

14.42 hrs.

**STATUTORY RESOLUTION RE: DISAPPROVAL OF INDIAN
TELEGRAPH (AMENDMENT) ORDINANCE
AND
INDIAN TELEGRAPH (AMENDMENT) NO.2 BILL,2003**

Title : Combined discussion on Statutory Resolution regarding disapproval of Indian Telegraph (Amendment) Ordinance, 2003 (No. 7 of 2003) and passing of the Indian Telegraph (Amendment) Bill, 2003. (Resolution negated and Bill passed).

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ): Sir, I beg to move:

"That this House disapproves of the Indian Telegraph (Amendment) Ordinance, 2003 (No.7 of 2003) promulgated by the President on 5 November, 2003."

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY AND MINISTER OF DISINVESTMENT (SHRI ARUN SHOURIE): Sir, I beg to move:

"That the Bill further to amend the Indian Telegraph Act, 1885, be taken into consideration."

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ): Mr. Deputy-Speaker Sir, this Parliament is quite aware that the constitutional provision to bring an Ordinance is an extraordinary situation and compulsion of the Government as and when things so happen.

I do agree that the text of the Bill and spirit of the Bill is linked with certain urgent compulsions. But what was that compulsion in this House? For the first time this has happened, possibly -- I do not know the earlier instances; if there is a precedent, the hon. Minister can cite the example. So long, it has been the normal practice, whenever this House plans to amend the Rules Book, to refer every Bill to a Standing Committee, whenever it is introduced, for wider discussions and to guide the Ministry for its collective wisdom and opinion.

The moment a Bill is introduced in the House, it becomes the property of the House. The moment a Bill is referred to a Standing Committee, it becomes not merely a property, it becomes an accountability of the Standing Committee to

submit the report to the Parliament and to get the direction as to which path the Government is proceeding to consider the passing of the Bill. It happened earlier also.

Just now, the hon. Deputy Prime Minister got one Bill approved. After it was introduced in Rajya Sabha, it was referred to the Standing Committee. The Standing Committee's wider discussions gave lot of room to the Government to consider and accommodate different views. Then, finally, the Government came out with a comprehensive objective of the Bill. This is how our Parliament functions.

Sir, telecommunications being one of the largest key sectors of the country, I think, the Government came with all careful consideration and approach, to introduce a Bill. The hon. Speaker, in his own wisdom, referred that matter to the Standing Committee and the Standing Committee was deliberating on that issue just to give a report at the earliest to the Parliament. The Government, in the meanwhile, without informing the Standing Committee, without informing the hon. Speaker, who is the custodian of the House, rushed to the Rashtrapati Bhavan saying that an Ordinance was required to meet the urgency.

And *Rashtrapataji*, in accordance with the Constitution of India, is always guided by the Council of Ministers even to apply the Constitutional provision of Ordinance. The Government did so and *Rashtrapatiji* also acted.

We are surprised this Government is in a habit now to ignore the Parliament in all possible manners to justify their accountability. The High Court, the other day, very strongly observed that the legislation passed by this House should not be altered outside in the name of disinvestment. The matter is now before the Supreme Court in the case of HPCL and BPCL. This House many times argued that in the matter of Ordinance, justification of urgency not only should be complied with but also should satisfy the Parliamentary process. I can understand the justification. You can argue the point. Would Parliamentary process be satisfied where the process is on by another Sub-Committee of the Parliamentary Standing Committee? This is a deliberate attempt to assault the very Parliamentary procedure and practice and to throttle the Standing Committee's deliberation.

Mr. Deputy-Speaker, Sir, I charge the Government why before bring the ordinance, they did not inform the Standing Committee? It is because the Standing Committee's Members came. Their TA/DA were paid from the Consolidated Fund of India. It was an expenditure for a particular purpose which could have been avoided if the Government could have informed in time. The Government, in order to meet the anguish of the House, did withdraw the Bill just to satisfy the cause and got another Bill, by pressing for it.

I, therefore, strongly feel that the Minister of Communication, who is known to be a famous journalist, is possibly not known to be a famous Parliamentarian, knowing fully the business and practice of the House. I think, the Government should not behave in this fashion in future. While bringing any legislation in terms of introduction, he should twice take care what is the progress of that in the Standing Committee. With folded hands, the Minister should have apologised both to the Speaker and to the Chairman of this Standing Committee saying: "Sorry Sir, I will not repeat this thing." This should be the tradition of this House. I think we cannot compromise with this practice. Therefore, Sir, I stick to my disapproval Notice.

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY AND MINISTER OF DISINVESTMENT (SHRI ARUN SHOURIE): Shri Priya Ranjan Dasmunsi has made a valid point as he had been kind enough to make this point earlier also when the permission was being sought to withdraw the previous Bill.

Sir, I would plead with him and I would assure him that there was not even the slightest possibility of disregarding or showing slightest disrespect to the Standing Committee. When the matter was brought to my attention – I had received the Notice that Shri Somnath Chatterjee had written to the Speaker – I at once wrote to the Speaker.

On your point about going with folded hands, if I may say so, I had explained in the letter itself the circumstances leading to the promulgation of the Ordinance and I had said that if you direct, if the Speaker feels this is the case, I will seek the indulgence of the Standing Committee to attend the next meeting and personally assure them in this regard.

Sir, the matter was taken up by the Speaker in his graciousness and the Chairman of the Standing Committee also participated in the meeting. We went through the circumstances completely and it was in obedience with the decision taken there, by agreement, that the Bill was withdrawn and a new Bill was brought.

But, I completely agree with Shri Priya Ranjan Dasmunsi that given his vast experience in Parliamentary affairs, I have a great deal to learn in these matters. I assure him that as far as our Department is concerned, we do not bring Bills frequently, so that this kind of a thing would not happen.

May I just mention the reason, why this happened, why this Ordinance was brought about? In the last Session, as you will recall, this particular Bill was listed for introduction and taken up on five consecutive days. But, for circumstances which are well-known to the House, it could not be taken up.

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ): How can it be taken up? It was supposed to be referred to the Standing Committee. ...(*Interruptions*)

SHRI ARUN SHOURIE: I am coming to that.

It is the Standing Committee itself which had been urging that rural telephony is very important and it had been admonishing the Government to hurry up with the creation of the Fund. So, it was in fulfilment of the desire of all the Members of this House and the strong admonitions of the Standing Committee itself that we recommended to the President an Ordinance to be passed so that the Fund may be created. The circumstance should be understood.

Since 1999, this levy is being put on the adjusted gross revenue of operators and Funds are being collected. For two years now, five per cent of that is to be earmarked for use in rural telephony. Sir, if you see, what happened is that in this period, last year Rs. 1653 crore were collected for rural telephony under this Fund. In this year, we anticipate that Rs. 2,203 crore will accrue for rural telephony by that five per cent of the levy. But last year, because the Fund had not been created, the Department was given only Rs. 300 crore for rural telephony. This year, we are now with almost three quarters of the year over and with Rs. 2,200 crore liable to accrue but it has been possible for the Finance Ministry to allocate only Rs. 100 crore for this particular purpose. This is the situation. We have not been able to use even that Rs. 100 crore yet because the Fund has not been created. For that reason, the Ordinance was promulgated to create the Fund and go back to Parliament.

Sir, I absolutely assure the House that it is in obedience to the urgings of the Standing Committee and also urgings from the Members of all sides of this House that we took this particular step. I myself wrote earlier against the promulgation of Ordinance etc. It was an exceptional circumstance and it was only for that reason that we issued the Ordinance. Therefore, I would like to tell Shri Dasmunsi that these facts have been put to the Chairman of the Standing Committee, they have been put to the Speaker, and I think, they have been kind enough to appreciate the

circumstances. If you permit me, then I will proceed with this Bill.

MR. DEPUTY-SPEAKER: Go ahead.

SHRI ARUN SHOURIE: Sir, on the question of the Bill itself, it is well known that the whole telecom sector is one of the great achievements of the country for the last several years. I think, we are probably the fastest growing telecom market in the whole world. In mobile telephone alone, we are now getting 1.3 million new customers every month. ...*(Interruptions)*

SHRIMATI RENUKA CHOWDHURY (KHAMMAM): It is with the same infrastructure. That is the problem. ...*(Interruptions)*

SHRI ARUN SHOURIE: Excuse me, Madam. I am coming to that. Actually, infrastructure is being improved because I look after the Information and Technology.

