

REPORT OF THE COMMITTEE ON SUBORDINATE LEGISLA- TION

MISS SAROJ KHAPARDE (Maharashtra): Sir, I beg to present the Hundred and Twenty-second Report (in English and Hindi) of the Committee on subordinate Legislation.

REPORTS OF THE COMMITTEE ON PAPERS LAID ON THE TABLE

SHRI R. MARGABANDU (Tamil Nadu): Sir, I beg to present the following reports (in English and Hindi) of the Committee on Papers laid on the Table:--

(i) 67th Report regarding United India Insurance Company Limited, Chennai Port Trust, Hindustan Photo Films Manufacturing Company Limited and Neyveli Lignite Corporation Limited; and

(ii) 68th Report regarding National Fertilizers Limited and Oriental Insurance Company Limited.

REPORT AND MINUTES OF THE RAILWAY CONVENTION COMMITTEE

SHRI JANARDAN YADAV (Bihar): I lay on the Table a copy (in English and Hindi) of the First Report of the Railway Convention Committee on "Action Taken by Government on the recommendations contained in the Second Report of Railway Convention Committee (1996) on "Ninth Plan Perspective-Infrastructural Requirement of Indian Railways" alongwith Minutes relating thereto.

MOTION FOR ELECTION TO THE NATIONAL SHIPPING BOARD

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS AND MINISTER OF SURFACE TRANSPORT (SHRI M. THAMBI DURAI): Sir, I beg to move:

"That in pursuance of clause (a) of sub-section (2) of section 4 of the Merchant Shipping Act, 1958 (44 of 1958), read with sub-rule (2) of rule of the National Shipping Board Rules, 1960, this House do proceed to elect, in such manner as the Chairman may direct, one member form among the members of the House to be member of the National Shipping Board in the vacancy caused by the retirement of Shri Narendra Pradhan from the membership of Rajya Sabha on the 1st July, 1998."

The question was put and the motion was adopted.

MR. CHAIRMAN: Now, Mr. Jaswant Singh.

STATEMENT BY PRIME MINISTER AND DISCUSSION

Bilateral Talks with United States-- Contd.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI JASWANT SINGH): Mr. Chairman, Sir, I am grateful to you for providing me with this opportunity to clarify some of the issues, most of the issues really, that have arisen from yesterday's discussion. I would, at the outset, like to re-emphasise what the hon. Prime Minister has repeatedly asserted in Parliament, out of it, in the United Nations and elsewhere, and which has been the guiding principle of our talks with the United States of America or with any other country that we have been engaged with in explaining our viewpoint. And that principle is that there is only one, and one criterion alone, that shall determine the approach that India takes in regard both to the enunciation of policy and the practice of diplomacy post-May,

1998, and that principle, that fundamental, remains unaltered. It is national interest and it is national security alone that will and that has guided our deliberations. I am greatly emboldened by, and I find great encouragement by repeating, what my friend and colleague, hon. Mr. Arun Shourie, hinted at. It is very re-assuring that every speaker, every speaker who participated in yesterday's discussion, has either asserted or emphasised or demanded the structuring of a consensus. This is a matter of great reassurance to us, to the Government, and indeed, all the efforts that the Prime Minister has made and continues to make, are really for building a consensus on issues of high national importance, like national security. There is another very encouraging aspect that almost every speaker has demanded that the dialogue continues externally, and internally also, the dialogue should be more frequent. This Government has taken every opportunity, whether in Parliament, through Committees or through smaller consultation, to keep the dialogue the best of development of events. There is a third reassuring aspect, that is, almost every speaker has emphasized that the discussions that have been taking place, the dialogue that has been going on with the United States of America or with other countries continues. Sir, I would like to very briefly reiterate some of the aspects that have been asserted from the very beginning. From the very beginning, I may mean from May 1998. The step that was taken by the Government on 11th May, 1998, was a continuation and was a demonstration of India's determination to break the shackles of nuclear apartheid because they were simply not acceptable to us. It was also a response to a new nuclear paradigm that had come into existence—post 1989. It was an attempt by this Government to obtain for itself and for India the needed strategic space, postcold-war

