

LOK SABHA DEBATES (English Version)

Fourteenth Session
(Thirteenth Lok Sabha)



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LOK SABHA DEBATES

LOK SABHA

Tuesday, December 16, 2003/Agrahayana 25, 1925 (Saka)

*The Lok Sabha met at
Eleven of the Clock*

(MR. SPEAKER in the Chair)

NOTICES FOR SUSPENSION OF QUESTION HOUR AND MOTION FOR ADJOURNMENT

**Re: Reported strike by oil sector employees against
disinvestments of BPCL, HPCL etc.**

[English]

SHRI BASU DEB ACHARIA (Bankura): Sir, we have given a notice to suspend the Question Hour and to take up the Adjournment Motion. There is a strike by the workers of BPCL and HPCL. ...*(Interruptions)*

SHRI SUNIL KHAN (Durgapur): Sir, there is a strike by 1,50,000 workers of BPCL and HPCL. ...*(Interruptions)*

[Translation]

SHRI RAMJI LAL SUMAN (Firozabad): Mr. Speaker, Sir, workers of the oil companies are on strike today. ...*(Interruptions)*

[English]

SHRI PRIYA RANJAN DASMUNSI (Raiganj): Sir, through you, I would like to draw the attention of the House and the Government to a very important issue.

It is a tradition of this Parliament that whenever the hon. Prime Minister visits abroad, in between the Sessions, he makes a statement in the House. We understand that a successful trip was conducted by him to Russia, Kazakistan and especially in the given context of the West Asian situation to Syria. The House should not be deprived of the statement from the hon. Prime Minister.

It is more important to note that on the 8th April, 2003, at your behest, we passed a Resolution on Iraq in Hindi, asking the coalition forces to withdraw and given the whole thing to the United Nations. In the given context of that situation and now after the arrest of former ruler, Saddam Hussain, cutting across party lines, everybody expressed yesterday as to what

is the concern of India about the treatment to be meted out to him. I do not know whether within or outside Iraq there is a proper judicial system or not. The Houses are kept in dark.

So, I demand, through you, to the Government that the Government, before rise of the House, should make a comprehensive statement (a) in regard to hon. Prime Minister's trip to Syria, Kazakistan and Russia and (b) in regard to the West-Asian situation and the post Saddam Hussein's arrest situation in Iraq. The House should be taken into confidence.

Sir, through you, this is the only appeal. I hope the Government will not resist it and the Government will come forward with a statement. ...*(Interruptions)*

SHRI RAM VILAS PASWAN (Hajipur): We all support him. ...*(Interruptions)*

[Translation]

SHRI RAMJI LAL SUMAN: Mr. Speaker, Sir, the Govt. should spell out its policy. ...*(Interruptions)*

[English]

SHRI PRIYA RANJAN DASMUNSI: What the Government did to execute the Resolution of the Parliament in terms of raising our voice. ...*(Interruptions)*

MR. SPEAKER: The issue has been noted by the Government and the Government will respond to it.

...*(Interruptions)*

11.03 hrs.

WELCOME TO ROMANIAN PARLIAMENTARY DELEGATION

[English]

MR. SPEAKER: Hon. Members, I have to make an announcement.

On my own behalf and on behalf of the hon. Members of the House, I have great pleasure in welcoming His Excellency Mr. Nicolae Vacaroiu, President of the Senate of Romania and his Delegation, who are on a visit to India as our honoured guests.

They arrived in India on Sunday, 14th December, 2003. They are now seated in the Special Box. We wish them a happy and fruitful stay in our country. Through them we convey our greetings and best wishes to the President, the Parliament and the friendly people of the Romania.

11.04 hrs.

NOTICES FOR SUSPENSION OF QUESTION
 HOUR AND MOTION FOR ADJOURNMENT - Contd.

Re: Reported strike by oil sector employees against disinvestments of BPCL, HPCL, etc.

[English]

MR. SPEAKER: There is no 'Zero Hour' and there is no lunch break today.

...(Interruptions)

[Translation]

SHRI RAMJI LAL SUMAN (Firozabad): Sir, the employees of oil companies country-wide are on strike today. This is a very serious matter. We had demanded in this House that the Government should spell out its policy in clear terms and should not disinvest profit making public sector undertakings like the HPCL and the BPCL. The HPCL and the BPCL were set up through an act of the Parliament. The Government is acting against the dignity of the Parliament. Dealing with a PTI petition, the Supreme Court has stated that the Government should take any decision in regard to the HPCL and the BPCL only after consulting the Parliament. The Govt. has, however, filed a review petition in the Supreme Court. The intention of this Government is doubtful. This Government must announce that the profit-making public sector undertakings would not be disinvested. The HPCL and the BPCL were set up after the approval of the Parliament. But this Government wants to disinvest them bypassing the Parliament. This is causing resentment among workers there. The interest of their employees cannot be protected in the hands of private companies. Through you I would like to submit to the Government that an assurance must come from the Government side that the disinvestment of the HPCL and the BPCL would not take place without seeking the approval of the Parliament. ...(Interruptions)

[English]

MR. SPEAKER. This cannot be a subject of Adjournment Motion.

...(Interruptions)

[Translation]

SHRI SHRIPRAKASH JAISWAL (Kanpur): I am a member of the standing committee on Petroleum. Our committee is of the opinion that the HPCL and the BPCL should not be disinvested at any cost. The Government is not only

bypassing the Parliament but it is also overlooking the recommendation of the Parliamentary Committee on Petroleum. ...(Interruptions)

MR. SPEAKER: There is no intention to make speech.

[English]

SHRI PRIYA RANJAN DASMUNSI (Raiganj): Sir, I endorse the views of hon. Member Shri Ramji Lal Suman. ...(Interruptions)

SHRI BASU DEB ACHARIA (Bankura): Sir, today the workers, employees and even the officers of the entire oil sector, all together, are on strike. All the trade unions have jointly gone on strike. This issue was raised on the floor of this House a number of times. Without bringing up a legislation, these two companies - Hindustan Petroleum Corporation Limited and Bharat Petroleum Corporation Limited - which are profit-making companies, are being disinvested. ...(Interruptions) The total turnover of all the oil companies, is more than Rs. 88,000 crore. ...(Interruptions)

MR. SPEAKER: Please conclude now.

...(Interruptions)

[Translation]

MR. SPEAKER: Rupchand Pal ji, now you should speak.

[English]

SHRI BASU DEB ACHARIA: Such profit-making companies, which were in the private sector earlier, were taken over and nationalised in 1973 by the Government of India. ...(Interruptions)

MR. SPEAKER: This issue was discussed at length in the House. Nothing more can be discussed on this issue.

...(Interruptions)

SHRI BASU DEB ACHARIA: Today together with these two companies, and the Indian Oil Corporation also, which is earning thousands of crores of rupees of profit - they are being disinvested in spite of clear directions from the Supreme Court. The Supreme Court said:

"We find that, on language of the Act, such a course is not permissible at all. In the result, we allow these petitions restraining the Central Government from proceeding with disinvestment resulting in HPCL and BPCL ceasing to be Government companies without appropriately amending the statutes concerned suitably."

MR. SPEAKER: Please sit down now.

...(Interruptions)

SHRI BASU DEB ACHARIA: Sir, we demand that these companies should not be disinvested and they should continue to remain as nationalised companies. ...(Interruptions)

MR. SPEAKER: Nothing will go on record except the point of Shri Rupchand Pal.

...(Interruptions)*

[Translation]

MR. SPEAKER: Rupchand Palji, I have called your name. If you do not start I shall allow some other hon'ble Member to speak.

...(Interruptions)

[English]

SHRI RUPCHAND PAL (Hoogly): Sir, there is a countrywide protest by the employees, workers and officers also. It is a total strike throughout the country in protest of this disinvestment process which has been criticised by the Supreme Court also that nothing should be done bypassing the Parliament. ...(Interruptions)

MR. SPEAKER: There is no discussion on this. Please take your seat.

...(Interruptions)

SHRI RUPCHAND PAL: There is no consensus within the NDA. You may just recall that the Shiv Sena people are not in favour of it and they have openly opposed it. We demand that this disinvestment should not be done. ...(Interruptions)

[Translation]

SHRI RAMJI LAL SUMAN : Mr. Speaker, Sir, this is a very serious matter. There is a conspiracy to sell out the country. ...(Interruptions)

[English]

MR. SPEAKER: I have received notice from Shri Sunil Khan. Let him speak now.

...(Interruptions)

[Translation]

SHRI SUNIL KHAN (Durgapur): About one and a half

lakh employees of the HPCL and the BPCL are on the strike today protesting against the privatisation bid of the HPCL and the BPCL. ...(Interruptions) Since the Government is going to file a review petition in the court, that is why the employees are on strike. The entire country and one and a half lakh employees of the HPCL and the BPCL are against privatisation of those companies and moreover, we are also against it. ...(Interruptions)

[English]

Even Shiv Sena was not in favour of disinvestment of these companies. ...(Interruptions)

SHRI BASU DEB ACHARIA: Sir, by bypassing the Parliament this has been done. ...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI: Sir, let the Government respond to this. ...(Interruptions)

SHRI SUNIL KHAN: What is the response of the Government? ...(Interruptions) Nearly 1.5 lakh employees including officers are on strike today. Almost all the trade unions like CITU, AITUC etc. are opposed to it. ...(Interruptions)

MR. SPEAKER: Hon. Members may please take your seats. You have made your point clear.

...(Interruptions)

[Translation]

SHRI RAMJI LAL SUMAN : This Govt. is playing with the sentiments of the House. We had sought an assurance from the Govt. that profit making public sector companies would not be sold out. ...(Interruptions)

[English]

MR. SPEAKER: I have permitted four hon. Members to speak. Please sit down.

...(Interruptions)

SHRI N.N. KRISHNADAS (Palghat): Sir, what is the attitude of the Government? We must know. ...(Interruptions)

[Translation]

SHRI SHRIPRAKASH JAISWAL: Neither the dignity of the House is maintained nor the orders of the Supreme Court are being followed. ...(Interruptions)

[English]

MR. SPEAKER: This issue of HPCL and BPCL was

discussed thoroughly well in the last Session. Now, you have raised the issue because the people have organised a big agitation on the issue. So, I have permitted you to speak.

...(Interruptions)

SHRI BASU DEB ACHARIA: That discussion was incomplete. ...(Interruptions)

MR. SPEAKER: Let me complete. Now, you have raised the issue. We will find out a device to raise this issue in the House.

...(Interruptions)

MR. SPEAKER: Adjournment Motion is not a proper device. I have disallowed the notices on Adjournment Motion on this issue. Hon. Member Shri Palanimanickam, you can tell me what your point is.

...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI: Sir, what is the Government's response? ...(Interruptions)

MR. SPEAKER: The concerned Minister can be asked to look into the matter.

...(Interruptions)

MR. SPEAKER: Please sit down. You have raised the issue in the House.

SHRI N.N. KRISHNADAS: Sir, the Government must mention its attitude on this. ...(Interruptions)

MR. SPEAKER: You can raise the issue under some other device and I will permit you to raise the issue where the Government will also reply to the issue. Please sit down now. Shri Palanimanickam may make your point now.

SHRI S.S. P ALANIMANICKAM (Thanjavur): Sir, I want to draw the attention of the hon. Speaker to one issue. ...(Interruptions)

MR. SPEAKER: Let me listen to his statement also.

...(Interruptions)

SHRI S.S. PALANIMANICKAM: Sir, I wish to speak regarding the rights of the Members of this House and the privileges of this House. Yesterday, in Chennai, one of the

sitting Members of this House, Shri Vaiko, was allowed by a single Judge of the High Court to take part in the discussion on the POTA (Amendment) Bill in this House. In the midnight, it was cancelled by two sitting Judges of the High Court. ...(Interruptions) This practice is going on. I want to know how this House is going to protect the rights of the Members and how the privileges of the Members of this House are going to be protected. Through you I would request the leaders of various parties of this House to kindly evolve a mechanism to save the rights of the Members from another equal body, another limb of democracy. I would request the hon. Members to kindly consider it. ...(Interruptions)

[Translation]

SHRI RAM VILAS PASWAN (Hajipur): Mr. Speaker, Sir, I had given notice regarding dalits and Muslims.

[English]

MR. SPEAKER: I am going to allow you a Calling Attention on this issue tomorrow. Otherwise, if it is not possible tomorrow for some other reason, it will be allowed on the day after tomorrow.

I will go to the Question Hour now.

11.13 hrs.

ORAL ANSWERS TO QUESTIONS

[English]

Watershed Development Programme

*202. SHRI RATILAL KALIDAS VARMA:

SHRI HARIBHAU SHANKAR MAHALE:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Department of Land Resources is implementing three Watershed Development Programmes since 1995 in the country;

(b) if so, whether the Government has reviewed the implementation of these programmes;

(c) if so, the outcome thereof;

(d) the project proposals received/cleared from various State Governments regarding Watershed Development Programmes for poverty alleviation during the current year, State-wise;

(e) the number of the Non-Governmental Organizations involved in Watershed Development Programmes during the last three years and till date;

(f) the funds allocated and utilized by these organizations during the said period so far, State-wise;

(g) whether the funds are not being properly utilized by these NGOs; and

(h) if so, the steps taken by the Government to monitor the scheme properly?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASAHEB M.K. PATIL):
(a) to (h) A statement is laid on the Table of the House.

Statement

(a) Yes, Sir. The Department of Land Resources in the Ministry of Rural Development is implementing three major programmes namely the Integrated Wastelands Development Programme (IWDP) (from 1989-90), the Drought Prone Areas Programme (DPAP) (from 1973-74) and the Desert Development Programme (DDP) (from 1977-78). Since 1.4.1995, a common approach to implement these programmes on watershed basis has been adopted.

(b) and (c) The implementation of the watershed

projects under IWDP, DPAP and DDP was reviewed in consultation with the concerned State Governments and the Guidelines were revised in the year 2001 to further reinforce the effectiveness of these programmes in the planning, implementing, monitoring and, evaluation stages. The Guidelines of 2001 were again revised in March, 2003 and the Haryali Guidelines came into effect from 1.4.2003. Under the Haryali guidelines panchayats have been given priority for implementation of all Watershed Development Programmes (DPAP, DDP and IWDP) of the Department of Land Resources.

(d) State-wise details of projects sanctioned, amount released under IWDP, DPAP and DDP during the current financial year i.e. 2003-2004 upto 10.12.2003 are given in Annexure-I.

(e) The number of NGOs involved in IWDP projects sanctioned in the last three years till 10.12.2003 is given in Annexure-II.

(f) The Department of Land Resources allocates/releases funds to DRDAs/ZPs.

(g) and (h) The performance of NGOs as PIAs in implementation of watershed projects has been mixed. The Ministry is regularly monitoring the schemes/programmes through Area Officers, Independent Evaluators and National Level Monitors.

Annexure-I

Projects sanctioned and amounts released in 2003-04 (Upto 10.12.2003)

Sl. No.	State	IWDP		DPAP		DDP	
		No. of Projects	Amount Released (Rs. in lakhs)	No. of Projects	Amount Released (Rs. in lakhs)	No. of Projects	Amount Released (Rs. in lakhs)
1	2	3	4	5	6	7	8
1	Andhra Pradesh	9	453.75	287	968.62	110	371.25
2	Bihar	4	165.00	60	202.50		
3	Chhattisgarh	6	247.50	116	391.50		
4	Gujarat	9	371.25	250	843.75	298	1005.75
5	Haryana	2	82.50			118	398.25
6	Himachal Pradesh	7	313.50	40	135.00	38	128.25
7	Jharkhand	4	189.75	200	675.00		

1	2	3	4	5	6	7	8
8	Jammu & Kashmir			66	222.75	41	138.38
9	Karnataka	9	371.25	227	766.12	166	560.25
10	Kerala	3	123.75				
11	Maharashtra	6	247.50	296	999.00		
12	Madhya Pradesh	13	594.00	269	907.88		
13	Orissa	1	41.25	146	492.75		
14	Rajasthan	9	371.25	96	324.00	780	2632.50
15	Tamil Nadu	7	288.75	160	540.00		
16	Uttar Pradesh	13	536.25	160	540.00		
17	Uttaranchal	3	132.00	90	303.75		
18	West Bengal	2	82.50	72	243.00		
Total		107	4611.75	2535	8555.62	1551	5234.63

Annexure-II

Sl. No.	State	Number of NGOs involved under IWDP projects				Total
		2000-01	2001-02	2002-03	2003-04	
1.	Andhra Pradesh	6	3	-	-	9
2.	Bihar	-	1	-	-	1
3.	Chhattisgarh	-	1	-	-	1
4.	Gujarat	6	6	-	-	12
5.	Jharkhand	1	1	-	-	2
6.	Karnataka	-	1	-	-	1
7.	Maharashtra	2	-	-	-	2
8.	Madhya Pradesh	3	2	-	-	5
9.	Orissa	1	1	-	-	2
10.	Tamil Nadu	-	1	-	-	1
11.	Uttaranchal	2	-	-	-	2
12.	Manipur	-	1	-	-	1
Total		21	18	0	0	39

[Translation]

SHRI RATILAL KALIDAS VARMA: Mr. Speaker, Sir, an atmosphere of confidence has been built up in villages through the watershed programmes like the Desert Development programme, the Drought Prone Areas Programme and the IWDP initiated by the Water Resource Department. The villagers are very happy since this is a laudable work but we need to keep up the enthusiasm that has been seen among the rural populace. Whether the Union Government has received any proposal from the Government of Gujarat in regard to formulating effective schemes so as to implement those programmes and also to undertake the review work. In regard to the part (b) of the question, I have to ask whether any planning has been done to especially promote and honour the NGOs which were involved in the past in ensuring the developmental work. In Gujarat there is one "Swarashtriya Jaldhara Sansthan" which has done commendable work in Gujarat and it has drawn the attention of the entire country. The NGOs have a great role in implementing the several programmes in Gujarat.

SHRI ANNASAHEB M.K. PATIL: Mr. Speaker, Sir, out of the total programmes sanctioned, 9 projects of IWDP, 250 projects in DPAP, 298 projects in DDP have been sanctioned in 2003-04 in respect of Gujarat. A sum of Rs. 3 crore 71 lakh have already been released in IWDP. Similarly, a sum of Rs. 8 crore 43 lakh in DPAP and Rs. 10 crore 5 lakh in DDP have been released. I welcome the information about the NGO which the hon. Member has given. NGOs are doing commendable work, the only complaint which we have received is concerning one NGO of Surendra Nagar. On that complaint, the state government has informed that the matter has been investigated and it has been found that the said NGO is working well.

SHRI RATILAL KALIDAS VARMA: Mr. Speaker, Sir, funds are being allocated on these schemes, but there has been little utilisation of the funds. I want to know about the action being taken to ensure maximum utilisation of funds? In Gujarat, a sum of Rs. 371.25 lakh in IWDP, Rs. 843.75 lakh under DPAP and Rs. 1005.75 lakh under DDP have been released. But more allocation of funds is required because we have several major programmes to implement. There is a major scheme of interlinking the rivers. Big ponds are being constructed. The people of the villages in Gujarat where this scheme has been implemented have become prosperous. As such, I want that more allocation should be made and more funds should be released for these schemes.

SHRI ANNASAHEB M.K. PATIL: Mr. Speaker, Sir, these schemes are being implemented in Gujarat quite satisfactorily. The hon'ble Member has mentioned that more funds should

be provided for those schemes. These schemes are demand driven schemes. Proper attention would be paid to the proposals being received from the states and wherever the performance is found satisfactory, due attention would certainly be paid to the proposals.

SHRI HARIBHAU SHANKAR MAHALE: Mr. Speaker, Sir, "Janani Janambhoomish Swargadapi Gariyasi" - for us it means that our Mother and our motherland is like heaven. It is the duty of the government and all of us to develop our motherland. Non-governmental institutions are also active in this regard. These institutions are of similar nature. But in every state, complaints are made against these institutions which have not drawn attention of the government so far. Earlier the government officers were doing all these works quite well but these works have now been taken away from them. I would like to ask the government as to whether the government propose to assign all these schemes to the government servants once again? Besides it, there are 290 schemes in Maharashtra under DPAP but there is no scheme under DDP. What are the reasons therefor?

SHRI ANNASAHEB M.K. PATIL: Mr. Speaker, Sir, for DDP i.e. Desert Development Programme, no such district has been notified in Maharashtra state. As such no scheme has been covered under it. As far as NGOs are concerned, the union Government are asking the state government in this regard and no reply has yet been received from the state government.

[English]

SHRI N. JANARDHANA REDDY: Sir, the Minister has given particulars about projects sanctioned and amounts released in the year 2003-2004. I would like to ask a question from the hon. Minister. In Andhra Pradesh, programmes like the Desert Development Programme (DDP) are being implemented in Anantapur. The district name itself is given as 'Anantapoor'.

What is the total amount sanctioned—since the inception of the programme—under this scheme? What is the total utilisation of the amount in the district and the details thereof?

SHRI ANNASAHEB M.K. PATIL: Sir, I have the figures for each State. But, I will pass on the information regarding the concerned district of Anantapur to the hon. Member.

SHRI N. JANARDHANA REDDY: Sir, I am asking the information about only one district.

SHRI ANNASAHEB M.K. PATIL: Yes, I can pass on the information about the concerned district to you.

MR. SPEAKER: It may not be possible, for the Minister to give the entire information for each and every district here.

SHRI N. JANARDHANA REDDY: Sir, I am only asking about one district in Andhra Pradesh.

MR. SPEAKER: If you want the figures for the State, he is ready to give them.

SHRI N. JANARDHANA REDDY: I am asking for the particulars because the whole amount has been diverted and it is not being implemented in Anantapur.

MR. SPEAKER: Mr. Minister, please make a note of that and write to the hon. Member.

[Translation]

SHRI SHIVAJI MANE: Mr. Speaker, Sir, recently the Union Government have started a new scheme by the name of 'Hariyali' under the watershed programme. Under the guidelines meant for this scheme it has been mentioned that it would be implemented by the Grama Panchayats but the Grama Panchayats have got no technical hand or infrastructure for the purpose through which Sarpanch or Grama Sewak could implement the watershed programme in a proper manner. Through you, I would like to ask the government as to how the government would implement this scheme under such a situation.

SHRI ANNASAHAB M.K. PATIL. Mr. Speaker, Sir, hon'ble Member has expressed a difficulty. In this regard, complaints have also been received from several state governments which have also been inquired into. The government are rethinking over it and we would definitely consider this matter in the meeting scheduled to be held on 21-22 instant.

[English]

SHRI A.P. ABDULLAKUTTY: Thank you, Sir. Will the hon. Minister be pleased to inform me whether Southern States including Kerala have implemented Rain Water Harvesting programmes, which are implemented by the State Governments? Please give the details.

There is also a proposal for the conservation of rain water on a large scale in each and every household and village.

[Translation]

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, India has defeated Australia in Cricket Match – for this I would like to congratulate all of you.

[English]

SHRI A.P. ABDULLAKUTTY: Will the Government give aid to these programmes on a national basis?

SHRI ANNASAHAB M.K. PATIL: Sir, the Rain Water Harvesting programme comes under another Department, and the question is concerned with Wasteland Development programme. However, the suggestion of the hon. Member would be certainly considered.

11.25 hrs.

CONGRATULATIONS TO THE INDIAN CRICKET TEAM

[English]

MR. SPEAKER: I am sure, the Members will be happy to know that India has won the cricket match against Australia by four wickets and they will join me in congratulating the Indian Cricket Team.

I congratulate the Indian Cricket Team.

SHRI SONTOSH MOHAN DEV (Silchar): Sir, India has beaten Australia in the Second Test. Everybody must cheer the Indian Team.

MR. SPEAKER: The Chair has already declared that, and the Members have already appreciated that fact.

SHRI RATTAN LAL KATARIA (Ambala): Sir, India won the Test after 23 years.

11.26 hrs.

ORAL ANSWERS TO QUESTIONS

(Q. 202 - Contd.)

PROF. UMMAREDDY VENKATESWARLU: Mr. Speaker, Sir, in Andhra Pradesh, the Watershed Development Programmes under three different Schemes, namely, Integrated Wasteland Development Programme, DPAP and Desert Development Programme, are being implemented on very sound lines. One allegation that has been made by my colleague, Shri N. Janardhana Reddy, is that the funds under DPAP have been diverted, but this is a wild allegation.

SHRI N. JANARDHANA REDDY: Sir, I must be permitted to answer this to show that this is not a wild allegation.

PROF. UMMAREDDY VENKATESWARLU: I did not interfere when you were speaking. Please let me complete my question. The House would have been happy, if he had

placed any specific particulars before it, and everybody would have appreciated that. It is a wild allegation.

In Andhra Pradesh, these three Programmes are being implemented on sound lines. That is the reason why, since these Watershed Programmes are being implemented in such a big way in Andhra Pradesh, there is a specific demand from Andhra Pradesh to allocate more funds to the State. Since these are demand-driven Schemes, there is a request from Andhra Pradesh to allocate more funds under these three independent Schemes.

MR. SPEAKER: You have to put a straight question to the Minister.

PROF. UMMAREDDY VENKATESWARLU: I would request the hon. Minister to place before this House as to what are the specific proposals for further extension and further allocation of the Schemes, more particularly to Andhra Pradesh, and how the funds are going to be given. Now, the funds for these latest Programmes are being given to the Panchayats from 1.4.2003.

SHRI ANNASHEB M.K. PATIL: Sir, as far as the implementation of Programmes in Andhra Pradesh is concerned, I would say that out of 107 projects under IWDP, nine projects have already been sanctioned to Andhra Pradesh covering a total area of 55,000 hectares, which is more compared to the total area going to be covered. As far as the projects are concerned, 108 projects have already been taken up. As far as funds' allocation is concerned, as you know, it comes to Rs. 6,000 per hectare. Therefore, naturally, more funds are given to them.

Parking Policy in the Capital City

*203. SHRI RAGHUNATH JHA:

SHRI SHEESH RAM SINGH RAVI:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether Delhi High Court has passed strictures against local bodies in Delhi such as the MCD, NDMC and Delhi Police for failing to prepare a policy to regulate parking in the capital;

(b) if so, the details thereof;

(c) whether MCD, NDMC and Delhi Police have come out with a new parking policy;

(d) if so, the details thereof;

(e) whether the Government is aware that several places in Delhi which were built for parking are being used to house Government offices and showrooms;

(f) if so, the details and the reasons therefor;

(g) whether MCD and NDMC have allowed road side parking in the city leading to congestion, accidents and causing inconvenience and harassment to pedestrians; and

(h) if so, the action, the Government proposes to take to remove the use of parking place for housing Government Offices and showrooms and to stop the road side parking?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): (a) to (h) A statement is laid on the Table of the House.

Statement

(a) and (b) The Hon'ble High Court of Delhi vide their orders dated 17th March, 2003 and 22nd August, 2003 in Civil Writ Petition No. 7301 of 2000 titled Usha Kumar Vs Municipal Corporation of Delhi and Others had, inter-alia, issued directions to Municipal Corporation of Delhi, New Delhi Municipal Council and Delhi Police that they should formulate a parking policy for Delhi, failing which the Hon'ble Court would be constrained to say that they were negligent in discharging their duties.

(c) and (d) Yes, Sir. Municipal Corporation of Delhi, in consultation with New Delhi Municipal Council, Delhi Traffic Police, Delhi Development Authority and Government of National Capital Territory of Delhi, has formulated a parking policy. The said parking policy, inter-alia envisages construction of multi-storied/underground parking; implementation of Metro Rail Project; introduction of High Capacity Bus System and Electric Trolley Bus System in selected corridors; Intercity Rail Network; pedestrianisation of markets; optimum utilisation of land for enhancing parking spaces and people's corporation in solving the parking problem.

(e) No such specific instance has come to the notice of the Government.

(f) Does not arise.

(g) With a view to minimising haphazard/ obstructive parking and reducing congestion and accidents on roads, permission has been given for road side parking in

such areas where there is not much pedestrian movement and where such parking is not likely to cause inconvenience/harassment to the people.

(h) Does not arise in view of replies to parts (e) and (g) above.

[Translation]

SHRI RAGHUNATH JHA: Mr. Speaker, Sir, hon'ble Minister has admitted that in pursuance of the directions of hon'ble Delhi High Court, Municipal Corporation of Delhi has formulated a parking policy in consultation with New Delhi Municipal Council, Delhi Traffic Police, Delhi Development Authority and the Government of National Capital Territory of Delhi. The said parking policy, inter-alia-envisages construction of multi-storied/underground parking, implementation of Metro Rail Project, introduction of High capacity Bus system and electric Trolley Bus System in selected corridors; Intercity Rail Network; pedestrianisation of markets; optimum utilisation of land for enhancing parking spaces and seeking people's cooperation in solving the parking problem.

I would like to know from the hon'ble Minister whether any time limit has been fixed for the purpose or whether this work is likely to continue for indefinite period.

SHRI HARIN PATHAK: Mr. Speaker, Sir, as per orders from the court, the entire policy was laid in the High Court on 28th October and as per directives of the High court, this policy is being implemented. There are different agencies for it as the hon'ble Member has read out, viz., NDMC, MCD, Delhi government, transport Department and DDA; will implement this entire policy jointly and High Court will ask us to submit quarterly report and that report will be submitted to the High Court and the High Court will monitor it.

SHRI RAGHUNATH JHA: Mr. Speaker, Sir, in response to part (e) of my question, it has been stated that the Government are not aware of it. But all the hon'ble Members of this House are well aware that shops, showrooms, vendors and public places, parking spaces are being used for shops, showrooms, vendors and eatable shops etc. From whom have they got it investigated and have submitted such a report that the Government do not know as to what lies therein. Whether you have got this inquiry conducted by the same person on whose instance such works are being done and a certain amount is exported from the showroom owners, shop owners, vendors and tonga wallahs. Whether you have got it investigated by the officers who are involved in it and whether you want to get it investigated by any other senior officer.

SHRI HARIN PATHAK: The question that has been asked is whether the Government have set up offices and

showrooms at parking places and the reply I have given to it is that right now we do not have the relevant information. ...*(Interruptions)*

SHRI RAGHUNATH JHA: We just want to know through whom they have conducted the inquiry. We have the information that money changes hands in executing all works and everybody knows it. Through whom they have conducted the inquiry. They should get it done by a senior officer.

MR. SPEAKER: Please let the Minister give his reply.

SHRI RAGHUNATH JHA: The Government appoint only such persons for inquiry there as are deft at making bargains.

SHRI HARIN PATHAK: In deference to the sentiments in reply to his question seeking to know whether Government offices and showrooms have been set up in parking places, I have stated that there are no specific instances thereof. Do you have the inkling that DDA, NDMC and MCD, all of whom are responsible for administration of entire Delhi. If you want to have the detailed information about it, we would certainly collect and furnish the same to you, but please tell us if there are certain specific instances. ...*(Interruptions)*

KUNWAR AKHILESH SINGH. Mr. Speaker, Sir, this is a serious matter. ...*(Interruptions)*

MR. SPEAKER: You only reply to his question, you are not supposed to reply to the questions which are raised during the course of discussion.

SHRI RAGHUNATH JHA: You get the inquiry conducted by any senior officer, truth will come to the surface.

SHRI SHEESH RAM SINGH RAVI: Mr. Speaker, Sir, the reply given by the Hon. Minister has the reference regarding High Court and Supreme Court too. But my concern is that when people go for marketing and park their vehicles; traffic police personnel tow-away their vehicles whereas the space lying in front of that is given on lease for parking lot and money is charged for that. We would like to know as to whether any receipt is given or any record is kept of the number of vehicles towed away throughout the year. An individual who goes to market with his family to purchase vegetables, on returning finds his vehicle missing from there. Later on, he has to face a lot of problems and it takes too much time. This way, the general public of Delhi is getting very much disappointed in the matter of parking place. Whether any work plan has been chalked out to remove this disappointment and whether any provision has been made in advance for the parking in the new construction coming up now. Leave alone the old buildings, I want to know whether any such provision has been made in the new markets being developed and whether such

type of maps are being passed. If so, the reasons for which the vehicles owned by people are towed away. Please give us reply-stating reasons as to why the harassment is being meted out to the public.

MR. SPEAKER: If you intend to, you can give the reply.

[English]

SHRI HARIN PATHAK: I am well prepared.

[Translation]

Mr. Speaker, Sir, hon. Member is my good friend. Towing away, vehicles by police, is a different matter and police do it. We have to develop entire Delhi and for that purpose we have formulated a master plan upto 2021 and we have formulated parking policy. Separate arrangement is to be made for underground and over head parking thereon.

[English]

SHRI ADHIR CHOWDHARY: Sir, I want to know from the hon. Minister as to how many spaces have been given to the parking lots that are existing in Delhi. Is there any balance being maintained between the increasing number of cars and the parking lots in Delhi? In other words, in view of the increasing number of cars in Delhi, whether the parking lots that are existing in Delhi, are in commensurate with them.

SHRI HARIN PATHAK: Sir, there are about 70 parking sites which have already been allotted to different contractors. The hon. Member has asked about the parking policy in regard to new parking spaces. There are six parking spaces which are existing and we are proposing to make seven more parking spaces.

Today, the total number of vehicles in the Metro City is about 10 lakh.

[Translation]

We have drafted our policy keeping in view the 40 lakh vehicles and the instructions given by the High Court. According to that we plan to construct multi-storied and underground parking lots at seven new places. ...*(Interruptions)*

[English]

Safe Building Constructions

*204. SHRI NARESH PUGLIA:

SHRI BHASKARRAO PATIL:

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Union Government has directed the State Governments to adopt norms laid down for seismically safe building constructions in areas which are vulnerable to earthquake;

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

(c) whether some state Governments are not following the norms of the Union Government and allowing building activities which are unsafe;

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

(e) the remedial steps taken by the Union Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) to (e) A statement is laid on the Table of the House.

Statement

(a) Yes, Sir.

(b) The Ministry of Urban Development and Poverty Alleviation has taken the following steps to emphasise on the State Governments the need and urgency to adopt norms and provision of Indian Standards and Codes for seismically safe building construction:

- In May, 1998, the Secretary (Urban Development) wrote to all Chief Secretaries, advising them to bring in necessary modifications in their respective building bye-laws and regulations, land use zoning practices, development control rules and town and country planning acts to ensure safer construction.
- The Minister for Urban Development and Poverty Alleviation, in February 2001, had addressed all Chief Ministers requesting them to adopt a Techno Legal Regime involving suitable amendments and revision of existing building bye-laws and regulations to ensure quake resistant construction of buildings and houses.
- The Ministry had called a meeting of the Ministers in charge of Housing and Urban Development from all States/UTs in March, 2001. Imminent need to suitably modify the Building Bye-laws and Development Control Regulations for incorporating mandatory provisions to ensure use of existing Standards, Codes and guidelines, formulated by Bureau of Indian Standards for

construction of earthquake resistant houses and other buildings was especially impressed upon at this meeting.

In May 2001, the Ministry organised a Seminar on Habitat Safety against Earthquakes and Cyclones in pursuance of the deliberations whereof the Department of Science & Technology has already initiated a programme for microzonation of Delhi and few other large cities to guide the construction activities in large urban centres.

After the earthquakes of Uttarkashi (1991), Latur (1993), Jabalpur (1997), Chamoli (1999), Kutchch (2001), the Building Material Technology Promotion Council (BMTPC) had undertaken Rapid Damage Assessment Studies in various earthquake-affected States. Guidelines on safe construction practices in the earthquake regions were formulated and widely circulated, particularly, in the States with high vulnerability to earthquakes.

(c) to (e) The Ministry of Urban Development and Poverty Alleviation has been constantly in touch with the State Governments to ensure that the latter incorporate the suitable amendments in their regulatory instruments like, building bye-laws, regulations, development control rules, master planning acts and land use practices. State-wise current status of action in regard to amendment of building bye-laws etc. is as under:

- Eleven States/Union Territories have already amended their building bye-laws and regulations.
- Nine States have set up a Committee or an Expert Group to look into the National Building Code and to see how the required safety measures can be incorporated in the building bye-laws of different local bodies.
- Even though response is awaited from some States, so far, no State has sent a negative response.

The subject of building construction and the enforcement of bye-laws, regulations, development control rules etc. being a State subject, the Union Government is constantly pursuing with the State Governments to bring in suitable amendments in their bye-laws and development control rules so that the safety norms for building construction in earthquake prone areas are brought into practice and enforcement mechanisms established, at the earliest.

[Translation]

SHRI NARESH PUGLIA: Hon. Speaker, Sir, the Ministry of Urban Development and Poverty Alleviation have taken up an important issue like earthquake with several states during

the last fifteen years and have sometime written letter to the Chief Secretaries, held meetings with Chief Ministers and held discussion on this subject in the meeting with State Urban Development Ministers.

During the last ten years, five earthquakes of high intensity hit the country, especially, the earthquake of Uttarkashi which occurred in 1991 and Latur earthquake of Maharashtra about which the hon. Speaker has complete information and the entire country also knows about it. When such major calamities hit, separate norms are adopted for different states. Seminars have been organised. Even the Ministry of Science and Technology has given several suggestions therein. But the State Governments have their bye laws on building construction and since they are a separate entity, the matter does not come under the control of the Central Government and when Central Government resort to holding such meetings time and again, that does not affect State Governments in any way.

I would like to know from the hon. Minister, through you, the action being taken by the Central Government and particularly Ministry of Urban Development to bring the unanimity among the building construction bye-laws development control rules or other rules and regulations followed by all states?

[English]

SHRI BANDARU DATTATREYA: Sir, the hon. Member has rightly pointed out the severity of the national hazards. Particularly, after the earthquake in Gujarat, the entire nation has been alarmed. The hon. Member mentioned about the earthquakes of Latur, Uttarkashi and other areas.

Here, I want to impress upon the hon. Member that our Ministry is only concerned with building bye-laws, building codes; and the building standards that we have mentioned in the Vulnerability Atlas of India. We have sent all these things to the State Governments for action on their part, particularly to amend their building bye-laws and to take earthquake resistance measures in construction of buildings.

The then Minister of Urban Development, Shri Jag Mohan himself wrote a letter to the hon. Chief Minister of Maharashtra with regard to changing the building bye-laws. The Maharashtra Chief Minister has written to the Chief Secretary of Maharashtra and no response has come from Maharashtra. I would like to impress upon the hon. Member. ...*(Interruptions)*

SHRI NARESH PUGLIA: I did not ask only about Maharashtra. I asked about the whole country. Please do not misguide the House.

SHRI BANDARU DATTATREYA: I am coming to that and I am not misguiding. The very important thing is the building bye-laws or the regulations or the standards; they come under the purview of the State Governments. The subject itself is a State subject. The architects, the engineers, builders and contractors are the sole agencies who take care of construction. Sometimes, they will circumvent the provisions of the building bye-laws. The hon. Member has rightly asked me whether we are going to have any uniformity in the law.

We are going to come out with Builders' Regulation Bill, since we want to regulate builders, activities who are exploiting for their business interests. We want to come up with that Bill to regulate their activities. The Secretary of the Urban Development Ministry is the Chairman of the Committee set up for that purpose; it is under process; shortly we will come up with that Bill.

MR. SPEAKER: Shri Puglia, I hope you have understood. The Minister wants to say that once the Builders' Regulation Bill is approved by the House, the matters which are under discussion now will get regularised. There will be a unanimous Act for the whole country after that; this is what he wants to say, if I have rightly understood him.

Now, you can ask your second supplementary.

[Translation]

SHRI NARESH PUGLIA: Mr. Speaker, Sir, through you I would like to bring to the notice of the hon'ble Minister that the Union Government provides meagre financial assistance to the states where such natural calamities occur. I would also like to remind you that the devastation caused in Latur due to earthquake and the extent to which financial assistance from the Government was expected to deal with the situation, was not provided to the state government of Maharashtra. Therefore, I would like to know from the hon'ble Minister whether he would consider to enact a law to provide cent per cent central assistance to the state governments in case such natural calamities take place?

[English]

SHRI BANDARU DATTATREYA: Several seismic zones have been formed like zone 2, zone 3, zone 4, zone 5, etc. The 5th zone is the most dangerous zone. Entire North East comes under the 5th zone. The 5th zone and 4th zone are considered to be in a very dangerous level. Part of Maharashtra comes under the 4th zone.

So, we have made a 'vulnerability atlas', which gives the total picture of the country as to which State comes under which zone, etc. The 'vulnerability atlas' has been sent to all

the State Governments. Every State Government can find out where they can expect to have cyclone or earthquake or any natural calamity. For this purpose, such an atlas has been sent to the State Governments; and the State Governments have to take appropriate measures in this regard.

Secondly, I wanted to inform the House - the, hon. Members representing different States - that all the hon. Members would get one 'vulnerability atlas', dealing with their respective States. They could then go to the local bodies because the prime body is the local body. The local body is the major player here.

Regarding finances, we, as BMTPC, Building Material Technology promotion Council, along with HUDCO, give building centres to the State Governments. In the case of Maharashtra, we have given nine building centres; in the case of Gujarat, we have given eleven building centres. Like that, we have given technology. This is number one for making buildings resistant to earthquake.

The second is assistance to the State Governments. Thirdly, there are some projects. My friend has mentioned about Latur. In the case of Latur, HUDCO itself has built three villages in that affected region. We have also given an assistance of Rs. 18 crore to that project. Whenever any natural calamity occurs, the Central Government is there; different Ministries are there to provide finances. The Urban Development Ministry alone cannot provide that.

SHRI KIRIT SOMAIYA: May I know whether the Ministry will introduce some Regulatory Network Authority in the Builders' Regulation Bill, since we have Regulatory Authorities in various sectors? While considering the Builders' Regulation Bill, will the Minister include a provision regarding transfer of land ownership in the name of Housing Societies?

Hon. Speaker knows this because when he was the Chief Minister of Maharashtra, he recommended such a thing to the Government of India.

Simultaneously, I want to know whether the Minister would include provisions relating to water harvesting and solar water heaters.

SHRI BANDARU DATTATREYA: I have already indicated about the Bill which is going to come up. It is under process. But we have not yet thought about the two other issues which the hon. Member has mentioned.

The only thing that I can say is that India is in the most disaster prone region of the world. Taking this into consideration, the very important thing is the implementation of the building bye-laws and regulations. The whole trouble is there once a disaster like earthquake or cyclone happens.

COL. (RETD.) SONA RAM CHOUDHARY: In this country, every year, several incidents take place because of some faulty design or because of some faulty inputs taken at the time of or before construction. There are a number of agencies like CPWD, PWD, MES, Military Engineering Service, and Housing Boards. They do take into consideration the seismic zones; there are different agencies and some agencies do not keep competent engineers; and because of faulty design, faulty architecture or faulty planning some catastrophe takes place. Some of the engineering organisations and the State's Housing Boards do not follow the instructions which are generally followed by Military Engineering Service, CPWD or the other Central Government agencies.

You have said that you were thinking of bringing in some regulations for the builders. Similarly I feel that some sort of an apex body should be formed; they should recommend some design aspects, which should be circulated to all the engineering agencies in the Central or State Government level. This should also be binding on them. Otherwise, what happens is that because of some faulty designs, some building collapses.

MR. SPEAKER: You can make a suggestion to the Minister. I cannot allow a very long question in the House.

COL. (RETD.) SONA RAM CHOUDHARY: My suggestion to the hon. Minister is that it should be binding on them. Is the Minister thinking on those lines?

MR. SPEAKER: He wants to know whether you are going to make them binding.

SHRI BANDARU DATTATREYA: All Govt. agencies are following the standards in their designs. We are perfectly following the seismic zones also.

I have mentioned in the reply about the Housing Boards and the State Governments. I have sent the building bye-laws and other things to the State Governments for amendment. Twelve State Governments and Union Territories have amended the building bye-laws.

MR. SPEAKER: You have already mentioned it in the answer.

SHRI BANDARU DATTATREYA: Thirteen State Governments are in the process of doing it. There are still some States like Maharashtra, Assam, Bihar, Karnataka which want to come in line with this.

MR. SPEAKER: You have already mentioned it in the reply.

SHRI BANDARU DATTATREYA: Lastly, there is this Structural Engineering Bill which is given to the Technical Education Department; they are under the process of getting that Bill through. If that Bill is approved, the regulations will be very strict.

[Translation]

SHRIMATI JAYASHREE BANERJEE: Mr. Speaker, Sir, through you, I would like to know from the government whether it would provide technology to be adhered to by builders and PWD which construct earthquake resistant houses to prevent loss of lives as earthquakes occur frequently in one or another part of our country. Whether the Union Government would enact a permanent law in this regard or would the government work in this direction?

[English]

SHRI BANDARU DATTATREYA: I have already answered it.

Dope Test

*205. SHRI RUPCHAND MURMU: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether the Government is aware of the mounting number of positive cases in dope test in various sports;

(b) if so, the number of cases reported during each of the last three years, sportswise; and

(c) the preventive measures taken by the Government in this regard?

[Translation]

THE MINISTER OF YOUTH AFFAIRS AND SPORTS (SHRI VIKRAM VERMA): (a) to (c) A statement is laid on the Table of the House.

Statement

(a) Yes, Sir.

(b) A total 150 sportspersons have been found positive in dope tests (international competitions-3 and national level competitions and random testing - 147) during the last three years. Year wise and sports discipline-wise break-up is enclosed at Annexure.

(c) Though, control of doping in sports is primarily the responsibility of the Indian Olympic Association and the National Sports Federations, yet the Ministry and the Sports Authority of India (SAI) have made serious efforts to keep

away our sportspersons from use of any kind of prohibited drugs. During the coaching camps, strict instructions have been given to the coaches, attached with the campers to educate and regularly counsel the players about the banned drugs and their harmful effects. Apart from this, the Sports medicine doctors at Netaji Subhas National Institute of Sports, Patiala and other regional centres conduct lectures, where camps are being held, to educate the players not to use any banned drugs. At the time of commencement of the camp, each player is being provided with documents and brochures about banned substances. The list of banned drugs and placards for education of players are being put in the rooms of the campers. Rooms and belongings of the players are also searched and checked at regular periodicity to see that no banned drugs are used, besides testing the urine samples of sportspersons during the coaching camps at random. SAI has also taken disciplinary action against some coaches in the light of positive dope cases.

In addition, a state-of-the-art Dope Control Centre has been set up in the Sports Authority of India for testing of athletes' samples for drug detection. The Centre has already received ISO 9001:2000 and ISO 17025 Certification which are mandatory requirements as per International Olympic Committee norms.

Annexure

List of Sports Persons Tested Positive in the International Competitions

Sl. No.	Discipline	2001	2002	2003	Total
1.	Weightlifting	1	2	Nil	03

List of Sports Persons Tested Positive within the Country during National Level Competitions and Random Testing

Sl. No.	Discipline	2001	2002	2003
1	2	3	4	5
1.	Athletics	6	2	21
2.	Body Building	12		2
3.	Boxing			5
4.	Cycling			2
5.	Football	3	2	1
6.	Hockey (women)			1
7.	Powerlifting	7	21	7

1	2	3	4	5
8.	Swimming		2	1
9.	Volleyball		1	1
10.	Weightlifting	8	1	34
11.	Wrestling	1		
12.	Rowing		1	1
13.	Handball	1		
14.	Kabaddi	1		
15.	Teakwondo	2		
Total		41	30	76

[Translation]

SHRI RUPCHAND MURMU: Mr. Speaker, Sir, my question is related to dope test in sports. Honour of the country is attached with sports. The honour of any country, state, club or association is attached with the sports meets organised at the national and international levels. When any sportsperson is tested positive for taking any stimulants, it hurts our honour also. I want to know from the government as to what action has been taken against the sportspersons who have been tested positive in dope tests during the last three years?

SHRI VIKRAM VERMA: Hon'ble Speaker, Sir, in case any sportsperson is tested positive in dope test, the information in respect of that particular sportsperson is passed on to the concerned federation by our laboratory. Every federation has its international rules in this regard on basis of which concerned federation takes action against the concerned player. I have given you the figures for the last three years. I have written to various federations during the years 2002 and 2003 as about 99 sportspersons were tested positive during those two years. When I wrote to various federations, the federations on that basis banned players for six months to two years and in some cases fine ranging from Rs. 2000 to Rs.3000 was also imposed. I have got the sportswise complete lists and if the hon'ble Member wishes I can send him the name of the sports persons banned along with the details of penalty imposed against them.

SHRI RUPCHAND MURMU: My second question is that who were the three sportspersons who were tested positive during the international sports meets during the last three years particularly during the year 2001-2002. Sir, through you I would like to know from the hon'ble Minister as to what are the names of those sportspersons, to which state they belong and the

name of sport discipline in which they were representing the country?

SHRI VIKRAM VERMA: Hon'ble Speaker, Sir, two sportspersons were penalised during the commonwealth games organised in Manchester. Action was taken against them. The names of the sportspersons are Mr. Malayswami and Mr. Satish Rai. They were weight lifters. Besides Kunjurani Devi a woman weight lifter was also tested positive. She was tested positive at that time. I have written to the federation at that time. The federation instantly imposed six months ban on one and two years ban on the other.

SHRI VIRENDRA KUMAR: Mr. Speaker, Sir, the trend of taking stimulants by various sportspersons is on the rise these days. An incident took place during the last Asian games in which Sunita Rani was reprimanded though she was found innocent. She was not only reprimanded, the medal she had won was also taken back. It was not only a mental trauma that she underwent, even the gold medal she had won was taken back which hurt the feelings of the sports lovers all over the country. I want to say that our Government took initiatives against the action taken against any innocent sportsperson under some conspiracy but what action our government is going to take in order to ensure that such incidents are not repeated?

SHRI RAGHUNATH JHA: Mr. Speaker, Sir, what has he got to say about those who play politics in it? ...*(Interruptions)*

MR. SPEAKER: It depends on their political affiliations.

...*(Interruptions)*

SHRI VIKRAM VERMA: Their dope test is done by the people in every five years. ...*(Interruptions)*

Just now an hon'ble Member raised question about Sunita Rani. She was found positive in the first dope test conducted by Busan Asian Camp lab but we and the Government challenged the report of the said lab and her medal was returned to her after her second dope test report came and was found to be negative. As dope test is conducted by the laboratories of the countries where games are organised and if any sportsperson is tested positive in 'A' test we challenge it and demand for 'B' test. Thereafter 'B' test is conducted. If any sportsperson is tested positive, in the 'B' test then it is something different otherwise dope test can be challenged instantly.

[English]

SHRI PRIYA RANJAN DASMUNSI: Is it not a fact that lack of awareness of the ordinary athletes and the players about the list of substances which are carrying the actual drugs

injurious to their health is causing problems to them? Therefore, will the Minister, at the behest of the Sports Authority of India, consider involving experts of International Olympics Committee and FIFA to conduct a comprehensive course to educate the Coaches and the federations about the latest substances of drugs which actually contain such things so that the fear and wrong guidance to the athletes are removed?

[Translation]

SHRI VIKRAM VERMA: Hon'ble Speaker, Sir, if you go through the reply, you will find that in the statement I have given detailed information that there are about hundred medicines. ...*(Interruptions)*

[English]

MR. SPEAKER: Mr. Minister, his question is different.

[Translation]

SHRI VIKRAM VERMA: Please see it. ...*(Interruptions)*

[English]

MR. SPEAKER: I have seen it. What the hon. Member wants to know is whether some training to the federation and sportsmen will be organised by the Government or not.

[Translation]

SHRI VIKRAM VERMA: I have said, please go through the reply. The players in our country who attend the camps. ...*(Interruptions)*

[English]

SHRI PRIYA RANJAN DASMUNSI: The practice nowadays is not to conduct urine test alone but blood test is also done. It is applicable in the FIFA World Cup where both blood and urine are tested. Therefore, will the Government, through Sports Authority of India, consider giving training to the participants of our country who do not have that knowledge?

[Translation]

SHRI VIKRAM VERMA: Hon'ble Speaker, Sir, so far as creating awareness amongst the sports persons and imparting training to them is concerned, proper coaching is given to our sportspersons in the camps organised. Information of those hundred listed medicines is given to the sportspersons in the coaching camps. Training is imparted to them and the doctors give consultation to them. Besides this in international seminars foreign experts also give their advices. The hon'ble Member himself is the President of a federation. If he wants to give some suggestions as to what should be done in this regard. I assure you that we would certainly try to implement his suggestion through the Sports Authority of India.

[English]

SHRI A.C. JOS: Nowadays, we are giving more emphasis to sports and federations. The hon. Minister has mentioned about the federation. With due apologies to my colleague, Shri Dasmunsi, most of the federations are not working properly. Sports Medicine has become an advanced branch of medicine subject. Sports Medicine includes all these medicines. Will the Government or SAI come forward to start specialised Sports Medicine courses in all the medical colleges so that sports medicines can be properly developed and knowledge imparted to the sports persons?

[Translation]

SHRI VIKRAM VERMA: Mr. Speaker, Sir, as I have said that this can be done easily in our schools and colleges through the Ministry of Human Resource Development. We already have such course on the curriculum of medicines in NIS, Patiala. The course is already there since long. But as he has said that we can provide such informations at the lower level also through seminars and various federations. In this regard I would say that we do try to give information up to the lower level. We will try that federations. ...*(Interruptions)*

[English]

SHRI A.C. JOS: What about Trivandrum and other places?

SHRI VIKRAM VERMA: Wherever the camps are being held, we do it.

[Translation]

In Bangalore, Kolkata, Delhi and Patiala etc wherever camps are organised doctors and experts educate the sportspersons about these things. Random tests and checkings are conducted and efforts are made to create awareness. ...*(Interruptions)* we expect that various federations should also organise such seminars to which we are ready to send our experts. We are fully prepared for this.

WRITTEN ANSWERS TO QUESTIONS

[English]

Illegal Mining by Private Companies

*201. SHRI C.N. SINGH:

SHRI SADASHIVRAO DADOBA MANDLIK:

Will the Minister of COAL be pleased to state:

(a) the number of coal mines under the private companies at present, location-wise and company-wise;

(b) whether the Government is aware that certain private companies in coal mining sector are involved in illegal mining;

(c) if so, the details of such companies;

(d) the norms laid down to check the violation of rules by the private sector in coal mines; and

(e) the steps taken by the Government to check these violations in future?

THE MINISTER OF COAL (SHRI KARIYA MUNDA): (a) The number of coal mines leased to private companies at present, location-wise and company-wise is given in the statement enclosed.

(b) and (c) While complaints have been received regarding illegal mining by certain private sector coal mining companies, further investigations have not proved these to be correct except in one case where a private company has reportedly been mining coal in violation of the conditions of allocation of the captive mining block allocated to it. The Central Government have taken up the mining lease granted to this company in suo motu revision. Orders prohibiting disposal of coal mined from the captive block to any agencies/ parties other than its proposed power plant have also been passed by the Coal Controller.

(d) and (e) The applicable Acts and Rules provide for detailed procedural requirements and norms relating to mining along with provisions for penalties and punishment for their violation. Complaints received in the Ministry of Coal involving illegal mining by the private sector companies engaged in coal mining are inquired into by the Ministry of Coal with the assistance of the subsidiary coal company of Coal India Limited (CIL) operating in the area, the Office of the Coal Controller and/or the concerned State Government.

Statement

Sl. No.	Name of the Party	Name of the mines under lease	Location (State)
1	2	3	4
1.	M/s. RPG Industries/ CESC Ltd.	Sarisatolli	West Bengal
2.	M/s. INDALCO	Talabira-I	Orissa
3.	M/s. Bengal Emta Coal Mines Ltd.	Tara (East) Tara (West)	West Bengal

1	2	3	4
4.	M/s. BLA Industries	Gotitoria (West) Gotitoria (East)	Madhya Pradesh
5.	M/s. Jindal Steel & Power Ltd.	Gare-Palma-IV/1	Chhattisgarh
6.	M/s. Monnet Ispat Ltd.	Gare-Palma-IV/5	Chhattisgarh
7.	M/s. Central Collieries Company (South) Ltd.	Takli-Jena Bellora	Maharashtra
8.	M/s. Castron Technologies Ltd.	Brahamadiha	Jharkhand
9.	M/s. TISCO	West Bokaro Quarry-AB(OC-I), West Bokaro Quarry-E(OC-II), Jamadoba Colliery 6 & 7 Pits Colliery, Digwadih Colliery, Sijua Colliery, Bhelatand Colliery, Malkera	Jharkhand

Pradhan Mantri Grameen Sadak Yojana

*206. SHRI A. NARENDRA:

SHRI N.N. KRISHNADAS:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether all the habitations having population of 1000 and above have been linked with rural roads under PMGSY as per the target;

(b) if not, the reasons therefor;

(c) the time by which these are likely to be linked;

(d) whether any relaxation in the criteria fixed for connecting villages in the first and second segment in the case of hilly States and desert habitations under the PMGSY has been taken into consideration;

(e) if so, the details thereof;

(f) whether the Government has received more proposals for laying of rural roads under the scheme;

(g) if so, the details thereof, state-wise;

(h) whether all the proposals received in this regard by the Government from the States during 2002-03 and 2003-04 have been cleared;

(i) if not, the details thereof;

(j) whether the Government has received any reports that the funds allocated for the purpose are not being fully utilised; and

(k) if so, the details in this regard and the action taken by the Government thereon?

THE MINISTER OF RURAL DEVELOPMENT (SHRI KASHIRAM RANA): (a) to (e) The primary objective of the Pradhan Mantri Gram Sadak Yojana (PMGSY) is to provide Connectivity to the unconnected Habitations in the rural areas, in such a way that Habitations with a population of 1000 persons and above are covered in three years (2000-2003) and all Unconnected Habitations with a population of 500 persons and above by the end of the Tenth Plan Period (2007). In respect of the Hill States (North-East, Sikkim, Himachal Pradesh, Jammu & Kashmir, Uttaranchal) Desert Areas and Tribal (Schedule-V) areas, the objective of the Programme is to connect Habitations with a population of 250 persons and above.

Targets under the programme are fixed from year to year based on the allocation of funds. The year-wise allocation of funds is as follows:

Year	Amount (Rs. in crore)
2000-01	2500
2001-02	2500
2002-03	2500
2003-04	2325

Andhra Pradesh, Goa, Gujarat, Haryana, Karnataka, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Punjab, Sikkim, Tamil Nadu will be completing coverage of eligible Unconnected Habitations of population more than 1000 as a result of clearance of proposals under Phase III (2003-04) or earlier.

(f) to (i) Proposals received from the State Governments under Phase-I (2000-01) and Phase II (2001-02 & 2002-03) have been cleared. Under Phase III (2003-04), proposals received from Assam, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh,

Mizoram, Nagaland, Orissa, Punjab, Rajasthan, Sikkim, Tamil Nadu, Uttar Pradesh and West Bengal have been cleared so far. Proposal of Andhra Pradesh is under clearance and clarification from Maharashtra is awaited to enable of their proposals. No proposals from other States under Phase-III (2003-04) are pending.

(j) and (k) Progress including expenditure under PMGSY is periodically monitored and State Governments are regularly advised to complete execution of the works as per approved programmes. Release of each instalment of funds is dependent, inter-alia, on adequate utilisation of previously released instalments details at statement enclosed.

Statement

Financial progress under PMGSY 2000-01 (Phase-I) and 2001-02 & 2002-03 (Phase II)

(Rs. in crore)

Sl. No.	State	Amount allocated in 2000-01, 2001-02 & 2002-03	Amount released	Exp. Upto Sept. 03
1	2	3	4	5
1.	Andhra Pradesh	570.00	638.94	619.70
2.	Arunachal Pradesh	105.00	127.46	107.53
3.	Assam	225.00	229.92	170.78
4.	Bihar	450.00	149.90	102.25
5.	Chhattisgarh	261.00	295.63	241.60
6.	Goa	15.00	10.00	5.00
7.	Gujarat	150.00	171.51	125.05
8.	Haryana	60.00	87.92	55.46
9.	Himachal Pradesh	180.00	236.66	145.17
10.	Jammu & Kashmir	60.00	55.00	22.19
11.	Jharkhand	330.00	230.05	177.60
12.	Karnataka	285.00	306.68	243.37
13.	Kerala	80.00	58.79	42.00

1	2	3	4	5
14.	Madhya Pradesh	639.00	770.13	618.06
15.	Maharashtra	390.00	379.29	255.86
16.	Manipur	120.00	80.00	20.00
17.	Meghalaya	105.00	115.67	61.73
18.	Mizoram	60.00	69.31	58.96
19.	Nagaland	60.00	67.51	52.88
20.	Orissa	525.00	524.79	356.16
21.	Punjab	75.00	100.05	80.80
22.	Rajasthan	390.00	430.73	321.79
23.	Sikkim	60.00	50.97	32.76
24.	Tamil Nadu	240.00	268.14	221.10
25.	Tripura	75.00	76.60	30.78
26.	Uttar Pradesh	945.00	909.76	660.50
27.	Uttaranchal	180.00	130.63	75.26
28.	West Bengal	405.00	444.17	259.93
Total (States)		7020.00	7016.21	5164.27

Union Territories

29.	Andaman & Nicobar Islands	30.00	10.59	0.20
30.	Dadra & Nagar Haveli	15.00	5.00	0.00
31.	Daman & Diu	15.00	5.00	0.35
32.	Delhi	15.00	5.00	0.00
33.	Lakshadweep	15.00	4.89	0.00
34.	Pondicherry	15.00	5.00	6.75

Total (UTs) 105.00 35.48 7.36

Grand Total 7125.00 7051.69 5171.63

Valmiki Ambedkar Awas Yojana

*207 SHRI T.M. SELVAGANPATHI: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Government is considering enlarging the scope of Valmiki Ambedkar Awas Yojana to extend its benefits to the urban poor living in slums;

(b) if so, the details thereof;

(c) whether the State Level Monitoring Committees have been set up for effective implementation of the scheme; and

(d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) and (b) Yes, Sir. The Scheme has been reviewed for suitable restructuring.

(c) and (d) All the States/UTs have been asked to constitute State Level Coordination Committee for effective implementation of the Scheme. A Copy of this Ministry's Order No. N-11017/1/2003-UPA-III (VAM) dated 20th November 2003 providing details of the mechanism is at statement enclosed.

Statement

No. N-11017/1/2003-UPA-III (VAM)
Government of India
M/o Urban Development & Poverty Alleviation
D/o Urban Employment & Poverty Alleviation

Nirman Bhawan, New Delhi
Dated the 20th November, 2003

ORDER

Sub : Formation of State Level coordination Committee to monitor the implementation of projects under Valmiki Ambedkar Awas Yojana (VAMBAY).

In suppression of this Ministry's Order No. 0-11011/24/2002-VAM dated 3rd June 2002 on the above subject, it has now been decided that a State Level Coordination Committee (SLCC) will be constituted for each State/U.T. under the Chairmanship of the concerned Principal Secretary/Secretary or Administrator of the concerned State Government/UT Administration with the following composition:-

1. Principal secretary/secretary/Administrator of the concerned State Government/UT Administration—Chairman.
2. Head of the Nodal/Implementing Agency—Member
3. One officer of the Min. of Urban Development and Poverty Alleviation — Member

4. Two non-official members representing Social Workers/NGOs/Urban Local Bodies/Local persons of prominence etc. to be nominated by Minister for Urban Development & Poverty Alleviation — Members

5. Regional Chief of HUDCO — Member Secretary/Convener

Functions of State Level Coordination Committee:-

The State Level coordination Committee may, inter-alia, look into the following aspects:-

- (a) Progress of implementation of VAMBAY.
- (b) Quality of constructions, transparency and speedy implementation of the Schemes.
- (c) Undertake site visits and submit feed back on the site visits.
- (d) Follow-up action with Implementing Agencies.
- (e) Recommend any changes/modifications in the scheme.
- (f) Any other issue that may be referred to it by the Ministry of Urban Development & Poverty Alleviation (Deptt. of Urban Employment & Poverty Alleviation).

The State Level Coordination Committee will function on the basis of the following guidelines:-

1. The State Level Coordination Committee may meet as frequently as necessary to facilitate meaningful monitoring of implementation of the scheme.
2. Agenda for the meeting duly approved by the Chairman will be circulated at least 10 days in advance and the minutes of the meeting of the committee shall be issued by Member Secretary/Convener after approval by Chairman.
3. Meetings may normally be held at the Headquarters of State/UT. However, the committee may inspect construction sites when complaints about Quality, eligibility of beneficiaries etc. are received by it.
4. Minutes of the meeting as well as special report if any, should be sent to the Ministry of Urban Development & Poverty Alleviation by the Member Secretary within fifteen days of holding the meeting.

Official Facilities :

Member Secretary of the Committee shall provide office facilities and secretarial assistance for the purpose of holding the meeting and for the purpose of field visits.

Expenditure of the Committee shall be borne by HUDCO and they shall maintain a separate account for the purpose.

Sd/-

(K.R. Mohan)

Under Secretary to Government of India

Tele. No.23010185

To

1. Chief Secretaries of all States/Union Territories.
2. Housing Secretaries of all States/Union Territories.
3. CMD, HUDCO.
4. Dr. P.S. Rana, Sr. Executive Director (Projects)/Chief (P) HUDCO, Lodi Road, New Delhi.
5. PS to UDPAM.
6. PS to Secretary (UEPA)/PS to JS(H).

Construction of Houses for Economically Weaker Section

*208. SHRI RAMSINH RATHWA:

SHRI PARSURAM MAJHI:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Government has received any proposals from the State Governments for construction of houses for the economically weaker section of the society and have demanded for more funds for the purpose during 2002-2003 and 2003-2004;

(b) if so, the details thereof and the criteria followed for allocation of funds to States under rural housing schemes;

(c) whether funds for these schemes have been released; and

(d) if not, the reasons therefor and the time by which funds likely to be released?

THE MINISTER OF RURAL DEVELOPMENT (SHRI KASHIRAM RANA): (a) and (b) Under the Indira Awaas Yojana (IAY), central assistance is provided to the BPL households belonging to SC/ST (60%) and others (40%). To the other economically weaker sections assistance is provided under the Credit-cum-subsidy Scheme under which Rs.10,000/- is provided as subsidy and upto Rs.40,000/- is provided by the Financial Institutions as loan. During the year 2002-2003, the proposals for additional assistance were received from Arunachal Pradesh, Assam, Bihar, Gujarat, Himachal Pradesh,

Kerala, Madhya Pradesh, Orissa, Tripura and Uttaranchal. A total amount of Rs. 285.36 crore has been released additionally to all the States except Assam, Bihar and Tripura. Besides, Rs. 32.20 crore has also been released to various States on account of better performance. During current financial year 2003-2004, this Ministry has received a proposal from the States of Chhattisgarh and Orissa but the same could not be agreed to as the concerned districts of these States could not lift the 2nd instalment of IAY funds.

Under the Indira Awaas Yojana (IAY), Central assistance is allocated to the States/UTs on the basis of poverty ratio and housing shortage, with each of these variables being given equal weightage. The poverty ratios prepared by the Planning Commission are used for this purpose, while housing shortage is determined on the basis of last Census 1991. The proportion of rural SC/ST population and housing shortage in a district to the total rural SC/ST population and housing shortage in the State/UT is the criteria of inter-district allocation of the IAY funds within a State/UT. Once again both these variables are given equal weightage. Diversion of resources from one district to another is strictly prohibited. 80% of the total funds are allocated for new construction and the remaining 20% funds are allocated for upgradation of existing kutcha houses and/or Credit based Subsidy Scheme.

The other Rural Housing schemes namely Innovative Stream for Rural Housing and Habitat Development and Rural Building Centre are project based and therefore, no State wise allocation is made against these schemes.

(c) and (d) Yes, Sir. Under the IAY, during 2002-2003, and 2003-2004, Rs. 1628.53 crore and Rs. 1207.18 crore respectively have been released to the States/UTs. Under the Innovative Stream for Rural Housing & Habitat Development, Rs. 10.22 crore and Rs. 7.27 crore have been released during 2002-2003 and 2003-2004 respectively. Under the Rural Building Centre (RBC), Rs. 1.79 crore and Rs. 0.59 crore have been released during 2002-2003 and 2003-2004 respectively.

Development of Towns

*209. SHRI K.P. SINGH DEO: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the names of towns included under the Integrated Development of Small and Medium Towns Scheme during the current financial year alongwith the allocation made for the purpose, State-wise; and

(b) the details of the plan formulated and steps taken for the development of those towns?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) There is a Budget Estimate of Rs.100.00 crores for grants-in-aid to States/UTs for the year 2003-04 under the Integrated Development of Small and Medium Towns (IDSMT) Scheme. The details of State-wise allocation are given in statement-I enclosed.

As on 11th December, 2003, 114 towns have been included under the Scheme and central assistance for an amount of Rs.4350.97 lakhs has been released. In addition, central assistance amounting to Rs.1168.40 lakhs has also been released to 21 ongoing towns. List of these towns is given in statement-II enclosed.

Further inclusion of towns for the release of balance amount of central assistance depends upon Detailed Project Reports (DPRs) received from the State Governments/UTs during the current financial year, 2003-04.

(b) Urban development is a State subject. The details of the plans, for towns to be included under IDSMT, in the form of Detailed Project Reports (DPRs) are formulated by Urban Local Bodies/implementing agencies as per the guidelines of the Scheme.

As for steps taken for development, the DPRs received from Urban Local Bodies/implementing agencies are approved and central assistance is released as per eligibility criteria with the provision of matching State share.

The said details in terms of project cost and salient components of the town-wise projects alongwith action taken in respect of 135 towns are at statement-III enclosed.

Statement-I

Tentative Allocation of Central Assistance to States & UTs under IDSMT Scheme for year 2003-04

Total Allocation (IDSMT) : Rs. 100.00 crore

(Rs in crore)

Sl. No.	States	% of Popn. in towns upto 5 lakh in State to all India in such towns in 1991	Allocation of funds
1	2	3	4
1	Andhra Pradesh	9.22	8.42
2	Bihar	4.19	3.83

1	2	3	4
3	Chhattisgarh	2.11	1.93
4	Goa	0.33	0.30
5	Gujarat	5.60	5.11
6	Haryana	2.37	2.16
7	Himachal Pradesh	0.31	0.28
8	Jammu & Kashmir	0.63	0.58
9	Jharkhand	2.57	2.35
10	Karnataka	6.45	5.89
11	Kerala	4.41	4.03
12	Madhya Pradesh	5.97	5.45
13	Maharashtra	9.13	8.34
14	Orissa	2.92	2.67
15	Punjab	2.58	2.36
16	Rajasthan	5.11	4.67
17	Tamil Nadu	9.30	8.49
18	Uttaranchal	1.13	1.03
19	Uttar Pradesh	13.54	12.36
20	West Bengal	9.22	8.42
21	Union Territories		0.40
22	North East States		9.83

Grants Under IDSMT -

Major Heads 3601 & 3602 98.90

Loans Under IDSMT -

Major Heads 7601 & 7602 1.10

Total Central Assistance Under IDSMT

100.00

Note: * Delhi and Chandigarh are not eligible as per the IDSMT Guidelines as in each of the above city population was more than 5 lakh as per 1991 census.

** Allocation criteria: Percentage of state urban population in towns up to 5 lakh with respect to all India urban population in such towns as per 1991 census.

State urban population in towns up to 5 lakh X 100

All India urban population in towns up to 5 lakh

Statement-II

Town wise Central Assistance Released under IDSMT during the year 2003-04 (as on December 11, 2003)

(Rs. in lakh)

State	Sl. No.	Town	Year of Coverage	CA to New Towns (During 2003-04)	CA to Ongoing Towns	Total CA (Grani)
1	2	3	4	5	6	7
Andhra Pradesh	1.	Kareemnagar	1998-99		142.04	142.04
	2.	Pedana	2001-02		30.80	30.80
	3.	Palakol	2003-04	75.00		75.00
	4.	Punganur	2003-04	24.00		24.00
	5.	Guntakal	2003-04	104.00		104.00
	6.	Sathenapalli	2003-04	45.00		45.00
	7.	Yemmiganur	2003-04	70.75		70.75
	8.	Tadipatri	2003-04	52.00		52.00
	9.	Peddapuram	2003-04	35.00		35.00
		Sub-Total		405.75	172.84	578.59
Arunachal Pradesh	10.	Pasighat	2003-04	24.00		24.00
	11.	Khonsa	2003-04	24.00		24.00
	12.	Deomali	2003-04	24.00		24.00
	13.	Yupia	2003-04	24.00		24.00
	14.	Ziro	2003-04	24.00		24.00
	15.	Daporijo	2003-04	24.00		24.00
	16.	Along	2003-04	24.00		24.00
	17.	Basar	2003-04	24.00		24.00
		Sub-Total		192.00		192.00
Assam	18.	Barpeta	1997-98		40.00	40.00
		Sub-Total			40.00	40.00
Bihar	19.	Motipur	2003-04	24.00		24.00
	20.	Kanti	2003-04	23.50		23.50
	21.	Barh	2003-04	39.00		39.00
	22.	Jamui	2003-04	44.50		44.50

1	2	3	4	5	6	7	
Bihar	23.	Fatuha	2003-04	36.00		36.00	
	24.	Lalganj	2003-04	25.00		25.00	
	25.	Motihari	2003-04	55.00		55.00	
	26.	Dehri	2003-04	70.00		70.00	
		Sub-Total			317.00		317.00
Chhattisgarh	27.	Kumhari	2003-04	45.00		45.00	
	28.	Mahasamund	2003-04	45.00		45.00	
	29.	Ambikapur	2003-04	72.82		72.82	
	30.	Kurud	2003-04	12.00		12.00	
	31.	Gandal	2003-04	12.00		12.00	
	Sub-Total			186.82		186.82	
Gujarat	32.	Ambaji	1997-98		14.75	14.75	
	33.	Gandhidham	2000-01		114.00	114.00	
	34.	Kapadwanj	2000-01		60.00	60.00	
	35.	Vijapur	2002-03		20.00	20.00	
	36.	Vadnagar	2003-04	45.00		45.00	
	37.	Jambusar	2003-04	45.00		45.00	
	38.	Kheralu	2003-04	24.00		24.00	
	39.	Gariyadhar	2003-04	24.00		24.00	
	40.	Vapi	2003-04	44.00		44.00	
	41.	Chhota Udepur	2003-04	24.00		24.00	
	42.	Shinor	2003-04	45.00		45.00	
	43.	Halol	2003-04	45.00		45.00	
		Sub-Total			296.00	208.75	504.75
	Haryana	44.	Laldua	2003-04	24.00		24.00
45.		Indri	2003-04	24.00		24.00	
46.		Assanth	2003-04	24.00		24.00	
47.		Kaithal	2003-04	75.00		75.00	
48.		Safidon	2003-04	45.00		45.00	
49.		Gohana	2003-04	15.00		15.00	
	Sub-Total			207.00		207.00	

1	2	3	4	5	6	7
Himachal Pradesh	50.	Narkanda	2003-04	14.00		14.00
	51.	Narpur	2003-04	14.00		14.00
		Sub-Total		28.00		28.00
Jammu & Kashmir **	52.	Udhampur	2003-04	65.00		65.00
	53.	Katra	2003-04	20.00		20.00
	54.	Ramnagar	2003-04	20.00		20.00
	55.	Rajouri	2003-04	38.00		38.00
	56.	Baramula	2003-04	70.00		70.00
	57.	Kunzar	2003-04	20.00		20.00
	58.	Kulgam	2003-04	20.00		20.00
		Sub-Total		253.00		253.00
Karnataka	59.	Kanakapura	2003-04	28.36		28.36
	60.	Mudabidre	2003-04	36.75		36.75
	61.	Naragunda	2003-04	38.67		38.67
	62.	Kunigal	2003-04	25.25		25.25
	63.	Tiptur	2003-04	18.16		18.16
	64.	Gubbi	2003-04	16.32		16.32
	65.	Raibag	2003-04	24.00		24.00
	66.	Gokak	2003-04	19.56		19.56
	67.	Turuvukere	2003-04	17.16		17.16
	68.	Kuduchi	2003-04	24.00		24.00
	Sub-Total		248.23		248.23	
Kerala	69.	Vaikom	2003-04	43.00		43.00
	70.	Attingal	2003-04	36.00		36.00
		Sub-Total		79.00		79.00
Madhya Pradesh	71.	Aagar	2003-04	45.00		45.00
	72.	Chakghat	2003-04	24.00		24.00
	73.	Karera	2003-04	16.50		16.50
	74.	Baikunthpur	2003-04	24.00		24.00
	75.	Sanwer	2003-04	24.00		24.00
	76.	Chanderi	2003-04	10.00		10.00

1	2	3	4	5	6	7	
Madhya Pradesh	77.	Akoda	2003-04	10.25		10.25	
	78.	Kareli	2003-04	15.00		15.00	
	79.	Katangi	2003-04	18.00		18.00	
	80.	Sironji	2003-04	45.00		45.00	
	81.	Wara-Seoni	2003-04	35.00		35.00	
	82.	Udaipur	2003-04	20.00		20.00	
	83.	Samariya	2003-04	23.50		23.50	
	84.	Badagaon	2003-04	24.00		24.00	
		Sub-Total			334.25		334.25
	Maharashtra	85.	Shegaon*	2002-03		3.00	3.00
86.		Ahmednagar*	2002-03		39.00	39.00	
87.		Khemgaon*	2002-03		39.00	39.00	
88.		Pandharpur*	2002-03		10.00	10.00	
89.		Ghadchiroli	2003-04	25.00		25.00	
90.		Yavatmal	2003-04	105.00		105.00	
91.		Ratnagiri	2003-04	75.00		75.00	
92.		Parlivaijnath	2003-04	75.00		75.00	
93.		Ambajogai	2003-04	75.00		75.00	
94.		Bhandara	2003-04	75.00		75.00	
95.		Jalana	2003-04	20.00		20.00	
96.		Kanranjia	2003-04	45.00		45.00	
97.		Chopda	2003-04	22.00		22.00	
98.		Barshi	2003-04	75.00		75.00	
99.		Hingoli	2003-04	57.00		57.00	
	100. Osmanabad	2003-04	75.00		75.00		
	101. Chiplun	2003-04	19.00		19.00		
	Sub-Total			743.00	91.00	834.00	
Nagaland	102.	Dimapur*	2000-01		100.00	100.00	
	103.	Kiphire*	2000-01		30.00	30.00	
	104.	Kohima	2003-04	33.00		33.00	
		Sub-Total			33.00	130.00	163.00

1	2	3	4	5	6	7
Orissa	105.	Cuttack	2003-04	106.00		106.00
		Sub-Total		106.00		106.00
Rajasthan	106.	Balotra*	2000-01		60.00	60.00
	107.	Bhilwara*	2002-03		82.01	82.01
	108.	Anupgarh	2003-04	45.00		45.00
	109.	Phalodi	2003-04	45.00		45.00
	110.	Sadulshahar	2003-04	24.00		24.00
	111.	Sujangarh	2003-04	75.00		75.00
	112.	Sangaria	2003-04	45.00		45.00
	113.	Pilibanga	2003-04	45.00		45.00
		Sub-Total*		279.00	142.01	421.01
Tamil Nadu	114.	Rajapalayam*	2001-02		105.00	105.00
	115.	Pallathur*	2001-02		21.60	21.60
	116.	Puduvalyal*	2002-03		16.02	16.02
		Sub-Total			142.62	142.62
Uttaranchal	117.	Kotdwar	2003-04	38.00		38.00
		Sub-Total		38.00		38.00
Uttar Pradesh	118.	Niyotani*	2000-01		27.18	27.18
	119.	Amethi*	2002-03		12.00	12.00
	120.	Hardoi	2003-04	90.00		90.00
	121.	Mehmoodabad	2003-04	32.00		32.00
	122.	Jhinhak	2003-04	23.50		23.50
	123.	Sikandara	2003-04	23.50		23.50
	124.	Saidpur	2003-04	14.00		14.00
	125.	Bithur	2003-04	24.00		24.00
	126.	Sakit	2003-04	24.00		24.00
	127.	Aligarh	2003-04	135.00		135.00
	128.	Vrindavan	2003-04	43.30		43.30
	129.	Siswabazar	2003-04	13.70		13.70
	130.	Erich	2003-04	24.00		24.00
	131.	Khurja	2003-04	68.35		68.35

1	2	3	4	5	6	7
Uttar Pradesh	132.	Kakrala	2003-04	29.57		29.57
	133.	Mehroni	2003-04	24.00		24.00
		Sub-Total		568.92	39.18	608.10
West Bengal	134.	Durgapur*	99-2000		202.00	202.00
		Sub-Total			202.00	202.00
Pondicherry	135.	Pondicherry	2003-04	36.00		36.00
		Sub-Total		36.00		36.00
		Grand Total		4350.97	1168.40	5519.37

Note: * Ongoing towns.

** In addition to tentative allocation, an amount of Rs. 1.95 crore as central assistance for 7 new towns of Jammu and Kashmir state has also been released by this Ministry under this scheme as per recommendation of the task force of the Ministry of Home Affairs duly approved by the cabinet for creation of 1 lakh employment and self employment opportunities in Jammu & Kashmir.*

CA - Central Assistance

Statement-III

Town-wise details of approved cost, components, Central Assistance released

(2003-04)

(Rs. in lakh)

Sl. No.	States	Sl.No.	Town	Approved Project Cost	Components for assistance			Central Asst. Release during 2003-04
					Commercial (no.)	Traffic & Transportation (no.)	Miscellaneous (no.)	
1	2	3	4	5	6	7	8	9
1.	Andhra Pradesh	1.	Kareemnagar	484.65	4	1	2	142.04
		2.	Pedana	252.95	6	1	2	30.80
		3.	Palakol	402.95	3	2	3	75.00
		4.	Punganur	105.67	1	-	3	24.00
		5.	Guntakal	546.14	3	1	4	104.00
		6.	Sathenapalli	277.83	2	1	2	45.00
		7.	Yemmiganur	418.92	2	1	3	70.75
		8.	Tadipatri	475.16	1	1	2	52.00
		9.	Peddapuram	224.91	3	2	2	35.00
			Sub-Total					578.59

1	2	3	4	5	6	7	8	9
2.	Arunachal Pradesh	10.	Pasighat	213.55	1	2	2	24.00
		11.	Khonsa	101.99	1	2	2	24.00
		12.	Deomali	101.65	1	1	2	24.00
		13.	Yupia	100.00	0	2	3	24.00
		14.	Ziro	130.99	0	2	1	24.00
		15.	Daporijo	155.60	1	0	3	24.00
		16.	Along	100.00	0	1	3	24.00
		17.	Basar	100.00	1	1	3	24.00
			Sub-Total					192.00
3.	Assam	18.	Barpeta	135.20	1	4	0	40.00
			Sub-Total					40.00
4.	Bihar	19.	Motipur	100.00	3	3	5	24.00
		20.	Kanti	99.25	2	1	1	23.50
		21.	Barh	174.88	3	1	2	39.00
		22.	Jamui	199.15	3	1	2	44.50
		23.	Fatuha	159.80	3	1	1	36.00
		24.	Lalganj	182.42	2	1	1	25.00
		25.	Motihari	257.26	3	3	1	55.00
		26.	Dehri	326.44	2	2	2	70.00
			Sub-Total					317.00
5.	Chhattisgarh	27.	Kumhari	214.63	2	2	3	45.00
		28.	Mahasamund	218.81	2	1	3	45.00
		29.	Ambikapur	339.85	2	2	2	72.82
		30.	Kurud	122.26	2	2	2	12.00
		31.	Gandal	127.77	3	2	2	12.00
			Sub-Total					186.82
6.	Gujarat	32.	Ambaji	87.06	2	2	1	14.75
		33.	Gandhidham	704.63	2	3	3	114.00

1	2	3	4	5	6	7	8	9
	Gujarat	34.	Kapadwanj	227.01	3	1	1	60.00
		35.	Vijapur	211.61	4	4	3	20.00
		36.	Vadnagar	278.43	3	1	3	45.00
		37.	Jambusar	225.76	3	4	2	45.00
		38.	Kheralu	203.14	3	1	1	24.00
		39.	Garlyadhar	153.81	2	4	1	24.00
		40.	Vapi	197.13	3	2	1	44.00
		41.	Chhota Udepur	107.94	1	1	1	24.00
		42.	Shinor	203.09	2	3	2	45.00
		43.	Halol	200.00	6	4	0	45.00
			Sub-Total					504.75
7.	Haryana	44.	Laldua	136.53	3	3	3	24.00
		45.	Indri	160.75	1	3	4	24.00
		46.	Assanth	142.10	1	2	3	24.00
		47.	Kaithal	392.21	2	4	4	75.00
		48.	Safidon	210.42	3	2	3	45.00
		49.	Gohana	203.59	5	2	4	15.00
			Sub-Total					207.00
8.	Himachal Pradesh	50.	Narkanda	136.01	1	2	4	14.00
		51.	Narpur	130.24	1	2	2	14.00
			Sub-Total					28.00
9.	Jammu & Kashmir	52.	Udhampur	385.75	0	2	5	65.00
		53.	Katra	101.95	0	1	5	20.00
		54.	Ramnagar	97.50	2	3	2	20.00
		55.	Rajouri	183.26	0	2	0	38.00
		56.	Baramula	350.00	3	4	6	70.00
		57.	Kunzar	103.44	2	2	2	20.00
		58.	Kulgam	102.60	1	3	0	20.00
			Sub-Total					253.00

1	2	3	4	5	6	7	8	9
10.	Karnataka	59.	Kanakapura	126.95	1	1	4	28.36
		60.	Mudabidre	163.33	2	1	4	36.75
		61.	Naragunda	171.87	1	1	3	38.67
		62.	Kunigal	112.22	2	0	0	25.25
		63.	Tiptur	200.00	1	1	0	18.16
		64.	Gubbi	68.00	1	0	2	16.32
		65.	Raibag	105.17	1	10	0	24.00
		66.	Gokak	198.66	3	1	1	19.56
		67.	Turuvukere	71.50	2	1	1	17.16
		68.	Kuduchi	100.00	2	1	2	24.00
			Sub-Total					248.23
11.	Kerala	69.	Vaikom	191.33	4	0	4	43.00
		70.	Attingal	160.18	2	0	7	36.00
			Sub-Total					79.00
12.	Madhya Pradesh	71.	Aagar	205.54	4	2	2	45.00
		72.	Chakghat	102.59	3	3	2	24.00
		73.	Karera	69.74	1	2	2	16.50
		74.	Baikunthpur	104.16	3	4	1	24.00
		75.	Sanwer	105.94	2	1	2	24.00
		76.	Chanderi	57.80	6	1	2	10.00
		77.	Akoda	42.83	3	2	1	10.25
		78.	Kareli	63.77	3	0	1	15.00
		79.	Katangi	75.35	3	1	1	18.00
		80.	Sironji	202.67	5	3	3	45.00
		81.	Wara-Seoni	158.03	3	3	2	35.00
		82.	Udaipura	82.68	2	3	1	20.00
		83.	Samariya	97.95	2	2	1	23.50
		84.	Badagaon	101.64	4	4	3	24.00
			Sub-Total					334.25

1	2	3	4	5	6	7	8	9
13.	Maharashtra	85.	Shegaon	418.32	2	7	4	3.00
		86.	Ahmednagar	825.28	6	2	3	39.00
		87.	Khemgaon	479.48	5	7	2	39.00
		88.	Pandharpur	227.00	1	1	1	10.00
		89.	Ghadchiroli	273.44	3	2	1	25.00
		90.	Yavatmal	565.00	5	7	6	105.00
		91.	Ratnagiri	461.50	3	5	2	75.00
		92.	Parivajinath	678.08	4	4	2	75.00
		93.	Ambajogai	574.93	6	5	5	75.00
		94.	Bhandara	418.00	5	5	5	75.00
		95.	Jalna	187.42	4	4	3	20.00
		96.	Kanranjia	485.02	7	3	4	45.00
		97.	Chopda	487.00	4	5	4	22.00
		98.	Barshi	752.57	5	5	5	75.00
		99.	Hingoli	550.00	3	4	4	57.00
		100.	Osmanabad	631.42	4	3	4	75.00
		101.	Chiplun	372.00	4	1	3	19.00
			Sub-Total					834.00
14.	Nagaland	102.	Dimapur	471.00	3	0	1	100.00
		103.	Kiphire	100.00	1	1	2	30.00
		104.	Kohima	151.88	2	1	1	33.00
			Sub-Total					163.00
15.	Orissa	105.	Cuttack	590.97	4	4	6	106.00
			Sub-Total					106.00
16.	Rajasthan	106.	Balotra	220.36	2	0	1	60.00
		107.	Bhilwara	558.80	3	5	4	82.01
		108.	Anupgarh	420.69	4	1	0	45.00
		109.	Phalodi	229.72	2	1	1	45.00

1	2	3	4	5	6	7	8	9
		110	Sadulshahar	227.28	3	2	0	24.00
		111.	Sujangarh	350.32	4	8	0	75.00
		112.	Sangaria	255.13	1	2	0	45.00
		113.	Pilibanga	256.36	2	1	0	45.00
			Sub-Total					421.01
17.	Tamil Nadu	114.	Rajapalayam	672.36	1	1	1	105.00
		115.	Pallathu*	88.89	1	1	1	21.60
		116.	Puduvalyal	66.71	1	1	0	16.02
			Sub-Total					142.62
18.	Uttaranchal	117.	Kotdwar	200.29	5	3	1	38.00
			Sub-Total					38.00
19.	Uttar Pradesh	118.	Niyotani	85.80	2	4	2	27.18
		119.	Amethi	100.34	2	1	3	12.00
		120.	Hardoi	470.52	4	2	2	90.00
		121.	Mehmoodabad	140.26	2	2	1	32.00
		122.	Jhinhak	98.34	1	2	1	23.50
		123.	Sikandara	98.74	2	2	2	23.50
		124.	Saidpur	56.83	1	2	1	14.00
		125.	Bithur	106.49	2	1	2	24.00
		126.	Sakit	106.15	5	4	3	24.00
		127.	Aligarh	865.25	2	4	2	135.00
		128.	Vrindavan	192.47	2	1	1	43.30
		129.	Siswabazar	57.13	2	0	2	13.70
		130.	Erich	122.92	3	2	2	24.00
		131.	Khurja	317.95	2	3	1	68.35
		132.	Kakrala	131.44	4	2	5	29.57
		133.	Mehroni	118.49	0	2	2	24.00
			Sub-Total					608.10

1	2	3	4	5	6	7	8	9
20.	West Bengal	134.	Durgapur	750.67	2	2	4	202.00
			Sub-Total					202.00
21.	Pondicherry	135.	Pondicherry	495.30	1	2	5	36.00
			Sub-Total					36.00
Grand Total								5519.37

Note: Budget provision towards matching state share is/being provided by the State Govts. Commercial components are construction of shopping complex, market centre etc.

Traffic & Transportation components are strengthening of Master Plan road facilities including link roads and small bridges, street lighting, parking, bus/truck terminals, cycle and rickshaw stands.

Miscellaneous components are sites and services, solid waste management, tourist facilities, parks, slaughter houses, public amenities, retaining walls, social amenities for poor.

Manpower in BCCL

*210. SHRI BASU DEB ACHARIA: Will the Minister of COAL be pleased to state:

(a) the manpower, production, investment and profit and loss in Bharat Coking Coal Ltd. during each of the last three years;

(b) whether the loss is increasing and manpower is decreasing;

(c) if so, the facts thereof and reasons therefor;

(d) whether the Voluntary Retirement Scheme introduced by the BCCL has resulted in decrease of manpower;

(e) if so, whether on this account the shifts of certain colliery areas have been closed; and

(f) if so, the remedial measures taken in this regard ?

THE MINISTER OF COAL (SHRI KARIA MUNDA): (a) As reported by Coal India Limited the manpower of Bharat Coking Coal Limited during last three years as on 01-04-2001, 01-04-2002 and 01-04-2003 is as given below:

i) As on 01-04-2001	1, 13,738
ii) As on 01-04-2002	1,08,043
iii) As on 01-04-2003	1,02,414

The figures of production, investment, Profit and loss in BCCL during the last three years are as under:

Year	Production (in million tones)	Investment (Rs.in Crores)	Loss (Rs.in Crores)
2000-01	25.97	62.73	(-)1276.70
2001-02	25.25	58.07	(-)755.00
2002-03	24.15	55.39	(-)507.13

(b) and (c) As indicated in table above, loss in BCCL had been decreasing during last three years and the manpower has also decreased during the corresponding period as given under:-

Year	Reduction in man Power (Including Voluntary Retirement)
2000-01	6240
2001-02	5695
2002-03	5629

(d) Yes, Sir. There had been decrease of manpower on account of implementation of Voluntary Retirement Scheme in BCCL. The numbers of employees retired on account of VRS, during last three years are given as under:-

Year	Reduction in man Power
2000-01	2498
2001-02	2758
2002-03	2006

(e) No, Sir. The shifts of a few underground mines have been closed purely for safety and techno-economic reasons.

(f) Does not arise.

Running Lotteries

*211. SHRI JYOTIRADITYA M. SCINDIA:

SHRIMATI RENUKA CHOWDHURY:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) the policy of the Government on running of lotteries, including State lotteries and on-line lotteries;

(b) whether the Government proposes to make the provision in the regulations with a view to ensure that lotteries do not assume the form and status of gambling;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) The policy of the Union Government has been against holding or authorization of lotteries or extending official support to lotteries including State lotteries in any form and for any purpose, howsoever laudable, as such lotteries tend to encourage gambling and disturb the normal economic equilibrium, even if this effect is imperceptible. Accordingly, the Union Government does not organize any lottery of its own and does not encourage State lotteries. Union territories have also been advised not to permit any lotteries.

(b) to (d) The Lotteries (Prohibition) Bill, 1999 which seeks total ban on lotteries under entry 40 of List 1 (Union List) of the Seventh Schedule of the Constitution was introduced in the Rajya Sabha on the 23rd December, 1999. The Bill was referred to the Department-related Parliamentary Standing Committee on Home Affairs for examination and report. The Committee has submitted its report and recommended that the Government may take up the issue of banning the lotteries at the political level and attempt to evolve consensus in the matter. The matter was taken up in the Conference of Chief Ministers held on the 8th February, 2003, but a consensus could not be evolved.

Wanted Criminals

*212. SHRI G.S. BASAVARAJ:

SHRI IQBAL AHMED SARADGI:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether it is a fact that the Central Bureau of Investigation has renewed its efforts to bring the 20 most wanted fugitives and mafia dons, wanted for various crimes by Indian law enforcing agencies;

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

(c) whether it is also a fact that the CBI's list of the 20 most wanted criminals had been placed during the meet of the International Police Organization (Interpol) on Fugitives held in New Delhi on October 2003; and

(d) the details of the discussion held and the outcome of the meeting?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) The Central Bureau of Investigation (CBI) has been making regular efforts to bring wanted fugitives to India by way of getting Red Corner Notices issued, regular interaction with other Interpols and raising these issues at international conferences. As per available information, 255 Red Corner Notices on the request of State Police Agencies/CBI have been issued against persons who are likely to be found abroad by the Interpol headquarters. The CBI has not prepared any list of 20 most wanted fugitives,

(c) and (d) The Third International Conference on Fugitives held in New Delhi from 15th-17th October, 2003 deliberated on the agenda approved by the Interpol Secretariat General (IPSG). The focus of the Conference was on discussing and adopting new strategies to apprehend fugitives from law. It also discussed issues like the status of Red Corner Notice, Extradition Procedures and setting up of the Fugitives Investigating Units. The CBI also emphasized the need for preferring deportation of the wanted fugitives in place of extradition, as the process of extradition is quite tedious and lengthy and entails avoidable delays in exchanging the wanted criminals. The issues of granting legal status to Red Corner Notices was also discussed and after due deliberations and interactions the Conference made formal recommendations for tracking down the fugitives and their extradition/deportation.

