

श्रीमती सुषमा स्वराज : हम ने कह दिया था ...(व्यवधान).. 12 बजे शुरू करो और लंच स्किप करो।
...(व्यवधान)...

श्री प्रियरंजन दास मुंशी : देश के हित के लिए दो बजे तक बैठने में कोई हर्ज नहीं है।

श्रीमती सुषमा स्वराज : सर, आज कहा था हम लोगों ने। यह ज़िद क्या है कि यह possible नहीं है?

MR. DEPUTY CHAIRMAN: You see, it is only by agreement... (*Interruptions*)

SHRI PRASANTA CHATTERJEE (West Bengal): Sir, as far as the JIPMER Bill is concerned, we request you not to take it up. ...(*Interruptions*)...

श्री उपसभापति : अब वह तो वहां बोल लिए, how can it be decided here? ...(*Interruptions*)...

SHRI PRIYARANJAN DASMUNSI: It cannot be decided all of a sudden in the course of the debate. ...(*Interruptions*)... I am sorry.

श्री उपसभापति : जो चीज आप वहां बोलना चाहते हैं, यहां बोल लें। .. (व्यवधान).. हम क्या डिस्मिज न करेंगे? ..(व्यवधान).. Now, the debate will conclude today. Now, Shri Mysura Reddy.

SHORT DURATION DISCUSSION—Contd.

Indo—US nuclear deal

SHRI M. V. MYSURA REDDY (Andhra Pradesh): Mr. Deputy Chairman, Sir, my senior colleagues, Shri Yashwant Sinha ji and Shri Sitaram Yechury ji have expressed their objections to the 123 Agreement and the Hyde Act. Sir, I am concurring with their objections, because the time at my disposal is short. Sir, I would like to say one thing — I don't want to repeat all those things — that the 123 Agreement is a fig- leaf to the Hyde Act. Sir, apart from energy, this Agreement will make inroads into our country's Foreign Policy, the sensitive areas of military and the future economy of our country. That is why I am opposing this Agreement, on behalf of my party. Sir, some of our younger colleagues and other Members while expressing their views said that it is a path-breaking Agreement and we have got distinct advantages over China. Sir, it is not true. Sir, during the Cold-War days, the US tried to have some strategic partnership with China. China also, for various reasons, is willing to wound but afraid to strike. But, because of their military and economic strength, they were unable to enter into partnership. Like that, the US also, because of their domestic opposition and because of their allies in that region, were prevented from making forward moves there. Sir, anyhow, after a sea-saw debate in their administrations, they entered into some agreement. Sir, it is not my view. Sir, it is not out of context to quote a paper titling 'The Limits to US - China Strategic Cooperation by Lasater based on Archived Document. It says, "The PRC was placed in export control category 'IV', a category that includes only friendly allied nations. Hence, dual-use technology, which can be applied to civilian or military purposes, now will be sold automatically to Beijing." Sir, it happened in mid-1983, during the Reagan Administration. Sir, even in 1960s also, the US Administration tried for neutralising the Chinese-nuclear capability by dispersing nuclear weapons to US allies and other potential cooperating countries in that region including India also. This is not my view, Sir. This is based on a statement in a Memorandum by Dy. Chief of Staff, Plans & Programmes, US Air Force to the US Air Force Chief, which states, "Encourage Japan, India, Taiwan, and possibly Korea, Pakistan and the Philippines to arm themselves with US offensive nuclear missile system provided through sales or grants." Sir, I have quoted this from the archived document. This was mentioned in Gal Breth's book, it is available in the library. I am not quoting anything extraneous. By seeing this, some of our American friends here are arguing on

behalf of America. Sir, our Gram Pradhan also cannot adopt this predatory tactics. When the entire world knows that India is a responsible nuclear nation, unlike the rogue nations, then why all these conditions and provisions for supplying civil nuclear energy? They can supply it easily. But they are putting all diktats, 'You do this thing, you do not do this thing, you do not support Iran, do not take gas from Iran, take part in naval exercise.....' Some diktat or the other. This is just like a strategic partnership.

I am quoting from Burns, and he says, "It is part and parcel of a new effort to try and elevate India-U.S. relations to a strategic partnership. We are confident that the deal would go forward." It is not my statement, it is Nicholas Burns' statement regarding Indo-U.S. strategic partnership. At this juncture, I want to recapitulate to the memory of our External Affairs Minister the statement regarding the NPT. He said, 'It is a fraud treaty, it is discriminating, it creates haves and have-nots, two groups in this world. That is why we did not sign this treaty, NPT.' Okay, good. Our Father of the Nation envisaged global disarmament and it was supported by Jawaharlal Nehru, which was also supported by Rajiv Gandhi in the Third U.N. Special Session for global disarmament. But what are you doing now? Are you not compromising with the U.S. which is having the nuclear arsenal? Are you fighting for the global nuclear disarmament? No, you are compromising on that.

As in the past, Sir, even today, our neighbours are not friendly. The security environment is the same. Because of the security environment, we are seeing some explosions occurring everyday throughout the length and breadth of country. Even on our Parliament terrorists attacked! Our Home Minister says that we have given money to the States for modernisation of equipments to control this crime, and he would pass on vague intelligence reports and information to the States and he would wash his hands off! Our Defence Minister says that it is not border incursions and that it is a misunderstanding in the border discussions. We lost even the life of our Prime Minister, who was killed in our country by the terrorists. This is the situation all around as far as our neighbours are concerned. When the situation is like this, I want to remind to you, Sir, during 1965 war, it is known to everybody that Russians pressurised to have a ceasefire. Even in 1971 war — it was not known publicly, but known in diplomatic circles — even though there was a treaty, though we were in a commanding position, we were pressurised to stop that war. That is why I am saying, why do we have to depend on our strategic relations with some other countries? We have to have our own self-strategic deterrent. This is what I want to know from the Minister. One thing, which the Minister has mentioned in the other House, is that if we want we can test. Yes, Sir, with the country's supreme importance in mind, we can have the nuclear test. But everybody knows in international treaties either side can cancel the agreement. Once 123 Agreement is cancelled and only Hyde Act remains, then we have to pay the price. So, that is why I am asking and insisting for an assurance from the Minister or the Prime Minister himself that our Nuclear Energy Act will not be silent on our strategic programme and regarding other aspects also. Can you bring an amendment to the Indian Atomic Energy Act? It should be in black and white. It should not be done only by telling. Today somebody will be there; tomorrow you may be there, day after tomorrow somebody else will be there, that is why an amendment should be brought in order to keep our nation secure. Sir, we have seen that naval exercises up to NATO level have been undertaken. China and Pakistan protested against these exercises. Is it not encouraging arms race with China and Pakistan? Sir, I have one thing to say that there was a letter from the Atomic Energy Corporation. It says, "the undersigned is directed to convey the approval of the Government of India for securing a nuclear power station in the following sites." This letter was written in 2005, Sir. In this two plants have

been mentioned at Kudamkulam. Sir, environmental aspect was looked into by the Collector of the Trichy or by the Collector of Tirunelveli. It happened in 2005. When it took place in 2005, without knowing all these things, he has stopped this agreement. If IAEA is the problem or the NSG Agreement is the problem, if IAEA safeguard is the problem, why all these are not seen? Why was this addressed to the Nuclear Corporation in 2005? For all these things you may be saying that we have to see our energy security. Sir, we are having lots of thorium deposits, but because of our sarkari research it has not commercialised its production. *(Time-bell)* Only two minutes. I will conclude. ...*(Interruptions)*... Sir, where is the guarantee that these imported reactors will improve the technology all of a sudden? Our same scientists will be there. Sir, it may be increased to 6 per cent by 2030 which is just a meagre increase. In our energy requirement it is like tail is wagging the dog. That is the situation. The only thing is, who will purchase this atomic power. The cost of a thermal plant is Rs.3.7 crore per MW, for nuclear domestic power it is Rs.8.1 crore per MW, and for an imported nuclear it will be Rs.12 crores per MW. This means that each 1000 MW imported reactor costs Rs.4000 crores extra than the domestic nuclear plant and why to have a petticoat of a waning super country, Sir. Because of this thing, this Rs. 4000 crore is there in every nuclear reactor. There will be some *gol mal*. I don't suspect the integrity of the Prime Minister but there are kickbacks for this junk industry because America and Europe are also declaring their dependence on nuclear energy but we want to increase. Because of these kickbacks, only these people are going for this deal. Lastly, I am opposing this Bill by stating one thing, Nehruvian, socialistic economies were demolished for the sake of economic reforms. My learned friend, my bench mate used to say all these things and for the sake of nuclear energy NAM which is the brain child of Nehru is going to be buried by the hon. Prime Minister under the Congress flag. I am leaving it to be good wisdom of the Congress. Thank you.

SHRI AMBETH RAJAN (Uttar Pradesh): Mr. Deputy Chairman, Sir, on behalf of the Bahujan Samaj Party, I rise to put my views on the Indo-US Nuclear Deal. The Nuclear Agreement between India and the US called as Agreement No. 123 is an important issue because the agreement is connected with the future of our country. In this regard, BSP feels that before finalizing such an important agreement which is going to have far reaching effects, the Central Government should have first taken the public into confidence and removed several doubts arising in their minds regarding this agreement. It is correct that electricity is one of our essential requirements for speeding up the process of development, but I ask whether it would have been wrong to take the leaders of all parties into confidence before finalizing the Indo-US Nuclear Agreement. Besides this, doubts are spreading in peoples' minds that the Indo-US Agreement would deny us freedom in framing our foreign and nuclear policy. These doubts should first be cleared. Our party believes that the entire country should be in agreement on important issues such as national security and integrity. We believe that this is basically the responsibility of the Central Government to ensure that the entire nation agrees and supports the agreement. Furthermore, the opinions of our nuclear scientists regarding this nuclear agreement should be made public. The American officials have said that this nuclear deal is beneficial for America, but they have constantly been linking this agreement with the Iran gas pipeline agreement. The Central Government needs to pay attention to this. The Central Government should ask America that if it is really wanting to strengthen goodwill and friendship with India, then it should first get us a permanent seat in UN with veto powers. In this way, it can win the confidence of the people of India. Our party suggests that the Central Government should take into confidence the leaders of all parties by calling an all party meeting updating them with full details of the

nuclear deal so that all parties may know the true intention of the Central Government behind this nuclear deal and the losses and gains which will be borne by our country. We must also know the future of our Nuclear Programme because we do not want to lose our freedom in our nuclear policy. Furthermore, instead of becoming a part of some strategic military alliance, BSP feels that we should have an independent foreign policy and present ourselves to the world as a model non-aligned nation. With all this in mind, our party believes that if the Congress led UPA Government does not agree with our suggestions, we will be free to choose our own course of action, depending on the situation and circumstances. Our party has already given the right to make all decisions that will be needed to be made in this regard to our party President and Uttar Pradesh Chief Minister, Kumari Mayawati. Thank you.

SHRI D. RAJA (Tamil Nadu): Thank you, Sir.

While initiating the debate on this crucial issue, my colleague from the CPM, had explained the position of the Left. After listening to several speeches, I would like to reiterate certain things on behalf of the CPI as well as the Left.

Sir, we are a democracy. We have a vibrant and sovereign Parliament. It is imperative that the Government takes the Parliament and the people into confidence. The Government takes the political parties into confidence. I could hear some speeches in defence of the deal made by two eminent lawyers. But, I understand, the defence was so weak and they could not defend the deal. But, they raised certain issues which need to be explained. As far as the Left is concerned, on 7th August, we came out with a statement in which we have asked the Government not to proceed further to operationalise the deal. There is no change in the position of the Left. Our position on 123 Agreement remains the same. Having said this, I must make it clear that we have taken the stand based on our own understanding. It is not something from a position some people tried to say that the Left has an obsession of anti-Americanism. It is not so. We oppose the deal from our own understanding and we are not anti-American that way. We have a great respect for the American people. Sir, Walt Whitman is a favourite writer of ours. We all admire the writings of Martine. It is not that anybody oppose for the sake of being Americanism. It is not the position of the Left. Having said that, I must also say, some people referred that we are doing it for China. It is not so. In fact, the US has an agenda. It is open as well as hidden. The US has got a great grand design on Asia. It has been acknowledged by many American scholars and ideologists. The US is striving for a grand design on Asia and the US wants India to be its military ally. Sir, the US wants that India to be a very dependable strategic partner. The US has various objectives for this. That is one reason why the US is more pro-active in getting this deal clinched. In fact, I would like to take a minute to quote what the US Secretary of State, Ms. Condoleezza Rice has said. While appearing before the Senate and the House Committees in April, 2006, she said, "This deal would benefit security by bringing India into the non-proliferation mainstream.

(2) The deal will benefit the US consumers by reducing the pressures on global energy markets, especially carbon-based fuels.

(3) The deal will benefit the environment by reducing carbon emission green house gases..."

The fourth point is the most important thing. This deal will benefit U.S. business interests through sales to India of nuclear reactors, fuel and support services etc. And, fifthly, it goes on to talk about global partnership between India and the U.S. The same thing has been

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confirmed by Mr. Nicholas Burns when he said that this agreement will deepen the strategic partnership, create new opportunities for U.S. business in India, enhance global energy security and reduce India's carbon emissions. I again quote Mr. Nicholas Burns. He said this and it is on record, "It will also send a powerful message to nuclear outlaws such as Iran. If you play by the rules as India has, you will be rewarded. If you do not, you will face sanctions and isolation." This is the grand design of the U.S. on Asia. And, in fact, the U.S. wants India to be on its side, and some people think it is convergence of democracies. Even Mr. Ram Jethmalani was commenting upon it. It is convergence or union of two democracies and India should always align with the U.S. After all, when the democracy initiative was taken, when our Government contributed ten million dollars, if I remember correctly, to the Promotion of Democracy Fund, we did not agree with that. We criticised that. India and the U.S. cannot share the same perspective of economic freedom or political freedom. It is the U.S., which has attacked Iraq. I do not want to get into those details. But, what the U.S. is trying is, it is trying to drag India into this global strategy. That is why, the U.S. wants India to be its military ally. The U.S. wants India to play the role of, say, a kind of Israel in South Asia. The U. S. wants India to be part of a kind of Asian NATO.

I think, the Left was correct, when it decided to oppose the joint Naval exercise which was carried out in the Bay of Bengal along with Australia, Japan, the United States of America and Singapore. It was a joint exercise along with the U.S. military allies. We are not a military ally of the U.S. Why should India join such an ally? This is an important issue. The other issue, definitely, it has some impact on our foreign policy position. I must quote the CMP because the hon. Prime Minister and the External Affairs Minister are present here. It says, "Even as it pursues closer engagement in relations with the USA, the UPA Government will maintain the independence of India's foreign policy position on all regional and global issues. The UPA Government is committed to deepening its ties with Russia and Europe as well." This is what has been said in the CMP. But what happened in reality, I do not know. Iran was prepared for India-Iran-Pakistan gas pipeline. I think, we cannot find fault with Iran for this gas pipeline not coming up. It was, again, Condoleezza Rice, who openly challenged this gas pipeline project. It was an outright interference from the United States of America. Why should India succumb to it? I cannot find any evidence to accuse Iran for this gas pipeline not coming. I find that it has something to do with our understanding of the U.S. ties. Did we come under pressure from the U.S? That is one thing to think over. Not only this, there is the question of Russian reactors. The hon. Prime Minister did intervene in the morning and tried to explain the position. But having said that, I must say that Mr. Ram, who accompanied our Prime Minister, who is the Editor of 'The Hindu', after returning from Russia, wrote explaining the non-deal with Russia. Let me quote: "Is there a linking between backing away, just before Prime Minister Manmohan Singh's Russia visit, from concluding an inter-Governmental Nuclear Agreement with Russia and an apprehension of American displeasure? Has the Government become one-trick pony?" This is what Ram writes. Still, there is an apprehension why that Agreement with Russia did not go through. It is an inter-Governmental Agreement and Russian Government was prepared. Even it could have used it as an argument to deal with the US. Why our Government did not agree to sign that Agreement, I do not know. But, here, during the debate, some people mentioned about China. We have got a better deal in comparison to China and other things. Maybe, I would like to ask them to see the Chinese Agreement also which says the China-US 123 Accord states "the Parties recognise with respect to the observance of this Agreement the principle of international law that provides that a Party may not involve the provisions of its internal law as jurisdiction for its failure to perform the Treaty." This is what the China-US 123

Accord says. I can quote what the Japan-US 123 Agreement says, because there is a misconception that we have gained a great deal in comparison to US-China deal, or, US-Japan deal. It is somewhat misplaced and, moreover, this 123 Agreement has an impact. The Henry Hyde Act is the enabling Act; whether we like it or not. Mr. Nicholas Burns, on record, has made it very clear that the Hyde Act is an enabling legislation for India-US 123 Agreement. Mr. M. K. Narayan went on record to confirm that during negotiations all the requirements of the Hyde Act were taken care of. This is what I want to tell you. Therefore, how can one argue that the Hyde Act has nothing to do with India, we are bound by 123 Agreement only? The Hyde Act has nothing to do with India; 123 Agreement will override everything. I do not agree, or, I am not convinced of that argument. Maybe, in legal terms what others have been saying, whether that convinces them, that is my question, because it does not convince others.

Here, I must raise a few things with regard to energy. It is not that Left is opposed to nuclear energy. We understand the importance of nuclear energy and people talk about clean energy. We raised this issue, that is, Kyoto Agreement. It is the US, which is not signing that Agreement. The other day, our Finance Minister went on record that developed countries are responsible for emissions of all that which causes global warming and developing countries cannot be accused for that. Having said that, I must say India already has nuclear energy. I have a document, which gives worldwide data for world nuclear power reactors, up to May, 2007. It says India has got 17 reactors under operation and we generate 2.6 per cent of nuclear energy, out of the total energy generated. Now, if this Deal goes through, what is the projection? By 2020, India will have 6.8 per cent nuclear energy. It means there will be an increase of 4.2 per cent. For 4.2 per cent, what is the economic cost we are making, or, what is the political cost we are paying? I do not want to go into the figures. It is a well known fact that nuclear energy is the most expensive and India's other sources also can be better option in the Indian context. Hydel power, thermal power, solar energy, wind energy — all these things can be considered. In addition to that, we have developed our own indigenous nuclear technology. I must congratulate our scientists and technicians who have laboured and developed our nuclear technology against sanctions. I congratulate them; but why can't we think of something? A recent argument was that we do not have Uranium deposits and even if we have Uranium, its quality is very low. I do not know what is the scientific proof to show that Indian Uranium is low on quality, or that we do not have enough Uranium deposits. These things can be debated upon, but the option of nuclear energy cannot be treated as the best option. India will have to consider this. Of course, we want India to move towards faster growth. Even the 9.1 per cent growth that we talked of has started declining. Government will have to think of other macro-level economic policies to sustain a faster growth.

Having said this, I must move on to other issues which friends have raised, that is, the nuclear agreement will raise India to the high table of the Nuclear Club, or that we would get away from nuclear apartheid, or that there will be nuclear renaissance, or that there will be nuclear winter all over the world. I don't buy all these arguments because these are all epithets to hoodwink people. I do not know how far these are true. Even in the United States of America, they have not built new nuclear reactors and there has been nothing for the past three decades. They are looking for a big nuclear market in India and that is the major concern for the US behind pushing for this nuclear agreement. That is why, I say that this agreement is not in our interest. We cannot go against this agreement. This agreement is detrimental to our national interest. We cannot become a military ally to the United States of

America. People think that India is a big nation, a big democracy; India cannot be taken for granted; India cannot succumb, and so on. But let us not forget — I do not mean to make comparisons — that even as a big nation, India was under colonial rule. We were ruled by several imperial powers. We were ruled by the British; we were ruled by the Portuguese; we were ruled by the French. India was colonised. We should understand and draw lessons from our own history. That is why, India needs self-reliant development. India needs a self-reliant nuclear policy. India needs a self-reliant economic development. My question is, will this agreement help India to emerge as a stronger nation? With this deal, we cannot think of India emerging as a stronger, prosperous nation. In the name of India, in the name of our nation, I appeal to the Government not to rush through with this agreement and not to do anything in haste. Let the Government take the Parliament into confidence.

The hon. Prime Minister and External Affairs Minister have listened to all the speech made on the floor of this House and I think the majority of opinion is not for the deal. Then, how is this Government going to take this deal into consideration? People talk about *aam admi*. Even we know what *aam admi* thinks and what they are, because we work among the *aam admi*. It is not as if only some people know what is in the minds of the *aam admi* while others do not know. We speak in the name of the nation. It is not that we have some other interests. My colleague, comrade Sitaram Yechury, spoke about Chinese support. Some Congress representative said that China is opposing it. I do not know about it. Let the hon. External Affairs Minister clarify whether China is opposed to India's position. One should not make such comments in the course of a debate. I do not know whether China is really opposing India's efforts or what is happening to Pakistan. But, finally, Sir, I must say that we must keep in mind whatever happens around us — what is happening in Pakistan; what is happening in Nepal; what is happening in Bangladesh; what is happening in Burma, and what is happening in Sri Lanka. We have a democracy. It is a vibrant democracy. We have a Parliament, a sovereign Parliament, a functioning Parliament. Our democracy has taken strong roots. Political parties are responsible and answerable to people. Take the people into confidence; take the Parliament into confidence and take the political parties into confidence. Do not proceed further to operationalise this deal. This is the position of CPI and Left. Thank you, very much.

MR. DEPUTY CHAIRMAN: Shrimati Kanimozhi. This is her maiden speech. Please don't disturb.

SHRIMATI KANIMOZHI (Tamil Nadu): Thank you, hon. Deputy Chairman, Sir. I stand here today with humility and hope — humility for this august institution and hope for the future of this nation, which all of you and our predecessors have nurtured.

I am glad that my maiden speech to this venerated Chamber will help present my party's view on the all-important 123 Agreement.

My party and I firmly believe that the Agreement will benefit India by giving us full access to civilian nuclear technology without us having to sign the Nuclear non-Proliferation Treaty, and lift all the 33 years of unfair sanctions against us and allow us to maintain an independent military nuclear programme.

Some say that this is an unfair deal for India. The US Under Secretary, Nicholas Burns, the most often quoted man, in an interview to the US Press has said that the "United States is not going to suggest a similar deal with any other country in the world. India is an exception."

The New York Times and the Washington Post condemn the US Government for giving us too much. Pakistan has urged for a similar deal. Chinese papers and even American politicians have said that the US is trying to make India into a *de facto* nuclear power.

After all this, one cannot but conclude that the Indian Government and the Prime Minister must have done something good for the nation. Given the complexity and importance of this deal, it is understandable that people have questions and concerns about it, some genuine, some political.

Seeing it in the spirit of nation-building, our party leader, Dr. Kalaignar M. Karunanidhi, believes that the process of reconciling the differences over the 123 Agreement will not and should not unsettle the Government or disturb governance. It is an article of faith with him that if the Indo-US Nuclear Deal is fairly debated and clearly understood, concern will give way to consensus.

