

Fourteenth Loksabha

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Participants : [Pal Shri Rupchand](#), [Verma Shri Ravi Prakash](#), [Dasgupta Shri Gurudas](#), [Thomas Shri P.C.](#), [Nikhil Kumar Shri](#), [Advani Shri Lal Krishna](#), [Singh Dr. Manmohan](#), [Mahtab Shri Bhartruhari](#), [Ramadass Prof. M.](#), [Chowdhury Shri Adhir Ranjan](#), [Swain Shri M.A.](#), [Kharabela](#), [Mukherjee Shri Pranab](#), [Yadav Shri Devendra Prasad](#), [Singh Shri Manvendra](#), [Athawale Shri Ramdas](#)

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Title: Discussion on statement made by Minister of External Affairs on 12.12.2006 regarding Indo-US Civil Nuclear Cooperation.

MR. DEPUTY-SPEAKER: It is 2.00 p.m. now. We will now take up item no. 43. We shall continue this discussion on these Bills after the discussion under Rule 193 is over.

PROF. VIJAY KUMAR MALHOTRA (SOUTH DELHI): Mr. Deputy-Speaker, Sir, this is a very important discussion. Neither the Foreign Minister nor the Prime Minister is present here. At least one of them should have been present here. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: They will come.

श्रीमती किरण माहेश्वरी (उदयपुर) : उपाध्यक्ष जी, यह इतना महत्वपूर्ण मसला है और माननीय मंत्री जी को पहले से ही इसका पता है। उनको सदन में आ जाना चाहिए।

प्रो. विजय कुमार मल्होत्रा : जिनको रिप्लाइ करना है, जिनको इंटरविन करना है, उनको तो रहना चाहिए। Neither of them is present here now.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): Mr. Deputy-Speaker, Sir, the Prime Minister will intervene in the debate at 4 o'clock. The Minister of State for External Affairs is here to take notes and the Cabinet Minister will come now. ... (*Interruptions*)

PROF. VIJAY KUMAR MALHOTRA : Sir, the Foreign Minister who is to reply to the debate should have been here. ... (*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI: Sir, since he has to reply to the debate, he should reply in a proper manner and that is why he will get all the inputs and prepare himself and then he will reply. ... (*Interruptions*)

Sir, I fully appreciate the concerns expressed by them. I express my apology that at this time we could not bring the External Affairs Minister. I am rushing to his room immediately now. Meanwhile, you can start the debate. The Minister of State for External Affairs will take notes. I, once again, express my apology to Shri L.K. Advani. I am going to the room of the Leader of the House immediately.

PROF. VIJAY KUMAR MALHOTRA : The Chair must tell them to do the needful.

MR. DEPUTY-SPEAKER: Shri Basu Deb Acharia has requested that Shri L.K. Advani be allowed to raise this discussion under Rule 193. The hon. Speaker has given his consent. I now request Shri L.K. Advani to initiate the discussion.

SHRI L.K. ADVANI (GANDHINAGAR): Mr. Deputy-Speaker, Sir, at the very outset, I would like to express my deep gratitude to Basu Deb Acharia ji. In the ballot, it was his name which came first, mine was second and that is indicated even in the List of Business, but he has kindly agreed that I may initiate the debate. I am grateful also to the Speaker for permitting me to do so.

Sir, this is the second time that Parliament is discussing this issue in a major way. There have been occasions earlier also where references were made and questions were put, but the major debate took place last time in August and then this is the second debate. We may call the earlier debate also a major debate, but the first one came when there was a Joint Statement by our Prime Minister and the American President. I can recall that even then after concluding the deal on 18th July, 2005, the Prime Minister said at his Washington Press Conference on 20th July, 2005 before returning to India as follows:

“It goes without saying that we can move forward only on the basis of a broad national consensus.”

This is a statement that the Prime Minister made in Washington on 20th July, 2005, two days after the Joint Statement had been signed and issued.

I am happy that the hon. Prime Minister is here. I would start to say that before moving forward he expected a broad national consensus on this issue. Would he find this in the country today? Is there a broad national consensus that this Deal should go forward? Let me recall that at that point of time, we did not have the Hyde Act. It was only a Joint Statement and an agreement between the Prime Minister and the American President, even about which the Prime Minister felt the need that there has to be a broad national consensus before we can move forward. By now, we have this so called Hyde Act. If there is a broad national consensus, I think, there would be no hesitation for the Government to seek the approval of the whole House. This morning, my colleague raised that issue that instead of discussion under Rule 193, why can we not have a discussion under Rule 184 in which at least the sense of the House would be available.

Mr. Prime Minister, as far as I can see the opinions expressed by various parties, by various MPs, by various nuclear scientists, today, there is no consensus in Parliament on this particular Deal. There is no consensus among political parties on this particular Deal. There is no consensus even in the UPA Government or rather the United Progressive Alliance. I would not call it a

Government, I would say, the UPA. There is no consensus in favour of this deal and certainly what is most crucial in this matter is that because as far as I recall, there was a time when the Prime Minister took a view that we would go ahead with this kind of Deal only if the scientists have agreed.

Today, there is no consensus even among the nuclear scientists, what to say of a broad national consensus in the country on this Deal. I am sorry to say, it is, therefore, also my first plea because of the lack of broad national consensus, which the Prime Minister had in mind even in respect of the Joint Statement, in so far as this Act is concerned, about which we are going to discuss now and about which I would like to point out to the House, how obnoxious it is. I think, there can be no consensus.

Early this morning, I was surprised to get a call from a veteran of this country for whom I have always had respect, though I did not agree with his view nor did he agree with my views and my party's views. I am referring to Justice Krishna Iyer. After many years, perhaps he telephone to me. He has been back from his illness. He has been in hospital for two months. He would be 90 plus now. This veteran judge, who is highly respected, rings up to me and uses a language which I would only quote.

He tells me what is going to happen in Parliament today when this issue is discussed. Is this Parliament going to reject it? I did not go into lengths that there is no question of Parliament either accepting it or rejecting it because as has been pointed out, there is a reluctance even to take the sense of the House. But he said:

“I am phoning you because I feel that the country's Nuclear Swaraj is at stake.[\[r40\]](#)”

This is the phrase that he used. It is a very forceful phrase but this is how he viewed it, and I can only quote it here. It shows the intensity of a feeling that many thinking people in the country have about the consequence of this particular deal if this goes through in the form which has been given to it by the Hyde Act. I remember that when it was first brought here or in the other House, there was a stress that the country needs nuclear fuel for its reactors, and this was an attempt essentially to get America to agree to giving the nuclear fuel or the other nuclear countries which can supply or give us this thing or removing a ban on various technological knowledge that was there, and it would give immense scope for this country to move forward. I would like to deal with all these points later.

Today, I would like to say that when we see the Hyde Act, we see that the primary objective of the Hyde Act is to cap, then roll back and ultimately eliminate India's nuclear weapons capability. It deals more with India's nuclear weapon credibility and only incidentally with the question of nuclear fuel to be provided to our civil reactors, and that too under conditionalities which are humiliating.

This debate is taking place at a time, and I say that the fate of India's strategic defence is hanging in a balance. Therefore, it is a very important debate. In fact, this issue itself is the most

important issue that has come up before the nation in the entire year or perhaps in many years so to make Justice Krishna Iyer to say that our nuclear swaraj is at stake. I go further than nuclear swaraj, and I would say that it is taking place at a time when India's independence in Foreign Policy and our seeking options of its sovereign choice in strategic matters also is in stake, and that is being questioned.

It is true that there is a reference to Iran here but the other provision that is there is that in the India's foreign policy, if they are to assist India in the matter of nuclear fuel, it has to be congruent with the foreign policy of America. Here is something which no Government in New Delhi in the past has been willing to accept. Maybe we may have our preferences, independent choice, and there may be things that we did which may have been approved by Moscow and not by Washington or sometimes by Washington but not by Moscow. From 1947, we have always had an independent Foreign Policy, and if this particular deal goes through, then I would say that we would be mortgaging our independence of Foreign Policy.

Sir, I say this because every single assurance, almost every single assurance given by the Prime Minister in Parliament and mainly in the Rajya Sabha would be violated if the UPA Government were to go ahead to negotiating a bilateral Civil Nuclear Cooperation Agreement with the United States on the basis of this Hyde Act. Therefore, we are surprised when the passing of this Act, the Hyde Act, first by the Senate and then by the House is tom-tommed as a big achievement as if something remarkable has been achieved. [\[R41\]](#)

The stress is on bipartisan support that the Bill has received. The Bill has received bipartisan support; I do not deny that. There have been a very few dissenting voices because most of those who have voted for the Bill or against the Bill were concerned with whether the Bill imposes curbs on our weapons' capability or not; and if they did, they supported it.

As I said, the nuclear fuel issue is incidental in the whole Act, and therefore, when I see this euphoria about both the House as well as the Senate having approved it, passed it so quickly; and the Prime Minister and the United States President have agreed to this Bill, this euphoria makes me feel that this is not justified. This is only what is described as the theatre of the absurd.

Here is something; we are binding ourselves to humiliating conditions, and there are people applauding here in this House also, though it is perhaps only the Congress party. I wonder whether the Prime Minister realizes how isolated his party has become on this particular issue.

I would quote before the Prime Minister what he himself had said on August 17, 2006. He said:

“I would again reiterate in view of the apprehensions expressed that the proposed US Legislation on Nuclear Cooperation with India will not be allowed to compromise India's sovereignty.”

This is what the Prime Minister said. He further said:

“ Our Foreign Policy is determined solely by our national interest. ”

Again, he went on to say:

“No legislation enacted in a foreign country can take away from us this sovereign right. Thus, there is no question of India being bound by a foreign legislature. ”

Mr. Deputy-Speaker, Sir, if you go through this relevant law carefully, it makes a mockery of all these assurances given by the Prime Minister because at that time when people were criticizing; when my two colleagues in the other House quoted on the provisions of the Foreign Affairs Committee's, from the proceedings of the two House that had gone on, they were told: “Wait, wait; wait for the Act to come.” And, now, it is before us in black and white. Does it not compromise our sovereignty and independence of the Foreign Policy? After all, the Prime Minister has made numerous statements, the most important being on the 17th. But even on earlier occasions he had made statements on 7th March and 10th March, 27th February and 29th July. For Ruling party Members to describe this as a great factory, I feel sad.

There has been criticism that America has been shifting its goalposts again and again, periodically over the process of legislating this particular law. We are not concerned so much with what America is doing. We are more concerned with the Government of the UPA shifting the *Lakshman Rekha* we drew, in his 17th August speech that ‘these are the promises within which we will accept, and if these parameters are not kept, we will not accept.’[\[r42\]](#)

And if these parameters are not kept, we will not accept. If you just go to see the statement issued on 15th by an eminent nuclear scientist or by almost all the important nuclear scientists, you will perceive how disturbed the Bill about the Hyde Act. I quote from the statement of these nuclear scientists:

“In responding to the concerns earlier expressed by us, namely, the scientists, the Prime Minister stated in the Rajya Sabha on 17th August, 2005,” and I quote: “Nuclear weapons are an integral part of our national security and will remain so pending the elimination of all nuclear weapons and universal non-discriminatory nuclear disarmament. Our freedom of action with regard to our strategic programmes remains unrestricted.” This is the Prime Minister's statement. I feel happy what he said about nuclear weapons being an integral part of our national security. “The nuclear agreement will not be allowed to be used as a backdoor method of introducing NPT type restrictions on India.”

What will happen now? From Mrs. Gandhi's time, we have refused firmly to accept the NPT. We will not accept the Non-Proliferation Treaty which imposes any restriction on our choice to go nuclear or not, which imposes other severe restrictions on us. We will not accept the NPT. We will

not accept the CTBT. Now, by the backdoor, we are permitting ourselves to be a member of the NPT arrangement.

In fact, if this Bill is passed or if this deal is accepted as it is described by the Hyde Act, I am sorry. Mr. Prime Minister, I know you have not been in favour of India going nuclear. Even at that time, when Pokharan-II was done, you had criticized us. You had criticized us for taking a step which would make prices skyrocketing. What would be there to defend them? I do not want to quote the whole speech that you made in the Rajya Sabha because you spearheaded the attack on the decision taken in Pokharan. I concede your right to do this. I do not deny that. But today you have said that nuclear weapons are an integral part of our national security, as I quoted, I welcome it. It is a change. But even with this change, if you allow this to happen, then it would mean that NPT comes into our country from the backdoor. We become part of it.

In fact, if this particular deal had been signed earlier, there could have been even no Pokharan-I. Mrs. Gandhi could not have done it. Therefore, certainly there could be no Pokharan-II. It is because I have seen provisions in this Act in which it is said that even if the country says that it is purely for peaceful purposes, you are not to allow it. If anyone does it, if anyone does a test, then it would be the duty of the President to report this and the President would be entitled to take back all the nuclear facilities that have been given and stop all nuclear fuel that is being given even to the civil reactors.

Now, all these provisions are there. Anyone, who has gone through the provisions, knows this. My colleague, Mr. Arun Shourie, in the other House has written a series of articles, and they have been published. Not one single fact has been denied. Therefore, if you accept this, the Opposition would be left with no option but to say that the Prime Minister is consciously and willingly keeping the backdoor open for the US to bring in the Non-Proliferation Treaty fetters on India, shackles on India.

Sir, there is another disturbing feature about the U.S. legislation. That is how it equates India and Pakistan. The Hyde Act not only equates India with Pakistan repeatedly but it also directs the U.S. Administration to “continue its policy of engagement, collaboration and exchanges with and between India and Pakistan”.

The other day the U.S. Assistant Secretary of State Mr. Richard Boucher came here and he observed that India should define its deterrent only in relation to Pakistan and enter into mutual understandings with Islamabad in both conventional and nuclear areas. I, for one, belong to a Party which, when it first demanded that India should have a nuclear deterrent of its own, there were no problems from Pakistan. We had suffered a humiliating defeat in a conventional war with China in 1962. In 1964 when China was not as economically strong as it may be today, even then it went in for a nuclear blast at Lopnor. It was in 1964 that my Party for the first time felt that security is very important. If we had paid attention to the country's security from the very beginning in a proper manner, may be, even 1962 would not have been that humiliating. Therefore, now that our immediate neighbour is moving towards becoming a nuclear power, let India also develop a minimum nuclear deterrent of its own. This was our Resolution passed in 1964.

Since then, even though we found no support from any other political party, we continued to pursue that line consistently that India must become a nuclear weapon State, though we agreed with the proposals made at various points of time, say by Shri Rajiv Gandhi that there should be non-discriminatory universal nuclear disarmament. We agreed with that. I am sure that even today every Party in the country agrees with that. That is India's stand. But so far as our problems are concerned, security considerations are concerned, while the Congress' approach was, keep our options open, they did not sign the NPT, they did not sign the CTBT for the same reasons which prompted us to refuse it. But keeping the options open meant that uncertainty remains.

So, when we got a mandate from the people and the mandate was on the basis of a programme to which not only the BJP but all our allies also agreed that if we come to power the common manifesto of the NDA would mean that we would go in for a nuclear deterrent. The moment we got that mandate we did not take time. We assumed office in March and in May we had the Pokhran-II. I am recalling all this only to say that we have all along maintained that India's strategic nuclear weapons programme is not Pakistan-centric and India should have credible minimum deterrence against any threat from any source to our national security.

Let us take the hon. Prime Minister's second assurance. I have with me that statement also which he made that today there are only five nuclear *Brahmins*. No one else, even if it has weapon's capability, can be incorporated as a weapon State. It was a very good statement. I compliment him for that statement at that point of time. He said that this agreement that we are signing with the United States would end decades of nuclear apartheid. He used the word 'apartheid' that for decades we had been kind of *pariahs* in this situation.

He further said that India would get its due place in the global nuclear order. He says:

"We believe that when implemented, the understanding reflected in the Joint Statement will give India its due place in the global nuclear order."

Now, everyone knows that even after this statement, there has been nothing of this kind. We continue to be regarded as a non-nuclear weapon State. In fact, when Condoleezza Rice, the US Secretary of State, was asked about the status that India would have under the US law as well as in regard to the IAEA, her reply was candid and categorical. She said :

"While India has nuclear weapons "

So, that is a concession that India has nuclear weapons. It further says:

"And we must deal with this fact in a realistic, pragmatic manner. We do not recognise India as a nuclear weapon State or seek to legitimise India's nuclear weapon programme. The 1968 Treaty on Non-Proliferation of Nuclear Weapons, NPT defines a nuclear weapon State as one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967. India does not meet this

definition and we do not seek to amend the Treaty to provide otherwise. US law adopts the NPT definition. So, India is a non-nuclear weapon State for purposes of US law. ”

Therefore, Mr. Prime Minister would be able to reply what happened to his promise that India would no longer be subjected to a regime of nuclear apartheid or what happens to his promise of securing for India its due place in the global nuclear order.

My third objection is that when the first debate took place, the Prime Minister emphasised repeatedly the word ‘reciprocity’ and said that our arrangement with America is on the reciprocal basis. He used the phrase ‘reciprocity is key to the implementation of all the steps enumerated in the Joint Statement by President Bush and Prime Minister, Dr. Manmohan Singh.’ He had assured Parliament on July 29, 2005. I quote:

“That India will reciprocally agree that it would be ready to assume the same responsibilities and practices and acquire the same benefits and advantages as other leading countries with advanced nuclear technology, such as the United States.”

The Hyde Act explicitly rules this out. As I said, it imposes fetters on us, shackles on the Indian nuclear military capability, which none of the five nuclear *brahmIns* are subjected to.

Our fourth objection is that if this is accepted, there can be no Pokharan III or Pokharan IV. Let us understand that. Some in the Government may be happy about it. I really do not know. At least when Pokharan II happened, there was displeasure expressed. As I have already said, today’s Prime Minister was the Leader of the Opposition in the other House and there, he expressed his unhappiness. The whole speech is there. Section 106 of the Hyde Act decrees that civil nuclear energy co-operation with India shall cease to be effective if the President determines that India has detonated a nuclear explosive device after the date of the enactment of this law. In its explanatory notes, the Hyde Act leaves no scope for uncertainty. It says:

“There should be no ambiguity regarding the legal and policy consequences of any future Indian test of a nuclear explosive device. In that event, the President must terminate all export and re-export of US-origin nuclear materials.”

It is categorical.

The US law makers do not stop there. I am quoting the exact words from the Act :-

“In the event of a future nuclear test by India for any reason including such instances in which India describes its actions as being for peaceful purposes, the President must make full and immediate use of the US right to demand the return of all nuclear related items, materials, and sensitive nuclear technology that they have exported, and re-exported to India.”

Has India accepted such a deal earlier for the sake of getting nuclear fuel from America? Otherwise, neither the Congress Government would have been able to conduct Pokhran – I nor the NDA Government would have been able to conduct Pokhran – II.

This is my question to the hon. Prime Minister. Would you like to mortgage away India's sovereign right to conduct Pokhran – III and Pokhran – IV in the future? Would you not be agreeing to push India back to its pre-Pokhran status, that is, as a non-nuclear weapon State both *de jure* and *de facto* by signing this coercive deal? I demand a clear answer from the Prime Minister on this issue.

As I have said, there is a lurking suspicion in my mind. I have worked with people who have been categorically against India going nuclear. I have worked with them, and I know how keen they were always to see that India never even thinks in terms of going nuclear. I have a lurking suspicion that the Prime Minister perhaps wants no more Pokhrans, and that he would indeed be happy if under this Act, which first puts a cap on our nuclear weapons capability, then reduces it and ultimately and eventually eliminates it. These are the words used by the Act, and they are not mine.

