

RAJYA SABHA

Wednesday, the 3rd May, 1989/13th
Vaisakha, 1911 (Saka)

The House met at eleven of the clock. Mr. Chairman in the Chair.

OBITUARY REFERENCE

MR. CHAIRMAN: Hon. Members, before we take up today's agenda, I refer with profound sorrow to the passing away of Shri Awadheshwar Prasad Sinha, a former Member of this House from the State of Bihar.

Shri Awadheshwar Prasad Sinha was born in June 1907 at Village Dahila in District Muzaffarpur of Bihar. He had his education at Muzaffarpur and also at the Banaras Hindu University. Shri Sinha was attracted towards the freedom movement from his school days and actively participated in the Home Rule Movement and the Civil Disobedience Movement and suffered imprisonment. Shri Sinha worked for the welfare of Harijans, peasants and the labour. He had a long and active parliamentary career spanning three decades. He was a Member of the Provisional Parliament from 1950-51 and of the Lok Sabha from 1952-56. Thereafter, Shri Sinha was a Member of this House from 1956 to 1976.

We deeply mourn the passing away of Shri Awadheshwar Prasad Sinha.

I request Members to rise in their places and observe silence as a mark of respect to the memory of the departed.

(Hon. Members then stood in silence for one minute.)

MR. CHAIRMAN: Secretary-General will convey to the members of the bereaved family our sense of profound sorrow and deep sympathy.

ORAL ANSWERS TO QUESTIONS

Restrictions imposed by the U.S. Government on export of electronic components to India

@*121. SHRI KAMAL MORARKA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that for the first time the U.S. Government have imposed restrictions on the export of sophisticated electronic components to India; and

(b) if so, what steps are being taken in this regard?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO): (a) and (b) The US Embassy in New Delhi has denied press reports in Indian newspapers claiming that the US has imposed restrictions on the export of sophisticated electronic components. The United States Government, however, controls the export of sensitive dual-use items including sophisticated electronic components listed in its Export Administration Act.

SHRI KAMAL MORARKA: Sir, I had addressed this question to the Department of Electronics. It has been transferred to the External Affairs. I want my supplementaries to be answered even though the question has not been answered. I have asked whether the U.S. Government have imposed restrictions on the export of electronic components. The answer is that the U.S. Embassy has denied it. I am not concerned with what the U.S. Embassy is doing. I want to know what is the information of the Government of India, Department of Electronics, which is developing this C-DOT technology which is entirely based on this kind of components. U.S. Embassy can say any thing. Is there a restriction from the U.S. Government for exporting those components which will affect the C-DOT technology? If you answer

@Previously Starred Question 23 transferred from the 25th April, 1989.

that, then I will ask my supplementaries.

SHRI P. V. NARASIMHA RAO: Sir, I am not prepared to agree that the U.S. Embassy will say anything without their response being cleared by their Governments. Something appeared in the newspapers here. We asked the U.S. Embassy to comment on it. They say that this is not true. There is a law there. That law has been there in force for quite some time. There is a list here. Out of it, they will not supply anything except under certain regime. So, this is the position, this is the normal position of the US Government. There has been no new restriction or 'for the first time restriction' as the question says. Now, that is the specific answer given to the question. If there is any specific item on which the hon. Member wants to know, I will certainly help him. He can write to me and I do whatever is possible.

SHRI KAMAL MORARKA: No, that is not that. This relates to semi-conductors. When you know that it relates to some news item appearing in the Indian newspaper which the Embassy in India has denied, that news item contains all the details that this component is used for C-DOT technology. Now you are saying that my question says whether the restriction is for the first time. My original question was whether restriction has been imposed and if so whether it is for the first time. It has been reframed by the Secretariat and I have no objection to that. My question is that this C-DOT technology is being developed, based on semi-conductors. There was a factory in Chandigarh which is burnt out, which is gutted. Now we need these components. They are not being made in any other factory in India. We are depending on the US for these components. Now the US has a law that under this regime they will export this. We have no quarrel with that. This particular component is required for making the PBX telephones.

