

LOK SABHA DEBATES

(English Version)

Eleventh Session
(Thirteenth Lok Sabha)



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CONTENTS

[Thirteenth Series, Vol. XXVIII, Eleventh Session, 2002/1924 (Saka)]

No. 8, Thursday, November 28, 2002/Agrahayana 07, 1924 (Saka)

SUBJECT	COLUMNS
ORAL ANSWERS TO QUESTIONS	
*Starred Question Nos. 142, 144, 147 and 148 ...	1-35
WRITTEN ANSWERS TO QUESTIONS	
Starred Question Nos. 143, 145, 146 and 149 to 161	35-75
Unstarred Question Nos. 1565-1752	75-288
PAPERS LAID ON THE TABLE	289-291
MESSAGES FROM RAJYA SABHA	291-292
STANDING COMMITTEE ON INFORMATION TECHNOLOGY	
Fortieth Report	292
JOINT COMMITTEE ON STOCK MARKET SCAM AND MATTERS RELATING THERETO	
(i) Motion Re: Filling up of Vacancy	292
(ii) Motion Re: Recommending to Rajya Sabha to appoint one Member ...	293
DEMAND FOR SUPPLEMENTARY GRANT--(RAILWAYS) 2002-2003...	293
BILLS--INTRODUCED	
(i) Special Protection Group (Amendment) Bill ...	294
(ii) Transfer of Property (Amendment) Bill ...	294
(iii) Indian Evidence (Amendment) Bill	295-297
RE: PROBLEMS BEING FACED BY SUGARCANE GROWERS	297-325
MATTERS UNDER RULE 377	
(i) Need to sanction adequate funds for proper maintenance of National Highway No. 215 particularly between Panikoili and Rajamunda in Orissa Shri Ananta Nayak	326
(ii) Need to start conversion work of Gonda-Bahraich narrow-gauge rail line into broad-gauge and extend it upto Tikonia, U.P. Shri Padam Sen Choudhury	326

*The Sign + marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member.

(iii)	Need to provide financial assistance to the Government of Orissa for construction of roads and bridges with a view to promote tourism at Bhusandeswar, Bhograi Block in Balasore district of Orissa	327
	Shri Kharabela Swain	
(iv)	Need for a Rent Regulatory Law to address the grievances of people affected due to withdrawal of application of East Punjab Urban Rent (Restriction) Act in Union Territory of Chandigarh	327
	Shri Pawan Kumar Bansal	
(v)	Need to look into the problems being faced by people of Kanpur due to shifting of court cases from Kanpur to Fatehpur, U.P.	327
	Shri Shriprakash Jaiswal ...	
(vi)	Need to drop the proposal to privatise the National Aluminium Company (NALCO) in Orissa	328
	Shri K.P. Singh Deo	
(vii)	Need to set up plants for production of propylene and paraxilyne at Haldia, Kolkata	328
	Shri Lakshman Seth	
(viii)	Need for construction of a bridge on river Ghaghra at Vidhar Ghat, U.P.	329
	Shri Bhal Chandra Yadav	

DISCUSSION UNDER RULE 193

Recent Political Developments in the State of U.P.

Shri L.K. Advani	330-343
----------------------	-----------	---------

STATUTORY RESOLUTION RE: DISAPPROVAL OF UNIT TRUST OF INDIA (TRANSFER OF UNDERTAKINGS AND REPEAL) ORDINANCE

AND

UNIT TRUST OF INDIA (TRANSFER OF UNDERTAKING AND REPEAL) BILL

Motion to Consider

Shri Basu Deb Acharia	343
-----------------------	-----

Shri Jaswant Singh	343
--------------------	--------	-----

SUBJECT

COLUMNS

Shri E.M. Sudarsana Natchiappan ...	350
Shri Kharabela Swain ...	359
Shri Rupchand Pal ...	362
Dr. Nitish Sengupta	369
Shri Priya Ranjan Dasmunsi ...	372
Shrimati Jas Kaur Meena ...	379
Dr. Raghuvansh Prasad Singh ...	381
Shri G.M. Banatwalla ...	384
Shri Ajoy Chakraborty ...	388
Shri Shivraj V. Patil ...	398
Clauses 2 to 25 and 1 ...	405
Motion to Pass ...	410

PREVENTION OF MONEY-LAUNDERING BILL

Consideration of Rajya Sabha Amendments

Motion to Consider

Shri Jaswant Singh...	411
Clauses 2 to 74 and 1 ...	412-510

LOK SABHA DEBATES

LOK SABHA

Thursday, November 28, 2002/Agrahayana 07, 1924
(Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

MR. SPEAKER : Now, Shri Kirit Somaiya, Q.No. 142.

[English]

Change in Shareholding Pattern of Mangalore Refineries

+

*142. SHRI KIRIT SOMAIYA :
SHRI PUNNU LAL MOHALE :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether shareholding pattern has changed in Mangalore Refineries and Petro-chemicals recently;

(b) if so, the details thereof;

(c) whether some share holding Companies/Groups have sold their stake;

(d) if so, the details alongwith the reasons therefor;

(e) whether ONGC is trying to get MRPL shares from HPCL and if so, at what rate;

(f) the reasons, for such transactions;

(g) the status of latest share holding pattern of MRPL;

(h) whether MRPL have incurred heavy losses; and

(i) if so, the details thereof alongwith the reasons therefor ?

THE MINISTER OF PETROLEUM AND NATURAL GAS (SHRI RAM NAIK) : (a) to (i) A Statement is laid on the Table of the House.

Statement

(a) and (b) No, Sir.

(c) to (g) In view of difficult financial position of Mangalore Refinery and Petrochemicals Limited (MRPL), A.V. Birla Group (ABG) proposed to quit the project in favour of a financially sound investor who has the capability to inject required capital for the turnaround of MRPL. ABG have discussed this issue with Oil and Natural Gas Corporation Limited (ONGC). Financial institutions have evolved a package for turnaround of MRPL so as to make it viable, with ONGC participation. In addition, as part of restructuring, to further improve the viability of the project, ONGC has expressed an interest in acquiring Hindustan Petroleum Corporation Limited (HPCL)'s shares.

Acquisition of MRPL by ONGC will enable ONGC to set up the retail outlets sanctioned to it under the marketing rights for transportation fuels. Further, owning and operating of MRPL refinery by ONGC would make it a vertically integrated oil company.

The shareholding pattern of MRPL is as under :-

HPCL	37.38%
A.V. Birla Group	37.38%
Financial Institutions and Public	25.24%

(h) and (i) Details of MRPL's financial results since 1998- 1999 are as under :-

(Rs. in crore)

Year	Profit/Loss After Tax
1998-1999	Profit 14
1999-2000	Loss 300
2000-2001	Loss 185
2001-2002	Loss 492

The reasons for MRPL's losses are :

- (i) High interest burden due to heavy debt and depreciation.
- (ii) Dismantling of Administered Pricing Mechanism for refineries from 1st April 1998 followed by globally low refining margins in post 1998 period.
- (iii) Levy of refinery level taxes by the State Government.

- (iv) Surplus refining capacity in the region and low viability of exports.

[Translation]

SHRI KIRIT SOMAIYA : Mr. Speaker, Sir, while asking my supplementary question I would like to say that hon. Minister has given a very satisfactory reply but he has used the word 'turn-around.'

[English]

I would like to know whether the Ministry or the ONGC is planning any restructuring or revival package for Mangalore Refineries. If it is so, what are the details of it? What will be the debt-equity ratio? Total accumulated.

[Translation]

What are the losses and whether equity has been wiped out?

[English]

If the revival package is not being implemented, whether this company will become a sick company and will be referred to BIFR? In that case, what will be the national losses and what will be its impact on the workers?

SHRI RAM NAIK : Sir, the apprehensions expressed by the Member are generally true. I have given the details of the losses which have been incurred by MRPL so far. The accumulated losses as on 31st March, 2002 are about Rs. 799 crore. The total number of employees is, 1,100 plus 900 contract workers, about 2000 which are directly involved. If this trend continues, the MRPL would become a sick company and would be required to be referred to BIFR. That is why we have taken action in anticipation and in that, the ONGC also has got an opportunity.

Under our new policy, companies which have invested more than Rs. 2,000 crore in infrastructural activity are entitled to get retail outlets. Accordingly, we have sanctioned 8,659 retail outlets to four companies. So far as ONGC is concerned, 600 retail outlets have been sanctioned to them. We are also in search of good opportunity for investment and from that point of view, we have discussed with the financial institutions. The financial institutions also have discussed together and a total package has been worked out, because of which the ONGC will acquire the equity of Birlas. The face value of

that share is about Rs. 10. Since it is becoming a loss-making company, ONGC would be getting those shares at the rate of Rs. 2 only. So, there will be substantial savings for the ONGC also. ONGC will then put up its own capital to the extent of Rs. 600 crore. How to overturn this has also been discussed with ICICI, IDBI, SBI and 14 other financial institutions. So, together with this, it will become a good company. That is why this deal has been worked out. It is in the final stages of approval by the Government. Inter-Ministerial discussions are going on and we will come out with a final solution.

SHRI KIRIT SOMAIYA : Before asking the second Supplementary, I have a point arising out of the reply given to my first Supplementary. . . .(Interruptions)

MR. SPEAKER : That is not permitted. You can ask your second Supplementary. . . .(Interruptions)

[Translation]

SHRI KIRIT SOMAIYA : Mr. Speaker, Sir, how much amount was invested into debt-equity-ratio and financial institutions.

My second supplementary is that in MRPL, it is stated in the reply that if 25 per cent of small investors or small investors via financial institutions goes to BIFR then they will get zero rupee. I would like to ask as to whether small investors will get benefits in this package? In which stage is the revival plan at present? Would you tell the time bound action plan? Please state as to whether there is any proposal for its modernisation for making it profitable?

[English]

SHRI RAM NAIK : So far as modernisation is concerned, I must say that this is the most modern refinery in India, next to Reliance because Reliance has been constructed subsequently. The State-of-the-art technology is there. This is one refinery which can take any type of crude for refining. So, from the technological aspect, this is the most modern refinery and it can be compared with the best in the world.

Now, when the package would be worked out for revival, naturally the small investors also would get good price. I am sure that as the days would go, small investors would like to keep the share with them instead of selling it out in the market. So, proper care is being taken of the small investors. Of course, I should not blame my

predecessors for the way it was planned as the governance is a continuous process.

Shri Kirit Somaiya has also talked about debt-equity ratio. Sir, you will be surprised to know its debt-equity ratio. You have also handled the heavy industries. The present debt-equity ratio with working capital is 12.33:1. It is a very high debt ratio. For the information of the House, I must tell how others are comparable. The IOC's debt-equity ratio is only 1.29:1; for HPCL, it is 0.54:1; for PPCL, it is 0.96:1; and for RPL, it is 0.86:1. So, it has a very high debt-equity ratio. That is why, it was going in the red. But now we are bringing it back on road. So, the South Indian refinery will also work properly. It will be advantageous for the country as a whole. It is a national asset and we are trying to save the national asset.

[Translation]

SHRI KIRIT SOMAIYA : How much loans are there of institutions; otherwise they will be wiped out.

[English]

SHRI RAM NAIK : I have given this in the reply. They have 25.24 per cent equity which works out to about Rs. 200 crore. As regards loan details, I do not have it right now with me.

MR. SPEAKER : Now, we will go to next question.

SHRI RAM NAIK : Sir, I am happy that the House is satisfied with my reply.

MR. SPEAKER : Probably, the question being very technical, it might not have been understood by others.

Electrification of Villages

+

*144. SHRI N.N. KRISHNADAS :
SHRI BASU DEB ACHARIA :

Will the Minister of POWER be pleased to state :

(a) the number of villages which could not be electrified in the country so far, State-wise;

(b) whether the Government have fixed any target for electrification of these villages;

(c) if so, the details thereof;

(d) the number of villages targeted to be electrified during 2002-03, State-wise;

(e) whether some States have sought additional assistance for rural electrification;

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

(g) whether there is a proposal to provide 90% Central assistance for energizing those villages; and

(h) if so, the details thereof ?

[Translation]

THE MINISTER OF POWER (SHRI ANANT GANGARAM GEETE) : (a) to (h) A Statement is laid on the Table of the House.

Statement

(a) State-wise number of villages which have not been electrified in the country upto September, 2002 are given in the Annexure-I.

(b) to (d) The Government have planned to electrify all the villages in the country by 2007. Ministry of Power have fixed tentatively a target of electrification of 12,328 villages in the country during 2002-03. In addition Ministry of Non-Conventional Energy Sources also plan to electrify 500 remote villages in the current financial year. The details are given in the Annexure-II.

(e) and (f) Bihar, Jharkhand and Uttar Pradesh have requested for release of additional financial assistance for meeting the target of Rural Electrification.

The States have been requested to utilize the funds already released under Pradhan Mantri Gramodaya Yojana (PMGY) and Minimum Needs Programme for rural electrification programme.

(g) and (h) No, Sir. However, under Pradhan Mantri Gramodaya Yojana (PMGY), which has six components including rural electrification, there is an element of 90% grant for Special Category States. Non-Special Category States have an element of 30% grant. The details showing the allocation for rural electrification made by the States under PMGY for the year 2002-03 is enclosed as Annexure-III.

Annexure-I*Statement showing Villages Electrified and Unelectrified as on 30.9.2002*

Sl. No.	States/UTs	Total inhabitate villages (1991 Census)	Villages electrified as on 30.9.2002	Villages to be electrified as on 30.9.2002	Remarks
1	2	3	4	5	6
1.	Andhra Pradesh	26586	26565	Nil	21 villages declared non-feasible for electrification
2.	Arunachal Pradesh	3649	2316	1333	Achievement upto 31.7.2002
3.	Assam	24685	19019	5666	Achievement upto 31.10.2001
4.	Bihar	67513	47961	19552	Achievement upto 31.8.2002
5.	Jharkand (++)				
6.	Goa	360	360	Nil	
7.	Gujarat	18028	17940	Nil	88 villages declared non-feasible for electrification
8.	Haryana	6759	6759	Nil	
9.	Himachal Pradesh	16997	16890	107	
10.	Jammu and Kashmir	6477	6295	182	Achievement upto 31.3.2002
11.	Karnataka	27065	26764	21	281 villages declared non-feasible for electrification
12.	Kerala	1384	1384	Nil	
13.	Madhya Pradesh	51806	50312	1494	Achievement upto 31.8.2002
14.	Chhattisgarh (++)	19720	18220	1500	
15.	Maharashtra	40412	40351	Nil	61 villages declared non-feasible to electrification
16.	Manipur	2182	2004	178	
17.	Meghalaya	5484	2580	2904	Achievement upto 31.3.2002
18.	Mizoram	698	691	7	Achievement upto 31.7.2002
19.	Nagaland	1216	1216	Nil	Achievement upto 31.7.2002
20.	Orissa	46989	35232	11757	Achievement upto 30.4.2002
21.	Punjab	12428	12428	Nil	
22.	Rajasthan	37889	36445	1444	

1	2	3	4	5	6
23.	Sikkim	447	405	Nil	Provisional 42 nos. forest villages not electrified
24.	Tamil Nadu	15822	15822	Nil	
25.	Tripura	855	815	40	Achievement upto 31.7.2002
26.	Uttar Pradesh	97122	77438	19684	Achievement upto 31.7.2002
727.	Uttamachal (++)	15681	12673	3008	Achievement upto 31.7.2002
28.	West Bengal	37910	29645	8265	Achievement upto 31.8.2002
Total (States)		586165	508530	77142	493 villages declared non-feasible for electrification
Total (UTs)		1093	1090	Nil	3 villages declared non-feasible for electrification
Total (All India)		587258	509620	77142	Total 496 villages declared non-feasible for electrification

++Newly constituted States in 2000-2001.

Annexure-II

Proposed Physical Targets for States for Village Electrification during 2002-2003

State	Target for 2002-03
1	2
Arunachal Pradesh	131
Assam	1067
Himachal Pradesh	22
Manipur	3
Meghalaya	89
Nalagand	1
Uttranchal	638
Sub Total	1951
Other States	
Bihar (including Jharkhand)	3512
Chhattisgarh	329
Madhya Pradesh	44

1	2
Orissa	1673
Uttar Pradesh	3274
West Bengal	1545
Sub Total	10377
Sub Total of Ministry of Non-Conventional Energy Sources	500
Total (All India)	12828

Annexure-III

Minimum Mandatary Provision (MMP) for PMGY for the Annual Plan 2002-03

Rs. in Lakhs		
S.No.	Name of States/UTs	Allocation
1	2	3
A. Non Special Category States		
1.	Andhra Pradesh	1438.00
2.	Bihar	2417.30

1	2	3
3.	Chhattisgarh	515.00
4.	Goa	6.00
5.	Gujarat	0.00
6.	Haryana	142.90
7.	Jharkhand	1116.90
8.	Karnataka	1000.00
9.	Kerala	-
10.	Madhya Pradesh	1275.00
11.	Maharashtra	1664.00
12.	Orissa	100.00
13.	Punjab	444.00
14.	Rajasthan	1061.00
15.	Tamil Nadu	1608.20
16.	Uttar Pradesh	10187.00
17.	West Bengal	2774.00
Sub-Total		25749.30

B. Special Category

1.	Arunachal Pradesh	684.00
2.	Assam*	3000.00
3.	Himachal Pradesh	110.00
4.	Jammu and Kashmir	800.00
5.	Manipur	600.00
6.	Meghalaya	600.00
7.	Mizoram	598.00
8.	Nagaland	650.00
9.	Sikkim	400.00
10.	Tripura	500.00
11.	Uttaranchal	2000.00
Sub-Total		9942.00

1	2	3
C. Union Territory		
1.	NCT of Delhi	114.00
2.	Pondicherry**	53.40
3.	A and N Island	100.00
4.	Chandigarh	66.35
5.	D and N Haveli	13.00
6.	Lakshadweep	17.20
7.	Daman and Diu	11.10
Sub-Total		375.05
Grand Total		36066.25

*Rs. 369.57 crores convey to the SP Division.

**Not as per guideline.

[English]

SHRI SURESH KURUP : Sir, I would request that Q.No. 158 may be clubbed with this.

MR. SPEAKER : Q.No. 158 relates to different Ministry. How can it be clubbed with this? I am sorry. Shri Krishnadas, you go ahead with your question.

SHRI N.N. KRISHNADAS : Sir, in the reply, the hon. Minister has assured that all our villages, including the most remote villages, will be electrified by the year 2007.

It is a very important as well as a very ambitious task. Being such a very serious matter, may I know from the hon. Minister through you the details of the strategy proposed by the Government to achieve this important task?

[Translation]

SHRI ANANT GANGARAM GEETE : Mr. Speaker, Sir, I fully agree with the concern shown by hon. Member about rural electrification. About 77 thousand villages are yet to be electrified. We have fixed a target for electrification of 12 thousand villages during 2002-2003. A number of schemes are being implemented for electrification of villages. Electrification is done under PMGY, MNP and Kutir Jyoti Yojana and Rural Electrification Corporation is one institution for this purpose and REC also helps States by way of loans for rural electrification. There is a need for

cooperation from State Governments to achieve the targets fixed. It is difficult to achieve or even to reach to the target without cooperation of the States. I fully agree with the hon. Member in this regard.

[English]

SHRI N.N. KRISHNADAS : Now the declared policy of the Union Government is that electricity generation and distribution is the united task of the public sector as well as the private sector. This is the declared policy in the power sector of the Union Government. I would like to know from the hon. Minister whether the private sector has come in the sector of generation and distribution of power, what is the expectation and how the Government is planning to utilise the private sector to achieve the target to reach electricity to all the remote villages. What is the plan of the Union Government to give assistance to State Governments to achieve the goal of reaching electricity to all the remote villages ?

[Translation]

SHRI ANANT GANGARAM GEETE : Mr. Speaker, Sir, hon. Member has put a Supplementary deviating from the main question but I would like to answer it. To achieve the targets we have fixed to provide electricity to each village by 2007 and on demand till 2012, cooperation of private sector is also necessary. The Government will certainly take all the necessary steps to get cooperation of private sector. A particular question he has asked here relates to villages or habitations in remote areas. The transmission of electricity to those areas is very difficult. To fulfil their demands efforts are being made. The Ministry of power will make efforts to generate power near these remote habitations and to fulfil their demand from that location under distribution generation system.

[English]

SHRI BASU DEB ACHARIA : Sir, the hon. Minister has stated in the written reply that there are 77,142 villages yet to be electrified.

Now, there are two problems. One problem is the electrification of villages and the other one is access to electricity. The Government's plan is to electrify these 77,142 villages by 2007 and take electricity to cent per cent households by 2012. This year, about 12,000 villages are to be electrified.

I would like to know whether the Government has prepared a perspective plan to electrify all the villages by 2007 and for that, whether – he has stated that only three States have asked for additional assistance – the existing assistance being provided to the State Governments, say, under *Pradhan Mantri Gram Yojana* or Minimum Needs Programme, is sufficient or not.

Secondly, there are a large number of isolated pockets in villages. . . .(Interruptions)

MR. SPEAKER : Please come to the question.

SHRI BASU DEB ACHARIA : Sir, I am just coming to the question. The second part of my question is, whether the Government have identified those villages or not. In the case of non-conventional energy in Special Category States, there is a provision for 90 per cent assistance and 10 per cent loan. We have been requesting that this facility should also be extended to Sundarbans area of West Bengal where conventional electricity is not possible. Will the Government consider to provide 90 per cent assistance and 10 per cent loan to electrify all the isolated villages where access to electricity is very much difficult ?

[Translation]

SHRI ANANT GANGARAM GEETE : First of all, I will reply the supplementary question related to the original one of hon. Member.

MR. SPEAKER : The question may be long but give a brief answer.

SHRI ANANT GANGARAM GEETE : I shall try to answer in brief but I will certainly reply the supplementary. Targets have been fixed under each scheme whether it be *Pradhan Mantri Gramodyoga Yojana* or Minimum Needs Programme or *Kutir Jyoti Yojana*. If States are successful in achieving these targets, I hope we will achieve the target of providing electricity to each village by 2007 under the fixed time bound programme.

I would like to clarify one thing in the House that when we take about providing electricity in the villages under present definition if a single house is electrified in a village the whole village is deemed to be electrified. We are trying to change this definition. The States have been informed in this regard that if at least ten per cent houses of a village

are electrified then the whole village is deemed to be electrified.

[English]

SHRI BASU DEB ACHARIA : Sir, he has not replied to the second part of my question.

SHRI PRIYA RANJAN DASMUNSI : Sir, in view of the reply given by the hon. Minister, in view of the recent economic policy of the Government and in view of the latest correction the hon. Minister has made about the definition of electrified village, I would like to know from the hon. Minister, through you, whether the time has come to have a comprehensive rural electrification policy for the country ?

Secondly, the definition of an electrified village is wrong. It should not be just on the basis of 'one pole'. As I understand, the definition in our State – I do not know about other States – is that if the village has a pole even without wire, then it is treated as electrified. There are hundreds of villages like this. I spend fifty per cent of the MPLADS money for electrification. But till today the Board could not supply the pole and the wire. Possibly, they are using the funds for salaries and wages. In the case of *Pradhan Mantri Gram Sadak Yojana* which is handled by the Ministry of Rural Development of the Union Government, the Minister concerned gave a direction that identification of the scheme should be done after consulting the Member of Parliament, Lok Sabha. Like-wise, for *Pradhan Mantri Gramodaya Yojana* also, which regulates some work of electrification also, will the Minister give similar direction that the authorities of the State shall involve the local MPs in identifying the villages ? Will you ensure that ?

[Translation]

SHRI AKBOR ALI KHANDOKER : Mr. Speaker, Sir, I have no power connection in my house. We use lantern. . . .*(Interruptions)*

SHRI ANANT GANGARAM GEETE : Pradhan Mantri Gramodaya Yojana is not a scheme of Ministry of Power but rural electrification is a part of those rural development works which are included in this scheme and these recommendations have been forwarded to States that they can spend ten to thirty five per cent of fund allotted under this scheme on rural electrification. Such information have been given under this scheme. Ministry of power is

concerned with the rural electrification. I fully agree with the views of the hon. Member. MPs are related to ground realities and they have direct links to villages. People come to representatives of people and, therefore, they are aware of the ground realities and therefore, I support this demand but I have no power to give assurances in this regard.

[English]

SHRI SUDIP BANDYOPADHYAY : Sir, my questions are very specific : (a) How many States have achieved the target of cent per cent electrification of their respective villages ? (b) The State of West Bengal has 37,910 villages. Out of this how many villages of West Bengal have been electrified so far ? (c) The State Electricity Boards are facing huge accumulated losses throughout the country. Has the Central Government proposed any direction to reduce their accumulated losses ? I would like to know from the Minister in a very specific manner as to whether there is any comprehensive planning in this regard.

[Translation]

SHRI ANANT GANGARAM GEETE : Mr. Speaker, Sir, there are 11 such States where rural electrification is hundred per cent under our criteria of electrification of villages. . . .*(Interruptions)*

SHRI BASU DEB ACHARIA : All that is in the statement.

SHRI ANANT GANGARAM GEETE : Therefore, I am not reading all this. I am giving figures and so far the question related to West Bengal is concerned, only 29000 villages have been electrified out of 37000 villages. . . .*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI : This report of 29000 is such a report. . . .*(Interruptions)*

[English]

It is not fair. It is not a fact. They can make an inquiry. I keep the report of my district and take the responsibility for it. One-third of the villages have been electrified.

[Translation]

SHRI ANANT GANGARAM GEETE : In my reply I told the House that under the definition of electrification of villages hundred per cent of these villages have been

electrified and there are 8265 such villages which are yet to be electrified. . . .(Interruptions)

[Eng. sh]

SHRI SUDIP BANDYOPADHYAY : That means, according to his statement, 22 per cent of the villages have not yet been electrified. . . .(Interruptions)

MR. SPEAKER : Mr. Minister, you can address the Chair.

[Translation]

SHRI ANANT GANGARAM GEETE : Twenty to twenty two per cent villages are yet to be electrified. The next question is not related to the main question.

SHRI UTTAMRAO DHIKALE : Mr. Speaker, Sir, there is already scarcity of power in the State of Maharashtra and load-shedding has also started. People are not getting power. Therefore, both farmers and workers are much worried in Maharashtra. At places, farmers are launching agitation. Therefore, through you, I would like to ask the hon. Minister whether he has received any demand for more power to Maharashtra State.

SHRI ANANT GANGARAM GEETE : Mr. Speaker, Sir, supplementary question has no link with the main question. If any separate notice is given, I will give reply to the question. . . .(Interruptions)

SHRI RAJO SINGH : Mr. Speaker, Sir, when will I get an opportunity ? . . .(Interruptions)

MR. SPEAKER : You will also get an opportunity.

SHRI SHRIPRAKASH JAISWAL : Mr. Speaker, Sir, please give more time to hon. Members from U.P. and Bihar because maximum number of villages are in these States. . . .(Interruptions)

SHRI SUNDER LAL TIWARI : Madhya Pradesh is a tribal dominated area. . . .(Interruptions)

MR. SPEAKER : Please raise a discussion on the subject. You cannot do so during the question hour.

SHRI SURESH RAMRAO JADHAV : Mr. Speaker, Sir, My question is also important. . . .(Interruptions)

SHRI SATYAVRAT CHATURVEDI : In his reply, the hon. Minister has made an announcement to electrify all the villages of the country by the year 2007. First of all, I would like to make a submission on part (a) of the question. Only declared revenue villages are counted as villages, but there are tolas and are not counted. I would like to know whether these numbers include Tolas and Mohallas also. The Government have made an announcement that by 2007 all the villages of the country would be electrified, so I would like to draw your attention to the anomaly that some villages of Madhya Pradesh have not been electrified. Their number is 1494 and the target fixed for 2002-2003 is to electrify only 44 villages every year out of these 1494 villages therefore, with this pace it would take 34 years for electrification of all these 1494 villages. So, I would like to know about the target fixed. . . .(Interruptions)

I would like to know the number of villages to be electrified in M.P. and the basis of this calculation because in some State only 44 villages have been selected and in some States 3,512 villages and in some other State 1,067 villages have been selected for electrification. Kindly reply to these questions.

SHRI ANANT GANGARAM GEETE : Sir, we have fixed the number of village on the basis of 1991 census and dalit bastis and small areas have been included in it. Hon. Member has submitted that 1494 villages are to be electrified in Madhya Pradesh and the target fixed for this year is 44 villages and last year the target fixed for electrification of villages was 90 but success was achieved only in respect of 20 villages. Target is fixed by Central Government but the responsibility to make it successful is of the States. The scheme is planned by the centre, funds are allocated by the centre but the State Governments are responsible to implement it. But success has not been on the expected lines. So we have fixed the target for electrification of villages at 40 for the year 2002-03. . . .(Interruptions)

SHRI KANTILAL BHURIA : Sir, this is an allegation on the Madhya Pradesh Government. On one side we discuss about electrification of the villages of the country by 2007 and on the other side we have selected 44 villages for the electrification. What is the basis of this ? This is total injustice with Madhya Pradesh. . . .(Interruptions)

SHRIMATI JAYASHREE BANERJEE : Sir, through you, I would like to know from the hon. Minister whether village

electrification has been done by solar system? If so, the names of the villages of the Madhya Pradesh to be electrified through this system. . . .(Interruptions)

SHRI KANTILAL BHURIA : Sir, Madhya Pradesh is a tribal dominated area. . . .(Interruptions) The Central Government has fixed a target for electrification of 44 villages, whereas there are about 3,000 in U.P. . . . (Interruptions) This position should be cleared. . . . (Interruptions)

MR. SPEAKER : I have not called your name. Shrimati Jayashree Banerjee put your question.

SHRIMATI JAYASHREE BANERJEE : Sir, through you, I would like to know from the hon. Minister as to whether in some States rural electrification has been done through solar system? If so, the villages of Madhya Pradesh where electrification has to be done in this manner. . . . (Interruptions)

[English]

SHRI PRIYA RANJAN DASMUNSI : Mr. Speaker, Sir, the Minister has not answered as to what is the criterions for selecting the villages for electrification.

[Translation]

SHRI ANANT GANGARAM GEETE : I should also reply to your point. . . .(Interruptions)

SHRI SHIVRAJ SINGH CHOUHAN : Sir, people are committing suicide in Madhya Pradesh due to shortage of electricity. . . .(Interruptions)

MR. SPEAKER : All of you, please sit down, If you do not then how can you get justice. You seek justice from the Chair and do injustice to me. How is it possible? At least do justice to me otherwise how can you get reply. You have raised a question and I will request the hon. Minister to reply to your question. But the manner in which you put question is not good. If you keep on standing like this, nobody would get reply. Shrimati Jayashree Banerjee has asked a question and after giving reply to that hon. Minister would reply to your question. I would like that the questions are answered in the same order as they have been received. You will get reply to your question. I shall ask the hon. Minister to give a written reply to you.

(Interruptions)

SHRI ANANT GANGARAM GEETE : Mr. Speaker, Sir, the hon. Member has asked a question on REC. . . . (Interruptions)

SHRI KANTILAL BHURIA : Mr. Speaker, Sir, the hon. Minister is not replying to my question. . . . (Interruptions)

MR. SPEAKER : Mr. Speaker, Sir, I have asked the hon. Minister to give you a written reply.

(Interruptions)

MR. SPEAKER : Mr. Minister, please reply to Jayashree Bannerjee.

SHRI ANANT GANGARAM GEETE : Hon. Member has asked for information about rural electrification in Madhya Pradesh done by Rural Electrification Corporation. I do not have information about this in respect of States at the moment. I would arrange to give details of electrification done in M.P. Sir, with your permission I would like to clear some points about Madhya Pradesh.

MR. SPEAKER : Please.

SHRI ANANT GANGARAM GEETE : Mr. Speaker, Sir, in the beginning of the reply to the question of the hon. Member I have stated that rural electrification schemes are run by the Centre. Centre also allocates funds for that. These are schemes pertaining to various Ministries. There are schemes of Rural Electrification Corporation and Ministry of Energy and funds for this purpose are given through them. There are 12 States which are lagging behind in respect of rural electrification. Madhya Pradesh is one such State. Though it is a State subject but the Power Secretary convened a meeting of 12 States for electrification of the villages. They have been told that they can submit their action plans for electrification. Out of 12 States 8 have submitted this action plan. Madhya Pradesh is one of them. Their action plan has been received. Rs. 60 crores and 27 lakh have been allocated to Madhya Pradesh under PMGY and Rs. 4 crore has been provided under MNP. About 50% of the total allocation has been released to them. The demand which comes through REC, loans are given to them accordingly. There is no shortage of funds. If the State Governments are successful in implementing these schemes then our dream of cent percent Rural Electrification can be fulfilled.

*[English]***Tapping of Wind Energy**

*147. SHRI SURESH RAMRAO JADHAV : Will the Minister of NON-CONVENTIONAL ENERGY SOURCES be pleased to state :

(a) the total power generated from wind in the country so far;

(b) whether the Government have identified certain new locations to tap wind energy;

(c) if so, the details of locations identified for this purpose State-wise; and

(d) the strategy proposed to be adopted by the Government in order to achieve the target of adding 5,000 MW of wind power during the next ten years ?

THE MINISTER OF STATE OF THE MINISTRY OF NON-CONVENTIONAL ENERGY SOURCES (SHRI M. KANNAPPAN) : (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) A total wind power capacity of 1702 MW has so far been installed in the country.

(b) and (c) A total of 201 potential locations have so far been identified in 13 States to tap wind energy. Of these, 37 new locations have been identified in 9 States during the last three years. State-wise details are given in the Annexure.

(d) The strategy to achieve the goal of 5,000 MW of wind power capacity addition during the next decade will focus on accelerated commercial development through industry participation and private investments, supported by a conducive policy and regulatory framework. This will include fiscal and promotional incentives from Government and soft loans from Indian Renewable Energy Development Agency (IREDA); attractive policies in States for grid connection and sale of electricity generated from wind power projects; establishment of a strong local manufacturing base; technical support by the Centre for Wind Energy Technology (C-WET); and, detailed wind resource assessment to identify further potential sites in various States.

Annexure

S. No.	State	Total Potential Locations	New Locations identified during last 3 years
1.	Tamilnadu	40	1
2.	Gujarat	34	7
3.	Orissa	6	—
4.	Maharashtra	25	6
5.	Andhra Pradesh	29	6
6.	Rajasthan	7	1
7.	Lakshadweep	8	3
8.	Karnataka	26	7
9.	Kerala	16	3
10.	Madhya Pradesh	7	3
11.	West Bengal	1	—
12.	Andaman and Nicobar	1	—
13.	Uttaranchal	1	—
Total		201	37

[Translation]

SHRI SURESH RAMRAO JADHAV : Mr. Speaker, Sir, there is an acute shortage of power in our country. Now, discussion is going on in the House on that issue. The shortage of power can be met by Wind-Energy which can be an important source of energy. I want to know from Honourable Minister that as to whether the target fixed for wind energy has been achieved in any one of the last three years.

MR. SPEAKER : You should straightaway ask the question, this will also give others an opportunity to ask question.

SHRI SURESH RAMRAO JADHAV : My question is simple that whether the target fixed for wind energy has been achieved in any of the last three years ? The quantum of wind energy generated during the last three years ? Secondly, I would like to know the amount allocated by

the Central Government to achieve the target and the amount spent out of it? My last question is regarding steps you are going to take to achieve the target fixed for wind energy?

[English]

SHRI M. KANNAPPAN : Mr. Speaker, Sir, in the Eighth Plan, against a target of 600 MW of power generation from renewable sources of energy, the achievement was 1,050 MW. A target of 1,527 MW was fixed for the Ninth Plan, which was later adjusted in the Annual Plan to 1,242 MW. Taking into account the funds allocated and problems faced with the State Policy, a capacity of 1,300 MW was set up during the Ninth Plan.

The target for wind power during 1999-2000 was 100 MW and the achievement was 143 MW; during 2000-2001, the target was 200 MW and the achievement was 173 MW; during 2001-2002, the target was 200 MW and the achievement was 288 MW. They are all commercial projects by private entrepreneurs and not Government projects.

[Translation]

SHRI SURESH RAMRAO JADHAV : It seems from the reply of Honourable Minister that we have achieved only half of the target fixed for the wind energy. I had asked in my question the amount of money allocated for this purpose. The generation of wind energy is cheap, pollution free and flawless in comparison to traditional sources. I would like to know as to why all efforts are not made in this regard.

[English]

MR. SPEAKER : Mr. Minister, you reply to his question. He has already put his question.

[Translation]

SHRI SURESH RAMRAO JADHAV : I would like to know the opinion of the Central Government in regard to the sources and plants for generating wind energy?

[English]

SHRI M. KANNAPPAN : Sir, in 1998-99, budgetary support for Wind Power was Rs. 7.80 crore; in 2000-01 it was Rs. 8.72 crore; and in 2001-02 it was Rs. 9.15 crore.

These are all private sector projects only and not Government projects.

SHRI A.C. JOS : Sir, the hon. Minister has given a statement in which his Department or IREDA has identified locations in different States. In Kerala, they have identified 16 locations. This year, they have identified three more locations. In total, 19 locations have been identified in Kerala. IREDA or the Non-Conventional Energy Department, excepting identification of these locations, has done precious little for the whole thing. Ramakkalmedu in Kerala, which is very near to the hon. Minister's State and which is at the border, is an ideal place for generating wind energy. They have identified and started working there. But along with that, there is another project in Kolahalamedu. That is also an ideal place for generating wind energy. All these identifications have taken place. What is the position of these 19 locations, which have been identified by the Central Government? What is the assistance that the Government is giving? It should be done in a war-footing manner because energy is so precious in the country and wind energy, as my hon. Colleague has said, is pollution-free and it is cheap also. . . .(Interruptions)

MR. SPEAKER : Please come to your question.

SHRI A.C. JOS : Sir, I am coming to my question.

Will the Minister come forward to answer as to what is the Government going to do with these identified locations not only in Kerala but also in other States?

SHRI M. KANNAPPAN : Sir, wind resource assessment is carried out by the Centre for Wind Energy Technology. That is an autonomous institutions of the Non-Conventional Energy Ministry. We assess only the wind flow in the areas of Kerala, Tamil Nadu and other States. The private investors only invest in wind energy projects. Nothing is pending in Kerala. Therefore, the projects would come in future, the policy has been announced recently. The commercial projects, including the places which the hon. Member has pointed out, will come. . . .(Interruptions)

SHRI A.C. JOS : What about Ramakkalmedu? . . . (Interruptions)

SHRI M. KANNAPPAN : Just now the State Government has announced the policy. In future, the projects will definitely come.

[Translation]

SHRI PRAHLAD SINGH PATEL : Mr. Speaker, Sir, from the reply given by Honourable Minister, it seems that three places of Madhya Pradesh have been selected as new centres. I want to know from Honourable Minister about the plants of wind energy which will be installed in the centres selected and the name of agency which will operate the plant and who will provide funds for them? I would like to know the quantum of power being generated from the sources of wind energy at present in Madhya Pradesh because the sources of hydel projects which are available there, have not been tapped. That is why, there is wide gap between demand and supply of the power. I want to know from the Honourable Minister the quantum of power generated through wind energy in Madhya Pradesh so far and name of the agency which will start generation of power in those centres?

[English]

SHRI M. KANNAPPAN : Sir, the Non-Conventional Energy Ministry only identifies the sites. I do not have the details about Madhya Pradesh sites now.

SHRIMATI PRABHA RAU : Mr. Speaker, Sir, I would like to point out to the Government, through you, that in spite of the conventional and non-conventional sources of production of energy; energy deficit is not being met as yet.

Have we studied the project which the Government of China does? Locally they produce energy and supply it to every village. Has the Government studied that kind of a plan? In that strategy, will they take some sort of advice from such Governments?

SHRI M. KANNAPPAN : We are already electrifying, in a decentralised manner, the non-conventional energy projects, that is, wind energy, solar energy, biomass energy and small hydro energy projects. In that manner, the Ministry is working.

SHRI SHARAD PAWAR : Mr. Speaker, Sir, wind energy is one of the pollution-free energy projects, but it is not that cheap at the initial stage. Basic investment is very high. One of the important sources of revenue earning for this wind energy is to associate ourselves with the Kyoto Protocol. If India is going to sign the Kyoto Protocol, that will be an additional income source to investors in wind

energy. They will be able to sell their ticket to the Western world. Is the Government going to take an early decision to sign the Kyoto Protocol?

SHRI M. KANNAPPAN : About the Kyoto Protocol, please put a separate Question.

MR. SPEAKER : You write to the hon. Member directly.

SHRI PRIYA RANJAN DASMUNSI : There is no detail. Look at the awareness of the Government. All are like this. They are not studying; they are not reading; and they are not doing any homework. They only come and say, you put a separate Question. It is very unfortunate. They are only maintaining the majority of the NDA Government.

Rail Accidents

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*148. SHRI P.R. KHUNTE :

SHRI K.P. SINGH DEO :

Will the Minister of RAILWAYS be pleased to state :

(a) the number of train accidents occurred in different parts of the country during the last three years, till date;

(b) the details of each accident, datewise, placewise;

(c) the extent of loss of life and property alongwith the details of compensation paid to the dependents;

(d) the number of railway employees found guilty;

(e) the concrete measures adopted by the Government to check the increasing train accidents;

(f) the number of train accidents caused by I.S.I. backed terrorists and other extremist groups; and

(g) the details of the inquiry report in each case?

THE MINISTER OF RAILWAYS (SHRI NITISH KUMAR) :
(a) to (g) A Statement is laid on the Table of the House.

Statement

(a) and (b) The number of consequential train accidents, zonal railway wise, during the last three years and upto 20th November 2002 are as under :

Railway	1999-2000	2000-2001	2001-2002*	2002-2003* (upto 20th Nov. 2002)	1	2	3	4	5
Central	68	58	50	19	South Central	49	48	36	25
Eastern	31	35	47	24	South Eastern	52	53	50	25
Northern	80	66	79	47	Western	30	29	22	11
Northeastern	25	37	37	29	East Central	-	-	-	2
Northeast Frontier	76	95	58	24	North Western	-	-	-	1
Southern	48	43	35	18	KRCL (Konkan)	4	9	1	2
					Metro	-	-	-	-
					Total	463	473	415	227

*Figures are provisional

Cause wise break up of accidents during the period 1999-2000, 2000-2001, 2001-2002 and 2002-2003 (upto 20th Nov. 2002) :

Broad Causes	1999-2000	2000-2001	2001-2002*	2002-2003* (upto 20th Nov. 2002)
Failure of Railway Staff	287	293	248	132
Failure of other than Railway staff	105	109	103	58
Failure of equipment	28	33	24	04
Sabotage	21	19	14	14
Combination of factors	-	04	-	-
Incidental	15	11	20	12
Could not be established	7	4	5	1
Under investigation	-	-	1	06
Total	463	473	415	227

*Figures are provisional

(c) The loss of life and damage to Railway property in train accidents along with compensation paid during 1999-2000, 2000-2001, 2001-2002 and 2002-2003 (upto 20th Nov.) are as under :

Year	No. of persons died in train accidents	Damage to Railway property (Rs. in crores)	Compensation paid (Rs. in crores)
1999-2000	616	81.93	9.34

1	2	3	4
2000-2001	216	54.98	7.97
2001-2002*	325	54.29	4.11
2002-2003* (upto 20th Nov.)	284	20.65	1.99

*Figures are provisional-

(d) The number of railway employees held responsible for lapses causing accidents during the period

1999-2000 to 2002-2003 (upto 20th Nov. 2002) were 1831.

(e) Following measures have been taken to prevent accidents :

- (i) A non – lapsable Special Railway Safety Fund of Rs. 17,000/- crores has been set up for renewal of over aged assets and for safety enhancement works.
- (ii) Fouling Mark to Fouling Mark (FM to FM) track circuiting on entire 'A', 'B', 'C', 'D' and 'D Spl.' routes where speed is more than 75 kmph. have been completed. Remaining portion of the work is under progress.
- (iii) Extended field trials of Anti Collision Device (ACD) have been started on Northern Railway. After successful completion of extended field trials, a decision would be taken for its wider application.
- (iv) Last vehicle check by Axle Counter have been introduced on over 190 block sections and more sections are being progressively added.
- (v) State of the art technology of Digital Mobile Train Radio Communication has been sanctioned on some important sections for providing duplex radio communication between driver/guard and control.
- (vi) Walkie – talkie sets have been provided to Drivers and Guards of all trains for faster and better means of communication.
- (vii) Drivers and Guards are also being progressively provided with LED based electronic flashing lamps having better visibility.
- (viii) Tie Tamping and ballast cleaning machines and Track Renewal Trains are being used to give superior track geometry.
- (ix) To monitor track geometry and running characteristics of the track, sophisticated track recording cars, oscillograph cars and portable accelerometers are being used progressively.
- (x) For detection of hidden flaws in rails/welds

have been procured. Self Propelled Ultrasonic Rail Testing Cars are being procured.

- (xi) At the Rail Rolling Mill at Bhilai, online Ultrasonic Flaw Detection (USFD) and eddy current testing is being done to weed out rails with defects. Vacuum degassing is being done to reduce hydrogen content and thus improve quality of rails. Indian Railways and Bhilai Steel Plant or Steel Authority of India Limited are also planning together to produce longer rails i.e. 26 metre and 65 or 78 metre, instead of conventional 13 metre length to reduce number of welds in the track.
- (xii) The specification of Rail steel have been upgraded and are in conformity with the International Union of Railways (UIC) specifications.
- (xiii) Routine Over Hauling Depots have been equipped with ultrasonic testing equipment for detection of flaws in the axles so as to prevent cases of cold breakage of axles.
- (xiv) Funds being received from the diesel cess are being used for safety related works pertaining to level crossings.
- (xv) Whistle Boards/speed breakers and road signs have been provided at unmanned level crossings.
- (xvi) Audio-visual publicity campaigns are conducted to educate road users.
- (xvii) Level Crossings having heavy traffic density are being progressively interlocked with signals on a planned basis.
- (xviii) Periodical Safety Audit of different divisions by inter-disciplinary teams from Zonal Headquarters is being conducted.
- (xix) Training facilities for drivers, guards and staff connected with train operation are being modernized including use of Simulators for training of drivers.
- (xx) Stringent penalty to the extent of dismissal/

- (xxi) Majority of four wheeler wagons (CRT wagons) with vacuum brake system have been phased out.
- (xxii) All new coaches are being fitted with Bogie Mounted Brake System. In addition, some of the existing coaches having adequate residual life are also being retrofitted with this system.
- (xxiii) To improve crash worthiness of coaches, as an immediate measure, coach interiors are being re-designed with improved fittings and features, which would not cause injury. Simultaneously, the coach body will be re-designed to adsorb more impact so as to keep passenger carrying areas intact.
- (xxiv) New wagons being inducted into the system are equipped with more reliable Casnub Bogies and Bogie Mounted Brake System on wagons has also been developed and is under trial. The use of Composition Brake Blocks on wagons is being progressively increased.
- (xxv) All the Production Units, majority of repair workshops and large number of Sheds/Depots have achieved ISO 9002 certification for their Quality Maintenance System.
- (xxvi) Instructions have been issued to reduce the number of fish plated joints, wherever feasible and for burring of two fish bolts, one on each rail, at joints located in the stretches considered vulnerable.
- (xxvii) Efforts are also being made to develop an anti-theft elastic rail clip and fish bolt fastening.
- (xxviii) Close liaison is being maintained with State Police Departments, wherever required for prevention of crime in Railway tracks and bridges.
- (xxix) Comprehensive safety drives are conducted covering various aspects of safe passage of trains, involving cross sections of inspectors, supervisors and officers.

(f) and (g) During the period 1999-2000 to 2002-2003 (upto 20th November 2002), 68 train accidents occurred

due to 'Sabotage' as established in accident enquiry reports. However, prevention and detection of crime being State subject, specific information of involvement of any group etc. is not available with the Ministry of Railways.

The cases of sabotage and also other matters affecting the security of Railways, are taken up at various levels with Police/GRP authorities who are constitutionally responsible for maintenance of law and order and prevention of crime on Railways.

[Translation]

SHRI P.R. KHUNTE : Honourable Speaker, Sir, the train-accidents which are frequently occurring in the country are creating a kind of apprehension in the minds of people in regard to travelling in them. Though I am satisfied by the explanation given by Honourable Railway Minister But I would like to know from the Honourable Minister the measures which have been taken to prevent train-accidents as people are feeling insecure in travelling by train.

SHRI NITISH KUMAR : Mr. Speaker, Sir, I have said in my reply as to what measures are being taken. If Honourable Member pay attention to the reply of Part 'E' of the question in which I have said :

[English]

following measures have been taken to prevent accidents.

[Translation]

Out of it, the first and most important point has already been discussed in the House. We have created a Special Rail Safety Fund of Rs. 17,000 crores for assets renewal which is very much in process. Steps have been taken for extended field trial of anti-collision device to prevent the incidence of collision. We are undertaking track circuiting. We are improving communication system and efforts are being made to improve interior of the coaches. Thus all measures are being taken in each and every area We are running safety drive as most of the accidents occur due to human failure.

[English]

MR. SPEAKER : It is a very exhaustive reply.

[Translation]

SHRI P.R. KHUNTE : Mr. Speaker, Sir, the families of the persons killed in the train accidents during the last three years have been given compensation but it has come to my knowledge that desired compensation has not been given to most of the persons killed in the train accident occurred recently. I would like to know from the Hon'ble Minister the number of beneficiaries who have not been given compensation for one or another reason.

SHRI NITISH KUMAR : Mr. Speaker, Sir, Ex-Gratia grant-in-aid is given by the Railway Administration immediately after the accidents. Apart from this, compensation is also given. Railway Claims Tribunal decides about the compensation. Benches of the Railway Claims Tribunal have been set up in the different parts of the country. When aggrieved persons file their application and in the case of accident, railway administration helps them file their application, there-after applications are disposed of. In the case of death, compensation of Rs. Four lakh is given and in the case of injury, anything in-between Rs. 32,000 to Rs. 4 lakhs can be given. The amount of compensation depends upon the extent of injury a person has suffered in the accident that is the extent of incapacitating he has suffered. Compensation is given on that basis. This is a continuous process. Sometimes there is also a delay due to many reasons. In the case of death, the matter is delayed as it takes time in deciding the real successor apart from this there are other reasons also. For this assistance is also given to them by the railway administration. When there is a delay in settling the claim and that family needs the money, a part of compensation is paid if they file an application which is adjusted later on. In such a manner all efforts are made.

SHRI AKBOR ALI KHANDOKER : Mr. Speaker, Sir, through you I would like to inform the Honourable Minister that 8-10 people of my constituency have died in the Rajdhani Express accident recently. I have received the information that the number of persons killed is more than the number intimated by the railway administration.

My second point is that a commission has been constituted for the inquiry of train accident. But inquiry is going on in certain cases against the officer who has been appointed to this commission. There is no separate judicial or CBI inquiry of this accident has been conducted. All the Members of this House feel that the accident of the

Rajdhani Express train in the country was never criticised in this House this way. Ex-Members as well as railway employees were also killed in this accident. There is a discontentment among people in the whole country due to accident of Rajdhani Express Train. That is why I demand that there should be CBI inquiry into this accident. . . .(Interruptions) Are you a Minister, that you are giving a reply, I am asking from the Minister himself, you are not related to it.

SHRI NITISH KUMAR : Mr. Speaker, Sir, you would remember that I have already given the reply to this question last week. Honourable Member has told that more people have died in that accident, I would like to say that this is not right. But since last week when I had given reply to this question one more accident victim has died in the hospital. Thus, the number of persons killed in accident has increased from 107 to 108. There is no change in this figure. As far as the question of inquiry is concerned, I have already given the reply that this is the statutory inquiry of Commissioner Railway Safety.

[English]

SHRI TARIT BARAN TOPDAR : Sir, we want a Half-an-hour Discussion on this. . . .(Interruptions)

[Translation]

SHRI SHIVRAJ V. PATIL : Mr. Speaker, Sir, the reason of accident has been mentioned in the reply. Most of the accidents have taken place due to failure on part of the railway staff. Apart from that there are other reasons also of the accident. It means that human error is responsible more for the accidents. My point is that what kind of efforts are being made by the Railway Ministry to remove human errors and what kind of training is being given.

SHRI NITISH KUMAR : Mr. Speaker, Sir, it is right that in every inquiry failure on part of railway staff has mostly been found to be a reason of accident. 66 percent of accidents have taken place due to failure of railway staff. Reasons other than failure of railway staff are level crossing and 18% of accidents take place due to the fault of road users.

As far as staff failure is concerned, continuous efforts are being made for providing them a better training and creating safety consciousness among them. . . .(Interruptions)

SHRI VILAS MUTTEMWAR : There should be half an hour discussion on this issue. . . .(Interruptions)

[English]

MR. SPEAKER : Let the notice come. I will decide about it.

(Interruptions)

[Translation]

MR. SPEAKER : Your reply has been given. You please take seat.

Question Hour is over.

(Interruptions)

WRITTEN ANSWERS TO QUESTIONS

[English]

Reports of Child Marriages

*143. SHRI DALPAT SINGH PARSTE : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) the total number of reports of child marriages received during the last three years, year-wise, in Rajasthan, Bihar, Madhya Pradesh and Uttar Pradesh respectively;

(b) the total number of child marriages prevented from being performed in the above States during the same period;

(c) the reasons for child marriages being performed; and .

(d) the action taken against the officials who failed to prevent child marriages ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a), (b) and (d) The Government does not maintain data on child marriages as the Child Marriage Restraint Act, 1929 is being administered and implemented by the State Governments/Union territory Administrations. However, cases of child marriage in some States have come to the notice of the Government. The Child Marriage Restraint Act, 1929 was amended in 1978. As per the amended Act, the minimum age for marriage was fixed at

21 years for boys and 18 years for girls and offences under the Act were made cognizable. However, the provisions of the Act are intended to restrain and not to invalidate such marriages.

(c) It is true that a large number of child marriages are taking place in the country. The child marriage is an old social evil which cannot be eradicated by legislative and administrative steps alone. Active co-operation of the voluntary organizations (NGOs) and the society as a whole is required to eradicate this social evil through awareness, publicity and pro-active action.

Production in Public Sector Enterprises

*145. DR. M.V.V.S. MURTHI :

SHRI SADASHIVRAO DADOBA MANDLIK :

Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state :

(a) whether the production in 49 Public Sector Enterprises (PSEs) under the Ministry of Heavy Industries has come down in the first half of the current fiscal year as compared to the corresponding period of the last year;

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

(c) the reasons for the same; and

(d) the corrective steps taken by the Government in this regard ?

THE MINISTER OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI BALASAHEB VIKHE PATIL) : (a) to (d) There has been a decline in production of some of the 49 Public Sector Enterprises (PSEs). The PSE-wise details are given in the enclosed Statement-I. The reasons for decline in production, inter-alia, include paucity of orders, obsolete technology, shortage of working capital, high cost of production, excessive manpower, etc. PSE-wise reasons are given in the enclosed Statement-II. The corrective steps taken by the Government in this regard are given in the enclosed Statement-III.

These figures relate to first six months of the year. A more comprehensive reflection of production will, however, be available at the end of the financial year.

Statement-I

Comparative Cumulative production Summary from 1.4.2002 to 30.9.2002 and the corresponding period of previous year

(Rs. in crores)

Sl. No.	Unit Name	Target	Actual	%age achievement	Same period last year	%age Growth
1	2	3	4	5	6	7
(A) Engineering Units						
1.	Andrew Yule and Co. (AYCL)	102.07	64.13	62.13	82.23	-22.01
2.	Bharat Heavy Electricals Ltd. (BHEL)	2416.00	2204.00	91.23	2328.00	-5.33
3.	Burn Standard Co. Ltd. (BSCL)	105.52	75.16	71.23	49.14	52.95
4.	Jessop and Co. Ltd. (JESSOP)	37.90	21.16	55.83	33.25	-36.36
5.	Braithwaite and Co. Ltd. (Braithwaite)	62.55	28.96	46.30	36.64	-20.96
6.	Bharat Wagon and Engg. Co. Ltd. (BWEL)	60.17	23.87	39.67	53.45	-55.34
7.	Bharat Heavy Plates and Vessels Ltd. (BHPV)	99.50	18.62	18.71	89.17	-79.12
8.	Bharat Pumps and Compressors Ltd. (BPCL)	26.60	25.15	94.55	37.74	-33.36
9.	Richardson and Cruddas (1972) Ltd. (R and C)	34.55	15.89	45.99	17.74	-10.43
10.	Triveni Structural Ltd. (TSL)	13.50	13.89	102.89	13.03	6.60
11.	Tungabhadra Steels Products Ltd. (TSPL)	12.05	6.52	54.11	7.02	-7.12
12.	Hindustan Cables Ltd. (HCL)	361.44	182.40	50.46	284.89	-35.98
13.	Heavy Engineering Corpn. Ltd. (HEC)	100.26	70.64	70.46	80.46	-12.20
14.	Hindustan Machines Tools Ltd. (holding company including Tractor). (HMT-Holding)	142.08	45.69	32.16	83.73	-45.43
15.	Praga Tools Ltd. (PTL)	5.33	3.39	63.60	1.18	187.29
16.	HMT Bearings Ltd. (HMT-B)	23.85	8.68	36.39	21.87	-60.31
17.	HMT Machines Tools Ltd. (HMT-MT)	132.74	77.78	58.60	102.94	-24.44
18.	HMT Watches Ltd. (HMT Watches)	82.20	22.00	26.76	49.77	-55.80
19.	Chinar Watches Ltd. (HMT (Chinar Watches))	3.50	1.46	41.71	2.05	-28.78
20.	Instrumentation Ltd., Kota (ILK)	55.00	45.49	82.71	43.80	3.86
21.	Rajasthan Electronic and Instruments Ltd. (REIL)	14.24	12.34	86.66	8.59	43.66
22.	National Instruments Ltd. (NIL)	1.92	2.61	135.94	2.10	24.29
23.	Scooters India Ltd. (SIL)	81.28	50.50	62.13	55.96	-9.76
Total (A)		3974.25	3020.33	76.00	3484.75	-13.33

1	2	3	4	5	6	7
B. Non-Engineering Units :						
24. Bharat Ophthalmic Glass Ltd. (BOGL)		2.61	1.31	50.19	1.64	-20.12
25. Cement Corporation of India Ltd. (CCI)		136.64	49.32	36.09	44.29	11.36
26. Hindustan Paper Corpn. Ltd. (HPC)		248.71	263.77	106.06	267.25	-1.30
27. Hindustan Newsprint Ltd. (HNL)		117.10	88.08	75.22	125.39	-29.76
28. Hindustan Photo Films Mfg. Ltd. (HPF)		0.00	6.85	0.00	12.62	-45.72
29. Hindustan Salts Ltd. (HSL)		4.13	3.07	74.33	2.82	8.87
30. Sambhar Salts Ltd. (SSL)		3.01	2.00	66.45	1.29	55.04
31. Nepa Ltd. (NEPA)		56.93	21.06	36.99	57.32	-63.26
32. Tyre Corporation of India Ltd. (TCIL)		58.14	46.91	80.68	33.54	39.86
Total (B)		627.27	482.37	76.90	546.16	-11.68

C. Consultancy/Contracting Units

33. Engineering Projects (I) Ltd.		140.00	158.58	113.27	153.17	3.53
34. Braithwaite Burn and Jessop Construction Co. Ltd. (BBJ) (subs.: Bharat Bhari Udyog Nigam Ltd.)		14.02	13.63	97.22	12.78	6.65
35. Bridge and Roof Co. Ltd. (B and R) (subs.: Bharat Yantra Nigam Ltd.)		144.00	146.46	101.71	136.60	7.22
36. Hoogly Printing Co. Ltd. (Hoogly) (sub: Andrew Yule and Co. Ltd.)		3.90	2.19	56.15	3.44	-36.44
37. HMT International Ltd. (HMT-I) (sub: HMT)		36.53	19.44	53.22	25.47	-23.67
Total (C)		338.45	340.30	100.55	331.46	2.67
Total (A+B+C)		4939.97	3843.00	77.79	4362.37	-11.91

*24 PSEs– Decline in production

13 PSEs – Increase in production

12 PSEs – Closed or closure/winding up contemplated-Currently no production activity.

*List of PSEs closed and where Closure/Winding up Contemplated***A. Closed**

1. Bharat process and Mech. Engineers Ltd.
2. Weighbird India Ltd.
3. Tannary and Footwear Corporation Ltd
4. Rehabilitation Industries Corporation
5. Mining and Allied Machinery Corporation Ltd.

6. National Bicycle Corporation of India Ltd.

7. Cycle Corporation of India Ltd.

B. Closure/Winding up Contemplated

8. National Indl. Development Corporation.
9. Bharat Brakes and Valves Ltd.
10. RBL Ltd.
11. Praga Tools Ltd.
12. Bharat Leather Corporation Ltd.

Statement-II*List of PSEs, which have Registered decline in Production*

Sl. No.	Unit Name	Production during		%age decline	Reasons for Shortfall/Decline in Performance
		April to September			
		(Rs. in Crore)			
		2001	2002		
1	2	3	4	5	6
A. Engineering Units :					
1.	Andrew Yule and Co., (AYCL) Kolkata	82.23	64.13	-22.01	Shortage of working capital Slump in tea prices
2.	Bharat Heavy Electrical Ltd., (BHEL), New Delhi	2328.00	2204.00	-5.33	Non receipt/delayed receipts of order.
3.	Jessop and Co. Ltd., (Jessop) Kolkata	33.25	21.16	-36.36	Bogies and coupler shortage. Lack of order
4.	Braithwaite and Co. Ltd., (Braithwaite), Kolkata	36.64	28.96	-20.96	Shortage of matching wagon input
5.	Bharat Wagon and Engineering Co. Ltd., (BWEL), Patna	53.45	23.87	-55.34	Shortage of working capital
6.	Bharat Heavy Plates and Vessels Ltd. (BHPV), Vishakhapatnam	89.17	18.62	-79.12	Non-receipt of material components, Slump in market and delay in finalisation of tenders
7.	Bharat Pumps and Compressors Ltd., (BPCL), Allahabad	37.74	25.15	-33.36	Slump in market, non-receipt of materials and liquidity problems, non-finalisation of tenders.
8.	Richardson and Cruddas (1972) Ltd., (R and C), Mumbai	17.74	15.89	-10.43	Liquidity problem, non-receipt Of materials, non-finalisation of tenders.
9.	Tungabhadra Steels Products Ltd., (TSPL), Hospet	7.02	6.52	-7.12	Shortage of working capital.
10.	Hindustan Cables Ltd. (HCL), Kolkata	284.89	182.40	-35.98	Reduction of selling price of PUF Cables by 17% during year 2001-02 resulting in severe pressure on the operating margins leading to gradual erosion of working capital.
11.	Heavy Engineering Corpn. Ltd. (HEC), Ranchi,	80.46	70.64	-12.20	Shortage of work order and working capital, recessionary trends in capital goods market, high overheads and high interest burden.
12.	HMT Ltd. (holding Co. including Tractor Division) (HMT holding Co.), Bangalore	83.73	45.69	-45.43	Working capital constraints Continuing negative growth of tractor industry.

1	2	3	4	5	6
13.	HMT (Bearings) Ltd. (HMT-B), Hyderabad	21.87	8.68	-60.31	Low off-take from both OEMs and trade
14.	HMT Machine Tools Ltd. (HMT-MT), Bangalore	102.94	77.78	-24.44	Poor order inflow and working capital constraints.
15.	HMT Watches Ltd. (HMT (Watch), Bangalore	49.77	22.00	-55.80	Working capital constraints
16.	Chinar Watches Ltd., (HMT (Chinar Watches), Jammu and Kashmir)	2.05	1.4	-28.78	Working capital constraints
17.	Scooters (India) Ltd., (SIL), Lucknow	55.96	50.50	-9.76	Restriction in registration/non issue of permits in certain districts/sales, difficult market conditions and severe competition in the market has adversely affected sales which led to curtailment of production.
B. Non-Engineering Units					
18.	Bharat Ophthalmic Glass Ltd. (BOGL), Durgapur	1.64	1.31	-20.12	Working capital shortage.
19.	Hindustan Paper Corp. Ltd. (HPC), Kolkata	267.25	263.77	-1.30	Non-availability of Bamboo.
20.	Hindustan Newsprint Ltd. (HNL), Vellore, Kottayam	125.39	88.08	-29.76	Recessionary phase due to availability of imported newsprint at a cheaper price, lower sales realization
21.	Hindustan Photo Films Mfg. Co. Ltd. (HPF), Ooty	12.62	6.85	-45.72	Non-level playing field conditions for integrated manufacturers against converters/traders, severe competition from MNCs, lack of working capital and non-availability of colour products.
22.	Nepa Ltd. Nepa Nagar	57.32	21.06	-63.26	Non-availability of waste paper and raw material stock.
C. Consultancy/Contracting Units					
23.	Hooghly Printing Co. Ltd., (Hooghly), Kolkata	3.44	2.19	-36.34	Shortage of working capital
24.	HMT (International) Ltd. (HMT-I), Bangalore	25.47	19.44	-23.67	Shortage of orders and components.

Statement-III

Corrective Steps taken by the Government to Strengthen the Performance of PSEs

(ii) Financial Restructuring wherever appropriate, (iii) Joint Venture formation, (iv) Manpower Rationalization and (v) Closure is the last option.

1. Strategies for strengthening and improving the performance of the PSEs include (i) Revival through BIFR,

2. Revival Schemes sanctioned by BIFR in case of 12 PSEs (BPCL, Jessop, TSL, BBVL, RBL, SIL, R and C, ILK,

BSCL, NIL, HEC, Braithwaite) involving infusion of funds by the Government to the tune of Rs. 654 crore and financial restructuring of Rs. 2106 crore.

3. Government on their own have also approved restructuring in 7 other PSEs (HCL, AY and Co, NEPA, HPC, PTL, HMT, EPI) involving financial and business restructuring. This involved fresh infusion of funds to the extent of Rs. 531 crore and financial restructuring of Rs. 1443 crore. The Government also release funds to PSEs for modernization/renewal and replacement of machinery and equipment, for meeting expenditure on VRS, payment of salary and wages and statutory dues.

4. Assistance is being provided by the Government wherever required in securing orders from other Ministries, PSEs, State Governments, etc. on case-to-case basis.

5. Recently, an Inter-Ministerial Group has been constituted having representation from Railway Board, Ministry of External Affairs and Ministry of Finance to deliberate upon the issue relating to prospects of wagon industry and to explore and promote exports of Railway Rolling Stock. The Committee is headed by Secretary (Heavy Industry).

6. The Government is monitoring the performance of these PSEs regularly.

7. A Conference of Chief Executives of the PSEs under DHI was organized on 9th October, 2002 in Delhi to comprehensively share inter-PSEs experiences in attaining competitiveness, meeting emerging challenges and to identify inter-PSEs synergies. The suggestions deliberated in the Conference, inter-alia, include :-

- i. strategising sustained viability of the companies,
- ii. better management and production techniques need to be adopted in the operations of the companies by increasing R and D efforts.
- iii. the spirit of competitiveness needs to be inculcated in each and every individual of the organization,
- iv. need for cutting costs,
- v. energy conservation,

- vi. better inventory management,
- vii. review of the business organizational structure of the PSEs. CEOs must build up self-confidence so as to face the challenges and improve performance,
- viii. PSEs need to carry out substantial manpower rationalization.

8. A Committee has also been constituted on 21st October, 2002 for enhancing business opportunities for PSEs under DHI. The Committee under the Chairmanship of CMD, BHEL will have CMDs of HMT, HPC, BYNL, HEC, EPI and SIL as members. This Committee will identify opportunities for PSEs of DHI in the domestic and global arena in the current business environment and to pool together the synergies and experiences for improving their performance. The terms of reference of this Committee are as under :

- i. identify domestic and global opportunities for PSEs under DHI in the emerging economic order for strengthening their contribution to the National economy.
- ii. Identify inter-PSE synergies and opportunities and prepare a platform for working together for mutual benefit and for enlarging each other's areas of strengths.
- iii. share common areas of cost-rationalization and suggest ways and means of benchmarking for enhancing overall efficiencies.
- iv. Identify potential areas of strategic alliances/joint ventures with domestic/global enterprises for enhancing overall profitability and prospects of PSEs under DHI.

Accident Investigation Commission

*146. SHRI SUBODH MOHITE : Will the Minister of RAILWAYS be pleased to state :

(a) whether the attention of the Government has been drawn towards the news item captioned "CRS report a bad procedure, says forensic experts" appearing in The Hindu dated October 9, 2002;

(b) if so, the views of the Government thereon;

(c) whether the Government propose to set up an independent Transport Accident Investigation Commission and a Disaster Management Team at national level;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF RAILWAYS (SHRI NITISH KUMAR) :

(a) Yes, Sir.

(b) to (e) Commission of Railway Safety derives its authority from an Act of Parliament, i.e., the Railway act, 1989. the inquiry procedure is governed by the provisions of the Railway Act, 1989. To grant full functional autonomy, Commission of Railway Safety is under the administrative control of Ministry of Civil Aviation.

According to 'Statutory Investigation into Railway Accident Rules' framed and issued by the Ministry of Civil Aviation, Commissioner of Railway Safety is required to submit a brief preliminary narrative report which is factual and contains provisional findings without giving any reference to persons implicated. This is followed by his Final Inquiry Report, which is furnished after thorough investigation, and establishes final cause and responsibility of an accident, and also contains recommendations to prevent recurrence of accidents. The Commissioner of Railway Safety's report, as referred to in the news report, has therefore, been submitted in two parts.

Investigation into Railway accidents is a highly technical subject requiring railway expertise. The existing machinery is adequately equipped with senior technical personnel of long and rich experience and has been functioning satisfactorily. The recommendations of the Commission of Railway Safety are found to be valuable and most of them are accepted to improve safety.

There is no proposal to set up a National Transport Investigation Commission, covering Railway sector also. The Railway Safety Review Committee-1998 also did not favour constitution of such a body.

The Railways have standing relief and rescue machinery to deal with aftermath of train accidents. However, a high level multi-disciplinary Task Force has been constituted to review the Disaster Management System on Indian Railways.

The Railway Control Centres generally have direct communication link with the railway stations. Drivers and Guards of all trains have been provided with walkie-talkie sets. Mobile Train Radio Communication has been functioning on certain identified sections and few similar projects have, further, been sanctioned.

[Translation]

Revival Packages for Sick PSUs

*149. SHRI MANSUKHBHAI D. VASAVA :

SHRI ABDUL RASHID SHAHEEN :

Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state :

(a) whether schemes of revival of sick PSUs are still under consideration of the Government.

(b) if so, the details thereof;

(c) whether several problems have come-up due to the delay in finalising the revival-packages for these PSUs;

(d) if so, the details and the factual position thereof; and

(e) the steps taken by the Government to resolve these problems ?

THE MINISTER OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI BALASAHEB VIKHE PATIL) :

(a) and (b) Revival of sick PSUs is an ongoing process. The sick industrial Central Public Sector Undertakings (CPSUs) are referred to the Board for Industrial and Financial Reconstruction (BIFR) for formulation of revival/rehabilitation schemes. The BIFR deals with the CPSUs registered with it through quasi-judicial proceedings in accordance with the provisions of the Sick Industrial Companies (Special Provisions) Act, 1985. Whenever feasible, rehabilitation schemes are sanctioned for the revival of sick companies. As per available information as on 31.10.2002, total 68 sick industrial CPSUs were registered with BIFR for formulation of revival/rehabilitation schemes. Out of these 68 CPSUs, 2 have been declared as 'No longer sick' and dismissed 5 cases as non-maintainable. The position of remaining cases is as follows :

Sl.No.	Status with BIFR	No. of CPSEs
1.	Draft Scheme circulated	4
2.	Failed and Reopened	1
3.	Revival Scheme Sanctioned	17
4.	Under Enquiry	9
5.	Winding up Notice Issued	12
6.	Winding-up Recommended	18
7.	Dismissed as non-maintainable	5
8.	Declared as no more sick	2
Total		68

(c) to (e) the revival/rehabilitation schemes formulated by the BIFR passes through various processes/agencies. Besides this, before finalizing the revival/rehabilitation schemes various aspects such as viability of the company, availability of funds, interests of employees, consent of the various stakeholders etc. are also taken into consideration. The finalisation of revival schemes may take approximately 3-4 years. The period may, however, be less or more on case to case basis. Government provide need based financial assistance to the sick CPSUs. Further, Government also take various steps for revival of sick CPSUs which may include infusion of fresh funds, providing guarantee for mobilizing funds, periodical review of the performance, purchase preference for products and services of concerned PSUs, rationalization of manpower through VRS etc.

[English]

Withdrawal of Forces

*150. SHRI K. KARUNAKARAN :
SHRI RAMDAS RUPALA GAVIT :

Will the Minister of DEFENCE be pleased to state :

(a) whether Defence forces positioned along the entire border with Pakistan after December 13, 2001, have been completely withdrawn;

(b) if so, whether discernible changes in the border situation were noticed which necessitated the withdrawal of forces;

(c) the steps taken by the Government to remove the land mines from the border areas; and

(d) the time by which the entire border with Pakistan is likely to be freed from land mines ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) to (d) The mobilization of the Armed Forces exerted military pressure on Pakistan and forced the Pakistan President to denounce support to 'jihad' through his speeches of 12th January and 27th May 2002. Some of the terrorist organizations in Pakistan were banned, some terrorists camps in Pak Occupied Kashmir were closed, their accounts frozen and leaders arrested. The infiltration this year has come down considerably compared to the figures of corresponding period of the previous year. The election to the Jammu and Kashmir Legislative Assembly was successfully conducted in September and October 2002 despite terrorist violence and intimidation. The mobilization focussed the attention of the international community on Pakistan as a State sponsoring terrorism, thereby pressurizing Pakistan to shun cross border terrorism. The experience gained during the mobilization has enabled the Army to reassess and revalidate its operational plans and procedures.

The Cabinet Committee on Security, in its meeting held on 16.10.2002 deliberated upon the examined all aspects of the continued deployment of our forces along the border, and decided that as the Armed Forces have, with great distinction, achieved the objectives assigned to them, thus upholding all the traditions of the Indian military, they now be asked to redeploy from positions on the international border with Pakistan, without impairing their capacity to respond decisively to any emergency. There will be no lowering of the vigil in Jammu and Kashmir.

Plans have been drawn up for clearance operations to remove mines laid on the international Border during OP PARAKRAM, and the requisite number of troops will remain deployed till the mine clearance operations are completed.

[Translation]

Model Stations

*151. SHRI RAM SINGH KASWAN :
KUMARI BHAVANA PUNDLIKRAO GAWALI :

Will the Minister of RAILWAYS be pleased to state :

(a) whether the Government propose to modernise/upgrade some railway stations in the country;

(b) if so, the details thereof alongwith the funds allocated therefor, State-wise;

(c) whether the Railways have also taken a decision to convert some railway stations as model railway stations;

(d) if so, the names of such railway stations; State-wise and Zone-wise; and

(e) the expenditure likely to be incurred thereon ?

THE MINISTER OF RAILWAYS (SHRI NITISH KUMAR) :

(a) and (b) There are more than 8000 railway stations on Indian Railways. Upgradation/renovation/modernisation of railway stations is a continuous process and the same is undertaken every year in accordance with the laid down norms based on traffic growth and inter-se priorities. Allocation under Plan Head "Passenger Amenities" for the current year (2002-03) is Rs. 200 crore. Zone-wise break-up (State-wise break-up is not maintained) is as follows :

(In Rs. Crore)

Railway	Budget Allotment
CR	24.01
ECR	*
ER	34.08
NR	23.60
NER	19.85
NFR	19.68
NWR	*
SR	17.00
SCR	15.77
SER	19.88
WR	23.53
Metro	2.60
Total	200.00

*The budget allotment for these Railways is included in their parent railways as these railways have been operationalised after the Budget presentation for the year 2002-03.

In addition, improvements at stations are also carried out as a part of Doublings, Traffic Facility work, Gauge Conversions and computerisation, etc.

(c) Yes, Sir.

(d) 289 stations have been selected for development as Model Stations. A State-wise and Zone-wise list of these 289 stations is given in enclosed Statement-I.

(e) Every year, the work for upgradation of amenities at Model Stations are considered for sanction through Works Programme depending upon availability of funds and relative priorities. As this is a continuous exercise, the likely expenditure on upgradation of all Model Stations could not be worked out at this stage. However, the outlay provided for Model Stations in the current year (2002-03) for the various works as per "Works, machinery and Rolling Stock Programme-II" (works costing above Rs. 50 lakh each) is approximately Rs. 9.0 crore. In addition, Zonal Railways are give lumpsum allotment under Plan Head "Passenger Amenities" within which the Zonal Railway provide for Model Stations.

Statement-I

(i) 'State-wise' list of 289 stations selected as 'Model Stations' for provision of upgraded passenger amenities

(Figures shown in brackets indicate total number of stations in that State)

State	Names of stations
1	2
Assam	Dibrugarh, Guwahati, Jorhat Town, Karnakhaya, Kokrajhar, Lumding, New Bongaigaon, New Tinsukia, Silchar – (9)
Andhra Pradesh	Dharmavaram Jn. Guntakal, Guntur, Hyderabad, Kacheguda, Kakinada, Nellore, Rajahmundry, Secunderabad, Tirupati, Vijayawada, Viskhapatnam, Warangal – (13)
Bihar	Ara, Barauni, Begu Sarai, Bettiah, Bhagalpur, Buxar, Chhapra, Dehri-on-Sone, Danapur, Darbhanga, Gaya, Hajipur Jn., Jamalpur Jn., Katihar, Khagaria, Kishanganj, Mokama, Motihari, Muzzaffarpur, Nalanda

1	2
	Nawadah, Patna, Jn., Samastipur, Sheikhpura, Siwan Jn., Sonpur - (26)
Chandigarh	Chandigarh - (1)
Chhattisgarh	Raipur, Bilaspur, Durg - (3)
Delhi	New Delhi, Delhi, Delhi Cantt, Delhi Sarai Rohilla, H. Nizamuddin - (5)
Gujarat	Ahmedabad, Anand Jn., Bharuch, Bhavnagar, Dwarka, Gandhidham Jn., Gandhigram, Navsari, Rajkot, Surat, Vadodara, Valsad, Vapi - (13)
Goa	Madgaon, Vasco-de-gama - (2)
Himachal Pradesh	Shimla - (1)
Haryana	Ambala Cantt., Faridabad, Hissar, Kalka, Panipat Jn., Rewari - (6)
Jammu and Kashmir	Jammu Tawi, Kathura - (2)
Jharkhand	Tatanagar, Chakradharpur, Dhanbad, Jasidih, Koderma, Madhupur, Ranchi - (7)
Karnataka	Bangalore, Mysore, Gulbarga, Hospet Jn., Hubli Jn., Mangalore, Raichur, Shimoga, Toranagallu - (9)
Kerala	Alwaye, Calicut, Cannanore, Changannaur, Ernakulam Jn., Kottayam, Palghat Jn., Quilon Jn., Trichur, Trivandrum Central - (10)
Madhya Pradesh	Ujjain, Bhopal, Gwalior, Habibganj, Hoshangabad, Indore, Jabalpur, Katni Jn., Pipariya, Ratlam, Satna - (11)
Maharashtra	Mumbai CST, Mumbai Central, Akola Jn., Bandra Terminus, Bhusaval, Chandrapur, Dadar, Dadar, Kalyan, Kurla, Nagpur, Nanded, Nasik Road, Pune, Solapur, Thane, Wardha - (17)
Nagaland	Dimapur - (1)
Orissa	Rourkela, Badakhandita, Balasore, Brahampur, Bhadrak, Bhubaneswar, Byree,

1	2
	Cuttack, Dhenkanal, Golanthra, Jajpur-Keonjhar Road, Jharsuguda, Kapilas Road, Khurda Road, Puri, Rahama, Sambalpur, Surla Road, Titlagarh - (19)
Pondicherry	Pondicherry - (1)
Punjab	Amritsar, Anandpur Sahib, Beas, Bhatinda, Ferozpur Cantt., Jullundur City, Ludhiana, Pathankot, Patiala - (9)
Rajasthan	Udaipur, Abu Road, Ajmer, Bikaner, Chittaurgarh, Jaipur, Jodhpur, Kota, Nimbahera, Sawai Madhopur, Sri Ganga Nagar - (11)
Tamil Nadu	Channi Central, Chennai Egmore, Maduai, Tiruchchirappalli, Chennai Beach, Coimbatore, Erode Jn., Kanniyakumari, Katpadi, Mambalam, Rameswaram, Salem Jn., Tirunelveli, Tiruttani, Tuticorin - (15)
Tripura	Dharmanagar - (1)
Uttar Pradesh	Gorakhpur, Lucknow, Meerut City, Agra Cantt. Agra Fort, Aligarh, Allahabad, Ayodhya, Badshah Nagar, Ballia, Bareilly, Basti, Baraut, Baghpat Road, Deoria Sadar, Faizabad, Ghaziabad, Gonda Jn., Jhansi, Kanpur Cental, Lucknow Jn., Mau Jn., Mathura Jn., Manduadih, Mughalsarai, Moradabad, Prayag, Rae-Bareli Jn., Rawatpur, Saharanpur, Tundla, Varanasi - (32)
Uttaranchal	Dehradun, Haridwar, Kathgodam, Izzatnagar, Jn., Pilibhit - (5)
West Bengal	Alipurduar Jn., Adra, Alubari Road, Andal Jn., Asansol, Bagnan, Bandel, Barddhaman, Barasat, Basirhat, Bishnupur, Bolpur, Budge Budge, Baruipur Jn., Bidhannagar Road, Canning, Contai Road, Cooch Behar, Dalkolha, Dhakuria, Dum Dum, Dankuni, Durgapur, Garia, Garbeta, Ghutiari Sharif, Ghum, Harishchandrapur, Howrah, Jalpaiguri, Jhargram, Kharagpur, Krishnagar Road, Kulti, Kolaghat, Labpur, Maal Bazar,

1	2
	Madhyamgram, Malda Town, Mecheda, Midnapore, Murshidabad, New Alipurduar, New Jalpaiguri, Nabadwip Dham, New Mal Jn., Raniganj, Ranaghat Jn., Raiganj, Siliguri Town, Srirampur, Santragachi Jn., Sealdah, Sonarpur, Sainthia, Tamluk, Tollyganj, Tarakeswar, Ultadanga Jn., Ulubaria – (60)

(II) 'Zone-wise' list of 289 stations selected as 'Model Stations' for provision of upgraded passenger amenities (Figures shown in brackets indicate total number of stations in that Zone)

State	Names of stations
1	2
Central (26)	Agra Cantt, Akola Jn., Bhopal, Bhusaval, Chandrapur, Dadar, Faridabad, Gulbarga, Gwalior, Habibganj, Hoshangabad, Jabalpur, Jhansi Kalyan, Katni Jn., Kurla, Mathura Jn., Mumbai CST, Nagpur, Nasik Road, Pipariya, Pune, Satna, Solapur, Thane, Wardha.
Eastern (37)	Andal Jn., Asansol, Bandel, Barasat, Barddhaman, Baruipur Jn., Basirhat Bhagalpur, Bidhannagar Road, Bolpur, Budge Budge, Canning, Dankuni, Dhakuria, Dum Dum, Durgapur, Garia, Ghutiari Sharif, Howrah, Jamalpur Jn., Jasidih, Krishnagar Road, Kulti, Labpur, Madhupur, Madhyamgram, Malda Town, Murshidabad, Nabadwip Dham, Ranaghat Jn., Raniganj, Sainthia, Sealdah, Sonarpur, Tarakeswar, Tollyganj, Utadanga.
East Central (23)	Ara, Buxar, Barauni Jn., Begusarai, Bettiah, Danapur, Darbhanga, Dhanbad, Dehri-on-Sone, Gaya, Hajipur Jn., Khagaria, Koderma, Mokama, Motihari, Mughalsarai, Muzaffarpur, Nalanda, Nawadah, Patna Samastipur, Sheikhpura, Sonapur Jn.
Northern (42)	Aligarh, Allahabad Jn., Ambala Cantt, Amritsar, Anandpur Sahib, Ayodhya, Baghpat Road, Baraut, Bareilly, Bhatinda, Beas, Chandigarh, Dehradun, Delhi, Delhi Cantt.

1	2
	Delhi Sarai Rohilla, Faizabad, Firozpur, Ghaziabad, Haridwar, H. Nizamuddin, Hissar, Jullundur City, Jammu Tawi, Kalka, Kanpur Central, Kathua, Lucknow, Ludhiana, Merrut City, Morabadad, New Delhi, Panipat, Jn., Pathankot, Patiala, Prayag, Rae-Bareli Jn., Saharanpur, Shimla, Sri Ganga Nagar, Tundla, Varanasi.
North Eastern (15)	Badshah Nagar, Ballia, Basti, Chhapra Jn., Deoria, Sadar, Gonda Jn., Gorakhpur, Izzatnagar Jn., Kathgodam, Lucknow, Manduadih, Mau Jn., Pilibhit, Rawatpur, Siwan Jn.
Northeast Frontier (27)	Alipurduar Jn., Alubari Road, Coochbehar, Dalkolha, Dharmanagar, Dibrugarh, Dimapur, Ghum, Guwahati, Harishchandra-pur, Jalpaiguri, Jorhat Town, Kamakhya, Katihar, Kishanganj, Kokrajhar, Lumding, Maal Bazar, New Alipurduar, New Bongaigaon, New Jalpaiguri, New Mal Jn., New Tinsukia, Raiganj, Silchar, Siliguri Town, Srirampur.
North Western (8)	Abu Road, Ajmer, Bikaner, Gandhidam, Jaipur, Jodhpur, Rewari, Udaipur.
Southern (30)	Alwaye, Bangalore, Cantt, Calicut, Cannanore, Chengannaur, Chennai Beach, Chennai Central, Chennai Egmore, Coimbatore, Ernakulam Jn., Erode Jn., Kanniyakumari, Katpadi, Kottayam, Madurai, Mambalam, Mangalore, Mysore, Palghat, Pondicherry, Quilon, Rameswaram, Salem, Shimoga, Tiruchchirappalli, Tirunelveli, Tiruttani, Trichur, Trivandrum Central, Tuticorin.
South Central (19)	Dharmavaram Jn., Guntakal, Guntur, Hospet, Hubli, Hyderabad, Kacheguda, Kakinada, Madgaon, Nanded, Nellore, Raichur, Rajahmundry, Secunderabad, Tirupati, Toranagallu, Vasco-de-gama, Vijayawada, Warangal.
South Eastern	Adra, Badakhandita, Bagnan, Balasore, Bhadrak, Bhubaneswar, Bilaspur, Bishnupur.

1	2
(39)	Brahmapur, Byree, Chakradharpur, Contai Road, Cuttack, Dhenkanal, Durg, Garbeta, Golanthra, Jajpur-Keonjhar Road, Jhargram, Jharsuguda, Kapilas Road, Kharagpur, Khurda Road, Kolaghat, Mecheda, Midnapore, Puri, Rahama, Raipur, Ranchi, Roukela, Sambalpur, Santragachi Jn., Surla Road, Tamluk, Tatanagar, Titlagarh, Ulubaria, Visakhapatnam.
Western (23)	Agra Fort, Ahmedabad, Anand Jn., Bandra Terminus, Bharuch, Bhavnagar, Chittaurgarh, Dadar, Dwarka, Gandhigram, Indore, Kota, Mumbai Central, Navsari, Nimbahera, Rajkot, Ratlam, Sawai Madhopur, Surat, Ujjain, Vadodara, Valsad, Vapi.

- Creating Profit Centres with full accountability
- Handing over of local distribution to Panchayats/ Local Bodies/Franchisees/Users Associations, wherever necessary
- Privatisation of distribution
- Or any other means.