Cyber Crime

*213. SHRI ADHIR CHOWDHARY:

SHRIMATI SHYAMA SINGH:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the Cyber crimes in the country particularly in metropolitan cities have increased in the past few years;

(b) if so, the number of cases reported, State-wise;

(c) the amount of losses suffered due to Cyber crimes;

(d) whether the Union Government has taken any concrete steps to check such Cyber crimes in the country; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) to (c) As per available information, Central Bureau of Investigation (CBI) has registered 19 cases out of which 14 cases belong to Delhi. The year-wise break up of cases registered by the CBI in the Metropolitan city of Delhi and the country is as under:

State	Case No.
Delhi (14 cases)	2000 (1 Case) - RC 1/2000 SIU-VIII 2001 (2 Cases) - RC 1/2001 & - PE 1/2001 2002 (6 Cases) - RC. 1,3,4,5/2002 - EOU - IX - PE 9 & 10/2002- EOW-I 2003 (5 Cases) - RC 1, 3, 4/2003 - EOU - IX - PE 2,3/2003 - EOU-IX
Pondicherry (1 Case)	RC. 6/2002 - EOU-IX
Maharashtra (1 Case)	RC. 2/2003 EOU -IX
Gujarat (1 Case)	RC. 2/2003 EOU-IX
Andhra Pradesh (1 Case)	RC. 2/2000 EOU-IX
Uttaranchal (1 Case)	RC. 19/2002 - DAD
	Total 19 Cases

As per available information, the amount of loss suffered due to Cyber crimes is as follows:

RC 3/2003 EOU-IX Rs. 20,250/-

RC 4/2003 EOU-IX Rs. 67,520/-

PE 3/2003 EOU-IX Rs. 40,000/- approx.

RC 10/2002 EOW-I Rs. 30,000/- approx.

RC 19/2002 DAD Rs. 11.03 lakh

(d) and (e) The Information Technology Act 2000 framed by the Union Government covers legal framework for tackling Cyber crimes. The State Governments and Union Territory Administrations have been advised to set up Cyber Crime Units. Certain State Governments have set up Cyber Crime Police Stations to exclusively deal with such crimes. The Central Bureau of Investigation has also set up a Cyber Crime Research and Development Unit (CCRDU) with headquarters at New Delhi and a branch at Chennai. The National Police Academy, Hyderabad, CBI Academy, Ghaziabad, National Crime Records Bureau, New Delhi and Central Forensic Science Laboratory, Hyderabad conduct regular training courses for detection and investigation of Cyber Crime for Police personnel. Many State Governments have also equipped their police training centers/schools to impart training in detection and investigation of Cyber Crimes.

Increase in Fertilizer Subsidy Bill

*214. DR. CHARAN DAS MAHANT: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the steep hike in prices of fertilizers due to rise in international prices of ammonia and phosphoric acid, the subsidy bill of the Government has increased;

(b) if so, the facts and details thereof;

(c) the steps taken by the Government to curtail burgeoning of subsidy bill;

(d) whether the burgeoning of subsidy bill on fertilizers has any impact on fertilizer-based projects; and

(e) if so, the details thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI SUKH DEV SINGH DHINDSA):(a) and (b) The selling price of fertilizers to the farmers has remained unchanged under the Government policy of fixing Maximum Retail Price since 12.3.2003. However, there have been increases in the international prices of ammonia and phosphoric acid which are the key raw materials for manufacturing phosphatic and potassic fertilizers. This is likely to impact the subsidy burden of the Government in case of DAP and NPK complexes.

(c) to (e) The production of the DAP and NPK fertilizers in the country is almost fully dependent on the imported raw materials/intermediates and the prices of these inputs are governed by the demand supply position. However, Government keep a watch on the prices of these inputs specially on the import of phosphoric acid and encourage the manufacturers to procure these inputs at competitive prices. The phosphatic and potassic fertilizer manufacturers are paid subsidy based on their sales for agriculture uses under the Concession Scheme. The Government pays concession/subsidy to the manufacturers (equivalent to difference between normative delivered cost and the Maximum Retail Prices). The concession/subsidy is announced on quarterly basis after updating the prices of imported raw materials/intermediates (including ammonia and phosphoric acid) and foreign exchange rate.

Financial Assistance to Blacklisted NGOs

*215. SHRI RAM MOHAN GADDE:

SHRIMATI NIVEDITA MANE:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the number of NGOs blacklisted by CAPART as on date, State-wise;

(b) whether the Government are aware that number of NGOs which are blacklisted and those under funding restriction category are still getting financial assistance from the Government agencies;

(c) if so, the details thereof and the reasons therefor, State-wise;

(d) whether any enquiries have been ordered in this regard;

(e) if so, the outcome thereof; and

(f) the number of officials found guilty and the action taken or proposed to be taken against them?

THE MINISTER OF RURAL DEVELOPMENT (SHRI KASHIRAM RANA): (a) 293 Non-Governmental Organisations (NGOs) have been blacklisted by Council for Advancement of People's Action and Rural Technology (CAPART) as on date. State-wise number of these is given in statement enclosed.

(b) After the NGOs are blacklisted or are put under

funding restrictions category by CAPART, they are not given funds under any scheme of the Ministry of Rural Development. The list of such organizations is shared with other Ministries and Departments also for their guidance.

(c) to (f) In view of reply to part (b) above, the Question does not arise.

Statement

State-wise number of NGOs blacklisted by CAPART

S.No.	Name of the State	No. of NGOs blacklisted
1.	Andhra Pradesh	35
2.	Assam	1
3.	Bihar	60
4.	Delhi	11
5.	Haryana	19
6.	Jharkhand	3
7.	Karnataka	21
8.	Kerala	3
9.	Madhya Pradesh	11
10.	Maharashtra	4
11.	Manipur	8
12.	Mizoram	3
13.	Nagaland	10
14.	Orissa	6
15.	Rajasthan	25
16.	Tamil Nadu	6
17.	Uttar Pradesh	55
18.	Uttaranchal	1
19.	West Bengal	11
Total		293

[Translation]

Shortage of Dwelling Units

*216. SHRI RAMJI LAL SUMAN:

SHRI NAWAL KISHORE RAI:

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether dwelling units have been constructed in the country as per the target set under 'Housing for All' Programme;

(b) if so, the number of units constructed in urban areas till March 2003, year-wise and State-wise;

(c) whether as per an assessment there will be a shortage of 2.24 crore dwelling units in the country by the end of the Tenth Five Year Plan;

(d) if so, the number of dwelling units the Government has decided to construct annually to meet the shortage of dwelling units during the Tenth Five Year Plan;

(e) the amount likely to be spent on this annually; and

(f) the sources identified to mobilise the desired amount of funds?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) The number of dwelling units sanctioned under Two Million Housing Programme in Urban areas of the country from 1998-1999 to 2002-2003 is 45,63,334 which is much beyond the target of 35 lakh for 5 years (7 lakh every year), set under 'Housing for All' programme.

As regards the Rural sector, in addition to the annual target of 13 lakhs under Two Million Housing Programme, an annual target of 12.50 lakh dwelling units has been set by the Ministry of Rural Development with emphasis on extension of benefits to the poor and the deprived sections of the society. Against the total target set for rural housing (including Two Million Housing Programme), 15.43 lakh dwelling units were constructed during 2002-2003 including those raised through Housing & Urban Development Corporation Ltd (HUDCO).

(b) Details of dwelling units sanctioned by Housing & Urban Development Corporation Ltd. (HUDCO), Housing Co-operatives and Housing Finance Institutions & Public Sector Banks under Two Million Housing Programme in Urban areas from 1998-1999 to 2002-2003 (year-wise and State-wise) are at statement-I, II and III.

(c) The Planning Commission Working Group on Housing, for the Tenth Plan period (2002-2007), had estimated the urban housing shortage needed to be addressed during the course of the Tenth Plan at 22.44 million dwelling units.

(d) The annual target under Two Million Housing Programme is 7 lakh dwelling units in respect of Urban areas and 13 lakh dwelling units for Rural areas. There is also an annual target of 12.50 lakh dwelling units in rural areas (in addition to Two Million Housing Programme) with emphasis on extension benefits to the poor and the deprived section of the society, set by the Ministry of Rural Development.

(e) and (f) In 2002-2003 viz. First year of the Tenth Plan, the urban housing sanctions have been as follows:-

HUDCO	Rs.2792.91 Crore
Cooperative Sector	Rs.1287.09 Crore
HFI's/Banks	Rs.19148.71 crore

A similar amount is estimated to be spent annually towards urban housing.

During the Tenth Plan period, HUDCO proposes to spend an amount of Rs. 22,030 crore for its housing operations (both Urban & Rural).

During the Tenth Plan, National Cooperative Housing Federation (NCHF) is envisaging operations to the tune of Rs.5,000 crore.

The National Housing Bank (NHB) provides refinancing facility to Housing Finance Institutions, Commercial Banks, Apex Cooperatives etc. for housing. Reserve Bank of India has also stipulated a minimum allocation of 3% of the incremental deposits of the commercial banks to be deployed in housing finance.

In addition to the above, private sector is already playing a major role in housing delivery in the urban areas.

Statement-I

2 Million Housing Programme (HUDCO)

As on 31.10.2003

Dwelling Units sanctioned

State	Yearly Target	1998-99			1999-2000			2000-2002			2001-2002			2002-2003		
		Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Andhra Pradesh	73457	33063	249378	282441	34316	139745	174061	24298	295362	319860	4000	124881	128681	67791	129879	197670
Arunachal Pradesh	1509	0	0	0	0	0	0	0	0	0	1600	0	1600	0	0	0
Assam	55949	26250	0	26250	0	0	0	314	0	314	0	50	50	195	0	195
Bihar	37185	383	0	383	0	0	0	0	0	0	0	0	0	128	0	128
Chhattisgarh	23780	0	0	0	0	0	0	0	0	0	10000	0	10000	11015	0	11015
Delhi	19621	0	0	0	0	0	0	0	0	0	2016	0	2016	0	0	0
Gujarat	67993	13976	4011	17987	21970	0	21970	3059	0	3059	2318	123	2441	18136	161	18297
Haryana	15289	2046	0	2046	664	0	664	0	0	0	0	0	0	3263	0	3263
Himachal Pradesh	4120	0	10941	10941	0	0	0	0	0	0	0	0	0	0	0	0
Jammu & Kashmir	13296	0	0	0	0	0	0	0	0	0	557	0	557	0	0	0
Jharkhand	19156	0	0	0	0	0	0	0	0	0	500	0	500	10531	0	10531
Karnataka	59782	133708	149808	283516	55900	56711	112611	148384	184808	333192	43679	107796	151475	95083	221004	316087
Kerala	30200	67568	96075	163643	64725	55200	119925	74800	31667	106467	1330	24600	25930	57449	0	57449
Madhya Pradesh	55487	50000	0	50000	0	0	0	0	0	0	2200	0	2200	5022	0	5022
Maharashtra	110585	18713	0	18713	343	0	343	3442	0	3442	4989	0	4989	7894	0	7894
Manipur	9946	0	0	0	0	0	0	0	0	0	80	0	80	780	0	780

	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Mizoram	10262	0	0	0	0	0	0	0	0	0	0	379	379	377	106	483
Nagaland	6565	0	0	0	0	0	0	0	0	0	40	0	40	463	0	463
Orissa	31016	12000	11700	23700	0	137688	137688	10284	0	10284	905	0	905	0	5000	5000
Punjab	22337	0	0	0	0	0	0	0	0	0	10000	0	10000	4050	0	4050
Rajasthan	62680	0	0	0	0	0	0	0	0	0	8280	2000	10280	0	0	0
Tamil Nadu	84399	18142	37725	55867	30600	33200	63800	11150	25294	36444	34712	46586	81298	17810	56828	74638
Tripura	7124	0	0	0	1700	0	1700	150	0	150	522	0	522	866	100	966
Uttar Pradesh	91180	44550	0	44550	0	0	0	0	0	0	125000	0	125000	5711	0	5711
Uttaranchal	11269	0	0	0	0	0	0	0	0	0	2167	600	2767	890	0	890
West Bengal	60492	10000	75000	85000	150000	231506	381506	195000	195000	390000	8858	26298	35156	50149	0	50149
Andaman & Nicobar Islands	422	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Chandigarh	1525	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dadra & Nagar Haveli	105	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Daman & Diu	182	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lakshadweep	121	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pondicherry	1705	0	0	0	0	0	0	0	0	0	170	0	170	0	0	0
Total	1000000	430399	634638	1065037	360218	654050	1014268	470881	732131	1203012	263923	333113	597036	357603	413078	770681
HUDCO Niwas (RF & Bulk Loan)					100000		100000				75283		75283	102366		102366
Other Schemes							0				61872		61872	0		0
G. Total	1000000	430399	634638	1065037	460218	654050	1114268	470881	732131	1203012	401078	333113	734191	459969	413078	873047

Statement-II**State-wise Progress of Housing Cooperative Under Two Million Housing Programme from 1998-1999 to 2002-2003**

States/UTs	Number of Housing Units Constructed/ Financed					Total
	1998-99	1999-2000	2000-01	2001-02	2002-03	
1	2	3	4	5	6	7
Andaman & Nicobar Islands	10	0	0	0	0	10
Andhra Pradesh	1287	1039	677	654	1012	4669
Assam	1316	2340	0	2306	215	6177
Bihar	1985	0	2329	8	1	4323
Chandigarh	1070	67	0	4184	4500	9821
Delhi	8793	4388	2563	197	337	16278
Goa	562	3021	3417	4906	2259	14165
Gujarat	1811	3259	2138	1816	837	9861
Haryana	167	419	366	4565	3360	8877
Himachal Pradesh	139	52	42	240	243	716
Jammu & Kashmir	350	26	91	19	0	486
Karnataka	1838	1880	1264	2192	3105	10279
Kerala	7538	10534	10575	9695	22995	61337
Madhya Pradesh	2712	224	368	731	285	4320
Maharashtra	9257	10233	12775	14773	15042	62080
Manipur	132	176	0	0	2	360
Meghalaya	78	3	0	88	36	205
Mizoram	0	0	0	0	0	0
Nagaland	0	49	7	0	0	56
Orissa	1784	680	812	185	102	3583
Pondicherry	167	177	74	83	494	995
Punjab	4093	4489	3923	6308	2877	21890
Rajasthan	1039	1191	107	756	498	3591
Tamil Nadu	121630	42947	37377	14956	11716	228626

1	2	3	4	5	6	7
Tripura	10	24	28	0	0	62
Uttar Pradesh	6744	298	1029	2100	1908	12079
West Bengal	432	702	937	2696	993	5760
Uttaranchal	0	0	0	196	593	789
Chhattisgarh	0	0	0	5	1	6
Total	174944	88218	80899	73659	73461	491181

Statement-III

Achievement of Housing Finance Institutions Other than HUDCO under Two Million Housing Programme from 1998-1999 to 2002-2003

Housing Finance Institutions

Year	Dwelling Units
1998-1999	1,53,932
1999-2000	1,35,035
2000-2001	1,71,496
2001-2002	2,62,991
2002-2003	2,59,772
Total	9,83,226

Public Sector Banks

Year	Dwelling Units
1998-1999	39,739
1999-2000	91,460
2000-2001	1,62,240
2001-2002	1,95,624
2002-2003	3,77,319
Total	8,66,382

* N.H.B. does not have the State-wise details of urban housing disbursements.

Sports Academy

*217. SHRI V. VETRISELVAN: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether the Government proposes to open a sports academy in each State with a view to promote sports in the country;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF YOUTH AFFAIRS AND SPORTS (SHRI VIKRAM VERMA) : (a) and (b) Yes, Sir. The Government has approved a new Scheme of State Sports Academy for implementation during the Tenth Five Year Plan Period. The main objective of the Scheme is to select the best available talent in sports between the age groups of 10-13 years, as well as the top performers in State/National competitions in the age group of 10-18 years and to prepare and groom them over the years for winning medals for the country at the international level.

The scheme will be funded jointly by the Central Govt., State Govt./UT Administration and a sponsor and would be a sort of co-operative venture. The financial assistance to the Academy in respect of capital, recurring and non-recurring costs will be shared between the sponsor, the Central Govt. and the State Govt. in the ratio of 51:25:24 subject to the Central Government's contribution being restricted to (i) a maximum of Rs.218 lakhs or 25% of the capital/non-recurring cost whichever is less and (ii) recurring cost subject to maximum of Rs.17 lakhs per annum for a period of three years. The approximate cost of setting up of an academy would be Rs.9.68 crores.

The Academy will be a registered Society which will be set up and managed by the Sponsor. There would be an Executive Committee comprising of representatives of Sponsor, the Central Government, the State Government and it may also include representatives of National Sports Federations, State Sports Associations, eminent Sports Persons and Arjuna Awardees, etc.

(c) Does not arise.

Disaster Management Committee

*218. SHRI VILAS MUTTEMWAR: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether a Committee on Disaster Management had inter alia recommended the setting up of a Specialised Management Force on the lines of the Border Security Force so as to be prepared to deal with any natural disaster in the country;

(b) if so, the action taken by the Government thereon;

(c) the strength of the force and the vulnerable States where the personnel of this force have been deployed;

(d) whether the State Governments have also been demanding adequate allocation of funds for creating the required infrastructure to deal with the natural disasters;

(e) if so, whether the Central Government has agreed to provide funds to the affected States on year to year basis; and

(f) if so, the details thereof alongwith the funds provided so far, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) to (c) Though there is no specific recommendation by any Committee regarding setting up of a Specialised Disaster Management Force on the lines of the Border Security Force, the Ministry of Home Affairs have earmarked one battalion each of Central Industrial

Security Force (CISF), Indo Tibetan Border Police Force (ITBPF), Central Reserve Police Force (CRPF) and Border Security Force (BSF) for training and equipping as the specialized teams for emergency response and deployment at different locations in the country in the areas affected/likely to be affected by natural disasters;

(d) to (f) The Ministry of Home Affairs have advised the State Governments to take steps to strengthen their capability for disaster management. These include setting up of specialized search and rescue teams at the state level. The State Governments can use the funds available in the Calamity Relief Fund (CRF) of the State for meeting the expenditure on providing immediate relief to the victims of natural calamities. Expenditure on training of the specialised search and rescue teams can also be met by the State Governments from the CRF. In addition, they can spend up to 10% of the annual allocation to the CRF for the procurement of essential search, rescue and evacuation equipment, including communication equipment. The Government of India contributes 75% of the total yearly allocation to the CRF of each State. In case of natural calamities of severe nature requiring expenditure over and above the corpus of CRF of a State, additional financial assistance is also provided to the State by the Government of India from the National Calamity Contingency Fund (NCCF) after following the established procedure. The details of the funds provided to the State Governments during 2003-04 under CRF are at statement enclosed.

Statement

Calamity Relief Fund 2003-04

As on 10.2.2003

(As per the final report of EFC)

(Rs. in lakhs)

Sl. No.	State	Centre's Share	States' Share	Total	First six monthly instalment of Centre's share	Centre's share released in advance during 2002-03 for 2003-04	Balance Centre's share 2002-03	Centre's share released during 2003-04	Amount due on 1st instalment 2003-04 \$	Second instalment due 2003-04
1	2	3	4	5	6	7	8	9	10	
1	Andhra Pradesh	17196	5732	22928	8598.00	0.00	0.00	17196.00	0.00	0.00
2	Arunachal Pradesh	1044	348	1392	522.00	0.00	0.00	1044.00	0.00	0.00
3	Assam	8812	2937	11749	4406.00	0.00	0.00	4406.00	0.00	4406.00
4	Bihar	5814	1938	7752	2907.00	0.00	0.00	2907.00	0.00	2907.00

	1	2	3	4	5	6	7	8	9	10
5	Chhattisgarh	2385	795	3180	1192.50	0.00	0.00	1192.50	0.00	1192.50
6	Goa	108	36	144	54.00	0.00	0.00	159.50	0.00	0.00
7	Gujarat	14013	4671	18684	7006.50	0.00	0.00	7006.50	0.00	7006.50
8	Haryana	7059	2353	9412	3529.50	0.00	0.00	3529.50	0.00	3529.50
9	Himachal Pradesh	3775	1258	5033	1887.50	0.00	0.00	1887.50	0.00	1887.50
10	Jammu & Kashmir	3030	1010	4040	1515.00	0.00	0.00	1515.00	0.00	1515.00
11	Jharkhand	4922	1641	6563	2461.00	0.00	0.00	7149.00	0.00	2461.00
12	Karnataka	6474	2158	8632	3237.00	0.00	0.00	6474.00	0.00	0.00
13	Kerala	5838	1946	7784	2919.00	0.00	0.00	5838.00	0.00	0.00
14	Madhya Pradesh	5439	1812	7251	2719.50	0.00	0.00	5439.00	0.00	0.00
15	Maharashtra	13649	4550	18199	6824.50	0.00	0.00	13649.00	0.00	0.00
16	Manipur	249	83	332	124.50	0.00	118.50	0.00	124.50	124.50
17	Meghalaya	342	114	456	171.00	0.00	0.00	342.00	0.00	0.00
18	Mizoram	258	86	344	129.00	0.00	0.00	252.00	0.00	129.00
19	Nagaland	170	57	227	85.00	0.00	0.00	166.00	0.00	85.00
20	Orissa	9504	3168	12672	4752.00	0.00	0.00	9504.00	0.00	0.00
21	Punjab	10655	3552	14207	5327.50	0.00	0.00	0.00	5327.50	5327.50
22	Rajasthan	17972	5991	23963	8986.00	4493.00	0.00	13479.00	0.00	0.00
23	Sikkim	600	200	800	300.00	0.00	0.00	885.50	0.00	0.00
24	Tamil Nadu	8911	2970	11881	4455.50	0.00	0.00	4455.00	0.00	4455.50
25	Tripura	451	150	601	225.50	0.00	0.00	0.00	225.50	225.50
26	Uttar Pradesh	12700	4233	16933	6350.00	0.00	0.00	6350.00	0.00	6350.00
27	Uttaranchal	2810	937	3747	1405.00	0.00	0.00	2743.00	0.00	1405.00
28	West Bengal	8778	2926	11704	4389.00	0.00	0.00	4389.00	0.00	4389.00
	Total	172958	57652	230610	88479.00	4493.00	118.50	121958.00	5677.50	47396.00

* Colum (5+7) - (6+8)

\$ 1st instalment of Centre's of CRF for the year 2003-04 has not been released for want of information relating to crediting of earlier released funds, utilisation certificate and annual report.

[Translation]

Dereservation of Items for SSI's

*219. SHRI MANSUKHBHAI D. VASAVA Will the Minister of SMALL SCALE INDUSTRIES be pleased to state:

(a) the reasons for recommending dereservation of certain items by the Advisory Committee in SSI's sector and the reaction of the Government thereto;

(b) whether the Union Government has conducted any enquiry in this regard so as to check whether there is any pressure from the Multinational Companies behind the said recommendation; and

(c) if so, the details thereof?

THE MINISTER OF SMALL SCALE INDUSTRIES AND MINISTER OF DEPARTMENT OF DEVELOPMENT OF NORTH EASTERN REGION (DR. C.P. THAKUR): (a) The issue of reservation/de-reservation of Items for exclusive manufacture in the Small Scale Industries (SSI) sector is examined on a continual basis by the Government through consultations with various stakeholders and by the Advisory Committee constituted under the Industries (Development & Regulation) Act, 1951. These reviews consider various relevant aspects including inter-alia trends and development in external trade, domestic and global competitiveness, potential for employment and export, technical feasibility and economic viability of manufacture in the small scale sector etc. Dereservation of certain items reserved for the SSI sector has been effected in consultation with stakeholders, so as to allow greater opportunity for technological upgradation, promotion of export and achieving economies of scale.

(b) Dereservation has been effected after taking into the account the considered views of the stakeholders and on merits of each case in the light of well defined criteria. In view of this, the question of pressure from multinational companies in respect of the said recommendations does not arise.

(c) Does not arise, in view of (b) above.

[English]

Reservation policy for Items in SSI's

*220. SHRI MANSINH PATEL: Will the Minister of SMALL SCALE INDUSTRIES be pleased to state:

(a) the number of complaints received regarding non-compliance of reservation policy in Small Scale Industries during the last three years under the Industrial Development

and Regulation Act and number of cases registered under said Act, State-wise;

(b) the number of companies found guilty during the last three years under the said Act and the details of punishment awarded to them; and

(c) the steps taken by the Union Government to make the said Act more effective?

THE MINISTER OF SMALL SCALE INDUSTRIES AND MINISTER OF DEPARTMENT OF DEVELOPMENT OF NORTH EASTERN REGION (DR. C.P. THAKUR): (a) and (b) Government have occasionally received information about violation of reservation policy by some non Small Scale Industrial (SSI) units. Action against the violators of the reservation policy is initiated as per the provisions of the Industries (Development & Regulation) Act, 1951. State-wise data regarding erring non-SSI companies is not maintained centrally.

(c) Since State Director of Industries is competent to initiate prosecution against defaulting units by lodging an FIR, Government have been sensitizing State Governments/UTs directing them to keep a watch on violation and initiate prosecution as and when complaints of violation of reservation policy by non-SSI units are received.

Recommendations of the Eleventh Finance Commission

2025. SHRI TRILOCHAN KANUNGO: Will the Minister of COAL be pleased to state:

(a) whether the Government is aware of the recommendations of the Eleventh Finance Commission as regards timely upward revision of coal royalty every third year and the royalty decision by an independent agency other than his Ministry;

(b) if so, the details of the recommendations made by the Commission; and

(c) the action taken by the Government on the recommendations of the Commission?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) and (b) The recommendations of the 11th Finance Commission are as under:-

Royalty rates on minerals be revised regularly and the decision about the revision of the rates of royalty be taken well before the date on which the revision falls due so that it

can be notified immediately after the completion of every three-year period as provided under the law. In case the process of revision is not completed by the date the new revision is due, the States should be entitled to compensation.

Fixation of royalty rates is done by the concerned Ministry/Department. For the sake of transparency and fairness, the task of making recommendations of royalty rates should be entrusted to an independent body.

(c) Proviso to Section 9(3) of the Mines & Minerals (Development & Regulation) Act, 1957 provides that royalty rates on minerals can not be enhanced more than once during a period of three years. This does not mandate revision of royalty rates on minerals including coal after completion of every three year period and therefore revision of royalty rates do not mandatorily become due after every three years. As such the question of compensation to States in this regard does not arise. As regards the other recommendation, there is no proposal under the consideration of the Government that the task of making recommendations for revision of royalty rates on coal should be entrusted to an independent body. The royalty rates for different grades of coal from time to time are fixed by the Central Government under relevant provisions of the MM(D&R) Act, 1957 on the basis of the recommendations made by a study group constituted for the purpose. The study group makes recommendations after detailed discussions and deliberations with the concerned parties including the coal consumers as well as the coal producing States. Before making their recommendations, the study group keeps in view the interests of the coal consumers, coal producing States as well as the interests of the economy as a whole. The recommendations made by the study group are examined and decided upon by the Government having regard to the overall economic situation of the country.

Demands of Employees of Chandigarh UT Administration and Municipal Corporation

2026. SHRI PAWAN KUMAR BANSAL: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the employees of Chandigarh UT Administration and Municipal Corporation have been raising certain demands for the last many years;

(b) if so, the details thereof; and

(c) the response of the Government thereto and the action taken by the Chandigarh Administration thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) Yes, Sir.

(b) and (c) The major demands raised by the employees of Chandigarh Administration relate to extension of the terms and conditions of service on Central pattern to them and

payment of bonus. Both these demands were considered by the Government but it was not found possible to accede to either of the two demands.

The major demand of the employees of the Chandigarh Municipal Corporation is to grant to such employees as were transferred from the Chandigarh Administration to the Corporation the status of deemed deputation. This demand is under consideration of the Government.

[Translation]

Drinking Water Supply in Jharkhand

2027. SHRI LAXMAN GILUWA:

SHRI RAM TAHAL CHAUDHARY:

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the total number alongwith the names of towns for which the Government of Jharkhand has sent a proposal for providing water there to the Union Government for approval;

(b) the expenditure likely to be incurred on each town as assessed by the state Government and the decision taken by the Union Government; and

(c) the follow-up action taken after the said decision?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) to (c) The Government of Jharkhand has sent proposals in respect of 15 towns under the Centrally sponsored Accelerated Urban Water Supply Programme (AUWSP). This Ministry has approved 9 schemes so far under AUWSP. The remaining 6 schemes have been received recently. The approval of these schemes is subject to the techno-economic feasibility and availability of budgetary allocations. The names of towns and the expenditure based on the cost estimates are at enclosed statement.

Statement

The details of proposals under AUWSP received from the Government of Jharkhand

S. No.	Name of Town	District	Project Cost (Rs. in Lakhs)
1	2	3	4
1.	Barwadih	Palamu	82.68
2.	Rajmahal	Sahibganj	119.86
3.	Nirsa	Dhanwad	197.42

1	2	3	4
4.	Chakulia	East Singhbhum	48.61
5	Saraikella	West Singhbhum	76.81
6.	Latehar	Palamu	122.32
7.	Jamtara	Dumka	195.63
8.	Koderma	Koderma	498.76
9.	Muri	Ranchi	148.56
10.	Dugdha	Bokaro	169.29
11.	Hussainabad	Daltonganj	219.45
12.	Galpharbari	Dhanbad	347.31
13.	Monoharpur	West Singhbhum	77.76
14.	Basukinath	Dumka	422.59
15	Meru	Hazaribagh	62.00

[English]

Assam Gas Cracker Project

2028. SHRI M.K. SUBBA : Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Union Government has taken any decision with regard to subsidy on feedback of gas and much awaited setting up of the Assam Gas Cracker Project;

(b) if so, the details thereof and reasons for delay and steps taken by the Government for its early clearance; and

(c) the time by which project is likely to be cleared?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHHATTRAPAL SINGH): (a) to (c) The main issue yet to be resolved is the subsidy for supplying feedstock (Gas/LPG) for the project. Action has been initiated for an expeditious decision on this issue. The project is being implemented as a Joint Venture by the Assam Industrial Development Corporation. They have informed us that after construction activity starts, a period of about four years will be taken to commission the project.

[Translation]

Infiltration in Sikkim

2029. SHRI DALPAT SINGH PARSTE: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether with a view to ensure security in Sikkim the Government propose to issue National Photo Identity Cards to all the residents of Sikkim before resumption of trade between Sikkim and China;

(b) if so, the details thereof;

(c) whether after opening of Nathula Pass, there is an apprehension of infiltration of people through West Bengal and also from Nepal and Bhutan in the State of Sikkim on the pretext of trade;

(d) if so, the steps proposed by the Government of Sikkim;

(e) whether the Union Government propose to take up these proposals of Sikkim Government;

(f) if so, the details thereof; and

(g) if not, other measures being taken to curb infiltration in Sikkim?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINMAYANAND SWAMI): (a) No, Sir.

(b) Does not arise.

(c) to (g) No proposal specific to prevention of infiltration through the Nathula Pass after operationalisation of trade through this route has been received from the Government of Sikkim. However, the Government of India has taken several steps including augmentation of troops at border outposts, use of night vision devices, undertaking mobile patrolling etc. to check infiltration.

[English]

Utilization of Funds

2030. SHRI SULTAN SALAHUDDIN OWASI: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the amount utilized by the Government of Andhra Pradesh out of the allocated amount for the implementation of the Integrated Development of Small and Medium Towns, Accelerated Urban Water Supply Programme and Shelter and Sanitation for Footpath Dwellers during each of the last three years;

(b) the status of projects during the said period scheme-wise;

(c) whether it is a fact that inspite of sanctioning the requisite amount, the State Government has failed to utilize the funds in time;

(d) if so, the reasons therefor; and

(e) the guidelines/instructions issued to Government of Andhra Pradesh to ensure timely utilization of funds?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) to (d) The scheme-wise release/utilization of funds by the Government of Andhra Pradesh is as under:

(i) Integrated Development of Small and Medium Towns (IDSMT): Under the scheme, Rs. 253.50 lakhs, Rs. 608.04 lakhs, Rs. 623.62 lakhs and Rs. 578.59 lakhs as central assistance have been released to Government of Andhra Pradesh during the year 2000-01, 2001-02, 2002-03 and 2003-04 respectively and Rs. 76.50 lakhs, Rs. 1324.11 lakhs, Rs. 353.15 lakhs and Rs. 668.74 lakhs have been utilized by the State Government during the same period. The utilization figure is inclusive of State share and loan from financial institutions. In additions to the above an amount of Rs. 259.25 lakhs central assistance has been approved and is being released during 2003-04.

The projects under the scheme are at various stages of implementation.

(ii) Accelerated Urban Water Supply Programme (AUWSP): Under the scheme the annual allocation for the year 2000-01, 2001-02, 2002-03 and 2003-04 was Rs. 200.57 lakhs, Rs. 297.73 lakhs, Rs. 382.19 lakhs and Rs. 438.76 lakhs. However, no central share was released during 2000-01 due to non-approval of schemes. During the year, 2001-02, 2002-03 and 2003-04 central share of Rs. 361.30 lakhs, 385.90 lakhs and Rs. 149.55 lakhs (upto Sept. 2003) has been released respectively. Against total central release of Rs. 747.20 lakhs for 11 projects, an amount of Rs. 471.91 lakhs has been utilized upto September, 2003.

(iii) Shelter and Sanitation Scheme for Footpath Dwellers: In the State of Andhra Pradesh, 3 schemes were sanctioned under the scheme during the year 2001-02 for a total project cost of Rs.92.19 lakhs and Central subsidy of Rs.28.56 lakhs for construction of 210 WCs. Out of the above, an amount of Rs.14.98 lakhs Central subsidy has been released in the schemes during the year 2002-03. As per latest information received, 60 WCs have been taken up, out of which 20 WCs have been completed and 40 WCs are under construction.

(e) The schemes are being monitored through various monthly/quarterly financial and physical progress reports. Also Secretary and Joint Secretary take review

meetings, wherein the utilization of the funds alongwith other issues regarding implementation of the scheme are discussed and instructions are issued. Besides utilization of funds released under the schemes is reviewed in the State Level Sanctioning Committee Meeting wherein representatives of the Government of India also take part.

Time Bound Promotion

2031. SHRI KALAVA SRINIVASULU: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the Government proposes to give benefit to its employees by allowing them time bound promotion and prevention of stagnation;

(h) if so, whether the Government has assessed the financial implications as a result thereof; and

(c) the time by which the decision is likely to be implemented?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): (a) to (c) As a general policy promotions are linked to availability of vacancies in the higher grade in the hierarchy. An exception to this general policy exists only for certain specialized categories. There is no proposal to allow time bound promotion to all employees. However, to address the problem of stagnation, the Government has already introduced an Assured Career Progression Scheme (ACP Scheme) in 1999 allowing consideration of two financial upgradations to an employee on completion of 12 and 24 years' service, if he has not already earned a promotion. Necessary budgetary allocations are made for implementation of this ongoing Scheme.

Allotment of Flats

2032. SHRI J.S. BRAR: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether it is a fact that all registrants under the Rohini Residential Scheme, 1981 have not been allotted flats so far;

(b) if so, the reasons therefor;

(c) the number of persons awaiting allotment as on date, category-wise;

(d) the number of priority list covered as on date, category-wise; and

(e) the steps being taken to liquidate the pending list?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) and (b) DDA has reported that Rohini Residential Scheme, 1981, which envisaged allotment of plots under MIG, LIG and Janta category was an open-ended scheme. Due to heavy registration and paucity of land, there has been delay in allotment of plots to all the registrants under the Scheme. A total of 82,384 applications (MIG-25,889, LIG- 38,105 and Janta-18,390) were received against which 46,110 registrants have already been allotted plots under these categories and 1,686 persons have got their registration cancelled/surrendered, thereby leaving a backlog of 34,588.

(c) and (d) The number of persons awaiting allotments and the number of priority list covered as on date, category-wise is as under:

Category	No. of persons waiting allotment	Priority No. covered
MIG	12,299	5,370
LIG	17,874	6,561
JANTA	4,415	2,075

(e) The disposal of balance wait-listed registrants is dependent on acquisition of large areas of land and its subsequent development. DDA has already acquired 1,478 acre of land in Rohini for partly liquidating the pendency of waitlisted registrants under the Scheme.

Plantation for Yielding Bio-Diesel

2033. SHRI SHRINIWAS PATIL: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Government propose to involve people's participation in plantation of plants used for manufacturing Bio-diesel;

(b) if so, the details thereof; and

(c) the details of other schemes that are likely to be included under plantation of Bio-diesel yielding plants in Western Ghats of Maharashtra?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASHEB M.K. PATIL): (a) to (c) The Report of the Planning Commission on Development of Bio-fuel has identified certain plants which

are used for manufacturing bio-diesel, like Jatropha, Karanj, Nagchampa etc. The Report has identified potential States for producing Jatropha which also include State of Maharashtra. The Report inter-alia recommended large scale plantation of Jatropha on private land also.

Taking Centres of CISF at Sidhabari

2034. SHRI BIKASH CHOWDHURY: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the training centre of Central Industrial Security Force situated at Sidhabari, Arangol, West Bengal has been withdrawn;

(b) the reasons for shifting of the only CISF training camp in Eastern Zone to the place where CISF Camp is already running;

(c) whether the Government has considered that the CISF training centre at Sidhabari, is un-necessary for the Eastern Zone; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOMEAFFAIRS (SHRI I.D. SWAMI): (a) The Recruits Training Centre (RTC) of CISF at Sidhabari, Asansol, West Bengal has been temporarily shifted to Deoli, Rajasthan.

(b) to (d) The RTC in Sidhabari was utilizing facilities of Eastern Coalfields Limited (ECL), Damodar Valley Corporation (DVC) and Chittaranjan Locomotive Works (CCW) for imparting training to recruits. The available infrastructure was not only insufficient but also getting dilapidated to meet the increasing demand for training.

CISF have requested Government of West Bengal to provide suitable land for locating RTC in the State so that requisite level of training infrastructure could be built up. In the meantime, the Centre is being run at Deoli, Rajasthan.

Financial Assistance to Local Self Institutions

2035. SHRI K. MURALEEDHARAN: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Government has received any proposal from the State Government of Kerala for financial assistance to local self Government Institutions;

(b) if so, the details thereof; and

(c) the reaction of the Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASHEB M.K. PATIL):

(a) The Ministry of Rural Development has not received any such proposal.

(b) and (c) Question does not arise.

Outstanding Amount of NDMC

2036. SHRI AMAR ROY PRADHAN: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Government is aware that Electricity and Water Consumers of New Delhi Municipal Committee owe huge amount to each of the Department of NDMC;

(b) if so, the details of outstanding amount as on date;

(c) whether the allottees of Government flats and shops also owe a huge amount to Directorate of Estates and Land & Development Office;

(d) if so, the details of outstanding amount of each of such departments as on date;

(e) whether the Government propose to realise the outstanding amount from such allottees/licencees; and

(f) if so, the steps taken by the Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) and (b) The New Delhi Municipal Council has reported that they have been intimating the defaulting agencies/departments/consumers from time to

time about the outstanding dues towards electric/water charges with the instructions to make the payment of outstanding dues immediately. The total dues towards electric/water charges as on 31.10.2003 works out to be Rs.95.12 crores.

(c) to (f) The Directorate of Estates have informed that as on 31.10.2003, the total outstanding dues from allottees of Govt. flats were Rs.24.27 crores and that of shops Rs.7.05 crores. For realization of the outstanding dues of flats, the Directorate of Estates contacts the departments of the allottees (in case of Government servants). In case of non-payment by the occupants and non-recovery by the Department, recovery proceedings are initiated under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 invoking the provisions of Section 7(i) and 7(ii) therein through legal and revenue authorities. The information relating to Land & Development Office is being collected and will be laid on the Table of the Sabha.

Cash Rewards to Medal Winning Athletes

2037. SHRI SURESH RAMRAO JADHAV: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether the Government has increased the amount of cash rewards to the medal winning athletes during international sports meet; and

(b) if so, the details thereof alongwith the amount to be given to each medal winning athlete?

THE MINISTER OF STATE IN THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) and (b) Considering the splendid performance of the Sportspersons from the country in the Commonwealth and Asian Games 2002, a commitment was made to give them enhanced Cash Awards as under:

(Rupees in lakhs)

Name of Events	Gold Medal Winner		Silver Medal Winner		Bronze Medal Winner	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
Asian/Commonwealth Games	5	20	3	15	2	10

The above is proposed to be a one-time enhancement. However, considering the time lag between the last revision of such Awards and now, with a view to providing greater incentives to our sportspersons to perform better, a proposal is under consideration of the Government for enhancing the rates of Cash Awards to be given to the winners of International Sports events.

Implementation of Central Schemes

2038. SHRI VARKALA RADHAKRISHNAN: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to refer to the USQ No. 2122 dated 5.8.2003 and to state:

(a) whether the information has since been collected;

(b) if so, the details thereof; and

(c) the action taken by the Government to improve the situation?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) to (c) The subject matter of the Question No. 2122 for 5.8.2003 relate to Ministry of Consumer Affairs, Food & Public Distribution. As such, the Assurance in respect of Question has been transferred to them and that Ministry has accepted the transfer of the Assurance on 15.12.2003.

Dharna Outside Pragati Maidan by Anti-Mining Groups

2039. SHRIMATI JAYABEN B. THAKKAR: Will the Minister of MINES be pleased to state:

(a) whether a large number of people representing anti-mining groups, unions and peoples organizations from various States held protest Dharna at New Delhi outside Pragati Maidan on 3/11/2003; and

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

THE MINISTER OF STATE OF THE MINISTRY OF MINES (SHRI RAMESH BAIS): (a) and (b) As per available information, no Demonstration/Dharna was staged on 3.11.2003 outside Pragati Maidan, New Delhi. However, on 2.11.2003, a demonstration organized by social organisations under the leadership of Shri Gautam Navlakha including lawyers, journalists and students from Orissa, Bihar and some other states was held at Gate No.3, Pragati Maidan, New Delhi against exploitation of natural resources by foreign companies and against "World Mining Conference" being held in Ashoka Hotel, New Delhi. There were about 100/150 demonstrators. The demonstration was peaceful and no memorandum was given to anybody in this regard.

Illegal Construction in Chandni Chowk

2040. SHRI RAMJEE MANJHI: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to refer to the reply given to USQ No. 4729 dated 23.4.2002 and to state:

(a) whether the information has since been collected;

(b) if so, the details thereof and the action taken in the matter; and

(c) if not, the time by which the information is likely to be collected?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) to (c) Yes, Sir. The details of the information and action taken in the matter is given below:-

No Board has been set up by Government of India for Walled City. A task force was constituted by Government of NCT of Delhi on March 31, 2000 for coordinating implementation of various schemes provided in the master plan for redevelopment of Walled City and steps required for its speedy implementation.

The Government of National Capital Territory of Delhi (GNCTD) has also assigned the task of framing terms of reference of Walled City Development Board, to the Municipal Corporation of Delhi (MCD). The objectives as well as methodology of its operation would be reflected in the same.

The Delhi Development Authority has also constituted a Working Group on August 1, 2003 to evolve policy framework for reconsideration and redevelopment for Special Area of Walled City of Shahjahanabad, Paharganj, Karol Bagh and old Sabz Mandi.

The Walled City has been identified as a special area as per the Delhi Master Plan 2001. The effort of the local agencies is to maintain the character of this area by not disturbing the profession and livelihood of its inhabitants. Action against misuse and unauthorized constructions is taken from time to time by local bodies as per Rules/Act.

According to the provisions of Section 321 of the Delhi Municipal Corporation (DMC) Act, the shopkeepers under the jurisdiction of the Walled City Area, including Chandni Chowk are allowed to put takht, phattas etc. by paying Chabutara fee to the MCD. The licensing Department of the MCD however, takes action from time to time to remove unauthorized and unapproved encroachments from foot paths, pavements, roads and Government lands, etc. During the period from 1.5.2002 to 31.7.2003 the MCD has seized 1069 articles through raids. A major demolition action was also undertaken on 1.12.2002 and during this action 44 shops were demolished.

MCD takes action under the provisions of the DMC Act to remove unauthorized constructions noticed in these areas. In the year 2002, 154 properties were booked for unauthorized constructions in these areas out of which action was taken against 64 properties. In the year 2003 upto 31.7.2003, 72 such properties were booked and removal actions were taken against 21 properties.

Enhancement of Funds under ARWSP

2041. SHRI KIRIT SOMAIYA: Will be Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Government has received any requests from State Governments to enhance the funds under ARWSP during the current financial year; and

(b) if so, the details thereof alongwith the funds allocated, State wise?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASAHEB M.K. PATIL): (a) and (b) Most of the States have requested for enhancement of funds for Rural Water Supply under various components of Accelerated Rural Water Supply Programme (ARWSP) like Swajaldhara, Schemes for coverage of habitations with drinking water facilities, mitigation of quality problems, drought relief etc. The State-wise details of the funds allocated under various allocation based components of ARWSP are given in enclosed statement.

Statement

S.N.	Name of State	Amount Allocated during 2003-2004 (Rs. in Lakhs)			
		ARWSP (Normal)	ARWSP (DDP)	PM's Programmes	Swajaldhara
1	2	3	4	5	6
1	Andhra Pradesh	11688.00	1424.00	2887.65	1616.07
2	Bihar	6319.00		890.73	873.73
3	Chhattisgarh	1901.00		458.46	262.80
4	Goa	105.00		25.65	14.56
5	Gujarat	5537.00	153.00	549.19	765.56
6	Haryana	1694.00	968.00	11.80	234.22
7	Himachal Pradesh	4919.00	8.00	1245.05	680.19
8	Jammu & Kashmir	10833.00	65.00	1021.50	1497.90
9	Jharkhand	2575.00		525.87	356.02
10	Karnataka	10104.00	1208.00	2507.13	1397.03
11	Kerala	3645.00		811.81	504.03
12	Madhya Pradesh	6079.00		1592.46	840.54
13	Maharashtra	15710.00		3673.34	2172.15
14	Orissa	5303.00		1274.67	733.28
15	Punjab	2269.00		493.20	313.79
16	Rajasthan	15852.0	6174.00	2633.66	2191.77
17	Tamil Nadu	4869.00		329.40	673.22
18	Uttaranchal	2835.00		419.58	364.33

1	2	3	4	5	6
19	Uttar Pradesh	11086.00		1350.54	1532.91
20	West Bengal	6827.00		1939.60	943.90
21	Andaman & Nicobar Islands	5.63		21.43	12.00
22	Chandigarh	0.00		0.27	0.00
23	Dadra & Nagar Haveli	3.75		51.66	8.00
24	Daman & Diu	0.00		0.27	0.00
25	Delhi	2.81		1.62	6.00
26	Lakshadweep	0.00		1.62	0.00
27	Pondicherry	2.81		23.40	6.00
28	Arunachal Pradesh	4962.00		234.46	447.41
29	Assam	8403.00		4225.21	754.59
30	Manipur	1833.00		156.42	153.59
31	Meghalaya	1967.00		402.67	176.96
32	Mizoram	1386.00		88.65	126.88
33	Nagaland	1453.00		245.61	130.22
34	Sikkim	603.00		56.25	53.42
35	Tripura	1743.00		224.19	156.93
Total		152315.00	10000.00	30375.02	20000.00

[Translation]

Cost of Construction of Dwelling Units

2042. SHRI BHERULAL MEENA: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the cost of construction of the dwelling units constructed under Peeragarhi Self-Financing Scheme by Delhi Development Authority and the price realised from the allottees since 1998-99, 1999-2000 and 2000-2001 respectively;

(b) whether it is a fact that the amount realised from the allottees was higher in comparison to the cost;

(c) if so, the arrangement made to curb this high-handedness and refund the over-payment received from the allottees; and

(d) the steps taken by the Government to check such irregularities and bring transparency in the Authority?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) to (d) The cost of dwelling units of Peeragarhi Self-Financing Scheme was Finalized in January 1998. The cost including cost of land (as notified by Govt.), cost of construction (actual basis), departmental charges, etc. charged from original allottees, who entered the scheme in the initial stage, was as under:

Category II Rs.5.35 lakh to Rs.6.76 lakh

Category III Rs.8.95 lakh to Rs.9.14 lakh

depending on the plinth area of the flat. The cost charged from the subsequent allottees during the years 1998-99, 1999-

2000 and 2000-2001 varied from case to case depending on the year of entry in the Scheme, payment deposited by the allottee from time to time. The variation in cost is mainly because of change in land rates, updation of the cost of construction and interest component depending on the year of entry in the scheme. The amount realized from the allottees was as per the approved costing formula of DDA.

Implementation of Schemes in Rajasthan

2043. SHRI RAGHUVIR SINGH KAUSHAL: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Union Government has undertaken a review of Centrally sponsored Schemes being implemented by the Government of Rajasthan;

(b) if so, whether the State Government is implementing these schemes properly;

(c) if so, the details of benefits accruing to the people from the said schemes and the expenditure incurred during each of the last three years, scheme-wise;

(d) the names of the states where the lists of the people living below poverty line for the year 2003 have been finalized; and

(e) the number of persons who are living below poverty line in Rajasthan?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) to (e) The information is being collected and will be laid on the Table of the Sabha.

[English]

Arrest of Women

2044. SHRI P. RAJENDRAN: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether existing rule/law permits arrest of women during night hours by policemen without the presence of women police;

(b) if so, the details thereof;

(c) whether a recent judgement of Supreme Court allow to arrest women during night hours without presence of women police;

(d) whether any representation is submitted against above order of Supreme Court; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) to (e) The code of Criminal Procedure, 1973 does not specifically provide that presence of women police is necessary while arresting women during night hours by policemen. However, the Supreme Court in its judgment dated 15th October, 2003 in Criminal Application No. 508 of 1996 with the Criminal Application No.509 of 1996 in the case of State of Maharashtra Vs. Christian Community Welfare Council of India and others has directed that all efforts should be made to keep a lady constable present but in circumstances where the arresting officers is reasonably satisfied that such presence of a lady constable is not available or possible and/or the delay in arresting caused by securing the presence of a lady constable would impede the course of investigation such arresting officer for reasons to be recorded either before the arrest or immediately after the arrest be permitted to arrest a female person for lawful reasons at any time of the day or night depending on the circumstances of the case even without the presence of a lady constable.

The Code of Criminal Procedure (Amendment) Bill, 1994 introduced in Rajya Sabha has, inter alia, a proposal to add a new sub-section (4) to section 46 Cr.P.C. to prohibit arrest of a woman after sunset and before sunrise except in unavoidable circumstances.

Amendment of FCRA

2045. SHRI KHAGEN DAS: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether it is a fact that the Government propose to amend certain provisions of the Foreign Contribution Regulation Act (FCRA);

(b) if so, the details thereof; and

(c) the time by which it is likely to be amended?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINMAYANAND SWAMI): (a) to (c) Government is considering certain changes in the law governing the receipt and utilization of foreign contribution by voluntary Organizations to remove shortcomings noticed in the present law.

Central Share of Funds to DRDA Schemes

2046. SHRIMATI RANEE NARAH: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the details of the Central share of funds under the various Central sponsored DRDA Schemes and programmes; and

(b) the details of the funds allocated/released and utilized during the last three years and in the State of Assam till date?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASAHEB M.K. PATIL):
(a) The total Central funds allocated under the major Schemes of the Ministry of Rural Development, implemented by District Level, Agencies, namely the Sampooma Gramin Rozgar

Yojana (SGRY), the Swarnjayanti Gram Swarozgar Yojana (SGSY), the Indira Awaas Yojana (IAY), the Drought Prone Areas Programme (DPAP), the Desert Development Programme (DDP) and the Integrated Wastelands Development Programme (IWDP) during 2003-04 is Rs. 9162.05 crore.

(b) The details of the Central funds allocated, released and total utilization under the major schemes of the Ministry, implemented by District Level Agencies, in the State of Assam during the last three years and the current year are given in the Statement enclosed.

Statement

Details of Central Allocation, Releases and Total Utilisation under the major Rural Development Schemes in Assam during 2000-01, 2001-02, 2002-03 and 2003-04

State: Assam

(Rs. in lakhs)

Scheme	2000-01			2001-02			2002-03			2003-04		
	Allocation	Release	Utilisation	Allocation	Release	Utilisation	Allocation	Release	Utilisation	Allocation	Release	Utilisation
SGSY	7195.18	0.00	2071.74	4281.13	3328.48	2989.44	3302.59	2802.61	3587.09	5756.15	2878.08	769.48
SGRY-I**							12810.39	11470.02	16049.33	14833.49	8900.06	3500.75
SGRY-II**							12816.04	11026.94	12879.74	14840.03	8904	2706.02
EAS	10546.62	5273.31	5880.31	13490.96	13490.97	12103.4						
JGSY	11872.04	0.00	1426.61	13495.28	13495.28	11145.93						
IAY	16354.79	8177.4	11991.24	12489.11	8621.13	10974.00	12823.65	9987.33	10433.62	14124.59	7062.33	2505.29
IWDP*	520.01	520.01	520.01	1619.93	1619.93	1619.93	1440.19	1440.19	1440.19	192.28	192.28	NR
CRSP	303.95	0.00	35.00	518.93	464.65	NR		\$		\$		

\$ State-wise allocation has been phased out.

* State-wise allocation is not done, as these Schemes are demand driven.

** Launched in 2001-02

NR Not reported

SGSY Swarnjayanti Gram Swarozgar Yojana

SGRY-I Sampooma Gramin Rozgar Yojana-I

SGRY-II Sampooma Gramin Rozgar Yojana-II

IAY Indira Awaas Yojana

IWDP Integrated Wastelands Development Programme

EAS Employment Assurance Scheme

JGSY Jawahar Gram Samridhi Yojana

CRSP Central Rural Sanitation Programme

Indian Drugs and Pharmaceuticals Limited

2047 DR. M.V.V.S. MURTHI:

SHRI RAMESH CHENNITHALA:

SHRI RAM MOHAN GADDE:

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether a request of State Government of Andhra Pradesh for adjustment of Rs.63.07 crore dues of IDPL for consumption of electricity against loans repayable to the Government of India is pending with the Union Government since long;

(b) if so, the details thereof and the reasons for delay in taking a final decision in this regard;

(c) whether the Union Government announced any revival package for IDPL to enable it to make payments due to the State Government; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHHATTRAPAL SINGH): (a) to (d) In reply to a d.o. letter dated October 17, 2002 from the Chief Minister, Andhra Pradesh addressed to Minister for Chemicals and Fertilizers it was mentioned that the proposal for adjustment had been examined in consultation with the Ministry of Finance and the same had not been found feasible. In the reply it was also stated that payment of outstanding dues to both APSEB and APGPCL would be included in the revival package finalised by the BIFR. However, in the hearing held on December 4, 2003, the BIFR decided to recommend winding up of IDPL.

Deployment of CISF in PSUs

2048. SHRI RAVINDRA KUMAR PANDEY: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) the number of persons from Central Industrial Security Force deployed in Coal India Limited and Public Sector Undertakings particularly retired officials and security personnel in each such company;

(b) whether the Government is aware that retired security personnel are not effective for security work; and

(c) if so, the reasons for posting retired personnel in these companies/undertakings?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) In Coal India Limited about 7100 and in other Public Sector Undertakings about 53700 CISF personnel are deployed. The deployment figures keep on varying depending on induction and de-induction of CISF in PSUs.

(b) Except the ex-servicemen who retire at much younger age, no retired personnel are engaged for security duties in CISF.

(c) Does not arise in view of reply to part (b) above.

Bodoland and Territorial Areas District

2049. SHRI SANSUMA KHUNGGUR BWISW-MUTHIARY: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the Government has contemplated to take appropriate steps to include within the boundary of the "Bodoland Territorial Areas District", all the left out villages and areas in the southern peripheral boundary as well as the northern tract of the present Sonitpur district and Simulguri area of Lakhimpur district in the eastern boundary limit of Bodoland Territory so as to make the recently created new political arrangement "Bodoland Territory Council" under the provision of the 6th Schedule to the Constitution workable, viable, and ever lasting political mechanism for the self-governance of the Bodoland Territory; and

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

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINMAYANAND SWAMI): (a) No, Sir.

(b) Does not arise.

Research Centre for Hand Made Paper

2050. DR. MANDA JAGANNATH: Will the Minister of AGRO AND RURAL INDUSTRIES be pleased to state:

(a) whether the Union Government proposes to set up a research centre at Hyderabad to promote manufacture/sale/awareness/use of hand made paper/stationery in the States as assured in the hand made paper buyer seller meet organized by the Khadi and Village Industries Commission and United National Development Programme held at Hyderabad during the last week of September 2003;

(b) if so, the details thereof; and

(c) the time by which such research centre is likely to set-up and made functional?

THE MINISTER OF STATE OF THE MINISTRY OF AGRO AND RURAL INDUSTRIES (SHRI SANGH PRIYA GAUTAM): (a) and (b) The Hand Made Paper Institute at Sanganer, Jaipur, Rajasthan caters to the Research and Development needs for the entire country including Andhra Pradesh. Therefore, there is no fresh proposal for setting up a Research Centre at Hyderabad. The Khadi and Village Industries Board, Andhra Pradesh is being assisted by Khadi and Village Industries commission to train people in use of hand made paper products and awareness etc. A Common Facilities Centre has been set up in Mehboob Nagar district under Khadi and Village Industries Commission and United National Development Programme Project to promote manufacture of hand made paper and value addition thereof apart from training of entrepreneurs.

(c) Does not arise in view of answer at (a) and (b) above.

Deployment of PMF to Andhra Pradesh

2051. DR. B.B. RAMAIAH:

DR. MANDA JAGANNATH:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the Government has received requests from Government of Andhra Pradesh for deployment of more Central Reserve Police Force Personnel and enhance VVIP security in view of recent assassination bid on Chief Minister;

(b) if so, the details thereof and the action taken by the Government thereon;

(c) whether the Government has offered to provide national security guards cover to the Chief Minister of Andhra Pradesh in view of increased their perception;

(d) whether N.S.G. guards cover is likely to be offered to other State Chief Ministers also; and

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

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) Government of Andhra Pradesh have requested for additional deployment of CRPF to deal with Left Wing Extremism in the State.

(b) The level of deployment of Central Police Forces (CPFs) in any state depends upon the overall security scenario and availability of these Forces. Having regard to requirement of additional Force to combat Left Wing Extremism, it has been decided to augment the deployment of CRPF in the State within the constraints mentioned above. It is not in public interest to indicate the details of deployment.

(c) No Sir.

(d) No Sir.

(e) Does not arise.

Shillong Accord

2052. SHRI K.A. SANGTAM: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the Shillong Accord was signed between Federal Government of Nagaland and Government of India in 1975;

(b) if so, the details of the terms thereof; and

(c) the funds allocated and released to the groups who had signed this agreement so far?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINMAYANAND SWAMI): (a) and (b) The Shillong Accord was signed on 11th November, 1975 between the representatives of the underground organizations and the Government of India. There were a series of discussions between the representative of the Government of India and the representatives of the underground organizations. The outcome of the discussion was that:-

(i) The representatives of the underground organizations conveyed their decision of their own volition to accept without condition the Constitution of India.

(ii) It was agreed that the arms underground would be brought out and deposited at appointed places. Details for giving effect to this agreement would be worked out between the representatives of the underground organizations and representatives of the Government, the security forces and members of the Liaison Committee.

(iii) It was agreed that the representatives of the underground organizations should have reasonable time to formulate these issues for discussion for final settlement.

(c) There was nothing about release of funds in the terms of agreement signed on 10th and 11th November 1975.

Economic Measures

2053. SHRI PRIYA RANJAN DASMUNSI: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) the names of the Ministries/Departments having a strength of less than 100 personnel and yet it is headed by a senior I.A.S. Officer;

(b) whether there is any proposal to disband these Ministries/Departments as an economy measure and amalgamated with other Departments to make them functional and administratively congruent; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): (a) Ministry of Tribal Affairs.

(b) No, Sir.

(c) Does not arise.

Skirmishes with Infiltrators

2054. SHRI HARIBHAI CHAUDHARY:

SHRI SHIVAJI MANE:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) the details of the skirmishes with infiltrators and neighbouring countries on various borders of the country during the last one year;

(b) the details of the total of lives and property; and

(c) the details of the steps being taken to stop such activities on the border?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINMAYANAND SWAMI): (a) and (b) There are no reports of skirmishes with infiltrators and neighboring countries on Indo-China, Indo-Myanmar, Indo-Bhutan, Indo-Nepal and Indo-Bangladesh borders during the last one year. However, 50 infiltration bids were foiled by Security Forces near LOC/IB portion of the Indo-Pakistan border in which 172 terrorists including 140 foreign mercenaries have been killed during the year 2003 till November.

(c) The Government have initiated a number of measures including erection of fencing and flood lighting on the Indo-Pakistan and Indo-Bangladesh borders, strengthening of intelligence network, augmenting the strength for patrolling duties, use of night vision devices and conduct of

special operations. On the Jammu and Kashmir sector of the Indo-Pakistan border, the Government, conjointly with the State Government, have adopted multi-pronged approach which includes, inter-alia, strengthening border management and multi-tiered and multi-model deployment along with International border/Line of Control and near the ever changing infiltration routes and pro-active action against terrorists etc.

Violation of Directives of CVC by PSUs

2055. SHRI RAGHURAJ SINGH SHAKYA:

SHRIMATI SHYAMA SINGH:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the directives of the CVC regarding imposition of restriction to buy gifts for bureaucrats and Government officials especially during festive season have been grossly violated by many Central PSUs;

(b) if so, the facts and the details thereof; and

(c) the steps taken by the Government against the PSUs who have violated these provisions of the CVC?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): (a) to (c) The Central Vigilance Commission have intimated that information in this behalf is not available with the Commission at present.

[Translation]

Migration of Hindus from Bangladesh

2056. SHRI TUFANI SAROJ: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the Hindus in Bangladesh are migrating to India;

(b) if so, the number of Hindus who have migrated to India during the last three years;

(c) the reasons for their migration to India; and

(d) the action taken by the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): (a) to (d) The information is being collected.

[English]

Districts Covered under DPAP

2057. SHRI S.D.N.R. WADIYAR:

SHRI RUPCHAND MURMU:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the number of districts brought under Drought Prone Area Programme (DPAP), State-wise as on date;

(b) the number of farmers benefited in those States out of DPAP;

(c) whether the Union Government has received any requests from the State Governments to include some more districts under the programme during the Tenth Five Year Plan;

(d) if so, the details thereof, State-wise; and

(e) the steps taken by the Union Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASAHEB M.K. PATIL): (a) Drought Prone Areas Programme (DPAP) is under implementation in 182 districts of 16 States. A statement indicating State-wise details is enclosed.

(b) Drought Prone Areas Programme (DPAP) is a long term area development programme which is implemented on watershed basis with the objective of drought proofing by rejuvenating the natural resource base. Since DPAP is an area development programme, the resource poor and disadvantaged section of the village community including farmers inhabiting the project area are benefited.

(c) to (e) The blocks under DPAP/Desert Development Programme (DDP) were identified by a High Level Technical Committee in 1994-95 adopting scientific criteria like rainfall, irrigation, evapo-transpiration, moisture index etc. There is no proposal to review DPAP/DDP coverage at present. Non-DPAP/DDP blocks are, however, taken up for treatment under Integrated Wastelands Development Programme (IWDP).

Annexure referred in reply to part (a) of the Lok Sabha Unstarred Question No. 2057 for 16.12.2003

Sl. No.	State	Number of Districts
1	2	3
1.	Andhra Pradesh	11
2.	Bihar	6
3.	Chhattisgarh	8
4.	Gujarat	14

1	2	3
5.	Himachal Pradesh	3
6.	Jammu & Kashmir	2
7.	Jharkhand	14
8.	Karnataka	15
9.	Madhya Pradesh	23
10.	Maharashtra	25
11.	Orissa	8
12.	Rajasthan	11
13.	Tamil Nadu	16
14.	Uttar Pradesh	15
15.	Uttaranchal	7
16.	West Bengal	4
Total		182

Transformation of Thar Desert into a Drought Prone Area

2058. SHRI PRABODH PANDA: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Government has formulated any scheme for transformation of Thar desert in Rajasthan into a green and drought free area by recharging the surface water;

(b) if so, the details thereof;

(c) whether the scheme is feasible both technically and economically;

(d) if not, the reasons for implementation the scheme; and

(e) other measures proposed to be taken by the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASAHEB M.K. PATIL): (a) to (e) No separate scheme specifically for the Thar Desert has been formulated by the Ministry. However, Desert Development Programme (DDP) which is being implemented in 7 States of the country on watershed basis is also operational in the Thar Desert areas of Rajasthan since 1995-96. The objectives of DDP are to control desertification and

mitigate its adverse impact on crop production and human/cattle population by restoring ecological balance.

In addition, Special projects under DDP are also being implemented since 1999-2000, in ten desert districts of Western Rajasthan for Sand dune stabilization, Shelter-belt plantations and Afforestation.

Financial Assistance to Tamil Nadu

2059. DR. V. SAROJA: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

- (a) whether the Union Government is aware that Tamil Nadu is facing serious drinking water problem;
- (b) if so, whether the Government of Tamil Nadu has taken up a desalinisation project worth crores of rupees;
- (c) if so, the details thereof;
- (d) whether the Union Government propose to extend financial assistance to Tamil Nadu for the purpose;
- (e) if so, the details thereof; and
- (f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) Tamil Nadu, Water Supply & Drainage Board has informed that there is no serious problem of drinking water in the districts of Tamil Nadu. However, Chennai Metropolitan Water Supply & Sewerage Board has informed that Chennai city is experiencing water scarcity once in three or four years in succession.

(b) to (f) So far as Ministry of Urban Development & Poverty Alleviation is concerned, there is no Centrally sponsored Scheme under Urban Water Supply & Sanitation Sector to provide assistance for installation of desalinisation plant in urban areas.

Community Service for Petty Offenders

2060. SHRI B. VENKATESHWARLU: Will the DEPUTY PRIME MINISTER be pleased to state:

- (a) whether the Government had proposed to introduce imposition of community services as an alternative to imprisonment for the benefit of petty offenders; and
- (b) if so, the measures taken by the Government to help offenders sentenced to less than 2 years imprisonment to skip jail term?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) The lapsed Criminal Law (Amendment) Bill, 1978 had, inter alia, a proposal to include Community Service as one of the modes of punishments. The Law Commission of India, in its 156th Report submitted after reviewing the Indian Penal Code, 1860 and also the provisions of the lapsed Criminal Law (Amendment) Bill, 1978, re-examined the proposed punishment of community service. However, the proposed punishment of community service did not find favour with the Commission.

Production /Export of Mica

2061. SHRI GANTA SREENIVASA RAO:

SHRI GUNIPATI RAMAIAH:

Will the Minister of MINES be pleased to state:

- (a) the amount of mica produced during each of the last three years and the current year, State-wise, quality-wise;
- (b) the percentage of export of the total production; and
- (c) the foreign exchange earned therefrom during the said period?

THE MINISTER OF STATE OF THE MINISTRY OF MINES (SHRI RAMESH BAIS): (a) As per information available with Indian Bureau of Mines (IBM), a subordinate office under the administrative control of Ministry of Mines, State-wise production of Mica (Crude and Waste & Scrap), 2000-01 to 2002-03 (Provisional) is given in the statement enclosed.

(b) and (c) Production estimates of mica are made by Indian Bureau of Mines (IBM) on the basis of the information furnished by reporting mines. However, mica is also recovered from secondary sources and tailings, details of which are not maintained. The statistics on export of mica include export of mica in all forms and also re-exports. Hence it is not feasible to relate the percentage of mica exported and the total production of mica. As per information furnished by Department of Commerce in the Ministry of Commerce and Industry, the foreign exchange earned equivalent to Indian Rupees from exports of Mica for the last three years are as under:-

	Value in Rs. Lakh
Year	Value of Exports
2000-01	4160
2001-02	5522
2002-03	3984

Statement

(Rs. in Crores)

State-wise production of Mica (Crude and Waste & Scrap) 2000-01 to 2002-03

State	(Provisional)		
	2000-01	2001-02	2002-03 (P)
(Quantity in tonnes)			
Mica (Crude)			
India	1154	2026	1217
Andhra Pradesh	896	1586	883
Bihar	52	39	11
Jharkhand	179	288	133
Rajasthan	27	113	190
Mica (Waste & Scrap)			
India	2963	4069	3401
Andhra Pradesh	1753	2777	2060
Bihar	33	22	10
Jharkhand	161	13	6
Rajasthan	1016	1257	1325

(P): Provisional

Infrastructural Facilities at Neyveli Township

2062. SHRI P.D. ELANGOVAN: Will the Minister of COAL be pleased to state:

(a) the total amount allocated, disbursed and utilized for town planning, infrastructural facilities, Health, Education and other social obligations in Neyveli Township during each of the last three years;

(b) whether it is a fact that the amount spent in the last two years is inadequate for the provision of providing such infrastructural facilities at NLC township; and

(c) if so, the steps taken by the Government to provide adequate funds for infrastructural facilities?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) Requisite details for the last three years are given below:-

Year	Budget allocated	Amount disbursed & utilized
2000-2001	54.13	71.46
2001-2002	72.70	83.71
2002-2003	78.6	88.58

(b) No, Sir. The amount spent in the last two years is more than the budget allocated for the purpose.

(c) Does not arise in view of reply to part (b) above.

Spiritual and Meditation Course

2063. SHRI VINAY KUMAR SORAKE:

SHRI RAMDAS ATHAWALE:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the Government has directed the Government Officers/staff to undertake spiritual and meditation training offered by the Art of Living Foundation;

(b) if so, the details thereof;

(c) whether it is a fact that the foundation charges for the training were borne by the Government;

(d) if so, the total expenditure incurred by the Government as a result thereof;

(e) the number of officers of the Ministries/ Departments who have already taken the training; and

(f) the likely impact of this training on higher productivity in the Government Offices?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): (a), (b) and (e) No, Sir. The Art of Living course was arranged by some Ministries/ Departments for the officers/staff who opted for it on a purely voluntary basis.

As per information available, the following Ministries/ Departments had facilitated Art of Living Course through Vyakti Vikas Kendra for their officers/staff:

S. No.	Name of Ministry/Deptt.	No. of Participants
1.	Ministry of Home Affairs	49
2.	Ministry of External Affairs	29
3.	Ministry of Consumer Affairs, Food & Public Distribution	32
4.	Department of Personnel and Training and Department of Pensions & Pensioners Welfare	60
Total		170

(c) The course fee was Rs. 1500/- per participant of which 10% of the course fee i.e. Rs.150/- was charged by the Ministry/Department concerned from the participants.

(d) A total of 170 officers/staff had attended the course, involving a total expenditure Rs.2,29,500/-.

(f) The course was generally well received by the participants.

Funding for Delhi Metro

2064. PROF. UMMAREDDY VENKATESWARLU: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the details of funds/loans provided and guarantees extended by the Union Government for Delhi Metro since its inception till date;

(b) whether this pattern is likely to be repeated for introducing metro services in other cities in the country; and

(c) if so, the reaction of the Government thereto?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA) : (a) Funds/loans made available by the Government of India (GOI) till 30.11.2003 for the Delhi Mass Rapid Transit System (MRTS) Project, Phase I are as under:

	(Rs. in Crore)
(i) Equity	979.81
(ii) Funds for land acquisition	212.00
(iii) Pass-through assistance against loan taken by the GOI for the project from the Japan Bank for International Co-operation (JBIC)	3206.00

The loan from the JBIC is taken by the GOI. Therefore GOI has not extended any guarantee for the loans in respect of the Delhi MRTS Project.

(b) and (c) No decision has been taken in this regard.

Training to Insurgents by Bangladesh

2065. SHRI RAMDAS ATHAWALE:

SHRI SUKDEO PASWAN:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether it is a fact that Bangladesh has given a special training to the insurgents of North Eastern Region;

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

(c) whether ULFA leaders and other militant group leaders have been provided cellular phone from Bangladesh to contact criminals in India;

(d) if so, whether the Government has taken up the matter with the Government of Bangladesh; and

(e) if so, the details thereof and the outcome of the talk?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINMAYANAND SWAMI): (a) to (e) A number of reports have been received of activities and camps of Indian Insurgent groups inside the Bangladesh. This matter had been raised with the Government of Bangladesh a number of times at all levels. The matter was also raised by the Government of India in the meeting of Joint Working Group between India and Bangladesh held in January 2003. Specific information on location of camps had also been provided during the meetings between the Director Generals of Border Security Force and Bangladesh Rifles. The Bangladesh Government continues to reaffirm its commitment not to allow activities in Bangladesh prejudicial to the interests of India and to deny the existence of these groups in the Country.

Modernisation of Government of India Press, Kolkata

2066. SHRI HANNAN MOLLAH: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the steps taken by the Government to modernise the Government of India Press, Kolkata; and

(b) the present stage of modernisation scheme and the time by which it is likely to be completed?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) and (b) Out of 21 Presses the Government of India has decided to modernize 11 Presses including the Government of India Press, Temple Street, Kolkata. Action has been initiated to complete the Civil and Electrical Works and procurement of new machines and equipments. Efforts are being made to complete the modernisation process as early as possible.

[Translation]

Cricket in the Commonwealth Games

2067. SHRI MANIKRAO HODLYA GAVIT: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether India has exerted pressure on the Commonwealth Sports Council to include cricket in the Commonwealth Games;

(b) if so, the details thereof;

(c) whether the Commonwealth Sports Council has acceded to this demand of India; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) and (b) In the bid document for Commonwealth Games, 2010, Indian Olympic Association had *inter alia* suggested inclusion of Cricket, subject to the approval of concerned International Federation and the Commonwealth Games Federation.

(c) Not so far.

(d) Does not arise.

[English]

Additional Funds under SGSY

2068. SHRI ASHOK N. MOHOL: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Government has received requests from District Rural Development Agencies of various States especially from Maharashtra for allocation of additional funds under SGSY during the current financial year;

(b) if so, the details thereof, State-wise; and

(c) the funds allocated to DRDAs during the said period, district wise?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI KRISHNAMRAJU): (a) No request for additional funds under Swarnajayanti Gram Swarozgar Yojana (SGSY) have been received from any States/UTs including Maharashtra during the current financial year.

(b) and (c) In view of (a) above, question does not arise.

Jobs on Compassionate Grounds

2069. SHRI NAMDEO HARBAJI DIWATHE: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the number of officials under his Ministry/ Department who expired while in service during each of the last three years, year-wise;

(b) the number of dependents who have been provided jobs on compassionate ground;

(c) the number of dependents who have not yet been provided jobs so far; and

(d) the time by which they are likely to be provided jobs?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI. ANNASAHEB M.K. PATIL): (a) The number of employees who expired while in service during the last three years viz; 2000-2001, 2001-2002 and 2002-2003 are as under:

Year	No. of Employee expired	
2000-2001	-	Nil
2001-2002	-	5
2002-2003	-	1

(b) Out of the 6 officials who expired while in

service, during the last three years, dependents of 5 officials have requested for appointment on compassionate ground. One dependent has been appointed as Accounts Clerk on compassionate ground. In addition, in 2001-2002 two dependents of the deceased officials who had expired in 1999-2000 were also provided employment in Group 'C' and 'D' posts in the Ministry on compassionate ground.

(c) The remaining four dependents of the officials who expired during the last three years could not be provided job on compassionate ground so far;

(d) As per the instructions issued by the Department of Personnel & Training, compassionate appointments can be made upto a maximum of five percent of vacancies falling under direct recruitment quota in any Group 'C' or 'D' posts in a particular year. As and when vacancies arise the suitable jobs on compassionate ground to the eligible candidates are considered.

[Translation]

Scheme for Selection

2070. SHRI HARIBHAU SHANKAR MAHALE: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether the Government has formulated any scheme to select sports persons among the Adivasis for the coming olympic games;

(b) if so, the details thereof, State-wise;

(c) if not, the reasons therefor;

(d) whether the Government are contemplating to formulate any such scheme; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) to (e) Government does not select sports persons for the Olympic Games. For participation in Olympic Games, teams/sportspersons are required to obtain/achieve the qualifying norms fixed by the concerned international federation/International Olympic Committee. However, Sports Authority of India is running a number of sports promotion schemes including the Special Area Games Scheme under which a number of Adivasi sportspersons are also being trained for

representing the country in international events including the Olympics.

Gap Between the Platform and the Coach on Metro Stations

2071. SHRI SUNDER LAL TIWARI:

SHRI SATYAVRAT CHATURVEDI:

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the gap between the platform and the coach on the newly constructed four metro stations in Delhi has exceeded the stipulated gap which may lead to an accident any time; and

(b) if so, the facts thereof the steps taken by the Government to rectify and make it safe for commuters?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) At two stations, namely, Pratap Nagar and Shastri Nagar, the gap between the platform edge and the coach, at a few isolated locations, was found to be marginally in excess of the prescribed norm. This is, however, unlikely to cause an accident.

(b) Corrective action has already been initiated.

[English]

Central Rural Sanitation Programme

2072. COL. (RETD.) DR. DHANI RAM SHANDIL:

DR. M.P JAISWAL:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the details of allocation and utilization of funds under Central Rural Sanitation Programme (CRSP) for different projects during the last two years and the current year particularly in SC/ST and backward areas, State-wise;

(b) the steps taken or proposed to be taken by the Government to implement this programme more effectively in the said areas;

(c) the details of subsidies provided for different programmes under rural sanitation sector, state-wise;

(d) whether the Government propose to enhance the subsidy; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASAHEB M.K. PATIL): (a) Central Rural Sanitation Programme (CRSP) has undergone a paradigm shift since 1999 from an allocation based, supply driven to a community led and demand driven programme called Total Sanitation Campaign (TSC). Accordingly, at present, no state-wise annual allocations are made. Release of funds under Central Rural Sanitation Programme to different States following the demand-responsive approach, during the last two years and current year, is given in statement enclosed.

For TSC projects, an entire district, including ST/SC and backward areas therein, is the area of implementation. As per TSC guidelines, at least 25% of funds are to be spent for construction of individual household toilets for Scheduled Castes and Scheduled Tribe beneficiaries.

(b) In order to ensure effective implementation of the programme, its scope has been increased to include school sanitation, hygiene education, sanitary complexes for women, setting up of Rural Sanitary Mats & Production Centres and taking up awareness generation, advocacy and educative campaigns for social mobilization and capacity building of different stakeholders. Review Missions are sent to the project districts to monitor implementation of the projects and guide the project officials.

As an incentive to Panchayati Raj Institutions (PRIs), Nirmal Gram Puraskars (NGP) have been instituted. The PRIs attaining full sanitation coverage, eliminating the practice of open defecation and manual scavenging, in their respective areas, are eligible for the reward. Individuals and organizations doing commendable work are also entitled for reward.

(c) Under Central Rural Sanitation Programme, subsidy is provided for construction of individual household latrines for Below Poverty Line (BPL families) which is common for all States. The subsidy pattern is given below:-

Basic Low Cost Unit Cost (Rs.) of individual latrine	Contribution		
	GOI	State	Beneficiary
Upto Rs.625/-	60%	20%	20%
Between Rs.625/- and Rs.1000/-	30%	30%	40%
Above Rs.1000/-	Nil		

(d) No, Sir.

(e) Does not arise.

Statement

Details of funds released and utilized, State-wise during 2001-02, 2002-2003 and 2003-2004

Rs. in lakh)

Sl. No.	State/UT	2001-2002		2002-2003		2003-2004 upto (11.12.2003)	
		Release	Expenditure	Release	Expenditure	Release	Expenditure
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	1895.70	440.60	1600.87	1629.36	503.49	2344.96
2.	Arunachal Pradesh	52.80	0.00	0.00	29.47	0.00	15.65
3.	Assam	464.65	23.00	0.00	0.00	0.00	5.15
4.	Bihar	1663.56	0.00	1548.70	62.59	0.00	59.48
5.	Chhattisgarh	229.33	0.00	175.64	179.35	0.00	41.14
6.	Goa	0.00	0.00	0.00	0.00	0.00	0.00
7.	Gujarat	0.00	0.00	94.65	52.56	0.00	4.79

1	2	3	4	5	6	7	8
32.	Delhi	0.00	0.00	0.00	0.00	0.00	0.00
33.	Lakshadweep	0.00	0.00	0.00	0.00	0.00	0.00
34.	Pondicherry	47.42	2.05	0.00	27.65	0.00	0.56
Total		12992.15	2109.32	14010.27	9432.45	9416.11	6759.77

[Translation]

Schemes under SGSY

2073. SHRI RAMSHAKAL: Will the Minister of RURAL DEVELOPMENT be pleased to state the details of schemes currently being implemented under Swarnjayanti Gram Swarozgar Yojana, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI KRISHNAMRAJU): The Ministry of Rural Development is implementing a single self employment programme namely, Swarnjayanti Gram Swarozgar Yojana (SGSY) launched with effect from 1.4.99 all over the country except the Union Territories of Delhi and Chandigarh. This is a holistic programme covering all aspects of self employment such as organization of the poor into self Help Groups, Training, Credit, Technology, Infrastructure and Marketing. Since its inception upto October, 2003, 17,17,739 groups have been formed and total of 39,44,911 Swarozgaris have been assisted with a total investment of Rs. 8060.20 crore which includes subsidy of Rs. 2709.29 crore and credit of Rs. 5350.91 crore with banks. Under the SGSY 15% of the funds is set apart at the National level for Special Projects. So far since inception of the SGSY till November 2003, 134 Special Projects have been sanctioned to various States with the total approved cost of Rs. 1190.80 crore. Against this Central funds to the tune of Rs. 388.83 crore have been released.

Allocation under Rural Development Schemes

2074. DR. RAGHUVANSH PRASAD SINGH:

SHRI V. VETRISELVAN:

SHRI M.K. SUBBA:

SHRI G. PUTTASWAMY GOWDA:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Government has withheld second installment of funds of some States under Rural Development Schemes;

(b) if so, the details and reasons therefore, State-wise;

(c) whether the Government has released excess amount to some States whereas some states have not been released even full share of allocated funds under Rural Development Scheme during 2001-02 and so far;

(d) if so, the details thereof and the reasons therefore, State-wise;

(e) the funds actually allocated and released to each state under various schemes during the said period; and

(f) the steps being taken to eliminate the disparity?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASHEB M.K. PATIL): (a) and (b) The current financial year (2003 -04) is yet to be over and the process of releasing the second installment of funds is under progress. So far the second installment has been withheld only in respect of Assam under the Swarnjayanti Gram Swarozgar Yojana (SGSY) for not releasing the State-matching share.

(c) and (d) During 2001-02 to 2002-03, excess amount had been released to some States and some cuts had been imposed in respect of some other States. The quantum of second instalment may vary depending upon the receipt of complete proposals on time and progressive cuts are imposed on proposals received after December (of the financial year). Deductions are also made from the central share in case States fail to release the matching share or if they fail to utilize 85 percent of available funds in a previous financial year. Savings, if any, available at the end of the financial year are distributed among the better performing Districts (within the same State) who, having utilized the normal allocation have the capacity to utilize additional funds. Additional funds are also some-times released to the States facing drought, flood and such other natural calamities.

(e) The funds actually allocated and released to each State under various schemes during the said period is given in the Statement enclosed.

(f) Necessary guidelines are issued to State Governments from time to time to improve the pace of programme implementation so as to claim the full allocated amount in time from the Central Government.

