

C O N T E N T S

**Fifteenth Series, Vol. XXIV, Tenth Session, 2012/1934 (Saka)
No. 13, Thursday, March 29, 2012/Chaitra 9, 1934 (Saka)**

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OFFICERS OF LOK SABHA

THE SPEAKER

Shrimati Meira Kumar

THE DEPUTY SPEAKER

Shri Karia Munda

PANEL OF CHAIRMEN

Shri Basu Deb Acharia

Shri P.C. Chacko

Shrimati Sumitra Mahajan

Shri Inder Singh Namdhari

Shri Francisco Cosme Sardinha

Shri Arjun Charan Sethi

Dr. Raghuvansh Prasad Singh

Dr. M. Thambidurai

Dr. Girija Vyas

Shri Satpal Maharaj

SECRETARY GENERAL

Shri T.K. Viswanathan

LOK SABHA DEBATES

LOK SABHA

Thursday, March 29, 2012/Chaitra 9, 1934 (Saka)

The Lok Sabha met at Eleven of the Clock

[MADAM SPEAKER in the Chair]

OBITUARY REFERENCE

MADAM SPEAKER: Hon. Members, I have to inform the House of the sad demise of our former colleague, Shri Sudhir Ghosal.

Shri Sudhir Ghosal was a Member of the Sixth Lok Sabha from 1977 to 1979 representing the Midnapore Parliamentary Constituency of West Bengal.

Shri Ghosal was a Member of the Committee on Papers Laid on the Table during the Sixth Lok Sabha.

A veteran freedom fighter, Shri Ghosal played a significant role in freedom movement of the country. He took active part in the Quit India Movement of 1942.

A well-known social and political worker, Shri Ghosal strove for bringing parity in the socio-economic status of the people and worked for the welfare of agricultural labour and peasants and the industrial development of Midnapore and the neighbouring regions.

Shri Sudhir Ghosal passed away on 29 January, 2012 at Midnapore, West Bengal at the age of 92.

We deeply mourn the loss of our friend and I am sure the House would join me in conveying our condolences to the bereaved family.

The House may now stand in silence for a short while as a mark of respect to the memory of the departed.

11.01hrs

The Members then stood in silence for a short while.

... (Interruptions)

MADAM SPEAKER: Q. No. 221, Shri P. Lingam. Nothing else will go on record.

(Interruptions)* ...

1102 hrs

At this stage, Shri A.K.S. Vijayan and some other hon. Members came and stood on the floor near the Table.^{1/4}

... (Interruptions)

11.02^{1/4} hrs

At this stage, Shri P. Kumar, Shri K. Chandrasekhar Rao, Shri Ponnamb Prabhakar, Shri Sansuma Khunggur Bwiswmuthiary and some other hon. Members came and stood on the floor near the Table.

... (Interruptions)

MADAM SPEAKER: Nothing will go on record.

(Interruptions)* ...

MADAM SPEAKER: Please let us have the Question Hour. Please go back to your seats.

... (Interruptions)

MADAM SPEAKER: Just two days of the Session are left. Let us run the House. Please go back to your seats.

... (Interruptions)

MADAM SPEAKER: The House stands adjourned to meet again at 12 Noon.

11.04hrs

The Lok Sabha then adjourned till Twelve of the clock.

* Not recorded

12.00 hrs

The Lok Sabha re-assembled at Twelve of the Clock.

(Madam Speaker in the Chair)

PAPERS LAID ON THE TABLE

MADAM SPEAKER: Now, the House will take up Item no. 3, Papers to be laid on the Table.

... *(Interruptions)*

12.00 hrs

At this stage, Shri A.K.S. Vijayan and some other hon. Members came and stood on the floor near the Table.

... *(Interruptions)*

12.00¼ hrs

At this stage, Shri S. Semmalai, Shri K. Chandrasekhar Rao, Shri Sansuma Khunggur Bwiswmuthiary and some other hon. Members came and stood on the floor near the Table)

... *(Interruptions)*

कृषि मंत्रालय में राज्य मंत्री तथा खाद्य प्रसंस्करण उद्योग मंत्रालय में राज्य मंत्री (डॉ. चरण दास महंत):

महोदया, मैं श्री शरद पवार की ओर से निम्नलिखित पत्र सभा पटल पर रखता हूँ -

(1) निम्नलिखित पत्रों की एक-एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) :-

(एक) वर्ष 2012-13 के लिए कृषि अनुसंधान और शिक्षा विभाग, कृषि मंत्रालय का परिणामी बजट।

(Placed in Library See No. LT 6397/15/12)

(दो) वर्ष 2012-13 के लिए पशुपालन, डेरी और मत्स्यपालन विभाग, कृषि मंत्रालय का परिणामी बजट।

(Placed in Library See No. LT 6398/15/12)

(2) नाशक कीट और नाशक जीव अधिनियम, 1954 की धारा 4 (घ) के अंतर्गत पादप संघरोध (भारत में आयात का विनिमय) (पहला संशोधन) आदेश, 2012, जो 17 फरवरी, 2012 के

भारत के राजपत्र में अधिसूचना संख्या का0आ0 296 (अ) में प्रकाशित हुआ था, की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) ।

(Placed in Library See No. LT 6399/15/12)

(3) कंपनी अधिनियम, 1956 की धारा 619क के अंतर्गत निम्नलिखित पत्रों की एक-एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) :-

- (क) (एक) जम्मू और कश्मीर स्टेट एगो इंडस्ट्रीज डेवलपमेंट कारपोरेशन लिमिटेड, श्रीनगर के वर्ष 1993-1994 के कार्यकरण की सरकार द्वारा समीक्षा।
- (दो) जम्मू और कश्मीर स्टेट एगो इंडस्ट्रीज डेवलपमेंट कारपोरेशन लिमिटेड, श्रीनगर का वर्ष 1993-1994 का वार्षिक प्रतिवेदन, लेखापरीक्षित लेखे तथा उन पर नियंत्रक-महालेखापरीक्षक की टिप्पणियां।

(Placed in Library See No. LT 6400/15/12)

- (ख) (एक) उड़ीसा एगो इंडस्ट्रीज कारपोरेशन लिमिटेड, भुवनेश्वर के वर्ष 2008-2009 के कार्यकरण की सरकार द्वारा समीक्षा।
- (दो) उड़ीसा एगो इंडस्ट्रीज कारपोरेशन लिमिटेड, भुवनेश्वर का वर्ष 2008-2009 का वार्षिक प्रतिवेदन, लेखापरीक्षित लेखे तथा उन पर नियंत्रक-महालेखापरीक्षक की टिप्पणियां।

(4) उपर्युक्त (3) में उल्लिखित पत्रों को सभापटल पर रखने में हुए विलम्ब के कारण दर्शाने वाले दो विवरण (हिन्दी तथा अंग्रेजी संस्करण)। ... (*Interruptions*)

(Placed in Library See No. LT 6401/15/12)

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): On behalf of Shri Virbhadra Singh, I beg to lay on the Table:--

- (1) A copy each of the following papers (Hindi and English versions):-
- (i) Detailed Demands for Grants of the Ministry of Micro, Small and Medium Enterprises for the year 2012-2013.

(Placed in Library See No. LT 6402/15/12)

- (ii) Outcome Budget of the Ministry of Micro, Small and Medium Enterprises for the year 2012-2013.

(Placed in Library See No. LT 6403/15/12)

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Khadi and Village Industries Commission, Mumbai, for the year 2010-2011.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Khadi and Village Industries Commission, Mumbai, for the year 2010-2011, together with Audit Report thereon.
- (iii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Khadi and Village Industries Commission, Mumbai, for the year 2010-2011.
- (3) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (2) above. ... (*Interruptions*)

(Placed in Library See No. LT 6404/15/12)

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI PABAN SINGH GHATOWAR): On behalf of Shri G.K. Vasani, I beg to lay on the Table a copy each of the following papers (Hindi and English versions):-

- (1) Detailed Demands for Grants of the Ministry of Shipping for the year 2012-2013.
- (2) Outcome Budget of the Ministry of Shipping for the year 2012-2013.

... (*Interruptions*)

(Placed in Library See No. LT 6406/15/12)

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): I beg to lay on the Table a copy of the Detailed Demands for Grants (Hindi and English versions) of the Ministry of Water Resources for the year 2012-2013. ... (*Interruptions*)

(Placed in Library See No. LT 6407/15/12)

THE MINISTER OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI PRAFUL PATEL): I beg to lay on the Table a copy each of the following papers (Hindi and English versions):-

- (1) Detailed Demands for Grants of the Ministry of Heavy Industries and Public Enterprises for the year 2012-2013.

(Placed in Library See No. LT 6408/15/12)

- (2) Outcome Budget of the Ministry of Heavy Industries and Public Enterprises for the year 2012-2013. ... (*Interruptions*)

(Placed in Library See No. LT 6409/15/12)

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF MINORITY AFFAIRS (SHRI SALMAN KHURSHEED): I beg to lay on the Table a copy each of the following papers (Hindi and English versions):-

- (1) Detailed Demands for Grants of the Ministry of Minority Affairs for the year 2012-2013.

(Placed in Library See No. LT 6410/15/12)

- (2) Outcome Budget of the Ministry of Minority Affairs for the year 2012-2013. ... (*Interruptions*)

(Placed in Library See No. LT 6411/15/12)

THE MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI PRATIK PATIL): On behalf of Shri Ajay Maken, I beg to lay on the Table a copy of the Outcome Budget for Grants (Hindi and English versions) of the Ministry of Youth Affairs and Sports for the year 2012-2013. ... (*Interruptions*)

(Placed in Library See No. LT 6412/15/12)

THE MINISTER OF STATE OF THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION AND MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT JENA): I beg to lay on the Table a copy each of the following papers (Hindi and English versions):-

- (1) Detailed Demands for Grants of the Ministry of Chemicals and Fertilizers for the year 2012-2013.

(Placed in Library See No. LT 6413/15/12)

- (2) Outcome Budget of the Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers, for the year 2012-2013.

