

LOK SABHA
SYNOPSIS OF DEBATES
(Proceedings other than Questions & Answers)

Tuesday, December 17, 2024 / Agrahayana 26, 1946 (Saka)

**WELCOME TO THE PARLIAMENTARY DELEGATION
FROM ARMENIA**

HON. SPEAKER: On behalf of all the hon. Members of the House and on my own behalf, I am immensely pleased to welcome and congratulate the Members of the Parliamentary Delegation from Armenia led by our honourable guest, Mr. Alen Simonyan, the President of the National Assembly of Armenia who are on a visit to India. The Parliamentary Delegation of Armenia arrived in India on Monday, December 16, 2024. During their stay in India, apart from Delhi, the members of the delegation will also visit Jaipur on December 18 and Agra on December 19. They will depart from India on Friday, December 20, 2024. We wish them a pleasant and successful stay in our country. Through them, we also convey our greetings and best wishes to the Parliament of Armenia, the Government of Armenia, as well as the friendly people of that country.

**THE CONSTITUTION (ONE HUNDRED AND TWENTY-NINTH
AMENDMENT) BILL, 2024**

And

THE UNION TERRITORIES LAWS (AMENDMENT) BILL, 2024
**THE MINISTER OF STATE OF THE MINISTRY OF LAW AND
JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS (SHRI ARJUN RAM MEGHWAL) *moved***
that leave be granted to introduce a Bill further to amend the Constitution of India;

And

leave be granted to introduce a Bill further to amend the Government of Union Territories Act, 1963, the Government of National Capital Territory of Delhi Act, 1991 and the Jammu and Kashmir Reorganisation Act, 2019.

SHRI MANISH TEWARI *opposing the introduction of the Bills, said:* Beyond the Seventh Schedule of the Constitution is the basic structure doctrine and that basic structure doctrine spells out there are certain features of the Indian Constitution which are beyond the amending power of this House also. One of the essential features is federalism and the structure of our democracy and, therefore, the Bills which have been moved by the hon. Minister of Law and Justice absolutely assault the basic structure of the Constitution and are beyond the legislative competence of this House and, therefore, they need to be opposed ab-initio and the introduction of those Bills have to be stopped. How is it possible under our Constitutional scheme that the tenures of the State Legislatures can be made subject to the tenure of the national legislature? That is completely anti-thesis of the Constitutional scheme. Article 1 of the Constitution states that India is a union of States and not vice-versa. So, therefore, this excessive centralism which is sought to be brought into existence by this Bill absolutely militates against the Constitutional scheme in its essence, in its entirety and its very object. I would once again like to urge this House that the introduction of the Bills and the consideration of the Bills because of the basic structure doctrine enunciated by the Supreme Court in the Keshavanand Bharti case is beyond the legislative competence of this House and, therefore, these Bills need to be withdrawn immediately.

SHRI DHARMENDRA YADAV: Just two days ago, the Government was talking about saving the Constitution and the glorious traditions of the Constitution. Now the Government has brought the Constitution Amendment Bill to abolish the basic spirit of our Constitution, the basic structure of our Constitution, the federal structure of our Constitution. The framers of our Constitution had prepared this federal structure after a lot of thinking, brainstorming and study, the states were also formed according to culture, region, language, circumstances and time. If there is no majority in an Assembly election, will the Government hold elections for the entire country? This Government talks of one country, one constitution, and one election, whereas the Government has not been able to hold elections in eight state assemblies and four states simultaneously. I would like to ask the Government that

if any state Government falls short of a majority in one province, will the Lok Sabha elections be held in the entire country?

SHRI KALYAN BANERJEE: Under our Constitutional scheme, the basic structure of the Constitution is read in between the lines. This proposed Bill hits the basic structure of the Constitution itself. If any Bill or any Act which hits the basic structure of the Constitution, that is ultra-vires, and it is ultra-vires. The proposed Article 83 sub-Article 5 is just contrary to Article 83 sub-Article 2. Both cannot be kept. Both are inconsistent with each other. The effect of the proposed Article 82A sub-Article 3 establishes that the tenure of a State Legislative Assembly depends upon the tenure of the House of the People. But the mandate given by the people of the country to the State Assemblies cannot depend upon the doctrine of pleasure of this House. This is inconsistent. It cannot be accepted. We must remember that the State Governments and the State Legislative Assemblies are not subordinate to the Central Government or to the Parliament itself. Therefore, the autonomy of the State Legislative Assemblies is being taken away through this process. That is ultra vires. That hits the basic structure of the Constitution. This Government had brought an amendment to the Constitution and the National Judicial Appointments Commission Bill. It was passed. It was struck down by the Supreme Court because it hit the basic structure of the Constitution.

