

C O N T E N T S

**Sixteenth Series, Vol. XXII, Eleventh Session, 2017/1938 (Saka)
No. 09, Friday, March 10, 2017/Phalguna 19, 1938 (Saka)**

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OFFICERS OF LOK SABHA

THE SPEAKER

Shrimati Sumitra Mahajan

THE DEPUTY SPEAKER

Dr. M. Thambidurai

PANEL OF CHAIRPERSONS

Shri Arjun Charan Sethi

Shri Hukmdeo Narayan Yadav

Shri Anandrao Adsul

Shri Pralhad Joshi

Dr. Ratna De (Nag)

Shri Ramen Deka

Shri Konakalla Narayana Rao

Shri Hukum Singh

Shri K.H. Muniyappa

Dr. P. Venugopal

SECRETARY GENERAL

Shri Anoop Mishra

LOK SABHA DEBATES

LOK SABHA

Friday, March 10, 2017/Phalguna 19, 1938 (Saka)

The Lok Sabha met at Eleven of the Clock

[HON. SPEAKER *in the Chair*]

... (*Interruptions*)

SHRI P.R. SUNDARAM (NAMAKKAL): Madam, we want CBI inquiry...
(*Interruptions*)

HON. SPEAKER: Not, now. This is not fair.

... (*Interruptions*)

HON. SPEAKER: Let us take up the Question Hour.

... (*Interruptions*)

HON. SPEAKER: No adjournment motion, nothing.

... (*Interruptions*)

HON. SPEAKER: Question No. 141, Shri Janardan Singh Sigiwal.

... (*Interruptions*)

HON. SPEAKER: I will allow you to raise it after the Question Hour and not now.

... (*Interruptions*)

11.02 hours

(At this stage, Shrimati V. Sathyabama and some other hon. Members came and stood on the floor near the Table.)

HON. SPEAKER: Hon. Members, this is not fair. Please go back to your seats.

... (*Interruptions*)

SHRI K.C. VENUGOPAL (ALAPPUZHA): Madam, what about our issue?...
(*Interruptions*)

HON. SPEAKER: You can raise it in *Zero Hour*, and not now. Please go back to your seats.

... (*Interruptions*)

11.03 hours**ORAL ANSWERS TO QUESTIONS**

HON. SPEAKER: Now, Q. No. 141 – Shri Janardan Singh Sigriwal.

(Q. No. 141)

श्री जनार्दन सिंह सीग्रीवाल : अध्यक्ष महोदया, मैं सबसे पहले माननीय मंत्री जी को बधाई देना चाहता हूँ कि उन्होंने इस प्रश्न का काफी विस्तार से और विश्लेषण करते हुए उत्तर दिया है।... (व्यवधान) लेकिन, मैं माननीय मंत्री जी का ध्यान उनके उत्तर की तरफ भी दिलाना चाहता हूँ।... (व्यवधान) जैसा कि, प्रश्न के उत्तर में दर्शाया गया है कि वर्ष 2014, 2015 और 2016 में असाध्य रोग, जैसे कैंसर रोगियों की संख्या बढ़ी है तथा हम इसको रोकने में पूरी तरह से सफलता प्राप्त नहीं कर सके हैं।... (व्यवधान)

HON. SPEAKER: Hon. Members, please go back to your seats.

... (Interruptions)

श्री जनार्दन सिंह सीग्रीवाल : मेरा माननीय मंत्री जी से आग्रह है कि क्या कारण है कि इसके रोगियों की संख्या बढ़ी है तथा इसकी संख्या में बढ़ोतरी न हो, इसके लिए सरकार क्या कर रही है?... (व्यवधान)

अध्यक्ष महोदया, सरकार ने पूज्य पंडित दीनदयाल उपाध्याय जी के जन्म के 100वें वर्ष के पूर्ण होने पर उनको नमन करते हुए उनकी जयन्ती के 100 वर्ष पूरे होने को देश के गरीबों को समर्पित किया है और इस वर्ष को 'गरीब कल्याण वर्ष' के रूप में लिया है।... (व्यवधान)

क्या इस वर्ष से गरीबों के रोग को पूर्ण रूप से ठीक करने के लिए सरकार अपने स्तर से व्यवस्था करेगी?... (व्यवधान) क्या माननीय मंत्री जी ऐसा कोई निर्देश देने वाले हैं जिससे कि देश के कोई भी गरीब, चाहे वे बी.पी.एल. परिवार के हों या किसी को अगर सरकारी अनुदान नहीं मिलता हो, चाहे वे असंगठित क्षेत्र के मज़दूर से लेकर, किसान-मज़दूर हों, इस गरीब कल्याण वर्ष के अवसर पर उनके रोगों के लिए शत प्रतिशत अनुदान राज्य सरकार द्वारा उन्हें मिले?... (व्यवधान)

श्री जगत प्रकाश नड्डा: माननीय सदस्य ने reasons for increasing incidence of cancer का प्रश्न किया है।... (व्यवधान) इसका मूल कारण हमारी लाइफ स्टाइल है, क्योंकि यह लाइफ स्टाइल डिजिज है।... (व्यवधान) हमारे लाइफ स्टाइल में जैसे-जैसे अंतर आ रहा है और हमारी जीवन शैली बदल रही है, वैसे ही इस तरह की डिजिजेज की संख्या बढ़ रही है जिसमें कैंसर भी एक है।... (व्यवधान) जहां तक कैंसर की रोकथाम का सवाल है। भारत सरकार ऑल इंडिया इंस्टीट्यूट ऑफ मेडिकल साइंसेस के तत्वाधान में झज्जर में लगभग दो हजार करोड़ रुपये खर्च करके नेशनल कैंसर सेंटर बना रही है।... (व्यवधान) वैसे ही

चितरंजन में एक एक्स्ट्रा कैंसर सेंटर बन रहा है, यह चितरंजन (कोलकाता) में कैंसर सेंटर संख्या दो है। इसी तरीके से हम विभिन्न स्टेट्स में 20 स्टेट कैंसर इंस्टीट्यूट बना रहे हैं, ..(व्यवधान) जहां हम 120 करोड़ रुपये प्रति कैंसर सेंटर खर्च कर रहे हैं और हम टर्शियरी कैंसर केयर सेंटर भी बना रहे हैं जिस पर हम 45 करोड़ रुपये खर्च कर रहे हैं। हम लगभग ऐसे 50 सेंटर बना रहे हैं।..(व्यवधान)

इतना ही नहीं, हम मिनिस्ट्री ऑफ एच.आर.डी. के साथ मिल कर स्कूल्स में इस एजुकेशन को देना चाह रहे हैं। ..(व्यवधान) हमको लाइफ स्टाइल डिजिज़ेज से बचने के लिए क्या-क्या किया जाना चाहिए। हम इस काम को भी कर रहे हैं।..(व्यवधान) जहां तक इन्होंने गरीब कल्याण वर्ष की दृष्टि से कहा है, हम लोगों ने यह कोशिश की है कि फ्री ड्रग्स एंड डायग्नोसिस फ़ैसिलिटी को स्टेट में डिस्ट्रिक्ट लेबल तक पहुंचाया जाए। इसमें स्टेट्स को आगे आना पड़ेगा। ..(व्यवधान) भारत सरकार मुफ्त में डायग्नोसिस करने और ड्रग्स को पहुंचाने की व्यवस्था कर रही है। हम अमृत योजना के तहत खासकर कैंसर और कार्डियो वैस्कुलर डिजिज में नाइंटी टू सिक्सटी पर्सेंट ड्रग्स में कमी ला रहे हैं।..(व्यवधान)

HON. SPEAKER: This is not fair.

... (*Interruptions*)

HON. SPEAKER: The House stands adjourned to meet again at 11.20 a.m.

11.06 hours

*The Lok Sabha then adjourned till Twenty Minutes past
Eleven of the Clock.*

11.20 hours

*The Lok Sabha re-assembled at Twenty Minutes past
Eleven of the Clock.*

(Hon. Speaker *in the Chair*)

SHRI P.R. SUNDARAM (NAMAKKAL) : Madam Speaker, I wish to submit ...

(Interruptions)

HON. SPEAKER: What is it?

... (Interruptions)

SHRI P.R. SUNDARAM : Madam Speaker, I have given a notice for an Adjournment Motion in this House. It is a very important issue which should be given importance for discussion in this House. You have not allowed this matter. So, we are walking out.

11.21 hours

*(At this stage, Shri P.R. Sundaram and some other
hon. Members left the House.)*

11.22 hours**ORAL ANSWERS TO QUESTIONS ... Contd**

HON. SPEAKER: Shri Janardan Singh Sigriwal, you ask your second supplementary.

... (Interruptions)

श्री जनार्दन सिंह सीग्रीवाल : अध्यक्ष महोदया, जैसा कि मंत्री जी ने उत्तर में वर्णित किया है कि कुछ विषय प्रदेश सरकारों के हैं, परन्तु केन्द्र सरकार इसमें पूर्ण सहयोग के लिए हर संभव मदद कर रही है। मेरा मानना है कि यह विषय प्रदेश सरकार का निश्चित रूप से है, केन्द्र सरकार पूर्णरूपेण प्रदेशों को मदद भी कर रही है, लेकिन मैं खासकर बिहार सरकार की स्वास्थ्य व्यवस्था के बारे में कहूंगा कि वहां काफी लचर व्यवस्था हो गई है। चाहे वह प्रदेश मुख्यालय का अस्पताल हो या प्रखण्ड के अस्पताल हों, वहां दवा से लेकर, रूई, बैंडेज तक लोगों को नसीब नहीं हो रहा है। राज्य सरकार रोगियों, खासकर गरीबों के रोग को ठीक करने व उन्हें दवा मुहैया कराने में विफल हो गई है। मैं भारत सरकार को बधाई दूंगा कि वर्ष 2015-16 में बिहार के लिए एक अलग एम्स देने की सरकार ने अपनी तरफ से प्रतिबद्धता दोहराने का काम किया है। ... (व्यवधान) लेकिन राज्य सरकार की वहां जमीन उपलब्ध न होने के कारण मुझे लगता है कि वहां काम आगे नहीं बढ़ पाया है। मैं केन्द्र सरकार और माननीय मंत्री जी से आग्रह करूंगा और यह जानना भी चाहूंगा कि आपने वर्ष 2015-16 में बिहार में एम्स के लिए घोषणा की थी, उसकी क्या स्थिति है और वर्तमान में जो एम्स पटना मुख्यालय में चल रहा है, उसकी क्या स्थिति है? ... (व्यवधान) बिहार सरकार को आप दिशा-निर्देश दें कि वहां के गरीबों के कल्याण के लिए, रोगियों को ठीक करने के लिए राज्य की सरकार तत्पर होकर काम करे। ... (व्यवधान)

माननीय अध्यक्ष : लंबा भाषण नहीं होता है, केवल प्रश्न होता है।

स्वास्थ्य और परिवार कल्याण मंत्री (श्री जगत प्रकाश नड्डा) : जहां तक ड्रग्स का सवाल है, केन्द्र सरकार की तरफ से प्रदेश सरकार को मदद का सवाल है, उसमें नेशनल हेल्थ मिशन के तहत हम फ्री ड्रग्स और डॉयग्नोस्टिक्स फ़ैसिलिटीज प्रदेश सरकारों को दे रहे हैं। प्रदेश सरकार को उसमें प्रोग्राम इंप्लीमेंटेशन प्लान के तहत अपनी अर्जी भेजनी होती है, उसको हम स्वीकृत करते हैं और उसके अनुसार पैसा देते हैं। कुछ स्टेट्स हैं, जिनमें बिहार भी है, जिसमें अभी तक अनस्पेंट एमाउंट नेशनल हेल्थ मिशन में है। मैं हमेशा यह आग्रह करता रहा हूं और प्रदेश सरकार के साथ हमारे अधिकारी लगातार टच में हैं और उनके साथ बातचीत कर रहे हैं कि उनके पास नेशनल हेल्थ मिशन का जो अनस्पेंट पैसा पड़ा हुआ है,

उसको खर्च किया जाए। उसको खर्च करने के साथ-साथ जो हमारी भारत सरकार की फैसिलिटीज हैं, वे उनका पूरा फायदा उठाएं।

जहां तक एम्स का सवाल है, आदरणीय प्रधानमंत्री जी ने और आदरणीय वित्त मंत्री जी ने अपने बजट भाषण में बिहार को एक एम्स दिया है, लेकिन प्रदेश सरकार की तरफ से अभी तक जो जगह आबंटित करनी है, उस दृष्टि से कोई भी कदम नहीं उठाया है। हमारी तरफ से बार-बार रिमाइंडर्स गए हैं और मैं फिर उनको रिमाइंडर दे रहा हूं कि आप जल्द से जल्द जगह, स्थान तय करें, ताकि हम ऑल इंडिया इंस्टीट्यूट ऑफ मेडिकल साइंस बना सकें। ...*(व्यवधान)*

माननीय अध्यक्ष : आप बैठिए

...*(व्यवधान)*

माननीय अध्यक्ष : श्री एम. रामचन्द्रन।

(व्यवधान)

HON. SPEAKER: Nothing will go on record except the questions and answers.

...*(Interruptions)*... *

SHRI MULLAPPALLY RAMACHANDRAN : Madam, Kerala has been acclaimed as a model for other States to emulate when it comes to the question of healthcare and education. Unfortunately, Kerala has become a capital of all lifestyle diseases like diabetes, hypertension, cancer or kidney ailments. This being the case, my question is this. Has the Government of Kerala taken up the matter in a serious manner with the Ministry? If so, what positive steps have been taken by this Government towards the State of Kerala?

SHRI JAGAT PRAKASH NADDA : As far as the Kerala Government is concerned, the Government of India has been very positive to respond accordingly to whatever proposals they have come up with. At this point, we are giving one State Cancer Institute, Tertiary Cancer Centre and along with it we are also going for super-speciality.

SHRI K.C. VENUGOPAL : What about AIIMS?

* Not Recorded.

SHRI JAGAT PRAKASH NADDA : It will be done in a phased manner.

As far as the super-speciality is concerned, various medical colleges are being upgraded accordingly.

DR. RATNA DE (NAG) : Thank you, Madam. Public health is not in good shape. We see multifarious health issues being faced by us be it diabetes, cardiovascular disease, hypertension, renal disease or malnutrition. Added to that, meagre allocation of Budget for health is disturbing.

According to the statement laid by the hon. Minister, according to the Report of the National Commission on Macroeconomics and Health, there were 380,00,000 cases of cardiovascular diseases in the year 2005 and these were estimated to rise to 641,00,000 cases in the year 2015. This is high time to go ahead with a new disease study and control on chronic diseases.

The hon. Minister has proposed to setup 30 branches of the National Centre for Disease Control (NCDC) in all the States with an outlay of Rs. 367 crore. I would like to ask this from the hon. Minister through you, Madam. How many branches of the National Centre for Disease Control has been setup till now? Is there any branch already setup in West Bengal, which also addresses to chronic diseases? Thank you, Madam.

SHRI JAGAT PRAKASH NADDA : Madam, first of all, I would like to correct the statement that the hon. Member has made that meagre amount is being given in the Health Department. Let the record be put straight that in the last two years with regard to the Budget Estimates (BE) and the Revised Estimates (RE), the RE has always increased as compared to the BE. Previously, the BE was more and the RE was always slashed down. Now, there is a change as the hon. Finance Minister has taken care of it and the real estimates are now increasing.

Secondly, this year, there is an increase of Rs. 10,000 crore in the Health Department. Earlier, it was Rs. 37,000 crore Budget, and now it is Rs. 47,000 plus crore Budget and 27.7 per cent increase is there in it. It is for the States to decide, and the absorption capacity of the States is not up to the mark. This is the reason

that the fund is being unspent. I would request the Members -- being the Chairmen of the various bodies related to health -- to see to it that the Budget is being spent accordingly by the State Governments in the Health Department.

As far as the NCDC is concerned, I will give you a separate answer because at this point of time I do not have the relevant records, but, yes, NCDCs are being setup and they are of standard where we are trying to monitor the disease control.

(Q.142)

श्री पंकज चौधरी : महोदया, निश्चित रूप से केन्द्र में माननीय नरेन्द्र मोदी जी की सरकार आर्थिक अपराधों तथा बड़े अपराधियों के खिलाफ कड़ी कार्रवाई कर रही है। यह देश का यह दुर्भाग्य रहा है कि संरक्षण और खामियों का फायदा उठाते हुए लोग बच जाते हैं। आदरणीय प्रधानमंत्री जी ने आर्थिक अपराधियों के साथ-साथ अन्य बड़े अपराधियों के खिलाफ जो अभियान चलाया है, उसके लिए पूरा देश माननीय प्रधानमंत्री जी के साथ खड़ा है।

महोदया, माननीय मंत्री जी ने अपने उत्तर 'क' में बताया है कि सरकार ऐसे अपराधियों की परिसम्पत्तियों को जब्त करने के लिए विधायी बदलाव करने या नया कानून बनाने पर विचार कर रही है। मैं माननीय मंत्री जी से जानना चाहता हूँ कि नया कानून कब तक आएगा?

श्री अरुण जेटली : अध्यक्ष महोदया, जो लोग भारत में भारत की वित्तीय व्यवस्था का पूरा लाभ उठाते हैं, हमारे बैंकिंग सिस्टम का लाभ उठाते हैं, देशभर से साधन इकट्ठे करते हैं और फिर उसके संबंध में कोई अपराध करते हैं और उस अपराध के संबंध में भारत की न्यायपालिका के सामने सब्मिट करने के स्थान पर विदेशों में जाकर छुप जाते हैं, उनके संबंध में हमने इस वर्ष बजट में घोषणा की है कि जितने भी मौजूदा कानून हैं, या उन कानूनों में परिवर्तन करके या फिर एक नया कानून लाकर ऐसे व्यक्तियों की सम्पत्ति जब्त करने की व्यवस्था कानून में लाएंगे।

11.30 hours**(Hon. Deputy Speaker in the Chair)**

इसका अध्ययन मंत्रालय के अंदर किया जा रहा है। जैसे ही वह पूरा होगा, उसका जो भी प्रावधान होगा, वह इस सदन के सामने लाया जाएगा।

श्री पंकज चौधरी : उपाध्यक्ष महोदय, माननीय मंत्री जी ने अपने उत्तर के भाग 'ख' में बताया है कि विदेशी मुद्रा प्रबंधन अधिनियम 199 (फेमा) तथा धन शोधन निवारण अधिनियम 2002 में कई संशोधन किए गए हैं। लगभग 42 देशों के साथ भारत ने प्रत्यर्पण संधि पर हस्ताक्षर किए हैं और 9 देशों के साथ प्रत्यर्पण की व्यवस्था है। भारतीय प्रत्यर्पण अधिनियम 1962 द्वारा उन देशों से प्रत्यर्पण के लिए विधायी अवसंरचना प्रदान करते हैं। जिन देशों के साथ हमारी कोई प्रत्यर्पण संधि नहीं है, आर्थिक अपराधियों के मामले में सार्वजनिक रहने के बाद भी आखिर ऐसा कैसे हो जाता है कि अपराधी जिनके विरुद्ध मामले दर्ज रहते हैं, वे आराम से दूसरे देशों में भाग जाते हैं। मैं मंत्री जी से जानना चाहता हूँ कि क्या सरकार कोई ऐसा उपाय करेगी कि ऐसे अपराधियों को देश से बाहर भागने से रोकने में मदद मिले?

श्री अरुण जेटली : इसका प्रावधान कानून के अंदर है। जिसके वारंट निकल जाते हैं, उसका पासपोर्ट जब्त हो जाता है या रैड कार्नर एलर्ट हो जाता है तो देश की इमिग्रेशन उसे बाहर नहीं जाने देती। लेकिन कई अपराधी यह प्रयास करते हैं कि इस व्यवस्था के कायम होने से पहले देश से बाहर निकल जाएं। उन्हें वापस लाने के लिए आज की तारीख में लम्बी व्यवस्था है जिसमें एक्सट्राडिशन प्रोसिडिंग्स का सहारा लेना पड़ता है। कुछ देश इसे छोटी व्यवस्था के रूप में भी सहयोग करते हैं जिसमें वे इन लोगों को डिपोर्ट कर देते हैं। हम प्रयास कर रहे हैं कि अधिक से अधिक देशों के साथ हमारा प्रयास चलता रहे कि एक देश के अंदर अपराध करने वाला व्यक्ति दूसरे देश में न छुप पाए। भारत की अधिक से अधिक देशों के साथ इस प्रकार की संधि हो जिन्हें लेकर हम देश के अंदर वापस ला पाएं।

SHRI P. KARUNAKARAN: Sir, the main objective of the demonetization, as it was said by the Government was to curb the black money. Government explained it in detail in the earlier Session also. The 500 rupee and 1000 rupee notes were banned because the assumption of the Government was that the black money will come in the form of these notes. Anyway, the Government had taken the decision and three months have passed.

Sir, I would like to know through you from the hon. Minister as to how much black money has come in the form of 500 rupee and 1000 rupee notes?

HON. DEPUTY SPEAKER: No. This supplementary is not related to this Question. If you want to ask this question, I will call you when the next question is taken up.

... (*Interruptions*)

SHRI P. KARUNAKARAN: How much black money has come in the form of demonetization?... (*Interruptions*)

HON. DEPUTY SPEAKER: Okay. The hon. Minister is answering to your question.

SHRI ARUN JAITLEY: Sir, one of the essential aspects of the demonetization exercise was to necessarily deposit the high denominational currency in the banking system which was operating in a very large amount in the market. The obvious consequence was that the cash operating in the market which normally

operates with an element of anonymity lost its anonymity once it went into the banking system. Therefore, that cash is now identified against the ownership of the person who deposited that cash. It is now upon that person to establish that this money is not black money. Therefore, in the case of small deposits, the Income Tax Department has already said that they are taking cognizance of the fact that people have some legitimate cash lying with them.

But in the case of high amounts of money which have no nexus to the real income profile of the depositor itself, the CBDT and the Income-Tax Department have already taken action. Several lakhs of people falling in this category have been notified and, therefore, action against them under the relevant provisions of the Income-Tax Act is being taken. Simultaneously, the Government had also announced a Scheme that those who voluntarily own up under the Pradhan Mantri Garib Kalyan Yojana will have to pay a certain amount of taxation and then put a quietus to the issue. Those who do not pay will have to then pay a higher amount of taxation once it is detected by the Income-Tax Department pursuant to the action which is being taken. ... (*Interruptions*)

SHRI P. KARUNAKARAN : How much black money has come? ... (*Interruptions*)

SHRI MUTHAMSETTI SRINIVASA RAO (AVANTHI) : I thank you for giving me the opportunity. I thank the hon. Finance Minister for keeping his word as he has promised in his Budget Speech that the Government would consider introduction of legislative changes or even a new law to confiscate the assets of such persons located within the country.

Just ten days back, the hon. Finance Minister was in the UK. Queen Elizabeth II hosted a lavish reception at Buckingham Palace to mark the UK-India Year of Culture 2017 attended by our Finance Minister, Shri Arun Jaitley.

I would like to know from the hon. Finance Minister whether he had any confabulations with the UK authorities on extradition of* to India for his serious economic offences and, if so, the details thereof.

SHRI ARUN JAITLEY: Sir, the relevant prosecuting agencies of the Government which are prosecuting these cases are resorting to all remedies which are available to them under the law, both for deportation as also for extradition of persons who are trying to avoid the system. The Government of India, through diplomatic channels, is also taking it up with their counterparts in the United Kingdom. In my visit two weeks ago to the United Kingdom, I also had an opportunity to discuss these very cases with my counterparts in the United Kingdom.

PROF. SAUGATA ROY : Sir, since it came to power, the NDA Government has been shouting from the housetops that it will take all possible steps to curb the use of black money. In fact, even before the elections, they had promised that they would bring back the black money stashed abroad and deposit Rs. 15 lakh in the account of every Indian. Now, almost three years have passed, but the same has not happened. In spite of the earlier existence of FEMA and the Prevention of Money Laundering Act (PMLA), and the new enactment, that is, the Undisclosed Foreign Income and Assets (Imposition of Tax) Act, we have seen that high profile economic offenders like ...* had escaped abroad and are living merrily there.

HON. DEPUTY-SPEAKER: You can avoid the names.

PROF. SAUGATA ROY : Sir, names are not important, but they are very relevant people – ... *

HON. DEPUTY-SPEAKER: The names cannot form part of the record. The names cannot go on record.

* Not recorded.

PROF. SAUGATA ROY : Let me mention it this way, Kingfisher man and IPL man.

I want to know from the hon. Minister what steps have been taken to confiscate the assets of...

HON. DEPUTY-SPEAKER: You can use the words "economic offenders".

PROF. SAUGATA ROY : I want to know from the hon. Minister what steps have been taken to confiscate the assets of the IPL man and the Kingfisher man, and what steps are being taken by the Government, both administratively and legislatively, to prevent the escape of similar offenders abroad.

SHRI ARUN JAITLEY: Sir, first of all, to the preamble of Shri Saugata Roy's question, let me again reiterate what I have repeatedly said that in the last two-and-a-half years or three years, this Government has taken more steps to curb black money than any other Government in the past in this country. There are a series of steps, and I am not going to repeat them, as a result of which, even in the midst of an environment of global slow down, our tax revenues have radically increased and will continue to do so.

As far as steps are concerned, Acts like FEMA and PMLA have been amended. The Black Money Act was also legislated, all of which now contain a provision that for violations which are done, and people may be outside the shores, an equivalent amount of money can be recovered from their domestic assets in India.

About the cases which are being mentioned, action under relevant provisions of law are being taken – in one case by the CBI and in both cases by the Directorate of Enforcement. In the case, where action has been taken under PMLA and where there is a provision for attachment pending the investigation and trials of the main principal cases which are on, attachment orders against one of the accused has already been ordered in relation to these assets. I am given to understand that assets to the extent of the market value of Rs.8,040 crore have already been attached by the Enforcement Directorate.

(Q. 143)

श्री भैरों प्रसाद मिश्र : उपाध्यक्ष जी, मैं सर्जिकल स्ट्राइक में भाग लेने वाले सैनिकों को बहुत-बहुत बधाई देना चाहता हूँ, क्योंकि उन्होंने देश का मान बढ़ाया है। मैं इसके लिए सरकार को भी बधाई देना चाहता हूँ, क्योंकि उन्होंने ऐसी परिस्थिति का निर्माण किया, जिसमें वे स्वयं निर्णय लेकर आतंकियों को मुंहतोड़ जवाब देने में सक्षम हो सके।

उपाध्यक्ष महोदय, मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहता हूँ कि इस ऐतिहासिक अभियान में शामिल सैनिकों को सरकार ने क्या कोई विशेष प्रोत्साहन जैसे उनकी रैंक बढ़ोतरी, वेतन वृद्धि या विशेष सैनिक सम्मान देने का निर्णय लिया है?

DR. SUBHASH RAMRAO BHAMRE: Respected, Sir, through you, I would like to inform hon. Member that I honour his feelings. As per the Standard Operating Procedure, these people are given the due regard. We are proud of our forces because despite our persistent urging our neighbour to respect the January 2014 commitment for not allowing its soil of territory under its control to be used for terrorism against India, we have received the specific and credible inputs that some terrorist teams had positioned themselves at the launch pad along the Line of Control to carry out infiltration and conduct the terrorist activities by striking Jammu and Kashmir and various metros in other States. The Indian Army has conducted surgical strike at several of these launch pads to end infiltration by terrorist operations. We have focused on ensuring that these terrorists do not succeed in their design to cause destruction and endanger the lives of our citizen. During this counter-terrorist operation, significant casualties were caused to terrorists and those providing support to them.

श्री भैरों प्रसाद मिश्र : माननीय उपाध्यक्ष महोदय, बहुत से सैनिक विशेष दुर्गम क्षेत्रों, बर्फीली और पहाड़ी क्षेत्रों में काम करते हैं। जहां वे वहां हमारे देश की सीमा की रक्षा करते हैं, वहीं विशेष आतंक प्रभावित क्षेत्रों जैसे माओवाद से प्रभावित क्षेत्रों में भी उन्हें लगाया जाता है। वे वहां कार्य करते हैं और अपने प्राणों की आहूति तक दे देते हैं। मैं सरकार से जानना चाहता हूँ कि इन क्षेत्रों में लगाए गए सैनिकों के मनोबल को ऊंचा रखने व उन्हें प्रोत्साहन देने के लिए सरकार ने क्या कोई विशेष कदम उठाये हैं?

DR. SUBHASH RAMRAO BHAMRE: Sir, through you, I would like to answer this question though it is not related to this particular question. I would like to bring to his notice that insurgency that goes on in naxal areas and other areas is tackled by the Ministry of Home Affairs.

SHRI K.C. VENUGOPAL : Hon. Deputy Speaker, Sir, assessment of moral troupes, units and formation is an important command function. But, nowadays, a lot of reports are coming through social media and other media that there is a lot of ill-treatment towards jawans who are fighting against terrorists and our enemy countries. There are lots of reports about ill treatment towards jawans from their superior officers.

Yesterday, I myself raised the issue of Major Rishi who was severely injured in an attack by extremist forces in Jammu and Kashmir. The day before yesterday, a false message was received that he passed away, whereas he is in RR Hospital. This message was given by Delhi Police itself. Hon. Home Minister is also here. An ASI of Delhi Police gave this message and he told that he got the report from RR Hospital. The entire family of Major Rishi was in trauma and the entire village was also suffering. I demand an inquiry into this issue. What action has been taken by the Government to boost the morale of our jawans? I want a clear answer from the hon. Minister.

DR. SUBHASH RAMRAO BHAMRE: Hon. Deputy Speaker Sir, I would like to inform the hon. Member that if there is an inquiry to be done, it will be done but we are waiting for the report. But I would like to make certain things very clear. There are a few grievances which have appeared on social media but they appear to be individual views of the concerned soldiers and do not reflect the collective feedback which is received through multiple channels.

SHRI K.C. VENUGOPAL : It is not a single case; there are a lot of cases.

HON. DEPUTY SPEAKER: Let the hon. Minister complete his answer.

DR. SUBHASH RAMRAO BHAMRE: There is a well laid down mechanism for feedback and redressal of grievances in armed forces. Starting from daily roll

calls where the grievances can be addressed to the Company Commander, the CO of the unit collectively addresses through *Sainik Sammelan* at least once a month and resolves the problems faced by the jawans. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Let the hon. Minister complete his answer.

... (*Interruptions*)

DR. SUBHASH RAMRAO BHAMRE: A soldier is personally interviewed by CO every time he proceeds on leave from temporary duty and returns to the unit. ... (*Interruptions*) Soldiers can at their will seek audience and the Commanding Officer and the Commander listen to them. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Now, Shri N.K. Premachandran. Please ask supplementary question.

... (*Interruptions*)

HON. DEPUTY SPEAKER: Shri Premachandran is asking the same question.

... (*Interruptions*)

SHRI N.K. PREMACHANDRAN : Hon. Deputy Speaker Sir, the psychological condition and the morale of defence personnel is a matter of grave concern. ... (*Interruptions*) Recently, there are a series of reports of ill-treatment meted out to defence personnel, especially the jawans. ... (*Interruptions*) The poor jawans in our country are facing harassment from the defence officials. ... (*Interruptions*) In my district, one Mr. Roy Mathew from 214 Rocket Regiment of Nasik died on suspicious grounds. ... (*Interruptions*) He had given an interview to an online media regarding the ill-treatment meted out to him. ... (*Interruptions*) It is a matter of grave concern. The jawan had intimated to his family and relatives that his life is under threat, that he is at Puthoor in Pavithreswaram that in the district of Kollam.

Subsequently, from 25th February onwards he was missing. Later on his body was found hanging. We have great suspicion that all this is because of the ill-treatment, mental stress and strain meted out to him from the defence officials. Shri K.C. Venugopal has raised another issue. I have raised a different issue, and a

series of such issues are there. Will the Minister make a commitment to conduct an independent inquiry into the death of Shri Roy Mathew and similar such incidents which are going on? This is a very sensitive issue so far as military forces are concerned.

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): The incident which has been raised happened in Deolali. The police have registered the crime and they are investigating it in detail. It would be prejudiced to make any statement on an issue which is being independently inquired into by the police. It is a matter of police investigation and I do not want to prejudice it by making a statement. But I can very clearly say that as far as 'Sahayak' system is involved, the Army has been told to work out appropriate mechanism to ensure that the particular complaint which is coming up is addressed. I can assure the House that we are already in the process of having detailed consultations and we will find some solution to the issue which has been brought up.

(Q.144)

DR. ANUPAM HAZRA : I represent the Bolpur constituency of West Bengal. It is a rural constituency. Keeping in view the issue of note ban or the currency ban, we all have seen that in the entire nation Kumari Mamata Banerjee was the only leader who was bold enough to raise voice against this whimsical decision of the Central Government to ban the currency notes of Rs.500 and Rs.1000.

Keeping in view the reply of the Minister, I would like to know how many banned currency notes of Rs.500 and Rs.1000 have been recovered and how many new notes of Rs.2000 and Rs.500 have been printed so far to meet the current demand of the nation.

SHRI ARUN JAITLEY: Sir, the RBI on the basis of what was being received from the banks into the currency chest, the high denominational currency which has been deposited during the demonetization period, was giving a figure from time to time as to the broad extent of the currency which was being deposited. Now that that period is over and only the extended period remains, every currency note has to be verified by the RBI and, therefore, totaling them is a very large exercise. Only after each and every note is verified by the RBI, segregating what may be actually a fake currency note out of that, totaling can be done. It is a time consuming exercise. That exercise is on and once the RBI completes that exercise that figure will be given.

As far as the re-monetization exercise is concerned with regard to the new notes of Rs.500 and Rs.2000, the RBI has been since the very beginning, after the 8th of November, injecting new currency notes systematically into the market. They keep releasing data from time to time. The last data that they have released was on 24th February, 2017 on which date currency in circulation was about Rs.11.641 lakh crore. So, this is the quantum of currency which they, as on 24th of February, made available into the market. A fortnight has almost elapsed since then. This amount itself would have now increased to beyond Rs.12 lakh crore.

DR. ANUPAM HAZRA : Now coming to the collection of direct tax during December 2015 and December 2016, from the reply given by the Minister, it is clearly showing that where the annual average income tax growth rate is around 17 per cent, during this period only five per cent income tax growth is evident. As per their own terminology, it is a bold step and it is just an attempt to collect the black money from the nation. But it brought black day for the rural and tribal people of the country. The statistics of December 2016 has shown that only five per cent income tax growth was there, whereas December is considered to be the month where advance tax is being paid across the nation. At the same time, during this period the Central Government has initiated various schemes and they have kept on changing the procedure for depositing income tax. Despite all their efforts, only five per cent growth rate was seen during this period.

So, how will you justify the demonetization exercise?

SHRI ARUN JAITLEY: The hon. Member is reading too much into a stray data for one month. It is a figure of the whole year which has to be taken. As I indicated over the last 2-3 years, there has been a buoyant growth as far as direct tax collection is concerned. The largest amount ordinarily which is deposited in the last installment when people calculate their incomes and also when they file their returns. That is when the annual growth can really be estimated. Therefore, we do hope that we will be meeting our targets as far as direct and indirect taxes are concerned and hopefully increasing and exceeding those targets also this year.

श्री गणेश सिंह : माननीय उपाध्यक्ष महोदय, यह करेंसी के मुद्रण में हुए खर्च से संबंधित प्रश्न था। जो करेंसियाँ छापी जा रही थीं, मध्य प्रदेश में भी एक मुद्रणालय है, वहाँ से भी करेंसियाँ छापी जा रही हैं। अभी जब एक हजार और पाँच सौ रुपये के नोट बंद हुए और नयी करेंसियों का मुद्रण शुरू हुआ, तो निश्चित रूप से इसमें समय लगा।

मैं वित्त मंत्री जी से यह जानना चाहता हूँ कि कोई नया मुद्रणालय स्थापित किये जाने के संबंध में कोई विचार किया जा रहा है? यदि ऐसा विचार हो रहा है, तो चूँकि मध्य प्रदेश में पहले से मुद्रणालय है, वहाँ पुनः एक और मुद्रणालय करेंगे और वह सतना में किया जाए, मैं यह मांग करता हूँ।

श्री अरूण जेटली : माननीय उपाध्यक्ष जी, विमुद्रीकरण के निर्णय के पीछे एक प्रयास यह भी है कि पेपर करेंसी कम की जाए और डिजिटाइजेशन बढ़ायी जाए। इसलिए बहुत-से सदस्य चाहेंगे कि उनके क्षेत्रों में ऐसे प्रिंटिंग प्रेसेज़ बनें, लेकिन शायद भविष्य में उसकी आवश्यकता नहीं पड़ेगी।

श्री राजीव सातव : माननीय उपाध्यक्ष जी, जो सवाल पूछा गया है, उसका जवाब सरकार द्वारा यहाँ पर नहीं आया है। जो नये नोट छापे गये हैं, उसके लिए कुल कितना खर्च आरबीआई और सरकार को बीयर करना पड़ा, यह सवाल है। सिर्फ इतना ही नहीं, बैंकों के कर्मचारियों को एक्स्ट्रा काम करने के लिए जो पैसे दिये गये, उस पर भी कुल कितनी राशि खर्च हुई। इस प्रकार से पब्लिक सेक्टर समेत डिमोनेटाइजेशन और रिमोनेटाइजेशन में कुल कितनी राशि खर्च हुई?

श्री अरूण जेटली : माननीय उपाध्यक्ष जी, मैं इस बात को स्पष्ट कर दूँ कि हर वर्ष एक-चौथाई से लेकर एक-तिहाई तक जो करेंसी होती है, from 25 per cent to 33 per cent, पेपर की जो मौजूदा करेंसी होती है, उसकी भी एक आयु होती है। इसलिए उसको भी री-प्रिंट करना पड़ता है। ऐसा नहीं नहीं है कि डिमॉनेटाइजेशन के कारण दो हजार रुपये या पाँच सौ रुपये की नयी करेंसी छपी गयीं, तो उसका खर्चा अधिक होगा। अगर पुरानी करेंसी भी चलती रहतीं, तो उसके ऊपर भी खर्चा होता, क्योंकि उसके लिए री-प्रिंटिंग का खर्च होता रहता है। अभी री-मॉनेटाइजेशन की पूरी एक्सरसाइज़ चल रही है। इसके दौरान किस नोट का औसतन कितना दाम आता है, इसकी डिटेल् दी गयी है, लेकिन जब री-मॉनेटाइजेशन की एक्सरसाइज़ समाप्त होगी, तो उसका कितना खर्च आया और पुरानी करेंसी चलती रहती, उसके री-प्रिंट में कितना खर्च आता, इसका आकलन इस एक्सरसाइज़ के सम्पन्न होने के बाद ही लगाया जा सकता है।
...(व्यवधान)

(Q.145)

डॉ. संजय जायसवाल : माननीय उपाध्यक्ष महोदय, मैं माननीय मंत्री जी को बधाई देना चाहूँगा कि छत्तीसगढ़ दुर्घटना के बाद उन्होंने जो एक्शन लिए, उनके चलते इस तरह की घटनाएं अब नहीं हो रही हैं। फिर भी ऑपरेशन तो ऑपरेशन ही होता है। यह बहुत दुखद बात है कि 99 परसेंट ऑपरेशन्स महिलाएं ही कराती हैं। पुरुष नसबंदी कराते ही नहीं हैं। मेरा मंत्री महोदय से यह प्रश्न है कि जो इंजेक्टेबिल्स लांच होना था, वह एक साल से नहीं लांच हुआ है। डर्मल इंप्लांट्स दो बच्चों के बीच में 3 से 5 सालों का गैप कराता है। वह इसमें एक गेम चेंजर हो सकता था। इस विषय पर मंत्री जी क्या कर रहे हैं?

श्री जगत प्रकाश नड्डा: उपाध्यक्ष महोदय, जहाँ तक इंजेक्टेबिल्स का सवाल है, उसके प्रोक्योरमेंट का प्रोसेस चल रहा है। हम बहुत जल्द ही इसे पूरा कर लेंगे। माननीय सदस्य ने डर्मल इंप्लांट्स का जो सजेशन दिया है, वह अच्छा है।

12.00 hours

HON. DEPUTY-SPEAKER: Hon. Members, notices of Adjournment Motion have been received from Sarvashri Jaiprakash Narayan Yadav, Kodikunnil Suresh, P. Karunakaran, Prof. Saugata Roy, Sarvashri Mallikarjun Kharge, K.C.Venugopal, Rajiv Satav and P.R. Sundaram on different issues.

The matters though important do not warrant interruption of the Business of today. The matters can be raised through other opportunities.

The hon. Speaker has therefore disallowed all the notices of the Adjournment Motion.

... (*Interruptions*)

12.01 hours**PAPERS LAID ON THE TABLE**

HON. DEPUTY-SPEAKER: Now, the House will take up Papers to be laid on the Table of the House.

THE MINISTER OF STATE OF THE MINISTRY OF AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY (AYUSH) (SHRI SHRIPAD YESSO NAIK): Sir, I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under sub-section (3) of Section 36 of the Indian Medicine Central Council Act, 1970:-

- (1) The Indian Medicine Central Council (Minimum Standards of Education in Indian Medicine) Amendment Regulations, 2016 published in Notification No. 11-76/2016-Unani (U.G Regl.) in Gazette of India dated 7th November, 2016.
- (2) The Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Ayurveda Colleges and attached Hospitals) Regulations, 2016 published in Notification No. 28-15/2016-Ay.(MSR) in Gazette of India dated 7th November, 2016.
- (3) The Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Siddha Colleges and attached Hospitals) Regulations, 2016 published in Notification No. 18-12/2016-Siddha(M.S.R.) in Gazette of India dated 7th November, 2016.
- (4) The Indian Medicine Central Council (Post-Graduate Unani Medical Education) Regulations, 2016 published in Notification No. 11-77/2016-Unani(P.G. Regl.) in Gazette of India dated 7th November, 2016.
- (5) The Indian Medicine Central Council (Minimum Standards of Education in India Medicine) Amendment Regulations, 2016

published in Notification No. 18-12/2016-Siddha(Syllabus UG) in Gazette of India dated 7th November, 2016.

- (6) The Indian Medicine Central Council (Minimum Standards of Education in Indian Medicine) Amendment Regulations, 2016 published in Notification No. 24-14/2016- (U.G. Regulation) in Gazette of India dated 7th November, 2016.
- (7) The Indian Medicine Central Council (Post Graduate Ayurveda Education) Regulations, 2016 published in Notification No. 4-90/2016-P.G. Regulation in Gazette of India dated 7th November, 2016.
- (8) The Indian Medicine Central Council (Requirements of Minimum Standard for under-graduate Unani Colleges and attached Hospitals) Regulations, 2016 published in Notification No. 11-134/2016-Unani (MSR) in Gazette of India dated 7th November, 2016.
- (9) The Indian Medicine Central Council (Post-graduate Siddha Education) Regulations, 2016 published in Notification No. 18-12/2016-Siddha (Syllabus PG) in Gazette of India dated 7th November, 2016.