and it was also this strategic space and the required strategic autonomy of decision-making, that lay at the foundation of the May 11-13, 1998 blasts. We find a demonstration of astonishing arrogance that countries preach to us precisely the opposite of what they themselves practice. Therefore, when P-5 or any other grouping, whether G-8 or the United States of America assert a view-point in terms that are admonitory or in terms that seem to suggest to me here that this is what India ought to do, I would appeal to the hon. Members to reflect that this kind of preaching is not acceptable to India, has not been acceptable to me -- the Prime Minister has conferred a great honour on me to represent this country—because we find in this an astonishing and unacceptable arrogance to preach to India to do that which they themselves in practice are not following. That too, Sir, has been a guiding principle of our approach to the entire thing. I want to make it very clear and explicit to all the Members that India has not approached these talks and I do not approach these talks as an individual. It is a great honour that the Prime Minister has conferred upon me. I approach these talks as a representative of a very great country. If I go as a representative of a very great country, some of the greatness of my land certainly reflects upon me. It is a very heavy responsibility and that heavy responsibility can be fulfilled only by keeping one yardstick and just one yardstick in mind, and that is, the national interest. I have no difficulty in saying that whatever be the number of rounds, however long it might take the only yardstick shall remain 'national interest'. That is our guiding spirit and that is what has emboldened me because that is the approach that almost the entire House has taken in regard to these talks in yesterday's discussion.

The hon. Member, Shri Pranab Mukherjee, in an intervention of

great understanding, insight and experience, raised a number of issues, and I will attempt to answer as many of them and as succinctly and briefly as I can. I would not obviously be able to answer every hon. Member's points because a number of points have overlapped. The hon. Members have said the same thing. I will attempt to faithfully answer each of the points that have been raised.

Firstly, Sir, on the question of three countries, hon. Pranab Mukherjee said that in May, 1998, three countries, which are essentially nuclear remained outside the ambit of a nuclear-weapon state status or CTBT. I would be so bold as to make a correction, Sir. Firstly, Israel is also a signatory to the CTBT. Secondly, India's nuclear status is not of 1998 vintage. It goes back certainly to 1968 when we declined to join the NPT and demonstrated to 1974 when we conducted the first test at Pokhran. India did not enter the nuclear world in 1998. What it did was what it stated, which was cited by my hon. colleague, Mr. Arun Shourie. What it did was to validate and update its technology in May, 1990. Why it did so has already been explained.

So far as Pakistan is concerned, I would like to make this clear—and I appeal to all sections of the House to bear this in mind because this is the rationale that is put forward by the United States of America, by Pakistan and others, that Pakistan's May tests were in response to India's—that this is a myth-making that has been perpetrated. You can't have nuclear test in the bleak heights of Chagai hills of Baluchistan within a fortnight as a response to something that India did. Pakistan was self-declared a nuclear state from 1981 onwards. From 1987 onwards, the United States of America and the President of the United States of America found it no longer possible to certify Pakistan's non-nuclear-weapon status. Therefore, when we ourselves here in this House, talk of

Pakistan's having entered the nuclear world in 1998, we are giving weight to that kind of myth-making. Pakistan had declaredly become a nuclear-weapon state in 1987. This is the well-enough documented and well-enough noted fact which we atleast in the House must always bear in mind because one of the difficulties that we encounter in international fora is of Pakistan's acts to be explained away as a reaction to what India did and the facts in this fashion, if we repeat, get falsified and make our international presentation of the case much more difficult.

Sir, hon. Pranab Mukherjee wanted to know about the Fissile Material Control Treaty and the opposition. I would like to make this explicit that so far as the Fissile Material Control Treaty it is not yet a treaty because it is an attempted treaty is concerned, India's stand on the FMCT has remained consistent. We had supported multilateral negotiations on the subject, leading to a non-discriminatory treaty which, in turn, would prohibit the production of fissile material for weapons' production. Now the Prime Minister has declared under this that he has no intention to enter into an arms race. I would like to make it quite clear, as far as the Fissile Material Control Treaty is concerned, what we are advocating, what India is advocating, is post-the-Treaty, consequent upon the Treaty, a control on future production, not on stockpile. That is the point which the hon. Member, Shri Pranab Mukherjee, has made and emphasised. There is no question of agreeing on stockpiling. We have declared our intention on future production to match every international agreement in this regard step by step and engage in it purposefully. As far as unilateral moratorium on fissile material production is concerned, it is not possible for India and India has made it absolutely explicit. There is a question, which was raised by a number of Members, about what the minimum credible deterrent is and how we should con-

sider the minimum credible deterrent. The minimum is not a fixed physical quantification. It is a policy approach dictated by and determined in the context of our security environment. There is no fixity. Therefore, as our security environment changes and alters and as the demands pegging to be placed upon it, our requirements too are bound to be re-evaluated. Both in the determination and in the re-evaluation, India shall not accept any other criteria but national interests and it shall not accept any intrusive or sovereignty-violative suggestions. It has been made clear to every interlocutor which we have engaged with.