Sir, here, I would like to make it clear that our party and our leader have never changed their position. We always supported it. We just wanted to have consensus and we thought that is the most important thing. India, along with China relies so heavily on coal for power. By 2020, China is preparing to produce more than 40,000 MW of electricity in its nuclear power plants.

We too have ambitions to generate 30,000 MW of nuclear power by 2020. But this will not be possible without the 123 Agreement. So, we will need to import nuclear fuel, such as uranium, for decades before our own Fast Breeder Reactor Technology becomes viable. Yes, we should also invest in developing our own thorium-based nuclear technology. But that is a long way away.

Plutonium, retrieved from spent fuel, is believed to be the key to India's energy independence. Plutonium reused with thorium, which is abundant in India, is said to yield 30 times more energy than conventional nuclear plants. But to reach there we have to take our first step.

Apart from strategic and political concerns, there are many environmental concerns too. Our worldwide industrial civilization runs on energy and 85 per cent of the world's energy is provided by the fossil fuels, coal, oil and gas. By burning fossil fuels, we inject 23 billion tonnes of carbon dioxide every year into the atmosphere, that is, 730 tonnes per second.

Sir, some environmentalists believe in the simplicity of solar cells and the pristine elegance of windmills and they refuse to accept the fact that they are quantitatively incapable of supplying the energy required. I do not mean to say that these renewable energies should be excluded; they are useful and have important niche roles to play. But, they can make only a marginal contribution to the growing energy needs.

For example, to replace just one nuclear reactor, such as the new EPR reactor which France is now building in Normandy, with the most modern wind turbines, they would have to be lined up all the way from Italy to Barcelona in Spain, which is about 700 kilometres. And, even so, they generate electricity only when the wind blows.

There is much talk about bio-fuels, like ethanol from sugarcane. The entire ploughable surface of the earth could not produce enough bio-fuel to replace present oil consumption, and it would also result in food crisis. By 2100, oil and natural gas reserves will likely be exhausted. This leaves only coal and nuclear energy. The idea of using more coal, the greatest contributor to global warming, is simply not acceptable. One gram of uranium yields about as much energy as a tonne of coal or oil. Spent fuel can be reprocessed to separate out the 3 per cent of radioactive elements to be vitrified for safe and permanent storage. The remaining 97 per cent can be recovered and recycled.

Another argument against nuclear energy starts with disasters like the Three Mile Island and Chernobyl. Three Mile Island was the worst accident one can imagine. The core of the reactor melted down and much of it fell to the bottom of the reactor vessel. In spite of it, the radioactivity released was almost entirely confined within the reinforced concrete containment structure. As a result, no one was seriously injured. In fact, the Three Mile Island was a real success story for nuclear safety. Chernobyl was different. It had no containment structure. The reactor's faulty design made it unstable. A 600-ton graphite moderator caught fire and burnt for several weeks. Thirty-two people died within a few months, and about 200 more were severely affected and there were reports of many cancer cases. Chernobyl was the perfect example of what not to do with a nuclear reactor. But, in half a century, there have been far fewer fatalities due to civilian nuclear power industry mishaps than coal mine accidents which are common occurrences adding up to about 15,000 per year worldwide. Sometimes, bias is more ideological than factual.

Given how the global nuclear trade has been structured, the 123 Agreement is the only way we can get access to the nuclear technology and resources we need to fulfil our own power plans. Since India is not a signatory to the NPT, we are not part of the Nuclear Suppliers Group. This makes it difficult for us to conduct nuclear trade with the 45 member countries of the NSG. And, because of the sanctions, we are denied dual use technology which can be greatly useful in fields like nano-technology, medicine, information technology and related industries.

At a recent India-France meet on nuclear energy in Mumbai, the French, who were the only Government not to condemn our 1998 nuclear tests, told us that they could not supply us the nuclear technology until we conclude a safeguards agreement with the IAEA and get an okay from the NSG. Even Russia, our closest ally, which was supposed to supply us with four more nuclear reactors for the Koodankulam nuclear power plant in Tamil Nadu, have decided not to proceed with the deal. Russia, under a deal signed in 1985 by the then Prime Minister, Shri Rajiv Gandhi, and the Soviet President, Mikhail Gorbachev, was helping us to put up these plants. However, after the break-up of the USSR, Russia joined the Nuclear Suppliers Group, which bans it from selling civilian nuclear technology to non-signatories of the NPT. The External Affairs Minister, in his statement, and today, the Prime Minister also, has explained clearly that India is waiting because we will have to go with an IAEA specific agreement for the arrangements to be operationalised. This also means that the project will be delayed. The delay means that there is a delay in the Rs. 26,000 crore central investment in Tamil Nadu. Since May 2006, the Tamil Nadu Government has signed MoUs for setting up projects in Tamil Nadu which involves a total investment of Rs. 11,083 crores. This will employ one lakh and twenty five thousand people. In the present situation, an added 1800 mw of energy, which we could have got is being delayed, and, which would have translated into more industries, more power for agriculture, and, more employment. Here, I would like to recall our respected Prime Minister's words from his statement made on 13th September, "This agreement with the United States will open new doors in capitals across the world. It is another step in our journey to regain our due place in the global councils."

Hon'ble Deputy Chairman, Sir, by talking about the energy aspects of the Indo-US nuclear deal, I do not mean to gloss over the fact that the 123 Agreement will move us strategically closer to the United States. The old fears of colonization and western hegemony that have haunted our collective consciousness need to be driven out of mind. We need to develop the confidence and self-assuredness to realise that we are capable of collaborating

closely with any nation without losing our independence in policy or action. Signing an agreement with America does not mean that we endorse everything it does.

Concerns are voiced that any agreement this Government signs with the Nuclear Suppliers Group could come with the rider that India would work towards signing a Fissile Material Cut Off Treaty (FMCT). Since the 123 Agreement gives us the freedom to separate our civilian and military nuclear installations, the deal poses no significant threat to our own strategic nuclear programme.

It is also important to underline, while 123 Agreement has got stuck in the binary of Indo-US ties, the fact that it will open India to trading in nuclear technology with almost any country. Much has been made of the fact that there is a provision in the agreement that the US President could withdraw supplies of nuclear fuel and recall any equipment subject to a one-year notice.

Hence, we would like the Government to assure the Members that it is not committed to buying nuclear technology only from the US. We would also like to know if other members of the NSG could bail out India in the event of any cessation in supplies from the US.

While these details are critical, we must resist allowing it to distract us from larger purpose. The 123 Agreement has not come into being for itself. Its framers from the BJP which initiated nuclear talks with the US to the current Governments in New Delhi and Washington, did see it, and, still see it as an essential part of our development quiver, which means, the upliftment of 300 million people out of poverty, gender and caste discrimination, rural neglect and illiteracy.

Sir, I would like to conclude with the words of our founder leader Anna, spoken in this very esteemed House in November, 1962 on a debate during the Chinese aggression. He said, and, I quote, "I enter the name of the DMK in the roll call of honour that is being now formulated for the safety, for the dignity and future of this country, this nation". Thank you. (Ends)

DR. K. KASTURIRANGAN (Nominated): Mr. Deputy Chairman, Sir, I thank you for this privilege of sharing my own thoughts on this important occasion. Since Independence, this great nation of ours has witnessed several path-breaking, dramatic and historic events. They represent the basic foundations of our system, symbolised throughout the working of the democratic process on which India has been built. They have nurtured, shaped and moulded many of free India's greatest achievements and are in a way responsible for the emergence of our country as a major player in the global arena. I see the consequences of this deal in the years to come in this perspective. More than two years have passed since the July 18, 2005 Joint Statement of Prime Minister Dr. Manmohan Singh and President Bush that transformed the Vajpayee-Bush statement of 2001 into tangible objectives of cooperation in the field of nuclear energy. This period has witnessed major debates, both in India as well as in the US, about the merits and demerits of the various arrangements that need to be brought into operation to make cooperation possible. Many concerns have been expressed by the political, strategic and scientific communities in India. I, particularly, recall the historic debate in this august House on 17th August, 2006, where many hon. Members raised several areas of concern. I vividly recall some of the thoughtful points, nine points if I remember correctly, raised by hon. Shri Sitaram Yechury. My own assessment, which I presented to this august House in favour of this deal, has not undergone much change after two years. Our hon. Prime Minister, at that time, assured the House that the areas of concern would be satisfactorily dealt with in the further negotiations. These have significantly

helped our negotiations in getting a better Agreement. In my considered view, the final form of the text of 123 Agreement makes it clear that various commitments made by the Prime Minister to Parliament, on several occasions, over the last two years, have been fully met.

Mr. Deputy Chairman, Sir, let us now address some of the concerns specifically in the context of the agreed text. Of course, there has been fairly elaborate discussion on this by earlier very illustrious speakers. So, I will only just touch three important points, which have been often raised as major areas of concerns. One of the major concerns is related to India's right to conduct further nuclear weapon tests. These issues are largely covered by article 13 and 14, which deals with "consultations" and "termination and Cessation of Cooperation" respectively. To enable us to get an idea of the efficacy of these provisions, several nuclear weapons testing scenarios can be envisioned that could potentially disrupt the Agreement. By carrying out such an exercise, it is evident that under all such scenarios, there is no possibility of the US actions that would disrupt civil nuclear power generation in this country. Through a set of interlocking and inter-related provisions reflected in articles 13 and 14 of the agreed text, it would appear that it is extremely difficult for the US to take back the equipment and materials that it would have supplied to India. In any case, there is also a provision that they have to pay a very high economic cost and also environmental consequences.

I may also use this opportunity to recall the observations of Dr. R. Chidambaram, at the end of the Pokhran-II test about an assessment of the outcome of the test and, particularly, emphasising the fact that for immediate objectives of weaponisation, the kind of refinements that are needed and the kind of database that is needed, they have been achieved through these tests and in the foreseeable future, further tests may not be necessary. And also, further refinement of the data and going for improved weaponisation is still possible through laboratory simulations for which we have the necessary capability. We should keep this in mind because that gives us the perspective with respect to the immediate needs of these kinds of tests. But, having said that and granting that such a test becomes necessary in future, the resultant implications will be considerably influenced by our own progress on the indigenous front, investments in the field of nuclear energy from other countries, stakes on good relations in the overall context between India and the US and, ultimately, our own economic growth and clout. For different epochs, that is, at different points in time, may be five years later or ten years later or fifteen years later, when we are forced to conduct a test for reasons beyond our control and when the deal becomes operational, the impact of a possible termination of this Agreement can be modelled with reasonable realism and strategy for minimizing the same can be evolved. It is not that it will be blind alley and then we face the consequences. Certainly, this is an exercise, that is a mandatory thing and I am sure that this will be carried out by the Government.

Fourthly, in my considered view, the type of exposure and experience we derive and the progress we make in the programme by operationalising this deal, and which provides unique opportunity to deal with several countries, including the United States, will equip us to face future sanctions far better than if the deal is not in place.

After all, if you are going to explode a nuclear device, you are going to face sanctions whether we have this deal or not. Probably interacting with 45 countries of the Nuclear Suppliers Group, dealing with the United States, and the International Atomic Energy Agency, I think it will be a totally different way in which we can perceive the consequences and probably would have been very well equipped in terms of how to deal with those sanctions at that point in time because of this particular deal. So there is a positive aspect of the whole thing.

The other major concern has to do with India's right to reprocess the spent fuel. This issue is addressed in Article 6 of the Agreed Text that deals with "Nuclear Fuel Cycle Activities." Under Article 6(iii), it is stated and that I quote, "The parties grant each other consent to reprocess or otherwise alter in form or content nuclear material transferred pursuant to this Agreement." This means, in effect, that India has the right to reprocess spent fuel acquired through the implementation of the 123 Agreement. This provision also makes it clear that the consultations on the arrangements and procedures between the two sides should be concluded within a year of any party making a request for reprocessing the spent fuel. There is, therefore, no doubt that India's concerns with respect to reprocessing rights have been protected under the Agreement.

This also brings me to the question of India's access to reprocessing, enrichment or heavy water technologies. Article 5.2 says, an amendment is needed to allow such transfers. In my view, an early kind of an agreement, which this is, would certainly be watched by both the parties with respect to how it evolves. And as the evolution takes place, which is satisfying to both the sides and which is not very unusual, these kinds of requirements which are from one party could always be met by other party sympathetically. This is something which is not unusual. Many other deals, which we have had experience with, certainly had these kinds of developments in the subsequent phases of the modification of the deal to our advantage. So, this is something which one can certainly keep in mind.

The 123 Agreement also provides for guaranteed and assured fuel supplies for the various reactors that would be set up after the deal comes into effect. Article 5.6 (a-c) deals with how such guarantees would be provided. Apart from direct U.S. involvement in this process, the Agreement specifically provides for an arrangement through the International Atomic Energy Agency, and I quote, "To guard against withdrawal of safeguarded nuclear material from civilian use at any time as well as providing for corrective measures that India may take to ensure uninterrupted operation of its civilian nuclear reactors in the events of disruption of foreign fuel supplies." Therefore, there are multiple layers of protection that have been built into this text in terms of a situation where the disruption of fuel could take place.

Having said all this, one should also recognise that a deal of this kind is always bound to be the best compromise, that is acceptable, practicable and above all giving due consideration to the internal compulsions of both the parties. Considering that it cannot be therefore perfect, the question one can ask is whether this is the best possible under the circumstances. Taking into account the various concerns expressed from our side and the way the same has been dealt with in this deal, I can say with good confidence that it is so. The operationalisation of this deal from our side will certainly pose challenges, and calls for careful and clever crafting of strategies both in planning and implementation. The process itself is expected to be highly dynamic.

Let us look at the rationale for the deal. The last few years have seen India's economy grow at the rate of 8-9 per cent. This GDP growth, of course, has to be sustained with significant enhancement in the country's energy production. Fossil fuel and hydro-electric power, which have been the main pillars of production of electricity in the country, will no doubt continue to play its significant role. Both these routes, however, do have some kinds of problems associated with them. Global warming appears to be a major environmental concern for all countries. And India being a major responsible country cannot afford to overlook this. Global warming can also significantly disrupt the hydrological cycle, and the implications of disrupting the hydrological cycle could also impact in terms of hydro-

electric power generation. These considerations would dictate that a nuclear option is critical for meeting India's burgeoning power requirements. For nuclear power to be a major option for meeting future energy needs, its share in the energy mix should go up significantly from the present 2.6 per cent.

With the current availability of the uranium in the country, it appears unlikely that India would be able to produce more than 10,000 MW through the nuclear route. This is hardly adequate for nuclear power to be significant option for meeting future energy needs. By easing the uranium shortage in the country, the 123 Agreement also ensures that more power can be extracted out of the currently operating reactors.

The current largest indigenous reactor has a capacity of 540 MW. According to the Department of Atomic Energy, this can be scaled up to something like 740 MW. Nuclear plants have a high fixed cost and low operating cost and also have significant economies of scale. Larger size plants would, therefore, produce electricity more cheaply and increase the competitiveness of nuclear electricity with respect to the other sources of power. Larger size reactors of 1000 MW to 1600 MW are available today both in Russia and France, and this could be imported under the 123 Agreement with respect to the Nuclear Suppliers Group. Partnerships between Indian private and public limited companies with those from other countries would also bring in much needed investments into this sector. That the technology acquisition and upgradation is not only in the nuclear establishment, but also in industry, is an important factor. Import in the initial period, followed by indigenisation and vendor development is also possible within the country. Further, Space and Atomic Energy departments use today industries for materials, manufacturing, testing, assembly quality/reliability etc. and this will all be subjected to major upgradation by increased activity in the nuclear field, particularly in the manufacture of nuclear power plant. In a sense, therefore, 20,000 MW to 30,000 MW, or even 40,000 MW becomes realistic only if we have options of import of 1000 to 1600 MW reactor. I may use this opportunity to add that as was mentioned by the hon. Member, Dr. Abhishek Manu Singhvi, China is planning by 2050 150,000 MWs addition through the nuclear power. I may also mention that the United States is taking fresh initiatives to open up their reactor industry primarily to meet some of their requirements internally, and they are likely to establish several reactors running into thousands of MW in the coming years. This is changed policy that they have taken considering the fact that the fossil fuel and the associated environmental impact have also to be answered by that country. In my view, even though we do not have an energy-mix policy and a correct assessment of what is the correct energy mix that is applicable to this country, in the context of several presentations that I have had the fortune to hear, it is quite clear that at least, 10 to 15 per cent could be a realistic component of the nuclear energy in an overall mix for the country by something like 2020. Equally importantly, more than merely being a bilateral Agreement, I should mention that we have to deal with 45 countries, the Nuclear Suppliers Group, and they hold the key to the supply of fuel. I would use this opportunity to digress a little after having had some discussions with my senior colleagues in the Atomic Energy Establishment to what exactly this could provide as an opportunity to the Department of Atomic Energy more than what I have said here. First, of course, they say that it would immediately improve and make it faster to build reactors, and with the increased capacity in the next two to three decades which is very critical if you have to meet 10 to 15 per cent energy mix in the overall context. The second is that we can induct for the first time a 1500 MW plus kind of reactors through international cooperation. This is just not possible today to be built in this country. There are the questions of pressure vessels and many

other things which have to be met. The third question is, certainly, these are available today in France and Russia, and in fact, there are interesting announcements from Russia that a pressurized water reactor may be available at 1500 MW. These are all interesting futuristic technologies on which we are yet to take much initiative. These become available to us because initially you can buy some of these reactors and you can also have technology transfer regime, and ultimately the industry in this country can take over. This will not only be a substantial addition to the nuclear power capacity for the country, but also an upgradation of the related technology, which will have implications not only in the nuclear area but also in many other areas. The pressurised water technologies are important to us. Currently, we have only the pressurised heavy water reactors. The whole idea of the Department of Atomic Energy is to keep both these kinds of projects, pressurised water reactor and pressurised heavy water reactor, parallelly going for some time to come. It is here importing and indigenisation becomes an important thing.

Another thing that is not much often said but the Atomic Energy Department considers as very critical is the question of uranium enrichment and the availability under the NSG agreement, as and when we do that, of importing the yellow cake of uranium. This is an important input to both pressurised heavy water reactors and pressurised water reactors. What is significant in this connection is that it will give us an opportunity in terms of fuel availability from abroad, which will make the energy requirement to grow at the rate of something like 1,000-2,000 megawatts per year, and this is without any kind of product being brought from outside. Here is a very unique opportunity of getting the yellow cake of uranium, using it as a fuel and then increasing the rate of production of power with our own reactor capabilities.

Now, what is the other kind of things that we can think of coming out of this? One interesting point that was made is that we have the pressurised heavy water reactor capabilities which are of the 500-600 domain. There are several countries across the world which have shown interest in this level of reactor technology and the ability of India to supply this kind of reactor for their requirements. These are smaller countries which have this kind of reactor capacity needs. Today, we are unable to export them simply because of the fact that unless we have the agreement with the NSG, as well as, other arrangements, we don't have the necessary mandate to do trade in this particular area. This is one of the important things that will open up. There are, of course, countries like Canada which has shown tremendous interest in our operational capability and replacement of various components. We have got highly robotised systems which have been developed in the Department of Atomic Energy. These are all things in which interest is being shown by advanced countries like Canada, and ultimately, of course, we have a lead role in the pressurised heavy reactor technology. The fast breeder reactor technology is not easy. Even now we still use a certain type of metal oxide. We need to go in for the metal as a fuel. There are technological implications for this. The importance of working with the United States and other countries in the context of this deal certainly will upgrade not only the technology that we will come to possess but also the critical knowledge that we need in the context of improving our own fast breeder reactor technology and the futuristic third phase which uses uranium 233, the thorium route. This is the critical, important aspect of what would happen with all these kinds of arrangements that are being done.

Sir, I should say a few words about the Department of Atomic Energy itself. They worked over the last 50 years under some of the most stringent sanctions any institution in the world has faced. In the process, today, they are a major power house of technologies; in

several advanced technologies not only in the overall reactor building, commissioning and operationalising, but also in areas like materials, radiation detectors, nuclear fuel technologies, robotics, special processor systems and so on and so forth, it has become certainly an envy of the world. So, these kinds of things certainly have been a product of internal persistent pursuit of high technology with a high level of dedication. I believe, when they express their principled and thoughtful concerns, they were certainly based on the fact that they had gone through a certain process of experience not only in dealing with technological challenges within the country but also in dealing with sanctions which were imposed on them for a long period of time when much of these developments took place. Certainly these scientists deserve all the kudos from us for bringing this technology to this level where the world is watching us with a lot of interest and we are in a position to cooperate on an equal partner basis. There is no question of junior-senior partner today in this kind of an area.

There is a need for three phase nuclear cycle. Certainly, we need to maintain it. We need to support it because that is going to be the ultimate route. India has one-third of the total thorium deposits of the world. Obviously, that will be a major area which needs to be supported. But this is not going to be a simple path. Even though we have schedules for meeting the third phase also, advance heavy water reactors and things of that kind, certainly, it has its own timeframe. So, what is needed currently is to enhance the resources both financial and human and also to create infrastructure, a world-class infrastructure, so that we have an expeditious completion of the three phase programme in the coming decades. I personally feel that the technological link up that we may have with the United States through this agreement and also with other countries, will have its own implications in speeding up even our three phase programme. Even though it is kept outside the overall thing, certainly, it is going to have.

There are a few complementary things which we need to take up.

One is, of course, the agreement with NSG and IAEA which everybody knows. We need to have an expansion in a big way. Obviously, there is need for a major trained manpower. Currently, the level of education in nuclear science and technology, in various universities and other educational institutions and the level of R&D that is going on outside the atomic energy establishment, is of a very limited nature. Obviously, there is a major strengthening that is called for in these programmes as we are trying to produce these kinds of reactors within the country and also have a cooperative arrangement. But what is significant is, if we can carry this imaginatively, this can even transform India into a lead centre for nuclear research in the world. International cooperation in science and technology has always served to enrich and accelerate indigenous efforts. In our opinion, no country will let go an opportunity to collaborate or cooperate with another country which has got superior capability or capabilities. The United States with its rich manpower resources, extensive and sophisticated infrastructure, and vibrant programmes has always been a leader in many areas of science and technology. There is no doubt that the present agreement could lead to several beneficial effects to our own progress. This is fully borne out by my own experience in Space. When we bought the INSAT system from the United States, the first generation, we had all the inputs to build the second generation. Today, India operates one of the largest domestic communication satellite systems in the world. One can see the impact of this kind of collaboration in terms of technological know-how and the ability to go with confidence on the future generation system. The same thing is applicable when you talk of remote sensing system on which India has now a pre-eminent leadership. If you look at all these things, obviously, any arrangement which allows us a linkage with the country of the

type of the United States, it makes quite a lot of difference in terms of our ability to pick up several new ideas. In fact, our engineers do not need drawings, books and things of that kind. Good ideas coming through interaction itself can make a lot of difference in the way in which we make progress in our country. I think this is something which is not appreciated because it has to be felt and experienced and many of us in Space have experienced this kind of a thing, by not only working with the United States, but with countries like Europe and Russia.

