

चलती थी, उपसभाध्यक्ष जी, वह रात को ग्यारह बजे चलती थी और सुबह 6.00 बजे समस्तीपुर पहुँचती थी। उस ट्रेन का नंबर मैं आपको बता रहा हूँ। अभी वह मेरे पास नहीं है। उस ट्रेन में चलकर समस्तीपुर आने के बाद वैशाली एक्सप्रेस और नार्थ बिहार एक्सप्रेस दोनों पकड़ते थे और दोनों पकड़ने के बाद ये मजदूर लोग आसानी से दुर-दराज इलाके में चले जाते थे। मेरा आग्रह है कि वह ट्रेन जो बंद हो गई है उसको पुनः चालू किया जाए।

उपसभाध्यक्ष जी, मेरे पास आपने वक्त बहुत कम दिया है। इसलिए मैं इन्हीं शब्दों के साथ, रेल मंत्री जी से आग्रह करूँगा कि गरीब लोगों पर जो करोड़ों-करोड़ का भार उन्होंने डाल दिया है, यात्री भाड़ा बढ़ा करके, माल भाड़ा बढ़ा करके, उसे वह वापस लें और अगर वापस नहीं ले सकते हैं तो उसे कम करें।

उपसभाध्यक्ष महोदय, इस बजट का समर्थन करने का तो कोई सवाल ही नहीं उठता है, मैं इस बजट का विरोध करता हूँ।

THE VICE-CHAIRMAN (SHRI V NARAYANASAMY) : Now the discussion on the Railway Budget is over. The hon. Minister will reply to the discussion later.

Now we will take up the Statutory Resolution and the Bill together.

I. Statutory resolution seeking disapproval of the National Thermal Power Corporation Limited, the National Hydroelectric Power Corporation Limited and the North-Eastern Electric Power Corporation Limited (Acquisition and Transfer of Power Transmission Systems) Ordinance,

II. The National Thermal Power Corporation Limited, the National Hydroelectric Power Corporation Limited and the North-Eastern Electric Power Corporation Limited (Acquisition and Transfer of Power Transmission Systems) Bill, 1993.

DR. JINENDRA KUMAR JAIN (Madhya Pradesh) : Sir, I beg to move the following Resolution : —

That this House disapproves of the National Thermal Power Corporation Limited, the National Hydroelectric Power Corporation Limited and the North-Eastern Electric Power Corporation Limited (Acquisition and Transfer of Power Transmission Systems) Ordinance, 1993 (No. 10 of 1993) promulgated by the President on the 8th January, 1993.

Sir, I have very serious reasons for moving this motion of disapproval. The first reason that I would like to point out is that we are opposed to the 'Ordinance raj'. It is an ordinary piece of legislation. You should have come to this House in a normal manner. Sir, this legislation was introduced in Parliament in November, 1992.

I know, the hon. Minister is going to come out with the standard answer that they could not get it passed because of Ayodhya. The entire inefficiency of the Government can be attributed to the building of the Ram temple at Ayodhya. ... [In-Intermissions] ... to everything. But the fact remains, if you read the Statement of Objects and Reasons which was prepared by his predecessor—who is not as suave and urbane as our present Minister is—that he had written clearly that the whole arrangement was to begin from 1st April 1993. So, there was time. Then, where was the need to issue an Ordinance on 8th January? This is the question I want to pose here.

The second point that I want to strongly decry is the manner in which this public sector Corporation has tried to treat its employees, its work force and its executives. Sir, in our zeal to modernize the economy, we are losing touch with some of the original values which have been very dear to this country. I am opposed to the spirit and the manner in which this Ordinance has been brought about, both on humanistic considerations and legalistic considerations.

Sir, let me point out that this National Power Transmission Corporation which is now renamed as the Power Grid Corporation of India, was formed in 1989 and its operations started from August 1991 after a mass transfer of managers, executives and workmen from the NTPC. Subsequently, work force was also taken from the NHPC and the NEEPCO in November 1991 and December 1991 respectively. But the important point here is that no consultations were made and no consent was taken of the employees of these Corporations. They are citizens of India and this is a public sector Corporation operated by the Government of India. We ought to respect the people working for our public sector Corporations. You cannot treat them like slaves. I wish to express their anguish. I know the sensitivity of Shri Salveji and I wish to quote a small couplet which was written by a trade union leader. Sir, a Corporation was being handed over from the public sector to a private sector company. There was an agitation and this trade union leader was shot dead by the police. But, just before he was shot dead, he had written a small couplet which expresses the anguish of the working class of our country. He said :

“मम नहीं है दोस्तों कि मिट रहे हैं हम,
दबं यह नहीं है कि मिट रहे हैं हम,
अकसोस है कि आज भी गुलामों की तरह,
इस हाथ से उस हाथ को बिक रहे हैं हम ।”

Sir, I wish to know from the hon. Minister : did he ask the employees, did he take their consent ? Should we not have taken those human beings also; those who

were working in these Corporations, along with the assets ? It may not mean much to the makers of modern economy but our party cannot forget that we believe in a humanistic economy. Our party always believes in humanizing the economic reforms and I feel that this sort of an action on the part of the Government that they do not consult the employees, lacks humanistic consideration.

Sir, there are legalistic considerations also, and they came to the surface when the various employees' federations and associations of the workmen went to the various High Courts, challenging this merger. As a consequence of the order of the Supreme Court, all the cases were put together in the Delhi High Court. I wish to quote, for the benefit of the hon. Minister, from the judgment of the hon. Delhi High Court. I quote :

"The position in law is clear that no employee could be transferred without his consent from one employer to another. Law is now well settled that any dismissal or removal of an employee of a government company or corporation, without giving him an opportunity to be heard, is pene dwerimina-tory and opposed to public policy."

This is the interpretation of the Court. Then, Sir, the Court has a Limitation. The Court cannot challenge the policy decision and judgement of the Government; That is why the hon. Judges said, and agree from the judgement I quote :

"It is not for the learned court to decide, ill-equipped as it is, the rival contention as to the wisdom of establishing NTPC. The court is not the sole respository

But then it laid hope, and it said :

"There is a legislative wing also to correct the errors of the executive and to direct taking of remedial steps."

Sir, the Court has agreed with the contention of these employees that law is on their side

side and that their consent needs to be taken. But the court does not have a jurisdiction, and it expressed the hope that if injustice is done to the employees, the legislative wing, that is, this Parliament would do justice to them. But, how can you do justice to them? You came to this Parliament with the help of an ordinance, and the majority of the ruling party will guarantee that this Ordinance will be converted into an Act, that it will be passed. So, please, while you are dealing with the citizens of India, give them what their humanistic view is and give them what their legalistic view is.

I would like to make a categorical statement of my disapproval that the transfer of employees from the NTPC to this Grid is not in keeping with the traditions that this country has always respected.

Sir, I have another reason, the third reason.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY) : Last one.

DR. JINENDRA KUMAR JAIN : Yes, the last reason because another person from my party will speak. I have been very brief, you will agree with me, Sir.

THE VICE CHAIRMAN (SHRI V. NARAYANASAMY) : Yes.

DR. JINENDRA KUMAR JAIN ; Sir, what is the essence of this Bill ?

This Bill seeks to create a company for monopoly trading in bulk electricity. Is it right, Mr. Minister, that the Bill seeks to create a company for monopoly trading in bulk electricity? My concern is about who will finally control or who will finally own this national, giant company. My fear is that this monopoly power corporation of India will be controlled tomorrow by foreign hands. I am not a pessimist. I see the writing on the wall. I see the reasons for this concern and this fear.

If you undertake a careful reading of the Statement of Objects and Reasons, you will find that it is not a new decision. The Statement of Objects and Reasons circulated by the Ministry to the Members of this House, states that

"The Government of India took a policy decision in 1981 to form a National Power Grid...."

So, it is an old concept. It also says that the Power Grid Corporation of India Limited was set up in October, 1989. The management of this Corporation was taken over later on. What is the change now? Para' 3 says that the delay in transfer of ownership restricted to its resource mobilisation efforts both through internal cash generation as well as by going to the market for commercial borrowings. It is a question of resource mobilisation for this Government which compelled them to this.

When I started examining this point, I came across a report in *The Financial Express*, which was published on January 12. It had said that 'the Ordinance has been issued as a result of the conditionalities imposed by the World Bank to extend the loan. There has been a lot of discussion. My hon. friend and Finance Minister is laughing that Opposition in this country sees the World Bank everywhere. When I went deeper into the details I found that a World Bank mission comprising its own experts and that of the Asian Development Bank visited India from November 11, 1991 to November 22, 1991. They made various recommendations and laid down certain objectives. I tried to study what they did here, The World Bank document had proposed a three-phased programme in order to achieve the objectives that they had laid down. That was a very good reading. I have no problem with that. But my concern and fear is that it has come as a result of the recommendations on the structural reforms, I shall refer to a particular discussion paper, which was prepared by the World Bank on the NTPC. It is dated 17th November, 1991. It was prepared by the visit of the World Bank. They have discussed organisational and ownership structures prevailing in various countries. So, the Indian failure or the Indian remodelling has been discussed in view of some other programmes going on in some other countries Which are these countries? They include the United Kingdom, New Zealand and Poland. These three countries are also undergoing restructuring programmes in their power sector. It is good. We must learn from them. But what is happening in Poland, which is mentioned to the Report? I quote : "In

Poland, the Government currently owns the newly established grid company, but intends to privatise it and establish it as a joint sector company to facilitate privatisation.' This is my concern.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY) : Dr. Jain, kindly conclude.

