Clause 1

2. That at page 1, line 3,—
for "1977" *substitute* "1978"

(vi) "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 21st March, 1978, agreed without any amendment to the Interest Bill, 1978, which was passed by the Lok Sabha at its sitting held on the 22nd February, 1978."

12.06 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED DECISION OF UNITED STATES TO PUT OFF RELEASE OF ENRICHED URANIUM FOR TARAPUR ATOMIC POWER STATION

SHRI OM PRAKASH TYAGI (Bahraich): Sir, I call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon:

"The reported decision of the United States Nuclear Regulatory Commission to put off the release of enriched uranium for the Tarapur Atomic Power Station and the consequences arising out of it."

THE PRIME MINISTER (SHRI MORARJI DESAI): Mr. Speaker, Sir, enriched uranium which is not produced in India is required for the manufacture of fuel for the Tarapur Atomic Power Station but not for any of our other nuclear power stations which are of different designs. The bilateral agreement for cooperation between the Government of the United States and the Government of India provides that all requirements of enriched uranium for use as fuel at Tarapur shall be made available by the U.S. and that India shall not obtain these from any other sources. Accordingly, enriched uranium is being imported only from the U.S.A. On an average about 17 to 21 tonnes of enriched uranium is being imported only from the USA every year. In accordance with the current procedures in the United State, consignments of enriched uranium required for Tarapur Atomic Power Station are subject to an export licence to be given by the U.S. Nuclear Regulatory Commission (USNRC), a quasi judicial body which is independent of the U.S. Government Executive Branch. These export licence applications for enriched uranium are considered by the USNRC after clearance is conveyed by the Executive Branch. Presently two licences are pending with U.S. Department of Energy for 7.6 tonnes and 16.7 tonnes of enriched uranium respectively. The consignment of 7.6 tonnes was due to have been shipped in September 1977 and Licence XSNM 1222 applied for on 1st November, 1977 is scheduled for shipment between April and October 1978. These requirements closely follow the schedules worked out in consultation with experts deputed by the U.S.A. for this purpose in September, 1976.

The despatch of the first consignment was delayed because the non-proliferation Bill dealing with long-term policy of the U.S. Goverment was under the consideration of the Congress. Nevertheless during his visit to India in January, 1978, President Carter announced in Parliament that the shipments of nuclear fuel will be made for the Tarapur Reactor. On 26th January, 1978, the Executive Branch of the U.S. Government recommended to the U.S. NRC that the licence for the pending application for 7.6 tonnes of enriched uranium be issued. On February 13, 1978, three environmentalists Groups in the U.S.A. namely, the National Resources Defence Council, the Union of Concerned Scientists and the

Sierra Club who had also objected to an earlier shipment submitted a motion requesting the NRC to reopen the public hearings of May, 7, 1976 on the Tarapur fuel exports and to consolidate the proceedings on both the pending licences for 7.6 tonnes and 16.7 tonnes. On February 21, 1978, the Executive Branch urged the NRC that the issue of the pending licence for 7.6 tonnes for which executive clearance had been given should not be further delayed. The U.S. NRC has not yet taken a decision whether or not to hold public hearings on the export licence application for Tarapur Atomic Power Station which is presently pending with them. It is reported that a decision could not be taken on this question at meetings held by the U.S. NRC on 16th March, 1978 and 20th March, 1978 on account of the absence of two members The Chairman of the NRC has deferred decision pending consultation with the other two members

Government have constantly been impressing upon the US authorities the necessity of maintatining continued supplies of enriched uranium for the Tarapur Atomic Power Station in accordance with the inter-governmental agreement and the subsequent sale contract between the two countries. It has been pointed out that delays in supplies of enriched uranium have already adversely affected the functioning of Nuclear Fuel Complex at Hyderabad and also resulted in involuntary reduction in the output of power at Tarapur. The delay is not due, however, to any policy issue but on account of procedural requirements. We believe that the U.S. Administration is doing its best to expedite the disposal of the objections taken but the final decision on the objections is not in their hands.