There is no doubt that the US has been behind many problems faced by the Indian Atomic Energy Programme. This does raise a number of issues as to whether India can trust the United States and expect it to behave as a considerate and responsible partner. As a consequence to these Indian perceptions of the US intentions, the country has witnessed heated and passionate debates between the supporters and opponents of the nuclear deal. The history of our dealing with the United States on nuclear issues has also not been particularly reassuring to people who have dealt with a variety of sanctions imposed on Indian scientific and technological establishments. I myself have experienced in the Department of Space several types of sanctions. But, every time, we had a strategy, and, at the same time, we also had relations with the US which circumvented the sanctions. This is a very interesting part of working with that country. In addition to this history of mistrust and misperceptions, nuclear issues are inherently more complex to deal with since they have strategic, economic, technological and political overtones.

These factors should, however, not blind us to the fact that we are living in an increasingly fast changing and inter-dependent world where national interests are also changing in a dynamic way. Over the last 15 years or so, India is also becoming a global power with interests that are no longer confined to our immediate neighbourhood. The continued economic growth also requires a major re-thinking and reassessment of our regional and global priorities. In this changing context, it is necessary that India engages with all major powers including the dominant one, the United States. To run away from such a situation on grounds such as 'the U.S. is an untrustworthy partner' or, 'the U.S. will use its dominant position to derail India's emergence as a global power' indicates an attitude that is not in keeping with a country that aspires to become a global power in the near future. India has to learn to deal with and negotiate with countries such as the United States. The nuclear deal may be the first venture of this kind in the long journey that India will have to undertake as it strives to become a major power of the twenty-first century. Therefore, rather than running away from it, India should seize this opportunity and leverage it for serving its national interest. Development is based on a multidimensional strategy that encompasses several endeavours contributing to the economic growth, social progress and strategic capability. Deals such as this have a crucial role to play in such a strategy. It adds to the countries' strength in several areas, including security. This, in turn, contributes to the country's ability to act independently in dealing with national and international issues, the very essence of the debate that we have been having so far.

The Prime Minister and his negotiating team, including Dr. Anil Kakodkar, must be complimented for their efforts in finalising this Agreement. In my mind, this is truly a major breakthrough in the Indo-U.S. relations. I also believe that this Agreement will have spill-over effects into other high technology domains, and will be the harbinger of a longer lasting and more trustworthy relationship with the United States. This kind of Agreement with the U.S. will also set the trend for similar agreements and relationships with other dominant powers in the world and transform India into a truly global power.

I conclude with a quotation from the speech of Mahatma Gandhi. I quote: "I don't want my house to be walled on all sides and my windows to be stuffed. I want the cultures of all the lands blown around my house as freely as possible. But I refuse to be blown off my feet by any." Sir, I whole-heartedly support this Bill.

SHRIMATI SUPRIYA SULE (Maharashtra): Sir, I stand before this august house to put forward my party's views, support on the 123 Nuclear Agreement, being negotiated and deliberated, as we debate the same. India today, is on the threshold of achieving greatness as an economic power in the world, when the growth rate is between eight to nine per cent. Comprehensive Agreements, like this, will aid us in this development, while at the same time allowing us to maintain our sovereignty as a nation.

Regarding power generation, enough has been said before. But I would just like to highlight one point that the Government is totally committed to developing indigenous capabilities and technologies to expand the power-generating capacity of our country. The climate change and rising carbon emissions have compelled all of us to look into other avenues and look for environmentally sustainable source of energy, nuclear being one of the major options. The 123 Agreement will open the doors to international civilian nuclear commerce for India. It will not only allow us to source Uranium supplies which are essential for nuclear development, in turn, it will also add additional capacity to meet our short and medium term power requirements through the import of foreign light water reactors.

Historically, our nation has been isolated in the nuclear arena. Time has come; we need to emerge from this isolation and become a part of the mainstream nuclear domain. As Dr. Kasturi Rangan spoke before me, he has talked about all the developed advanced technologies. Time has come where we show to the world the capabilities of the full spectrum of the nuclear fuel cycle activities, which our scientists have achieved. At the same time, we would be free from the arbitrary decisions that were imposed by the NPT and other policies of the Non-proliferation arena. It is pertinent to point out that the international civil nuclear cooperation is only going to enhance our existing indigenous programmes which we are very proud of. It will not only achieve our long-term objectives of energy sustainability but it will also secure and harness our vast Thorium resources through rapid growth of our indigenous programme.

[THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI) in the Chair.]

Sir, it is pertinent to go through in brief, the key areas of concern that have been put forth by all the people who have serious concerns on our voting against this deal. The apprehensions are about the protections in the 123 Agreement. There are four points which everybody has discussed so far which are non-interference, fuel supply, termination and safeguards. Sir, I would like to highlight them in short.

The first is non-interference and there are serious concerns about it. Sir, there is a provision in the preamble which clearly indicates that the level of cooperation between India and the United States would be on the basis of, and I quote, "mutual respect for sovereignty, non-interference in each other's internal affairs, equality, mutual benefit, reciprocity and due respect for each other's nuclear programmes". Similarly, Article 2.4 states, and I quote, "the purpose of the agreement is to provide for peaceful nuclear cooperation and not to affect the un-safeguarded nuclear activities of either Party. This agreement shall be implemented in a manner so as to not hinder or otherwise interfere with any other activities involving the use of nuclear material, non-nuclear material, equipment, components, information or technology and military nuclear facilities, produced, acquired

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or developed by them independent of this agreement for their own purposes". Article 12 also explicitly provides that the agreement shall be implemented in a manner as to "avoid hampering or delaying the nuclear activities in the territory of either party, to avoid interference in such activities, to take into account the long-term requirement of the nuclear energy programmes of the parties" and also stipulates that provisions of this agreement shall not be used "to interfere with the nuclear policy or programmes for promotion or peaceful uses of nuclear energy including R&D". Sir, this shows that the Government has taken adequate precaution so see to it that there is no interference in whether it is our civil or nuclear energy programme or research and development or any of our internal matters and in maintaining our sovereignty as a nation.

Sir, secondly, the apprehensions are about fuel supplies. Sir, for us to seek fuel supplies for our indigenous reactors, we need to place our reactors under IAEA safeguards. There are Articles 4 and 5.6. But I shall not get into the details as many of the earlier speakers have mentioned. But I would just like to quote one part of it which reflects that this provision is very crucial. I quote, "the US will create the necessary conditions for India to have assured full access to fuel for its reactors and obtain full access to the international fuel market including reliable uninterrupted continued access of fuel supplies from several nations". It also provides for "US support to an Indian effort to develop a strategic reserve of nuclear fuel to guard against any disruption of supplies over a life-time of India's reactors". Despite these arrangements, Article 5.6 further provides, "The US and India would jointly convene a group of friendly supplier countries including Russia, France, UK to pursue such measures that would restore fuel supplies to India".

Sir, the other doubts are regarding termination and right of return. There are a lot of worries about what happens to the nuclear agreement and the components, which is totally covered in Article 14 which says, "India and US are States with advanced nuclear technology which have agreed to assume the same responsibilities and practices and acquire the same benefits and advantages as other leading countries with advanced nuclear technologies". Further Article 14 provides that "the Parties shall consider relevant circumstances". Sir, this would only come up if there is a changed security environment which could affect the national security of either of the nations. This is in regard to the violation of the material which is defined by the Vienna Convention and this level would be when the IAEA board would come into the picture and would really play the role of an arbitrator and see if non-compliance has really taken place. Even after this, if there is complete failure, importance will definitely be given to the uninterrupted operation of the nuclear reactors of both the parties. Even further, there is taken into account the negative consequences of termination on the on-going projects and contracts. At the same time, we will ensure that we are compensated at fair market value and cost incurred, if termination occurs at any level.

Lastly, Sir, on safeguards, it is pertinent to say that safeguards are undertaken under the aegis of the IAEA. We have, fortunately, had very healthy relationship with the IAEA, and we have many reactors which are already under the IAEA safeguards. In article 5.6, there is the guideline of continuous supply of fuel, which I have mentioned earlier, and it is negotiated with the India-specific safeguards with the IAEA. I would like to quote here, "Providing for safeguards to guard against withdrawal of safeguards for nuclear material for civilian use at any time as well as providing for correcting measures that India may take to ensure

uninterrupted operation of its civilian nuclear reactors in the event of disruption of foreign fuel supplies. Taking this into account, India will place the civilian nuclear facilities under India-specific safeguards in perpetuity and negotiate an appropriate safeguards agreement to this end with the IAEA." It is only if "the IAEA decides the application of the IAEA safeguards is no longer possible, will the supplier and the recipient consult and agree on an appropriate verification measures."

Sir, all deals, treaties and agreements of such immense importance always carry a certain degree of challenge. But, at the same time, they always have great benefits and rewards. The Government has done all it can to make sure that the sovereignty of this nation is protected and that both the nations benefit from this.

Sir, the last point I would like to make is this. It is only with the element of trust that the Agreement has been negotiated with the US under the laws, and it is the same trust that makes us believe that it will be implemented in good faith. The provisions of this have clearly been made in article 16 of the Agreement, which brings out the reaction between the domestic and international laws, which Dr. Abhishek Singhvi has clearly explained. Sir, I think the time has come where we appreciate Dr. Kasturirangan as a scientist, who really knows about it. They have all given their lives. Starting from Dr. Homi Bhabha right up to Dr. Kakodkar, they have always looked for an independent nuclear policy for our country. When it comes to the question of strategic weapons programme, issues of further testing, we must go by the judgment of our renowned scientists who have given their lives and commitments to all our nuclear issues. Dr. Kakodkar has shown great satisfaction in this deal. Sir, under the stewardship of our Prime Minister and Shri Mukherjee, we have laid the foundation stone of this great Agreement. It is not only about energy that we are talking about. This Agreement has many other benefits. About eight of them which I have highlighted are; biological research, medicines, agriculture, industry, environment, climate change, fusion technology and bilateral-multilateral programmes. Research and Development provides enormous opportunities to our entire scientific community which has been deprived of exchanging ideas with other nations. So, I thank the Government for negotiating this deal. I think generations ahead are going to thank them for taking the lead in this field. As the hon. Prime Minister rightly said in his speech, history will decide and let it be. Sir, generations will be grateful for all the initiatives that this Government has taken. Sir, the Nationalist Congress Party is totally committed and support this deal wholeheartedly. Thank you, Sir.

SHRIMATI SHOBHANA BHARTIA (Nominated): Sir, the Civil-Nuclear Deal cannot be held hostage at the altar of partisan politics. Sir, I think, it is time to take a step back and review the deal purely from the objective point of view of the interests of India. Sir, I am convinced that when it comes to the interests of our nation, there are no issues that cannot be resolved through a process of discussion and debate. Sir, it is strange...(Interruptions)...

SHRI PRIYARANJAN DASMUNSI: Sir, the sense of the women in Parliament is in favour of the deal. ...(Interruptions)...

SHRI SHAHID SIDDIQUI: You thank the women for this. ...(Interruptions)...

SHRIMATI SHOBHANA BHARTIA: Sir, it is strange that our nuclear energy options are being sought to be closed under the bogie of a strategic compromise by some of our colleagues. Sir, it is no secret that the BJP is the parent of the current Civil-Nuclear Deal. The stakes are very high for India and our standing abroad, and we cannot afford to waste all the efforts that have gone into this deal since 2005. We cannot fritter away these gains, Sir, and lose the standing that we have achieved in the international community. How can we

meaningfully engage with the IAEA or the NSG when we are a divided house at home? Surely, my colleagues know that such conducive circumstances, like what currently prevail, may or may not come our way over the next few months or the next few years. A supportive American administration and on-board IAEA leadership and the tremendous momentum generated by our diplomacy make it extremely relevant and a very nice period for us to try and achieve this initiative at this point.

More importantly, Sir, we have to make it abundantly clear to the rest of the world that India's foreign policy is not going to change just because of a single nuclear deal with the U.S. In my view, the draft 123 agreement will bury the ghost of Tarapore once and for all. Tarapore has haunted us since 1974 but, I think, this deal will ensure uninterrupted access to nuclear technology, nuclear fuel and, more importantly, the right to reprocess spent fuel.

Sir, with this agreement, we have also sought to ensure that the U.S. would support us in helping us build a strategic reserve of fuel and also help us negotiate with the IAEA, an India-specific agreement. This deal, Sir, will also help us solve the enriched uranium shortage which has already plagued our power plants for the past many decades. India, which has successfully completed the full nuclear cycle, was quite adamant, Sir, that we were not going to have a deal without the right to reprocess. We have been reprocessing spent fuel for many, many years. So, significantly, this right to reprocess has been granted to us right upfront in the agreement. And such a right has not even been granted to China with whom the U.S. entered into a bilateral agreement in 1985.

Sir, the preamble to the agreement also makes it abundantly clear that this is an agreement entered into between two equal nations and the text of the agreement says, "U.S. and India are venturing into the field of civil nuclear cooperation on the basis of mutual respect for sovereignty, non-interference in each other's internal affairs, equality, mutual benefit and reciprocity and with due respect for each other's nuclear programmes." This should blunt any criticism that this deal is between two non-equal States. The draft of the agreement clearly brings out that they are entering into this on the basis of respect for each other. This is, Sir, also contrary to what some Members have been saying that India has been reduced to a 'junior partner'.

Sir, we have also ensured that we will not go beyond the voluntary commitment made in May 1998 that we will not test a nuclear device again. In spite of considerable pressure, New Delhi, has not given in to the U.S. demand to sign any bilateral agreement on this front. India's strategic autonomy has been more than preserved by the Prime Minister and his very able team of negotiators. The fact is, Sir, whilst the cost of a test will be very high, the right to test, in principle, remains unfettered.

In fact, Sir, it was the BJP-led NDA Government which wanted to turn India's *de facto* moratorium on nuclear testing into a *de jure* one. One only needs to look at what Prime Minister Vajpayee said in the U.N. Assembly and I do not want to repeat the quote because it has been repeated often enough. At that time, the BJP did not think in terms of a discussion in Parliament; there was no sense of the House; it was executive feat all the way. Today, the party has adopted altogether different standards forgetting conveniently what the Prime Minister or rather our Prime Minister told the U.N. then. Not only was the BJP willing to forgo any further tests, but they were ready to sign the CTBT, Sir, which all previous Governments had steadfastly refused to do. If the U.S. Senate had ratified the CTBT in 1999, India would have become party to CTBT and the right to test would have become history. Sir, there is also no reason to believe that the concerns of the Department of Atomic Energy

have not been fully addressed. Senior people from the Department of Atomic Energy were present throughout the discussions and according to media reports, two of their key demands were met, — the right to reprocess and assurance of fuel supply. In another major gain, India has also ensured that the US would consider the attenuating circumstances in the event of it being forced to conduct a nuclear test. Very cleverly skirting the issue of referring to a Indian nuclear test, the draft says that they will take into account and I quote: “They will agree to consider carefully the circumstance that may lead to termination or cessation of cooperation under this agreement.” What does this allude to? This alludes to a possible test by India in reaction to a changed security environment, in reaction to a test by China or by Pakistan. Under such circumstances, the US will take into account the changed security environment before taking any action. We have also obtained a year’s time between the notice and the actual termination of the agreement, which in the first instance will be valid for a period of 40 years. Multi-layer consultations will take place before any decision is taken, and, then, if we are to return the equipment, a fair market value would be paid to us, and the compensation would come to us in the form of cash. This also, Sir, need to allay the fears that all the commitments are only on the side of India because the US will have to pay us the cash compensation in the eventuality that they want a return of their equipment. What is important to understand, Sir, is that the Hyde Act is divided into the binding and non-binding sections. A lot of the fluff arising out of the US domestic politics finds its way in the non-binding section, which is not enforceable and cannot become law. Almost all the parts that most of our colleagues are referring to are mentioned in the non-binding sections. Quite apart from this, it is quite sad and quite alarming to see the complete lack of confidence, not just in this Government but in future Governments also if we believe that we are going to allow the Act to be interpreted only to meet the requirements of the Hyde Act. Under the international law, Sir, a nation cannot invoke a domestic law to wriggle out of a treaty obligation. Thus for India the operating document is the 123 and not the Hyde Act itself. Also as my colleague Abhishek Singhvi said, the last expression or the last treaty is the one that prevails. Of course, we could have got more, Sir, — more sourcing, more reprocessing, more enrichment, but then no agreement is perfect. It is give and take in a given situation. Sir, in a world that is becoming increasingly fearful of the impact of carbon emission led global warming, nuclear energy is once again being seen as a very viable option. The IAEA said, Sir, there are 437 reactors today which are operating over 30 countries supplying about 15 per cent of world’s energy. Reflecting on the changing pattern, they mentioned that out of the 30 reactors that have now been ordered, 16 are going to come up in developing nations with a focus squarely on Asia. Sir, if India wants to remain part of the Asian growth story, we cannot remain a power hungry nation. We have to ensure the use of nuclear power in our energy mix and for this our long winter of nuclear apartheid must end. At the end of the day, Sir, our Government has negotiated a good deal for us. We now need to take the next step like negotiating for India Specific IAEA Agreement and negotiating with the NSG so that this promise of civil nuclear cooperation can turn into a reality. We have already delayed the next step and put in peril what is clearly a very good deal for us. But the time now is to bury our differences and put up a united face to the world, at least, on key issues like foreign policy. If this deal goes through, Sir, in one stroke it could put us on par with China, if it does not, then nobody will be happier than Pakistan and China. I urge my colleagues to come together as this is something, which our future generation will thank us for. Thank you, Sir.

SHRI ARUN SHOURIE : Sir, many points have been made and there have been moments of excitement also. I will deal, Sir, with specific myths by which this Agreement is being

peddled. I have had the benefit of listening to many persons but I also have had the benefit of attending the briefing, which the Prime Minister organised at which all these good people who have been cited here, including Dr. Kakodkar, were present and they briefed us and I have had subsequently the benefit of a two-hour briefing and tutorial by Dr. Kakodkar himself. Dr. Kasturirangan knows well the evolution of Dr. Kakodkar's views on these matters. I don't want to use another word because you will then start asking me to prove what he told me in private. Private means that he was obviously sent by the Government. He took two hours of his time and if, I quote certain sentences of his, my dear friend Shobhna would be alarmed. I don't want to do that.

SHRI KAPIL SIBAL: It is not fair.

SHRI ARUN SHOURIE: That is right. But you people are all invoking such persons.

SHRI ANAND SHARMA: Sir, casting aspersion is not fair for whatever transpired there. Somebody who cannot speak for himself in the House I think, you should not do that. That is most unfair. Even a reference is unfair. (*Interruptions*)

SHRI ARUN SHOURIE: Anand, when somebody is invoked in favour of the deal you have no objection. Sir, I will proceed on the next point. Sir, I will take up myth by myth what is being peddled. I remember, on the last occasion when I had to speak in the House on this matter, I had said that before the day is out, the ruling party representative and the External Affairs Minister, he was the Defence Minister at that time, Dr. Pranab Mukherjee will be reading the following statement of President Bush which has been very conveniently sent to every Indian correspondent in Washington to be immediately despatched to India and sure enough, Abhishek read that statement and Mr. Pranab Mukherjee read the same statement. Since then, the External Affairs Minister has had occasion to read it not once but twice in the other House and it was today referred to both by Sitaram Yechury and by Abhishek Singhvi and the External Affairs Minister has been putting it as if Bush is saying that the Hyde Act will not apply and his interpretations of the Hyde Act will apply. The fact of the matter is, that this is by completely relying on the confidence that actually nobody would have read Bush's statement. In the Statement, firstly, the law is the 'Acts' and it is not just the Hyde Act as has been emphasised earlier also. It is the 1954 Act. After all, when you say 123 Agreement, what is 123? It is the section of the 1954 Act. Then, Mrs. Gandhi with her great initiative and strength, in response to the coming of the seventh and probably the eleventh fleet at that time in Bangladesh, when she went ahead with Pokhran-I, then they passed a Non-Proliferation Act. Then, after that they passed the Non-Proliferation Treaty Act. Then, there is the Hyde Act and please remember, all of you who are going on saying that India is a China and China is at par and we are actually better off. There is no specific Act regarding China. Secondly, in this, there is a big difference. In the Agreement with China, it specifically states in the very beginning that this is an agreement between two nuclear weapon states. Therefore, for instance, no bilateral safeguards will be required. Please read the evidence, please read the Act, please read the concluding parts of 123 agreement, what Condoleezza Rice called, "Fall back safeguards have been provided," and I will give you the significance of that. They said in the hearings and in the debate in regard to the Act, this IAEA is not competent to carry out inspections to our satisfaction at all times. So, M/s. Condoleezza Rice said, 'precisely, that is why we have told the Indians we will have fall-back safeguards. In case we are dissatisfied with the IAEA safeguards, we will be able to institute our own.' And, the point that was put forth was, 'Look here, the Safeguards Budget of the IAEA is only a US \$ 100 million a year. And, that is the pay roll of Washington Red Skin's Football Team. Therefore, we must have the fall-back safeguards and they are

provided for.' If anybody dispute with that, I will read it.

So, the first point is not what Mr. Bush says as the hon. External Affairs Minister implied in this House last time and as Abhishek implied today. And, rightly, Sitaram was alleging us to that. The law is what the law has been passed, not something that Mr. Bush says while he is signing this statement. What did he say in the US while signing this statement? He did not say that the Act does not apply. He praised the Act. He thanked the Congress for the Act. It is a very short statement, not even 3 paragraphs or half-a-page. You just now see as to how it has been twisted. He says in that and I quote, "I will treat it as advisory." Not the Act. Not these provisions of the Act. But, three points only and they concern only one matter. Everybody who knows the US Constitutional history — my friend, Kapil and others — they know that there has been a tussle since the founding of the Republic whether the Executive has the power to determine foreign policy or the Executive and the Legislature has it. As you know, all these people who keep citing treaties, obligations and trusting the US, because they have entered into an agreement, President Wilson was one of the initiators of the lead of nations and the Senate killed. Mr. Clinton bulldozed 33 countries to sign the CTBT and the Senate rejected the CTBT. So, all the people who are giving us these delusions on relying on the US are, probably, keeping from our eyes the reality of the US Constitution and the political structure. So, Mr. Bush said, there are three points on which I will take this as advises. What are those three points? Please see. The first one is the conduct of foreign policy. That is a reference, for instance, to provisions on Iran. It is very interesting that this Government relies on Mr. Bush in regard to Iran, rather than on the US Congress which is much more moderate. And, you are relying on Bush! You are stating his statements. You said that he has liberated us from the Hyde Act. You are going into the deeper well.

