

## C O N T E N T S

**Sixteenth Series, Vol. XXVII, Thirteenth Session, 2017-2018/1939 (Saka)  
No. 4, Wednesday, December 20, 2017/Agrahayana 29, 1939(Saka)**

<u>S U B J E C T</u>	<u>P A G E S</u>
<b>ORAL ANSWER TO QUESTION</b>	
*Starred Question No. 61	13-14
<b>WRITTEN ANSWERS TO QUESTIONS</b>	
Starred Question Nos. 62 to 80	16-62
Unstarred Question Nos. 691 to 787** 789 to 920	63-543

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\* The sign + marked above the name of a Member indicates that the Question was actually asked on the floor of the House by that Member.

\*\* Unstarred Q. No. 788 was deleted due to resignation of the Member (Shri Nana Patole).

**PAPERS LAID ON THE TABLE** 544-563

**MESSAGE FROM RAJYA SABHA** 564

**COMMITTEE ON PRIVATE MEMBERS' BILLS  
AND RESOLUTIONS**  
37<sup>th</sup> Report 565

**RAILWAY CONVENTION COMMITTEE**  
17<sup>th</sup> to 19<sup>th</sup> Reports 565

**COMMITTEE OF PRIVILEGES**  
4<sup>th</sup> to 8<sup>th</sup> Reports 566

**STANDING COMMITTEE ON FINANCE**  
50<sup>th</sup> to 55<sup>th</sup> Reports 566-567

**STANDING COMMITTEE ON HEALTH AND  
FAMILY WELFARE**  
103<sup>rd</sup> to 105<sup>th</sup> Reports 567-568

**STANDING COMMITTEE ON TRANSPORT,  
TOURISM AND CULTURE**  
254<sup>th</sup> and 255<sup>th</sup> Reports 568

**STATEMENTS BY MINISTERS**

- (i) Status of implementation of the recommendations contained in the 45<sup>th</sup> Report of the Standing Committee on Finance on Demands for Grants (2017-18), pertaining to the Ministry of Statistics and Programme Implementation

**Shri D.V. Sadananda Gowda** 569

- (ii) Status of implementation of the recommendations contained in the 31<sup>st</sup> Report of the Standing Committee on Coal and Steel on 'Coal Review of Allotment, Development and Performance of Coal/Lignite Blocks', pertaining to the Ministry of Coal

**Shri Haribhai Chaudhary** 569

- (iii) Status of implementation of the recommendations contained in the 16<sup>th</sup> Report of the Standing Committee on Railways on 'Outstanding dues for Indian Railways', pertaining to the Ministry of Railways

**Shri Rajen Gohain** 570

- (iv) Status of implementation of the recommendations contained in the 39<sup>th</sup> Report of the Standing Committee on Social Justice and Empowerment on Demands for Grants (2017-18), pertaining to the Ministry of Minority Affairs

**Dr. Virendra Kumar** 570

**MATTERS UNDER RULE 377** 578-606

- (i) Need to construct bunkers in border villages to ensure safety of people from firing across the border

Shri Jugal Kishore 579

- (ii) Need to undertake doubling of Maksi - Ruthiyai railway line in Rajgarh Parliamentary Constituency, Madhya Pradesh

Shri Rodmal Nagar 580

- (iii) Need to resume the operation of Ordnance Depot at Naini in Allahabad, Uttar Pradesh
- Shri Shyama Charan Gupta 581
- (iv) Need to enhance the procurement ceiling of groundnut from farmers in Rajasthan
- Shri Rahul Kaswan 582
- (v) Need to ban the film 'Padmavati' allegedly distorting historical facts
- Shri Chandra Prakash Joshi 583
- (vi) Need to simplify the process at Toll Plazas on National Highways
- Shri Subhash Chandra Baheria 584
- (vii) Need to establish All India Institute of Medical Sciences in Maharajganj, Bihar
- Shri Janardan Singh Sigriwal 585
- (viii) Need to reinstate the services of security guards in collieries in Jharkhand
- Shri Ravindra Kumar Pandey 586
- (ix) Need to construct an under-bridge on level crossing No. 162 at village Vilpan on Udaipur - Himmatnagar railway line in Gujarat
- Shri Manshankar Ninama 587

- (x) Need to release the balance funds under the National Food Security Scheme to Rajasthan  
Shri Sukhbir Singh Jaunapuria 588
- (xi) Need to undertake construction of Pachnada multipurpose project in Jalaun Parliamentary Constituency, Uttar Pradesh  
Shri Bhanu Pratap Singh Verma 589
- (xii) Regarding contamination of river Brahmaputra  
Shri Ramen Deka 590
- (xiii) Need to develop National Highway No. 123 (507) from Herbertpur to Barkot as an all weather road  
Shrimati Mala Rajyalaxmi Shah 591
- (xiv) Need to provide air connectivity to Kota city with other cities under UDAN scheme of civil aviation  
Shri Om Birla 592
- (xv) Need to provide boat ambulances to Assam during floods  
Shri Rameshwar Teli 593
- (xvi) Regarding Alkaloid research and production in the country  
Shri Sudheer Gupta 594

- (xvii) Regarding status of framework Agreement between Government of India and National Socialist Council of Nagaland (IM)
- Dr. Thokchom Meinya 595
- (xviii) Need to improve living standard of people engaged in fisheries sector
- Shri K. C. Venugopal 596
- (xix) Need to allocate funds for construction of a new Post Office building and Passport Seva Kendra at Kallampalayam Road in Tirupur, Tamil Nadu
- Shrimati V. Sathyabama 597-598
- (xx) Need to extend the services of Bangalore Metro Rail upto Mookandapalli in Hosur, Tamil Nadu
- Shri K. Ashok Kumar 599
- (xxi) Regarding latest status of two railway projects in Joynagar Parliamentary Constituency of West Bengal
- Shrimati Pratima Mondal 600
- (xxii) Need to review the existing allocation of rice and wheat quota to Odisha under the National Food Security Act
- Shri Bhartruhari Mahtab 601

(xxiii)	Need to recover pending loans given to industrial houses	
	Shri Shrirang Appa Barne	602
(xxiv)	Need to exempt tax on Sanitary Napkins	
	Shri Ram Mohan Naidu Kinjarapu	603
(xxv)	Need to review the selection procedure of Republic Day tableau	
	Shri A. P. Jithender Reddy	604
(xxvi)	Need to project historical facts in right perspective by Hindi movie makers	
	Kunwar Haribansh Singh	605
(xxvii)	Need to include Kudmi tribe of Jharkhand in the list of Scheduled Tribes	
	Shri Kaushalendra Kumar	606
	<b>REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY (AMENDMENT) BILL, 2017</b>	608-678
	Shri Ramesh Bidhuri	608-612
	Shri Kalyan Banerjee	613-620
	Shri Gopal Shetty	621-628
	Shri Kaushalendra Kumar	629-630
	Shri Mohammad Salim	631-638
	Shri Kulmani Samal	639-642

Shri Shrirang Appa Barne	643-645
Dr. Ravindra Babu	646-648
Shri A.P. Jithender Reddy	649-654
Shri Varaprasad Rao Velagapalli	655-659
Shri N.K. Premachandran	660-665
Shri M. Udhaya Kumar	666-668
Dr. Shrikant Eknath Shinde	670-671
Shri Hardeep Singh Puri	672-676
Motion to consider	677
Clauses 2,3 and 1	678
Motion to Pass	678

**STATUTORY RESOLUTION RE: DISAPPROVAL OF  
INDIAN FOREST (AMENDMENT) ORDINANCE, 2017  
AND**

<b>INDIAN FOREST (AMENDMENT) BILL, 2017</b>	679-775
Motions to consider	679
Dr. Harsh Vardhan	679-685, 749-765, 769-773
Shri N.K Premachandran	686-693 766-768
Shrimati Bijoya Chakravarty	694-698
Shri G. Hari	699-702
Shrimati Aparupa Poddar	703-705
Shri Tathagata Satpathy	706-710
Shri Muthamsetti Srinivasa Rao (Avanthi)	711-713
Shri Jitendra Chaudhary	714-719
Shri Konda Vishweshwar Reddy	720-722
Shri Sunil Kumar Singh	723-727



Shri Prem Das Rai	728-732
Shri Jai Prakash Narayan Yadav	733-735
Shri Sirajuddin Ajmal	736-737
Shri Kaushalendra Kumar	738-739
Shri Rajesh Ranjan	740-741
Adv. Joice George	742-744
Shri Bhartruhari Mahtab	745-748
Clauses 2,3 and 1	774-775
Motion to Pass	775

**ANNEXURE – I**

Member-wise Index to Starred Questions	776
Member-wise Index to Unstarred Questions	777-782

**ANNEXURE – II**

Ministry-wise Index to Starred Questions	783
Ministry-wise Index to Unstarred Questions	784

**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**

Shrimati Snehlata Shrivastava

**LOK SABHA DEBATES**

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LOK SABHA

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Wednesday, December 20, 2017/Agrahayana 29, 1939 (Saka)

The Lok Sabha met at Eleven of the Clock

[HON. SPEAKER *in the Chair*]

**ORAL ANSWER TO QUESTION**

... (*Interruptions*)

HON. SPEAKER: Question No. 61 – Shri Kesineni Nani.

... (*Interruptions*)

SHRI KESINENI SRINIVAS : Question No. 61. ... (*Interruptions*)

**(Q. No. 61)**

HON. SPEAKER: Hon. Members, please sit down.

... (*Interruptions*)

HON. SPEAKER: Hon. Members, please take your seat. Let us continue with the Question Hour.

... (*Interruptions*)

HON. SPEAKER: Shri Bhartruhari Mahtab, I will allow you after the Question Hour.

... (*Interruptions*)

HON. SPEAKER: You can raise it during 'Zero Hour'; not now.

... (*Interruptions*)

**11.03 hours**

*(At this stage, Shri Gaurav Gogoi and some other hon. Members came and stood on the floor near the Table.)*

... (*Interruptions*)

HON. SPEAKER: The House stands adjourned to meet again at 12 noon.

*The Lok Sabha then adjourned till Twelve of the Clock.*

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**12.02 hours**

*The Lok Sabha re-assembled at Two Minutes past Twelve of the Clock.*

(Hon. Speaker *in the Chair*)

**PAPERS LAID ON THE TABLE**

HON. SPEAKER: Papers to be laid on the Table.

... (*Interruptions*)

THE MINISTER OF SCIENCE AND TECHNOLOGY, MINISTER OF EARTH SCIENCES AND MINISTER OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (DR. HARSH VARDHAN): Madam, I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under sub-section (2) of Section 44 of the Regional Centre for Biotechnology Act, 2016:-

- (1) The Statutes of the Regional Centre for Biotechnology, 2017 published in Notification No. RCB/STA/2017/01 in Gazette of India dated 19<sup>th</sup> September, 2017.
- (2) The Regional Centre for Biotechnology (Doctor of Philosophy Degree Programme) Regulations, 2017 published in Notification No. RCB/REG/2017/01 in Gazette of India dated 19<sup>th</sup> September, 2017.
- (3) The Regional Centre for Biotechnology (Recognition of Institution of Higher Learning within India and conduct of the Academic Programme) Regulations, 2017 published in Notification No. RCB/REG/2017/02 in Gazette of India dated 19<sup>th</sup> September, 2017.
- (4) The Ordinances of the Regional Centre for Biotechnology, 2017 published in Notification No. RCB/ORD/2017/01 in Gazette of India dated 19<sup>th</sup> September, 2017.

[Placed in Library, See No. LT 7755/16/17]

THE MINISTER OF RAILWAYS AND MINISTER OF COAL (SHRI PIYUSH GOYAL): Madam, I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of Section 394 of the Companies Act, 2013:-

- (1) (i) Review by the Government of the working of the NLC India Limited (formerly Neyveli Lignite Corporation Limited), Chennai, and its Subsidiaries for the year 2016-2017.
- (ii) Annual Report of the NLC India Limited (formerly Neyveli Lignite Corporation Limited), Chennai, and its Subsidiaries for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7756/16/17]

- (2) (i) Review by the Government of the working of the Coal India Limited, Kolkata, and its subsidiary companies for the year 2016-2017.
- (ii) Annual Report of the Coal India Limited [Volume I and Volume II (Part I & II)], Kolkata, for the year 2016-2017, and its subsidiary companies alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7757/16/17]

उत्तर पूर्वी क्षेत्र विकास मंत्रालय के राज्य मंत्री, प्रधान मंत्री कार्यालय में राज्य मंत्री, कार्मिक, लोक शिकायत और पेंशन मंत्रालय में राज्य मंत्री, परमाणु ऊर्जा विभाग में राज्य मंत्री तथा अंतरिक्ष विभाग में राज्य मंत्री (डॉ. जितेन्द्र सिंह) : अध्यक्ष महोदया, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ-

(1) (एक) टाटा मेमोरियल सेंटर, मुंबई के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) टाटा मेमोरियल सेंटर, मुंबई के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7758/16/17]

(2)(एक) साहा इंस्टिट्यूट ऑफ न्यूक्लियर फिजिक्स, कोलकाता के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) साहा इंस्टिट्यूट ऑफ न्यूक्लियर फिजिक्स, कोलकाता के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7759/16/17]

(3) (एक) इंस्टिट्यूट फॉर प्लाज्मा रिसर्च, गांधीनगर के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) इंस्टिट्यूट फॉर प्लाज्मा रिसर्च, गांधीनगर के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7760/16/17]

(4) (एक) एटॉमिक इनर्जी एजुकेशन सोसायटी, मुंबई के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) एटॉमिक इनर्जी एजुकेशन सोसायटी, मुंबई के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7761/16/17]



(5) (एक) इंस्टिट्यूट ऑफ फिजिक्स, भुवनेश्वर के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) इंस्टिट्यूट ऑफ फिजिक्स, भुवनेश्वर के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7762/16/17]

(6) (एक) नेशनल इंस्टिट्यूट ऑफ साइंस एजुकेशन एण्ड रिसर्च, भुवनेश्वर के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) नेशनल इंस्टिट्यूट ऑफ साइंस एजुकेशन एण्ड रिसर्च, भुवनेश्वर के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7763/16/17]

(7) (एक) टाटा इंस्टिट्यूट ऑफ फंडामेंटल रिसर्च, मुंबई के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) टाटा इंस्टिट्यूट ऑफ फंडामेंटल रिसर्च, मुंबई के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7764/16/17]

(8) (एक) होमी भाभा नेशनल इंस्टिट्यूट, मुंबई के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) होमी भाभा नेशनल इंस्टिट्यूट, मुंबई के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7765/16/17]

(9) कंपनी अधिनियम, 1956 की धारा 619क की उप-धारा (1) के अंतर्गत निम्नलिखित पत्रों की एक-एक प्रति (हिन्दी तथा अंग्रेजी संस्करण):-

(ग) (एक) इलेक्ट्रॉनिक्स कारपोरेशन ऑफ इंडिया लिमिटेड, हैदराबाद के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा ।

(दो) इलेक्ट्रॉनिक्स कारपोरेशन ऑफ इंडिया लिमिटेड, हैदराबाद का वर्ष 2016-2017 का वार्षिक प्रतिवेदन, लेखापरीक्षित लेखे तथा उन पर नियंत्रक-महालेखापरीक्षक की टिप्पणियां ।

[Placed in Library, See No. LT 7766/16/17]

(10) (एक) हरिश्चन्द्र रिसर्च इंस्टिट्यूट, इलाहाबाद के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) हरिश्चन्द्र रिसर्च इंस्टिट्यूट, इलाहाबाद के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7767/16/17]

**संचार मंत्रालय के राज्य मंत्री तथा रेल मंत्रालय में राज्य मंत्री (श्री मनोज सिन्हा) :** अध्यक्ष महोदया, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ-

(1) भारतीय दूरसंचार विनियामक प्राधिकरण अधिनियम, 1997 की धारा 37 के अंतर्गत निम्नलिखित अधिसूचनाओं की एक-एक प्रति (हिन्दी तथा अंग्रेजी संस्करण):-

(एक) मूलभूत दूरभाष सेवा की सेवा गुणवत्ता के मानक (वायरलाइन) और सेल्यूलर मोबाइल टेलिफोन सर्विस (पांचवां संशोधन) विनियम, 2017 जो 18 अगस्त, 2017 के भारत के राजपत्र में अधिसूचना संख्या एफ सं. 304-2/2016-क्यूओएस में प्रकाशित हुए थे ।