Private distribution companies have already been operating in various parts of the country, namely Calcutta Electric Supply Company (CESC) in Kolkata, Ahmedabad Electricity Company Limited in Ahmedabad, Surat Electricity Company Limited in Surat, Tata Power Company, Bombay Sub-urban Electric Supply Company Limited in Mumbai and Noida Power Company in Greater Noida. These companies have been functioning smoothly over a period of time.

[English]

Privatisation of State Electricity Boards

*152. SHRIMATI HEMA GAMANG : Will the Minister of POWER be pleased to state :

- (a) the policy of the Government on privatisation of State Electricity Boards;
- (b) the number of State Electricity Board Privatized so far;
- (c) the objectives thereof and the extent to which these objectives have been achieved; and
- (d) the remedial steps taken/being taken by the State Government to achieve the objectives ?

THE MINISTER OF POWER (SHRI ANANT GANGARAM GEETE) : (a) to (d) State Electricity Boards (SEBs) are under the administrative control of the State Governments. The decision to privatise the SEBs, therefore, rests with the State Governments. The Government of India has however been encouraging States to undertake reforms so as to improve the health of the power sector. A conference of Chief Minister's/Power Ministers' was organised in March 2001 wherein it was resolved to depoliticise power sector reforms and speed up their implementation. It was also recognised that the real challenge of reforms lies in distribution sector and that commercial viability has to be achieved in distribution through any or all of the following :

Consequent to enactment of the Reform Acts, Orissa and Delhi have privatised distribution in their States. The distribution in Orissa was privatised in 1999 when the Transmission and Distribution (T and D) losses were very high, the billing and collection efficiency was very poor, the status of metering was not encouraging. Consequent on privatisation of distribution, signs of improvement on these and other operational levels are visible. The process of restructuring of the electricity industry including privatisation of distribution in Orissa was reviewed by the State Government and it was decided that the upvaluation of the assets of the erstwhile State Electricity Board (SEB) may be kept in abeyance as it was resulting in increase in the cost of power and making it difficult for the sector to achieve commercial viability.

In Delhi distribution has been privatised recently in July, 2002. Prior to privatisation the Aggregate Technical and Commercial (AT and C) loss levels as approved by the Delhi Electricity Regulatory Commission (DERC) for the 3 distribution zones taken together were at 50.7%. It is too early to assess the impact of distribution privatisation in Delhi.

[Translation]

Dishonouring of Cheques

*153. SHRIMATI JAS KAUR MEENA :
SHRI Y.G. MAHAJAN :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether several cases of dishonoured cheques in banks have been taken to the courts during the last three years;

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

(c) the number of such cases settled by the courts during the above period;

(d) the number of pending cases in the courts;

(e) whether the Government propose to set up more courts to dispose of pending cases of dishonoured cheques; and

(f) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) (a) to (d) No information is maintained in the Department as to the specific number of cases of dishonoured cheques. However, as per the information furnished by the Ministry of Finance, Banking Division the number of cases pending in the subordinate courts of Delhi as on 31/10/2001 and in Mumbai as on 31/8/2001 is given in the enclosed Statements I and II.

(e) and (f) In order to expedite the disposal of cases relating to the dishonoured cheques, Parliament has passed a Bill in the current session amending the Negotiable Instruments Act to provide, inter-alia, for summary trials, for dispensing with personal appearance of the complainant for preliminary evidence and allowing it through affidavit as also providing for other measures to speed up the disposal of such cases.

Statement-I

Statement showing the number of cases pending U/S 138 of Negotiable instruments act as on 31.10.2001 in the Subordinate Courts in New Delhi

Sr. No.	Name of the Court	No. of cases pending
1.	Tiz Hazari Court, New Delhi	15,262
2.	Patiala House	43,550
3.	Karkardooma	3,350
Total		62,162

Statement-II

Statement showing the number of cases pending U/S 138 of Negotiable Instruments act as on 31.8.2001 in the Subordinate Courts in Mumbai

Sr. No.	Name of the Court	No. of cases pending
1.	Esplanade	12,353
2.	Mazgaon	7,575
3.	Girgaon	6,882
4.	Dadar	7,609
5.	Bandra	3,171
6.	Andheri	12,699
7.	Kurla	1,587
8.	Ballad Pier	6,224
9.	Borivli	3,027
10.	Mulund	1,037
11.	Vikhroli	1,919
12.	C.S.T.Rly.	—
13.	Mumbai Central	—
14.	Vile Parle	—
15.	Bhindewadi Dadar	—
Total		64,083

[English]

Utilisation of Waste Land

*154. SHRI HARIBHAI CHAUDHARY :
SHRIMATI RAJKUMARI RATNA SINGH :

Will the Minister of RAILWAYS be pleased to state :

(a) the total amount generated by the Government by commercial utilisation of railway land/property during the last three years, zone-wise;

(b) whether the Railways have prepared any scheme to utilize waste land along rail tracks to generate funds for completion of pending projects; and

(c) if so, the details thereof ?

THE MINISTER OF RAILWAYS (SHRI NITISH KUMAR) :

(a) Total amount collected in last 3 years is Rs. 34839.57 lacs. The break-up, Zone wise and Year-wise is as under :

(in Rs. Lacs)

Railway	1999-00	2000-01	2001-02
Central	886.27	1112.81	951.60
Eastern	214.26	297.93	787.40
Northern	92.80	3501.17	16378.50
Northeastern	26.66	452.98	338.83
Northeast Frontier	299.07	317.08	16.52
Southern	627.06	1955.07	1479.00
South Central	566.97	902.28	668.94
South Eastern	195.54	281.88	1169.60
Western	12.11	438.59	147.86
Metro/Kolkata	116.15	190.18	414.46
Total	3036.89	9449.97	22352.71

(d) Railways do not have any waste land. However the vacant land along the track, if not required for immediate operational and maintenance purposes, is utilised for afforestation and cultivation under Grow More Food Scheme.

(c) Does not arise.

[Translation]

Provision under APDRP

*155. DR. RAGHUVANSH PRASAD SINGH : Will the Minister of POWER be pleased to state :

(a) whether any provision has been made during the last three years and current financial year under Accelerated Power Development and Reforms Programme (APDRP);

(b) if so, the details thereof and the amount provided to each of the States; and

(c) the achievements made in this regard during the said period, year-wise and State-wise ?

THE MINISTER OF POWER (SHRI ANANT GANGARAM GEETE) : (a) and (b) Details of the funds sanctioned to the States during the year 2000-01 and the current financial year under the Accelerated Power Development and Reforms Programme (APDRP) is given in the enclosed Statement. No projects were sanctioned under APDRP during the year 2001-02.

(c) Distribution reforms are expected to bring out the desired changes in the performance of the State Electricity Boards through the adoption of best technical and commercial practices in the operation and management of distribution circles. Improvement in availability of power to the consumers can be assessed only after successful implementation of the projects by the respective States.

Statement

*Funds sanctioned to States under APDRP
for ST and D for 2000-01*

(Rs. in crores)

State	APDRP Fund	
	Sanctioned	Released
1	2	3
Andhra Pradesh	49.8	49.8
Bihar	11.16	11.16
Chhattisgarh	10.26	10.26
Gujarat	107.39	107.39
Haryana	37.78	37.78
Jharkhand	21.98	21.98
Karnataka	57.26	57.26
Kerala	22.42	0
Madhya Pradesh	38.38	29.15
Maharashtra	90.22	90.22
Punjab	31.72	31.72
Rajasthan	45.01	45.01
Tamilnadu	12.1	12.1

1	2	3
Uttar Pradesh	13.03	13.03
West Bengal	18.6	18.6
Special Category States		
Assam	20.02	20.02
Arunachal Pradesh	6.32	6.32
Himachal Pradesh	25.32	25.32
Jammu and Kashmir	6.99	6.99
Manipur	0.72	0.72
Meghalaya	1.81	1.81
Mizoram	1.06	1.06
Nagaland	1.89	1.89
Tripura	5	5
Sikkim	6.38	6.38
Uttaranchal	4.8	4.8
Total	647.42	615.71

*Funds sanctioned to the States under APDRP
for R and M/R and U for year 2000-01*

(Rs. in crores)

State	Project Cost	APDP Fund Released
1	2	3
Andhra Pradesh	95.12	47.56
Bihar	20.56	10.28
Gujarat	4.46	2.23
Haryana	23.7	11.85
Karnataka	48.48	24.24
Madhya Pradesh	22.34	11.17
Maharashtra	88.48	44.24
Orissa	76	38
Punjab	11.98	5.99

1	2	3
Tamilnadu	106.88	53.44
Uttar Pradesh	176.86	88.43
West Bengal	49.8	24.9
Madhya Pradesh	22.34	0
Total	774.73	362.33

APDRP Fund Released to the States for 2002-03

(Rs. in crores)

Sl.No.	State	Released Amount
1	2	3
1.	Assam	10.95
2.	Andhra Pradesh	39.07
3.	Arunachal	-
4.	Bihar	16.11
5.	Chhattisgarh	10
6.	Goa	9
7.	Gujarat	21.35
8.	Haryana	18.23
9.	Himachal Pradesh	13.33
10.	Jammu and Kashmir	-
11.	Jharkhand	12
12.	Karnataka	29.77
13.	Kerala	17.07
14.	Madhya Pradesh	27.83
15.	Maharashtra	45
16.	Manipur	2.67
17.	Meghalaya	-
18.	Mizoram	2.67
19.	Nagaland	2.67
20.	Orissa	14.72

1	2
21. Punjab	
22. Rajasthan	28.4
23. Sikkim	2.67
24. Tamilnadu	32.12
25. Tripura	2.67
26. Uttaranchal	18.5
27. Uttar Pradesh	30.12
28. West Bengal	19.02
Total	425.94

[English]

Import of LNG from Australia

*156. SHRI Y.V. RAO :

COL. (RETD.) SONA RAM CHOUDHARY :

Will the Minister of PETROELUM AND NATURAL GAS be pleased to state :

(a) whether Australia has offered Natural Gas at competitive rates;

(b) if so, the details thereof;

(c) to what extent India can save its import bills by importing gas from Australia;

(d) whether any decision has been taken in this regard; and

(e) if so, the details thereof ?

THE MINISTER OF PETROLEUM AND NATURAL GAS (SHRI RAM NAIK) : (a) to (e) No, Sir. Natural Gas can be imported from Australia in the form of Liquefied Natural Gas (LNG). LNG is under Open General Licence (OGL) list with permission for 100% Foreign Direct Investment (FDI). The following Australian companies are participating in three LNG import projects along the East Coast of India :-

(i) M/s Woodside, Australia is a partner in the consortium viz. Dakshin Bharat Energy Consotium Ltd. selected by the Tamil Nadu

Industrial Development Corporation (TIDCO) to establish an LNG terminal at Ennore, near Chennai.

(ii) M/s BHP of Australia has obtained Foreign Investment Promotion Board (FIPB) approval to set up an LNG terminal on the East Coast of India.

(iii) M/s Australian LNG has entered into a Heads of Agreement with M/s Vavasi Oil and Gas to import LNG at Gopalpur, Orissa.

However, the above projects have not made any progress.

Restriction on Oil Companies

*157. SHRI PRIYA RANJAN DASMUNSI : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether Public Sector Oil Companies are subjected to scrutiny at multi levels and are also to function within the administrative orders of his Ministry;

(b) if so, whether such orders are applicable to private oil companies;

(c) if so, whether these restrictions affect the smooth functioning of the Public Sector oil companies or affect their instant decision taking powers;

(d) whether the Government propose to review all such existing statutory requirements so that the Public Sector oil companies may be able to compete with the oil companies in private sector; and

(e) if so, the details thereof ?

THE MINISTER OF PETROLEUM AND NATURAL GAS (SHRI RAM NAIK) : (a) There are guidelines and instructions within which oil Public Sector Undertakings (PSUs) function. In pursurance of liberalised policy towards PSUs, financial and administrative powers have been delegated to 'Navratna' and 'Miniratna' companies granting them autonomy and deicison making powers and enabling them to complete with the private companies. The oil PSUs sign Memorandum of Understanding with the Government, laying down performance indicators for various activities

for every financial year, which are reviewed periodically in the Ministry.

(b) and (c) No, Sir.

(d) There is no proposal to review any existing statutory requirements relating to the oil PSUs.

(e) Does not arise.

Power Quota from Central Pool to Kerala

*158. SHRI SURESH KURUP : Will the Minister of POWER be pleased to state :

(a) whether a number of State Governments including that of Kerala had put forward a request for enhancing the quota of power from the Central Pool;

(b) if so, the details thereof; and

(c) the reaction of the Union Government thereto ?

THE MINISTER OF POWER (SHRI ANANT GANGARAM GEETE) : (a) to (c) 15% capacity from Central Sector generating stations is generally kept unallocated at the disposal of Central Government for allocation to States/UTs in a region which is reviewed from time to time keeping in view relative power shortages and emergent/seasonal requirements of the States/UTs.

Kerala (Installed Capacity (IC) – 2239 MW) is a constituent of Southern Region of which the other members are Andhra Pradesh (IC – 7316 MW), Karnataka (IC – 4982 MW), Tamil Nadu (IC – 7052 MW) and Pondicherry (IC – 32.5 MW). Requests have been received from time to time from various deficit States for enhancing allocation of power from Central Pool (unallocated quota). According to information available, the details of requests received from various States including Kerala in the recent past (last 6 months) and reaction of the Government thereon are given in enclosed Statement.

Statement

Power Quota from Central Pool to Kerala

Sl. No.	Reference received from	Quantum of power requested from central pool (in Month/Year)	Action taken/Reaction of the Government
1	2	3	4
Southern Region:			
Kerala:			
1.	Minister of Electricity, Government of Kerala	Additional allocation of 300 MW power from Eastern Region (July, 2002)	Kerala was allocated approximately 90 MW by increasing allocation from 4% to 25% in unallocated power of Central Generating stations of Southern Region w.e.f. 17.08.2002 : i. Additional import from Eastern Region was not possible due to transmission constraints. ii. Enhancement of allocation by re-appropriation of available Eastern Region power was not possible in view of the power situation prevailing in other States.
2.	Chief Minister, Kerala	Raising share of State from unallocated power of Southern Region to 100 MW (July, 2002)	
Andhra Pradesh:			
1.	Chief Minister, Andhra Pradesh	Restoration of share of Andhra Pradesh in un-allocated power of central generating stations in Southern Region to 40% from 28% and also its share in Eastern Region (in May, 2002)	Share in unallocated power in Southern Region and Eastern Region could not be restored as enhancement in allocation to Karnataka was necessary to help tide over its power crisis prevailing in the State at that time. On the other hand, power situation improved in Andhra

1	2	3	4
			Pradesh after commissioning of units at Simadhri TPS of NTPC.
2.	Chief Minister, Andhra Pradesh	Requested for restoration of Andhra Pradesh share to 40% which was reduced to 28% (in July, 2002)	Restoration of allocation was not found feasible due to following reasons : i. Poor monsoon resulted into high shortage conditions in Karnataka and Kerala which are predominately dependent upon hydel generation. ii. Andhra Pradesh was under drawing from central sector stations in Southern Region since May, 2002. iii. Commissioning of additional generation capacity at Simadhri TPS (NTPC) fully dedicated to Andhra Pradesh. iv. Stoppage of drawal by Andhra Pradesh from GRIDCO (Orissa) on 220 KV Upper Sileru-Balimela line w.e.f. 16.04.2002.
	Karnataka:		
1.	Chief Minister, Karnataka	100 MW from unallocated share of CGS in Southern Region and additional 100 MW from Eastern Region (May, 2002)	Allocation to Karnataka was enhanced as under : i. From 28% to 40% (about 60 MW) from unallocated share of Central Generating stations in Southern Region. ii. Additional 50 MW from Eastern Region.
	Tamil Nadu:		
1.	Minister for Electricity, Tamil Nadu	Allocation of additional 335 MW from the unallocated quota	Tamil Nadu was advised to avail 100 MW from Kayamkulam CCGT to NTPC which was under utilized. It was not possible to allocate additional power from unallocated quota due to shortages prevailing in other States of the region.
	Pondicherry:		
1.	Chief Secretary, Government of Pondicherry	i. Extension of 45 MW allocation from unallocated power of Southern Region for six months from 01.07.2002 ii. Enhancing allocation from unallocated power of Southern Region to 55 MW from 45 MW (May, 2002)	Allocation of 45 MW from unallocated power of Southern Region was extended for six months from 1.7.2002.
2.	Chief Minister, Pondicherry	Enhancing allocation from unallocated power of Southern Region (September, 2002)	Due to fire in conveyor system of Neyveli Thermal Station-II on 4.9.2002, 50 MW additional power was allocated to Pondicherry w.e.f. 19.9.02 till restoration of generating units at Neyveli TS-II.

1	2	3	4
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Northern Region**Haryana:**

- | | | |
|----------------------------|---|---|
| 1. Chief Minister, Haryana | Additional allocation of 20 LU/day from unallocated quota (May, 2002) | Allocation to Haryana from unallocated quota was increased from 22% (around 173 MW) to 26% (around 205 MW) i.e. 0.7 LU/day w.e.f. 25.05.2002. |
|----------------------------|---|---|

Punjab:

- | | | |
|--|---|---|
| 1. Member, Transmission, PSEB, Patiala | Allocation of 35% from unallocated quota during 24.07.2002 to 31.08.2002 to meet enhanced agricultural requirement (July, 2002) | Allocation from unallocated quota increased to Punjab from 10% to 15% i.e. about 39 MW w.e.f. 17.08.2002 to 31.08.2002. Besides, 15% (33 MW) unallocated quota of RAPP-3 (220 MW) was also allocated to Punjab during off-peak hours w.e.f. 16.08.2002. |
|--|---|---|

Himachal Pradesh:

- | | | |
|--------------------|---|--|
| 1. Chairman, HPSEB | Allocation of 20% unallocated power and 50 MW from Eastern Region for the period 01.11.2002 to 31.03.2003 (September, 2002) | HPSEB has been allocated 12% (i.e. about 95 MW) during peak hours and 15% (i.e. about 118 MW) during off-peak hours from 01.11.2002 from unallocated quota of Northern Region. |
|--------------------|---|--|

Jammu and Kashmir:

- | | | |
|---|--|---|
| 1. Principal Secretary, Government of Jammu and Kashmir | Allocation of 350 MW during Ramjan period (November, 2002) | Allocation from unallocated quota varying between 162 to 209 MW during different parts of the day has been made to Jammu and Kashmir. |
|---|--|---|

Western Region:**Madhya Pradesh:**

- | | | |
|--|---|--|
| 1. Chief Minister, Madhya Pradesh, Pr. Secy. (Energy), Government of Madhya Pradesh, and Chairman, MPSEB | Enhancement in allocation from Central Sector power to the tune of 500 MW and 300 MW out of CSEB's share during Rabi season (September, 2002) | <p>Madhya Pradesh, has been allocated additional power as under :</p> <p>(i) Additional 50 MW from Eastern Region via Northern Region.</p> <p>(ii) 90 MW out of 498 MW share of CSEB w.e.f. 12.11.2002 (to be reviewed after a month). It was not possible to allocate more power due to shortages prevailing in other States of the region.</p> |
|--|---|--|

Daman, Diu and DNH

- | | | |
|-----------------------------------|---|--|
| 1. Administrator of Daman and Diu | Request for allocating additional 25 MW from Central Stations in Western Region (April, 2002) | It has been decided to allocate additional 25 MW from Eastern Region after commissioning of Raipur – Rourkela 400 KV D/C line in December, 2002. |
|-----------------------------------|---|--|
-

[Translation]

Setting up of India Power Fund

*159. SHRI SATYAVRAT CHATURVEDI :
SHRI SUNDER LAL TIWARI :

Will the Minister of POWER be pleased to state :

(a) whether the Government propose to set up an "India Power Fund" to attract private-investors in the power sector;

(b) if so, the details of the blueprint prepared by the Government for this fund;

(c) the reasons for handing over the management of "India Power Fund" to the Power Finance Corporation; and

(d) the manner in which the Government plans to use this fund ?

THE MINISTER OF POWER (SHRI ANANT GANGARAM GEETE) : (a) to (d) Power Finance Corporation (PFC), a Development Financing Institution catering to the funds requirement of the power sector at Central, State, Private and Joint Sector level, has mooted a concept of India Power Fund (IPF) to meet the debt and equity requirements for the power sector. The proposal is at the concept stage only.

Soldiers Killed in Kargil War

*160. SHRI GAJENDRA SINGH RAJUKHEDI :
SHRI RAMJEE MANJHI :

Will the Minister of DEFENCE be pleased to state :

(a) the number of soldiers killed in the Ka'rgil War and thereafter;

(b) the amount of money and other facilities promised to the next of kin of the deceased soldiers;

(c) whether the money and other facilities promised have actually been provided to them;

(d) if not, the reasons therefor; and

(e) the time by which these would be given to them ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) The number of soldiers killed during Kargil Conflict is as under :

Officer	Junior Commissioned Officers	Other Ranks	Total
26	23	473	522

The details of soldiers killed thereafter upto 22nd November, 2002 are as under :

Officer	Junior Commissioned Officers	Other Ranks	Total
108	150	1496	1754

Casualty figures for the latter part of 2002 may be subject to minor modification.

(b) to (e) A comprehensive welfare package which includes ex-gratia lump sum compensation in a graded scale, liberalized special family pension on the basis of last pay drawn by the deceased soldier, death gratuity and family gratuity as per specified rates as applicable and Army Group Insurance Cover as applicable has been worked out and implemented for the next of kin of those killed in enemy/terrorist action. Payment of dues is a continuing process and all benefits as applicable to the next of kin of deceased soldiers are being paid on completion of necessary documentation and on meeting of legal requirements.

[English]

Bridge Inspection and Management System

*161. SHRI NARESH PUGLIA : Will the Minister of RAILWAYS be pleased to state :

(a) whether a team of rail officials was sent abroad to study management system of rail bridges including their inspection and maintenance;

(b) if so, the details thereof.

(c) the names of countries visited by these rail officials and the amount spent on their visit;

(d) whether they have submitted any report to the Government; and

(e) if so, the salient features thereof alongwith the reaction of the Government thereto ?

THE MINISTER OF RAILWAYS (SHRI NITISH KUMAR) :
(a) and (b) A Task Force of four officers consisting of (1) the Chief Bridge Engineer, South Eastern Railway (2) the Executive Director, Bridges and Structure, Research Development and Standardisation Organisation (RDSO), (3) the Director, Bridges and Structures, Railway Board and (4) the Director, Finance, Railway Board has been constituted to look into various aspects of upgrading of bridge inspection and management system including underwater inspections. As a part of the terms of reference, the team was required to visit countries abroad for on the spot assessment of the systems there.

(c) The team is currently visiting USA, Canada, Denmark and Italy. The visit is estimated to cost Rs. 19 lacs.

(d) No, Sir. The team on return, shall submit its tour report by end of December 2002.

(e) Appropriate action shall be taken after studying the report submitted by the team.

[Translation]

Charging of more Fare than the Fixed Fare

1565.SHRIMATI SUSHILA SAROJ : Will the Minister of RAILWAYS be pleased to state :

(a) whether the practice of charging more than the fixed fare for various destinations is prevalent at Muzaffarpur, Darbhanga and Patna railway stations for which several complaints have been registered with the station master;

(b) if so, whether the Government propose to take action against the guilty officials;

(c) if so, the details thereof; and

(d) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) to (d) Five complaints of over charging have been registered at Patna Railway station during April to October, 2002. Disciplinary action has been initiated against the staff held responsible.

[English]

Statement of PIB on Reforms

1566.SHRI MAHBOOB ZAHEDI : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the Press Information Bureau claimed that in the subsequent era of reforms, the industrial relations has improved, workmen's discontent subsided and also the number of strikes and lock-outs declined;

(b) if so, whether the statistics sent by Simla Labour Bureau is differ from it; and

(c) if so, the facts thereof ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) to (c) Based on information from Ministry of Labour, Press Information Bureau issued a Press Release on August 22, 2002 stating inter-alia that a review of data on work stoppages arising out of industrial disputes reveals significant improvement in industrial relations scenario in the nineties as compared to eighties.

[Translation]

Generation of Hydro Electricity at Hirani Water Fall

1567.SHRI LAXMAN GILUWA : Will the Minister of POWER be pleased to state :

(a) whether the Government have conducted any survey about the possibility of generating hydro-electric power at Hirani waterfall in Bandhgaon block of Sinbhum district in Jharkhand;

(b) if so, the details thereof; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (c) According to the studies for Assessment of Small Hydel Potential in the country carried out by the Central Electricity Authority during 1988-1996, a scheme by the name Hirni was identified in Sinbhum district of Jharkhand across the Hirni stream. The scheme envisages utilization of a drop of 98 meters between the diversion level of 502.9 meters

and tail race elevation of 404.9 meters for power generation. The scheme with an installed capacity of 2×1500 Kilo Watt would afford an annual energy generation of 7.88 Gagawatt hour.

[English]

Reports of Law Commission

1568. SHRI VILAS MUTTEMWAR : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Law Commission has submitted its reports to the Government;

(b) if so, the number of reports of the Law Commission presented so far;

(c) the matter on which the Law Commission recommended laws to be enacted but are still pending decision of the Government; and

(d) the details of other recommendations of the Law Commission yet to be implemented alongwith the reasons therefor ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) and (b) The Law Commission has so far submitted 183 Reports.

(c) and (d) The number of Reports pending for consideration/implementation is 45. A Statement regarding the pending reports is enclosed. The Law Commission has recommended amendments in various existing laws/ enactment of new laws in all these Reports.

Statement

Sl. Report No.	Subject
1	2
	3
1.	6th Registration Act, 1998
2.	11th Negotiable Instruments Act, 1981
3.	13th Contract Act, 1872
4.	17th Trusts Act, 1882
5.	34th Indian Registration Act, 1908
6.	38th Indian Post Office Act, 1898

1	2	3
7.	65th	Recognition of Foreign Divorces
8.	66th	Married Women's Property Act, 1874
9.	67th	The Indian Stamp Act, 1899
10.	70th	The Transfer of Property Act, 1882.
11.	82nd	Effect of nomination under section 39, Insurance Act, 1938
12.	83nd	The Guardians and Wards Act, 1890 and certain provisions of the Hindu Minority and Guardianship Act, 1956
13.	86th	The Partition Act, 1893
14.	87th	Identification of Prisoners Act, 1920
15.	89th	The Limitation Act, 1963
16.	98th	Sections 24 to 26 of Hindu Marriage Act, 1955: Orders for interim maintenance and orders for the maintenance of children in matrimonial proceedings
17.	108th	Promissory Estoppel
18.	111th	The Fatal Accidents Act, 1855
19.	112th	Section 45 of the Insurance Act, 1938
20.	123rd	Decentralisation of Administration of Justice: Disputes Involving Centers of Higher Education
21.	133rd	Removal of Discrimination against women in matters relating to Guardianship and Custody of minor children and elaboration of the welfare principle.
22.	136th	Conflicts in High Court Decisions on Central laws – How to foreclose and how to resolve
23.	148th	Repeal of certain Pre-1947 Central Acts
24.	150th	Suggesting some amendments to the Code of Civil Procedure (Act No. V of 1908)
25.	151st	Admiralty Jurisdiction
26.	153rd	Inter-Country Adoption

1	2	3
27.	154th	Code of Criminal Procedure, 1973 (Act No. 2 of 1974)
28.	156th	The Indian Penal Code
29.	157th	Section 52: Transfer of Property Act, 1882 and its Amendment
30.	158th	The Amendment of the Industries (Development and Regulation) Act, 1951)
31.	159th	Repeal and Amendment of Laws: Part I
32.	162nd	Review of functioning of Central Administrative Tribunal, Customs, Excise and Gold (Control) Appellate Tribunal and Income-tax Appellate Tribunal
33.	165th	Free and Compulsory Education for Children
34.	166th	The Corrupt Public Servants (Forfeiture of Property) Bill
35.	168th	The Hire-Purchase Act, 1972
36.	169th	Amendment of Army, Navy and Air Force Acts
37.	172nd	Review of Rape Laws
38.	174th	Property Rights of Women: Proposed Reforms under the Hindu Law
39.	176th	The Arbitration and Conciliation (Amendment), Bill, 2001
40.	177th	Law Relating to Arrest
41.	178th	Recommendations for Amending Various Enactments, both Civil and Criminal

1	2	3
42.	179th	Public Interest Disclosure and Protection of Informers
43.	181st	Amendment to Section 206 of the Transfer of Property Act, 1882
44.	182nd	Amendment to Section 6 of the Land Acquisition Act, 1894
45.	183rd	A Continuum on the General Clauses Act, 1897 with Special Reference to the Admissibility and Codification of External Aids to Interpretation of Statutes

Power Potential of North Eastern Region

1569. SHRI M.K. SUBBA : Will the Minister of POWER be pleased to state :

(a) whether any assessment of the "immense" power potential of the North-Eastern region has been prepared;

(b) if so, the details thereof; and

(c) the schemes, if any, worked out to tap the said potential under the Tenth Five Year Plan ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) and (b) In the re-assessment studies carried out by Central Electricity Authority from 1978-87, identified hydro capacity of N.E. region has been estimated as 58971 MW. Out of the above, 1070 MW of the identified potential has been harnessed so far while another 379 MW is under construction after investment approval. The State-wise estimated hydro electric potential of North-Eastern Region and the status of development is given below :

Region/State	Identified capacity as per reassessment study (MW)	Capacity developed		Capacity under construction (MW)	Capacity under development under Stage-II of 3 stage process (MW)
		(MW)	%		
1	2	3	4	5	6
Meghalaya	2394	185	8	84	0
Tripura	15	15	100	0	0

1	2	3	4	5	6
Manipur	1784	105	6	90	0
Assam	680	250	37	145	0
Nagaland	1574	99	6	0	0
Ar. Pradesh	50328	416	1	0	2600
Mizoram	2196	0	0	60	0
Total	58971	1070	2	379	2600

(c) The following schemes has been identified for capacity addition during 10th Plan :

Sl.No.	Project	Installed Capacity
Central Sector		
1.	Kopili HEP Stage-II, Assam	25 MW
2.	Tuirial HEP, Mizoram	60 MW
State Sector		
3.	Karbi Langpi in Assam	100 MW
4.	Myntdu in Meghalaya	84 MW
5.	Bairabi in Mizoram	80 MW

[Translation]

**LPG Distributorships in Jamnagar,
Gujarat**

1570. SHRI CHANDRESH PATEL : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the petrol pumps and LPG agencies have been allotted in Jamnagar and other districts of Gujarat from January 1, 2000 to date;

(b) if so, the details thereof;

(c) whether the complaints of corruption and recommendations have come to the notice in these allotments;

(d) if so, the details thereof and the action taken thereon alongwith the outcome thereof;

(e) whether it is the policy of the Government to open a LPG agency and petrol pump in every village and city having a population of 15,000 people; and

(f) if so, the places where petrol pumps and LPG agencies opened or to be opened having a population of 15,000 people in Gujarat ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) and (b) 53 retail outlet dealerships, including one in Jamnagar district and 89 LPG distributorships, including five in Jamnagar district, have been allotted in the State of Gujarat since January 1, 2000.

(c) and (d) Certain complaints received against the selections for dealerships/distributorships in Gujarat were investigated in accordance with the Grievance Redressal System provided in the guidelines for selection of dealers/distributors.

(e) and (f) After the dismantling of the Administered Pricing Mechanism (APM) with effect from 1.4.2002, the Oil Companies are free to choose locations and set up retail outlet dealerships/LPG distributorships depending upon economic viability.

[English]

Silt in Maithon Dams

1571. SHRI BIKASH CHOWDHURY : Will the Minister of POWER be pleased to state :

(a) whether Maithon Dams of Damodar Valley Corporation are being heavily silted;

(b) if so, the steps taken/being taken by the Corporation for removing the silted earths from the Dams;

(c) whether the Government proposes to construct another dam in order to hold more water as well as facilitating the removal of silted earth from the existing dam; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) Damodar Valley Corporation (DVC) has informed that overall sedimentation in the reservoir is 22.1% as compared to its original capacity of 1995. Approximately 54% of dead storage, 22.4% of live storage and 4.3% of flood storage have been lost due to siltation.

(b) Various Soil Conservation measures such as afforestation, treatment of land, construction of check dams etc. have been undertaken by DVC in the upper reach of dam since 1949. However, desiltation of such a big reservoir is not economically viable and such practice is generally not being followed by DVC.

(c) and (d) DVC has proposed a multipurpose project at Balpahari in the upstream of Maithon Dam. The Dam is basically proposed for augmentation of storage in the system and increasing the life of Maithon dam in respect of sedimentation, along with irrigation, power generation, and other objectives. DVC has entrusted the preparation of detailed project report for the purpose to the Central Water Commission.

[Translation]

Power Generation in Jharkhand

1572. SHRI RAM TAHAL CHAUDHARY : Will the Minister of POWER be pleased to state :

(a) the quantum of power generated in Jharkhand, at present;

(b) the demand for power in the State; and

(c) the steps taken/proposed to be taken by the Government to meet the demand for power in the State?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) The details of electricity generated by the power plants of Jharkhand

State Electricity Board during April-October, 2002 and October, 2002 are given below :

(Figures in MU)

	April-October, 2002	October, 2002
Thermal	1443	215
Hydro	28	10
Total	1471	225

(b) The average peak demand for power in the State (excluding the command area of Damodar Valley Corporation falling in the State) is about 450 MW as against an average availability of 400 MW from its own sources. The shortfall is met through the State's share in Central Sector Stations in the Eastern Region. The average peak demand in the command area of Damodar Valley Corporation (DVC) is about 925 MW.

(c) Eastern Region of which Jharkhand is a constituent, has surplus power and power is being exported from this region to other regions. In order to supplement the availability of power in the State, Jharkhand has been provisionally allocated 23 MW (as requisitioned by Jharkhand) from the Central Sector stations in the Eastern Region including the Chukha HEP in Bhutan. Besides, steps have also been taken to maximize generation from the existing thermal power stations at Patratu and Tenughat.

Rail Projects in West Bengal

1573. SHRI BIR SINGH MAHATO : Will the Minister of RAILWAYS be pleased to state :

(a) the details of new/ongoing/pending rail projects in West Bengal alongwith the progress made thereof, project-wise;

(b) the amount allocated to each of the project and the expenditure incurred so far thereon;

(c) whether some projects are running behind their scheduled time;

(d) if so, the reasons therefor, project-wise; and

(e) the steps taken by the Government to complete these projects expeditiously?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) to (e) The details of various ongoing projects including new projects in West Bengal, their status alongwith details of outlay for 2002-2003 and the expenditure incurred are given as under. These projects are being progressed as per their overall priority depending upon availability

of resources. Only one project in West Bengal viz. the work of restoration of line from Azimganj to Jiaganj (Nasipur) upto the Ghats which was included in the Budget 2001-2002 subject to the proviso that work would be taken up after obtaining requisite clearances, is awaiting clearance for which necessary action has been initiated.

S. No.	Name of project	Anticipated cost (Rs. in cr.)	Expenditure upto 31.3.2002 (Rs. in cr.)	Outlay 2002-2003 (Rs. in cr.)	Current Status
1	2	3	4	5	6
New Lines					
1.	Laxmikantapur-Namkhana	99.93	87.42	3	Laxmikantapur-Kakdweep commissioned. Land acquisition for Kakdweep-Namkhana section in progress and land acquired upto Ukilerhat. Earthwork and minor bridges are in progress.
2.	Bongaon-Petrapole	10.07	7.43	0.01	Completed and commissioned.
3.	Tarakeshwar-Bishnupur with ext up to Kumarkundu bypass connecting Howrah-Bardhaman Chord	276	15.56	1	Final Location Survey beyond Arambagh is in progress. Land acquisition proceedings are in progress between Tarakeshwar-Arambagh. Work will be commenced once the land becomes available.
4.	Azimganj (Nasipur)-Jiaganj up to the Ghats	22.78	0.01	0.01	Work would be taken up after obtaining requisite clearances action for which has been initiated.
5.	Mandarhill-Rampurhat via Dumka	170.47	14.46	7	Final Location Survey has been completed. Land acquisition proceedings are in progress. Earthwork, minor bridges and Dumka station building are in progress.
6.	New Maynaguri-Jogighopa	733	2.02	8	Final Location Survey is in progress.
7.	Eklakhi-Balurghat	274.41	134.56	20	Eklakhi-Gazol-Daulatpur has been completed. Earthwork and bridge work between Daulatpur-Balurghat is in progress and targeted for completion during 2002-2003. Work from Gazol to Itahar has been included in the Budget 2001-2002 as a material modification where Final Location Survey is in progress.
8.	Tamluk-Digha	93.97	221.62	20	Tamluk-Deshpran section has been completed. Deshpran-Kanthi targeted for completion during 2002-2003.

1	2	3	4	5	6
9.	Howrah-Amta	154.3	55.15	5	Howrah-Mahendralalnagar section completed. 334 acres out of 380 acres of land between Mahendralalnagar-Amta handed over. Earthwork and bridgework in progress
Gauge Conversion					
1.	New Jalpaiguri – Siliguri-New Bongaigaon	523.82	277.49	122	Earthwork, minor and major bridges are in progress in full length. Work is targeted for completion in 2003-2004. Work of conversion of branch line from Alipurduar to Bamanhat and Fakiragram-Dhubri will be taken up once New Jalpaiguri-New Bongaigaon is in advance stage of completion.
2.	Bankura-Damodar river project including MM for extension of new line from Bowaichandi to Khana	174.73	26.62	25	Earthwork and bridgework in progress. Survey for Bowaichandi-Khana new line taken up. Extension of line from Shyamsundar to Chanchai sanctioned.
Doubling					
1.	Tarakeshwar-Sheoraphulli Ph.I (Sheoraphulli-Nalikul)	38.88	5.75	5	Earthwork in progress in first block section.
2.	Gurup-Shaktigarh 3rd line	52.39	12.89	15	Earthwork and bridges are in progress.
3.	New Alipur-Akra Ph.I	16.18	11.85	4	Earthwork and minor bridge in progress.
4.	Budge Budge – Akra Ph.I	12.21	12.11	0.01	Work completed.
5.	Guskara-Bolpur-Ph.III	43.42	35.42	5	Work completed.
6.	Jhapatardal-Guskara Ph.II	11.13	10.63	0.01	Work completed.
7.	Habra-Chandpara	39.58	1	1	Final Location Survey completed.
8.	Sonarpur Canning Ph.I (Sonarpur-Ghutiani Shariff)	30.47	4.79	1	Work on two major bridge in progress.
9.	Chandanpur-Gurup 3rd line	40.69	38.69	1	Cheragram-Gurup and Belmuri-Chandanpur completed. Belmuri-Cheragram including new halt station at Dhania Khali likely to be completed shortly.
10.	Baruipur-Lakshmikantapur Ph. I (Baruipur-Dakshnia Barasat)	49	4.29	1	Work on two major bridges in progress.
11.	Bolpur-Ahmedpur	54.8	2	5	Work on two major bridges in progress.

1	2	3	4	5	6
12.	Kalinarayanpur-Krishnanagar including ext. as GC from Krishnanagar-Shantipur and new line Krishnanagar to Chartala	102.5	5.23	2	Two tenders awarded and work is in progress.
13.	Barasat-Hasanabad doubling with electrification Ph.I (Barasat-Sondalia)	24.14	2.53	1	Work on two major bridges in progress.
14.	Khana-Santhia Ph.-1	12.07	11.07	0.01	Work completed.
15.	Sahibganj-New Farakka-Malda	67.07	67.06	0.01	Work completed.
16.	Bandel-Jirat	47	0.1	1	Final Location Survey completed. Tenders for 11 km. processed.
17.	Baruipur-Magrahat	31.81	0.4	1	Tenders have been processed
18.	Ahmedpur-Sainthia	31.61	—	0.5	Preparation of plans and estimate has been taken up.
19.	Kumarganj-Eklakhi	17.06	—	0.5	Preparation of plans and estimate has been taken up.
20.	Harishchandrapur-Kumarganj	48	2	4.1	Tenders for earthwork and minor bridges finalized and work started.
21.	Kishanganj-Dalkolha	49.42	46.11	1	Work completed.
22.	Tikiapara-Santragachi IV line	22.5	0.04	1	Works is of lower operational priority.
23.	Panskura-Haldia Ph.I	26.02	2.35	1	Final Location Survey completed. Earthwork and minor bridges in progress in part length.
Metropolitan Transport					
1.	Dum-Dum-Garia, Design and construction of Rapid Transit system	2678.7	1804	35	Work for construction of foundation and sub-structure of the viaduct in 6 sub-sections out of 7 is in progress. Targeted completion by March, 2007.
2.	Circular Railway including Dum-Dum-Tala electrification	254.4	95.56	13	Work of Princepghat to Majarhat progressing satisfactorily. Construction of line from Dum Dum Cantt.-NSC Bose Airport is being delayed due to delay by various authorities in clearance of alignment. Efforts are being made to get approvals early. For Ultadanga-Rajarhat, final location survey for 2.50 km is being taken up.

1	2	3	4	5	6
3.	Ranaghat-Bongaon Electrification	14.78	14.10	1	Work completed. Residual works in progress.
4.	Ranaghat-Gede Electrification	32.36	24.34	1	Work completed. Residual works in progress.
5.	Barasat-Hasanabad Electrification	36.9	12.14	1	Works are progressing satisfactorily and likely to be commissioned by March, 2003.
Railway Electrification					
1.	Bandel-Katwa	49.27	45.82	2.06	Work completed. Residual works in progress.
2.	Krishnanagar-Lalgola	72.12	0.01	6	Proposal for execution in hand. Targeted for completion by March, 2004.
3.	Kharagpur-Bhubaneswar including Talcher-Paradeep	317.35	192.45	21.57	110 RKM energized bill Mar, 2002. Targetted for completion by March, 2004.
4.	Adra-Midnapur	84.82	84.81	0.01	Work completed.

[English]

Printing Workshop

1574. SHRI MAHBOOB ZAHEDI : Will the Minister of RAILWAYS be pleased to state :

(a) whether Railway Board has taken a decision in its meeting held on September 12, 2002 that their own printing workshop will print only Railway tickets, Passes and money value items and the other printing jobs would be done by outside sources, thus leaving 25 out of 27 machines idle in their printing workshop;

(b) if so, whether the Government are likely to declare 450 railway staff in the workshop as surplus;

(c) if so, the details thereof;

(d) whether the Government had earlier shifted the printing jobs of time tables, calenders, etc; and

(e) if so, the Government's plan with the alleged surplus of 450 working strength ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) to (c) Railway Board has decided on 12.8.02 that Printing of Card tickets and money value items will continue to be done by Railway-owned printing presses. Railways plan to phase out progressively other peripheral activities from the printing presses. The quantum of redundancies of men and machines, consequent upon this outsourcing, will be known only after the detailed planning is completed.

(d) Yes Sir, In some of the Railways, the seasonal jobs involving multi-colour printing has been selectively outsourced.

(e) Does not arise in view of reply to "a" to "c" above.

External Assistance to National Hydro Power Corporation

1575. SHRI ANANTA NAYAK : Will the Minister of POWER be pleased to state :

(a) whether the National Hydro-electric Power Corporation has sought external assistance for financing its on going and new hydel sectors;

(b) if so, the details of the on going and new hydel schemes for which NHPC has sought external assistance;

(c) the amount of external assistance obtained or likely to be obtained for implementing these schemes; and

(d) the details thereof, project-wise ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (d) A total of four (4) on-going hydro-electric projects in different parts of the country are being implemented by National Hydro-electric Power Corporation (NHPC) through external financial assistance including commercial borrowing and export credit. The details of the nature and quantum of assistance, the amount utilised and the balance is given in the enclosed statement.

Statement

Details of External Assistance for ongoing projects

Sl. #	Name of the Project (capacity) [State]	Nature of assistance	Amount of Assistance and currency (Capacity)	Utilisation upto March 2002	Utilisation during 2002-03 (upto Oct. 2002)	Cumulative utilisation upto Oct. 2002	Balance available	Schedule date of commissioning
1.	Duthasti H E Project (390 MW) [J and K]	Bilateral •French Government Grant •French Treasury Loan •Commercial Loan - CCF	FRF 190 million	FRF 190 million	-	FRF 190 million	-	December, 2003
			FRF 987 million	FRF 987 million	-	FRF 987 million	-	
			FRF 942.06 million	FRF 941.06 million	FRF 1.54 million	FRF 942.60 million	-	
2.	Dhauliganga H E Project (280 MW) [Uttaranchal]	Bilateral (OEFC Loan) Tranche I Tranche II Tranche III	JPY 5665 million	JPY 4845.93 million	JPY 129.65 million	JPY 4975.58 million	-(closed) JPY 6541.57 million	March 2005
			JPY 16316 million (requested for Rs. 545.72 crores in equivalent JPY)	JPY 7954.33 million	JPY 1820.10 million	JPY 9774.43 million	-	
3.	Chamera H E Project II (300 MW) [H.P.]	Export Credit	CDN \$ 175 million	CDN \$ 70.36 million	CDN \$ 10.68 million	CDN \$ 81.04 million	CDN \$ 93.96 million	May 2004
4.	Teesta H E Project. Stage V (510 MW) [Sikkim]	Commercial loan under NEXT Overseas credit insurance scheme	JPY 18.240 million	NIL	NIL	NIL	JPY 18.240 billion	Feb 2007

Release of Open Land

1576. SHRI GUNIPATI RAMAIAH : Will the Minister of DEFENCE be pleased to state :

(a) whether the Government propose to release several pockets of open Defence land of Secunderabad cantonment, surrounded by massive civilian population in favour of Andhra Pradesh Government in exchange of alternate more security risk free land as it was done in the past for several such pockets of defence vacant lands;

(b) if so, the details thereof; and

(c) if not the reasons therefor ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) to (c) The State Government of Andhra Pradesh had identified some isolated pockets of defence land in Secunderabad Cantonment for locating essential services like Andhra Pradesh State Road Transport Corporation (APSRTC), Andhra Pradesh State Electricity Board (APSEB), Bus Station/Station and Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) Service in exchange of State Government equal value land. The State Government have not furnished details of land to be exchanged with Defence lands.

[Translation]

Petroleum Policy

1577. SHRI SUBODH ROY : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the salient features of new petroleum policy of the Government;

(b) whether the Government have framed rules about reservation in the new policy; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (c) To impart greater thrust and efficacy to exploration efforts in the country, the Government has formulated New Exploration Licensing Policy (NELP) in 1997. This policy provides a

level playing field for both private and public sector companies for award of exploration acreages through global competitive bidding. The salient features of NELP are given in Statement enclosed.

Statement

The broad terms of NELP are as under

- No signature, discovery or production bonus.
- No mandatory state participation.
- No carried interest by National Oil Companies (NOCs)
- Income Tax Holiday for seven years from start of commercial production.
- No customs duty on imports required for petroleum operations.
- Biddable cost recovery limit upto 100%.
- Option to amortize exploration and drilling expenditures over a period of 10 years from first commercial production.
- Biddable sharing of profit petroleum based on pre-tax investment multiple achieved by the contractor.
- Royalty for onland areas is payable at the rate of 12.5% for crude oil and 10% for natural gas. For offshore areas, it is payable at the rate of 10% for oil and natural gas. Royalty for discoveries in deepwater areas beyond 400m iso-bath will be chargeable at half the applicable rate for offshore areas for the first seven years of commercial production.
- Fiscal stability provision in the contract.
- Freedom to the contractor for marketing of oil and gas in the domestic market.
- Provision for assignment.
- Conciliation and Arbitration Act, 1996 will be applicable.

[English]

Targets for Rural Electrification

1578. SHRI PRABHUNATH SINGH : Will the Minister of POWER be pleased to state :

(a) whether funds for rural electrification are being made available to State Electricity Boards/implementing agencies through schemes under various Ministries;

(b) if so, whether the targets set for rural electrification have been achieved during the last three years;

(c) if not, the reasons therefor and the steps taken to overcome the hurdles in achieving the targets; and

(d) the details of the targets fixed as well as achieved for rural electrification during the Eighth and Ninth Plan, Plan-wise and target fixed for Tenth Plan ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (c) Rural Electrification Schemes are formulated and implemented by the State Governments/State Electricity Boards/State Power Utilities out of the State Plan allocation depending upon their priorities. However, there are other options available for seeking financial assistance for implementing rural electrification schemes. The Government of India provides Additional Central Assistance under Pradhan Mantri Gramodaya Yojana (PMGY), Minimum Needs Programme (MNP) and Non-Lapsable Central Pool of Resources for electrification of tribal villages in North Eastern States. Funds are released by the Ministry of Finance on the recommendations of the Planning Commission and Ministry of Power under PMGY and MNP respectively. Funds are also released by the Ministry of Finance on the recommendations of Department of Development of North Eastern Region for North Eastern States. In addition, Rural Electrification Corporation (REC) also provides financial assistance to State Electricity Boards to supplement their resources. Besides, State Governments and State Electricity Boards (SEBs) can access funds for rural electrification under Rural Infrastructure Development Fund (RIDF) and NABARD under Ministry of Finance.

Ministry of Non-Conventional Energy Sources also provides financial assistance to the States for electrification of remote villages

(b) and (c) The Planning Commission had set a target of electrification of 30,000 villages and energisation of 20,00,000 pumpsets during the Ninth Plan. However, year-wise targets were not finalized. The achievement in respect of village electrification and pumpsets energisation during the last three years is given as under :

	1999-00	2000-01	2001-02
Village Electrification	2093	1218	1429
Pumpsets Energisation	297594	309236	315833

The pace of rural of electrification has slowed down as the State Governments/State Electricity Boards consider the implementation of this programme un-remunerative. The declining financial position of the States/SEBs combined with the relative declining in share of the power sector outlay in the State plans have also contributed to the situation.

However, in order to accelerate the pace of village electrification, the Government had resolved to complete village electrification by the end of 10th Plan period i.e. by 2007 and full coverage of all households by the end of 11th Plan period i.e. by 2012. Rural electrification has been treated as a Basic Minimum Service and has been included under Pradhan Mantri Gramodaya Yojana (PMGY) from the year 2001-02. Under this programme, Ministry of Finance have released an amount of Rs. 412.236 crores to the States during 2001-02. Ministry of Finance have also released an amount of Rs. 175 crores during 2001-2002 under Minimum Needs Programme (MNP) for rural electrification.

The Planning Commission have made an allocation of Rs. 2747.00 crore for all the six components of PMGY including rural electrification, as Additional Central Assistance (ACA) for the year 2002-03. Under the revised guidelines of PMGY formulated by the Planning Commission, the States would have flexibility to decide the interse allocation of ACA among the six PMGY sectors as per their own plan priorities and discretion. The Planning Commission have made a budget provision of Rs. 600 crore as ACA for rural electrification under Minimum Needs Programme for 2002-03, out of which an amount of Rs. 300 crores has been released as the first instalment (50%) under this programme in September, 2002. The Government have provided for a new interest subsidy scheme called the 'Accelerated Rural Electrification Programme' in the budget for the year 2002-03 with a provision of Rs. 164 crores. In addition to this, Rural Electrification Corporation have formulated new schemes for electrification of dalit bastis and hamlets at lower rate of interest.

(d) Plan-wise targets fixed by the Planning Commission for rural electrification during the Eighth and Ninth Plan are given below :

	Eighth Plan Target	(1992-96)* Achievement
Village Electrification	50,000 **	18,504
Pumpsets Energisation	2500000	2174234

* Target for the year 1996-97 was not finalized by the Planning Commission

** (40,000 by Conventional Grid and 10,000 by Non-Conventional Grid)

	Ninth Plan	
	Target	Achievement
Village Electrification	30,000	10,727
Pumpsets Energisation	20,00,000	1573971

For the 10th Plan, a target of electrification of 62,000 villages to achieve 100% village electrification has been set.

India-Nepal Power Exchange Committee

1579. SHRI T. GOVINDAN : Will the Minister of POWER be pleased to state :

(a) whether India-Nepal Power Exchange Committee had not met for the last one and half year resulting in delay in the power supply in Uttar Pradesh and Bihar;

(b) if so, the reasons therefor; and

(c) the action taken in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (c) The Indo-Nepal Power Exchange Committee (PEC) meets to discuss co-operation in power exchange between India and Nepal. The meeting is held alternatively in India and Nepal. Dates for these meetings are scheduled as per the convenience of the two sides. The last meeting of the PEC was held at Kathmandu in January, 2001. Dates for the next meeting are being worked out.

Presently, Nepal is net importer of power from India. There are no pressing demands from Indian States,

including Uttar Pradesh and Bihar, for supply of power from Nepal.

Petrol/Diesel Outlets and LPG Agencies in Rajasthan

1580. DR. JASWANT SINGH YADAV :
SHRI RAM SINGH KASWAN :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the number of petrol pumps and LPG agencies functioning in Rajasthan at present;

(b) the details of petrol pumps and LPG agencies allotted to Scheduled Castes/Scheduled Tribes, women, freedom fighters, general etc., in Rajasthan during the last three years;

(c) whether the Government propose to issue more licences for petrol and LPG agencies in Rajasthan at the end of current financial year; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) As on 1.4.2002, there were 1200 retail outlets and 374 LPG distributorships in operation in the State of Rajasthan.

(b) During the last three years, i.e., 1999-2000, 2000-2001 and 2001-2002, the number of retail outlet dealerships (petrol pumps) and LPG distributorships allotted in the State of Rajasthan, under different categories but other than those allotted under 'OP Vijay' Scheme (Kargil), were 219 and 141 respectively.

(c) and (d) It may not be possible to indicate the time frame by which new retail outlet dealerships and LPG distributorships are likely to be allotted as the process of allotment has to undergo a number of stages like selection of dealers/distributors as per policy guidelines, various approvals, etc.

[Translation]

Activities of GAIL in Foreign Countries

1581. SHRI KAILASH MEGHWAL : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether GAIL is increasing its activities in foreign countries keeping in view the increasing competition in Hydrocarbon sector and also preparing for the takeover of Engineers India Limited and Haldia Petro-chemicals Limited; and

(b) if so, the details thereof;

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) and (b) Yes, Sir. In order to meet the growing demand of domestic gas, GAIL is pursuing business opportunities abroad and have taken 10% participating interest in an offshore block in Myanmar which is rated as prospective for gas discovery. Further GAIL is also pursuing CNG projects in Bangladesh, Iran and Indonesia.

GAIL has joined Larson and Toubro (L and T) to bid for Government's equity in Engineers India Limited (EIL). GAIL's participation in the equity of Haldia Petrochemicals Limited (HPL) is at the evaluation stage for equity participation and not take-over.

Construction of ROB Near Madsadhavi

1582.SHRI UTTAMRAO DHIKALE : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Government have formulated a plan to construct an over bridge near Madsadhavi village on Nasik-Aurangabad Road;

(b) if so, the details thereof; and

(c) the time by which the construction work is likely to be started and completed ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) No, Sir. No proposal has been received from the State Government.

(b) and (c) Do not arise.

[English]

Provision of Rakes at Gokhula Station

1583.DR. M.P. JAISWAL : Will the Minister of RAILWAYS be pleased to state :

(a) the number of rakes for goods trains provided at Gokhula station of West Champaran during each of the last three years, till date;

(b) the number of details of bookings in the goods trains upto Banmankhi Railway Station during the said period; and

(c) the reasons for loading cattles for Banmankhi Station ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) Number of single destination rakes and total wagons loaded from Gokhula Station during the last three years is as under :

Year	No. of rakes	No. of wagons (in meter gauge-four wheeler units)
2000	0	4366
2001	1	5992
2002 (upto October)	0	1094
Total	1	11452

(b) No wagons were loaded from Gokhula Station for Banmankhi Railway Station during the above period.

(c) Does not arise.

[Translation]

NTPC's Projects In Nagpur, Maharashtra

1584.SHRI CHANDRAKANT KHAIRE Will the Minister of POWER be pleased to state :

(a) whether NTPC propose to set up two power projects in Nagpur, Maharashtra;

(b) if so, whether the site has been identified for this purpose;

(c) the capacity of both power projects and the expenditure likely to be incurred thereon;

(d) whether more power projects are propose to be set up in any other district of Maharashtra; and

(e) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (e) The National Thermal Power Corporation (NTPC) teams have visited various locations in Maharashtra for exploring possible sites for establishment of a 100 MW Coal based power station. The position regarding identified sites are as follows :

- (i) NTPC had identified two alternative sites in tehsil Mauda in Nagpur district but this site was not found suitable due to shortage of water.
- (ii) A site near Madheri village in Chandrapur District was also identified. Government of Maharashtra was requested by NTPC to confirm sweet water availability for the project.
- (iii) For consideration the site Madban in Ratnagiri District, NTPC has requested Government of Maharashtra for confirmation about construction of port of handle coal and availability of sweet water.

[English]

Import of LNG from Qatar

1585.SHRI SAIDUZZAMA : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether GAIL had entered into a 25 year agreement for import of LNG from Qatar Ras Gas at prohibitive prices;

(b) if so, to what extent it is justified to import such heavy and large quantities on a long term basis from area which are likely to be disturbed due to international problems apart from heavy outgo of foreign exchange on non capital consumables;

(c) whether the Government propose to retrieve from the situation involving heavy expenditures; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (d) In order

to meet large demand of natural gas in the country, four oil PSUs namely Gas Authority of India Ltd., Oil and Natural Gas Corporation Ltd., Bharat Petroleum Corporation Ltd., and Indian Oil Corporation Ltd. have promoted a joint venture company namely Petronet LNG Limited (PLL) which is setting up LNG terminal at Dahej, Gujarat for which it has signed LNG Sale Purchase Agreement (SPA) with Ras Gas of Qatar for a period of 25 years. Ras Gas has been selected as LNG supplier through an International competitive bidding process.

LNG projects are highly capital intensive and, therefore, LNG supply contracts worldwide are for a period of 20-25 years with provisions for security of supply. Further, Qatar is relatively politically stable country in the Middle East region and is supplying more than 10 million tonnes of LNG per annum to Korea, Japan, USA etc.

Imported LNG will be economically cheaper as compared to fuels/feedstocks like Naphtha, LSHS, HSD etc. which it may replace.

[Translation]

Rural Electrification in Maharashtra

1586.SHRI NAMDEO HARBAJI DIWATHE : Will the Minister of POWER be pleased to state :

(a) whether all the villages of Maharashtra have been electrified;

(b) if not, the number of the villages yet to be electrified, district-wise; and

(c) the time by which all the villages of the above districts are likely to be electrified ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (c) There are 40,412 inhabited villages in Maharashtra (1991 census). Of these, 40,351 villages have been declared as electrified. The remaining 61 un-electrified villages have not been found feasible for electrification, as per Central Electricity, Authority (CEA).

Jan Shatabdi Trains

1587.SHRI MANIKRAO HODLYA GAVIT : Will the Minister of RAILWAYS be pleased to state :

(a) the number of Jan Shatabdi trains being run in the country alongwith details of their routes, State-wise;

(b) the number of new Jan Shatabdi Trains proposed to be started by June 30, 2003 alongwith details of their routes, State-wise; and

(c) the time by which these trains are likely to be started ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) to (c) Indian Railways do not introduce trains State-wise but on the basis of traffic pattern, operational convenience and availability of resources. Of the 16 pairs of the Jan Shatabdi Express announced in the Railway Budget 2002-2003, the following 14 pairs of Jan Shatabdi Expresses have been introduced till date.

1. 2065/2066	Howrah-Malda Town
2. 2077/2078	Chennai Central-Gudur-Vijayawada
3. 2053/2054	Varanasi-Lucknow
4. 2063/2064	Katihar-Patna
5. 2055/2056	Dehradun-New Delhi
6. 2051/2052	Madgaon-Lokmanya Tilak (T)
7. 2057/2058	Chandigarh-New Delhi
8. 2081/2082	Ahmedabad-Bhuj
9. 2067/2068	Guwahati-Dimapur
10. 2071/2072	Tata-Ranchi
11. 2073/2074	Bhubaneshwar-Howrah
12. 2075/2076	Ernakulam-Trivandrum
13. 2059/2060	Kota-Nizamuddin
14. 2079/2080	Bangalore-Hubli

The remaining two pairs of the following Jan Shatabdi Expresses will be introduced during 2002-2003 on the availability of Jan Shatabdi coaches.

1. 2069/2070	Raigarh-Raipur-Durg
2. 2061/2062	Habibganj-Jabalpur

[English]

Contract Labourers

1588.DR. (SHRIMATI) BEATRIX D' SOUZA : Will the Minister of DEFENCE be pleased to state :

(a) the number of contract labourers engaged at present in Ordnance Factories;

(b) whether the Government propose to give top priority for registered societies of contract labourers, while awarding contracts to avoid exploitation by private contractors;

(c) whether some Association/Society are existing in Ordnance Factories and are they being encouraged; and

(d) if so, the details thereof ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) The number of contract labourers in Ordnance Factories is at present 3250, approximately.

(b) There is no such proposal under consideration presently.

(c) and (d) No such Society/Association for contract labourers is existing in the ordnance factories. However, work (service) contracts are being given to private contractors including registered society(ies)/association(s) on lowest quotation basis.

Projects by HAL

1589.SHRI KOLUR BASAVANAGOUD : Will the Minister of DEFENCE be pleased to state :

(a) the details of the projects which are taken up by the Hindustan Aeronautics Limited, Bangalore;

(b) whether the Karnataka Government has come forward to help these projects; and

(c) if so, the type of help is sought for ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) The projects taken up by Hindustan Aeronautics Limited are: design, development and manufacture of Intermediate Jet Trainer aircraft: licence manufacture of Sukhoi-30 MKI aircraft: design, development and manufacture of Advanced Light Helicopter including its civil variant: licence production of AL-31FP engine:

participation in Light Combat Aircraft programme with Aeronautical Development Agency; co-development of Multi-role Transport Aircraft; and design and development of Shakti engine for Advanced Light Helicopter.

(b) and (c) No help was requested from the Government of Karnataka for these projects.

Concor Project at Dronagiri

1590. SHRI RAMSHETH THAKUR : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Container Corporation of India proposed to establish a project at Dronagiri Area of Navi Mumbai;

(b) if so, the details thereof;

(c) the area of land has been acquired for this project by the CONCOR and the number of Farmers have been affected as a result thereof;

(d) the scheme prepare or proposed for the rehabilitation of project affected people;

(e) whether there is any proposal to give reservation to the affected people for jobs in this projects;

(f) if so, the percentage thereof; and

(g) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) Yes, Sir.

(b) to (g) Container Corporation of India Limited (CONCOR), a Government of India Undertaking under Ministry of Railways, has set up a rail linked Container Terminal at Dronagiri Node for handling and warehousing of export/import cargo, providing rail transfer facility, storage of empty and loaded containers and storage of bonded cargo.

An area of 10.50 hectares of land has been taken on lease from the City and Industrial Development Corporation (CIDCO) an undertaking of Government of Maharashtra. Land at Dronagiri Node has been acquired by CIDCO and has been allotted to a number of parties including CONCOR. As per the lease agreement between CONCOR and CIDCO, there is no liability of CONCOR for rehabilitation of affected people.

Mini Hydel Projects in Himachal Pradesh

1591. SHRI A. BRAHMANAIAH : Will the Minister of NON-CONVENTIONAL ENERGY SOURCES be pleased to state :

(a) whether the Government have cleared/approved a number of mini-hydel projects in Himachal Pradesh;

(b) if so, the details thereof;

(c) if so, the generation capacity of each such project;

(d) whether any funds have been given to the States for these projects; and

(e) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF NON-CONVENTIONAL ENERGY SOURCES (SHRI M. KANNAPPAN) : (a) to (e) Yes, Sir. Ministry of Non-Conventional Energy Sources has so far supported 15 mini/small hydro projects with an aggregate generation capacity of 26.85 MW in Himachal Pradesh. Of these, 12 projects of capacity 24.25 MW are in the State sector, for which an amount of Rs. 22.72 crores has been released to the State. Project-wise details are given in the Table in enclosed Statement. The remaining three projects of 2.60 MW capacity have been undertaken by private developers.

Statement

Sr. No.	Name of the Project	Capacity (KW)	Funds released to the State (in Rs. lakhs)
1	2	3	4
1.	Jubal	150	27.87
2.	Manali	200	54.60
3.	Holi	3000	337.50
4.	Sal Stage II	2000	290.00
5.	Bhabha Aug.	3000	297.50
6.	Gumma	3000	486.00
7.	Khauli	12000	150.00
8.	Kothi	200	118.89
9.	Juthed	100	74.78

1	2	3	4
10.	Lingti	400	355.11
11.	Purthi	100	40.00
12.	Sural	100	40.00

Assistance to States for NCES

1592. SHRI BHAN SINGH BHAURA : Will the Minister of NON-CONVENTIONAL ENERGY SOURCES be pleased to state :

(a) whether the Government are assisting various State Governments and providing expertise to develop centres for non-conventional Energy Sources;

(b) if so, the details of such assistance provided during the last three years, State-wise;

(c) the details of the centres have been developed in the country particularly in Punjab;

(d) the details of new projects are likely to be undertaken by the Union Government in Punjab; and

(e) the details of funds allocated and released for this purpose ?

THE MINISTER OF STATE OF THE MINISTRY OF NON-CONVENTIONAL ENERGY SOURCES (SHRI M. KANNAPPAN) : (a) to (c) The Ministry of Non Conventional Energy Sources provides Central Financial Assistance to five Regional Training Centres under the Integrated Rural Energy Programme; 11 Biogas Development and Training Centres and six Regional Test Centres for Solar Thermal Technologies in various States. Details of these Centres, including the Centres in the State of Punjab, and financial assistance provided during the last three years, are given in the enclosed statement.

(d) and (e) Targets for setting up of 3,000 biogas plants, 500 solar home lighting systems and 150 solar street lighting systems have been fixed for the State of Punjab. Central Financial Assistance of Rs. 1.38 crores has been allocated for these programmes during the current year against which an amount of Rs. 0.23 crores has so far been released.

Statement

Central Financial Assistance during last three years, for centers in various States

S. No.	Name of the Centre	Funds released during last 3 years (Rs. in lakh)
1	2	3
1.	IREP Training Centre, Bakoli, Delhi	-
2.	IREP Training Centre, Chinhat, Lucknow, U.P.	48.89
3.	IREP Training Centre, Jakkur, Bangalore, Karnataka	-
4.	IREP Training Centre, Village Amrol, Distt. Anand, Gujarat	27.37
5.	IREP Training Centre, Shillong, Meghalaya	-
6.	Biogas Development and Training Centre, Bangalore, Karnataka	13.67
7.	Biogas Development and Training Centre, Coimbatore, Tamilnadu	34.69
8.	Biogas Development and Training Centre, Hissar, Haryana	10.25
9.	Biogas Development and Training Centre, Hyderabad, Andhra Pradesh	14.95
10.	Biogas Development and Training Centre, Jorhat, Assam	11.50
11.	Biogas Development and Training Centre, Indore, Madhya Pradesh	5.80

1	2	3
12.	Biogas Development and Training Centre, Kharagpur, West Bengal	15.78
13.	Biogas Development and Training Centre, Lucknow, U.P.	1.95
14.	Biogas Development and Training Centre, Ludhiana, Punjab	15.00
15.	Biogas Development and Training Centre, Palampur, Himachal Pradesh	18.60
16.	Biogas Development and Training Centre, Udaipur, Rajasthan	22.50
17.	Regional Test Centres for Solar Thermal Technologies, Chandigarh, Punjab	5.60
18.	Regional Test Centres for Solar Thermal Technologies, Indore, Madhya Pradesh	12.10
19.	Regional Test Centres for Solar Thermal Technologies, Madurai, Tamilnadu	6.95
20.	Regional Test Centres for Solar Thermal Technologies, Jadavpur, West Bengal	9.70
21.	Regional Test Centres for Solar Thermal Technologies, Vallabhvidyanagar, Gujarat	12.63
22.	Regional Test Centres for Solar Thermal Technologies, Pune, Maharashtra	10.00

Proposal to Form e-Courts

1593. SHRIMATI RENUKA CHOWDHURY : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Government has mooted any proposal to form e-Courts of the Supreme Court at different parts of the country;

(b) if so, number of e-Courts are likely to be formed and extend to which these e-Courts would help the Supreme Courts to liquidate/dispose of the long pending cases; and

(c) if not, the measures proposed to be taken to dispose of the pending cases of Supreme Court ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) to (c) On the direction of the then Chief Justice of India in the year 2000, the National Informatics Centre (NIC) submitted a Project Report on the upgradation of computerization of the Supreme Court in September, 2000. NIC in its Report had suggested that the existing Hardware and Software tools at the Supreme Court were required to be changed and upgraded considerably. Some new applications namely, Management Information System (MIS), Public Interface System and Electronic-Courts (E-Courts) were proposed to be introduced.

The project is to be completed in two Phases. The First Phase includes all applications which are essential for the

smooth functioning of the Registry. This phase has been implemented by the NIC. The Second Phase will cover newly identified applications viz. MIS, public Interface System and E-Courts. This will be implemented jointly by the NIC and M/S Microsoft. Ministry of Finance is providing the required funds to the Supreme Court.

E-Courts will enable the advocates to explain their point of view more clearly to judges with the help of Multi-Media based presentations in the court rooms. Information required by the courts from far off places will reach the court immediately through e-mails etc. This will result in less adjournments, better quality of presentations and will definitely speed up the disposal of cases.

For speeding up the disposal of cases and decreasing the pendencies the Supreme Court is also taking steps to improve the Court management, case management and docket management. The Supreme Court has brought down the pendency of cases from 1,04,936 as on 31.12.1991 to 23,012 as on 1.5.2002, through better use of information technology and better Court management.

Combined Cycle Power Project

1594. SHRI G. PUTTA SWAMY GOWDA : Will the Minister of POWER be pleased to state :

(a) whether the 189 Mega Watt Combined Cycle Power Project in Karnataka has been lying pending with the Union Government for a long time;

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

(c) the steps taken by the Government to clear this project ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (c) No, Sir. The Detailed Project Report (DPR) for the 189 MW Hassan Combined Cycle Power Project, submitted to the Central Electricity Authority (CEA) by the project developers in December, 1997, was considered by CEA for, in its meeting held on 28.5.1999. The proposal could not be accorded techno-economic clearance (TEC) as the same was not cleared by the Central Water Commission (CWC) for water availability from Inter-State consideration as the source of water proposed for the project was from Cauvery basin and the matter of wafer allocation was pending before the Ceuvery Water Dispute Tribunal for adjudication. Also, the hard cost and soft costs of the project were to be reduced by the project developers. In order to resolve the issue of water availability, CEA convened meetings on 23.1.2001 and 3.4.2001 with the project developers. In this meeting, alternative sources of water supply was explored and the project developers proposed to go in for ground water, for which clearance from the State and Central Ground Water Authorities was required. The same was obtained by the developer in February, 2002. However, due to high cost of generation, CEA advised the State Government in August, 2002, to consider the possibility of reducing the capital cost and cost of fuel by changing the fuel from naphtha to other economical fuel and furnish their views to enable CEA to issue TEC. The views of the State Government have not been received by CEA. The DPR was however, returned to the IPP on 21.9.2001.

The project could be considered for TEC by CEA only after the necessary inputs/clearances are tied up. Meanwhile, the Government of India, Ministry of Power has also issued a notification No. S.O. 888(E) dated 19th August, 2002 under Sub-section (1) of Section 29 of the Electricity (Supply) Act, 1998 (54 of 1948), whereby, schemes for generating stations prepared by a generating company having an estimated capital cost of upto Rs. 2500 crores, and whose tariff for sale of electricity is determined by the Central Electricity Regulatory Commission or any State Electricity Regulatory Commission, are not required to obtain the TEC of CEA.

[Translation]

Corruption in railway recruitments

1595.SHRI BRAHMA NAND MANDAL :
SHRI RAVINDRA KUMAR PANDEY :

Will the Minister of RAILWAYS be pleased to state :

(a) whether the attention of his Ministry has been drawn towards the news-item captioned "Railway Bharti Board Ke apradh police janch ke dayare mein" published in 'Hindustan' Patna edition dated August 23, 2002;

(b) if so, the details thereof;

(c) the number of irregularities/corruption cases in recuritment have come to the notice of the Government during the last three years till date; and

(d) the action taken on each case ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) Yes, Sir.

(b) A case has been registered under Police Station, Khagoul, Patna alleging misrepresentation by a System Manager of Computer Agency engaged by Railway Recruitment Board/Patna for collecting work and payment on behalf of the Computer Agency but not depositing the same in the company's account and alleged involvement of Chairman, Railway Recruitment Board, Patna in the matter. The case is still being investigated by the State Police.

(c) 11(Eleven) cases of irregularities detected.

(d) All examinations involving irregularitics have been cancelled.

Investment in Automobile Industry

1596.SHRI NAWAL KISHORE RAI :
DR. SUSHIL KUMAR INDORA :

Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state :

(a) whether the automobile industry is considered to be one of the major industries of the country at present;

(b) if so, the total investment made by the end of March, 2002 in this sector;

(c) the average annual production in regard to passenger cars, commercial vehicles, autorickshaws and two wheelers during the last three years;

(d) the percentage of vehicles of each category exported out of the total average annual production; and

(e) the foreign exchange earned therefrom during the said period, year-wise ?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES

(DR. VALLABHBHAI KATHIRIA) : (a) Indian automobile industry is one of the major industries contributing nearly 5% of the industrial output of the county.

(b) Total investment in the automotive industry at present is estimated to be Rs. 50,000 crores.

(c) and (d) The average annual production in regard to passenger cars, commercial vehicles, two wheelers and three wheelers alongwith percentage of these vehicles exported out of the total average annual production is as under :

Category of Vehicles	Production			Average Production	% of Exports over average production
	1999-2000	2000-01	2001-02		
Commercial Vehicles	173524	156706	146197	158809	7.37
Passenger Cars	577347	513415	564126	551629	5.82
Two Wheelers	3778011	3758518	4323644	3953391	2.51
Three Wheelers	190259	203234	212753	202082	8.15

(e) As per the information received from Director General of Foreign Trade (DGFT), the foreign exchange earned from export of passenger cars, commercial vehicles and two/three wheelers during the last three years is as under :-

(Value in Rupees Lakh)

Description	1999-2000	2000-2001	2001-2002
Motor Cars	40617.86	46613.86	41828.27
Motor Vehicles for transport of goods	14331.45	30436.56	24080.48
Motor Cycles (incl. Autorickshaws)	21390.76	33607.95	39567.97

[English]

Performance of PSUs in Gujarat and Madhya Pradesh

1597. SHRI P.S. GADHAVI :
SHRI RAMANAND SINGH :

Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state :

(a) the performance of the Heavy Industries and PSUs in Gujarat and Madhya Pradesh, PSU-wise;

(b) the names of those running in profit/losses/ referred to B.I.F.R., PSU-wise;

(c) the names of the undertakings proposed to be disinvested along with the reasons therefor; and

(d) the steps taken by the Government to improve the performance of PSUs in Gujarat and Madhya Pradesh ?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (DR. VALLABHBHAI KATHIRIA) : (a) to (d) As per Public Enterprises Survey 2000-01, as on 31.3.2001, there are two Central Public Sector Undertakings (UPSs) registered in the State of Gujarat and five CPSUs registered in Madhya Pradesh. A statement giving names of these CPSUs along with their performance in terms of profit/loss and their status with respect to B.I.F.R. and disinvestment is given in the enclosed Statement. All "non-strategic" CPSUs (excluding IOC, ONGC and GAIL) have been referred by the Government to Disinvestment Commission for it to prioritize, examine and make recommendations to the Government. Enterprise specific steps are being taken

by the Administrative Ministries/Departments/Managements of CPSUs from time to time to improve their performance which is a continuous process. Some of the steps taken include managerial and financial restructuring, upgradation

of technology, modernization of plant and machinery, cost control measures, rationalization of manpower, improved marketing strategies, formation of Joint Ventures etc. as the case may be.

Statement

Sr. Name of CPSU No.	Profit/(-) Loss (Rs. in Crore) for 2000-2001	BIFR Status as on 30.6.2002	Disinvestment Status
Gujarat			
1. Indian Petrochemicals Corpn. Ltd. (IPCL)	248.90	-	Disinvested on 4.6.2002 and is no longer CPSU.
2. NTC (Gujarat) Ltd.	(-) 141.45	Revival Scheme Sanctioned	-
Madhya Pradesh			
1. Madhya Pradesh Ashok Hotal Corpn. Ltd.	(-) 0.57	-	Madhya Pradesh Ashok Hotel is a subsidiary of ITDC. Disinvestment Commission (D.C.) had given its recommendation for hiving-off Hotels as separate corporate identities and sale.
2. Narmada Hydro Electric Development Corpn.	Under Construction.	-	-
3. NEPA Ltd.	4.86	Under Enquiry	A BIFR referred CPSU referred to D.C. by D/o Heavy Industry as per restructuring plan of the company.
4. Northern Coal Fields Ltd.	703.48	-	-
5. NTC (Madhya Pradesh) Ltd.	(-) 100.78	Revival Scheme Sanctioned	-

-indicates 'NIL for the present'/Not Applicable.
Single Window Scheme for Foreign Cine Producers

1598.SHRI K.E. KRISHNAMURTHY : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the Government have any proposal to bring out a unique Single Window Scheme for Foreign Cine Producers; and

(b) if so, the details thereof ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) and (b) Ministry of Information and Broadcasting accords script

clearance and obtains security clearance from the Ministry of Home Affairs for foreigners coming to shoot in India. The permission to shoot in India is subject to further permission being granted by relevant authorities like Ministry of Defence, Ministry of Railways, Archaeological Survey of India, local authorities, etc. which may be required depending upon the location selected for shooting. There is, at present, no proposal to issue a single approval to cover all approvals that may be required.

Revival of C.C.I. Adilabad

1599.SHRI K. YERRANNAIDU : Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state :

(a) whether the Government of Andhra Pradesh have requested for the revival of the Cement Corporation of India, Adilabad; and

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

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (DR. VALLABHBHAI KATHIRIA) : (a) Yes, Sir.

(b) The proposal for recommissioning of Adilabad unit of CCI, which has been non operational since January, 1998, was considered and found to be an unviable proposition.

Further, CCI has been declared sick by the Board for Industrial and Financial Reconstruction (BIFR). The BIFR which is a Quasi Judicial body has directed the Operating Agency to process the sale of CCI as a whole or its plants individually or collectively.

Corrupt Public Servants (Forfeiture of Property) Bill

1600.SHRI SHRINIWAS PATIL :
SHRI KODIKUNNIL SURESH :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Corrupt Public Servants (Forfeiture of Property) Bill drafted by the Law Commission is gathering dust;

(b) whether the Commission had requested the Government to take immediate steps for getting the Bill passed; and

(c) the time by which the Government propose to bring the Bill before the Parliament ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) to (c) The Law Commission vide its 166th Report recommended enactment of 'The Corrupt Public Servants (Forfeiture of Property) Bill' which was examined in consultation with legal experts who have expressed their opinion that instead of enacting separate legislation, it would be appropriate if the Prevention of Corruption Act, 1988 is amended in such a way so as to make it more deterrent. It was felt that it would be a better way to achieve the objective of rooting out corruption.

Allocation to Eastern Railways for Safety Work

1601.SHRIMATI MINATI SEN : Will the Minister of RAILWAYS be pleased to state :

(a) whether Eastern Railway had received over Rs. 500 crore for the maintenance of coaches, tracks, bridges and training programmes from the Railway Safety Fund;

(b) whether some bridges in both Eastern and South Eastern Railways were not regularly maintained and both the Railways were yet to install advanced signalling system in long-distance trains despite the spurt in accidents; and

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

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) Eastern Railway has been allotted Rs. 145.86 crore in the year 2001-02 and Rs. 313.84 crore during the current financial year, out of the Special Railway Safety Fund (SRSF). Thus, the total allocation made to Eastern Railway so far, from SRSF, has been Rs. 459.70 crore.

(b) and (c) No, Sir. There are no bridges on Eastern and South Eastern Railways which were not regularly maintained. As of now, there is no sanctioned work for installing advance signalling system in long-distance trains on these Railways.

LNG Terminal at Dahej, Gujarat

1602.SHRI G.J. JAVIYA :
SHRI BHAL CHANDRA YADAV :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Indo-Qatar Governments have entered into any MoU recently to set up an LNG terminal project at Dahej in the State of Gujarat.

(b) if so, the estimated expenditure to be incurred on it; and

(c) the details of the States to be benefitted therefrom ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) No, Sir. However, Petronet LNG Limited (PLL) and Ras Gas of Qatar have entered into a Sale Purchase Agreement (SPA) for import of 5 MMTPA of LNG for Dahej LNG terminal.

(b) The estimated expenditure on the project is to be likely around Rs. 3656 crore.

(c) Some of the Western and Northern States which are expected to benefit through supply of the regassified LNG include Gujarat, Maharashtra, Madhya Pradesh, Rajasthan, Uttar Pradesh, Haryana, Delhi etc.

[Translation]

Change in People's Representation Act

1603. SHRI MAHESHWAR SINGH :

SHRI SHANKAR PRASAD JAISWAL :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Government propose to formulate any policy to bring comprehensive changes in People's Representation Act in view of prevalent corruption in politics and increasing tendency of criminalisation of politics;

(b) whether the Government propose to prepare any Code of Conduct in regard to elected public representatives;

(c) if so, the details thereof; and

(d) if not, the reasons therefor ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) The Government has introduced several Bills seeking to check corruption and criminalisation in politics. The Representation of the People (Amendment) Bill, 2001 which was introduced in Rajya Sabha on 05.12.2001, seeks to provide for open ballot system in respect of elections of Rajya Sabha (for checking reported prevalence of money power in Rajya Sabha elections). The Election and Other Related Laws (Amendment) Bill, 2002 introduced in Lok Sabha on 19.03.2002 provides for *inter alia* funding of elections to the political parties (for checking corruption and money power in elections). The Representation of the People

(Amendment) Bill, 2002 which seeks to implement the consensus arrived at in the all parties meeting held on 08.07.2002 and 02.08.2002 on certain aspects of criminalisation of politics, was introduced in the Lok Sabha on 25.11.2002 (again for checking criminalisation of politics). The Representation of the People (Second Amendment) Bill, 2002, is also proposed to be introduced in the current session, which seeks to rationalize sub-section (1), (2) and (3) of section 8 of the Representation of the People Act, 1951 (for providing enhanced period of disqualification in cases of imprisonment).

(b) to (d) The Representation of the People (Amendment) Bill, 2002 mentioned have also provides for declaration of assets and liabilities by the legislators (elected candidates) before the presiding officers of their concerned Houses. However, Ministry of Home Affairs has informed that there is no other proposal under consideration of that Ministry of formulate a Code of Conduct for the legislators.

Investment by Nagarjun Group in Refineries

1604. SHRI TUFANI SAROJ : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Nagarjun Group in the Private Sector had submitted any proposal to the Indian Oil Corporation Limited for investment in its refineries;

(b) if so, the details of the proposal;

(c) whether the Indian Oil Corporation Limited has rejected the proposal of the Nagarjun Group;

(d) if so, the reasons therefor;

(e) whether the Indian Oil Corporation Limited has started work on any project of increasing its oil refining capacity; and

(f) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) Yes, Sir.

(b) The Nagarjuna Group has sought participation of Indian Oil Corporation Limited (IOCL) in Nagarjuna Oil Corporation Limited (NOCL). The salient features of the proposal are as follows :-

- (i) Investment of Rs. 200 crore by IOCL as equity in the Cuddalore refinery project.
- (ii) Contract for off-take and marketing by IOCL for NOCL production.
- (iii) Sharing of tax concessions granted by the State Government of NOCL with IOC.
- (c) No, Sir.
- (d) Does not arise.

(e) and (f) IOCL is increasing the capacity of its Panipat refinery from 6.0 to 12.0 million metric tonnes per annum and the project is scheduled for mechanical completion in the first quarter of 2005.

In addition, a grass root refinery of 9 million metric tonnes per annum capacity at Paradip, Orissa is being pursued by IOCL.

[English]

**R and M of Sabarigiri Power
Project in Kerala**

1605. SHRI P.C. THOMAS : Will the Minister of POWER be pleased to state :

(a) whether Kerala State Electricity Board has given a proposal for renovation and modernisation of Sabarigiri Project (300 MW) in Kerala on an estimated cost of Rs. 95.15 crores under APDRP;

(b) if so, the response of the Government thereto;

(c) whether the renovation and modernisation of the above project will increase the capacity; and

(d) if so, the details of implementation of APDRP in all the districts of Kerala ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (d) Central Electricity Authority (CEA) had received a proposal of Kerala State Electricity Board through Power Finance Corporation (PFC) in April, 2002 for perusal and appraisal for renovation and modernization; uprating and life extension of Sabarigiri Power Project at a cost of Rs. 95.15 crores. The above proposal, involving an investment less than Rs. 500 crores, was returned to PFC as Techno-Economic Clearance (TEC) of CEA was not required. No funds have been sanctioned to the State of Kerala under

APDRP for renovation and modernization. PFC has, however, sanctioned a loan of Rs. 69.02 crores on 27.8.2002 for the project against the revised estimated cost of Rs. 98.88 crores. After renovation and modernization of the project, there will be a power benefit of 300 MW due to life extension of the plant and 35 MW increase in capacity due to uprating.

The details of the schemes for upgradation of sub-transmission and distribution system sanctioned in respect of Kerala State for the year 2002-03 are given in the enclosed Statement. An amount of Rs. 17.07 crores has been released to Kerala under APDRP in the financial year 2002-03 for improvement of Sub-Transmission and Distribution Systems.

Statement

The details of the schemes for upgradation of sub-transmission and distribution systems sanctioned in respect of Kerala for the year 2002-03

Sl.No.	Circle	Amount (Rs. in Crores)
1.	Kasargod	50.85
2.	Manjeri	77.51
3.	Pathamathitta	53.24
4.	Thiruvananthapuram	31.59
5.	Kollam	16.54
6.	Cochin	63.00
7.	Kozhikode	15.42
8.	Kannur	19.39
9.	Thalassary	12.36
10.	Alappuzha	10.46
Total		350.35

FDI in Non-News Print Media

1606. SHRIMATI PRABHA RAU :
SHRI VILAS MUTTEMWAR :
SHRI K.E. KRISHNAMURTHY :
DR. SUSHIL KUMAR INDORA :
SHRI NAWAL KISHORE RAI :

Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

- (a) whether the Government have decided to allow foreign direct investment in the non-news print category;
- (b) if so, the guidelines formulated in this regard;
- (c) whether any requests have been received and processed by the Government;
- (d) if so, the details thereof;
- (e) whether the Government are considering to re-look into allowing the Foreign Direct Investment in Print media;
- (f) If so, the details thereof; and
- (g) the reasons for going back from the decision of allowing FDI in Print Media after all the hue and cry?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) and (b) Yes, Sir. The guidelines are given in the enclosed Statement.

- (c) No, Sir.
- (d) Does not arise.
- (e) No, Sir.
- (f) and (g) Do not arise.

Statement

Guidelines for

- (i) PUBLICATION OF INDIAN EDITIONS OF FOREIGN TECHNICAL/SCIENTIFIC/SPECIALITY MAGAZINES/JOURNALS/PERIODICALS; AND
- (ii) FOREIGN INVESTMENT IN INDIAN ENTITIES PUBLISHING SCIENTIFIC/TECHNICAL/SPECIALITY MAGAZINES/JOURNALS/PERIODICALS

PREAMBLE

The Union Government has decided to allow :

- (i) publication of Indian editions of foreign scientific, technical and speciality magazines/periodicals/journals; and
- (ii) foreign investment upto 74% in Indian entities publishing scientific/technical and speciality magazines/periodicals/journals.