The second point he said is, 'In the Act it was provided that in case the NSG guidelines prohibit the export of a particular item to India, then the US shall not send it.' The US also been desisted from exporting. I will tell you the reason for this. The Congress has bound India in a particular way by using the NSG. They want the US Executive to do that. But, they said, 'to bind further, if the NSG decides, you will not send a particular component to India, then, nobody will send it, including the US.' And, Mr. Bush said, 'No, no. This will mean that I will be abdicating the conduct of the US Foreign Policy to an international organisation and I am not prepared to do that.' It is because the US Constitution says that the President has the power to conduct the foreign policy.

And, the third one is very interesting. I had pointed sometime ago to the enormous reporting requirements that the Hyde Act has built in. There are almost about ten pages of reports which have to be submitted, as Mr. Yashwant Sinha said, not just yearly. But, the moment that information becomes available to the Executive, you must submit it to the Congress. So, Mr. Bush said, 'No. I will collect that information, because I often have to rely on intelligence and other agencies to get the Executive rely on many sources to get information...' "I will decide whether to disclose it or not." How is it of great comfort to India? But the statement continues to be cited again and again as if he has exempted us from the provisions of the Hyde Act. Sir, today also we have been told that these great sophistication clauses are not binding. Since the beginning, we have requested please give us a list of which are binding clauses and which are non-binding clauses. Not just the Government, Sir, but, I have been tutored by three persons from the American Embassy also, including one of the architects of this deal. He himself proclaims it and he is one of best defence analysts. All of us who work on security matters regard him in very high esteem. And he happens to be of Indian origin. He is Ashley Tellies. Tellies, the first Secretary (political) of the American

Embassy and some other officers were sent to me. There was two and a half hours of education. I said, "Will you give me a list of non-binding?" They said, "How can we give any such list of non-binding? There is no such list." In the end, they had to admit that no U.S. President can say what is binding and what is non-binding. I said, "But, our Government is saying this." He said, "That is their problem, not ours." I noted this because I have a principle, Sir. I do not regard any conversation on public issues as a private matter. But, again, we are being told the same thing. Why don't you publish a list by putting an asterix on what is binding and what is not binding? Similarly, if these things were non-binding, then, as Mr. Yashwant Sinha who took us through a series of statements of the Prime Minister, not in one statement, but over an entire one and a half year statements he made saying that even if the things are non-binding, they are matters of concern to us. And, I can supplement that list of his by a few more quotations. If these are all non-binding, if Bush' interpretation is prevailing, then, what is this point of Prime Minister's concern? Why is he so concerned? Did he not know and was he not educated by his legal luminaries like Shri Abhishek Manu Singhvi by saying, "No, no. Why are you worried on this Act? When the 123 Agreement comes, only that will bind us." How was, then, he concerned about those Acts? Why did he say that if these provisions remain, then, it will not be possible for India to go ahead? There was no reason for him to say this. Sir, I will tell you how it applies, and what are the consequences. Suppose, you take this situation that we test. Test is only one of the many points by which they are going to bind us in regard to our strategic programme, and, I thoroughly disagree with Dr. Kasturirangan's assessment in spite of his great eminence as a scientist. Supposing, we go for test. Nobody, today, disputes that then the consequences will follow and that there will be a cessation of all cooperation. But, there are three aspects which have been missed by Members. First is, please remember, and as everybody has just now said, it is impractical for the Americans to pluck away and dismantle and take away the reactors. So, it is non-operational. The reactor will remain there as a shabby. You will just not get fuel for it. You will just not get components for it. That is the purpose. And, this right remains. Article 16 of the Agreement was just cited by Ms. Shobhana. It is very surprising, Sir. What does the article 16 say? It says, "Notwithstanding the termination or expiration of this Agreement or the withdrawal of a party from this Agreement, all those clauses shall continue to apply so long as any component, any material, anything remains in India. So, you can withdraw; they can terminate. The Agreement can expire, but their rights in regard to fuel components, everything, remains. But there is a very much more important thing. We are being told about the NSG, and I will just come to the Russian business. Sir, the law now provides — kindly see what the law provides — a very clever thing as if we can be very clever. Cleverness never pays. What was the cleverness which was suggested? It has been suggested to us in briefings also. 'No, no, we will get this Agreement with the US'; then, 'go and get clearances from the NSG'; then, 'we can negotiate with Russia and France.' You think we are that innocent! So, what have they provided? They have provided, "the US Administration is mandated to strengthen the NSG guidelines and decisions concerning consultations by Members regarding violations of supplier and recipient understandings by instituting the practice of a timely and coordinated response by NSG members to all such violations, including termination of nuclear transfers to an involved recipient, that discourages individual NSG members from continuing cooperation with such recipient until such time as a consensus regarding the coordinated response has been achieved."

Secondly, they say "the US Administration shall seek to prevent the transfer to a country of nuclear equipment materials or technology from other participating Governments in the NSG or from any other source if nuclear transfers to that country are suspended, or terminated

pursuant to this title, the Atomic Energy Act of 1954 or any other US law.” और आप कहते हो कि हम चतुराई से *Is manoeuvre* कर लेंगे। There are six such clauses.

SHRI SITARAM YECHURY: From which section are you reading?

SHRI ARUN SHOURIE: I am reading section 1 itself. It is in the Preamble. Inside, if you see, on the termination, you will see other clauses in this regard. If you have the same copy, then, it is on pages 5 and 6.

Now, Sir, I am just on the point of what happens if we test. It was said, no, no, we are better off than China. I will tell you there is a point that has been missed. In article 2 of this 123 Agreement, it says, “each Party shall implement this Agreement in accordance with its respective (1) applicable treaties”. The applicable treaties are not 123. It is defined there as an obligation of the US under article 1 of the Nuclear Non-Proliferation Treaty. That the US shall ensure that nothing it does with India will directly or indirectly, that is emphasised in italics in the Joint Explanatory Memorandum, should not help the Nuclear Weapons Programme. That is the applicable treaty.

Thirdly, I come to national laws. What are those laws? I will enumerate just four or five. And the contrast is with the Agreement of China. In China, they say, this is an Agreement between two nuclear weapon States. And in the implementation of this Agreement, the principle of international law shall apply that neither Party shall use its domestic laws to dilute its obligations under this Agreement. In our case, it is the opposite. And, we are being told, no, no, their laws do not apply. Sir, actually, I think, there is a very important point in this regard, which again should be remembered by our House and I appeal to the Treasury Benches. I know Mr. Antony, Dr. Karan Singh and Mr. Kapil, they all are dedicated to our national security. I have read Priyaranjan's speeches of those days and Dr. Karan Singh's speeches when he was the Health Minister of that time under Mrs. Gandhi, for whom they had admiration. What was Mrs. Gandhi's test and what did she say about it? She had said that it was for peaceful purposes. Do you know what they have provided now? We were just now being told by one of our most charming Members that it was a great achievement that detonation and testing had not been mentioned in the 123 Agreement. But just see what they have provided in Section 103A(2). It says, “Even if the country tests for what it calls ‘peaceful purposes’, all the consequences shall follow”. And this point has been emphasised; I will just read to you one passage. In the *vyakhya* of this Clause, what did the Joint Committee say? ...*(Interruptions)*... No, Sir, if you want me to read from the Act, it is Section 103A(2). The point was that some non-NPT Members were using the thing called “develop, research, production and use of nuclear energy for peaceful purposes to detonate”. So, that quashed it by that! And this meaning is explained by the Joint Explanatory Memorandum, a copy of which I am sure, Mr. Anand has got, but, in any case, I can supply it to him, “...as further clarified in this section-by-analysis included in this report. The conferees believe that there should be no ambiguity regarding the legal and policy consequences of any future Indian test of a nuclear explosive device. In that event, the President must terminate all export and re-export of US origin nuclear materials, nuclear equipment and sensitive nuclear technology to India. The conferees expect the President to make full and immediate use of US rights to demand the return of all nuclear-related items, materials and sensitive nuclear technology that have exported and re-exported in India. If India were to test or detonate or otherwise cause the test or detonation of a nuclear explosive device for any reason including such instances in which India describes its actions as being for peaceful purposes”. इसमें कोई शक है? दूसरी चीज, उनकी स्ट्रेटजी देखिए करने की क्या

है, आपको टेस्ट करने का हक है। प्रधान मंत्री हमेशा कहते हैं, “we have the sovereign right to test”. But they know how to prevent that. And they are very candid, Sir. Condoleesa Rice says, “We expect that there would be irresistible political pressure on NSG participants to terminate any transfer of nuclear material and technology to India, should India detonate a nuclear explosive device. We have made it clear to the Government of India”. Just see, they are candid but we are not told what has gone on in the conversations. It is really about the way the Parliament is being treated and the Leader of the Opposition was saying in the morning about it. It has been the consistent pattern for two years now. Yes, there are debates, but we learn of all these things indirectly. Just see what they say. Condoleesa Rice says, “We have made it clear to the Government of India that this civil nuclear cooperation initiative relies on India’s commitment to continue its unilateral nuclear testing moratorium. This gives India clear economic and energy incentives not to test.”. That is the idea. The idea is that with only 325 megawatts being produced from Tarapore, when fuel was stopped, how much pressure has been put on successive Governments, from Mrs. Gandhi’s time, “कि अरे यार, तारापुर का क्या हो जाएगा, ऐसा हो जाएगा, यह हो जाएगा, वह हो जाएगा”। If the pipe-dream of producing 3500 megawatts comes true depending on imported reactors, imported technology, imported components, imported fuel, imagine the economic incentives for you not to test. देखिए, वे क्या कहते हैं। जब वे डिबेट को इंट्रोड्यूस करते हैं तो कहते हैं कि “The objective of the Bill is to provide a lasting incentive for India to abstain from further nuclear weapons test and cooperate closely with the United States in stopping proliferation.” Then they say, “An Agreement for peaceful nuclear cooperation with India, approved by the Congress according to the procedures and conditions prescribed here, would be a powerful incentive for India to cooperate more closely in stopping proliferation and to abstain from further nuclear weapons test”. यानी चार बार उन्होंने कहा है, “that it would provide a powerful incentive to India”.

SHRI ANAND SHARMA: Where are you quoting from?

SHRI ARUN SHOURIE: How many times I have to tell you? It is a Joint Explanatory Statement.

SHRI ANAND SHARMA: We will have to respond later. Is it reflected in the Agreement?

SHRI ARUN SHOURIE: Yes.

SHRI ANAND SHARMA: Which document? We have to respond. ...*(Interruptions)*...

SHRI ARUN SHOURIE: Don’t interrupt me. ...*(Interruptions)*...

SHRI ANAND SHARMA: When we will respond ...*(Interruptions)*...

SHRI ARUN SHOURIE: It is absolutely reflected. The Prime Minister has admitted it. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*...

SHRI ANAND SHARMA: I am only asking, from which document. ...*(Interruptions)*...

SHRI ARUN SHOURIE: I am not yielding.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Sharma, he is not yielding....*(Interruptions)*...

SHRI ANAND SHARMA: If we have to respond as a Government, we would like to know from where he is quoting. ...*(Interruptions)*...

SHRI ARUN SHOURIE: It is in the Hyde Act and it is in the Joint Explanatory Statement.

SHRI KAPIL SIBAL: This is not in the Hyde Act.

श्री अरुण शौरी: हाइड एक्ट में है। This is the explanation of the Explanatory Statement. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): They just want to know where are you quoting from. If you kindly disclose that, then ...*(Interruptions)*...

SHRI ARUN SHOURIE: It is in the Joint Explanatory Statement, and the provision which even my friend, Abhishek, acknowledges. Section 104 of the Hyde Act says, "That all civil cooperation will terminate and this waiver will terminate the moment India detonates". And, it is the testimony in the House Committee of Condoleezza Rice itself. So, first is, no test; second is, test even for peaceful purposes and third is, we will create such incentive that they will, on their own, not test. Fourth point is, actually with the very important intervention of the Prime Minister this morning, when Mr. Yashwant Sinha was speaking, he has confirmed this in a very important way, and it is very interesting. Today the Prime Minister said, it was always understood that the four reactors with Russia will not be brought into being till we get clearances both from IAEA and NSG. Now, Sir, just see his statement. Mr. Anand Sharma, this time, I am quoting from the Prime Minister's Press Statement in the Joint Press Conference of the Prime Minister and President Putin, in New Delhi on 25th January, 2007. I have just downloaded it from his website. आज तो हवाला दिया जा रहा है कि हमें क्लीयरेंस नहीं दी गयी, जनवरी में क्या कह रहे थे आगे देखिए He says, "We appreciate Russia's support in lifting international restrictions on nuclear cooperation with India and in assisting us in expansion of our nuclear energy sector. We have today signed a Joint Statement of Cooperation in the field of peaceful uses of atomic energy. Our growing cooperation is manifest in the Memorandum of Intent. We have signed on the construction of four additional units in Kundankulam". Therefore, the point that is being made is that there is an apprehension. Mr. Anand Sharma will scold me if I tell you what I was told in private by persons who are concerned with this matter. So, I won't do it; he is shaking his head. But, my point is another one. Firstly, what the Prime Minister was saying at that time; that Russia is enabling us to break out of international restrictions. Now, he is saying that till the international restrictions are lifted, I can't ask anything from Russia. But the other point is important. Supposing we take the Prime Minister's word at its face value that Russia could not proceed because NSG had not yet given the clearance, that just proves what I was saying that the NSG works as a club and this whole delusion, which is being created. यह सब बाग जो दिखाया जा रहा है कि अमेरिका से एग्रीमेंट कराएंगे, एनएसजी से लिफ्ट करवाएंगे, उसके बाद किसी के भी पास जा सकते हैं।

Then, I come to my second point, and it has been a matter of very great distress to me that instead of saying that this is a step in strategic partnership, maybe because of the sensibilities of the people who hold up the Government — *Krishan Bhagwan* holding up *Govardhan* वे हाथ हटा लेगे तो गिरेगा, तो इनके लिए यह नहीं कहा गया because this is a step in partnership and I will come to what the implications of strategic partnership actually are, which are happening as you support the Government today. But, I want to deal with it. How was energy sold? Today also, Dr. Kasturirangan and all other friends have talked about energy. Do you know this Government's main emphasis? It is very amusing. As the need to justify the deal has swelled, so has the contribution of atomic energy of India swelled. In the Approach Paper to the Eleventh Plan, I did a Word search. 'Nuclear' occurs only twice. First time, as 'nuclear families' in justifying the need for more housing, they say that there is growing numbers of nuclear families, therefore, more houses are required. Second time, 'nuclear' occurs in the context that they say, "policies should be adopted for the more

expeditious execution of both hydro and nuclear energy". But, deal has to be justified. So, the Planning Commission integrated energy policy. This is the main document of the Government. Now, Sir, I have it. You would not like me to name the persons? नाम उनके लिखे हुए हैं, मेरे साथ उन्होंने पर्सनली काम कर रखा है। The forecasts that have been quoted are page 37, table 3.6. अब इसका चुटकला देखिए। They say, "Today, it is 3900 MWs that we are producing after 60 years of nuclear energy". If you see the report of the Working Group of the Planning Commission on power, reporting in February, 2007, they say, "The total addition during the Eleventh Plan, which is starting now, is going to be 3160". So, that is nothing. So, in the Twelfth Plan, they say — Because the further the date, the more daring you can become in forecast — that while in the Eleventh Plan, we will be able to add only 3160 MWs; in the Twelfth Plan, we can add 13500 MWs. So, I tried to do some investigative journalism कि यह 13,500 MW figure कहाँ से आ गई। तो कौन से प्लान्ट हैं, कौन से एग्रीमेंट हैं। तो मुझे बतलाया गया कि साहब, नहीं। If you ask the Department of Atomic Energy, then almost as a reflex, they say, "अभी-अभी फिगर कोट हुआ था, 2020 तक दुव्वेटी थाउजेंड हो जाएगा। अभी 4000 MW हैं"। That is the great estimate. But further, just see, now comes the absolute manipulation. There are two scenarios. Because the authors were not agreeing to the figures, they said, okay, give us the optimistic scenario and the pessimistic scenario. So, now, the optimistic scenario for 2020, still it is 21,000 MW but in the pessimistic scenario, it comes to 29,000 MW. There is some improvement. But the interesting point is from 2020 to 2030; we go from 29,000 MW to 63,000 MW. How do you get this 33,000 MW extra MW? Sir, Dr. Kasturirangan was just now reminding us that today our fast breeder reactors give 500 MW, and, you said, it could be 1000 MW. Sir, if you are going to get 33,000 MW in ten years, you require, at least, sixty reactors, if it is 500 MW, and, thirty reactors, if it is 1000 MW. So, if it takes 120 months, you have to have 60 reactors. This is one reactor per three months. This is what you just cannot have. You are not going to be able to construct at a speed that every two months you get a new reactor into operation. But even worse is the fact that you have to have a reactor every one and a half month, if it is 500 MW, and, every three months, if it is 1000 MW. Sir, I tell you the interesting point. See, what these "heavily pressurised" authors were saying. About the heavy water reactors, what they said, they added something to the table. They gave these figures which alone justify the deal, and, then added these assumptions; first, that the fast breeder reactor technology is successfully demonstrated in the 500 MW prototype fast breeder reactor, currently under construction; second, the new uranium mines are opened for providing fuel for setting up additional pressurised heavy water reactors, and, we were just told about the shortage of uranium; third, that India succeeds in assimilating light water reactor technology through import; and, fourth, develops the advanced heavy water reactors for utilising thorium by 2020. Dr. Kasturirangan was just telling us that it was far, far away. Now, if you do all this, what do you get? That is mentioned at another place in this very report. Anybody who is familiar with the Government, bureaucracy, knows what the poor scepticism the authors are trying to convey. Dr. Saheb will appreciate. It is in the starting, in the overview. It says, even if a twenty-fold increase takes place in India's nuclear power capacity by 2031-32, the contribution of nuclear energy to India's energy is, at best, expected to be 4 to 6.4 per cent. Sitaram Yechuryji also mentioned it. For this small amount, you are mortgaging the security of the country. Just see, what is the alternative that is being suggested by them? If you read this report, at page 81, it says — we are efficient but not very efficient in the use of our energy — demand side management alone will ensure a saving now of fifteen per cent, not 2031-32. Today, you can generate what they call not megawatt but 'negawatt'. Every watt saved is a watt generated. वह सब करने के बाद, अमेरिका

9.00 P.M.

के tutelage मानने के बाद, 4-6 परसेंट और आज आप demand side management पर and they list four pages of steps which can be taken 15 per cent. And then, they pointed out to me that actually even that is a very conservative estimate because they say that, at page 44 to 50, we have indicated the difference. What they call is, this figure of 15 per cent is only if we save and become more efficient on end use appliances. But, if we actually do something more regarding energy use, then, the difference between the energy efficient and inefficient scenario is not 15 per cent, but 19 to 22 per cent. यह एक alternative है। दूसरा alternative मैं आपको बतलाता हूँ। नॉर्थ-ईस्ट में प्लानिंग कमीशन की खुद की Working Group on Power है, they say that in the North East, including Sikkim, there is an untapped potential of 58,000 megawatts, and not this pollution business of sending carbon to the air through coal; it is hydro power. Many friends, including Digvijay Singh, mentioned about Nepal. But, Sir, the figure is very interesting. The conservative estimate today on the cost of reactors in American literature — I have seen the MIT study, I have seen the University of Chicago study, I have seen the Council on Foreign Relations study — is 2.6 billion dollars per reactor. Okay. Now, if you are going to get those, you have to go to even 35,000 megawatts, which the Prime Minister has mentioned, you will be spending 91 billion dollars on that. And, if you want to go to 63,000 megawatts, you will be spending 158 billion dollars at present cost. Now, do you know the Nepal's Budget? It is 1.6 billion dollars. Total Budget of the Government of Nepal is 1.6 billion dollars. So, if you tell Nepal, "Look here, we are friends. We will underwrite your Budget for 60 years, totally". In one case, or, if it is 63,000 megawatts, "We will underwrite your Budget for a full 100 years. Let us partner and build hydro stations". We can together raise the money from the market. We can be partners. We would have got a friend. We would have energy from a renewable, perpetual source. We would have saved UP and Bihar from floods. आगे देखिए। यह डा० कस्तूरिरंगन कह रहे थे कि capital cost high है, running cost कम है। That is not the case. Oil price को कोट किया गया था। बिल्कुल ठीक है। I believe that that is one of the best things that is happening to the world because it is forcing the world to think of alternatives. But, Sir, look at the price of Uranium. Ten years ago, it was 7 dollars a pound and today it is 138 dollars a pound. But, Uranium is a small part. The important part is the cost of construction of the reactor. And, the very American sources which are being set, you please read the reports, just now, we have been told that there is a renaissance in American reactor technology. Dr. Kasturirangan has just now said that they are now going to build reactors. He obscured the fact. Actually speaking, the last order for the American reactor in America was in 1978. That order was cancelled. The last built reactor was ordered in 1970 and was not constructed for 26 years till 1996. सर, actually यह बड़े राज की बात है कि सिर्फ चार American Vendors हैं। जब इन सब चीजों की history लिखी जाएगी, आप उनका रोल देखिएगा। Strategic role, हमारी education. मगर इस समय मैं आपको एक चीज बतलाता हूँ। In all these studies that I quoted, the MIT study, the cost of nuclear power is double the cost of alternative powers. You do not have to go there. You again look at the Working Group of the Planning Commission. It has an annexure on the cost of setting up per megawatt, from different hydro and coal sources, and it costs Rs. two-and-a-half crore which is two-and-a-half to three times that in the case of nuclear power. You have the ready example today of Tarapore units which have been opened, as Dr. Kasturirangan knows. They are supplying power at the rate of Rs.2.70-Rs.2.80 per unit. It is actually nine rupees. You had that subsidised. Very good! You have just had a bid for one Mega Project. कितनी बिड है, एक रुपया 19 पैसे. We have been fed the fiction that it is only the capital cost which is higher, and the running cost is much lower.

Sir, please permit me because I feel that there has been a substantial...(Interruptions)

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): I have no problem if the House is willing to sit.

SHRI ARUN SHOURIE: Sir, यह भी देखिए, मैं आपको एक चीज़ बताता हूँ, how a myth is created to undermine our self-confidence. Last time also I had asked this. Americans are saying this and Ashley J. Tellis has a wonderful report on Indian nuclear weapons strategy. It is called, 'Atoms for War?' and you can get it from Carnegie Endowment for International Peace Website. It says that India has more than enough Uranium, not for 100 or 200 nuclear weapons, but for 2038-2240 nuclear weapons and its power programme. I was told, 'No, we rely on our Planning Commission; we do not rely on outside.' So, I will tell you how the Planning Commission distorts figures. Please listen to it how this scarcity of Uranium is fomented. It says, 'India is poorly endowed with Uranium.' It is at page 35. 'Available Uranium supply can fuel only 10,000 MW of Pressurised Heavy Water Reactors.' If Shobhanaji were here, I would tell her that her *Hindustan Times* reported this by saying that India has Uranium only for 10,000 reactors. मैं उस पर आर्टिकल लिख रहा हूँ, वह कहते हैं, 'India is extracting Uranium from extremely low grade ores, as low as 0.1 per cent Uranium compared to ores with up to 12-14 per cent in certain resources abroad.' Brindaji just see it. You take our average of 0.1 and you compare it to the highest that they have up to and maybe it will be up to two tonnes.