(दो) दूरसंचार अंतरसंबंध उपभोग प्रभार (तेरहवां संशोधन) विनियम, 2017 जो 20 सितम्बर, 2017 के भारत के राजपत्र में अधिसूचना संख्या एफ सं. 10-8/2016-बीबीएण्डपीए में प्रकाशित हुए थे ।

(तीन) भारतीय दूरसंचार विनियामक प्राधिकरण (अंशकालिक सदस्यों को भत्ते) संशोधन नियम, 2015 जो 23 फरवरी, 2016 के भारत के राजपत्र में अधिसूचना संख्या सा.का.नि. 190(अ) में प्रकाशित हुए थे तथा उसका एक शुद्धिपत्र जो 12 अक्टूबर, 2017 की अधिसूचना संख्या सा.का.नि. 1245(अ) में प्रकाशित हुआ था।

(2) उपर्युक्त (1) की मद सं. (तीन) में उल्लिखित पत्रों को सभा पटल पर रखने में हुए विलंब के कारणों को दर्शाने वाला विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7768/16/17]

(3) भारतीय तार अधिनियम, 1885 की धारा 7 की उप-धारा (5)के अंतर्गत निम्नलिखित अधिसूचनाओं की एक-एक प्रति (हिन्दी तथा अंग्रेजी संस्करण):-

(एक) भारतीय तार (संशोधन) नियम, 2017 जो 6 सितम्बर, 2017 के भारत के राजपत्र में अधिसूचना संख्या सा.का.नि. 1131(अ) में प्रकाशित हुए थे ।

(दो) दूरसंचार सेवाओं का अस्थायी निलंबन (लोक आपात या लोक सुरक्षा) नियम, 2017 जो 8 अगस्त, 2017 के भारत के राजपत्र में अधिसूचना संख्या सा.का.नि. 998(अ) में प्रकाशित हुए थे ।

[Placed in Library, See No. LT 7769/16/17]

(4) भारतीय बेतार तारयांत्रिकी अधिनियम, 1933 की धारा 10 की उप-धारा (4) के अंतर्गत सभी मोबाइल फोन हैंडसेटों में संत्रास बटन और वैश्विक स्वैधिक प्रणाली सुविधा (संशोधन) नियम, 2017 जो 23 नवम्बर, 2017 के भारत के राजपत्र में अधिसूचना संख्या सा.का.नि. 1441(अ) में प्रकाशित हुए थे , की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7770/16/17]

(5) कंपनी अधिनियम, 2013 की धारा 394 की उप-धारा (1) के अंतर्गत निम्नलिखित पत्रों की एक-एक प्रति (हिन्दी तथा अंग्रेजी संस्करण):-

(क)(एक) हेमीस्फीयर प्रोपर्टीज इंडिया लिमिटेड, नई दिल्ली के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा ।

(दो) हेमीस्फीयर प्रोपर्टीज इंडिया लिमिटेड, नई दिल्ली का वर्ष 2016-2017 का वार्षिक प्रतिवेदन, लेखापरीक्षित लेखे तथा उन पर नियंत्रक-महालेखापरीक्षक की टिप्पणियां ।

[Placed in Library, See No. LT 7771/16/17]

(ख)(एक) टेलिकम्युनिकेशंस कंसलटेन्ट्स इंडिया लिमिटेड, नई दिल्ली के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा ।

(दो) टेलिकम्युनिकेशंस कंसलटेन्ट्स इंडिया लिमिटेड, नई दिल्ली का वर्ष 2016-2017 का वार्षिक प्रतिवेदन, लेखापरीक्षित लेखे तथा उन पर नियंत्रक-महालेखापरीक्षक की टिप्पणियां ।

[Placed in Library, See No. LT 7772/16/17]

- (ग)(एक) आईटीआई लिमिटेड, बेंगलुरु के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा।
- (दो) आईटीआई लिमिटेड, बेंगलुरु का वर्ष 2016-2017 का वार्षिक प्रतिवेदन, लेखापरीक्षित लेखे तथा उन पर नियंत्रक-महालेखापरीक्षक की टिप्पणियां ।  
[Placed in Library, See No. LT 7773/16/17]
- (घ)(एक) महानगर टेलिफोन निगम लिमिटेड, नई दिल्ली के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा ।
- (दो) महानगर टेलिफोन निगम लिमिटेड, नई दिल्ली का वर्ष 2016-2017 का वार्षिक प्रतिवेदन, लेखापरीक्षित लेखे तथा उन पर नियंत्रक-महालेखापरीक्षक की टिप्पणियां ।  
[Placed in Library, See No. LT 7774/16/17]

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

(एक) टेलिकम्युनिकेशंस कंसलटेन्ट्स इंडिया लिमिटेड तथा दूरसंचार विभाग के बीच वर्ष 2017-18 के लिए हुआ समझौता ज्ञापन।

(दो) आईटीआई लिमिटेड तथा दूरसंचार विभाग, संचार तथा सूचना प्रौद्योगिकी मंत्रालय के बीच वर्ष 2017-18 के लिए हुआ समझौता ज्ञापन।

[Placed in Library, See No. LT 7775/16/17]

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI RAJEN GOHAIN): Madam, I beg to lay on the Table:-

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of Section 394 of the Companies Act, 2013:-

- (a) (i) Review by the Government of the working of the Braithwaite and Company Limited, Kolkata, for the year 2016-2017.
- (ii) Annual Report of the Braithwaite and Company Limited, Kolkata, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7777/16/17]

- (b) (i) Review by the Government of the working of the RITES Limited, Delhi, for the year 2016-2017.
- (ii) Annual Report of the RITES Limited, Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7778/16/17]

- (c) (i) Review by the Government of the working of the IRCON International Limited, New Delhi, for the year 2016-2017.
- (ii) Annual Report of the IRCON International Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7779/16/17]

- (d) (i) Review by the Government of the working of the Container Corporation of India Limited, New Delhi, for the year 2016-2017.
- (ii) Annual Report of the Container Corporation of India Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7780/16/17]

- (e) (i) Review by the Government of the working of the Konkan Railway Corporation Limited, Navi Mumbai, for the year 2016-2017.
- (ii) Annual Report of the Konkan Railway Corporation Limited, Navi Mumbai, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7781/16/17]

- (f) (i) Review by the Government of the working of the Mumbai Railway Vikas Corporation Limited, Mumbai, for the year 2016-2017.
- (ii) Annual Report of the Mumbai Railway Vikas Corporation Limited, Mumbai, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7782/16/17]

- (g) (i) Review by the Government of the working of the Rail Vikas Nigam Limited, New Delhi, for the year 2016-2017.
- (ii) Annual Report of the Rail Vikas Nigam Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7783/16/17]

- (h) (i) Review by the Government of the working of the Indian Railway Catering and Tourism Corporation Limited, New Delhi, for the year 2016-2017.
- (ii) Annual Report of the Indian Railway Catering and Tourism Corporation Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7784/16/17]

- (i) (i) Review by the Government of the working of the Indian Railway Finance Corporation Limited, New Delhi, for the year 2016-2017.
- (ii) Annual Report of the Indian Railway Finance Corporation Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7785/16/17]

- (j) (i) Review by the Government of the working of the Railtel Corporation of India Limited, New Delhi, for the year 2016-2017.
- (ii) Annual Report of the Railtel Corporation of India Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7786/16/17]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Railway Sports Promotion Board, Delhi, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Railway Sports Promotion Board, Delhi, for the year 2016-2017.

[Placed in Library, See No. LT 7787/16/17]

(3) A copy each of the following papers (Hindi and English versions):-

- (i) Memorandum of Understanding between the RITES Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7788/16/17]

- (ii) Memorandum of Understanding between the IRCON International Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7789/16/17]

- (iii) Memorandum of Understanding between the Rail Vikas Nigam Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7790/16/17]

- (iv) Memorandum of Understanding between the Konkan Railway Corporation Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7791/16/17]

- (v) Memorandum of Understanding between the Mumbai Railway Vikas Corporation Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7792/16/17]

- (vi) Memorandum of Understanding between the Braithwaite and Company Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7793/16/17]

- (vii) Memorandum of Understanding between the Railtel Corporation of India Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7794/16/17]

- (viii) Memorandum of Understanding between the Bharat Wagon and Engineering Company Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7795/16/17]

- (ix) Memorandum of Understanding between the Indian Railway Catering and Tourism Corporation Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7796/16/17]



- (x) Memorandum of Understanding between the Container Corporation of India Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7797/16/17]

- (xi) Memorandum of Understanding between the Dedicated Freight Corridor Corporation of India Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7798/16/17]

- (xii) Memorandum of Understanding between the Burn Standard Company Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7799/16/17]

- (xiii) Memorandum of Understanding between the Indian Railway Finance Corporation Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7800/16/17]

- (xiv) Memorandum of Understanding between the Kolkata Metro Rail Corporation Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7801/16/17]

महिला और बाल विकास मंत्रालय में राज्य मंत्री तथा अल्पसंख्यक कार्य मंत्रालय में राज्य मंत्री (डॉ. वीरेन्द्र कुमार): अध्यक्ष महोदया, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ-

- (1) (एक) चंडीगढ़ वक्फ बोर्ड, चंडीगढ़ के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।  
 (दो) चंडीगढ़ वक्फ बोर्ड, चंडीगढ़ के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7802/16/17]

- (2) (एक) दादर एवं नागर हवेली वक्फ बोर्ड, सिलवासा के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।  
 (दो) दादर एवं नागर हवेली वक्फ बोर्ड, सिलवासा के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7803/16/17]

- (3) (एक) लक्षद्वीप स्टेट वक्फ बोर्ड, कावारत्ती के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।  
 (दो) लक्षद्वीप स्टेट वक्फ बोर्ड, कावारत्ती के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7804/16/17]

- (4) (एक) सेंट्रल वक्फ काउंसिल, नई दिल्ली के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।  
 (दो) सेंट्रल वक्फ काउंसिल, नई दिल्ली के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

[Placed in Library, See No. LT 7805/16/17]

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY AND MINISTER OF STATE IN THE MINISTRY OF EARTH SCIENCES (SHRI Y.S. CHOWDARY): Madam, I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the ESSO-Indian Institute of Tropical Meteorology, Pune, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the ESSO-Indian Institute of Tropical Meteorology, Pune, for the year 2016-2017.

[Placed in Library, See No. LT 7806/16/17]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the ESSO-National Centre for Antarctic and Ocean Research, Goa, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the ESSO-National Centre for Antarctic and Ocean Research, Goa, for the year 2016-2017.

[Placed in Library, See No. LT 7807/16/17]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the National Institute of Ocean Technology, Chennai, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the National Institute of Ocean Technology, Chennai, for the year 2016-2017.

[Placed in Library, See No. LT 7808/16/17]

- (4) (i) A copy of the Annual Report (Hindi and English versions) of the ESSO-Indian National Centre for Ocean Information Services, Hyderabad, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the ESSO-Indian National Centre for Ocean Information Services, Hyderabad, for the year 2016-2017.

[Placed in Library, See No. LT 7809/16/17]

- (5) (i) A copy of the Annual Accounts (Hindi and English versions) of the National Centre for Earth Science Studies, Thiruvananthapuram, for the year 2016-2017, together with Audit Report thereon.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the Audited Accounts of the National Centre for Earth Science Studies, Thiruvananthapuram, for the year 2016-2017.

[Placed in Library, See No. LT 7810/16/17]

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

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of Section 394 of the Companies Act, 2013:-

- (a) (i) Review by the Government of the working of the Garden Reach Shipbuilders and Engineers Limited, Kolkata, for the year 2016-2017.
- (ii) Annual Report of the Garden Reach Shipbuilders and Engineers Limited, Kolkata, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7811/16/17]

- (b) (i) Review by the Government of the working of the Bharat Electronic Limited, Bengaluru, for the year 2016-2017.
- (ii) Annual Report of the Bharat Electronic Limited, Bengaluru, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7812/16/17]

- (c) (i) Review by the Government of the working of the BEL Optronics Devices Limited, Pune, for the year 2016-2017.
- (ii) Annual Report of the BEL Optronics Devices Limited, Pune, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7813/16/17]

- (d) (i) Review by the Government of the working of the BEL-Thales Systems, Bengaluru, for the year 2016-2017.
- (ii) Annual Report of the BEL-Thales Systems, Bengaluru, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7814/16/17]

- (e) (i) Review by the Government of the working of the Mishra Dhatu Nigam Limited, Hyderabad, for the year 2016-2017.
- (ii) Annual Report of the Mishra Dhatu Nigam Limited, Hyderabad, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7815/16/17]

- (f) (i) Review by the Government of the working of the Goa Shipyard Limited, Goa, for the year 2016-2017.
- (ii) Annual Report of the Goa Shipyard Limited, Goa, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7816/16/17]

- (g) (i) Review by the Government of the working of the Hindustan Shipyard Limited, Visakhapatnam, for the year 2016-2017.
- (ii) Annual Report of the Hindustan Shipyard Limited, Visakhapatnam, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7817/16/17]

- (h) (i) Review by the Government of the working of the Bharat Dynamics Limited, Hyderabad, for the year 2016-2017.
- (ii) Annual Report of the Bharat Dynamics Limited, Hyderabad, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7818/16/17]

- (i) (i) Review by the Government of the working of the BEML Limited, Bangalore, for the year 2016-2017.
- (ii) Annual Report of the BEML Limited, Bangalore, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7819/16/17]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Jawahar Institute of Mountaineering and Winter Sports, Pahalgam, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Jawahar Institute of Mountaineering and Winter Sports, Pahalgam, for the year 2016-2017.

[Placed in Library, See No. LT 7820/16/17]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the National Institute of Mountaineering and Allied Sports, Dirang, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the National Institute of Mountaineering and Allied Sports, Dirang, for the year 2016-2017.

[Placed in Library, See No. LT 7821/16/17]

- (4) (i) A copy of the Annual Administration Reports (Hindi and English versions) of the Cantonment Boards for the year 2016-2017.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Cantonment Boards for the year 2016-2017.

[Placed in Library, See No. LT 7822/16/17]

- (5) (i) A copy of the Annual Report (Hindi and English versions) of the Nehru Institute of Mountaineering, Uttarkashi, for the year 2016-2017, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Nehru Institute of Mountaineering, Uttarkashi, for the year 2016-2017.

[Placed in Library, See No. LT 7823/16/17]

(6) A copy each of the following Notifications (Hindi and English versions) under article 309 of the Constitution:-

- (i) The Army Pay Rules, 2017 published in Notification No. S.R.O.9(E) in Gazette of India dated 5<sup>th</sup> May, 2017.
- (ii) The Air Force Pay Rules, 2017 published in Notification No. S.R.O.10(E) in Gazette of India dated 5<sup>th</sup> May, 2017.
- (iii) The Navy Pay Regulations, 2017 published in Notification No. S.R.O.11(E) in Gazette of India dated 5<sup>th</sup> May, 2017.
- (iv) The Army Officers Pay Rules, 2017 published in Notification No. S.R.O.12(E) in Gazette of India dated 5<sup>th</sup> May, 2017.
- (v) The Air Force Officers Pay Rules, 2017 published in Notification No. S.R.O.13(E) in Gazette of India dated 5<sup>th</sup> May, 2017.
- (vi) The Navy Officers Pay Rules, 2017 published in Notification No. S.R.O.14(E) in Gazette of India dated 5<sup>th</sup> May, 2017.
- (vii) The Non-Combatants (Enrolled) of Air Force Rules, 2017 published in Notification No. S.R.O.16(E) in Gazette of India dated 30<sup>th</sup> June, 2017.
- (viii) The Navy Officers Pay (Amendment) Regulations, 2017 published in Notification No. S.R.O.19(E) in Gazette of India dated 6<sup>th</sup> July, 2017.
- (ix) The Military Nursing Service Pay Rules, 2017 published in Notification No. S.R.O.21(E) in Gazette of India dated 14<sup>th</sup> July, 2017.



- (x) The Army Pay (Amendment) Rules, 2017 published in Notification No. S.R.O.22(E) in Gazette of India dated 14<sup>th</sup> July, 2017.
- (xi) The Air Force Pay (Amendment) Rules, 2017 published in Notification No. S.R.O.23(E) in Gazette of India dated 14<sup>th</sup> July, 2017.
- (xii) The Navy Pay (Amendment) Regulations, 2017 published in Notification No. S.R.O.24(E) in Gazette of India dated 14<sup>th</sup> July, 2017.

