while defending his case. He went on to point out, "Mr. K.G. Balakrishnan, the then Chief Justice acted as accuser, prosecutor and judge. If K.G. Balakrishnan can be let off, why not I?" That is how he posed the issue. Sir, money has no colour. Does he think corruption has some colour? Does he think corruption has some bias, some caste basis or religious basis? What does he mean? So, yesterday, the entire defence of Justice Sen was not convincing at all. In fact, it has thoroughly exposed him.

Sir, the Inquiry Committee appointed by you identified two charges. Charges number one, misappropriation. Charge number two, making false statements. They said, "Duly proved as set out in Part IV of the Report." It is duly proved as set out in Part IV of this Report. I do not know how my

colleague, Shri Satish Chandra Misra could not see through these findings of the Inquiry Committee. The Inquiry Committee consisted of Justice Sudershan Reddy, Justice Mukul Mudgal and Shri Fali S. Nariman, very eminent lawyer and we all adore him for his commitment and integrity. Sir, this is the problem.

Sir, I am not a lawyer like Shri Arun Jaitley or Shri Sudarsana Natchiappan or some others, but as a political activist, how I look at the issue. The judge, when he was an advocate or when he was a judge, he had misbehaved, misconducted himself, and it has been proved. There are evidences and he must frankly admit it. Instead of that, he is questioning the sovereignty of Parliament also by saying, "How Parliament can discuss a *sub judice* matter?" Sir, here, I must say what Pandit Jawaharlal Nehru once said, " No Supreme Court or Judiciary can stand in judgement over the sovereign will of Parliament representing the will of entire community." This is what Pandit Jawaharlal Nehru had said, Sir. So, I think, it is a clear case, and there is no need to further examining various facts; there is no need to further analyse various facts, evidences and this Parliament, this Rajya Sabha can come to a unanimous understanding to impeach Justice Sen and remove him. That will go a long way in the history; that will go a long way in the life of our Parliament. This Parliament is not a talking shop. This Parliament means commitment; this Parliament means sincere, dedicated work for the country in upholding the Constitution.

Sir, here, I would like to come to the other larger issue. The larger issue is, Shri Arun Jaitley has also spoken on this - the powers of the Executive, the Legislature and the Judiciary. How this will have to be seen? Sir, here, we understand there should be a balance. But the point here is, we do not have a National Judicial Commission. We have been asking the Government to come forward to set up a National Judicial Commission. Why do we demand a National Judicial Commission? Accountability and transparency should become the hallmarks of the process of appointment of judges to the High Courts and the Supreme Court.

This can be achieved only by providing for an independent authority which is accountable to the Parliament exercising the power of selection to appoint Judges to these courts. Whether the Government, at least, now is prepared to set up a Judicial Commission and when the whole nation is

agitated on the issue of corruption, I do not think the Government can delay on this issue further. Sir, if we have to draw lessons from some other countries I can refer to the Constitution of South Africa, how South Africa has evolved a mechanism to appoint Judges, even to remove Judges. I suggest to the Government, at least, you must be aware of the Constitution of South Africa which has a fair workable mechanism of appointing Judges, removing Judges. We can try such a mechanism. The point here is that we need at this point of time a Judicial Commission.

MR. CHAIRMAN: Please conclude.

SHRI D. RAJA: Sir, I am concluding. ...(*Interruptions*)... Sir, all Judges are not like Justice Kapadia. It is Justice Kapadia who said 'integrity is the only asset which I have got. Integrity is my asset.' I quote Justice Kapadia. All Justices cannot be Kapadias and are not Kapadias. That is why when the issue was discussed in the Constituent Assembly and later also, I quote what Sardar Patel had said. Sardar Patel...

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

SHRI D. RAJA: Sir, I am concluding. ...(*Interruptions*)... I will conclude by only quoting Sardar Patel and Dr. Ambedkar. ...(*Interruptions*)... Sardar Patel in his letter on 8th December, 1947 addressed to the Governor-General of India regarding dealing with the procedure for filling up vacancies in High Courts to the following effect: "Purity of motives not the monopoly of the Chief Justice nor nepotism and jobbery the vices of politicians only." Sardar Patel wrote this in 1947, Sir.

MR. CHAIRMAN: Thank you, Mr. Raja.

SHRI D. RAJA: Then I quote Dr. Ambedkar. He also in the same way talked about, 'who are our Chief Justices: Chief Justice is a man with all the failings, all the sentiments and all the prejudices which we as common people have.' They are not super human beings. They come from the same society. Sir, that is why Thomas Jefferson once quoted, 'our judges are as honest as other men and not more so.'

MR. CHAIRMAN: Thank you very much.

SHRI D. RAJA: That is why we need a Judicial Commission. ...*(Interruptions)*... I am finishing, Sir. ...*(Interruptions)*... You have rightly asked because it was Karl Marx who said that every one should be equal and people should have their basic needs and no question of exploitation and no question of discrimination, no question of..

MR. CHAIRMAN: Thank you, Mr. Raja.

SHRI D. RAJA: This is what Karl Marx said, Sir. On the basis of this, I strongly support the motion moved by Shri Sitaram Yechury and this impeachment motion should be accepted by the entire House unanimously and we should see that Justice Sen is removed. That is my request. Thank you.

SHRI PAUL MANOJ PANDIAN (Tamil Nadu): Mr. Chairman, Sir, I thank you for giving me this opportunity to speak on this historic motion. Sir, since I have been allotted only four minutes, I would like to submit to you only four points. The first point is with regard to the admissibility of this motion which was questioned. Whether this motion can be taken up by this august House was the first query of Mr. Sen. Mr. Chairman, Sir, I would only invite your attention to rule 238 of our Rules of Procedure where it is mentioned about the Members' rights that while speaking a Member shall not refer to any matter of fact on which judicial decision is pending. Admittedly, there is no judicial decision pending with regard to the impeachment of justice Sen.

(MR. DEPUTY CHAIRMAN in the Chair)

Further they referred to the charge against another member. And finally clause 5 - due to paucity of time - 'reflect upon the conduct of persons in high authority, unless the discussion is based on a substantive motion drawn in proper terms.' Sir, explanation is also given, the words 'persons in high authority' mean persons whose conduct, in the opinion of the Chairman can only be discussed on a substantive motion drawn in proper terms under the Constitution or such other persons whose conduct in the opinion of the Chairman should be discussed on a substantive motion drawn in terms to be approved by him.' This is a substantive motion admitted by the Chairman and in terms of article 124 and 217 and in terms of the Judges Inquiry Act, 1968. Therefore, Sir, this august House is supreme to discuss a motion against Justice Sen irrespective of any judgment of any Division Bench or any court. That is my first submission, Sir.

My second submission, Sir, is that Mr. Sen was referring to the judgment of the Division Bench stating that he had been exonerated of the charges. Sir, I would only refer that the In-House Committee went into the allegations against Justice Sen. The Inquiry Committee which went into the allegations against Mr. Sen had examined five witnesses, had examined documents, had conducted a thorough inquiry and had conducted a trial. Mr. Sen did not offer to give any explanation before the Committees. Sir, it is the contention of Mr. Justice Sen that the principles that apply to an election petition must apply to his case. Sir, I would submit that the principle in the election petition with regard to corrupt practices when the initial evidence is established, a prima facie case is established by the petitioner, thereafter, the burden shifts on the other party who has to rebut the evidence. In the absence of rebuttal of evidence adverse inference has to be drawn. In this case since the guilt of Justice Sen during the inquiry, by adequate evidence, was established, it was Justice Sen who had to go personally, offer an explanation to get exonerated before the Committee which he has not done. Therefore, Sir, it cannot be a case that the Division Bench judgment will help him, support him. Even otherwise the Division Bench has not gone into the same facts, the same evidence and the same witnesses, and, therefore, there cannot be protection for Justice Sen. Sir, if the same facts, if the same evidence and the same documents are scrutinized and full trial is conducted by the Division Bench, then there can be a case stating that it was considered by the Division Bench.

My third point is, even in ordinary cases where Government servants are acquitted of criminal charges, courts have upheld judicial principles that the departmental proceedings will continue. Sir, on the same principles the misconduct has been established and now we are initiating action under the Judges Inquiry Act by virtue of article 124, clause 5, wherein the Parliament is empowered to make a law to make an inquiry with regard to the conduct of a judge. This is in pursuance of an Act of Parliament, pursuant to a Constitutional provision, Sir. Therefore, the action, despite the Division Bench Judgment, can be maintained against Justice Sen in accordance with this principle.