It will surprise you to know that in fibre network, for instance, we have installed in the country about 5,00,000 kilometres of fibre optic network in just four or five years. It is a world class achievement. I am not claiming this side or that side. It is a great achievement for the country as a whole and for this particular reason ...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI : Sir, three-fourths of the Indian villages are yet to be connected by the optic fibre network. I can give a classic case of my own area. I have been hearing it for the last three years but till today three-fourths of my own area has not been covered by optic fibre. ...*(Interruptions)*

SHRI ARUN SHOURIE: Sir, things would not happen overnight. We are proud to be an entire continent. I think, we should not focus only on that which has not got done. Everything does not reach everywhere instantly. It is the direction of progress and the scale of progress of which we can be greatly proud of. ...*(Interruptions)*

SHRIMATI RENUKA CHOWDHURY (KHAMMAM): I would like to just make a submission ...*(Interruptions)*

SHRI ARUN SHOURIE: Madam, I will conclude it in five minutes. This Bill has to be passed before we go to the Constitution (Amendment) Bill.

An aspect of this is that the rates, as you know, have completely come down because of the new policies of the Government which have been approved by the House, discussed in the House, and today the rates which used to be Rs. 13 or Rs. 14 a minute are Rs. 1.70 per minute. And at two to three cents a minute, we have today the lowest and the cheapest rates of telephony in the whole world. It is a great achievement for the country.

An aspect of this is that in rural telephony, we must make great strides. In fact, it is not that two-thirds have not been connected by optical fibre. Certainly, the fact of the matter is that of 6,00,000 villages, 5,17,000 villages have now got telephony. It is again a world class achievement. There is not any other country, not China which can boast of this kind of telephony coverage in the world. ...*(Interruptions)*

SHRI SANSUMA KHUNGGUR BWISWMUTHIARY (KOKRAJHAR): What about the tribal areas in the North-East? There is no single optical fibre connection in my tribal area. ...*(Interruptions)*

SHRI ARUN SHOURIE: Now that peace is returning because of such distinguished Parliamentarians as my dear friend, I am sure that we will be able to expand telephony there.

Sir, as you know, it has not been possible even to extend the mobile service in the North East because of security considerations. It is because of the efforts of this Government, of the Home Minister and of the Defence Minister that all security clearances have been given and the Prime Minister inaugurated just a few weeks ago mobile service even in Nagaland which could not be thought of just till a year ago. Sir, we are very conscious of this.

Sir, in rural telephony itself, the tele-density has increased by three times in four years – three times better than it was earlier. It used to be 0.5 just in 1999. ...*(Interruptions)*

श्री विष्णु पद राय (अंडमान और निकोबार द्वीप समूह) : उपाध्यक्ष महोदय, निकोबार के डाउन साउथ में ट्राईबल विलेजेस में कोई टेलीफोन फैसिलिटी नहीं है। **â€(व्यवधान)** ऐसे 70 से ज्यादा गांव हैं। वहां किसी ने कभी ऑप्टिकल फाइबर का नाम ही नहीं सुना है। **â€(व्यवधान)**

MR. DEPUTY-SPEAKER: Shri Arun Shourie, you finish your speech. There are three speakers on this Bill. We will have to conclude it now. There are other items to be taken up.

SHRI ARUN SHOURIE: Sir, I will complete my speech within a minute.

We require for this programme in the coming three years Rs.27,000 crore. In this particular Fund, by that five per cent levy we can get about Rs. 10,000 crore during the Tenth Plan by contrast to Rs. 27,000 crore, which are

required for rural telephony which is to be done, namely, by BSNL. The Tenth Five Year Plan gives only one crore per year to BSNL. So, we have only three crore. We require 27,000 crore and that comes only from the creation of this Fund. That is why, I commend this Bill. Other details are there. I will come back to them if the Members so desire.

MR. DEPUTY-SPEAKER: Motions moved:

"That this House disapproves of the Indian Telegraph (Amendment) Ordinance, 2003 (No. 7 of 2003) promulgated by the President on 5 November, 2003. "

"That the Bill further to amend the Indian Telegraph Act, 1885, be taken into consideration."

MR. DEPUTY-SPEAKER: Now, Shri Pawan Kumar Bansal, please be brief.

...(Interruptions)

श्रीमती कान्ति सिंह (बिक्रमगंज) : ग्रामीण इलाकों में डब्ल्यूएलएल भी काम नहीं कर रहा है। (व्यवधान)

वहां इन्होंने केबल बिछाने का काम भी बंद कर दिया है। (व्यवधान) कहीं केबल बिछाया ही नहीं जा रहा है। (व्यवधान)

उपाध्यक्ष महोदय : रिप्लाय में आपको सवाल पूछने का मौका देंगे।

...(व्यवधान)

श्री रामदास आठवले (पंढरपुर) : हमारे इलाके में भी मोबाइल सेवा चालू करें। (व्यवधान)

उपाध्यक्ष महोदय : रामदास जी, अगर आप आराम से बैठेंगे तो आपको भी मौका देंगे।

...(व्यवधान)

MR. DEPUTY-SPEAKER: Shri Ramdas Athawale, please take your seat. I have already called Shri Pawan Kumar Bansal to speak.

SHRI PAWAN KUMAR BANSAL (CHANDIGARH): Mr. Deputy-Speaker, it was in the year 1999 that the Government through its new Telecom Policy committed itself to provide access to all people for basic telecom services at affordable and reasonable prices.

It is further described in the new Telecom Policy as to what the Government meant by "Universal Service Objectives". I would refer to only one of the three, that is, to provide voice and low speed data services to the remaining 2.9 lakh uncovered villages in the country by the year 2002.

15.00 hrs.

We are coming to the end of the year 2003. I suppose whatever may have been the progress, the hon. Minister referred to the fact that the rural tele-density today is 1.5. Statistics, as we all know, can be deceptive like human faces. The fact remains that today half of the villages in the country are without telephones. As many as 94,000 villages are even without the village public telephones. That was one basic minimum thing required. If I were to distinguish the word used by the Government, that is, 'access', it would only limit itself to providing access to the common services. What we have to really strive for is to ensure universal service, and not universal access. Universal service cannot be achieved till the time you provide telephone to anyone across the country on demand, including all the villages. Having said that, I would like to say, as the hon. Minister himself has also pointed out, that the delay in implementing the universal service obligation and the Fund has, to an extent, impeded our efforts in increasing our tele-density.

So far, the entire burden of providing telephone services to the people who are even in the remote and inaccessible areas, had been left to the Department of Telecommunications, and thereafter to the BSNL. The BSNL has had to perform a very difficult task. After the corporatisation of the Department into the BSNL, the help or the assistance which should have been extended by the Government of India— I am not referring to the particular Ministry— particularly the Ministry of Finance was not forthcoming. As such, the BSNL was also in a way handicapped in performing the responsibilities which it was charged with.

The Minister has told us that during the last year, there was a realisation of Rs.1,653 crore and this year Rs.2,200 crore on account of universal service fund and I think a major part of this— he would agree with me— has been

contributed by the BSNL. I think over Rs.1,100 crore a year has been contributed by the BSNL alone to fulfil its obligations.

Regarding obligations, actually the responsibility is so far of only the BSNL. When the private operators were given the licences, they were under an obligation to provide a small number of VPTs in the uncovered villages. I would be grateful if the hon. Minister were to tell me as to how many of them have really fulfilled their obligations so far in the last many years. A year back, out of stipulated 95,000 or so, only 8,000 or so VPTs have been provided by the private operators. They only want the cream. They want the best of both the worlds. When it comes to fulfilling a social responsibility of providing telephones in the backward, inaccessible and rural areas, they could not care less. The Government has not been able to, or rather it did not have the will or the desire to enforce those obligations on them. I know the Minister will say that "we encashed the bank guarantees." That is not enough. We would like to know what steps you have taken against the private operators in ensuring that they fulfil their obligations.

From this, I come back to the point I was making that since this responsibility has primarily been with the BSNL, the BSNL in order to meet its obligations required as much as Rs.2,839 crore in this running year.

As the hon. Minister has himself told us, the Government has provided only Rs. 1 crore. The BSNL needed around Rs. 3,000 crore to spread its net wide across the country in providing telephones to the people in the rural areas. When I say telephones, I do not mean just the VPTs and I am not talking about just one telephone somewhere but I am talking about the direct exchange line. The figure is indeed a disappointing one.

The hon. Minister would say that they have enhanced the capacity, DELs, etc. multifold in the last two years. That was because of the base laid down ten years ago when the country then dreamed of and when the then Prime Minister Shri Rajiv Gandhi talked of the country entering the 21st century. At that time, he was being laughed at but today they are standing up to say that this is the achievement they have made. I welcome that but we would want it to be rather enhanced and multiplied.

