

**MR. DEPUTY CHAIRMAN in the Chair.**

**PAPERS LAID ON THE TABLE**

1. **SHRI B.K. HANDIQUE:** Sir, I lay on the Table, a copy each (in English and Hindi) of the following papers, under sub-section (1) of Section 619A of the Companies Act, 1956:

- (a) Annual Report and Accounts of the Hindustan Copper Limited (HCL), Kolkata, for the year 2008-09, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
- (b) Review by Government on the working of the above Company.

2. **SHRI SHRIPRAKASH JAISWAL:** Sir, I lay on the Table, a copy each (in English and Hindi) of the following papers, under sub-section (1) of Section 619A of the Companies Act, 1956:

- (a) Fifty-third Annual Report and Accounts of the Neyveli Lignite Corporation Limited, Chennai, for the year 2008-09, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
- (b) Review by Government on the working of the above Corporation.

3. **SHRI SALMAN KHURSHEED:** Sir, I lay on the Table

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under Section 40 of the Company Secretaries Act, 1980, together with delay statement on the Notifications:

- (1) F.No. 104/34/Accts., dated the 20<sup>th</sup> September, 2006, publishing the Audited Annual Accounts and Report of the Council of the Institute of Company Secretaries of India, for the year ended the 31<sup>st</sup> March, 2006.
- (2) F.No. 104/27/Accts., dated the 18<sup>th</sup> September, 2007, publishing the Audited Annual Accounts and Report of the Council of the Institute of Company Secretaries of India, for the year ended the 31<sup>st</sup> March, 2007.

- (3) F.No. 104/28/Accts., dated the 18<sup>th</sup> September, 2008, publishing the Audited Annual Accounts and Report of the Council of the Institute of Company Secretaries of India, for the year ended the 31<sup>st</sup> March, 2008.
- (4) F.No. 104/29/Accts-Report of the Council dated the 16<sup>th</sup> September, 2009, publishing Audited Annual Accounts and Report of the Council of the Institute of Company Secretaries of India, for the year ended on the 31<sup>st</sup> March, 2009.

II. A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under Section 40 of the Cost and Works Accountants Act, 1959, together with delay statement on the Notifications:-

- (1) No.G/18-CWA/9/2006, dated the 13<sup>th</sup> September, 2006, publishing the Audited Annual Accounts and Report of the Council of the Institute of Cost and Works Accountants of India, for the year ended on the 31<sup>st</sup> March, 2006.
- (2) No.G/18-CWA/9/2007, dated the 25<sup>th</sup> September, 2007, publishing the Audited Annual Accounts and Report of the Council of the Institute of Cost and Works Accountants of India, for the year ended on the 31<sup>st</sup> March, 2007.
- (3) No.G/18-CWA/9/2008, dated the 25<sup>th</sup> September, 2008, publishing the Audited Annual Accounts and Report of the Council of the Institute of Cost and Works Accountants of India, for the year ended on the 31<sup>st</sup> March, 2008.
- (4) G/18-CWA/9/2009, dated the 23<sup>rd</sup> September, 2009, publishing Audited Annual Accounts and Report of the Council of the Institute of Cost and Works Accountants of India, for the year ended on the 31<sup>st</sup> March, 2009.

III. A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under sub-section (1) of Section 642 of the Companies Act, 1956:

- (1) G.S.R. 642 (E), dated the 7<sup>th</sup> September, 2009, publishing the Companies (Electronic Filing and Authentication of Documents) Amendment Rules, 2009.
- (2) G.S.R. 643 (E), dated the 7<sup>th</sup> September, 2009, publishing the

Companies (Central Governments) General Rules and Forms (Fourth Amendment) Rules, 2009.

- (3) S.O. 2276 (E), dated the 7<sup>th</sup> September, 2009, publishing the Scheme for Filing of Statutory Documents and other Transactions by Companies in Electronic Mode (Amendment) Scheme, 2009.
- (4) G.S.R. 649 (E), dated the 8<sup>th</sup> September, 2009, publishing the Companies (Central Governments) General Rules and Forms (Fifth Amendment) Rules, 2009.
- (5) G.S.R. 827 (E), dated the 16<sup>th</sup> November 2009, publishing the Competition Appellate Tribunal (Salaries and Allowances and other terms and conditions of service of the Chairperson and other Members) Second Amendment Rules, 2009.

IV. A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under Section 30B of the Chartered Accountants Act, 1949, together with delay statement on the Notifications:

- (1) No.1-CA(5)/57/2006, dated the 29<sup>th</sup> September 2006, regarding Audited Annual Accounts and Report of the Council of the Institute of Chartered Accountants of India, for the year ended on the 31<sup>st</sup> March, 2006.
- (2) No.1-CA(5)/58/2007, dated the 28<sup>th</sup> September, 2007, regarding Audited Annual Accounts and Report of the Council of the Institute of Chartered Accountants of India, for the year ended on the 31<sup>st</sup> March, 2007.
- (3) No.1-CA(5)/59/2008, dated the 25<sup>th</sup> September, 2008, regarding Audited Annual Accounts and Report of the Council of the Institute of Chartered Accountants of India, for the year ended on the 31<sup>st</sup> March, 2008.
- (4) No.1-CA (5)/60/2009, dated the 30<sup>th</sup> September, 2009, regarding Audited Annual Accounts and Report of the Council of the Institute of Chartered Accountants of India, for the year ended on the 31<sup>st</sup> March, 2009.