Statement*Details of Central Allocation, Releases under the major Rural Development Schemes during 2001-2002*

(Rs. in Lakh)

State/UTs	JGSY		EAS		SGSY		IAY	
	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release
1	2	3	4	5	6	7	8	9
Andhra Pradesh	9921.52	9980.37	9952.70	9952.70	3068.31	3068.31	11794.45	18086.39
Arunachal Pradesh	519.38	556.49	519.21	592.30	164.76	106.34	555.06	527.56
Assam	13495.28	13495.28	13490.96	13490.97	4281.13	3328.48	12489.11	8621.13
Bihar	18730.78	18730.78	19930.10	19671.60	7300.00	3348.37	32038.79	19973.04
Chhattisgarh	4197.65	4197.63	5616.92	6583.59	1620.58	1467.21	2016.89	2067.53
Goa	145.98	145.98	22.94	22.94	50.00	25.00	76.20	53.03
Gujarat	3734.65	3734.65	3746.38	3604.51	1154.96	885.51	3389.62	6124.94
Haryana	2197.16	2793.65	2204.06	2904.06	697.48	679.48	1146.14	1392.29
Himachal Pradesh	925.31	925.31	928.21	928.21	286.16	286.16	507.06	853.17
Jammu & Kashmir	1145.20	1411.76	1148.80	1448.80	354.16	342.81	606.54	1023.27
Jharkhand	13771.01	13771.01	12673.81	11700.79	2751.41	1196.01	9413.29	3852.51
Karnataka	7492.16	7569.55	7515.70	7520.70	2317.00	1659.33	6100.88	5278.94
Kerala	3361.70	3361.70	3372.27	3371.26	1039.63	1039.64	3780.58	3815.93
Madhya Pradesh	12276.64	12276.62	10909.15	12256.71	3474.22	3425.29	7038.38	7469.59
Maharashtra	14810.16	14810.16	14856.70	14131.25	4580.15	3842.09	10824.79	10893.45
Manipur	904.72	399.45	904.42	523.72	287.00	13.02	661.80	334.36
Meghalaya	1013.61	835.53	1013.29	833.84	321.55	83.38	879.29	441.45
Mizoram	234.54	304.90	234.48	334.48	74.41	64.17	211.09	174.34
Nagaland	695.29	750.98	695.06	695.06	220.57	69.98	567.62	583.81
Orissa	11348.19	11348.19	11383.84	12350.52	3509.50	2744.13	9494.97	46488.04
Punjab	1067.80	1067.80	1071.15	1048.38	330.22	325.37	759.25	862.13
Rajasthan	5689.04	5689.05	5706.92	5706.92	1759.38	1759.38	3198.28	3315.96
Sikkim	259.69	337.59	259.60	259.60	82.38	82.38	152.17	133.82
Tamil Nadu	8772.80	9967.89	8800.37	10134.03	2713.06	2713.06	5922.86	7079.45

Statement

Details of Central Allocation, Releases under the major Rural Development Schemes during 2001-2002

(Rs. in Lakh)

PMGSY		DDP		DPAP		IWDP		ARWSP	
Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release
10	11	12	13	14	15	16	17	18	19
19000.00	22465.00	999.00	999.00	4067.00	4067.00	5551.78	5551.78	13889.68	14277.64
3500.00	4500.00	N/A	N/A	N/A	N/A	85.86	85.86	4476.00	2455.91
7500.00	8000.000	N/A	N/A	N/A	N/A	1619.93	1619.93	7561.00	5357.67
15000.00	0.00	N/A	N/A	242.06	242.06	66.00	66.00	7274.00	0.00
8700.00	9862.00	N/A	N/A	700.28	700.28	3397.14	3397.14	3877.00	3977.00
500.00	500.00	N/A	N/A	N/A	N/A	N/A	N/A	1455.00	727.50
5000.00	6000.00	2258.37	2258.37	1165.31	1165.31	1132.29	1132.29	8237.00	9776.30
2000.00	3000.00	1483.00	1483.00	N/A	N/A	577.59	577.59	3108.64	3475.92
6000.00	7209.00	514.13	514.13	317.00	317.00	1209.04	1209.04	5559.41	6457.21
2000.00	0.00	575.00	575.00	297.00	297.00	321.07	321.07	10105.88	6292.10
11000.00	12000.00	N/A	N/A	882.12	882.12	77.65	77.65	3619.00	1809.50
9500.00	10837.00	994.43	994.43	2094.00	2094.00	1609.94	1609.94	13547.74	13861.68
2000.00	2765.00	N/A	N/A	N/A	N/A	269.36	269.36	6331.00	5045.00
21300.00	24800.00	N/A	N/A	4361.00	4361.00	9024.15	9024.15	8877.00	9077.00
13000.00	13450.00	N/A	N/A	2010.00	2010.00	2067.37	2067.37	19156.00	19659.00
4000.00	4000.00	N/A	N/A	N/A	N/A	327.99	327.99	1643.00	821.50
3500.00	4572.00	N/A	N/A	N/A	N/A	53.37	53.37	1760.00	1215.51
2000.00	2653.00	N/A	N/A	N/A	N/A	481.91	481.91	1257.00	1634.10
2000.00	2553.00	N/A	N/A	N/A	N/A	1162.69	1162.69	1308.00	1700.40
17500.00	17500.00	N/A	N/A	970.10	970.10	1885.51	1885.51	6522.00	4852.09
2500.00	5500.00	N/A	N/A	N/A	N/A	186.61	186.61	2277.00	1965.50
13000.00	15000.00	8164.26	8164.26	1195.13	1195.13	2810.05	2810.05	24499.65	20713.73
2000.00	2000.00	N/A	N/A	N/A	N/A	371.91	371.91	536.00	696.80
8000.00	8857.00	N/A	N/A	865.00	865.00	743.00	743.00	7956.00	8956.00

Statement*Details of Central Allocation, Releases under the major Rural Development Schemes during 2001-2002*

(Rs. in Lakh)

1	2	3	4	5	6	7	8	9
Tripura	1633.50	2075.78	1632.98	1604.69	518.20	622.08	1283.85	1669.01
Uttar Pradesh	33540.13	33551.39	33634.47	34002.10	10509.37	6316.37	21595.12	23528.38
Uttaranchal	2228.37	2228.37	2246.42	2220.90	552.30	496.90	2242.99	1364.63
West Bengal	12611.24	12611.24	12650.87	11668.18	3900.11	78.26	12729.32	10704.46
Andaman & Nicobar Islands	96.21	96.21	52.94	0.00	50.00	12.50	143.47	171.55
Chandigarh	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Dadra & Nagar Haveli	63.51	63.51	52.94	26.47	50.00	0.00	75.29	49.70
Daman & Diu	30.77	0.00	1.76	0.00	50.00	0.00	31.16	15.58
Delhi	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Lakshadweep	48.23	24.12	3.53	1.77	50.00	0.00	2.44	1.62
Pondicherry	97.76	97.76	67.06	67.06	50.00	28.93	71.22	23.31
Total	187059.98	189210.70	187300.01	189658.11	58150.00	40109.94	161799.97	186974.37

JGSY	Jawahar Gram Swarozgar Yojana
EAS	Employment Assurance Scheme
SGSY	Swarnajayanti Gram Swarozgar Yojana
IAY	Indira Awas Yojana
PMGSY	Pradhan Mantri Gram Sadak Yojana
QDP	Desert Development Programme
DPAP	Drought Prone Area Programme
IWDP	Integrated Wastelands Development Programme
ARWSP	Accelerated Rural Water Supply Programme

Statement*Details of Central Allocation, Releases under the major Rural Development Schemes during 2002-2003*

(Rs. in Lakh)

State/UTs	SGRY-I		SGRY-II		SGSY		IAY	
	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release
1	2	3	4	5	6	7	8	9
Andhra Pradesh	9451.48	12663.57	9525.83	11716.60	3068.31	3738.02	12070.22	12357.15
Arunachal Pradesh	493.74	331.12	493.24	493.14	127.10	78.06	569.92	738.43
Assam	12610.39	11470.02	12816.04	11026.94	3302.59	2802.61	12823.65	9987.33
Bihar	18926.54	13497.24	17400.97	13230.18	7300.00	3493.34	32787.84	19729.90
Chhattisgarh	5334.11	6819.08	3951.95	5193.96	1620.58	1968.76	2064.05	2027.85
Goa	21.79	10.83	136.57	64.21	50.00	17.65	77.98	39.00
Gujarat	3557.65	2936.50	4170.66	4006.37	1154.96	1403.27	3468.85	5518.01

Statement

Details of Central Allocation, Releases under the major Rural Development Schemes during 2001-2002

(Rs. in Lakh)

10	11	12	13	14	15	16	17	18	19
2500.00	2685.00	N/A	N/A	N/A	N/A	160.23	160.23	1559.00	2026.70
31500.00	34811.00	N/A	N/A	996.00	906.00	1663.85	1663.85	13269.00	13063.35
6000.00	7000.00	N/A	N/A	511.00	511.00	305.30	305.30	3356.00	3447.88
13500.00	14965.00	N/A	N/A	318.00	318.00	517.38	517.38	8773.00	8947.63
1000.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	13.00	0.00
0.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	0.00	0.00
500.00	500.00	N/A	N/A	N/A	N/A	N/A	N/A	7.00	0.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	0.00	0.00
500.00	500.00	N/A	N/A	N/A	N/A	N/A	N/A	5.00	0.00
500.00	489.00	N/A	N/A	N/A	N/A	N/A	N/A	0.00	0.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	5.00	0.00
237500.00	248973.00	14988.19	14988.19	20901.00	20901.00	37678.97	37678.97	191823.00	172310.62

Statement

Details of Central Allocation, Releases under the major Rural Development Schemes during 2002-2003

(Rs. in Lakh)

PMGSY		DDP		DPAP		IWDP		RWS	
Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release
10	11	12	13	14	15	16	17	18	19
19000.00	21929.00	1212.45	1212.45	4855.02	4855.02	1395.33	1395.33	14665.00	17823.92
3500.00	4151.00	N/A	N/A	N/A	N/A	458.54	458.54	4977.00	3650.00
7500.00	7492.00	N/A	N/A	N/A	N/A	1440.19	1440.19	8407.00	5252.50
15000.00	0.00	N/A	N/A	249.75	249.75	66.00	66.00	7406.00	3703.00
8700.00	15960.00	N/A	N/A	1599.63	1599.63	549.54	549.54	2443.00	2943.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	122.00	0.00
5000.00	5170.00	3418.14	3418.14	3273.16	3273.16	1494.42	1494.42	6699.00	9997.75

Statement*Details of Central Allocation, Releases under the major Rural Development Schemes during 2002-2003*

(Rs. in Lakh)

1	2	3	4	5	6	7	8	9
Haryana	2093.09	2750.04	2197.16	2860.33	679.48	827.79	1172.95	1189.76
Himachal Pradesh	881.48	1013.77	925.31	1032.23	286.16	348.62	518.91	857.59
Jammu & Kashmir	1090.95	1099.36	1063.89	952.25	354.16	350.44	620.72	458.65
Jharkhand	12035.69	8688.60	12793.29	8696.08	2751.41	1801.02	9633.38	5455.84
Karnataka	7137.20	8880.42	6960.88	8548.62	2317.00	2686.99	6243.52	4852.22
Kerala	3202.48	4068.31	3123.04	3596.86	1039.63	1266.55	3868.97	2970.30
Madhya Pradesh	10359.77	12674.74	11481.31	14197.28	3474.22	4232.53	7202.92	7018.02
Maharashtra	14108.67	13724.74	13894.00	15235.84	4580.15	5579.85	11077.83	10109.70
Manipur	860.17	383.38	859.19	386.00	221.40	0.00	679.51	260.01
Meghalaya	963.63	927.55	962.59	978.37	248.05	27.51	902.85	906.15
Mizoram	222.99	316.54	222.74	257.34	57.40	77.47	216.73	174.58
Nagaland	660.99	356.70	660.30	310.58	170.16	83.15	582.84	291.42
Orissa	10810.67	14072.61	10542.48	13333.94	3509.50	4181.99	9716.97	32543.45
Punjab	1017.22	1183.87	2443.84	2665.11	330.22	391.58	777.00	598.55
Rajasthan	5419.58	7641.87	5291.01	7262.89	1759.38	2143.41	3273.06	3149.31
Sikkim	246.88	246.88	246.62	192.30	63.55	95.33	156.25	149.87
Tamil Nadu	8357.28	10936.45	8207.15	10224.64	2713.06	3290.35	6061.33	6205.43
Tripura	1553.21	2329.81	1551.28	1520.26	399.75	599.65	1318.25	1977.39
Uttar Pradesh	31940.91	33630.78	31302.41	32461.30	10509.37	7126.87	22100.04	20996.84
Uttaranchal	2133.31	2203.31	2125.56	2195.23	552.30	667.95	2295.43	2011.59
West Bengal	12013.90	9937.03	11715.86	10712.86	3900.11	1121.19	13026.91	10161.08
Andaman & Nicobar Islands	50.27	0.00	89.61	42.32	50.00	0.00	146.82	40.32
Dadra & Nagar Haveli	50.27	26.47	59.00	34.93	50.00	0.00	77.05	0.00
Daman & Diu	1.68	0.00	28.59	0.00	50.00	0.00	31.89	0.00
Delhi	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Lakshadweep	3.35	0.00	44.81	0.00	50.00	0.00	2.50	2.50
Pondicherry	63.68	31.66	90.82	80.95	50.00	53.64	72.90	74.63
Total	177875.02	184853.25	177378.00	183709.91	56790.00	50455.59	165640.04	162852.87

SGRY - I	Sampoorna Grameen Rozgar Yojana
SGRY-II	Sampoorna Grameen Rozgar Yojana
SGSY	Swarnajayanti Gram Swarozgar Yojana
IAY	Indira Awaas Yojana
PMGSY	Pradhan Mantri Gram Sadak Yojana
DDP	Desert Development Programme
DPAP	Drought Prone Area Programme
IWDP	Integrated Wastelands Development Programme
RWS	Rural Water Supply

Statement**Details of Central Allocation, Releases under the major Rural Development Schemes during 2002-2003**

(Rs. in Lakh)

10	11	12	13	14	15	16	17	18	19
2000.00	4475.00	1809.78	1809.78	N/A	N/A	206.27	206.27	2496.00	3346.00
6000.00	10457.00	850.87	850.87	370.82	370.82	1500.73	1500.73	5463.00	8244.75
2000.00	3500.00	901.72	901.72	222.75	222.75	220.86	220.86	12388.00	11196.39
11000.00	0.00	N/A	N/A	553.50	553.50	193.63	193.63	3063.00	1949.80
9500.00	9774.00	1412.52	1412.52	2265.04	2265.04	1394.38	1394.38	12313.00	14355.36
2000.00	1143.00	N/A	N/A	N/A	N/A	96.20	96.20	3698.00	1899.30
21300.00	45039.00	N/A	N/A	4721.06	4721.06	3089.13	3089.13	7159.00	9586.08
13000.00	11458.00	N/A	N/A	1294.64	1294.64	705.08	705.08	16829.00	19336.24
4000.00	0.00	N/A	N/A	N/A	N/A	642.18	642.18	1826.00	947.00
3500.00	3500.00	N/A	N/A	N/A	N/A	23.68	23.68	1957.00	2935.50
2000.00	5088.00	N/A	N/A	N/A	N/A	1156.16	1156.16	1398.00	2105.00
2000.00	2223.00	N/A	N/A	N/A	N/A	1740.56	1740.56	1454.00	2181.00
17500.00	17009.00	N/A	N/A	901.11	901.11	885.06	885.06	6225.00	5829.80
2500.00	2039.00	N/A	N/A	N/A	N/A	N/A	N/A	2581.00	3081.00
13000.00	24174.00	8893.54	8893.54	1430.96	1430.96	772.06	772.06	26750.00	23620.38
2000.00	1781.00	N/A	N/A	N/A	N/A	184.12	184.12	597.00	895.50
8000.00	8032.00	N/A	N/A	1055.56	1055.56	837.95	837.95	6358.00	7558.00
2500.00	2500.00	N/A	N/A	N/A	N/A	N/A	N/A	1734.00	2427.60
31500.00	24054.00	N/A	N/A	1717.88	1717.88	1657.04	1657.04	13022.00	11492.50
6000.00	0.00	N/A	N/A	376.37	376.37	335.90	335.90	3083.00	3683.00
13500.00	15952.00	N/A	N/A	108.00	108.00	N/A	N/A	8545.00	10129.00
1000.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	13.00	0.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	7.00	0.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	0.00	0.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	5.00	0.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	0.00	0.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	5.00	0.00
237500.00	246900.00	18499.02	18499.02	24995.25	24995.25	21045.01	21045.01	184518.00	190169.37

Statement*Details of Central Allocation, Releases under the major Rural Development Schemes during 2003-2004*

(Rs. in Lakh)

State/UTs	SGRY-I		SGRY-II		SGSY		IAY	
	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release
1	2	3	4	5	6	7	8	9
Andhra Pradesh	10945.80	6567.48	11068.38	6641.03	4238.88	2119.44	13669.37	6853.47
Arunachal Pradesh	571.71	323.84	571.14	342.68	221.53	89.03	627.75	318.35
Assam	14833.49	8900.06	14840.03	8904.00	5756.15	2878.08	14124.59	7062.33
Bihar	21918.95	12894.87	20218.76	11956.53	10084.97	3958.02	37131.83	18767.69
Chhattisgarh	6177.47	3706.45	4591.90	3833.21	2238.84	1307.46	2337.51	1903.14
Goa	25.24	15.14	158.69	95.22	50.00	17.65	88.32	36.78
Gujarat	4120.14	2602.90	4846.03	3730.79	1595.58	1367.17	3928.46	3256.69
Haryana	2423.94	1454.39	2552.95	1531.75	938.70	691.04	1328.34	1314.18
Himachal Pradesh	1020.85	580.97	1075.15	676.70	395.33	195.98	587.66	298.54
Jammu & Kashmir	1263.44	4877.63	1236.17	815.12	489.27	271.29	702.96	400.83
Jharkhand	13938.61	8363.16	14864.95	8918.95	3801.08	1974.34	10909.67	5346.43
Karnataka	8265.64	5947.33	8088.08	5491.08	3200.94	1600.47	7070.71	5097.41
Kerala	3708.80	2225.28	3628.76	2177.26	1436.25	984.46	4381.56	2209.56
Madhya Pradesh	11997.72	7633.93	13340.51	9515.20	4799.65	3330.47	8157.24	6402.94
Maharashtra	16339.34	9803.58	16143.90	9686.98	6327.49	3216.47	12545.56	6197.73
Manipur	996.01	417.36	994.88	222.56	385.88	0.00	748.47	189.13
Meghalaya	1115.82	586.94	1114.61	668.78	432.33	33.78	994.44	297.80
Mizoram	258.21	154.93	257.92	154.75	100.04	50.02	238.73	119.40
Nagaland	765.38	262.94	764.58	458.74	296.58	128.37	641.95	321.00

Statement*Details of Central Allocation, Releases under the major Rural Development Schemes during 2003-2004*

(Rs. in Lakh)

PMGSY		DDP		DPAP		IWDP		RWS	
Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release
10	11	12	13	14	15	16	17	18	19
9000.00	0.00	566.68	566.68	4128.95	4128.95	2694.27	2694.27	13112.00	6556.00
3500.00	0.00	N/A	N/A	N/A	N/A	75.89	75.89	4962.00	2481.00
7500.00	0.00	N/A	N/A	N/A	N/A	192.28	192.28	8403.00	4201.50
15000.00	0.00	N/A	N/A	245.44	245.44	165.00	165.00	6319.00	3159.50
8700.00	5500.00	N/A	N/A	778.25	778.25	828.07	828.07	1901.00	1623.50
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	105.00	0.00
5000.00	0.00	3210.66	3210.66	2347.20	2347.20	1188.94	1188.94	5690.00	6958.00
2000.00	799.00	1495.45	1495.45	N/A	N/A	214.01	214.01	2662.00	1331.00
6000.00	0.00	243.68	243.68	456.91	456.91	618.53	618.53	4927.00	2463.50
2000.00	0.00	896.08	896.08	222.75	222.75	200.71	200.71	10696.00	5416.50
11000.00	0.00	N/A	N/A	1001.05	1001.05	189.75	189.75	2575.00	1287.50
9500.00	5900.00	2102.02	2102.02	2219.04	2219.04	1364.48	1364.48	11312.00	6256.00
2000.00	0.00	N/A	N/A	N/A	N/A	281.72	281.72	3645.00	1675.28
21300.00	14590.00	N/A	N/A	3063.65	3063.65	2198.01	2198.01	6079.00	4270.50
13000.00	0.00	N/A	N/A	1126.89	1126.89	386.91	386.91	15710.00	7855.00
2000.00	0.00	N/A	N/A	N/A	N/A	65.75	65.75	1833.00	916.50
3500.00	0.00	N/A	N/A	N/A	N/A	39.44	39.44	1967.00	983.50
2000.00	0.00	N/A	N/A	N/A	N/A	282.44	282.44	1386.00	693.00
2000.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	1453.00	726.50

Statement*Details of Central Allocation, Releases under the major Rural Development Schemes during 2003-2004*

(Rs. in Lakh)

1	2	3	4	5	6	7	8	9
Orissa	12519.90	7422.86	12249.66	7349.77	4848.39	2543.64	11004.35	21997.99
Punjab	1178.05	706.82	2839.58	1703.74	456.20	314.72	879.95	412.69
Rajasthan	6276.45	5917.23	6147.80	6112.78	2430.60	1483.46	3706.70	3070.39
Sikkim	285.87	171.52	285.57	171.34	110.76	55.38	172.10	86.06
Tamil Nadu	9678.81	9657.82	9536.15	9536.15	3748.10	3142.15	6864.39	6864.39
Tripura	1798.50	1079.12	1796.27	1459.37	696.73	567.83	1451.97	982.99
Uttar Pradesh	36990.97	22194.56	36371.30	21822.75	14518.73	7002.60	25028.00	12514.00
Uttaranchal	2470.60	1482.30	2469.75	1481.84	763.00	431.81	2599.55	1299.78
West Bengal	13913.39	7307.87	13613.04	8167.82	5388.41	1623.29	14752.84	6956.43
Andaman & Nicobar Islands	58.22	0.00	104.12	17.45	50.00	0.00	166.27	0.00
Dadra & Nagar Haveli	58.22	0.00	68.55	0.00	50.00	0.00	87.26	33.35
Daman & Diu	1.95	0.00	33.22	0.00	50.00	0.00	36.12	0.00
Delhi	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Lakshadweep	3.88	0.00	52.07	0.00	50.00	0.00	2.83	2.83
Pondicherry	73.75	44.25	105.53	63.32	50.00	25.00	82.55	41.28
Total	205994.92	133303.53	206030.00	133707.66	80000.41	41403.42	187050.00	120717.58

SGRY - I Sampurna Grameen Rozgar Yojana

SGRY-II Sampurna Grameen Rozgar Yojana

SGSY Swarnajayanti Gram Swarozgar Yojana

IAY Indra Awaas Yojana

PMGSY Pradhan Mantri Gram Sadak Yojana

DDP Desert Development Programme

DPAP Drought Prone Area Programme

IWDP Integrated Wastelands Development Programme

RWS Rural Water Supply

Statement*Details of Central Allocation, Releases under the major Rural Development Schemes during 2003-2004*

(Rs. in Lakh)

10	11	12	13	14	15	16	17	18	19
17500.00	0.00	N/A	N/A	914.83	914.83	961.73	961.73	5303.00	3151.50
2500.00	0.00	N/A	N/A	N/A	N/A	25.44	25.44	2269.00	1134.50
13000.00	13000.00	6466.43	6466.43	1172.08	1172.08	1277.45	1277.45	22026.00	12513.00
2000.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	603.00	301.50
8000.00	8000.00	N/A	N/A	1811.89	1811.89	1291.46	1291.46	4869.00	3834.50
2500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	1743.00	871.50
31500.00	0.00	N/A	N/A	1155.38	1155.38	1636.80	1636.80	11086.00	5543.00
6000.00	0.00	N/A	N/A	303.75	303.75	261.43	261.43	2635.00	1317.50
13500.00	0.00	N/A	N/A	243.00	243.00	82.50	82.50	6827.00	3413.50
1000.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	5.63	0.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	3.75	0.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	0.00	0.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	2.81	0.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	0.00	0.00
500.00	0.00	N/A	N/A	N/A	N/A	N/A	N/A	2.81	0.00
225500.00	47789.00	14981.00	14981.0	21191.06	21191.06	16502.81	16502.81	162315.00	90934.76

*[English]***Small Business Development Bill**

2075. DR. S. VENUGOPAL: Will the Minister of SMALL SCALE INDUSTRIES be pleased to state:

(a) whether the Union Government has decided to introduce Small Business Development Bill;

(b) if so, the salient features thereof; and

(c) the measures taken by the Government to bring down the interest rates for loans to SSI by the Nationalized Banks?

THE MINISTER OF STATE IN THE MINISTRY OF SMALL SCALE INDUSTRIES AND MINISTER OF STATE IN THE DEPARTMENT OF DEVELOPMENT OF NORTH-EASTERN REGION (SHRI TAPAN SIKDAR): (a) and (b) Government have formulated the draft legislation viz. "Small Enterprises Development Bill", which seeks to address concerns of the Small Scale Industries (SSI) sector related to credit, marketing, trade protection, labour related returns/inspections registration of SSI units, Government Purchases, etc.

(c) In pursuance of the announcement made by Government in the Union Budget 2003-04, the Indian Banks Association has advised banks to provide credit to SSIs at interest within a band of 2% plus minus their Prime Lending Rate (PLR).

Examination Centre for Recruitment of PMF in A & N

2076. SHRI BISHNU PADA RAY: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the Government has set up competitive examination centre for recruitment of personnel in Para Military Forces on the lines of Railway Recruitment Board in Andaman and Nicobar Islands; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) No Sir, Recruitment of Assistant Commandants, Sub Inspectors and Constables in CPMFs is done by Union Public Service Commission, Staff Selection Commission and the concerned Forces respectively. There is no permanent Centre for recruitment of Constables in CPMFs. The Centres are fixed by the Forces on the basis of the response of candidates from a particular area as well as the availability of the necessary infrastructure for conducting Physical Efficiency Test and

Medical Examination of the candidates, who apply for recruitment.

Development of Mumbai

2077. SHRI JYOTIRADITYA M. SCINDIA:

SHRIMATI RENUKA CHOWDHURY:

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether a blue print of the plan to develop Mumbai to the Standard of Shanghai at an estimated cost of Rs.12,000 crore was presented to the Prime Minister in August 2003, with a request for Central Aid of Rs.6,000 crore, as per Prime Minister's desire expressed on the Independence Day, 2003;

(b) if so, the major schemes and projects contemplated thereunder, indicating the cost of each;

(c) the reasons of the Union Government thereto?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) to (c) An all party delegation led by Chief Minister of Maharashtra met Prime Minister on issues relating to development of Mumbai on 21st August, 2003 in the chamber of Lok Sabha Speaker at Parliament House. The Government of Maharashtra projected a total cost of Rs.12,000 crores seeking central assistance of Rs.6,000 crores for the proposed package for revival of Mumbai City.

This Ministry has, however, not received any blue print of the plan to develop Mumbai to the Standard of Shanghai at an estimated cost of Rs.12,000 crore.

Apart from the above, Prime Minister made an announcement on 15th August, 2003 that a plan would be drawn up together with the State Government for making Mumbai slum free in the next 10 years. In the first phase over 1,00,000 slum dwelling families would be rehabilitated in good housing complexes over the next 2-3 years.

Further, to comply with the Prime Minister's announcement made on 15th August, 2003, this Ministry has requested the State Government of Maharashtra to prepare a comprehensive plan for making Mumbai slum free.

The Government of India has also drawn up a proposal for relocation of slum dwellers encroaching upon Government land at Mumbai in the available Surplus Salt Pan land at Mumbai, which are proposed to be transferred from the

Department of Industrial Policy & Promotion to the Department of Urban Development.

[Translation]

Vigilance and Monitoring Committees

2978. SHRI PRADIP YADAV:

SHRI RAGHUVIR SINGH KAUSHAL:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether Vigilance and Monitoring Committees under the Chairmanship of Members of Parliament have been set up in all the Districts of the country;

(b) if not, the details of the Districts where such Committees have not been constituted so far;

(c) the steps proposed to be taken by the Government against such States;

(d) whether any guidelines have been issued to States in this regard; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASAHU M.K. PATIL):
(a) and (b) As per information received from the State authorities Vigilance and Monitoring Committees under the Chairmanship of Members of Parliament have been set up in several districts of the country. Statement indicating the districts where such committees have been constituted is given in the statement enclosed.

(c) to (e) The Union Minister of Rural Development has written to all the Chief Ministers emphasising the importance of these committees for the effective implementation of Rural Development Programmes and clarifying that they are no less significant than the Audit Reports and Utilisation Certificates which are mandatory for the release of the second instalment. If certain districts do not hold regular meetings of the V & M Committees, the Ministry may consider withholding releases for such district, as is being done for the non-submission of Audit Reports etc. The instructions have been reiterated by the Ministry also to all the Chief Secretaries of the States.

Statement

Name of the State and Districts where meeting of the District Level Vigilance and Monitoring Committee held.

(As on 08.12.2003)

Sl. No.	Name of State	Districts	Date of last Meeting held
1	2	3	4
1	Andhra Pradesh	Khammam	26.07.2003
		Ranga Reddy	15.09.2003
2	Assam	North Cachar Hills	17.04.2003
		Dibang Valley	17.10.2003
3	Bihar	Madhubani	10.02.2003
		Vaishali	06.05.2003/23.10.2003
		Gaya	09.08.2003
4	Chhattishgarh	Rajnadgon	27.01.2003
		Bastar	03.07.2003
		Damtari	30.03.2003

1	2	3	4
4	Chhattishgarh	Janjgir-champa	25.09.2003
		Koria	27.09.2003
		Raipur	27.09.2003
		Durg	26.07.2003
		Kanker	16.07.2003
		Raigarh	.02.2003
		Sarguja	.07.2003
		Jashpur	.02.2003
		Bilaspur	.07.2003
		Korba	*
		Mahasamund	*
		Kawardha	*
		Dantewala	*
5	Goa	North Goa	22.05.2003
		South Goa	27.06.2003
		North Goa	22.05.2003
		North Goa	06.10.2003
6	Gujarat	Ahmedabad	10.04.2003/26.09.2003
		Banaskantha	30.01.2003/ 25.06.2003/ 28.08.2003
		Banaskantha	28.03.2003
		Junagardh	05.04.2003/01.10.2003
		Kheda/Nadiad	10.02.2003
		Surat	19.06.2003
		Dang	19.06.2003
		Rajkot	22.03.2003/ 16.08.2003
		Vadodara	05.04.2003
		Jamnagar	22.03.2003/30.06.2003
		Bharuch	19.04.2003/21.06.2003/20.09.2003

1	2	3	4
6	Gujarat	Gandhinagar	16.01.2003/17.07.2003
		Kutch-bhuj	27.01.2003/15.03.2003/13.06.2003
		Patan	15.02.2003/19.07.2003
		Mehsana	15.03.2003
		Sabarkantha	28.01.2003
		Panchmahal	02.08.2003
		Dahod	15.03.2003/11.07.2003
		Bhavnagar	05.03.2003 '
		Valsad	18.01.2003/21.06.2003/20.09.2003
		Surendernagar	19.04.2003
		Narmada	01.08.2003
		Amreli	28.01.2003/05.07.2003
		Anand	14.02.2003
		Navsaree	26.07.2003
7	Haryana	Jind	26.07.2003
		Mahendragarh	NA
8	Himachal Pradesh	Shimla	30.06.2003
		Solan	28.06.2003
		Sirmour	28.06.2003
9	Kerala	Kozhikode	28.08.2003
		Kasaragod	07.11.2003
10	Karnataka	Belgaum	31.01.2003/08.07.2003/16.07.2003
		Belgaum	27.10.2003
		Chitradurga	27.05.2003
		Hassan	28.02.2003/26.06.2003/05.09.2003
		Gulbarga	28.01.2003/11.09.2003
		Dakshina Kannada	03.04.2003/28.06.2003/28.11.2003
		Raichur	04.09.2003
		Mangalore	3.4.2003 & 28.6.2003

1	2	3	4
11	Meghalaya	East Khasi Hills	14.05.2003
12	Mizoram	Aizwal	19.05.2003
		Lunglei	09.07.2003
		Saiha	11.07.2003
13	Orissa	Deogarh	16.05.2003
		Mayurbhanj	20.06.2003
		Keonjhar	04.06.2003
		Koraput	NA
		Boudh	NA
		Ganjam	NA
		Angul	NA
		Kandhmal	NA
		Cuttak	NA
		Jajpur	25.08.2003
		Sambalpur	NA
		Sundergarh	22.10.2003
		Bargarh	NA
14	Punjab	Amritsar	04.07.2003/11.09.2003
		Bathinda	11.06.2003/25.09.2003
		Faridkot	11.11.2003
		Fatehgarh	26.04.2003
		Gurdaspur	13.06.2003
		Hoshiapur	21.05.2003/29.09.2003
		Jalandhar	03.04.2003 /4.05.2003/05.09.2003
		Kapurthala	13.05.2003/30.09.2003
		Mansa	04.04.2003 /26.08.2003
		Muktsar	22.08.2003

1	2	3	4
14.	Punjab	Nawanshehar	13.05.2003/29.09.2003
		Patiala	28.03.2003
		Ropar	03.10.2003
		Sangrur	25.08.2003
		Ferozpur	05.05.2003
		Jalandhar	03.04.2003/14.05.2003/05.09.2003
15	Rajasthan	Chittorgarh	17.02.2003
16	Tamil Nadu	Nilgiris	29.01.2003
		Nilgiris	05.07.2003
		Nilgiris	04.11.2003
		Viluppuram	17.03.2003
		Viluppuram	01.10.2003
		Vellore	04.06.2003
		Tiruvannamalai	11.07.2003
		Tiruvarur	23.09.2003
		Ramanathapuram	09.07.2003
		Virudhunagar	NA
		Erode	31.01.2003
		Erode	30.08.2003
		Cuddalore	1.3.2003 & 16.5.2003
17	Tripura	West Tripura	16.9.2003
18	Uttar Pradesh	Etawah	31.01.2003 & 14.10.2003
		Saravasti	01.02.2003
		Bahraich	09.07.2003
		Auraya	08.03.2003
		Bijnor	04.04.2003
		Mainpuri	10.06.2003
		Jaunpur	19.04.2003 & 10.08.2003
		Basti	03.10.2003
19	Uttaranchal	Tehari Gadwal	13.11.2003

NA = Not Available'

* - Chairman of the Committee has already been requested to fix the meeting

[English]

Expertise in Delhi Metro

2079. SHRI Y.V. RAO: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

- (a) whether it is a fact that Delhi Metro has acquired sufficient expertise so as to discard foreign consultants;
- (b) if so, whether the Delhi Metro will be able to complete Line-III on its own;
- (c) if so, the facts thereof;
- (d) whether the Delhi Metro is undertaking any consultancy from abroad by virtue of its acquired skills and expertise; and
- (e) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) The services of foreign consultants in certain specialized areas like tunnelling, viaduct design, signalling, telecommunications, rolling stock and electric traction in tunnels/viaducts are still required.

(b) and (c) The Delhi Metro Rail Corporation Ltd. (DMRC) is able to complete Line no. 3, with the assistance of foreign consultants in the areas mentioned at (a) above.

(d) and (e) The DMRC has been approached by the Government of Sri Lanka to provide consultancy services for a feasibility study for Metro Rail system for Colombo city. No formal agreement in this regard has, however, been entered into with the Government of Sri Lanka.

Police Atrocities

2080. PROF. A.K. PREMAJAM: Will the DEPUTY PRIME MINISTER be pleased to state:

- (a) whether the Government is aware of the fact that a large number of Malayalees who were in queue in front of UAE Embassy for the purpose of authentication of their certificates for Employment purpose have been subjected to police atrocities and harassment at Delhi; and
- (b) if so, the steps taken against the police personnel responsible for the inhuman action?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) A complaint

was received from an Hon'ble Member of Parliament alleging that police personnel posted outside the United Arab Emirates Embassy were demanding and collecting bribes from the persons who came there for attestation of their educational certificates. During the course of an inquiry, one Sub-Inspector who was working as Division Officer of the area and two Beat Constables of Delhi Police have been prima facie found guilty of working in connivance with some touts who were collecting money from persons coming to the Embassy for attestation of their documents for visa. The said police personnel have been transferred and Show Cause Notices for Censure have been issued to them.

Khasi Language in 8th Schedule

2081. SHRI P.R. KYNDIAH: Will the DEPUTY PRIME MINISTER be pleased to state:

- (a) the criteria for inclusion of a language in the 8th Schedule of the Constitution;
- (b) whether the Government received any representation for the inclusion of the Khasi Language in the 8th Schedule which is a rich tribal language in the North Eastern Region; and
- (c) if so, the steps taken by the Government for the inclusion of the language to the 8th Schedule of the Constitution?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I. D. SWAMI): (a) No criteria has been laid down in the Constitution for inclusion of any language in the Eighth Schedule to the Constitution.

(b) and (c) Representations have been received for inclusion of various languages, including Khasi language, in the Eighth Schedule to the Constitution. A Committee has been constituted under the Chairmanship of Shri Sita Kant Mohapatra to make recommendations, inter-alia to evolve a set of objective criteria for inclusion of more languages, including Khasi, in the Eighth Schedule to the Constitution. The Government will consider the recommendations of the Committee and take a suitable decision in the matter.

Subletting of Government Accommodation

2082. SHRI RAMJEE MANJHI: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to refer to the reply to USQ No. 4479 dated 22.8.2000 and state:

- (a) whether physical inspection of Government quarters is carried out only where prima facie cases of subletting are suspected;

(b) if so, the reasons for carrying out physical inspection of some particular quarter(s) merely on the basis of false and motivated complaints;

(c) whether in all those physical inspection subletting/misuse has not been found;

(d) if so, the reasons for carrying out physical inspection of Quarters on the basis of false and fictitious complaints; and

(e) the action the Government propose to take to ensure that no such physical inspection is carried out henceforth on false and motivated complaints?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) to (d) Physical inspection of Government Quarters is undertaken, on the basis of complaints of sub-letting as well as suo motu Complaints of subletting/misuse of Government accommodation cannot be classified as false or motivated unless physical inspection is carried out to ascertain the factual position. Where, after inspection, subletting is reported, action against the allottees concerned is initiated as per Allotment Rules. However, no action is taken in cases where no subletting/misuse is reported as a result of physical inspection.

(e) There is no mechanism with the Government to initially ascertain the truth of a complaint and only then undertake physical inspection of Government accommodation.

Role of SSI's in Indian Economy

2083. DR. M.P. JAISWAL:

SHRI ABDUL RASHID SHAHEEN:

Will the Minister of SMALL SCALE INDUSTRIES be pleased to state:

(a) whether small scale industry sector has played a vital role in building the Indian economy;

(b) if so, the details thereof;

(c) the share of tiny cottage and small scale industries in the total industrial production of the country for the years 2001-02 and 2002-03;

(d) the contribution of these industries in exports of the country;

(e) whether the Union Government has provided any financial assistance to these industries and initiated

any employment generated programmes under these industries;

(f) if so, the details thereof, State-wise;

(g) whether it is a fact that the reform has weakened the small scale industry sector;

(h) if so, the details thereof; and

(i) if not, the manner in which the structural reforms have strengthened these industries so far as their economic viability is concerned?

THE MINISTER OF STATE IN THE MINISTRY OF SMALL SCALE INDUSTRIES AND MINISTER OF STATE IN THE DEPARTMENT OF DEVELOPMENT OF NORTH-EASTERN REGION (SHRI TAPAN SIKDAR): (a) and (b) The Small Scale Industry sector has been playing a vital role in building the Indian economy. It accounts for 39% of the industrial output, 34% of national exports and provides employment to nearly 20 million persons in over 3.53 million units spread all over the country.

(c) As per the data available from National accounts Statistics, the share of small scale industries including tiny and cottage units in the total industrial production of the country was 46.85% in 2001-02 (latest available)

(d) Out of the total national exports of Rs. 2,07,745 crores in 2001-02 the contribution of small scale and tiny industries was Rs. 71,244 crores (latest available) and Coir and Khadi and Village Industries Sector was Rs. 335 crores.

(e) and (f) The Central Government provides various support measures to SSI sector in the form of credit under priority Sector Lending, providing collateral-free loans under the Credit Guarantee Scheme, excise exemption to SSI units, financial assistance for acquiring ISO 9000/14001 certification; for adopting bar coding by EAN India and for technology upgradation under the Credit-Linked Capital Subsidy Scheme etc. while the development of the SSIs is primarily the responsibility of the State/UT Governments, the Central Government supports and supplements the efforts of the State/UT Governments through implementation of various Schemes/ Programmes uniformly throughout the country for which allocation of funds is made Scheme Programme-wise and not State-wise. Apart from the above, there are two employment specific programmes in cottage and tiny sector. These are Prime Minister's Rozgar Yojana (PMRY) and Rural Employment Generation Programme (REGP). State-wise financial assistance from the Union Government in respect of these two schemes for 2001-02 and 2002-2003 are given in the enclosed statement-I and II, respectively

(g) to (i) The process of economic reforms including liberalisation and globalisation have no doubt increased the competition for the SSI sector, but at the same time they have also brought new opportunities in the form of greater access to international market, access to raw material, improved technology etc.

The support extended by the Government to the small industries has been strengthened through the Comprehensive Policy Package for the Small Scale Industries and Tiny Sector announced by the Hon'ble Prime Minister on 30th August, 2000, which aims to ensure enhanced fiscal and credit support, better infrastructural and marketing facilities and incentives for technology upgradation. The incentives under the Policy Package and those announced by Government thereafter have helped in strengthening the small scale and tiny units in the country and enhance their competitiveness both domestically and globally. As a result, the SSI sector has consistently maintained a higher rate of growth than the overall industrial sector in the past few years.

Statement-I

The detail of funds released to States/UTs from 2001-02 to 2002-03 under the PMRY scheme.

(Rs. in thousands)

Sl. No.	State/UTs	Funds Released during	
		2001-02	2002-03
1	2	3	4
1	Andhra Pradesh	10964.830	6391.700
2	Assam	4285.350	11072.700
3	Arunachal Pradesh	174.160	380.850
4	Bihar	0.000	0.000
5	Chhattisgarh	1700.000	0.000
6	Delhi	0.000	0.000
7	Goa	46.800	0.000
8	Gujarat	3188.400	66693.500
9	Haryana	1972.970	3886.219
10	Himachal Pradesh	712.740	1695.700
11	Jammu & Kashmir	428.870	249.250

1	2	3	4
12	Jharkhand	4500.000	0.000
13	Karnataka	12127.200	4975.800
14	Kerala	11771.630	5526.150
15	Madhya Pradesh	9498.240	12020.678
16	Maharashtra	7227.940	2915.000
17	Manipur	450.360	0.000
18	Meghalaya	1356.450	185.500
19	Mizoram	161.750	470.600
20	Nagaland	299.420	683.780
21	Orissa	7550.380	2049.950
22	Punjab	10323.130	3022.200
23	Rajasthan	0.000	5783.277
24	Tamil Nadu	10670.330	4028.960
25	Tripura	2139.570	1734.950
26	Uttar Pradesh	36891.700	20436.550
27	Uttaranchal	3400.000	0.000
28	West Bengal	0.000	0.000
29	Andaman & Nicobar	106.000	59.450
30	Chandigarh	48.150	36.800
31	Daman & Diu	18.100	7.000
32	Dadra & Nagar Haveli	25.900	11.350
33	Lakshadweep	10.950	8.350
34	Pondicherry	168.930	102.116
35	Sikkim	15.250	10.000
Total		142235.500	154438.380

Statement-II

The State-wise Margin Money utilized during 2001-02 and 2002-03 under the Rural Employment Generation Programme (REGP)

(Rs. in lakh)

Sl. No.	State/UTs	2001-02	2002-03
1	2	3	4
1	Andhra Pradesh	1307.02	1775.01
2	Assam	142.51	375.68
3	Arunachal Pradesh	11.21	45.98
4	Bihar	37.46	108.13
5	Chhattisgarh	287.89	422.33
6	Delli	19.35	16.16
7	Goa	311.85	198.06
8	Gujarat	48.85	102.23
9	Haryana	1130.47	884.91
10	Himachal Pradesh	953.73	643.78
11	Jammu & Kashmir	436.50	179.00
12	Jharkhand	29.34	421.81
13	Karnataka	1067.94	1560.05
14	Kerala	1789.10	1196.03
15	Madhya Pradesh	1096.50	605.97
16	Maharashtra	1538.08	151.92
17	Manipur	2.98	110.53
18	Meghalaya	110.50	125.94
19	Mizoram	16.83	224.40
20	Nagaland	168.89	50.15
21	Orissa	292.88	156.78
22	Punjab	1438.82	1744.62
23	Rajasthan	2211.91	2189.08

1	2	3	4
24	Tamil Nadu	567.34	604.08
25	Tripura	49.54	106.23
26	Uttar Pradesh	2706.95	2293.52
27	Uttaranchal	318.00	378.01
28	West Bengal	822.20	1202.17
29	Andaman & Nicobar	22.90	78.24
30	Chandigarh	47.56	0.40
31	Daman & Diu	0.00	0.00
32	Dadra & Nagar Haveli	2.47	9.49
33	Lakshadweep	3.00	0.00
34	Pondicherry	7.06	0.29
35	Sikkim	0.00	6.70
Total		19025.73	19371.26

[Translation]

Meetings on Rural Development

2084. SHRIMATI RAJKUMARI RATNA SINGH:

SHRI BIR SINGH MAHATO:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether despite several meetings schemes for rural development are not implemented effectively;

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

(c) the total number of meetings held in this regard during the last two years and the current year and expenditure incurred thereon?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASAHEB M.K. PATIL):
(a) to (c) Meetings on Rural Development are held at various levels starting from the Gram Sabha to the State Level. The Ministry of Rural Development at the Centre is also holding Meetings, Workshops etc. on different subjects as per the requirement and need of the hour. No record is kept for the number of such meetings and there is no mechanism to

monitor the impact of these meetings on schemes of rural development.

[English]

Corruption in DDA

2085. SHRI SHIVAJI MANE:

SHRI LAXMAN GILUWA:

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Government has received complaints with regard to the prevailing corruption in Delhi Development Authority from the representatives of people during the last three years;

(b) if so, the details thereof;

(c) whether this large scale corruption has taken place due to no action being taken by the Government on the complaints received from the representatives of people in this regard; and

(d) if so, the reaction of the Union Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) and (b) Whenever complaints with respect to various facets of functioning in Delhi Development Authority (DDA) are received by the Government, the same are forwarded to DDA to initiate corrective and remedial measures. DDA has also reported that some complaints have been received regarding irregularities in specific cases, and that required action on such complaints has been initiated. Wherever irregularities are noticed, based on investigations, departmental action against the defaulting officers is taken. Receipt of complaints and taking action thereon is a regular process.

(c) No, Sir.

(d) Several long-term measures have been initiated to check corruption in DDA. These inter-alia include training of work force, introducing computerization anti e-governance as well as exercising strict vigilance at all levels. Various preventive measures have been taken to streamline the functioning of DDA i.e. monitoring/implementation of time limits provided for various items/ transactions as per citizen's charter. Receipt and dispatch system has also been computerized. DDA has also initiated steps for simplification of procedures. To bring transparency in the functioning of the organization, DDA has put information regarding its day to day activities, relevant to the public on its websites - ddadelhi.com. A

management study regarding systems process and policy aimed at reengineering for simplification, speedier transactions and transparency has been carried out to improve the satisfaction level among the public.

Panchayati Raj Institutions in UTs

2086. SHRI MOHAN S. DELKAR: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the Government propose to give full-fledged power to the Panchayati Raj Institutions in the Union Territory, where, there is no legislative Assembly;

(b) if so, the details thereof; and

(c) the action being taken by the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) The powers and functions of the Panchayati Raj Institutions in the Union Territories without Legislature are regulated in terms of the provisions contained in the relevant statutes prescribed for each Union territory.

(c) The Dadra and Nagar Haveli Administration have transferred 17 schemes relating to Community Development Agriculture, Education, Power Department and Public Works Department alongwith necessary funds and functionaries to the District panchayat Dadra and Nagar Haveli. Similarly, in the Union Territory of Daman and Diu, 20 schemes relating to Agriculture, Medical and Health Services, Animal Husbandry and Veterinary Services, Tourism, Education, Public Works etc. have been transferred to the District Panchayat. In the Union Territory of Lakshadweep, schemes relating to Planning and Development, Registration of Birth and Death; Social Welfare, Agriculture and Land improvement; Animal Husbandry & Dairying; Fisheries; Rural Housing; and Drinking Water etc. have been transferred to the Panchayati Raj Institutions. A&N Island Administration have also transferred various schemes relating to Agriculture; Fisheries; Rural Road; Rural Water Supply; and Poverty Alleviation to the Panchayati Raj Institutions. As regards Chandigarh, a series of meetings have been held with representatives of the Panchayati Raj Institutions to determine the extent of the powers to be delegated to the Institutions at each level.

[Translation]

Indian Defence Engineering Service

2087. KUNWAR AKHILESH SINGH:

SHRI BRIJ BHUSHAN SHARAN SINGH:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether Indian Defence Engineering Service (I.D.S.E.) is group 'A' gazetted service of Central Government having around 1000 group 'A' officers who have been selected by Union Public Service Commission through combined Engineering Examination;

(b) if so, whether Indian Defence Engineering Service has been listed under Central Staffing scheme;

(c) if not, the reason therefor; and

(d) the time by which Indian Defence Engineering Service (I.D.S.E.) is likely to be listed under central staffing scheme?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): (a) Yes Sir.

(b) No Sir.

(c) and (d) There is already a large number of Organized Group 'A' Services participating under the Central Staffing Scheme. The necessity of having more services to participate in the Central Staffing Scheme is not required at present.

[English]

Domestic Production of Imported Minerals

2088. SHRI ANANTA NAYAK: Will the Minister of MINES be pleased to state:

(a) whether the Government propose to increase the production of minerals which are presently imported from various countries; and

(b) if so, the details of minerals presently imported and the proposed increase of the production of those minerals?

THE MINISTER OF STATE OF THE MINISTRY OF MINES (SHRI RAMESH BAIS): (a) and (b) The minerals mainly imported into India are antimony, molybdenum, nickel, the platinum group of metals, tin, tungsten, potash, native sulphur, base metals, certain grades of graphite, noble metals, precious stones, rock phosphate, asbestos, boron minerals (borax), rough diamond, fluorite, magnesite etc., The exploration and exploitation of all non fuel non atomic minerals have been thrown open to private investment and the increase in production of these minerals will depend upon their availability and exploitation being economically viable.

Availability of Gas to Fertilizer Units

2089. SHRI RAMSHETH THAKUR:

SHRI A. VENKATESH NAIK:

SHRI ASHOK N. MOHOL:

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the fertilizer industry has requested the Union Government to make available gas at internationally comparative rates to enable fertilizer units to switch over from Naphtha to gas;

(b) if so, the details thereof;

(c) whether it is a fact that in order to phase out fertilizer subsidies, the Government is actively considering the proposal;

(d) if so, the details thereof;

(e) the steps taken by the Government in this regard; and

(f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHHATRAPAL SINGH): (a) to (f) The primary goal of the new pricing scheme for urea units (NPS), made effective from 1.4.2003, is to encourage efficiency parameters of international standards based on the usage of the most efficient feedstock. Natural gas (NG)/Liquefied Natural gas (LNG), being an efficient feedstock for the manufacture of urea, besides being a clean and cost effective source of energy, the Government is formulating a policy to facilitate the switchover of the existing non-gas based urea units to NG/LNG for feedstock/fuel purposes.

Negotiations are going on between prospective NG/LNG suppliers and fertilizer companies on signing of Gas Sale Agreements.

Tree Plantation in Wasteland

2090. SHRI VILAS MUTTEMWAR: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Indian Paper Industry have sought the permission of the Government to set up tree plantations on waste and idle land in the country;

(b) whether any consultations have been held with the State Governments on the request of the paper industry;

(c) if so, the details thereof;

(d) whether foreign companies have shown interest in the matter of investment in the tree plantation;

(e) if so, the details thereof;

(f) the reaction of the Government thereto; and

(g) the guidelines fixed for the utilization of wasteland by the paper industry?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASAHEB M.K. PATIL):

(a) No such request has been received in the Ministry of Rural Development.

(b) and (c) Does not arise.

(d) No, Sir.

(e) and (f) Does not arise.

(g) No specific Guidelines for utilization of wastelands by the Paper Industry have been issued. However, in June 1999, Ministry of Environment & Forests issued Guidelines for participation of private sector through involvement of NGOs and Forest Department in afforestation/rehabilitation of degraded forests.

Production of Coal

2091. SHRI BIKASH CHOWDHURY: Will the Minister of COAL be pleased to state:

(a) the details of coal production under Coal India Limited alongwith coal production in different undertakings operating in the country during each of the last three years and upto October, 2003, subsidiary-wise;

(b) the details of coal production in underground mines and open cast mines during the said period, separately; and

(c) the total quantity of coal imported from the foreign countries during the said period?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) and (b) Details of Coal production in Underground and Opencast mines in Coal India Limited and different undertakings in the country during the last three years and upto October, 2003 are given in the statement enclosed.

(c) The total quantity of coal imported during the last three years and current year is given below:-

(figures in million tonnes)

Year	Quantity
2000-2001	20.93
2001-2002	20.55
2002-2003	23.26
2003-2004 (April-July, 2003)	7.17 (Provisional)

Statement

Details of Coal production in Opencast and Underground Mines in CIL and other undertakings of the country

(In million tonnes)

Company	2000-2001			2001-2002		
	UG	OC	Total	UG	OC	Total
ECL	11.771	16.259	28.030	11.684	16.668	28.352
BCCL	8.524	17.445	25.969	7.589	17.663	25.252
CCL	2.877	28.869	31.746	2.733	31.073	33.806
NCL	0	41.400	41.400	0	42.462	42.462
WCL	9.793	25.407	35.200	9.494	27.515	37.009
SECL	15.763	44.568	60.331	15.912	48.208	64.120
MCL	1.621	43.182	44.803	1.645	46.160	47.805
NEC	0.205	0.455	0.660	0.181	0.459	0.640
CIL	50.554	217.585	268.139	49.218	230.428	279.646
SCCL	13.787	16.487	30.274	13.747	17.064	30.811
JSMDCL	-	0.400	0.400	-	0.558	0.558
DVC	-	0.374	0.374	-	0.335	0.335
IISCO	0.331	0.911	1.242	0.346	0.794	1.140
JKML	-	-	-	0.033	0.002	0.035

Company	2002-2003			2003-2004 (April-Oct. 03) (Provisional)		
	UG	OC	Total	UG	OC	Total
1	2	3	4	5	6	7
ECL	10.952	16.226	27.178	5.579	7.754	13.333
BCCL	7.287	16.866	24.153	3.874	7.753	11.627
CCL	2.758	34.217	36.975	1.497	16.682	18.179
NCL	0	45.101	45.101	0	24.612	24.612
WCL	9.388	28.427	37.815	5.245	16.081	21.326

1	2	3	4	5	6	7
SECL	16.160	50.444	66.604	9.285	27.890	37.175
MCL	1.759	50.470	52.229	1.081	30.231	31.312
NEC	0.112	0.521	0.633	0.049	0.254	0.303
CIL	48.416	242.272	290.688	26.610	131.257	157.867
SCCL	12.808	20.428	33.236	8.025	10.681	18.706
JSMDCL	-	0.493	0.493	-	0.181	0.181
DVC	-	0.171	0.171	-	0.157	0.157
IISCO	0.350	0.470	0.820	0.266	0.166	0.432
JKML	0.024	0.001	0.025	0.008	0.001	0.009

Subway in Delhi

2092. SHRI RAGHUNATH JHA: Will the DEPUTY PRIME MINISTER be pleased to refer to the answer given to

U.S.Q. No. 1988 dated 4.3.2003 regarding condition of subways in Delhi and state:

(a) whether the information has since been collected;

(b) if so, the details thereof;

(c) the action taken thereon; and

(d) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) Yes, Sir.

(b) and (c) An implementation report for fulfilling the assurance arising out of the reply to the Lok Sabha Unstarred Question No. 1988 answered on 4.3.2003 was sent to the Ministry of Parliamentary Affairs on 25th September, 2003. A copy of the said report is given in the enclosed statement.

(d) Does not arise.

Statement

Implementation report for fulfilling the assurance arising out of the reply to the Lok Sabha Unstarred Question No. 1988 answered on 4.3.2003

Ministry of Home Affairs.....	Department of.....	Date of fulfilment		
Q.No. and Date	Subject	Promise made	How fulfilled	Reasons for Delay
1	2	3	4	5
USQ NO. 1988 dated 4.3.2003 by Shri Raghunath Jha	Condition of Sub Ways in Delhi			
	Asking for:-			
	(a) whether the condition of the sub-ways in Delhi is horrible and unsafe particularly for the girls and women;	(a) to (d) The information is being collected and will be laid on the Table of the House.	(a) and (b) As per the reports received from the New Delhi Municipal Council and Municipal Corporation of Delhi, the sub-ways are user-friendly, well lit and not unsafe. Both the Local Bodies have made adequate arrangements to maintain their cleanliness on a continuing basis. A number of sub-ways have been provided with security guards/chowkidars also.	It took some time to collect the requisite information from the agencies concerned.
	(b) if so, the steps taken to improve the condition of sub-ways both from the safety and cleanliness point of view;			
	(c) the number of sub-ways not in use along with the reasons therefore;			
	(d) the amount spent on these sub-ways?		(c) There are a few sub-ways which are used less frequently by the pedestrians but there is no such sub-ways as is not being used at all.	
			(d) Does not arise.	

Facilities by Chandigarh Housing Board

2093. SHRI PAWAN KUMAR BANSAL: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Chandigarh Housing Board provides common facilities to the residents of the flats constructed by it in different sectors of the city;

(b) if so, the details thereof;

(c) if not, the reasons therefor;

(d) whether it is the responsibility of the Housing Board to complete Water Works, Roads and Community Centres before allotment of the flats; and

(e) if so, the details of complexes where these facilities have been provided?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): Chandigarh Administration has informed as under:-

(a) Only certain common facilities are provided by the Chandigarh Housing Board to the residents of dwelling units in its Housing Schemes as per the conditions of the scheme and as per the directions of the Chandigarh Administration. However, the common facilities such as Post Office, School, Dispensary, Police Station etc. are not provided by the Chandigarh Housing Board since these are Provided by the Chandigarh Administration.

(b) Chandigarh Housing Board has provided estate services such as internal access roads, internal water supply distribution system, storm water drains, sewerage, street light and development of open spaces on one time basis in the Modern Housing Complex, Manimajra and MIG Housing Complex, Sector 61. Any upgradation and additional estate services are provided by the Chandigarh Administration.

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

(d) The Chandigarh Housing Board is responsible for ensuring water supply and roads in the Housing Schemes, land for which has been allotted on chunk basis. However, Chandigarh Housing Board is not responsible for providing Community Centres.

(e) It is covered in part (b) above.

Siphoning off Funds under IAY in Assam

2094. SHRI M.K. SUBBA: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the details of the funds released under Indira Awas Yojana to Assam during the last three years and the current year and the number of housing units created thereunder so far;

(b) whether the Government has conducted any probe into the allegation of siphoning of the funds under the yojana as mentioned in the 'Assam Tribune' of Sept. 17, 2003; and

(c) if so, the outcome thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI KRISHNAMRAJU): (a) The details of Central funds released and number of houses constructed / upgraded in the State of Assam under the Indira Awaas Yojana (IAY) during the last three years (2000-2001, 2001-2002 and 2002-2003) and the current year (2003-2004) are as under:-

Year	Central Releases (Rs. in lakh)	Number of houses constructed
2000-2001	8177.40	65089
2001-2002	8621.13	46817
2002-2003	9987.33	65587
2003-2004*	7062.33	10446

*December 11, 2003

(b) and (c) The State Government of Assam has been requested to send a copy of the Newspaper 'Assam Tribune' dated 17th September 2003 so that needful may be done.

Concessions under Amnesty Scheme

2095. SHRI DALPAT SINGH PARSTE: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Government propose to offer any concession particularly to senior citizens in payment of the penalty which would be imposed on regularisation of the existing illegal constructions in DDA flats under the Amnesty scheme;

(b) if so, the details thereof;

- (c) if not, the reasons therefor;
- (d) whether any views/representations have been received by the Government for giving concessions to the flat owners in this regard;
- (e) if so, the details thereof; and
- (f) the reaction of the Government thereon?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) No, Sir.

- (b) Question does not arise.
- (c) The fee of Rs.450/- per Sq.m for regularization of permissible additional construction in DDA flats is Quite nominal.
- (d) No, Sir.
- (e) and (f) Question does not arise.

Demolition of Houses by Directorate of Estates

2096. DR. CHARAN DAS MAHANT: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

- (a) the number of type IV and above category of houses demolished by the Directorate of Estates in Delhi/New Delhi during each of the last three years, area-wise and pool-wise;
- (b) the number of such flats constructed by the Government in Delhi/New Delhi, pool-wise;
- (c) the number of units of accommodation handed

over back to the concerned pools whose flats were demolished; and

- (d) the reasons for delay in compensating the concerned pools despite construction of new units of accommodation?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) The details of houses demolished in Delhi during each of the last three years, area-wise and pool-wise, are given in the statement. These demolitions have been carried out by the Central Public Works Department of the Government.

- (b) The number of General Pool houses constructed in various categories is given below:-

Type	2001	2002	2003
IV	-	-	24
IV (Special)	-	-	314
V B	42	158	256

The details of houses constructed by other (Departmental) pools are maintained by the respective Departments/organisations.

- (c) and (d) All allottees of General Pool houses, affected by the demolitions, have been provided alternate accommodation. The Departmental Pools have also provided alternate accommodation to their allottees. No General Pool units are due to be placed in other pools on the other hand, the Rajya Sabha Pool is required to place 21 flats and 8 bungalows in the General Pool and the Lok Sabha pool is required to place 16 bungalows in the General Pool.

Statement

Area-wise and Type-wise Details of Houses Demolished during the last three years

Year	Area	Type-IV	Type-V	Type-VI	Type-VII	Pool
1	2	3	4	5	6	7
2000-2001	Sector-II, DIZ Area	3	19	-	-	General Pool
	Minto Road	-	2	-	-	Printing Press Pool/ Lok Sabha Pool
	Minto Road	-	10	-	-	Slums and Jhuggi Jhopri Department (Municipal Corporation of Delhi)

1	2	3	4	5	6	7
	B. D. Marg	-	-	2	-	Rajya Sabha Pool
2001-2002	West Kidwai Nagar	-	16	-	-	General Pool
	Minto Road	31	53	-	-	General Pool
	Minto Road	19	2	-	-	Printing Press Pool
	Janpath	-	-	1	-	General Pool
2002-2003	Dev Nagar	38	-	-	-	General Pool/ Lok Sabha Pool
	Minto Road	-	4	1	1	General Pool

Handing Over of J & K Light Infantry to Army

2097. SHRI A. BRAHMANAIAH: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether it is a fact that the Jammu and Kashmir Light Infantry has been handed over to the Army recently;

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

(c) whether other Para Military Forces concerned with the border security will also be transferred to the Ministry of Defence;

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

(e) the extent to which such moves are likely to strengthen the security at the borders?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) The origin of Jammu & Kashmir Light Infantry lies in a group of civilian volunteers who fought against Pakistani intruders in 1947-48 to defend J&K. The achievements of the J&K Militia and their credible performance in operation of 1965 and 1971 led to the integration of militia in the Army as a full fledged regiment at par with all Infantry Regiment.

(c) to (e) There is no such decision of the Government.

Schemes with Products

2098. SHRI SHEESH RAM SINGH RAVI: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether Kendriya Bhandar is not supplying schemes given by various companies particularly Hewlett Packard to consumers along with their products during the last three years;

(b) if so, the facts and the reasons therefor; and

(c) the number of complaints received in this regard from the consumers and the action taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): (a) to (c) Kendriya Bhandar passes on to the consumers the benefits of various schemes as and when such schemes are given by various companies to Kendriya Bhandar. In cases where Kendriya Bhandar comes to know that schemes have been offered elsewhere but not to Kendriya Bhandar, appropriate penal action, including recoveries, is taken against the companies.

Arms and Ammunition Imported by NRAI

2099. SHRI AMAR ROY PRADHAN: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether the National Rifle Association of India has imported arms and ammunition during the last three years;

(b) if so, the details thereof, year-wise;

(c) the year-wise/State-wise details of distribution of such imported items to State Rifle Associations, Clubs etc., during the last three years (Association-wise/Club-wise); and

(d) steps taken to ensure that such associations and Clubs utilize these items for the benefit of genuine shooters for sports purpose only and the same do not find its place in market?

THE MINISTER OF STATE IN THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) to (d) The information is being collected and will be laid on the Table of the House.

Pak Nationals in Indian Jails

2100. SHRI VARKALA RADHAKRISHNAN: Will the DEPUTY PRIME MINISTER be pleased to state:

- (a) whether it is a fact that many Pakistani nationals continued to be under detention in the Indian jails even after serving their sentences;
- (b) if so, the details alongwith the number of such cases;
- (c) whether it is also a fact that the Attorney General has written to the Government citing the legal untenability of the continued detention;
- (d) if so, whether it is in violation of the constitutional provision guaranteed under Article 21; and
- (e) if so, the reasons for the continued detention of these prisoners in Indian Jails?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) As per available information, as on November 30, 2003, 47 prisoner continue to be under detention in Indian jails even after serving their sentences. The State-wise break-up of these prisoners is as under:

State	No. of prisoners
Andhra Pradesh	02
Punjab	30
Rajasthan	15

(c) and (d) The Attorney General has written to the Government citing the protection available to foreigners also under Article 21 of the constitution of India.

(e) Repatriation of the prisoners is done after Pak High Commission confirms that the prisoners are their nationals and provides travel documents for their travel to Pakistan.

Prices of Anti-AIDS Drug

2101. SHRI RAM MOHAN GADDE:

SHRIMATI SHYAMA SINGH:

SHRI RAMSHETH THAKUR:

SHRI KAMAL NATH:

SHRI V. VETRISELVAN:

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

- (a) whether the Union Government has recently convened a meeting of leading drug companies for a discussion on the possibilities of reducing the prices of HIV-AIDS drugs;
- (b) if so, the details thereof;
- (c) whether it is a fact that the prices of HIV-AIDS drugs are out of reach of a significant section of the affected people; and
- (d) if so, the reaction of the leading drug companies thereto and action taken by the Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHHATTRAPAL SINGH): (a) and (b) Yes, Sir. A meeting was held on 17.11.2003 with the pharmaceutical industry producing Anti-retroviral Drugs, under the chairperson-ship of Minister for Health and Family Welfare, to discuss the modalities on affordable Anti-retroviral therapy to AIDS patients.

(c) and (d) Government is providing anti-retroviral drug, Nevirapine to HIV positive pregnant women for prevention of Parent to Child Transmission. For post exposure prophylaxis access among health workers in public sector hospitals, anti-retroviral drugs are being supplied through State AIDS Control Societies. Government has waived excise duty on anti-retroviral drugs to make them affordable to HIV/AIDS patients.

Extension of Delhi Metro Railway Section

2102. SHRIMATI RENUKA CHOWDHURY: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

- (a) whether there is a scheme to extend the Delhi Metro Railway section from Delhi University to Central Secretariat up to All India Institute of Medical Sciences; and
- (b) if so, the details and cost of the scheme and the time schedule therefor?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATREYA): (a) There is no proposal to extend the Delhi University-Central Secretariat section of the Delhi Metro rail to the All India Institute of Medical Sciences, under the approved Delhi Mass Rapid Transit System Project, Phase-I.

- (b) Does not arise.

*[Translation]***Allotment of DDA Flats to Punjab Migrants**

2103. SHRI G.S. BASAVARAJ: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

- (a) whether the Government has allotted the DDA flats to the Punjab Migrants;
- (b) if so, the details thereof, location-wise;
- (c) whether these flats have been allotted to the allottees of general category at higher prices;
- (d) if so, the reasons therefor;
- (e) whether the Government propose to reduce the prices of these flats for the allottees of general category; and
- (f) if so, the details thereof alongwith the names of the areas where these flats are likely to be allotted?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) and (b) Yes, Sir. The Delhi Development Authority (DDA) has allotted 493 flats at Bindapur, 360 flats at Dwarka, 1396 flats at Narela and 631 flats at Rohini to Punjab Migrants.

(c) to (f) The DDA has reported that the flats in the above areas were also allotted in the general category. However, the price of these flats from general public has been charged as per prevalent costing policy of DDA, which includes cost of acquisition of land, development cost of land, actual cost of construction, departmental charges, interest during construction period, etc. Rebate in the disposal cost of flats allotted under Expandable Housing Scheme, 1996 at Bindapur, Rohini, Kondli Gharoli and Narela was allowed to allottees, who opted for cash down to the tune of 5% in Dwarka to 15% in other areas. In Narela Housing Scheme, 2002, 20% subsidy was allowed to general category persons for all category of flats.

However, the flats to Punjab Migrants were allotted at lower rates on the recommendations of National Human Rights Commission and with the approval of the Delhi Development Authority. The rate of interest on monthly instalments was also reduced from 12.75% to 11% in the case of Punjab Migrants.

Change in cost of flats depends on actual variation in development and construction cost, interest rates, etc. which is a continuous process.

*[English]***Adulteration of Opium**

2104. DR. JASWANT SINGH YADAV: Will the DEPUTY PRIME MINISTER be pleased to state:

- (a) whether some cases of adulteration of opium with gum, including dextrine have been detected during 2002-03 and 2003-04;
- (b) if so, the details thereof, State-wise, and
- (c) the action taken by the Government to check the diversion of opium to illicit market?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) Detailed information in this regard is being collected.

- (c) (i) Cultivation of opium is undertaken by licensed opium cultivators in the notified tracts in Madhya Pradesh, Rajasthan and Uttar Pradesh under the strict supervision of the Central Bureau of Narcotics (CBN).
- (ii) During lancing and procurement of opium, intensive preventive checks are also exercised in the opium growing areas by CBN, in association with other enforcement agencies. Necessary follow up action and investigation is also undertaken by CBN and other agencies for enforcing the provisions of Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances (PITNDPS) Act, 1988.
- (iii) Stringent action as per the provisions of Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, is taken against the drug traffickers and other engaged in the diversion of opium from the licit channel,
- (iv) Remunerative price is given to the licensed cultivators of opium to encourage them to give entire yield of opium to the Government.
- (v) Strict action is taken against Licensed cultivators whose opium is found to be inferior/adulterated.

Joint Coordination Committee Meeting on Naxalism

2105. SHRI BHASKARRAO PATIL:
SHRI NARESH PUGLIA:

SHRIMATI SHYAMA SINGH:

SHRI BHARTRUHARI MAHTAB:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether it is a fact that a Joint Coordination Committee of top Central and State Police and intelligence wing officers on Naxalism was held at Bhubaneshwar recently;

(b) if so, the details of the discussion held in the meeting; and

(c) the strategies to be adopted to curb Naxalite activities in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) Yes, Sir. The high powered Coordination Centre Meeting under the chairmanship of the Union Home Secretary was held at Bhubaneshwar on 21.11.2003 in which left wing extremist scenario in the country was discussed in detail. In the meeting, it was decided inter-alia to deploy CRPF on a long-term basis. There will be institutionalized mechanisms to enable coordinated and sustained anti-naxalite operations. The State Governments have been asked to encourage local resistance groups against the naxalites and make full use of Rs. 2475.00 crores to be provided by the Central Government to the 55 LWE affected districts over the next three years for their integrated development.

(c) The Government has adopted a multi-pronged approach to tackle the problem of left wing extremism which includes modernization and strengthening of the State Police forces, better training to Police personnel, deployment of CPMFs on a long term basis, streamlining of gathering and sharing of actionable intelligence, Special Task Forces for intelligence based anti-naxalite operations, focused attention on development aspect and Gearing up of the public grievances redressal system and encouraging resistance groups against the naxalites at the grass roots level.

Funds under Rural Development Schemes

2106. SHRI A. NARENDRA:

SHRI RAM MOHAN GADDE:

DR. JASWANT SINGH YADAV:

COL. (RETD.) DR. DHANI RAM SHANDIL:

SHRIMATI NIVEDITA MANE:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the details of the funds allocated/released for

rural development schemes during 2003-04 so far, State-wise and scheme-wise;

(b) whether the Union Government has received requests from State Governments to release additional amount under various Rural Development Schemes;

(c) if so, the details thereof, alongwith the funds sanctioned/released for the purpose, State-wise;

(d) whether some States have failed to draw their share of funds allocated to them from Central Funds under various Rural Development Schemes during the current year; and

(e) if so, the name of those States and schemes under which they failed to draw their share of money alongwith reasons therefor, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASAHEB M.K. PATIL): (a) The Sampurna Gramin Rozgar Yojana (SGRY), the Swarnjayanti Gram Swarozgar Yojana (SGSY), the Indira Awaas Yojana (IAY), the Rural Drinking Water Supply Programme (RWS), the Integrated Wastelands Development Programme (IWDP) and the Pradhan Mantri Gram Sadak Yojana (PMGSY) are the major Rural Development Schemes being implemented by the Ministry of Rural Development. The funds allocated/released for the above Schemes during 2003-04, so far State-wise and scheme-wise is given in the Statement enclosed.

(b) and (c) A proposal was received from the Government of Orissa for release of additional amount under the Indira Awaas Yojana (IAY) but the same could not be agreed to as the districts are yet to lift the second instalment of IAY funds.

(d) Yes, Sir.

(e) During 2003-04, some Districts of Himachal Pradesh, Manipur, Meghalaya, A&N Islands and Daman & Diu have not been able to draw their first instalment under the IAY mainly on account of low expenditure, non-submission of required Audit Reports/Utilisation Certificates and non-receipt of proposals for release etc. Similarly, 12 Districts of Gujarat, Manipur, A&N Islands, Daman & Diu, D&N Haveli and Lakshadweep have failed to draw their first instalment under the SGRY-II mainly on account of low expenditure, non-receipt of proposals, discrepancies in Audit Report and Utilization Certificates etc. In respect of the SGSY, some DRDAs of Bihar, Goa, Himachal Pradesh, Uttar Pradesh, West Bengal, Arunachal Pradesh, Manipur, Meghalaya, Nagaland and Union Territories of A&N Islands, Dadra & Nagar Haveli, Daman & Diu and Lakshadweep have not been able to draw their first instalment. For Assam, the second instalment of funds for 2003-04 has been withheld for not releasing the State matching share.

Statement
Funds Allocated/Released during 2003-2004, State-wise and Scheme-wise

S.No.	State/UT	(Rs. in Lakh)													
		SGRY-I		SGRY-II		SGSY		IAY		PMGSY		RWS			
		Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release	Central Allocation	Central Release		
3	4	5	6	7	8	9	10	11	12	13	14				
1	Andhra Pradesh	10945.80	6567.48	11068.38	6641.03	4238.88	2119.44	13669.37	6853.47	9000.00	0.00	13112.00	6556.00		
2	Arunachal Pradesh	571.71	323.84	571.14	342.68	221.53	89.03	627.75	318.35	3500.00	0.00	4962.00	2481.00		
3	Assam	14833.49	8900.06	14840.03	8904.00	5756.15	2878.08	14124.59	7062.33	7500.00	0.00	8403.00	4201.50		
4	Bihar	21918.95	12894.87	20218.76	11956.53	10084.97	3197.60	37131.83	18443.22	15000.00	0.00	6319.00	3159.50		
5	Chhattisgarh	6177.47	3706.45	4591.90	3250.70	2238.84	1119.42	2337.51	1788.02	8700.00	5500.00	1901.00	1623.50		
6	Goa	25.24	15.14	158.69	95.22	50.00	17.65	88.32	38.78	500.00	0.00	105.00	0.00		
7	Gujarat	4120.14	2602.90	4846.03	3042.70	1595.58	988.70	3928.46	2378.12	5000.00	0.00	5690.00	4113.00		
8	Haryana	2423.94	1454.39	2552.95	1531.75	938.70	469.35	1328.34	899.73	2000.00	799.00	2662.00	1331.00		
9	Himachal Pradesh	1020.85	580.97	1075.15	676.70	395.33	195.98	587.66	298.54	6000.00	0.00	4927.00	2463.50		
10	Jammu & Kashmir	1263.44	827.63	1236.17	776.54	489.27	256.99	702.96	369.19	2000.00	0.00	10898.00	5416.50		
11	Jharkhand	13938.61	8363.16	14864.95	8918.95	3801.08	1900.57	10909.67	4546.40	11000.00	0.00	2575.00	1287.50		
12	Karnataka	5265.64	4959.38	8086.08	4852.84	3200.94	1600.47	7070.71	3799.41	9500.00	5900.00	11312.00	6256.00		
13	Kerala	3708.80	2225.28	3628.76	2177.26	1436.25	718.13	4381.56	2209.56	2000.00	0.00	3645.00	1675.26		
14	Madhya Pradesh	11997.72	7198.58	13340.51	8004.30	4799.65	2399.83	8157.24	4858.73	21300.00	14590.00	6079.00	4270.50		
15	Maharashtra	16339.34	9803.58	16143.90	9686.98	6327.49	3113.29	12545.56	6197.73	13000.00	0.00	15710.00	7855.00		
16	Manipur	996.01	353.6J	994.88	222.56	385.88	0.00	748.47	166.14	2000.00	0.00	1833.00	916.50		

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
17	Meghalaya	1115.82	586.94	1114.61	586.30	432.33	33.78	994.44	297.80	3500.00	0.00	1967.00	983.50	
18	Mizoram	258.21	154.93	257.92	154.75	100.04	50.02	238.73	119.40	2000.00	0.00	1386.00	693.00	
19	Nagaland	785.38	262.94	764.58	458.74	296.58	42.78	641.95	321.00	2000.00	0.00	1453.00	728.50	
20	Orissa	12519.90	7039.76	12249.66	7349.77	4848.39	2424.19	11004.35	21997.99	17500.00	0.00	5303.00	3151.50	
21	Punjab	1178.05	706.82	2839.58	1703.74	456.20	228.10	879.95	412.69	2500.00	0.00	2289.00	1134.50	
22	Rajasthan	6276.45	5803.51	6147.80	5994.13	2430.60	1215.30	3706.70	2497.77	13000.00	13000.00	22026.00	12513.00	
23	Sikkim	285.87	171.52	285.57	171.34	110.76	55.38	172.10	86.06	2000.00	0.00	603.00	301.50	
24	Tamil Nadu	9678.62	9657.82	9536.15	9536.15	3748.10	2299.69	6864.39	6864.39	8000.00	8000.00	4869.00	3834.50	
25	Tripura	1798.50	1079.12	1796.27	1313.37	696.73	348.37	1451.97	623.03	2500.00	0.00	1743.00	871.50	
26	Uttar Pradesh	36990.97	22194.56	36371.30	21822.75	14518.73	7002.60	25028.00	12514.00	31500.00	0.00	11086.00	5543.00	
27	Uttaranchal	2470.60	1482.36	2469.75	1481.84	763.00	381.50	2599.55	1299.78	6000.00	0.00	2635.00	1317.50	
28	West Bengal	13913.39	7307.87	13613.04	8167.82	5388.41	1512.69	14752.84	6956.43	13500.00	0.00	6827.00	3413.50	
29	Andaman & Nicobar Islands	58.22	0.00	104.12	17.45	50.00	0.00	166.27	0.00	1000.00	0.00	5.63	0.00	
30	Dadra & Nagar Haveli	58.22	0.00	68.55	0.00	50.00	0.00	87.26	0.00	500.00	0.00	3.75	0.00	
31	Daman & Diu	1.95	0.00	33.22	0.00	50.00	0.00	36.12	0.00	500.00	0.00	0.00	0.00	
32	Lakshadweep	3.88	0.00	52.07	0.00	50.00	0.00	2.83	2.83	500.00	0.00	0.00	0.00	
33	Pondicherry	73.75	44.25	105.53	63.32	50.00	25.00	82.55	41.28	500.00	0.00	2.81	0.00	
	Total	205994.93	127269.71	206030.00	129902.21	80000.41	36683.93	187050.00	114262.17	225000.00	47789.00	162312.19	88089.76	

Expansion of Coal Mines

2107. SHRI P.D. ELANGO VAN: Will the Minister of COAL be pleased to state:

(a) whether the Government has any specific plans to expand the existing coal mines in Neyveli Lignite Corporation Ltd.;

(b) if so, the details thereof;

(c) whether the Government has plans to recruit more workers of all cadres in NLC Ltd.; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) and (b) Yes, Sir. The capacity of the existing Mine II project of Neyveli Lignite Corporation (NLC) is planned to be expanded from 10.5 million tonnes per annum to 15.00 million tonnes per annum to feed Thermal Power Station II Expansion project of 2X250 MW capacity.

(c) Barring some exceptions like recruitment of land oustees, dependents of deceased employees, etc., NLC has no plans to recruit more workers. With the redeployment of existing manpower, requirement of fresh manpower has drastically come down.

(d) Does not arise in view of reply to part (c) above.

Fertilizers and Chemicals Travancore Limited

2108. SHRI N.N. KRISHNADAS: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether any request has been sent by the Government of Kerala to hand over the management of Fertilizers and Chemicals Travancore Limited (FACT) to State co-operative sector by involving Indian Farmers and Fertilizer Co-operative Limited (IFFCO);

(b) if so, the details thereof; and

(c) the response of the Union Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHHATRAPAL SINGH): (a) and (b) The Chief Minister of Kerala had requested vide letter dated 24.8.2003 to defer due diligence exercise under dis-investment process for at least 3 months so that a consolidated viable proposal for sustaining FACT in cooperative sector might be submitted for consideration of Government of India.

(c) The Government of India has not so far received any concrete proposal from the State Government for handing over the management of FACT to co-operative sector by involving Indian Farmers and Fertilizer Co-operative Limited.

Production of Waste Coal

2109. SHRI BASU DEB ACHARIA: Will the Minister of COAL be pleased to state:

(a) the details of production of waste coal in different coal washeries of Coal India Ltd. during the last three years, year-wise and subsidiary-wise;

(b) whether it is a fact that production in Bhojudih coal washery is less than that of its capacity; and

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

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) There is no production of 'waste coal' as such in the washeries of Coal India Limited (CIL). However, depending upon the raw coal input quality and desired quality of products i.e., washed coal and middling, some amount of rejects (processed and picked) are produced in the washeries. The subsidiary-wise/year-wise details of production of rejects in different coal washeries of Coal India Limited during the last three years are as under:

(Figs. In '000 tonnes)

Sl. No.	Washery	2000-01	2001-02	2002-03
1	2	3	4	5
Bharat Coking Coal Ltd. (BCCL)				
1.	Dugda-I	82.34	215.73	179.695
2.	Dugda-II	19.59	5.87	3.70
3.	Bhojudih	66.62	47.70	28.42
4.	Patherdih	36.71	29.44	8.40
5.	Barora	30.34	17.96	18.11
6.	Sudamdih	50.76	20.78	17.00
7.	Moonidih	130.58	72.09	72.10
8.	Mahuda	0.12	-	-
9.	Madhuban	127.26	264.59	252.29
10.	Lodna	26.77	16.48	25.00
Total		571.08	690.64	604.71

1	2	3	4	5
Central Coalfields Limited (CCL)				
1	Kathara	331.723	321.0	262.686
2	Swang	42.90	29.332	7.17
3	Rajrappa	271.817	194.402	266.216
4	Kedla	89.41	40.825	58.97
5	Gidi	349.1	232.23	260.55
6	Piparwar	1087.59	1289.347	1213.451
7	Kargali	222.40	192.025	214.614
Total		2394.94	2299.161	2283.657

NCL

1	Bina	185.537	165.599	298.802
Total CIL		3151.557	3155.400	3187.169

(b) and (c) The production of Bhojudih coal washery is less than that of its capacity, due to following reasons:

- (i) The washery has outdated its life. It is more than 40 years old.
- (ii) Non-availability of superior quality of coal on account of depletion of upper seam coal of good quality.
- (iii) Ageing and obsolescence of equipment.
- (iv) Shortage of suitable coking coal feed to the washery in BCCL.

Terrorist Base on LoC/Border

2110. SHRI JYOTIRADITYA M. SCINDIA:

SHRIMATI RENUKA CHOWDHURY:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether latest reports reveal that Pakistani ISI has revived the terrorist camps along the Line of Control in J&K and the International Border which had been closed down in the after-math of the 9/11 attacks in US;

(b) if so, whether it is a fact that 1600 terrorists had been deployed to infiltrate into India from these camps;

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

(d) the number of terrorist camps reported to be operating in such areas?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) to (d) Yes, Sir. Available reports indicate that some of the terrorist training camps in Pak/Pok, which were closed down after September 11 attacks in US, have been reactivated. Most of the make shift training camps located in Pak near LoC/IB opposite J & K, are used as launching/base camps for operations in our side. Reports also indicate that a significant number of terrorists of various outfits are present at these launching pads in Pak/Pok, ready for infiltration at short notice.

Foodgrains under SGRY

2111. SHRI SHRINIWAS PATIL: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether incidences of delayed supply of foodgrains to the beneficiaries under Sampoorna Grameen Rozgar Yojana (SGRY) are noticed by the Central Government during the last two years and the current year;

(b) if so, the details thereof and the reasons therefore, State-wise; and

(c) the steps taken or proposed to be taken by the Government for timely supply of foodgrains under the yojana?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI KRISHNAMRAJU): (a) The Sampoorna Grameen Rozgar Yojana (SGRY) has become fully operative from 1st April, 2002. During previous year and current year, complaints of delayed supply of foodgrains under the Scheme have been received from various States such as Assam, Bihar, Jharkhand, Maharashtra, Karnataka, Uttar Pradesh etc. from time to time.

(b) The reasons for such delayed supply of foodgrains are inadequate infrastructure, transportation of foodgrains from other States, non-availability of Railway trucks for transportation of foodgrains, release of large quantity of foodgrains for drought relief works, etc.

(c) As and when such complaints are received, the FCI has been requested to take immediate steps for supply of foodgrains. Besides, meetings are held from time to time with the officials of the FCI and the Department of Food & Public Distribution to review the supply of foodgrains under the programme.

Funding by HUDCO for Metropolitan Transport Systems

2112. PROF. UMMAREDDY VENKATESWARLU: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether it is a fact that Housing and Urban Development Corporation Ltd. is releasing funds for Metropolitan Transport Systems;

(b) if so, the details thereof, project-wise;

(c) whether the Government propose to use the managerial experience of HUDCO to raise funds for development of transportation in all cities of the country;

(d) if so, the policy being followed by the HUDCO for this specific purpose; and

(e) the other steps taken by the HUDCO to assist cities and towns in this arena of activity and urban development?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) and (b) Housing & Urban Development Corporation Limited (HUDCO) can finance Metropolitan Transport System under the portfolio of infrastructure financing. However, HUDCO has not yet received any schemes for financing of Metropolitan Transport Systems.

(c) and (d) HUDCO is willing to provide consultancy to various Transport related agencies for raising funds as well as for structuring of projects.

(e) HUDCO has been financing roads, bridges, flyovers, subways; by-passes, transport nagar/terminal, parking complexes, purchase of public transport vehicles, ports, airports, railway infrastructure, jetties etc. leading to development of cities and towns.

Mumbai Urban Transport Project

2113. SHRI NARESH PUGLIA: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Union Government and the Government of Maharashtra have taken up the Mumbai Urban Transport Project (MUTP) with the help of World Bank to improve the traffic and transportation condition in Mumbai;

(b) if so, the details thereof; and

(c) the present status of the project?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) Yes, Sir.

(b) and (c) In order to improve the public transport system in Mumbai, Mumbai Urban Transport Project (MUTP) was envisaged and it was decided to share the investment for the MUTP rail projects between the Ministry of Railways (MOR) and the Government of Maharashtra (GOM) on a 50:50 basis. A Memorandum of Understanding (MOU) was signed on 26.5.1998 between the MOR and the GOM for execution and funding of the MUTP rail projects. As a result of this MOU, Mumbai Rail Vikas Corporation (MRVC), a Public Sector Undertaking under the Ministry of Railways, was set up for executing the rail components of the MUTP and other associated works, with an equity capital of Rs.25 crore, contributed in the ratio of 51:49 by the MOR and GOM.

MUTP consists of 14 sub-projects. However, at present, the World Bank has agreed to funding Phase-I of MUTP, consisting of the following 9 sub-projects:

- (i) 5th & 6th line between Kurla and Thane.
- (ii) 5th line on Western Railway, including flyover modification.
- (iii) Borivall-Bhayander quadrupling
- (iv) Bhayander-Virar Quadrupling.
- (v) Optimisation of Central Railway line, including 12 car operation on through line.
- (vi) Optimisation of Harbour line.
- (vii) Optimisation of Western Railway line, including 12 car operation on through line.
- (viii) DC to AC conversion in Mumbai Suburban Stations.
- (ix) Procurement/manufacture and retrofitment of EMUs.

The estimated cost of the project is 3125.20 crore to be funded, inter-alia, by World Bank loan of Rs.1613.07 crore.

The expenditure-incurred upto September, 2003 is Rs.524.10 crore.

The present progress is 17 per cent and the completion is targeted for June, 2008.

Complaints Against Officials

2114. SHRI SADASHIVRAO DADOBHA MANDLIK:

SHRI RAM MOHAN GADDE:

Will the Minister of COAL be pleased to state:

(a) whether the Government has received a number of complaints against the officials of his Ministry and Coal India Limited from various representatives of people and Federation of Coal Consumers, Dealers and Traders of India during the last three years;

(b) if so, the details thereof and the nature of complaints made by them;

(c) whether any enquiry has been ordered on the basis of these complaints; and

(d) if so, the details and outcome thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) and (b) No complaints has been received against any official of this Ministry. However, complaints have been received from MPs, MLAs and other organisations including Federation of Coal Consumers, Dealers and Traders of India against the officials of Coal India Limited during the past three years. The complaints relate to allegations of corruption, stay in sensitive posts for long periods, irregularities in allotment of coal, irregularities in tenders, procurement of materials, transport contracts, employment etc.

(c) and (d) If, prima facie, it appears that the complaint is verifiable, the Chief Vigilance Officer of the concerned coal company is requested to investigate the complaint. If any official is found guilty of misconduct as a result of such investigation, a departmental inquiry is initiated against him. Disciplinary action commensurate with the guilt is taken against the official against whom the charges are established in the departmental inquiry.

Amendment in Law for DNA Testing

2115. SHRI ASHOK N. MOHOL:

SHRI RAMSHETH THAKUR:

Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the Government is considering to amend all the required Acts including Indian Penal Code, Criminal Procedure Acts to make DNA testing as a primary evidence as part of the justice delivery system;

(b) if so, the facts thereof;

(c) the time by which the final decision is likely to be taken in this regard; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) to (d) Result of DNA testing as evidence in criminal cases comes under the ambit of Indian Evidence Act, 1872 which is administered by the Legislative Department, Ministry of Law and Justice. That Department have informed that the matter relating to amendment in law for DNA testing has been referred by the Law Commission of India in its 185th Report on Review of the Indian Evidence Act, 1872. The report is under examination in consultation with the State Governments. As there are considerable number of recommendations needing deep study and careful consideration, it is not possible at this stage to specify any rigid time-frame in this regard.

*[Translation]***Enhancement in Allocation of Funds**

2116. SHRI HARIBHAU SHANKAR MAHALE: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Union Government has received some representations requesting enhancement in allocation of funds for the construction of houses for socially and economically weaker sections of Maharashtra due to low rainfall and famine in some areas of the State;

(b) if so, the details thereof; and

(c) the action taken by the Union Government thereon?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) In so far as Ministry of Urban Development and Poverty Alleviation, Housing and Urban Development Corporation (HUDCO) and National Housing Bank (NHB) are concerned, no such representation has been received from the Government of Maharashtra either in the context of Valmiki Ambedkar Awas Yojana (VAMBAY) or other weaker sections housing schemes.

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

*[English]***Hatti Gold Mines**

2117. SHRI G. PUTTA SWAMY GOWDA: Will the Minister of MINES be pleased to state:

(a) whether it is a fact that the Gold ore after extraction of Gold which amounts to about 1 crore tonnes is lying at Hatti Gold Mines in Karnataka;

(b) if so, the reasons therefor;

(c) whether the Government propose to use this gold ore for agricultural purposes; and

(d) if not, the steps taken by the Union Government to dispose of the Gold ore and the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF MINES (SHRI RAMESH BAIS): (a) and (b) The Hatti Gold Mines Limited (HGML) Company is an undertaking of the Government of Karnataka. According to information provided by the Company and the Indian Bureau of Mines, after recovery of gold from gold bearing rock; the waste material i.e. tailing is disposed of in a separate tailing dump yard. The amount of such tailing material lying at HGML is about 80 lakh tonnes. The tailings lying at HGML contain about 0.3 to 0.35 PPM of gold. With the present know-how, recovery of gold from this tailing material is not considered economical.

(c) and (d) HGML has signed an MOU with University of Agricultural Science, Dharwar for carrying out research on the use of Gold ore Tailings for agricultural purposes. The research has commenced in April, 2003 and the period of research is for 3 years.

Submission of Schemes under VAMBAY

2118. SHRI V. VETRISILVAN:

SHRI G. PUTTA SWAMY GOWDA:

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Union Government has received any proposals from the various States for Central assistance under the Valmiki Ambedkar Awas Yojana;

(b) if so, the details thereof, State-wise;

(c) the present position of these proposals;

(d) whether the Union Government has also received proposals regarding sanction of additional houses;

(e) if so, the details thereof, State-wise; and

(f) the action taken by the Union Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) Yes, Sir.

(b) and (c) The State-wise cumulative details of the Central subsidy released for the period (2001-02 to 2003-04) so far; units covered and the physical progress achieved are at statement-I enclosed.

(d) and (e) The details of the proposals received by Housing & Urban Development Corporation Ltd. (HUDCO) from various States are at statement-II enclosed.

(f) The proposals complete in all respects are yet to be received by the Government from HUDCO.

Statement-I

Details of amount released under VAMBAY and number of beneficiaries/units covered as on 30.11.2003

(Rs. in lacs)

State/UT	GOI Subsidy Released			Beneficiaries/Units		Physical Progress			
	Housing	Toilets	Total	Housing	Toilet	Housing		Toilet	
						Compld. in Prog.	Compld. in Prog.	Compld. in Prog.	Compld. in Prog.
1	2	3	4	5	6	7	8	9	10
Andhra Pradesh	12651.450	57.880	12709.330	53895	392	3820	5216	0	0
Andaman & Nicobar Islands	0.000	0.000	0.000	0	0	0	0	0	0
Arunachal Pradesh	0.000	0.000	0.000	0	0	0	0	0	0

1	2	3	4	5	6	7	8	9	10
Assam	0.000	0.000	0.000	0	0	0	0	0	0
Bihar	0.000	0.000	0.000	0	0	0	0	0	0
Chandigarh	0.000	0.000	0.000	0	0	0	0	0	0
Chhattisgarh	872.000	92.400	964.400	4360	462	910	1211	0	0
Dadra & Nagar Haveli	0.000	0.000	0.000	0	0	0	0	0	0
Daman & Diu	0.000	0.000	0.000	0	0	0	0	0	0
Delhi*	50.000	0.000	50.000	167	0	167	0	0	0
Goa	0.000	0.000	0.000	0	0	0	0	0	0
Gujarat	3181.000	292.000	3473.000	20312	1460	168	20126	24	522
Haryana	652.600	0.000	652.600	3263	0	0	0	0	0
Himachal Pradesh	0.000	0.000	0.000	0	0	0	0	0	0
Jammu & Kashmir	224.770	0.000	224.770	999	9	9	128	0	0
Jharkhand	0.000	0.000	0.000	0	0	0	0	0	0
Karnataka	5049.700	1090.000	6139.700	22422	5450	10164	6141	190	2440
Kerala	2571.650	0.000	2571.650	12858	0	955	2689	0	0
Lakshadweep	0.000	0.000	0.000	0	0	0	0	0	0
Madhya Pradesh	1402.000	34.000	1436.000	6062	170	375	13083	0	0
Maharashtra	5330.025	899.400	6229.425	22185	4497	170	3824	1067	468
Manipur	10.795	0.000	10.795	48	0	35	13	0	0
Meghalaya	0.000	0.000	0.000	0	0	0	0	0	0
Mizoram	0.000	0.000	0.000	0	0	0	0	0	0
Nagaland	56.250	0.000	56.250	250	0	150	100	0	0
Orissa	76.600	0.000	76.600	383	0	26	97	0	0
Pondicherry	25.500	8.000	33.500	170	40	67	89	0	0
Punjab	0.000	0.000	0.000	0	0	0	0	0	0
Rajasthan	1200.000	0.000	1200.000	5500	0	3.438	1040	0	0
Sikkim	0.000	0.000	0.000	0	0	0	0	0	0
Tamil Nadu	2269.100	2241.600	4510.700	32297	14880	19739	10574	10556	4324

1	2	3	4	5	6	7	8	9	10
Tripura	155.028	0.000	155.028	689	0	45	0	0	0
Uttar Pradesh	3751.330	0.000	3751.330	17591	0	900	4744	0	0
Uttaranchal	176.150	20.000	196.150	881	100	0	0	0	0
West Bengal	1843.660	241.400	2085.060	8734	1302	453	882	0	0
Total	41549.608	4976.680	46526.288	213066	28753	41582	58177	11837	7754

Statement-II

State-wise details of VAMBAY Schemes received in HUDCO Head Office as on 10.12.2003

(Rs. in lacs)

Sl.No.	State	Dwelling Units	GOI Subsidy Requested
1.	Bihar	512	102.400
2.	West Bengal	678	90.500
3.	Andhra Pradesh	15582	3360.900
4.	Manipur	840	189.000
5.	Kerala	8236	1647.200
6.	Uttar Pradesh	447	89.400
7.	Maharashtra	19615	4220.700
8.	Nagaland	603	135.225
9.	Tamil Nadu	11214	2654.000
10.	Uttaranchal	1262	252.400
11.	Orissa	75	15.000
12.	Rajasthan	2200	540.000
Total		61264	13296.725

Coal Reserves

2119. COL. (RETD.) DR. DHANI RAM SHANDIL: Will the Minister of COAL be pleased to state:

(a) the estimated quantum of coal reserves in the country, zone-wise;

(b) the quantum of coal mined annually in the country;

(c) the reasons for importing coal rather than exploiting the coal reserves;

(d) the details of locations at where the exploration of coal reserves is going on;

(e) whether there is any possibility of availability of more coal reserves in the country in addition to these locations; and

(f) if so, the action taken or being taken by the Government in this direction?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) The State-wise reserves of coal in country as on 1.1.2003 as per Geological Survey of India (GSI) upto a depth of 1200 meters from surface are as follows:

State	Coal Reserves in Million Tonnes			
	Proved	Indicated	Inferred	Total
1	2	3	4	5
Andhra Pradesh	7944	6122	2518	16584
Arunachal Pradesh	31	40	19	90
Assam	279	27	34	340
Bihar	0	0	160	160
Chhattisgarh	8561	25409	4165	38135
Jharkhand	35265	29552	6326	71143
Madhya Pradesh	7100	7888	3217	18205
Maharashtra	4509	2151	1534	8194
Meghalaya	117	41	301	159
Nagaland	4	1	15	20

1	2	3	4	5
Orissa	14302	29516	15286	59104
Uttar Pradesh	766	296	0	1062
West Bengal	11207	11570	4475	27252
Total	90085	112613	38050	240748

(b) The annual coal production in the country during the last three years are as follows:

Year	Production (million tonnes)
2000-01	313.70
2001-02	327.64
2002-03	341.25

(c) Since, import of coal is under Open General Licence (OGL), the consumer is free to import coal. Coal and

coke are imported in the country by consumers to supplement the limited availability of low ash superior grade coking and non-coking coal for use by blending with indigenous coal and also on environmental considerations and considerations of location specific landed cost.

(d) The details of location of blocks/sectors/areas where exploration for coal is being carried out/programmed in the current year (2003-2004) by Geological Survey of India (GSI), Mineral Exploration Corporation Ltd. (MECL) and Central Mines Planning and Design Institute Ltd. (CMPDIL) are given at statement enclosed.

(e) and (f) Yes, Sir. There is possibility of having more coal resources. According to a recent exercise carried out jointly by GSI and CMPDIL there is a possibility of coal resources to the tune of 140 billion tonnes (tentative) in some selected coalfields in West Bengal, Jharkhand, Chhattisgarh, Madhya Pradesh, Maharashtra, Orissa and Andhra Pradesh. Besides, there are other areas where more coal resources may be available. Exploration will be taken up in future in these States to establish the actual potentiality.

Statement

Details of the location of block/sectors/area where regional/ promotional exploration is being carried out/ programmed during 2003-04

State	Agency	Coalfield	Area/block/sector	
1	2	3	4	
West Bengal	GSI	Raniganj Coalfield	1. Rakshitpur area	
			2. Tamra block	
			3. Mohanpur (West) area	
Jharkhand	GSI	Birbhum Coalfield	1. Gopalnagar-Ganpur sector	
			East Bokaro Coalfield	1. Pindra block
		South Karanpur		1. Mohuatola block
			Rajmahal	1. Kukulidangal - Sitasal sector
		CMPDIL		N. Karanpura
			1. Koyad Kishanpur south/Deonad-I	
Orissa	GSI	Talchar Coalfield	1. Tribira block	
			2. Saradhapur block	
			3. Tebtuloi block	

1	2	3	4
		Ib Valley Coalfield	1. Kuraloi (A) block 2. Kuroloi (B) block
Chhattisgarh	GSI	Mand Raigarh Coalfield	1. Barpali-Karmitikra sector 2. Jharpalam-Tangarhat block
		Hasdo Arand Coalfield	1. Pandrakhi sector
		Korba Coalfield	1. Saila block
		Tatapani Ramkola Coalfield	1. Garhali block 2. Barkagaon block
	MECL	Trans-Mand Raigarh	1. East Basin Phatehpur
		Sonhat	1. Updip site of Labji-Pusla (West)
Madhya Pradesh	GSI	Singrauli Coalfield	1. Badha Sector 2. Budher block
		Sohagpur Coalfield	1. Nigwani Bakeli area 2. Jamui block 3. Panwari block 4. Chainpa block 5. Singhpur (North) block
		Pench Balley Coalfield	1. Rajathari (South) area
		Tawa Valley Coalfield	1. Jholi sector
	MECL	Singrauli Main Basin	1. Scout drilling in westren part area west of Mara-Mahan
Maharashtra	GSI	Wardha Valley	1. East of Ekarjuna sector 2. Chikni sector 3. East of Jamgaon Khurd
	CMPDIL	Wardha Valley	1. Madheri Western Extension
		Kamptee	Area between Tondakhari-Khandala and Bokhara (Bhartwada)
	MECL	Katol	North of Dahegaon-Dhapewara
Andhra Pradesh	GSI	Godavari Coalfield	1. Vadlagudem block
	MECL	Godavari Coalfield	1. Kachinapalli 2. Yellandu 3. South of Kothagudem
Assam	MECL	Makum	Area west of Namdang colliery & Dirak River

[Translation]

Status of Projects

2120. SHRI RAVINDRA KUMAR PANDEY: Will the Minister of COAL be pleased to state:

(a) the status of functional and non-functional projects worth Rs.20 crores or more in the coal sector as on date;

(b) the present status of pending projects and especially the Damodar River Diversion Project;

(c) whether the Government has taken any effective steps to start the pending projects immediately; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) to (d) In Coal India Limited (CIL), there are 57 on-going projects costing Rs.20 crores and above. Out of these, 47 projects are under implementation and project construction activities of remaining 10 projects will start only after acquisition of land, which is under progress. Besides these, 6 approved projects have been kept in abeyance because of problems in forest & non-forest land acquisition, rehabilitation and for want of approval/permission from Directorate General of Mines Safety.

In Singareni Collieries Company Limited, there are 21 on going projects costing Rs.20 crores and above. All projects are under implementation.

In Neyveli Lignite Corporation, there are 4 on-going projects, all of which are under operation.

Damodar River Diversion Project of CIL is not a sanctioned project, only Advance Action Plan (AAP) of Damodar River Diversion Project for a capital of Rs. 5.59 crores was sanctioned in April, 1983. 15.86 ha of forest land and 451.80 ha of non-forest land is required for this project. So far 282.69 ha of non-forest land is under possession. Scheme for rehabilitation has been sanctioned for 550 families. Rehabilitation site has been developed. Revised Environment Management Plan has been submitted to Ministry of Environment & Forests for approval.

[English]

Employees Under BGML

2121. SHRI SURESH RAMRAO JADHAV: Will the Minister of MINES be pleased to state:

(a) the details of the workers, who have not been paid any salary since the closure of Bharat Gold Mines in Kolar Gold fields, Karnataka in March, 2001;

(b) whether the Government have drawn any package for these workers, majority of whom belong to SC/ST;

(c) if so, the details thereof;

(d) if not, the reasons therefor; and

(e) the steps taken by the Government to give the workers an ex-gratia amount as an interim measure in order to enable them to seek alternative employment?