My fourth point would be that he has stated that ...(*Interruptions*)... He has stated that the order of the Division Bench had exonerated him and therefore, that must be taken into account. Sir, the only ground on which the Division Bench went into this whole issue

was ground No. 8 which was referred to by the mother of Justice Sen. It had not gone into any other issue, Mr. Deputy Chairman, Sir.

Finally, Can a non-judicial body can decide this issue, which is settled by a Division Bench? Sir, the Parliament is supreme. The Constitution provides for the removal of a judge. The Constitution provides for the enactment of a law by way of Judges Inquiry Act. The entire proceedings have been gone into and endorsed by the In-House Committee, thereafter endorsed by the Judicial Inquiry Committee and all the facts have been clearly established by the Leader of the Opposition. Therefore, keeping in view the above legal propositions, I support the Motion moved by Mr. Yechury. I request that the Motion be passed unanimously.

SHRI H. K. DUA (Nominated): Mr. Deputy Chairman, Sir, I rise to support the Motion moved by Shri Sitaram Yechury, and very ably and clinically supported by Shri Arun Jaitley, Dr. Natchiappan and other legal luminaries. The House, for two days, has witnessed a unique debate where I find there is a cross-section of opponent views converging on one issue. This kind of consensus, which if available on many other issues of national concern, will be helpful. Sir, yesterday, it was a sad time, however, for the House to see a Judge standing in the dock before the House for doing what he should not have done. None of us here is drawing any pleasure to get an opportunity to punish a Judge for straying from the righteous path. I wish Justice Sen, now a respondent before the House almost an accused had resigned from his job as soon as it came to be established that he had indulged himself with public money for private gain. The Chief Justice of India had, after due deliberations with his colleagues, advised him that he, in his own interest, better sent in his papers and say good bye to the Bench. But Justice Sen, for reasons known to him, would not listen to a reasonable advice, even from the Chief Justice of India. If he had resigned, he would have saved this House the pain of impeaching a Judge. If this House decides to impeach Justice Sen, as it should, this will be the first of its kind for the Rajya Sabha. And, none of us, sitting here, is really enjoying the authority, to remove a Judge, given to Parliament under the Constitution. All of us believe that there should have been no need to use this authority, but we have to do it. None of us, sitting here, is keen to go through the experience that will set historic precedent for the future. I hope another opportunity of this kind does not arise. But the way our institutions are declining, although I am not very sure. The process for removal of a Judge itself by impeachment is, indeed, painful for the House. It is unpleasant. But, we have to carry this out. It is our duty

to do so to save the Judiciary from someone

who has frittered away his right to sit on the august Bench of the Calcutta High Court. Justice Sen, yesterday, told us that he had committed no fault while being on the Bench and that the charges against him pertained to the period before he was appointed a Judge. Sir, the real question is that of the integrity of a Judge. And, integrity has no cut-off date. A judge is supposed to have integrity even to qualify for being appointed a Judge. Integrity cannot be acquired only when the oath of office is taken and the Judge sits on the Bench. That is the real question. And, Justice Sen has given no evidence that integrity has not been compromised by him before he was appointed.

I will come to this point later again. Why care was not exercised by the collegium of the Supreme Court which selected him as a judge? This point was made by many Members, led by Shri Arun Jaitley and by Mr. Nachiappan also. Sir, the case for the removal of Justice Sen is absolutely sound and valid for impeachment. There were allegations which tended to suggest that Justice Sen had kept public money with himself and used it for private gain. He was advised by his friends at the Bar and the Bench that he better resign as a judge. Mr. Sen, would not listen. Mr. Deputy Chairman, Sir, May be, he thought that his conscience was clear. But, Sir, we all know, how flexible conscience has become these days. The elasticity of conscience of many people leads to greed and most often to untruth and the kind of complications which this House is sorting out today.

Mr. Deputy Chairman, Sir, despite the advice, he continued to serve on the Bench. He must have thought he could get away with it. That could be the reason. Otherwise, I don't see why any sensible person in that position would not take that advice. He would have known what later consequences could be. He was denied work, but, even then he would not take the message that he was needed no longer.

Sir, this House has taken up the issue after much thought and a great deal of care. We, in this House, don't want to interfere with the independence of the Judiciary. And I will be the last man who would suggest interference with anything that falls in the Judicial domain. It was the Chief Justice of India who wrote to the Prime Minister in the

year 2008 seeking his intervention to initiate impeachment

proceedings against Mr. Sen, a sitting judge of the Calcutta High Court. The CJI gave detailed information about Justice Sen's misdoings or misconduct, or the word, 'misbehaviour' that is being used during the debate when he was appointed Receiver in the case called the Steel Authority of India versus the Shipping Corporation of India way back in 1993. The CJI also appointed an in-House committee of judges to inquire into the allegations and came to the conclusion that Justice Sen is not the kind of a judge who should adorn the Bench. Hence, the CJI's letter to the Prime Minister seeking Justice Sen's removal under article 124 (4) of the Constitution. The matter later fell in the lap of the Chairman of the Council of the States, which has assembled here today to decide Justice Sen's fate. Our Chairman is known for following the letter and spirit of law. He appointed a Committee comprising of Justice B. Sudershan Reddy of the Supreme Court, Justice Mukul Mudgal, Chief Justice of Punjab and Haryana High Court and Mr. Fali Nariman. They are all men of great integrity and calibre. Mr. Nariman, incidentally, sat on these benches where some of us are sitting now. The Committee has spent considerable time and effort and came to well thought out two conclusions: One, that Mr. Sen is duly proved guilty of misappropriation of large sums of money which he received as a Receiver appointed by the High Court of Calcutta. Two, that Justice Sen is duly proved guilty of making false statements by misrepresenting facts with regard to misappropriation of money before the Calcutta High Court. I won't go into the details or the background in which they have come to these conclusions. Legal luminaries in the House have already gone into these. So, I would not like to take more of time of House, but point out that no one is supposed to speak nothing but the truth to the court. Justice Sen did not choose this simple course either. I wouldn't go into the details of the Committee's Report. Other Members have already gone into it. The Committee was meticulous in its approach. It also gave enough opportunities to Justice Sen but he thought it below his dignity to personally explain to the Committee as to why he did what he should not have done.

Sir, this House needs only to go by the Report of Justice Sudershan Reddy, Justice Mudgal and Mr. Fali Nariman. There is no need for further

investigation or cross examination of Justice Sen. Sir, yesterday, Justice Sen had about 100 minutes of opportunity to present his case, with which I was not fully convinced.

I would commend to the House the Motion before it that an Address be sent to President that Justice Sen be removed.

Having said this, I would like to draw the attention of the House to just one disturbing aspect of the case, and, Sir, this is very important although others have touched on this issue, this is indeed very important. And this House will have to take up again this question after disposing off this Motion of Impeachment. How did Justice Sen get elevated to the Bench of the Calcutta High Court while he, as a receiver, had the temerity to misappropriate large sums of money and also tell untruths to the court? His selection as a Judge of the High Court shows that a drastic review of the present system of selection of Judges by the collegium has become urgent. Sir, I hope this House will have an early opportunity to discuss the entire system of appointment of Judges to the higher Judiciary. The present system is totally unsatisfactory and unacceptable to the people. Sir, the way Judges are appointed by the collegium, if you talk privately to the people who practise law or people who have been Judges horrendous stories of the selection process come to be known. The Collegium consists of a few people which are said to be the seniormost Judges of the Supreme Court. We often hear that if there are 7 posts, they will divide two each and possibly Chief Justice will get one extra. I am told that influences are brought to prevail upon them, bargaining takes place and much else. There have been allegations of favouritism also. One hears all that. I won't go more on this except to ask, do we know or anybody in the country knows what are the criteria for the selection of Judges. The Delhi High Court came with a Judgment laying down criteria for nursery school admissions. That was some years ago. Delhi University has now the criteria where you require 100 per cent marks for getting admission in some colleges. Do our Judges ever get 100 per cent marks in the selection of judges to the Supreme Court and High Courts? I would like to ask: Have criteria been spelt out like the criteria for nursery school children in Delhi?