If Dr. Manmohan Singh genuinely shares the goal of other people about de-nuclearization of India, let him say so. After all, the nuclear scientists do not agree with this. They say that :

“In view of the uncertain strategic situation around the globe, we are of the view that we must not directly or indirectly concede our right to conduct future nuclear weapon tests if these are found necessary to strengthen our minimum deterrence.”

Another assurance given by the Prime Minister on August 17 was that : “Our offer to put our civil nuclear facilities under safeguards”. We have agreed to it that we will undertake a programme of separation of civil reactors and the military reactors. This would be put under safeguards in perpetuity is conditional upon these facilities securing fuel from international sources for their lifetime. This is the Prime Minister's own words, namely, “for their lifetime” in a statement made in the Parliament on March 7, 2006 while commenting on India's plans to separate its nuclear programme into civilian and military parts. The Prime Minister again assured the House that the United States will support an Indian effort to develop a strategic reserve of nuclear fuel to guard against any disruption of supplies over the lifetime of India's reactors. The Hyde Act does not say this. The Hyde Act neither guarantees uninterrupted supply of fuel nor allows India to accumulate fuel to cover and safeguard the reactors lifespan. In fact, it explicitly bans this kind of cooperation. It says :

“Any nuclear power reactor fuel reserve provided to the Government of India for use in safeguarded civilian nuclear facilities should be commensurate with reasonable reactor operating requirements.”

It is not for lifetime, and it is not for reserve. The Act's explanatory statement states that India will not be allowed to build any uranium stock of a size that would permit its driving out any

sanction that might be imposed by the USA in the future.

The purpose itself is very disturbing. Fuel supply thus has to be limited to the operating needs, as opposed to the prospective needs, even in those civil nuclear reactors. If this is not a humiliating condition, I wonder what else can be!

The Prime Minister asserted in Parliament on August 17 that we are not willing to accept a moratorium on the production of fissile material. Yet the Hyde Act seeks to impose both qualitative and quantitative ceilings on India's nuclear deterrent capability, and lays great stress on getting India to cease all fissile material production.

The seventh, and I would say perhaps the most important, disturbing aspect of the Hyde Act is this. Contrary to the Prime Minister's assurance that nothing would be done to affect the country's independent nuclear programme or its sovereign foreign policy the Hyde Act - how does the statement and assurance square with the Hyde Act - in Section 102 says that one of the reasons why it recommends nuclear cooperation with India is that India would have a foreign policy that is congruent to that of the United States and in working with the United States on key foreign policy initiatives related to nonproliferation.

Section 103 states that one of the US policy objectives to be realized through the nuclear deals is to secure India's full and active participation in the United States' efforts to dissuade, isolate, and if necessary, sanction, and contain Iran for its efforts to acquire weapons of mass destruction. When I go through the explanatory memorandum attached to the Hyde Act I find Iran was mentioned at least fifteen times. The sum and substance is that US policy objectives in respect of containing various nuclear devices have to be supported by India. It is obvious that by this act Washington is virtually dictating what India's foreign policy should be.

We can have our own policy towards Iran or any other country which may sometimes be not very different from America's, but we cannot be dictated by them because they are giving us nuclear fuel, therefore, we sign it out that we are going to cooperate with them in all these matters. How can India mortgage its foreign policy to the strategic objectives of the United States?

Mr. Deputy-Speaker, Sir, the Prime Minister had pledged in Parliament on August 17 that if the final product is in its present form – and that was before this Act was adopted – India will have grave difficulties in accepting the Bill. Now, those grave difficulties should have become in the eyes of the Government far far graver, far more ominous. The final product is now before us in clear, categorical, black and white terms, and it flies in the face of all the assurances that the Prime Minister had solemnly given. It was repeatedly said that our friends in America are taking note of all these and we are sure that the Act as finally passed will take cognizance all of these misgivings of ours.

Not only our concerns are not addressed but the US legislation has placed new controls on India. It is almost as if the US wants to have extra-territorial jurisdiction over India's nuclear programme and the UPA Government seems intent to help Washington in this regard.

My colleague Arun Shourie the other day in the articles that he wrote related the provisions of the Hyde Act to the assurances given in Parliament and challenged the Prime Minister – “Let the Prime Minister square the circle”. Let me affirm that - as far as I can understand it this circle cannot be squared, not even by our scholarly Prime Minister, I am sorry to say, therefore, - there is no alternative but to reject the idea of entering into a nuclear deal with the United States.[\[r43\]](#)

As far as I can read the Opposition’s mind, I can say that the irreducible demand of the Opposition before the Government is not to push India into this dangerous trap of self-enslavement. Please do not do it; stop before it is too late. This view has been endorsed by many people who do not belong either to NDA or to the Left. I have seen the former Prime Minister, Shri V. P. Singh criticizing this very strongly. I have seen a strong statement of Dr. Jayalalitha condemning this.

PROF. M. RAMADASS (PONDICHERRY): She is not a nuclear scientist. We need not go by what she says. ... (*Interruptions*)

MR. DEPUTY-SPEAKER: Please do not interrupt. Nothing will go on record except the speech of Shri Advani.

*(Interruptions) ... **

SHRI L.K. ADVANI : I can understand his reaction! ... (*Interruptions*)

MR. DEPUTY-SPEAKER: Please sit down. Nothing should be recorded except the speech of Shri Advani.

*(Interruptions) ... **

* Not recorded

SHRI L.K. ADVANI : There was a demand from my Party as well as from the Left, the Communists that the sense of the House should be taken; a resolution should be passed, etc. I remember, we were criticized; and they were also criticized. ... (*Interruptions*)

SHRI GURUDAS DASGUPTA (PANSKURA): Communists are not your convenient friends! ... (*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing will go on record.

*(Interruptions) ... **

SHRI L.K. ADVANI : I know that; that is why, there had been occasions when we, in the Rajya Sabha, acted together on issues of national interest!

Sir, Shri Prakash Karat has written a full article on this, in *The Hindu* on 12th August, saying that certain sections in the ruling establishment have sought to project the efforts for a sense of Parliament as the lining up of CPI(M) with the BJP. This is being raised only to sidetrack the real issue. This is what he said.

I would like the Government not to sidetrack the issue and come to the core of the whole Act and reply to that. Do you realize how isolated you have been on this? It is not that we are not aware of the need of nuclear energy for our civil reactors; we are conscious of it. India's rapidly growing economy requires increased energy production from various sources including nuclear. But we do not think that Indo-US Nuclear Deal in its present shape is the best way of ensuring India's energy security. Experts have also voiced doubts about the Government's steep projections about nuclear energy in the coming years, to raise the current share of nuclear energy in India's total energy production, which is just 3 per cent; it is abysmally low.

14.48 hrs.

(Shri Balasaheb Vikhe Patil *in the Chair*)

* Not recorded

How can we anticipate that this kind of a deal will give us all that we need? I would also like to make this clear. After all, after the end of the Cold War, when we came to power later on – maybe earlier also – there had been a conscious effort to see that the relations and understanding between the two major democracies of the world keep growing. Therefore, I am in favour of better relations and greater understanding between India and America in all fields including nuclear cooperation.

But I emphasize and I insist that this relationship must be based on non-negotiable principles of equity, reciprocity, non-discrimination and acceptance of India's sovereign right to take decisions independently, guided by our national interests. India cannot become a client State of the United State. This is precisely the status that we would get if we were to sign this Treaty. The UPA Government may be ready for that.

SHRI PRIYA RANJAN DASMUNSI : Who is the writer of the script that says, India is a client State of the US?

SHRI L.K. ADVANI : It is not; I do not think, it is. But if you proceed to make our policy subject to the foreign policy of America and congruent to it, it would become a client State.

The UPA Government may be willing to do it but the proud and patriotic people of India are certainly not.

Some experts tell me that with the kind of promises that we have made now, there is no exit route for India from the Indo-US Nuclear Deal if it is based on US Congress Legislation in its present form. I am sorry if it is so, this country can reject; this Parliament can reject; and this Government can reject as well. After all, you yourself have said that if it does not fit within the

parameters, we will not accept it. Please implement it. Otherwise, there may be a quick exit route for your Government. That is all I can say.

SHRI PRIYA RANJAN DASMUNSI: Sir, there is no law in this country to stop anybody's dreams.

SHRI L.K. ADVANI: It does not matter. गर ये कहते तो आपको लगता कि ठीक है। But I have made all the points that I wish to make. The Hyde Act does not square up with the assurances given by the Prime Minister to Parliament, more particularly in the Rajya Sabha on 17th of August.

Furthermore, I started my observation saying that even in respect of the Joint Statement which is much feebler than this particular Hyde Act, the Prime Minister had categorically stated that we will move forward only if there is a broad national consensus. I want to point out that there is no consensus what to say of broad national consensus. There is no consensus in Parliament; there is no consensus in the UPA Alliance, there is no consensus among nuclear scientists; and there is no consensus among the political parties. Therefore, let the Government boldly decide that this Act, as passed, we cannot accept it.

SHRI RUPCHAND PAL (HOOGHLY): Mr. Chairman, Sir, I was listening to the speech made by the hon. Leader of the Opposition with rapt attention and I was really delighted when he said that our country should not be subjected to the dictates and pressures of the US. I was only reminded of the days when the former Prime Minister, Shri Atal Bihari Vajpayeeji openly declared India as a junior partner of the United States... (*Interruptions*)

MR. CHAIRMAN : He is not yielding.

... (*Interruptions*)

MR. CHAIRMAN: Nothing will go on record.

(*Interruptions*) ...*

MR. CHAIRMAN: Nothing will go on record except the statement of Shri Rupchand Pal.

(*Interruptions*) ...*

MR. CHAIRMAN: Only unparliamentary words can be removed.

... (*Interruptions*)

MR. CHAIRMAN: You can clarify later on. If there is anything wrong, it will not be recorded.

... (*Interruptions*)

MR. CHAIRMAN: Nothing will go on record.

*(Interruptions) ...**

MR. CHAIRMAN : Shri Pal, kindly address the Chair.

Nothing, except the speech of Shri Rupchand Pal, will go on record.

*(Interruptions) ...**

MR. CHAIRMAN: Please do not reply to them. You may kindly address the Chair.

* Not recorded

SHRI RUPCHAND PAL : Sir, this is such an important issue that it would have to be analyzed on the basis of cost and benefit. What is the cost that the country has to pay and what is the benefit that this country would derive out of this? That has to be the criteria for judging this deal.

Some of the major concerns have been mentioned by the hon. Leader of the Opposition. We too have certain concerns to which I shall come a little later. It has been stated that the three decades old technology denial regime is sought to be dismantled in the energy sector. It has been done to strengthen our energy security as per the vision of the country, as per the vision of the Planning Commission and as per the vision of the Atomic Energy Commission. We know that nuclear energy, in a country like ours, has a huge potential, particularly where the resources in hydro electricity, non-conventional energy and coal are limited. I shall come to that also later.

Now, a picture is sought to be painted here that of all the options before it India should primarily go in for nuclear energy. Different figures have been given by different sources. The hon. Minister for External Affairs in his statement has mentioned about certain figures. The hon. Prime Minister, in his statement, has given certain other figures. I would here just like to refer to a document of the Planning Commission. This is from the Parikh Committee Report. I quote:

“It is seen that even if India succeeds in exploiting its full hydro potential of 1,50,000 MW, the contribution of hydro electricity to energy mix would be five to six per cent. Similarly, even if there is a 24 fold increase in nuclear power capacity by 2031-32, the contribution of nuclear energy to India’s energy mix is, at best, expected to be five to six per cent.”

Now we are being told that after the dismantling of this technology denial regime we would stand to benefit immensely. I have another report with me here. Why is America, both economically and politically, so enthusiastic about it? I would first like to refer to the economic part of it. I am now referring to a report that was brought out of a conference attended by over 200 companies in America a few days before this law was enacted. They had said that over the last 30 years, since

1979, after an accident in Central Pennsylvania, the US power industry had been paralyzed. In order to rejuvenate the power sector there, they had made a calculation. The calculation is that over the years they would be getting an opportunity to exploit at least 40 per cent of the nuclear energy sector here in India.

15.00 hrs.

And it will create employment to the extent of 2,70,000 and that will be to the extent of 20 billion dollars of trade. So, this is one of the major interests to revive the ailing nuclear sector in America and politically, they want to just have a new policy framework to get India with its known concept of alignment against the contentments of China. So, these are the two goals before America, that is, economic interest to rejuvenate the ailing nuclear sector there and politically, an ally like India will be helpful for their long-term political strategy in Asia. In such a scenario, I do not disagree that, is there is any opportunity still, for a country like India, to have access to technology to broaden its nuclear energy potential, this should be utilized. I am not against it. But ultimately, is it going to be like that? These are the concerns. These concerns were raised and the hon. Prime Minister had given an assurance. What was that assurance? The assurance was nothing short of commitments like full, complete and irreversible civil nuclear cooperation. But we find that, although he had assured the House on removal of restrictions on all aspects of cooperation and technology transfer pertaining to (i) supply of nuclear fuel (ii) nuclear reactor and (iii) reprocessing of spent fuel and other aspects. But what do we find in the law? We find that only import of nuclear fuel, only import of nuclear reactors and no reprocessing of fuel. This is the major concern.

The political parties have expressed their concerns. The scientists have expressed their concerns and earlier also, the hon. Prime Minister had met the Chairman of the Atomic Energy Commission along with retired nuclear scientists of nuclear establishments and given them an assurance. They have again expressed their concern that there has been a shift of goal posts. In spite of the assurance of the Prime Minister to the nation, to the House and to the nuclear scientists, nothing like that has happened. As regards the parameters, the international nuclear community, the reciprocity and all these things, we find that there is a serious violation with regard to the assurance given.

15.04 hrs.

(Mr. Speaker *in the Chair*)

Now, our question is on violation with regard to the full cycle and the full nuclear civil cooperation, with regard to reciprocity and the IAEA safeguards. It has been mentioned by the Leader of the Opposition and it was stated that although we are a nuclear weapon State, we are still not a signatory of the NPT. In such a situation, the country's specific safeguards in this matter should be taken up. Accordingly, it was stated that the separation plan was so visualized that our strategic programme separated, our civil nuclear programme which was put by phases will be opened up for these inspections and all these things. There too, it has been clearly stated that no third party inspection will be there. Our Prime Minister said that American inspectors roaming around our nuclear plants will not be tolerated. But now, we do find that it has not happened. The Prime Minister may again explain regarding all their nuclear restrictions not being withdrawn, India's specific safeguards and commitments not being honoured.

On certification clause, it has been said that there is a cosmetic change. The word has changed as reporting.

Now, the "annual certification" is continuing. It may be non-binding. What did the Prime Minister say at that time on the floor of the House? It is contrary to the letter and spirit of the July Statement. It is a temporary waiver. Every year a certification, "a good certificate" is needed. He has stated that the overall perspective planning of the energy sector, particularly the nuclear energy

sector will be in serious difficulty and it will diminish the permanent waiver clause. It will be annual one and not a permanent one. There is an element of uncertainty. We know and we have the experience of Tarapur. Suddenly supply was disrupted. Earlier the situation was different. If the supply was not there, we could go somewhere else. Now, in such a situation, a new clause has been added. Even if it is a case of market failure, there is no mention of “termination”. If it is unilaterally terminated, where will we go? Earlier one was that the person will arrange a meeting with friendly countries. Now, because I am terminated no other country in NSG will be allowed to supply the fuel. What will happen to our nuclear programme? What will happen to our long-term nuclear energy interests? It is not acceptable. The Prime Minister said that the element of uncertainty regarding the future cooperation is not acceptable. But we find that it is continuing. It is very much there. How will the nation look at the 123 Agreement? It is easy to say that it is not binding on us and that it is their domestic law. But we cannot ignore it. It may be said that the reporting clause was already there. It may be said that in 2002 the BJP was in power and that at that time the Government of India did not know it, etc. I am not going into it. It has been continued in the Hyde Act. I do not have time. Otherwise, I would have quoted what has come out in the Press, that the 2002 Act has crept into the present Act. It was already existing. The Government of India did not know. The BJP was in the Government at that time.

What has been stated as status of India? It is said, “India is a Advanced Nuclear Technology State.” It may be very difficult to say “Nuclear Weapon State” because there are non-proliferation issues and there are non-proliferation lobbies. I understand that. I am not very fuzzy about the nomenclature or about a particular word being used or a particular expression being used. So, it was agreed that India is a State with Advanced Nuclear Technology enjoying the rights and benefits of other States with Advanced Nuclear Technology, such as the US. But we are not equal partners. We are at the receiving end. How can we accept that? The Prime Minister had assured the nation on 17th August and subsequently also this, when my Party had submitted a note for consideration that all the nine points be addressed. But we do find that there is a deviation; there is a shifting of goal posts. We find that when he said that these provisions were unacceptable, these provisions were existing. They have not been removed. The restrictive clauses are there. There is a denial of technology and dual use of technology. Dual use of technology is not simple that from the civilian technology you can surreptitiously go in for nuclear technologies and for the strategic programmes.

Our scientists are disheartened. Our nuclear establishment is unhappy as to what will happen for the micro-material management and all these things where these nuclear technologies and the dual use are essential. We are proud that our scientists have achieved a level and are compared to the best in the world. In such areas, they are denied in every stage to proceed further. It is very unfortunate. The scientists’ establishment and the nuclear scientists in particular are very unhappy. ... (*Interruptions*) If it is found that for some plea or other, it has happened that we have a minimum nuclear deterrent and we have our nuclear policy and we have our policy of three-stage management of the nuclear programme, we do find that at the three stages it has been emphasized that if we have to have long-term security, we have to go in for the thorium-based and if we have to pass from the uranium to the plutonium to the thorium stage of which we have abundant resources, we do find that it is being denied.

The reprocessing is being denied and the reserve is denied for any event that may be undertaken for the strategic programme. Even when you have a great reserve, what to do with that? We will be in serious difficulty with the spent fuel. Again, there is a clause. The hon. Prime Minister may assure us as to what steps he proposes to take when all these concrete cases on which he has given the assurance on the floor of the House are being violated?

Sir, on the very specific issues which are raised and on which he has stated that India cannot compromise -- on the issue of Iran -- he had bluntly told them that regime change India does not accept it and does not approve of it. So, on the issue of Iran he has mentioned it. But he was mentioning to the hon. Leader of the Opposition 15 times, if not more, for several times, Iran has been mentioned that India has to do that and they have to toe the American line, congruent of their foreign policy even in respect of their sovereign rights to go for nuclear programmes for civilian and peaceful purposes. How can a country which is committed to for independent foreign policy can subjugate its foreign policy to such an extent? What is the reply? The hon. Prime Minister should reassure this House that he sticks to his commitment, he sticks to his assurance as given on the 17th August on the floor of this House, to the Parliament and from the Parliament to the nation. This is the minimum requirement.

Now, I come to strategic research, about the inspectors, about the safeguards clause, about the nuclear States' status and here we find that modified protocol is being applied to India, which is applied to non-nuclear NPT signatories. Although different things were assured, but something different is being done. The Government says that after all it is a domestic clause. Let us wait. But Mr. Nicholas Burns says that commensurate with the commitment made in the July Statement and the 2nd March Separation Plan, everything has been done and nothing remains to be done. When he was leaving India, he made this observation. Whom to believe? Of course, we must believe what the hon. Prime Minister has said. We must believe what the hon. Minister of External Affairs has said. ... (*Interruptions*)

Sir, I am concluding. About the moratorium on production of Fissile material. ... (*Interruptions*) India is willing to join only non-discriminatory multilaterally negotiated and internationally verifiable FMCT as and when concluded in the Conference which is preceded by the security interests is fully addressed.[\[a44\]](#)

What do they say? The Government has reiterated its commitment to Rajiv Gandhi Action Plan, Universal Nuclear Disarmament. What is the reality? We want to know about it. The Government said: "We do not accept regional Non-Proliferation, Regional Disarmament...." (*Interruptions*) What is happening?