[Placed in Library, See No. LT 6528/16/17]

वित्त मंत्रालय में राज्य मंत्री (श्री संतोष कुमार गंगवार): महोदय, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ:-

(1) भारतीय जीवन बीमा निगम अधिनियम, 1956 की धारा 48 की उपधारा (3) के अंतर्गत निम्नलिखित अधिसूचनाओं की एक-एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

(एक) भारतीय जीवन बीमा निगम (दौरे पर गए कर्मचारियों को दैनिक भत्ता तथा होटल प्रभार) संशोधन नियम, 2016 जो 14 दिसम्बर, 2016 के भारत के राजपत्र में अधिसूचना संख्या सा.का.नि. 1136(अ) में प्रकाशित हुए थे।

(दो) भारतीय जीवन बीमा निगम (पर्यवसित विकास अधिकारियों की पुर्नियुक्ति) संशोधन नियम, 2016 जो 21 दिसम्बर, 2016 के भारत के राजपत्र में अधिसूचना संख्या सा.का.नि. 1162(अ) में प्रकाशित हुए थे।

(तीन) भारतीय जीवन बीमा निगम (संशोधन) विनियम, 2016 जो 6 दिसम्बर, 2016 के भारत के राजपत्र में अधिसूचना संख्या 1-13011/02/2015/बीमा-। में प्रकाशित हुए थे।

[Placed in Library, See No. LT 6529/16/17]

(2) राष्ट्रीय आवास बैंक अधिनियम, 1987 की धारा 40 की उपधारा (5) के अंतर्गत वर्ष 2015-16 के लिए राष्ट्रीय आवास बैंक, नई दिल्ली के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

[Placed in Library, See No. LT 6530/16/17]

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्री फगन सिंह कुलस्ते): उपाध्यक्ष महोदय, मैं खाद्य सुरक्षा और मानक अधिनियम, 2006 की धारा 93 के अंतर्गत खाद्य सुरक्षा और मानक (संशोधन) नियम, 2017 जो 19 जनवरी, 2017 के भारत के राजपत्र में अधिसूचना संख्या सा.का.नि. 57(अ) में प्रकाशित हुए थे, की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) सभा पटल पर रखता हूँ।

[Placed in Library, See No. LT 6531/16/17]

वित्त मंत्रालय में राज्य मंत्री तथा कॉर्पोरेट कार्य मंत्रालय में राज्य मंत्री (श्री अर्जुन राम मेघवाल) : महोदय, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ:-

(1) (एक) इंडियन इंस्टिट्यूट ऑफ कॉर्पोरेट अफेयर्स, गुडगांव के वर्ष 2015-2016 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(2) उपर्युक्त (1) में उल्लिखित पत्रों को सभा पटल पर रखने में हुए विलम्ब के कारण दर्शाने वाला विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 6532/16/17]

(3) 31 मार्च, 2016 को समाप्त हुए वर्ष के लिए कंपनी अधिनियम, 2013 के कार्यकरण और प्रशासन के बारे में दूसरे वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 6533/16/17]

(4) चार्टर्ड अकाउंटेंट अधिनियम, 1949 की धारा 30ख के अंतर्गत अधिसूचना सं. 1-सीए(7)/179/2017 जो 9 फरवरी के भारत के राजपत्र में प्रकाशित हुई थी तथा जिसके द्वारा उसमें उल्लिखित सदस्यों के रजिस्टर में नाम की प्रविष्टि के लिए शुल्क की दरों, वार्षिक सदस्यता शुल्क, वार्षिक व्यवसाय शुल्क प्रमाणपत्र तथा सदस्यों के रजिस्टर में नाम का पुनःस्थापन शुल्क अधिसूचित किया गया है, की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 6534/16/17]

(5) कंपनी अधिनियम, 2013 की धारा 469 की उपधारा (4) के अंतर्गत विनिधानकर्ता शिक्षा और संरक्षण निधि प्राधिकरण (महाप्रबंधक और सहायक महाप्रबंधक की नियुक्ति, वेतन तथा सेवा के अन्य निबंधन और शर्तों) नियम, 2017 जो 18 जनवरी, 2017 के भारत के राजपत्र में अधिसूचना सं. सा.का.नि. 46(अ) में प्रकाशित हुए थे, की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 6535/16/17]

(6) संविधान के अनुच्छेद 151(1) के अंतर्गत निम्नलिखित पत्रों की एक-एक प्रति (हिन्दी तथा अंग्रेजी संस्करण):-

(एक) मार्च, 2016 को समाप्त हुए वर्ष के लिए भारत के नियंत्रक-महालेखापरीक्षक का प्रतिवेदन - संघ सरकार (2016 का प्रतिवेदन संख्यांक 41)- राजस्व विभाग (अप्रत्यक्ष कर-सेवा कर)।

[Placed in Library, See No. LT 6536/16/17]

- (दो) भारत के नियंत्रक-महालेखापरीक्षक का प्रतिवेदन - संघ सरकार (2016 का प्रतिवेदन संख्यांक 40) (निष्पादन लेखापरीक्षा) - एयर इंडियर लिमिटेड, नागर विमानन मंत्रालय की टर्न अराउण्ड योजना तथा वित्तीय पुनर्गठन योजना।
[Placed in Library, See No. LT 6537/16/17]
- (तीन) मार्च, 2016 को समाप्त हुए वर्ष के लिए भारत के नियंत्रक-महालेखापरीक्षक का प्रतिवेदन - संघ सरकार (रेल) (2016 का संख्यांक 37)- रेल वित्त।
[Placed in Library, See No. LT 6538/16/17]
- (चार) मार्च, 2016 को समाप्त हुए वर्ष के लिए भारत के नियंत्रक-महालेखापरीक्षक का प्रतिवेदन - संघ सरकार (2016 का संख्यांक 1)- राजस्व विभाग-सीमा शुल्क (अनुपालन लेखा परीक्षा)।
[Placed in Library, See No. LT 6539/16/17]
- (पाँच) मार्च, 2016 को समाप्त हुए वर्ष के लिए आर्मी बेस वर्कशॉप के कार्यकरण के बारे में भारत के नियंत्रक-महालेखापरीक्षक का प्रतिवेदन - संघ सरकार (2016 का प्रतिवेदन संख्यांक 36) (निष्पादन लेखा परीक्षा)-(रक्षा सेवाएं-थल सेना)।
[Placed in Library, See No. LT 6540/16/17]
- (छह) मार्च, 2016 को समाप्त हुए वर्ष के लिए भारत के नियंत्रक-महालेखापरीक्षक का प्रतिवेदन - संघ सरकार (राजस्व विभाग-अप्रत्यक्ष कर-सीमा शुल्क)। (2016 का प्रतिवेदन संख्यांक 42) प्रोजेक्ट इम्पोर्ट्स के बारे में निष्पादन लेखा परीक्षा।
[Placed in Library, See No. LT 6541/16/17]
- (सात) मार्च, 2016 को समाप्त हुए वर्ष के लिए कैंटीन स्टोर्स विभाग के कार्यकरण के बारे में भारत के नियंत्रक-महालेखापरीक्षक का प्रतिवेदन - संघ सरकार (2016 का प्रतिवेदन संख्यांक 38) (निष्पादन लेखा परीक्षा)-(रक्षा सेवाएं-थल सेना)।
[Placed in Library, See No. LT 6542/16/17]
- (आठ) मार्च, 2016 को समाप्त हुए वर्ष के लिए भारत के नियंत्रक-महालेखापरीक्षक का प्रतिवेदन - संघ सरकार (2017 का संख्यांक 2)- (राजस्व विभाग-प्रत्यक्ष कर)।
[Placed in Library, See No. LT 6543/16/17]
- (नौ) मार्च, 2016 को समाप्त हुए वर्ष के लिए सीमा सड़क संगठन द्वारा भारत-चीन सीमा सड़कों के विनिर्माण के बारे में भारत के नियंत्रक-महालेखापरीक्षक का प्रतिवेदन - संघ सरकार (2017 का प्रतिवेदन संख्यांक 5)- (निष्पादन लेखा परीक्षा)-(रक्षा सेवाएं-थल सेना)।
[Placed in Library, See No. LT 6544/16/17]
- (दस) मार्च, 2016 को समाप्त हुए वर्ष के लिए भारत के नियंत्रक-महालेखापरीक्षक का प्रतिवेदन - संघ सरकार (2017 का प्रतिवेदन संख्यांक 4)- टीडीएस/टीसीएस स्कीमों का लागू किया जाना, राजस्व विभाग-अप्रत्यक्ष कर।
[Placed in Library, See No. LT 6545/16/17]

(ग्यारह) मार्च, 2016 को समाप्त हुए वर्ष के लिए भारत के नियंत्रक-महालेखापरीक्षक का प्रतिवेदन - संघ सरकार (2017 का संख्यांक 3)- (राजस्व विभाग) (अप्रत्यक्ष कर-केन्द्रीय उत्पाद शुल्क)।

[Placed in Library, See No. LT 6546/16/17]

(बारह) मार्च, 2016 को समाप्त हुए वर्ष के लिए भारत के नियंत्रक-महालेखापरीक्षक का प्रतिवेदन - संघ सरकार (2017 का प्रतिवेदन संख्यांक 39)- पर्यावरणीय निर्वाधन तथा निर्वाधन-पश्चात् निगरानी, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के बारे में निष्पादन लेखा परीक्षा।

[Placed in Library, See No. LT 6547/16/17]

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

(एक) वर्ष 2015-2016 के लिए भारतीय रेल के विनियोग लेखे (भाग एक-समीक्षा)।

(दो) वर्ष 2015-2016 के लिए भारतीय रेल के विनियोग लेखे (भाग दो-विस्तृत विनियोग लेखे)।

(तीन) वर्ष 2015-2016 के लिए भारतीय रेल के विनियोग लेखे (भाग दो-विस्तृत विनियोग लेखे)

(संलग्नक-छ)।

[Placed in Library, See No. LT 6548/16/17]

महिला और बाल विकास मंत्रालय में राज्य मंत्री (श्रीमती कृष्णा राज): महोदय, मैं निम्नलिखित पत्र सभा पटल पर रखती हूँ:-

(1) किशोर न्याय (बालकों की देखरेख और संरक्षण) अधिनियम, 2015 की धारा 110 की उप-धारा (3) के अंतर्गत दत्तक ग्रहण विनियम, 2017 जो 4 जनवरी, 2017 के भारत के राजपत्र में अधिसूचना सं. सा.का.नि. 3 (अ) में प्रकाशित हुए थे, की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)

[Placed in Library, See No. LT 6549/16/17]

(2) राष्ट्रीय खाद्य सुरक्षा अधिनियम, 2013 की धारा 39 की उपधारा (3) के अंतर्गत संपूरक पोषण (एकीकृत बाल विकास सेवा स्कीम के अंतर्गत) नियम, 2017 जो 20 फरवरी, 2017 के भारत के राजपत्र में अधिसूचना संख्या सा.का.नि. 149(अ) में प्रकाशित हुए थे, की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)

[Placed in Library, See No. LT 6550/16/17]

HON. DEPUTY-SPEAKER: Sl. No. 7. Dr. Subhash Ramrao Bhamre.

SHRI MALLIKARJUN KHARGE (GULBARGA): Sir, what is going on? The Hon. Minister is not present to lay his papers in the House... (*Interruptions*)

HON. DEPUTY-SPEAKER: No. He is here and is laying his papers.

... (*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (DR. SUBHASH RAMRAO BHAMRE): Sir, I beg to lay on the Table:-

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (4) of Section 347 of the Cantonments Act, 2006:-

- (i) The Cantonments (Execution of Warrants for the Attachment and Sale of Immovable Property) Rules, 2016 published in Notification No. S.R.O.14(E) in Gazette of India dated 30th December, 2016.
- (ii) The Transfer of Property in Cantonments (Form of notice and manner of giving such notice) Rules, 2016 published in Notification No. S.R.O.15(E) in Gazette of India dated 30th December, 2016.
- (iii) The Cantonments (Forms and Manner of Service of Notices) Rules, 2017 published in Notification No. S.R.O.2(E) in Gazette of India dated 24th January, 2017.

[Placed in Library, See No. LT 6551/16/17]

12.03 hours**BUSINESS ADVISORY COMMITTEE**
40th Report

कृषि और किसान कल्याण मंत्रालय में राज्य मंत्री तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री एस.एस.अहलुवालिया): महोदय, मैं कार्य मंत्रणा समिति का 40वां प्रतिवेदन प्रस्तुत करता हूँ।

12.03 ¼ hours**STANDING COMMITTEE ON AGRICULTURE**
35th to 37th Reports

श्री सत्यपाल सिंह (सम्भल) : उपाध्यक्ष महोदय, मैं श्री हुक्मदेव नारायण यादव की ओर से कृषि संबंधी स्थायी समिति के निम्नलिखित प्रतिवेदन (हिन्दी तथा अंग्रेजी संस्करण) (सोलहवीं लोक सभा) प्रस्तुत करता हूँ:-

- (1) कृषि और किसान कल्याण मंत्रालय (कृषि, सहकारिता और किसान कल्याण विभाग)की अनुदानों की मांगों (2017-2018) के बारे में 35वां प्रतिवेदन।
 - (2) कृषि और किसान कल्याण मंत्रालय (कृषि अनुसंधान और शिक्षा विभाग)की अनुदानों की मांगों (2017-2018) के बारे में 36वां प्रतिवेदन।
 - (3) कृषि और किसान कल्याण मंत्रालय (पशुपालन, डेयरी और मत्स्यपालन विभाग)की अनुदानों की मांगों (2017-2018) के बारे में 37वां प्रतिवेदन।
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12.03 ½ hours**STANDING COMMITTEE ON ENERGY**
26th and 27th Reports

डॉ. वीरेन्द्र कुमार (टीकमगढ़) : उपाध्यक्ष महोदय, मैं ऊर्जा संबंधी स्थायी समिति (2016-17) के निम्नलिखित प्रतिवेदन (हिन्दी तथा अंग्रेजी संस्करण) प्रस्तुत करता हूँ:-

- (1) वर्ष 2017-2018 के लिए विद्युत मंत्रालय से संबंधित अनुदानों की मांगों के बारे में 26वां प्रतिवेदन।
- (2) वर्ष 2017-2018 के लिए नवीन और नवीकरणीय ऊर्जा मंत्रालय से संबंधित अनुदानों की मांगों के बारे में 26वां प्रतिवेदन।

12.04 hours**STANDING COMMITTEE ON RAILWAYS**
13th Report

श्री गणेश सिंह (सतना) : उपाध्यक्ष महोदय, मैं 'रेल मंत्रालय की अनुदानों की मांगों - 2017-18' के बारे में रेल संबंधी स्थायी समिति का 13वां प्रतिवेदन (हिन्दी तथा अंग्रेजी संस्करण) प्रस्तुत करता हूँ।

12.04 ½ hours**STANDING COMMITTEE ON COAL AND STEEL**
27th Report

श्री राकेश सिंह (जबलपुर) : उपाध्यक्ष महोदय, मैं कोयला मंत्रालय से संबंधित 'अनुदानों की मांगों (2017-18)' के बारे में कोयला और इस्पात संबंधी स्थायी समिति का 27वां प्रतिवेदन (हिन्दी और अंग्रेजी) संस्करण में प्रस्तुत करता हूँ।

12.05 hours**BUSINESS OF THE HOUSE**

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND FARMERS WELFARE AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S.S. AHLUWALIA): With your permission, Madam, I rise to announce that Government Business during the week commencing Tuesday, the 14th of March, 2017 will consist of:-

1. Consideration of any items of Government Business carried over from today's order paper: - [**It contains Consideration and passing of the Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2016**]
2. Consideration and agreeing to the amendments made by Rajya Sabha in the Enemy Property (Amendment and Validation) Bill, 2016 as passed by Lok Sabha and as reported by Select Committee of Rajya Sabha, after it is passed by Rajya Sabha;
3. Discussion and voting on Demands for Grants for 2017-18 of the following Ministries:-
 - (i) Railways
 - (ii) Home Affairs
 - (iii) Defence
 - (iv) Agriculture
 - (v) Coal
4. Presentation of the Third Supplementary Demands for Grants for 2016-17.

SHRI K. ASHOK KUMAR (KRISHNAGIRI): Sir, the following item may be taken for discussion during the next week business.

In my parliamentary constituency Krishnagiri, Denkanikottai is a backward area and Hosur is an industrial area. It is suitable for setting up of a NIPER and CIPET unit respectively.

The nationally recognized skill qualification training programs for providing skills that will secure a better livelihood in today's competitive work

environment through better employment opportunities. The skill training offered is designed to tap the job potential of the growing industry and unemployed youth in my constituency.

HON. DEPUTY SPEAKER: Shri Prataprao Jadhav, are you not raising your submission?

श्री राम टहल चौधरी (राँची) : उपाध्यक्ष महोदय, अगले सप्ताह की कार्यवाही के दौरान मेरे निम्नलिखित एजेंडों को शामिल करने हेतु अनुमति प्रदान करने की कृपा करें।

मेरे संसदीय क्षेत्र राँची में एयरपोर्ट के करीब मौजा हुण्डरु थाना डोरण्डा के गांववासियों की, जो रैयती जमीन है इस क्षेत्र में पिछड़े एवं गरीब लोग रहते हैं एवं आदिवासी बहुमूल्य क्षेत्र है। यहां के लोगों ने मुझे बताया है कि इस रैयती जमीन पर आर्मी के लोग गांव वालों को उनकी पूर्वज जमीन पर खेती नहीं करने दे रहे हैं। मेरी जानकारी में आया है कि आर्मी वाले ग्रामवासियों को धमकी देते हैं कि जमीन पर कोई खेती बाड़ी नहीं करेगा इस जमीन का मुआवजा आपको मिल जाएगा। इस संबंध में उपरोक्त गांव के लोगों को खेती करने एवं उनको सुरक्षित रहने के गारंटी के कार्य सदन की अगले सप्ताह में शामिल किया जाए।

दूसरा मेरे गृह राज्य झारखण्ड में दो सिंचाई परियोजनाएं चंडील बांध एवं ईचा बांध सिंचाई योजना है जिन्हें स्वर्ण रेखा परियोजना के नाम से भी जाना जाता है। यह परियोजनाएं कई दशकों पूर्व शुरू की गई थीं और अभी तक पूरी नहीं हुई हैं। इन परियोजनाओं से आपके रिकॉर्ड अनुसार 61 हजार लोग विस्थापित हुए। संसदीय क्षेत्र में यह परियोजना है जिसके कारण कई बार मैं इसका भ्रमण करने जाता हूं तो लोग मुआवजा, पुनर्वास एवं विकास पुस्तिका नहीं मिलने की बात करते हैं। इस प्रकरण की जांच की जानी चाहिए। सदन की अगले सप्ताह की कार्यवाही में लोगों को पुनर्वास मुआवजा एवं विकास पुस्तिका दिलाए जाने एवं सिंचाई परियोजना की भूमि पर गांव के लोगों को कृषि कार्य करने हेतु भूमि पट्टे पर दिए जाने संबंधी भूमि पट्टे पर दी जाने के कार्य शामिल किया जाए।

श्री शैलेश कुमार (भागलपुर): उपाध्यक्ष महोदय, कृपया निम्न दो विषयों को अगले सप्ताह की कार्यसूची में जोड़ लिया जाए।

आम नागरिकों को सुलभ न्याय दिलाये जाने को ध्यान में रखते बिहार राज्य के भागलपुर में पटना उच्च न्यायालय की एक स्थायी खंडपीठ की स्थापना किए जाने के संबंध में चर्चा कराए जाने की आवश्यकता।

बिहार राज्य के दर्जन भर से ज्यादा जिलों में करोड़ों लोगों के द्वारा बोले जाने वाली अंगिका भाषा को भारतीय संविधान की आठवीं अनुसूची में शामिल किए जाने के संबंध में चर्चा कराए जाने की आवश्यकता।

श्री विद्युत वरन महतो (जमशेदपुर): महोदय, मैं अनुरोध करता हूँ कि मेरे संसदीय क्षेत्र के लोकमहत्व के निम्नलिखित विषयों को अगले सप्ताह की कार्य सूची में शामिल किया जाए।

जमशेदपुर के अंतर्गत जुगसलाई आर.ओ.बी., जिसे पांच वर्ष पूर्व ही स्वीकृति मिल चुकी है एवं राज्य सरकार अपनी सहभागिता भी प्रदान कर चुकी है तथा जमीन भी उपलब्ध करा दी गई है। फिर भी रेल विभाग द्वारा अभी तक किसी प्रकार के काम को शुरू नहीं किया गया है, रेलवे के पदाधिकारी दुलमुल रवैया अपनाते हुए आर.ओ.बी. को सीधा बनाना चाहते हैं, जो कि असंभव है। रेलवे के अनुसार इसमें जमीन कम जरूर लगेगी, लेकिन सैकड़ों करोड़ों रुपये का नुकसान होगा। जनहित में इस नुकसान को बचाने हेतु राज्य सरकार एवं रेल मंत्रालय के बीच आर.ओ.बी. यू टर्न के लिए तय किया गया है, लेकिन रेल विभाग के अनुसार यू टर्न आर.ओ.बी. बनाने हेतु ज्यादा जमीन लगने के कारण रेलवे मंत्रालय के द्वारा सात करोड़ रुपये राज्य सरकार से डिमांड करने के प्रश्न पर यह कार्य लम्बित है। जबकि प्रत्येक दिन इस रूट पर 8 से 10 हजार लोगों का आवागमन होता है। यह लाइन काफी व्यस्त रहने के कारण 30-40 लोगों की प्रति वर्ष लाइन पार करते वक्त मृत्यु हो जाती है।

अतः आपने आग्रह है कि उपर्युक्त विषय को देखते हुए जनहित में अविलम्ब जुगसलाई आर.ओ.बी. के कार्य को चालू किया जाए।

इसके अलावा जमशेदपुर के अंतर्गत जादुगोडा यू.सी.आई.एल. विगत तीन साल से प्रदूषण अनापत्ति प्रमाण पत्र नहीं मिलने के कारण बंद पड़ा हुआ है। यह देश की यूरेनियम सैक्टर की एक बहुत ही महत्वपूर्ण संस्था है। इसलिए मैं केन्द्र सरकार से मांग करता हूँ कि जादुगोडा यू.सी.आई.एल. को पर्यावरण क्लीयरेंस जल्द से जल्द मिले, ताकि राष्ट्र के विकास में जादुगोडा यू.सी.आई.एल. अपनी भागीदारी प्रदान कर सके।

श्री श्रीरंग आप्पा बारणे (मावल): महोदय, मेरे संसदीय क्षेत्र मावल के अंतर्गत माथेरन हिल स्टेशन इको-सेंसिटिव जोन होने के कारण यहां के स्थानीय निवासी अपने पुराने मकानों की मरम्मत नहीं कर सकते हैं, जिसके कारण वहां के लोग अपने पुराने घरों में रहने को मजबूर हैं। अतः इस क्षेत्र के निवासियों को अपने मकानों की मरम्मत किये जाने की अनुमति प्रदान की जाए।

मेरा दूसरा सबमिशन यह है कि माथेरन हिल स्टेशन पर्यटन के लिए प्रसिद्ध होने के कारण यहां प्रतिदिन बहुत से पर्यटक आते हैं और इको-सेंसिटिव जोन होने के कारण यहां पर्यटकों के लिए चलने वाली एक मात्र मिनी ट्रेन को कुछ समय पहले बंद कर दिया गया है। जिसके कारण यहां के स्थानीय निवासी अपने रोजगार खो रहे हैं और इसका पर्यटन पर भी बुरा असर पड़ रहा है। अतः इस मिनी ट्रेन को पुनः चालू करने के विषय को अगले सप्ताह की कार्य सूची में शामिल किया जाए।

श्रीमती रंजीत रंजन (सुपौल) : महोदय, निम्न विषयों को अगले सप्ताह की कार्य-सूची में शामिल किया जाए।

1. उत्तर बिहार के कोसी प्रमंडल के अंतर्गत सहरसा एवं वीरपुर में राज्य सरकार का हवाई अड्डा काफी पुराना है एवं यहां से छोटे विमानों का प्रचालन भी होता है। इस हवाई अड्डे का विस्तार एवं सौंदर्यीकरण कर वाणिज्यिक सेवा शुरू करने से इस क्षेत्र की जनता को सुविधा मिलने के साथ-साथ सरकार के राजस्व में भी वृद्धि होगी। अतः सहरसा एवं वीरपुर हवाई अड्डे का विस्तार एवं सौंदर्यीकरण कर वाणिज्यिक सेवा शुरू करने हेतु सख्त नियम बनाया जाए।

2. मेरे संसदीय क्षेत्र सुपौल के जिला मुख्यालय में रेलवे का फाटक है। इस फाटक से सुपौल जिला के 75 प्रतिशत लोगों का आवागमन अपने दैनिक जरूरतों की पूर्ति के लिए लगा रहता है एवं इसी फाटक से दो राजपथ क्रमशः सुपौल से रानीगंज वाया पिपरा, त्रिवेणीगंज एवं सुपौल से भपटियाही वाया किशनपुर गुजरते हैं तथा इस फाटक के बगल में सुपौल का बड़ा अड्डा भी है। जिसके परिणामस्वरूप वहां भयंकर जाम लगा रहता है। ऐसी परिस्थिति में सुपौल के लोहिया नगर चौक से पिपरा एवं किशनगंज जाने वाली सड़क पर रोड ऊपरी पुल बनाना आवश्यक है। अतः सुपौल के लोहिया नगर चौक से पिपरा एवं किशनगंज जाने वाली सड़क पर सड़क ऊपरी पुल बनाने हेतु सख्त नियम बनाया जाए।

माननीय उपाध्यक्ष : श्री ओम बिरला -- उपस्थित नहीं।

श्री रत्न लाल कटारिया।

श्री रत्न लाल कटारिया (अम्बाला) : महोदय, मैं आदरणीय प्रधान मंत्री जी के ध्यान में लाना चाहता हूं कि मानसून आने पर हमारे देश में जहां कृषि क्षेत्र का काफी फायदा होता है, वहीं हर वर्ष जन-धन की व्यापक हानि होती है और कई राज्य बाढ़ग्रस्त हो जाते हैं। मैं मांग करता हूं कि मानसून आने से पहले युद्ध स्तर पर

जल प्रबंधन व बाढ़ के खतरे को टालने के प्रबंध किये जाएं। मेरा अनुरोध है कि इस विषय को संसद की आगामी कार्यवाही में शामिल किया जाए।

मेरा दूसरा सबमिशन यह है कि चीन के बाद भारत तकरीबन 35 करोड़ इंटरनेट उपभोक्ताओं के साथ विश्व में तीसरे स्थान पर है। भारत में जिस तरह से इंटरनेट के जरिये जीवन में व्यापक बदलाव आ रहा है, उससे न केवल हमारे सूचना एवं शिक्षा के क्षेत्र में, बल्कि बैंकिंग और सरकारी सेवाओं तक इंटरनेट की सुलभ पहुंच महत्वपूर्ण भूमिका निभा रही है। मैं मांग करता हूं कि संसद की आगामी कार्यवाही में भारत में डिजिटल क्रांति के विषय को शामिल किया जाए।

डॉ. वीरेन्द्र कुमार (टीकमगढ़) : उपाध्यक्ष महोदय, कृपया अगले सप्ताह की कार्य-सूची में निम्नलिखित विषयों का समावेश किया जाए:-

1. मध्य प्रदेश के मेरे संसदीय क्षेत्र छतरपुर जिले में एन.टी.पी.सी. के शिलन्यास का कार्य सन् 2014 के लोक सभा चुनाव के पूर्व किया गया था, किंतु निर्माण कार्य में प्रगति काफी धीमी है। अतः पर्यावरण संबंधी स्वीकृति एवं अन्य बाधाओं को दूर कर शीघ्र कार्य प्रारंभ कराया जाए।
2. मध्य प्रदेश के बुंदेलखण्ड का टीकमगढ़-छतरपुर क्षेत्र चिकित्सा सुविधाओं की दृष्टि से काफी पिछड़ा हुआ है। मेडिकल कॉलेजों के दूर होने से बड़ी संख्या में मरीजों को जान से हाथ धोना पड़ता है। अतः टीकमगढ़-छतरपुर में केंद्र सरकार द्वारा मेडिकल कॉलेज खोलने की शीघ्र कर्वाइ की जाए।

श्री प्रतापराव जाधव (बुलढाणा) : उपाध्यक्ष महोदय, कृपया अगले सप्ताह की कार्यवाही के दौरान मेरे निम्नलिखित एजेंडों को शामिल करने हेतु अनुमति प्रदान करने की कृपा करें:-

1. देश के अकुशल मजदूरों को खेती में लगाकर उनको मनरेगा के अंतर्गत पूरे सौ कार्य-दिवस उपलब्ध कराने और देश के उत्पादन को बढ़ाने के लिए मनरेगा को कृषि के साथ जोड़ने एवं उनको वेतन मनरेगा द्वारा दिए जाने के कार्य।
2. कृषि के हर क्षेत्र में उन्नत इजरायल की तरह देश में कृषि उत्पादन को बढ़ाने के लिए आधुनिक तकनीक द्वारा कृषि कार्य करने हेतु किसानों को कौशल विकास अंतर्गत प्रशिक्षण दिए जाने का कार्य किया जाय, जिससे कम से कम भूमि पर अधिक से अधिक उत्पादन किया जा सके।

12.16 hours

ELECTIONS TO COMMITTEES

(i) Central Advisory Committee for National Cadet Corps

THE MINISTER OF DEFENCE (SHRI MANOHAR PARRIKAR): I beg to move:

“That in pursuance of clause (i) of sub-section (1) of Section 12 of the National Cadet Corps Act, 1948 the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from amongst themselves to serve as members of the Central Advisory Committee for the National Cadet Corps, subject to the other provisions of the said Act and rules made thereunder.”

HON. DEPUTY SPEAKER: The question is:

“That in pursuance of clause (i) of sub-section (1) of Section 12 of the National Cadet Corps Act, 1948 the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from amongst themselves to serve as members of the Central Advisory Committee for the National Cadet Corps, subject to the other provisions of the said Act and rules made thereunder.”

The motion was adopted.

12.17 hours**(ii) Court of University of Allahabad**

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI PRAKASH JAVADEKAR): I beg to move:

“That in pursuance of statute 8(1)(e) read with statute 8(2) of the statutes of University of Allahabad Act, 2005 the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from amongst themselves to serve as members of the Court of University of Allahabad, for a term of three years subject to the other provisions of the said Act and the regulations made thereunder.”

HON. DEPUTY SPEAKER: The question is:

“That in pursuance of statute 8(1)(e) read with statute 8(2) of the statutes of University of Allahabad Act, 2005 the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from amongst themselves to serve as members of the Court of University of Allahabad, for a term of three years subject to the other provisions of the said Act and the regulations made thereunder.”

The motion was adopted.

12.18 hours**(iii) Coffee Board**

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): I beg to move:

“That in pursuance of sub-section (2) of section 4 of the Coffee Act, 1942 the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from amongst themselves to serve as members of the Coffee Board till 14 December, 2018, subject to the other provisions of the said Act and the rules made thereunder.”

HON. DEPUTY SPEAKER: The question is:

“That in pursuance of sub-section (2) of section 4 of the Coffee Act, 1942 the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from amongst themselves to serve as members of the Coffee Board till 14 December, 2018, subject to the other provisions of the said Act and the rules made thereunder.”

The motion was adopted.

12.19 hours**CONSTITUTION (SCHEDULED CASTES) ORDERS
(AMENDMENT) BILL, 2017***

सामाजिक न्याय और अधिकारिता मंत्री (श्री थावर चंद गहलोत) : महोदय, मैं प्रस्ताव करता हूँ कि संविधान (अनुसूचित जातियाँ) आदेश, 1950 को ओडिशा राज्य में अनुसूचित जातियों की सूची को उपान्तरित करने और संविधान (पांडिचेरी) अनुसूचित जातियाँ आदेश, 1964 का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति प्रदान की जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution (Scheduled Castes) Order, 1950 to modify the list of Scheduled Castes in the State of Odisha and to amend the Constitution (Pondicherry) Scheduled Castes Order, 1964.”

The motion was adopted.

श्री थावर चंद गहलोत : महोदय, मैं विधेयक को पुरःस्थापित** करता हूँ।

* Published in the Gazette of India, Extraordinary, Part-II, Section 2 dated 10.03.2017.

** Introduced with the recommendation of the President.

HON. DEPUTY SPEAKER: Now, we are taking up the 'Zero Hour; Mallikarjun Kharge *ji*.

12.20 hours

SUBMISSION BY MEMBERS

Re: Steep hike in prices of non-subsidized LPG and relentless increase in prices of petrol and diesel inspite of fall in prices of Crude oil in the international market

SHRI MALLIKARJUN KHARGE (GULBARGA): Sir, on price rise, Venugopal *ji* will speak and I am going to speak on drought. So, first he will take up the issue of price rise because it is concerned to all the Members and also to the general public. So, he will raise it.

HON. DEPUTY SPEAKER: You are not raising it.

SHRI MALLIKARJUN KHARGE : No; he will raise it.

THE MINISTER OF CHEMICALS AND FERTILIZERS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI ANANTHKUMAR): I would only request the hon. Leader of the Opposition that it is not a short duration discussion. It is only raising of the important issues. Therefore, it should be limited to that.

SHRI MALLIKARJUN KHARGE : He has also given a separate notice; I have also given a separate notice. Therefore, his notice should be taken.

HON. DEPUTY SPEAKER: You speak; I will call him also.

SHRI MALLIKARJUN KHARGE : Yes. Then it is all right. Thank you very much.

महोदय, केन्द्र सरकार ने अब तक की सबसे बड़ी बढ़ोत्तरी करते हुए बिना सब्सिडी वाले एल.पी.जी. गैस सिलेन्डर के दाम बढ़ा दिये हैं। अन्तर्राष्ट्रीय बाजार में कच्चे तेल की कीमतें लगातार गिरने के बावजूद पेट्रोल और डीजल के दामों में बार-बार बढ़ोत्तरी के कारण जनता न सिर्फ परेशान है, बल्कि बहुत उत्तेजित है और लोग सरकार से जवाब चाहते हैं।

महोदय, मैं आपके सामने चन्द आँकड़े रखूँगा, क्योंकि जब से मोदी जी की गवर्नमेंट आयी है।... (व्यवधान)

SHRI R.K. SINGH (ARRAH): Sir, I have a point of order.

HON. DEPUTY SPEAKER: No; in the 'Zero Hour' there is no point of order.

... (Interruptions)

HON. DEPUTY SPEAKER: Kcharge ji, address the Chair.

... (Interruptions)

श्री मल्लिकार्जुन खड़गे : खुद मोदी साहब बोलते हैं मेरी गवर्नमेंट तो आप क्यों परेशान हैं।... (व्यवधान) वे मेरी गवर्नमेंट, मेरी गवर्नमेंट, मेरी गवर्नमेंट बोलते हैं। कभी उनके मुँह से बीजेपी गवर्नमेंट नहीं निकला है।... (व्यवधान) यह मोदी जी की गवर्नमेंट है।... (व्यवधान) मैं आपकी अनुमति से बोल रहा हूँ।... (व्यवधान) मोदी जी की गवर्नमेंट आने के बाद आम जनता महँगाई की मार से परेशान है। खासकर लास्ट ईयर पल्सेज के बारे में सबको मालूम है कि पल्सेज बहुत महँगे हुए थे तो इसीलिए इम्पोर्ट करने का आपने ऐलान किया, लेकिन अब पल्सेज के दाम इतने गिर गये हैं कि उसको एम.एस.पी. से खरीदें तो भी आज किसान को उसकी कीमत नहीं मिल रही है। उसको एक बोनस के रूप आपको कुछ न कुछ देना पड़ेगा। वह बात और है। 01 मार्च 2017 की रात को 11 बजे एक बार फिर देश के लोगों पर सरकार ने एक बहुत बड़ा बोझा डाला। बिना सब्सिडी वाले एल.पी.जी. गैस सिलेन्डर के दाम में कम से कम 86 रुपये की बढ़ोत्तरी की। वर्ष 2016 में नॉन सब्सिडाइज एल.पी.जी. सिलेन्डर का रेट 466 रुपये था और इसको 6 बार बढ़ाया गया। आज इसका रेट 737 रुपये है यानी लगभग दो साल में 271 रुपये की केवल गैस सिलेन्डर में बढ़ोत्तरी कर दी गयी है। यह लगभग 58 प्रतिशत से ज्यादा है। यह दर्शाता है कि गरीबों के बारे में जो बार-बार आप कहते हैं कि हमारे आने के बाद हमने लोगों को बहुत सुविधा दी है और उनकी कठिनाइयों को कम कर दिया है, लेकिन अगर आप इन आँकड़ों को देखेंगे तो इनसे यह मालूम होता है कि आपने कितना परसेन्टेज दाम बढ़ाया है।

दूसरी चीज, अभी हाल ही में, जनवरी में पेट्रोल के दाम आपने 42 पैसे बढ़ाये हैं, डीजल के दाम में एक रुपये तीन पैसे की बढ़ोत्तरी की है। इसी ढंग से जब इंटरनेशनल मार्केट में अगर क्रूड ऑयल का प्राइस कम है तो नेचुरली पेट्रोल और डीजल के दाम भी कम होने चाहिए।

मैं उदाहरण के तौर पर आपके सामने यह रखना चाहता हूँ। वर्ष 2012 में यह 122 डॉलर प्रति बैरल था। उस वक्त नॉन-सब्सिडाइज्ड एल.पी.जी. की रेट 345 रुपए थी और पेट्रोल प्रति लीटर 58 रुपए था और डीजल 37 रुपए था। वर्ष 2016 में क्रूड ऑयल 33 डॉलर प्रति बैरल था। जब यह 122 था तो उस

वक्त एल.पी.जी. सिलिन्डर 345 रुपए में थी। आज 33 डॉलर है तो सिलिन्डर 513 रुपए है, पेट्रोल 56 रुपए प्रति लीटर है और डीज़ल 46 रुपए प्रति लीटर है। इंटरनेशनल मार्केट में इतने कम दाम में मिलने के बावजूद भी अगर सरकार एल.पी.जी. के दाम में इतनी बढ़ोतरी करती है, पेट्रोल के दाम में बढ़ोतरी करती है, डीज़ल के दाम में बढ़ोतरी करती है तो आप देखिए कि यह गवर्नमेंट गरीबों के ऊपर कितना बोझा डाल रही है। मुझे मालूम नहीं हो रहा कि इसके बावजूद भी वे हमेशा कहते हैं कि हम जनता के साथ हैं, सबके साथ हैं। आप किनके साथ हैं?... (व्यवधान)

श्री गजेन्द्र सिंह शेखावत (जोधपुर) : यह तो कल पता चल जाएगा।... (व्यवधान)

श्री मल्लिकार्जुन खड़गे : पता तो चल जाएगा, पर यह जो बढ़ोतरी हुई है, क्या यह* है? डीज़ल, क्रूड ऑयल के प्राइसेस इंटरनेशनल मार्केट में कम हुए हैं, क्या यह ...* है? Sir, this is very important.

HON. DEPUTY SPEAKER: You have to make only a point in 'Zero Hour'. Debate is not going on.

SHRI MALLIKARJUN KHARGE : That is why, I request you the Government should reply this. Where has this money gone? In spite of so much difference of prices, they got a lot of money.

HON. DEPUTY SPEAKER: I will ask him to reply.

SHRI MALLIKARJUN KHARGE : Therefore, I want they should withdraw these prices and they should bring back and they should give the benefit of difference of prices what it was in 2012 and what is it in 2016. The difference should be wiped out.

HON. DEPUTY-SPEAKER: Shri Mullappally Ramachandran, Dr. A. Sampath, Shri Sankar Prasad Datta, Shri Md. Badaruddoza Khan are permitted to associate with the issue raised by Shri Mallikarjun Kharge.

SHRI N.K. PREMACHANDRAN (KOLLAM): Thank you very much Mr. Deputy Speaker Sir.

My 'Zero Hour' submission is with regard to the escalating prices of the LPG gas. Sir, I fully endorse the views which have been expressed by the Leader

* Not recorded.

of the Congress Party hon. Kharge Ji regarding the price rise in respect of LPG, diesel, petrol and almost all the petroleum products.

Sir, you may kindly see at the time of deregulation of the petroleum products when the liberalization process took place in the country and when the administered price mechanism has been taken away in respect of the petroleum products, the assurance given by the then Government and all these Governments was that whenever the international price of the crude oil increases, definitely, the prices of petrol, diesel and gas will also increase. Whenever the international price of crude oil decreases, definitely, the prices of petrol, diesel and LPG will also decrease. So, that benefit will be passed on to the common poor people of this country. But unfortunately, the crude oil price, per barrel was 150 dollars at that time. When you compare the prices of the petroleum products especially petrol and diesel at that time and now, it is below 50 US dollars and you see it is going in the reverse direction. LPG is a non-subsidized cooking gas. Who is using this non-subsidized cooking gas? It is being used by the middle class people of this country or the salaried class of this country. It is adversely affecting the common people, the middle class people and on 1st February, Rs. 62 has been increased and subsequently Rs. 86 has been increased per cylinder of LPG. Within two years, Rs. 271 per cylinder increase means it has never been heard of. So, my submission is we want a specific answer from the Government. I demand the withdrawal of the LPG price rise. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Advocate Joice George is permitted to associate with the issue raised by Shri Mallikarjun Kharge.

You can also associate with this matter.

SHRI K.C. VENUGOPAL (ALAPPUZHA): Sir, in the previous Session, our hon. Prime Minister had made a tall claim that around one crore people have given up their subsidy given by the Government. That is what the Prime Minister had told this House. What happened to them? They are severely cheated by this

Government. This increase in the price of non-subsidised LPG will affect them. ...
(Interruptions) Sir, I will tell this House. It must be noted that within six months the Government has increased the price of non-subsidised LPG by Rs. 245. Last time they got an increase of Rs.85.

HON. DEPUTY SPEAKER: That is all right. Now, Mr. Minister.

... *(Interruptions)*

HON. DEPUTY SPEAKER: You go on repeating the same point.

... *(Interruptions)*

HON. DEPUTY SPEAKER: Do not repeat what you have already said.

SHRI ANANTHKUMAR: Sir, it is not a debate.

SHRI K.C. VENUGOPAL : Sir, there is a hike of Rs.2 in the subsidized LPG also for every month. This steepest increase is coming when the oil prices internationally are coming down. What is the justification? ... *(Interruptions)*

What is this?... *(Interruptions)*

HON. DEPUTY-SPEAKER: Shri D.K. Suresh and Dr. Mamtaz Sanghamita are permitted to associate with the issue raised by Shri K.C. Venugopal.

श्री अनन्तकुमार: उपाध्यक्ष महोदय जी,...(व्यवधान) श्री मल्लिकार्जुन खड़गे साहब ने इस सदन में एल.पी.जी. के दाम बढ़ाने के विषय के बारे में मुद्दा उठाया है। ..(व्यवधान) मैं आपके माध्यम से उनको इतना ही कहना चाहूंगा कि वह एक अनुभवी सदस्य होने के बावजूद सदन में बोले तो वे तथ्यों को रखें। ..(व्यवधान)

Let him only keep the facts before the House. He should not mislead the House. Sir, there are 19.17 crore LPG connections in the country. On behalf of our Government, the Government of India, Narendra Modi's Government, I want to thank and congratulate all those 1.1 crore people.

SHRI K.C. VENUGOPAL : They were cheated by yourself.

SHRI ANANTHKUMAR: Out of these connections, 1.1 crore people have voluntarily said, we do not want this subsidy; we can afford this LPG. They have given up voluntarily. 'Give it up' is a voluntary one. There was no force on them.... *(Interruptions)*

Secondly, I also want to tell our hon. Members that more than 19 crore people who are from the poorer sections, from the villages, who are downtrodden people, are enjoying and they are being given the full amount of subsidy. There is no cut in that subsidy. The subsidy amount is Rs.13,127 crore. The Government of India is giving Rs.270 subsidy per cylinder and the gas company is giving Rs.32 from that. We are supplying 116 crore subsidized LPG cylinders every year.

SHRI K.C. VENUGOPAL : The entire salaried people are affected by this.

SHRI ANANTHKUMAR: Regarding the small hike of Rs.86 for this....
(*Interruptions*) I am giving my answer.

HON. DEPUTY SPEAKER: Let him complete.

SHRI ANANTHKUMAR: I am responding to you. I want to bring to the knowledge of our friends that the international price of LPG was 471 US dollars per metric tonne. This price of 471 US dollars per metric tonne in the last one month has risen to 564 US dollars. There has been an increase of nearly 90 dollars. ... (*Interruptions*) To offset that increase, there has been a marginal increase.

Now, our Kharge Saheb is telling here that there has been continuous increase in the price of LPG cylinders. But he has happily forgotten that in 2010, Dr. Manmohan Singh Government was there. Under him, there was an EGoM. In that EGoM, it was decided that every month Rs.2 per cylinder should be increased. That is still in vogue. Therefore, if at all that continuous increasing of the LPG cylinder price by two rupees was started by somebody, the entire credit should go to Shri Mallikarjun Kharge and Dr. Manmohan Singh. They had started it and they have sweetly and happily forgotten it. He is misleading the House. ... (*Interruptions*)

Lastly, under the leadership of our Prime Minister, Narendra Bhai Modi, we have started Ujjawala Yojana under which the Government is giving free LPG connections to the down-trodden people. ... (*Interruptions*) s

SHRI MALLIKARJUN KHARGE : Sir, I have a strong objection.

HON DEPUTY SPEAKER: Let him speak.

... (*Interruptions*)

SHRI ANANTHKUMAR: For 2016-17, our target was of giving 1.5 crore such connections, but I want to compliment the hon. Minister of Petroleum, Shri Dharmendra Pradhan, and his Ministry for having given in last one year two crore connections to the down trodden people. ... (*Interruptions*)

12.36 hours

(At this stage, Shri Mallikarjun Kharge, Prof. Saugata Roy, Shri P. Karunakaran and some other hon. Members left the House.)

HON. DEPUTY SPEAKER: Now, Shrimati Pratima Mondal.

... (*Interruptions*)

HON. DEPUTY SPEAKER: Shri Vishnu Dayal Ram.