Sir, the people have the right to know what makes a good Judge. Often in the districts, in the State Capital where most High Courts are located, the people are disappointed with the state of the Judiciary at this time. They are also disappointed with Parliament; they are also

disappointed with the Executive, but *Kachahri* is the last hope of the people. If it suffers the loss of faith, if the people stop believing the *Kachahri*, then, I am sure, the country suffers a lot.

With that I end my speech with a plea that this Motion should be passed.

DR. BHARATKUMAR RAUT (Maharashtra): Thank you, Sir, for having given me this opportunity.

Today, Sir, is a historic day in the history of this House. It is because when this House is voting for impeaching a sitting Judge of the High Court, for the first time, outside this House and in the nation, the people have awakened to the struggle to eradicate corruption from public life. So, this is definitely a historic day.

Sir, I am morally bound to support the Impeachment Motion because I am one of those 58 signatories who have demanded the impeachment. Therefore, I will be supporting it. However, since I am not a legal luminary, I have not studied or practised law, I am a bit ignorant. I only fear that often in the legal and intellectual battles, the first casualty is of the truth. So, I am a bit skeptical.

Yesterday, let me confess, I was a bit confused after hearing the emotional speech by Justice Sen and I was wondering whether we were living up to our responsibility of being the custodians of the faith of this nation or whether we were just making an innocent man a scapegoat. But, after hearing the speeches of the hon. Leader of Opposition and later speakers, I am convinced that Justice Sen seems to be guilty and needs to be impeached. So, I support the motion.

However, I would like to bring it to your notice, Sir, that some questions still remain unanswered and I would request, rather I would pray, for those who speak later, particularly, Shri Sitaram Yechuryji, to reply to these queries.

Sir, Justice Sen said that he was exonerated by the Division Bench. I do not know how it was. But the Division Bench has exonerated him. Is the CJI empowered to question the validity of the Division Bench of a High Court when there was no appeal pending before the Supreme Court? Can he take action *suo motu* and question the verdict given by a Division Bench? I would like to know that.

Then, a point which has also been touched upon by some hon. Members,

is that Justice Sen - I am taking it with a pinch of salt but still I am mentioning it - claimed that the then CJI had called him to his residence and in the presence of two, other Judges offered him VRS and a good posting. Is that true? Sir, it is the responsibility of this House now to either prove the guilt of Justice Sen, or, if

5.00 P.M.

there is some iota of truth in what he has said, to find out whether the CJI is empowered, morally or legally, to offer VRS to a person who, in CJI's opinion was guilty of corruption. Can you offer the Judge a lucrative position in an informal chat? We need to know; the nation needs to know and somebody has to give the answers. Otherwise, we should institute a probe into this aspect. But I don't know by which method we can do it.

Sir, it means a corrupt Judge can be rehabilitated if he resigns from his position. Is that the law? I would like to know if any law permits that.

The third thing, Sir, is about what Justice Sen talked about the wrong account. He explained in detail about how he was being hanged because of a wrong account and the hon. Leader of Opposition has torn into his arguments. Now, the question is, if there was a wrong account, it amounts to a bogus account, a take account, a benami account. Do our banks allow the operation of such *benami* accounts? If a bank account is to be opened by a man like me, I need my photograph, my ration card and then only I can open an account. How can one Soumitra Sen with a different father's name open an account and operate? Has any committee checked with the bank officers as to how they open such an account? If this fraud could be unearthed, there could be thousands and lakhs of such *benami* accounts which are being operated all over the country. What are we going to do about it?

Fourthly, Justice Sen said that he had made payments to the workes. I go by his word that he has made payments to the workers. Is it not our responsibility to ensure and to bring the truth to the fore that he had not made that payment to the workers? If he had made payments to the workers, there must be cheques, there must be receipts. Have you traced those people to whom he claims to have made the payments?

How can we say that he has not made the payment, or, how can we believe that he has made the payment? There is a nexus which has to be proved. We cannot leave these loose ends left when we pass the impeachment. The last point which I would like to bring to your notice is

that, as Mr. H.K. Duaji and others have also mentioned, he was a practising advocate when this crime was

committed. After that, he is made a judge. Judge-making is a process which goes on for some months. When I was a working journalist, at that time I was made a special executive magistrate by the Government. The job of a special executive magistrate is to sign true copies of secondary school certificates and birth certificates. Even then Police came to my house to verify my validity, my address and my पूरा चरित्र। You appoint a person as a judge who is guilty of fraud, who is guilty of corruption and who is taking away workers' money. If you appoint him as a judge, it is a grave injustice to the people of India because a sitting High Court Judge plays with my life and death. He has the power to hang me; he has the power to send me to life imprisonment. If a guilty man, sitting as a judge, exercises this power, where do I go? As a common citizen, I don't have the right to come to you and impeach the judge. How do I do? Sir, this entire process of appointment of judges through collegium, I think, needs to have a relook. किसी का मामा, किसी का चाचा या किसी का बेटा they should not become judges. A judge should be made strictly on merit. Corruption in the process of judge making is rampant.

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

DR. BHARATKUMAR RAUT: Sir, I am supporting the Motion with reservation that unless we come to the final conclusion and bring the entire truth to the nation, we cannot hang only one person. By hanging one person, we cannot cleanse the system. To cleanse the system, sending one person out is not enough. This process, if it has started now, should go to its logical end. Thank you.

SHRI KUMAR DEEPAK DAS (Assam): Sir, I am here to support the Motion moved by hon. Member, Shri Sitaram Yechury. In fact, I am one of the Members who signed this Motion for the impeachment of Justice Soumitra Sen for his involvement in financial misappropriation before he was appointed as judge. We want a fearless, independent and non-controversial judiciary. It should be incorruptible and impartial. Sir, fair image of the judiciary is a must. Sir, we have taken this step as essential in the interest of the republic to strengthen the judiciary as well as to stop the corruption in the higher places. Sir, a member of the higher judiciary can be removed from his service only through the process of

impeachment under Article 124(4) on the ground of proven misbehaviour. A
three-

members Committee was constituted by the ho'n. Chairman to look into the complaint and determine whether it is a case fit for initiating the process of impeachment. The Inquiry Committee after examining all the pros and cons came to conclusion that Justice Soumitra Sen is guilty of misbehaviour under Article 124(4) read with proviso (b) of Article 217(1) of the Constitution of India.

Sir, before this impeachment motion, we have the example of impeachment of Justice V. Ramaswamy who faced impeachment in 1991 in the Lok Sabha. That attempt failed due to the absence of a political consensus. We must agree that dismissal of a Judge is too serious an issue to be determined by political consideration. Again, we must have to examine whether the Parliament can discuss the correctness of any judicial order, and if the Parliament sits on judgment, would it create a constitutional crisis? Sir, as there is no other way to punish errant Judges, the present Government is bringing a new law to punish errant Judges. We are eagerly waiting for such steps in this direction. But, the big question has been raised by some hon. Members that how Justice Soumitra Sen was selected a Judge. Yesterday, Justice Sen, in his defence, spoke for long. Sir, there is an urgent need of more transparent procedure on what should be the provisions for selecting a Judge. Sir, I would cite an example. In Guwahati High Court, in the years of 90s when I joined as a young lawyer, I found that one Judge, *.

MR. DEPUTY CHAIRMAN: Don't take the names.

SHRI KUMAR DEEPAK DAS: He was appointed as a Judge and he had to go for oath-taking ceremony. But, in the meantime, the Bar Association of Guwahati High Court came to know that this person, who was selected as the Justice of Guwahati High Court, did not have the qualification that was required to become a Judge. In the High Court, one of our senior colleagues filed a *quo warranto* petition. At that time, Justice Sangma had passed an order and stayed the matter and that was appealed in the Supreme Court. That was held right. But, I want to say that the transparency in the procedure of selection of Judges has to be further examined. We have to look into the provisions for selecting a Judge. I just want to give an example of an hon. High Court Judge who has recently

given an opinion that 25 per cent of the superior Judges are corrupt.
This is horrible. So, we need a transparent procedure and a Judicial
Commission on this so that all these factors can be examined

*Not recorded.

and appropriate action can be taken. With these few words, I again support this motion of impeachment and I thank you for giving me time to give my observations.