SHRI T. R. BAALU: Regarding the Constitution (129th Amendment) Bill, my leader Mr. M.K. Stalin has said that It is anti-federal and impractical. It will push the country into the perils of a unitary form of governance, killing its diversity and democracy in the process. When the Government does not have a two-third majority, how the Government can introduce this piece of legislation in this House? It needs a two-third majority. Electors have the right to elect a Government for five years and the same cannot be curtailed by way of holding simultaneous elections. The Parliamentary Standing Committee in its 79th Report in 2015 has concluded that gaining consensus of all the political parties may be difficult, and holding simultaneous elections may not be feasible. I request the Government to take the matter to the JPC so that it can be discussed there. Thereafter, the Bill may be brought to the House.

SHRI E. T. MOHAMMED BASHEER: I express my very strong opposition to the introduction of this Bill because of some pertinent reasons. This

is really an attack on the democracy, the Constitution, and the federalism of India. If this amendment Bill is implemented, some States will have tenure for even less than three years, which is against the vision mandated for the voters of this country. If this proposed Bill is implemented in this way, the significance of local issues will be undermined.

SHRI ANIL YESHWANT DESAI: I rise to oppose the introduction of the Bill. The Republic of India is a Union of States. By considering this Bill, it will be a direct attack on federalism and it will be, sort of, undermining the entity of States. Here my basic opposition, as I said, is that the legislative competence of the States should not be undermined.

SHRI GAURAV GOGOI: I strongly oppose both of the Bills as they are designed to wage an onslaught on the Constitution and the Citizens' constitutional right to vote. The Election Commission is being devolved unconstitutional and illegitimate powers by piloting this Constitutional Amendment Bill. If at all Hon. President has to seek consultation, S/he seeks the advice of the Council of Ministers. Never does he seek advice from the Election Commission. An Extra Constitutional structure is being put in place. As per the provisions of this Bill henceforth the President can dissolve the State Legislative Assemblies acting on the recommendations of the Election Commission. This unconstitutional law is being enacted in a bid to reduce the expenditure of the Election Commission. I demand that this Bill be referred to the Joint Parliamentary Committee.

SHRI ASADUDDIN OWAISI: I oppose these draconian, unconstitutional Bills. This Bill violates the right to democratic self-governance. If a Legislative Assembly is dissolved and mid-term elections are conducted, the tenure of that Assembly will not be for five years. This is a violation of the basic structure that such a provision is being made for administrative convenience and not for Constitutional purposes. It is against the principle of federalism. Parliament is not competent to make any law that violates the Fundamental Rights or the basic structure of the Constitution. This Bill will finish off the regional parties.

SHRI AMRA RAM: I on behalf of my Party oppose these Bills as these are being brought as an effective tool to do away with the Constitution and democracy both and move on in a dictatorial style. Each State of the country is characterised

by a distinct culture and language. It is against the background of the diversity of culture and language that the Constitution provides for the creation of States and Legislative Assemblies for the States concerned. Nonetheless, the Union Government wants to withdraw these powers from the States through these Bills. It is barely two days after the discussion on the Constitution in the House that the Union Government has come up with these Bills to subvert the Constitution.

SHRIMATI SUPRIYA SULE: On behalf of the Nationalist Congress Party (SP), I oppose these Bills. They are completely against federalism and the Constitution of India. The Centre and the States have their own tenures and terms. So, to mix these two is not fair. Why are we giving this authority to the Election Commission to dissolve Assemblies which are elected for five years? India is a union of States. Cooperative federalism is something which we are so proud of. I request the Government of India either to withdraw these Bills or send them to a Joint Parliamentary Committee so that we can have a detailed discussion.

SHRI N. K. PREMACHANDRAN: On behalf of my Revolutionary Socialist Party (RSP), I vehemently oppose the introduction of these Bills on three grounds. They attack the basic root of federalism in the Constitution. The provisions of the Bills are uncertain and not clear regarding the conduct of elections to the Legislative Assemblies. All the States should have been properly consulted before bringing this legislation. If these are converted into laws, the State Legislative Assemblies and the States will become the subordinates to the House of the People and the Union Government. That is essentially against the basic principles of the federal character. So, I urge the Government to withdraw these Bills.

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT; AND MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (DR. CHANDRA SEKHAR PEMMASANI) *intervening said:* I, on behalf of the Telugu Desam Party, express our unwavering support for this Bill. Telugu Desam Party is deeply committed to nation-building initiatives. There are several advantages of 'One Nation, One Election'. Its first advantage is reduced expenditure and logistical efficiency. If the elections are held simultaneously, the voter turnout would be increased by up to seven per cent. There would be continuity in governance.

DR. SHRIKANT EKNATH SHINDE: I fully support these Bills on behalf of my party Shiv Sena. The Kovind Committee held a wide public consultation where 47 political parties put forth their views, out of which 32 parties supported 'One Nation One Election'. Most of the political parties in the country are of the view that this kind of reform is essentially called for.