DR. JINENDRA KUMAR JAIN : I am concluding, Sir. This is my last point.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY) : You said the last point was your last point.

DR. JINENDRA KUMAR JAIN : You will kindly agree with me that the House should know why after all I have a reason for disapproval.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY) : I agree with you. but kindly be brief.

DR. JINENDRA KUMAR JAIN : Sir, my fear is that this National Thermal Power Corporation will become a private or a joint sector company in the very near future possibly with a foreign majority participation. And such a company will have the national monopoly not only in trading of bulk electricity, but also in key decision-making process related to power development in the country, it will dictate the technology, decide its specifications, control the numerous generating companies attached to the national grid and dictate terms to the State Electricity Boards who will be reduced to the status of State-level distributing utilities.

Sir, I only need an assurance from the Hon. Minister. How can he assure this House that we are not entering into a tunnel which may lead to the economic slavery of our nation ?

Thank you very much for allowing me to oppose this Bill and for moving this motion for disapproval of this Ordinance.

THE MINISTER OF POWER (SHRI N. K. P. SALVE) : Mr. Vice-Chairman. Sir, I move ;

That the Bill to provide in the public interest for the acquisition and transfer

of the power transmission systems of the three companies and the right, title and interest of those companies in the power transmission system situated in different parts of India, with a view to developing the National Power Grid to ensure transmission of power, within and across the different regions of India, on a more scientific, efficient and economic basis and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration.

This Bill alongwith certain amendments has been passed by Lok Sabha on 16-3-1993.

The Power Grid Corporation of India Limited earlier known as National Power Transmission Corporation was set up in 1989 in pursuance of an earlier decision taken to form a National Power Grid. Its other main objective has been to bring planning, construction, operation and maintenance of all Central Transmission systems under the unified control of one central organisation for achieving better coordination and efficient operation.

It was also decided to transfer the power transmission systems of the three companies, namely, NTPC, NHPC and NEEPCO to this Corporation. Pending completion of various formalities, the management of the said power transmission systems of the three companies was taken over by POWERGRID with effect from 16-8-91, 19-11-91 and 14-11-91 respectively along with the associated employees who were transferred on a permanent absorption basis.

With a view to implementing the objectives mentioned earlier, with the approval of the Cabinet, a Bill was introduced on November 30, 1992, in the Lok Sabha but the same could not be taken up for consideration.

Due to non-transfer of the assets the POWERGRID was unable to mobilize its internal resources and in view of these circumstances it became necessary to give immediate effect to the provisions of the said Bill by way of promulgation of an Ordinance (No. 10 of 1993) dated 8-1-93.

As the Bill was pending before the House consequential amendments have been put up with the Bill, alongwith the Statement explaining the circumstances which necessitated immediate legislation by Ordinance.

With the passage of this Bill, the de jure transfer of the assets will enable the Corporation to mobilise resources including external borrowings and collect revenues independently resulting in a more effective and efficient performance to achieve the aims and objectives speedily. As already stated this Bill along with amendments has already been passed by Lok Sabha on 16-3-1993. I move that the Bill be taken into consideration.

The questions were proposed

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY) : Shrimati Kamla Sinha. Madam, your party has been allotted only thirty minutes. There are two more speakers. Therefore, you adjust your timing accordingly.

श्रीमती कमला सिन्हा (बिहार) :

उपसभाध्यक्ष महोदय, मैं इस विधेयक का विरोध करने के लिए खड़ी हुई हूँ। हमारे पूर्व वक्ताओं ने अपनी बात को कहते हुए कुछ दलीलों की चर्चा की। मैं अपनी बातों को कहते हुए यह कहना चाहती हूँ कि यह विधेयक इसलिए लाया गया कि जो नेशनल थर्मल पावर कॉर्पोरेशन लिमिटेड, नेशनल हाइड्रो-एलैक्ट्रिक पावर कॉर्पोरेशन लिमिटेड और नोर्थ-ईस्ट एलैक्ट्रिक पावर कॉर्पोरेशन लिमिटेड हैं, इनको अधिग्रहण कर लिया जाए और तीनों को मिलाकर एक नेशनल पावर ग्रिड बनाया जाए। जैसा मंत्री महोदय ने कहा कि इससे भारत के विभिन्न इलाकों में ट्रांसमिशन होगा और वैज्ञानिक दृष्टि से और आर्थिक सुधार के कारण यह किया जाएगा। निःसन्देह उद्देश्य बहुत अच्छा है। लेकिन इस विधेयक को पढ़ने के बाद यह पता चलता है कि यह विधेयक देखने में जितना सीधा जितना अच्छा और लगता है कि बड़ा साफ-सुथरा है ऐसा नहीं

है। इसके अन्दर भारत की आर्थिक स्वतंत्रता को गिरवी रखने की बात है। इसके पीछे जो काम करने वाले लोग हैं, उनका भविष्य अनिश्चित करने की बात है। इस विधेयक में अनेकों ऐसी बातें हैं जो निहायत आपत्तिजनक हैं। महोदय, मैं आपके सामने दो-तीन बातें रखना चाहूंगी। एक तो यह कि इस विधेयक में कहा गया है कि अधिग्रहण करते समय तीनों कंपनीज की एसेट्स को लिया जाएगा। अगर एसेट्स को लिया जाएगा तो उसकी बुक वैल्यू क्या होगी, किस तरह से अधिग्रहण किया जाएगा? इस बारे में सफाई के साथ कुछ नहीं कहा गया है।

लैबलिटीज का क्या होगा, इसके बारे में भी बहुत सफाई से कहा नहीं गया है। महोदय, कोई भी संस्था चलती है तो कामगारों के बल पर चलती है और उन कामगारों का क्या होगा? आप जब नई तकनीक का इस्तेमाल करेंगे इसमें तो उस समय इन कामगारों के साथ क्या बर्ताव किया जाएगा, यह मैं जानना चाहती हूँ। उसके बारे में भी सफाई से यहाँ बात होनी चाहिए थी।

महोदय, कोई भी देश बिना विद्युत के, बिना पावर के विकास नहीं कर सकता है। विकास का, डेवलपमेंट का एक मोस्ट इम्पोर्टेंट इन्फ्रास्ट्रक्चर है पावर और ये बात सत्य है कि भारतवर्ष में पावर जनरेशन की बहुत समस्या है। इन्फ्रास्ट्रक्चर मौजूद है, री-मैटीरियल मौजूद है लेकिन चाहे इलैक्ट्रिक पावर हो या थर्मल पावर हो, आपने अपने सभी संसाधनों का सही मायने में उपयोग नहीं किया और उसके कारण हमारे देश में विकास की जो रिश्ति है वह असंतुलित है। कुछ प्रांतों में विकास अच्छा हुआ है और देश के दो-तिहाई इलाके में विकास का नामोनिशान नहीं है। आप अगर रेलगाड़ी से चले तो भारत के विकास की

छवि आपको रात के अँधेरे में दिखेगी। दूर-दूर कहीं-कहीं पर आपका टिमटिमाती हुई रोशनी नजर आएगी, भारत के विकास का यही चिह्न है।

हम बिजली नहीं दे पाए अपने सभी गांवों में। भारत गांवों का देश है। हमारी GS प्रतिशत ग्रामदनी

National Income, it comes from the rural sector, agricultural sector.

तो एग्रीकल्चर सेक्टर में हमने कितनी बिजली दी है, स्माल इंडस्ट्रीज को हमने कितना बढ़ावा दिया है, कितनी बिजली दी है और जो हैवी इंडस्ट्रीज हैं उनके साथ हमने क्या किया है? आजकल आए दिन कल-कारखाने बंद होते रहते हैं क्योंकि उनको बिजली समय पर नहीं मिल पाती है। दिल्ली जैसे शहर में पावर कट होता रहता है। ठीक है, हम जिस एरिया में रहते हैं उस एरिया में शायद नहीं होता होगा लेकिन अगर आप आऊंटर दिल्ली में जाइए तो वहां भी पावर कट होता है। तो जब यह स्थिति रहेगी तो कोई भी चीज आगे नहीं बढ़ सकती है, ऐसा मैं मानती हूँ। तो हमें कमर कसकर संसाधनों को जुटाना चाहिए।

महोदय, वित्त मंत्री यहां बैठे हुए हैं। वित्त मंत्री जी ने लिबराइजेशन ऑफ इकनोमी किया है, नयी इकनोमिक पालिसी दी है इस देश को और दुनिया के सामने हमारे बाजार के दरवाजे खोल दिए हैं और we have become the dumping ground for the whole developed world.