श्री राजनीति प्रसाद (बिहार): सर, सब से पहले तो मैं श्री सीताराम येचुरी जी को धन्यवाद देना चाहता हूँ जिन्होंने इस ऐतिहासिक पृष्ठभूमि में हम लोगों की गवाही दर्ज करायी।

सर, यह केवल impeachment of a judge का मामला नहीं है बल्कि हमारा ध्यान आज पूरे देश में व्याप्त Judiciary की हालत की ओर खींचता है। सर, मैं इस impeachment का समर्थन करता हूँ। इस impeachment के बारे में मुझे यही कहना है कि अगर आप सोचते हैं कि आज की Judiciary 50 साल पहले वाली Judiciary है, तो वह गलत होगा। क्योंकि अगर हम किसी कोर्ट में जाते हैं, बाहर के कोर्ट में जाते हैं, तो सबसे पहले यह सोचते हैं कि कौन सा आदमी पहचान वाला है। हम यह नहीं पूछते हैं कि कौन जज है, बल्कि यह पूछते हैं कि कौन सा वकील पहचान वाला है और उसी को हम लेते हैं। यह गजब बात है कि हम लोग जज को नहीं देखते हैं, बल्कि वकील को देखते हैं कि वह किस जज का favourable आदमी है और कौन क्या करने वाला है? हमारे हिंदुस्तान के कई जज हैं, जिनके बारे में कहा जाता है कि यहां किसी particular lawyer की चलती है। मैं किसी जज का नाम नहीं लेना चाहता हूँ, लेकिन यह चलता है, क्योंकि अगर उसके दादा भी जज हैं, तो वह पूरी lineage में आता है। दादा, बेटा, पोता, नाती, नातिन - इन सभी को जज बनाने का काम होता है। यह देश कैसे चलेगा? इसलिए इसके बारे में हमें विचार करना चाहिए। आदमी का जो बुरा कर्म होता है और अच्छा कर्म होता है, वह साए की तरह उसके साथ चलता है। इसलिए जजों को किसी भी तरह से doubtful नहीं होना चाहिए। मैं यह कहना चाहता हूँ कि - virtues are solemn to life but vices are the way of life. हम लोग यह कहते जरूर हैं, लेकिन करते नहीं।

उपसभापति जी, जजों को कैसा होना चाहिए और कैसा नहीं, आप इसके बारे में जरूर विचार करिए। आप सोच रहे हैं कि जज लोग बिल्कुल छनकर आते हैं, लेकिन ऐसा बिल्कुल नहीं है। यहां कई लोगों ने कहा है कि 2003 में जो जज बहाल हुए - सेन साहब, इन पर 1984 में ही मामला दर्ज हो गया था, वहां से defalcation चल रहा था, क्या आपने इसको देखा नहीं, आपने उसको महसूस नहीं किया? जब एक खलासी का appointment होता है, तो पुलिस का verification होता है कि यह चोर तो नहीं है, बेईमान तो नहीं है, बदमाश तो नहीं है, इस पर 107 का मुकदमा चला या नहीं चला, इस पर 307 का मुकदमा चला या नहीं चला? आप एक जज को बहाल कर रहे हैं, जिनके बारे में पहले से एक केस pending है, उनके defalcation का केस pending है और आपने इसे देखा नहीं, उनको बहाल कर दिया। जब वे बहाल हो गए, तो आपने उनसे कहा कि आपने 1984 में defalcation किया और आप पैसा खा गए। यह पैसा खाने वाली बात तो पहले भी थी। जब वे 2003 में जज appoint हुए, तो आपने इन चीजों को क्यों नहीं देखा?

श्री तारिक अनवर (महाराष्ट्र): आप किससे बोल रहे हैं?

श्री राजनीति प्रसाद: मैं चेयर को address कर रहा हूँ, लेकिन आदमी इधर-उधर भी देखेगा। मैं कहता हूँ कि अब जुडिशियल कमीशन बनाने का वक्त आ गया है। जब एक चपरासी का appointment होता है, तो आप इंटरव्यू लेते हैं, उसको इंटरव्यू के लिए बुलाते हैं। इसलिए मैं कहना चाहता हूँ कि आप जुडिशियल कमीशन बनाइए, इससे अच्छे जज आएंगे और उनका इंटरव्यू होगा। अगर आप जुडिशियल कमीशन नहीं बनाएंगे, तो फिर वही होगा कि किसका बेटा जज बना है, किसका बच्चा जज बनकर आया है, वही चलेगा।

उपसभापति जी, 1993 तक एक नियम था कि जजों की नियुक्ति में चीफ-मिनिस्टर का भी consent लिया जाता था, लेकिन अब वह व्यवस्था खत्म हो गई, collegium में चली गई, अब consent वगैरह कुछ नहीं होता। अब सीधे यह देखा जाता है कि वह आदमी कौन से खानदान का है? अगर उसका खानदान ठीक है, तो चलिए, जरा इसका bio-data निकालिए। उस bio-data से अगर यह पता चलता है कि इनके परिवार में पहले कभी कोई जज नहीं था, तो वह आदमी कभी जज नहीं बन सकता है। कभी-कभी exceptionally कोई आदमी जज बन जाता है, दिखाने के लिए बना दिया जाता है। इसलिए मैं कहना चाहता हूँ कि हमें इस सिस्टम को बदलना पड़ेगा। हम अगर सिस्टम को नहीं बदलेंगे, तो यह चलता रहेगा और जुडिशियरी में करप्शन prevail करता रहेगा। इसलिए मैं चाहता हूँ कि आज हम लोग इस बात पर विचार करें कि कैसे हमारा जुडिशियल सिस्टम ठीक होगा? इन्हीं शब्दों के साथ मैं आपको धन्यवाद देता हूँ।

SHRI RAM JETHMALANI (Rajasthan): Mr. Deputy Chairman, Sir, a patient two days' wait is justified when today we are on the point of reversing a somewhat unpleasant precedent that we set up nearly 11 years ago. I can see that the House is in almost full attendance and I can see that the Motion will be carried by the requisite majority required by the Constitution. I fully support it. But, Sir, instinctively, whenever I see a dissenter, I start respecting him. Ultimately, it is dissent which keeps democracy going, and I found a great dissenter right here in my neighbourhood. Sir, I admire his bravery; I admire the use of his legal talent. But I wish he had reserved these for a better occasion. Sir, if he had cared only to go through the report of these three Judges, he would have realised that they knew as much law as we all know. They perhaps knew better. They did not rest content with finding this gentleman. I will call him Respondent. I refuse to call him learned Judge as some people have called him. This Respondent is not convicted because he misbehaved as a Receiver. Of course, his misbehaviour started when he was a Receiver. The first misbehaviour was that he has produced

before you this whole document of an explanation of his conduct. Read this document. Not at one place does he say that I am a trustee, that I was a trustee of the funds which came into my possession. Sir, every child knows, and I don't wish to take you through authorities, but here is a small little line from a famous dictionary, Black's Law Dictionary, which everybody knows about, "A Receiver is a fiduciary of the court". Means, he is a trustee of the court. He is a trustee of the court; he is a trustee of the parties and he is also a trustee of the property or the fund entrusted to him. This property came into his hands as a trustee. But, Sir, he ceased to be a Receiver when he became a Judge. His Receivership came to an end but the trust which was attached to the property which was in his hands did not come to an end until the trust became extinguished and the property got purged of the character of a trust property. If he has realised that I have now ceased to be a Receiver, it was his duty to walk up to the court and say, "I am now becoming a Judge. Please relieve me of this trust property which has been in my hands and here is that property. Take charge of it". Sir, he did not do this. He thought that when he has become a Judge, all people surrounding him will turn into sycophants and will forget the rupees fifty two lakhs which he had pocketed. But, unfortunately for him, there was a fellow Judge in the High Court itself who did not become a sycophant and he carried on an investigation into the trust property which was in his hands. Sir, look at this explanation. At page 31, he propounds a doctrine and I want you to hear this doctrine. "It is judicially settled that till such time I, as a Receiver, am not directed to return the sum lying with me, I cannot on my own return the same". In other words, he is telling you to accept the proposition that even though he ceased to be a Receiver and it was his duty to go and give an account of the property which he received as a Receiver to the court which appointed him a Receiver, he is not bound to do anything of that kind until he is asked to do so.