There is an example which is not a very good example but a very pertinent example on the same side within the jurisdiction and domain of the hon. Minister in the Department of Posts where not more than twenty New Post Offices have been opened in the country. This is the dismal performance of this Government. Nevertheless, I welcome the achievement and the success registered in increasing our teledensity.

The overall teledensity targets were that it was to increase from 3.1 to seven by the year 2005 and to 15 by the year 2010. I would only like to be assured by the hon. Minister that we would meet these targets before time because of the progress that we are now making.

The rural teledensity, as the hon. Minister has informed us, is 1.5 at the moment. I would like to know the target from him. If I am not mistaken the target for rural teledensity was fixed by him earlier at three, to be achieved by 2007. I would like to be assured by him that we would be able to meet this target and rather exceed this target. But this is where I have my doubts because this means the provision of 14.72 million direct exchange lines. This is the number of direct private telephones that the Government has to provide to the rural folk to achieve this target of teledensity. In terms of investment, I am sure the hon. Minister would know that much more than Rs. 44,000 crore would be required. I have the figures from his Ministry and the precise requirement is of Rs. 44,160 crore but do we have that kind of money available? Even in just bringing these proposals before Parliament two years have been knocked off. By the end of the Tenth Plan, I suppose, all that they would be able to collect through the universal service levy would not be more than Rs. 20,000 crore. Out of that, at least Rs. 5 crore would go to meet the operational charges of VPTs and a part of the capital and other charges for facilities, leaving us with only Rs. 15,000 crore. So, there would be a yawning gap. Is the Government going to meet that? If so, to what extent?

The Government has fixed the universal obligation which everybody wants. This has become a universal practice all over the world. We would like to know what are the concrete steps the hon. Minister proposes to take and what is the roadmap for the future. By what time would the targets fixed earlier be met? I would like to know when we are going to reach the teledensity target of three per cent in the villages.

I suppose, out of the 26,000 and odd "Short Distance Charging Areas" that we have, they are going to cover only about 500 for the rural areas. Only about 500 which are the Short Distance Charging Areas (SDCAs) fall within the rural areas. ...*(Interruptions)* Well, I would like to be guided by you on that. If that is the number, then this is grossly inadequate. Sir, let us not go in for these sorts of definitions, which only are an indication of some sort of complacency on our part. We have to have realistic targets. It is all right, but it should be ambitious one also and if we just pat ourselves in the reflected glory of what little achievements have been made, then this would be grossly inadequate. I would like to know from the hon. Minister by what time – it is a specific query that I would like to have – are you going to provide VPTs in all the villages covering these 94,000 villages?

Your second objective was that where the population of the village was more than 2,000, you would provide

additional VPTs. In how many villages have you provided additional VPTs and in how many villages you intend providing additional VPTs in the coming period? ...(*Interruptions*)

MR. DEPUTY-SPEAKER: Please conclude as we have to take up the Constitution (Amendment) Bill.

...(*Interruptions*)

SHRI PAWAN KUMAR BANSAL : Sir, do you want me to conclude? ...(*Interruptions*) I hope you do not take this Bill as a filler only. This is an important Bill which we have to discuss. ...(*Interruptions*) Besides the villages, what we are required to be doing is that another 40 lakh Direct Exchange Lines (DELs) in 20 per cent of the SDCAs are required. What are your plans in this regard?

Sir, I am going by your wishes. I want to conclude but would only refer to one provision of the Bill. As I find that though you had floated the Fund, the entire amount was going to the Consolidated Fund of India and for that reason perhaps you were handicapped in utilising that, though there was nothing barring this Government whatever to make adequate allocations under the Budget, to provide that fund to the BSNL, to carry out these functions which we term as the 'Universal Service Obligation'. Be that as it may, even today when we are through with this piece of legislation in Parliament, you want to set up this Universal Service Fund.

I find in Clause 9B that the Fund shall be first credited to the Consolidated Fund of India, and the Central Government may, if Parliament by appropriations made by law in this behalf so provides, credit such proceeds to the Fund from time to time for being utilised exclusively for meeting the Universal Service Obligation. Why is it so? I could not understand it. At the same time, I must admit that subsequently in this Clause 9D you have certainly provided that this Fund shall be utilised exclusively for meeting the Universal Service Obligation. Therefore, I do not doubt your *bona fide* and I do not doubt the intention because that is further cleared in Clause 9D, sub-clause (2) that this Fund has to be used exclusively for this purpose. But then why do you take it to the Consolidated Fund of India? Do you want to still continue with the same old bureaucratic style? Once you have got the authority from the Parliament, why should that Fund not be a separate well-identifiable Fund from which the Administrator of the Fund has the authority to contribute according to the guidelines provided, which we would, of course, be clearing under the rules? That would knock off certain delay which would otherwise crop in. I would like to know about it.

Then, further, when I refer to the 'access' and 'service', you would be satisfied by only providing basic service telephones to the people. Is that your only objective because that is what the definition here says? Your definition under your new Telecom Policy and the definition of Universal Service Objective under the Bill differ. I had read from the Telecom Policy. I would only like to quote from the Bill clause 2, sub-clause (1A):

"Universal Service Obligation" means the obligation to provide access to basic telegraph services to people in the rural and remote areas at affordable and reasonable prices".

It talks of basic telegraph services and ends there, whereas the Telecom Policy referred to other things like 'achieve internet access to all districts and headquarters by the year 2000' – which is already over – and 'achieve telephone on demand in rural and urban areas by the year 2002'. I would like to know from the hon. Minister why these are not included in the definition of the Universal Service Obligation?

Sir, there is no denying the fact that creation of Universal Service Fund is a desired thing. We do look forward to improving tele-density in our country, particularly in the rural and remote areas, but at the same time, as I said, we have to think beyond that. You should not just provide the basic services; you must now be able to provide all the services, even value-added services, of course, which would not be part of the service to be taxed for this purpose. About Universal service obligation, Hon. Finance Minister began his introduction to the Bill by saying that 'it is the fastest moving sector in the world today and in India'. If you really mean that, then you must please include all the services under the definition of universal service obligation. That is all I would like to say.

PROF. A.K. PREMAJAM (BADAGARA): Sir, thank you very much for giving me this opportunity. Mr. Deputy-Speaker, Sir, I support the Bill because we all do agree with the spirit of the legislation and we also appreciate the Government's commitment to provide rural telephony service and perform the universal service obligation, but at the same time, I would like to say that the arguments put forth by the hon. Minister about promulgation of the Ordinance are not very convincing.

I would just present before the House the chronology of the events in relation to this particular issue. The National Telecom Policy was announced in 1999. This Bill was introduced in the last August, to be very precise on 4th of August, 2003 during Monsoon Session. Then, the Bill was sent to the concerned Standing Committee, but in the

meanwhile, the Ordinance was also promulgated on 7th of November, 2003. I do not want to go into the details. All the arguments have already been presented by Shri Priya Ranjan Dasmunsi, but I would like to say using the minimum words that the whole issue had been dealt with in a very shabby manner. Actually, this should not have happened. It is circumventing the democratic procedure, which is relating to the parliamentary procedure.

Regarding the Universal Service Obligation Fund, as already Shri Bansal has pointed out that it is finally going to be credited to the Consolidated Fund of India, I would suggest in this context that it should be a dedicated Fund which can be exclusively used for the particular purpose and not having to undergo the procedural formalities which will take a long time. When the Ordinance was promulgated, the hon. Minister had tried to convince that it was done to avoid a delay and establish this Fund at the earliest and then utilise the Fund for the purpose for which this Fund was going to be established.

Regarding rural telephony service, of course, the hon. Minister had made very great claims. I do agree that we have gone very far ahead as far as technology is concerned, but at the same time, the ground reality, as far as rural telephony is concerned, is far from what the hon. Minister has claimed to have achieved because I know that as a result of certain decisions taken on the basis of the Census of India, in the rural areas, certain areas within *Gram Panchayats* had been declared to be urban areas. On the basis of that classification, you have a contradictory position of having a rural area and an urban area in the *Gram Panchayat*. As far as development is concerned, *Gram Panchayats* are having only the *Panchayati Raj* set up and not the municipal arrangement. There is a lot of difference between the development that is taking place in the *Gram Panchayats* and the municipal area. Within the *Gram Panchayat*, as a result of the policy adopted by the Telecom Department on the basis of the Census, some areas or some wards within the *Gram Panchayat* are considered urban for the telecom service purpose and the remaining part is considered rural. Not only that, this is actually bring disadvantage to the rural people, who have no extra development. The tariff is increased; the rental is increased from Rs. 220 to Rs. 360. Along with that, the number of free calls is reduced from 250 to 150. This is the kind of development which is taking place now.