1. Application

- (i) An application shall be made to the Ministry of Information and Broadcasting in the prescribed format to determine the nature of contents of the publication
- (ii) Application fee of Rs. 5000/- (Rupees Five thousand only) shall have to be deposited through a Demand Draft in favour of the Pay and Accounts Officer, Ministry of Information and Broadcasting, payable at New Delhi.

2. Processing

- (i) The application shall be processed by the Ministry of I and B, after due inter-Ministerial consultations, to decide whether the proposed publication is covered under the category of scientific, technical or speciality magazine/periodical/journal. Representatives of the concerned Ministries/specialist bodies and language experts, as found necessary will be associated in this task. In appropriate cases, the Ministry of I and B will issue :
- (a) An approval, subject to compliance with the provisions of the Press and Registration of Books Act and Rules made thereunder for publication of the foreign journal; or
- (b) A No Objection Certificate (NOC) for foreign investment, a copy of which would be sent to RNI/SIA/RBI and the applicant.
- (ii) Determination of category assigned to the publication(s) is liable for review by the Ministry of I and B if the contents of the publication(s) undergo change at a later date.
- (iii) (a) In cases where both FDI and FII investment is envisaged, the applicant may approach the FIPB/RBI for clearance after obtaining the No Objection Certificate from the Ministry of I and B.
- (b) In cases involving only portfolio investment, the applicant may approach the Reserve Bank of India, for further clearance, if any, after obtaining the No Objection Certificate from the Ministry of I and B.

- (c) The Ministry of I and B will keep the Secretariat for Industrial Assistance and the Reserve Bank of India informed of the FDI projected by the Company and the balance permissible foreign investment on the portfolio investment route, while communicating the No Objection.

3. Title of the Publication

Title verification shall continue to be done by the Press Registrar as per existing procedure.

4. Foreign Investment

- (i) Total foreign investment upto 74% may be allowed. Guidelines of the Ministry of Finance on FDI and portfolio investment would apply subject to the overall ceiling of 74% mentioned above.
- (ii) All cases involving Foreign Investment shall be handled by the prescribed agencies, viz. FDI on the Government approval route through the mechanism of the FIPB and portfolio investment by the RBI.

Pending Cases in High Courts and Supreme Court

1607. SHRI SHANKAR PRASAD JAISWAL :
SHRI RAMJI LAL SUMAN :
DR. SUSHIL KUMAR INDORA :

Will the Minister of LAW AND JUSTICE be pleased to state :

- (a) whether a high percentage of cases pending in Supreme Court and High courts are those, wherein Union or State Governments or public undertakings and bodies are one of the parties;
- (b) if so, the details thereof, Court-wise;
- (c) whether in most of these cases the officers are not accountable for their acts and decisions; and
- (d) if so, the efforts being made to reduce the number of such cases and to ensure speedy justice including out of Court Settlement, negotiations or conciliation ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) to (d) The information is being collected and will be laid on the Table of the House.

International Energy Forum in Japan

1608. DR. B.B. RAMAIAH : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

- (a) whether 8th International Energy Forum was held at Osaka in Japan in September, 2002;
- (b) if so, the number of countries participated; and
- (c) the decisions taken at the meeting ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) Yes, Sir.

(b) The conference was attended by the Oil and Gas Minister of 65 countries and sector related 11 international associations including Organization of Petroleum Exporting Countries (OPEC), and International Energy Agency (IEA).

(c) The general consensus at the conference was that stable oil prices at sustainable levels are in the interest of both the oil producing and consuming countries. The oil exporting countries, both OPEC and non-OPEC, assured the conference that the oil producers will utilize their extra production capacity to ensure that there is no shortfall in term of physical supply of oil in situations of disruptions.

[Translation]

Reservation of Seats for SCs/ STs in Rajya Sabha

1609. SHRI RAMDAS ATHAWALE : Will the Minister of LAW AND JUSTICE be pleased to refer to the reply given to Starred Question No. 73 dated July 18, 2002 regarding reservation of seats for SCs/STs in Rajya Sabha and the Legislative Councils of the States and state :

- (a) whether the required information has since been collected;
- (b) if so, the details thereof; and
- (c) if not, the time by which the required information would be collected ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) to (c) No, Sir. the requisite information, which is still being collected, will be laid on the Table of the House as and when it becomes available.

Pilot Scheme for Unreserved Ticket System

1610. SHRI PADAM SEN CHOUDHRY :
SHRI RAMPAL SINGH :
DR. MANDA JAGANNATH :

Will the Minister of RAILWAYS be pleased to state :

(a) whether the Government have launched a Pilot Scheme namely "Unreserved Ticket System" in the country;

(b) if so, the salient features thereof;

(c) the names of Railway stations where this scheme has been introduced;

(d) the number of persons likely to be benefited through this scheme;

(e) whether Government propose to extend this scheme to all the railway stations in the country particularly in the Andhra Pradesh; and

(f) if so, the details thereof, State-wise ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) and (b) Yes, Sir. A pilot project of "Unreserved Ticketing System" (UTS) for issuing of unreserved tickets has been implemented in Delhi area of Northern Railway. The salient features of this project are as under :

- (i) In the system, tickets can be issued from Delhi area stations to any station defined in the system. Return tickets from any station defined in the system can also be issued for any station in Delhi area.
- (ii) Tickets can be issued for a period up to 30 days in advance.
- (iii) The system also has the capability to issue Monthly Season Tickets (MSTs)/Quarterly Season Tickets (QSTs) as well as platform tickets.

(c) This scheme has been commissioned at 23 stations in Delhi area. The list of the stations is given in the enclosed Statement.

(d) Presently on an average 80,000 tickets are being issued from UTS every day and approximately 2 lakhs passengers are being booked. However, with the facilities of advance booking up to 30 days and tickets being available from any station of UTS cluster, more and more people are expected to be benefited from UTS.

(e) and (f) Based on the evaluation of this pilot project, demand pattern and resources availability, it will be extended to other zonal Railways in a phased manner.

Statement

The list of the stations in Delhi area on which UTS scheme has been commissioned are as under :-

- | | |
|----------------------|-----------------------|
| 1. New Delhi | 13. Sewa Nagar |
| 2. Delhi Main | 14. Delhi Sadar Bazar |
| 3. Sarojini Nagar | 15. Vivek Vihar |
| 4. Hazrat Nizamuddin | 16. Sahibabad |
| 5. Azadpur | 17. New Ghaziabad |
| 6. Vivekanandpuri | 18. Okhla |
| 7. Shakurbasti | 19. Daya Basti |
| 8. Delhi Shahdra | 20. Mangolpuri |
| 9. Ghaziabad | 21. Subzi Mandi |
| 10. Shivaji Bridge | 22. New Azadpur |
| 11. Delhi Kishanganj | 23. Badli |
| 12. Tilak Bridge | |

[English]

Alternatives to Fish Plates

1611. SHRI CHADA SURESH REDDY :
SHRI IQBAL AHMED SARADGI :

Will the Minister of RAILWAYS be pleased to state :

(a) whether two rail accidents one in May and another in September, 2002 have caused due to missing of fish plates;

(b) whether Konkan Railway has done away with fish-plates and has used long-welded rails that stretch up to about 30 kms. at one go;

(c) if so, whether the Ministry's Civil Engineering Directorate has also been looking for alternatives to fish-plates;

(d) whether the proposed alternative is the replacement of all fish-plates with long-welded rails, especially on the routes of important trains and at locations like bridges;

(e) whether any concrete programme in this regard has been worked out;

(f) if so, the details thereof; and

(g) the time by which it is likely to be implemented and completed ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) On 12th May, 2002, 2402 New Delhi-Patna Shramjeevi Express and on 9th September, 2002, 2301 Howrah-New Delhi Rajdhani Express met with accidents due to removal of fish plates by unknow persons.

(b) The length of long welded rails on Kponkan Railway varies from 0.650 metres to a maximum of 20 kilometres only.

(c) to (g) Replacement of fish plated joints with welded joints, was started by Indian Railways since more than, last two decades. As on 1st April, 2002 approximately 69% of the track on broad gauge is having long welded rails. However, it is mentioned that all fish plated joints cannot be welded due to technical considerations. Replacement of fish plated joints with welded joints, wherever feasible, is a continuous on-going process.

[Translation]

Family Courts

1612.KUNWAR AKHILESH SINGH : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) the nature of disputes which would come for justice under the purview of family courts; and

(b) the measures contemplated by the Government to make such courts free from prolonged litigation which is prevalent in other courts ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) The Family Courts deal with the following matters :

(a) Declaration of marriage as null and void

(b) Restituion of conjugal rights,

(c) Judicial separation,

(d) Dissolution of marriage,

(e) Declaration as to matrimonial status of any person,

(f) Declaration as to the ownership of property of the party concerned,

(g) Interim order or injunction arising out of marital relationship.

(h) Declaration of legitimacy of any person or guardianship of a person or the custody or access to any minor, and

(i) Suits or proceedings for maintenance.

(b) The following measures have been taken by the Government to make Family Courts free from prolonged litigation prevalent in other courts.

(i) Efforts are made in the Family Courts for settlement of disputes through reconciliation and achievement of socially desirable results rather than adherence to rigid rules of procedure and evidence adopted in ordinary civil proceedings.

(ii) In these courts, as per Section 13 of the Family Courts Act, 1984, no party is entitled to be represented by a lawyer or a legal practitioner as a matter of right.

(iii) The judges in Family Courts are assisted by counselors for settling the disputes through conciliation. The Counsellors, appointed by State Governments in consultation with High Courts to advise the parties regarding settlement of disputes, help the parties in fulfilling legal formalities and arriving at conciliated settlements.

(iv) The Department of Justice monitors the disposal of cases by the Family Courts. The States/UTs

are periodically reminded to set up more Family Courts. From the present year (2002-03), the Central Government has started giving grants to States for meeting 50% of the cost of constructing the Family Court, constructing the residence of the Judge and for meeting 50% of the annual running expenses on such courts – including the salary of the Judge/supporting staff, in order to encourage the States to set up more Family Courts.

[English]

Technology Transfer

1613.SHRI P.R. KYNDIAH : Will the Minister of DEFENCE be pleased to state :

(a) whether France has renewed its offer of technology transfer for the manufacture of advanced Mirage-2000-V and aircraft carrier in India;

(b) if so, the details thereof; and

(c) the reaction of the Government thereto ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) to (c) Preliminary discussions on the offer of Transfer of Technology for manufacture of Mirage-2000-5 aircraft from France have commenced between Indian Air Force and Hindustan Aeronautics Limited with French companies.

No offer from France has been received for the Transfer of Technology for manufacture of aircraft carrier in India.

Freight Market Share of Railways

1614.SHRI A. VENKATESH NAIK :

SHRI RAMSHETH THAKUR :

SHRI ASHOK N. MOHOL :

SHRI G.S. BASAVARAJ :

Will the Minister of RAILWAYS be pleased to state :

(a) the revenue earned by the railways through freight and passenger traffic during each of the last three years;

(b) whether the Government have examined the report based on survey by TELCO projecting lower freight cost by road to the extent of 50% by 2007;

(c) if so, whether this will adversely affect the Railways freight earning capacity with earnings plunging below break-even level;

(d) whether according to the report the road freight transportation costs presently at Rs. 1.35 per kg/km to Rs. 0.90 per kg/km in 2007 compared to railway freight which would remain stagnant at present rate of Rs. 1.15 per kg/km in 2007; and

(e) if so, the steps taken or proposed to be taken by the Government to enhance the freight market share of railways ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) The revenue earned by the Railways through Freight and Passenger traffic during last three years is as under :—

(Rs. in crores)

Year	Freight	Passenger
1999-2000	22060.99	9581.07
2000-2001	23305.10	10515.07
2001-2002	24845.40	11196.45

(b) to (e) Ministry of Railways have not examined the report on the survey conducted by TELCO. The Railways have their own system to conduct such type of surveys. The Ministry of Railways are aware of the trends in road freight charges and the stiff competition posed by the development of National Highways specially during the last five years. With the development of National Highways, this competition will further increase. Keeping this in view, the Railways have taken the following steps to face the competition :

- (i) Rationalisation of Freight Structure by reducing number of classes and the ratio between the highest and lowest freight rates from 8.0 to 3.3.
- (ii) Concessional freight rate under Station-to-Station rate scheme enhanced to face competition.
- (iii) Mini rake of 20 bogie wagons allowed at train load rates for distance upto 300 kms.
- (iv) Computerisation of freight movement to ensure online information on movement of freight trains.

- (v) High speed goods trains at 100 kmph to reduce transit time.
- (vi) Development of integrated transport facilities through terminal warehousing scheme.
- (vii) Reduced freight for trainload movement of prescribed number of wagons.
- (viii) Block rakes for larger number of two point destinations.
- (ix) Introduction of time-tabled Parcel Express trains between Metropolitan cities to retrieve piecemeal traffic.

Quality of Rails

1615. SHRI AMAR ROY PRADHAN :
SHRI PRABODH PANDA :

Will the Minister of RAILWAYS be pleased to state :

(a) whether many trains disaster had occurred due to poor quality of rails supplied by Bhilai Steel Plant (BSP) which fell far short of safety standards;

(b) if so, the number of accidents occurred due to this quality of rails and the loss suffered thereby;

(c) the action taken by the Government against the supplying agencies;

(d) whether the hydrogen content was recently brought down from 3 ppm to 2 and the BSP was taking efforts to supply rails of this standard, as reported in 'The Hindu,' dated August 8, 2002; and

(e) if so, the other remedial steps taken by the Government in this regards ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) to (e) Some train accidents have occurred due to rail failure on Indian Railways in the past. In one of the accidents, which occurred near Khanna in 1998, the Commissioner of Railway Safety had put the blame for the rail failure on Bhilai Steel Plant (BSP). The loss suffered by the Railways in this accident was estimated to be Rs. 2.89 crores. A judicial inquiry for this accident is also in progress.

BSP had been supplying the rails to Indian Railways with some temporary relaxations, without compromising

safety, to avoid imports. However, these relaxations have also been withdrawn since 1.1.99. The inspection of rails which was earlier done by Directorate General Supplies and Disposal, have now been transferred to M/s RITES Ltd. since 1.4.2001

It is true that the hydrogen content in rail has been further brought down from 3ppm to 2ppm since June 2002. BSP has taken various steps to supply rails as per this standard. BSP has also installed On Line USFD machine and Eddy Current Flaw Detection machine for testing of all the rails.

IOCL Agreement with Malaysia for Exploration of Oil

1616. SHRI SHRIPRAKASH JAISWAL : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether Indian Oil Corporation Limited propose to have an agreement with Malaysia for exploration of Oil in Kakinada, Andhra Pradesh;

(b) if so, the details thereof ?

(c) the terms and conditions of the proposed agreement; and

(d) the quantum of natural gas likely to be available in the country by the said exploration ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) Indian Oil Corporation Limited at present does not have any agreement with Malaysia for exploration of oil in Kakinada, Andhra Pradesh.

(b) to (d) Do not arise in view of reply to (a) above.

Expenditure on PCRA

1617. PROF. UMMAREDDY VENKATESWARLU : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the annual expenditure on the PCRA (Petroleum Conservation Research Association);

(b) whether the PCRA has not been effective in curbing the wasteful use of petrol by vehicles;

(c) whether the Government propose to wound up the PCRA in the interest of saving funds;

(d) if not, the new strategies other than advertisements would be adopted to save petrol in the country;

(e) whether PCRA would be merged with other institutions; and

(f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) The annual expenditure of PCRA during 2001-02 was Rs. 2027.42 lacs.

(b) PCRA, since its inception, has been effective in propogating measures to curb the wasteful use of petrol and petroleum products.

(c) As on date there is no such proposal.

(d) Apart from advertisements, PCRA carries out a large number of field activities including Energy Audits, Driver Training Programmes, Emission Awareness Programmes, Lift Irrigation Pumps Demonstration Centers, Replacement/Rectifications, Seminars and Consumer Meets, Workshops and Clinics, Institutional Training Programmes, Youth Programmes, Promotional Schemes and Soft Loan Schemes, various R and D Activities and R and D Projects, publishing Technical Literature, Conservation Newsletter and Quarterly Journal 'Active Conservation Techniques (ACT)'; Radio Programme on the history and development of petroleum sector etc.

(e) and (f) No such proposal is under consideration of the Government.

Setting up of Metro Channel at Madurai

1618.DR. A.D.K. JAYASEELAN : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the Government propose to set up/start metro channel at Madurai in Tamilnadu;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) Yes, Sir.

(b) A Low Power Transmitter for DD2 (Metro Channel) service is being set up at Madurai.

(c) Does not arise.

Operation Leech

1619.SHRI RAMJIVAN SINGH :

SHRI DINESH CHANDRA YADAV :

SHRI V. VETRISELVAN :

SHRI G. PUTTA SWAMY GOWDA :

Will the Minister of DEFENCE be pleased to state :

(a) whether a joint services operation "Leech" has been conducted by the Government to inercept gun running in the Andamans meant for the North-East terrorists;

(b) if so, the details thereof;

(c) the achievements made since the launching of the operation "Leech";

(d) whether the CBI has raised doubts about the bonafides of the entire operation;

(e) if so, the reasons therefor; and

(f) the reaction of the Government with regard thereto?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) to (f) A combined service operation (Operation Leech) was undertaken in February 1998 to intercept arms deliveries meant for Indian insurgent groups in the North East. In this operation, 73 foreign nationals were apprehended and 138 weapons along with a large quantity of ammunitions were recovered.

On the basis of certain information and in view of the possible international ramifications of this operation, it was considered desirable that investigations into this episode be carried out by a Central Investigating Agency. Accordingly CBI was directed to take over the investigation. The investigation is still on.

However, as no evidence could come forth during the investigation against 37 fishermen, a report under Section 169 CrPC was filed by the CBI and the fishermen were

discharged by the CJM on 07.05.1999. The remaining 36, militants who were lodged in jail in Port Blair were released from judicial custody on 14.10.1999. They are at present lodged in a building in Port Blair as they do not have any travel documents.

The investigation by the CBI is continuing.

Free to Air Package

1620. SHRI CHANDRA BHUSHAN SINGH : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the Government have fixed the free to air package rates under the proposed CAS Bill without hearing the views of small or medium cable operators; and

(b) if so, details thereof alongwith reasons therefor ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) No, Sir.

(b) Does not arise.

Defence Academy

1621. SHRI J.S. BRAR : Will the Minister of DEFENCE be pleased to state :

(a) whether there is a proposal to establish Defence Academy at Anandpur Sahib;

(b) if so, the details thereof; and

(c) the reasons for delay and present status of the project ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) and (b) In 1999, Government had agreed to establish a Junior Leaders Academy (JLA) at Anandpur Sahib, Punjab to impart developmental training for Junior Commissioned Officers and Non-Commissioned Officers of the army.

(c) The delay in setting up of the Academy is due to the non-completion of the process of negotiations with the State Government of Punjab for the transfer of land. In the meantime, Government have approved raising of a JLA at Ramgarh, as an 'interim measure', which will be shifted to Anandpur Sahib as soon as land and facilities for the Academy are made available by the State Government of Punjab.

Constitution of Committee on Encroachment of Land

1622. SHRI ASHOK N. MOHOL :
SHRI V. VETRISELVAN :
SHRI BHUPENDRASINH SOLANKI :

Will the Minister of DEFENCE be pleased to state :

(a) whether the Government are considering to constitute a Study Committee to examine the issue of encroached land;

(b) if so, the details thereof; and

(c) the area of land under the possession of Defence forces in various States, State-wise ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) and (b) No, Sir. Government is aware of encroachments on Defence land and action for removal of encroachments is taken under the provisions of Cantonment Act, 1924 and Public Premises (Eviction of Unauthorised Occupants), Act, 1971.

(c) The details of defence land holdings, State-wise, are given in the statement attached.

Statement

Sl. No.	Name of the State/ Union Territory	Total Land Holdings (in acres)
1	2	3
1.	Andhra Pradesh	35042.228
2.	Arunachal Pradesh	4156.000
3.	Assam	24548.200
4.	Bihar/Jharkhand	15893.304
5.	Delhi	11422.706
6.	Goa	3094.948
7.	Gujarat	23247.820
8.	Haryana	33697.933
9.	Himachal Pradesh	5972.659
10.	Jammu and Kashmir	16216.468
11.	Karnataka	29183.112

1	2	3
12.	Kerala	5228.277
13.	Madhya Pradesh/Chhattisgarh	219927.207
14.	Maharashtra	137316.920
15.	Manipur	1284.489
16.	Meghalaya	5294.180
17.	Mizoram	113.525
18.	Nagaland	1646.470
19.	Orissa	23226.018
20.	Punjab	78410.822
21.	Rajasthan	827787.206
22.	Sikkim	2520.488
23.	Tamil Nadu	20954.090
24.	Tripura	1782.135
25.	Uttar Pradesh/Uttaranchal	152709.447
26.	West Bengal	39498.139
27.	Andaman and Nicobar Islands	8373.962
28.	Chandigarh	2679.432
29.	Diu and Daman	201.730
Total		1731429.915

**Conversion of Vijayawada T.V.
Production Centre**

1623.SHRI GUTHA SUKENDER REDDY : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether a demand has been made to convert the Vijayawada T.V. Production centre into a full fledged Kendra; and

(b) if so, the response of the Government in this regard ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) Yes, Sir.

(b) Prasar Bharati has intimated that Doordarshan's policy is to setup only one full-fledged Doordarshan

Kendra at each State capital. Other Programme production centres in any State, contribute to the programmes relayed from the main Doordarshan Kendra, as part of the respective regional languages channel. In the State of Andhra Pradesh, a full-fledged Doordarshan Kendra is functioning at Hyderabad. There is no scheme to convert Vijaywada Studio to a full-fledged Doordarshan Kendra.

Selection Norms for Oil Dealerships

1624.SHRI ADHIR CHOWDHARY : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether attention of the Government has been drawn to the news item captioned "Oil dealership selection not foolproof" as reported in the Statesman dated August 3, 2002;

(b) if so, whether manipulations were made to influence the Selection Boards; and

(c) if not, the reasons for reconstituting most of the DSBs in June 2000 ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) Yes, Sir.

(b) and (c) Prior to 1.4.2002, i.e. the date on which the Administered Pricing Mechanism in the petroleum sector was dismantled, selection of dealers/distributors for retail outlet dealerships, LPG distributorships and SKO-LDO dealerships used to be made by the Dealer Selection Boards (DSBs) on the basis of uniform and transparent guidelines laid down for the purpose by the Government. To cope up with the volume of work involved for making selections of a huge number of dealers/distributors throughout the country, the Government reconstituted 59 DSBs during 2000-2001. The DSBs were required to conduct the process of selection strictly on merit, as per the provisions contained in those guidelines. The guidelines also contained a grievance redressal system to deal with complaints, if received, against the selections. Further, the Government entrusted the responsibility for inquiry into the complaints against DSBs to the Director General, Anti-Adulteration Cell of the Government.

Bhatinda Oil Refinery

1625.SHRI AJOY CHAKRABORTY : Will the Minister of PETROELUM AND NATURAL GAS be pleased to state :

(a) whether the capacity of Bhatinda Oil Refinery is proposed to be cut; and

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

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) and (b) A revised details feasibility report is being prepared considering the demand – supply scenario during the X Plan period, which may affect the capacity requirement and configuration of the refinery. No decision has been taken in this regard as yet.

[Translation]

Payment of Claims of Passengers

1626. SHRI RAVINDRA KUMAR PANDEY : Will the Minister of RAILWAYS be pleased to state :

(a) the number of claims for Railway ticket refund by the each Railway Zonal Office/Chief Commercial Manager (Refund/Claim) during the last three years and current year September, 2002;

(b) the existing norms to refund railway ticket refund claim;

(c) whether there is any time frame to refund the railway ticket amount to the concerned applicant;

(d) if so, the details thereof;

(e) whether the payment of claim amount has not been made more than a year for cancellation of tickets to railway passengers by the Claim and Return Wing, Commercial Department of Northern Railway;

(f) if so, the reasons therefor; and

(g) the effective steps taken by the Government for the early disposal of claims for cancellation of tickets?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) The Railway-wise details of the number of refund cases, pertaining to passenger traffic disposed off during the last three years and current year up to September, 2002 is given in the enclosed Statement.

(b) to (d) Normally, refund is granted across the counter upto a certain stipulated time even after the departure of the train. If the passenger fails to obtain refund within this time, or if the refund is sought on ground other than those mentioned in the refund rules, the passenger has to deposit the ticket within 30 days of the scheduled departure of the train. In lieu of the deposited ticket, he is given a Ticket Deposit Receipt (TDR), which he has to send to the office of Chief Commercial Manager (Refund) of the TDR issuing zonal Railway within 90 days of the date of commencement of journey. Zonal Railways have been instructed to finalize such cases early and dispose them off within 3 months but it is not always possible to stick to this time limit in some cases because the process of verification of details of tickets takes time.

(e) As per information available, no such case of more than one year is pending.

(f) Does not arise.

(g) Station Managers of important stations have been delegated powers to grant refund after condoning delay. A pilot project for Computerization of Coaching Refunds has been implemented on South Central Railway. The project has been implemented in order to speed up the process of refund. This project has also been sanctioned for the servers located at Chennai, Kolkata, Mumbai and New Delhi

Statement

Statement indicating the railway-wise details of number of coaching refund cases disposed during the years mentioned below :

Railway	1999-2000	2000-2001	2001-2002	2002-2003 (upto Sept.'02)
1	2	3	4	5
Central	41919	47655	50448	31833
Eastern	18112	6430	4517	2995
Northern	101341	108941	118554	75637
North Eastern	1424	1234	1100	477
Northeast Frontier	5925	7987	6547	2931
Southern	51224	54503	57254	29405

1	2	3	4	5
South Central	26403	27744	30272	14667
South Eastern	10024	10203	11464	7086
Western	34031	32281	33828	17308
Total	290403	296978	313984	182339

[English]

Orders to Kerala Electrical and Allied Engineering Company Ltd.

1627. SHRI P. RAJENDRAN : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Kerala Electrical and Allied Engineering Company Ltd., Kundara, the only PSU manufacturing Brushless Alternators and regulators being used by the Railways, for lighting and air-conditioning of coaches, is being denied supply orders, giving preferential treatment to few private firms;

(b) If so, the reasons therefor;

(c) whether the Government propose to place maximum orders to Kerala Electrical and Allied Engineering Company Ltd; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) No, Sir.

(b) Does not arise.

(c) and (d) As per Government Purchase policy in vogue, only Central Public Sector Undertakings are given purchase preference and the orders on various firms are placed based on their technical competency, rates quoted and past performance etc. The same procedure will be followed in future also.

[Translation]

Ban on Sale of Gutka and Cigarettes at Railway Stations

1628. SHRI HARIBHAU SHANKAR MAHALE : Will the Minister of RAILWAYS be pleased to state :

(a) whether there is a ban on sale of gutkha and cigarettes at Railway Stations;

(b) whether gutkha and cigarettes are still being sold at certain stations;

(c) whether the Stations Masters and T.C.'s are encouraging the sale of said articles instead of putting ban on them; and

(d) if so, the action being taken by the Government against them ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) and (b) Yes, Sir. Zonal Railways have been instructed to implement the ban and take necessary action if anybody is found selling Gutkha, Cigarettes or any such banned items in railway stations.

(c) No, Sir.

(d) Does not arise.

[English]

Illegal Transportation of Birds

1629. SHRIMATI MANEKA GANDHI : Will the Minister of RAILWAYS be pleased to state :

(a) whether he is aware that thousands of wild birds are transported illegally as "Chickens" across India by the rail;

(b) whether he is also aware that there have been many seizures of wild birds that have been brought to Delhi/Mumbai by the Railways;

(c) whether any action has been taken against officials who have allowed the transportation of these birds;

(d) if so, the details thereof; and

(e) the steps taken by railways to stop this illegal carriage ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) and (b) No, Sir. However, one case has come to notice in which 375 parrots were booked from Unnao to Dadar by 1016 Kushinagar Express. These parrots were seized in Mumbai by volunteers of 'People Who Care for Animals' and freed.

(c) and (d) Action has been taken against the Chief Coaching Supervisor and the Booking Clerk of Unnao Railway Station under Discipline and Appeal Rules.

(e) Instructions have been reiterated to all Zonal Railways to ensure strict compliance of provisions of Wildlife Protection Act, 1972 and Transport of Animals (Amendment) Rules, 2001.

Service Tax on Advertisements

1630. SHRI V. VETRISSELVAN : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the major advertisers have taken off from giving advertisements to Doordarshan over the issue of service tax;

(b) if so, the details thereof;

(c) the estimated loss of exchequer to the Government as a result thereof; and

(d) the steps being taken to resolve the matter ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) No, Sir.

(b) to (d) Do not arise.

Performance of PSEs in West Bengal

1631. SHRI PRABODH PANDA : Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state :

(a) the number of Central Public Sector Enterprises functioning in the State of West Bengal;

(b) the performance of each of these PSEs during the last three years;

(c) whether some of the PSEs of West Bengal have introduced VRS;

(d) if so, the number of employees who had taken VRS in these PSEs, PSE-wise; and

(e) the financial implications thereof due to the implementation of VRS ?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (DR. VALLABHBHAI KATHIRIA) : (a) to (e) As per Public Enterprises Survey 2000-01, as on 31.3.2001, there are 37 Central Public Sector Undertakings (CPSUs) registered in the State of West Bengal. The names of these CPSUs along with their performance in terms of profit and loss and number of employee who opted for VRS and amount paid on VR compensation are indicated in the enclosed statement.

Statement

(Rs. in Crores)

Sr. No.	Name of PSUs	Profit/Loss			No. of employees opted for VRS till 31.3.2001	Amount spent for payment of VR compensation
		1998-99	1999-2000	2000-2001		
1	2	3	4	5	6	7
1.	Andrew Yule and Company Ltd.	2.21	1.56	-26.8	670	15.9
2.	Balmer Lawrie and Co. Ltd.	16.83	14.32	6.01	815	32.15
3.	Bengal Chemicals and Pharmaceuticals Ltd.	0.65	-3.87	-7.02	643	15.96
4.	Bengal Immunity Ltd.	-6.6	-14.18	-15.41	361	6.38
5.	Bharat Bhari Udyog Nigam Ltd.	0.08	0.04	0.08	—	—
6.	Bharat Brakes and Valves Ltd.	-3.28	-7.02	-9.29	307	8.04

1	2	3	4	5	6	7
7.	Bharat Ophthalmic Glass Ltd.	-24.58	-37.69	-37.69	326	2.97
8.	Bharat Process and Mechanical Engineers Ltd.	-29.29	-34.43	-43.87	988	1.7
9.	Biecco Lawrie Ltd.	0.45	0.17	-8.67	521	7.99
10.	Birds, Jute and Exports Ltd.	-3.96	-4.4	-4.47	32	0.45
11.	Braithwaite and Co. Ltd.	0.41	-14.13	1.74	1405	18.79
12.	Braithwaite, Burn and Jessop Construction Ltd.	0.36	10	0.6	Nil	Nil
13.	Bridge and Roof Co. (India) Ltd.	2.52	4.43	1.79	451	4.88
14.	Burn Standard Company Ltd.	281.63	-34.41	-45.22	5068	71.59
15.	Central Inland Water Transport Corpn. Ltd.	-65.9	-65.48	-78.26	1224	25.06
16.	Coal India Ltd.	606.2	681.17	280.21	63813	775.5
17.	Cycle Corporation of India Ltd.	-56.41	-57.95	-59.49	2814	49.24
18.	Eastern Coalfields Ltd. (ECL)	-472.47	-728.23	-917.19	②②②	②②②
19.	Garden Reach Shipbuilders and Engineers Ltd.	42.57	21.22	31.44	425	7.72
20.	Hindustan Cables Ltd.	-138.73	-99.31	-71.41	3315	146.18
21.	Hindustan Copper Ltd.	-51.2	-147.46	-105.8	12079	403.22
22.	Hindustan Steel Works Contn. Ltd.	-281.58	851.73	-172.55	14202	364.58
23.	Hooghly Dock and Port Engineers Ltd.	-23.15	-20	-30.98	661	10.63
24.	Hooghly Printing Company Ltd.	0.02	0.04	0.03	12	0.24
25.	I.B.P. Co. Ltd.	35.23	41.71	54.22	135	0.54
26.	Indian Iron and Steel Co. Ltd.	-357.24	-210.83	-187.31	2227	61.33
27.	Jessop and Co. Ltd.	0.7	-43.92	-48.77	1899	50.88
28.	Jute Corpn. of India Ltd.	-2.81	-2.53	-0.57	217	4.49
29.	MSTC Ltd.	2.16	3.53	3.8	-	-
30.	Mining and Allied Machinery Corpn. Ltd.	-176.98	-156.07	-230.72	4611	207.38
31.	National Instruments Ltd.	-29.02	-27.03	0.09	600	20.45
32.	National Jute Manufactures Coporation Ltd.	-113.67	-304.65	-320.74	3385	42.83
33.	NTC (West Bengal, Assam, Bihar and Orissa Ltd.)	-89.86	-105.6	-129.72	9071	90.59
34.	RBL Ltd.	1.86	-2.5	-4.96	264	7.81
35.	Smith Stanistreet and Pharmaceuticals Ltd.	-6.08	-6.68	-9.78	336	5.43
36.	Tea Trading Corpn. of India Ltd.	-5.69	-3.8	-3.8	406	18.17
37.	Tyre Corporation of India Ltd.	-61.77	-60.62	-66.43	1313	27.4

-indicates nil.

②②② Figures included in COAL India Ltd. (ECL is a subsidiary of Coal India Ltd.)

*[Translation]***Looting in Trains**

1632. SHRI RAMPAL SINGH :
SHRI MANIBHAI RAMJIBHAI CHAUDHRI :

Will the Minister of RAILWAYS be pleased to state :

(a) whether the incidents of looting in trains have increased a lot recently in the country;

(b) the number of incidents of looting in trains in the year 2001-2002 till date, the amount looted and the number of persons injured/killed in the said incidents;

(c) whether the Government have formulated any special plan for preventing the incidents of looting in trains; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) to (d) "Policing" being a State subject, prevention and detection of crime on Railways, including running trains, is the constitutional responsibility of the State Governments. The cases of crime on Railways are reported to, registered and investigated by the Government Railway Police (GRP). Therefore, information asked for in the question is not readily available with the Ministry of Railways.

*[English]***Export of Capital Goods**

1633. SHRI IQBAL AHMED SARADGI : Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state :

(a) whether the Government have decided to set up a Task Force to boost exports of capital goods and planning to constitute an Inter-Ministerial Committee to address fiscal issues and procedural bottlenecks;

(b) if so, whether the Ministry has also decided to set up a Task Force, constituted by Secretaries of various Ministries to chalk out strategies and to facilitate its implementation to boost exports;

(c) if so, the details alongwith recommendations/guidelines given by Task Force and Inter-Ministerial Committee in this regard; and

(d) if so, the extent to which it has been successful ?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (DR. VALLABHBHAI KATHIRIA) : (a) to (d) A Task Force and an Inter-Ministerial Committee have been constituted under the Department of Heavy Industry for promotion of export of capital goods and to coordinate matters relating to development and growth of the Capital Goods industry, resolve Inter-Ministerial issues to remove impediments in the growth of the capital goods industry. While both the bodies have representatives from different Ministries/Departments, the Task Force has in addition representatives from organizations of different industries. The bodies have been constituted only recently and have held their first meeting to identify and evaluate the present problems and to set out a course of action. It would be early to comment on their success.

National Telecom Network of Railways

1634. SHRI B. VENKATESHWARLU : Will the Minister of RAILWAYS be pleased to state :

(a) whether Railways propose to create a national telecom and multimedia network to provide a platform for communications revolution specially in rural areas;

(b) whether Railways also plan to provide kiosks and STD/ISD booths on railway platforms;

(c) whether there is any proposal to provide mobile telephone facilities in running train; and

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

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) Yes, Sir. Ministry of Railways has set up Rail Tel Corporation of India Ltd. (Rail Tel), a Public Sector Undertaking under the administrative control of the Ministry of Railways' to create a nationwide telecom and multi-media network by utilising Railways' optical fibre assets and right-of-way. Rail Tel will initially connect 4 major Metros namely Delhi, Mumbai, Chennai and Kolkata and 4 mini Metros namely Ahmedabad, Pune, Bangalore and Hyderabad and also provide bandwidth at stations enroute which can be used for providing communication in rural areas.

(b) Detailed guidelines for provision of STD/ISD/PCO/FAX/Internet booths at Railway premises have been

issued to Zonal Railways. Besides, Rail Tel also plans to provide Internet/STD/ISD Kiosks on Railway platforms. Following 3 pilot sections have been identified for providing kiosks by Rail Tail :-

- (i) Ludhiana-Amritsar
- (ii) Ahmedabad-Vadodara
- (iii) Chennai-Chengalpattu

(c) and (d) At present, Mobile Telephone facilities are being provided based on the need as well as availability of service in the area where the train is running. Rail Tel, alongwith the Cellular Service Providers, is examining the feasibility to utilise its optic fibre infrastructure to extend cellular services along the Railway track, which will enable Railway passengers to use the mobile services in the running train.

Introduction of Bullet Trains

1635. SHRI CHINTAMAN WANAGA :
SHRI KIRIT SOMAIYA :

Will the Minister of RAILWAYS be pleased to state :

- (a) whether the Government have decided to start bullet trains on Konkan Railways;
- (b) if so, the details thereof;
- (c) the time by which the said trains are likely to be started;
- (d) whether the Government propose to start more bullet trains in the country; and
- (e) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) No, Sir.

(b) to (e) Do not arise.

[Translation]

Armed Forces Tribunal

1636. DR. ASHOK PATEL : Will the Minister of DEFENCE be pleased to state :

- (a) whether the Government are contemplating to constitute an Armed Forces Tribunal for quick disposal of the issues related to officers and staff of the Indian Forces;

(b) if so, the details thereof; and

(c) the time by which the final decision is likely to be taken in this regard ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) to (c) A proposal to establish an Armed Forces Tribunal for speedy disposal of cases relating to service matters and appeals arising out of the verdicts of the court martial concerning the three services is under consideration of the Government. The modalities and other details of the proposed Tribunal are being worked out in consultation with the Ministry of Law and Justice and Department of Personnel and Training. Since many agencies are involved in the process, it is likely to take some time.

[English]

Setting up of Power Plants in Andhra Pradesh and Uttaranchal

1637. SHRI A. NARENDRA : Will the Minister of POWER be pleased to state :

- (a) the total number of power plants set up in Andhra Pradesh and Uttaranchal during the last two years;
- (b) the assistance provided by the Union Government to Andhra Pradesh and Uttaranchal for increasing power generation during the said period; and
- (c) the total demand and supply of power in the States at present ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) (a) The details of power plants set up in the State of Andhra Pradesh during the years 2000-01, 2001-02 and upto 10/2002 :-

Project Name	Units	Capacity (MW)
1	2	3
Thermal		
Central Sector		
Simhadri Thermal Power Station	Unit-1 Unit-2	500 500

1	2	3
Private Sector		
LVS Diesel Generating Project	Diesels Generating-1	18.4
	Diesels Generating-2	18.4
Peddapuram Combined Cycle Gas Turbine	Gas Turbine	142
	Steam Turbine	78
Hydro		
Srisaillam	3 units	3x150

No power plants was set up in the State of Uttaranchal during the last two years.

(b) Andhra Pradesh has received financial assistance under various programmes detailed as under:-

➤ **Accelerated Power Development and Reforms Programme (APDRP)**

2000-01	Rs. 49.79 crore
2002-03	Rs. 39.07 crore

➤ **Rural Electrification Programme (Kutir Jyoti)**

	Loan	Grant
2000-01	Rs. 506.23 crore	Rs. 13.91 crore
2001-02	Rs. 680 crore	Rs. 20.00 crore

➤ **Accelerated Generation and Supply Programme (AG and SP)**

	Loan
2000-01	Rs. 84.91 crore
2002-03	Rs. 70.86 crore

➤ **World Bank loan for Andhra Pradesh Power Station Restructuring Project**

An amount of US\$ 210 million was sanctioned in March, 1999. An amount of US\$ 144.14 million has been utilised so far.

➤ **Under Programme for Accelerated Generation, Evacuation and Refurbishment (PAGER) scheme an amount of Rs. 85.75 crore has been provided to Andhra Pradesh Power Generation Corporation (APGENCO) for carrying out the**

Operation and Maintenance works at Thermal Power Stations at APGENCO, for improvement in generation/Plant Load Factor.

Details of financial assistance provided to the State of Uttaranchal under various schemes are given below :-

➤ **Accelerated Power Development and Reforms Programme (APDRP)**

2000-01	Rs. 4.5 crore
2001-02	Rs. 18.5 crore

(c) The details of demand and supply of power in the States are given below :

Peak Demand/Peak met

State	October, 2002			
	Peak Demand (MW)	Peak Met (MW)	Peak Shortage (MW)	%
Uttaranchal	700	640	-60	-8.6
Andhra Pradesh	8240	6858	-1382	-16.8

Power Supply Position (Energy)

State	October, 2002			
	Requirement (MU)	Availability (MU)	Surplus/Deficit (-)	%
Uttaranchal	320	310	-10	-3.1
Andhra Pradesh	3930	3726	-204	-5.2

MU = Million Unit

MW = Mega Watt

Setting up of Hospitals

1638.DR. V. SAROJA: Will the Minister of DEFENCE be pleased to state :

(a) whether the Government have any proposal to set up hospitals exclusively for armed forces, including retired defence personnel;

(b) if so, the details thereof including such hospitals in Tamil Nadu; and

(c) if not, the reasons therefor ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) Existing 127 hospitals of Armed Forces Medical Services exclusively meant for the treatment of serving Armed Forces Personnel and their dependent family members, also provide free Out-Patient Department (OPD) treatment and in-patient care, to the ex-service personnel and their entitled families, to the extent available locally and availability of beds. Two new hospitals of Navy are proposed to be set up in the next 2-4 years.

(b) The new hospitals would be coming up at the following locations :-

- Karwar, Karnataka (100 beds)
- Ezhimala, Kerala (60 beds)

The existing armed forces hospitals in Tamil Nadu are :

- (i) Military Hospital Chennai
- (ii) Military Hospital Avadi
- (iii) Military Hospital Wellington
- (iv) Air Force Hospital Coimbatore.
- (c) Not applicable.

Allotment of Power to Karnataka by Southern Grid

1639. SHRI R.L. JALAPPA : Will the Minister of POWER be pleased to state :

(a) whether the Government have directed the Southern State including Karnataka to maintain grid discipline and not to overdraw power;

(b) if so, the details of the share of power allocated to Karnataka from the Southern Grid;

(c) whether the surplus power from the Eastern Grid is likely to be provided to Karnataka;

(d) if so, the number of MW of power proposed to be provided to Karnataka from Eastern Grid; and

(e) the steps proposed to be taken by the Government to tide over the shortage of power in Karnataka ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) Ministry of Power/Central Electricity Authority/Power Grid have been

emphasizing from time to time the need for maintaining grid discipline including restricting drawals from regional grids by the State Government/State power utilities including Karnataka as per schedule given by regional load despatch centres.

(b) Karnataka has a firm share of 674 MW out of a total capacity of 4350 MW of General sector generating stations of Southern Region. In addition, Karnataka has been presently allocated 30% [162 MW (peak) and 154 MW (off peak)] from unallocated quota of Central Sector stations of Southern Region excluding specific allocations. In Neyveli TS-II, Karnataka has an additional share of 80 MW over and above the 30% out of unallocated power of this station.

(c) and (d) Karnataka has been presently allocated 31.2% (156 MW) on continuous basis from unallocated quota of NTPC stations in Eastern Region out of 500 MW being imported from Eastern Region through Gazuwaka HVDC link. In addition, it has been proposed to distribute surplus power of about 1000 MW in Eastern Region during off-peak hours (2230 hrs. to 1630 hrs. next day) after stabilized operation of Talcher-Kolar HVDC link. The proposed distribution for Karnataka is 100 MW from 2230 Hrs. to 0500 hrs. and 250 MW from 0500 hrs. to 1630 Hrs.

(e) Following steps are being taken to mitigate shortage of power in Karnataka.

(i) A capacity addition programme of around 1297 MW has been targetted for the 10th Five Year Plan in State and Private Sectors and the State will also have entitlements in 1420 MW capacity planned in Central Sector for 10th Plan. In addition, Karnataka has a share of 396 MW in Talcher STPS Stage-II in Eastern Region which will also be commissioned during 10th Plan.

(ii) Enhancement of Inter-State and inter-regional power transfer by strengthening of inter-regional transmission links.

(iii) Installation of shunt capacitors in the State system for improving voltage profile.

Supply of Clean Fuel to Hyderabad

1640. DR. MANDA JAGANNATH : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Government of Andhra Pradesh has urged to include Hyderabad as one of the metro cities where only fuels with sulphur content of less than 0.1% and benzene levels of 1% and below are supplied;

(b) if so, the details thereof;

(c) whether his Ministry has entered into any understanding with Hyderabad Urban Development Authority to control vehicular pollution in tune with the suggestion to have clean fuel; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (d) No, Sir. However, on the request of Government of Andhra Pradesh, Government of India have decided to supply petrol and diesel only with 0.05% maximum sulphur content from all the retail outlets in the urban agglomeration of Hyderabad/Secundrabad from 16th December 2002.

[Translation]

Supply of LPG in Remote Areas

1641. SHRI AJAY SINGH CHAUTALA : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the supply of LPG in remote areas is sufficient as per demand at present;

(b) if so, the details thereof; and

(c) the steps being taken by the Government to supply LPG as per demand in the villages and remote areas in the near future?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (c) At present, LPG connections are available on demand in all the existing LPG markets of the country including rural areas. To cater to the needs of rural areas, Public Sector Oil Marketing Companies (OMCs) have the plans to set up more than 1,400 urban/rural distributorships and more than 1,200 exclusively rural distributorships, including 707 locations identified at Block/Tehsil/Taluka level. OMCs have also recently launched 5 K.G. cylinders in some rural/hilly markets on a trial basis; these small size cylinders are

convenient to transport and would be affordable for the low income groups.

[English]

Performance of PSUs

1642. SHRI SULTAN SALAHUDDIN OWAISI : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether all the PSUs under his Ministry have shown dismal performance from the year 1997-98 onwards so far;

(b) if so, the main reasons therefor;

(c) whether high interest rates, depreciation cost, increasing administrative expenditure are responsible for this shortfall;

(d) if so, the details thereof and if not, the reasons therefor;

(e) the other areas identified for continuous shortfall in Public Sector Undertakings; and

(f) the steps taken or being taken by the Government to instruct PSUs under his Ministry to cut administrative expenditure and improve their performance?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) No, Sir. There are 14 Public Sector Undertakings (PSUs) under the administrative control of the Ministry of Petroleum and Natural Gas. Out of these, five enjoy the status of 'Navratna' companies and seven are Miniratna companies and are earning profit. However, while Biecco Lawrie Limited incurred losses in 1997-98, 2000-01 and 2001-02, Bongaigaon Refinery and Petrochemicals Limited (BRPL) has suffered losses in the year 2000-01 and 2001-02. In the current financial year (2002-03), BRPL too has so far earned profit of Rs. 63 crore (unaudited).

(b) The main reasons attributing to the losses are as follows :-

For Biecco Lawrie Limited -

(i) loss in Superior Kerosene Oil (SKO) marketing operation.

(ii) continuous shortage of working capital.

For BRPL –

- (i) volatility of global crude and product prices.
 - (ii) freight under recovery of decontrolled Petrol Oil and Lubricants (POL) products.
 - (iii) stagnancy of POL product demand in North Eastern Region.
 - (iv) high cost of import of crude oil.
 - (v) increase in prices of raw material (Naphtha) and low sulphur/high sulphur (LSHS) fuel on dismantling Administered Pricing Mechanism.
 - (vi) Stagnant product price.
- (c) and (d) While administrative expenditure was effectively reduced, high debt burden and increase in interest affect the profitability.
- (e) Nil
- (f) The performance of oil PSUs is reviewed periodically in the Ministry.

[Translation]

Fake Stamp Paper

1643. SHRI MANIBHAI RAMJIBHAI CHAUDHRI : Will the Minister of LAW AND JUSTICE be pleased to state :

- (a) whether sale of fake stamp papers is running high at present in the country;
- (b) whether Government propose to take stringent action to stop the sale of fake stamp papers;
- (c) if so, the details thereof; and
- (d) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) to (d) The information is being collected and will be laid on the Table of the House.

VRS in PSEs

1644. SHRI JAIBHAN SINGH PAWAIYA :
KUNWAR AKHILESH SINGH :

Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state :

- (a) whether the Government propose to decrease the number of employees working in various Public Enterprises by introducing Voluntary Retirement Scheme;
- (b) if so, the details thereof along with reasons therefor;
- (c) whether the Government propose to give more incentives to those employees who adopt it;
- (d) if so, the details thereof;
- (e) whether the Government is aware that Managing Committee even conspire to force employees/workers to accept VRS; and
- (f) if so, the steps taken by the Government to check it?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (DR. VALLABHBHAI KATHIRIA) : (a) to (d) The Government have introduced Voluntary Retirement Scheme (VRS) for the employees of PSEs in order to rightsize the manpower in Public Sector Units for achieving better performance. The VRS, which was initially introduced in October, 1988 was last modified on 6.11.2001 to allow higher VR compensation in cases of those enterprises in which pay scales were not revised in 1992 and 1997.

There is no proposal at present to give further incentives on the liberalised VRS.

- (e) The scheme is voluntary in nature and no such case has come to the notice of the Government.
- (f) Question does not arise.

Setting up of Bio-Gas Plants

1645. SHRI SHIVRAJ SINGH CHOUHAN :
SHRI VIJAY KUMAR KHANDELWAL :

Will the Minister of NON-CONVENTIONAL ENERGY SOURCES be pleased to state :

- (a) the details of the targets fixed and achieved in the field of setting up Bio-Gas plants in different parts of the country during each of the last three years and as on date, State-wise; and
- (b) the details of the Bio-Gas plants which are functioning and those lying closed, State-wise?

THE MINISTER OF STATE OF THE MINISTRY OF NON-CONVENTIONAL ENERGY SOURCES (SHRI M. KANNAPPAN) : (a) State-wise details of the targets allocated and achieved for setting up of biogas plants during the last three years, i.e., 1999-2000, 2000-01 and 2001-02 and in 2002-03 for the period April-October, 2002, under the Central Sector Scheme – National Project on Biogas Development, which has been recently redesignated as National Biogas and Manure Management Programme, is given in the enclosed Statement-I

(b) Details of plants, including information on functioning and those lying closed, are generally maintained

at the block/district level by the State nodal departments/agencies; in the State offices of the Khadi and Village Industries Commission and at the headquarters of Non-Governmental organizations concerned. A diagnostic sample survey study, conducted in 19 States in the year 2000-2001 by the Programme Evaluation Organisation, Planning Commission reported that on an all-India average basis, about 81 per cent plants were functioning and the remaining 19 per cent plants were lying closed due to various reasons, such as, incomplete construction, structural defects, dismantling of pipeline, etc. State-wise information in this regard is given in the enclosed Statement-II.

Statement-I

State-wise details of the targets allocated and achieved for setting up of biogas plants during the last three years, i.e. 1999-2000, 2000-2001 and 2001-2002 and in 2002-2003 for the period April-October, 2002 under the Central Sector Scheme-National Biogas and Manure Management Programme (NBMP)

State/UT/Agency	Targets (T) and Achievements (A) in number of family type biogas plants							
	1999-2000		2000-2001		2001-2002		2002-2003	
	T	A	T	A	T	A	T	A (April- October 2002)
1	2	3	4	5	6	7	8	9
Andhra Pradesh	22000	19718	25000	21233	22000	20068	10000	4914
Arunachal Pradesh	250	201	300	300	400	297	200	–
Assam	500	67	750	147	250	10	200	–
Bihar	750	408	1000	584	500	519	500	–
Chattisgarh	–	–	–	–	1600	3000	2000	752
Gujarat	12000	10045	8090	8131	7000	7759	5000	676
Goa	200	162	300	95	100	72	100	10
Haryana	3000	2138	2500	2253	2000	2027	1000	759
Himachal Pradesh	750	809	650	692	550	568	200	142
Jammu and Kashmir	200	Nil	200	Nil	100	Nil	100	–
Jarkhand	–	–	–	–	1000	Nil	200	–
Karnataka	9800	18290	2000	25025	30000	27719	20000	8986
Kerala	1500	1123	1500	1265	2000	1417	1500	240
Madhya Pradesh	15000	14434	14000	13606	10000	10454	9000	2147
Maharashtra	12000	13682	12000	11827	10000	10277	10000	425

1	2	3	4	5	6	7	8	9
Manipur	600	112	600	146	250	17	300	16
Meghalaya	300	75	300	80	200	200	200	-
Mizoram	400	300	400	400	500	442	400	-
Nagaland	800	73	800	315	500	165	300	-
Orissa	10000	8420	10000	11701	13000	13929	8000	3881
Punjab	5500	5938	6500	5365	10000	5484	3000	1606
Rajasthan	1000	1012	750	804	500	505	100	119
Sikkim	600	181	600	202	250	250	400	141
Tamilnadu	1500	1453	2000	2009	2000	2125	2000	518
Tripura	180	205	250	215	300	231	300	16
Uttar Pradesh	8500	9296	10000	9590	9500	9678	10000	3049
Uttaranchal	-	-	-	-	1000	634	1000	148
West Bengal	1500	16015	15000	15360	15000	13860	13000	5205
Khadi and Village Industries Commission, Mumbai	36600	33558	35000	28404	27000	25063	15000	4848
Sustainable Development Agency, Kanjirapally, Kerala	7000	9000	10000	10000	10000	10000	5000	5000
Others	2070	1890	1510	1167	2500	940	1000	255
Total	168000	168677	180000	170906	180000	167710	120000	43853

Statement-II

Details of sample size, number of plants found functioning and number of plants lying closed as reported in the diagnostic sample survey study on National Project on Biogas Development conducted in 2000-2001 by the Programme Evaluation Organisation, Planning Commission

State	Sample size (Number of plants)	Number of plants functioning	Number of plants lying closed at the time of survey
1	2	3	4
Andhra Pradesh	60	34 (57%)	26 (43%)

	1	2	3	4
Arunachal Pradesh	20	14 (70%)	6 (30%)	
Assam	20	17 (85%)	3 (15%)	
Bihar	20	20 (100%)		Nil
Gujarat	50	45 (90%)	5 (10%)	
Haryana	20	17 (85%)	3 (15%)	
Himachal Pradesh	20	12 (60%)	8 (40%)	
Karnataka	60	57 (95%)	3 (5%)	
Kerala	20	17 (85%)	3 (15%)	
Madhya Pradesh	50	44 (88%)	6 (12%)	
Maharashtra	50	38 (76%)	12 (24%)	

1	2	3	4
Meghalaya	20	17 (85%)	3 (15%)
Orissa	30	30 (100%)	Nil
Punjab	20	20 (100%)	Nil
Rajasthan	20	13 (65%)	7 (35%)
Sikkim	20	18 (90%)	2 (10%)
Tamil Nadu	20	12 (60%)	8 (40%)
Uttar Pradesh	50	33 (66%)	17 (34%)
West Bengal	45	43 (95%)	2 (5%)
Total	615	501 (81%)	114 (19%)

[English]

Grants for Rural Electrification

1646. SHRI BHARTRUHARI MAHTAB :
SHRI SURESH CHANDEL :

Will the Minister of POWER be pleased to state :

(a) whether the Government provides grants/ assistance for rural electrification to different State Governments;

(b) if so, the details of assistance/grants/ funds provided to different States especially to Orissa during last three years;

(c) whether the progress of rural electrification is upto the mark in all the States;

(d) if not, the reasons therefor;

(e) whether State Governments have demanded more amount to fulfil the target of rural electrification;

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

(g) the steps taken by the Union Government thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) and (b) State-wise details of release of grants/funds by Rural Electrification Corporation (REC) and Government of India (Ministry of Finance) for rural electrification programme including Orissa during the last three years is given in Statements-I, II, III and IV respectively.

(c) and (d) The pace of rural electrification has slowed down as the State Governments/State Electricity Boards consider the implementation of this programme unremunerative. The declining financial position of the States/SEBs combined with the relative decline in share of the power sector outlay in the State plans have contributed to the situation.

(e) to (g) The following States have requested for additional funds for meeting the target of rural electrification :-

Name of the State	Requirement of Additional Funds
Bihar	Rs. 148.47 crores *
Jharkhad	Rs. 1015 crores
Uttar Pradesh	Rs. 1000 crores

*(Rs. 72.6 crores for electrification of 2600 villages in Vaishali District and Rs. 75.87 crores for electrification of 831 villages of Sheikhpura, Lakhisharai, Begusarai and Jamui).

The Planning Commission have made an allocation of Rs. 2747.00 crore for all the six components of PMGY including rural electrification, as Additional Central Assistance for the year 2002-03. Under the revised guidelines of PMGY formulated by the Planning Commission, the States would have flexibility to decide the interse allocation of ACA among the six PMGY sectors as per their own plan priorities and discretion. The Planning Commission have made a budget provision of Rs. 600 crore as ACA for rural electrification under Minimum Needs Programme for 2002-03. An amount of Rs. 300 crores has been released as the first instalment (50%) under this programme in September, 2002. The Government have announced a new interest subsidy scheme called the 'Accelerated Rural Electrification Programme' in the budget for the year 2002-03 with a provision of Rs. 164 crores. In addition to this, Rural Electrification Corporation (REC) have formulated new schemes for electrification of dalit bastis and hamlets at lower rate of interest. The States have been requested to utilize these funds judiciously and in an effective manner so that the national goal for complete electrification of villages of 2007 could be achieved.

Statement-I

Statewise disbursement under minimum needs Programme for Rural Electrification during each of the last three years

Sl.No.	States	Rs. in Lakhs		
		1999-2000	2000-01	2001-02
1	2	3	4	5
1.	Andhra Pradesh		961	
2.	Arunachal Pradesh		2652	961
3.	Assam	296	2652	2652
4.	Bihar		3767	948
5.	Jharkhand			2819
6.	Goa			
7.	Gujarat			
8.	Haryana			
9.	Himachal Pradesh		72	72
10.	Jammu and Kashmir		77	77
11.	Karnataka		7	7
12.	Kerala			
13.	Madhya Pradesh	1226	549	263
14.	Chhattisgarh			286
15.	Maharashtra			
16.	Manipur	107	131	131
17.	Meghalaya		1872	1872
18.	Mizoram	307	16	16
19.	Nagaland	678	38	38
20.	Orissa	2065	1133	1133
21.	Punjab			
22.	Rajasthan	2413	507	507
23.	Sikkim			
24.	Tamil Nadu			
25.	Tripura	396	14	14
26.	Uttar Pradesh	2831	4547	3923
27.	Uttaranchal			624

1	2	3	4	5
28.	West Bengal		1157	1157
29.	Delhi			
Total		10319	17500	17500

Statement-II

Disbursement of Funds by REC during last three years

Sl.No.	States	Rs. in Lakhs		
		Disbursement		
		1999-2000	2000-01	2001-02
1	2	3	4	5
1.	Andhra Pradesh	29435	50623	68032
2.	Arunachal Pradesh	1481	754	765
3.	Assam	0	0	0
4.	Bihar	0	0	0
5.	Jharkhand			
6.	Goa	243	104	188
7.	Gujarat	36160	53572	61010
8.	Haryana	3420	9212	25113
9.	Himachal Pradesh	2734	4409	5535
10.	Jammu and Kashmir	1568	3133	3556
11.	Karnataka	25949	27086	37327
12.	Kerala	24026	46982	52221
13.	Madhya Pradesh	7282	131	0
14.	Chhattisgarh			
15.	Maharashtra	39842	75223	55828
16.	Manipur	1654	499	0
17.	Meghalaya	10000	0	0
18.	Mizoram	202	565	597
19.	Nagaland	465	246	400
20.	Orissa	6545	1807	403
21.	Punjab	33183	58959	68828
22.	Rajasthan	32223	70898	75400

1	2	3	4	5
23. Sikkim		0	0	0
24. Tamil Nadu		20727	924	10800
25. Tripura		609	643	350
26. Uttar Pradesh		12275	0	0
27. Uttaranchal				
28. West Bengal		54	43	160
29. Other Grants		4709	5109	5580
Total		294786	410922	472193

Statement-III

Statewise details of funds released under PMGY for the year 2001-02 for Rural Electrification

Rs. in Lakhs

S.No.	States	Allocation	Released
1	2	3	4
1.	Andhra Pradesh	1705.00	1705.00
2.	Arunachal Pradesh	684.00	684.00
3.	Assam	6011.00	6011.00
4.	Bihar	2457.90	2457.90
5.	Chhattisgarh	851.70	851.70
6.	Goa	9.00	4.50
7.	Gujarat	725.60	362.80
8.	Haryana	187.90	187.90
9.	Himachal Pradesh	100.00	100.00
10.	Jammu and Kashmir	1922.00	1922.00
11.	Jharkhand	759.20	379.60
12.	Karnataka	841.00	841.00
13.	Kerala	775.00	594.50
14.	Madhya Pradesh	1460.62	1460.62
15.	Maharashtra	1901.08	1901.08
16.	Manipur	600.00	600.00
17.	Meghalaya	600.00	600.00
18.	Mizoram	598.00	598.00

1	2	3	4
19. Nagaland		452.60	452.60
20. Orissa		1703.80	1703.80
21. Punjab		1488.25	1488.25
22. Rajasthan		1080.00	1080.00
23. Sikkim		0.00	0.00
24. Tamil Nadu		1173.60	1173.60
25. Tripura		850.00	850.00
26. Uttaranchal		976.75	976.75
27. Uttar Pradesh		9417.00	9417.00
28. West Bengal		2820.00	2820.00
Total		42151.00	41223.60

Statement-IV

Funds as grants released under Kutir Jyoti Programme during the last three years

(Amount Rs. Lakhs)

Sl. No.	State	1999-2000 Grant down by State Power Utilities	2000-01 Grant drawn by State Power Utilities	2001-02 Grant drawn by State Power Utilities
1	2	3	4	5
1.	Andhra Pradesh	541	1391	2000
2.	Arunachal Pradesh	60	54	121
3.	Assam			
4.	Bihar	283	312	582
5.	Goa			
6.	Gujarat	50	42	
7.	Haryana			39
8.	Himachal Pradesh	38	32	182
9.	Jammu and Kashmir		9	17
10.	Karnataka	1596	1411	
11.	Kerala	150	550	1427

1	2	3	4	5
12. Madhya Pradesh		573	20	100
13. Maharashtra		420	230	8
14. Manipur				20
15. Meghalaya		45	29	25
16. Mizoram		115	100	22
17. Nagaland		113	78	30
18. Orissa		16	0	100
19. Punjab		50	25	
20. Rajasthan		92	121	50
21. Sikkim		15		150
22. Tamil Nadu		341	384	
23. Tripura		124	88	317
24. Uttar Pradesh		3	2	97
25. West Bengal		84		20
26. Jharkhand				121
27. Chattisgarh				152
Total		4709	4878	5580

[Translation]

**Outstanding Power Tariff by Uttar Pradesh
Orissa etc. to Madhya Pradesh**

1647. SHRI RAMANAND SINGH : Will the Minister of POWER be pleased to state :

(a) the total amount of outstanding power tariff to be paid by Uttar Pradesh, Orissa and other neighbouring States to Madhya Pradesh;

(b) whether the Government of Madhya Pradesh has written to the Centre to help it to realize its outstanding power tariff from these States; and

(c) the assistance being rendered by the Union Government in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) The MPSEB has intimated the total amount of outstanding power tariff towards power supply to border villages with neighbouring States of Madhya Pradesh are as under :

(i) Amount to be paid by Rajasthan Rajya Vidyut Prasaran Nigam Ltd. (erstwhile RSEB) as on September, 2002 is Rs. 2.42 crores.

(ii) Amount to be paid by Maharashtra State Electricity Board as on September, 2002 is Rs. 0.60 crores.

Besides this MPSEB has also reported some disputed claims with neighbouring States.

(b) No, Sir.

(c) In view of the above does not arise.

[English]

Mismanagement in I.F.F.I. 2002

1648. SHRI HANNAN MOLLAH : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the International Film Festival of India 2002 was marred by mismanagement and caused wide range of dissatisfaction and criticism;

(b) if so, the details thereof;

(c) whether the Government reviewed the performance and found anybody guilty for gradual deterioration of the standard;

(d) the action taken by the Government against them; and

(e) the steps taken by the Government to improve the standard of such festival in future ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) to (e) During the International Film Festival of India 2002, as many as 194 films from about 40 countries were shown and over 1800 delegate passes were issued. The festival featured Country Focus on South Africa and Vietnam, packages from France, Netherlands, Brazil, Japan, Germany and Croatia and three Retrospectives. The Asian competition section was also a part of IFFI 2002. A Film Market was also set up during the Festival. The Festival was appreciated by many delegates and visitors. However, as in all events of such plurality and magnitude, all participants may not be equally satisfied. Review of major events organized by various units of the Ministry is an on-going process to further improve and refine them.

Civil Procedure Amendment Bill

1649. SHRI KHARABELA SWAIN :

SHRIMATI JAYABEN B. THAKKAR :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether Government have enforced the Civil Code Procedure (Amendment) Bill, 2002;

(b) if not, the reasons therefor;

(c) whether Government propose to bring such amendments in the Criminal Law also; and

(d) if so, the details thereof ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) and (b) the Code of Civil Procedure (Amendment) Act, 2002 (22 of 2002) came into force w.e.f. 1st day of July, 2002.

(c) and (d) The Government has set up a Committee under the Chairmanship of Justice V.S. Malimath, formerly Chief Justice of Karnataka and Kerala High Courts to consider measures for revamping the Criminal Justice System and to make recommendations for the consideration of the Government. The terms of reference of the Committee include examination of the need to re-write the Code of Criminal Procedure, 1973, the Indian Penal Code, 1860 and the Indian Evidence Act, 1872 to bring them in tune with the demand of times and in harmony with the aspirations of the people.

Over Bridge between Bina and Jhansi

1650. SHRI VIRENDRA KUMAR : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Government propose to construct a Railway overbridge between Bina and Jhansi;

(b) if so, the details thereof and the amount earmarked for the purpose; and

(c) the time by which the work on the said project is likely to be started ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) No, Sir. No proposal has been received from the State Government.

(b) and (c) Do not arise.

*[Translation]***Allotment of Petrol Pumps under COCO**

1651. SHRI RAM RATI BIND : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the various oil companies are allotting petrol pumps in the country under COCO scheme;

(b) if so, the details thereof;

(c) the steps being taken by the Oil Companies to prevent allotment of Petrol Pumps under COCO scheme; and

(d) the reasons for allotting petrol pumps by the companies under this dual policy ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (d) Oil Marketing Companies are not allotting petrol pumps under COCO Scheme. Those retail outlets, which are ready but selection of regular dealer is pending, are operated on COCO basis. These retail outlets are operated by an officer of the concerned Oil Company as over-all in charge of the outlet. Labour assistance is provided to the officer through a contractor.

*[English]***CNG/LPG/Petrol Pumps in Andhra Pradesh**

1652. SHRI RAJAJIAH MALYALA : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state the number of CNG stations, LPG outlets and Petrol Pumps exists at Hyderabad/Secunderabad in Andhra Pradesh ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : There are 135 Motor Spirit (MS)/High Speed Diesel (HSD) retail outlets in operation in Hyderabad/Secunderabad, Andhra Pradesh but there are no Compressed Natural Gas (CNG)/Auto Liquefied Petroleum Gas (LPG) outlets at present.

Petronet-LNG Pipeline Project, Kochi

1653. SHRI V.S. SIVAKUMAR : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether a 2.5 Million (MT) Petronet LNG Gas Pipeline Project at Kochi is pending for a long time; and

(b) if so, the present status of the project ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) and (b) No, Sir. However, Petronet LNG Limited, a Joint Venture of four oil PSUs namely Gas Authority of India Ltd., Oil and Natural Gas Corporation Ltd., Bharat Petroleum Corporation Ltd., and Indian Oil Corporation Ltd. are setting up 2.5 million metric tonnes per annum (MMTPA) capacity Liquefied Natural Gas (LNG) terminal at Kochi in Kerala. Most of the pre-project activities, including pre-qualification of Engineering, Procurement and Construction (EPC) bidders for lumpsum turnkey contract have been completed and statutory clearances, except environment clearance, have been obtained.

[Translation]

Construction of Power Plants in Jammu and Kashmir and Gujarat

1654. SHRI ABDUL RASHID SHAHEEN :

SHRI HARIBHAI CHAUDHARY :

SHRI MANSINH PATEL :

Will the Minister of POWER be pleased to state :

(a) whether the construction of power plant in Jammu and Kashmir and Gujarat are lagging behind their schedule time;

(b) if so, the details thereof;

(c) the extent to which cost of these plants has escalated due to unnecessary delay, plant-wise;

(d) whether any officer has been held responsible for causing unnecessary delay in the construction of plant; and

(e) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (e) At present following two hydro power projects are under construction in Jammu and Kashmir :

(i) Dulhasti (390 MW), NHPC

(ii) Baglihar (450 MW) – State Sector.

The Baglihar project is scheduled to be commissioned in 2004-05 at a cost of Rs. 3810 crore. The construction of the project is going on as per schedule without any escalation.

The work on the Dulhasti project was restarted in April, 1997 and the project was then scheduled for commissioning in May, 2001. The project is now scheduled to be commissioned in December, 2003. The cost of the project has since gone up from Rs. 3559.77 crores (at November, 1996 price level) to 4227.92 crore (November, 2001 price level)

There is no thermal power project presently under construction in Jammu and Kashmir.

In so far as Gujarat is concerned, the status of ongoing projects is given as under :

Name of project/capacity	Commissioning Schedule		Reasons for delay
	Original	Latest	
1	2	3	4
Sadar Sarovar, Joint venture of Gujarat, MP and Maharashtra in the ratio of 16:57:27, (1450 MW)	1994-96	2002-07	Relief and Rehabilitation problems, Litigation/ agitation by environmentalists are the main reasons for delaying this project. The cost has gone from originally Rs. 1551.86 crore to Rs. 3267.25 crore. Two units of Canal Head Power House have been spun on 4.9.2002 ahead of schedule.
Akrimota Lignite based TPP, 250 MW, State Sector	U-1 – 3/03 U-2 – 9/03	U-1 – 5/03 U-2 – 11/03	Financial closure yet to be achieved. IDBI is non-committal for release of funds. State

1	2	3	4
			authorities have approached PFC for tie up of funds.
Dhuvaran Gas based CCPP, 106.617 MW State Sector	-	GT-4/2003 ST-7/2003	The project works are as per schedule.
Jamnagar Petcoke based TPP, 500 MW, Private Sector	U-1-36 months from financial closure U-2-39 months from financial closure	-	Financial closure is yet to be achieved.

U = Unit

GT = Gas Turbine

ST = Steam Turbine

PSUs in Jharkhand

1655.SHRI LAXMAN GILUWA : Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state :

(a) the number of Central Government's Public Undertakings in Jharkhand alongwith the places where their headquarters are stationed, location-wise;

(b) the investment made in each of these undertakings during the last three years;

(c) the details of undertakings which are earning profits or incurring losses and those which are sick and referred to the BIFR, PSU-wise; and

(d) the schemes formulated by the Government for revival of sick industries ?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (DR. VALLABHBHAI KATHIRIA) : (a) to (c) As per available information, there are 7 Central Public Sector Undertakings (CPSUs) whose Registered Offices are located in Jharkhand. The details of these CPSUs such as names, location of headquarters, investment made in each PSU, profit/loss, sick and BIFR status are given in enclosed statement.

(d) Out of 7 CPSUs located in Jharkhand 4, namely, BCCL, CCL, HEC and PDIL are sick enterprises and registered with BIFR. The cases of BCCL has been dismissed as non-mainainable and the case of CCL is under enquiry. Revival scheme has been sanctioned for HEC. Revival scheme sanctioned earlier for PDIL has failed and BIFR has reopened the case.

Statement

Statement indicating the details of PSUs located in Jharkhand

(Rs. in Crores)

S. No.	Name of PSE	Location of Headquarter	Total Investment as on			Profit/Loss (-) as on
			31.3.01	31.3.00	31.3.99	
1	2	3	4	5	6	7
1.*	Bharat Coking Coal Ltd. (BCCL)	Koyala Nagar, Dhanbad	3964.52	3897.73	3679.01	-1276.70
2.*	Central Coalfields Ltd. (CCL)	Darbhangra House, Ranchi	2516.81	2836.78	2759.24	-792.90
3.	Central Mine Planning and Design Institute Ltd. (CMPDIL)	Godwane Place, Ranchi	20.85	20.85	21.25	-4.52

1	2	3	4	5	6	7
4.	Engineering Projects (India) Ltd. (EPI)	Lodi Road, New Delhi	1035.41	1035.41	970.90	17.76
5.*	Heavy Engineering Corpn. Ltd. (HEC)	Dhurwa, Ranchi	456.63	461.01	459.37	-189.26
6.	MECON Ltd.	Doranda, Ranchi	8.73	6.78	2.42	-51.36
7.*	Projects and Development India Ltd. (PDIL)	Noida (U.P.)	121.24	74.43	72.77	-32.66
Grand Total :			8124.19	8332.99	7964.96	-2329.64

*Sick and BIFR referred PSUs.

[English]

Gas Pipelines for Mulund(E)

1656.SHRI KIRIT SOMAIYA : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether laying down of gas pipelines work for Mulund has since been completed;

(b) if so, the details thereof;

(c) the number of connections provided from this gas pipeline and money collected;

(d) the time by which the entire Mulund(E) is likely to be covered by pipelines;

(e) whether any representations have been received on the functioning of pipeline project; and

(f) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (f) Mahanagar Gas Limited (MGL), a joint venture company of Gas Authority of India Limited (GAIL), British Gas, UK and Government of Maharashtra are executing the project for supplying of compressed natural gas (CNG) and piped natural gas (PNG) in different parts of Mumbai including Mulund. MGL has already laid down 83 Kms. of medium and low-pressure pipeline providing PNG facility in Mulund area. Out of 83 Kms., 56 Kms. have been laid in Mulund (West) and 27 Kms. in Mulund (East). The entire pipeline

laying work in Mulund area would be completed in two years time.

So far, MGL has connected over 11700 domestic consumers with PNG facility. MGL is recovering connection charges of Rs. 5000 in case of bulk registration scheme (BRS) and Rs. 6500 in case of individual registration scheme (IRS). These charges are recovered in three easy installments in a phased manner.

Appropriate actions are taken on representations received from time to time regarding Mahanagar Gas Project.

Power Availability In North Eastern States Including Sikkim

1657.SHRI M.K. SUBBA : Will the Minister of POWER be pleased to state :

(a) the details of the power availability and supply per day in Assam, Meghalaya, Tripura and other States in the North East, including Sikkim;

(b) the details of the installed capacity of power for each State, and consumed by Agriculture Industry and other Sectors, State-wise; and

(c) the details of power lost by way to Transmission ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) The details of average energy requirement and energy availability per day during the period April to October, 2002 in different States of North Eastern Region (NER) including Sikkim are as under :-

Sl.No.	Name of the States	Million Units/day	
		Requirement	Availability
1.	Arunachal Pradesh	0.44	0.43
2.	Assam	9.49	9.03
3.	Manipur	1.25	1.23
4.	Meghalaya	2.50	2.49
5.	Mizoram	0.78	0.77
6.	Nagaland	0.75	0.74
7.	Tripura	1.95	1.79
8.	Sikkim	0.44	0.32

(b) The details of State-wise generating capacity of NER and Sikkim in MW as on 31.3.2002 is given below :

Sl. No.	Name of the States	Installed Capacity in MW
1.	Arunachal Pradesh	45.43
2.	Assam	621.69
3.	Manipur	30.61
4.	Meghalaya	188.76
5.	Mizoram	37.20
6.	Nagaland	22.36
7.	Tripura	85.36
8.	Central Sector in NER	1210.00
	Total NER	2241.41
9.	Sikkim	37.90
10.	Central Sector in Eastern Region	6841.51

Energy sale to different consumers/categories during 1999-2000 in the North Eastern Region and Sikkim is given below :

Sl. No.	Name of the State	Domestic	Comml	Industry LT	Industry HT	Agriculture	Others	Total Energy Sold
1.	Arunachal Pradesh	56.43	8.48	4.86	(*)	0.00	11.18	80.95
2.	Assam	461.42	174.10	296.02	474.74	46.35	376.35	1808.98
3.	Manipur	101.69	14.13	9.13	1.77	3.03	40.30	173.05
4.	Meghalaya	179.60	37.88	5.24	72.12	0.24	91.36	386.44
5.	Mizoram	79.37	5.29	1.58	0	0.00	27.55	113.77
6.	Nagaland	79.70	9.41	21.24	(*)	0.00	27.85	138.20
7.	Tripura	131.27	31.64	47.98	(*)	69.40	75.86	356.13
8.	Sikkim	52.62	18.18	18.58	0	0.00	16.43	105.81

(*) including in Industrial (LT)

(c) The details of T and D losses (in percentage) reported in the States of NER and Sikkim during the year 1999-2000 are as under :

Sl.No.	States	T and D Losses (%)
1	2	3
1.	Arunachal Pradesh	37.12

1	2	3
2.	Assam	38.96
3.	Manipur	62.06
4.	Meghalaya	27.66
5.	Mizoram	47.63
6.	Nagaland	32.32

1	2	3
7.	Tripura	29.63
8.	Sikkim	12.07

[Translation]

Re-appointment under Article 164(4)

1658.DR. RAGHUVANSH PRASAD SINGH :
SHRIMATI KANTI SINGH :

Will the Minister of LAW AND JUSTICE be pleased to refer to the reply given to Unstarred Question No. 3729 on August 8, 2002 regarding re-appointment under article 164(4) and state :

(a) whether the requisite information has since been collected;

(b) if so, the details thereof; and

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

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) to (c) No, Sir. The requisite information is still awaited and will be laid on the Table of the House as soon as it becomes available.

[English]

Survey for Latur Road-Mudkhed Line

1659.SHRI SURESH RAMRAO JADHAV : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Survey work on Latur Road-Mudkhed new railway line in South Central Railway has been completed;

(b) if so, the outcome of the survey along with the expenditure incurred thereon; and

(c) the time by which the work on the said project is likely to be completed ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) to (c) A survey for construction of a new BG line between Latur Road and Mudkhed has been taken up at sanctioned cost of Rs. 8.10 lakhs. Further consideration of the project would be possible once the results of the survey become available.

[Translation]

**Capital Investment in Power Projects
in Gujarat**

1660.SHRI MANSUKHBHAI D. VASAVA :
SHRI MANSINH PATEL :

Will the Minister of POWER be pleased to state :

(a) whether the Union Government have invested any capital in Power Projects in Gujarat;

(b) if so, the details thereof along with capital invested in the above projects during the last two years, project-wise; and

(c) the role played by the State Government in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) Yes, Sir.

(b) and (c) National Thermal Power Corporation had set up two Combined Cycle Power Projects (CCPP) in Gujarat. The details are given as under :

Sl. No.	Project/capacity	Approved Cost	Commissioned in
1.	Kawas CCPP Stage-I (645 MW)	Rs. 1599.57 Crore	March, 1993
2.	Jhanor Gandhar CCPP Stage I (648 MW)	Rs. 2500 Crore	March, 1995

There was no investment in Gujarat during the last two years by the Central Sector for any new project.

[English]

Expansion of NCC Activities

1661.SHRI ANANTA NAYAK :
SHRI TRILOCHAN KANUNGO :

Will the Minister of DEFENCE be pleased to state :

(a) whether there is any proposal to expand NCC activities;

(b) if so, the details thereof;

(c) the number of new NCC units opened and number of new NCC cadets enrolled during each of the three years, till date Wing-wise and State-wise;

(d) the names of the States where no new units have been opened during the above period and the reasons therefor;

(e) the number of NCC cadets and units in each of the wings at present, State-wise.

(f) the procedure to open new NCC units in schools/colleges in different wings of NCC; and

(g) the steps taken by the Government to open more NCC units in schools/colleges ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) and (b) Sanction of the Government has been accorded to increase the NCC cadet strength from 12,00,000 to 12,76,560 on 16.11.2001, which has further been increased to 13,00,000 on 10.10.2002.

(c) No new NCC Units were raised in the year 2000. In the year 2001 two new NCC Army Units in Andhra Pradesh and one each in the States of Uttaranchal, Uttar Pradesh, Haryana, Delhi, West Bengal, Maharashtra, Arunachal Pradesh and Mizoram have been raised. So far no new NCC unit has been raised in the year 2002.

(d) and (e) No new units have been opened during the year 2000, 2001 and 2002 (till date) in the States, except as mentioned in part (c) above, for want of demand and concurrence by the States to bear the expenditure to run NCC activities in that particular State. The number of NCC cadets and units in each of the wings at present, State-wise is given in the enclosed Statement.

(f) and (g) The procedure for opening of NCC in a school/college broadly is that institutions desirous of having NCC are required to apply on the prescribed format to the Commanding Officer of concerned nearest NCC Unit, which after scrutiny is sent to the NCC Group Headquarters and then to NCC State Directorate. The NCC State Directorate in turn forwards the application to the State Government concerned for their commitment to bear their share of expenditure. Once the commitment of the State Government concerned is received, the NCC State Directorate forwards the application to NCC Headquarters for sanction. After scrutiny, if found eligible and based on the availability of NCC cadet strength, the sanction is accorded and communicated to the NCC State Directorate that in turn communicates the same to the NCC Unit concerned.

NCC Cadet strength has recently been increased from 12,76,560 to 13,00,000 on 10.10.2002.

Statement

Number of NCC Cadets Strength at Present

Senior Division – 443428 (Army-344996, Navy-13450, Air-11700, Girls-73282) \$

Junior Division – 754324 (Army-567004, Navy-50350, Air-47548, Girls-83170) \$

Sl.No.	State	Units	(SD)	(JD)	Addl out of Lakh
1	2	3	4	5	6
1.	Andhra Pradesh	67	34900	65100	40000
2.	Bihar	33	32248	48200	9900
3.	Jharkhand	10	200	–	–
4.	Delhi	19	10480	25950	700
5.	Gujarat	35	21050	31800	–
6.	Diu Daman	–	–	400	–
7.	D and N Haveli	–	–	–	–

1	2	3	4	5	6
8.	Jammu and Kashmir	09	5380	9750	5000
9.	Karnataka	49	29480	40550	—
10.	Goa	03	1160	2150	580
11.	Kerala	38	26050	48000	—
12.	Lakshadweep	—	50	650	—
13.	Madhya Pradesh	41	20423	42980	3256
14.	Chhattisgarh	10	5017	12400	—
15.	Maharashtra	60	34160	59900	4504
16.	Arunachal Pradesh	02	350	3825	1150
17.	Assam	26	11930	27625	4500
18.	Manipur	03	1360	5250	5000
19.	Meghalaya	04	1360	3070	2150
20.	Mizoram	02	320	1100	1800
21.	Nagaland	04	800	2500	3100
22.	Tripura	03	900	2300	2300
23.	Orissa	23	8360	35840	—
24.	Punjab	29	18790	30250	—
25.	Haryana	18	12600	17850	4700
26.	Himachal Pradesh	12	3880	20700	—
27.	Chandigarh	04	2000	2050	100
28.	Rajasthan	35	15130	32150	600
29.	Tamil Nadu	51	22440	71344	5000
30.	Pondicherry	05	1000	2940	400
31.	Andaman Nicobar	02	210	1550	—
32.	Uttar Pradesh	108	78040	37600	4300
33.	Uttaranchal	16	9955	8500	—
34.	West Bengal	51	33030	58750	960
35.	Sikkim	01	375	1300	—
Total		773	443428	754324	100000

§ Additional strength of One lakh distributed to States for further allotment wing – wise.

Supply of T-90 Tanks

1662. SHRI GUNIPATI RAMAIAH : Will the Minister of DEFENCE be pleased to state :

(a) whether all the T-90 tanks to be supplied by Russia have been received; and

(b) if not, the time by which the remaining tanks are likely to be supplied by Russia ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) and (b) All fully-formed T-90 tanks have been received. Delivery of the remaining T-90 tanks contracted for in Semi-Knocked Down/Completely-Knocked Down form will be completed by 2003.

ROB/RUB in Uttar Pradesh

1663. SHRIMATI RAJKUMARI RATNA SINGH : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Government have received proposals from the Government of Uttar Pradesh for

construction of rail over bridges/rail under bridges in the State during the last three years;

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

(c) the action taken by the Union Government thereon; and

(d) the details of the on-going/pending ROB/RUB projects in the Uttar Pradesh ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) to (d) Proposals, for replacements of busy level crossings, having Train Vehicle Units more than 1 lac, with Road Over/Under Bridges, are sanctioned on cost sharing basis otherwise on Deposit Terms or on Build, Operate and Transfer basis. All proposals received, fulfilling the requisite conditions, are sanctioned promptly by Railways and no proposal is pending. At present, there are 26 works of Road Over/Under Bridges falling in Uttar Pradesh which are under different stages of planning and construction. The details of proposals received in last 3 years is given in the statement enclosed.

Statement

The list of proposals received in last three years

S.No.	Name of work	Year of sanction
1.	ROB on NH 28 between Basti and Govindnagar at Km. 570/11-12.	1999-00 Deposit
2.	CHAUPALA – ROB in lieu of LC No. 356-Spl, and 250/A on MB-LKO section.	1999-00
3.	FATEHPUR – ROB alongwith subway in lieu of LC No. 50 at Km. 943/3-5 on ALD-CNB section.	1999-00
4.	Tundla ROB at Kms. 1252/10-11 (NH 2) chainage 18.681 on Tundla-Gzd section.	2000-01 BOT
5.	Kanpur Bypass – ROB at Kms. 1338/13-15 on JHS-CNB section.	2000-01 BOT
6.	JAJAU ROB in lieu of LC No. 478/A at Km. 1321/2-4 on Delhi – Jhansi section.	2000-01 BOT
7.	Etawah ROB at Kms. 1154/17-19 (NH2) on ALD-GBD section.	2000-01 BOT
8.	RAMPUR – ROB in lieu of LC No. 403-A on MB-LKO section.	1999-00
9.	ROB in lieu of LC No. 3A (T) between Lucknow Jn. and Ashbagh Station	2002-03
10.	Gaziabad – Moradabad section ROB in lieu of LC No. 26-A at Km. 30/20 near Amroha	2002-03
11.	Akbarpur ROB in lieu of LC No. 83/A at Km 907/2-3 between Lucknow-Faizabad section	2002-03
12.	ROB in lieu of LC No. 215/3T at Km 1071/371.35 between Lucknow-Rai Bareilly station	2002-03
13.	Saharanpur – Moradabad section ROB in lieu of LC No. 484-A at Km. 1498/13-14 on Bijnor – Najibabad Road	2002-03
14.	Gaziabad – Tundla sanction ROB in lieu of LC No. 112-C/3 at Km. 1329/19-21 near Aligarh	2002-03

Setting up of Bhadrawati Thermal Power Plant

1664. SHRI SUBODH MOHITE : Will the Minister of POWER be pleased to state :

(a) whether the Government have withdrawn the permission for setting up a 1000 MW Bhadrawati Thermal Power Plant at Chandrapur in Maharashtra;

(b) if so, the reasons therefor;

(c) if not, the progress made with regard to setting up a project; and

(d) the facilities provided by NTPC and the Union Government for early setting up a project at Chandrapur ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (c) The Memorandum of Understanding (MoU) for setting up a coal based power station of about 1000 MW capacity at Umred, district Nagpur in Maharashtra, was signed between M/s Nippon Denro Ispat Limited, M/s Ispat Alloys, companies of Ispat Group and the Maharashtra State Electricity Board (MSEB) on 18th June, 1993. The project was subsequently shifted to Bhadravati, district Chandrapur in Maharashtra. A generating company (special purpose vehicle), M/s Central India Power Company (CIPCO) has been set up by the promoters to implement the Bhadravati power project. The project was able to tie up various inputs/clearances including the techno-economic clearance of Central Electricity Authority (CEA), signing of the Power Purchase Agreement (PPA) and coal linkage etc. The project developers have recently informed that in view of the escrow capacity problems with MSEB as well as the recommendations of the Energy Review Committee set up by the Government of Maharashtra, the Bhadravati project has been kept on hold by MSEB/Government of Maharashtra. Meanwhile, CIPCO have now proposed to set up the Bhadravati power project with a capacity of 500 MW and sell the power to various States through the Power Trading Corporation. The Energy Review Committee set up by the Government of Maharashtra, has recommended that MSEB defer all PPAs with Independent Power Producers (IPP) and re-examine them in accordance with the Least-Cost Plan and in any case, till such time, the demand levels in the State of Maharashtra permit full absorption of power generation from such IPPs.