(Placed in Library See No. LT 6414/15/12)

- (3) Outcome Budget of the Department of Fertilizers, Ministry of Chemicals and Fertilizers for the year 2012-2013.

(Placed in Library See No. LT 6415/15/12)

- (4) Outcome Budget of the Department of Chemicals and Petrochemicals, Ministry of Chemicals and Fertilizers for the year 2012-2013. ... (*Interruptions*)

(Placed in Library See No. LT 6416/15/12)

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI K.H. MUNIYAPPA): I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Railway

Sports Promotion Board, New Delhi, for the year 2010-2011, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Railway Sports Promotion Board, New Delhi, for the year 2010-2011.
- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

(Placed in Library See No. LT 6417/15/12)

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Centre for Railway Information Systems, New Delhi, for the year 2010-2011, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Centre for Railway Information Systems, New Delhi, for the year 2010-2011.
- (4) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above. ... *(Interruptions)*

(Placed in Library See No. LT 641815/12)

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT (PROF. SAUGATA ROY): I beg to lay on the Table a copy of the Detailed Demands for Grants (Hindi and English versions) of the Ministry of Urban Development for the year 2012-2013. ... *(Interruptions)*

(Placed in Library See No. LT 6419/15/12)

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI R.P.N. SINGH): I beg to lay on the Table:-

(1) A copy of the Competition Commission of India (Salary, Allowances and other Terms and Conditions of Service of Chairperson and other Members) Amendment Rules, 2011 (Hindi and English versions) published in the Notification No. G.S.R. 854(E) in Gazette of India dated the 1st December, 2011 under sub-section (3) of Section 63 of the Competition (Amendment) Act, 2007.

(Placed in Library See No. LT 6420/15/12)

(2) A copy of the Competition Commission of India (Procedure in regard to the transaction of business relating to combinations) Amendment Regulations, 2012 (Hindi and English versions) published in the Notification No. F. No. 3-1/Amend/Comb.Reg./2012/CD/CCI in Gazette of India dated the 23rd February, 2012 under sub-section (3) of Section 64 of the Competition (Amendment) Act, 2007.

(Placed in Library See No. LT 6421/15/12)

(3) A copy of the Notification G.S.R. 69(E) (Hindi and English versions) published in Gazette of India dated 6th February, 2012, making certain amendments in Notification No. G.S.R. 1693(E) dated 3rd October, 2007 issued under Section 29A the Cost and Works Accountants Act, 1959

(Placed in Library See No. LT 6422/15/12).

(4) A copy of the Chartered Accountants Procedures of meetings of Quality Review Board and terms and conditions of service and allowances of Chairperson and members of the Board (Amendment) Rules, 2012 (Hindi and English versions) published in the Notification No. G.S.R. 8(E) in Gazette of India dated 11th January, 2012 under Section 30B of the Chartered Accountants Act, 1949.

(Placed in Library See No. LT 6423/15/12)

(5) A copy of the Notification G.S.R. 68(E) (Hindi and English versions) published in Gazette of India dated 6th February, 2012, making certain amendments in Notification No. G.S.R. 490(E) dated 13th July, 2007 issued under Section 29A of the Company Secretaries Act, 1980.

(Placed in Library See No. LT 6424/15/12)

(6) A copy of the Notification S.O. 190(E) (Hindi and English versions) published in Gazette of India dated 30th January, 2012, appointing the 1st day of February, 2012 as the date on which the provision of the Chartered Accountants (Amendment) Act, 2011 shall come into force, issued under sub-section (2) of Section 1 of the said Act.

(7) A copy of the Notification S.O. 191(E) (Hindi and English versions) published in Gazette of India dated 30th January, 2012, appointing the 1st day of February, 2012 as the date on which the provision of the Cost and Works Accountants (Amendment) Act, 2011, shall come into force, issued under sub-section (2) of Section 1 of the said Act.

(8) A copy of the Notification S.O. 192(E) (Hindi and English versions) published in Gazette of India dated 30th January, 2012, appointing the 1st day of February, 2012 as the date on which the provision of the Company Secretaries (Amendment) Act, 2011, shall come into force, issued under sub-section (2) of Section 1 of the said Act

(Placed in Library See No. LT 6425/15/12)

(9) A copy of the Memorandum of Understanding (Hindi and English versions) between the Balmer Lawrie and Company Limited and the Ministry of Petroleum and Natural Gas for the year 2012-2013.

(Placed in Library See No. LT 6426/15/12)

(10) A copy of the Outcome Budget (Hindi and English versions) of the Ministry of Corporate Affairs for the year 2012-2013. ... (*Interruptions*)

(Placed in Library See No. LT 6427/15/12)

THE MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES
AND MINISTER OF STATE IN THE MINISTRY OF MINORITY AFFAIRS
(SHRI VINCENT H. PALA): I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the National Commission for Minorities, New Delhi, for the year 2009-2010.
- (ii) A copy of the Action Taken Memorandum (Hindi and English versions) on the recommendations contained in the above mentioned Report of the National Commission for Minorities, New Delhi, for the year 2009-2010.
- (iii) A copy of the Review (Hindi and English versions) by the Government of the working of the National Commission for Minorities, New Delhi, for the year 2009-2010.

- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

(Placed in Library See No. LT 6428/15/12)

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

- (i) Review by the Government of the working of the National Projects Construction Corporation Limited, New Delhi, for the year 2010-2011.
- (ii) Annual Report of the National Projects Construction Corporation Limited, New Delhi, for the year 2010-2011, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

- (4) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.

(Placed in Library See No. LT 6429/15/12)

- (5) A copy each of the following papers (Hindi and English versions) under Section 619A of the Companies Act, 1956:-

- (i) Review by the Government of the working of the Andhra Pradesh State Irrigation Development Corporation Limited, Hyderabad, for the year 2010-2011.
- (ii) Annual Report of the Andhra Pradesh State Irrigation Development

Corporation Limited, Hyderabad, for the year 2010-2011, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

- (6) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (5) above.

(Placed in Library See No. LT 6430/15/12)

- (7) (i) A copy of the Annual Report (Hindi and English versions) of the Central Wakf Council, New Delhi, for the year 2010-2011, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Central Wakf Council, New Delhi, for the year 2010-2011.

- (8) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (7) above. ... (*Interruptions*)

(Placed in Library See No. LT 6431/15/12)

THE MINISTER OF RURAL DEVELOPMENT AND MINISTER OF DRINKING WATER AND SANITATION (SHRI JAIRAM RAMESH): On behalf of Shri Pradeep Jain, I beg to lay on the Table:-

- (1) A copy of the Annual Report (Hindi and English versions) of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005, for the year 2010-2011.

(Placed in Library See No. LT 6432/15/12)

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Council for Advancement of People's Action and Rural Technology, New Delhi, for the year 2010-2011, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Council for Advancement of People's Action and Rural Technology, New Delhi, for the year 2010-2011.

- (3) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (2) above.

(Placed in Library See No. LT 6433/15/12)

12.03 hrs**MESSAGES FROM RAJYA SABHA**

SECRETARY-GENERAL: Madam Speaker, I have to report the following three messages received from the Secretary-General of Rajya Sabha:-

- (i) “In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (Vote on Account) Bill, 2012, which was passed by the Lok Sabha at its sitting held on the 27th March, 2012 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.”
 - (ii) “In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation Bill, 2012, which was passed by the Lok Sabha at its sitting held on the 27th March, 2012 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.”
 - (iii) “In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No. 2) Bill, 2012, which was passed by the Lok Sabha at its sitting held on the 27th March, 2012 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.”
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12.04 hrs**STANDING COMMITTEE ON AGRICULTURE****28th and 31st Reports**

SHRI BASU DEB ACHARIA (BANKURA): I beg to present the following Reports (Hindi and English versions) of the Committee on Agriculture:--

- (1) Twenty-eighth Report* on Action Taken by the Government on the Observations/Recommendations contained in the Twenty-second Report of the Committee on Agriculture (2010-2011) on Demands for Grants 2011-12 of Ministry of Agriculture (Department of Agriculture and Cooperation).
- (2) Thirty-first Report* on Action Taken by the Government on the Observations/Recommendations contained in the Twenty-fourth Report of the Committee on Agriculture (2010-2011) on Demands for Grants 2011-12 of Ministry of Agriculture (Department of Animal Husbandry, Dairying and Fisheries).

... (*Interruptions*)

12.04 ½ hrs**STANDING COMMITTEE ON EXTERNAL AFFAIRS****11th Report**

SHRI ANANTH KUMAR (BANGALORE SOUTH): I beg to present the Eleventh Report on Action Taken by the Government on the recommendations contained in the Tenth Report (15th Lok Sabha) on Demands for Grants of the Ministry of External Affairs for the year 2011-12.

* These Reports were presented to hon. Speaker on 16 February and 01 March, 2012, respectively under Direction 71 A of the Directions by the Speaker, Lok Sabha when the House was not in Session and the Speaker was pleased to order the printing, publication and circulation of the Reports under rule 280 of the Rules of Procedure and Conduct of Business in Lok Sabha.

MADAM SPEAKER: Shri Dara Singh Chauhan – Not present.

... (*Interruptions*)

12.05 hrs

**STANDING COMMITTEE ON PERSONNEL, PUBLIC GRIEVANCES,
LAW AND JUSTICE
50th Report**

श्री शैलेन्द्र कुमार (कोशाम्बी): महोदया, मैं "विदेशी लोक पदधारी और अंतर्राष्ट्रीय लोक संगठन पदधारी रिश्वत निवारण विधेयक, 2011" के बारे में कार्मिक, लोक शिकायत, विधि और न्याय संबंधी स्थायी समिति का पचासवां प्रतिवेदन (हिन्दी तथा अंग्रेजी संस्करण) सभापटल पर रखता हूँ।

12.05½ hrs

**STATEMENT CORRECTING REPLY TO UNSTARRED
QUESTION NO. 1507 DATED 22ND MARCH 2012
REGARDING NEW ZONES/DIVISIONS IN THE
RAILWAYS'**

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI K.H. MUNIYAPPA): Hon. Speaker, I beg to lay a Statement correcting the reply given on 22nd March, 2012 to Unstarred Question No. 1507 raised by Shri P.C. Gaddigoudar and Kumari Saroj Pandey regarding 'New Zones/Divisions in the Railways'. ... (*Interruptions*)

(Placed in Library, see No. LT 6434/15/12)



12.05³/₄ hrs

**CALLING ATTENTION TO MATTER OF URGENT PUBLIC
IMPORTANCE**

**Situation arising out of incident of Child Separation of an Indian Couple by
Norway Authorities and steps taken by the Government**

MADAM SPEAKER: Now, the House will take up the Calling Attention.
Shrimati Sushma Swaraj.