I do have great respect for the hon. Minister, but still, I have to say that there is a lot of difference between what the hon. Minister has said or claimed to have achieved in the rural telephony and also the actual reality on the ground or the actual achievement on the ground. Therefore, this matter has to be looked into, while this Fund is going to be utilised. This particular point I have raised in the House several times that this classification should be done away with because it is discrimination. It is not going to do justice to the rural people, who have no extra development, once they are termed as 'urban' on the basis of the Census classification. I am not going into the details.

I also would like to add that when it is specified that it would be basic telephony service, all the facilities which are available in the rest of the country should be made available to them instead of making it available in certain areas where there is full-fledged development or the benefit of that development has reached the people. Whatever benefit the metropolitan cities and other cities are having in the telecom area should be brought within the reach or access of the rural people. It is only then that the actual purpose of this particular legislation will be achieved.

I again make a request that instead of crediting the fund to the Consolidated Fund of India, it should be made a dedicated fund.

श्री महेश्वर सिंह (मंडी) : माननीय उपाध्यक्ष जी, सर्वप्रथम मैं आपका आभार प्रकट करना चाहता हूँ कि टेलीग्राफ अमैन्डमेंट बिल 2003 के समर्थन में बोलने के लिए आपने मुझे अनुमति प्रदान की है। साथ ही मैं मंत्री जी को भी धन्यवाद देना चाहूँगा कि इन्होंने इस विधेयक के उद्देश्य में कहा है कि जो ग्रामीण और दूरगामी क्षेत्र हैं उनको टेलिफोन सुविधा प्रदान करने के लिए इस यूएसओ फंड का निर्माण किया गया है।

महोदय, बहुत सी बातें याहं माननीय सदस्य श्री बंसल जी ने कहीं। मैं उनमें से कुछ बातों का तो समर्थन करता हूँ और उस विस्तार में नहीं जाता क्योंकि आपने आरंभ में कहा है कि थोड़ा समय लीजिए। इसलिए मैं प्रयास करूँगा कि अपनी बात थोड़े समय में पूरी कर सकूँ।

महोदय, मैं समझता हूँ कि इस प्रकार के यूएसओ फंड की नितांत आवश्यकता थी और निश्चित रूप से जो इस प्रकार के दूरगामी और ग्रामीण क्षेत्र हैं, उन तक इस प्रकार की सुविधा पहुँचाने में यह सार्थक सिद्ध होगा, ऐसी मुझे आशा है। जहां तक यूएसओ के अंतर्गत आबंटित धनराशि को खर्च करने का संबंध है, इस संदर्भ में मुझे कुछ जानकारी है। मैं आपके माध्यम से मंत्री जी से निवेदन करना चाहूँगा कि यदि मेरी जानकारी सही न हो तो वे मेरा मार्गदर्शन करेंगे, उनका स्पष्टीकरण अवश्य देंगे, वरना वे मेरी बातों को अन्यथा नहीं लेंगे।

महोदय, कहा गया है कि यूएसओ फंड को दो चरणों में खर्च किया जाएगा। प्रथम चरण में कहा गया है कि जो छूटे हुए राजस्व गांव हैं, उनको प्राथमिकता के आधार पर बीपीटी दिए जाएंगे। 1991 के सेंसस के मुताबिक इन गांवों की संख्या 6 लाख 7491 बैठती थी। उस समय तय हुआ था कि 31-3-2002 तक इन सभी गांवों में बीपीटी दे दिए जाएंगे। उसमें से कुछ काम बीएसएनएल को दिया गया और कुछ निजी क्षेत्र की कम्पनियों को दिया गया था। यह भी प्रावधान किया गया कि जो यूएसओ फंड है, जहां बीपीटी सुविधा मिल गई है, वहां कैपिटल एक्सपेंसेस पर उसमें कोई पैसा नहीं दिया जाएगा, कोई रिम्बर्समेंट नहीं होगा, लेकिन ऑपरेटिव एक्सपेंसेस में यूएसओ फंड से पैसा दिया जाएगा। यह एक प्रश्न उत्पन्न होता है, जैसे माननीय बंसल जी ने भी कहा कि जो निजी क्षेत्र की कम्पनियां हैं, हमारी जानकारी के अनुसार कोई भी ऐसी कम्पनी नहीं है जिसने अपना टारगेट एचीव किया हो, लेकिन इसका श्रेय बीएसएनएल को जरूर जाता है। जो भाग प्राईवेट कम्पनियों के जिम्मे थे, उन्होंने उसकी पूर्ति की है। मेरा सीधा सा प्रश्न है कि जहां बीपीटी लगे ही नहीं, अब लगने जा रहे हैं, आपने कहा कि ऑपरेटिव एक्सपेंसेस दे देंगे, लेकिन जहां बीएसएनएल ने लगा दिए, जब कि यह उनका काम नहीं था, प्राईवेट कम्पनियों का था तो वे इस पैसे से वंचित हो जाएंगे।

महोदय, जहां तक केपिटल एक्सपेंसेस का संबंध है, मैं चाहूंगा कि कितने इस प्रकार के वीपीटी हैं, उनकी संख्या कितनी है, जो प्राइवेट सेक्टर में दिए थे, स्वयं नहीं लगाए और अगर नहीं लगाए तो उन्हें पिनेलाइज़ क्यों नहीं किया, केवल थोड़ा सा जुर्माना लगा कर ही वहां बात खत्म कर दी जाती है। उन्हें ब्लेकलिस्ट क्यों नहीं किया? ऐसा लगता है कि बीएसएनएल ने इस क्षेत्र में अच्छा काम किया है। उसमें उन्हें कम से कम कहीं भी लाभ नहीं होगा, केवल प्राइवेट कम्पनियों को होगा, यह मेरी आशंका है। मुझे विश्वास है कि मंत्री जी मेरी इस आशंका का समाधान करेंगे।

महोदय, फिर एक बात और कही गई है कि लेटेस्ट 2001 का जो सेंसस है, उसके आधार पर जो नये इस प्रकार के राजस्व गांव बने हैं, उनमें ऑपरेटिव पार्ट और केपिटल दोनों की रिपेम्बर्समेंट होगी। यह एक अच्छा स्टेप है। इसी के ख भाग में कहा गया है कि इसका मतलब है कि जिन गांवों की आबादी 2000 से ऊपर है, वहां दूसरा वीपीटी लगेगा। उसके लिए भी इस प्रकार का प्रावधान होगा। मैं ख भाग में स्पष्ट करना चाहूंगा, विशेषकर पहाड़ी प्रांतों के किसी भी गांव को इससे लाभ नहीं होने वाला है। हमारे यहां इस प्रकार के राजस्व गांव कहां हैं, जिनकी 2000 आबादी होगी। इसका मतलब है कि इससे केवल कुछ गांवों को ही लाभ हो सकता है। हमारे यहां बी क्लास के शहरों को भी इससे लाभ नहीं होगा, क्योंकि हमारी भौगोलिक स्थिति अलग है, हमारी आबादी बिखरी हुई है।

महोदय, मैं आपके माध्यम से मंत्री जी से निवेदन करना चाहूंगा कि जहां आपने जनसंख्या 2000 रखी है, इसे कम करने की आवश्यकता है। मेरा सुझाव है कि राजस्व गांव के स्थान पर आप इनहेबिटेड गांव लीजिए। जैसे प्रधानमंत्री ग्रामीण सड़क योजना में संशोधन करना पड़ा था, जिस इनहेबिटेड गांव की आबादी 500 है या उससे कम है उनमें भी वीपीटी जाएं तभी निश्चित रूप से ग्रामीण क्षेत्रों को लाभ होगा, अन्यथा 2000 की आबादी कहां से आएगी और किस प्रकार हमें दूसरा वीपीटी मिलेगा, यह एक समस्या खड़ी रहेगी। (व्यवधान)

महोदय, मुझे एक माननीय सदस्य कह रहे हैं कि शायद हमें जनसंख्या बढ़ानी पड़ेगी और अगर जनसंख्या बढ़ाएंगे तो यहां से डांट पड़ेगी। इसलिए इस प्रकार का प्रावधान किया जाए। (व्यवधान)

उपाध्यक्ष महोदय : जनसंख्या बढ़ाएंगे तब भी मुसीबत हो जाएगी।

(व्यवधान)