[Placed in Library, See No. LT 7824/16/17]

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**12.04 hours****MESSAGE FROM RAJYA SABHA**

SECRETARY GENERAL: Madam Speaker, I have to report a message received from the Secretary General of Rajya Sabha:-

“In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 19<sup>th</sup> December, 2017 agreed without any amendment to the Companies (Amendment) Bill, 2017 which was passed by the Lok Sabha at its sitting held on the 27<sup>th</sup> July, 2017.”

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... (*Interruptions*)

**12.04 ½ hours****COMMITTEE ON PRIVATE MEMBERS' BILLS  
AND RESOLUTIONS**  
**37<sup>th</sup> Report**

DR. M. THAMBIDURAI (KARUR): Madam, I beg to present the Thirty-seventh Report (Hindi and English versions) of the Committee on Private Members' Bills and Resolutions.

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**12.04 ¾ hours****RAILWAY CONVENTION COMMITTEE**  
**17<sup>th</sup> to 19<sup>th</sup> Reports**

श्री भर्तृहरि महताब (कटक) : महोदया, मैं रेल अभिसमय समिति के निम्नलिखित प्रतिवेदन (हिन्दी तथा अंग्रेजी संस्करण) प्रस्तुत करता हूँ -

- (1) 'भारतीय रेल द्वारा दिव्यांग जन को प्रदान की जाने वाली सुविधाएं' के बारे में 17वां प्रतिवेदन (16वीं लोक सभा)।
  - (2) 'आरआईटीईएस द्वारा परामर्श सेवा, अभियांत्रिकी तथा परियोजना प्रबंध सेवाओं के बारे में समिति के 9वें प्रतिवेदन में अंतर्विष्ट टिप्पणियों/सिफारिशों पर सरकार द्वारा की-गई-कार्रवाई' के बारे में 18वां प्रतिवेदन (16वीं लोक सभा)।
  - (3) 'भारतीय रेल में कबाड़ निपटान प्रणाली के बारे में समिति के 10वें प्रतिवेदन में अंतर्विष्ट टिप्पणियों/सिफारिशों पर सरकार द्वारा की-गई-कार्रवाई' के बारे में 19वां प्रतिवेदन (16वीं लोक सभा)।
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**12.05 hours****COMMITTEE OF PRIVILEGES**  
**4<sup>th</sup> to 8<sup>th</sup> Reports**

श्रीमती मीनाक्षी लेखी (नई दिल्ली) : महोदया, मैं विशेषाधिकार समिति का चौथा, पांचवां छठा, सातवां और आठवां प्रतिवेदन (हिन्दी तथा अंग्रेजी संस्करण) सभा पटल पर रखती हूँ।

**12.05 ½ hours****STANDING COMMITTEE ON FINANCE**  
**50<sup>th</sup> to 55<sup>th</sup> Reports**

SHRI M. VEERAPPA MOILY (CHIKKABALLAPUR): Madam, I beg to present the following Reports (Hindi and English versions) of the Standing Committee on Finance:

- (1) Fiftieth Report on 'Review of NSSO and CSO and streamlining of statistics collection machinery in the country including Management Information System for project monitoring/appraisal' of the Ministry of Statistics and Programme Implementation.
- (2) Fifty-first Report on Action Taken by the Government on the Recommendations contained in the Forty-sixth Report on 'Demands for Grants (2017-18)' of the Ministry of Finance (Departments of Economic Affairs, Expenditure, Financial Services and Investment and Public Asset Management).
- (3) Fifty-second Report on Action Taken by the Government on the Recommendations contained in the Forty-seventh Report on 'Demands for Grants (2017-18)' of the Ministry of Finance (Department of Revenue).
- (4) Fifty-third Report on Action Taken by the Government on the Recommendations contained in the Forty-fourth Report on 'Demands for Grants (2017-18)' of the Ministry of Corporate Affairs.

- (5) Fifty-Fourth Report on Action Taken by the Government on the Recommendations contained in the Forty-fifth Report on "Demands for Grants (2017-18)" of the Ministry of Statistics and Programme Implementation.
- (6) Fifty-fifth Report on Action Taken by the Government on the Recommendations contained in the Forty-eighth Report on 'Demands for Grants (2017-18)' of the Ministry of Planning.
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### **12.06 hours**

### **STANDING COMMITTEE ON HEALTH AND FAMILY WELFARE** **103<sup>rd</sup> to 105<sup>th</sup> Reports**

डॉ. संजय जायसवाल (पश्चिम चम्पारण) : महोदया, मैं स्वास्थ्य और परिवार कल्याण संबंधी स्थायी समिति के निम्नलिखित प्रतिवेदन (हिन्दी तथा अंग्रेजी संस्करण) सभा पटल पर रखता हूँ:-

- (1) स्वास्थ्य और परिवार कल्याण विभाग की अनुदानों की मांगों (2017-2018) के बारे में समिति के 99वें प्रतिवेदन में अंतर्विष्ट सिफारिशों/टिप्पणियों पर सरकार द्वारा संबंधी की-गई-कार्रवाई 103वां प्रतिवेदन।
  - (2) स्वास्थ्य अनुसंधान विभाग की अनुदानों की मांगों (2017-20) के बारे में समिति के 100वें प्रतिवेदन में अंतर्विष्ट सिफारिशों/टिप्पणियों पर सरकार द्वारा की-गई-कार्रवाई संबंधी 104वां प्रतिवेदन।
  - (3) आयुष मंत्रालय की अनुदानों की मांगों (2017-2018) के बारे में समिति के 101वें प्रतिवेदन में अंतर्विष्ट सिफारिशों/टिप्पणियों पर सरकार द्वारा की-गई-कार्रवाई संबंधी 105वां प्रतिवेदन।
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**12.06 ½ hours****STANDING COMMITTEE ON TRANSPORT,  
TOURISM AND CULTURE  
254<sup>th</sup> and 255<sup>th</sup> Reports**

**श्री हरीश मीना (दौसा) :** महोदया, मैं परिवहन, पर्यटन और संस्कृति संबंधी स्थायी समिति के निम्नलिखित प्रतिवेदन (हिन्दी तथा अंग्रेजी संस्करण) सभा पटल पर रखता हूँ:-

- (1) 'संस्कृति मंत्रालय की अनुदानों की मांगों (2017-2018) के बारे में समिति के 245वें प्रतिवेदन में अंतर्विष्ट सिफारिशों/टिप्पणियों पर सरकार द्वारा की-गई-कार्रवाई संबंधी 254वां प्रतिवेदन।
  - (2) पर्यटन मंत्रालय की अनुदानों की मांगों (2017-2018) के बारे में समिति के 248वें प्रतिवेदन में अंतर्विष्ट सिफारिशों/टिप्पणियों पर सरकार द्वारा की-गई-कार्रवाई संबंधी 255वां प्रतिवेदन।
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**12.07 hours****STATEMENTS BY MINISTERS**

**(i) Status of implementation of the recommendations contained in the 45th Report of the Standing Committee on Finance on Demands for Grants (2017-18), pertaining to the Ministry of Statistics and Programme Implementation\***

THE MINISTER OF STATISTICS AND PROGRAMME IMPLEMENTATION (SHRI D.V. SADANANDA GOWDA): Madam, I beg to lay a statement regarding the status of implementation of the recommendations contained in the 45<sup>th</sup> Report of the Standing Committee on Finance on Demands for Grants (2017-18), pertaining to the Ministry of Statistics and Programme Implementation.

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**12.07 ½ hours**

**(ii) Status of implementation of the recommendations contained in the 31st Report of the Standing Committee on Coal and Steel on 'Coal Review of Allotment, Development and Performance of Coal/Lignite Blocks', pertaining to the Ministry of Coal\***

THE MINISTER OF STATE IN THE MINISTRY OF MINES AND MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI HARIBHAI CHAUDHARY): Madam, I beg to lay a statement regarding the status of implementation of the recommendations contained in the 31<sup>st</sup> Report of the Standing Committee on Coal and Steel on 'Coal Review of Allotment, Development and Performance of Coal/Lignite Blocks', pertaining to the Ministry of Coal.

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\* Laid on the Table and also placed in Library See No. LT 7825/16/17 and 7826/16/17 respectively.

**12.08 hours****(iii) Status of implementation of the recommendations contained in the 16th Report of the Standing Committee on Railways on 'Outstanding dues for Indian Railways', pertaining to the Ministry of Railways\***

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI RAJEN GOHAIN): Madam, I beg to lay a statement regarding the status of implementation of the recommendations contained in the 16<sup>th</sup> Report of the Standing Committee on Railways on 'Outstanding dues for Indian Railways', pertaining to the Ministry of Railways.

**12.08 ½ hours****(iv) Status of implementation of the recommendations contained in the 39th Report of the Standing Committee on Social Justice and Empowerment on Demands for Grants (2017-18), pertaining to the Ministry of Minority Affairs\***

महिला और बाल विकास मंत्रालय में राज्य मंत्री तथा अल्पसंख्यक कार्य मंत्रालय में राज्य मंत्री (डॉ. वीरेन्द्र कुमार): महोदया, मैं अल्पसंख्यक कार्य मंत्रालय से संबंधित अनुदानों की मांगों (2017-2018) के बारे में सामाजिक न्याय और अधिकारिता संबंधी स्थायी समिति के 39वें प्रतिवेदन में अंतर्विष्ट सिफारिशों के कार्यान्वयन की स्थिति के बारे में वक्तव्य सभा पटल पर रखता हूँ।

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\* Laid on the Table and also placed in Library, See No. LT 7827/16/17 and 7828/16/17 respectively.



**माननीय अध्यक्ष :** सदस्यगण, मुझे कुछ स्थगन प्रस्ताव की सूचनाएँ मिली हैं। मामले महत्वपूर्ण हैं, मगर अन्य अवसरों पर उठाये जा सकते हैं, इसलिए मैंने स्थगन प्रस्ताव की सूचना को अनुमति नहीं दी है।

... (व्यवधान)

**माननीय अध्यक्ष :** शून्य काल प्रारंभ होता है। श्री भर्तृहरि महताब जी।

... (व्यवधान)

SHRI BHARTRUHARI MAHTAB (CUTTACK): Madam, my point of contention here is not to raise this issue during Zero Hour. We have been repeatedly giving Adjournment Motions and Notices. This is a matter relating to the functioning of the House and the prestige of the Parliament. The Government made a commitment on the floor of this House and also in the Rajya Sabha relating to the formation of Tribunal and relating to Mahanadi Inter-State Water Dispute. Now the Government is going back on the commitment which it made on the floor of the House... (*Interruptions*)

### **12.10 hours**

*(At this stage, Shri Deepender Singh Hooda and some other hon. Members came and stood on the floor near the Table.)*

That is why, our Party has been insisting that this discussion should be taken up under Adjournment Motion. That is the reason why I do not want to raise it during the 'Zero Hour'... (*Interruptions*)

SHRI SUDIP BANDYOPADHYAY (KOLKATA UTTAR): Madam, we associate with it... (*Interruptions*)

SHRI BHARTRUHARI MAHTAB : That is the reason why we want to raise this matter. It is not a State-specific issue. It is a national issue where the Government is going back. It is acting in a duplicity... (*Interruptions*). That was a commitment that it had made. It is the neutrality that is supposed to be maintained by the Union Government. It has to be neutral when a dispute arises between two States relating to water sharing. But the neutrality of this Government has been

compromised. It has been compromised not only in the Parliament but it has been compromised also in the Supreme Court, the highest legal body which is to determine on this issue... (*Interruptions*). That is the reason why we are insisting that this is a fit case for Adjournment Motion.

Secondly, if we deliberate it under Adjournment Motion, the sky is not going to fall. We would only ventilate our point of view and the Government can ventilate its point of view. The Members from Chhattisgarh can also ventilate their point of view. Ultimately, it is the Union Government which has to act neutrally. But what we find from their behaviour in the Supreme Court and also in the Parliament is that it has withdrawn the commitment it had made during December, 2016 and August, 2017. Repeatedly the Government made this commitment on the floor of the House while a number of questions were put forth. The answer was given by the Minister of Water Resources that the draft Cabinet note is already ready and he will be going in for the constitution of the Tribunal. But now they have gone to the Supreme Court and said that it is not going to form a Tribunal... (*Interruptions*)

Third point is regarding the constitutional provision. As per the Act of 1956, the Inter-State Water Dispute Tribunal has to be formed when a complacent State raises an objection and says that there is a need to form a Tribunal. The Government has no flexibility to override this Act. It has to form a Tribunal because the word used is 'shall'. It says that the Government shall form a Tribunal within one year. That one year has lapsed on 19 November, 2017. Still neither this Government is coming back to us nor it is forming a Tribunal. What we hear outside is that because a Bill is pending, that is why, they are not forming the Tribunal... (*Interruptions*). A Tribunal can be formed. It can be subsumed after a single Tribunal comes into existence. That is the reason why we want an Adjournment Motion to be admitted. In your wisdom, you have done outright rejection... (*Interruptions*)

HON. SPEAKER: It is an important matter but you can raise it in other way.

SHRI BHARTRUHARI MAHTAB : I have given notices for Calling Attention and also for Short Duration Discussion under Rule 193... (*Interruptions*)

SHRI SUDIP BANDYOPADHYAY : Madam, we also support his views... (*Interruptions*)

SHRI BHARTRUHARI MAHTAB : We want your wisdom to prevail. Kindly allow us to participate in a discussion on this burning issue. Fourteen Parties including Trinamool Congress, Left Front and Congress Party are demonstrating in Parliament Street in Delhi for the last two days. That is the reason why we want to agitate this issue here. As quickly as possible, this needs to be considered and it should be listed in the List of Business... (*Interruptions*)

HON. SPEAKER: If you have given any other notice, I will see to it. That much I can say.

... (*Interruptions*)

HON. SPEAKER: I have allowed him. How can I say anything now? I have allowed you and you have made your statement. I cannot force the Government to respond.

... (*Interruptions*)

SHRI BHARTRUHARI MAHTAB : If the Adjournment Motion is not being allowed, Calling Attention can be allowed or a Short Duration Discussion can be allowed. That is my request to you.

HON. SPEAKER: I will see to it. Just now I cannot say anything.

... (व्यवधान)

श्री कृपाल बालाजी तुमाने (रामटेक) : माननीय अध्यक्ष जी, आपने मुझे शून्य काल में बोलने का मौका दिया है, इसके लिए मैं आपको धन्यवाद देता हूँ। नागपुर का देश में काफी महत्व है। नागपुर से पूरे देश में काफी ट्रेनें जाती हैं। दिल्ली की ओर काफी ट्रेनें नागपुर से चलती हैं, जिसमें पैसेंजर और एक्सप्रेस ट्रेनों का समावेश होता है। ... (व्यवधान) नागपुर से आमला, इटारसी के लिए पैसेंजर ट्रेनें चलती हैं, लेकिन पिछले कुछ दिनों से देखा जा रहा है कि एक दिन की पूर्व सूचना में ट्रेन कैंसल कर दी जाती हैं। 51293 नागपुर-आमला पैसेंजर ट्रेन को विगत दो महीने से रद्द किया हुआ है, इससे इस ट्रेन से सफर करने वाले सामान्य

नागरिकों को काफी कठिनाई हो रही है। यह ट्रेन सुबह और शाम को एक बार चलती थी। सुबह की ट्रेन कैंसल करने से लोगों को काफी परेशानी हो रही है। ... (व्यवधान)

मैं आपके माध्यम से सरकार से मांग करता हूँ कि शाम के समय जो ट्रेन चल रही है, उसमें दो अतिरिक्त कोच लगाए जाएं और एक्सप्रेस ट्रेन में सर्विस करने वाले लोगों को सफर करने की परमिशन दी जाए।... (व्यवधान)

**माननीय अध्यक्ष:** श्री भैरों प्रसाद मिश्र को श्री कृपाल बालाजी तुमाने द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

**श्रीमती पूनम महाजन (उत्तर मध्य मुम्बई):** माननीय अध्यक्ष जी, आज मैं देशभक्तों की गाथाओं के बारे में बात करने के लिए खड़ी हुई हूँ। मैं पहले एक बार केरल की बात करने के लिए खड़ी हुई थी और मैंने कहा था कि हत्याओं का सिलसिला रुका नहीं है।... (व्यवधान) यह अभी भी नहीं रुका है। युवा मोर्चा के कार्यकर्ताओं की हत्याएं हो रही हैं। अभी भी यह सिलसिला रुका नहीं है।... (व्यवधान) यही कर्नाटक में हो रहा है।

आज मेरा विषय श्रद्धांजलि देने के लिए है। देश का शीर्ष जम्मू-कश्मीर, जिसे हम जन्मत मानते हैं, यह विषय यहां के युवा मोर्चा के कार्यकर्ता का है। जम्मू-कश्मीर में युवा मोर्चा के कार्यकर्ता शोपियान डिस्ट्रिक्ट के अध्यक्ष की हत्या हुई थी। मैं युवा मोर्चा के अध्यक्ष के रूप में 19 राज्य घूम चुकी हूँ।... (व्यवधान) मुझे पहली बार जम्मू-कश्मीर जाने का मौका मिला। जब मैं कश्मीर में श्रीनगर पहुंची, वहां मुझे इतना सुखद आश्चर्य हुआ कि इतने युवा हमसे जुड़ना चाहते थे। वहां लड़कियां थीं, लड़के थे। हमें कश्मीर की जनता यही कह रही थी कि आदरणीय प्रधानमंत्री नरेन्द्र मोदी जी के सपनों के साथ अपना सपना जोड़ना चाहते हैं,\* ... (व्यवधान)

**माननीय अध्यक्ष :** आप कहना क्या चाहती हैं?

... (व्यवधान)

**श्रीमती पूनम महाजन :** इस बात पर चर्चा होती है और श्रीनगर का युवा कहता है कि हम देश की जनता के साथ जुड़ें। मैं 22 अक्टूबर को श्रीनगर गई थी, उसके बाद गौहर भट की हत्या हुई थी। मैं यही कहना चाहती हूँ कि देशभक्ति किस रूप से होनी चाहिए थी?... (व्यवधान) 26 साल का नौजवान, शोपियान से आया हुआ कह रहा था।... (व्यवधान) मैं गृह मंत्रालय को धन्यवाद देना चाहता हूँ कि इस पर स्विफ्ट एक्शन लिया। मैं देश का युवा हूँ, हम सब युवा कहना चाहते हैं कि यह केरल में हो रहा है, कर्नाटक में हो रहा है, श्रीनगर में हो रहा है।....\* (व्यवधान)

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\* Not recorded.