... (*Interruptions*)

SHRIMATI SUSHMA SWARAJ (VIDISHA): Madam, I call the attention of the
Minister of External Affairs to the following matter of urgent public importance
and request that she may make a statement thereon:

“Situation arising out of incident of child separation of an Indian couple by the
Norway authorities and steps taken by the Government in this regard.”

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS
(SHRIMATI PRENEET KAUR): Madam, with your kind permission, I lay the
statement on the Table of the House. ... (*Interruptions*)

*Two young Indian children, three year old Abhigyan Bhattacharya and one
year old Aishwarya Bhattacharya were taken away from their parents Shri
Anurup Bhattacharya and Smt. Sagarika Chakraborty, an NRI couple residing in
Stavanger in Norway by the Norwegian Child Welfare Service (CWS) of the
Stavanger Municipality and placed in emergency foster care in May 2011.

The ostensible reason given by CWS for this drastic action included "fear of
possible violence against the children and lack of adequate parental care". The
parents moved the Family Court to get the children back. The initial decision of
the Court went in the favour of the parents. The CWS, however, obtained a stay

* Laid on the Table and also placed in Library. See No. LT 6435/15/12.

for the deferment of the implementation of the decision of the Family Court. Accordingly, the children continued to stay in foster care. In its judgment delivered on November 28, 2011, the Family Court accepted the recommendations of the CWS that the (i) children be placed in long-term Foster care and (ii) parents be given limited visitation rights. The parents filed an appeal before the Stavanger District Court on December 20, 2011.

After the decision of the Family Court, the parents approached the Embassy of India in Oslo to take up the matter with the concerned authorities and the complete details of the case were made available to the Indian Embassy in the third week of December 2011. Around the same time, the Ministry of External Affairs was also apprised of the issue. Since then the matter has been taken up strongly and repeatedly with the Norwegian Government in Oslo and by the Ministry of External Affairs with the Norwegian Ambassador in India. The External Affairs Minister spoke to his Norwegian counterpart on January 23, 2012 and sought the early return of the children to India to enable them to be brought up in familiar surroundings under the loving care of their extended family which was in their best long-term interests. External Affairs Minister also sent a written communication to his Norwegian counterpart immediately thereafter.

In view of the delay on the matter and on learning that the Stavanger Municipality had applied for extension of the Residence Permits of the two children beyond March 8, 2012 without the consent of the parents, the External Affairs Minister took the exceptional step of sending Secretary (West), Ministry of External Affairs as his Special Envoy to Norway from February 26-29, 2012. The Special Envoy of the Minister carried a letter from External Affairs Minister addressed to the Norwegian Minister of Foreign Affairs. He also met the Minister of Children, Equality and Social Inclusion and other concerned senior officials. In all these discussions, he conveyed the concern of the Government of India on the

continued stay of the children in foster care and urged them to resolve the case expeditiously by taking a humane approach and to send the children back to India so that they could be brought up in their own cultural, linguistic, religious and natural milieu and social environment which was best available in their extended family. It was also conveyed to the Norwegian authorities that this was in the best long- term interest of the children.

The CWS proposed a solution in early February 2012 which, while meeting the Norwegian legal requirements, would result in the children returning to India under the care of their paternal uncle. Accordingly, the uncle, Mr. Arunabhas reached Stavanger on February 3, 2012. The CWS held several meetings with the uncle to "evaluate him". After discussions with the uncle and with the Embassy of India as also the Special Envoy, the CWS announced on February 28, 2012 that the care of the children could be awarded to the uncle, if the Court so agreed. The hearing of the Court was provisionally fixed for March 23, 2012. To prepare their case, the CWS asked for the help of the Indian Embassy in Oslo to obtain information regarding the judicial system and legislative and institutional mechanisms available in India for protecting the best interests of the children. This information was collated and sent to the CWS through the Embassy of India in Oslo on March 13, 2012.

Unfortunately, the Court hearing which would have considered this solution was postponed by the CWS after certain developments "led them to conclude that the parents of the children and their families were not united." This has led to a set back to the entire process of the resolution of the case. We do hope that this is only a temporary delay.

On March 23, 2012, the parents and the paternal uncle signed an Agreement which was notarised by the Embassy of India. This Agreement has been presented to the CWS to enable it to submit it to the Court on the date of hearing.

The matter was discussed in the meeting which Prime Minister had with the Norwegian Prime Minister in Seoul on March 26, 2012.

The Government continues to believe that the long term interest of the children would be served better if they grow up in their own social, religious, cultural and linguistic milieu. The Government of India will continue to engage with the Norwegian authorities on this matter.

... (*Interruptions*)

MADAM SPEAKER: The statement is laid on the Table of the House. Is it all right?

... (*Interruptions*)

श्रीमती सुषमा स्वराज (विदिशा): अध्यक्ष महोदया, आज जिस ध्यानाकर्षण प्रस्ताव के माध्यम से मैं सरकार और सदन का ध्यान आकर्षित करना चाह रही हूँ, वह विषय एक तरफ राष्ट्रीय स्वाभिमान से जुड़ा है और दूसरी तरफ मां-बाप के संताप से...(व्यवधान) इसमें दो संस्कृतियों का द्वन्द्व भी है। शोर-शराबा बहुत है वर्ना मैं विस्तार से अपनी बात कहती किंतु संक्षेप में मैं कहना चाहूंगी कि इसमें चार बिन्दु प्रमुखता से उभरकर सामने आए हैं। ...(व्यवधान) एक तो बाल अधिकारों का हनन है और दूसरे मानवाधिकारों का उल्लंघन और तीसरे निजी मामले में राज्य का हस्तक्षेप और चौथे भारत की सार्वभौमिकता है। बालकों का सबसे ज्यादा अधिकार मां-बाप के प्यार पर है। ...(व्यवधान) इसे कोई नहीं छीन सकता और मां-बाप से बच्चों को अलग कर देना मानवाधिकारों का हनन है। यह जो दुष्प्रचार किया गया कि उन दोनों मां-बाप के बीच में झगड़ा हो गया है और वे तलाक लेने जा रहे हैं और चाचा अर्जी वापस ले रहे हैं, ये सब असत्य बातें हैं। ...(व्यवधान) न तो मां-बाप ने तलाक की अर्जी दी है और न चाचा ने अर्जी वापस ली है। जब भी कोर्ट की पेशी लगती है, यह दुष्प्रचार शुरु हो जाता है। इसलिए मैं आपके माध्यम से सरकार से कहना चाहती हूँ कि 121 करोड़ लोगों का देश 45 लाख लोगों के मुल्क के सामने गिड़गिड़ा रहा है कि हमारे बच्चे वापस दे दो। माननीय मंत्री जी ने अपने बयान में जिन तथ्यों का जिक्र किया है, उसी के आधार पर मैं कहना चाहूंगी कि एक मिनट को मान भी लें कि मां-बाप के बीच कोई विवाद है तो भी क्या बच्चे सरकार लेकर चली जाएगी? मेरा ...(व्यवधान) अपनी सरकार से अनुरोध है कि अब कड़े उठाने का समय आ गया है। किसी कूटनीति और नरम रवैये से यह मामला नहीं सुलझेगा।

अभी कुछ दिन पहले इटली के दो लोग आए और हमारे दो मछुआरों को मारकर चले गये। कत्ल के आरोपी लोगों को भी इटली हमारे यहां से वापस मांगने पर अड़ा हुआ है और दूसरी तरफ हम अपने बच्चों को भी वापस नहीं ला पा रहे हैं।...(व्यवधान) मेरा केवल यह कहना है कि सरकार ने अभी तक बहुत प्रयास किये हैं लेकिन वे प्रयास केवल डिप्लोमैटिक हैं। अब counter measures लेने का मौका आ गया है। मेरा आपसे अनुरोध है कि अब आंखें तरेरकर आप बातें करें। पिछले दिनों नॉर्वे के प्रधान मंत्री और हमारे प्रधान मंत्री की मुलाकात हुई थी। उसमें नॉर्वे के प्रधान मंत्री ने टेलीफोन के व्यापार की बात की। ...(व्यवधान) हमारे प्रधान मंत्री जी ने बच्चों का मुद्दा जरूर उठाया लेकिन कुछ बात नहीं बनी। मेरा आपसे यह करबद्ध निवेदन है कि केवल नरम रवैये से बात न करे। यह दो बच्चों का सवाल नहीं है। पूरा देश इससे उद्वेलित है। उनसे आंखें तरेरकर बातें करें। उन दो बच्चों को वापस लाए। दो बच्चे नॉर्वे में अपने मां-बाप से अलग 18 वर्ष तक पड़े रहेंगे और यहां देश एक मूक दर्शक बनकर देखता रहेगा, यह अस्वीकार्य है। हमें अब

दृढ़ता से उनसे बात करनी होगी। सॉफ्टनैस बरतने से इस मसले का हल नहीं होगा। नौर्वे को यदि मां-बाप द्वारा किया जा रहा पालन-पोषण पसंद नहीं, तो नौर्वे सरकार मां-बाप को वापस भेज दो।

मां-बाप बच्चे और नौकरी में से जो चुनना चाहेंगे, चुन लेंगे लेकिन बच्चों को रख लेना और 18 साल बाद उनको वापस भेजने का निर्णय करना यह एकदम अस्वीकार्य है।...(व्यवधान)

इसलिए मैं विदेश राज्य मंत्री से कहना चाहूंगी कि सदन की भावना और चाहेंगे कि आप भी अपनी भावना इसमें जोड़ेंगी, आप बहुत करुणामयी हैं, मां होने के नाते ममतामयी हैं, आपको मालूम है कि जब बच्चे मां से छीन लिये जाते हैं, अलग कर दिये जाते हैं तो क्या हालत होती है।...(व्यवधान) 18 वर्ष के बाद ये बच्चे देंगे, ऐसा नॉर्वे ऑथोरिटी कह रही हैं तो सरकार आंखें तरेरकर, दृढ़ता से और अगर बिजनैस बंद करना पड़े तो बिजनैस बंद करके हमारे बच्चे वापस लाएं। ...(व्यवधान) सरकार ने अब तक जो किया है, उसके लिए मैं आभारी हूँ लेकिन अब सॉफ्ट रवैया छोड़कर कड़ा रुख अपनाकर बात करने की आवश्यकता है, ऐसा मैं महसूस करती हूँ और सरकार से अनुरोध करती हूँ कि कड़ा रुख और कड़ा रवैया अपनाकर इस मामले को सुलझाने के लिए आगे आए और हमारे बच्चे वापस लाए, यही मेरा सरकार से अनुरोध है। ...(व्यवधान)

MADAM SPEAKER: It is a very sensitive matter which we are discussing. We are discussing a very sensitive matter.