The hon. Member, Pranab Mukherjee, wanted to know about the Export Control Regime. As far as the Export Control Regime is concerned, India's record has been impeccable and, indeed, better than some of the P-5 themselves. This is not a boast that we make lightly. India's export control record has been impeccable because successive Governments have approached this issue with a very high sense of responsibility and have approached the issue of weapons of mass destruction as a discharge of international and human obligations. The Prime Minister had in May itself announced that we shall, wherever necessary, make our export control more stringent. Therefore, when it is suggested that we should sit with the international community and discuss what they have by way of export control and what we have, we are ready to do it. Take, for example, the Chemical Weapons Convention. It is a recent example of how our export control has been brought up-to-date. The Foreign Trade Development and Regulatory Act authorises the Government to restrict the exports and these provisions have been used to place sensitive equipment, technologies and materials on the control lists. These lists are notified in the Exim Policy annually. It is an open document for

the world to see and the country to see. We have nothing to hide in this regard. These lists can be expanded and, wherever necessary, shall be expanded. No new licence forms can be devised; follow-up, monitoring and use can, of course, be strengthened and must be strengthened. All these are ways of making our system more stringent. This is precisely what the Prime Minister had meant when he made this announcement earlier and this is precisely what we intend to do in future. In this regard, if somebody is willing to make suggestions as to how we can make our system better, how we can make it more effective, certainly we will listen to him. We will take advice from whoever can give advice in this regard because in the realm of weapons of mass destruction what has guided me as a brief from the Prime Minister is that we must conduct ourselves as an ancient civilization and as a great nation which now has an even greater responsibility to the rest of the international community. Sir, so far as the question of consensus on CTBT is concerned, the Prime Minister's approach towards CTBT is explicit. India has always been a non-proliferationist. The natural constituency to which India belongs is the constituency of disarmament. That has been the approach that the successive Governments have taken. Within the constituency of disarmament—our natural tendency is to be a non-proliferationist—what we have done is we have obtained for ourselves the needed strategic autonomy and space. So far as the limited point of our approach to the Comprehensive Test Ban Treaty is concerned, let me assure the House, as the Prime Minister has consistently and repeatedly assured the House, that what guides this Government is the building up of a consensus. Till that consensus is built up, the approach and the position that remains is as explicitly stated in the statement as stated

by the Prime Minister in the UN General Assembly.

Sir, you will appreciate that I cannot respond to each and every point. If there are any clarifications, I would be very happy to engage myself with the hon. Members in a personal capacity or thorough correspondence.

Sir, I am very grateful to my friend and colleague, Shri Arun Shourie, for three significant points that he has raised. Here I must explain what is the procedure for any Government to move towards subscription to the Comprehensive Test Ban Treaty. Firstly, there has to be a decision that we have now decided to subscribe to CTBT. For that decision the needed consensus is necessary. That is precisely what the Government has attempted to find out where we should go. After that decision there comes the actual subscription. After the subscription, there is ratification where necessary. After the ratification, it has to be announced. Then the final step is, depositing of the ratified documents with the United Nations. There is a great distance which India has yet to travel. In travelling that distance, I have no difficulty in assuring my hon. colleagues that what will guide this Government is the national interest and for that national interest, building up of the needed consensus is necessary. Therefore, if in this process we ought to examine the aspect of ratification or if whenever and at whatever stage we wish to add to this Treaty such conditionalities as we feel are necessary for the national interest, in the manner that other nations have done, certainly, we shall examine that possibility. I wish to make it absolutely clear. He and a number of Members spoke about regional issues intruding into the talks. I wish to make it absolutely and explicitly clear that as far as our approach is concerned, we have made it absolutely clear that (a) India shall not accept a third-

party mediation in what are essentially bilateral issues and (b) we will not countenance a situation in which our near neighbour, Pakistan, is permitted to ride piggyback into the Valley of Kashmir on the back of non-proliferation. Since we made it absolutely, unambiguously and explicitly clear, in none of the rounds of talks has this issue featured. I say this with complete authority because I am instrumental in these peace talks. A reference is made to Pakistan on the desirability of Indo-Pak talks or the need for Indo-Pak talks. The USA or other countries are free to have that wish list. So far as their wish-lists are concerned, when those wish-lists intrude upon a territory, that is 'no entry' as far as we are concerned. Then, our sign-posts for 'no entry' are also explicit enough. I am grateful to hon. Arun Shourie on what he said about emphasising the economic aspect of security. If we took the stand that we did in the middle of May, 1998, it was to expand the strategic space that our security demanded. But our security is not unidimensional, and in that security, without doubt, what my friend, the hon. colleague, and a number of others had mentioned—the totality of the economic health of the country is, certainly, a very vital ingredient. And I have no doubt in saying that that is the factor which is consistently borne in mind by the Government and by the Prime Minister. The hon. Member, Shri Basu, spoke on the question of consensus through legislation. That was a suggestion that he made. He asked: Why did we not approach this issue of building a consensus through the Atomic Energy Act of 1962? That was the reference which he made. With due regards to hon. Basu, I would just tell him that the Atomic Energy Act of 1962 actually requires no amendment. It entitles the Government, and only the