V. A copy each (in English and Hindi) of the following papers:

- (a) Annual Report and Accounts of the Central Wakf Council, New Delhi, for the year 2008-09, together with the Auditor's

Report on the Accounts.

(b) Review by Government on the working of the above Council.

4. **SHRI JAIRAM RAMESH:** Sir, I lay on the Table

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Environment and Forests, under Section 26 of the Environment Protection Act, 1986:

- (1) S.O. 2804 (E), dated the 3<sup>rd</sup> November, 2009, amending Notification No. S.O. 979 (E), dated the 27<sup>th</sup> August, 2003, to substitute certain entries in the original Notification.
- (2) G.S.R 794 (E), dated the 4<sup>th</sup> November, 2009, publishing the Environment (Protection) Sixth Amendment Rules, 2009.
- (3) G.S.R 826 (E), dated the 16 November, 2009, publishing the Environment (Protection) Seventh Amendment Rules, 2009.

II. A copy (in English and Hindi) of the Ministry of Environment and Forests Notification S.O. 1545 (E), dated the 25<sup>th</sup> June, 2009, notifying Mount Abu and its surrounding region as Eco-sensitive Zone, under the sub-section (2) of Section 3 of the Environment (Protection) Act, 1986.

III. A copy each (in English and Hindi) of the following Notifications of the Ministry of Environment and Forests, under sub-section (3) of Section 62 of the Biological Diversity Act, 2002:

- (1) S.O. 2726(E), dated the 30<sup>th</sup> October, 2009, regarding applicability of provisions of the Biological Diversity Act, 2002 to any items including biological resources normally traded as commodities
- (2) S.O. 2524 (E), dated the 5<sup>th</sup> October, 2009, notifying the species of plants and animals on the verge of extinction, in the State of Mizoram.
- (3) S.O. 2525 (E), dated the 5<sup>th</sup> October, 2009, notifying the species of plants and animals on the verge of extinction, in the State of Orissa.
- (4) S.O. 2526 (E), dated the 5<sup>th</sup> October, 2009, notifying the species of plants and animals on the verge of extinction, in the State of Meghalaya.

IV. A copy each (in English and Hindi) of the following papers:

- (a) Annual Report and Accounts of the National Biodiversity Authority, Chennai, for the year 2008-09, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Authority.

5. **SHRI BHARATSINH SOLANKI:** Sir, I lay on the Table

I. A copy each (in English and Hindi) of the following Corrigenda to the Notifications of the Ministry of Power, under Section 179 of the Electricity Act, 2003:

- (1) L-1(3)/2009-CERC, dated the 10<sup>th</sup> August, 2009, publishing the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and Related matters) Regulations, 2009.
- (2) L-7/186(201)/2009-CERC, dated the 17<sup>th</sup> September, 2009, publishing the Central Electricity Regulatory Commission (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations, 2009.
- (3) L-7/145(160)/2008-CERC, dated the 26<sup>th</sup> September, 2009, publishing the Central Electricity Regulatory Commission (Fee and Charges of Regional Load Dispatch Centre and other related matters) Regulations, 2009.

II. A copy (in English and Hindi) of the Ministry of Power Notification No. L-1(1)/2009-CERC, dated the 24<sup>th</sup> July, 2009, publishing Corrigendum to the Central Electricity Regulatory Commission (Unscheduled Interchange charges and related matters) Regulations, 2009.

III. A copy (in English and Hindi) of the Ministry of Power Notification No. L-7/105(121)/2007-CERC, dated the 24<sup>th</sup> July, 2009, publishing Corrigendum to the Central Electricity Regulatory Commission (Open Access in Inter-State Transmission) (Amendment) Regulations, 2009.

IV. A copy (in English and Hindi) of the Ministry of Power Notification No. L-7/142/157/2008-CERC, dated the 24<sup>th</sup> July, 2009, publishing Corrigendum to the Central Electricity Regulatory Commission (Payment of Fees) Amendment Regulations, 2009.

V. A copy each (in English and Hindi) of the following papers, under sub-section (1) of Section 619A of the Companies Act, 1956:

- (a) Twenty-first Annual Report and Accounts of the Tehri Hydro Development Corporation Limited (THDC), Tehri, for the year 2008-09, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
- (b) Review by Government on the working of the above Corporation.  
(Ends)

### **LEAVE OF ABSENCE**

**MR. DEPUTY CHAIRMAN:** I have to inform Members that the following letter has been received from Shri Arjun Singh stating that he is unable to attend the House due to illness of his wife. He has, therefore, requested for the grant of leave of absence from 19<sup>th</sup> November to 15<sup>th</sup> December, 2009, of the current (218<sup>th</sup>) Session of the Rajya Sabha.