MSEB, have also filed an affidavit before the High Court of Judicature at Bombay, Nagpur Bench, on Writ Petition No. 2594/98 in which they have inter-alia undertaken not to go ahead with the Bhadravati project unless the dispute/issues relating to the Dabhol Power Project are sorted out amicably and the State's energy requirement is picked up to the extent to absorb power from the Bhadravati in addition to the power available from the Dabhol project. The court, while admitting the writ petition, has passed an Interim Order on 26.3.2002 laying down that no further steps been taken for implementation of the project without further orders from them. A Special Leave Petition (SLP) filed before the Supreme Court by M/s Ispat Industries Ltd., has been dismissed with the observation that the remedy for filling an appropriate application before the High Court is available to the Petitioner.

(d) In order to facilitate financial closure by the Bhadravati Power Project, the Government of India (GOI) had given counter guarantee to cover any payment liabilities of MSEB in the event of termination of the PPA and could be invoked in the event of MSEB failing to make such Payment and Government of Maharashtra (GOM) as the primary guarantor also failing to make the payment. However, the GOI counter guarantee has lapsed due to inability of the project to fulfill certain conditions laid down in the counter guarantee. So far as the National Thermal Power Corporation (NTPC) is concerned, with a view to identify possible location for long term capacity addition programme, NTPC had prima facie examined a site near Madheri Village in Chandrapur for setting up a 100 MW power plant. NTPC requested GOM for confirmation of water availability for the project before proceeding with further study on the project. Confirmation from GOM is awaited by NTPC.

Legal Aid in Madhya Pradesh

1665. SHRI DALPAT SINGH PARSTE : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether it is a fact that the present procedure for obtaining legal aid is so cumbersome and complex, that the poor and needy people fail to take advantage of the scheme;

(b) whether the Government are planning to take any steps to decentralize the scheme of providing legal aid and also to make it simpler by consulting the Members of Parliament representing the areas; and

(c) the average amount spent on legal aid every year in the country and the percentage of amount is spent in Madhya Pradesh along with the criteria followed for granting legal aid ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) No, Sir. Any person entitled to legal aid may approach directly to Taluk Legal Services Committee, District Legal Services Authority, High Court Legal Services Committee, State Legal Services Authority and Supreme Court Legal Services Committee, as the case may be.

(b) The procedure for giving legal aid is already decentralised. The State Legal Services Authority, District Legal Services Authorities, Taluk Legal Services Committees may co-opt the concerned Member of Parliament as a Member of the State Authority, District Legal Services Authority, Taluk Legal Services Committee, as the case may be.

(c) The following amounts were allocated by National Legal Services Authority to State/Union Territories from the year 1999-2000 onwards :

Period	Amount
1999-2000	Rs. 2,54,76,500/-
2000-2001	Rs. 3,32,55,000/-
2001-2002	Rs. 1,66,03,500/-
2002-2003 (till 20.11.2002)	Rs. 2,47,53,000/-

In so far as Madhya Pradesh State Legal Services Authority is concerned, a grant-in-aid of Rs. 22.00 lakhs was sanctioned in the year 1999-2000 and another Rs. 20.00 lakhs in the year 2000-2001.

Section 12 of the Legal Services Authorities Act, 1987 prescribes the criteria for giving legal services. Following persons are entitled to legal aid/legal services :-

- a member of a Scheduled Caste or Scheduled Tribe;
- a victim of trafficking in human beings or begar as referred to in Article 23 of the Constitution;
- a women or a child;
- a mentally ill or otherwise disabled person;

- a person under circumstances of undeserved want such as being a victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or
- an industrial workman; or
- in custody, including custody in protective home within the meaning of clause (g) of section 2 of the Immoral Traffic (Prevention) Act, 1956, or in a juvenile home within the meaning of clause (j) of section 2 of the Juvenile Justice Act, 1986 in a psychiatric hospital or psychiatric nursing home within the meaning of clause (g) of section 2 of the Mental Health Act, 1987; or
- in receipt of annual income less than rupees nine thousands or such other higher amount as may be prescribed by the State Government, if the case is before a court other than the Supreme court, and less than rupees twelve thousands or such other higher amount as may be prescribed by the Central Government, if the case is before the Supreme Court.

[Translation]

Mobile Refilling of LPG Cylinders

1666.SHRI SUBODH ROY : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

- whether the Government plans to commence mobile refilling of LPG cylinders in the rural areas of the country;
- if so, the details thereof;
- if not, the reasons therefor; and
- the names of the States being benefited at present with this service ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (d) Bharat Petroleum Corporation Ltd. (BPCL) have introduced rural marketing vehicles to meet the demand in rural areas in some States of the country like Punjab, Uttar Pradesh, Tamil Nadu, Gujarat, Rajasthan, Maharashtra, West Bengal, Karnataka and Chhattisgarh.

Hindustan Petroleum Corporation Limited (HPCL) is having one skid mounted mini LPG bottling plant at Falakata, district Jalpaigudi, West Bengal; in addition, HPCL has plans to set up similar facilities in certain locations in the States of Maharashtra, Punjab, U.P., Rajasthan, Andhra Pradesh, Karnataka, Orissa and Tamil Nadu, to meet the rural demand.

[English]

Construction of ROB at Dalkhola

1667. SHRI PRIYA RANJAN DASMUNSI : Will the Minister of RAILWAYS be pleased to state :

(a) whether construction of Rail-over-bridge on National Highway 34/35 at Dalkhola has been pending for the last several years despite the fact that the project has already been cleared by the Ministry of Urban Development, as the Railways have not settled the land issue with the Government of West Bengal;

(b) if so, the steps the Government propose to take to settle the land issue; and

(c) the time by which the said project is likely to be started and completed ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) A Road over bridge at Dalkhola on NH-34 (by pass) is sanctioned work to be fully funded and executed by the State Government of West Bengal. The Railways have no dispute regarding land issue to be settled.

(d) Does not arise.

(c) Work is yet to be started by PWD/NH Division (Roads)/West Bengal. The Railways have already approved the General Arrangement Drawing, Project Report, detailed design and drawing. Hence, the target for completion is also to be fixed by State PWD.

Railway Development Commission

1668. SHRI T. GOVINDAN : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Government have formed the National Railway Development Commission; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) No, Sir.

(b) Does not arise.

[Translation]

Suspension of Exploration Work In Border Areas

1669. SHRI KAILASH MEGHWAL : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether works of exploration of oil and gas has been stopped in border areas due to deployment of army in Western area of Rajasthan and second unit of gas based power project in border area of Ramgarh has to be closed the day after it started operating due to lack of gas supply;

(b) whether the Government handed over Pinorawala block in Jaisalmer basin to Oil India to speed up the exploration of oil and gas;

(c) whether most of the gas exploration centres are situated within international region and therefor getting permission for going there is also very difficult thereby making the maintenance and repair work all the time more difficult;

(d) whether exploration work has not been started due to dispute under consideration of the Supreme Court over Mayajlar area regarding oil and gas exploration with officers of Muru National Sanctuary; and

(e) if so, the steps taken to streamline exploration work, production and maintenance of operating wells ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) The proposed workover and seismic acquisition work in the border areas of Western Rajasthan was deferred due to deployment of army in the area. The defence clearance for reactivation of the well has since been received and the work will be resumed in next few months. In the mean time, however, the production operations had continued and gas supply to Ramgarh power plant (one unit) was maintained. As far as private companies/JVs are concerned, exploration activities have not been stopped due to deployment of army in Rajasthan.

(b) Government awarded block RJ-ONN-2000/1 (Pinorawala) to Oil India Ltd. under NELP-II bidding Round and work has started in this block.

(c) No such problems have been reported by any of the operators in this area.

(d) and (e) Exploration work in Mayajlar area was not taken up as this area falls under notified desert national park. ONGC has taken up the case to get permission for exploration. Monitoring of the progress of exploration and production work undertaken by national oil companies/joint venture companies and undertaking rectification measures is an ongoing exercise.

Village Electrified by Renewable Energy Sources

1670. SHRI CHANDRAKHAJIT KHAIRE : Will the Minister of NON-CONVENTIONAL ENERGY SOURCES be pleased to state :

(a) the number of villages electrified with the renewable energy sources and the details thereof State-wise;

(b) the names of the schemes being implemented by the Government to promote the extensive use of solar energy; and

(c) the details and the number of Energy Parks established/proposed to be established in Maharashtra, till date ?

THE MINISTER OF STATE OF THE MINISTRY OF NON-CONVENTIONAL ENERGY SOURCES (SHRI M. KANNAPPAN) : (a) Renewable energy systems like solar photovoltaic systems and power plants, small hydro power plants and biomass gasifiers have been installed in a number of villages and hamlets to provide lighting and other electricity based services. The State-wise number of villages and hamlets electrified in this manner through renewable energy systems and power plants is given in the enclosed Statement-I.

(b) The Ministry of Non-Conventional energy sources is implementing various programmes for promoting the use of different types of solar energy systems and devices through State renewable energy development agencies, eligible manufacturers, some non-Governmental organizations, banks and the Indian Renewable Energy Development Agency Limited (IREDA). The names of these programmes are given in the enclosed Statement-II

(c) The Ministry has so far sanctioned 18 district level Energy Park projects for setting up in the State of

Maharashtra. The location-wise details and status of these Energy Park projects are given in the enclosed Statement-III. In addition, a proposal has been received from the Maharashtra Energy Development Agency (MEDA), Pune for setting up of a State level Renewable Energy Park at Peshwe Park, Pune.

Statement

State-wise details of Villages/Hamlets Electrified through Renewable Energy Sources (As on 31.10.2002)

A – Through SPV Systems and Power Plants

S. No.	State/UT	Nos. of Villages/hamlets
1.	Andhra Pradesh	2
2.	Arunachal Pradesh	50
3.	Assam	76
4.	Chattisgarh	90
5.	Gujarat	14
6.	Haryana	6
7.	Himachal Pradesh	3
8.	Jammu and Kashmir	102
9.	Karnataka	2
10.	Kerala	134
11.	Madhya Pradesh	3
12.	Manipur	8
13.	Meghalaya	25
14.	Mizoram	33
15.	Rajasthan	1,656
16.	Sikkim	4
17.	Tripura	30
18.	Uttar Pradesh, including Uttaranchal	497
19.	West Bengal	856
20.	A and N Islands	21
Total		3,612

The above villages/hamlets, hamlets, have been electrified through installation of solar home systems in at least 50% households or through centralized power plants. However, in case of Rajasthan in 1,188 villages/hamlets, solar home systems have been installed in about 10 households in each village/hamlet.

B- Through Other Renewable Energy Systems

6 Villages in Arunachal Pradesh and 5 in West Bengal have been electrified through small hydro plants. In addition, in West Bengal 8 villages have been electrified through Biomass gasifiers.

Statement-II

Programmes for Promotion of Solar Energy Utilization

1. Solar Photovoltaic Demonstration and Utilization Programme
2. Solar Photovoltaic Water Pumping Programme for Agriculture and Related Uses
3. Solar Thermal Extension Programme
4. Solar Cooker Programme
5. Soft loan schemes for Solar Photovoltaic and Thermal Systems through IREDA and Banks
6. Grid – Connected Solar Photovoltaic Power Programme
7. "Aditya" Solar Shops

Statement-III

Details and Status of the District Level Energy Park Projects in Maharashtra (as on 31/10/2002)

S.No.	Institutions/locations
1	2

Completed Projects

1. Visvesvaraya Regional College of Engineering, Nagpur, District Nagpur.
2. Jnana Prabodhini Medical Trust, Sanjeevan Hospital, Off Karve Road, Pune, District Pune.
3. University of Pune, School of Energy Studies, Ganeshkhind, Pune, District Pune.

1	2
4.	Gandhi National Memorial Society, Agakhan Palace, Pune Nagar Road, District Pune.
5.	Janana Prabodhini Shiv Pradesh, Pune, District Pune.
6.	Maharashtra Institute of Technology, Pune, District Pune.
7.	Dr. Panjabrao Deshmukh Krishi Vidyapith, Akola, District Akola.
8.	College of Engineering, Ambajogai, District Beed.
9.	North Maharashtra University, Jalgaon, District Jalgaon.
10.	Jawahar Navodaya Vidyalaya, Sangeli P.O. Kalambi, District Sindhu Durg.
11.	Amravati University, Amravati, District Amravati.
12.	Chalkewadi Wind Farm, District Satara.
Projects under Implementation	
13.	KIT's College of Engineering, District Kolhapur.
14.	Shri Sant Gajanan Maharaj College of Engineering Shegaon, District Buldhana.
15.	Manav Sadhan Vikas Sanstha, Anav, Tauqa Kundal, District Sindhudurg.
16.	Swami Ramanand Teerth Marathawada Vidyapeeth, Nanded, District Nanded.
17.	Raigad Military School and Jr. College Achaloli, Taluqa Mahad, District Raigad.
18.	Walchand Institute of Technology, District Solapur.

[English]

Loss to Railways due to Cauvery Water Agitation

1671. SHRI KOLUR BASAVANAGOUD : Will the Minister of RAILWAYS be pleased to state :

(a) the loss suffered by Railways on account of Cauvery water agitation in Karnataka; and

(b) the reasons for not taking precautionary measures while running trains during the agitation period ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) The

estimated loss suffered by Railways on account of Cauvery water agitation in Karnataka is Rs. 125.01 Lakhs.

(b) Precautionary measures such as, cancellation of trains to prevent damage to Railway property, were taken.

Provision of New Bogies for Narsapur Express

1672. SHRI A. BRAHMANAIAH : Will the Minister of RAILWAYS be pleased to state :

(a) whether the bogies attached to the Narsapur Express running between Secunderabad and Narsapur are very old;

(b) if so, reasons therefor; and

(c) the steps proposed to replace these old bogies ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) No, Sir. The coaches running on this vacuum braked train are within the codal life of 25 years.

(b) Does not arise.

(c) The coaches will be replaced on age cum condition basis whenever due.

Induction of Sukhoi-30 MKI

1673. SHRI VILAS MUTTEMWAR :
SHRI PRIYA RANJAN DASMUNSI :
SHRI G. PUTTA SWAMY GOWDA :
SHRIMATI PRABHA RAU :

Will the Minister of DEFENCE be pleased to state :

(a) whether Sukhoi-30 MKI fighters acquired by India from Russia have been inducted into the Indian Air Force;

(b) if so, the number of aircraft acquired and the financial implications involved therein;

(c) whether the Government propose to acquire more such aircraft; and

(d) if so, the number thereof and the time by which these are expected to arrive ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) to (d) The induction of Su-30 MKI is being done in a phased manner. The total cost for supply of 40 Su-

30 MKI aircraft and associated equipment, contracted in November, 1996, with the manufacturer in Russia, is USD 1462 million. In addition, 10 Su-30 K aircraft acquired in 1999 would also be upgraded to Su-30 MKI standards. The induction and upgradation is expected to be completed by 2004. 140 Su-30 MKI aircraft would also be manufactured by Hindustan Aeronautics Limited under Transfer of Technology arrangement up to 2017.

Revival of Instrumentation Ltd.

1674. SHRI N.N. KRISHNADAS : Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state :

(a) the present status of the revival project for Instrumentation Limited; and

(b) the details of the process and the present status of the Palakkad Unit of Instrumentation Limited to make a subsidiary unit with inadequate status ?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (DR. VALLABHBHAI KATHIRIA) : (a) BIFR approved scheme for revival of Instrumentation Limited (IL) is under implementation since 1.4.1999. The BIFR, in its review meeting held on 26.09.2002 have observed that there is a need to modify the existing scheme. The modified revival plan has yet not been finalized.

(b) The BIFR sanctioned revival package envisages restructuring of Palakkad unit by way of subsidiarisation to facilitate joint venture formation. IL completed all the formalities for the subsidiarisation of its Palakkad unit and has obtained certificate of incorporation from Registrar of Companies, Kerala as per the BIFR sanctioned revival package.

Transmission Projects for Rural Electrification

1675. SHRI K.P. SINGH DEO : Will the Minister of POWER be pleased to state :

(a) the existing practice of executing transmission projects for rural electrification in each State;

(b) whether these practices differ from State to State;

(c) if so, the reasons therefor;

(d) whether the existing practice is hampering the progress of rural electrification in some States, particularly in Orissa; and

(e) if so, the steps taken by the Government to issue guidelines to such States for directly financing the execution of transmission project by Power Finance Corporation for rural electrification ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA : (a) to (e) Rural Electrification is the responsibility of the State Electricity Boards/State Governments which own and operate the distribution system in the State. Rural Electrification Schemes are formulated and executed by the SEBs according to the priorities fixed by the respective State Governments. The execution of transmission projects for rural electrification depends on the geographical spread of the area, network topology, load density etc.

The Committee of Experts and Central Electricity Authority have made guidelines for improvement on Sub-Transmission and Distribution system for formulation of project reports etc. These guidelines are uniform for the entire country. These guidelines have been circulated to various power utilities of the country including that of State of Orissa under the Accelerated Power Development and Reforms Programme.

REC provides loan assistance to States/SEBs/Power Utilities for intensive electrification of villages, setting up of sub-stations upto 400 KV and transmission lines, besides the State power Utilities can access loan assistance from PFC for transmission projects.

Constructon of New Railway Terminal in Delhi

1676. SHRI K. YERRANNAIDU : Will the Minister of RAILWAYS be pleased to state :

(a) whether keeping in view the increasing demand of passengers and goods traffic, the railway is considering a proposal to have a new railway terminal in Delhi;

(b) if so, the details thereof and the locatio of new railway terminal; and

(c) the time by which the new terminal is likely to become operational ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) Yes, Sir.

(b) and (c) The Railways is considering proposals for provision of directional terminals to be located at periphery of Delhi. This includes a Passenger Terminal at Anand Vihar for East bound trains. However, the Railways' strategy is to fully exploit terminals in Delhi area namely New Delhi, Delhi, Nizamuddin and Delhi Sarai Rohilla before taking up the work of additional terminals. The work pertaining to development of existing terminals in Delhi area have already been sanctioned and are in different stages of completion. The proposal pertaining to new terminal in Delhi area is under consideration and examination.

Silent Era Films in Pakisan

1677. SHRI Y.V. RAO : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether prints of hundreds of silent era films went to Pakistan at the time of partitlon;

(b) if so, the estimated number of such films; and

(c) the steps taken/proposed to be taken by the Government to get them back of India ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) to (c) National Film Archive of India (NFAI) has informed that no factual information is available about the number of silent era films, which went to Pakistan at the time of partition. NFAI generally acquires films through the member archives of international Federation of Film Archives (FIAF), of which as per FIAF directory, Pakistan is not a member. However, NFAI taps various sources for acquisition of films of archival impotence including all available silent and early talkie films.

Octane Testing Facilties in Gujarat

1678. SHRI SAVSHIBHAI MAKWANA : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether sufficient octane testing facilities does not exist in Gujarat;

(b) if so, whether the Government of Gujarat and NGOs have shown their interest to share the cost of setting up of laboratories; and

(c) if so, the action taken thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI SANTOSH KUMAR GANGWAR) : (a) No, Sir. Sufficient octane testing facilities are available in the State of Gujarat.

(b) Government of Gujarat has requested for financial assistance for establishment of an independent laboratory to be run by Consumer Education and Research Centre (CERC), Ahmedabad to check the adulteration of petroleum products in the State. The total cost of setting up of the laboratory is about Rs. 12.00 crores. The State Government has requested to provide 50% contribution i.e. Rs. 6.00 crores for said purpose while the State Government and CERC would bear the cost at the rate of 25% each.

(c) As sufficient facilities for octane testing quality of petroleum products are available in Gujarat, the Government is of the view that a separate set up is not required.

Pricing of Crude Oil

1679. SHRI P.S. GADHAVI : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Members of Parliament from the State of Gujarat had a meeting with the Prime Minister of May, 1, 2002;

(b) whether during their meeting with the Prime Minister they submitted a Memorandum relating to various outstanding issues of the State;

(c) whether in their Memorandum they demanded that there should be an agency for pricing of Crude Oil;

(d) whether the Government of Gujarat has also requested for setting up a pricing agency;

(e) if so, the action taken by the Government so far; and

(f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) and (b) Yes, Sir.

(c) to (f) The Government had constituted a Committee to devise a new scheme of royalty on indigenous crude oil. The Committee had sought suggestions from State Governments and Union territories. The State Government of Gujarat had, inter alia, suggested for an independent

Agency for determining final price of indigenous crude oil. The Committee has submitted its Report which is under consideration of the Government.

Joint Patrolling with Indonesia

1680. SHRI CHADA SURESH REDDY :
SHRI GUTHA SUKENDER REDDY :

Will the Minister of DEFENCE be pleased to state :

(a) whether Indian and Indonesian Navies have started coordinated patrolling along international maritime boundary line to check poaching, smuggling and other illegal activities in the Indian Ocean;

(b) if so, the time by which this exercise was started; and

(c) the other details in this regard?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) to (c) The first cycle of coordinated patrol by Indian and Indonesia Navies took place from 2nd September, 2002 to 30th September, 2002. In future, the joint patrolling will be undertaken depending upon the need and mutual convenience.

[Translation]

Review of a Film

1681. KUMARI BHAVANA PUNDLIKRAO GAWAL :
SHRI HARIBHAU SHANKAR MAHALE :
SHRI VILAS MUTTEMWAR :
SHRIMATI PRABHA RAU :

Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the Government have decided to review the film "Ek Chhoti Si Love Story" even after it was cleared by the Censor Board and granted the permission for its screening by the Central Board for Certification;

(b) if so, the reasons therefor;

(c) whether the said movie contains some scenes which blemish Indian Women's image and culture; and

(d) if so, the social impact of this film on the country?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) No, Sir.

(b) Does not arise.

(c) and (d) According to the information received from the Central Board of Film Certification, the Examining Committee of the Board, which previewed the film, unanimously recommended grant of a clear "A" certificate to the film. The Board accepted the recommendation.

[English]

Setting up of Grid Sub-Stations in Gaya

1682. SHRI RAMJEE MANJHI : Will the Minister of POWER be pleased to state :

(a) whether there is a need for setting up of a Grid Sub-station at Sirghati Sub-division in Gaya, Bihar; and

(b) if so, the time by which it is likely to be set up ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) and (b) Bihar State Electricity Board (BSEB) has expressed the need of construction of a grid sub-station at Sherghati (Sirghati) as a part of Comprehensive Sub-Transmission Strengthening Scheme of Bihar (proposed to be executed by POWERGRID).

In order to implement the same, a Memorandum of Agreement among BSEB, POWERGRID, Planning Commission and Ministry of Power is being finalized as the project is envisaged to be executed through a grant from Planning Commission to the Government of Bihar.

Export of Diesel and Aviation Fuel by IOCL

1683. SHRI A. VENKATESH NAIK :
SHRI RAMSHETH THAKUR :
SHRI ASHOK N. MOHOL :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Indian Oil Corporation Limited plan to double its export of diesel and Aviation Fuel;

(b) if so, the details thereof;

(c) the revenue earned by IOCL during the last three years on the export of diesel and Aviation fuel;

(d) the names of countries to whom the IOCL exported the fuel; and

(e) the steps taken by the Government to increase the fuel export ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (d) Yes, Sir. Indian Oil Corporation Limited (IOCL) is exploring various markets for export of diesel and aviation fuel. The company has set up overseas offices at Dubai, Kuala Lumpur and Mauritius for seeking new markets/customers for its products and services.

IOCL has signed a contract with Ceylon Petroleum Corporation for supply of 0.5 million metric tonnes of products per year valuing 130 million US Dollars.

During the last three years, IOCL has exported aviation fuel and diesel to Nepal only. The supplies to Nepal are against payment in Indian Rupees under an agreement. The value of supplies made to NOC are given below :

Year	Aviation Fuel Rs. Crore	Diesel Rs. Crore
1999-00	31.35	191.45
2000-01	64.33	303.24
2001-02	62.50	286.53

(e) As per the current Exim Policy 2002-2007, diesel and aviation fuel are freely exportable.

Power Plants in Rajasthan

1684. DR. JASWANT SINGH YADAV : Will the Minister of POWER be pleased to state :

(a) the capacity of power plants in Rajasthan in different sectors;

(b) the details of power generated, demanded and supplied to the State at present; and

(c) the steps taken or proposed to be taken by the Union Government to improve the power situation in Rajasthan ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) and (b) The details of monitored capacity of power plants in Rajasthan in different sectors/categories and power generated during October, 2002 are given below :

October, 2002

Sector	Thermal		Hydro		Nuclear		Total	
	Capacity (MW)	Generation (MU)	Capacity (MW)	Generation (MU)	Capacity (MW)	Generation (MU)	Capacity (MW)	Generation (MU)
Central	413	258	—	—	790	409	1203	667
State	1926	1196	430	5	—	—	2356	1201
Total	2339	1454	430	5	790	409	3559	1868

Power supply position in the State during the month of October, 2002 is given below :-

	Energy (MU)	Peak (MW)		Peak (MW)
Requirement	2272	Peak Demand	3716	
Availability	2258	Peak met	3716	
Shortage	14	Deficit	0	
Percentage	0.6	Percentage	0	

(c) The following steps have been taken/being taken for augmentation of availability of power in the country including Rajasthan :

- (i) Maximizing generation from existing capacity.
- (ii) Demand side management.
- (iii) Reduction in T and D losses.
- (vi) Energy conservation measures.
- (v) Renovation and Modernisation and Life Extension of old and inefficient plants.
- (vi) Enhancement of inter-regional exchange of power from surplus region/states to deficit States.
- (vii) Early stabilization of ongoing projects.
- (viii) It is envisaged to add 660.32 MW in Rajasthan in State Sector during 10th Plan period. In addition the State will also get its due share from the central generating stations (7340 MW) which are proposed to be set up in Northern Region during 10th Plan.

Reports of Leakages of LPG Cylinders

1685. PROF. UMMAREDDY VANKATESWARLU : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether Oil Companies and their dealers do not respond in time for reports of leakages from LPG cylinders after hours;

(b) if so, whether a majority of accidents involving LPG cylinders have occurred even after reporting leakage to the concerned officers and dealers;

(c) whether the Government propose to institute a fool proof system of response to such emergencies; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) The LPG distributors of Public Sector Oil Marketing Companies (OMCs) are under instructions to carry out leakage checks by breaking the seal at the customer's premises and to ensure proper functioning of equipment at the time of delivery of the cylinders. In normal conditions, a cylinder in use does not malfunction or start leaking. OMCs are also operating emergency service centres for attending to any leakage complaints, should they occur, after distributorship working hours and on holidays and Sundays.

(b) to (d) It has observed that majority of the accidents are caused by improper use of the equipment by the consumer or non-adherence to the safety instructions. OMCs have not come across any incident where accident

has taken place after the customer has reported leakage to concerned distributor or emergency centre.

[Translation]

Computerisation of Lower Courts

1686.DR. M.P. JAISWAL :

SHRI BIR SINGH MAHATO :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Government propose to give financial assistance to State Governments for the computerisation of their Lower Courts;

(b) if so, the details thereof;

(c) if not, the reasons therefor; and

(d) the number of lower courts computerised so far and the names and location of these lower courts ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) to (c) It is the primary responsibility of the State Governments to provide funds for development of infrastructure facilities for the judiciary, including computerisation of courts. However, under the Centrally Sponsored Scheme for the development of infrastructure facilities to the judiciary, funds are being released for computerisation of courts, subject to the condition that the States would provide atleast a matching share. During the year 2002-2003, an amount of Rs. 4.92 crore has been released to the States/UTs for this purpose. The States/UTs are free to utilise the required amount for computerisation within the overall allocation made to the States/UTs under the Centrally Sponsored Scheme.

During 2001-2002, the Central Government has sanctioned the centrally funded Pilot Project of Computerisation and Networking of City Courts in the four metropolitan cities i.e. Delhi, Mumbai, Chennai and Kolkata to serve as a model for the States. This project is fully funded by the Central Government and is estimated to cost Rs. 14.9 crore.

(d) A list of State-wise District Courts for which the National Informatics Centre has provided necessary computer Hardware, Software and Training is given in the enclosed Statement.

Statement

List of District Courts taken up for Computerization

STATE NAME : *Andhra Pradesh*

Name of District Courts

1. Adilabad
2. Anantapur
3. Chittoor
4. Cuddapah
5. East Godavari
6. Guntur
7. Hyderabad
8. Karimnagar
9. Khamam
10. Krishna
11. Kurnool
12. Mahbubnagar
13. Medak
14. Nalgonda
15. Nellore
16. Nizamabad
17. Prakasham
18. RangaReddy
19. Srikakulam
20. Viskapatnam
21. Vizianagaram
22. Warangal
23. West Godavari

STATE NAME : *Assam*

District Courts

1. Dhubri
2. Kokrajhar

3. Bongaigaon
4. Goalpara
5. Barpeta
6. Nalbari
7. Kamrup
8. Darrang
9. Sonitpur
10. Lakhimpur
11. Marigaon
12. Nagaon
13. Golaghat
14. Jorhat
15. Sibsagar
16. Dibrugarh
17. Tinsukia
18. Karimganj
19. Hailakandi
20. Cachar

STATE NAME : *Bihar and Jharkhand*

Name of District Courts

1. Aurangabad
2. Begusarai
3. Bettiah
4. Bhagalpur
5. Bhojpur
6. Buxer
7. Chaibasa
8. Chapra
9. Chas (Bokaro)

10. Darbhanga	STATE NAME <i>Chandigarh U.T.</i>	3. Faridabad	STATE NAME : <i>Karnataka</i>
11. Deoghar	Name of District Court :	4. Gurgaon	Name of District Courts :
12. Dhanbad	1. Chandigarh	5. Hissar	1. Bangalore Urban
13. Dumka	STATE NAME : <i>Goa</i>	6. Jind	2. Bangalore Rural
14. Gaya	Name of District Courts :	7. Kaithal	3. Belgaum
15. Giridih	North Goa	8. Karnal	4. Bellary
16. Godda	South Goa	9. Kurukshetra	5. Bidar
17. Gopalganj	STATE NAME : <i>Gujarat</i>	10. Narnaul	6. Bijapur
18. Gumla	Name of District Courts :	11. Panipat	7. Chickmagalur
19. Hajipur	1. Ahmedabad	12. Rewari	8. Chitradurga
20. Hazaribagh	2. Nadiad	13. Rohtak	9. Dharwad
21. Jamshedpur	3. Vadodara	14. Sirsa	10. Gulbarga
22. Jehanabad	4. Bharuch	15. Sonapat	11. Hassan
23. Katihar	5. Surat	16. Jagadhri (Yamuna Nagar)	12. Karwar
24. Khatgaria	6. Mahesana	NAME OF STATE : <i>Jammu and Kashmir</i>	13. Madikeri
25. Madhepura	7. Surendrangr	Name of District Courts :	14. Kolar
26. Madhubani	8. Ahmedabad (City Civil)	1. Jammu	15. Mandya
27. Motihari	9. Amreli	2. Udampur	16. Mysore
28. Munger	10. Banaskantha	3. Kathua	17. Mangalore
29. Muzaffarpur	11. Bhavnagar	4. Doda	18. Raiture
30. Nalanda	12. Jamnagar	5. Poonch	19. Shimoga
31. Nawada	13. Junagadh	6. Rajauri	20. Tumkur
32. Palamau	14. Bhuji	7. Leh	STATE NAME : <i>Kerala</i>
33. Patna	15. Panchmahal	8. Srinagar	Name of District Courts :
34. Purnia	16. Rajkot	9. Pulwama	1. Trivendrum
35. Ranchi	17. Sabarkantha	10. Baramula	2. Kollam
36. Saharsa	18. Valsad	11. Anantnag	3. Pathanamthitta
37. Sahebganj	STATE NAME : <i>Haryana</i>	12. Kupwara	4. Idukki
38. Samastipur	Name of District Courts :	13. Badgam	5. Alleppey
39. Sasaram	1. Ambala		6. Kottayam
40. Sitamarhi	2. Bhiwani		7. Eranakulam
41. Siwan			

8. Trichur	23. Satara
9. Palaghat	24. Sindhudurg
10. Malappuram	25. Solapur
11. Wyanad	26. Thane
12. Kozhikode	27. Wardha
13. Kannur	28. Yavatmal
14. Kasargod	STATE NAME : <i>Madhya Pradesh and Chattisgarh</i>
STATE NAME : <i>Maharashtra</i>	Name of District Courts :
Name of District Courts :	1. Morena
1. Ahmednagar	2. Bhind
2. Akola	3. Gwalior
3. Amravati	4. Datia
4. Aurangabad	5. Shivpuri
5. Beed	6. Guna
6. Bhandara	7. Tikamgarh
7. Buldhana	8. Chhatarpur
8. Chandrapur	9. Panna
9. Dhule	10. Sagar
10. Jalgaon	11. Damoh
11. Jalna	12. Satna
12. Kolhapur	13. Rewa
13. Latur	14. Shahdol
14. Nagpur	15. Sidhi
15. Nanded	16. Mandasaur
16. Nashik	17. Rattlam
17. Osmanabad	18. Ujjain
18. Parbhani	19. Shajapur
19. Pune	20. Dewas
20. Raigad	21. Jhabua
21. Ratnagiri	22. Dhar
22. Sangli	23. Indore

24. Khargone	8. Ganjam
25. Khandwa	9. Jagatsinghpur
26. Rajgarh	10. Kalahandi
27. Vidisha	11. Kendrapara
28. Bhopal	12. Kendujhar
29. Shore	13. Koraput
30. Raisen	14. Khurda
31. Betul	15. Mayurbhanj
32. Hoshangabad	16. Phulbani
33. Jabalpur	17. Rourkela
34. Narsimhapur	18. Sambalpur
35. Mandla	19. Sundargarh
36. Chhindwara	20. Titlagarh
37. Seoni	21. Cuttack
38. Balaghat	22. Puri
39. Surguja	STATE NAME : <i>Punjab</i>
40. Bilaspur	Name of District Courts :
41. Raigarh	1. Bathinda
42. Rajnandgaon	2. Fatehgarh Saheb
43. Durg	3. Hoshiarpur
44. Raipur	4. Gurdaspur
45. Bastar	5. Kapurthala
STATE NAME : <i>Orissa</i>	6. Ropar
Name of District Courts :	7. Jalandhar
1. Balasore	8. Mansa
2. Bargarh	9. Patiala
3. Bhadrak	10. Ludhiana
4. Bhubaneshwar	11. Sangrur
5. Balangar	12. Ferozepur
6. Dhenkanal	13. Faridkot
7. Gajapati	14. Baranala
	15. Amritsar

STATE NAME : *Rajasthan*

Name of District Courts :

1. Ajmer
2. Alwar
3. Banswara
4. Baran
5. Barmer
6. Bharatpur
7. Bhilwara
8. Bikaner
9. Bundi
10. Chittorgarh
11. Churu
12. Dausa
13. Dholpur
14. Dungarpur
15. Ganganagar
16. Hanumangarh
17. Jaipur
18. Jaisalmer
19. Jalore
20. Jhalawar
21. Jodhpur
22. Kota
23. Nagaur
24. Pali
25. Rajasamand
26. S'Madhopur
27. Sikar
28. Sirohi
29. Tonk
30. Udaipur

STATE NAME : *Sikkim*

Name of District Courts :

1. East
2. South
3. West
4. North

STATE NAME : *Tamil Nadu*

Name of District Courts :

1. Chengalpattu
2. Chidambaranar
3. Coimbatore
4. Dharmapuri
5. Dindigul
6. Erode
7. Kamarajar (Srivilliptr)
8. Kanniyakumari
(Nagarcoil)
9. Madras
10. Madurai
11. Nagapattinam
12. Nilgiris
13. North Arcot (vellore)
14. Pasumpon
(Sivaganga)
15. Pudikottai
16. Ramanathapuram
17. Salem
18. South Arcot
(cuddalore)
19. Thanjavur
20. Tirunelveli
21. Tiruvannamalai
22. Trichy

23. Villupuram

STATE NAME : *Tripura*

Name of District Courts :

1. South
2. West
3. North

STATE NAME : *West Bengal*

Name of District Courts :

1. Cooch
2. Birbhum Dakshin
3. Dinajpur
4. Nadia
5. Jalpaiguri
6. Bankura
7. Burdwan
8. Midnapur
9. Uttar Dinajpur
10. Darjeeling
11. Hooghly
12. Murshidabad
13. Malda
14. Purulia
15. Howrah
16. Pargana South
17. Calcutta
18. Pargana North

STATE NAME : *Uttar Pradesh and Uttaranchal*

Name of District Courts :

1. Allahabad
2. Agra

3. Gorakhpur

4. Lucknow

5. Varanasi

6. Meerut

7. Ghaziabad

8. Moradabad

9. Bulandshahr

10. Kanpur (R)

11. Kanpur (U)

12. Dehradun

13. Etawah

14. Basti

15. Jhansi

16. Uttar Kashi

17. Unnao

18. Tehri Garhwal

19. Sultan Pur

20. Sonbhadra

21. Sitapur

22. Sidharthnagar

23. Shahjahanpur

24. Saharanpur

25. Rampur

26. Reabareli

27. Pratapgarh

28. Pithoragarh

29. Pilibhit

30. Pauri

31. Orai

32. Nainital

33. Muzaffarnagar

34. Mirazapur
35. Mau
36. Mathura
37. Mainpuri
38. Maharajganj
39. Lalitpur
40. Kheri
41. Jaunpur
42. Haridwar
43. Hardoi
44. Hamirpur
45. Gonda
46. Ghazipur
47. Firozabad
48. Fatehpur
49. Farrukhabad
50. Faizabad
51. Etah
52. Deoria
53. Chamoli
54. Budhaun
55. Bijnor
56. Barabanki
57. Banda
58. Ballia
59. Bahraich
60. Azamgarh
61. Almora
62. Bareilly
63. Aligarh ...
- STATE NAME : *Delhi*
- Name of District Courts :
1. District Court Delhi
- STATE NAME : *Himachal Pradesh*
- Name of District Courts :
1. Bilaspur
2. Chamba
3. Hamirpur
4. Dharmshala
5. Kullu
6. Mandi
7. Nahan
8. Shimla
9. Solan
10. Una

(c) if not, the reasons therefor ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) to (c) The assurance given is in the process of being fulfilled separately.

[Translation]

Production of LPG

1688. SHRI Y.G. MAHAJAN : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the quantum of LPG produced annually through LPG plants in the country;

(b) the annual consumption of LPG in the country, State-wise;

(c) whether the demand of LPG is growing every year; and

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

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) During the year 2001-2002, Public Sector Oil Companies have produced about 4,506 Thousand Metric Tonnes (TMT) of LPG.

(b) During the year 2001-2002, Public Sector Oil Companies have sold 7,310 TMT of LPG in the country.

(c) and (d) The demand of LPG is growing every year in country and the sales of LPG by Public Sector Oil Companies, during the last three years, were as under :-

Year	Sales of LPG (TMT)
1999-2000	6,029
2000-2001	6,613
2001-2002	7,310

[English]

Corruption Cases against Engineers

1687. SHRI RAMJIVAN SINGH : Will the Minister of INFORMATION AND BROADCASTING be pleased to refer to the reply given to the USQ No. 7567 on May 16, 2002 and to state :

(a) whether the requisite information has been collected;

(b) if so, the outcome and action taken thereon; and

[English]

Far-Flung Areas under KU Band

1689. SHRI CHANDRA BHUSHAN SINGH : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the Government have decided to cover all far-flung areas under the KU Band to widen the area of Doordarshan and All India Radio; and

(b) if so, the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) and (b) Prasar Bharati has informed that the entire country is covered by Doordarshan, in satellite mode, through reception by appropriate dish antenna. In the next three years, terrestrial TV/AIR coverage is expected to increase to 92% and 99.3% of population and 81% and 91.8% of areas respectively. To cover the remaining uncovered areas, including far-flung areas, the Tenth Plan proposals of Doordarshan include inter-alia schemes for TV coverage with multi-channel bouquet in free to air mode, in KU-band, through satellite distribution system.

**Modernisation of Transmission
Power Plants**

1690. SHRI ADHIR CHOWDHARY :
SHRIMATI SHYAMA SINGH :

Will the Minister of POWER be pleased to state :

(a) whether there is any proposal under consideration of the Government to extend the Accelerated Generation and Supply Programme till 2007;

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

(c) whether some modifications have been made in the plans of the power generation capacity and modernisation of transmission links during the Ninth Plan; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) and (b) There is a proposal under consideration of the Government to extend the Accelerated Generation and Supply Programme upto 2007 with some modifications.

(c) and (d) In so far as capacity addition targets during 9th Plan are concerned, Planning Commission had fixed the original target at 40245.2 MW which was reviewed in consultation with Planning Commission from time to time. A capacity of 19015 MW had been added during 9th Plan.

Regarding modernisation of transmission links during 9th Plan, 1160 CKM of transmission lines at 800 KV voltage level were constructed during the Plan period for the first time. Consolidation of \pm 500 KV HVDC with HVDC converter terminals and establishment of HVDC back to back substations at Chandrapur (1000 MW) and Gazuwaka (500 MW) for regulated transfer of power between the regions were the other achievements in the transmission sector.

Retrenchment of Workers in ONGC/BPCL

1691. SHRI AJOY CHAKRABORTY : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether Government propose to cut as many as 5600 jobs at the State run Oil and Natural Gas Corporation (ONGC) and Bharat Petroleum Corporation Limited (BPCL);

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

(c) the manner in which the Government are planning to implement this proposal?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (c) Oil and Natural Gas Corporation Limited (ONGC) and Bharat Petroleum Corporation Limited (BPCL) have reported that they do not have proposal for retrenchment of their employees. However, both these public sector units have embarked upon an organizational restructuring exercise to address the imbalances in availability and requirement of manpower throughout the organization and are, therefore, proposing to introduce an attractive Voluntary Retirement Scheme (VRS) so that repositioning of the staff across the organisation may be achieved after the exit of VRS optees.

[Translation]

Post of Officers in Zonal Headquarters

1692. SHRI RAVINDRA KUMAR PANDEY : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Government have recently taken any effective steps to check the increase in the posts of officers in Railway Board and Zonal Headquarters;

- (b) if so, the details thereof;
- (c) the existing rules prevalent for determining the number of posts of officers and staffs in the Railways;
- (d) whether the existing strength of officers and staff in Railways is in commensurate with the rule in existence;
- (e) if so, the details thereof; and
- (f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) and (b) Instructions are issued from time to time to take measures for effecting control of expenditure on staff and officers on Railways including in the Railway Board, Zonal Headquarters and Field Units. Specific instructions were issued in 1999 for taking following steps to check increase on staff costs in general and establishment expenditure on gazetted cadre in particular :

- (i) To meet the additional requirements of posts, if any, by redeployment, wherever feasible;
- (ii) Control on creation of workcharged posts for construction works;
- (iii) To tighten the yardsticks/norms for creation of posts, taking due note of the technological changes/advancements.

(c) to (f) Yardsticks/norms are being followed for creation of revenue and work charged posts at different levels in different departments to meet with the workload. The yardsticks/norms are reviewed from time to time. The existing strength of officers and staff is commensurate with their workload.

**Constitution of Deepak Parekh
Committee for Power Reforms**

1693. SHRI SADASHIVRAO DADOBA MANDLIK :
SHRI C.N. SINGH :

Will the Minister of POWER be pleased to state :

- (a) whether the Union Government have entrusted the responsibility of evaluating the functioning of State Electricity Boards to the credit Agencies;
- (b) if so, the details and reasons therefor;

(c) whether the Deepak Parekh Committee constituted for power reforms has submitted its report to the Government;

(d) if so, the details of the main recommendations of the said committee; and

(e) the reaction of the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) Yes, Sir. M/s. Credit Rating Information Services of India Limited (CRISIL) and M/s. investment and Credit Rating Agency Limited (ICRA) have been entrusted by PFC with the task of carrying out rating of the State Electricity Boards/Utilities.

(b) Government of India is striving for achieving financial turn around of State Electricity Boards (SEBs)/ Utilities so as to enable them to become commercially viable. In order to achieve this objective, Government of India have initiated several steps, including reforms and financial performance related assessment of SEBs/Utilities by independent rating agencies. The rating exercise would be a periodic assessments of these SEBs/Utilities, which would capture improvements made by them in future. A view has been expressed that these ratings could be used as one of the tools to provide for a graded response by Ministry of Power to SEBs/Utilities with reference of their achieving these various milestones of reforms agreed to in the Memorandum of Understanding (MoU) signed between the State Governments and the Government of India.

(c) Deepak Parekh Committee submitted the report of the first phase of committee's work on 19.9.2002.

(d) The main recommendations of the report inter alla, include the following :

1. Structuring of APDRP for Supporting Reform

1.1. APDRP Fund

- Union Government should ex-ante commit to a level of funding for this programme and agree to transfer it through a defined annual allocation.
- Allocations of the programme should be clearly spelt out and the responsibility of sanctions, disbursals and monitoring of funds utilization under the Programme be vested with a small

Empowered Committee, strengthened by independent professionals with financial and technical expertise.

1.2. Eligibility Criteria for accessing assistance under APDRP

Assistance under APDRP should be made contingent on a State :-

- Signing off on the SEB Dues Settlement Scheme, comprising inter alia, the issue of bonds by the State for past dues and graded curtailment of supply on future default.
- Agreeing to an ex-ante audit of incentive related parameters, viz., Energy input, Cost of energy, Cash Collections from Energy Sales of the present period, and Average Revenue Realisation.

1.3. Support under APDRP

There would be two streams of support from the APDRP Fund :

- One for investment; and
- The other as an incentive based on reduction of the gap between unit cost of supply and revenue realisation (calculated based on the number of units purchased).

Funds from APDRP should also be made available to private distribution companies in compliance with procedures governing the respective State Government support to private entities, and such assistance be routed via the State Government, through a suitable agreement between the concerned State Government and Private Distribution Company.

1.4. Support for Investment.

- To enable the States to begin to effect improvements, 50% of the first year's allocation of APDRP funds, i.e. Rs. 1,750 crore be made available to the States.
- For subsequent years, the decision to retain or alter the share of support for investment should be based on experience.

- It would be desirable to bring down the share of the support under investment stream and concomitantly increase the share of the support under incentive stream.
- Assistance under this scheme should be leveraged by obtaining a matching contribution from the State that is the Fund should provide 50% of the funds required for a project, the balance 50% funds of the project requirement should be raised by the State.
- Efforts under this segment be directed towards concentrated zones;
- Substantive weightage would be given to investments that are aimed at reducing commercial losses.

1.5 Reform – Linked Incentive Support

- The remaining assistance from the Fund, i.e., Rs. 1,750 crore from the first year and the allocations for the remaining years under incentive stream should be disbursed as a one-for-two matching grant based on reduction of the gap between unit cost of supply and revenue realisation.
- This reduction must be on an enterprise level, where the enterprise is defined as a corporate body or a Electricity Board or Department. For instance, improvement in one part of the utility, such as a circle offset by deterioration in another part of the utility, in another circle, does not qualify for incentive support. However, in a state where the distribution business is undertaken by different corporation entities, the reduction in gap by each of those entities should be individually eligible for calculation of the incentive.
- The incentive to enterprises be routed through the respective State Governments.
- In effect, the incentive will be matched in the ratio of 1:2 (i.e. for every 2 rupees of loss reduction, the incentive will be one rupee), to the overall reduction in the gap at enterprise level, after adjusting for the factors that are extraneous to the operational performance. However, on review of availability of funds, this

proportion of incentives could be considered for improvement.

- To reward performance over a reasonable length of time, performance be rewarded on a yearly basis, preferably over the financial year 2000-01 is to be taken as the base year of reference for calculating the improvements eligible for performance improvement.

(e) This report is under consideration of the Government.

[English]

Review of JVs in Oil Sectors

1694. SHRI PRAVIN RASHTRAPAL : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the privatization of oilfields has not yielded any desired results;

(b) if so, the reasons therefor and whether the Government propose to review all joint ventures in oil fields sectors; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (c) The Production Sharing Contracts for discovered fields are valid for a period upto 25 years. No review of existing contracts is proposed.

Solar Water Heating System

1695. SHRI PRABHUNATH SINGH : Will the Minister of NON-CONVENTIONAL ENERGY SOURCES be pleased to state :

(a) whether the Group Housing Societies or large housing complexes have to pay higher rate of interest as compared to domestic sectors for solar water heating system;

(b) if so, the reasons thereof;

(c) whether there is any proposal to allow housing societies to pay interest @ 5% for SWHS; and

(d) if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF NON-CONVENTIONAL ENERGY SOURCES (SHRI M. KANNAPPAN) : (a) to (c) The Ministry of Non-Conventional Energy Sources is implementing an interest subsidy scheme through the Indian Renewable Energy Development Agency (IREDA) and some banks to help finance the purchase of solar water heating system by householders as well as by commercial and industrial users. The rate of interest applicable for loans to householders is 5% per annum. However, a higher rate of interest was being charged by IREDA as the loans were taken by corporate bodies who were constructing houses or flats for individuals. This anomaly has now been corrected. The Ministry has issued fresh guidelines this year under which housing cooperative societies and the developers of real estate will be eligible for soft loans for installing solar water heaters at an interest rate of 5%. Such organizations can now approach IREDA or its financial intermediaries as well as any of the participating banks for obtaining the loans. However the borrowers will have to give an undertaking that no depreciation allowance would be availed.

(d) Does not arise.

Exit Policy for Armed Forces

1696. SHRI RAMANAIDU DAGGUBATI : Will the Minister of DEFENCE be pleased to state :

(a) whether it is a fact that an exit policy is being worked out for officers of the Army, Air Force and Navy;

(b) if so, the aims of this policy;

(c) whether as a result of implementation of this policy the number of officers in services would be shrunk; and

(d) if so, the steps taken by the Government to ensure the number of officers in services would not be shrunk ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) to (d) No policy for introduction of an exit policy for the officers of the Army, Air Force and Navy is under the consideration of the Government.

Dairy Farms

1697. SHRIMATI MANEKA GANDHI : Will the Minister of DEFENCE be pleased to state :

(a) the number of dairy farms maintained by the Army;

(b) the age at which the calves are separated from their mothers;

(c) whether the Government are aware that these farms are sending calves to slaughter houses illegally;

(d) if so, whether a case has been put against the army dairy farm in Lucknow; and

(e) if so, the action taken against the erring officials ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) There are 43 dairy farms maintained by the Army.

(b) The calves are separated from their mothers within 7 days of their birth and fed processed milk to avoid transmission of milk borne diseases from cows to the calves.

(c) to (e) The Army Headquarters have constituted a Board of Officers to enquire into the matter. The Inquiry Report is awaited.

[Translation]

Army Service Rules

1698. SHRI JAI PRAKASH : Will the Minister of DEFENCE be pleased to state :

(a) whether the Government propose to bring out Army Service Rules to provide information to in-service and retired army personnel;

(b) if so, the details thereof;

(c) whether necessary amendment in Official Secret Act is under consideration in this regard; and

(d) if not, the reasons therefor ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) No, Sir.

(b) Does not arise.

(c) and (d) No, Sir. Provisions of the Official Secrets Act, 1953 are not required to be amended. This is because the information regarding the terms and conditions of service and welfare oriented policies is not classified.

[English]

Sale of NTPC Plants

1699. SHRI NARESH PUGLIA : Will the Minister of POWER be pleased to state :

(a) whether attention of the Government has been drawn to the news-item captioned "NTPC Plants may be sold individually" as reported in the Statesman dated August 12, 2002;

(b) if so, whether the Government have been actively considering to sell NTPC plants;

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

(d) the benefits accrued to the Government by the sale of NTPC plants ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) Yes, Sir.

(b) Presently, there is no proposal for selling NTPC Plants.

(c) and (d) In view of the above, do not arise.

Electrification of Villages

1700. SHRI BASU DEB ACHARIA : Will the Minister of POWER be pleased to state :

(a) whether the Planning Commission has targeted to electrify 80,000 unelectrified villages in the country by the year 2007;

(b) if so, whether Rs. 412.236 crore were released under Pradhan Mantri Gramodaya Yojana and an amount of Rs. 175 crore under Minimum Needs Programme for village electrification;

(c) if so, the details of fund released and utilized by the State Governments State-wise, so far; and

(d) the details of future plan of the Government in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) Yes, Sir. In the Chief Ministers' Conference held on 3rd March, 2001, the Government had resolved to complete village electrification by the end of 10th Plan period i.e. by 2007 and full coverage of all households by the end of 11th Plan period i.e. by 2012.

(b) and (c) Yes, Sir. State-wise details of funds released under Pradhan Mantri Gramodaya Yojana (PMGY) and Minimum Needs Programme (MNP) during the year 2001-02 are given in the enclosed Statements I and II respectively.

(d) The Planning Commission have made an allocation of Rs. 2747.00 crore for all the six components of PMGY including rural electrification, as Additional Central Assistance for the year 2002-03. Under the revised guidelines of PMGY formulated by the Planning Commission, the States would have flexibility to decide the interse allocation of ACA among the six PMGY sectors as per their own plan priorities and discretion. The Planning Commission have made a budget provision of Rs. 600 crore as ACA for rural electrification under Minimum Needs Programme for 2002-03. An amount of Rs. 300 crores has been released as the first instalment (50%) under this programme in September, 2002. The Government have provided for a new interest subsidy scheme called the 'Accelerated Rural Electrification Programme' in the budget for the year 2002-03 with a provision of Rs. 164 crores. The States have been requested to utilize these funds judiciously and in an effective manner so that the national goal for complete electrification of villages by 2007 could be achieved. In addition to this, Rural Electrification Corporation have formulated new schemes for electrification of dalit bastis and hamlets at lower rate of interest.

Statement-I

Statewise details of Funds released under PMGY for the year 2001-02 for Rural Electrification

Rs. in Lakhs			
S.No.	States	Allocation	Released
1	2	3	4
1.	Andhra Pradesh	1705.00	1705.00

1	2	3	4
2.	Arunachal Pradesh	684.00	684.00
3.	Assam	6011.00	6011.00
4.	Bihar	2457.90	2457.90
5.	Chhattisgarh	851.70	851.70
6.	Goa	9.00	4.50
7.	Gujarat	725.60	362.80
8.	Haryana	187.90	187.90
9.	Himachal Pradesh	100.00	100.00
10.	Jammu and Kashmir	1922.00	1922.00
11.	Jharkhand	759.20	379.60
12.	Karnataka	841.00	841.00
13.	Kerala	775.00	594.50
14.	Madhya Pradesh	1460.62	1460.62
15.	Maharashtra	1901.08	1901.08
16.	Manipur	600.00	600.00
17.	Meghalaya	600.00	600.00
18.	Mizoram	598.00	598.00
19.	Nagaland	452.60	452.60
20.	Orissa	1703.80	1703.80
21.	Punjab	1488.25	1488.25
22.	Rajasthan	1080.00	1080.00
23.	Sikkim	0.00	0.00
24.	Tamil Nadu	1173.60	1173.60
25.	Tripura	850.00	850.00
26.	Uttaranchal	976.75	976.75
27.	Uttar Pradesh	9417.00	9417.00
28.	West Bengal	2820.00	2820.00
Total		42151.00	41223.60

Statement-II*Statewise disbursement under Minimum Needs Programme for Rural Electrification during 2001-02*

Rs. in Lakhs		
S.No.	States	2001-02
1	2	3
1.	Andhra Pradesh	
2.	Arunachal Pradesh	961
3.	Assam	2652
4.	Bihar	948
5.	Jharkhand	2819
6.	Goa	
7.	Gujarat	
8.	Haryana	
9.	Himachal Pradesh	72
10.	Jammu and Kashmir	77
11.	Karnataka	7
12.	Kerala	
13.	Madhya Pradesh	263
14.	Chhattisgarh	286
15.	Maharashtra	
16.	Manipur	131
17.	Meghalaya	1872
18.	Mizoram	16
19.	Nagaland	38
20.	Orissa	1133
21.	Punjab	
22.	Rajasthan	507
23.	Sikkim	
24.	Tamil Nadu	
25.	Tripura	14

1	2	3
26.	Uttar Pradesh	3923
27.	Uttaranchal	624
28.	West Bengal	1157
29.	Delhi	
Total		17500

Cable T.V. Services

1701. SHRI IQBAL AHMED SARADGI : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the Prasar Bharati has decided to enter into cable TV services, using the optical fibre networks of telecom companies;

(b) if so, whether it has also started negotiations with the Government-owned telecom companies MTNL and BSNL to provide cable TV services;

(c) if so, whether any concrete agreement has been reached in this regard; and

(d) if so, the details thereof ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) to (d) Prasar Bharati has signed a Memorandum of Understanding with MTNL for cooperation in exploring new business opportunities for utilising their fibre optic networks for carriage of Doordarshan services. Negotiations are being held with MTNL. No final decision has been taken so far.

Petrol Pumps at Highways

1702. SHRI K.E. KRISHNAMURTHY :
SHRIMATI JAYABEN B. THAKKAR :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the public sector oil companies and National Highway Authority of India are at daggers drawn on the issue of petrol pumps on highways and the problems created by these petrol pumps;

(b) if so, the main reasons of the dispute;

(c) whether the Union Government have formulated any policy for installing the petrol pumps on highways including the infrastructure needed;

(d) if so, the details of the policy; and

(e) The efforts being made by the Government to resolve the dispute ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (e) The Ministry of Road Transport and Highways (MORTH) had asked the public sector oil companies to rectify the deficiencies in respect of the retail outlets (petrol pumps) on highways, in line with the Indian Roads Congress code IRC:12:1983. Hitherto, all the retail outlets set up by these companies on the national highways followed IRC:12:1983 norms. However, different aspects, including problems relating to the existing retail outlets on the highways as well as the new retail outlets, that may be set up along the highways, have been discussed among the authorities/agencies concerned. A broad agreement in certain areas has also been reached. MORTH is in the process of finalizing new norms for future retail outlets.

**Supreme Court Directions to Increase
Number of Judges**

1703. SHRI CHINTAMAN WANAGA :
SHRI PRAHLAD SINGH PATEL :
SHRI KAILASH MEGHWAL :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether Supreme Court have given directive to increase number of judges and magistrates in lower courts;

(b) if so, the details thereof;

(c) whether the Supreme Court has also directed that State Governments will bear the administrative expenditure incurred on such appointments; and

(d) if so, the details of the action taken in this regard ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) Yes, Sir.

(b) The Supreme Court, in its judgment of 21st March, 2002, in All India Judges' Association and Ors Vs. Union of India and Ors, has directed that an increase in the judge strength from the existing ratio of 10.5 or 13 per 10 lakh people to 50 judges per 10 lakh people should be effected and implemented within a period of five years in a phased manner to be determined and directed by the Union Ministry of Law.

(c) State Governments are required to bear the administrative expenditure on the implementation of the Judgment in the States, while the Central Government is to bear such expenditure as regards the Union Territories.

(d) Central Government have sought time from the Supreme Court for complying with the Judgement in view of the large financial implications of the Judgment.

[Translation]

**Manufacturing Battle Field
Surveillance Radar**

1704. DR. ASHOK PATEL : Will the Minister of DEFENCE be pleased to state :

(a) whether Battle Field Surveillance Radar has been manufactured in the country;

(b) if so, the total manufacturing cost of the Radar; and

(c) the time by which the Radar is likely to be installed in strategic areas ?

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : (a) to (c) Battle Field Surveillance Radar (Short Range) for the Army is under development and is undergoing trials. The cost incurred in the development of the Radar System so far has been approximately Rs. 483 lakhs. The installation of the Radar will depend upon the outcome of trials, which are awaited.

[English]

Streamlining of Power Distribution System

1705. SHRI A. NARENDRA : Will the Minister of POWER be pleased to state :

(a) whether the Union Government have taken any step to reach an agreement with State Governments for streamlining the power distribution system;

(b) if so, the details thereof;

(c) whether the Union Government propose to provide funds to State Governments for streamlining transmission and distribution of power; and

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

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) and (b) The Ministry of Power has initiated large-scale reforms in the power sector. Under the reforms programme, the Ministry of Power has launched the Accelerated Power Development Programme (APDP) now known as Accelerated Power Development and Reforms Programme (APDRP) in the year 2000-01 as an important step towards reduction of Aggregate Technical and Commercial losses and restoring commercial viability of the power sector. 25 States have signed Memoranda of Understanding for undertaking reforms and restructuring in a time bounder manner and linking the support of Government of India to achievement of predetermined milestones. To bring about commitment towards distribution reforms, State Electricity Boards/ Utilities have been asked to sign a Memorandum of Agreement (MoA) with Ministry of Power as a pre-requisite for release of APDRP funds. Till now 18 States have signed the MoA.

(c) and (d) Details of the funds sanctioned to the States during the year 2000-01 and the current financial year under the Accelerated Power Development and Reforms Programme (APDRP) are given in the enclosed Statement. No projects were sanctioned under APDRP during the year 2001-02.

Statement

Funds sanctioned to States under APDRP for ST and D for 2000-01

States	APDRP Fund	
	Sanctioned	Released
1	2	3
Andhra Pradesh	49.8	49.8
Bihar	11.16	11.16
Chhattisgarh	10.26	10.26
Gujarat	107.39	107.39

	1	2	3
Haryana		37.78	37.78
Jharkhand		21.98	21.98
Karnataka		57.26	57.26
Kerala		22.42	0
Madhya Pradesh		38.38	29.15
Maharashtra		90.22	90.22
Punjab		31.72	31.72
Rajasthan		45.01	45.01
Tamilnadu		12.1	12.1
Uttar Pradesh		13.03	13.03
West Bengal		18.6	18.6
Special Category States			
Assam		20.02	20.02
Arunachal Pradesh		6.32	6.32
Himachal Pradesh		25.32	25.32
Jammu and Kashmir		6.99	6.99
Manipur		0.72	0.72
Meghalaya		1.81	1.81
Mizoram		1.06	1.06
Nagaland		1.89	1.89
Tripura		5	5
Sikkim		6.38	6.38
Uttaranchal		4.8	4.8
Total		647.42	615.71

Funds sanctioned to the States under APDRP for R and M/R and U for year 2000-01

States	Project Cost	APDP Fund Released
1	2	3
Andhra Pradesh	95.12	47.56

1	2	3
Bihar	20.56	10.28
Gujarat	4.46	2.23
Haryana	23.7	11.85
Karnataka	48.48	24.24
Madhya Pradesh	22.34	11.17
Maharashtra	88.48	44.24
Orissa	76	38
Punjab	11.98	5.99
Tamilnadu	106.88	53.44
Uttar Pradesh	176.86	88.43
West Bengal	49.8	24.9
Madhya Pradesh	22.34	0
Total	774.73	362.33

APDRP Fund Released to the States for 2002-03

SI.No.	State	Released Amount (Rs. in Crores)
1	2	3
1.	Assam	10.95
2.	Andhra Pradesh	39.07
3.	Arunachal Pradesh	-
4.	Bihar	16.11
5.	Chhattisgarh	10
6.	Goa	9
7.	Gujarat	21.35
8.	Haryana	18.23
9.	Himachal Pradesh	13.33
10.	Jammu and Kashmir	-
11.	Jharkhand	12
12.	Karnataka	29.77
13.	Kerala	17.07

1	2	3
14.	Madhya Pradesh	27.83
15.	Maharashtra	45
16.	Manipur	2.67
17.	Meghalaya	-
18.	Mizoram	2.67
19.	Nagaland	2.67
20.	Orissa	14.72
21.	Punjab	-
22.	Rajasthan	28.4
23.	Sikkim	2.67
24.	Tamilnadu	32.12
25.	Tripura	2.67
26.	Uttaranchal	18.5
27.	Uttar Pradesh	30.12
28.	West Bengal	19.02
Total		425.94

Pending Pipeline Projects in Andhra Pradesh

1706.DR. MANDA JAGANNATH : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the details of pending pipeline projects in Andhra Pradesh;

(b) the present status of the projects in terms of acquisition, etc.; and

(c) the details of the action taken by the Union Government on various representations received from the Government of Andhra Pradesh in this regard;

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (c) Gas Authority of India Limited (GAIL) is executing Vizag-Secunderabad LPG pipeline project and natural gas pipeline for supplying gas to the following consumers :-

*M/s Konaseema EPS Oakwell Power Ltd.

*M/s Gautami Power Pvt. Ltd.

*M/s Vemagiri Power Generation Ltd.

M/s Gas Transportation and Infrastructure Company Limited (GTICL) a company promoted by Reliance Industries Ltd. is executing Goa-Hyderabad-Kakinada Pipeline Project.

For the above pipeline projects the process of acquisition of land under Petroleum and Mineral Pipeline (Acquisition of Right of User in Land) Act, 1962 is on.

National Law School in Haryana

1707. SHRI SHRINIWAS PATIL, : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Government intends to open National Law School in Haryana soon on the pattern of Bangalore;

(b) if so, the location where the school is to be opened; and

(c) if so, the details thereof ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) No, Sir.

(b) and (c) Questions do not arise ?

[*Translation*]

Interlinkage of Power Grid

1708. SHRI JAIBHAN SINGH PAWAIYA : Will the Minister of POWER be pleased to state :

(a) whether the Government have prepared a plan to interlink all power grids;

(b) if so, the details thereof;

(c) the amount likely to be spent on it;

(d) the sources from which this amount is likely to be raised; and

(e) the time by which the proposed plan is likely to be implemented ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (e) The Indian Power System is presently divided into five regional grids and within each region strong interconnection and well developed regional grids are in position. In order to extend the benefit of generation resources all over the country and to transfer surplus power in one region to a power deficit region, interconnection of regions have been planned. The HVDC inter-regional links between Western and Northern, Western and Southern, Eastern and Northern and Eastern and Southern Regions are already existing. The existing interconnections between the regions and the back up regional transmission network within each region were developed for limited exchange of operational surpluses for opportunity utilization in other regions under the concept of regional self-sufficiency.

A plan has chalked out to integrate all the regions in the country by creating "National Grid" through HVDC stations/bi-pole and 765 KV AC links in a phased manner to facilitate transfer of power between the regions without any constraint. For further strengthening of the grid system, high capacity long HVDC links as well as AC links have been planned to be commissioned along with Mega projects. In the ultimate phase, a strong synchronous National Power Transmission Grid has been envisaged to evacuate the power from major generating resources. This would involve development of a high capacity 400 KV transmission corridor connecting the North-East through the 'chicken-neck' area (to Siliguri) and establishment of a ring of 765 KV lines interconnecting Eastern, Western and Northern Regions. The Southern Grid would be linked to the Eastern and Western Grids through strong 400 KV HVDC links at various places like Jeypore-Gajuwaka, Talcher-Kolar, Chandrapur-Ramagundam, etc. Inter-regional transmission capacity of the proposed National Grid would increase to about 30,000 MW

An investment of about Rs. 77,000 crore would be required for establishment of the ultimate National Grid by 2011-12. The investment amount is proposed to be mobilized by POWERGRID through internal resources, loans from domestic/external commercial markets, assistance from multi-lateral funding agencies like World Bank, Asian development Bank, etc., budgetary support from Government and investment by private sector.

*[English]***Import of Gas from Russia**

1709. SHRI VIRENDRA KUMAR : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

- (a) whether the Government propose to import gas from Russia;
- (b) if so, the details thereof;
- (c) whether the feasibility of the proposal has been examined; and
- (d) if so, the decision taken thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) No, Sir.

(b) to (d) Do not arise.

*[Translation]***Loans Outstanding against Sick PSUS**

1710. SHRI NAMDEO HARBAJI DIWATHE :
SHRI SATYAVRAT CHATURVEDI :
SHRI SUNDER LAL TIWARI :

Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state :

- (a) whether attention of the Government has been drawn to the news-item captioned "Sarvjanik Kshetra Ke 111 Upkram Ghate Mein, Aath Ke Punrudhar Ki Sifarish" appearing in "Punjab Kesari" dated October 30, 2002;
- (b) if so, the facts thereof;
- (c) the details of the industries proposed to be revived and the time by which the work relating to their revival would be started and completed;
- (d) whether the number of sick and financially weak companies is increasing as a result of rise in industrial sickness in the country;

(e) if so, the details thereof alongwith reasons therefor;

(f) the names of the Undertakings likely to be declared sick alongwith the basis of declaring them sick;

(g) the amount of bank loans and other outstanding against each of the undertakings running in losses including small scale and non-small scale sick units in the country; and

(h) the steps taken by the Government in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (DR. VALLABHBHAI KATHIRIA) : (a) to (h) Yes, Sir. As and when the net worth of a PSU becomes negative it is referred to the Board for Industries and Financial Reconstruction (BIFR) for formulation of revival package. As on 30.6.2002, 68 CPSUs were registered with the BIFR. Revival package are decided as per statutory provisions of SICA on case to case basis for which no fixed time can be prescribed.

Further, as per the available information, the number of sick industrial PSUs registered with BIFR has increased marginally during the last three years from 67 in 1999-2000 to 68 as on 30.6.2002. A statement in this regard is enclosed herewith. The reasons for sickness are enterprise specific. However, some of the common reasons include old and obsolete plant and machinery, out dated technology, excess manpower, shortage of working capital, severe competition etc. The information regarding loans of banks/financial institutions etc. to CPSUs including sick industrial enterprises is given in Statements 18(A) and 18(B) of Volume 1 of Public Enterprises Survey 2000-01.

Enterprise specific steps are taken by the Government as well as concerned management of PSUs which include infusion of fresh funds, financial and business restructuring, rationalization of manpower, procurement of orders through purchase preference, sanction of rehabilitation packages through BIFR, joint venture formation in non-strategic PSUs etc. as the case may be.

Statement*List of BIFR CPSUs with status as on 30.6.2002*

Sl. No.	Case No./ Year	Name of the Company	Status as on 30.6.2002	Status as on 31.3.202
1	2	3	4	5
1.	522/1992	Heavy Engineering Com. Ltd.	Revival Scheme Sanctioned	Revival Scheme Sanctioned
2.	517/1992	Viganyan Industries Ltd.	Revival Scheme Sanctioned	Revival Scheme Sanctioned
3.	528/1992	Braithwaite Ltd.	Revival Scheme Sanctioned	Revival Scheme Sanctioned
4.	533/1992	Bengal Chemicals and Pharmaceuticas Ltd.	Revival Scheme Sanctioned	Revival Scheme Sanctioned
5.	534/1992	NTC (APK and Mahe.) Ltd.	Revival Scheme Sanctioned	Revival Scheme Sanctioned
6.	535/1992	NTC (Gujarat) Ltd.	Revival Scheme Sanctioned	Revival Scheme Sanctioned
7.	538/1992	Bengal Immunity Ltd.	Revival Scheme Sanctioned	Revival Scheme Sanctioned
8.	501/1993	NTC (MP) Ltd.	Revival Scheme Sanctioned	Revival Scheme Sanctioned
9.	503/1993	NTC (W. Bengal and Assam)	Revival Scheme Sanctioned	Revival Scheme Sanctioned
10.	504/1993	NTC (UP) Ltd.	Revival Scheme Sanctioned	Revival Scheme Sanctioned
11.	509/1993	Instrumentation Ltd.	Revival Scheme Sanctioned	Revival Scheme Sanctioned
12.	501/1994	NTC (DPR) Ltd.	Revival scheme Sanctioned	Revival Scheme Sanctioned
13.	502/1992	Nagaland Pulp and Paper Co.	Dismissed as Non Maintainable	Dismissed as Non Maintainable
14.	502/2001	Bharat Coking Coal Ltd.	Dismissed as Non Maintainable	Dismissed as Non Maintainable
15.	504/1997	Manipur State Durgs and Pharmaceutical Ltd.	Dismissed as Non Maintainable	Dismissed as Non Maintainable
16.	518/1992	British India Corporn. Ltd.	Draft Scheme Circulated	Winding up Recommended
17.	502/1997	Bharat Immunological and Biologicals Corporation	Dismissed as Non Maintainable Circulated	Dismissed as Non Maintainable Recommended
18.	523/1992	Tyre Corporation Ltd.	Draft Scheme Circulated	Draft Scheme Circulated
19.	532/1992	Bharat Ophthalmic Glass Ltd.	Draft Scheme Circulated	Draft Scheme Circulated
20.	536/1992	NTC (MN) Ltd.	Draft Scheme Circulated	Draft Scheme Circulated
21.	505/1993	NTC (SM) Ltd.	Draft Scheme Circulated	Draft Scheme Circulated
22.	507/1994	Hindustan Fluorocarbons	Draft Scheme Circulated	Draft Scheme Circulated
23.	502/1995	Jessop and Co. Ltd.	Draft Scheme Circulated	Failed and Reopened

1	2	3	4	5
24.	501/1996	Cement Corporation Ltd.	Draft Scheme Circulated	Draft Scheme Circulated
25.	505/1992	Bharat Gold Mines Ltd.	Winding up Recommended	Winding up Recommended
26.	506/1992	Tannery and Footwear Co.	Winding up Recommended	Winding up Recommended
27.	508/1992	Cycle Corporation of India	Winding up Recommended	Winding up Recommended
28.	510/1992	Mining and Allied Machn. Ltd.	Winding up Recommended	Winding up Recommended
29.	513/1992	National Bicycle Corpn.	Winding up Recommended	Winding up Recommended
30.	515/1992	Fertilizer Corpn. Ltd.	Winding up Recommended	Winding up Recommended
31.	516/1992	Hindustan Fertilizers Corpn.	Winding up Recommended	Winding up Recommended
32.	519/1992	Elgin Mills Co. Ltd.	Winding up Recommended	Winding up Recommended
33.	520/1992	Bharat Processes and Mechancial Engineers Ltd.	Winding up Recommended	Winding up Recommended
34.	525/1992	Bharat Refractories Ltd.	Winding up Recommended	Revival Scheme Sanctioned
35.	527/1992	Cawnpore Textiles Ltd.	Winding up Recommended	Winding up Recommended
36.	529/1992	Smith Stanistreet and Phacl.	Winding up Recommended	Winding up Recommended
37.	504/1994	Southern Pesticides Ltd.	Winding up Recommended	Winding up Recommended
38.	506/1994	Rayrolle Burn Ltd.	Winding up Recommended	Winding up Recommended
39.	501/1995	Swadeshi Minif and Mfg. Co.	Winding up Recommended	Winding up Recommended
40.	502/1996	Maharashtra Antibiotics and Pharmaceuticals Ltd.	Winding up Recommended	Winding up Recommended
41.	502/1999	Hindustan Vegetables Oils	Winding up Recommended	Winding up Recommended
42.	501/1992	Bharat Pumps and Compres	Winding up Notice	Winding up Notice
43.	503/1992	IDPL	Winding up Notice	Winding up Notice
44.	514/1992	Orissa Drugs and Chemicals	Winding up Notice	Failed and Reopened
45.	526/1992	Bharat Brakes and Valves Ltd.	Winding up Notice	Revival Scheme Sanctioned
46.	530/1992	U.P. Drugs and Pharmactl.	Winding up Notice	Winding up Notice
47.	531/1992	National Instruments Ltd.	Winding up Notice	Revival Scheme Sanctioned
48.	506/1993	NJMC	Winding up Notice	Winding up Notice
49.	505/1994	Indian Iron and Steel Co.	Winding up Notice	Winding up Notice
50.	503/1995	Hindustan Photofilms Mfg.	Winding up Notice	Winding up Notice
51.	501/1997	Hindustan Antibiotics Ltd.	Under Enquiry	Under Enquiry
52.	502/1998	NEPA Ltd.	Under Enquiry	Under Enquiry

1	2	3	4	5
53.	504/1998	Praga Tools Ltd.	Under Enquiry	Under Enquiry
54.	501/1999	Birds, Jute and Exports Ltd.	Under Enquiry	Under Enquiry
55.	503/1999	Pyrites Phosphetes and Pharls	Under Enquiry	Under Enquiry
56.	501/2000	Eastern Coalfield Ltd.	Under Enquiry	Under Enquiry
57.	502/2000	Hindustan Salts Ltd.	Under Enquiry	Under Enquiry
58.	501/2001	Bharat Wagon and Engg.	Under Enquiry	Under Enquiry
59.	501/2002	Maharashtra Electros melt	Under Enquiry	Under Enquiry
60.	502/2002	Central Coalfields Ltd.	Under Enquiry	Under Enquiry
61.	503/2002	Hindustan Cables Ltd.	Under Enquiry	-
62.	507/1992	Trivani Structurals Ltd.	Failed and Reopened	Failed and Reopened
63.	509/1992	Richardson and Crudass Ltd.	Failed and Reopened	Failed and Reopened
64.	521/1992	Projects and Development(I)	Failed and Reopened	Failed and Reopened
65.	508/1994	Burn Standard Co. Ltd.	Failed and Reopened	Failed and Reopened
66.	504/1994	Scooters India Ltd.	No longer Sick	No longer Sick
67.	517/1997	Biecco Lawrie Ltd.	No longer Sick	No longer Sick
68.	503/1997	NERAMAC	No longer Sick	No longer Sick

[English]

Fluctuations in Power Frequency Cost

1711. SHRI V. VETRISILVAN : Will the Minister of POWER be pleased to state :

(a) whether there is huge fluctuations in power frequency cost, power utilities and generation stations;

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

(c) whether due to frequency variation, the electricity consumer had been adversely affected;

(d) if so, whether this frequent variation has also resulted in production losses and higher energy costs make their products non-competitive in the international market;

(e) whether these issues have been discussed in the recent meeting of the power sector; and

(f) if so, the outcome of the meeting and the steps suggested in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (c) Huge fluctuations in power frequency, affects power utilities and generating plants connected to the grids and also consumer equipments. Power generating units are designed for operation at standard frequency of 50 Hz/Sec. Fluctuation in grid frequency beyond permissible limits may damage rotating equipments. High frequency operation also causes additional consumption of fuel.

(d) Wide frequency variation may cause production loss to certain group of consumers. As per available information, no report has been received about the products becoming non-competitive in the international market due to high energy costs on account of frequency variation.

(e) and (f) Central Electricity Regulatory Commission have already laid an Indian Electricity Grid Code (IEGC) for operating the regional grids. IEGC stipulates operating grid frequency between 49.0 Hz. And 50.5 Hz. However, maintenance of grid discipline including frequency profile and other grid related issues are being discussed with State

Governments/State Utilities by the Central Electricity Authority/ Power Grid/Ministry of Power from time to time and decisions taken to improve the frequency profile of regional grids. Cooperation of all constituents of all regions is essential for maintaining the grid frequency within the operating band of 49.0 to 50.5 Hz as stipulated in the IEGC.

During the meeting of Power Ministers of States (except NER States) held on 5th August, 2002 it was emphasized that the States should maintain grid discipline during the period of shortages due to loss of hydel generation on account of less rainfall. Further, the decisions agreed for implementation in the Western Grid by Regional Electricity Board during the meeting taken by Secretary, Ministry of Power with the Western Region States on 3.8.2002 were reiterated which inter-alia included (i) load management by States keeping in view the availability of power from all sources through rostering, power cuts etc. so as to maintain grid frequency at 50.0 Hz. (ii) the Regional Load Dispatch Center (RLDC) should cut supply to the States overdrawing from the grid at frequency below 49.0 Hz. and in case the frequency dips below 48.5 Hz. The RLDCs should take all steps as deemed fit including cutting loads to even the States that are not overdrawing, to bring back the frequency to 49.0 Hz.

The States were requested to discuss the matter in their respective Regional Electricity Boards and accept the same regime.

ROB at Trivandrum – Pettah Level Crossing

1712. SHRI V.S.SIVAKUMAR : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Government propose to construct a Road over Bridge at Trivandrum-Pettah Railway Level Cross between Kochuveli-Trivandrum, in Trivandrum Division;

(b) if so, the details and the present status thereof; and

(c) the time by which the said ROB is likely to be constructed ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) The Level Crossing No. 578 at Km. 217/4-5 between Kochuveli and Trivandrum Central stations although qualifies for replacement by Road over/under bridge on cost sharing basis and the State Government has shown willingness to take up the work, but the firm proposal duly fulfilling all the preliminary pre-requisites has not yet been received as required under extant rules.

(b) and (c) Do not arise.

Hydro-Power Generation Potential in North Eastern Region

1713. SHRI M.K. SUBBA : Will the Minister of POWER be pleased to state :

(a) whether hydro-power generation potential for the North Eastern region has been assessed;

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

(c) whether any fresh hydro-electric projects for the region are under consideration; and

(d) if so, the details and cost thereof and the decisions, if any, taken thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) and (b) In the re-assessment studies carried out by Central Electricity Authority from 1978-87, the identified hydro capacity of North Eastern region has been estimated as 58971 MW. Out of the above, 1070 MW of the identified potential has been harnessed so far while another 379 MW is under construction after investment approval. The State-wise estimated hydro electric potential of North-Eastern Region and the status of development is given below :

Region/State	Identified capacity as per reassessment study (MW)	Capacity developed		Capacity under construction (MW)	Capacity under development under Stage-II of 3 stage process (MW)
		(MW)	%		
1	2	3	4	5	6
Meghalaya	2394	185	8	84	0

1	2	3	4	5	6
Tripura	15	15	100	0	0
Manipur	1784	105	6	90	0
Assam	680	250	37	145	0
Nagaland	1574	99	6	0	0
Ar. Pradesh	50328	416	1	0	2600
Mizoram	2196	0	0	60	0
Total	58971	1070	2	379	2600

(c) and (d) Presently, three schemes namely Karbi Langpi (100 MW) and Kopili Stage-II (25 MW) in Assam and Tuirial (60 MW) in Mizoram are under construction. Kameng Hydro-electric Project (600 MW) in Arunachal Pradesh has been accorded second stage clearance under three-stage clearance at a cost of Rs. 94.54 crores for execution by NEEPCO. The Lower Subansiri Hydro-electric Project in Arunachal Pradesh with an installed capacity of 2000 MW to be implemented by NHPC has also been accorded Stage-II clearance under the three-stage clearance. Three schemes namely, Tuivai (210 MW) and Bairabi Dam (80 MW) in Mizoram and Myntdu (84 MW) in Meghalaya have been cleared by CEA and are awaiting investment sanction.

Further, Siang (Middle) – 700 MW, Siang (Upper) – 11000 MW, Subansiri (Middle) – 2000 MW, Subansiri (Upper) – 2500 MW schemes to be implemented by NHPC and Dikrong (100 MW) to be implemented by NEEPCO have been cleared by CEA under Stage-I for carrying out Survey, Investigation and preparation of PFR.

Awareness Programme on NCE

1714. SHRI A. BRAHMANAIAH : Will the Minister of NON-CONVENTIONAL ENERGY SOURCES be pleased to state :

(a) whether the Government have organised a number of side-events during the recent COP-8 Conference in Delhi;

(b) if so, the details thereof;

(c) whether the Government are very reluctant to organize any exhibition outside Delhi;

(d) if so, the reasons therefor; and

(e) the steps proposed to consider demands by NGOs to organize events in rural areas to bring awareness to people on non-conventional energy ?

THE MINISTER OF STATE OF THE MINISTRY OF NON-CONVENTIONAL ENERGY SOURCES (SHRI M. KANNAPPAN) : (a) and (b) Yes, Sir. The details of side-events on renewable energy are given in the enclosed Statement.

(c) to (e) Government of India does not organize exhibitions on renewable energy outside Delhi. However, it provides financial support to State Nodal Agencies (SNAs) for renewable energy for organizing/participation in international, national, regional and local level exhibitions held in the States. During 2001-2002, twenty-three exhibitions were supported in different States. Support is also provided through SNAs for such events organized by NGOs in rural areas.

Statement

Side Events on renewable energy during COP-8

Date	Title	Theme
1	2	3
25th October, 2002	Indian Renewable Energy Programme – A Developing Country Perspective	1. Showcasing India's achievements 2. Prospects for CDM projects in renewable energy sector

1	2	3
29th October, 2002	Wind Power in India – Approaches and Prospects	1. International and Indian Wind Power Scenarios 2. Opportunities for Wind power development in India under Climate Change mechanisms
30th October, 2002	MNES-UNEP Roundtable on Renewable Energy	1. Emerging global energy scene 2. Indian and global experience and industry outlook 3. Scope of renewable energy sector in CDM
27th October to 1st November 2002	Exhibition on renewable energy	Showcasing Indian achievements in renewable energy.

Basic Amenities In Different Trains

1715. SHRI KIRIT SOMAIYA : Will the Minister of RAILWAYS be pleased to state :

(a) whether Railway Ministry has received requests from various associations and people's representatives to improve basic amenities in different trains passing through Mumbai;

(b) if so, the details thereof;

(c) whether there is a request to attach a 3-Tier coach in train No. 9017/9018 Surashtra Janata Express; and

(d) if so, the time by which it is likely to be implemented ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) and (b) Railways being a service organization, requests for improvement in services are received from People's representatives, various associations and individuals from time to time. Such requests are considered as per the extent policy and implemented, subjected to operational and financial feasibility

(c) and (d) One AC-3tier coach has been provided in 9017/9018 Saurashtra Janata Express with effect from 1st July, 2002.

Diversion of Natural Gas from Gautami to Power Projects

1716. SHRI K. YERRANNAIDU : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Andhra Pradesh Government has urged for diversion of Natural Gas from Gautami-NCC and spectrum Stage-II power projects to BSES (Andhra) Power;

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

(c) the measures taken to allocate 0.94 million cubic metre per day of natural gas to 220 MW BSES (Andhra) as urged by the State Government ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (c) Yes, Sir. Government of Andhra Pradesh has requested that BSES being the least fixed cost operating project awarded by State Government, their fallback allocation may be converted to firm and the firm allocation of some projects which have not progressed as desired be converted from firm to fallback as indicated below :

- (i) Firm allocation of 0.75 MMSCMD of Spectrum Extension (Phase-II) may be converted into fallback and correspondingly 0.75 MMSCMD of fallback allocation of BSES may be converted into firm.
- (ii) Out of the firm allocation of 1.96 MMSCMD to Gautami Power Project Ltd. 0.19 MMSCMD may be converted into fallback and the same amount of BSES allocation may be made firm.

Final decision has not been taken in the matter.

[Translation]

Construction of ROBs

1717.DR. RAGHUVANSH PRASAD SIGH : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Government propose to construct over bridges on Ekada and Dighi Gumti rail line at Hajipur-Muzafferpur-Sitamarhi-Soneversha (N.H.-77) and Bhagwanpur rail Gumti on National Highway No. 102, Moti Jheel at Muzafferpur and Amgol Gumti;

(b) if so, whether the Government have also received representations in this regard;

(c) if so, the details thereof; and

(d) the action taken by the Government thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) to (d) The Road Over Bridges at Ekara, Dighi, Motijheel and Amgola have already been sanctioned for construction for which proposals were received, but no proposals have been received for construction of Road over bridges at Bhagwanpur Railway Gumties i.e. in lieu of Level Crossing (L.C.) No. 3 between Muzaffarpur Junction and Ram Dayalu Nagar and L.C. No. 56 between Sitamarhi-Sonbarsa near Sitamarhi.