... *(Interruptions)*

MADAM SPEAKER: Let the House be in order.

... *(Interruptions)*

MADAM SPEAKER: You please take one minute.

... *(Interruptions)*



SHRI ADHIR CHOWDHURY (BAHARAMPUR): Madam, a few months earlier, we had observed a high-velocity brouhaha in regard to the kids of Indian origin who had been the victims of the Norwegian Judicial System.... *(Interruptions)* The Government of India has put all its emphasis to save those children.... *(Interruptions)* May I ask the hon. Minister whether our diplomatic effort was adequate and sufficient enough to assuage the feelings of the Indian people who, at that time, went on an emotional upsurge. I would also like to know whether the Embassy has carried out a thorough study in regard to the Norwegian or the Nordic laws.... *(Interruptions)*

Furthermore, I want to draw the attention of the hon. Minister to this important issue. When Indians are residing abroad, they are called as NRIs.... *(Interruptions)*. They should be guided by the family laws, by the personal laws of their places of origin, India. So, I would like to know whether our Missions abroad are trying to sensitize the countries concerned to be acquainted with the Indian laws.... *(Interruptions)* Again I ask one question.... *(Interruptions)* I would like to know whether our diplomatic Mission in Norway had carried out a thorough study before intervening into this episode. I say this because 30 million Indians are residing abroad as NRIs and their interest and safety needs to be taken care of.... *(Interruptions)*

DR. RAM CHANDRA DOME (BOLPUR): First of all, I would thank you Madam Speaker for allowing me.... *(Interruptions)* It is a serious case of human rights violation – segregation of children from their parents.... *(Interruptions)* Madam, you are a mother. You can easily feel the agony of a mother and father when they are segregated from their kids.... *(Interruptions)* This is happening in Norway. So, the Government is taking steps.... *(Interruptions)* The Government's pro-active role is appreciated. ... *(Interruptions)* There must be no more killing of time.... *(Interruptions)* Some important thing is to be done now... *(Interruptions)* The visa period of the children has already expired.... *(Interruptions)* Also, the visa period of their uncle is also going to expire on 20th April this year.... *(Interruptions)* So, before that, what pro-active steps the Government are going to take to bring these Indian children back to India and hand over them to their parents or relatives? ... *(Interruptions)*

MADAM SPEAKER: This is not going on record.

*(Interruptions) ...**

* Not recorded

SHRI P. KARUNAKARAN (KASARGOD): I thank you, Madam Speaker, for allowing me to raise this issue. ... (*Interruptions*) This is with regard to the two Indian children taken away by the Norwegian Child Welfare Service.... (*Interruptions*) It was done in 2011. The father and mother are in India. Some relatives have taken these children to Norway.... (*Interruptions*) It is now time for the actual guardians, the father and mother, to take them back.... (*Interruptions*) I think the Government has not taken any decision so far.... (*Interruptions*) May I know the reason why the Government has taken such a long time?... (*Interruptions*) So, we request the Government to come out with a statement.... (*Interruptions*) The hon. Prime Minister said that there is an agreement with the Norwegian Government but it is not yet implemented.... (*Interruptions*) The children are isolated from their parents.... (*Interruptions*) It is really a shame for India that the children are taken away by the foreign country and no action has been taken by the Government to bring them back.... (*Interruptions*)

SK. SAIDUL HAQUE (BARDHMAN-DURGAPUR): Madam, it is matter of great, serious concern that the children have been taken away from their parents in the city of Stavanger on the excuse of negligence and incompetence on the part of the father.... *(Interruptions)* So, the Government of India should take immediate steps not only on humanitarian grounds but also on the ground of Indian culture that has been marred by the Norwegian Child Welfare Service by snatching away the boy and their girl from their parents for almost 18 months. ... *(Interruptions)* So, the Government should immediately take appropriate action so that the children can again come back to India and live with their parents.... *(Interruptions)* The visa of the children has expired.... *(Interruptions)* I would urge upon the Government, particularly the hon. Prime Minister to look into the whole matter. ... *(Interruptions)* The Government has a greater role to play.... *(Interruptions)*

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI PRENEET KAUR): Madam Speaker, I am grateful to the hon. Leader of the Opposition for her statement and the other hon. Members who have brought up this very sensitive matter of Indian children going into custody in Norway.... *(Interruptions)* Many developed countries have laws which allow the young children to be taken from their parents.... *(Interruptions)* We first received a request for seeking assistance on 13th June, 2011 from one Shri Anurup Bhattacharya. Later this was withdrawn; and then, again he approached us only on November 30, 2011. By then, the decision had been taken by the Child Welfare Society to take them into custody. Since then, we have taken it up very strongly with the Norwegian Government. Recently, in Seoul, our Prime Minister took it up with the Norwegian Prime Minister; and the Foreign Affairs Minister sent a Special Envoy to Norway; our Secretary(West) who went and met the authorities and the Child Welfare Society and requested them that they should at the earliest give the children back to be brought up in the natural surroundings with the love

and affection. In the natural habitat and surroundings, they should be brought up and they should be sent back to India with paternal uncle.

The latest is that the mother and father had given their consent for them to be brought back to India in the custody of the paternal uncle. We are following it up; we are trying to put the pressure on so that the Norwegian Court, which has given the custody of the children; only they can revoke this thing and that they should bring the hearing at the earliest date. We hope that it will be there; the indications are that it might be in June and we would like to see the children back in the natural habitat. I appreciate very much the Members' concern and assure them that the Indian Government and our Ministry are doing all they can to help the parents, to bring the children back, and we put our best efforts forward to all our Diaspora abroad to adjust the needs that are there.

12.16 hrs

**STANDING COMMITTEE ON SOCIAL JUSTICE AND
EMPOWERMENT
23rd Report**

MADAM SPEAKER: Shri Dara Singh Chauhan.

श्री दारा सिंह चौहान (घोसी): महोदया, मैं जनजातीय कार्य मंत्रालय से संबंधित “संविधान (अनुसूचित जातियां) आदेश (दूसरा संशोधन) विधेयक, 2011” के बारे में सामाजिक न्याय और अधिकारिता संबंधी स्थायी समिति (पन्द्रहवीं लोक सभा) का 23वां प्रतिवेदन (हिन्दी तथा अंग्रेजी संस्करण) प्रस्तुत करता हूँ।

12.17 hrs**MATTERS UNDER RULE 377***

MADAM SPEAKER: Hon. Members, the Matters under Rule 377 shall be laid on the Table of the House. Members, who have been permitted to raise matters under Rule 377 today and are desirous of laying them, may personally hand over slips at the Table of the House immediately.

Only those matters shall be treated as laid for which slips have been received at the Table within the stipulated time. The rest will be treated as lapsed.

...(Interruptions)

* Treated as laid on the Table

(i) Need to sanction construction of a bridge parallel to existing Zuari bridge in Goa

SHRI FRANCISCO COSME SARDINHA (SOUTH GOA): The existing Zuari bridge in Goa connecting Cortalim and Agacaim was built in 1983. It is the life line of Goa economy. It has become old and every six months it is closed for few hours for maintenance as it is quite in bad shape. God forbid if anything goes wrong with the bridge and if it collapses, Goa economy will be in total doldrums and everything will come to a stand still.

Goa is also an important world tourist destination, and it totally depends on tourism industry for its survival. So, in the interest of the State which is also celebrating Golden Jubilee of liberation from the Portuguese rule, I would request the Hon'ble Prime Minister to kindly sanction a special package for Goa to build a parallel bridge on river Zuari as the proposal for building one was already included in the tender which was floated for construction of NH 14 from Canacona to Pednem along with two more bridges, one at Talporna and Galibaga at Canacona.

Due to certain circumstances the tender of NH 14 which was floated could not be executed and the proposal since then has been put into back burner. I would, therefore urge upon the Hon'ble Prime Minister to save the state of Goa from total collapse by sanctioning a grant to build a parallel bridge so that Goans are saved from a catastrophe.