MR. SPEAKER: Your time is over. Please conclude.

SHRI RUPCHAND PAL : I am concluding by making only two or three sentences.

South-East Asian Disarmament Plan is there. Japan, India and some other country will be brought with America's effort. It is non-acceptable to the Government of India. It was repeatedly stated. But again and again it is coming up. Further, the Government said: "We are not prepared to

go beyond the unilateral voluntary moratorium and nuclear testing.” The Government owes to the nation as to what is their current position. I believe that it will stick to the assurances given.

I am concluding by making one point. The Hyde Act is unacceptable. It is violative of the assurances given by the hon. Prime Minister on the floor of the House. It is violative of the basic interests. It does not serve our long-term nuclear energy interest. It affects our sovereign, autonomous nuclear programme. It tries to bind us with its own foreign policy and philosophy at the cost of our independent foreign policy. It is unacceptable. I believe that the Prime Minister will reassure the country through this Parliament that the Prime Minister and the Government would stick to its own position of 17th August assurances given. There should not be any violation by anyone, by any Act.

With these words, I conclude.

SHRI NIKHIL KUMAR (AURANGABAD, BIHAR): Sir, I rise to support the deal between the United States and India which is commonly referred to as the nuclear deal.

I was hearing the hon. Leader of the Opposition with rapt attention. I must confess my feeling about it. I was disappointed by his performance. I will begin by making a reference to what the Leader of the Opposition had mentioned about India not being a Nuclear Weapon State. He quoted from a letter of Ms. Condoleeza Rice in which she had attempted to justify how India is not a Nuclear Weapon State. We are not squabbling over the etymology. What we want to know is whether there is an understanding of a position which is *de jure* and a position which is *de facto*.

The *de jure* position is governed by a decision taken with reference to the Nuclear Non-Proliferation Treaty that was signed in 1968. Those who are signatories to this Treaty can alone qualify to be a Nuclear Weapon State. But it does not mean that those who are not signatories to this Treaty cannot be treated as as a Nuclear Weapon State. What is necessary to understand here is that India has acquired nuclear weapons capability. It is this which makes it *de facto* Nuclear Weapon State.

This Bill then grants to India *de facto* recognition as a Nuclear Weapon State, even though, I repeat, it is not a signatory to the NPT. What is more important is that this Bill does not require India to sign the NPT. This is a remarkable achievement in itself. More importantly, the US will not deny civil nuclear technology to India and will instead favour applying the IAEA safeguards to only such nuclear facilities that are meant for purely civilian purpose.[\[R45\]](#)

India can now import uranium, the shortage of which has stalled our reactor programmes and has stunted our nuclear development.

Sir, having said this, I would also like to mention here that this Bill would ensure that India gets its required supply of fuel and nuclear technology for both its present and future nuclear reactors. Another point that the hon. Leader of the Opposition had mentioned was that there was an

attempt in the Hyde Act to cap our nuclear weapons programme. I must make it clear – I have seen the Hyde Act myself also – that there is nothing in the Hyde Act which attempts to cap India's nuclear weapons programme. In fact, at the heart of this US legislation is something very significant which is a permanent waiver granted by the US Administration from applying the provisions of the US Atomic Energy

Act to India and thereby permitting civilian nuclear energy cooperation between the two countries. There are three waivers and these are:

1. The requirement that the partner country should not have exploded a nuclear explosive device.

India has exploded it not once, but twice.

2. The requirement of that country having all its nuclear facilities under safeguards, that is, full scope safeguards.

India is not going to be covered by this. The only safeguard that we are opening our facilities to are those which are meant for civilian use.

The third one is important and this will meet the objections raised by the Leader of the Opposition.

3. The requirement that the country does not have any active nuclear weapons programme involving development and production of nuclear weapons.

Now, if these are the waivers that have been built into the Hyde Act, where is the question of capping our nuclear weapons programme? Where is the question of subjecting our nuclear weapons programme to the US supervision? Where is the question of reporting our progress in our nuclear programme to the US? I think, the attempt that was made by the hon. Leader of the Opposition in his speech was to mainly confuse the issue and we should be careful that we are not confused. This is a remarkable achievement of the UPA Government that it has brought about a strategic partnership with the United States of America which signals the end of a 30 year wait for us to be recognized as a nuclear power. I think this is a tremendous achievement. We should compliment the UPA Government on this success, we should compliment the Prime Minister, we should compliment the Chairperson of the UPA and in the process we must also acknowledge the fact that this deal has been possible only because of the almost single-minded devotion of the US President.

Sir, we are already being hailed as an emerging power. This deal will help us graduate to the big league. When I talk of the big league, it is not a big league only of nations which are militarily strong. We are aiming to become a super power because we want to become a knowledge power and we want to combine the knowledge power with economic might.[\[R46\]](#)

[\[r47\]](#) But at the same time, we are conscious of the fact that we want to deter people from viewing us with this favour and it is because of this that we need to build our country, to build our nation to make it a self-reliant nation. That is why, the UPA Government's six flagship programmes are all devoted to, targeted to Bharat Nirman, the building of this nation. These six programmes will include road connectivity,

especially through a programme of rural road construction, provision of rural irrigation, rural electrification, rural health care, all these aim to secure for us the status of self-reliant nation.

This nation building is our earnest aim and we shall achieve it. But to achieve it, we need, among other things, to develop our own power and we are exploring its various options to achieve this power. As the hon. Minister of External Affairs had mentioned in his *suo motu* Statement on 12th December, we are exploring several energy options, like clean coal technologies, exploitation of coal bed methane and gas hydrate, wind solar power and hydro and hygro energy.

There is also this little thing about nuclear power. There are obvious benefits of nuclear power. It is cheap. It is non-polluting and it has scope for multiple-usage. We are using it already. But this is extremely in a limited way. So, it is only three per cent of our total energy utilization. We would like to make greater use of energy, nuclear energy and we have set ourselves certain targets. We wish to be in a position to generate up to 30,000 MW by the year 2022 and 63,000 MW by the year 2064.

But our capability is restricted. It is restricted because of limited availability of indigenous uranium. We would like to get it from abroad. But access to that is also limited, in fact, it is not limited, it is restricted because of the prohibitive international regime. We want to get rid of this prohibitive international regime. Had we got access to uranium earlier, we would have been able to achieve our targets fixed many years ago, some decades ago of 1 lakh MW of power generation. We could not do it only because we have not had the access to uranium. We, therefore, have to look for means of acquiring nuclear fuel and ensure also its assured supply. It is in this context that this Deal with United States becomes significant.

Sir, the development also needs to be seen in its proper perspective as to how we have been able to reach this agreement with the United States. For over 40 years, starting with Pandit Nehru, the successive Governments in India have consistently advocated the elimination of nuclear weapons. We have consistently supported the CTBT, but we did not sign it. We did not sign it only because we found it to be discriminatory and even while we considered it discriminatory and did not sign it, we kept supporting it.

Later, in 1968 when the NPT came, we again kept away from it because it too was discriminatory. We refused to succumb to pressure exerted on us mainly by countries like the United States to sign it. It is because of this that the United States has consistently being hostile to us on this issue. It had applied sanctions to us in the 1970s and as you know even after 1998, it did so.

When we had the United States so hostile to us, suddenly what has happened that it has got to this turn around? It has had a change of hearts. It indicates a rethink on its part. It could be because the United States has come to realise that India has acquired nuclear capability.

It has done so entirely on its own without recourse to any underhand tactics and without reverting to theft or pilferage of nuclear technology. Our nuclear programme is, therefore, clean. Though we may not have signed the NPT, we are *de facto* a nuclear weapon State. Having acquired this capability, the United States is of the opinion, that we cannot given it up . Over the past 30

years, the US had been trying to browbeat India into changing its stand and they failed to do. That is why, they thought that they should join hands with India. It has also been influenced by the fact that India's growing economic clout on economy is known all over the world, also its steadily rise in growth rate, its fertile ground for foreign investment and its undisputed pre-eminence in the field of information technology. This was acknowledged when the Chinese Prime Minister had come four years ago and had made a famous statement, "China's hardware and India's software can create wonders for the world". This was something which was repeated when recently the Chinese President was in the country on a visit.

We have our Bangalore and Hyderabad being touted as IT capitals. These are progress indicators which none can afford to ignore. The US has not ignored it. Way back in 1991, our foreign exchange reserves had fallen to a position where it was for just 14 days. Then came a turnaround. The then Finance Minister opened up India's economy, liberalized it, brought in investments, and today we are now considered in the world over as an emerging economic power because of what I just now mentioned, its growth rate and foreign investment potential.

Much the same thing is going to happen in respect of this deal. We are opening up India to enormous possibilities because of the access to nuclear power, and posterity will tell us, will hold us responsible and will give us credit for ushering in this deal, and, therefore, I have the privilege to speak on this issue because this is an issue which will in due course turnaround and transform India.

Here, I would like to mention why a historic and far-reaching strategic partnership brings to an end the US' long standing policy of not being friendly towards India. It acknowledges openly India's status as a legitimate nuclear power. In signing this deal, let us also be clear that this is an arms control or a limitation deal. Our strategic programmes remain unaffected. The hon. Leader of the Opposition had mentioned about capping it. I have gone through the Hyde Act. There is nothing in it, there is absolutely nothing in the Hyde Act which leads us to cap our nuclear weapons programme. On the other hand, no doubt there is a mention in the Conference Report that was held to reconcile the differences between the US House of Representatives and the Senate that the conferences understand that the US Peaceful Nuclear Cooperation with India is not intended to inhibit India's nuclear weapons programme. This should make it clear that the Hyde Act has nothing in it that asks to cap our nuclear weapons programme. We are at liberty to pursue it as we feel.

There was a reference made also to the opinions expressed by our nuclear scientists.

Apparently, the opinion expressed by the nuclear scientists is only an expectation, a hope, a wish and a desire. We will be in a position to assure them that their wish, their expectation, their hope and their desire will be fulfilled. There is nothing that is going to interfere with India's independent pursuit of its Nuclear Policy.

Sir, there is a reference, therefore, by some people, some critics who say that the law says: "If India carries out a nuclear test in future, there will be complete cessation of Civil Nuclear Energy Cooperation, and this amounts to placing a limitation on our nuclear weapons programme.

Sir, here, I would take you back to India's Nuclear Policy from the times of Jawaharlal Nehru. We have consistently followed the principled policy of condemning nuclear proliferation; we have consistently, in a principled way, sought nuclear non-proliferation; we have consistently asked the Nuclear Powers to dismantle their nuclear arsenal as a precondition to signing the Nuclear Proliferation. Even earlier, during the days of CTBT, this was our stand. We have consistently been against the proliferation of nuclear arms and weapons. On the other hand, even after acquiring the nuclear capability ourselves -- and this has to be understood, it is very significant -- we have ourselves voluntarily expressed a moratorium on our tests. And, it is this that we have made very clear to the United States Administration that we will go thus far and no farther and we shall stick to it.

Sir, the law that has been passed by the US Senate and the US Congress has been passed by a sovereign body; it is as sovereign as any Legislature anywhere in the world, and we are as sovereign as any one else. Here, we can pass any law, but can we expect our law to be binding on the United States or on any other country? We are sovereign nations. The law passed by them is binding on them; it is not binding on us. We shall reserve to ourselves the right to pursue our Foreign Policy, our weapons programme as we think proper; and if we decide today that whatever has been mentioned in the Hyde Act is unacceptable to us, there is still the 123 Agreement left. We shall sign it only after negotiating; and negotiations will see to it that all rough edges are smoothed out; and we are in a position to accept only that, which is consistent with and commensurate with our national interest.

There is this misunderstanding going around that the Hyde Act is applicable to us. I must make it very clear that the Hyde Act is not applicable to us; it is applicable to the United States. We reserve to ourselves our sovereign right to react to whatever provisions it contains.

The hon. Leader of the Opposition was reading from a prepared text, in which it was said that: 'We should guard ourselves from being driven into a corner.' There is no question of being driven into a corner; there is no corner here. It is a question of United States exercising its own sovereign rights to pass a legislation. We have our own sovereign right to do whatever we think, is in our sovereign interest. If we do not find anything in keeping with our interest, it is up to us to say 'yes' or 'no'. This, therefore, is something we must understand, we must accept that India's sovereignty is not going to be affected by whatever law, the United States passes. But 'yes', you must also understand that there has been a honest and sincere attempt on the part of the United States to accommodate our concerns, to adjust to whatever we have been saying. And, the finished product, so far, gives us, the impression and confidence in the ability of the United States Administration to cater for our doubts, cater for whatever clarification we need to be adjusted, to be accepted; and we should look forward to that.[\[r48\]](#)

We should look forward to that, instead of quibbling over little things here, quibbling over little etymology and quibbling over the provisions which are incidentally recommendatory and are not binding on us. We should only see this Bill in its proper perspective. But here is a country, the United States, which, for 30 years, was hostile to us. Today, it has turned around and the same country is reaching out to us for an alliance, for a deal and this deal promises so much for both of us.

The United States has done so by passing these three waivers. One of the points that these waivers will also cover is about the moratorium on fissile material production. There is a reference in the Hyde Act to this. But once again there are different Sections in the Hyde Act. One Section is recommendatory and this provision is in the recommendatory part of the Hyde Act. It only calls upon the administration to persuade India to accept moratorium on fissile material production. This is only recommendatory in character and it is not a pre condition. I repeat that it is not a condition for the civil nuclear energy co-operation that is envisaged under the legislation. However, on our own, I must also say we remain committed to negotiate a Multi-lateral Fissile Material Production Cut Off Treaty.

In the Conference on Disarmament in Geneva, we have taken a position that such a treaty must be both non-discriminatory as well as internationally and effectively verifiable. I do not think there should be any cause for any kind of apprehension, any kind of doubt over the production of fissile material. The United States itself has accepted the fact that: "This waiver will be necessary because India will presumably continue to produce fissile material for its nuclear weapons programme." Now, there cannot be something clearer, more specific than this. If we are still unable to see this, then I think there is something wrong somewhere.

Allied with this is also another point. That is commonly being raised by critics. It says that we are required to report to the United States' President about our own programme. Let us be clear this reporting is not to be done by us. This is not a requirement that is being imposed on us. This is a requirement that the United States' law has cast on its own administration and incidently this report is not specific to India. This report is something that the United States' law provides for in different contexts, and is being followed on a regular basis. We may not be aware of it, but this is so.

But I know that the United States' administration has been furnishing reports on our nuclear programme much like what we would do about other countries something that is within our sovereign right. This happens to be within their sovereign right. If they do so, it is up to them. There is no responsibility cast on India. There is no obligation cast on India to furnish any kind of report to the United States' President or the United States' administration. This criticism therefore, is totally invalid. It is totally misplaced.

It is a fact that this Bill has to gone through but there has been much uncertainty. I would say this uncertainty is because of criticism about the United States. Let us note that there has been tremendous criticism of the United States within and outside the Us for entering into this deal with India. The Americans are being accused of going against the grain of proliferation of nuclear weapons. The philosophy of nuclear proliferation, they feel, has been violated by the Americans and it is this that President Bush has to explain to his own people. Not only to his own people but also to the whole world because there were so many statements made by countries as to how can a country like India which was never a signatory to the NPT be accepted today as a nuclear weapons State[MSOffice49].

I think this is a remarkable achievement and this remarkable achievement needs to be applauded. I very humbly submit that this euphoria about which the hon. Leader of the Opposition spoke in the beginning was very justified. But the fact still is that this Hyde Act, in itself, is not the

final Act. It is not the finality of the relationship between the United States and India over the question of this nuclear deal. We still have to negotiate an agreement. It is this agreement which has been enabled by this law. This law was necessary to enable an agreement to be reached between the United States and India and we look forward to negotiations with the United States to reach this agreement. When that agreement is reached, we will be in a position to say as to how much we have been compromised or how much we had gained. But there is no doubt about it that so far, whatever we have achieved is a remarkable thing and we must applaud this and we must say that this is historic and it is justified.

There is another criticism. This is about the requirement for acceptance of perpetual safeguards on US supply materials. There is also a mention that we will not be in a position to re-use the spent fuel. The acceptance of perpetual safeguards has to be seen along with the assurance of uninterrupted fuel supply. We are also being given the right to build our own strategic supplies for the lifetime of each operating reactor. This is another important achievement. We reserve to ourselves the right to take corrective measures if and when they be required.

Can there be a greater assertion of a nation's sovereignty than this? It is this that has to be seen in its proper light, in its proper perspective. We have reserved to ourselves the right to function as a sovereign nation and we shall do so. There is no denying it.

The final point is this. I was talking about the development plans, about Bharat Nirman, about the flagship programmes of the UPA Government. We need nuclear power. We need nuclear power for so many things. In assessing our requirements of nuclear power, I am today reminded of the vision of late Shri Homi Bhabha. He had, way back in the 1950s, envisioned a nuclear programme which was to be in three stages. The first stage was of a uranium based nuclear reactor. The second stage was of a plutonium-based reactor and it was in the third stage that it was supposed to take off. We have all along been true to that vision in respect of developing nuclear power for civilian purposes and even as we have been doing so, we have kept very clearly our focus on our strategic programmes.

Therefore, when I said finally, I want to mention that the safeguards that have been given to us or rather we have been required to subject ourselves to, are only meant for the 14 civilian nuclear reactors. They are not meant for the eight which are to be used for our strategic purposes. This is an important point that has to be understood. It is included in the separation plan that we had agreed upon in the United States.

MR. SPEAKER : The hon. Prime Minister will intervene at 4 p.m.

SHRI NIKHIL KUMAR : Unless this separation plan works, if it had not been agreed upon, we would not have been in a position today go around saying that this is an achievement of the UPA Government. We have done it. We have clearly told the whole world that we have a nuclear programme, we have a weapons programme, and you will not be in a position to inspect our nuclear weapons programme. It is ours, it shall remain ours and it will not be open or subject to any kind of safeguards. It is this that marks out this deal. We must not lose sight of the fact that this is a tremendous achievement and for this I applaud the UPA Government. I give my heartiest

congratulations to the hon. Prime Minister. I give my heartiest congratulations to the Chairperson of the UPA and also I commend the role played by the President of the United States, Mr. Bush in reaching this agreement.