Does he have the permission of the House to remain absent from 19<sup>th</sup> November to 15<sup>th</sup> December, 2009, during the current Session of the Rajya Sabha?

**(No Hon. Member dissented)**

**MR. DEPUTY CHAIRMAN:** Permission to remain absent is granted.  
(Ends)

### **MATTERS RAISED WITH THE PERMISSION OF CHAIR**

#### **RE. CONFLICTING STATEMENTS ON CLIMATE CHANGE**

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**THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY):** Mr. Deputy Chairman, Sir, two weeks ago, this hon. House called the attention of the Minister on the issue of India's stand in the Climate Change Negotiations. And, this House was categorically assured by the hon. Minister, in the course of the discussion, that there would be no substantial change from the stand that this country had adopted over

the last 17 years in these negotiations. The Minister also said that he will take Parliament into confidence before he proceeds to Copenhagen and the country's stand is spelt out. Sir, this Calling Attention was called in the backdrop of some apprehension that the Minister was not in agreement with the stand of the Government of India, which was being conventionally taken. Now, we find that the hon. Minister and the Government of India, have unilaterally altered their position substantially over what India has been saying all these years. We have now announced, without waiting for what developed countries say, that we are going to make a 20-25 per cent cut in our carbon intensity on the 2005-level till 2020. Now, this country has, consistently, followed a policy that there is a per capita principle, that is, we have as much a share as members of developing countries in the carbon space, as much as a citizen of a developed country has. The hon. Minister had addressed a letter to certain Members of Parliament, and I also received this letter, on the 29<sup>th</sup> of September, 2009, where till 29<sup>th</sup> September, the Minister has said, and I quote from his letter: "The equal per capita entitlement principle is the only legitimate internationally acknowledged measure for reflecting equity. As stated by our hon. Prime Minister, India's per capita emission levels will never exceed the per capita emission levels of the developed countries." Today, Sir, what appears to be happening is that the legally binding cut, which the developed country had to face, is something that they want to get out of, as a result of which various drafts are being internationally circulated. And, as a part of those drafts, one of the suggestions being made is, "Please go by domestic measures". What we seemed to have done is, we completely altered

our principle; irrespective of what the developed world does, we have unilaterally announced that we are going to make cuts of 20-25 per cent. Now, Sir, our difficulty today is that a major part of this negotiation, the deal, is still to be settled. Who is going to make the entire investment involved in India, as also in the various developing countries, as far as this reduction of carbon intensity or emission intensity of 20-25 per cent over the next few years is concerned?

(Continued by 1O)

TDB/1O/12.05

**SHRI ARUN JAITLEY (CONTD.):** Sir, when the business was as usual between 1990 and 2005 ...(Interruptions)... Sir, I will just take a minute or two more. Between 1990 and 2005, we had in this emission intensity a 17.6 per cent cut. That was one per cent compounded annually. Now, if we are to achieve this figure, then a lot of investment would be required because it would be almost about one-and-a-half per cent per year which is required till 2020. Now, one of the essential aspects of this deal has to be as to who is to bear the cost. Is the cost to be borne by those who are the victims of environmental pollution or is the cost to be borne by those who have substantially polluted the environment? Now, Sir, the original understanding was that there would be substantial cuts being made by the developed countries, and today, having really bared our hands completely on the eve of negotiations, we do not know what the developed countries are going to do. Experts in the field are now indicating that the cuts will only be three to four per cent on the 1990 emission levels, as far as the developed countries are concerned, and we would be rendered completely helpless in a situation of this kind.



Sir, there are two or three aspects I wish to highlight. It is bad strategy for the Government of India on the eve of a crucial negotiation to bare its hands and disclose all its cards. Our disclosed cards today become the baseline of further negotiations. We have raised our own baseline which was absolutely not necessary.

Secondly, Sir, today, we have no reciprocity in return. Thirdly, we are in a state of turmoil on the eve of these negotiations. The negotiations' first phase begins today itself. Our negotiators appear to be sulking. From what has appeared in the newspapers, some of them, day-before-yesterday, refused to board the flight and said, 'unless we have a clear assurance from the Government of India that we will not be really reversing our stand, we are not willing to go'. And, lastly, Sir, the question was also asked by one of our colleagues in the Question Hour as to what is the international observation or verification of our unsupported domestic actions. Sir, earlier our stand categorically was this will never be acceptable. Now, the Minister has now coined a new buzz word which is flexibility. And, flexibility says, we will see, if necessary, we will allow it. His interview to one of the leading newspapers of the country almost seems to indicate that we will allow that also. Now, this is, entirely, Sir, unacceptable, and I suggest, Sir, that the Government gives a categorical assurance to this House that there will be no change in India's categorical stand which has been there all these years on this subject.

(Ends)

**MR. DEPUTY CHAIRMAN:** Shri Sitaram Yechury and Shri D. Raja to associate. ...(Interruptions)... It is association.

**SHRI SITARAM YECHURY:** No, no; Sir. In the morning, the agreement was that we will speak. ...(Interruptions)...

**MR. DEPUTY CHAIRMAN:** No, no; in the morning, the agreement was that it will be raised in the Zero Hour...(Interruptions)...