(ii) Need to include 'Braj Bhasha' in the Eighth Schedule to the Constitution

श्री रतन सिंह (भरतपुर): ब्रज भाषा पूरे देश भर की ऐसी भाषा है जिसमें काफी मिठास है और इसे प्रेममयी एवं रसीली भाषा के रूप में जाना जाता है और इस भाषा के शब्दों में कई आकर्षण देखने को मिलते हैं। संक्षेप में ब्रज भाषा के बिना हिन्दी की कल्पना करना असंभव है। भगवान कृष्ण के अधिकांश ग्रंथ एवं काव्य इस ब्रज भाषा में हैं। यह भाषा उत्तर प्रदेश, मध्य प्रदेश, राजस्थान, हरियाणा एवं दिल्ली के ग्रामीण क्षेत्रों में करोड़ों भारतवासियों द्वारा बोली जाती है। आठवीं अनुसूची में इस भाषा को अभी तक शामिल नहीं किया गया है जिसके कारण ब्रज भाषा क्षेत्रों में रहने वाले लोगों में काफी असंतोष है। भक्ति काव्य अधिकांश ब्रज भाषा में है और महाभारत ग्रंथ का मूल उत्थान ब्रज भाषा के द्वारा हुआ है। अमीर खुसरो एवं रसखान के ग्रंथ भी ब्रज भाषा में हैं और हिन्दी साहित्य जगत में अपना विशेष स्थान रखते हैं। अगर हिन्दी के प्रयोग में ब्रज भाषा के शब्दों का प्रयोग किया जाए तो हिन्दी को अच्छे ढंग से एवं कारगर ढंग से लोकप्रिय बनाया जा सकता है। अभी तक ब्रज भाषा को आठवीं अनुसूची में शामिल नहीं किया गया है।

सरकार से अनुरोध है कि भारतीय संविधान की आठवीं अनुसूची में ब्रज भाषा को शामिल किया जाए।

(iii) Need to convert Nagbheed - Nagpur metre gauge railway line to broad gauge

श्री मारोतराव सैनुजी कोवासे (गडचिरोली-चिमूर): महाराष्ट्र राज्य का गडचिरोली चिमुर संसदीय क्षेत्र एक अति पिछड़ा हुआ आदिवासी बाहुल्य क्षेत्र है। इस पिछड़े क्षेत्र के अंतर्गत नागभीड़ से नागपुर छोटी रेलवे लाईन, जो चन्द्रपुर व नागपुर जिलों से होकर गुजरती है, की दूरी मात्र 60 कि.मी. है। इस छोटी रेलवे लाईन को बड़ी लाईन में परिवर्तित किए जाने हेतु विगत काफी काफी समय से मांग की जा रही है, लेकिन अभी तक इसे बड़ी लाईन में परिवर्तित नहीं किया गया है। इस लाईन को बड़ी लाईन में परिवर्तित किए जाने से आदिवासी पिछड़े क्षेत्र के लोगों को गोंदिया, भण्डारा, चन्द्रपुर, मुम्बई सहित अनेक बड़े शहरों में आवागमन की सुविधा सुलभ होगी।

मेरा केन्द्र सरकार से अनुरोध है कि वह नागभीड़-नागपुर छोटी रेलवे लाईन को बड़ी रेलवे लाईन में परिवर्तित किए जाने हेतु आवश्यक कदम उठाने का कट करें।

(iv) Need to provide passenger facilities at Tirunelveli railway junction in Tamil Nadu

SHRI S.S. RAMASUBBU (TIRUNELVELI): Tirunelveli is the second largest city in Tamil Nadu. Number of tourist spots are located in and around Tirunelveli. With the result, the floating population at Tirunelveli is very high. People from southern States and other parts of the country visiting various places of importance viz. Coutralam Falls, Manimuthar Dam, ancient Nellaiappar Temple, etc. are alighting at Tirunelveli Junction. Besides, Tenkasi, Alangulam and Pavursthiram are business centres. Many of the long distance south-bound trains from various parts of the country are touching Tirunelveli. In recent years, many of the trains which were terminated at Madurai extended to Tirunelveli. To cope with the increasing train movement, Railways have recently increased one more platform in Tirunelveli Junction.

However, this platform is not served with basic facilities. Roof shed is not fully provided in the new platform and Foot-over-bridge (FOB) is not extended. People are facing lot of difficulties to safeguard them from hot summer, rain and cold weather conditions. Passengers particularly the old aged people are facing problems in moving from one platform to another with their luggage due to the absence of Escalators.

I shall, therefore, urge upon the Hon'ble Minister of Railways to take necessary steps to provide Foot Over-bridge. roof shed in the new platform and also to provide escalator in the Tirunelveli Railway Junction without delay.

(v) Need to provide honorarium to teachers appointed in Kasturba Gandhi Balika Vidyalayas at par with those of Jawahar Navodaya Vidyalayas

श्री जगदम्बिका पाल (डुमरियागंज): केन्द्र सरकार ने देश के ग्रामीण इलाकों में बालिकाओं को शिक्षा दिलाने हेतु कस्तूरबा गांधी आवासीय बालिका विद्यालय योजना पूरे देश में लागू करने का निर्णय लिया गया है। उसी के अंतर्गत उत्तर प्रदेश में सन् 2004 से 746 विकास खंडों में कस्तूरबा योजना लागू की गई है। लेकिन अभी तक केवल हाई स्कूल के स्तर की पढ़ाई होने से गरीब लड़कियां इंटरमीडियट की पढ़ाई से वंचित हो रही हैं। अभी उक्त विद्यालयों में कार्यरत शिक्षक एवं वार्डन को संविदा के अंतर्गत मानदेय मिल रहा है। जबकि उसी तरह के संविदा शिक्षकों को नवोदय विद्यालय में 18,000 रुपये मिल रहा है। राज्य के अंतर्गत कार्यरत संविदा कर्मियों के वेतन में दो से तीन गुना की बढ़ोत्तरी हुई है। दूसरी तरफ, कस्तूरबा गांधी आवासीय विद्यालयों के शिक्षकों एवं स्टाफ के मानदेय में कटौती एवं नवीनीकरण की प्रक्रिया भी होती है। जबकि सरकार ने समान कार्य के लिए समान वेतन लागू करने का सिद्धांत लागू किया गया है। इसके बावजूद कस्तूरबा गांधी आवासीय बालिका विद्यालय के शिक्षकों को पर्याप्त मानदेय व सुविधाएं नहीं मिल रही हैं। अस्तु इस लोक महत्व के प्रश्न पर कस्तूरबा गांधी विद्यालयों के शिक्षकों एवं स्टाफ को नवोदय विद्यालय के संविदा शिक्षकों की तरह मानदेय एवं नवीनीकरण की प्रक्रिया से मुक्त करने की मांग करता हूं।

(vi) Need to complete half-completed bridges on river Rapti in Balrampur and Shravasti districts of Uttar Pradesh

डॉ. विनय कुमार पाण्डेय (श्रावस्ती): मेरे निर्वाचन क्षेत्र के जनपद बलरामपुर उत्तर प्रदेश में राप्ती नदी पर अधूरा पड़ा कोडरी घाट एवं जनपद श्रावस्ती में राप्ती नदी पर अर्द्धनिर्मित अंधरपुरवा पुल जो कि पूरे निर्वाचन क्षेत्र के बीचों-बीच राप्ती नदी द्वारा विभाजित किये जाने से स्थानीय जनता के साथ ही साथ पर्यटकों, सुस्खाबलों तथा क्षेत्रीय विकास के लिए अभिशाप बन गया है । कोडरी घाट पर मात्र तीन ठोकरों का निर्माण तथा एप्रोच रोड का निर्माण कराकर ही चालू किया जा सकता है । जबकि अंधरपुरवा का निर्माण तुरंत पूर्ण कराया जाना आवश्यक है ।

पर्यटन, संरक्षित वन क्षेत्र एवं अंतर्राष्ट्रीय सीमा नेपाल से लगे होने के कारण राप्ती नदी पार का क्षेत्र तीन महीने वार्षा ऋतु में मुख्य भूमि से कट जाता है जिसका लाभ उठाकर अराजकतत्व, यहाँ आरामगाह बनाने एवं गैर कानूनी गतिविधियों के संचालन में लिप्त हो जाते हैं ।

कृपया दोनों पुलों के निर्माण एवं संचालन का निर्देश सरकार को प्रदान करने का कष्ट करें ।

(vii) **Need to hand over cantonment board land for road widening work near Ashoka Circle, Belgaum in Karnataka**

SHRI SURESH ANGADI (BELGAUM): Belgaum city is the fastest developing city and is being groomed as second Capital, Consisting a population of about six lakhs in Karnataka State. There is heavy traffic movement in the city. But, at the City entrance there exists an old Octroi Naka Building of Cantonment Board, Belgaum, measuring hardly 36.54 Sq.mtrs near Ashoka Circle which is in the heart of the City Roads. This area was demanded to be transferred to Public Works dept, .in lieu of equal value land transfer by the district administration. This proposal was forwarded by the Cantonment Board authorities and awaiting clearance from Defence Dept in Delhi, since years

Also, the Defence authorities in Belgaum are also found engaged in constructing Compound Wall all over the City area, leading to complaints of land encroachment of private residents/farmers, though their(Defence) area measures only 1302 acres near Mandolli village in Belgaum taluka which often leads to unnecessary friction between the Public/civilians and local Military personnel. This compound wall so constructed is also hampering the road widening works of National Highways/ Public Works Dept.

Hence, I urge the Govt to initiate steps to clear pending proposal for handing over of Cantonment Board land near Ashoka Circle, Belgaum to take up immediate road widening process and also to direct the concerned Local Military authorities to stop compound wall construction activity to avoid un-necessary conflicts between Civilians and Defence in my Belgaum Parliamentary Constituency Karnataka.

(viii) Need to take immediate steps for revival of Cachar Paper Mill, a Unit of Hindustan Paper Corporation Limited, Assam

SHRI KABINDRA PURKAYASTHA (SILCHAR): Cachar Paper Mill, a unit of Hindustan Paper Corporation, Panchgram, Assam is the solitary heavy Industry in Southern Assam bordering Bangladesh. This industry was playing a vital role for socio-economic development of this remotest part of India. It was a profit making unit by producing high quality paper. Unfortunately because of flowering of Bamboo in the North Eastern States and also due to transportation bottlenecks, the supply of raw material disturbed extremely causing severe impact in production. The management of the Mill could not face the situation properly and as a result the unit gradually lost its viability. Now the Cachar Paper Mill has been suffering from financial crisis and proper management. The Mill is at recovery stage and needs extra care from the Government.

I suggest for revival of this unit, the Government should come forward with necessary funds and the responsibility to be handed over to the efficient management to regain its prestigious status and safeguard livelihood of lakhs of people who are directly or indirectly dependent on regular operation of the Mill.

I urge upon the Government to take immediate steps to save this precious unit of Hindustan Paper Corporation.