Government, to use, develop, exploit, nuclear materials and technology for transfer or for other purposes in national interest Mr. Basu, if your suggestion is that the Atomic Energy Act of 1962 is an Act that prohibits us from approaching this territory, that is not so. That, is why I would submit that the Act of 1962 provides for every eventuality, and it does not constrain any future course of action. As far as the question of strategic defence review is concerned, in our National Agenda for Governance, there is an explicit announcement that there shall be a strategic defence review. But that is not a pre-condition for taking steps that are necessary. The strategic defence review is a commitment on this Government, and pursuant to this commitment, the Prime Minister has announced the constitution of a national security council. It is the national security council that shall address itself to the structuring of a strategic defence review. But the strategic defence review was not a pre-condition to taking the steps that were necessary... (Interruptions)

SHRI NILOTPAL BASU (West Bengal): If the Minister yields, I have to again fall back on the statement made by the Government on the floor of the House in response to a question where this was pointed out, because when the debate on Pokharan tests was going on, we raised this point that it could have come as a part of the conclusions of the strategic defence review. The response was that the National Security Council would come about on the basis of the strategic defence review.

SHRI JASWANT SINGH: Sir, I am sure that this is the consequence of some misunderstanding. The National Security Council itself will decide the strategic defence review... (Interruptions).

SHRI NILOT PAL BASU: Anyhow, that is the statement of the Government.

SHRI JASWANT SINGH: It is explicit. That is how it is reviewed. I have no doubt in my mind that after the strategic defence review is finalised by the National Security Council, it will have to come to the Cabinet. Once the Cabinet approves it, I have no doubt in my mind that it will be a document that will come to Parliament, and Parliament shall have the right to discuss it, to talk about it. This is a point made not just by hon. Basu, but very thoughtfully by Shri Alagh also. On the question of technology denial regime, I wish to share with the House what the philosophy that the Government's thinking is. The philosophy that is governing our thinking is, whether it is a question of strategic technology or non-strategic technology, India will have to stand on its own. Technology is not granted as a boon simply for the asking. When it comes to strategic technology, we are realistic enough to understand. Leave alone the United States of America, no country will share its strategic technology willingly with India. When it comes to non-strategic technologies, what will certainly be available to India is obsolete technology. Therefore, we approached this whole issue, whether it is the missile technology control regime or other nuclear supplier group. I do not have to list all of them. These are essentially technology restrictive practices which India shall have to break free from. Just as we have broken free from the shackles of nuclear apartheid in May 1998, similarly, Sir, whether it is the example of Grey computer and the Grey subsequently going bankrupt, there is no limit to the creative genius of India and India certainly does not approach this

issue of our talks with the United States of America either as a mendicant or by asking them for some favours to us. It is in that light I appeal to the entire House with the grant that the nuclear-weapon status is a fact and USA cannot disinvent facts and that fact has got established and that fact cannot now be disinvented. Nuclear-weapon status is not granting of any recognition by anybody. It is a conferment of a right to India. A right conferred upon India and ancient civilisation, not simply by its scientists but also by the vast team of the Defence Research and Development Organisation and the sheer incapable creative genius of this kind. That is the approach, whether it is technology or nuclear-weapon status, that this Government is adopting. There was a suggestion that, it is a small point, but it is not an arguing point that I wish to make on the CTBT being discriminatory, this Comprehensive Test Ban Treaty becomes discriminatory because it followed head and foot of the indefinite expansion, un-amended and indefinite expansion of Non-proliferation Treaty. The May tests have ended that discriminatory part. I do wish to respond to the point made by hon. Kamlaji. It is a point echoed by some others also and if I remember right, she used the phrase 'under-hand economic pressure'. I would like to take this opportunity, Sir, in the talks, there have been no under-hand pressures. As I had put it to you, if there was any under-hand pressure, these talks would have stopped before they had begun. Not only that, to suggest, Sir, thereafter that there is any under-hand economic pressure to which we have acquiesced is not to do justice to our commitment to a cause which is a national cause. Let me, Sir, take this opportunity to state, in all humility, I am sure to all sections of this House, here and outside, that

we shall not submit to any pressures, leave alone under-hand, even over-hand. When it comes to not submitting to pressures, where is the question of singling out economic pressures. There is no question of it; there has not been up till now and it shall not be countenanced in future. Sir, there was a mention made about the....

SHRI JIBON ROY (West Bengal): We would like to know whether there is pressure or not. Please explain that.