मैं इतना ही कहना चाहती हूँ, बैलेंस इन्टरलॉक्यूटर देवेश्वर शर्मा जी हैं, मैं उनसे और सरकार से दरखास्त करती हूँ कि कश्मीर के युवा भी देश के युवाओं के साथ जुड़ना चाहते हैं, मुख्यधारा के साथ जुड़ना चाहते हैं, उनको ताकत दीजिए।... (व्यवधान)

जब हम कश्मीर की बात करते हैं तो कहते हैं - अगर फिरदौस बर रू-ए जमीं अस्त, हमीं अस्त-ओ हमीं अस्त-ओ हमीं अस्त।... (व्यवधान)

**माननीय अध्यक्ष:** श्री आलोक संजर, श्री रोडमल नागर, श्री निशिकान्त दुबे, श्री भैरों प्रसाद मिश्र और कुँवर पुष्पेन्द्र सिंह चन्देल को श्रीमती पूनम महाजन द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

... (व्यवधान)

HON. SPEAKER: The House stands adjourned to meet again at 2 o'clock.

**12.19 hours**

*The Lok Sabha then adjourned till Fourteen of the Clock.*

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**14.01 hours**

*The Lok Sabha re-assembled at One Minute past Fourteen of the Clock.*

(Hon. Deputy-Speaker *in the Chair*)

**MATTERS UNDER RULE 377\***

HON. DEPUTY-SPEAKER: Hon. Members, matters under Rule 377 shall be laid on the Table of the House. Members who have been permitted to raise matters under Rule 377 today and are desirous of laying them may personally hand over the text of the matter at the Table of the House within 20 minutes. Only those matters shall be treated as laid for which the text of matter has been received at the Table within the stipulated time. The rest will be treated as lapsed.

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\* Treated as laid on the Table

**(i)Need to construct bunkers in border villages to ensure safety of people from firing across the border**

**श्री जुगल किशोर (जम्मू) :** मैं सरकार का ध्यान जम्मू-कश्मीर राज्य के जम्मू के सीमावर्ती क्षेत्र की तरफ दिलाना चाहता हूँ। जम्मू के सीमावर्ती क्षेत्र में पाकिस्तान की तरफ से रोजाना अचानक गोलीबारी की जाती है जिसके कारण कई घर ध्वस्त हो जाते हैं और कई लोगों की जानें चली जाती हैं। सीमा पर रह रहे लोगों को पाकिस्तान की तरफ से अचानक हो रही गोलीबारी से अपनी जान बचाने के लिए कोई सुरक्षित जगह नहीं मिलती जिसके कारण कई लोगों की जानें चली जाती हैं।

अतः मैं सरकार से कहना चाहता हूँ कि जल्द से जल्द जम्मू के सीमावर्ती क्षेत्र के हर घर में एक-एक बंकर बनाया जाए जिससे पाकिस्तान की तरफ से अचानक होने वाली गोलीबारी से बचने के लिए बंकरों में शरण ले सकें और लोग अपनी और अपने बच्चों की जान बचा सकें और सीमा से पलायन न करें।

**(ii) Need to undertake doubling of Maksi-Ruthiyai railway line in Rajgarh Parliamentary Constituency, Madhya Pradesh.**

श्री रोडमल नागर (राजगढ़) : मेरे संसदीय क्षेत्र राजगढ़ (मध्य प्रदेश) में एकमात्र रेललाइन गुना-मक्सी खण्ड पश्चिम-मध्य रेलवे के जबलपुर मंडल के तहत आता है। इंदौर, उज्जैन, सारंगपुर, ब्यावरा रूठियाई से होते हुए राजधानी दिल्ली से सीधे जोड़ने वाली रेलमार्ग के दोहरीकरण की मांग लम्बे समय से चली आ रही है।

मैं रेल मंत्री जी से निवेदन करता हूँ कि मक्सी-रूठियाई रेलखंड जो कि लगभग 190 किलोमीटर मात्र है इसके दोहरीकरण की स्वीकृति तथा विद्युतीकरण के कार्य की शीघ्रता हेतु निर्देश प्रसारित कर क्षेत्रवासियों के विकास के लिए मक्सी-रूठियाई रेलखंड का दोहरीकरण और विद्युतीकरण कराने की कृपा करें।



**(iii) Need to resume the operation of Ordnance Depot at Naini in Allahabad, Uttar Pradesh**

श्री श्यामा चरण गुप्त (इलाहाबाद) : इलाहाबाद में नैनी में केंद्रीय आयुध भण्डार आज्ञादी से पूर्व से स्थापित है। यहां आयुध भण्डारण व सेना से संबंधित कुछ अन्य कार्य आवंटित होता चला आ रहा है। मुझे बताया गया है कि इसे पूर्ण रूप से बंद करने की संस्तुति सेना मुख्यालय के पत्रांक ए/26445/LTPP/OS-20 दिनांक 31 अगस्त, 2017 द्वारा की गयी है। इस संबंध में यहाँ के श्रमिक संघों ने अपना प्रत्यावेदन इसे न बंद करने हेतु दिया है।

ज्ञात हो कि इसे बंद करने से न केवल कार्यरत कर्मचारियों एवं उनके परिवार को परेशानी होगी बल्कि एक पूर्ण स्थापित डिपो को बंद किये जाने से इसकी बदनामी भी होगी।

यह डिपो बहुत उपयुक्त स्थान पर है। इसकी प्रमुखता विभिन्न अवसरों पर साबित हुई है तथा युद्ध के समय भी इसने महत्वपूर्ण कार्य किया है। सुरक्षात्मक दृष्टि से भी यह स्थान बहुत अच्छा है। इसे बंद किया जाना यथोचित न होगा। इलाहाबाद संसदीय क्षेत्र का सांसद होने के नाते मैंने इस संबंध में निवेदन भी किया है। कृपया इसे कार्यरत रहने दिया जाए।

**(iv) Need to enhance the procurement ceiling of groundnut from farmers in Rajasthan**

श्री राहुल कस्वां (चुरु) : राजस्थान के बीकानेर डिवीजन के अधीन चुरु, बीकानेर, हनुमानगढ़, श्रीगंगानगर आदि जिलों में नहरी क्षेत्र के साथ-साथ ट्यूबवैल क्षेत्र में भी मूंगफली का उत्पादन होता है, जो प्रति कास्तकार 150 से 200 क्विंटल प्रति किसान उत्पादन होता है। मूंगफली की पैदावार पर किसान को खर्चा बहुत आता है। वर्तमान में सरकार द्वारा न्यूनतम समर्थन मूल्य 4450 रुपये प्रति क्विंटल निर्धारित कर मूंगफली की खरीद तो चालू कर दी है लेकिन प्रति किसान से मात्र 25 क्विंटल ही खरीदी जा रही है, बाकी मूंगफली आज किसान के खेतों में पड़ी है। मूंगफली खरीद में अधिकारियों एवं कर्मचारियों द्वारा तोल व मापन में गड़बड़ियां की जा रही हैं तथा गुणवत्ता के मापन के आधार पर किसानों की 20 प्रतिशत मूंगफली वापिस लौटाई जा रही है। मेरा सरकार से अनुरोध है कि समर्थन मूल्य पर की जाने वाली खरीद की गड़बड़ियों को रोका जाये तथा प्रत्येक किसान की मूंगफली खरीदी जाये तथा खरीद की मात्रा 25 क्विंटल से बढ़ाकर कम से कम 100 क्विंटल की जाये।

**(v) Need to ban the film 'Padmavati' allegedly distorting historical facts**

श्री चन्द्र प्रकाश जोशी (चित्तौडगढ़) : भारत में जन-जन के बीच पहुंच रखने वाले माध्यम फिल्मों में ऐतिहासिक कहानियों एवं इतिहास का प्रकटीकरण किया जाता रहा है। बहुत से फिल्मी कलाकार एवं निर्देशक पौराणिक एवं ऐतिहासिक तथ्यों में अपने निजी एवं व्यावसायिक स्वार्थ के कारण ऐतिहासिक तथ्यों में बदलाव करते हुए उसका प्रस्तुतीकरण करते हैं। ऐसा ही कृत्य संजय लीला भंसाली कृत फिल्म " पद्मावती " में मेवाड़ की महारानी पद्मावती के चरित्र को वास्तविक तथ्यों से परे जाकर जन-भावनाओं के प्रतिकूल प्रदर्शित किया जा रहा है, जिससे सम्पूर्ण जन-मानस आहत होकर प्रतिबंध हेतु एक स्वर से मांग कर रहा है। साथ ही भविष्य में भी ऐसी कोई फिल्म नहीं बननी चाहिए, जो भारतीय इतिहास या संस्कृति को विरूपित करके विश्व परिदृश्य पर प्रदर्शित करती हो।

**(vi) Need to simplify the process at Toll Plazas on National Highways**

**श्री सुभाष चन्द्र बहेड़िया (भीलवाड़ा) :** राष्ट्रीय राजमार्गों पर टोल-नाकों पर वाहनों की लम्बी-लम्बी कतारें सामान्यतः देखने को मिल रही हैं। इस कारण से वहाँ बहुत अधिक समय वाहनों को गुजरने में लग रहा है। वर्तमान में मालवाहक वाहनों का वजन करने की अनिवार्यता के चलते लगने वाले समय में और वृद्धि हुई है। राजमार्गों के निर्माण के पीछे की मूल भावना समय एवं ईंधन की बचत है। यह इसके विरुद्ध किया जा रहा है। आमजन परेशानियों का सामना कर रहे हैं। टोल-नाकों पर लगने वाला समय बहुत भारी महसूस होता है। ईंधन का खर्च भी बढ़ रहा है तथा हर वर्ष टोल-नाकों पर वसूल की जाने वाली राशि में वृद्धि आग में घी का काम कर रही है। टोल नाकों पर 15 मिनट से अधिक का समय लगने पर वाहनों को टोल फ्री किया जाए, तो इस समस्या से थोड़ी राहत मिल सकती है तथा टोल-नाकों के स्टाफ के कार्य एवं वहाँ की व्यवस्थाओं में सुधार हो सकता है। सार रूप में मेरा यह निवेदन है कि इस समस्या के तुरन्त निदान हेतु जो भी आवश्यक कदम हो, उठाये जाने चाहिए।

**(vii) Need to establish All India Institute of Medical Sciences in  
Maharajganj, Bihar.**

**श्री जर्नादन सिंह सीग्रीवाल (महाराजगंज) :** हमारा बिहार राज्य एक पिछड़ा राज्य है। अन्य कई क्षेत्रों में पिछड़ा तो है ही, विशेष रूप से स्वास्थ्य सेवाओं के क्षेत्र में काफी पिछड़ा राज्य है। स्वास्थ्य सेवाओं के क्षेत्र में आज बिहार के पिछड़ेपन के कारण ही यहाँ की 11 करोड़ जनता को गंभीर रोगों के उचित और बेहतर इलाज के लिए दिल्ली, वाराणसी, लखनऊ, कोलकाता, चेन्नई इत्यादि शहरों के अस्पतालों में जाना पड़ता है। इन अस्पतालों में इलाज हेतु आने-जाने में यहाँ की जनता को काफी आर्थिक बोझ उठाना पड़ता है। यहाँ तक कि कितने ही परिवारों को रोग के इलाज के क्रम में आर्थिक दिवालियेपन की कगार पर पहुँच जाते हैं। इतना ही नहीं, अच्छे अस्पताल बिहार से दूर होने के कारण समय पर नहीं पहुँचने तथा यदि पहुँच भी गए, तो उक्त अस्पतालों के चक्कर लगाते-लगाते इलाज में काफी विलम्ब हो जाता है, जिसके कारण कई बार मरीजों की जान भी चली जाती है।

इन परिस्थितियों में बिहार की जनता को बेहतर और उच्च स्वास्थ्य सेवा उपलब्ध कराने हेतु बिहार से अधिक-से-अधिक स्वास्थ्य सेवाओं के सुदृढीकरण एवं नए उच्च स्तरीय स्वास्थ्य सेवा संस्थानों की स्थापना की अत्यंत आवश्यकता है। ऐसे में मेरा सरकार से अनुरोध है कि मेरे संसदीय क्षेत्र महाराजगंज, बिहार में एक अखिल भारतीय आयुर्विज्ञान संस्थान (एम्स) की स्थापना शीघ्र कराए जाने हेतु आवश्यक कार्य किया जाए।

**(viii) Need to reinstate the services of security guards in collieries in Jharkhand.**

**श्री रवीन्द्र कुमार पाण्डेय (गिरिडीह) :** देश के सार्वजनिक प्रतिष्ठानों में सुरक्षा प्रहरियों की नियुक्तियों को लेकर डी.जी.आर. को प्राथमिकता देने का गृह मंत्रालय का स्वतः आदेश है। इसके लिए बाकायदा टेंडर निकलता है। कोल इंडिया की सभी कंपनीज के लिए डी.जी.आर. से नाम मांगती है। इसके साथ होने वाली निविदा की दर तय रहती है। वर्तमान में ऐसी एजेंसियाँ, जिनके नाम कंपनी हर माह वेतन का भुगतान करती है, न उन्हें सही ढंग से वेतन मिलता है, न उन्हें वर्दी मिलती है, न जूता-चप्पल मिलता है। वर्तमान में सी.सी.एल. के कथारा क्षेत्र अंतर्गत विभिन्न कोलियरियों में 15-20 वर्षों से कंपनी के अधीन 232 सुरक्षा गार्ड्स तैनात हैं।

