

by way of compensation, Rs. 5 lakh to the next of kin of each of those killed, and Rs. 1 lakh to each of those injured and also offer condolences to the families of the deceased and provide jobs to the members of these families and thus solve this problem. He should also take necessary action against the officers of the Government Railway Police Protection Force who opened fire on the peaceful demonstrations. I would request the hon. Minister to give his reply in this regard...*(Interruptions)*

SHRI PRABHU DAYAL KATHERIA : Mr. Deputy Speaker, my question is very important. There is a danger to our lives...*(Interruptions)*

DR. MURLI MANOHAR JOSHI (Allahabad) : Mr. Deputy Speaker, I would like to know the attention of the House to a very important matter. *(Interruptions)*

[English]

MR. DEPUTY SPEAKER : I have allowed him.

[Translation]

SHRI MOHAMMED ALI ASHRAF FATMI (Darbanga) : Under which rule, do you allot time? Are we not members here?...*(Interruptions)*

[English]

MR. DEPUTY-SPEAKER : It is my discretion.

*(Interruptions)*

SHRI MOHAMMAD ALI ASHRAF FATMI :

MR. DEPUTY-SPEAKER : I have got a list. Please sit down.

SHRI MOHAMMAD ALI ASHRAF FATMI : Sir, I am requesting you since yesterday...*(Interruptions)*

MR. DEPUTY-SPEAKER : I have been supplied a list by the Office and I am selecting from that.

SHRI MOHAMMAD ALI ASHRAF FATMI : There must be some system...*(Interruptions)*

MR. DEPUTY-SPEAKER : How do you say that?

SHRI MOHAMMAD ALI ASHRAF FATMI : Sir, there must be some system. There was a system in the last Session.

MR. DEPUTY-SPEAKER : I am allowing a system which is already in force.

*(Interruptions)*

#### RE : COMPREHENSIVE TEST BAN TREATY (CTBT)

[Translation]

DR. MURLI MANOHAR JOSHI (Allahabad) : Mr. Deputy Speaker, Sir, I wish to draw the attention of the House and the Government to a very important question.

\* Expunged as ordered by the Chair.

This question pertains not only to the dignity of this House but also to the sovereignty and integrity of the country.

It was, of late reported in the newspapers that the USA sent a notice to the Government of India on the 2nd July, threatening therein that if the Government of India did not amend its patent laws in the manner desired by the USA the latter would not try to penalise India but would also take the matter to the W.T.O. The USA had given 15 days time to India for doing the needful. I do not know how our Government reacted to it and why it did not inform this House and the country about it so far? Nobody knows the shape of things to come. It is also reported that the Government of India has invited Mr. Canter, U.S. Commerce Secretary to India for talks in this regard. Now, as reported in some sections of the press the USA has deliberately chosen to pressurise India for shaping our patent laws as per their wishes at a time when India is refusing to sign the CTBT. As report in the 'Business Standard', it is apprehended that the USA has deliberately and wilfully chosen this time for the purpose. I do not know the reaction of the Government of India in this regard. Will it agree to change our patent laws in Deference to the wishes of the USA? The USA has kept India and all the countries in their priority-watch-list, as per the documents brought out by the U.S.I.S. It appears that the USA wants to act as an international policeman in the matter of TRIPS and the intellectual property Rights and wants every country to adjust its laws according to the wishes of the USA. Otherwise it would impose all sorts of sanctions and penalties on countries choosing not to toe their lines. I would like to know as to how our Government reported to this sorry state of affairs during these 15 days and why it did not take the country into confidence as regards its response to the situation. Parliament is in session these days. Within 60 days of its response. The Government of India would either have to go to the W.T.O. with the US Government or would have to talk over the matter with the USA. We would like to know what negotiations the Government of India propose to enter into with the USA and how far it proposes to compromise with the sovereignty of the country.

I wish to draw the attention of all the members towards the serious situation. Paswanji, Indrajit Guptaji, Somnath Chatterjee and Nirmal Kantiji have all along been raising this issue and impressing upon the Government of India never to agree to amend our patent laws under pressure from the USA and thus compromise with the sovereignty and integrity of the country.