श्री विष्णु दयाल राम (पलामू) : उपाध्यक्ष महोदय, मैं आपके प्रति आभारी हूँ कि आपने मेरे संसदीय क्षेत्र पलामू से संबंधित एक अत्यन्त महत्वपूर्ण विषय को सदन में उठाने का मौका मुझे दिया है।

महोदय, पलामू की पहचान पलाश, लाह और महुआ के उत्पादन से होती है। पलाश के फूल से गुलाल बनता है और लाह से चूड़ियां बनती हैं। महुआ के उत्पादन का क्या उपयोग होता है, यह सर्वविदित है। दुर्भाग्य यह है कि आज तक पलाश, लाह और महुआ जैसे रोजगारपरक उत्पादों पर आधारित किसी प्रकार की औद्योगिक इकाई की स्थापना की प्रशासनिक स्तर पर कोई कार्य योजना नहीं है।

भारत सरकार के लघु, सूक्ष्म और मध्यम उद्यम मंत्रालय ने जुलाई, 2016 में एक रिपोर्ट प्रकाशित की है। इसमें बताया गया है कि पलामू जिले की 12 लाख से ज्यादा आबादी के बीच केवल 300 छोटी-छोटी औद्योगिक इकाइयां हैं और इन इकाइयों में भी वर्ष 2000 से लेकर 2016 के बीच केवल 19 करोड़ रुपए का निवेश हुआ है और मात्र 5,893 व्यक्तियों को रोजगार मिला है। इस रिपोर्ट में आगे यह कहा गया है कि कृषि आधारित उद्योगों में वहां पर अपार संभावनाएं हैं। इसके तहत बागवानी, पशुपालन, मत्स्यपालन और खाद्य प्रसंस्करण के क्षेत्र में जिले में जबरदस्त संभावनाएं हैं।

मैं आपके माध्यम से इस रिपोर्ट पर गौर करने का अनुरोध माननीय मंत्री जी से करना चाहता हूँ और इसके साथ-साथ यह भी निवेदन करना चाहता हूँ कि जिले में दुग्ध उत्पादन, मत्स्य पालन और फूड प्रोसेसिंग की अपार संभावनाएं हैं, तो इस दिशा में केन्द्रीय सरकार के स्तर से भी इस जिले की आर्थिक स्थिति को सम्पन्न बनाने की आवश्यकता है और कार्रवाई करने की आवश्यकता है।

HON. DEPUTY-SPEAKER: Shri Bhairon Prasad Mishra and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Shri Vishnu Dayal Ram.

SHRIMATI PRATIMA MONDAL (JAYANAGAR): Sir, we are well aware that generic medicine is much cheaper than the branded medicine, but it is very unfortunate that most of the doctors do not prescribe medicine by its generic name and this is the main reason for not getting the generic medicine in the pharmacy. People are not aware of the benefits of generic medicine and its cost advantage. So, I would like to request the hon. Minister of Health, through you Sir, to ensure that the doctors prescribe medicines by their generic names and create awareness among the people about the use of generic medicines.

I would also request that district-wise Helpline Support Centres should be formed with infrastructure, with capital support from the Centre to provide live assistance to the patients with regard to low priced medicines and lodging of complaints.

Thank you.

HON. DEPUTY-SPEAKER: Shri George Baker and Dr. Kirit P. Solanki are permitted to associate with the issue raised by Shrimati Pratima Mondal.

श्री विनायक भाऊराव राजूत (रत्नागिरी-सिंधुदुर्ग) : उपाध्यक्ष महोदय, मैं महाराष्ट्र के विदर्भ, मराठवाड़ा, उत्तर महाराष्ट्र के कई किसानों की एक गंभीर समस्या इस सभा गृह में शून्य काल के माध्यम से रखना चाहता हूँ। महाराष्ट्र के किसानों की हालत बहुत गंभीर हो चुकी है। फल उत्पादक किसानों, धान उत्पादक किसानों को इतनी परेशानी सहन करनी पड़ रही है कि पिछले एक महीने में कम से कम 1200 किसानों ने आत्महत्या कर ली। पिछले दो वर्षों में महाराष्ट्र में 9000 किसानों ने खुदकुशी की। इतना ही नहीं, 8 मार्च को महाराष्ट्र के 3 किसान मंत्रालय में आए और मुख्य मंत्री महोदय के वहां उन्होंने खुदकुशी करने का प्रयास किया। गंभीरता इतनी है कि किसानों की समस्या बढ़ती जा रही है। उनका फल उत्पादन हो चुका है, लेकिन उसे बाजार में कोई नहीं ले रहा है।

मैं आपके माध्यम से केन्द्र सरकार का ध्यान आकृष्ट करना चाहता हूँ कि माननीय पंथ प्रधान ने उत्तर प्रदेश में इलैक्शन में किसानों को कर्ज मुक्त करने का वचन दिया है। महाराष्ट्र में देवेन्द्र जी की

सरकार है। उनके माध्यम से महाराष्ट्र के किसानों की समस्या का हल निकालने की कोशिश इसी अधिवेशन में होनी चाहिए। केन्द्र सरकार को ऐसे निर्देश राज्य सरकार को देने चाहिए, मैं यह विनती करता हूँ।

HON. DEPUTY-SPEAKER: Shri Shrirang Appa Barne, Shri Rahul Shewale, Kunwar Pushpendra Singh Chandel, Shri Prataprao Jadhav and Shri Chandrakant Khaire are permitted to associate with the issue raised by Shri Vinayak Bhaurao Raut.

श्री चन्द्रकांत खैरे (औरंगाबाद) : उपाध्यक्ष महोदय, मैं इसी मुद्दे पर आदरणीय प्रधान मंत्री जी और आदरणीय कृषि मंत्री जी का ध्यान आकर्षित करना चाहता हूँ। महाराष्ट्र में लगातार चार वर्षों से सूखा पड़ रहा है। गत वर्ष जुलाई-अगस्त में बरसात होने के कारण सूखे से कुछ राहत मिली। लेकिन सूखे के बाद जब किसानों की फसल की पैदावार हुई और उन्हें उसका उचित मूल्य नहीं मिल पाया, तो किसानों को दुबारा आत्महत्या करनी पड़ी। अभी विनायक राऊत जी ने भी यही कहा। वर्ष 2015 में हमारे मराठवाड़ा में 1125 किसानों ने आत्महत्या की। जनवरी-फरवरी के महीने में 262 किसानों ने आत्महत्या की।

मैं आपके माध्यम से सरकार से विनती करता हूँ कि जब किसानों की आत्महत्या लगातार हो रही है तो केन्द्र सरकार और राज्य सरकार को इस पर ध्यान देना चाहिए। किसानों की स्थिति खराब है। उनकी आत्महत्या रोकने के लिए उनके बारे में गंभीरता से विचार करें और उन्हें कर्ज मुक्त करें, यह बहुत महत्वपूर्ण है।

HON. DEPUTY-SPEAKER: Shri Shrirang Appa Barne, Shri Rahul Shewale, Shri Vinayak Bhaurao Raut, Shri Prataprao Jadhav and Shri Bhairon Prasad Mishra are permitted to associate with the issue raised by Shri Chandrakant Khaire.

DR. BOORA NARSAIAH GOUD (BHONGIR): Thank you, Sir, for giving me an opportunity. Since the time I became an MP I am bringing this to the notice of the Health Minister, Finance Minister and hon. Prime Minister, namely, about the desire and demand of the people of Telangana for AIIMS. At last, in the last Session, the Finance Minister was kind enough to allot AIIMS. It was the last sentence of his speech in the last Session for which I thank the Finance Minister, the Health Minister and the hon. Prime Minister.

We, from the Telangana State, with the help of our Chief Minister, Shri K. Chandrashekhar Rao, have proactively -- and unlike other States -- identified 220 acres of land at Bibinagar in my Parliamentary Constituency of Bhongir and its soil testing was also done, which would serve 10 districts. My request, through you, Sir, is that I want to attract the attention of the Finance Minister to kindly allot the Budget in this Budget Session itself. Otherwise, Budget delayed is Budget denied. We already waited for three years for it. I would request the hon. Minister to allot the Budget for it. Thank you, Sir.

श्री रत्न लाल कटारिया (अम्बाला) : उपाध्यक्ष महोदय, मैं भारी उद्योग मंत्री जी के ध्यान में लाना चाहता हूँ कि मेरे लोक सभा क्षेत्र अम्बाला के पंचकुला जिले में पिंजौर स्थित एचएमटी में हजारों लोगों को दशकों से रोजगार मिल रहा था। अब उसकी ट्रैक्टर यूनिट बंद कर दी गई है। पहले भी उस क्षेत्र में एक सीमेंट फ़ैक्ट्री थी जिसे बंद कर दिया गया। आज उस क्षेत्र में बेरोजगारी चरम सीमा पर है। मैं माननीय मंत्री महोदय से प्रार्थना करता हूँ कि एचएमटी, पिंजौर की बेशकीमती जमीन, जो हजारों-करोड़ों रुपये की है, उस पर फिर से कोई सार्वजनिक क्षेत्र का बड़ा उद्योग लगाया जाए या किसी मल्टी-नेशनल कम्पनी द्वारा उस क्षेत्र में भारी उद्योग लगाने का प्रयत्न किया जाए।

मैं हरियाणा के मुख्य मंत्री श्री मनोहर लाल जी एवं राज्यपाल महोदय के ध्यान में भी यह विषय लाया हूँ ताकि उस क्षेत्र के लोगों का रोजगार बचाने के लिए पहाड़ी क्षेत्रों में कोई कदम उठाए जाएं।

HON. DEPUTY-SPEAKER: Shri Chandra Prakash Joshi, Shri Arjun Lal Meena, Kunwar Pushpendra Singh Chandel and Shri Bhairon Prasad Mishra are permitted to associate with the issue raised by Shri Rattan Lal Kataria.

श्री गोपाल शेट्टी (मुंबई उत्तर) : उपाध्यक्ष जी, हमारा देश डिजीटाइज्ड होता जा रहा है। क्यों न हम चुनाव प्रणाली को उस माध्यम से जोड़ें ताकि देश के लोगों को चुनाव में भाग लेना आसान हो जाए। आज चुनाव का परसेंटेज बढ़ता जा रहा है, सुबह बड़े पैमाने पर लोग लाइन लगा रहे हैं और सभी लोगों को वोटिंग करने में ज्यादा समय लगता है और आधे लोग वोट डाले बगैर ही चले जाते हैं। बहुत सारे लोगों का नाम भी लिस्ट में नहीं होता है। अभी हाल ही में मुंबई महानगर पालिका का चुनाव हुआ उसमें मुंबई शहर में लाखों लोगों का नाम वोटर लिस्ट से गायब हो गया। अगर हम डिजीटाइजेशन का उपयोग करते हैं तो इससे बहुत बड़ा बदलाव आएगा। आज वर्तमान में कनाडा, स्वीटजरलैंड, नीदरलैंड और आस्ट्रेलिया में यह प्रणाली है। अमेरिका जैसे देश में मिलिट्री और दिव्यांग लोग डिजीटाइजेशन के माध्यम से वोटिंग करते हैं।

आने वाले दिनों में हमारा देश भी इसका उपयोग करे। इससे वोटर को आसानी होगी। कर्मचारियों को वोट दिलाने के लिए सात-आठ बजे तक काम करना पड़ता है।

HON. DEPUTY-SPEAKER: Shri Bhairon Prasad Mishra, Dr. Kirit P. Solanki, Shri Arjun Lal Meena, Shri Chandra Prakash Joshi, Kunwar Pushpendra Singh Chandel is permitted to associate with the issue raised by Shri Gopal Shetty.

श्री चन्द्र प्रकाश जोशी (चित्तौड़गढ़) : उपाध्यक्ष महोदय, किसान और कृषि हमारे देश का महत्वपूर्ण भाग है। देश में पहली बार कोई प्रधानमंत्री होगा जिसने देश की जनता को विश्वास दिलाया कि पांच वर्षों में किसानों की आमदनी को दोगुना कर देंगे। इस दिशा में अनेक कदम उठाए गए हैं, इसके लिए किसानों को मुआवजा भी दिया और कई प्रकार की योजना देश के किसानों के लिए समर्पित की है। किसान जैसे जैसे फसल को तैयार करता है और मिट्टी में से सोना उगाने की ताकत रखता है। सरकार मिनिमम सपोर्ट प्राइस के माध्यम से फसल को खरीदती है। गांव में ग्राम सहकारी समिति होती है जिसके माध्यम से किसानों को ज्यादा से ज्यादा खरीद किए जाएं ताकि किसानों को जब जरूरत हो तब अपनी फसल को बेच सकता है और वहां से उसको भुगतान मिल सकता है। नरेगा के अंदर किसानों को मेड़बंदी का प्रावधान सरकार ने किया है। मेड़बंदी, वर्मी कम्पोस्ट, तालाब जैसे काम हो रहा है। मेड़बंदी के अलावा ताड़बंदी का अनुदान नरेगा योजना के माध्यम से दिया जाए ताकि किसान अपनी फसल को सुरक्षित रख सके।

HON. DEPUTY-SPEAKER: Shri Gajendra Singh Shekhawat, Kunwar Pushpendra Singh Chandel and Shri Bhairon Prasad Mishra are permitted to associate with the issue raised by Shri Chandra Prakash Joshi.

*SHRIMATI RAKSHATAI KHADSE (RAVER): Hon'ble Deputy Speaker Sir, I would like to raise an issue related to pulses procurement centres in this Zero Hour, because it is very important for my district as well as for Maharashtra State. This is related to Tur dal specially. Production was very less during last year and that is why people at large had to suffer badly. So, the State and the Central Governments co-ordinated well and they also encouraged farmers to sow this crop this year. Now, we have a bumper production of pulses especially Tur dal in Maharashtra.

* English translation of the speech originally delivered in Marathi.

Nafed and SAFC are procuring pluses but the procurement centres are less in numbers. These centres should be opened in every Tehsil, with adequate storage facilities and sufficient number of labourers to mitigate the sufferings of farmers. By declaring MSP, Central Government has taken a good initiative. So, I would like to request the Government to take some more steps in the wake of this increased production of pulses so that the farmers get good remunerative prices for their crops.

I would like to request Hon'ble Minister to take it seriously and immediate steps be taken up this regard to give relief to the farmers.

HON. DEPUTY-SPEAKER: Kunwar Pushpendra Singh Chandel is permitted to associate with the issue raised by Shrimati Rakshatai Khadse.

श्री मनसुखभाई धनजीभाई वसावा - उपस्थित नहीं।

SHRI Y.V. SUBBA REDDY: This is regarding the request for quickening the process of opening Kendriya Vidyalaya in Andhra Pradesh. There is no doubt that KVs are playing a pivotal role in imparting quality education in the country with uniform curriculum and performance of these schools is appreciable. In view of this, there have been demands from various States to set up more and more Kendriya Vidyalayas.

Two proposals for opening of Kendriya Vidyalayas at No. 2 Ongole and the second one at Rajampalli village of Yerragunlapalem Assembly Segment in Prakasam District of Andhra Pradesh were cleared by the KV Regional Office, Hyderabad, long back and the same was sent to the Kendriya Vidyalaya Sangathan for its approval. Since the approval for opening of Kendriya Vidyalayas has been given by the K.V. Regional Office, parents in these areas are eagerly waiting for opening of these Schools and commencement of academic session from 2017-18. Moreover, thousands of Ex-Servicemen families who are residing here have been repeatedly requesting for the setting up of these Kendriya Vidyalayas.

Secondly, the entire western part of Prakasam District is backward and people cannot afford to send their children to public or private schools as they

have very limited source of income. Hence, the setting up of these Kendriya Vidyalayas here has become all the more important.

In view of this, I appeal to the Government of India, particularly to the HRD Ministry, to kindly take steps for opening of above Kendriya Vidyalayas forthwith and start the session from this academic year onwards.

HON. DEPUTY-SPEAKER: Shri Bhairon Prasad Mishra is permitted to associate with the issue raised by Shri Y.V. Subba Reddy.

SHRI P. KARUNAKARAN (KASARGOD): Sir, I would like to raise the issue regarding Ezhimal Naval Academy, Kannur, in the State of Kerala.

Sir, it is clear that Ezhimal Naval Academy is a prestigious national defence Academy. The Government of Kerala is giving all assistance, and the people of that area have given their land for the construction of this Academy. When it was built, the number of employees was only 800, which has now increased to 5,000.

A wastage treatment plant was constructed nearby this Academy. People are not aware of the danger it posed. The Pollution Control Board has examined it and the Environmental Studies have found E. coli bacteria in the wells and ponds nearby this Academy, which is known for causing kidney failure.

We are fully supporting this Naval Academy, but at the same time, the health of the people has to be taken care of. Therefore, the Government should see to it that this wastage treatment plant is shifted from this place to some other place. There are thousands of acres of land there, which are very essential for people. A struggle is already going on there. I met the Defence Minister in this regard. I would request the Government to take up this issue very seriously.

HON. DEPUTY-SPEAKER: Shri Kanwar Singh Tanwar – Not present.

DR. RATNA DE (NAG) (HOOGHLY): Sir, potato growers in West Bengal and in some other States like Uttar Pradesh and Bihar are facing difficulties as their produce is being sold at half the price and as a result they are incurring huge losses; they are not deriving any profit, in spite of toiling hard in the farm to

produce potatoes. There is an urgent need to provide subsidy to the potato growers just as the Union Government provides subsidy to the rice growers.

To give an example of how potato growers are undergoing hard times, whatever investment they are making in one *bigha* of land, which is equivalent to 1,600 square yards, they are not able to earn profit. On the other hand, they are losing between Rs. 2,000 and Rs. 10,000. If efforts are not taken on a war-footing basis by the Central Government, they would find it difficult for them to make both ends meet and they would be forced to leave the potato growing and take some other agricultural avenue.

I would like to ask the Union Government to take measures to come to the rescue of potato growers at this hour of despair and helplessness. Thank you.

HON. DEPUTY-SPEAKER: Shri Bhairon Prasad Mishra is permitted to associate with the issue raised by Dr. Ratna De (Nag).

SHRI V. ELUMALAI (ARANI): Hon. Deputy-Speaker, Sir, our beloved leader Puratchi Thalaivi Amma had repeatedly emphasized that the introduction of NEET is a direct infringement on the rights of the State and would cause grave injustice to the students of Tamil Nadu.

The students from poor and weaker sections will be unable to compete with urban elite students in NEET. The rural students will be put to great disadvantage because they lack the resources to enroll in training institutions and access materials available to urban students.

The Tamil Nadu Legislative Assembly has recently passed two Bills for protecting the existing admission policy for UG and PG admissions in Medical and Dental Colleges. The two Bills have been sent to the Government of India for obtaining the assent of the President of India under Article 254 (2) of the Constitution of India.

I urge upon the Government that the approval and Presidential assent for the above said two Bills may be accorded immediately to enable the Tamil Nadu

State to continue its existing system of admission to Government Medical and Dental Colleges. Thank you.

HON. DEPUTY-SPEAKER: Shri Bhairon Prasad Mishra is permitted to associate with the issue raised by Shri V. Elumalai.

DR. KULMANI SAMAL (JAGATSINGHPUR): Respected Deputy Speaker, Sir, the coastal districts of Odisha like Puri, Jagatsinghpur and Kendrapara are situated near Bay of Bengal. Every year, a lot of people with animals and plants are dying due to cyclone. In 1999 Super Cyclone, lakhs of people lost their lives in the same manner. Hudhud and Phailin also equally affected the area. It is my earnest request to the Government, through you, that huge plantation is highly necessary to save the life of the people of the coastal districts. Therefore, necessary steps have to be taken. I would request the Government to do the needful immediately.

HON. DEPUTY-SPEAKER: Kunwar Pushpendra Singh Chandel is permitted to associate with the issue raised by Dr. Kulmani Samal.

श्री लक्ष्मी नारायण यादव (सागर): माननीय उपाध्यक्ष महोदय, मुझे एक ऐसे विषय पर बोलने के लिए आपने अवसर दिया है जिसका भारतीय समाज पर बहुत ही गंभीर असर पड़ रहा है। गूगल न्यूज वेबसाइट को माध्यम बना कर अश्लील विज्ञापनों का एक बड़ा भारी गोरखधंधा चल रहा है। इससे सामाजिक और मानसिक प्रदूषण फैलाने का कार्य हो रहा है। अगर आज इस प्रदूषण को समय रहते हुए नहीं रोका गया तो हमें भारी सामाजिक मूल्यों की क्षति उठानी पड़ेगी। चूंकि आज समाज का हर वर्ग इंटरनेट सुविधाओं से जुड़ा हुआ है जिसमें 18 वर्ष से कम उम्र के नाबालिग बच्चों की संख्या भी एक बड़ी मात्रा में हैं और अगर देश, विदेश से जुड़ी कोई खबर पढ़ने व देखने के लिए ये बच्चे इन वेबसाइटों पर जाते हैं तो इनको न्यूज के साथ अश्लील विज्ञापन और अश्लील वीडियो से भी अप्रत्यक्ष रूप से जोड़ दिया जाता है। इससे हमारे देश की युवा पीढ़ी को बर्बादी की ओर ले जाने का कार्य हो रहा है। अतः सरकार इन वेबसाइटों पर तत्काल प्रतिबंध लगाए।

माननीय उपाध्यक्ष : श्री भैरों प्रसाद मिश्र, कुंवर पुष्पेन्द्र सिंह चंदेल और श्रीरंग आप्पा बारणे को श्री लक्ष्मी नारायण यादव द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Sir, the terrorist incidents in our country has assumed an appalling proportion. We have already witnessed that youths are being radicalized on line. It is a new horizon; it is a new phenomenon in our country where terrorists can claim that they have own state and they have some geographical expression.

I would simply refer to a few lines from a leading newspaper. It says that for a small group of intelligence experts in Telangana dedicated to tracking individuals and groups inspired by the so-called Islamic State, the Central agencies and Madhya Pradesh police might still have been scrambling to track down the terrorists behind the Ujjain train blast.

We are all appreciative to the valour and courage displayed by our security personnel in neutralizing the terrorists. But, I am equally appreciative to those intelligence sleuths who had collected the relevant inputs so as to trace those terrorists. I would like to submit whether any comprehensive mechanism is in place to track down terrorists specially those who are being imparted training on-line. Online radicalization has become a new threat. I do not know whether our Intelligence is well-equipped to deal with this kind of new phenomenon. I would say that till the Government has been belittling whether the terrorists belong to ISIS or not. I am simply referring to one adage: A tiny spark if neglected can spread a prairie fire. We do not know whether our Intelligence across the country is well equipped about decoding the encryption or not. So, I would request the Government to take this issue very seriously and develop a comprehensive mechanism to track down the ISIS activities in our country.

HON. DEPUTY-SPEAKER: Kunwar Pushpendra Singh Chandel is permitted to associate with the issue raised by Shri Adhir Ranjan Chowdhury.

SHRI KODIKUNNIL SURESH (MAVELIKKARA): Thank you Deputy Speaker, Sir, for giving me an opportunity to raise a very urgent and a very important matter. We are facing an acute drought situation in Kerala. We are also facing the

water shortage problem everywhere. The agriculture sector has been badly affected due to shortage of water. This is not just in Kerala.

13.00 hours

Forty lakh metric tonnes of rice is the allotment for Kerala which the Central Government has to give every year. But this year, they have reduced it to 10 lakh metric tonnes. There are two issues- drought and the reduction in rice quota by the Central Government. These two are very serious issues in Kerala. Therefore, the Chief Minister of Kerala convened an all party meeting to discuss this matter. All political parties unanimously decided to meet the hon. Prime Minister under the leadership of Chief Minister of Kerala Shri Pinarayi Vijayan. The Chief Minister requested an appointment with the hon. Prime Minister but ...* I condemn this attitude of the hon. Prime Minister. ... (*Interruptions*)

THE MINISTER OF CHEMICALS AND FERTILIZERS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI ANANTHKUMAR): Hon. Deputy Speaker, I request you not to allow anything to go on record.

... (*Interruptions*)

HON. DEPUTY SPEAKER: This will not go on record. ... (*Interruptions*) That kind of things cannot be allowed. ... (*Interruptions*) The denial by the Prime Minister – that kind of thing cannot go on record. ... (*Interruptions*) Shri Bhartruhari Mahtab, please speak.... (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): Hon. Deputy Speaker, Sir, let them reply on this issue. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Shri Mahtabji, please continue. ... (*Interruptions*)

SHRI BHARTRUHARI MAHTAB (CUTTACK): Hon. Deputy Speaker Sir, recently on an RTI query which was denied, a petition was filed in the court of law and the court has directed the Government to declassify the version of Nathuram Godse relating to the murder of Mahatma Gandhi, the Father of the Nation and it is going to be made public. ... (*Interruptions*)

* Not recorded

HON. DEPUTY SPEAKER: Shri Suresh, you have already raised the issue. ...
(Interruptions)

SHRI BHARTRUHARI MAHTAB : Ours is a vibrant democracy. There is a need to declassify all such materials that were declared classified at certain given point of time. ... (Interruptions) One such classified document is a report of the 1962 war which was submitted by Lieutenant General Henderson Brooks. ... (Interruptions) This was prepared for the Government in 1963 and it went into the reasons for India's defeat in the 1962 border war with China. ... (Interruptions) It is usually called the Henderson Brooks report. It is impossible to rewind history; what has happened has happened. It is however always possible to learn from past successes and victories as well as defeats. ... (Interruptions) In fact, there is certainly more to learn from blunders. Is it not that the report prepared by one of the actors of that war is called the Himalayan Blunder. I would urge upon the Government to reveal those papers on the then Defence Minister V.K. Krishna Menon and make it available to the public. Then only we may realize the blunders committed by an arrogant Minister.

HON. DEPUTY-SPEAKER: Shri Sharad Tripathi is permitted to associate with the issue raised by Shri Bhartruhari Mahtab.

श्री ताम्रध्वज साहू (दुर्ग) : माननीय उपाध्यक्ष जी, मेरे शून्यकाल का विषय देश में पूर्ण शराबबंदी लागू करना है। शराब ऐसी सामाजिक बीमारी के तौर पर पूरे देश में व्याप्त हो गया है, जिससे निकल पाना संभव नहीं हो पा रहा है। शराब से बड़ी-बड़ी गंभीर बीमारियाँ हो रही हैं, इसके कारण सर्वाधिक दुर्घटनाएँ हो रही हैं, लड़ाई-झगड़े, मारपीट, हत्या, बलात्कार जैसी अनेक घटनाएँ हो रही हैं। इसके कारण जन-जीवन व नयी पीढ़ियाँ बर्बाद हो रही हैं।

छत्तीसगढ़ में तो सरकार काफी आगे आकर खुद शराब बेचने का नियम बना चुकी है। सरकार का काम व्यापार करना नहीं है। इसके बावजूद छत्तीसगढ़ सरकार खुद शराब की दुकान चलाना चाह रही है।

छत्तीसगढ़ में पूर्ण शराबबंदी की मांग को लेकर जगह-जगह विरोध प्रदर्शन हो रहे हैं। महिलाओं के संगठन गांव व शहरों में बनते जा रहे हैं, जिसे महिला कमांडो कहा जाता है। प्रत्येक गांव व शहरों के वार्डों में पचास से सौ महिला कमाण्डो का संगठन शाम को लाठी व सीटी लेकर निकलती है। शराब पीकर कोई

गली में न निकले, अवैद्य शराब की बिक्री न हो और शराब की बिक्री पूर्णतः बंद करने की मांग को लेकर वे महिला कमाण्डो निकलती हैं। शराब ठेकेदार व शराब कोचियों के लठैत महिलाओं को मारपीट करते हैं और उन पर धारा लगाकर जेल में बंद करते हैं।

अतः छत्तीसगढ़ सहित पूरे देश में पूर्णतः शराब की बिक्री को बंद किया जाए, ताकि इस गंभीर सामाजिक बुराई से आने वाली पीढ़ियों को बचाया जा सके।

HON. DEPUTY-SPEAKER: Shri Bhairon Prasad Mishra is permitted to associate with the issue raised by Shri Tamradhwaj Sahu.

श्री गजेन्द्र सिंह शेखावत (जोधपुर) : माननीय उपाध्यक्ष महोदय, मैं पश्चिमी राजस्थान से आता हूँ, जहाँ जनसंख्या का अनुपात बहुत ही कम है। आजकल मोबाइल नेटवर्क केवल संचार का माध्यम नहीं रह गया है, अपितु भारत को कैंशलेस करने की भारत के प्रधानमंत्री जी की जो मुहिम है, उससे भी जुड़ा है। मोबाइल आर्थिक संप्रेषण का भी एक माध्यम बना है।

मोबाइल टावरस स्थापित करने के लिए दूरसंचार विभाग ने जो मानक तय किये हैं, उन मानकों के अनुरूप पाँच हजार कनेक्शंस पर बीएसएनएल द्वारा मोबाइल टावर स्थापित किया जाता है। चूँकि हमारे यहाँ डेनसिटी ऑफ पॉपुलेशन बहुत कम है, इसलिए यह मानक दूरस्थ रेगिस्तान के भाग में पूरे नहीं किये जा सकते हैं। माननीय प्रधानमंत्री जी ने पूर्वोत्तर भारत के इलाकों में इन मानकों में रिलैक्सेशन दिया है और दो हजार तक कनेक्शंस की संख्या में ही मोबाइल टावर स्थापित करने की परमिशन दी है।

मैं आपके माध्यम से सदन और सरकार का ध्यान आकर्षित करते हुए निवेदन करता हूँ कि पश्चिमी राजस्थान में भी इस प्रकार के मानकों में शिथिलता दी जाए ताकि वहाँ के दूरदराज़ क्षेत्रों में रहने वाले लोगों को मोबाइल की सुविधा मिल सके।

HON. DEPUTY-SPEAKER: Shri Bhairon Prasad Mishra and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Shri Gajendra Singh Shekhawat.

DR. J. JAYAVARDHAN (CHENNAI SOUTH): Sir, with deep anguish I would like to bring to the notice of the august House the cold blooded, inhuman, horrific and illegal barbaric killing of a young Indian fisherman from Tamil Nadu due to the unprovoked firing by Sri Lankan Navy on Indian fishermen while peacefully fishing in their traditional waters of Palk Bay. In this terrible tragedy, a young fisherman Thiru Britjo aged 21, son of Hemeles, sustained a bullet wound on his

neck and died while being brought to the shore. Another fisherman Thiru Saron aged 31, son of Dhasan, also sustained injuries and is admitted in a Government hospital in Ramanathapuram district for treatment. This horrific incident happened at 9.30 p.m. on 6.3.2017.

Sir, it is necessary that the Sri Lankan High Commissioner to India should be summoned forthwith and the strong feelings of the Government of India and the Government of Tamil Nadu about the unprovoked firing on fishermen should be conveyed. I would also urge the Government of India to ensure the safety and security of its citizens from Tamil Nadu who pursue their humble avocation of earning a livelihood by fishing in their traditional waters of the Palk Bay. Sir, I would also request the Government to take a firm and decisive action in this regard without any further delay.

HON. DEPUTY-SPEAKER: Kunwar Pushpendra Singh Chandel is permitted to associate with the issue raised by Dr. J. Jayavardhan.

SHRI IDRIS ALI (BASIRHAT): I have only three requests to make to the Government through you, Sir. I am obliged to our hon. Chief Minister, Kumari Mamata Banerjee, to have sent me here. I come from Basirhat constituency which is a border area. There is not a single Central School in my area. My humble request to the hon. Minister is to establish a Central School in that area as soon as possible. People in the central nine km. of that area are facing a lot of difficulty.

My second humble request to the Central Government is regarding loans to farmers. The loan to the farmers should be waived off. More loans should be given to Scheduled Castes, Scheduled Tribes and minorities.

HON. DEPUTY SPEAKER: You can raise only one matter during 'Zero Hour'.

श्री राहुल शेवाले (मुंबई दक्षिण मध्य) : महोदय, रक्षा मंत्रालय के कुछ अफसरों के कारण मुंबई में परेशानियाँ बढ़ रही हैं। मुंबई व अन्य कई शहरों में डिफेंस के इंस्टॉलेशन हैं। रक्षा मंत्रालय ने इन इंस्टॉलेशन के आस-पास कंस्ट्रक्शन करने के लिए 21 अक्टूबर, 2016 को सिविल लॉ में कुछ बदलाव किए। इसके बाद उन्होंने एक सर्कुलर के माध्यम से वहाँ की रैस्टोरेशन की जगह को 100 मीटर से घटाकर

10 मीटर कर दिया था। इस आर्डर के अनुसार देश में किसी भी डिफेंस इंस्टॉलेशन के बाहर 10 मीटर तक कोई भी लोकल कंस्ट्रक्शन कर सकता है। मुंबई में एक क्षेत्र ऐसा भी है, जहाँ नेवी की इंस्टॉलेशंस हैं। उसके संबंध में नेवी अफसर एन.ओ.सी. नहीं दे रहे हैं। मुंबई स्थित नेवी के कंट्रोलर और टेक्निकल सर्विसिज के अफसरों ने बी.एम.सी. के ऐसे सभी प्रस्तावों को रिजेक्ट कर दिया है। उन्होंने इसका कारण यह बताया है कि यह सर्कुलर डिफेंस आर्मी विंग पर लागू होता है, यह नेवी विंग पर लागू नहीं होता है। मैं मंत्री जी को यह बताना चाहता हूँ कि ये सभी प्रस्ताव नेवी की किसी संवेदनशील स्थापना के आस-पास नहीं हैं। वहाँ नेवी की रेसिडेंशियल कॉलोनी है। मुंबई के कोलाबा, वर्ली, घाटकोपर, कांदीवली, मलाड़, बोरीवली, अणुशक्तिनगर और चेंबूर, थाणे के क्षेत्र में कंस्ट्रक्शन प्रोजेक्ट्स रोके गए हैं। इससे वहाँ के हजारों परिवार प्रभावित हुए हैं। यह बात बहुत दुर्भाग्यपूर्ण है। मैं आपके माध्यम से माननीय रक्षा मंत्री महोदय से अनुरोध करता हूँ कि वे इस मामले में गंभीरता से जाँच कराएं। मैं यह मांग करता हूँ कि, जो अफसर मंत्रालय के आर्डर्स को रिजेक्ट कर के आम जनता को परेशान कर रहे हैं, उन्हें दंडित किया जाए।

HON. DEPUTY-SPEAKER: Shri Gopal Shetty is permitted to associate with the issue raised by Shri Rahul Shewale.

SHRI S.P. MUDDAHANUME GOWDA (TUMKUR): Sir, Karnataka is one of the major tuar growing States. In fact, this year, in spite of poor monsoon, Karnataka was able to grow three times higher than the average annual production. But this year, the Government of India has liberally allowed import of pulses including tuar. Now, the Minimum Support Price for tuar is Rs.5050 including Rs.425 of bonus. This is not sufficient even to meet the expenses of cultivation.

Therefore, to come to the rescue of tuar farmers, I would urge the Government of India to kindly grant additional Rs.1000 per quintal as bonus to the farmers.

13.13 hours**ADMIRALTY (JURISDICTION AND SETTLEMENT OF MARITIME CLAIMS) BILL, 2016**

HON. DEPUTY SPEAKER: Now, we will take up Item No.17.

... (Interruptions)

HON. DEPUTY SPEAKER: I will allow him to speak during the discussion on the Bill.

सड़क परिवहन और राजमार्ग मंत्रालय में राज्य मंत्री, पोत परिवहन मंत्रालय में राज्य मंत्री तथा रसायन और उर्वरक मंत्रालय में राज्य मंत्री (श्री मनसुख एल.मांडविया) : महोदय, मैं प्रस्ताव करता हूँ:-

‘कि नवाधिकरण अधिकारिता, जलयान से संबंधित विधिक कार्यवाहियाँ, उनको बंदी बनाने, निरोध, विक्रय और उससे संबंधित या उसके आनुषंगिक अन्य मामले के संबंध में विधि का समेकन करने वाले विधेयक पर विचार किए जाने की अनुमति दी जाए।’

विश्व में हिंदुस्तान एक विकल्प है। इसका आदिअनादि काल से अन्य कई देशों से समुद्र के माध्यम से संबंध रहा है। हिंदुस्तान में हड़प्पा संस्कृति का भी समय था। गुजरात में एक लोथल नगर है। आज वह समुद्र से 50 किलोमीटर दूर है। इस सभ्यता का जब उत्खनन किया गया था, तो वहाँ से एक पॉट मिला है। वहाँ विश्व के शिप्स हिन्दुस्तान के साथ व्यापार करने के लिए आया करते थे। लोथल से धौलावीरा तक इनलैंड वॉटरवेज के माध्यम से समुद्री एवं कार्गो यातायात होता था। यह हमारे समुद्री व्यवहार का बहुत पुराना इतिहास है। हिन्दुस्तान में 7500 किलोमीटर का समुद्री तट है। इन समुद्री तटों पर सालों से कार्गो की हैंडलिंग होती रही है। आज देश में कुल मिलाकर 12 मेजर पोर्ट्स हैं। देश में 205 माइनर पोर्ट्स हैं। आज, कुल मिलाकर, 95 परसैन्ट कार्गो, पोर्ट पर हैण्डल होते हैं और उसको अगर मूल्य में परिवर्तित करें तो 68 परसैन्ट वैल्यू जो कार्गो की है वह समुद्र के रास्ते पोर्ट से इम्पोर्ट होती है अर्थात् एक्सपोर्ट और इम्पोर्ट के लिए हमारे पोर्ट्स का बड़ा महत्व रहा है। उसके संदर्भ में आज कुल मिलाकर हिन्दुस्तान में सभी पत्तनों पर चाहे वे मेजर पोर्ट हों या माइनर पोर्ट, कुल मिलाकर 90,877 शिप हर साल आती हैं। यदि शिप हर साल यहां आती हैं और उन शिप के साथ कुछ घटना हो और जो कुछ.....

श्री कल्याण बनर्जी (श्रीरामपुर): आप जो बोल रहे हैं वह स्टेटमेंट के अंदर ऑब्जेक्टेड लिस्ट में नहीं है।

श्री मनसुख एल.मांडविया : आज देश में कार्गो तो बढ़ रहा है, समुद्री व्यवहार बढ़ रहा है और देश में जो कानून है, वह पुराना कानून है, जो सालों से चलता आ रहा है, जिसे अंग्रेजों ने बनाया था। इस कानून को

बदलने के लिए, हिन्दुस्तान के डॉमेस्टिक कानून को लागू करने के लिए हम यह बिल लाए हैं। हमारे पास जो कानून है आज वह एडमिरैलिटी के संदर्भ में उसका जो कार्यक्षेत्र है और उसके संदर्भ में जो कानून बना हुआ है, एडमिरैलिटी कोर्ट, 1840 यह 177 साल पहले से चला आ रहा है। कॉलोनियल कोर्ट ऑफ एडमिरैलिटी एक्ट, 1861 यह 156 वर्षों से चला आया हुआ कानून है। कॉलोनियल कोर्ट ऑफ एडमिरैलिटी इण्डिया, 1891 यह 126 वर्ष पुराना कानून है। प्रोवीजन ऑफ लैटर्स पेटेंट, 1865 यह 152 वर्ष पुराना कानून है। महोदय, 126 वर्ष से 177 वर्ष पुराना कानून है। उस वक्त जब अंग्रेज यहां आए थे। उन्होंने जो कानून बनाए थे, उस वक्त देश में केवल तीन मेजर पोर्ट्स थे, जिनमें मुम्बई, मद्रास और कलकत्ता पोर्ट थे। आज जो भी समुद्री समस्या होती है और उसके संदर्भ में कभी किसी को कानूनी कार्यवाही करनी है तो उसके लिए केवल तीन उच्च न्यायालय का ही प्रावधान है। देश में तटीय विस्तार होने से सभी स्टेट्स के पास पोर्ट है तो उन पोर्ट्स के अपने कानूनी न्याय के लिए तीन कोर्ट्स का ही प्रावधान है, उनके अलावा अन्य किसी कोर्ट का प्रावधान नहीं है, उसको उच्च न्यायालय में जाना पड़ता है। इसलिए हम यह बिल ला रहे हैं कि पुराना कानून खत्म हो जाए और उसके स्थान पर हमारे डॉमेस्टिक कानून का उपयोग हो और उसके अलावा हिंदुस्तान में एक एम.ई. ऐलिजाबेथ विरुद्ध हर्मन इन्वेस्टमेंट एण्ड ट्रेडिंग प्राइवेट लिमिटेड में एक कानूनी घटना हुई थी। एडमिरैलिटी संदर्भ में जो कानूनी विवाद हुआ तो वह सुप्रीम कोर्ट तक गया। सुप्रीम कोर्ट ने भी गाइडलाइन दिया कि यह पुराना कानून है, उसमें क्लीयरिफिकेशन नहीं है। आप एक बार फिर से हिन्दुस्तान का डॉमेस्टिक कानून बनाइए। इसके साथ-साथ देश में जब यह घटना हुई तब हमारे विधि आयोग ने भी उसके संदर्भ में सुओमोटो स्टडी की और विधि आयोग ने 151 की रिपोर्ट में नए कानून बनाने के लिए रिकमेंडेशन किया। इन सब बातों को देखते हुए वर्ष 2005 में एक कानून बनाया गया था। वर्ष 2005 में यह कानून बनाकर स्टैंडिंग कमेटी को रेफर किया गया था। स्टैंडिंग कमेटी ने उस पर विस्तार से चर्चा की और उसको रिकमेंडेशन किया। बाद में वह पार्लियामेंट की मुद्दत खत्म हो जाने से पेंडिंग हो गया। बाद में इस ब्रिटिश काल के कानून को बदलने के लिए, उसके न्यायिक क्षेत्र को बढ़ाने के लिए, जो अभी केवल मुम्बई, कलकत्ता और मद्रास है, वे सारे तटीय स्टेट्स हैं। उच्च न्यायालय को उनकी क्षमता देने के लिए, जो भी अनेक प्रकार के नागरिकों के विवाद होते हैं, वहां पर काम करने वाले लेबर्स का भी विवाद होता है, स्वामित्व के संदर्भ में भी विवाद होता है, पार्टनरशिप के संदर्भ में भी विवाद होता है, इन्वॉयरमेंट का इश्यू आ जाता है, तेल कभी किसी अन्य शिप से भी भेजा जाता है उस स्थिति में भी विवाद हो जाता है। ऐसे अनेक कारण हैं, जिसमें एडमिरैलिटी के परिक्षेत्र को कानून की दृष्टि से ठीक करना आवश्यक था। इसलिए मैं यह विधेयक लेकर आया हूँ और मैं सदन से विनती करता हूँ कि इस विधेयक पर विस्तार से परामर्श करें और उसको पारित करें।

HON. DEPUTY SPEAKER: Motion moved:

“That the Bill to consolidate the laws relating to admiralty jurisdiction, legal proceedings in connection with vessels, their arrest, detention, sale and other matters connected therewith or incidental thereto, be taken into consideration.”

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): The Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2016 was introduced in Lok Sabha on 21st November, 2016.

The objective of this Bill is to consolidate the existing laws on civil matters of admiralty jurisdiction of courts, admiralty proceedings on maritime claims, and arrest of ships. Admiralty laws deal with cases of accidents in navigable waters or involve contracts related to commerce on such waters. It is true that there are a number of archaic and obsolete laws which are still governing the maritime disputes, offences and problems. So, there is an imperative need to have a comprehensive legislation. It is not only that. The maritime legal fraternity also has been demanding over the years for a comprehensive legislation.

Even after Independence, Parliament did not exercise powers to make laws with respect to admiralty courts. As a result, the jurisdiction in respect of admiralty matters remain as defined in the Admiralty Act and restricted to High Courts of Mumbai, Madras and Calcutta as the hon. Minister has rightly pointed out.

The High Courts of India's other littoral states, namely, Gujarat, Karnataka, Kerala, Andhra Pradesh and Odisha do not possess admiralty jurisdiction although there have been instances of the High Courts of Gujarat, Andhra Pradesh and Odisha having entertained admiralty causes apparently on a perfunctory consideration of the various States Reorganisation Acts enacted by Parliament and presumably without the benefit of a full argument. Along with the vexing issue of

ambiguity of jurisdiction, existing admiralty statutes required a relook in order to incorporate contemporary maritime practices and international legal regime.

In 1986, a Committee headed by Shri Praveen Singh, the then Director General of Shipping, Mumbai reviewed the existing maritime laws and admiralty jurisdiction and recommended that a specific admiralty law be enacted.

In so far as jurisdictional ambiguity of the littoral state is concerned, the Supreme Court in the case of *M.V. Elizabeth and others versus Harwan Investment Trading Private Limited*, 1992 decided that the High Courts are superior courts of record with unlimited jurisdiction and inherent and plenary powers to decide on their own jurisdiction for the purpose of redressing grievances according to the principles of justice, equity and good conscience. Where the statute is silent, judicial intervention is necessary. In this context, the Supreme Court observed that there is no reason to think that the jurisdiction of the High Courts have stood frozen and atrophied on the date of the Colonial Courts of Admiralty Act, 1890.

Accordingly, in view of there being no Indian Statute governing the courts' jurisdiction in regard to maritime claims, the Supreme Court made the principles of international conventions on maritime laws applicable in India as part of India's common law. At the same time, it also directed the early enactment of a suitable legislative measure.

So, this is an evolutionary path being adopted before the finalisation of the legislative document. Even in the year 1998, a draft Bill was planned to be introduced. However, it could not be achieved due to very short duration of the first Vajpayee Government. Finally the Bill was introduced in Parliament in May, 2005. The Bill was referred to the Standing Committee.

The Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2009 was revised and circulated for consultation. However, due to the dissolution of the 14th Lok Sabha the Bill lapsed. The Bill went through the further process of revision through inter-Ministerial consultation during the 15th Lok Sabha. So,

naturally we are all aware of the long journey, the long odyssey of this legislative document.

13.26 hours

(Dr. Ratna De (Nag) *in the Chair*)

After all, in response to the needs of the modern economy and in compliance with the existing facilities available in other parts of the world, the Bill was necessary. That is why we are supporting the legislative document without any reservation.

I would simply like to refer to a few key features of this legislative document. One of them is admiralty jurisdiction. The jurisdiction with respect to maritime claims under the Bill will vest with the respective high courts and will extend up to the territorial waters of their respective jurisdiction. As we know, India has territorial waters to the extent of 12 nautical miles. Thereafter starts the Exclusive Economic Zone up to 200 nautical miles.