[English]

Requirement of LNG

1718.COL. (RETD.) SONA RAM CHOUDHARY : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Government have assessed the total annual requirement of Liquefied Natural Gas (LNG) in the country;

(b) if so, anticipated requirement of LNG for next five years, year-wise;

(c) the total availability of LNG in the country and anticipated yearly shortfall during the above period;

(d) whether Government are considering to float International Tender bid for LNG supply; and

(e) if so, the countries likely to be included for this Tender bid ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (e) As per the Hydrocarbon Vision 2025 demand of Natural Gas has been assessed to be 151 MMSCMD which will go upto 231 MMSCMD in the year 2006-07. The present domestic availability of Natural Gas is about 65 MMSCMD. The gap between demand and supply of Natural Gas will be met by import of (a) natural gas through pipeline and (b) as LNG. LNG is under Open General Licence (OGL) list with permission for 100% Foreign Direct Investment (FDI). LNG import initiatives will be propelled by commercial viability of the respective project.

High Court Bench at Surat, Rajkot, Gujarat

1719.SHRI P.S. GADHAVI :

DR. A.D.K. JAYASEELAN :

SHRI AMAR ROY PRADHAN :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Chief Justice of India establish the benches of State High Courts at various places in the same State;

(b) if so, the details in this regard, State-wise; and

(c) the time by which the benches of State High Courts are likely to become functional ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) to (c) The setting up of a Bench of a High Court away from its principal seat is considered on the receipt of a complete proposal from the concerned State Government with the consent of the Chief Justice of that High Court.

The Government has received complete proposals for setting up Benches of the Madras High Court and the Calcutta High Court respectively. Accordingly, it is proposed to establish a Bench of the Madras High Court at Madurai and a Bench of the Calcutta High Court at Jalpaiguri, after infrastructural facilities like court buildings, accommodation for Judges etc. are provided by the respective State Governments to the satisfaction of the High Court.

As regards Gujarat the State Government had requested the Chief Justice, Gujarat High Court for setting up a Bench of the High Court at Rajkot and Surat. The Chief Justice of the Gujarat High Court had opined that it would not be in the interest of the institution to have a Circuit Bench of the High Court at Rajkot or at Surat.

[Translation]

Allotment of Stalls at Railway Stations

1720. SHRI ABDUL RASHID SHAHEEN :
SHRI MANSINH PATEL :

Will the Minister of RAILWAYS be pleased to state :

- (a) the rules under which tea and other stalls are allotted at railway stations;
- (b) whether there has been irregularities in the allotment of the said stalls;
- (c) if so, the details thereof during the last three years, zone-wise;
- (d) the number of railway employees found involved in these irregularities; and
- (e) the action taken against them ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) Ministry of Railways have issued detailed policy guidelines for allotment etc. of various catering/vending stalls in their commercial circular No. 58 of 2000 dt. 20.10.2000.

(b) No, Sir.

(c) to (e) Do not arise.

[English]

Inspection Reports of Railway Officers regarding maintenance of Passengers Amenities

1721. SHRI SHEESH RAM SINGH RAVI : Will the Minister of RAILWAYS be pleased to state :

- (a) whether it has been revealed from the test check of Inspection Reports of Railway Officers that the maintenance of Passenger Amenities at Railway Stations are ineffective;

(b) if so, the details of the findings of the Inspecting Officers in this regard of the last three years; and

(c) the action taken by the Government thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) to (c) The maintenance of Passenger Amenities at Railway Station is generally found to be satisfactory. However, certain minor shortcomings such as leaking of taps, broken benches, unhygienic conditions etc. reported in the Inspections Reports of the Officers are regularly attended to.

Performance of Fast Track Courts

1722. SHRI A. VENKATESH NAIK :
SHRI RAMSHETH THAKUR :
SHRI ASHOK N. MOHOL :
SHRI ADHIR CHOWDHARY :
SHRI RAGHURAJ SINGH SHAKYA :
SHRI V. VETRISILVAN :
DR. RAJESWARAMMA VUKKALA :
SHRIMATI SUSHILA SAROJ :

Will the Minister of LAW AND JUSTICE be pleased to state :

- (a) whether the Union Government propose to provide incentives to States where the performance of the Fast Track Courts is comparatively better;
- (b) if so, the details thereof;
- (c) whether the target of the Government to set up Fast Track Courts during the last three years has since been achieved;
- (d) if so, the number of Fast Track Courts opened till date, State-wise;
- (e) whether there is any proposal to set up more Fast Track Courts during the next three years; and
- (f) if so, the details thereof ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) Yes, Sir.

- (b) A proposal to give incentives to better performing States setting up of Fast Track Courts, in the form of a grant is under consideration in consultation with related Departments, subject to availability of funds.

(c) to (f) Setting up of Fast Track Courts involves construction of court rooms, residences of Judges, selection and appointment of Judges. As these processes take time, the establishment of Fast Track Courts is a phased process. A Statement showing the number of Fast Track Courts earmarked for each State, the number of courts established by the States and the number made functional is given in the enclosed Statement. All the earmarked Fast Track Courts are to be set up by the States at the earliest as per the direction dated the 6th May, 2002 of the Supreme Court in *Brij Mohal Lal Vs. Union of India and Others*.

Statement

Statement showing the Number of Fast Track Courts Earmarked, Established and Functional

Sr. No.	Name of the State	No. of FTCs Earmarked	No. of FTCs Established	No. of FTCs Functional
1	2	3	4	5
1.	Andhra Pradesh	86	86	46
2.	Arunachal Pradesh	5	3	3
3.	Assam	20	20	15
4.	Bihar	183	183	110
5.	Chhattisgarh	31	31	23
6.	Goa	5	3	3
7.	Gujarat	166	36	36
8.	Haryana	36	12	6
9.	Himachal Pradesh	9	—	—
10.	Jammu and Kashmir	12	43	40
11.	Jharkhand	89	89	75
12.	Karnataka	93	13	10
13.	Kerala	37	27	22
14.	Madhya Pradesh	85	85	40
15.	Maharashtra	187	104	103
16.	Manipur	3	2	2
17.	Meghalaya	3	2	2
18.	Mizoram	3	3	3

1	2	3	4	5
19.	Nagaland	3	2	—
20.	Orissa	72	39	26
21.	Punjab	29	6	5
22.	Rajasthan	83	83	83
23.	Sikkim	3	—	—
24.	Tamil Nadu	49	49	49
25.	Tripura	3	3	3
26.	Uttaranchal	45	45	32
27.	Uttar Pradesh	242	206	206
28.	West Bengal	152	59	25
Total		1734	1234	968

Production and Supply of LNG

1723. SHRI ANANTA NAYAK : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Government have a proposal to lay greater emphasis on the production and supply of eco-friendly Liquefied Natural Gas (LNG);

(b) if so, the steps taken in this regard during the last three years; and

(c) the details of programme drawn up for the current plan period ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (c) Yes, Sir. In order to promote use of Liquefied Natural Gas (LNG) it has been placed in the Open General Licence (OGL) list with permission for 100% Foreign Direct Investment (FDI). Counter-veiling duty on LNG has also been removed to make it competitive.

In addition to some other initiatives for import of LNG, four oil PSUs namely Gas Authority of India Ltd., Oil and Natural Gas Corporation Ltd., Bharat Petroleum Corporation Ltd., and Indian Oil Corporation Ltd. have promoted a joint venture company Petronet LNG Limited (PLL) which is setting up two LNG terminals one at Dahej, Gujarat with capacity of 5 million metric tonnes per annum (MMTPA) and another at Kochi, Kerala with 2.5 MMTPA capacity.

**Oil Blocks at Bombay High to
Private Sector**

1724. PROF. UMMAREDDY VENKATESWARLU : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether there is a proposal to hand over the remaining oil stocks at Bombay High to private bodies under a contract system;

(b) if so, the details of this offer;

(c) the sources of this offer;

(d) the reaction of the Government thereto; and

(e) the estimated oil stocks left in the fields at Bombay High Presently ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) No, Sir.

(b) to (d) Do not arise.

(e) The estimated oil reserves in Mumbai High field as on 1.4.2002 are 233.68 Million Metric Tonnes (MMT).

[Translation]

Allotment of Petrol Pumps In Bihar

1725. SHRI SUBODH ROY : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Government are aware that the allotment of petrol pumps in Bihar has not been done according to the directions of the Supreme Court;

(b) if so, the details thereof;

(c) whether any case has been registered against the members of the Dealer's Selection Board;

(d) if so, the details thereof; and

(e) the action proposed to be taken by the Government against those found guilty ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI SANTOSH KUMAR GANGWAR) : (a) and (b) While there are no directions issued by the Supreme Court of India for allotment of retail outlet dealerships (petrol pumps) through dealer selection process, the public sector oil companies have made allotment of retail outlet dealerships in the country, including the State of Bihar, on the basis of selection of dealers made by the erstwhile Dealer Selection Boards (DSBs) in accordance with the guidelines laid down by the Government. Allotment of retail outlet dealerships has also been made, on the recommendation of the Director General Resettlement, Ministry of Defence, Government of India, to the widows/next of kin of Defence personnel killed in action in 'OP Vijay' (Kargil).

(c) to (e) Complaints against the Dealer Selection Boards, as and when received, are dealt with in accordance with the mechanism put in place for the purpose by the Government.

[English]

Invitation to Oil Majors to Invest in India

1726. SHRI CHANDRA BHUSHAN SINGH : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Government have invited/asked oil majors to invest in India;

(b) if so, the response received by the Government from the international oil majors to invest in India;

(c) whether the Government have entered into any MoU with international oil majors in this regard; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) Yes, Sir.

(b) to (d) Since 1991 upto 2001, the Government have signed 39 contracts for exploration blocks and 20 contracts for discovered fields involving foreign companies either singly or as consortium member. While 11 foreign companies have made investments in respect of exploration blocks, 7 foreign companies have invested for discovered fields.

Display of Banned Movies on Channels

1727. SHRI ADHIR CHOWDHARY :
SHRIMATI SHYAMA SINGH :

Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the Government are aware that several movies which have been banned in India are being freely telecast by foreign and Indian Channels as reported in "The Statesman" dated August 13, 2002'

(b) if so, whether the Government propose to take action against such channels which have telecast such banned movies;

(c) if so, the details thereof; and

(d) the steps proposed to be taken by the Government of check telecasting of such banned movies in future ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) to (d) Government's attention has been drawn to the report in the Statesman dated 13th August 2002. Central Board of Film Certification (CBFC) certifies films for public exhibition in India. There is no provision to ban a film under the Cinematograph Act, 1952, but a film can be refused a certificate.

Doordarshan telecasts only such films which are certified 'U' by the Central Board of Film Certification (CBFC) and prior to their telecast they are previewed by a Committee to ensure their suitability for family viewing.

The Cable Television Network Regulation Act, 1995 and rules framed there-under prohibit carriage of any programme in the Cable Service, which contravenes the provisions of the Cinematograph Act, 1952 or is not suitable for unrestricted public exhibition, as defined in the Cinematograph Act, 1952. The legal position on the issue of pre-certification of films telecast on Television channels, is being examined by this Ministry in consultation with the Ministry of Law.

[Translation]

Shortfall of Butane

1728. SHRI HARIBHAU SHANKAR MAHALE : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the quantity of "Butane" in the country;

(b) whether the Government propose to sign an agreement with Qatar and other countries to fulfill the shortfall of 'Butane'; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) During the year 2001-2002, Public Sector Oil Companies have produced about 4,506 Thousand Metric Tonnes (TMT) of LPG (Propane + Butane).

(b) and (c) Indian Oil Corporation Limited (IOCL) has entered into term contract with M/s. Kuwait Petroleum Corporation (KPC) and M/s. ADNOC, Abu Dhabi, for supply of LPG (Butane) to meet the shortfall of LPG in country. However, at present, there is no plan to sign any agreement with Qatar for LPG (Butane) imports.

[English]

Negotiation with Blacklisted Companies

1729. SHRI NARESH PUGLIA : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the attention of the Government has been drawn to the press news item captioned "Return of the prodigals on Doordarshan" as reported in 'The Times of India' dated August 12, 2002;

(b) if so, whether the producers of TV serials who were defaulter and blacklisted have now been negotiating with Prasar Bharati for a comeback;

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

(d) the steps taken by the Government to prevent re-entry of such blacklisted producers ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) Yes, Sir.

(b) to (d) Prasar Bharati has informed that some defaulting Producers have requested Prasar Bharati Board to consider their representation with regard to accumulation of huge outstandings. Prasar Bharati Board has taken a decision that grievances of the Producers should be

examined, but in the meantime these Producers should be allowed business on Doordarshan Channels only against production of bank guarantees for the current business or an advance payment basis. Action against defaulting producers, for recovery of outstanding dues, is already being taken, Legal notices have been issued to all the producers and Arbitration proceedings, where necessary are being launched for recovery of dues.

**Losses to Oil Companies after
Dismantling of APM**

1730. SHRI IQBAL AHMED SARADGI : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Public Sector Oil Companies have lost crores of rupees in the first 45 days of dismantling of administered pricing mechanism from April 1, 2002;

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

(c) whether the Government propose to bring changes in the draft plan document relating to his Ministry including privatisation of oil companies; and

(d) if so, the steps proposed to be taken to check the loss suffered by these companies ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) and (b) With the dismantling of Administered Pricing Mechanism (APM) with effect from 1st April 2002, oil companies have the freedom to fix the prices of all petroleum products except PDS kerosene and domestic LPG, in line with the prices prevailing in international oil market. However, with a view to facilitate a smooth transition from the APM to a free market scenario, oil marketing companies were advised not to revise the domestic consumer prices of diesel and petrol during the months of April and May 2002 despite an increase in the international prices of these products. The details of the financial burden incurred by the oil companies in this regard is yet to be finalised.

(c) and (d) There is no proposal under consideration for changes in the draft plan document relating to petroleum and natural gas sector.

The modalities for compensating the oil marketing companies have not been finalised as yet.

**Power Projects of Andhra Pradesh and
Uttaranchal under IREDA**

1731. SHRI A. NARENDRA : Will the Minister of NON-CONVENTIONAL ENERGY SOURCES be pleased to state :

(a) the number of power projects sanctioned in Andhra Pradesh and Uttaranchal under IREDA alongwith their power generation capacity; and

(b) the Central loan-cum-assistance given/disbursed to Andhra Pradesh and Uttaranchal under the aforesaid scheme during the last three years (till date) and proposed for 2002-2003 ?

THE MINISTER OF STATE OF THE MINISTRY OF NON-CONVENTIONAL ENERGY SOURCES (SHRI M. KANNAPPAN) : (a) Indian Renewable Energy Development Agency (IREDA) has so far financed a total of 89 power projects in Andhra Pradesh and 2 power projects in Uttaranchal with an aggregate capacity of 333.40 MW and 6.60 MW respectively.

(b) Loans worth Rs. 749.36 crores and Rs. 2.22 crores have been sanctioned by IREDA for the projects in Andhra Pradesh and Uttaranchal respectively during the last three years, and till date. Against this, an amount of Rs. 637.32 crores for the projects in Andhra Pradesh, and Rs. 1.41 crores for the projects in Uttaranchal, has been disbursed. Further disbursements, including during the current year, are made on the basis of requests received from the borrowers and progress of work.

Luxury Train Project in Maharashtra

1732. SHRI CHANDRAKANT KHAIRE Will the Minister of RAILWAYS be pleased to state :

(a) whether Railways have approved the Luxury Train Project in Maharashtra;

(b) if so, the present status of the project; and

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

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDRAU DATTATRAYA) : (a) Yes, Sir.

(b) and (c) The bare shells of the coaches for the luxury tourist train are under manufacture, which is likely

to be completed by the middle of December 2002. The project is to be commissioned by the Maharashtra Tourism Development Corporation (MTDC).

[*Translation*]

**Implementation of Schemes under
Petroleum Sports Control Board**

1733. SHRI KAILASH MEGHWAL : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the details of welfare schemes being implemented by the Government under, "Petroleum Sports Control Board" programme under Youth Welfare schemes;

(b) the criteria adopted by the Government for providing loan, grant or other financial assistance for these schemes;

(c) the details of the contribution of the State Governments in implementing these schemes;

(d) the names of schemes being implemented by his Ministry or by the Government of Rajasthan or through other voluntary organizations in the State of Rajasthan under, "Petroleum Sports Control Board" scheme during last three years i.e., from April 1, 1999 till date; and

(e) the year-wise, scheme-wise and agency-wise amount provided by the Union Government in the form of loan, grant or other financial assistance ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) Petroleum Sports Control Board (PSCB) is an organization of Petroleum Industry set up under Societies Registration Act, 1860 to promote the health and welfare and to organise and control sports and athletics in the Departments and Undertakings falling within the administrative control of the Ministry of Petroleum and Natural Gas. The activities are managed through its Board to Directors. Hence, Government does not implement any welfare scheme under PSCB.

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

(d) PSCB is running a Table Tennis Academy at Ajmer in Rajasthan at its own expenses. However, the hostel premises for the trainees has been made available

by Sports Authority of India and Indoor Stadium Committee, Ajmer has provided the playing facilities.

(e) Nil.

[*English*]

Death Sentence for Rape and Corruption

1734. SHRI SHRINIWAS PATIL : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Government are aware that in some countries death sentence is provided for rape and corruption;

(b) whether the Government would also like to introduce such a legislation in the Parliament soon; and

(c) if not, the reasons therefor ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) to (c) The information is being collected and will be laid on the Table of the House.

**Awarding of Oil Exploration Blocks
to Private Company**

1735. SHRI VIRENDRA KUMAR : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Government have awarded oil exploration/development blocks to any private company;

(b) if so, the names of those private companies; and

(c) the details of the blocks awarded to these companies for oil exploration or development ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (c) Yes, Sir. Since 1991 upto 2001, the Government have signed contracts with private companies either singly or in consortium with National Oil Companies/other private companies in respect of 48 exploration blocks situated in onland, offshore and deepwater areas and of 27 discovered fields in onland and offshore areas in the country. The names of these private companies are given in the enclosed Statement.

Statement

Names of the private companies with whom Government have signed Production Sharing Contracts in respect of Exploration blocks/discovered fields

Sl.No.	Name of the Company
1	2
1.	Geo Enpro Ltd.
2.	Geo Petrol International
3.	Jubilant Enpro Ltd.
4.	Cairn Energy India Pty Ltd.
5.	Videocon Petroleum Ltd.
6.	Ravva (Oil) Pte. Ltd.
7.	BG Exploration and Production India Ltd.
8.	Reliance Industries Ltd.
9.	Hindustan Oil Exploration Company Ltd.
10.	Selan Exploration Technologies Ltd.
11.	Larsen and Toubro Ltd.
12.	Joshi Technologies Inc.
13.	Interlink Petroleum Ltd.
14.	Niko Resources Ltd.
15.	Mosbacher India LLC
16.	Energy Equity India Petroleum Ltd.
17.	Heramac Ltd.
18.	Hydrocarbon Resources Development Company (P) Ltd.
19.	Hardy Exploration and Production (India) Inc.
20.	Assam Company Ltd.
21.	Tata Petrodyne Ltd. India
22.	Shell India Production and Development Ltd.
23.	Okland International LDC, USA
24.	Mafatal Industries Ltd.
25.	Hardy Oil and Gas Ltd.

1	2
26.	Nagarjuna Fertilizer Co. Ltd.
27.	Petrom S.A.
28.	Essar Oil Ltd.
29.	Polish Oil and Gas Company
30.	Tullow India Operations Ltd.
31.	Phoenix Overseas India Ltd.
32.	General Fibres (P) Ltd. India
33.	Centurian Energy Inc., Canada
34.	Canaro Resources Ltd., Canada
35.	OAQ-Gazprom, Russia

**Non-Release of Fund for N.E.
Satellite Channel**

1736.SHRI M.K. SUBBA : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether non-release or delay in release of allotted fund by the Government has hit the 24 hour North East Satellite Channel of Doordarshan;

(b) if so, amount of allotted fund not released in time or delayed; and

(c) the reasons for non-release or delay in release of funds and the extent of delay suffered by the project as a result thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) No, Sir.

(b) and (c) Do not arise.

Issue of Tickets in Trains

1737.SHRI A. BRAHMANAIAH : Will the Minister of RAILWAYS be pleased to state :

(a) whether ticket collectors on trains are fully trained to sell tickets to passengers;

(b) if so, whether there is any proposal to allow Ticket Collectors to issue tickets in trains without any fine;

(c) whether this scheme is likely to become operational during this financial year;

(d) if so, the details thereof; and

(e) if not, the time by which this scheme is likely to become operational ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATREYA) : (a) Travelling Ticket Examiners/Ticket Collectors are not deputed to sell tickets on trains. They are authorised to issue Excess Fare Ticket for realising fare/penalty from ticketless/irregular passengers.

(b) No, Sir.

(c) to (e) Do not arise.

Opening of Retail Outlets at Mumbai

1738. SHRI KIRIT SOMAIYA : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Government propose to open retail outlet dealership of Mulund (East), Mumbai;

(b) whether the Government have given any instructions to the oil industry to examine the feasibility of opening of retail outlet dealership at the above location;

(c) if so, the details thereof;

(d) whether any feasibility report has been submitted by the oil industry to the Ministry in regard to the above proposal;

(e) if so, the outcome thereof and the reaction of the Government thereto; and

(f) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (f) The Bharat Petroleum Corporation Ltd. has a proposal for setting up a retail outlet dealership at Mulund (East), Mumbai. The Letter of Intent (LOI) for this dealership was issued in April, 2002. The LOI was subsequently withdrawn in accordance with the decision of the Government to cancel allotments of dealerships/distributorships made since 1.1.2000 on the recommendations of the Dealer Selection Board (DSBs).

In addition to the above, the Indian Oil Corporation Ltd. has a proposal for setting up a retail outlet dealership at the location 'Eastern Express Highway' in Mumbai district covering the area between Sion and Mulund (East). Though this location was advertised in April, 2000, the selection of the dealer could not take place as the DSBs were dissolved by the Government on 9.5.2002

Reduction in Licence Fee for FM Radio

1739. DR. RAGHUVANSH PRASAD SINGH :
SHRIMATI KANTI SINGH :

Will the Minister of INFORMATION AND BROADCASTING be pleased to refer to the reply to the Unstarred Question No. 3887 given on August 8, 2002 regarding reduction in licence fee for FM radio and state :

(a) whether the Government have examined the reasons for reducing the licence fee for F.M. Radio which has caused a loss of Rs. 17.79 crores as pointed out in the CAG report No. 2 of 2002;

(b) if so, the details thereof; and

(c) the action taken for recovery of the amount from each of the concerned party ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) to (c) The Ministry is in the process of examining the circumstances of the decision of 1993, for reducing the licence fee. Action, as deemed appropriate, would be considered only after the outcome of the examination.

Investment in Power Sector

1740. SHRI CHANDRA BHUSHAN SINGH : Will the Minister of POWER be pleased to state :

(a) whether many foreign investors in power sector are facing various problems to implement the projects;

(b) if so, the reasons therefor;

(c) whether many foreign investors in power sector have withdrawn from their proposals; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) and (b) Yes Sir, majority of the private sector power projects (including

those involving foreign investment) have not been able to achieve financial closure and take up construction work. Inability of the State Electricity Boards (SEB) to provide adequate payment security to the private sector power projects (which is a requirement of the project developers and more particularly the financial institutions), has been one of the main reasons due to which these projects could not achieve financial closure in spite of progressing well on other fronts. The other reasons for the delays are non-availability of escrow cover and Letter of Credit (LC), delay in finalization of various contracts such as Power Purchase Agreement, Fuel Supply Agreement and Fuel Transportation Agreement etc. acceptable to all the concerned parties, Court cases in the form of Public Interest Petitions etc., reluctance by the SEBs to buy power generated from naphtha and other high cost liquid fuels and withdrawal by EPC (Engineering Procurement and Construction) Contractors, etc.

(c) and (d) As per available information, the details of foreign investors who have withdrawn from power projects, are indicated below :-

- (i) Maheshwar Hydrel power project (10x40 MW) of M/s Shree Maheshwar Hydrel Power Corporation Ltd. (SMHPCL) in Madhya Pradesh is being promoted by a consortium led by M/s S. Kumars. The first foreign investor in the project was Pacgen, power utility in USA, who signed a Memorandum of Understanding (MOU) with S. Kumars Group (the main promoter) in March, 1995, for 49% equity stake. However, in 1998, they withdrew from the project.

In February, 1998 two German Power majors, Bayomwerk and VEW entered into a shareholders agreement with S. Kumars Group. In November, 1998, these companies withdrew from the project. Following the withdrawal of the German majors, S. Kumars tied up with Ogden Energy (a US power major) and executed a shareholders agreement with them in December 1999. SMHPCL informed in August, 2001 that Ogden Energy was no longer associated with the project and that their agreement stood terminated. It was informed by SMHPCL that the exit of Ogden could be attributed to its own reason viz., internal restructuring and changed business focus.

Moreover, Ogden had planned to bring in equity contribution at the end of the project construction, which was not acceptable to the Indian Financial Institutions. The Financial Institutions were also insisting for the corporate guarantee of Ogden Energy while Ogden wanted non-recourse financing, which was not acceptable to the lenders. The project is still being pursued by the original promoters.

- (ii) M/s. Cogentrix Energy Inc: In February, 2000, the company informed the Government of Karnataka and Government of India that they had transferred their interest in the Mangalore Power Company and the Mangalore Power Project to China Light (Mauritius) Ltd. with effect from 11th February, 2000. No reasons for the withdrawal were indicated by the company.
- (iii) 420 MW Bakreshwar Thermal project in West Bengal (Units 4 and 5) : The Government of West Bengal : informed that M/s. Bakreshwar Power Generation Co. Ltd., which is a Joint Venture Company set up by the West Bengal Power Development Corporation (WBPDC), M/s. DCL and M/s. Ogden Energy Asia Pacific Ltd., for setting up the project, has been wound up and M/s. Ogden Energy Asia Pacific have exited from the Joint Venture Company. Government of West Bengal has decided to get the project executed under State Sector by WBPDC.
- (iv) 1070 MW Korba East Thermal Project : The promoters, M/s. Daewoo Power (India) Ltd. gave termination notice to the Government of Madhya Pradesh on 14.8.2000 citing inability of the Madhya Pradesh Electricity Board to provide payment security.
- (v) In the case of the 6x660 MW Hirma Thermal Power Project in Orissa, which is being developed as a mega power project, the foreign promoters of the project, M/s. Mirant Asia Pacific Ltd. have announced their withdrawal from the project stating that several key milestones for activities relating to payment security mechanism, Fuel Supply Agreement, Implementation Agreement and Transmission Services Agreement have not been met.

- (vi) In the case of the 2x250 MW Balagarh project in West Bengal, the project could not proceed due to poor financial health of the main promoter, i.e. Calcutta Electric Supply Company. On account of this, the co-promoter, M/s. Mirant Corporation, has walked out of the project.
- (vii) The Maharashtra State Electricity Board (MSEB) informed during August, 2000 that M/s. Electricite de France, a French Power Company, had decided to pull out from the 1082 MW Bhadrawati Thermal Plant in Maharashtra. The following reasons were indicated for pulling out from the project;
- Inordinate delay in getting clearances from various authorities.
 - A very high coal price sought by the coal supplier.
 - Lack of proper commitment to escrow arrangements.

**Deal between ONGC-Videsh and
Chinese Oil Companies**

1741. SHRI IQBAL AHMED SARADGI : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

- whether the experts have favoured deal between ONGC-Videsh, or Chinese oil companies;
- if so, whether the western oil majors such as Exxon-Mobil, BP and BG can get any oil property that they want and the India and China cannot compete with them;
- if so, the steps Union Government proposes to take in this regard;
- whether any agreement between India and China has been reached or is considering to reach an agreement on this issue; and
- if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF POWER IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (c) ONGC-Videsh Ltd. (OVL) has been acquiring oil and gas properties abroad on the merits of the assets and after careful

evaluation of the worth of the properties. The company has laid down its minimum hurdle rate of return for acquiring such properties. Similarly, international oil companies have their own criteria of evaluation and would be competing on their terms. In such a situation a particular company cannot be expected to be the winning bidder on every transaction.

(d) and (e) Generally, mutually beneficial collaboration between oil companies is always a welcome step. OVL is pursuing acquisition of 25% stake in the Greater Nile Oil Project in Sudan, where the China National Petroleum Corporation (CNPC) of China is also a consortium partner, which may lead to cooperative between OVL and the Chinese and other international companies in future.

**Allocation of Power to Andhra Pradesh by
Central Generating Stations**

1742. SHRI K. YERRANNADIU : Will the Minister of POWER be pleased to state :

- whether the Government of Andhra Pradesh have requested for additional allocation of 200 MW from the unallocated share of Central Generating Stations in the Southern Region to Andhra Pradesh;
- if so, the details thereof and the action taken by the Government thereon; and
- the reasons for delay in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) and (b) Chief Minister, Andhra Pradesh requested the Union Government in November, 2000 for additional allocation of 200 MW to tide over the then power crisis in the State. Allocation to Andhra Pradesh out of unallocated quota of Central Generating Station (CGS) in Southern Region was increased from 40% to 48% from 20th January, 2001. Subsequently, on the request of Chief Minister, Andhra Pradesh in April, 2002, a special allocation of 100 MW out of unallocated quota of CGS of Southern Region was also made to Andhra Pradesh on first charge basis for a period of 15 days from 7th April, 2001 to meet the emergent power requirements of the agriculture sector and to tide over the critical power situation in the State.

(c) 15% capacity in each Central Generating Stations is generally kept unallocated at the disposal of Central Government for allocation to States/UTs in a region

depending upon the prevailing power shortages as well as for meeting emergent/seasonal requirements of States/UTs from time to time. Increase in allocation to a particular State occurs at the expense of some other State(s) in the region. Hence, reallocation is done on the basis of a careful analysis of power supply position and prevailing power shortages in all States within the region. Central Electricity Authority/Ministry of Power reviews allocation from unallocated quota of Central Generation Stations to States/UTs in a region from time to time or wherever a request is made by a constituent State, and makes the appropriate reallocation as soon as it is found to be feasible.

Community Development Programmes by IOCL

1743. PROF. UMMAREDDY VENKATESWARLU : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) the details of Community Development Programmes undertaken by I.O.C.L. in 2001-2002 and current year;

(b) whether I.O.C.L. has concentrated on Community Development Programme works in Maharashtra;

(c) if so, the details of such works completed by Indian Oil Corporation Limited under the Community Development Programmes all over the country in 2001-2002;

(d) whether there is a move to extend such work to every State; and

(e) if so, the schedule thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (e) Community Development Programmes (CDPs) are mostly undertaken by Indian Oil Corporation Ltd. (IOC) near its installations, mainly in the areas of drinking water, expansion of education, health, medical care, etc., as a measure of discharging the Corporation's social responsibility towards the neighbouring community. These programmes are undertaken by IOC in most of the States, including the State of Maharashtra, where the Corporation has many installations.

During the year 2001-2002, IOC has spent an amount of about Rs. 4.52 crore towards various CDPs in different States, including Maharashtra. During the year 2002-2003, such programmes being undertaken by IOC in a number of States are estimated to cost Rs. 2.77 crore.

[Translation]

National Energy Policy

1744. SHRI KAILASH MEGHWAL : Will the Minister of POWER be pleased to state :

(a) whether the European Union has recommended the formulation of "National Energy Policy";

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

(c) the action taken by the Government thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (c) European Union (EU) has not made any recommendation to India for formulation of a National Energy Policy.

However, as a part of the India-EU joint Initiative for enhancing Trade and investment (a programme of action initiated by the 1st India-EU Summit in Lisbon, 2000), the third India-Eu Business Summit held in Copenhagen on 8-9 October, 2002 on the margin of the India-EU Summit adopted a set of recommendations following a joint study to the power sector conducted by the Indian and EU industry. The joint study was conducted by CII and Power Finance Corporation on the Indian side and Asia-Invest Programme of the European Commission on the EU side to identify and remove constraints in the promotion of bilateral trade and investment in the power sector between India and EU. Adoption of a National Energy Policy by India to recognize power as a basic consumer right is one of the recommendations made in the report. Specific elements recommended for inclusion in the Energy Policy, *inter alia*, include strengthening the regulatory system, distribution reforms, restoring financial health of SEBs, tariff reforms, rationalization of duties/taxes and levies on power generation projects, strengthening the power trading system, introducing mechanisms for third party sales, energy conservation, and measures for building private sector confidence and investment interest.

[English]

Dhansiri Hydro-Electric Power Project

1745. SHRI M.K. SUBBA : Will the Minister of POWER be pleased to state :

(a) whether the Dhansiri Hydro-Electric Power Project in Assam launched as far back as 1986, is yet to be completed;

(b) if so, the progress made so far in implementation of the project;

(c) the original estimated cost of the project the cost escalation so far and amount incurred in regard thereto; and

(d) the time by which it is likely to be completed, indicating broad details and features of this project ?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : (a) to (d) The information is being collected and will be laid on the Table of the House.

Supply of Drinking Water

1746. SHRI A. BRAHMANAIAH : Will the Minister of RAILWAYS be pleased to state :

(a) whether it is a fact that pure drinking water is not being supplied at railway stations across the country;

(b) if so, the steps taken by the railway health authorities for improving the quality of water being supplied at railway stations;

(c) whether periodic inspections and water quality testing is being done at all railway stations;

(d) if so, the findings of the last inspection of water being supplied at railway stations across the country; and

(e) the details of steps proposed to be taken to improve the quality of water in future ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDRAU DATTATRAYA) : (a) No, Sir. Drinking water of potable quality is supplied at Railway Stations.

(b) to (e) All efforts are made to supply drinking water of potable quality at Railway Stations. The quality of

drinking water is regularly monitored from time to time by Medical Department of Railways.

While the water is supplied by Engineering Department, the quality is monitored by Medical Department through residual chlorine and coliform test. As and when any deficiency is noticed in the quality, the Engineering Department is informed and remedial measures are initiated. The number of checks conducted and the results thereon are reported regularly to higher authorities.

The drinking water quality is discussed and reviewed in the meetings at Divisional level and Zonal level regularly. Special drives are launched every summer involving various departments at Zonal level to ensure that water is of required standard.

The figures of the checks conducted for bacteriological quality (coliform count) and residual chlorine tests are given in the statement overleaf.

Particulars of water quality tests conducted during the month of September 2002 are given as under :—

	No. of samples tested	No. of samples found satisfactory	Percentage
Bacteriological quality tests	4711	3941	83.65%
Residual chlorine test	51097	40004	78.29%

The water quality monitoring is a regular activity and as per needs remedial measures are taken such as improved equipment for water treatment, better techniques, improved supervision, secondary chlorination etc.

Construction of Road Over Bridges in Andhra Pradesh

1747. SHRI K. YERRANNAIDU : Will the Minister of RAILWAYS be pleased to state :

(a) whether the Railways are limiting their share of the Road Over Bridges to a width of two lanes only;

(b) if so, the details thereof;

(c) whether the Union Government have received any request from the Government of Andhra Pradesh in this regard; and

(d) if so, the details thereof and the action taken/proposed to be taken thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) Yes, Sir.

(b) Railways share the cost of construction of Road over/Under Bridges for 2 lanes only under extant rules. Cost of additional width is borne fully by sponsoring authority. Similarly, additional length required for additional lines is funded fully by the Railways. In addition, Railways also share 50% cost of ramp/subways if provided for light vehicular traffic.

(c) and (d) Yes, Sir. Requests were received from the Chief Minister of Andhra Pradesh in 2000-01 that Ministry of Railways consider sharing cost of 4 lanes of Road over/under bridges. The request could not be agreed to as per the existing codal provisions. Since similar requests from other States have been received, the issue is under detailed examination.

Purchase of Oil-Fields in Africa by ONGC

1748. PROF. UMMAREDDY VENKATESWARLU : Will the Minister of PETROLEUM AND NATRUAL GAS be pleased to state :

(a) whether ONGC has purchased a number of oil-fields in Africa in the last three years;

(b) if so, the details of such oil-fields purchased by ONGC and the investments made therein;

(c) whether ONGC has borrowed funds for such investments;

(d) if so, the details of such borrowings by ONGC;

(e) whether ONGC propose to further invest in oil-fields in other parts of the world; and

(f) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) No, Sir.

(b) to (d) Do not arise.

(e) and (f) ONGC-Videsh Ltd. (OVL), the wholly owned subsidiary of Oil and Natural Gas Corporation Ltd. (ONGC)

is engaged in hydrocarbon exploration and production (E and P) activities abroad. At present OVL is participating in the following overseas projects :

- (i) Block 06.1 offshore gas project in Vietnam, with 45% participating interest.
- (ii) Sakhalin-I oil and gas project in Russia, with 20% participating interest.
- (iii) Block A-I offshore gas project in Myanmar, with 20% participating interest.
- (iv) Exploration Block 8 in Iraq with 100% participating interest.

OVL is also pursuing E and P opportunities in some countries like Sudan, Oman, Libya, Kazakhstan, Indonesia and Venezuela.

Control on Oil Industry

1749. SHRI MAHBOOB ZAHEDI : Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether any control over the oil industry is exercised by the Government particularly during Emergency to meet the oil requirement;

(b) if so, whether the Government plans to sell out the shares of the public sector oil units; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) As per the Petroleum Products (Maintenance of Production, Storage and Supply) Order, 1999 published in the Gazette of India (Extraordinary) on 16.4.1999, the Government can regulate production, storage and supply of petroleum products in the interest of sustaining public life, economy and protecting consumers interest.

(b) and (c) The Government have decided to disinvest 51% of the equity in Engineers India Ltd. (EIL) to a strategic partner and 10% to EIL employees at concessional price and to fully disinvest its shareholding in Balmer Lawrie and Co. Ltd. Government will also take a final view on disinvestment of its shareholding in some other oil companies in due course.

Persons killed during Rally in Lucknow

1750. SHRI AKHILESH YADAV :
SHRI RAMDAS ATHAWALE :

Will the Minister of RAILWAYS be pleased to state :

(a) the total number of persons (General/Dalits) separately who lost their lives during the rally in Lucknow on 28th September;

(b) the number of special trains were run for the rally;

(c) the extent of damages/total loss of revenue suffered by the Railways due to the said rally including the loss in passenger fare;

(d) whether the organizers of the rally had contacted the Railways regarding the rally;

(e) if so, the details thereof;

(f) if not, the reasons therefor;

(g) whether any responsibility has been fixed for the loss; and

(h) if so, how the Government propose to compensate the loss ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI BANDARU DATTATRAYA) : (a) to (h) The information is being collected and will be laid on the Table of the Sabha.

Corruption in Judiciary

1751. SHRI NARESH PUGLIA :
SHRIMATI SHYAMA SINGH :

Will the Minister of LAW AND JUSTICE be pleased to state :

(a) whether the Chief Justice of India has opposed the setting up of National Judicial Commission;

(b) if so, whether the existing system of appointment of judges is not found satisfactory;

(c) if so, the facts thereof; and

(d) the procedure to be followed by the Government in the appointment of judges ?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : (a) to (d) The attention of the Government has been drawn to a report in a section of the Press that the Chief Justice of India does not reportedly see any need for a National Judicial Commission, as, in his view, the present system of Collegium has worked well. The Government is committed to setting up of a National Judicial Commission, which would make recommendations for appointment of Judges/Chief Justices of High Courts and the Supreme Court, as also draw up a Code of Ethics for Judges.

Profits of ONGC

1752. DR. SUSHIL KUMAR INDORA :
SHRI NAWAL KISHORE RAI :

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state :

(a) whether the Government are aware about observations made by Comptroller and Auditor General of India on profit earned by Oil and Natural Gas Corporation Limited during 2001-2002;

(b) if so, whether excess profits have been shown in annual report by the said company; and

(c) if so, the amount shown as excess profit in the report and the methods adopted in this regard ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SANTOSH KUMAR GANGWAR) : (a) to (c) Comptroller and Auditor General (C and AG) has not yet communicated any Audit report incorporating, inter-alia, observations on profit earned by Oil and Natural Gas Corporation Ltd. (ONGC) during 2001-02.

However, ONGC has informed that the financial results for the year ended 31st March, 2002 after audit by Joint Statutory Auditors, appointed by C and AG, and after approval by ONGC Board were submitted to C and AG for review and comments. In its comments thereon, C and AG had made observations regarding overstatement of profit by ONGC to an extent of Rs. 112.3 crore. However, ONGC in its reply given to C and AG has categorically mentioned that there was no incidence of overstatement of profit in ONGC financial results for the period ended 31st March, 2002.

12.01 hrs.

Notification No. N-10/5/2002-PPC in Gazette of India dated the 18th March, 2002.

PAPERS LAID ON THE TABLE

[English]

[Placed in Library See No. LT. 6121/2002]

THE MINISTER OF RAILWAYS (SHRI NITISH KUMAR) :
Sir, I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Railway Sports Promotion Board, New Delhi, for the year 2001-2002, along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Railway Sports Promotion Board, New Delhi, for the year 2001-2002.

[Placed in Library See No. LT. 6119/2002]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Railway Welfare Organisation, New Delhi, for the year 2001-2002, along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Indian Railway Welfare Organisation, New Delhi, for the year 2001-2002.

[Placed in Library See No. LT. 6120/2002]

[Translation]

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : Sir, I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under section 34 of the Prasar Bharati (Broadcasting Corporation of India) Act, 1990:—

- (1) The Prasar Bharati (Broadcasting Corporation of India) (Senior Programme Posts) Recruitment Regulations, 2002 published in Notification No. N-10/23/2001-PPC in Gazette of India dated the 21st August, 2002.
- (2) The Prasar Bharati (Broadcasting Corporation of India) (Subordinate Engineering Posts) Recruitment Regulations, 2001 published in

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (DR. VALLABHBHAI KATHIRIA) : Sir, I beg to lay on the Table a copy each of the following papers (Hindi and English versions) Under sub-section (1) of section 619A of the Companies Act, 1956:-

- (1) Statement regarding Review by the Government of the working of the Tyre Corporation of India Limited, Kolkata, for the year 2001-2002.
- (2) Annual Report of the Tyre Corporation of India Limited, Kolkata, for the year 2001-2002, along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library See No. LT. 6122/2002]

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRIMATI JAYAWANTI MEHTA) : Sir, I beg to lay on the Table-

- (1) A copy of the Memorandum of Understanding (Hindi and English versions) between the Power Grid Corporation of India Limited and the Ministry of Power for the year 2002-2003.

[Placed in Library See No. LT. 6123/2002]

- (2) A copy of the Memorandum of Understanding (Hindi and English versions) between the National Thermal Power Corporation Limited and the Ministry of Power for the year 2002-2003.

[Placed in Library See No. LT. 6124/2002]

- (3) A copy of the Central Electricity Regulatory Commission (Recruitment, Control and Service Conditions of Staff) Regulations, 2002 (Hindi and English versions) published in Notification No. F.No. 2/2(1)/99-CERC in Gazette of India

dated the 18th July, 2002 under section 56 of the Electricity Regulatory Commissions Act, 1998.

[Placed in Library See No. LT. 6125/2002]

Leaders of Opposition in Parliament (Second Amendment) Bill, 2002 which was passed by the Lok Sabha at its sitting held on the 21st November, 2002."

12.02 hrs.

MESSAGES FROM RAJYA SABHA

[English]

SECRETARY-GENERAL : Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha:-

- (i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 26th November, 2002 agreed without any amendment to the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Bill, 2002 which was passed by the Lok Sabha at its sitting held on the 21st November, 2002."
- (ii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 26th November, 2002 agreed without any amendment to the Negotiable Instruments (Amendment and Miscellaneous Provisions) Bill, 2002 which was passed by the Lok Sabha at its sitting held on the 21st November, 2002."
- (iii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 26th November, 2002 agreed without any amendment to the Salaries and Allowances of Officers of Parliament and

12.03 hrs.

STANDING COMMITTEE ON INFORMATION TECHNOLOGY

Fortieth Report

[Translation]

SHRI SOMNATH CHATTERJEE (Bolpur) : Sir, I beg to present the Fortieth Report (Hindi and English versions) on Direct to Home (DTH) Telecast of the Standing Committee on Information technology.

12.03-½ hrs.

JOINT COMMITTEE ON STOCK MARKET SCAM AND MATTERS RELATING THERETO

(i) Motion Re: Filling up of Vacancy

[English]

THE VIJAYENDRA PAL SINGH BADNORE (Bhilwara) : Sir, I beg to move the following:-

"That this House do appoint Shri Anant Gudhe to the Joint Committee on Stock Market Scam and Matters relating thereto in the vacancy caused by the resignation of Shri Anandrao Vithoba Adsul."

MR. SPEAKER : The question is :

"That this House do appoint Shri Anant Gudhe to the Joint Committee on Stock Market Scam and Matters relating thereto in the vacancy caused by the resignation of Shri Anandrao Vithoba Adsul."

The motion was adopted.

**(It) Motion Re : Recommending to Rajya Sabha
to appoint one Member**

12.05 hrs.

SHRI VIJAYENDRA PAL SINGH BADNORE : Sir, I beg to move the following:-

"That this House do recommend to Rajya Sabha that Rajya Sabha do appoint one Member of Rajya Sabha to the Joint Committee on Stock Market Scam in the vacancy caused by the resignation of Shri Vikram Verma from the membership of the Committee and communicate to this House the name of the Member so appointed by Rajya Sabha to the Joint Committee."

MR. SPEAKER : The question is :

"That this House do recommend to Rajya Sabha that Rajya Sabha do appoint one Member of Rajya Sabha to the Joint Committee on Stock Market Scam in the vacancy caused by the resignation of Shri Vikram Verma from the membership of the Committee and communicate to this House the name of the Member so appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

12.04-½ hrs.

**DEMAND FOR SUPPLEMENTARY GRANT—
(RAILWAYS), 2002-2003**

[English]

THE MINISTER OF RAILWAYS (SHRI NITISH KUMAR) : Sir, I beg to present a statement (Hindi and English versions) showing the Demand for Supplementary Grant in respect of the Budget (Railways) for 2002-03.

[Placed in Library See No. LT. 6125A/2002]

**SPECIAL PROTECTION GROUP
(AMENDMENT) BILL***

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CH. VIDYASAGAR RAO) : Sir, on behalf of Shri L.K. Advani, I beg to move for leave to introduce a Bill further to amend the Special Protection Group Act, 1988.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Special Protection Group Act, 1988."

The motion was adopted.

SHRI CH. VIDYASAGAR RAO : Sir, I introduce the Bill.

12.05-½ hrs.

**TRANSFER OF PROPERTY
(AMENDMENT) BILL***

[English]

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : Sir, I beg to move for leave to introduce a Bill further to amend the Transfer of Property Act, 1882.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Transfer of Property Act, 1882."

The motion was adopted.

SHRI K. JANA KRISHNAMURTHY : I introduce the Bill.

12.06 hrs.

INDIAN EVIDENCE (AMENDMENT) BILL*

(English)

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY) : Sir, I beg to move for leave to introduce a Bill further to amend the Indian Evidence Act, 1872.

MR. SPEAKER : Motion moved:

"That leave be granted to introduce a Bill further to amend the Indian Evidence Act, 1872."

Shri Varkala Radhakrishnan to speak now.

SHRI VARKALA RADHAKRISHNAN (Chirayinkil) : Sir, I oppose the introduction of the Bill at this stage because it is against our legislative competence. We all know that it is a fundamental right that there is equality before law. Both the accused and the defence are equal before the law. It is also a fundamental right that when a man is taken into custody, he is to be produced before a Magistrate within 24 hours and the presumption is that the accused is innocent till otherwise proved. Now, in the instant case, I have to submit that there is ample scope in the present Evidence Act that it is for the presiding judge to decide which questions are to be asked during the trial. He has ample powers to decide which questions are relevant and which questions are not relevant.

By this amendment we are putting fetters on the powers of the presiding officer. What will be the natural consequence if the amendment is accepted? There will be an inequality in the eye of law between the accused person and the prosecution. So, I would suggest that this is highly dangerous.

We are thinking of imposing death penalty in rape cases. The hon. Deputy Prime Minister has referred in the House that the Government have an idea of imposing death penalty on rapists. In that case this amendment becomes much more dangerous because the defense, who is in the box, is denied the right of questioning the

veracity of the prosecution. The defense cannot question regarding the character of the prosecution. In a rape case the most important element is consent. Consent is the most important element in the defence of the victim of rape. So, the net result will be that this consent will be proved only through circumstantial evidence. We cannot give documentary evidence about the immoral character of a particular person. This could be inferred from the evidence that is adduced and only from the circumstantial evidence that the offence could be proved.

So, my humble submission is that we are denying the right of the accused. There is equality of law. This is the basic feature of the Constitution and we are encroaching upon the basic features of the Constitution. That is why I presume that this is beyond our legislative competence because there is equality before law – let him be the accused or let him be the prosecution. Both are equal before law. That equality is denied if this amendment is accepted.

MR. SPEAKER : Shri Radhakrishnan, you have made your point very clear. Please sit down.

SHRI VARKALA RADHAKRISHNAN : Sir, just one minute. If this amendment is accepted it is against all fundamentals of criminal jurisprudence. So far we have accepted, for centuries together and especially in the light of the statement of the hon. Deputy Prime Minister that capital punishment will be the penalty for the rape. If you do that, then the innocent persons will be killed and even the victim will be killed. The offence takes place in a particular place in a particular moment. If the person committing the offence thinks that he cannot escape afterwards from the capital punishment, the net result will be that the victim will be killed. So, in an alleged rape case, the net result will be that the survival of the witness will become remote. If capital punishment is the result, this will happen. This is my submission.

MR. SPEAKER : I think, you have made your point clear. Let the Minister reply now. Please sit down.

SHRI VARKALA RADHAKRISHNAN : So, under these circumstances, I request the hon. Minister not to encroach upon a field where they are encroaching upon the Fundamental Right of a citizen because everybody is equal in the eyes of law.

*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dt. 28.11.2002

SHRI K. JANA KRISHNAMURTHY : Whatever objections the hon. Member has raised at the introduction stage can be raised at the time when the Bill comes up for consideration. This is not the stage to raise such objections. Even in his written submission to your office, he has said.

MR. SPEAKER : Mr. Minister, he can always raise this objection, even at this stage.

SHRI K. JANA KRISHNAMURTHY : I will tell only one thing. He has questioned the legislative competence of this House. Parliament is competent to legislate under Entry 12 List III of Seventh Schedule to the Constitution. When this House is competent to legislate, all these objections can be raised at the time of consideration of the Bill.

MR. SPEAKER : The question is:

"That leave be granted to introduce a Bill further to amend the Indian Evidence Act, 1872."

The motion was adopted.

SHRI K. JANA KRISHNAMURTHY : Sir, I introduce the Bill.

12.12 hrs.

RE : PROBLEMS BEING FACED BY
SUGARCANE GROWERS

[English]

MR. SPEAKER : Now, I am going to 'Zero Hour'. Shri Deve Gowda will speak first.

SHRI H.D. DEVE GOWDA (Kanakpura) : Sir, thank you very much for having given me an opportunity to raise this important issue in 'Zero Hour'. In fact, yesterday I requested you to raise this issue in the 'Zero Hour', but on account of time constraint, I could not be done.

MR. SPEAKER : Is Shri Ravi Prakash Verma here? I am associating him also with this issue because he has also given the notice.

SHRI H.D. DEVE GOWDA : Yesterday, I had personally requested you in your chamber to raise this issue as the farmers have started an agitation. The sugarcane growers of Uttar Pradesh, who are cultivating sugarcane, have started an agitation at Kisan Ghat and more than 5,000 to 6,000 farmers are sitting in dharna. This House is also sitting. We cannot turn a blind eye so far as this burning issue is concerned. It has been reported in the newspapers that farmers of Uttar Pradesh burn their sugarcane stocks. It was reported on 21st November.

The latest information is that only one sugar mill has started crushing. The hon. Minister for Food and Civil Supplies is here. I had also requested him yesterday night that some remedy has to be found out for these farmers. Instead of giving relief by crushing the sugarcane, I am afraid, the farmers are going to be crushed in Uttar Pradesh. I do not know why. Is it due to politics?

SHRI SHARAD PAWAR (Baramati) : In Karnataka also, the problem is there.

SHRI H.D. DEVE GOWDA : No, the problem is different in Karnataka. So, I do not want to compare the problem of Karnataka farmers with that of UP farmers.

Sir, more than 5,000 to 6,000 people are sitting in dharna there. The House is going on. So, I would like to draw the attention of the Government to see that some relief is given. In this context, I would like to quote some of the decisions made by the Central Government. The Minimum support Price the Government has fixed is Rs. 65.80 per quintal. Last year, the reply given by the Government - of course, I was not here - in the very same House to an Unstarred Question was that Rs. 86 to Rs. 95 per quintal was the price given by the sugarcane mills.

This year, the sugar mill owners are not prepared to crush the sugarcane. They have taken a stand that while the Union Government has fixed the price of Rs. 65.80 per quintal, the farmers, while supplying the cane to the mills, must give an undertaking in writing that they will take only Rs. 65 per quintal and they are not going to demand more than that. They are also asking the farmers to supply the sugarcane at the gate of the mill, at the cost of the farmers and not at the cost of the mill owners. These are the two

[Shri H.D. Deve Gowda]

conditions they are imposing. They are not prepared to crush sugarcane. More than one crore sugarcane growers are being put to such a hardship.

The issue today is when the sugarcane is going to be crushed. Actually, there is a delay of one-and-a-half months to two months, and they cannot go for the second wheat crop. What will be the fate of the farmers? Why is the Government of India not solving this problem? As Shri Sharad Pawar has said, this subject belongs to the State Government. I do agree that even in Karnataka, this problem is there. The Karnataka Government has announced a minimum support price (MSP) of Rs. 950 per tonne. Several States have announced the minimum support price. Even Maharashtra has announced a subsidy package of Rs. 1,000 per tonne for export of sugarcane. In addition to that, they are going to reimburse the transportation charges. All these things have been announced by the State Governments. Here, I do not want to say which party is running the Government, but the ruling party in Uttar Pradesh is your own partner. The BJP and the BSP are running the Government there. Why are these people not thinking on these lines?

I know that this is 'Zero Hour'. I can understand that this is not an issue to be raised during the 'Zero Hour'. When the House is sitting and if the issue is not being solved, the farmers are sitting on a dharna at Kisan Ghat, what can I do? I understand that it is not proper on my part to raise this issue during the 'Zero Hour'. However, this is a burning issue and, that is why, with your kind permission, Sir, I wanted to raise this issue. The Government should spell out as to what is its stand, and whether they want to leave it to the sweet will of the State Governments or they are going to solve this problem.

You yourself have announced that the Sugarcane Cess Fund is going to be used. According to your own statement made on the floor of the House, you are going to use this amount. It says:

"Defraying the expenditure for the purpose of building and maintenance of bufferstocks and with a view to stabilising the price of sugar..."

How much sugarcane are you going to purchase because so many sugar-mills have got dead stocks. Last year, the dead stock was more than 128 lakh tonnes. The sugar-mills are not able to pay arrears. This year, there is a bumper crop and, as per the expectations, more than 180 lakh tonnes of sugarcane is going to be produced. You have got Rs. 2,700 crore in the Sugarcane Cess Fund, but you do not want to use that money for the purpose of building bufferstock, and you do not want to give any package. The Allahabad High Court has given the decision that you cannot increase the rate because of the pressure put by the farmers. Over and above the minimum support price announced by the Union Government, you cannot increase the rate. That being the case, the farmers are suffering because the State Government is not prepared to increase the rate and the court is also coming in between directing the State Government not to increase the rate. How will the farmers meet their cost of production? This is not an ordinary issue...*(Interruptions)*

[Translation]

SHRI RAM VILAS PASWAN (Hazipur) : Mr. Speaker, Sir, we have also given the notice. ...*(Interruptions)*

SHRI SHIVRAJ SINGH CHOUHAN (Vidisha) : Mr. Speaker, Sir, the farmers of Madhya Pradesh are attempting suicide for want of electricity. ...*(Interruptions)*

SHRI DEVENDRA PRASAD YADAV (Jhunjharpur) : In Bihar also farmers are not getting remunerative price. ...*(Interruptions)*

[English]

MR. SPEAKER : Please, sit down.

(Interruptions)

SHRI RAGHUNATH JHA (Gopalganj) : Mr. Speaker, Sir, the situation in Bihar is the same. ...*(Interruptions)*

[English]

MR. SPEAKER : Please sit down. You are all aware that this issue is, no doubt, of great importance. Please listen to me.

(Interruptions)

[Translation]

SHRI RAVI PRAKASH VERMA (Kheri) : I have also given notice on the issue of sugarcane. ...*(Interruptions)*

KUNWAR AKHILESH SINGH (Maharajganj, U.P.) : Sugarcane farmers are going to burn the sugarcane on 29th. Today they are in a pitiable condition. ...*(Interruptions)*

MR. SPEAKER : Will you listen to me or not, tell me? If you want to listen, I will tell only three or four notices on this subject have come that discussion should take place on this subject in the House. I Therefore feel that full discussion should take place on this subject and when this subject is going to be taken up for discussion and when discussion is going to take place then in 'Zero Hour'.

(Interruptions)

MR. SPEAKER : Please listen, other Members also want to raise their questions in 'Zero Hour'. If you want that discussion should take place on this subject in Zero Hour then further discussion will not be held on this subject. This matter will be taken up in B.A.C. (Business Advisory Committee) today I have no objection in allowing the discussion to take place on this subject.

(Interruptions)

MR. SPEAKER : If all of you want to discuss it now, then it is alright, otherwise it will be decided in Business Advisory Committee.

(Interruptions)

SHRI DEVENDRA PRASAD YADAV : This is a very important question, discussion on it should take place now. ...*(Interruptions)*

SHRI RAM VILAS PASWAN : Many people have given notice and we have given adjournment notice on it, you must listen to us in Zero Hour. ...*(Interruptions)*

MR. SPEAKER : That is why, I want to conduct discussion.

SHRI RAM VILAS PASWAN : Then, you please allow discussion on it now. ...*(Interruptions)*

MR. SPEAKER : Ram Vilas ji, you can understand that it is not possible that discussion on this subject is taken up in Zero Hour Today and thereafter a discussion on this subject is taken up again on some other day.

SHRI RAM VILAS PASWAN : Before the Minister gives his reply Atleast you, you should listen what is being said.

[English]

SHRI SOMNATH CHATTERJEE (Bolpur) : Sir, every section of the House wants to speak on this subject...*(Interruptions)*

[Translation]

SHRI SHIVRAJ V. PATIL (Latur) : This is a very important subject, ex-Prime Minister has raised it and as per my observation people from that side also want to speak. If a little discussion takes place today Zero Hour, it would be better. Whether we want to take up that for discussion or not, we will let this know after considering the matter in Business Advisory Committee. ...*(Interruptions)*

MR. SPEAKER : I want to say that then no other subject would be taken up today.

SHRI SHIVRAJ SINGH CHOUHAN : Farmers are attempting suicide in Madhya Pradesh, we are giving notice everyday. This will not do. The farmers of Madhya Pradesh are facing hardships. ...*(Interruptions)*

MR. SPEAKER : I will take up this subject in Business Advisory Committee and the discussion will take place on this subject. Therefore, there is no need of discussion on it in Zero Hour. Because you have raised the question, therefore if any specific.

(Interruptions)

[English]

MR. SPEAKER : I cannot permit a discussion on this today and again under some other rule on some other day.

(Interruptions)

[Translation]

MR. SPEAKER : Sharad Yadav Ji, hon. Ex-Prime Minister has raised an important question, if you want to answer it, you can. When discussion will take place on this subject, You should tell the whole matter.

(Interruptions)

SHRI RAM VILAS PASWAN : You should listen to us, we have given the notice.

[English]

MR. SPEAKER : I am coming to it. Mr. Minister, on the specific points, in a few sentences if you would like to response, then you may do so.

(Interruptions)

[Translation]

SHRI SHIVRAJ SINGH CHOUHAN : Hon. Speaker Sir, we have also an important question. Today the farmers of Madhya Pradesh are attempting suicide. ... (Interruptions)

[English]

SHRI SOMNATH CHATERJEE : Sir, you may allow him to speak for two minutes on this. ... (Interruptions)

MR. SPEAKER : If you abide by the rule and speak only for a minute, then I will allow. I am allowing one minute to each of them, but you should not speak more than one minute.

(Interruptions)

[Translation]

SHRI SHARAD PAWAR : Mr. Speaker, Sir, the question which Devegowdaji have raised here is very important for the country. Not only in Uttar Pradesh, this problem has cropped up in many States and this problem has cropped up because last year the production of sugar was too much. Stocks of more than ten million tone is lying since last year here. Therefore, till that stocks does not finish. Government does not help in selling that world over and so long as exemption is not made in the excise duty situation would not improve.

If situation does not improve, farmer will not sow the sugarcane. Due to this, after two years we will have to buy sugar at the rate of more than Rs.25 per kilo. Therefore, there is the need to take stern steps to solve this problem on the part of the Government. Right now, you have decided about buffer stock, this is not enough. There is the need to take many more decisions like this.

SHRI SHIVRAJ SINGH CHOUHAN : Mr. Speaker, Sir, farmers have other problems as well.

MR. SPEAKER : I will take up your subject also and pay attention to it. You cooperate with us. This subject will be finished in ten minutes. Afterwards other subjects may also be taken up. But if you keep on standing like this in the middle, those subject cannot be raised.

SHRI SHIVRAJ SINGH CHOUHAN : Farmers are attempting suicide in our area.

SHRI SHEESH RAM SINGH RAVI (Bijnor) : Three private sugar mills in our areas are not running. That is sugar producing areas, therefore, I may also be allowed to speak.

MR. SPEAKER : You sit down, I can grant permission to one person from each party. Everyone cannot be allowed.

SHRI RAM VILAS PASWAN : Mr. Speaker, Sir, on this question we have given the notice of Adjournment Motion. Yesterday, representatives of farmers from all over the country reached at 'Kisan Ghat', in Delhi under the banner of Bhartiya Kisan Union. Deve Gowdaji was also there. After meeting you, we persuaded them and sent them back to their areas. Their agitation is continuing. They will stage gherao at all division (Mandal) level in the country on the coming 29th and 30th. This is not only the case of sugarcane, it relates with their dues also. Besides, out of the 101 sugar mills closed down in the country, only 37 mills have reopened. It pertains to these mills also. Besides, it pertains to support price also. The Government of India have created some confusion in this regard. The State Government have fixed the price at Rs. 95, whereas the Government of India have announced the price at Rs.64 Now courts have also told that farmers would be paid Rs.64 and not Rs.95. In nearby Haryana, farmers are

getting the support price of Rs.101 but the farmers of Uttar Pradesh are not being paid even Rs.64.

SHRI RAGHUNATH JHA : You forget about Bihar. ...*(Interruptions)*

SHRI RAM VILAS PASWAN : Raghunath Jha ji, making noises will not help. Hon. Minister Shri Sharad Yadav ji who is elected from Bihar is sitting here. No purchase centre has been opened in each block of Bihar. Farmers are facing hardships there. The issues of paddy and wheat are also there. Besides, the issue of electricity is also there. In towns, electricity is provided for all 24 hours in a day, but farmers could not get it. Therefore, I would request that the Government to give reply to all these question.

DR. RAGHUVANSH PRASAD SINGH (Vaishali) : Mr. Speaker, Sir, the condition of farmers all over the country is pitiable, but the condition of sugarcane growers is the worst. Out of distress, the farmers of Sitamarhi are burning their sugarcane produce. They are facing many hardships. Earlier the Government of India used to fix statutory Minimum Price and the State Government used to fix negotiating price. The court has said that the State Government would not fix the price and due to this farmers got Rs.95 instead of Rs.65. Now the farmers are not ready to give sugarcane at Rs.65 and are burning it. Therefore, the Government of India should immediately intervene and take action so that atrocities being committed on sugarcane farmers should come to an end. Action should be taken in this regard so that the farmers may get reasonable price for their production and closed sugar mills should become operative.

SHRI SHIVRAJ V. PATIL : The issue of sugar is becoming more and more complex. The way in which textile industry and jute industry is facing problems, the same can happen with sugar industry as well. If the farmers are not paid the reasonable price for sugarcane and sugar. Then as Sharad Pawar ji has said that within two years the cost of sugar may jump between Rs.20 and Rs.25 per kilo. Thus, it is necessary to give remunerative prices to the sugarcane growers and fix reasonable support price of sugar. Steps should be taken in this direction on the same pattern on which the Government took initiative in setting up buffer stocks and moreover, buffer stocks should also be enhanced.

In 1983, the Government exported sugar by giving subsidy on it. The Government should devise a similar policy this year too. Otherwise, the issue of sugar could become more complex and intricate. Hence, the Government should chalk out a policy so as to address the problem areas of sugar, sugarcane and agro-based industries. ...*(Interruptions)*

SHRI RAGHUNATH JHA : Hon. Deve Gowda ji, the former Prime Minister ...*(Interruptions)*

MR. SPEAKER : Please sit down. Why you are doing like this? You may speak when your turn comes.

(Interruptions)

SHRI RAGHUNATH JHA : Hon. Deve Gowda ji the former Prime Minister has raised a very pertinent question with regard to the farmers of the country. The condition of the farmers of Bihar is worse than those of Uttar Pradesh. Moreover, the same situation prevails in both the States. I feel that the Government of India is perhaps interested in deliberately closing down the sugar industry of this country. As other industries have been sold to private entrepreneurs in the same manner there seems to be a conspiracy to close down this industry also and the Government is considering to import sugar from abroad, otherwise there is no reason that those farmers who sold sugarcane at Rs.95/- quintal last year should now be forced to sell their sugarcane at Rs.65/- quintal. The hon. Minister is present here. I request him to make a policy statement in the House today itself so as to allay the apprehensions in this regard...*(Interruptions)*

MR. SPEAKER : I have allowed you to speak for one minute.

SHRI VINAY KATIYAR (Faizabad) : Mr. Speaker, Sir, we all associate ourselves with the concern expressed by the former Prime Minister with regard to the issue of Uttar Pradesh he has raised here. All sugar mills will become operational in Uttar Pradesh by 30th of this month. Barring three-four mills almost all the public sector sugar mills have become operational. The last date is fixed at 30th. There has been delayed owing to the decision of the court. There are no two opinions about it. But it is the decision of the cabinet to fix the price at Rs.95/- per quintal for the farmers. ...*(Interruptions)*

SHRI RAGHUNATH JHA : The court has not given the decision ...*(Interruptions)*

SHRI VINAY KATIYAR : Please listen to me ...*(Interruptions)*

MR. SPEAKER : Look this is not a discussion taking place. Please conclude now.

SHRI VINAY KATIYAR : Mr. Speaker, Sir, I barely get an opportunity to speak. I will not take more than one minute ...*(Interruptions)*

MR. SPEAKER : We have not started debating the issue as yet. I will give you more time to speak when take up the discussion.

(Interruptions)

SHRI VINAY KATIYAR : I never speak. I have just started speaking. I shall resume my seat...
(Interruptions)

DR. RAGHUVANSH PRASAD SINGH : There is need to do something ...*(Interruptions)*

SHRI VINAY KATIYAR : I am doing the same what you want to do in Bihar. I am doing much better ...*(Interruptions)*

SHRI RAMDAS ATHAWALE (Pandharpur) : They are in the habit of killing the people ...*(Interruptions)*

SHRI SHIVRAJ SINGH CHOUHAN : Mr. Speaker, Sir, what is this? This is no way of conducting a discussion in the House. He is imputing unwarranted insinuations by talking about killing the people? This is not fair ...*(Interruptions)*

MR. SPEAKER : Please sit down.

SHRI VINAY KATIYAR : It has been fixed at Rs.95/- The High Court has given its decision. The Government intends to approach the Supreme Court. I have requested the Government to go to the Supreme Court. The State Government is fully committed to give support price of Rs.95/-. I will ensure that Rs.95/- is given per quintal but I am afraid that when there is talk about the payment pending with the sugar mills, it includes the Government mills as well which are running in Uttar Pradesh. When

the hon. Deve Gowda was the Prime Minister, we had given in writing that at least payment of that time pending with the mills be made. This amount has been outstanding since that time which has not been paid till date. Today, hon. former Prime Minister has raised this question with all the emphasis at his command. Had he been serious at that time, such situation would not have arisen in Uttar Pradesh now. Many a sugar mill have kept the payment pending today. Not a single penny remains outstanding since our Government has taken over. The outstanding amount can be traced to the tenure, when he was the Prime Minister of the Government of India and Shri Ram Vilas Paswan was also a Minister in that Government. Today, we are trying to make the outstanding payment of that time. They are conspiring with the farmers at Kisan Ghat and trying to provoke them so that the farmers are not able to get back the money. I will not allow such deceit to be perpetrated on the farmers of Uttar Pradesh. I want to assure the House that we will take the flight for the interest of the farmers to its logical conclusion... *(Interruptions)*

[English]

MR. SPEAKER : There is nothing questionable.

(Interruptions)

SHRI H.D. DEVE GOWDA : I do not want to break the convention. I do not want to go out of the purview of the rules framed by this House. He has made an insinuation that when I was the Prime Minister I failed to take a decision to clear the sugarcane arrears. If that is so, I would like to ask the Prime Minister to come and tell the truth to the House. If I had not cleared Rs.980 crore during my tenure as Prime Minister, I will go out of the House ...*(Interruptions)* Do not bring politics here. Please be careful ...*(Interruptions)*

[Translation]

SHRI VINAY KATIYAR : It is not so ...*(Interruptions)*. The amount left outstanding belongs to his tenure. We gave in writing many times but it was not paid. It was his responsibly to make the payment of balance amount of that time...*(Interruptions)*

[English]

MR. SPEAKER : Please sit down. I am not permitting both of you to speak. This is 'Zero Hour' and not a discussion.

(Interruptions)

MR. SPEAKER : You have already refuted the charge.

(Interruptions)

SHRI H.D. DEVE GOWDA : I have not cast aspersions against the Government. I have only requested the Government to solve this problem. I have not made any insinuation against the Minister or the Government...

(Interruptions) What is it that he is speaking? ... (Interruptions)

[Translation]

SHRI VINAY KATIYAR : How can he say like this. The arrears have not been paid during his tenure ... (Interruptions)

MR. SPEAKER : Katiyarji, I have not given you the permission, please sit down

(Interruptions)

[English]

SHRI H.D. DEVE GOWDA : He should prove that I did not take the decision... (Interruptions) He is also a Cabinet Minister ... (Interruptions)

MR. SPEAKER : Please sit down.

(Interruptions)

SHRI H.D. DEVE GOWDA : I have been true to my conscience and so, during the President Rule, I took a decision to discharge the entire arrears. In the month of August, 2002, it had been reported that about Rs. 1000 crore arrears were pending. Is this the way the ruling party should behave?... (Interruptions) He must express regret ... (Interruptions)

[Translation]

SHRI RAJESH RANJAN ALIAS PAPPU YADAV (Purnea) : Sir, every year issues relating to the farmers are raised in the House. Sometimes, the issue pertains to the farmers of Orissa or it pertains to the farmers of Rajasthan, Bihar or Maharashtra. Every year there is a furore on 'one or other issue.' Debate is held either on the issue of death or starvation or on sugar mills. Every year, there are rowdy scenes in the House and we speak on the subjects and points are made but a genuine concern has never been shown. Today, Shri Vinay Katiyar has said that on the issue of fixing and providing Rs. 95 for sugarcane, they are moving Supreme Court. However, I would like to submit if legislation is enacted by the Government even on less-important matters or amendment is made in regard thereto, then why no ordinance is proclaimed on the issue relating to the farmers... (Interruptions) The question does not concern only Uttar Pradesh, but the most important point is that there is a crisis in the State and the farmers are on the verge of getting ruined in Uttar Pradesh.

In Bihar, all the sugar mills are lying closed for years. The Members from Bihar have raised the question of closed sugar mills everytime... (Interruptions) Not a single sugar mill in the State has been revived.

Sir, there is a very important question and that the whole Bihar State is very much concerned over this. The farmers of Bihar are being meted out step motherly treatment... (Interruptions)

MR. SPEAKER : Yadavji, please sit down.

(Interruptions)

SHRI RAJESH RANJAN ALIAS PAPPU YADAV : Sir, this is a very important question. On one hand Central Government is supporting the farmers of Bihar and on the other hand, they are being subjected to injustice... (Interruptions) Sir, I would like to make a request that proper compensation should be paid to sugarcane growers of Bihar and all these sugar mills such as at Madhubani should be revived... (Interruptions) Sharad Yadavji, Madhepura is your Lok Sabha Constituency. Asia's largest sugar mill is in Purnea but no attention is being

[Shri Rajesh Ranjan Alias Pappu Yadav]

paid towards it...(Interruptions) All the sugar mills are lying closed but no attention is being paid to that.

MR. SPEAKER : Yadavji, please sit down, this is not being recorded.

(Interruptions)*

SHRI RAMDAS ATHAWALE : These sugar mills are in India not in China so their names should be changed...(Interruptions) These are Indian sugar mills not Chinese mills.

[English]

SHRI K. YERRANNAIDU (Srikakulam) : Mr. Speaker, Sir, former Prime Minister, Shri Deve Gowda has raised a very important issue, namely, the sugarcane growers. My Party shares his opinion. In the whole country, sugarcane growers are in crisis. Shri Sharad Pawar has explained everything. The need of the hour is that the Government of India should immediately convene a meeting for reducing the excise duty for exports. Otherwise, Indian farmers, particularly, the sugarcane growers will die. They will commit suicide and in future nobody will grow sugarcane. With the result, after two-three years, the sugar price will increase exorbitantly. That is why, I would request the hon. Minister to take a meeting of all the political parties to discuss the situation and find out what remedy is required to protect the interests of sugarcane growers. This is my appeal to the Government.

[Translation]

SHRI DEVENDRA PRASAD YADAV : Mr. Speaker, Sir, the question raised by former Prime Minister, Shri Devegowda is not only an important one but also very relevant question too. 75% people subsist on agriculture. Though, India being an agricultural land, farmers are not getting remunerative prices for their agricultural produces. In Uttar Pradesh, people have been staging dharnas and on 9th of this month, we would be holding a march past for Parliament...(Interruptions) All the sugar mills in Uttar Pradesh and Bihar are lying closed...(Interruptions) The

Central Government fixes minimum support price and the State Governments fix statutory price...(Interruptions) A very strange situation has arisen in the country. The farmers who faced the whole country are dying themselves. They are forced to commit suicides.

I request you to take personal interest in it and give proper guidelines. Crores of farmers are facing serious problems and if their patience gives way then we cannot tolerate the same...(Interruptions) I was born in a small farmer's family. We get elected by these 70 percent people and hence, it is the responsibility of the Parliament to protect their rights...(Interruptions)

MR. SPEAKER : Please take your seats, all hon'ble Members should get chance to speak.

SHRI DEVENDRA PRASAD YADAV : I would like to know whether the Government propose to have disinvestments process in regard to these sugar mills.

SHRI MAHBOOB ZAHEDI (Katwa) : Mr. Speaker, Sir, we have just been to Deoria and Mptihari constituencies of Bihar. Sugarcane is very important to sugarcane growers. Former Prime Minister, Shri Deve Gowda too expressed his views and a debate is going on on this issue but the farmer is dying of starvation. The Government have stated that it would see to it that by 30th, the sugar mills start their production but two sugar mills out of 10 have been closed down. In Uttar Pradesh too, these mills are being closed and the farmers are not getting price for their production. Farmers are burning their sugarcane crops so as to sow other crops. Government have to answer the question in order to save farmers from starvation deaths. 75% of the total population are farmers. We cannot allow farmers to commit suicides and the Government and the hon'ble Member has to pay attention towards it. Central Government will have to take the responsibility as the Governments are not owning their responsibilities. If the situation further deteriorates the Central Government will be held responsible for this.

SHRI SHEESH RAM SINGH RAVI : Mr. Speaker, Sir, I belong to Bijnor where 70% of sugarcane is produced. The farmers of Meerut, Mujafarnagar are very frustrated and for the last 15 days they are burning their sugarcane stocks so that they can cultivate other crops. There is a

saying "Uttam kheti, Madhyam ban, nikhad chakri, Bhikh nidan" but now a days it is just the opposite now service is at number one, business is at 2 begging at 3 and farming at number 4. Government can take two steps. Hon'ble Minister is present in the House. He can discuss this matter in cabinet and decide that they would buy sugar at the rate of Rs. 1250 and export it at the rate of Rs.900 and the loss will be compensated by Government. It is necessary to fix the rate of ethanol. If we want to increase the rate of sugarcane then the rate of ethanol should be increased to Rs. 15-16 per liter. If these two steps would be taken by the Government then there will a drastic change in situation.

SHRI RAVI PRAKASH VERMA : Mr. Speaker, Sir, the condition of sugarcane growers is not only worse in Uttar Pradesh but also in the whole country. In my constituency too, a Sikh sugarcane grower has committed suicide due to non payment of dues for sugarcane stock. The most important thing is this that the cooperative mills of sugar are not in good running condition. The Government had issued an ordinance that time but the court had not given decision but after the decision of the court the Government has withdrawn the ordinance. On the one hand the hon'ble Prime Minister had appealed that cereals crops should not be sown but on the other hand there is a neglected attitude for growing sugarcane. Today the farmers are ruined absolutely. I am unable to understand what the Government want. Does it want to ruin them?

[English]

SHRI S.S. PALANIMANICKAM (Thanjavur) : The issue raised by the former Prime Minister is a very serious issue concerning the sugarcane growing farmers throughout the country. Every year, immediately after the Central Government announces the price for sugarcane, all the State Governments also announce additionally what is called 'support price'. This price is not a regulated price for the farmers. But, somehow farmers are happy with the support price announced by the State Governments.

This year, most of the State Governments, particularly our State, are not prepared to announce the support price. Moreover, mill owners have forced the sugarcane growers to pay the transport cost themselves. Therefore,

the hon. Minister should immediately call a meeting of the State Ministers to find out a solution to this situation. If the States are not in a position to announce the support price, the Central Government must revise the sugarcane price again and satisfy the sugarcane growers...
(Interruptions)

[Translation]

KUNWAR AKHILESH SINGH : Mr. Speaker, Sir, this problem has arisen due to pressure from WTO. I should be given permission to express my views...(Interruptions)

MR. SPEAKER : If you want a reply from the hon'ble Minister: then we would have to conclude discussion. If all of you want to speak then the hon'ble Minister would not be able to give reply and I will adjourn the House for lunch. So the House will not get any reply from the hon'ble Minister.

(Interruptions)

MR. SPEAKER : I am giving permission to Shri Chandrashekhar. If you cooperate, I agree to give him the chance to speak.

(Interruptions)

SHRI HARIBHAU SHANKAR MAHALE (Malegaon) : Mr. Speaker, Sir, the former Prime Minister Shri Devegowda ji has raised a question about sugarcane growers. I would like to associate myself with him we should raise the sugarcane stock by 20% and the price of 1 quintle of sugarcane should be fixed at Rs. 100. Subsidy should be granted to farmers so that sugarcane production is increased and export is there and sugar should not be imported.

SHRI CHANDRA SHEKHAR (Ballia, U.P.) Mr. Speaker, Sir, I associate myself with the concern expressed by Shri Devegowda and Shri Sharad Pawar, but this concern should have been expressed at the time when agriculture was being discussed in WTO. It seems ridiculous to request the Government at this juncture to intervene when we are talking of free trade it is a matter of concern because too much liberty was taken at that time in this respect. I wonder how our friend Mr. Katiyar will get

[Shri Chandershekhar]

them a price of Rs.95 Misleading the country by giving false assurances will not lead to any meaningful discussion and it will not be a good thing.

[English]

SHRI P.H. PANDIAN (Tirunelveli) : Sir, I would like to say something on this issue...(Interruptions)

MR. SPEAKER : You may make only one point and sit down.

(Interruptions)

SHRI P.H. PANDIAN : Sir, on behalf of AIADMK...

MR. SPEAKER : Everybody knows that. You speak now.

SHRI P.H. PANDIAN : I associate with the sentiments and views expressed by the hon. Member. This is not the situation of sugarcane farmers in one State alone. An all-India policy has to be evolved at this juncture. The minimum support price should be there from the Central Government. All States Governments are in a financial crunch. To support the sugarcane farmers and to encourage them to cultivate sugarcane, it is upto the Central Government to come to the rescue of all the State Governments now and encourage the sugarcane growers. As said by Shri Chandra Shekhar, these views have not been discussed at the time of signing the WTO Agreement.

SHRI CHANDRA SHEKHAR : It was discussed but it was not heard.

SHRI P.H. PANDIAN : There was no discussion in this House.

MR. SPEAKER : I permitted you to make only one point.

SHRI P.H. PANDIAN : Lakhs and lakhs of sugarcane farmers are involved in this issue. So, let there be a discussion on the floor of Lok Sabha.

[Translation]

THE MINISTER OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI SHARAD YADAV) : Mr.

Speaker, Sir, Shri Devegowda has expressed his concern on the matter and I think it is justified. We are concentrating with our full energy on this issue for the last one month and we are working accordingly. Shri Sharad Pawar ji is also aware of this and he had met me several times in this regard.

I have talked to organisations of cooperative Sugar Mills and Sugar Industries. This matter is discussed again and again for the last many years and there is a emphasis on this point for the last two or three months. There is a crisis in sugar industry. To solve it as Shri Shivraj Singh said that we should have short-term and long term policies. We are fully engaged in this work. Shri Devegowda has raised a question, for the farmers of Western Uttar Pradesh, farmers have raised agitation no doubt it is a concern for the whole country. In our country there is a crisis in the sugar industry. So there is a discussion in the whole country how to settle arrears of sugar growing farmers.

Mr. Speaker, Sir, through you I would like to inform the House that there is a arrear of about 533 crores of previous year and if we add it in the current year's arrears then it will go up to more then double. Last year it was 4% and this year it has become 8.3%. Our capacity of buffer stock has become 20 lakhs tonnes. It had never more than 5 lakh tonnes. There had been some dispute over this matter and with great difficulty we raised this stock. Shri Devegowda has raised some question that is different problem. The total arrears for farmers is Rs.412 crores and for it there would be a bank credit of Rs.376 crore. Thus farmers would get a relief of Rs. 788 crores. For 1996-97 the stock of 3 lakh tonnes new it has become 5 lakh tonne in buffer stock in time of three years. Last year, farmers have been given relief.

As far as minimum support price is concerned, C.A.P.C. in Ministry of Agriculture decides the price. In Uttar Pradesh it is about Rs.69 to Rs.81. There is a different price in different States. The minimum support price of le y sugar is fixed by CAPC now the situation is very different. We have also decontrolled sugar. We are in touch with the Uttar Pradesh State Government. I am confident that we would be able to solve this issue latest by 30 November.

It is not so that mills are not running. 44 mills are running. In respect of other closed mills we have had a meeting with their MDs on 13th and 15th November. In this connection, I fully appreciate the concern of the House. There had been some hurdles due to the decision of the Allahabad High Court, but even then we would be able to settle this issue. Rabi crop is ready for harvesting and if this matter is not sorted out then the Rabi crop will be destroyed. Though there has not been delay on our part and this problem can be solved. We are constantly in touch with Uttar Pradesh Government and am trying to ensure that this problem is solved. Shri Devegowda had expressed his concern and I associate myself with it. I assure you that we would make all out efforts to solve this problem so that all the mills become operational. Shri Sharad Pawar and Shri Shivraj ji have drawn our attention towards this crisis and the problems which we are facing....

13.00 hrs.

There are 540 sugar mills in the country including Uttar Pradesh. Sugar Industry was set up on a large scale but it is in crisis today. ...*(Interruptions)* 44 sugarmills are closed.

SHRI RAJESH RANJAN ALIAS PAPPU YADAV :
Please tell about Bihar.

SHRI SHARAD YADAV : In Bihar, it is totally closed.

KUNWAR AKHILESH SINGH : In Uttar Pradesh too, sugar mills are fully closed...*(Interruptions)*

SHRI SHARAD YADAV : It is the joint responsibility of both. We have SDF fund. Both the Governments would have to solve the issue of the sugar mills, we can lend some help. But both the Governments must cooperate. I am not levelling charges on anyone. Through you, I would like to submit that the concern expressed by Shri Devegowda and his colleagues is justified and we associate ourselves with them and whatever we can do we will do. At the moment we are facing crisis. The need of the hour is to evolve a long term policy. We will bring a proposal in this regard and then discussion could be held over it in the House....*(Interruptions)*

[English]

MR. SPEAKER : No more questions and answers are allowed now. Please take your seat.

(Interruptions)

SHRI SOMNATH CHATTERJEE : Sir, the hon. Minister's response is nothing but to hoodwink the farmers. We oppose this and in protest, we walk out.

13.01 hrs.

At this stage, Shri Somnath Chatterjee and some other hon. Members left the House.

[Translation]

KUNWAR AKHILESH SINGH : Mr. Speaker, 'Sir, the Union Government has provided UTI around Rs. 400 crore and it is not providing assistance to sugarcane farmers. Therefore, our party in support of farmers and against the Government stages walk out from the House...*(Interruptions)*

13.01½ hrs.

At this stage, stage Kunwar Akhilesh Singh and some other hon. Members left the House.

MR. SPEAKER : Sharad Pawarji, you sit down please.

SHRI VINAY KATIYAR : The farmers of Uttar Pradesh have got maximum assistance, while the farmers of Maharashtra have not got it...*(Interruptions)*

[English]

SHRI H.D. DEVE GOWDA : I am thankful to the hon. Speaker for having permitted me to raise this issue during the 'Zero Hour'. Though the hon. Minister has tried to convince us, this assurance is not going to help ...*(Interruptions)* Instead of crushing the sugarcane, they are going to crush the farmers. Of course, the hon. Minister has tried his best but unfortunately the State Government is not going to help him. This is my opinion. The State Government is not going to cooperate with him. Though the hon. Minister is very much concerned with the problem, he is not in a position to give anything. so, in protest, I walk out.

13.02 hrs.

At this stage, Shri H.D. Deve Gowda left the House.

[Translation]

SHRI PRIYA RANJAN DASMUNSI (Raiganj) : Mr. Speaker, Sir, the reply given by hon. Minister is not satisfactory, therefore, our party stages walk out from the House.

13.02½ hrs.

At this stage, Shri Priya Ranjan Dasmunsi and some other hon. Members left the House.

SHRI SHIVRAJ SINGH CHOUHAN : Mr. Speaker, Sir, these people are politicising the issue...*(Interruptions)*

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE AND COMPANY AFFAIRS (SHRI ANANT GANGARAM GEETE) : Mr. Speaker, Sir, you conduct the discussion...*(Interruptions)* During 'Zero Hour' you permitted all sections of the House to speak regarding sugar and farmers. The hon. Minister has delivered a statement regarding the steps to be taken in the matter. Are they really worried about farmers or they are concerned with politicising the issue. It is not proper to stage walk out from the House after the discussion over it has already been held...*(Interruptions)*

MR. SPEAKER : You are now the Minister. If the Minister also speaks, how we can manage the things.

SHRI ANANT GANGARAM GEETE : It is not proper to raise the issue time and again.

SHRI VINAY KATIYAR : All this has happened due to Shri Deve Gowda ji. He was the Chief Minister of the State, he was the P.M. of the country, at that time the exploitation of farmers took place. He imported foodgrains and sugar, due to it this problem has occurred...*(Interruptions)* He is totally responsible for it...*(Interruptions)*

MR. SPEAKER : Other issues are also before the House, the House is not run on a single issue. Other

Members have requested to raise those issues. I am calling Shri Shivraj Singh Chouhan.