श्री महेश्वर सिंह : महोदय, भाग ग में कहा गया है कि 2002 से पूर्व लगाए गए जितने एमएआरआर हैं, उन्हें रिप्लेस किया जाएगा और उसे बदलने के लिए भी शायद डब्ल्यूएलएल ही लगाया जाएगा। डब्ल्यूएलएल और कुछ नहीं है, बल्कि मोबाइल का ही बच्चा है। पहाड़ों में जहां मोबाइल काम नहीं करता, डब्ल्यूएलएल भी उसी तरीके से फेल्योर होने जा रहा है। यहां उत्तरांचल के माननीय सदस्य बैठे हैं, वे मेरी बात से सहमत होंगे। यूएसओ फंड से ऐसे दुर्गम क्षेत्र, जहां डब्ल्यूएलएल नहीं चल सकता, उनके बारे में भी विचार करना चाहिए, तभी किसी गांव का भला होगा।

महोदय, अंत में मैं अपने प्रांत की बात कह कर बात समाप्त करूंगा।

अभी जो बी.एस.एन.एल. की लेटेस्ट पॉलिसी है, उसमें कहा गया है कि जिस गांव में कम से कम 80 उपभोक्ताओं की वेटिंग लिस्ट होगी, वहां टेलीफोन एक्सचेंज देंगे और साथ में ढाई किलोमीटर के रेडियस से ऊपर लोकल केबल न लगे। अब 80 उपभोक्ता कहां से लायें। समय का अभाव है, मैं कहूंगा कि इस विषय पर नियम 193 के अन्तर्गत चर्चा होनी चाहिए। मैंने कालिंग अटेंशन मोशन भी दिया, लेकिन वह स्वीकृत नहीं हुआ। मैं सिर्फ दो मिनट में अपनी बात समाप्त कर रहा हूं।

उपाध्यक्ष महोदय : आप नियम 193 की चर्चा के लिए नोटिस दे दीजिए।

श्री महेश्वर सिंह : मैंने नोटिस दे रखा है, वह आपके विचाराधीन है, आता ही नहीं है। कालिंग अटेंशन नोटिस भी विचाराधीन है।

जहां पर इस प्रकार के ग्रामीण क्षेत्र हैं, हमारे यहां जनजातीय क्षेत्र हैं, जहां पर एम.सी.पी.सी. पहुंच गई थी, बिल्डिंग किराये पर ले लीं, लेकिन बी.एस.एन.एल. की जब से पॉलिसी आई, उसके बाद सारी की सारी मशीनरी भी वापस हुई। अगर मंत्री जी इस प्रकार का उदाहरण लेना चाहें तो मैं नाम दे सकता हूं कि जनजातीय क्षेत्र लाहौल स्पिति में एक ट्राइबल एरिया है, उसमें दो ऐसे एक्सचेंजेज थे, जो स्वीकृत हो चुके थे, वे दारचा और तिंगरित में थे, वे मण्डी जिले के हैं। वहां सारा सामान पहुंच गया, लेकिन लेटेस्ट पॉलिसी में इंकार हो गया। एक जगह तो इस प्रकार का उदाहरण है कि हमने 80 की वेटिंग लिस्ट भी पूरी कर दी, यह जगह लाहौल स्पिति के काजा में आती है। यह भी जनजातीय क्षेत्र है। यहां तक कि एम.सी.पी.सी. भी आ गया, 80 उपभोक्ता भी हैं और रेडियस भी ढाई किलोमीटर से कम है, फिर भी हमें एक्सचेंज नहीं मिल रहा है। इस पर भी यू.एस.ओ. से फंड खर्च होना चाहिए ताकि अति दुर्गम क्षेत्रों में भी टेलीफोन सुविधा मिल सके।

आपने मुझे बोलने का अवसर दिया, आपका धन्यवाद करते हुए मैं अपना स्थान ग्रहण करता हूं।

डॉ. रघुवंश प्रसाद सिंह (वैशाली) : उपाध्यक्ष महोदय, माननीय मंत्री जी की बैचेनी हम देख रहे हैं। टेलीग्राफ विधेयक के भाव में जो कुछ कहा गया है, उससे लगता है कि देहात के लोगों को टेलीफोन देने के लिए ये बड़ा आतुर हैं, बैचैन हैं। लेकिन असलियत क्या है, वह भेद मैं अभी खोल देता हूं।

मंत्री जी ने दावा किया है कि सन् 1999 में नई दूरसंचार नीति अख्तियार की गई और उसके आलोक में वह यूनीवर्सल सर्विस ऑब्लिगेशन फंड बनाने जा रहे हैं, जिससे देहात के लोगों को टेलीफोन की सुविधा मिल जाये। 1999 की दूरसंचार नीति के मुताबिक चार अगस्त, 2003 को बिल इंट्रोड्यूस किया, उसमें कहा गया कि यह भूतलक्षी प्रभाव से एक अप्रैल, 2002 से यूनिवर्सल सर्विस ऑब्लिगेशन फंड का हम प्रावधान करेंगे। उसका बजट उपबंध 2003-2004 में किया गया। आप बिल को पास कराना चाहते थे, लेकिन वह नहीं हो सका। इसलिए उसे 2-3 वर्ष के बाद आर्डिनंस के जरिये डाल दिया। ये इतने बैचैन थे कि जल्दी से ये चाह रहे थे। यहां सब लोग बता रहे हैं कि टेलीफोन की मांग बहुत बढ़ गई है, कोई सदस्य ऐसा नहीं है, जिनके यहां दिल्ली में भी 2-4 आदमी और यदि अपने क्षेत्र में रहेंगे तो 10-20 आदमी डेली आते हैं, कहते हैं कि लिख दो, हम एक टेलीफोन ले लेंगे, हमने पैसा जमा कर दिया है, साल, डेढ़ साल से, तीन साल से पैसा जमा किया हुआ है, लोग दौड़ रहे हैं। हर एक सदस्य के यहां लोग बैठे हैं। ये कागज पढ़कर बताएंगे। 'तू कहता कागद की लेखी, मैं कहता आंखिन की देखी।' मैं जो भोग रहा हूं, वैसा ही अन्य माननीय सदस्य भी भोग रहे हैं। लोग आते हैं, किस काम के लिए जनता आ रही है, सब कुछ के लिए नहीं, बल्कि हमारा फोन लगवा दो, हम लिख दें। सारे सदस्यों की पीड़ा का मैं वर्णन कर रहा हू-यह क्या है?

कहा गया है कि हम लोगों को 100 टेलीफोन का कोटा है, लेकिन कोटे के भी फोन नहीं लग रहे हैं। आप कोटे की मोनेटरिंग करके बतायें, अगर हमारा काम नहीं होगा तो और किसका होगा। देहात के सारे लोग तबाह हैं, फोन की मांग बढ़ गई है। हम लोगों के भी नहीं लगता है। हमारे पास मोबाइल नहीं है, लोग आश्चर्य करते हैं कि आपके पास मोबाइल नहीं है। हम लोगों का अभी तक कल्चर नहीं आया है, जिस तरह सब लोग आधुनिक हो गये हैं, लेकिन जनता के मुताबिक ही हमको चलना पड़ेगा। जनता में बड़ी जागरूकता है कि हमें फोन चाहिए, हमने पैसा जमाकर दिया।

एक तो आपने रूरल और अर्बन का क्या बंटवारा कर दिया-जो निरा देहात है, उसे अर्बन लिख दिया है, उसकी फीस ज्यादा लगेगी।

जनता का यह कट है कि टेलीफोन की फीस ज्यादा रखी गयी है। उन्होंने टेलीफोन का पैसा भी जमा कर दिया है लेकिन उनका अफसर बोलता है कि हमको एक्सचेंज खोलने पर रोक है, केबल तार बिछाने में रोक है इसलिए आप डब्ल्यू.एल.एल. ले लो। अब सब सदस्य बतायें कि डब्ल्यू.एल.एल. कहाँ सफल

है? क्या वह कहीं ठीक काम कर रहा है? जनता डब्ल्यू.एल.एल. का नाम सुनते ही भाग रही है। उसका नाम सुनते ही लोग चीत्कार कर भाग उठते हैं।

मैं पूछना चाहता हूँ कि मंत्री जी ने क्या दूरसंचार नीति बनाई है कि एक्सचेंज को बंद करो, एक्सचेंज नहीं खोलो, एक्सचेंज की क्षमता का विस्तार न करो, केबल नहीं बढ़ाओ तथा केबल को जहाँ का तहाँ रोक दो—फिर कौन कैसे लगेगा? मंत्री जी बतायें कि कितनी वेटिंग लिस्ट है। एक राज्य का मुझे मालूम है। बिहार में एक लाख से ज्यादा वेटिंग लिस्ट है। यह वेटिंग लिस्ट दो-तीन या चार साल से पेंडिंग है। अब नेशनल एवरेज टेलीडेन्सिटी क्या है और स्टेट वाइस टेलीडेन्सिटी क्या है?