Sir, do you know — I am sure you know — that one half of the production of Uranium comes only from three countries, namely Australia, Canada and Kazakhstan? In Kazakhstan, almost all the ores have it less than 0.1 per cent. In Australia, it is 0.06 per cent. I can give you the documentation on this. It is only in Canada that it is higher than 0.1 per cent. But this myth is created. You have to ask the author, as Anandji said. 'In certain sources abroad' this is so. This myth is created. Therefore, firstly, power which is something we cannot do in terms of reactors, is conjured up and we say that this Deal will do it. Then, we do not have uranium for the reactors because of our poor uranium. We have no green uranium. Therefore, we have to import uranium. We cannot get it from NSG till the deal is done. This is how this whole thing is going on...(Interruptions)...

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): I do not want to interrupt you. But how long will you take?

SHRI ARUN SHOURIE: I will just make three points because they will be of assistance, especially because one of the persons for whom...(Interruptions)...

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): I have been reminded of reminding you about the time.

श्री शाहिद सिद्दिकी : समाजवादी पार्टी का बाकी टाइम आपके लिए है ...(व्यवधान)...

[شری شاہد صدیقی : سماج وادی پارٹی کا باقی ٹائم آپ کے لئے ہے۔ مداخلت۔]

उपसभाध्यक्ष (श्री दिनेश त्रिवेदी): समाजवादी पार्टी का और टाइम है? ...(व्यवधान)...

श्री शाहिद सिद्दिकी : हाँ, सर। ...(व्यवधान).... इनको तो पूरा बोलने भी नहीं दिया गया था ...(व्यवधान).... हमारे 40 मिनट्स हैं, इनको देने के लिए ...(व्यवधान)....

[شری شاہد صدیقی : ہاں، سر۔ مداخلت۔ ان کو تو پورا بولنے بھی نہیں دیا گیا تھا۔ مداخلت۔ ہمارے 40 منٹس ہیں، ان کو دینے کے لئے۔ مداخلت۔]

مداخلت۔ ہمارے 40 منٹس ہیں، ان کو دینے کے لئے۔ مداخلت۔

उपसभाध्यक्ष (श्री दिनेश त्रिवेदी): उसके बाद भी समय खत्म हो गया है। But, let me make a pleasant announcement. While you are giving fuel for the mind, hon. Minister of Parliamentary Affairs has organised fuel for the body and the stomach also. At the first floor, the food is ready. Whosoever, including officers, press people, wants to avail of that, are welcome to do so.

SHRI ARUN SHOURIE: I will just deal with three points especially because one of the persons for whom I have developed the highest regard in the 10 years I have been here in Parliament is Shri Pranab Mukherjee. These points are for his assistance. Sir, I really believe that as Mr. Yashwant Sinha pointed out, it is a hoax which has been created, it is a myth on three points, uninterrupted fuel supply, sensitive technologies. Dr. Kasturirangan read out a large number of them from robotics to everything, and on the reprocessing of spent fuel. This is a hoax. I will tell you why. You see, what happened was that in regard to uninterrupted fuel supply, the Prime Minister made a series of statements. Thrice he said that under the July 18th statement, the United States is committed to seeking an agreement from its Congress to amend its domestic laws, and to work with friends and Nuclear Supplies Group, and so on, to assure us of fuel supplies. He repeated this, and then he made before the specific assurance that to further safeguard the disruption of fuel supplies, all this will happen. Now, after the Prime Minister had spoken here in August, the US Congress deliberated on the matter and said that the Prime Minister of India has said this. It is his problem, and we are not going to give them ability to build strategic reserves. That is the Obama Amendment. They said only for reasonable operational requirements. Now, what happened? Therefore, in complete and pointed disregard of the assurances that the Indian Prime Minister had given to the Indian Parliament, they provided the opposite, and they provided further more, that not only will the US limit its fuel supplies only to enable India to tide over, as Mr. Yashwant Sinha quoted saying, fuel due to market failures or similar reasons, they said that the US will ensure that no other country will do this, that is, also in section 102 and 103 of the Hyde Act. Now, what happened after that? The negotiations took place. The US Government has stated on record that we did not budge an inch; we do not have to rely on private information. Therefore, and I have it on good authority that as our competent negotiating team, especially, the atomic energy scientists, they said, then we cannot proceed, and the negotiations were to break down. That is when President Bush intervened and said, 'No, no. See, the Prime Minister is giving some assurance to do something.' So, what was done? Mr. Yashwant Sinha recalled that they just cut the Prime Minister's statement and put it here, which says that the US is committed to seeking agreement from the US Congress to amend its domestic laws. That is all. That the United States is willing to incorporate when the 123 Agreement comes into being. This is the 123 Agreement. So, it was just a face-saving cut-and-paste job. The same thing happened in fuel. If you recall, firstly, I can't understand what is being sought. I read out what the Prime Minister has assured this House, not once but four times, "that it is the complete nuclear fuel cycle". He said, "that all aspects of a complete nuclear fuel cycle". He repeated it four times and he said, "only such cooperation would be in keeping with the July joint statement". You see the US debate. They said, "Yes, the Indian Prime Minister has said this. But he knows, the Government of India knows, our policy and on three points we will not supply technology. We will ensure that no other member of the NSG supplies the technology on these three points, reprocessing, enrichment and heavy water. Why? Because they quoted the speech of President Bush which he had made in February, 2006 in the National Defence University there. It is the main framework under which the US approach is determined. He said, "These three things are not needed for power production. These are needed and used by countries for weapons. Therefore, we will not give". In fact, he went further. He said, "There is a loophole in the

NSG guidelines and we will be working with other NSG members to ensure that they also do not give it to a non-NPT, a non-nuclear weapon State. In accordance with that, the whole point was put in the legislation itself. That was done. President Bush said, "the 40 nations of the Nuclear Supply Group should refuse to sell enrichment and reprocessing equipment and technologies to any State that does not already possess the facilities and there are only 16 such facilities. Now, what happens? So, they say, "The Indian Prime Minister has four times given this assurance". क्या किया जाए? So, they employ what the Prime Minister referred to in his 13th August, 2007 statement in this House. He said, "forward looking language". What is the "forward looking language"? "When this agreement is amended the US may consider transferring such technologies, but subject to the parties respective applicable laws". Their laws do not allow it. Even then, it is "may", even when it is only when it is amended, when their laws are amended, it is only in consonance with the applicable laws. But we have been led to believe that complete sensitive technologies are coming. There is another programme. दरवाजा खुल रहा है। तो उन्होंने कहा Senator Biden का बहुत biting comment है। "Yes, the Indian Prime Minister has said this. But it is a matter of prestige for them. They understand our policy and I am sure that they will find a way to deal with their prestige". Now, we have been just told about reprocessing spent fuel. If you look at Anushakti, your BARC, if you look at the website of the Department of Atomic Energy, you will find that they claim that we are completely self-sufficient in reprocessing technology. I can read out that. On fast breeder you have rightly said that we have done it ourselves. In weapons, we have done it ourselves. In heavy water, we are the leaders in the world. In thorium, just now we have been told थोरियम में भी कॉलाबोरेशन हो जाएगा। थोरियम में और कोई काम ही नहीं कर रहा। They are not thorium focussed. It is not because they are less efficient in research, but they are not thorium based. What is it that we are going to get? We don't know. On reprocessing only one thing has been repeated that we have been given the reprocessing right. It is a farcical thing because what we have been given is the right to construct a dedicated reprocessing facility at our cost and to lease it under the IAEA. Everybody is quoting Nicholas Burns here. During his briefing to the Press on 27th July and his interaction with the Council of Foreign Relations, he said, "There are six steps India has to follow". First, set up a dedicated facility. Second, place it under IAEA safeguards. Third, arrangements and procedures for using it will have to be agreed to with us. You will set up the facility, but the agreement on procedures and arrangements for using it with the US, which, that very clause says, shall be bound by its national laws, policies, license requirements. Then he says, "As everybody acquainted with the US law knows, this new agreement, when it is made, shall be submitted to the US Congress". हमें कहा जा रहा है कि साहब, रेनेसांस तो शुरू हो गया है।

Now, Sir, in one of the briefings a phrase was used, which has been used outside also of greater manoeuvrability. We were told — these big people are here; I don't want to take the name of the person who said it — No, no. Arun, you are wrong. Actually, this agreement gives us a greater manoeuvrability regarding our strategic programme. Why? Because we can use our domestic uranium for weapons and imported uranium for power supply.

Now they have, therefore, scotched this from the beginning. What happened was, a very great expert on defence matters, Shri K. Subramaniam, wrote this point in an article in the *Times of India*. This was then quoted in the US hearings that an Indian expert is saying this, what do you say. They said, "No, we will ensure it". They then emphasised in sections of the Hyde Act and in the reporting requirements that you will ensure and report to us every year and as soon as the information becomes available that your assistance is not helping India directly or indirectly, increase its weapon programme.

More important, you read the humiliating things which they are going to get on uranium. How much uranium you mine in ounces; how much you use; how much you process; how much power you produce. Therefore, they can calculate how much you set apart for your military programme and whether their uranium is helping us to do something else. That is listed there. Now they say, "No, no, the Hyde Act does not apply, 123 agreement applies". 123 Agreement says, "When a party requests the IAEA to get information from another party, that party shall supply that information." So they will not ask for uranium, mining, processing and milling. But IAEA will ask us and we are obliged to give it.

सर, हमारे यहां पंजाब में, as you know, निहंग होते हैं। They will never beg. तो डॉक्टर साहब, एक बड़ा सूफी सा आदमी जा रहा था। उसने कहा - रुपैया है? कहंदा है- हां, है। तो ए कहंदा है - तुस्सी सुट दो, अस्सी लुट लेयांगे। तो वह खुद नहीं पूछेगा आपसे, कहेगा कि आईएईए से पुछो। ...(व्यवधान) that you are obliged under the agreement to give it. हां, यह क्लॉज है, इस पर चार पेजेज हैं। An analysis is to whether imported uranium has affected the rate of production in India of nuclear explosive devices.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Arunji, please conclude. (Interruptions). The Samajwadi Party only had 10 minutes and those 10 minutes were multiplied by another 10 minutes.

SHRI ARUN SHOURIE: I am going to make my last point. I am concluding with the last point. This is meant especially for Shri Pranab Mukherjee because he has made a statement on this matter and for my Left friends, who are much concerned about American imperialism. In July, 2007, a person called, Lt. General, Geoffrey Kollar came to India at the invitation of the Indian Government. He is the Director of U.S. Defence Security Cooperation Agency, and he was accompanied by Rear Admiral, Jefferey Veringa. They said, "Yes; we are getting into a Logistics Support Agreement with India." He was asked: What is the purpose for this? He said, "Sometimes, we have joint exercises. So, this will enable us to quickly settle the cash transactions at the end of the year." Now that Agreement should be made only to settle cash between two countries, and that also only on joint exercises. I could not stomach it. I searched to find out what it is that this Logistics Support Agreement is actually doing. Now this has been explained by Douglas Feith, the U.S. Under Secretary of the Defence Policy in the Defence Department, in a speech. This speech was delivered on 3rd December, 2003. it is called "Transforming the U.S. Global Defence Posture." I will end with this because it has a direct bearing...

SHRIMATI BRINDA KARAT: Have they signed it?

SHRI ARUN SHOURIE: He said, "We are signing it soon." I am coming to it. He says, "He is explaining this Logistic Support Agreement that is being done, and it is explained in these terms. The House should really wake up to what is happening behind our backs. This gentleman says, "The world is spread out; because of trouble arising at many places, we have to have force projection capability. We are already stationing our forces in different parts of the world. But our forces will naturally be stationed where there is no problem. They have to be safe. So, we have to move from there to places where we want to go." Now, he says, "Because our forward deployed forces are unlikely to fight where they are based, our key goal must be to make those forces rapidly deployable to the relevant areas, as events require. We can project power in a rapid manner, whether from the bases in the U.S. or overseas, but it is helpful to have support of infrastructure overseas. We are encouraging allies to establish deployable, truly usable Headquarters and Forces. And, for this purpose, we are doing two things. One is, we are doing joint exercises so that we can see whether

their infrastructure is suitable or not. Then, he says, — that is the last quotation and I will finish after this — “For this deployability concept to work, the U.S. Forces must be able to move smoothly into, through and out of host nations, which puts a premium on establishing legal and support arrangement with many friendly countries. We are negotiating or planning to negotiate with many countries legal protection for the U.S. personnel through Status of Forces Agreements, and we are putting in place so-called cross servicing agreements so that we can rapidly re-inverse countries for the support they provide to our military operations.” Can there be anything more unambiguous? They are stating it clearly. So, my apprehension is this; in fact, the Government has set out a goal of getting into a strategic partnership without a strategy. So, the result is that instead of getting into a strategic partnership, they have ensured a strategic subservience. This is not the route to energy security. This is not the route either to energy, nor is it going to give us the dual use technology. As Dr. Abdul Kalam taught us this for ten years, nobody is going to give you dual use technology. “You have to stand on your own feet”. You people talk of Panditji and others! His whole concept of self-reliance was based on this. But, today, all this faith that technology will come, is throttling us strategically and reducing us to a state of subservience. Secondly, it is not the way to energy; it is not the way to energy security and it is not the way to higher technology. Please, desist from this. Don’t lead us into problems which will lie in perpetuity.

SHRI KAPIL SIBAL: Sir, I have listened with rapt attention to the erudition that we have witnessed in this House through the interventions of hon. Members of this House, and I have to say that unfortunately, the quality of the debate is based on positions that have been taken already without looking into the larger, macro picture. I do believe, Sir, that as far as energy is concerned, like technology, it should be ideology-neutral, because energy is the lifeblood of a nation. It is the source of all economic activity, just as technology is the lifeblood of the nation. And at the heart of economic progress is the availability of energy. Of course, it must be available at a reasonable and affordable price and, therefore, I don’t think that in any debate of this nature, ideology should have a role to play. The approach should be — what are the sources of energy that might be available to us to provide them to the people of our country; how can we access those sources; what are the needs of a country growing at 8 to 9 per cent; what will be the requirements of energy in 2020, 2030 and how we are going to meet those requirements? But, unfortunately, the debate here has not been ideology-neutral.

My good friend, Shri Sitaram, talked about the pretext, the context, the text and the sub-text. And we understand that and we appreciate that, because the pretext of his opposition is ideological; the position to the text is ideological; the position in the context is also ideological and the sub-text is entirely ideological. So, we understand that and we appreciate it because in the context of access to energy, ideology should have no role to play. But still, we appreciate it because that is the policy of your party....(*Interruptions*).. I would request the hon. Members to kindly listen with rapt attention.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Yes, the hon. Members should not interrupt.

SHRI KAPIL SIBAL : As far as, of course, the BJP is concerned, there is no question of ideological neutrality. Their ideology is, take a position depending on which side of the House you are sitting. And, I will demonstrate it because in the heart of the opposition by the BJP, reflected in the enormous contributions by my good friends, Sinha Saheb and Shouriejji, at the heart of all this is, how can India give up its sovereign right to test, how can

that happen? I would just like to read — and I will jog my friends' memories — a statement made by the then Prime Minister of India on August 4, 1998, and this was a statement made in the House. Shri Vajpayeeji said, and I quote, "The CTBT also gives the same right to every country. We then also announced our willingness to move towards the *de-jure* formalisation of our voluntary undertaking. Ways and means of doing this are being explored through bilateral discussions with key-interlocutors. These dialogues have been undertaken by satisfying," now this is the key word, "These dialogues have been undertaken after satisfying ourselves that India no longer requires to undertake nuclear explosions." We can maintain credibility of our nuclear deterrent in the future without testing. This is a statement made by the former Prime Minister of India. This was the statement made in 1998. He continued to be the Prime Minister till 2004, and I assume that position continued. So, I would like to ask my learned friends what happened between 2004 and 2007 that despite what Vajpayeeji said, you have changed your position. The only thing I can think of is that you are not sitting here, but there. You must explain; you must come clean; why is it that Vajpayeeji in 1998 said that we don't require future testing; we don't need to test; and why has that become central to your opposition? And, if you need to test, please explain to the people of this country, in 2007, why do you need to test, or, in the future why do you need to test? Please explain. The fact of the matter is, Sir, and this was repeated, this was not that this was said only once. Ultimately, Vajpayeeji and I don't want to repeat that, made a statement in the General Assembly that India is willing to sign the CTBT by September, 1999. In 1999, we would sign the CTBT. It is in that context that conversations took place between Jaswant Singhji and Strobe Talbot, where Strobe Talbot says 'that Jaswant Singhji told him that we have decided, the Prime Minister has decided that we will sign the CTBT and we will sign it by May, 1999.' I have got all quotations with me, but I don't want to read them. So, the BJP in 1998 did not find it necessary ever to test. ...*(Interruptions)*...

SHRI YASHWANT SINHA: Mr. Kapil Sibal, you are only telling half. ...*(Interruptions)*... Read the full statement. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): It is not fair. Sinhaaji, when Arunji was speaking, there was pin-drop silence. I think courtesy demands that we have pin-drop silence. ...*(Interruptions)*...

SHRI KIPAL SIBAL: I have quoted the statement. If you want, I will place it on the Table of the House. I have no problem in doing that. I will place it. ...*(Interruptions)*...

SHRI YASHWANT SINHA: ...place it on the Table of the House. ...*(Interruptions)*...

SHRI KAPIL SIBAL: Now, Sir, Yashwant Sinhaaji talked about credible minimum deterrent. And he said we are confusing the concept and it is not minimum credible deterrent but credible minimum deterrent. When I was listening to him, I was hoping that through his intervention today he would provide the credible minimum deterrent for our going further. But, unfortunately, his intervention was neither credible; it had the minimum of logic and it certainly did not provide any deterrent.

Sir, what is our requirement today? Today, India is growing at 8-9 per cent. Our total consumption of energy today is 1,36,000 MWs. That is our total energy consumption. If we continue to grow at the rate of 8-9 per cent, by 2020, our requirement for energy would be 4,48,000 MWs. By 2030, our requirement would be anywhere between 8,00,000 to 1 million MWs. Now, Sir, the question that Governments in power must ask themselves is how we provide energy to the people, what the energy sources available are. The sources of energy are limited. We are now importing oil. We are seeing the bottom of the barrel at almost 100

dollars. We are not passing that cost on to the consumer because the consumer in India cannot afford it. Yet, we have to buy and we have no choice.

Our coal reserves are huge, but what is our annual coal production? Anywhere around 350MT. Then, we have hydro-power. Now the problem with coal and hydro is the following. If you look at coal, Sir, coal is found in a few provinces in India—Chhattisgarh, Madhya Pradesh, Jharkhand, Orissa and West Bengal. But the energy has to be supplied to the remote corners of this country! A lot of power plants are 1,200 kms. away. We cannot have the power plants at the pithead and supply energy because the transmission losses are huge! We do not have coal reserves all over the country. So, we have to build power plants at 1,000-1,200 kms. away. If you look at hydro power, Sir, most of the rivers are in the North West and yet energy has to be supplied to the vast corners of the country. As far as coal is concerned, Sir, even today, for our thermal plants, we are importing coal, we have no choice, because our levels of production are not that much. Most of the coal production is open surface mining. And production of coal is increasing at a level of 7-8 per cent per annum. Yet, energy demands are increasing at a much higher level.

So, the problem is, we need to find the resources of energy, to deal with the requirement of ordinary people in this country. In that context, nuclear energy is one of the options. Nobody ever said that the nuclear energy is the panacea to solve all the energy problems of the country. The Prime Minister never said so at any stage. Now, the problem with the nuclear energy, let me just put the whole thing in context, is that we are governed by a global regime of which we are not a part. We have only 0.8 per cent of the uranium reserves of the world. Our population is 16 per cent! Willy-nilly, we have to import uranium; that is not available to us. It is not available to us because of the global regime and because of the fact that we are not signatories to the NPT. Whatever help we were given, it was prior to 1974. In 1974, when we tested, the supplier group immediately set up something called the Zanger Committee, which was part of the NSG and they started getting guidelines! If my learned friend will appreciate that, it is only in 1975 that the NSG guidelines were framed, in the context of 1974 tests! There were no guidelines earlier. In 1975 they were framed. These guidelines have two parts to them. The first part is that no technology, no fissile material, no nuclear reactor, no equipment, no reprocessing will be transferred to anybody. The first part came into force in 1978. Part two is even more important. Apart from not transferring fissile material, nuclear technology, nuclear reactors, part 2 says, there shall be no transfer of machine tools and laser and many other kinds of dual use technology.

[MR. DEPUTY CHAIRMAN in the Chair.]