In other words, the trust property becomes personal property and I can deal with it as I like. Sir, this receiver lawyer should have known that as a trustee he is bound by the provisions of the Indian Trust Act. The Indian Trust Act has an express provision, Section 20, which deals

with investments. A trustee can invest trust property in seven specified investments which are permitted under that Section and if you invest in any unauthorized deal, that itself renders you liable for a prosecution for criminal breach of trust. The law does not permit a trustee because the law says, "in these seven ones and no other" - so clear is the law - and yet he went and invested this property in

a private financial business which is not a Government authorized entity in which he could have put this money. He claims that that entity became insolvent, went into liquidation, and he thought that everybody would forget about that money.

Sir, now for Mr. Mishra's bravery. If you had read this Report and if you had come up to page 22 - because I don't blame anybody for losing patience after you read the 22nd page - at page 22, the Report starts dealing with his misbehaviour as a judge. I am reading the last paragraph on page 22. It says, "All that is stated above took place during the period when Sen, the receiver, was an advocate. The assessment of the Inquiry Committee is that as an advocate and as an officer of the High Court of Calcutta, Sen's conduct was wrongful and not expected of an advocate. But his conduct in relation to matters concerning the moneys received during his receivership after he was appointed a judge was deplorable, in no way befitting a High Court judge". From here starts their dealing with this misbehaviour as a judge of the High Court. I regret to say that if there was a more vigilant method of appointment of judges, this man did not deserve to be appointed, but having been appointed, he has no business to stay as a judge for even one day. And this House will be committing a hara-kiri of its judicial functions, if you don't rise to the occasion and see that not only this judge goes, but other judges who similarly misbehave do not occupy judicial offices for a day longer.

Sir, there was a reference to his eloquence. Eloquence is, doubtless, a quality which people should possess. I must tell you that I have never heard Shri Mohan Singh speak, but today I was so impressed while I was hearing your Hindi eloquence, I said, I hope before I die, I will one day be able to deliver a speech like you. But, Sir, eloquence has nothing to do with moral sense; eloquence has nothing to do with the quickened conscience. Eloquence is often the property of the biggest cheats and charlatans. After all, unless you know this glib talking art, you will not be able to cheat people and it is not a matter of surprise that today the glib talkers are at the top of the world and people who can't speak are not.

This gentleman gave a demonstration of his eloquent deception. / But why did he not appear before those three Judges which were inquiring into his conduct? Because he is afraid of answering questions. I wanted to ask questions while he stood there. In three questions I would have demolished his eloquence and he would have faltered, he would have fallen down here right in this House and would not have been able to go back.

You can speak as much untruth as you like so long as there is no risk of interrogation and cross-examination. That is why, in the court of law, we do not believe a witness who has not submitted himself to cross-examination. Examination, in itself, is useless unless it has survived the filter of cross-examination, and, cross-examination by people who would know how to cross-examine. Before every judicial authority where he could be questioned, he did not get up and answer. To those three Judges, who were holding an inquiry, when they called him, he said, "I am pleading the Fifth Amendment." Fifth Amendment is not meant for crooks like this. Fifth Amendment is meant for illiterate accused who, by answering questions, might implicate themselves in offences which they have not committed. That, of course, is the origin of the rule. Now, Fifth Amendment is a Constitutional right. But that right is available in a prosecution for a criminal offence. This Judge was not being prosecuted for a criminal offence. He was being prosecuted for his ability and for his qualifications of being a judge and continuing to remain a judge of the High Court. He is not going to be sentenced to imprisonment. So, Sir, don't be impressed by the kind of eloquence. He becomes eloquent wherever he cannot be questioned.

The next question is that he has paid Rs.52 lakhs. He paid that amount of Rs.52 lakhs, while that single judge caught hold of him and asked, "Where is that money which you got as receiver? You have not given it." So, he paid that money. Sir, my fellow Members in this House tell me outside, "The man has paid Rs.52 lakhs. So, why not let him go?" Please understand what he got by paying those Rs.52 lakhs at that late stage! He should thank his stars for that. But he is an ungrateful man. He eats and gobbles up the hand which feeds him. These brother judges, who, unfortunately, continue to practice some kind of trade unionism to save their brother judges, have saved him from being prosecuted and punished for a serious offence of criminal breach of trust, punishable under Section 409 of the Indian Penal Code, where the maximum punishment is life imprisonment and imprisonment which may extend to ten years. But, by paying off that money which he had pocketed, - though, of course, I am sure, his poor mother made some contribution to that money - he has earned his freedom from jail. And, I assure you that if he had been

prosecuted,

he would have been in jail for, at least, five or ten years. He has earned that freedom by that money.

Therefore, please do not entertain any sympathy for this man, that this man has paid Rs.52 lakhs, and we should let him go. This is not settlement of a civil dispute. He was guilty of a non-compoundable offence under which you can pay millions and millions but you cannot compound that offence. It is only an extenuating circumstance on the question of punishment. But that extenuation value he has already got out of that money because he has escaped the whole prosecution under Section 409, and the ignominy which he would have gone through, which his family would have gone through, as a result of prosecution, and, ultimately, appealing to the Court to give him a lighter sentence, because he has paid off. So, I would like to tell my friends that this is a case in which we are dealing with a judge who ought not to have been made a judge, if there were better methods of appointment, and who, fortunately, has been caught as a result of another vigilant judge. He talks of the Division Bench. If a single Judge had no jurisdiction to go into matters in which he went into, what was the Division Bench doing? The Division Bench merely said, "All right, you have paid this money." Therefore, again, out of that true trade unionism and a little sense of mercy, they said, "We will remove that remark which the single Judge has made. We will expunge that remark." That judgement was a bad judgement, and that judgement is a judgement which was, certainly, considered by the Chief Justice to whom a complaint went from the Chief Justice of the Calcutta High Court.

Sir, that Chief Justice of India may be somewhat controversial, but so far as this Judge is concerned, this Chief Justice helped him. He gave him an extra hearing. He gave him a hearing in his house. He listened to him and then he said, 'I would give you an extra-Constitutional opportunity to establish your innocence and gave him that in-House Committee of Judges who sat and listened to this man and said that you seem to be a hypocrite'. You don't give him any mercy, and it says 'You face the consequences of the conduct in which you have indulged.'

So, Sir, this is not a matter in which the House can take a lenient view. Let us settle a good precedent today so that Judges who are of the same mould of mind as this Judge realize that the Parliament of this country will rise to the occasion and not do things which we have done in

the past. Of course, this is not an occasion to enter into a debate about the appointment of an extra-judicial commission; we may do that some other time. But today, I hope that even Mr. Misra would withdraw his dissent and the decision shall be unanimous. Thank you.

SHRI RAVI SHANKAR PRASAD: Sir, I am extremely grateful to you for giving me this limited time. I have to make very few points.

(MR. CHAIRMAN in the Chair)

What is Justice Soumitra Sen's conduct as a Judge? He became the Receiver in the 80s; got the sale proceeds in the early 90s. He became the Judge in December, 2003. The first thing that was required to do was to submit to the court that 'I do not want to be named the Receiver any further'. He did not do so. For the whole of 2004 and for the whole of 2005, he did not submit any account. When the Single Judge issued him a show cause notice, he did not reply. The notice was given thrice. Most importantly, Sir, when a final order was passed asking him to pay Rs.33 lakhs with an interest of Rs.55 lakhs, he went and prayed for more time. He made a part-payment.

A question has been asked about the Division Bench. The Division Bench relies upon his affidavit but in the inquiry conducted by your committee it has been found that it was a case of misrepresentation. He said that he had invested in Lynx India Limited but that was not a fact. He did not invest this received amount of the Receiver. It is a case of misconduct as a lawyer; it is a case of continued misconduct and misrepresentation as a Judge.

Therefore, Sir, I request that this impeachment has to succeed.

I have to make only one more point at the end. What is the authority of a Judge? Is it the source of law? Is it the power of contempt? Or, is it something more? Sir, we have seen Additional District Judges giving capital punishment and, after their retirements, moving around in their mohallas, with all the mafiosi whom they had awarded punishments never dared to challenge them. We have rarely heard a District Judge or a retired Additional District Judge ever getting threatened or any revenge being taken against them by those criminals who had been given conviction by them. Why is it so? It is the moral authority of a Judge. This is a great tribute to our Judiciary and our rule of law that the moral authority of a Judge is the most important authority and, for that, integrity is very important. If that integrity is found to be wavering, it is time to take action.