THE MINISTER OF STATE OF THE MINISTRY OF MINES (SHRI RAMESH BAIS): (a) The operations of Bharat Gold Mines Limited (BGML) stands closed from 1.3.2001 as per the closure order passed by the Ministry of Labour. The number of employees on the date of closure was 3580 out of which 493 have taken advantage of a special scheme for voluntary retirement which was offered from time to time after the closure. Since, the company stood closed the erstwhile employees of the company are not entitled for any salary after 1.3.2001.

(b) to (e) The workers of a closed unit are only entitled to retrenchment benefits as per the Industrial Disputes Act, 1947. However, Government approved a Special Terminal Benefit Package (STBP) for BGML employees, which is much higher than the retrenchment benefits. This STBP was opened by the Government for a period of one month initially with effect from 10.10.2002, which allowed the erstwhile employees an option to choose either the Heavy Industry Package or Gujarat Package of voluntary separation. Again the STBP was opened for a period of one month with effect from 20.12.2002. The employees opting for STBP were also offered hutments at reasonable price. Ad-hoc interim payments have also been made to ex-employees of BGML from time to time amounting to an average of Rs.19000/- per employee, which includes a payment of Rs.5000/- in the month of October, 2003.

Dwelling Units under IAY

2122. SHRI PARSURAM MAJHI:

SHRI MANSINH PATEL:

SHRI ABDUL RASHID SHAHEEN:

Will the Minister of RURAL DEVELOPMENT be pleased to state

(a) the district-wise number of dwelling units

constructed/targeted to be constructed under the Indira Awaas Yojana, State-wise;

(b) whether the Government has constructed dwelling units in the KBK districts in Orissa under Indira Awas Yojana (IAY);

(c) if so, the number of SC/ST and non-SC/ST rural poor in these districts who have been allotted dwelling units as on date;

(d) the number of dwelling units still under construction; and

(e) the funds provided to the State during each of the last three years for constructing such houses under the scheme?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI KRISHNAMRAJU): (a) Statement showing the number of dwelling units constructed/targeted to be constructed under the Indira Awaas Yojana (IAY) during the current financial year is at statement-I, district-wise and state-wise.

(b) to (d) Statement showing the dwelling units constructed in KBK districts of Orissa, indicating the coverage of Scheduled Castes (SCs), Scheduled Tribes (STs) and Non-SC/ST and the dwelling units under construction is at statement-II enclosed.

(e) Statement showing the funds provided to the State during the last three years is at statement-III enclosed.

Statement-I

Statewise Nos of Houses Targeted and Constructed/Upgraded under Indira Awaas Yojana during 2003-2004

Sl. No.	Name of the States / UTs	Unit in Nos.	
		Number of Houses Targeted	Number of Houses Constructed/Upgraded
1	2	3	4
1	Andhra Pradesh	109355	57992
2	Arunachal Pradesh	4718	1626
3	Assam	106149	10446
4	Bihar	297054	41857

1	2	3	4
5	Chhattisgarh	18700	4503
6	Goa	707	83
7	Gujarat	31428	10212
8	Haryana	10626	2768
9	Himachal Pradesh	4416	512
10	Jammu & Kashmir	5283	1844
11	Jharkhand	87277	8340
12	Karnataka	56565	20533
13	Kerala	35052	17638
14	Madhya Pradesh	65258	15215
15	Maharashtra	100365	24514
16	Manipur	5625	65
17	Meghalaya	7474	2353
18	Mizoram	7194	538
19	Nagaland	4825	669
20	Orissa	88035	59409
21	Punjab	7040	2253
22	Rajasthan	29654	20150
23	Sikkim	1293	1059
24	Tamil Nadu	54915	17006
25	Tripura	10912	3486
26	Uttar Pradesh	200224	17533
27	Uttaranchal	19536	4858
28	West Bengal	118023	29851
29	Andaman & Nicobar Islands	998	461
30	Dadra & Nagar Haveli	524	NR
31	Daman & Diu	217	4
32	Lakshadweep	17	6
33	Pondicherry	495	94
Total		1484554	377878

NR-Not Received

Statement-II

*District-wise number of houses constructed for SC, ST and Others
in KBK districts of Orissa during current year under IAY*

KBK districts of Orissa

Unit in Nos.

Sl. No.	Name of the Districts	Number of Houses constructed for				Total	Total Number of Houses under Construction
		SC	ST	Others	Total		
1	2	3	4	5	6	7	
1	Balangir	298	252	294	844	1179	
2	Kalahandi	1556	1647	2985	6188	5194	
3	Koraput	127	250	49	426	NR	
4	Malkangiri	248	341	NR	589	442	
5	Nabrangpur	169	307	97	573	1324	
6	Nawapara	147	226	132	505	300	
7	Rayagada	168	659	272	1099	1495	
8	Sonepur	316	224	364	904	581	
Total		3029	3906	4193	11128	10515	

NR-Not Received

Statement-III

*State-wise central Releases to the States
under Indira Awaas Yojana (IAY)
during last three years*

(Rs. in lakhs)

Sl. No.	Name of the States / UTs	Central Releases during		
		2000-01	2001-02	2002-03
1	2	3	4	5
1	Andhra Pradesh	11001.91	18086.39	12357.15
2	Arunachal Pradesh	519.91	527.56	738.43
3	Assam	8177.40	8621.13	9967.33
4	Bihar	17866.73	19973.04	19729.90
5	Chhattisgarh	1874.67	2067.53	2027.85
6	Goa	27.20	53.03	39.00
7	Gujarat	8143.00	6124.94	5518.01
8	Haryana	1151.94	1392.29	1189.76
9	Himachal Pradesh	443.89	853.17	857.59
10	Jammu & Kashmir	132.95	1023.27	458.65
11	Jharkhand	4203.16	3852.51	5455.84
12	Karnataka	4203.28	5278.94	4852.22
13	Kerala	2445.22	3815.93	2970.30
14	Madhya Pradesh	6670.61	7469.59	7018.01
15	Maharashtra	9752.55	10893.45	10109.70
16	Manipur	326.45	334.36	260.01
17	Meghalaya	496.65	441.45	906.15

1	2	3	4	5
18	Mizoram	251.97	174.34	174.58
19	Nagaland	660.31	583.81	291.42
20	Orissa	31325.76	46488.04	32543.45
21	Punjab	708.58	862.13	598.55
22	Rajasthan	3924.66	3315.96	3149.31
23	Sikkim	199.28	133.82	149.87
24	Tamil Nadu	5846.00	7079.45	6205.43
25	Tripura	1681.23	1669.01	1977.39
26	Uttar Pradesh	18645.17	23528.38	20996.84
27	Uttaranchal	1427.54	1364.63	2011.59
28	West Bengal	9906.99	10704.46	10161.08
29	Andaman & Nicobar Islands	129.00	171.55	40.32
30	Dadra & Nagar Haveli	0.00	49.70	0.00
31	Daman & Diu	11.15	15.58	0.00
32	Lakshadweep	3.00	1.62	2.50
33	Pondicherry	33.50	23.31	74.63
Total		152193.66	186974.37	162852.83

[Translation]

Training to Representatives under SGSY

2123. DR. RAGHUVANSH PRASAD SINGH: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Government has received any proposals from State Governments especially from the State of Bihar for providing well designed training to representatives under Swarnajayanti Gram Swarozgar Yojana during the last two years and the current year;

(b) if so, the details thereof, State-wise; and

(c) the present status thereof and the time by which approval is likely to be given in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI KRISHNAMRAJU): (a) and (b) Under Swarnajayanti Gram Swarozgar yojana (SGSY),

Ministry of Rural Development had invited proposals from State Governments/ UTs to conduct training programmes for Training of Trainers (TOTs), Facilitators/Self-Help Promoting Institutions (SHPIs), Bank Officials and Development Functionaries at various levels only during the current financial year 2003-04. Out of 25 projects received from various States, 9 are from different districts of Bihar namely Saharsa, Nalanda, Madhubani, Vaissali, Bettia, Banka, Patna, Muzaffarpur and Buxar. State-wise number of training proposals received and approved by the Ministry is enclosed as statement.

(c) The Ministry has already approved eleven proposals pertaining to training under SGSY for different States of the country alongwith a proposal of Saharsa District of Bihar. Remaining proposals are under consideration and are likely to be approved during the current financial year.

Statement

State-wise number of training proposals received and approved under Swarnajayanti Gram Swarozgar Yojana (SGSY)

Sl. No.	State	No. of Proposals received	No. of Proposals approved
1	2	3	4
1.	Arunachal Pradesh	1	1
2	Assam	1	1
3	Bihar	9	1
4	Gujarat	1	1
5	Karnataka	1	1
6	Manipur	1	1
7	Tripura	1	1
8	Uttaranchal	1	1
9	Rajasthan	1	1
10	West Bengal	1	1
11	Goa	1	1
12	Orissa	1	0
13	Chhattisgarh	1	0
14	Meghalaya	1	0

1	2	3	4
15	Mizoram	1	0
16	Himachal Pradesh	1	0
17	Madhya Pradesh	1	0
Total		25	11

[English]

Amount Released to N-E States

2124. SHRI P.R. KYNDIAH: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

Statement

The details of Town covered, subsidy released and the number of units constructed statewise during last three years in the North-Eastern States

Name of the State	Year	Amount Released (Rs. in lakhs)	Towns covered	Units constructed
Manipur	2000-01	0	0	0
	2001-02	0	0	0
	2002-03	15.46	Kakching, Nambol & Mayang	1003
Meghalaya	2000-01	0	0	0
	2001-02	0	Shillong	251
	2002-0	0	0	0
Tripura	2000-01	0	0	0
	2001-02	0	0	0
	2002-03	58.79	0	0

Underground Coal Mines under MCL

2125. SHRI K.P. SINGH DEO: Will the Minister of COAL be pleased to state:

(a) the number of underground coal mines under the Mahanadi Coalfields Ltd. (MCL);

(b) the progress of coal mining in those mines during the last three years;

(c) whether the Government has a proposal to

(a) the amount released to the North-Eastern States and towns covered under Low Cost Sanitation Scheme during each of the last three years, State-wise; and

(b) the number of units so far constructed in the North-Eastern States during the said period, state-wise?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) and (b) The details of towns covered, subsidy released and the number of units constructed state-wise, during last three years in the North-Eastern States under Low Cost Sanitation Scheme are given in the statement enclosed.

computerize the official work of MCL and to computerize the coal mining activities; and

(d) if so, the steps taken in that regard?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) The number of underground coal mines under the Mahanadi Coalfields Limited, is eight excluding Handiduah colliery which is not in production at present.

(b) The progress of underground coal mining in

Mahanadi Coalfields Limited during the last three years are as under:

Name of the Mines	2000-01 (Figures in lakh MT)	2001-02	2002-03	2003-04 (till November, 2003)
Talcher	1.61	1.80	2.00	1.24
Deulbera	1.06	1.06	1.10	0.61
Nandira	2.30	2.35	2.50	1.39
OC-2	2.66	2.58	2.63	1.80
OC-3	3.21	3.36	4.16	3.23
OC-4	0.95	1.03	0.95	0.59
HRC	1.71	1.68	1.43	1.03
HBI	2.71	2.61	2.81	2.52
Total	16.21	16.47	17.58	12.51

(c) and (d) Mahanadi Coalfields Limited/Coal India Limited has made programmes for computerisation of office work of Mahanadi Coalfields Limited through implementation of uniform coal net application software developed by IIT, Kharagpur, Mahanadi Coalfields Limited Coal India Limited has also identified introduction of Global Positioning System (GPS) based Truck Despatch System (TDS) and Geographic Information System (GIS) in large OCPs having above 5 million tonne per year of out-put.

Conversion of Commercial and Industrial Property Lease into Free Hold

2126. SHRI LAXMAN GILUWA: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Government has decided to allow conversion of commercial and industrial property lease into free hold;

(b) if so, the details of the scheme indicating the rates of conversion and the criteria for fixing market value of the property;

(c) the number of applications received and disposed of so far, category-wise;

(d) whether the Government has investigated on unnecessary delay in the conversion work; and

(e) if so, the details thereof and action taken by the Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATREYA): (a) Yes, Sir.

(b) Conversion of leasehold land tenure in Delhi into freehold which was applicable to residential properties only has now been extended to industrial, commercial and mixed land use properties vide order dated 24.6.2003. As per the scheme, lessees would have the option to convert their leasehold property to freehold, provided their buildings are complete and have also made upto date payment of all dues including the ground rent, misuse charges/damages, if any. The conversion fee to be charged for industrial, commercial and mixed land use properties will be 10% of the total land value calculated on the basis of notified land rates prevailing on the date of submission of the application. The land rates are notified periodically with the approval of the competent authority.

For the recorded lessees, 40% remission in the conversion fee will be admissible. The General Power of Attorney holders will not be entitled to any remission and instead shall pay a surcharge of 33.33% in addition to normal conversion charges.

(c) The number of applications received and disposed of by the Land and Development Office and the Delhi Development Authority are as under:-

Name of Agency	No. of Applications received	No. of applications disposed of
1. L&DO	330	43
2. DDA	212	00

(d) No, Sir. No unnecessary delay has been reported..

(e) Does not arise.

Disturbed Areas

2127. SHRI KHAGEN DAS: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the Government has declared some areas in various States as disturbed areas;

(b) if so, the details thereof, State-wise;

(c) whether adequate funds have been provided to contain the situation in the disturbed areas;

- (d) if so, the details thereof;
- (e) if not, the reasons therefor; and
- (f) the other measures taken by the Government to deal with the problem?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINMAYANAND SWAMI): (a) to (f) At present the entire State of Assam, Nagaland, Tirap and Changlang districts of Arunachal Pradesh and the areas falling within 20 Kms wide belt in the State of Arunachal Pradesh and Meghalaya along their border with the State of Assam are declared "disturbed areas" by the Central Government under Armed Forces (Special Powers) Act, 1958 as amended in 1972. Under this Act, the entire State of Manipur is declared as "disturbed area" by the Governor of Manipur and in Tripura the entire area under 22 police stations and part of areas under 5 police stations are declared 'disturbed areas' by the Governor of Tripura. In Jammu & Kashmir, the districts of Jammu, Kathua, Udhampur, Poonch, Rajouri, Doda, Srinagar, Budgam, Anantnag, Pulwama, Baramulla and Kupwara are declared as "disturbed areas" by the Governor of Jammu & Kashmir under Armed Forces (Jammu & Kashmir) Special Powers Act, 1990. In addition to regular monitoring of law and order situation and various measures taken for improving the security scenario in North Eastern States and Jammu & Kashmir, the Ministry of Home Affairs reimburses to the concerned State Governments expenditure incurred on certain identified items under the Scheme of Reimbursement of Security Related Expenditure. Keeping in view the condition of police forces, financial assistance, as per certain norms and guidelines, is given to various State Governments including those of the North Eastern States and to Jammu & Kashmir for modernization of police forces.

Setting up of National Urban Academy

2128. SHRI SULTAN SALAHUDDIN OWAISI: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Government has announced setting up of a National Urban Academy for development programmes in Municipalities and Municipal Corporations in a planned way;

(b) if so, the detailed plan chalked out for such Academy;

(c) whether any consultation has been held with the State Governments in this regard;

(d) if so, the details thereof; and

(e) the time by which this academy is likely to start functioning?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) to (e) The setting up of National Urban Academy is under consideration.

Lease Money

2129. SHRI PAWAN KUMAR BANSAL: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the total amount of lease money received by the Chandigarh UT Administration on property sold on lease hold basis during each of the last three years;

(b) whether any portion thereof is transferred to the Municipal Corporation; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATREYA): (a) to (c) Information is being collected and will be laid on the Table of the Sabha.

Inmates in Tihar Jail

2130. SHRI DALPAT SINGH PARSTE: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the National Human Rights Commission has sent a notice to Tihar Jail regarding a convict who inspite of having served his life term is still languishing in jail as reported in Times of India October 12, 2003;

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

(c) whether the Government has collected information from the various jails in the country regarding such cases;

(d) if so, the details thereof; and

(e) the steps taken by the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) Yes, Sir. One Shri Kapoor Singh, son of Shri Umed Singh is undergoing life imprisonment in Central Jail, Tihar after his conviction u/s 302/34 Indian Penal Code and 27 Arms Act. The Government of

National Capital Territory of Delhi had issued orders on 15.5.2000 for his premature release subject to his furnishing a personal bond of Rs. 10,000/- with two sureties on the like amount. So far no one has come forward to give surety for him and, therefore, he continues to remain in jail.

(c) No, Sir.

(d) Does not arise.

(e) Each case, as and when it comes to notice, is decided on individual basis. In the instant case the jail authorities have submitted a proposal to the Government of National Capital Territory of Delhi for waving off the condition of two sureties for release of the convict. The matter is under consideration.

Sports Events in J&K

2131. SHRI VILAS MUTTEMWAR: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether the Government of Jammu and Kashmir has urged the Board of Cricket Control of India (BCCI) to organize some international cricket events in the State;

(b) if so, whether the proposal has been considered by the Government and the BCCI;

(c) the number of international cricket and other events organized in the State in the past; and

(d) the national or international sports events proposed to be organized in the State, if any, in the near future?

THE MINISTER OF STATE IN THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) As per information received from the BCCI, the Govt. of J & K had requested BCCI to organize some international cricket event in the state.

(b) to (d) BCCI has informed that as of now there is no international cricket match in India in 2003-04 cricket season. The next season would begin only in October, 2004. BCCI may consider allotting matches to J & K in future provided it is satisfied that all modern arrangements and amenities required to organize international matches exist in the venue and also, provided the Govt. gives its permission including from the security angle.

BCCI has informed that international cricket matches had been played in the past in Jammu & Srinagar. But the last time that an international match was allotted to J & K was in 1988-89. The information on other sports events organised in J & K in the past and likely to be organized in the near future

is being collected from all National Sports Federations and will be laid on the Table of the House.

Appeal against Sales Tax Department

2132. SHRI SHEESH RAM SINGH RAVI: Will the DEPUTY PRIME MINISTER be pleased to refer to the answer given to USQ. No. 71 dated 18.2.2003 regarding appeal against Sales Tax Department and state:

(a) whether the Kendriya Bhandar has filed second appeal in the matter;

(b) if so, the details thereof;

(c) whether the Sales Tax Department has considered the appeal and taken any action in the matter; and

(d) the amount of demand of Delhi Sales Tax Department pending against the Kendriya Bhandar and on what account?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK): (a) to (d) Second appeal was filed by Kendriya Bhandar on 17.03.2003 with Sales Tax Appellate Tribunal. The same was considered by the Appellate Tribunal and stay has been granted against the demand of Rs. 15.24 crores raised by Sales Tax Department on Kendriya Bhandar in respect of Agency Sales made during the period from 1991-92 to 2000-01.

[Translation]

Modernisation of Mines

2133. SHRI BHASKARRAO PATIL:

SHRI NARESH PUGLIA:

SHRI ADHIR CHOWDHARY:

SHRI S.D.N.R. WADIYAR:

Will the Minister of MINES be pleased to state:

(a) whether the Government have formulated any scheme to modernise mining activity to augment productivity and safety in the mining sector;

(b) if so, the details thereof, and the steps taken by the Government in this regard; and

(c) the time by which the proposed scheme is likely

to be implemented and the expenditure likely to be incurred thereon?

THE MINISTER OF STATE OF THE MINISTRY OF MINES (SHRI RAMESH BAIS): (a) to (c) The decision of modernization of mining activities is a commercial decision which is taken by individual mining companies. To ensure safety of mines, the Ministry of Labour administers the Mines Act, 1952. A separate Directorate in the name of Directorate General of Mines Safety has been set up under the Ministry of Labour. The Directorate ensures nationally acceptable and internationally comparable standards of occupational health, safety and welfare for employees in the Indian mines.

[English]

Project Sanctioned by CAPART

2134. SHRI A. NARENDRA:

SHRI VARKALA RADHAKRISHNAN:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the details of projects received/sanctioned by CAPART during 2001-02, 2002-03 and so far State/Union Territory-wise especially in the tribal and rural areas of the country;

(b) the funds sanctioned/released/utilised to these NGOs during the said period, NGO-wise and project-wise;

(c) whether the working of these NGOs have been evaluated; and

(d) if so, the details of achievements made by them, state-wise?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI KRISHNAMRAJU): (a) to (d) The information is being collected and will be laid on the Table of House.

Expenses in Hiring of Advocates

2135. SHRI BASU DEB ACHARIA: Will the Minister of COAL be pleased to refer to the USQ No. 4541 dated 22.4.2002 and state:

(a) whether there is an increase in expenses in hiring advocates out of panel;

(b) if so, the facts and the details of the amount spent during each of the last three years;

(c) whether it is a fact that number of litigations has increased and BCCL filed writs in Jharkhand High Court after losing the case in supreme Court to hire such lawyers;

(d) if so, the facts and details for the year 2002; and

(e) the steps taken to stop such wasteful expenditure being incurred on hiring lawyers?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) No, Sir. There has been no engagement of Advocate out of panel and as such there is no increase in legal expenses.

(b) Question does not arise.

(c) Generally there has been an increasing trend in number of litigations in view of filing of cases by parties on various counts but it is not a fact that BCCL has filed writs in Jharkhand High Court after losing the case in Supreme Court to hire such lawyers.

(d) Question does not arise.

(e) In contesting/defending litigations to safeguard the interest of the company, it is ensured that no wasteful expenditure is incurred particularly in engagement of lawyers since engagement is made considering the merits of each case/compelling circumstances.

Adventure Sports

2136. PROF. UMMAREDDY VENKATESWARLU:

SHRI HARIBHAU SHANKAR MAHALE:

Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether the Government has a scheme to give financial assistance to recognised institutions to promote adventure sports;

(b) if so, the details thereof;

(c) the funds released for this specific purpose during 2002-2003, State-wise;

(d) the details of institutions who got such funds from the Government and the corresponding amounts during 2002-2003; and

(e) what steps are proposed to ensure that such funds are spent properly?

THE MINISTER OF STATE IN THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) to (d) Yes, Sir. There is a scheme of Promotion of Adventure in the Ministry of Youth Affairs and Sports under which assistance is provided to recognised Institutions viz. Himalayan Mountaineering Institute, Darjeeling, West Bengal, Jawahar Institute of Mountaineering and Winter Sports, Batote, J&K and Indian Mountaineering Institute, New Delhi for promotion of adventure activities. The details of funds released to these Institutions for this purpose during 2002-2003 are as under:-

- | | |
|--|----------------|
| 1. Himalayan Mountaineering Institute, Darjeeling, West Bengal. | Rs.54,44,333/- |
| 2. Jawahar Institute of Mountaineering & Winter Sports, Batote, J&K. | Rs. 3,06,000/- |
| 3. Indian Mountaineering Institute, New Delhi | Rs.46,12,500/- |

(e) As per procedure, Utilization Certificates are called for from the Grantee Institutions to ensure that funds are properly utilized for the purpose for which grants are released.

Jammers in Border Areas Ineffective

2137. SHRI NARESH PUGLIA:

SHRIMATI SHYAMA SINGH:

Will the DEPUTY PRIME MINISTER be pleased to state:

- (a) whether it is a fact that in spite of the claims of the BSNL and security agencies, the Jammers on the Indo-Pak international border and Line of Control have been effective as reported in 'The Hindu' dated November 16, 2003;
- (b) if so, the details of facts and the reasons therefor;
- (c) whether the activities of militants along the LoC/Border have increased due to Pakistani's cellular services;
- (d) if so, the details in this regard; and
- (e) the steps taken by the Government to check the activities of militants along LoC/Border?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) Jammers have not been installed along International Border/Line of Control to block Cellular signals from across the border.

(b) Does not arise.

(c) and (d) Available inputs and evidence indicates that there has been no discernible increase in activities of terrorists due to Pakistan's Cellular Services so far. However in some cases use of Pak Cellular Network by terrorists in Jammu & Kashmir has been noticed by the security agencies through indirect evidence that corroborates the possibility that terrorists are using Pak based Cellular Network during infiltration.

(e) The Government, jointly with the State Government, has adopted a multi-pronged approach, to contain cross-border terrorism perpetrated by the pro Pak terrorist outfits/Pak ISI in Jammu & Kashmir, which includes, inter-alia, strengthening border management and multi-tiered and multi-modal deployment along with International Border/LoC and near the ever changing infiltration routes to check infiltration, as well as pro-active action against terrorists within J&K, including operations in remote, hilly and forested pockets; protective measures for remote, scattered and minority populations, public buildings, religious shrines and vital installations; gearing up intelligence machinery; greater functional integration through an institutional framework of Operation Groups and Intelligence Groups of the UHQ at various levels, improved technology, weapons and equipment for security forces, and action as per law against over-ground supporters of the terrorists.

The strategies, tactics and dynamic security forces deployment to counter the terrorists are constantly reviewed refined and monitored at various levels in the State Government (including in the 2 Unified Headquarters headed by the Chief Minister J&K) and in the Central Government.

In addition to directly taking on the terrorist groups and being open to dialogue with various sections of people within J&K, Government conjointly with the State Government is taking steps aimed at economic development, provision of social services and creation of employment opportunities so as to reduce dissatisfaction levels amongst the people of the State.

Water Management System

2138. SHRI G.S. BASAVARAJ:

SHRI IQBAL AHMED SARADGI:

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

- (a) whether the Government has decided to adopt a proper method in water management system to meet the requirements in urban areas;

(b) if so, whether the Government has also decided to give top priority for improvement of water management system in urban areas besides sanitation and development of slums;

(c) if so, the details thereof;

(d) whether a two day 'Stakeholder workshop programme on water management for Hyderabad City' was inaugurated recently; and

(e) if so, the steps the Government proposes to take to implement the programme of water management system in urban areas?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATREYA): (a) to (c) 'Water Supplies' is a State subject under Article 246(3) of the Constitution and as such, planning, designing, implementation, operation & maintenance and management of water supply and sanitation system is the primary responsibility of the State Governments/ Urban Local Bodies. The 10th Plan Document of the Planning Commission envisages the measures indicated in the enclosed statement to be taken by all urban local bodies in order to optimize the available water and conserve water sources for better water management system.

(d) Yes, Sir.

(e) In line with the measures suggested in the 10th Plan Document, as a part of water conservation measures, the Ministry of Urban Development and Poverty Alleviation has written to all the State Governments to provide rain water harvesting structures in the buildings. The Central Public Works Department (CPWD) has also been requested to provide rain water harvesting structure in all Government Buildings located in different States and Union Territories. A notification has also been issued by this Ministry in July 2001 for modification of Building Bye-laws 1983 to ensure that the buildings in NCT of Delhi make rain water harvesting mandatory in all new buildings on plots of 100 Sq m. and above. The notification, inter-alia, suggests that all buildings having minimum discharge of 10000 litres and above per day shall incorporate waste water re-cycling system so that the re-cycled water may be used for horticultural purposes.

Statement

The measures to be taken by All Urban Local Bodies to optimize the available water and conserve water sources for better water management system envisaged in the 10th Plan Document of the Planning Commission.

The leakage and unaccounted for water due to old and rusted pipes or poor maintenance of the system must

be controlled and brought to minimum. Severe penalties should be levied on those found responsible for leakage and wastage of water.

Re-use of treated sewage must be given priority in view of the fact that water is going to become more scarce in the near future. With tertiary treatment, water from treated sewage can be used even for air conditioning, industrial cooling and other non-potable uses.

Use of potable water for purposes like washing of vehicles, maintenance of gardens etc. should be prohibited. Rain water harvesting should be implemented widely.

The Central Group water Board is engaged in techniques for artificial recharge of ground water which should be implemented where conditions are appropriate. Similarly, exploitation of ground water in urban areas must be constantly monitored in order to prevent drying up of this important source.

The water tariff should be fixed in such a way as to discourage excessive use of treated water. Water efficient systems like low volume flushing cisterns may be made mandatory so as to conserve water.

Anti National Activities

2139. SHRIAMAR ROY PRADHAN: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) the places of worship supposedly indulging in anti-national activities as per information gathered by Intelligence Bureau as on 31.7.2003, State-wise and location-wise; and

(b) the details of remedial steps taken by the Government/State Governments in this respect?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) No such information has been collected by the Intelligence Bureau. However, suitable action is taken as per existing law whenever such instances come to light.

Reduction of Rural Development Schemes

2140. DR. JASWANT SINGH YADAV:

COL (RETD.) DR. DHANI RAM SHANDIL:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Government has decided to reduce the number of Centrally Sponsored Rural Development Schemes in the country; and

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

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASAHEB M.K. PATIL): (a) and (b) On the basis of the suggestions made by the Planning Commission, the Ministry of Rural Development has undertaken a Zero Based Budgeting exercise after which the National Family Benefit Scheme (NFBS), National Old Age Pension Scheme (NOAPS) and Annapurna Scheme were transferred to the State Governments. The various Training Schemes have been merged into one. With effect from September, 2001, the Employment Assurance Scheme (EAS) and Jawahar Gram Samridhi Yojana (JGSY) have been restructured into a single wage employment Scheme, viz., Sampooma Grameen Rozgar Yojana (SGRY). The Zero Based Budgeting exercise was undertaken for better management and effective use of plan resources, besides meeting the specific objectives of development of rural areas and poverty alleviation.

Spurious Drug

2141. COL. (RETD.) DR. DHANI RAM SHANDIL: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether the Delhi Police has busted recently a spurious drug manufacturing unit/racket and recovered huge quality of spurious drugs in the capital;

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

(c) the number of persons arrested in this connection;

(d) the action taken by the Government against the persons involved therein; and

(e) the steps taken by the Government to prevent the manufacturing/ sale of spurious drugs?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) to (d) Yes, Sir. During the period from January, 2003 to 30th November, 2003, Delhi Police, in some cases in association with the Drug Control Department of the Government of National Capital Territory of Delhi, detected 16 cases of manufacture and/or sale of spurious drugs in connection with which 30 persons were arrested. The requisite details are given in the enclosed statement.

(e) The steps taken to prevent manufacture and sale of spurious drugs in Delhi include (a) regular inspections of the drugs manufacturing premises and sale outlets; (b) purchase of drugs through decoy customers for testing their genuineness; (c) prompt investigation of complaints received in regard to sale of spurious drugs; (d) surveillance of persons suspected to be involved in manufacture/sale of spurious drugs; (e) close liaison with the manufacturers and dealers of repute with a view to obtaining information about movement, if any, of drugs of doubtful quality; and (f) setting up all advisory committee to encourage public participation for efficient enforcement.

Statement

1. On 14th February, 2003, the Drug Inspector of Drugs Control Department of the Government of National Capital Territory of Delhi in association with the officials of the Crime Branch of Delhi police arrested two persons with stocks of various allopathic drugs kept in three rexin bags at Bhagirath Place, Delhi. A case FIR No. 74 dated 14.2.2003 under section 18(C) and 27(B) (ii) of Drugs and Cosmetics Act has been registered against the accused at Police Station, Kotwali.
2. In a raid conducted jointly by the team of officers of Delhi police and Drugs Control Department of Government of NCT of Delhi on 23.3.2003, one person was arrested in Jahangir Puri and 750 cartons of spurious drugs were seized. A case FIR No.215/2003 dated 23.3.2003 under section 18(C) and 27(C) of Drugs and Cosmetic Act, 78/79 of Trade and Merchantile Act and 420/468/471 of Indian Penal Code has been registered against him at police Station, Jahangir Puri.
3. The Special Staff of East District arrested two persons from Pandav Nagar and seized 30 boxes of spurious drugs. A case FIR No.206 dated 8.5.2003 under section 420 of Indian Penal Code, 103/104 of Trade and Merchantile Act, 63 of copyright Act and 18/27 of Drugs and Cosmetics Act has been registered against them at police Station, Pandav Nagar.
4. Delhi Police in association with the Drugs Control Department of Government of National Capital Territory of Delhi conducted a raid on a shop at Bhagirath Place and arrested one person and some spurious medicines were seized. A case FIR No. 115 dated 7.3.2003 under section 18(C) and 27 of Drugs and Cosmetic Act has been registered at Police Station, Kotwali.
5. A team of Delhi Police arrested five persons and seized 150 boxes of various spurious medicines from their

possession. A case FIR No. 45 dated 25.3.2003 under section 420/468 of Indian Penal Code has been registered against them at Police Station Gulabi Bagh.

6. In a raid conducted by Delhi Police in association with the Drug Control Department of Government of National Capital Territory of Delhi, one person was arrested at Bihari Colony and some spurious drugs were recovered from his possession. A case FIR No. 331 dated 3.6.2003 under Section 18(C) and 27 of Drugs and Cosmetics Act and 411 of Indian Penal Code has been registered against him at Police Station, Kotwali.
7. Delhi Police in association with the Drugs Control Department of Government of National Capital Territory of Delhi conducted a raid at a shop at Yamuna Pushta, Delhi and seized some spurious medicines. One person was arrested and a case FIR No. 361 dated 18.6.2003 under section 18(C) and 27 of the Drugs and Cosmetics Act has been registered at Police Station, Kotwali.
8. An inspector of the Drug Control Department of Government of National Capital Territory of Delhi in association with the Delhi Police conducted a raid at a shop in Yamuna Pushta, Delhi and seized various spurious drugs. Two persons were arrested and a case FIR No.362 dated 3.6.2003 under section 18(C) and 27 of Drugs and Cosmetic Act has been registered at Police Station, Kotwali.
9. An inspector of the Drug Control Department of Government of National Capital Territory of Delhi, in association with the Delhi Police, conducted a raid at a shop at Dholak Basti, Yamuna Pushta, Delhi and seized various spurious medicines. One person was arrested and a case FIR No.363 dated 3.6.2003 under section 18(C) and 27 of Drugs and Cosmetic Act has been registered at Police Station, Kotwali.
10. On a complaint from a medical firm, a case FIR No. 133 under section 63 of Copy Right Act and 78/79 of Trade and Merchantile Act was registered on 30.6.2003 at Police Station Bara Hindu Rao. During the investigation, a raid was conducted at Pahari Dheeraj, Delhi and 852 bottles of duplicate Iodex and 500 bottles of duplicate Zandu Balm were seized. One person has been arrested in this case.
11. On the basis of a complaint, a case FIR No. 40 under section 420/468/471/486/120-B of Indian Penal Code and 27 of Drugs and Cosmetic Act, 78/79 of Trade and Merchantile Act and 63 of Copy Right Act was registered at Police Station, Special Cell, Lodhi Colony, New Delhi on 27.5.2003. In connection with this case, four persons were arrested on 4.7.2003 and a huge consignment of spurious drugs recovered from their possession.
12. On a complaint from a reputed pharmaceutical company, a case FIR No. 394 dated 12.9.2003 under section 420/120-B of Indian Penal Code, 78/79 of Trade and Merchantile Act and 63/68 of Copy Right Act was registered at Police Station Kalyan Puri. In this connection, three persons were arrested and 1000 Nibuleds tablets and 3060 Glitz tablets were recovered from their possession.
13. A joint raid by officers of Crime Branch of Delhi Police and Drugs Control Department of Government of National Capital Territory of Delhi was conducted in which a spurious drug manufacturing unit at Nangloi was detected. The owner of the illegal unit was arrested and various spurious medicines were recovered from his possession. A case FIR No. 864 dated 27.10.2003 under Section 18 and 27 of Drugs and Cosmetics Act has been registered at Police Station, Nangloi.
14. A case FIR No. 356 dated 8.8.2003 under Section 420/408/471 of Indian Penal Code, 78/79 of Trade and Merchantile Act and 27 of Drugs and Cosmetics Act was registered at Police Station, Darya Ganj. In this connection, three persons were arrested and a huge number of spurious tablets recovered from their possession.
15. On 4.9.2003, a joint raid was conducted by the officers of Delhi Police and Drugs control Department of Government of National Capital Territory of Delhi at Bhagirath Place, Delhi and a huge stock of different drugs seized. One person has been arrested in this connection and a case FIR No. 485 dated 4.9.2003 under section 18/27 of Drugs and Cosmetics Act has been registered at Police Station, Kotwali.
16. On the basis of a complaint, a trap was laid at Hazrat Nizamuddin Railway Station and one person was arrested while he was selling spurious drugs to a decoy customer sent by the Police. 12 gunny bags containing spurious drugs were recovered from his possession. A case FIR No. 86/03 dated 18.8.2003 under Section 420 of Indian Penal Code has been registered against the accused at Police Station, Hazrat Nizamuddin Railway Station.

[Translation]

Pre-Mature Closure of Jhanjhara-Phase-I.

2142. SHRI RAVINDRA KUMAR PANDEY: Will the Minister of COAL be pleased to state:

(a) whether the Coal India Limited Board has approved the pre-mature closure of the Jhanjhara Phase-I of the Eastern Coalfields Limited;

(b) if so, the details thereof;

(c) whether the approval of the Government and the company to start the Jhanjhara project was made in 1995, work on it was started in 1998 and its closure has been approved in 2002; and

(d) if so, the steps taken by the Government to re-start this project?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) to (c) A proposal of Revised Cost Estimate (RCE) for Jhanjra Phase-I Project of Eastern Coalfields Limited (ECL) with a capacity of 2 MTY was sanctioned by the Govt. in August, 1995. Due to restrictions imposed by Director General Mines Safety (DGMS) in working with existing Powered Support Longwall (PSLW) equipment, non-availability of fund for replacing outlived PSLW and development equipment, the project has been foreclosed. CIL Board has approved the foreclosure of Jhanjra Phase-I Underground Project at a capacity of 1.03 million tonnes per year. Foreclosure of the project does not mean closure but to operate it with de-rated capacity. This mine will continue to produce coal at this capacity with the existing equipment/ infrastructure.

(d) After the approval of Foreclosure Report by the Government, ECL would consider augmenting the production capacity of the project to its rated/optimum capacity by procuring suitable equipment.

[English]

Training to Elected Officials from Municipalities and Corporations

2143. SHRI A. BRAHMANAIAH: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Government has plans to train elected officials from municipalities and corporations all over the country;

(b) if so, the details thereof;

(c) whether there is any system or institution presently in place which can help urban elected officials to learn of their job, duties and also the policies of the Government;

(d) if so, the names of such institutions under the aegis of the Government;

(e) whether the Government propose to encourage the establishment of more such institutions for the purpose;

(f) if so, the details thereof; and

(g) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) to (d) The Ministry of Urban Development & Poverty Alleviation has already set up three Regional Centres for Urban and Environmental Studies (RCUES) at Lucknow, Hyderabad and Mumbai and one Centre for Urban Studies in New Delhi for providing training to the elected officials of the urban local bodies in the country to learn their job, duties and the policies of the Government. Besides, the National Institute of Urban Affairs (NIUA), New Delhi and the Human Settlement and Management Institute (HSMI), New Delhi, which are under the aegis of this Ministry, have also been conducting periodical training programmes for the elected officials of urban local bodies. NIUA has a network of 14 training institutions through which it conducts regular training programmes on various aspects of municipal governance to develop the capacity of municipal officials as well as elected representatives. In addition to this, NIUA also organizes special conference/ workshops/ seminars focusing on the capacity building of elected representatives.

The Constitution (74th Amendment) Act, 1992 provides for one-third reservation for women in urban local bodies for empowerment of women at the grass-root level of self-governance in the country. This Ministry is providing financial support to the State-level institutes through the State Governments to train the elected women councillors of urban local bodies as a measure of enhancing their capacity.

(e) to (g) No need has been felt to establish more institutions for providing training to the elected officials of urban local bodies as in most of the States there are State-level institutions for this purpose. The institutes/ centres under the aegis of this Ministry ~~have been conducting~~ regular training programmes in coordination with the apex institutes in the State. Hence, instead of creating new institutional set ups, this Ministry has been extending more and more functional and financial supports to the existing set of institutes to strengthen them for the purpose of providing training to the elected representatives and non-elected officials in urban local bodies.

Grants for Nirmal Bharat Scheme

2144. SHRI KIRIT SOMAIYA: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the various State Governments and organisations have requested for more grants for Nirmal Bharat Scheme;

(b) if so, the details thereof; and

(c) the action taken by the Union Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) and (b) The States of Maharashtra, Uttaranchal and West Bengal have forwarded proposals in the current financial year (2003-04) for release of Central subsidy for construction of toilet seats under Nirmal Bharat Abhiyan as detailed below:

States	Toilet Seats	Central Subsidy (Rs. in lakhs)
Maharashtra	2454	490.80
Uttaranchal	30	6.00
West Bengal	12	2.40

(c) The proposals complete in all respects are yet to be received by the Government from Housing and Urban Development Corporation Ltd.

Demolition of Lutyens Bungalows

2145. DR. RAGHUVANSH PRASAD SINGH:

SHRIMATI KANTI SINGH:

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether the Government has taken any decision for demolishing 104 Lutyens Bungalows in Lodhi Estates, New Delhi to create more space for building new bungalows there;

(b) if so, the details thereof;

(c) whether it is a fact that there is a great resentment/opposition from heritage conservationists in this regard; and

(d) if so, the stand of the Government thereon?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) No, Sir.

(b) to (d) Do not arise.

Foreign Assistance for Improvement in Urban Slums

2146. SHRI A. NARENDRA: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the details of projects in operation with foreign assistance for improvement in urban slums in Andhra Pradesh and Uttaranchal at present;

(b) whether a number of projects are yet to be cleared;

(c) if so, the reasons for delay in clearing the projects; and

(d) the time by which the projects are likely to be cleared and execution of work is started?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) At present a slum improvement project titled Andhra Pradesh Urban Services for the Poor (APUSP) is being implemented in Andhra Pradesh with the assistance from Department for International Development (DFID) of the United Kingdom. The project is being implemented in 32 Class-I towns (having more than one lakh population as per 1991 census) of the State. The total approved DFID financial assistance for the project is Rs.745 crore.

At present no slum improvement project is being implemented in Uttaranchal with foreign assistance.

(b) No, Sir.

(c) and (d) Does not arise.

Eradication of Poverty

2147. SHRI G.S. BASAVARAJ:

SHRI IQBAL AHMED SARADGI:

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether it is a fact that poverty eradication is a major objective of Tenth Five Year Plan;

(b) if so, whether the Union Government and the State Governments have their own set of figures and there is no plan to resolve the differences in this regard;

(c) if so, the facts thereof;

(d) whether as per the latest estimates of the NSSO's 55th round survey for 1999-2000, the number of people living below the poverty line is 260 million;

(e) if so, the reasons for differences in figures between the Union Government and State Governments; and

(f) the steps being taken to eradicate poverty during the Tenth Five Year Plan?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA) : (a) Poverty reduction is a major objective of the Tenth Five year plan.

(b) to (f) Planning Commission have reported that the number of BPL families estimated by them and BPL families identified by the state Governments are not comparable. The Planning Commission estimates poverty for the years for which NSS data on household consumer expenditure from the large surveys is available and the latest such data is available for the year 1999-2000 (55th Round). In the Rural areas, the State Governments work out the figures of BPL families through a census at the beginning of the Five-Year Plans. Latest BPL figures made by the State Governments are available for the year 1997. In Urban areas, beneficiaries below the poverty line under the UPA programme called Swarna Jayanti Shahari Rozgar Yojana are identified through house to house surveys made by the State Governments. The number of persons living below poverty line estimated from the 55th Round data of NSSO is 260 million in 1999-2000. The differences between the two figures arise for the following reasons:

- (i) Planning Commission estimates poverty on the basis of poverty lines which are defined in terms of per person expenditure whereas State Governments' estimation for 1997 is made on a household basis in which the total expenditure of the household is taken along with other criteria.
- (ii) Planning Commission estimates are based on the data collected by the National Sample Survey Organisation (NSSO) on household consumption expenditure, whereas the State Governments' figures are on the basis of separate BPL surveys.

(iii) The methodologies used in the two estimates are different.

There is a three-pronged action to alleviate poverty in the country.

These are:

- (a) acceleration of economic growth,
- (b) human and social development through literacy, education, health, nutrition, meeting of the minimum needs, elevation of social and economic status of the weaker sections of the society, etc., and
- (c) direct attack on poverty through employment and income generating programmes and assets-building for the poor.

Increase in Budget Grant

2148. SHRI AMAR ROY PRADHAN: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

- (a) whether demands have been received by the Government from the Government of India stationery office Mazdoor Union, Kolkata for increase in Budget Grant of that office during 1.1.2002 and 30.11.2003;
- (b) if so, the action taken by the Government thereon; and
- (c) the time by which the Budget Grant for that office is likely to be increased by the Government?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA) : (a) to (c) No, Sir. Representations have been received from time to time from the Government of India Stationery Office Mazdoor Union, Kolkata for increase in Budget grant of that office. The Expenditure Reforms Commission recommended closure of this Organisation. However, the proposal for continuation of the Organisation is under consideration of the Government. The question of increasing the budget grant of the Organisation will be considered after final decision is taken regarding continuation of the Organisation.

National Pharmaceutical Pricing Authority

2149. SHRI VILAS MUTTEMWAR: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

- (a) whether it is a fact that the Union Government

has set up an expert committee to prepare the future road map for National Pharmaceutical Pricing Authority (NPPA) in the product patent regime;

(b) if so, the details thereof;

(c) whether the report of the expert committee has been finalized; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHHATRAPAL SINGH): (a) No, Sir.

(b) to (d) Do not arise in view of reply to (a) above.

[Translation]

Vigilance Cases

2150. SHRI RAVINDRA KUMAR PANDEY: Will the Minister of COAL be pleased to state:

(a) the details of vigilance cases under investigation, enquiries relating to the Coal India Limited and the companies attached thereto during each of the last three years and as on date, Company-wise; and

(b) the steps taken by the Government to make vigilance organization effective?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) The details of vigilance cases are given below:

Name of Company	Number of investigations taken up	Out come of investigation			Action taken up after inquiry		
		Allegations substantiated	Allegations not substantiated	Investigations not completed	Penalty imposed	Chargesheet issued	Exonerated
1	2	3	4	5	6	7	8
2001-2002							
ECL	30	30	-	-	13	16	1
BCCL	167	55	86	26	19	33	3
CCL	10	10	-	-	10	-	-
CMPDIL	8	6	2	-	1	5	-
WCL	66	53	12	1	50	-	3
SECL	20	12	7	1	12	-	-
NCL	12	11	-	1	1	9	1
MCL	17	17	-	-	14	1	2
CIL (Hq)	15	5	9	1	3	2	-
2002-2003							
ECL	37	37	-	-	12	25	-
BCCL	117	17	61	39	3	14	-
CCL	4	4	-	-	4	-	-
CMPDIL	7	1	1	5	-	1	-
WCL	22	7	15		7	-	-

1	2	3	4	5	6	7	8
SECL	28	16	3	9	10	6	-
NCL	13	7	2	4	-	6	1
MCL	17	15	-	2	11	4	-
CIL (Hq)	7	3	1	3	-	3	-
2003-2004 (Till date)							
ECL	33	33	-	-	2	31	-
BCCL	84	11	4	69	1	10	-
CCL	21	21	-	-	21	-	-
CMPDIL	7	6	1	-	-	6	-
WCL	11	7	1	3	4	2	1
SECL	18	-	1	17	-	-	-
NCL	3	-	-	3	-	-	-
MCL	19	17	-	2	11	6	-
CIL (Hq)	7	4	-	3	-	4	-

(b) The following steps are taken to make the vigilance organisation effective:-

- (i) Conducting regular and surprise inspections in corruption prone/sensitive areas.
- (ii) Examining the rules and regulations and suggesting systems improvement measures to plug any loopholes.
- (iii) Scrutinizing high value contracts of different departments.

[English]

**Demolition of Buildings/Farm Houses
in South Delhi**

2151. SHRI SHEESH RAM SINGH RAVI: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to refer to the replies given to USQ Nos. 4411 and 1172 dated 17.12.2002 and 29.7.2003 and state:

(a) whether the information has since been collected;

(b) if so, the details thereof; and

(c) if not, the time by which the information is likely to be collected?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) to (c) Yes, Sir. The requisite information are as follows:-

The MCD has reported that on close scrutiny it has been found that instead of 828 buildings/farm houses, there are 827 buildings/farm houses which were earmarked for demolition. The Ward-wise/location-wise details are as under:

Ward No. 11 (Malviya Nagar)	60
Ward No. 12 (Greater Kailash-I)	71
Ward No. 13 (Green Park)	60
Ward No. 14 (Hauz Khas)	45
Ward No. 15 (R.K. Puram)	26
Ward No. 16 (Vasant Vihar)	18
Ward No. 57 (Mehrauli)	30

Ward No. 58 (Chhattarpur)	486
Ward No. 59 (Saket)	12
Ward No. 60 (Deoli)	07
Ward No. 61 & 62 (Dr. Ambedkar Nagar & Madangir)	12
MCD has so far demolished 179 buildings /Farm houses, the details of which are as under:	
Ward No. 11 (Malviya Nagar)	09
Ward No. 12 (Greater Kailash-I)	59
Ward No. 13 (Green Park)	25
Ward No. 14 (Hauz Khas)	19
Ward No. 15 (R.K. Puram)	01
Ward No. 16 (Vasant Vihar)	16
Ward No. 57 (Mehrauli)	12
Ward No. 58 (Chhattarpur)	20
Ward No. 59 (Saket)	09
Ward No. 60 (Deoli)	02
Ward No. 61 & 62 (Dr. Ambedkar Nagar & Madangir)	07

The Government does not propose to get the matter inquired into by the Vigilance Department.

MCD fixes demolition programmes every month on day-to-day basis and demolition action is taken on availability of police force etc. Demolition is a regular process and unauthorised constructions are demolished on their turn.

New Coal Projects by SECL

2152. SHRI G.S. BASAVARAJ:

SHRI IQBAL AHMED SARADGI:

Will the Minister of COAL be pleased to state:

(a) whether it is a fact that South Eastern Coalfields Limited, a profit-making subsidiary of Coal India Limited, proposes to set up 15 new coal projects during the Tenth Plan;

(b) if so, the estimated cost of these projects;

(c) whether any time bound programme has been fixed for completion of these projects keeping in view the increased demands of coal from the Private and Public Sectors; and

(d) if so, the extent to which these projects will help to meet additional quantity of coal?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) and (b) Yes, Sir. The estimated cost of these projects is Rs. 3048.54 crores.

(c) These projects are scheduled to be completed in Xth/XIth Plan.

(d) The total production capacity of these projects is estimated to be 39.10 million tonnes per year, out of which 26.42 million tonnes of coal is likely to be available by the terminal year of the Xth Plan (2006-07).

Multipurpose I. Cards for Indian Citizens in Bangladesh

2153. SHRI AMAR ROY PRADHAN: Will the DEPUTY PRIME MINISTER be pleased to state:

(a) whether Multipurpose Identity Cards are proposed to be given to the Indian Citizens residing in Indian Enclaves in Bangladesh territory; and

(b) if so, by when and the reasons for not providing this facility to Indian citizens in Indian Enclaves of neighbouring countries?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINMAYANAND SWAMI): (a) and (b) At present, Government have undertaken only a Pilot Project on Multipurpose National Identity Card (MNIC) scheme in a few sub-districts in various districts of 13 States and Union Territories namely, Jammu & Kashmir, Gujarat, Uttaranchal, Rajasthan, Uttar Pradesh, Assam, Andhra Pradesh, West Bengal, Tripura, Goa, Tamil Nadu, Pondicherry and Delhi. The main scheme for covering all Indian citizens will be launched after taking into account the experiences/ lessons drawn from the Pilot Project.

Exploration of Minerals by GSI

2154. SHRI VILAS MUTTEMWAR:

COL. (RETD.) SONA RAM CHOUDHARY:

Will the Minister of MINES be pleased to state:

(a) whether Geological Survey of India (GSI) have

decided to undertake the detailed exploration for coal, sillimanite, iron ore, bauxite etc. in various parts of the country specially in the States of Maharashtra and Rajasthan to find out additional reserves of these items;

(b) if so, the details thereof, State-wise;

(c) whether the Government have also drawn up a scheme to carry out prospecting work for gold, diamond and zinc in the country;

(d) if so, the details thereof;

(e) whether the exploration work undertaken during the last two-three years resulted in additional reserves of all these minerals;

(f) if so, the details thereof, State-wise;

(g) the steps taken by the GSI to expedite the exploration work in cooperation with the State Governments with a view to achieve better results; and

(h) the total import and export of these minerals during the last three years, State-wise?

THE MINISTER OF STATE OF THE MINISTRY OF MINES (SHRI RAMESH BAIS): (a) and (b) Geological Survey

of India (GSI) as a part of its charter of functions carries out regional exploration for locating additional mineral resources in various parts of the country. As regards exploration of coal, bauxite and iron-ore, it has undertaken 37 items of regional exploration for coal (+ lignite), 2 items each for iron ore and bauxite during the field season 2003-04 in various parts of the country. GSI has not carried out exploration for sillimanite in the last three years.

The States-wise investigation carried out for coal were: Maharashtra - 3 items, Rajasthan - 1 item, Madhya Pradesh - 8 items, Chhattisgarh - 6 items, West Bengal - 4 items, Jharkhand - 4 items, Orissa - 5 items, Andhra Pradesh - 3 items and Tamil Nadu - 3 items; for Bauxite: Maharashtra - 1 item, Orissa - 1 item; and, 2 investigations for iron-ore in Meghalaya.

(c) and (d) For prospecting of gold, diamond and basemetal (zinc) in the country, 26 investigations for gold, 11 investigations for diamond and 13 investigations for basemetals (including Zinc) have been carried out in the states of Maharashtra, Rajasthan, Madhya Pradesh, West Bengal, Sikkim, Jharkhand, Orissa, Chhattisgarh, Uttar Pradesh, Andhra Pradesh, Meghalaya and Karnataka.

(e) and (f) Yes, Sir. The state-wise additional resources of these minerals estimated by GSI during the last two-three years are as below:

(figures in million tonnes)

States	Coal (lignite)	Basemetal (including zinc)	Iron-ore	Bauxite	Gold ore Grade (1.16 g/t to 6.28 g/t)	Diamond (carats)
West Bengal	1193.94	-	-	-	-	-
Jharkhand	1175.75	-	-	-	-	-
Chhattisgarh	856.59	-	-	-	-	-
Madhya Pradesh	867.93	0.80	-	-	-	-
Maharashtra	43.00	-	-	5.70	-	-
Orissa	4061.55	-	112.00	-	-	-
Andhra Pradesh	335.14	-	-	-	1.11	3.90
Rajasthan	-	6.65	-	-	13.00	-

(g) To expedite the exploration efforts GSI interacts with the State Governments through State Geological Programming Board meetings to finalize its annual programme for better results and to avoid duplication of work.

(h) Collection of export and import data is done at national level and therefore, state-wise figures are not maintained.

*[Translation]***Revival/Setting up of SSIs**

2155. SHRI RAVINDRA KUMAR PANDEY:

DR. (SHRIMATI) C. SUGUNA KUMARI:

Will the Minister of SMALL SCALE INDUSTRIES be pleased to state:

(a) whether the Government has sent any comprehensive proposal to all Members of Parliament recently for revival of five sick industries and setting up of five new units in Small Scale Sector in their respective constituencies;

(b) if so, the details thereof; and

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

THE MINISTER OF STATE IN THE MINISTRY OF SMALL SCALE INDUSTRIES AND MINISTER OF STATE IN THE DEPARTMENT OF DEVELOPMENT OF NORTH-EASTERN REGION (SHRI TAPAN SIKADAR): (a) to (c) Yes, Sir. To provide a greater thrust for setting up of a new Small Scale Industrial (SSI) units and for revival of sick SSI units throughout the country, the Hon'ble Members of Parliament have been requested to suggest five SSI units for revival and five new SSI units to be set up in their constituencies or District/ Sub-Divisional Head Quarters.

The Directorate of Industries in the States/ UTs have been advised to coordinate this activity with the active involvement of State Level Inter-Institutional Committee (SLIIC), State Level Bankers Committee (SLBC), Lead banks in the districts, District Industries Centres and other promotional agencies and provide necessary assistance/ support to SSI entrepreneurs for project identification/ guidance, preparation of project reports, proposal for bank finance, marketing tie-up and preparation of rehabilitation proposals of viable sick SSI units.

*[English]***Production by WCL**

2156. SHRI MOHAN RAWALE: Will the Minister of COAL be pleased to state:

(a) the steps taken by the Western Coalfield Limited to explore new areas with a view to enhance the production and profitability and maintain the regular and uninterrupted supply of coal for various purposes;

(b) whether at a recently held meeting of the WCL with the representatives of railways and other consumer associations the need for reducing time gap in receipt of delivery order at concerned colliery, submission of bills for road consumers on time, validity of lifting coal in the last month of the quarters etc. was stressed; and

(c) if so, the steps taken by the WCL in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRAHLAD SINGH PATEL): (a) Exploration of new areas is a continuous process carried out mainly by Geological Survey of India (GSI), Central Mine Planning & Design Institute Ltd. (CMPDIL) a subsidiary of Coal India Ltd. and Mineral Exploration Corporation Ltd. (MECL)

Mine-wise production projections of Coal India Limited have been finalised in consultation with CMPDIL upto 2036-2037. Only those projects, which yield an IRR of 12% or more and are economically viable from the inception stage itself, are implemented.

(b) Regional Coal Consumer Council meeting was held between WCL, Railways, Consumers Association/ Consumers on 9th September, 2003 at WCL headquarters, Nagpur. During the meeting consumers have stressed for the following:

(i) Reducing the gap in receipt of delivery orders at the concerned colliery.

(ii) Submission of bills for road consumers on time.

(iii) Validity of lifting coal in the last month of the quarter.

(c) To reduce the gap between issuance of delivery orders and receipt at colliery end, WCL has adopted a system of sending delivery orders to collieries by courier system.

Coal bills for road despatches are being prepared on monthly basis. The bills are available with the Area Sales Office and consumers may collect the bills from the Area Sales Office.

WCL is giving a grace period of one month for lifting coal against delivery orders issued in the last month of each quarter.

Development of Alwar

2157. DR. JASWANT SINGH YADAV: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether Alwar has been included in the National Capital Region;

(b) if so whether the benefits likely to be given to Alwar as a result thereof; and

(c) the steps taken by the Union Government to provide all such benefits for development to Alwar in Rajasthan?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) Seven tehsils of Distt. Alwar have been included in the Rajasthan sub region of the National Capital Region.

(b) and (c) Government of Rajasthan is implementing various schemes (residential, commercial, over bridge, truck terminal, tunnel, warehousing and godowns etc.) funded by NCR Planning Board. So far, 46 schemes have been sanctioned with an estimated cost of Rs.380.49 crores. Loan amounting to Rs.155.01 crores have been sanctioned and Rs.137.98 crores have been released as on September, 2003. Out of 46 schemes, 36 have been completed, 7 schemes are under implementation and three schemes have been withdrawn by the State Government. So far, 15,839 residential plots, 2,396 industrial plots, 2,705 commercial plots and 56 institutional plots have been developed. All the on-going schemes are being implemented by the Urban Improvement Trust, Alwar for the development of Alwar city.

Length of Roads

2158. SHRI PAWAN KUMAR BANSAL: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the total length of roads presently under the charge of Chandigarh UT Administration and the Chandigarh Municipal Corporation, respectively;

(b) the total amount of road tax collection in Chandigarh during each of the last three years;

(c) whether any portion of the same has been allocated to the Municipal Corporation;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) The UT Administration of Chandigarh has informed that the total length of roads (single lane width) presently under the charge of Chandigarh UT Administration is 511.8 km that includes: city roads - 355.87

km, rural/link roads - 78.51 km and NH 21 passing through Chandigarh - 77.0 km. The total length of roads with the Municipal Corporation of Chandigarh is 1236 km in single lane 12'-0" width.

(b) The total amount of road tax collected in Chandigarh during each of the last three years are:

Year	Amount
2000-01	Rs.1152.41 lakhs
2001-02	Rs.1339.26 lakhs
2002-03	Rs.1231.99 lakhs

(c) Yes, Sir.

(d) As per recommendations of the First Delhi Finance Commission for the award Period 1996-2001 accepted by the Govt. of India, the grant-in-aid (Non-Plan) by the Chandigarh Administration to the Chandigarh Municipal Corporation should be 20% of the gross tax collection in 1998-1999 reducing 2.5% each year up to 2000-01. On this basis, the Municipal Corporation was given Rs.45.00, Rs.50.00 and Rs.52.90 crores as Non-Plan grant-in-aid by the Chandigarh Administration during the years 2000-01, 2001-02 and 2002-03, respectively. The above amounts correspond to 13.23%, 13.27% and 12.90% of the total tax revenue against the 15%, 12.5% and 10% in the years 2000-01 to 2002-03 as per the recommendation of the First Delhi Finance Commission.

The report of the 2nd Delhi Finance Commission which recommends for transfer of 17% of the total tax revenue of the Chandigarh Administration to the Municipal Corporation is yet to be approved by the Ministry of Home Affairs.

(e) In view of the reply made to part (d), question does not arise.

Allotment of Accommodation on Out of Turn Basis

2159. SHRI GAJENDRA SINGH RAJUKHEDI: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the particulars of officers department-wise who have been allotted accommodation on out of turn basis, type IV and above, during the last three years as on 30 September 2003;

(b) the grounds for such allotment;

(c) the particulars of allotments which have been kept on hold despite orders of the Minister;

(d) the reasons for non-compliance with the orders of the Minister; and

(e) the grounds on which generally the orders of Minister are kept in abeyance or delayed for implementation by the Ministry?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) and (b) The information is given in the enclosed statement.

(c) There are no such cases.

(d) and (e) Do not arise.

Statement

Particulars of Officers who have been allotted T -IV and higher accommodation on out of turn basis during the last three years (1st October 2000 to 30th September 2003).

Type-IV accommodation

Sl. No.	Name & Department of the allottee	Details of accommodation allotted	Grounds on which allotment made
1	2	3	4
1.	Ms Anju Bhalla Department of Atomic Energy	A-140, Pandara Road	Functional
2.	Shri S. Kathuria Cabinet Secretariat	19 Pandara Road	Functional
3.	Shobhna Jagdish, Directorate General, Doordarshan	6 LF Babar Place	Medical
4.	Shri L N Bajaj, Principal Private Secretary to Minister for Disinvestment	177, Laxmi Bai Naar	Functional
5.	Shri Hamendra Bhatnagar, Deputy Director, M/o Information & Broadcasting	378, Laxmi Bai Nagar	Medical
6.	Shri K.A. Reddy, Joint Director, NCR Planning Board	Z-39, Sarojini Nagar	Medical
7.	Shri Rambabu Panjaji Pawar, M/o Rural Development	A-89, Pandara Road	Functional
8.	Shri Ajay Kumar Jain, Court Master, Supreme Court of India	152, Laxmi Bai Nagar	Functional
9.	Dr. Nagendra Singh, Chief Medical Officer, I.T.B.P.	149/S-12, R.K. Puram	Medical
10.	Dr. Atul Kumar Bhardwaj, Senior Medical Officer, Dr. RML Hospital	9 Kali Bari Marg	Medical
11.	Shri Ranjit Singh, Executive Engineer, Central Public Works Division	463 Laxmi Bai Nagar	Medical
12.	Dr. Prem Verma Deputy Commandant	B-87, Pandara Road	Medical
13.	Shri Anupam Mishra, Private Secretary to Minister for Water Resources	A-52, Pandara Road	Functional

1	2	3	4
14.	Shri V.S. Yadav, Under Secretary, Cabinet Secretariat	906/S-12, R.K. Puram	Functional
15.	Smt. Anu Singh w/o Late Shri Sanjay Singh, Department of Culture	14 Laxmi Bai Nagar	As per the orders of Supreme Court of India
16.	Shri Rahul Kashyap, Additional Private Secretary, M/o Non Conventional Energy	555/S-3 R.K. Puram	Functional
17.	Shri Pradeep Kumar, Court Master, Supreme Court of India	BG-5 Peshwa Road	Functional
18.	Shri Sunil Mishra, Deputy Secretary, Cabinet Secretariat	A-73 Pandara Road	Functional
19.	Shri A.K. Khatri, Principal Private Secretary to the Minister for Finance	755 Laxmi Bai Nagar	Functional
20.	Shri Harish Sharma, Additional Private Secretary to Minister for Communication	21/107, Lodi Colony	Functional
21.	Shri D.N. Rao, Programmer, Cabinet Secretariat	C-131, Nanak Pura	Functional
22.	Shri TS Koteswaran, Principal Private Secretary, Cabinet Secretariat	334/S-12 R K Puram	Functional
23.	Shri SC Kalra, Senior Principal Private Secretary to Minister for Science and Technology	7. UF S H Marg	Functional
24.	Ms. Geeta Narayan, Additional Private Secretary to Minister for Health and Family Welfare	A-33, Peshwa Road	Functional
25.	Shri MK Rastogi, Vocational Rehabilitation Centre for Handicapped, M/o Labour	750, Laxmi Bai Nagar	Medical
26.	Shri Salim Hussain, Private Secretary to Minister for Chemical and Fertilizers.	2-H Minto Road	Functional
27.	Dr. Sunil Saxena, Sr. Chief Medical Officer, Dr. RML Hospital	6-C Minto Road	Medical
28.	Ms. Shubhra Pande, Under Secretary, Cabinet Secretariat	B-93 Pandara Road	Functional
29.	Dr. Rita Nagpal, Chief Medical Officer, M/o Health and Family Welfare	4. LF Babar Place	Medical
30.	Dr. Raj Singh, Deputy Director Department of Company Affairs	41/S-X R K Puram	Medical
31.	Shri R K Ajmani, Directorate of Enforcement, Department of Revenue, M/o Finance	B-55 Pandara Road	Medical
32.	Dr. Meenakshi Munsli, Scientist, Department of Bio Technology	350/S-12 R K Puram	Medical

1	2	3	4
33.	Shri Dinesh Kumar, Team Commander, NSG	123 Laxmi Bai Nagar	Medical
34.	Shri Anil Kumar, Additional Private Secretary to the Minister for Textiles	268 Laxmi Bai Nagar	Functional
35.	Shri V. Mithran, Principal Private Secretary, Department of Development of North Eastern Region	113 Laxmi Bai Nagar	Functional
36.	Shri Raju Munshi, Additional Private Secretary, Planning Commission	714 Laxmi Bai Nagar	Functional
37.	Dr. R.K. Srivastava, Plastic Surgeon M/o Health and Family Welfare	267 Laxmi Bai Nagar	Functional
38.	Krishna Shokeen, Account Office, Dr. RML Hospital	20/19 Lodi Colony	Medical
39.	Shri Ganesh Malviya, Additional Private Secretary to Minister for Youth Affairs	B-111 Pandara Road	Functional
40.	Shri S.R. Parashar, Additional Private Secretary to Minister of State for Personal & Training	21/126, Lodhi Colony	Functional
41.	Shri Sanjay Sharma, Private Secretary to Minister for Agro and Road Industry	A-79, Pandara Road	Functional
42.	Shri DPS Rajesh, Additional Private Secretary to Minister for Development of North Eastern Region & SSI.	B-52, Pandara Road	Functional
43.	Shri J.S. Rawat, Private Secretary, Supreme Court of India	472, Laxmi Bai Nagar	Functional
44.	Shri Hardayal Singh, Additional Private Secretary to Minister for Finance	A-117, Pandara Road	Functional
45.	Shri S.P. Tiwari, Assistant Engineer, C.P.W.D. M/o Urban Development and Poverty Alleviation	E-3, Nanak Pura	Functional
46.	Shri G.C. Pandey, Principal Private Secretary to Minister of Rural Development	21/71, Lodhi Colony	Functional
47.	Dr. Kashi Nath, National Informatics Centre	F-105 (MS), Mandir Marg	Medical
48.	Shri Poolinbiaon Douugol, DG Doordarshan	643, Sector-III, R.K. Puram	Medical
49.	Smt. Kala Sankaran, Election Commission of India	455, Laxmi Bai Nagar	Functional
50.	R. Kishore Babu, Lok Sabha Secretariat	A-250 Pandara Road	Functional
51.	Shri Sanjay Kumar, Additional Private Secretary to Minister of Civil Aviation	B-5/3, Peshwa Road	Functional

1	2	3	4
52.	Shri Raju Manjhi, Additional Private Secretary to Minister of State for Planning	714 Laxmi Bai Nagar	Functional
53.	Shri Rajender Prasad, Private Secretary in Prime Minister Office	B-2/3, Peshwa Road	Functional
54.	Shri Surendra Singh, Personal Assistant to Minister of State for Food Processing Industries	350, Laxmi Bai Nagar	Functional
55.	Shri Soumya Chattopadhyaya, Additional Private Secretary to Minister of State for	B-12, Pandara Road	Functional
56.	Shri A.S. Chauhan, Additional Private Secretary to Minister for Road, Transport and Highways	A-159, Pandara Road	Functional
57.	Shri Ashok Goel, OSD to Minister of State for Chemicals and Fertilizers.	A-45, Pandara Road	Functional
58.	Shri Ved Pal, OSD to Minister of State for Consumer Affairs and Public Distribution	64/Sector-10, R.K. Puram	Functional
59.	Shri K. Unikrishnan, Under Secretary, Cabinet Secretariat	7/Sector-X, R.K. Puram	Functional
60.	Shri S.K. Aggarwal, Sr. Principal Private Secretary, Ministry of Rural Development	63/Sector-10, R.K. Puram	Functional
61.	Shri K.L. Neminath, Private Secretary to Former Prime Minister	602, Laxmi Bai Nagar	Functional
62.	Shri O.P. Harsh, OSD to Chairman Rajya Sabha	21/104, Lodhi Colony	Functional
63.	Shri A.K. Vaishnav, Deputy Secretary, Prime Ministers' Office.	21/81, Lodhi Colony	Functional

Type-IV (Special) and Type (D-II) accommodation

Sl. No.	Name, Designation & office address (S/Shri)	Quarter No.	Grounds
1.	P.C. Tanwar OSD to Speaker, Lok Sabha	262, Vinay Marg	Functional
2.	Shri Rajat Bhargava Private Secretary to Minister for Rural Development	C-6, Moti Bagh	Functional
3.	Shri Rakesh Chandra Staff Officer MHA (CRPF)	P-3, Andrews Ganj Extension	Medical
4.	Shri Sanjay Malhotra Private Secretary to Minister for State for Small Scale Industry	82, Pandara Road	Functional
5.	Shri P.K. Ganguly, Surgeon Dr. RML Hospital	337, Pandara Road	Medical

1	2	3	4
6.	Shri Anoop Wadhawan, Director Prime Minister's Office	336, Pandara Road	Functional
7.	Mrs. Mitali Madhusmita Deputy Secretary, M/o Commerce	29, Shahjahan Road	Functional
8.	Dr. (Mrs.) Madhu Natarajan M/o Health and Family Welfare	51, Kaka Nagar	Functional
9.	Shri R.N. Sharma, DG, MHA. B.S.F.	91, Kidwai Nagar (West)	Medical
10.	Shri R.C. Vohra M.H.A. (B.S.F.)	Q-3-3, RK Puram	Medical
11.	B. Sethuraman, Sr. Principal Private Secretary, Department of Food	62, Kaka Nagar	Functional
12.	Shri Rajesh Kumar, Land and Development Officer, Land and Development Officer, M/o Urban Development and Poverty Alleviation	337, Vinay Marg	Functional
13.	Shri Neeraj Kumar, Director M/o Urban Development and Poverty Alleviation	200, Kaka Nagar	Functional
14.	Shri Prakash Tolani, DG, Quality Assurance, M/o Defence.	A-77, Nanak Pura	Medical
15.	Shri Ashok Dewan, OSD to Vice President	74, Pandara Road	Functional
16.	Shri S.K. Srivastava, Commissioner, Income Tax	N-2-3, RK Puram	Medical
17.	Shri Renuka Kumar Director, Prime Minister Office	36, Lohdi Road Complex	Functional
18.	Shri Yogendra Choudhary OSD to Minister for Urban Development and Poverty Alleviation	17, Shahjahan Road	Functional
19.	Shri Hazari Lal Land and Developmental Officer, Land and Developmental Department	A-67, Nanak Pura	Functional
20.	Sh. Rajiv Ranjan Deputy Secretary Cabinet Secretariat	186, Kaka Nagar	Functional
21.	Sh. Joseph Mathew Director (Finance) M/o Urban Development and Poverty Alleviation	77, Kaka Nagar	Functional
22.	Shri M. Raghupati, Member Commission for Agriculture, Costs Prices	DII/225, Kidwai Nagar (West)	Medical
23.	Shri Y.K. Galha, Advisor, Telecom Regulatory Authority of India	DII/28, Kidwai Nagar	Functional

1	2	3	4
24.	Shri. S.K. Samal, Private Secretary to Minister of State for Agriculture	DII/115, Kidwai Nagar (West)	Functional
25.	Shri B. Srinivas Private Secretary to Minister of External Affairs	DII/80, Pandara Road	Functional
26.	Shri S. Barthwal, OSD to Minister of State for Labour & Employment	DII/270, Vinay Marg	Functional
27.	Shri Mohnish Verma, OSD to Minister of State for Commerce	DII/172, Kidwai Nagar	Functional
28.	Shri B.K. Panigarhi, Private Secretary to Minister of State for Power	DII/344, Pandara Road	Functional
29.	Shri S.K.G. Rahate, Private Secretary to Minister of State for Civil Aviation	DII/320, Vinay Marg	Functional
30.	Shri Arvind Singh, Private Secretary to Minister of Shipping	DII/314, Vinay Marg	Functional
31.	Pritya Amrit, Private Secretary to Minister of State for Commerce	DII/354, Vinay Marg	Functional
32.	Shri A.K.K. Meena, Private Secretary to Minister of State for Water Resources	DII/14, Meena Bagh	Functional
33.	Shri Chanchal Kumar, OSD to Minister for Railway	DII/54, Pandara Road	Functional
34.	Shri Puneet Kumar, Private Secretary to Minister of State for Railway	DII/D-1, Tilak Lane	Functional
35.	Shri V.K. Saxena, Private Secretary to Minister of State for Labour	DII/66, Shahjahan Road	Functional
36.	Shri B. Vikram, Private Secretary to Minister of State for Tourism & Culture	DII/358, Pandara Road	Functional
37.	Shri Sunil Tated, OSD to Minister of State for Commerce	DII/A-6, Pandara Park	Functional
38.	Shri B.K. Panda, OSD to Minister of State for Water Resources	DII/94, Kidwai Nagar West	Functional
39.	Shri U.K. Kumawat, OSD to Minister of State for Coal, Mines & Law	DII/340, Vinay Marg	Functional
40.	Shri M.C. Mehanathan, Private Secretary to Minister of State for Law & Justice	DII/6, Lodhi Road Complex	Functional
41.	Shri P. Kalyan Sundram, Private Secretary to Minister of State for Youth Affairs	DII/55, Lodhi Road Complex	Functional
42.	Shri Rookesh Kumar, Private Secretary to Minister of State for Labour (Co-Terminus)	DII/99, Kidwai Nagar West	Functional
43.	Shri Gupleshwar Pandey, OSD to Minister of Civil Aviation	DII/31, Lodhi Road Complex	Functional

1	2	3	4
44.	Shri K. Somasckhar, Additional Private Secretary to Minister of State for Textile	DII/292, Vinay Marg	Functional
45.	Shri Shamsher Singh, Private Secretary to Minister of State for Labour	DII/253, Vinay Marg	Functional
46.	Shri T.P.Singh, Private Secretary to Minister of State for Agriculture	DII/344, Vinay Marg	Functional
47.	Shri Vikram Singh, Private Secretary to Minister of State for Environment & Forest	DII/258, Vinay Marg	Functional
48.	Shri Naresh A Ghag, Additional Private Secretary to Minister of State for Finance (Co-terminus)	A-10, Andrews Ganj Extension (Type-IV Spl)	Functional
49.	Shri P.K. Srivastava, Private Secretary to Minister of State for H.R.D.	DII/30, Shahjahan Road	Functional
50.	Shri P. Karupaswamy, Private Secretary to Minister of State for Non-Conventional Energy	O-2-3, RK Puram	Functional
51.	Shri Rajeev Kumar Jain, Private Secretary to Minister of Industry	2, Pandara Road	Functional
52.	Shri Pramod Kumar Private Secretary to Minister of State for Social Justice	DII/105, Kidwai Nagar West	Functional
53.	Shri C.B. Singh, OSD to Minister of Agriculture	C-2, Pandara Road	Functional
54.	Shri M. Bakthavathsalu Additional Private Secretary to Minister of Environment	24, Lodhi Road Complex	Functional
55.	Shri Ashok Kumar, OSD to Minister of Coal	58, Pandara Road	Functional
56.	Shri B.K. Mukhopadhy, Private Secretary to Minister of State for Small Scale Industry	1/6, Lodhi Road Complex	Functional
57.	Shri Devender Singh, Private Secretary to Minister for Urban Development and Poverty Alleviation	D-II/245, Vinay Marg	Functional
58.	Shri S.K. Prabhakar, Private Secretary to Minister of State for Non-Conventional Energy Resources	F-12, R.K. Puram Sector-10	Functional
59.	Shri. U.K.S. Chauhan, Private Secretary to Minister of State for Home Affairs	D-I/30, Chanakyapuri	Functional
60.	Shri. K. Satyamurthy, Private Secretary to Minister of Rural Development	D-II/164, Chanakyapuri	Functional
61.	Shri Apoorva Chandra, Private Secretary to Minister for Petroleum and Natural Gas	270, Vinay Marg	Functional

1	2	3	4
62.	Shri Amiya Chandra, Private Secretary to Minister of State for Prime Minister's Office	298, Vinay Marg	Functional
63.	Dr. M.R. Sharma, Private Secretary to Minister for State for Shipping	765, Asian Games Village Complex	Functional
64.	Shri S. Sidharth, Private Secretary to Minister of State for Social Justice and Empowerment	238, Vinay Marg,	Functional
65.	Simanchala Dash, Private Secretary to Minister of Commerce, Industry and Law Justice	332, Pandara Road	Functional
66.	Shri Ravi Parmar, Private Secretary to Minister of State for Home Affairs	9, Lodhi Road Complex	Functional
67.	Sh. V. Srinivas, Private Secretary to Minister for External Affairs	80, Pandara Road	Functional
68.	Shri Arun Kumar, OSD to Private Secretary to Minister of State for Tourism and Culture	308, Pandara Road	Functional
69.	Smt. Sunita Kalra, Additional Private Secretary to Deputy Prime Minister	21, Mahadev Road	Functional
70.	Shri Sudeer K. Verma, OSD to Minister for Health and Family Welfare	364, Pandara Road	Functional
71.	Shri C.L. Kaul, Additional Private Secretary to Minister for Health and Family	115, Kidwai Nagar (West)	Functional
72.	Modh. Shakeel Akhtar, OSD to Minister for Shipping	B-6, Moti Bagh	Functional
73.	Shri N.K. Azad, OSD to Minister of State for Human Resource Development	A-19, Nanak Pura	Functional
74.	Shri A.K. Pavadia, Private Secretary to Minister of State for Chemical and Fertilizers.	19, Kaka Nagar	Functional
Type V (D-I) accommodation			
1.	Shri Arvind Risbud, Private Secretary to Minister for Urban Development	162, Chanakyapuri	Functional
2.	Shri Naveen Verma, Private Secretary to Deputy Chairman, Planning Commission	68, Rabindra Nagar	Functional
3.	Shri Alok Srivastava, Private Secretary to Minister for Mines	3, S.P. Marg	Functional
4.	Shri S.N. Gavai, Private Secretary to Minister of State for Finance	53, Bharti Nagar	Functional
5.	Shri A.S. Chhatwal, Private Secretary to Minister of Chemicals & Fertilizers	110, Rabindra Nagar	Functional

1	2	3	4
6.	Shri Ajay Mehta, Private Secretary to Minister of Communication	175, Chanakyapuri	Functional
7.	Shri K. Vidya Sagar, Private Secretary to Minister of State for Urban Development and Poverty Alleviation	32, Rabindra Nagar	Functional
8.	Shri B.B. Vyas, Private Secretary to Minister for Finance	2, Bharti Nagar	Functional
9.	Shri A.K. Ganjoo, Private Secretary to Minister of State for Statistics & Programme Implementation	76, Chanakyapuri	Functional
10.	Shri Sanjeev Ranjan, Private Secretary to Minister for Health and Family Welfare	126, Chanakyapuri	Functional
11.	Shri P.S. Raghavan, Joint Secretary to Prime Minister	30, Rabindra Nagar	Functional
12.	Shri D.K. Bhalla, Private Secretary to Minister of State for Women Child Development	1, Rabindra Nagar	Functional
13.	Shri Rajneesh Goel, Private Secretary to Minister of State for Finance	116, Chanakyapuri	Functional
14.	Shri P.K. Sarangi, Private Secretary to Minister of State for Road Transport & Highways	66, Chanakyapuri 39, Chanakyapuri	Functional
15.	Shri Rajiv Jain, OSD to Deputy Chairman Planning Commission	21, S.P. Marg	Functional
16.	Shri R.C.P. Singh, Private Secretary to Minister for Railways	90, Chanakyapuri	Functional
17.	Shri Anup Mukherjee, Joint Secretary, Cabinet Secretariat	42, Bharti Nagar	Functional
18.	Shri B.R. Sharma, Private Secretary to Minister of State for Human Resource Development	4, Rabindra Nagar	Functional
19.	Shri P.C. Meena, Private Secretary to Minister of Information and Broadcasting	S-52, R.K. Puram	Functional
20.	Shri Sudhir Kumar, MD, Ministry of Agriculture	115, Chanakyapuri	Medical
21.	Shri Arun Chaudhary, Joint Director, Intelligence Bureau	199, Bharti Nagar	Medical
22.	Ms. Neeta Chaudhary, Joint Secretary, Ministry of Agriculture	213, Chanakyapuri	Medical
23.	Shri Dinesh Srivastava, Sr. Physician, Dr. RML Hospital	57, Bharti Nagar	Medical
24.	Shri Arvind Mehta, Private Secretary to Minister of State for Prime Minister Office and Planning	502, SP Marg	Functional

1	2	3	4
25.	Shri M. Satyamurthy, Private Secretary to Minister for Agro & Rural Industries	78, Bharti Nagar	Functional
26.	Shri A.K. Dutt, Private Secretary to Minister for Disinvestment	14, Bharti Nagar	Functional
27.	Shri U.N. Behera, Private Secretary to Minister for Steel	220, Chanakyapuri	Functional
28.	Shri S.P. Sethi, Adviser, Planning Commission	103, Chanakyapuri	Medical
29.	Shiv Shankar Singh, Additional Private Secretary to Minister for Agriculture	22, Chanakyapuri	Functional
30.	Shri Arvind Jadhav, Joint Secretary, Ministry of Power	159, Chanakyapuri	Medical
31.	Shri Satyajeet Ranjan, Private Secretary to Minister of State for Coal & Mines	92, Rabindra Nagar	Functional
32.	Shri E. Venkataiah, Private Secretary to Minister of State for Finance	114, Chanakyapuri	Functional
33.	Shri Alok Tandon, Private Secretary to Minister for Human Resource Development	34, Chanakyapuri	Functional
34.	Shri Jaideep Govind, Private Secretary to Minister of State for Tribal Affairs	96, Rabindra Nagar	Functional
35.	Shri Girish B. Pradhan, Secretary to Speaker, Lok Sabha	182, Chanakyapuri	Functional
36.	Shri V.K. Gautam, Private Secretary to Minister of State for Expenditure	160, Chanakyapuri	Functional
37.	Shri Prabhat Ranjan Deo, OSD to Health Minister	93, Rabindra Nagar	Functional
38.	Shri K.L. Kochhar, Press Adviser to Chairman Rajya Sabha	46, Rabindra Nagar	Functional
39.	Shri Venu Rajamony, Director/OSD to Minister for External Affairs	111, Chanakyapuri	Functional
40.	Apoorva Chandra, Private Secretary to Minister for Petroleum	166, Chanakyapuri	Functional
41.	Shri Rajesh Agarwal, Private Secretary to Minister of State for Rural Development	200, Bharti Nagar	Functional
42.	Shri Raghvendra Singh, OSD to Finance Minister	191, Chanakyapuri	Functional
43.	Shri Atul Chaturvedi, Private Secretary to Deputy Chairman, Planning Commission	216, Chanakyapuri	Functional
44.	Shri A.P. Pathak, OSD to Speaker Lok Sabha	203, Chanakyapuri	Functional
45.	Shri Ajoy Kumar, Private Secretary to Minister of State for Health and Family Welfare	74, Chanakyapuri	Functional

1	2	3	4
46.	Shri Tripurari Saran, Private Secretary to Minister of State for External Affairs	50, Rabindra Nagar	Functional
47.	Shri R.C. Meena, OSD to Minister of State for Human Resource Development	14, Chanakyapuri	Functional
48.	Shri Rama Raman, Private Secretary to Minister of State for Chemical & Fertilizers	114, Chanakyapuri	Functional
49.	Shri B. Rajagopal Naidu, Private Secretary to Minister of State for Commerce & Industry	54, Chanakyapuri	Functional
50.	Smt. Raksha Ramachandran, Joint Secretary, Cabinet Secretariat	D-I/7, Bharti Nagar	Medical
51.	Shri N. Ramachandran, IG, Special Protection Group	D-I/38 Chanakyapuri	Functional
52.	Shri M. Rajamani, Joint Secretary, M/o Urban Development and Poverty Alleviation	D-I/13, S.P. Marg	Functional
Type VI and above			
1.	Shri A.K. Bhandari, Special Secretary, M/o Home Affairs	C-I/16, Humayun Road	Functional
2.	Shri M.K. Singh, Additional Director General, B.S.F.	D-2-2, MS (R.K. Puram)	Functional
3.	Shri Y.S. Bhave, Joint Secretary and Financial Advisor, M/o Information Technology	C-II/44, Shahjahan Road	Functional
4.	Dr. Jagdish Prasad, MS, Safdarjung Hospital	C-II/35, Chanakyapuri	Functional
5.	Shri Tejinder Singh, DG, Income Tax	C-II/7, Tilak Marg	Medical
6.	Shri Jayant Mishra, OSD to Deputy Chairman, Rajya Sabha	C-II/61, Chanakyapuri	Functional
7.	Vice Admiral (Retd.) R.N. Ganesh, DG, ATVP	C-II/161, Chanakyapuri	Functional

Traditional Games

2160. DR. RAMESH CHAND TOMAR: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether the Prime Minister has stressed the need to give priority to the indigenous/traditional and tourism games in the country;

(b) If so, whether the sports policy 2001 also indicated promotion of indigenous games; and

(c) if so, the steps taken by the Union Government to promote the indigenous/traditional and tourism games at the International Level?

THE MINISTER OF STATE IN THE MINISTRY OF

YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) Yes, Sir. The Prime Minister in his address before the National Sports Congress on 26 August, 2003 had stressed the need for giving special attention to the promotion of traditional Indian Sports.

(b) Yes, Sir.

(c) Government of India has accorded traditional games like Archery, Kabaddi and Wrestling 'Priority Status' amongst sports disciplines for extending financial assistance. In addition to other sports, promotion of indigenous/traditional games is also being done through its schemes of 'Rural Sports Programme' and 'Assistance to National Sports Federations'.

The Sports Authority of India also promotes traditional and indigenous games through its schemes of (a) National

Sports Talent Contest, (b) Army Boys Sports Company (c) SAI Training Centres (d) Special Area Games (e) Centre of Excellence. Under its NSTC Scheme, 27 schools all over the country have been adopted for promotion of indigenous games and martial arts. The National Sports Policy, 2001 recognises the inter-dependence and inter-relationship between sports and tourism. The Ministry also implements a scheme of Promotion of Adventure which, inter-alia, promotes adventure sports and tourism.

[Translation]

Funds Required Under Rural Development Schemes

2161. SHRI ASHOK N. MOHOL: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Government have earmarked funds for the development of rural areas;

(b) if so, the estimated amount of funds required during the current year and the next five years scheme-wise; and

(c) the resources mobilised by the Govt. to obtain the required funds?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI ANNASAHEB M.K. PATIL): (a) to (c) The Rural Development Programmes being implemented by the Ministry of Rural Development are approved under the Five Year Plan and the funds are allocated as per the provisions of the Plan. The allocation made for the 10th Five Year Plan (2002-07) and for the year 2003-04 under major Rural Development Schemes is given in the enclosed statement.

Statement

Scheme-wise Allocation for Tenth Plan (2002-2007) and For the Current Year 2003-2004

(Rs. in crore)

S. No.	Name of the Scheme	10th Plan allocation	Budget Estimate
		(2002-2007)	2003-04
1	Sampoorna Gramin Rozgar Yojana (SGRY)	30000.00	4900.00
2	Swarnjayanti Gram Swarozgar Yojana (SGSY)	3955.00	800.00
3	DRDA Administration	1100.00	220.00
4	Rural Housing (Indira Awaas Yojana)	8603.00	1900.00
5	Pradhan Mantri Gram Sadak Yojana (PMGSY)	12500.00	2325.00
6	Integrated Wasteland Development Programme	2165.00	402.00
7	Drought Prone Areas Programme (DPAP)	1500.00	295.00
8	Desert Development Programme (DDP)	1100.00	265.00
9	Computerisation of Land Records	400.00	40.00
10	Strengthening of Revenue Administration and Updating of Land Records	200.00	25.00
11	Accelerated Rural Water Supply Programme (ARWSP)	13245.00	2841.50
12	Central Rural Sanitation Programme	955.00	177.38

[English]

Direct Investment by Companies

2162. SHRI G. PUTTA SWAMY GOWDA: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether the Ministry has any proposal to direct corporate companies to invest some percentage of their profits into sports, and also to adopt certain games; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) and (b) There is no proposal to direct corporate companies in this regard. However, efforts have been made to seek the cooperation of the corporate sector for promotion of sports. In this regard, a meeting was held under the chairmanship of former Finance Minister and was attended by former Union Minister of Youth Affairs and Sports on 7th December, 2001 with the representatives of leading Chambers of Commerce and Industry. Pursuant to the discussion in the meeting, Sports Authority of India has entered into an MOU with FICCI and Indian Olympic Association (IOA) has entered into an MOU with CII for cooperation in the field of sports. CII has also agreed to support five sporting disciplines of their choice till Athens Olympics-2004. CII, through its Golden Hopes Scheme, has identified four exceptionally talented sportspersons for support till Beijing Olympics-2008.

Sports Infrastructure in Rural Areas

2163. PROF. UMMAREDDY-VENKATESWARLU: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether the Government has a scheme to assist in the building of stadia in rural areas and small towns;

(b) if so, the details thereof;

(c) whether no stadia have come up in any Municipality with the assistance of the Government in the last five years;

(d) if so, the reasons therefor;

(e) whether the funds offered is totally in-adequate; and

(f) the steps the Government propose to take to improve the present scheme and to make it more viable?

THE MINISTER OF STATE IN THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) and (b) Yes, Sir. Under the Scheme of Grants for Creation of Sports Infrastructure, Central assistance on matching share basis is provided for creation of various sports facilities including stadia at various places including rural areas, municipalities etc., subject to the receipt of viable proposals from the State Government.

(c) to (e) No, Sir. Admissible Central assistance of Rs.2813.89 lakhs was released for construction of 182 Stadia in various States including Municipalities during the period 1998-99 to 2002-03. The State-wise details of these projects have been given in the enclosed Statement. Under the scheme referred to above, all projects are funded on a cost-sharing formula of 50:50 between the Centre and the States/NGO except in case of Special Category States, where the cost sharing is on 75:25 basis.

(f) The Scheme is under revision to make it more viable.

Statement

Sl. No.	State	1998-99		1999-2000		2000-2001		2001-2002		2002-2003	
		No. of Stadia	Grant Released	No. of Stadia	Grant Released	No. of Stadia	Grant Released	No. of Stadia	Grant Released	No. of Stadia	Grant Released
1	2	3	4	5	6	7	8	9	10	11	12
1	Delhi	1	8.11	0	0.00	0	0.00	1	2.52	0	0.00
2.	Arunachal Pradesh	1	15.00	0	0.00	0	0.00	4	56.85	3	149.69
3.	Andhra Pradesh	0	0.00	0	0.00	1	100.00	1	30.00	1	13.74
4.	Assam	1	2.00	1	1.20	1	23.55	2	50.00	3	73.50

1	2	3	4	5	6	7	8	9	10	11	12
5.	Bihar	1	19.29	0	0.00	0	0.00	0	0.00	0	0.00
6.	Gujarat	1	10.62	1	40.00	1	1.18	0	0.00	0	0.00
7.	Haryana	2	7.506	0	0.00	1	10.80	2	37.00	1	1.20
8.	Himachal Pradesh	2	29.266	1	10.00	2	50.832	1	27.00	1	5.25
9.	Karnataka	5	21.025	6	82.427	3	45.545	4	31.45	14	82.198
10.	Kerala	1	0.66	3	5.922	3	21.585	1	1.66	0	0.00
11.	Madhya Pradesh	0	0.00	4	41.47	0	0.00	4	57.078	2	42.00
12.	Maharashtra	3	26.00	2	8.048	1	0.50	0	0.00	2	60.00
13.	Manipur	0	0.00	0	0.00	2	40.00	2	30.00	5	62.50
14.	Mizoram	9	21.549	0	0.00	8	112.50	0	0.00	6	53.00
15.	Nagaland	1	70.00	4	110.00	0	0.00	4	59.79	7	174.00
16.	Orissa	0	0.00	0	0.00	0	0.00	0	0.00	2	15.50
17.	Punjab	0	0.00	2	55.71	8	242.60	8	148.13	1	10.00
18.	Rajasthan	1	4.50	2	4.20	0	0.00	0	0.00	1	10.00
19.	Tamil Nadu	0	0.00	1	15.00	1	16.473	1	50.00	2	67.623
20.	Tripura	0	0.00	1	70.58	0	0.00	0	0.00	0	0.00
21.	Uttar Pradesh	1	15.00	0	0.00	1	0.50	2	32.58	0	0.00
22.	West Bengal	0	0.00	0	0.00	1	0.493	1	10.00	1	8.00
Total		30	250.526	28	444.557	34	666.554	38	624.058	52	828.201

Availability of Government Accommodation

2164. SHRI HARIBHAU SHANKAR MAHALE:

DR. PRASANNA KUMAR PATASANI:

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the present status of availability of Government accommodation to Government employees, particularly in Delhi and details of waiting list in each category;

(b) the amount collected as HRA and licence fees by the Government in the year 2002 separately;

(c) the number of cases in which the HRA has been collected from both the spouses working in the Government;

(d) whether the Government would consider charging HRA from only one spouse considering the increasing number of such cases;

(e) if not, whether the Government would consider giving some special/extra facilities to such category of allottees; and

(f) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) The information is given in the enclosed statement.

(b) and (c) On allotment of Government accommodation to a Central Government employee, HRA is not admissible to

the allottee and to his/her spouse if the latter is employed in any Government/semi Government office, Autonomous organization, Public Sector Undertaking, etc. The amount of licence fees collected by the Government during the financial year 2002-2003, under the Head "Housing", is Rs. 52.17 crore. House Rent Allowance is paid to eligible employees directly by the offices/organisations concerned.