Now machine tools, lasers, and other dual use technology are not just used for atomic energy. They are used for all kinds of economic activities in this country. But no country would send us that, no country would allow any other country, part of the global regime, to sell us that. Most important of all, in May 2004, just very recently, the NSG member: adopted a 'catch on' mechanism by which they could object to any export which was suspected to be destined to be a nuclear weapons programme, even if the export does not appear in one of the control list. This was recently added in 2004. So, what is this regime? This is a regime in which not being a member of the NPT, not having signed the CTBT, who are not allowed access to nuclear fuel, and, if we are not allowed access to nuclear fuel, forget about our weapons programme. Even our civil nuclear programme is in danger because we have nuclear fuel that can serve only the interests of this country for about 10,000 MW and not more than that. So, it is the BJP, which tried to open the door for us. It was the BJP, which tried to open the door for us when they came to power and tried to deal with the

Americans and said that lift this embargo, allow us technology, allow us access to fuel, build partnership with us so that we can serve the needs of our country. What has changed since then? What happened between 2000 and 2007 when suddenly you are in Opposition? You have not explained that to the people of this country. I can understand that, Sir, but if you look at the history of the BJP, you will find that when it came to the Patents Bill, they opposed it, they did not allow us to pass the ordinance. When it came again they defeated it and when they came to power, they moved it themselves and we supported it. Shourieji was here, I remember. He was part of the Treasury Benches then. He rose in support of the Patents Bill, I supported the Bill despite the fact that we were in opposition, but we thought in the larger interest of the country that this should happen. But you change your position because you sit in the Opposition today. The same thing you did with the Insurance Act — the same position. So, you must explain to the country what has changed since Vajpayeeji statement in 1998 and you have not done so. Secondly, fundamentally, please explain to us: Why do you want to test? Why is it that you want to test today? (*Interruptions*)... You should have carried on for another two hours and you should have explained that. You should have done it in your intervention. Why did you not do that because the country wants to know why the BJP which tested in 1998 told the world that it does not need to test, today it says that why should we allow this deal to go through because according to them it does not allow us to test which is also factually incorrect and I will also demonstrate that. Supposing you did not have this deal, would you test? You could. If you did not have the deal, you can test and you will have the consequences. You can have this deal and you can still test, you still have the consequences. So what is the difference? That is No. 1. Secondly, the issue that I want to raise is, Sir, is with reference to the 123 Agreement in the Hyde Act. It is very interesting that Mr. Shourie throughout talked about proceedings in the committees, statements by Condoleezza Rice and sought to interpret the 123 Agreement in the context of those statements. I fail to understand what is the logic behind this. We have an international agreement which is not yet in force. We have an understanding that 123 Agreement had certain provisions. This 123 Agreement is not yet law. We will have to go to the IAEA, get India-specific safeguards and after the India-specific safeguards, we will have to go to the Nuclear Suppliers Group. After going to the Nuclear Suppliers Group the matter will go back to Congress. President Bush will have to send a determination to Congress in terms of Section 104, which will be a one-time determination, and thereafter Congress will vote on it. It is then that it will become a law. The Congress will vote on it on its own terms knowing full well what the Hyde Act says. The Hyde Act was passed in December 2006 and once the Congress votes on the 123 Agreement, the Congress which is voting on the 123 is fully aware that it had itself passed the Hyde Act. So, naturally, if there is any conflict between the Hyde Act and the 123, 123 will prevail because that very Congress which passed the Hyde Act passed the 123 later knowing full well what the Hyde Act said. This is not something that is legally complicated. A later determination over-rides the former determination. It is as simple as that and I don't have to go through judgements of the Supreme Court. We don't have to go to any of them. I have a number of them. But it is not necessary. I will just state what a very important Constitution expert has said and this was written way back in 1988. Nobody knew if the deal would go through or not. It is not written for the purposes of the Indo-US Nuclear Deal. This is by Lawrence H. Tribe, Constitution Law expert of Harvard University. I will just read what he says. "The Supreme Court, treating acts of Congress and treaties as legal equivalents has held that when a conflict arises between a valid treaty and a valid act of Congress, the last expression of the sovereign will must control." What is the last expression of the sovereign will? It is when the 123 Agreement

is ratified by Congress, not the Hyde Act. And so, what will control? It is the 123 Agreement and not the Hyde Act. It is very simple. There is no legal sophistry in it and I am not saying it and it was said way back in 1988. *(Interruptions)* Mr. Shourie, I will answer all your questions, all your queries, and all your worries. If you had deep-frozen the Prime Minister in 1998, you would not have done what he was doing. I wish you had done that. The point is, you are a master at obfuscation.

SHRI ARUN SHOURIE: Are you talking about yourself?

SHRI KAPIL SIBAL: No, no, I am telling you the reality because you don't want to see the cold print. 123 is an international treaty ratified by Congress. It will govern India in the US. Now, he says Hyde Act will govern us and Mr. Shourie says what about the information that is sought. Under the Hyde Act there are several provisions which say this information shall be given to the Congress, that information shall be given to the Congress. But, who are party to the Hyde Act? India is not a party to the Hyde Act. India is not to supply any information. You gave the impression as if India will have to give information because of the Hyde Act to the US President so that he can transmit it to the Congress. It is shocking. There is no information requirement under the 123 Agreement. Of course, they can; just as we can collect information about any other country. They can collect. They are free to collect. You collect a lot of information about us. Don't you? You are free. The question is, it is not legally binding. I do not want to enter into discourse with you. So, let us be clear on one thing. As far as the conflict between the Hyde Act and the 123 Agreement is concerned, the 123 Agreement is the last expression of the sovereign will and will prevail. Now, look at what have you people done? The Hyde Act says and the explanatory statement says that we will not allow India to have a strategic reserve. Well, let me just refer to you the provision of the 123 Agreement. And, I refer Article 5, Clause 6(b), it says, 'To further guard against disruption, the US is prepared to take the following additional steps. (3) The US will support an Indian effort to develop a strategic reserve of nuclear fuel to guard against any disruption of supply over the lifetime of the Indian reactors.' Here is a provision for strategic reserves in the 123 Agreement. But, you say the Hyde Act does not allow it. But the Hyde Act cannot override the 123. The hon. Member does not know that under Article 6 of the US Constitution this is called the supreme law. The point is, if you are willing...

SHRI SHAHID SIDDIQUI: Sir, the point is...

MR. DEPUTY CHAIRMAN: Mr. Siddiqui, why argument? When your term comes, you say whatever you want to say.

SHRI KAPIL SIBAL: His time is over, because he has given his time to him.

Sir, even under the US Constitution, this is the supreme law of the land. That is why Article 6 is called the 'supremacy clause' of the Constitution. Therefore, what? Therefore, the US is committing that it will support us to develop strategic reserves of nuclear fuel to guard against any disruption of supply.

SHRI YASHWANT SINHA: What is the 'strategic reserve?' That is what we have been demanding. What is the definition of 'strategic reserve?' आप उस पर कुछ नहीं बोल रहे हैं।

श्री कपिल सिबल : मैं बोलूँगा। मैं आपके सभी प्वायंट्स का जवाब दे रहा हूँ। कुछ बातें तो मैंने आपके सामने साफ कर दी। आहिस्ता-आहिस्ता और साफ करता हूँ। आप सुनिए तो सही। हमने आपको पूरे तरीके से सुना था, आपको disturb नहीं किया था। आप सुनिए, शायद आपको थोड़ी जानकारी और मिल जाए।

MR. DEPUTY CHAIRMAN: We should cultivate to listen to others.

SHRI KAPIL SIBAL: Look at it this way.

There is another thing. It is very interesting here. In fact, Mr. Nicholas Burns himself made an important statement saying that we do not want to interfere in the nuclear programme of India at all under the 123 Agreement. It is a part of the Agreement itself and let me read that to you. I am reading Article 2, Sub-Clause 4. I would not read the whole of it. The last part of this Agreement shall be implemented in a manner so as not to hinder or otherwise interfere with any other activities involving the use of nuclear material, non-nuclear material equipment, components, information or technology and military nuclear facilities produced, acquired or developed by them independent of this Agreement for their own purposes.

So, in other words, our nuclear facilities developed by us, information regarding that, technology regarding that, non-nuclear material, equipment, components etc., they have no stake in it. This is part of the 123 Agreement. And, you are talking about the Hyde Act to say that through the Hyde Act they will interfere in our nuclear programme knowing full well that under the 123 Agreement, there is a solemn assurance that they will not interfere. Now, you can decide to build whatever ghosts you want in your mind and tell the people of this country. But the cold print is before you. The reality is before you. And, remember this, why are they having this Agreement with us? They can tell all the countries in the world, why does not India do exactly what others are doing? Why don't we sign the NPT? After all, there are only three countries that have not signed it. So, why should India be given any special treatment? There is no reason. We said to them, we are not willing to have an agreement with you because we want to retain our strategic interests. We want to retain our weapons programme. We will not compromise with our security. And, I congratulate the Prime Minister for that. That he stuck to it and we got an agreement that no other Government could have got. Otherwise, all our nuclear facilities would have been under safeguards. The BJP has said to the people of this country that when they come to power, — I pray to God that thing happens — we will renegotiate. I think, this country must be told what they will renegotiate. They have never spelt that out. What is it that they want to renegotiate? Do they want the Americans, through a treaty to tell them that we allow India to have as many tests in the future? Do you want that? Then, say so. Or, do you want to tell the Americans, we can have as many tests as we like, and you will not be entitled to object to them? Then, say so. But, they don't tell us that because they know that nobody could have got a better agreement than this. And, Ms. Shobhana was right when she said that they opposed it because they want to be part of it. And they are hoping for the day when it happens.

So, now, I go back. The Prime Minister said, "I am not going to negotiate with you. I need to protect my strategic reserves. I need to protect my weapons programme. And, tomorrow, for any reason, whatsoever, I put my nuclear reactors under safeguards and you stop fuel supplies, what will happen? I am not willing to accede to that. You also give me an assurance under the 123 Agreement, not with IAEA. You give me an assurance under the 123 Agreement that I will have nuclear fuel supplies for the lifetime of the reactors. I am not talking about strategic reserves now; but uninterrupted power supply." What did they do? I go back to 5.6. The United States will join India in seeking to negotiate with the IAEA an India-specific fuel supply agreement. If despite these arrangements, a disruption of fuel supplies to India occurs, the U.S. and India would jointly convene a group of friendly supplier countries to include countries like Russia, France and the U.K. to pursue such measures as would restore fuel supply to India. It is part of the 123 Agreement. It is not part of the Hyde Act. And, so, what are we going to tell the IAEA? "Look, we have these reactors; 14 of them which are under safeguards. Now, we want an India-specific Safeguard Agreement to ensure

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that we have uninterrupted supply of fuel and strategic reserves, so that our nuclear weapons programme is out of the net. For those reactors which are part of safeguards will get uninterrupted supply. In addition to that, we get a strategic reserve, and if for any reason, whatsoever, there is interruption of supply, the United States commits itself under 123 to ensure that we do not have any interruption. What is the Frankenstein monster that we are talking about? That process is on. We are in the IAEA, we will negotiate, and we will come back. Then, my learned friend says, look, what about the Chinese? The Chinese have got a much better agreement than us and he talked about article 2. What does article 2 say? It says, "The parties shall cooperate on the use of nuclear energy for peaceful purposes in accordance with the provisions of this Agreement. Each party shall implement this Agreement in accordance with its respective applicable treaties, national laws, regulations and licence requirements concerning the use of nuclear energy for peaceful purposes." Mark the words "...that each party shall implement this Agreement." It is not that this Agreement is subject to the US laws. How do you implement this Agreement, Sir? May I just explain that? Most of the nuclear energy is in private hands in the United States. Under the Export Administration Act of the United States, there is a control list. Every export, especially, in the context of nuclear energy has to be agreed to and has to be approved. There are licensing requirements. So, once the Agreement is entered into and we enter into an import of a nuclear reactor, or, any other thing, a component, whatsoever, then, what happens? Implementation of that process, that means, exports from the United States will be governed by their laws. "The implementation of this Agreement", the words are not like this, "that this Agreement is subject to the US National laws." It says, "Each party shall implement this Agreement in accordance with the respective applicable laws and treaties." So, the Export Control Act will apply, our Customs Act will apply. Their licensing procedures will apply. Our laws under the Atomic Energy Act will apply. In other words, why, because you are implementing the Agreement. What has been said to the country, time and again, *ad nauseam*, is that we have subordinated ourselves to the national laws of the United States. This is the problem, when politics takes over common sense. *(Interruptions)*.. and it says "each Party". Just as they are subject to their laws, we are subject to ours. It does not say that India is subject to the US laws. It says each Party in implementing this Agreement will be subject to their national laws, which is right, which is true. Let me tell you this is true of the Chinese Agreement also. It is very interesting that this is true of the Chinese Agreement. May I read the Chinese Agreement? Again, article 2 says, "Each party shall implement this Agreement in accordance with its respective applicable treaties, national laws, regulations and licence requirements concerning the use of nuclear energy for peaceful purposes." This is exactly the same clause.

SHRI ARUN SHOURIE: Please read the next sentence.

SHRI KAPIL SIBAL: I am reading it, Mr. Shourie. But you didn't read this, Mr. Shourie. I will read the next sentence, but you never read this. You read only the later sentence. You never read this. Now I will read the next sentence. Don't worry, I am not afraid of reading like you are. "The parties recognise with respect to the observance of this Agreement the principle of international law that provides that the party may not invoke the provisions of its internal law as a justification for its failure to perform a treaty"; perfectly, good. That is part of an international law. That international law applies to China, it applies to India. The international law does not change, because it entails a clause in the Chinese Agreement and there is no part of that clause in the Indian Agreement. Does the international law change, Mr. Shourie? I am surprise at the quality of debate here. Instead of ...*(Interruptions)*... Did I interrupt you, Sir? I am reading...*(Interruptions)*...

SHRI ARUN SHOURIE: You asked me the question. You said just now...*(Interruptions)*...

SHRI KAPIL SIBAL: I did not ask you. I only remarked, Mr. Shourie, why did you not read it? I did not ask you. You should have read it. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Arun Shourie, please.

SHRI ARUN SHOURIE: I said. ...*(Interruptions)*...

SHRI KAPIL SIBAL: It does not. International law cannot change, as a matter of law.

SHRI ARUN SHOURIE: Why didn't they think it necessary to put it in China and not...*(Interruptions)*...

SHRI KAPIL SIBAL: Because, Mr. Shourie, sometimes the obvious is not stated. It is the obvious, incidentally. May I tell you this? We have a lot of disputes in the domestic law. We have divorces; we have payments to be made to husbands and wives. The national laws of the US are different. The national laws of India are different. And yet, decrees are executed in the United States of America. Why? Because, it is part of customary international law; because, under international law, an international treaty cannot be subverted by the application of national laws. That is a principle of international law.

Now, unfortunately, when a whole ghost is created, when a Frankenstein monster is created, without realising the simple import of solemn agreements between the US and India, that is where the confusion occurs.

So, what do we have here? We have an agreement where our reactors are assured of supplies. We have an agreement where we can have a strategic reserve. We have an agreement where our nuclear weapons programme will not be affected. And we have an agreement the implementation of which will be subject to the respective laws. But we have much more in this Agreement than any other country ever had. The Chinese, for example, way back in 1985, were told that when they are given the nuclear fuel, they would not be able to use it further, except for a one-time use in a nuclear reactor. This is what is called, in this Agreement, the right to reprocess. I want to explain to this House what this right to reprocess means. There are, Sir, five kinds of nuclear materials in the world. There is Thorium; there is Uranium-238; there is Uranium-235; there is Uranium-233; and there is Plutonium. There is no sixth material. Of these five materials, two are in their natural state and they are Uranium-238 and Thorium. The others are man-made, Uranium-235, Uranium-233, which is most fissile, and Plutonium. What happens is, when you use Uranium in a reactor, what comes out is spent fuel. When the spent fuel comes out, it is called 'depleted Uranium'. If you use that depleted Uranium and process it, that is, reprocess it, then what happens is that more Plutonium is produced at the point of reprocessing. In other words, at the second stage, the reactor produces more Plutonium than it consumes. So, you can keep on reprocessing it to produce more and more fissile material, which then allows you to multiply the production of electricity by reprocessing the nuclear fuel again and again. So, the one-time use which is given in the Chinese agreement does not allow the Chinese to reprocess the depleted Uranium for generation of more power. But it has been given to us. Why? What it means to us is the following: If we have more Thorium which is fissile material, or more Plutonium which is fissile material, and then we use it at the third-stage fast breeder reactors, then the fuel cycle will have Thorium and Uranium-233. This is something that no other country has got. Even the Chinese don't have it. The Chinese, in 1985, had objected. They said, "Why should we agree to this? This denies our sovereign right to reprocess fuel which you have supplied to us, which we are buying. And the Americans said, no, we will not allow you to reprocess.

And, the Chinese had to take it. So, the Chinese Agreement does not have the right to reprocess. And my learned friend, Shourie, made fun of it saying what is this right to reprocess because you have to set up a facility and when you set up a facility, IAEA safeguards will be there. Lot of dramatics. Naturally, because IAEA wants to ensure that if you get imported uranium and you want to use it in safeguarded reactors, then the processing must also be done in a safeguarded fashion so that no parts of that nuclear fuel is diverted for your nuclear weapons programme. So, naturally your facility will have to be safeguarded and your processing units will have to be safeguarded. So, what is wrong with that? What is the unethical thing that the Americans are doing in doing this? I don't understand. The next issue, Sir, is the other argument that my learned friend was making in respect of the Hyde Act. Let me come to that. My learned friend referred to several provisions of the Hyde Act, and those provisions, as you know, are Statements of Policy in Section 103 of the Hyde Act. Just as our Statements of Policy don't bind the American Government, the American Government's Statement of Policy cannot bind us. It is their Statement of Policy. We are not contractually obliged. But they say, no, no, the President of the United States is obliged. But the President of the United States is, at the time of the 123 Agreement, going to give a determination that we have complied with everything under Section 104. It has to be a one-time determination. Nothing after that. So, at the time, when the 123 Agreement comes to Congress under Section 104, he has to give a determination that India has complied with everything. Otherwise, you won't have the 123 Agreement. So, he will make that determination with reference to his obligations under the Hyde Act. And when he makes that determination and Congress accepts it, that is the end of the matter. No further determination to be made. But you don't read what is to be done. This is part of the Hyde Act, Sir. Where are the inspectors? There are no inspectors under the 123 Agreement. There are inspectors under the Chinese Agreement. There is information that there are no inspectors. Give me one word of inspectors. But then, of course, you say it. No inspections to be done on Indian facilities by the US Government. No visitation rights unlike the Chinese. Why? Because their nuclear spent fuel has to be separately stored and they cannot reuse it because they have no reprocessing rights. So, because it has to be separately stored, the Americans have the right to come and inspect to ensure that no part of it is diverted. So, Section 102 is the scope of the legislation; Section 103 is the Statement of Policy and Section 104 is the operative part. My learned friend makes such a thing about President Bush's Statement as if we are misinterpreting his Statement. What did President Bush say? I just read that so that we remove the cobwebs. Sometimes, people do get confused, and that has happened. It is normal. "Section 103 of the Act purports to establish US Policy with respect to various international affairs or matters." So, it is in Section 103 that the US Congress under the Hyde Act talks about Iran; it talks about other things. So, it is all under Section 103. So, the President says, "Section 103 purports to establish US Policy with respect to various international affairs or matters." He doesn't agree with it.

My approval of the Act does not constitute my adoption of the statements of the Policy as U.S. foreign policy." So, President Bush, who is the Chief Executive of the U.S. Administration, says that what is stated in 103, is not a statement of U.S. foreign policy. "Given the Constitution's commitment to the Presidency of the authority to conduct the nation's foreign affairs because the Constitution obliges the U.S. President to conduct foreign affairs, the Executive Branch shall construe such policy statements as advisory." And, you know what 'advisory' means. It means it is not binding. They say that it is binding. The President of the United States says that it is advisory. So, whom should we believe, Mr. Shourie, who does not run the U.S. Government, and thank God for it, or the

U.S. President? Also if section 104(d) (2) of the Act were construed to prohibit the Executive Branch from transferring or approving the transfer of an item to India, contrary to Nuclear Suppliers Group transfer Guidelines, that may be, in effect, at the time of such future transfer, a serious question would arise as to whether the provision unconstitutionally delegated legislative power to an international body. In order to avoid this Constitutional question, the Executive Branch shall construe section 104(d)(2) as advisory. The Executive Branch will give sections 103 and 104(d)(2) the due weight that Committee between Legislative and Executive Branches should require to the extent consistent with U.S. foreign policy. So, that clears the cobweb. There is no problem about Iran. There is no problem of any U.S. foreign policy to which we will have to adhere. And, the beauty is that people talk about as if we have given up our sovereignty. What did the Americans do in Tarapore? What did the Americans do in Vietnam? Today, the largest trading partner of the Vietnam is the United States of America. What about Cold War years between Russia and the United States of America? Those years are over. Some of the Warsaw Pact countries are part of NATO Block. The world has changed. Our thinking must change. We must not resurrect ghosts of the past to forge a future for the country. Let us look ahead. And, they talk about sovereignty. Mr. Deputy Chairman, Sir, it is very interesting. When I was listening to the debate, I was reminded of what happened when Pranabda was introducing the Dunkel Draft. What did the BJP say then? And, what did my good friends of the Left say? The same words; the same words...

SHRI SITARAM YECHURY: We have not changed.

SHRI KAPIL SIBAL: No, you haven't because I said, "yours is principled, ideological opposition." So, we understand it. We do not understand what they mean. You are right. We are against your ideology, but we appreciate your stand. At least, you are consistent. Let me just remind you, Sir, of Mr. Murli Manohar Joshi — I will not take too much time of this House — and what did he say, "I will give you one more example. How do we see the entire Dunkel Draft text? It is nothing but a repeat of what the East India Company did. How it fleeced and looted and the type of mechanism it evolved. You are now accepting it. The country revolted against the East India Company. Now, you are trying to bring it back. For God's sake, you must discriminate between sovereignty and slavery". Don't you find the same kind of language? And, you know what Pranabda said in 1990? He said, "You opposed me in 1970 when the Indo-Soviet friendship treaty was signed; and you changed your mind by 1990. You are opposing me now and you will change your mind later". And, it did happen. You called that era, the Dunkel Draft, the dark hours of Indian history. You made it 'India Shining' in 2004. Yes, you made it India Shining. You embraced the Dunkel Draft; you embraced liberalisation; you embraced globalisation. And, you, at that time, told us that that we would render ourselves slaves. The Left raised the objection that the PDS system in this country would be destroyed. The East India Company and all this; it is the same language I have heard. It has happened time and again. The same language was used. But you have always been proved wrong, and, you will again be proved wrong. India is too big, too strong, too proud a country to be subjugated by the US foreign policy. I have got the full volume of what you said then, but I do not want to take the time of the House. History will show, what you said then and what happened to you.

Now, Sir, let me come to yet another aspect. I told about this Zangger Committee and the Nuclear Suppliers Group, which was set up in the 70s. You had also the Missile Control Technology Treaty, the Technology regime, and, that is also part of the same club. Nobody can sell components; nobody can sell missiles or technology with a range of 300 km. and a

payload of 500, again the same regime; and, most of these technologies are dual-use. So, the international community who are the suppliers have made a global regime to deny all this to those who are not part of the group, — if you really go to China, you will see it — one of the reasons why China is ahead of us is that they were not denied it after 1999.

MR. DEPUTY CHAIRMAN: Mr. Sibal, how much more time will you take?

SHRI KAPIL SIBAL: Sir, I do not know how much time I have already taken.

MR. DEPUTY CHAIRMAN: You have taken exactly one hour.