I will conclude, Sir, with what the hon. Leader of the Opposition has stated. There is a need for a lot of improvement in judicial appointments. This whole case of appointments by the collegium is a

kind of constitutional appropriation by the judges from the Executive and the Constitution. This is not permissible. This needs to change, Sir.

There is one thing more which is very important in the present context. Yes, judges' activism in probity, in the fight against corruption is okay, but all over the country we see that judges are taking away power by appointing committees - MCD should work like this; this committee should work like this. Sorry, Me Lords, this is not your function. May be, the authority is not functioning properly, but for that you are not the authority. Let the democratic process, the rule of the law and parliamentary accountability set right the course. That is important.

With these words, I fully support the Motion which Mr. Yechury has moved. Thank you, Sir.

SHRI SITARAM YECHURY: Mr. Chairman, Sir, we are reaching conclusion of a historic debate on the Motions that I had moved which is on the brink of creating history, not only in the history of Parliament but, I think, also in the history of our democracy. As I said at the outset, Sir, I had moved these Motions, not as an indictment or a reflection of our opinion of the Judiciary as a whole, but I had moved these Motions in order to strengthen the independence of the Judiciary, in order to establish the integrity of the Judiciary which was getting besmirched by the acts of one particular individual and, while moving these Motions, I had said that we are doing this with no jubilation or elation, neither vindictiveness nor vendetta, but we are invoking legitimate Constitutional provisions to ensure that the sanctity of our Constitution is maintained and the supremacy or the centrality of our Constitution, which is the sovereignty of the people, is established through their elected representatives, that is the Parliament. In doing so, I think, we have today, in a sense, also reflected the general mood that is there in the country. We have seen the waves of protests against corruption at high places. We have seen the concern and the actual disgust that many in our country are reflecting in their own ways against this sort of corruption; and, in the midst of that, the Parliament rising to the occasion and saying that we will invoke our Constitution, we will invoke

the supremacy of the Parliament in order to ensure that corruption in high places will be checked and when anything wrong is brought before us, we will act to correct it. That, I think, is a very important element today

to convey to the country and our people - the will and resolve of this House in tackling corruption at high places. I think, this is something the debate has established. That is why, Sir, I am truly impressed with the richness of the debate and this only further strengthens my own confidence that when the occasion demands, this august House has risen to the occasion, and has risen to the occasion in a splendid manner with no acrimony or personal attacks. We have discussed an issue as serious as this and on the merits of it; it is a matter to note that we have the Leader of the House, the hon. Prime Minister, sitting through the entire debate; we had the hon. Leader of the Opposition not only being present but also contributing richly to the content of this debate which was shared by all, cutting across the political-lines. I think, the richness of the debate also naturally transcended the limited purpose of the Motions. It is only natural, Sir. It naturally transcended the barriers of these Motions in talking of the separation of powers between the Legislature, the Executive and the Judiciary. It talked of the issues of separation of these powers, what should be the role of the Judiciary, how the appointments should be done and I am very glad that these issues have been brought into public domain and in the discussions of the Parliament so that in the coming days we should address them in all seriousness and, if time permits, I will return to that shortly.

But, Sir, there have been some questions that have been raised. Notably, my distinguished friend and colleague, Shri Satish Chandra Misra, who of course told me personally and he apologised for saying that he opposed the Motions. I said, "What is the debate if there were no dissent?" Like Ram had said, I must thank Shri Ram Jethmalani; I must dare say- Sir, I do not want to use this - but who else will come to the defense of Sita Ram but Ram? In that sense, he has made my job much easier by taking up some of these matters. But, Sir, an important question has been raised by Shri Misra and also by my distinguished colleagues, Shri Bharat Singh Raut and others, on the question of the word and the concept of misbehaviour. Now, the question of what was the role of Shri Soumitra Sen after he became a judge? That has been answered by Shri Jethmalani and I do not want to repeat it.

And, Shri Ravi Shankar Prasad has answered some of the other issues.

I do not want to repeat only for the sake of time, and also respecting the reminding that Mr. Ahluwalia has done about the Iftar and the timing of it, I don't want to go into all those aspects of it. But there is the word

'misbehaviour'. Sir, the Inquiry Committee that you had established actually goes into the genealogy of this particular word, which due to paucity of time, I did not read out at the time of introducing the Motions, but I will read out now. It is a short passage. It says, I quote, "The word 'misbehaviour' in the context of the judges of the High Courts in India was first introduced in proviso (b) to Section 202 of the Government of India Act, 1935." Under the 1935 Act, it was initially the Privy Council and later the Federal Court of India that had to report to India's Governor General when charges were made of misbehaviour against a judge of a High Court. In the Report of the Federal Court in respect of charges made against Justice S.P. Sinha, a judge of the High Court of Allahabad, one of the charges made by the Governor General against the judge were, "That Justice S.P. Sinha has been guilty of conduct outside the court, which is unworthy of and unbecoming of the holder of such a high office," which was then particularized. Since this charge was not substantiated against the Judge by evidence, it was held to have been not established. But the charge as they framed has tersely but correctly described the scope and ambit of the word 'misbehaviour', namely, guilty of such conduct whether inside or outside the court, i.e., "Unworthy and unbecoming of the holder of such a high office." The same word 'misbehaviour' now occurs in the Constitution of India in article 124(4) when read in context with proviso (b) to article 217(1). These provisions state that a judge of the High Court shall not be removed from his office except on the grounds of proved misbehaviour. The prefix 'proved', only means proved to the satisfaction of the requisite majority of the appropriate House of the Parliament, if so recommended by the Inquiry Committee. The words 'proved misbehaviour' in article 124 have not been defined. Advisedly so because the phrase 'proved misbehaviour' means such behaviour which, when proved, is not befitting of a judge of the High Court."

Sir, the entire discussion we have had in the last two days here has only proved that there is a misbehaviour on the part of Shri Soumitra Sen. And since this is now being proved in my opinion and contention, which we will decide upon through a vote subsequently, that this has been proved in a House of Parliament on the basis of this discussion that we

have had, after giving all the time

required, in fact, we extended the time required for Justice Soumitra Sen to make his defence, if after that we come to that conclusion, Sir, that is the meaning of proved misbehaviour. And that proving we have to do. Are we convinced about that proving? That is what we have to stand up to, and that is what we have to do, Sir, and that is the issue that is there. But with regard to the other thing, Mr. Jethmalani answered it, about the role of Mr. Soumitra Sen after he became a judge, and, in fact, he just quoted the introductory paragraph, but if you just go through the Inquiry Committee Report, Sir, there are, at least, four major sections and, at least, seven sub-sections where the Inquiry Committee has established, after becoming a judge, the misbehaviour of Mr. Soumitra Sen. This is all there on record from pages 22 to 26, and I do not want to take time reading them out, and it is all there on record, and as part of the evidence that we have. So, today, it is not a question of our passing judgement or discussing about Mr. Soumitra Sen as an advocate and not as a judge. And, also, as I said, when I was moving the Motion, it is no longer tenable to say that these charges were made against Mr. Soumitra Sen before he became a judge, therefore, the Judges Inquiry Act does not apply to him since it was not when he was a judge. That has also been established under law, that it is not the question of what is established on the issue of misbehaviour that I have just quoted to you; it is not a question of when you are a judge or when you are not; it is not a question whether you are doing it in the court or you are doing it outside. But the question is whether your behaviour will cast aspersions not only on your character and integrity but the character and integrity of the entire Judiciary.

You are liable to be drawn under this section. Mr. Bharatkumar Raut has also raised the issue of the Division Bench. Mr. Ravi Shankar Prasad has referred to it. But, let me just take up this matter on behalf of what the Inquiry Committee has said. Mr. Jethmalani also answered it that and, of course, Mr. Arun Jaitley, answered it in the morning. We also exposed that and I am not repeating that deliberately. When Mr. Soumitra Sen also made a lot of false and misleading statements here with - claims - authenticated documents, I would want him to authenticate and place the same before the House and make them the property of the House. I will

come as to why I am saying this subsequently before I conclude this reply. But, I would only request the hon. Leader of the Opposition to do so.