अब कहा जाता है कि हमने बड़ा विकास कर लिया है, तरक्की कर ली है क्योंकि इन्फोर्मेशन टेक्नोलॉजी, इंटरनेट आदि सब जगह हमारे देश के लड़के काम कर रहे हैं। हमारे यहां के लड़के मेधावी हैं इसलिए दुनिया के तमाम लोग उन्हें खोजकर अपने यहां ले जाते हैं। मैं पूछना चाहता हूँ कि हमारे यहां क्या हालत है? चीन की टेलीडेन्सिटी क्या है और हमारी टेलीडेन्सिटी क्या है, राज्य स्तर पर टेलीडेन्सिटी क्या है? इन सभी बातों पर आपको विचार करना पड़ेगा।

अब मंत्री जी कहते हैं कि रूरल टेलीफोनिक के लिए हम 100 करोड़ रुपये जमा करना चाहते हैं। देहात के लोगों को टेलीफोन देना चाहते हैं। आप देहात के लोगों को क्या दे रहे हैं? देहात के लोग डर रहे हैं कि उनका टेलीफोन लगेगा या नहीं लगेगा। उन्होंने दो-तीन साल से पैसा जमा किया हुआ है। वहां के अफसर कहते हैं कि तार नहीं है, फोन नहीं है, टावर नहीं लग रहा है इसलिए देर हो रही है। इस कारण देहात के लोग बैचन हैं। मंत्री जी दावा कर रहे हैं, लेकिन मैं पूछना चाहता हूँ कि 100 करोड़ रुपये से क्या होगा। ये लोग धन पशु, मल्टी नेशनल, प्राइवेट आपरेटर्स के प्रभाव में नीतियां चला रहे हैं। वी.एस.एन.एल. पर भार बढ़ गया है। प्राइवेट वालों से ये लोग लाभ उठावेंगे। अब रिलायंस आदि न मालूम कितने नाम हैं जिनको मैं नहीं जानता, वे जब चाहें तब कानून बदलवा देते हैं, नियम बदलवा देते हैं, जो चाहे कानून पास करवा लेते हैं, जो चाहे नीति बनवा लेते हैं। इस तरह से कैसे काम चलेगा? गांव के लोग बैचन होकर दौड़ रहे हैं कि हमें टेलीफोन दीजिए। उन्होंने पैसा जमा किया हुआ है। मैं पूछना चाहता हूँ कि उनका क्या होगा? देहात के सारे लोग तकलीफ में हैं। जब हम पटना में जाते हैं तो हमें कहा जाता है कि रिजर्वेशन करवा दीजिए। हमारे पांच काम हैं। पहला, रेलगाड़ी में रिजर्वेशन करवा दीजिए, अस्पताल में भर्ती करवा दीजिए, स्कूल और यूनीवर्सिटी में नाम लिखवा दीजिए आदि, जब हम गांव में जाते हैं, अपने घर जाते हैं, अपने हैडक्वार्टर में रहते हैं तो वे हमारे पास आकर कहते हैं कि आप टेलीफोन के लिए लिख दीजिए। जब हम उनसे पूछते हैं कि कब से पैसा जमा कराया हुआ है तो कहते हैं कि दो-तीन साल से पैसा जमा किया हुआ है। मंत्री जी ने क्या कभी इस बात की मौनीटरिंग की है? हमने इस संबंध में पत्र भी लिखा है कि आप क्यों नहीं एक्सचेंज बढ़ा रहे, क्यों आपने यह काम रुकवा दिया, क्यों आप केबल नहीं बिछवा रहे हैं? वहां से पत्र आता है कि हम एग्जामिन करवा रहे हैं, हम परीक्षण करके बाद में आपको खबर भिजवा देंगे। आप बताइये कि इसमें कितना समय लगेगा?

मंत्री जी ने यह भावना व्यक्त की है कि हम रूरल टेलीफोन के लिए यूनीवर्सल सर्विस ओब्लिगेशन फंड के रूप में 100 करोड़ रुपये जमा करेंगे। इसका मैं समर्थन करता हूँ। मंत्री जी इसके तहत देहात के लोगों को मैसेज दे रहे हैं कि हमें देहात के लोगों के लिए धिंता है लेकिन क्या आप असल में देहात के लिए बैचन हैं या उपेक्षा के शिकार हैं क्योंकि उनको कुछ भी नहीं मिल रहा है। अब बड़े लोग तो सेलुलर आदि फोन लेकर घूमते रहते हैं लेकिन देहात के लोग जो फोन पर बातें करना चाहते हैं, उनको फोन नहीं मिल रहा है। मैं उनकी पीड़ा बताना चाहता हूँ। हमारे क्षेत्र वैशाली में टै. (व्यवधान) में सब देहात वालों की बात बता रहा हूँ, सारे लोगों की बात बता रहा हूँ। इनकी पार्टी वाले तो कुछ कह नहीं सकते क्योंकि इनको कुछ कहने का मौका मिलने वाला नहीं है। इसलिए सबकी बात को मैं यहां उठा रहा हूँ। अब सरजमीं पर जो घटना घट रही है, जो लोगों की तकलीफ है, उसे मैं बयान कर रहा हूँ।

मैं एक उदाहरण देता हूँ। वैशाली संसदीय क्षेत्र का हैडक्वार्टर हाजीपुर है। वह हमारे टाउन एरिया में नहीं है। मुजफ्फरपुर में चार असेम्बली क्षेत्र हैं। देहात-देहात छंटकर वैशाली पार्लियामेंट्री क्षेत्र बना है। किसी जगह सेलुलर फोन लगता ही नहीं है। एक टावर हाजीपुर में है और एक मुजफ्फरपुर में है। वह शहरी एरिया में आता है। हमें कहा गया कि गरुड़ फोन देंगे, डॉल्फिन फोन देंगे। हमने पूछा कि इसका क्या इस्तेमाल होगा। उन्होंने कहा कि दिल्ली में पांच किलोमीटर तक इससे वार्ता होगी। क्या यहां हमारा कोई कारखाना चल रहा है, फैक्ट्री चल रही है जो हम पांच किलोमीटर में किसी से बात करेंगे? हमने कहा कि हम देहात में रहते हैं, और गांव के लोग अपनी समस्या बताना चाहें तो वहीं से हम कलैक्टर या संबंधित अधिकारी को उनकी समस्या बता सकें। देहात में सेलुलर, मोबाइल, न जाने किस-किस नाम से प्रचलित है, जिसमें फोटो दिखती है, न्यूज़ आती है, कैंसी-कैंसी टेक्नोलॉजी का विकास हो गया है, उस टेक्नोलॉजी का इस्तेमाल होना चाहिए। ये हम लोगों को गरुड़ दे रहे हैं। टै. (व्यवधान) हमें सुनने में आया है कि वह ठीक से काम नहीं करता। प्राइवेट सेलुलर, बीएसएनएल की रोमिंग करवा दें तो लोग देश और दुनिया में बात कर सकते हैं। मैं सब मोबाइल फोन रखने वाले लोगों से पूछता रहता हूँ। हम देहात में रहें और जनता कहे कि हमारी यह तकलीफ है तो हम वहीं से फोन करके बता दें, ऐसा फोन लगवाइए और देहात में भी टावर लगवाइए। सेलुलर, मोबाइल, हमारे एरिया में चलता ही नहीं है। हमने लिखकर पूछा कि टावर कब लगेगा तो आपने एग्जामिन करने का वचन दिया। उस बात को भी दो महीने हो गए। एक्सचेंज बढ़ाने, क्षमता बढ़ाने और केबल बिछाने का हुक्म कराइए। हर राज्य की मौनीटरिंग करवाइए कि कितने दिन से लोगों का पैसा जमा है। आपने हमें जो सहयोग दिया, मान लें कि हमने किसी को लिखकर दे दिया, वह जब आपके पास जाता है, तो कहा जाता है कि उनका कोटा खत्म हो गया। अगर हम जनता को लिखकर नहीं देते तो वे नाराज हो जाते हैं और अगर लिख देते हैं तो आपके अधिकारी उसे लौटा देते हैं और कहते हैं कि उनका कोटा खत्म हो गया। अब हम क्या करें। कैंसा-कैंसा संकट हम झेल रहे हैं। इसलिए आप इस पर विचार कीजिए। आपने कभी इलैक्शन नहीं लड़ा। आप लिखा-पढ़ी वाले विद्वान लोग हैं। अखबार में काम करते-करते यहां आ गए। लेकिन हम लोग जनता की पीड़ा झेलकर आ रहे हैं। जनता की पीड़ा को समझना चाहिए। टै. (व्यवधान)