SHRI ARJUN RAM MEGHWAL *replying said:* Honourable Members have raised their objections to the introduction of this Bill, which is specifically related to legislative competence. Article 327 of the Constitution empowers the Parliament to make provisions with regard to elections to the legislatures. It is a Constitutional provision. It includes the preparation of electoral rolls of a State, delimitation of constituencies and all matters necessary to ensure the proper constitution of such legislatures. These Constitutional Amendments brought in for the purpose of simultaneous elections can balance federal autonomy with the need for all the more streamlined electoral process. These amendments do not dilute or take away the powers conferred on the States by the Constitution. These are completely constitutional. In these Bills, Nowhere there is any onslaught on Judicial Review, the federal character of the Constitution, separation of powers among Legislature, Executive, Judiciary and the secular character of the Constitution or the supremacy of the Constitution in these Bills. These Bills are not diluting the power of the Parliament or the power vested in the Assembly. There is no amendment to any of the lists be it the Union List, State List or even the Concurrent List for that matter. Parliament is empowered under Article 327 to make suitable amendments to the Constitution for holding simultaneous elections to the Lok Sabha and the State Legislative Assemblies. The Election Commission in its annual report in the year 1983, had mooted the idea of holding simultaneous elections to the Lok Sabha and state assemblies. It has been lying pending for 41 years. It was subjected to the deliberations of various Committees including the Standing Committee. Thereupon, a High-level Committee was formed. In so far as holding consultations with the political parties is concerned, I must point out that on June 19, 2019, an all-party meeting was called upon which had been presided over by the Prime Minister in Parliament House. It was attended by 19 political parties wherein 16 political parties subscribed to the idea of conducting simultaneous elections, and merely three political parties had registered their opposition to it. This had been deliberated upon in the concluding session of the

80th All India Presiding Officers' Conference also that was held on 26th November, 2020 in Gujarat. The Presiding Officers of all the States agreed to the idea of holding simultaneous elections. It is also being done in Sweden, Germany, Belgium and several other countries. I also propose to refer these Bills to the Joint Parliamentary Committee.

The Bills were introduced.

***MATTERS UNDER RULE 377**

- (1) **SHRI VIJAY BAGHEL** laid a statement regarding utilization of gelatin base in bio-fertilizers.
- (2) **SHRI JANARDAN SINGH SIGRIWAL** laid a statement regarding the need to extend services of trains upto Katra/Mata Vaishno Devi Railway Station.
- (3) **DR. NISHIKANT DUBEY** laid a statement regarding need for comprehensive plans for development of a circuit connecting major religious places in Jharkhand alongwith completion of Food Craft Institute at Deoghar in the State.
- (4) **SHRI VISHNU DAYAL RAM** laid a statement regarding the need to set up Integrated Manufacturing Cluster in Garhwa district, Jharkhand.
- (5) **SHRI YOGENDER CHANDOLIA** laid a statement regarding the need to connect Helipad at Rohini, Delhi with KMP Expressway.
- (6) **SHRI PARIMAL SUKLABAIDYA** laid a statement regarding the need to introduce Vande Bharat superfast train service between Silcher in Assam and New Delhi.
- (7) **SHRI MANISH JAISWAL** laid a statement regarding the need to establish AIIMS in Hazaribagh, Jharkhand.
- (8) **SHRI JUGAL KISHORE** laid a statement regarding the need to restore the services of Rishikesh-Jammu Tawi Express train.
- (9) **SHRI DAMODAR AGRAWAL** laid a statement regarding the need to set up a Textiles Park in Bhilwara, Rajasthan under PM MITRA Scheme.

* Laid on the Table as directed by Chair.

- (10) **SHRI KALI CHARAN SINGH** laid a statement regarding rail connectivity for Chatra district headquarters, Jharkhand.
- (11) **SHRI BHARATSINHJI SHANKARJI DABHI** laid a statement regarding construction of four lane road from Radhanpur to Patan in Gujarat.
- (12) **DR. C. M. RAMESH** laid a statement regarding the need to develop Mutyalammappalem Sea Beach in Andhra Pradesh as a tourism destination.
- (13) **SHRI RAJPALSINH MAHENDRASINH JADAV** laid a statement regarding the need to remove a toll booth on NH-18 (Ahmedabad–Indore) in Panchmahal Parliamentary Constituency, Gujarat.
- (14) **SHRI RAHUL KASWAN** laid a statement regarding the need to include Rajasthani language in the Eighth Schedule to the Constitution.
- (15) **MD. RAKIBUL HUSSAIN** laid a statement regarding the need to include Chutiya, Koch-Rajbongshi, Moran, Motak and Tai-Ahom tribes of Assam in the list of Scheduled Tribes.
- (16) **SHRI RAJMOHAN UNNITHAN** laid a statement regarding the need to make ‘Saha Jeevanam Sneha Graman’ centre for Endosulfan victims in Kasaragod, Kerala fully operational as rehabilitation Centre.
- (17) **SHRI MURARI LAL MEENA** laid a statement regarding the need to introduce senior secondary classes in Kendriya Vidyalaya, Dausa, Rajasthan and also open additional sections from class I to VIII in the Vidyalaya.
- (18) **SHRI GAURAV GOGOI** laid a statement regarding the need for comprehensive measures to address the health issues caused by pollution in Delhi and other parts of the county.
- (19) **SHRI V. K. SREEKANDAN** laid a statement regarding the need to address the situation arising out of repeated accidents on NH 966 at Panayampadam curve near Kalladikode in Kerala.
- (20) **SHRI BABU SINGH KUSHWAHA** laid a statement regarding the need to connect villages in Jaunpur Parliamentary Constituency, Uttar Pradesh with main road under PMGSY.
- (21) **SHRI LALJI VERMA** laid a statement regarding the need to establish a Kendriya Vidyalaya in Ambedkarnagar district, Uttar Pradesh.
- (22) **SHRI KHALILUR RAHAMAN** laid a statement regarding problems