श्री रवि प्रकाश वर्मा (खीरी) : अध्यक्ष महोदय, हिन्दुस्तान और अमरीका के बीच जो न्यूक्लियर एग्रीमेंट हुआ है, उसकी चर्चा में आपने मुझे बोलने का मौका दिया, इसके लिए मैं आपका आभारी हूँ। आज बहुत ही महत्वपूर्ण बिन्दु पर चर्चा हो रही है। पूरे हिन्दुस्तान में इस चर्चा को बहुत गौर से सुना जा रहा है। 29 जुलाई, 2005 को माननीय प्रधान मंत्री जी ने इस बारे में स्टेटमेंट दिया था। उसके बाद जो तथ्य प्रकाश में आए, वे ये हैं कि हिन्दुस्तान को विकास के लिए ऊर्जा चाहिए और ऊर्जा संकट से मुक्ति दिलाने से लिए यह संधि जरूरी थी। यह बात भी सामने आई कि माननीय प्रधान मंत्री जी ने इस बात को स्वयं स्वीकार किया था कि इस मुद्दे पर पूरे हिन्दुस्तान में आम सहमति बनाने का काम किया जाएगा और उसके बाद ही इस रास्ते पर आगे बढ़ा जाएगा। जैसी हाउस की राय है, आप सुन रहे हैं और हम भी सुन रहे हैं कि पूरा हाउस इस मुद्दे पर एकमत नहीं है।

हिन्दुस्तान की ऊर्जा संबंधी आवश्यकताएं महत्वपूर्ण हैं, इसमें कोई दो राय नहीं है, लेकिन लगता है कि आज हिन्दुस्तान जिस रास्ते पर जा रहा है, क्या हिन्दुस्तान का रास्ता बदलने वाला है? हिन्दुस्तान ने बहुत लम्बे समय तक गुट निरपेक्ष मूवमेंट का नेतृत्व किया और पूरी दुनिया को रास्ता बताया कि कैसे स्वाभिमान के साथ आत्मनिर्भरता प्राप्त की जाती है। आपस में छोटे-छोटे मुल्कों के बीच सहयोग बढ़ाकर एक शक्ति पुंज को जन्म दिया जाता है - इसे विश्व ने लम्बे समय तक देखा है। चूंकि धरती यूनीपोलर हो गयी है, ऐसे हालात में एक होड़ मची है कि कौन धरती का सबसे बड़ा दादा है। धरती के जो सबसे बड़े मालिक हैं, उनके साथ रहने के लिए कौन पहल करे। इस मामले में हम एनडीए को भी कहना चाहते हैं कि वे भी इससे बरी नहीं हैं।

जब माननीय अटल बिहारी वाजपेयी जी प्रधान मंत्री थे, तब भी हमने देखा था कि किस तरह आंख मूंदकर हिन्दुस्तान को एक प्रो-अमेरिकन स्टेट बनाने की बातें हुआ करती थीं। ईरान-इराक के मुद्दे पर पूरे हिन्दुस्तान ने देखा कि किस तरह बरसों पुरानी दोस्ती को ताक पर रखकर, अमेरिका का साथ दिया गया। कमोबेश यहां पर भी यही हो रहा है। यूपीए सरकार भी उसी रास्ते पर जा रही है, जो बहुत गंभीर विषय है। आज हिन्दुस्तान, जो बड़ी ताकत बन रहा है, वह किसी के रहमो-करम पर नहीं है। हिन्दुस्तान के साइंटिस्ट, किसान, व्यापारी, बड़े-बड़े प्रबंधक और सभी जिम्मेदार लोग, जो हारमनी के साथ काम कर रहे हैं, यह उनकी ताकत है। मैंने पहले भी मीटिंग में कहा था कि आमतौर पर संधि और दोस्ती बराबर वालों के बीच में होती है, चूहे और बिल्ली की दोस्ती नहीं होती। वहां सिर्फ मतलब का काम निकाला जाता है। जैसे अभी पाल साहब कह रहे थे कि दो देशों के बीच जो संधि हुई है, इसमें कहीं न कहीं शंका है। अमेरिका की न्यूक्लियर इंडस्ट्री चक्कर में पड़ी थी, उसमें दिक्कत हो रही थी, उसे नयी जान देने के लिए यह कार्य किया गया है। इस बात का जवाब माननीय प्रधान मंत्री जी को देना होगा।

मैंने पहले भी एक बार सदन में कहा था कि हिन्दुस्तान की सबसे बड़ी ताकत उसकी जियो स्ट्रेटेजिक लोकेशन है। सदन जानता है, हिन्दुस्तान जानता है कि किस तरीके से हिन्द महासागर में अपना प्रभाव क्षेत्र बढ़ाने के लिए दुनिया की सारी बड़ी-बड़ी ताकतें हलचल मचाया करती थीं, आपस में कम्पीटिशन किया करती थीं। हमने इस ताकत को भूला दिया। हिन्दुस्तान का बढ़ता हुआ बाजार हिन्दुस्तान की बहुत बड़ी ताकत है। आज इस बात की जरूरत थी कि पूरी धरती के उद्योगपति, पूंजीपति शक्तियां इस बाजार के लिए प्रतिस्पर्धा करतीं और हम एक बेहतर पोजीशन में होते, हमने इस ताकत पर फैसले किये होते, इस ताकत पर समझौते किये होते, तो बहुत फर्क पड़ता। हमारी ताकत लोकतंत्र की ताकत है। जिंदगी की विपरीत परिस्थितियों में भी हिन्दुस्तान में लोकतंत्र चलता रहा है। आज हमने पूरी दुनिया को इस क्षेत्र में आइना दिखाया है।

यह हमारी ताकत थी, जिसके सहारे हम बात कर सकते थे। हिन्दुस्तान की आज जो 10 सैंकड़ की प्रोजेक्टेड इकोनॉमिक ग्रोथ है, यह हमारी स्ट्रेन्थ है। हिन्दुस्तान का जो टेक्नीकेल बेस है, टेक्नोलॉजी का जिस तरह डेवलपमेंट हो रहा है, आज धरती का सबसे बड़ा टेक्नीकल पूल हिन्दुस्तान के पास है। जैसा सर्वे बता रहे हैं कि 15 साल बाद अधिकांश धरती बूढ़ी हो जाएगी, वहां काम करने के लिए जवान लोग नहीं होंगे, लेकिन हिन्दुस्तान में होंगे। हिन्दुस्तान सबसे नौजवान मुल्क है। यहां के

जो टेक्नोक्रेट्स हैं, मैनेजर्स, इंजीनियर्स, इकोनोमिस्ट्स, पॉलिटिशियन्स और दूसरे सभी क्षेत्रों के लोग हैं, वे दुनिया में सबसे ज्यादा नई उम्र के लोग होंगे। पूरी दुनिया के लिए यह हमारी ताकत है और इस ताकत के आधार पर बात होनी चाहिए थी। जिन हालात में यह फैसला किया गया, आज उन हालात का खुलासा मुल्क के सामने किया जाना आवश्यक है। अमेरिकन डिप्लोमेसी के बारे में कौन नहीं जानता है कि वे लोग धरती पर लिट्टली रूल कर रहे हैं।

पिछले दिनों हमने अखबारों में पढ़ा था कि अमेरिका अपना एक पर्सनल ट्रेड ब्लॉक बना रहा है। अमेरिका यह ट्रेड ब्लॉक क्यों बना रहा है, क्या उसकी मंशा किसी से छिपी हुई है? यह एक नया कॉलोनियलिज्म है जो दूसरे रूप में हमारे सामने आ रहा है। क्या हम और हमारी पूरी लोकतंत्रीय ताकत इसका इसी तरीके से जवाब देगी जैसा दिया जा रहा है? यह सही रास्ता नहीं है। हमारे इस नौजवान मुल्क में ऐसी बहुत सी योग्यताएं हैं, ऐसी बहुत सी स्थितियां हैं, ऐसे बहुत से संसाधन हैं, जिनके माध्यम से हम पूरी दुनिया का मार्गदर्शन कर सकते हैं। आज इस पर सोचने का मौका है।

जहां तक न्युक्लियर डील की बात है, हमारे पूर्व वक्ताओं ने उसके पक्ष और विपक्ष में कई बातें कही हैं, लेकिन मुझे लगता है कि आज के इस मोड़ पर जब आम सहमति बनाने की बात हो रही है, इस सरकार को और प्रधानमंत्री जी को हिन्दुस्तान के जितने भी सेकुलर लोग हैं, खास तौर पर जो अकलियतों के लोग हैं, उनको कांफिडेंस में लेना जरूरी होगा। पिछले दिनों हमने देखा कि अमेरिका ने ईरान की क्या हालत की, इराक और अफगानिस्तान की क्या हालत की और किस कीमत पर की? उन्होंने एक मोनोपली बनाने के लिए और मिडिल ईस्ट में अपना नियन्त्रण बनाने के लिए इस तरह की कार्यवाहियां कीं। इराक के बारे में कहा जा रहा था कि वहां परमाणु शस्त्र हैं, लेकिन जब इराक को नेस्तनाबूद कर दिया गया, तो वहां कोई परमाणु शस्त्र नहीं मिला। वे UNO को भी अपनी पॉकेट की तरह इस्तेमाल करते हैं, जैसा चाहते हैं वैसा उसका इस्तेमाल करते हैं। कौन सा विचार आपके पास है जिससे आप हिन्दुस्तान की अस्मिता की रक्षा करने जा रहे हैं? अगर अमेरिका ने एक कदम उठाकर पाकिस्तान और हिन्दुस्तान के बीच जो दूरियां, मतभेद और कारण रहे हैं, उनको दूर करने के लिए एक भी कार्य किया होता, जो पोलिटिकल ब्लॉक्स बने हुए हैं, उनको दूर करने का एक भी कार्य किया होता, साउथ ईस्ट एशिया को एक करने का कार्य किया होता तो आज किसी को उस पर शंका नहीं होती। हमने पहले भी देखा है कि जब भी कभी हिन्दुस्तान ने कोई सार्थक कदम आगे बढ़ाया, अमेरिका ने पाकिस्तान को शस्त्र देने का कार्य किया। अभी कुछ ही दिन पहले अमेरिका की सीनेट ने पाकिस्तान को सबसे बेहतरीन लड़ाकू हवाई जहाज देने का काम किया है। क्या यह सब हमारी निगाहों से ओझल हो गया है? मैं नहीं समझता हूँ कि हमें इसे नजरअंदाज करना चाहिए। आज अमेरिका का दावा धरती से आतंकवाद समाप्त करने का है। पहले तो वे बात ही नहीं सुनते थे, लेकिन जब से नौ सितंबर की घटना हुई, तब से उनको यह बात समझ में आई कि यह एक बड़ी समस्या है। लेकिन उनका जो तौर-तरीका है, उनका काम करने का जो पहलू है, वह इसके माध्यम से आतंकवाद को खत्म करने का नहीं है, बल्कि एक तरीके की हेजिमनी कायम करने का प्रयास है। जो भी उनके साथ में आए, वह उनकी तावेदारी को महसूस करे, उनकी ताकत और टेक्नोलॉजी के खौफ में जिए और उनके साथ रहे - क्या इस बात का जवाब देने का यही रास्ता है, इसका जवाब माननीय प्रधानमंत्री जी को देना पड़ेगा। हिन्दुस्तान के पास जो बेस्ट टैलेन्ट्स हैं, टेक्नीकल टैलेन्ट्स हैं, मैनेजीरियल टैलेन्ट्स हैं, आज उनकी अमेरिका में जरूरत है। मैं इस सदन के माध्यम से आज याद दिलाना चाहता हूँ कि हिन्दुस्तान के जो मजदूर खेती के लिए गिरमिटिया मजदूर बनकर फिजी, मारीशस और दूसरे देशों में गए, वहां उन्होंने उन मुल्कों को बनाने का काम किया है। हमने देखा है कि WTO का क्या हश्र हुआ, जब वहां लेबर की बात आई। हिन्दुस्तान के पास अगर टेक्नोलॉजी है तो उसके पास वर्ल्ड क्लॉस की लेबर भी है।[H50]

16.00 hrs.

उसकी किसी को जरूरत नहीं है। आखिर हमारी पूरी कूटनीति और हमारी ताकत, देश के मजदूरों के लिए एक बढ़िया स्थान सुनिश्चित क्यों नहीं कर पाती। क्या अमेरिका इस सम्बन्ध में हमारी कोई मदद करेगा? इस सवाल का जवाब आपसे हिन्दुस्तान की जनता चाहती है।

अभी हमने अखबारों में पढ़ा कि चीन में एक स्टेटमेंट दिया गया कि चीन का राइज हो रहा है। इसके लम्बे समय के कूटनीतिक परिणाम होंगे। कहीं ऐसा तो नहीं कि चीन के राजनीतिक, इकोनॉमिक राइस को कंटेन करने के लिए हिन्दुस्तान का इस्तेमाल किया जा रहा हो। हम लोग संसदीय शिटमंडल के तौर पर हिन्दुस्तान से बाहर जाते हैं। हम लोगों से साउथ-ईस्ट एशियन देशों के कई प्रतिनिधियों ने बार-बार कहा कि क्या हिन्दुस्तान आगे आएगा, क्या हिन्दुस्तान अपनी सार्वभौमिकता की रक्षा करने के

लिए साउथ-ईस्ट एशियन जोन की लीडरशिप करेगा? यह सवाल हम आपसे पूछना चाहते हैं कि आपने जो अमेरिका के साथ परमाणु अप्रसार संधि की है, उसके माध्यम से क्या हम इसे सुनिश्चित कर पाएंगे? मुझे लगता है कि जिस तरह से अमेरिका इजराइल का मिडल ईस्ट एशिया में इस्तेमाल कर रहा है, शायद दक्षिण पूर्व एशिया में ऐसा दिन आ गया है कि आपको भी अमेरिका के पालतू एजेंट की तरह काम करना पड़े। यह हमारी बहुत गम्भीर शंका है, इसका जवाब आपको देना होगा।

अध्यक्ष महोदय, मैं दो मिनट में अपनी बात समाप्त करूंगा, क्योंकि विषय काफी गम्भीर है इसलिए थोड़ा समय और लेना चाहता हूँ।

हिन्दुस्तान एक बढ़ता हुआ बाजार है। आज हम देखें कि हिन्दुस्तान की अर्थव्यवस्था की गति दहाई में पहुंच रही है। इसके लिए हम आपको बधाई देना चाहते हैं कि आपने इस बारे में कुछ अच्छे निर्णय लिए हैं, लेकिन हमने अखबारों में यह भी पढ़ा कि यह विकास एकांगी है। प्राइमरी सेक्टर और सेकंडरी सेक्टर में ग्रोथ नहीं हो रही है, केवल सर्विस सेक्टर में ग्रोथ हो रही है। अमेरिका हमारे इस सर्विस सेक्टर का ही लाभ उठाना चाहता है और आपके बाजार में घुसना चाहता है। वाल मार्ट जैसी बहुराष्ट्रीय कम्पनियां हिन्दुस्तान में आना चाहती हैं। अभी हमें पता चला है कि उसने भारती के साथ करार किया है ताकि वह हिन्दुस्तान के बाजार में प्रवेश करेगी। इस मामले में अमेरिका के लोग आउटसोर्सिंग नहीं करते हैं। फूड, कपड़ा, इलैक्ट्रॉनिक आदि मामलों में वह ब्राजील, अर्जेंटीना, लैटिन अमेरिका, वैनैजुएला आदि देशों से आउटसोर्सिंग करता है। क्या अमेरिका इस मामले में भी हमारी मदद करेगा? क्या इस संधि से हम एक ऐसा माहौल बना पाएंगे जिससे हमारे एक-एक गांव में खाद्य प्रसंस्करण की इकाइयां खुलें? जितनी भी उपभोक्ता वस्तुएं हैं, उनकी आउटसोर्सिंग हिन्दुस्तान के गांवों से हो, और एक-एक गांव की टर्नओवर दो या तीन करोड़ रुपए को क्रॉस करे। क्या टैक्नीकल इनपुट के लेवल पर, फिलॉसफी के लेवल पर और कैपिटल के लेवल पर अमेरिका हमारी मदद करेगा, आज हिन्दुस्तान की जनता आपसे यह जाननी चाहती है?

इस संधि के मामले में आपको कुछ और चीजें स्पष्ट करनी पड़ेंगी। परमाणु मदद तो एक खुलासा है, यह तो एक शुरुआत हुई है। जैसा हमने पढ़ा कि ऊर्जा की जरूरतों के लिए हमें अमेरिका से न्यूक्लियर डील करनी पड़ी। सच्चाई तो यह है कि जो समझौता यहां हुआ था, उसका जो प्रस्ताव हमने यहां रखा था और जो चीज हमारे दिमाग में थी, अमेरिका की सीनेट में उसमें बहुत गम्भीर चेंजेज हुए हैं। यह तो शुरुआत है। हम जानते हैं कि हिन्दुस्तान का इलैक्ट्रॉनिक मीडिया, प्रिंट मीडिया उपभोक्ता बाजार के दबाव में है। मुझे यकीन है कि सभी माननीय सदस्य इस बात से सहमत होंगे कि प्रिंट मीडिया, इलैक्ट्रॉनिक मीडिया जनता को सच्चाई का आईना नहीं दिखा रहे हैं। वे केवल कन्ज्यूमर मार्केट के दबाव में हैं। जिस तरह से बाजार चाहता है, उसी तरीके से लोग एक्सपोज किए जाते हैं और आगे बढ़ाए जाते हैं। मुझे शक है कि प्रिंट मीडिया और इलैक्ट्रॉनिक मीडिया हिन्दुस्तान के इंटरनेट को इतना बढ़ाने का काम कर रहा है कि हिन्दुस्तान को हिन्दुस्तान की सच्चाई नहीं दिखेगी, अमेरिका की सच्चाई दिखेगी।

आज भी बहुत से ऐसे लोग हैं जिनसे मैंने पूछा कि उनका आखिरी सपना क्या है। वे कहते हैं कि यहां से पढ़-लिखकर अमेरिका चले जाएं, वहीं शांति बिताएं और यहां नहीं आएंगे। ठीक है, उनकी मर्जी है कि वे कहां रहें। लेकिन जिस रास्ते पर हम चल रहे हैं, उससे हमें क्या मिलने वाला है, हमें यह देखना चाहिए। जैसा अभी रूप चंद पाल साहब बता रहे थे कि यह रैसिडेंसिटी है कहां, यह तो वन वे ट्रैफिक है। एक इलाके का जबर्दस्त आदमी कुछ कह रहा है और हम दबाव में उसे मान रहे हैं। यह एक कठोर सच्चाई है, इसे हमें मानना पड़ेगा।

हमारी विदेश नीति स्वतंत्र विदेश नीति थी और उसी नीति पर चलकर, हिंद महासागर के मुहाने पर भारत एक ताकत के रूप में सामने आ रहा है और आज हर भारतवासी को इस बात पर फख होना चाहिए।

हमारे पूर्व-वक्ता बता रहे थे कि भारत के पास बहुत सारे ऊर्जा के आल्टरनेटिव रिसोर्सेज हैं। हाइडल-पावर हमारे पास है, समुद्र से, हवाओं से बिजली पैदा हो सकती है। इस प्रकार हमारे पास बहुत रिसोर्सेज हैं। इसलिए एक बार पुनः इस बात पर विचार कीजिएगा कि इस रास्ते को आगे बढ़ाने का और कौनसा रास्ता है जिससे हर हिंदुस्तानी का सिर ऊंचा हो। महामहिम राष्ट्रपति जी कहते रहे हैं कि सन् 2020 में भारत एक विकसित राष्ट्र होगा और ऐसा वह किसी की बैसाखी लेकर नहीं बनेगा, अपने पैरों पर खड़े होकर बनेगा। आपने मुझे समय दिया, इसके लिए बहुत-बहुत धन्यवाद।

THE PRIME MINISTER (DR. MANMOHAN SINGH): Mr. Speaker, Sir, I am grateful for this opportunity to intervene in this debate on an issue of high national importance. I pay my tribute to Members who have participated in these discussions. This debate does credit to our democratic ethos and principles. The Hon. Leader of the Opposition has tried to paint a scary picture, which has no relation with the facts of the matter. In process, he has sought also to divide the UPA alliance in the expectation that perhaps he may succeed in toppling this Government. I can assure Shri Advani that he will have to wait for a very very long time. In any case, he will have to seek the permission of Shri Atal Bihari Vajpayee.