(ix) Need to provide funds for completion of Tilaiya Dadar Irrigation Project located on Bihar and Jharkhand border

श्री हरी माझी (गया): बिहार एवं झारखंड सीमा पर स्थित तिलैया ढाढर सिंचाई परियोजना के निर्माण के लिए करोड़ों रुपये खर्च किए गए । करीब 700 एकड़ किसानों की जमीन का मुआवजा राशि का भुगतान कर दिया गया लेकिन आज तक किसानों की जमीन की सिंचाई नहीं हो रही है । जबकि इस परियोजना के निर्माण होने से गया, नवादा एवं जहानाबाद तीनों जिले के किसानों को सिंचाई की सुविधा मिलेगी । साथ ही साथ तिलैया ढाढर सिंचाई परियोजना को ढाढर सिंचाई परियोजना कर दिया गया । तिलैया को हटाना किसानों के साथ अन्याय हो रहा है । इस परियोजना के कार्यान्वयन हेतु मैं भारत सरकार से मांग करता हूं कि बिहार सरकार को राशि मुहैया कराई जाए । गया, नवादा एवं जहानाबाद के किसान इसकी प्रतीक्षा कर रहे हैं । इस ओर मैं सरकार का ध्यान आकृष्ट करता हूं ।

(x) Need to provide BSNL mobile service in villages in Narmada district of Gujarat

श्री मनसुखभाई डी. वसावा (भरुच): मेरे संसदीय क्षेत्र भरुच अंतर्गत नर्मदा जिले में बीएसएनएल के मोबाइल सेवा की कनेक्टिविटी नहीं है जिसके कारण यहां के लोग अभी तक मोबाइल सेवा का उपयोग करने से वंचित है। इस नर्मदा जिले के मूवी चौकड़ी के कई गांव, घाटोली ब्लाक के 15 के लगभग गांवों में, जूना मौजूदा ब्लाक के 15 से ज्यादा गांवों में, पिपलोद ब्लाक के 20 के लगभग गांवों में मोबाइल सेवा की कनेक्टिविटी नहीं होने से बीएसएनएल सेवा की मोबाइल सेवा का फायदा नहीं उठा पा रहे हैं। इन सभी गांवों में जहां मोबाइल सेवा की कनेक्टिविटी नहीं है यह नर्मदा जिले के तीन ताल्लुक में फैले हुए हैं।

सरकार से अनुरोध है नर्मदा जिले के उपरोक्त गांवों में मोबाइल सेवा की कनेक्टिविटी उपलब्ध करवाए और सदन के माध्यम से यह भी जानना चाहता हूं कि यह सेवा अभी तक किन कारणों से इन गांवों में उपलब्ध क्यों नहीं हो सकी।

(xi) Need to appoint adequate teachers in Kendriya Vidyalaya Jalgaon, Maharashtra

श्री ए.टी. नाना पाटील (जलगांव): केन्द्रीय विद्यालय संगठन के द्वारा महाराष्ट्र के जलगांव में केन्द्रीय विद्यालय चलाया जा रहा है लेकिन यह केन्द्रीय विद्यालय स्थापना के बाद से ही उचित देखभाल के अभाव में उपेक्षा का शिकार दिखाई दे रहा है। केन्द्र सरकार द्वारा केन्द्रीय कर्मचारियों तथा उस क्षेत्र के बच्चों की स्तरीय शिक्षा उपलब्ध कराने के लिए स्थापित केंद्रीय विद्यालय जलगांव अपने इस उद्देश्य से कोसों दूर दिखाई पड़ता है। जलगांव के केन्द्रीय विद्यालय में शिक्षकों की कमी तथा योग्य अर्हता वाले शिक्षकों की नियुक्ति के अभाव में बच्चों को उचित शिक्षा उपलब्ध नहीं हो रही है और अभिभावकों में असंतोष निर्माण हो रहा है। केन्द्रीय विद्यालय जलगांव में शिक्षकों की कमी के कारण अभिभावकों ने अपने बच्चों को विद्यालय से निकालना भी शुरू कर दिया है। केन्द्रीय विद्यालय जो कि अपने स्तरीय शिक्षा के लिए जाना जाता है उसकी उपेक्षा तथा देखभाल के अभाव से शिक्षा का स्तर गिर रहा है। सरकार तथा केंद्रीय विद्यालय संगठन के प्रबंधन से शिक्षकों की कमी तथा अर्हता प्राप्त शिक्षकों की नियुक्ति के संबंध में पत्राचार के माध्यम से शिकायतें, अनुरोध करने के बाद भी उचित कार्यवाही नहीं करने से भविष्य में जलगांव का केंद्रीय विद्यालय बंद हो सकता है और इसका दायित्व भी सरकार पर रहेगा। अतः आपसे अनुरोध है कि मानव संसाधन विकास मंत्रालय को उचित निर्देश देकर जलगांव के केन्द्रीय विद्यालय पर ध्यान आकर्षित कर वहाँ पर निपुण शिक्षकों की कमी को देखते हुए उन रिक्तियों को तत्काल भरा जाना चाहिए और विद्यार्थियों के भविष्य को ध्यान में रखते हुए इस संबंध में तत्काल कार्यवाही करने का आपके माध्यम से आग्रह करता हूँ।

(xii) Need to construct an overbridge/underbridge for pedestrian movement across N.H 75 near village Jaurasi in Gwalior Parliamentary Constituency, Madhya Pradesh

श्रीमती यशोधरा राजे सिंधिया (ग्वालियर): मेरे संसदीय क्षेत्र ग्वालियर के ग्राम जौरासी से राष्ट्रीय राजमार्ग 75 गुजरता है। जो बहुत व्यस्त मार्गों में से एक है। ग्राम जौरासी के अधिकांश किसानों की भूमि सड़क के दोनों ओर है। जिससे पार करके ग्रामवासियों को अपनी खेती करने प्रतिदिन आना-जाना पड़ता है। इस सड़क पर यातायात का भारी दबाव है। फोर लेन सड़क निर्माण के उपरांत यातायात का दबाव और भी बढ़ गया। जिसके कारण आये दिन जौरासी ग्राम में कोई न कोई सड़क दुर्घटना घटित होती रहती है। उक्त राजमार्ग पर ग्रामीणों को आवाजाही के लिये एक ओर बृज या भूतल बृज बनाये जाने की अति आवश्यकता है। जिसकी मांग काफी समय से चल रही है। ग्राम जौरासी में एक बहुत प्राचीन हनुमान जी मंदिर है। जिसके दर्शनार्थ हजारों भक्तगण साल भर आते रहते हैं। उक्त बृज के निर्माण से भक्तगणों भी लाभान्वित हो सकते हैं। राष्ट्रीय राजमार्ग प्राधिकरण ग्वालियर द्वारा बनाई जा रही इस सड़क पर ग्राम जौरासी में यदि ओवर ब्रिज/अंडर ब्रिज बना दिया जाये तो ग्रामीणों को एवं क्षेत्र के प्रसिद्ध जौरासी हनुमान मंदिर पर आने वाले दर्शनार्थियों को रोड पार करने में सुविधा होगी।

(xiii) Need to review the new time-table implemented in Kendriya idyalayas by Kendriya Vidyalaya Sangathan

श्री तूफानी सरोज (मछलीशहर): मैं सरकार का ध्यान केन्द्रीय विद्यालय संगठन द्वारा हाल ही में लिए गए निर्णय की ओर आकृष्ट करना चाहता हूँ। केन्द्रीय विद्यालय संगठन ने मुफ्त एवं अनिवार्य शिक्षा कानून 2009 के मद्देनजर मॉडल टाइम टेबल तैयार किया है। इस नये टाइम टेबल के अनुसार पहला और पांचवा पीरियड 45 मिनट का और बाकी पीरियड 40 मिनट का रखा गया है। इसी तरह सिंगल शिफ्ट वाले स्कूलों में स्कूल की शुरुआत सुबह 7.30 बजे से और डबल शिफ्ट वाले स्कूलों में स्कूल की शुरुआत 7.00 बजे से करने की बात की गई है। संगठन ने प्रतिदिन 6.10 मिनट की पढ़ाई की अवधि को बढ़ाकर 7.30 घंटे करने का प्रस्ताव किया है। संगठन ने प्लानिंग, तैयारी, चेकिंग, व अन्य कार्यों के लिए शिक्षकों को एक घंटे 20 मिनट स्कूल में अधिक रुकने की बात की है जबकि शिक्षक उपरोक्त काम अब तक अपने खाली पीरियड में करते रहे हैं।

संगठन का यह निर्णय सुनने में अच्छा लग सकता है पर व्यवहारिक तौर पर देखा जाए तो यह शिक्षकों के साथ अन्याय है। चाहे सिंगल शिफ्ट वाले स्कूल हो या डबल शिफ्ट वाले, नया टाइम टेबल लागू करने से शिक्षकों एवं छात्रों दोनों को दिक्कत होगी। डबल शिफ्ट वाले छात्रों को सुबह 7.30 तक स्कूल पहुंचना होता था। अब समयावधि बढ़ा दिए जाने के बाद उन्हें सुबह 7 बजे स्कूल पहुंचना होगा। जाड़े के दिनों में छात्रों को सुबह-सुबह स्कूल पहुंचने और शाम को देर से घर आने में कितनी दिक्कतें होंगी, इसका सहज ही अंदाजा लगाया जा सकता है। इसी तरह शिक्षकों की कार्यावधि को एक घंटे 20 मिनट बढ़ा दिए जाने से उनको भी बेहद परेशानी का सामना करना पड़ेगा। स्कूल के छूटने के उपरांत तीन बजे के बाद शिक्षक अपने आवास पर पहुंचेगा तो फिर वह दोपहर का भोजन कब करेगा। वह न तो सुबह भोजन कर पाएगा और न दोपहर को। सिंगल रहने वाले शिक्षकों को तो और भी अधिक परेशानी का सामना करना पड़ेगा। कब वह अपने आवास पर आएगा और कब भोजन तैयार करेगा? संगठन के इस नये निर्णय से केन्द्रीय विद्यालयों के शिक्षकों में व्यापक असंतोष है। शिक्षकों ने गत 16 मार्च को इस निर्णय के खिलाफ काली पट्टी बांधकर विरोध भी जताया था। संभव है आगे भी वे आंदोलन करें।