I can understand that keeping in view our international commitments, we may have to amend our patent laws. But it is only this House and our Government to decide as to what those reforms should be and how they are to be brought about. No other country can dictate terms to us in this regard and if any country has dared to do so. If our Government should tell us as to how it proposes to meet the situation.

I would like to submit that last time also the Government had brought toward a Bill to amend Patents Act but it could not get through in the Rajya Sabha and a Committee was constituted therefor. I would like to know whether the Government gave serious thought to the evidences placed before the said committee by the experts, industrialists, MPs and common people of our country. Therefore, I would request the Government to place its response before this House and the country, apprising us of the contents of the said notice of the USA, the nature of pressure exerted on us, and assuming us that the Government would not make any much amendment in the law as may come in conflict with the dignity of the House and sovereignty and integrity of the country.

[English]

SHRI SOMNATH CHATTERJEE (Bolpur) : There should not be any off the cut response on this. We want a proper discussion. This is a very vital issue.

MR. DEPUTY-SPEAKER : Listen to him. Please sit down.

SHRI SOMNATH CHATTERJEE : Last time the Bill was rightly stalled, if I could use that expression, and was not passed in the Rajya Sabha. Here the Government was able to get it passed because of its mathematical number. It is a very vital issue. We want the Government to have a proper discussion on this before suddenly bringing it again before the House. This is a matter on which depends the future of our country.

SHRI RAM NAIK (Mumbai North) : At least we should know the facts.

SHRI SOMNATH CHATTERJEE : Therefore, I am suggesting to have a proper material, a proper discussion on it. I am actually supporting you on this issue. For a change you have raised a very relevant issue.

DR. MURLI MANOHAR JOSHI : Thank you. I always raise relevant issues.

[Translation]

SHRI GEORGE FERNANDES : Some preparations are afoot here to meet the situation arising out of the promise exerted by the USA to have the Patents Act amended and Somnathji has rightly demanded a discussion on it. Last time, the government got it passed here on the basis of their majority in the House and sent to Rajya Sabha but it was then stalled there by these very people who are now in the government. Now the same set of people are here. Besides, members who had got the Bill passed last time are now the supporters of the government. As such, the USA would try to pressurise us at every step and, therefore, we are feeling greatly disturbed and apprehensive. Sir, this matter has been raised in this over and over again and it is understood that the government have

already drafted the amendment proposed to be made in the Act.

Mr. Canter, who was to come here, has been asked to postpone his visit for sometime so as to allow us time to carry out necessary amendment in the Act. Therefore, the views of the government in this regard should be placed before the House. (Interruptions)

I agree with Shri Somnath that there should be a comprehensive discussion here on the issue. But before that, full facts should be placed before the House.

[English]

SHRI SOMNATH CHATTERJEE : I said that before it is brought here, there should be a proper discussion on the material. (Interruptions)

[Translation]

SHRI GEORGE FERNANDES : So these persons have made some preparation. Somnath Babu. That is my complaint. Here so many such things are happening about which you do not know. For example the governor has been appointed the other day but the Home Minister said that he did not know. (Interruptions)

[English]

MR. DEPUTY SPEAKER : It is better if a motion is brought.

SHRI SOMNATH CHATTERJEE : Shri George, if you have better information opposing the government there. (Interruptions)

[Translation]

SHRI PR. DASMUNSI (Howrah) : Sir, the time would run out. My question is very important. (Interruptions)

SHRI JASWANT SINGH (Chittorgarh) : Now that this matter has been raised and, as stated, the Business Advisory Committee has fixed 30th July for discussion thereon. But it would be futile to hold discussion on the 30th July because the conference will commence in Geneva on the 29th July. So we should know the stand of the government before that. Government should let us know its views in this regard. Both these issues are interlinked. Therefore, the government should apprise us of its stand so that we discuss it here before the 30th. (Interruptions)

DR. MURLI MANOHAR JOSHI : I only wanted to know the response of the government in this regard. Will some Hon. Minister tell us the views of the government in the matter as it is a very important issue? I would also like to know whether the U.S. Commerce Secretary on his trade representative has been invited here. (Interruptions)

[English]

MR. DEPUTY SPEAKER : Would the Hon. Minister like to say anything on this?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF TOURISM SHRI SRIKANTA JENA : Sir, on CTBT there was discussion...*(Interruptions)*

SHRI GEORGE FERNANDES : No, it is not about the CTBT. It is about the Patents Bill. It is about the WTO and America.