Mr. Speaker, Sir, in this debate, there are certain basic issues. What is it that we are trying to seek in this Civilian Nuclear Cooperation with the United States and other members of the international community. I would like to emphasize that this is a programme about Civilian Nuclear Cooperation. We have never discussed with the United States or anybody else about the content and scope of our strategic programme and I have assured the House before, and I repeat the assurance that our strategic programme will respond to our own decisions and will not be subjected to any international scrutiny of any country. I have also assured the House before that in going forward with this programme of Civilian Nuclear Cooperation, we will do nothing which will hurt the ability of our Department of Atomic Energy to pursue research and development; to pursue the development of Fast Breeder Reactors; and to pursue the complete three stage cycle programme from Uranium to Plutonium to Thorium. I can assure the House that I stand by that commitment.

Then, the question arises: why all this turmoil? It is certainly true that the Act that has been passed by the United States Congress has several features which are in our favour. The fact that the United States Government has gone to the US Congress to seek a waiver for India speaks volumes for India's recognition in the world community as a power to be reckoned with. [\[MSOffice51\]](#)

There are elements in the Act which we welcome and there are other elements which cause us concern. The United States Administration has assured us that they will be able to fully comply with their commitments as outlined in the July 18 Statement and the March 2 Separation Plan but whether this thing materializes or not will depend very much upon the content of the 123 Bilateral Cooperation Agreement which we have to negotiate with the United States Government. I believe you can judge us from the content of that Agreement when the time comes. But right now, quite frankly, it is premature to pass the type of verdict that the Leader of the Opposition has sought to do.

Our primary concern has been the lifting of international restriction on international trade with India in nuclear materials, nuclear equipment, and nuclear technologies which has lasted for nearly 35 years. Our nuclear scientists have done us proud but it is also a fact that the nuclear programme which Dr. Bhabha had envisaged was intended to generate immense power. That objective has not been realized. I was a member of the Atomic Energy Commission and it was in the seventies that we had laid down the objective of 10,000 megawatts capacity. We are in the year 2006 and entering 2007. Our total capacity is only about 3600 megawatt. I am not saying that nuclear power is a panacea for all our ills on the energy front but the purpose of Government intervention in the nation's affairs must be to widen development options. I do believe that if you

have access to international trade in nuclear technologies and equipment then it will widen our development options with regard to our energy supplies. That is the primary objective that we seek and that is the primary objective by which we should be judged. At the same time, of course, if, in the process we make compromises which hurt our national interest, if in the process we undertake any foreign policy commitments which interfere with the pursuit of our national interest or the independence of our national foreign policy, the House can take legitimate exception and I would be the last one to plead to the House that we should live with an arrangement where India's foreign policy is made in Washington or any other place.

Therefore, I do believe that a sense of proportion is necessary in dealing with a sensitive matter which has a vital bearing on not only the future of development in our country but the future of our relations with major powers in the world.[\[R52\]](#)

I was in Japan three days ago and the amount of enthusiasm about India's development prospects that I found in the Japanese Government, in Japanese Industry and trade, I have never seen before. I say with humility that it is partly the result of the recognition that has come our way. Despite the fact that we were till yesterday a pariah in the nuclear world, today we have acquired a place in the nuclear order which protects our essential interests. We must not, therefore, ignore the transformation that has come about in the world's view of India in the process of these nuclear negotiations.

Sir, as I was saying, the first important stage to cross was the waiver that has been granted by the US Congress to the US President. Despite the fact that we have a nuclear weapons programme the US is willing to co-operate with us in the development of our civilian nuclear capacities. That, itself I think, is a great advantage. We may not be considered a nuclear weapon State in the sense of the term in which the term is defined in the NPT. However, for all practical purposes we are being treated as such and this is a recognition which has come from the US. Russia, France, United Kingdom and many other countries are willing to recognize the reality that India is a nuclear weapon State. That this nuclear weapon programme will not be subjected to any extraneous, intrusive supervision or monitoring is a commitment which I gave on many occasions and I repeat that assurance. An important stage has been reached in the process of civil nuclear co-operation with the United State with the passage of legislation by the US Congress with substantial bipartisan support. Shri Advani ridiculed that bipartisan support. I do not minimize its importance.

Shri Advani's Government was negotiating in secret with Mr. Strobe Talbot for umpteen number of months. They never had the courage to tell Parliament what they were negotiating. I have at every stage taken Parliament into confidence. After July 18, after March 02 and at every stage Parliament has been fully kept in the picture. This was not the case with the NDA. We do not know till this day what is it that Shri Jaswant Singh discussed with Strobe Talbott. We had to find out from Strobe Talbott's book that there was a promise to deliver India's signature on the CTBT by a particular date. If my friends in the NDA value the words of Mr. Strobe Talbot more than mine, he was shown on channel -- a few days ago saying that he was opposed to this deal with India because it gave India too much. He said that if India were now to say that we reject it, then, he said, that would not be in India's interest. But what is in India's interest is not something to be determined by

Mr. Talbot. It has to be determined by this Parliament and this Government and we will not do anything behind the back of our country. We will keep the country fully informed of all these matters. [\[R53\]](#)

What has been passed basically is an enabling law in pursuance of the undertakings of the United States in the July Joint Statement that it would seek to adjust US laws and policies to achieve full civil nuclear cooperation with India. This Act is necessary for the United States to resume civil nuclear cooperation with India and is also an important step leading to the lifting of international restrictions currently applicable to India.

Let me say that we appreciate the efforts made by the US Administration and the bipartisan support in the US Congress which led to the passage of this legislation. This law has several positive features which take into account our concerns. However, I will be the last one to deny that there are areas which continue to be a cause for concern and we will need to discuss them with the US Administration before the bilateral cooperation agreement can be finalized.

What has been done enables the US Administration to enter into negotiations with us. The negotiations with India have yet to begin and the House has my assurance that the promises and the commitments I made in the House on earlier occasions, will form the basis of our guidelines for these negotiations.

Sir, the passage of the legislation enables the US Administration to follow up on another commitment made by the US in the July 18 Joint Statement, namely, approaching its international partners, particularly in the Nuclear Suppliers Group to lift restrictions to allow civil nuclear cooperation with India. We will seek to ensure that the Nuclear Suppliers Group takes action to permit full civil nuclear cooperation with India in terms acceptable to us.

India is interested in long-term, stable and predictable cooperation in civil nuclear energy with the United States and other members of the international community. Such a partnership with the United States can be facilitated if the legislation – its scope, content and implementation- were to strengthen the hands of the Administration to fulfill all the commitments agreed to by the US in the July 18 Joint Statement and the March 2 Separation Plan. On the other hand, this objective can be hindered by extraneous issues that were not part of the understandings in the July 18 Joint Statement and the March 2 Separation Plan. India will find it difficult to and cannot accept any conditions over and above those already agreed to in the understandings with the US. I have mentioned it earlier also.

Our strategic programme was outside the discussions that led to the July 18 Joint Statement. There was no discussion on our strategic programme, in the talks which culminated in the March 2 understandings. Our strategic programme will not be subject to external scrutiny or interference of any kind. So, Shri Advani does not have to worry about the future of the nuclear programme.

Safeguarding the autonomy of the strategic programme is a solemn duty of this Government. Nothing will be done that may compromise, dilute or cast a shadow on India's full autonomy in the management of its security and national interests. I repeat that no legislation of a foreign country can

take away from us our sovereign right to conduct foreign relations, be it with Iran or with other countries, solely in accordance with our national interest.

The US, for its part has assured us that the legislation, as passed by the US Congress, will enable it to fulfill all its commitments vis-à-vis the July 18 Joint Statement and the March 2 Separation Plan. We feel clarifications are necessary because there are areas in the Act which cause us concern. Therefore, clarifications are necessary and will be sought from the US on how this will be done.

International negotiations are a complex process. We recognize that the outcomes are not entirely predictable nor always under our control but I do affirm that compromises, if any, cannot violate basic principles. I believe that any calculation of risks and opportunities will need to be done in a reasoned and transparent manner but evidently we cannot agree to anything that is not consistent with our vital national interests, including protecting the autonomy of our strategic programme, maintaining the integrity of the three-stage nuclear power programme and safeguarding indigenous R&D, including the Fast Breeder Programme. This will be our underlying approach – and here I am replying to Shri Rupchand Pal -- when we negotiate the bilateral 123 Agreement, which will form the basis of our civil nuclear cooperation.

Looking back, though the July 18 Joint Statement and the March 2 Separation Plan involved complex issues, I believe, we were able to achieve outcomes that in no way compromised India's interests. In fact, there was wide public support when the issues were fully explained. This has been made possible using innovative and creative approaches to these complex issues. There is, I believe, a large measure of support within the country in favour of breaking out of our isolation, and for joining the international mainstream in a manner that secures for India full civil nuclear cooperation with the international community while protecting our strategic programme, maintaining the integrity of our three-stage programme and indigenous R&D. This is the objective set out as far as the bilateral nuclear agreement is concerned.

Parliament has my solemn assurance that while the Government will make every effort so that the vision of the July Statement becomes a reality, this objective will not be achieved at the cost of our vital national interests. Clearly, difficult negotiations lie ahead. Our broad approach and expectations of these negotiations are a matter of public record. My August 17th 2006 Statement, dwelt at length on how India perceives the implementation of the July Statement and the March Separation Plan. I stand by the commitments that I have made to Parliament.

श्री देवेन्द्र प्रसाद यादव (झंझारपुर) : माननीय अध्यक्ष महोदय, राष्ट्रीय और अंतर्राष्ट्रीय महत्व के विषय इंडो-यू.एस. सिविल न्यूक्लियर कोऑपरेशन, भारत-अमरीका नागरिक नाभिकीय सहयोग पर सदन में चर्चा हो रही है। इसमें अभी माननीय प्रधान मंत्री जी के हस्तक्षेप से बहुत कुछ साफ हो चुका है। इस पर माननीय नेता प्रतिपक्ष के जरिये से कुछ सवाल उठाये गये थे और कुछ शंकाओं का जिक्र किया गया था। यहां तक कहा गया था कि जो प्रतिबद्धता है, वचनबद्धता है, या जो सार्वभौमिकता है या हमारे देश की जो सॉवरेनिटी है, वहां भी प्रश्नचिन्ह लगाया गया। यहां तक कि यह भी कहा गया कि हमारे देश की परमाणु शक्ति हमारी

राष्ट्र परिभाषा के हिसाब से नहीं है, कई इस तरह की बातें उठायी गईं। इसीलिए अभी माननीय प्रधान मंत्री जी ने साफ कर दिया है कि राष्ट्रीय हित में कोई बाधा नहीं होगी और विदेशनीति कभी यू.एस.ए. में नहीं बनेगी। इतनी बात कहने के बावजूद भी मैं समझता हूँ कि माननीय प्रतिपक्ष के नेता की शंका का समाधान हो गया होगा।... (व्यवधान)

श्री हरिन पाठक (अहमदाबाद) : आपकी शंका का समाधान हो गया?... (व्यवधान)

अध्यक्ष महोदय : आप चेयर को सम्बोधित करिए।

16.31 hrs.

(Shrimati Krishna Tirath in the Chair)

श्री देवेन्द्र प्रसाद यादव : यह सवाल कोई पक्ष और विपक्ष का नहीं है। यह राष्ट्रीय महत्व का विषय है। आपकी शंका का समाधान नहीं होगा तो आप नीयत पर शंका नहीं कर सकते। इस देश में माननीय प्रधान मंत्री जी पर इस परमाणु ऊर्जा के सवाल पर इस देश को पूरा भरोसा, आस्था और प्रतिबद्धता है। आप आस्था, प्रतिबद्धता और नीयत पर सवाल नहीं उठा सकते। इसमें आपकी सोच में थोड़ा फर्क हो सकता है और उसमें कुछ मतभेद या मतैक्य हो सकता है। लेकिन राष्ट्र के व्यापक हित और राष्ट्र के सर्वोपरि सवाल पर नीयत पर कोई प्रश्न नहीं उठा सकते हैं। चूंकि माननीय प्रधान मंत्री जी ने पहले ही 17 अगस्त को अपनी बात स्पष्ट कर दी थी। आज भी उन्होंने उसका जिक्र किया है और 11 दिसम्बर को माननीय विदेश मंत्री जी ने साफ-साफ इस देश की सम्प्रभुता और सार्वभौमिकता के विषय में अपनी बात कही है। इसीलिए मैंने कहा कि इस पर नीयत पर शंका करना न्यायोचित नहीं है क्योंकि यह अन्तर्राष्ट्रीय सवाल है कि आज देश क्या चाहता है?

भारत-अमेरिका नागरिक नाभिकीय सहयोग में न केवल देश के आर्थिक विकास का सवाल है, बल्कि देश में जो ऊर्जा संकट है, उसका भी सवाल उससे जुड़ा हुआ है। मैं इसीलिए उसका जिक्र कर रहा हूँ कि जो इंडो-यू.एस.ए. सिविल न्यूक्लियर को-आपरेशन है, इसमें देखा जाए कि भारत में आज एक लाख 24 हजार इलैक्ट्रिक पॉवर सिस्टम है। इस एक लाख 24 हजार मेगावॉट इलैक्ट्रिक पॉवर सिस्टम में जो कोल बेस्ड है, वह 55 प्रतिशत है। जो हाइड्रल बेस्ड है, वह 26 प्रतिशत है, जो खासकर नेचुरल गैस बेस्ड है, वह 10 प्रतिशत है और जो नॉन-कंवेन्शनल है, जैसे विंड से है, सोलर एनर्जी है, यह सब मिलाकर 5 प्रतिशत है। न्यूक्लियर के शेयर सिर्फ न्यूक्लियर नाम के ऊर्जा क्षेत्र में मात्र न्यूक्लियर बेस 3 प्रतिशत है। आज भारत में 8 प्रतिशत पॉवर सप्लाई की कमी है। जब पीक ऑवर होता है, शाम और सुबह का वक्त होता है, उस समय में 12.5 प्रतिशत होना चाहिए। आज देश में कई लाख गांवों में बिजली नहीं है। बिहार के गांवों में 11.7 प्रतिशत है। हमारी इकॉनोमी 8 प्रतिशत की दर से बढ़ रही है। मैंने इसीलिए इस सवाल का जिक्र किया कि देश में इलैक्ट्रिक पॉवर में बिजली आज की तुलना में 6 और 7 गुना होनी चाहिए तभी हमारे देश की बिजली की आवश्यकताओं को हम पूरा कर सकते हैं। जो परमाणु ऊर्जा है, खासकर विद्युत ऊर्जा के क्षेत्र में, इसके लक्ष्यों को पाने के लिए न्यूक्लियर एनर्जी ही एकमात्र विकल्प है। देश के सामने और कोई दूसरा विकल्प नहीं है। इसीलिए देश की जो बिजली की आवश्यकता है, उसमें न्यूक्लियर एनर्जी की मांग है और यह समय की मांग है। इसीलिए न्यूक्लियर एनर्जी को हमारे राष्ट्र के व्यापक हित में बढ़ावा देना जरूरी है। हमारे देश की जो आवश्यकता है, उसके लिए भी और खासकर टैक्नॉलोजी के क्षेत्र में, अमरीका में टैक्नॉलोजिकल डिनायल पॉलिसी में बदलाव आया है। इस पॉलिसी के चलते हमारा सिविल न्यूक्लियर प्रोग्राम थम सा गया था। लेकिन अब इंडो-यू.एस.ए. सिविल न्यूक्लीयर एग्रीमेंट लागू होते ही हमारे सिविल न्यूक्लीयर क्षेत्र को एक नई दिशा मिली है, इससे एक नया एंगल मिलेगा, भारत एक नई दिशा को प्राप्त करेगा। इस समझौते से न केवल न्यूक्लीयर एनर्जी का सवाल है बल्कि ट्रेड के क्षेत्र में भी बढ़ावा मिलेगा। हमारा देश एक सौवरिन देश है। वह अपने व्यापक हितों के खिलाफ समझौता नहीं कर सकता है, ऐसा माननीय प्रधान मंत्री जी ने अभी स्पष्ट रूप से उल्लेख किया है। उन्होंने यह भी कहा है कि हम किसी भी देश के सामने, अमरीका हो या कोई दूसरा साम्राज्यवादी देश हो, अपने हितों के खिलाफ कोई समझौता नहीं कर सकते हैं। हम किसी देश के आगे नहीं झुक सकते हैं, यह स्वाभिमान का सवाल है। प्रधानमंत्री जी ने दो टूक शब्दों में इस बात को दोहराया है कि किसी भी देश को हमारे परमाणु संयंत्रों पर निगरानी रखने का अधिकार नहीं होगा और न बाहर से किसी को फटकने का अधिकार होगा।

सभापति महोदय, यह बात स्पष्ट रूप से सामने आई है कि कुछ वैज्ञानिकों ने हमारे देश के प्रति चिन्ता व्यक्त की है। मैं समझता हूँ कि माननीय प्रधानमंत्री जी को वैज्ञानिकों द्वारा दर्शायी गई चिन्ता पर गौर करना चाहिये। इन चिन्ताओं को निर्मूल करने के लिये जो भी वार्ता करना जरूरी हो, वैज्ञानिकों के क्या सुझाव हैं, उनका क्या मंतव्य है, उन पर जरूर एक वार्ता होनी

चाहिये। मेरे विचार से एक बार वैज्ञानिकों की चिन्ता निर्मूल होने के बाद बाकी बातों पर भी सम्पर्क करना चाहिये। इसलिये हमारे वैज्ञानिकों के सुझावों पर ध्यान देना चाहिये।

सभापति महोदया, भारत और अमरीका एक-दूसरे को शक की निगाहों से देखते रहे हैं और परिस्थितियों को देखते हुये एक दूसरे पर शक करना स्वाभाविक था लेकिन आज परमाणु क्षेत्र में भारत-अमरीका नागरिक नाभिकीय सहयोग के क्षेत्र में जो वार्ता हो रही है, उससे द्विपक्षीय संबंध मजबूत हो रहे हैं। मैं समझता हूँ कि इस समझौते से द्विपक्षीय संबंध और बढ़ेंगे और जो एक-दूसरे के प्रति लैक ऑफ कांफिडेंस था, उससे यह विश्वास एक बार फिर से बढ़ेगा, ऐसा मेरा विश्वास है। इसलिए मैंने कहा कि यदि वैज्ञानिकों ने इस समझौते प्रति आशंका और चिन्ता व्यक्त की है तो हमारे देश की परमाणु नीति से उस समझौते में कोई बाधा नहीं आनी चाहिये। इस समझौते से हमारे सामरिक हितों को धक्का नहीं लगेगा। हम अपने सामरिक कार्यक्रमों को विदेशी जांच से मुक्त रख सकेंगे। हम किसी भी प्रकार से किसी देश को हस्तक्षेप करने का अधिकार नहीं दे रहे हैं, जैसा माननीय प्रधानमंत्री जी ने अपने वक्तव्य में स्पष्ट रूप से कहा है।

सभापति महोदया, माननीय प्रधानमंत्री जी ने दोनों सदनों में इस बात का आश्वासन दिया था कि हमारी वचनबद्धता पर किसी प्रकार का कोई संदेह नहीं किया जाना चाहिये और न किसी प्रकार का संदेह किया जा रहा है। देश की संप्रभुता को अक्षुण्ण रखने का सवाल उठाया गया, मैं समझता हूँ कि यह न्यायोचित नहीं है। नाभिकीय एनर्जी के मामले में भी इसी तरह का सवाल उठाया गया था। मेरे ख्याल से इस प्रकार का मामला उठाने की जरूरत नहीं है। आज देश की आवश्यकता और मांग है कि हमें अपने देश की नाभिकीय ऊर्जा को बढ़ाना है क्योंकि अभी यह केवल 3 प्रतिशत है, इसे और आगे बढ़ायेंगे। हमारी कमी 8 प्रतिशत है और मैं समझता हूँ कि इसे 5-6 प्रतिशत और बढ़ाये जाने की जरूरत है। इसलिये इंडो-यूएस डील के चलते जो हमारी कमी 6 प्रतिशत है, वह बढ़ेगी और हमारा देश उन्नति करेगा, प्रगति करेगा। सभी को मालूम है कि एनर्जी और बिजली क्षेत्र में हमारी क्या हालत है। इसलिये जो अमरीका-भारत न्युक्लीयर समझौता हुआ है, वह भारत के व्यापक हित में है। इस समझौते से भारत के व्यापक हित में किसी प्रकार की कोई बाधा नहीं पहुंच रही है। इसलिये माननीय प्रधानमंत्री जी का जो वक्तव्य 17 अगस्त को आया और 2 मार्च का जो समझौता है और जब 11 दिसम्बर को विदेश मंत्री जी ने सदन में स्पष्ट रूप से कहा था कि अमरीका प्रशासन ने स्पष्ट रूप से उन्हें आश्वासन दिया है कि एक विधान पर वहां चर्चा हो रही है, वह भारत के हितों के खिलाफ नहीं जायेगा। उस विधान में साफ तौर पर कहा गया है कि 11 अगस्त को किये गये समझौते के आधार पर यह विधान अमरीका को उन सभी वचनों को पूरा करने में समर्थ बनाता है।[\[s54\]](#)

यह बात 18 जुलाई और 2 मार्च के सभी वक्तव्यों में थी। यह विधान दोनों वक्तव्यों के अनुरूप भारत के साथ असैनिक नाभिकीय सहयोग किये जाने के लिए स्पष्ट रूप से प्राधिकृत करता है। हम पूरी आशा करते हैं कि 123 पॉइंट का जो करार है, उसके पाठ में 18 जुलाई का वक्तव्य और 2 मार्च की पृथक्करण योजना परिलक्षित होगी। उन सिद्धांतों पर या इस करार पर अब कोई संदेह करने की गुंजाइश नहीं है। यह हमारे देश के व्यापक हित में है और जो दुनिया में अंतर्राष्ट्रीय क्षेत्र में भी मुख्यधारा में हमारे देश का स्थान होगा, परिभाषा के अनुसार टैक्निकली हमें परमाणु संपन्न राष्ट्र मानें या न मानें, लेकिन परमाणु क्षमता में हम अंतर्राष्ट्रीय मुख्यधारा में जुड़ेंगे, ऐसा मुझे पूरा विश्वास और भरोसा है। इसी विश्वास के साथ मैं अपनी बात समाप्त करता हूँ।

SHRI B. MAHTAB (CUTTACK): Madam Chairman, at the outset, I should say there is a lot of confusion in our country about the significance and implications of the Bills passed in both the Houses of the US Congress. The hon. Minister of External Affairs has rightly said:

“Although the passage of any legislation is an internal matter of that country on which we would not otherwise comment...”