अतः मेरी सरकार से मांग है कि वह केन्द्रीय विद्यालय संगठन को नये टाइम-टेबल को रद्द कर पुराने टाइम-टेबल को ही जो व्यावहारिक भी है, बरकरार रखने का निर्देश दें।

(xiv) Need to set up NTPC power plants in Bilhaur, Hardoi and Sitapur in Misrikh Parliamentary Constituency, Uttar Pradesh

श्री अशोक कुमार रावत (मिसरिख): देश में विशोकर उत्तर प्रदेश राज्य में विद्युत का गंभीर संकट बरकरार है तथा पिछड़े एवं ग्रामीण अंचलों में विद्युत की भारी कमी बनी हुयी है । मेरा संसदीय क्षेत्र मिश्रिख, जो एक बहुत ही पिछड़ा हुआ क्षेत्र है, भी विद्युत की समस्या से अछूता नहीं है । मेरे संसदीय क्षेत्र के अंतर्गत विशोकर बिल्हौर, हरदोई और सीतापुर में विद्युत की बहुत ही दयनीय स्थिति है । इन क्षेत्रों में कई-कई दिनों तक बिजली गायब रहती है तथा गर्मी की मौसम में तो स्थिति और भी खराब हो जाती है, जिस कारण विद्युत के अभाव में ग्रामीणों, किसानों एवं अन्य जन सामान्य को भारी कठिनाई का समाना करना पड़ता है ।

अतः मेरा केन्द्र सरकार से अनुरोध है कि उत्तर प्रदेश राज्य मिश्रिख संसदीय क्षेत्र में विद्युत की भारी किल्लत को ध्यान में रखते हुए बिल्हौर, हरदोई और सीतापुर में एन0टी0पी0सी0 के विद्युत संयंत्र स्थापित किए जाने हेतु कारगर कदम उठाए ।

(xv) Need to sanction construction of inter-state Kottoor-Ambasamudram road connecting Kerala with Tamil Nadu

SHRI A. SAMPATH (ATTINGAL): The interstate road traffic of the Southern districts of Kerala and Tamil Nadu has become strenuous, time consuming and leads to heavy fuel and financial loss. If the old mountain road connecting Kottoor in Thiruvananthapuram district with Ambasamudram of Tirunelveli district, which was used for many centuries but not is use now, is renovated and developed into a highway it will solve the problem. Without any environmental problems, some tunnels can be bored like that we had done in Konkan Railways and a rails and road parallel connection will serve the purpose. Hence, I urge upon the Government of India for sanctioning of the Kottoor- Ambasamudram road at the earliest.

(xvi) Need to sanction a new rail line between Berhampur and Phulbani in Odisha

SHRI RUDRAMADHAB RAY (KANDHAMAL): The Planning Commission in its report comparing the development status of economic infrastructures of Odisha vis- a -vis in the country says "However it is most unfortunate that in poor and backward state like Odisha, development of rail networks has received much less attention of the Central Govt, in the post independence period."

Kandhamal district in Odisha is the most backward district in the state as per the economic parameters. The people of Kandhamal district are yet to see a rail line. The Government of Odisha has been demanding to sanction a new train line from Berhampur to Phulbani (169.8 K.m.). A preliminary engineering cum traffic survey was conducted in 2003 and the detailed survey has been completed in the year 2010. Kandhamal is one of the extremely backward districts of Odisha though the district is endowed with huge deposit of granite, graphite, quartz, manganese & Bauxite.

The district has huge amount of forest produces like Kenduleaves, Bamboo, Tamarind etc. The projected rail link shall connect Phulbani with coastal Ganjam district and then to Gopalpur port, which shall lead to increase trade, commerce & Tourism.

I, therefore, urge upon the Government to accord sanction of this new Rail line on priority i.e. Berhampur- Phulbani during the year 2012-13.

(xvii) **Need to increase the Minimum Support Price for paddy and make arrangements for procurement of paddy from farmers of Tamil Nadu**

SHRI O.S. MANIAN (MAYILADUTHURAI): Steep hike in Fertilizers and pesticides prices coupled with increased labour costs have snowballed into exorbitant cost of agricultural production which has gone up beyond 200 per cent. Minimum Support Price of Rs 1,110 per quintal for fine variety and Rs 1,080 per quintal for common varieties of paddy given by the Centre is not sufficient. M.S. Swaminathan Committee's recommendation to increase MSP to at least 50% more than the weighted average cost of production has not been implemented by the Centre in spite of repeated demands. Impoverished farmers are unable to pay back agricultural loans due to the heavy losses suffered by natural calamities like flood, cyclone and drought. Centre has not realized the ground reality even after reports of suicides from States such as Andhra Pradesh, Karnataka, Maharashtra, Punjab, Rajasthan, Orissa and Madhya Pradesh. Rising to the occasion, the Hon'ble Chief Minister of Tamil Nadu has announced an incentive price of Rs 70 a quintal for fine variety and Rs 50 a quintal for common varieties. In view of the hardship faced by the farmers, I appeal to the Centre to increase MSP immediately and alleviate the misery of farmers by procuring all varieties of paddy in all the procurement centres during the harvest season.

... (Interruptions)

12.18 hrs

MADAM SPEAKER: The House stands adjourned to meet again at 2 p.m.

The Lok Sabha then adjourned till Fourteen of the Clock.

14.00 hrs

The Lok Sabha re-assembled at Fourteen of the Clock.

(Mr. Deputy-Speaker in the Chair)

... (Interruptions)

14.00¼ hrs

At this stage, Shri Gutha Sukhender Reddy and some other hon. Members came and stood on the floor near the Table.

... (Interruptions)

14.0½ hrs

At this stage, Shri Ramesh Rathod came and stood on the floor near the Table

... (Interruptions)

14.0¾ hrs

At this stage, Shrimati M. Vijaya Shanthi and some other hon. Members came and stood on the floor near the Table.

... (Interruptions)

14.01 hrs

**BUSINESS ADVISORY COMMITTEE
35th Report**

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): Sir, I beg to present the 35th Report of the Business Advisory Committee.

... (Interruptions)

14.02 hrs**JUDICIAL STANDARDS AND ACCOUNTABILITY BILL, 2010 – Contd.**

MR. DEPUTY-SPEAKER: Now we take up item no. 24. Shri Salman Khurshid.

... (*Interruptions*)

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF MINORITY AFFAIRS (SHRI SALMAN KHURSHEED): Mr. Deputy Speaker, Sir, I am very grateful to the distinguished Members of the House who have given their valued comments and suggestions on this Bill. The Judicial Standards and Accountability Bill is an important step that the Government has taken along with a series of similar measures that we are taking for probity in public life and as far as the Judiciary is concerned, this Bill will give statutory backing to the universally accepted values of judicial life which have been held in the highest esteem. ...

(*Interruptions*)

उपाध्यक्ष महोदय : केवल मंत्री जी की बात रिकार्ड में जाएगी, बाकी किसी सदस्य की बात रिकार्ड में नहीं जाएगी।

(*Interruptions*) ... *

SHRI SALMAN KHURSHEED: Sir, I believe that the objective of this Bill is to replace the Judges Inquiry Act though the broad principles of the Judges Inquiry Act are also contained in the contours of this Bill. During the discussion on the Bill in the House on 28th December, 2011, many Hon. Members have given important suggestions. This Bill has already been considered by the Standing Committee. The important suggestions given by the Standing Committee have been taken on board and amendments have been introduced to reduce the quantum of punishment for making frivolous or motivated complaints. ... (*Interruptions*)

We will ensure that maximum independence of the Judiciary is maintained whilst we also ensure judicial accountability. The issues that are raised about All

India Judicial Services are also being addressed by Government. ...
(Interruptions)

उपाध्यक्ष महोदय : आप स्पीच ले कर दीजिए।

SHRI SALMAN KHURSHEED: Sir, with these words, I may also be allowed to lay the rest of my speech on the Table and I request the House to pass the Bill.

*The Judicial Standards & Accountability Bill is an important step which is being taken by the Government for achieving higher standards of probity and for giving statutory backing to the universally accepted values of judicial life. The passage of this Bill shall be a major achievement in establishing systems and procedures that will be far superior and practicable compared to provided in the Judges Enquiry Act. I am certain that public confidence in integrity and impartiality of the higher judiciary will be strengthened with this Bill as it will enhance the quality of judicial decision making by ensuring impeccable conduct in dealings with matters not only of general public importance but also individual aspirant for justice.

During the first discussion on the Bill in the Lok Sabha on 28th December, 2011, Hon. Members of Parliament Shri D.B. Chandre Gowda, Shri Manish Tiwari, Shri Shailendra Kumar, Shri Vijay Bahadur Singh, Shri Arjun Rai, Shri Kalyan Banerjee, Shri R. Thamaraiselvan, Shri A. Sampath, Shri Pinaki Misra, Shri Chandrakant Khaire, Shri S. Semmali, Dr. Sanjeev Ganesh Naik, Shri Nama Nageswara Rao, Shri Sanjay Singh Chauhan, Shri Ganesh Singh, Kumari Meenakshi Natrajan, Shri Prabodh Panda, Shri Raghuvansh Prasad Singh, Dr. Mirza Mehboob Beg, Shri Narahari Mahato and Shri E.T. Mohammed Basheer participated and made important suggestions on various provisions of the Bill. I will briefly touch upon some important issues raised by hon. Members.

Hon. Member Shri Gowda spoke of the National Judicial Oversight Committee (NJOC) and for giving it wider functional constitutional powers including that of taking help from outside sources for getting more information. In

..... This part of the speech was laid on the Table.

this regard, I may draw the kind attention of the hon. Member to the provision of Clause 38 of the Bill where the NJOC is entitled to take assistance of such officers of the Central Government or State Government or any agency thereof or authority as it deems fit. I believe that this provision does empower the Oversight Committee to take assistance as needed and therefore, suffices the purpose of gathering adequate information.