SHRI JASWANT SINGH: No, there has not been any pressure.

SHRIMATI KAMLA SINHA (Bihar): Was there any over-hand pressure?

SHRI JASWANT SINGH: No, there has not been and there shall not be any. Sir, a reference was made to the talk that was given by the Under Secretary of State of the United States of America, Strobe Talbott, at Brooklyn Institute, parts of which were then repeated as a series of two articles, I think, in the Times of India. We found the talks at Brooklyn Institute and the articles unacceptable. We don't treat that. In explaining this, I have to explain one of the ground rules which we had accepted for ourselves when the negotiations began. Sir, one of the ground rules was that so far as the contents of the negotiations were concerned, we shall maintain confidentiality; not because we were maintaining any secrecy. But I faithfully adhered to that confidentiality clause to the extent that I stopped meeting the Press. I stopped meeting the Press precisely because what I had been entrusted with by the hon. Prime Minister was a very serious responsibility. When, therefore, the talk was given at Brooklyn Institute still I must admit in all fairness to Strobe Talbott, he did not go into the contents -- we certainly started drawing a contour map of their concern. So far as that is concerned, we

still I must admit in all fairness to Strobe Talbott, he did not go into the contents—We certainly started drawing a contour map of their concern. So far as that is concerned, we made it clear. In that, we found a violation of the ground rules. Secondly, we had made it very clear to them that we were ready to engage with the United States of America on bilateral basis, on a one-to-one basis and if that bilateral basis is the basis on which we have to talk, then, for the United States to go on reaffirming or reasserting multilateral agendas would not work. Therefore, we found a violation of that also. But I believe, Sir, in the home round of talks, I had the occasion to raise this issue with my distinguished counterpart from the United States and the rationale that was provided for it was that it was for a different constituency, it was for a different audience; that it did not mean any alteration or change in the stand that the United States of America has taken.

Sir, I must refer to three thoughtful points made by Shri Alagh. One was about technology access linkage. Sir, I have referred to technology denial regime and, I am sure, more than anyone else, Shri Alagh would agree that in this, we really have to unleash India's creative genius and, then, India cannot be contained.

Secondly, so far as the sanctions regime is concerned, yet again, I must share it with you that I had only sought, as part of the Prime Minister's brief to me, as his representative, that I don't wish to approach these talks of going to the United States of America and as *quid pro quo* saying, 'we will do this, you lift the sanctions.' The Prime Minister very kindly gave me these directions to go ahead on those lines. So the manner in which we approached our talks was that we shall come to the talks not out of convenience, but out of conviction. And that conviction has to be a national conviction. And if it is a national conviction that draws us to these talks, then, the totality in our

approach to these talks will not be as traders engaging in *quid pro quo* that 'we will do this, you, therefore, do this to us. There has not been any *quid pro quo* of that kind. Sanctions is the domestic law of the United States of America. If they choose to apply sanctions, they choose to apply sanctions. The May tests were a domestic determinant of India. We took that stand because we took that stand. It is for the United States of America to reflect; indeed even their President has reflected and commented upon that Washington seems to be sanctions crazy. At any one time, there are more than 38 countries upon which the United States of America seems to have sanctions. Therefore, it was not for me to have gone to the United States of America and said 'we will do this on these items, therefore you lift sanctions'.

A specific question that Mr. Alagh raised really related to whether we find in the movement of the exercise of the executive waiver in the banking sector a welcome sign; yes, we welcome demonstration of sanity anywhere. Therefore, we find now that even belatedly, there is a movement on private banking sector. That movement could well be fuelled by more demands of commerce, money and profit which is smelt more easily than principally; we do not have any objection to that. Therefore, this is a welcome step and we hope, Sir, more by the United States of America more such welcome steps would be taken by the United States of America in the near future.

SHRI ASHOK MITRA (West Bengal): Mr. Chairman, Sir, a very small point. Mr. Jaswant Singh has been named as our External Affairs Minister. He is our External Affairs Minister and when he goes across to the United States of America, we our countrymen, would very much expect that he speaks only to the Secretary of the Department of State and not with anybody under or below. This affects our national digni-

प्रधान मंत्री (श्री अटल बिहारी वाजपेयी) : सभापति महोदय इस प्रश्न का उत्तर जसवंत सिंह जी के बजाय मैं देना चाहूंगा ।

जो प्रश्न खड़ा किया गया है, वह प्रोटोकॉल से संबंधित है। जसवंत सिंह जी हमारी तरफ से बात कर रहे थे तब वह मंत्री भी नहीं थे उन्हें मंत्री का दर्जा था वह प्लानिंग कमीशन के वाइसचैयरमैन थे। दूसरे पक्ष ने यह आपत्ति नहीं कि कि यह कूटनीतिक मामला है यह एटमी शांति का सवाल है प्लानिंग कमीशन के वाइसचैयरमैन से हम क्या बात करेंगे ।

SHRI ASHOK MITRA : Now he is the External Affairs Minister!