He has very rightly said so, but as those Bills concern us, there is a need to discuss them. The political opposition stems partly because of the ambiguities in the American legislation. Our Government also is at fault. Since last July, the Government has been saying that everything would be all right after the next stage. When it was before the Congress, we were told: 'wait till the Senate passes the Bill'. Then, when it went to the Senate, we were told: 'let us wait for the 123 Agreement'. Today also we are being said that. Now, we are told to wait for the final product. The Government should tell us clearly as to which will be the final product and when it will come.

Madam, at present, when we are deliberating on the statement made by the Minister of External Affairs regarding the Indo-US Civil Nuclear Energy Cooperation, at least, for the first time, the word 'deal' has been deleted now and the word 'cooperation' has come in. Now we are told:

"The test of this process is for India to secure full civil nuclear cooperation with the international community while protecting our strategic programme and maintaining the integrity of our three-stage nuclear programme and indigenous research and development."

I would like to compliment the hon. Prime Minister that he has come out with full details quite convincingly. Yet I hope – and I only hope – the US, the 45 member Nuclear Suppliers Group and the International Atomic Energy Agency will allow the Government of India to do so. As far as I understand, there are still three more stages to cover. Here, I would also like to say that there is a need for a lot of maneuvering and steadfastness. Mr. Henry Elis had once said:

"All the art of living lies in a fine mingling of letting go and holding on."

We are aware that the US Constitution is basically different from our Parliamentary Constitution. Their legislative processes, their impact on the administration, and the responsibility of the Executive, which is the President of United States to conduct Foreign Policy on his own initiative, etc. are quite different than ours. I need not go into the details of that, but only thing which has already been told earlier was that this legislation is a domestic one of the US Congress, amending an earlier legislation which forbids the United States from having any civil-nuclear cooperation with any country, which is not a member of the NPT, such as India.

Now, this legislation authorizes the US administration to go in for negotiations and to enter into a civil-nuclear cooperation with us. At the same time, I need not repeat, that is not binding on us. It cannot be. But my question is whether that legislation is binding on the United States' President or not. We would like to hear from the Government.

The Legislature of the United States has a different view. What will be the next step. Our national goal should be clear. It is to get ourselves free from the technology denial to which US had subjected us for more than four decades. The United States, in its own national interest, has decided that it should have India as a strategic partner if it is to maintain successfully its pre-eminence as a competitive and innovative power in a world of balance of power.

The US is keen to lift the technology apartheid *vis-à-vis* India. I would like to mention this here Mr. Bush will not be there after two years. There is no guarantee also that the UPA will be there at the crease for another term. In any agreement or deal, especially in a Parliamentary democracy, there is a need for inter-change of ideas. My impression is, that is lacking.

Repeatedly we are discussing this in this House. Utterances are being made. But I would request and I would urge upon the Government, why not take all political parties into confidence. Why not take other nuclear scientists into confidence? Why not take the thinking public of this country into confidence? I am saying this because we are going for a long-term agreement. We want good relations with the United States. People may say, it has become a uni-polar world. It is not so. My impression is that it is not so.

We have options today. At one point of time, after the Cold War, the option was before us and during that time, the leadership itself decided in its wisdom that we will keep away from both the super powers and this is how this Non-Aligned Movement was started. Today, the options are many. The United States is not the only option. France is there, Russia is there, Japan is there, China is there, and you have ample options. So, better play your cards and protect the national interest.

There has been a U-turn in the United States' Policy towards India. The major powers of the world are known to carry out such U-turns in their policies as the US and China did in 1971, just after 18 years of a bloody war.[\[r55\]](#)

If the situation is changing in the global arena, we should take advantage of that. Today's polycentric world consists of a balance of power system and India's leadership had played successfully the balance of power game in a bipolar world and it had given rise to non-aligned movement.

We should understand the support, the Hyde Bill got in the US Congress cutting across the party lines. Yes, India has to negotiate ... (*Interruptions*)

MADAM CHAIRMAN : You kindly conclude now.

... (*Interruptions*)

SHRI KHARABELA SWAIN (BALASORE): Madam, it is a very important matter. Please allow him some more time. ... (*Interruptions*)

MADAM CHAIRMAN: He has already taken 10 minutes. Time limit is there.

... (*Interruptions*)

SHRI KHARABELA SWAIN : Sir, they do want the Opposition to say what they want. ... (*Interruptions*)

MADAM CHAIRMAN: There are so many Members to speak on this discussion.

... (*Interruptions*)

SHRI KHARABELA SWAIN : Madam Chairman, every time when a Member from the Opposition starts speaking, in every two minutes' time you are ringing the bell. ... (*Interruptions*)

MADAM CHAIRMAN: He has already taken 11 minutes.

... (*Interruptions*)

MADAM CHAIRMAN: Let him take his own time.

... (*Interruptions*)

SHRI B. MAHTAB : Madam Chairman, the US would like to get the Indian partnership at the lowest possible cost. If we are to get an optimum bargain, then we should increase our manoeuvrability, develop strategic partnership with Russia, European Union, Japan and even China. But that can only be done if we throw away the shackles of the technology denial regime that we have been subjected to for over more than three and a half decades. ... (*Interruptions*)

MADAM CHAIRMAN: Kindly conclude now. You have already taken 12 minutes.

SHRI BRAJA KISHORE TRIPATHY : Madam, he will take some more time. The House can sit late and discuss this matter. ... (*Interruptions*)

MADAM CHAIRMAN: Please do not say like this to the Chair. There are many Members to speak on this. Let him conclude his speech now.

... (*Interruptions*)

SHRI BRAJA KISHORE TRIPATHY : We can sit beyond six o'clock also. Let him speak for some more time now. ... (*Interruptions*)

MADAM CHAIRMAN: This is not the way to speak to the Chair.

SHRI BRAJA KISHORE TRIPATHY : It is a very serious matter. We must have our say on this important matter. ... (*Interruptions*)

SHRI B. MAHTAB : Madam, I would like to mention about interesting Report. It says:

“The US does not reprocess its own spent fuel. Tens of thousands of tonnes of spent fuel has accumulated in the US.

“Just recently, the President Bush has announced a change of policy. He proposes to burn up all plutonium in newly designed proliferation-proof reactors to get rid of plutonium and also to

enhance clean energy generation. This programme is called GENP and includes all major nuclear technology nations.”

I would like to ask a question. I am told that India has also been invited to join it. I would like to know as to what is the position, and whether India has been asked to join in that or not. If that is so, the Government should express itself whether India has been invited or not. If it is so, what does this mean? What is its implication? I would also like to know whether India can reject the arrangement to get the technology ban lifted by the NSG and put its civilian reactors under India’s specific IAEA safeguards if we do not find the final agreements arrived at are not in our national interest? Please say that in clear terms. We need a specific answer.

America is important to us.[\[R56\]](#)We too are important for the United States. The US is wooing us with intensity. Do not be carried away. The primary job is to further our national interest and develop strategic partnership with the rest Five Major Powers.

Lastly, I would ask the opponents of the Indo-US Nuclear Cooperation that how they propose to meet the deficit of natural uranium that afflicts India’s Civil Nuclear Power Programme? The shortage is not a matter of speculation.

The Mid-Term Appraisal Document of the Tenth Five Year Plan states this.

‘In July, 2005, the former Chairman of the Atomic Energy Regulatory Board, Dr. A. Gopalakrishnan wrote in the *Economic and Political Weekly*:

“At present the DAE (Department of Atomic Energy) is beginning to face a serious shortage of natural uranium, even to fuel, the 18 pressurized heavy water reactors currently under operation or construction.”

When this is the situation, what answer do you have?

I conclude by saying that a beginning is being made. We are poised to break out of 35 or 36 year old nuclear apartheid. A few steps still remain to be taken but are to be tread with caution. I remember what once Mark Twain had said:

“Age is an issue of mind over matter. If you do not mind, it does not matter. ”

With these few words, I conclude.

SHRI GURUDAS DASGUPTA (PANSKURA): Madam, Chairperson, I rise to welcome the statement of the hon. Prime Minister. I appreciate his position, and I would like him also to appreciate our genuine concerns, our *bona fide* concerns. We have always a lurking suspicion about the *bona fide* of American Management, American Government, and American Administration.

In different periods of Indian history, there have been occasions when we have found America to be on the other side. Therefore, to believe at the moment that America is genuinely coming to our aid, to take care of our power scarcity problem, we take it with a pinch of salt. But that does not mean that we have a suspicion about the strategy of the Government of India. His assurance is welcome.

But the way, the American Imperialism, the American Government is behaving in the world, that gives rise to serious suspicions.

Madam, the hon. Prime Minister says that 'we will take Parliament into confidence.' I welcome it. The hon. Prime Minister also says that 'our concerns should be addressed.' It is nice. May I ask most respectfully, Mr. hon. Prime Minister, if it is so, is he ready?; will the Government agree to place the Draft of the Agreement before it is signed in Parliament and seek the broad opinion of the Parliament? I make this point deliberately. In the United States, international agreements are approved by the American Parliament. In the Indian Constitution, there is no provision like that. Since there is no provision like that, and since the hon. Prime Minister is saying that he will take the opinion of his friends, also of the Opposition, into consideration before finalization of the Agreement, this is the most opportune moment for us to make the submission to the Government. let the Constitution be amended and let the important agreements be placed before the House for approval.[\[r57\]](#)

17.00 hrs.

Otherwise, there is no end to speculation. Otherwise, our suspicion cannot just be taken care of by a statement, however straight forward it is, from the Prime Minister.

Madam, let the Government be not annoyed. On the face of it, the move of the Government to have an agreement with the United States does not enjoy the confidence of the Parliament at the moment. The Opposition does not agree and the friends who are supporting the Government also do not believe that it is a nice step. Therefore, there is a problem and it is not an artificial problem. It is a problem of faith. It is a problem of confidence. Faith and confidence is not related to the Government of India. Faith and confidence is related to the Government of the United States.

Therefore, in a situation like this, when my Prime Minister believes that it is a step in the right direction and when we believe that it is not a step that is being taken in the right direction, when the hon. Prime Minister says he will take us into confidence and address our concerns, it is an opportunity for me to suggest to the Government that let us drift away from the past. Let us drift from the past and let us take a decision that such type of agreement will be placed before the Parliament and they should seek its approval.

Otherwise, how it is being looked? Hon. Prime Minister will kindly bear with me. How does it look? The Executive is taking a decision not backed up by the majority of Parliament. But the Executive is taking a decision on the basis of minority support in Parliament. On the face of it, it looks like that. On the face of it, if it comes to that the Executive is taking a decision not backed up by Parliament majority, there is bound to be a concern however confident or whatever confidence I may or shall or bound to have in the good wishes of the hon. Prime Minister. It appears that this step is being taken by the Executive on the basis of minority support in Parliament.

What is the reason? The reason is two-folds. May I ask most respectfully the Government this question? How do you gain politically by entering into this agreement? I do not say 'tentacle'. But how do you politically gain? How do you politically gain when it is given to understand, when the country knows that most of the political forces have not backed. I do not talk about the people. If the hon. Prime Minister talks about the people, there is a course of taking a referendum but that is not possible. I am not suggesting that too. Therefore, we have to measure the majority opinion of the people on the basis of parliamentary support. Therefore, it looks like that the Government will not gain politically by taking this step.

Then the question comes, how do we gain economically? Economically, how do we gain? I agree there is a power shortage. To tackle the power shortage, we are looking for atomic energy. As far as cost calculation is concerned, it is high cost. All over the world, it is recognized that atomic power generation is high cost. Why do you go for high cost when we have Thorium, when we have coal and when we have hydro electric power generation? Why are you going for the lowest option? What could be the economic consideration?

The hon. Prime Minister is an Economist in his own right. What is the economic evaluation of this low option being taken up as a high priority by the Government? The country needs power. Is it necessary for us to look for fuel from America for that? Country needs power. But does it mean that we need power reactors from America? There are other options too. Therefore, I have a belief—I do not say suspicion—that something more is in the mind of the Government. Something more is there which is not divulged. Everything cannot be divulged.

What is that something more? That something more is that the Government would like to come closer to America to get more investment for the country. Since the Government do not have the political commitment to raise the domestic resources, therefore, the Government is banking on international investment to bring about higher growth rate to take care of the basic human problems. If it is so, let the Government speak frankly.

Secondly, I have a belief – whether founded or unfounded, only the history can say – that we want to come closer to America politically believing that the world is unipolar, believing there is no Soviet Union, believing that we should not pay with the most powerful super power and come close to it. It is for so many reasons. Is it that we are afraid of any of our neighbours? Is it that in order to contain and fight Pakistan's terrorism we need the help of America? Is it that in order to solve the problem of Kashmir, we need to play safe with America? There are so many reasons, so many points, so many ideas in the minds of the people. It is important that the Government takes care of them.

Madam, I have a copy of the Act that they have enacted. May I respectfully draw the attention of the hon. Prime Minister and the hon. Minister of External Affairs to page 8, Section 3 wherein it says : “Secure India’s full and active participation in United States’ efforts to dissuade, isolate and if necessary sanction and contain Iran from its efforts to acquire weapons of mass destruction including a nuclear weapon for military and the capability of rich uranium and re-processed nuclear fuel”. Is it there in the law? How do you reconcile? How do you reconcile the position, most courageous position taken by the hon. Prime Minister with this stand that the American law has taken? How do you reconcile? There is a basic contradiction.

I understand that this must have been playing in his mind. Otherwise he would not have said there are areas of concern. To me this is an area of grave concern. What is the price that we are paying for coming so close to America? We are paying a price and the price is not nominal. The price is that the gas supply project from Iran may be in jeopardy. Secondly, I am told that it may not be in jeopardy but Iran is asking for more money. High cost, as demanded by Iran, may a fallout of our coming too close to America. This may be a fallout. This goes against our interest. There is an apprehension, genuine apprehension. You cannot just rule it out by speaking wise in Parliament. It is a genuine apprehension.

Madam, I am concluding. Please give me two more minutes.

Secondly, there is another point here. It is – achieve at the earliest possible date a moratorium on the production of fissile material for nuclear explosive purpose by India and Pakistan on People’s Republic of China. They want to persuade us. Does it mean that America would like to persuade India to be instrumental in persuading China to give up its nuclear strategy? We are being pitted against China. Should we do it like that?

There is another point in it. It is – seek to halt the increase of nuclear weapon arsenals in South Asia. Should we become – I do not use the word appendage; it may be too harsh for you – a partner; should we become a partner of the American nuclear strategy so as to create a situation where reduction of arms can take place in South Asia. [\[MSOffice58\]](#)

We should become a partner of America. Is it right? Is it wrong? Is it conducive to our national interest? I understand your predicament, Mr. Prime Minister. There are many concerns which you cannot express. Maybe, I am giving vent to the feelings of yours. It may be or may not be so. But the point is that these are the genuine concerns. Therefore, while concluding, I must submit that this is economically not viable and politically not prudent to enter into the agreement, unaware of the problems that may befall us in the future. Look before you leap. Therefore, I am suggesting to the Government to give up this move of having an agreement with America. At least on this issue, the country is sharply divided. This coalition Government is enjoying our support. We extend our support genuinely. You have to keep the prestige of the Prime Minister. Out of political compulsions, we are doing it and we shall do it, but is it correct on your part to take such a step when the country is so divided and friends are so critical?

PROF. M. RAMADASS (PONDICHERRY): Madam, I am happy to participate in this scintillating discussion on the Indo-US deal. At the outset, I would say that *Pattali Makkal Katchi*, one of the partners of the UPA Government, supports the earlier statements of the hon. Prime Minister on the Indo-US deal. I think that after hearing the statement made by hon. Prime Minister today, even the BJP and other parties would now support the stand of the hon. Prime Minister because the explanation given by the hon. Prime Minister is so convincing that none of the concerns of India would be sacrificed at the last stage of signing the agreement.

BJP always has a tendency of misrepresenting the facts and creating sensation in the country and today's intervention of Shri Advani is no exception to it. He must know that. While he was intervening in the debate, he said that the Prime Minister was isolated. Now, after hearing the Prime Minister, he must know that it is Shri Advani and his BJP that has been isolated. We are all with the Prime Minister. We are all with the UPA Government. We know that this Government would take care of the interest of this country. Our bright Prime Minister would be the last person to mortgage the interest of this country.

We know that he is a first-rate patriot, a nationalist and not only an internationally known economist. He has told us that when he went to Japan, he was able to perceive an unprecedented enthusiasm among the Japanese about India's growth potential. Now, this has been made possible because he is heading the Government. His knowledge of economics and his profound expertise in economics has taken India to very great height. That is why, every country in the world today is sharply looking at India. While the world economy is registering only 3.2 per cent growth *per annum*, Indian economy has been made to record 8 to 9 per cent growth in the last two and a half years. It is the single-most conviction of the Prime Minister and his conviction in policy-making which has gone to making India into the fastest developing country in the world. Therefore, I do not agree with whatever Shri Advani has said.