SHRI P. V. NARASIMHA RAO: I will answer that. You have no quarrel with the US law. I have no quarrel with you. If there is any specific item on which you want us to find out whether there is any special regime needed or whether it is available freely, I am prepared to help the hon. Member. It is true that the question was directed to the Department of Electronics. But because it is US, because it is technology from another country, technically they have sent it to me. I am prepared to sort the matter out.

SHRI KAMAL MORARKA: But the problem is that all this work which has been done by C-DOT will come to a grinding halt if the main sources of this component, the US and Japan, do not give it to us.

SHRI P. V. NARASIMHA RAO: I agree that...

SHRI KAMAL MORARKA: So, the question does not elicit any answer. Why not this be admitted for the Department of Electronics when they come here next time?

MR. CHAIRMAN: No, no. The question concerns two Governments and the restriction imposed by another Government. Now, the Minister is saying that if you want a particular component, the export of which or the import to India has been restricted by the United States, you can ask it.

SHRI P. V. NARASIMHA RAO: I can only answer the political side, the policy side, the decision of the United States, and what the arrangement is between them and us. If it is to be applied to a particular item, we can sort it out with the Department of Electronics also.

MR. CHAIRMAN: He says that if there is a special item, he will get all the information and let you know.

SHRI KAMAL MORARKA: It is not going to end because it is in the

news items which is being denied by the US Embassy. Sir, the US Embassy... Just bear with me.

MR. CHAIRMAN: It is not a new item. Your question is very simple: "...imposed restriction on the export of sophisticated electronic components to India". Now this phrase 'sophisticated electronic components' is a very wide phrase.

SHRI KAMAL MORARKA: I submit, Sir, that in the reply they say that "the US Embassy in Delhi has denied the press reports in Indian newspapers claiming..." That press report gives all the details. So, the US Embassy has denied the press reports which the Minister is replying himself that he knows all that I am talking about. He cannot say that my question is vague. It is very, very specific. He knows it.

SHRI P. V. NARASIMHA RAO: I only say that the US Embassy knows what you are talking about, and they have denied it. I have repeated the denial. That is all.

SHRI KAMAL MORARKA: Sir, they have only repeated the denial of the US Embassy. That is my problem. I want to know whether the Government understands what I am saying. US Embassy has understood what I am saying.

SHRI P. V. NARASIMHA RAO: The Department of Electronics obviously understands what you are saying. We will certainly try to find out from them about this particular item. I am trying to be helpful. We are not on polemics.

SHRI KAMAL MORARKA: Sir, this is my problem. I do not want help. I want answer to my question, Mr. Narasimha Rao. The whole problem is that they want to help us. We do not want help. I want answer to my question. And that is why I asked the Department of Electronics because I know it is not your fault, it is not your subject. But the De-

partment of Electronics has passed buck to you. And you are rightly saying, it is a political question and you have answered, and that for electronics, you please seek the clarification elsewhere. What do I get? I get nothing out of this answer.

SHRI P. V. NARASIMHA RAO: Sir, the point is that I can answer only the foreign affairs angle. In a particular item, there has been a denial. They say there is no such thing but each item has to be negotiated. There is a law there. And according to that law, if an item does not attract restriction, it will be given. If it does attract restriction it will be given only under certain conditions. These are matters of detail into which the department of electronics will go. I can pass on the hon. Member's agony to them if necessary.

SHRI KAMAL MORARKA: This question should be put on the list when the Electronics Ministry has to answer the questions.

MR. CHAIRMAN: The question is general. If there is any specific item that is involved or specific items that are involved, you can put it instead of waiting till the next session. You ask him and he will get the whole thing and let you know. That is what he promises.

PROF. C. LAKSHMANNA: It has been put today and if the information is not forthcoming from the Minister of External Affairs, what is the thrust left?

MR. CHAIRMAN: The information that has come is the maximum information that they can give to this type of questions. There is a news items. Naturally an embassy does not say "no" without any authority.

PROF. C. LAKSHMANNA: Will the Minister be replying on the basis of the question itself, the supplementaries, or he will again say that he

will have to refer to the Electronics Ministry?

SHRI P. V. NARASIMHA RAO: I will answer on policy matters, yes, on regimes, yes, what is our policy, yes, what is their policy, all these I am ready to answer.

MR. CHAIRMAN: Policies, he is saying yes.