[Translation]

SHRI SHIVRAJ SINGH CHOUHAN (Vidisha) : Mr. Speaker, Sir, Madhya Pradesh is passing through the grave crisis at present. 72 persons have died of hunger and malnutrition till now in Madhya Pradesh. All those died belonged to Scheduled Castes and Scheduled Tribes. Due to inefficiency of Madhya Pradesh Government, the amount given by the Union Government is not reaching the victims.

The Government there have compounded the situation of electricity there. The load-shedding is frequently taking place in Madhya Pradesh now. Instead of electricity, electricity bills are sent. Madhya Pradesh Electricity Board is steeped in corruption. Many farmers of Madhya Pradesh have deposited money for electricity connection for the last 3-4 years, have got the wells dug have taken loans from the banks, but could not get connection. Their loans have accumulated so much that the farmers are attempting suicides. In the Chindwada district of Madhya Pradesh, a farmer of Linga town named Kishan committed suicide in the office of the Madhya Pradesh Electricity Division by consuming poison due to not getting electricity connection.

Mr. Speaker, Sir the situation in Madhya Pradesh is getting from bad to worse. Therefore, through you, I want to demand from the Government of India that the people of Madhya Pradesh may not be left at the mercy of the Government of Madhya Pradesh, the Government must arrange the effective compensation to deal with the situation of drought, and effectively intervene to provide relief to Madhya Pradesh to overcome the electricity crisis.

[English]

MR. SPEAKER : Shri Prahlad Singh Patel may associate with this.

[Translation]

SHRI PRAHLAD SINGH PATEL (Balaghat) : Mr. Speaker, Sir, I want to say that Balaji Ose, a farmer of one

and a half acres committed suicide by consuming poison because of his honesty.

[English]

MR. SPEAKER : Shri Prahlad Sing Patel, you can only associate with this, Please take your seat.

[Translation]

SHRI PRAHLAD SINGH PATEL : He met the Minister of the State Government there. When he died in the office, the employees of electricity circle threw his dead body on the road. I want to say that nothing more unfortunate can take place than committing suicide by consuming poison ...*(Interruptions)*

SHRI SALKHAN MURMU (Mayurbhanj) : Mr. Speaker, Sir, two years have passed since the formation of Jharkhand State and within these two years the tribals and original residents of the State are very sad, their heart is burning, and Jharkhand High court is adding salt to their injury.

Jharkhand State has been carved out on the recommendation and concurrence of the Union Government and with the approval of both the Houses of Parliament. One reason for the constitution of State is that people there may get an opportunity to prosper. About 90% population of Jharkhand lives in villages. But on the twin issues of domicile and reservation, on the one hand there is people. People's representatives and the Government and on the other hand falls the High Court. It is giving decisions repeatedly against the hopes and aspirations of the people there, because of which disquiet prevails throughout Jharkhand. People are sad from the core of their heart. In this situation, we must ponder that if in this way judiciary interferes in the jurisdiction of legislature, peoples aspirations may not be fulfilled always. This very Jharkhand High court recently appointed around 2000 clerks, peons, bench-clerks and around 200 'Munsif' and Magistrates and in these appointments no tribals, dalits or backward caste people were taken. In this way, this high Court has clearly violated the reservation policy.

MR. SPEAKER : Now you sit down please.

SHRI SALKHAN MURMU : I want to submit that till the tribals and original inhabitants are not treated local problem will not solve Jharkhand Government had announced about 73 percent reservation which was curtailed to 50 by the High court while in Tamil Nadu 69% reservation still continue.

At the end, I want to say the Jharkhand High Court is obstructing every decision of the Government on constitutional plea...*(Interruptions)*

MR. SPEAKER : The speech of the Hon. Member may not be recorded now.

*(Interruptions)**

SHRI SALKHAN MURMU : We are not being allowed to speak.

MR. SPEAKER : You should be brief.

[English]

SHRI RUPCHAND PAL (Hoogly) : Mr. Speaker, Sir, while the country needs to strengthen its infrastructure in relation to patents registration and there is an attempt to appropriate our rich bio-diversity as we have seen in the cases of patenting of *Basmati*, *Neem*, *Karela*, etc., now, there is a move to weaken the patent infrastructure in violation of the Patents Act. This move is aimed at weakening the Kolkata Head Office. About 60 posts from the Head Office have already been taken away to branch offices. As per the Patents Act, branch offices have jurisdiction only up to pre-registration of patents. Now post-registration activities are also being given to branch offices.

This is in violation of Section 74(3) of the Indian Patents and Designs Act, 1970. I urge upon the Government that this should not be allowed. This will be disastrous for our country. No attempt should be made to weaken the Head Office at Kolkata.

I urge upon the Government to reply as to what is their thinking about it. They have already held a meeting two days back. This is a disastrous move.

*Not recorded.

[Translation]

SHRI RAM NARESH TRIPATHEE (Seoni) : Mr. Speaker, Sir, since we are sitting behind the Ministers, we do not get a chance to speak. Please give us a change to speak.

Sir, through you, I want to inform the House that the Government of India have announced the support price of paddy which is rupees 530 per quintal but due to corruption and discrepancies and irregularities in rules, farmers are not getting support price for paddy particularly, I would like to say about Madhya Pradesh where farmers are not getting support price for paddy.

Sir, this time FCI has formulated a new rule, this year some special type of gunnybags have been prepared. FCI would procure only these paddy gunnybags. Now it has become very difficult to get these gunnybags. According to the rules, purchase centres would provide gunnybags to farmers and the Government would weight and purchase the paddy which would be filled in these gunnybags.

Sir, a new system of corruption and dishonesty has started through these gunnybags. Farmers have to pay a huge amount of bribe to get these gunnybags from purchase centres. The Government have to pay transportation cost to Department of Transport still bribe is being taken from farmers. In this way, farmers are not getting support price announced by the Government despite paying huge amount of bribe.

Sir, through you, I want to urge upon the Government to remove all discrepancies pervaded in rules and laws and simplify the procedure so that farmers could get support price. I am telling you that farmers are being looted in the name of gunnybags in Madhya Pradesh and are not getting support price for paddy despite paying huge amount of bribe.

SHRI SURESH RAMRAO JADHAV (Parbhani) : Mr. Speaker, Sir, the Government of India have decided to waive of the interest on loans provided by the bank to drought affected farmers and to postpone its recovery but loan and interest is being recovered from them strictly against the Government's decision. The farmers are

already victims of drought but District Cooperative Bank and nationalized banks are strictly recovering loans from farmers.

Mr. Speaker, Sir, our Prime Minister Shri Atal Bihari Vajpayee had given assurance that the recovery of the interest on the loan given to the farmers would be deferred and it would be implemented strictly. In this way he had deferred the recovery of loans and interest thereto from the farmers. Through you, Sir I would like to request that the recovery of loans given to the Farmers in Maharashtra should also be deferred by the banks alongwith the interest there.

[English]

SHRI PRIYA RANJAN DASMUNSI (Raiganj) : Sir, on behalf of the Congress Party, I would like to bring through you, a very important matter to the notice of the Government. I am not bringing forward this issue on my own. I have been advised by my party to do so.

The history of India knows how the Britishers used Andamans as a centre for cruel punishment to our freedom fighters. The Cellular Jail is the witness. Andamans is a sacred place where Netaji Subhas Chandra Bose hoisted the Tricolour. When we witnessed the partition of India followed by several Indo-Pak conflicts, millions of refugees came from the then Pakistan or East Pakistan and settled in this country at various places. A bulk of them settled in the Andaman and Nicobar Islands.

A public interest case to evict the people went to the Supreme Court and Chief Justice Kirpal gave a direction in this regard following which a disastrous situation took place. The people from Tamil Nadu, Chhatisgarh, West Bengal and the erstwhile Bangladesh had settled there for the last so many years. Now they are being evicted in such a manner that in the name of evicting the encroachers, staying for the last 20-25 years on Government land, the Andaman and Nicobar Administration has destroyed thousands and thousands of fruit-bearing trees and have also destroyed the standing paddy crops by deploying the elephants. As a result about 50,000 people are going to be homeless. There is no scheme yet known for their rehabilitation or for compensation. Livelihood on one lakh people, which constitutes 25 per cent of total population, is badly affected.

Andaman and Nicobar Forest Development Corporation having direct and indirect employment of more than 10,000 people is proposed to be closed down.

Sir, the entire situation is so critical that the people who are there from various parts of India are now suffocated.

I would like to submit to you that our distinguished colleague, who had been in this House seven times returned from Andaman and Nicobar Islands, Shri Manoranjan Bhakta, made a petition to the President of India...*(Interruptions)* My appeal to the Government is that let the Government make an appeal to the Supreme Court for a review of the direction. Otherwise the entire Andaman and Nicobar Islands will be destroyed and the people who are homeless, we will not be able to provide them home else where...*(Interruptions)*

MR. SPEAKER : The proposal was that in the evening today at 5.30 p.m. the hon. Home Minister was to give a reply on the Discussion regarding political situation in Uttar Pradesh initiated by Shri Mulayam Singh Yadav. It is proposed by both of them, Shri Mulayam Singh Yadav and the hon. Minister that the reply of the Minister may take place at 2.15 p.m. If the House has no objection, I will convey this to the hon. Minister.

SEVERAL HON. MEMBERS : Yes Sir.

MR. SPEAKER : The House stands adjourned to meet again at 2 p.m.

13.16 hrs.

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

14.06 hrs.

The Lok Sabha re-assembled after Lunch at six minutes past Fourteen of the Clock.

[MR. SPEAKER in the Chair]

MATTERS UNDER RULE 377

[English]

MR. SPEAKER : We shall now take up Matters under Rule 377.

(I) Need to sanction adequate funds for proper maintenance of National Highway No.215, particularly between Panikolli and Rajamunda in Orissa

SHRI ANANTA NAYAK (Keonjhar) : National Highway No.215 from Panikoili to Rajamunda in Orissa is in a very bad condition. Nobody is paying attention to it, despite the fact that it has been declared as a national highway three years ago. Barring a stretch of around 20 kilometres, the entire road and bridges are lying in a dilapidated condition. Unless the road is widened and developed as a National highway, the people will find it very difficult to ply their vehicles. Besides the light motor vehicles, thousands of trucks loaded with minerals and also buses carrying hundreds of passengers are running on that highway. Even the bridges, which we constructed before Independence, are not repaired and renovated till today. Therefore, it is very necessary to develop and upgrade the road as a national highway. Otherwise, there is no point in declaring that road as a national highway.

I request the Central Government to sanction adequate funds for National Highway No.215 so that it is widened, upgraded and developed as a national highway.

(II) Need to Start Conversion Work of Gonda-Bahraich Narrow-Gauge Rail Line into Broad Gauge and Extend It up to Tikonia, Uttar Pradesh

[Translation]

SHRI PADAM SEN CHOUDHRY (Bahraich) : Mr. Speaker, Sir, there is a long standing demand to convert Gonda-Bahraich narrow gauge rail line into broad gauge. But it has not been converted till now. As a result, commuters who travelling from Gonda to Bahraich have to face heavy problems. Various representations have given in this regard. Though its foundation was laid on June 7,2002 and it was assured that this line will soon be converted into broad gauge. But no work has been started till now to convert this line.

I, therefore, request you to start conversion work of Gonda-Bahraich narrow-gauge line into broad-gauge at the earliest and extend it up to Tikonia so as commuters visiting Tikonia are also get its benefit.

(iii) Need to provide financial assistance to the Government of Orissa for construction of roads and bridges with a view to promote tourism at Bhusandeswar, Bhogra Block In Balasore district of Orissa

[English]

SHRI KHARABELA SWAIN (Balasore) : Sir, Bhusandeswar in the Bhogra Block of Balasore district in Orissa is having the biggest Siva Linga in the world. It naturally attracts a number of pilgrims. But unfortunately this being situated in idyllic surroundings, is bereft of road communication. Consequently, except the local pilgrims, none else from outside get the privilege of going there. It has got a great potential for developing as a place of great tourist attraction. The State Government is in no position to finance the construction of roads and bridges to these places. The Central Government should come forward to extend financial help to construct the roads and bridges.

(iv) Need for a rent regulatory law to address the grievances of people affected due to withdrawal of application of East Punjab Urban Rent (Restriction) Act in Union Territory of Chandigarh

SHRI PAWAN KUMAR BANSAL (Chandigarh) : Sir, the notification issued by the Chandigarh Union Territory Administration to withdraw the application of the East Punjab Urban Rent (Restriction) Act from all types of property with monthly rent exceeding Rs.1,500 has resulted in providing a remedy which is worse than the disease. In the changed economic scenario, to attract investment in housing, interest of the investor does call for legal protection but the approach has to be a balanced one which does not create any unsettling effect and provides for some certainty of tenure to the tenants as well.

I urge the Government to immediately withdraw the notification and frame a Rent Regulatory Law to address the issue in a just and fair manner for all.

(v) Need to look into the Problem being faced by People of Kanpur due to shifting of Court cases from Kanpur to Fatehpur, Uttar Pradesh

[Translation]

SHRI SHRIPRAKASH JAISWAL (Kanpur) : Kanpur Court has been shifted to Fatehpur district, which is 80

kilometer from Kanpur, due to dispute between Kanpur city court and local advocates. As a result, 35 lakh citizens of Kanpur are facing many problems. All law suits of the Court, which had more than 60 court rooms, have been shifted into a court of 13 court rooms, which will not only delay the justice but will also deprive people of Kanpur from cheap and accessible justice.

So, I want to request the Union Government to make an arrangement for hearing of all law-suits of Kanpur Court in Kanpur district without any delay.

(vi) Need to drop the proposal to privatise the National Aluminium Company (NALCO) in Orissa

[English]

SHRI K.P. SINGH DEO (Dhenkanal) : Sir, a serious situation has arisen in Orissa out of the Government of India's efforts to privatise the National Aluminium Company, a profit-making public sector undertaking. This PSU has provided direct employment to thousands of people including skilled and unskilled workers. The NALCO which is regarded as pride and prestige of Orissa has been paying dividends to the Government every year since its inception. The Government of India will lose its control over the management once it is privatised.

The people of the entire State of Orissa are very much agitated on the privatisation move of the Government of India. The peace loving State like Orissa has already witnessed a number of demonstrations and strikes in the past couple of months. The situation will further aggravate if any attempt is made to privatise NALCO.

I request the Union Government to drop its bid to privatise the National Aluminium Company.

(vii) Need to set up Plants for Production of Propylene and Paraxillyne at Haldia, Kolkata

SHRI LAKSHMAN SETH (Tamluk) : Sir, the Indian Oil Corporation is planning to lay pipeline for transportation of crude from Paradip to Haldia. This will deal a heavy blow to the existence of the Haldia Dock Complex of the Kolkata Port Trust. Three oil jetties including various facilities have been developed by the Kolkata Port Trust with a huge investment. All the oil jetties and other infrastructural facilities will be idle if the said pipeline is installed by the

IOC. Haldia port being a riverine port is suffering from siltation in navigational channel which causes cost of transportation of crude by ship.

In order to reduce the cost, the Kolkata Port Trust has proposed to install floating storage operation at Sandhead confluence of Bay of Bengal. Haldia Petrochemicals imports propylene for production of polypropylene. HPL has proposed to IOC to install plants for production of propylene and paraxylene at Haldia.

Therefore, I would request the hon. Minister of Petroleum and Natural Gas and the hon. Prime Minister to take up this matter with the IOC so that the projects can be put at Haldia for the benefit of Haldia in particular and the country in general.

(viii) Need for Construction of a Bridge on River Ghaghra at Vidhar Ghat, Uttar Pradesh

[Translation]

SHRI BHAL CHANDRA YADAV (Khalilabad) : Mr. Speaker, Sir, through you while drawing the attention of the House I submit that Southern part of my Lok Sabha constituency touches main road of Gorakhpur, Aajamgarh and Ambedkar districts in east which goes straight to Lumbani, the city of Lord Budha via Varansi, Jaunpur. But as there is no bridge on river Ghaghra at Vidhar Ghat, people have to travel hundreds of kilometres extra if they have to reach Badhalganj in east or Ayodhya in west, so local public as well as people of Mau Aajamgarh, Ambedkar nagar district are also demanding over years to construct a bridge there. So, I request the Government to issue order to construct a bridge on river Ghaghra at Vidhar Ghat in public interest for connecting Lumbani, the city of Lord Budha directly to Varanasi.

14.16 hrs.

DISCUSSION UNDER RULE 193

Recent political developments in the State of Uttar Pradesh

[English]

MR. SPEAKER : Matters under Rule 377 is over. Now, the hon. Deputy Prime Minister will reply to discussion which took place on the 26th November, 2002.

[Translation]

THE DEPUTY PRIME MINISTER AND INCHARGE OF THE MINISTRY OF HOME AFFAIRS (SHRI L.K. ADVANI): Mr. Speaker, Sir, Shri Mulayam Singhji had started a discussion regarding political developments in Uttar Pradesh in which various members from different constituencies of Uttar Pradesh had participated. Some leaders of other leading parties had also participated in the discussion but I would definitely point out that the members of Uttar Pradesh, whether they were from the ruling party or from the opposition, party devoted more time going into the merits and demerits of the State Government. Some Members had even mentioned the political history of the State Generally when we discuss about the State in the Parliament, Particularly about those States which are not under President's rule or where there is an elected and a well-established Legislative Assembly, we do not go into merits and demerits of those Government. We do not discuss about the functioning of those Governments. I heard discussion on that day for quite some time. Though I did not hear the full discussion yet whatever I gathered from the discussion was that members of opposition were trying to prove that the Government there is not properly functioning and Members of our party were trying to score point by saying that Government is doing a good job. The Parliament can discuss the constitution, It can discuss that such and such provision of Constitution is being violated, that certain traditions of Constitution are being ignored. We should be more concerned about this aspect and from both the sides Members did mention it. Our Minister of State in the Ministry of Law and Justice has also spoken about it. While giving the reply I would restrain myself to constitutional aspect only. I would not dwell upon the performance of the Government. Mulayam Singh ji has said that people of Bhartiya Janta Party are worried as such and such action is affecting their credibility. It seems to me as he was expressing my concern.

I have also spoken on that issue publicaly. It is not that I have not spoken. I am not talking about present Government. I had also spoken regarding our Government which had been formed earlier. But Parliament is not the right forum for that. The cause of my concern is that the

[Shri L.K. Advani]

Governor was criticised in the context of constitution. I was then certainly worried because the Governor is not only a great man but he is an authentic person. But I also know that he is following the constitution with established norms. He is not at fault till now. But I would like to say one more thing here in the House that several members said that he should be given directives for performing his duties. It should be remembered that no pronouncement of Supreme court till now has authorised Union Government to direct a Governor. Directives should not be given. How can I see the Governor that what is going on is not right. But if he asks my views then it is another thing. So far I have understood the constitution and pronouncements of Supreme Court, I think the Government have no power to direct in a particular style. To give him directive because he is from my party is not good.

In the context of Uttar Pradesh elections were held on 14, 18 and 21 February, 2002, the situation that developed after election is known to everyone. No party has got majority. The Samajwadi Party became the largest party and a coalition could not be made to form majority. There was no hurry in it. The Governor gave chance to every one and asked them to do what they could when he came to a conclusion that majority is not going to be achieved and there such a situation arose. Each important party wanted to keep other party out of power. The Samajwadi Party was that major party but the BJP has been for many years and the earlier Government was also ours. Some time the BSP was also in power. The Congress Party has been in the main opposition at the national level and despite it having lost its hold in Uttar Pradesh to some extent it is still a major party. Each one has allergy against other and every party was protesting others and nobody wanted to see other party in power. Therefore for some time there was no Government. All tried but failed. I don't blame him and the words he has used. In his recommendation the Governor said;

[English]

"From the above it is clear that neither any Party nor any coalition is in a position to form and run a stable Government in Uttar Pradesh.

[Translation]

Therefore, he recommended it.

[English]

"Since no Party is in a majority nor any coalition with majority support has so far emerged which can provide a stable Government nor the list of MLAs supporting the Samajwadi Party has been furnished....."

[Translation]

You did not furnish a list.

[English]

"...it is clear that no political party or coalition has been able to demonstrate that they have *prima facie* majority support to form a stable Government. Thus I am of the view that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution. In view of the fact that no Party or coalition is in a position to form the Government for the time being I recommend that the Legislative Assembly may, for the present, remain in suspended animation."

[Translation]

His Proposal was accepted by both the Houses and both Houses gave their nod to keep it in suspended animation in the hope that some parties may form a coalition. May be that the Congress Party form the Government with Samajwadi party or the Samajwadi Party and the BJP or the BJP and the Congress Party could form a Government ...(Interruptions)

SHRI SHRIPRAKASH JAISWAL (Kanpur) : The B.J.P. and Congress Party cannot form a Government in coalition please don't say so...(Interruptions). The BJP and the Congress Party never formed a coalition Government and never expect such a coalition in future....(Interruptions)

SHRI L.K. ADVANI : I have seen ups and downs of politics since 1952 and I have learnt from that experience ...(Interruptions) Today the Communist Party and or that

BJP are ideologically different but in the past we also worked together in the Government and I still remember the reasons...(Interruptions)

SHRI BASU DEB ACHARIA (Bankura) : We support from outside ...(Interruptions)

[English]

SHRI L.K. ADVANI : I am not yielding...(Interruptions)

[Translation]

KUNWAR AKHILESH SINGH (Maharajganj, U.P.) : When the national leadership of the country was behind the bars then the Janata Party was formed on the formula of Dr. Lohia...(Interruptions). All came closer then...(Interruptions)

[English]

SHRI SOMNATH CHATERJEE (Bolpur) : Shri Advani, Shri Vajpayee and I had the great privilege of being in the same company attending the Prime Minister's... (Interruptions)

SHRI L.K. ADVANI Not merely the same company.

SHRI SOMNATH CHATTERJEE : We used to support them from outside.

SHRI L.K. ADVANI : Shri Somnath Chaterjee, you are forgetting that we have been together in the Bihar Government. do not forget it. ...(Interruptions)

[Translation]

That is why I say. I recall 1952...(Interruptions) I can say that the Congress Party was not in such a position twenty years ago as it is today. It has reached this position slowly and slowly. So they will understand gradually. Our patterns of today were not ready to touch us even with a bargepole some ten years ago. I say it to you so that there is no ego in anybody. This political untouchability is a every wrong things. Somnathji I remember we had a conference in 1967 in Calicut after the formation of Bihar Government. The Bihar Government was formed and the CPI(M) was a partner in it...(Interruptions)

SHRI BASU DEB ACHARIA : It was CPI and not we...(Interruptions)

SHRI L.K. ADVANI : It was CPI and it is also a Marxist Party.

SHRI BASU DEB ACHARIA : Please say CPI, not CPI (M).

[English]

SHRI L.K. ADVANI : I do not know about...(Interruptions)

[Translation]

Both of you were united earlier. Had there been no rift between Russia and China, you would have not been divided into two parts...(Interruptions)

[English]

SHRI SOMNATH CHATTERJEE : You are so articulate. You are such a great Student of History. Therefore, you should not make such mistakes. We are ractifying your mistakes. CPI was there. I am not denying that. But CPI(M) had separated by then.

SHRI L.K. ADVANI : I did not use the word CPI(M); I simply said

[Translation]

CPI(M) is also a Marxist Party. Now their strength has reduced. You have divorced it, swallowed it. It is a different thing. But practically it is also a Marxist party.

[English]

Sir, that is not the issue, the issue at the moment is...(Interruptions)

[Translation]

SHRI RAGHUNATH JHA (Gopalganj) : Advanijee, please say about Calicut...(Interruptions)

You were saying what happened in Calicut.

SHRI L.K. ADVANI : We were criticised at Calicut that how did we join hands with C.P.I. and sat in treasury

[Shri L.K. Advani]

benches, Pandit Deen Dayal Upadhyay was our president at that time. The speech he delivered was very important in my view. He said "the irony with India that untouchability in India's considered very bad but in political arena if untouchability is not followed it is considered bad. Today, allegation are made against us as to how we joined hands with Marxists and running the Government. This same allegation is on other people as to how they joined hands with the Janasangh. I will tell my people never to follow untouchability in political fields." Further he said "You have got mandate against the Congress Party in Bihar and owing to this both, you and Marxist are in power. You should not feel ashamed for this. This incident is of 1957.

SHRI PRIYA RANJAN DASMUNSI (Raiganj) : Establish this theory again.

[English]

SHRI L.K. ADVANI : Yours will be the first party to join hands with me.

[Translation]

SHRI PRIYA RANJAN DASMUNSI : The Congress Party is against untouchability but it has struggled against communalism from the very beginning. The day you are free from the clutches of the V.H.P. we will consider... (Interruptions) Shri L.K. Advani. The Congress Party can compromise with the Muslim League, but not with BJP...(Interruptions) The manifesto you have issued in Mizoram...(Interruptions)

SHRI L.K. ADVANI : Congress can tie-up with Muslim league but not with the BJP. ...(Interruptions) Election Manifesto issued by you in Mizoram...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : The Congress party sent several people.

(Interruptions)

SHRI L.K. ADVANI : Many people will come. The relevant points are provisions of the Constitution and decisions of the Supreme Court. Judgement on Bommai

is relevant. The Government had constituted the Sarkaria Commission on Centre-State relations. It has given its recommendations. The Government considered some of its recommendations and the Inter-State Council accepted certain recommendations. On the basis of these three things we have to see whether there has been any mistake in Uttar Pradesh case. Some MPs and Hon'ble Mulayam Singh ji said time and again that if there is any illusion then according to Bommai judgement, Government should call back the Governor. What does Bommai judgement say. It gives clarification as to when floor test should be done? Whosoever has considered on it, has said that Governor should never take this decision, but decision should be on the floor. When Hon'ble Mayawati's Government came to power, the Governor asked her to prove majority in three weeks. The BJP, Ajit Singhji's Party and some other parties have given her support. She had proved. After that it was in her mind in the normal course that to convene the session before six months. In the first session Mayawati ji had to prove majority. After that budget was passed in the second session. After that this situation was created. She was in a dilemma whether floor test should be done once again or not. What has been said in Bommai Judgement.

[English]

"The floor test may be one consideration which the Governor may keep in view but whether or not to resort to it would depend on the prevailing situation."

SHRI BASU DEB ACHARIA : What is the prevailing situation?

SHRI L.K. ADVANI : The prevailing situation is before the Governor.

[Translation]

Hon'ble Somnath ji, Advaniji and Mulayam Singhji can not take a decision on the prevailing situation.

SHRI SHRIPRAKASH JAISWAL : The House can do.

SHRI L.K. ADVANI : The House can do, but who will decide whether there is a need to do floor test or not.

SHRI SHRIPRAKASH JAISWAL : The Governor.

SHRI L.K. ADVANI : Yes, Governor will do.

[English]

SHRI SOMNATH CHATTERJEE : Will the Governor sit with a calculator and make calculations on a day to day basis?...*(Interruptions)* [Translation] Today two Members defected and yesterday three Members had defected.

[English]

SHRI L.K. ADVANI : No, he will not.

SHRI SOMNATH CHATTERJEE : That is what he is doing. [Translation] Now seven Members have defected and at present there are 210 Members in the party.

[English]

SHRI L.K. ADVANI : No, He has not done so.

SHRI SOMNATH CHATTERJEE : Is this the way a Governor should behave?...*(Interruptions)*

[Translation]

What is this,

KUNWAR AKHILESH SINGH : The Governor made his position suspicious by making such a statement.

[English]

SHRI L.K. ADVANI : No. He will not do it. He will merely say.

[Translation]

The Centre-State Relation Commission has said that if you have convincing evidence that they are no more in majority then you do, otherwise in six months...*(Interruptions)*

SHRI BASU DEB ACHARIA : Your election is not convincing.

SHRI L.K. ADVANI : Yes, in the use of the word convincing there is no doubt in that...*(Interruptions)*

SHRI SHRIPRAKASH JAISWAL : How many votes did, the BJP candidate receive in Council by-election?

Hon'ble Home Minister, there can be no bigger proof than this.

SHRI L.K. ADVANI : Unfortunately everybody knows what happened in Rajya Sabha and Council election in Uttar Pradesh Why people do cross voting. This is the reason for which our Government brought a Bill for open ballots instead of secret ballots in Rajya Sabha and Council elections. They had to bring forward this motion. The Congress Party had also said that they agree. Although the CPI(M) did not agree. I know and that is why it has not been passed till date.

SHRI SHRIPRAKASH JAISWAL : Even today the Congress Party agrees, you get it passed.

SHRI MULAYAM SINGH YADAV (Sambhal) : You get it passed, there should be open ballot.

SHRI SHRIPRAKASH JAISWAL : You may please bring, there should be open ballot for this.

SHRI L.K. ADVANI : We will bring. Now it is with the Standing Committee. I will bring forward a bill here as it returns from Standing Committee. This is the recommendation of the Sarkaria Commission.

[English]

"If during the period when the Assembly remains prorogued and the Governor receives reliable evidence that the Council of Ministers has lost its majority..."

[Translation]

KUNWAR AKHILESH SINGH : The BJP and the Bahujan Samaj Party have filed a petition before the Vidhan Sabha Speaker to terminate the Membership of 11 Assembly Members. After that, Government themselves come to minority. Because this is the statement of BJP and Bahujan Samaj Party, not ours, that they do not have the support of these 11 MLAs, they have lost their support.

[English]

MR. SPEAKER : You cannot disturb the Minister from time to time. Every minute if you try to disturb the Minister, I cannot permit that.

Mr. Minister, you can continue your speech.

[Translation]

SHRI L.K. ADVANI : Had you not made a claim that even without Congress Party support there were 204 MLAs with you. Your position would not become that bad.

SHRI MULAYAM SINGH YADAV : The Congress Party has written. It is a different thing if the Congress Party boycotts and says that they do not support. The name of the Congress Party is also in the list of 204 people. The number of the MLAs of the Congress Party is included. The Congress Party has not refuted this till date.

SHRI L.K. ADVANI : This is their fault. Do not blame the Governor, do not blame us, if you want to put the blame then blame the Congress Party. So far the situation prevailing there is concerned the Governor has the full right to say on that basis that the recommendations...
(Interruptions)

SHRI MULAYAM SINGH YADAV : The Governor himself asked for the list. Not only once but several times the Governor himself told our colleagues to provide list. It is true that we had also tested the Congress Party and included 23 Congress Party Members and as such I gave the list of 204 people in total. The Congress Party has not yet contradicted this till date that they do not accept that the number of MLAs comes to 204. The Congress Party is present here, let them say that they do not agree.

SHRI PRIYA RANJAN DASMUNSI : You make arrangements to convene the assembly session. The truth will come to the fore.

SHRI L.K. ADVANI : I will not do that arrangement. The Governor will do that arrangement. Even you do not have the right to do so.

SHRI SHRIPRAKASH JAISWAL : You can advise the Hon'ble President. Hon'ble President can direct the Governor. It can be done. Your saying means that you are advising the Hon'ble President.

The Hon'ble President will direct him. This is the meaning.

DR. VIJAY KUMAR MALHOTRA (South Delhi) : This is absolutely wrong to give advice to the Governor.

MR. SPEAKER : Sir, I know and the Hon'ble Minister has told in the beginning.

[English]

SHRI L.K. ADVANI : The Supreme Court had said in the Bommai Judgement.

"It is not possible to formulate or comprehend a set of rules for the exercise of this power by the Governor to conduct a floor test. The Governor should be left free to deal with the situation according to his best judgement..."

Not the judgement of the Home Minister, No.

"...according to his best judgement, keeping in view the Constitution and the conventions of the Parliamentary system of Government."

These are the specific words of the Supreme Court. Whether it is the Supreme Court judgement on Bommai, or whether it is the Sarkaria Commission in respect of Centre-State relations, or whether it is the provision of the Constitution, [Translation] Everybody knows about the provisions of article 174 of the constitution that it should be done within six months but there is another provision under article 163. [English] 163 which is also important. It says:

"If any question arises whether any matter is, or is not, a matter as respects which the Governor is, by or under this Constitution, required to act in his discretion, the decision of the Governor shall not be called in question on the ground that he ought or ought not to have acted in his discretion."

This is one matter in which it is entirely his discretion whether to direct the Chief Minister or not. Therefore, I feel that the Governor has conducted himself according to the best traditions of the Constitution and norms. Therefore, nothing wrong has been done.

[Translation]

SHRI MULAYAM SINGH YADAV : One point has been left out. The list of 204 people included the Congress Party, the leader of Congress Party had gone to the Governor to convene Assembly Session. He had pleaded with the Government that this Government was in minority. There after the Samajwadi Party and Kalyan Singh's party, Rashtriya Kranti Party and apart from that...
(Interruptions)

MR. SPEAKER : Shri Mulayam Singh ji, now the discussion is going to be over.

SHRI MULAYAM SINGH YADAV : This fact should come before the country. 204 people together have made a demand...(Interruptions)

SHRI SHRIPRAKASH JAISWAL We are fully dissatisfied with the statement of the Hon'ble Home Minister...(Interruptions)

SHRI MULAYAM SINGH YADAV : 204 Members have demanded that this Government is in minority and Hon'ble Governor has the list that 204 people have demanded to convene the Assembly Session...(Interruptions)

[English]

MR. SPEAKER : I will have to go to the next item of business. This next item on the Agenda is Item No.15. Shri Basu Deb Acharia.

(Interruptions)

[Translation]

MR. SPEAKER : I am concluding the discussion.

SHRI MULAYAM SINGH YADAV : If you say that the Governor will act arbitrarily and, if you stick to this, then we assume it to be baseless and false and we have fully understood that there is full pressure of the Central Government that the Governor should not convene the Assembly Session. That is why we boycott the House in protest.

14.42 hrs.

(At this Stage Mulayam Singh Yadav and some other hon. Members left the House)

(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : Sir, the Home Minister has deliberately avoided to reply as to what, according to him as Home Minister, should have been done there. He refused to come out with a reply. Therefore, we walk out.

14.43 hrs.

At this stage, Shri Priya Ranjan Dasmunsi and some other hon. Members left the House.

MR. SPEAKER : Shri Acharia, please carry on.

SHRI SOMNATH CHATTERJEE : Sir, why did the hon. Governor ask Kumari Mayavati to have her majority tested on the floor of the House? Even after calling her to form the Government, he wanted her to prove her majority on the floor of the House because he wanted to be certain ...
(Interruptions)

MR. SPEAKER : This debate is over, Somnathji. If Shri Acharia does not want to move his Resolution, the next name is that of Shri Ramji Lal Suman.

SHRI BASU DEB ACHARIA : I am moving, Sir.

SHRI SOMNATH CHATTERJEE : Sir, after all these things have happened - openly the Members have said that they are not supporting this Government, the Congress party has also informed the Governor - why not another opportunity be given? If the Government has the majority, they will prove it. Therefore, it is clear that the Central Government is misusing the provisions of the Constitution of India and we are totally opposed to this. In protest of this, we walk out.

14.44 hrs.

At this stage, Shri Somnath Chatterjee and some other hon. Members left the House.

MR. SPEAKER : Hereafter, nothing from the previous debate will go on record.

*(Interruptions)**

14.44 hrs.

At this stage Shri Shriprakash Jaiswal and some other hon. Members left the House.

14.44-½ hrs.

STATUTORY RESOLUTION RE: DISAPPROVAL OF UNIT TRUST OF INDIA (TRANSFER OF UNDERTAKING AND REPEAL) ORDINANCE AND UNIT TRUST OF INDIA (TRANSFER OF UNDERTAKING AND REPEAL) BILL

SHRI BASU DEB ACHARIA (Bankura) : I beg to move:

"That this House disapproves of the Unit Trust of India (transfer of Undertaking and Repeal) Ordinance, 2002 (No.5 of 2002 promulgated by the President on 29 October, 2002."

THE MINISTER OF FINANCE AND COMPANY AFFAIRS (SHRI JASWANT SINGH) : I beg to move :"

"That the Bill to provide for the transfer and vesting of the undertaking (excluding the specified undertaking) of the Unit Trust of India to the specified company to be formed and registered under the Companies Act, 1956, and the transfer and vesting of the specified undertaking of the Unit Trust of India in the Administrator and for matters connected therewith or incidental thereto and also to repeal the Unit Trust of India Act, 1963, be taken into consideration".

14.45 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

SHRI BASU DEB ACHARIA : Sir, this is the fourth

*Not recorded.

**Moved with the recommendation of the President.

Ordinance which had been promulgated by the Government during the inter-Session period. On restructuring of the Unit Trust of India, this Ordinance was promulgated on 29th October, 2002. The summons were issued on 31st October, 2002. Just two days before the summons for convening the House were issued, this Ordinance was promulgated.

The same wrong practice is being adopted by the Government and one after another Ordinances are being promulgated. There was no urgency as such to promulgate this Ordinance just on the eve of the Session.

Sir, as everybody is aware, yesterday also I referred to a number of observations made by a number of former Speakers in regard to promulgation of Ordinances, particularly, on the eve of the Session. There have been observations by former Speakers starting from Shri Mavalankar that the Government should not resort to promulgation of Ordinances, and Ordinances should not be promulgated just on the eve of the Session. But this Government has promulgated five Ordinances during the inter-Session period.

I think, this Ordinance was not at all urgent. We know the problems being faced by the Unit Trust of India. It is the problem of redemption. We discussed it on the floor of this very House when UTI's US-64 Scheme crashed. There was a huge investment and wrong investment by the former Chairman of UTI who was later on arrested. A Joint Parliamentary Committee is also inquiring into the causes as to how that happened.

Before that, the Deepak Parekh Committee in 1988, which was appointed by the Government of India, gave certain recommendations. If those recommendations were implemented in time, such things would not have happened. But we have seen that how in the year 2000 the US-64 Scheme crashed.

Now, in order to restructure the UTI, the Government is splitting UTI into two units – Unit-I and Unit-II. What is the purpose behind it?

Why Unit Trust of India is being bifurcated into two units? One Unit, that is unit-I, will be exclusively under the control of the Government and Unit-II will be left to the

financial institutions, Life Insurance Corporation or other institutions, Thus, this is a step towards privatisation.

The Minister has not clearly stated here the necessity to restructure the UTI. While giving reasons for promulgation of Ordinance, it had been stated that over a period of time, certain weaknesses had crept into the UTI. Some of these weaknesses were, high dividend, sale and repurchase price of units unrelated to the actual earnings, and other shortcomings of UTI working which led to fall of net asset value. There was a reduction in the net asset value of the units. The inherent weaknesses coupled with problems of the capital market in March, 2001 resulted in US-64 scheme facing substantial redemption during the months of April, 2001 and May, 2001 forcing temporarily suspension of sale and repurchase of US-64 scheme for a period of six months up to 31st December, 2001 and subsequently limited repurchase facility was allowed. In the interest of investors, the Central Government, in December, 2001, decided to meet the differences between administered repurchase prices and NAV.

The main intention behind bringing this Bill was to restrict the liability of the Central Government. I view of the urgency to restrict the liability of the Central Government and to bifurcate UTI to run UTI-I, called specific undertaking, by an administrator appointed by the Central Government, it has proposed to repeal the UTI Act, 1963 through an Ordinance. Along with restructuring of UTI, by bifurcating UTI into two units, the UTI Act of 1963 is also being repealed. If the Unit Trust Act is repealed, then the objects for which the Unit Trust of India was formed will also go haywire. The objects of UTI have nowhere been stated in the Bill. Since the existing Act is now being repealed, there lies the real intention of the Government.

It has also been stated that the transfer, vesting of initial capital of UTI to the Central Government and refund of the initial capital to initial contributor to such an extent as may be determined having regard to book value, asset liability of UTI, there will not be any new scheme except the existing one, that is US-64. Unit-I will manage the assured return schemes, including US-64, as long as they continue. When this will be over, what will happen to Unit-I?

There is no answer to this in the Bill. I would like to know whether the Unit-I will be wound up. I would request the Minister to clarify this position. Unit-II will manage the market linked schemes which are based on Net Asset Value. Both the entities will come under SEBI's ambit. Unit-I will be managed by a Government appointed Board of Directors but in the case of Unit-II, it will be transformed into a company floated by domestic banks and financial institutions with an initial capital of Rs. 10,000 crore, which means gradually Unit-II will be transformed into a private company. That is the main intention of this Government. That is why, just on the eve of the Session, this Ordinance was promulgated.

Sir, UTI had asset value of Rs. 42,000 crore on June 30. How would this asset value be divided between these two Units? Rupees seventeen thousand seven hundred and eighty-four crore on account of Net Asset Value-based scheme will be transferred to Unit-II, whereas remaining Rs.25,000 crore on account of US-64 and also 21 assured-return schemes would be with UTI-I which would be ultimately wound up after all the investors redeemed their units in non-NAV based US-64 and other assured-return schemes. I have asked this question as to what will happen when there will be no new schemes. When all the investors redeemed their units, then what will happen to Unit-I? Will Unit-I be wound up then? It is because there will be no need for continuing Unit-I.

Sir, the Government has invested Rs. 14,000 crore as a bail out package. This is to meet the liabilities arising out of the difference in NAV and assured-return in the units promised by the Government in December last when US-64 was frozen due to the redemption pressure. In December, 2001, it had promised that the unit holders of US-64 would get administered re-purchase price of Rs.12 per unit up to 5,000 units. I would like to know whether all the unit holders have got back their money. I would request the Minister to clarify this. The current shortfall as a result of US-64 is around Rs. 6,100 crore, of which, Rs.1000 crore has been provided this year and the Government will provide Rs.5,100 crore in the next year.

Sir, another important point is about the employees. Now, the Minister has stated that the employees will be transferred to Unit-II.

[Shri Basu Deb Acharia]

15.00 hrs.

What will be their service conditions? Will the same service conditions continue? It is said here that officers and other employees of the UTI, other than the Chairman, trustees of the Board and executive trustee, be the officers and other employees of the specified company on the same terms and conditions will be applicable to them before repeal of the UTI Act How will the employees be divided among Unit-I and Unit-II? Will the employees of both the Units be governed by the service conditions as it is now today before the repeal of the Act? The Government may also clarify this point. Clause 6 of the Bill says:

"Every officer or other employee of the Trust serving in the employment immediately before the appointed day shall become, as from the appointed day, an officer or, as the case may be, other employee of the specified company and shall hold his office or service therein by the same tenure, at the same remuneration, upon the same terms and conditions, with the same obligations and with the same rights and privileges as to leave, leave fare concession, welfare scheme, medical benefit scheme, insurance, provident fund, other funds, retirement, voluntary retirement, gratuity and other benefits as he would have held under the Trust if its undertaking had not vested in the specified company and shall continue to do so as an officer or, as the case may be, other employee of the specified company or until the expiry of a period of six months from the appointed day if such officer or other employee opts not to continue to be the officer or other employee of the specified company within such period."

My question is, how will this be divided among these two Units and what will be the principle adopted by the Government? Will the Government safeguard the interest of the employees after the UTI will be divided into two Units? How could their interest be safeguarded after splitting of the UTI into two Units?

I would inform the Minister that he has not given sufficient reason while reasoning the promulgation of the

Ordinance. He has not given sufficient reason and there was no urgency for promulgation of the Ordinance. That is why, I think, this type of an Ordinance is unwarranted, uncalled for and not in the interest of our country.

SHRI JASWANT SINGH : Sir, I am flattered that my good friend, Shri Basudeb Acharia has already read out an advance copy of what I was going to say in this House. But, nevertheless, I will go over to the provisions briefly.

The provisions in the Bill are necessary for a permanent and final solution to the Unit Trust of India and also to distance the Central Government from the UTI and Mutual Fund activities thereby fencing the liabilities of the Unit Trust of India. I emphasise that there is no bail-out of UTI.

I would like to give a brief background so as to place the Bill in its correct perspective.

The Unit Trust of India (UTI) was a statutory Corporation established under the Unit Trust of India Act, 1963 (Unit Trust of India Act) with a view to encouraging saving and investment and participation in the income, profits, and gains accruing to the Corporation from the acquisition, holding, management and disposal of securities. The general superintendence, direction and management of the affairs and business of the Trust is vested in a Board of Trustees which is required to act on business principles with due regard to the interests of the unit holders. The functions of trustees and assets management are vested in the Board.

Over a period time, certain weaknesses crept into the Unit Trust of India. High dividends and sale and repurchase price of units unrelated to the actual earnings and also other shortcomings in Unit Trust of India's working led to a fall in the Net Asset Value (NAV) of the units. These coupled with the problems of the capital market in March 2001, resulted in US-64 Scheme facing substantial redemption during the months of April and May 2001, forcing a temporary suspension of sale and repurchase under US-64 Scheme. This was for a period of six months, that is upto the 31st December, 2001. Subsequently, a limited repurchase facility was opened. The Government decided in December 2001 to meet the difference between

the administered repurchase prices and the Net Asset Value.

In view, however, of a continuing depressed capital market, problems of the Unit Trust of India persisted. While it was thought necessary to honour the commitments made by the Unit Trust of India to its investors with regard to the US-64 Scheme and Assured Return Schemes, it was also decided to restrict the Central Government's liability. This enjoined distancing from the unit Trust of India by bifurcating the Trust into two parts (i) UNIT-1 comprising of the guaranteed portion and (ii) UNIT-2 comprising of all NAV based schemes also simultaneously to repeal the Unit Trust of India Act, 1963.

Accordingly, the Unit Trust of India (Transfer of Undertaking and Repeal) Ordinance, 2002 was promulgated on the 29th October, 2002. The Bill will replace the Ordinance. The Bill has the following salient features:-

- (a) It repeals the Unit Trust of India Act, 1963;
- (b) Transfer and vesting of initial capital of the Unit Trust of India to the Central Government, and refund of the initial capital to initial contributors to such extent as it may determine having regard to the book value and assets and liabilities of the Unit Trust of India;
- (c) Vesting on an appointed day the specified undertaking of the Unit Trust of India in the Administrator and other undertakings in a specified company to be formed and registered under the Companies Act, 1956;
- (d) Officers and other employees of the Unit Trust of India, other than the Chairman, trustees of the Board and executive trustee, be the officers and other employees of the specified company on the same terms and conditions applicable to them before repeal of the Unit Trust of India Act;
- (e) Issuing of directions by the Government with regard to powers and functions and the manner in which the Administrator shall manage the affairs of the specified undertaking. I have also announced capital gains exemption.

- (f) Transfer of undertaking into the specified company and specified undertaking will not attract provisions of the Indian Stamp Act, 1899.
- (g) Exemption to the specified undertaking from income tax for five years from the appointed day;
- (h) Framing of the Scheme for carrying out the provisions of the Bill. With these words, I commend the Bill to this august House.

MR. DEPUTY-SPEAKER : Motions moved:

"That this House disapproves of the Unit Trust of India (Transfer of Undertaking and Repeal) Ordinance, 2002 (No. 5 of 2002) promulgated by the President on 29 October, 2002."

"That the Bill to provide for the transfer and vesting of the undertaking (excluding the specified undertaking) of the Unit Trust of India to the specified company to be formed and registered under the Companies Act, 1956, and the transfer and vesting of the specified undertaking of the Unit Trust of India in the Administrator and for matters connected therewith or incidental thereto and also to repeal the Unit Trust of India Act, 1963, be taken into consideration.

SHRI E.M. SUDARSANA NATCHIAPPAN (Sivaganga) :
Sir, I thank you very much for having given me this opportunity to speak on this Bill.

At the outset, I would like to say that with a heavy heart and pain, we are supporting this Bill. But, at the same time, it is one other mismanagement of the BJP-NDA Government. The Unit Trust of India was initiated during the year 1963 in the background of the Chinese war; when the capital market was at a low level and the industrial investments were at a very low level. So, the Government of India wanted to bring back the normality in the capital market and also investments in the industries. For that purpose, they got the clue from the United Kingdom. In 1931 itself, they initiated this type of a Unit Trust and the

[Shri E.M. Sudarsana Natchiappan]

Mutual Fund. But even before 110 years, the United States of America had also implemented the same type of a Unit Trust and the Mutual Fund to revive the industrial atmosphere. But this Unit Trust is a unique one.

Pandit Jawaharlal Nehru, in the last days of six months before his demise, as the Prime Minister of India created this Last Testament for the nation. Here, I quote the words of Shri T.T. Krishnamachari, the then Finance Minister, who participated in the debate while initiating this Bill. He said:

"In countries where the climate of opinion is in favour of the widespread distribution of ownership of industrial and other property, and where incomes and standards of living are also steadily rising, unit trusts enable many individuals, who do not have the ability or inclination to buy securities or to operate in the stock exchanges on their own, to become part owners in industry or other corporate sector bodies carrying on a variety of activities."

This is the aim on which the Unit Trust of India was initiated at the time of 1963. What was the aim at that time? The UTI commenced its operation from July 1964. Again, I quote:

"The Bill is to provide for the establishment of a Corporation with a view to encouraging saving and investment and participation in the income, profits and gains accruing to the Corporation from the acquisition, holding, management and disposal of securities...."

The different provisions of the UTI Act laid down structure of management, scope of business, powers and functions of the Trust as well as accounting procedures, disclosures and regulatory requirements for the Trust.

The main aim was to create a Trust for favourable investment by the small man in the street who can save Rs.100 or Rs.200. Such people can put the money in the UTI. They can purchase the bonds and certificates. In that way, they can put their money in the savings in one way.

In the other way, they could be earning through the savings by way of dividend and also profits which are going to accrue. It was going to make a no-profit no-loss account. That was the intention of the founders of this very Act. But what has happened subsequently? It has also come across a lot of problems during these periods. But what was the improvement they have made? After three months of the BJP-NDA Government's coming into power, according to the accounts closed on 31.12.1999, there were 450 lakh unit holders. A sum of Rs. 72,698 crore was in the deposit account. What was the initial investment made in 1964? It was simply rupees five crore. The contribution to the initial capital came from the Reserve Bank of India, the State Bank of India and the Life Insurance Corporation of India. At that time, the interest given was 6.1 per cent while the banks were having only a deposit of Rs.367 crore. They were giving only 3.75 per cent to 6 per cent interest. The Unit Trust gathered the investment of Rs.19 crore. What was the position in 1966-67? The automatic investment of income distribution brought about 6.34 lakh investors.

It brought Rs. 92 crore. In the same way, in 1977, the Unit Linked Insurance Plan was launched. During the tenure of Shrimati Indira Gandhi as the Prime Minister, there was a war with Pakistan. During the war and subsequent nationalisation of banks, many banks have come forward for floating bonds to help the poor people. At that time, the Unit Trust of India had come up with more investments in 1980s. In 1980s, there were 10,00,000 unit holders and the total deposit was Rs. 391 crore. In the period between 1981 and 1984, there were 17,00,000 unit holders and the deposit was Rs. 2,000 crore. During the period when India Fund was launched, offshore sales were also made and 128 million pound was collected by way of deposits and the return was 33 per cent.

During the tenure of Shri Rajiv Gandhi as the Prime Minister, in 1988, India Growth Fund brought \$60 million as deposit. In the period between 1986 and 1990, the number of agents has increased from 13,800 to 55,000. In June, 1990, there were 65,00,000 unit holders and the total deposit was Rs. 13,926 crore. Then, the very original and ancient US-64 scheme was launched and that alone brought about Rs. 7,025 crore as deposit. Out of that, the

investible amount was Rs. 10,354 crore. The return was 18 per cent and the annual yield was 13.43 per cent. These were the achievements of the Government at that time. In the year 1992, Master Plan scheme was launched and at that time, the World Research Centre, that is, the Guinness Book of World Records mentioned UTI in their 1994 book for the largest number of applications received on a single issue which was 62,00,000. That was the achievement of the Congress Government at that time.

Finally, I would like to draw the attention of the hon. Finance Minister that at present the number of unit holders is 48 millions, the deposit is Rs. 60,000 crore and the number of agents is 93,000. But how is the Government running the UTI now? When the Congress Government was in power, in 1976 the Capital Unit Scheme was launched and in that scheme the return was 42 per cent. In this way, the Unit Trust of India was utilised for the growth of the people. Charitable Religious Trusts and Registered Societies have earned more through the Capital Gains Unit Scheme. In 1983, the Children Gift Growth Fund brought Rs. 1,000 crore in one issue.

Similarly, modern management was the initiation made by the Unit Trust of India. Anticipating future changes and needs, the Unit Trust of India joined hands with other financial institutions to promote organisations that would aim at healthy development of the financial sector in particular and the economy in general. Infrastructure Leasing and Financial Services was established in 1986. Then, Technology Development Corporation was also started in the same year. Credit Rating and Information Services Limited was started in 1987 and in the same year the Stock Holding Corporation of India was also established. Thereafter, Institute of Capital Markets was established. These are all initiations made by the Unit Trust of India.

Sir, in 1992, Girl Child Trust was launched through Rajalakshmi Unit Scheme which was meant only for girls below the age of five years. Then, schemes like Old Age Pension Scheme, Monthly Pension Scheme, etc. were also launched. When there was no social security scheme in India, only the Unit Trust of India had launched such a scheme for giving medical aid for the old people. Then,

Senior Citizens Unit Plan was launched in 1993. After that, Grihalakshmi Unit Plan was launched in 1994 which was meant for people who are of 18 years of age. Then, Retirement Benefit Plan was also launched by the Unit Trust of India in which 48 million unit holders were there.

I would like to quote a portion of what the Social Audit Report submitted in 1994, by a committee of experts, said about the Unit Trust of India. It said:

"Almost all the persons interviewed agreed that the Unit Trust of India enjoyed a positive image as an investor-friendly financial institution with complete financial integrity. UTI is regarded as a progressive financial institution managing funds placed at its disposal by investors at a very low cost keeping the expense ratio extremely low and reasonable...."

"Even amongst other members of the public who have not invested in any UTI schemes, share brokers, investors in shares, consumer interest groups and its employees, UTI has a good image."

Also according to the Report, UTI's "cardinal strengths are its honesty, security and innovativeness".

The final conclusion is this:

"UTI has been widening its horizon to meet the challenges of a more dynamic and competitive environment. Not only has UTI increased its lending operations and started providing underwriting services in the course of the last ten years, it has also taken up an active developmental role by promoting/co-promoting new institutions."

What is promise made by the Unit Trust? They want to say that after completion of more than 34 years, UTI's burning concern for its small investors has not ceased and it will not, for it is for their better tomorrow that UTI has been created. That trust has been created in the minds of millions of people living in India.

Now what happens? The UTI Investor Services Limited and Securities Exchange Limited (UTI-SEL) was set up in 1993. Everything had happened. They have said:

[Shri E.M. Sudarsana Natchiappan]

"A successful institution does not occur randomly. It reflects the vision of its founders and the dedication of those who articulated this vision and set the goals and direction of the organisation. And those, who with utmost sincerity and dedication helped realising it. In the years to come, UTI will have to function in an environment that differs fundamentally from that which prevailed at its inception. The Indian financial market has evolved enormously, both in scope and complexity. UTI has played an important role in this development. This trend will continue in future."

This is the promise given by the UTI.

Now what has happened in one or two days? The only thing is that the purchase of shares took place.

The three-member Tarapore panel has also reportedly found that UTI invested in over 1,000 unlisted companies. But the recommendations were disregarded.

The Standing Committee on Finance, headed by Shri Shivraj V. Patil, last year had also questioned the investment decision-making powers of the former UTI Chairman. The panel is believed to have found too many loopholes, particularly glaring being: private placements in over 1,000 unlisted companies in the form of equity or non-convertible debentures at a high premium.

What is the result? The result is NPAs. Which are the defaulting companies? The top ten defaulters are: Essar Steel – Rs. 550 crore; Jindal Iron and Steel – Rs. 407 crore; Jindal Vijaynagar Steel – Rs. 374 crore; Ispat Industries – Rs. crore; Malvika Steel – Rs. 286 crore; Mukand – Rs. 161 crore; Essar Oil – Rs. 125 crore; Usha Ispat – Rs. 123 crore, DCM Limited – Rs. 105 crore and CESC Limited – Rs. 99 crore. The total non-performing assets at present are in the vicinity of Rs. 6,624.37 crore. What is the reason behind this? This is purely mismanagement. It is nothing but mismanagement.

Now I am reading from the Report of the Tarapore Committee:

"The 19 cases included a couple of Reliance group

companies, Satyam Computer, DSQ Software, some more K-10 favourites and few other companies.

What is the result? The Committee has also pointed out that transfer of scrips, when the transferee scheme was short of funds, lead to the creation of negative liquidity. It suspects that services of brokers were used for inter-scheme transfers on verbal instructions. These were clearly violative of UTI's own policy as well as the SEBI's guidelines.

What is the result? It recommended insertion of a watertight clause in 'US-64' to ensure that deviations from the net asset value would not be permitted even for short periods. This is what has been said in the Reports of the Committees which were appointed by the same Government.

What is the strategy which they are taking now? They want to see that privatisation is the result. I want to quote what the Chairman, UTI said:

He wants to say that:

"If the feeling is that by merely privatising the operation of an organisation, you are going to see more efficiency, I maintain that it is a function of management and not the ownership. It does not follow that because something is privately owned, it is necessarily better managed. If that were the case, you would not see NPAs on the books of banks, because of the result of the private sector management.

Now, the thing is that they want to have a strategic management, a strategic person to bail out the UTI. What is the position of UTI now? They have got commitments for so many monthly programmes, crores of rupees are to be paid. I can read all this, but because of paucity of time, I will not do so, but there is so much of commitment for every month and every year in perpetuity to be paid by the UTI to the small people.

What is the result that has been given? They want to have a law, which does not want to apply the original Act. The original Act gives powers under section 40(a) to have the emergency powers of the Chairman. They can rectify it. They have not applied it. There is a power for winding

up. I do not suggest the winding up power, but the Government is bringing a law which is just applying section 40 of the original Act, that is, winding up and section 42, that is, liquidation of assets. These are the two things. Now, they want to bring them in some other garb before this august House.

I would like to submit that even the prohibition against the use of name of UTI, which is guaranteed under section 3(a) of this Act is also now given go-by. Why? This very name was living in this country in millions of home. Even they want to give it a go-by. If really there is a proper management of the Government, by the Government and the Finance Department, then why the section 41, that is, power to reconstitute the Board, was not attempted for? If there is a small difficulty, when there is repayment by the Government, why they have not tried for that purpose? Why is the Unit Trust Act being repealed? What is the reason behind it? It is simply because they want to disinvest and they want the millions of employees and agents on the street.

Already many of the things have happened. Many of the PSUs were disinvested. Millions of people are on the street. They do not have any food at all, their families are starving. All the trade unions are agitated, but nothing has happened. Now, they want to bring clause 6 in this new Bill, which assures that for six months alone the salary and benefits will be given and afterwards you have to choose the path. Why is it so?

The UTI has brought up its employees for so many years. With all their proficiency and efficiency, they have got the research unit, they can manage, but these people are asked to go. They are guaranteed only for six months as far as their emoluments are concerned.

In the same way, I would like to draw the attention of the Government that one after the other, the Government is closing all the Government undertakings. Everything is demoralised and now the common man feels that the Government jobs are not made for common people. Even the recruitment has stopped in Government services. The same is the case with our Army. Even the Chief of Naval Staff was asked to go even without an enquiry. That was the scene for the security people. The same way, in the

case of public sector undertakings, the salary, bonus, PF, housing facility, children's protection, social security, assurance to the spouse, etc, everything has gone. People are now without anything. In the same way, LIC, GIC is now open for disinvestment and also to private competition. The poor people, the pensioners, etc. who were depositing their money in the savings bank, are also affected. The interest rates are reduced there too. Finally, we fear that the pension may also not be given by the Government. They want to reduce the interest there also from 9.5 per cent 8 per cent or 4 per cent. They want to reduce it. They want the interest on PF to be reduced.

Finally, what is the position now? The net asset value is now reduced. The most noticeable feature of US-64 portfolio was that Rs.10,910.505 crore, that is, 52.98 per cent of net assets had been invested in equity of only 26 companies, eleven of which were new companies.

This is the fault of a particular management. Why is people's money looted like this?

In the same way I would like to draw the attention of the Government that a warning signal was given in November 2000 itself, when the UTI released its first quarter figures. The US-64 had suffered capital erosion of over Rs. 2,590 crore or 12 per cent of the total assets under the management. As the UTI Act exempted to disclose its mode of pricing, unlike other Mutual Funds which are obligated to do so under the regulations of SEBI.

Another indicator was the UTI's contrarian approach to the market. They stopped working with the market and started dealing with the operators instead. The UTI began to buy high and sell low.

The fact that the corporates pulled out just before the dividend announcement was certainly a cause for suspicion. This is what the bankers say.

Finally, you want to rely upon the Report of a Committee. The Malegam Committee had warned the Centre just amending the Act and had strongly recommended that the Act should be repealed, to avoid the danger the Government might be left with residual responsibilities under the Act which could result in a public perception of continued Government accountability.

[Shri E.M. Sudarsana Natchiappan]

This is the reason for bringing this legislation. That means, the Government has lost the trust and the Government has lost the confidence of the people. By bringing this Bill, you accept that the Government has lost everything and nothing is in your hands. That is why, you want to create Unit I and Unit II by way of selling them to the private enterprises.

Finally, what will happen? The trust on the Government is going to be lost. In the same way, the private sectors are going to take away all the assets which were accrued for the last 34 years with the hardworking of the millions of people, millions of employees and millions of the dreams of the ordinary people.

I would like to resume my seat telling that this is one of the acts of mismanagement. It is the inability on the part of the Government to run a financial institution with all resources at their command but they accept that they cannot manage it, they are poor in management and they are poor in everything.

SHRI KHARABELA SWAIN (Balasore) : Mr. Deputy-Speaker, Sir, I congratulate this Government for bringing forward this Bill. Presently I will congratulate the hon. Finance Minister that the Government has understood the gravity of the situation. It has been understood that sweeping the ills under the carpet will not help the country in any way. It has been understood by the Government that cleaning of the financial sector is to be tackled very urgently.

Sir, the hon. Finance Minister has already narrated the salient features of this Bill. I will not go into them. The point is that now, even though we do not share that the Government is going for a bailout package, the Government is going to pay the differences between the administered repurchase price and the net asset value.

Sir, the point is that all the hon. Members, who have already spoken have said that there are 30 million unit holders. The UTI, as an organisation, has suffered.

Thirty million unit holders have suffered, but my point is this. Why 104 crore of people will have to pay for these

30 million unit holders? Will they go on paying just like that? So it is very good on the part of this government to distance itself from the UTI. Not only one Committee, but so many Committees like the Waghul Committee, the Deepak Parikh Committee, both in direct and indirect ways, have already told that a time should come when the Government should distance itself from the UTI.

Now, hon. Member, Shri Sudarsana Natchiappan said that it was the NDA Government and, particularly the BJP, which is the cause for all the ills the UTI had suffered. But, you go through the report given by the Deepak Parikh Committee. What did it say? It said, "The higher provisions for depreciation and withdrawal of funds from the reserves to meet the dividend payment for the successive three years from 1995 to 1997, and the issue of bonus shares in 1996 resulted in higher depletion in the reserves. " Who was ruling the country in 1995? Who was ruling the country in 1996? Who was ruling this country in 1997? Definitely, it was not the BJP, Definitely it was not the NDA. So, you do not get enough profit to pay 26 per cent dividend to the unit holders. You dig your hands into the reserves, completely dry it up and declare a dividend of 26 per cent. It was such a high dividend. This is one of the main reasons for the sorry state of affairs the UTI has suffered now.

Not only this, but also the consequences of the decline started from 1993 when the Waghul Committee was set up just to recommend as to how to restore the UTI. The negligence of its principal contributor, IDBI, is also one of the major reasons. IDBI was one of the main sponsors. It did not look after the affairs of the UTI as it should have. The concentration of all the powers in the hands of its Chairman is also one of the reasons for which it had to suffer such a loss. Since 1993, nobody did try to implement the recommendations, specifically bringing US-64 under the purview of SEBI. From 1993, nobody, no Government took the initiative in this regard even though it was recommended by so many Committees like the Waghul Committee and the Deepak Parikh Committee.

Sir, as I told you, I will simply not go into the details because the hon. Minister had already narrated all those things. I will just make some suggestions within another five minutes.

Now, the first thing is, for some time, the Unit-II will remain in the hands of the Government. Even though the financial institutions and some banks will be sponsoring a company, it will be in their hand. Virtually, the Government will be the owner. My suggestion is that till it remains in the hands of the Government, a Chinese wall is to be created for appointing separate and independent Fund Manger. The Fund Manager should take the decision, whether to invest or to disinvest, and it should be made on the basis of research and analysis. It should be done on that basis. It is one of the most important factors because of which the UTI had to suffer because the investment decision was totally arbitrary. It was done by the Chairman only. So, it should not be done. It should be given to the independent Fund Mangers and they should be held responsible for its success or failure. The debt portfolio investment should be give more importance in case of US-64

I would make some two or three suggestions within two minutes and conclude.

The LIC, the State Bank of India, the Bank of Baroda and the Punjab National Bank are going to be the sponsors of the new company. They are also having their own mutual funds. So, would there not be a clash of interests between these sponsoring companies and the UTI? This is one of the points on which I would appeal to the hon. Minister of Finance to think over. Earlier, the IDBI also floated its own mutual fund and it could not look after the interests of the UTI because there was a clash of interests since they indulged in a similar type of business.

The recommendation of the Deepak Parekh Committee was that there should be the strategic sale of large equity holdings by the UTI so that the UI would get a lot of money. Now, when it is going to be divided into two, what would happen to that recommendation? How can there be a bulk sale of large equity holdings? I would appeal to the hon. Minister that he should see to it that this recommendation is implemented and bulk sale is done. So, it should not be divided.

There is a recommendation for having a permanent Chairman. There should be one. If it is going to be run

professionally, the new company should have a permanent Chairman but the permanent Chairman should not come on deputation. If he comes from any professional service or even from the IAS, he should resign from that service and should be totally amalgamated into the UTI cadre. He should not again go back to his parent cadre after he completes his tenure as Chairman.

There are criminal, civil, departmental and vigilance cases pending against some officers of the UTI. What will happen to those cases after this Bill is passed? They would have their salary and pension protected but what about these criminal, civil, departmental and vigilance cases? Who would look after them? These cases should not be disposed of immediately. They should not get away with these cases that are now filed against them. So, the hon. Minister should look into this matter also.

Finally, I fully endorse the view of the Government that if it is not sustainable and the Government is not in a position to give bail out package after bail out package to the UTI, it should distance itself from the UTI. There is no harm in privatising the UTI in the long run. The Government should not hesitate to make the Unit-I a net asset value based scheme. In future, the Government should think about that also.

SHRI RUPCHAND PAL (Hoogly) : Mr. Deputy-Speaker, Sir, I rise to oppose this Bill.

When the Unit Trust of India was set up by the Union Government, the original objective was to mobilise savings. Another objective was to help people who were apprehensive of going to the capital market to invest and take the risk. Thirdly, the common people of the country could participate in the developmental process of the economic democracy through their investments in the UTI.

Here was a mutual fund. I do not know whether they would agree to calling it a mutual fund or not but for all practical purposes it was a mutual fund. It had its phenomenal growth and it is a unique institution, which has grown over the last several decades. This instrument was used by the Government for developmental purposes and also for intervention in the capital market. Even a few

[Shri Rupchand Pal]

days ago, I found that when the UTI was selling, the RIL suffered the most on account of the UTI's selling.

It is because UTI had sold four crores of shares and RIL, etc., which, after a merger, were quite worried. They were crashing. So, is the situation that whenever UTI had been selling, the companies like ITC, Hindustan Lever and many others, I am not mentioning all of these companies, had to face the realities. Rs. 2,617 crore is the UTI's stock holding in Reliance Industries only.

The next is ITC, the third one is Infosys, Hindustan Lever, Larsen and Toubro. They are the largest companies and whenever UTI had been selling, they were in difficulty. You call it result of bail package or not, UTI is not selling. There is stability and their interest is protected. That this was a case of trust, the confidence of the common people, as they have been depositing their hard earned money in it. Why is it so? First, they consider it to be a Government organisation. They may say that they had the sponsors like test, the IDBI, LIC, SBI and others. But when it came to the real, test they say "we are not the sponsors." In the Act it is said that the Government is setting up this Corporation for a definite objective. It is mentioned that it is a non-profit making organisation. The social security objective was the main objective. It was mentioned in the reply at that time by the then Minister of Finance that it is a non-profit organisation. The Government did not contribute even the funding also. The Government did not contribute the initial capital at all and now they say that they will privatise. Who are they to privatise? It is not a public sector undertaking. Is it a public sector undertaking? The hon. Minister owes an explanation. UTI is a unique Corporation; it is not a public sector undertaking because the Government did not contribute a single pie to it.

According to the Act, it was the Reserve Bank, which also had its own way of arranging the initial capital. Now, over the years, there has been mismanagement and the Government had a role to play. You might have seen in the assured scheme and many other things, there is a term 'guarantee' by the Government of India. The public perception is that it is a Government organisation. Whenever there is any difficulty – maybe in 1998, maybe earlier, maybe later, the Government will come out with

some package. You may call it a bail-out package, you may call it something else, but the relationship between the Government and this Trust was so much in the minds of the people that instead of keeping money elsewhere, they preferred to keep their money in this Trust. They had suffered a lot in the non-banking institutions like the plantation companies and other vanishing companies. Then, there is a continuous reduction in the interest rates in small savings. The people were not sure as to what to do.

Sir, in July 2001, they have stopped the dividend and a lot of issues had come in relation to US-64. Still unexpectedly, people did not go for redemption. There have been millions of people who kept their money and are waiting till May 2003 when Rs. 10/- subscription will become Rs. 12/- only. Such is the trust that in spite of all these things which are happening, people continue to have their faith in the Unit Trust because they believe that it is Government backed as they have suffered in private companies in the pre-nationalisation bank days, in the pre-nationalisation insurance, etc. Even very recently about 6,000 companies have vanished with public money. The Government is told to find out about them, but the Government said that they do not know their addresses.

The Government has no addresses of these people who have looted the public money. There is the example of plantation companies.

So, the people have no alternative but to put their money in safe places where they consider it to be secure, safe and also earn reasonable return. Of course, through mismanagement the debt equity ratio had been distorted in such a manner that at a point of time, UTI particularly US-64 had created its own difficulties. But the Government of the day – I am not mentioning whether this Government or that Government – had a role to play. This is a question that I have been repeatedly asking that the Government, in the matter of regulator's performance, in the matter of bodies which are appointed by them, approved by them and organised by them have a responsibility and particularly they have a responsibility to the people of this country. Why is it so? It is because the people in India, or countries like India have very little social security. If you

go to the developed countries or Norway and Sweden and many other developed countries, the social security there is such that their main objective is to consume, to spend, going on spending and spending. So, their economy is of a different pattern.

But in our country, in the upper middle class, in the middle class and among the salaried people, they save some amount in the savings that they considered to be safe and they put them in the Unit Trust – be it the assured scheme, be it the US-64 and such other schemes. The pensioners, the old people, the senior citizens thought that here is an area where their money is safe. But ultimately it was found that it was not so. It was being misused. Under whose instruction has this been happening?

When the US-64 was going to be in distress, they had full knowledge. So, the people, the organisations, the big industries had been continuing to withdraw their money even in April and May when the real difficulty came in July only. So, they had insider knowledge. How could they have the insider knowledge? If anyone is responsible, the Government must have some knowledge about it. But they did not come out with the facts. How could these people, these organisations, these industries have prior knowledge that this is going to happen with regard to this US-64 scheme?

What I want to say is that – is there no other alternative than repealing this one. There have been suggestions, there are references. The Waghul Committee report, the Deepak Parekh Committee report, the Malegaon Committee report – there are umpteen number of reports on how to mobilise savings. What is the Government thinking about savings? They are speaking about 10 per cent or 9 per cent or 8 per cent growth. How much savings are required for achieving eight per cent growth? According to the latest estimate of a renowned economist, no less than 31 to 32 per cent of national savings are required. What is our national savings today? From 25 per cent it has come down to 22 per cent. It is declining.

Now the Government is proposing to take away whatever exemptions, whatever tax incentives and all these things that were there under Section 88 of IT Act.

What will the people do? Is it encouragement to mobilise national savings? Our national savings are being allowed to be controlled by foreigners, by private operators; creating monopoly control over our national savings. Now there is another endeavour, another mischief which is going to be committed by this Government. What will happen after this split? The UTI-I is the US-64 and the assured scheme are there. What do they say?

Even the other day the Finance Secretary is on record that it will not issue any fresh US-64 units. That means it will be a close-ended one. It is already a close-ended one.

It is because after the repurchase, after the redemption, the units extinguish if there is no new scheme. If that is the thinking of the Government, it is going to have a natural death. The Unit I will have natural death and Unit II has a declared death by handing it over to the private sector. Actually, UTI as such – with this split or by this split, whatever you call it – is going to be destroyed. The winding up is going to take place and that is the goal of this Government. Why? Will it serve in any way this Government? It is the best mutual fund till today. You will hand it over to the private mutual funds. Are they any better than UTI mutual fund? The Minister may mention one thing, but I am amazed at how Unit II is being handed over to, maybe, LIC, SBI, BoB or PNB. They have their own mutual funds and according to SEBI guidelines, one who is having mutual fund is never allowed to have another mutual fund. How can they manage another mutual fund? The Minister owes a reply. It is against the very basic principle of SEBI. How can they do it?

The Government did not contribute even a farthing to this. It was public money and phenomenal growth has been place because of public trust, public faith in it. People know that the backing of the Government is there. With that perception, whether right or wrong, they invested in it. Later on, the Minister may explain anything. Because of that trust – till now, there is trust – it is a giant. Such a giant was proposed to be split by the World Bank in one small observation made elsewhere. The large industries in the finance sector appropriating public money, defalcating and looting have been out against the UTI.

[Shri Rupchand Pal]

The Standing Committee on Finance had made appropriate recommendations about the authority and power of the Chairman and how the Board could be made more transparent, have more democratic functioning and be made more accountable. Very responsible recommendations have been made which are under the consideration of a very important committee. I am not going to that part. Being a Member of that Committee, I am not supposed to make any observations about anything, but because the disaster is going to take place, I appeal to the Government that this is not the right way. There have been very important suggestions made by very important people that instead of repealing it, there can be made some amendments and loopholes can be plugged. This has been an instrument in the hands of the Government whenever there was very serious difficulty in the capital market – volatility or otherwise. This Unit Trust of India had been supporting the important industries of this country and also people, till now, continue to have trust and faith in UTI which they are not having elsewhere.

The Government should keep in view the social security position, keep in view the trust of 30 million or three crore people. There are others also and if you take into account the whole number of families, what is going to happen to the social security of these families? Now, the Government had been providing tax incentives through the budgetary process, encouraging savings. This will be a disaster. Privatisation is not a panacea. Some people just go on speaking about privatisation, privatisation and privatisation. What has happened in the U.K.? Margaret Thatcher had gone for privatising the British Railways. Now, there is a re-thinking about nationalising of the British Railways. What is happening? When Norway was told to privatise, they said 'no'. When Sweden was told to privatise, they too said 'no'. In France also, they are not privatising important sectors. Of course, they are providing more autonomy. ...*(Interruptions)*

DR. NITISH SENGUPTA (Contai) : They nationalised and then privatised. ...*(Interruptions)*

SHRI RUPCHAND PAL : Why should you do it? You must convince the nation. That is your problem. You are

trying to enjoy the best of both the worlds. You are being a part of the Government and at the same time, you are opposing it also. ...*(Interruptions)*

16.00 hrs.

MR. DEPUTY-SPEAKER : Dr. Nitish Sengupta, next is your chance and you can speak at that time.

SHRI RUPCHAND PAL : Even when a German company sought permission to operate in the telecom sector in the U.S., the Minister knows, it, what happened to it? The U.S. Government said 'no' to the German company. They speak of multilateralism, but what they are indulging in is only protectionism. Now, in our country, the giants are being weakened. This is a sin being committed by them on the nation and they will be never condoned for this that they are weakening these giants by splitting and by all these other things. I think, still there is time; they should rethink, and wait for the important recommendations of the Committee. Instead of giving the opportunity to the important Standing Committee to scrutinise and help the Government, they are taking the Ordinance route. I am prepared to give you an alternative; please give me the time. Please send it to the important Standing Committee, and I am prepared to give you the alternative as to what has happened elsewhere and how the UTI can continue to be the most unique institution in the interest of the nation, in the interest of the people, in the interest of our development and for fulfilling our Plan goals.

Look at the way this Government is working. The UTI had been a trendsetter in the capital market. In the absence of the UTI, the foreign institutional investors will drive the market. We have the experience of the last scam. Whose purpose or interest you are going to serve by this measure, I do not know. I oppose this move. I think, the Government owes an explanation to the nation about the rationale for this repealing, about the rationale for this splitting because world over, there is a move for consolidation. Now, we are splitting our giants, we are splitting the General Insurance, and we are splitting the UTI. Whose purpose will it serve? There is consolidation the world over. In consolidation, the equity, the stock-holdings of united UTI could have more leverage. Now, they will be weakened. I suspect the motive

of this Government. They will split, according to the individual interests of the industrial houses. This would weaken the leverage, the strength of the united UTI.

I again appeal to the Government that this consolidation should be made through restructuring and not by wakening this giant UTI by splitting it.

DR. NITISH SENGUPTA (Contai) : Mr. Deputy-Speaker, Sir, I thank you for giving me this opportunity.

Sir, I rise to support this Bill. Although I have some reservations on the approaches in the Bill, still I support it for the simple reason that it does show that the Government is no longer throwing out those unit holders to the street practically, as seems to be the case last year. Last year, in April-May, when the Unit Trust of India, all of a sudden, decided to suspend the operations, of US-64, to postpone redemption and not declare dividend, it was a black day in India's corporate history. This sort of thing has never been known before. The UTI grew up in very peculiar circumstances. In 1960s, when it was set up, the idea was that a lot of normal investors would like to avoid the tumble of the share market. They do not know enough about buying shares and investing in them. Therefore, the need for a Mutual Fund created by the Government was felt, which will then take their money and invest it in the share market. That was the genesis of the UTI. Then, under some successive and very outstanding Chairmen, people like James Raj, R.S. Bhat, G.S. Patel and, of course, M. Pherwani, it rose to greater and greater heights. They did show a certain rare standard of moral rectitude, corporate ethics, and strict adherence to fiduciary principles. For Unit Trust investment was a very difficult thing.

They would not invest in any ordinary company on the basis of a rosy picture that was presented. I happened to be in charge of administration of the UTI for five years in the first phase of my service in the Finance Ministry. In those days it was never conceivable that Unit Trust would invest in a company like the Himachal Futuristic, which was not known at all and had no track record, and sink a sum of Rs. 1,400 crore on the basis of rosy projections. This was the fall out of the sudden abolition of the CCI on the basis of NAV and profitability guidelines about share pricing and introduction of free pricing, for which Indian

conditions were not suited at all. There is no question of the UTI investing its Unit-64 money that has been contributed by the small investors to the UTI for their safety to a company without track record. The Unit Trust became like, as it was known in the good old days, a 'Company ka kagaz'. The East India Company papers were held to be the model for efficient and balanced long term investment. So, for UTI to invest money in companies like the Himachal Futuristic was out of the question. I do not know as to why that was done. This mystery has never come out in the open. According to one newspaper report, the then Finance Minister advised the Chairman, UTI to invest in the State of Uttar Pradesh since the State was a backward one. UTI funds are not meant for investing in backward areas. It is meant to give good returns to the small investors who have reposed their faith in that Organisation.

SHRI PRIYA RANJAN DASMUNSI (Raiganj) : All those investments have resulted in Ms. Mayawati becoming the Chief Minister.

DR. NITISH SENGUPTA : Let us not go into such things. It was a black day. The Unit Trust had increased its dividend declaration from about seven to eight per cent to 15 to 16 per cent and had set a record of sorts. But suddenly it was found to be in a kind of pitiable condition. It was given out that this July, 2001 decision was done without the knowledge of the Finance Ministry. I refuse to believe that. Having had some knowledge of the prevailing practices, I cannot believe that the Finance Ministry did not know about such a bold decision of the Chairman of the UTI. If that was done without the knowledge of the Finance Ministry, then that reflects even more the sorry state of affairs. There were a section of people in the Finance Ministry who used to say why the Government should show preference for Unit Trust. If a private sector mutual fund goes into liquidation, then the Government does not come forward to bail it out. So, why should it be done in case of the Unit Trust? I said that the Unit Trust is a creature of the Government. People have their faith in this Organisation. I would like to congratulate the present Finance Minister because he has at least come out and established the principle that Government is still underwriting the Unit Trust.

[Dr. Nitish Sengupta]

Sir, now I do not know why there is an apprehension amongst some friends in the Opposition that this is necessarily a prelude to privatisation. Nowhere in the document it has been mentioned that it is going to lead to privatisation. The Unit Trust was a peculiar body, a statutory corporation of 1964 Act where there was a principal fund holder, initially the RBI – those were later transferred to IDBI, LIC and a few others – and the Government really did not have any shareholding. But the Government's underpinning has been there all along.

Sir, having said so, I am not very happy about this splitting of the UTI into two organisations – (1) for those schemes that guaranteed returns to the investors and (2) the NAV based schemes. Then, the expression 'Administrator' smacks of a heavy dose of bureaucracy. Should there be an Administrator? Why can it not be given to a company, floated under the Company's Act, with the Government's entire shareholding taking charge of it? Now, I am not very sure whether it is right at this moment to have this concept of splitting the UTI into two parts, one dealing with the schemes that ensure returns to the investors and the other dealing with the NAV-based schemes. To my mind, it will lead to complications. There are legal complications in this. Separating these two things would be a difficult proposition. Even if it is too late, I would still advise the hon. Finance Minister to resort to simpler means. There is a reference of a provision for having a specific company.

Well, have that specified company and transfer all these schemes to that specified company. Let it run. Let, for the time being, the Government hold all the shares in that company and carry on.

SHRI RUPCHAND PAL : That cannot be done.

DR. NITISH SENGUPTA : Anything can be done by law.

SHRI RUPCHAND PAL : Proportionately they will have to be given first.

DR. NITISH SENGUPTA : Okay. Let them be given. Nothing wrong in it.

The point is, I am a bit apprehensive of expressions like Administrator. Administrator can be there in a kind of temporary situation. Is it the idea that the Administrator will be there for some time and thereafter it will go to the normal corporate pattern? I would request the Finance Minister to examine this aspect once again and see, if it is possible even at this stage, to really do some rethinking on this subject.

My friend Shri Rupchand Pal said that the terms are being guaranteed to employees for six months only. I read the provision. It applies only for those employees who decide to opt out. For them only the existing emoluments, terms and conditions, will remain for six months because they have decided to opt out. Those who are not opting out, I think, need not be under any apprehension that their service conditions will be disturbed.

I do once again congratulate and compliment the hon. Finance Minister and the Government for at least dispelling the impression that Government was leaving the unit-holders as orphans. It was a very serious situation for years. All of us have suffered badly. The incomes of a lot of people - who are pensioners, widows and others, who were literally depending on the US-64 – have been suddenly reduced to half, and sometimes even to a quarter. For them it will come as a boon. They would feel that the Government is, after all, not throwing them on the street and that the Government is underpinning its responsibility for the unit-holders.

With these words, I once again congratulate the Finance Minister. I support this bill but do request him to take into consideration some of the concerns I expressed, if it is not too late already.

SHRI PRIYA RANJAN DASMUNSI (Raiganj) : Mr. Deputy-Speaker, Sir, though from the Congress party we support the Bill, we have certain observations to make. We support this Bill for the sake of the investors, especially the middle-class investors, who could be protected.

I do not know whether I should congratulate the Minister, sympathise with the Minister, or feel pity for the Minister. Here is a Minister, a good friend of ours, who is doing *prayashchitta* according to the Hindu religion, for the

deeds of his predecessor. This House had been a witness to the Adjournment Motion moved by me on July 2nd, on UTI scam. This House is a witness today to the *prayashchitta* being done according to the resolution of the National Executive of BJP of 29th July, 2001.

My dear friend Kharabela Swain is not here. He said many things. On 29th of July, 2001, the BJP National Executive passed a resolution. That resolution criticises the Government. it says:

"The recent crash of US-64 scam has shaken the confidence of around two crore small investors, endangered resource mobilisation efforts for development purpose. In this context, the party would like to suggest that immediate steps should be taken to restore confidence of the small investors and also bring the UTI within the ambit of SEBI guidelines and make its transactions more transparent and accountable. In this background, the party would like to appeal to the Government for initiating immediate corrective steps including strict vigilance on functioning of the entire functional system and also empowering the SEBI on the lines of Securities Exchange Commission of US."

I do not know how, and to what extent, the spirit of this resolution has been responded to. The resolution says, 'immediately' on 29th July, 2001. Today it is 28th November, 2002.

My dear friend Kharabela Swain tried to accuse the Congress party. I am not trying to score political points here.. In many matters you can certainly find fault with the previous regime which ruled this country for more than 45 years. If something wrong is there, naturally it has to be corrected. People corrected it.

But I can say with all humility at my command that the dream of Pandit Jawaharlal Nehru and the goal that T. T. Krishnamachari mooted in that Act on the day when he brought that piece of legislation about 38 years ago, have been shattered due to lack of vigilance, due to lack of the understanding of the Indian Government's Finance Ministry operating from North Block to the functioning of several institutions including that of the Unit Trust of India.

Sir, can this Government claim that it governs when it admits on the floor of the House or even outside that 'they had no knowledge of the situation inside the UTI and one fine morning they also, like every citizen, heard over TV or read in the newspaper that the 2nd July action was taken by the then Chairman, UTI, Mr. Subramaniam ? This is the kind of statement that this Government makes. They do not know how to govern the nation. They are not accountable; they are not responsible. They lack responsibility and accountability to the House of the People, that is, Lok Sabha.

If the statement of his predecessor was correct, then why did he today confess in the Statement of Objects and Reasons ? What is the reason of the Ordinance ? I quote it from the Statement of Objects and Reasons. There, in para 2, it is written:

"Certain weaknesses crept into the UTI over a period of time"

Tactfully, he has not referred from which period to which period those weaknesses crept in. But those facts are with us.

He further admits in para 2, and I quote :

High dividends and sale and repurchase price of units unrelated to the actual earnings and other shortcomings in UTI's working led to fall in Net Asset Value (NAV) of the units. These inherent weaknesses coupled with the problems of the capital market in march, 2001...."

They do not say as to what happened in the capital market.

It is further written:

...and May, 2001 forcing temporary suspension of the sales and repurchases under US-64 scheme for a period of six months up to the 31st December, 2001. Subsequently, a limited repurchase facility was allowed in the interest of investors. The Central Government decided in December, 2001 to meet the difference between the administered repurchase prices and the NAV."

Sir, the Government admits that they were in the knowledge of certain weaknesses. The Government admits

[Shri Priya Ranjan Dasmunsi]

that over a period of time the things were happening and they were seized of the matter. But they could not prevent the black day of 2nd July. It has been well narrated by their colleague, Dr. Nitish Sengupta, the former Secretary, Planning and the former Secretary, Revenue in the Ministry of Finance, who said, "who can articulate better than me having known the inside of it?"

The Finance, Ministry acknowledged before the nation that they had no knowledge at that time as to what was happening inside the UTI. But here, they are very categorical and candid to say that they understood it and they were seized of the matter as to what was happening inside the UTI. This is how his predecessor replied the other day and this is how he is defending the Government today. I call it a prayashchit. Thank you for the prayashchit.

Now, Sir, the Joint Parliamentary Committee is investigating the matter. So, I would not like to make any comment on the entire episode of the scam. On who is responsible; who is accountable; and who will be found guilty, I would wait for the observations of the JPC and then make comments.