(d) and (e) There is no such proposal.

(f) Does not arise.

Statement

Status of Availability of Government Accommodation and number of officers waiting for allotments in Delhi as on date

Sl. No.	Type of Accommodation	No. of Units available	No. of Officers waiting for allotment
1.	Type-I	16,488	3,159
2.	Type-II	24,410	18,091
3.	Type-III	11,820	8,297
4.	Type-IV	5,099	4,465
5.	Type-IV (Spl.)	807	2,127
6.	Type-V (D-II)	1,727	2,170
7.	Type-V L	160	728
8.	Type-V (D-I)	839	981
9.	C-II	457	757
10.	C-I	166	87
11.	Type-VII	086	170
12.	Type-VIII	102	170
13.	Hostel	1,888	1,041

[Translation]

Assistance to NGOs

2165. SHRI RAMSHAKAL: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether the Government provide financial assistance to the Non Governmental Organisations which are active in sports field for sponsoring several sports programmes;

(b) if so, whether any viable and acceptable proposals have been received during last two years in this regard; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) to (c) Information is being collected and will be laid on the Table of the House.

[English]

Cash Awards to Medal Winners

2166. SHRI V.M. SUDHEERAN: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether the Government propose to give cash awards to the medal winners of Afro-Asian Games held at Hyderabad in 2003 and other such games; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI VIJAY GOEL): (a) No. Sir. Under the existing scheme of Special Awards to Winners in International Sports Events and Their Coaches, cash awards are given to winners in Olympic Games, World Championships, Commonwealth & Asian Games, Commonwealth & Asian Championships only.

(b) Does not arise.

Allocation of Funds to Maharashtra

2167. SHRI PRAKASH V. PATIL: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) the funds allocated to the Government of Maharashtra for the implementation of Infrastructural Development in Mega Cities Scheme in Mumbai during the last three years as on date, year-wise;

(b) the details of various projects undertaken during the said period;

(c) whether some projects under the scheme could not be undertaken due to scarcity of funds;

(d) if so, the details thereof;

(e) whether the Union Government propose to release the required funds available to the State Government; and

(f) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA): (a) Under the Centrally Sponsored Scheme for Infrastructural Development in Mega Cities, sharing between Central and State Governments is in the ratio of 25:24 and the balance 50% is mobilised from financial institutions either by the nodal agencies for the respective mega city or by implementing agencies. Under the Scheme, Central Government allocated funds to Mumbai Mega City as follows:-

Financial year	Rs. in crores
2001-02	23.16
2002-03	25.32
2003-04	29.12*

* Available for release on receipt of Utilisation Certificate from the State Government/nodal agency in respect of central grants released in 2002-03.

(b) to (d) As per the information made available by Mumbai Metropolitan Region Development Authority (MMRDA), nodal agency for Mumbai Mega City, statements are enclosed at statement-I and II.

As per the practice, State Level Sanctioning Committee for each Mega City can sanction projects upto six times of Central contribution. MMRDA has reported that new projects are proposed for approval and undertaken only in proportion to Central contribution already made available.

A list of projects not undertaken as reported by MMRDA is enclosed as statement-III.

(e) and (f) Funds are allocated to mega cities with reference to funds provided for the Scheme each year in the Budget.

Statement-I

Mega City Scheme: Mumbai

Status of the Ninth Plan Projects Approved in February, 2001 (Part-III)

(Rs. in Crores)

Sl. No.	Agency/ Name of the Project	Category	Approved Cost	Original/ Revised Date of Completion	Expnd. Reported 09/2003	Present Status
(1)	Thane Municipal Corporation					
	Water Supply Distribution	B	56.78	12/2003	42.59	Project nearing completion
	Total		56.78		42.59	
	Municipal Corporation of Greater Mumbai					
2.	Construction and Widening of Roads	C	19.04	12/2003	12.32	17 out of 20 sub-works completed and 3 are held up due to objections of Salt Commissioner, Court case & encroachment Scope of work and cost reduced in Oct., 2003 to Rs. 13.54 Cr.
3.	Storm Water Drainage	C	28.53	1/2004	22.82	12 out of 13 sub-works completed, 1 in progress.
4.	Construction of Bridges, R.O.B. and a Subway	C	27.43	12/2003	18.83	Scope of work and cost reduced in Oct., 2003 to Rs. 21.38 Cr. due to change in design
	Total		75.00		53.97	
	Maharashtra State Road Development Corporation					
5.	Const. of flyover at Barfiwala lane junction SB Road, Andheri	B	60.00	3/2003	0.00	The MSRDC decided to drop the projects due to financial constraints. Dropped in Aug. 2002.
6.	Construction of five pedestrain subways on Highways	C	15.00	12/2002	15.00	Completed
	Total		75.00		15.00	
	Grand Total		206.78		111.56	

Statement-II

Mega City Scheme: Mumbai

Status of the Tenth Plan Projects Approved in August, 2002 (Part-I)

(Rs. in Crores)

Sl. No.	Agency/ Name of the Project	Category	Approved Cost	Original / Revised Date of Completion	Expend. Reported 09/2003	Present Status
MCGM						
1.	Storm Water Drains in Mumbai	C	23.63	03/2005	8.45	13 out of 18 works in progress. Others yet to commence.
2.	Construction of Bridges, ROB's and FOB's in Mumbai	C	17.64	09/2005	3.07	6 out of 7 Sub-works in progress, 1 yet to commence.
Total			41.27		11.52	
3.	Mechanised Slaughter Facility	B	2.47	03/2004	0.00	Execution commenced
4.	ROB at Kalyan Naka, Bhiwandi	C	16.84	03/2005	0.74	Execution commenced
Total			19.31		0.74	
CIDCO						
5.	ROB near Sanpada Corshed	C	10.00	03/2005	0.00	Work about to commence
Total			10.00		0.00	
TMC						
6.	Water Supply Distribution System Phase-II	B	54.87	03/2004	0.00	Work commenced. Expenditure yet to be reported.
Total			54.87		0.00	
MSRDC						
7.	Worli Bandra Sea Link	B	200.00	03/2004	0.00	Project dropped in Oct., 2003 due to uncertainties about design & cost, schedule of implementation and funding from other sources.
Total			200.00			
Grand Total			325.45		12.26	

Statement-III

List of Projects Not Undertaken

(Rs. in Crores)

S.No.	Agency/Name of the Project	Cost of the Project
1	2	3
MCGM		
1.	Construction and widening of Roads	25.68
2.	Storm Water Drainage	4.10
3.	Construction of Bridges, R.O.B. and a subway	25.58
4.	Storm Water Drains (32 Nos.)	79.05
5.	Roads & C.C. Roads (25 Nos.)	94.43
6.	Bridges (4 Nos.)	13.75
7.	Hydraulic Engineer (1 No.)	6.50

1	2	3
8.	Sewerage Projects (1 No.)	10.00
9.	Water Supply & S.P. (1 No.)	28.10
MCGM	Total	287.19
CIDCO		
10.	City illumination for Kharghar node	9.60
11.	Approach roads for Panvel Rly. Station complex	2.20
12.	Connecting road from south side of Kharghar Node to Railway Station Complex	2.54
13.	Pedestrian subway at Kopra in Kharghar Sion-Panvel HW	2.50
14.	Pedestrian subway at Kalamboli on Sion-Panvel HW	2.50
15.	ROB near Sanpada Carshed-II	5.50
	CIDCO Total	25.84
KDMC		
16.	ROB at Kalyan - Vithial Wadi	7.00
17.	ROB at Shahad - Ambivili	8.00
18.	ROB at Dombivili - Thakruli	3.00
	- Ring Road at Kalyan Dombivili area	33.00
19.	- Construction and Widening existing Village roads of bole Khambalpada	4.00
20.	Construction of Swimming pool in Kalyan	3.00
21.	Swimming pool in Kalyan Sport Complex	3.00
22.	Beautification of Kala pool	5.00
	Additional works of auditorium	8.00
23.	- Bai Bhavan and	1.00
	Additional works of play room	1.00
24.	Murbad diversion road and Shahad SWD scheme	13.00
	- Vithal Wadi (Kalyan-E) underground pipeline project	12.00
25.	Pathrii (Kalyan - E) and Thakruli (Kalyan-W) SWD Schm.	20.00
26.	Parking Plaza at Adhar Wadi	7.00
27.	Community centre at Lal Chakui	5.00
	KDMC Total	133.00
MSRDC		
28.	Service road on WE highways at Akurli road junction-II	4.00
29.	Construction of flyover at love Grove junction	7.00
30.	Widening of Thane Ghhourbunder Road	16.00
	MSRDC Total	27.00
MMRDA		
31.	GMLR Pipeline Road	125.00
	MMRDA Total	125.00
	Grand Total	598.03

12.00 hrs.

PAPERS LAID ON THE TABLE

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I. D. SWAMI) : On behalf of Shri L.K. Advani, I beg to lay on the Table -

- (1) A copy of the following papers (Hindi and English versions) under sub-section (1) of section 619 A of the Companies Act, 1956 :-

- (i) Review by the Government of the working of the Rehabilitation Plantations Limited, Punalur, for the year 2002-2003.
- (ii) Annual Report of the Rehabilitation Plantations Limited, Punalur, for the year 2002-2003, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT 8274/03]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Repatriates Cooperative Finance and Development Bank Limited, Chennai, for the year 2002-2003, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Repatriates Cooperative Finance and Development Bank Limited, Chennai, for the year 2002-2003.

[Placed in Library. See No. LT 8275/03]

THE MINISTER OF STATE OF THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA) : Sir, I beg to lay on the Table -

- (1) A copy each of the following Notifications (Hindi and English versions) under section 58 of the Delhi Development Act, 1957 :-

- (i) G.S.R. 864 (E) published in Gazette of India dated the 6th November, 2003 making certain amendments in the Notification No. G.S.R. 706 (E) dated the 7th October, 1999 so as to amend recruitment regulations for various posts of Planning, Architecture and Horticulture cadres in D.D.A.

- (ii) G.S.R. 865(E) published in Gazette of India dated the 6th November, 2003 modifying the composition of the Departmental Promotion Committees with regard to recruitment regulations of various posts in D.D.A.

[Placed in Library. See No. LT 8276/03]

- (2) A copy of the Annual Statement (Hindi and English versions) regarding discretionary allotments made during the calendar year 2002.

[Placed in Library. See No. LT 8277/03]

- (3) A copy of the Annual Accounts (Hindi and English versions) of the Delhi Development Authority, New Delhi, for the year 1992-1993 together with Audit Report thereon, under sub-section (4) of section 25 of the Delhi Development Act, 1957.

- (4) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.

[Placed in Library. See No. LT 8278/03]

- (5) A copy of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) U.T. of Daman and Diu Rules, 1998 (Hindi and English versions) published in Notification No. SW/604/99-00/155 in Daman and Diu Gazette dated the 20th August, 2003 under sub-section (3) of section 23 of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.

- (6) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (5) above.

[Placed in Library. See No. LT 8279/03]

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHHATRAPAL SINGH) : Sir, I beg to lay on the Table-

- (1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 :-

- (a) (i) Review by the Government of the working of the Fertilizer Corporation of India Limited, New Delhi, for the year 2002-2003.

- (ii) Annual Report of the Fertilizer Corporation of India Limited, New Delhi, for the year 2002-2003, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT 8280/03]

- (b) (i) Review by the Government of the working of the National Fertilizers Limited, New Delhi, for the year 2002-2003.

- (ii) Annual Report of the National Fertilizers Limited, New Delhi, for the year 2002-2003, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library See No. LT 8281/03]

- (c) (i) Review by the Government of the working of the Smith Stanistreet Pharmaceuticals Limited, Kolkata, for the year 2002-2003.

- (ii) Annual Report of the Smith Stanistreet Pharmaceuticals Limited, Kolkata, for the year 2002-2003, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 8282/03]

- (d) (i) Review by the Government of the working of the Bengal Immunity Limited, Kolkata, for the year 2002-2003.

- (ii) Annual Report of the Bengal Immunity Limited, Kolkata, for the year 2002-2003, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT. 8283/03]

- (e) (i) Review by the Government of the working of the Bengal Chemicals and Pharmaceuticals Limited, Kolkata, for the year 2002-2003.

- (ii) Annual Report of the Bengal Chemicals and Pharmaceuticals Limited, Kolkata, for the year 2002-2003 alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT 8284/03]

- (f) (i) Review by the Government of the working

of the Projects and Development India Limited, Sindri, for the year 2002-2003.

- (ii) Annual Report of the Projects and Development India Limited, Sindri, for the year 2002-2003, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT 8285/03]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Central Institute of Plastics Engineering and Technology, Chennai, for the year 2002-2003, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Central Institute of Plastics Engineering and Technology, Chennai, for the year 2002-2003.

[Placed in Library. See No. LT 8286/03]

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I. D. SWAMI) : Sir, I beg to lay on the Table -

- (1) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 141 of the Border Security Force Act, 1968 :-

- (i) The Border Security Force (Engineering Officers) Recruitment Amendment Rules, 2003 published in Notification No. G.S.R. 309 in Gazette of India dated the 6th September, 2003.

- (ii) The Border Security Force (Amendment) Rules, 2003 published in Notification No. S.O. 2032 in Gazette of India dated the 26th July, 2003.

[Placed in Library. See No. LT 8287/03]

- (2) A copy of the Annual Report (Hindi and English versions) of the Central Vigilance Commission, New Delhi, for the period from 1st January, 2001 to 31st December, 2001.

- (3) A copy of the Memorandum (Hindi and English versions) explaining the reasons for non-acceptance of the Commission's Advice.

[Placed in Library. See No. LT 8288/03]

- (4) A copy of the Central Industrial Security Force, Director General, Recruitment Rules, 2003 (Hindi and English versions) published in Notification No. G.S.R. 282 in Gazette of India dated the 9th August, 2003 under sub-section (3) of section 22 of the Central Industrial Security Force Act, 1968.
- (5) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (4) above.

[Placed in Library. See No. LT 8289/03]

- (6) A copy each of the following papers (Hindi and English versions) under sub-section (2) of section 20 of the Protection of Human Rights Act, 1993 :-
- (i) Annual Report of the National Human Rights Commission, for the year 2001-2002.
- (ii) Memorandum of Action Taken on the Annual Report of the National Human Rights Commission, for the year 2001-2002.

[Placed in Library. See No. LT 8290/03]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI HARIN PATHAK) : Sir, I beg to lay on the Table -

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Grih Kalyan Kendra, New Delhi, for the year 2002-2003, alongwith Audited Accounts.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Grih Kalyan Kendra, New Delhi, for the year 2002-2003.

[Placed in Library. See No. LT 8291/03]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Central Civil Services Cultural and Sports Board, New Delhi, for the year 2002-2003, alongwith Audited Accounts.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Central Civil Services Cultural and Sports Board, New Delhi, for the year 2002-2003.

[Placed in Library, See No. LT 8292/03]

THE MINISTER OF STATE IN THE MINISTRY OF SMALL SCALE INDUSTRIES AND MINISTER OF STATE IN THE DEPARTMENT OF DEVELOPMENT OF NORTH EASTERN REGION (SHRI TAPAN SIKDAR) : Sir, I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Fragrance and Flavour Development Centre, Kannauj, for the year 2002-2003, alongwith Audited Accounts.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Fragrance and Flavour Development Centre, Kannauj, for the year 2002-2003.

[Placed in Library. See No. LT 8293/03]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Centre for the Development of Glass Industry, Firozabad, for the year 2002-2003, alongwith Audited Accounts.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Centre for the Development of Glass Industry, Firozabad, for the year 2002-2003.

[Placed in Library. See No. LT 8294/03]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Process cum Product Development Centre, Meerut for the year 2002-2003, alongwith Audited Accounts.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Process cum Product Development Centre, Meerut, for the year 2002-2003.

[Placed in Library. See No. LT 8295/03]

- (4) (i) A copy of the Annual Report (Hindi and English versions) of the Central Footwear Training Institute, Agra, for the year 2002-2003, alongwith Audited Accounts.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of the

working of the Central Footwear Training Institute, Agra, for the year 2002-2003.

[Placed in Library. See No. LT 8296/03]

- (5) (i) A copy of the Annual Report (Hindi and English versions) of the Central Footwear Training Institute, Chennai, for the year 2002-2003, alongwith Audited Accounts.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Central Footwear Training Institute, Chennai, for the year 2002-2003.

[Placed in Library. See No. LT 8297/03]

- (6) A copy each of the following papers (Hindi and English versions) under sub-section (1) of the section 619 A of the Companies Act, 1956 :-

- (i) Statement regarding Review by the Government of the working of the Omnibus Industrial Development Corporation of Daman and Diu and Dadra and Nagar Haveli Limited, Moti Daman, for the year 2002-2003.
- (ii) Annual Report of the Omnibus Industrial Development Corporation of Daman and Diu and Dadra and Nagar Haveli Limited, Moti Daman, for the year 2002-2003, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT 8298/03]

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : On behalf of Shri Prahlad Singh Patel, I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619 A of the Companies Act, 1956 :-

- (1) (i) Review by the Government of the working of the Neyveli Lignite Corporation Limited, Chennai, for the year 2002-2003.
- (ii) Annual Report of the Neyveli Lignite Corporation Limited, Chennai, for the year 2002-2003, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT 8299/03]

- (2) (i) Review by the Government of the working of the Singareni Collieries Company Limited, Kothagudem, for the year 2002-2003.

- (ii) Annual Report of the Singareni Collieries Company Limited, Kothagudem, for the year 2002-2003, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library. See No. LT 8300/03]

12.01 hrs.

MESSAGE FROM RAJYA SABHA

[English]

SECRETARY-GENERAL : Sir, I have to report the following message received from the Secretary-General of Rajya Sabha :-

- (i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 15th December, 2003, agreed without any amendment to the Industrial Development Bank (Transfer of Undertaking and Repeal) Bill, 2003, which was passed by the Lok Sabha at its sitting held on the 8th December, 2003."

12.01½ hrs.

STANDING COMMITTEE ON PETROLEUM AND CHEMICALS

Fifty-second to Fifty-fourth Reports

[English]

DR. GIRIJA VYAS (Udaipur) : Sir, I beg to present the following reports (Hindi and English versions) of the Standing Committee on Petroleum and Chemicals :-

- (1) 52nd Report on action taken by the Government on the recommendations contained in the 41st Report of the Committee on 'Demands for Grants 2003-04 relating to the Ministry of Chemicals and Fertilisers (Department of Fertilisers)';
- (2) 53rd Report on action taken by Government on the recommendations contained in the 42nd Report of the Committee on 'Merger and Acquisition of Oil and Gas Companies'; and

- (3) 54th Report on action taken by Government on the recommendations contained in the 44th Report of the Committee on 'Demand, Availability and Distribution of Fertilisers'.

12.02 hrs.

STANDING COMMITTEE ON RAILWAYS

Fifteenth Report

[Translation]

SHRI K. YERRANNAIDU (Srikakulam) : Sir, I beg to present a copy of the Fifteenth Report (Hindi and English versions) of the Standing Committee on Railways (2003) on "Ongoing and Pending Projects".

12.04 hrs.

STATE EMBLEM OF INDIA (PROHIBITION OF IMPROPER USE) BILL, 2003*

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I. D. SWAMI) : Sir, I beg to move for the leave to introduce a Bill to prohibit the improper use of State Emblem of India for professional and commercial purposes and for matters connected therewith or incidental thereto.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill to prohibit the improper use of State Emblem of India for professional and commercial purposes and for matters connected therewith or incidental thereto."

The Motion was adopted.

SHRI I. D. SWAMI : I introduce the Bill.

12.04½ hrs.

SUGAR CESS (AMENDMENT) BILL, 2003*

[English]

THE MINISTER OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI SHARAD YADAV) : Sir, I beg to move for leave to introduce a Bill further to amend the Sugar Cess Act, 1982.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Sugar Cess Act, 1982."

The motion was adopted.

SHRI SHARAD YADAV : I introduce ** the Bill.

12.05 hrs.

MATTERS UNDER RULE 377*

MR. SPEAKER : Matters under Rule 377 listed for the day will be treated as laid on the table of the House.

- (i) **Need to retain the Branch Office of LIC at Khelari, Jharkhand**

[Translation]

SHRI RAMTAHAL CHAUDHARY (Ranchi) : Mr. Speaker, Sir, the LIC branch of Khelari was opened in 1992. There are four thousand policy holders. Now the employees of the above branch want it to be shifted to Mander so that they could commute daily from Ranchi. They went to shift the Khelari office on the pretext of terrorism but fact of the matter is that no such incident happened with them there. The CCL is prepared to provide them all facilities including houses. Despite that they are bent upon shifting the office which has led to resentment among the khelari people and this can cause unrest there any time. Therefore, the Union Government should immediately direct that the Khelari office of the LIC would stay there only.

- (ii) **Need to implement 'one rank one pension' Scheme in the Armed forces.**

SHRI SURESH CHANDEL (Hamirpur, H.P.) : Mr. Speaker, Sir, I would like to bring to the notice of the Government the anomaly in the pension of those defence personnel who have retired earlier and those who are retiring presently. Ex-servicemen have been requesting for years to implement the principle of 'one rank one pension'. I had also raised this question several times as a member of the 12th Lok Sabha and also now of the 13th Lok Sabha and have personally requested to the hon. Defence Minister also, but this issue has not been so far solved.

The Hon. Defence Minister had constituted a special committee in this regard after the recommendation of the

*Published in the Gazette of India, Extra Ordinary, Part-II, Section-2, Dated 19.12.03

** Introduced with the recommendation of the President.

* Treated as laid on the table.

Fifth Pay Commission which was supposed to give its recommendation to solve this issue, but we have not received its recommendations so far.

Sir, a large number of Ex-servicemen live in my constituency. I request the Union Government through you that the principle of 'one rank one pension' should be implemented immediately in order to meet the long standing demand of ex-servicemen of the country.

(iii) Need to ensure early completion of the pending projects of Railways in East Delhi

SHRI LAL BIHARI TIWARI (East Delhi) : Mr. Speaker, Sir, some months back, sanction was accorded for construction of a new station at Anand Vihar Railway Station on lines of the Nizamuddin in my parliamentary constituency of East Delhi on which approximately Rs. 225 crore are estimated to be spent but the construction work of the same has not yet begun. Similarly, a new bridge with a cost of approximately Rs. 166 crore is also reported to be constructed in between the old iron bridge and the ISTB bridge over the river Yamuna on which the Railways have started some work but the construction work on these two bridges has not yet duly commenced. A railway halt was provided at Mandawali about three-four years back which also falls in my constituency but it has not yet been fully developed. Similarly the work on a fly-over has also started at the Nand Nagri railway crossing but the progress of work is very slow. I, therefore, request the Government through you that the construction work of the above bridge should be commenced soon.

(iv) Need to set up additional LPT centres in Keonjhar Parliamentary Constituency and also upgrade the existing All India Radio Station

[English]

SHRI ANANTA NAYAK (Keonjhar) : The people of my Parliamentary Constituency Keonjhar are not getting adequate Doordarshan and radio coverage at present. From Keonjhar the Doordarshan Kendra, Bhubaneshwar and All India Radio Station, Cuttack are 210 and 180 kilometres away respectively. The LPT Centre and AIR Station set up at Keonjhar are not able to cater to the need to the entire district. The Radio and Television are the most powerful electronic media to educate the people on the plans and programmes that are being implemented by the Government for them. The people of the backward district, which is predominantly inhabited by tribals, are deprived of the facilities of these most powerful electronic media.

I request the Government to set up the LPT Centre at Ghatgaon, Dhenkikot, Patna, Telkoi and Champua without

any further delay. At the same time, I request for the upgradation of All India Radio Station at Keonjhar to 20 KW at the earliest.

(v) Need to improve the irrigation facilities in Western Singhbhum and Saraikela Kharsawa districts of Jharkhand

[Translation]

SHRI LAXMAN GILUWA (Singbhum) : Mr. Speaker, Sir, even after 55 years of Independence, the 96 percent of agriculture of two districts of my parliamentary constituency, Western Singhbhum and Saraikela Kharsawa is dependent on rain. These districts are inhabited by tribals who are living in abject poverty. Cultivable land there is only 4 per cent. Tribals irrigate their fields from the ponds and wells. If the rain is good, then its alright. If the rain is not good, the tribal people there have to face starvation. Several reservoir schemes have been formulated there and the construction work on these schemes has been going on for many years but the work has not yet been completed. The scheme of water harvesting has also not been formulated as per requirement under the "Jai chajan yojana". The ponds and wells are not adequate in number as per requirement.

I request through the House that a review of the irrigation work in Western Singhbhum and Saraikela Kharsawa districts of my parliamentary constituency should be conducted.

(vi) Need to make provisions in the Railway Budget and initiate construction of railway line between Dahanu and Nasik

[English]

SHRI CHINTAMAN WANAGA (Dahanu) : Though the first survey of Dahanu Road and Nasik railway line has been completed, no provision has been made to start work of construction. This Railway is passing through tribal belt to Thane and Nasik districts and connects western and central railway lines.

Mumbai is called economic capital of India. But contribution of Thane and Nasik districts for development of Mumbai is overlooked till today. Thane and Nasik districts are providing drinking water to Mumbai and this water is coming from tribal belt of these districts, but tribal belt of these districts still remains one of the most backward areas in the country. Tribals of these areas are migrating in search of jobs and suffer due to malnutrition. This railway line connects Industrial area of Northern Maharashtra, Marathwada and Industrial area of South Gujarat and Tarapur. It also connects

Tarapur Atomic Power Station, BSES Thermal Plant, Dahanu and proposed big harbours of Wadhavan and Umbergaon.

I, therefore, request the Government to make provision in Railway Budget and start the construction work of railway line between Dahanu and Nasik.

(vii) Need to set up a Bench of High Court at Thiruvananthapuram, Kerala

SHRI V. S. SIVAKUMAR (Thiruvananthapuram) : I wish to raise an important matter regarding the establishment of a High Court Bench at Thiruvananthapuram, the capital city of Kerala. The erstwhile Travancore High Court was functioning at Thiruvananthapuram till 30.10.1956 and it was shifted to Ernakulam by notification. Sir, Trivandrum is the only capital city in India where no High Court Bench is functioning - The first Kerala Assembly in 1958 unanimously adopted a resolution for setting up of High Court Bench at Thiruvananthapuram.

In 1996, the State Government had sent the same proposal to the Government of India. But it was sent back for resubmission with certain clarification whether Thiruvananthapuram satisfies the norms recommended by the Jaswant Singh Commission Report, after consultation with Chief Justice of Kerala.

Now, the Chief Minister of Kerala had intimated the favourable position to the Hon'ble Chief Justice of Kerala and had requested to convey the view on setting up of a High Court at Thiruvananthapuram, so as to take up the matter with the Ministry of Law, Government of India.

Sir, but the Hon'ble Chief Justice of Kerala has not taken any decision in the matter till date. The State Government has suffered a loss of Rs. 100 crores to defend Government cases in the High Court.

So, I request the Government of India to initiate appropriate legislation in this regard.

(vii) Need to clear the proposal of the Government of Karnataka for providing relief to the coffee industry

SHRI IQBAL AHMED SARADGI (Gulbarga) : A proposal by the Karnataka Government to provide relief to coffee industry in the State was forwarded to the Ministry of Commerce. The Indian coffee industry is facing an unprecedented crisis because of historically low prices arising out of supplies world over outstripping the demand. The surplus supply situation is likely to persist at least in the medium term which means that the low price situation will

continue for some more time. With the prevailing prices, the coffee growers in the country are not able to meet even the cost of production. The Government of India has been requested to examine the demands of the coffee farmers and take up relief measures.

The situation is still continuing and the present prices will deter the growers from making appropriate investments in the coffee estates, which may lead to a reduction in productivity and competitiveness. Therefore, the State Government of Karnataka has been requesting the Union Government to take up relief measures which would help the coffee industry in the State.

I urge upon the Government to kindly take necessary decision to provide relief to the coffee growers in the State of Karnataka and also in other coffee growing States in the country.

(ix) Need to award adequate work orders to ancillary units by Rourkela Steel Plant and NALCO in Orissa

SHRI K. P. SINGH DEO (Dhenkanal) : The ancillary units set up in Dhenkanal, Angul, Jharsuguda, Sundargarh, Deogarh and Keonjhar districts in Orissa are facing severe crisis due to non-placement of orders by Rourkela Steel Plant and NALCO. Most of these units have come up around the RSP and NALCO with the hope that adequate work orders will be received by them as the Steel Plant and NALCO are going for modernisation and expansion. Even the contract and supply orders placed by Rourkela Steel Plant to some ancillary units in Sundergarh district where the steel plant is located are not being given priority and in some cases the orders are withdrawn on some pretext or the other. These units are facing closure and in the event of the closure of any such units, thousands of workers, most of whom have been given jobs either directly or indirectly by these units will be thrown out of employment. Unless immediate steps are taken by the Government to ask Rourkela Steel Plant to liberalise its attitude towards the local units the future of the employees and thousands of workers, most of whom are tribals, will be bleak.

I request the Government that the contract and supply order awarded to these units be restored and they may be given extension of time till reasonable period to complete the contract.

(x) Need to provide necessary clearance to Kerala Roads and Bridges Corporation for carrying out construction of Railway overbridges in Palghat Parliamentary Constituency

SHRI N. N. KRISHNADAS (Palghat) : Three Railway

Over Bridges are under construction in my Phalghat Constituency namely (1) LC 50 KM 54/12-13 at Government Victoria College, (2) LC 159 KM 531/8-10 at Kadukkamkunnu and (3) LC 49 KM 51/10-11 at Palakkad Town.

The construction started two years ago. The construction work of the ROBs has been entrusted with the Kerala Roads and Bridges Development Corporation. So far 80% of the work has been completed. But the KRBDC could not complete the work due to the required clearance for carrying out construction work at the Railway areas by railway authorities.

I urge upon the Government to take immediate measures for giving the necessary clearance for completing the construction at the earliest.

(xi) Need to construct a by-pass road near Salur town in Andhra Pradesh

DR. D. V. G. SHANKAR RAO (Parvathipuram) : National Highway No. 43 is passing through one town Salur in my constituency. Salur is a town with 50 thousand population. It is a business centre and gateway to the State of Orissssa. As the National Highway No. 43 is passing through the heart of the town, people are facing lot of problems with prolonged traffic jams and frequent accidents. To avoid this situation, there is a proposal to construct a by-pass around Salur town which is long pending with the Government of India.

I request the Government to expedite the process and to see that by-pass is constructed at the earliest to mitigate the sufferings of the people of Salur town.

(xii) Need to develop Dudhawa National Park in Kheri Parliamentary Constituency in U.P. as a tourist resort

[Translation]

SHRI RAVI PRAKASH VERMA (Kheri) : Mr. Speaker, Sir, the Dudhawa National Park in my parliamentary constituency is the only national park in the entire Uttar Pradesh where the potential of tourism is immense. This state is also an effective means for the Government to earn revenue. I, therefore, request the Government of India to formulate schemes for developing the Dudhawa National Park as a tourist hub.

(xiii) Need to open additional paddy purchase centres in Cuttack and other parts of Orissa

[English]

SHRI BHARTRUHARI MAHTAB (Cuttack) : Earlier, Food Corporation of India was not directly involved in the procurement of paddy in Orissa. With a lot of persuasion, FCI

has agreed to open only 20 paddy purchase centres during the current Kharif year 2003-04 to extend price support measures to the farmers in six revenue districts leaving out most of the coastal districts, which are termed as the granary of Orissa. The farmers are forced to sell paddy at a very lower rate and distress sale of paddy is creating serious tension amongst the people. As paddy is the main crop on which farmers of Orissa sustain themselves, there is an urgent need to open more number of paddy purchase centres throughout the State, especially in Cuttack and FCI should purchase paddy directly from farmer as a measure of market intervention.

There are 30 districts in Orissa and the State is a paddy surplus State. Due to lack of market intervention, the farmers of the State, especially of Hirakund and Mahanadi Irrigation system are forced to sell their paddy at a very cheaper rate. Therefore, I urge the Government to immediately impress upon the FCI to open at least another 50 purchase centres in Orissa at the earliest.

(xiv) Need to provide financial assistance to the Government of Maharashtra to tackle the severe drought situation in the State

[Translation]

SHRI HARIBHAU SHANKAR MAHALE (Malegaon) : Mr. Speaker, Sir, six districts and seventy seven tehsils of Maharashtra state are facing drought. There is no fodder and water for the cattle. The labourers are sitting idle. The farmers are committing suicide. The Government of Maharashtra is trying to solve the drought problem but it is so severe that all the efforts are going in vain for financial reasons.

Through you, I urge upon the Minister of Agriculture to send a Central Committee to the state as soon as possible to assess the drought situation and provide more and more financial assistance for tackling the drought.

(xv) Need to construct a railway overbridge near Purnea Junction Bihar

SHRI RAJESH RANJAN ALIAS PAPPU YADAV (Purnea) : Mr. Speaker, Sir, Purnea in Bihar is my parliamentary constituency. Gulabghat in Purnea headquarters is one of the biggest markets of the country. The traffic remains jammed for hours on the road near Purnea Junction adjoining Gulabghat as there is no rail overbridge. I had urged the hon. Minister of Railways to construct the said overbridge, but nothing was done. I again urge the hon. Minister of Railways and the hon. Minister of Road Transport and Highways in this House to construct the said overbridge immediately in public interest.

12.06 hrs.

CONSTITUTION (NINETY-SEVENTH
AMENDMENT) BILL, 2003

(Amendment of articles 75, 164, insertion of new
article 361B and amendment of the Tenth Schedule)

[English]

MR. SPEAKER : Let me make it clear to the House that we are going to discuss and dispose of the Constitution (Ninety-seventh Amendment) Bill today itself. The time for this Bill is given upto 2 o'clock. As this is a Constitution Amendment Bill, voting for this Bill will take place at 1.45 p.m., if all the names of Members who want to speak are exhausted. Thereafter, there will be a lunch break after 2 o'clock.

THE MINISTER OF LAW AND JUSTICE AND MINISTER
OF COMMERCE AND INDUSTRY (SHRI ARUN JAITLEY) :
Sir, I beg to move :

"That the Bill further to amend the Constitution of India, be taken into consideration."

Sir, this amendment to the Constitution has two important components to it. The first one seeks to amend the Constitution where changes are brought about by way of the Constitution (Fifty-second) Act on 1st March, 1985. If we recollect, in 1985, the Tenth Schedule was added to the Constitution by way of Anti-Defection Law and at the time when that law was enacted by this Parliament, there was harmonisation of two thoughts which were made in this particular law.

The first one was crossing a political party and defecting from a political party had certain penal consequences in terms of disqualification which were attached to a Member. This was an amendment which was approved by this Parliament and this is operated for the last 18 years. The second one was an exception to the rule of defection which was made. There were two possible exceptions which were carved out. One was in relation to the split and the other was in relation to the merger. Today, 18 years after, there is an opportunity for this Parliament to again review the functioning of that particular law. From the discussions that we have had with various members of political parties as also the suggestions which have been made by the Standing Committee in this regard, most people have seen that the effects of this law for the last 18 years, in so far as in relates to mergers, have not created any serious problem. Therefore, the consensus is,

that provision relating to merger of political parties may continue to exist. However, as far as split provision is concerned, the provision of the law, as it was originally enacted, is that if there is a split in the original political party as a result of which one-third members of a Legislature Party form a separate bloc, that split party should be recognised as a separate political party. Even though this Bill was passed with the best of intentions in 1985 which was brought in with regard to the functioning as far as splits are concerned, there are several reactions which Members and political parties have expressed. There is also an opinion across the political spectrum with regard to the functioning of the split provision. Most splits which have taken place since 1985 have not been on the basis of any principle or any ideological ground but have mostly been in relation to smaller political parties which have been easier to split and subsequently be submitted into larger political parties. And most persons who have been parties to that split have eventually gone and become Ministers in alternative Governments which were formed and, therefore, the split provision has not functioned in a manner at which it was envisaged in 1985 that it would function.

Therefore, the first part of the amendment seeks to delete clause 3 of the Tenth Schedule which so far permitted splits as far as political parties are concerned. This question has been gone into by several Expert Groups which have been appointed over the last ten or twelve years. In 1990, we had the Dinesh Goswami Committee on electoral reforms which went into this question and which also recommended the deletion of the split provision. The Law Commission, in its 170th Report in 1999, gave a recommendation which also sought to delete this clause 3.

More recently, in 2002, the Commission appointed by the Government to review the functioning of India's Constitution also suggested deletion as far as this provision is concerned. This Bill was introduced in the Parliament on the 5th of May, 2003 and was referred to the Standing Committee. I must acknowledge with a deep sense of appreciation that the Standing Committee has consulted various people and in a short period of seven months, on the 5th of December, tabled the report.

The Standing Committee had recommended deletion of this split provision. They have further recommended that if a person is disqualified to be a Member, then obviously he cannot even continue to be a Minister. There is a second component to this amendment, which the Standing Committee has somewhat improved upon over and above the Bill which was proposed by the Government. There has been a suggestion which has been made that in some cases, both in

[Shri Arun Jaitley]

the Central Government as also in the State Governments, the size of the Government has become very large and the Cabinet has become unwieldy. Therefore, the Government had proposed in the original Bill that the size of the Cabinet should be restricted to ten per cent of the legislative strength.

We wanted to make a difference in relation to Unicameral House and Bicameral House. But the Standing Committee, after considering all these, had recommended that in relation to either category of legislative bodies, whether it is Unicameral or Bicameral, the strength should be confined to 15 per cent of the strength of the Lower House or the House of People, in the case of the Centre and in the case of the State Assemblies. This suggestion has been accepted by the Government. Accordingly I have proposed an amendment.

We had recommended a size of seven to be the minimum size in the context of several State Assemblies which have either sixty or ninety Members. But the Standing Committee, keeping particularly the position of North-Eastern States in mind, had recommended that the minimum size should be twelve. Therefore, this fifteen per cent will be subject to this condition of twelve which will be applicable to those Assemblies which have smaller Houses. Particularly the States in the North-East will be carved out as an exception as far as this provision is concerned.

There was one issue on which the original Bill as also the Standing Committee was silent about was as to when does this become applicable, particularly in relation to those legislative bodies where the existing size of Council of Ministers is more than fifteen per cent. Some time would have to be given to those State Governments or the Central Government, as the case may be, to fall in line with this. Therefore, I have proposed an amendment to the effect that within six months, from the date of notification of this Constitution Amendment, all legislative bodies, the State Governments as also the Central Government will have to bring the size of the Council of Ministers in consonance with the constitutional requirement which is proposed in this particular Bill.

Since most of these were suggestions which have been uniformly accepted by the Standing Committee also, we are proposing before this august House that this Bill be taken into consideration and be approved by this hon. House.

MR. SPEAKER : Motion moved:

"That the Bill further to amend the Constitution of India, be taken into consideration."

SHRI PRIYA RANJAN DASMUNSI (Raiganj) : Notification should not be delayed. It is in your hands.

SHRI SHIVRAJ V. PATIL (Latur) : Sir, I am very happy that this Bill has been moved for consideration in this House. This Bill was referred to the Standing Committee and the Standing Committee had made certain recommendations. I am happy that all the recommendations made by the Standing Committee have also been accepted by the Government.

As was stated by the hon. Ministers, this Bill intends to achieve two objectives. One objective is that of limiting the size of the Council of Ministers and the other is to deal with the provisions relating to the split in the law of anti-defection contained in the Tenth Schedule of the Constitution. It has also been accepted by the Government that the minimum number of Ministers should be twelve. Now, what is coming out of this? The Standing Committee has the respite to apply its mind to the provisions of the Bill in a dispassionate manner and come to a conclusion which is of a very balanced nature. It is, sometimes, not possible in this House. I am very happy to say that these suggestions have been made by the Standing Committee and have been accepted by the Government.

As far as the amendment to the Anti-Defection Law is concerned, I would like to say that this Bill is proposing to delete the provision relating to the split. This is also a very salutary provision and we should accept it. When the Bill was originally discussed in this House in the 1980s, we were the Members of this House and we had an occasion to discuss many of the provisions of the Bill at that time. Originally, this Bill did not have the provision relating to the split. It provided that one-third or any number of Members defecting from one party to the other party would lose the membership of the House. That was the original provision. But then, some experts spoke and wrote about the provision. One of the persons who spoke and wrote about it was Shri Madhu Limaye and the other person who spoke and wrote about it was Shri Nani Palkhiwala. There were other Members also who were objecting to this provision.

What was their objection? Their objection was that if an ordinary voter has a right to vote as he likes, should an elected Member not have the same kind of a right when he comes to this House? Should he be directed by the Party to vote in one manner or the other? If this is allowed by law or if this is compelled by law, then the right to vote in any manner the Member likes is curtailed and this is undemocratic. That was the main ground on which this provision was objected. Then, it was also said that the Party Presidents would compel their Members to vote and sometimes against the manifesto issued by them in the elections. In that case, should the Member be bound by the direction given by the party? So, this issue was discussed threadbare. Many proposals were made to overcome this difficulty. The first proposal was that if a large number of Members of a party are not in consonance

with the direction given by the party leadership, then they would not be bound by it. So, they should be allowed to vote in any manner they like; they should not be held responsible for this and they should not be thrown out of the House. The question was : What number of members should be allowed? Initially, it was suggested that two-third number of Members should be allowed to do that. Then, they said that, that was too big a number. Then, it was reduced to one-half. Then also, they said that that was too big a number. Finally, it was ultimately reduced to one-third. This provision of one-third became part of the Bill and later on part of the law. Later on, all started saying that the wholesale defection is allowed but the retail defection is not allowed. The intention was to protect the right of the Member to vote in a manner in which he would like to vote in the House. So, this is how this provision came into existence.

This provision was used and abused. It was more abused than used. It was more abused in the smaller Legislatures than in the bigger Legislatures because in smaller Legislatures, it was not difficult to get one-third number of Members to defect from one party to the other. I am happy that this amendment has been suggested and the amendment has been accepted. But I hold a view that it should have been done in a little different manner. The Standing Committee also discussed this view. The Standing Committee discussed whether the direction given by the party should be binding on the Member in all the cases or in cases in which the Government would be destabilised. It was not in all cases. This issue was discussed by the Standing Committee also. The Standing Committee has also come to the conclusion that it is better to retain the provision contained in the Bill as was presented to the House and not to amend it. I would like to differ a little bit from the stand of the Standing Committee also very respectfully.

What is a law? The law is an instrument to balance the interest in the society. There is an interest to see that the elected Members do not defect from one party to the other party and destabilise the government for selfish reasons. But, at the same time, it is also necessary to see that the Members, who have genuine differences of opinion, are allowed to express their views in the House not only by saying what they want to say but also by voting in cases which do not affect the stability of the Government. Why should it not be done? I fail to understand this. Why should it not be done? If it is not done now, maybe, later on, people will apply their mind to this aspect and they will come to the conclusion that it should be done. On this point, I am not going to insist. Probably, my party is not going to insist on this point.

The Standing Committee has given the report. The Government has accepted the report. The Bill is in the form in

which the Standing Committee has made the recommendations. I am not going to object to it. We are not going to move an amendment or insist on it. But, at the time of making the law, this point has to be kept in mind.

The law is something which exists for years to come. It applies to the entire country. It cannot be easily amended. That is why, the law should not be made in such a fashion that it would create complications and would affect the basic principles also. In this case, the basic principle of democracy is that a Member of the House should have kind of a right as the outside voter has the right to express his views and vote. Now, we are deviating from the principle. On two principles, we have deviated. One principle is the secrecy of ballot. In the Council elections, the voters are not allowed to say that, I have a right to secretly vote for a candidate I want to vote. But he has to openly vote. The secrecy is done away with now. In this case, the right to vote is also curtailed. These are the two principles which have to be borne in mind. Probably, we are reacting to the situations which have arisen. In doing so, we are making certain provisions in the law which are likely to affect the basic principles of democracy. If we are voting openly, then the Members are likely to be influenced by some people outside also. If you are not allowing the Members to express their views in the House and vote also, they may hold, genuinely, certain views and yet not be able to stick to the views. This is one of the things over which, I think, we should ponder. It would have been better if the law had made that kind of balancing in these two requirements, in these two interests. It would have been a better law if that kind of a provision had been included in it.

The second provision is about the Presiding Officers. I am very sorry to say that this is one of the most important aspects relating to the Anti-Defection Law. Those who are Presiding and those who are given the responsibility to decide these cases have onerous responsibility to discharge. Their main job is to see that the House functions. Their main job is to see that the laws are enacted; the Budget is passed and the discussions take place in the House in a proper manner. They are given the responsibility to act as the Judicial Officers also to decide these cases in which the fate of the elected Member of the House has to be decided.

Sometimes it is not one Member, sometimes 10 Members, 20 Members or 50 Members who are elected by the people have to be disallowed from coming to this House. Their membership has to be terminated by them. This is a very onerous responsibility.

Now, when this Bill came up for discussion in the 1980s., initially the suggestion made was that let the Party President

[Shri Shivraj V. Patil]

decide as to who is the Member of the House and who is not the Member of the House. To this proposal, objections were raised and very rightly so. A Party president may be a Member of the House or may not be a Member of the House. It was said that if he is not a Member of the House, then you are giving him the responsibility to disqualify a person who has been elected to the House. They said that allowing this is not correct and that is why that idea was given up. Then, it was suggested that let these cases be decided by the Supreme Court and the High Courts. Probably that was the right thing to do, but then it was suggested at that time that if the matter goes to the High Courts or the Supreme Court, it takes years to get the decision. If it takes years to get the decision and if the term of the concerned Member is over before the decision is given, then the intention of having this law will be frustrated and that is why this idea was also given up. Afterwards, it was suggested that the Election Commission should be given this responsibility, but the Members of the House were not willing to give this responsibility to the Election Commission. So, ultimately it was decided that the Speaker of the Lower House and the Chairman of the Upper House should have the responsibility to decide the cases on the matters coming before them in the shape of petitions filed by the Member and not *suo-motu*.

Sir, here I may be allowed to take the side of the Presiding Officers a little more because I had the ecstasy and agony of sitting in that Chair and also deciding some cases. What is actually happening is, when the matters go before the Presiding Officer, all the arguments that are advanced before him are of political nature. But the decision has to be legal and constitutional. Now, it is also provided, not originally, that the decision given by the Presiding Officer shall be appealed against and the appeal can be taken to the High Courts or the Supreme Court. Originally it was provided that the decision given by the Presiding Officers should have the finality and it will not be appealed against. But this matter was taken to the Supreme Court and the Supreme Court then decided that this provision which says that these matters shall not be appealable to the High Courts or the Supreme Court is *ultra vires* of the Constitution and it was struck down. It was struck down on the basis that this provision affects the jurisdiction of the Judiciary. They said that it should have been ratified by half the number of State Legislatures and as it was not done, the Supreme Court said that it is null and void and it was struck down. Now, every matter is going to the Supreme Court.

Sir, I am very sorry that sometimes the decisions given by the Presiding Officers are interpreted in a political manner. If those decisions are interpreted in a political manner, then the authority and the prestige which are available to the Presiding Officers are also diluted. Sometimes, the decisions have been interpreted very wrongly.

I would like to say that a decision was given by Shri Rabi Ray, who was the Speaker of this House earlier and the decision given by him was that the split has to be an one-time affair, it cannot take place in bits and pieces and in phases. Now, if a number of persons are going away from a party, it has to be one group of one-third number of Members of that party. If a few Members go away at one time, if a few Members go away at another time and if a few Members go away at third time, it is not allowed. This was a right decision given by the then Speaker of this House. I did subscribe to that decision and everybody had subscribed to that decision. The Supreme Court and the High Courts also had subscribed to that decision.

Later on, I had the misfortune or fortune of deciding one of the cases. This will sound a little personal, but please allow me to say a few words on that because there is a lot of misunderstanding on the decision which I had given and that decision has been misinterpreted not only by the politicians, but also by the media friends. When I explained to them that that is not the case and that is not decision given by me, nobody bothered to read the decision and they kept on saying what they did. Later on, I gave a decision. That was a decision relating to nearly 15 or 17 Members - I do not remember - in which I disqualified four Members and rest of the Members continued to be there. What was the decision given by me? My decision was not that the split could not be one-time affair. They have been saying that, in my decision, I said that the split need not be a one-time affair. It is not correct. That is matter of record. It was published in the Gazette. Anybody can come and read that there is no reference to the matter relating to the split in the decision given by me. Not a word was written about the split. I did not say that Shri Rabi Ray's ruling was wrong. I had no occasion to say that Shri Rabi Ray's ruling was correct. I have not referred to the matter relating to the split.

What had actually happened? A political party had expelled a few Members from its fold in order to reduce the number from one-third to less than one-third. I said that this was a colourable exercise of law. A political party can expel the Member from its parliamentary wing only if it is provided in the Constitution or provided in the law or the rules. I asked: "What was the provision under which you could expel? Was there a provision in the Constitution?" They said: "No." What was the provision in the law? They said, "No." Were there any rules? They said: "No." Then, they said: "It was according to the constitution of our Party that we had expelled them." The consequence of allowing a party to expel the Members according to their constitution, which was not passed by the legislature and which was not registered also, was of enormous dimensions. If it were allowed, then the private

persons would be binding the decisions of the Presiding Officers by making the amendments in the constitution of a party. There were nearly 24 parties in the House and the Speaker could not have been bound by the constitutions of 24 parties. That is why I said : "Show me the provisions in the Constitution or the Representation of the People Act or in the rules or any other law for that matter relating to the elections or any other law that you can expel the Members in order to reduce them from one-third to less than one-third, then I will allow." Now that was the gravamen of the decision given by me. Unfortunately, even the most reputed newspapers not only wrote in their news reports but also in the editorials. When I told them that this was not correct and that amounted to a breach of privilege and they should not have done that, they said, "Yes, yes; we will not do it later on." But they continued doing that. This was done on the electronic media and this was done in the print media also. I am saying this. I have never ventilated my views anywhere for the last so many years. But this is an occasion. I am saying this because this should be corrected and because I would like to say that the decisions given by the Presiding Officers have been correct. Maybe one or two decisions are wrong. Many times, they have been corrected. They have gone to the High Courts and the Supreme Court. The Supreme Court and the High Courts have upheld their decision and yet people, for political reasons, have been criticising the Presiding Officers which reduces the prestige of the Presiding Officer. So, I had written in my judgement : "Do not give this right to the Presiding Officer. Have some other mechanism to decide it so that the Presiding Officer can retain his prestige and dignity to conduct business of the House in a proper manner. Otherwise, do not criticise the Presiding Officer, at least wrongly." But that has been happening. I am sorry to say that there are newspapers. I am not mentioning the names of those newspapers. The people who are hearing me would know who had written that. I have been reading those newspapers from my student days. Yet those newspapers had the temerity. They felt that they were well within their rights to write in the editorial also quoting the judgement wrongly. The judgement is a matter of record. It does not relate to any split. It relates to something different. Either they have misunderstood it or they intentionally wrote about it.

I know that it is a breach of privilege yet we did not do anything because we do not want to attach any importance to them. I am making a mention of this fact only at this point of time to show as to how onerous is the responsibility of the Presiding Officers when they are required to deal with these matters.

Fortunately, for the Presiding Officers having henceforth this split provision, which was really the cause of creating a

lot of misunderstanding, is done away with. It is deleted and this kind of responsibility will not be there. But the fact remains that we shall have to decide as to how to deal with these matters. If you give the responsibility to the Presiding Officers, you argue the case before them in a legal manner and not in a political manner. Whatever the decision given by them you stick to it. Now, if the decision is changed by the House as a whole, that is a different issue. But you stick to it.

The breach of privilege cases do not go on the court. They go to the Committee and they take years to decide the breach of privilege cases and yet we do not object to that. But this case, you know, which has to be decided by the Presiding Officer, has to be decided by applying the principles of natural justice.

The Supreme Court and the High Courts have said that if an opportunity is not given to the other side to explain, it would be treated as not having followed the principles of natural justice and they would have done that. This was the only point, which I wanted to make with respect to the Presiding Officers. What the Government is doing is good, but it could have been done in a better manner. Maybe the time will teach us on that it has to be done differently and maybe we will do it.

We, from our side, would like to support this Bill whole heartedly and see that it is passed.

[Translation]

DR. VIJAY KUMAR MALHOTRA (South Delhi) : Mr. Speaker, Sir, fix a time for voting.

MR. SPEAKER : I had told you.

[English]

That includes the time of the reply from the hon. Minister also. We have to finish the debate, under any circumstances, before 1.45 p.m. We are going to take lunch after 2 o'clock. By 2 o'clock, the voting will be over because on this Constitution (Amendment) Bill the voting has to take place. Therefore, the Members are requested not to take more than the time allotted to their respective Parties.

[Translation]

SHRI GIRDHARI LAL BHARGAVA (Jaipur) : Hon. Mr. Speaker, Sir, with your kind permission only this much I would like to submit that the hon. Minister has brought a very good bill here. If a person of any political party contests an election on the basis of the ideology and the election manifesto of that political party and if he/she gets elected, he/she should not

[Shri Girdhari Lal Bhargava]

be given the right to quit his/her party, this has been made quite clear in the bill. It is quite clear that if that person is so forceful and commands full control over the voters he/she may quit the party but I think that if he/she quits his/her party, he/she in no way has the right to remain in that political party. So I strongly support the bill brought by the hon. Minister. Horse trading is taking place in the country today. MLAs are being won over by paying lacs of rupees to them and offering them ministerial berths too. This entitles them to double benefit – the money and the ministerial berth as well....*(Interruptions)*

MR. SPEAKER : If ministerial berth is offered, money is not given.

SHRI SHYAM BIHARI MISHRA (Bilhaur) : Sometimes, they get both-money and ministerial berth.

MR. SPEAKER : This I have heard, but I have no inkling of that.

....*(Interruptions)*

SHRI GIRDHARI LAL BHARGAVA : My humble submission is that any elected member who fought the election on the basis of his/her party's manifesto, should not have the right to defect anywhere. Secondly, this law was enforced long ago that the member who defects will lose his/her membership. Years ago this law was enacted during the time of Late Shri Rajiv Gandhi. Since then the discussion has continued but it has not been implemented till today. Today the hon. Minister has brought this bill, and I think this is the right time to implement the same.

Mr. Speaker, Sir, nobody should have the right to defect. The Standing Committee of Parliament has also given their recommendation in this regard and hon. Shri Shivraj Patil ji has also supported this, then there remains no problem. So I think this should be passed unanimously. The member who defects to another party should lose his/her membership. If one third members of a party split from a party to form another party, this also is not a good provision. This has been the provision which the hon. Minister has tried to do away with in this bill. I respect his sentiments because he has come with things proper and justified.

Sir, the Dinesh Goswami Committee and Commission-both have recommended that the total strength of the cabinet should not exceed 10 or 15 percent of the total number of members. It is necessary that the cabinet is small. The hon. Minister has fixed a time of six months for the State Governments with jumbo cabinets to cut down the size of their respective cabinets. I would like to submit to the hon. Minister that this six months time is more than required. It should be reduced to three, two or one month only.

12.41 hrs.

SHRIMATI MARGARET ALVA *in the Chair*

Sir, my submission is that the shorter the time the better it is. I do support this Bill. First, the members who defect from their party must lose their membership even though their number is one third of the total strength of their party. Secondly, as per the Dinesh Goswami committee report, the size of the cabinet should not exceed 15 percent of the total number of members in the lower house. This must be done and the States with jumbo cabinets should be given one month's time to downsize their cabinets. These are good provisions. Without taking much of your time I strongly support the bill brought by the hon. Minister, and since there is no opposition to what hon. Shivraj Patil ji has said, this Bill should be passed unanimously. This is what I mean. You gave me time to speak and I thank you for that.

[English]

SHRI RUPCHAND PAL (Hoogly) : While supporting this piecemeal measure of cosmetic nature, I would like to point out that this is not going to remove the hypocrisy involved in the this matter of defection, as per some of the existing provisions. Firstly, we have witnessed how in the North-East, a whole lot of elected legislators switched over their allegiance except one person - one person was left. I am not mentioning about other areas where very recently wholesale defection has taken place.

Individual defection is continuing still now. We have the experience of one very important Member. He is still now a very important Member of a particular Legislature. While belonging to one party, publicity outside, he is delivering lectures, participating in elections and inside he is coming and saying that he is abided by the whip. It is a classic case and he is a very well-known politician of the country and he is still now holding very important office.

In our House also it has been happening and it is happening till now. On the basis of the symbol, policy and programme of a particular political party, someone is elected. He is still publicly disowning that party, publicly speaking against that party and publicly participating in the election along with the parties which are opposed to the policy and programme of that particular party on which he is elected.

SHRI RASHID ALVI (Amroha) : He is a Member of CPI (M).

SHRI RUPCHAND PAL : That you know better. It is because in a party system you are being elected...*(Interruptions)*

SHRI PRAKASH PARANJPE (Thane) : Please tell us his name.

SHRI RUPCHAND PAL : Do not provoke me...
(Interruptions)

SHRI PRAKASH PARANJPE : I am not provoking you.
We would like to know his name...(Interruptions)

SHRI RUPCHAND PAL : Madam Chairman, I shall let
him know it outside because I am not supposed to comment
by name here...(Interruptions)

MADAM CHAIRMAN : Shri Rupchand Pal, there is a
very limited time. Your Party has only seven minutes.

...(Interruptions)

MADAM CHAIRMAN : Please do not disturb him. We
have a very limited time.

SHRI PRAKASH PARANJPE : We have to lean
something from him....(Interruptions)

MADAM CHAIRMAN : You ask him outside and learn.

SHRI RUPCHAND PAL : Now, I come to improvement
in paragraph three. It was the recommendation of Dinesh
Goswami Committee. There are reports of the Law
Commission, the National Commission to review the working
of the Constitution and the Standing Committee. They have
recommended that the Member should not, after defection,
hold any office of profit. The common demand throughout,
cutting across the political parties, is that immediately after
defecting, leaving the Party on whose symbol he or she has
been elected, on whose programme and policy he or she
has been elected, he should resign. This is the recommen-
dation of the National Commission to review the Constitution.
Yes, he should be disqualified. But how can the hypocrisy be
allowed? He is abiding by the Party inside and outside
disowning that Party. We find that this is a piecemeal
legislation and it is of a cosmetic nature. Then, who is to
decide? Almost all the reports suggest that it should not be
left to the Presiding Officer of the Legislature and it should be
given to the judiciary or to the Election Commission. Still, the
Government is not doing anything. We have to do something
on this because that is the consensus.

Now, I come to the size of the Government. The Report
says that there was a jumbo Government very recently
because of coalition and all these things. They have acquired
such a proportion that it has become sometimes a sheer
wastage of Government money. Now, in the Bill, it was 10 per
cent of the combined strength of Parliament or the bicameral
Legislature, and now the improvement is 15 per cent. How
does it affect this Government? I was calculating it. That is

very much in the Report also. Ten per cent of the combined
strength comes to 79. Fifteen per cent of the Lower House
comes to 81. This is the biggest Government, jumbo size
Union Government. They have to accommodate many Parties.
Now, the irony is that in the name of bringing down the size of
the Government, the Standing Committee has actually
recommended increase in the number of Ministers in their
case. I am not criticising the functioning of the Standing
Committee but for all practical purposes it comes to that. If it is
the combined strength, then it comes to 79. Fifteen per cent
of the Lower House comes to 82. They should have some
self introspection as to how they propose to apply it in their
own case....(Interruptions)

DR. M. V. V. S. MURTHI (Visakhapatnam) : Six
months...(Interruptions)

SHRI RUPCHAND PAL : In six months, they are not
affected because they are already touching that number, that
is 15 per cent of the Lower House.

Now, there is a State which has 90 Ministers. One
Minister will look after horses, another Minister will look after
asses, and in such a way, sometimes some Ministers are
there who do not have any portfolio. They have one car, one
office, one private secretary, and this arrangement continues.

This arrangement continues happily and merrily. They
have no responsibility and they are enjoying the office.

[Translation]

SHRI SURESH RAMRAO JADHAV (Parbhani) : Who is
that?

SHRI RUPCHAND PAL : Who? You ask them.

[English]

Why should I name? Madam, they are trying to take
away my time. I am going to conclude now.

I think there should be immediate expulsion or
disqualification. If any Member elected on the basis of a
particular party programme, policy and symbol defects, should
be disqualified immediately. Until he or she is re-elected,
every disqualification standards should be applied. It should
not be like abiding by the whip and doing something else
outside. If the Government wants to cleanse the system, this
should be done because criminalisation of politics is a
phenomenon. Today, the politicians are held in a very poor
light. The people do not honour or respect them. It is not that
every politician is bad. It is not that every politician is involved
in some crime or anything like that. But, still there is a general

[Shri Rupchand Pal]

feeling among the people. So, there should be a move to cleanse the system as per the recommendations made by important committees like the Dinesh Goswami Committee.

Then again, the Indrajit Committee also made certain very valid recommendations with regard to the financing of the elections and all these things. I support, but I still believe that it is a piecemeal measure. It is of a cosmetic nature. If the Government is serious, they should seriously think of taking up not one recommendation but most of the recommendations of the Dinesh Goswami Committee...*(Interruptions)* This should be added.

Lastly, we continue to think of this and that we have made it public also. The public demand is that the right to recall of the electorate should be there as it is there in some other countries. The people, who have the right to elect, should also have the right to recall. I support the Bill with all my reservations that it is not going to improve the situation, be it in the case of defection of the individuals who are indulging in hypocrisy or be in the case of the size of the Government because the present size of the Government is the largest one in the history of free India.

DR. M. V. V. S. MURTHI (Visakhapatnam) : Madam Chairperson, the Constitution (Ninety-seventh Amendment) Bill is a welcome sign though it is delayed. We have seen the experience, particularly of how the casualties of the smaller parties are taking place. Whichever party is in power, it is likely to lure the smaller parties, divide them and gain the support to have the majority. This is not an accordance with the people's mandate. It is against the people's mandate. It is not that there is no support of the people for this law. But, as some respected Member has stated, it will have an impact on the views of the voters. Certainly, those Members who are defecting, have never sought the views of their voters. If they want to really seek the views of their voters, they can very well resign, go and contest. If there is so popular mandate for them, they will come back.

This is not like that. This is only for other benefits. Now, with this amendment, certainly there is a penal action also. Those who are joining the bigger parties as a whole also should not get any ministerial berths or any office of profit. Then only there will be a real individuality for those who have been really elected.

It is not very clear that when a small party joins a bigger party, whether the members of that party would get ministerial berths and other benefits. That should not be there. There should be individuality of each party. If this is taken care of, we can avoid most of the maladies that we have experienced in the past.

I must congratulate the NDA Government and

particularly Shri Atal Bihari Vajpayee. If he had compromised on this, he could have been the Prime Minister for the full term of the Twelfth Lok Sabha and we would not have had an early formation of the Thirteenth Lok Sabha.

In our own case, we have seen that the Telugu Desam Party was split in the Tenth Lok Sabha but we could not do anything. So, these things have to be avoided and all the individual parties should maintain their own identities. They can support the Government but joining the Government should be avoided.

As far as the provision for restricting the size of the cabinet to 15 per cent of the membership of the Lok Sabha, it is a very welcome sign. We have to accommodate various shades of opinion and we also have to intensively cover the various areas of this vast country but it should be limited to fifteen per cent of the strength of the lower House.

We are now moving towards having a better *raj* and a better system. In the existing system, there is a lot of chaos. From chaos, we are moving to a better system. So, I wholeheartedly support the Constitution (Ninety-seventh) Amendment Bill.

[Translation]

SHRI CHANDRAKANT KHAIRE (Aurangabad, Maharashtra) : Madam Chairperson, thank you very much for giving me time to speak. I rise support the Bill No. 32, the 97th amendment Bill, on behalf of Shiv Sena, moved by the hon. Minister further to amend the Constitution. Bringing about this amendment is very necessary as the person deceives the people whom they elect as their representative. At the same time, he deceives the party from which he got a ticket. That public representative, sometimes lured by the ministerial post and sometimes by money, shifts his association to other bigger parties. Hon. Minister has brought the Bill to deal with such persons.

The first Constitution amendment was done in 1985 to deal with the defectionists. After that, this will be the second amendment in this regard. I will say that the NDA Government have taken a very good step to deal with the defectionists. The number of members in the Maharashtra assembly is 288. If you want the Cabinet berths to restrict to 15% then many a Ministers of that cabinet will have to be made to quit. They will have to quit the ministerial berth within six months. Such situation is there in a number of States. Hon. Minister has fixed the number of ministers in the States and at the centre at 15%. It is right that the number of the ministers should be limited but in many States the council of ministers may have limited number of members but rest of the members may be accommodated as chairmen of any corporation etc.

who are accorded the cabinet rank or the rank of a minister of States.

13.00 hrs.

They are not ministers but as Chairman of a corporation, they enjoy the rank of a minister which entitles them for all facilities available to a minister. There should be an amendment in the Constitution to deal with the defectors. There should be provision that after leaving the party, no member should be made chairman with the intention of political adjustment. I would like to point out that when the hon. Speaker enjoyed the post of the Chief Minister of Maharashtra, Thakreji had said that the number should not be more than 10% but there were 42 ministers from Vidhan Sabha and Vidhan Parishad. There is an increase in this number and this is being used to do favours to own party and the group. This legislation should be implemented in every State after within six months of passing of this Bill, otherwise, it will be made effective through hon. Governor. Today, we are talking about 15% in Lok Sabha and Vidhan Sabhas. I would like to say to Mr. Minister that where are Rajya Sabha and Vidhan Parishads required.

In our State Maharashtra, there is an MLA named Shri Nihal Ahmad. He always moves a motion that the Vidhan Parishad should be dispensed with. In some States, there are Vidhan Parishads while in some there are not. I would like to suggest the hon. Minister that the Vidhan Parishads should not be dispensed with. The public opinion should prevail in Lok Sabha and the Vidhan Sabhas and there should not be any political adjustment.

Shri Pranab Mukherjee has given a very good report of the Standing Committee on the basis of which this Bill has been introduced. There shall come transparency after amendment in this law...*(Interruptions)*

MADAM CHAIRMAN : Now, you please conclude.

SHRI CHANDRAKANT KHAIRE : I am coming to the last point. The Anti-defection Law enacted through the 73rd and the 74th Constitution amendment, should be made applicable in respect of municipal corporations and other local bodies. There should also be some control through this law. Today, if an individual leaves his party, then no problem but if he wants to defect to a larger party in a group, then there is a provision that he will not get a cabinet berth until he gets re-elected, I congratulate the Government for this.

I, on behalf of the Shiv Sena Support the hon. Minister for bringing about transparency through this Bill.

[English]

SHRI PRIYA RANJAN DASMUNSI (Raiganj) : Madam, I will be brief because I know the constraint of time.

First of all, I would like to pay my tribute to my late lamented leader, Shri Rajiv Gandhi who really dreamt the cleanliness of the public life in order to bring the first step. On that day I had the privilege to be present in the House. I quote for the benefit of the present hon. Minister of Law what late Shri Rajiv Gandhi said, on that day, while the Bill was passed:

"There are lots of areas in this Bill which are grey. We are covering new ground which, maybe, is not covered anywhere else in the world. And we have to see how best we can tread along this path. It is better for us to tread cautiously than to make serious errors and repent for them later. So, there will be shortcomings, in this Bill. But as we see and identify those shortcomings, we will try to overcome them."

I am glad that the hon. Prime Minister felt on that day that by the process and experience we have to overcome the shortcomings and at least in that barrier, large parts of the shortcomings have been covered by this Bill.

At the outset, I would like to pay my tribute to a great leader of this Parliament, a great parliamentarian, a lady Member of the CPI, Shrimati Geeta Mukherjee. On that day, Shrimati Geeta Mukherjee, while taking part in the debate said:

"I would also like to say a few words about the size of the Ministry. Although—as I have been told—it does not fall within the purview of this Constitution amendment, yet I feel that everywhere the size of the Council of Ministers being made is very big. That gives an alibi for luring other people of defect."

Shrimati Geeta Mukherjee is not here today. But she really made a very significant contribution on that day. As an honour to pay my respect to the soul of Shrimati Geeta Mukherjee, on 8th April, 2003 I introduced a Private Members' Bill in this very House pertaining to the size of the Ministry. Of course, in that Bill I requested the Government that for the size of the Council of Ministers, a Member of Parliament who is not a Minister, may be appointed or nominated as Chairman of the statutory corporations under the control of the Union and may be accorded the status of a Minister as per article 74 of the Constitution but he shall not be entitled to any emoluments or perks by virtue of holding the office of Chairman. By my Bill, I added article 74(A) to be incorporated. But I did say that the size of the Council of Ministers should be reduced to 10 per cent including that of the Legislative Councils in the States, wherever it may be.

[Shri Priya Ranjan Dasmunsi]

After this Bill was introduced, I finally felt that the Government was coming out with a comprehensive Bill in this regard. I must tell you that I was very happy with such response. Though I support the Bill fully, still I repeat what my late leader Shri Rajiv Gandhi said on that day that the shortcomings are still there which we have to fill up one day.

Will the Government consider to bring a comprehensive legislation for the entire electoral reform instead of piecemeal things, about the entire functioning of our parliamentary system regarding elections and everything? It was the dream of late Shri Dinesh Goswami our dearest colleague, part of which has been accepted and the rest of which has not yet been implemented.

In this Parliament I defined defection in two categories - one is defection *per se* as per the statute and the other is deception. This legislation will give a wider scope that if a leader of a Party resigns from that Party, joins another Party, it is also defection and if he does not get elected by the people's mandate, he will not be considered as a minister. Simply contesting election will not wash his whole sin or crime or whatever it is. I agree. It is good. You are giving the total emphasis on the mandate of the people. If the mandate of the people is the single criterion to honour the Constitution, then my submission to the hon. Minister of Law and Justice is - with due respect to the Upper House here and the Council in the States - that the percentage of the legislators to be inducted in the Ministry, 15 per cent, or tomorrow you can further make it to 12 per cent if there is a shortcoming, it should be done on the basis of the people elected by the people and not combining both the Houses. Combining both the Houses negates the very concept where you state that a Member who resigns and joins other Party cannot be considered as a member of the Council of Ministers and sworn in at the Rashtrapati Bhavan or the Governor's House, unless he is elected. So, 'elected by the people' should be the basic criterion and if that is so, in that case, combining both the Houses and deciding the strength to determine the size of the Council of Ministers is not a correct approach.

Tomorrow or day after, one has to think seriously over it. It does not help. The second point which I would like to say is that the defection is not new here. Defection started in England, the mother of democracy. In 1931, Mr. Ramsay MacDonald in order to become the Prime Minister defected. He took three Members of Parliament with him and then became the Prime Minister. Such a legislation was not there in those days. In political defection, even no less a person than Mr. Churchill left the Liberal Party and stood as a Conservative Party member.

I am talking of defection and deception. Take the

example of Congress. If the Congress Party believes in the policy of Mahatma Gandhi and declaration of Mahatma Gandhi or principles of Congress - secularism, democracy, etc. - and tomorrow, by hook or by crook, the Congress Party decides that we have no faith secularism, it is not only defection, it is a deception also. There is no clause in our system about how to grow healthy political culture of political parties. Take the instance of BJP. You have a direct commitment to the people throughout, since the day the Party was formed, that you stand by abolition of article 370, you stand by creation of a different kind of *Raj* - Hindu *Raj*, Ram *Raj* or whatever it is...*(Interruptions)*

[Translation]

SHRI RAGHUNATH JHA (Gopalganj) : They did not say so while in NDA.

SHRI PRIYA RANJAN DASMUNSI : You please, listen. You interrupt in a good debate also. I have not referred to you.

[English]

If the Congress, in order to form a coalition Government, accommodates a party to suppress the agenda of secularism or if you, accommodating a coalition, suppress your own political commitment or ideological commitment for the time being, how do you classify it - defection or deception? So, deception is also equally very bad because our object is not to run the Government, but to carry with people our conviction to the extent we can and to carry a conviction to the people and the workers, and compromising it, in order to form a Government, is also a very dangerous thing. If a party has commitment for *dalits* that they would see that justice is ensured to *dalits* and that group, to accommodate their party in the Government, suppresses the agenda, I call this kind of a compromise 'deception'. I think, defection in political strength and deception both should be taken care of.

Now, I come to the Election Commission. We declare at the time of registration of a political party its constitution, its statute, its ideology and everything. What is sickening in India today is the feeling among the young electorate for which my late prime Minister, Rajiv Gandhi did three great things. First, he brought the Anti-Defection Bill with a positive commitment. Shri Arun Jaitley has rightly said that still, this Bill has grey areas and shortcomings are there. At that time also, the late Prime Minister himself admitted in the House in response to Shri Madhu Dandvate and other leaders that there were shortcomings. It has been covered by you and tomorrow, something more can be done.

Equally, he brought an amendment to the Constitution

saying that in 21st century, there will not figure the names of freedom fighters in voters' list 21st century's founding pillars of the democracy would be the young electorate. So, let us give franchise to the young people above the age of 18, irrespective of the consequences, whether we are out of power or we remain in power. I am not holding a brief for my party only. That young electorate, cutting across every line, are feeling very bad about the whole political system of the country, seeing that 'X' party had promised something which they forgot on getting accommodated in the Government and that 'Y' party does that. What is this politics? If this young electorate gets derailed, the future of democracy would be at stake. Therefore, I feel that in the near future, if the ideological commitment and declaration of the party is compromised in order to retain a Government, that is also a negation to the public declaration and declaration to the people.

Under article 74, the Council of Ministers is collectively accountable to the House. I will only give two instances. Whatever the Council of Ministers does, led by any party, is a commitment to the House and nobody can deny that. Now, I have been watching for the last six months this Council of Ministers, headed by Shri Atal Bihari Vajpayee, hon. Leader of the House. He brought out publicity and in Parliament - I thank him that he is not hiding it - that 'I believe disinvestment should be done; I believe that POTA should be amended.'

Now, there are two components in the whole coalition who are equally and collectively answerable. One is the DMK and the other is Shiv Sena. A Minister of DMK in the Government - while issuing an Ordinance collectively by the Government - said the POTA should be reviewed. But the constituent political party says that POTA should be repealed.

A Minister of Shiv Sena in the Government says that disinvestment should be done, and the party outside says that we are opposed to it. This kind of deception also lacks the spirit of collective accountability to the House under article 74. So, we should have a repugnant Clause in the statute so that in the future the collective responsibility of a Minister, in a coalition, is in place. If he is committed to a legislation of a Government and if his party challenges him, then either he has to resign or he should be dismissed. If that is not done, then this kind of unholy compromise of deception will anger the young electorate in the future. You should kindly take that into account. This is the only submission that I want to make.

SHRI BIKRAM KESHARI DEO (Kalahandi) : I rise to support the Constitution (Ninety-seventh Amendment) Bill, 2003. Madam, I am supporting this Bill because it envisages probity in public life. Today, we are Members of Parliament,

and MLAs get elected to Assemblies with a mandate from the people by projecting their party's ideologies and the services that they would do for the society. But later on defections take place and the existing Anti-Defection Law-which was enacted in 1985—is not sufficient to protect defections, to protect engineering of defections in the country.

There was a recent occurrence in Chhattisgarh, where 12 legislators of BJP party defected. It was engineered by the then Chief Minister there. Those MLAs who defected were made Ministers in Chhattisgarh. So, their commitment to the people, their commitment to the voters—for which they got the mandate – has completely been betrayed.

[Translation]

SHRI RAGHUNATH JHA : No, party is clean in this regard.

SHR BIKRAM KESHARI DEO : It has not happened in the BJP till now.

[English]

Therefore, Madam Chairperson, this Bill basically says that a Member who defects -- whether he defects alone or whether he defects because his original party had split-- will be technically disqualified, and if he is a Minister, then he will lose his position. He will not hold any office of profit from the Government till he seeks re-election and gets elected.

Therefore, Madam, it is a very welcome measure to strengthen the Anti-Defection Law of 1985, which was enacted in 1985. It amended the articles 101, 102, 190 of the Constitution and a new 10th Schedule Clause was added. Therefore, it resulted in further strengthening and making it more defection proof.

This Bill makes it more stronger by making it defection proof. It is because we are all answerable to the people, to the voters, for whom we are sitting in this House or in the Assembly or at any level, even in the *Panchayat* level also. But, this is not applicable there. We hope that in future for *Zila Parishads* and District Administrations also the States would enact such type of law. It should start from the grassroots.

Regarding the Council of Ministers, previously it was seen that in the unicameral system 10 per cent was reserved for the Council of Ministers or for unicameral system and bicameral system 10 per cent was reserved.

The Standing Committees, in their Reports, have

[Shri Bikram Keshari Deo]

suggested that in respect of the Lower House, 15 per cent will be considered for the Council of Ministers. Therefore, this is, basically, a Bill to strengthen our democracy.

MADAM CHAIRMAN : You can say that you support the Bill and conclude your speech.

SHRI BIKRAM KESHARI DEO : I thank you for giving me the time to speak. I support this Bill.

[Translation]

SHRI RASHID ALVI (Amroha) : Madam Chairman, "Better late than never", it is very strange that this Bill is being brought by the Government at the fag end of the current Lok Sabha. Now that the Bill is being brought forward by the government led by the Bhartiya Janata Party. The situation is like fox turning a monk. Although on behalf of my party I would support this Bill brought by the Bhartiya Janata Party, but I would like to make certain submissions, in this context. This Bill seeks to limit the number of Ministers to the 10 per cent of the strength of the House. In this regard I would like to submit that ten per cent should be from Lok Sabha and five per cent should be from Rajya Sabha... (Interruptions). You should speak on your turn. After some time when you will be in Opposition you will speak a different language. Strength of Ministers should be curtailed but so far Anti Defection law has been misused and wrongly interpreted. Shri Arun Jaitley ji is a senior advocate. Knowingly but honestly and mistakenly putting wrong interpretations by the presiding officers may be quite understandable but what has been happening throughout so far is that, not only in Parliament but in the Assemblies too, the presiding officers have been knowingly misinterpreting the provisions of Anti-Defection laws at the behest of Government. I am not naming any particular presiding officer but the defection which took place in our party seven years ago, no constitutional bench has been set up in Supreme Court till date in that case. When the bench would be set up and when there would be hearing and subsequently decision would be given over it, nobody can say. That is why, the presiding officer or the judges must take cognizance of the discussion and intention of the House before framing any law or taking any decision. There is no language in the world which cannot be interpreted differently. In the English language even a comma can change the meaning. There is an idiom in Urdu - "Tauba-tauba, sharab se tauba". One meaning is evidently clear. But when this very idiom is said differently it changes the meaning. Shri Vinod Khanna ji seems to be happy at the mention of liquor.

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI VINOD KHANNA) : I know what you are going to say.

SHRI RASHID ALVI : If this very idiom is pronounced differently - "Tauba-tauba, Sharab se tauba!" the meaning is changed. The speaker of which House gives what decision, no one can say. That is why I would want that in case/s of Anti Defection, decision should not be left in the hands of one presiding officer alone. My suggestion is that a committee should be set up in this regard. Whoever may be the leader of Opposition. The matter should not be left in the hands of Speaker. I am not naming any particular state. The supposed qualification for a Speaker is that he should act on the dictates of a particular political party. The case of Uttar Pradesh is in front of you. That is why the Government must consider all these points while framing this legislation. If the objective with which the legislation is being framed would not be right there would be no use framing one. The new law could threaten the internal democracy of a party. The political parties which are speedily heading towards dictatorship could gravely threaten the country's polity and democracy. The Vice-President of Vishwa Hindu Parishad, whom I do not want to name made a statement recently. He said all those people who do not have faith in Hindu Rashtra, who talk of secularism should not be elected to Parliament. I regret that no one from the Bhartiya Janata Party has condemned this statement. Making such kinds of statements is unconstitutional it is a crime and is like offending the spirit of the Constitution. This legislation should be framed more appropriately. Although, I support this Bill on behalf of my party but the very intentions of the Government for introducing this Bill are election oriented. I strongly believe that the Bhartiya Janata Party will not come back to power. It is to save the party from disintegrating that this Bill is being brought forward. Nevertheless, I support it on behalf of my party.

SHRI ARUN KUMAR (Jahanabad) : Mr. Chairman, Sir, through 97th Constitutional Amendment Bill the Government has tried to set up an efficacious system in Democracy which is appreciable. The Government has brought this Bill after due consideration on Dinesh Goswami Report, Law Commission Report and Standing Committee Report and after a detailed discussion thereon. Late Rajiv Gandhi took a step in this direction. There were lacunae but it was a good effort. This Government is also working in this direction. I understand that positive atmosphere is liable to be created with these efforts. Regard for public opinion is an essential component of democracy. Merely making legislation's cannot help democracy function.

Hon'ble Alvi Saheb was stating just now that the Speaker should not be given this power. I believe that we should not relate the Constitution and the Institutions set up by our makers of Constitution with a particular person. The lacunae should definitely be removed but raising our finger against Institutions

will not give us any result. It has two features—one is size of the Government and another is Defection. I do not wish to delve-into the conditions which lead to defection. But if the size of the Government could be curtailed then it would serve the purpose of Anti-defection Bill to quite an extent. I feel that the percentage from 10 to 15 per cent should be reduced further. Fifteen per cent can substantially increase their number.

13.31 hrs.

MR. SPEAKER *in the Chair*

Hon. Member Shri Priya Ranjan Dasmunsi was just speaking on defection, deception and unholy alliance. It is not restricted to a party. While talking about moral values then he must think that in the elections which led to the formation of the present government in Bihar, the people there had given him a mandate against the anarchy in Rashtriya Janata Dal. But today he himself has become a party to that anarchy. Is it holy or unholy alliance? As the people had understood their real intentions so only few of their men could win the elections. So they entered in holy alliance with Rashtriya Janata Dal. Public had given their mandate against the anarchy prevalent there but all those who won elections became Ministers, this is their holy alliance.

[English]

MR. SPEAKER : Hon. Member, I have to finish the debate by 1.45 p.m. So, please conclude now.

[Translation]

SHRI ARUN KUMAR : I wish to submit that democracy cannot function by mere legislations, we do not need to go into understanding what is defection and what is deception for a democracy, but every politician must express his concern onto the direction we are heading towards and there is a heed for introspection on the part of everyone. It is not a question of allegiance to a party on moral grounds, it has become very common and that is where we have to come to stand in the dock so as to answer to the people. That is why, holy alliance depends on a system. The more we stress on regard for public opinion and proprieties and the more we comply with the matters of public importance, the more this system would be strengthened.

[English]

MR. SPEAKER : Now, Dr. V. Saroja.

[Translation]

I can give only two minutes each to the next speakers.

[English]

DR. V. SAROJA (Rasipuram) : Hon. Speaker, Sir, I rise here to support this Bill on behalf of my party All India Anna DMK and on behalf of my leader hon. Dr. Puratchi Thalaivi Amma.

The Constitution (Ninety-Seventh Amendment) Bill, in its Statement of Objects and Reasons, says:

"Demands have been made from time to time in certain quarters for strengthening and amending the Anti-defection Law as contained in the Tenth Schedule to the Constitution of India, on the ground that these provisions have not been able to achieve the desired goal of checking defections".

Sir, there are some lacunae and deficiencies in this Bill. I would draw the attention of this august House and I would urge upon the hon. Minister to the fact that there are amendments suggested by the Presiding Officers Review Committee regarding anti-defection, the recommendations made by the Law Commission of India and the recommendations made by the National Commission to Review the Working of the Constitution of India. I have my own doubts whether these recommendations submitted to the Government of India were critically evaluated. The Bill which is before us, has not addressed the issues properly. Thereby, we are not sending a proper message to our nation and to the future of our India.

Sir, in this context, I would again draw the attention of the Government to paragraph 2 of the Statement of Objects and Reasons wherein all the three Committees are admittedly headed by persons other than politician. Hence, the Government should realise that the forums of non-politicians are trying to discipline the politicians.

I would like to draw the attention of all the hon. Members of this august House to this aspect. I repeat what I said earlier:

"All the above three Committees are admittedly headed by persons other than politicians. Hence the Government should realise that the fora of non-politicians are trying to discipline the politicians. The Heads of these Committees are either Executives or retired Judicial Officers."

So, we, the elected representation of this House, the politicians, confer more powers to them to control politicians. On this, we have to take a view; we have to reach a consensus; and we have to prove supremacy of legislature over the other two wings.

By merely increasing the number of Ministers from 10 per cent to 15 per cent or even more, you are not going to have any effect in having good control over administration.

[Shri V. Saroja]

On defections, action must be taken from the date of disqualification.

MR. SPEAKER : Dr. Saroja, please sit down now. I am sorry; but the debate has to be conducted by 2 o'clock. I can give only one or two minutes to each Member who wants to speak. That is all, and nothing more than that. Please sit down. Now, Shri Bhartruhari Mahtab.

SHRI BHARTRUHARI MAHTAB (Cuttack) : I thank you very much for allowing me to speak on the Constitution Amendment Bill.

There are two things. The Tenth Schedule has been criticised on the ground that it allows bulk defection while declaring individual defections as illegal. The provision for exemption from disqualification in case of splits as provided in para 3 of the Tenth Schedule to the Constitution came under severe criticism, as we all know, on account of its stabilising effect on the Government.

We have Dinesh Goswami Committee report which was submitted to this House in 1990; we have the Law Commission report which was submitted to this House in 1999. We also have the report, in 2002, of the National Commission to Review the Working of the Constitution. These reports have recommended omission of the said para 3 of the Tenth Schedule pertaining to exemption from disqualification in case of splits.

The National Commission to Review the Working of the Constitution is of the view that a defector should be penalised. Accordingly therefore, the provisions provided in the Bill to debar a defector in assuming office until elected by popular mandate is a good step.

Secondly, to provide or restrict the size of the Council of Ministers to 15 per cent of the House of People and 15 per cent of the total number of Members of the Legislative Assembly of that State is a laudable step.

So, I, on behalf of my party, extend full support to the Constitution Amendment Bill.

At the same time, I would like to draw the attention of this House to one aspect. The Leader of the Party outside has a role to play; the Leader of the Legislature or the Legislative Party inside the House has a role to play. Many a times, the same person does not hold both these Offices. When difference of opinion arises, the trouble starts. That problem should be sorted out in this Tenth Schedule.

[Translation]

SHRI RAMJILAL SUMAN (Ferozabad) : Mr. Speaker, Sir, kindly allow the Samajwadi Party first .

MR. SPEAKER : I will give time to your party also. I can give you only one-two minutes time, not much.

DR. RAGHUVANSH PRASAD SINGH (Vaishali) : Mr. Speaker, Sir, both the parties have entered in alliance in a hurry to bring in this constitutional Amendment. Let us pass this Bill but we need to contemplate upon its relevant propositions.

This 92nd constitutional Amendment relating to anti-defection provision is sought to be added in the Tenth Schedule inserted 18 years ago. Earlier, during the time of late Shri Madhu Limaye it came for discussion in 1977.

Sir, during that time it was opined that the democratic elements will not be strengthened thereby and could jeopardise the freedom, that is why that bill could not be passed. But during the time of Late Rajiv Gandhi ji this Bill came for discussion again and was passed. The representations of this Bill were not discussed at the time of bringing it discussion 18 years ago. It is not a well-thought Bill. The Bill seeking to amend the Constitution appears to have been introduced out of overwhelming vested interests. The democratic weft and warp that got loosened in the course of the past 18 years were never contemplated upon while bringing in this Bill.

Sir, para 3 is being removed which provided for exemption if more than one-third defected the party. It means that what is being sought to be removed is the exemption contained in that anti-defection law to a split caused by more than one-third of the legislators belonging to a party. If it is so, then what about merger? I want to cite an example. What will be the definition of party. A party within and without the House shall remain the same. If it is not important then what about its definition? It has been provided for in the Bill that hon. Speaker shall pronounce his decision which can be challenged in Court. It is against the dignity of the office of Mr. Speaker. If a decision which is taken by any presiding officer be it that of Lok Sabha or a Vidhan Sabha and a decision which is once taken by the Speaker can be challenged in a court, it will not be a correct thing. No thought has been given to this aspect. Further, no thought has been given in regard to suspension or expulsion of a Member from the party. Who will be deciding as regards the party in which the defecting Member shall remain. It has not been pondered over at all.

Sir, when they felt that some change was in the offing in our party, they hastily brought this Bill. It is like administering a medicine merely on the basis of symptoms, like giving a pain killer for headache, sometime after experiencing relief, one relapses into the same state of suffering.

I would like to cite a pertinent example. Shri George Fernandes is the President of the Samta Party. The Samta Party and the Janata Dal have recently merged together. The Janata Dal - U is there. I do not know about its status in the House, but in Bihar Shri Sharad Yadav is not the President of the Janata Dal - U. Rather, Shri George Fernandes is the President. Similarly, there are other Parties. Shri Raghunath Jha is with old Janata Dal. Shri Prabhunath Singh has separated himself from that Party. I am not very sure, but Shri Devendra Prasad Yadav is continuing in the earlier Janata Dal - U. Who is the President of old Janata Dal and similarly there are some other points which must be clarified. Only after that the present Bill should have been introduced. But that was not done. Will 'Aya Ram Gaya Ram' System continue? Will "horse trading" continue? The Govt. is not a mood to avoid all these things, nor want to check all that. The glaring example of this fact is that a Member of any Party has recently been made to defect by giving him the post of a Minister. That is why the present Bill has been introduced....(Interruptions). I want to say that deleting the Paragraph 3 will not serve the purpose. That point should have been considered which was not done. There was no consideration on merger issue. There may be a case of defection and there may be another case of merger. Position should be made clear in this regard..(Interruptions)

MR. SPEAKER : You now may conclude.

DR. RAGHUVANSH PRASAD SINGH : Mr. Speaker, Sir, I am not against the powers of the hon. Speaker. But I am of the opinion that once the Sepaker or the Presiding Officers give his final verdict, then the mater should not be referred to any court between that would be against the dignity of the Office of the Speaker. That point should have been considered which was not done...(Interruptions)

[English]

MR. SPEAKER : Dr. Sarkar, you can start your speech. You have been given only two minutes and not more than that.

[Translation]

DR. RAGHUVANSH PRASAD SINGH : Mr. Speaker, Sir, a comprehensive Bill should have been introduced. But that was not done. The present Bill before the House is not well considered. The Govt. does not want to stop defection. This Bill will not have any impact. After its passage the democratic process will receive a jolt. So all these things should be taken into consideration. The Constitutional Amendment Bill has been introduced in a hurry with the motive to get it passed immediately...(Interruptions)

This Bill has been reintroduced within three-four years of time...(Interruptions)

MR. SPEAKER : Only the speech of Bikram Sarkar will go on record.

[English]

DR. BIKRAM SARKAR (Panskura) : Mr. Speaker, Sir, on behalf of my Party, All India Trinamool Congress, and on my own behalf. I rise to support the Constitution (Ninety-seventh Amendment) Bill, 2003. While doing so, I would seek your permission to make a few observations.

A beginning was made to take care of anti-defection 18 years ago and I presume that at that time the situation was not ripe enough to take all the decisions. As a result, naturally, there were a number of defects. As you could see from the experience of last 18 years, at the Centre as well as in the States, in particular, para 3 was made use of. Hair-splitting distinction was made between 'defection' and 'split'. After detailed discussion, the time has now come to take care of this by plugging the loopholes. This is a welcome step. It could also be said, at the same time, that this is not the end of it. The process is on and it will take some more time, with the kind of experience that we gather, to completely do it.

I have got one more observation to make. In the past we have seen that in spite of the anti-defection law passed in 1985, whenever the bigger parties were at convenience either at the Centre or in the States, they did try to split the smaller parties. It is more dangerous for the smaller parties. So, there should be a provision or an assurance that the bigger parties should be careful not to split the smaller parties. As I have mentioned, this is a welcome step and we support it.

[Translation]

SHRI RAVI PRAKASH VERMA (Kheri) : Mr. Speaker, Sir, Jaitley ji has introduced the 97th Constitution Amendment Bill concerning anti defection. I associate myself with the intent and spirit of the Bill and I would like to emphasise that now it is time to realise the achievements made after the advent of Democracy in India. We have adopted democracy like an apparatus and we have been pursuing it like a theme. As an apparatus democracy has put India on a higher pedestal but definitely the theme of democracy has received a big jolt. We have witnessed different scenes of defections since 1976. There was a trend. The Govt. took a major initiative in 1985 by way of introducing the 52nd Constitution Amendment Bill and a restriction was imposed on floor-crossing and defection. But there were some shortcomings in it which required removal and that is why the present Bill has been brought in.

[Shri Ravi Prakash Verma]

Sir, I would like to refer to what has been mentioned by Dasmunsiji. There was a programme recently. The point which was being raised again and again was that the people are disillusioned with politicians of the country. Now, we must try to understand about the lot of politicians in question. It is a fact that whenever the incidence of defection takes place the benefit goes to those who are of fundamentalist tendency and who are not associated with the masses and who have their vested interest. It is also a fact that the incidence of defection, wherever it takes place, affects governance and the pace of economic and social growth. Today through the present Amendment Bill a provision is being made that a split or merger without prior permission is invalid. This is a welcome step. The Standing Committee had also given some recommendations in this regard and the Committee Electoral Reform had also given their recommendations and moreover the Constitution Review Committee has also their recommendations. I think the entire country is welcoming this Constitutional Amendment Bill.

So far as limiting the size of Cabinet is concerned, that is also a good measure and I fully endorse it. Making a bigger Cabinet has also affected the governance and wherever the size of the Cabinet has been big that is looked like giving a kind of incentive to those who defect. If someone gets a Cabinet berth that means, he has been instrumental in breaking the Party.

MR. SPEAKER : Your time is over. Please take your seat.

SHRI RAVI PRAKASH VERMA : I, on behalf of the Samajwadi Party, welcome the spirit of Bill.

SHRI RAMJIVAN SINGH (Balisa, Bihar) : Mr. Speaker, Sir, after the independence the framers of the Constitution might not have ever thought that someone who gets elected on the symbol of one Party might defect and join some other Party and that the Constitutional Amendment Bill would be required to be introduced to check all that. A provision which was not made at that time. Later on 'Aya Ram Gaya Ram' became the hallmark in Indian politics leave aside individual Members even the Parties started merging with other parties. During the regime of Morarji Desai, an Anti-Defection Law was brought in Madhulimayji had however suggested some amendment in that, but that Bill could not be passed at that time. I would like to thank Rajiv Gandhi who also brought in an Anti-Defection Bill. That proved beneficial to some extent, but much water has flown in the Ganga since then so much so that the Ganga water has become thoroughly polluted. One third majority was made the cut off mark and Speakers of Houses started playing the role of navigators to sail any government across the river of Vaitmi. Result was that we

had unstable governments. Parties commitments to their principles were missing, inner-Party discipline was over. Credibility was questioned and as a result of all these things, the democracy was in danger.