PROF. C. LAKSHMANNA: It is arising out of certain supplementaries, will he be able to answer? Otherwise what is the point in taking the time of the House? You see, the answer has been given. Arising out of this there will be certain supplementaries. Will he be able to answer them or not, or will he only say, it is only a policy matter?

MR. CHAIRMAN: What arises out of it, yes.

SHRI P. V. NARASIMHA RAO: Arising out of my main answer, I am prepared to answer the supplementaries. I am prepared to answer supplementary but whenever I find there is a difficulty, I am prepared to say that I will find out from the Department of Electronics and answer. That also is open to me.

SHRI KAMAL MORARKA: In regard to the semi-conductor complex what is the position? Will he find out and let me know or shall I have to put a separate question? I should know where I stand.

SHRI P. V. NARASIMHA RAO: You are standing where you are standing.

MR. CHAIRMAN: In regard to the semi-conductors, which particular semi-conductor you are talking about? Unless you tell him...

PROF. C. LAKSHMANNA: He says that the United States Government however controls the export of sensitive items including sophisticated electronic equipment. Now I would

like to know whether this particular Export Administration Act which has control over the export of electronic components, includes the C-DOT technology, which is required for the organisation, which has got burnt out. Therefore, I would like to know...

SHRI P. V. NARASIMHA RAO: Sir, is any technology mentioned in the question? Now does any supplementary arise in regard to a particular technology, that is what I told Mr. Morarka. If there is one technology about which he wants to know, we will find out, whether this technology is included in that list. (Interruptions). There may be thousands of items. I cannot produce all those items here. Any specific question I am prepared to refer to the Department of Electronics and answer. Policy matters I am prepared to answer right now.

PROF. C. LAKSHMANNA: The question is very simple. He himself says that the Export Administration Act has control over the export of sophisticated electronic equipment. If that is the case, the main question was about the electronic equipment, whether there has been a restriction. He says, there is a control. We would like to know whether the C-DOT technology, which is required for the burnt out factory is falling within this particular Act or not.

SHRI P. V. NARASIMHA RAO: Everything falls under the Act. It all depends on what restrictions are to be put, whether it is listed out in the Export Administration, and there is a list, whether it is in that list, one has to refer to that. That is why I wanted notice. But Mr. Morarka...

PROF. C. LAKSHMANNA: But he is trying to complicate the question.

SHRI P. V. NARASIMHA RAO: I am not trying to complicate the question. My position is very clear. If any particular item is the subject matter of a question or a supplementary, I am prepared to refer it to the

department concerned and come back with the answer to the hon. Member. If the supplementary arises out of certain policy implications, I am prepared to answer it right now.

MR. CHAIRMAN: If the transfer of C-DOT technology...

SHRI P. V. NARASIMHA RAO: Yes.

PROF. C. LAKSHMANNA: Whether the C-DOT technology which is required for the burnt out factory is within the scope of this or not?

SHRI P. V. NARASIMHA RAO: That is what I said. This will have to be referred to the Department of Electronics to find out whether it is included in the list. If it is included in the list, it is subject to certain restrictions; if it is not included, then it is not. I do not know what the difficulty is.

MR. CHAIRMAN: The question is, any restriction imposed by another Government will come under this Ministry. The question is not as simple as you are trying to make out. It is not a question of the Electronics Department alone; it is a question of relations between two Governments.

PROF. C. LAKSHMANNA: If that is the case, in view of the fact that there is a restriction on the electronic components which are required for C-DOT technology, has the Minister taken up with the US Government to see that this technology is made available to India?

SHRI P. V. NARASIMHA RAO: There is a denial there. It is not a matter of question and answer. It is a matter of ascertaining; it is about sensitive dual use technology, where a particular item is sensitive—number one, and secondly of dual use. If it is dual use, conditions are different; if it is only sensitive, conditions may be different and if it is neither, there may not be any conditions. Every item has to be examined. (*Interruptions*)

PROF. C. LAKSHMANNA: What are they doing? Why don't they examine it?

SHRI P. V. NARASIMHA RAO: I do not know which technology he is referring to.

PROF. C. LAKSHMANNA: C-DOT technology which is required for that burnt out factory.