*[Translation]*

SHRI SRIKANT JENA : I was not in the House. I have come just now. I do not know.

DR. MURLI MANOHAR JOSHI : The Parliamentary Affairs Minister should keep his ears open ...*(Interruptions)* We were discussing..*(Interruptions)*

*[English]*

MR. DEPUTY-SPEAKER : Do you want to say anything on the Patents' Bill.

SHRI SRIKANTA JENA : No, Sir.

SHRI SOMNATH CHATTERJEE : There is some difference between Dr. Joshi and Shri Jaswant Singh

DR. MURLI MANOHAR JOSHI : There is no difference.

SHRI SOMNATH CHATTERJEE : Of course, there is.

DR. MURLI MANOHAR JOSHI : There is no difference. We said that it should be debated. At least, there is no difference between you and me. When you support me, the matter is over.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum) : Dr. Joshi, judging from his expressions when he was the Minister of Finance, one really does not know where he stands now.

DR. MURLI MANOHAR JOSHI : You will see. When you have a discussion you will see what is our ...*(Interruptions)*

*[Translation]*

Let there be a discussion. Please come in the House.

*[English]*

SHRI NIRMAL KANTI CHATTERJEE : We will have both of you as speakers.

DR. MURLI MANOHAR JOSHI : You will see how the party responds to it.

*[Translation]*

Are you ready for a discussion on this issue ?

MR. DEPUTY SPEAKER : At present, there is no response from there side, Joshiji. We will see later.

SHRI CHANDRA SHEKHAR (Ballia) : Mr. Deputy Speaker, Sir, Murlji Manohar Joshiji has raised very important question and just now George Saheb informed that some documents had been prepared. But, the fact is that the documents had been prepared earlier as

well and these were placed before the country all of a sudden. Nobody knew about them. Policies were framed and today we are faced with a very grim situation. I do not know whether Jaswant Singhji agrees with the issue raised by Shri Murlji Manohar Joshi or whether, on this side, the Hon'ble Home Minister is in agreement with Shri Chidambaram on this issue. This Parliament is in a very strange situation and the policies in the country is also in an equally strange state. Therefore, for us, what Joshiji said assumes great importance. Before some ready-made thing is brought before us, it would be better that we all sit together and through out the issue by discussion because concealment of facts at this stage would not pay off. There are differences on that side as also on this side.

SHRI JASWANT SINGH : I will take a minute because Somnathji has refused to it again and again. Chandra Shekharji also repeated that there are differences between ourselves. Let me make it very clear that there can be differences anywhere but never between me and Joshiji...*(Interruptions)*

*[English]*

SHRI SOMNATH CHATTERJEE : You differed from Joshiji's stand. You have now agreed with him.

DR. MURLI MANOHAR JOSHI : You should be happy about whatever he says.

*[Translation]*

Your confession should be removed.

*[English]*

SHRI SOMNATH CHATTERJEE : I hope both of you will speak on the subject.

DR. MURLI MANOHAR JOSHI : I say yes, and the confusion which you are creating will be completely ...*(Interruptions)*

SHRI SOMNATH CHATTERJEE : It will be noticed by everybody that always there is a confusion.

There is no confusion. You are trying to create confusion where there is none. You have every right to be confused yourself but you have no right to confuse the House.

SHRI CHANDRA SHEKHAR : The quarrel in public in order to agree in private.

*[Translation]*

Sir, I had read earlier about them, where they agree and where they do not. We know only three press report and view express. If there is agreement even on one side, this will pave way for right decision. If the BJP is total agreement with this Murlji Manohar Joshi, then it pertends well for the country. But this agreement must be lasting so that Murlji Manoharji and Somnathji may be able to sit together and discuss the problems of the country. That is the need of the hour but the trouble is that we never agree on any problem. Therefore, there must be atleast area for agreement.