महोदय, आजकल उन्नत देशों में इकनोमिक डिप्रेशन चल रहा है और बाजार की कमी है, कोई खरीद नहीं रहा है सामान और यह सामान जाए कहां, हिन्दुस्तान में जाए। चाहे वह आम्बोलीट दवाई हो, आम्बोलीट कारखाना हो। हम खरीदेंगे। कैसे? हमारे पास पैसे तो हैं नहीं, तो क्या—अणुकृता घतपिबेत—कर्जा लीजिए। कर्जा

लाना सबसे आसान काम है और हमने कर्जा लिया है तथा आगे भी लेंगे। यह नेशनल पावर ग्रिड बनाने के लिए भी कर्जा लिया गया है। अब कितना कर्जा लिया है? करीब 1.2 बिलियन डालर्स वर्ल्ड बैंक ने कर्जा दिया है।

महोदय, दुनिया में न्यूजीलैंड को छोड़ कर आज तक कहीं पर भी इस तरह का नेशनल पावर ग्रिड नहीं है। यू० के० और पोलैंड की बात हुई। तो ये सभी छोटे-छोटे देश हैं और हमारे देश के एक प्रांत से भी छोटे हैं। हिन्दुस्तान जैसे देश में एक सेंट्रलाइज्ड एजेंसी बनाकर आप कहां तक क्या करेंगे, मुझे तो बहुत शक है। महोदय, आप जानते हैं कि पावर कनक्रेट लिस्ट में है। स्टेट इलेक्ट्रिसिटी बोर्ड भी पावर बनाते हैं और सेंटर में एन० टी० पी० सी० के जरिए भी पावर बनाते हैं। तो इसका क्या होगा? स्टेट इलेक्ट्रिसिटी बोर्ड का स्टेट्स क्या रहेगा? यह नेशनल पावर ग्रिड बनने के बाद क्या वह एक सर्वसीडियरी बनकर रहेगा या वह केवल ट्रांसमिशन की एक एजेंसी रह जाएगी?

What will be the status of the State Electricity Boards V

और अनेक प्रांतों में जो पावर स्टेशन बनने हैं, नेशनल पावर स्टेशंस, जो अभी बनने हैं, अंधेरे पड़े हैं, इनका क्या होगा? यह कब तक बनायेंगे जैसे बिहार में तीन पावर स्टेशन हैं। कालगांव का 15 साल से बन रहा है, अभी तक नहीं बन पाया। कांटी थर्मल पावर स्टेशन है उसमें बन-फोर्थ जनरेशन नहीं हो पाता। जिनको इंस्टाल किया गया है वहां पर, वह सब आम्बुलीट है। रशिया से लिया है सेकिण्ड हैंड खरीदकर। उसके पुर्जे नहीं मिलते। आये दिन बिजली का चक्कर रहता है। उनका क्या होगा। बरोनी थर्मल पावर स्टेशन आदि जो हैं ये पुराने हैं। ये जो आम्बुलीट थर्मल पावर स्टेशन हैं इनका भी

नवीकरण करेंगे या नहीं? आपको यहां इसका पूरा खांचा लेकर आना चाहिए था। यह इतना वाइटल टॉपिक है, इतना इम्पोर्टेंट विषय है कि इसको डेढ़ घंटे की बहस में पास करा लेना सरकार के मानस के लिए ठीक नहीं है। मैं साफ तौर से इस बात को कहना चाहती हूँ कि सरकार का मानस ठीक नहीं है। कुछ दिन पहले माइन्स एक्ट में संशोधन किया गया। संशोधन करके यह कहा गया कि पावर जनरेशन के लिए प्राइवेट इन्टरप्राइसेज को हम बुलायेंगे। उनको कैपिटल माइन्स भी दे देंगे अगर कोई बनाना चाहे तो। और बुलाया जा रहा है सब जगह से। यह समझ लीजिए कि देश के नेशनल पावर ग्रिड अगर मल्टी नेशनल के हाथ हैंडओवर होते हैं तो इसका क्या नतीजा होगा। इसका नतीजा यह होगा कि हमारे देश में कभी अगर संकट की स्थिति आये तो हमारे देश के उद्योग, हमारे देश का डिफेंस प्रोडक्शन, हमारे देश में बिजली की आपूर्ति, खेत-खलिहान में बिजली की स्थिति पर कोई निश्चित भरोसा नहीं रहेगा। हम पूरे तौर पर विदेशों के हाथ में बिक जायेंगे। हम ऐसी स्थिति में पहुंच जायेंगे कि हमें कोई बचाने वाला नहीं होगा। मनमोहन सिंह जी वर्ल्ड बैंक और इन्टरनेशनल मोनेटरी फंड हमें एक्सप्लैट करेंगे। आपको हंसी आ रही है लेकिन इस देश को हम लोगों ने रोते हुए देखा है। यह भयंकर समस्या बन जायेगी। इसलिए पावर सेक्टर को कतई किसी भी कीमत पर...

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY) : Salve Ji is there to answer all your questions. You can continue.

SHRIMATI KAMLA SINHA : I know Salve Ji is there and I also know that he is a very competent Minister and he will answer my questions. But since the Finance Minister is the architect of the International Monetary Fund and the World Bank loans, I wish he should have been here. Anyway.

मैं यह जानना चाहती हूँ मंत्री महोदय से कि यह जो डेंजर कनोटेशन है इसका आपने कोई कुशन रखा है? अगर रखा है तो पार्लियामेंट के साथ आपको शेयर करना चाहिए। देश को भी बताना चाहिए कि हम गफलत में कोई विधेयक पास नहीं कर रहे। हम साफ मन से विधेयक पास कर रहे हैं। यह बात आपको कहनी होगी। नहीं तो हिन्दुस्तान की आम जनता आप पर कभी भरोसा नहीं करेगी। क्योंकि हमने आपकी परफार्मेंस पिछले चार महीने में देख ली है। वह भरोसे के लायक नहीं है। फारेन इन्वेस्टर अगर आ रहे हैं तो मैं जानना चाहती हूँ कितने फारेन इन्वेस्टर अभी तक आ रहे हैं पावर सेक्टर में। कितनों को आपने दावत दी? कितनों की स्कीम आपने सेंकशन की है और वे कितनी लागत इसमें लगाने वाले हैं? यह भी बता दीजिए कि नेशनल पावर ग्रिड की कंट्रोलिंग अथोरिटी कौन होगी? उसमें जो मल्टी नेशनल आ रहे हैं, फारेन इन्वेस्टर आ रहे हैं और अपने देश के इन्वेस्टर आ रहे हैं उनका कितना-कितना शेयर होगा यह भी बता दीजिए? उसके बाद ही इस विधेयक को पारित किया जाए या नहीं यह हम सोचेंगे। वर्ल्ड बैंक के साथ जो बात-चीत हुई कर्ज लेने में, 1.2 मिलियन डालर का, उसकी क्या कंडीशनल्टीज हैं। क्या कोई एम० ओ० वी० पास हुआ उनके साथ? अगर यह हुआ है तो उसकी क्या रूप-रेखा है, हमारे सामने आनी चाहिए। लेकिन यह सिम्पल विधेयक लाने से कोई काम नहीं चलेगा। सारी बातें हमारे सामने आनी चाहिए और तभी सोचेंगे कि इस विधेयक को पारित करना है या नहीं करना है। क्या आपने ग्लोबल टेंडर बुलाया है, अगर ग्लोबल टेंडर बुलाया है तो कौन-कौन लोग इसमें आ रहे हैं, इस बारे में हमें बताना होगा। अगर सब बातें नहीं बताई जाएंगी तो यह ठीक नहीं होगा।

महोदय, इन बातों के बाद मैं यह कहना चाहती हूँ कि हम जानते हैं कि वर्ल्ड बैंक के पावर सेक्टर के जो इंचार्ज हैं वे न्यूज़लैंड के हैं। हमारे पावर सेक्टर की उनसे वार्तालाप हुई थी और एक पत्र भी लिखा था और उसमें कहा गया था कि हम आपकी सब शर्तें मानते हैं। यह देख कर हमें बहुत ही गुस्सा आया क्योंकि देश का अपमान भी हुआ। इससे हमने अपनी इंसुल्ट भी फील की। मैं उस को पढ़ना चाहती हूँ और कोट करना चाहती हूँ—

"In a steady indictment of the country's power sector the World Bank has accused the State Electricity Boards, the NTPC, the Power Finance Corporation and the Central Electricity Authority of gross mismanagement."

हम अपने घर में जैसा भी व्यवहार करें, चाहे जैसे भूखे रहे, चाहे जितने परेशान रहे, अपने घर को ठीक से मैनेज न कर पायें, यह विदेशी कौन होता है हमसे कहने वाला? वह कौन होता है हमें खुले बाजार में अपमानित करने वाला आपने इसको कैसे बर्दाश्त किया? सारे हिन्दुस्तान के 84 करोड़ लोगों को अपमानित करने का अधिकार किसने दिया और आपने इसको कैसे बर्दाश्त किया? आप भीख माँगने के लिए हाथ फैलाकर उनके पास गये कि हमें पैसा दे दो और कहा कि हम तुम्हारी राह पर चलेंगे, तुम्हारे बताये हुए रास्ते पर चलेंगे। यह अपमान की बात नहीं होनी चाहिए थी। आज मैं सदन में यह डिमान्ड करती हूँ कि इस बिल को पास न किया जाए, इसको एक सेलेक्ट कमेटी के पास भेजा जाए जिससे इस विधेयक की विस्तृत छानबीन हो सके, कलाज बाई कलाज इसकी क्या इम्प्लीकेशन्स होंगी वह देश के सामने रख सके। उसके बाद दुबारा मंत्री महोदय इस बिल को पेश करें तो बहुत अच्छी बात होगी।

SHRI SANTOSH KUMAR SAHU (ORISSA) : Mr. Vice-Chairman, I want to support this Bill for one thing. There is