Now the present Constitutional Amendment Bill will definitely prove to be of great help. Political scene is so vitiated that the Chief Election Commissioner has to make the comments that he would prefer to commit suicide rather joining politics. Politics has been degenerated to this low. Therefore, I would like to sum up by saying that if political sanctity has to be maintained, then this Bill must get the support of all and a provision should also be incorporated in it that the defecting member will not only lose his Membership but he would also be debarred from fighting elections in future. No Political Party should give him ticket to fight elections. He should remain the Member of the same Party for which he is elected.

Lastly, I would like to say that there should be some law for Independent Members as well because they also play a major role in making or unmaking of a government. I support this Bill.

[English]

SHRI G. M. BANATWALLA (Ponnani) : Mr. Speaker, Sir, I welcome and support the Bill. From day one, I and my Party have been demanding that this unjustified distinction between an individual defection and collective defection must be abolished. I have given a notice for Private Members' Bill also. I am constrained to remark that the present measures are half-hearted. There are various other aspects which must be considered. For example, there cannot be a whip on any and every subject that the Party may consider deem fit. It must be laid down that the whip must be restricted only to such matters the voting on which leads to the fall of the Government or to such matters the voting on which leads to the fall of the Government or to such policy matters as were mentioned in the manifesto. So, the restriction is also necessary.

It is also necessary to provide as to who is to decide on defection. At present, the Speaker decides. Without casting any reflection, I am sorry to say that we have had unfortunate instances specially with respect to certain States. It is also a point that the Speaker's decision about defection is subject to judicial review. His position and office must not be compromised. It must be provided that the decision on defection should be given by the President on the mandatory recommendation of the Election Commission.

There is also the question of a Member who is expelled or suspended from his party. You call them unattached

Members. But what is their position. Their position should also be legally clarified. These are the various aspects which have not been considered. Therefore, I say that the measure is a half-hearted measure. The position that the defector cannot be appointed as a Minister or to a political office is a good measure. It is also good to limit the size of the Council of Ministers.

With these observations, I and my Party, Muslim League, support the Constitution (Amendment) Bill.

SHRI ABDUL RASHID SHAHEEN (Baramulla) : Sir, I rise to support the Constitution (Ninety-seventh Amendment) Bill brought before the House for consideration and passing.

I am sure that the hon. Standing Committee has done a good deliberation for making their recommendations, as have been brought before the House. They have done serious deliberations and they have made it acceptable and purposeful.

I have seen this Law of Anti-Defection evolving to the present status before my eyes. We passed this Bill first of all in the Jammu and Kashmir Assembly under the leadership of Sheikh Mohammad Abdullah. But, next year, we found that it had loopholes and had made that law almost ineffective. However, it has evolved to the present status. I am happy that the Government has brought this Bill before the House. We support this Bill and this is helpful for enhancing the prestige of our democratic system by putting a limit to horse-trading and ignominious cross-flooding and other things which bring down the prestige of democracy. Our democracy is to be valued. The amendment of the Law Minister about the implementation of the provisions with regard to the size of the Council of Ministers, as per the recommendation of the Standing Committee within six months of the notification is a welcome step.

We and my Party support this law.

[Translation]

SHRI RAM VILAS PASWAN (Hajipur) : Mr. Speaker, Sir, there are two points in this Constitutional Amendment Bill. The first is regarding the size of the Cabinet which I support. The Second point is concerning Anti-Defection. In this regard I would like to give some suggestions. The Members of the House are aware that earlier it was possible for any Member to make defection. After that the provision of one third Membership of a Party was made. Then came the provision of total restriction on defection. That is to say, there are now two extreme poles.

I start with the proposition that all the public representatives have become corrupt. Those who defect do so either for money or for power. This has nothing to do with

principles. In this Bill there is no reference about what can be done in case a political Party which wins on the basis of its manifesto but starts behaving quite contrary to that later on. The Bill is silent on this issue.

14.00 hrs.

In a way the provision of the Bill makes Member a bonded labour of his Party.

When the discussion on investment issue was going on, our colleague Prabhunath Singh was enraged and alleged that the present Government is indulging in sell off spree and he further added that he would resign or quite the NDA after 15 days if the Government does not reverse its decision. But nothing like that happened. The Government went on with selling spree. What could the lone Member do? That is why I say that this is like an infringement on the fundamental right of expression enshrined in the Constitution. There is no country like India where everybody preaches to speak the truth but himself tell lies. So I have a different view in this regard. I would say that a provision should be made in this Bill clarifying the likely action which might be taken against a Party which acts contrary to the promises it makes through its manifesto in the elections.

The Second thing is that you have referred to the M.L.A. The proposal of open voting for the Rajya Sabha has been passed but I do not know if the similar proposal has been passed for M.L.C.s... (Interruptions). This was not been done for M.L.C.s. For electing Rajya Sabha Members, the MLAs do take part in them. So is the case with M.L.Cs. There is a provision of Secret ballot but at one place you have made it open voting system. I think there also it should be open voting system.

Thirdly, I agree that the Leader of Opposition or any Member of the treasury bench may be brought in to assist the Speaker in matters of deciding the cases of defection, but there, should not be two centres for the matter of decision making. This power may be given to the Speaker or to the Court but you will have to rely on someone. If power is given to the Speaker and later on you challenge the decision of the Speaker in a Court which may take six months or one year... (Interruptions)

MR. SPEAKER : Paswanji, your time is over.

SHRI RAM VILAS PASWAN : I am concluding. The govt. should address to the three points which I have raised.

[English]

SHRI E. PONNUSWAMY (Chidambaram) : Mr. Speaker,

[Shri E. Ponnuswamy]

Sir, I, on behalf of my Party, the PMK, welcome this measure, that is the Constitution (Ninety-seventh Amendment) Bill. Constitution (Fifty-second) Amendment of the Constitution was flexible towards the defectors. I have only two points to mention, as all other points have been discussed by my colleagues in this August House.

As my leader, Dr. Ramdoss, has already written to the Government and to the Hon. Prime Minister, the defector should not be allowed to enter any other party and he must be made to resign. He should be deferred from contesting elections for six years. No election should be conducted and the parent party should be allowed to nominate an alternative Member in the place of the defector, without going for election as it has already got him elected.

Second point is that, as presiding officers of some States have proved that they have not detached themselves from loyalty to their the parent party and are acting partially, it should be left to the Governor in the State or to the President of the Union in the case of the Central Government to decide.

These are our proposals for the healthy functioning of the democracy and I support the measure.

SHRI PRABODH PANDA (Midnapore) : Mr. Sepaker, Sir, thank you. On behalf of my Party, the Communist Party of India, I welcome and support the Constitution (Ninety-seventh) Amendment to the Constitution. I have to make only two points. We have witnessed, our country has witnessed split, defection and so-called merger in different States, in North-East, in UP, and in many other States in our country. Now, the Bill has come. I think it is over delayed. It should have been brought before the House much earlier.

I want to seek a clarification on one point. I would like to know from the hon. Minister whether the provision of this Act would be applied to the present defectors or not. How many defectors are there in this House? How many defectors are there in different Legislative Assemblies? I would also like to know whether this Act would be applied on them or not; whether they would step down from their posts or not; whether the Government would ask them to do so or whether the Election Commission or the respective Speaker will ask them to step down from their posts or not.

My second point is this. Political parties distinguish themselves with their manifesto, ideology and programmes and policies. They distinguish themselves before the people during the election. But after the election, the defectors think these people are ignorant. We are talking about the people. We say that it is of the people, for the people and by the people. But the defectors think that the people are ignorant. So, more stringent provision should be there to ask the

defectors to step down. Also more stringent action should be taken against the defectors. There must be provision for this also.

I come to my last point. This amendment is not at all adequate. It is inadequate. We should think over the other recommendations like the right to recall, like the recommendations made by the Indrajit Gupta Committee and the recommendations made by the other Committees also. We should think over them. I hope the Government will do something so that we are not only doing something just to the people but also we should appear to the people doing so. In this connection, I would appeal to the Government to see to it-after passing this Bill - that those defectors, who are there even in the Council of Ministers, step down from the positions they occupy. Only then will the people think that we are doing something which is really worthwhile.

With these words, I conclude.

[Translation]

SHRI SANAT KUMAR MANDAL (Joynagar) : Mr. Speaker, Sir, I support the constitution Amendment Bill on behalf of my party. But this is not a comprehensive Bill. It has got some shortcomings. The bill envisages that size of the council of Ministers be further reduced because defections, which take place in our country, are dangerous for our Republican state. In the North East people quite often defect from their parent party and merge with any other party or form a separate party in order to seek a berth in the cabinet. The state of Uttar Pradesh is a glaring example of large scale defections. As such, bringing a bill in this regard was quite essential and one more Bill was required to be brought. Our party has been demanding since a long time that if any person changes his/her party, affiliation his/her membership should be cancelled because once a person is nominated in public by a party to contest elections and subsequently he/she changes his/her party loyalty, it would be better if his/her membership is canceled...(Interruptions) This defection signifies a danger for smaller parties.

MR. SPEAKER : Mandal ji, your time is over, Please sit down.

...(Interruptions)

MR. SPEAKER : Haribhau Shankar Mahale ji, you may speak now.

SHRI HARIBHAU SHANKAR MAHALE (Malegaon) : Mr. Speaker, Sir, I rise to support the Bill which has been brought before this House...(Interruptions)

SHRI PRABHUNATH SINGH (Maharajganj, Bihar) : I would like to narrate the incident...*(Interruptions)*

SHRI RAGHUNATH JHA (Gopalganj) : Mr. Speaker, Sir, this is an anti defection Bill, but what about those who are independent candidate.

SHRI HARIBHAU SHANKAR MAHALE : Mr. Speaker, Sir, I rise to support this Bill. This Bill will prove to be helpful in cleansing and bringing about probity in political and social life and also containing economic corruption. Hence, I support this Bill. I belong to a tribal caste. I have been associated with Zila Parishad. I have been a member of the legislative Assembly and now I am a member of Lok Sabha. Charges of corruption were levelled against me when I was in power. When Chandra Shekhar ji was the Prime Minister, I was offered the office of the Minister of state but I declined to accept that. I would like to say that just for crossing the floor, I was offered crores of rupees on three occasions and the people came to my house in this connection...*(Interruptions)* I would like to say that I had flatly refused to do so.

MR. SPEAKER : Please conclude now. Pappu Yadav ji, you may speak now.

SHRI HARIBHAU SHANKAR MAHALE : People think that since I am a poor tribal man from a primitive caste, I would be easily lured to come to their fold. I thank God that I have succeeded in Keeping myself at an arm's length from corruption. Through this Bill, people like me will also get protection...*(Interruptions)*

MR. SPEAKER : Only Shri Pappu Yadav's speech will go on record.

SHRI RAJESH RANJAN ALIAS PAPPU YADAV (Purnea): Mr. Speaker, Sir, I rise to support this Bill which has been brought in this House to maintain dignity and decorum in public life. Now-a-days, human values have deteriorated to the extent that a need was felt to bring this Bill, we are not keen on self introspection but want to tell the country through this piece of legislation that we and our parties are not honest. This is the message that is going to the country. We must think as to why need was felt to bring this Bill whereas a complete legislation in this regard is already in place. As per constitution of our country, the people of this country are free to from political parties. We form political parties and then go before the public with our manifestoes at the time of elections. Whatever we indicate in our policies, speeches and manifestos, we must imbibe all those things in our individual character. We should maintain dignity in the society and the house and should work to further promote this dignity.

I would like to ask hon'ble Jaitley ji as to what are his comments about a member who is expelled by his party and the party concerned dissociates itself from that member? Whether that member will go on hanging like a pendulum? Where small such a member go or will go back to his party? The hon. Minister has done a good job by bringing, this Bill but there are some big parties and dictatorship should not be allowed in such parties and whether there would be any ideological changes in the leadership of such parties or not? What is required of the leader is that he/she should allow his/her colleagues to act as per their conscience and refrain from issuing whips.

SHRI PRABHUNATH SINGH : Mr. Speaker, Sir, I want to take only one minute.

MR. SPEAKER : The representative of your party has concluded his speech so I cannot give time to you. You can only ask questions, I will not allow you to make a speech.

SHRI PRABHUNATH SINGH : I am neither asking a question nor making any speech, I am just narrating an incident. What I want to tell you is that the bill, which has been moved here, is sure going to be passed whether we oppose it or support it. It is being said here that parties split due to money power...*(Interruptions)* if you have no patience, it would be of no use. I don't agree with the notion that money power splits parties. It is because earlier when I contested the election with the election symbol 'arrow', Sharadji was the President of my party. The party split, the Samata Party split and a third party emerged therefrom. Ram Vilas ji is sitting here and the fourth party is here, and Yadav ji is preparing to float another party.

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur) : Ideological differences are being resolved...*(Interruptions)*

SHRI PRABHUNATH SINGH : Mr. Speaker, Sir, parties do not split only because of money and power. Wherever ideological difference exist, wherever differences exist in the style of working, there also parties split. They don't speak because they are afraid of their leadership. Ideas should not be suppressed. That's why I am saying that this bill is faulty but despite being faulty it is bound to be passed, so I support it.

MR. SPEAKER : Yadavji, you give your reply within a minute.

SHRI DEVENDRA PRASAD YADAV : This is my prayer to you and this has been the convention in the House that nobody is forced to desist from speaking on a Bill, and even the minority voice is heard. This Bill is here and I welcome

[Shri Devendra Prasad Yadav]

that. One of its purports is to limit the size of cabinet. I support this. But is there any way in which the practice of obliging persons by nominating them Chairmen with cabinet rank status can be checked. If not, the purpose of limiting the size of the Cabinet is defeated. The second thing is related to defection through horse trading. When the hon. Minister was speaking on its objects and reasons, he said it quite clearly that no defection takes place on grounds of ideology and principle. This is quite tragic. I do not share this view of hon. Jaitley Saheb. It might be possible that 80 per cent people resort to defection on the ground of money power, but ideological differences, differences on principles, party manifestos and ignoring the principles also lead to a party's split...*(Interruptions)* At this point of time no iron gates should be put on this issue. If it happens, it will be dangerous to the internal democracy, internal democracy will no long remain secure and it will put a question mark on the democratic set up of the country.

MR. SPEAKER : Now nothing spoken by him will go on record. Only Mr. Minister's speech will go on record. Mr. Minister, you speak now.

*(Interruptions)**

[English]

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF COMMERCE AND INDUSTRY (SHRI ARUN JAITLEY) : Mr. Speaker, Sir, I am extremely grateful to the hon. Members who have expressed their views at length on this Ninety-seventh Amendment to the Constitution. Most of the Members who have spoken have made several very constructive and radical suggestions that are not a part of this legislation. But, by and large, I see across this House a very large consensus in support of this legislation.

When this House adopted the constitution Fifty-second Amendment in 1985, at that time, we had stuck a balance between two different views. One was that the requirement of political morality is that you remain a Member of the political party on whose symbol or support and mandate you have been elected. We tried to balance this rationale of political morality with some freedom of conscience that if on some larger considerations a large number of Members of a political party disagree with the party, then if that figure comes to about one-third and this one-third figure must result in a legislative party in any State or at the Centre as a result of a split in the main political party, then such a split provision was recognised as something which was permissible as an exception to otherwise prohibited floor-crossing or change or defection.

Sir, the last eighteen years have given to all of us an

*Not Recorded.

opportunity to study the how the polity in this country is developing. I cannot say and my friend Shri D.P. Yadav should not understand me in saying that the split on ideological consideration is not possible or never takes place. It may, in a rare case takes place. But predominantly, the experience has been that it is the smaller parties which have split. Most persons who have split away from the political parties have joined ruling parties and generally, the trend has been to get the ministerial posts after such a defection has taken place.

One of the objects of law making is and that is also a symptom or symbol of malice in the Indian politics that when we study this and we see the evolution of these changes taking place, law must then radically change in order to curb a mischief which is possible in the body polity. This amendment is really intended to curb that mischief which we have seen over the last few years which has been evolving. This seems to be the rationale and both these amendments which are a part of this have a popular support. Repeated studies, which have been conducted either by the Dinesh Goswami Committee or the Commission to review the Constitution or the Law Commission, have supported them.

The second limb of the amendment which seeks to restrict the size of the Council of Ministers besides having a laudable object of downsizing the Government is also a reflection of the majority in Indian politics which is coming that by such a large consensus we are thinking in terms of curbing a problem which has arisen at several places wherein extraordinary large sized Ministries have been formed at different levels of governance.

While acknowledging with my gratitude, the support which has been expressed for this Bill, there are a few suggestions which have been made by some Members, even though they have not presented for those amendments and since, this was a thinking which was made, I think some clarifications or some comments on them would be called for.

Shri Shivraj Patil, who opened the discussion, expressed a serious concern over the fact that the adjudicatory power under this Bill is vested in the Speaker. He was particularly concerned with the fact that the Speakers, when they pronounce, and after such pronouncements, have been subjected to at times, unfair criticism. This is quasi judicial power and one of the reasons we felt while unfounded criticism comes that ultimately a Speaker is elected by the majority Members of the House and having been elected by the majority Members of the House, there may be a perception that the Speaker has leaned in favour of one group or the other, particularly, in the favour of the group which has elected him. It is for this other, that some of the Commissions

have also made suggestions that this power of the speaker should be taken away and vested in some other authority, particularly, the Election Commission.

In fact, Shri Patil would recollect that when the provision of 1985 Constitution Amendment was challenged the minority view in the Supreme Court—the majority upheld the adjudicatory power off the Speaker - was that the power which has been vested in the Speaker itself can become a colourable exercise of power because of the institution bias with which the Speaker may have been identified.

[Translation]

SHRI RAJESH RANJAN ALIAS PAPPU YADAV : The Speaker's ruling is liable to be challenged in Supreme Court so as to determine whether the Speaker is supreme or belongs to all or to this or that side.

MR. SPEAKER : Mr. Yadav, you please take your seat.

[English]

SHRI ARUN JAITLEY : The manner in which the majority has been coming into the exercise of this power also, I do not think, we should really be concerned about the fact that Speaker's Orders are subjected to criticism. If it is *quasi* judicial power which is expressed on certain set of political facts, free expression will be exercised on it. Press may write on it. Press, on the public opinion, is entitled even to criticise judgements of the Supreme Court. When power is vested, there will always be an expression of opinion with regard to the exercise of the power.

But, I would like him to consider that merely because the exercise of such power is merely subjected to criticism, it would be a very large question affecting one of the basic tenants of Indian Constitution, that is the separation of powers. The Legislature in the exercise of its legislative power and in relation to the conduct of its business, is supreme. Of late, concerns have been expressed that separation of powers as one of the constitutional concepts has been somewhat obliterated. Powers which have to be exercised by legislators and legislative bodies, at times, are being exercised elsewhere. It is a concern that how do we restore the balance once again which we are all concerned with. If we are voluntarily relinquishing or disseminating some of that power, it would not be a very good idea for the future of Indian democracy when we are self-decided that the power which is vested in the Speaker should be taken away today from the Speaker. In any case, after the present amendment which we are making, the discretion of the Speaker in the exercise of the power under the Tenth Schedule is going to be very limited because bulk of the disputes, which have been arising,

are disputes in relation to the split provisions. In relation to individual defections, disputes are not going to be in grey area. It is going to be very clear - as some individual is defecting he faces the consequences - and the Speaker's discretions are going to be very limited. With regard to the split provision, once the provision itself in Para 3 is being eliminated, there is very little discretion left even in the adjudicatory authority today. And therefore, Sir, for us today really to think in terms of any alternative system, perhaps, itself may not be possible.

SHRI SHIVRAJ V. PATIL : What I was saying was that the legislative powers should remain with the Legislature, but judicial powers, if they are exercised by the Presiding Officer in the Legislature, they are misinterpreted. You can put the interpretation on the decision but you cannot wrongly quote the facts. If something is not mentioned in the judgement, and you are saying that it is mentioned in the judgement, it is creating a situation in which the Presiding Officer will not be in position to discharge his duties properly. That was what I was trying to say.

SHRI ARUN JAITLEY : I am grateful to the hon. Member. Some other questions have been raised and one question which Members have repeatedly raised, which was asked to me in the end, as to what happens with regard to parties expelling their Members from the membership of the political party. Now, the provisions of the Tenth Schedule itself take care of that which is to the effect that the Tenth Schedule is triggered off or attracted only if somebody voluntarily relinquishes the membership of a political party.

[Translation]

When somebody surrenders his membership voluntarily, only then the provision of the 10th schedule of the constitution are applied to him. But if he is expelled from the party, it does not attract the provision of the 10th schedule. So this provision cannot be applied to him.

Devendra Yadav ji said it in the end that it may lead to party dictatorship. This has always been a subject of discussion but under this subject on one side there is the question of the political discipline and morality of the party, and secondly there is also a question that a person has got the right to speak and he is allowed to do so. Meanwhile the majority opinion and consensus reached in the House and the Standing Committee and also in today's discussion is that if somebody is so emphatic in what he says and if he feels that he has got the right to say then such a person should have the conviction that he may be bold enough to resign from the membership of the House and go to the public to express his views. It would be improper to say that I

[Shri Arun Jaitley]

will keep on speaking my mind against the party and vote against the party on whose ticket I have been elected to the House. Then on the basis of Political morality...*(Interruptions)*

SHRI PRABHUNATH SINGH : There is a vast difference in winning and election by public trust on the one hand and getting elected to the House indirectly on the party's manifesto on the other hand. Those who do not win elections on people's mandate often tend to make such speeches...*(Interruptions)*

SHRI ARUN JAITLEY : Mr. Speaker, Sir, a consensus has been reached in the House today to do away with the provision of split. With these words I would urge the House to pass this Constitution (Amendment) Bill.

[English]

MR. SPEAKER : Before I put the mention for consideration of the Bill to the vote of the House, I would like to say that this being a Constitution (Amendment) Bill, voting has to be by division.

Let the Lobbies be cleared -

Now, the Lobbies have been cleared.

I request the Secretary - General to read necessary information to the hon. Members.

SECRETARY-GENERAL : Kind attention of the hon. Members is invited to the following points in the operation of the Automatic Vote Recording System. Before a division starts, every hon. Member should occupy his or her own seat and operate the system from that seat only.

As may kindly be seen, the "Red" bulbs above Display Boards" on either side of hon. Speaker's Chair are already glowing. This means the voting system has been activated.

For voting, please press the following two buttons simultaneously immediately after sounding of first going, namely,

(i) One "Red" button in front of the hon. Member on the head phone plate, and also

(ii) Any one of the following buttons fixed on the top of the desk of seats :

"Ayes" - Green Colour

'Noes' - Red Colour

'Abstain' - Yellor Colour

It is essential to keep both the buttons pressed till the second gong sound is heard and the red bulbs are "off".

It is important that the hon. Members may please note

that the vote will not be registered if both buttons are not kept pressed simultaneously till the sounding of the second gong.

Please do not press the amber button (p) during Division.

Hon. Members can actually "see" their votes on display boards and on their desk unit. In case vote is not registered, they may kindly call for voting through slips.

MR. SPEAKER : The question is :

"That the Bill further to amend the Constitution of India, be taken into consideration."

The Lok Sabha divided :

Division No. 2

Time : 14.41 hrs.

AYES

Abdullakutty, Shri A.P.

Acharia, Shri Basu Deb

Acharya, Shri Prasanna

Adhi Sankar, Shri

Aditya Nath, Yogi

Adsul, Shri Anandrao Vithoba

Advani, Shri L.K.

Ahamed, Shri E.

Aiyar, Shri Mani Shankar

Ajaya Kumar, Shri S.

Alva, Shrimati Margaret

Alvi, Shri Rashid .

Ananth Kumar, Shri

Angle, Shri Ramakant

Argal, Shri Ashok

Arya, Dr. (Shrimati) Anita

Atkinson, Shri Denzil B.

Azad, Shri Kirit Jha

Baalu, Shri T.R.

'Bachda', Shri Bachi Singh Rawat	C. Suguna Kumari, Dr. (Shrimati)
Badnore, Shri Vijayendra Pal Singh	Chakraborty, Shri Ajoy
Baghel, Prof. S.P. Singh	Chakraborty, Shri Swadesh
Bainda, Shri Ramchander	Chakravarty, Shrimati Bijoya
Bais, Shri Ramesh	Chandel, Shri Suresh
Baitha, Shri Mahendra	Chaturvedi, Shri Satyavrat
Banatwalla, Shri G.M.	Chaubey, Shri Lal Muni
Banerjee, Kumari Mamata	Chaudhary, Shri Haribhai
Banerjee, Shrimati Jayashree	Chaudhary, Shri Ram Raghunath
Bansal, Shri Pawan Kumar	Chaudhary, Shri Ram Tahal
Barwala, Shri Surendra Singh	Chaudhri, Shri Manibhai Ramjibhai
Basavaraj, Shri G.S.	Chauhan, Shri Shriram
Basu, Shri Anil	Chautala, Shri Ajay Singh
Bauri, Shrimati Sandhya	Chennithala, Shri Ramesh
Baxla, Shri Joachim	Chikhhalia, Shrimati Bhavnaben Devrajibhai
Begum Noor Bano	Choudhary, Col. (Retd.) Sona Ram
Behra, Shri Padmanava	Choudhary, Shri Nikhil Kumar
Bhadana, Shri Avtar Singh	Choudhary, Shrimati Reena
Bhagat, Prof. Dukha	Choudhry, Shri Padam Sen
Bhagora, Shri Tarachand	Chouhan, Shri Nihal Chand
Bhargava, Shri Girdhari Lal	Chouhan, Shri Shivraj Singh
Bhaura, Shri Bhan Singh	Chowdhary, Shri Adhir
Bhuria, Shri Kantilal	Chowdhary, Shrimati Santosh
Bind, Shri Ram Rati	Chowdhury, Shri Bikash
Bishnoi, Shri Jaswant Singh	Chowdhury, Shrimati Renuka
Bose, Shrimati Krishna	D'Souza, Dr. (Shrimati) Beatrix
Brahmanaiah, Shri A.	Daggubati, Shri Ramanaidu
Brar, Shri J.S.	Dahal, Shri Bhim
Bwiswmuthiary, Shri Sansuma Khunggur	Dalit Ezhilmalai, Shri

Das, Shri Alakesh	Goel, Shri Vijay
Das, Shri Khagen	Gogoi, Shri Dip
Das, Shri Nepal Chandra	Gohain, Shri Rajen
Dasmunsi, Shri Priya Ranjan	Govindan, Shri T.
Dattatraya, Shri Bandaru	Gowda, Shri G. Putta Swamy
Delkar, Shri Mohan S	Gudhe, Shri Anant
Deo, Shri Bikram Keshari	Gupta, Prof. Chaman Lal
Dev, Shri Sontosh Mohan	Hamid, Shri Abdul
Dhikale, Shri Uttamrao	Handique, Shri Bijoy
Dhinakaran, Shri T. T.V.	Hansda, Shri Thomas
Diller, Shri Kishan Lal	Haque, Mohammad Anwarul
Diwathe, Shri Namdeo Harbaji	Hussain, Chowdhary Talib
Dome, Dr. Ram Chandra	Hussain, Shri Syed Shahnawaz
Dudi, Shri Rameshwar	Jadhav, Shri Suresh Ramrao
Dullo, Shri Shamsher Singh	Jag Mohan, Shri
Elangovan, Shri P.D.	Jagannath, Dr. Mandā
Farook, Shri M.O.H.	Jagathrakshakan, Dr. S.
Fernandes, Shri George	Jain, Shri Pusp
Gadde, Shri Ram Mohan	Jaiswal, Dr. M.P.
Galib, Shri G S	Jaiswal, Shri Shankar Prasad
Gamang, Shrimati Hema	Jaiswal, Shri Shriprakash
Gandhi, Shrimati Maneka	Jalappa, Shri R.L.
Gandhi, Shrimati Sonia	Jatiya, Dr Satyanarayan
Gangwar, Shri Santosh Kumar	Javiya, Shri G.J.
Gautam, Shrimati Sheela	Jayaseelam, Dr. A.D.K.
Gavit, Shri Manikrao Hodlya	Jha, Shri Raghunath
Gavit, Shri Ramdas Rupala	Jos, Shri A.C.
Geete, Shri Anant Gangaram	Joshi, Dr. Murli Manohar
Gehlot, Shri Thawar Chand	Kaliappan, Shri K.K.
George, Shri K. Francis	

Kannappan, Shri M.

Kanungo, Shri Trilochan

Kashyap, Shri Bali Ram

Kaswan, Shri Ram Singh

Katara, Shri Babubhai K.

Kataria, Shri Rattan Lal

Kathiria, Dr. Vallabhchai

Katiyar, Shri Vinay

Kaur, Shrimati Preneet

Kaushal, Shri Raghuvir Singh

Khaire, Shri Chandrakant

Khan, Shri Abul Hasnat

Khan, Shri Hassan

Khan, Shri Sunil

Khandelwal, Shri Vijay Kumar

Khandoker, Shri Akbor Ali

Khanduri, Maj. Gen. (Retd.) B.C.

Khanna, Shri Vinod

Khurana, Shri Madan Lal

Kriplani, Shri Shrichand

Krishnadas, Shri N.N.

Krishnamraju, Shri

Krishnamurthy, Shri K. Balarama

Krishnan, Dr. C.

Krishnaswamy, Shri A.

Kulaste, Shri Faggan Singh

Kumar, Shri Arun

Kumar, Shri V. Dhananjaya

Kumarasamy, Shri P.

Kuppusami, Shri C.

Kusmaria, Dr. Ramkrishna

Lahiri, Shri Samik

M. Master Mathan, Shri

Mahajan, Shri Y.G.

Mahajan, Shrimati Sumitra

Manale, Shri Haribhau Shankar

Mahant, Dr. Charan Das

Maharia, Shri Subhash

Mahtab, Shri Bhartruhari

Mahto, Shrimati Abha

Majhi, Shri Parsuram

*Makwana, Shri Savshibhai

Malaisamy, Shri K.

Malhotra, Dr. Vijay Kumar

Mallik, Shri Jagannath

Malyala, Shri Rajaiah

Mandal, Shri Brahma Nand

Mandal, Shri Sanat Kumar

*Mane, Shri Shivaji

Manjay Lal, Shri

Manjhi, Shri Ramjee

Mann, Shri Zora Singh

Meena, Shrimati Jas Kaur

*Meghwal, Shri Kailash

Mehta, Shrimati Jayawanti

Mishra, Shri Ram Nagina

Mishra, Shri Shyam Bihari

Mistry, Shri Madhusudan

Mohan, Shri P.

Mohite, Shri Subodh

Mollah, Shri Hannan

Mookherjee, Shri Satya Brata

Moorthy, Shri A.K.

Munda, Shri Kariya

Muni Lall, Shri

Muniyappa, Shri K.H.

*Voted through slip

Muraleedharan, Shri K.	Passi, Shri Raj Narain
Murmu, Shri Rupchand	Paswan, Dr. Sanjay
Murmu, Shri Salkhan	Paswan, Shri Ram Vilas
Murthi, Dr. M.V.V.S.	Paswan, Shri Sukdeo
Murugesan, Shri S.	Patasani, Dr. Prasanna Kumar
Nagmani, Shri	Patel, Dr. Ashok
Naik, Shri A. Venkatesh	Patel, Shri Chandresh
Naik, Shri Ali Mohd.	Patel, Shri Deepak
Naik, Shri Ram	Patel, Shri Dharm Raj Singh
Naik, Shri Shripad Yesso	Patel, Singh Mansinh
Nayak, Shri Ananta	Patel, Shri Prahlad Singh
Nishad, Capt. Jai Narain Prasad	Patel, Shri Tarachand Shivaji
Nitish Kumar, Shri	Pathak, Shri Harin
Ola, Shri Sis Ram	Patil, Shri Amarsinh Vasantao
Oram, Shri Jual	Patil, Shri Annasabeh M.K.
Osmani, Shri A.F. Golam	Patil (Yatnal), Shri Basangouda R.
Pal, Dr. Mahendra Singh	Patil, Shri Bhaskarrao
Pal, Shri Rupchand	Patil, Shri Danve Raosaheb
Palanimanickam, Shri S.S.	Patil, Shri Jaysingrao Gaikwad
Panda, Shri Prabodh	Patil, Shri R.S.
Pandey, Shri Ravindra Kumar	Patil, Shri Shivraj V.
Pandeya, Dr. Laxminarayan	Patil, Shri Uttamrao
Pandian, Shri P.H.	Patnaik, Shrimati Kumudini
Panja, Dr. Ranjit Kumar	Patwa, Shri Sundar Lal
Panja, Shri Ajit Kumar	Pawaiya, Shri Jaibhan Singh
Paranjpe, Shri Prakash	Pilot, Smt. Rama
Parste, Shri Dalpat Singh	Ponnuswamy, Shri E.
Parthasarathi, Shri B.K.	Potai, Shri Sohan
Pasi, Shri Suresh	

Prabhu, Shri Suresh	Ravi, Shri Sheesh Ram Singh
Pradhan, Dr. Debendra	Rawale, Shri Mohan
Pradhan, Shri Ashok	Rawat, Prof. Rasa Singh
Pramanik, Prof. R.R.	Rawat, Shri Pradeep
Prasad, Shri V. Sreenivasa	Rawat, Shri Ramsagar
Premajam, Prof. A.K.	Ray, Shri Bishnu Pada
Puglia, Shri Naresh	Reddy, Shri A.P. Jithender
Radhakrishnan, Shri Pon	Reddy, Shri Chada Suresh
Radhakrishnan, Shri Varkala	Reddy, Shri G. Ganga
Rai, Shri Nawal Kishore	Reddy, Shri N. Janardhana
Raja, Shri A.	Reddy, Shri S. Jaipal
Rajbangshi, Shri Madhab	Renu Kumari, Shrimati
Rajendran, Shri P.	Rizwan Zahir, Shri
Rajesh Ranjan alias Pappu Yadav, Shri	Roy, Shri Subodh
Ram, Shri Braj Mohan	Rudy, Shri Rajiv Pratap
Ramaiah, Dr. B.B.	Sahu, Shri Anadi
Ramaiah, Shri Gunipati	Sahu, Shri Tarachand
Ramachandran, Shri Gingee N.	Sai, Shri Vishnudeo
Ramshakal, Shri	Saiduzzama, Shri
Ramulu, Shri H.G.	Sanadi, Prof. I.G.
Rana, Shri Kashiram	Sanghani, Shri Dileep
Rana, Shri Raju	Sangtam, Shri K.A.
Rao, Shri Ch. Vidyasagar	Sangwan, Shri Kishan Singh
Rao, Dr. D.V.G. Shankar	Sar, Shri Nikhilananda
Rao, Shri Ganta Sreenivasa	Saradgi, Shri Iqbal Ahmed
Rao, Shri Y.V.	Sarkar, Dr. Bikram
Rashtrapal, Shri Pravin	Saroj, Shri Tufani
Rathwa, Shri Ramsinh	Saroj, Shrimati Sushila
Rau, Shrimati Prabha	Saroja, Dr. V.

Sathi, Shri Harpal Singh	Singh, Shri Chandra Pratap
Sayeed, Shri P.M.	Singh, Shri Chhandra Vijay
Selvaganpathi, Shri T.M.	Singh, Shri Charanjit
Sengupta, Dr. Nitish	Singh, Shri Chhatrapal
Seth, Shri Lakshman	Singh, Shri Digvijay
Sethi, Shri Arjun Charan	Singh, Shri Khel Sai
Shah, Shri Manabendra	Singh, Shri Maheshwar
Shaheen, Shri Abdul Rashid	Singh, Shri Prabhunath
Shakya, Shri Raghuraj Singh	Singh, Shri Radha Mohan
Shandil, Col. (Retd.) Dr. Dhani Ram	Singh, Shri Ram Prasad
Shanmugam, Shri N.T.	Singh, Shri Ramanand
Shanta Kumar, Shri	Singh, Shri Ramjivan
Sharma, Capt. Satish	Singh, Shri Rampal
Shashi Kumar, Shri	Singh, Shri Th. Chaoba
Shukla, Shri Shyamacharan	Singh, Shrimati Kanti
Sikdar, Shri Tapan	Singh, Shrimati Raj Kumar Ratna
Singh Deo, Shri K.P.	Singh, Shrimati Shyama
Singh Deo, Shrimati Sangeeta Kumari	Sinha, Shri Manoj
Singh, Capt. (Retd.) Inder	Sinha, Shri Yashwant
Singh, Ch. Tejveer	Sivakumar, Shri V.S.
Singh, Dr. Raghuvansh Prasad	Solanki, Shri Bhupendrasinh
Singh, Dr. Ram Lakhan	Somaiya, Shri Kirit
Singh, Kunwar Akhilesh	Sorake, Shri Vinay Kumar
Singh, Kunwar Sarv Raj	Sreenivasan, Shri C.
Singh, Sardar Buta	Srikantappa, Shri D.C.
Singh, Shri Bahadur	Srinivasulu, Shri Kalava
Singh, Shri Balbir	Sudarsana Natchiappan, Shri E.M.
Singh, Shri Brij Bhushan Sharan	Sudheeran, Shri V.M.
Singh, Shri Chandra Bhushan	Suman, Shri Ramji Lal

Sunil Dutt, Shri
 Swami Chinmayanand, Shri
 Swami, Shri I.D.
 Thakkar, Shrimati Jayaben B.
 Thakor, Shri Punjaji Sadaji
 Thakur, Dr. C.P.
 Thakur, Shri Chunni Lal Bhai
 Thirunavukkarasar, Shir Su
 Thomas, Shri P.C.
 Tiwari, Shri Lal Bihari
 Tomar, Dr. Ramesh Chand
 Tripathee, Shri Ram Naresh
 Tripathi, Shri Prakash Mani
 Tripathy, Shri Braja Kishore
 Tur, Shri Tarlochan Singh
 Vaghela, Shri Shankersinh
 Vajpayee, Shri Atal Bihari
 Varma, Sh. Ratilal Kalidas
 Vasava, Shri Mansukhbhai D.
 Veerappa, Shri Ramchandra
 Venkataswamy, Dr. N.
 Venkateshwarlu, Shri B.
 Venugopal, Dr. S.
 Verma, Dr. Sahib Singh
 Verma, Prof. Rita
 Verma, Shri Beni Prasad
 Verma, Shri Rajesh
 Verma, Shri Ram Murti Singh
 Verma, Shri Ravi Prakash
 Vetrivelan, Shri V.
 Vijaya Kumari, Shrimati D.M.

Vijayan, Shri A.K.S.
 Virendra Kumar, Shri
 Vukkala, Dr. Rajeswaramma
 Vyas, Dr. Girija
 Wadiyar, Shri S.D.N.R.
 Wanga, Shri Chintaman
 Yadav, Dr. (Shrimati) Sudha
 Yadav, Dr. Jaswant Singh
 Yadav, Shri Balram Singh
 Yadav, Shri Devendra Prasad
 Yadav, Shri Devendra Singh
 Yadav, Shri Dinesh Chandra
 Yadav, Shri Hukumdeo Narayan
 Yadav, Shri Pradip
 Yadav, Shri Sharad
 Yerrannaidu, Shri K.
 Zahedi, Shri Mahboob
 Zawma, Shri Vanlal

MR. SPEAKER : Subject to correction*, the result of the division is :

Ayes : 421

Noes : Nil

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

MR. SPEAKER : Now, the House will take up clause-by-clause consideration of the Bill.

Clause 2

Amendment of Article 75

Amendments made :

*The following Members also recorded their votes through slip.

Ayes : 421+Shri Savshibhai Makwana, Shri Shivaji Mane and Shri Kailash Meghwal -424

Page 1,--

for lines 6 to 8, substitute -

"(1A) The total number of Ministers, including the Prime Minister, in the Council of Ministers shall not exceed fifteen per cent of total number of members of the House of the People."; (2)

Page 1,--

for lines 13 to 15, substitute "which the term of his office as such member would expire or where he contests any election to either House of Parliament before the expiry of such period, till the date on which he is declared elected, whichever is earlier." (3)

(Shri Arun Jaitley)

MR. SPEAKER : I shall now put clause 2, as amended, to the vote of the House.

The question is :

"The clause 2, as amended, stand part of the Bill."

The Lok Sabha divided:

Division No. 3

Time : 14.43 hrs.

AYES

Abdullakutty, Shri A.P.

Acharia, Shri Basu Deb

Acharya, Shri Prasanna

Adhi, Sankar, Shri

Aditya Nath, Yogi

Adsul, Shri Anandrao Vithoba

Advani, Shri L.K.

Ahamed, Shri E.

Aiyar, Shri Mani Shankar

Ajaya Kumar, Shri S.

Alva, Shrimati Margaret

Alvi, Shri Rashid

Ananth Kumar, Shri

Angle, Shri Ramakant

Argal, Shri Ashok

Arya, Dr. (Shrimati) Anita

Atkinson, Shri Denzil B.

Azad, Shri Kirti Jha

Baalu, Shri T.R.

'Bachda', Shri Bachi Singh Rawat

Badnore, Shri Vijayendra Pal Singh

Baghel, Prof. S.P. Singh

Bainda, Shri Ramchander

Bais, Shri Ramesh

Baitha, Shri Mahendra

Banatwalla, Shri G.M.

Banerjee, Kumari Mamata

Banerjee, Shrimati Jayashree

Bansal, Shri Pawan Kumar

Barwala, Shri Surendra Singh

Basavaraj, Shri G.S.

Basu, Shri Anil

Bauri, Shrimati Sandhya

Baxla, Shri Joachim

Begum Noor Bano

Behera, Shri Padmanava

Bhadana, Shri Avtar Singh

Bhagat, Prof. Dukha

Bhagora, Shri Tarachand

Bhargava, Shri Girdhari Lal

Bhaura, Shri Bhan Singh

Bhauria, Shri Kantilal

Bind, Shri Ram Rati

Bishnoi, Shri Jaswant Singh

Bose, Shrimati Krishna

Brahmanaiah, Shri A.	Daggubati, Shri Ramanaidu
Brar, Shri J.S.	Dahal, Shri Bhim
Bwiswmuthiary, Shri Sansuma Khunggur	Dalit Ezhilmalai, Shri
C. Suguna Kumari, Dr. (Shrimati)	Das, Shri Alakesh
Chakraborty, Shri Ajoy	Das, Shri Khagen
Chakraborty, Shri Swadesh	Das, Shri Nepal Chandra
Chakravarty, Shrimati Bijoya	Dasmunsi, Shri Priya Ranjan
Chandel, Shri Suresh	Dattatraya, Shri Bandaru
Chaturvedi, Shri Satyavrat	Delkar, Shri Mohan S.
*Chaubey, Shri Lal Muni	Deo, Shri Bikram Keshari
Chaudhary, Shri Haribhai	Dev, Shri Sontosh Mohan
Chaudhary, Shri Ram Raghunath	Dhikale, Shri Uttamrao
Chaudhary, Shri Ram Tahal	Dhinakaran, Shri T.T.V.
Chaudhri, Shri Manibhai Ramjibhai	Diler, Shri Kishan Lal
Chauhan, Shri Shriram	Diwathe, Shri Namdeo Harbaji
Chautala, Shri Ajay Singh	Dome, Dr. Ram Chandra
Chennithala, Shri Ramesh	Dudi, Shri Rameshwar
Chikhalia, Shrimati Bhavnaben Devrajibhai	Dullo, Shri Shamsher Singh
Choudhary, Col. (Retd.) Sona Ram	Elangovan, Shri P.D.
Choudhary, Shri Nikhil Kumar	Farook, Shri M.O.H.
Choudhry, Shrimati Reena	Fernandes, Shri George
Choudhry, Shri Padam Sen	Gadde, Shri Ram Mohan
Chouhan, Shri Nihal Chand	Galib, Shri G.S.
Chouhan, Shri Shivraj Singh	Gamang, Shrimati Hema
Chowdhry, Shri Adhir	Gandhi, Shrimati Maneka
Chowdhary, Shrimati Santosh	Gandhi, Shrimati Sonia
Chowdhry, Shri Bikash	Gangwar, Shri Santosh Kumar
Chowdhury, Shrimati Renuka	Gautam, Shrimati Sheela
D'Souza, Dr. (Shrimati) Beatrix	Gavit, Shri Manikrao Hodiya
	Gavit, Shri Ramdas Rupala
	Geete, Shri Anant Gangaram

*Voted through slip

Gehlot, Shri Thawar Chand	Joshi, Dr. Murli Manohar
George, Shri K. Francis	Kalippan, Shri K.K.
Goel, Shri Vijay	Kannappan, Shri M.
Gogoi, Shri Dip	Kanungo, Shri Trilochan
Gohain, Shri Rajen	Kashyap, Shri Bali Ram
Govindan, Shri T.	Kaswan, Shri Ram Singh
Gowda, Shri G. Putta Swamy	Katara, Shri Babubhai K.
Gudhe, Shri Anant	Katara, Shri Rattan Lal
Gupta, Prof. Chaman Lal	Kathiria, Dr. Vallabhbai
Hamid, Shri Abdul	Katiyar, Shri Vinay
Handique, Shri Bijoy	Kaushal, Shri Raghuvir Singh
Hansda, Shri Thomas	Khaire, Shri Chandrakant
Haque, Mohammad Anwarul	Khan, Shri Abul Hasinat
Hussain, Chowdhary Talib	Khan, Shri Hassan
Hussain, Shri Syed Shahnawaz	Khan, Shri Sunil
Jadhav, Shri Suresh Ramrao	Khandelwal, Shri Vijay Kumar
Jag Mohan, Shri	Khandoker, Shri Akbor Ali
Jagannath, Dr. Manda	Khanduri, Maj. Gen. (Retd.) B.C.
Jagathrakshakan, Dr. S.	Khanna, Shri Vinod
Jain, Shri Pusp	Khurana, Shri Madan Lal
Jaiswal, Dr. M.P.	Kriplani, Shri Shrichand
Jaiswal, Shri Shankar Prasad	Krishnadas, Shri N.N.
Jaiswal, Shri Shriprakash	Krishnamraju, Shri
Jalappa, Shri R.L.	Krishnamurthy, Shri K. Balarama
Jatiya, Dr Satyanarayan	Krishnan, Dr. C.
Javiya, Shri G.J.	Krishnaswamy, Shri A.
Jayaseelam, Dr. A.D.K.	Kulaste, Shri Faggan Singh
Jha, Shri Raghunath	Kumar, Shri Arun
Jos, Shri A.C.	Kumar, Shri V. Dhananjaya

Kumarasamy, Shri P.

Kuppusami, Shri C.

Kusmaria, Dr. Ramkrishna

Lahiri, Shri Samik

M. Master Mathan, Shri

Mahajan, Shri Y.G.

Mahajan, Shrimati Sumitra

Mahale, Shri Haribhau Shankar

Mahant, Dr. Charan Das

Maharia, Shri Subhash

Mahtab, Shri Bhartruhari

Mahto, Shrimati Abha

Majhi, Shri Parsuram

*Makwana, Shri Savshibhai

Malaisamy, Shri K.

Malhotra, Dr. Vijay Kumar

Mallik, Shri Jagannath

Malyala, Shri Rajaiah

Mandal, Shri Brahma Nand

Mandal, Shri Sanat Kumar

*Mane, Shri Shivaji

Manjay Lal, Shri

Manjhi, Shri Ramjee

Mann, Shri Zora Singh

Meena, Shrimati Jas Kaur

Meghwal, Shri Kailash

Mehta, Shrimati Jayawanti

Mishra, Shri Ram Nagina

Mishra, Shri Shyam Bihari

Mistry, Shri Madhusudan

Mohan, Shri P.

Mohite, Shri Subodh

Mollah, Shri Hannan

Mookherjee, Shri Satya Brata

Moorthy, Shri A.K.

Munda, Shri Kariya

Muni Lall, Shri

Muniyappa, Shri K.H.

Muraleedharan, Shri K.

Murmu, Shri Rupchand

Murmu, Shri Salkhan

Murthi, Dr. M.V.V.S.

Murugesan, Shri S.

Nagmani, Shri

Naik, Shri A. Venkatesh

Naik, Shri Ali Mohd.

Naik, Shri Ram

Naik, Shri Shripad Yesso

Nayak, Shri Ananta

Nishad, Capt. Jai Narain Prasad

Nitish Kumar, Shri

Ola, Shri Sis Ram

Oram, Shri Jual

Osmani, Shri A.F. Golam

Pal, Dr. Mahendra Singh

Pal, Shri Rupchand

*Palanimanickam, Shri S.S.

Panda, Shri Prabodh

Pandey, Shri Ravindra Kumar	Patil, Shri Shivraj V.
Pandeya, Dr. Laxminarayan	Patil, Shri Uttamrao
Pandian, Shri P.H.	Patnaik, Shrimati Kumudini
Panja, Dr. Ranjit Kumar	Patwa, Shri Sundar Lal
Panja, Shri Ajit Kumar	Pawaiya, Shri Jaibhan Singh
Paranjpe, Shri Prakash	Pilot, Smt. Rama
Parste, Shri Dalpat Singh	Ponnuswamy, Shri E.
Parthasarathi, Shri B.K.	Potai, Shri Sohan
Pasi, Shri Suresh	Prabhu, Shri Suresh
Passi, Shri Raj Narain	Pradhan, Dr. Debendra
Paswan, Dr. Sanjay	Pradhan, Shri Ashok
Paswan, Shri Ram Vilas	Pramanik, Prof. R.R.
Paswan, Shri Sukdeo	Prasad, Shri V. Sreenivasa
Patasani, Dr. Prasanna Kumar	Premajam, Prof. A.K.
Patel, Dr. Ashok	Puglia, Shri Naresh
*Patel, Shri Chandresh	Radhakrishnan, Shri Pon
Patel, Shri Deepak	Radhakrishnan, Shri Varkala
Patel, Shri Dharm Raj Singh	Rai, Shri Nawal Kishore
Patel, Shri Mansinh	Raja, Shri A.
Patel, Shri Prahlad Singh	Rajbangshi, Shri Madhab
Patel, Shri Tarachand Shivaji	Rajendra, Shri P.
Pathak, Shri Harin	Rajesh Ranjan alias Pappu Yadav, Shri
Patil, Shri Amarsinh Vasantao	Ram Sajivan, Shri
Patil, Shri Annasabeh M.K.	Ram, Shri Braj Mohan
Patil (Yatnal), Shri Basangouda R.	Ramaiah, Dr. B.B.
Patil, Shri Bhaskarrao	Ramaiah, Shri Gunipati
Patil, Shri Danve Raosaheb	Ramachandan, Shri-Gingee N.
Patil, Shri Jaysingrao Gaikwad	Ramshakal, Shri
Patil, Shri R.S.	Ramulu, Shri H.G.

Rana, Shri Kashiram	Sanghani, Shri Dileep
Rana, Shri Raju	Sangtam, Shri K.A.
Rao, Shri Ch. Vidyasagar	Sangwan, Shri Kishan Singh
Rao, Dr. D.V.G. Shankar	Sar, Shri Nikhilananda
Rao, Shri Ganta Sreenivasa	Saradgi, Shri Iqbal Ahmed
Rao, Shri Y.V.	Sarkar, Dr. Bikram
Rasthrpal, Shri Pravin	Saroj, Shri Tufani
Rathwa, Shri Ramsinh	Saroj, Shrimati Sushila
Rau, Shrimati Prabha	Saroja, Dr. V.
Ravi, Shri Sheesh Ram Singh	Sathi, Shri Harpal Singh
Rawale, Shri Moharj	Sayeed, Shri P.M.
Rawat, Prof. Rasa Singh	Selvaganpathi, Shri T.M.
Rawat, Shri Pradeep	Sengupta, Dr. Nitish
Rawat, Shri Ramsagar	Seth, Shri Lakshman
Ray, Shri Bishnu Pada	Sethi, Shri Arjun Charan
Reddy, Shri A.P. Jithender	Shah, Shri Manabendra
Reddy, Shri Chada Suresh	Shaheen, Shri Abdul Rashid
Reddy, Shri G. Ganga	Shakya, Shri Raghuraj Singh
Reddy, Shri N. Janardhana	Shandil, Col. (Retd.) Dr. Dhani Ram
Reddy, Shri S. Jaipal	Shanmugam, Shri N.T.
Renu Kumari, Shrimati	Shanta Kumar, Shri
Rizwan Zahir, Shri	Sharma, Capt. Satish
Roy, Shri Subodh	Shashi Kumar, Shri
Rudy, Shri Rajiv Pratap	Shukla, Shri Shyamacharan
Sahu, Shri Anadi	Sikdar, Shri Tapan
Sahu, Shri Tarachand	Singh Deo, Shri K.P.
Sai, Shri Vishnudeo	Singh Deo, Shrimati Sangeeta Kumari
Saiduzzama, Shri	Singh, Capt. (Retd.) Inder
Sanadi, Prof. I.G.	Singh, Ch. Tejveer

Singh, Dr. Raghuvansh Prasad

Singh, Dr. Ram Lakhan

Singh, Kunwar Akhilesh

Singh, Kunwar Sarv Raj

Singh, Shri Bahadur

Singh, Shri Balbir

Singh, Shri Brij Bhushan Sharan

Singh, Shri Chandra Bhushan

Singh, Shri Chandra Pratap

Singh, Shri Chandra Vijay

Singh, Shri Charanjit

Singh, Shri Chhatrapal

Singh, Shri Digvijay

Singh, Shri Khel Sai

Singh, Shri Maheshwar

Singh, Shri Prabhunath

Singh, Shri Radha Mohan

Singh, Shri Ram Prasad

Singh, Shri Ramanand

Singh, Shri Ramjivan

Singh, Shri Rampal

Singh, Shri Th. Chaoba

Singh, Shri Tilakdhari Prasad

Singh, Shrimati Kanti

Singh, Shrimati Raj Kumari Ratna

Singh, Shrimati Shyama

Sinha, Shri Mano

Sinha, Shri Yashwant

Sivakumar, Shri V.S.

Solanki, Shri Bhupendrasinh

Somaiya, Shri Kirit

Sorake, Shri Vinay Kumar

Sreenivasan, Shri C.

Srikantappa, Shri D.C.

Srinivasulu, Shri Kalava

Sudarsana Natchiappan, Shri E.M.

Sudheeran, Shri V.M.

Suman, Shri Ramji Lal

Sunil Dutt, Shri

Swami Chinmayanand, Shri

Swami, Shri I.D.

Thakkar, Shrimati Jayaben B.

Thakor, Shri Punjaji Sadaji

Thakur, Dr. C.P.

Thakur, Shri Chunni Lal Bhai

Thirunavukkarasar, Shri Su

Thomas, Shri P.C.

Tiwari, Shri Lal Bihari

Tomar, Dr. Ramesh Chand

Tripathee, Shri Ram Naresh

Tripathi, Shri Prakash Mani

Tripathy, Shri Braja Kishore

Tur, Shri Tarlochan Singh

Vaghela, Shri Shankersinh

Vajpayee, Shri Atal Bihari

Varma, Sh. Ratilal Kalidas

Vasava, Shri Mansukhbhai D.

Veerappa, Shri Ramchandra

Venkataswamy, Dr. N.

Venkateswarlu, Shri B.

Venugopal, Dr. S.

Clause 2, as amended, was added to the Bill.

Verma, Dr. Sahib Singh

Clause 3 Amendment of Article 164

Verma, Prof. Rita

Amendments made :

Verma, Shri Beni Prasad

Page 2,--

Verma, Shri Rajesh

for lines 3 to 8, substitute -

Verma, Shri Ram Murti Singh

"(1A) The total number of Ministers, including the Chief Minister, in the Council of Ministers in a State shall not exceed fifteen per cent of the total number of members of the Legislative Assembly of that State:

Verma, Shri Ravi Prakash

Provided that the number of Ministers, including the Chief Minister in a State shall not be less than twelve:

Vetriselvan, Shri V.

Vijaya Kumari, Shrimati D.M.

Vijayan, Shri A.K.S.

Virendra Kumar, Shri

Provided further that where the total number of Ministers including the Chief Minister in the Council of Ministers in any State at the commencement of the Constitution (Ninety-first Amendment) Act, 2003 exceeds the said fifteen per cent, or the number specified in the first proviso, as the case may be, then the total number of Ministers in that State shall be brought in conformity with the provisions of this clause within six months from such date as the President may by public notification appoint.;" (4)

Vukkala, Dr. Rajeswaramma

Vyas, Dr. Girija

Wadiyar, Shri S.D.N.R.

Wanaga, Shri Chintaman

Yadav, Dr. (Shrimati) Sudha

Yadav, Dr. Jaswant Singh

Yadav, Shri Balram Singh

Page 2,--

Yadav, Shri Devendra Prasad

for lines 14 to 16, substitute "which the term of his office as such member would expire or where he contests any election to the Legislative Assembly of a State or either House of the Legislature of a State having Legislative Council, as the case may be, before the expiry of such period, till the date on which he is declared elected, whichever is earlier." (5)

Yadav, Shri Devendra Singh

Yadav, Shri Dinesh Chandra

Yadav, Shri Hukumdeo Narayan

Yadav, Shri Pradip

Yadav, Shri Sharad

Yerrannaidu, Shri K.

(Shri Arun Jaitley)

Zahedi, Shri Mahboob

MR. SPEAKER : Before I put clause 3, as amended, to the vote of the House, I would like to say that this being a Constitution (Amendment) Bill, voting has to be by division.

Zawma, Shri Vanlal

The *Lobbies* are already cleared.

MR. SPEAKER : Subject to correction*, the result of the division is :

Ayes : 419

Noes : Nil

The question is :

"That clause 3, as amended, stand part of the Bill."

The Lok Sabha divided :

Division No. 4

Time : 14.45 hrs.

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

AYES

The motion was adopted.

Abdullakutty, Shri A.P.

Acharia, Shri Basu Deb

Acharya, Shri Prasanna

* The following Members also recorded their votes through slip. Ayes 419+ Shri Lal Muni Chaubey, Shri Savshibhai Makwana, Shri Shivaji Mane, Shri S.S. Palnimanickam, Shri Chandresh Patel = 424

Adhi, Sankar, Shri	Baxla, Shri Joachim
Aditya Nath, Yogi	Begum Noor Bano
Adsul, Shri Anandrao Vithoba	Behera, Shri Padmanava
Advani, Shri L.K.	Bhadana, Shri Avtar Singh
Ahamed, Shri E.	Bhagat, Prof. Dukha
Aiyar, Shri Mani Shankar	Bhagora, Shri Tarachand
Ajaya Kumar, Shri S.	Bhargava, Shri Girdhari Lal
Alva, Shrimati Margaret	Bhaura, Shri Bhan Singh
Alvi, Shri Rashid	Bhuria, Shri Kantilal
Ananth Kumar, Shri	Bind, Shri Ram Rati
Angle, Shri Ramakant	Bishnoi, Shri Jaswant Singh
Argal, Shri Ashok	Bose, Shrimati Krishna
Arya, Dr. (Shrimati) Anita	Brahmanaiah, Shri A.
Atkinson, Shri Denzil B.	Brar, Shri J.S.
Azad, Shri Kirti Jha	Bwiswmuthiary, Shri Sanusma Khunggur
Baalu, Shri T.R.	C. Suguna Kumari, Dr. (Shrimati)
'Bachda', Shri Bachi Singh Rawat	Chakraborty, Shri Ajoy
Badnore, Shri Vijayendra Pal Singh	Chakraborty, Shri Swadesh
Baghel, Prof. S.P. Singh	Chakravarty, Shrimati Bijoya
Bainda, Shri Ramchander	Chandel, Shri Suresh
Bais, Shri Ramesh	Chaturvedi, Shri Satyavrat
Banatwalla, Shri G.M.	Chaubey, Shri Lal Muni
Banerjee, Kumari Mamata	Chaudhary, Shri Haribhai
Banerjee, Shrimati Jayashree	Chaudhary, Shri Ram Raghunath
Bansal, Shri Pawan Kumar	Chaudhary, Shri Ram Tahal
Barawala, Shri Surendra Singh	Chaudhri, Shri Manibhai Ramjibhai
Basavaraj, Shri G.S.	Chauhan, Shri Shriram
Basu, Shri Anil	Chautala, Shri Ajay Singh
Bauri, Shrimati Sandhya	Chennithala, Shri Ramesh
	Chikhalla, Shrimati Bhavnaben Devrajibhai
	Choudhary, Col. (Retd.) Sona Ram

Choudhary, Shri Nikhil Kumar	Fernandes, Shri George
Choudhary, Shrimati Reena	Gadde, Shri Ram Mohan
Chouhan, Shri Nihal Chand	Galib, Shri G.S.
Chouhan, Shri Shivraj Singh	Gamang, Shrimati Hema
Chowdhary, Shri Adhir	Gandhi, Shrimati Maneka
Chowdhary, Shrimati Santosh	Gandhi, Shrimati Sonia
Chowdhry, Shri Bikash	Gangwar, Shri Santosh Kumar
Chowdhury, Shrimati Renuka	Gautam, Shrimati Sheela
D'Souza, Dr. (Shrimati) Beatrix	Gavit, Shri Manikrao Hodlya
Daggubati, Shri Ramanaidu	Gavit, Shri Ramdas Rupala
Dahal, Shri Bhim	Geete, Shri Anant Gangaram
Dalit Ezhilmalai, Shri	Gehlot, Shri Thawar Chand
Das, Shri Alakesh	George, Shri K. Francis
Das, Shri Khagen	Goel, Shri Vijay
Das, Shri Nepal Chandra	Gogoi, Shri Dip
Dasmunsi, Shri Priya Ranjan	Gohain, Shri Rajen
Dattatraya, Shri Bandaru	Govindan, Shri T.
Delkar, Shri Mohan S.	Gowda, Shri G. Putta Swamy
Deo, Shri Bikram Keshari	Gudhe, Shri Anant
Dev, Shri Sontosh Mohan	Gupta, Prof. Chaman Lal
Dhikale, Shri Uttamrao	Hamid, Shri Abdul
Dhinakaran, Shri T.T.V.	Handique, Shri Bijoy
Diler, Shri Kishan Lal	Hansda, Shri Thomas
Diwathe, Shri Namdeo Harbaji	Haque, Mohammad Anwarul
Dome, Dr. Ram Chandra	Hussain, Chowdhary Talib
Dudi, Shri Rameshwar	Hussain, Shri Syed Shahnawaz
Dullo, Shri Shamsheer Singh	Jadhav, Shri Suresh Ramrao
Elangovan, Shri P.D.	Jag Mohan, Shri
Farook, Shri M.O.H.	Jagannath, Dr. Manda
	Jagathrakshakan, Dr. S.

Jain, Shri Pusp	Khurana, Shri Madan Lal
Jaiswal, Dr. M.P.	Kriplani, Shri Shrichand
Jaiswal, Shri Shankar Prasad	Krishnadas, Shri N.N.
Jaiswal, Shri Shriprakash	Krishnamraju, Shri
Jalappa, Shri R.L.	Krishnamurthy, Shri K. Balarama
Jatiya, Dr Satyanarayan	Krishnan, Dr. C.
Javiya, Shri G.J.	Krishnaswamy, Shri A.
Jayaseelan, Dr. A.D.K.	Kulaste, Shri Faggan Singh
Jha, Shri Raghunath	Kumar, Shri Arun
Jos, Shri A.C.	Kumar, Shri V. Dhananjaya
Joshi, Dr. Murli Manohar	Kumarasamy, Shri P.
Kaliappan, Shri K.K.	Kuppusami, Shri C.
Kannappan, Shri M.	Kusmaria, Dr. Ramkrishna
Kanungo, Shri Trilochan	Lahiri, Shri Samik
Kashyap, Shri Bali Ram	M. Master Mathan, Shri
Kaswan, Shri Ram Singh	Mahajan, Shri Y.G.
Katara, Shri Babubhai K	Mahajan, Shrimati Sumitra
Katara, Shri Rattan Lal	Mahale, Shri Haribhau Shankar
Kathiria, Dr. Vallabhbai	Mahant, Dr. Charan Das
Katiyar, Shri Vinay	Maharia, Shri Subhash
Kaur, Shrimati Preneet	Mahtab, Shri Bhartruhari
Kaushal, Shri Raghuvir Singh	Mahto, Shrimati Abha
Khaire, Shri Chandrakant	Majhi, Shri Parsuram
Khan, Shri Abul Hasnat	*Makwana, Shri Savshibhai
Khan, Shri Hassan	Malaisamy, Shri K.
Khan, Shri Sunil	Malhotra, Dr. Vijay Kumar
Khandelwal, Shri Vijay Kumar	Mallik, Shri Jagannath
Khandoker, Shri Akbor Ali	Matyala, Shri Rajaiah
Khanduri, Maj. Gen. (Retd.) B.C.	Mandal, Shri Brahma Nand
Khanna, Shri Vinod	

*Vote through slip.

Mandal, Shri Sanat Kumar	Nayak, Shri Ananta
Mane, Shri Shivaji	Nishad, Capt. Jai Narain Prasad
Manjay Lal, Shri	Nitish Kumar, Shri
Manjhi, Shri Ramjee	Ola, Shri Sis Ram
Mann, Shri Zora Singh	Oram, Shri Jual
Meena, Shrimati Jas Kaur	Osmani, Shri A.F. Golam
Meghawal, Shri Kailash	Pal, Dr. Mahendra Singh
Mehta, Shrimati Jayawanti	Pal, Shri Rupchand
Mishra, Shri Ram Nagina	Palanimanickam, Shri S.S.
Mishra, Shri Shyam Bihari	Panda, Shri Prabodh
Mistry, Shri Madhusudan	Pandey, Shri Ravindra Kumar
Mohan, Shri P.	Pandeya, Dr. Laxminarayan
Mohite, Shri Subodh	Pandian, Shri P.H.
Mollah, Shri Hannan	Panja, Dr. Ranjit Kumar
Mookherjee, Shri Satya Brata	Panja, Shri Ajit Kumar
Moorthy, Shri A.K.	Paranjpe, Shri Prakash
Munda, Shri Kariya	Parste, Shri Dalpat Singh
Muni Lall, Shri	Parthasarathi, Shri B.K.
Muniyappa, Shri K.H.	Pasi, Shri Suresh
Muraleedharan, Shri K.	Passi, Shri Raj Narain
Murmu, Shri Rupchand	Paswan, Dr. Sanjay
Murmu, Shri Salkhan	Paswan, Shri Ram Vilas
Murthi, Dr. M.V.V.S.	Paswan, Shri Sukdeo
Murugesan, Shri S.	Patasani, Dr. Prasanna Kumar
Nagmani, Shri	Patel, Dr. Ashok
Naik, Shri A. Venkatesh	Patel, Shri Chandresh
Naik, Shri Ali Mohd.	Patel, Shri Deepak
Naik, Shri Ram	Patel, Shri Dharm Raj Singh
Naik, Shri Shripad Yesso	Patel, Singh Mansinh

Patel, Shri Prahlad Singh	Rajbangshi, Shri Madhab
Patel, Shri Tarachand Shivaji	Rajendra, Shri P.
Pathak, Shri Harin	Rajesh Ranjan alias Pappu Yadav, Shri
Patil, Shri Amarsinh Vasantao	Ram Sajivan, Shri
Patil, Shri Annasaheb M.K.	Ram, Shri Braj Mohan
Patil (Yatnal), Shri Basangouda R.	Ramaiah, Dr. B.B.
Patil, Shri Bhaskarrao	Ramaiah, Shri Gunipati
Patil, Shri Danve Raosaheb	Ramachandan, Shri Gingee N.
Patil, Shri Jaysingrao Gaikwad	Ramshakal, Shri
Patil, Shri R.S.	Ramulu, Shri H.G.
Patil, Shri Shivraj V.	Rana, Shri Kashiram
Patil, Shri Uttamrao	Rana, Shri Raju
Patnaik, Shrimati Kumudini	Rao, Shri Ch. Vidyasagar
Patwa, Shri Sundar Lal	Rao, Dr. D.V.G. Shankar
Pawaiya, Shri Jaibhan Singh	Rao, Shri Ganta Sreenivasa
Pilot, Smt. Rama	Rao, Shri Y.V.
Ponnuswamy, Shri E.	Rashtrapal, Shri Pravin
Potai, Shri Sohan	Rathwa, Shri Ramsinh
Prabhu, Shri Suresh	Rau, Shrimati Prabha
Pradhan, Dr. Debendra	Ravi, Shri Sheesh Ram Singh
Pradhan, Shri Ashok	Rawale, Shri Mohan
Pramanik, Prof. R.R.	Rawat, Prof. Rasa Singh
Prasad, Shri V. Sreenivasa	Rawat, Shri Pradeep
Premajam, Prof. A.K.	Rawat, Shri Ramsagar
Puglia, Shri Naresh	Ray, Shri Bishnu Pada
Radhakrishnan, Shri Pon	Reddy, Shri A.P. Jithender
Radhakrishnan, Shri Varkala	Reddy, Shri Chada Suresh
Rai, Shri Nawal Kishore	Reddy, Shri G. Ganga
Raja, Shri A.	Reddy, Shri N. Janardhana

Reddy, Shri S. Jaipal	Shanmugam, Shri N.T.
Renu Kumari, Shrimati	Shanta Kumar, Shri
Rizwan Zahir, Shri	Sharma, Capt. Satish
Roy, Shri Subodh	Shashi Kumar, Shri
Rudy, Shri Rajiv Pratap	Shukla, Shri Shyamacharan
Sahu, Shri Anadi	Sikdar, Shri Tapan
Sahu, Shri Tarachand	Singh Deo, Shri K.P.
Sai, Shri Vishnudeo	Singh Deo, Shrimati Sangeeta Kumari
Saiduzzama, Shri	Singh Capt. (Retd.) Inder
Sanadi, Prof. I.G.	Singh Ch. Tejveer
Sanghani, Shri Dileep	Singh, Dr. Raghuvansh Prasad
Sangtam, Shri K.A.	Singh, Dr. Ram Lakhan
Sangwan, Shri Kishan Singh	Singh, Kunwar Akhilesh
Sar, Shri Nikhilananda	Singh, Kunwar Sarv Raj
Saradgi, Shri Iqbal Ahmed	Singh, Sardar Buta
Sarkar, Dr. Bikram	Singh, Shri Bahadur
Saroj, Shri Tufani	Singh, Shri Balbir
Saroj, Shrimati Sushila	Singh, Shri Brij Bhushan Sharan
Saroja, Dr. V.	Singh, Shri Chandra Bhushan
Sathi, Shri Harpal Singh	Singh, Shri Chandra Pratap
Sayeed, Shri P.M.	Singh, Shri Chandra Vijay
Selvaganpathi, Shri T.M.	Singh, Shri Charanjit
Sengupta, Dr. Nitish	Singh, Shri Chhatrapal
Seth, Shri Lakshman	Singh, Shri Digvijay
Sethi, Shri Arjun Charan	Singh, Shri Khel Sai
Shah, Shri Manabendra	Singh, Shri Maheshwar
Shaheen, Shri Abdul Rashid	Singh, Shri Prabhunath
Shakya, Shri Raghuraj Singh	Singh, Shri Radha Mohan
Shandil, Col. (Retd.) Dr. Dhani Ram	Singh, Shri Ram Prasad

Singh, Shri Ramanand	Tripathy, Shri Braja Kishore
Singh, Shri Ramjivan	Tur, Shri Tarlochan Singh
Singh, Shri Rampal	Vaghela, Shri Shankersinh
Singh, Shri Th. Chaoba	Vajpayee, Shri Atal Bihari
Singh, Shri Tilakdhari Prasad	Varma, Sh. Ratilal Kalidas
Singh, Shrimati Kanti	Vasava, Shri Mansukhbhai D.
Singh, Shrimati Rajkumari Ratna	Veerappa, Shri Ramchandra
Singh, Shrimati Shyama	Venkataswamy, Dr. N.
Sinha, Shri Manoj	Venkateshwarlu, Shri B.
Sinha, Shri Yashwant	Venugopal, Dr. S.
Sivakumar, Shri V.S.	Verma, Dr. Sahib Singh
Solanki, Shri Bhupendrasinh	Verma, Prof. Rita
Somaiya, Shri Kirit	Verma, Shri Beni Prasad
Sorake, Shri Vinay Kumar	Verma, Shri Rajesh
Sreenivasan, Shri C.	Verma, Shri Ram Murti Singh
Srikantappa, Shri D.C.	Verma, Shri Ravi Prakash
Srinivasulu, Shri Kalava	Vetriselvan, Shri V.
Sudarsana Natchiappan, Shri E.M.	Vijaya Kumari, Shrimati D.M.
Sudheeran, Shri V.M.	Vijayan, Shri A.K.S.
Suman, Shri Ramji Lal	Virendra Kumar, Shri
Sunil Dutt, Shri	Vukkala, Dr. Rajeshwaramma
Swami Chinmayanand, Shri	Vyas, Dr. Girija
Swami, Shri I.D.	Wadiyar, Shri S.D.N.R.
Thakkar, Shrimati Jayaben B.	Wanaga, Shri Chintaman
Thakor, Shri Punjaji Sadaji	Yadav, Dr. (Shrimati) Sudha
Thakur, Dr. C.P.	Yadav, Dr. Jaswant Singh
Thakur, Shri Chunni Lal Bhai	Yadav, Shri Balram Singh
Thirunavukkarasar, Shir Su	Yadav, Shri Devendra Prasad
Thomas, Shri P.C.	Yadav, Shri Devendra Singh
Tiwari, Shri Lal Bihari	Yadav, Shri Dinesh Chandra
Tomar, Dr. Ramesh Chand	Yadav, Shri Hukumdeo Narayan
Tripathee, Shri Ram Naresh	Yadav, Shri Pradip
Tripathi, Shri Prakash Mani	Yadav, Shri Sharad
	Yerrannaidu, Shri K.
	Zahedi, Shri Mahboob
	Zawma, Shri Vanlal

MR. SPEAKER : Subject to correction*, the result of the division is :

Ayes : 422

Noes : Nil

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clause 4 **Insertion of new article 361 B**
Disqualification for appointment
on remunerative political post.

Amendment made :

Page 2, for lines, 24 to 26, substitute –

'a House and is declared elected, whichever is earlier.

Explanation – For the purposes of this article, --

(a) the expression "House" has the meaning assigned to it in clause (a) of paragraph 1 of the Tenth Schedule;

(b) the expression "remunerative political post" means any office–

- (i) under the Government of India or the Government of a State where the salary or remuneration for such office is paid out of the public revenue of the Government of India or the Government of the State, as the case may be; or
- (ii) under a body, whether incorporated or not, which is wholly or partially owned by the Government of India or the Government of a State and the salary or remuneration for such office is paid by such body, except where such salary or remuneration paid is compensatory in nature.' (6)

(Shri Arun Jaitley)

MR. SPEAKER : Before I put clause 4, as amended, to the vote of the House, I would like to say that this being a Constitution (Amendment) Bill, voting has to be by division.

The question is :

"That clause 4, as amended, stand part of the Bill."

The Lok Sabha divided :

Division No. 5

Time : 14.47 hrs.

AYES

Abdullakutty, Shri A.P.

Acharia, Shri Basu Deb

Acharya, Shri Prasanna

Adhi, Sankar, Shri

Aditya Nath, Yogi

Adsul, Shri Anandrao Vithoba

Advani, Shri L.K.

Ahamed, Shri E.

Aiyar, Shri Mani Shankar

Ajaya Kumar, Shri S.

Alva, Shrimati Margaret

Alvi, Shri Rashid

Ananth Kumar, Shri

Angle, Shri Ramakant

Argal, Shri Ashok

Arya, Dr. (Shrimati) Anita

Atkinson, Shri Denzil B.

Azad, Shri Kirti Jha

Baalu, Shri T.R.

'Bachda', Shri Bachi Singh Rawat

Badnore, Shri Vijayendra Pal Singh

Baghel, Prof. S.P. Singh

Bainda, Shri Ramchander

Bals, Shri Ramesh

Baitha, Shri Mahendra

Banatwalla, Shri G.M.

*The following member also recorded his vote through slip.
 Ayes : 422 + Shri Savshibhai Makwana = 423

Banerjee, Kumari Mamata	Chaudhary, Shri Ram Tahal
Banerjee, Shrimati Jayashree	Chaudhri, Shri Manibhai Ramjibhai
Bansal, Shri Pawan Kumar	Chauhan, Shri Shriram
Barwala, Shri Surendra Singh	Chautala, Shri Ajay Singh
Basavaraj, Shri G.S.	Chennithala, Shri Ramesh
Basu, Shri Anil	Chikhalia, Shrimati Bhavnaben Devrajibhai
Bauri, Shrimati Sandhya	Choudhary, Col. (Retd.) Sona Ram
Baxla, Shri Joachim	Choudhary, Shri Nikhil Kumar
Begum Noor Bano	Choudhary, Shrimati Reena
Behera, Shri Padmanava	Choudhry, Shri Padam Sen
Bhadana, Shri Avtar Singh	Chouhan, Shri Nihal Chand
Bhagat, Prof. Dukha	Chouhan, Shri Shivraj Singh
Bhagora, Shri Tarachand	Chowdhary, Shri Adhir
Bhargava, Shri Girdhari Lal	Chowdhary, Shrimati Santosh
Bhaura, Shri Bhan Singh	Chowdhry, Shri Bikash
Bhuria, Shri Kantilal	Chowdhury, Shrimati Renuka
Bind, Shri Ram Rati	D'Souza, Dr. (Shrimati) Beatrix
Bishnoi, Shri Jaswant Singh	Daggubati, Shri Ramanaidu
Bose, Shrimati Krishna	Dahal, Shri Bhim
Brahmanaiah, Shri A.	Dalit Ezhilmalai, Shri
Brar, Shri J.S.	Das, Shri Alakesh
Bwiswmuthiary, Shri Sansuma Khunggur	Das, Shri Khagen
C. Suguna Kumari, Dr. (Shrimati)	Das, Shri Nepal Chandra
Chakraborty, Shri Ajoy	Dasmunsi, Shri Priya Ranjan
Chakraborty, Shri Swadesh	Dattatraya, Shri Bandaru
Chakravarty, Shrimati Bijoya	Delkar, Shri Mohan S.
Chandel, Shri Suresh	Deo, Shri Bikram Keshari
Chaturvedi, Shri Satyavrat	Dev, Shri Sontosh Mohar.
Chaubey, Shri Lal Muni	Dhikale, Shri Uttamrao
Chaudhary, Shri Haribhai	
Chaudhary, Shri Ram Raghunath	

Phinakaran, Shri T.T.V.

Diler, Shri Krishan Lal

Diwathe, Shri Namdeo Harbaji

Dome, Dr. Ram Chandra

Dudi, Shri Rameshwar

Dullo, Shri Shamsheer Singh

Elangovan, Shri P.D.

Farook, Shri M.O.H.

Fernandes, Shri George

Gadde, Shri Ram Mohan

Galib, Shri G.S.

Gamang, Shrimati Hema

Gandhi, Shrimati Maneka

Gandhi, Shrimati Sonia

Gangwar, Shri Santosh Kumar

Gautam, Shrimati Sheela

Gavit, Shri Manikrao Hodlya

Gavit, Shri Ramdas Rupala

Geete, Shri Anant Gangaram

Gehlot, Shri Thawar Chand

George, Shri K. Francis

Goel, Shri Vijay

Gogoi, Shri Dip

Gohain, Shri Rajen

Govindan, Shri T.

Gowda, Shri G. Putta Swamy

Gudhe, Shri Anant

Gupta, Prof. Chaman Lal

Hamid, Shri Abdul

Handique, Shri Bijoy

Hansda, Shri Thomas

Haque, Mohammad Anwarul

Hussain, Chowdhary Talib

Hussain, Shri Syed Shahnawaz

Jadhav, Shri Suresh Ramrao

Jag Mohan, Shri

Jagannath, Dr. Manda

Jagathrakshakan, Dr. S.

Jain, Shri Pusp

Jaiswal, Dr. M.P.

Jaiswal, Shri Shankar Prasad

Jaiswal, Shri Shriprakash

Jalappa, Shri R.L.

Jatiya, Dr Satyanarayan

Javiya, Shri G.J.

Jayaseelam, Dr. A.D.K.

Jha, Shri Raghunath

Jos, Shri A.C.

Joshi, Dr. Murli Manohar

Kaliappan, Shri K.K.

Kannappan, Shri M.

Kanungo, Shri Trilochan

Kashyap, Shri Bali Ram

Kaswan, Shri Ram Singh

Katara, Shri Babubhai K.

Katara, Shri Rattan Lal

Kathiria, Dr. Vallabhbai

Katiyar, Shri Vinay

Kaur, Shrimati Preneet

Kaushal, Shri Raghuvir Singh

Khalre, Shri Chandrakant	*Makwana, Shri Savshibhai
Khan, Shri Abul Hasnat	Malaisamy, Shri K.
Khan, Shri Hassan	Malhotra, Dr. Vijay Kumar
Khan, Shri Sunil	Mallik, Shri Jagannath
Khandelwal, Shri Vijay Kumar	Malyala, Shri Rajalah
Khandoker, Shri Akbor Ali	Mandal, Shri Brahma Nand
Khanduri, Maj. Gen. (Retd.) B.C.	Mandal, Shri Sanat Kumar
Khanna, Shri Vinod	Mane, Shri Shivaji
Khurana, Shri Madan Lal	Manjay Lal, Shri
Kriplani, Shri Shrichand	Manjhi, Shri Ramjee
Krishnadas, Shri N.N.	Mann, Shri Zora Singh
Krishnamraju, Shri	Meena, Shrimati Jas Kaur
Krishnamurthy, Shri K. Balarama	Meghawal, Shri Kailash
Krishnan, Dr. C.	Mehta, Shrimati Jayawanti
Krishnaswamy, Shri A.	Mishra, Shri Ram Nagina
Kulaste, Shri Faggan Singh	Mishra, Shri Shyam Bihari
Kumar, Shri Arun	Mistry, Shri Madhusudan
Kumar, Shri V. Dhananjaya	Mohan, Shri P.
Kumaraswamy, Shri P.	Mohite, Shri Subodh
Kuppusami, Shri C.	Mollah, Shri Hannan
Kusmarla, Dr. Ramkrishna	Mookherjee, Shri Satya Brata
Lahiri, Shri Samik	Moorthy, Shri A.K.
M. Master Mathan, Shri	Munda, Shri Kartya
Mahajan, Shri Y.G.	Muni Lal, Shri
Mahajan, Shrimati Sumitra	Munlyappa, Shri K.H.
Mahale, Shri Haribhau Shankar	Muraleedharan, Shri K.
Mahant, Dr. Charan Das	Murmu, Shri Rupchand
Maharia, Shri Subhash	Murmu, Shri Salkhan
Mahtab, Shri Bhartruhari	
Mahto, Shrimati Abha	
Majhi, Shri Parsuram	

*Voted through slip.

Murthi, Dr. M.V.V.S.	Paswan, Shri Sukdeo
Murugesan, Shri S.	Patasani, Dr. Prasanna Kumar
Nagmani, Shri	Patel, Dr. Ashok
Naik, Shri A. Venkatesh	Patel, Shri Chandresh
Naik, Shri Ali Mohd.	Patel, Shri Deepak
Naik, Shri Ram	Patel, Shri Dharm Raj Singh
Naik, Shri Shripad Yesso	Patel, Singh Mansinh
Nayak, Shri Ananta	Patel, Shri Prahlad Singh
Nishad, Capt. Jai Narain Prasad	Patel, Shri Tarachand Shivaji
Nitish Kumar, Shri	Pathak, Shri Harin
Ola, Shri Sis Ram	Patil, Shri Amarsinh Vasantryao
Oram, Shri Jual	Patil, Shri Annasaheb M.K.
Osmani, Shri A.F. Golam	Patil (Yatnal), Shri Basangouda R.
Pal, Dr. Mahendra Singh	Patil, Shri Bhaskarrao
Pal, Shri Rupchand	Patil, Shri Danve Raosaheb
Palanimanickam, Shri S. S.	Patil, Shri Jaysingrao Gaikwad
Panda, Shri Prabodh	Patil, Shri R.S.
Pandey, Shri Ravindra Kumar	Patil, Shri Shivraj V.
Pandeya, Dr. Laxminarayan	Patil, Shri Uttamrao
Pandian, Shri P.H.	Patnalk, Shrimati Kumudini
Panja, Dr. Ranjit Kumar	Patwa, Shri Sundar Lal
Panja, Shri Ajit Kumar	Pawalya, Shri Jaibhan Singh
Paranjpe, Shri Prakash	Pilot, Smt. Rama
Parste, Shri Dalpat Singh	Ponnuswamy, Shri E.
Parthasarathi, Shri B.K.	Potai, Shri Sohan
Pasi, Shri Suresh	Prabhu, Shri Suresh
Passi, Shri Raj Narain	Pradhan, Dr. Debendra
Paswan, Dr. Sanjay	Pradhan, Shri Ashok
Paswan, Shri Ram Vilas	

Pramanik, Prof. R.R.	Rawat, Prof. Rasa Singh
Prasad, Shri V. Sreenivasa	Rawat, Shri Pradeep
Premajam, Prof. A.K.	Rawat, Shri Ramsagar
Puglia, Shri Naresh	Ray, Shri Bishnu Pada
*Radhakrishnan, Shri Pon	Reddy, Shri A.P. Jithender
Radhakrishnan, Shri Varkala	Reddy, Shri Chada Suresh
Rai, Shri Nawal Kishore	Reddy, Shri G. Ganga
Raja, Shri A.	Reddy, Shri N. Janardhana
Rajbangshi, Shri Madhab	Reddy, Shri S. Jaipal
Rajendra, Shri P.	Renu Kumari, Shrimati
Rajesh Ranjan alias Pappu Yadav, Shri	Rizwan Zahir, Shri
Ram Sajivan, Shri	Roy, Shri Subodh
Ram, Shri Braj Mohan	Rudy, Shri Rajiv Pratap
Ramaiah, Dr. B.B.	Sahu, Shri Anadi
Ramaiah, Shri Gunipati	Sahu, Shri Tarachand
Ramachandan, Shri Gingee N.	Sai, Shri Vishnudeo
Ramshakal, Shri	Saiduzzama, Shri
Ramulu, Shri H.G.	Sanadi, Prof. I.G.
Rana, Shri Kashiram	Sanghani, Shri Dileep
Rana, Shri Raju	Sangtam, Shri K.A.
Rao, Shri Ch. Vidyasagar	Sangwan, Shri Kishan Singh
Rao, Dr. D.V.G. Shankar	Sar, Shri Nikhilananda
Rao, Shri Ganta Sreenivasa	Saradgi, Shri Iqbal Ahmed
Rao, Shri Y.V.	Sarkar, Dr. Bikram
Rashtrapal, Shri Pravin	Saroj, Shri Tufani
Rathwa, Shri Ramsinh	Saroj, Shrimati Sushila
Rau, Shrimati Prabha	Saroja, Dr. V.
Ravi, Shri Sheesh Ram Singh	Sathi, Shri Harpal Singh
Rawale, Shri Mohan	Sayeed, Shri P.M.
	Selvaganpathi, Shri T.M.

*Voted through slip.

Sengupta, Dr. Nitish	Singh, Shri Chhatrapal
Seth, Shri Lakshman	Singh, Shri Digvijay
Sethi, Shri Arjun Charan	Singh, Shri Khel Sai
Shah, Shri Manabendra	Singh, Shri Maheshwar
Shaheen, Shri Abdul Rashid	Singh, Shri Prabhunath
Shakya, Shri Raghuraj Singh	Singh, Shri Radha Mohan
Shandil, Col. (Retd.) Dr. Dhani Ram	Singh, Shri Ram Prasad
Shanmugam, Shri N.T.	Singh, Shri Ramanand
Shanta Kumar, Shri	Singh, Shri Ramjivan
Sharma, Capt. Satish	Singh, Shri Rampal
Shashi Kumar, Shri	Singh, Shri Th. Chaoba
Shukla, Shri Shyamacharan	Singh, Shri Tilakdhari Prasad
Sikdar, Shri Tapan	Singh, Shrimati Kanti
Singh Deo, Shri K.P.	Singh, Shrimati Raj Kumari Ratna
Singh Deo, Shrimati Sangeeta Kumari	Singh, Shrimati Shyama
Singh Capt. (Retd.) Inder	Sinha, Shri Manoj
Singh Ch. Tejveer	Sinha, Shri Yashwant
Singh, Dr. Raghuvansh Prasad	Sivakumar, Shri V.S.
Singh, Dr. Ram Lakhan	Solanki, Shri Bhupendrasinh
Singh, Kunwar Akhilesh	Somaiya, Shri Kirit
Singh, Kunwar Sarv Raj	Sorake, Shri Vinay Kumar
Singh, Sardar Buta	Sreenivasan, Shri C.
Singh, Shri Bahadur	Srikantappa, Shri D.C.
Singh, Shri Balbir	Srinivasulu, Shri Kalava
Singh, Shri Brij Bhushan Sharan	Sudarsana Natchiappan, Shri E.M.
Singh, Shri Chandra Bhushan	Sudheeran, Shri V.M.
Singh, Shri Chandra Pratap	Suman, Shri Ramji Lal
Singh, Shri Chandra Vijay	Sunil Dutt, Shri
Singh, Shri Charanjit	Swami Chinmayanand, Shri
	Swami, Shri I.D.
	Thakkar, Shrimati Jayaben B.
	Thakor, Shri Punjaji Sadaji

Thakur, Dr. C.P.
 Thakur, Shri Chunni Lal Bhai
 Thirunavukkarasar, Shir Su
 Thomas, Shri P.C.
 Tiwari, Shri Lal Bihari
 Tomar, Dr. Ramesh Chand
 Tripathee, Shri Ram Naresh
 Tripathi, Shri Prakash Mani
 Tripathy, Shri Braja Kishore
 Tur, Shri Tarlochan Singh
 Vaghela, Shri Shankersinh
 Vajpayee, Shri Atal Bihari
 Varma, Sh. Ratilal Kalidas
 Vasava, Shri Mansukhbhai D.
 Veerappa, Shri Ramchandra
 Venkataswamy, Dr. N.
 Venkateshwarlu, Shri B.
 Venugopal, Dr. S.
 Verma, Dr. Sahib Singh
 Verma, Prof. Rita
 Verma, Shri Beni Prasad
 Verma, Shri Rajesh
 Verma, Shri Ram Murti Singh
 Verma, Shri Ravi Prakash
 Vetriselvan, Shri V.
 Vijaya Kumari, Shrimati D.M.
 Vijayan, Shri A.K.S.
 Virendra Kumar, Shri
 Vukkala, Dr. Rajeswaramma
 Vyas, Dr. Girija
 Wadiyar, Shri S.D.N.R.
 Wanaga, Shri Chintaman
 Yadav, Dr. (Shrimati) Sudha
 Yadav, Dr. Jaswant Singh

Yadav, Shri Balram Singh
 Yadav, Shri Devendra Prasad
 Yadav, Shri Devendra Singh
 Yadav, Shri Dinesh Chandra
 Yadav, Shri Hukumdeo Narayan
 Yadav, Shri Pradip
 Yadav, Shri Sharad
 Yerrannaidu, Shri K.
 Zahedi, Shri Mahboob
 Zawma, Shri Vanlal

MR. SPEAKER : Subject to correction*, the result of the division is :

Ayes : 424

Noes : Nil

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clause 5 Amendment of the Tenth Schedule

MR. SPEAKER : Before I put clause 5 to the vote of the House, I would like to say that this being a Constitution (Amendment) Bill, voting has to be by division.

The question is :

"That clause 5 stand part of the Bill".

The Lok Sabha divided :

Division No. 6

Time : 14.48 hrs.

AYES

Abdullakutty, Shri A.P.
 Acharia, Shri Basu Deb
 Acharya, Shri Prasanna
 Adhi, Sankar, Shri
 Aditya Nath, Yogi
 Adsul, Shri Anandrao Vithoba

*The following Members also recorded their votes through slips

Ayes : 424+Shri Savshibhai Makwana, Shri Pon Radhakrishnan=426

Advani, Shri L.K.	Behera, Shri Padmanava
Ahamed, Shri E.	Bhadana, Shri Avtar Singh
Aiyar, Shri Mani Shankar	Bhagat, Prof. Dukha
Ajaya Kumar, Shri S.	Bhagora, Shri Tarachand
Alva, Shrimati Margaret	Bhargava, Shri Girdhari Lal
Alvi, Shri Rashid	Bhaura, Shri Bhan Singh
Ananth Kumar, Shri	Bhuria, Shri Kantilal
Angle, Shri Ramakant	Bind, Shri Ram Rati
Argal, Shri Ashok	Bishnoi, Shri Jaswant Singh
Arya, Dr. (Shrimati) Anita	Bose, Shrimati Krishna
Atkinson, Shri Denzil B.	Brahmanaiah, Shri A
Azad, Shri Kirti Jha	Brar, Shri J.S.
Baalu, Shri T.R.	Bwiswmuthiary, Shri Sansuma Khunggur
'Bachda', Shri Bachi Singh Rawat	C. Suguna Kumari, Dr. (Shrimati)
Badnore, Shri Vijayendra Pal Singh	Chakraborty, Shri Ajoy
Baghel, Prof. S.P. Singh	Chakraborty, Shri Swadesh
Bainda, Shri Ramachander	Chakravarty, Shrimati Bijoya
Bais, Shri Ramesh	Chandel, Shri Suresh
Baitha, Shri Mahendra	Chaturvedi, Shri Satyavrat
Banatwalla, Shri G.M.	Chaubey, Shri Lal Muni
Banerjee, Kumari Mamata	Chaudhary, Shri Haribhai
Banerjee, Shrimati Jayashree	Chaudhary, Shri Ram Raghunath
Bansal, Shri Pawan Kumar	Chaudhary, Shri Ram Tahal
Barwala, Shri Surendra Singh	Chaudhri, Shri Manibhai Ramjibhai
Basavaraj, Shri G.S.	Chauhan, Shri Shriram
Basu, Shri Anil	Chautala, Shri Ajay Singh
Bauri, Shrimati Sandhya	Chennithala, Shri Ramesh
Baxla, Shri Joachim	Chikhalia, Shrimati Bhavnaben Devrajibhai
Begum Noor Bano	Choudhary, Col. (Retd.) Sona Ram
	Choudhary, Shri Nikhil Kumar
	Choudhary, Shrimati Reena

Choudhry, Shri Padam Sen	Gamang, Shrimati Hema
Chouhan, Shri Nihal Chand	Gandhi, Shrimati Maneka
Chouhan, Shri Shivraj Singh	Gandhi, Shrimati Sonia
Chowdhary, Shri Adhir	Gangwar, Shri Santosh Kumar
Chowdhary, Shrimati Santosh	Gautam, Shrimati Sheela
Chowdhry, Shri Bikash	Gavit, Shri Manikrao Hodlya
Chowdhry, Shrimati Renuka	Gavit, Shri Ramdas Rupala
D'Souza, Dr. (Shrimati) Beatrix	Geete, Shri Anant Gangaram
Daggubati, Shri Ramanaidu	Gehlot, Shri Thawar Chand
Dahal, Shri Bhim	George, Shri K. Francis
Dalit Ezhilmalai, Shri	Goel, Shri Vijay
Das, Shri Alakesh	Gogoi, Shri Dip
Das, Shri Khagen	Gohain, Shri Rajen
Das, Shri Nepal Chandra	Govindan, Shri T.
Dasmunsi, Shri Priya Ranjan	Gowda, Shri G. Putta Swamy
Dattatraya, Shri Bandaru	Gudhe, Shri Anant
Delkar, Shri Mohan S.	Gupta, Prof. Chaman Lal
Deo, Shri Bikram Keshari	Hamid, Shri Abdul
Dev, Shri Sontosh Mohan	Handique, Shri Bijoy
Dhikale, Shri Uttamrao	Hansda, Shri Thomas
Dhinakaran, Shri T.T.V.	Haque, Mohammad Anwarul
Diler, Shri Kishan Lal	Hussain, Chowdhary Talib
Diwathe, Shri Namdeo Harbaji	Hussain, Shri Syed Shahnawaz
Dome, Dr. Ram Chandra	Jadhav, Shri Suresh Ramrao
Dudi, Shri Rameshwar	Jag Mohan, Shri
Dullo, Shri Shamsher Singh	Jagannath, Dr. Manoj
Elangovan, Shri P.D.	Jagathrakshakan, Dr. S.
Farook, Shri M.O.H.	Jain, Shri Pusp
Fernandes, Shri George	Jaiswal, Dr. M.P.
Gadde, Shri Ram Mohan	
Galib, Shri G.S.	