उपाध्यक्ष महोदय : यहां जनता के बारे में ही सवाल उठाए जाते हैं।

डॉ. रघुवंश प्रसाद सिंह : लक्ष्यद्वीप दुनिया से कटा हुआ है, पानी के बीच में है, जलमार्ग है। टै. (व्यवधान) सब जगह दूरसंचार की व्यवस्था होनी चाहिए खासकर रिमोट एरियाज़ में, जिससे देहात में लोग बात कर सकें। सबके घर के लोग बाहर रहते हैं। देहात के लोगों के सगे-संबंधी बाहर रहते हैं। वे फोन से बात करना चाहते हैं और जब टेलीफोन बूथ पर टेलीफोन करने जाते हैं तो उनको वहां घंटों बैठना पड़ता है क्योंकि टेलीफोन मिलता ही नहीं है। अगर उनके घर में टेलीफोन होगा तो वे बात कर सकते हैं। हम गांव में घूमते हैं तो लोग बताते हैं। टै. (व्यवधान)

उपाध्यक्ष महोदय : अब आप समाप्त कीजिए।

डॉ. रघुवंश प्रसाद सिंह : टैलीग्राफ में सौ करोड़ रुपये से क्या होगा। आप इसे यूनीवर्सल सर्विस ओब्लिगेशन फंड में जमा करेंगे। आपने 2003-2004 के बजट में सौ करोड़ रुपये किए। आप हमें बताते तो हम कहते कि इसे बढ़ाएं।

इन्हीं शब्दों के साथ मैं कहना चाहता हूँ कि इस बिल को पारित किया जाए लेकिन हमने जो सवाल उठाए हैं, मंत्री जी उनका उत्तर दें।

SHRI ADHIR CHOWDHARY (BERHAMPORE, WEST BENGAL): I thank you, Mr. Deputy-Speaker, Sir. The Indian Telegraph Act is sought to be amended on the basis of the recommendation of the Telecom Regulatory Authority of

India. It has been stipulated that universal access levy would be a part of the licence fee. With a view to implement the new Telecom Policy, it has been decided to establish a Fund with effect from 1st April, 2002 to be called as the Universal Service Obligation Fund.

Sir, it indicates that the Bill is an enabling legislation.

Sir, already the Convergence Bill comprising 94 clauses is there. That intends to repeal existing we have the Telegraph Act of 1885, Wireless Telegraph Act 1994, and TRAI Act 2000. Now, the Communication Commission of India is going to be established. The hon. Minister could have included another clause for this fund so that he might not have faced such kind of predicament now.

Firstly, everybody must appreciate that still IT access is not affordable to the common people of India. In so far as VPT is concerned, it has performed dismally. The target of VPT has not been achieved and the Ministry has always attributed it to non-selection of technology and non-receipt of equipment. It has been proposed that MAR system will be replaced. But how many villages have so far been provided with even MAR system? Short distance charging area will be excluded from this Fund. It is a sheer mismatch and sheer discrimination against the rural area. The Ministry has already made a cable curtailment which was earlier five kilometres from the exchange and now it has been reduced to two and a half kilometres. Beyond two and a half kilometres, the Government is proposing WLL facilities. But the Government must know that in so far as the power scenario in India is concerned, it is hardly possible for any State to supply adequate and reliable power so that WLL system could function.

However, the internet telephony which has already been opened to the private sector may contribute a lot. The PC percentage of our country is very much poor. May I suggest the Government to provide internet telephony at the village level so that we can create knowledge-based society because the potential benefit of globalisation is access to the information and knowledge. India must secure its access to the information and knowledge world because in this globalised scenario, we cannot afford ourselves to be lagged behind. If the benefit of the globalisation will have to accrue, we have to have adequate information technology facilities. Furthermore, we tried to have more infrastructure development because the IT enable services in the rural village can only be ensured by the development of infrastructure facilities. Therefore, I would request the hon. Minister to expedite the process of internet telephony. Furthermore the only natural resource which the Indian can enjoy is 'em' spectrum, that is, radio spectrum. If we are able to converge radio and internet then in every village they will be able to create a knowledge based society which will ensure the prosperity of India.

Sir, due to the time constraint, I cannot extend my argument.

SHRI MADHUSUDAN MISTRY (SABARKANTHA): Sir, I just want to draw the attention of the hon. Minister towards the tribal areas of the country and the areas where the telecommunication is very difficult.

MR. DEPUTY-SPEAKER: I also forcefully agree with you. I also come from such an area.

SHRI MADHUSUDAN MISTRY : Second thing is that a lot of VPT instruments are required but they have not been purchased by the Government. As a result, those areas have remained disconnected. I would request him just to see that these instruments are purchased in time and supplied to the Chief General Managers of various parts of the country, especially Gujarat.

कुंवर अखिलेश सिंह (महाराजगंज, उ.प्र.) : उपाध्यक्ष महोदय, मैं आपके माध्यम से माननीय संचार मंत्री को यह अवगत कराना चाहता हूँ कि दूर संचार सेवा के अंतर्गत जो मोबाइल सेवा है, उसमें सिम कार्डों की अनुपलब्धता के कारण बड़े पैमाने पर सिम कार्डों की कालाबाजारी है। इस संदर्भ में मैं यह निवेदन करना चाहता हूँ कि मांग के अनुरूप आप आपूर्ति सुनिश्चित करें, तब जाकर इस कालाबाजारी को रोका जा सकता है। यह मेरी ही नहीं, पूरे सदन के सदस्यों की भावना है।

SHRI KODIKUNNIL SURESH (ADOOR): Sir, the Kerala circle is facing shortage of cables. There are three lakh persons who have been wait-listed. I would like to know whether the Government is taking urgent steps to sort out the problem of shortage of cable in the State...(Interruptions) More than three lakh persons are wait-listed...(Interruptions) What is the problem?...(Interruptions)

श्री अनंत गुडे (अमरावती) : कई जगहों पर लोगों ने डब्ल्यू.एल.एल. सेवा के कनेक्शन के लिए दो-दो साल या तीन-तीन साल से पैसा डिपॉजिट किया हुआ है, लेकिन उनको इस सेवा की सुविधा नहीं मिल रही है, जबकि सरकार ने वादा किया था कि उनको यह सुविधा दी जाएगी।

उपाध्यक्ष महोदय : आपकी बात सही है कि लोगों ने काफी समय से पैसे जमा करा दिए हैं, लेकिन उनको यह सुविधा नहीं मिली है।

...(Interruptions)

MR. DEPUTY-SPEAKER: Nothing, except what the hon. Minister is saying, would go on record.

(Interruptions) â€¦*

MR. DEPUTY-SPEAKER: We have to take up the Constitution Amendment Bill. The Bill has to go to the Rajya

Sabha as well. Let him reply now.

श्री अनंत गुडे : मेरा निवेदन है कि जहां लोगों ने दो-दो साल और तीन-तीन साल से पैसे जमा करा रखे हैं, उनको कब तक यह सुविधा मुहैया कराएंगे।

उपाध्यक्ष महोदय : मंत्री जी ने सुन लिया है, मैंने भी कहा है।

...(Interruptions)

MR. DEPUTY-SPEAKER: Hon. Minister, please keep this in mind.

...(Interruptions)

MR. DEPUTY-SPEAKER: This is not Question Hour. The Minister will give his reply now. He has heard your views and he will reply.

...(Interruptions)

MR. DEPUTY-SPEAKER: Nothing, except what the hon. Minister is saying, will go on record.

(Interruptions) â€†*

* Not Recorded

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY AND MINISTER OF DISINVESTMENT (SHRI ARUN SHOURIE): Sir, I am very grateful to all the hon. Members, from all sides of the House, who have pointed out important things that needs to be done in future and also to those, from all sides of the House, who have endorsed the need for establishing this Fund and also for passing this Bill.

Sir, if you permit me I would take five minutes to complete my reply to the debate and answer the queries that have been raised.