The Central Government, as per the Bill, may extend the jurisdiction of these high courts by notification up to the Exclusive Economic Zone. Here I would like to ask whether you have any mechanism to extend the ambit of the courts up to the Exclusive Economic Zone. According to the Bill, the jurisdiction is extendable by the Central Government Notification. That is why I have raised this question.

Insofar as maritime claims are concerned, the high courts may exercise jurisdiction of maritime claims arising out of conditions including disputes regarding ownership of a vessel, dispute regarding co-owners of a vessel regarding employment or earnings of the vessel, mortgage on a vessel, construction, repair or conversion of the vessel, disputes arising out of the sale of vessel, environment damage caused by the vessel, etc. The Bill defines a 'vessel' as any ship, boat, or sailing vessel which may or may not be mechanically propelled.

Let me refer to sub-clause 4 of clause 9. It says: "No maritime lien shall attach to a vessel to secure a claim which arises out of or results from (a) damage

in connection with the carriage of oil or other hazardous or noxious substances by sea for which compensation is payable to the claimants pursuant to any law for the time being in force; (b) the radioactive properties or a combination of radioactive properties with toxic, explosive or other hazardous properties of nuclear fuel or of radioactive products or waste.

The Minister may kindly explain this particular area because you know about this particular area. Now a days, the sea across the globe is under the threat of hazardous toxic elements, even radioactive materials also. How much of the authority is being enjoyed under this clause so that the maritime lien provision should be applicable? What is the periphery of the applicability of maritime lien provision that has been enshrined in the Bill? While determining maritime claims under the specified condition, the courts may settle any outstanding accounts between parties with regard to the vessel. They may also direct that the vessel or a share of it could be sold.

With regard to a sale, courts may determine the title to the proceeds of such sale. Do you have any idea that in a year how many claims are being registered? How many registered claims are being settled in a year? I know that there is a multiplicity of legislations which certainly hinder the expeditious disposal of the claims. One of the objectives of this Bill is to dispose of the claims in an expeditious way. Therefore, the Bill is proposed to repeal four archaic admiralty laws on civil matters. We have an Admiralty Court Act of 1840 also. I do not know whether that Act also is repealed or not as it has not been stated in the Bill.

As far as priority of maritime claims is concerned, of all the claims that are there in an admiralty proceedings, highest priority would be given to maritime claims, followed by mortgages on the vessels and all other claims. Within the maritime claims, highest priority would be given to claims for wages and with regard to employment on the vessel. This should be followed by claims with regard to loss of lives or personal injury in connection with the operation of the

vessel. Such claims will continue to exist even with the change of ownership of the vessel. It is the most salient feature.

Here, the Bill is consolidating by repealing all other existing laws where the Bill will focus on wrongdoer - wrongdoer maybe the ship; wrongdoer maybe the vessel. It covers every vessel irrespective of the place or residence or domicile of owner. However, warships and naval auxiliary or other vessels used for non-commercial purposes are beyond its purview. Vessels which are being constructed are excluded from its application. However, by notification, everything can be brought under the ambit of this Bill. There is a very significant aspect so far as notification is concerned because by issuing notification the Bill can delegate more powers to the courts of the littoral States.

About jurisdiction over a person, courts may exercise admiralty jurisdiction against a person with regard to maritime claims. However, the courts will not entertain complaints against a person in certain cases. These include, damage or loss of life, or personal injury arising out of collision between vessels that was caused in India. Second is about non-compliance with the collision regulations of the Merchant Shipping Act, 1958 by a person who does not reside or carry out business in India. Further, Courts will not entertain action against a person until any case against them with regard to the same incident in any court outside India has ended.

In regard to arrest of vessel, the Courts may order for the arrest within their jurisdiction for providing security against a maritime claim, which is the subject of a proceeding.

In regard to appeals, any judgments made by a single Judge of the High Court can be appealed against to a Division Bench of the High Court.

HON. CHAIRPERSON : Mr. Chowdhury, please conclude, now.

SHRI ADHIR RANJAN CHOWDHURY : Madam, I am concluding within two minutes.

HON. CHAIRPERSON: Two minutes! Please conclude, now.

SHRI ADHIR RANJAN CHOWDHURY : Further, the Supreme Court may, on application by any party, transfer an admiralty proceeding at any stage from one High Court to any other High Court. The latter High Court will proceed with the matter from the stage where it stood at the time of the transfer.

Here, I would like to ask the Minister that after High Court, whether the Bill has any provision to go to the Supreme Court. It is because here, the Supreme Court will decide to which High Court the appeal will be heard.

Regarding Assessor, the Central Government will appoint a list of Assessors qualified and experienced in the admiralty and maritime matters. What are the criteria for selecting those Assessors?

HON. CHAIRPERSON: Mr. Chowdhury, please conclude.

SHRI ADHIR RANJAN CHOWDHURY : Madam, I am on my last point, now.

Insofar as West Bengal is concerned, you are also from West Bengal. Here a deep sea port was proposed by your Government. But when will it see the light of the day? We would like to know it.

The second point is that the country is famous for ship breaking industry. Do you have any regulation on ship breaking industry to compete with the global level? I am saying it because our ship breaking has been causing enormous pollution in our country.

Madam, 95 per cent of India's trade by volume is done by sea. But what is the capacity of all the ports in our country and whether the capacity of the ports is being utilized or not? In this regard a full account needs to be given.

HON. CHAIRPERSON: Now, Shri Narendra Sawaikar.

Nothing will go on record except the speech of Shri Sawaikar.

...(Interruptions) ... *

* Not recorded

ADV. NARENDRA KESHAV SAWAIKAR (SOUTH GOA): Thank you, Madam Chairperson, for giving me this opportunity to speak in this august House.

I rise in support of a very important piece of legislation, which was long overdue, and that is, Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2016.

I thank the hon. Prime Minister as well as the hon. Minister of Shipping, Shri Nitin Gadkari for having introduced this important piece of legislation.

At the outset, Madam, I would like to give some facts and figures so as to understand the importance of this legislation. Our country has a coastline of around 7,516 kilometres. There are 13 Coastal States, Union Territories as well as the Island Territories, which are in India. There are almost 70 Coastal Districts. We have 13 major ports and 205 minor ports, as has also been stated by the hon. Minister. I have placed these figures because this would help us to understand the importance of this legislation.

Madam, as has been pointed out by the hon. Minister, till date, the maritime law in India is being governed by the old British laws. I would like to cite those four laws. They are: 1) Admiralty Court Act, 1861; 2) Colonial Courts of Admiralty Act, 1890; 3) Colonial Courts of Admiralty (India) Act, 1891, which was subsequently introduced in one year; and 4) Letters Patent, 1865, provisions of which are insofar as applied to the Admiralty Jurisdiction of Bombay, Calcutta and Madras High Courts. Only three High Courts, that is Bombay, Madras and Calcutta were conferred with the jurisdiction of the admiralty.

Madam, I would like to make a mention that many a times, I have come across such matters and litigations wherein the issues regarding the jurisdiction, the issues regarding the arrest of a vessel, the issues regarding the collision of a vessel and the issues regarding the territorial jurisdiction have all been debated and discussed. Only on the point of jurisdiction, many years have taken up for these litigants to address their grievances.

The present piece of legislation is repealing all the four Acts, which are obsolete and redundant. Therefore, this piece of legislation is very much important considering the maritime law and the shipping industry in our country.

Madam Chairperson, I would like to draw your attention to Clause (e) of Section 2 of the Act which now confers the admiralty jurisdiction on the eight high courts of the coastal States. Clause (e) says that High Courts of Kolkata, Mumbai Madras, Karnataka, Gujarat, Odisha, Kerala and Hyderabad for the State of Telangana and the State of Andhra Pradesh, as may be notified by the Central Government for the purposes of the Act, are the High Courts within this law. Earlier, there were only three high courts.

Secondly, the jurisdiction of these High Courts is also specified in Section 3 of the Act which says that the jurisdiction under this Act shall vest in the respective High Courts and be exercisable over the waters up to and including the territorial waters of their respective jurisdictions in accordance with the provisions contained in this Act. I have pointed out these provisions because, as I mentioned earlier, many a times when the issue arose, it so happened whether the jurisdiction will lie with this high court or that high court. It is because of the latest provisions as well as the States Reorganization Act of every court, the issues could not be discussed, debated and redressed for years together.

Here, I would like to say that for the first time the importance of this legislation came to light in the year 1986 when the Praveen Singh Committee was constituted. Subsequently, in the year 1992, when the hon. Supreme Court, in its landmark judgment in the case of M.V. Elizabeth said – the Supreme Court was shocked and surprised – that the old archaic laws which are governing this particular admiralty jurisdiction should be repealed. This was in the year 1992 after 45 years of Independence. In spite of that we could not have our own legislation in place. I would not like to reproduce what has been stated by the hon. Supreme Court. But the Supreme Court has very categorically said that the Law Commission in its 5th Report on the British Statutes applicable to India went into

the details on scope of the articles. The Supreme Court further said: “Should not India enact her own laws on the subject-matter of these statutes where it is necessary to do so and take legislative action making it clear that these statutes are no longer applicable to India?”

Subsequently, in 1994, the Law Commission came out with its Report, though it has been stated that it is a *suo motu* report but it came in 1994. In this Report the Law Commission has specifically held that this is an old enactment and, therefore, this law needs to be replaced and a new law is to be introduced. Subsequently, the new law was drafted and it was placed. Then, it was discussed and referred to the Standing Committee as has been pointed out by my learned friend. Thereafter, in the year 2005, the Standing Committee has submitted its Report on 21st March 2006. Thereafter the Bill is introduced. But still it took almost 11 years to see the light of the day.

The salient features of this law are the application of the Code of Civil Procedure where the law is silent and where the action is needed, in that case, the Code of Civil Procedure can be brought in. Secondly, there is action in *rem* and action in *personam*. Thirdly, the settlement of claims, I would not like to go much into the details but the settlement of claims in Section 4 of the Act specifically provides for which are the claims that can be settled under this Act. These are some of the salient features of this Bill.

When we are talking about making India a super power, I always feel that it is our bounden duty, irrespective of the party to which we belong, to take steps to achieve this goal. The hon. Prime Minister, in 2016 in the Maritime India Summit held in Bombay, had said: “This Government wants to make coastline an engine of growth.” He also said that the Government would like to invest around one lakh crore of rupees for the development of the ports in India. Our Government has taken various initiatives in this direction by launching ambitious Sagarmala programme. In the last two-and-a-half years, hon. Minister Shri Nitin Gadkari *ji* has taken steps for the development of ports.

I come from the State of Goa. There is only one major port. But, in the last two-and-a-half years, due to the efforts of Shri Gadkari *ji*, the developmental activities have been taken up, various infrastructural activities have been taken up, so far as my port, the Mormugao Port Trust is concerned. Besides that, nationalisation of 106 rivers is also a part of this programme. While enacting this legislation, also around five laws have been repealed while consolidating and while bringing in the National Waterways Bill.

Madam, I would like to make a mention that on the one hand, when we talk about India being a global power, when we talk about development of India, at the same time, we need to keep it in our mind that in the last almost two-and-a-half years, this Government has repealed around 1200 old, obsolete laws. I am mentioning it because in the last 64 years, that is till 2016, only 1031 laws which were old which were obsolete were repealed by the then Government. It is this Government which has taken firm steps in this direction.

The market size of the maritime trade is on rise. In fact, I had raised a question on this issue. In the latest answer which has been furnished to me yesterday of the same question, what has been answered by the hon. Government is that in 2016 it expects the maritime trade to reach about 1715 million metric tonnes. Therefore, the Government expects that there is a growth of around 18 per cent in the maritime trade.

We talk and we say that 65 per cent of our population is young and is youth. The Government has been taking steps for raising the business, industry and opportunities for our younger generation through the various programmes like Make in India, Start-up, Stand-up, Skill Development, Sagarmala, port, road, air and rail connectivity. We have also jumped 12 ranks in the World Bank Ranking in the ease of doing business. This legislation, in my opinion, is another step towards making India as a business destination. I am sure that shipping and maritime industry will welcome this legislation. It is the need and demand of time that we rise to the occasion and bring in reforms in our old, archaic regulations; or

otherwise we repeal them. We come out with the new legislations and regulations with the changing times so as to make our all shared vision of making India a global super power.

With these few words, I support this legislation. Thank you, Madam.

SHRI KALYAN BANERJEE (SREERAMPUR): Thank you, Madam Chairperson. The bill is regarding the Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2016. Already, the other two speakers have spoken. I will not take much time. But, firstly, I would point out that I respectfully disagree with the statements made by the hon. Minister.

The Minister while making the statement said that the Bill is also covering the environmental issue. I am sorry, under clause 4, this is not the scope. You have also referred that in case of leakage of oil etc., this will come within its purview. This is also not there. Therefore, I respectfully disagree with the statements made by him in respect of two issues. That is the reason I was trying to tell you to kindly restrict yourself, without giving the long lecture, to the Objects and Reasons of the Bill itself, not beyond that.

This Act was necessary for long. Rather I say decades after decades we have to wait for this Bill and there is no quarrel with that word. It is unfortunate that, although the Supreme Court in 1992 directed the Central Government to come up with a law which will fulfil the needs of the day and when 151 reports of the Law Commission was existing, from 1992 to 2016, whatever the Governments were there, whether it was the UPA Government or the NDA Government or other coalition Governments, no one had paid any heed to those circumstances. Today, it is needed and therefore, I am not opposing in substance, the Bill.

Madam, I will take up two or three things. The claim which is required to be decided by the High Court by reason of this enactment of the Act, itself has been codified under clause 4. I will not read because it will take much time. The jurisdictions have been said here. Now, I want to speak about territorial water.

Madam, in practicality and in reality, my predecessor friend has hinted about that. I agree with him that really the trouble starts there. Clause 2 sub-clause (k), says territorial water shall have the same meaning as assigned to it in the territorial water, continental shelf, exclusive economic zone and other maritime zones, 1976. It is said simply. In law, it is incorporation of the statutes.

You have incorporated provisions. They are vague provisions. Very correctly, he has said that decades after decades, it takes away the point, it takes away the question as to which High Court is having the jurisdiction in the sea itself. I have an experience, being a lawyer, we had a dispute with the Odisha Government in respect of territorial water. However, both the hon. Chief Ministers discussed and resolved the problem. It is working now very good. Therefore, that is extremely a vague thing.

Now, I come and point out to the hon. Minister to kindly clarify this. This is bringing another area where more interpretation is required to be done by the court. You have to clarify and you have to clear it. Clause 17 sub-clause 2,

“notwithstanding the repeal, all admiralty proceedings pending in any High court immediately before the commencement of the act shall continue to be adjudicated by such court in accordance with the provisions of this Act.”

Firstly, what does, “shall continue to be adjudicated by such court” mean? If you have said that, it is alright. The moment you are saying in accordance with the provision of this Act, then whether Kolkata matter will go to Odisha or any other place matter will go to other place. Clarity is not there in this Section. You have to clarify that situation. I do not know what is in your mind. If a proceeding is pending before the High Court, it will continue in the High Court. Then the language of the statute would have been made clear. If the proceeding will be transferred as on today, then you have to write it down that it has to be transferred. You are creating the confusion by saying, “before the commencement of the Act”, and “shall continue to be adjudicated by such court in accordance with the provisions of this court”. The moment you are saying, “in accordance with the provisions of this court”, then for the transfer of this Act, therefore, the High courts comes in. Therefore, there is a contradiction. It has to be clarified.

It is not for the argument sake I am making this argument. I am trying to help you. That is the reason I am telling this. You clarify it. You clear it. Clarity

must be there in the statute. Unfortunately, we are seriously criticised in the judiciary because of the bad drafting or wrong drafting of a statute. I think this clarity needs to be required in the provision itself.

Now so many things have been said regarding the old Acts, etc. Yes, the old Acts, which are not required, have to be repealed. That is also necessary. The old Acts also were not made applicable.

Now, I am coming to a very important point. I know that it is not concerned with you. But, through you, today in this House I am making this point to the nation itself. A national problem has come. Now you are giving the jurisdiction to the High Courts to decide. There is no difficulty. But, hon. Minister, do you know how many vacancies are there in the High Courts? How can the High Courts take up the workload of all these things? Vacancies are not being filled up.

Earlier, some two or three Sessions back, a few Acts had come and jurisdictions have given to the High Court. There is no problem. But with the load which is there, with the jurisdiction which is there, not a single High Court is in a position to function. If I correctly say, so far as the Allahabad High Court is concerned, almost 50 per cent of the posts are vacant. As far as Calcutta High Court is concerned, nearly 50 per cent is vacant. This is the position in all the High Courts. There is not in a single High Court where this problem is not existing. So, why are you not filling up the vacancies?

You see, the National Judicial Appointment Bills were passed here. A Constitutional Amendment was made. Ultimately, the Supreme Court has declared it *ultra vires*. We have to accept this proposition. If we have to accept this proposition, we cannot have any ego on that. Neither any legislator nor any parliamentarian nor the Central Government nor any Government can have any ego with the judiciary. This has to be sorted out. I know it is not your problem. But today since the High Court part has come, through you, I am trying to tell here to please remove the ego. If there is any ego with the judiciary regarding the filling up of the vacancies, remove ego and kindly fill up the vacancies first.

Unless you fill up the vacancies, not only the dispute under this Act but nothing will be done. Whenever a matter is taken up as far as maritime admiralty jurisdiction is concerned-- I do not know whether you are having the experience or not—it takes a whole day to decide on a small point. Other business is closed normally because big claimants are there; big lawyers are there; big fees are there; big things are there; and naturally most times are spent. Who will take care of the poor people of the country? Everyone is taking care of the rich people of this country. That is the whole problem. I am not blaming you. It is not your fault at all. But, through you, I am trying to tell you to see that the vacancies are filled up.

Now, in respect of appellate forum, you have made it very clearly. Very nicely it has been done. First is Single Bench, and then the Division Bench, appeal, including interlocutory—everything has been done. Mr. Chowdhury is not here. He was asking, “what would happen thereafter?” Against that, article 136 of the Constitution of India is available. It is known to them. You are not required to mention that. That is all right. There is no difficulty on that. The Supreme Court will decide in cases of transfer whether it is needed or not. Whether it is the Calcutta High Court’s jurisdiction or the Odisha High Court’s jurisdiction, naturally, the Supreme Court will decide. There also, there is no difficulty at all.

14.00 hours

There is another point I say to you.

Everything is very clear in the Bill. Still, I would like to give an important suggestion to the hon. Minister. I am giving this suggestion, but I know that it is a very difficult job for him also. The territorial water jurisdiction has to be identified. Now, it is not much difficult because new mechanisms like satellite etc. have come in and they may be used to do it.

My friend, Shri Mahtab, is here. You have to identify the water of Kolkata, West Bengal and Odisha. If you identify that part, you will find that the question regarding the jurisdiction to be decided by the courts will be lesser and an easier

job. In future, if you try to do it, it will be very helpful. I am giving this suggestion.

With this, I thank you for bringing this Bill. For a long time, from 1992, it was not happening. It does not give a good smell in our mouths that it has been pending since 1992. Now, it has been brought. Let it be passed. There is no difficulty.

With this, I conclude and thank you.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Madam, Kalyan *Babu* was mentioning about good taste in the mouth! I will start from that.

Today is the 25th year since 1992, the year that was mentioned when the Law Commission gave its report and we are in 2017 today. Actually, the Bill was placed in this House in 24th year and today is the 25th year and our good friend, hon. Minister, is piloting this Bill today.

Before I come to the Bill, I would just like to mention that repeatedly भारत सरकार के मंत्री ने हिन्दुस्तान शब्द तीन बार कहा। कांस्टीट्यूशन में हिन्दुस्तान शब्द नहीं है। मैंने बिल का हिन्दी वर्शन मंगाकर देखा, तो इसमें 'भारत गणराज्य', 'रिपब्लिक ऑफ इंडिया' लिखा है। मंत्री जब बिल को पायलट करते हैं, उस समय भारत सरकार को भारत गणराज्य शब्द को व्यवहार में लाना चाहिए। हमारे देश में इतिहास का भी थोड़ा वर्णन होना चाहिए। द्वारका, कोंकण, कोरोमंडल और केलिंगा आदि चार प्रांतों से हमारी मेरीटाइम एक्टिविटीज का विस्तार विश्व में हुआ है। It was more than 2,500 or 3,000 years ago that our maritime activities flourished.

In the Sixth or Seventh Century A.D., we faced Arab seafarers in the Indian Ocean and the Arabian Sea. Our trade with the western countries, including Roman Empire, also diminished, during that period. Between 8th and 12th Century A.D., the Central Asian marauders also attacked repeatedly the Indian Subcontinent, and Indian youth force shrunk itself. A time came during that period when it was told by the leaders of our society that if you go on a voyage, you would be outcaste. This was also told to Mahatma Gandhi when he went to study abroad. His mother told him 'if you are going to come back, हमारा समाज तुम्हें किस तरह ऐक्सैप्ट करेगा?' This was very much vibrant in the first part of 20th Century. That was the situation. A seafaring nation, which had flourishing maritime trade throughout the world, be it in Japan, China, Far East or South East Asia, even to Rome, how did that society shrink and why?

Hence, when this Bill comes for consideration, we are tied up with those five Acts, which were incorporated. One was during the Company period, that is, of 1840 and the rest four were of 1861, 1865, 1890, 1891 when India was a colony

under the crown. These five have been subsumed in this Act, but it has a very sacred history and that is really very interesting. Though this Bill was introduced in this House on 21 November 2016, the issue of admiralty jurisdiction was examined by the Law Commission of India in 1992. The drafting of the Bill was in accordance with the Law Commission's recommendations. I would just mention here for the benefit of the House that the draft Bill was planned to be introduced in the Parliament in 1998 during Atalji's time. It was a short period of only 13 months, but it could not be achieved due to a very short duration of the second Vajpayee-led Government. The shortest was the previous one of 1996.

Finally, the Bill was introduced in the Parliament in 2005. It was revised in 2009, but due to dissolution of the Fourteenth Lok Sabha the Bill had lapsed. It further went through inter-Ministerial consultation during the Fifteenth Lok Sabha. Finally, after 24 years, it was introduced last year and this year we are on the verge of passing this Bill.

Being from a literal State, I, therefore, welcome this Bill with open arms. Yet, as has been mentioned by my friend Kalyan babu, despite all these deliberations still there are certain flaws and one should salute the Legislative Branch of our Government. Whenever there is a Joint Parliamentary Committee, we go into every word of it and what is the meaning of it and Kalyan babu also very meticulously goes through it and he has very rightly mentioned about the provision of Clause 17 section 2 as to how it will be interpreted or how it will not be interpreted. Therefore, I would urge upon the Minister to make certain clarifications and also he can remedy it. This is the time where संशोधन आप कर सकते हैं।

The repealing of this old British law should have been done much earlier, but I am glad that it is being done now by this Government. Since admiralty law deal with cases of accidents in navigable waters or involve contracts related to commerce on such waters, High Court of States, which have shores should be the

ideal body to solve such disputes. Here, I would also say that it would also reduce the burden on Kolkata, Mumbai and Madras High Court.

Section 10 of this Bill prioritises the order of maritime claims determining the *inter se* priority in an admiralty proceeding, which shall be as follows : - (a) a claim on the vessel where there is a maritime lien; (b) registered mortgages and charges of same nature on the vessel; (c) all other claims. This is the gradation. When I go through the Bill in Section 4 where maritime claim can be determined, there is sub-Section (e), which says : “loss of life or personal injury occurring whether on land or on water, in direct connection with the operation of a vessel.” It is not a criminal case, it is a civil case. If some accidents happen and body injury is there or a death occurs, this should be the law where a claim can be made. But in the priority list, in clause 10, the claim of vessel where there is maritime layer registers mortgages and charges of same nature of the vessel. These two precedes the life. Is this a conscious decision of the Government? Do you not think it is necessary that claim for life should get the top most priority? I hope the Minister understands the logic behind it and it should be corrected in the priority list. This should be followed by other claims like compensation for loss of life or personal injury in connection with the operation of the vessel. Why can we not give loss of life and injury claims a high priority than claims for wages? That is also really very much necessary.

14.11 hours

(Hon. Deputy Speaker *in the chair.*)

Mr. Deputy Speaker Sir, this Bill was long overdue and it should have been done much before. I wonder why during the UPA regime, this was never taken up with all sincerity though the Bill was introduced in 2005.

देर आये दुरुस्त आये, अब यह बिल आया है। जैसा कि कल्याण बनर्जी जी ने कहा है कि टेरिटोरियल वाटर की भी डिमार्केशन करने की जरूरत है, पता नहीं, The Ministry of Shipping is empowered to do that demarcation or not but it is better that you refer it to the NITI and have a Chief Ministerial conference and it is much better as we had settled among

ourselves between West Bengal and Orissa. It is necessary because जो आपने तथ्य दिया है, 9,000 और कुछ किलोमीटर कोस्ट लाइन्स हमारी हैं, यह उससे ज्यादा है। हमारे प्रधानमंत्री जी कह रहे हैं कि इतने सारे आइलैंड्स हिन्द महासागर में भारत के हैं। हम उन्हें भी डेवलप कर सकते हैं, उससे भी हम मैरीटाइम ऐक्टिविटीज को और ज्यादा फैला सकते हैं। It is not necessary that all sea liners have to come to the mainland. It can also operate in those islands which are there in the Indian Ocean under our control. So, in that respect, it is also necessary to expand our horizon because India lies in an international mariline trade activity.

जब आप कहते हैं कि हमारा 95 प्रतिशत ट्रेड पोर्ट से होता है। हमारा ज्यादा ट्रेड पाकिस्तान से नहीं होता है, बांग्लादेश से कुछ लाने की जरूरत नहीं पड़ती है, हम भूटान को देते हैं, नेपाल में हमारे यहां से चीजें जाती हैं, तो वहां 95 प्रतिशत ट्रेड हो रहा है। अगर आप ज्यादा ट्रेड लैंड रूट पर बढ़ायेंगे तो यहां भी 95 per cent is not a very creditable thing because our trade activity is basically on sea route. That is the reason why it has to expand. Quantifying it will give us a different figure.

In the end, I would say, as I had said earlier, we support this Bill with full heart with little amendments which you want to make.

SHRI THOTA NARASIMHAM (KAKINADA): Thank you very much for giving me this opportunity to speak on this important Bill.

At the outset, I would like to praise the Government for innovative initiatives in a diverse aspects right from the very first day of the Office. Introduction of the Admiralty in Jurisdiction and Settlements of Maritime Claims Bill 2016 in the House is the timeliest for the fulfillment of India's aspirations of being the leader of the Indian Ocean. With more efficient and effective governance strategies to highlight the statistics, India is one of the leading maritime nations and maritime transportation caters to about 95 per cent of merchandised trade by volume.

The enactment of this Act is long awaited and dragged by Government after Government since 1980s. Thus, the introduction of this Bill is a progressive step in the right direction. As noted, this Bill seeks to consolidate all the existing laws on civil matters of admiralty, jurisdiction of courts, admiralty proceedings of maritime claims and arrest of ships. More so, it also repeals absolute colonial statutes thus updating the laws to meet modern day requirements and also enhances clarity in rules and regulations dealing with territorial waters and Exclusive Economic Zones.

Further, in recent days, we have witnessed many naval accidents causing immense pollution in our coastal waters like that of the recent accident near Kamarajar Port, Chennai. As yet, there is immense delay in adjudicating such navigation issues due to lack of clarity in rules. This Bill deals with cases of accidents in navigable waters or involving contracts related to commerce on such waters. Clear demarcation of jurisdiction to the High Courts of Coastal States on territorial waters and empowerment of States by the Centre over EEZ issues is an innovative step for effective governance in maritime commerce and navigation.

Owing to such inherent delays in the management of maritime commerce, India is losing huge commercial gains with complex legal issues and systematic

procedures. I hope this Bill would sort out all the issues pertaining to navigation and pave way for reaching our potential in high seas.

I am hailing from the coastal State of Andhra Pradesh with nearly 974 kilometres of coastline that has immense potential for port-led development under Sagarmala Project and association of SEZs with ports. I would like to emphasise on infrastructure development in Kakinada, which is my constituency, for better multimodal connectivity to the port. I also request the Government for the establishment of a Maritime Educational Institution in the State on the lines of Chennai for encouragement of the youth towards new areas of career as well as employment generation in the State. I further request the Government for the establishment of Oceanographic Museum in Kakinada, which is my constituency, to increase awareness of Oceanographic Studies, maritime assets and resources among the public. More so, it also increases the tourist potential of the State.

I support this Bill on behalf of my Telugu Desam Party. Thank you, Mr. Deputy-Speaker, Sir, for giving me the opportunity to speak on this Bill.

SHRI KONDA VISHWESHWAR REDDY (CHEVELLA): Sir, thank you, Mr. Deputy-Speaker, Sir, for giving me this opportunity today to speak on this important Bill which is long overdue.

Sir, ports and maritime trade have been the growth engines of cities and nations and the economies. In fact, some nations like Dubai and Singapore just grew on this particular growth engine; and also cities like Shanghai, New York and London in the past.

Shri Mahtab has very eloquently told the maritime history and the prowess of India in the past. As you know very well, when it comes to our prowess, we remember Raja Raja Chola and Rajendra Chola. If you go anywhere to the East of India, you can see the maritime prowess of India more than in India. The world's largest temple is not in India; it is in Cambodia. If you go to Bali, Indonesia, and Jakarta, it is where you will see the Indian culture. Mahtab Ji also has explained about our culture, how our importance of maritime trade changed that it impacted our very culture. If you abroad, you are no longer part of this culture. This is what Gandhi Ji was told.

I am very glad that the Government has taken this up at this very crucial juncture where we are trying to show our prowess in the space by launching satellites, but in maritime, I think we again need to retain the old glory. I think the Government has done certain things and I should congratulate them.

Of course, yesterday we passed the Maternity Bill. This has nothing to do with the Maternity Bill. The pre-berthing detention time in India used to be weeks and months a few decades ago. This Government has brought it down from about two days to less than a day. Definitely, it is worth congratulating the Government on this. But, averages do not tell the whole story. Average is a good matrix, but there are still cases where ships are lying outside for one, two and three weeks. So, this law is even more important. In fact, before coming, I was trying to google as to how many of these ships are lying in the outer harbour because of these legal issues. I could not get any data. Hopefully, the Minister can give us some data

today about how many ships are being held up in the outer harbour. I feel that it will reduce the pre-berthing time. It is one more step in increasing our maritime trade. While it was a global strength in the past, but the performance in the Mumbai and Chennai ports is dismally low. The Shanghai Port has more than 700 million tonnes of trade and the Rotterdam Port has more than 400 million tonnes. Then come the Singapore and Dubai ports. In the case of Chennai port it is just 25 million tonnes and Mumbai Port is just 65 million tonnes. So, all these Bills in conjunction with others will go a long way in improving our maritime trade.

The Admiralty Bill has been in the making for the last 30 years. It is one of the long pending demands of the shipping industry and the maritime legal fraternity. The Pravin Singh Committee Report came in 1986. Subsequent to the Supreme Court Judgment of M.V. Elizabeth and others versus Harwan Investment and Trading came in 1992, the Law Commission in the 151st Report also recommended the need for such legislation. It has been a long time since 1992. We should have done this before. Definitely, we need to congratulate the Government on getting this Bill.

Historically speaking, the Admiralty codes date back to 1360 in the rein of Edward the 13th. Although, it originally dealt with matters primarily of English fleet because at that time, all the fleets were controlled by the English Crown. The codes progressively acquired some civil jurisdiction. In case of India, 95 per cent of the mercantile trade volume is catered by maritime transportation. However, the present statutes regarding admiralty jurisdiction are the British era jurisdictions. The laws are not aligned with the latest practices of the maritime sector. The Bill repeals the old, obsolete British statutes. It also consolidates the existing laws relating to admiralty jurisdiction of the Court, admiralty proceedings on maritime claim, arrest of vehicles and related issues. As of today, the admiralty jurisdiction is with three High Courts of Bombay, Calcutta and Madras. The Bill rightfully increases the number of ports which can examine this. Hon. Member Shri Kalyan Banerjee has explained this point. By increasing the number of High Courts, does

it reduce the time? That is a question that we need to examine because the Courts are already over-loaded. These are alien issues for some of the Courts. Historically, in the case of Mumbai Court, the judges and the lawyers have dealt with the matter. But, the question is whether the new Courts are equipped in terms of knowledge, experience and exposure to deal with? So, there has to be probably a primer or some information or some courses for the lawyers as well as the judges to deal in this matter.

I was just going through the Bill. It brings us to an old issue. In Section 2, it says:

“The High Court, in relation to the admiralty proceedings mean any High Court of Calcutta, Bombay, Madras, High Court of Karnataka, High Court of Gujarat, Orissa, Kerala and the High Court Judicature of Hyderabad, Telangana and the State of Andhra Pradesh.”

Everything is fine. But, there is one anomaly. In the case of Hyderabad and Telangana, we do not have a port. It is land-locked. Why should our Courts be bothered with this? That brings us to another old issue which is a very important issue. We are land-locked; we have no sea. It is about the separate High Court. Now, the Court of Hyderabad has to deal with the issue of non-separation of High Courts. We do require a separate High Court not just in our interest but in the interest of my friends from Andhra Pradesh also. In the interest of boosting the maritime trade of India, we require a separate High Court. The common people of Andhra require a separate High Court.

It is a very important issue. Just for the sake of benefitting a few individuals, you cannot club the two High Courts and ask us to deal with maritime cases. The coast of Andhra is rich in trade as well; I know that they are developing the Visakhapatnam port and Kakinada port. Some of my friends tell me how fast it is developing. There is potential to gain Rs. 600 crore additional revenue to Andhra.

This brings us to another issue. We are also passing the GST. In the GST, the States are saying that the revenue of the trade upto 12 nautical miles from the coast should go to the respective State. I fully support it. The Andhra Government should get it, so also should Tamil Nadu and the Governments of all the coastal States. It goes much in the favour of Andhra Government if they push for a separate High Court for Andhra. It is also good to have multiple High Courts dealing with this. But it is the boundaries that bring us a problem. Being an engineer, it is very easy to draw a line on the land. But how do you draw a line in the sea? It should be GPS coordinates. Otherwise, they file a case in Andhra High Court and I file a case in Tamil Nadu High Court because it is somewhere between Nellore and Ennore. These are some of the things. We need to have GPS coordinates because ships are almost 500 metres wide. Just to delay the case, if somebody files a suit in this court, I will file a case in that court.

There is one more issue. It says 'exemption for warships and non-commercial activities as may be notified by the Central Government or the cities operated by Central and State Governments'. I know the fact that Central and State Governments do not have non-commercial vessels; there are very few. So, they generally depend on lease for the purposes of survey, exploration etc. These can be construed as non-commercial activities but the very act of the Government leasing a ship is a commercial operation. Therefore, the Bill is a little ambiguous in that area.

The Bill provides clarity with respect to the jurisdiction and settlement of claim. It is only the boundary that has to be more precisely defined; otherwise, it will be another cause for delay.

Lastly, I would really appreciate if the Ministry tells us how much benefit this Bill gives. Definitely it gives a benefit to everybody in the Parliament. So, I want a matrix. How many of those ships are lying in the outer harbour and how much of the pre-berthing detention time does it reduce? How many legal cases does it reduce? These are the main points. With these words, I support the Bill on behalf of my party.

DR. A. SAMPATH (ATTINGAL): Hon. Deputy Speaker Sir, this is a very important Bill as far as our nation is concerned. We have a long history of merchant shipping. Our forefathers welcomed the foreigners wholeheartedly when they came for trade; when they came for war, our forefathers fought very valiantly. You may be well aware of the battle of Colachel, in which the forces of erstwhile Maharaja of Travancore were able to defeat the prestigious force of De Lannoy.

I come from the State of Kerala. Our trade with the East as well as with the West was not as a result of the voyage of Vasco da Gama in the year 1498. We had trade relations with Rome and other western countries and also with the Arab countries.

Here, let the Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2016 of course be renamed as the Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2017. This concerns certain questions of the federal character of this nation. There are still quite a lot of disputes between the States regarding the territorial waters. I am not mentioning the names of the States because many of our friends have left for their constituencies. I hope this Bill would not be abandoned just like an abandoned ship.

Dozens of abandoned ships are waiting outside our ports and harbours. What do we do with that? They have been posing safety threats to the coastal belt of India. We are having the fourth largest Armed Forces and of course we are very proud of our Navy also. With your permission, hon. Deputy Speaker, I would like to read some portions from a copy of one English newspaper which was published yesterday from Delhi. It says, "Iran accuses United States of stirring tension in Gulf." I may quote with your permission. It further says, "A senior official in Iran's elite Revolutionary Guard on Wednesday accused the United States of provoking tension after two separate incidents in the Gulf last week. A US Navy ship crossing the Strait of Hormuz changed its international route and approached within 550 metres of Revolutionary Guard's boats in an

unprofessional way.” Another newspaper report says, “China to deploy most advanced rescue ship in South China Sea. China on Wednesday said they will deploy a new rescue ship capable of conducting air, sea, and underwater searches simultaneously in the disputed South China Sea.” These are the examples of other nations how they revere their seas, how they honour their seas, how they respect their waters, and how they guard their waters but what is our position?

My learned friends have just now spoken how belated this Bill is. At least because of the British were able to rule some parts of this nation for more than two centuries and then the British India, we had a law. Here in the statement of objects and reasons in the last paragraph which is paragraph No. 4, it is said: “It is proposed to repeal four archaic admiralty laws on civil matters, namely, (a) the Admiralty Court Act, 1861, (b) the Colonial Courts of Admiralty Act, 1890, (c) the Colonial Courts of Admiralty (India) Act, 1891, and (d) the provisions of the Letters Patent, 1865 in so far as it applies to the admiralty jurisdiction of the Bombay, Calcutta and Madras High Courts, as those provisions would become redundant with the enactment of this Legislation.” There is not even a single enactment this august House was able to pass after the Constitution came into being and after our nation became a republic.

Some of my friends had actually requested the Government that a meeting of the Chief Ministers concerned should be convened on this matter. Our hon. Ministers are here; more Ministers are now in the House than MPs. At least that is a good beginning, let us hope. I would like to know whether this Bill has come up for evidence, discussion, and report to be submitted by any of the Standing Committees. This is not a very small Bill. This Bill has very severe consequences. I hope no dispute arises between the States. I would not take much time. I believe, we have to pass this Bill before the Private Members’ Business is taken up. Why was this Bill not sent for the consideration of the Standing Committee concerned? At least the Standing Committee on Law and Justice should have gone through it. Deputy Speaker, Sir, you are a very senior parliamentarian. You know very well

the rules, the precedents, the courtesy and the etiquettes. You are much senior than many of us in this House. The Standing Committees are not mere scapegoats. They are not for name sake. Each one of us is doing our duty even when the Parliament is not in Session. I hope your heart is with me in this matter. The procedure that is being followed by the Government, whether it is the UPA, NDA or whichever Government, should be, the Standing Committee should be given the opportunity to discuss, take evidence and submit a Report. On the basis of the Report of the concerned Standing Committee a fruitful discussion should take place.

Of course, I agree with my learned friend who has stated that more than 95 per cent of the trade takes place through sea. What percentage of the trade India has in the global trade scenario? At the same time, more and more trade will take place. Nowadays, the merchant ships engage armed guards. Many of the high seas are very risky, highly dangerous. In this House also, we have discussed the menace created by the pirates in some parts of African waters. Armed guards for the security of seafarers are boarded from various convenient ports well before the high risk areas are reached but they are not allowed to leave the ship from Indian ports. These guards are from different nations. So, the ships have to keep them till the next port outside India. It costs quite a lot of financial burden upon the merchant ships. This actually creates inconvenience for the merchant ships. I hope the Government will look into this matter.

In this Bill there is a provision for the fine. The fine for pollution should match the international standards. The fine that our courts impose is actually considered by the multinational, trans-national shipping corporations as just peanut. So, I would request that it should be fixed according to the international standards. Strict pollution rules should be there and should be implemented also.

There have been complaints against our customs officials. There have been instances of rampant corruption in the customs and the immigration departments. There have been complaints from our own shipping companies as well as foreign

shipping companies. This should be avoided. They are coming here for trade. If corruption is part and parcel of the trade, how can trade flourish? This should be curtailed. Corruption at the customs point and immigration point should be checked severely.

Merchant navy after completing their duty hours, just like our pilots after their journey, may sign off for some time. So, signing off from India after duty is not at all preferred by foreign companies because of the harassment from various Government officials. This is actually losing revenue to the tune of hundreds of crores of rupees every year.

During the first half of this Budget Session I had raised a matter of the forward seamen. Our hon. Minister, Ananthkumar ji was very generous to give me a reply also saying that he will take up the matter with his colleague and the Government of India will consider this issue. Our hon. Prime Minister has also promised it in a public statement. Many of the enacted laws and rules related to the merchant shipping do not have sufficient clauses of punishment for violating the provisions. This is what is going on in this nation.

There is no provision of fines and punishments in the Merchant Shipping Act of 1958 and The Seamen Act. The same is the case with the Maritime Labour Convention also. The seamen have their provident fund organisation also. It is having approximately Rs.138 crore as annuity without any provision for pension. The forward seamen are risking their lives in the high seas. Any time any accident can happen as has been said by the Minister also. They have to work in a vessel which is more than 45 degree steep.

In this House, my friends from Tamil Nadu have raised an issue regarding detention of the Tamil Indian traditional fishermen. It happened in Diego Garcia. Why is Diego Garcia now a base of NATO? Diego Garcia is a part of the Indian Ocean. India is a subcontinent and is a sovereign nation. Even though Diego Garcia is not a part of India, we have every stake on that group of islands. It is a

threat to the sovereignty of India. For what purpose is it a naval base of the United Kingdom?

The poor fishermen from Tamil Nadu, Kerala, Gujarat, Maharashtra and Goa do not know which is the porous border and which is a non-porous border. As my learned friend just now said, there is no border in the sea. There are only undercurrents. They push and pull the traditional fishermen. Actually, they are taken into custody by the military men. Our traditional fishermen are not spies and they are not going there for espionage. Actually, they go for their daily bread. Only a poor fisherman knows the hardships of being a poor fisherman.

I come from a State where first revolt against the East India Company happened in 1721. In the year 1721, people from all walks of life cutting across caste, creed, religion and colour revolted against the British on the auspicious day of Vishu. Vishu is an auspicious day like Pongal in Tamil Nadu, Bihu in Assam and Holi in North India. On that august day, people revolted against the British East India Company.

Sir, the Anchuthengu fortress is there which is protected by the Archaeological Department but so far our Government has not taken any initiative to put Anchuthengu under Sagar Mala project. My humble request to the Minister is to put Anchuthengu under Sagar Mala project. It is a historical place situated in my Constituency. That fortress still remains where the people were martyred by the British East India Company.