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no denial of the fact, though the previous speakers from the other side have not upheld the necessity of an integrated transmission grid in the country, that energy is a pivot of our development and more production of energy is an index of happiness and more productivity in this country. It has been stressed in various developing and developed countries that without the generation of more power and its availability to the people a country cannot progress and it is essentially because of this that a new look has to be given to it. From 1981, as Mr. Jain has told us, the objective has been there. It was felt that the national grid system might be developed in this country. Whatever the things may be now, whatever power we have generated in different thermal power plants or hydroelectric plants, the country has still a deficit and the production is not to the extent we need. As a result, the industries suffer. Rural electrification sometimes seems to be a dream only. Poles are there, lines are there but the people don't get electricity even in difficult times. So it is necessary that a dialogue should be held, a national thought should be given as to how we can have an equitable and scientific distribution of electricity which is generated in the country. We should lay emphasis on productivity of energy and electricity which is a symbol of civilisation and progress. Probably we have been discussing it all the way; we have been faced with certain problems which can be resolved through discussion. I think the first question which the hon. Member has asked is about the employees. The transfer of property and assets of these Corporations to the National Power Grid Corporation should be done on fundamental and basic principles which should be decided by the hon. Members and by the Government dispelling all the fallacies that such integrated National Power Grid will put the employees in trouble. *U is one of the fundamental principles* that the Government of India or any corporation should take into confidence the employees for the smooth running of the organisation. When - a new scheme is proposed it is necessary that the employees should be taken into confidence. They must join the deliberations and discussions. It has been the policy of the Government of India and the Labour Department. That is why

there has been a lot of discussion. there is no denial of the fact that there should be an integrated national grid system if we want to develop this country and, increase productivity. If we have such an integrated national grid system the loss of energy in transmission could be avoided and probably we could have 25% to 35% more energy in this country. Mrs. Kamla Sinha cited the example of Binar where these unuertaiungs have failed to construct the distribution system for many years. So, somebody must be there to look into these things so that the delay doesnt thwart our progress and the people get electricity. The world is changing very fast, in the Soviet Union in the beginning of the 20th century Lenin said that the production of electricity will bring socialisation, happiness and increased productivity. Now when we are running into a terrible financial deficit it is necessary that we arrange finance and see the chariot of progress moves ahead. The production and distribution of electricity should be made on rational and scientific lines. There is no denial of that fact.

Coming to the point of safeguarding the interests of the employees it must be done through dialogue and discussion. These people who work must know then-position. There must be a dialogue and discussion when this Bill comes before the House. This Bill will be passed in the House and after the assent of the President it will become an Act. I urge upon the Minister to assure the House that there will be a dialogue with the employees on the aspect that when they go to the newborn statutory body how they will function. I would like to say two or three principles which are very important. There is a saying in English, "don't kill the goose that lays golden eggs." Now electricity production is done by one corporation and distribution is done by another corporation, that is the marketing side. How will the marketing be made? How will the distribution be made? It requires a new opening, a new vista. The Minister must explain how we are going to make the distribution by having an integrated National! Power Grid. It raises some other ques-

tions also. Thermal power stations may be located at different places in the country. When they become part of the integrated National Power Grid, what would be the share of the State where the electricity is generated? Will it be controlled by a Central body? What is the rationale? That must also be decided. We know that there is paucity of electricity. Industries are suffering. The people are suffering. The agriculturists do not get electricity for their water pumps in due time. We have acute problem. It must be solved. The paucity of electricity affects our productivity and the economic factors of our country. The formation of a new statutory body will go a long way in solving these problems. But it is not enunciated in this Bill what the statutory obligations of the integrated National Power Grid Corporation are. How will this Corporation fulfil the obligations of the three Corporations which were existing earlier? These things should be Cooked into. There should be a detailed discussion. I think the hon. Minister will enlighten us as to what its obligations are, what its duties are, how the distribution will be made and what sort of scientific and rational system he is introducing. All these require a proper analysis. There is no denial of the fact that a lot of improvement is needed in this sector. The objective of tile Bill is to ensure transmission of power on a more scientific, efficient and economic basis. But how will it improve the system? It must be discussed in the Parliament by which way we can bring in more productivity on a more scientific basis and a more scientific method of distribution. In this vast country the problems are numerous. If necessary we have to go in for structural reforms. But these reforms must ensure that there is improvement. There must be a scientific analysis. So, all these things require more probing and study. Unfortunately, this Bill is more concerned with the transfer of power and transfer of distribution system than seeing to the onerous part of how the distribution system will improve, how it will be more rational and scientific.

Thirdly, what is the composition of the corporation That must be made clear. You will want a lot of expertise.

Naturally, those who are producing electricity have a certain expertise. But probably those people will not be there in the distribution system, because it is now a new statutory body. So, the new corporations must have some expertise. So, this position is not very clear in this Bill. I would like to know from the hon. Minister how they will improve the National Power Grid to have a better transmission on a more rational basis and to have a better distribution of power. We must lay more emphasis on production of more energy if the country has to emerge into the 21st century. There is demand for more electricity for our industrial growth. Many industries have been closed down due to non-availability of electricity. Almost every State is suffering for want of electricity. We must also admit that there are certain basic defects in this system due to which we have suffered and productivity has not increased. The Electricity Boards are not functioning efficiently. The functioning of the Electricity Boards is dismal. It is not use suppressing this fact.

Now, I come to the management aspect of the system. I would like to know who will be in charge of these three corporations. For distribution there will be one statutory body. How do you guarantee reasonable resources to maintain productivity? That is also important. For that another statutory body should be formed. Some of the thermal production units have failed in the generation of electricity. Their production is dismal and it is not enough for the overall interests of the country. There must be a structural reform for that. And it must be welcomed. There are many parts in the country where the hydroelectric production depends upon rains. If there is good rain there is scope for generation of more electricity. But during drought, when the Rain God is not very kind to us, production of our hydroelectric units also goes down except in the Himalayas. Due to snow in the Himalayas the Hydroelectric centres there get enough rain-water for production of electricity. Now the question is of optimum production of electricity wherever there are productive centres. The distribution must be on a scientific basis. Pilferage in transmission and

leakage must be stopped. These are important things which are before the nation. In this, if we can attend to these things, we can expect a somewhat better productivity.

Then more finances are needed for production centres and transmission centres. Whatever we are doing now, we are doing for the good of the country. I think after having explained all these main points, many of the things raised by the hon. Members will be cleared. Ultimately, I would like to say one thing which is important and which was raised by my hon. friends and that is, we may take loans from the I.M. Fund but the control and transmission and production of electricity must be in the nation's hands. We cannot put ourselves in peril. That must also be safeguarded by the Government of India. These are very important matters where we cannot compromise the interests of the country. I say this without faltering or fear. This is essential. We must stress on production of more energy. We must have a rational scientific distribution system. At the same time we can borrow, we can get money. Ultimately this is a core sector and the State Governments must have a major control. In these three things we cannot compromise. With these words, I support the Bill and I wish the hon. Minister will take care to reply to the points that I have raised. Then we can pass the Bill.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY) : If the House so agrees I will request Mr. Vishvjit P. Singh to take the Chair.

THE VICE-CHAIRMAN (SHRI VISHVJIT P. SINGH) IN THE CHAIR.

DR. NAUNIHAL SINGH (UTTAR PRADESH) : Mr. Vice-Chairman, Sir, electrification of independent India was a planned initiative through public sector. Per capita electricity consumption increased 16-fold during the last four-and-a-half decades, while per capita GDP has only doubled. Electricity prices and costs in the country being only half or one-third compared to those in developed countries, are among the lowest in the world. Sir, during the four-and-a-half

decades of self-reliant development India has learnt the art of designing and manufacturing power plant equipment. Eighty per cent, i.e. around 43000 megawatts of the generating capacity added since independence was from indigenous equipment. Indian equipment is cost-competitive and of internationally accepted standards of quality. Despite these achievements, India's power sector faces a serious crisis today. The planned self-reliant path had suffered its first major setback in the late seventies when the global power equipment monopolies started a major marketing offensive in the Indian market. Inspired as they are by the theories of supply side economics, the World Bank has put up a very simplistic solution : Jack up electricity prices so that power equipment manufactured by the high-cost economies of the developed world becomes cost-effective in the Indian environment. The proposed NTC-ABB joint venture and other foreign equity companies for generating and supplying bulk electricity to State Electricity Boards on a cost-plus basis are its typical solutions. Even more, the World Bank is insistent on creating a transmission monopoly company in the country that could ultimately dictate terms for future development in India's power sector. It has already announced; a two billion dollar loan for all these purposes, all in the name of helping to solve the resource crisis. Spurious arguments of a resource crisis *are*, thus, cleverly used by the Government of India in collusion with the World Bank for merrily contracting foreign parties and foreign loans, for all, inviting global monopolists or monopolies of power equipment companies to invest in the electricity utilities in the country thereby destabilising its organisational and technological capabilities. The so-called structural adjustments at the micro level have thus degenerated into policy interventions at the micro level. Consequently, Sir, the new policies will be tragic and the emerging scenario is really depressing to this country. In this context, an Ordinance was issued on 8-1-1993 transferring assets and manpower associated with the power transmission system, though Parliament was scheduled to meet on 22nd February 1993, as if there was an utmost national emergency. However, even till date, no action has been taken by NTPC or Power