**SHRI SITARAM YECHURY:** And I will be allowed to speak. That was the agreement. ...(Interruptions)...

**MR. DEPUTY CHAIRMAN:** Okay; okay. I am saying this because the Leader of the Opposition has given the details of it. ...(Interruptions)...

Okay, please stick to the time. ...(Interruptions)...

**SHRI SITARAM YECHURY:** Sir, start the time now. ...(Interruptions)... I have already lost one minute. ...(Interruptions)...

**MR. DEPUTY CHAIRMAN:** You are capable of...(Interruptions)...

**SHRI SITARAM YECHURY (WEST BENGAL):** Sir, I understand your sentiments and I will try to be very brief. ...(Interruptions)...

**THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH):** Sir, he is part of our delegation. ...(Interruptions)...

**SHRI SITARAM YECHURY:** I am going to give him a hint of what I am going to say in Copenhagen also. The Minister, Sir, had assured the Parliament and the country that there are two red lines that will not be crossed. One is that there will be no binding emission cuts that will be acceptable to India. Second is that there will be no deadline of peaking of our emissions. Now, whatever has been stated earlier and what the Minister has been stating now in the media somehow seems to contradict this. Our voluntary announcement of 20 to 25 per cent reduction; we presume, it is on reduction in carbon intensity because it

is gone by the past record of 17 per cent reduction from 1990 to 2005, which is the compound rate of one per cent per year. Now, whether it is emission intensity or energy intensity or carbon intensity, these three are very different concepts and impact on the country differently. We do not know what the Government is talking about. But, presuming it is carbon intensity, it means that by 2020, we will have to reduce by 150 per cent of what we have reduced in the last 15 years. What does it mean? Today, 55 crores of my countrymen do not have electricity, 70 crores of my countrymen survive on bio-gas fuels without any carbon emission.

(Contd. by 1p-kgg)

kgg/1p/12.10

**SHRI SITARAM YECHURY (contd.):** If this 1.5 per cent reduction is to be brought about, then it will come at the expense of the two-thirds of India. Are we today prepared to widen the gap between the rich and the poor in the country as a result of this, and has it come under any pressure? That is my point. The pressure is that on the 4<sup>th</sup> December, the White House releases a press note. I am reading from it, Sir, which is a public document. It says, "After months of diplomatic activity, there is progress being made towards a meaningful Copenhagen accord in which all countries pledge to take action against the global threat of climate change." No annexure-1 or annexure-2. No division between the developed and the developing. "Following bilateral meetings with the President and since the United States announced an emissions reduction target that reflects the progress being made in Congress towards comprehensive energy legislation, China and India have for the first time set targets to reduce their carbon intensity. There has also

been progress in advancing the Danish proposal for an immediate, operational accord that covers all of the issues under negotiation." Danish proposal is document where there is no differentiation between the developed and the developing countries. Hours after this was announced, the Prime Minister of India announces that he is also going. So, the suspicion that comes up is, is this happening under pressure? Therefore, Sir, since you asked us to restrict our time, I would be brief. Article 4, para 7 of the framework so far clearly talks in terms of annexure-1 and annexure-2 countries and the responsibility of the developed world. Therefore, Sir, we want assurances from the hon. Minister. Firstly, the per capita emission standards cannot be diluted. It cannot be given up. Secondly, the historical responsibility of the advanced countries must be ensured. Thirdly, the cut-off date that has been changed from 1990 to 2005 should not be accepted, we should stick to 1990; and, our voluntary cuts must be conditional upon three things. One, that the developed countries ensure a mandatory cut in their emissions. Two, the financing of the shift to greener technologies will be provided and they take much of the burden on financing of such a transfer to greener technologies. Three, the transfer of technologies should be beyond the purview of the Intellectual Property Rights and they should be transferred to the Third World without this Intellectual Property Rights royalties. We want these assurances from the Minister.

(Ends)

**SHRI D. RAJA (TAMIL NADU):** Sir, agreeing with the speakers before me, I would like to draw the attention of the House to one international climate scheme. Our Government has been supporting on international

climate scheme called REDD, Reducing Emissions from Deforestation and Degradation of Forests. Even though this scheme has major implications for the livelihood of crores of Adivasis and forest dwellers, the Government has never publicly discussed this scheme. Even the issue was not discussed in Parliament. The proposed scheme would make it possible for companies and Governments to earn tradable carbon credits from forest protection in developing countries. Our Government has gone beyond this and wants aforestation and plantation projects to be eligible for carbon credit also.

Sir, as of now, the Forest Right Act, 2006 is not being properly implemented in many areas. When the Government is not giving the people secure rights to their lands and forests, what can the Government do to prevent companies and Government agencies grabbing the same lands to earn carbon credits under this scheme? The Government's aforestation programmes are already resulting in conflict, in many States, for instance in Orissa, Andhra Pradesh and Chhattisgarh. So, my point is, the Government must be very categorical and clear on what it is going to do. Replacing natural open areas with mono-cultural plantations...