इनमें से स्वांग कोलियरी एवं वाशरी के गार्डों को 18 नवंबर, 2016 से बिना किसी पूर्व सूचना के काम से हटा दिया गया। पुनः कथारा, कोलियरी, कथारा वाशरी और जारंगडीह कोलियरी में कार्यरत 100 प्राइवेट गार्डों को दिनांक 16 नवंबर, 2017 से बिना किसी पूर्व सूचना के काम से बैठा दिया गया। सुरक्षा के लिए वैकल्पिक व्यवस्था किए बिना गार्डों को बैठाए जाने से प्रतिदिन प्रति यूनिट लाखों रूपए के कोयले, लोहा, तांबा, मशीनों के कीमती पुर्जे एवं डीजल की कथित रूप से चोरी घड़ल्ले से हो रही है। जैसे चारों को कोलियरी वाशरी लूटने की छूट मिल गयी है। इस तरह एक तरफ 20 वर्षों से रोजगार से जुड़े दो सौ परिवार का चूल्हा बुझ गया, वहीं दूसरी ओर प्रतिमाह करोड़ों रूपए की चोरी होने से कोयला उद्योग एवं राष्ट्रीय सम्पदा का नुकसान हो रहा है। इधर कथारा कोलियरी के फेस में भयंकर आग लगी हुई है, वह आग बहुत तेजी से झिरके गाँव की ओर बढ़ रही है एवं घनी आबादी वाले झिरकी गाँव- झरिया की तर्ज पर भयंकर भू-धंसान का शिकार होने के कगार पर खड़ा है। ऊपर से हर रोज गंभीर ब्लास्टिंग के जरिए तमाम मकानों में दरारें पड़ चुकी है, कुछ मकान गिर भी चुके हैं, तालाब काट दिए गए हैं, कुँओं को सुखा दिया गया है एवं रोड-रास्ते काटे जा रहे हैं। इसी तरह गाँवों में तबाही, ऊपर से बेरोज़गार बनाने की प्रबंधन की नीयत से क्षेत्र में सी.सी.एल. प्रबंधन के खिलाफ भयंकर रोष एवं तनाव व्याप्त है।

अतः केन्द्र सरकार से मेरी मांग है कि बैठाए गए सुरक्षा गार्डों को पुनः पूर्व की भाँति काम पर लगाया जाए एवं आबादी से सटे माइन्स के विस्तारीकरण में सुरक्षा को प्रथम प्राथमिकता दी जाए।

**(ix) Need to construct an under-bridge on level crossing No. 162 at village Vilpan on Udaipur-Himmatnagar railway line in Gujarat.**

श्री मानशंकर निनामा (बांसवाड़ा) : मैं माननीय रेल मंत्री जी का ध्यान अपने संसदीय निर्वाचन क्षेत्र की ओर आकर्षित करना चाहता हूँ। उदयपुर से हिम्मतनगर, अहमदाबाद रेलवे लाइन पर ग्राम पंचायत छापी, गांव-विलपन में गेट नं. 162 पर स्थानीय जनता द्वारा अंडर ब्रिज बनाए जाने की मांग लंबे वक्त से की जा रही है। मैंने पूर्व रेल मंत्री जी से भी इस संबंध में आग्रह किया था किंतु उपरोक्त कार्य में अभी तक कोई प्रगति नहीं हुई है क्योंकि यह मामला जनहित से जुड़ा हुआ है, अतः इस पर त्वरित कार्रवाई अपेक्षित है। उपरोक्त मांग पूरी न होने से वहां की स्थानीय जनता में भारी रोष व्याप्त है।

अतः मेरा माननीय रेल मंत्री जी से अनुरोध है कि मामले की गंभीरता को देखते हुए जनहित में शीघ्र-अतिशीघ्र उदयपुर से हिम्मतनगर, अहमदाबाद रेलवे लाइन पर ग्राम पंचायत छापी, गांव-विलपन में गेट नं. 162 पर अंडर ब्रिज का कार्य अविलम्ब शुरू कराया जाए।

**(x) Need to release the balance funds under the National Food Security Scheme to Rajasthan**

श्री सुखबीर सिंह जौनापुरिया (टोंक-सवाई माधोपुर) : मैं राजस्थान राज्य में राष्ट्रीय खाद्य सुरक्षा योजना 2 अक्टूबर, 2013 से लागू की गई थी। भारत सरकार द्वारा दिनांक 17.08.2015 को एक अधिसूचना जारी की गई थी, जिसके अनुसार खाद्यान्न वितरण पर होने वाला व्यय केंद्र सरकार एवं राज्य सरकार द्वारा 50-50 के अनुपात में वहन किया जाना है। राजस्थान सरकार द्वारा पत्र दिनांक 20.04.2016 एवं 03.06.2016 द्वारा रूपये 261.40 करोड़ रूपये के संशोधित प्रस्ताव एवं वर्ष 2016-17 की प्रथम किश्त के रूप में 151.31 करोड़ रूपये के प्रस्ताव भिजवाए गये। भारत सरकार से 261.40 करोड़ रूपये की राशि में से 256.34 करोड़ रूपये की राशि का भुगतान अभी तक लम्बित पड़ा है। इस मुद्दे पर दिनांक 15.06.2016 को नीति आयोग, नई दिल्ली में हुई बैठक में भी चर्चा की गई, जिसमें भारत सरकार तथा राज्य सरकार के अधिकारियों ने भाग लिया।

मैं सरकार से मांग करता हूँ कि 156.37 करोड़ रूपये की राशि केंद्र सरकार राज्य सरकार को जल्द से जल्द जारी करने की कृपा करें।



**(xi) Need to undertake construction of pachnada multipurpose project in Jalaun Parliamentary Constituency, Uttar Pradesh**

श्री भानु प्रताप सिंह वर्मा (जालौन) : मेरे संसदीय क्षेत्र जालौन गरौठा भोगनीपुर में माधौगढ़ तहसील के अंतर्गत पंचनदा एक स्थान है, जहां कुँआरी, सिंध, पहूच, चम्बल तथा यमुना नदी का संगम होता है, यहाँ काफी संख्या में मीठे पानी की डॉल्फिन मछली, मगरमच्छ की दुर्लभ प्रजाति पायी जाती हैं, इसलिए इसे एक टूरिस्ट स्पॉट बनाने की अपार संभावनाएं हैं।

इसके अतिरिक्त बुंदेलखण्ड में सिंचाई समस्या भी एक बड़ी समस्या है, जिससे मध्य प्रदेश, राजस्थान, उत्तर प्रदेश के कई जिले की फसलें सिंचाई के अभाव में बर्बाद हो जाती हैं। यहां पर्याप्त सिंचाई के साधनों की आवश्यकता है, जिसके लिए मैं वर्ष 1996 से पंचनदा बांध बनवाने की मांग करता आया हूँ जिस पर हमारी सरकार पंचनदा बांध बैराज बनवाने की दिशा में प्रयासरत है।

मेरी केंद्र सरकार से मांग है कि इस दिशा में जल्द से जल्द प्रयास किये जाये और पंचनदा बांध का पुनः सर्वे कराकर यहां बहुउद्देश्यीय बांध परियोजना का निर्माण कराने का कष्ट करें।

**(xii) Regarding contamination of river Brahmaputra**

SHRI RAMEN DEKA (MANGALDAI): The contamination of water of Brahmaputra river is having serious impact in Assam. Brahmaputra river is lifeline for the people of Assam. Government should ascertain the source of contamination and whether China has any role for sudden contamination of water of Brahmaputra river. I urge the Government to take immediate steps to resolve the issue of contamination of water of Brahmaputra river.

**(xiii) Need to develop National Highway No. 123 (507) from Herbertpur to Barkot as an all weather road**

श्रीमती माला राज्यलक्ष्मी शाह (टिहरी-गढ़वाल) : मैं केन्द्रीय सड़क परिवहन मंत्री का ध्यान उत्तराखंड में अपने संसदीय क्षेत्र की ओर दिलाना चाहती हूँ। चारधाम राजमार्ग विकास परियोजना के अंतर्गत पहला धाम यमुनोत्री को जोड़ने वाली दिल्ली-यमुनोत्री राष्ट्रीय राजमार्ग (हरबर्टपुर से बड़कोट) को इस परियोजना से वंचित रखा गया है। तीर्थयात्री अपनी यात्रा की शुरुआत माँ यमुना (यमुनोत्री) के दर्शन से करते हैं। उक्त धाम की महत्ता को देखते हुए 1962 में यमुनोत्री धाम को मोटर मार्ग से जोड़ने हेतु दिल्ली-यमुनोत्री (यमुना रोड) के नाम से मोटर मार्ग निर्माण को स्वीकृति प्रदान की। निर्मित होने के बाद 1965 से 2002 तक दिल्ली-यमुनोत्री मार्ग सं. 94 राज्य मार्ग (स्टेट हाईवे) के नाम से संचालित होती रही है, लेकिन कागजी भूल के कारण उक्त मार्ग का सम्पूर्ण भाग न तो चारधाम मार्ग में सम्मिलित हुआ न ही राष्ट्रीय राजमार्ग की स्वीकृति मिली। भारत सरकार ने वर्ष 2002 में उक्त मार्ग का कुछ भाग हरबर्टपुर से बड़कोट तक 111 कि.मी. को राष्ट्रीय राजमार्ग 123 (507) के नाम से घोषित किया था तथा यह मार्ग भी चारधाम यात्रा मार्ग से वंचित रखा गया है। मेरा आग्रह है कि जनहित में राष्ट्रीय राजमार्ग 123 (507) को दिल्ली-यमुनोत्री के नाम से विस्तार संशोधित स्वीकृत करें एवं हरबर्टपुर से बड़कोट बैण्ड तक 111 के भाग को ऑल वेदर रोड में सम्मिलित करने की कृपा करें।

**(xiv) Need to provide air connectivity to Kota city with other cities under UDAN scheme of civil aviation**

**श्री ओम विरला (कोटा) :** कोटा, राजस्थान का एक प्रमुख संभागीय मुख्यालय है। हाल-फिलहाल में निवासियों की जरूरतों के मद्देनज़र यहाँ के हवाई अड्डे को जनता की सेवा के लिए खोला गया है जिसका इस्तेमाल रोजाना जयपुर से आने-जाने वाले एक हवाई जहाज के लिए किया जा रहा है, जो कि यहाँ की जनता के लिए अपर्याप्त है, क्योंकि "उड़ान " पहल के अंदर सरकार हर उन हवाई अड्डों को आपस में जोड़ रही है जो 200 से 800 कि.मी. के भीतर हैं और इंदौर, बनारस, नई दिल्ली और मुंबई इस सीमा के अंदर आते हैं। कोटा के निवासियों की जरूरतों को देखते हुए इन शहरों के लिए हवाई जहाज उड़ाये जाने की आवश्यकता है।

अतः मेरी सरकार से पुरज़ोर मांग है कि विकासशील कोटा को "उड़ान " पहल के अंदर और अधिक हवाई अड्डों से जोड़ा जाना चाहिए और साथ ही साथ यहाँ इन शहरों को जाते हुए हवाई जहाजों के अधिक ठहराव संबंधित जनता की मांग को भी पूरा किया जाना चाहिए।

**(xv) Need to provide boat ambulances to Assam during floods**

SHRI RAMESHWAR TELI (DIBRUGARH): Every year flood wreaks havoc in Assam. Flood water submerges almost more than half of Assam bringing untold miseries to its people. Providing health care facilities during flood is the most challenging task. I, therefore, request the government to make necessary arrangements for providing adequate number of water ambulances to ensure medical care facilities to the flood affected people. The water ambulance or boat ambulance equipped with oxygen cylinders, ventilators, an Intensive Care Unit and medicines alongwith trained staff would play an important role in providing medical facilities to the patients in flood affected areas especially in the critical and emergency cases. I appeal to the central government to provide adequate number of boat ambulance before the onset of monsoon.

**(xvi) Regarding Alkaloid research and production in the country**

श्री सुधीर गुप्ता (मंदसौर) : मेरे संसदीय क्षेत्र मंदसौर नीमच जावरा में कृषक अफीम की खेती परम्परागत रूप से करते आए हैं। अफीम से औषधीय उपयोग में आने वाले कीमती अल्कोलाइड का निर्माण किया जाता है। दुनिया भर में 24 किस्मों के अल्कोलाइड ही बनाए जाते हैं व भारत में विदेशों से अल्कोलाइड आयात किया जाता है। मैं जानना चाहता हूँ कि क्या भारत में अल्कोलाइड रिसर्च सेंटर है। अगर हाँ तो कितने किस्म के अल्कोलाइड का भारत में उत्पादन किया जा सकता है। क्या अल्कोलाइड उत्पादन हेतु भारत की पर्याप्त औद्योगिक क्षमता है और अगर नहीं तो औद्योगिक क्षमता विस्तार हेतु क्या प्रयास हैं।

**(xvii) Regarding status of framework Agreement between Government of India and National Socialist Council of Nagaland (IM)**

DR. THOKCHOM MEINYA (INNER MANIPUR): Details regarding Framework Agreement of 3 Aug 2015 between GOI and NSCN (IM) are being sought by people of Manipur, Assam and Arunachal Pradesh without much success. Recently in Hornbill Festival, Hon'ble President of India said that the final solution of vexed Indo-Naga issue is coming soon. Ministry of Home Affairs has informed me in a reply to my question in this House that all stakeholders shall be taken on board before a final solution is worked out. Here is the real issue. Is there any hidden agenda in the whole process? We are all for an amicable solution to the Indo-Naga issue. But it should not disturb the territorial integrity of the State of Manipur. Manipur got merged with Union of India with a clear-cut territory - Geographical boundary. There shall be no compromise on the territorial integrity of Manipur. Hence I urge upon the Union Government not to try to disturb the same.

**(xviii) Need to improve living standard of people engaged in fisheries sector**

SHRI K.C. VENUGOPAL (ALAPPUZHA): The fisheries and aquaculture in India is a very important sector of food production providing nutritional security to the food basket, contributing to the agricultural exports and engaging about fourteen million people in different activities. Constituting about 6.3% of the global fish production, the sector contributes to 1.1% of the GDP and 5.15% of the agricultural GDP. Lakhs of fishermen in the coastal region depend upon fishing and related activities. They provide a vital economic resource to our economy. However in terms of living standard and quality of life, they are comparatively backward to other marginalized communities. Their conditions are even worse than the tribal communities in some parts of the coastal areas. In view of this, there must be holistic measures to ensure proper housing, quality education and health service for them. However, till now fisheries sector has not been an independent Ministry in the Central Government. It comes under the agricultural ministry.



**(xix) Need to allocate funds for construction of a new Post Office building and Passport Seva Kendra at Kallampalayam Road in Tirupur, Tamil Nadu**

SHRIMATI V. SATHYABAMA (TIRUPPUR): The Postal Department is having a site measuring 1.04 acres and 298 sq.ft. in TS No 461/1A at Kallampalayam Road, Tirupur. This land is lying vacant for the last several years.

Sixteen number of post offices are located in and around Tirupur within 10 kilometers radius. Rent is being paid for 13 post offices. Though Tirupur Head post office is functioning in its own building, it is functioning with very cramped accommodation with Business post centre, 0/0 Superintendent of Posts, Tirupur division, Divisional Training Centre and Savings Bank Control Office.

As the building is very old and situated near the Railway Station, it is not possible to expand Tirupur Head Post Office building either horizontally or vertically.

There is sufficient space available at Kallampalayam road, Tirupur (SF No 461/1) to construct a new building to accommodate all the above mentioned offices under one roof. If a new building is constructed, Passport Kendra can also function from there which will be more convenient to the public in and around Tirupur.

Therefore, I urge the Union Government to allot sufficient funds for construction of an integrated building for the purpose of Department of Posts and Passport Kendra at the vacant site at Kallampalayam Road, Tirupur.

**(xx) Need to extend the services of Bangalore Metro Rail upto  
Mookandapalli in Hosur, Tamil Nadu**

SHRI K. ASHOK KUMAR (KRISHNAGIRI): In my constituency Krishnagiri, the industries in Hosur are producing various goods from Pin to Aeroplane. The major industries are Tatas, Birlas, Hindujas, TVS group of companies, Murugappa group of companies, and also a number of MNCs. Hosur is an industrial area consisting of about 700 industries comprising of Large, Medium, Small and tiny industries.

People from all walks of life, from IT professionals, workers of garment industry, more particularly women and contract workers travel to and fro daily through the 15 Kms stretch between Mookandapalli (Hosur SIPCOT area) and Bommasandra Industrial area via Attepalli further to reach Electronic city.

The road traffic is heavy and there is vehicular congestion. It often takes an hour or more to pass this 15-20 Kms stretch because of frequent traffic jams. If the Bangalore Metro Rail service from Electronic City is extended up to Mookandapalli (Hosur), it will be a boon for the people as it will solve their daily traffic problems and also it will be commercially very profitable.

Therefore, I urge the Government to extend the Metro rail services upto Mookandapalli, Hosur.

**(xxi) Regarding latest status of two railway projects in Jaynagar  
Parliamentary Constituency of West Bengal**

SHRIMATI PRATIMA MONDAL (JAYANAGAR): I would like to bring to the notice of the Hon'ble Railway Minister, that I have raised in the Parliament several times during Zero hour, Rule 377 & also in the railway budget speech regarding two new railway line projects namely

(i) Jaynagar to Moipith coastal via- Jamtala under South 24 Pargana district at Kultali Block.