Sir, I would not have touched the politics today but since Shri Kharabela Swain tried to hit -- whenever he speaks he always finds ills from the day one of the Congress regime -- I am forced to say that they have no medicine to cure themselves. I hope, the time will come again that we will have to provide the medicine or the people will provide the medicine.

Why had this Ordinance been issued? This has been issued just to avoid going to the JPC for further scrutiny. They have issued this Ordinance even without waiting for JPC Report to be placed before the House. The Ordinance was tried to be promulgated earlier also. But it could not be done. One of the reasons is that the Gujarat Election days are knocking and they know and fear that the small investors will cry in the streets saying where their money is. That is why this Ordinance had been issued.

A great columnist Ms. Neerja Chowdhary did rightly say that "it is the middle-class wave which brought down

Rajivji from the power; it is the middle-class wave which took Atal Bihariji in the power; and the same middle-class wave, which has suffered, which is agitated and which has been betrayed in the UTI Scheme, will teach them a lesson.' That is why the Government felt that some arrangements should be made quickly.

I consider UTI is the right word, is the trust and faith reposed by millions of the people of this country as their own temple, mosque or church which you have demolished on 2nd July by your act of omission and commission. You have come forward. We will help you. We will support you that at least a sense came to you to protect the investors to the extent possible, though they are shattered. I can cite many letters, which I forwarded to you, Mr. Minister, written to us by a number of investors. Retired army officers, retired personnel, middle class teachers and others have written us letters asking about their money. They have calculated as to how much they will be losing on account of this. Only yesterday I got a letter from a retired Brigadier who says that he is losing Rs. 77,000 because of this. This matter has also been referred to you and you have replied to one letter. You have asked the UTI to investigate the matter dated November 20, "Chairman, UTI has been instructed to attend the matter and convey the factual position". There are so many schemes like this where people have been affected.

I share one concern of Shri Rupchand Pal. You may convince in whatever way you like to the House, but Unit-II will ultimately lead to the private sector. You may provide Unit-I as an umbrella to protect, but Unit-II will lead to private sector. I do not know what will happen at the end of the day. Let the future Sessions of Parliament witness the situation and deal with it in whatever manner they like. I am not touching the accountability part today because I am waiting for the JPC report.

My dear friends from BJP accused the Congress saying that the process started long before because the reserves were taken out to pay the dividend. Is it the only fact? The ill started not from 1992. I can give you the figure. In 1989-90 the unit capital was Rs. 7,025 crore and dividend was 18 per cent, Rs. 1,264 crore dividend and net income is Rs. 1,289 crore. Dividend means what and is given to whom? It is given to the investors who invest

the money. Do you feel jealous if they have got 20-22 per cent? I could understand if the Government of those days paid money in terms of dividend by making the Unit Trust bankrupt or taking out reserves? No, it is not so. I can prove with facts that it started in your regime from 1997, partly 1998 and 1998-2001. You may go through the statistics. There was devastating withdrawal to the tune of Rs. 4,000 crore before the date of redemption, without the knowledge of the Finance Ministry or without the knowledge of anybody. There is a gentleman who works in the Finance Ministry, a Joint Secretary in charge of this. Every month UTI had to give a report. You have posed a picture to the nation as if you knew nothing and tried to unnecessarily accuse Congress, as if without accusing Congress you cannot digest your food. So long as you live, you have to accuse us, otherwise your food will not be digested.

I would like to tell you that this scam started taking an ugly shape from 1997 onwards and came to focus in 1999 when the first rescue package was announced and in 2001 it blasted. It was one of the greatest scams on the earth and in India after 37 years. Now the rescue operation Bill has come. That is why I say that I sympathise with the Minister. He is trying to make the damage control to the extent he can. We will deal with that matter later on.

My dear friend Shri Swain is a good parliamentarian. He always comes well prepared with facts and speaks good things. Which are the areas where the UTI was advised to invest/ Essar, Zee--telefilm, Vespan. These are sub-investment groups where the Chair gave stricture not to invest in them. But they went on investing in it day-in and day-out. Those have been taken care of later on by the Finance Ministry. Normally we do not say such things here but today I must congratulate a good number of bureaucrats in the Finance Ministry. They are equally patriotic as we claim to be.

They tried to give their advice from time to time both inside the UTI, in the restructure of UTI, and also in the Ministry of Finance. But if we, the political masters, yield to the pressure of other forces outside the North Block, we compel them to swallow our designs. We do not listen their advice. But if the officers do not listen to our advice, they

become the most unfavoured persons of ours and they go elsewhere and sometimes in oblivion.

16.26 hrs.

[DR. LAXMINARAYAN PANDEYA *in the Chair*]

I know that the distinguished Members of the JPC from all sides of the House must have done a great job and their report will give us a new direction in future how to proceed in regard to financial institutions of our country, especially UTI.

I do not want to talk about the role of FIIs in the stock market. I said it yesterday also but the Minister did not reply to me. But I still hold the view that the stock markets in India have become the casinos of FIIs. They come in the morning, operate for a few hours, the whole nation dances to their tune, and they go back. So long as the Government is not in a position to control it, I do not know what will happen to our future.

Sir, I only wish that after this Bill becomes the law, the Minister would ensure the protection of the interests of the employees of UTI. I am saying this because we supported the Insurance Bill with the same spirit. My dear friends, Shri Rajesh Pilot and Shri Madhavrao Scindia are no more. Many a times, they raised this issue. They asked you many a times whether the employees will be protected. The reply was in affirmative. But I know what is the fate of the employees of GIC and other insurance companies. Their days are numbered in these institutions. They are just struggling. At that time, the same assurance had come to us from the Treasury Bench that the BALCO will be taken care of and that in the disinvestment package, the workers are protected. But we know how the workers are crying. All the people from Delhi have been shifted elsewhere, thereby compelling them to resign. I only wish UTI employees should not face any such disaster. Mr. Minister, you must ensure the House that you will protect them. You have tried to protect the investors, though, I know the investors will not be protected. They will get some compensation from your end. The Net Asset Value realisation and the gap that has been made will not give them their due return. Around Rs. 4,000 crore have been siphoned off. We raised this issue. When Shri Subramaniam

[Shri Priya Ranjan Dasmunsi]

was sacked and taken into custody, why did you not come up with an Ordinance to realise those Rs. 4,000 crore which were taken away. You did not come out with an Ordinance before Parliament. Was it not an indirect patronage to those who siphoned off the money from UTI? You failed to do that. The Government did not consider it necessary to bring that Ordinance before Parliament. It gives rat smell to all the people of the nation that you are not functioning in a transparent manner with a transparent objective.

Mr. Minister, we are supporting the Bill only because if we put an obstruction, I know, that you will go to Gujarat and elsewhere. [Translation] And you would tell people that we were making arrangement for your safety but that was stalled by Sonia Gandhi. We shall not stop you but the investor will be spared not you. You may stretch debates upto 10 hours. We are ready, and the opposition may accept your views, you may be spared in the House but not outside. You may make as many attempts as you like; outside the House you will not be forgiven.

SHRIMATI JAS KAUR MEENA (Sawai Madhopur) : Mr. Chairman, Sir, I fully support UTI (Transfer and Repeal) Bill, 2002 and I hope that it will prove to be an important bill towards getting out the middle class people from crisis. Unit Trust of India is the biggest mutual fund of the country.

This mutual fund contains maximum money of middle class families.

Though you, I want to submit that whosoever invested money in this trust be having two reasons for pride. The first reason for pride was that the money invested by them was safe and it would be utilized for the schemes of the development of the country. Besides, the unproductive assets at the disposal may also be utilized in the productive areas. Attached with their sentiments, middle class citizens were thinking that they were fully safe in this area. But during the period of 1990-1998, darkness prevailed before the investors of UTI. In this regard, Members of parliament speaking prior to me told one thing that what was the need for bringing this ordinance that day, why not before? I want to draw their attention to the working period of Harshad Mehta. When three thousand

crores of rupees of UTI were misappropriated, was it not an eye opener? At that time, they did not think about it, then did not see towards this fine institution and financial institution. He alleged that the present Government is a partner in the biggest scam. I want to draw the attention of all hon. Members towards this fact that whatsoever happened between 1990-1998 pertaining to UTI, why the resignation of the then finance Ministers were not taken, why were they not brought to book?

I understand that maximum tenure belonged to the Finance Ministers of Congress. The Finance Ministers of later period did not try to go into the areas of UTI. During this decade, the tenure of share market came speedily. They did not ever think about the way in which shares of UTI were sold. I would say that when the period of speculation came, the falling credit worthiness of UTI come at a curse to those middle class people and it came as a crisis before them. The NDA Government thought over it seriously and to resolve this crisis, after dividing UTI in two parts, a sketch of effective management was drawn. Regarding the sketch of effective management the member who spoke just before me put a question mark.

I feel sorry that he put a question mark on our management institution, which is firmly in place...(Interruptions) I would like to tell our learned colleague who have interrupted in that Government servants, pensioners and other small investors all had faith in the UTI and it continuous till today because our Government have kept up the investors' confidence by giving a package. I hope that the Minister in his final address would certainly include my viewpoint.

The provision of US-64 was aimed to protect the middle-income group from taxation. I want to say that to repromulgate it, you should reconsider over the bill. I think that middle class people are maximum in our country. The upper class people have become creamy layer from 1964 to 1998 by taking away the cream. Without paying any attention to it, for the investment by middle class families we must start powerful and faithful institution. Its management must be such that its chairman must be accountable. If any scam takes place or misutilisation of funds takes place during his tenure, a provision for stringent punishment must be there in it.

Along with it, I would also say that to keep the confidence of those employees working in it and those being affected by it, some arrangement must be made in it. Thank you.

DR. RAGHUVANSH PRASAD SINGH (Vaishali) : Mr. Chairman, Sir, the bill relating to UTI has come. It has come at such a time when the Joint Committee of Parliament is examining the UTI Scam. The report did not come after inquiry and the ordinance has come, thereafter the bill has come. Due to this we are feeling deep suspicion and danger.(Interruptions) The bill of UTI was passed in 1963 and it came into force from 1st of February, 1964. In the past middle class people used to save money in different ways. Some kept it safe in house, somebody used to bury it, others kept it in pillows and yet others some used to invest it by purchasing gold. Those at the helm of affairs felt that money must be utilized. This is a good thing. Thus UTI came into being. It started with Rs. 5 crores and its turnover went up to Rs. 70,000 crores. People had great faith in UTI. They felt that this being the Government institution, no misappropriation of money would take place. That is why, poor and middle class people saved their money by facing hardships and invested in it. Here nobody belongs to investors. In this way, this money would be invested in public works, industries and share market or the capital will grow and the investors will benefit. But because of intervention, mismanagement, lack of transparency and accountability on the part of the Government scam took place in it.

The Finance Minister of that period said in the beginning that he did not know. What sort of a Minister is he that he does not know the level of scam taking place in his department. Therefore, that was wrong. Sometimes verbal and sometimes written instructions were sent from the Minister, the latter interfered in it, that is why scam took place. At that time confusion prevailed. Somebody instructed on behalf of PMO. That is why cyber space scam took place. The capitalists of Lucknow, Uttar Pradesh, people from fake companies misappropriated the capital and committed bungling. In this way, because of the Finance Minister Yashwant Sinha, the Unit Trust, in which people had confidence became 'Unit Bhrasht', and they became distrustful of it. People lost their confidence in it

and they started withdrawing their money. The UTI came to a stand still. The capital of two crore middle class people was lost. An inquiry committee on it was constituted. The committee could not finalise its report. Surprisingly, it was thought that it should be divided in two parts. Congressmen also sometimes support wrong acts, which leads to mismanagement. Who can claim that dividing UTI in two parts will make it free from corruption and people's confidence in it, which has shaken now, will be reposed.

Shri Kharabela Swain has left Deepak Parekh Committee and some other committee, a competent organisation had said that things would be set right by abolishing the old law and by dividing the Unit Trust into parts. If the Government claims that a particular committee had recommended so, then it should give the name of that committee. Deepak Parekh said that, it has been stated

Deepak Parekh Committee did not recommend that it should be divided, but if Ketan Parekh Committee has recommended so, it is quite understandable. Names of various committees have been floated but the investors are panic stricken and apprehensive about the bifurcation of the UTI as they think that UTI-I would perish by meeting an unnatural death and UTI-II would be privatised.

The danger of privatisation has been looming large since the inception of the NDA Government. The champions of privatisation, the fodder scam tainted people and marauder of national wealth is ruling the roost today. The All India Bank Employees Association has staged a large scale protest march. They are agitating to avert the danger of privatisation of banks. They are apprehensive that those who plundered India in the past to the extent of pushing it to the brink of financial perdition are once again being offered an opportunity to take over the financial management of the country. The protector will turn predator. There is a conspiracy to entrust the strings of national coffers to the people who have devastated us in the recent past. So, the Government should name the committee or the organisation which recommended that the solution to the problem lies in the bifurcation of the UTI. There is a widespread apprehension that by replacing the old law with the new legislation the Government is paving way for the extermination of Unit-I on the one

[Dr. Raghuvansh Prasad Singh]

hand and privatisation of Unit-II on the other. Privatisation of this institution would give a free hand to the marauder of national wealth to further loot the innocent investors.

Interest on the money deposited in the banks is being slashed. Shri Jaswant Singh's induction in the Ministry of Finance generated some hope of improvement. Shri Yashwant Singh created a financial mess. It is learnt that Shri Singh has floated certain proposals meant to provide some relief to the middle class people. Yet, the rate and amount of bank deposits has registered a decline. Interest on PF has been brought down. The employees used to save money for their rainy days and deposited the same in the banks and financial institutions. Given this scenario, where shall they invest their savings now; wherefrom shall the Government generate capital. Once again, the people will lose confidence in these institution. Then people would not deposit the money in the banks etc. they would instead bury their savings in the earth like people did in good old days so that their savings were not stolen. Thus the money will not remain in circulation which would adversely affect the economy of the country. That is why the people are apprehensive and have lost faith. Previously, the people had faith in the Unit Trust of India. The UTI had floated many schemes such as US-64, Mastergain, Mastergold etc. There were 60-70 schemes under various names. I do not know the names of all the schemes as I come from a rural background. I do not get involved in fraudulent activities. But the UTI is in danger. The non-banking institutions such as J.V.G., Helius, Kuber and Pearl India etc. are inviting the investors to deposit their money with them with the allurements that they will repay double the amount invested after 3 years. The people are enticed to depart their money to them and they run away with the money. There was a Marcos and God knows how many Marcos are there in our country. I am afraid that once the banks are privatised, they might also run away with the depositors money. After Shri Yashwant Sinha revealed his true colours before the NDA and he was replaced. Now Shri Jaswant Singh has taken over. We have faith in him and believe that he will improve the situation but still we

wonder how he will be able to salvage the country from the financial mess his predecessor has created. How will he restore the confidence of the investors and protect them. A bail out package of Rs. 14000-15000 crore has been slapped on the State exchequer but no action has been taken about the investors money covertly looted and no arrests have been made in this connection. I would like to know that if Shri Subramaniam is put behind the bars, then how is it that the person who appointed him is roaming scot-free?

A person who releases an accused person in total disregard to the law of the land is equally guilty in the eyes of the law. In a similar fashion, Shri Verma was incarcerated under the excise scam but what was the result? Everybody knows that such people have made a mess of financial management. The news of bifurcation of UTI came when the Joint Parliamentary Committee was still investigating the scams. There are 2500 employees in the UTI who are managing a fat corpus of Rs. 70,000 crore. They are apprehensive about their future in case of privatisation of UTI. So, the Central Government should give an assurance to the effect that the UTI is not privatised and Unit-I is not disbanded. Knowledgeable people apprehend that it would die a natural death. Just now, Nitish senji was speaking. He is a specialist of financial affairs. He expressed his own reservations about the bifurcation of the UTI and was at a loss to understand how it would help to improve the situation and benefit the investors. It may have its impact on Gujarat elections which are around the corner. We are afraid that the Marcos may once again plunder the national wealth and run away with it. So, the Hon'ble Minister may give reply to the question I have raised and assure us that nothing of this sort would happen. I oppose this Bill because it poses a great danger to the nation.

[English]

SHRI G.M. BANATWALLA (Ponnani) : Thank you Mr. Chairman Sir. This Bill is nothing but an attempt on the part of the Government to run away from its responsibilities or liabilities. I must take and I do take strong exception to this particular thing. Whether it is the question of UTI-I or UTI-II, finally a device has been found out by the Government to run away from its responsibility.

It should be clearly understood that it was because the UTI was related to the Government, it was because of the perception that was allowed to grow that UTI has the backing of the Government, that those of the middleclass, the senior citizens and such other weaker sections entrusted their savings to the UTI. Now, finally, the Government wants to run away from the responsibility.

Of course, the Government has been very candid in saying that the twin objectives of the Bill are: it is for the Government to restrict its liability and it is for the Government to distance itself from the UTI. The UTI will be bifurcated into UTI-I and UTI-II.

16.49 hrs.

[DR. RAGHUVANSH PRASAD SINGH *in the Chair*]

In the case of UTI-I, the Government wants to restrict its responsibility. In the case of UTI-II, the Government wants to simply wash away totally and entirely its hands. This is an economic fraud being played by the Government upon the helpless people like the middleclass, the senior citizens and such other people.

On the basis that the UTI has the backing of the Government, they entrusted their hard earned money to the UTI. And now at this critical juncture, the Government wants to wash away its hands. There is no question that economic propriety lies in it that the Government must accept full and complete responsibility for all the plans and the schemes of the Unit Trust of India, and not try to jettison the weaker people who have been led down the garden path.

Mr. Chairman, Sir the Government has tried to do this through an easy route, the Ordinance-route. It is trying to get away from the strict scrutiny of this House, the Standing Committee and so on.

Every one has spoken about the undesirability of this Ordinance Raj' that we are having. The Government has promulgated Ordinance after Ordinance, an Ordinance even on the eve of the Session. But this undesirability of the ordinance-route is doubly compounded in case of the present UTI Ordinance because this Ordinance repeals an

Act of Parliament; an Act that was adopted by the Parliament after due deliberation is sought to be repealed through an Ordinance. Wherein now lies the sanctity of this House. I ask Mr. Chairman, Sir, wherein lies the sanctity of the Parliament? Wherein lies the sanctity and respect of this House when the legislative measures adopted by this House are to be summarily repealed through an Ordinance? Here also is the question of an Ordinance that deals with the question of the hard earned savings of the middle class, of the senior citizens and such other people. They have been totally devastated. The trusts and charitable institutions, because of the perception that the UTI has the Government backing, invested their corpus in the UTI. Today, even these trusts and charitable institutions have suffered a great loss because of the erosion of the net asset value. What does this loss to them mean? It means curtailment in their charitable acts with respect to the poor people; on the one hand there is a dearth of social measures and on the other hand there is the impairing of the financial capacity of the trusts and charitable institutions also to look after the poor people. I must take and I do take a strong exception to this Bill and also to this Ordinance. The Bill cannot turn a Nelson's eye ... (Interruptions)

MR. CHAIRMAN: Please conclude.

SHRI G.M. BANTWALLA : Mr. Chariman, Sir I have just begun my speech.

Let me place my point of view across.

Sir, the Bill cannot turn a Nelson's eye to the misery that has been inflicted upon the middle class and such other people.

It cannot turn a Nelson's eye to the loss inflicted wilfully and deliberately upon the UTI by those responsible for investment decisions. Their decisions have been colourable and they must be brought to book. Here, in the Bill I see hardly any provision with respect to their liabilities. Of course, I have given notice of an amendment which I shall move at the appropriate stage. But it is necessary that the economic offence is viewed seriously and deterrent punishment must take places.

Now, clause 9 provides for a Board of Advisers. But then, it is unfortunate that the exact role of the Board of

[SHRI G.M. BANTWALLA]

Advisers and the relationship between the Administrator and the Advisers have not been clearly spelt out in the Bill. Subclause (1) of clause 9 says, "That the Board of Advisers is to advise and assist the Administrator" On the other hand, sub-clause (1) of clause 10 says, "The Administrator may, on the advice of the Board of Advisers, transact any of the following kinds of business ." Now, is it compulsory for the Administrator to transact the business only on the advice of the Board of Advisers? Then, does the board of Advisers have an overriding power over the Administrator? The matter is not clear. Wherein lie the overriding power? Is it with the Administrator or with the Board of Advisers?

Sir, in the past, we had also come across situations where this concept of Board of Advisers had never worked harmoniously and properly, and it has been difficult to fix the accountability also. This matter needs a further study and a clarification on the role between the Administrator and the Board of Advisers.

The Government has come down harshly, I must say, upon what is called UTI-II or the specified company, to which the UTI's unit schemes and plans mentioned in the Schedule-II will be transferred. A distinction has been created. Not only the unit holders of the unit schemes and plans of UTI-II have been jettisoned, not only have they been thrown away while all along they thought that the UTI has the backing of the Government, but also the UTI-II has been discriminated. Several benefits made available to the UTI-I will not be available to the UTI-II. For example, tax benefits extended to the UTI will continue in respect of UTI-I, but not in respect of UTI-II. Similarly the transfer to UTI will enjoy exemption from stamp duty. This is denied on transfer to the UTI-II. Further, any guarantee in favour of the entire UTI will not be available to the UTI-I but it will not be available to the UTI-II.

17.00 hrs.

I would say, this is nothing but an economic fraud. In the beginning, all the unit holders of the UTI thought that they were equal and that the UTI had the backing of the Government but now this discrimination has been created.

There are my amendments also on this particular aspect, which I shall be moving at the appropriate time.

I have also to draw the attention of this House and the Government to two particular schemes of the UTI. They are the Senior Citizens' Unit Plan and the Unit Scheme for Charitable and Religious Trusts and Registered Societies. These scheme have been transferred to the UTI-II. Here I must plead that in the case of senior citizens and in the case of charitable institutions, the Government has to come forward with full protection so that they are not made to suffer.

The concern of the employees of the UTI have also to be addressed. I would suggest that the Government hold talks and proper dialogue with the employees in order to assure them that they would not suffer.

Mr. Chairman, Sir, the eclipse or the disappearance of the giant like the UTI, which was a trend-setter in the capital market, would be to the benefit of only the private undertakings and multinationals in our country. The responsibility for this sad state of affairs would lie squarely on this Government.

SHRI AJOY CHAKRABORTY (BASIRHAT): Hon. Chairman, Sir, the Government of India has taken a decision to split into two parts the largest mutual fund of the country, that is the Unit Trust of India in order to give one half of the schemes to the private sector.

This Government is a Government of Ordinances. One after another, they are promulgating Ordinances, bypassing and excluding Parliament and without consulting the Standing Committees.

On the 29th October, 2002, this Ordinance has been promulgated in order to bifurcate the oldest and largest mutual fund, Unit Trust of India, into two separate entities - one is the Assured Income Return Scheme and the other for open-ended schemes, where the former would go to the public sector and the latter would be with the private sector. It is also provided in this Bill that the existing employees, including officers would be divided and a part of them sent to the private sector.

The Unit Trust of India has been created in 1963 by enacting a law, by this Parliament. At the time of enactment

of that law of 1963, the then hon. Prime Minister Pandit Jawaharlal Nehru and the then hon. Minister of Finance Shri T.T. Krishnamachari assured the nation that through this law the interests of the common people and middle classes would be protected. I consider this act of the present Government a reversal of the assurance given by the then Prime Minister and the then Minister of Finance in 1963 in this august house. It is nothing but a betrayal of the interests of the common people of our country and the assurance that was given by the Government in this House when the Unit Trust of India was created.

The common people, middle class, lower middle class and millions of people are investing their savings in the Unit Trust of India. But this Bill, which is brought by the Government, is nothing but a betrayal of the interests of the common people who have invested their savings in the public sector institution under the Government of India.

Sir, the people are living in the farthest corner of the country, in the villages. They are not bothered about the UTI or anything because all their emphasis from morning to night is to earn their bread, to maintain their livelihood and their children. They do not know what is Unit Trust, US-64, etc.. But now everybody, even the people who are living in the farthest corner of the country, know about the US-64 and the Unit Trust of India because it is famous for the scam. So, it is my conviction that Unit-I, which is now under public sector, will wind down very soon. It is under the clinical death and ultimately it will go in the normal death and Unit-II will be in the private sector. I do not know, but this is the policy of the present Government to transfer everything, to sell the country and to hand over everything to the private sector. All the profitable concerns are being transferred to the private sector.

Sir, by the present Bill, the Government wants to achieve their motto and their goal to transfer the Unit Trust of India to the private sector. It is also provided that the employees who are working in the Unit Trust of India including the officers will be transferred to the private sector. I do not know what will be the fate of the employees and officers working in the Unit Trust of India. There are a number of employees who are working in the Unit Trust of India. After transferring them into Unit-II, that is, private sector, what will be the fate of the employees?

Sir, my hon. friends have asked the hon. Minister to assure this august House that the interests of the employees would be protected by this Bill. However, I do not believe the assurance of this Government because this Government has decided to sell out everything, to transfer everything to the private sector. So, in view of this position, as I have no time to describe all these things, I cannot support this Bill.

I am very much confident that this Bill will not protect the interests of the common people. This Bill will not protect the interests of the employees. The middle class, the lower middle class, the senior citizens, the pension holders are depositing their money in the bank. However, the interest rate is coming down. The same is the case with the US-64 Scheme. The middle class and the lower middle class people are facing a lot of problems due to US-64 Scheme, etc., of the Unit Trust of India. So, I do not believe the assurance of the hon. Minister.

Sir, with due respect to the hon. Minister, this is not the policy of the hon. Minister. But this is the policy of the NDA Government to sell out everything and to privatise everything. So, My conviction is that this Bill will not protect the interests of the common depositors like middle class and lower middle class as well as the interests of the employees also.

Sir, instead of supporting this Bill, I oppose this Bill very firmly.

SHRI JASWANT SINGH : Sir, at the end of this debate, I am very grateful to the hon. Members that they have so kindly shared their views with the Government and benefited the Government with their observation, with their criticism and with their advice.

I must, at this very stage itself, quite clearly share with you, Sir, that I am not here on a fault-finding or a blame-attribution exercise. My endeavour has been to find a solution to a rather complex problem and that is how I have addressed the responsibility and shall, God willing, continue to do so.

On a very broader and on a much larger canvas, I am putting just two opening thoughts in regard to the situation in which we found the Unit Trust of India. Firstly,

[Shri Jaswant Singh]

it is my view that in periods of transition from a highly regulated, controlled economy to freer markets, there will occur incidents of this nature where the casualties of institutions will take place in the absence of strong regulatory mechanisms.

It is my conviction, which I have stated often, that the freer the markets the stronger the regulatory mechanisms ought to be. Free market is not a synonym for a free for all and, perhaps, on this account — without any fault-finding or blame attribution — as part of the learning process curve of all of us in public life, some of these difficulties in regard whether to Unit Trust of India or other banks or other organs of the fiscal mechanisms of the State took place.

In Unit Trust of India case I have been reflecting on what happened. In its initial stages, when the Unit Trust was established in 1963 it was a monopoly and indeed, the aims and objectives, were noble aims and objectives. They were with a view to service a large section, providing them with an opportunity of investment which was sound, which was as reliable as would be the Reserve Bank of India on which those that did not either have the attributes or the inclination or the time — they could simply place their funds upon trust and that is why US-64 acquired the kind of commitment from the citizens in investments that it did.

There occurred somewhere with Unit Trust as we progressed, as independent India progressed, down the line, somewhere there occurred what I would call a schizophrenic split in the personality of the Unit Trust of India; somewhere we all lost a clarity of view as to what exactly was the Unit Trust of India — was it a mutual fund, was it, as it was originally intended a combination of a mutual fund as also of a social security system or was it an agency for development funding.

As we progressed down the line it began to do all these activities. It began to engage in development fund activities; it began to engage even in retail investments. If you were to examine the portfolio of the investments made by the Unit Trust of India over a period of time, you find that this really is what happened. It moved away from its original purpose and it began to spread its investments

in a manner which really could not be sustained. It introduced the element of assured return scheme. No mutual fund can guarantee an assured return and if it guarantees an assured return, then it is not a mutual fund because a mutual fund is essentially a fund based on market operation and, therefore, somewhere down the line, conceptually this is how and where — without blame attribution or fault-finding — I am really trying to find the substance of where things went wrong.

This is where, I believe, things went wrong. It is not any one particular phase that we can find fault with. An hon. Member asked whether I am responsible for what happened in my Ministry. I had to answer this question before the joint Parliamentary Committee as well. I held my earlier charge in a different job. I had the honour and pleasure of saying so and I say it again, Sir, that for anything wrong that happens in my responsibility, only I am responsible and for anything right that happens, those who work with me in the Ministry are the ones to be credited for it. Now, I have said so to the Committee also. It does not mean, therefore, that for every small mistake or misdemeanour, the Minister has to be up-braided. As a Minister, certainly, conceptually I am responsible for what happens in my Ministry. I was being charged, I cannot remember by whom, with this attitude. I do not have this attitude.

Broadly, Sir, there are five questions. I am not going to go into individual queries that have arisen, if you would permit. As my good friend, hon. Shri Rupchand Pal is currently a Member of the Committee that is looking into this particular matter, the queries that he has raised or the observations that he has made are the queries or observations to which I had the occasion to respond to when I appeared before the Committee, largely and not all. Therefore, if Shri Rupchand Pal would Permit, I would not really respond to them. But otherwise, there are five broad questions that have arisen and I will endeavour to respond to each of them.

The first thing which, of course, the mover of the Statutory Resolution for Disapproval of the Ordinance and various other hon. Members have said is why Ordinance was promulgated. Now here, in this context, when I got the responsibility, which was in the month of July, we were

faced with a situation as indeed has been provided in the explanatory statement and also the purpose. I had addressed the responsibility and it was decided within the Ministry that we must ring-fence and seal as it were the liabilities of the Government in regard to Unit-64, which holds a place in the entire hierarchy of investments in India which is nearly unique. There is no other investment like Unit-64 because that is really the depository of all the middle class, widows, widowers, pensioners etc. I believe, Sir, that the Government has a responsibility which it cannot and must not, in other regards, shirk. That is why, I have said often what, after all, is the Unit-64. When an observation is made that we are committing to protect all this, but we are not doing this in the other spheres, I would submit that in the case of Unit Trust of India, as hon. Members themselves recognize and point out to me, it is the citizens' money that has come into the Unit Trust of India. Irrespective of whether it is Unit-64 or any other scheme, it is the citizens' money. The citizens have, therefore, in that sense placed that money upon trust, with the Government. That is why, it is called Unit Trust of India. Having placed it upon trust, it is my bounden duty to manage it. If I am unable to manage it for any number of reasons, which are extraneous and beyond my control or otherwise, then it is my bounden duty to stand by the investment being a citizens' investment because I have said so.

When the citizen invested, I said, "Invest in this scheme, I will give you the following tax benefits." Unfortunately, for circumstances beyond our control or for whatever reason, when the scheme falters, the Government can then not say that now I am withdrawing my hand. That is why, I had to immediately take steps to seal it as it were, to contain and to re-fence the Unit-64, as also the Assured Return Scheme, and not the Net Asset Value-based Scheme. I will come in a minute about bifurcation because that is the other question.

Thereafter, having identified what the Government's commitment is, the Government's commitment is to the Government assurance -- the assurance to certain aspects of the Unit Scheme, like the Assured Return Scheme -- I fence and separate Unit-64 because the Government, thereafter, must distance itself from market operations,

which are the Net Asset Value-based market operations, which were subsequently started by the Unit Trust. That is where the third element was to segregate the Net Asset Value-based Schemes which are really market operated schemes. The Net Asset Value as in any Mutual Fund, is the Net Asset Value on account of important investments in the market and how the market has operated. The Government cannot be, then, in that sense, a market borrower. That must be separated; the unit part of it must be separated. That was the guiding principle, no matter what other reasons you attribute now. This is, after all, a political body. I can understand the hon. Members will attribute extraneous considerations, like pending elections in one State or another. As you know, in the Union of India, elections take place some time or the other, all the time. This was really the purpose behind it.

Thereafter, we had to take several steps. Between the decision and the stage where I have come now of bringing the Ordinance and the Bill to the Parliament, several steps had to be taken because this is a complex financial fiscal exercise. I will only share some of them. For example, the Net Asset Value-based Scheme is a Scheme that has to be in accordance with SEBI regulations because that is a Mutual Fund now. In 1963, when we came in, in that, Unit Trust of India was the only Mutual Fund. There was no competition. Now, I have the figure here, there are 37 Mutual Funds operating in the country, and the SEBI regulations for the Mutual Funds are in place. The total assets of these 37 Mutual Funds are over Rs. 1, 13,000 crore, and the Unit Trust's share is only Rs. 44,000 crore out of this. Of course, it is the largest of it all. Large numbers of Mutual Funds have come in. Therefore, those having come in, I had to first find the sponsors for the Net Asset Value-based Units, which is the Unit-II, and we have identified the sponsors because according to SEBI rules, you have to have a sponsor, you have to have a trustee company and you have to have a management company. This is where the conflict of interest does not take place. In SEBI, they have introduced a sponsor, a trustee company and a management company as regulations for the functioning of Mutual Funds. Therefore, there will have to be three separate stages and three separate levels. The management company cannot be the trustee company; the

[Shri Jaswant Singh]

trustee company, in turn, has to have sponsors. We have to have sponsors, we have to establish a trustee company and we have to establish a management company.

For all these we had to go and obtain the approval of the Reserve Bank of India. Therefore, I am not going into all these entire chain of steps that we had to take. The permission of the Reserve Bank of India, the Registrar of Company, the Department of Company Law, the registration with SEBI, signing of the Memorandum of Understanding, a great deal of meticulous abidance of regulations had to be obtained. There was, in fact, no time to lose.

Sir, I do wish to very clearly and candidly share with the hon. Members that in the rough and tumble of the Capital Market, I could not afford any further fall or devaluation in the status of the Unit Trust of India. I do believe that this has served the purpose. We took a decision in July that this is the step that we would take. Within days of my getting the responsibility, I had to prepare a scheme before I could go to the Cabinet. In preparing the scheme and in all those preparatory steps, it took me a certain time to go to the Cabinet, which I could go, if recollect right, only in September. Between September and now, I am happy to share with all of you, the net flow in Unit Trust has crossed Rs. 3,000 crore, when net flow into the Unit Trust for twelve months last year was only about Rs. 2,700 odd crore. This was the position for the last twelve months. In three months, the net flow into Unit Trust has crossed Rs. 3,000 crore. It is a reflection of the citizens renewed confidence in the Unit Trust. I am not going into other figures of how the Unit Trust is now valued as the number one Mutual Trust in the country. It is now valued as the number one Unit Trust. Again the Unit Trust has regained its position. That is why we had to have the Ordinance.

Why was there an Ordinance? I have explained the reasons. It is because I had to separate the market functioning, the mutual fund operations, which are Net Asset Value based, and that which the Government has committed to, the Unit-64, which is the unique position and the assured return scheme. We have segregated them. They have now become Unit-I and Unit-II.

Welfare of employees is a question that a number of hon. Members have raised. I would like to categorically and clearly assure all the hon. Members that we will take care of all employees. This is a categorical and specific assurance in the House as also in the Bill itself.

There was a question raised in regard to management as to who will manage the Unit-I. Why does the Government propose to have an Administrator and Advisors? Why does the Government not have somebody else? At the present moment, in this entire reform and re-organisation, I have a very able officer from the Ministry of Finance who will ably steer all these activities for Unit-I. We would continue to have an Administrator. He will be assisted, as per the provisions in the Bill, by a Board of Administrators. If the Government so wants, Unit - II, which is the Net Asset Value based market operated mutual fund; we would have to re-vamp the management by a professional management who would be obtained from the best possible sources.

DR. NITISH SENGUPTA : Would this Administrator be an *interim* arrangement?

SHRI JASWANT SINGH : We would have the Administrator for Unit - I currently and until I am unable to sort out all aspects. We would endeavour to professionalise it.

DR. NITISH SENGUPTA : The Chairman of the UTI is a competent person.

SHRI JASWANT SINGH : I have just said so myself. But it would be improper for me to say anything on this. It is not my function.

SHRI PRIYA RANJAN DASMUNSI : The Parliament will not decide about it.

SHRI JASWANT SINGH : It will not be possible for the Parliament to decide who does this. That is an executive function.

On conflict of interest, a question was raised that as LIC, Punjab National Bank, State Bank of India, etc., are in fact the promoters and they too have their smaller mutual funds, there will be a conflict of interest. There cannot be

a conflict of interest precisely because this is a three-tiered activity. You have the sponsors, you have a trustee company, and you have an asset management company. Then they have to be governed by the SEBI regulations exactly. So, to the extent that it is humanly possible to devise a scheme which eliminates conflict of interest, we have done so.

I have with me some detailed queries. A question was asked about Section 41 of the Unit Trust Act. Under Section 41, the Board of the Unit Trust can be reconstituted, but only after paying the whole of the initial capital to the contributing institutions. As per the Bill, the initial capital will be repaid when we do not needful.

DR. NITISH SENGUPTA : The share capital is very little.

SHRI JASWANT SINGH : It is very little.

The hon. Member has enquired about the Administrator. I have answered that. I have answered the question on the purpose of the Unit Trust after repeal also.

Hon. Banatwalla *sahab* enquired about the powers and functions of the Administrator and said that they are not defined. Under Clause 9, the Advisors are there to advise and assist the Administrator. Under Clause 20, the Government can prepare a scheme - which should be tabled in Parliament - to provide how unit-I will be managed. Not everything is always contained in the text of the Bill proper. A great many things thereafter follow in the rules and regulations.

It was enquired as to why guarantee is available to Unit-I and not to Unit-II? It is because Unit-I, as I have explained at some length just now, will be owned and managed by the Government which has to provide guarantee to the existing investors. Unit-II has to and will be operated like any other market-driven mutual fund. I have to abide by SEBI regulations. I cannot provide to Unit-II, which is a market operated mutual fund, the same provisions as I have recommended for Unit-I. I have, to the extent that I can, answered all the queries.

[Translation]

Mr. Chairman, Sir, I would like to assure you that in

view of the views expressed here, we would like to overcome all shortcomings pointed out in this House.

[English]

I recommend that the House grant its approval and consider the Bill.

SHRI SHIVRAJ V. PATIL (Latur) : I rise to say that we are going to support the Bill. However, in the course of the reply given by the hon. Minister, certain things have been stated by him and we would like to be very clear on those points. We do not blame the present Minister or the former Finance Minister. We blame the Government. It is not the individuals, it is the Government, it is the system that we are blaming.

This scam came to light long back. Why did we wait for so many months to take remedial steps?

Having waited for so many months to take the remedial steps, we come before the House with an Ordinance. Is it a correct method? The Constitution provides that in exigencies, Ordinances can be issued. That is a principle. But the fact that there was an exigency, there was a reason for using this provision, bringing this Bill before the House through Ordinance route, has to be explained. But I am not finding fault with that also. If it was not done then and if it is done now, and done expeditiously, why should we find fault with it?

But two statements which have been made by the hon. Finance Minister are bothering me a little. I do not know whether I have understood him correctly or not. The hon. Minister said that in free market economy, the institutions are going to fail and we shall have to provide more restrictions to see that the institutions do not fail. What does that mean? If a statement like this is made, well, it bothers us. If the institutions are not going to be with the Government, if the institutions are going to be in the hands of so many people, and if they are going to fail, who is going to suffer? It is the person who is keeping the money in these institutions is going to suffer. Who is going to benefit? The persons who are going to benefit are those who are unscrupulous, who get the money and establish the industry. Well, we should support those who want to establish industry. Even if sometimes, they face some

[Shri Shivraj V. Patil]

difficulties, we should see that they come out of those difficulties.

But if there are persons who take the money not to return but to grab the money, and because of that, these institutions are going to fail in the free market situations or conditions, well it is a very bothersome thing. And, if a statement is made by the hon. Minister, well, it will encourage some of such people to say: "well, this is a part of the system; you shall have to live with it." Somebody may do it and then come before the House and say that 'this is a part of the system, we have to live with it. What can we do?' If this kind of a psychology is created, it is going to be very dangerous.

My second point is this. Probably, the hon. Minister was trying to say that they cannot assure the returns to all the persons who are depositing the money. That is why they are going to have Unit Trust-I and Unit Trust-II. Unit Trust-I is going to assure the returns and Unit Trust-II is not going to assure the returns but leaving it to the investors to take the opportunity to earn the money, or lose the money also. No assurance is given under the Unit Trust-II. But if the Government thinks that no assurance can be given in such matters, well, it is a very dangerous proposition. There is only the small man, the middle-class person who saves his money by pinching his stomach, by not spending the money, saving the money and depositing it and helping with that kind of deposit to develop the country. Well, these kind of persons will suffer and unscrupulous persons, will benefit out of it. Was that what the hon. Minister wanted to say? I do not think, he wanted to convey that. But this came out of it, and if he assures the House and the people that this will not be allowed, we will be satisfied.

SHRI RUPCHAND PAL : Mr. Chariman, Sir, three questions have not been clarified.

First, it is being publicly stated that ultimately Unit-II will be privatised over a period of time. For this, some specified time frame is also being pronounced that from three to five years, it will be privatised.

Sir, there is some responsible Paper --it is on record --saying that by May-June 2003, it will be privatised. Such

an observation is actually diminishing the value of units that are there in the Unit-II. Why is the privatisation being spoken out publicly?

Long ago, we have seen that whenever there was a discussion about disinvestment of BPCL and HPCL, in the share market the prices crashed.

So, it is going to happen and after a period of time, even Rs. 400-500 crore will not be the total value of Unit-II, So, why this privatisation is being talked about right now?

Secondly, I would like to know whether the schemes in Unit-I are to be stopped altogether. Although in clause 20 of the Bill it says that the Central Government may by notification in the official Gazette make a scheme for carrying out the provisions of this Act, it is being said that it will be close-ended. After redemption the whole units will be totally extinguished and there will be no new schemes. If there is no new scheme, what is going to happen to Unit-I which will be under administration of the Government.

Lastly, what will be the nature and use of the asset infrastructure of Unit Trust of India after this Bill? How will the already existing infrastructure of this monolithic body be made use of? This asset of infrastructure has been built up over the years. These are three issues on which I seek clarification.

SHRI JASWANT SINGH : I think these are perfectly valid queries and in fact I welcome the opportunity to clarify these.

Firstly, I will respond to what my distinguished colleague, with whom I have had the pleasure of working for several Lok Sabhas now, has said. Why did we not take the remedial steps earlier and now we have come forward with an Ordinance? It is because Ordinance was necessary, otherwise it would not have been there. You can always find fault with us in this scenario. A remedial course of action was attempted at that time and that remedial course of action did not succeed rather than persistent with what not or what had not succeeded, a decision was taken much before to come with this. You can always find fault in this regard because Ordinance by

itself is always a very difficult decision to convince the Parliament about. That is the nature. The nature of Parliament will always question the Ordinance, as it should question. I could do no more on that count.

On the second question I am extremely misunderstood. I said, free market is not a synonym for free for all. The freer the market the stronger the regulatory mechanism that we need. If we do not have strong regulatory mechanism then as the free market operations proceed we are likely to have casualties. To prevent casualties you have to have a very strong simultaneous regulatory mechanism. That is the intent of what I had said. I am an advocate of indeed free enterprise and free market but free markets and free enterprise cannot take place unless there are very able, strong and effective regulatory mechanisms. This is actually an example of the absence of strong regulatory mechanism that has brought about this situation.

Thirdly, regarding the assured return scheme, let me be very categorical. Unit-I has Unit-64 scheme and all assured return schemes. The Government is fully committed to protecting Unit-I and the assured return schemes. On Unit-I there is no ambiguity, none whatsoever, neither in our intent nor in our statement, nor how we will conduct ourselves in future. We will fully support Unit-I, which comprises of Unit-64 and the assured return scheme. Unit-II is net asset value based. Investments in mutual funds by investors are made with a view to benefiting. Some times mutual funds give a very good return.

At other times, they do not give such good return. Investors take that risk for the sake of earning higher benefits. So, the mutual fund which is Net Asset Value based, and it is going to operate on the market in accordance with SEBI regulations; that no assurance is required from the Government neither any ring fencing on Unit-I which is of Unit-64 and all assured return schemes. We are committed to fully supporting that. There is no ambiguity in that regard.

Hon. Shri Rupchand Pal spoke of privatisation. I think this is referring to what I said, though I should not be referring to it.

SHRI RUPCHAND PAL : A very responsible person has stated publicly that it is going to be privatised.

SHRI JASWANT SINGH : The declaration of intent that it will be privatised is that in three to five years down the line if the situation arises, we could consider an option which involves disinvestment in this part. It is mutual fund. But to, therefore, assume that the Government is starting with privatisation in mind will in fact, therefore, not be justified.

On the other two questions about Unit-I that if you are not going to issue any more new schemes, at some day and at some stage, then Unit-I would really and eventually come to an end. I do not want to predict what will happen in future. But the response that I have received from the investor in just three months - September, October, and November - resulted in almost Rs. 3,000 crore inflow into units which persuades that I am not going to talk about demise of Unit-I at all. I am not going to commit myself to what new schemes the Government might bring. It is because it is going to be in operation. That has to first come from the administrator to the Government I cannot and I could be wrong on my part to announce any kind of schemes for Unit-I or for that matter for Unit-II unless all this has been fully examined. But I am certainly not announcing the demise of Unit-I as you are predicting.

SHRI RUPCHAND PAL : I am not predicting. I want your assurance that in case of such enthusiasm amongst the public, you would go on having new schemes.

SHRI JASWANT SINGH : But you are apprehending. I do not wish to either announce or to rule out anything. I want only Parliament's consent to the Bill. Thereafter, the management, based on the experience and the re-assertion of public confidence, can come to me and say that this is what we wish to do.

On the infrastructure, I recognise that it is a big infrastructure that has been developed over the last 40 and odd years by the Unit Trust. The separation of Unit-I and Unit-II has yet to be fully effective. It will be very carefully worked out. It is not, as if, the infrastructure is going to be arbitrarily parcelled between one or the other. This infrastructure is a component of the assets of the Unit Trust

[Shri Jaswant Singh]

proper and in the separation of the assets between Unit-I and Unit-II, this will be fully safeguarded and taken care of.

SHRI RUPCHAND PAL : I am referring to professionals and other staff also.

SHRI JASWANT SINGH : I know that. I referred to all that.

Sir, I have, to the best of my ability, answered all the queries. I do appeal to Shri Basu Deb Acharia to withdraw his motion of disapproval so that we can then take up the next legislative work.

SHRI BASU DEB ACHARIA : Even after the hon. Minister's clarification in regard to the promulgation of the Ordinance just on the eve of the Session, I am not still convinced. He has stated that the Ordinance would have been promulgated much earlier because the scam took place in 2001. The Government got enough time to rectify the existing lapses. But why did the Government choose the Ordinance route? This is not the only example. There are a number of examples. The Government is now choosing the Ordinance route thus avoiding the Parliament and the Standing Committee. The scrutiny of the Standing Committee also will not be there in this route.

He has also stated as to why the Unit Trust of India is being bifurcated into two units. He has also stated about our apprehension. This is not only our apprehension but the apprehension of the people also that this bifurcation is being done to privatise Unit-II where the Government will have no responsibility. He very clearly and categorically stated that there would be no scheme except US-64. So, what will happen? He has stated that the situation has changed during the last three months, even before the promulgation of Ordinance. The Ordinance was promulgated only on 27th October. Before that, suddenly the situation had changed. The situation has changed because of Government decision to restructure the Unit Trust of India.

The Government could have come with legislation, brought it before the House and, after debate and

discussion in this House, the Bill could have been passed in this House. That opportunity has not been given to the House because if an Ordinance is promulgated, it has to be replaced by a Bill within two months. That obligation is there and thereby, the House does not get an opportunity to debate and discuss the legislation.

I also feel that there was no urgency to promulgate an Ordinance and there lies our objection. I am not withdrawing because I have withdrawn the other Statutory Resolution. How many ordinances will be promulgated during the Inter-Session period? Yesterday, he said that it was unprecedented. They have never said that a number of Ordinances were promulgated. So, I do not find any reason to withdraw my Statutory Resolution.

SHRI P.H. PANDIAN (Tirunelveli) : Mr. Chairman, Sir, after the issuance of the summons for the Session to the Members, can the Government promulgate an Ordinance? That is the point. It is because on the 31st October the summons were issued. Two days prior to the Session the Ordinance was promulgated. After the issuance of the summons, Parliamentary process starts. So, I want a ruling on that. Can the Government promulgate an Ordinance after the issuance of the summons to the Members?

SHRI BASU DEB ACHARIA : There are a number of rulings and observations by former Speakers regarding whether an Ordinance can be promulgated just on the eve of the Session.

SHRI P.H. PANDIAN : After the issuance of the summons by the Secretariat to the Members, can an Ordinance be issued because the process is set in motion?

SHRI JASWANT SINGH : Sir, I am not going into the strict legality of it. There are, of course, instances where Ordinances have been issued even after summons were issued or when one House of Parliament was in Session. I am mindful of the fact that Ordinances should not be issued. But in this case the fact remains that the Ordinance was issued on 29th and the House was summoned on the 31st. It was two days later.

SHRI BASU DEB ACHARIA : The Cabinet took the decision to summon the House at least ten days before.

SHRI JASWANT SINGH : I do not know how my good friend, Shri Basu Deb Acharia, knows what happened in the Cabinet. The Cabinet actually met on the 31st to take this decision.

SHRI BASU DEB ACHARIA : When did the Cabinet take the decision to summon the House?

SHRI JASWANT SINGH : It was on 31st.

SHRI BASU DEB ACHARIA : Was it on 31st? The day the Cabinet met, on the same day the House was summoned. The summons were issued. This is not the fact.

MR. CHAIRMAN : Are you withdrawing the Statutory Resolution?

SHRI BASU DEB ACHARIA : I cannot withdraw. I am not withdrawing this time.

MR. CHAIRMAN : The question is:

"That this House disapproves of the Unit Trust of India (Transfer of Undertaking and Repeal) Ordinance, 2002 (No. 5 of 2002) promulgated by the President on 29 October, 2002."

The motion was negatived.

MR. CHAIRMAN : Now, the question is:

"That the Bill to provide for the transfer and vesting of the undertaking (excluding the specified undertaking) of the Unit Trust of India to the specified company to be formed and registered under the Companies Act, 1956, and the transfer and vesting of the specified undertaking of the Unit Trust of India in the Administrator and for matters connected therewith or incidental thereto and also to repeal the Unit Trust of India Act, 1963, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN : The House will now take up clause-by-clause consideration of the bill.

The question is:

"That clauses 2 to 5 stand part of the Bill."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

SHRI BASU DEB ACHARIA : Sir, we are walking out in protest.

17.59 hrs.

At this stage Shri Basu Deb Acharia and some other hon. Members left the House.

Clause 6- Provision in respect of officers and other employees of Trust

SHRI G.M. BANATWALLA : I beg to move:

Page 4,--

after line 31, insert -

"(8) Whoever, being an officer or other employee of the Trust (including a trustee of the Board, the Chairman and executive trustee), is found guilty of any decision or act committed willfully and with adverse impact on the Trust or its unit-holders or of any fraudulent or unfair practice relating to the business of the Trust shall, in addition to any punishment under the Indian Penal Code (45 of 1860), be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

(9) It shall be the duty of the specified company and the Administrator of the specified undertaking to identify any officer or other employee of the Trust (including a trustee of the Board, the Chairman and executive trustee) against whom there are reasonable grounds for punishment under sub-section (8) and submit their names to the Government for further enquiries and legal action." (1)

MR. CHAIRMAN : I shall now put amendment No. 1 to clause 6 moved by Shri G.M. Banatwalla to the vote of the House.

The amendment was put and negatived.

MR. CHAIRMAN : The question is:

the Trust shall not be appointed to the Board of Advisers." (3)

"The clause 6 stand part of the Bill."

MR. CHAIRMAN: I shall now put amendment No. 3 moved by Shri Banatwalla to the vote of the House.

The motion was adopted.

The amendment was put and negatived.

Clause 6 was added to the Bill.

Clause 7 - Appointment of Administrator to manage specified undertaking

MR. CHAIRMAN: The question is:

SHRI G.M. BANATWALLA : I beg to move:

"That clause 9 stand part of the Bill."

Page 4,--

The motion was adopted.

after line 38, insert --

Clause 9 was added to the Bill.

"Provided that any person who has been a trustee of the Board, the Chairman or executive trustee of the Trust shall not be appointed as the Administrator."

Clauses 10 and 11 were added to the Bill.

(2)

Clause 12- Concession etc. to be deemed to have been granted to specified undertaking

SHRI G.M. BANATWALLA: I beg to move:

MR. CHAIRMAN : I shall now put amendment No. 2 to clause 7 moved by Shri G.M. Banatwalla to the vote of the House.

Page 7,--

The amendment was put and negatived.

(a) line 5,--

18.00 hrs.

"after "specified undertaking"

MR. CHAIRMAN : The question is:

insert "or the specified company"

"That clause 7 stand part of the Bill.

(b) line 6,--

The motion was adopted.

after "specified undertaking"

Clause 7 was added to the Bill.

insert "or the specified company, as the case may be" (4)

Clause 8 was added to the Bill.

Clause 9 -Board of Advisors

MR. CHAIRMAN: I shall now put the amendment No. 4 moved by Shri G. M. Banatwalla to the vote of the House.

SHRI G.M. BANATWALLA: I beg to move:

The amendment was put and negatived.

Page 5,--

after line 37, insert -

MR. CHAIRMAN: The question is:

'Provided that any Person who has been a trustee of the Board, the Chairman or executive trustee of

"That clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill.

Clause 13 - Tax exemption or benefit to continue to have effect

SHRI G.M. BANATWALLA: I beg to move:

Page 7,--

(a) line 9,--

after "specified undertaking"

insert "or the specified company "

(b) line 11,--

after " specified undertaking"

insert " or the specified company' (5)

MR. CHAIRMAN: I shall now put amendment No.5 moved by Shri G.M. Banatwalla to the vote of the House.

The amendment was put and negatived.

MR.CHAIRMAN: The question is:

"That clause 13 stand part of the Bill."

The motion was adopted.

Clause 13 was added to the Bill.

Clause 14 was added to the Bill.

Clause 15 - Exemption form stamp duty

SHRI G.M. BANATWALLA: I beg to move:

Page 7, line 20,--

after "Administrator"

insert" or the specified company, as the case may be" (6)

Page 7.

after line 20, insert--

"(2) In respect of the units issued by the Trust under the Senior Citizens Unit Plan and the Unit Scheme for Charitable and Religious Trusts and Registered Societies 1981, the specified company shall be bound to repurchase or pay on redemption the amount at which the unit was purchased by the unti-holders from the Trust or the amount as per the Net Asset Value as on the date of repurchase or redemption, whichever is higher, and where the repurchase or redemption is made at more than the Net Asset Value, the difference shall be paid to the specified company by the Government." (7)

MR. CHAIRMAN: I shall now put amendment Nos. 6 and 7 moved by Shri G.M. Banatwalla to the vote of the House.

The amendments were put and negatived.

MR. CHAIRMAN: The question is:

" That clause 15 stand part of the Bill."

The motion was adopted.

Clauses 15 was added to the Bill.

Clauses 16 to 25 were added to the Bill.

The Schedule I was added to the Bill.

The Schedule II was added to the Bill.

Clause 1, the Enacting formula and the Long Title were added to the Bill.

SHRI JASWANT SINGH: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN : The question is:

"That the Bill be passed."

The motion was adopted.

18.50 hrs.

**PREVENTION OF MONEY-
LAUNDERING BILL**

**Consideration of Rajya Sabha
Amendments**

[English]

THE MINISTER OF FINANCE AND COMPANY AFFAIRS (SHRI JASWANT SINGH): Mr. Chairman, Sir, I have a request to make. I appeal to the entire House that the Prevention of Money-Laundering Bill, in fact, is possibly one piece of legislation that has received such intense scrutiny as has not been given to any other legislation. It came to the House in the 12th Lok Sabha. It was referred to the Standing Committee. The Standing Committee thoroughly examined it and sent it back to the Lok Sabha. Lok Sabha passed it. It went to the Rajya Sabha. The Rajya Sabha set up a Select Committee of the Rajya Sabha to again look at the whole thing. The Rajya Sabha looked at the whole thing and finally passed it. So, I request the House to please now pass without discussion the Prevention of Money-Laundering Bill as has been returned by the Rajya Sabha and as amended by it because possibly, no other Bill has been examined so thoroughly.

SEVERAL HON. MEMBERS: Yes.

MR. CHAIRMAN: The hon. Minister may move the motion for consideration of amendments.

SHRI JASWANT SINGH: I beg to move:

"That the following amendments made by Rajya Sabha in the Bill to prevent money-laundering and to provide confiscation of property derived from, or involved in, money-laundering and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration:

ENACTING FORMULA

1. That at page 1, line 1, for the word "Fiftieth" the word "Fifty-third" be *substituted*.

**CLAUSE - 1 - Short little, extent and
commencement**

2. That at page 1, line 5, for the figure "1999" the figure "2002" be *substituted*.

CLAUSE - 2 - Definitions

3. That at page 2, line 5, for the figure "24" the figure "25" be *substituted*.
4. That at page 2, line 7, for the figure "48" the figure "49" be *substituted*.
5. That at page 2, for lines 10-11, the following be *substituted*, namely:-

10 of 1949.

'(e) "banking company" means a banking company or a co-operative bank to which the Banking Regulation Act, 1949 applies and includes any bank or banking institution referred to in section 51 of that Act;'

6. That at page 2, after line 13, the following be *inserted*, namely:-

40 of 1982.

'(h) "chit fund company" means a company managing, conducting or supervising, as foreman, agent or in any other capacity, chits as defined in section 2 of the Chit Funds Act, 1982;

47 of 1961.

(i) "co-operative bank" shall have the same meaning as assigned to it in clause (dd) of section 2 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961;'

7. That at page 2, line 14, for the bracket and letter "(h)" the bracket and letter "(j)" be *substituted*.
8. That at page 2, line 15, for the figure "48" the figure "(49)" be *substituted*.
9. That at page 2, line 16, for the bracket and letter "(i)" the bracket and letter "(k)" be *substituted*.

10. That at page 2, line 18, for the figure "48" the figure "49" be *substituted*.

11. That at page 2, for lines 19-20, the following be *substituted*, namely:-

2 of 1934.

'(l) "financial institution" means a financial institution as defined in clause (c) of section 45-I of the Reserve Bank of India Act, 1934 and includes a chit fund company, a co-operative bank a housing finance institution and a non-banking financial company;

53 of 1987.

(m) "housing finance institution" shall have the meaning as assigned to it in clause (d) of section 2 of the National Housing Bank Act, 1987;'

12. That at page 2, line 21, for the bracket and letter "(k)" the bracket and letter "(n)" be *substituted*.

13. That at page 2, line 26, for the bracket and letter "(l)" the bracket and letter "(o)" be *substituted*.

14. That at page 2, line 28, for the bracket and letter "(m)" the bracket and letter "(p)" be *substituted*.

15. That at page 2, after line 28, the following be *inserted*, namely:-

2 of 1934

'(q) "non-banking financial company" shall have the same meaning as assigned to it in clause (f) of section 45-I of the Reserve Bank of India Act, 1934;'

16. That at page 2, line 29, for the bracket and letter "(n)" the bracket and letter "(r)" be *substituted*.

17. That at page 2, line 30, for the bracket and letter "(o)" the bracket and letter "(s)" be *substituted*.

18. That at page 2, line 41, for the bracket and letter "(p)" the bracket and letter "(t)" be *substituted*.

19. That at page 2, line 42, for the bracket and letter "(q)" the bracket and letter "(u)" be *substituted*.

20. That at page 2, line 45, for the bracket and letter "(r)" the bracket and letter "(v)" be *substituted*.

21. That at page 3, line 1, for the bracket and letter "(s)" the bracket and letter "(w)" be *substituted*.

22. That at page 3, line 3, for the bracket and letter "(t)" the bracket and letter "(x)" be *substituted*.

23. That at page 3, for line 4, the following be *substituted*, namely:-

'(y) "scheduled offence" means -

(i) the offences specified under Part A of the schedule; or

(ii) the offences specified under Part B of the Schedule if the total value involved in such offences is thirty lakh rupees or more;'

24. That at page 3, line 5, for the bracket and letter "(v)" the bracket and letter "(z)" be *substituted*.

25. That at page 3, line 6, for the figure "42" the figure "43" be *substituted*.

26. That at page 3, line 7, for the bracket and letter "(w)" the bracket and letters "(za)" be *substituted*.

27. That at page 3, line 9, for the bracket and letter "(x)" the bracket and letters "(zb)" be *substituted*.

CLAUSE-3 — Offence of money-laundering

28. That at page 3, for lines 18-23, the following be substituted, namely:-

"3. Whosoever directly or indirectly attempts to indulge or knowingly assists or knowingly is a party or is actually involved in any process or activity connected with the proceeds of crime and projecting it as untainted property shall be guilty of offence of money-laundering."

CLAUSE-4 — Punishment for money-laundering

29. That at page 3, line 28, for the words and roman numeral "in Part IV" the words, figure and letter "under paragraph 2 of Part A" be substituted.

CLAUSE-5—Attachment of property involved in money - laundering

30. That at page 3, line 34, for the words "reason to believe" the words and bracket "reason to believe (the reason for such belief to be recorded in writing)" be substituted.

31. That at page 4, line 1, for the words and roman numerals "Part I, Part II, Part III or Part V" the words, figure and letters "Paragraph 1 of Part A and Part B" be substituted.

32. That at page 4, line 3, for the word and roman numeral "Part IV" the words, figure and letter "Paragraph 2 of Part A" be substituted.

33. That at page 4, after line 5, the following be inserted, namely:-

"(2) The Director, or any other officer not below the rank of Deputy Director, shall, immediately after attachment under sub-section (1), forward a copy of the order, along with the material in his possession, referred to in that sub-section, to the Adjudicating Authority, in a sealed envelope, in the manner as may be prescribed and such Adjudicating Authority shall keep

such order and material for such period as may be prescribed."

34. That at page 4, line 6, for the bracket and figure "(2)" the bracket and figure "(3)" be substituted.

35. That at page 4, line 8, for the figure "7" the figure "8" be substituted.

36. That at page 4, line 9, for the bracket and figure "(3)" the bracket and figure "(4)" be substituted.

37. That at page 4, line 14, for the bracket and figure "(4)" the bracket and figure "(5)" be substituted.

CLAUSE-6 — Adjudicating Authority

38. That at page 4, for lines 17-23, the following be substituted, namely:-

Adjudicating Authorities, composition, powers, etc.

"6. (1) The Central Government shall, by notification, appoint one or more Adjudicating Authorities to exercise jurisdiction, powers and authority conferred by or under this Act.

(2) An Adjudicating Authority shall consist of a Chairperson and two other Members:

Provided that one Member each shall be a person having experience in the field of law, administration, finance or accountancy.

(3) A person shall, however, not be qualified for appointment as Member of an Adjudicating Authority,-

(a) in the field of law, unless he-

(i) is qualified for appointment as District Judge; or

(ii) has been a member of the Indian Legal Service and has held a post in Grade I of that service;

(b) in the field of finance, accountancy or administration unless he possesses such qualifications, as may be prescribed.

(4) The Central Government shall appoint a Member to be the Chairperson of the Adjudicating Authority.

(5) Subject to the provisions of this Act,-

(a) the jurisdiction of the Adjudicating Authority may be exercised by Benches thereof;

(b) a Bench may be constituted by the Chairperson of the Adjudicating Authority with one or two Members as the Chairperson of the Adjudicating Authority may deem fit;

(c) the Benches of the Adjudicating Authority shall ordinarily sit at New Delhi and such other places as the Central Government may, in consultation with the Chairperson, by notification, specify;

(d) the Central Government shall, by notification, specify the areas in relation to which each Bench of the Adjudicating Authority may exercise jurisdiction.

(6) Notwithstanding anything contained in subsection (5), the Chairperson may transfer a Member from one Bench to another Bench.

(7) If at any stage of the hearing of any case or matter it appears to the Chairperson or a Member that the case or matter is of such a nature that it ought to be heard by a Bench consisting of two Members, the case or matter may be transferred by the Chairperson or, as the case may be, referred to him for transfer, to such Bench as the Chairperson may deem fit.

(8) The Chairperson and every Member shall hold office as such for a term of five years from the date on which he enters upon his office:

Provided that no Chairperson or other Member

shall hold office as such *after* he has attained the age of sixty-two years.

(9) The salary and allowances payable to and the other terms and conditions of service of the Member shall be such as may be prescribed:

Provided that neither the salary and allowances nor the other terms and conditions of service of the Member shall be varied to his disadvantage *after* appointment.

(10) If, for reasons other than temporary absence, any vacancy occurs in the office of the Chairperson or any other Member, then the Central Government shall appoint another person in accordance with the provisions of this Act to fill the vacancy and the proceedings may be continued before the Adjudicating Authority from the stage at which the vacancy is filled.

(11) The Chairperson or any other Member may, by notice in writing under his hand addressed to the Central Government, resign his office:

Provided that the Chairperson or any other Member shall, unless he is permitted by the Central Government or relinquish his office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as his successor enters upon his office or until the expiry of his term of office, whichever is the earliest.

(12) The Chairperson or any other Member shall not be removed from his office except by an order made by the Central Government *after* giving necessary opportunity of hearing.

(13) In the event of the occurrence of any vacancy in the office of the Chairperson by reason of his death, resignation or otherwise, the senior-most Member shall act as the Chairperson of the Adjudicating Authority until the date on which a new Chairperson,

appointed in accordance with the provisions of this Act to fill such vacancy, enters upon his office.

(14) When the Chairperson of the Adjudicating Authority is unable to discharge his functions owing to absence, illness or any other cause, the senior-most Member shall discharge the functions of the Chairperson of the Adjudicating Authority until the date on which the Chairperson of the Adjudicating Authority resumes his duties.

5 of 1908.

(15) The Adjudicating Authority shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908, but shall be guided by the principles of natural justice and, subject to the other provisions of this Act, the Adjudicating Authority shall have powers to regulate its own procedure.

Staff of Adjudicating Authorities.

"7. (1) The Central Government shall provide each Adjudicating Authority with such officers and employees as that Government may think fit.

(2) The officers and employees of the Adjudicating Authority shall discharge their functions under the general superintendence of the Chairperson of the Adjudicating Authority.

(3) The salaries and allowances and other conditions of service of the officers and employees of the Adjudicating Authority shall be such as may be prescribed."

CLAUSE-7-- Adjudication

- 39. That at page 4, line 24, for the figure "7" the figure "8" be *substituted*.
- 40. That at page 4, line 24, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.

- 41. That at page 4, line 25, for the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.
- 42. That at page 4, line 25, for the figure "16" the figure "17" be *substituted*.
- 43. That at page 4, line 25, for the bracket and figure "(9)" the bracket and figure "(10)" be *substituted*.
- 44. That at page 4, line 25, for the figure "17" the figure "18" be *substituted*.
- 45. That at page 4, line 30, for the figure "16" the figure "17" be *substituted*.
- 46. That at page 4, line 30, for the figure "17" the figure "18" be *substituted*.
- 47. That at page 5, line 4, for the figure "16" the figure "17" be *substituted*.
- 48. That at page 5, line 4, for the figure "17" the figure "18" be *substituted*.
- 49. That at page 5, line 15, after the words, bracket and figure "sub-section (3)" the words "and net income, if any," be *inserted*.

CLAUSE-8—Vesting of property in Central Government

- 50. That at page 5, line 20, for the figure "8" the figure "9" be *substituted*.
- 51. That at page 5, line 20, for the figure "7" the figure "8" be *substituted*.

CLAUSE-9 — Management of properties confiscated under this chapter

- 52. That at page 5, line 33, for the figure "9" the figure "10" be *substituted*.
- 53. That at page 5, line 37, for the figure "7" the figure "8" be *substituted*.
- 54. That at page 5, line 40, for the figure "8" the figure "9" be *substituted*.

CLAUSE-10 — Power regarding summons, production of Document to and evidence etc.

55. That at page 5, line 41, *for the figure "10" the figure "11" be substituted.*

CLAUSE-11—Banking companies, financial institutions and intermediaries to maintain records

56. That at page 6, line 15, *for the figure "11" the figure "12" be substituted.*

57. That at page 6, *after* line 23, the following be *inserted*, namely:-

"Provided that where the principal officer of a banking company or financial institutions or intermediary, as the case may be, has reason to believe that a single transaction or series of transactions integrally connected to each other have been valued below the prescribed value so as to defeat the provisions of this section, such officer shall furnish information in respect of such transactions to the Director within the prescribed time."

CLAUSE-12—Powers of Director to impose fine

58. That at page 6, line 27, *for the figure "12" the figure "13" be substituted.*

59. That at page 6, line 28, *for the figure "11" the figure "12" be substituted.*

60. That at page 6, lines 31-32, *for the words "maintain or retain records in accordance with the provisions contained in section 11", the words "failed to comply with the provisions contained in section 12" be substituted.*

61. That at page 6, line 36, *after* the word "rupees" the words "*for each failure*" be *inserted*.

CLAUSE - 13 -- No civil proceedings against banking companies, financial institutions etc. in certain cases

62. That at page 7, line 1, *for the figure "13" the figure "14" be substituted.*

63. That at page 7, line 1, *for the figure "12" the figure "13" be substituted.*

64. That at page 7, line 3, *for the figure "11" the figure "12" be substituted.*

CLAUSE-14—Procedure and manner of furnishing information by banking company, financial institution and intermediary

65. That at page 7, line 4, *for the figure "14" the figure "15" be substituted.*

66. That at page 7, line 6, *for the figure "11" the figure "12" be substituted.*

CLAUSE-15—Power of survey

67. That at page 7, *for* lines 9-11, the following be *substituted*, namely:-

Power of Survey.

"16. (1) Notwithstanding anything contained in any other provisions of this Act, where an authority, on the basis of material in his possession, has reason to believe (the reasons *for* such belief to be recorded in writing) that an offence under section 3 has been committed, he may enter any place—"

68. That at page 7, *after* line 28, the following be *inserted*, namely:-

"(2) The authority referred to in sub-section (1) shall, *after* entering any place referred to in that sub-section immediately *after* completion of survey, forward a copy of the reasons so recorded along with material in his possession, referred to in that sub-section, to the Adjudicating Authority in a sealed envelope in the manner as may be prescribed and such Adjudicating Authority shall keep such reasons and material *for* such period as may be prescribed."

69. That at page 7, line 29, *for the bracket and figure "(2)" the bracket and figure "(3)" be substituted.*

CLAUSE-16—Search and seizure

70. That at page 7, line 35, *for* the figure "16" the figure "17" be *substituted*.
71. That at page 7, line 36, *after* the word "believe" the bracket and words "(the reason *for* such belief to be recorded in writing)" be *inserted*.
72. That at page 8, line 20, *for* the words and roman numerals "Part I, Part II, Part III or Part V" the words, figure and letters "Paragraph 1 of Part A and Part B" be *substituted*.
73. That at page 8, line 22, *for* the words and roman numeral "Part IV" the words, figure and letter "Paragraph 2 of Part A" be *substituted*.
74. That at page 8, *after* line 24, the following be *inserted*, namely:-
- "(2) The authority, who has been authorized under sub-section (1) shall, immediately *after* search and seizure, forward a copy of the reasons so recorded along with material in his possession, referred to in that sub-section, to the Adjudicating Authority in a sealed envelope, in the manner, as may be prescribed and such Adjudicating Authority shall keep such reasons and material *for* such period, as may be prescribed."
75. That at page 8, line 25, *for* the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.
76. That at page 8, line 25, *for* the figure "15" the figure "16" be *substituted*.
77. That at page 8, line 31, *for* the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.

CLAUSE-17—Search of Persons

78. That at page 8, line 34, *for* the figure "17" the figure "18" be *substituted*.
79. That at page 8, line 35, *after* the word "believe"

the bracket and words "(the reason *for* such belief to be recorded in writing)" be *inserted*.

80. That at page 8, *after* line 39, the following be *inserted*, namely:-
- "(2) The authority, who has been authorized under sub-section (1) shall, immediately *after* search and seizure, forward a copy of the reasons so recorded along with material in his possession, referred to in that sub-section, to the Adjudicating Authority in a sealed envelope, in the manner, as may be prescribed and such Adjudicating Authority shall keep such reasons and material *for* such period, as may be prescribed."
81. That at page 8, line 40, *for* the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.
82. That at page 8, line 46, *for* the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.
83. That at page 8, line 46, *for* the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.
84. That at page 9, line 6, *for* the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.
85. That at page 9, line 9, *for* the bracket and figure "(5)" the bracket and figure "(6)" be *substituted*.
86. That at page 9, line 9, *for* the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.
87. That at page 9, line 12, *for* the bracket and figure "(6)" the bracket and figure "(7)" be *substituted*.
88. That at page 9, line 14, *for* the bracket and figure "(7)" the bracket and figure "(8)" be *substituted*.

89. That at page 9, line 14, *for* the words "excepting a female" the words "except a female" be *substituted*.

90. That at page 9, *for* lines 15-24, the following be *substituted*, namely:-

"(9) The Authority shall record the statement of the person searched under sub-section (1) or sub-section (5) in respect of the records or proceeds of crime found or seized in the course of the search:

Provided that no search of any person shall be made unless, in relation to an offence under-

2 of 1974.

(a) Paragraph 1 of Part A or Paragraph 1 or Paragraph 2 or Paragraph 3 or Paragraph 4 or Paragraph 5 of Part B of the Schedule, a report has been forwarded to a Magistrate under section 173 of the Code of Criminal Procedure, 1973; or

61 of 1985.

(b) Paragraph 2 of Part A of the Schedule, a police report or a complaint has been filed *for* taking cognizance of an offence by the Special Court constituted under sub-section (1) of section 36 of the Narcotic Drugs and Psychotropic Substances Act, 1985."

91. That at page 9, line 25, *for* the bracket and figure "(9)" the bracket and figure "(10)" be *substituted*.

CLAUSE-18—Power to arrest

92. That at page 9, line 28, *for* the figure "18" the figure "19" be *substituted*.

93. That at page 9, *for* lines 29-30, the following be *substituted*, namely:-

"authorised in this behalf by the Central Government by general or special order, has on the basis of material in his possession

reason to believe (the reason *for* such belief to be recorded in writing) that any person has been guilty of an offence punishable under this Act, he may".

94. That at page 9, *after* line 31, the following be *inserted*, namely:-

"(2) The Director, Deputy Director, Assistant Director or any other officer shall, immediately *after* arrest of such person under sub-section (1), forward a copy of the order, along with the material in his possession, referred to in that sub-section, to the Adjudicating Authority, in a sealed envelope, in the manner, as may be prescribed and such Adjudicating Authority shall keep such order and material *for* such period, as may be prescribed."

95. That at page 9, line 32, *for* the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

CLAUSE-19—Retention of property

96. That at page 9, *for* lines 37-41, the following be *substituted*, namely:-

Retention of property.

"20. (1) Where any property has been seized under section 17 or section 18, and the officer authorized by the Director in this behalf has, on the basis of material in his possession, reason to believe (the reason *for* such belief to be recorded by him in writing) that such property is required to be retained *for* the purposes of adjudication under section 8, such property may be retained *for* a period not exceeding three months from the end of the month in which such property was seized.

(2) The officer authorized by the Director immediately *after* he has passed an order *for* retention of the property *for* purposes of adjudication under section 8 shall forward a copy of the order along with the material in his possession, referred to in sub-section (1), to the

Adjudicating Authority, in a sealed envelope, in the manner as may be prescribed and such Adjudicating Authority shall keep such order and material for such period as may be prescribed."

97. That at page 9, line 42, for the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.
98. That at page 9, line 45, for the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.
99. That at page 9, line 48, for the figure "7" the figure "8" be *substituted*.
100. That at page 9, line 49, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.
101. That at page 9, line 49, for the figure "7" the figure "8" be *substituted*.
102. That at page 10, line 1, for the bracket and figure "(5)" the bracket and figure "(6)" be *substituted*.
103. That at page 10, line 1, for the word, bracket and figure "sub-section (4)" the word, bracket and figure "sub-section (5)" be *substituted*.
104. That at page 10, line 3, for the word and figure "section 25" the word and figure "section 26" be *substituted*.
105. That at page 10, line 3, for the word, bracket and figure "sub-section (4)" the word, bracket and figure "sub-section (5)" be *substituted*.

CLAUSE-20—Retention of records

106. That at page 10, line 6, for the figure "20" the figure "21" be *substituted*.
107. That at page 10, line 6, for the figure "16" the figure "17" be *substituted*.
108. That at page 10, line 6, for the figure "17" the figure "18" be *substituted*.

109. That at page 10, *after* line 10, the following be *inserted*, namely:-

"(2) The person, from whom records were seized, shall be entitled to obtain copies of records retained under sub-section (1)."

110. That at page 10, line 11, for the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.
111. That at page 10, line 14, for the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.
112. That at page 10, line 16, for the figure "7" the figure "8" be *substituted*.
113. That at page 10, line 17, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.
114. That at page 10, line 17, for the figure "7" the figure "8" be *substituted*.
115. That at page 10, line 20, for the bracket and figure "(5)" the bracket and figure "(6)" be *substituted*.
116. That at page 10, line 20, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.
117. That at page 10, line 22, for the figure "25" the figure "26" be *substituted*.
118. That at page 10, line 23, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.

CLAUSE-21—Presumption as to records or property in certain cases

119. That at page 10, line 25, for the figure "21" the figure "22" be *substituted*.

CLAUSE-22—Presumption in inter connected transactions

120. That at page 11, line 3, for the figure "22" the figure "23" be *substituted*.

CLAUSE-23—Burden of Proof

121. That at page 11, for lines 8-16, the following be *substituted*, namely:-

Burden of Proof.

"24. When a person is accused of having committed the offence under section 3, the burden of proving that proceeds of crime are untainted property shall be on the accused."

CLAUSE-24—Establishment of Appellate Tribunal

122. That at page 11, line 19, for the figure "24" the figure "25" be *substituted*.

CLAUSE-25—Appeals to Appellate Tribunal

123. That at page 11, line 22, for the figure "25" the figure "26" be *substituted*.
124. That at page 11, line 26, for the figure "12" the figure "13" be *substituted*.
125. That at page 11, line 32, after the word "may" the words "after giving an opportunity of being heard" be *inserted*.

CLAUSE-26—Composition etc. of Appellate Tribunal

126. That at page 12, line 3, for the figure "26" the figure "27" be *substituted*.

CLAUSE-27—Qualifications for appointment

127. That at page 12, line 21, for the figure "27" the figure "28" be *substituted*.
128. That at page 12, after line 31, the following be *inserted*, namely:-

"(e) has been a member of the Indian Customs and Central Excise Service and has held the post of a Joint Secretary or equivalent post in that Service for at least three years; or

38 of 1949.

"(f) has been in the practice of accountancy as a chartered accountant under the Chartered Accountants Act, 1949 or as a registered accountant under any law for the time being in force or partly as a registered accountant and partly as a chartered accountant for at least ten years:

Provided that one of the members of the Appellate Tribunal shall be from category mentioned in clause (f); or

"(g) has been a member of the Indian Audit and Accounts Service and has held the post of Joint Secretary or equivalent post in that Service for at least three years."

CLAUSE-28—Term of office

129. That at page 12, line 34, for the figure "28" the figure "29" be *substituted*.

CLAUSE-29—Conditions of Service

130. That at page 13, line 3, for the figure "29" the figure "30" be *substituted*.

CLAUSE-30—Vacancies

131. That at page 13, line 8, for the figure "30" the figure "31" be *substituted*.

CLAUSE - 31- Resignation and removal

132. That at page 13, line 13, for the figure "31" the figure "32" be *substituted*.

CLAUSE - 32 - Member to act as Chairperson in Certain circumstances

133. That at page 13, line 25, for the figure "32" the figure "33" be *substituted*.

CLAUSE-33—Staff of Appellate Tribunal

134. That at page 13, line 32, for the figure "33" the figure "34" be *substituted*.

CLAUSE-34—Procedure and powers of Appellate Tribunal

135. That at page 13, line 38, for the figure "34" the figure "35" be *substituted*.

**CLAUSE-35—Distribution of business
amongst Benches**

136. That at page 14, line 27, *for* the figure "35" the figure "36" be *substituted*.

**CLAUSE-36—Power of chairperson
to transfer cases**

137. That at page 14, line 31, *for* the figure "36" the figure "37" be *substituted*.

CLAUSE-37—Decision to be by majority

138. That at page 14, line 35, *for* the figure "37" the figure "38" be *substituted*.

**CLAUSE-38—Right of appellant to take assistance
of authorised representative and of Government
to appoint presenting officers**

139. That at page 15, line 1, *for* the figure "38" the figure "39" be *substituted*.

**CLAUSE-39—Members etc. to be
public servants**

140. That at page 15, line 10, *for* the figure "39" the figure "40" be *substituted*.

**CLAUSE-40—Civil Court not to
have jurisdiction**

141. That at page 15, line 13, *for* the figure "40" the figure "41" be *substituted*.

CLAUSE-41—Appeal to High Court

142. That at page 15, line 18, *for* the figure "41" the figure "42" be *substituted*.

143. That at page 15, line 20, *after* the word "law" the word "or fact" be *inserted*.

CLAUSE-42—Special Courts

144. That at page 15, line 34, *for* the figure "42" the figure "43" be *substituted*.

145. That at page 15, line 41, *for* the word "may" the word "shall" be *substituted*.

**CLAUSE-43—Offences triable by
special courts**

146. That at page 15, line 44, *for* the figure "43" the figure "44" be *substituted*.

147. That at page 15, line 46, *after* the word "the" the word "scheduled offence and" be *inserted*.

148. That at page 15, line 47, the word "or" be *deleted*.

149. That at page 15, *after* line 47, the following be *inserted*, namely:-

Provided that the Special Court, trying a scheduled offence before the commencement of this Act, shall continue to try such scheduled offence; or".

150. That at page 16, line 5, *for* the figure "42" the figure "43" be *substituted*.

**CLAUSE-44—Offences to be cognizable
and Non-bailable**

151. That at page 16, line 6, *for* the figure "44" the figure "45" be *substituted*.

152. That at page 16, line 10, *for* the words "under this Act" the words and letter "under Part A of the Schedule" be *substituted*.

**CLAUSE - 45 - Application of the code of
Criminal Procedure 1973 to Proceedings
before special court**

153. That at page 16, line 28, *for* the figure "45" the figure "46" be *substituted*.

CLAUSE - 46 - Appeal and revision

154. That at page 16, line 43, *for* the figure "46" the figure "47" be *substituted*.

CLAUSE - 47 - Authorities under the Act

155. That at page 16, line 50, *for* the figure "47" the figure "48" be *substituted*.

CLAUSE-48—Appointment and power of authorities and other officers

156. That at page 17, line 1, for the figure "48" the figure "49" be *substituted*.

CLAUSE - 49—Powers of authorities regarding summons production of documents and to give evidence etc.

157. That at page 17, line 10, for the figure "49" the figure "50" be *substituted*.

CLAUSE-50—Jurisdiction of Authorities

158. That at page 17, line 37, for the figure "50" the figure "51" be *substituted*.

CLAUSE-51—Power of Central Government to issue directions etc.

159. That at page 18, line 3, for the figure "51" the figure "52" be *substituted*.

CLAUSE - 52 - Empowerment of Certain officers

160. That at page 18, for lines 11-13, the following be *substituted*, namely:-

Empowerment of certain officers.

"53. The Central Government may, by a special or general order, empower an officer not below the rank of Director of the Central Government or of a State Government to act as an authority under this Act:

Provided that the Central Government may empower an officer below the rank of Director if the officer of the rank of the Director or above are not available in a particular area."

CLAUSE - 53 - Certain officers to assist in inquiry etc.

161. That at page 18, line 14, for the figure "53" the figure "54" be *substituted*.

162. That at page 18, for lines 26-27, the following be *substituted*, namely:-

40 of 1999.

"(g) officers of enforcement appointed under sub-section (1) of section 36 of the Foreign Exchange Management Act, 1999;".

CLAUSE-54—Definitions

163. That at page 18, line 38, for the figure "54" the figure "55" be *substituted*.

CLAUSE-55—Agreements with foreign countries

164. That at page 19, line 1, for the figure "55" the figure "56" be *substituted*.

CLAUSE-56—Letters of request to a contracting State in certain cases

165. That at page 19, line 13, for the figure "56" the figure "57" be *substituted*.

CLAUSE-57—Assistance to a contracting State in certain cases

166. That at page 19, line 31, for the figure "57" the figure "58" be *substituted*.

CLAUSE - 58 - Reciprocal arrangement for processes and assistance for transfer of accused persons

167. That at page 19, line, 37, for the figure "58" the figure "59" be *substituted*.

168. That at page 20, lines 9-10, for the words "so far as possible be dealt with" the words "be dealt with" be *substituted*.

169. That at page 20, line 10, for the figure "18" the figure "19" be *substituted*.

170. That at page 20, line 13, for the figure "16 and 17" the figures "17 and 18" be *substituted*.

CLAUSE - 59 -- Attachement, seizure and confiscation etc. of property in a contracting State or India

171. That at page 20, line 25, *for* the figure "59" the figure "60" be *substituted*.
172. That at page 20, line 27, *for* the figure "7" the figure "8" be *substituted*.
173. That at page 20, line 29, *for* the figure "9" the figure "10" be *substituted*.
174. That at page 20, line 37, *for* the figure "57" the figure "58" be *substituted*.
175. That at page 20, line 37, *for* the figure "58" the figure "59" be *substituted*.

CLAUSE-60 - Procedure in respect of letter of request

176. That at page 21, line 1, *for* the figure "60" the figure "61" be *substituted*.

CLAUSE - 61 - Punishment of vexatious search

177. That at page 21, line 8, *for* the figure "61" the figure "62" be *substituted*.
178. That at page 21, line 9, *after* the word "who" the words "without reasons recorded in writing" be *inserted*.
179. That at page 21, line 10, the words "without reasonable grounds of suspicion" be *deleted*.
180. That at page 21, line 12, the word "vexatiously" be *deleted*.

CLAUSE - 62 - Punishment for false information or failure to give information etc.

181. That at page 21, line 15, *for* the figure "62" the figure "63" be *substituted*.
182. That at page 21, line 25, *for* the figure "49" the figure "50" be *substituted*.

CLAUSE-63 - Cognizance of offences

183. That at page 21, *for* lines 33-34 the following be *substituted*, namely:-

Cognizance of offences

"64. (1) No court shall take cognizance of any offence under section 62 or sub-section (1) of section 63 except with the previous sanction of the Central Government.

(2) The Central Government shall, by an order either give sanction or refuse to give sanction within ninety days of the receipt of the request in this behalf."

CLAUSE-64 - Code of Criminal procedure 1973 of apply

184. That at page 21, line 35, *for* the figure "64" the figure "65" be *substituted*.

CLAUSE - 65 - Disclosure of Information

185. That at page 21, line 39, *for* the figure "65" the figure "66" be *substituted*.

CLAUSE - 66 - Bar of suits in Civil Courts

186. That at page 22, line 6, *for* the figure "66" the figure "67" be *substituted*.

CLAUSE - 67- Notice etc. not to be invalid on certain grounds

187. That at page 22, line 10, *for* the figure "67" the figure "68" be *substituted*.

CLAUSE - 68 - Recovery of Fines

188. That at page 22, line 17, *for* the figure "68" the figure "69" be *substituted*.
189. That at page 22, line 17, *for* the figure "12" the figure "13" be *substituted*.
190. That at page 22, line 17, *for* the figure "62" the figure "63" be *substituted*.