I also do not agree with whatever Shri Dasgupta has said. He says that coming together with USA has got some political motivation. Irrespective of whether there is political motivation or otherwise, our association with America becomes indispensable at this point of time, when the country is making faster progress. We are getting whatever is not available with us from the USA without sacrificing our interest. Therefore, we know what is best for us, and we should not worry about all these things.

What are we discussing today? Any dispassionate looker on this issue must know that we are discussing about the Indo-US agreement in the context of US Bill. We are discussing about a Bill and Shri Advani said that it is the Hyde Act. I am only happy that he did not say that it is a hidden agenda because BJP is always known for it. As he was mentioning about the Hyde Act, I thought that he was mentioning about the hidden agenda. There is no hidden agenda here, and there is only the transparent agenda of the UPA Government. It is an open book that anybody can understand.

Shri Dasgupta said that the Parliament can also be taken into confidence with respect to Indo-US deal. If it is possible and if there is a Constitutional requirement, then it can also be taken into account.

The Henry J. Hyde United States – India Peaceful Atomic Energy Cooperation Act, 2006 has been passed, and the Bill is to be signed by the US President Mr. George Bush for final passage. The Bill has not been finally passed. Only the legislation has been passed in the American Houses. It has not been passed yet, and if you permit me, then I would like to give an analogy as you are occupying the Chair. Suppose, a mother is conceived, and the child is not born. Shri Advani is saying that the child is black and weak even before the child is born. How can he say so? Who is going to accept it if he says that the child is black and weak even before the child is born? Similarly, we do not know about our final settlement, and the issues that we are going to discuss are not yet clear. It is premature to say that it will affect our interest just because a legislation has been passed in a foreign country. Therefore, it is not correct to say this.

I would only indicate four important concerns that must be kept in mind. Firstly, the Minister of External Affairs has rightly said that this Bill is an internal matter of the US. However, the US Administration has assured our Government that they would address all our concerns when we sign the deal. The ball is now in President Bush's court. It is up to him and his team to find the space to draft a deal that adequately satisfies our requirements. It is only at that stage that our negotiators have to find the best possible deal for India. It is too premature to discuss those details now. While there is no Constitutional requirement in India for the Government to seek Parliament's approval for international treaties, it is not unfair to expect that the concerns expressed by the Parliament will be kept in mind by the Government.

Secondly, we should not see this Agreement in a purely Indo-US term. We should see this in the wider geo-political context. The bi-polar world of the cold war era is evolving into a multi-polar world. While the US is the strongest power both militarily and economically, the European Union, Japan, Russia, China, Brazil and, of course, India are emerging as counter-power centres. The current deal should be seen as the first of a series of improving relationship with other powers. Indeed, the recent visits of the hon. Prime Minister to Brazil and Japan, and the Chinese President's visit to India have led to greater engagement with these countries. India should evolve a foreign policy of being an effective player in the global geopolitical game.

Thirdly, this deal ends out technology apartheid. India has been denied access to the latest technology not only in the field of nuclear power, but also in other critical areas. For example, India's agricultural sector could gain a lot by increasing the accuracy of its meteorological predictions.

Finally, let us take the worst case scenario. Suppose, India finds itself in a bind with respect to foreign policy or national security due to any conditionalities in this deal, then we can renegotiate the terms at that time. We have done this successfully in the past also. We did not meet some of the IMF conditionalities imposed in 1991 such as full capital account convertibility. I think that the House will know that in 1991 -- when India was faced with economic crisis and when we entered into an agreement with IMF and World Bank -- there were a number of conditionalities, but we did

not subject ourselves to all those conditionalities. Even today, the conditionality relating to capital convertibility has not been satisfied. [r59]

Who can say that we are economically weaker today than prior to the 1991 crisis? At the present time let us concentrate on opening the door to advanced technology and getting the best deal that we can. Even if we need to walk out of the agreement at a future date, we would not be worse off than at the current stage when we are denied much needed technology and fuel supplies. Therefore, in my opinion, it is too premature to sensationalise this issue. Leave the matter in the safe hands of the hon. Prime Minister. He will take care of our concerns. The concerns of sovereignty, national interest, economic development and everything will end after the passage of this Bill in the US Senate.

SHRI MANVENDRA SINGH (BARMER): Madam, the Fourteenth Lok Sabha seems to be repeatedly discussing either the nuclear agreement or the office of profit. These are two issues that have come up repeatedly in this House. Both the issues are similar for what were the unsaid aspects of it rather than the said aspects.

The Prime Minister intervened today to repeat the assurances he made to Parliament in August, I am grateful for that. But what is left unsaid - and that is the critical determinant of this agreement - is the fact that society - as we know it, as the world knows it - is not static. Society is not static and neither is technology static. If the Indian deterrent is based on the data collected in 1998 and that is regarded as credible today, as technology evolves that same deterrent is not relevant, is not applicable as technology will evolve and as society will evolve. If a country when it requires a further round of testing in order to update its technical base, the technology of this deterrent, that testing will nullify this agreement as and when this agreement comes about.

No matter what assurance you give to the House, no matter what remains unsaid, there is no provision in the US law which allows the US to engage with another country if that country has tested a nuclear device. If the Government of India wants to bind the future generations of this country to a situation where no future Government will be allowed to test and modernize and update its nuclear deterrent based on then available technologies, I think that is the greatest harm that is being done to India's security and that is the unsaid aspect that I was alluding to earlier.

Commitment on testing remains the most important aspect of this so far unwritten agreement. I understand that the agreement follows a certain chronology. After the Bill, what is called the Hyde Act comes into the form of a Bill later today or tomorrow when President Bush signs, India's negotiators and the US negotiators will get together to put it into form of an agreement. So, what we have today is a proposal from the US side and we have a proposal from the Indian side. To use a colloquial term, these two proposals have to be married. That marriage process, the marrying of these two widely separated proposals, is the trick. The Prime Minister has given an assurance to the House, repeated the assurance today, that in that marrying process, India's three-stage programme, India's strategic programme, none of it will be affected. But after the agreement is done, that

agreement will have to go back to the US Congress because, as the hon. Gurudas Dasgupta reminded us, international obligations, international treaties that the US Government enters into go back to the US legislators.[\[r60\]](#)

When it goes back to the US legislators, are they going to accept something which departs from a Bill that they have already agreed to? If we have to come to an agreement based on the assurance given by the Prime Minister, if we have to come to an agreement based on Indian national security interest, then, certainly this Hyde Act is insufficient. If we have to go beyond this Hyde act, beyond this declared policy of the US legislators entering into 123 agreement, when that goes back to the US Congress, I have a fear that we will be repeated this process all over again. Besides, committing all future administrations of this country, Governments of this country, to refrain from testing, we will also be tying down our civil and energy programmes to the conditions as imposed by this Bill. In this vision statement of theirs, of the US legislators, there is no scope for participation in the reprocessing process. The three-stage programme as we understand is something that they do not support and where we are being bound by those conditions, is it fair for the country to forfeit and to sign away that security?

It is ironic that on 18th July when the two Governments entered into this agreement or enunciated this agreement process, India had higher installed capacity in wind than it had in nuclear. I am proud to say that in that installed capacity that India has, my district and my State contribute a significant amount of it. Since July, 18, 2005, till today, the installed capacity in wind has grown exponentially. There is no technical argument that anybody can give to say that wind is not clearer than nuclear, to say that wind supply can be barred by any international agreement with another country. Whereas, in this case, any Indian test in the future, completely bars this agreement that we set out to achieve. Besides barring the Indo-US aspects of it, it also compels the US administration to put pressure on other members of the energy to deny India, the technologies and the fuels to sustain our programme. It is not merely a bilateral barring that is of concern but it has also larger international aspects of it, and if we were to enter into commercial deals as the Bill envisages, entering into various commercial deals and those various reactors that are supposed to come up, they come up, and for national security reasons, as I enunciated earlier because, technology will evolve, and technology will compel us to test in future. Global situation may compel us to test in future. When that happens, all fuel supplies, equipment supplies for those reactors for which we will have to make significant banking concessions and significant insurance concessions will become a liability on the people of India. That liability, I believe, is too heavy a price to pay for forfeiting what is the crucial strategic autonomy that this country has achieved on the basis of its nuclear programme.

Madam, India's nuclear policy and weapons policy are based on credible minimum deterrence. [\[r61\]](#)The Credible Minimum Deterrent is not a static figure. It changes according to the global changes, the regional changes and the neighbourhood changes. It is not a finite figure. We may need to expand the deterrent and if conditions improve, we may be in a position to let it shrink also. But that flexibility is going to be taken away from our scientists, from nuclear planners and from the Government of India once 123 Agreement becomes binding on us because as India repeatedly says what if we agree to a Treaty and if we enter into an international agreement, we do

not violate. If we are not to violate this hypothetical agreement, then I fear that our national security interests are not going to be served by the binding aspects of this Act as we have seen it today.

MADAM CHAIRMAN : Shri Adhir Chowdhury to speak. You have only five minutes.

SHRI ADHIR CHOWDHURY (BERHAMPORE, WEST BENGAL): Madam, the discussion on Indo-US Nuclear Deal has been initiated by the Leader of the Opposition and various high sounding words have been uttered by the Leader of the Opposition. What I would like to say is that the international instrument to deal with the proliferation regime was constituted in the year 1945 in the presence of Harry Truman, Atlee and Mckenzie. At that time, India had not attained Independence. In the year 1947, being a representative of the interim Government of Pandit Jawaharlal Nehru, Shrimati Vijayalakshmi Pandit had argued in the General Assembly of the United Nations that this proliferation regime is discriminatory and she argued for disarmament. Therefore, if anybody now tries to shower homilies upon us, I think they should first go for introspection. It is because throughout the ages, the Congress Party has been regarded as a Left of the Centre ideologically believed party. It was also believed that Hindu Maha Sabha, RSS had been playing an appendage to US imperialism.

On the other hand, we are observing that the dragon China has been emerging at a rapid pace and already America had awarded China, the Most Favoured Nation status that we do not have. However, China did not lose its shine and prominence in the global arena. Therefore, suspicion induced belief by some members should not be indulged in this House alongwith the argument that has been prescribed by Ms. Jayalalitha. Therefore, I would like to point out in the House that it is the Congress regime since the inception of Independence which has been fighting against the nuclear apartheid being practiced by global super power. India first took a call to ban nuclear testing in 1954. India argued for a non-discriminatory treaty on non-proliferation in 1965.[\[R62\]](#)

India has been arguing for a treaty on non-use of nuclear weapon since 1978. India has been arguing for a nuclear freeze since 1982 and India has been arguing for a fresh programme for complete elimination of nuclear weapons in 1988. Therefore, we should know first that it was the Congress party led Indian Government that has been vigorously pursuing this independent policy in keeping with its sovereignty and national security interests.

Madam, I would like to draw the attention of Shri Manavendra Singh that what he has understood today was not understood by Shri Jaswant Singh. After the nuclear test, 1998 he was quoted as having said:

“It will henceforth observe voluntary moratorium and refrain from conducting underground nuclear test explosions. It has also indicated its willingness to move toward a *de jure* formulation of this declaration. The basic obligation of the CTBT is thus met to undertake no more nuclear tests since India already subscribes to the substance of the Test Ban Treaty and all that remains is its actual signature.”

Madam, here I would also like to refer to a statement made by Shri Atal Bihari Vajpayee on September 24, 1998 at the 53rd Session of the UNGA. He said,

“This test ban signals dilution of India’s commitment to the pursuit of global nuclear disarmament. Accordingly, after concluding this limited testing programme India announced voluntary moratorium on further underground nuclear test explosions. We conveyed our willingness to move towards a *de jure* formulation of obligations. In announcing a moratorium India has already accepted the basic obligation of the CTBT. In 1996 India could not have accepted the obligation as such because it would have eroded our capability and compromised our national security.”

Therefore, what I would like to say is that since 1974 we have been denied the modern technology as all our technological and scientific experiments have been affected.

So, over the years, we have been pursuing with the global powers that being a responsible nuclear power State this technology denial regime should be dismantled. India now has been transformed from a work power to a brain power. India is a responsible country which has been maintaining its export control regime very stridently. It is due to the prominence of India, due to the economic growth of our country and due to the brain power of our country that now America has conceded to our demand and there lies our success. So, I would like to say to the hon. Leader of the Opposition that one should not count the chickens before the eggs are hatched.

Madam, Herodotus once said and I quote:

“I am satisfied that people are less confidence of what we say than what we do.”

What we are doing is based on the directions of our national security, in the interest of the growth of our economy and in the direction of carving out a niche for our country in the global arena. [\[R63\]](#)

SHRI P.C. THOMAS (MUVATTUPUZHA): Madam, an assurance which has been given by the Prime Minister follows the earlier assurance which was given on 29th July, 2005, 27th February, 2006, 7th March, 2006 and thereafter. Those assurances were to the effect that this deal would give full access to civilian nuclear technology, lift all sanctions for not signing the NPT and not to limit India’s strategic nuclear programme.

India, in turn, agreed to separate its civilian nuclear facilities from its military ones meaning that the separation would be purely on India’s decision. But the terms of the Bill would tend to have

serious doubts on these assurances. For example, it contains some provisions which clearly deviate from this understanding and also tend to lock India's Foreign Policy to US requirements and subject its scientific R&D capabilities to intrusive inspections by IAEA and other American inspectors. It is also a serious concern of any displeasure to US in this regard. If the US suspends its supplies to India, what will happen? For any reason, it must then push for Nuclear Suppliers Group and it is not that India can turn to any other vendor. It is a serious lock in our interest. It is also a matter on whether the sanctions on India on fuel processing, enrichment and production of heavy water continues for equipment and technologies. The only relaxation is on non-proliferation barriers limited to nuclear fuel and reactors.

The real concern is, there is one section in the Bill which prohibits exports of equipment, materials or technology related to the enrichment of Uranium, the reprocessing of spent nuclear fuel and production of heavy water. These are some of the concerns.

I would also submit that the references – I would not go into their details – which have been made about Iran, China and South Asia are also of serious concern. When we regard our right, our foreign policy should be separate without being influenced by any other country.

Lastly, I would also submit that there are some clauses which are of recommendatory in nature. For example, there are clauses about mortgaging, etc. which have already been highlighted. But can we expect that the US Administration go in any manner against the wishes of the Legislature if it is finally passed? These are some of the concerns which we have. I am happy that the hon. Prime Minister has already dwelt upon some of the concerns and has said that it will be dealt with positively. But these concerns will again remain when the Agreement is to come into force.

Therefore, I would submit that this is a matter on which further introspection has to be done before the Government takes any further step in this regard.

SHRI KHARABELA SWAIN : Madam Chairman, I have listened with full attention to our hon. Prime Minister. I am correct in my assumption that the media says that the Prime Minister has started to learn to retort nowadays. It is very good. This is a great transformation to a shrewd politician and not a statesman. He has now learnt how to hit below the belt making personal and sarcastic comments on the floor of the House against the Leader of the Opposition. If any day, Shri Advaniji becomes the Prime Minister of the country, he will be a Prime Minister by virtue of his own right and merits and not on the mercy of somebody else. ... (*Interruptions*)

SHRI GURUDAS DASGUPTA (PANSKURA): Let the debate be continued with dignity. Let us discuss the issue with dignity. Indignity does not bring any relief to the argument. ... (*Interruptions*)

SHRI KHARABELA SWAIN : I would like to repeat the same thing. ... (*Interruptions*) You should have told the same thing to him when he told Shri L.K. Advani that he would become Prime

Minister with the permission of Shri Atal Bihari Vajpayee. ... (*Interruptions*) Do not advise only me. ... (*Interruptions*)

Madam Chairman, the Prime Minister in the past, at all times, had been saying, "Wait for the next proposal. Wait for House of Representative's proposal; and wait for the Senate's proposal." But each time the nation is in a mode of distrust and it is in a state of doubt.

The hon. Prime Minister said that what the hon. Leader of Opposition said is "scare mongering". These are newspaper items. One headline says, "Nuclear Jewel is up for sale". Who has written this article? It was written by ex-Chairman of Atomic Energy Commission of India, Dr. A. Gopala Krishnan. Another headline says, "India may lose control over its nuclear future." Who has written this article? It was written by Shri M.R. Srinivasan, ex-Chairman of the Atomic Energy Commission. There is one more headline which says, "Not so fine print". Who has written this article? It was written by Shri Satish Chandra, the Permanent Representative in the United Nations from India. Do they mean to say that all these things are "scare mongering." Shri Gurudas Dasgupta said something. Though we do not agree with him, does it amount to "scare mongering"? It is not at all "scare mongering". We are just voicing our genuine concerns and we are just expressing our genuine concerns. So, let not the Prime Minister say that we are resorting to "scare mongering."

Then, all the time, we are informed, through the print and electronic media, "Wait for 123 Agreement". Hyde Act leads to 123 Agreement, which is an enabling legislation. It allows Washington and New Delhi to enter into a bilateral agreement. The leaders of the Government say that whatever US does through the Hyde Act is their internal business and that it does not affect India. It is being said by the Government all the time.

Another important thing that is being said is that India is only bound by the bilateral 123 Agreement. It is not bound by anything else, whether it is Hyde Act or the Senate's proposals or the House of Representatives' proposals.

Hon. Leader of this House, the Minister of External Affairs, when he made a categorical statement on the floor of this House last week said, "There are some extraneous and prescriptive provisions in the Hyde Act which can somehow be mitigated through the 123 Agreement." We think that it is misleading to say that 123 Agreement will clear all the doubts which we are just voicing. Why I am saying this is because of this. There is one Atomic Energy Act, 1954 in the USA. This is an overarching law that governs the US policies on nuclear issues. Section 123, Chapter 11, talks about cooperation with other nations. That is why the Atomic Energy Act, the Hyde Act, the bilateral 123 Agreement are all related hierarchically. Hierarchically, these three are related. Any Agreement under Section 123 of this Atomic Energy Act, would be, by definition under the US law.

[\[MSOffice64\]](#)

In negotiating such an agreement, the US administration cannot go against its internal law and in any conflict between an international agreement and US law, the US law will prevail and not this international agreement. I will give you one simple example. India had the fuel supply agreement with USA for fuel supply to Tarapur Atomic Plant. But when India tested atomic bomb in 1974 under the leadership of late lamented Shrimati Indira Gandhi, the fuel supply to Tarapur was stopped as was the reprocessing of the spent fuel because the US domestic law kicked in. So, I am just putting up the question to the hon. Minister of External Affairs, who is present here that if the same thing happens in future and, if we are being told that because you have tested a nuclear bomb, we are going to stop all these supplies, technologies etc. to you, then what will happen to us? What will we do in that case because there is a glaring example that the same thing happened in Tarapur? So, that is why, I may say that if the Hyde Act does not meet India's requirements, and this can be corrected in the 123 Agreement, it does not seem to be true. The Act does not provide for full nuclear cycle cooperation. There are no guarantees of life of fuel supply in return for 'safeguards in perpetuity' for civilian nuclear power plants.

Take for example, US is working on the design of a 'Reliable Replacement Weapon (RRW) to modernize its nuclear arsenal and may indeed carry out a test in future, if it considers it a necessity. China may then test its own improved design. Pakistan may carry out a test for its own reasons. A future Indian Government will be placed in a totally indefensible position if its hands are tied under the Indo-US deal, which would be the case if India had installed imported reactors using imported nuclear fuel. So, this is my major point to tell the hon. Minister of External Affairs. So, when he will reply, he will just convince us that whatever we are saying is wrong.