- being faced by people due to rise in prices of essential commodities.
- (23) **SHRI C. N. ANNADURAI** laid a statement regarding non-availability of mobile network in hilly and rural areas of Tiruvannamalai Parliamentary Constituency, Tamil Nadu.
- (24) **SHRI G. M. HARISH BALAYOGI** laid a statement regarding the need to promote 'Education for All' in Andhra Pradesh.
- (25) **SHRI SANJAY DINA PATIL** laid a statement regarding the need to increase number of General and Sleeper Class coaches in trains.
- (26) **DR. M. P. ABDUSSAMAD SAMADANI** laid a statement regarding the need for comprehensive scientific and research oriented studies to find the reasons leading to deaths of younger people in the country.
- (27) **SHRI SUDHAKAR SINGH** laid a statement regarding review and modification of compensation policy under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
- (28) **SHRI HANUMAN BENIWAL** laid a statement regarding amendments in SDRF norms in Rajasthan.
- (29) **SHRI RAJKUMAR ROAT** laid a statement regarding creation of 'Bheel Pradesh'.

SUPPLEMENTARY DEMANDS FOR GRANTS
-FIRST BATCH 2024-25-Contd.

THE MINISTER OF FINANCE (SHRIMATI NIRMALA SITHARAMAN) *replying said:* This is the first batch of Supplementary Demands for Grants and it covers over 83 demands and three appropriations which include those for the President, the Supreme Court of India and the Union Public Service Commission. Through these demands and appropriations, we are seeking the authorisation of the Parliament for gross additional expenditure of Rs. 87,762.56 crore. The money is going to farmers, the revenue expenditure of Defence and fertilisers. India's GDP growth rate has averaged 8.3 percent which is outstanding. The inflation during the NDA period was well under control, whereas during the UPA period, it touched double-digit inflation. Before April 2014, nearly 45 per cent

of Indian households did not have access to clean cooking fuel. On the other hand, the LPG coverage under the NDA regime has reached near saturation. India's LPG prices even for non-Ujjwala are far lower than what it is like in our neighbouring countries. The All-India annual unemployment rate has been declining according to the Periodic Labour Force Survey report. Contingency Fund Advances are normally given to various Ministries, and it was sanctioned when the Parliament was not in session. So, the Ministry of Finance does not normally permit Consolidated Fund Advances when Parliament is in session. There has been a considerable emphasis on capital expenditure and every year, amounts are growing. The tax devolution to States is based on the formulation and the recommendation given by the Finance Commission. Within the first 45 months of the 15th Finance Commission, the tax devolution to these States is more than the total tax devolved to these States. The State of Karnataka, during the 14th Finance Commission, between 2014 and 2019, Rs. 1,35,044 crore had been devolved to it. The State of Himachal Pradesh received Rs. 20,830 crore during the 14th Finance Commission's entire period. The State of Kerala received Rs. 71,713 crore during the earlier Finance Commission. There is no difference between which State is ruled by which party. Everybody gets what their due is. As regards, the slow pace of expenditure from the budget 2024-25. I would like you to recall that The Union Budget, the regular one, for 2024-25 was passed by the newly constituted Lok Sabha after the Parliamentary election in August. Subsequently, when the money reached the States onto the ground for expenditure almost two quarters were delayed. This situation is broadly similar to all other election years. However, the total expenditure up to October 2024 was Rs. 24.74 lakh crore. This is 51.3 percent of BE which is broadly similar to the pace of expenditure up to October 2023. Like every other year, the state PMAY Gramin Awas Yojana was being implemented in West Bengal. Since 2016-17. The Government has also released 25,798 crore as a Central share to the state since 2016-17. On the point of stopping the release of funds to the State embroiled in corrupt practices, I would like to maintain that We have not stopped it entirely for all over the country. We have stopped it where the corruption has happened. Hon'ble PM has resolved that the nation ought to be worth like to live in and to be worth living it must be corruption-free the poor must receive their due. At the same time, wherever, there is corruption, we can't afford to observe silence. The Government has taken various steps against black money. Action has been taken on very many unaccounted, undisclosed foreign assets. Further, undisclosed income of

Rs. 33,393 crore has been detected under 582 cases which have been taken up. A massive amount of money has been restored to the public and private banks that had allegedly been earned by unscrupulous entrepreneurs. It is important to recognize that we have not left anybody in economic offences.