(ii) Jayanagar to Raidighi (Bokhkhali is a tourist spot which is under Raidighi). In this regard I have received two letters from Shri Rajen Gohain Hon'ble Minister of State for Railways, Government of India bearing No. 2016/W-II/ER/R-377/29 dated 28/12/16 & No. 2016/W-II/ER/R-377/29 dated 10.05.17 that an amount of Rs. 533 crore has been earmarked for the two new railway line projects:-

(a) Jaynagar to Durgapore (32 Km) which is fully under my parliamentary constituency;

(b) Jaynagar to Raidighi (20 Km partly under my constituency).

But after that I did not get any information of further progress of the said two projects.

This is my humble request to you to kindly take necessary action by giving priority to the above-mentioned two rail projects.

**(xxii) Need to review the existing allocation of rice and wheat quota to Odisha under the National Food Security Act**

SHRI BHARTRUHARI MAHTAB (CUTTACK): The monthly allocation of rice and wheat by the Union Government to the State of Odisha under the National Food Security Act, 2013 was inadequate and surplus respectively to meet the requirement of beneficiaries as per the option exercised for the period from November, 2015 to February, 2017. The Government of Odisha has, therefore, requested the Union Government time and again to allocate the shortfall quantity of rice and withdraw the surplus wheat provided under NFSA. However, no response from the Union Government has been received so far. I, therefore, urge upon the Union Government to provide the shortfall quantity of 99,960 MT rice to the State of Odisha for the period from November, 2015 to February, 2017 and withdraw the surplus wheat from there at the earliest.

### (xxiii) Need to recover pending laons given to industrial houses

श्री श्रीरंग आप्पा बारणे (मावल) : भारत का सकल घरेलू उत्पाद 144 लाख करोड़ रुपये का है और विभिन्न बैंकों द्वारा दिया गया ऋण 70 लाख करोड़ रुपये का है और रिजर्व बैंक ऑफ इंडिया के अनुसार इस दिए गए ऋण में से 13 लाख करोड़ रुपये के डूबने की पूरी संभावना है और इस 13 लाख करोड़ रुपये में से 7 लाख करोड़ रुपये वह ऋण है जो विभिन्न बैंकों ने अलग-अलग 10 कंपनियों को दिया है।

इसमें भूषण स्टील को 90 हजार करोड़ रुपये, विडियोकोन को 58 हजार करोड़ रुपये, जे.पी. ग्रुप को 55 हजार करोड़ रुपये, एस्सार लिमिटेड को 50 हजार करोड़ रुपये, जिंदल ग्रुप को 38 हजार करोड़ रुपये, लेन्को को 19 हजार करोड़ रुपये, पुंज लोएड को 14 हजार करोड़ रुपये और एल्क्टो स्टील को 14 हजार करोड़ रुपए ऋण दिया गया है। इतनी बड़ी मात्रा में दिए गए ऋण को वापस लेने के लिए बैंकों ने कोई रणनीति नहीं बनाई है और इस ऋण के दिये जाने के कारण 9 सरकारी बैंक आज बंद होने के कगार पर हैं और फिलहाल रिजर्व बैंक ऑफ इंडिया ने इन बैंकों को प्रॉप्ट करेक्टिव एक्शन में रखा है और सरकार इन बैंकों को अन्य बैंकों में मर्ज करने जा रही है। सरकार इस दिए गए ऋण को कैसे वसूल करने वाली है, आज तक इस विषय पर कोई निर्णय नहीं लिया गया है।

मैं सरकार से आग्रह करता हूँ कि इतनी बड़ी कर्ज की रकम को इन कंपनियों से वसूलने के लिए सरकार आवश्यक कानून बनाकर इन कंपनियों से इस रकम को तुरंत वापस ले।

**(xxiv) Need to exempt tax on Sanitary Napkins**

SHRI RAM MOHAN NAIDU KINJARAPU (SRIKAKULAM): Menstrual bleeding is neither a voluntary act nor a luxury. All women on an average menstruate between ages of 12 to 51. A woman, on an average spends 65 days menstruating every year. Yet, while our nation is growing at a great pace, it is disturbing that only 12 % of our women are using sanitary napkins. The rest 88% is using unhealthy practices like old rugs, ashes or husk sand. Due to this the overall health of women is greatly affected. Incidents of Reproductive Tract Infections are 70% more common among women. By taxing this basic and absolutely essential commodity as a luxury product, a system of gender discrimination is being practiced. This is unacceptable given that the right to sanitation and healthy life is a fundamental right guaranteed under the Constitution of India. Beyond affordability, Articles 14, 15, 21 and 47 to the Constitution guarantee equality before law and prohibit discrimination on the basis of gender. I request the Government for 100% tax exemption on environmental and health friendly Sanitary Napkins. I request the Central Government also to distribute sanitary napkins free of cost to girls and women who cannot afford them.

**(xxv) Need to review the selection procedure of Republic Day tableau**

SHRI A.P. JITHENDER REDDY (MAHABUBNAGAR): The Republic Day Parade is one of the most significant platforms for a State to showcase the uniqueness of their culture and traditions at the national level. Unfortunately, the current system of selection of tableau is devoid of equality with respect to the opportunity that a State get to showcase their tableau.

In the year 2017, Punjab's tableau got selected after a period of five years and Lakshadweep's tableau got selected after 23 long years. This has often led to discontentment amongst many States who have been rejected more number of times than the others. Even capital Delhi has been at receiving end of this system and twice it has so happened that their tableau was rejected for three years in a row.

In the year 2017, Telangana proposal went through six stages of interviews only to get rejected at the end and without any concrete reason being given for the rejection.

**(xxvi) Need to project historical facts in right perspective by Hindi movie makers**

**कुँवर हरिवंश सिंह (प्रतापगढ़) :** विगत दिनों रानी पद्मावती के जीवन पर आधारित फिल्म "पद्मावती " की जीवन गाथा में खिलजी को रानी पद्मिनी को आइने में दिखाने जैसी बात बकवास है। उस जमाने में कहां से कांच आ गए? उनके प्रेम-प्रसंग जैसे दृश्य कैसे दिखाएं जा सकते हैं? ऐसे व्यक्ति को हीरो बताया जा रहा है जो हमलावर था। फिल्म में खिलजी को नायक बताया है और पद्मिनी को नायिका। जबकि राजा रतनसिंह की अहमियत खत्म कर दी गई है। आखिर एक हमलावर नायक कैसे हो सकता है? इतिहासकारों का मानना है कि खिलजी किसी भी सूरत में नायक नहीं हो सकता है। छिताई चरित में उल्लेख है कि रणथंभौर, चित्तौड़गढ़ और देवगिरी पर हमले उसने सिर्फ इसलिए किए ताकि अपनी फौज के बूते महिलाओं को हासिल कर सके। ऐसे में वह चरित्र का ठीक नहीं था। इतिहासकार बताते हैं कि आक्रांता को जबरदस्ती नायक बनाया जा रहा है जो बर्दाश्त के काबिल नहीं है। फिल्म के एक गाने में घूमर नृत्य दिखाया है। इसमें किरदार आम डांसर जैसा है। राजपूतों को यह किसी भी सूरत में कबूल नहीं है। घूमर नृत्य अदब का प्रतीक है और इसका इतिहास भी कुछ समय ही पुराना है। यूं भी महिलाएं घूमर नृत्य सबके सामने नहीं करती हैं। यह परिवारों में होने वाला आयोजन है। ऐसे में यह तो कतई मुमकिन नहीं है कि कोई रानी ऐसा नृत्य करे। फिल्म में संगीत-नृत्य के जरिए राजस्थानी संस्कृति और रानी पद्मावती के इतिहास से छेड़छाड़ की कोशिश की गई है।

अतः मैं सरकार से यह मांग करता हूँ कि हमारी भारतीय संस्कृति और सभ्यता तथा इतिहास को फिल्म में गलत ढंग से पेश न किया जाए। पेश करने वाले फिल्मकारों पर कड़ी से कड़ी कार्यवाही करते हुए आजीवन प्रतिबंध लगाया जाए और सामाजिक जन-मानस की भावनाओं को ध्यान में रखते हुए भविष्य में ऐसी विवादित फिल्म को प्रदर्शित न किया जाए।



**(xxvii) Need to include Kudmi tribe of Jharkhand in the list of Scheduled Tribes**

श्री कौशलेन्द्र कुमार (नालंदा) : भारत सरकार के नोटिफिकेशन संख्या: 550 दिनांक- 02.05.1913 एवं बिहार-उड़ीसा सरकार के नोटिफिकेशन संख्या: 3563 (जे) दिनांक- 08.02.1931 के द्वारा मुण्डा, संधाल, कुड़मी, उरांव, हो, खड़िया आदि को रूढ़िवादी या पारम्परिक विधि द्वारा अनुशासित आदिवासी (ट्राइब) घोषित किया गया। यह नोटिफिकेशन संवैधानिक रूप से आज भी अस्तित्व में हैं, क्योंकि इसे कभी रद्द नहीं किया गया। झारखण्ड के अन्य जनजातियों, जैसे कुड़मी समुदाय को छोटा नागपुर टेनेन्सी एक्ट की धारा-46 के तहत भूमि सुरक्षा का अधिकार प्राप्त हैं। इस संबंध में भारत सरकार का आदेश संख्या: एस.आर.ओ.-510 दिनांक- 06.09.1950 एवं दिनांक- 05.10.1950 के अनुसार मात्र वे ही अनुसूचित जनजाति सूची में सूचीबद्ध होंगे, जो सन् 1931 ई. की जनगणना रिपोर्ट में आदिम जनजाति (प्रीमियम ट्राईबल) चिन्हित हैं। फिर भी कुड़मी समुदाय को शामिल नहीं करना संविधान की मूल धारा 14 एवं 15 में वर्णित समानता के अधिकार का पूर्णतः हनन है।

अतः मैं सरकार से मांग करता हूँ कि झारखण्ड राज्य के कुड़मी समाज की दयनीय आर्थिक एवं सामाजिक स्थिति के मद्देनजर राज्य के टोटेनिक कुड़मी जाति को अनुसूचित जनजाति की सूची में शामिल किया जाए।

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**14.02 hours****THE REQUISITIONING AND ACQUISITION OF IMMOVABLE  
PROPERTY (AMENDMENT) BILL, 2017...Contd.**

HON. DEPUTY-SPEAKER: Now the House shall take up item Nos. 22 and 23 together. Shri N.K. Premachandran.

**14.02½ hours**

*(At this stage, Shri K.C. Venugopal and some other hon. Members came and stood on the floor near the Table.)*

THE MINISTER OF CHEMICALS AND FERTILIZERS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI ANANTHKUMAR): Sir, I request that further consideration of the motion moved by Shri Hardeep Singh Puri yesterday, on the 19<sup>th</sup> December, 2017, may be taken up now. The motion is as follows:

“That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952, be taken into consideration.”

HON. DEPUTY-SPEAKER: All right. Shri Ramesh Bidhuri may continue now.

... *(Interruptions)*

HON. DEPUTY-SPEAKER: There is no ‘Zero Hour’ now.

... *(Interruptions)*

HON. DEPUTY-SPEAKER: Already hon. Speaker has disallowed it. So, I cannot allow you now.

... *(Interruptions)*

**14.03 hours****REQUISITIONING AND ACQUISITION OF  
IMMOVABLE PROPERTY (AMENDMENT) BILL, 2017....contd.**

**श्री रमेश बिधूड़ी (दक्षिण दिल्ली):** सर, कल मैं रिक्विजिशनिंग एंड एक्वीजिशन ऑफ इममूवेबल प्रॉपर्टी (अमेंडमेंट) बिल, 2017 के बारे में बोल रहा था। माननीय शहरी विकास मंत्री आदरणीय श्री पुरी जी इस बिल को लेकर आए हैं। ... (व्यवधान)

महोदय, यहां जो लोग शोर मचाने के लिए खड़े हुए हैं, उनके संज्ञान में लाने के लिए, मैं इस बिल के बारे में बताना चाहता हूं। ... (व्यवधान) सर यह बिल देश की सुरक्षा को ध्यान में रखते हुए, देश के डिफेंस के लिए जो जमीन हम लोग रिक्विजिशन के रूप में सेक्शन-3 के द्वारा एक्वायर करते हैं और जब सेक्शन-7 के द्वारा उसकी पेमेंट करने की बात चलती है, अगर इस बीच वह मैटर जूडिशियरी में चला जाता है तो वहां उन जमीनों की व्यवस्था नहीं हो पाती है और देश की सुरक्षा में बाधा आती है। ... (व्यवधान) इससे सरकार के करोड़ों-अरबों रुपये वहां खर्च होते हैं। ... (व्यवधान) ऐसे कुछ केसेज भी हमारे सामने हैं, जहां आठ से दस हजार करोड़ रुपये की डिमाण्ड लोग रखते हैं। कानून के द्वारा अगर डिफेंस के लिए या नेशनल सिक्योरिटी के लिए लैंड एक्वायर की जाती है तो कोई आधा एकड़, एक एकड़ या दो एकड़ जमीन एक्वायर नहीं की जाती है। ... (व्यवधान) मैंने यह बात कल भी कही थी और आज हमारे जो साथी वहां खड़े हैं, उनकी जानकारी के लिए कहना चाहता हूं कि इस तरह से सैकड़ों-हजारों एकड़ जमीन एक्वायर की जाती है। ... (व्यवधान) वहां पर कुछ इस प्रकार के लोग होते हैं। ... (व्यवधान) तमिलनाडु में शिवपुरी का केस आपके सामने है, पैरामिलिटरी फोर्स के नाम से जो जमीन है, उसके आस-पास किस फाइनेंस मिनिस्टर या किस गृह मंत्री की जमीन है, वह बात किसी से छिपी हुई नहीं है। ... (व्यवधान) इन्हीं की पार्टी के फाइनेंस मिनिस्टर थे। वे लोग क्या करते हैं। जब हम रिक्विजिशन के लिए सेक्शन-3 का नोटिस देते हैं।

नोटिस के बाद सेक्शन 7 का नोटिफिकेशन उस जमीन को एक्वायर करने के लिए देते हैं तो नोटिसेज का बहाना बनाकर एज एन एप्लीकेंट वे लोग कोर्ट में चले जाते हैं। जो जमीन हम लम्बे समय तक एक्वायर करते हैं, वह कभी न कभी कृषि भूमि के रूप में ले रखी होती है और उसमें कंडीशन होती है कि जमीन को जब सरकार वापस लौटायेगी तो इसी स्थिति में लौटाएगी। उसमें यह कंडीशन होती है लेकिन बाद में सरकार सोचती है कि जमीन को हम खरीद लें। इस बीच वे नोटिस का बहाना बनाकर कोर्ट में चले जाते हैं। पिछले 70 सालों में कांग्रेस के लोग देश में किस प्रकार के नैक्सस पैदा करते रहे हैं, यह बात किसी से छिपी नहीं है। टू जी स्पैक्ट्रम का मामला आपके सामने है। कोल घोटाले का मामला आपके

सामने है। आदर्श सोसायटी का केस आपके सामने है। इस प्रकार के जो स्कैम्स होते थे, इन स्कैम्स से बचने के लिए उस जमीन को सरकार टेक-ओवर कर ले, टेक-ओवर करने के बाद सरकार उस जमीन के पैसे देगी, लेकिन जिस समय का नोटिस होगा। लेकिन 15 साल तक जानबूझकर ज्यूडिशियरी में केसों को लटकाकर, लम्बित करके कि अगर उस जमीन का पैसा मिल जाएगा तो वे लोग ब्लैक-मनी को कहां रखेंगे। वे समझते हैं कि कोर्ट हमारे फेवर में ऑर्डर कर देगा। सरकार से तब के रेट के पैसे, 15 साल-12 साल रेट के पैसे वे मांगते हैं। वे सोचते हैं कि वे पैसे हमें मिल जाएंगे। इस प्रकार से सरकार को अरबों रुपये का चूना लगता है। जो पैसा देश के विकास में लगना चाहिए, उससे बचने के लिए यह बिल लाया गया है। जो नोटिफिकेशन के समय पर उसकी कीमत थी, अभी भी सरकार उनको, स्टेट बैंक ऑफ इंडिया के पैटर्न पर जो फिक्सड डिपॉजिट एमाउंट होता है, अगर मैं आज कोई फिक्सड डिपॉजिट एमाउंट जमा कराऊं और जो उस पर रेट ऑफ इंटरैस्ट है, इस बिल के माध्यम से वह पैसा उसको मिलेगा वरना मेरे बन्धु और मेरे अपोजिशन के मित्र यह भी शोर मचाएंगे कि हमारे फंडामेंटल राइट्स को छीना जा रहा है, हमारे अधिकारों का हनन किया जा रहा है। सरकार तानाशाह के रूप में इस बिल को लेकर आ रही है।

