

THE MINISTER OF PLANNING AND PROGRAMME IMPLEMENTATION (SHRI RAM NAIK) : (a) and (b) While making investment decision, Planning Commission recognise the dual role of Railways as public utility on the one hand and commercial enterprise based on sound business principles, on the other. The Approach Paper to the Ninth Plan emphasises that the needed investment in Railways will be financed through greater commercial orientation of the Railways' tariff policy and through private sector participation wherever possible. The State shall also provide adequate assistance to enable the Railways to carry the social burdens of a public utility.

[English]

MPLADS

6219. COL. SONA RAM CHAUDHARY : Will the PRIME MINISTER be pleased to state :

(a) whether the Government are aware that **some** District Collectors particularly in Rajasthan are not **executing the works** under MPLADS according to guidelines laid in this regard;

(b) if so, the number of complaints received by the Union Government against District collectors/Projects Collectors of Rajasthan; and

(c) the action taken/proposed to be taken by the Union Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS, MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PLANNING AND PROGRAMME IMPLEMENTATION (SHRI RAM NAIK) : (a) and (b) Yes, Sir. Some complaints regarding improper implementation of MPLADS works against some District Collectors in Rajasthan have been received.

(c) Whenever a complaint is received, the matter is taken up with the State Administration/District Collector concerned for corrective measures and for taking suitable action against those responsible, whenever necessary.

P-5 Meet

6220. SHRI MADHAVRAO SCINDIA : Will the PRIME MINISTER be pleased to state :

(a) whether Government's attention has been drawn to the Pakistan's response to the resolution adopted at the P-5 meeting at Geneva held in first week of June 1998, to the effect that **this resolution marked the beginning of international involvement in the Indian Sub-continent and that bilateral dialogue on issues like Kashmir needed to be supplemented by a broader multilateral process to promote durable peace in South Asia;** and

(b) if so, what was the Government's response to the Pak reaction?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI SOMPAL) : (a) Government have seen Pakistan's response to the joint communique issued at the conclusion of the P-5 Foreign Ministers' Meeting held in Geneva on 4 June, 1998.

(b) There is no place for any international or third party involvement of any kind whatsoever in bilateral issues between India and Pakistan. This view has been reiterated through official statements, as also in interaction with all concerned at the political and diplomatic levels. India remains firmly committed to carrying forward the process of bilateral dialogue with Pakistan to settle all outstanding issues.

[Translation]

Court's Judgement against Reservation Policy

6221. PROF. JOGENDRA KAWADE : Will the PRIME MINISTER be pleased to state :

(a) whether Department of Personnel and Training had issued five Office memorandum on January 30, 1997, July 2, 1997, July 22, 1997, August 13, 1997 and August 29, 1997 respectively with a view to abolish the quota reserved for SCs/STs by misinterpreting the decisions of the Court by some officials who had even tries that the cases relating to reservations are not pleaded properly in the courts;

(b) whether SC/ST Welfare Associations/Trade Unions have not been recognised so that they may not present their problems before departmental officer and Ministers **whereas** that Group is even recognised in the Constitution as a **special** group and the Supreme Court has also recognised SC/ST as a group of castes and not a caste;

(c) whether reservation has not been made as a law even after 50 years of independence and the reservation is on the basis of reservation Memos and Officers and the employees of this class have to take resort to the court frequently due to lack of clear stipulated law and rules; and

(d) whether due to lack of sufficient powers, National Commission for Scheduled Castes and Scheduled Tribes is not able to protect the interest of SCs/STs and it was confined by Department of Personnel and Training by issuing a memorandum of January 1, 1998 stating that the jurisdiction of the Commission is to make enquiry only?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF FINANCE (BANKING, REVENUE AND INSURANCE) (SHRI KADAMBUR M.R. JANARTHANAN) : (a) The said Office Memcranda were issued in implementation of the various judgments of the Supreme Court after thorough examination of the legal position and are not meant to abolish the reservation quota.