All the Supplementary Demands for Grants were voted in full.

THE APPROPRIATION (NO. 3) BILL, 2024

The Bill was passed.

THE READJUSTMENT OF REPRESENTATION OF SCHEDULED TRIBES IN ASSEMBLY CONSTITUENCIES OF STATE OF THE GOA BILL, 2024

THE MINISTER OF STATE OF THE MINISTRY OF LAW AND JUSTICE AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI ARJUN RAM MEGHWAL) *moving the motion for consideration of the Bill said:* I would like to briefly explain this Bill. In 2002, a delimitation exercise was carried out in Goa. According to the 2001 Census, the population of Scheduled Tribes in Goa was 566. The Goa Legislative Assembly passed the Constitution (Scheduled Castes and Scheduled Tribes) Order Amendment Act, 2003. Under this Act, three new communities—Kunbi, Gawda, and Velip—were included in the list of Scheduled Tribes in Goa, which resulted in a significant increase in the ST population. The ST population, which was 566, has since grown to 149,275, or nearly one and a half lakh. We have brought this Bill so that the Scheduled Tribe people living in Goa can have representation in the Goa Assembly.

CAPTAIN VIRIATO FERNANDES *initiating said:* It is pertinent to note that the tribal ministerial portfolio in Goa was first declared in 2010 under the Congress Government and a separate Budget was approved for tribal welfare and development. I want to make it also clear that the Congress Party has been trying to give justice to the tribal community for many years. The Goa State Assembly presently does not have any reserved seats for Scheduled Tribes and has only one

reserved seat for the Scheduled Castes. The proposed amendments are aimed at addressing the disparity in the representation of Scheduled Tribes in the State Assembly as it is currently disproportionate to the Scheduled Tribes population in the State. Since the delimitation exercise in 2002, the population of Scheduled Tribes has increased with the recognition of three more tribes. The proposed Bill empowers the Census Commissioner to notify the population of STs in Goa based on which the Election Commission will amend the Delimitation of Parliamentary and Assembly Constituencies Order 2008 to make way for ST reservation in the 40 Member Assembly by taking into consideration the revised population. This is where the doubt arises about the real intention of bringing in the Bill. Will our community in Goa get representation as soon as possible or will there be endless delay? For decades we have delayed in giving legitimate rights to our tribal community in Goa. Let us not waste any more time in deciding on this very important matter. I hope that the Government does not play with words, jargon and legal terms to delay the passing of the Bill.

SHRI DHAVAL LAXMANBHAI PATEL: This Bill is special for me because I myself belong to the tribal community. Ever since India gained independence, the Congress has always tried to mislead the tribal community. Till 1998, when the tribal population across India was more than 10 crores, even then, there was no separate ministry for tribals. Our late Prime Minister Atal Bihari Vajpayee ji then formed a separate ST ministry so that special schemes and policies could be made for STs and they could be empowered. The Bharatiya Janata Party-led Government opened 100 Eklavya Model Residential Schools (EMRS) for our tribal children during the year 1998 to 2004. Our state of Gujarat was bifurcated from Maharashtra in the year 1960, despite being in power for 45 years, the Congress had set up only a few sub-stations in the tribal belt located from Umargam to Ambaji. Today, our Bharatiya Janata Party Government is providing electricity 24X7 and 365 days. Our Government has also undertaken the work of setting up more than a thousand substations in the entire tribal belt ranging from Umargam to Ambaji. Sickle cells are a big problem in our tribal community. This disease has claimed many lives. I myself have lost my elder brother in my family attributed to sickle cell, but the Congress Government never worked for the prevention of sickle cell. When the Budget was presented in the year 2023, the NDA Government earmarked a budget of Rs 15 thousand crore for the treatment of sickle cell. All the

communities have made sacrifices for the independence of the country, only then we got independence. Our tribal society has also played an active role in the freedom struggle. Bhagwan Birsa Munda, Tatyama Bhil, Thalakkal Chandu and Tilka Manjhi all have contributed to the cause. Congress never remembered Bhagwan Birsa Munda, the biggest icon and messiah of our tribal society. Our NDA Government has done the work of declaring the birth anniversary of our Bhagwan Birsa Munda ji as *Jan Jaatiya Gaurav Divas*, *Adivasi Gaurav Divas*. South Goa is a tribal-dominated district. According to the 2011 census, 10 percent of the population is tribal which means 1,40,000 tribals live there, but the Congress Party Government has never given status to the tribals. It was our Manohar Parrikar-led Government that gave the status of tribal community to Kunbi, Gawda and Velip in the year 2003. In March 2024, the Goa CM, the Bharatiya Janata Party and the entire ST community team called on the Hon. Minister of Home Affairs and gave a representation that tribals should be given reservation in Goa. At present, we have four tribal MLAs in the Bharatiya Janata Party Government over there. I would like to thank the NDA Government on behalf of the entire tribal community for introducing such an important Bill for Goa. The injustice that our tribal community has suffered there for so many years is now going to end and tribals are going to be covered within the reservation in Goa.