श्री विनायक भाऊराव राऊत (रत्नागिरी-सिंधुदुर्ग) : माननीय उपाध्यक्ष महोदय, मैं इस विधेयक का समर्थन करने के लिए खड़ा हुआ हूँ। मैं माननीय मंत्री जी को धन्यवाद दूंगा कि पिछले कई वर्षों से समुद्रतटीय क्षेत्र में रहने वाले हमारे जो मछुआरे हैं, वेसल्स के मालिक रहते हैं, पारंपरिक मछुआरे हैं, वे पिछले कई वर्षों से इस विधेयक की तरफ देख रहे थे।

महोदय, आजादी मिलने के बाद भी यानी सन् 1840 में जो कानून बना था, वह कानून आज तक चलता आ रहा था। उसका बुरा असर समुद्र तट पर रहने वाले जो भी मछुआरे हैं, जो भी वेसल्स के मालिक हैं, समुद्र के माध्यम से व्यापार करने वाले जो भी लोग हैं, उनको इसका परिणाम सहन करना पड़ता था।

महोदय, वैसे तो इस विधेयक में कोई ज्यादा सुझाव करने का अवसर ही नहीं है। पूर्ण रूप से, अच्छे तरीके से, भविष्य में अच्छे परिणाम देने वाला बिल इस सदन के माध्यम से पेश करने की कोशिश मंत्री महोदय ने की है। मैं इसके लिए उन्हें सबसे पहले बधाई दूंगा।

महोदय, मैं आपके माध्यम से सरकार से एक विनती करूँगा, कई प्रावधान इस बिल में तो किये गये हैं, जैसे जो मैरीटाइम क्लेम्स रहते हैं, पिछले कई वर्षों से ऐसा हो रहा था कि खासकर जो मछुआरे हैं, चाहे पर्सेनिंग यूज करने वाले मछुआरे हों, पारम्परिक पद्धति से मच्छीमार करने वाले मछुआरे हों, ये सारे लोग जब समुद्र में मछली पकड़ने के लिए जाते थे तो जैसा अभी माननीय सांसद महोदय ने बताया, वह बात सही है कि समुद्र में हमारी कोई बाउन्ड्री वॉल नहीं है, समुद्र में हमने कोई फेन्सिंग नहीं कर रखी है, कई जगह पर ऐसा हो रहा था कि 12 नॉटिकल मील के बाहर भी पर्सेनिंग यूज करने वाले मछुआरे जाते थे तो कभी-कभी ऐसा हो रहा था कि जो बाहर के देशों के बड़े-बड़े वेसल्स आते थे, बांग्लादेश, पाकिस्तान या श्रीलंका जैसे देशों से वेसल्स आते थे, वे हमारे देश, हमारे राज्य के मछुआरों का जबरदस्त नुकसान करते थे। वे नुकसान करने के बाद भाग जाते थे। उनके ऊपर कार्रवाई करने का उन्हें कोई मौका ही नहीं मिलता था। उन बेचारों को नुकसान सहन करना पड़ता था। भविष्य में इस सबके ऊपर पाबंदी लगाने का काम इस विधेयक के माध्यम से होगा, ऐसा मुझे भरोसा है। खासकर नुकसान का क्लेम करने के लिए किसके पास जायें, कहाँ जायें, कैसे जायें, ऐसे अनेक प्रश्न इन सभी मछुआरों के सामने खड़े रहते थे और व्यापार करने वाले लोगों के सामने भी ये प्रश्न खड़े रहते थे। इस विधेयक ने उनको रास्ता दिखाने का काम किया है।

महोदय, मंत्री महोदय से ज्यादा कुछ बात करने की मुझे जरूरत नहीं है, लेकिन मैं एक विनती करने वाला हूँ कि प्रायोरिटी ऑफ मैरीटाइम क्लेम्स के ऊपर आपको ज्यादा ध्यान देने की जरूरत है। पिछले कई वर्षों से कई ऐसे दावे प्रलम्बित हैं। 15-20 वर्ष होने के बावजूद भी ऐसा दावा करने वाले लोगों को न्याय नहीं मिलता था। इस विधेयक के बाद उनको प्रायोरिटी देकर, मैरीटाइम का क्लेम करने वाले जो-जो

दावे हैं, उनको जल्दी से जल्दी कैसे न्याय मिले, इसके लिए सरकार को अच्छी तरह से कोशिश करने की जरूरत है। इस विधेयक में सरकार ने अच्छा काम किया है कि मैरीटाइम क्लेम्स के साथ-साथ वेसल्स अरेस्ट करने की बहुत बड़ी जिम्मेदारी इस विधेयक के माध्यम से सरकार ने स्वीकार की है।

जैसा कि मैंने पहले बता दिया है कि रात के समय हमारे मछुआरों को मालूम नहीं पड़ता है कि कहाँ से बड़ा वेसल आया, कहाँ से उसने ठोक दिया, क्या नुकसान हो गया, इसकी जानकारी सही तरह से उनको मिलती नहीं थी। भविष्य में अन्य देशों से आने वाले जो वेसल्स हैं, उनके ऊपर पाबन्दी कैसे लग सकती है और अपने देश में धंधा करने वाले, अपने देश में रहने वाले मछुआरों को संरक्षण देने के लिए जो भी प्रोविजंस इस विधेयक में किये गये हैं, उनका सही अमल करने की तरफ अच्छी तरह से ध्यान देने का काम शासन के माध्यम से हो सकता है, ऐसा मुझे भरोसा है।

मैं फिर एक बार इस विधेयक के माध्यम से केन्द्र सरकार का और सम्माननीय मंत्री महोदय जी का आभार व्यक्त करूँगा। मैं यही कहूँगा कि एक लम्बे अरसे से चली आ रही लोगों की माँग, देशवासियों की माँग और मछुआरों की माँग पूरी करने की बहुत बड़ी जिम्मेदारी इस विधेयक के माध्यम से सरकार ने निभायी है। मैं आपको एक बार फिर धन्यवाद देते हुए अपना भाषण समाप्त करता हूँ। धन्यवाद।

SHRI Y.V. SUBBA REDDY (ONGOLE): Mr. Deputy-Speaker, thank you very much. I, on behalf of YSR Congress Party, support the Admiralty (Jurisdiction and Settlement) of Maritime Claims Bill 2016. The proposed legislation is likely to consolidate the existing laws relating to admiralty jurisdiction of courts, arrest of vessels and related issues. The legislative proposal is likely to fulfil long-standing demand of the maritime legal fraternity.

With the enactment of this legislation, it repeals five obsolete British statutes on admiralty jurisdiction in civil matters. These are Admiralty Court Act, 1840, Colonial Courts of Admiralty Act, 1890, Admiralty Court Act, 1861, Provisions of the Letter Patent Act, 1865 and Colonial Courts of Admiralty (India) Act, 1891. Nineteenth century laws were in force for settling maritime claims with only Bombay, Calcutta and Madras High Courts having the jurisdiction. But now, there are several States where there are several important ports.

Hence, this is a welcome decision of the Government to repeal the laws which are not in use. More importantly, India is a leading maritime nation and maritime transportation caters to about 95 per cent of its merchandise trade volume and the admiralty jurisdiction of Indian courts still were flowing from these obsolete laws.

The admiralty law governs maritime questions and offences. It is a body of both domestic laws governing maritime and private international law governing the relationship between private entities that operate vessels on the oceans. This law has to deal with matters including marine commerce, marine navigation, marine salvaging, shipping, sailors and the transportation of passengers and goods by sea. The legislation now confers admiralty jurisdiction on High Courts located in all coastal States and this jurisdiction extends upto the territorial waters.

The Government should give an impetus for enhancing mercantile trade through focus on accelerated development of the maritime infrastructure. Also, there is a need of holistic review of the enabling legal framework for mercantile trade and maritime practices. It has to be ensured to avoid inordinate delay in the

enactment of statutes as the legislation has been in making for nearly 30 years now. Besides in order to ensure security against maritime claims, a vessel should be arrested in certain circumstances as lately there have been several instances when the neighbouring country encroaches Indian area.

I support the Bill as it is likely to consolidate the existing British era laws on civil matters of admiralty jurisdiction of courts.

Lastly, I would request the Government of India to take up construction of Duggirajapatnam Port as mentioned in the Andhra Pradesh Reorganisation Act and also Ramayapatnam Port in Prakasam District of Andhra Pradesh since the Government of India intends to develop a number of major and minor ports.

DR. KAMBHAMPATI HARIBABU (VISAKHAPATNAM): Sir, I thank you for giving me this opportunity to speak on the Admiralty (Jurisdiction and Settlement of maritime Claims) Bill, 2016.

This law governs maritime disputes and offences. It is a body of law which deals with both domestic law governing maritime activities and international law governing the relationships between the utilities and those who operate the vessels.

It also deals with many issues like marine commerce, marine navigation, marine salvaging, shipping and sailors, and transportation of passengers and goods, etc.

Admiralty jurisdiction till now is being restricted to three High Courts and it is now being extended to all the High Courts of the maritime States. I need not mention that this Act is going to repeal about five obsolete statutes dated back to 1840, 1861, 1890, 1891 and 1865. These Acts are being repealed and a consolidated law is being enacted for efficient governance.

There is an urgent need to update the existing laws so as to be responsive to the needs of the industry and also to ensure that the maritime disputes are disposed of expeditiously and effectively.

Even though DG, Shipping started action way back in 1986 and also the Supreme Court has emphasized the need for urgency of updating the laws, so far we could not make any progress.

India is one of the leading maritime nations. We know that sea coast is the natural resource for development nowadays. Many States and the nation as a whole are interested in developing the sea ports on the coast. We have territorial waters to the extent of 12 nautical miles and also we have continental shelf contiguous zone and up to 2,000 nautical miles we have the Exclusive Economic Zone where India has the right to exploit the natural resources in the seas. Beyond 2,000 nautical miles, it is the high sea which has no ownership but owned by the entire world. At present we have the Coast Guard Act and also the Maritime Zones of India (Regulation of Foreign Fishing Vessels) Act, 1981, which provides some

provisions to deal with the offences committed in the territorial waters, in the contiguous zones and in the EEZ.

Previously, we had the policy of chartered vessels for fishing. We brought foreign vessels where foreign crew were there on the vessels. There were some disputes. Those types of operations need to be resolved by certain provisions of the Act. Now, this Act also excludes the inland vessels and the warships. It excludes naval, auxiliary and vessels used for non-commercial purposes. This Act also has a provision to extend it further in future for these vessels also.

The Government of India is very much interested in encouraging the development of sea ports. I come from Visakhapatnam where there is a major sea port. When another port was proposed near Visakhapatnam at a distance of 20 kms. I had a doubt whether it would affect the performance of Visakhapatnam port. But to my surprise, both the ports are doing very well. So, there is no problem if any port is established nearby.

The State of Andhra Pradesh has 974 kms. long coastline, next only to the State of Gujarat in terms of length. We have one major port, and three ports in private sector in operation now. Our State Government led by hon. Chief Minister Shri Chandrababu Naidu, is very much interested in developing more number of ports on the coast.

As mentioned by the Member who spoke before me, the Andhra Pradesh (Reorganisation) Act provides for construction of a major port in Andhra Pradesh at Dugarajapatnam. I would request the Government of India to extend assistance for establishing ports at Ramayapatnam, Bhavanapadu, Kalingapatnam, etc.

I would like to mention here that in the GST Council there was a discussion about the jurisdiction of levying taxes on the transactions made in the territorial waters. I think this issue is also being resolved amicably by the GST Council and the GST is going to be implemented soon. And if any dispute arises, that can be resolved as per this procedure.

With these few words, I conclude and support the Bill.

श्री कौशलेन्द्र कुमार (नालंदा) : उपाध्यक्ष महोदय, आपने मुझे नावधिकरण (समुद्री दावा की अधिकारिता और निपटारा) विधेयक-2016 पर बोलने का मौका दिया। बहुत-बहुत धन्यवाद।

मैं इस विधेयक का समर्थन करता हूँ। सरकार इस विधेयक के द्वारा ब्रिटिश राज के समय से चले आ रहे कानून को बदलने का काम कर रही है। यह बहुत ही पुरानी मांग थी और इसकी विधि आयोग ने भी 151वीं रिपोर्ट में सिफारिश की थी, साथ ही सर्वोच्च न्यायालय पहले ही इस कानून की आवश्यकता को दर्शा चुका है।

अभी तक इस मामले में नौसेना का कानून समुद्री प्रश्नों और अपराधों को नियंत्रित करता है। अब इस कानून से जटिलता समाप्त होगी और आम नागरिकों से संबंधित मामले न्यायालयों द्वारा न्यायोचित कार्रवाई करने के लिए स्वतंत्र होंगे।

मैं एक मुख्य बिन्दु पर सरकार का ध्यान आकृष्ट कराना चाहता हूँ कि समुद्री मार्ग से स्मगलिंग, हथियारों की आपूर्ति और आतंकवादी गतिविधियों में सहायता की जाती है। इस पर पूर्ण लगाम लगाने की जरूरत है और इस कृत्य में शामिल किसी भी व्यक्ति, चाहे वह विदेशी ही क्यों न हो, उन्हें भी कठोर से कठोर दंड देने की जरूरत है, इसमें इसका प्रावधान होना चाहिए।

अभी तमिलनाडु के समुद्री-तट पर एक मछुआरे की जघन्य हत्या कर दी गई। इस तरह के काफी मामले आते रहते हैं। ये मामले विशेषकर श्रीलंका और पाकिस्तान के समुद्री क्षेत्र में घटित होते रहते हैं।

15.00 hours

इस तरह के मामलों के निपटारे के लिए कानून में जो प्रावधान होना चाहिए, उसका भी खयाल रखना चाहिए। खासकर मछुआरों के साथ जब समुद्र में कोई सीमा नहीं होती है और मछुआरे अपनी सीमा पार कर जाते हैं तो उनके साथ कई तरह की घटनाएं घटती हैं। इस बारे में मंत्री जी जरूरत बतायें कि मछुआरों के लिए कोई सीमा उसकी होनी चाहिए, ताकि जो घटनाएं हमारे सामने घट रही हैं, वे न घटित हों।

इन्हीं शब्दों के साथ मैं अपनी बात को विराम देता हूँ।

श्री गोपाल शेट्टी (मुंबई उत्तर) : महोदय, मैं आपको धन्यवाद देता हूँ कि आपने मुझे दि एडमिरेलटी जूरिस्ट्रिक्शन एंड सैटलमेंट ऑफ मैरीटाइम क्लेम्स बिल, 2016 पर बोलने के लिए और समर्थन करने का मौका दिया।

महोदय, मैं सम्माननीय नितिन गडकरी जी और मनसुख भाई मांडविया जी का अभिनंदन करना चाहूंगा कि ढाई साल के कार्यकाल में बहुत बड़ा बदलाव, बहुत बड़ी क्रांति इस क्षेत्र में लाने का इन्होंने काम किया। मुझे इस बात का दुख होता है कि अंग्रेजों के जमाने में इन सारे लोगों की समस्याओं का समाधान ढूंढने के लिए हो सकता है कि उन दिनों में, बांबे जिसको हम मुंबई कहते हैं, कलकत्ता और मद्रास जैसा हाई कोर्ट हुआ करता होगा, लेकिन इतने साल के बाद में अपने देश में सभी राज्यों में हाई कोर्ट का निर्माण होने के बावजूद सिर्फ हमने एकट में बदलाव नहीं किया, इसलिए इन सारे लोगों को इन तीन कोर्ट में जाकर अपने लिए न्याय और समस्याओं का समाधान ढूंढने का काम करना पड़ता था।

मुझे दुःख इस बात का भी होता है कि आजादी के पश्चात् इतने लम्बे समय के बाद सुप्रीम कोर्ट के इंटरवेंशन के बाद एम वी एलिजावेथ एंड अदर्स वर्सेज हर्वन इनवेस्टमेंट एंड ट्रेडिंग प्राइवेट लिमिटेड के जजमेंट में 1992 में यह कहा गया था कि एक नया एक्ट बनाना चाहिए, एडमिरेलटी एक्ट बनाना चाहिए। 1992 की जब बात आती है, तो विशेषकर मैं पहली बार मुंबई महानगर पालिका में नगर सेवक के रूप में चुनकर गया। मेरे प्रतिनिधि जीवन के 25 साल पूरे हो गए। इस एक्ट में सुप्रीम कोर्ट के इंटरवेंशन के 25 साल के बाद में आज इस एक्ट को हम पास करेंगे और अपने देश के लोगों को न्याय देने का काम करेंगे।

मैं भर्तृहरि महताब जी को धन्यवाद देना चाहूंगा, क्योंकि जब यह एक्ट वर्ष 2005 में पार्लियामेंट में प्रस्तुत हुआ तो मैं बैठे-बैठे सोच रहा था कि वर्ष 2004 से 2014 तक यूपीए की सरकार थी और निश्चित ही यह कायदा अटल जी की सरकार में ड्राफ्ट हुआ होगा, जिसका उल्लेख भर्तृहरि महताब जी ने यहां पर किया। अटल जी ने उन दिनों 25 साल पहले कायदा ड्राफ्ट किया था, उस कायदे को फिर एक बार एनडीए के प्रधानमंत्री के रूप में नरेन्द्र मोदी जी की सरकार में हम लोग यहां पास कर रहे हैं, यह मेरे जैसे कार्यकर्ता के लिए बहुत ही अभिमान और गर्व की बात है। भर्तृहरि महताब जी इस बात का भी दुःख व्यक्त कर रहे थे कि इसमें 25 साल क्यों लगे, तो मुझे एक बार फिर नरेन्द्र मोदी जी की याद आई। उन्होंने बहुत बार कहा कि अच्छे काम इस देश में करने का उनके ही भाग्य में लिखा है, इसलिए वे इस काम को कर पाए। यह हम जैसे कार्यकर्ताओं के लिए बहुत खुशी की बात है। 1861, 1890, 1891 और 1865, इन चार कायदों में उन दिनों में बदलाव करने से अब अपने देश में जितने भी हाई कोर्ट्स हैं, इन सारे हाई कोर्ट्स में

हम जा सकते हैं, इस प्रकार का एक प्रोजेक्ट इस बिल के माध्यम से हो रहा है। यह बहुत ही खुशी की बात है।

अपने देश ने ही नहीं, दुनिया के सभी देशों ने यह माना है कि वाटर ट्रांसपोर्ट इज दि चीपेस्ट ट्रांसपोर्ट। इसके बावजूद भी इस क्षेत्र में जितना ध्यान सरकार के माध्यम से देना चाहिए, वह नहीं दिया गया। इस क्षेत्र में जितनी प्रगति हम कर सकते थे, वह नहीं हुई, इस बात को भी हमें मानना पड़ेगा। ढाई साल के कार्यकाल में बीच में एक रिपोर्ट आई थी कि शिपिंग इंडस्ट्री ने इतना बड़ा बदलाव किया है, इस क्षेत्र में काम करने वाले चाहे अधिकारी हों, कर्मचारी हों, देश के रेवेन्यू में भी बहुत बड़ा बदलाव नितिन जी और मनसुख भाई के माध्यम से हुआ है। मैं यह मानता हूँ कि इस बिल को पास करने के बाद में आने वाले दिनों में इसमें बहुत बड़ी तेजी से हम आगे की ओर बढ़ पाएंगे।

इस बिल को पास करते हुए मंत्री महोदय से मैं एक निवेदन करना चाहूँगा। हो सकता है कि यह एक्ट जब ब्रिटिशों के जमाने में बना था, तो बांबे हाई कोर्ट का नाम भी बांबे हाई कोर्ट था। बहुत सारे प्रयास करने के बाद में, मैं जिस क्षेत्र से प्रतिनिधित्व करता हूँ, उस क्षेत्र के उन दिनों के प्रतिनिधि राम नाइक जी ने इसी पार्लियामेंट में प्राइवेट मेंबर बिल के माध्यम से बांबे का नाम मुंबई करना चाहिए, यह प्रस्ताव रखा था और उसको सरकार द्वारा मानने के बाद सारे प्रोसीजर हो गए। बांबे हाई कोर्ट को ही सिर्फ बांबे हाई कोर्ट कहा जाता है। हो सकता है कि उन दिनों का यह बिल था, इसलिए इसमें आपको उसका उल्लेख करना पड़ा होगा - बांबे हाई कोर्ट, लेकिन नया बिल बनते समय मैं चाहूँगा कि उसकी ड्राफ्टिंग मुंबई हाई कोर्ट हो। अब तो मद्रास का नाम भी चेन्नई हो गया है। इन सारे बदलावों को हमको आने वाले दिनों में करते समय बहुत ही बारीकी और नजदीक से देखना पड़ेगा।

भर्तृहरि महताब जी जैसे हमारी पार्टी के बहुत सारे पॉज़िटिव विचारों से एकमत होते हैं, लेकिन मंत्री महोदय ने बिल प्रस्तुत करते समय तीन बार हिन्दुस्तान का उल्लेख किया, तो शायद उन्हें ठीक नहीं लगा। मैं मंत्री महोदय को धन्यवाद देना चाहता हूँ कि उन्होंने तीन बार उसका उल्लेख किया और वे बिल को पास करते समय और तीन बार कहकर आधा दर्जन का कोटा पूरा करें।

1992 के सुप्रीम कोर्ट जजमेंट के 25 साल बाद हम इस बिल को पास कर रहे हैं। मैं यह भविष्यवाणी भी करना चाहूँगा कि आने वाले 25 सालों के बाद इस पार्लियामेंट में जो भी बिल प्रस्तुत होगा, उसमें हिन्दुस्तान के नाम का उल्लेख होगा। यही बदलाव है। लोकशाही में हम बदलाव के लिए काम करते हैं, अपने देश की गरिमा बढ़ाने के लिए काम करते हैं। हिन्दुस्तान भारतीय जनता पार्टी, संघ परिवार या जनसंघ का प्रोडक्ट नहीं है। अनादिकाल से हिन्दुस्तान का उल्लेख इस देश और दुनिया में होता आया है।...(व्यवधान)

महोदय, आप मुझे समाप्त करने का संकेत दे रहे हैं। मैं एक बार फिर मंत्री महोदय को धन्यवाद देना चाहूंगा कि यह बिल पास होते समय मैरिटाइम क्षेत्र से जुड़े हुए लोगों में बहुत बड़ा बदलाव होगा, लेकिन हम जैसे कार्यकर्ताओं के लिए समाधान की बात है कि मंत्री महोदय ने हिन्दुस्तान का उल्लेख किया जिसकी टिप्पणी भर्तृहरि महताब जी ने की। मुझे हिन्दुस्तान शब्द जोड़ते हुए अपनी भावनाओं को यहां प्रकट करने का मौका मिला, इसके लिए मैं मंत्री महोदय और नितिन जी को बहुत-बहुत धन्यवाद देना चाहता हूं। उन्होंने इस लोक सभा में एक बहुत ही क्रान्तिकारी बिल प्रस्तुत किया है। बहुत-बहुत धन्यवाद।

SHRI N.K. PREMACHANDRAN (KOLLAM): Mr. Deputy Speaker, Sir, I thank you very much for the opportunity given to me.

I fully support the Admiralty (Jurisdiction and Settlement of Maritime Claims), 2016 as it repeals the outdated colonial legislation and brings in a sovereign legislation of our country in respect of maritime laws as well as admiralty jurisdiction.

Sir, the enactment of this legislation is a typical example of the inordinate delay in the enactment of statutes and this Bill has been in the making for the last 30 years. Almost all the learned Members have already stated in the House that it is seen that after Independence the Parliament did not exercise the powers to make law with respect to admiralty courts and maritime disputes. We are fully depending on the colonial legislations of 1840 and 1861 and such colonial legislations were being pursued in the resolution of disputes of maritime claims. All these colonial legislations were restricting the jurisdiction in respect of maritime claims to three High Courts namely, Calcutta, Bombay and Madras and the coastal States have been ignored. It is very well known that in the year 1986 a Committee had been constituted under Shri Parveen Singh and the Committee had recommended very specifically that a comprehensive legislation is required in respect of admiralty law. Further, as the hon. Member has just now rightly said, the Supreme Court in the year 1992, in *M.V. Elisabeth and Others versus Harwan Investment and Trading Private Limited* case, very specifically stated that the High Courts are having inherent and unlimited jurisdiction so as to address these issues. So, the High Courts cannot be frozen on the basis of a single reason that we are having a colonial legislation of 1861 and so the High Courts cannot be stopped from dealing with these issues. This was the direction given by the hon. Supreme Court in the year 1992. Even after this, the Supreme Court directly stated that enactment of a suitable legislation regarding admiralty jurisdiction and settlement of maritime claims is highly essential. This was the verdict of the Supreme Court in 1992.

Sir, you will appreciate that the 151st Report of the Law Commission also said the same thing that a suitable, comprehensive legislation in respect of admiralty jurisdiction as well as settlement of maritime claims is highly essential. But even after 20 years we have not been able to enact legislation by this Parliament. It is quite unfortunate and it is an example of ineffective functioning of the parliamentary democratic system in our country. That is why, I would like to state that it is a typical example as to how the Parliament is not able to function in tune with the changing laws and in tune with the changing international situation. Anyway, it is better late than never. So, I appreciate this initiative and I wholeheartedly support this Bill.

I am coming to the facts of the case. It is also well-known that India is a maritime nation and maritime transportation caters to about 95 per cent of its merchandise trade volume. But the present statutory framework is not sufficient to meet the purpose. Therefore, for the expedient and efficient disposal of maritime disputes, a comprehensive legislation is required.

Sir, coming to the Bill, I would like to suggest two-three points. The Bill confers admiralty jurisdiction on all High Courts located in the coastal States of India. The jurisdiction extends up to the territorial water. The jurisdiction can be extended to the exclusive economic zone or any maritime zone of India or islands of Indian territory by means of a notification. Also, it applies to all vessels irrespective of place of residence or domicile of ownership.

Sir, here, my strong objection is regarding the jurisdiction. What is the purpose of this Bill? We are repealing the Colonial Legislation and making a sovereign Bill. When we make a sovereign Bill, when the Parliament passes a legislation, it should not be vague; it should be absolute and clear. But unfortunately clause 1 and clause 3 of the Bill are not clear. Clause 1 and clause 3 of the Bill deal with the admiralty jurisdiction. Clause 1 of the Bill says that the admiralty jurisdiction means that it shall apply to every vessel, irrespective of the place of residence or domicile of the owner. Subsequently, the proviso says that it

shall not be applicable to an inland vessels under Inland Vessels Act, 1917 or a vessel under construction, naval warship, foreign vessels etc. Okay, I do agree. It is applicable to all vessels, which is the first part of clause 1. Then, the proviso says that it is not applicable to these vessels. Subsequently, the same provision says that 'but it can be made applicable if there is a notification by the Government of India.'

Sir, how can it be? What is the drafting of this legislation? Then, why the Parliament is being put in darkness? That is my question. If the Government wants to make it applicable to all the vessels, including the foreign vessels and vessels under construction, inland vessels, why is the Bill giving the exemplary authority to the Government through a notification? So, the sole purpose of this legislation is to fix the admiralty jurisdiction in respect of the vessels. What are the vessels, which are involved? Why does the Government not come with a clear hand and say that it would like to have this and this vessel?

Regarding the territorial jurisdiction also, it is being said in clause 3: 'Subject to the provisions of Sections 4 and 5, the jurisdiction is in respect of the territorial waters.' It is confining to the territorial water; I do agree. Subsequently, the proviso says:

"Provided that the Central Government may by notification, extend the jurisdiction of the High Court up to the limit as defined in section 2 of the Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976."

Sir, what for the Parliament is there? I would like to describe it that this is a legislation by means of a notification. The entire legislative process has to be done by the Parliament. Here, who is going to fix the jurisdiction? It is the Executive, by means of a notification. Which vessel is involved and what is the territorial jurisdiction, is not being determined by the Parliament, but it is being determined by the Executive. So, my point is that it is not a fair practice of legislative process. Sir, all this was regarding the civil liability.

HON. DEPUTY-SPEAKER: Please conclude, now.

SHRI N.K. PREMACHANDRAN : Now, regarding the criminal liability, in my Constituency, everybody is well aware of the “Enrica Lexie Incident” where two Indian fishermen were killed by the Italian Marines, and the case is going on.

My submission to the Government is that though the Bill is absolutely in respect of civil liability, I do agree, but in respect of fixing up the criminal liability in the crimes, which are being in the territorial waters and in the exclusive economic zones, some specific legislation is required. I am saying so because in the Italian Marine Case, what has happened?

HON. DEPUTY-SPEAKER: No, it is not connected with this Bill. Now, I am calling the hon. Minister.

SHRI N.K. PREMACHANDRAN : Sir, one second. About the Italian Marine case the SUA Act was applicable. But the SUA Act has been taken away. Now, it is being taken in the international forum, and the Italian Marines have gone to the Italy. Last time, when the UPA Government was there, these people had blamed them that they were supporting the Italian Government. Therefore, my submission is that stringent action has to be taken to see that the Italian marines, those who have killed the poor fishermen of our country, are punished.

With these words, I support the Bill. Thank you very much.

श्री मनसुख एल.मांडविया : उपाध्यक्ष महोदय, एडमिरेलटी (ज्यूरिस्ट्रिक्शन एंड सैटलमेंट ऑफ मेरीटाइम क्लेम्स), 2016 पर यहां विस्तार से चर्चा हुई। मुझे इस बात की खुशी है कि सब सदस्यों ने इस बिल का समर्थन किया है। जब यह बिल बनाया गया, तब भी हमने इस पर चिंता की थी, इसलिए इसे स्टैंडिंग कमेटी भेजा गया और उसने जो सुझाव दिये, उसे हमने इस बिल में इनक्लूड किये। उसके बाद डीजी शिपिंग ने उसका नोटीफिकेशन किया और तेरह दिनों के बाद इस पर सुझाव देना था, उसका सुझाव भी हमें मिला है। इसके बाद स्टोक होल्डर्स के साथ विस्तार से कंसल्टेशन करने के बाद हम आज यह बिल सदन में लाये हैं।

उपाध्यक्ष महोदय, इस बिल पर कई माननीय सदस्यों ने अपने विचार भी रखे और कुछ सुझाव भी दिये। जब हम नियमावली तैयार करेंगे, तब हम उन सबके सुझावों को शामिल करेंगे। इस बिल को लाने का हेतु यह है कि एडमिरेलटी के कार्यक्षेत्र में जो दावे हैं, वे छूट न जायें, कुछ क्षति न रह जाये। इसके साथ-साथ जिन पुराने कानूनों पर कार्यवाही नहीं हो सकती थी और उसमें जो कन्फ्यूजन होता था, वह भी न रहे और जो समुद्री दावे हैं, उन पर स्टोक होल्डर्स को न्याय मिले। यहां पर यह भी उल्लेख किया गया कि अभी तक तीन उच्च न्यायालय में यह दावे होते थे और वहीं पर सब लोगों को जाना पड़ता था। इस कारण उन तीनों उच्च न्यायालय में काम का काफी भार होता था।

उपाध्यक्ष महोदय, महताब जी ने एक विषय रखा कि इन तीन उच्च न्यायालयों में अभी दावे पेंडिंग हैं, इसलिए उनके ऊपर का भार भी कम करना चाहिए। इसे कम करने के लिए तटीय क्षेत्र के, जिस स्टेट का इश्यू है, वह उस स्टेट के उच्च न्यायालय में जाये। अभी माननीय सदस्य ने बताया कि पुराना कानून बहुत सालों से लागू है, इसलिए इसे खत्म करने की आवश्यकता है। ये कानून इंग्लैंड समय के थे और उस समय जो स्थिति थी, उसके अनुसार ही ये कानून बने हुए थे। अब स्थिति बदल गयी है इसलिए इस बदली हुई स्थिति में कानून में विस्तार से बदलाव किया गया है। इससे जनता और शिपिंग सैक्टर में काम करने वाले लोगों को न्याय पाने का अधिकार मिलेगा। अब अनेक प्रकार के दावे होते हैं जैसे मालिक के अन्तर्गत भी पार्टनरशिप होती है और पार्टनर-पार्टनर के बीच भी कोई प्रॉब्लम हो जाती है। जब इनकम होती है, तब उसकी शेयरिंग के समय भी दावे होते हैं। कभी कोई कम्पनी या शिप प्रॉफिट में है या घाटे में है, तो उसकी शेयरिंग के समय भी प्रॉब्लम होती है। मॉर्गेज के संदर्भ में भी कोई दावा हो जाता है। जब एक्सीडेंट होता है, तो उस स्थिति में भी दावे शामिल होते हैं। शिपिंग के साथ जुड़े हुए व्यक्ति जब शिप में हैं और उसको कोई प्रॉब्लम हो जाती है, तो व्यक्तिगत प्रॉब्लम के संदर्भ में भी दावे हो जाते हैं। इसी प्रकार कारगो का परिवहन होता है, उसमें कभी डैमेज हो जाता है, तो जिसने वह सामान मंगवाया है, उसका भी दावा

लग जाता है। इसके साथ-साथ इन्वॉयर्नमेंट के संदर्भ में भी कई दावे हो जाते हैं, टोएज के संदर्भ में भी दावे हो जाते हैं। बंकर फ्यूल जब शिप में होता है, तो उस संदर्भ में भी दावा हो जाता है। ऐसी कई स्थिति में दावे होते हैं, तो हम उसका सॉल्यूशन कैसे निकालें। क्लोज फॉर्म में हमने उसको विस्तार से डिस्क्रीब किया है, जैसे कि कौन कौन से दावे किये जा सकते हैं, जिनके माध्यम से वह न्याय ले सके। उसका प्रावधान भी हमने विस्तार से किया है। यहां अधीर रंजन चौधरी जी ने चर्चा के दौरान अपने विषय में कहा कि जो सिविल लॉयबिलिटी होती है, जो पोल्यूशन होता है, पोल्यूशन मर्चेन्ट शिपिंग एक्ट 1958 के अन्तर्गत उसका प्रावधान किया गया है। उन्होंने यह भी प्रश्न किया कि रिपील करने में क्या होगा? रिपील के संदर्भ में आपका क्या कहना है? मेरा माननीय सदस्य से यह कहना है कि यह एक्ट एडमिरेलिटी में केवल रिपील के संदर्भ में विधि मंत्रालय के साथ भी विस्तार से बातचीत हुई है।

आपने यह बात भी कही है कि जो क्लेम है, उसके संबंध में आपने विस्तार से सूचना नहीं रखी है, लेकिन ऐसा होता है कि अलग अलग तीन हाई कोर्ट होते हैं और उसमें अपनी अपनी ओर से दावा हो जाता है। उस दावे की सूचना हाई कोर्ट के पास रहती है। इसलिए वह हमारे पास नहीं है, लेकिन यह जो दावा बिल है, उससे कम होने की संभावना है। आपने वह बात भी कही कि जो ईईजैड है, उसमें मैरीटाइम ज़ोन के संदर्भ में इंडियन एक्ट में जो प्रावधान किया गया है और माननीय नरेन्द्र केशव सावईकर जी ने भी अपने बिल में चर्चा करते हुए कहा कि 6 डीप सी पोर्ट बनाने की बात है, वे कब बनेंगे? सी पोर्ट के संदर्भ में हम कहें कि सागरमाला योजना के अन्तर्गत आज देश में 12 मेजर सी पोर्ट हैं लेकिन उसके साथ साथ और भी 6 पोर्ट हम बनाने जा रहे हैं। उसके साथ ही सभी पोर्ट्स को और जो इस समय हमारे पास पोर्ट्स हैं, उनको अपग्रेड करके, अच्छी तरह से उनका कैसे इस्तेमाल किया जाए, उसके लिए भी हम काम कर रहे हैं। इसके साथ ही साथ पोर्ट कनेक्टिविटी बढ़ाने के लिए, रेल कनेक्टिविटी, नेशनल हाईवेज कनेक्टिविटी के लिए सागरमाला योजना के अन्तर्गत हम उसमें 8 लाख करोड़ रुपये खर्च करके सारे देश में पोर्ट डवलपमेंट में काम करने वाले हैं।

श्री कल्याण बनर्जी जी ने भी विस्तार से अपना विषय रखा। उनका एक सुझाव वह भी रहा कि हैज़ारडुअस मैटीरियल्स के संदर्भ में, *Environmental pollution by vessels is covered under Clause 4(u) of the Bill.* बिल के सैक्शन 4 में जो हैज़ारडुअस है और जब उससे कोई समुद्री पोल्यूशन होता है तो उसके संदर्भ में भी हमने यहां पर प्रावधान रखा है। यहां पर महताब जी ने भी चर्चा के दौरान अपनी बात रखी है और उन्होंने कहा कि आपने हिन्दुस्तान शब्द का इस्तेमाल किया है। वह हमने पर्याय के रूप में किया है। लेकिन मैं इसका स्वागत करता हूं। भारत को हिन्दुस्तान सदियों से बोलते आ रहे

हैं। इसलिए हमने भी उसका प्रयोग किया है। लेकिन आपने एक विषय वह भी रखा कि अभी जो कोर्ट है, उसमें जो पेंडिंग केसेज हैं, उनके ऊपर से भार कैसे कम हो। इसलिए मुझे बताने से खुशी होगी कि बिल में यह प्रावधान भी किया गया है कि 9th स्टेट की उच्च न्यायालय को जो सत्ता मिलेगी तो ऑटोमैटिकली, जिन स्टेट के, जिन क्षेत्रों के जो विषय हैं, वहां ये विषय उच्च न्यायालय में चले जाएंगे। उसके साथ-साथ आपने वह विषय भी रखा है कि जो लॉस ऑफ लाइफ होता है और जो एक्सीडेंट होता है या किसी को व्यक्तिगत हानि होती है तो उसमें उसको प्रायोरिटी मिलनी चाहिए। हमने वह विषय भी विस्तार से रखा है कि प्रायोरिटी में हमने पहले वेजेज को रखा है। जो वेजेज बेसिस पर स्वीपर्स काम कर रहे हैं और जो काम करने वाले व्यक्ति हैं, उनको कैसे तुरंत ही पैसा मिले, इसका भी हमने ध्यान रखा है। उसके बाद हमने यह रखा है कि यदि कभी किसी को व्यक्तिगत हानि हो तो उसको हमने सैकेंड प्रायोरिटी में लिया है।

थर्ड प्रायोरिटी में हमने उसके ऊपर गवर्नमेंट लायबिलिटी को लिया है, जिससे लोगों को अच्छी तरह से न्याय मिले। जो व्यक्तिगत जान गई हुयी है, हम इस बिल के तहत उसको अच्छी तरह से सपोर्ट कर सकें और उनको मदद करने की सरकार की परमानेंट इच्छा रहेगी। नरसिम्हम जी ने भी ट्रेनिंग इंस्टीट्यूट के संदर्भ में अपने विचार रखे हैं। मैरीटाइम यूनिवर्सिटी के अनुसंदर्भ में आन्ध्र प्रदेश के काकीनाड़ा में एक ट्रेनिंग इंस्टीट्यूट है, लेकिन वह बिल का विषय नहीं है। अगर वह ऐसा कोई इंस्टीट्यूट शुरू करना चाहते हैं तो मैरीटाइम यूनिवर्सिटी, चेन्नई से अवश्य अपना एप्लिकेशन दे सकते हैं। इस चर्चा में के. वी. रेड्डी जी ने भाग लिया है। उन्होंने कहा है कि जो आउटर हार्बर है, **how many ships are there in the outer harbours for want of the admiralty laws. No. Sir, the ship keeps moving.** उसके संदर्भ में हम उसे विस्तार से ले रहे हैं। इसके साथ-साथ ए. सावंत जी, विनायक राऊत जी, वाई. वी. सुब्बा रेड्डी जी, डॉ. के. हरि बाबू जी, कौशलेन्द्र कुमार जी, गोपाल शेट्टी जी, एन. के. प्रेमचंद्रन जी और नरेन्द्र केशव सवाईकर जी, सभी ने इस चर्चा में भाग लिया है और अपने-अपने विचार एवं सुझाव दिये हैं। जब इस बिल की नियमावली बनेगी तब हम विस्तार से उन्हें शामिल करने की कोशिश करेंगे।

कुल मिलाकर, इस बिल के संबंध में मैं अपेक्षा करता हूं कि जैसे आप सभी ने इस बिल को सपोर्ट किया है, वैसे ही आम सहमति से **The Admiralty (Jurisdiction and Settlement of Maritime Claims), 2016**, बिल पास होगा।

HON. DEPUTY SPEAKER: The question is:

“That the Bill to consolidate the laws relating to admiralty jurisdiction, legal proceedings in connection with vessels, their

arrest, detention, sale and other matters connected therewith or incidental thereto, be taken into consideration.”

The motion was adopted.

HON. DEPUTY SPEAKER: The House shall now take up clause by clause consideration of the Bill.

Clause 2 Definitions

HON. DEPUTY SPEAKER: Shri N.K. Premachandran, are you moving Amendment No. 4 to Clause 2?

SHRI N.K. PREMACHANDRAN (KOLLAM): Yes Sir, I beg to move:

“Page 2, line 15, -

after “animals”

insert “birds,” (4)

HON. DEPUTY SPEAKER: I shall now put Amendment No. 4 to Clause 2 moved by Shri N.K. Premachandran to the vote of the House.

The amendments was put and negatived.

HON. DEPUTY SPEAKER: The question is:

“That clause 2 stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 3 to 8 were added to the Bill.

Clause 9 Inter-se priority on maritime lien

HON. DEPUTY SPEAKER: Shri N.K. Premachandran, are you moving Amendment Nos. 5 and 6 to Clause 9?

SHRI N.K. PREMACHANDRAN : Yes Sir, I am moving only amendment no. 5. I beg to move:

“Page 5, line 44, -

omit “direct” (5)

HON. DEPUTY SPEAKER: I shall now put Amendment No. 5 to Clause 9 moved by Shri N.K. Premachandran to the vote of the House.

The amendments was put and negatived.

HON. DEPUTY SPEAKER: The question is:

“That clause 9 stand part of the Bill.”

The motion was adopted.

Clause 9 was added to the Bill.

Clauses 10 and 11 were added to the Bill.

Clause 12 Application of Code of civil procedure

HON. DEPUTY SPEAKER: Shri N.K. Premachandran, are you moving Amendment No. 7 to Clause 12?

SHRI N.K. PREMACHANDRAN (KOLLAM): No Sir, I am not moving the rest of amendments.

HON. DEPUTY SPEAKER: The question is:

“That clause 12 stand part of the Bill.”

The motion was adopted.

Clause 12 was added to the Bill.

Clauses 13 to 15 were added to the Bill.

Clause 16 Power to make rules.

HON. DEPUTY SPEAKER: Shri N.K. Premachandran, are you moving Amendment No. 8 to Clause 16?

SHRI N.K. PREMACHANDRAN : No Sir, I am not moving the rest of my amendments.

HON. DEPUTY SPEAKER: The question is:

“That clause 16 stand part of the Bill.”

The motion was adopted.

Clause 16 was added to the Bill.

Clause 17

Repeal and savings

Amendment made:

Page 8, for lines 8 to 13, -

| | | |
|----------------------|--|---|
| ‘Repeal and savings, | 17.(1) The application in India of the following enactments are hereby repealed - | |
| | (a) the Admiralty Court Act, 1840; (b) the Admiralty Court Act, 1861; (c) the Colonial Court of Admiralty Act, 1890; (d) the Colonial Courts of Admiralty (India) Act, 1891; and (e) the provisions of the Letters Patent, 1865 in so far as they apply to the admiralty jurisdiction of the Bombay, Calcutta and Madras High Courts’. | 3&4 Vict., c. 65 24 & 25 Vict., c.10 53 & 54 Vict., c.27 16 of 1891 (3) |
| | (Shri Mansukh L. Mandaviya) | |

HON. DEPUTY SPEAKER: The question is:

“That clause 17, as amended, stand part of the Bill.”

The motion was adopted.

Clause 17, as amended, was added to the Bill.

Clause 18 was added to the Bill.

15.30 hours**MOTION RE: 26TH TO 30TH REPORTS OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS**

HON. DEPUTY SPEAKER: Now, we are taking up Private Members' Business.

Item No. 18 – Shri Rattan Lal Kataria.

श्री रत्न लाल कटारिया (अम्बाला) : महोदय, मैं प्रस्ताव करता हूँ :

“कि यह सभा 23 और 30 नवम्बर और 7 दिसम्बर, 2016 और 3 फरवरी, और 9 मार्च, 2017 को सभा में प्रस्तुत गैर-सरकारी सदस्यों के विधेयकों तथा संकल्पों संबंधी समिति के क्रमशः 26वें, 27वें, 28वें और 30वें प्रतिवेदनों से इन उपांतरणों के अध्यक्षीन सहमत है कि-

(एक) 26वें प्रतिवेदन के पैरा 6 और पैरा 7 के उप-पैरा (तीन);

(दो) 28वें प्रतिवेदन के पैरा 4 और पैरा 5 के उप-पैरा (दो); और

(तीन) 29वें प्रतिवेदन के पैरा 4 और पैरा 5 के उप-पैरा (दो),

जो संकल्पों के लिए समय के आबंटन के बारे में है, का लोप किया जाए।”

HON. DEPUTY SPEAKER: The question is:

“That this House do agree with the Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth and Thirtieth Reports of the Committee on Private Members' Bills and Resolutions presented to the House on the 23rd and 30th November and 7th December, 2016 and the 3rd February and 9th March, 2017, respectively, subject to modifications that—

- (i) para 6 and sub-para (iii) of para 7 of the Twenty-sixth Report;
- (ii) para 4 and sub-para (ii) of para 5 of the Twenty-eighth; and
- (iii) para 4 and sub-para (ii) of para 5 of the Twenty-ninth Report, relating to allocation of time to resolutions, be omitted.”

The motion was adopted.

HON. DEPUTY SPEAKER: Now, we are taking up Bills for introduction.

15.31 hours

PRIVATE MEMBERS BILLS- Introduced

(i) Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Amendment Bill, 2016*
(Amendment of section 2, etc.)

HON. DEPUTY SPEAKER: Item No.19—Shri Baijayant Jay Panda.

SHRI BAIJAYANT JAY PANDA (KENDRAPARA): Sir, I beg to move for leave to introduce a Bill further to amend the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971.”

The motion was adopted.

SHRI BAIJAYANT JAY PANDA : I introduce** the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

** Introduced with Recommendation of the President.

15.31 ½ hours**(ii) Witness Protection Program Bill, 2016***

HON. DEPUTY SPEAKER: Item No.52—Shri Baijayant Jay Panda.

SHRI BAIJAYANT JAY PANDA (KENDRAPARA): Sir, I beg to move for leave to introduce a Bill to provide for the protection of witness in criminal proceedings and enhance the ability of the witness to give testimony in a judicial proceeding or to cooperate with law enforcement without fear of intimidation or reprisal.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for the protection of witness in criminal proceedings and enhance the ability of the witness to give testimony in a judicial proceeding or to cooperate with law enforcement without fear of intimidation or reprisal.”

The motion was adopted.

SHRI BAIJAYANT JAY PANDA : I introduce the Bill.

15.32 hours**(iii) Whistle Blowers Protection (Amendment) Bill, 2016*
(Amendment of section 3, etc.)**

HON. DEPUTY SPEAKER: Now, Item No.53—Shri Baijayant Jay Panda.

SHRI BAIJAYANT JAY PANDA (KENDRAPARA): Sir, I beg to move for leave to introduce a Bill further to amend the Whistle Blowers Protection Act, 2011.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Whistle Blowers Protection Act, 2011.”

The motion was adopted.

SHRI BAIJAYANT JAY PANDA : I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.32 ½ hours**(iv) Treatment of Terminally-ill Patients Bill, 2016***

HON. DEPUTY SPEAKER: Now, Item No.71—Shri Baijayant Jay Panda.