Sir, one important point that was made by three Members was the point that Shri Bansal emphasised and that was as to why not to put it as a separate fund outside the Consolidated Fund of India. Actually that is not the method of accountability for Parliament. The method of accountability is the Consolidated Fund of India, its review in the Budget and its voting by the Parliament and taking its sanction through it. It is the essential instrument for parliamentary accountability and control. Secondly, to assure the hon. Members I would like to submit that this will be a separate head in the Budget and the amount will be shown as 'Transferred to the Universal Service Obligation Fund'. There will be a separate administrator, a separate regulator and a separate licencor. I hope, we have an occasion to discuss this in the Parliament also. Setting it up outside the Consolidated Fund would not serve any extra purpose in this. It would actually amount to diluting the parliamentary control and accountability.

I completely agree that there is a misunderstanding of the word 'basic services'. It does not mean just elementary service and nothing else. There are different kinds of services provided. People with original licences like BSNL, MTNL, who are providing fixed line service, are called Basic Operators. Now, you have a new instrument where you will see that in the new fixed line instruments facilities like E-mail and caller identification has come and that will go with the fixed line services. Our intention is to provide this.

I do plead with the House to recognise it as one of the country's achievements. I completely endorse what was said by my Congress friends that Shri Rajiv Gandhi looked into the future and by his guidance, persons like Mr. Sam Pitroda contributed a great deal to initiating this Telecom Revolution and we all owe them great respect in that regard. And I am the first to acknowledge it that good work has been carried forward by many persons, as the Hon. Members have mentioned, specially by the staff of the BSNL.

Shri Bansal asked as to what was the assistance that was given to the BSNL. Sir, actually, the complaint to me has been the opposite. The cellular operators have come to me - and I can share this information with the House - and complained that the autonomy, the freedom and the concessions that we have given to the BSNL will actually kill them. It is because BSNL is able to run so fast that, for instance, in just one year, they have acquired 43 lakh cellular customers. They have not done this in bigger cities where other private operators are concentrating. But

they have done it really outside of them, in smaller towns and this achievement has been possible. The licence fee and the spectrum charges of about Rs. 2300 crore are exempted and reimbursed to them. They used to and they are required to pay a dividend to the Government. That was first slashed by 50 per cent but now, with my own urging, the Group of Ministers has recommended to the Cabinet and the Cabinet has approved that BSNL will not be required to pay any minimum dividend and it is the Board of the BSNL which will decide this completely. In the last two years also, the licence fee as well as the spectrum charges have been reimbursed to the BSNL in this regard. It is the cause of complaint by others.

One virtue that we will see is that, of this Universal Service Obligation Fund, for instance, Rs. 300 crore which given last year, 99 per cent of what was given went back to the BSNL. It is by competent bidding. We ensured that the bidding was so competent that in the areas in which they were present and other operators were not present, of those Rs. 300 crores, 99 per cent went back to the BSNL. This is one of the main instruments not just for rural telephony but also something which will ensure financial health of the BSNL itself.

I completely agree with Shri Bansal on one point. If there was time available, I would have given the figures that the private operators did not live up to the obligations which had been specified. There had been occasions to point it out earlier also. The letter of intent was issued in 1996 and licence was given in 1997. I do not want to go into who were the Ministers at that time and which Governments were there at that time. But the result was that in the licence condition.....(*Interruptions*)

SHRI PAWAN KUMAR BANSAL : When did it fail in non-performing it? In 1996-97, licences were given. When did the performance and non-performance begin?

SHRI ARUN SHOURIE: Non-performance has been a continuing feature. It was not a yearly obligation that they have to meet those obligations. The only penalty which was provided was Rs. 4 crore if you do not meet the rural VPT targets and Rs. 4 crore if you do not activate the network on time. All those Rs. 8 crore have been collected from each of the private operators. Then, I myself made an inquiry under that Licence Agreement and extra penalty could be taken. The only thing which you can come up and ask for is higher performance guarantee. We asked those private operators and four or five of them agreed to deposit that amount. In the case of HFCL of Punjab, they said, "No. But BSNL has covered all the areas. So, we have no further obligations in VPTs." In the case of Shyam Telecom of Rajasthan, it went to the court and got a stay even on giving the extra performance guarantee. So, this loosely worded Licence Agreement is not a good idea to go into these things.

There are many other points which are being made. I will come only to one point and then conclude with your endorsement. Various figures have been cited about SDCAs. It is a misunderstanding. It is just tehsil in general and that is how the amounts are being calculated.

15.59 hrs (Mr. Speaker *in the Chair.*)

SHRI PAWAN KUMAR BANSAL : I understand that point. But is it a fact that you are confining only to 500 SDCAs?

16.00 hrs.

SHRI ARUN SHOURIE: That is a misnomer. ...(*Interruptions*) Not at all. That figure of 487 was a construct of the Group of Ministers about the roll out obligations to be levied. That has been given up. In fact, there was a discussion in the House two or three Sessions ago. The rural definition of the census has been adopted and has been continuing. This figure has been completely abandoned.

I will just give one figure and end. Of the total number of revenue villages of 6,07,491, villages with VPTs today are 5,17,814; villages which are de-populated and which have a population of less than 100 are 27,000; naxalite-affected and insurgency-affected are almost 6,000 villages; those which are so remote, as Shri Maheshwar Singh was saying, that have to be covered by satellite media are about 25,668. The remaining are about 30,000 villages.

My effort is to first concentrate on these remaining villages and do that completely. It is because to try and go on saying that we will cover naxalite-affected villages and insurgency-affected villages is an impractical target. It may be an ambitious target, but as you said, it is not a realistic target.

Therefore, please believe me, because of your desire and because of the importance of the matter, the Government is focussing on rural telephony. This is the instrument of doing it.

I thank hon. Members from all sides for endorsing the Bill.

SHRI PAWAN KUMAR BANSAL (CHANDIGARH): Villages need additional VPTs. It is because villages have only one VPT and they require more. We need to have STD facility in the VPTs.

SHRI ARUN SHOURIE: First, we should try to get the staple service to everybody. Definitely one of the objectives

in the second phase of the Universal Service Obligation Fund is to provide that extra or second VPT, that is Village Public Telephone.

श्री महेश्वर सिंह : अध्यक्ष महोदय, जहां तक वीपीटीज़ का संबंध है, पालिसी के अनुसार 2000 वाली आबादी के गांव को कवर करेंगे। पहाड़ों पर तो दो हजार की आबादी वाला गांव मिलेगा ही नहीं। इसलिए मैं आपके माध्यम से मंत्रीजी से जानना चाहता हूँ कि राजस्व गांव के स्थान पर इनहैबिटेड विलेज यानि 500 की आबादी वाला गांव, जैसे प्रधान मंत्री ग्राम सड़क योजना में किया जाता है, इस तरह का कोई प्रावधान करेंगे?

SHRI ARUN SHOURIE: That is a very important suggestion. There is a very good precedent in the Prime Minister's *Gram Sadak Yojana*.

MR. SPEAKER: You can consider it in due course of time.

SHRI ARUN SHOURIE: I will certainly do my best to consider it.

I commend the Bill for passing.

MR. SPEAKER: Shri Dasmunsi, your right to reply.

...(Interruptions)

MR. SPEAKER: No more questions on this.

...(Interruptions)

MR. SPEAKER: There is a Constitution (Amendment) Bill which has to be taken up. There is some other important business also.

...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : Sir, though I am not convinced by the arguments put forth by the hon. Minister for promulgating the Ordinance, but in view of the fact that since the hon. Minister has acknowledged the contribution made by the late Shri Rajiv Gandhi, our beloved former Prime Minister in the telecom revolution on the record, I withdraw my disapproval notice. ...(Interruptions)

MR. SPEAKER: Mr. Minister, I have not permitted any question.

(Interruptions) *

MR. SPEAKER: Has the hon. Member leave of the House to withdraw his Resolution?

SEVERAL HON. MEMBERS: Yes.

The Resolution was, by leave, withdrawn.

MR. SPEAKER: The question is:

"That the Bill further to amend the Indian Telegraph Act, 1885, be taken into consideration. "

The motion was adopted.

* Not Recorded

MR. SPEAKER: The House will now take up clause by clause consideration of the Bill.

The question is:

"That clauses 2 to 4 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 5

**Establishment of universal
service obligation Fund**

Amendment made:

Page 2, line 26,--

omit "No.2" (2)

(Shri Arun Shourie)

MR. SPEAKER: The question is:

"That clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Clause 6 was added to the Bill.

Clause 1

Amendment made: Short Title and commencement

Page 1, line, 2â€”

omit "No.2" (1)

(Shri Arun Shourie)

MR. SPEAKER: 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.

The Enacting Formula and the Title were added to the Bill.

SHRI ARUN SHOURIE: 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.