Grid to transfer the various assets or for the transfer of the personnel in pursuance of the Ordinance except that the Ordinance was issued to please the World Bank. Can the hon. Minister of Power apprise this House of the status of the transfer of assets from the NTPC to Power Grid ? Under article 10 of the Ordinance, personnel associated with the power transmission system as on 1-4-1992 and before should have become employees of the Power Grid from the date of the Ordinance. There are about 51 executives associated with the power transmission system but retained with NTPC and no action has been taken regarding transfer by NTPC or Power Grid even though more than one month has elapsed since the issue of the Ordinance in question. What is the sanctity of the Ordinance ? What for was it issued ? Can the hon. Minister of Power clarify as to why the transfer of personnel is not effected under the circumstances ? Further, the Government has introduced a Bill to develop the National Power Grid to ensure transmission of power within and across the different regions of the country. Sir, the issues involved are not as much political but economical affecting the progress and development of the country. As such, I urge that the whole House should rise above party lines in opposing this Bill. It is another instance of the World Bank arm-twisting the Power Ministry that has come to light and this time it is again the issue of *de jure* transfer of assets from the NHPC, NTPC and the NEEPCO to the Power Grid Corporation. Following a firm commitment given to the IBRD, the then Power Minister introduced a Bill in both the Houses of Parliament to effect such a transfer much to the chagrin of the employees in all the three corporations. The Bill seeks to transfer the transmission assets of the three corporations to the Power Grid as part of the Ministry's efforts to form a rational power grid. The proposed legislation is significant in the sense that it comes in the wake of a letter written by the Power Secretary to Mr. Heinz Vergin, Director, Indian Department, World Bank, on October 7 on the condition imposed by IBRD for processing NTPC power generation project loan worth 1.2 billion dollars under the time slice arrangement. The World Bank mission in the

last visit had categorically stated that transfer of transmission assets was a pre-condition to any future loan for the approval of the NTPC projects. The Power Secretary in his two-page communication has categorically stated, "We confirm that the condition relating to commercial and investment policies would be met." In the light of such a commitment before the World Bank, Sir, the Bill introduced in Parliament assumes importance. As the World Bank refused to even appraise the NTPC generation project, the Government has been forced to meet the conditionalities of *de jure* transfer of assets. Sir, though it is a forced measure of the World Bank regarding the Objects and Reasons of the Bill, the Power Minister said that non-transfer of assets has restricted the Power Grid Corporation's resource mobilisation efforts both through internal cash generation as well as by going to the market for commercial borrowings.

[6.00 P.M.]

According to the Bill, the three Corporations will transfer their assets to the Government and, in turn, to the Power Grid Corporation which was established in October, 1989 with an authorised capital of Rs. 5,000 crores to undertake the programme of development of an integrated power system network.... *(interruptions)*

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : Hon. Member, one minute. It is 6 O' clock. We will take up Half-an-Hour discussion. I see that Mr. Viren J. Shah is not here. So, I presume that we are not taking up the Half-an-Hour discussion and we are continuing with this debate. The Half-an-Hour discussion is over. I have called Mr. Viren J. Shah to raise the Half-an-Hour discussion on the points arising out of the answers given in Rajya Sabha on the 26th February, 1993 to Unstarred Questions 556 and 558 regarding import of wheat unfit for human consumption by the Ministry of Food. Mr. Viren J. Shah is not present... *(interruptions)* ...

DR. NAUNihal SINGH : Sir, may I continue ?

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : Yes, you may continue. The discussion is over... *(interruptions)* ... Obviously if the Member is not here, it cannot be taken up ... *(interruptions)* ...

DR. NAUNihal SINGH : Sir, I want to continue.

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : Yes, please continue. Yes, you are free to go ahead. It is over . . . *(interruptions)* It is over.

SHRI VIREN J. SHAH (Maharashtra) : How can it be over, Sir ?

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : It is over.

DR. NAUNihal SINGH : How many minutes I am left with, Sir ?

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : You have spoken for nine minutes and you have six minutes more ... *(interruptions)* . . ,

SHRI VIREN J. SHAH : For what have you called, Sir ?

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : Hon. Member is speaking. Please bear with him... *(interruptions)* ... Please bear with the hon. Member.

DR. NAUNihal SINGH : The most controversial part of the Bill is the resentment by all the three Corporations the count that the assets will be transferred at book value. Another major implication of the Bill is that no stamp duty will be paid by the Power Grid Corporation to the concerned States. An alarming anomaly in the Bill is that though transfer of assets of three Corporations i.e. NTPC, NHPC and NEEPCO, is being effected, other major Corporations including the Nuclear Power Corporation, the Neyveli Lignite Corporation, Damodar Valley Corporations, the Nathpa Jhakri Power Corporation, the Bakra-Beas Management Board and the Tehri Hydro Electric Development Corporation have been left out. Here, I hope the hon. Minister might like

to react on the latest status of the Tehri Hydro Electric Development Corporation since the people of Uttar Pradesh are looking forward and anxious to know the result.

The charge levelled by the executives of these three organisations is that the assets were being transferred at 'knock-down book value' rather than at the market value. This, they say, will cost all the three Corporations dearly in terms of losing valued assets. Secondly, they argue that a national power grid could not be constituted as State Electricity Boards also have extensive transvssion network. The Bill *per se* only contemplates taking over the lines of these three Corporations. In this context, I urge that this House should resist the errant power politics of the Government. Given the resistance put up by the employees and the fact that the Government has budged to the conditionalities of the World Bank to secure loan, it is felt that a closer scrutiny is necessary on the structural changes in the infrastructure sector. Besides, there is a reluctance shown by the State Governments to co-operate with the Power Grid Corporation of India in making the grid system really effective. Since 'power' is in the Concurrent List and most of the State Governments are unwilling to part with their power to use energy as a means of patronage, the concept of a national power grid remains really a far cry. However, in order to put undue pressure on the Government, the World Bank has accused the State Electricity Boards, the NTPC, the power Finance corporation and the Central Electricity Authority for gross mismanagement.

The timing of the Ordinance is such that since the Government proposes to complete the negotiations for a \$ 1.6 billion loan in the next two months, the Government intends to seek endorsement of Parliament for such a transfer of assets without providing a rationale behind such a transfer. The Bill transferring the assets of these three Corporations to the newly-created Power Grid Corporation has, therefore, far-reaching consequences for the future of power industry.

Therefore, I wish to recommend and demand that the Bill should be entrusted to a Select Committee which will go into the

matter intensively and scrutinise it clause by clause and such an exercise will be useful for the country's economy.

Thank you, Sir.

SHRI E. BALANANDAN (Kerala) ; Sir, I have gone through the Bill properly and I find that it looks so innocuous. The only intention, according to the Bill, is to amalgamate the three distribution Corporations for developing, a National Power Grid. Before commenting on the Bill as such, I wish to invite the attention of the House to the total power position in the country and our power policy.

Sir, after Independence, our power generation has increased by about forty times. Today, we are producing 66,000 MW of power out of which 43 per cent, as my friend has just now pointed out, has been produced by our own indigenous machines and in the three main sectors of power generation, that is, hydel, thermal and nuclear, India has developed more or less a hundred per cent technological self-sufficiency. It is not only that we have developed self-reliance in these sectors, but also our power engineering industries including the BHEL and other private companies can fully cater to the needs of power generation as visualised in the Eighth Five Year Plan and also the plans of the Central Electricity Authority. Therefore, in this sector in OUT country, we are having a hundred per cent technological base and we have achieved self-sufficiency and we have also established engineering capability for the total needs of the country as a whole. But one point not to be forgotten by the new Minister— he is not here at the moment—is that power is a basic need. The cost of power per unit in the country, with all the deficiencies in generation, transmission and distribution, etc., compared to the cost now prevailing in the developed world, is low and it is one-third of the world power cost. Therefore, Mr. Minister, while you pilot this Bill, you have to understand the power sector as a whole. In the power sector in our country, we have achieved sizeable gains. We have achieved a cent-percent self-reliant technology and the technology that we have developed is cost-effective and the power cost in India is more or less one-third of the cost in the developed world. Therefore, what should be our approach ? The ap-

proach should be to see, when in the power engineering sector we have achieved self-sufficiency, that we produce power at a cheaper cost. So, the present talk of international competitiveness of our industry—we are opening up our markets to the world and we have to compete and India has to go to the world market and get orders—is of no use. We have to compete in the international market. How can you do that? The basic advantage that India is having is to be preserved and improved. Then only you can compete in the world market. That is the ABC of economics. There is no politics involved here. I know that you are an accountant, an economist, and a better Parliamentarian. I am just requesting you? When you talk of international economy, I must say that we are having an advantage. Our Indian engineers, scientists, technicians and workers have built a sector which is internationally competitive. And we have hundred per cent self-sufficiency. In the thermal sector, we can design, we can ...

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : You have only three minutes more.

SHRI E. BALANANDAN : I have just started.

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : Your party has only eight minutes. You have only three minutes more.

SHRI E. BALANANDAN : The point is that this technological self-sufficiency which we have, has to be improved. We must understand the position that we can design, we can manufacture and we can erect thermal power generators, and we can compete in the whole world market on global tenders, and we can go abroad. That is one point. Secondly, our own engineers can design and erect hydel projects. And here also, we can go to the international market in competition. And out of the six countries of the world, we have a ring-side seat as far as nuclear power generation is concerned. Therefore, any policy line which you have to adopt in this sector should be to improve our position. Now, in the name of financial stringency, what are you doing? Whatever we have built is going to be demolished. I know—I do not want to read out

the material—that the World Bank wants for bulk power transmission, a national grid. And for that, we have come to an understanding with the World Bank whereby they will invest 2 billion dollars to have a national power grid to transmit bulk power. And for that, high power, direct current transmission—HVDC—is needed. That is the position. And for that, you are creating conditions by which those people will come, their machines will be brought to have conversion of AC current into DC current. And for the total transmission system, international machines will be supplied. And what is our capacity? Our BHEL have produced....

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : Kindly conclude.