SHRI BAIJAYANT JAY PANDA (KENDRAPARA): Sir, I beg to move for leave to introduce a Bill to provide for the protection of patients and medical practitioners from criminal offences arising from withdrawing life-saving procedures or assisting for the right of a dignified death.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for the protection of patients and medical practitioners from criminal offences arising from withdrawing life-saving procedures or assisting for the right of a dignified death.”

SHRI BAIJAYANT JAY PANDA : I introduce the Bill.

HON. DEPUTY SPEAKER: Now, Item No.20—Shri Yogi Adityanath—Not present.

Item No.21 – Shri Yogi Adityanath – Not present.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.33 hours**(v) Orphan Child (Provision of Social Security) Bill, 2016***

HON. DEPUTY SPEAKER: Item no.22 – Shri B. Vinod Kumar.

SHRI B. VINOD KUMAR (KARIMNAGAR): I beg to move for leave to introduce a Bill to provide for social security and welfare measures to orphan children and for matters connected therewith.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for social security and welfare measures to orphan children and for matters connected therewith.”

The motion was adopted.

SHRI B. VINOD KUMAR : I introduce the Bill.

15.33 ¼ hours**(vi) Constitution (Amendment) Bill, 2017*
(Amendment of article 134)**

HON. DEPUTY SPEAKER: Item no.172 – Shri B. Vinod Kumar.

SHRI B. VINOD KUMAR (KARIMNAGAR): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRI B. VINOD KUMAR : I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.33 ½ hours**(vii) Constitution (Amendment) Bill, 2016***
(Amendment of article 309)

HON. DEPUTY SPEAKER: Item no.23 - Shri P. Karunakaran.

SHRI P. KARUNAKARAN (KASARGOD): Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRI P. KARUNAKARAN : I introduce the Bill.

15.34 hours**(viii) Working Elephants (Protection and Welfare)**
Bill, 2016*

HON. DEPUTY SPEAKER: Item no.24 - Shri P. Karunakaran.

SHRI P. KARUNAKARAN (KASARGOD): Sir, I beg to move for leave to introduce a Bill to provide for measures for the protection and welfare of working elephants and for matters connected therewith.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for measures for the protection and welfare of working elephants and for matters connected therewith.”

The motion was adopted.

SHRI P. KARUNAKARAN : I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.34 ¼ hours**(ix) Constitution (Amendment) Bill, 2016
(Amendment of article 80) ***

HON. DEPUTY SPEAKER: Item no.25 - Shri P. Karunakaran.

SHRI P. KARUNAKARAN (KASARGOD): Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRI P. KARUNAKARAN : I introduce the Bill.

15.34 ½ hours**(x) Academy of Scientific and Innovative Research (Amendment) Bill, 2016*
(Insertion of new section 39)**

HON. DEPUTY SPEAKER: Item no.26 - Shri P. Karunakaran.

SHRI P. KARUNAKARAN (KASARGOD): Sir, I beg to move for leave to introduce a Bill to amend the Academy of Scientific and Innovative Research Act, 2011.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to amend the Academy of Scientific and Innovative Research Act, 2011.”

The motion was adopted.

SHRI P. KARUNAKARAN : I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.35 hours**(xi) Andhra Pradesh Reorganisation (Amendment) Bill, 2016***
(Insertion of new Part XA)

HON. DEPUTY SPEAKER: Item No.27 – Shri Y.V. Subba Reddy

SHRI Y.V. SUBBA REDDY (ONGOLE): I beg to move for leave to introduce a Bill further to amend the Andhra Pradesh Reorganization Act, 2014.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Andhra Pradesh Reorganization Act, 2014.”

The motion was adopted.

SHRI Y.V. SUBBA REDDY : I introduce the Bill.

15.35 ½ hours**(xii) Population Control Bill, 2016***

HON. DEPUTY SPEAKER: Item No.28 – Shri Prahlad Singh Patel.

श्री प्रहलाद सिंह पटेल (दमोह) : माननीय उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि जनसंख्या नियंत्रण और उससे संसक्त विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for population control and for matters connected therewith”

The motion was adopted.

श्री प्रहलाद सिंह पटेल : महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.36 hours**(xiii) Import of Consumer Goods (Regulation) Bill, 2016***

श्री प्रहलाद सिंह पटेल (दमोह) : माननीय उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि उपभोक्ता माल जिनसे नागरिकों के स्वास्थ्य को हानि पहुंचने की संभावना है, के आयात को विनियमित करने हेतु संस्थागत तंत्र का उपबन्ध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for institutional mechanism to regulate import of consumer goods having potential to cause harm to the well being of citizens.”

The motion was adopted.

श्री प्रहलाद सिंह पटेल : महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

HON. DEPUTY SPEAKER: Item No. 29. Shri Shailesh Kumar – Not present.

Item No. 30. Shri Maheish Giri – Not present.

Item Nos. 31 to 34. Shri Ramesh Bidhuri – Not present.

Item Nos. 35-36. Shri Adhalrao Patil Shivajirao – Not present.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.36 ½ hours**(xiv) Indian Penal Code (Amendment) Bill, 2016***
(Insertion of new section 376F)

HON. SPEAKER: Item No.37 – Shri Parvesh Sahib Singh Verma.

SHRI PARVESH SAHIB SINGH VERMA (WEST DELHI): I beg to move for leave to introduce a Bill further to amend the Indian Penal Code, 1860.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Indian Penal Code, 1860.”

The motion was adopted.

SHRI PARVESH SAHIB SINGH VERMA : I introduce the Bill.

15.37 hours**(xv) Constitution (Amendment) Bill, 2016***
(Amendment of article 243D)

HON. DEPUTY SPEAKER: Item No.38 – Shri Parvesh Sahib Singh Verma.

SHRI PARVESH SAHIB SINGH VERMA (WEST DELHI): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRI PARVESH SAHIB SINGH VERMA : I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.37 ¼ hours**(xvi) Youth (Development and Welfare) Bill, 2016***

श्री निशिकान्त दुबे (गोड्डा) : माननीय उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि देश में युवकों के समग्र विकास के लिए एक व्यापक नीति और तत्संसक्त तथा उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for a comprehensive policy for the overall development of youth in the country and for matters connected therewith or incidental thereto.”

The motion was adopted.

श्री निशिकान्त दुबे : महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

HON. DEPUTY SPEAKER: Item Nos. 40 and 41, Dr. Bhola Singh -- not present.

Item No. 42, Shri Sukhbir Singh Jaunapuria -- not present.

Item Nos. 43 and 44, Shri Janardan Singh Sigriwal -- not present.

Item No. 45, Shri Dushyant Chautala.

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15.37 ½ hours**(xvii) Criminal Law (Amendment) Bill, 2016***
(Amendment of section 304A, etc.)

SHRI DUSHYANT CHAUTALA (HISAR): I beg to move for leave to introduce a Bill further to amend the Indian Penal Code, 1860 and the Code of Criminal Procedure, 1973.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Indian Penal Code, 1860 and the Code of Criminal Procedure, 1973.”

The motion was adopted.

SHRI DUSHYANT CHAUTALA : I introduce the Bill.

15.38 hours**(xviii) Railways (Amendment) Bill, 2016***
(Amendment of section 126)

SHRI DUSHYANT CHAUTALA (HISAR): I beg to move for leave to introduce a Bill further to amend the Railways Act, 1989.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Railways Act, 1989.”

The motion was adopted.

SHRI DUSHYANT CHAUTALA : I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.38 ¼ hours

**(xix) Narcotic Drugs and Psychotropic Substances
(Amendment) Bill, 2016*
(Amendment of section 42)**

SHRI DUSHYANT CHAUTALA (HISAR): I beg to move for leave to introduce a Bill further to amend the Narcotic Drugs and Psychotropic Substances Act, 1985.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Narcotic Drugs and Psychotropic Substances Act, 1985.”

The motion was adopted.

SHRI DUSHYANT CHAUTALA : I introduce the Bill.

15.38 ½ hours

**(xx) Constitution (Amendment) Bill,2016*
(Amendment of article 15, etc.)**

DR. SATYA PAL SINGH (BAGHPAT): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

DR. SATYA PAL SINGH : I introduce the Bill.

HON. DEPUTY SPEAKER: Item Nos. 49, 50 and 51, Shri Maheish Girri -- not present.

Item No. 54, Dr. Udit Raj.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.39 hours**(xxi) Mahatma Gandhi National Rural Employment Guarantee
(Amendment) Bill, 2016*
(Amendment of Schedule I)**

DR. UDIT RAJ (NORTH WEST DELHI): I beg to move for leave to introduce a Bill further to amend the Mahatma Gandhi National Rural Employment Guarantee Act, 2005.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Mahatma Gandhi National Rural Employment Guarantee Act, 2005.”

The motion was adopted.

DR. UDIT RAJ : I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.39 ½ hours**(xxii) Integrated Child Development Services
(Regularisation) Bill, 2016***

DR. UDIT RAJ (NORTH WEST DELHI): I beg to move for leave to introduce a Bill to provide for regularization and universalisation of Integrated Child Development Services in the country and for matters connected therewith or incidental thereto.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for regularization and universalisation of Integrated Child Development Services in the country and for matters connected therewith or incidental thereto.”

The motion was adopted.

DR. UDIT RAJ : I introduce** the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

** Introduced with the recommendation of the President.

15.40 hours**(xxiii) Constitution (Amendment) Bill, 2016***
(Amendment of article 338)

DR. UDIT RAJ (NORTH WEST DELHI): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

DR. UDIT RAJ : I introduce the Bill.

15.40 ½ hours**(xxiv) Constitution (Amendment) Bill, 2016***
(Amendment of article 312)

DR. UDIT RAJ (NORTH WEST DELHI): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

DR. UDIT RAJ : I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.41 hours**(xxv) Homoeopathy Central Council (Amendment) Bill, 2016***
(Amendment of sections 12A and 12B)

DR. KIRIT P. SOLANKI (AHMEDABAD): I beg to move for leave to introduce a Bill further to amend the Homoeopathy Central Council Act, 1973.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Homoeopathy Central Council Act, 1973.”

The motion was adopted.

DR. KIRIT P. SOLANKI : I introduce the Bill.

HON. DEPUTY SPEAKER: Item No. 59, Shrimati Rama Devi -- not present.

Item Nos. 60 and 61, Shri Sunil Kumar Singh -- not present.

15.41 ½ hours**(xxvi) Prevention of Cruelty to Animals (Amendment) Bill, 2016***
(Amendment of section 11, etc.)

SHRI JAYADEV GALLA (GUNTUR): I beg to move for leave to introduce a Bill further to amend the Prevention of Cruelty to Animals Act, 1960.

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Prevention of Cruelty to Animals Act, 1960.”

The motion was adopted.

SHRI JAYADEV GALLA : Sir, I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.42 hours**(xxvii) Constitution (Amendment) Bill, 2016***
(Insertion of new article 21B)

SHRI JAYADEV GALLA (GUNTUR): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRI JAYADEV GALLA : Sir, I introduce the Bill.

15.42 ½ hours**(xxviii) Electricity (Amendment) Bill, 2016***
(Substitution of new section for section 4)

श्री गोपाल शेटी (मुम्बई उत्तर) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि विद्युत अधिनियम, 2003 का और संशोधन करने वाले विधेयक को पुरस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Electricity Act, 2003.”

The motion was adopted.

श्री गोपाल शेटी : उपाध्यक्ष महोदय, मैं विधेयक पुरस्थापित करता हूँ।

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.43 hours**(xxix) Code of Criminal Procedure (Amendment) Bill, 2016***
(Amendment of the First Schedule)

SHRI VISHNU DAYAL RAM (PALAMU): I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1973.

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1973.”

The motion was adopted.

SHRI VISHNU DAYAL RAM : Sir, I introduce the Bill.

15.43 ½ hours**(xxx) Consumer Protection (Amendment) Bill, 2016***
(Amendment of section 2)

डॉ. संजय जायसवाल (पश्चिम चम्पारण) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि उपभोक्ता संरक्षण अधिनियम, 1986 का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Consumer Protection Act, 1986. ”

The motion was adopted.

डॉ. संजय जायसवाल : उपाध्यक्ष महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.44 hours

(xxxii) Cigarettes and Other Tobacco Products (Prohibition of advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Amendment Bill, 2016*
(Amendment of sections 4 and 6)

डॉ. संजय जायसवाल (पश्चिम चम्पारण) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि सिगरेट और अन्य तंबाकू उत्पाद (विज्ञापन का प्रतिषेध और व्यापार तथा वाणिज्य उत्पादन, प्रदाय और वितरण का विनियमन) अधिनियम, 2003 संरक्षण अधिनियम, का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003.”

The motion was adopted.

डॉ. संजय जायसवाल : उपाध्यक्ष महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.44 ½ hours**(xxxii) Hindu Minority and Guardianship (Amendment) Bill, 2016***
(Amendment of sections 6 and 7)

SHRI DHARAM VIRA GANDHI (PATIALA): I beg to move for leave to introduce a Bill to amend the Hindu Minority and Guardianship Act, 1956.

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill to amend the Hindu Minority and Guardianship Act, 1956.”

The motion was adopted.

SHRI DHARAM VIRA GANDHI : Sir, I introduce the Bill.

15.45 hours**(xxxiii) Guardians and Wards (Amendment) Bill, 2016***
(Amendment of section 10, etc.)

SHRI DHARAM VIRA GANDHI (PATIALA): I beg to move for leave to introduce a Bill further to amend the Guardians and Wards Act, 1890.

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Guardians and Wards Act, 1890.”

The motion was adopted.

SHRI DHARAM VIRA GANDHI : Sir, I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.45 ½ hours**(xxxiv)Representation of the People (Amendment) Bill, 2016***
(Insertion of new section 32A)

PROF. SUGATA BOSE (JADAVPUR): I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1951.

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1951.”

The motion was adopted.

PROF. SUGATA BOSE : Sir, I introduce the Bill.

15.46 hours**(xxxv)National Law Universities of India Bill, 2016***

PROF. SUGATA BOSE (JADAVPUR): I beg to move for leave to introduce a Bill further to establish, incorporate and declare certain law universities to be law universities of national importance.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to establish, incorporate and declare certain law universities to be law universities of national importance.”

The motion was adopted.

PROF. SUGATA BOSE : Sir, I introduce** the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

** Introduced with the recommendation of the President.

15.46 ½ hours**(xxxvi) Constitution (Amendment) Bill, 2016*
(Insertion of new articles 243EA and 243UA)**

श्रीमती जयश्रीबेन पटेल (मेहसाणा) : उपाध्यक्ष महोदय, मैं प्रस्ताव करती हूँ कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

श्रीमती जयश्रीबेन पटेल : उपाध्यक्ष महोदय, मैं विधेयक पुरःस्थापित करती हूँ।

15.47 hours**(xxxvii) Gauhati High Court (Establishment of a Permanent Bench at Silchar) Bill, 2016***

KUMARI SUSHMITA DEV (SILCHAR): I beg to move for leave to introduce a Bill to provide for the establishment of a permanent Bench of the Gauhati High Court at Silchar.

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for the establishment of a permanent Bench of the Gauhati High Court at Silchar.”

The motion was adopted.

KUMARI SUSHMITA DEV : Sir, I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.47 ½ hours

**(xxxviii) Narcotic Drugs and Psychotropic Substances (Amendment)
Bill, 2016***
(Amendment of section 1, etc.)

SHRI DHARAM VIRA GANDHI (PATIALA): I beg to move for leave to introduce a Bill further to amend the Narcotic Drugs and Psychotropic Substances Act, 1985.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the
Narcotic Drugs and Psychotropic Substances Act, 1985.”

The motion was adopted.

SHRI DHARAM VIRA GANDHI : Sir, I introduce** the Bill.

15.48 hours

(xxxix) Cow Protection Authority Bill, 2016*

श्री गोपाल शेर्मा (मुम्बई उत्तर) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि देश में गौ और उसकी संतति के संरक्षण के प्रयोजनार्थ एक प्राधिकरण तथा राज्य स्तर पर समरूप प्राधिकरणों के गठन और उससे संसक्त या उसके आनुषांगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for the
constitution of an authority for the purpose of protection of cow and
its progeny in the country and for matters connected therewith or
incidental thereto.”

The motion was adopted.

श्री गोपाल शेर्मा : उपाध्यक्ष महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

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** Introduced with the recommendation of the President.

15.48 ½ hours**(xl) Constitution (Amendment) Bill, 2016***
(Amendment of article 51A)

श्री गोपाल शेट्टी (मुम्बई उत्तर) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

श्री गोपाल शेट्टी : उपाध्यक्ष महोदय, मैं विधेयक पुरःस्थापित करता हूँ

HON. DEPUTY-SPEAKER: Item Nos. 77, 78 and 79, Dr. Ramesh Pokhriyal ‘Nishank’ – Not present.

15.49 hours**(xli) Constitution (Amendment) Bill, 2016***
(Amendment of article 370)

श्री सदाशिव लोखंडे (शिर्डी) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

श्री सदाशिव लोखंडे : उपाध्यक्ष महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

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15.49 ½ hours**(xlii) Constitution (Amendment) Bill, 2016***
(Omission of article 44, etc.)

श्री सदाशिव लोखंडे (शिर्डी) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

श्री सदाशिव लोखंडे : उपाध्यक्ष महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.50 hours**(xliii) National Board for Welfare of Flood Victims Bill, 2016***

श्री अजय मिश्रा टेनी (खीरी) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि बाढ़ पीड़ितों को स्थायी आश्रय उपलब्ध कराने का उपबंध कर के बाढ़ नियंत्रण करने के उपाय का सुझाव देने के लिए राष्ट्रीय बाढ़ पीड़ित कल्याण बोर्ड के गठन का उपबंध करने तथा उससे संबंधित और उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for the constitution of a national board for welfare of flood victims by making provision of providing permanent shelters to flood victims, suggest measures to control floods.”

The motion was adopted.

श्री अजय मिश्रा टेनी : उपाध्यक्ष महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

15.50 ½ hours**(xliv) Indian Penal Code (Amendment) Bill, 2016*
(Amendment of section 370A)**

SHRI JAGDAMBIKA PAL (DOMARIYAGANJ): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Penal Code, 1860.

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Indian Penal Code, 1960.”

The motion was adopted.

SHRI JAGDAMBIKA PAL : Sir, I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.51 hours**(xlv) Central Anti-Slavery Agency Bill, 2016***

SHRI JAGDAMBIKA PAL (DOMARIYAGANJ): Sir, I beg to move for leave to introduce a Bill to provide for constitution of a Central Anti-Slavery Agency to prohibit the practice of slavery, bonded labour and human trafficking and to rehabilitate the victims.

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for constitution of a Central Anti-Slavery Agency to prohibit the practice of slavery, bonded labour and human trafficking and to rehabilitate the victims.”

The motion was adopted.

SHRI JAGDAMBIKA PAL : Sir, I introduce** the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

** Introduced with the recommendation of the President.

15.51 ½ hours**(xlvii) Scheduled Castes and Scheduled Tribes (Prevention of Caste-Based Discrimination in Educational Institutions) Bill, 2016***

श्री निशिकान्त दुबे (गोड्डा) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि शैक्षिक संस्थाओं में जाति आधारित भेदभाव का प्रभावी रूप से निवारण करने तथा उससे संबंधित या उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill to effectively prevent the caste-based discrimination in educational institutions.”

The motion was adopted.

श्री निशिकान्त दुबे : उपाध्यक्ष महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

15.52 hours**(xlviii) Constitution (Amendment) Bill, 2016*
(Amendment of article 72)**

श्री निशिकान्त दुबे (गोड्डा) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

श्री निशिकान्त दुबे : उपाध्यक्ष महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

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15.52 ½ hours**(xlviii) Constitution (Amendment) Bill, 2016***
(Insertion of new article 370A)

श्री निशिकान्त दुबे (गोड्डा) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

श्री निशिकान्त दुबे : उपाध्यक्ष महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

HON. DEPUTY SPEAKER: Item Nos. 88, 89 and 90 Shri Rabindra Kumar Jena –
Not present

15.53 hours**(xlix) Anti-Discrimination and Equality Bill, 2016***

DR. SHASHI THAROOR (THIRUVANANTHAPURAM): I beg to move for leave to introduce a Bill to ensure equality to every citizen of the country by providing protection against all forms of social discrimination.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to ensure equality to every citizen of the country by providing protection against all forms of social discrimination.”

The motion was adopted.

DR. SHASHI THAROOR : I introduce the Bill.

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15.53 ½ hours**(I) Protection of Traditional Knowledge Bill, 2016***

DR. SHASHI THAROOR (THIRUVANANTHAPURAM): I beg to move for leave to introduce a Bill to provide for the protection, preservation, promotion and development of India's Traditional Knowledge.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for the protection, preservation, promotion and development of India's Traditional Knowledge.”

The motion was adopted.

DR. SHASHI THAROOR : I introduce the Bill.

HON. DEPUTY SPEAKER: Item No. 93 Shri Ninong Ering – Not present.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.54 hours**(li) Designation of States as Sponsor of Terrorism Bill, 2017***

श्री राजेन्द्र अग्रवाल (मेरठ): महोदय, मैं प्रस्ताव करता हूँ कि कतिपय राज्यों को आतंकवाद के समर्थक के रूप में अभिहित करने, ऐसे राज्यों के साथ व्यापार संबंधों को समाप्त करने, ऐसे राज्यों के नागरिकों के लिए विधायी, आर्थिक और यात्रा प्रतिबंध लगाने और उससे संबंधित या उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to designate certain States as sponsor of terrorism to provide for withdrawal of trade relations with such States to create legal economic and travel sanctions for the citizens of the such States and for matters connected therewith or incidental thereto.”

The motion was adopted.

श्री राजेन्द्र अग्रवाल : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.55 hours**(lii) Indian penal Code (Amendment) Bill, 2016***
(Amendment of section 304A)

SHRI MULLAPPALLY RAMACHANDRAN (VADAKARA): I beg to move for leave to introduce a Bill further to amend the Indian Penal Code, 1860.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Indian Penal Code, 1860.”

The motion was adopted.

SHRI MULLAPPALLY RAMACHANDRAN : I introduce the Bill.

HON. DEPUTY SPEAKER: Item Nos. 96, 97, 98 and 99 Shri Kunwar Pushendra Singh Chandel – Not present

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.56 hours**(liii) Protection of Speech and Reputation Bill, 2016***

SHRI TATHAGATA SATPATHY (DHENKANAL): I beg to move for leave to introduce a Bill to balance the right to personal reputation within the right to free speech by providing for repeal of substantive offence of defamation and its punishments; consolidate the common law relating to civil defamation; comprehensively provide for the protection of speech and reputation.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to balance the right to personal reputation within the right to free speech by providing for repeal of substantive offence of defamation and its punishments; consolidate the common law relating to civil defamation; comprehensively provide for the protection of speech and reputation.”

The motion was adopted.

SHRI TATHAGATA SATPATHY : I introduce the Bill.

HON. DEPUTY SPEAKER: Item Nos. 101, 102, 103 and 104 Shri Gajanan Chandrakant Kirtikar – Not present.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

15.57 hours**(liv) Welfare of Families of Defence Personnel Bill, 2016***

श्री श्रीरंग आप्पा बारणे (मावल): महोदय, मैं प्रस्ताव करता हूँ कि शत्रु द्वारा अथवा आतंकवादी कार्रवाई में मारे गए अथवा ऐसी कार्रवाई के दौरान गंभीर रूप से घायल हुए रक्षा कार्मिकों के परिवारों के कल्याण हेतु निधि का गठन करने का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for constitution of a fund for the welfare of families of defence personnel who are killed by enemy or terrorist action or get seriously injured during such action.”

The motion was adopted.

श्री श्रीरंग आप्पा बारणे : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

15.58 hours**(lv) Cantonments (Amendment) Bill, 2016*
(Amendment of section 12)**

श्री श्रीरंग आप्पा बारणे (मावल): महोदय, मैं प्रस्ताव करता हूँ कि छावनी अधिनियम, 2006 का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Cantonments Act, 2006.”

The motion was adopted.

श्री श्रीरंग आप्पा बारणे : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

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15.59 hours**(Ivi) Constitution (Amendment) Bill, 2016
(Amendment of article 16) ***

श्री श्रीरंग आप्पा बारणे (मावल): महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

श्री श्रीरंग आप्पा बारणे : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

16.00 hours

HON. DEPUTY SPEAKER: Item Nos. 108 to 111. Shri Rajesh Ranjan- not present.

Item No. 112. Shri Bhairon Prasad Mishra.

(Ivii) Old Age Pension Bill, 2016*

श्री भैरों प्रसाद मिश्र (बांदा) : महोदय, मैं प्रस्ताव करता हूँ कि वृद्ध नागरिकों को पेंशन का संदाय करने का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for payment of pension to old age citizens.”

The motion was adopted.

श्री भैरों प्रसाद मिश्र : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

16.01 hours**(lviii) Child Development Bill, 2016***

श्री भैरों प्रसाद मिश्र (बांदा) : मैं प्रस्ताव करता हूँ कि बालकों का सर्वांगीण विकास का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for all-round development of children.”

The motion was adopted.

श्री भैरों प्रसाद मिश्र : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

HON. DEPUTY SPEAKER: Item No. 114. Shri Sukhbir Singh Jaunapuria- not present.

Item No. 115. Shri Om Prakash Yadav.

16.01 ½ hours**(lix) Special Courts for Scheduled Castes and Scheduled Tribes Bill, 2016***

श्री ओम प्रकाश यादव (सीवान) : महोदय, मैं प्रस्ताव करता हूँ कि देश में अनुसूचित जातियों और अनुसूचित जनजातियों के लिए विशेष न्यायालयों का गठन तथा तत्संसक्त विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for constitution of special courts for the Scheduled Castes and the Scheduled Tribes in the country and for matters concerned therewith.”

The motion was adopted.

श्री ओम प्रकाश यादव : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

16.02 hours**(lx) Prevention of Atrocities on Women Bill, 2016***

श्री ओम प्रकाश यादव (सीवान) : महोदय, मैं प्रस्ताव करता हूँ कि देश में महिलाओं पर होने वाले अत्याचारों का निवारण करने, महिलाओं के विरुद्ध किए गए ऐसे अपराधों के विचारण हेतु विशेष न्यायालयों का और ऐसे अपराधों के पीड़ितों को राहत देने और उनके पुनर्वास तथा उससे संबंधित या उसके आनुषांगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to prevent atrocities against women in the country, to specify Special Courts for the trial of offences committed against women and for the relief and rehabilitation of victims of such offences and for matters connected therewith or incidental thereto.”

The motion was adopted.

श्री ओम प्रकाश यादव : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

16.02 ½ hours**(lxi) Representation of People (Amendment) Bill, 2016*
(Amendment of section 2, etc.)**

SHRI FEROZE VARUN GANDHI (SULTANPUR): I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1951.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1951.”

The motion was adopted.

SHRI FEROZE VARUN GANDHI : I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

HON. DEPUTY SPEAKER: Item No. 118. Shrimati Meenakashi Lekhi- not present.

Item No. 119. Shri Bhartruhari Mahtab.

16.03 hours

(Ixi) Constitution (Amendment) Bill, 2016*
(Amendment of article 124, etc)

SHRI BHARTRUHARI MAHTAB (CUTTACK): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRI BHARTRUHARI MAHTAB : I introduce the Bill.

HON. DEPUTY SPEAKER: Item Nos. 120 to 122. Shrimati Rama Devi. Not Present.

Item No. 123. Shrimati Supriya Sule.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

16.03 ½ hours**(lxiii) Special Courts for Trial of Offences against Women
Bill, 2016***

SHRIMATI SUPRIYA SULE (BARAMATI): I beg to move for leave to introduce a Bill to provide for constitution of special courts for trial of cases of offences of sexual violence against women in order to ensure speedy disposal of such cases and for matters connected therewith.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for constitution of special courts for trial of cases of offences of sexual violence against women in order to ensure speedy disposal of such cases and for matters connected therewith.”

The motion was adopted.

SHRIMATI SUPRIYA SULE : I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

16.04 hours**(Ixiv) Free and Compulsory Secondary and Senior
Secondary Education Bill, 2016***

SHRIMATI SUPRIYA SULE (BARAMATI): I beg to move for leave to introduce a Bill to provide free and compulsory secondary and senior secondary education to all children and for matters connected therewith.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for free and compulsory secondary and senior secondary education to all children and for matters connected therewith.”

The motion was adopted.

SHRIMATI SUPRIYA SULE: I introduce the Bill.

16.04 ½ hours**(Ixv) Indian Penal Code (Amendment) Bill, 2016*
(Amendment of section 292, etc.)**

SHRIMATI SUPRIYA SULE (BARAMATI): I beg to move for leave to introduce a Bill further to amend the Indian Penal Code, 1860.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Indian Penal Code, 1860.”

The motion was adopted.

SHRIMATI SUPRIYA SULE : I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

16.04 ¾ hours**(Ixvi) Higher Educational Institutions (Regulation of Fee) *
Bill, 2017**

SHRIMATI SUPRIYA SULE (BARAMATI): I beg to move for leave to introduce a Bill to provide for regulation of fee in higher educational institutions with a view to make higher education accessible to all and for matters connected therewith.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for regulation of fee in higher educational institutions with a view to make higher education accessible to all and for matters connected therewith.”

The motion was adopted.

SHRIMATI SUPRIYA SULE : I introduce the Bill.

16.05 hours**(Ixvii) Drugs (Price Control) Bill, 2016***

श्री श्रीरंग आप्पा बारणे (मावल): महोदय, मैं प्रस्ताव करता हूँ कि औषधियों की कीमतें निर्धारित करने के लिए समिति का गठन करने और उससे संसक्त विषयों का उपबन्ध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for constitution of a Committee for fixing the prices of drugs and for matters connected therewith.”

The motion was adopted.

श्री श्रीरंग आप्पा बारणे : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

HON. DEPUTY SPEAKER: Now, item No. 127- Shri A.T. Nana Patil – not present; item No. 128 – Shri Ravneet Singh – not present.

Item No. 129 – Dr. Kirit Premjibhai Solanki.

16.05 ½ hours

**(lxviii) Compulsory Mental Healthcare Counselling
Facilities in Government Schools Bill, 2016***

DR. KIRIT P. SOLANKI (AHMEDABAD): Sir, I beg to move for leave to introduce a Bill to provide compulsory mental healthcare counselling facilities in Government schools and for matters connected therewith.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide compulsory mental healthcare counselling facilities in Government schools and for matters connected therewith.”

The motion was adopted.

DR. KIRIT P. SOLANKI : I introduce the Bill.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

16.06 hours**(lxix) Inclusion of the Scheduled Castes and the Scheduled Tribes in Persons Living Below Poverty Line Category Bill, 2016***

DR. KIRIT P. SOLANKI (AHMEDABAD): Sir I beg to move for leave to introduce a Bill to include the Scheduled Castes and the Scheduled Tribes in the below poverty line category.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to include the Scheduled Castes and the Scheduled Tribes in the below poverty line category.”

The motion was adopted.

DR. KIRIT P. SOLANKI : I introduce the Bill.

HON. DEPUTY SPEAKER: Item No. 131, Shri Ravneet Singh – not present.

Item No. 135, Shrimati Ranjeet Ranjan.

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

16.06 ½ hours**(lxx) Public Liability for Non-nuclear Industrial Mishap Bill, 2016***

श्रीमती रंजीत रंजन (सुपौल) : महोदय, मैं प्रस्ताव करती हूँ कि देश में गैर-नाभिकीय औद्योगिक दुर्घटनाओं के लिए कड़े दंड और पर्याप्त प्रतिकर तथा तत्संस्क्त और उसके आनुषांगिक विषयों का उपबन्ध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for stringent punishment and adequate compensation for non-nuclear industrial mishaps in the country and for matters connected therewith or incidental thereto.”

The motion was adopted.

श्रीमती रंजीत रंजन : महोदय, मैं विधेयक को पुरःस्थापित करती हूँ।

* Published in the Gazette of India, Extraordinary, Part II, Section 2 dated 10.03.2017.

16.07 hours**(lxxi) Marriages (Compulsory Registration and Prevention of Wasteful Expenditure) Bill, 2016***

श्रीमती रंजीत रंजन (सुपौल) : महोदय, मैं प्रस्ताव करती हूँ कि विवाहों में अत्यधिक व अपचयकारक व्यय का तथा विवाहों का साधारण अनुष्ठान करने, देश में अनुष्ठानित सभी विवाहों का अनिवार्य पंजीकरण करने और विवाह समारोहों के दौरान खाद्य वस्तुओं की बर्बादी का निवारण करने तथा तत्संशक्त या उसके आनुषांगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for the simple solemnisation of marriages by prohibiting extravagant and wasteful expenditure and show of wealth on marriages; for the compulsory registration of all marriages solemnised in the country, and for prevention of wastage of food items during marriage functions and for matters connected therewith or incidental thereto.”

The motion was adopted.

श्रीमती रंजीत रंजन : महोदय, मैं विधेयक को पुरःस्थापित** करती हूँ।

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

** Introduced with the recommendation of the President.

16.07 ½ hours**(lxxii) Waste Management and Recycling Bill, 2016***

PROF. RICHARD HAY (NOMINATED): Sir, I beg to move for leave to introduce a Bill to provide for ascertaining of current status of waste generation and its disposal; financial assistance for research and development in waste management; charges for waste disposal facilities; duties of citizens for segregating waste; prohibition on dumping waste; preparation of master plans for waste management; disposal of household, commercial and imported wastes; regulation of waste management business, promotion of recycling and reuse of waste resource and for matters connected therewith or incidental thereto.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for ascertaining of current status of waste generation and its disposal; financial assistance for research and development in waste management; charges for waste disposal facilities; duties of citizens for segregating waste; prohibition on dumping waste; preparation of master plans for waste management; disposal of household, commercial and imported wastes; regulation of waste management business, promotion of recycling and reuse of waste resource and for matters connected therewith or incidental thereto.”

The motion was adopted.

PROF. RICHARD HAY : I introduce the Bill.

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.08 hours**(lxxiii) Constitution (Amendment) Bill, 2016***
(Amendment of article 124, etc)

श्री राजीव सातव (हिंगोली) : महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

श्री राजीव सातव : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

16.08 ½ hours**(lxxiv) Indian Forest (Amendment) Bill, 2016***
(Insertion of new section 35, etc.)

श्री ओम प्रकाश यादव (सीवान) : महोदय, मैं प्रस्ताव करता हूँ कि भारतीय वन अधिनियम, 1927 का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Indian Forest Act, 1927.”

The motion was adopted.

श्री ओम प्रकाश यादव : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.09 hours**(lxxv) Right to Privacy of Personal Data Bill, 2016***

श्री ओम प्रकाश यादव (सीवान) : महोदय, मैं प्रस्ताव करता हूँ कि देश में सभी व्यक्तियों को व्यक्तिगत डाटा की निजता का अधिकार प्रदान करने, ऐसे व्यक्तिगत डाटा के दुरुपयोग की स्थिति में व्यक्तिगत डाटा धारण करने वाले संगठनों तथा समुचित सरकार का दायित्व स्थापित करने, यह सुनिश्चित करने की संगठनों द्वारा व्यक्तियों का उत्पीड़न न हो, के लिए राष्ट्रीय डू-नोट-डिस्टर्ब रजिस्ट्री का गठन करने तथा लोगों में अपने व्यक्तिगत डाटा के संरक्षण के लिए जागरूकता उत्पन्न करने और तत्संसक्त अथवा उसके आनुषांगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to provide for the right to privacy of personal data to all individuals in the country; establish the liability of the organizations holding personal data as well as the appropriate Government in case of misuse of such personal data; creation of a National Do-Not-Disturb Registry to ensure that individuals are not harassed by organisations and creating awareness among individuals for protection of their personal data and for matters connected therewith or incidental thereto.”

The motion was adopted.

श्री ओम प्रकाश यादव : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.10 hours**(lxxvi) Drugs and Cosmetics (Amendment) Bill, 2016***
(Amendment of section 5)

SHRI RAGHAV LAKHANPAL (SAHARANPUR): I beg to move for leave to introduce a Bill further to amend the Drugs and Cosmetics Act, 1940.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Drugs and Cosmetics Act, 1940.”

The motion was adopted.

SHRI RAGHAV LAKHANPAL : I introduce the Bill.

16.10 ½ hours**(lxxvii) Insecticides (Amendment) Bill, 2016***
(Amendment of sections 4 and 5)

SHRI RAGHAV LAKHANPAL (SAHARANPUR): I beg to move for leave to introduce a Bill further to amend the Insecticides Act, 1968.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Insecticides Act, 1968.”

The motion was adopted.

SHRI RAGHAV LAKHANPAL: I introduce the Bill.

HON. DEPUTY SPEAKER: Item No.43. Shri Naranbhai Bhikhabhai Kachhadia
– Not present.

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.11 hours**(lxxviii) International Treaties and Agreements
(Equal Representation of Women) Bill, 2017***

DR. THOKCHOM MEINYA (INNER MANIPUR): I beg to move for leave to introduce a Bill to ensure equal participation of men and women in representing the Government of India while entering into any international treaty, agreement, covenant, resolution or negotiation, including those relating to war or peace, in order to uphold the values of international human rights and convention to which India is a signatory.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to ensure equal participation of men and women in representing the Government of India while entering into any international treaty, agreement, covenant, resolution or negotiation, including those relating to war or peace, in order to uphold the values of international human rights and convention to which India is a signatory.”

The motion was adopted.

DR. THOKCHOM MEINYA : I introduce the Bill.

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.12 hours**(lxxix) Code of Criminal Procedure (Amendment) Bill, 2017***
(Amendment of section 197)

DR. THOKCHOM MEINYA (INNER MANIPUR): I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1973.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1973.”

The motion was adopted.

DR. THOKCHOM MEINYA : I introduce the Bill.

16.12 ½ hours**(lxxx) Prevention of Insults to National Honour (Amendment) Bill, 2017***
(Amendment of section 2)

श्री गोपाल शेटी (मुम्बई उत्तर) : महोदय, मैं प्रस्ताव करता हूँ कि राष्ट्रगौरव अपमान निवारण अधिनियम, 1971 का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Prevention of Insults to National Honour Act, 1971.

The motion was adopted.

श्री गोपाल शेटी : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.13 hours**(lxxxix) Armed Forces (Special Powers) Repeal Bill, 2017***

DR. THOKCHOM MEINYA (INNER MANIPUR): I beg to move for leave to introduce a Bill to repeal the Armed Forces (Special Powers) Act, 1958.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to repeal the Armed Forces (Special Powers) Act, 1958.”

The motion was adopted.

DR. THOKCHOM MEINYA : I introduce the Bill.

16.13 ½ hours**(lxxxix) Food Safety and Standards (Amendment) Bill, 2017*
(Amendment of section 3)**

श्री ओम बिरला (कोटा) : महोदय, मैं प्रस्ताव करता हूँ कि खाद्य सुरक्षा और मानक अधिनियम का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Food Safety and Standards Act, 2006.”

The motion was adopted.

श्री ओम बिरला : महोदय, मैं विधेयक को पुरःस्थापित करता हूँ।

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.14 hours**(lxxxiii) Constitution (Amendment) Bill, 2017***
(Insertion of new article 220A)

SHRIMATI MEENAKASHI LEKHI (NEW DELHI): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRIMATI MEENAKASHI LEKHI : I introduce the Bill.

16.14 ½ hours**(lxxxiv) Constitution (Amendment) Bill, 2017***
(Amendment of Seventh Schedule)

SHRIMATI MEENAKASHI LEKHI (NEW DELHI): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRIMATI MEENAKASHI LEKHI : I introduce the Bill.

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.15 hours**(lxxxv) Constitution (Amendment) Bill, 2017***
(Amendment of articles 217 and 224)

SHRIMATI MEENAKASHI LEKHI (NEW DELHI): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRIMATI MEENAKASHI LEKHI : I introduce the Bill.

16.15 ½ hours**(lxxxvi) Constitution (Scheduled Castes) Orders (Amendment) Bill, 2016***
(Amendment of the Schedules)

SHRIMATI MEENAKASHI LEKHI (NEW DELHI): I beg to move for leave to introduce a Bill further to amend the Constitution (Scheduled Castes) Order, 1950, the Constitution (Scheduled Castes) (Union Territories) Order, 1951, the Constitution (Jammu and Kashmir) Scheduled Castes Order, 1956 and the Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution (Scheduled Castes) Order, 1950, the Constitution (Scheduled Castes) (Union Territories) Order, 1951, the Constitution (Jammu and Kashmir) Scheduled Castes Order, 1956 and the Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962.”

The motion was adopted.

SHRIMATI MEENAKASHI LEKHI : I introduce the Bill.

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

HON. DEPUTY SPEAKER: Item No.152, Shri Bidyut Baran Mahato – not present.

Item No.153, Shri Arvind Sawant – not present.

16.16 hours

(lxxxvii) Establishment of Labour Exchanges Bill, 2017*

SHRI FEROZE VARUN GANDHI (SULTANPUR): I beg to move for leave to introduce a Bill to establish Labour Exchanges to regulate the employment of unprotected manual workers engaged in the unorganized sector; to make better provision for their terms and conditions of employment; to provide for their welfare, and for health and safety measures where such employments require these measures; to make provision for ensuring an adequate supply to and full and proper utilization of such workers in such employments to prevent avoidable unemployment; to provide for the establishment of Labour Exchange Boards in respect of these employments and for matters connected therewith.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to establish Labour Exchanges to regulate the employment of unprotected manual workers engaged in the unorganized sector; to make better provision for their terms and conditions of employment; to provide for their welfare, and for health and safety measures where such employments require these measures; to make provision for ensuring an adequate supply to and full and proper utilization of such workers in such employments to prevent avoidable unemployment; to provide for the establishment of Labour Exchange Boards in respect of these employments and for matters connected therewith.”

The motion was adopted.

SHRI FEROZE VARUN GANDHI : I introduce the Bill.

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.16 ½ hours**(lxxxviii) Regulation of International Treaties,
Agreements, Conventions and Covenants Bill, 2017***

ADV. JOICE GEORGE (IDUKKI): I beg to move for leave to introduce a Bill to regulate the manner in which the Central Government shall enter into and implement any international treaty, agreement, convention or covenant with foreign countries and for matters connected therewith.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to regulate the manner in which the Central Government shall enter into and implement any international treaty, agreement, convention or covenant with foreign countries and for matters connected therewith.”

The motion was adopted.

ADV. JOICE GEORGE : I introduce the Bill.

16.17 hours**(lxxxix) Constitution (Amendment) Bill, 2017*
(Amendment of article 253)**

ADV. JOICE GEORGE (IDUKKI): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

ADV. JOICE GEORGE : I introduce the Bill.

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.17 ½ hours**(xc) Plastic Recycling Bill, 2017***

श्री अजय मिश्रा टेनी (खीरी) : महोदय, मैं प्रस्ताव करता हूँ कि प्लास्टिक मद का पृथक्करण और पुनर्चक्रण करने; पुनर्चक्रण यूनिटों में पुनर्चक्रणीय प्लास्टिक का इस्तेमाल करने तथा उससे संबंधित विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for the segregation and recycling of plastic item; use of re-cyclable plastic in recycle units and for matters connected therewith.”

The motion was adopted.

श्री अजय मिश्रा टेनी : महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

16.18 hours**(xci) Wild Life (Protection) Amendment Bill, 2017*
(Insertion of Chapter IVD)**

SHRI GAURAV GOGOI (KALIABOR): I beg to move for leave to introduce a Bill further to amend the Wild Life (Protection) Act, 1972.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Wild Life (Protection) Act, 1972.”

The motion was adopted.

SHRI GAURAV GOGOI : I introduce the Bill.

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.18 ½ hours**(xcii) National Highways (Amendment) Bill, 2017***
(Amendment of section 3D)

DR. KIRIT P. SOLANKI (AHMEDABAD): I beg to move for leave to introduce a Bill further to amend the National Highways Act, 1956.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the National Highways Act, 1956.”

The motion was adopted.

DR. KIRIT P. SOLANKI : I introduce the Bill.

16.19 hours**(xciii) Representation of People (Amendment) Bill, 2017***
(Insertion of new section 8B)

PROF. SAUGATA ROY (DUM DUM): I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1951.

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1951.”

The motion was adopted.

PROF. SAUGATA ROY : I introduce the Bill.

HON. DEPUTY SPEAKER: Item No. 162, Shri A.P. Jithender Reddy – not present.

Item No. 163, Shri A.P. Jithender Reddy – not present.

HON. DEPUTY-SPEAKER: Item no. 164.

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.20 hours**(xciv) Constitution (Amendment) Bill, 2017***
(Amendment of article 348)

श्री ओम बिरला (कोटा) : महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति प्रदान की जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

श्री ओम बिरला : मैं विधेयक पुरःस्थापित करता हूँ।

HON. DEPUTY-SPEAKER: Item No. 165.

Shrimati Darshana Vikram Jardosh – Not present

Item No. 166.

Shrimati Darshana Vikram Jardosh – Not present

Item No. 167.

Shrimati Darshana Vikram Jardosh -- Not present.

Item No. 168.

Shri Ninong Ering --- Not present

Item No. 169.