श्री अटल बिहारी वाजपेयी : इस समय वह एक्सटर्नल अफेयर्स मिनिस्टर है। उन्होंने अच्छी बातचीत चलाई है। बातचीत के अभी दौर आगे होने हैं। हम प्रोटोकॉल को बीच में नहीं आने देंगे और श्री जसवंत सिंह भारत का प्रतिनिधित्व करते रहेंगे ।

SHRI JASWANT SINGH : Mr. Chairman, Sir, I will continue now and I will not take long. I will greatly look forward to the intervention by my senior from whom I would get great benefit and affection and great guidance. About the points made by Dr. Raja Ramanna, they really require no elaboration, but I take a serious note of whatever he has stated on both the FMCT and CTBT verification. What the country has to now realign itself with are the contours, demands and the perils of nuclear diplomacy in the post-1989 cold war world. It is in that context, the points made by Dr. Raja Ramanna are certainly significant points. He said about verification of the Comprehensive Test Ban Treaty and we shall bear those in mind. Dr. Manmohan Singh made three-four very substantial and very important points. He enquired as to what is the minimum credible deterrent. No doubt, the hon. Prime Minister will also touch on it. I have already addressed the query. The

minimum credible deterrent is not a physical quantification which is finite or fixed and limited in time. The minimum credible deterrent is the articulation of a policy. That policy certainly has a physical shape, when it is translated physically; but that physical shape is determined by the security requirements of the time and that certainly is something, Sir, that you would appreciate, cannot immediately be spoken out. Certainly, when once the strategic defence review is there, that acquires a shape. Dr. Manmohan Singh, as the Leader of the Opposition, is right in his demand and the Prime Minister will have a separate discussion on that. There are two connected questions. One, he said that he particularly sought an explanation of 'some understanding'. And there is another reference made here by some Members about a positive environment because it is a part of the statement. I would like, with your permission to put the two together and refer to. What is a positive environment? We are engaged on a range of issues and the statement has suggested what we are seeking is a positive environment. So, the positive environment has to be an environment that is free of acrimony, free of admonitory statements that seem to suggest almost on a weekly basis that India does this, that or the other. That is not acceptable. That is not creation of a positive environment. And because we repeated this positive environment consistently, that positive environment has begun to come about. How it has begun to come out, I shall explain in answer to what Dr. Manmohan Singh said--'some understanding'. Sir, Dr. Manmohan Singh would recall the statements made by different groups such as the P-5's joint communique or the G-8 Summit, the Security Council resolution, etc. The United States is a party to all of them. Now, these multi-lateral or collective positions sought to make prescription to India which I just explained--do this, do that.

They called upon India to sign the Non-Proliferation Treaty; they called upon India to sign the CTBT without delay. The hon. Member would remember that phraseology—without any condition. It demanded of India to stop the nuclear weapon development programme, refrain from weaponisation, refrain from deployment of nuclear weapons, cease development of ballistic missiles, cease further production of fissile material for nuclear weapons and such others. Sir, what are we discussing with the United States or with the other P-5 today? We are discussing the question of our subscription to the CTBT. We are discussing our negotiations and positions, the Fissile Material Control. We are talking of export control and we are talking of the defence posture. Where have all the other points gone? If the interlocutors no longer finds it necessary to repeat them, it is because on those points, on those aspects, India has made explicit its views and clearly on those points there is no 'give', those are 'no entry' areas. And if there is no 'give' and those are 'no entry' areas, that is India's position and that is how and that is why, Sir, the issues are now limited to where they are. They are substantial issues. And that is what we meant in the phrase, carefully chosen 'some understanding' of our security concern. We want a deeper understanding and we want—greater clarity in their thinking. I aspire for greater clarity even in my own thinking. It is with this in mind the Prime Minister has said in his statement that the future of Indo-US relations is neither confined to nor bound by simply these four issues which are episodic, which will occur in the long process of time that international relations is. Episodic issues should certainly not become the determinants of Indo-US relations. That is what the hon. Prime Minister has said. These are the components of the totality of Indo-US relations and it is this totality

which is our approach, which is my Prime Minister's approach and which is this Government's approach. Thank you, sir, for the opportunity that you have given me. Thank you.