SHRI E. BALANANDAN : ... 100 MW bulk transfer capacity of HVDC. Therefore, what should be our approach? And it is cost effective. Instead of that, we are now going in for international tenders. And what is the condition? I know, I was in the Consultative Committee of the Power Ministry. The Government of India have offered to the international monopoly capital saying, "come on; start electricity generation here; you can take 16 per cent profit..."

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : Your time is up. Thank you.

SHRI E. BALANANDAN : I know you will be kind enough..

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : Your Party had eight minutes. ..

SHRI SAMAR MUKHERJEE (West Bengal) : Others have taken some more time.

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : Nobody has taken more time. I have been here. I will give you one more minute.

SHRI E. BALANANDAN : I know you are powerful to stop me. But I am only requesting you..

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : No, no. My master is

the clock. Please carry on with your thing.

SHRI E. BALANANDAN : Therefore, the point is the foreign multi-nationals are offered 16 per cent profit, on cost plus basis. That means, cost plus 16 per cent. That 16 per cent profit can be taken away to other countries, their own countries. Therefore, what will be the effect ? The total power sector will become costly. And localisation of economy means our power tariff will come equal to the international power tariff. Therefore, the basic advantage that we are having will be done away with.

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : Thank you, very much.

SHRI E. BALANANDAN : And our economic progress will be arrested. By doing this, you are inviting the World Bank to dominate the power sector which is a vital sector. With this tool alone, we can compete in the world.

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : Thank you.

SHRI E. BALANANDAN : Therefore, I request the Minister....

THE VICE-CHAIRMAN (SHRI VISHV-JIT P. SINGH) : Shri S. P. Malaviya.

SHRI E. BALANANDAN : He is a man who knows the subject of economics. The Power Minister has duly taken charge. He knows economics. I don't know whether he knows engineering. I am only telling him that since it is an effort to take away the economic freedom of the country to the World Bank. I, with all my might, oppose it, not with regard to the paragraphs included in this Bill but because this is being done at the instance and at the dictates of the World Bank.

Therefore I oppose it.

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश) : माननीय उपसभाध्यक्ष जी, यह जो वर्तमान विधेयक है, जिसके बारे में इस समय चर्चा हो रही है, इसके लिए 8 जनवरी, 1993 को अध्यादेश लाया गया और उसको 1 अप्रैल 1992 से लागू किया गया। एक तो मेरी आपत्ति यह है कि पिछला जो संसद का सत्र था वह 23 दिसम्बर को समाप्त हुआ था और फिर एक या डेढ़ महीने के अंतराल के बाद वर्तमान बजट सत्र प्रारम्भ होने जा

रहा था, तो ऐसी कोई जल्दी नहीं थी, आवश्यकता नहीं थी कि इस अध्यादेश को लाया जाता और अध्यादेश के जरिए इस कानून को पूर्व प्रभावी बनाया जाता। इसलिए मैं इस विधेयक का अपनी पूरी ताकत से विरोध करता हूँ और अध्यादेश का निरनुमोदन करने का जो प्रस्ताव है, उसका समर्थन करता हूँ।

इसमें जो पैरा 2 है, उसमें कहा गया है इस बात को :—

"2. In this Act, unless the context otherwise requires,—

(a) "appointed day" means the 1st day of April, 1992."

और फिर 3(I) में कहा गया :—

"3. (1) On the appointed day, the power transmission system and the right, title and interest of each of the three companies in relation to its power transmission system shall, by virtue of this Act, be deemed to have been transferred to, and vested in, the Central Government."

तो ऐसा कोई भी कानून यदि लाया जाता है और उसको पूर्व प्रभावी बनाया जाता है तो वह बहुत ही चिन्ताजनक है और विशेषकर के वर्तमान विधेयक, जिसके बारे में बराबर यह आपत्ति की गई है कि विश्व बैंक के दबाव में आकर के यह विधेयक लाया गया है और जो हमारी आर्थिक सार्वभौमिकता है, उसको विश्व बैंक के पास गिरवी रख दिया गया है। इस बात की बराबर चर्चा हुई है कि हमारे जो पावर सेक्टर है, 12 जनवरी, 1993 को उन्होंने विश्व बैंक को चिट्ठी लिखी और इस बारे में उन्होंने विस्तार से चर्चा की कि इस सिलसिले में सरकार एक अध्यादेश ला रही है और उसमें क्या-क्या प्रावधान हैं और उसकी मैं चर्चा करना चाहूंगा :—

This is a letter from Power Secretary dated 12th January 1993.

"Thank you for your letter of 6th December, 1992, concerning NTPC* proposal for power generation project. I am sorry for the slight delay in responding to it which was primarily due to my anxiety that we be able to register substantial progress on some of the

matters. The Cabinet cleared the Ministry's proposal on the NTPC to form joint venture on January 5, 1993. The Ordinance referring to the *de jure* transfer of assets to the power grid has been promulgated by the President on January 8, 1993 and is deemed to have come into force with retrospective effect, that is, from April 1, 1992 and the UPSEB has opened irrevocable letters of Credit in favour of NTPC for the payment of Rs. 50 crores per month."

तो यह जो बराबर इस बात की चर्चा इस देश में है और आपत्ति की जा रही है कि हमारी जो आर्थिक नीतियां हैं बहुत से ऐसे विधेयक विश्व बैंक के दबाव में लाये जा रहे हैं और मेरी समझ से यह जो वर्तमान विधेयक यह इस का साक्षी है, जिस तरीके से इसमें चर्चा की गई है और जिस तरीके के इसमें प्रवधान है, कि विश्व बैंक के दबाव में आकर हम इस कानून को लाए हैं और इसको लागू करने जा रहे हैं। इसमें भी इस बात की चर्चा की गई है कि:—

"...with a view to developing the National Power Grid to ensure transmission of power, within and across the different regions of India, on a more scientific efficient and economic basis and for matters connected therewith or incidental thereto."

मैंने इस विधेयक को शुरू से आखिर तक पढ़ा। मंत्री जी, जब अपना उत्तर देंगे तो यह भी यह बताने की कृपा करेंगे कि किस तरीके से साइंटिफिक एंड इकोनॉमिक बेसिस पर जो इसमें चर्चा की है, इस मिल-मिलने में उनकी क्या कार्रवाई होगी और इस विधेयक में क्या उनकी नीति होगी? इसकी कोई भी चर्चा नहीं हुई है। हमारे देश में बिजली काटी जाती है बिजली पूरी न मिलने के कारण किसानों को बिजली नहीं मिल पाती है और किसान परेशान होते हैं। तो यह भी बताया चाहिए कि जो पावर जेनिरेशन आपका होगा, किस तरीके से आप पावर जेनिरेशन को अधिक करेंगे और उससे इस देश का हित कैसे होगा? इस देश के किसानों का हित कैसे होगा? और यह भी आपको आश्वासन देना पड़ेगा कि इस विधेयक के पारित हो जाने के बाद जो बिजली

की दरे हैं, उसमें क्या आप वृद्धि करेंगे, क्योंकि... (व्यवधान)

उपसभाध्यक्ष (श्री विश्वजित पृथ्वीजित सिंह) : आपके सिर्फ दो मिनट रह गए हैं।

श्री सत्य प्रकाश मालवीय : ठीक है, अब आपको घंटी नहीं बजानी पड़ेगी। मैंने समाचार पत्र में यह समाचार पढ़ा था कि भारत सरकार बिजली की दरो में वृद्धि करने जा रही है। यदि आप वृद्धि करेंगे तो इसका कुप्रभाव किसानों पर पड़ेगा। किसानों पर जो कुप्रभाव पड़ेगा तो हमारा जो उत्पादन है, उस पर भी इसका कुप्रभाव पड़ेगा। इसलिए इस चीज को आप कृपा करके स्पष्ट करने की कोशिश कीजिएगा। इन शब्दों के साथ, मैं इस विधेयक का विरोध करता हूँ और जो अध्यादेश के निरुपेक्षण का प्रस्ताव है, इसका मैं समर्थन करता हूँ।

THE VICE-CHAIRMAN (SHRI VISHVJIT P. SINGH) : Shri Chaturanan Mishra. He is not here. Dr. Y. Sivaji. He is also not here. Now, the mover of the Statutory Resolution, Dr. Jain, will speak and then the hon. Minister will reply.

DR. JINENDRA KUMAR JAIN : Thank you, Mr. Vice-Chairman. I am thankful to the hon. Member of this House who took part in this debate and gave their valuable advice and suggestions on this very vital subject.

[THE VICE-CHAIRMAN (SYED SIBTEY RAZI) IN THE CHAIR]

The attendance in the House, at the moment, may be very thin, but this is a very very serious matter. The feelings of the hon. Members were intense. These individual feelings were not based on any partisan considerations. Members were expressing their concern and their fear because they felt that this enactment may jeopardise the national interest and may enslave our national economy to foreign hands, to foreign powers. That is all. Today, if you want to do anything with a view to improving the management of the power sector, the whole House will support the Government.

Sir, it was not merely incidental that speaker after speaker expressed the same

fear that you were mortgaging the vital sector of our national economy and going into a tunnel which may enslave the economic independence of this nation. That is the reason.

The hon. Minister, Mr. N. K. P. Salve, is a very wise man. He is a very seasoned politician. We are proud that he belongs to this House. In view of the sentiments expressed by his colleagues and my colleagues and in the national interest, I make a fervent appeal to the hon. Minister that he should withdraw his Bill. Keeping in view the national interest uppermost, he should allow my motion of disapproval to be carried and he should not try to force the passage of this Bill with the help of the majority that his party certainly has in the House.