As a result of the delay the power output is also suffering. We are trying to ensure supplies to avoid a complete shut-down and already there has been partial adverse effect on production of energy. In the circumstances we are faced with, this is inevitable. I only hope that the US Administration will succeed in getting the objections overruled and shipments would be resumed before long.

श्री ओम प्रकाश त्यागी: अध्यक्ष महोदय, अभी प्रधान मंत्री जी ने इस सम्बन्ध मे हमारे सामने बहुत ही महत्वपूर्ण तथ्य प्रस्तुत किय हैं, जिन को सन कर ऐसा अनुभव होता है कि हमारा तारापुर प्लांट, जिस पर लगभग 300 करोड़ रुपये का फारन-एक्सचेन्ज खर्च हुआ है, खतरे मे पड़ गया है। आप ने अपने वक्तव्य मे इस बात को स्वीकारा है कि इस मामले में अमरीका गवर्नमेंट का डिसीजन ही काफ़ी नही है, इस मे एक और संस्था भी है.

"U.S. Nuclear Regulatory Commission (USNRC), a quasi judicial body which is independent of the U.S. Government Executive Branch. These export licence applications for enriched uranium are considered by the USNRC after clearance is conveyed by the Executive Branch."

इतना ही नही, इस के ऊपर भी एक एनवायरनमेन्ट ग्रप है, इस तरह की दो-तीन बाडीज है। इन के अलग-अलग फंक्शन्ज को देखते हुए—कार्टर साहब जो यहा पार्लियामेन्ट के मेम्बरों को यह विश्वासन दिला गय थे कि यह काम हो जायगा, उन के जाने के बाद सारा मसला खटाई मे पड़ गया है।

एक और चीज जो सामने आई है —

"The delay is not due, however, to any policy issue but on account of procedural requirements. We believe that the U.S. Administration is doing its best to expedite the disposal of the objections taken but the final decision on the objections is not in their hands."

यह बात आप ने स्वीकार की है। पहली चीज तो मै आप से यह पूछना चाहूंगा कि कार्टर साहब जब यहां आए थे और उन्होंने इस बारे में आश्वासन दिया था उन के आश्वासन के पश्चात् भी जबकि हमारे यहां

[श्री ओम प्रकाश त्यागी]

तक आने के लिए ड्यू था, अभी तक वह क्यों नही आया है ? एन० आर० सी० ने जो .....

MR. SPEAKER: Please put your question now.

श्री ओम प्रकाश त्यागी : मैं क्वेश्चन कर रहा हूं । यह जो मीटिंग हुई उस में उन्होने बताया कि 2 मेम्बर आए और 2 नही आए और मीटिंग स्थगित हुई है और दूसरी मीटिंग की डेट नही पड़ी और एनवाइरमेंट ग्रुप ने यह आर्डर दिया है कि एन० आर० सी० इस म पब्लिक हियरिंग करे, तो यह पब्लिक हियेरिंग कब होगी, इस का कुछ पता नही है और न ही इस स्टटमेंट में इस प्रकार की कोई जानकारी है । इसीलिए मैं विशष जानकारी इस बारे से चाहूंगा । इस प्रकार की अमेरिका की नीति है और अमेरिका की सरकार की इस असमर्थता को ध्यान मे रखते हुए और जहा तो कमेटियां साथ साथ हैं, उन्होने अमेरिकन एडमिनिस्ट्रेशन के आदेश के पश्चात् भी इस को आने से रोक लिया है और दूसरी बात यह है कि अमेरिकन गवर्नमेंट ने जो एक्ट पास किया है, उस के अनुसार एनरिच्ड यूरेनियम उसी देश को दिया जाएगा जो नान-प्रोलीफरेशन ट्रीटी पर हस्ताक्षर करेगा । इस प्रकाश मे मैं यह जानना चाहता हू कि तारापुर प्लान्ट की रक्षा के लिए आप क्या करने जा रहे हैं ताकि यह भविष्य मे चलता रहे । अब हम टाइम पर 7 6 टन का ही मामला नही है बल्कि आग भी रेगूलर सप्लाई आप के पास रहे, इस तरह की व्यवस्था के लिए आप ने अमेरिका की गवर्नमेंट से कोई समझौता किया है या नान- प्रोलीफरेशन ट्रीटी के सम्बन्ध मे जो आप की नीति है, उस मे आप कोई परिवर्तन करने जा रहे है या उस समझौते को तोड कर किसी दूसरे देश के साथ समझौता करेंगे । इस प्लान्ट की रक्षा के बारे मे आप क्या करने जा रहे हैं, यह मैं जानना चाहता हूं, दूसरी बात मैं जानना चाहता हूं ....