Sir, this what the Inquiry Committee has said on the Division Bench. It says, "The observation in the judgment dated 25th September, 2007, of the Division Bench of the Calcutta High Court to the

effect that there was no misappropriation of Receiver funds by Justice Soumitra Sen was, after considering the uncontested Affidavit filed on his behalf by his mother which categorically asserted that the entire sum received by him from the sale of goods i.e., Rs. 33,22,800 was invested in M/s Lynx India Limited and that the company has gone into liquidation a couple of years later. This statement, along with further misleading and false statements, in Ground 13 of the Memorandum of Appeal that they have appended to this Report were material misrepresentation made by and on behalf of Justice Soumitra Sen before the Division Bench of the High Court of Calcutta. The finding by the Division Bench in its judgment of 25th July, 2007, that Justice Soumitra Sen was not guilty of any misappropriation was made on a totally erroneous premise induced by the false representation. A made on behalf of Justice Soumitra Sen." Sir, I don't think you require a greater clarity than this. Therefore, what was the misbehaviour or what was misappropriation that was done has to be understood.

Sir, Mr. Jethmalani has referred to Section 403 of IPC. What was the deal? Why did he pay back the money back when he was asked to pay back? It is only to escape imprisonment. Sir, the questions were raised on the question of misappropriation. Is diversion a misappropriation? Is using that money temporarily for some purpose constitutes misappropriation? We have heard the labours of Mr. Soumitra Sen yesterday when he said, 'you tell me one paisa that is there in my account. Have I made any money at all from holding this money? So, therefore, there is no misappropriation that I have committed.' But, Sir, what is the definition of 'misappropriation' under Section 403 of IPC? Section 403 of IPC says, 'Whoever dishonestly misappropriates or...' - please underline "...converts to his own ... shall be punishable with imprisonment..." It clearly says if a person 'coverts to his own use.' Then it goes on to clarify in the explanation, "A dishonest misappropriation for a time only is a misappropriation within the meaning of this section." So, whether it is for a short time or whether it ia for personal use only to be returned even if you are a fiduciary and a trustee. If money is deposited with me, I cannot borrow that money even temporarily. Sir, even temporarily I cannot borrow that money for my personal use and return back that money.

I may be very honest and return back that money. But, the very act of borrowing that money makes me guilty of

misappropriation. That is the Indian law. Our laws are very clear it is both the acts of omission and commission. You cannot say, 'I don't have any money that I have put in my bank accounts and, therefore, I am not guilty.' But, your acts of omission that have led to such acts of guilt are actually breach of law. Therefore, on all these counts whatever matters that we have discussed earlier he is guilty. In 1984 he was appointed as Receiver and the matter finally settled in 2006. In 2002, SAIL asked for the accounts as to what happened to that money. He does not reply immediately. Yesterday he was telling us in a much laboured manner. In the whole two hours of his presentation, there was only one mention about SAIL and that one mention came in terms of reference to the learned counsel of the SAIL. When the whole case of misappropriation centers around the money of dispute between SAIL and the SCIL, he was made the trustee of it and for that there is no reference. But, he, of course, asked me to go back to my workers and find out if they have been paid. I am grateful if that had happened. Sometimes, justice can be done by these courts also and by such Judges. If the workers have been paid, it is good. But, that is not the issue. The issue is, who gave you the right of Rs. 70 lakhs given to you to pay to the workers to divest Rs. 25 of that and invest in a private company which was going into liquidation? Is there any scam involved in this? That needs to be investigated, Sir. You have divested Rs. 25 lakhs of money that was meant and set aside for wages and compensation to the workers to be invested in a private company which goes bust within a couple of years! Was it done with knowledge that it is going to go into liquidation? What is the feedback there? That also needs to be investigated today, Sir. So, these are various issues which have come up. They all have come on record now. We all came to know how fictitious accounts have been recorded, how cheques have been issued for the payment of Credit Cards. Therefore, keeping this in mind, as I mentioned, the case, according to me, is a closed case.

Finally, the point I want to make is, the labour behind the entire argument yesterday was that there was a great conspiracy against him. What is the conspiracy? You have the Chief Justice of India. You have noted Judges like Justice A.P. Shaw, Justice A.K. Patnaik and Justice R.M. Lodha. Have they all conspired against Justice Soumitra Sen? You

have the Chief Justice Justice B.N. Agarwal and Justice Ashok Bhan. They are all the senior most Judges. Do you mean to say that they have conspired against Mr. Sen? And, now, do you mean to say that Justice Sudarshan Reddy, Shri Mukul Mudgal and Fali Nariman have all conspired against Mr. Sen. We have had the pleasure of knowing Mr. Nariman. I mean, he was our colleague here. We have known his uprightness here. To

question the integrity of such people and to say that all of them have colluded in a great conspiracy to prosecute Mr. Soumitra Sen is a great conspiracy theory that has been woven yesterday and that conspiracy theory needs to be broken.

Therefore, Sir, finally, I think, the issues that have been raised by the hon. Leader of the Opposition echoed by many other hon. Members here on the larger issues connected with Judiciary, Executive and the Legislature, this Motion today has to be adopted and should be used as the trigger for us to continue with these discussions, so that we, as parties - CPI (M) has always been asking and continues to ask even now have to ask for establishment of the National Judicial Commission along with the Lokpal. We think that both should go together. And, these are the issues, finally, we have to take up, because our constitutional scheme of things talks of judicial review, not judicial activism. And, that is where, Sir, the hon. Judges will interpret the law. But, unfortunately, the power to make law lies with Parliament and that is the supremacy. And, it is that supremacy we should uphold.

Finally, Sir, let me quote what Pandit Jawaharlal Nehru has said during the Constituent Assembly debates. He said, 'No Supreme Court and no judiciary can stand in judgment over the sovereign will of the Parliament representing the will of the entire community. If we go wrong here and there, it...' - the Judiciary - "...can point it out. But, in the ultimate analysis, where the future of the community is concerned, no judiciary can come in the way. Ultimately, the fact remains that the Legislature must be supreme and must not be interfered with by the court of law in measures of social reform." So, this is something which we will have to uphold.

I thank all those who participated, and, through you, urge that the Motions that I have moved yesterday be accepted.

I, therefore, recommend, once again, that these Motions be accepted by the House.

MR. CHAIRMAN: I shall now put the Motions, moved by Shri Sitaram Yechury, for presenting an Address to the President for removal of Justice Soumitra Sen, Judge, High Court of Calcutta, from his office,

along with the Address to the President, under clause (4) of Article 124 of the Constitution, to the vote of the House.

As I have informed earlier, the Motions, along with the Address are required to be adopted by a special majority. The question is:

"This House resolves that an address be presented to the President for removal from office of Justice Soumitra Sen of the Calcutta High Court on the following two grounds of misconduct:

- (1) Misappropriation of large sums of money, which he received in his capacity as receiver appointed by the High Court of Calcutta; and
- (2) Misrepresented facts with regard to the misappropriation of money before the High Court of Calcutta."

The Address shall be as follows:

"Whereas a notice was given of a motion for presenting an address to the President praying for the removal of Shri Soumitra Sen, from his office as a Judge of the High Court at Calcutta by fifty-seven members of the Council of States (as specified in Annexure 'A' attached herewith).

AND WHEREAS the said motion was admitted by the Chairman of the Council of States;

AND WHEREAS an Inquiry Committee consisting of -

- (a) Shri B. Sudershan Reddy, a Judge of the Supreme Court of India;
- (b) Shri Mukul Mudgal, Chief Justice of the High Court of Punjab and Haryana at Chandigarh; and
- (c) Shri Fali S. Nariman, a distinguished jurist, was appointed by the Chairman of the Council of States for the purpose of making an investigation into the grounds on which the removal of the said Shri Soumitra Sen from his office as a Judge of the High Court at Calcutta has been prayed for;

AND WHEREAS the said Inquiry Committee has, after an investigation made by it, submitted a report containing a finding to the effect that Shri Soumitra Sen is guilty of the misbehaviour specified in such report (a copy of which is enclosed and marked as Annexure 'B');

AND WHEREAS the motion afore-mentioned, having been adopted by the Council of States in accordance with the provisions of clause (4) of article 124 of the Constitution of India, the

misbehaviour of the said Shri Soumitra Sen is deemed, under subsection (3) of section 6 of the Judges (Inquiry) Act, 1968, to have been proved;

NOW, THEREFORE, the Council of States requests the President to pass an order for the removal of the said Shri Soumitra Sen from his office as a Judge of the High Court at Calcutta."