SHRI CHHOTELAL: For the last ten years, the Bharatiya Janata Party Government has been in power at the Centre. I wish to ask why is it that it has become an issue of concern for them now This Bill should have been passed long ago. This shows that the Government is not serious about the tribals. The Government is worried about One Nation, One Election, but before that, it should bring One Education System. When there is One Education System, this country will run according to the rules. A Bill should be passed to give representation to the people based on the number of tribals in Goa and schools and degree colleges should be built for the Scheduled Tribes in their local places and scholarships should be given according to their education for higher education, so that the poor Scheduled Tribe people can study and bring social equality in the society. Whether the Government has opened any such school or degree college for the Scheduled Caste and Scheduled Tribe people in this country so that the Scheduled Caste and Scheduled Tribe people can get an education and based on education they can get jobs like IAS, PCS, Inspector, BDO etc. If so, then the Hon. Minister may shed

some light on the issue. Public representation should be given in Goa in line with seven and a half percent reservation provided in the jobs and it should be implemented in other states including Uttar Pradesh along with Goa. Why is only one state being considered? All Bills related to Scheduled Tribe reservation should be included in the 9th Schedule so that Scheduled Caste and Scheduled Tribe laws are protected forever. One crore people of Assam state are not included in the Santhal, Oraon, and Munda tribes. They should be included. The Assam Government has recommended providing Scheduled Tribe recognition to tea garden workers, these tribals should be given Scheduled Tribe status. About 15 to 20 lakh Bhil, Gond, Santhal, Oraon, Munda etc. tribals live in the capital Delhi. These tribals should be given the status of Scheduled Tribe. People belonging to Kol, Musahar and many small poor castes live in Uttar Pradesh. Those castes should be given the status of scheduled tribe and steps should be taken for their welfare. For proper compliance of the provisions of the Fifth Schedule, the Scheduled areas in 12 states including UP should be identified and demarcated and a high-level Central Committee should be formed in the Scheduled areas of all the states to inspect the compliance of the provisions of the Fifth Schedule.

SHRIMATI PRATIMA MONDAL: The Bill relies on the Census data of 2001 to ascertain the Scheduled Tribes' population which is outdated and does not reflect the current demography. The reliance on old data may lead to flawed representation adjustment undermining the very objective of fair representation. Secondly, the Bill acknowledges that the Delimitation Commission's work ended in 2008 and further delimitation has been frozen until 2026. The delay has already deprived the Scheduled Tribe communities of their rightful representation for over two decades. Thirdly, the Bill grants extensive power to the Election Commission to amend the Delimitation Order and readjust seats. The lack of a clear and transparent process in the Bill raises concerns about potential arbitrariness. The Election Commission's amendment to the delimitation process should include a mandatory public consultation phase. Fourthly, the Central Government is empowered to issue orders to remove any difficulties in implementing the Act. This provision will allow the Government to make potentially significant changes without Parliamentary scrutiny. Any significant change should require the approval of the Parliament ensuring that democratic processes and checks and balances are maintained. Fifthly, the Bill states that the readjustment of sets will not affect the

existing Legislative Assembly until its dissolution. This means that even if the Bill is enacted, the Scheduled Tribe communities will have to wait until the next election cycle to benefit from the adjustment. The Bill should include a specific timeline for the completion of the delimitation process. Goa has witnessed significant demographic changes since 2001. The Bill does not adequately address how this shift will be factored into the new delimitation process. The Bill should mandate the use of the most recent census data such as the 2001 data or even the provisional 2021 figure to ensure that the readjustment of seats accurately reflects correct demographic realities. The Bill's provision that prevents the population figure and amendments from being challenged in courts may infringe on the Judiciary's role in upholding the rule of law and protecting the citizens' rights. A mechanism for judicial oversight could be included to ensure that the process remains fair and constitutional. I would like to mention here that for sustainable development and economic development, our state Chief Minister provides Rs.1000 every month to the SC/ST communities under the scheme of Taposili Bandhu and Jai Johar scheme.

SHRI D. M. KATHIR ANAND: This Bill has been drafted very slowly. The Government has not applied its knowledge. The Government is trusting on the previous census data. I come from the Vellore district. In panchayat elections, certain constituencies have been allocated to certain communities. But it is very difficult to find even one single voter in that particular constituency belonging to the allocated reservation. All this happens because of the lack of census data. So, if new census data is there, then automatically everything becomes clear, the representation becomes true, fair and just, and automatically, there will be nothing to complain about. Whenever the Government wants to deploy certain support to the community, and if the census data is taken on time, then automatically people can get the benefits from the scheme. I want to press upon this Government the importance of taking the new census data which will reveal the demography data and that will be clear and just. The Lambadi community in Tamil Nadu and other places in India is very important. Even their community has to be represented. Even they need an allocation of Constitutional space in India.