MR. SPEAKER: Only one question, please.

श्री ओम प्रकाश त्यागी : अध्यक्ष महोदय, मैं ने यह अनुभव किया है कि जिस दिन मेरा काल एटेंशन आता है, उस दिन आप को रूल याद आते हैं । न मालूम क्यों ?

MR. SPEAKER: You have already spoken for seven minutes.

श्री ओम प्रकाश त्यागी : यहां पर क्वेश्चन्स पर लैक्चर होते हैं और मेरी आदत ज्यादा बोलने की नही है ।

MR SPEAKER: Everybody thinks like that.

श्री ओम प्रकाश त्यागी : अध्यक्ष महोदय, यह बहुत इम्पोर्टेन्ट सवाल है, यह साधारण सवाल नही है ।

MR. SPEAKER: That is why Calling Attention is allowed.

श्री ओम प्रकाश त्यागी : अध्यक्ष महोदय, अभी एक और महत्वपूर्ण प्रश्न है और स्पेन्ट फ्यूल का मामला है । अगर आप को 7.6 और 16.7 टन मिल भी गया, तो स्पेन्ट फ्यूल के स्टोरेज का सवाल है । देश में 500 स्पेन्ट फ्यूल रोड्स के स्टोरेज की कपेसिटी है और 600 आल्रेडी आ चुका है । अब जो स्पेन्ट फ्यूल रोड्स हैं, उनको आप कहा स्टोर करेंगे क्योंकि अमेरिका स्पेन्ट फ्यूल रोड्स को ले नही रहा है । एग्रीमेंट के अनुसार उस को लेने चाहिए लेकिन वह ले नही रहा है । तो किस तरीके से आप इस समस्या का समाधान करेंगे ?

इस के साथ साथ अध्यक्ष महोदय, एक और विषय है । यह जानकारी मुझे आज ही मिली है । फ्यूल की अगर री-प्रोसेसिंग कराई जाए, तो उससे जो मेटर निकलता है, जिसको प्लूटोनियम कहते हैं, उससे एटम बम बन सकते हैं । अमेरिका की गवर्नमेंट ने दो कैमरे लगा रखे हैं ।

MR. SPEAKER: You have already taken ten minutes.

श्री ओम प्रकाश त्यागी : उस में दो कमरे लगे हुए हैं और जो कोई उस को छुएगा री-प्रोसेसिंग के लिए, तो अमेरिका के एक्सपर्टस को मालूम हो जाएगा। हमको प्रोसेसिंग भी नहीं करने दे रहे हैं और लेने भी नहीं दे रहे हैं। जब वे यूरेनियम भी नहीं दे रहे हैं तो ऐसी स्थिति मे आप इन तमाम समस्याओं को कैसे हल करेंगे ? इसका और फोरियम टक्नोलोजी का भी विकास करने के लिए सरकार कोई प्रयत्न कर रही है या नहीं ? यह मैं जानना चाहता हूं।