DR. YELAMANCHILI
 STVAJI

(Andhra Pradesh) : Majority is on this side now.

DR. JINENDRA KUMAR JAIN : Sir, I once again thank all the Members who have supported my motion of disapproval. I once again request the hon. Minister that he should agree with the sentiments expressed by majority of the speakers and let the national interest prevail. Thank you.

SHRI N.K.P. SALVE : Mr. Vice-Chairman, Sir, I am indeed grateful to the various Members who have participated in this debate on the motion moved by Dr. Jain. I am obliged to them *inter alia* because the debate has cut across party lines. Many Members have spoken transcending the party affiliations and predilections; I am grateful to them for all this. But, Sir, most of the criticism that has arisen, I may submit, is entirely on account of disinformation, misinformation or total mis-appreciation about the scope, ambit, purport and purpose of the Bill itself. The objects have been clear. I want to mention only one sentence which should take care of the entire situation, that the heart of the matter in the Bill is creation of a national transmission system run by a nodal functional expert Corporation to wield power throughout the length and breadth of the country for reliability, security and economical and optimal productivity and maximising production of the power sector. This is the heart of the matter. But the scope of the debate has gone far beyond the scope of the Bill. It

is difficult for me in a very short while to deal with all the aspects of the matter, but I will try to deal with some of the points which deal with the power sector.

Sir, in the first instance, Dr. Jain has said that he is opposed to the system of Ordinances; so did S. P. Malaviyaji say. I am myself opposed to a system of Ordinances. We have no business to be doing it. But if you had carefully listened to my speech while I moved the Bill for consideration, I made a mention about two dates. One date, I want to submit to Dr. Jain through you, Sir, is 'November 30, 1992' when the Bill was introduced in Lok Sabha. This date is close to the black date in India's history, that is the 6th December, 1992. The Parliament just did not function. What could we do ?
(Interruptions).

SHRI V. NARAYANASAMY (Pondicherry) : Why are you laughing ? It is not a matter to be laughed at.

SHRI N.K.P. SALVE : No, no, you will laugh at it out today, but the nation is weeping over it. *(Interruptions).* All that I am submitting is that the Members cannot always say, "Bring a Bill and not an Ordinance." The *de facto* transfer had been effected already, as I pointed out. Not all of you have referred to it. This was done sometimes in November 1992. Particularly, I want to submit to Dr. Naunihal Singh when he asked when the assets will be transferred, that the assets *de facto* had already been transferred and this is only a *de jure* transfer of the various assets. Therefore, Sir, on 8th January, 1993, we had no option but to introduce an Ordinance because having transferred the the assets *de facto*, it was necessary for us to have *de jure* transfer, have some legal *locus standi* for this Corporation in respect of the assets which it had taken over.

As to the employees, Dr. Jain talked of the approach being humane. On the legal point I will come a little later. Mrs. Kamla Sinha also said about the employees. But as far as I am concerned, I may assure him that as long as I am there in the Ministry the approach will be extremely humane to the employees, no employee will ever be victimised. I want to assure you that we will not get rid of employees even if it means suffering a little loss because that is

our commitment, that is the commitment of the Rao Government, that is the commitment of the Prime Minister which I will abide by. But please do not raise issues based on utter disinformation. As to the employees, I want to point out clearly that the employees of NTPC were transferred along with the transmission system assets to the Power Grid because the terms and conditions of these employees in NTPC were similar to the terms and conditions obtaining in the Power Grid. What is the harm? What really is the objection I fail to understand this. We are transferring employees related to the transmission system because formerly NTPC was doing both generation and transmission. We have now separated transmission and the employees connected with transmission are separated. What is the great harm done to the employees? What is the inhumane treatment we have done to them?

Then, Sir, notwithstanding this, the NTPC Executives' Association and some associations went to the court against the decision of the Government about their transfer to the Power Grid, and the Delhi High Court has decided the matter. Sir, he quoted part of the judgment of the Delhi High Court. Now I want to read out the operative part. Dr. Jain, you have quoted only the argument part of it. The operative part reads in this manner :

"One Government policy is valid. NTPC has been properly constituted. Proposed transfer of all assets from NPTC to NTPC will be as per law. Petitioners have not been discriminated against either internally or externally."

You talk of discrimination. I would never want employees to be discriminated against. This is the finding of a court of law. Dr. Jain.

"Plea of promissory estoppel is not available to the petitioners."

Petitioners are at no disadvantage. Both NTPC and NPTC are Central Government undertakings, conditions of service being the same in both the companies. Now, this being the system, this being the position, this being a finding of a court of law, I needn't say anything further.

All those who have expressed concern about the employees, I would beg of them fervently, to leave them to us. We will take care of them much better than all of you put together. In fact, it would be better if it is on the basis of disinformation, have my word. I want to tell Mr. Bala-nandan, particularly. He is a very mature and a very restrained man; he speaks with a great deal of restraint. I want to assure him that we are equally worried about India's dignity, India's prestige. We haven't gone to the World Bank for charity. We don't want alms, we do not want succour. We are taking a commercial loan from them! "Give us a loan, we will employ that in the power sector, we will earn money, we will repay the principal, we will pay the interest." We will never be cowed down. Leave alone the World Bank, even the gods will not dare us, Sir. When it comes to the prestige, honour and dignity of the country, we will never bend before anybody. I would prefer to starve and die rather than compromise. Please do understand that.

DR. NAUNIHAL SINGH : The East India Company also entered India in a similar fashion and grabbed it in a very surreptitious manner. The whole world knows how the country fell to their hands.

SHRI H. HANUMANTHAPPA (Karnataka) : Why do you compare the East India Company with an elected Government? What a comparison!

SHRI N. K. P. SALVE : Sir, for the East India Company, doing what they have done, I don't know who is to be held responsible. The country then was divided. Let us not have the country divided today. If we do not divide the country, even thousands of East India Companies will never be able to do anything to us, the World Bank will never be able to do anything to us. But if you are going to divide the country on the basis of region, caste and community, if you are going to bring about communalism and fundamentalism to partition the country and break it into fragments, that is the real problem.

DR. NAUNIHAL SINGH : Now in the Maruti Company they have got 51 per cent shares. How have they entered and how have they procured the shares?

SHRI N. K. P. SALVE : Sir, I have the privilege to come from a family of freedom fighters. I have grown, since 1927, in the midst of freedom fighters and I can assure Dr. Naunihal Singh that patriotism is no one's privilege. You may have your own perceptions, but please don't challenge our patriotism and please do not for a moment think that we will barter away the interests of the country. We shall not ever, repeat not, do that. If we have gone to the World Bank, we have gone for a commercial loan. Because, I want to tell you, we have very ambitious plans, as he has very rightly pointed out. When we became independent, our power generation was 1,365 megawatts. Today our installed capacity is 70,000 megawatts and generation capacity is 35,000 to 36,000 megawatts. We have a very ambitious expansion plan during the Eighth Plan period—for 30,535 megawatts. Now, for this kind of an expansion do you think we have resources in India ? What do we do ? I want to urge through you, Mr. Bala-nandan ...

DR. NAUNIHAL SINGH : Sir, I want to know only one thing from the hon. Minister ... *(Interruptions)*.. About BHEL..

SHRI N. K. P. SALVE : Sir, it will be very difficult for me.. *(Interruptions)* ... I have given answers to all the points that he has raised. .. *(Interruptions)*... I am not yielding. ... *(Interruptions)*...

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : He is not yielding. ... *(Interruptions)* ... The Minister is not yielding.

SHRI N. K. P. SALVE : Sir, I am straightway dealing with that. Power equipment is available. BHEL is manufacturing turbines, generators and boilers. We have placed orders with it.

Sir, this morning also the question arose, why it is that we are starving the BHEL. We will be guilty of the worst kind of sin if we were to starve the BHEL. They can manufacture. They also have a limited capacity. In reality, their capacity does not exceed 3,500 MW. I have got the figures with me for the last four years. Their capacity in reality does not exceed 3,500 MW worth of various equipment. The question that arises is that if they have to manufacture where do we pay the

I money to them from ? Without money, are they going to manufacture? Are they going to manufacture free ? Are the equipment and the raw materials going to fall from heaven? That needs money. It is not as though we have not given orders to the BHEL. I am making the statement on the floor of the House with utmost responsibility and restraint. If they were to show that we have not given orders to the BHEL and that we have given orders to somebody else abroad, we will be guilty. We are not able to give orders to the BHEL, and we are not able to give orders outside, beyond 1994 because there is dearth of funds. Therefore, for God's sake, if you want to save the BHEL, please help us raise loans and funds. So, I cannot understand this. On the one hand, they say that we are succumbing, that we are surrendering the economy; sovereignty. This is a new phraseology. I have not heard of it. Sovereignty is sovereignty. I do not know. I have never heard of an economic sovereignty.

SHRI E. BALANANDAN : just a very simple question. The point is that the loans that we are getting are tied loans, especially for the NTPC and the BHEL. They are bringing their own machines, and you don't net the money.