मैं आपको दिल्ली का उदाहरण देता हूँ। वर्ष 2005 में एजुकेशन कम्पलसरी एक्ट आया था। आज भी देश में कानून है कि एजुकेशन कम्पलसरी होनी चाहिए। दिल्ली के वाइस-चांसलर ने चार चिट्ठियां दिल्ली के सी.एम. को लिखीं कि दक्षिणी दिल्ली में लड़कियों का कोई कॉलेज नहीं है। 70 साल देश को आज़ाद हुए हो गये हैं। ये लोग पिछले 70 सालों से देश पर राज करते रहे हैं। पिछले दस सालों तक इनकी सरकार थी, लेकिन दिल्ली में लड़कियों के लिए एक नया कॉलेज नहीं खोला गया। हमारे प्रधान मंत्री जी ने 'बेटी बचाओ, बेटी पढ़ाओ' का नारा दिया है और इससे अगर लड़कियों को सम्मान मिलेगा, उनको एजुकेशन मिलेगी तो कॉलेज खुलना चाहिए। वाइस-चांसलर दो-दो, तीन-तीन चिट्ठियां दिल्ली के सी.एम. को लिख चुके हैं। मैं मुख्य मंत्री और एजुकेशन मिनिस्टर से मिल चुका हूँ, लेकिन दिल्ली के मुख्य मंत्री आज तक उस ग्राम पंचायत की जमीन पर कॉलेज नहीं बनाने दे रहे हैं। वह जमीन ग्राम पंचायत की है, गांव वालों की जमीन है। इससे बड़े दुर्भाग्य की बात क्या होगी कि उस जमीन पर कॉलेज बनाने नहीं दिया जा रहा है। इस प्रकार से यह कानून ऐसे लोगों पर रोक लगाने के लिए है। जो नैरो-माइंडेड लोग हैं, जो निजी स्वार्थों के लिए देश के साथ, देश की सम्पदा के साथ, देश की जनरेशन के साथ सौदा करते हैं, उन निजी स्वार्थी तत्वों से देश को बचाने के लिए इस बिल को लाया गया है।

मेरे पास इसी प्रकार के अन्य उदाहरण भी हैं। हमने एक गांव गोद लिया। उसको आदर्श गांव बनाने के लिए माननीय प्रधान मंत्री जी ने कहा है कि एक सैम्पल के रूप में गांवों का विकास होगा। यदि उन गांवों का विकास होगा तो निश्चित रूप से उनको देखकर अपने गांवों में और भी स्वच्छ वातावरण में जीने के लिए लोगों को एक मोटीवेशन मिलेगा। लेकिन वहां पर कोई लड़कियों का स्कूल खोलना है, वहां पर

बच्चों की शादी के लिए कम्युनिटी सेंटर बनाना है, वहां पर कोई बैंक या पोस्ट ऑफिस की ब्रान्च खोलनी है तो सिसोदिया साहब, जो दिल्ली के उप मुख्य मंत्री हैं, डवलपमेंट कमिश्नर जो वहां की थीं, जब मैंने उनको यह कहा कि मैं इनके घर पर जाकर धरने पर बैठ जाऊंगा यदि ये जमीन नहीं देंगी तो वह मुझसे कहती हैं कि बिधूड़ी साहब, आप इसमें राजनीति मत करिए।

सर, ये इससे रिलेटेड चीजें हैं। यह कानून क्यों लाया गया? बाद में बहुत लोग शोर मचाएंगे कि यह कानून तो लोगों के अधिकारों को छीनने के लिए लाया जा रहा है। यह कानून देश की सम्पदा को बचाने के लिए लाया जा रहा है और देश की जनरेशन को आगे बढ़ाने के लिए लाया जा रहा है। इसीलिए मैं इस बिल पर बोल रहा हूं। इसीलिए मैं एग्जामपल दे रहा हूं। वह डी.सी. मुझसे कहती हैं कि मैं डिप्टी सी.एम. साहब से बात कर लूंगी। डिप्टी सी.एम. साहब उनसे कहते हैं कि बिधूड़ी से कहो कि वह डी.डी.ए. से जमीन ले लें। वह डवलपमेंट कमिश्नर कहती हैं कि बिधूड़ी साहब, ये इतनी छोटी सोच के लोग हैं, मैं तो इनके नीचे नौकरी नहीं करूंगी और वह डी.सी. वहां से नौकरी छोड़कर सेन्ट्रल गवर्नमेंट में आ गयीं। इसीलिए मैं बता रहा हूं कि खड़गे जी की टीम के ये जो लोग 70 सालों से देश में राज कर रहे हैं, ऐसे लोगों से इस देश को बचाने के लिए इस बिल को लाया गया है। इस लॉ के माध्यम से, इस बिल के माध्यम से अब डिजनीलैंड या जीजा-साले को जमीन अलॉट करने का प्रोविजन नहीं है।

यह जमीन केवल देश को डिफेंस के लिए, देश की सिक्योरिटी के लिए, ऑब्लाइज करने के लिए मिले, न कि यह कहीं ...\* जमीन एलॉट की जायेगी, उस काम के लिए यह बिल नहीं है। ... (व्यवधान) इसलिए मैं इस बिल का समर्थन करते हुए, आपको धन्यवाद देना चाहूंगा और माननीय मंत्री जी को भी धन्यवाद देना चाहूंगा कि देश में जो प्रधान मंत्री जी की सोच रही है कि देश की सीमायें... (व्यवधान)

**माननीय उपाध्यक्ष :** श्री कल्याण बनर्जी।

... (व्यवधान)

**श्री रमेश बिधूड़ी :** सर, मैं एक मिनट में अपनी बात समाप्त कर रहा हूं।... (व्यवधान) हमारे माननीय प्रधान मंत्री जी, हमारे मंत्री जी की यह योजना होगी कि इस बिल के माध्यम से हम देश के नौजवान और देश की सीमा पर किसी भी प्रकार का समझौता नहीं करेंगे। ... (व्यवधान) ऐसे कड़े फैसले लेंगे, इस बात के लिए इस बिल को लायेंगे। आपने मुझे इस बिल पर बोलने का मौका दिया, इसके लिए मैं आपको बहुत-बहुत धन्यवाद देता हूं। ... (व्यवधान)

SHRI KALYAN BANERJEE (SREERAMPUR): Hon. Deputy Speaker, Sir, the Bill which has been brought before this House for consideration is the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017. ... (*Interruptions*) Through this Bill, an amendment is sought to be brought under Clause 2, Sub-Clause 1(a). ... (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): Mr. Deputy Speaker, Sir, during 'Zero Hour', one Member was allowed. ... (*Interruptions*)

HON. DEPUTY SPEAKER: No, there is no 'Zero Hour'. We are discussing the Bill moved by the hon. Minister.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE : Sir, I am on a point of order. ... (*Interruptions*)

HON. SPEAKER: I have heard. There is no 'Zero Hour' now.

... (*Interruptions*)

SHRI KALYAN BANERJEE : Sir, by this Clause, an opportunity of hearing is being given which was not there earlier. ... (*Interruptions*)

HON. DEPUTY SPEAKER: You are saying about expunction. What should I expunge? There is nothing.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE : During 'Zero Hour', a Member was allowed. ... (*Interruptions*)

HON. DEPUTY SPEAKER: There is no 'Zero Hour' now.

SHRI MALLIKARJUN KHARGE : Sir, the House was adjourned around 12 o'clock. After that, we are meeting just now. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Now the business before the House is different. We have taken up the Bill for consideration.

... (*Interruptions*)

HON. DEPUTY SPEAKER: There is no 'Zero Hour' now. When 'Zero Hour' comes, you can raise it at that time.

... (*Interruptions*)

SHRI KALYAN BANERJEE : Sir, Clause 2, Sub-clause 1(a) which is sought to be brought is really filling up the gaps. ... (*Interruptions*) A reasonable opportunity of hearing is being given under this provision. ... (*Interruptions*) I have no objection. ... (*Interruptions*) This is beneficial to the person who is going to be affected. ... (*Interruptions*) We have to go back to the history and see why this Act was enacted in the first place. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Mr. Kharge, you can raise it tomorrow.

... (*Interruptions*)

HON. DEPUTY SPEAKER: What is your point of order?

... (*Interruptions*)

HON. DEPUTY SPEAKER: A point of order may be raised in relation to the business before the House at the moment. This is what the rule says.

... (*Interruptions*)

HON. DEPUTY SPEAKER: Please listen to me. Any point of order should relate to the subject which is before the House now. Only that will go on record. All other things will not go on record.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE : Sir, kindly give me a minute. ... (*Interruptions*) Sir, we are not taking any objection to your decision. That is a different thing. The Member who spoke against Manmohan Singhji... (*Interruptions*)

HON. DEPUTY SPEAKER: No, nothing will go on record.

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

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\* Not recorded.

HON. DEPUTY SPEAKER: Nothing will go on record. Only Mr. Kalyan Banerjee's speech will go on record.

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

SHRI KALYAN BANERJEE : Deputy Speaker, Sir, kindly, bring this House in order.... (*Interruptions*) I cannot speak. How can I speak in this way? ... (*Interruptions*)

HON. DEPUTY SPEAKER: Nothing will go on record.

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

SHRI KALYAN BANERJEE : Sir, let the House be in order. If this is the way, I cannot speak. ... (*Interruptions*) I have been interrupted fourth time.... (*Interruptions*) Let the House be in order. ... (*Interruptions*) Otherwise, take up this issue some other day. ... (*Interruptions*) No one can speak, Sir, in this way.... (*Interruptions*)

SHRI ANANTHKUMAR: Sir, only Congress Party wants to disturb the proceedings. ... (*Interruptions*) Actually, there is no issue or no point of order. The entire House wants to conduct business of the House. ... (*Interruptions*) They are creating obstructions. Therefore, I request my dear friend and colleague of Trinamool Congress Mr. Kalyan Banerjee to continue his speech. ... (*Interruptions*) Already Ramesh Bidhuri ji has spoken. ... (*Interruptions*) I also request him to continue his speech. ... (*Interruptions*) Sir, they cannot hold 80 per cent of the House to ransom. ... (*Interruptions*) Therefore, my request to you, Sir, is to continue the proceedings of the House. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Mr. Kalyan Banerjee, please continue your speech.

... (*Interruptions*)

SHRI KALYAN BANERJEE (SREERAMPUR): Sir, what I was telling is if we go back into the history of the Act itself, earlier the Defence of India Act was there.... (*Interruptions*) After Independence, when the Legislature felt that the

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\* Not recorded.



Defence of India Act was not required and the rules were framed thereafter, the Requisitioning and Acquisition of Immovable Property Act, 1952 was brought.... *(Interruptions)* The initial intention of this legislation, at that point of time, was that for the time being a premise can be requisitioned.... *(Interruptions)* Any land can be requisitioned for the use of the Central Government. ... *(Interruptions)* There is no difficulty. Now, as you know, requisition cannot be continued until doomsday. ... *(Interruptions)* Therefore, one has to take a decision whether it has to be released from the requisition or acquisition has to be taken. ... *(Interruptions)* I just tell you, there are a number of cases where the acquisition proceeding was taken but it was not ended. ... *(Interruptions)* No compensation has been given. ... *(Interruptions)* Ultimately, because of the failure of the officials of the Central Government, who are concerned with this Department, so many acquisitions and requisitions have declared illegal and void. ... *(Interruptions)* Therefore, the time has been ripening to take a decision whether you want to release it from the requisition or you want to acquire the property. ... *(Interruptions)* If you wish to acquire the property, do it immediately. Please do not keep it pending for long. ... *(Interruptions)* This is not the ambit. Immediately, you do it. Actually, that is not happening. ... *(Interruptions)* As a result thereof, ultimately, who is suffering? Lot of money is going out from the public exchequer. This is one of the reasons. ... *(Interruptions)*

I can cite you a number of cases. At least in West Bengal, in Jalpaiguri and Darjeeling districts where military buildings have been made, Army structures have been made, still that requisition has not been completed. Even if it has been done, some procedural mistake is there; one is going to suffer. That is a different thing. ... *(Interruptions)*

I would just like to put a very relevant question for your consideration. Parliamentary Affairs Minister is here; Law Minister is also here. To all, I have a request; you have to consider one aspect of the matter. In future, you have to come out with that. The compensation which has been assigned under the

Requisitioning and Acquisition of Immovable Property Act, has been provided under Section 8 of the Act. In substance, nothing has been given as to what would be the amount of compensation. It is either by an agreement or by arbitration. Therefore, what are the principles? That has not been laid down. Now, with the passage of time, when acquisition was a strong question in our country, we have brought the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. We have brought it and it is under consideration. We are implementing it. We have repealed the old Land Acquisition Act itself where the compensation amount was very little. Under Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, you have given the principles of determination of compensation. The objective of the Government is that every land loser must get more compensation. That is the objective of the Act. That is also the objective of the Central Government. ... (*Interruptions*)

My point is this. This is an old Act. Now you try to bring a *pari materia* provision akin to Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act in this Act itself, the Act in question itself in future so that compensation amount can be decided. There must be a formula of paying compensation. It cannot be by an agreement or an arbitrator cannot decide the question exactly without any basis, any guidelines or anything. I am really happy to see that an opportunity of hearing has been brought in here which is really commensurate with the principles of natural justice. It is a good thing but, in future, you have to think about that whether a *pari materia* provision akin to Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act can be brought under this Act itself. One must know what should be his compensation, the market value etc. It can be taken into consideration. Kindly take note of two things. This is one thing. ... (*Interruptions*)

Secondly, it is my appeal to the hon. Minister; kindly give instruction to your Department. Take all cases of requisition and acquisition. Where requisition is continuing for 30 years, 40 years, it is not required. It can be acquired. You acquire it; otherwise you just release it. There is no use of paying money. Some properties are there which are under requisition and the Central Government is also not using the properties. On the contrary, the Central Government is paying money. That is also a loss to the public exchequer. Kindly take into consideration that in future. That is my request. With this, I conclude. ... (*Interruptions*)

श्री गोपाल शेटी (मुम्बई उत्तर) : उपाध्यक्ष जी, मैं आपका आभारी हूँ कि आपने मुझे बहुत ही महत्वपूर्ण बिल पर बोलने का मौका दिया। स्थावर सम्पत्ति अधिग्रहण और अर्जन (संशोधन) विधेयक, 2017 का समर्थन करने के लिए खड़ा हुआ हूँ।

महोदय, देश आजाद होने के बाद से...(ब्यवधान)

SHRI MALLIKARJUN KHARGE : Under Rule 380, because in 'Zero Hour',  
..... (*Interruptions*)

HON. DEPUTY SPEAKER: Now, it is not 'Zero Hour'. You talk about this Bill which is going on. ...

(*Interruptions*)

SHRI MALLIKARJUN KHARGE : One hon. Member used defamatory words against the ex-Prime Minister who is not a Member of this House. Against him, those defamatory words were used. I request you to expunge all those words. ...  
(*Interruptions*)

HON. DEPUTY SPEAKER: I will go through that. ...

(*Interruptions*).

SHRI MALLIKARJUN KHARGE : He should apologize for that. ...  
(*Interruptions*) This is not fair. This is the point of order. We met even the Speaker also. She said that she will expunge that immediately. So far the matter is not expunged.

HON. DEPUTY SPEAKER: No, I will go through that. ...

(*Interruptions*)

SHRI MALLIKARJUN KHARGE : Sir, it has been telecasted. If it goes in print media, the Government should apologize for that. ... (*Interruptions*)

HON. DEPUTY SPEAKER: The Government will not come into this. You have already explained to the Speaker. ...

(*Interruptions*)

SHRI K.C. VENUGOPAL (ALAPPUZHA): Sir, hon. Speaker has assured us. ...  
(*Interruptions*) It is in the record. It went on to the media also. ... (*Interruptions*)

HON. DEPUTY SPEAKER: We will go through that.

SHRI MALLIKARJUN KHARGE : So, Sir, we must be allowed to discuss this issue thoroughly so that the entire nation should know who is the traitor, who is back-stabbing and who is disturbing?