SHRI ATAL BIHARI VAJPA-YEE: Mr. Chairman, Sir, I would like to thank all the hon. Members for their constructive participation in the discussion on this important subject. The discussion involve issues that touch upon some of the most vital national security interests. This House has addressed with the utmost seriousness which such issues required. The views expressed by the hon. Members will provide us with valuable guidance which we accept and appreciate. Mr. Jaswant Singh has responded to most of the specific questions raised. Members may be rest assured that those views expressed by the hon. Members, which have not been specifically touched upon, have been carefully noted and will inform Government's thinking and further action on these matters. Many Members have referred to the basic principles of India's nuclear policy. There is no difference of opinion on this subject. We are all agreed that our basic commitment is to the universal elimination of all nuclear weapons. We will continue to make all efforts and take all initiatives towards the fulfilment of this objective. Meanwhile, we live in a nuclearised world. This is not a choice that we have made, but one which has been thrust upon us. We have the supreme national obligation of ensuring the security of the present and future generations. It is in that context, the Government has announced its determination to maintain a credible minimum nuclear deterrent. Some hon. Members have asked about the operational aspects of the minimum deterrent. Mr. Jaswant Singh referred to this matter in his speech. As he explained, the question of minimum deterrent is not a question of numbers, but of a policy under which grows out of

our national experience and is based on the consensus that exists on these matters. Our approach is not expansive or aggressive but one which carries assurance and self-confidence. It also means that we have not only the capability, but the means as well, to deter present threats and defend ourselves against any future threats. The existence of a deterrent and India's sovereign right to determine its nature are the fundamental premises on which discussions with all our interlocutors, including the US, are based. Our discussions with them will be continued on the basis of the constructive and the responsible proposal that India has put forward before the international community and the positions I have outlined in my statement.

I am happy to note, as has emerged in the debate, that this approach enjoys a broad-based support in this House. Almost all the Members have referred to the CTBT. Shri Jaswant Singh has responded to the technical aspects. No country can compel India to do things which are not in its security interest. Having conducted the series of tests that were necessary, we are currently guided by the assurance that our stand does not constrain our R & D programme or the ability to maintain the safety and effectiveness of our deterrent, now and in the future. I have said, on many occasions, that I will consult all the parties and take Parliament into confidence on all such important matters. That is what we have done yesterday and today in this House. Many Members have expressed view about the attitude of the nuclear weapon States. This is something we are all aware of. We have always collectively raised our voice against the discriminatory world order—whether in security or in political or in economic sphere. Our actions are fully in consonance with India's long tradition of independence of decision making in national interest and

of not submitting to threats or pressures. Having safeguarded our vital security interests, we would like to look ahead towards a more stable, equitable and productive relationship with all countries. That is the spirit in which India will continue to continue its discussion as a responsible member of the international community. It is a constructive spirit which guides our dialogue with the United States and the other countries. I thank all the hon. Members for the very constructive debate that we have witnessed. This has given strength and encouragement to the Government.

SHRI SHARIEF-UD-DIN SHARIQ (Jammu and Kashmir): Sir, very recently it has appeared in the media—national and international—that the Prime Minister of Pakistan, Shri Nawaz Sharief, had tried his utmost to link Kashmir with the signing of the CTBT. Should India try and emphasise to link inter-border terrorism with the signing of the CTBT?

SHRI JASWANT SINGH: Mr. Chairman, Sir, I am aware of the reference which the hon. Member has made—what Pakistan is attempting to do. But that is consistent with Pakistan's efforts. It may be quite clear that: (a) Bilateral issues are not to come; (b) any kind of mediatory role shall not be acceptable; and (c) as I said in my intervention, we will not find it possible to permit a situation in which Pakistan rides piggy-back on the back of non-proliferation into the Valley of Kashmir. Therefore, it is re-assuring in response to the spokesman of The United States of America, Indurath. I do not know whether you had referred to it. They find that suggestion unacceptable. Indeed, President Clinton—soon after Miyan Sahib's visit—in his joint press conference made it quite clear that they would play a role, the United States would play a role, only if India and Pakistan both ask them to play a

role. They cannot play a role if India says "no". I had an occasion earlier also to say that Indo-Pak relations actually need no interpreters. And because we need no interpreters in Indo-Pak relations, where is the need for a third party intervention? So, that message has gone quite clearly. In so far as terrorism as an aspect to the signing of CTBT is concerned, it is a suggestion and we will reflect on it.

MR. CHAIRMAN: Now, it is 1 o'clock. We can adjourn now till 2 o'clock and then we will start the Calling Attention at that time. The House is adjourned till 2 o'clock.

The House then adjourned for lunch at fifty-nine minutes past twelve of the clock.

The House reassembled after lunch at one minute past two of the clock, **The Deputy Chairman** in the Chair.

THE DEPUTY CHAIRMAN: Now, we will have Calling Attention to the matter of urgent public importance.