Jaiswal, Shri Shankar Prasad
Jaiswal, Shri Shriprakash
Jalappa, Shri R.L.
Jatiya, Dr. Satyanarayan
Javiya, Shri G.J.
Jayaseelam, Dr. A.D.K.
Jha, Shri Raghunath
Jos, Shri A.C.
Joshi, Dr. Murlī Manohar
Kaliappan, Shri K.K.
Kannappan, Shri M.
Kanungo, Shri Trilochan
Kashyap, Shri Bali Ram
Kaswan, Shri Ram Singh
Katara, Shri Babubhai K.
Kataria, Shri Rattan Lal
Kathiria, Dr. Vallabhbhai
Katiyar, Shri Vinay
Kaur, Shrimati Preneet
Kaushal, Shri Raghuvir Singh
Khaire, Shri Chandrakant
Khan, Shri Abul Hasnat
Khan, Shri Hassan
Khan, Shri Sunil
Khandelwal, Shri Vijay Kumar
Khandoker, Shri Akbor Ali
Khanduri, Maj. Gen. (Retd.) B.C.
Khanna, Shri Vinod
Khurana, Shri Madan Lal
Kriplani, Shri Shrichand

Krishnadas, Shri N.N.
Krishnamraju, Shri
Krishnan, Dr. C.
Krishnaswamy, Shri A.
Kulaste, Shri Faggan Singh
Kumar, Shri Arun
Kumar, Shri V. Dhananjaya
Kumarasamy, Shri P.
Kuppusami, Shri C.
Kusmaria, Dr. Ramkrishna
Lahiri, Shri Samik
M. Master Mathan, Shri
Mahajan, Shri Y.G.
Mahajan, Shrimati Sumitra
Mahale, Shri Haribhau Shankar
Mahant, Dr. Charan Das
Maharia, Shri Subhash
Mahtab, Shri Bhartruhari
Mahto, Shrimati Abha
Majhi, Shri Parsuram
*Makwana, Shri Savshibhai
Malaisamy, Shri K.
Malhotra, Dr. Vijay Kumar
Mallik, Shri Jagannath
Malyala, Shri Rajaiah
Mandal, Shri Brahma Nand
Mandal, Shri Sanat Kumar
Mane, Shri Shivaji

*Voted through slip.

Manjay Lal, Shri	Nitish Kumar, Shri
Manjhi, Shri Ramjee	Ola, Shri Sis Ram
Mann, Shri Zora Singh	Oram, Shri Jual
Meena, Shrimati Jas Kaur	Osmani, Shri A.F. Golam
Meghwal, Shri Kailash	Pal, Dr. Mahendra Singh
Mehta, Shrimati Jayawanti	Pal, Shri Rupchand
Mishra, Shri Ram Nagina	Palanimanickam, Shri S.S.
Mishra, Shri Shyam Bihari	Panda, Shri Prabodh
Mistry, Shri Madhusudan	Pandey, Shri Ravindra Kumar
Mohan, Shri P.	Pandeya, Dr. Laxminarayan
Mohite, Shri Subodh	Pandian, Shri P.H.
Mollah, Shri Hannan	Panja, Dr. Ranjit Kumar
Mookherjee, Shri Satya Brata	Panja, Shri Ajit Kumar
Moorthy, Shri A.K.	Paranjpe, Shri Prakash
Munda, Shri Kariya	Parste, Shri Dalpat Singh
Muni Lall, Shri	Parthasarathi, Shri B.K.
Muniyappa, Shri K.H.	Pasi, Shri Suresh
Muraleedharan, Shri K.	Passi, Shri Raj Narain
Murmu, Shri Rupchand	Paswan, Dr. Sanjay
Murmu, Shri Salkhan	Paswan, Shri Ram Vilas
Murthi, Dr. M.V.V.S.	Paswan, Shri Sukdeo
Murugesan, Shri S	Patasani, Dr. Prasanna Kumar
Nagmani, Shri	Patel, Dr. Ashok
Naik, Shri A. Venkatesh	Patel, Shri Chandresh
Naik, Shri Ali Mohd.	Patel, Shri Deepak
Naik, Shri Ram	Patel, Shri Dharm Raj Singh
Naik, Shri Shripad Yesso	Patel, Shri Mansinh
Nayak, Shri Ananta	Patel, Shri Prahlad Singh
Nishad, Capt. Jai Narain Prasad	Patel, Shri Tarachand Shivaji

Pathak, Shri Harin	Rajesh Ranjan alias Pappu Yadav, Shri
Patil, Shri Amarsingh Vasantao	Ram Sanjivan, Shri
Patil, Shri Annasaheb M.K.	Ram, Shri Braj Mohan
Patil (Yatnal), Shri Basangouda R.	Ramaiah, Dr. B.B.
Patil, Shri Bhaskarrao	Ramaiah, Shri Gunipati
Patil, Shri Danve Raosaheb	Ramachandan, Shri Gingee N.
Patil, Shri Jaysingrao Gaikwad	Ramshakal, Shri
Patil, Shri R.S.	Ramulu, Shri H.G.
Patil, Shri Shivraj V.	Rana, Shri Kashiram
Patil, Shri Uttamrao	Rana, Shri Raju
Patnaik, Shrimati Kumudini	Rao, Shri Ch. Vidyasagar
Patwa, Shri Sundar Lal	Rao, Dr. D.V.G. Shankar
Pawiya, Shri Jaibhan Singh	Rao, Shri Ganta Sreenivasa
Pilot, Smt. Rama	Rao, Shri Y.V.
Ponnuswamy, Shri E.	Rasthrapal, Shri Pravin
Potai, Shri Sohan	Rathwa, Shri Ramsinh
Prabhu, Shri Suresh	Rau, Shrimati Prabha
Pradhan, Dr. Debendra	Ravi, Shri Sheesh Ram Singh
Pradhan, Shri Ashok	Rawale, Shri Mohan
Pramanik, Prof. R.R.	Rawat, Prof. Rasa Singh
Prasad, Shri V. Sreenivasa	Rawat, Shri Pradeep
Premajam, Prof. A.K.	Rawat, Shri Ramsagar
Puglia, Shri Naresh	Ray, Shri Bishnu Pada
Radhakrishnan, Shri Pon	Reddy, Shri A.P. Jithender
Radhakrishnan, Shri Varkala	Reddy, Shri Chada Suresh
Rai, Shri Nawal Kishore	Reddy, Shri G. Ganga
Raja, Shri A.	Reddy, Shri N. Janardhana
Rajbangshi, Shri Madhab	Reddy, Shri S. Jaipal
Rajendra, Shri P.	Renu Kumari, Shrimati

Rizwan Zahir, Shri	Sharma, Capt. Satish
Roy, Shri Subodh	Shashi Kumar, Shri
Rudy, Shri Rajiv Pratap	Shukla, Shri Shyamacharan
Sahu, Shri Anadi	Sikdar, Shri Tapan
Sahu, Shri Tarachand	Singh Deo, Shri K.P.
Sai, Shri Vishnudeo	Singh Deo, Shrimati Sangeeta Kumari
Saiduzzama, Shri	Singh Capt. (Retd.) Inder
Sanadi, Prof. I.G.	Singh Ch. Tejveer
Sanghani, Shri Dileep	Singh, Dr. Raghuvansh Prasad
Sangtam, Shri K.A.	Singh, Dr. Ram Lakhan
Sangwan, Shri Kishan Singh	Singh, Kunwar Akhilesh
Sar, Shri Nikhilananda	Singh, Kunwar Sarv Raj
Saradgi, Shri Iqbal Ahmed	Singh, Sardar Buta
Sarkar, Dr. Bikram	Singh, Shri Bahadur
Saroj, Shri Tufani	Singh, Shri Balbir
Saroj, Shrimati Sushila	Singh, Shri Brij Bhushan Sharan
Saroja, Dr. V.	Singh, Shri Chandra Bhushan
Sathi, Shri Harpal Singh	Singh, Shri Chandra Pratap
Sayeed, Shri P.M.	Singh, Shri Chandra Vijay
Selvaganpathi, Shri T.M.	Singh, Shri Charanjit
Sengupta, Dr. Nitish	Singh, Shri Chhatrapal
Seth, Shri Lakshman	Singh, Shri Digvijay
Sethi, Shri Arjun Charan	Singh, Shri Khel Sai
Shah, Shri Manabendra	Singh, Shri Maheshwar
Shaheen, Shri Abdul Rashid	Singh, Shri Prabhunath
Shakya, Shri Raghuraj Singh	Singh, Shri Radha Mohan
Shandil, Col. (Retd.) Dr. Dhani Ram	Singh, Shri Ram Prasad
Shanmugam, Shri N.T.	Singh, Shri Ramanand
Shanta Kumar, Shri	Singh, Shri Ramjivan

Singh, Shri Rampal	Vaghela, Shri Shankersinh
Singh, Shri Th. Chaoba	Vajpayee, Shri Atal Bihari
Singh, Shri Tilakdhari Prasad	Varma, Sh. Ratilal Kalidas
Singh, Shrimati Kanti	Vasava, Shri Mansukhbhai D.
Singh, Shrimati Rajkumari Ratna	Veerappa, Shri Ramchandra
Singh, Shrimati Shyama	Venkataswamy, Dr. N.
Sinha, Shri Manoj	Venkateshwarlu, Shri B.
Sinha, Shri Yashwant	Venugopal, Dr. S.
Sivakumar, Shri V.S.	Verma, Dr. Sahib Singh
Solanki, Shri Bhupendrasinh	Verma, Prof. Rita
Somaiya, Shri Kirit	Verma, Shri Beni Prasad
Sorake, Shri Vinay Kumar	Verma, Shri Rajesh
Sreenivasan, Shri C.	Verma, Shri Ram Murti Singh
Srikantappa, Shri D.C.	Verma, Shri Ravi Prakash
Srinivasulu Kalava	Vetriselvan, Shri V.
Sudarsana Natchiappan, Shri E.M.	Vijaya Kumari, Shrimati D.M.
Sudheeran, Shri V.M.	Vijayan, Shri A.K.S.
Suman, Shri Ramji Lal	Virendra Kumar, Shri
Sunil Dutt, Shri	Vukkala, Dr. Rajeswaramma
Swami Chinmayanand, Shri	Vyas, Dr. Girija
Swami, Shri I.D.	Wadiyar, Shri S.D.N.R.
Thakkar, Shrimati Jayaben B.	Wanaga, Shri Chintaman
Thakor, Shri Punjaji Sadaji	Yadav, Dr. (Shrimati) Sudha
*Thakur, Dr. C.P.	Yadav, Dr. Jaswant Singh
Thakur, Shri Chunni Lal Bhai	Yadav, Shri Balram Singh
Thirunavukkarasar, Shir Su	Yadav, Shri Devendra Prasad
Thomas, Shri P.C.	Yadav, Shri Devendra Singh
Tiwari, Shri Lal Bihari	Yadav, Shri Dinesh Chandra
Tomar, Dr. Ramesh Chand	Yadav, Shri Hukumdeo Narayan
Tripathee, Shri Ram Naresh	Yadav, Shri Pradip
Tripathi, Shri Prakash Mani	Yadav, Shri Sharad
Tripathy, Shri Braja Kishore	Yerrannaidu, Shri K.
Tur, Shri Tarlochan Singh	Zahedi, Shri Mahboob
	Zawma, Shri Vanlal

*Voted through slip.

MR. SPEAKER : Subject to correction*, the result of the division is :

Ayes : 423

Noes : Nil

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

Clause 5, was added to the Bill.

Clause 1 Short Title

Amendment made :

Page 1, in line 3, for "(Ninety-Seventh Amendment)" substitute "(Ninety-first Amendment)". (1)

(Shri Arun Jaitley)

MR. SPEAKER : I shall now put clause 1, as amended, to the vote of the House.

The question is :

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

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

MR. SPEAKER : I shall now put the Enacting Formula and the Title to the vote of the House.

The question is :

"That the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

The Enacting Formula and the Long Title were added to the Bill.

MR. SPEAKER : The Minister may move that the Bill, as amended, be passed.

SHRI ARUN JAITLEY : Sir, I beg to move :

"That the Bill, as amended, be passed."

MR. SPEAKER : The question is :

"That the Bill, as amended, be passed".

The Lok Sabha divided :

Division No. 7

Time : 14.50 hrs.

AYES

Abdullakutty, Shri A.P.

Acharia, Shri Basu Deb

Acharya, Shri Prasanna

Adhi, Sankar, Shri

Aditya Nath, Yogi

Adsul, Shri Anandrao Vithoba

Advani, Shri L. K.

Ahamed, Shri E.

Aiyar, Shri Mani Shankar

Ajaya Kumar, Shri S.

Alva, Shrimati Margaret

Alvi, Shri Rashid

Ananth Kumar, Shri

Angle, Shri Ramakant

Argal, Shri Ashok

Arya, Dr. (Shrimati) Anita

Atkinson, Shri Denzil B.

Azad, Shri Kirti Jha

Baalu, Shri T.R.

'Bachda', Shri Bachi Singh Rawat

Badnore, Shri Vijayendra Pal Singh

Baghel, Prof. S.P. Singh

Bainda, Shri Ramchander

Bais, Shri Ramesh

Baitha, Shri Mahendra

Banatwalla, Shri G.M.

Banerjee, Kumari Mamata

Banerjee, Shrimati Jayashree

Bansal, Shri Pawan Kumar

Barwala, Shri Surendra Singh

Basavaraj, Shri G.S.

Basu, Shri Anil

Bauri, Shrimati Sandhya

*The following Members also recorded their votes through slip.

Ayes : 423 + Shri Savshibhai Makwana, Dr. C.P. Thakur=425

Baxla, Shri Joachim
 Begum Noor Bano
 Behera, Shri Padmanava
 Bhadana, Shri Avtar Singh
 Bhagat, Prof. Dukha
 Bhagora, Shri Tarachand
 Bhargava, Shri Girdhari Lal
 Bhaura, Shri Bhan Singh
 Bhuria, Shri Kantilal
 Bind, Shri Ram Rati
 Bishnoi, Shri Jaswant Singh
 Bose, Shrimati Krishna
 Brahmanalah, Shri A.
 Brar, Shri J.S.
 Bwiswmuthiary, Shri Sansuma Khunggur
 C. Suguna Kumari, Dr. (Shrimati)
 Chakraborty, Shri Ajoy
 Chakraborty, Shri Swadesh
 Chakravarty, Shrimati Bijoya
 Chandel, Shri Suresh
 Chaturvedi, Shri Satyavrat
 Chaubey, Shri Lal Muni
 Chaudhary, Shri Haribhai
 Chaudhary, Shri Ram Raghunath
 Chaudhary, Shri Ram Tahal
 Chaudhri, Shri Manibhai Ramjibhai
 Chauhan, Shri Shriram
 Chautala, Shri Ajay Singh
 Chennithala, Shri Ramesh
 Chikhalla, Shrimati Bhavnaben Devrajibhai
 Choudhary, Col. (Retd.) Sona Ram

Choudhary, Shri Nikhil Kumar
 Choudhary, Shrimati Reena
 Choudhary, Shri Padam Sen
 Chouhan, Shri Nihal Chand
 Chouhan, Shri Shivraj Singh
 Chowdhary, Shri Adhir
 Chowdhary, Shrimati Santosh
 Chowdhary, Shri Bikash
 *Chowdhury, Shrimati Renuka
 D'Souza, Dr. (Shrimati) Beatrix
 Daggubati, Shri Ramanaidu
 Dahal, Shri Bhim
 Dalit Ezhilmalai, Shri
 Das, Shri Alakesh
 Das, Shri Khagen
 Das, Shri Nepal Chandra
 Dasmunsi, Shri Priya Ranjan
 Dattatraya, Shri Bandaru
 Delkar, Shri Mohan S.
 Deo, Shri Bikram Keshari
 Dev, Shri Sontosh Mohan
 Dhikale, Shri Uttamrao
 Dhinakaran, Shri T.T.V.
 Diler, Shri Kishanlal
 Diwathe, Shri Namdeo Harbaji
 Dome, Dr. Ram Chandra
 Dudi, Shri Rameshwar
 Dullo, Shri Shamsheer Singh
 Elangovan, Shri P.D.
 Farook, Shri M.O.H.
 Fernandes, Shri George

*Voted through slip.

Gadde, Shri Ram Mohan	Jain, Shri Pusp
Galib, Shri G.S.	Jaiswal, Dr. M.P.
Gamang, Shrimati Hema	Jaiswal, Shri Shankar Prasad
Gandhi, Shrimati Maneka	Jaiswal, Shri Shriprakash
Gandhi, Shrimati Sonia	Jalappa, Shri R.L.
Gangwar, Shri Santosh Kumar	Jatiya, Dr Satyanarayan
Gautam, Shrimati Sheela	Javiya, Shri G.J.
Gavit, Shri Manikrao Hodlya	Jayaseelam, Dr. A.D.K.
Gavit, Shri Ramdas Rupala	Jha, Shri Raghunath
Geete, Shri Anant Gangaram	Jos, Shri A.C.
Gehlot, Shri Thawar Chand	Joshi, Dr. Murli Manohar
George, Shri K. Francis	Kaliappan, Shri K.K.
Goel, Shri Vijay	Kannappan, Shri M.
Gogoi, Shri Dip	Kanungo, Shri Trilochan
Gohain, Shri Rajen	Kashyap, Shri Bali Ram
Govindan, Shri T.	Kaswan, Shri Ram Singh
Gowda, Shri G. Putta Swamy	Katara, Shri Babubhai K.
Gudhe, Shri Anant	Kataria, Shri Rattan Lal
Gupta, Prof. Chaman Lal	Kathiria, Dr. Vallabhbai
Hamid, Shri Abdul	Katiyar, Shri Vinay
Handique, Shri Bijoy	Kaur, Shrimati Preneet
Hansda, Shri Thomas	Kaushal, Shri Raghuvir Singh
Haque, Mohammad Anwarul	Khairi, Shri Chandrakant
Hussain, Chowdhary Talib	Khan, Shri Abul Hasnat
Hussain, Shri Syed Shahnawaz	Khan, Shri Hassan
Jag Mohan, Shri	Khan, Shri Sunil
Jagannath, Dr. Manda	Khandelwal, Shri Vijay Kumar
*Jagathrakshakan, Dr. S.	Khandoker, Shri Akbor Ali
	Khanduri, Maj. Gen. (Retd.) B.C.
	Khanna, Shri Vinod

*Voted through slip.

Khurana, Shri Madan Lal	Mandal, Shri Sanat Kumar
Kriplani, Shri Shrichand	Mane, Shri Shivaji
Krishnadas, Shri N.N.	Manjay Lal, Shri
Krishnamraju, Shri	Manjhi, Shri Ramjee
Krishnamurthy, Shri K. Balarama	Mann, Shri Zora Singh
Krishnan, Dr. C.	Meena, Shrimati Jas Kaur
Krishnaswamy, Shri A.	Meghwal, Shri Kailash
Kulaste, Shri Faggan Singh	Mehta, Shrimati Jayawanti
Kumar, Shri Arun	Mishra, Shri Ram Nagina
Kumar, Shri V. Dhananjaya	Mishra, Shri Shyam Bihari
Kumarasamy, Shri P.	Mistry, Shri Madhusudan
Kuppusami, Shri C.	Mohan, Shri P.
Kusmaria, Dr. Ramkrishna	Mohite, Shri Subodh
Lahiri, Shri Samik	Mollah, Shri Hannan
M. Master Mathan, Shri	Mookherjee, Shri Satya Brata
Mahajan, Shri Y.G.	Moorthy, Shri A.K.
Mahajan, Shrimati Sumitra	Munda, Shri Kariya
Mahale, Shri Haribhau Shankar	Muni Lall, Shri
Mahant, Dr. Charan Das	Muniyappa, Shri K.H.
Maharia, Shri Subhash	Muraleedharan, Shri K.
Mahtab, Shri Bhartruhari	Murmu, Shri Rupchand
Mahto, Shrimati Abha	Murmu, Shri Salkhan
Majhi, Shri Parsuram	Murthi, Dr. M.V.V.S.
*Makwana, Shri Savshibhai	Murugesan, Shri S.
Malaisamy, Shri K.	Nagmani, Shri
Malhotra, Dr. Vijay Kumar	Naik, Shri A. Venkatesh
Mallik, Shri Jagannath	Naik, Shri Ali Mohd.
Malyala, Shri Rajaiah	Naik, Shri Ram
Mandal, Shri Brahma Nand	Naik, Shri Shripad Yesso

Nayak, Shri Ananta

Nishad, Capt. Jai Narain Prasad

Nitish Kumar, Shri

Ola, Shri Sis Ram

Oram, Shri Jual

Osmani, Shri A.F. Golam

Pal, Dr. Mahendra Singh

Pal, Shri Rupchand

Palanimanickam, Shri S.S.

Panda, Shri Prabodh

Pandey, Shri Ravindra Kumar

Pandeya, Dr. Laxminarayan

Pandian, Shri P.H.

Panja, Dr. Ranjit Kumar

*Panja, Shri Ajit Kumar

Paranjpe, Shri Prakash

Parste, Shri Dalpat Singh

Parthasarathi, Shri B.K.

Pasi, Shri Suresh

Passi, Shri Raj Narain

Paswan, Dr. Sanjay

Paswan, Shri Ram Vilas

Patasani, Dr. Prasanna Kumar

Patel, Dr. Ashok

Patel, Shri Chandresh

Patel, Shri Deepak

Patel, Shri Dharm Raj Singh

Patel, Singh Mansinh

Patel, Shri Prahlad Singh

Patel, Shri Tarachand Shivaji

Pathak, Shri Harin

Patil, Shri Amarsinh Vasantryao

Patil, Shri Annasahbe M.K.

Patil (Yatnal), Shri Basangouda R.

*Patil, Shri Bhaskarrao

Patil, Shri Danve Raosaheb

Patil, Shri Jaysingrao Gaikwad

Patil, Shri R.S.

Patil, Shri Shivraj V.

Patil, Shri Uttamrao

Patnalk, Shrimati Kumudini

Patwa, Shri Sundar Lal

Pawlya, Shri Jaibhan Singh

Pilot, Smt. Rama

Ponnuswamy, Shri E.

Potai, Shri Sohan

Prabhu, Shri Suresh

Pradhan, Dr. Debendra

Pradhan, Shri Ashok

Pramanik, Prof. R.R.

Prasad, Shri V. Sreenivasa

Premajam, Prof. A.K.

Puglia, Shri Naresh

Radhakrishnan, Shri Pon

Radhakrishnan, Shri Varkala

Rai, Shri Nawal Kishore

*Voted through slip.

*Voted through slip.

Raja, Shri A.	Reddy, Shri S. Jaipal
Rajbangshi, Shri Madhab	Renu Kumari, Shrimati
Rajendran, Shri P.	Rizwan Zahir, Shri
Rajesh Ranjan alias Pappu Yadav, Shri	Roy, Shri Subodh
Ram Sajivan, Shri	Rudy, Shri Rajiv Pratap
Ram, Shri Braj Mohan	Sahu, Shri Anadi
Ramaiah, Shri Gunipati	Sahu, Shri Tarachand
Ramachandran, Shri Gingee N.	Sai, Shri Vishnudeo
Ramshakal, Shri	Saiduzzama, Shri
Ramulu, Shri H.G.	Sanadi, Prof. I.G.
Rana, Shri Kashiram	Sanghani, Shri Dileep
Rana, Shri Raju	Sangtam, Shri K.A.
Rao, Shri Ch. Vidyasagar	Sangwan, Shri Kishan Singh
Rao, Dr. D.V.G. Shankar	Sar, Shri Nikhilananda
*Rao, Shri Ganta Sreenivasa	Saradgi, Shri Iqbal Ahmed
Rao, Shri Y.V.	Sarkar, Dr. Bikram
Rashtrapal, Shri Pravin	Saroj, Shri Tufani
Rathwa, Shri Ramsinh	Saroj, Shrimati Sushila
Rau, Shrimati Prabha	Saroja, Dr. V.
Ravi, Shri Sheesh Ram Singh	Sathi, Shri Harpal Singh
Rawale, Shri Mohan	Sayeed, Shri P.M.
Rawat, Prof. Rasa Singh	Selvaganpathi, Shri T.M.
Rawat, Shri Pradeep	Sengupta, Dr. Nitish
Rawat, Shri Ramsagar	Seth, Shri Lakshman
Ray, Shri Bishnu Pada	Sethi, Shri Arjun Charan
Reddy, Shri A.P. Jithender	Shah, Shri Manabendra
Reddy, Shri Chada Suresh	Shaheen, Shri Abdul Rashid
Reddy, Shri G. Ganga	Shakya, Shri Raghuraj Singh
Reddy, Shri N. Janardhana	Shandil, Col. (Retd.) Dr. Dhani Ram

*Voted through slip.

Shanmugam, Shri N.T.	Singh, Shri Ramjivan
Shanta Kumar, Shri	Singh, Shri Rampal
Sharma, Capt. Satish	Singh, Shri Th. Chaoba
Shashi Kumar, Shri	Singh, Shri Tilakdhari Prasad
Sikdar, Shri Tapan	Singh, Shrimati Kanti
Singh Deo, Shri K.P.	Singh, Shrimati Shyama
Singh Deo, Shrimati Sangeeta Kumari	Singh, Shrimati Rajkumari Ratna
Singh, Capt. (Retd.) Inder	Sinha, Shri Manoj
Singh, Ch. Tejveer	Sinha, Shri Yashwant
Singh, Dr. Raghuvansh Prasad	Sivakumar, Shri V.S.
Singh, Dr. Ram Lakhan	Solanki, Shri Bhupendrasinh
Singh, Kunwar Akhilesh	Somaiya, Shri Kirit
Singh, Kunwar Sarv Raj	Sorake, Shri Vinay Kumar
Singh, Sardar Buta	Sreenivasan, Shri C.
Singh, Shri Bahadur	Srikantappa, Shri D.C.
Singh, Shri Balbir	Srinivasulu Kalava
Singh, Shri Brij Bhushan Sharan	Sudarsana Natchiappan, Shri E.M.
Singh, Shri Chandra Bhushan	Sudheeran, Shri V.M.
Singh, Shri Chandra Pratap	Suman, Shri Ramji Lal
Singh, Shri Chandra Vijay	Sunil Dutt, Shri
Singh, Shri Charanjit	Swami Chinmayanand, Shri
Singh, Shri Chhatrapal	Swami, Shri I.D.
Singh, Shri Digvijay	Thakkar, Shrimati Jayaben B.
Singh, Shri Khel Sai	Thakor, Shri Punjaji Sadaji
Singh, Shri Maheshwar	Thakur, Dr. C.P.
Singh, Shri Prabhunath	Thakur, Shri Chunni Lal Bhai
Singh, Shri Radha Mohan	Thirunavukkarasar, Shir Su
Singh, Shri Ram Prasad	Thomas, Shri P.C.
Singh, Shri Ramanand	Tiwari, Shri Lal Bihari
	Tomar, Dr. Ramesh Chand
	Tripathee, Shri Ram Naresh
	Tripathi, Shri Prakash Mani

Tripathy, Shri Braja Kishore
 Tur, Shri Tarlochan Singh
 Vaghela, Shri Shankersinh
 Vajpayee, Shri Atal Bihari
 Varma, Sh. Ratilal Kalidas
 Vasava, Shri Mansukhbhai D.
 Veerappa, Shri Ramchandra
 Venkataswamy, Dr. N.
 Venkateswarlu, Shri B.
 Venugopal, Dr. S.
 Verma, Dr. Sahib Singh
 Verma, Prof. Rita
 Verma, Shri Beni Prasad
 Verma, Shri Rajesh
 Verma, Shri Ram Murti Singh
 Verma, Shri Ravi Prakash
 Vetriselvan, Shri V.
 Vijaya Kumari, Shrimati D.M.
 Vijayan, Shri A.K.S.
 Virendra Kumar, Shri
 Vukkala, Dr. Rajeswaramma
 Vyas, Dr. Girija
 Wadiyar, Shri S.D.N.R.
 Wanaga, Shri Chintaman
 Yadav, Dr. (Shrimati) Sudha
 Yadav, Dr. Jaswant Singh
 Yadav, Shri Balram Singh
 Yadav, Shri Devendra Prasad
 Yadav, Shri Devendra Singh
 Yadav, Shri Dinesh Chandra
 Yadav, Shri Hukumdeo Narayan
 Yadav, Shri Pradip
 Yadav, Shri Sharad
 Yerrannaidu, Shri K.
 Zahedi, Shri Mahboob
 Zawma, Shri Vanlal

MR. SPEAKER : The population of my family is increasing and sometimes decreasing!

Subject to correction, *the result of the division is:

Ayes : 416

Noes : Nil

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting. The Bill, as amended, is passed

The motion was adopted.

MR. SPEAKER : Let the lobbies be opened.

There was an enquiry made about the voting on POTA Bill. The voting will take place around 5.00 p.m.

There would be lunch break for one hour hereafter.

14.48 hrs.

The Lok Sabha then adjourned for Lunch till forty-five minutes past Fifteen of the Clock.

15.47 hrs.

The Lok Sabha reassembled after lunch Forty Seven Minutes past Fifteen of the Clock.

MR. DEPUTY SPEAKER *in the Chair*

...(Interruptions)

[Translation]

SHRI RAJESH RANJAN ALIAS PAPPU YADAV (Purnea): Mr. Deputy Speaker, I have to give a notice. *...(Interruptions)*

MR. DEPUTY SPEAKER : What is your submission?

SHRI RAJESH RANJAN ALIAS PAPPU YADAV : Mr. Deputy Speaker, Sir, there is a district in West Bengal named Purulla , where Anandmargis live at Anandnagar. Some criminals attacked sanayasis there. At the time of attack my father was going out from there, he is also withheld there. I, therefore, request that the Chief Minister or the Government should be contacted in order to improve situation there *...(Interruptions)*

MR. DEPUTY SPEAKER : Pappu ji, this is not zero Hour. Therefore, you speak on this tomorrow.

**The following Members also recorded their votes through slip.*

Ayes : 416+Shrimati Renuka Chowdhury, Dr. S. Jagatkrishakan, Shri Savshibhai Makwana, Dr. Ranjit Kumar Panja, Shri Bhaskarrao Patil, Shri Ganta Sreenivasa Rao=422

...(Interruptions)

SHRI BASU DEB ACHARIA (Bankura) : The Anandmargis are divided in two groups. One is in Bengal
...(Interruptions)

MR. DEPUTY SPEAKER : Acharia ji, Don't try to settle this issue mutually.

SHRI RAJESH RANJAN ALIAS PAPPU YADAV : Sir, several sanayasis have been injured there and my father is also is withheld there...(Interruptions)

[English]

MR. DEPUTY SPEAKER : Shri Acharia, I am asking him to resume his seat and you are standing and giving him a reply.

...(Interruptions)

[Translation]

SHRI RAJESH RANJAN ALIAS PAPPU YADAV : Sir, several anayasis have been injured there...(Interruptions)

MR. DEPUTY SPEAKER : You raise this issue in Zero Hour or through any other means.

...(Interruptions)

MR. DEPUTY SPEAKER : I have given you time for submission.

...(Interruptions)

SHRI RAJESH RANJAN ALIAS PAPPU YADAV : Acharia ji, you do something.

SHRI BASU DEB ACHARIA : Not now, we will ring him up after my speech is over...(Interruptions)

[English]

MR. DEPUTY SPEAKER : The House will now take up item No. 16 and 17 together. Shri Acharia, you to move your statutory Resolution now.

15.50 hrs.

STATUTORY RESOLUTION RE : DISAPPROVAL
OF PREVENTION OF TERRORISM
(AMENDMENT) ORDINANCE

AND

PREVENTION OF TERRORISM
(AMENDMENT) BILL, 2003

[English]

SHRI BASU DEB ACHARIA (Bankura) : Sir, I beg to move:

"That this House disapproves of the Prevention of Terrorism (Amendment) Ordinance, 2003 (No. 4 of 2003) promulgated by the President on 27 October, 2003."

THE DEPUTY PRIME MINISTER AND IN CHARGE OF THE MINISTRY OF HOME AFFAIRS AND MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI L. K. ADVANI) : Sir, I beg to move:

"That the Bill to amend the Prevention of Terrorism Act, 2002, be taken into consideration."

SHRI BASU DEB ACHARIA : Sir, this is the third Ordinance which is now sought to be replaced by an Act. During the inter-Session period, as many as seven Ordinances were promulgated by this Government in spite of an observation made by the former Speaker and the first Speaker of Lok Sabha that Ordinances should not be ordinarily promulgated by the Government and that the Government should come forward with a Bill. But here the Government seeks to amend a provision of the Prevention of Terrorism Act. POTA was enacted in the Joint Sector of Parliament.

Sir, Prevention of Terrorism Ordinance (POTO), was promulgated in October, 2001. When it lapsed, again it was re-promulgated. It was passed by this House, by a majority vote. Since the Government found that in Rajya Sabha they were in minority, they were not in majority, so this Bill would be rejected, it convened a Joint Session to pass the Prevention of Terrorism Ordinance.

The Joint Session passed POTO in 2002, in spite of the criticisms that were levelled by the entire Opposition. At that time the Government did not listen to the criticisms of the entire Opposition and also to be the criticisms made outside the House. This Ordinance was opposed by the people of our country.

What was the purpose of bringing in this legislation? The hon. Home Minister at the time of moving the legislation in this House as well as in the Joint Session of Parliament said that such a draconian law is required in order to prevent the terrorist activities, in order to reduce the terrorist activities and in order to tackle the terrorist activities. This law was enacted one and half years back and the Ordinance was promulgated two years back. I would like to know from the hon. Home Minister as to what is the impact of this law. Has there been any reduction in the terrorist activities? What for is the Government bringing in an amendment? We expressed our apprehensions at that time. The apprehension of the entire Opposition was that there is enough scope for its misuse.

In Section 21 of the Act, there is the definition of terrorist activities. It has a wider scope. Section 21 says :

"A person commits an offence if :-

(a) he invites support for a terrorist organisation;

- (2) (a) to support a terrorist organisation; and
- (b) to further the activities of a terrorist organisation or
- (c) to be addressed by a person who belongs or professes to belong to a terrorist organisation;
- (3) A person commits an offence if he addresses a meeting for the purpose of encouraging support for a terrorist organisation or to further its activities;
- (4) A person guilty of an offence under this Session will be liable, on conviction, to imprisonment for a term not exceeding ten years or with a fine or with both."

So, if the Government's intention is to stop the misuse of this Act, the Government should have brought forward an amendment to amend Section 21. The Government is not doing that. Without amending Section 21 where there is wider scope of the definition of terrorist activities, the Government is bringing forward an amendment to give power to the Review Committee which was constituted this year in the month of March. When the Review Committee was constituted, a statement was made by the hon. Home Minister in the month of March. I would like to know whether the Government was aware that this toothless Review committee would have no effect in curbing the misuse of POTA. After six months, the Government is now coming forward to give more power to the Review Committee. I would like to know from the hon. Home Minister one thing. What is his experience in regard to the function of this Review Committee? Are the State Governments, which are blatantly misusing the provisions of POTA, cooperating with the Review Committee or not? What would happen after the amendment of Section 60?

Section 60 of Act says that the Central Government and each State Government shall, whenever necessary, constitute one or more Review Committees for the purpose of this Act. This was enacted in the year 2002. The Government felt the necessity to constitute a Review Committee after one year. What is the experience during that year before the constitution of this Committee? After the constitution of this Committee, what is the experience of this Government? Has it any impact on curbing the misuse of POTA by the State Governments?

16.00 hrs.

Sir, we expressed this apprehension on the floor of this House and on the floor of the Joint Session of Parliament, and within a month of enactment of this law, a leader of a political party belonging to the Ruling Coalition was arrested under POTA. What was his fault? Why was he arrested? That

leader is still languishing in jail. In spite of the majority of the Members of this House-more than 300 - signing a memorandum for his release, he is still languishing in jail. What terrorist act has he committed? During the period of eight months of existence of this Review Committee, what did it do in respect of this particular case?

Then, the Editor of a Tamil Weekly Magazine *Nakeeran*, Shri Gopal was also subsequently arrested under POTA in Tamil Nadu. I would like to know whether he was involved in any terrorist activity and whether his activities can be defined as 'terrorist activities' under POTA. He is also still languishing in Jail.

Sir, you will be surprised to know that in a small State like Jharkhand, 185 persons, the maximum in any State, have been put in jail under POTA. The number of persons arrested under POTA in various States are : Jammu and Kashmir - 89, Gujarat - 69, Tamil Nadu - 42, Delhi-38, Andhra Pradesh - 36, Maharashtra - 31 and Uttar Pradesh - 28. Till October this year, a total of 301 cases involving 1,600 persons have been registered. In Jharkhand, a boy of 12 years and an old man of 81 have been arrested under POTA. I would like to know whether, after the constitution of the Review Committee, there has been any impact on the misuse of POTA by these State Governments.

Sir, in the State of Gujarat, till October, only 69 persons have been arrested under POTA. and all these 69 persons belong to the minority community. In respect of the misuse of TADA, in Bankia case the Supreme Court observed in 1995 that just because the person belonged to a minority community, it could not be assumed that he was a terrorist and there should not be any revenge on political opponents.

Sir, the history of TADA is being repeated today, not as a farce, but as a civil liberty tragedy. What had happened during TADA regime? How many persons were arrested? More than 86,000 persons were arrested. When POTA was brought forward before this House, all of us in the Opposition parties fought tooth and nail against that draconian law. At that time, we were told it was necessary in order to curb terrorist and disruptive activities. During that regime, 86,000 people were arrested. Out of them, only 2,000 were convicted. Even those 84,000 arrested people were kept in jails for years together. Were their human rights and civil liberties not curtailed? Were the provisions of the Constitution not blatantly violated? The same thing is now being repeated.

During two years of the POTA regime, people have been arrested. Now the Government of India has constituted a Committee. Now he wants to give more teeth to the Review Committee by giving more powers in order to make it binding.

[Shri Basu Deb Acharia]

Why was that not thought when this Bill was brought forward that it would be misused by the State Governments against their political opponents? We have seen it in Tamil Nadu and Uttar Pradesh. In Andhra Pradesh also, an MLA belonging to the Congress (I) Party was arrested under POTA. Anything can be said under section 21 of this Act....(*Interruptions*)

We have seen that Prof. Syed Gilani was sentenced to death by court under POTA. On an appeal, he was acquitted by the High Court. This highlights the danger posed by this Act to ordinary citizens. He was convicted on the basis of a dubious telephone intercept that was admissible as evidence under POTA. But later on, the High Court found that there was no evidence against him and he was acquitted. There are several such cases of blatant misuse of POTA. The present Amendment is nothing but a cosmetic change. It will not change the situation. It will not be able to do anything in regard to misuse of the provisions of POTA.

Now the question is this. Is there any necessity for such a draconian law? Would POTA prevent terrorist activities? It has failed to do so. We have enough laws in our country. If those laws are utilised properly and if there is a political will, then only we will be able to curb the terrorist activities. The main intention of this Government is not to curb the terrorist activities but the main intention of this Government is to strengthen its hands by undemocratic law to have more power so that this can be used against political opponents. This is what we are seeing in Tamil Nadu.

Sir, the Chief Minister of Tamil Nadu was threatening to arrest one of the Central Ministers. She was threatening to put them under POTA. Even the Central Ministers are not safe. They are also being threatened to be put under POTA. Such a law they have brought, such a weapon they have given to such an undemocratic, fascist Government which is misusing, harassing and arresting the political opponents and the Central Governments is helpless.

With the experience that the Government has gathered during these two years, they should have brought a legislation to repeal the Act. Our demand is not to amend any provision of the Act. By amending a provision of the Act, the misuse of POTA cannot be stopped. Unless a legislation is brought to repeal this draconian Act, the misuse of such a black and draconian law cannot be stopped. The need of the hour today is that the Government should come forward to repeal the POTA. At least, the Government should listen to the voice of the people of our country as to whether there is a need for an undemocratic and draconian law or not. We have seen, during TADA regime, the abuse of TADA was a legion to a point that in a later case the Supreme Court intervened to express shock at its abuse and disappointment

over the review process. Several NGOs documented the abuse. After six or seven years a Review Committee, in case of TADA, was also constituted. What was the experience? What happened after the constitution of the Review Committee? What was the observation made by the Supreme Court? "The Supreme Court intervened to express shock at the abuse and disappointment over the review process." Same thing is happening in regard to this Review Committee. Even after amending the provision, giving more powers making the decision of the Review Committee binding on the Central as well as State Governments, there will not be any improvement in the situation.

Sir, in the case of Jharkhand, this Review Committee wanted a report when it appeared that school children were being arrested. Boys of 11 years, 12 years or 13 years of age were arrested under POTA. I think, they had a connection with the MCC or other such outfits.

MR. DEPUTY SPEAKER : Shri Acharia, you also have a right to reply. For this, only two hours are allotted and at 6 o'clock, the voting has to take place. Kindly speak on the amendment, not in general.

SHRI BASU DEB ACHARIA : If I am to speak on the amendment, I will have to speak....(*Interruptions*)

MR. DEPUTY SPEAKER : Speak on the amendment only.

SHRI BASU DEB ACHARIA : Unless I speak on the entire Act, such a black and draconian Act....(*Interruptions*)

[*Translation*]

SHRI PRAKASH MANI TRIPATHI (Deoria) : Today's subject is not the Act. Today one has to speak on the amendment.

SHRI BASU DEB ACHARIA : It is related to the Act itself. How can there be a discussion on the amendment without the Act. It is not possible that one speaks only on the amendment and not on the Act. It is being misused.

SHRI PRAKASH MANI TRIPATHI : There has been a discussion on the Act for four days. A joint session was also convened. It has also been discussed therein. But you are repeating the same thing.

MR. DEPUTY SPEAKER : Much has been discussed over the Act and a joint session has also been convened. But for now, we have to speak on the amendment only.

[*English*]

SHRI BASU DEB ACHARIA : Jharkhand has used the

Act indiscriminately, arresting women and children. POTA is used there against the Naxalite Groups like MCC and PWG. Justice Saharia has asked Governments of Jharkhand and Jammu and Kashmir not to arrest women and children under POTA. I would like to know whether the State Governments are following it. I would like to know whether there would be clash between the State Governments and the Central Government. What is the intention of this Government? Why do they want to continue with this draconian law? Our experience is that this Act has failed. We expressed our apprehension and we very clearly and categorically said, when this was brought before the House, that this would fail, this would be misused, the democratic right of the people of our country will be taken away, the right, which is guaranteed by the Constitution, will be denied. That has happened during these two years of POTA regime. That is why we all demand you not only to bring an amendment but also to withdraw this black and draconian Act. Repeal this Act. We will have to oppose, and we will continue to oppose, if such a draconian law is cast upon the people of our country. We will have to fight against the anti-democratic action of this Government. I demand that the Act should be repealed. Government should withdraw a draconian and black law like the Prevention of Terrorism Act.

[Translation]

SHRI L. K. ADVANI : Mr. Deputy Speaker, Sir, today this august House is debating the Bill to replace the Ordinance. After the spurt in terrorism in the country, not only in our country but in almost all the democratic countries, where there were no such laws, stringent anti-terrorist laws were enacted. In those countries laws are more stringent than POTA. In many democratic countries, there is no law providing for preventive detention. Detaining anybody without assigning any reason has never been accepted there. But, after the September, 11 incident of America, terrorism is being taken as if there can be no severe offence than that and so as to prevent it, such law should be enacted by keeping at bay all other provisions of rule of law. However, we did not do any such thing. Achariaji in his speech rightly referred to the Supreme Court judgement regarding TADA. It is right that Supreme Court in a TADA judgement had observed that the said law had been grossly misused and therefore, certain precautions should be taken, certain safeguards should be in place while making such laws. I am saying all this because our country specially Jammu & Kashmir and Punjab had been suffering from terrorism for the last two decades and now the people are fed up with it. That's why an atmosphere was created to enact laws to punish those who commit such crimes and to convict them in such an event. The Government, have never claimed that terrorism will be wiped out right from the day the POTA comes

into force. As nobody can claim that there will not be cases of homicide after the session 302 is in place. Similarly nobody has ever made a claim that terrorism will come to an end after the POTA comes into force. Anyway, at the time of replying to the entire debate, I will be in a position to say as to what extent we have performed and to what extent we have been able to control terrorism after the POTA came into force. At this juncture I can only state that POTA should not be misused. I can understand the views of Achariaji that he and his party will be elated if it is repeated. Why the Government had to take such an extraordinary step? The Government was forced to summon joint session which has normally never been done. This notion of yours is wrong. Acharaji had a wrong notion that the Government do not have majority there (in Rajya Sabha) so we convened a joint session. A joint session is called only when there is some difference of opinion between both the Houses. That House rejected the POTA. After that the joint session was called. It is not so that we called the joint session because we did not have majority. This is understandable but you may demand for a complete repeal even when the majority in the Parliament is of the opinion that a law like POTA is necessary...*(Interruptions)*

SHRI BASU DEB ACHARIA : No voting took place in the Rajya Sabha.

[English]

MR. DEPUTY SPEAKER : Are you yielding to him?

SHRI L. K. ADVANI : Sir, I am not yielding. I am merely telling him that the Bill was not accepted...*(Interruptions)*

SHRI BASU DEB ACHARIA : There was no voting in Rajya Sabha...*(Interruptions)*

MR. DEPUTY SPEAKER : Shri Basu Deb Acharia, he is not yielding.

SHRI L. K. ADVANI : If you have seen the Constitution, only when there is a difference between the two Houses - one House adopts a motion and the other House does not adopt it - only then, a Joint Session can be convened. We cannot convene a Joint Session only on the basis that the Rajya Sabha is not going to pass it. Only when the Rajya Sabha does not pass, it only then, the Government is entitled to call a Joint Session. It is after that.

It is a factual situation

[Translation]

that I am mentioning about.

[English]

This conception of a review committee was not made late. It is a part of the original Act.

[Shri L.K. Advani]

[Translation]

The difference in it is that there is already a provision of a review committee in three clauses and the decision of the review committee is normally binding, but there was some doubt about the review committee provided for in section 60 as to whether its decision would be binding or not. As far as the review committees of the states are concerned and also the many cases of abuse including that of one of our Member of Parliament who was arrested under this Act, I believe, the entire House felt that the arrest was not justified. The Government have filed an affidavit in the court clearly stating that the arrest in question was not justified and for this reason, the matter was referred to the review committee.

[English]

SHRI DALIT EZHILMALAI (Tiruchirappalli) : What is there for the Central Government to say when the State Government is enforcing the law? Enforcing the law is in the hands of the State Government.

SHRI L. K. ADVANI : Yes, it is.

SHRI DALIT EZHILMALAI : Then, where is the question of the Central Government going to file and affidavit in the Supreme Court?

SHRI L. K. ADVANI : Therefore, let us understand that so far as law and order is concerned, it is merely this law, POTA, but even the simple provision of the Indian Penal Code can be abused by any Government. I can give hundreds of examples. In fact, here in this country we have a provision in the law or in the Constitution which is of a draconian nature. Article 356 is a provision in the Constitution which perhaps no other federal Government would accept. It is nowhere in other federal Constitutions, but we have it in the Indian Constitution.

I remember this. You go through the debates of the Constituent Assembly. There were Members of the Constituent Assembly who said that this would be abused. The then Law Minister, Dr. Ambedkar expressed the hope that this would remain a dead letter that it would not be abused, that it would be used very rarely. What has happened actually?

SHRI BASU DEB ACHARIA : It is abused.

SHRI L. K. ADVANI : Yes, but let me tell you that when we came to power, I was in the Government. We came to power after the Emergency. A proposal was made to that Government to repeal article 356, to repeal article 352, and we did not agree because we felt that the Constitution makers had been essentially correct in wanting provisions like articles 352 and 356.

Shri Basu Deb Acharia, I am telling you that simply because a law is abused and, therefore, that law should be repealed is an approach that no Government can adopt, though every law should not be abused. I am happy that at least when Shri Basu Deb Acharia spoke, he did not make any allegation that this particular law of Prevention of Terrorism Act (POTA) has been abused by the Central Government. He referred to certain State Governments. It has not been abused... (Interruptions) I am not yielding. I am merely mentioning the fact (Interruptions)

MR. DEPUTY SPEAKER : Nothing will go on record except the speech of the hon. Minister.

... (Interruptions)*

[Translation]

SHRI L. K. ADVANI : I would like to submit that the safeguards have been provided in the original Bill about which the Supreme Court had made mention with regard to TADA. Then we felt that there is a provision in section 60 under which the Central Government as well as the State Governments can constitute review committees. The review committee will decide as to whether the Act has been used against terrorists only or for some other reasons. We felt that although, a provision has been made but somebody can say that it is advisory and not binding.

[English]

This particular provision which has been brought in is for two purposes.

[Translation]

I would like to make it clear that if the review committee comes to a conclusion that the law has not been used for the purpose for which it was made, then the decision of the review committee shall be binding on the State Government or the Central Government, as the case may be. In case a complaint has been referred to both, the State committee as well as the central committee and both the committees have different opinions, then for such situations, per the promulgated ordinance going to be replaced by the Bill by the House, the decision of central committee will prevail. There is nothing new in it as this provision, existed earlier also. I understand what the hon. member is saying. He would like the law to be repealed altogether to which the Government is not agreeable. The Government believe that terrorism is still a serious problem in the country and such stringent law is must to deal with the problem and it should be maintained. However, we should keep on trying and our Parliament must be in agreement on this point, that no Government should misuse this law, neither the Central Government nor any State Government and this law has been brought with this

view. I hope that some people may not be in favour of POTA, but they would certainly support the steps being taken to prevent the misuse of POTA and these steps should be taken.

[English]

SHRI PRIYA RANJAN DASMUNSI (Raiganj) : Mr. Deputy-Speaker, Sir, I have heard the response of the hon. Deputy Prime Minister to the disapproval notice moved by Shri Basu Deb Acharia.

First of all, I would like to make one point very clear. From our party-and I hope, rest of the Opposition - we have no two opinions about the fact that we have to fight terrorism together in this country. Our party is second to none in the desire to see that the roots of terrorism, be they within India or outside, are completely eliminated. I would like to repeat it today that our party has been the greatest victim of terrorism in this country. In the beginning, we lost Mahatma Gandhi in the hands of religious terrorists. Later, we lost Shrimati Indira Gandhi and Shri Rajiv Gandhi. We have also lost to terrorism many innocent civilians, jawans, BSF personnel, politicians and social workers. Every day, they are losing their lives. So, the entire Parliament is against terrorism. But can terrorism be dealt with only by law and by no other arrangement or no other mechanism? I will come to that point later because the time is limited and I cannot lengthen my speech.

At least - or, at last - hon. Deputy Prime Minister has conceded that there is misuse of POTA. When I got the first Ordinance notice in my office on the powers of the committee to review POTA, believe me, - and do not take it otherwise - I found it more to be a review of their coalition exercise than a review of POTA. I know the position of the Deputy Prime Minister. He is in a Catch-22 situation, caught between two of his friends in Tamil Nadu. For keeping one side happy, he has to say that they are reviewing it and giving powers to the committee to review it. Ultimately, if that committee is satisfied, it would give directions to the State Government and the directions would be mandatory. I know his problem. He should not try to sell his problem as the problem of our country.

All of us respect our distinguished colleague Shri Vaiko. We may not agree with his political philosophy. We may not agree with his public speeches. But those are different issues. As a distinguished Member of Parliament, elected by the people, he is confined in a jail. They sent their Ministers to see him. None less than the Minister of Defence, who is in charge of the security of the nation, was sent to see him. They genuinely felt that it was a wrong doing on the part of the Government of Tamil Nadu. Why should he send his colleague the Minister of Defence to call on Shri Vaiko in jail,

who according to their Act is technically a POTA detenu? It is because politically, he is friend to their coalition and is a partner. I understand that you are in a catch-22 situation. Mr. Deputy Prime Minister, you have very nicely said that after all, who abuse the power? It is not the Union Government. It is true. Your jurisdiction is limited to Delhi. But to take people into custody under POTA is up the State Government - whether it is Gujarat, Himachal Pradesh, Uttar Pradesh or any other State. Therefore, you have very nicely conveyed a message to another partner, DMK, that it was an exercise so that they console themselves. But, at the same time, you convey a very intelligent message to other partners or other friends from outside, on issue-based support, that ultimate power lies with you. If you do not give direction, it will not be mandatory on you. So, that way, this is a very wonderful exercise.

I should say, Mr. Home Minister, that you are laying a precedent for the future that if at any time we are in coalition and we face such kind of a problem, we should follow your pattern and that our name will go in history. I should honestly admit that.

Mr. Deputy Prime Minister you ruled out all our apprehensions when POTA was brought here. Did we not say it could be, misused? Did we not say it could happen? At that time possibly your IB checked up the dossiers of the Chief Ministers of all the State Governments and did not report you correctly at that stage that it could happen in Tamil Nadu in the case of Vaiko because at that time, if I am not on record, your Minister of Law had the capacity and competence to say that the way the then Governor, Fatima Bibi had asked Jayalalithaa to take the Office of Chief Minister was wrong. One of your colleagues said, wrong and the poor lady, the Governor, Fatima Bibi, the Muslim lady, a former jurist, had to go in oblivion. At that time, you forgot review, you forget anything because you were solid with one and you did not want the other. When you found things were crystallising from both fronts, then you thought how to dispose this case of Vaiko? I think, the Vaiko case compelled you to bring this Bill. It is a wonderful political exercise. I do not know which side my friends from Tamil Nadu from both sides will play their role today; during the time of voting only we will understand which side they will vote.

The DMK Party's leader, Shri M. Karunanidhi, was badly assaulted and hacked two years back. Then, again, the Union Government rushed to make comment whether this hacking was right or wrong. He brought his party to the street demanding the repeal of the Act.

I understand yesterday, an Adjournment Motion was moved and something was there in the media for the repeal

[Shri Priya Ranjan Dasmunsi]

demand. If something has not changed within the last 24 hours and if you are successful to convince them that this will ultimately help them, and at the same time you have told telephonically to the Leader of the State Government that it will also help them, unless that kind of exercise has been completed, I do not know the fate of these two parties in regard to this Bill.

Now, I am coming back to my Party. Yes, we have been in Office for the last so many decades. We do not deny the fact that it is we who introduced the Maintenance of Internal Security Act (MISA), it is we who felt that substantial misuses had been done and it is we who introduced TADA and saw the approach of the Supreme Court and TADA's effect - use and misuse. We brought the repeal. We do not deny it. As an Opposition, what can we offer to a Government? Only you can offer. We are not in Opposition just for Opposition's sake. We are in Opposition. Having been on that side more than you and you are a Ruling Party having been on this side more than us, we can afford to share our experience and wisdom with you. It is up to you whether it or reject it.

We did say it candidly, without hiding any fact. Yes, we used TADA; we used MISA. We felt these were the dangerous things. At the end of the day, we felt sorry and we brought repeal Bills. We said it.

Now, Mr. Deputy Prime Minister, you say in the Statement of Objects and Reasons of this Bill - "in order to have an effective safeguard". Till Shri Vaiko was detained, it was only a 'safeguard'. Now the additional word 'effective' is added. The Deputy Prime Minister of the country, in charge of internal security dealing with terrorists, felt only a year before 'safeguard' is enough. Now he understand by the experience that if 'effective safeguard' is not given, the coalition may be at stake.

What is effective safeguard? Effective safeguard is 'likely misuse of the power conferred by this Act'. Again, I should say one thing to the hon. Deputy Prime Minister. Sir, you are wise, you are intelligent not to say 'misuse was there'. You said 'likely misuse, if something is done tomorrow'. But, unless a Government is convinced misuse is there, how can the Government come forward with an amendment? If you apprehend 'likely misuse' today, then what did you do when the Congress Party, Shri Mulayam Singh Yadav, the RJD and everybody said about likely misuse? You said- no. You have to explain the justification of it. I am not taking it lightly. You have to explain what is that apprehension. You yourself said the State Governments will execute, and in most of the cases it is the State Government and not the Union Government.

Do you feel it was a misuse in Gujarat or it was a misuse in Tamil Nadu? Let us candidly share it. We want to share

your experience and wisdom. In one case of Gujarat you found 'X' number of people of a particular community could be dealt with under POTA and in other case you found they could be dealt with under POTA, till they got a stricture from the Supreme Court about the performance in the Best Bakery trial. Twice the Government got strictures and yet you felt POTA is not enough for Shri Modi to detain him also under the same Act. Do you feel that it was a misuse? What is your experience? You share it with us. If say - 'Yes, as a Deputy Prime Minister even I feel that it was a misuse in Tamil Nadu, it was a misuse in Gujarat, it was a misuse in Jharkhand where the school children were held under POTA, it can be a misuse tomorrow elsewhere and that is why I came up as the Deputy Prime Minister, forgetting all shades of public opinion and political opinion and as a custodian of the Constitution, being the minister in charge of internal security, I brought the amendment' then I can justify and I can rethink and I can convince our Party colleagues that - 'yes, the time has come; the Home Minister has shared his wisdom and experience with many other State Governments' activities with the Parliament and let us reconcile, let us not straightforward outrightly reject it'.

But you are not doing so. You said 'likely misuse'. It was not a misuse then. Then, what happened in Jharkhand with regard to the school children? What happened in Gujarat? It was not misuse!

I tell you, Mr. Deputy Prime Minister, in a few States - I will not tell the names and the Chief Ministers are all respected persons and I will not bring their names also-the Members of this House, cutting across party lines, apprehended fear that if they go too much, they may be brought under this Act. They felt it. If some of them have conveyed to you their fears and for that reason you brought it and you do not want to disclose them, I do not mind. But at least, if you share it sincerely with us, I will understand your objective sincerity of bringing in this amendment.

Sir, how to fight terrorism? I am not a master. The entire country, the people of India should be motivated to fight terrorism. The defence of the country is not men in uniform with guns. The defence of the country is its foreign policy; the defence of the country is its economic policy; the defence of the country is its human resources and the defence of the country, above all, is the patriotism.

Now, you want to fight terrorism. Mr. Home Minister, this is not the occasion to ask you questions like how many have been arrested, how many have been killed and the like. I do not want to do that. It is a political thing.

Mr. Deputy-Speaker, Sir, I had been to Qatar, Doha. My colleague, Shri V.M. Sudheeran happened to be there on

that day. I repeat it. You can check it from your intelligence agencies. The North Indian Community gave me a reception. It was not on political ground. Since I just went there, they wanted to share their business feelings etc. with me. The very same day, I had the occasion to get an audience with the *heir apparent*. The North Indian community told me that they were all happy and they were doing better jobs there. They told me that India is supreme there, but also said we are worried on one score. On being asked to elaborate, they said that Government's overtures to Israel would make the people of Indian origin working in Arab come taks open for suspicion'. This was only a sentence. I took it very seriously. I thought whether it was something that we were doing wrongly. Then, I checked up. The United States took all initiative for the so-called peace accord etc. etc. One of their companies is Coca Cola which originates from Atlanta. In my sports' connection, when I asked Coca Cola 'Do you sell Coca Cola in Israel?', they said 'No, we do not. If we sell Coca Cola in Israel, Coca Cola will not be consumed by rest of the Arabas.' So, America does not mind that. They do not sell Coca Cola in Israel because they lose the market in the rest of Arab countries.

Hon. Deputy Prime Minister is one of the architects of improving our relations with every other country and I thank him for that. If he does that in the interest of our country, why should we object to it? But I think, the Government's policy deviation from time to time is creating a situation where the youngsters of the country, if it is not dealt with seriously, will misunderstand me, you and all. What is that point? The point is that in the North-East, you are in dialogue with NSCN. It is true that we support it if there is a peace accord. But if you have a dialogue without involving the political forces, who at the cost of everything embraced India, *ashok stambh* and flag of India saying 'Yes, we are with India. We are not with anybody else.', it is not good. If their confidence is not maintained and if they are killed or abused day in and day out and they have the fear that Manipur will be expanded or reduced, or Nagaland will be expanded or reduced, it is not good for our country. Do you think that simply signing an accord will bring an end to terrorism and do you guarantee that new outfit will not begin? Mr. Deputy Prime Minister, you are lacking there.

I met very important functionaries of the North - East. They conveyed to me that they were the first to embrace Independent India and joined with Pandit Jawaharlal Nehru. They said that now, such things were going on and they were not even consulted about the fashion in which things are proceedings. One person, Shri Padamanabaiyah, a retired bureaucrat, can bring one paper from Issac Muivah, but if thousands of people of the North-East are not taken into confidence, I think that is not enough.

Now, I come to the problem of Naxalites. You may not call them terrorists or extremists. Did you consult the concerned Government of the States - be it West Bengal, Andhra Pradesh or Maharashtra - about the latest status of land reforms there? Naxalbari began from the border of my constituency. I can tell you hon. Deputy Prime Minister that where there is a genuine land settlement, genuine land reform, the Naxalite problem did not carry on for a long time and where there are still false *benami* landholders, *zamindars* exploiting the *kisans*, this problem is persisting there. You can have a meeting with the concerned State Government to look at what the progress of land reforms in their areas is. You cannot simply bring an act and say that everything will be solved if I am armed with this Act. No, this is not the case. Mr. Deputy Prime Minister, internal security is such a thing that you should be impartial. You are our Deputy Prime Minister also. When I wrote a letter to you, you acknowledged it. but you did not act on it.

I can cite examples from your own POTA. The provisions of the POTA are applicable to some of the outfits, which are outside Parliament, which are inciting the people in the name of religion, challenging the Office of the Prime Minister and threatening the Parliament by saying that if what they want is not done, they will do this and that. None of them was taken cognizance either by you or by any State Government. I do not want to take their names as long as my firends from the other side do not interfere or irritate me. The Home Minister knows who they are. Even if the Home Minister wants to protect them, at least, the Prime Minister knows who they are.

They are speaking horrible kinds of things. I can understand if Azhar Mahmood speaks like that in Pakistan that unless he gets what he wants, he will do this and that in the name of Islam. India is a secular country where there is democracy. In spite of this Act, how can the leader of a particular religion go on saying, "I will train you like this. First, I will begin with *Trishul*, then we will train you in handling shotguns. You have to do this. If it is not done, we will do that." The photographs of the shotguns were published in newspapers. Forget about looking them under POTA. There was not even a reprimand by the Union Government or, at least, by their party functionaries. This is not the way to run the things. This is what is happening in the country.

I know that most of the terrorist activities - why most, almost all -- are being perpetuated and backed by Pakistan. What is the international opinion about this? Till the World Trade Centre in America was attacked, the issue of terrorism did not take any international dimension. Okay, they are a big country and it is their problem which they will deal with. However, till this date, is there any international opinion or initiative which has been taken to see that Dawood Ibrahim

[Shri Priya Ranjan Dasmunsi]

is sent back to India? You could not bring back Dawood Ibrahim, and you could not bring back Abu Salem. When Shri Ram Jethmalani was the Law Minister, you had signed a Treaty with UAE. Till today, you could not even ask Mr. Tony Blair or others that do not do anything, but at least, condemn Pakistan, which is patronising those people. They do not condemn it. I can refer to the record in the House of Commons. When this question was raised there, he did not condemn it. He did not refer to it by name. He said, "We oppose terrorism in whatever form it is." It is a vague statement; it could be given by anybody in the street.

I am talking about the Government of India...*(Interruptions)*

[Translation]

DR. VIJAY KUMAR MALHOTRA (South Delhi) : You speak on the Amendment.

SHRI PRIYA RANJAN DASMUNSI : If we propose the statement of the Congress party on your advice, then how it will serve the purpose.

[English]

DR. VIJAY KUMAR MALHOTRA : You have not spoken one word on the Amendment.

[Translation]

SHRI PRIYA RANJAN DASMUNSI : They do not have the patience. How so ever, good discussion may be initiated.

[English]

I am coming to the Amdnment...*(Interruptions)*

[Translation]

What pleasing has to do with it?

[English]

I am not going to please you. I am going to please my conscience. I am going to speak till the time the Deputy Speaker, and not you, permits me to speak. You can please Shri Togadia, but I am not going to be pleased by you.

Mr. Deputy-Speaker, Sir, in spite of the strong measures that were passed in a Joint Session of the Parliament, ultimately, the authority and the power is left in the hands of the State, and they can be misused in a draconian fashion. In this context, yesterday, a gentleman was allowed to come to Parliament in the afternoon, but by late evening, another Bench stopped him from attending the Parliament Session. I agree with it and I am not questioning the *bona fide* of the judiciary. I am talking about the threat posed by the misuse of this law.

If you feel genuinely that fundamentalist forces are

spreading terrorism from across the border of Pakistan in the name of a particular religion, they should be dealt with ruthlessly. I agree with you on that. However, if a sitting Minister of the Government, before he resigns, openly says that international Christianity is creating problems in this country and that he is a victim of that, that is not a healthy sign of a Government. The Government has to deal with these things very carefully.

The Home Minister brought this amendment only to impart some credibility to POTA. However, the entire Opposition - I do not know about DMK and AIADMK - refuses to impart that glory to the credibility of this draconian law. The Government, therefore, should withdraw POTA lock, stock and barrel. The Government should bring a repeal Bill before the House. The Government should revise its policies internationally, economically and socially. If the Government uses a law against fundamentalists who spread terror. It is only then that the sincerity of the Government will be recognised by the people of the country.

[Translation]

SHRI PRAKASH MANI TRIPATHI (Deoria) : Mr. Deputy Speaker, Sir, I am on my legs to support the Prevention of Terrorism (Amendment) Act, 2003. It is a very simple Bill. Hon'ble Minister of Home Affairs has covered a lot of ground while speaking on this bill. As such there is no need to go in detail on the same. Especially I understand that if two hours time has been allotted for this Bill out of which one hour has already been taken, then none else would get a chance to speak...*(Interruptions)*

[English]

MR. DEPUTY SPEAKER : Shri Prakash Mani Tripathi, they have 24 minutes to their credit and there is no other Member to speak from their side. The hon. Member took two minutes more than that. Please do not pass such insinuations against the Chair.

[Translation]

SHRI PRAKASH MANI TRIPATHI : This is all right. But is Coca cola not being sold in Israel? Better land reforms should take place in naxalite movement. There is a deviation in the subject. The entire House knows it that there is a deviation in the subject. I am not the one who is deviating from the subject. This is what I am telling you. Das Munshi Ji has asked several questions. One of the questions he has asked is that whether terrorism would come to an end with the enactment of law? No body has claimed that terrorism would come to an end with the enactment of law. But should we not enact laws due to that reason. This is law abiding country. Here should we stop enacting laws due to that reason? Killings are taking place despite existence of section 302 and as should section 302 be removed? What type of argument is it. I do not understand it.

He has asked one more question that our government is in catch 22 situation. The fact is that at present the opposition is in Catch 22 situation and that situation is that one Act was enacted about an year back. It is being said that government is not sensitive. The fact is that government is very much sensitive. In the Act that was enacted about an year back, some shortcomings have been noticed. If the Home Minister stands up and shares the same with the opposition, it is upto him. I accept that respected Dasmunsiji has said that everyone noticed those shortcomings. Those drawbacks are not required to be discussed in detail. This sensitive government issued a notification thereon in the Gazettee of India Extraordinary. It was issued after keeping all that in view. It has been issued based on the experience. We can quote such examples about the laws enacted in the year 1981.

17.00 hrs.

Such laws have been enacted which have changed the demographic profile of East India. Those laws have not been changed till date. It is our government, which thinks that if there is any shortcoming in the said law they are ready to remove that. But a major shortcoming which we are discussing - if there is slight digression from the subject that hardly makes any difference - but there does exist one shortcoming; the entire House knows that our government is committed to stamp out terrorism from the country. Not only this but it is also committed to devise instruments and frame the laws required to stamp out the menace of terrorism from our soil. Our government is also determined to ensure that instruments meant to deal with terrorism are not misused and these three aspects will have to be taken into account. There is no contradiction in it. The entire House agrees that the entire country is in the grip of terrorism and a stringent law is required to deal with this problem and the government have no intention to scrap the stringent law enacted to deal with it but we will ensure that no inconvenience is caused to the common man because of this particular law. That is why this amendment has been brought. It is a very simple thing but this is the characteristic of my friend who spoke before me on this issue to make even simple things complicated. It is not a big issue, it is a simple issue. On the one hand we need stringent laws to deal with such alarming problems. It would be better for the leftist parties not to talk of democracy. What sort of democracy is being run in countries where terrorism is growing in such proportion?...*(Interruptions)* A message had been going out from this House and that message is that we should tackle terrorism must proceed alongwith promoting human rights. I have read in the newspapers,

[English]

This POTA is a joke".

[Translation]

I have read this in the newspapers and the people who are not fighting terrorism or who have not fought it or who have not seen the ugly face of terrorism it could be a joke for them but for us terrorism itself is the biggest joke and if we will not understand its severity then we will have to face it time and again. Today's topic of discussion is not scraping of 'POTA' It has already been discussed in detail. This has been debated for 5-6 days. The Government was committed to bring 'POTA' and it is committed today also, 'POTA' or any other instrument required to deal with terrorism cannot be scrapped. Therefore, it is of no use of talk about that. Today we only want to discuss as to how we can balance the said law so that the state governments may not misuse the said law arbitrarily. When the right of balancing the said law is being conferred on the Union Government infact this right is being vested with the Parliament which will see in its wisdom that atrocities are not committed against anyone.

17.05 hrs.

DR. RAGHUVANSH PRASAD SINGH *in the Chair.*

This is a simple law enacted by effecting amendments in section 60. Two three more provisions are being added in the said law. I quote the proposed provisions :

[English]

"Without prejudice to other provisions of this Act, any Review Committee constituted under Section 1 shall, on an application by any aggrieved persons, review whether there is a prima facie case for proceeding against the accused under This Act and issue directions accordingly."

[Translation]

i.e. in case even there is little suspicion initially then as per the provision which is going to be made the matter would be settled then and there and it would be ensured that the person in question is not harrassed at all. Committees can be set up at state and central levels. Incase there is difference of opinion between these committees in this regard on some count or the State Government wants to do something arbitrarily, in that case the will of the cetnral government or say this House will prevent upon. These are very minor things which have been raised here. Catch twenty two situation is being talked about, it is being said that this law was opposed vehemently at the enactment stage itself. Now shortcomings arousing out of the said law are being deliberated upon and efforts are being made to provide relief to the persons in question. What should be done in this regard? Should this

{Shri Prakash Mani Tripathi}

be opposed? As per my mind all are agree that there is no law or amendment which can remove all problems. Nobody has such a panacea. But this is a step which this sensitive government has taken keeping in view the shortcomings noticed therein. First it was done through gazette notification and now a Bill in this regard has been brought here. I would like to say that the House should pass it as early as possible.

[English]

DR. M.V.V.S. MURTHI (Visakhapatnam) : Mr. Chairman, Sir, the Prevention of Terrorism (Amendment) Bill, 2003 is to relax the existing POTA.

Formerly, there was no provision even to review an alleged offence by any of the detenu. Now, at least this amendment, brought forward by the hon. Deputy-Prime Minister provides a way out. So, this is an acceptable and a welcome sign.

I would like to say that this is a very stringent law. Okay, it is accepted. But at the same time, even after having deterrent laws and stringent provisions, terrorism is on the increase. Now, we are not able to curb this.

Recently, our hon. Chief Minister, Nara Chandrababu Naidu was attacked by terrorists. Even then, POTA was not imposed. When such crimes are occurring, if such laws are there, at least it would work as a deterrent. So, we need not object to it. But at the same time, it should be used very judiciously. I have no two opinions on this. The law should exist, but we should use it judiciously.

I will tell you. Our Chandrababu Naidu was not willing to use POTA. Earlier, one of the MLAs was arrested. One of the hon. Members said that she should be arrested under POTA. But the Chief Minister said, 'no' to that. Konda Surekha, MLA, Andhra Pradesh Assembly was arrested. There was a suggestion that she should be booked under POTA. Immediately our Chief Minister said, "We do not use POTA simply because somebody else said so". To give the benefit of doubt, we do not use it. If there was a strong case, maybe, we will use that. That was the stand he has taken. He did not want to use it to politically suppress people.

Today we are having so many problems. All our energies are being wasted to track down terrorists, extremists, naxalites and all such people. What is wrong in having a law for this? Basically, we should not object to this law simply because the present Opposition Party, when it was in power, had introduced TADA, MISA and such other draconian laws. We should accept it since it is in the interest of the country. At the same time, if its certain provisions are misused, we should object them.

An amendment to section 60 will provide for a review by the State Government and the Central Government but review by the Central Government will be final. I do not see any problem in accepting this amendment. I strongly feel that we should pass it. There may be some shortcomings. We should not bother about them. As and when we find any shortcomings, Parliament can review it and bring more amendments. *Prima facie* we should not say that POTA should be repealed. This is not a wise decision. I feel that we should pass this amendment without much discussion. Thank you very much for the opportunity given to me.

SHRI VARKALA RADHAKRISHNAN (Chirayinkil) : On behalf of my Party, I may be allowed to speak.

MR. CHAIRMAN : Shri Basu Deb Acharia has moved the Motion.

SHRI VARKALA RADHAKRISHNAN : He has moved the Statutory Resolution. I have also given a notice for it. I have a right to participate in the discussion.

I very much plead for the repeal of the statute *in toto*. There is no justification for continuance of this statute in a democratic India. I will speak on two lines; firstly on the residual issue of Ordinance.

Ordinance is provided as an extraordinary measure. Only in unforeseen, unexpected circumstances this power can be made use of by the Executive. Here is a case when the situation was there in existence long before. I shall refer to a statement by the hon. Deputy Prime Minister on the floor of the House.

"Although a *suo motu* statement made by Deputy Prime Minister Shri L.K. Advani in the Lok Sabha made it clear that the committee was appointed under section 60, its brief went well beyond what was envisaged by the Act. Nothing Members' concerns that the provisions of this law were involved "even against such persons" and acts which do not fall within the ambit of this law."

Shri Advani had admitted that the matter was serious enough to warrant an invocation of the Central Government. So, the Government was fully aware of this position when the House was in Session last time. It was a lengthy Session. The Government did not take any action to amend this law. So, it is highly improper and undemocratic to pass a statute like this through an Ordinance. It could have been done after a full discussion in the House and then it could have been passed. Such a course was not followed by the Government and hence it is against the democratic principles and I oppose this Ordinance.

What was the purpose of this Ordinance? Its purpose was to prevent terrorism in the country. I do not argue that terrorism can be effectively controlled by a mere statute. I am not mad enough to say that terrorism can be controlled through an Ordinance. It is not possible. Take the case of implementation of POTA in the country. What exactly has happened? There is nothing more than misuse. There is history behind this statute. Earlier, Shrimati Indira Gandhi had introduced the Maintenance of Internal Security Act which was thoroughly misused.

Another statute was brought in TADA. That was also thoroughly misused. The Supreme Court ruled that this law should be abrogated. That was also the advice of Law Commission. So TADA was misused and MISA was also misused. Now following the very same procedure, the POTA is being misused.

I may be permitted to quote some of the newspaper reports. *The Tribune* dated 23rd October, 2003, published from Chandigarh reported :

"The political intent in the bazaar misuse of POTA was glaring when Raja Bhaiyya was arrested in Uttar Pradesh by Ms. Mayawati and then released by Mr. Mulayam Singh Yadav soon after he took over as Chief Minister. The Jharkhand government has rounded up over 700 people under POTA, some of whom are school-girls, whose parents are too poor to bail them out. In Gujarat, Mr. Narendra Modi has invoked POTA against 123 Muslims for the Godhra carnage. Amazingly, POTA, once regarded as a panacea for the source of terrorism, has become a remedy worse than the disease.

In Gujarat, POTA was invoked only against Muslims by Shri Narendra Modi. That is the position.

Now, what happened in Tamil Nadu? In Tamil Nadu, it was even threatened that the Union Minister, Shri Kannappa will be booked under POTA. That was the newspaper report. Shri Kannappa was not prepared to go to Tamil Nadu as he was afraid that he would be arrested under this statute.

The Central leadership of NDA Government, namely, BJP is maintaining a very strange relationship in Tamil Nadu. They will be having day-long bed-lock relationship with the DMK and in the night, they will stay with AIADMK. That is the position...*(Interruptions)*

DR. V. SAROJA (Rasipuram) : Sir, this should be expunged ...*(Interruptions)*

SHRI MANI SHANKAR AIYAR (Mayiladuturai) : Sir, there is nothing wrong...*(Interruptions)*

SHRI VARKALA RADHAKRISHNAN : I must tell that the law is equal for all. What actually transpired in Chennai yesterday? My friend, Shri Vaiko was taken into custody and he is under central prison for many months now. He could not attend this House. It is a privilege of a Member to attend this House when this legislation is being discussed. He applied for permission to the Special Court. The Special Court rejected his petition. Then the matter went through a Special Leave Petition before the High Court. The single judge bench after hearing him for two-three days, gave the orders to the Tamil Nadu State Government to permit him to attend Session. This order was issued at 3.00 p.m. Now we all know that some procedure is required if this order is to be challenged. But the Madras High Court did not go into all these procedural matters. Will a common man get a decision like this because the decision was taken 11.30 p.m. It is unheard of in the judicial history. It is unheard of because of this Ordinance. Such a situation has come when even the Member is denied his privilege to attend this House. At 3.00 p.m. an order was passed by the single judge bench and at 11.30 p.m. it was set aside by the two-judge bench. It is very wonderful and fantastic! I would like to know from the hon. Minister as to why should we have this statute retained.

Now, almost all the papers like *The Hindu* and other traditional papers who are fighting for human cause have said that this law should be thrown out. In their editorials, almost all leading papers of our land have asked the Central Government to throw out this Ordinance. This can do nothing but cause havoc to democracy. It has created a situation in which no man is in a position to sleep freely.

The fundamentals of the Indian Evidence Act is also abrogated in the sense that if a confession is made before a police officer, it is inadmissible in evidence as per the provisions of the Indian Evidence Act. But as per this Act, a confession which is made before a police officer is admissible in evidence. That is against the provisions of the Constitution. A man cannot be compelled to give evidence against him. Here is a case wherein a citizen is compelled to give evidence against him. That also is being done by the statute. So, there is no justification for the continuation of this statute in our land.

I have great regard for our hon. Deputy Prime Minister. Let him understand that he should do nothing as injustice. I request him to withdraw the Ordinance without delay and do justice to parliamentary democracy in India.

[Translation]

SHRI RAMJI LAL SUMAN (Firozabad) : Hon. Chairman, Sir, the House is discussing on the prevention of Terrorism

[Shri Ramji Lal Suman]

Amendment Bill 2003. In his initial speech, the Deputy Prime Minister and Home Minister of the country tried to give a message that the POTA was enacted to combat terrorism. When the fact came to light that it is being misused, the Government of India constituted a POTA Review Committee. As for the terrorism, I think, if the Government gives the message that it is a combating the State sponsored terrorism, this is not justified at all. It is not the Government only which is combating terrorism, it is rather the entire country which is fighting with terrorism. All the major political parties in this House are with the Government on the issue of terrorism. To give a message that only they have waged a war against terrorism is not justifiable at any cost. I would like to say with all humility that the intent with which the POTA was enacted it was presumed that it would be used against those involved in terrorist activities but that purpose is not being served. I do not know what figures the Government have with them, but I think that the intent with which the POTA was enacted has failed to have as much psychological impact on terrorists as we had expected. Anyway, we are with the Government on the issue of terrorism.

As for the POTA Review Committee, when a Joint Session of Parliament was convened on 26th March, 2002, the Home Minister gave an assurance that the POTA would not be misused at any cost. We had expressed apprehension that the POTA is against the spirit of the Constitution, it is against the spirit of Democracy, it would violate the democratic rights of the common man, but Advaniji took a firm stand that time that they have reviewed the loopholes existed in the TADA and all other related laws and they would not allow POTA to be misused. To be very frank that the Central Review Committee which is constituted now is only a sham. When the members of the MDMK and the DMK strongly raised this issue that the POTA is being misused and the Government was pushed to a tight corner on the issue of the arrest of Vaiko and other issues thereafter the Government had to constitute the Central Review Committee. How far the Government is interested in combating terrorism and how far the Government is determined on this issue, I do not know about these things but I do know that the first priority of the government is to run the Government, by hook or by crook. This is the sole intention of the Government and nothing else.

Mr. Chairman, Sir, it was repeatedly said that the Government would not let the POTA be misused. One Hon. Member of the C.P.M. was repeating this thing and he is very right. We were put behind the bars during emergency and we ourselves were the sufferer of the laws like D.I.R. and MISA. We know as to how far these laws were misused but even then we are not ready to learn a lesson from all that. Shri Dasmunsi has spoken on the POTA but it seems, he is not ready to learn a lesson from the TADA. Thousands of

innocent people languished in jails and the rate of conviction was near 'Zero'. We are not willing to learn a lesson from the TADA. Now the situation in the entire country is that people are of the impression that the POTA is not being used against terrorism but is being used for taking political revenge and there is not any other reason.

Mr. Chairman, Sir, Shri Advaniji accepted in Bilaspur on 23.02.03 that it was being misused. Shri Harij Pathak had informed in this very House that 682 people were arrested under the TADA. There are reports of its misuse in most of the cases. As I had submitted earlier that when the issue of POTA was brought before the House, all the political parties had expressed apprehensions on the basis of past experience that the POTA would be misused. Nariman, an Advocate had also said that we did not need such a law as we have already the N.S.A., 1980. I think if the Government really wants to deal with any situation, it has the power and capability and also the law to deal with that situation.

Names of several states were mentioned during the course of discussion, but I level a charge that the POTA was mostly misused in the BJP ruled states or where the allies of the BJP are in power. May I know as to why as 12 year old boy Gaya Singh and on 81 year old man Rajnath Mahato were arrested under the POTA in Jharkhand, where the BJP is in power. 234 people were lodged in jails and 104 people were released at the instance of the Review Committee but these innocent people have had to languish in jails. Their families were put to trouble who is responsible for all that? It is very easy to say that we were able to arrest them and after ensuring that they were not involved, we got them released. You can imagine for yourself as to what extent these poor people were put to trouble.

Mr. Chairman, Sir, Ms. Jayalalitha had arrested Mr. Vaiko in Tamil Nadu. What is more important here is that Ms. Jayalalitha had spoken of arrest of Shri Kannappan a Union Minister also in addition to Shri Vaiko. She not only said so but also wrote to the Prime Minister that she would arrest him. Mr. Chairman, Sir, what is going on in the country? Shri Vaiko was supporting the POTA in very strong words on the other day from the same seat. Today having passed seventeen months in jail he is of the view that after introspection in the jail he has realised that he had committed a mistake by supporting POTA. Could he realise this only after passing seventeen months behind bars?

Mr. Chairman, Sir, a mention was made about Uttar Pradesh just now. Raja Bhैया and his father have been lodged in jail. What is above all is that 239 persons have been arrested under POTA in Gujarat. They all belong to the minority and are muslims, one of them is Sikh also. I want to know that when Ex. M.P. Shri Zafari and people from the

Muslims community were dying, Muslims were being butchered by Bajrang Dal, VHP and RSS, was there not even one case fit for POTA? I think this is a spirit which would disintegrate the country. Everybody including the Hindus, the Muslims, the Sikh, and the Christians have contributed to the freedom struggle of the country. But I seek your pardon while mentioning that if any law of the country would be put to such misuse, I am afraid that this would enhance possibility of disintegration of the nation. I don't think that there could be a bigger case of corruption and reason than this. Thousands of persons in Gujarat are apprehended and detained on the pretext of investigation but there are detained for months together and threatened that they would be detained under POTA if they attempt to move the court. What is happening with this POTA? I, therefore, say this humbly that there is no need for amendment but to repeal it as it is a law of the jungle. The Government should withdraw this law, this is the only solution to this. The Government is not interested in dialing with POTA but in running its Government. I would conclude my speech with the following couplet which is quiet expedient is this context -

"Main Khali Jam Rakhkar isliye Ansu Bahata Hoon,
Tumhari baat rah jaaye, Mera Paimana Bhar jaye."

SHRI MOHAN RAWALE (Mumbai South Central) : Mr. Chairman, Sir, On behalf of the Shiv Sena I rise to support the amendment bill moved by the Government about the review committee of POTA. Shri Priya Ranjan Dasmunsi is not present at the moment. I appeal to all congress members that we should never compromise with security. POTA was being discussed in this House before that your Government imposed POTA against Afroz where there is a coalition Government of NCP and Congress (I). But when the discussion was going on, you were targetting muslim votes, you should have told at that moment that you opposed POTA. While the discussion was going on, why was the person released who was arrested on the charge of treason? Why did you arrest him? Was the Government not wise enough to understand this? You can see the POTA that has been brought today. When Zahar Masood was released, our plane was hijacked and flown to Kandhar. He had said-

[English]

"Our mission is not only Srinagar, but we have also to capture New Delhi."

[Translation]

When Parliament was attacked on 13th December, Mr. Pandian who is not here said.

[English]

"If POTA would have been brought forward, it would have been passed at that time."

[Translation]

This means that it would have been passed at that time when we were attacked on 13th December.

SHRI BASU DEB ACHARIA : The ordinance was already in place, the POTA was there even then the incident occurred.

SHRI MOHAN RAWALE : He said that first you find out its date. You may control even then an incident can occur...(Interruptions)

MR. CHAIRMAN : Mr. Rawale please pay your attention here, not there.

SHRI MOHAN RAWALE : It is as good as the way theft, dacoity and murder take place even when the IPC is there, this does not mean that IPC should be repealed. We amend the Constitution when circumstances demand so. Such circumstances are there today. Today we are in power, and you may come to power tomorrow, or you may not be in power. But we all should take care that the internal security of the country is above all, we should never compromise with this who-so-ever may be in power.

I have the relevant data with me. After Prime Minister's visit to Pakistan, the Home Minister have furnished data that terrorism is still there and has not reduced yet. When Bill Clinton visited India, terrorist incident took place. When hon. President Shri Abdul Kalam ji visited Jammu and Kashmir, there was a bomb blast which claimed the lives of 12 jawans. There were terrorist attacks at Muland, Vile Parle, Ghatkopar and Mumbai Central in Mumbai. This is a Central Government's report, there was Congress government earlier, and repeatedly it was being said that there was ISI had behind these incidents. ISI involves our people in its operations. There are bomb blasts everywhere whether it is a temple bus, market or mosque. These blasts have claimed 10,500 civilian lives excluding jawans since 1998. Hence, amendment is required in the POTA...(Interruptions) I will take one or two minutes only. You do not allow me to speak. When you speak, nobody can stop you. Yesterday, when Achariaji was in the Chair, you said that you would take at least 20-25 minutes if you were to speak. I will conclude within one or two minutes.

[English]

Pakistan has become the motherland of terrorism.

[Translation]

No one is aware about America's policy in this regard. America know about the hands of Pakistan, as far as September, 11 attack is concerned but America took no action

[Shri Mohan Rawale]

against Pakistan. We have to ensure our security. America, Britain and France enacted the fresh legislation after the September, 11 incident. All countries framed laws to this effect and we must take steps to ensure and protect our security no matter whether any country supports us or not.

I would like to ask the hon. Deputy Prime Minister that it would have been better if they had given the list of terrorists involved in Mumbai blasts of the 12th March, 1993, to Pakistan and still you are interested in talking to General Musharraf. We do not understand why you want to talk to him. There was a blast in Kashmir when Musharraf came to India. They saluted Musharraf with the blast when he came here. Why are you not getting those 20 terrorists repatriated to India? I congratulate you for taking an initiative in this regard but you would have mounted pressure on the countries world over. The Ministers in Pakistan Government say that he lives in Pakistan and Musharraf says that he does not live in Pakistan - how is it possible? You bring them, then you will come to know. Today when America has declared him an international terrorist, the Government must put pressure on General Musharraf. If you are going to talk to him, first ask him to hand over the terrorists and then only initiate talks with him. Terrorism has not come to an end in our country. This is official record. You said that terrorism has not come to an end. The ISI operations in India claimed many lives. Everyday, there is bloodshed at one place or the other claiming lives of people.

I submit before the House that there may be difference of opinion but review committee can be constituted in order to prove the innocence of a person convicted falsely. You enacted MCOCA in Maharashtra under which there were convictions more than an usual percentage. Will you let somebody off even if he is involved in the act of treason?

MR. CHAIRMAN : Please conclude.

SHRI MOHAN RAWALE : Mr. Chairman, Sir, I am concluding. I support this Bill on behalf of Shiv Sena and conclude.

[Translation]

SHRI RASHID ALVI (Amroha) : Sir, in regard to the discussion on Amendment in the POTA Act, I would like to draw your attention to the claims which were made at the time of its enactment that it would help in fighting against terrorism in the country. At the outset I would like to ask the Government whether after the enforcement of POTA in the country the incidence of terrorism has declined? And the extent to which POTA is successful in curbing terrorism, whether the terrorism activities have been checked?

Sir, how would the Government define terrorism? Who is a terrorist, who is not, who will decide it? The Government have set up Central Review Committee. With due respect I would like to ask whether the correctness of the committee's decisions can be guaranteed? In a country where the war of independence was fought for over 150 years and where freedom is hard earned, in such a country enforcing POTA is equivalent to committing an act of treachery with the freedom fighters.

Sir, as per the official data approximately 800 people have been arrested as on date under POTA. Are these 800 men terrorists? If you wish to enact POTA honestly, would you not arrest Mr. Togadia under the same Act who has been openly making statements like these that any person who talks of secularism should not be elected in Parliament? This news has been published in every newspaper of the country. Do these utterances of youngsters propagating communal hatred in the country uphold the esteem and spirit of the Constitution? Should not these people have been arrested under POTA?

Sir, the data of community wise arrests made in Gujarat under POTA was placed here right now. With due apologies I would like to submit that the people belonging to a particular community were not arrested out of the Government's honest intentions of enforcing POTA but out of its subtle designs to win over the majority Hindus in Gujarat, if the people belonging to Muslim community were arrested under POTA then the State-wide Hindus would give their undivided support to the Government. This was the only intention of enforcing POTA in Gujarat. In a country where laws are used only to come to power and where such laws enforced only to target a particular community there, such laws are not required. It is because the Government is lacking the will to end terrorism in this country.

17.43 hrs.

(MR. SPEAKER *in the Chair*)

Sir, International Security Advisor to the Prime Minister, Shri Brajesh Mishra after meeting U.S. Minister in the United States made a statement that terrorism has spread on such a large scale in India that only the concerned efforts of America, Israel and India could end it. Sir, you can well imagine the extent to which the Government is willing to fight terrorism. The representatives of India are expressing the same views which the countries sponsoring terrorism in the world, are expressing. Israel has imprisoned Yasser Arafat in his own country and what can be more shameful than this sinister alliance with Israel for ending terrorism in the country.

Sir, it is my appeal to the Government that a law which

is against the sentiments of freedom fighters, affecting the common man, should be repealed, what to talk of an amendment. To commemorate the freedom of India and respect the spirit of freedom fighters who fought for the freedom struggle for 150 years, this Act should be repealed. It is very unfortunate that the Government is talking of evoking POTA against those people who carried out a life long struggle against the Britishers. This law is being used against those very people who were instrumental in country's struggle for freedom. This Act will give birth to traitors in the country, this Act cannot check terrorism in the country. It is an irony that the people who were arrested under POTA for attack on Parliament were exonerated by the court. The entire country knows that less than two per cent were punished under TADA, 98 per cent were released. While in each State, particularly in Gujarat, Advaniji knows better than me, more than 37 thousand people were detained in Gujarat alone under TADA. In Kashmir 40-50 thousand people were detained under TADA. People numbering in lakhs were arrested in the country and less than two per cent out of these were punished.

Mr. Speaker, Sir, I will conclude after making one more submission in regard to the people who were arrested under TADA or have been detained under POTA who will be released after some time by the Court who have been in the prison for ten to 20 years. Just think about the state of their families, those lakhs of families and their future. Undoubtedly, most of them belong to minority community. Their families have been ruined. Their future generations have been ruined. Do you wish to use POTA in this manner only? I very sincerely not only oppose this amendment Bill but earnestly appeal on behalf of Bahujan Samaj Party to repeal this Act.

[English]

SHRI K. MALAISAMY (Ramanathapuram) : Mr. Speaker, Sir, this is the Bill about which a lot of noise has been raised and a lot of sensation has been created. Probably, the persons involved are found to be accused under POTA and the persons involved happen to be VVIPs. That is the reason why this kind of noise and sensation have been created not only here but also outside.

Sir, unlike the other Bills, this has assumed this kind of undue publicity also. As far as AIADMK Party is concerned, we have been very clear in our case and we have been taking a correct stand based on sufficient reasons and justifications for our stand.

When POTA was brought here, we wholeheartedly supported it because we knew the interest of the nation and we knew the internal security of the State and the unity of the

country. That is why, we wholeheartedly supported it even without asking for it by the ruling Party.

Now, we are constrained to oppose this amendment, particularly the creation of the Review Committee with superior powers, tooth and nail because our reasons are manifold. The simple reason is that it is trying to undermine the effect of the rule of law. That is why, we are opposing it.

Sir, before I could substantiate why this kind of amendment should be totally thrown out, as bad in law and in spirit, I would like to request the House to be a little bit objective rather than being carried away by individual interests and other compulsions and considerations.

Sir, the hon. House is very well aware that when there is a conflict between public interest and private interest, public interest should override the private interest. The greatest happiness of the greatest number should be ensured. That is the way we have been all along observing.