Dr. Kirit Somaiya – Not present

Item. No. 170.

Dr. Manoj Rajoria – Not present

Item No. 171.

Dr. Manoj Rajoria – Not present

* Published in Gazette of India, Extraordinary, Part II, Section-2, dated 10.03.17.

16.20 ½ hours**(xcv) Special Financial Assistance to Victims of
Terror Attacks Bill, 2016***

श्री महेश गिरी (पूर्वी दिल्ली) : महोदय, मैं प्रस्ताव करता हूँ कि देश में आतंकी हमलों के पीड़ितों के लिए विशेष वित्तीय सहायता तथा उससे संबंधित विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for special financial assistance to the victims of terror attacks in the country for matters connected therewith.”

The motion was adopted.

श्री महेश गिरी : मैं विधेयक पुरःस्थापित** करता हूँ।

16.21 hours**(xcvi) Drugs and Cosmetics (Amendment) Bill, 2016*
(Amendment of section 2, etc.)**

श्री महेश गिरी (पूर्वी दिल्ली) : महोदय, मैं प्रस्ताव करता हूँ कि औषधि और प्रसाधन सामग्री अधिनियम, 1940 का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Drugs and Cosmetics Act, 1940.”

The motion was adopted.

श्री महेश गिरी : मैं विधेयक पुरःस्थापित करता हूँ।

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** Introduced with the recommendation of the President.

16.21 ½ hours**(xcvii) Constitution (Amendment) Bill, 2016***
(Amendment of article 15)

श्री महेश गिरी (पूर्वी दिल्ली) : महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान का और संशोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

श्री महेश गिरी : मैं विधेयक पुरःस्थापित करता हूँ।

16.22 hours**(xcviii) Maintenance of Cleanliness Bill, 2016***

श्री महेश गिरी (पूर्वी दिल्ली) : महोदय, मैं प्रस्ताव करता हूँ कि सार्वजनिक स्थानों में और उसके आस-पास स्वच्छ, स्वास्थ्यकर और स्वस्थ वातावरण बनाए रखना सुनिश्चित करने के लिए सार्वजनिक स्थानों में कचरा फैलाने, थूकने और मूत्र त्याग करने को प्रतिषिद्ध करने तथा उससे विषयों के लिए विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY-SPEAKER: The question is:

“That leave be granted to introduce a Bill to prohibit littering, spitting and urinating in public place so as to ensure maintenance of clean hygienic and healthy atmosphere in and around public place and for matters connected therewith.”

The motion was adopted.

श्री महेश गिरी : मैं विधेयक पुरःस्थापित करता हूँ।

HON. DEPUTY-SPEAKER: The House will now take up Item no. 174.

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Shri Feroze Varun Gandhi – Not present.

The House will now take up Item no. 175 – Further consideration and passing of the motion moved by Shri Vincent H. Pala on 5th August, 2016.

Shri P.D. Rai – Not present.

Shri Adhir Chowdhury.

16.24 hours**SIXTH SCHEDULE TO
CONSTITUTION (AMENDMENT) BILL, 2015**

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Hon. Deputy-Speaker, Sir, my esteemed colleague has already introduced a legislative document under the nomenclature 'Sixth Schedule to the Constitution (Amendment) Bill, 2016'. He has made an elaborate presentation on the Bill.

Sir, the amendments were sought after with regard to the increasing number of members in the District Council from 30 to 40 as was originally envisaged in the Constitution and secondly also to bring traditional occupation of tribals into mines and minerals under the legislative competence of the District Council and protect customary practices and interests of tribals.

Sir, I may remind you that the Sixth Schedule was born in the womb of the Constituent Assembly. It emerged after a long debate that took place in the Constituent Assembly. In that historical debate, Pandit Jawaharlal Nehru moved objectives Resolution which was adopted on 22nd January 1947. The Resolution actually shaped the making of the Constitution and that Resolution proclaimed that India would be an Independent, Sovereign, Democratic Republic wherein inter-alia adequate safeguards shall be provided for the minorities, backward and tribal areas, depressed and other backward classes.

Sir, in pursuance to the noble and holy aspects of our Constitution, the Sixth Schedule was born and in the Constituent Assembly, a Sub-Committee was formed led by no other than Gopinath Bordoloi and other prominent personalities.

Their objective is to protect the culture, the customs, practices of the tribals of our country. Especially the Sub-Committee was constituted for the interest of the tribal population of the North-Eastern Region. Thereafter, we got adequate place for tribals in the North-Eastern Region in our Constitution.

Here, I would like to refer that tribal areas generally mean areas having preponderance of tribal population. However, the Constitution of India refers to

tribal areas within the States of Assam, Meghalaya, Tripura and Mizoram as those areas specified in Part I, II, IIA and III of the table appended to paragraph 20 of the Sixth Schedule. In other words, areas where provisions of Sixth Schedule are applicable are known as tribal areas. In relation to these areas, Autonomous District Councils each having not more than 30 members have been set up. These Councils serve as an instrument of self-management and have powers of legislation and administration.

Justice apart from executive, developmental and financial responsibilities, State wise details of tribal areas are given. In Part I, there are the North Cachar Hill Districts and the Karbi Anglong Districts form Part II. Khasi Hill Districts, Jiantiya Hill Districts, the Gharo Hill Districts form Part IIA. The Tripura Tribal Areas Districts form Part III. Part III C comprises of the Chakma Districts, the Mara Districts and the Lai Districts.

Sir, we know that the North Eastern Region is a unique area of this country where nature has bestowed upon all its endowments but still that particular area has been lagging behind in various aspects as a result of which a sense of deprivation, isolation and frustration has gripped the psyche of the people of that particular Region. In order to meet the aspirations of the population of tribal people of North Eastern Region and also to assimilate those in the mainstream of our country, the provisions of the Sixth Schedules were visualised, conceived and actualised. Sir, 10 crore tribal population of our country have been demarcated between the Fifth Schedule and the Sixth Schedule only to preserve and protect their indigenous culture, customs, etc. Here, my esteemed friend has asked for induction of more members in the district councils from 30 to 40. I have no dispute with the demand made by my esteemed colleague. But I also urge that we need to do introspection and relook into the functions and performance of the autonomous district councils because the purposes and objectives of the constitution of autonomous district councils sometime are seemed to have been

belied upon. It has failed to meet the aspirations of the common people. Yes, there are multifarious reasons for it.

The district councils don't have the adequate financial resources which they need for the development of those respective councils. You know that the entitlement facilities, funds, etc. that are supposed to be provided through Panchayati Raj Institutions are not available with those district council areas. Naturally they are to depend on their own resources and the magnanimity of the respective States. There is a conflict of interest which is often observed between the State and the ADCs insofar as their areas of jurisdiction and other functions are concerned.

Sometime it is alleged that the power of nomination in the ADCs have been misused on several occasions. Nomination to the ADCs was given for the representatives to the minorities and the unrepresented tribes in the districts but the power of nomination is generally vested in the hands of the Governor of the State. Governors of States do not always comply with the aspiration or the opinion of the ADC.

Sir, the other issue is, the ADC has framed service rules to manage and regulate the service of their employees. Despite the rules framed by the ADC, the number of staff has increased excessively. The ADC makes appointment of teachers and other staff and increases the number of schools without providing adequate infrastructure to schools. Naturally, primary education is the area which is to be served by the ADC and it is incumbent upon the ADC. But due to various inefficiencies, it has failed to perform its job properly. Even misuse of Government funds are alleged to have been committed by the ADC, because the ADC does not have any expert inspecting officer. In the appointment of teachers, favouritism and political influence play a vital role. Such a situation has led to the decline in the standard of teaching and quality of education. I do not have any dispute with the demands made by my esteemed colleagues. But these are the

issues which are often raised in various fora and I thought it prudent to draw the attention of the initiator of this legislation.

Sir, under the Sixth Schedule of the Constitution of India, ADCs are empowered to make laws relating to allotment or use of land. In Meghalaya and in the hills of Assam, no land can be mortgaged, leased, bartered, gifted or otherwise transferred by tribal people to non-tribal people without the permission of the ADC. Although the ADC has the power to make laws for land development and land revenue, hardly any significant steps have been taken to initiate land reforms. As you know, land reforms always play a very key role, contributory role in the development of the tribal society. Not only that, land revenue collection also helps a lot to fill the coffer of the ADC. But there also, various problems crop up often because of the traditional system of Chieftain in the village. The chieftains of the villages in Meghalaya are called SIEMS and they enjoy enormous power so as to defy the diktates of the ADC. Naturally, it affects the financial resources of the ADC.

Sir, forest is also another main source ADC's income. But now the income from forest has got a severe jolt. Most of the tribal villagers depend on forest for crop cultivation and for their livelihood. The vast forests are the source of sustenance for the poor section of the tribal people of Northeast India. But relentless zooming cultivation meaning shifting cultivation, slash and burn method of cultivation, extension of zooming frontiers, cutting of timber by external interests and agencies have resulted in depletion of forest cover, depletion of forest resources and degradation of lands.

Sir, such factors contribute to the decline in revenue collected by the ADCs. Adding salt to the injury, the Supreme Court banning on cutting timbers accompanied with illegal felling of trees and deforestation for creating agricultural land add to the woes of collecting enough revenue from the forest.

Sir, now, the ADCs should come forward with more innovative approaches. The North-Eastern Region has been touted to be turned into an area

of organic farming. Instead of Jhumming, if the farmers of that area are encouraged or promoted to shift their cultivation to another area such as commercial crops or medicinal plants, they would also earn more money. This way, the need of Jhumming will get obviated, which will ultimately help generate more revenue for the ADCs.

Sir, even a study reveals that tax is an important source of the ADCs' internal income. The ADCs have framed certain regulations for the collection of taxes in their areas. The ADCs collect taxes on profession, trades, callings, employments, animals and boats, entry of goods into markets for sale and tolls on persons and goods carried in ferries. But collection of taxes was not done regularly and properly since the ADCs neither enforced the regulation strictly nor realized the amount efficiently. No attempt was also made by the ADCs to raise its revenue by exploiting its financial resources available to them. The receipt from the source of taxation was not adequate as there were loopholes and leakages in the process of collection of the taxes. It was alleged that taxes collected by the official hardly reached the coffer of ADCs. Thus, there was an allegation of siphoning of tax amount by the concerned officials.

Sir, there is a gossip already being talked about in various forums. I do not want to humiliate anybody, but it is often alleged that the North-Eastern Region is a region, which has earned notoriety for siphoning of funds. Even the ADCs are not immune to this siphoning of funds as it is often alleged.

Sir, another issue is the appointment and succession of the Tribal Chiefs. It is an important item of legislation for the ADCs. Only the ADC in Mizoram abolished the chieftainship. But in other areas like the Garo Hills and Khasi Hills Regions in Meghalaya, they always recognized these institutions. As I said earlier also, the SIEMS, that is, chieftain of the village in Meghalaya, who often enjoyed the influence as a traditional chief so that he can defy the authority of the ADCs. Funds for carrying out developmental activities as provided according to the present system are found unworkable.

Sir, the ADCs control the administration of justice but it is observed that in some ADCs, there were no legal experts or trained judicial officers to carry on the trial of cases and disputes efficiently and expeditiously. Moreover, the Village Courts or Village Councils as provided in paragraph 4 of the Sixth Schedule of the Constitution of India, had not yet been constituted by some of the ADCs. Due to lack of coordination, the ADC could not utilise the judicial administrative experience of the Deputy Commissioner's Court in the districts in the trial of cases and disputes of civil and criminal nature. As the cases before this court were of petty nature, almost all the disputes were settled at the village level. Most of the cases that came up to the subordinate autonomous council court eventually ended up in a compromise. Moreover, the tribal people in the ADC areas have preferred to settle their disputes through their customs and traditions instead of approaching the ADC courts. Many of the disputes are still sought to be solved outside the court at the clan level. However, the customary laws of those tribal areas are still not codified in almost all the ADCs of North East India. Therefore, Sir, there is no gainsaying the fact that in spite of all big talks about ADCs, in spite of our promises that tribals were given the opportunity of self-determination, still financial resources have become a severe constraint for the growth and development of the tribal population in the Sixth Schedule Areas.

Even so in Arunachal Pradesh, people are demanding for the creation of autonomous District Council. The autonomy of the District Council is limited because the Governor of the State is the head of the ADC. My submission is that more powers should be given to the ADCs. While authorising more powers to them, the ADCs should also be equipped to translate their powers or their privileges into reality and to that end of developing the areas as well as their future generations. Due to corruptions, inefficiencies, mismanagement and inadequacy of funds, the advantages or the facilities that are supposed to have been accrued by the ADCs do not always permeate to the grassroot level. The Governor of the State is the head of the ADCs. He may suspend any act or resolution of the ADCs

which is contrary to the provisions of the Sixth Schedule of the Indian Constitution or likely to endanger the safety of the country or prejudicial to public order. He may dissolve the ADC on the recommendation of an Inquiry Commission to be appointed under para 14 of the Sixth Schedule of the Indian Constitution, which mismanages the affairs of the council. As experiences have shown, setting up of an Inquiry Commission is recommended by the State Council of Minister rather than by the Governor of the State. Sir, as you know, in spite of our federal structure is in place, there is a simmering discontent between various bodies of our country. That is why, the "federal structure was in danger", cry was raised even inside the Parliament.

Sir, the ADCs are also more often than not raise the issue of discrimination, if the State Government is not friendly to the ADC, they may create problems which, as a result, can hinder the growth and development of the ADC areas. Therefore, the relation between the ADCs and the State Government should be more cordial and cooperative. There should be concerted effort between the ADC and the State Government so as to develop that particular area; otherwise there will be a sense of alienation, a sense of deprivation which is often reflected in the frustration of the people of North Eastern India who feel that if they remain separated from the mainstream, they may be happy, they may be more progressive. Therefore, the identity politics, the ethnic identity often rear up their heads much to the discomfiture of the body politic. The state government has no constitutional authority to assess and review, guide and advise the ADCs. The administrative experience and guidance of the officers of the State Government are not utilized by the ADCs in their everyday operation. There have also been reports of States undue interference in the working of the ADCs. The relationship between the ADCs and the State Government should be cordial so far as the development is concerned.

It is also observed that the ADCs served the interest of mainly the neo-middle rich class or classes of rich traders, contractors, bureaucrats and educated

who had emerged from within the tribal society of North East India due to enlarging money economy on developmental activities. Their emerging socio-economic structures in the tribal areas did not allow the benefits of the ADCs to flow towards the weaker section of the tribes. Besides that, the elected members of the ADCs and the office-bearers who were normally from the elite group of the tribal society had vested interest in preserving the exploitative structure and that they were not likely to do anything that would strengthen the position of the poor in their areas. The members of this group held power of decision-making in the ADCs. Naturally, if this kind of situations prevails and continues, then the very purpose of constituting ADCs will be defeated.

Decades after decades have passed. Yet we are experiencing the progress, the flaws and the inefficiencies of running ADC. The ADC was first formed in the year 1952. It seems to have failed the hopes and desires of the tribal people of North East India. It has only strengthened identity politics. Social and economic development has been ignored. The birth of the ADCs was hailed with anticipations and aspirations as it was thought to be the harbinger of political and Constitutional advancement for granting autonomy to the ethnic minorities in compact areas of North East India. But the hopes was largely belied and frustrated, by every indicator of development such as per capita income, health status, education, housing, poverty level. The ADCs areas remain poor and backward. Thus, unless the above problems are rectified, tribal development will always be a distant dream in spite of the existence of ADCs in the North Eastern Region.

My esteemed friend has suggested having traditional occupation of tribals relating to mines and minerals under legislative competence of the District Council. We know that the entire North Eastern Region is enriched with mines and minerals. Even platinum, uranium, iron ore, coal, everything is available there. Even in the hills of Meghalaya, radioactive uranium, even platinum is also available in that particular North Eastern Region.

But I do not know whether the ADC as a body is competent enough to deal with the matter of minerals. Rather I would suggest that more royalty should be provided to the coffers of ADC from the sale and exploitation of the minerals and mines of that area so that the minerals and mines for which the entire North Eastern region is enriched should help in developing the ADC areas and in developing the health, education and other necessary aspects of life in that particular area.

Sir, without any hesitation, I must say that my esteemed friend Mr. Vincent Pala, who has been hailing from that area, is really concerned about the welfare of the tribal population of that particular region, including my friend Kiren Rijju also. So, by concerted efforts of all the Members of North Eastern region, and cutting across political hue, they should come forward and raise the voice for the North Eastern Region.

North Eastern Region *Zindabad*.

HON. DEPUTY SPEAKER: Shri Ramesh Bidhuri has requested me that he could not introduce the Bills at the time when all the Members were introducing. As a special case, I will allow him now.

Shri Ramesh Bidhuri Ji, do not read the whole thing. Just tell the item number.

Now, item No. 31 - Shri Ramesh Bidhuri

16.56 hours

PRIVATE MEMBERS BILLS- Introduced..... contd.

(xcix) Compulsory Teaching of Bhagavad Gita as a Moral Education Text Book in Educational Institutions Bill, 2016*

श्री रमेश बिधूड़ी (दक्षिण दिल्ली) : महोदय, मैं प्रस्ताव करता हूँ कि शैक्षिक संस्थाओं में नैतिक शिक्षा पाठ्यपुस्तक के रूप में भगवत् गीता की अनिवार्य रूप से शिक्षा प्रदान किए जाने तथा उससे संबंधित विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for compulsory teaching of Bhagavad Gita as a moral education text book in educational institutions and for matters connected therewith. ”

The motion was adopted.

श्री रमेश बिधूड़ी : महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

HON. DEPUTY SPEAKER: Now, Item No. 32 – Shri Ramesh Bidhuri.

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16.56 ½ hours**(c) Financial Assistance to Unemployed Post-Graduates Bill, 2016***

श्री रमेश बिधूड़ी (दक्षिण दिल्ली) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि बेरोजगारों को वित्तीय सहायता प्रदान करने तथा उससे संसक्त विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for financial assistance to unemployed post-graduates and for matters connected therewith. ”

The motion was adopted.

श्री रमेश बिधूड़ी : महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

HON. DEPUTY SPEAKER: Now, Item No. 33 – Shri Ramesh Bidhuri.

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16.57 hours**(ci)Victims of Riots and Communal Violence
(Equal Compensation) Bill, 2016***

श्री रमेश बिधूड़ी (दक्षिण दिल्ली) : महोदय, मैं प्रस्ताव करता हूँ कि दंगों और सांप्रदायिक हिंसा के पीड़ित व्यक्तियों के लिए समान प्रतिकार और तत्संसक्त विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for equal compensation to victims of riots and communal violence by the Central Government and for matters connected therewith or incidental thereto. ”

The motion was adopted.

श्री रमेश बिधूड़ी : उपाध्यक्ष महोदय, मैं विधेयक पुरःस्थापित** करता हूँ।

HON. DEPUTY SPEAKER: Now, Item No. 34 – Shri Ramesh Bidhuri.

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** Introduced with the recommendation of the President.

16.57 ½ hours**(cii) Special Financial Assistance to National Capital Territory of Delhi Bill, 2016***

श्री रमेश बिधूड़ी (दक्षिण दिल्ली) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि सड़कें, आवास, स्वच्छता, स्वास्थ्य देखभाल केंद्र, विद्यालय, कौशल विकास और प्रशिक्षण केंद्रों, महिलाओं, बच्चों और राष्ट्रीय राजधानी क्षेत्र के शहरी ग्रामों में रहने वाले गरीब लोगों के लिए कल्याणकारी योजनाओं से संबंधित विकास कार्यों के कार्यान्वयन के प्रयोजनार्थ राष्ट्रीय राजधानी राज्यक्षेत्र दिल्ली को वित्तीय सहायता दिए जाने तथा तत्संबंधी विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

HON. DEPUTY SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide for special financial assistance to National Capital Territory of Delhi for the purpose of development works related to roads, housing, healthcare centres, schools, skill development and training centres, development and welfare schemes for women, children and poor people living in the backward regions and urban poor villages of the National Capital Territory of Delhi and for matters connected therewith. ”

The motion was adopted.

श्री रमेश बिधूड़ी : महोदय, मैं विधेयक पुरःस्थापित करता हूँ।

* Published in Gazette of India, Extraordinary, Part-II, Section-2, dated 10.3.2017.

16.58 hours**SIXTH SCHEDULE TO CONSTITUTION
(AMENDMENT) BILL, 2015.....contd.**

HON. DEPUTY SPEAKER: Now, we will continue the discussion on the Sixth Schedule to the Constitution (Amendment) Bill further. Shri Ram Prasad Sarmah.

SHRI RAM PRASAD SARMAH (TEZPUR): Thank you Sir for allowing me to speak on the Bill introduced by Shri Vincent Pala, Member of Parliament from Khasi hills in Meghalaya.

Sir, Mr. Pala has mainly sought amendment to the Sixth Schedule. Sixth Schedule was born when the Constitution of India was enacted. The main architect of the Sixth Schedule was late Gopinath Bardoloi who was a very good friend of the tribals in the North East. It has a very special feature in the Constitution of India. It is Constitution within the Constitution, law within the law and it is designed to protect the rights of the tribals particularly in the hill regions of the North East.

Sir, Shri Vincent Pala has sought three amendments. One is to raise the number of Autonomous District Council from 30 to 40. Now, the number is 30 and it should be equal for all the three District Councils in Meghalaya namely, Khasi hills, Garo hills and Jaintia hills. There should be no discrimination among the three major tribes of the State of Meghalaya.

17.00 hours

Secondly, the District Council should have power to lease, licence and make provision for making the rules and regulations for leasing out or mining the mines and minerals in Meghalaya because Meghalaya is very rich in mineral resources. It is rich in coal, uranium and other resources. So, the Tribals of Meghalaya want that they should have right over the land as well as the mines and minerals, the wealth under the earth. And, thirdly, he wants that the customary

laws and practices of the Tribals in Meghalaya should be protected. Their right over the land should be protected, and they should have full right to lease, transfer or convey the rights over the land.

I fully support Mr. Vincent Pala because he has brought about a good proposal for the amendment to the law so that this provision is made, which will protect the interests of the Tribals of Meghalaya. Not only the Tribals of Meghalaya but also in Mizoram there are three Tribal areas which are under the Sixth Schedule. In Tripura there is one Tribal area which is under the Sixth Schedule. In Assam also, there are three Tribal areas, namely, Karbi Anglong, Dima Hasao and Bodoland Territorial Autonomous Districts (BTAD) having four districts within it. So, these Sixth Schedule areas should have similar rights and similar provisions. In BTAD also, there are 40 members. Sir, 30 members are reserved for the Tribals and 10 are reserved for the general castes.

In Dima Hasao, there are 26 elected members and in Karbi Anglong there are 26 elected members. They should also be raised to 40 each so that the area should be delimited and a new constituency should be created so that the people in the far flung areas, like Kukis, Nagas, Hmar and other Tribals, also get the right to get representation in the District Councils or Autonomous Councils or Regional Councils under the Constitution.

Even this concept can be introduced in the hills of Darjeeling. If the Gorkhas are scheduled as Scheduled Tribes of the country, they can also be provided with the Sixth Schedule giving them sufficient rights and titles over the area presently governed by the Gorkha Territorial Development Authority (GTDA).

So, I fully support the proposals made. There is also a demand by the Tiwa, Rabha and Mising Tribals in Assam. They want to be protected from the onslaught of Bangladeshis from Bangladesh. These Tribals are of small groups. Tiwa is a small group. Rabha is a small group. They also want some sort of protection as

regards their areas to be brought under the Sixth Schedule so that they can protect themselves against the onslaught of Bangladeshis.

The history of Sixth Schedule dates back to 1946-47 when the Constitution was passed by the Constituent Assembly. Hopingstone Lyngdoh, Gopinath Bordoloi, Sir Maham Singh and Nichols Roy were the proponents of this new proposal for putting the rights of the people of Tribal origin of the North-East. Your Honour is aware that Northeast is primarily a hilly area with far flung and secluded districts. They have distinct cultures, distinct habitations and distinct food habits, which need to be protected. Their rights over land, mines and minerals should be vested with them.

With these words, I support this Bill; I support the proposal put forward by Shri Vincent Pala. I hope that the aspirations of the tribal people of Northeast will be met by this amendment. I thank you, hon. Deputy Speaker, Sir, for giving me this opportunity.

PROF. SAUGATA ROY (DUM DUM): Sir, I rise to support the Bill called the Sixth Schedule to the Constitution (Amendment) Bill, 2015 brought by Shri Vincent Pala.

Sir, as you know, when the Constitution was formulated, Article 244A was introduced for the formulation of autonomous State comprising certain tribal areas in Assam and creation of local Legislature of Council of Ministers for both therefor. At that time, Assam was one State; Tripura was a Union Territory and Mizoram and Meghalaya were all parts of Assam. At that time, this part of the Constitution was brought forward.

Subsequently, the States of Meghalaya and Mizoram were carved out of Assam and district councils were formed in them. At present, there are 10 autonomous district councils in these four States. The four States as mentioned in the Sixth Schedule are Assam, Meghalaya, Tripura and Mizoram. There are three district councils in Meghalaya; four district councils in Assam; one district council in Tripura and three in Mizoram.

As you know, a different type of district council is also there in Assam, which is called the Bodoland Territorial Council. Normally, all the district councils had a maximum number of 30 members. But in the Constitution Bodoland Territorial Council has been allowed a membership of 46 members and has been given more powers.

Hon. Deputy Speaker, Sir, the hon. Minister, Mr. Rijju is from the State of Arunachal Pradesh which has no district council. But, he being from the Northeast, in general would be aware that these are very sensitive areas. You are also aware that we have longstanding insurgency in Nagaland. We had total insurgency in Mizoram which was later resolved during Rajiv Gandhi's tenure. There was insurgency in Tripura, which was also resolved during Rajiv Gandhi's tenure. Meghalaya has been relatively quiet but some Garo militants are there who sometimes kill a few people. There is militancy in Khasi hills also, which is dying

down. So, the idea of the Government of India has been and should be to assure the tribals living in this part that their identity and their culture would be protected.

The main problem is that in these States, except Tripura, the majority of the people are Christians and they have a distinct identity and culture in all these places. In Meghalaya, for instance, from where Mr. Vincent Pala hails, there are three distinct hills – the Khasi Hills, the Garo Hills and the Jaintia Hills. They are sometimes called Khasi and Jaintia Hills, but these are Khasi people, Garo people and Jaintia people are distinct people. There is, sometimes, in the Government of Meghalaya a thought that they will increase the number of members in the Khasi Autonomous Council to 40. In that case, Jaintia and Garo Hill Councils should also have 40 members. That is why, this amendment brought by Mr. Pala is very significant. He has proposed that there shall be a District Council for each autonomous district consisting of not more than 40 members who shall be elected on the basis of adult franchise. It is 30 so far. So, if it is increased in the case of Khasi Hills Council, it should also take place in case of Jaintia Hill Council.

In Assam, there is a Bodoland. Earlier, there were hills called North Cachar and Mikir Hills. Now, of course, their names are different. Now, North Cachar and Mikir Hills are called North Cachar and Karbi Anglong and Dima Hasao. There are black widows, spider group over there. That is a very dangerous militant group.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): The name also is dangerous.

PROF. SAUGATA ROY : Yes, the name is dangerous.

That is Dima Hasao. As you go to Diphu, which is part of North Cachar Hills, the same train goes on to Dibrugarh. Now, Diphu is Karbi Anglong. Haflong is just on the plains. If you travel by the Barak Valley Express, you can drop at Haflong, just before Silcher. It is a beautiful hill station type of place. Then, on the hills, there is Diphu. I am familiar with this because I come from those parts. I was

born in Shillong and spent my childhood in Shillong. So, I know the sensitivities of the people over there. Those people are very sensitive.

Now, there is a major problem in these areas. The Government has now formulated MMDR Act which says that all minerals have to be sold by auction. Now in Jaintia hills, there is surface coal. Hon. Member, Mr. Pala, had a lot of coalmines. Now, what is the tradition? The tradition is that if you have a tribal land, and if there is coal inside that land, then the coal will belong to you, that is, an individual and not to the Government. Now, if the Government says that all that coal belongs to it because it is a natural resource, then it would be a violation of tribal practices. In tribal areas, a very important thing is 'customs and usage'.

Sir, once I went to Shillong to campaign. I was in the Congress at that time. Suddenly, in the evening, a lot of young people came and surrounded the meeting. They asked me whether I had taken the permission of the local Council. I said 'I am a citizen of India and member of Congress Party. I can come anywhere.' They said that it was not so and I needed a permission from the headman. So, these are traditional customs and we cannot ignore all these things totally. That is why, Mr. Vincent Pala has very wisely brought in 'the traditional occupations of the tribals, including occupations relating to mines and minerals'.

As has been mentioned, Meghalaya has got coal and Meghalaya has also got Uranium. Now, if Uranium -- which is a radioactive mineral and very precious -- is found in somebody's land, then to whom that mineral will belong. Mr. Pala, coming from that region and having been a coal miner himself knows the problem very acutely. Now, the surface coal is not selling well. So, we have to find out a solution to this problem. The main thing that is still needed in the North East is development.

The North East has a potential of becoming Switzerland not only for natural beauty, but also for a lot of hydro power that is available. Hydro power is best in Arunachal, but all the other North Eastern States also have the potential for hydro power. The people there are less in number, but Christianity and education have

made them very advanced. So, their ambitions are not fulfilled. If somebody preaches militancy to them, then it becomes attractive.

Now, there is a separate Ministry of DoNER, but I would like the Home Minister to visit all the North Eastern States. I do not know if he has still done it because Pandit Jawaharlal Nehru used to visit all the remote places. Shri Rajiv Gandhi spent four days in Mizoram at a stretch. If the top leaders go from Delhi, it creates an identity. Has he visited the seven sister States including Meghalaya and its different parts including Shillong, Tura, etc.? It is very good. Has he visited Jowai? No, he has not gone to Jowai. The Jaintia Hills is very important. Has he visited Karbi Anglong, Diphu and Haflong? No, he has just gone to the main capital, but there are sub-places there and the Home Minister has to identify himself. He is a very good native of Uttar Pradesh, but he has to make them feel that they are not distant from the Hindi heartland. So, I think that in the context of all these, North East is a region of enormous possibility.

In this context, I want to mention a small thing. We are discussing Schedule VI. Now, we all know that all the scheduled areas are mentioned in Schedule VI, but something more important is there. This is regarding the various parts that are there. Now, the other thing that is clear is that according to the VIth Schedule if the autonomous councils make any law, which is repugnant to the law of the State, then the matter will be referred to the Assembly and the decision of the Assembly will be final just as in the case of State and Centre. There should be no conflict and finally the Centre's view should prevail. Now, that is very important.

If you notice, in our country tribal areas are more sensitive. The Home Minister is here. For instance, we are having a lot of Maoist militancy in the Chhattisgarh – Odisha tribal areas. Now, Vth Schedule says that no tribal land can be sold or acquired without the permission of the village council. Now, the big multinationals like Vedanta and others want to get huge chunks of land because it has got bauxite and other minerals and that is what is basically leading to Maoist militancy. Unless we deal with the issue of tribals with sensitivity and care, then

with guns only we cannot sort out the problem. That is why it is very good that the Home Minister himself has come after finishing a strenuous U.P. campaign to listen to this debate. I am happy that he is here. I would request him to deal with the tribal areas with kid gloves i.e., very carefully and very sensitively. The Government should not ride roughshod कि हमारे पास इतने एमपी है। मिजोरम और नागालैंड से एक-एक तथा मेघालय से दो एमपी हैं, यह नंबर में कोई बड़ी बात नहीं है। It is a territory and it is a sensitive people's area. I thank Mr. Vincent Pala, my friend, for having brought this law and for bringing the North-East into the mainstream. Here in the Parliament of India, North-East is being discussed and debated. That is the most important thing.

With these words, I would commend this Bill and I would request the whole House to accept this Bill. He has not asked for a major amendment but only mines and minerals which he has specified that that should be the ownership of the tribals.

The other thing he has mentioned is that there should be parity, especially in Meghalaya, between the three regions i.e., Khasi Hills, Jaintia Hills and Garo Hills. If this is done, I think, this will go some way in alleviating the problems of the people.

Sir, I think you should also make a visit to all these distant places. I went to Shillong during Christmas. It was looking better than London. It was so brightly lit and wonderful.

We have a lot of potential and a lot of future in the North-East. We hope that we take full advantage of that. With these words, I support Mr. Vincent Pala's amendments to the 6th Schedule of the Constitution.

श्री गौरव गोगोई (कलियाबोर): उपाध्यक्ष महोदय, धन्यवाद। आज मैं इस बिल के समर्थन में खड़ा हुआ हूँ। यह बिल कंस्टीट्यूशन के छठे शिड्यूल में संशोधन लाता है। इसमें ऑटोनॉमस डिस्ट्रिक्ट काउंसिल के सदस्य की जो संख्या है, वह तीस से चालीस तक बढ़ाने की आकांक्षा रखती है। ट्राइबल लोगों की माइंस और मिनरल्स में जो ट्रेडिशनल आक्युपेशन है, उसको डिस्ट्रिक्ट काउंसिल के तहत लाने की कोशिश की जा रही है।

सबसे पहले, मैं वहां से शुरू करना चाहूंगा जहां से प्रो. सौगत राय जी से खत्म किया है। आज पार्लियामेंट के इस चेम्बर में हमें उत्तर-पूर्व के बारे में जो कुछ भी सीखने को मिल रहा है, हमें अपनी आवाज और आकांक्षा को यहां पर प्रकट करने का अवसर मिल रहा है। लोगों ने जो हमें सम्मान दिया है, उसको मैं अपनी उपस्थिति के द्वारा प्रकट कर रहा हूँ। यहां पर बैठे हुए हमारे सदस्य जिस गहराई से सुन रहे हैं, मुझे लगता है कि आज इस चर्चा के द्वारा पूरे उत्तर-पूर्व एरिया में एक बहुत बड़ा मैसेज गया है। पार्लियामेंट में सारे सदस्य चाहे वे किसी भी राजनीतिक दल या क्षेत्र से क्यों न हो, हमारी उत्तर-पूर्व के प्रति संवेदनशीलता है और उसे और आगे देखना चाहते हैं। That is the most important thing which we must understand that people of North-East are extremely sentimental, emotional and what we are talking about today is not just a mere increase in the number of Members from 30 to 40, but we are asking that there needs to be more respect for our sentiments and for our wishes. Once we understand what they want, everything – mainstreaming North-East, bridging North-East, looking North-East – would be done which we talked about in this entire conversation.

यह सब कुछ हो जाएगा। जब हम बात समझ जाते हैं कि सबसे पहले उत्तर-पूर्वांचल के लोग जो चाहते हैं, वे चाहते हैं सम्मान, वे चाहते हैं कि जो दूसरा व्यक्ति उनको देख रहा है, वे उनकी बातों को गहराई से समझ रहा है। जितनी भी कांफ्लिकटेड चीजें नार्थ-ईस्ट में हैं, In the North East, there are insurgency issues, developmental issues and connectivity issues. All of these problems can be solved, but first there has to be a bridge of dialogue and communication. I am specifying on dialogue and communication because the Union Home Minister is here; the Minister of State for Home is here. When they are talking about law and order, it is not just about the show of guns, police, arrest or of boots on the ground, but also it is about diplomacy and dialogue.

We talk about the District Councils. Why are these District Councils constituted? It is because the tribal communities want some form of autonomy in order to strategise and plan the development on their communities.

जब हम विकास की बात करते हैं, बहुत साधारण चीज है कि विकास को हम देखें, रास्तों से मापदण्ड करें, इलेक्ट्रिसिटी से उनका मापदण्ड निकालें, रास्ता और विद्युत जरूरी है, लेकिन सबसे पहले अगर हमें किसी चीज पर ध्यान देना है तो वह है जो विभिन्न ट्राइबल कम्युनिटीज हैं, उनके कल्चर की तरफ, उनकी संस्कृति की तरफ और अगर हम संस्कृति पर पकड़ रखें, क्योंकि यह कोई आसान चीज नहीं है, बहुत सी ट्राइबल कम्युनिटीज हैं, विविध राय हैं, सबकी अपनी अलग-अलग भाषा है। अगर भाषा को हम पकड़ नहीं सके, if we continue to lose the various languages of the North East one by one because we are not archiving them, we are not promoting them, or we are not preserving them, then we are losing the diversity and we are losing the strength. We cannot homogenize the North East. We need to respect its heterogeneity. कभी-कभी लोग बोलते हैं कि आप असम से हैं, असम तो बड़ा भाई है, आप और क्यों नहीं बोलते, तो हम बोलते हैं कि बड़े भाई का मतलब यह नहीं है कि हम आगे रहेंगे, बड़ा भाई का मतलब है कि हम पीछे रहेंगे और छोटे भाई जब आगे जाएंगे, तो हमें खुशी होगी। That is what the sentiment is that we must respect the heterogeneity.

Education is one very important way of preserving the language. There are two ways of looking at it. Yes, it is important to teach in Hindi and English because those are our official languages and our constitutional languages. When we go out of the North East, then we are communicating and we are working in English and Hindi. But if we also introduce the medium of instruction in our schools in our indigenous languages (a) the languages get preserved; and (b) the children who are studying in these schools, they understand better. If I am a tribal and I speak in Bodo language and the school teacher is teaching me in Assamese language or in Hindi, or if he is trying in Assamese to explain to me the concepts of mathematics, then my brain has to do two things: (a) I have to translate it from Assamese to Bodo, or English to Bodo or Hindi to Bodo and then understand, “Okay, now that I have understood it in Bodo language, let me try to understand

what the teacher is trying to say about Algebra or Trigonometry. The strain on a child's mental faculty and brain is more. If the medium of instruction is in Bodo, is in Karbi, then the child will be able to understand better. So, we must look at education and look at the concept of instruction in local languages, not only from the fact of preserving the local language, but also from the fact of increasing the child's educational ability.

Sir, primarily, the languages of North East are based on oral tradition. भाषा लिखित नहीं है। भाषा वर्बल है और भाषा को अगली पीढ़ी को वर्बली समझाया जाता है। यह लिखित नहीं है। इसलिए कहीं-कहीं आप अगर किसी भाषा का स्क्रिप्ट देखेंगे तो देखेंगे कि इस भाषा का स्क्रिप्ट है ही नहीं, वे अंग्रेजी में लिखते हैं। अगर स्कूल में अपनी लोकल लैंग्वेज में हम इंस्ट्रक्शन देने की कोशिश करेंगे तो एटलीस्ट बोडो लैंग्वेज, राभा लैंग्वेज में किताबें लिख दी जाएंगी।

मैथेमैटिक्स सॉल्व हो जाएंगे तो एक आर्काइवल भी होगा। इसलिए मैं चाहता हूँ कि इन चीजों पर ध्यान दिया जाए। होता यह है कि हम अलग से एक माहौल में आ जाते हैं, जहां लगता है कि इन भाषाओं को नहीं, हमें संस्कृत को कम्पलसरी करना चाहिए। संस्कृत एक बहुत महत्वपूर्ण भाषा है, मैंने भी पढ़ी है। अगर हम शिक्षा को देखना चाहते हैं तो शिक्षा का असली रूप, असली महत्व एक छात्र के माता-पिता समझते हैं। जब माता-पिता सिक्स्थ शैड्यूल की कम्युनिटी में होते हैं तो वे खुद चाहते हैं कि मेरा बेटा हमारे टाइप की कम्युनिटी की भाषा में पढ़े, उस भाषा को समझे। बीच में उत्तर पूर्वांचल के एक राज्य में एक शुरुआत हुई थी कि संस्कृत को कम्पलसरी बनाया जाए, लेकिन वहां लोगों ने समझा, सरकार ने इस बात को समझा और सोचा कि ऑप्शनल करके हम कोशिश करें, छात्र और उसके माता-पिता पर छोड़ दें कि वे कौन सी भाषा में आगे जाना चाहते हैं।

दूसरी बात संस्कृति से जुड़ा हुआ साहित्य है। जरूरी है कि हम साहित्य द्वारा समाज को आगे लेकर जाएं। जब हम प्रगति की बात करते हैं, हमेशा इकोनॉमिक प्रगति की बात करते हैं, सोशल बैकवर्डनेस की बात करते हैं। साहित्य एक बहुत ही जरूरी रास्ता है जिससे हम विभिन्न ट्राइबल कम्युनिटीज़ को सम्मान दे सकते हैं। आज साहित्य के बहुत एक्सपर्ट्स हैं, बहुत महान् साहित्यस्थी हैं, लेकिन अगली पीढ़ी कहां है। विभिन्न कम्युनिटीज़ के जितने भी श्रेष्ठ लिटरेचर और ऑथर्स हैं, **they are extremely senior. We are unable to nurture the next generation of authors.** हां, अगर जे.के. रॉलिंग हों तो हम चाहते हैं कि मेघालय से भी एक जे.के. रॉलिंग निकलें, अगर कोई चेतन भगत है तो हम चाहते हैं कि त्रिपुरा से भी कोई चेतन भगत निकले। **We want the next generation of authors,**

writers and poets to come up and write in their own language, compose poetry in their own language and have big literature festivals. As Indians, we love to learn new languages.

अगर आप यूरोप जाएंगे तो यूरोप में पूछेंगे कि आपको कितने भाषाएं आती हैं तो बोलेंगे कि एक या दो आती हैं। अंग्रेजी भी ढंग से नहीं आती होगी और उनकी अपनी मातृ भाषा आती होगी। अगर आप भारत में आएँ और हर भारतीय से पूछें कि आपको कितनी भाषाएं आती हैं। वह लगभग 3 से 4 भाषाएं बोल पाएगा। बोलेगा कि हिन्दी आती है, अंग्रेजी आती है, गुजराती आती है, पंजाबी आती है और थोड़ी-थोड़ी बंगाली भी बोल लेता हूँ, थोड़ी-थोड़ी तमिल भी समझ जाता हूँ। यह भारतीय संस्कृति की कला है कि हम भाषाओं को समझ सकते हैं, बहुत जल्दी पकड़ सकते हैं और सीख सकते हैं। इसलिए अगर हम साहित्य के और फ़ैस्टीवल्स करेंगे तो न सिर्फ़ उत्तर पूर्वांचल बल्कि भारत के दूसरे राज्य भी सीखेंगे कि उत्तर पूर्वांचल में कितनी खास विविधता है।

हमें लिटरेचर पर ध्यान देना चाहिए, स्क्रिप्ट पर ध्यान देना चाहिए। अगर हम देखें कि where do these communities stay? They stay in very vulnerable areas. Some of these communities are living by the river especially in the State of Assam where the mighty Brahmaputra flows through. Every year, these communities know that come May, June, July, August or September, पांच से छः महीने की बाढ़। पांच से छः महीने की बाढ़ में क्या होता है। उन्होंने जितनी भी खेती की हुई है, जितना पैसा बचाया हुआ है, घर आदि बनाने में जितना पैसा खर्च किया है, हर वर्ष वह पैसा नष्ट हो जाता है। उन्होंने जितनी भी उन्नति की होगी, सोचा होगा कि आज हमें खेती से 2 या 4 लाख रुपये का मुनाफा होगा, लेकिन वे वापस कर्ज में आ जाते हैं। बाढ़ की वजह से ऐसा हर साल होता है। It keeps people in perennial poverty. आज किसी ने खेती की बात की। कोई जैविक खेती भी करे, कोई कमर्शियल कल्टीवेशन भी करे, the minute flood comes, they are pushed back. They are unable to repay their loans. They get stuck with money-lenders. So, we must look at floods from two aspects. First is the prevention. कौन चाहता है कि बार-बार बाढ़ आकर खेती को विनाश करे, हमें फ्लड प्रिवेन्शन पर ध्यान देना पड़ेगा। मिनिस्ट्री ऑफ वॉटर रिसोर्सेज में एक बहुत बड़ा फ्लड मैनेजमेंट प्रोग्राम है। मगर अफसोस की बात है कि यह पहले सेंट्रली स्पॉन्सर्ड स्कीम होता था, अब नीति आयोग के द्वारा यह सेंट्रली स्पॉन्सर्ड स्कीम नहीं रहा। उसका परिणाम क्या है, सेंट्रली स्पॉन्सर्ड स्कीम के तहत एफएमपी के अंतर्गत पहले उत्तर पूर्वी राज्यों की टैक्स इनकम ज्यादा नहीं है। FMP projects were divided as per the 90:10

principle that is, if an FMP project is worth Rs. 100 crore, then Rs. 90 crore will be spent by the Central Government and Rs. 10 crore will be spent by the State Government. But as per the revised NITI Aayog guidelines, FMP is no longer a Centrally sponsored scheme. It has gone from 90:10 to 80:20. It means that the burden on the State Governments to finance FMP projects would increase. जहां स्टेट ने सोचा था कि मेरे पास सौ करोड़ रुपये है और इससे मैं 20 प्रोजेक्ट करूंगा, लेकिन अब 90/10 से 90/20 हो जाने के कारण अब वही सौ करोड़ रुपये से 20 प्रोजेक्ट नहीं कर पाएगा बल्कि 10 प्रोजेक्ट ही कर पाएगा इसका मतलब हुआ कि जिन क्षेत्रों में फ्लड मैनेजमेंट प्रोग्राम होना था वह नहीं होगा। वहां जो लोग हैं वह वनरेबल एरिया और पोपुलेशन रहेंगे। मिनिस्ट्री ऑफ होम यहां बैठे हुए हैं। जब भी फ्लड से डिजास्टर होता है तो प्रेशर इनके ऊपर ही आता है कि एनडीआरएफ से और फंड दीजिए, एसडीआरएफ का फंड शीलीज कीजिए। Why are we going for relief? Let us talk about flood prevention; let us talk about doing more FMP projects; let us talk about the Ministry of Water Resources; let us renew those embankments where these 6th Schedule communities are living. So, I hope that this message would also go to them.