Now, the assurance of this fuel supply is also not going to be met. It assuages India's concerns. ... (*Interruptions*) Madam, I will not take much time. I will conclude within three or four minutes. So, to assuage India's concerns, US agreed that India could maintain adequate stockpiles of nuclear fuel to tide over any possible disruption in supply. That was the first assurance given to us by the United States of America. It also agreed to work with other nuclear supplies to enable India to secure nuclear fuel so that its nuclear power stations could continue to operate till the end.

Madam, the Hyde Act has removed this protection. The assurance which was given to us, we do not find the same thing in this present Hyde Act. It is very surprising that the Act also calls upon the US Administration to work with the Nuclear Supplier Group (NSG) to ensure that India cannot get supplies of nuclear fuel, if for reasons contained in this Act, and the US is required to suspend supplies to India. So, that is why, my point is that the negotiations in future are going to be more and more difficult. It is just like the uphill climbing. Now you will have to negotiate with the IAEA and you will have to negotiate with the China's Nuclear Supply Group. China now says it is a member of the 45-member non-nuclear supply group. Every decision in the NSG is taken on unanimous basis. China, though not directly but indirectly said that this is some sort of parochialism which is being shown by America; it is not fair; this is not a question of neutrality. It questions like this: When America is objecting to North Korea, objecting to Iran, how could it supply nuclear technology to India which is also having it? Also, this Additional Protocol which

India signs with the IAEA should be based on the Model Protocol 540 which applies to the Nuclear Weapons States.

So, at the end, I shall appeal to the hon. Minister to consider this. We are also in favour of this nation. It is said that the National Democratic Alliance Government did not intimate it to the nation, intimate it to Parliament. It is because we did not have any Joint Statement with America. We did not have anything. Only negotiation was going on. When we did not arrive at any conclusion, how could the Government have intimated the Parliament? So, the negotiation process that started from the time of Shri Atal Bihari Vajpayee is being carried forward by this Government. It is raising so many doubts in the minds of the people of this country cutting across party-line, cutting across political spectrum. So, I appeal to the hon. Minister that if he thinks that he goes to protect the sovereignty of this country, the free will of this country, then he should explain and clear all our doubts.

With these words, I conclude.

श्री रामदास आठवले (पंढरपुर) : सभापति महोदया, मैं माननीय प्रधानमंत्री जी का शुक्रगुज़ार हूँ और मैं उनका हार्दिक अभिनंदन करता हूँ कि उन्होंने भारत की शक्ति को मज़बूत करने के लिये संसद में बहुत अच्छी बात रखने का प्रयत्न किया है। नेता विरोधी दल बोल रहे थे कि अमरीका के साथ जो समझौता हो रहा है, उसके लिये संसद को विश्वास में नहीं लिया जा रहा है। माननीय प्रधानमंत्री जी ने आडवाणी जी के सामने ही बताया है कि भारत देश को मज़बूत करने का प्रयत्न उनकी सरकार कर रही है। इसलिये प्रधानमंत्री जी ने सँचुरी लगाने के लिये एक-एक रन न लेकर 10 छक्के और 10 चौकों का सहारा लिया है। आडवाणी जी ने हमारी बैटिंग को उखाड़ने की कोशिश की लेकिन उन्हें मौका नहीं मिला।

सभापति महोदय, अमरीका भारत के साथ न्युक्लीयर समझौता करने के लिये तैयार है, यह हमारे लिये अभिमान की बात है। अमरीका बहुत बड़ा देश है और वह भारत के साथ परमाणु समझौता कर रहा है। जब हमारे प्रधानमंत्री जी अमरीका गये थे तो प्रेज़िडेंट बुश उनके साथ लगातार तीन दिन रहे जबकि इसके पहले कभी ऐसा नहीं हुआ था। यह एक बहुत ही अच्छी बात है। मैं आडवाणी जी से रिक्वैस्ट करूँगा कि हमारी सरकार के बारे में वह बिलकुल चिन्ता न करें क्योंकि हमारी सरकार जाने वाली नहीं है। कम्युनिस्ट भाई हमारे मित्र हैं, वे हमारा समर्थन करेंगे। उन्हें मालूम है कि हमारी सरकार पांच साल चलनी है। हां, कुछ मतभेद जरूर होते हैं। एन.डी.ए. सरकार में भी थे और हमारी सरकार में भी हैं लेकिन हमारी सरकार सैकुलर है जबकि एन.डी.ए. सरकार में कुछ सैकुलर पार्टियां थीं और कुछ नॉन-सैकुलर पार्टियां थीं। हमारी सरकार के घटकों में झगड़ा नहीं होता है और वे सब मिलकर चलते हैं और इस कारण हमारी सरकार पांच साल तक जाने वाली नहीं है।

सभापति महोदया, मैं प्रधानमंत्री का आभार व्यक्त करता हूँ। अमरीका के साथ जो हमारे देश का समझौता होने वाला है, उसके पहले सामने बैठने वाले लोगों ने कहा था कि संसद को विश्वास में लिया जाना चाहिये था।[\[s65\]](#) .

18.00 hrs.

इसीलिए आप हम सब लोगों की चिन्ता मत करिये। आपने हमको कभी नहीं पूछा, लेकिन हम आपको पूछेंगे क्योंकि हमें पांच साल सरकार चलानी है जिसके लिए हमें अपोज़ीशन की भी आवश्यकता है। मैं ज्यादा वक्त नहीं लूँगा। अपनी पार्टी से मैं अकेला हूँ, इसलिए मुझे समय कम मिलता है लेकिन उसके बावजूद भी कभी कभी ज्यादा समय मिलता है। मैं प्रधान मंत्री जी का एक बार फिर अभिनन्दन करता हूँ और आखिर में इतना ही कहना चाहता हूँ कि साउथ अफ्रीका में जिस तरह से इंडिया ने जीत हासिल है

और साउथ अफ्रीका को हराया है, उसी प्रकार से प्रधान मंत्री जी ने भी आडवाणी जी की टीम को आज हराया है और हम यह मैच जीत गए हैं। इसके साथ ही मैं अपनी बात समाप्त करता हूँ।

MADAM CHAIRMAN : It is 6 o'clock now. After this discussion, we have to pass three pending Bills regarding universities and then we shall take up matters of urgent public importance. If the House agrees, we can extend the sitting of the House till all these items are disposed of.

SEVERAL HON. MEMBERS: Yes.

MADAM CHAIRMAN: I think the House agrees to this proposal and so we extend the sitting of the House till all these items are disposed of.

Now, I request the hon. Minister to reply.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI PRANAB MUKHERJEE): Madam Chairman, I express my gratitude to all the hon. Members who have participated in this discussion. A number of points have been raised in this discussion. The Members have highlighted some of the issues concerning the national interest and also the broad vision keeping in view the way the Government is proceeding on this matter.

Normally, in a debate like this, there would be divergence of views. That is the essence of democracy. But at the same time, it speaks of the mind of the nation in a way that the divergent views which are prevailing in the body politic get reflected in the observations of the representatives of various political parties.

When the Prime Minister mentioned that there is a broad national consensus, he meant that a broad national consensus is there that India must move forward and India must have access to the technology which has been denied for so long. If our scientists and technologists have access to this technology, they can do wonders and I do not think anybody, wherever he or she may be sitting in this House, will disagree with this objective. This is precisely the objective with which the Government initiated the process to have the civil nuclear cooperation arrangement with the United States of America.

Keeping that broad objective in view, the Joint Statement of 18th July, 2005, which reflected the essence of all the essential parameters of this agreement, was placed before the House. The Separation Plan which was worked out – America was fully involved with this Separation Plan – was also placed before the House as also the agreement of 2nd March, 2006. Thereafter, the Prime Minister explained in detail concerning all issues in his reply to the debate on 17th August 2006.

I will touch upon the first point on which the Leader of the Opposition has made, to my mind, a very strong plea. He has indicated that we have mortgaged the Foreign Policy; we have jeopardized our security concerns; there will be no Pokhran III and Pokhran IV. Pokhran I and Pokhran II had already taken place. But most respectfully, I would like to submit for the

consideration of the House, who declared unilateral moratorium. What prompted them to do so? What prompted them to do so within a few months of the Second Pokhran Explosion?

It took place in May 1998. They came to power in March 1998. Surely, a layman would appreciate that everything was ready. The previous Government, for the best reasons, did not take the decision and they owned that decision. The only phrase which we use repeatedly, justifiably and we stuck to that is that, yes, we have the capabilities. That is why we kept our nuclear option open. We did not close that option. That was the message which our young Prime Minister conveyed to the international community in the Disarmament Conference that we are in a position to manufacture nuclear weapons, if we so desire. We are almost a screwdrivers turn away from that stage, that we are willing to continue at the threshold level and we do not want to graduate ourselves to be a nuclear weapon State, provided uri-nuclear weapon States and other countries of the world agree for the total nuclear disarmament. That is what we said.

18.08 hrs.

(Mr. Speaker *in the Chair*)

We established our capabilities in 1974. We were just a screwdriver's turn away. That is why, within less than three months after coming to power, they could do that. What prompted the Leader of the Opposition to say that Pokhran III and Pokhran IV are mortgaged for all time to come? What did they say?

The then Prime Minister, Shri Atal Bihari Vajpayee stated on 24th September 1998 in the UNGA and I quote:

“These tests do not signal a dilution of India’s commitment to the pursuit of nuclear weapon disarmament. Accordingly, after concluding this limited testing programme, India announced a voluntary moratorium on further underground nuclear test explosion. We conveyed our willingness to move towards a *de jure* formalization of this obligation. In announcing a moratorium, India has already accepted the basic obligation of the CTBT in 1996, India could not have accepted that obligation as such a restraint would have eroded our capability and compromised our national security.”

Therefore, they did it and they accepted it. This statement was repeated in the following year by the then Foreign Minister and today they are accusing us that there cannot be a Pokhran III and there cannot be a Pokhran IV.[\[r66\]](#)

You yourself accepted that nuclear disarmament is one of the basic objectives of it. Even today, we have submitted a working paper to the United Nations, we want nuclear disarmament. The Prime Minister has already assured you as to what is the rationality of having a separation plan. If the civilian nuclear agreement with the USA would cover the strategic programme, then what was the rationality of having a separation plan? This itself speaks that it cannot be a part of the arrangement which we are entering into with the United States of America. This is completely a different plan, and surely we are not expecting to have any support from them for this programme. We will carry on this programme; we will carry on our own the strategic programme; and we will use our own fuel and materials, whatever would be needed, and that is why the Prime Minister is

quite confident that there cannot be any compromise on it, and there cannot be any inspection so far as this is concerned.

Now, Sir, certain portions have been quoted by a large number of Members. Most respectfully, I would like to submit that it is the pattern of the US legislation, particularly two Sections. Almost in every legislation, Section 101 is the normal short title of the Bill; Section 102 and Section 103, one speaks of the sense of the House and another speak of the policies of the United States of America, and these are of recommendatory nature. These are not of the mandatory nature. If there is a reference to FMCT, there is a reference to the nuclear weaponization programme, in respect of some of these recommendations, it would be the obligation of the United States Administration to provide the necessary information to the Congress but it is not an obligation to me, to us, not even to provide the necessary information. They can collect that information on their own, and actually they are doing so.

A number of Reports are made to the Congress by the US Administration in respect of human rights, in respect of bonded labour, in respect of child labour. It is their practice. So far as we are concerned, the Prime Minister has very correctly pointed out as to what this Bill is. Why did I say that normally we do not comment on the legislation of another country? What is the purpose of this Bill? The purpose of this Bill is to provide waiver, waiver not to India, waiver to the US Administration to enable them to enter into an agreement with India for the civil nuclear programme. Why was this waiver needed? It was needed because of the 1954 Act that if any country had tested nuclear explosions, then they would be debarred to be a partner with the USA in any nuclear programme.[\[R67\]](#)

If all the nuclear arrangements of a country are not under total safeguard of the IAEA, that country is not eligible to be a partner with the USA for any nuclear cooperation programme. If a country has nuclear weapons, that country is not eligible to be a partner in an arrangement for Civilian Nuclear Cooperation with the USA as per US law. Therefore, these waivers were necessary. Without these waivers, the US Administration is unable to deal with India in respect of the Civilian Nuclear Cooperation arrangement. So, this is being done.

A number of questions have been raised saying: "When this is debated in the US Congress, it is not a final state; when it is debated in the US Senate, it is not a final stage." When the reconciliation conference takes place, even then you are saying that it is not the final stage. Yes, it is not the final stage. These are the various stages of the process. The process is yet to be completed. Negotiation under Section 123 of their Act is to re-start; and what we have said is how we are going to safeguard our interest.

When the Prime Minister talks of reciprocity, what does he say? He says that 'before we accept safeguards, this 123 Agreement is to be finalized.' That is the arrangement, because once we enter into safeguards, the safeguard would be for perpetuity in respect of those imported materials, equipment and fuel. But before we enter into that, all our concerns are to get reflected in the 123 Agreement, which is yet to be done. NSG (Nuclear Supplier Group) is also to amend their rules, their guidelines because they do not deal with a country, which is having a nuclear weapon programme.

Therefore, those guidelines are also to be amended to suit the Indian requirement. When we are going to enter into an arrangement with IAEA on safeguard and a protocol, that will also have to be India-specific because the one conditionalities that are required for entering into Civilian Nuclear Cooperation, and India does fulfill that requirement. That is why these agreements ought to be made India-specific.

Now, somebody is saying: “What is great in it?” It is true, that in the immediate context nuclear power is not a big component in our energy basket. We are to depend on coal; we are to depend on hydro power; we are to depend on imported hydrocarbons; and we are to depend on our non-conventional energy. But at the same time, nuclear energy is going to be a very major component in the foreseeable future because that is the cleanest energy, which is available. Volatile oil market is known to everybody; it need not be explained in details.^[68]

Somebody was talking that we have huge quantity of Thorium. Yes, we know that one-third is in our country. Thirty per cent of the Thorium reserves are in our country.

But the big block is access to technology. This barrier should be removed. It is not merely in respect of mere nuclear energy, nuclear power that we have to remove apartheid. The Leader of the Opposition took exception to the word ‘apartheid’. It is apartheid. Despite the best brain, best talent, our scientists cannot show their mettle to the fullest extent because of the lack of access to these technologies and lack of access to the equipment. Are we not aware of how much problem we had to face to get a supercomputer or the cryogenic engine and how it affected some of our very important strategic programmes? We do not even have access to the dual use technology.

What is the relevance of USA? Somebody tried to import extraneous political elements. There is no need of bringing it. Unless you have okayed it from the US, unless US extends the collaboration and co-operation, no other country is going to do that. At least, the Leader of the Opposition should be fully aware and he should be fully conversant with that fact because he was in the Government during the current period for at least five to six years.

How much problem we are facing to have access to the technology, to have equipment, to have the materials which we want to have? But does that mean we should compromise our basic national interest? The Leader of the Opposition says Indian Foreign Policy has been mortgaged. I have heard this phrase umpteen number of times. I do not know how many times sovereignty can be mortgaged. In 1994 when I signed the Agreement of WTO, Mr. Speaker, Sir, a senior colleague—I cannot take his name—on the floor of this House, said you have bartered our sovereign right of international trade. After a couple of years, when they came to power, they did not change a comma or a full stop of that Agreement and, to justify the agreement, they had to reprint the argument which I gave on the floor of both the Houses.

Therefore, do not take these things so lightly. Nobody is going to mortgage sovereignty, not to speak of the Congress Party which has struggled for the freedom of this country in its long history. Even after Independence, they had to fight all sorts of obscurantist forces; and to fight against obscurantist forces, they even had to sacrifice the lives of their supreme leadership starting from Mahatma Gandhi- Indira Gandhi to Rajiv Gandhi. Therefore, do not think that a Congress

Prime Minister is going to mortgage the sovereignty, independent decision making or broad national interest.

Then, regarding the expression of opinion by different legislative bodies. The other day I was watching with interest, though I have nothing to do with it. But my friends from West Bengal may be interested in knowing the language in which the West Bengal Legislative Assembly passed a unanimous Resolution condemning the attack on Iraq. It is their own sovereign legislation. They have expressed it. Many Legislatures expressed their views on different issues.

Therefore, Mr. Speaker, I do feel that we need not be unnecessarily agitated on non-issues. The basic issue is whether we are going to maintain the parameters which have been clearly indicated in the July 18th Statement and in the 2nd March Statement in the 123 Agreement which we are going to sign^[MSOffice69].

Therefore, the option would be this. If we cannot have the full agreement and if our parameters do not get reflected in it, it may not go through. But why should we say so? Why should we not try? Everybody in the world recognizes it and I am pretty sure if by accident, there is no way by normal chance, they come to power on this side, they will use the same argument to defend the action which they will be pursuing. Therefore, let us not go to that aspect of the issues.

A question has been raised whether our independent, three-stage research programme would be maintained. It would be maintained. It cannot be interfered with. It is because we have to protect it. Why are they saying that the US Administration is saying that? Even after this Bill being passed, the Secretary of State was on record that it would be possible for the Administration to implement the commitments which they have made to India in the 2nd March and 18th July Statements. They are fully aware of it. They have analysed their own legislation which has been passed by their own Congress. When they are saying it and when we are going to have this agreement, after this when we will be entering into it, let us wait for it. What is the harm in it?

We are not doing anything behind the back of Parliament. At every stage, whenever a demand has been there that there should be a discussion, readily we have agreed. This is the third or fourth, I think fourth, discussion here. If it is required, it would be done there. Next time it would be done. But if somebody wants to expand the scope of the debate and discussion, I am afraid, Mr. Speaker, Sir, it cannot be done. It cannot be done that the international agreements will have to be ratified by the Parliament. That position cannot be accepted because it is a larger issue. For that you require a mandate. None of us spoke that we will amend the Constitution and bring this provision within the Constitution. Yes, many countries have it. When our Constitution-makers drafted the Constitution, they were fully aware of it. They had not got it.

I would not give the example; but I know. I signed one agreement with my neighbouring country for having some hydel power project some time in 1995 as the then Foreign Minister. But because of the internal political situation and the situation prevailing in the Parliament of that country, till 2006 it has not been ratified. Therefore, these issues are also to be kept in view. Let us not be carried away by emotion. Yes, on the demand that Parliament should be taken into confidence, the Parliament should be informed, we are already ready to do that.

Questions have been raised about the scientific community. I do not know whether any Government discussed with the scientific community in so many details or so many times as this current Government has done. Dr. Manmohan Singh himself was a member of the Atomic Energy Commission, for umpteen years he himself has the fraternity with the scientific community. Naturally, the scientific community may feel concerned on certain areas. Whenever they feel concerned, their concerns are taken note of. As he has pointed out, I can reiterate that nothing will be done which will stand in the way of our indigenous development, indigenous research and development programme because that is the core of our strength and we cannot compromise, under any situation, with that core strength of our economy, of our national asset.

On foreign policy, the hon. Prime Minister has already explained in detail.[\[MSOffice70\]](#)

We do not believe that our relationship with one country is dependent on our relationship with an other country. We have never accepted that proposition. We had a very successful visit of the Chinese President very recently. China has excellent relations with Pakistan. That does not stand in the way of our building up excellent relations with them. Therefore, these relations are independent. If somebody wants to say that it is intrusive , then I have myself stated that certain phrases are there which are extraneous and prescriptive. It is for them to use that type of phrase, but it does not concern us.

So long as the text of the main agreement is concerned, Mr. Speaker, Sir, I think that I have covered in general terms the issues which have been raised. An assurance has been given by no less a person than the Prime Minister. I need not reiterate it.

Thank you Mr. Speaker, and hon. Members, for giving me this opportunity of sharing some of my thoughts with you.

MR. CHAIRMAN: Now, I am going to take up 'Zero Hour.' Shri Ramji Lal Sumar – not present.
Shri Shailendra Kumar.