SHRI P. V. NARASIMHA RAO: I would like to tell Prof. Lakshmanna that if there had been one mention of a specific item, yes, we would have come with the answer, but it is not there... (*Interruptions*).

SHRI YASHWANT SINHA: I have a specific question relating to a specific item. My question is, I have come across a news item this morning saying that chips—there is a specific item that I am asking—which used to be manufactured in that factory in Chandigarh, we are now forced to import it because we have no means of domestic manufacture. One of the sources of import is the USA, and the USA is putting a condition that while they might export chips to our country, they will put all kinds of restrictions on re-export of items which are manufactured with the help of those chips, and the Government of India, according to that news report, is in a mood to submit to American pressure. I would like to know specifically whether any such objection has been made by the US Government in regard to import of chips, and if so, what is the thinking of the Government of India.

SHRI P. V. NARASIMHA RAO: There is no question of submitting to any pressure. We get certain items—those items are subject to certain conditions and restrictions. Either we get them subject to those restrictions or we do not get them at all. It is that simple. In this particular case, the chips, to the extent the chips required for the C-DOT factory are in the controlled list—and this is what I have submitted—if they are in the controlled list, they will be subject to restrictions. It is a matter of actually ascertaining whether they are in the

controlled list. That is where I offered to help the Members and to give the information.

MR. CHAIRMAN: Next question.

*122. [The questioner (Shri Rajni Ranjan Sahu) was absent. For answer vide col. 33-34 infra]

Ticketless passengers

*123. DR. MOHD. HASHIM KIDWAI: Will the Minister of RAILWAYS be pleased to state:

(a) what is the number of ticketless passengers apprehended during the period from October, 1988 to December, 1988 zone-wise; and

(b) what is the number of persons convicted and the amount of fine realised during this period zone-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MAHABIR PRASAD): (a) and (b) A statement is laid on the Table of the Sabha. [See Appendix CL, Annexure No. 42]

DR. MOHD. HASHIM KIDWAI: According to the answer given by the hon. Minister, the number of persons apprehended is 18.38 lakhs, while the number of persons prosecuted is only 45,514 and still the number of persons who have been actually convicted is only 19,802. I want to know as to why this number in respect of prosecution and conviction has been reduced which is even less than 10 per cent in respect of persons prosecuted and jailed.

THE MINISTER OF STATE OF THE MINISTRY OF RAILWAYS (SHRI MADHAVRAO SCINDIA): Sir, the number of railway magistrates appointed by the State Governments is only 112. Therefore, the large number of checks that take place and the apprehending of a large number of people are done by our staff, the railway checking staff. We do not levy a judicial fine but the full tariff is extracted from such people apprehended

along with an excess charge. Therefore, though there may not be a judicial fine and people may not have been prosecuted and sent to jail because of the paucity of railway judicial magistrates, the full tariff is extracted along with an excess charge.

DR. MOHD. HASHIM KIDWAI: Sir, I would like to know whether the remedial measures taken by the Ministry had been successful in preventing ticketless travel or, at least, in reducing the number of ticketless passengers.

SHRI MADHAVRAO SCINDIA: The number of people apprehended has certainly gone up. Therefore, I can say that we have met with a certain degree of success. For instance, in 1985-86, the total number of checks conducted was 3.29 lakhs. This number went up to 4.28 lakhs in 1987-88. The number went up by about a lakh which is a rise of 30 per cent. The number of people apprehended has also gone up from 50 odd lakhs to about 67 lakhs in 1987-88. Therefore, we have certainly met with some success.

SHRI VISHVJIT P. SINGH: Mr. Chairman, Sir, I wrote to the hon. Railway Minister, the predecessor of the present Minister, many years ago, but no action has been taken so far on this issue. I would like to point it out once again. There is an illegal insurance racket functioning in regard to ticketless travel in Bombay in relation to the commuter traffic. I believe, this virus has spread to Delhi also. There are illegal companies which take a specific amount of fee from people who want to travel ticketless. These people travel ticketless and when they are caught, they pay a fine and then they recover the same from the insurance companies. There are vast numbers who travel ticketless. I would like to know from the hon. Minister, what is he doing about these illegal insurance companies which are allowing people to travel ticketless by giving some kind of a guarantee to these people.