SHRI KAPIL SIBAL: Sir, I will finish it off very soon. I will finish it soon. I think most of the cobwebs have been cleared. But I just wanted to say please don't look at it only in the context of the nuclear energy. The future of the 21st century and the future of nations in the 21st century will really depend on access to technologies, and, especially dual-use technologies. All your petaflop computers, all your teraflop computers, all research, for example, in bio-technology is done through bio-informatics and bio-informatics includes huge computerisation, which is all dual-use. We won't get any of that. The rest of the world will get it and we will not get it. Why should India be left behind? Why should we be denied this? Here is a Prime Minister who has eyes on the future. (*Interruptions*) No, no. It very much depends on the nuclear deal because most of these arrangements, dual-use technologies are used in all this, which are denied to us. Your advanced material technologies, ultimately, many of them are dual use. We will be denied this. Most of these advanced materials are used in satellites. Most of these advanced materials would be used in consumer items like cars tomorrow; we will be denied it. Okay, I won't belabour the point. Let me come to the costs. Mr. Shourie gave several numbers regarding the cost of nuclear power. I do not want to really start talking about numbers because I have no time. But I would advise him that there are several articles written on the point where comparative costs of coal, of gas, of nuclear power and the cost of supply are all compared, and, I dare say that if a power plant is a 1200 km. away, then the cost of nuclear power, if discounted at the rate of six per cent, would be the same as that of coal. I don't say this; experts say this. 'Nuclear Power, Nuclear Generation Cost in India'; any number of articles I will give you. All this mathematics has been done but, of course, Shourie's mathematics is entirely different. 'Nuclear Energy-Emerging Trends', 'Economics of Nuclear Power in India', these are not mine, these are theses of experts, and, I can give them to you, which compare all this and mention how, ultimately, in the long term, nuclear energy is comparatively reasonable for supply as much as thermal energy is. It says so. And, in any case, since pricing has been an issue as far as source material is concerned, we get oil at 100 dollars a barrel, do we price it at that for the people of this country? That is not an issue at all. So, cost is really not an issue. The real issue is, "Should we be a part of the Suppliers Group"? They talked about nuclear reactors. Sir, today, in this country, we have technology. We produce nuclear reactors with a capacity of 240 megawatts. Now, a large number of countries in the world don't require the nuclear reactors which France supplies; that are of 1600 megawatts, or, for that matter, a thousand megawatts. A lot of small countries require nuclear reactors of 240 megawatts and we are the only country which produces them. If we don't become a part of this regime, we will not be able to sell, and you want to deny our country the right to sell these nuclear reactors to the rest of the world. This is what you stand for. Then, with respect to our Fast Breeder Reactors, today, Sir, we have technology. We have reactors of 500 megawatts capacity. But soon we will have reactors of a 1,000 megawatts capacity. Our Fast Breeder Reactors are going to be over 700 megawatts capacity. So, there is a whole new nuclear technology commercial world which will open to Indian industry and commerce. Why should Indian industry be denied?

Why do you want us to be left alone in isolation? This kind of flippant arguments are not going to impress the people of this country. They are watching you Mr. Sinha. You had no arguments to make. You have not still told us why you are opposed. The sad part is, and I repeat it, that your ideology is only one — when you are this side, change your tune and when you sit there, say something different. ...*(Interruptions)*... Depending on where they sit. You are absolutely right. But, the fact of the matter is, opportunities will multiply if you seize them. You don't want to seize the opportunities because you think you want a political point that you want to score in this House. But, if you oppose this deal, I tell you the nation will not forgive you. Thank you very much.

श्री यशवंत सिन्हा : उपसभापति महोदय, मैं एक कन्फेशन करना चाहता हूँ, मेरे को अंग्रेजी नहीं आती थी, कपिल सिब्बल जी ने मुझे अंग्रेजी में बहुत कुछ समझा दिया ...*(व्यवधान)*... इसलिए मैं कहना चाहता हूँ कि यह सदन तय करे कि राष्ट्रपति बुश को "भारत रत्न" दिया जाए ...*(व्यवधान)*...

श्री कपिल सिब्बल : महोदय, यशवंत सिन्हा ने पहले कह दिया 'I am not as wise as the Prime Minister'. आपने तो पहले ही कन्फेशन कर दिया ...*(व्यवधान)*... मैंने आपकी बात को मान लिया ...*(व्यवधान)*...

श्री यशवंत सिन्हा : महोदय, प्रधान मंत्री ने क्यों कहा? प्रधान मंत्री ने जितना कहा, उसका आपने कोई उत्तर नहीं दिया ...*(व्यवधान)*...

श्री शाहिद सिद्दिकी : महोदय, हमें भी पांच मिनट दिया जाए ...*(व्यवधान)*...

[شری شاہد صدیقی : مہودے، ہمیں بھی پانچ منٹ دیا جائے۔ مداخلت]

श्री उपसभापति : नहीं, नहीं, आपने सरेण्डर कर दिया, आपका नाम काट दिया गया है ...*(व्यवधान)*... यह ज्यादाती होगी ...*(व्यवधान)*... आपको बोलने की जरूरत नहीं थी ...*(व्यवधान)*...

श्री शाहिद सिद्दिकी : महोदय, मेरे 15 मिनट थे, उसको काट दिया गया ...*(व्यवधान)*...

[شری شاہد صدیقی : مہودے، میرے 15 منٹ تھے، اس کو کاٹ دیا گیا۔ مداخلت]

श्री उपसभापति : आपको कौन कहा कि 15 मिनट था, यह बिल्कुल गलत है ...*(व्यवधान)*... आप वोलेन्टियर हैं ...*(व्यवधान)*... Please ...*(Interruptions)*... It is already 10.30 p.m. You should not have done it. You have done it on your own decision. आप बोलिए ...*(व्यवधान)*...

DR. BARUN MUKHERJEE (West Bengal): Thank you, Sir. After so many long speeches, a short speech that I am due to make, may not be matching. But, Sir, still I rise to express our party, All India Forward Bloc's view about the Indo-US Nuclear Deal. As we have been consistently opposing the deal on various technical and political grounds, I reiterate our opposition precisely on ideological ground. It is our firm conviction that the Deal is not merely a Civil Nuclear Cooperation Agreement; it has rather far more political implications. We cannot rule out the apprehension that this Deal will eventually hurt our decades-long image of a non-aligned country and will impede our Independent Foreign Policy and our sovereignty too. We cannot accept such post-deal ominous developments and, hence, we oppose it on ideological ground.

To be more precise, this Nuclear Deal will push India to American military bloc. Behind United States' apparent benevolent offer of 'Nuclear Cooperation,' America's ulterior motive to make India their strategic partner and a military ally cannot be overlooked.

The text of 123 Agreement reveals that it is "desirous of strengthening the strategic partnership between them."

The way America, through many of her high-ranking officials and political leaders, have of late started lobbying for this Nuclear Deal, anybody can easily guess America's vested interests in the Deal. There is no point in assuming that this Deal is only for India's benefit. The Hyde Act states in Section 102 (Sense of Congress) that, "It is in the interest of the United States to enter into an Agreement for nuclear cooperation arranged, pursuant to Section 123 of the Atomic Energy Act, 1954, with a country that has never been a State Party to the NPT."

That India is not a signatory to Nuclear Non-Proliferation Treaty is adequately taken care of by the Hyde Act which imposes so many compulsions, conditionalities and bindings on India, so as to compensate more than necessary for not being an NPT signatory. In other way, it induces India to become an NPT signatory indirectly.

The "termination and cessation of cooperation" clause of 40 years' term in the "123 Agreement", binding on India to 'report on the status of all inventories of material' or "to facilitate entry or stay of experts into our territory" are all matters of serious concern.

We must seriously note "Section 103 — Statements of policy" of Hyde Act, which says, "Secure India's full and active participation in United States' efforts to dissuade, isolate and if necessary sanction and contain Iran for its efforts to acquire Weapons of Mass Destruction, including a nuclear weapons capability, etc."

Following this clause, even before operationalising the Deal, India has started feeling the pinch as is evident from the fact that India still falters to finalise the long-pending Iran-Pakistan-India gas pipeline project. The US binds our hands to come to any terms with Iran, even if that may be a highly beneficial gas supply project so greatly needed for our energy security.

More damagingly, once we are bound under this Deal, it will hamper our own indigenous nuclear research and development programme. India has passed through Pokhran-I and Pokhran-II. We did not need to depend on foreign assistance at that time. Even now, we should not lose confidence in the talented capabilities of Indian scientists and technologists. As reported in the Press, our Department of Atomic Energy, with increased 11th Plan budget provisions and thorium exploration, plans to reach independently the state of nuclear power generation capacity of 20,000 MW. So, why should India run after nuclear dependence on America? Majority of the people of India, majority of the Members of Parliament are convinced that the Indo-US Nuclear Deal will be detrimental to the interest of our country. Hence, along with others, I am opposed to this Deal. Thank you.

DR. CHANDAN MITRA (Nominated): Thank you very much. I am now getting up to speak at this hour when we have been here since 11 o' clock. The debate started at 2 o' clock. So, I will not try to tax my hon. colleagues for very long. But I must tell you that staying on has been very educative for me particularly, the speech just made by my very dear friend, the hon. Minister, Shri Kapil Sibal. Now, if we have to believe what he has said, that means, all that has happened in India till today will be offset by the achievement we will have once this nuclear deal is signed. Now, without this deal, we have a space mission, without this deal, we are sending missiles, without this deal, the IT revolution has happened in this country, without this deal, India has been producing nuclear power, and nuclear energy is being used. But by the thrust of his argument, it would appear that if we have this deal, only then would all these great achievements be possible. Now, I do not know how he

has come to this conclusion and what we have been doing all these years when we did not have such a deal. How did we manage? It would appear that we must be in an absolutely starving condition, and absolutely low technology country, to have struggled so long, and now this deal is a great panacea and 'open sesame' that is going to happen. Sir, be that as it may, apart from the observations, I do not want to go into it. I would just simply point out that all these years, the Indian scientists, Indian technologies have made rapid strides, without the help of foreign powers. Sir, the hon. External Affairs Minister, the hon. Prime Minister will recall that there was a time when the cryogenic engine was not to be supplied for our missile technology. When Russia said that they would supply it to us, America put pressure on Russia to renege on that commitment. I still remember that the late Prime Minister, Shri Narasimha Rao, on the 15th of August, in his speech from the ramparts of the Red Fort declared that we will make the cryogenic engine on our own, and we have done it. Today, we are talking about the Chandrayaan, the mission to the moon; we are talking about a manned mission to the moon. All these things have happened with the development of our technology. We have faced sanctions after Pokhran-I and Pokhran-II, and each time, we have been able to counter through our determination, through our resourcefulness, through the sheer talent of the Indian technologist and our determination to move ahead despite all these sanctions and restrictions. Today, it so happens that the NASA in the United States is virtually manned by Indians. Such is our talent that we are not dependent on them. We are dependent on ourselves, and why do we want to reverse this situation where we become dependent on their resources, their technologies, their manpower, and they bind us? I would like to give a very simple answer to this. It is one-sided deal for the simple reason that the way we are being told about the deal, and the way the Americans are being told about the deal, is at complete variance. We are being told that this is nuclear bijilee for *aam aadmi*, although an argument has already been advanced that the cost of nuclear power in India will be such that no *aam aadmi*—why *aam aadmi*—even no *khas aadmi* will be able to afford it in this country. But forget that. No big contribution will be made by nuclear *bijalee*, as has been proved, again and again, by many of my colleagues. What will be the quantum of electricity generated? We know how little it will contribute to our total electricity generation. But how has it been sold by the United States? It has been sold solely as a measure to bring India into the ambit of the non-proliferation regime. This is the single-minded objective of the United States. In the process, they have tried to sugar-coat the pill. I don't dispute that. But it is a bitter pill ultimately, at the end of the day, to swallow. We can't sign the NPT today. If there had been a provision, maybe, we could have considered and debated the matter. But there is no provision by which we can sign it. So, we have been brought into the NPT regime through the backdoor and this is how this deal has been sold by the United States and this is why it has been pushed. This is why the American desperation to make us sign this deal and this is why so many jet-loads of people are coming here and trying to persuade everybody, businessmen, politicians and everybody across the ideological spectrum because they want India to be part of this nuclear proliferation regime.

Sir, this is the last point. While we do all this, while we sign this, and after this, we lose our autonomy to detonate, whatever the sugar-coating that has been done, we know very well the consequences of having a Pokhran-III. Meanwhile, Pakistan, which is not going to be a signatory, will not be brought into the non-proliferation regime and Pakistan, which has been aided and abetted by North Korea and China in the past, will be outside this entire ambit. I would like to ask the hon. External Affairs Minister, what action is proposed to be taken about that. We know about the instability in Pakistan; we know about the concern of the entire world about Pakistan's nuclear capabilities falling into wrong hands, into the

hands of those who want to destabilise the world. When there are no restrictions on Pakistan, what are we supposed to do? Are we then virtually accepting an American nuclear umbrella? It is our biggest threat on the western border. In the event of their nuclear technology, their nuclear resources falling into the hands of very dangerous and unreliable elements, what is our safeguard? In what way do we protect our country and its people? These are very simple questions which, I believe, need to be answered. If we are satisfied, definitely, everybody can rethink. But I have a feeling that it is all done. The deal has been, for all practical purposes, is sealed and it is going to be operationalised very soon. I think, it is a matter of deep regret because we have, in the process, surrendered our nuclear deterrent and our nuclear sovereignty. Thank you.

श्री अचनि राय (पश्चिमी बंगाल) : उपसभापति महोदय, पहले तो मैं यह कहना चाहता हूँ कि हमारी पार्टी की ओर से इस बारे में पहले कह चुके हैं और सबको जानकारी भी है कि हम लोग अमेरिकन साम्राज्यवाद के खिलाफ हैं। हम उनके खिलाफ क्यों हैं, किस लिए हैं, यह सबको मालूम है। हम इसमें कोई नई बात नहीं कह रहे हैं। लेकिन शुरुआत से पहले हम दो-चार बातें कहना चाहते हैं। कांग्रेस ने बीजेपी को हटाकर हम लोगों को समर्थन दिया, ताकि बीजेपी पावर में न आए। जब इस डील पर बात हो रही है, तो बहुत से लोग यह कह रहे हैं कि बीजेपी क्या है, वे इसको लेकर चल रहे हैं। मुझे अफसोस यह है कि जब मुदा बीजेपी है, तो उसको लेकर आप चल रहे हो, तो यह कौन सी बात है? ... (व्यवधान)... यह बात तो हमें समझ में नहीं आ रही है कि यह कैसे हो रहा है? दूसरी बात यह है कि हम इतने दिन से NPT से बाहर हैं। हमारी अलग से पहचान है, ये हमें घुमा-फिराकर उधर ले जा रहे हैं। हम लोग बहुत खुश हैं कि अमेरिका हम लोगों को वहां जाने का मौका दे रहा है। मैं तो सोचता हूँ कि अमेरिका वाले आपको ब्लैक-मेल कर रहे हैं।

जिसमें हम जाने के लिए तैयार नहीं थे, आप वहाँ पर हमारे घुसपैठ करने के लिए कोशिश करेंगे। अभी-अभी कपिल सिब्बल जी ने कहा कि हम उनके पास नहीं गए, अमेरिका हमारे पास आया। मेरे ख्याल से अमेरिका के बुश साहब ने यहाँ आकर कहा कि आपके यहाँ बिजली की कमी है, आप थोड़ी सी न्यूक्लियर एनर्जी ले लीजिएगा, तो हम आपको दे देंगे। मैं यह समझ नहीं पाया हूँ कि कैसे कपिल जी इतने बड़े वकील होने के बावजूद ऐसी बात कहते हैं कि हम उनके पास नहीं गए, बल्कि हमारे प्रधान मंत्री जी ने उनके ऊपर इतने सारे कंडीशंस लगा दिए और अमेरिका हमको ... (व्यवधान) ... आम आदमी के लिए नहीं, भारत के लिए इतना उदार है कि उधार देते-देते पूरे देश को जेब में ले लेंगे। असल में इनका उदारीकरण उधार है और उस उधार में आप जो पैसा उससे लेंगे, वही पैसा उसको वापस देंगे। जो न्यूक्लियर रिएक्टर खरीदो, यूरेनियम खरीदो, कुछ भी खरीदो, टेक्नोलॉजी खरीदो, पैसा उनसे ही आएगा, हम दुगुना करके उनको प्रॉफिट के साथ दे देंगे। बड़ी अच्छी बात है। किसी ने कहा कि हम ईस्ट इंडिया कम्पनी में नहीं जा रहे हैं। हम कांग्रेस वालों से यह कह रहे हैं कि INC and USC is not the same. INC means Indian National Congress and USC means US Congress. Indian National Congress should think for India itself, Indian National Congress should not say anything about the US Congress. यह हमारी सीधी बात है।

कपिल सिब्बल जी, आप बहुत सारी चीजें कानूनी ढंग से कह सकते हैं, क्योंकि आप एडवोकेट हैं। हम लोग तो इधर-उधर घूमते हैं, आम आदमी हैं, कभी जरूरत पड़ती है, तो आपके पास जाना पड़ता है। अगर जाना पड़ता है, तो बगैर पैसा तो काम होता नहीं है। ... (व्यवधान) ...

श्री कपिल सिब्बल : आज तक मैंने आपसे कभी एक पैसा नहीं लिया।

श्री अचनि राय : जब हम गए नहीं, तो पैसा कैसे लेंगे। मैं आपको एक चीज़ कह दूँ। आपने जो भी कहा, वह छोड़िए, यकालत करते-करते आदत पड़ जाती है कि जो क्रिमिनल है, उसको भी बचा लेते हैं और जो innocent है, उसको भी फॉसी दे देते हैं। ऐसी एक जगह पर आपने उल्लेख किया कि 104 में क्या लिखा है और 104 (बी) को आपने पढ़ा। उसी में अगर 107 को पढ़ लेते, 104 (सी) नहीं पढ़ा, उसके बाद 107 नहीं पढ़ा, ये दोनों जगह आप पढ़ लेते, जहाँ लिखा है, मैं 107 को पढ़ कर सुना दे रहा हूँ। "A description

and assessment of the specific measures that India has taken to fully and actively participate in the United States and international efforts to dissuade and isolate Iran for its efforts to acquire Weapons of Mass Destruction including a nuclear weapon capability and the capability to enrich uranium or reprocess nuclear fuel and the means to deliver weapons of mass destruction.” उसी पेज में (i) में है “A description of the steps that India is taking to work with the United States for the conclusion of Multilateral Treaty banning the production of fissile material for nuclear weapons.” यह जो जगह है, यह जगह आपने छोड़ दिया। जहाँ-जहाँ जरूरत है, वहाँ हम बोलें, जहाँ-जहाँ जरूरत नहीं है, वहाँ हम चुपचाप दें। हमारी बारी तो एक साथ नहीं आती है, दोनों वकील तो एक साथ नहीं लड़ेंगे। दोनों वकील होने से बहसबाजी होती है। वे कह दें, मामला खत्म, हम कह दें, हमारा मामला खत्म। पूरी किताब उठा कर ले कर चले गए। यह पन्ना आप ज़रा गौर से पढ़ें। जहाँ तक ईरान की बात है, ईरान के बारे में कुछ नहीं है।

हमारी फॉरिन पॉलिसी बिल्कुल साफ है, independent है और इतनी independent है कि एक बार शायद जब पेपर में छपा था तो कपिल सिब्बल जी, आपने क्यों नहीं जवाब दिया कि यू.एस. डिक्लेट पर एस.बी.आई. ने ईरान की लेटर ऑफ क्रेडिट को मंजूर नहीं किया। The term was there in the paper. सर, एस.बी.आई. हमारी बैंक है और dictation किस का है, यू.एस. का, बात किस की है, ईरान की तो चुप। दूसरी बात ईरान के साथ पाकिस्तान होकर जो गैस आने वाली थी, क्या मैं पूछ सकता हूँ कि उसमें हमारे एक पेट्रोलियम मिनिस्टर की बदली क्यों हुई? दूसरे पेट्रोलियम मिनिस्टर आए, उन्होंने कहा कि 6 महीने के अंदर यह होगा, क्यों नहीं हुआ? तो कहीं-न-कहीं तो गलती दिखाई दे रही है कि हम ईरान के मामले में जो हमारा पुराना स्टैंड था, उस से हट रहे हैं। और ये सारी चीजें कहने से पहले, आज भी ईरान के बारे में आप जानते हैं 2003 में क्या हुआ और यू.एस. इंटीलीजेंस क्या कह रही है? आप ने इस डील को, एग्रीमेंट को बहुत अच्छा बोला कि 123 जो है, वह एकदम सही है, हाइड एक्ट के साथ इस का कोई संबंध नहीं है। You have clearly stated that there is no relation with the Hyde Act. I think you are hiding some facts from the next generation और अगर आप की नीति और सब कुछ साफ है, transparent है तो इस को लेकर पहले ही बात हो जानी चाहिए थी। अगर मैं आप सब को कहूँ, इस हाउस को कह दूँ, यह बात पुरानी थी कि आजाद होने के बाद यह कहा गया कि हम को दूसरे देश के साथ हिसाब चुकता करना है, बहुत सारी चीजों को बदलना है, हमें इस चीज को थोड़ा सा अलग रखना चाहिए। लेकिन आज 60 साल के बाद संविधान में हम को यह अधिकार होना चाहिए कि यह ट्रीटी पहले हमारी संसद में डिस्कस हो, पारित हो और फिर यह डील हो। बाकी यह जो consensus की बात हो रही है, कहा जा रहा है कि consensus of the House, तो कम-से-कम यह consensus of the House तब होता है जब senses होती है। Senses नहीं होगी तो consensus होना मुश्किल है। इसलिए ऐसी एक जगह पर इतनी सारी बात अगर transparent है, सब कुछ ठीक है तो हम ने दो साल से इस बात को लेकर ठीक ढंग से चर्चा क्यों नहीं की? हमने क्यों इसे हमारे देश की जनता के सामने नहीं रखा? अब 40 साल के अंदर न हम रहेंगे और कौन रहेगा, यह मालूम नहीं है, कोई 20 साल बाद भी जा सकता है। ऐसी स्थिति में हम यह 40 साल के लिए हिसाब चुकता कर के जा रहे हैं, भले ही आप का बेटा हो या पोता हो, सवाल यह है कि हम उनके लिए क्या छोड़कर जा रहे हैं? तब Hyde Act से क्या निकलकर आएगा, यह बात साफ लिखकर जाइए ताकि यह न हो कि हमारे बच्चे इस से हट जाएं और कहें कि हम को अमेरिका ने ले लिया। इसलिए मैं कह रहा हूँ, in the interest of the nation, do not hide the facts. Please do not hide the facts. आम जनता को धोखा नहीं देना है। सर, आज आम जनता को जो बिजली दी जा रही है, अब उसे वह DESU दे या कोई भी दे, वह भी कैसे दे रहे हैं यह आप को पता है।...(व्यवधान)... मैं मिडल क्लास की बात कर रहा हूँ, खास आदमी की नहीं। दूसरे लोगों ने भी कहा कि यह बिजली अगर उनके घर में पहुँच जाएगी तो उस से एक चीज तो हो जाएगी कि उस से गरीब की गरीबी हट जाएगी या गरीब हट जाएंगे। फिर उसके लिए आत्म-हत्या के अलावा और कोई रास्ता नहीं है। सर, किसान आत्म-हत्या करे, मजदूर करे और गरीब भी करे तो देश की गरीबी दूर हो जाएगी, गरीब हट जाएंगे और फिर आपका यह स्लोगन रह जाएगा।

महोदय, इन्हीं शब्दों के साथ मैं फिर इस डील का विरोध करता हूँ।

11.00 P.M.

[THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair.]