**MR. DEPUTY CHAIRMAN:** No, the subject is, 'conflicting statements' and not on this, please.

**SHRI D. RAJA:** Sir, no, it is part of Copenhagen Summit that is beginning today. It is part of the climate scheme and the Government's position.

**MR. DEPUTY CHAIRMAN:** That we have already discussed. This is only on 'conflicting statements.'

**SHRI D. RAJA:** Sir, this is a new thing which the Government has been supporting and the Government has not discussed it in Parliament!

**MR. DEPUTY CHAIRMAN:** That is correct, I am not disputing it. But the question which we have admitted is.... (Interruptions)

(Followed by sss/1q)

SSS/1Q/12.15

**SHRI D. RAJA:** What I am trying to say is, the Government cannot support this international scheme REDD. If Government has anything like this, Government should share what Government is going to do in Copenhagen. That is what we are asking the Minister. Let him respond.

**SHRI SITARAM YECHURY:** Government should take it seriously because Mr. Raja is opposing REDD! You please understand. If Mr. Raja is opposing REDD, it is a serious matter.

**SHRI D. RAJA:** So my humble request is, Sir,...

**MR. DEPUTY CHAIRMAN:** Your three minutes are also over.

**SHRI D. RAJA:** Let him respond.

**THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH):** Sir, I am grateful for yet another opportunity for clarifying and before I go on Thursday, I am sure there will be more opportunities of such topics raised. So, I am grateful that...

**SHRI ARUN JAITLEY:** Mr. Yechury is also going to be with you. So, we are going to keep an eye on you even there.

**SHRI JAIRAM RAMESH:** Dr. Swaminathan also will be there. Sir, I am grateful to the Leader of the Opposition. Today, the discussion has not

been oriented towards me personally and has been substantive on issues of climate change unlike the Calling Attention Motion where I felt as if I was an accused on a trial. Sir, let me respond to whatever each of these speakers have said in as serious a manner as possible.

**MR. DEPUTY CHAIRMAN:** And as briefly as possible.

**SHRI JAIRAM RAMESH:** Yes, as briefly as possible. But, allow me to say Sir, that I am sometimes perplexed by the shifting stands of our distinguished Leader of the Opposition. When I meet the Leader of the Opposition outside this hall, I get one view and when he stands up and speaks as the Leader of the Opposition, I get a different view. But, Sir, that is inherent in our political system.

**SHRI M. VENKAIAH NAIDU:** It is unbecoming on the part of a leader to mention something what is being said outside. Sir, it is never done. It is never done. (Interruptions) Sir, he should withdraw it. (Interruptions)

**MR. DEPUTY CHAIRMAN:** No, no, I think, in the interest of the...(Interruptions)...What you discuss privately should not form a part of it. (Interruptions) What they discuss privately should not be part of this. (Interruptions)

**SHRI JAIRAM RAMESH:** Sir, let me respond. (Interruptions)

**MR. DEPUTY CHAIRMAN:** Please sit down. (Interruptions) Please don't refer to your personal conversation.

**SHRI S. S. AHLUWALIA:** One should not refer to a personal conversation. You talk only about this issue. (Interruptions)

**MR. DEPUTY CHAIRMAN:** Let us confine to what is going on inside the House.

**SHRI ARUN JAITLEY:** Since he has referred, let me clarify it. At the major economies forum after the Government of India diluted its stand I felt quite happy as most of India did when the US Secretary of State was here and their Environment negotiator referred to our stand a diluted stand there. The Minister had the courage to stand up and contradict that. We all congratulated him. So did I. But, after he shifted his position in the Lok Sabha, I categorically told him that I disagree with his stand.

**SHRI JAIRAM RAMESH:** Sir, I will not get into this any further. I will respond to the points that have been raised. Sir, let me first talk about the non-negotiables which will continue to be non-negotiables till the 18<sup>th</sup> of December, 2009 and beyond. The first non-negotiable is that we will under no circumstances accept a legally, binding emission reduction cut. This is my first point. Secondly, we will not reflect whatever we do, the emission intensive cut as an example. This is not an internationally legally binding commitment. This is a unilateral domestic obligation that we have taken in our own interest and we are announcing to the world that this is what we are going to do as part of the 12<sup>th</sup> and 13<sup>th</sup> Plan and if you want us to better it, if you want us to you have to reflect it internationally you have to support us both in terms of finance and technology. This is the second non-negotiable.

(Contd. by NBR/1R)

-SSS/NBR-GS/1R/12.20.

**SHRI JAIRAM RAMESH (CONTD.):** The third non-negotiable is: we comprehensively and categorically reject the notion of a peak India. We will, under no circumstances, accept any draft which suggests that



India's emissions should peak by 2025, 2030, 2040, 2045. This is simply not on our agenda.