SHRI N. K. P. SALVE : The hon. Member. I am afraid, is not well equipped. Whenever there is a multilateral borrowing, there is no obligation on us to take any machinery from anywhere. AH that is required is that there should be international bidding. In the international bidding, when the BHEL comes, we give price preference to the BHEL. Apart from that, Dr. Manmohan Singh is charging 20 per cent duty on the equipment and components to be imported. We are giving the price preference to them. A techno-economic evaluation is made by the CEA. Where Indian equipment is suitable, we bring that about. That is the reason. From the borrowed money we place orders with the BHEL. We do not have the money at the moment. Dr. Manmohan Singh's budgetary support is decreasing day by day. Wherefrom do you find the money? Therefore, I want the Members to realise

that if we do not borrow money, the power sector will be doomed, but before that your favourite company, the BHKL, will go into liquidation. Therefore, if we are arranging finances, it is primarily for the power sector. We want to buy the best equipment at the best possible price primarily for the power sector. But we want to help the Indian industry. We have been placing orders with the Indian industry. The power capacity alone is not enough. This is a simple rule. I don't have to teach anybody that the power capacity alone is not enough. There must be money with us to be able to utilise their capacity. And it is that kind of money that we are looking for from them.

There is hardly anything else which I need to deal with.

There was some talk about retrenchment of employees. I do not know where they got information about retrenchment of employees. ?

There was also a mention about the entire transmission system going into the hands of multinationals. I do not know how much this Bill can be distorted. Three transferer companies had both generation and transmission, and the transferee company has been transferred the transmission system only. Where is the question of multinationals coming in? The transferer companies' shares are held entirely by the President of India, and the shares of the transferee company are held in their entirety by the President of India. The right hand gives something to the left hand, and the left hand gives something else to the right hand. Where is the question of multinationals coming in? Where is the question of foreign hands coming in and divesting us of our transmission system?

I assure you, much more than Dr. *ia'm* and much more than other people also in the BJP, and I dare submit, that I have commitment to the public sector, but that it is purely a public sector by itself has no merit for me. If it is doing well, then, it may have more merit than the private sector. But, if the public sector is a drain on the economy, is a drain on the community, is a drain on the country, then, some remedial measures will

have to be taken. The question arises as to why we are doing this. Are we doing this to bring the multi-nationals, foreign hands and tilings like that? It is completely outside the scope of the Bill. I want to submit if you evaluate the Bill, you will find that this is something which we had started upon long ago. It is not at the behest of the World Bank. Please disabuse your mind of this impression. This concept of national power grid is as old as 1961. We have now been implementing this extremely healthy and wholesome project. When the world Bank has given us three hundred and odd million dollars to the power grid, if the world Bank says this, this is no charge. As I have said we will¹, repay the whole thing with interest. But the question arises if we had taken a good decision in 1961 and we need a national transmission system, with which we are able to feed power throughout, the length and breadth of the country in an efficient, economic and reliable manner, there is nothing wrong in it. I want to submit that the energy resources in India are unevenly distributed. With a view to ensuring optimal utilisation of these resources and supply of power to all parts of the country, a policy-decision was taken in 1961 to carry out the power system planning and operation on a regional basis. For this purpose the country was then demarcated into five regions. In 1981, a decision was taken at the National level with the concurrence of the various States to form a National Power Grid. With this end in view, the Power Grid Corporation was formed in 1989. The main objective of this major decision was to integrate the entire country on the power map of India and to facilitate transfer of power all over the country transcending States and regional boundaries. With reliability, security and economy the formation of five regional grids and their integrated operation has proved very beneficial. The formation of Power Grid Corporation of India will further help in not only strengthening the regional power grid, but will also accelerate the pace of formation of national power grid by interconnecting these regional groups through the inter-regional tie-lines. This had happened way back in 1961, when the World Bank was nowhere in the picture. We formed the Power Grid Corporation

sometime in 1989 when the World Bank was nowhere in the picture. And still you say that we are doing all this at the behest of the World Bank This is disinformation or misinformation of the worst type.

While I thank the hon. Members, I submit that the entire criticism of the Bill is utterly ill-founded. Something about which I have not said is about the Tehri. Dr. Naunihal Singh had asked about it. It is outside the scope of the Bill. If he writes to me, I will let him know the exact status of it.

श्री जगदीश प्रसाद माथुर (उत्तर प्रदेश) :
टिहरी हाइड्रो-प्रोजेक्ट का बता देते तो अच्छा होता। डा० नौनिहाल सिंह ने इस बारे में पूछा था।

THE VICE-CHAIRMAN

(SYE

D

SIBTEY RAZI) : No. Mr. Mathur. You seek permission of the Chair. Mr. Mathur, you are a senior Member. The Minister has replied. (Interruptions) No, I am not permitting. It is too late. I shall first put the Resolution Moved by Dr. Jinendra Kumar Jain, to vote.

The question is :

That this House disapproves of the National Thermal Power Corporation Limited, the National Hydroelectric Power Corporation Limited and the North-Eastern Electric Power Corporation Limited (Acquisition and Transfer of Power Transmission Systems) Ordinance, 1993 (No. 10 of 1993) promulgated by the President on the 8th January, 1993.

The motion was negatived

THE VICE-CHAIRMAN

(SYE

D

SIBTEY RAZI) : I shall now put the motion moved by Shri N. K. P. Salve to the vote of the House.

The question is :

That the Bill to provide in the public interest for acquisition and transfer of power transmission systems of the three companies and the right, title and interest of those companies in the power transmission system situated in different parts of India, with a view to developing the National Power

Grid to ensure transmission of power, within and across the different regions of India, on a more scientific, efficient and economic basis and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration.

The motion was adopted.

SHRI SANGH PRIYA GAUTAM (Uttar Pradesh) : Sir, I am on a point of order. Dr. Jain has not been asked to withdraw his Resolution. (Interruptions).

SHRI JAGDISH PRASAD MATHUR :

You had been in a little hurry. You ought to have asked the hon. Member, Dr. Jain, whether he would withdraw his Statutory Resolution. You did not do this. It is not the correct procedure.

But I am pointing out that there was a lapse in

एक माननीय सदस्य : हो गया (व्यवधान)

Sit down.

श्री जगदीश प्रसाद माथुर : हो गया-

the procedure. . . (Interruptions). . . I take a strong objection to what the Member has said. He has said, "Sit down". He has no right to tell me. If the Chair asks me to sit down, I will do so.

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu) : Mathur Saheb, then stand up.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Mr. Mathur, I request you to please sit down.

We shall now take up clause-by-clause consideration of the Bill,

*Clauses 2, to 17 were added to the Bill.
Clause X, the Enacting Formula and the
Title were added to the Bill.*

श्री संघ प्रिय गौतम : उपसभाध्यक्ष जी, टिहरी डैम के बारे में मंत्री जी बताएं कि निर्माण होगा या नहीं होगा ;

श्री एन० के० पी० साल्वे : मैं आपको खत लिखकर बताऊंगा।

श्री संघ प्रिय गौतम : सदन में बताइये।

श्री एन० के० पी० साल्वे : मोहतरम, बिल से इसका कोई संबंध नहीं है।

DR. YELAMANCHILI SIVAJI : Mr. Vice-Chairman, Sir, the only thing that I would like the Minister to ensure is that the funds do not find their way from the Corporation which has been created to scam and to other securities as was done earlier.

Another aspect is with regard to the PL ratio. The proposed grid should ensure enhancement of the PL ratio and reduction of losses in transmission. I would like the Minister to ensure this also.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Mr. Salveji, would you like to react ?

SHRI N. K. P. SALVE : Sir, I have already answered this question

Sir, I beg to move :

That the Bill be passed.

The question was put and the motion was adopted.

I. STATUTORY RESOLUTION SEEKING DISAPPROVAL OF THE ESSENTIAL COMMODITIES (SPECIAL PROVISIONS) AMENDMENT ORDINANCE, 1993.

II. THE ESSENTIAL COMMUNITIES (SPECIAL PROVISIONS) AMEND- MENT BILL, 1993.

DR. JINENDRA KUMAR JAIN (Madhya Pradesh) : Mr. Vice-Chairman, Sir, I move the following Resolution : —

"That this House disapproves of the Essential Commodities (Special Provisions) Amendment Ordinance, 1993 (No. 1 of 1993) promulgated by the President on the 2nd January, 1993."

Sir, there are reasons for me to move this Resolution of disapproval.

THE VICE-CHAIRMAN (SYE

D SIBTEY RAZI) : Yes. Please maintain order in the House (*Intenuptions*).

DR. JINENDRA KUMAR JAIN : Sir, if you can restore order in the House, I can speak.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : It is in the process of being restored. All of you, please ensure order in the House.

DR. JINENDRA KUMAR JAIN : Sir, as you know, we are having as many as 24 Ordinances. It has become a habit of this Government to bypass the authority of this House. (*Interruptions*).

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Please restore order in the House.

DR. JINENDRA KUMAR JAIN : Sir, even the Ministers are standing and talking. Is there any decorum in the House ?

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Please speak.

DR. JINENDRA KUMAR JAIN : I will sit down till you restore order.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Please speak. Do not sit down. I am listening to you. The Chair is listening to you.

DR. JINENDRA KUMAR JAIN : You are listening to me. But the ruling party is not interested. (*Interruptions*). What is going on there ?

SHRI VIREN J. SHAH (Maharashtra) : They are talking with their backs to the Chair. What kind of an impression are they creating ?

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Please maintain order in the House. Dr. Jain, please proceed.

DR. JINENDRA KUMAR JAIN : Thank you. Sir.

The point I was trying to make is this—This country is wedded to democratic polity. And, there has been a tradition to enact laws here in this House. An ordinance can be issued, but only in unusual circumstances. On earlier occasions, I had quoted, from the proceedings of the Constituent Assembly, Dr. Bhim Rao Ambedkar. He has explained under what kind of circumstances we must bring an ordinance. I am sorry to point out that bringing an ordinance has become a routine habit for this Government and we will