(b) A number of SC/ST Welfare Associations have been recognised for the purpose of notifying reserved vacancies. Liaison Officers are appointed in each Ministry/Department to ensure proper implementation of the reservation policy. Instructions also permit SC/ST employees to write directly to the National Commission for Scheduled Castes and Scheduled Tribes (NCSCST) on their service matters.

(c) The Supreme Court, in the 'Indira Sawhney case', has held that provision under Article 16(4) need not necessarily be enacted into law. The Court also held that the executive instructions under Article 16(4) are enforceable the moment these are made and issued.

(d) It is for the NCSCST to comment upon whether its powers are sufficient to discharge its obligations under Article 338 of the Constitution. This Department's Memorandum dated January 1, 1998 has only apprised Ministries/Departments that in view of the Supreme Court's judgment in the Indian Overseas Bank case, the Commission has no power to direct withholding operation of any orders issued by the Government.

[English]

Iran and China help to Pakistan

6222. SHRI MOHAN RAWALE : Will the PRIME MINISTER be pleased to state :

(a) whether a Pakistan nuclear scientist, who has defected to the United States has provided the Federal Bureau of Investigation with evidence that Iran and China were involved in Pakistan's effort to develop nuclear arsenal and that Saudi Arabia helped to fund it; and

(b) if so, the reaction of the Government of India thereto?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI SOMPAL) : (a) Government have seen reports regarding the defection of a Pakistan national Iftikar Chaudhry Khan to the United States.

(b) Government have long been aware of the clandestine nature of Pakistan's nuclear weapons programme and the repeated attempts made by Pakistan to covertly acquire materials and technologies from various countries. All developments in Pakistan's nuclear weapons programme are being continuously monitored and assessed by Government. Government remains fully committed to taking all necessary steps to effectively safeguard India's security and national interest in accordance with its own threat perceptions.

Overpayment due to Change in Rotation of Currency

6223. SHRI MADHAVRAO SCINDIA : Will the PRIME MINISTER be pleased to state :

(a) whether the Comptroller and Auditor General of India in his 1997-98 report, has pointed out that the Department of Space paid an amount due to the British firm Hi-Tech Alloy Limited in terms of pound sterling in place of making it in terms of an equal number of dollars, putting the Department of Space to a net loss of around Rs. 35 lac;

(b) whether the Department has since claimed and recovered the excess amount with interest;

(c) if not, the reasons therefor; and

(d) the steps being taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI VASUNDHARA RAJE) :

(a) Yes, Sir.

(b) and (c) The Department has made a formal claim for the excess payment. Despite best efforts made to recover the amount, M/s Hitech Alloys (UK) Ltd. have refused to refund the excess payment.

(d) The Arbitration clause in the Purchase Order has been invoked and the International Chamber of Commerce Secretariat has been approached to get refund of the excess amount paid. Action is also on hand to proceed against the firm for criminal breach of trust.

Gujral's Diplomacy

6224. SHRI K.S. RAO : Will the PRIME MINISTER be pleased to state :

(a) whether the initiative taken by the former Prime Minister to start correspondence with the President Clinton of USA and the Prime Minister of UK, Tony Blair in the wake of the nuclear tests conducted by India in May, 1998 and the imposition of economic sanctions against India has the approval of the Government and the Prime Minister; and

(b) if so, the details and the implications thereof?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI SOMPAL) : (a) and (b) The previous Prime Minister Shri I.K. Gujral has maintained regular contact and consultation with Prime Minister regarding his activities and initiatives on foreign policy issues. This reflects the national consensus that has traditionally existed on the basic tenets of India's foreign policy.

Letter to Bill Clinton

6225. SHRI K. NATWAR SINGH : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that our Prime Minister's letter to President Clinton appeared in the U.S. print media; and

(b) if yes, how did such a secret communication get into the press?