SHRI SHARAD ANANTRAO JOSHI (Maharashtra): Mr. Vice-Chairman, Sir, I am glad that I got to rise before midnight because, today, it is exactly 3 years and 5 months that I came into this House. In all these 3 years and 5 months, I often put myself a question whether coming to this House was worthwhile; whether I was not better doing my work with the farmers' organisations. But at the end of 3 years and 5 months, for once, I thought that it was a pleasure being here. The debate was, of course, of a very high level. There were arguments on both sides. We were watching the debate, rather than listening to it, like the spectators of a tennis match, turning our heads from left to right and from right to left. Every time somebody spoke, we thought that his arguments were finally clinching, and there could be no further arguments about it. There was a point where we thought, and it was mentioned by some people, that it was quite obvious that the majority of this House was definitely against this Agreement. And, three hours after that, the atmosphere was as if there was absolutely no opposition to the Agreement. Then, again, Mr. Arun Shourie spoke and the tide turned. He batted like one of the last-wicket batsmen, really working out splendour. The confusion is, and at the end of all this, I must say, that I, not being a law student, am not quite sure about the merit of the case that has been argued by the different people. The Agreement is like an elephant, and we are blind people who have gone to understand what the elephant is like — one who touches the tail feels it like a rope; one who touches the trunk feels it like a pillar. The basic argument — as I understood, I may be wrong, somebody will correct me, if not in the House, at least, after the House — is that, firstly, there is the Indo-US Nuclear Agreement; then, there is an Act, called the Hyde Act. There are number comments; there are number of statements made, generally, by the officials of the United States. There were promises made in this House on behalf of the ruling Government. Hence, depending upon the skill of the advocates and the lawyers, people have been emphasising one particular aspect of it and trying to show they have clinched the argument. While, I am not at all quite sure whether, even today, in the US constitutional system, the paramountcy belongs to the international agreement, or, to a domestic legislation, like the Hyde Act; and, what exactly is the position of the statements that might have been made by Condoleezza Rice or anybody else, offering explanations; whether there is any kind of legal weightage to those kinds of explanations given. Quite clearly, both, Shri Sitaram Yechury and Shri Yashwant Sinha thought that the Hyde Act had a certain influence. On the other hand, Mr. Singhvi, and even Mr. Sibal, appeared to argue that the Agreement was appeared to argue that the Agreement was paramount and the Hyde Act had practically no significance, remains. The point remains, if the Hyde Act had no significance, then, why we have been arguing about the Hyde Act for months together here, except today. Before today, nobody pointed out that we should not bother about the Hyde Act because the Hyde Act was irrelevant in the whole matter. Nobody had said it until now. (*Interruptions*) Now, Sir, the law position is not clear. The statistical and economic position is not clear either — how much electricity will be generated with the material that we get because of this nuclear treaty, the figures are uncertain; what the cost of it would be, the figures are uncertain. And, they vary to a very large extent. I find that there is some kind of a trick that has been played on the BJP. The BJP, which is the father of this Agreement, has been tricked into disowning his own child. And the UPA is claiming the credit for that. They got dupped into this because they had a very paternal feeling of the river-linking project. And, when the UPA discard the river-linking project, they thought that they are going to disown all the projects that were started by the NDA. And, therefore, they slipped into the position and started criticising that child which was really their own. That is how they have got fooled.

That I can understand. But, what I can't understand is, the position of the CPM. The CPM says that there is going to be a disaster if the Agreement is accepted, but they are prepared to allow that disaster to come rather than run the risk of seeing this side turn to that side. ...*(Interruptions)*...

SHRI TAPAN KUMAR SEN (West Bengal) : See the...*(Interruptions)*...

SHRI SHARAD ANANTRAO JOSHI: I am not yielding. ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Sen, please don't interrupt. ...*(Interruptions)*... We are sitting very late. ...*(Interruptions)*...

SHRI SHARAD ANANTRAO JOSHI: I think this attitude can be compared to the attitude of Jai Chand who allowed Mohammad Ghori to come in in order to have his revenge on Prithviraj. I think that is the only comparison that can be made. ...*(Interruptions)*... Sir, in all this argument and counter-argument and obfuscation, there is something that is very important that has happened, and I think, that has passed entirely unnoticed. I often paid compliments to the Prime Minister and his team for having started in 1991 the process of economic reforms, and whether it is the NDA Government or the UPA Government, nobody disowns economic reforms. Some are capable of implementing them; some are not capable of implementing them. ...*(Interruptions)*... Now, I find that what has happened is, having shaken one of the cobwebs or one of the things that we inherit from the old times, we made a departure to economic reforms in 1991, and now we are getting rid of another cobweb, another mindset which unnecessarily attached importance to so-called neutrality or rather under the name of neutrality, a definite tilt towards the USSR. Now, what this Government has done, and I want to compliment for that, is, they are certainly trying to correct that tilt. It might appear like a tilt towards the USA for the time being, but that is important for correcting the tilt we had to the USSR, and now we might be somewhat more or less on a balanced position. There are very few people, Sir, who have caused two revolutions in one single lifetime. And I acclaim Prime Minister, Dr. Manmohan Singh for having brought about two revolutions, in 1991 for having put aside the economics of Pandit Nehru, and now for having put aside the and romanticism in foreign policy of Pandit Nehru. Thank you very much, Sir.

SHRI NARESH GUJRAL (Punjab): Sir, I deem it a privilege to rise and express my views on behalf of my party, SAD on this very sensitive issue that confronts the nation today. Sir, Pt. Jawaharlal Nehru's vision has bequeathed to India the broad paradigm of our foreign policy. One of the fundamental principles of our Foreign Policy has been to uphold, preserve and protect the freedom of independent thought and action. It is in this context that we must examine and debate the Indo-US Nuclear Agreement.

Sir, it is a matter of great pride that the Indian economy is growing at almost nine per cent per annum. Today, internationally, the country commands the kind of respect that it didn't before, largely due to our economic and scientific strength. Our entrepreneurs are taking on the world with new-found confidence. Our middle class is expanding rapidly and a huge market has opened up as a result of the responsible economic policies followed by successive Governments since Dr. Manmohan Singh unshackled the economy in 1991.

Sir, since the end of the Cold War and the collapse of the Soviet Union, it is an accepted reality that the U.S. is a paramount superpower. It is also the largest market in the world. Sir, there is no doubt that it is in India's interest to strengthen ties with the U.S. as we have much in common. Not only are we the largest democracy in the world, but we also share common values and institutions like independent judiciary, free press, respect and tolerance for all religions and equality of opportunity for all our citizens.

Our trade with each other has grown exponentially and the U.S. continues to be our largest trading partner. Yet, while our trade with the U.S. was 30 billion US\$ last year, China's trade with the U.S. was 343 billion US\$.

Today, a large number of the U.S. companies are investing in our country with renewed vigour not only creating thousands of jobs but also bringing with them modern technology and know how. Sir, internationally both the countries have been victims of terrorism and are determined to fight and eradicate this menace. It is certainly in our national interest to end our nuclear isolation and be accepted by the Nuclear Suppliers Group as a responsible nuclear State which, in turn, would help both our economy and our security.

The world has, for the time being, moved away from proliferation to non-proliferation and India has voluntarily declared that it will not test in the future. Sir, geographically, India, unfortunately, is surrounded by politically destabilised neighbours, be it Myanmar, Bangladesh, Nepal, Pakistan, Afghanistan or Sri Lanka. We have been, and continue to be, victims of terrorism much of which has emanated from our neighbourhood. China, unfortunately, but for its own strategic reasons, has been taking undue interest in the affairs of our neighbours and has invested substantially in building their military infrastructure. No responsible Government can ignore this threat and consequently we require the friendship and support of powerful friends like the U.S. as well as other Nuclear Suppliers Group countries to counter any potential mischief from the neighbourhood.

Sir, another compelling reason for ending our nuclear isolation is that a growing economy like ours certainly needs to balance its energy production. With the price of oil hovering around 100 \$ a barrel and given the environmental damage, which is caused by thermal and hydro-electric plants, we must increase our reliance on nuclear energy. France generates 85 per cent of its requirements through nuclear power plants while we are languishing at 3-4 per cent. Access to NSG countries who are keen to do business with India, be it Russia, Canada, Australia or France, would accelerate our power production process and lend stability to our nuclear fuel requirements.

Sir, an accommodation with the present non-proliferation establishment is essential if we wish to secure fuel supplies and not waste time and resources on re-inventing the wheel. The fuel situation is critical, if not desperate. Any Government, whatever its complexion, today or tomorrow, will have to secure our energy. What its terms should be is a matter of debate. The price we pay for such an accommodation has to be measured in terms of our national interest. The timing also has to be determined by our judgment as to when the international situation is most favourable.

Sir, there is an old American saying, there is no such thing as a free lunch. Obviously, while this agreement may be in the mutual interest of both the nations, it is being offered with some attendant conditions as are mentioned in the 123 agreement which, according to the Government, insulates us from the Hyde Act, but according to many respected opposition leaders, is, in the ultimate analysis, an extension of the Hyde Act. Since much has been spoken about these conditions by my senior colleagues, I shall refrain from repeating them. Despite these conditions, Sir, some eminent citizens of India which include former Army, Navy and Air Chiefs, former Chairman of Atomic Energy Commission, and high ranking civil servants, in an open letter to Members of Parliament have expressed their opinion that the deal cannot get better for India. We respect their opinion.

Sir, historically we have learnt from our freedom struggle how to withstand all kind of pressure and walk tall with dignity and self-respect. Time and again we have shown courage

and acted in our national interest without fear whether it was in 1974 when Mrs. Gandhi ordered the first test or our refusal to succumb to international pressure on CTBT or once again when Shri Vajpayee ordered the 2nd peaceful explosion in 1998.

Each time, we were isolated for a while before getting back to the international mainstream. ...*(Interruptions)*... *(Time-bell)*... Sir, this is my maiden speech. ...*(Interruptions)*... Sir, my party believes that we must not accept any conditions which may cripple or put fetters on our peaceful nuclear programme in the future, as we cannot jeopardise our very existence given the regional architecture.

We are in a unique position today— we are the world's largest secular democracy with an independent judiciary. We have attained economic and scientific strength that the whole world admires; we offer a huge market, which would be equal to China's in a few years and we have a young educated population, which will be our greatest asset in the future.

Personally, I have deep respect for the Prime Minister. His integrity and patriotism is beyond reproach. I am certain that he has carefully examined all the aspect of the treaty in great detail.

However, Sir, in a parliamentary democracy, it is wise to evolve a national consensus especially over such a vital issue — this has been our tradition. I would urge the Government to respect the collective wisdom of our Parliament. There are no differences amongst us about the ultimate objective, what divides us, is the strategy to achieve those objectives.

An impression is being sought to be created by various interested lobbies that it is now or never for this agreement. Artificial deadlines are being talked of, and it is being said that after President Bush, it would be impossible for the next U.S. President to revive the treaty. This is completely erroneous.

Sir, foreign policies are never static but always dynamic. It is as much an America's strategic interest as ours to befriend and strengthen each other. The next U.S. President will be as keen to conclude this deal with India as the present administration as it also in their national interest to forge closer ties with us.

Sir, my party believes that since there is no real deadline to sign this agreement, the Government should commit the country only when there is political unanimity on this issue.

Meanwhile, the Government must take all steps to safeguard and not mortgage our nuclear independence. This is a prerequisite to India emerging as a future global power, which is second to none. Thank you, Sir.

SHRI DINESH TRIVEDI (West Bengal): Mr. Vice-Chairman, Sir, एकध घंटा तो मिलेगा?

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is already midnight. ...*(Interruptions)*... Anyhow, you are not making your maiden speech. ...*(Interruptions)*...

SHRI DINESH TRIVEDI: Sir, there is a lot of demand for me to speak so I hope you will consider that. Sir, I am definitely making a maiden speech at 11.15 at night because I have never made it earlier. Sir, like the saying goes, the wise one has the last word. And thank you very much for giving me the last word. ...*(Interruptions)*... Sir, दो-चार मोटी-मोटी बातें जो इस बहस में बाहर निकलीं, उनमें एक तो यह है कि कम वक्त में we definitely need energy. There is no just way out. Now the debate is what kind of energy we need, that is one debate. And the second point which has come out is, who is more nationalistic and the third which is also very important that इनकी जो कोआर्डिनेशन कमेटी बनी हुई थी, उसमें energy की बात कम हुई, मगर synergy की बात ज्यादा हुई। अब synergy किस पर थी? अब Hyde Act की जो बात कर रहे थे, there is

hide and seek, they were hiding in their act of Nandigram in that Coordination Committee and seeking the blessings कि भाई सेंट्रल फोर्सज मत भेजना, सीबीआई मत करवाना I seek your blessing आपको जहाँ जाना है, जाइए। IAEA में जाइए, जहाँ जाना है, जाइए। Sir, it is very open. Sir, I don't want to give those kinds of definition that they bark and they don't bite क्योंकि बार्किंग, बाइटिंग जो करते हैं, वह करते हैं, वह कहना अच्छा नहीं लगेगा। So, I don't want to use such phrases. But they themselves say that if need comes, 'we will bite also'. So, it is very clear that all along * — not so much of the Left but at least CPM — is coming out. पहले दिन क्या कहा, आप बिल्कुल बात मत करिएगा, आप जैसे ही वहाँ जाएंगे, वह यहाँ आए थे, IAEA के चीफ यहाँ आए थे, वह चीफ से भी कहा कि बात मत करिएगा, हम देख रहे हैं कि आप उनसे कौन-सी बात कर रहे हैं।

Then, Nandigram came and the entire hell broke loose और कहा कि अब हम लोग फंस गए, तो एनर्जी की बात तो अपनी जगह पर रही, मगर सीनर्जी की बात ज्यादा हो गई, कि भगवान, आप बचा लो, आपको कहाँ जाना है, वियना जाना है, जाइए न वियना, कौन मना किया है...(व्यवधान)...

SHRI R. SHUNMUGASUNDARAM (Tamil Nadu): Translation is not coming.

SHRI DINESH TRIVEDI: ऐसा है कि इसका आएगा ही नहीं...(व्यवधान).... Sir, the drama and the*. First, they say, 'you are not going to see the girl at all.' The moment you see the girl we are just going to get out of it. This is again a love affair which is going on. Then they say that, 'all right, for marriage you can go and see the girl but don't get married. The moment you get married, I will divorce'. जो पति-पत्नी के आपस के झगड़े होते हैं, यह है और फिर क्या बोलते हैं I know ultimately what will come. Ultimately, they will come with a demand. Even Nandigram is hotting up. Their sins are coming out in the open. How they have killed, how they have compromised, all these things are today out in the open. Ultimately, what will happen is, they will say, 'all right, you go and get married but don't produce children'. They will have such conditions also.

SHRI R. SHUNMUGASUNDARAM: Is this is a speech on marriage counselling?

SHRI DINESH TRIVEDI: No, no, I have seen your marriage with the Congress. That marriage counselling I can see it very well. Sir, Sitaramji was saying, 'you are mortgaging the country and the country's interest.' Sir, let me tell you and with all seriousness, I had been and we had been in the Congress and I was very proud of it.

[MR. DEPUTY CHAIRMAN in the Chair.]

Sir, if anybody has truly fought the freedom struggle, it is Gandhiji, Nehruji or Indira Gandhiji. Nehruji was in prison at the prime of his life. So, if anybody knows what nationality is, I don't have to say, nationalism is nothing but Congress has talked and I definitely have been very proud that I was associated. But, where did the problem come from? Sir, the problem came when a good apple gets contaminated with a bad one.

जब एक अच्छा खाना हो और उसमें कहीं कोई खराब दस्तु लग जाती है, खराब in that sense is a word. Please don't take it as derogatory. इनके ideology कांग्रेस की contaminated हो गई, the moment they came in touch with the CPM. That is where they have got totally haywire and I have no doubt about it that one-day and that day is also coming very, very soon and they will realise. Their intentions are all genuine.

श्री उपसभापति : कृपया न्यूक्लीयर Deal पर बोलिए।

SHRI DINESH TRIVEDI: But, Sir, I have to tell you with a heavy heart...

SHRI S.S. AHLUWALIA: Sir, 'nuclear' starts with 'N' and 'Nandigram' also starts with 'N.' That is why he is clubbing both.

*Expunged as ordered by the chair.

SHRI DINESH TRIVEDI: But, with a heavy heart, I must tell you...(Interruptions)...

SHRI DIGVIJAY SINGH: Sir, 'Natwar Singh' also starts with 'N.'...(Interruptions)...'N' for 'Nandigram', 'nuclear' and 'Natwar Singh.'

SHRI DINESH TRIVEDI: Sir, I am telling you with a heavy heart that even my friends in the Congress Party have love for the nuclear deal. I am not, for a moment, casting any aspersions. They listened to them and did not act on Nandigram. People of Nandigram were killed. But, our friends in the Congress looked at the other side. Who are getting killed? There were minorities, children.

SHRI ANAND SHARMA: Sir,...

SHRI DINESH TRIVEDI: I know. I am coming back to nuclear deal...(Interruptions)....Before you could tell me...(Interruptions)....People of Nandigram...(Interruptions)...

MR. DEPUTY CHAIRMAN: Mr. Trivedi, you are in the Panel of Vice-Chairmen. You should know the problem.

SHRI DINESH TRIVEDI: I know the problem, Sir.

But, what surprises me the most is that for the last two years the entire Parliament is seized of the nuclear deal only, as if this country is so rich, everybody has a full belly, everybody sleeps well, everybody has a house and this is what the most problematic area. Sir, I would like to ask the Government whether nuclear deal is life and death for this country. Don't we have other problems in the country? Yes, by all means, if you think that your nuclear deal with the US is going to solve all the problems of the poorest of the poor, I have no objection. But, I want to ask a question. Somebody was talking about Panditji's and Gandhiji's philosophy of self-reliance. सेल्फ रिलायंस में प्रॉब्लम यह हो गयी कि सेल्फ का बर्ड कहीं खिसक गया। From 'self-reliance' the word 'self' goes away what remains we know that.

AN HON. MEMBER: Reliance Industry.

SHRI DINESH TRIVEDI: I did not say that. People are saying that. From 'self-reliance', the word 'self' has lost somewhere...(Interruptions)....I will tell you the logic of opposing...(Interruptions)...

श्री उपसभापति : हो जाएगा। Everybody has taken time. दो-तीन मिनट में खत्म कर देंगे।

श्री दिनेश त्रिवेदी : आप सुनना नहीं चाहते तो जा सकते हैं। Sir, one logic which comes to me is, if the CPM opposes this deal, then this deal has to be very good. I tell you why. The logic is: when the first computer came to Kolkata, they were the first one to oppose it. And, they are running after IT industries now. Even from that logic, I personally feel, if the CPM is opposing this deal could be good.

Look at our education. This country needs *roti, kapda aur makaan*. Sir, only yesterday's newspaper carried out this article that India has slipped down five ranks since last year to 105 on global education parameters, leading to fears that the country would miss most of the Millennium Development Goals for its children, according to the UNESCO's study. Sir, girl's dropout is 66%. The reason I am mentioned all these figures is that...

MR. DEPUTY CHAIRMAN: Mr. Trivedi, unfortunately, you are the last speaker and you will have to bear the brunt...(Interruptions)...

श्री दिग्विजय सिंह : सर, अभी नटवर सिंह जी भी हैं।

SHRI NATWAR SINGH: I have said so earlier on...

श्री उपसभापति : वे तो कांग्रेस पार्टी के हैं।...(व्यवधान)... यह सब नहीं चलेगा। आप क्यों एड्योकेट कर रहे हैं?

श्री दिग्विजय सिंह : वे देश के विदेश मंत्री रहे हैं।...(व्यवधान)... आप रहे क्यों विदेश मंत्री?

MR. DEPUTY CHAIRMAN: I have seen the ruling...(Interruptions)....I will give my... (Interruptions)...

SHRI NATWAR SINGH: Sir, I had asked Prof. Kurien when he was sitting in the Chair...(Interruptions)...I said I will speak at the end and he has named me...(Interruptions)...

MR. DEPUTY CHAIRMAN: He has named you. But...(Interruptions)...

SHRI NATWAR SINGH: I charge...(Interruptions)...

MR. DEPUTY CHAIRMAN: You cannot charge...(Interruptions)...You cannot have everything...(Interruptions)...

SHRI DINESH TRIVEDI (CONTD.): Sir, in this country, I think, poor people are seized of much larger issues of education, health and corruption. *कमिशन में जो फंड आते हैं ... (व्यवधान)*

श्री उपसभापति : बैठिए, ..(व्यवधान)

SHRI DINESH TRIVEDI: I am telling you this with all responsibility. ...(Interruptions)... Sir, I am concluding by saying that if...(Interruptions)... I know your compulsion. The Left is not going to last long with you. With the Left, the nuclear deal will also go. Sir, the point is very clear. In between, Sir, I must read this because Atalji was misquoted.

MR. DEPUTY CHAIRMAN: What are you reading?

SHRI DINESH TRIVEDI: Sir, give me one minute.

MR. DEPUTY CHAIRMAN: You have not been misquoted.

SHRI DINESH TRIVEDI: You must listen to the full sentence. The sentence was not completed. He says that, 'yes', the NPT can be signed provided all the other countries also sign. As per article 14, without any restriction, we will sign if all other countries also sign." So, half sentence was read. Full sentence was not read. So, in all fairness, I just thought that I will clarify that. We were part of the Government, so, I know that thing.

In conclusion I would say about the things which I had narrated. Is your nuclear deal going to take care of the last man on the street? They all keep on talking about the trickle-down effect. I was talking to Shri Rahul Bajaj. I said, "You people go to Taj Hotel, have food there जो बचा हुआ फूड है That is what is known as the trickle-down effect. वह बचा हुआ फूड को भी बोलते हैं कि पैक करो, घर ले जाएंगे। So, there is no trickle-down effect there also. Sir if India is going to sort out the problems of the last man on the street, which I just narrated, then, we are all for the deal. But, I am not very certain whether we are actually, focussing ourselves on the *Aam Admi*, which is your slogan. *Aam Admi* is what India is all about. India lives in the villages. The villages should get their life blood. And, you have to tell us also, which you did not, that once you get this nuclear deal, will it be only stuck to Reliance, Tatas or others, or, will it be spent for irrigation, which is our life blood. Today if we are surviving here, it is thanks to our farmers and our labourers. If that is what is going to happen, I think, the country also needs to listen to you. Thank you very much to listen to me.

MR. DEPUTY CHAIRMAN: Mr. Natwar Singhji, you have accepted that what Shri Digvijay Singhji has said is right, so, there is no need for any clarification. The House is adjourned to meet tomorrow at 11.00 a.m.

The House then adjourned at twenty-eight minutes past eleven of the clock till eleven of the clock on Wednesday, the 5th December 2007.