Sir, the fourth non-negotiable is this. Please bear with me. Sir, since there is a fine distinction involved here and this has caused much consternation amongst the Members of Parliament, I would like to respond to it as openly and transparently as I can. The fourth non-negotiable is: Why we accept international scrutiny of supported actions? We will not accept the same level of international scrutiny and the same type of international scrutiny for the unsupported actions. So, wherever the world supports us in terms of finance and technology, they can come and verify what we are doing. But, where you are not supporting us -- the bulk of our actions will be unsupported actions -- we will not subject these actions to international scrutiny. However, we are in an open system. We are in a democratic system. We are accountable to Parliament. What I have stated and what the Government of India's position is, we are prepared to submit to the UN Framework Convention on Climate Change a national communication, say, once in two years, which will have both the supported and unsupported actions for consideration of the UNFCCC. That is all we have said, Sir. There will be a scrutiny only when we are supported financially and technologically. But, for the unsupported actions, we are only going to submit a report - - of course, we will come before Parliament with -- to the UNCCC for consideration. Sir, please bear with me...

**SHRI SITARAM YECHURY:** But then, why submitting a report?

**SHRI JAIRAM RAMESH:** Please bear with me. We have nothing to hide. Our country has nothing to hide.

**SHRIMATI BRINDA KARAT:** Why do you want to submit a report?

**SHRI JAIRAM RAMESH:** Madam, can I please finish?

We have nothing to hide. All that we do is in the public domain. We have a National Action Plan on Climate Change. We have a Plan document. Everything is debated in Parliament. We come to Parliament and say that this is the extent to which our solar energy plan has gone. This is the extent to which our energy efficiency plan has been implemented. And whatever information we are putting in the public domain, we are going to give it to international consideration. What is wrong with this? I am not saying international scrutiny. International scrutiny means, international observers coming, asking questions, looking at...

**SHRI S.S.AHLUWALIA:** You don't require any observer.

**SHRIMATI BRINDA KARAT:** What is consideration? Please define what you mean by the word 'consideration.'

**SHRI S.S. AHLUWALIA:** Through big boss satellite they can observe everything. They do not need to send a man here.

**SHRI JAIRAM RAMESH:** Mr. Ahluwali, please listen to me. These are not nuclear power plants we are talking about which need to protect. These things are all in open. We are not doing anything secretly.

**SHRI SITARAM YECHURY:** What is consideration?

**SHRI JAIRAM RAMESH:** Sir, consideration will be defined by the UNFCCC. This is all going to be based on the guidelines. What is our proposal? Our proposal is according to guidelines framed by the UNFCCC. This is our proposal. But, according to the guidelines of the UNFCCC, we will subject all the supported actions to international

scrutiny. Unsupported actions will not invite international scrutiny but will be a part of our reporting to the UNFCCC. Sir, it cannot be any hon. Member of Parliament's case that what we have made public to Parliament cannot form a part of the document that we are going to submit to an intentional body. That is not the case.

**SHRI SITARAM YECHURY:** Actually, the point is...

**SHRI JAIRAM RAMESH:** Can I finish? Then, you can seek any clarification you want. You let me finish. I am trying to explain the whole thing.

**MR. DEPUTY CHAIRMAN:** It is not a debate; it is only clarifications.

**SHRI SITARAM YECHURY:** Sir, it is a very important subject.

**MR. DEPUTY CHAIRMAN:** I agree that it is important...(Interruptions)...

**SHRI JAIRAM RAMESH:** I am trying to come clean as much as I can. I am not trying to hide anything. I feel the transparency is the best way to strengthen one's negotiating position. I would like to reassure this House, categorically, that this proposal does not mean international monitoring, reporting and verification of our unsupported actions.

(CONTD. BY SKC "1S")

-nbr-skc/1s/12.25

**SHRI JAIRAM RAMESH (Contd.):** It does not mean that. I would like to reassure the Leader of Opposition and I would like to reassure my colleague who is coming to Copenhagen with me that this is not what it means. All that it means is, there will be a document which we will submit to the UN Framework Convention on Climate Change, which will be once in two or three years, whatever is decided, but will have a compendium of all our actions on climate change wherever the

international community has supporters, financially and technologically, but will be verified. Everything else will be just there for information. And our accountability, ultimately, Sir, as I said in the Lok Sabha, is to Parliament and Parliament alone. In fact, Sir, if the hon. Leader of the Opposition could kindly re-read the letter I have sent him, my proposal is that we convert all our national appropriate mitigation actions to a nationally accountable mitigation outcome. You may read that letter. Mr. Javadekar will recall --I have spoken to him-- that I would like, not NAMA, which is what the world is talking about, but NAMO. And, what is NAMO? NAMO is, to come to Parliament and tell Parliament every year that this is what we are doing in climate change. If I am not accountable to Parliament, whom am I going to be accountable to? Our primary and only accountability is to Parliament, not to any international organisation. So, please, be reassured. Now, this debate is taking place in the Government whether we should have a comprehensive legislation or whether we should have piecemeal legislation. Once this debate is settled, we will come back to Parliament, but I want to reassure and reiterate to the distinguished Leader of the Opposition that my accountability on all the actions on behalf of the Government of India is to Parliament, and what reports we put out to Parliament, we will make available to any international body. I do not say...