SHRI GURUDAS DAS GUPTA (West Bengal): Madam.— (Inter-
ruption)

THE DEPUTY CHAIRMAN: Mr Gurudas Das Gupta, is it your Calling Attention?

SHRI GURUDAS DAS GUPTA: No... (interruption)

THE DEPUTY CHAIRMAN: Calling the attention of the Chair!

SHRI GURUDAS DAS GUPTA: Madam, I have a point of order. According to Rule 180 it has been clearly stated that Calling Attention shall take place just after the laying of the papers; and no business can be transacted if Calling Attention is admitted after that. The point is that

today the hon. Prime Minister has been allowed to speak. That is no fault of his. But how is it that a particular business has been allowed to be transacted before the Calling Attention was gone through! It is a clear and categorical violation of the Rules of the Business. I was told that the House has agreed. Again, the House agreed to violate the Rule. If a Rule is to be changed, then there should be a specific Motion in the House suggesting that the specific Rule may temporarily be suspended to enable some of the Business to take place. Since nothing of that type had happened, if you kindly permit me. I am objecting to the Calling Attention being taken up because it tantamounts to a total violation of Rule 180.

THE DEPUTY CHAIRMAN: Mr. Gurudas Das Gupta, I agree with you. According to the rules, the Calling Attention should take place soon after the Question Hour. But there are certain times, in the House, when there are unavoidable circumstances. Yesterday, the hon. Prime Minister was in the House from 2 o'clock till almost 6 o'clock. It was an important discussion and the reply had to come. The hon. Chairman was there and he took the sense of the House. And the House felt that, 'We can have one deviation.' But I can assure you, this deviation is only for one time. Because, perhaps, the Prime Minister had time this morning only. So, this is for one time only. On behalf of the Chair, and the House, I assure you, that it will not be repeated unnecessarily, unconditionally and, repeatedly any other time.

Secondly, the Railway Minister,—though he got the message late, that is, last evening—rang me up. And the Chairman wanted to give him time to defer it for some other day, but he has got some commitment on the 18th regarding the Railway busi-

ness. So, he is willing to reply to-day, because the importance of the subject is there, not of the time alone.

If you feel that this is an important subject, may I ask Shri S. Ramachandra Reddy to call the attention? I have already said that we will abide by the previous practices and the rules.

THE LEADER OF THE HOUSE (SHRI SIKANDER BAKHT): Madam, are you going to take up...

THE DEPUTY CHAIRMAN: ...the regular business.

SHRI SIKANDER BAKHT: The rest of the business.

THE DEPUTY CHAIRMAN: Naturally. What do you want to do?

SHRI SIKANDER BAKHT: It is just a very ordinary thing. It is just to move something for introduction alone.

THE DEPUTY CHAIRMAN: What is the introduction on?

SHRI SIKANDER BAKHT: Madam, I have to introduce a Bill. It is just that.

THE DEPUTY CHAIRMAN: Sikander Bakht Sahab, we have already deviated from one subject. Why try to deviate to another? We will totally violate and deviate ourselves into wilderness.

SHRI SIKANDER BAKHT: Accepted.

THE DEPUTY CHAIRMAN: Okay. Let this House not go into an unknown wilderness, where we have no rules.

SHRI GURUDAS DAS GUPTA: I accept your ruling, Madam. But, it is only for once that the deviation has been made.

THE DEPUTY CHAIRMAN: Exactly. It is for once. The Bill that Mr. Sikander Bakht has refer-

red to is regarding moving for introduction of the Patents' Bill. It will be taken up after the completion of the Calling Attention. The Leader of the House is not expected to deviate from the rules. (Interruptions)

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

Alarming Situation arising due to cracks in Railway Lines in different parts of the country and resultant train accidents

SHRI SOLIPETA RAMACHANDRA REDDY (Andhra Pradesh): Madam, I beg to call the attention of the Minister of Railways to the alarming situation arising due to cracks in railway lines in different parts of the country and the resultant train accidents.

THE MINISTER OF RAILWAYS (SHRI NITISH KUMAR): Madam, Status of rail/weld failures.

Rail weld failures are a cause of very serious concern to the railway administration. Several measures have been taken over the last many years to contain the rail/weld fractures and to prevent accidents on this account.

The position of the rail weld/failures in the last two years is as given below:—

| Year | No. of failures |
|---------------------|-----------------|
| 1997-98 | 2690 |
| 1998-99 (Till Nov.) | 2544 |

The number of consequential accidents due to rail weld failures during 1997-98 and 1998-99 are as given below:—

| Year | No. of accidents |
|-------------------------|------------------|
| 1997-98 (Till Dec.) | 34 |
| 1998-99 (Till 15-12-98) | 25 |