Sir, I would only say that before the rising this issue Shri Murlī Manohar Joshi rightly emphasized the need for mutual exchange of views. This will eliminate the chances of someone coming with some ready-made device in the nick of time and compelling us to vote to the other side on pain of dismissal or otherwise of the government. Such a situation should not be allowed to be cheated...*(Interruptions)*

[English]

SHRI NIRMAL KANTI CHATTERJEE : We joined the WTO not as a consequence of Parliament decision. On a midnight after the Session, the Expensive met and we joined the WTO. Therefore the whole thing has to be discussed and decided *de novo*.

[Translation]

SHRI PRABHU DAYAL KATHERIA : Mr. Deputy Speaker, Sir, I wish to raise an important matter that appeared on the front page of a newspaper. Mr. Deputy Speaker, I will allow you.

[English]

SHRI NIRMAL KANTI CHATTERJEE (Dumdum) : Shri Jaswant Singh has made a statement as the Minister of Finance. We will give the proof. Dr. Joshi, do not worry. I am with you...*(Interruptions)*.

MR. DEPUTY-SPEAKER : I have allowed him

*(Interruptions)*

SHRI PR. DASMUNSI (Howrah) : Mr. Deputy-Speaker, Sir, I am trying to say that the All India Institute of Medical Sciences (AIIMS) is one of the prime institutions of the country and that too in the capital...*(Interruptions)*.

[Translation]

SHRI PRABHU DAYAL KATHERIA : I wish to raise an important matter

[English]

MR. DEPUTY-SPEAKER : I will allow you. Why don't you listen to me?

SHRI PR. DASMUNSI : In that very prime institution, yesterday in the late afternoon in the name of visiting a patient, hoodlums deliberately penetrated, rather invaded the institution and tried to see the patient in spite of the objection of the doctor and assaulted the doctor. When the nurses wanted to protect the doctor, even they were assaulted. They were armed with knives and lethal weapons. The medical staff were injured. When they tried to prevent them, they took the name of very high-ups of the Delhi Government. Not only that, when they resorted to strike to protest against this injury, those hoodlums went out and met the high-ups to see that the Director of the AIIMS stopped the strike immediately. The doctors and nurses are in panic. I understand that till now, nobody has been arrested

because of the fear of the very big man of the Delhi Government.

I demand that the hon. Home Minister immediately inquire and arrest those culprits because till now patients are waiting outside the Institute. Doctors are panicky, nurses are panicky because the fascist forces have invaded the hospital with knives and daggers. In the daylight they are still dancing. They say, "If any one of us are caught we will again see you and teach you a lesson." This kind of things are happening in the Capital.

I demand that they should be arrested and full security and protection should be given to the Doctors and the medical staff of the AIIMS.

MR. DEPUTY-SPEAKER : Prof. Ajit Kumar Mehta.

*(Interruptions)*

[Translation]

SHRI JAI PRAKASH AGARWAL (Chandni Chowk, Delhi) : Doctors are being intimidated and threatened that police cases would be made out against them...*(Interruptions)*. Many times, such incidents have taken place in which the name of the Chief Minister has figured...*(Interruptions)*. Those doctors have been intimidated...*(Interruptions)*.

[English]

MR. DEPUTY-SPEAKER : The House stands adjourned till 2 p.m.

13.00 hrs.

*The Lok Sabha then adjourned for Lunch till Fourteen of the Clock.*

14.06 hrs.

*The Lok Sabha re-assembled after Lunch at Six Minutes past Fourteen of the Clock*

*(Mr. Deputy-Speaker in the Chair)*

PAPERS LAID ON THE TABLE

**Annual Report on the working of Industrial and commercial undertakings of the Central Government and notifications issued under Essential Commodities Act, 1955**

[English]

THE MINISTER OF INDUSTRY (SHRI MURASOLI MARAN) : Sir, I beg to lay on the Table :-

- (1) A copy of the Annual Report (Hindi and English versions) on the working of the Industrial and Commercial Undertakings of the Central Government (Public Enterprises Survey) for the year 1994-95 (Volumes I to III).

[Placed in Library. See No. LT-125/96]