श्री मोरारजी देसाई : मैंने बहुत तफसील देकर शायद कुछ गलती की है। मैं आशा करता था कि सारी तफसील मे जाने के बाद सम्मानीय सदस्य हमारी तकलीफों को समझेंगे। अमेरिका का राज चलाना हमारे हाथ में नही है। न वहा की जो पद्धति है, उसको बदलना ही हमारे हाथ में है। प्रजीडेंट कार्टर ने जो कहा है, उसका वे पालन करेंगे, ऐसा मुझे विश्वास है। मगर हम जल्दबाजी करें और यह चाहे कि यह एकदम हो जाए तो यह होने वाला नही है। हम आशा करते है कि इसका फैसला जल्दी हो जाएगा और हमारी तकलीफ कम होगी। लेकिन यह भरोसा हम नही कर सकते कि एक साल के बाद भी यह मिलता रहेगा क्योंकि उनका दूसरा कानून बना है जो अमल मे आ जाएगा। इसलिए भी हमको सोचना होगा और हम सोच भी रहे है। एक सन्दूक के नीचे हाथ दब गया है। उसको चिल्लाने से और सवाल-जवाब करने से तो मैं निकाल नही सकता। कुछ खूबी से, शांति से, धीरज से निकाल सकता हूं और इस कोशिश मे हम हैं। जो कुछ करना है, उसको एकदम से बता देना एकदम अच्छा भी नही है और फायदेमन्द भी नही है। इससे सम्मानीय सदस्य संतोष करें, एसी मेरी प्रार्थना है।

SHRI G. M. BANATWALLA (Ponnani): Sir, the Prime Minister is seized of this important question which has been coming up in the House again and again. It is rather unfortunate that the supply of enriched uranium should get delayed continuously. Now, Sir, it is quite apparent that this Government has thrown up its hands in despair and it is also not prepared to take this House into confidence with respect to alternatives that are being thought of. There is a mere hope that President Carter will fulfil his promise. But we have been told that in addition to the United States executive there is also a quasi-judicial body and the granting of the export licence is in the hands of the United States Nuclear Regulatory Commission. Now, Sir, they have to hold public hearings also. I can understand that all these are not in the hands of our Government, but at the same time, we have to take cognisance of these various factors that have come up again and again with respect to our projects. We have one treaty with the United States and this bilateral agreement with the United States provides that India shall not obtain this enriched uranium from any other sources. Now, my question is whether the Government has taken up this matter with the United States that in case there are delays and continuous delays, whether we will be in a position to arrange for the supply of enriched uranium from alternative sources. Whether any such proposal is in the mind of the Government and whether the matter has been taken up with the United States? I do not need to suggest a complete reversal of the agreement but only with respect to this particular point, whether the question has been taken up and what is the reaction of the US Government about our obtaining the supply from alternative sources in case of delay?

A further point that has come up is that we are groping in the dark. We do not even know how much delay will occur as a result of all these procedural requirements. We are told that there are no policy diffi-

[Shri G. M. Banatwalla]

culties but only procedural requirements. But my basic and fundamental question is whether the Government is really happy with the attitude of the United States authorities and whether it really, sincerely and firmly believes that the supply of enriched uranium will continue to come from them, especially in the context of the situation, the altered situation, which has already been placed before the Government by the previous speaker.

SHRI MORARJI DESAI: I do not quite follow what the hon. Member wants me to do. We have taken up the matter with the United States and we are doing our level best to sort out the difficulties which are not quite of our creation; but they did arise from the explosion that was made here three or four years ago. This is not to say that they were justified in doing this. The agreement did not warrant any break of it by the other side. That also I have pointed out to them But the position is that we cannot use any other fuel except enriched uranium in this plant and we are bound by the agreement that we cannot obtain it from elsewhere as long as they do not say they cannot supply it If they say so, then all other avenues are open to us, even the processing of the used material will be open to us. Then we will not be bound by any restrictions. Therefore, we can find out many things. I do not think that we should say everything now and create more difficulties Therefore, I am only requesting my hon friends not to go on making this issue wider and wider which might create more difficulties for us. We have to find out a remedy and I hope we shall be able to find out a remedy.