**SHRI SITARAM YECHURY:** Sir,...

**SHRI JAIRAM RAMESH:** May I finish? (Interruptions) Whatever reports that we come to the Parliament with will be in the public domain. (Interruptions)

**MR. DEPUTY CHAIRMAN:** What is this? You are extending the scope of Zero Hour. You are converting it into a debate. This is not correct. (Interruptions)

**SHRI JAIRAM RAMESH:** Sir, please, can I finish?

Sir, the hon. Leader of the Opposition talked of reciprocity. It is true that our 20-25 per cent emission intensity cut offer by 2020 is a unilateral offer, not dependent on reciprocity. Now, why did we do this? I don't mind sharing this with you, Sir. Every major country in the world has a major offer on the table. We also have an offer on the table. But, under no circumstances, our per capita emissions should exceed --I have taken your caution and not using the word 'below'-- the emissions of the developed world. That is our offer on the table. I believe, our emission intensity offer, which is a unilateral offer, which is a domestic offer, which is a non-legally binding offer, strengthens our negotiating position to demand greater cuts from the West. We have to negotiate...(Interruptions) May I finish, and then you can respond to what I said?

**THE LEADER OF OPPOSITION (SHRI ARUN JAITLEY):** Since you are on the issue, you might as well just clarify this. Quite to the contrary, it demolishes your negotiating position because the moment you say that my per capita emission will be lower than yours, this is my existing offer and I am now going to further lower it by 20-25 per cent, whether you reduce or not, it means that you completely destroy the per capita equity argument which we have conventionally taken.

**SHRI JAIRAM RAMESH:** I am afraid, the hon. Leader of the Opposition is profoundly mistaken on this. Let me say that the Chinese have offered a 40-45 per cent cut.

**SHRIMATI BRINDA KARAT:** Their emissions are so many more times...(Interruptions)...

**SHRI JAIRAM RAMESH:** Madam, we have gone through this in a Calling Attention Motion. We can have one more round of discussions on this. The Brazilians have offered a cut. The Indonesians have offered a cut. The Mexicans have offered a cut. It is true that last year we voluntarily offered our per capita emission constraint. That remains a constraint as far as we are concerned. We are not going to deviate from the per capita principle. I want to reassure the hon. Leader of the Opposition that the two pillars of our negotiating strategy remain the per capita convergence, ultimately, which is the only equity instrument that I have pointed out in my letter, and the historical responsibility.

(Contd. by hk/1t)

HK-LT/1T/12.30

**SHRI JAIRAM RAMESH (CONTD.):** It is because of the historical responsibility that we will refuse to take legally-binding targets of any kind. The hon. Leader has asked what is flexibility. Sir, whatever we have done we are not going to be in a position to better whatever we have done unless there are substantial emission cuts made by the developed countries, unless there is a substantial financial package offered by the developed countries and unless there is a substantial liberalisation of technology flows by the developed countries. This we have made amply clear. I made this clear in my statement in the Lok

Sabha as well that there is absolutely no doubt in our mind that any further movement on India's part is conditioned on three things, that is, a substantial improvement on emission cuts by the developed countries, a substantial financial package by the developed countries and a substantial liberalisation of technology flows by the developed countries. Sir, as far as the timing of the American Press release is concerned, I also got to know about it; I saw it later and I can assure this House that this was not done under any foreign pressure.

**SHRIMATI BRINDA KARAT:** Sir, ..(Interruptions)..

**SHRI JAIRAM RAMESH:** In fact, if Madam can bear with me, this exercise has been going on for the last couple of months. The Planning Commission, as a part of the Mid-Term Appraisal, has consulted a large number of independent bodies, individuals and think-tanks and the consensus view that emerged as part of the Mid-Term Appraisal was that without jeopardising our economic growth, without jeopardising our poverty alleviation and without jeopardising our electricity supply target to every household, we can take a 20 to 25 per cent cut in our emission intensity which means our emissions would still continue to grow, but our emission intensity would fall. I plead with the hon. House to give some time for this to work out and I can assure the House that if this emerges as a constraint we would be the first to re-look at it. But I am confident in my mind that emission intensity will not jeopardise the prospects. The hon. Leader of the CPM has rightly pointed that we are going to Copenhagen with the objective of not accepting any agreement that would put a constraint on expanding electricity supply to rural households, for livelihood security and for all the other economic

objectives. Sir, as far as the point that my distinguished colleague who is opposing REDD is concerned, the REDD Proposal was made by Brazil and Indonesia who are contributing to deforestation and who wants financial incentives to stop deforestation. India took the lead for saying that okay if you are giving financial incentives for stopping deforestation, what about giving financial incentives for reforestation. That is our REDD plus proposal. It is not secret. It is in the public domain. I have sent you a copy of what our REDD plus proposal is. It is there in the letter that I have written to you, and I want to re-assure you that if there is any REDD Plus project in India which violates the Forest Rights Act, 2006, it is simply not acceptable. I want to tell you this categorically. In fact, I don't know whether you are aware that two months' ago from my Ministry we have issued a guideline that henceforth all clearances under the Forest Conservation Act ..(Interruptions)..