SHRI G. LAKSHMINARAYANA: First and foremost, I commend the Government for bringing forward this much-needed legislation. The Bill seeks to reserve seats for Scheduled Tribes in the Goa Legislative Assembly, a crucial step

towards ensuring that the political representation of these communities is in line with their growing population in the State. I would like to speak about a community that has been awaiting rightful recognition for decades. A community that has given India the great Hindu epic of Ramayana, the descendants of Maharishi Valmiki Ji himself. I am speaking about the Valmiki Boya community. And as I stand here today, I say with pride, I am one of them. Hon. Prime Minister has promised to grant ST recognition to the Valmiki Boya community. As part of honouring the great contributions of Maharishi Valmiki, the airport in Ayodhya has been renamed as Maharishi Valmiki International Airport. The day is not far when the Valmiki Boya community will be included in the ST list.

DR. ALOK KUMAR SUMAN: The present Bill mainly deals with Article 332 of our Constitution. Article 332 talks about reservation for Scheduled Castes and Scheduled Tribes in the Legislative Assembly. There is no representation or reservation for STs in the Goa Assembly so far. As per the 2011 Census, the population of Scheduled Tribes in Goa was 1,49,275. It has become necessary that such a large population should be given representation and reservation in the Goa Legislative Assembly based on population. In Goa, the inclusion of new communities—Kunbi, Gawda and Velip—in the Scheduled Tribes community, also increased the number of Scheduled Tribes in the state. With the passage of this Bill, the Scheduled Tribes in Goa will get effective democratic participation in the Assembly. While making my point in this Bill, I would like to suggest that SC and ST children should be prevented from committing suicide in IITs, IIMs, NITs and higher educational institutions in the country. The hidden reasons behind this problem should also be seriously taken into cognizance. A study of the data for the year 2023-24 shows that India is ahead of many countries in achieving the Sustainable Development Goals. Poverty has come down and the Government has given priority to the development of SCs and STs. In the year 2018-19, Rs 9,818.24 crore lapsed unspent. Similarly, Rs 11,042.26 crore in 2019-20, Rs 19,922.35 crore in 2020-21, Rs 16,942 crore in 2021-22 and Rs 13,961.54 crore in 2022-23 got lapsed. I would like to submit that this money which has lapsed should be spent only on the welfare of STs as per the rules suggested by the NITI Aayog.

SHRIMATI SUPRIYA SULE: Goa is a very, very small State in size. But it is one of the biggest contributors to India's tourism. Today we are giving

representation to the Scheduled Tribes, which is a welcome step. I would like to thank the Government and congratulate the people of Goa for getting this opportunity. The Kunbi, the Gouda and the Velip, all these are the Scheduled Tribes, which have got this reservation now, and that is why we are moving this Bill. I have three-four important points to make. What is the position of Maratha, Dhangar, Lingayat, Muslim and Vimukta Jati and Nomadic Tribes (VJNT) in Maharashtra? These are the communities which are looking for reservations in Maharashtra. My second point is about the delimitation that the Government has brought in. There is a provision empowering the Election Commission of India to make amendments in the Delimitation of Parliamentary and Assembly Constituencies Order 2008 to readjust the seats of the Legislative Assembly in the State of Goa for the Scheduled Tribes of the State. This applies to the entire country. I would like to ask specifically this Government about the Women's Reservation Bill. The Census of 2026 is very important to be carried out. Already 2024 is ending and there are only two years – 2025 and 2026. What is the commitment towards this issue? When will this Women Reservation Bill come into effect? We should target for 2026 so that in 2029, when we all go back for re-election, the Women's Reservation Bill should have not only been passed but also implemented in every State. I have two or three small points to make. I say with great pride that it was the Congress Government in Maharashtra, the first State Government which presented an 'Adivasi Budget'. Regarding the Eklavya Colleges, I would like to put on record that the Congress started a wonderful scheme called the Kasturba Gandhi Balika Vidyalaya where all the Adivasi girls from five to eight years of age are given education. I would like to request the Government to consider the Women Reservation Bill and demands for reservation of Maratha, Dhangar, Lingayat, Muslim and VJNT communities and fulfil the same.

DR. NAMDEO KIRSAN: The Goa State Assembly presently does not have any reserved seats for Scheduled Tribes. The proposed amendments are aimed at addressing the disparity in the representation of Scheduled Tribes in the State Assembly, as it is currently disproportionate to the Scheduled Tribes population in the State. The Bill allows constituency adjustments in the Goa Legislative Assembly to ensure adequate representation for Scheduled Tribes in line with Article 170 of the Constitution. Between the 2001 and 2011 Census, the ST population in Goa has increased to approximately 10 percent, and is expected to

have further grown since. There is no mechanism to readjust seats to accommodate the increased ST population recorded in the 2011 Census compared to 2001. For the first time in 150 years, India's Census has been delayed. The present Government's refusal to undertake a national-level caste Census has meant unequal representation of the SCs and STs in various domains, including Parliament and State Assemblies and also local bodies. In the absence of this crucial information, the Government's schemes do not respond to the actual ground realities. The SC, ST and other sections will not get justice till the caste census is undertaken across the entire India.