SHRI VASANT SATHE (Akola): The hon Prime Minister has stated in his statement that fuel for Tarapur, should be made available by the United States and that India shall not obtain this from any other source. This was the term of the bilateral agreement. As is well known, in any bilateral agreement, if one party goes back unilaterally on the agreement, how can the other party be bound by the agreement? Honour is all right. But in practice why should you consider yourself bound by the agreement and take shelter under that? I can understand the helplessness of the circumstances that he was referring to. He expresses the hope that the delay is not due to any policy issue but on account of procedural requirements. It has been pointed out in the report which has appeared in the *Indian Express* of March 22 that it is not actually a matter only of procedural requirement; there is something deeper. The three bodies which are raising objections are doing so with a view to pressurising the Government on the larger issue of committing this Government on the Non Proliferation Treaty and therefore there is no use of beating about the bush in this matter. The hon Prime Minister went all the way to the extent of reassuring not only President Carter but the people of America and all those bodies which are there that India would never be an atomic weapon nation. Fair enough. He went even further to say that we will not have even a peaceful nuclear explosion. But even this has not satisfied the so-called scientists and the objectors. In the light of this, can the Government tell this country, can the hon. Prime Minister—who in his reply himself is not sure whether the contracted fuel will be coming and also after the Act comes into force—tell what would happen to Tarapur Plant? Therefore, an alternative has to be thought of. He had recently gone to Australia Probably there are other countries like France—I do not know. The best way as he says, to get his hands off is not to wait till Tarapur Plant comes to a halt, but to make an alternative arrangement. You are freed already from the bilateral agreement; morally also you need not be bound by it. The day they stopped

sending the uranium you could have gone for other sources and found the other source. What is holding it up? An impression has gone round in the nation that we are now succumbing; a self-reliant country, particularly the Prime Minister who is known for his uprightness and fearlessness is succumbing to arm-twisting methods of big powers. This is, unfortunately, the impression because of this particular deal, as far as the supply of enriched uranium to Tarapur Plant is concerned.

SHRI KANWAR LAL GUPTA (Delhi Sadar): No, it is not a fact. It is your impression.

SHRI VASANT SATHE: I do not want to go from the sublime to ridiculous. Probably Mr. Raj Narain...

MR. SPEAKER: Please come to the question. We are on an important matter.

SHRI VASANT SATHE: He was just now saying: why have uranium? You could have used uranium. This is going from the sublime to the ridiculous. I want to know from the hon. Prime Minister why he is still wavering and hesitant in going in straightaway for an alternate source, after taking the country into confidence because that is the only alternative; today or tomorrow you will have to go after that act; why not do it now when it is the right time before Tarapur Plant comes to a grinding halt?

SHRI MORARJI DESAI: Well, Sir, my hon. friend's interpretation that the agreement has already been broken is not correct in my view, though I have perhaps less knowledge of law than he has. I do not know how much he has. But I do agree that I do not have more than he has. It is clear to me that there is no breach of agreement yet. They have not yet refused. The supply is only delayed. Some of it did come and some of it is going to come. That is what they say. Therefore, the agreement is not broken. If the agreement is broken, we are free to take whatever action we may want to take. There will be no binding on us in any case. I will take action on it most certainly and quickly. But until then, I cannot break the agreement myself. My hon. friend may or may not have that sense of honour. Otherwise, he would not have suggested this to me.

SHRI VASANT SATHE: Was it a part of the agreement that by the objection of NRC, it can be delayed?

SHRI MORARJI DESAI: It is not outside the agreement. America is bound to act on its own procedure as we are bound to act on our procedure. Therefore, I cannot find fault with them. That you have to understand. Where is the question of submission? We do not want to surrender anything. Yes, if I had agreed to sign the treaty, I would have got a copious supply immediately. But I am not going to do it. Even if Tarapur has to close, I am not going to do it. If it closes, I cannot help it. It is not in my hands. But I will try to see that it does not close. I will strain every nerve to see that Tarapur does not close. For keeping the self-respect of this country, if the cost is to close it, I will close it without hesitation. Let my honourable friend understand that.

SHRI VASANT SATHE: I am satisfied.

SHRI MORARJI DESAI: Nobody is going to pressurise me, not even he.

डा० रामजी सिंह (भागलपुर) : अध्यक्ष महोदय, प्रधान मंत्री जी ने जो कुछ कहा है, उसमे हम लोगो को काफी सन्तोष हुआ है। असल में इंडिया–यू०एस०ए० एग्रीमेंट आन सिविल यूजेज आफ अटामिक एनर्जी 1963 में ही हुई थी और उसके आर्टिकल 2 में जो प्रावधान किया गया है, उसी के चलते सारी कठिनाई है, जिसके कारण यूरेनियम की