One of the hon. Members has raised the issue that NJOC should be a body where representation of the legislature, the Bar as well as eminent jurists should be included. After carefully examining this issue, our considered view is that since the impeachment of a Judge is ultimately to be decided by Parliament, Members of Parliament may not also be included in the Oversight Committee. However, the NJOC includes an eminent person to be nominated by the President of India.

One of the hon. Members has wanted to know whether after scrutiny and the matter being sent to the President after Resolutions, of both Houses, it would be further examined by the Supreme Court by way of an appeal or a writ petition. I may clarify that no appeal has been expressly provided in the Bill after the Resolution of Parliament. The Judge to be impeached may of course avail the benefit of the judicial review under Article 226 and Article 32 of the Constitution that form part of the basic structure of the Constitution and are available to all persons.

Some Members have raised the concern that the quantum of punishment for making frivolous and false complaints is on a high side. This has been taken care of in the official amendments to be moved, by which punishment has been reduced from rigorous imprisonment of five years to simple imprisonment of one year and also the fine being reduced from Rs.5 lakh to Rs.50,000. I hope this will be satisfactory for the hon. Members.

Regarding to need to take *suo motu* action against delinquent Judge by the Oversight Committee, I would like to state that the complaint procedure has been

made very simple. Of course, the Bill does not prevent any Member of Oversight Committee to make a complaints as a member of the public.

One of the hon. Members has raised the point that the motion for removal of a Judge on grounds of misbehaviour can also be moved in Parliament. I believe the hon. Member is referring to Clause-47 of the Bill that deals with Investigation into misbehaviour or incapacity of a Judge by Investigation Committee for removal of Judges. This is the original constitutional provision for impeachment of a Judge that is adopted in this Bill. This is also provided under the Judges Inquiry Act, 1968.

Another important issue which was raised during the discussion was that the composition of Investigation Committee should be indicated in the draft Bill itself. This may prima facie appear to be desirable. However, after examining the issue carefully, it was felt flexibility should be provided to the National Judicial Oversight Committee to constitute Investigation Committees depending upon the circumstances nature of the complaint.

One of the hon. Members has advised inclusion of Judges from other High Courts rather than the concerned Judges High Court to be nominated in the "Complaint Scrutiny Panel" (CSP). In this regard, I may draw his attention to the fact that in the normal course in any High Court, the Judgment of a single Judge is examined by the Division Bench of the same High Court. As such, no issue of bias is raised. Moreover, inclusion of Judges from other High Courts may give rise to practical problems as the High Court Judges are burdened with case overload and travelling to other High Courts for CSP may be very time consuming.

While participating in the discussion of the Bill, the hon. Members have also raised two related very important issues beyond the ambit of the Bill: one is about the appointment of judges and the other with regard to attracting the best quality talent to join the judicial service. We are all aware that the current system of selection of judges has been mandated by the Supreme Court in its judgement in the case of All India Judges' Association Vs Union of India (1993). According to

the existing arrangement, the judiciary has a major say in judicial appointments. The Executive endorses the recommendations made by the Collegium, both of the High Courts as well as the Supreme Court. This system the Executive from a meaningful participation as well as sharing of information in its possession beyond a point. More effective participation and contribution can be achieved only if both the Executive and the Judiciary have an institutional consultation process.

Representations have been received from various quarters in the past to restore the balance between the Executive and the Judiciary in the selection and appointment of judges. There is also a suggestion for setting up a National Judicial Commission. In fact, this has been emphasised by several hon. Members as well. Suggestion has also been made for an All India Judicial Service to attract the best talent both at the level of the district Judges as well as the higher judiciary. I am happy to share with the hon. Member that both the suggestions are under consideration of the Government. We are keen to put in place a system that would ensure that best and brightest are elevated to the bench and in a transparent manner. Before concluding, I must place on record the fact that the judiciary of our country has conducted itself with impeccable dignity and propriety. The idea of the reforms being considered is to ensure that in the changing circumstances the credibility is not undermined and at the same time the

Constitutional obligation cast on the President for judicial appointments is discharged effectively with both the Judiciary and the Executive contributing in a spirit of cooperation and mutual respect for each other's priorities. I am not going into the detail of the models that have been recommended in the past. The Government will give due consideration to the views expressed by hon. Members while formulating the proposals. All these will be pursued actively but meanwhile the objective of enforcing Judicial accountability and ensuring independence will be realized. Substantially with the passage of the Bill. I commend the Bill to the House. Thank you Mr. Dy. Speaker.*

MR. DEPUTY-SPEAKER: The question is:

“That the Bill to lay down judicial standards and provide for accountability of judges, and establish credible and expedient mechanism for investigating into individual complaints for misbehaviour or incapacity of a judge of the Supreme Court or of a High Court and to regulate the procedure for such investigation; and for the presentation of an address by Parliament to the President in relation to proceeding for removal of a judge and for matters connected therewith or incidental thereto, be taken into consideration.”

The motion was adopted.

... (Interruptions)

MR. DEPUTY-SPEAKER: The House will now take up clause-by-clause consideration of the Bill

The question is:

“That clause 2 stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3

Judicial Standards

Amendments made:

Page 3, line 23,--

for “have close association”

substitute “have close association or close social interaction”. (3)

Page 3, line 39,--

after “academic forum”

insert “so as not to affect his functioning as a Judge”. (4)

Page 3, *after* line 41, *insert*—

“(fa) make unwarranted comments against conduct of any Constitutional or statutory authority or statutory bodies or statutory institutions or any chairperson or member or officer thereof, in general, or at the time of hearing matters pending or likely to arise for judicial determination:”. (5)

(Shri Salman Khurshid)

MADAM SPEAKER: The question is:

“That clause 3, as amended, stand part of the Bill.”

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clauses 4 to 11 were added to the Bill.



Clause 12

Functions of Scrutiny Panel

Amendment made:

Page 6, *after* line 5, *insert* –

“(1A) The scrutiny of complaints under this section by the Scrutiny Panel shall be held in camera.”. (6)

(Shri Salman Khurshid)



MR. DEPUTY-SPEAKER: The question is:

“That clause 12, as amended, stand part of the Bill.”

The motion was adopted.

Clause 12, as amended, was added to the Bill.

Clauses 13 to 38 were added to the Bill.



Clause 39 Confidentiality of complaint procedure

Amendment made:

Page 10, *after* line 30, *insert* –

“Provided that the Oversight Committee may, if it considers appropriate, authorize any person to apprise the media or Press in respect of matters relating to complaint, scrutiny or investigation or inquiry, as the case may be.”. (7)

(Shri Salman Khurshid)



MR. DEPUTY-SPEAKER: The question is:

“That clause 39 as amended, stand part of the Bill.”

The motion was adopted.

Clause 39, as amended, was added to the Bill

Clauses 40 to 52 were added to the Bill.

Clause 53 Punishment for frivolous and vexatious complaints

Amendments made:

Page 13, line 17 to 19, --

for “with rigorous imprisonment for a term which may extend to five years and also to fine which may extend to five lakh rupees”

substitute “with simple imprisonment which may extend to one year and also with fine which may extend to fifty-thousand rupees”. (8)

Page 13, *after* line 21, *insert* –

“(3) No suit, prosecution or othr legal proceeding shall lie against the complainant under this section in respect of anything which is in good faith done or intended to be done under this Act.”. (9)

(Shri Salman Khurshid)

MR. DEPUTY-SPEAKER: The question is:

“That clause 53 as amended, stand part of the Bill.”

The motion was adopted.

Clause 53, as amended, was added to the Bill

Clauses 54 to 59 were added to the Bill.

The Schedule was added to the Bill.

Clause 1 Short title and commencement

Amendment made:

Page 1, line 4, --

for “2010”

substitute “2012” (2)

(Shri Salman Khurshid)

MR. DEPUTY-SPEAKER: The question is:

“That clause 1 as amended, stand part of the Bill.”

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

Amendment made:

Page 1, line 1, --

for “Sixty-first”

substitute “Sixty-third”. (1)

(Shri Salman Khurshid)

MR. DEPUTY-SPEAKER: The question is:

“That the Enacting Formula, as amended, stand part of the Bill.”

The motion was adopted.

The Enacting formula, as amended, was added to the Bill

The Long Title was added to the Bill.

SHRI SALMAN KHURSHEED: I beg to move:

“That the Bill, as amended, be passed.”

MR. DEPUTY-SPEAKER: The question is:

“That the Bill, as amended, be passed.”

The motion was adopted.

... (Interruptions)

MR. DEPUTY-SPEAKER: Now we will take up 'Zero Hour' matters, Shri Ananth Kumar.

SHRI ANANTH KUMAR (BANGALORE SOUTH): Mr. Deputy-Speaker, Sir, in the State of Karnataka, the people of Karnataka are in great distress because of the Cauvery issue. The Tamil Nadu Government is trying to restrain the Cauvery river water being released to summer crops in our own State. ... (*Interruptions*)

14.11 hrs

At this stage, Shri M. Anandan and some other hon. Members came and stood on the floor near the Table.

SHRI ANANTH KUMAR (BANGALORE SOUTH): Actually, they have filed an IA. They are trying to restrain the release of water from Kabini, Kannambady, Harangi, Hemavathi Reservoirs. Our farmers are in great distress.... (*Interruptions*)

उपाध्यक्ष महोदय : केवल अनंत कुमार जी की बात रिकार्ड में जाएगी।

... (ब्यवधान)*

SHRI ANANTH KUMAR: The farmers should be protected.... (*Interruptions*) We have already approached the Prime Minister and we request that the PM should intervene and tell Tamil Nadu that they should not hold our share of water. (*Interruptions*) and tell the Tamil Nadu Chief Minister that it is the full right of the Karnataka State Government to utilize its portion of Cauvery river water to its areas. Actually, according to the final Award of the Cauvery River Water Authority, 192 TMC of water should be released ...

(*Interruptions*) Since 2007, every year more than 250 TMC of water is flowing...

(*Interruptions*)

* Not recorded

MR. DEPUTY-SPEAKER: The House stands adjourned to meet tomorrow, the 30th March, 2012 at 11 a.m.

14.12 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Friday, March 30, 2012/ Chaitra 10, 1934 (Saka).