Before I could go into the entire problem, the entire House knew under what circumstances POTA was brought in here. Sir, you know that there was an unprecedented upsurge in the terrorist activities followed by organised crimes, intensification of cross border terrorism and insurgency in the States which have made this Government to bring this kind of legislation...*(Interruptions)*

DR. C. KRISHNAN (Pollachi) : Is the Tamil Nadu Government arresting only terrorists? Why was Shri Vaiko arrested? Is he a terrorist? He is a genuine Member of Parliament.

MR. SPEAKER: When your turn comes, you can speak.

SHRI K. MALAISAMY: Please do not interfere.

DR. V. SAROJA: The hon. Member is not yielding. When your turn comes, you can speak.

SHRI K. MALAISAMY: For paucity of time and for various reasons, I do not like to amplify terrorism. It has become a macro level problem and it has become a global threat. That is why, after the incidents at Pentagon, at WTO and followed by the attack on our Parliament, the whole world has been stunned. In result, the POTA was very much requested. That is why, the POTA was brought. ...*(Interruptions)* Sir, you please control the Member.

I am yet to come to his point. I have enough points to talk about Shri Vaiko. I will come to that.

It is very much surprising to note how the NDA

[Shri K. Malaisamy]

Government, which has been so particular to bring a legislation of this nature, has come out with an amendment of this nature which will totally undermine and water down the entire spirit and the effect of the main law.

MR. SPEAKER: Shri Malaisamy, I would request you to be brief as much as possible because there is a very little time with us.

SHRI K. MALAISAMY: Yes Sir, I am under the impression that they have yielded to the pressure of one of the allies of the NDA. Many of the speakers, who spoke here, said that POTA has been in misuse and abuse. In that process, they have mentioned the names of certain Chief Ministers, including the hon. Chief Minister of Tamil Nadu. Sir, I seek your indulgence for a couple of minutes.

How Tamil Nadu was placed with the greatest menace of LTTE when the great leader, Rajiv Gandhi was assassinated by the LTTE? After that, the general election was held. Madam Jayalalithaa took over as Chief Minister in the first spell between 1991 and 1996. She came with a vision. She came with a mission. She came with a commitment to control and contain this kind of LTTE menace and their outfits. She wanted to drive them out totally from Tamil Nadu. Her political will was there and she had the skill to execute that kind of will. That is why, within a period of six months, the LTTE was driven out. But, after 1996, unfortunately Madam Jayalalithaa lost power. Subsequently, the DMK Party came to power. There was a let up and the LTTE started again surfacing. They restored what all the activities they wanted. ...*(Interruptions)*

SHRI A. KRISHNASWAMY (Sriperumbudur): Sir, it is irrelevant. ...*(Interruptions)*

SHRI K. MALAISAMY: I am not yielding. Let them have their own say when their turn comes. Again Madam Jayalalithaa came to power in 2001. She came with the very same commitment to control the LTTE. ...*(Interruptions)*

MR. SPEAKER: He has not made any allegation against your Party. He is explaining the position only. Shri Baalu is there to say. When your turn comes, you can always speak. Please sit down.

SHRI A. KRISHNASWAMY: It is irrelevant. When our Government was there, we controlled everything. ...*(Interruptions)*

SHRI K. MALAISAMY: Then the POTA came in handy. ...*(Interruptions)*

MR. SPEAKER: You can always make your point when your turn comes.

SHRI K. MALAISAMY: Sir, I may be permitted.

MR. SPEAKER: Shri Malaisamy, you please come to the point. I have already explained to you.

SHRI K. MALAISAMY: I am coming to the point., In continuation of that process, she came with the very same commitment to control this kind of menace of the LTTE. At her instance only, the LTTE along with the TNRT and the TNLA, the other supporting outfits, were also banned by the Government of India. In the process of executing POTA, a few people came to be noticed against whom *prima facie* cases were there. It is most unfortunate that Shri Vaiko also happens to be under that net.

Many hon. Members have said that it has been done vindictively. It has been said that it was done to settle scores against political opponents and to wreak vengeance. For your information, Shri Vaiko is not our enemy. He is not our potential rival at all in terms of party or in terms of political leadership. Why should we be vindictive to him? There are a few number of arch-enemies against whom we could have been vindictive. We did not do anything with them under POTA. ...*(Interruptions)*

Shri Vaiko is a fiery speaker and he can make excellent speeches. I concede that but what is the type of speeches that he made? I am just giving here one paragraph of a speech of Shri Vaiko. In his address, he spoke at length and justified the LTTE activities as follows. ...*(Interruptions)*

DR. C. KRISHNAN: Sir, it is irrelevant here. The circumstances were different. ...*(Interruptions)*

SHRI K. MALAISAMY: He says:

"I was a supporter of the LTTE yesterday; I am a supporter of the LTTE today; I will be a supporter of the LTTE tomorrow. I said this in the Lok Sabha also. Suddenly, a BJP Member rose and stated that it was a well known fact that Shri Vaiko supports LTTE at all times and that he did not change his views."

This was an observation of an hon. Member from the BJP.

MR. SPEAKER: Shri Malaisamy, your time is over.

SHRI K. MALAISAMY: Sir, you must be considerate to me for the simple reason that many other hon. Members have been given unlimited time to speak. You must permit me because this is a very sensitive issue. I must be given a few more minutes.

MR. SPEAKER: Your time, as per the strength of your party, is only three minutes. I have already given you ten minutes.

...(Interruptions)

SHRI K. MALAISAMY: Sir, pro-LTTE literature, photographs of Shri Vaiko in the company of LTTE leaders, namely, Pirabhakaran and Mahtaiya and books written by Shri Vaiko encouraging the activities of LTTE and its leaders were seized during the searches conducted at his houses at Chennai and Kalingapatty, which clearly establish the offence of Shri Vaiko. The series of speeches delivered by Shri Vaiko at various places in Tamil Nadu within a short period establishes his support to the LTTE, a banned organisation. ...*(Interruptions)*

What I am trying to highlight here is that based on the speeches, based on his conduct and based on the incriminating circumstances and materials recovered, a clear-cut case is made out under the law. That is why a case was registered and he has been put under trial. The trial is going on in the special court. It has almost come to a conclusion. The trial is in the finishing stages. ...*(Interruptions)*

Nakkeeran Gopal is the other person who was accused and the other person against whom a case was registered. He went up to the Supreme Court for grant of bail. The Supreme Court, the highest court in the country, has observed that there is a *prima facie* case while refusing bail to Nakkeeran Gopal.

Many people are under the impression that the POTA was being misused and Madam Jayalalithaa was abusing it. Here, all the ingredients for offences under POTA are present. A clear-cut case is there and materials have been collected. We could be sympathetic to Shri Vaiko. That is a different matter. We are talking on law. The law should be equal to everyone. ...*(Interruptions)*

SHRI ADHI SANKAR (Cuddalore): Sir, they are defending Ms. Jayalalithaa. ...*(Interruptions)*

SHRI K. MALAISAMY: Just because Shri Vaiko, Shri Kannappan and some important people are involved, do you mean to say that we can afford to be silent? ...*(Interruptions)*

Sir, I am addressing the Chair. You should protect me. I never come to waste time. When we are speaking on points and when we are speaking on the basis of materials gathered, they should just listen and then answer.

18.00 hrs.

On the other hand, they should not interrupt. ...*(Interruptions)*

MR. SPEAKER: Shri T.R. Baalu to speak now. Shri Baalu, you can start your speech. ...*(Interruptions)*

MR. SPEAKER: Shri K. Malaisamy, please sit down.

...*(Interruptions)*

SHRI K. MALAISAMY: Sir, I will finish in two minutes. ...*(Interruptions)*

MR. SPEAKER: Shri Malaisamy, I have already given you enough time. There is a constraint of time. We were to complete the debate by 5 o' clock. Now it is already 6 o' clock.

...*(Interruptions)*

SHRI K. MALAISAMY: After having seen the facts of the case, do you mean to say that the powers have been misused and abused? It is not true at all. ...*(Interruptions)* I am concluding. I will finish soon.

First of all, it has been stated that misuse and abuse is there. Even the hon. Minister of Home Affairs has said that misuse in any other law is also possible. When there are few cases of misuses here and there in the application, law is not defective. The fault of the Executive, while implementing the law, there is no fault in the law. Some fault may be there in execution. But does it mean that the law is defective? It is not at all so. If you say that every law is defective, you would come every time here with amendments like this. I would like to ask the hon. Minister of Home Affairs as to in how many cases such misuse or abuse occurred and amendments were brought. Then why is amendment? ...*(Interruptions)* I have only two points. I will make only one sentence. ...*(Interruptions)* I am afraid that the purpose of amendment cannot be served. I mean, the very purpose of bringing an amendment to save Mr. Vaiko may not be possible as the matter is pending with judiciary. ...*(Interruptions)*

MR. SPEAKER: You have already said this point. You have already mentioned it.

...*(Interruptions)*

SHRI K. MALAISAMY: This law cannot help at all to any of these people. They must be very clear. In such a situation, how can they feel that these Review Committee...*(Interruptions)* can help?

MR. SPEAKER: Shri Malaisamy, now you must complete; otherwise nothing will go on record hereafter. Please sit down.

...(Interruptions)

SHRI K. MALAISAMY: The doctrine of separation of powers will be offended by creating Review Committee. ...*(Interruptions)*

MR. SPEAKER: You are repeating the points. Please do not do that.

...(Interruptions)

SHRI K. MALAISAMY: Peace and security are the purview of the States. ...*(Interruptions)* Centre should not interfere by this amendment.

MR. SPEAKER: Please sit down. I have given you much more time. Now whatever Shri Malaisamy says will not go on record.

*(Interruptions)**

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI T.R. BAALU): Sir, the length and breadth of entire Tamil Nadu is just like an open jail. ...*(Interruptions)*

MR. SPEAKER: Only what Shri Baalu speaks will go on record.

...(Interruptions)

SHRI T.R. BAALU: More than three lakh people have been arrested, who have been picketing in front of the Central and State Government Offices to condemn the atrocious attitude of the Chief Minister of Tamil Nadu, in demanding Tamil as a classical language, in demanding Tamil as an official language and also to repeal POTA. ...*(Interruptions)*

MR. SPEAKER: I have given the ruling in the House a number of times that the Minister is also a Member.

...(Interruptions)

SHRI T.R. BAALU: When I say that DMK Party led by Dr. Kalaignar M. Karunanidhi. ...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI: Sir, I take the protection of article 74 of the Constitution. ...*(Interruptions)*

MR. SPEAKER: Shri Baalu, he is on a point of order.

...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI: The Constitution is very clear in article 74. The Minister in whatever capacity, may be belonging to any party, is collectively answerable to the House, as per article 74 of the Constitution. It is a collective accountability. So, on whatever Shri Baalu says, I am not prejudicing his mind. What I am talking is that- is he speaking here as one of the Ministers of the Council of Ministers in his Ministerial capacity or has he already resigned and talking as a DMK Member? That is a most important part. ...*(Interruptions)*

SHRI T.R. BAALU: I will answer it. First of all, I would like to give a clarification to my friend who has asked me as to whether I am speaking here as a Minister or as a Member of Parliament. I am speaking as a Party Leader of DMK here in Parliament. ...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI: So, he has resigned from the Council of Ministers. ...*(Interruptions)* No, this cannot be done. He is intervening in the debate from the Treasury Benches and he is on Oath as a Minister within the Council of Ministers. So, whatever he speaks here is an intervention of a Minister in the debate. ...*(Interruptions)*

MR. SPEAKER: No doubt, he is a Leader of the Party. Now, he is intervening and I have permitted to intervene.

...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI: No, I am not saying it. He should speak. We want to hear him. I only wanted that you give your observation whether a Minister in the Treasury Benches while intervening in the debate speaks as a Minister or is he suppresses his ministerial responsibility or speaks as a Leader. Is it possible or not in Indian Parliament.

Is it possible in the Indian Parliament or not? That is what I want to know. ...*(Interruptions)*

SHRI A.C. JOS (Trichur): Sir, you give your ruling. ...*(Interruptions)*

MR. SPEAKER: Shri Baalu, you have been permitted to intervene in the debate and you can do that. Shri Dasmunsi also knows it very well.

...(Interruptions)

SHRI T.R. BAALU: Sir, I have already clarified to my friend. ...*(Interruptions)*

MR. SPEAKER: You need not go into the argument. I have already said on it. You can make your point.

SHRI PRIYA RANJAN DASMUNSI: Sir, I only want to remind him of his ministerial responsibility.

18.08 hrs.

MR. SPEAKER: Thank you for doing a good social work.

(SHRI BASU DEB ACHARIA *in the Chair*)

...(Interruptions)

MR. SPEAKER: You are doing a very good social work.

We wanted a law to contain terrorism. Now, who are the terrorists? The law brought before this House was to contain terrorism. Here the problem arises to identify the terrorists. I want to know one thing. ...(Interruptions)

SHRI T.R. BAALU: Sir, as I was saying, yesterday there was a big picketing and more than three lakh people have been arrested. They were demanding various things from the State Government and the Central Government. ...(Interruptions)

SHRI C. SREENIVASAN: Are you supporting it? ...(Interruptions)

DR. V. SAROJA: Sir, he is misleading the House. It is not correct. ...(Interruptions) Only one thousand people were arrested and released. ...(Interruptions)

SHRI T.R. BAALU: I want to know from the Chair about one veteran parliamentary colleague of ours who represents the people. ...(Interruptions)

SHRI T.R. BAALU: Sir, one of the demands made by them was. ...(Interruptions)

SHRI K. MALAISAMY: Sir, I am on a point of order. ...(Interruptions)

SHRI C. SREENIVASAN (Dindigul): Sir, how is it relevant for the discussion on POTA here? ...(Interruptions) What is it that he is saying? ...(Interruptions)

SHRI ADHI SANKAR: Under what rule? ...(Interruptions) Sir, the hon. Minister is not yielding. ...(Interruptions)

SHRI T.R. BAALU: When I said we demanded the repeal of POTA, it is with due concern which we felt was necessary to urge upon our friends here to see that anything that could be draconian, could be nipped in the bud itself by bringing the amendment. ...(Interruptions) Sir, I want to ask one, question especially to hon. Member Shri Dasmunsi who is a Congress Member of this Parliament.

MR. CHAIRMAN: Shri Malaisamy, under what rule are you raising the point of order?

SHRI T.R. BAALU: Sir, there is no relevancy in his point of order. ...(Interruptions)

In your State, Maharashtra, my friend Shri Shinde is ruling. There the POTA Act is used. In Kashmir POTA is used. But in Assam they are not implementing it. In Karnataka they are not implementing it. In Kerala they are not implementing it. In Uttaranchal they refused to implement it. In Himachal Pradesh they are not implementing it. Is it not a double standard? He is conveniently speaking with my friend and he is not ready to answer the question.

SHRI K. MALAISAMY: Sir, it is under the law. If directly or indirectly one gives his support, then it constitutes an offence. One need not necessarily be a terrorist. If he happens to support it, then he comes under the law. That is the law. ...(Interruptions)

Some of the States have implemented it and some of the States have not implemented it. My colleagues, especially the hon. Deputy Prime Minister and the hon. Minister of Law and Justice have consciously brought this particular legislation with their concern for the Indian nation in mind.

MR. CHAIRMAN: There is no point of order.

...(Interruptions)

SHRI ADHI SANKAR: Sir, under what rule is he speaking? ...(Interruptions)

SHRI A. KRISHNASWAMY: Sir, under what rule is the hon. Member saying it? The hon. Minister is not yielding. ...(Interruptions)

On 13th December, two years ago, there was an attack on this Parliament, the temple of democracy and the entire Indian nation was emotionally integrated. There is no second opinion at all. All were together, including my friends from the Congress or from the other side, when we wanted to have a law.

SHRI T.R. BAALU: Sir, I myself want to clarify it. ...(Interruptions)

SHRI C. SREENIVASAN: Sir, on the point who is a terrorist and who is not, the courts will decide. You kindly help us. What is it that the hon. Minister is saying?

...(Interruptions)

SHRI T.R. BAALU: Sir, the DMK led by Dr. Kalaignar

[Shri T.R. Baalu]

Karunanidhi has always been in the forefront to see that terrorism is contained and whatever laws are brought before this House for enactment, they are definitely addressed by the DMK Members. My friend has just now said as if nobody was interested in the LTTE affair. Do you know the history? ...*(Interruptions)*

MR. CHAIRMAN: Shri Baalu, you address the Chair. Do not ask them any question.

SHRI T.R. BAALU: Sir, I want to make this clear that all the parties in Tamil Nadu - Congress, CPI, CPI (M), AIADMK and DMK - were together. Cutting across party lines, we were supportive of LTTE once upon a time. Their leader was also a participant in the procession held during 1986 and 1990. Is it not a fact? But at the same time ...*(Interruptions)* I think, you were Home Secretary once upon a time. Why do you shout like this? It is not fair on your part. ...*(Interruptions)*

SHRI K. MALAISAMY: I am talking nothing but the facts. I am talking only relevant material.

SHRI T.R. BAALU: Whatever relevant material you have, keep it with you. ...*(Interruptions)*

MR. CHAIRMAN: Nothing should go on record except what Shri Baalu speaks. Shri Baalu, you continue and address the Chair.

*(Interruptions)**

SHRI T.R. BAALU: Sir, we were always fighting the black laws whether it was POTA, TADA or MISA. MISA was also fought by us. I myself was imprisoned for more than one year under MISA during 1976 along with our late lamented leader Murasoli Maran, M.K. Stalin. ...*(Interruptions)* I think, there are a lot of drum-beaters. I do not know why. Your leader Madam Gandhi, who happened to come to Chennai, openly repented at Marina Beach and stated 'I had done a wrong thing. I have to correct it.' Is it not a fact? Is it not a history?

SHRI C. SREENIVASAN: Madam Indira Gandhi was assaulted by DMK people.

MR. CHAIRMAN: Please do not interrupt.

SHRI T.R. BAALU: That is history. We fought and the CPI (M) comrades fought emergency. Hon. Deputy Prime Minister, hon. Prime Minister and my so many friends, including my dear friend Shri Fernandes, were imprisoned for more than one and a half years. We always fought against the black laws. That is why, my leader, Dr. Kalaingar Karunanidhi had cautioned our Deputy Prime Minister, our

Government that if you bring such a law, such a legislation, you should be very careful because you are making a legislation which would be administered not only by kings, it would also be handled by tyrants. What is happening now? Tyrants will make use of this law or misuse the law, if the laws or enactments made by my learned colleague, hon. Deputy Prime Minister, Shri L.K. Advani are put in the hands of some of the tyrants. ...*(Interruptions)* It has been misused.

An eminent parliamentarian, who was in close association with me for more than 26 years in politics, has been imprisoned for no fault actually. What is the fault he has made? Section 21(3) says 'if anybody speaks or deliberates in a meeting any such thing in such a way as promoting banned organisations ...' Anybody can misinterpret the law. If he is a king, a proper ruler, it will be interpreted properly. If he or she is a tyrant, it can be misused in any manner. That is why, he is suffering for more than 524 days. I want to know from you, Sir, what happened to the letter given and prayer made by 300 Members of Parliament to your goodself. ...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI: Why do you not address this question to the Deputy Prime Minister to know what happened?

SHRI T.R. BAALU: Is it not a sin? Is it not a crime committed on the democracy? Are we correct? Are we doing some justice to our conscience?

Sir, who is Nedumaran? My friends will be knowing as to who Nedumaran is. Nedumaran was a close associate of the late Shrimati Indira Gandhi. Nedumaran was brought up by *Karma Veerar* Kamraj. Kamraj was responsible for making three persons as the Prime Ministers of India. Is it not a fact that, that particular person is languishing in Vellore Jail? What for? Is it for making a speech for the promotion of Tamils and Tamil culture? ...*(Interruptions)*

SHRI C. SREENIVASAN: Nedumaran is associated with the LTTE. That is why, he is in the jail. The Minister is misleading the House. What can we do?

SHRI T.R. BAALU: Where is Nakkeeran Gopal now? Journalist Nakkeeran Gopal is an upright personality. What sin has he committed? What wrong has he committed? Is it not a fact that the State Governments of Tamil Nadu and Karnataka have requested Nakkeeran Gopal to meet the forest brigand Veerappan and to see that Dr. Raj Kumar, the matinee idol of Karnataka, is released without any problem? ...*(Interruptions)*

DR. V. SAROJA: Sir, he is misleading the House.

* Not Recorded.

MR. CHAIRMAN: Dr. Saroja, please take your seat.

SHRI T.R. BAALU: He has gone there with the full concurrence of both the Governments. He was the official negotiator. Is it not a fact that both Governments have agreed and he has been sent as an official negotiator? He has brought back Dr. Raj Kumar safely. Otherwise, what would have happened? ...*(Interruptions)*

You were the Home Secretary of Tamil Nadu. Would there not have been bloodbath on both sides? ...*(Interruptions)*

SHRI K. MALAISAMY: How much money changed hands?

SHRI T.R. BAALU: Shri Nedumaran negotiated with Veerappan and then Dr. Raj Kumar was released. What happened afterwards? A former Minister was killed. It has happened in the same forest. Nedumaran avoided the killing of Dr. Raj Kumar. For that purpose, what was the award or the reward given by the Government of Tamil Nadu? It was imprisonment. Is it a sin to go and bring back a person who is in distress? That is why, we have warned and cautioned our friends not once or twice but in many meetings and also through letters. In the *Murasoli*, which I am showing now, my Leader has written many times. He has also written letters to the hon. Prime Minister. Sir, I cannot say that they are reluctant to do that, but are very much worried about containment of terrorism. Who were the terrorists? The expression 'terrorist' has to be widely defined.

SHRI K. MALAISAMY: Yes, define it.

SHRI T.R. BAALU: I will define it. Vaiko is not a terrorist. ...*(Interruptions)*

DR. V. SAROJA: He is a supporter of the terrorists.

SHRI T.R. BAALU: He is a parliamentarian. He is one of the Members in this temple of democracy. Who is Nedumaran? He is a Tamil nationalist. He belongs to Tamil nationalism. Who is Nakkeeran Gopal? He relates to the Fourth Estate. Is it not a fact that he is part and parcel of the governance? Are you not ashamed to see that a member of the Fourth Estate has been imprisoned for so many months? Are you not ashamed?

SHRI T.M. SELVAGANPATHI (Salem): Sir, this is too much. This is not correct on the part of the hon. Minister to say like that. ...*(Interruptions)*

SHRI T.R. BAALU: Initially, there was some problem? What was that problem? The Law Minister is a very close

friend of mine. He has submitted some affidavit before the Supreme Court. When there was a little bit of confusion, the DMK had to intervene and then it was corrected. It is not a fault. ...*(Interruptions)* I think, you are a gentleman. What has happened next? ...*(Interruptions)*

SHRI T.M. SELVAGANPATHI: He is like you.

SHRI T.R. BAALU: Sir, the Saharia Committee was established but without logistical support. There was no accommodation. ...*(Interruptions)*

SHRI DALIT EZHILMALAI (Tiruchirappalli): You are a Minister in the Government.

SHRI T.R. BAALU: You were also a Minister once. You behaved like this and that is why you are sitting on the other side now. ...*(Interruptions)*

SHRI DALIT EZHILMALAI: It is the responsibility of the Government to provide logistical support to the Committee. ...*(Interruptions)*

SHRI T.R. BAALU: Saharia Committee was yet to be given accommodation, computers, etc., that is why some delay occurred and it took off very late. I do not deny that. ...*(Interruptions)*

DR. V. SAROJA: It is the responsibility of the Council of Ministers as a whole, including you.

SHRI T.R. BAALU: I agree with you that it includes me. I just said that myself. Do you not understand my English? ...*(Interruptions)* After seven months, we wanted that the Committee should be provided with enough teeth to bite. That is why an Ordinance was brought. To replace that Ordinance this Amendment Bill has been brought before the House.

What is the Bill about? It is about Section 60 of the Act. The problem arises out of Section 21(3), with the interpretation of the word 'terrorist'. Is a Parliamentarian a terrorist? Is a journalist a terrorist? Is a nationalist a terrorist? We have to interpret that. The problem arises only from the interpretation of the term 'terrorist'.

Sir, laws and legislation are made to be implemented by rulers and administrators, not by tyrants. ...*(Interruptions)*

SHRI RAM VILAS PASWAN (Hajipur): Baaluji, are you supporting the Bill or opposing it?

SHRI T.R. BAALU: Sir, more than 137 Members of Parliament have requested the Government to intervene and see that Nakkeeran Gopal is released. In the case of Shri

[Shri T.R. Baalu]

Vaiko, more than 300 Members of Parliament approached the Government. All these things are a bit irksome for a coalition partner like me.

My party headed by Dr. Kalaingar Karunanidhi has got some reservations over this. There is no doubt about it. We are always transparent. We never hide anything. That is why, from the very beginning of my speech, I said that we have a difference of opinion with the Prime Minister, with the Deputy Prime Minister and with my colleagues, but the difference of opinion. ...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI: Sir, I am on a point of order. ...*(Interruptions)*

MR. CHAIRMAN: Shri Baalu, please sit down. He is on a point of order. ...*(Interruptions)*

SHRI T.R. BAALU: Sir, if the point of order is irrelevant, you have to give me more time. ...*(Interruptions)*

MR. CHAIRMAN: Hon. Members, please take your seats. He is on a point of order and I have allowed him.

...*(Interruptions)*

SHRI KIRIT SOMAIYA (Mumbai North East): Under what rule? ...*(Interruptions)*

SHRI C.P. RADHAKRISHNAN (Coimbatore): Sir, let the Minister complete his sentence. He is intervening in the middle of the sentence. Point of order can be raised after the Minister completes his sentence. ...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI: Sir, my very good friend T.R. Baalu, a distinguished Minister. ...*(Interruptions)*

SHRI KIRIT SOMAIYA: Sir, under what rule is he raising this point of order? ...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI: Under article 74 of the Constitution.

MR. CHAIRMAN: He is raising his point of order under article 74 of the Constitution.

SHRI KIRIT SOMAIYA: He has to quote the rule before he raises his point of order.

MR. CHAIRMAN: He has already quoted the rule. It is under article 74 of the Constitution that he is raising his point of order.

SHRI PRIYA RANJAN DASMUNSI: Sir, perhaps Shri

Kirit Somaiya needs a hearing aid and that is why he is not able to hear me.

Shri T.R. Baalu the leader of DMK party, for whom I have the highest respect, has just now stated that on this issue, he has a difference of opinion with the Prime Minister, the Deputy Prime Minister and his cabinet colleagues. Being a member of the Council of Ministers if he says so, what happens to concept of collective responsibility? ...*(Interruptions)*

SHRI T.R. BAALU: Sir, I was in the middle of my sentence when he intervened.

SHRI KIRIT SOMAIYA: This is not a point of order, Sir. He has not quoted any rule.

SHRI T.R. BAALU: Sir, my friend Shri Dasmunsi is in a great hurry to embarrass us but it is not at all possible. ...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI: Sir, I am not saying that. ...*(Interruptions)* I am here to protect the rules of the House and the Constitution. He is one of my best friends. He has just now quoted: "I differ with the Prime Minister and the Deputy Prime Minister about this Law." ...*(Interruptions)* He differs with them being a Minister. ...*(Interruptions)* They have the collective accountability. He has to justify it. ...*(Interruptions)*

SHRI KIRIT SOMAIYA: There is no point of order. ...*(Interruptions)*

SHRI T.R. BAALU: Sir, as a party man, as a Member of Parliament belong to DMK, it is for me to express the feelings of my party outside. As a Member of Parliament what I have said is correct even now. But at the same time, if my friend wants to interrupt the things, he will be miserably failing in doing his duties. He should please take care of that. ...*(Interruptions)*

Sir, if the Law which has been enacted in good faith and good cause is being mishandled, misutilised and misused. Are we to keep lukewarm attitude? Are we to keep a mum? No. We should not keep lukewarm attitude. ...*(Interruptions)*

That is why yesterday, there was a picketing up the whole of Tamil Nadu. More than three lakh people participated in that picketing. They had been arrested. Then for want of space, for want of water, for want of food, they were released yesterday. ...*(Interruptions)* I agree with you. Were they not detained for the whole day? Is it not a fact? ...*(Interruptions)*

You could not accommodate three lakh people. You did not have the accommodation at all, you did not have water to serve them. ...*(Interruptions)*

Sir, if the corrective measures are not taken by my friends here, if the corrective measures are not taken by our Cabinet colleagues Vaiko will happen; if the corrective measures are not taken, Nakkiran will happen; if the corrective measures are not taken, Nedumaran will happen. The jails of the entire Tamil Nadu will be filled up not by the terrorists but by the law-abiding citizens. ...*(Interruptions)*

SHRI T.M. SELVAGANPATHI: Sir, the Supreme Court has given a clear cut verdict that there existed a *prima facie* case. ...*(Interruptions)* The Supreme Court has come out clearly that there was a *prima facie* case. ...*(Interruptions)*

SHRI T.R. BAALU: My friend from the MDMK party has given a notice for bringing before the House an amendment.

SHRI T.M. SELVAGANPATHI: He is bringing an amendment to the amendment.

SHRI T.R. BAALU: Yes, you are correct. At least, here you are correct. ...*(Interruptions)* On the request of the MDMK, the Government itself is coming forward with the amendment. ...*(Interruptions)*

SHRI T.M. SELVAGANPATHI: Please tell us whether you are opposing the Bill or supporting the Bill. ...*(Interruptions)*

SHRI T.R. BAALU: Sir, I support the Government. But at the same time, for abundant caution, it is better to see that the POTA is not misused. If it could be misused by the people in power, it has to be scrapped.

SHRI T.M. SELVAGANPATHI : Are you opposing it or supporting it? ...*(Interruptions)*

MR. CHAIRMAN: Now, Shri Prabhunath Singh

...*(Interruptions)*

MR. CHAIRMAN: Nothing will go on record except the speech of Shri Prabhunath Singh.

*(Interruptions)**

[Translation]

SHRI PRABHUNATH SINGH (Maharajganj, Bihar): Mr. Chairman, Sir, the POTA law has already been passed. This Bill has been introduced just to make a little amendment in

the existing Act. At the Time when the POTA Bill has introduced in Lok Sabha, Members had spoken for and against it. This law was aimed at taking actions against those who were involved in terrorism. A joint session of Parliament was convened for this purpose and this Bill was passed. Now when the Govt. has brought in the Present Amendment Bill the only purpose of this amendment Bill is that the Govt. has realised that the State Governments are deliberately misusing the Provisions of the Act or committing excess taking alibi of this act.

Now the only point to be decided about this Bill is whether you are in favour of it or against it. I fail to understand as to why the opposition is opposed to it. I do not know if they consider POTA as a weapon to be used against terrorists. It is not so. This law will only help our Police, Army and detective agencies to be able to nab the terrorists and then book them under this law. But, they find a lacuna in this law and their plea is that this is being used against political opponents. In some places this law has definitely been misused.

Just now one of our colleagues was telling that in Gujarat POTA has been increasingly used against one particular community. This they have come to realise this situation now when POTA was being passed they were all supporting it strongly. When Gujarat was going to poll, one of his leaders was sharing the dias with the Prime Minister and was asking for votes in favour of the Bhartiya Janata Party. That time they had lost sight of the minority. But when he parted his ways and when their party lost badly, then they started finding shortcomings in the POTA and now they have also begun to feel concerned the minority.

Mr. Chairman, Sir, this law has been misused. Priya Ranjan Das Munshiji was telling that since Mr. Vaiko is in the jail so just to please him the Govt. has introduced this Bill. I would like to tell Das Munshiji that according to his own version so many persons are behind the bars under POTA in Jharkhand and Gujarat and like that Raghuraj Pratap Singh is also behind the bars in Uttar Pradesh. He was supporting the govts. and due to that his aged father was also lodged in the jail. If Mr. Vaiko is in jail will the Act be amended only for him? No, it is not like that the cases of all those who are in jails will be reviewed and those who are innocent will be set free. That is what is proposed in this Amendment Bill. People are not understanding the real motive of bringing in this Bill, they are just creating noise and giving bizarre pleas. This is not for first time that this kind of law has been made in the country. Wherever the need has arisen, we have made laws and when laws are made there are also amendments. This is because we come to know about the shortcomings of a law only after it is implemented and then we bring amendment in the Act to do away with shortcomings. Today the only proposal

[Shri Prabhunath Singh]

that the Govt. has made is that the POTA law will remain as it is and following the complaints received from some places a review committee will be constituted in States and at the central level and then those detainees in jails despite being innocent will be set free.

Mr. Chairman, Sir, the hon. Deputy Prime Minister has put forth all the facts and so we need not make any long speech. However, through you, I would like to suggest two amendments to the hon. Deputy Prime Minister. It is alright that a Review Committee would be set up to set free those who are innocent, but there should be a provision in the Bill to compensate those who are innocent and have so far served one or two or five years of jail causing damage to their social, political and family life besides financial losses and mental tortures.

Mr. Chairman, Sir, the second suggestion which I would like to give to the hon. Deputy Prime Minister is that when POTA is exercised, there is always some officer or some authority who brings the proposed before the Govt. that someone is a terrorist or someone is a relative of a terrorist or someone is giving financial help to terrorists and on the basis of that information he recommends the Govt. to impose POTA against such person and only after that the person involved is sent behind the bars. I would like to ask should there be not a provision in the Bill that in case an officer recommends to the Govt. under some political pressure to invoke the Provisions of the POTA against a particular political person, then should not the Review Committee punish the said officer. If such a provision is made, then I think POTA would not be misused.

Mr. Chairman, Sir, there are several states which have not implemented POTA. Those which are not doing so should be asked to implement this law strongly. Terrorism should be checked completely. With these words I conclude and hope that the Govt. would consider the points raised by me.

[English]

SHRI BHARTRUHARI MAHTAB (Cuttack): Thank you, Mr. Chairman. Sir. I stand here to discuss about the Bill to amend the Prevention of Terrorism Act, 2002.

I would like to remind this House that initially, in seventies Madam Indira Gandhi had enacted what was then the most stringent preventive detention Act named MISA. The Opposition had very forcefully criticised the MISA Act, both inside and outside the Parliament. Subsequently, MISA became one of the major tools to be utilised to counter the political opponents. But she had solemnly guaranteed on the floor of this House that, "no political person would be held under MISA".

This is on record in this House. But in mid seventy many Opposition Leaders were interned for 19 months in this country. It was scrapped when the Janata Party came to power. When Shrimati Indira Gandhi came back to power, she felt the need of a preventive detention law. Then TADA came in force. I had mentioned this when POTA was being discussed in this House and later on in the Joint Session in the Central Hall I had ventilated my feelings. Ultimately, under this Government, TADA also was scrapped. Later on it was felt that we should have a preventive law. There are two categories of laws. This is a preventive law, to prevent different criminal activities. This law is necessary and that is the main reason why this law has been enacted.

The major problem today, which is being discussed in this country, is to curtail the abuse of this Act. I would like to remind this House that for the first time the Central Review Committee was constituted in March, 2003 under the Chairmanship of former Chief Justice of Punjab and Haryana High Court, Shri A. Saharya to look into the complaints in regard to the misuse of this Act. This reminds me that in 2002 when POTA Bill was being discussed, I had raised it, referring to the DIR Act during colonial period, the hon. Deputy Prime Minister in this reply had assured this House that he would see to it that this Act would be used in the rarest of rare cases. He had also assured this House that if there was any misuse, adequate steps would be taken to correct the Act. This is being done today. I may also say that when the Central Review Committee looked into the complaints, it had mentioned in its report, it found that the provisions of this law had been invoked and I quote;

"Even against such persons and acts which do not fall within the ambit of this law."

This has actually I think empowered the Government to bring the Bill which preceded with an Ordinance. I would like to draw the attention of the hon. Deputy Prime Minister that even after the amendment, there are certain flaws in the Act. For instance there is no time limit provided in the Ordinance for the disposal of complaints by the Review Committee. This lapse would make the amendment useful only in bailing out influential persons. But apprehension will still be there that common people would be left to their fate. The rule of law demands equality of treatment in equal circumstances or in equal crimes.

Now I come to the second point on which I would like the hon. Deputy Prime Minister to deliberate. Besides the power to appoint Review Committee members should be taken away from the executive and vested in the apex court of the land. That would clear the clouds in regard to their impartiality and fairness. The flagrant misuse of POTA is what

the central issue is and that is being discussed today and a close look at the proposed amendment would indicate that the basic character of the debatable law remains virtually unchanged. Yet I would say that the law vests the executive with arbitrary and overriding powers. These are now sought to be mitigated by a wiser and a sadder Government.

The overriding statutory powers given to the Central Review Committee headed by Justice A. Sahaya whose decision will be binding on the Centre, the State and the Investigating Official in case of conflicting findings should work as an effective check on the arbitrary and whimsical action of the likes whom I need not name. This should not be viewed as an attempt by the Centre to impinge on the legitimate rights of the State Government nor can it be regarded as a law and order subject in the State List. In fact, under the law, the States can set up review committees to deal with the complaints lodged by those who are charged under POTA. All political parties should ensure - this is my earnest request - smooth passage of the Bill in Parliament. The need for an effective safeguard against the misuse of POTA has become greater today. It would have been better if the Bill provided for a specific time limit for the disposal of complaints by the Review Committee. On behalf of my Party, I extend full support to this Bill.

[Translation]

DR. RAGHUVANSH PRASAD SINGH (Vaishali): Mr. Chairman, Sir, as far as POTA is concerned, when it was being discussed in March 2002, the joint opposition had warned and cautioned the Government that it was a draconian law under which there would be no appeal, no argument of a lawyer would work. It would be misused alarmingly. As such we all opposed it and suggested to the government not to implement it. But the Government did not budge. It was passed in the Lok Sabha because the government have their majority in the Lok Sabha but sensing that it would not be cleared in Rajya Sabha, they made it a prestige point and a joint session was called and it was got cleared in that session. But now after so many months, they have come again with the same. At that time the opposition had warned and cautioned the Government. The apprehensions, the opposition had expressed at that time have proved to be true. Now honourable Deputy Prime Minister and the Government have come to the conclusion that it is being misused. At that time honourable Minister of Home Affairs had stated that it would not be allowed to be abused. Arun Jaitley is a very active Minister. He had stated that section 302 was also being misused. Then nothing is wrong if it is misused to some extent. Hon'ble Minister of Home Affairs has not kept his words. That this law has been misused is evidently clear from the amendment bill brought by the Government. You had also assured the joint

session at the time of getting it through that its misuse/would not be allowed but it has been misused and is still being misused.

Have you seen what the Minister of your Government has said in Tamil Nadu and there is one hon'ble Member who sits in our fold. Have you seen what he has said on your behalf. POTA has been misused in Gujarat, 700 people including girl child, girls and aged persons were arrested in Jharkhand. Later on the Government admitted that it has been misused and the detenues were released. It was proved that it has been misused. Hon'ble Deputy Prime Minister, Sir, you have not kept your words. You had said that it would not be allowed to be misused. Today again you have changed your statement and speaking on the lines of Jaitley ji that it can be like section 302. I want to know whether misuse of section 302, 107 and 323 and that of POTA is one and the same thing? Is misuse of Lathi and that of AK-47 is one and the same thing? Your logic do not hold good. So the Deputy Prime Minister is guilty of not keeping his words which he uttered in this House and as such he should resign from his post. Now what he will say? Now it is of no use to give such statements that court would release them. If any hon'ble Member is put behind the bars for six months, a year or two years, then does that not amount to the breach of privilege of that hon'ble Member. The hon'ble Member is lodged in jail there and now the Government are going to get in writing from the Attorney General Soli Sorabjee that it does not tantamount to terrorist activity. Only speaking or making statements is not bad like that of doing something and as such the Union Government are making such statements. Now they have come here to express their helplessness. Now they would constitute a review committee.

After seeing all the incidents, your intention and your work, we have come to conclusion that review committee would not yield any effective results and would not be able to do justice

[English]

jurisprudence is the eye of the law.

[Translation]

The most subtle principle of the jurisprudence is that if any person doing wrong is not given punishment, that is wrong but if an innocent person is punished, then nobody on the earth can excuse this sin and there is no big injustice than that. I think that the hon'ble Deputy Prime Minister in this cabinet does not bother about the jurisprudence. He does not believe in jurisprudence, now in this way. ... (Interruptions)

SHRI BISHNU PADA RAY (Andaman and Nicobar Islands): He is using unparliamentary words. ... (Interruptions)

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS. (SHRI HARIN PATHAK): Sir, this is unparliamentary and totally objectionable. Shri Advani is not only the Home Minister but also the Deputy Prime Minister of the country. He cannot pass such remarks against him. ...*(Interruptions)*

[Translation]

MR. CHAIRMAN: If there is anything objectionable.

...*(Interruptions)*

MR. CHAIRMAN: You sit down. If he has used any objectionable words, I will see that. If there is anything objectionable, that would be expunged.

[English]

SHRI KIRIT SOMAIYA: Sir, he should withdraw those words. He must be asked to withdraw those words. ...*(Interruptions)*

[Translation]

How can you allow it?

MR. CHAIRMAN: You sit down. Raghuvansh Prasad ji now you please conclude. Your speech is over.

DR. RAGHUVANSH PRASAD SINGH: Mr. Chairman, Sir, so again we are cautioning on behalf of the joint opposition. It is a draconian law and by imposing some restrictions, you are not going to improve this Act. Its abuse is not going to be stopped. Political Vendetta. ...*(Interruptions)* Political Vendetta is the reason behind its misuse. As such the government should repeal the POTA, it should be withdrawn and scrapped.

[English]

MR. CHAIRMAN: The next speaker is Dr. Bikram Sarkar.

Dr. Bikram Sarkar, be very brief because there are 10 more Members who want to participate in this debate.

DR. BIKRAM SARKAR (Panskura): How much time can I take?

MR. CHAIRMAN: Try to finish within five minutes.

DR. BIKRAM SARKAR: All right, I will finish within that time limit.

DR. BIKRAM SARKAR: Mr. Chairman, Sir, I am grateful to you for giving me this opportunity to participate in the discussion on the Prevention of Terrorism (Amendment) Bill, 2003. This Bill has been brought to achieve a limited purpose. But you may kindly permit me to speak a little beyond the scope of this Bill.

Sir, the spate of terrorism and specially cross-border terrorism, with various manifestations, has been a burning issue in our country for more than a decade now. A large number of people, the peace-loving citizens of India, who have the right to life and property, have fallen as victims of terrorist activities and recent incidents also justify this.

Sir, you might recollect that from our party, the All India Trinamool Congress, we had misgivings that, based on the sad experience in the past of MISA and TADA, this law is likely to be grossly misused and abused for giving vent to political vendetta and so we abstained from voting when the original Bill was passed last year. Our apprehension has been vindicated now. We feel that the sad experience of MISA and TADA should have given us enough scope to draft the Bill by plugging the loopholes in the Act itself, but that is beyond the point now. The question is, how we should use it and, as a matter of fact, in whose hands the use of this law should be entrusted.

Sir, I was a Collector many years ago when MISA was being used. So, I know for certain that the Government machinery was under tremendous pressure and had to function as a tool of political power. That was the position at that time. This is the experience of MISA and TADA and even my friends from the Congress Party also feel sad about the misuse of TADA. My point is, if we know for certain that this is going to be misused, we should have been a little careful about it and that is why we abstained from voting last year, but that is again beyond the point now.

At the same time, we cannot ignore the menace of terrorist activities in our country and we need a special law to tackle the special situation. But while doing that, the Government should also be careful to ensure that the remedy does not aggravate the disease. The Congress-ruled States of Karnataka and Maharashtra have enacted most stringent laws than POTA to fight organised crimes. The CPI (M) in West Bengal also propose to promulgate POCO, about which you might be aware of. It is very clear that organised crime is a lesser crime than terrorism.

Coming to this Bill, I was going through the Statement of Objects and Reasons given by the hon. Deputy Prime Minister. It has been conceded there that even at the time of passing POTA, there were certain loopholes, probably certain

expectations and those expectations were belied. There are illustrations of this from different States including Tamil Nadu and that is why they have come up with this Bill by making an amendment to Section 60 (2) of the Act for giving more powers to the Review Committee. Earlier, it was advisory in nature. Now they say that it will be having some powers, some forces and some teeth. But I have got two suggestions. Mr. Deputy Prime Minister, it should be time-bound so that, in any case, they should get justice and justice should be given as quickly as possible.

Secondly, if you have the Review Committee only at the Central level, they must be having any number - you can have the States represented in that. Probably, that will help in such matters.

With these words, I thank you for giving me this opportunity.

18.56 hrs.

(MR. SPEAKER *in the Chair*)

MR. SPEAKER: Now, Shri Ajoy Chakraborty. Before you start, let me make it clear that as we agreed, this Bill, including the Minister's reply, was to be finished by five o'clock. I had announced it also. We have given about two hours more to this Bill. Therefore, I would permit the Members to speak only for two minutes. They can make their points so that we can finish the Bill today.

Thereafter the Demands for Grants are also to be taken up.

[Translation]

SHRI RAJESH RANJAN ALIAS PAPPU YADAV: Hon. Members take much time. I am waiting for my turn since long.

MR. SPEAKER: I also don't feel good to interrupt frequently, but there is no way out.

[English]

For small parties, there are a total of 10 or 15 minutes. I want to finish it in 15 minutes.

[Translation]

I will give two minutes to you also.

18.56 hrs.

[English]

SHRI AJAY CHAKRABORTY (Basirhat): Mr. Speaker, Sir, the Government is very much in a hurry and seriously

interested in favour of this draconian law. Without taking the Parliament into confidence, the Government promulgated the Ordinance. Today, the hon. Deputy Prime Minister has brought forward this Amending Bill regarding the functioning of the Review Committee.

When the law was brought forward before this House earlier, we - the entire Opposition - opposed it tooth and nail. We apprehended that this draconian law will be used against political opponents and it would be targeted against the people belonging to the minority communities. But it was lost in the Rajya Sabha. The Government convened a Joint Session of Parliament. Ultimately it was passed by a majority vote.

Leaving that apart, this law is still in force. We have witnessed what has happened so far. So many State Governments are misusing this draconian law. Many of our hon. colleagues have mentioned the names of those States. Now take, for instance, Jharkhand. They are misusing this law. Even a 12-year old boy and an old man were detained behind the bars within the purview of this law. Not only that, in Uttar Pradesh they detained an MLA - a political opponent - under POTA. In Gujarat, the Government headed by Shri Narendra Modi has particularly targeted the people belonging to the minority communities. They have detained so many people who belonged to the minority communities under POTA. When this Bill was discussed in this House, our colleague, Shri Vaiko was very vociferous. He strongly argued and pleaded in favour of this draconian law. It is an irony of fate that he is now in jail under this law. Our information is that he was released yesterday morning by a single-judge bench. Ultimately, in the dead of night, the Division Bench set aside that order.

MR. SPEAKER: Shri Chakraborty, please conclude.

SHRI AJAY CHAKRABORTY: He is still in custody. He has no rights as a Member of Parliament to participate in this discussion. He has been restrained from coming to the Parliament. What have we witnessed? The Parliament was attacked. At that time, the Ordinance was promulgated. That Ordinance was in force. Having passed this law, could the hon. Deputy Prime Minister cite a single instance that the terrorist activities have been checked? Have the terrorists been prevented from doing illegal activities and committing heinous crimes?

19. 00 hrs.

MR. SPEAKER: Shri Chakraborty, please take your seat.

SHRI AJAY CHAKRABORTY: Sir, I will finish in one minute.

MR. SPEAKER: No, I have called, Shri D.P. Yadav now.

...(Interruptions)

MR. SPEAKER: Nothing further will go on record. Shri Yadav, if you do not speak now, I will call another Member.

(Interruptions)*

[Translation]

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur): Mr. Speaker, Sir, through you I would like to say something about the constitution of Central Review Committee through the POTA Amendment Bill, 2003. POTA Bill was converted into an Act by convening the joint session of both Houses of the Parliament. The route it took was extraordinary in the history of Parliament. The apprehensions expressed by us at that time have proved to be correct. I have a high regard for the hon'ble Deputy Prime Minister, he had himself been a victim of MISA and DRI. I had raised this question at that time also that when such laws are enacted those becomes the tools to harass the opponents and to settle political scores. In 1974-75 there was gross misuse of MISA. We were jailed for eighteen months. The hon'ble Deputy Prime Minister and a number of Members sitting on this side had also been in jails. The Members sitting next to me were also in jails. At that time MISA and DRI were abused. TADA was enacted in 1993 and this law was grossly abused. Now POTA has been enacted. It is most unfortunate situation. We had also expressed apprehensions when POTA was at enactment stage. Now Central Review Committee is being constituted to review the said law. If justice is not meted out to the innocent people even after constitution of the review committee, what will be fate of this committee? Hon'ble Vaiko used to sit on this very seat and today he is not here in the House. This law has been misused grossly in Uttar Pradesh, Tamil Nadu and Jharkhand. I would like to say that this law has been abused in Gujarat on large scale. ... (Interruptions) Whosoever may be in power such laws are abused. In Uttar Pradesh Shri Raghuraj Pratap Singh and his father are in jail under the said law. In Jharkhand an 80 year old person was sent to jail under this law. School students and youths have been arrested under POTA. I would like to say that I am not an intellectual but our hon'ble Minister of Law is an intellectual person. We people go by our heart. Everything cannot be achieved through craftiness. If you provide guarantee about the proposed review we are ready to accept it. You provide us a guarantee that there will be no further amendment to this Bill. If this House is not dissolved by March I am sure you will come again with another amendment. I would like to record in the history of proceedings of this House that they will have to come here

again with it because this problem is not going to be solved by it. Sir, through you I would like to express my apprehension that you may get it amended and add to your power. Through the Central Review Committee, yet this problem is not going to be solved. You will say that the officers have not submitted the report in a proper manner or some shortcomings have been left in the review carried out by us. What will be the course then? Hon'ble Shri Prabhunath Singhji has rightly ? said that people are being victimized for the last two-three years to settle political scores. The proverb 'the disease aggravated with each dose of medicine' aptly described the situation. We are of the view that POTA will be used to arrest and oppress the political rivals. If it is there to stamp out terrorism then it is all for the good and we all are ready to support that. In my view neither the Union Government nor any State Government should be empowered to oppress anybody to settle the political score through this amendment. This amendment should be used only to crush terrorists. What guarantee is there to ensure that this law will not be abused? This law is misused on a large scale. It cannot be said that this law will not be misused. 'No root, no fruit' this law should be scrapped.

MR. SPEAKER: The time allotted to you is over. I have called Shri Ram Vilas Paswanji to speak. Only what he says will go on record, your submission hereafter will not go on record.

SHRI RAM VILAS PASWAN (Hazipur): Mr. Speaker, Sir, just now the hon. Deputy Prime Minister has said two things in his speech. One thing is that the entire world is facing the danger of terrorism and the second thing he said was that there are also such laws in other countries which are more draconian in nature than the POTA. I think that the extent to which POTA is being misused in India, any such law is not being misused in any other country to that extent. Can he tell the name of such country where a similar is law is being misused to that extent.

Sir, I would like to make my submission on the basic issue. There is already a provision of a Review Committee as per section 60 of the law and now they want to give powers to that Review Committee. The findings and the decision of the Review Committee would be binding on both, the centre and the states. Section-7 to this Act relates to Investigating Officer. Section-34 relates to the Designated Authority who enjoys the power of a civil court. Section 23 relates to the special court. Section 34 authorises for making an appeal in the High Court. But I fail to understand that now the decisions of the Review Committee would be binding. On the one hand there is provision of a special court and challan is issued after obtaining approval from the investigating officer. This officer could be an I.G. of the State Government. The Court oversees the entire case. The proposed amendment envisages.

[English]

"Without prejudice to the other provisions of this Act, any Review Committee constituted under sub-section (I) shall, on an application by any aggrieved person, review whether there is a prima facie case for proceeding against the accused under this Act and issue directions accordingly."

[Translation]

As per the Section 16, a retired judge will be appointed with the permission of the High Court or the Supreme Court. One judge is already working there, a special court has already been set up and this matter would be transferred to that court. I fail to understand that this is an administrative body which has been conferred with the judicial power, how can it withdraw a case and that decision would be binding on a state or the central government. I am unable to comprehend this thing. May be, I am wrong. When the hon. Minister would give reply, then he can clarify it. Secondly, so many shortcomings have already been pointed out in the POTA. I shall not take much time, I want to make my submission in only two-three minutes. The example of Shri Vaiko is before us. The BJP President says that the POTA cannot be made applicable to Shri Vaiko and Kannappan. POTA is already enforced in the State. The Minister of the Government of India goes there to see Shri Vaiko and the Government there says that they will detain the Central Minister under the POTA.

SHRI RAGHUNATH JHA (Gopalganj): We have written a letter to the hon. Prime Minister.

SHRI RAM VILAS PASWAN: In every state there are members of the opposition parties. In such prevailing situations, members of the opposition parties and the central Minister can be arrested under the POTA. Once a person is arrested under POTA, then there is no use to make a hue and cry. They will give a plea that he had supported the LTTE. Who Shri Raghuraj Pratap Singh supported to and who his father supported to? ...*(Interruptions)* I would not like to name any Government in this connection. I am not new to politics. I have been in the politics for 34 years. I was an MLA in 1969. I am aware of the Preventive Detention Act, National Security Act, MESA, TADA, POTA etc. The BJP people would oppose the TADA which is beyond description. But actually what happens? A Government is after all a Government. There could be an NDA Government or a Congress Government. But that is known only as the Government of India. The fact is that when we are in opposition, we oppose anything tooth and nail but the moment we are in the Government, we think that we cannot do without that. What I want to say is that there are so many laws in our country. Had our intelligence been alert, could terrorist have killed eight employees entering the

Parliament? I would like to give my thanks to these eight employees, had they not been alert, only God knows what would have happened to us. This entire matter is nothing. You withdraw this amendment. The more we brought legislation to contain terrorism the more it kept on increasing. Therefore the entire POTA should be struck down. We can also do without POTA and TADA in our country.

SHRI ABDUL RASHID SHAHEEN (Baramulla): Sir, with your permission, I want to bring to the notice of the Hon. House one-two things in a short time of two minutes. When this law was passed in the extra-ordinary session, 296 votes were cast against it. That time we were of the view that the sense of fear which was prevailing in Kashmir and militancy was at its height there, this law would act as a deterrent but I regret to say that those apprehensions that this law would be misused as were expressed by the Hon. members in the House at that time have been proved right and it also did not help in eliminating militancy either since the militants who are out there to destroy the system in the country have not been cowed down by this law. On the contrary the young students who are the children of this country are running here and there out of fear and they also have to pay gratification to the police. We have come across some such examples. Two men of the so called special staff approached to a student of the Agriculture college, Shamli and they asked for the address of a boy. He went along with them to his House. They picked him up and detained him along with that boy under the POTA. His patriotic parents who are suffering under the yoke militancy, their houses are burnt. They are running helter and skelter so that anybody could come to their rescue.

Sir, the amendment which has been brought in this time might keep our senior colleague Shri Vaiko who had strongly advocated the POTA. Perhaps he was under the impression that it would help in checking militancy and the activities of the aliens but he himself is now caught in that trap. So many Members spoke in its favour but they are also not heard, anyway, this amendment might help him but our students. Who are in trouble and running here and there for help and who have to pay something as gratification to the police, nobody is going to pay any heed to them or provide them any help. Therefore, I would like to urge upon the Government that we have already experimented so many laws in this connection from DAR to MISA to POTA, but they did not prove a success. I, therefore, request the Government repeal this law which is a blot on our democracy. And this is also the viewpoint of my party, the National Conference.

[English]

DR. C. KRISHNAN (Pollachi): Hon. Speaker, Sir, I thank you very much for giving me this opportunity. The discussion

[Dr. C. Krishnan]

on POTA is being carried out. Throughout India and, why not, the world over, it is spoken that Shri Vaiko was arrested and kept in jail by misuse of POTA. All the Tamilians world over are speaking on the misuse of POTA by the Government of Tamil Nadu.

If Sarojini Naidu was the Nightingale of India, Shri Vaiko is the Nightingale of Parliament because all those who spoke about Shri Vaiko were very much impressed by his speech. ...*(Interruptions)* Such a person, such an important parliamentarian is kept in the Vellore jail for the past 525 days just because of the misuse of POTA by the Government of Tamil Nadu.

The Act, POTA was passed in the Joint Session in the Central Hall of Parliament with the good intention of curtailing the activities of terrorists who have been a threat to the integrity and sovereignty of our country. But the State, particularly Tamil Nadu has misused it only against political opponents leaving the militants and the anti-nationals aside.

This ruthless and crooked attitude of the Government of Tamil Nadu using POTA as a coward's weapon against political opponents made my innocent leader, Thiru Vaiko and eight others to languish in Vellore prison in Tamil Nadu for the past 525 days under POTA. ...*(Interruptions)*

SHRI ADHI SHANKAR: Why are you afraid?
...*(Interruptions)*

DR. C. KRISHNAN: The misuse of POTA has been acknowledged in the Supreme Court of India by the Attorney General of India and I quote it:

"It is clarified that whilst the Government of India fully supports the constitutionality of the Prevention of Terrorism Act, 2002, it is of the view that the speech delivered by Shri Vaiko on 29-06-2002, if properly interpreted and read in the entire context of the speech and surrounding circumstances, does not attract the provisions of Section 21 of POTA."

MR. SPEAKER: Dr. Krishnan, please sit down. Your time is over.

DR. C. KRISHNAN: This is very evident that POTA has been misused and the very purpose and intention of the Government in bringing the Act of POTA for prevention of terrorism in the country has been misfired. ...*(Interruptions)*

MR. SPEAKER: I agree with you.

DR. C. KRISHNAN: Thiru Vaiko was arrested on 11th July, 2002 for making a statement at a public meeting and that was what he had stated in Parliament. ...*(Interruptions)*

MR. SPEAKER: Please sit down. Your time is over.

DR. C. KRISHNAN: He was arrested invoking Section 21 of POTA. This Section 21 of POTA restricts freedom of expression and hence it is violative of article 19 (1) (a) of the Constitution and, therefore, unconstitutional.

MR. SPEAKER: Dr. Krishnan, you can place your speech on the Table of the House.

DR. C. KRISHNAN: This particular section directly attempted to curtail citizens' freedom of speech and expression and the right to assemble peacefully for a public meeting. ...*(Interruptions)*

MR. SPEAKER: Now, Dr. Krishnan's speech will not go on record.

*(Interruptions)**

DR. C. KRISHNAN: Please give me only one minute.

MR. SPEAKER: This is the last minute I am giving to you.

DR. C. KRISHNAN: Sir, 301 Members of Parliament belonging to 36 parties unitedly condemned the detention of Shri Vaiko.

My party, MDMK, is of the view that POTA as such is unwanted and it should be withdrawn totally as there are many other laws to act upon terrorist organisations. ...*(Interruptions)*

The MDMK, headed by Thiru Vaiko, feels that if we welcome the Ordinance empowering the Review Committee formed at the Centre with more powers, it would help prevent misuse of POTA by irresponsible Governments like the Government of Tamil Nadu. ...*(Interruptions)*

[Translation]

SHRI RAJESH RANJAN ALIAS PAPPU YADAV (Purnea): Mr. Speaker, Sir, 56 years have gone by since we got independence and from the beginning itself the poor and socially backward people of this country have been crushed by unfair laws. A number of unfair laws have been enacted in this country such as MCOCA, NSA, TADA OR MISA. The whole of my family has been a victim of MISA. The law which has been brought today, I do not think it is right or wrong, any law brought to combat terrorism, to safeguard the democracy of the country should be strong enough to serve the purpose. But a question arises here that our Constitution has already

got strict laws. It is wrong to use such laws to book any political party, social personality, doctor or journalist by leveling charges of terrorism against them. I would like to urge the hon. Deputy Prime Minister that this Bill should be amended accordingly. When we have already got competent laws and if anybody indulges in any acts violative of the sections of the Constitution, the laws are already there to prosecute that person in the Government. But a political party, journalist, doctor or any social worker who have worked in the interest of the country should at no cost be booked under POTA by any State Government or the Central Government, an amendment to this effect must be made in this Bill.

My second request relates to the Review Committee appointed by you. The people who will be arrested, put behind bars, remain in jail for a year and subjected to mental torture will lose their economic, political and social standing during that one year. They will lose their mental equilibrium. How can all this be compensated for? Who will compensate for the loss of social prestige of that person? I want that before applying POTA or any similar law to anybody, the matter should be sent to the Review Committee to decide whether the said law should be applied to him or not. If the Review Committee recommends so, only then any action should be taken. It should not be the practice that first action is taken and then the case be referred to the Review Committee.

My third request is about the extent, jurisdiction and term of the Review Committee. Will its period be 15 days, one month or two months? In the end, I would like to submit to the hon. Dy. Prime Minister that there is imbalance in the society today because of social, economic and fundamental rights and due to this inequality in the system, extremism and other forces are raising their heads in the country. We must pay attention to this. Economic inequality is certainly responsible for the growth of terrorism in our country. The way they (the Government) are bringing about the surrender of the terrorists and recruiting them in the forces is a great achievement. If you work towards economic and social upliftment of the terrorists growing in the country due to social deprivation, it would be a very good step.

And before I conclude I want to say that there are big and strict laws in other countries also. But the dirty politics is played only in our country because people like Jayalalithaji, Mayawatiji and Laloo Yadavji are not there in other countries who go to any length to malign the social prestige of any person due to political rivalry/vendetta.

MR. SPEAKER: You conclude now.

SHRI RAJESH RANJAN ALIAS PAPPU YADAV: Hon.

Dy. Prime Ministerji, look at the Gujarat incident, it is a case of 124 Muslims, a person as responsible as you should also take note of that. In my constituency in Jharkhand, there are children, students and 80 years old people for whom I urged upon you yesterday also to take note of them. I hope you must pay attention to those people and you should do it. Vaikoji and Raja Bhaiya should never again be arrested like this. ...*(Interruptions)**

MR. SPEAKER: Now nothing more spoken by him will go on record.

[English]

MR. SPEAKER: Shri Rajesh Ranjan alias Pappu Yadav, nothing is going on record what you say now. Please sit down. Now Shri Prakash Yashwant Ambedkar to speak.

...*(Interruptions)**

[Translation]

MR. SPEAKER: Please sit down, nothing is going on record.

...*(Interruptions)**

[English]

SHRI PRAKASH YASHWANT AMBEDKAR (Akola): Even after the 11th September, 2002, the United States of America enacted a law in which they protected the rights of the American citizen. Individual liberty, I think, is one of the respected rights which is enshrined in the Constitution.

I have held a Seminar against the POTA in which many things have come up, which I will not mention here. However, I will mention a few things.

One of them is that POTA is being misused by the police for extortion. In cases that have been referred to the Governments or even to the Central Government, no action has been taken against the police forces who are misusing and blackmailing the common man saying that either he pays to them or he will be booked under POTA. This is one of the most important things which has happened after the POTA has come into action.

The other thing which is most important and on which I would like to have a reply from the hon. Prime Minister himself is that this is an Act which is against the terrorists. We have been demanding that Pakistan be declared as a terrorist State by the American Government. May I know from the

[Shri Prakash Yashwant Ambedkar]

Government about it? We have entrusted printing of Indian currency to Pakistan, once a State which we are asking for to be declared as a terrorist State. May I know from the Government whether those who are responsible for entrusting the printing of the Indian currency in Pakistan will be booked under the POTA? Today, we have fake currency notes in this country. Where are they originating from? My question to the Government would be whether those officials who are responsible for printing the Indian currency in Pakistan would be booked or not. This is my specific question. If you do not book them, then, this Act becomes redundant because it is going to be used for political purpose.

MR. SPEAKER: Now, the hon. Deputy Prime Minister will speak.

...(Interruptions)

SHRI G.M. BANATWALLA (Ponnani): Sir, I should be allowed to speak for a few minutes. ...(Interruptions)

MR. SPEAKER: Mr. Deputy Prime Minister, he wants to speak for two minutes. Please sit down.

...(Interruptions)

SHRI G.M. BANATWALLA: Sir, I thank you very much for giving me an opportunity to participate in the debate. I will be very brief and say that the entire Opposition had warned the Government earlier that POTA will be misused and there will be large-scale misuse. Now, the Government has come up with an amending Bill. This amendment Bill is a vindication of the Opposition's point of view. This amendment Bill is an admission of the fact that there has been a large scale abuse of the Act. Mere cosmetic changes are not going to help. It is a law-less law and a lawless law is prone to be used and abused on a large scale. There is an abuse of law whether it is in Gujarat, Maharashtra, Jharkhand or any other State. In Gujarat, in the case of Godhra, all accused are under POTA, but the post-Godhra Gujarat massacre accused are not under POTA. The Islamic Centres of Learning, which were supporting Gandhiji in our freedom struggle, are being threatened today.

That is the point of view. Several organisations and their leaders are threatening the minorities. But there is no POTA for them.

[Translation]

SHRI SHYAM BIHARI MISHRA (Bilhaur): Mr. Speaker, Sir, he never fails in referring to Gujarat and Godhra incidents whenever he speaks. ...(Interruptions)

[English]

SHRI G.M. BANATWALLA: These are the various facts and we have amply put them forward.

Here is this question of review committee. We are told the Centre did not abuse; but the States abused. But the Centre is guilty because Section 60 for appointment of review committee was already there in the Prevention of Terrorism Act. It provided for the appointment of a review committee; but for a long time, after the passing of the Act, the Centre did not appoint any review committee and connived with the misuse and large-scale abuse of POTA by the States. Only when they are now, today in a special predicament that this amendment has come and then in the case of the review committee there is no time limit also. I, therefore, say that cosmetic changes will not do.

MR. SPEAKER: Please conclude now.

SHRI G.M. BANATWALLA: Yes, Sir.

This POTA is a lawless law and whether it is POTA or its amendment, all these must be thrown out lock, stock and barrel.

[Translation]

THE DEPUTY PRIME MINISTER AND INCHARGE OF THE MINISTRY OF HOME AFFAIRS AND MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI L.K. ADVANI): Mr. Speaker, Sir, this morning, we passed an important Constitution Amendment Bill and we have started discussion on another important subject in the afternoon. By chance, the day when the discussion on POTA amendment Bill was going on in the Parliament, the Supreme Court of the country also delivered a very important decision on the subject. This is also a matter of chance that our colleague, a Member of Parliament from Tamil Nadu, Shri Vaiko was the person whose name was most frequently mentioned in the course of discussion and the matter which came up in the Supreme Court was also brought by Shri Vaiko and some other organisations like PUCL.

A common thing in both the proceedings is that it is said that this law itself is against the constitution especially some provisions under sections 20, 21 and 22 about which some hon. Members said that these are totally against the Constitution and should be struck down taking them as *ultra-vires*. I cannot read out the entire judgement, but I think, the judgement is very important. This will have far reaching consequences on terrorists especially in terms of POTA including its use or misuse, the judgement will be cited as there is nothing wrong in it. They have not delivered their

decision with reference to any particular law or case, but I believe, the hon. Supreme Court of the country has said that-

[English]

"Our country has been the victim of an undeclared war by the epicenters of terrorism with the aid of well-knit and resourceful terrorist organisations engaged in terrorist activities in different States such as Jammu and Kashmir, North-Eastern States, Delhi, West Bengal, Maharashtra, Gujarat, Tamil Nadu, Andhra Pradesh."

[Translation]

After this, they have referred to a number of incidents one by one including the attacks on the Parliament, the J&K Legislative Assembly, the Akshardham, the US Information Centre in Calcutta, CRPF camp at Shrinagar on 22 November, 2002 and then Narimarg etc. followed by this observation-

[English]

"The latest addition to this long list of terror is the recent twin-blast at Mumbai that claimed about 50 lives."

Thereafter, it says:

"This cannot be equated with a usual law and order problem within a State. On the other hand, it is inter-State; it is international or cross-border in the character. It is a challenge to the whole nation, an invisible force of Indianness that binds this great nation together. Therefore, terrorism is a new challenge for law enforcement.

In the above-said circumstances, Parliament felt that a new anti- terrorism law is necessary for a better future. This parliamentary resolve is epitomised in POTA."

This is the opinion given by the highest judiciary in the country. Then, it goes on to deal with the specific objections that had been raised by those who had gone to court, the petitioner. I would like to read out what they had said. They said-

"Petitioners assailed sections 20, 21 and 22 mainly on the ground that no requirement of *mens rea* for offences is provided in these sections and the same is liable to misuse. Therefore, it has to be declared unconstitutional."

[Translation]

Sometimes, some of our colleagues also used to say as to why should not the section 20 be amended. There should be made an express provision that mere speaking or expressing against something should not amount to a terrorist

offence. They have analysed it in detail and found that according to the spirit of the law made by the Parliament and the Government, in the event of misuse of this law by anyone, the court will not uphold it. Today, leave the other courts aside, we have got the correct meaning of this law from the Supreme Court of the country in which they have said that-

[English]

"At the outset, it has to be noted that sections 20, 21 and 22 of POTA are similar to sections 11, 12 and 15 of the Terrorism Act, 2000 of United Kingdom. Such provisions are found to be quite necessary all over the world in anti-terrorism efforts."

[Translation]

He was teaching me criminal jurisprudence. The Court has also said that-

[English]

"It is the cardinal principle of criminal jurisprudence that *mens rea* element is necessary to constitute a crime. It is the general rule that a penal statute presupposes *mens rea* element. ...

Offence under section 3(1) of POTA will be constituted only if it is done with an "intent". If Parliament stipulates that the terrorist act itself has to be committed with the criminal intention, can it be said that the person who professes or invites support or arranges, manages or assists in arranging or managing a meeting or addresses a meeting, has committed the offence. If he does not have an intention or design to further the activities of any terrorist organisation or the commission of terrorist acts? We are clear that it is not. Therefore, it is obvious that the offence under section 20 or 21 or 22 needs positive inference that the person has acted with intent of furthering or encouraging terrorist activity or facilitating its commission."

[Translation]

I do not want to read out the entire judgement but we can say that this is an elaborate judgement on the basis of which we can say that the object with which we made this law and passed it in the joint session of the Parliament, it has been endorsed by the Supreme Court of the country. Certainly, we have talked about the review committee for which we have not made provision now rather it was provided in the original law, but in the original law, there was a doubt that in case the review committee were of the view that application of the law was not proper than a State or the Central

[Shri L.K. Advani]

Government could say that its (the committee's) advice is not landing on them, it is not written there in the law that it is so binding, so in order to do away with this doubt, we felt it proper to make it binding. I have just given another amendment which endorses the view that if a review committee concludes that the application of the law has not been proper then the entire action taken against the person will stand withdrawn. This is another amendment I have brought which will bring to an end any doubt if one still remained.

SHRI RAM VILAS PASWAN: What is this 'automatic'?

[English]

SHRI T.M. SELVAGANPATHI: Mr. Speaker, Sir, I have got one very important question to ask from the hon. Minister.

SHRI L.K. ADVANI: I am not yielding to you.
...(Interruptions)

MR. SPEAKER: Please sit down.

SHRI T.M. SELVAGANPATHI: Sir, it is a very important question. I plead before you, it is a very vital question.
...(Interruptions)

MR. SPEAKER: Please sit down.

...(Interruptions)

MR. SPEAKER: If the hon. Minister has not yielded, then you cannot ask questions from him.

...(Interruptions)

SHRI T.M. SELVAGANPATHI: Mr. Speaker, Sir, he has yielded. ...(Interruptions) Sir, there are cases in which certain people are detained under the POTA, and in which the Supreme Court has clearly held that there is a *prima facie* case. Does the Government propose to say, in such situation, that the Review Committee is superior to the Supreme Court or not? We expect an answer on that aspect.

SHRI L.K. ADVANI: Firstly, I would say that even in respect of the Review Committee, the provisions that have been made in the law are of such a nature where there is no reason for us to feel that the Review Committee will disregard what any court has said. If a court has said that there is a *prima facie* case, then no Review Committee can disregard it. But, as I said, we are a legislative body and when we move an amendment, we cannot override what the Judiciary has said. ...(Interruptions) Therefore, the formulation of the amendments has been of a nature where the Review Committee comes to a certain conclusion, and whatever it

says may be binding on the Executive -- whether it is the State Executive or the Central Executive. The Judiciary, of course, is supreme and we cannot do anything about it. But, today, the Judiciary being supreme, I feel very happy that we have had this kind of a judgement from the Judiciary.
...(Interruptions)

MR. SPEAKER: Please maintain silence in the House.

...(Interruptions)

SHRI L.K. ADVANI: Incidentally, Shri Sarkar, you had asked me whether the Saharia Committee is the only Review Committee formed. I would like to tell you that there are eight States in the country that have formed Review Committees. These include Uttar Pradesh, Delhi, Jammu and Kashmir, Haryana, Jharkhand, Himachal Pradesh, Tamil Nadu, and Gujarat. ...(Interruptions) I have noticed that while there are no Review Committees in Maharashtra or Karnataka, there is a special court under POTA in Maharashtra, Jammu & Kashmir, Himachal Pradesh, Jharkhand, Tamil Nadu, Goa, Delhi, Sikkim, etc. I am pointing out all these things because of this.

[Translation]

SHRI L.K. ADVANI: POTA has been opposed on two counts in today's debate. One divergent view was that this kind of amendment would not prevent its abuse in any way and hence the Members wanted POTA to be scrapped altogether. Another view, expressed by only one hon. Member from A.I.A.D.M.K. to which I disagree is that the basic objective of POTA is defeated by introducing such an amendment. However, I would like to submit that the effect of POTA enforced originally remains the same even after the present amendment. That it should be used in right manner and only against the terrorists and as defined by the Supreme Court and that for any penal action *mens rea* should be there. And in absence of *mens rea* POTA cannot be enforced. We have tried to make its provision. I believe that the Review Committee will consider this aspect before taking any final decisions. I feel that I do not need to say much about this excepting what was said

[English]

in relation to the Government's approach to the problem of terrorism.

[Translation]

I would elaborate on it on some other occasion as to the manner in which our Government came in contact with other countries in this regard not after the incident of 9/11 but

soon after coming to power in 1998. We tried to make them realise that terrorism is a draconian curse on our society and only the concerted efforts worldwide would help set ourselves free from this curse. Before nine/eleven we had constituted joint working groups against terrorism with several countries. We signed mutual legal assistant treaty with several countries. We signed extradition treaty. This movement gained momentum after the attack of 9/11 since its urgency was realised in the entire world following this incident. Thus, to blame us for inaction and failure in doing anything is not right. I feel that the Members who are against POTA should also support it, since strengthening the Review Committee would mean preventing the misuse of this act.

...(Interruptions)

[English]

MR. SPEAKER: As per the procedure, there is a right of reply to the Member. Therefore, Shri Basu Deb Acharia has the right to reply. If he wants to say anything, he can say that. If he does not want to say anything and join the walk-out, he can do that.

...(Interruptions)

19.48 hrs.

(At this stage, Shri Shivraj V. Patil and some other hon. Members left the House.)

...(Interruptions)

MR. SPEAKER: The question is:

"That this House disapproves of the Prevention of Terrorism (Amendment) Ordinance, 2003 (No.4 of 2003) promulgated by the President on 27 October, 2003."

The motion was negatived.

...(Interruptions)

SHRI BASU DEB ACHARIA: Sir, we are walking out in protest against non-repeal of POTA.

19.48½ hrs.

(At this stage, Shri Basu Deb Acharia and some other hon. Members left the House.)

MR. SPEAKER: The question is:

"That the Bill to amend the Prevention of Terrorism Act, 2002, be taken into consideration."

The motion was adopted.

MR. SPEAKER: The House will now take up clause by clause consideration of the Bill.

Clause 2 Amendment of Section 60

MR. SPEAKER: Dr. Krishnan, would you like to move your amendments to clause 2?

DR. C. KRISHNAN: No, Sir.

SHRI L.K. ADVANI: Sir, I beg to move:

"Page 2 after line 12 insert--

"(7) Where any review committee constituted under sub-section (1) is of opinion that there is no prima facie case for proceeding against the accused and issues directions under sub-section (4) then the proceedings pending against the accused shall be deemed to have been withdrawn from the date of such direction." (5)

MR. SPEAKER: The question is:

"Page 2 after line 12 insert--

"(7) Where any review committee constituted under sub-section (1) is of opinion that there is no prima facie case for proceeding against the accused and issues directions under sub-section (4) then the proceedings pending against the accused shall be deemed to have been withdrawn from the date of such direction." (5)

SHRI K. MALAISAMY: Sir, we are opposing the amendment to clause 2.

DR. V. SAROJA: Sir, we want a division.

MR. SPEAKER: Dr. Saroja, are you really interested in opposing this seriously?

DR. V. SAROJA: Yes, Sir, we are seriously opposing this. We want a division.

MR. SPEAKER: Let the lobbies be cleared—

Now, the Lobbies have been cleared.

The question is:

Page 2 after line 12 insert -

"(7) Where any review committee constituted under sub-section (1) is of opinion that there is no prima facie case for proceeding against the accused and issues directions under sub-section (4) then the proceedings

pending against the accused shall be deemed to have been withdrawn from the date of such direction." (5)

The Lok Sabha divided:

Division No. 8

Time : 19.51 hrs.

AYES

Acharya, Shri Prasanna

Adhi Sankar, Shri

Aditya Nath, Yogi

Adsul, Shri Anandrao Vithoba

Advani, Shri L.K.

Ananth Kumar, Shri

Angle, Shri Ramakant

Argal, Shri Ashok

Arya, Dr. (Shrimati) Anita

Atkinson, Shri Denzil B.

Azad, Shri Kirti Jha

Baalu, Shri T.R.

'Bachda', Shri Bachi Singh Rawat

Badnore, Shri Vijayendra Pal Singh

Bainda, Shri Ramchander

Bais, Shri Ramesh

Bandyopadhyay, Shri Sudip

Banerjee, Kumari Mamata

Banerjee, Shrimati Jayashree

Barwala, Shri Surendra Singh

Behera, Shri Padmanava

Bhagat, Prof. Dukha

Bhargava, Shri Girdhari Lal

Bishnoi, Shri Jaswant Singh

Bose, Shrimati Krishna

Brahmanaiah, Shri A.

C. Suguna Kumari, Dr. (Shrimati)

Chakravarty, Shrimati Bijoya

Chandel, Shri Suresh

Chaubey, Shri Lal Muni

Chaudhary, Shri Haribhai

Chaudhary, Shri Ram Tahal

Chaudhri, Shri Manibhai Ramjibhai

Chauhan, Shri Shriram

Chautala, Shri Ajay Singh

Chikhalia, Shrimati Bhavnaben Devrajbhai

Choudhary, Shri Nikhil Kumar

Choudhry, Shri Padam Sen

Chouhan, Shri Nihal Chand

Chouhan, Shri Shivraj Singh

D'Souza, Dr. (Shrimati) Beatrix

Daggubati, Shri Ramanaidu

Dahal, Shri Bhim

Dattatraya, Shri Bandaru

Delkar, Shri Mohan S.

Deo, Shri Bikram Keshari

Dhikale, Shri Uttamrao

Diler, Shri Kishan Lal

Diwathe, Shri Namdeo Harbaji

Durai, Shri M.

Elangovan, Shri P.D.

Fernandes, Shri George

Gadde, Shri Ram Mohan

Gadhavi, Shri P.S.

Gandhi, Shrimati Maneka

Katiyar, Shri Vinay

Gangwar, Shri Santosh Kumar

Kaushal, Shri Raghuvir Singh

Gautam, Shrimati Sheela

Khaire, Shri Chandrakant

Gavit, Shri Ramdas Rupala

Khandelwal, Shri Vijay Kumar

Geete, Shri Anant Gangaram

Khandoker, Shri Akbor Ali

Gehlot, Shri Thawar Chand

Khanduri, Maj. Gen. (Retd.) B.C.

Goel, Shri Vijay

Khanna, Shri Vinod

Gohain, Shri Rajen

Khurana, Shri Madan Lal

Gudhe, Shri Anant

Kriplani, Shri Shrichand

Gupta, Prof. Chaman Lal

Krishnamraju, Shri

Haque, Mohammad Anwarul

Krishnan, Dr. C.

Hussain, Shri Syed Shahnawaz

Krishnaswamy, Shri A.

Jadhav, Shri Suresh Ramrao

Kulaste, Shri Faggan Singh

Jag Mohan, Shri

Kumar, Shri Arun

Jagannath, Dr. Manda

Kumar, Shri V. Dhananjaya

Jagathrakshakan, Dr. S.

Kuppusami, Shri C.

Jain, Shri Pusp

Kusmaria, Dr. Ramkrishna

Jaiswal, Dr. M.P.

M. Master Mathan, Shri

Jaiswal, Shri Shankar Prasad

Mahajan, Shri Y.G.

Jatiya. Dr. Satyanarayan

Mahajan, Shrimati Sumitra

Javiya, Shri G.J.

Maharia, Shri Subhash

Jayaseelan, Dr. A.D.K.

Mahtab, Shri Bhartruhari

Jha, Shri Raghunath

Mahto, Shrimati Abha

Kannappan, Shri M.

Majhi, Shri Parsuram

Kashyap, Shri Bali Ram

Malhotra, Dr. Vijay Kumar

Kaswan, Shri Ram Singh

Mallik, Shri Jagannath

Katara, Shri Babubhai K.

Malyala, Shri Rajaiah

Kataria, Shri Rattan Lal

Mandal, Shri Brahma Nand

Kathiria, Dr. Vallabhbai

Mane, Shri Shivaji

Manjay Lal, Shri

Manjhi, Shri Ramjee	Parthasarathi, Shri B.K.
Mann, Shri Zora Singh	Passi, Shri Raj Narain
Meena, Shrimati Jas Kaur	Paswan, Dr. Sanjay
Meghwal, Shri Kailash	Paswan, Shri Sukdeo
Mehta, Shrimati Jayawanti	Patasani, Dr. Prasanna Kumar
Mishra, Shri Ram Nagina	Patel, Dr. Ashok
Mishra, Shri Shyam Bihari	Patel, Shri Chandresh
Mohale, Shri Punnu Lal	Patel, Shri Deepak
Mohite, Shri Subodh	Patel, Shri Mansinh
* Mohitepatil, Shri Pratapsinh Shankar Rao	Patel, Shri Prahlad Singh
Mookherjee, Shri Satya Brata	Pathak, Shri Harin
Moorthy, Shri A.K.	Patil, Shri Annasaheb M.K.
Munda, Shri Kariya	Patil, Shri Bhaskarrao
Muni Lall, Shri	Patil, Shri Danve Raosaheb
Murmu, Shri Salkhan	Patil, Shri Jaysingrao Gaikwad
Murthi, Dr. M.V.V.S.	Patnaik, Shrimari Kumudini
Nagmani, Shri	Pawaiya, Shri Jaibhan Singh
Naik, Shri Ram	Ponnuswamy, Shri E.
Naik, Shri Shripad Yesso	Potai, Shri Sohan
Nayak, Shri Ananta	Prabhu, Shri Suresh
Nishad, Capt. Jai Narain Prasad	Pradhan, Dr. Debendra
Nitish Kumar, Shri	Pradhan, Shri Ashok
Oram, Shri Jual	Prasad, Shri V. Sreenivasa
Palanimanickam, Shri S.S.	Radhakrishnan, Shri C.P.
Pandey, Shri Ravindra Kumar	Radhakrishnan, Shri Pon
Pandeya, Dr. Laxminarayan	Rai, Shri Nawal Kishore
Panja, Dr. Ranjit Kumar	Raja, Shri A.
Paranjpe, Shri Prakash	Ram, Shri Braj Mohan
Parste, Shri Dalpat Singh	Ramaiah, Dr. B.B.

* Voted through slip.

Ramaiah, Shri Gunipati	Shashi Kumar, Shri
Ramachandran, Shri Gingee N.	* Sikdar, Shri Tapan
Ramshakal, Shri	Singh Deo, Shrimati Sangeeta Kumari
Rana, Shri Kashiram	Singh, Capt. (Retd.) Inder
Rana, Shri Raju	Singh, Ch. Tejveer
Rao, Shri Ch. Vidyasagar	Singh, Shri Bahadur
Rao, Dr. D.V.G. Shankar	Singh, Shri Brij Bhushan Sharan
Rao, Shri Ganta Sreenivasa	Singh, Shri Chandra Pratap
Rao, Shri Y.V.	Singh, Shri Chhattrapal
Rathwa, Shri Ramsinh	Singh, Shri Digvijay
Ravi, Shri Sheesh Ram Singh	Singh, Shri Maheshwar
Rawale, Shri Mohan	Singh, Shri Prabhunath
Rawat, Prof. Rasa Singh	Singh, Shri Radha Mohan
Rawat, Shri Pradeep	Singh, Shri Ramanand
Ray, Shri Bishnu Pada	Singh, Shri Ramjivan
Reddy, Shri A.P. Jithender	Singh, Shri Rampal
Renu Kumari, Shrimati	Singh, Shri Th. Chaoba
Rudy, Shri Rajiv Pratap	Sinha, Shri Manoj
Sahu, Shri Anadi	Sinha, Shri Yashwant
Sahu, Shri Tarachand	Solanki, Shri Bhupendrasinh
Sai, Shri Vishnudeo	Somaiya, Shri Kirit
Sangwan, Shri Kishan Singh	Srikantappa, Shri D.C.
Sarkar, Dr. Bikram	Srinivasulu, Shri Kalava
Sathi, Shri Harpal Singh	* Swami, Shri Chinmayanand
Sengupta, Dr. Nitish	Swami, Shri I.D.
Sethi, Shri Arjun Charan	Thakkar, Shrimati Jayaben B.
Shah, Shri Manabendra	
Shanmugam, Shri N.T.	
Shanta Kumar, Shri	

Thakor, Shri Punjaji Sadaji
Thakur, Dr. C.P.
Thakur, Shri Chunni Lal Bhai
Thirunavukkarasar, Shri Su
Thomas, Shri P.C.
Tiwari, Shri Lal Bihari
Tomar, Dr. Ramesh Chand
Tripathee, Shri Ram Naresh
Tripathi, Shri Prakash Mani
Tripathy, Shri Braja Kishore
Vajpayee, Shri Atal Bihari
Varma, Sh. Ratilal Kalidas
Vasava, Shri Mansukhbhai D.
Veerappa, Shri Ramchandra
Venkataswamy, Dr. N.
Venkateswarlu, Shri B.
Venkateswarlu, Prof. Ummareddy
Venugopal, Shri D.
Verma, Dr. Sahib Singh
Verma, Prof. Rita
Vetriselvan, Shri V.
Vijaya Kumari, Shrimati D.M.
Vijayan, Shri A.K.S.
Virendra Kumar, Shri
Vukkala, Dr. Rajeswaramma
Wanaga, Shri Chintaman
Yadav, Dr. (Shrimati) Sudha
Yadav, Dr. Jaswant Singh
Yadav, Shri Dinesh Chandra

Yadav, Shri Hukumdeo Narayan
Yadav, Shri Pradip
Yadav, Shri Sharad
Yerrannaidu, Shri K.
Zawma, Shri Vanlal

Noes

Dalit Ezhilmalai, Shri
Dhinakaran, Shri T.T.V.
Kaliappan, Shri K.K.
Kumarasamy, Shri P.
Malaisamy, Shri K.
Murugesan, Shri S.
Pandian, Shri P. H.
Saroja, Dr. V.
Selvaganpathi, Shri T .M.
Sreenivasan, Shri C.

MR. SPEAKER: Subject to correction*, the result of the division is:

Ayes: 257

Noes: 10

The motion was adopted.

MR. SPEAKER: The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 3 was added to the Bill.

MR. SPEAKER: Dr. C. Krishnan, are you moving your Amendment?

DR. C. KRISHNAN: No, Sir.

MR. SPEAKER: The question is:

"That clause 1 stand part of the Bill."

The motion was adopted.

*The following members also recorded their votes through slip.

Ayes : 257 + Shri Tapan Sikdar, Shri Swami Chinmayanand and Shri Pratap Singh Mohitepatil - 260

Clause 1 was added to the Bill.

*The Enacting Formula and the long Title
were added to the Bill.*

MR. SPEAKER: The Minister may now move that the Bill, as amended, be passed.

SHRI L.K. ADVANI: Sir, I beg to move:

"That the Bill, as amended, be passed."

MR. SPEAKER: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

19.56 hrs.

BUSINESS ADVISORY COMMITTEE

Fifty Eighth Report

[English]

MR. SPEAKER: There is the 58th Report of the BAC to be presented.

[Translation]

THE MINISTER OF HEALTH AND FAMILY WELFARE AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRIMATI SUSHMA SWARAJ): Mr. Speaker, Sir, I beg to present 58th Report of the Business Advisory Committee.

19.56½ hrs

RE: DEMANDS FOR SUPPLEMENTARY GRANTS – GENERAL

[English]

MR. SPEAKER: Now, the House shall take up Item No. 18 -- Supplementary Demands for Grants (General).

SHRI K. YERRANNAIDU (Srikakulam): Sir, let us have it tomorrow. ...*(Interruptions)*

MR. SPEAKER: Let me ask the hon. Minister of Parliamentary Affairs.

...*(Interruptions)*

MR. SPEAKER: I am ready to take it up now. I have no problem.

...*(Interruptions)*

[Translation]

THE MINISTER OF HEALTH AND FAMILY WELFARE AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRIMATI SUSHMA SWARAJ): The Bill has been introduced. Now the discussion is to begin. Four hours were earmarked for the discussion. We will finish it tonight and tomorrow there will be voting on it. ...*(Interruptions)*

SHRI SHIVAJI MANE (Hingoli): Sir, we can do it tomorrow. ...*(Interruptions)*

SHRIMATI SUSHMA SWARAJ: It is important financial business. ...*(Interruptions)* We have ATR on JPC is listed for tomorrow and if this is to be passed without discussion then it is a separate issue. ...*(Interruptions)* Let the Opposition Members come. ...*(Interruptions)* Mani Shankar Aiyar ji has come. He is initiating the debate.

[English]

MR. SPEAKER: As decided in the Business Advisory Committee, the House will continue. Now Shri Mani Shankar Aiyar.

[Translation]

SHRIMATI SUSHMA SWARAJ: Arrangements for dinner have been made. The House shall sit until night. The discussion shall go on for four hours. ...*(Interruptions)*

[English]

SHRI MANI SHANKAR AIYAR (Mayiladuturai): Mr. Speaker, Sir, we are being asked to commence the debate on this issue without the hon. Minister of Finance being present. ...*(Interruptions)* I do not see the hon. Minister of Finance present. It is such an important financial matter, and how can we begin a discussion? I am ready and I am prepared and wanting to speak. But in the absence of the Finance Minister it would not appear to be in keeping with the dignity of the House for such an important matter to be debated.

SHRI RAMESH CHENNITHALA (Mavelikara): Sir please take it up tomorrow.

[Translation]

SHRIMATI SUSHMA SWARAJ: We can replace it by taking up A.T.R. on J.P.C. We do not have any objection. But

tomorrow if we take up discussion on A.T.R. on J.P.C.
...(Interruptions)

[English]

SHRI MANI SHANKAR AIYAR: Sir, I must have the presence of the Finance Minister.

20.00 hrs.

But now can we have a discussion on what the Parliamentary Affairs Minister described as an important Financial Bill, without the presence of the hon. Finance Minister?

[Translation]

SHRIMATI SUSHMA SWARAJ: You are talking about the Finance Minister, we have hon. Prime Minister present here, we have a better opportunity.

MR. SPEAKER: I know.

[English]

The Prime Minister is here; you can start your arguments; there is no problem.

SHRIMATI SUSHMA SWARAJ: The hon. Prime Minister is present here.

SHRI MANI SHANKAR AIYAR: All right, Sir.

May I then request you? It is an important matter; if you could please bring some order in the House it would be better, so that those who wish to leave could leave and those who wish to stay could stay in the House. But to start a discussion in this confusion, will be difficult. You could please bring some order in the House.

MR. SPEAKER: I agree with the hon. Member. Those who want to stay in the House can stay in the House and those who want to leave the House can leave the House please.

SHRI MANI SHANKAR AIYAR: Mr. Speaker, Sir, may I at least request the hon. Minister of Parliamentary Affairs to pay some attention because somebody will have to carry what I am saying, to the hon. Finance Minister.

MR. SPEAKER: Hon. Minister of State for Finance is present here.

SHRI MANI SHANKAR AIYAR: Thank you, Sir.

MR. SPEAKER: Please keep silence in the House.

Okay. There is a suggestion here. There was a discussion fixed for tomorrow on the JPC Report. If we could postpone it to some other day, then this item could be taken up tomorrow. If the House agrees, then we could do it.

SHRI MANI SHANKAR AIYAR: Sir, this is a decision which I would leave entirely to you. But I would remind you that the Business Advisory Committee which has just presented its Report, has arrived at its conclusions with great difficulty. It found time for two major discussions under Rule 193, one of which is on the JPC and one of which is on unemployment. If we have the assurance from the Chair that whatever the business of the Treasury Benches might be, both these issues will be taken up in this Session, then we have no difficulty in coming to you tomorrow with our intervention on the question of the Supplementary Demands for Grants. This is entirely for the Chair to take a decision and whatever your decision would be, we would abide by that.

MR. SPEAKER: Okay. I will consult the Government. If the Parliamentary Affairs Minister agrees to this, we can do it.

[Translation]

SHRIMATI SUSHMA SWARAJ: Even at time I told you that it was decided in the BAC, even at that time it was known, that the discussion on POTA would go on till 6-7 O' clock and on the Demands for Supplementary Grants and Appropriation Bill four hours were allotted. So it is to be finished by night and the next day is reserved for reply. Tomorrow there will be discussion on ATR on JPC. The Government has never objected to it and we do not have any objection even today.

[English]

MR. SPEAKER: Okay. Shri Shivraj Patil has also come now.

The hon. Members say that they are really tired after working since morning and that they want this item should be taken up tomorrow. They feel that the discussion on JPC should be either postponed to some other date or it should be taken up tomorrow after the Supplementary Demands for Grants are passed.

SHRI SHIVRAJ V. PATIL (Latur): We will go by your decision. But suppose we want to take it up tomorrow, then we could dispense with the Lunch Hour tomorrow and start this discussion immediately after the Question Hour.

MR. SPEAKER: If the House agrees to this, there is no objection.

SHRI SHIVRAJ V. PATIL: The only point that I want to

make is that our Members are very keen to discuss certain issues. They should be allowed to be discussed. That is the only request that I want to make. It can be done on any day which is adjustable.

DR. VIJAY KUMAR MALHOTRA (South Delhi): We can take it up tomorrow.

MR. SPEAKER: Okay. So, tomorrow after the Supplementary Demands for Grants are passed, there will

be a discussion on the JPC Report. All the hon. Members are requested to consent to this proposal.

Now, I declare that the House stands adjourned today to meet again tomorrow, the 17th December, 2003 at 11 a.m.

20.06 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, December 17, 2003/Agrahayana 26, 1925 (Saka).

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