SHRI TAPIR GAO: I rise to support the present Bill. Goa is our identity; whether it's tourism, culture, or its sea beaches, Goa is a very beautiful State. After the 2011 census, three tribes –Kunbi, Gundra and Velip communities– have been included. As a result, the ST population has increased by about 1 lakh 50 thousand. Through this amendment, we will empower the Election Commission to form a Delimitation Commission and increase the number of tribal representatives in the Assembly. This Bill aims to achieve that. The Tribal Pride Day was declared on the birthday of Bhagwan Birsa Munda. I would like to request the Government to include all tribal people who are not yet listed in the Scheduled Tribes list, to be included quickly by the Registrar General of India based on the Census. Under the leadership of our honourable Prime Minister, Goa will have our representatives in the Assembly. Atal Bihari Vajpayee ji was the first to establish a separate Ministry of Tribal Affairs. This Government has focused on the welfare of tribals. The honourable Prime Minister has launched numerous schemes for tribal education, scholarships, and health benefits. Tribals dwelling in forests, on land, and in water should have their rights recognized. I appeal to the Government for this. In my State of Arunachal Pradesh, there is Vijaynagar, which borders China, Tibet, and Myanmar. The Government should grant constitutional Scheduled Tribe status to our Yobin community. Also, the Gorkha community should be given a separate identity in the country and society.

SHRI NARESH GANPAT MHASKE: The present Bill grants representation rights to the Scheduled Tribes in the Goa Assembly. This community has been neglected for decades, but now thanks to this step by the government, they will receive justice and respect. This also fulfills the objectives of the Constitution.

The Government has opened 40 new Eklavya Model Residential Schools (EMRS) to provide quality education to tribal children and laid the foundation stones for 25 more schools. Local arts, culture, and sports are promoted in these schools. Under the Prime Minister's Tribal Justice Mission, road connectivity, Anganwadi centers, schools, and hostels are being constructed. The Tribal Women Empowerment Scheme provides soft loans of up to two lakh rupees at 4% interest to tribal women. The purpose of these schemes is to ensure the holistic development of the tribal community and integrate them into the mainstream. A Tribal Freedom Fighter Museum' has been created to honour the struggles and sacrifices of Bhagwan Birsa Munda, thus giving recognition to tribal culture across the country. This Bill is a symbol of the empowerment of the tribal community. I urge the Government to further strengthen and implement these welfare schemes for tribal welfare.

SHRI RAJU BISTA: Today, the Gorkhas have not received the justice and respect they deserve, and injustice is being meted out to them. Even during the British period, the Darjeeling Terai Dooars area was under different administrative regimes. Gorkhas were also known as a hill tribe in the census of 1931 and 1941, but after independence, Darjeeling Terai Dooars was added to West Bengal in 1954 under the Absorbed Area. Gradually after that, there were 18 different sub-tribes, out of which 7 different sub-tribes got ST status, but even today 11 sub-castes are left out. This demand of ours is constitutional. So, I would like to demand from the Government that Gorkhas of different sub-tribes should get their rights.

DR. GUMMA THANUJA RANI: I would like to thank you for giving me this opportunity to put forth our party's view on the Readjustment of Representation of Scheduled Tribes in Assembly Constituencies of the State of Goa Bill, 2024. The Constitution of India has several provisions to prevent discrimination against the people belonging to the Scheduled Tribes and protect their rights. I strongly support this Bill.

SHRI SUDHAKAR SINGH: The stats make it clear that the number of Scheduled Castes is continuously increasing in States like Jharkhand, Odisha, Chhattisgarh and Bihar. I urge the Government to formulate a comprehensive policy to give proper representation to the tribal population across the country. I would like to discuss Bihar. Till today, people of Kharwar and Chero lineage in Bihar are facing the crisis of their social and cultural identity for the reasons of not having

been granted tribal status. Even among the primitive tribes like Gond, Lohar and Musahar communities, there is a lot of anger for not having the status of Scheduled Tribe till date. In the communities of Gond and Gund, as well as Lohar and Lohra, there are slight differences in literal meanings that prevent them from receiving tribal status. This has caused significant anger among these communities in Bihar. We expect the Government to accomplish the caste based social census soon in order that we may move forward to have the provisions of reservation in place in a scientific way in future.

The discussion was not concluded.

UTPAL KUMAR SINGH
Secretary General

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NOTE: It is the verbatim Debate of the Lok Sabha and not the Synopsis that should be considered authoritative.

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