**श्री रघुनन्दन शर्मा** : जितनी सफाई दे रहे हैं, उतने फंसते जा रहे हैं..(व्यवधान)..

**SHRI JAIRAM RAMESH**: That all clearances under the Forests Conservation Act, 1980 will be given only after the Forest Rights Act, 2006 is fully implemented. In fact, this is one of the grounds in which we have issued a letter to the Orissa Government on the Niyamgiri project that the Forest Rights Act, 2006 is not implemented. ..(Interruptions)..

**श्री रुद्रनारायण पाणि** : सर, ..(व्यवधान).उड़ीसा में जो माइनिंग हो रही है ..(व्यवधान)..उसके बारे में बोलिए..(व्यवधान)..जो माइनिंग हो रही है..(व्यवधान)..

**श्री जयराम रमेश** : बैठ जाइए..(व्यवधान)..

**श्री उपसभापति** : उसके बारे में आप नोटिस दीजिए..(व्यवधान)..



**SHRI JAIRAM RAMESH:** Sir, let me summarise. ..(Interruptions).. Let me summarise. ..(Interruptions)..

(Contd. by 1u/KSK)

KSK/12.35/1U

**SHRI JAIRAM RAMESH (CONTD):** Sir, our negotiating team is in Copenhagen. We have over ten Negotiators in Copenhagen. It is true that one or two Negotiators had some questions on my statements. I have had a discussion with them. I have tried to convince them that there is no dilution of our stand and these two Negotiators are going to Copenhagen in a day or two. In closing, I want to re-assure this House that while stands do evolve over time in response to changing circumstances, there is a certain basic code which we are not violating. We are not violating the per capita principle. We are not going to transgress the historical responsibility...(Interruptions). Actions speak louder than words.

**SHRIMATI BRINDA KARAT:** But, now, only words are speaking...(Interruptions).

**MR. DEPUTY CHAIRMAN:** Now, we are converting it into another Calling Attention Motion, another debate. But, there is no further scope under Zero Hour, and only because there was an understanding...(Interruptions).

**SHRI JAIRAM RAMESH:** Sir, I would suggest to the hon. Member to give a notice for Calling Attention Motion on 20<sup>th</sup> of December, and I will respond to my actions, and not to my words...(Interruptions).

**MR. DEPUTY CHAIRMAN:** 20<sup>th</sup> December is Sunday.

**SHRI JAIRAM RAMESH:** Sir, I mean, on 21<sup>st</sup> December.

**SHRI SITARAM YECHURY:** Sir, I would suggest that instead of saying 'please submit them for their consideration to the United Nations', why don't you say, 'you submit them for information.'? Consideration has lot of other implications.

**SHRI JAIRAM RAMESH:** Yes, we will discuss it in flight.

**SHRIMATI BRINDA KARAT:** Sir, what is this? He is trivialising the issue.

**SHRI JAIRAM RAMESH:** Sir, I am not trivialising...(Interruptions).

**SHRIMATI BRINDA KARAT:** He has not answered the question on international monitoring...(Interruptions).

**SHRI S.S. AHLUWALIA:** Sir, he is responding to the questions raised by the Members of Parliament. And, now he is answering, "we will discuss it in flight". It is not a personal affair that they will discuss it in flight. Is he taking the whole House by flight? When he is answering it, he should answer it properly. He should address the Chair, and through the Chair, he should inform the House.

**SHRI V. NARAYANASAMY:** Sir, the Minister has replied to all the points.

**SHRI JAIRAM RAMESH:** Okay, I withdraw the statement. I am trying, but once in a while, टोका-टोकी चलती है। Sir, I am trying my best. I am prepared to come tomorrow. I am prepared to come day after tomorrow. I leave on Thursday, and before that, I am prepared to come to this House on as many occasions as you want to address the doubts that you have. I want to re-assure this House that there is simply no compromising on India's national interest. We have a counter draft to the Danish Draft prepared by China, Brazil, South Africa and India. Ours is the BASIC draft. I was in Beijing. I went to Beijing myself. I

contributed to the BASIC draft, and we are hoping that the BASIC draft will form the basis of our negotiations. Sir, I am as patriotic and as mindful of the national honour as any other hon. Member...(Interruptions).

**SHRIMATI BRINDA KARAT:** Sir, he has not answered any of the basic questions...(Interruptions).

**MR. DEPUTY CHAIRMAN:** He has answered the questions.

**THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY):** Sir, the basic doubt we have is that what we are getting from the developed countries. We don't have a single word on this. On the reciprocity principle, the reply merely says, "Yes, we believe in reciprocity." We have not got a single...(Interruptions).

**SHRI JAIRAM RAMESH:** I am afraid, he has not heard it.

**SHRI ARUN JAITLEY:** The per capita principle has been completely negated, and we are completely dissatisfied with this reply.

**SHRI JAIRAM RAMESH:** I have answered every point that the Leader of the Opposition had raised.

**SHRI ARUN JAITLEY:** We are completely dissatisfied with the reply and we walk out.

**(At this stage, some hon. Members left the Chamber)**

**SHRI JAIRAM RAMESH:** That is pre-planned anyway.

**SHRIMATI BRINDA KARAT:** Sir, we completely disagree with this entire thing...(Interruptions).

**(At this stage, some hon. Members left the Chamber)**

(Ends)