Under clause (4) of Article 124 of the Constitution the Motion and the Address will have to be adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members of the House present and voting.

6.00 P.M.

The House divided.

MR. CHAIRMAN: Subject to correction: Ayes: 189

Noes: 16

Ayes - 186

Achuthan, Shri M.P.
Adik, Shri Govindrao
Agarwal, Shri Ramdas
Ahluwalia, Shri S.S.
Aiyar, Shri Mani Shankar
Akhtar, Shri Javed
Alvi, Shri Raashid
Amin, Shri Mohemmed
Anand Sharma, Shri
Antony, Shri A.K.
Apte, Shri Balavant *alias* Bal
Ashk Ali Tak, Shri

Ashwani Kumar, Shri
Azad, Shri Ghulam Nabi
Badnore, Shri V.P. Singh
Baidya, Shrimati Jharna Das
Baishya, Shri Birendra Prasad
Balaganga, Shri N.
Balagopal, Shri K.N.
Batra, Shri Shadi Lal
Behera, Shri Shashi Bhushan
Benegal, Shri Shyam
Bernard, Shri A.W. Rabi
Bhartia, Shrimati Shobhana
Budania, Shri Narendra
Chakraborty, Shri Shyamal
Chatterjee, Shri Prasanta
Chaturvedi, Shri Satyavrat
Chowdary, Shri Y.S.
Daimary, Shri Biswajit
Dalwai, Shri Husain
Das, Shri Kumar Deepak
Dave, Shri Anil Madhav
Deora, Shri Murli
Deshmukh, Shri Vilasrao Dagadojirao
Dua, Shri H.K.
Dwivedi, Shri Janardan

Elavarasan, Shri A.
Faruque, Shrimati Naznin
Fernandes, Shri Oscar
Gill, Dr. M.S.
Gnanadesikan, Shri B.S.
Goyal, Shri Piyush
Gujral, Shri Naresh
Gupta, Shri Prem Chand
Hashmi, Shri Parvez
Hema Malini, Shrimati
Husain, Shri Jabir
Ismail, Shri K.E.
Jain, Shri Ishwarlal Shankarlal
Jain, Shri Meghraj
Jaitley, Shri Arun
Javadekar, Shri Prakash
Jayashree, Shrimati B.
Jethmalani, Shri Ram
Jha, Shri Prabhat
Jinnah, Shri A.A.
Jois, Shri M. Rama
Joshi, Dr. Manohar
Kalita, Shri Bhubneswar
Karan Singh, Dr.
Karat, Shrimati Brinda

Katiyar, Shri Vinay
Keishing, Shri Rishang
Kesari, Shri Narayan Sing
Khan, Shri K. Rahman
Khan, Shri Mohd. Ali
Khanna, Shri Avinash Rai
Khuntia, Shri Rama Chandra
Kidwai, Shrimati Mohsina
Kore, Dr. Prabhakar
Koshiyari, Shri Bhagat Singh
Krishna, Shri S.M.
Kshatriya, Prof. Alka Balram
Kurien, Prof. P.J.
Kushwaha, Shri Upendra
Lad, Shri Anil H.
Lepcha, Shri O.T.
Madani, Shri Mahmood A.
Maitreyan, Dr. V.
Malihabadi, Shri Ahmad Saeed
Mangala Kisan, Shri
Mathur, Shri Om Prakash
Mishra, Shri Kalraj
Mitra, Dr. Chandan
Mohanty, Shri Kishore Kumar
Mohapatra, Shri Pyarimohan
Mohite Patil, Shri Rajitsinh Vijaysinh

Moinul Hassan, Shri
Mukherji, Dr. Barun
Mukut Mithi, Shri
Mungekar, Dr. Bhalchandra
Naidu, Shri M. Venkaiah
Naik, Shri Pravin
Naik, Shri Shantaram
Nandi Yellaiah, Shri
Naqvi, Shri Mukhtar Abbas
Natarajan, Shrimati Jayanthi
Natchiappan, Dr. E.M. Sudarsana
Pande, Shri Avinash
Pandian, Shri Paul Manoj
Pany, Shri Rudra Narayan
Parida, Shri Baishnab
Parmar, Shri Bharatsinh Prabhatsinh
Pasha, Shri Syed Azeez
Paswan, Shri Ram Vilas
Patel, Shri Ahmed
Patel, Shri Kanjibhai
Patel, Shri Surendra Motilal
Pilania, Dr. Gyan Prakash
Pradhan, Shrimati Renubala
Prasad, Shri Rajniti
Prasad, Shri Ravi Shankar
Punj, Shri Balbir

Rai, Shrimati Kusum
Raja, Shri D.
Rajeeve, Shri P.
Ram Prakash, Dr.
Ramalingam, Dr. K.P.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.
Rao, Dr. K.V.P. Ramachandra
Rashtrapal, Shri Praveen
Ratna Bai, Shrimati T.
Raut, Dr. Bharatkumar
Raut, Shri Sanjay
Ravi, Shri Vayalar
Rebello, Ms. Mabel
Reddy, Shri G. Sanjeeva
Reddy, Shri M.V. Mysura
Reddy, Dr. T. Subbarami
Roy, Shri Tarini Kanta
Rudy, Shri Rajiv Pratap
Rupala, Shri Parshottam Khodabhai
Rupani, Shri Vijaykumar
Sadho, Dr. Vijaylaxmi
Sahani, Prof. Anil Kumar
Sahu, Shri Dhiraj Prasad
Sai, Shri Nand Kumar
Sangma, Shri Thomas

Seelam, Shri Jesudasu
Seema, Dr. T.N.
Selvaganapathi, Shri T.M.
Sen, Shri Tapan Kumar
Shanappa, Shri K.B.
Shanta Kumar, Shri
Sharma, Shri Raghunandan
Sharma, Shri Satish
Shukla, Shri Rajeev
Singh, Shri Amar
Singh, Shri Birender
Singh, Shri Ishwar
Singh, Shri Jai Prakash Narayan
Singh, Dr. Manmohan
Singh, Shrimati Maya
Singh, Shri Mohan
Singh, Shri N.K.
Singh, Shri R.C.
Singh, Shri Shivpratap
Singhvi, Dr. Abhishek Manu
Shiva, Shri Tiruchi
Solanki, Shri Kaptan Singh
Soni, Shrimati Ambika
Sood, Shrimati Bimla Kashyap

Soz, Prof. Saif-ud-Din
Stanley, Shrimati Vasanthi
Swaminathan, Prof. M.S.
Tariq Anwar, Shri
Tarun Vijay, Shri
Thakor, Shri Natuji Halaji
Thakur, Dr. C.P.
Thakur, Dr. Prabha
Thakur, Shrimati Viplove
Thangavelu, Shri S.
Tiriya, Ms. Sushila
Tiwari, Shri Shivanand
Trivedi, Dr. Yogendra P.
Uikey, Miss Anusua
Vasan, Shri G.K.
Verma, Shri Vikram
Vora, Shri Motilal
Vyas, Shri Shreegopal
Waghmare, Dr. Janardhan
Yadav, Shri Ram Kripal
Yadav, Shri Veer Pal Singh
Yechury, Shri Sitaram
NOES - 16
Agrawal, Shri Naresh Chandra
Ali, Shri Munquad

Ansari, Shri Salim
Baghel, Prof. S.P. Singh
Ganga Charan, Shri
Jai Prakash, Shri
Jugul Kishore, Shri
Karimpuri, Shri Avtar Singh
Kashyap, Shri Narendra Kumar
Kureel, Shri Pramod
Misra, Shri Satish Chandra
Pathak, Shri Brajesh
Rajan, Shri Ambeth
Rajaram, Shri
Saini, Shri Rajpal Singh
Singh, Shri Veer

The Motions and the Address are adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members of the House present and voting.

MR. CHAIRMAN: The House stands adjourned till 11 a.m. on Friday, the 19th of August, 2011.

The House then adjourned at ten minutes past six of the clock till eleven of the clock on Friday, the 19th August, 2011.