Talking about sentiment and respect, समाज को तब अच्छा लगता है जब छठी अनुसूची एरिया में जो लोग रहते हैं कि जितना विकास उत्तर पूर्वी राज्यों के शहर में या बड़े नगर में है, वैसा ही विकास हमारे एरिया में है। उदारहण के लिए, अगर असम या मेघालय या त्रिपुरा के नगर में, मैं कैपिटल की बात नहीं कर रहा हूं, नगर और नगर के आसपास के गांव में अच्छे रास्ते, अच्छे शहर हैं। अगर आप उस नगर से दूर जाकर छठी अनुसूची के एरिया में जाते हैं और वहां देखते हैं कि वहां रास्ते अच्छे नहीं हैं, इलेक्ट्रिसिटी अच्छी नहीं है। that creates a disconnect; that creates a sentiment of frustration people have forgotten about us; Government of India has forgotten about us; since we are 6th Schedule communities, nobody cares about us. It is this sentiment of frustration which builds up year after year. Insurgent groups tap into this frustration and recruit and mobilize them and say, “You see there is no road in front of your house; there is no electricity; there are drinking water problems. That means the Government of India does not care. Rise up and rebel.” Therefore, if you want to look at it from law and order perspective, if you want

peace and stability, especially in the 6th Schedule areas, you must look at development.

Development is a tool towards law and order. For that, you must look at roads as the first way of reaching not only the front of the house, but from that road you can enter into their hearts and minds. देखो, सारा विकास नगर में हो रहा है। छठी अनुसूची के एरिया में कुछ नहीं हो रहा है। The highways which fall in the 6th Schedule areas must be given priority. आप रोड पर ध्यान दीजिए, हाईवे पर ध्यान दीजिए कार्बी आंगलॉंग छठी अनुसूची एरिया है, अनुमलीगढ़ से दीमापुर का हाईवे है और वह कार्बी आंगलांग जाता है, उस हाईवे की अवस्था देखिए, वह बहुत बुरी स्थिति में है। प्रोपोजल निकल गया, फाइल निकल गई, बजट निकल गया, कंट्रैक्टर निकल गया और काम वहीं खत्म हो जाता है। हम छठी अनुसूची एरिया की बात कर रहे हैं। सौगत दा ने नार्थ कच्छर की बात की। It is a beautiful place. Let us promote tourism over here; let us construct rest houses; let us create subsidies for entrepreneurs to set up. If we do not create a spirit of entrepreneurship, we will not be able to solve the employment question. How do we create a culture of entrepreneurship? यह एन्टरप्रिन्योरशिप की संस्कृति कहां से बनी है। हमें एन्टरप्रिन्योरशिप की संस्कृति स्कूल और कालेज से बनानी पड़ेगी। हालांकि स्कूल और कालेज में यह सिखाया जाता है कि देखिये, आप इस कम्युनिटी के हैं, इसलिए अगर आप सरकारी नौकरी ढूँढ़ेंगे तो वहां अपना कास्ट सर्टिफिकेट या कम्युनिटी सर्टिफिकेट दिखाकर एक स्पेशल रिजर्वेशन ले सकते हैं।

This means, we are already telling them that they should focus on employment and use their tribal status as a leg up. That is fine. It creates social justice but what is more important is that we must tell these communities today that not only should they look for employment but they should also look to start their own enterprises.

In Hindi, we say *jugaad*. *Jugaad* is a measure of your creativity. One who is a *jugaadi* is more creative; from minimal resources, he can get maximum output and that is entrepreneurship.

एक एन्टरप्रिन्योर, जो स्टार्टअप होता है, उसके पास ज्यादा कुछ नहीं होता है। शायद ज्यादा पैसे भी न हों और ज्यादा जमीन भी न हो, लेकिन वह क्रिएटिविटी के द्वारा अपने सारे रिसोर्सेज को मल्टीपलाई

करके एक एन्टरप्राइज बनाता है। यह जो एक सभ्यता है, संस्कृति है, यह हमारे डीएनए में है। क्रिएटिव और एन्टरप्रेन्योर होना हमारे डीएनए में है। हमारी संस्कृति के बीच में आ गया है कि नहीं, हमें खुद नहीं खोलना चाहिए, क्योंकि अगर हम खुद एन्टरप्राइज खोलेंगे तो ज्यादा रिस्क होगा। इसलिए रिस्क कवर होंगे। But we should talk to our communities and promote a sense of appreciating risk and taking risk. रिस्क लेना कोई बड़ी बात नहीं है और रिस्क लेकर हम उन्हें एन्टरप्रेन्योर की तरफ भेज दें। नार्थ ईस्ट और सिक्स्थ शैड्यूल एरियाज में बहुत सी ऐसी चीजें हैं, जिसमें छोटा सा एक आदमी बहुत बड़ा एन्टरप्राइज खड़ा कर सकता है।

The North-East is one of the foremost bio-diverse regions of the world. This means the kind of medicinal plants which are found there, the various varieties of agricultural crops, rice, turmeric, cardamom, ginger and the kind of bio-diversity found there is not found in other parts of India. It is one of the foremost bio-diverse regions in the world as established by the International Union of Conservation of Nature. अगर हम युवाओं को सिखा पायें कि देखिये, अगर आप नौकरी ढूँढ़ रहे हैं, तो जरूरी नहीं है कि उसके लिए आप दिल्ली, कोलकाता, गुवाहाटी या शिलांग जायें और वहां जाकर सरकारी नौकरी ढूँढ़ें, ड्राइवर की नौकरी ढूँढ़ें, गार्ड की नौकरी ढूँढ़ें। अगर आपके गांव में एक ऐसा मेडिसिनल प्लांट ग्रो होता है, जिसकी डिमांड है, अगर एलोवेरा ग्रो होता है या एलग्री ग्रो होता है, तो उसकी ट्रेनिंग लेकर आप एक अच्छा एन्टरप्राइज बनाइये। आप बैंक से लोन लें, ट्रेनिंग लें और एक्सपोजर के लिए देश की दूसरी जगहों पर जायें, जहां एन्टरप्राइज एक सिस्टम बन चुका है। महाराष्ट्र, तमिनाडु और कर्नाटक में जायें। People from the North-East can go, get exposed, listen, see and come back to start enterprises. So, we must look at entrepreneurship also when we look at these Sixth Schedule Areas. I never say that entrepreneurship alone would solve the employment problem.

The Bill talks about mines and minerals also. We must look at the concept of mines and minerals not only from the point of view that there is a natural resource which I am entitled to. It should also be that with this natural resource what kind of value addition I can do, how can I do extraction in a safe manner, how can I do it if I am employing people to extract natural resources as an entrepreneur in a way that I am respecting the labour customs and whether the

people who are working for an entrepreneur are getting fair wages. क्योंकि कहीं मीडिया में यह भी खबर आई थी कि जिस तरह का माइन्स एंड मिनरल्स का वहां पर एक ईको सिस्टम बन गया था, वहां पर लेबर लोगों को फेअर वेजेज नहीं मिल रहे थे, बहुत ही अनसेफ वर्किंग कंडीशंस में वे काम कर रहे थे। Sir, we must look at not only as owners of natural resource but also how to extract, add value, market distribution. They must be given that training otherwise we will go back to how it was, which was in a very unsafe and hazardous manner.

Sir, I appreciate the time that you have given to me. There were other things that I wanted to talk about, like the Highways, law and order, that we need more police, modernization and the Budget. I wanted to speak how in 1617 the Budget for six autonomous district councils was Rs.1000 crore but this was not even released. And, in 1718 from Rs.1000 crore it has come down to Rs.500 crore. We should be increasing the Budget and not decreasing the Budget. When you are talking about Look East, you should increase the Budget.

श्री निशिकान्त दुबे (गोड्डा) : यह नॉन लैप्सेबल है।

श्री गौरव गोगोई : सर, आप नॉर्थ-ईस्ट में आइए, पेपर में नॉन-लैप्सेबल है लेकिन असली में इंविजिबल है।... (व्यवधान) दूढ़ने पर आपको नहीं मिलेगा।... (व्यवधान)

There should be more Government of India projects like Amrut. A developed State like Maharashtra or Gujarat has 25 to 30 Amrut projects and the entire region of Northeast with seven States get 14 Amrut projects. That means on an average one State in Northeast is getting one or two projects. We are continuing with the disparity. So, I would suggest that we should have more Government of India projects for the Northeast.

Thank you very much for patient hearing and all the time that you have given to me. I support this Bill.

श्री रामेश्वर तेली (डिब्रूगढ़) : माननीय उपाध्यक्ष महोदय, हमारे साथी विनसेंट पाला जी जो प्राइवेट मैम्बर्स बिल लेकर आए हैं, उसी पर मैं अपनी बात कहना चाहता हूँ कि नॉर्थ-ईस्ट जिसे अष्टलक्ष्मी कहा जाता है, हमारे भारत के प्रधान मंत्री कहते हैं कि अगर आप थक जाते हैं तो आप नॉर्थ-ईस्ट जाइए। आपको सुकून मिलेगा। वह नॉर्थ-ईस्ट जो सम्पदा से भरा हुआ है और आज नॉर्थ-ईस्ट का जिस तरह से विकास होना चाहिए, उस तरह से वहां विकास नहीं हुआ है। इसका कारण यह है कि वहां पर ज्यादातर कांग्रेस के लोगों ने शासन किया है और नॉर्थ-ईस्ट का जिस तरह से विकास होना चाहिए, वह नहीं हो पाया। हमारे देश के प्रधान मंत्री नरेन्द्र मोदी जी ने नॉर्थ-ईस्ट पर ज्यादा ध्यान दिया है और हरेक मंत्री को कहा गया है कि आप लोग नॉर्थ-ईस्ट में जाइए और वहां की जो समस्या है, उसका समाधान ढूंढिए और समस्या का समाधान कीजिए। हरेक मंत्री जी वहां जा रहे हैं और भारत सरकार नॉर्थ-ईस्ट के विकास के लिए हरेक तरफ से सहायता कर रही है।

अभी जो चार स्टेट्स हैं, जहां पर छठे शैड्यूल के तहत शासन चल रहा है, लोकप्रिय गोपीनाथ बोर्डले जी, जब भारत स्वाधीन हुआ था, उस समय लोकप्रिय गोपीनाथ बोर्डले जी को असम का मुख्यमंत्री नहीं, बल्कि असम का प्रधान मंत्री कहा जाता था और उसी समय लोकप्रिय गोपीनाथ बोर्डले ने वहां की जो जनजाति है, उनका जो कल्चर है, जो संस्कृति है और उनकी जो समस्याएं हैं, उनका कैसे समाधान किया जाए, इस ओर ध्यान दिया और उसी समय छठे शैड्यूल की बात कही गई। चार राज्यों को सिक्सथ शैड्यूल की धारा में लाया गया है और सिक्सथ शैड्यूल हमारे असम में कार्बी ऑबलॉग, बिमाहसाओ और बोडोलैंड में चल रही है, जहां गैर-ट्राइबल जमीन नहीं खरीद सकते हैं, वहां चुनाव नहीं लड़ सकते हैं, ऐसी व्यवस्था है। मैं चाहता हूँ कि नॉर्थ-ईस्ट में ट्राइबल की कहीं-कहीं ऐसी हालत है कि मैं भारत सरकार से अनुरोध करता हूँ कि ज्यादातर फंड दिया जाये और जनजातियों को ऊपर लाने की ओर ध्यान दिया जाना चाहिए।

असम में करीब छः जनजातियाँ आंदोलन कर रही हैं, जिनमें से हम लोग चाय जनजाति हैं। चाय जनजाति असम, ओडिशा, बिहार, मध्य प्रदेश, छत्तीसगढ़ और बंगाल में जा कर बसे हुए हैं। उसी तरह से और पांच जन-गुष्टियाँ हैं - टायाहोम, कुश राजवंशी, सुटिया, मटकमोरान, ऐसे छः जन-गुष्टियाँ अपनी डिमांड कर रहे हैं कि हमें जनजाति का दर्जा मिलना चाहिए। भारत सरकार के साथ भी दो-चार बार इस विषय में बैठक भी हुए है।

मैं भारत सरकार से निवेदन करता हूँ कि ये छः जन-गुष्टियाँ जो जनजाति के दर्जा के लिए डिमांड कर रही हैं, उनको जनजाति का दर्जा दिया जाये। चाय जनजाति करीब डेढ़-दो सौ साल पहले छत्तीसगढ़, मध्य प्रदेश, झारखंड, ओडिशा और पश्चिम बंगाल से असम गये हैं, लेकिन हमारे जो लोग, छत्तीसगढ़,

ओडिशा या झारखंड में हैं, उनको आज भी जनजाति का दर्जा मिल रहा है लेकिन असम में उनको जनजाति का दर्जा नहीं मिल रहा है।

मैं सरकार से अनुरोध करता हूं कि असम में छः जन-गुष्टियां बहुत दिनों से आंदोलन कर रही हैं और अगर इनको जनजाति का दर्जा मिल जाता है तो जो बांग्लादेश से असम में आ गये हैं, उनके आने से हमारी सृष्टि में जो समस्या उत्पन्न हुयी है, उससे हम परितांत पा सकते हैं।

मैं भारत सरकार से अनुरोध करता हूं कि इन छः जन-गुष्टियों का जनजातिकरण करना चाहिए। धन्यवाद।

श्री निशिकान्त दुबे (गोड्डा) : उपाध्यक्ष महोदय, मैं अपने सहयोगी और मित्र श्री विनसेंट पाला जी द्वारा लाये गये प्राइवेट मैम्बर बिल के समर्थन में बोलने के लिए खड़ा हुआ हूँ। छोटे-छोटे तीन अमेंडमेंट दिखाई पड़ते हैं। पहला यह है कि जिला परिषद में सदस्य की संख्या 30 से बढ़ा कर 40 कर दी जाये। दूसरा, खान और खनिजों से संबंधित आदिवासियों की परंपरागत उपजीविकाओं को जिला परिषद की विधायी सक्षमता के अंतर्गत लाया जाये। तीसरा, आदिवासियों की रूढ़ि जन-पद्धतियों और हितों का संरक्षण करने की दृष्टि से संशोधन का प्रस्ताव है। यह देखने में छोटा लगता है, जैसे-

"सतसइया के दोहरा, ज्यों नाविक के तीर
देखन में छोटन लगे, घाव करे गंभीर।"

पूरी ऑटोनोमस का जो उद्देश्य है, उसमें जो लूप होल्स पहले दिन से, जब वर्ष 1952 में यह बना और वर्ष 1954 में लोग जिस तरह का अमेंडमेंट उसमें करना चाहते थे, आज तक वे नहीं कर पाये, उसके लिए वह एक बड़ा बिल लेकर आये हैं। यह देखने में छोटा लगता है, लेकिन यदि आप मानेंगे तो यह एक बड़ा संशोधन है। सबसे बड़ा सवाल यह है कि सिक्सथ शेड्यूल क्यों बना? बोरोदोलोई कमेटी के रेकमैंडेशंस क्या थे? क्या ऐसा सिचुएशन हो गया है कि हमारे मित्र मिस्टर पाला को एक प्राइवेट मैम्बर बिल लेकर आना पड़ा और कहीं न कहीं राज्य सरकार में, ऑटोनोमस काँसिल में, जो पंचायत राज इंस्टीट्यूशन है, उन तीनों में जो लड़ाई उनके यहां चल रही है या नॉर्थ-ईस्ट के सारे के सारे में लड़ाई चल रही है, उसके बारे में इनको अपने चीजों को अलार्म करने के लिए, सरकार को ऐक्टिव करने के लिए और पूरे देश को सेंसिटीव करने के लिए, उनको इस तरह का बिल लाना पड़ा।

महोदय, वहां जो समस्याएं चल रही हैं, वे बहुत बड़ी हैं। कांसेंट्रेशन आफ पावर्स जो डिस्ट्रिक्ट काउंसिल को दी गई है, जिसके लिए वे कहते हैं कि तीस से चालीस हो, मुझे लगता है कि उसमें बड़े संशोधन की आवश्यकता है। श्री पाला मुझसे सहमत होंगे क्योंकि पूरे नार्थ-ईस्ट में जो एक रिजेंटमेंट चल रहा है कि यह जो डिस्ट्रिक्ट काउंसिल है, यह एक इलीट क्लब बन गया है, उसका मासिस के साथ कहीं न कहीं जुड़ाव खत्म हो गया है। इस बात को मैं नहीं कह रहा हूँ, यदि आप देखेंगे, तो असम के गवर्नर श्री जे.बी. पटनायक ने दिसम्बर, 2009 को एक बड़ा अच्छा स्टेटमेंट दिया।

“They also did not take interest in planning activities and monitoring of developmental schemes at the micro level. They neither try to look for expert input, nor involve the local people. Their activities have undermined the basic purpose of the Sixth Schedule and consequently the poor tribes are left out both as beneficiaries or as

decision-makers in issues that ultimately affect them. This is, in fact, denial of democratic rights to the grassroot people.”

इससे आगे वे कहते हैं कि :

“In the Sixth Schedule areas there is no decentralization of powers and administration. There is no Panchayat and Parishad. All you have is a District Council which elects few people and they enjoy unbridled power. But democracy demands that power should not be concentrated in a few hands.”

असम के गवर्नर श्री जे.बी. पटनायक थे, जो कि स्वयं मुख्यमंत्री भी रहे हैं, जो डेमोक्रेटिक सिस्टम में विश्वास रखते थे। वे ओडिशा जैसे राज्य के लगातार मुख्यमंत्री रहे। श्री पाला जिस तरह का बिल लेकर आए हैं, आप समझिए कि आपकी पार्टी के वे वरिष्ठ नेता रहे हैं। उनका डिस्ट्रिक्ट काउंसिल के बारे में यह ख्याल है। यदि आप पुअर क्वालिटी आफ गवर्नमेंट की बात करेंगे, इस बारे में मैं बाद में बात करूंगा कि किस तरह से वर्ष 1971 में स्टेट बनने के बाद सी.सी.71जी आने के बाद किस तरह के कस्टमरी डिसिजन में या चीजों में सिक्स्थ शेड्यूल किस तरह से एक-दूसरे से ओवरलैप कर रहा है, किस तरह से पंचायतीराज इंस्टीट्यूशन-73 अमेंडमेंट के खिलाफ जिस तरह से माहौल चल रहा है और यदि आप नागालैंड के इतने बड़े प्रोब्लम की बात करेंगे, तो कहीं न कहीं यह जो समस्या आ रही है, इन समस्याओं से हमें निजात पाने की आवश्यकता है।

करप्शन के बारे में मैं आपको 17 अगस्त, 2011 का टाइम्स आफ इंडिया का आर्टिकल आपके सामने पढ़ना चाहता हूँ -

“The North Kachar Autonomous Council in the Dimahasao district under the scrutiny of NIA and CBI for the alleged misappropriation of Rs. 1000 crore....”

क्योंकि हमारे मित्र गौरव गगोई जी पांच सौ करोड़ रुपए, हजार करोड़ रुपयों की बात कर रहे थे, वैसे मैं आपको बता दूँ कि यह नॉन लैप्सेबल फंड है और आटोनोमस काउंसिल को जो पैसा मिलता है, वह पैसा रहता है और आप यह मत समझिए कि वह पांच सौ करोड़ रुपया हमने घटा दिया है। अभी भी उनके पास 1600 करोड़ रुपया है और वह उस पैसे को खर्च नहीं कर पा रहे हैं, लेकिन मैं आपको बता रहा हूँ कि

“The scrutiny of NIA and CBI for the alleged misappropriation of Rs. 1000 crore of Government funds, the amount was reportedly siphoned off to the coffer of a DSDGA for procurement of arms.

NIA sleuths have arrested top DSDGA leaders, a former Chief Administrator of the Council and Government officials in connection with the incident.”

...(व्यवधान) किसके साथ है, किसके साथ नहीं है, सवाल यह है कि हम देश बनाने की बात करते हैं। जो देश तोड़ने की बात करता है, जो करप्शन करता है, जिसे एन.आई.ए. इनवेस्टीगेट कर रही है, निश्चित तौर पर हम उसके खिलाफ हैं। भारतीय जनता पार्टी को किसी की क्रेडेंशियल और क्रेडिबिलिटी की आवश्यकता नहीं है। देश के लिए एक निशान, दो विधान, दो प्रधान के खिलाफ हमारे जनसंघ के प्रथम राष्ट्रीय अध्यक्ष श्री श्यामा प्रसाद मुखर्जी जी ने बलिदान दिया, इसलिए हमारे क्रेडेंशियल बहुत बड़े हैं। हमने देश के लिए कुर्बानी दी है।

18.00 hours

हमने इस देश के लिए कुर्बानी दी है, इसीलिए मैं यह कह रहा हूँ।

“The NIA sleuths have arrested top DHD(J) leaders, a former Chief Administrator of the Council and some Government officials in connection with the incident.”

मैं कह रहा हूँ कि हम पैसे देने की बात करते हैं, हम 30 से 40 होने की बात करते हैं, आप उसके साथ खनिज़ जोड़ दीजिए, मैक्सिमम लोगों ने बलिदान दिया है, उनको सिक्स्थ शैड्यूल में अधिकार मिलना चाहिए। सिक्स्थ शैड्यूल में जिस तरह के अधिकार गवर्नर को दिये गये हैं, गवर्नर को उसको इस्टैब्लिश करने का प्रयास करना चाहिए। गरीब लोगों, ट्राइबल लोगों, जिनकी आजीविका का साधन उस तरह का है, उनको यह मिलना चाहिए। हम आपके संशोधन के साथ हैं, लेकिन मैं कह रहा हूँ कि इसमें जो राइट्स हैं, उनके बारे में, नागालैंड में जो कुछ हो रहा है, वहाँ इतने वर्षों तक कांग्रेस सरकार में थी, पूरे नॉर्थ-ईस्ट में वह सरकार में थी, उसने वहाँ क्यों नहीं पंचायती राज इंस्टीट्यूशंस को लाया। आप कहते हैं कि राजीव गांधी जी ने पंचायती राज इंस्टीट्यूशंस दे दीं, आप उसको क्यों नहीं इम्प्लीमेंट कर पाए। इसलिए मेरा कहना है कि वूमन राइट्स को.....

HON. DEPUTY SPEAKER: Shri Nishikant Dubey, you may continue your speech next time.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND FARMERS WELFARE AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S.S. AHLUWALIA): Sir, there are certain issues of urgent public importance which hon. Members want to raise as 'Zero Hour' issues. Sir, you may kindly extend the time of the House till they exhaust their points.

HON. DEPUTY SPEAKER: Is it the pleasure of the House to extend its time as there are six Members who have given their names to speak?

SEVERAL HON. MEMBERS: Yes.

HON. DEPUTY SPEAKER: All right. We may take up 'Zero Hour' now. Shri Rajendra Agrawal.

श्री राजेन्द्र अग्रवाल (मेरठ): माननीय उपाध्यक्ष महोदय, 'रेल बढे-देश बढे' के तहत रेल मंत्रालय ने उत्तर रेलवे परिक्षेत्र में कई योजनाओं को शुरू किया है। रेलवे ने खुर्जा-मेरठ रेलवे ट्रैक के महत्व को देखते हुए इसके विस्तार की योजना तैयार की। इस रेल मार्ग पर हापुड़ में दिल्ली-मुरादाबाद रेल मार्ग मिलता है तथा खुर्जा में यह रेल मार्ग दिल्ली-हावड़ा रेल मार्ग से जुड़ जाता है। इस रेल मार्ग के विस्तार की योजना के अंतर्गत 40 अंडरपास स्वीकृत किये गये तथा इनके निर्माण के लिए 115 करोड़ रुपये का बजट भी जारी हो गया। इसके लिए मैं माननीय रेल मंत्री जी का हृदय से आभार व्यक्त करता हूँ।

अंडरपास के निर्माण के लिए रेलवे ने नियम तय किये हुए हैं। नियमानुसार एक मीटर ऊँचाई के लिए 30 मीटर लम्बे रास्ते की जरूरत होती है। साधारणतया इन अंडरपासेज की ऊँचाई पाँच मीटर है। इस कारण से नियमानुसार रास्ते की लम्बाई 150 मीटर होनी चाहिए, परन्तु अनेक स्थानों पर इस मानक की अवहेलना की गयी है। इस दृष्टि से, विशेषकर मैं हापुड़ के गांव महमूदपुर के पास बनने वाले अंडरपास संख्या 32सी का उल्लेख करना चाहूँगा। इसमें पाँच मीटर ऊँचे अंडरपास के लिए रास्ते की लम्बाई केवल 70 मीटर रखी गयी है। इस खड़ी चढ़ाई से किसी भी प्रकार का वाहन जैसे बैलगाड़ी, ट्रैक्टर इत्यादि इस रास्ते से नहीं निकल सकते हैं। इसी प्रकार की अनियमितताएँ ग्राम दादरी के पास बने अंडरपास संख्या 73सी में भी की गयी है। परिणामस्वरूप लगभग 20 गांवों का रास्ता अवरुद्ध हो गया है। इसके कारण स्कूली छात्रों, किसानों व आम नागरिकों को आवागमन में अत्यंत असुविधा का सामना करना पड़ रहा है।

मेरा आपके माध्यम से माननीय रेल मंत्री जी से अनुरोध है कि इन ग्रामीण क्षेत्रों के नागरिकों को हो रही असुविधा को ध्यान में रखते हुए, इन अंडरपासेज का निर्माण मानकों के अनुरूप किया जाए तथा इस हेतु आवश्यक उपाय किये जाएं।

आपने मुझे बोलने का अवसर दिया, इसके लिए मैं आपका आभार व्यक्त करता हूँ।

श्री निशिकान्त दुबे (गोड्डा) : माननीय उपाध्यक्ष महोदय, आपके माध्यम से मैं देश के एक महत्त्वपूर्ण विषय की ओर सदन का और देश का ध्यान आकृष्ट करना चाहता हूँ।

वर्ष 1947 में भारत के आज़ाद होने के बाद से कश्मीर एक बड़ी समस्या के तौर पर उभरा है। हम सभी को पता है कि संसद में लगातार रिजोल्यूशंस पास हुए, मेरा भी एक प्राइवेट मेम्बर रिजोल्यूशन पास हुआ था। वर्ष 1996 में लोक सभा में सभी राजनीतिक दलों ने मिलकर एक बड़ा रिजोल्यूशन पास किया था। हमारे हिस्से के कश्मीर, जिसे हम लोग पाक अधिकृत कश्मीर कहते हैं, पर इल्लीगली, अनैतिक तौर पर, गैर-कानूनी तौर पर पाकिस्तान ने कब्ज़ा कर रखा है। पाकिस्तान ने उस पर कब्ज़ा ही नहीं कर रखा है, बल्कि गिलगित-बाल्टिस्तान क्षेत्र को पाकिस्तान में कैसे मिलाया जाए, इसके लिए एक साज़िश हो रही है

और वह चाइना को एक बड़ा कॉरीडोर बनाने देने का प्रयास कर रहा है। पाक ऑक्युपाइड कश्मीर, गिलगित और बलूचिस्तान में जितनी भी भारत विरोधी एक्टिविटीज होती हैं, उन्हें बढ़ावा देने के लिए वे ऐसा कर रहे हैं। जाली नोटों या इस प्रकार की अन्य गतिविधियाँ कर के वे भारत सरकार को परेशान करने का काम कर रहे हैं। इस रास्ते का वे लोग अपने हित के लिए उपयोग कर रहे हैं।

महोदय, जम्मू-कश्मीर असेंबली में विधान सभा की 25 सीटें पाक ऑक्युपाइड कश्मीर के लिए रिजर्व की गईं। ये सीटें इसलिए रिजर्व रखी गई हैं, क्योंकि वह भारत के जम्मू-कश्मीर का एक अविभाजित अंग है। जब वह भारत में मिल जाएगा, तब ये 25 सीटें पूरी हो जाएंगी। 1973 में एक संशोधन हुआ था, जिसके तहत इन 25 सीटों को 24 सीटों में बदल दिया गया था। हम सभी लोकसभा के सदस्य हैं। हम सब यह बात जानते हैं कि जहाँ कहीं भी विधान सभाएँ होती हैं, वहाँ उनके ऊपर एक लोकसभा भी होती है। जम्मू-कश्मीर का वह अंग, जहाँ 25 सीटें रिजर्व की गई हैं, वहाँ भारत सरकार ने भूलवश 1950 से लेकर आज तक ध्यान नहीं दिया है। भारत सरकार ने उसके ऊपर ध्यान नहीं दिया कि वह हमारा एक अंग है और उसके ऊपर लोकसभा की सीटें होनी चाहिए।

महोदय, मैं आपके माध्यम से इस सरकार के साथ ही साथ पूरे देश को बताना चाहूँगा कि हमारी सीटें 550 तक जा सकती हैं। उसमें डी-लिमिटेशन की आवश्यकता नहीं है। हमारी ऐसी 5 सीटें खाली हैं। मैं यह आग्रह करता हूँ कि चूँकि वहाँ असेंबली में सीटें रिजर्व हैं, इसलिए भारत सरकार को लोकसभा की 5 सीटें पाक ऑक्युपाइड कश्मीर, गिलगित और बलूचिस्तान के लिए निर्धारित करनी चाहिए। 1946-47 के बाद से वहाँ के जो लोग यहाँ आए हैं, उनकी नागरिकता का सवाल आज सबसे बड़ा सवाल है। वे लोग चाहे कश्मीरी पंडित हों या पाक ऑक्युपाइड कश्मीर से आए हुए लोग हों, उन सभी लोगों के प्रति भारत सरकार को एक सिंपेथेटिक नजरिया रखना चाहिए। वे लोग लोकसभा के लिए तो वोट दे सकते हैं, परंतु वे विधान सभा के लिए वोट नहीं दे सकते हैं। उनके पास राज्य की नागरिकता नहीं है।

मेरा आपके माध्यम से सरकार से यह आग्रह है कि उनको राज्य की नागरिकता प्रदान की जाए।

HON. DEPUTY-SPEAKER: Shri Rajendra Agrawal and Shri Sharad Tripathi are permitted to associate with the issue raised by Shri Nishikant Dubey.

श्री जगदम्बिका पाल (डुमरियागंज): उपाध्यक्ष महोदय, मैं आपका अत्यंत आभारी हूँ कि आपने शून्य प्रहर में लोक महत्व के एक सुनिश्चित प्रश्न को उठाए जाने की अनुज्ञा प्रदान की है।

आज देश के सभी राज्यों में किसानों के पास नगदी फसल के रूप में गन्ने की फसल है। इसके बाद कपास, सेरीकल्चर और हार्टिकल्चर के कुछ प्रोडक्ट्स आते हैं। आज किसान अपनी उस नगदी फसल से हुई आमदनी से अपने परिवार की सारी आवश्यकताओं को पूरा करता है। उत्तर प्रदेश, महाराष्ट्र,

कर्नाटक, बिहार, उत्तराखंड आदि राज्यों में गन्ने की फसल किसानों की नगदी फसल है। इस गन्ने की फसल से प्राप्त हुई परिचियों के माध्यम से हुई आय से ही किसान अपने बेटे की हायर एजुकेशन की फीस देता है, इस फसल की आमदनी से ही वह किसान अपनी बेटी के हाथ पीले करता है। इसी आमदनी से वह किसान अपने घर के किसी बुजुर्ग की बीमारी का एम्स या अन्य अस्पतालों में इलाज करवाता है। आज दुर्भाग्य की बात यह है कि उत्तर प्रदेश में पिछले दो वर्षों से इस गन्ने की फसल का भुगतान नहीं हुआ है। किसानों का पिछले साल के गन्ना मूल्य का 14 प्रतिशत, लगभग 1975 करोड़ रुपया आज भी चीनी मिलों पर बकाया है। 1600 करोड़ रुपये का गन्ना मूल्य केवल उत्तर प्रदेश की चीनी मिलों पर बकाया है। इनमें बजाज, मवाना, मोदी, सिंभावली और राणा की चीनी मिलें शामिल हैं। इंडियन शुगरकेन कंट्रोल एक्ट के अनुसार यदि 15 दिनों के अंदर चीनी मिलें किसानों के गन्ना मूल्य का भुगतान नहीं करेंगी, तो वे उन किसानों को उस मूल्य के अतिरिक्त 10 प्रतिशत ब्याज देने के लिए बाध्य होंगी। किसानों का ब्याज के रूप में करीब 2 हजार करोड़ रुपया इन चीनी मिलों के ऊपर बना, लेकिन उत्तर प्रदेश की मौजूदा सरकार ने उन किसानों के इस ब्याज को कैबिनेट मंत्री परिषद की बैठक में माफ कर दिया।

चीनी मिल मालिकों के पक्ष में सरकार ने फैसला लिया जो किसानों की गाढ़ी कमाई की मेहनत थी, उनके खून-पसीने की कमाई थी, उनेक गन्ने की कीमत और उसके ब्याज का जो पैसा बनता था, वह चीनी मिलों को न देना पड़े, इस तरह का मंत्रिपरिषद का फैसला हुआ। जिसमें एक किसान संगठन कोर्ट गया तो फिर कोर्ट ने सरकार के उस फैसले को खारिज कर दिया और कहा कि किसानों को ब्याज देना चीनी मिलों की बाध्यता होगी। इसके बावजूद भी आज भी उन चीनी मिलों पर गन्ना किसानों की कीमत बाकी है और आज भी सरकार ने कोई उपाय नहीं किया है। अभी उत्तर प्रदेश के चुनाव हुए हैं, इस चुनाव की मतगणना कल होगी और उस चुनाव में सभी पार्टियां और पार्टियां और सरकार में जिस उत्तर प्रदेश सरकार का दायित्व था कि किसानों के गन्ना मूल्य का भुगतान कराए, लेकिन उसने अपने दायित्व का निर्वहन नहीं किया है। मुझे खुशी है, मैं तो आभार व्यक्त करूंगा कि आज उत्तर प्रदेश में भारतीय जनता पार्टी ने अपने संकल्प पत्र में कहा कि यदि उत्तर प्रदेश में हमारी सरकार आएगी तो जिस दिन किसान गन्ना देगा तो चीनी मिलों को 14 दिन बाद गन्ना मूल्य का किसानों के खातों में भुगतान हो जाएगा। मैं समझता हूँ कि शायद यह पहली आने वाले दिनों में किसानों को उनकी मेहनत की कमाई का 14 दिन के अंदर भुगतान होगा। आज 14 दिन तो दूर की बात पूरे एक-एक साल, दो-दो साल से मैं पूरे देश की बात करना चाहता हूँ, खासतौर से उत्तर प्रदेश की बात करना चाहता हूँ कि उन किसानों का लगभग 6 हजार करोड़ रुपया गन्ना मूल्य बाकी है। पिछले साल का भी 2016-17 का जो मैंने बताया कि 1975 करोड़ रुपया और उससे पहले वर्ष 2015-16 का भी 375 करोड़ रुपया बाकी है। आज देश में सबसे ज्यादा गरीब

तबका किसान है। किसानों का जो पिछले दो वर्षों का गन्ना मूल्य है, एक अत्यंत लोक महत्व का सुनिश्चित प्रश्न है, मैं आपके माध्यम से चाहता हूँ कि केंद्र सरकार जो मॉनीटरिंग कर रही है, वह इसके लिए राज्य सरकार को निर्देशित करे।

HON. DEPUTY SPEAKER: Shri Sharad Tripathi is allowed to associate with the issue raised by Shri Jagdambika Pal.

SHRI RAM PRASAD SARMAH (TEZPUR): Thank you, Sir, for allowing me to speak on a very important topic of Assam concerning three paper mills. There are three paper mills in Assam – Ashok Paper Mills in Goalpara district; Cacher Paper Mills in Barack Valley; and Noah Paper Mills in Morigaon district. Ashok Paper Mills with about 2,500 bighas of land and other paraphernalia, etc. has been closed for long, and the same could not be revived due to corrupt practices by the management and the then Assam Government and also the then Central Government.

The Cacher Paper Mills is closed. Its capacity of production per day was 300 metric tonnes. Noah Paper Mills with a capacity of 250 lakh metric tonnes is also going to be closed due to corrupt management. Management is thoroughly corrupt. They have mismanaged; they have sold out the interests of the mills; they have also sold out the interests of the workers and others related to the mills. The Government of India should take immediate steps to revive the mills. There is no dearth of raw materials. Raw materials is there. Bamboo is produced in Assam in huge quantity. Yet, the mills could not be run properly because the management inducted by the previous UPA Government is very corrupt. They are looking after their own interests and the interests of the Managing Director, Chairman, and others. They should be removed. New management consisting of people with clean image should be brought in and the mills should be saved from dying from the deathbed and the workers and the producers of bamboo, the rural people and the rural economy can be saved. In the areas, we have Kendriya Vidyalayas, staff quarters and other infrastructure. Yet, the Government of India has not taken any interests.

Even a memorandum was submitted to the hon. Minister for Heavy Industry. I would request the Government of India to take immediate steps to remove the corrupt management and institute an enquiry and punish those people responsible for causing loss to the mills.

श्री अर्जुन लाल मीणा (उदयपुर): उपाध्यक्ष महोदय, आपने मुझे जीरो ऑवर में बोलने का मौका दिया, इसके लिए मैं आपको बहुत-बहुत धन्यवाद देता हूँ। राजस्थान में उदयपुर मेरा लोक सभा क्षेत्र है, उस क्षेत्र का एक महत्वपूर्ण मुद्दा मैं सदन में उठाना चाहता हूँ। उदयपुर एक संभाग मुख्यालय है और इसमें छः जिले आते हैं। इनमें पांच जिले ट्राइबल जिले हैं और उनमें से जो उदयपुर शहर है, उसे बीस शहरों में स्मार्ट सिटी का दर्जा दिया गया है।

मैं आपके माध्यम से सरकार से आग्रह करना चाहता हूँ कि उदयपुर शहर को बी-2 श्रेणी में जोड़ा जाए। उदयपुर शहर की आबादी लगभग छः लाख है और जिले की आबादी कुल तीस लाख है। यह जनजातीय बाहुल्य क्षेत्र है तथा यह रेल और हवाई मार्ग से जुड़ा हुआ है। इसलिए मैं आपके माध्यम से मांग करता हूँ कि उदयपुर शहर को बी-2 श्रेणी के शहरों की श्रेणी में जोड़ा जाए। धन्यवाद।

श्री ओम बिरला (कोटा) : माननीय उपाध्यक्ष महोदय, मध्य प्रदेश से होकर चम्बल नदी राजस्थान के कोटा शहर से होकर गुजरती है और कोटा से गुजरने वाली नदी पर राणा प्रताप सागर जैसे बड़े-बड़े बांध बने हुए हैं। यह ऐसी नदी है कि जिसमें 12 महीने पानी रहता है, परंतु कोटा शहर के 24 नाले इस नदी में गिरने के कारण चम्बल नदी का अशुद्धिकरण हो रहा है, चम्बल नदी प्रदूषित हो रही है। वहां की जनता मांग कर रही है कि जिस तरह से केन्द्र सरकार गंगा नदी को शुद्ध करने का बेहतरीन काम कर रही है, उसी तरह से कोटा की चम्बल नदी का शुद्धिकरण करने का व्यापक कार्य शुरू करना चाहिए।

इसी के साथ मैं यह भी कहना चाहता हूँ कि चम्बल नदी में कोटा बैराज के नीचे रिवर फ्रंट को डैवलप करके उस जगह हम पर्यटन का एक बहुत बड़ा केन्द्र बना सकते हैं, उससे हम देश-विदेश के पर्यटकों को वहां आकर्षित कर सकते हैं। इसके अलावा चम्बल नदी से निकलने वाली नहरों के पानी का उपयोग करके जिन इलाकों में अभी असिंचित इलाका है, यदि उन असिंचित इलाकों पर छोटी-छोटी लिफ्ट इर्रिगेशन योजना बनाकर वहां की जमीनों को सिंचित करने का काम किया जाए तो उससे किसानों को बहुत बड़ा लाभ हो सकता है। धन्यवाद।

18.17 hours

**MESSAGE FROM RAJYA SABHA
AND
BILL AS PASSED BY RAJYA SABHA***

SECRETARY GENERAL: Sir, I have to report the following message received from the Secretary General of Rajya Sabha:-

I am directed to inform the Lok Sabha that the Enemy Property (Amendment and Validation) Bill, 2016 which was passed by the Lok Sabha at its sitting held on the 9th March, 2016, has been passed by the Rajya Sabha at its sitting held on the 10th March, 2017, with the following amendments:-

ENACTING FORMULA

1. That at page 1, line 1, **for** the word “Sixty-seventh”, the word “Sixty-eighth” be **substituted**.

CLAUSE 1

2. That at page 1, line 4, **for** the figure “2016”, the figure “2017” be **substituted**

CLAUSE 2

3. That at page 2, line 24, **for** the word “law”, the words “other laws” be **substituted**.

CLAUSE 3

4. That at page 3, line 2, **for** the words “always deemed”, the words “shall always be deemed” be **substituted**.

* Laid on the Table.

CLAUSE 6

5. That at page 3, line 32, **for** the figure “2016”, the figure “2017” be **substituted.**
6. That at page 3, line 36, **for** the figure “2016”, the figure “2017” be **substituted.**

CLAUSE 8

7. That at page 4, line 17, **for** the figure “2016”, the figure “2017” be **substituted.**
8. That at page 4, line 18, **for** the figure “2016”, the figure “2017” be **substituted.**

CLAUSE 12

9. That at page 5, line 30, **after** the word “order”, the words “or from the date of its publication in the Official Gazette, whichever is earlier” be **substituted.**

CLAUSE 14

10. Insertion of new sections 18B and 18C. That at page 5, for clause 14, the following be substituted, namely:-

Exclusion of jurisdiction of civil courts. “14. After section 18A of the principal Act, (as so inserted by section 13 of this Act), the following sections shall be inserted, namely:—

“18B. Save as otherwise provided in this Act, no civil court or authority shall have jurisdiction to entertain any suit or proceedings in respect of any property, subject matter of this Act, as amended by the Enemy Property (Amendment and Validation) Act, 2017, or any action taken by the Central Government or the Custodian in this regard.

Appeal to High Court. 18C. Any person aggrieved by an order of the Central Government under section 18 of this Act, may, within a period of sixty days from the date of communication or receipt of the order, file an appeal to the High Court on any question of fact or law arising out of such orders, and upon such appeal the High Court may, after hearing the parties, pass such orders thereon as it thinks proper:

Provided that the High Court may, if it is satisfied that the appellant was prevented by sufficient cause from filing an appeal within the said period, allow it to be filed within a further period not exceeding sixty days.

Explanation.—In this section, "High Court" means the High Court of a State or Union territory in which the property referred to in section 18 is situated.”.

CLAUSE 17

11. That at page 6, line 12, for the figure “2016”, the figure “2017” be substituted.

12. That at page 6, line 17, for the figure “2016”, the figure “2017” be substituted.
13. That at page 6, line 27, for the figure “2016”, the figure “2017” be substituted.
14. That at page 6, line 35, for the figure “2016”, the figure “2017” be substituted.

CLAUSE 19

15. That at page 6, line 40, for the figure “2016”, the figure “2017” be substituted.
16. That at page 6, line 43, for the figure “2016”, the figure “2017” be substituted.
17. That at page 6, line 44, for the figure “2016”, the figure “2017” be substituted.
18. That at page 6, line 47, for the figure “2016”, the figure “2017” be substituted.
- Ord. 8 19. That at page 6, line 48, for the word and figure “Ordinance, 2016”, the of words and figure “Fifth Ordinance, 2016” be substituted.
2016.

CLAUSE 22

20. That at page 7, ***for*** lines 28 to 32, the following be ***substituted***, namely:-

| | | |
|-----------------------|---|---------------------------|
| Ord. 8 of of 2016. | “22(1) The Enemy Property (Amendment and Validation) Fifth Ordinance, 2016 is hereby repealed”. | Repeal and savings. |
|-----------------------|---|---------------------------|

| | |
|----------------|---|
| 34 of 1968. | (2) Notwithstanding such repeal, anything done or any action taken under the Enemy Property Act, 1968 as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the said Act, as amended by this Act”. |
|----------------|---|

I am, therefore, to return herewith the said Bill in accordance with the provisions of rule 128 of the Rules of Procedure and Conduct of Business in the Rajya Sabha with the request that the concurrence of the Lok Sabha to the said amendments be communicated to this House.'

Sir, I lay on the Table the Enemy Property (Amendment and Validation) Bill, 2016, as returned by Rajya Sabha with amendments.

HON. DEPUTY SPEAKER: The House stands adjourned to meet on Tuesday, the 14th March, 2017 at 11.00 a.m.

18.18 hours

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, March 14, 2017/Phalguna 23, 1938 (Saka).