CLAUSE - 69 - Offence by companies

191. That at page 22, line 23, *for* the figure "69" the figure "70" be *substituted*.

CLAUSE - 70 - Act to have over riding effect

192. That at page 22, line 43, *for* the figure "70" the figure "71" be substituted.

CLAUSE - 71 - Continuation of proceedings in the event of death or insolvency

193. That at page 22, line 45, *for* the figure "71" the figure "72" be *substituted*
194. That at page 22, line 46, *for* the figure "7" the figure "8" be *substituted*.
195. That at page 23, line 8, *for* the figure "25" the figure "26" be *substituted*.
196. That at page 23, line 12, *for* the figure "41" the figure "42" be substituted.
197. That at page 23, line 24, *for* the figure "41" the figure "42" be *substituted*.

CLAUSE-72 - Power to make rules

198. That at page 23, line 28, *for* the figure "72" the figure "73" be *substituted*.
199. That at page 23, *after* line 32, the following be *inserted*, namely:-

"(b) the manner in which the order and the material referred to in sub-section (2) of section 5 to be maintained;

(c) matters in respect of experience of Members under sub-section (3) of section 6;

(d) the salaries and allowances payable to and other terms and conditions of service of Members of the Adjudicating Authority under sub-section (9) of section 6;

(e) the salaries and allowances payable to and other terms and conditions of service of the

officers and employees of the Adjudicating Authority under sub-section (3) of section 7;".

200. That at page 23, line 33, *for* the bracket and letter "(b)" the bracket and letter "(f)" be *substituted*.
201. That at page 23, line 34, *for* the figure "9" the figure "10" be *substituted*.
202. That at page 23, line 35, *for* the bracket and letter "(c)" the bracket and letter "(g)" be *substituted*.
203. That at page 23, line 36, *for* the figure "10" the figure "11" be *substituted*.
204. That at page 23, line 37, *for* the bracket and letter "(d)" the bracket and letter "(h)" be *substituted*.
205. That at page 23, line 38, *for* the figure "11" the figure "12" be *substituted*.
206. That at page 23, line 39, *for* the bracket and letter "(e)" the bracket and letter "(i)" be *substituted*.
207. That at page 23, line 40, *for* the figure "11" the figure "12" be *substituted*.
208. That at page 23, line 41, *for* the bracket and letter "(f)" the bracket and letter "(j)" be *substituted*.
209. That at page 23, line 43, *for* the figure "11" the figure "12" be *substituted*.
210. That at page 24, line 1, *for* the bracket and letter "(g)" the bracket and letter "(k)" be *substituted*.
211. That at page 24, line 2, *for* the figure "14" the figure "15" be *substituted*.
212. That at page 24, *after* line 2, the following be *inserted*, namely:-
- "(l) The manner in which the reasons and material referred to in sub-section (2) of section 16 shall be mentioned."

- 213. That at page 24, line 3, for the bracket and letter "(h)" the bracket and letter "(m)" be substituted.
- 214. That at page 24, line 4, for the figure "16" the figure "17" be substituted.
- 215. That at page 24, after line 4, the following be inserted, namely:-
 - "(n) the manner in which the reasons and the material referred to in sub-section (2) of section 17 shall be maintained;
 - (o) the manner in which the reasons and the material referred to in sub-section (2) of section 18 shall be maintained;
 - (p) the manner in which the order and the material referred to in sub-section (2) of section 19 shall be maintained."
- 216. That at page 24, line 5, for the bracket and letter "(i)" the bracket and letter "(q)" be substituted.
- 217. That at page 24, line 6, for the figure "21" the figure "22" be substituted.
- 218. That at page 24, line 7, for the bracket and letter "(j)" the bracket and letter "(r)" be substituted.
- 219. That at page 24, line 8, for the figure "25" the figure "26" be substituted.
- 220. That at page 24, line 9, for the bracket and letter "(k)" the bracket and letter "(s)" be substituted.
- 221. That at page 24, line 10, for the figure "29" the figure "30" be substituted.
- 222. That at page 24, line 12, for the bracket and letter "(l)" the bracket and letter "(t)" be substituted.
- 223. That at page 24, line 13, for the figure "33" the figure "34" be substituted.
- 224. That at page 24, line 14, for the bracket and

letter "(m)" the bracket and letter "(u)" be substituted.

- 225. That at page 24, line 15, for the figure "34" the figure "35" be substituted.
- 226. That at page 24, line 16, for the bracket and letter "(n)" the bracket and letter "(v)" be substituted.
- 227. That at page 24, line 17, for the figure "49" the figure "50" be substituted.
- 228. That at page 24, line 18, for the bracket and letter "(o)" the bracket and letter "(w)" be substituted.
- 229. That at page 24, line 19, for the figure "49" the figure "50" be substituted.
- 230. That at page 24, line 20, for the bracket and letter "(p)" the bracket and letter "(x)" be substituted.

CLAUSE-73—Rules to be laid before Parliament

- 231. That at page 24, line 21, for the figure "73" the figure "74" be substituted.

CLAUSE-74—Power to remove difficulties

- 232. That at page 24, line 30, for the figure "74" the figure "75" be substituted.

THE SCHEDULE

- 233. That at page 25, for lines 1-33, the following be substituted, namely:-

"THE SCHEDULE

[See section 2(y)]

PART A

PARAGRAPH 1

OFFENCES UNDER THE INDIAN PENAL CODE

Section	Description of offence
121	Waging or attempting to wage war or abetting waging of war, against the Government of India.

Section	Description of offence
121A	Conspiracy to commit offences punishable by section 121 against the State.

PARAGRAPH 2

**OFFENCES UNDER THE NARCOTIC DRUGS AND
PSYCHOTROPIC SUBSTANCES ACT, 1985**

15	Contravention in relation to poppy straw.
18	Contravention in relation to opium poppy and opium.
20	Contravention in relation to cannabis plant and cannabis
22	Contravention in relation to psychotropic substances.
23	Illegal import into India, export from India to transshipment of narcotic drugs and psychotropic substances.
24	External dealings in narcotic drugs and psychotropic substances in contravention of section 12 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
25A	Contravention of orders made under section 9A of the Narcotic Drugs and Psychotropic Substances Act, 1985.
27A	Financing illicit traffic and harbouring offenders.
29	Abetment and criminal conspiracy.

PART B

PARAGRAPH 1

OFFENCES UNDER THE INDIAN PENAL CODE

302	Murder.
304	Culpable homicide not amounting to murder, if act by which the death is caused is done with the intention of causing death.

Section	Description of offence
307	Attempt to murder.
308	Attempt to commit culpable homicide.
327	Voluntarily causing hurt to extort property, or a valuable security, or to constrain to do anything which is illegal or which may facilitate the commission of the offence.
329	Voluntarily causing grievous hurt to extort property, or a valuable security, or to constrain to do anything which is illegal or which may facilitate the commission of the offence.
364A	Kidnapping for ransom, etc.
384 to 389	Offences relating to extortion.
392 to 402	Offences relating to robbery and dacoity.
467	Forgery of a valuable security, will or authority to make or transfer any valuable security, or to receive any money, etc.
489A	Counterfeiting currency notes or bank notes.
489B	Using as genuine, forged or counterfeit currency notes or bank notes.

PARAGRAPH 2

OFFENCES UNDER THE ARMS ACT, 1959

25	To manufacture, sell, transfer, convert, repair or test or prove or expose or offer for sale or transfer or have in his possession for sale, transfer, conversion, repair, test or proof, any arms or ammunition in contravention of section 5 of the Arms Act, 1959.
	To acquire, have in possession or carry any prohibited arms or prohibited ammunition in contravention of section 7 of the Arms Act, 1959.

Section	Description of offence
	Contravention of section 24A of the Arms Act, 1959 relating to prohibition as to possession of notified arms in disturbed areas, etc.
	Contravention of section 24B of the Arms Act, 1959 relating to prohibition as to carrying of notified arms in or through public places in disturbed areas.
	Other offences specified in section 25.
26	To do any act in contravention of any provisions of section 3, 4, 10, or 12 of the Arms Act, 1959 in such manner as specified in sub-section (1) of section 26 of the said Act.
	To do any Act in contravention of any provisions of section 5, 6, 7, or 11 of the Arms Act, 1959 in such manner as specified in sub-section (2) of section 26 of the said Act.
	Other offences specified in section 26.
27	Use of arms or ammunitions in contravention of section 5 or use of any arms or ammunition in contravention of section 7 of the Arms Act, 1959.
28	Use and possession of fire arms or imitation fire arms in certain cases.
29	Knowingly purchasing arms from unlicensed person or for delivering arms, etc., to person not entitled to possess the same.
30	Contravention of any condition of a licence or any provisions of the Arms Act, 1959 or any rule made thereunder.

PARAGRAPH 3

OFFENCES UNDER THE WILD LIFE (PROTECTION) ACT, 1972

51 read with section 17A	Contravention of provisions of section 17A relating to prohibition of picking, uprooting etc., of specified plants.
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Section	Description of offence
51 read with section 39	Contravention of provisions of section 39 relating to wild animals, etc., to be Government property.
51 read with section 44	Contravention of provisions of section 44 relating to dealings in trophy and animal articles without licence prohibited.
51 read with section 48	Contravention of provisions of section 48 relating to purchase of animal etc., by licence.
51 read with section 49B	Contravention of provisions of section 49B relating to prohibition of dealings in trophies, animal articles, etc., derived from scheduled animals.

PARAGRAPH 4

OFFENCES UNDER THE IMMORAL TRAFFIC (PREVENTION) ACT, 1956

5	Procuring, inducing or taking person for the sake of prostitution.
6	Detaining a person in premises where prostitution is carried out.
8	Seducing or soliciting for purpose of prostitution.
9	Seduction of a person in custody.

PARAGRAPH 5

OFFENCES UNDER THE PREVENTION OF CORRUPTION ACT, 1988

7	Public servant taking gratification other than legal remuneration in respect of an official Act.
8	Taking gratification in order, by corrupt or illegal means, to influence public servant.
9	Taking gratification for exercise of personal influence, with public servant.

Section	Description of offence
10	Abetment by public servant of offences defined in section 8 or section 9 of the Prevention of Corruption Act, 1988."
234.	That at page 26, lines 1-44, be <i>deleted</i> .
235.	That at page 27, lines 1-10, be <i>deleted</i> ."

MR. CHAIRMAN : The question is:

"That the following amendments made by Rajya Sabha in the Bill to prevent money-laundering and to provide confiscation of property derived from, or involved in, money-laundering and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration:

ENACTING FORMULA

1. That at page 1, line 1, for the word "Fiftieth" the word "Fifty-third" be *substituted*.

CLAUSE-1

2. That at page 1, line 5, for the figure "1999" the figure "2002" be *substituted*.

CLAUSE-2

3. That at page 2, line 5, for the figure "24" the figure "25" be *substituted*.
4. That at page 2, line 7, for the figure "48" the figure "49" be *substituted*.
5. That at page 2, for lines 10-11, the following be *substituted*, namely:-

10 of 1949.

'(e) "banking company" means a banking company or a co-operative bank to which the Banking Regulation Act, 1949 applies and includes any bank or banking institution referred to in section 51 of that Act;'

6. That at page 2, after line 13, the following be *inserted*, namely:-

40 of 1982.

'(h) "chit fund company" means a company managing, conducting or supervising, as foreman, agent or in any other capacity, chits as defined in section 2 of the Chit Funds Act, 1982;

47 of 1961.

(i) "co-operative bank" shall have the same meaning as assigned to it in clause (dd) of section 2 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961;'

7. That at page 2, line 14, for the bracket and letter "(h)" the bracket and letter "(j)" be *substituted*.
8. That at page 2, line 15, for the figure "48" the figure "(49)" be *substituted*.
9. That at page 2, line 16, for the bracket and letter "(i)" the bracket and letter "(k)" be *substituted*.
10. That at page 2, line 18, for the figure "48" the figure "49" be *substituted*.
11. That at page 2, for lines 19-20, the following be *substituted*, namely:-

2 of 1934.

'(l) "financial institution" means a financial institution as defined in clause (c) of section 45-1 of the Reserve Bank of India Act, 1934 and includes a chit fund company, a co-operative bank a housing finance institution and a non-banking financial company;

53 of 1987.

(m) "housing finance institution" shall have the meaning as assigned to it in clause (d) of section 2 of the National Housing Bank Act, 1987;'

12. That at page 2, line 21, for the bracket and letter "(k)" the bracket and letter "(n)" be *substituted*.

13. That at page 2, line 26, *for the bracket and letter "(l)" the bracket and letter "(o)" be substituted.*

14. That at page 2, line 28, *for the bracket and letter "(m)" the bracket and letter "(p)" be substituted.*

15. That at page 2, *after line 28, the following be inserted, namely:-*

'(q) "non-banking financial company" shall have the same meaning as assigned to it in clause (f) of section 45-1 of the Reserve Bank of India Act, 1934;'

2 of 1934.

16. That at page 2, line 29, *for the bracket and letter "(n)" the bracket and letter "(r)" be substituted.*

17. That at page 2, line 30, *for the bracket and letter "(o)" the bracket and letter "(s)" be substituted.*

18. That at page 2, line 41, *for the bracket and letter "(p)" the bracket and letter "(t)" be substituted.*

19. That at page 2, line 42, *for the bracket and letter "(q)" the bracket and letter "(u)" be substituted.*

20. That at page 2, line 45, *for the bracket and letter "(r)" the bracket and letter "(v)" be substituted.*

21. That at page 3, line 1, *for the bracket and letter "(s)" the bracket and letter "(w)" be substituted.*

22. That at page 3, line 3, *for the bracket and letter "(t)" the bracket and letter "(x)" be substituted.*

23. That at page 3, *for line 4, the following be substituted, namely:-*

'(y) "scheduled offence" means -

(i) the offences specified under Part A of the schedule; or

(ii) the offences specified under Part B of the Schedule if the total value involved in such offences is thirty lakh rupees or more;'

24. That at page 3, line 5, *for the bracket and letter "(v)" the bracket and letter "(z)" be substituted.*

25. That at page 3, line 6, *for the figure "42" the figure "43" be substituted.*

26. That at page 3, line 7, *for the bracket and letter "(w)" the bracket and letters "(za)" be substituted.*

27. That at page 3, line 9, *for the bracket and letter "(x)" the bracket and letters "(zb)" be substituted.*

CLAUSE-3

28. That at page 3, *for lines 18-23, the following be substituted, namely:-*

Offence of Money laundering.

"3. Whosoever directly or indirectly attempts to indulge or knowingly assists or knowingly is a party or is actually involved in any process or activity connected with the proceeds of crime and projecting it as untainted property shall be guilty of offence of money-laundering."

CLAUSE-4

29. That at page 3, line 28, *for the words and roman numeral "in Part IV" the words, figure and letter "under paragraph 2 of Part A" be substituted.*

CLAUSE-5

30. That at page 3, line 34, *for the words "reason to believe" the words and bracket "reason to believe (the reason for such belief to be recorded in writing)" be substituted.*

31. That at page 4, line 1, for the words and roman numerals "Part I, Part II, Part III or Part V" the words, figure and letters "Paragraph 1 of Part A and Part B" be *substituted*.

32. That at page 4, line 3, for the word and roman numeral "Part IV" the words, figure and letter "Paragraph 2 of Part A" be *substituted*.

33. That at page 4, after line 5, the following be *inserted*, namely:-

"(2) The Director, or any other officer not below the rank of Deputy Director, shall, immediately after attachment under sub-section (1), forward a copy of the order, along with the material in his possession, referred to in that sub-section, to the Adjudicating Authority, in a sealed envelope, in the manner as may be prescribed and such Adjudicating Authority shall keep such order and material for such period as may be prescribed."

34. That at page 4, line 6, for the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

35. That at page 4, line 8, for the figure "7" the figure "8" be *substituted*.

36. That at page 4, line 9, for the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.

37. That at page 4, line 14, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.

CLAUSE-6

38. That at page 4, for lines 17-23, the following be *substituted*, namely:-

Adjudicating Authorities, composition, powers, etc.

"6. (1) The Central Government shall, by notification, appoint one or more Adjudicating

Authorities to exercise jurisdiction, powers and authority conferred by or under this Act.

(2) An Adjudicating Authority shall consist of a Chairperson and two other Members:

Provided that one Member each shall be a person having experience in the field of law, administration, finance or accountancy.

(3) A person shall, however, not be qualified for appointment as Member of an Adjudicating Authority,-

(a) in the field of law, unless he-

(i) is qualified for appointment as District Judge; or

(iii) has been a member of the Indian Legal Service and has held a post in Grade I of that service;

(b) in the field of finance, accountancy or administration unless he possesses such qualifications, as may be prescribed.

(4) The Central Government shall appoint a Member to be the Chairperson of the Adjudicating Authority.

(5) Subject to the provisions of this Act,-

(e) the jurisdiction of the Adjudicating Authority may be exercised by Benches thereof;

(f) a Bench may be constituted by the Chairperson of the Adjudicating Authority with one or two Members as the Chairperson of the Adjudicating Authority may deem fit;

(g) the Benches of the Adjudicating Authority shall ordinarily sit at New Delhi and such other places as the Central Government may, in consultation with the Chairperson, by notification, specify;

(h) the Central Government shall, by notification, specify the areas in relation to which each

Bench of the Adjudicating Authority may exercise jurisdiction.

(6) Notwithstanding anything contained in subsection (5), the Chairperson may transfer a Member from one Bench to another Bench.

(7) If at any stage of the hearing of any case or matter it appears to the Chairperson or a Member that the case or matter is of such a nature that it ought to be heard by a Bench consisting of two Members, the case or matter may be transferred by the Chairperson or, as the case may be, referred to him for transfer, to such Bench as the Chairperson may deem fit.

(8) The Chairperson and every Member shall hold office as such for a term of five years from the date on which he enters upon his office:

Provided that no Chairperson or other Member shall hold office as such after he has attained the age of sixty-two years.

(9) The salary and allowances payable to and the other terms and conditions of service of the Member shall be such as may be prescribed:

Provided that neither the salary and allowances nor the other terms and conditions of service of the Member shall be varied to his disadvantage after appointment.

(10) If, for reasons other than temporary absence, any vacancy occurs in the office of the Chairperson or any other Member, then the Central Government shall appoint another person in accordance with the provisions of this Act to fill the vacancy and the proceedings may be continued before the Adjudicating Authority from the stage at which the vacancy is filled.

(11) The Chairperson or any other Member may, by notice in writing under his hand addressed to the Central Government, resign his office:

Provided that the Chairperson or any other Member shall, unless he is permitted by the Central Government or relinquish his office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as his successor enters upon his office or until the expiry of his term of office, whichever is the earliest.

(12) The Chairperson or any other Member shall not be removed from his office except by an order made by the Central Government after giving necessary opportunity of hearing.

(13) In the event of the occurrence of any vacancy in the office of the Chairperson by reason of his death, resignation or otherwise, the senior-most Member shall act as the Chairperson of the Adjudicating Authority until the date on which a new Chairperson, appointed in accordance with the provisions of this Act to fill such vacancy, enters upon his office.

(14) When the Chairperson of the Adjudicating Authority is unable to discharge his functions owing to absence, illness or any other cause, the senior-most Member shall discharge the functions of the Chairperson of the Adjudicating Authority until the date on which the Chairperson of the Adjudicating Authority resumes his duties.

5 of 1908.

(15) The Adjudicating Authority shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908, but shall be guided by the principles of natural justice and, subject to the other provisions of this Act, the Adjudicating Authority shall have powers to regulate its own procedure.

Staff of Adjudicating Authorities.

"7. (1) The Central Government shall provide each Adjudicating Authority with such officers

and employees as that Government may think fit.

(2) The officers and employees of the Adjudicating Authority shall discharge their functions under the general superintendence of the Chairperson of the Adjudicating Authority.

(3) The salaries and allowances and other conditions of service of the officers and employees of the Adjudicating Authority shall be such as may be prescribed."

CLAUSE-7

39. That at page 4, line 24, *for* the figure "7" the figure "8" be *substituted*.
40. That at page 4, line 24, *for* the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.
41. That at page 4, line 25, *for* the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.
42. That at page 4, line 25, *for* the figure "16" the figure "17" be *substituted*.
43. That at page 4, line 25, *for* the bracket and figure "(9)" the bracket and figure "(10)" be *substituted*.
44. That at page 4, line 25, *for* the figure "17" the figure "18" be *substituted*.
45. That at page 4, line 30, *for* the figure "16" the figure "17" be *substituted*.
46. That at page 4, line 30, *for* the figure "17" the figure "18" be *substituted*.
47. That at page 5, line 4, *for* the figure "16" the figure "17" be *substituted*.
48. That at page 5, line 4, *for* the figure "17" the figure "18" be *substituted*.
49. That at page 5, line 15, *after* the words, bracket

and figure "sub-section (3)" the words "and net income, if any," be *inserted*.

CLAUSE-8

50. That at page 5, line 20, *for* the figure "8" the figure "9" be *substituted*.
51. That at page 5, line 20, *for* the figure "7" the figure "8" be *substituted*.

CLAUSE-9

52. That at page 5, line 33, *for* the figure "9" the figure "10" be *substituted*.
53. That at page 5, line 37, *for* the figure "7" the figure "8" be *substituted*.
54. That at page 5, line 40, *for* the figure "8" the figure "9" be *substituted*.

CLAUSE-10

55. That at page 5, line 41, *for* the figure "10" the figure "11" be *substituted*.

CLAUSE-11

56. That at page 6, line 15, *for* the figure "11" the figure "12" be *substituted*.
57. That at page 6, *after* line 23, the following be *inserted*, namely:-

"Provided that where the principal officer of a banking company or financial institutions or intermediary, as the case may be, has reason to believe that a single transaction or series of transactions integrally connected to each other have been valued below the prescribed value so as to defeat the provisions of this section, such officer shall furnish information in respect of such transactions to the Director within the prescribed time."

CLAUSE-12

58. That at page 6, line 27, *for* the figure "12" the figure "13" be *substituted*.

59. That at page 6, line 28, *for* the figure "11" the figure "12" be *substituted*.
60. That at page 6, lines 31-32, *for* the words "maintain or retain records in accordance with the provisions contained in section 11", the words "failed to comply with the provisions contained in section 12" be *substituted*.
61. That at page 6, line 36, *after* the word "rupees" the words "*for* each failure" be *inserted*.

CLAUSE-13

62. That at page 7, line 1, *for* the figure "13" the figure "14" be *substituted*.
63. That at page 7, line 1, *for* the figure "12" the figure "13" be *substituted*.
64. That at page 7, line 3, *for* the figure "11" the figure "12" be *substituted*.

CLAUSE-14

65. That at page 7, line 4, *for* the figure "14" the figure "15" be *substituted*.
66. That at page 7, line 6, *for* the figure "11" the figure "12" be *substituted*.

CLAUSE-15

67. That at page 7, *for* lines 9-11, the following be *substituted*, namely:-

Power of Survey.

"16. (1) Notwithstanding anything contained in any other provisions of this Act, where an authority, on the basis of material in his possession, has reason to believe (the reasons *for* such belief to be recorded in writing) that an offence under section 3 has been committed, he may enter any place-".

68. That at page 7, *after* line 28, the following be *inserted*, namely:-

"(2) The authority referred to in sub-section (1) shall, *after* entering any place referred to in that

sub-section immediately *after* completion of survey, forward a copy of the reasons so recorded along with material in his possession, referred to in that sub-section, to the Adjudicating Authority in a sealed envelope in the manner as may be prescribed and such Adjudicating Authority shall keep such reasons and material *for* such period as may be prescribed."

69. That at page 7, line 29, *for* the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

CLAUSE-16

70. That at page 7, line 35, *for* the figure "16" the figure "17" be *substituted*.
71. That at page 7, line 36, *after* the word "believe" the bracket and words "(the reason *for* such belief to be recorded in writing)" be *inserted*.
72. That at page 8, line 20, *for* the words and roman numerals "Part I, Part II, Part III or Part V" the words, figure and letters "Paragraph 1 of Part A and Part B" be *substituted*.
73. That at page 8, line 22, *for* the words and roman numeral "Part IV" the words, figure and letter "Paragraph 2 of Part A" be *substituted*.
74. That at page 8, *after* line 24, the following be *inserted*, namely:-

"(2) The authority, who has been authorized under sub-section (1) shall, immediately *after* search and seizure, forward a copy of the reasons so recorded along with material in his possession, referred to in that sub-section, to the Adjudicating Authority in a sealed envelope, in the manner, as may be prescribed and such Adjudicating Authority shall keep such reasons and material *for* such period, as may be prescribed."

75. That at page 8, line 25, *for* the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

76. That at page 8, line 25, for the figure "15" the figure "16" be *substituted*.

77. That at page 8, line 31, for the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.

CLAUSE-17

78. That at page 8, line 34, for the figure "17" the figure "18" be *substituted*.

79. That at page 8, line 35, after the word "believe" the bracket and words "(the reason for such belief to be recorded in writing)" be *inserted*.

80. That at page 8, after line 39, the following be *inserted*, namely:-

"(2) The authority, who has been authorized under sub-section (1) shall, immediately after search and seizure, forward a copy of the reasons so recorded along with material in his possession, referred to in that sub-section, to the Adjudicating Authority in a sealed envelope, in the manner, as may be prescribed and such Adjudicating Authority shall keep such reasons and material for such period, as may be prescribed."

81. That at page 8, line 40, for the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

82. That at page 8, line 46, for the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.

83. That at page 8, line 46, for the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

84. That at page 9, line 6, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.

85. That at page 9, line 9, for the bracket and figure "(5)" the bracket and figure "(6)" be *substituted*.

86. That at page 9, line 9, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.

87. That at page 9, line 12, for the bracket and figure "(6)" the bracket and figure "(7)" be *substituted*.

88. That at page 9, line 14, for the bracket and figure "(7)" the bracket and figure "(8)" be *substituted*.

89. That at page 9, line 14, for the words "excepting a female" the words "except a female" be *substituted*.

90. That at page 9, for lines 15-24, the following be *substituted*, namely:-

"(9) The Authority shall record the statement of the person searched under sub-section (1) or sub-section (5) in respect of the records or proceeds of crime found or seized in the course of the search:

Provided that no search of any person shall be made unless, in relation to an offence under-

2 of 1974.

(c) Paragraph 1 of Part A or Paragraph 1 or Paragraph 2 or Paragraph 3 or Paragraph 4 or Paragraph 5 of Part B of the Schedule, a report has been forwarded to a Magistrate under section 173 of the Code of Criminal Procedure, 1973; or

61 of 1985.

(d) Paragraph 2 of Part A of the Schedule, a police report or a complaint has been filed for taking cognizance of an offence by the Special Court constituted under sub-section (1) of section 36 of the Narcotic Drugs and Psychotropic Substances Act, 1985."

91. That at page 9, line 25, for the bracket and figure "(9)" the bracket and figure "(10)" be *substituted*.

CLAUSE-18

92. That at page 9, line 28, for the figure "18" the figure "19" be *substituted*.

93. That at page 9, for lines 29-30, the following be *substituted*, namely:-

"authorised in this behalf by the Central Government by general or special order, has on the basis of material in his possession reason to believe (the reason for such belief to be recorded in writing) that any person has been guilty of an offence punishable under this Act, he may".

94. That at page 9, after line 31, the following be *inserted*, namely:-

"(2) The Director, Deputy Director, Assistant Director or any other officer shall, immediately after arrest of such person under sub-section (1), forward a copy of the order, along with the material in his possession, referred to in that sub-section, to the Adjudicating Authority, in a sealed envelope, in the manner, as may be prescribed and such Adjudicating Authority shall keep such order and material for such period, as may be prescribed."

95. That at page 9, line 32, for the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

CLAUSE-19

96. That at page 9, for lines 37-41, the following be *substituted*, namely:-

Retention of property.

"20. (1) Where any property has been seized under section 17 or section 18, and the officer authorized by the Director in this behalf has, on the basis of material in his possession, reason to believe (the reason for such belief to be recorded by him in writing) that such property is required to be retained for the purposes of adjudication under section 8, such

property may be retained for a period not exceeding three months from the end of the month in which such property was seized.

(2) The officer authorized by the Director immediately after he has passed an order for retention of the property for purposes of adjudication under section 8 shall forward a copy of the order along with the material in his possession, referred to in sub-section (1), to the Adjudicating Authority, in a sealed envelope, in the manner as may be prescribed and such Adjudicating Authority shall keep such order and material for such period as may be prescribed."

97. That at page 9, line 42, for the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

98. That at page 9, line 45, for the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.

99. That at page 9, line 48, for the figure "7" the figure "8" be *substituted*.

100. That at page 9, line 49, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.

101. That at page 9, line 49, for the figure "7" the figure "8" be *substituted*.

102. That at page 10, line 1, for the bracket and figure "(5)" the bracket and figure "(6)" be *substituted*.

103. That at page 10, line 1, for the word, bracket and figure "sub-section (4)" the word, bracket and figure "sub-section (5)" be *substituted*.

104. That at page 10, line 3, for the word and figure "section 25" the word and figure "section 26" be *substituted*.

105. That at page 10, line 3, for the word, bracket and figure "sub-section (4)" the word, bracket and figure "sub-section (5)" be *substituted*.

CLAUSE-20

106. That at page 10, line 6, *for* the figure "20" the figure "21" be *substituted*.
107. That at page 10, line 6, *for* the figure "16" the figure "17" be *substituted*.
108. That at page 10, line 6, *for* the figure "17" the figure "18" be *substituted*.
109. That at page 10, *after* line 10, the following be *inserted*, namely:-
 "(2) The person, from whom records were seized, shall be entitled to obtain copies of records retained under sub-section (1)."
110. That at page 10, line 11, *for* the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.
111. That at page 10, line 14, *for* the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.
112. That at page 10, line 16, *for* the figure "7" the figure "8" be *substituted*.
113. That at page 10, line 17, *for* the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.
114. That at page 10, line 17, *for* the figure "7" the figure "8" be *substituted*.
115. That at page 10, line 20, *for* the bracket and figure "(5)" the bracket and figure "(6)" be *substituted*.
116. That at page 10, line 20, *for* the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.
117. That at page 10, line 22, *for* figure "25" the figure "26" be *substituted*.
118. That at page 10, line 23, *for* the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.

CLAUSE-21

119. That at page 10, line 25, *for* the figure "21" the figure "22" be *substituted*.

CLAUSE-22

120. That at page 11, line 3, *for* the figure "22" the figure "23" be *substituted*.

CLAUSE-23

121. That at page 11, *for* lines 8-16, the following be *substituted*, namely:-

Burden of Proof.

"24. When a person is accused of having committed the offence under section 3, the burden of proving that proceeds of crime are untainted property shall be on the accused."

CLAUSE-24

122. That at page 11, line 19, *for* the figure "24" the figure "25" be *substituted*.

CLAUSE-25

123. That at page 11, line 22, *for* the figure "25" the figure "26" be *substituted*.
124. That at page 11, line 26, *for* the figure "12" the figure "13" be *substituted*.
125. That at page 11, line 32, *after* the word "may" the words "*after giving an opportunity of being heard*" be *inserted*.

CLAUSE-26

126. That at page 12, line 3, *for* the figure "26" the figure "27" be *substituted*.

CLAUSE-27

127. That at page 12, line 21, *for* the figure "27" the figure "28" be *substituted*.

128. That at page 12, after line 31, the following be *inserted*, namely:-

"(e) has been a member of the Indian Customs and Central Excise Service and has held the post of a Joint Secretary or equivalent post in that Service *for* at least three years; or

38 of 1949.

"(f)" has been in the practice of accountancy as a chartered accountant under the Chartered Accountants Act, 1949 or as a registered accountant under any law *for* the time being in force or partly as a registered accountant and partly as a chartered accountant *for* at least ten years:

Provided that one of the members of the Appellate Tribunal shall be from category mentioned in clause (f); or

"(h) has been a member of the Indian Audit and Accounts Service and has held the post of Joint Secretary or equivalent post in that Service *for* at least three years."

CLAUSE-28

129. That at page 12, line 34, *for* the figure "28" the figure "29" be *substituted*.

CLAUSE-29

130. That at page 13, line 3, *for* the figure "29" the figure "30" be *substituted*.

CLAUSE-30

131. That at page 13, line 8, *for* the figure "30" the figure "31" be *substituted*.

CLAUSE-31

132. That at page 13, line 13, *for* the figure "31" the figure "32" be *substituted*.

CLAUSE-32

133. That at page 13, line 25, *for* the figure "32" the figure "33" be *substituted*.

CLAUSE-33

134. That at page 13, line 32, *for* the figure "33" the figure "34" be *substituted*.

CLAUSE-34

135. That at page 13, line 38, *for* the figure "34" the figure "35" be *substituted*.

CLAUSE-35

136. That at page 14, line 27, *for* the figure "35" the figure "36" be *substituted*.

CLAUSE-36

137. That at page 14, line 31, *for* the figure "36" the figure "37" be *substituted*.

CLAUSE-37

138. That at page 14, line 35, *for* the figure "37" the figure "38" be *substituted*.

CLAUSE-38

139. That at page 15, line 1, *for* the figure "38" the figure "39" be *substituted*.

CLAUSE-39

140. That at page 15, line 10, *for* the figure "39" the figure "40" be *substituted*.

CLAUSE-40

141. That at page 15, line 13, *for* the figure "40" the figure "41" be *substituted*.

CLAUSE-41

142. That at page 15, line 18, *for* the figure "41" the figure "42" be *substituted*.

143. That at page 15, line 20, *after* the word "law" the word "or fact" be *inserted*.

CLAUSE-42

144. That at page 15, line 34, *for* the figure "42" the figure "43" be *substituted*.

145. That at page 15, line 41, *for* the word "may" the word "shall" be *substituted*.

CLAUSE-43

146. That at page 15, line 44, *for* the figure "43" the figure "44" be *substituted*.

147. That at page 15, line 46, *after* the word "the" the word "scheduled offence and" be *inserted*.

148. That at page 15, line 47, the word "or" be *deleted*.

149. That at page 15, *after* line 47, the following be *inserted*, namely:-

Provided that the Special Court, trying a scheduled offence before the commencement of this Act, shall continue to try such scheduled offence; or".

150. That at page 16, line 5, *for* the figure "42" the figure "43" be *substituted*.

CLAUSE-44

151. That at page 16, line 6, *for* the figure "44" the figure "45" be *substituted*.

152. That at page 16, line 10, *for* the words "under this Act" the words and letter "under Part A of the Schedule" be *substituted*.

CLAUSE-45

153. That at page 16, line 28, *for* the figure "45" the figure "46" be *substituted*.

CLAUSE-46

154. That at page 16, line 43, *for* the figure "46" the figure "47" be *substituted*.

CLAUSE-47

155. That at page 16, line 50, *for* the figure "47" the figure "48" be *substituted*.

CLAUSE-48

156. That at page 17, line 1, *for* the figure "48" the figure "49" be *substituted*.

CLAUSE-49

157. That at page 17, line 10, *for* the figure "49" the figure "50" be *substituted*.

CLAUSE-50

158. That at page 17, line 37, *for* the figure "50" the figure "51" be *substituted*.

CLAUSE-51

159. That at page 18, line 3, *for* the figure "51" the figure "52" be *substituted*.

CLAUSE-52

160. That at page 18, *for* lines 11-13, the following be *substituted*, namely:-

Empowerment of certain officers.

"53. The Central Government may, by a special or general order, empower an officer not below the rank of Director of the Central Government or of a State Government to act as an authority under this Act:

Provided that the Central Government may empower an officer below the rank of Director if the officer of the rank of the Director or above are not available in a particular area."

CLAUSE-53

161. That at page 18, line 14, *for* the figure "53" the figure "54" be *substituted*.

162. That at page 18, *for* lines 26-27, the following be *substituted*, namely:-

40 of 1999.

"(g) officers of enforcement appointed under sub-section (1) of section 36 of the Foreign Exchange Management Act, 1999;"

CLAUSE-54

163. That at page 18, line 38, *for* the figure "54" the figure "55" be *substituted*.

CLAUSE-55

164. That at page 19, line 1, *for* the figure "55" the figure "56" be *substituted*.

CLAUSE-56

165. That at page 19, line 13, *for* the figure "56" the figure "57" be *substituted*.

CLAUSE-57

166. That at page 19, line 31, *for* the figure "57" the figure "58" be *substituted*.

CLAUSE-58

167. That at page 19, line, 37, *for* the figure "58" the figure "59" be *substituted*.

168. That at page 20, lines 9-10, *for* the words "so far as possible be dealt with" the words "be dealt with" be *substituted*.

169. That at page 20, line 10, *for* the figure "18" the figure "19" be *substituted*.

170. That at page 20, line 13, *for* the figures "16 and 17" the figures "17 and 18" be *substituted*.

CLAUSE-59

171. That at page 20, line 25, *for* the figure "59" the figure "60" be *substituted*.

172. That at page 20, line 27, *for* the figure "7" the figure "8" be *substituted*.

173. That at page 20, line 29, *for* the figure "9" the figure "10" be *substituted*.

174. That at page 20, line 37, *for* the figure "57" the figure "58" be *substituted*.

175. That at page 20, line 38, *for* the figure "58" the figure "59" be *substituted*.

CLAUSE-60

176. That at page 21, line 1, *for* the figure "60" the figure "61" be *substituted*.

CLAUSE-61

177. That at page 21, line 8, *for* the figure "61" the figure "62" be *substituted*.

178. That at page 21, line 9, *after* the word "who" the words "without reasons recorded in writing" be *inserted*.

179. That at page 21, line 10, the words "without reasonable grounds of suspicion" be *deleted*.

180. That at page 21, line 12, the word "vexatiously" be *deleted*.

CLAUSE-62

181. That at page 21, line 15, *for* the figure "62" the figure "63" be *substituted*.

182. That at page 21, line 25, *for* the figure "49" the figure "50" be *substituted*.

CLAUSE-63

183. That at page 21, *for* lines 33-34 the following be *substituted*, namely:-

Cognizance of offences.

"64. (1) No court shall take cognizance of any offence under section 62 or sub-section (1) of section 63 except with the previous sanction of the Central Government.

(2) The Central Government shall, by an order either give sanction or refuse to give sanction within ninety days of the receipt of the request in this behalf."

CLAUSE-64

184. That at page 21, line 35, *for the figure "64" the figure "65" be substituted.*

CLAUSE-65

185. That at page 21, line 39, *for the figure "65" the figure "66" be substituted.*

CLAUSE-66

186. That at page 22, line 6, *for the figure "66" the figure "67" be substituted.*

CLAUSE-67

187. That at page 22, line 10, *for the figure "67" the figure "68" be substituted.*

CLAUSE-68

188. That at page 22, line 17, *for the figure "68" the figure "69" be substituted.*

189. That at page 22, line 17, *for the figure "12" the figure "13" be substituted.*

190. That at page 22, line 17, *for the figure "62" the figure "63" be substituted.*

CLAUSE-69

191. That at page 22, line 23, *for the figure "69" the figure "70" be substituted.*

CLAUSE-70

192. That at page 22, line 43, *for the figure "70" the figure "71" be substituted.*

CLAUSE-71

193. That at page 22, line 45, *for the figure "71" the figure "72" be substituted*

194. That at page 22, line 46, *for the figure "7" the figure "8" be substituted.*

195. That at page 23, line 8, *for the figure "25" the figure "26" be substituted.*

196. That at page 23, line 12, *for the figure "41" the figure "42" be substituted.*

197. That at page 23, line 24, *for the figure "41" the figure "42" be substituted.*

CLAUSE-72

198. That at page 23, line 28, *for the figure "72" the figure "73" be substituted.*

199. That at page 23, *after line 32, the following be inserted, namely:-*

"(b) the manner in which the order and the material referred to in sub-section (2) of section 5 to be maintained;

(c) matters in respect of experience of Members under sub-section (3) of section 6;

(d) the salaries and allowances payable to and other terms and conditions of service of Members of the Adjudicating Authority under sub-section (9) of section 6;

(e) the salaries and allowances payable to and other terms and conditions of service of the officers and employees of the Adjudicating Authority under sub-section (3) of section 7;".

200. That at page 23, line 33, *for the bracket and letter "(b)" the bracket and letter "(f)" be substituted.*

201. That at page 23, line 34, *for the figure "9" the figure "10" be substituted.*

202. That at page 23, line 35, *for the bracket and letter "(c)" the bracket and letter "(g) be substituted.*

203. That at page 23, line 36, *for the figure "10" the figure "11" be substituted.*

204. That at page 23, line 37, *for the bracket and letter "(d)" the bracket and letter "(h)" be substituted.*

205. That at page 23, line 38, *for the figure "11" the figure "12" be substituted.*

206. That at page 23, line 39, *for* the bracket and letter "(e)" the bracket and letter "(i)" be *substituted*.
207. That at page 23, line 40, *for* the figure "11" the figure "12" be *substituted*.
208. That at page 23, line 41, *for* the bracket and letter "(f)" the bracket and letter "(j)" be *substituted*.
209. That at page 23, line 43, *for* the figure "11" the figure "12" be *substituted*.
210. That at page 24, line 1, *for* the bracket and letter "(g)" the bracket and letter "(k)" be *substituted*.
211. That at page 24, line 2, *for* the figure "14" the figure "15" be *substituted*.
212. That at page 24, *after* line 2, the following be *inserted*, namely:-

"(j) The manner in which the reasons and material referred to in sub-section (2) section 16 shall be mentioned."
213. That at page 24, line 3, *for* the bracket and letter "(h)" the bracket and letter "(m)" be *substituted*.
214. That at page 24, line 4, *for* the figure "16" the figure "17" be *substituted*.
215. That at page 24, *after* line 4, the following be *inserted*, namely:-

"(n) the manner in which the reasons and the material referred to in sub-section (2) of section 17 shall be maintained;

(p) the manner in which the reasons and the material referred to in sub-section (2) of section 18 shall be maintained;

(p) manner in which the order and the material referred to in sub-section (2) of section 19 shall be maintained."
216. That at page 24, line 5, *for* the bracket and letter "(i)" the bracket and letter "(q)" be *substituted*.
217. That at page 24, line 6, *for* the figure "21" the figure "22" be *substituted*.
218. That at page 24, line 7, *for* the bracket and letter "(j)" the bracket and letter "(r)" be *substituted*.
219. That at page 24, line 8, *for* the figure "25" the figure "26" be *substituted*.
220. That at page 24, line 9, *for* the bracket and letter "(k)" the bracket and letter "(s)" be *substituted*.
221. That at page 24, line 10, *for* the figure "29" the figure "30" be substituted.
222. That at page 24, line 12, *for* the bracket and letter "(l)" the bracket and letter "(t)" be *substituted*.
223. That at page 24, line 13, *for* the figure "33" the figure "34" be *substituted*.
224. That at page 24, line 14, *for* the bracket and letter "(m)" the bracket and letter "(u)" be *substituted*.
225. That at page 24, line 15, *for* the figure "34" the figure "35" be *substituted*.
226. That at page 24, line 16, *for* the bracket and letter "(n)" the bracket and letter "(v)" be *substituted*.
227. That at page 24, line 17, *for* the figure "49" the figure "50" be *substituted*.
228. That at page 24, line 18, *for* the bracket and letter "(o)" the bracket and letter "(w)" be *substituted*.
229. That at page 24, line 19, *for* the figure "49" the figure "50" be *substituted*.
230. That at page 24, line 20, *for* the bracket and letter "(p)" the bracket and letter "(x)" be *substituted*.

CLAUSE-73

231. That at page 24, line 21, for the figure "73" the figure "74" be *substituted*.

CLAUSE-74

232. That at page 24, line 30, for the figure "74" the figure "75" be *substituted*.

THE SCHEDULE

233. That at page 25, for lines 1-33, the following be *substituted*, namely:-

"THE SCHEDULE

[See section 2(y)]

PART A**PARAGRAPH 1****OFFENCES UNDER THE INDIAN PENAL CODE**

Section	Description of offence
121	Waging or attempting to wage war or abetting waging of war, against the Government of India.
121A	Conspiracy to commit offences punishable by section 121 against the State.

PARAGRAPH 2**OFFENCES UNDER THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT, 1985**

15	Contravention in relation to poppy straw.
18	Contravention in relation to opium poppy and opium.
20	Contravention in relation to cannabis plant and cannabis.
22	Contravention in relation to psychotropic substances.
23	Illegal import into India, export from India to transshipment of narcotic drugs and psychotropic substances.

Section	Description of offence
24	External dealings in narcotic drugs and psychotropic substances in contravention of section 12 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
25A	Contravention of orders made under section 9A of the Narcotic Drugs and Psychotropic Substances Act, 1985.
27A	Financing illicit traffic and harbouring offenders.
29	Abetment and criminal conspiracy.

PART B**PARAGRAPH 1****OFFENCES UNDER THE INDIAN PENAL CODE**

302	Murder
304	Culpable homicide not amounting to murder, if act by which the death is caused is done with the intention of causing death.
307	Attempt to murder.
308	Attempt to commit culpable homicide.
327	Voluntarily causing hurt to extort property, or a valuable security, or to constrain to do anything which is illegal or which may facilitate the commission of the offence.
329	Voluntarily causing grievous hurt to extort property, or a valuable security, or to constrain to do anything which is illegal or which may facilitate the commission of the offence.
364A	Kidnapping for ransom, etc.
384 to 389	Offences relating to extortion.
392 to 402	Offences relating to robbery and dacoity.
467	Forgery of a valuable security, will or authority to make or transfer any valuable security, or to receive any money, etc.

Section	Description of offence
489A	Counterfeiting currency notes or bank notes.
489B	Using as genuine, forged or counterfeit currency notes or bank notes.

PARAGRAPH 2

OFFENCES UNDER THE ARMS ACT, 1959

25 To manufacture, sell, transfer, convert, repair or test or prove or expose or offer for sale or transfer or have in his possession for sale, transfer, conversion, repair, test or proof, any arms or ammunition in contravention of section 5 of the Arms Act, 1959.

To acquire, have in possession or carry any prohibited arms or prohibited ammunition in contravention of section 7 of the Arms Act, 1959.

Contravention of section 24A of the Arms Act, 1959 relating to prohibition as to possession of notified arms in disturbed areas, etc.

Contravention of section 24B of the Arms Act, 1959 relating to prohibition as to carrying of notified arms in or through public places in disturbed areas.

Other offences specified in section 25.

26 To do any act in contravention of any provisions of section 3, 4, 10, or 12 of the Arms Act, 1959 in such manner as specified in sub-section (1) of section 26 of the said Act.

To do any Act in contravention of any provisions of section 5, 6, 7, or 11 of the Arms Act, 1959 in such manner as specified in sub-section (2) of section 26 of the said Act.

Other offences specified in section 26.

27 Use of arms or ammunitions in contravention of section 5 or use of any arms or ammunition in contravention of section 7 of the Arms Act, 1959.

Section	Description of offence
28	Use and possession of fire arms or imitation fire arms in certain cases.
29	Knowingly purchasing arms from unlicensed person or for delivering arms, etc., to person not entitled to possess the same.
30	Contravention of any condition of a licence or any provisions of the Arms Act, 1959 or any rule made thereunder.

PARAGRAPH 3

OFFENCES UNDER THE WILD LIFE (PROTECTION) ACT, 1972

51 read with section 17A Contravention of provisions of section 17A relating to prohibition of picking, uprooting etc., of specified plants.

51 read with section 39 Contravention of provisions of section 39 relating to wild animals, etc., to be Government property.

51 read with section 44 Contravention of provisions of section 44 relating to dealings in trophy and animal articles without licence prohibited.

51 read with section 48 Contravention of provisions of section 48 relating to purchase of animal etc., by licence.

51 read with section 49B Contravention of provisions of section 49B relating to prohibition of dealings in trophies, animal articles, etc., derived from scheduled animals.

PARAGRAPH 4

OFFENCES UNDER THE IMMORAL TRAFFIC (PREVENTION) ACT, 1956

5 Procuring, inducing or taking person for the sake of prostitution.

6 Detaining a person in premises where prostitution is carried on.

Section	Description of offence
8	Seducing or soliciting for purpose of prostitution.
9	Seduction of a person in custody.
PARAGRAPH 5	
OFFENCES UNDER THE PREVENTION OF CORRUPTION ACT, 1988	
7	Public servant taking gratification other than legal remuneration in respect of an official Act.
8	Taking gratification in order, by corrupt or illegal means, to influence public servant.
9	Taking gratification for exercise of personal influence, with public servant.
10	Abetment by public servant of offences defined in section 8 or section 9 of the Prevention of Corruption Act, 1988."
234.	That at page 26, lines 1-44, be <i>deleted</i> .
235.	That at page 27, lines 1-10, be <i>deleted</i> ."

The motion was adopted.

[English]

MR. CHAIRMAN : We shall now take up the amendments made by Rajya Sabha.

I shall put the amendment nos. 1 to 235 made by Rajya Sabha together to the vote of the House.

The question is :

ENACTING FORMULA

- That at page 1, line 1, for the word "Fiftieth" the word "Fifty-third" be *substituted*.

CLAUSE-1

- That at page 1, line 5, for the figure "1999" the figure "2002" be *substituted*.

CLAUSE-2

- That at page 2, line 5, for the figure "24" the figure "25" be *substituted*.
- That at page 2, line 7, for the figure "48" the figure "49" be *substituted*.
- That at page 2, for lines 10-11, the following be *substituted*, namely:-
10 of 1949.
'(e) "banking company" means a banking company or a co-operative bank to which the Banking Regulation Act, 1949 applies and includes any bank or banking institution referred to in section 51 of that Act.'
- That at page 2, after line 13, the following be *inserted*, namely:-
40 of 1982.
'(h) "chit fund company" means a company managing, conducting or supervising, as foreman, agent or in any other capacity, chits as defined in section 2 of the Chit Funds Act, 1982;
47 of 1961.
(i) "co-operative bank" shall have the same meaning as assigned to it in clause (dd) of section 2 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961;
- That at page 2, line 14, for the bracket and letter "(h)" the bracket and letter "(j)" be *substituted*.
- That at page 2, line 15, for the figure "48" the figure "49" be *substituted*.
- That at page 2, line 16, for the bracket and letter "(i)" the bracket and letter "(k)" be *substituted*.
- That at page 2, line 18, for the figure "48" the figure "49" be *substituted*.
- That at page 2, for lines 19-20, the following be *substituted*, namely:-

2 of 1934.

'(l) "financial institution" means a financial institution as defined in clause (c) of section 45-1 of the Reserve Bank of India Act, 1934 and includes a chit fund company, a co-operative bank a housing finance institution and a non-banking financial company;

53 of 1987.

(m) "housing finance institution" shall have the meaning as assigned to it in clause (d) of section 2 of the National Housing Bank Act, 1987;.

12. That at page 2, line 21, for the bracket and letter "(k)" the bracket and letter "(n)" be *substituted*.

13. That at page 2, line 26, for the bracket and letter "(l)" the bracket and letter "(o)" be *substituted*.

14. That at page 2, line 28, for the bracket and letter "(m)" the bracket and letter "(p)" be *substituted*.

15. That at page 2, after line 28, the following be *inserted*, namely:-

2 of 1934.

'(q) "non-banking financial company" shall have the same meaning as assigned to it in clause (f) of section 45-1 of the Reserve Bank of India Act, 1934;.

16. That at page 2, line 29, for the bracket and letter "(n)" the bracket and letter "(r)" be *substituted*.

17. That at page 2, line 30, for the bracket and letter "(o)" the bracket and letter "(s)" be *substituted*.

18. That at page 2, line 41, for the bracket and letter "(p)" the bracket and letter "(t)" be *substituted*.

19. That at page 2, line 42, for the bracket and letter "(q)" the bracket and letter "(u)" be *substituted*.

20. That at page 2, line 45, for the bracket and letter "(r)" the bracket and letter "(v)" be *substituted*.

21. That at page 3, line 1, for the bracket and letter "(s)" the bracket and letter "(w)" be *substituted*.

22. That at page 3, line 3, for the bracket and letter "(t)" the bracket and letter "(x)" be *substituted*.

23. That at page 3, for line 4, the following be *substituted*, namely:-

'(y) "scheduled offence" means -

(i) the offences specified under Part A of the schedule; or

(ii) the offences specified under Part B of the Schedule if the total value involved in such offences is thirty lakh rupees or more;.

24. That at page 3, line 5, for the bracket and letter "(v)" the bracket and letter "(z)" be *substituted*.

25. That at page 3, line 6, for the figure "42" the figure "43" be *substituted*.

26. That at page 3, line 7, for the bracket and letter "(w)" the bracket and letters "(za)" be *substituted*.

27. That at page 3, line 9, for the bracket and letter "(x)" the bracket and letters "(zb)" be *substituted*.

CLAUSE-3

28. That at page 3, for lines 18-23, the following be *substituted*, namely:-

Offence of Money-laundering.

"3. Whosoever directly or indirectly attempts to indulge or knowingly assists or knowingly is a party or is actually involved in any process or activity connected with the proceeds of crime

and projecting it as untainted property shall be guilty of offence of money-laundering."

CLAUSE-4

29. That at page 3, line 28, for the words and roman numeral "in Part IV" the words, figure and letter "under paragraph 2 of Part A" be *substituted*.

CLAUSE-5

30. That at page 3, line 34, for the words "reason to believe" the words and bracket "reason to believe (the reason for such belief to be recorded in writing)" be *substituted*.
31. That at page 4, line 1, for the words and roman numerals "Part I, Part II, Part III or Part V" the words, figure and letters "Paragraph 1 of Part A and Part B" be *substituted*.
32. That at page 4, line 3, for the word and roman numeral "Part IV" the words, figure and letter "Paragraph 2 of Part A" be *substituted*.
33. That at page 4, after line 5, the following be *inserted*, namely:-

"(2) The Director, or any other officer not below the rank of Deputy Director, shall, immediately after attachment under sub-section (1), forward a copy of the order, along with the material in his possession, referred to in that sub-section, to the Adjudicating Authority, in a sealed envelope, in the manner as may be prescribed and such Adjudicating Authority shall keep such order and material for such period as may be prescribed."

34. That at page 4, line 6, for the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.
35. That at page 4, line 8, for the figure "7" the figure "8" be *substituted*.
36. That at page 4, line 9, for the bracket and

figure "(3)" the bracket and figure "(4)" be *substituted*.

37. That at page 4, line 14, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.

CLAUSE-6

38. That at page 4, for lines 17-23, the following be *substituted*:-

Adjudicating Authorities, composition, powers, etc.

"6. (1) The Central Government shall, by notification, appoint one or more Adjudicating Authorities to exercise jurisdiction, powers and authority conferred by or under this Act.

(4) An Adjudicating Authority shall consist of a Chairperson and two other Members:

Provided that one Member each shall be a person having experience in the field of law, administration, finance or accountancy.

(3) A person shall, however, not be qualified for appointment as Member of an Adjudicating Authority,-

(e) in the field of law, unless he-

(i) is qualified for appointment as District Judge; or

(iv) has been a member of the Indian Legal Service and has held a post in Grade I of that service;

(f) in the field of finance, accountancy or administration unless he possesses such qualifications, as may be prescribed.

(4) The Central Government shall appoint a Member to be the Chairperson of the Adjudicating Authority.

(5) Subject to the provisions of this Act,-

(i) the jurisdiction of the Adjudicating Authority may be exercised by Benches thereof;

(j) a Bench may be constituted by the Chairperson of the Adjudicating Authority with one or two Members as the Chairperson of the Adjudicating Authority may deem fit;

(k) the Benches of the Adjudicating Authority shall ordinarily sit at New Delhi and such other places as the Central Government may, in consultation with the Chairperson, by notification, specify;

(l) the Central Government shall, by notification, specify the areas in relation to which each Bench of the Adjudicating Authority may exercise jurisdiction.

(6) Notwithstanding anything contained in subsection (5), the Chairperson may transfer a Member from one Bench to another Bench.

(7) If at any stage of the hearing of any case or matter it appears to the Chairperson or a Member that the case or matter is of such a nature that it ought to be heard by a Bench consisting of two Members, the case or matter may be transferred by the Chairperson or, as the case may be, referred to him *for* transfer, to such Bench as the Chairperson may deem fit.

(8) The Chairperson and every Member shall hold office as such *for* a term of five years from the date on which he enters upon his office:

Provided that no Chairperson or other Member shall hold office as such *after* he has attained the age of sixty-two years.

(9) The salary and allowances payable to and other terms and conditions of service of the Member shall be such as may be prescribed:

Provided that neither the salary and allowances nor the other terms and conditions of service of the Member shall be varied to his disadvantage *after* appointment.

(10) If, *for* reasons other than temporary absence, any vacancy occurs in the office of the Chairperson or any other Member, then the Central Government shall appoint another person in accordance with the provisions of this Act to fill the vacancy and the proceedings may be continued before the Adjudicating Authority from the stage at which the vacancy is filled.

(11) The Chairperson or any other Member may, by notice in writing under his hand addressed to the Central Government, resign his office:

Provided that the Chairperson or any other Member shall, unless he is permitted by the Central Government or relinquish his office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as his successor enters upon his office or until the expiry of his term of office, whichever is the earliest.

(12) The Chairperson or any other Member shall not be removed from his office except by an order made by the Central Government *after* giving necessary opportunity of hearing.

(13) In the event of the occurrence of any vacancy in the office of the Chairperson by reason of his death, resignation or otherwise, the senior-most Member shall act as the Chairperson of the Adjudicating Authority until the date on which a new Chairperson, appointed in accordance with the provisions of this Act to fill such vacancy, enters upon his office.

(14) When the Chairperson of the Adjudicating Authority is unable to discharge his functions owing to absence, illness or any other cause, the senior-most Member shall discharge the functions of the Chairperson of the Adjudicating Authority until the date on which the Chairperson of the Adjudicating Authority resumes his duties.

5 of 1908

(15) The Adjudicating Authority shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908, but shall be guided by the principles of natural justice and, subject to the other provisions of this Act, the Adjudicating Authority shall have powers to regulate its own procedure.

Staff of Adjudicating Authorities.

"7. (1) The Central Government shall provide each Adjudicating Authority with such officers and employees as that Government may think fit.

(2) The officers and employees of the Adjudicating Authority shall discharge their functions under the general superintendence of the Chairperson of the Adjudicating Authority.

(3) The salaries and allowances and other conditions of service of the officers and employees of the Adjudicating Authority shall be such as may be prescribed."

CLAUSE-7

39. That at page 4, line 24, *for* the figure "7" the figure "8" be *substituted*.
40. That at page 4, line 24, *for* the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.
41. That at page 4, line 25, *for* the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.
42. That at page 4, line 25, *for* the figure "16" the figure "17" be *substituted*.
43. That at page 4, line 25, *for* the bracket and figure "(9)" the bracket and figure "(10)" be *substituted*.
44. That at page 4, line 25, *for* the figure "17" the figure "18" be *substituted*.

45. That at page 4, line 30, *for* the figure "16" the figure "17" be *substituted*.
46. That at page 4, line 30, *for* the figure "17" the figure "18" be *substituted*.
47. That at page 5, line 4, *for* the figure "16" the figure "17" be *substituted*.
48. That at page 5, line 4, *for* the figure "17" the figure "18" be *substituted*.
49. That at page 5, line 15, *after* the words, bracket and figure "sub-section (3)" the words "and net income, if any," be *inserted*..

CLAUSE-8

50. That at page 5, line 20, *for* the figure "8" the figure "9" be *substituted*.
51. That at page 5, line 20, *for* the figure "7" the figure "8" be *substituted*.

CLAUSE-9

52. That at page 5, line 33, *for* the figure "9" the figure "10" be *substituted*.
53. That at page 5, line 37, *for* the figure "7" the figure "8" be *substituted*.
54. That at page 5, line 40, *for* the figure "8" the figure "9" be *substituted*.

CLAUSE-10

55. That at page 5, line 41, *for* the figure "10" the figure "11" be *substituted*.

CLAUSE-11

56. That at page 6, line 15, *for* the figure "11" the figure "12" be *substituted*.
57. That at page 6, *after* line 23, the following be *inserted*, namely:-

"Provided that where the principal officer of a banking company or financial institutions or intermediary, as the case may be, has reason

to believe that a single transaction or series of transactions integrally connected to each other have been valued below the prescribed value so as to defeat the provisions of this section, such officer shall furnish information in respect of such transactions to the Director within the prescribed time."

CLAUSE-12

58. That at page 6, line 27, *for* the figure "12" the figure "13" be *substituted*.
59. That at page 6, line 28, *for* the figure "11" the figure "12" be *substituted*.
60. That at page 6, lines 31-32, *for* the words "maintain or retain records in accordance with the provisions contained in section 11", the words "failed to comply with the provisions contained in section 12" be *substituted*.
61. That at page 6, line 36, *after* the word "rupees" the words "*for* each failure" be *inserted*.

CLAUSE-13

62. That at page 7, line 1, *for* the figure "13" the figure "14" be *substituted*.
63. That at page 7, line 1, *for* the figure "12" the figure "13" be *substituted*.
64. That at page 7, line 3, *for* the figure "11" the figure "12" be *substituted*.

CLAUSE-14

65. That at page 7, line 4, *for* the figure "14" the figure "15" be *substituted*.
66. That at page 7, line 6, *for* the figure "11" the figure "12" be *substituted*.

CLAUSE-15

67. That at page 7, *for* lines 9-11, the following be *substituted*, namely:-

Power of Survey.

"16. (1) Notwithstanding anything contained in any other provisions of this Act, where an authority, on the basis of material in his possession, has reason to believe (the reasons *for* such belief to be recorded in writing) that an offence under section 3 has been committed, he may enter any place-".

68. That at page 7, *after* line 28, the following be *inserted*, namely:-

"(2) The authority referred to in sub-section (1) shall, *after* entering any place referred to in that sub-section immediately *after* completion of survey, forward a copy of the reasons so recorded along with material in his possession, referred to in that sub-section, to the Adjudicating Authority in a sealed envelope in the manner as may be prescribed and such Adjudicating Authority shall keep such reasons and material *for* such period as may be prescribed."

69. That at page 7, line 29, *for* the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

CLAUSE-16

70. That at page 7, line 35, *for* the figure "16" the figure "17" be *substituted*.
71. That at page 7, line 36, *after* the word "believe" the bracket and words "(the reason *for* such belief to be recorded in writing)" be *inserted*.
72. That at page 8, line 20, *for* the words and roman numerals "Part I, Part II, Part III or Part V" the words, figure and letters "Paragraph 1 of Part A and Part B" be *substituted*.
73. That at page 8, line 22, *for* the words and roman numeral "Part IV" the words, figure and letter "Paragraph 2 of Part A" be *substituted*.

74. That at page 8, *after* line 24, the following be *inserted*, namely:-

"(2) The authority, who has been authorized under sub-section (1) shall, immediately *after* search and seizure, forward a copy of the reasons so recorded along with material in his possession, referred to in that sub-section, to the Adjudicating Authority in a sealed envelope, in the manner, as may be prescribed and such Adjudicating Authority shall keep such reasons and material *for* such period, as may be prescribed."

75. That at page 8, line 25, *for* the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.
76. That at page 8, line 25, *for* the figure "15" the figure "16" be *substituted*.
77. That at page 8, line 31, *for* the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.

CLAUSE-17

78. That at page 8, line 34, *for* the figure "17" the figure "18" be *substituted*.
79. That at page 8, line 35, *after* the word "believe" the bracket and words "(the reason *for* such belief to be recorded in writing)" be *inserted*.
80. That at page 8, *after* line 39, the following be *inserted*, namely:-

"(2) The authority, who has been authorized under sub-section (1) shall, immediately *after* search and seizure, forward a copy of the reasons so recorded along with material in his possession, referred to in that sub-section, to the Adjudicating Authority in a sealed envelope, in the manner, as may be prescribed and such Adjudicating Authority shall keep such reasons and material *for* such period, as may be prescribed."

81. That at page 8, line 40, *for* the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

82. That at page 8, line 46, *for* the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.

83. That at page 8, line 46, *for* the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

84. That at page 9, line 6, *for* the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.

85. That at page 9, line 9, *for* the bracket and figure "(5)" the bracket and figure "(6)" be *substituted*.

86. That at page 9, line 9, *for* the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.

87. That at page 9, line 12, *for* the bracket and figure "(6)" the bracket and figure "(7)" be *substituted*.

88. That at page 9, line 14, *for* the bracket and figure "(7)" the bracket and figure "(8)" be *substituted*.

89. That at page 9, line 14, *for* the words "excepting a female" the words "except a female" be *substituted*.

90. That at page 9, *for* lines 15-24, the following be *substituted*, namely:-

"(9) The Authority shall record the statement of the person searched under sub-section (1) or sub-section (5) in respect of the records or proceeds of crime found or seized in the course of the search:

Provided that no search of any person shall be made unless, in relation to an offence under-

2 of 1974.

(e) Paragraph 1 of Part A or Paragraph 1 or Paragraph 2 or Paragraph 3 or Paragraph 4 or Paragraph 5 of Part B of the Schedule, a report has been forwarded to a Magistrate under section 173 of the Code of Criminal Procedure, 1973; or

61 of 1985.

(f) Paragraph 2 of Part A of the Schedule, a police report or a complaint has been filed for taking cognizance of an offence by the Special Court constituted under sub-section (1) of section 36 of the Narcotic Drugs and Psychotropic Substances Act, 1985."

91. That at page 9, line 25, for the bracket and figure "(9)" the bracket and figure "(10)" be *substituted*.

CLAUSE-18

92. That at page 9, line 28, for the figure "18" the figure "19" be *substituted*.

93. That at page 9, for lines 29-30, the following be *substituted*, namely:-

"authorised in this behalf by the Central Government by general or special order, has on the basis of material in his possession reason to believe (the reason for such belief to be recorded in writing) that any person has been guilty of an offence punishable under this Act, he may".

94. That at page 9, after line 31, the following be *inserted*, namely:-

"(2) The Director, Deputy Director, Assistant Director or any other officer shall, immediately after arrest of such person under sub-section (1), forward a copy of the order, along with the material in his possession, referred to in that sub-section, to the Adjudicating Authority, in a sealed envelope, in the manner, as may be

prescribed and such Adjudicating Authority shall keep such order and material for such period, as may be prescribed."

95. That at page 9, line 32, for the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

CLAUSE-19

96. That at page 9, for lines 37-41, the following be *substituted*, namely:-

Retention of property.

"20. (1) Where any property has been seized under section 17 or section 18, and the officer authorized by the Director in this behalf has, on the basis of material in his possession, reason to believe (the reason for such belief to be recorded by him in writing) that such property is required to be retained for the purposes of adjudication under section 8, such property may be retained for a period not exceeding three months from the end of the month in which such property was seized.

(2) The officer authorized by the Director immediately after he has passed an order for retention of the property for purposes of adjudication under section 8 shall forward a copy of the order along with the material in his possession, referred to in sub-section (1), to the Adjudicating Authority, in a sealed envelope, in the manner as may be prescribed and such Adjudicating Authority shall keep such order and material for such period as may be prescribed."

97. That at page 9, line 42, for the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.

98. That at page 9, line 45, for the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.

99. That at page 9, line 48, for the figure "7" the figure "8" be *substituted*.

100. That at page 9, line 49, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.
101. That at page 9, line 49, for the figure "7" the figure "8" be *substituted*.
102. That at page 10, line 1, for the bracket and figure "(5)" the bracket and figure "(6)" be *substituted*.
103. That at page 10, line 1, for the word, bracket and figure "sub-section (4)" the word, bracket and figure "sub-section (5)" be *substituted*.
104. That at page 10, line 3, for the word and figure "section 25" the word and figure "section 26" be *substituted*.
105. That at page 10, line 3, for the word, bracket and figure "sub-section (4)" the word, bracket and figure "sub-section (5)" be *substituted*.

CLAUSE-20

106. That at page 10, line 6, for the figure "20" the figure "21" be *substituted*.
107. That at page 10, line 6, for the figure "16" the figure "17" be *substituted*.
108. That at page 10, line 6, for the figure "17" the figure "18" be *substituted*.
109. That at page 10, after line 10, the following be *inserted*, namely:-
- "(2) The person, from whom records were seized, shall be entitled to obtain copies of records retained under sub-section (1)."
110. That at page 10, line 11, for the bracket and figure "(2)" the bracket and figure "(3)" be *substituted*.
111. That at page 10, line 14, for the bracket and figure "(3)" the bracket and figure "(4)" be *substituted*.

112. That at page 10, line 16, for the figure "7" the figure "8" be *substituted*.
113. That at page 10, line 17, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.
114. That at page 10, line 17, for the figure "7" the figure "8" be *substituted*.
115. That at page 10, line 20, for the bracket and figure "(5)" the bracket and figure "(6)" be *substituted*.
116. That at page 10, line 20, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.
117. That at page 10, line 22, for figure "25" the figure "26" be *substituted*.
118. That at page 10, line 23, for the bracket and figure "(4)" the bracket and figure "(5)" be *substituted*.

CLAUSE-21

119. That at page 10, line 25, for the figure "21" the figure "22" be *substituted*.

CLAUSE-22

120. That at page 11, line 3, for the figure "22" the figure "23" be *substituted*.

CLAUSE-23

121. That at page 11, for lines 8-16, the following be *substituted*, namely:-

Burden of Proof.

"24. When a person is accused of having committed the offence under section 3, the burden of proving that proceeds of crime are untainted property shall be on the accused."

CLAUSE-24

122. That at page 11, line 19, for the figure "24" the figure "25" be *substituted*.

CLAUSE-25

123. That at page 11, line 22, *for the figure "25" the figure "26" be substituted.*
124. That at page 11, line 26, *for the figure "12" the figure "13" be substituted.*
125. That at page 11, line 32, *after the word "may" the words "after giving an opportunity of being heard" be inserted.*

CLAUSE-26

126. That at page 12, line 3, *for the figure "26" the figure "27" be substituted.*

CLAUSE-27

127. That at page 12, line 21, *for the figure "27" the figure "28" be substituted.*
128. That at page 12, after line 31, the following be *inserted*, namely:-

"(e) has been a member of the Indian Customs and Central Excise Service and has held the post of a Joint Secretary or equivalent post in that Service *for at least three years; or*

38 of 1949.

"(f)" has been in the practice of accountancy as a chartered accountant under the Chartered Accountants Act, 1949 or as a registered accountant under any law *for the time being in force or partly as a registered accountant and partly as a chartered accountant for at least ten years:*

Provided that one of the members of the Appellate Tribunal shall be from category mentioned in clause (f); or

"(i) has been a member of the Indian Audit and Accounts Service and has held the post of Joint Secretary or equivalent post in that Service *for at least three years.*"

CLAUSE-28

129. That at page 12, line 34, *for the figure "28" the figure "29" be substituted.*

CLAUSE-29

130. That at page 13, line 3, *for the figure "29" the figure "30" be substituted.*

CLAUSE-30

131. That at page 13, line 8, *for the figure "30" the figure "31" be substituted.*

CLAUSE-31

132. That at page 13, line 13, *for the figure "31" the figure "32" be substituted.*

CLAUSE-32

133. That at page 13, line 25, *for the figure "32" the figure "33" be substituted.*

CLAUSE-33

134. That at page 13, line 32, *for the figure "33" the figure "34" be substituted.*

CLAUSE-34

135. That at page 13, line 38, *for the figure "34" the figure "35" be substituted.*

CLAUSE-35

136. That at page 14, line 27, *for the figure "35" the figure "36" be substituted.*

CLAUSE-36

137. That at page 14, line 31, *for the figure "36" the figure "37" be substituted.*

CLAUSE-37

138. That at page 14, line 35, *for the figure "37" the figure "38" be substituted.*

CLAUSE-38

139. That at page 15, line 1, *for the figure "38" the figure "39" be substituted.*

CLAUSE-39

140. That at page 15, line 10, *for* the figure "39" the figure "40" be *substituted*.

CLAUSE-40

141. That at page 15, line 13, *for* the figure "40" the figure "41" be *substituted*.

CLAUSE-41

142. That at page 15, line 18, *for* the figure "41" the figure "42" be *substituted*.
143. That at page 15, line 20, *after* the word "law" the word "or fact" be *inserted*.

CLAUSE-42

144. That at page 15, line 34, *for* the figure "42" the figure "43" be *substituted*.
145. That at page 15, line 41, *for* the word "may" the word "shall" be *substituted*.

CLAUSE-43

146. That at page 15, line 44, *for* the figure "43" the figure "44" be *substituted*.
147. That at page 15, line 46, *after* the word "the" the word "scheduled offence and" be *inserted*.
148. That at page 15, line 47, the word "or" be *deleted*.
149. That at page 15, *after* line 47, the following be *inserted*, namely:-

Provided that the Special Court, trying a scheduled offence before the commencement of this Act, shall continue to try such scheduled offence; or".

150. That at page 16, line 5, *for* the figure "42" the figure "43" be *substituted*.

CLAUSE-44

151. That at page 16, line 6, *for* the figure "44" the figure "45" be *substituted*.

152. That at page 16, line 10, *for* the words "under this Act" the words and letter "under Part A of the Schedule" be *substituted*.

CLAUSE-45

153. That at page 16, line 28, *for* the figure "45" the figure "46" be *substituted*.

CLAUSE-46

154. That at page 16, line 43, *for* the figure "46" the figure "47" be *substituted*.

CLAUSE-47

155. That at page 16, line 50, *for* the figure "47" the figure "48" be *substituted*.

CLAUSE-48

156. That at page 17, line 1, *for* the figure "48" the figure "49" be *substituted*.

CLAUSE-49

157. That at page 17, line 10, *for* the figure "49" the figure "50" be *substituted*.

CLAUSE-50

158. That at page 17, line 37, *for* the figure "50" the figure "51" be *substituted*.

CLAUSE-51

159. That at page 18, line 3, *for* the figure "51" the figure "52" be *substituted*.

CLAUSE-52

160. That at page 18, *for* lines 11-13, the following be *substituted*, namely:-

Empowerment of certain officers.

"53. The Central Government may, by a special or general order, empower an officer not below the rank of Director of the Central Government

or of a State Government to act as an authority under this Act:

Provided that the Central Government may empower an officer below the rank of Director if the officer of the rank of the Director or above are not available in a particular area."

CLAUSE-53

161. That at page 18, line 14, for the figure "53" the figure "54" be *substituted*.

162. That at page 18, for lines 26-27, the following be *substituted*, namely:-

40 of 1999.

"(g) officers of enforcement appointed under sub-section (1) of section 36 of the Foreign Exchange Management Act, 1999;"

CLAUSE-54

163. That at page 18, line 38, for the figure "54" the figure "55" be *substituted*.

CLAUSE-55

164. That at page 19, line 1, for the figure "55" the figure "56" be *substituted*.

CLAUSE-56

165. That at page 19, line 13, for the figure "56" the figure "57" be *substituted*.

CLAUSE-57

166. That at page 19, line 31, for the figure "57" the figure "58" be *substituted*.

CLAUSE-58

167. That at page 19, line, 37, for the figure "58" the figure "59" be *substituted*.

168. That at page 20, lines 9-10, for the words "so far as possible be dealt with" the words "be dealt with" be *substituted*.

169. That at page 20, line 10, for the figure "18" the figure "19" be *substituted*.

170. That at page 20, line 13, for the figures "16 and 17" the figures "17 and 18" be *substituted*.

CLAUSE-59

171. That at page 20, line 25, for the figure "59" the figure "60" be *substituted*.

172. That at page 20, line 27, for the figure "7" the figure "8" be *substituted*.

173. That at page 20, line 29, for the figure "9" the figure "10" be *substituted*.

174. That at page 20, line 37, for the figure "57" the figure "58" be *substituted*.

175. That at page 20, line 38, for the figure "58" the figure "59" be *substituted*.

CLAUSE-60

176. That at page 21, line 1, for the figure "60" the figure "61" be *substituted*.

CLAUSE-61

177. That at page 21, line 8, for the figure "61" the figure "62" be *substituted*.

178. That at page 21, line 9, after the word "who" the words "without reasons recorded in writing" be *inserted*.

179. That at page 21, line 10, the words "without reasonable grounds of suspicion" be *deleted*.

180. That at page 21, line 12, the word "vexatiously" be *deleted*.

CLAUSE-62

181. That at page 21, line 15, for the figure "62" the figure "63" be *substituted*.

182. That at page 21, line 25, for the figure "49" the figure "50" be *substituted*.

CLAUSE-63

183. That at page 21, for lines 33-34 the following be *substituted*, namely:-

Cognizance of offences.

"64. (1) No court shall take cognizance of any offence under section 62 or sub-section (1) of section 63 except with the previous sanction of the Central Government.

(2) The Central Government shall, by an order either give sanction or refuse to give sanction within ninety days of the receipt of the request in this behalf."

CLAUSE-64

184. That at page 21, line 35, for the figure "64" the figure "65" be *substituted*.

CLAUSE-65

185. That at page 21, line 39, for the figure "65" the figure "66" be *substituted*.

CLAUSE-66

186. That at page 22, line 6, for the figure "66" the figure "67" be *substituted*.

CLAUSE-67

187. That at page 22, line 10, for the figure "67" the figure "68" be *substituted*.

CLAUSE-68

188. That at page 22, line 17, for the figure "68" the figure "69" be *substituted*.

189. That at page 22, line 17, for the figure "12" the figure "13" be *substituted*.

190. That at page 22, line 17, for the figure "62" the figure "63" be *substituted*.

CLAUSE-69

191. That at page 22, line 23, for the figure "69" the figure "70" be *substituted*.

CLAUSE-70

192. That at page 22, line 43, for the figure "70" the figure "71" be *substituted*.

CLAUSE-71

193. That at page 22, line 45, for the figure "71" the figure "72" be *substituted*.

194. That at page 22, line 46, for the figure "7" the figure "8" be *substituted*.

195. That at page 23, line 8, for the figure "25" the figure "26" be *substituted*.

196. That at page 23, line 12, for the figure "41" the figure "42" be *substituted*.

197. That at page 23, line 24, for the figure "41" the figure "42" be *substituted*.

CLAUSE-72

198. That at page 23, line 28, for the figure "72" the figure "73" be *substituted*.

199. That at page 23, after line 32, the following be *inserted*, namely:-

"(b) the manner in which the order and the material referred to in sub-section (2) of section 5 to be maintained;

(c) matters in respect of experience of Members under sub-section (3) of section 6;

(d) the salaries and allowances payable to and other terms and conditions of service of Members of the Adjudicating Authority under sub-section (9) of section 6;

(e) the salaries and allowances payable to and other terms and conditions of service of the officers and employees of the Adjudicating Authority under sub-section (3) of section 7;".

200. That at page 23, line 33, for the bracket and letter "(b)" the bracket and letter "(f)" be *substituted*.

201. That at page 23, line 34, *for* the figure "9" the figure "10" be *substituted*.
202. That at page 23, line 35, *for* the bracket and letter "(c)" the bracket and letter "(g)" be *substituted*.
203. That at page 23, line 36, *for* the figure "10" the figure "11" be *substituted*.
204. That at page 23, line 37, *for* the bracket and letter "(d)" the bracket and letter "(h)" be *substituted*.
205. That at page 23, line 38, *for* the figure "11" the figure "12" be *substituted*.
206. That at page 23, line 39, *for* the bracket and letter "(e)" the bracket and letter "(i)" be *substituted*.
207. That at page 23, line 40, *for* the figure "11" the figure "12" be *substituted*.
208. That at page 23, line 41, *for* the bracket and letter "(f)" the bracket and letter "(j)" be *substituted*.
209. That at page 23, line 43, *for* the figure "11" the figure "12" be *substituted*.
210. That at page 24, line 1, *for* the bracket and letter "(g)" the bracket and letter "(k)" be *substituted*.
211. That at page 24, line 2, *for* the figure "14" the figure "15" be *substituted*.
212. That at page 24, *after* line 2, the following be *inserted*, namely:-

"(l) The manner in which the reasons and material referred to in sub-section (2) of section 16 shall be mentioned."
213. That at page 24, line 3, *for* the bracket and letter "(h)" the bracket and letter "(m)" be *substituted*.
214. That at page 24, line 4, *for* the figure "16" the figure "17" be *substituted*.
215. That at page 24, *after* line 4, the following be *inserted*, namely:-

"(n) the manner in which the reasons and the material referred to in sub-section (2) of section 17 shall be maintained;

(q) the manner in which the reasons and the material referred to in sub-section (2) of section 18 shall be maintained;

(p) manner in which the order and the material referred to in sub-section (2) of section 19 shall be maintained."
216. That at page 24, line 5, *for* the bracket and letter "(i)" the bracket and letter "(q)" be *substituted*.
217. That at page 24, line 6, *for* the figure "21" the figure "22" be *substituted*.
218. That at page 24, line 7, *for* the bracket and letter "(j)" the bracket and letter "(r)" be *substituted*.
219. That at page 24, line 8, *for* the figure "25" the figure "26" be *substituted*.
220. That at page 24, line 9, *for* the bracket and letter "(k)" the bracket and letter "(s)" be *substituted*.
221. That at page 24, line 10, *for* the figure "29" the figure "30" be *substituted*.
222. That at page 24, line 12, *for* the bracket and letter "(l)" the bracket and letter "(t)" be *substituted*.
223. That at page 24, line 13, *for* the figure "33" the figure "34" be *substituted*.
224. That at page 24, line 14, *for* the bracket and letter "(m)" the bracket and letter "(u)" be *substituted*.
225. That at page 24, line 15, *for* the figure "34" the figure "35" be *substituted*.

226. That at page 24, line 16, for the bracket and letter "(n)" the bracket and letter "(v)" be substituted.

227. That at page 24, line 17, for the figure "49" the figure "50" be substituted.

228. That at page 24, line 18, for the bracket and letter "(o)" the bracket and letter "(w)" be substituted.

229. That at page 24, line 19, for the figure "49" the figure "50" be substituted.

230. That at page 24, line 20, for the bracket and letter "(p)" the bracket and letter "(x)" be substituted.

CLAUSE-73

231. That at page 24, line 21, for the figure "73" the figure "74" be substituted.

CLAUSE-74

232. That at page 24, line 30, for the figure "74" the figure "75" be substituted.

THE SCHEDULE

233. That at page 25, for lines 1-33, the following be substituted, namely:-

"THE SCHEDULE

[See section 2(y)]

PART A

PARAGRAPH 1

OFFENCES UNDER THE INDIAN PENAL CODE

Section	Description of offence
121	Waging or attempting to wage war or abetting waging of war, against the Government of India.
121A	Conspiracy to commit offences punishable by section 121 against the State.

Section	Description of offence
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PARAGRAPH 2

OFFENCES UNDER THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT, 1985

15	Contravention in relation to poppy straw.
18	Contravention in relation to opium poppy and opium.
20	Contravention in relation to cannabis plant and cannabis.
22	Contravention in relation to psychotropic substances.
23	Illegal import into India, export from India to transshipment of narcotic drugs and psychotropic substances.
24	External dealings in narcotic drugs and psychotropic substances in contravention of section 12 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
25A	Contravention of orders made under section 9A of the Narcotic Drugs and Psychotropic Substances Act, 1985.
27A	Financing illicit traffic and harbouring offenders.
29	Abetment and criminal conspiracy.

PART B

PARAGRAPH 1

OFFENCES UNDER THE INDIAN PENAL CODE

302	Murder.
304	Culpable homicide not amounting to murder, if act by which the death is caused is done with the intention of causing death.
307	Attempt to murder.
308	Attempt to commit culpable homicide.

Section	Description of offence
327	Voluntarily causing hurt to extort property, or a valuable security, or to constrain to do anything which is illegal or which may facilitate the commission of the offence.
329	Voluntarily causing grievous hurt to extort property, or a valuable security, or to constrain to do anything which is illegal or which may facilitate the commission of the offence.
364A	Kidnapping for ransom, etc.
384 to 389	Offences relating to extortion.
392 to 402	Offences relating to robbery and dacoity.
467	Forgery of a valuable security, will or authority to make or transfer any valuable security, or to receive any money, etc.
489A	Counterfeiting currency notes or bank notes.
489B	Using as genuine, forged or counterfeit currency notes or bank notes.

PARAGRAPH 2

OFFENCES UNDER THE ARMS ACT, 1959

25	To manufacture, sell, transfer, convert, repair or test or prove or expose or offer for sale or transfer or have in his possession for sale, transfer, conversion, repair, test or proof, any arms or ammunition in contravention of section 5 of the Arms Act, 1959.
	To acquire, have in possession or carry any prohibited arms or prohibited ammunition in contravention of section 7 of the Arms Act, 1959.
	Contravention of section 24A of the Arms Act, 1959 relating to prohibition as to possession of notified arms in disturbed areas, etc.

Section	Description of offence
	Contravention of section 24B of the Arms Act, 1959 relating to prohibition as to carrying of notified arms in or through public places in disturbed areas.
	Other offences specified in section 25.
26	To do any act in contravention of any provisions of section 3, 4, 10, or 12 of the Arms Act, 1959 in such manner as specified in sub-section (1) of section 26 of the said Act.
	To do any Act in contravention of any provisions of section 5, 6, 7, or 11 of the Arms Act, 1959 in such manner as specified in sub-section (2) of section 26 of the said Act.
	Other offences specified in section 26.
27	Use of arms or ammunitions in contravention of section 5 or use of any arms or ammunition in contravention of section 7 of the Arms Act, 1959.
28	Use and possession of fire arms or imitation fire arms in certain cases.
29	Knowingly purchasing arms from unlicensed person or for delivering arms, etc., to person not entitled to possess the same.
30	Contravention of any condition of a licence or any provisions of the Arms Act, 1959 or any rule made thereunder.

PARAGRAPH 3

OFFENCES UNDER THE WILD LIFE (PROTECTION) ACT, 1972

51 read with section 17A	Contravention of provisions of section 17A relating to prohibition of picking, uprooting etc. of specified plants.
51 read with section 39	Contravention of provisions of section 39 relating to wild animals, etc., to be Government property.

Section	Description of offence
51 read with section 44	Contravention of provisions of section 44 relating to dealings in trophy and animal articles without licence prohibited.
51 read with section 48	Contravention of provisions of section 48 relating to purchase of animal etc., by licence.
51 read with section 49B	Contravention of provisions of section 49B relating to prohibition of dealings in trophies, animal articles, etc., derived from scheduled animals.

PARAGRAPH 4

**OFFENCES UNDER THE IMMORAL TRAFFIC
(PREVENTION) ACT, 1956**

5	Procuring, inducing or taking person for the sake of prostitution.
6	Detaining a person in premises where prostitution is carried on.
8	Seducing or soliciting for purpose of prostitution.
9	Seduction of a person in custody.

PARAGRAPH 5

**OFFENCES UNDER THE PREVENTION OF
CORRUPTION ACT, 1988**

7	Public servant taking gratification other than legal remuneration in respect of an official Act.
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Section	Description of offence
8	Taking gratification in order, by corrupt or illegal means, to influence public servant.
9	taking gratification for exercise of personal influence, with public servant.
10	Abetment by public servant of offences defined in section 8 or section 9 of the Prevention of Corruption Act, 1988."
234.	That at page 26, lines 1-44, be <i>deleted</i> .
235.	That at page 27, lines 1-10, be <i>deleted</i> ."

The motion was adopted.

MR. CHAIRMAN : The Minister may now move that the amendments made by Rajya Sabha in the Bill be agreed to.

SHRI JASWANT SINGH : Sir, I beg to move :

"That the amendments made by Rajya Sabha in the Bill be agreed to."

MR. CHAIRMAN : The question is :

"That the amendments made by Rajya Sabha in the Bill be agreed to."

The motion was adopted.

18.08 hrs.

*The Lok Sabha then adjourned till Eleven of
the Clock on Friday, November 29, 2002/
Agrahayana 8, 1924 (Saka)*

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