HON. DEPUTY SPEAKER: Whatever was said regarding this by the hon. Member in the morning, that will be gone through. ...

*(Interruptions)*

श्री गोपाल शेट्टी : उपाध्यक्ष जी, मैं कांग्रेस के मित्रों से निवेदन करना चाहता हूँ कि यह सदन बहुत ही महत्वपूर्ण बिल पर चर्चा कर रहा है। जिनकी भूमि चली गयी है, उनको न्याय मिले, उनको पैसा मिले।... (व्यवधान) मोदी जी की सरकार देश में आयी है। जिनकी जमीनें डिफेंस में वर्ष 1952 के बाद जितने भी युद्ध हुए ऐसी जितनी जमीनों का रिक्वीजिशन किया गया था, उसका न्याय अभी तक डिफेंस के लोगों ने नहीं किया है।... (व्यवधान) देश के इतिहास में पहली बार देश के लोगों ने मोदी जी की सरकार को चुनकर इस सदन में भेजा है और मोदी जी के द्वारा सत्ता सम्भालने के बाद से बहुत सारे परिवर्तन इस देश में देखने को मिल रहे हैं।... (व्यवधान) उसी के परिणामस्वरूप जिनकी भूमि का डिफेंस के लोगों ने रिक्वीजिशन किया था।... (व्यवधान)

महोदय, डिफेंस एस्टब्लिशमेंट एक्ट यह कहता है कि जो जमीन एक बार रिक्वीजिशन हो गयी, युद्ध समाप्त होने के बाद सम्मानजनक तरीके से उनका धन्यवाद अदा करके, जितनी जमीन का आपने उपयोग किया है, ... (व्यवधान) उसका जो भी मुआवजा होता है, उसको धन्यवाद सहित दिया जाना चाहिए।... (व्यवधान) यह व्यवस्था अंग्रेजों के जमाने से से चल रही है और हमारे ब्यूरोक्रेट्स उसी मानसिकता में आज भी काम कर रहे हैं।... (व्यवधान) 70 साल पहले जिन लोगों की जमीन ली गयी थी, उनको आज भी पैसा नहीं मिला है।... (व्यवधान)

HON. DEPUTY SPEAKER: Whatever was said by the hon. Member, that was expunged. ...

*(Interruptions)*

श्री गोपाल शेट्टी : मैं मोदी सरकार का धन्यवाद करना चाहूंगा, मंत्री जी का अभिनंदन करना चाहूंगा कि बहुत ही अच्छा बिल सदन में पारित करने के लिए वह लाए हैं और इस पर मुझे भी अपना मत व्यक्त करने का अवसर मिला है।... (व्यवधान)

महोदय, सेक्शन 3 कहता है कि युद्ध के समय में जब कभी भी आपको जमीन की आवश्यकता होती है तो आप रिक्विजिशन कर सकते हैं।... (व्यवधान) सेक्शन 7 यह कहता है कि आपको अगर जमीन हमेशा के लिए चाहिए तो एक्विजिशन करना होता है।... (व्यवधान) एक्विजिशन एक्ट के मुताबिक जमीन का

भाव उस समय जो भी होगा, वह जमीन का पैसा उसको देकर आप अपने नाम जमीन कर सकते हैं।... (व्यवधान) लेकिन हमारे डिफेंस एस्टबिलिशमेंट के लोग, जितना हमारे दुश्मन देश के लोगों को परेशान नहीं करते हैं, उतना हमारे देश के लोगों को परेशान करने का काम डिपार्टमेंट के माध्यम से हो रहा है।... (व्यवधान) मैं निवेदन करना चाहता हूँ कि डिफेंस एस्टबिलिशमेंट के लोगों को जितनी जमीन चाहिए, उतनी ले लीजिए। जमीन एक्वायर करने के लिए सरकार की तिजोरी में पैसा होता है। यदि डिफेंस एस्टबिलिशमेंट को और जमीन चाहिए तो जमीन खरीदने के लिए देश के लोग आपको पैसा देंगे। ... (व्यवधान) लेकिन अनावश्यक ढंग से किसी की भी जमीन एक्वीजीशन, रिक्वीजीशन करके एक्वीजीशन एक्ट के मुताबिक सारी फॉर्मैलिटीज़ पूरी किए बगैर आप किसी की भी जमीन ले लेते हो।

HON. DEPUTY SPEAKER: Whatever speech Shri Gopal Shetty is making will go on record. Whatever he is speaking will go on record.

**श्री गोपाल शेट्टी :** आपको मैं एग्जाम्पल बताना चाहूंगा कि देश के लोग किस प्रकार से परेशान हैं, जिनकी जमीनें गईं, वह तो गईं। रिक्वीजीशन के बाद आपने आज तक उसका न्याय नहीं किया जिसका नतीजा यह हुआ कि जो पैसे वाले लोग हैं, उन सब पैसे वाले लोगों ने एग्रीमेंट करा कर अपने नाम पर जमीन ले ली। आज जो भी एक्ट का लाभ मिलेगा, जिन्होंने जमीन अपने नाम पर ले ली उनको मिलेगा, लेकिन जिनकी मूल जमीन है, उनको कौड़ी मोल भी पैसा नहीं मिलने वाला है। इस बात को आप लोगों को जानना चाहिए। अधिकारियों को तनखाह मिलती है, हम सांसदों को मानदण्ड मिलता है। हम दोनों का काम, लोकशाही में जो तीसरा व्यक्ति है, उसका काम सेवा करने का है। अंग्रेजी में जिसे सर्विस कहते हैं। अंग्रेजों ने जब बनाया तो यह सर्विस था। आप और हम, दोनों मिलकर लोगों को सर्विस देने का काम करते हैं। ... (व्यवधान) लेकिन इन दिनों सर्विस कम और परेशान ज्यादा करने का काम ब्यूरोक्रेसी के माध्यम से हो रहा है। इसलिए मैं आर.के. सिन्हा जी को धन्यवाद करना चाहूंगा जिन्होंने मुझे इस बिल पर बोलने का मौका दिया। मुम्बई जैसे शहर में जब डेवलपमेंट का काम चलता है... (व्यवधान)

HON. DEPUTY SPEAKER: I listened to whatever he said.

...(Interruptions)

**श्री गोपाल शेट्टी :** कांग्रेस के जमाने में सेंट्रल, ऑर्डिनेंस डिपो की जमीन, सभी बोगस इल्लिगल सर्कुलर निकालकर आपने सारे काम बंद कर दिए। आज भी दूसरे चरण में जब मैंने यहां प्राइवेट मेंबर बिल मूव किया (व्यवधान)

HON. DEPUTY SPEAKER: I have already listened to what you said.

...(Interruptions)

**श्री गोपाल शेट्टी :** किस्मत से मेरा नम्बर भी लग गया। कल उसके ऊपर भी चर्चा होगी इसलिए मैं उस विषय पर जाना नहीं चाहता हूँ। लेकिन यह जो बिल आया है, इस बिल का समर्थन करते हुए, जिन लोगों की भी जमीन रिक्वीजीशन हुई है, उनको न्याय देने का काम मोदी जी की सरकार कर रही है।  
...(व्यवधान)

HON. DEPUTY SPEAKER: He is on his legs.

**श्री गोपाल शेट्टी :** हमारे सारे मंत्री भी कर रहे हैं। इसलिए मैं उनको भी देश के तमाम लोगों की ओर से धन्यवाद अदा करना चाहूँगा। जो सामान्य लोगों की जमीन आपने रिक्वीजीशन की, आपने उनको 50 साल पैसे नहीं दिए। आज सरकार जो नियम लायी है कि उन दिनों में जो रेट था उसके साथ स्टेट बैंक का इंटरेस्ट का जो प्रोसीजर है तो इंटरेस्ट के साथ उनको पैसे देंगे। ...(व्यवधान) वैसे देखा जाए तो जमीन का मल्टीप्लीकेशन होते हुए आज के समय में उसकी बहुत कीमत है, लेकिन डिफेंस इस्टैब्लिशमेंट के लिए जमीन चाहिए। इसलिए मैं उन सारे मुद्दों पर जाना नहीं चाहूँगा। क्योंकि मैं सरकार के पक्ष में हूँ, मैं चाहता हूँ कि हमारा डिफेंस इस्टैब्लिशमेंट सक्षम हो। ...(व्यवधान) हमारे पड़ोसी मुल्क हमें परेशान करते हैं तो उनके साथ लड़ाई करने के लिए हमारे सिपाही और सेना का मनोबल बढ़े। इसलिए पूरा देश सेना के साथ है। ...(व्यवधान) लेकिन कुछ अधिकारी जो ऑफिस में बैठकर काम करते हैं, उन्हें भी इस बात को समझना चाहिए कि हम देश के लोगों को न्याय देने के लिए काम करते हैं। इसलिए मैं इस बिल के माध्यम से मानता हूँ कि आने वाले दिनों में एक बहुत बड़ा बदलाव होगा।

### **14.33 hours**

(Hon. Speaker in the Chair)

हमारे देश में बहुत से लोग भूमिहीन हो गए, बहुत सारे लोग मर गए। आप इतिहास निकालकर देख लीजिए। इस बिल के पास होने के बाद जब आप पैसे देंगे तो मूल मालिक कितने हैं और मूल मालिकों से पूंजीपतियों ने जो जमीन खरीदी थी, वे कितने हैं, आपको पता चलेगा कि मूल मालिक चले गए, गुजर गए, मर गए। उनकी संतान में जो बच्चे थे, उनकी जमीन होते हुए भी उन्हें पैसा नहीं मिला, वे कामकाज नहीं कर पाए। परिस्थिति इस प्रकार की भी देश में निर्मित हुई है कि बहुत सारे लोगों की जमीन होते हुए भी उनकी जमीन भी गई और पैसा भी नहीं मिला। इस प्रकार की भी स्थिति है। लेकिन देर से क्यों न हो, मैं सरकार को फिर एक बार धन्यवाद देना चाहूँगा कि एक अच्छे बिल के माध्यम से लोगों को आज यहां न्याय देने का काम हो रहा है। ...(व्यवधान) इसलिए मैं इस सदन के माध्यम से चाहूँगा कि आने वाले दिनों में जो भी अधिकारी इस प्रकार से मनमाने काम करके लोगों को परेशान करने का काम करते हैं, उनके ऊपर भी कोई न कोई अकाउन्टेबिलिटी फिक्स होनी चाहिए। यह बिल पास करने के बाद मैं इस सदन से

निवेदन करना चाहूंगा कि 50-60 साल से जिनके ऊपर अन्याय हुआ है, अत्याचार हुआ है, जिनकी जमीनें चली गईं, जो कुछ नहीं कर पाए ऐसे कितने लोग प्रभावित थे, उसका भी रिकॉर्ड इस सदन में आना चाहिए, ताकि आने वाले दिनों में जो अधिकारी इस प्रकार का काम करते हैं, उनको भी कोई न कोई सबक मिलेगा। हो सकता है बहुत सारे अधिकारी रिटायर होकर चले गए होंगे। आज के समय में जो अधिकारी हैं, उनका कोई दोष नहीं होगा। लेकिन आज के समय में भी यही सब चल रहा है। इसलिए मैं मानता हूँ कि जो डिफेंस इस्टैब्लिशमेंट के लोग हैं उन्हें सड़क पर लड़ने का काम करना चाहिए, देश को सुरक्षित करने का काम करना चाहिए। बाकी सारे मामलों का काम पार्लियामेंट के माध्यम से जो सिस्टम काम कर रहा है। उस सिस्टम के लोगों को काम करना चाहिए। डिफेंस इस्टैब्लिशमेंट के लोगों को सिर्फ लड़ाई तथा दुश्मनों के लिए जो भी व्यवस्था करनी होती है, वह काम करने देना चाहिए। मैं अपनी आवाज देश भर के लोगों के माध्यम से इस सदन के समक्ष रखना चाहता हूँ।

महोदया, मैं कह रहा था कि जब सीओडी का मामला निकला, तब मैं आपको मिला तो आप भी प्रभावित हो गईं, आपने हमें यहां चर्चा करने का मौका भी दिया। पर्रीकर साहब जैसे अच्छे मिनिस्टर ने बहुत मेहनत करके सर्कुलर निकाला, लेकिन उसमें सिर्फ नेवल का एड करना बाकी रहा, इसलिए फिर एक साल से लोग परेशान हैं। अधिकारियों को देश के मानस को समझना चाहिए, उन्हें सरकार के मानस को समझना चाहिए तथा पार्लियामेंट का जो मन और भाव है, उसे समझना चाहिए। टैक्निकल एरर को लेकर, छोटी-छोटी बातों को लेकर हमारे देश के विकास को रोकने का यदि कोई काम करता है तो वह कितना उचित है, यह भी समझने की आवश्यकता है। एक जगह देश के प्रधान मंत्री कहते हैं कि 2022 तक सबको घर मिलना चाहिए, लोगों का अपना पक्का घर होना चाहिए, लेकिन जो ब्यूरोक्रेसी है, वह उसमें कोई न कोई अड़ंगा पैदा कर डेवलपमेंट के काम को रोकने का काम करती है। इसके बारे में इस सदन को बहुत गंभीरता से सोचना पड़ेगा। हम डिफेंस इस्टैब्लिशमेंट का बहुत सम्मान करते हैं। हमारी सेना दुनिया की नम्बर वन सेना है। अपनी जान को गंवाकर, अपने परिवार की चिंता न करते हुए वे इस देश के लोगों की चिंता करते हैं। लेकिन ऐसे समय पर जो एक दूसरा वर्ग है, वह बिल्कुल अपने ढंग से काम करते हुए परेशान करने का काम करता है। मैं चाहूंगा कि इस बिल के पास होते ही जितने भी लोगों को पैसा मिलने में देरी हुई है, एक टाइम बाउंड पीरियड तय करके जल्दी से जल्दी उन्हें पैसा मिले, उसकी व्यवस्था भी करनी चाहिए। हम इस प्रकार अमेंडमेंट बिल लाकर सदन में चर्चा करके पास करते हैं तो लोगों को उसका लाभ मिलेगा, अन्यथा बिल पास होने के बाद भी बहुत से लाभ नहीं मिल पाते हैं। मेरा 25-26 साल का अनुभव है, मैं तीन बार नगरसेवक, दो बार विधायक और छठी बार यहां आया हूँ। होता क्या है कि बहुत सारे बिल पास होने के बाद भी उनका लाभ लोगों को नहीं मिलता है, यह भी हमने देखा है। इसलिए मैं संसद के माध्यम से कहना चाहूंगा कि हम जो भी बिल पास करते हैं, तीन या छः महीने में उनकी एक



रिपोर्ट सदन के पास आनी चाहिए कि इन बिलों के पास होने के बाद इनका लाभ कितने लोगों को हुआ और कैसे हुआ। इससे कहीं न कहीं एकाउंटेबिलिटी स्टार्ट होगी। अन्यथा ऑफिसर वर्ग का यही सोचना है कि आपको जो भी करना है, करिये, हमको जो करना है, हम वही करेंगे। उससे इस देश के लोगों को आने वाले समय में न्याय नहीं मिलेगा, अपने इस भाव को मैं इस बिल के माध्यम से कहने का प्रयास करता हूँ। इसलिए मैं अपनी पार्टी के नेता श्री आर.के.सिन्हा जी को धन्यवाद देना चाहूंगा कि उन्होंने मुझे इस विषय पर बोलने का मौका दिया। देश के जो हैरान, परेशान लोग हैं, जिनकी जमीनें गईं, उनकी आवाज को यहां उठाने का मुझे मौका मिला। इसलिए मैं श्री आर.के.सिन्हा जी का धन्यवाद अदा करते हुए मोदी सरकार तथा मोदी जी को फिर से एक बार धन्यवाद देना चाहूंगा कि साढ़े तीन साल के कार्यकाल में जनहित के बहुत सारे मुद्दों पर यहां चर्चा करते हुए बिल में जितने भी संशोधनों की आवश्यकता है, वे करते हुए लोगों को न्याय देने का काम हम लोग कर रहे हैं।

इसलिए महोदया मैं इस बिल का समर्थन करते हुए अपनी बात को यहां समाप्त करता हूँ। बहुत-बहुत धन्यवाद, भारत माता की जय।

**श्री कौशलेन्द्र कुमार (नालंदा) :** अध्यक्ष महोदया, आपने मुझे स्थावर संपत्ति अधिग्रहण और अर्जन (संशोधन) विधेयक-2017 पर बोलने का मौका दिया, इसके लिए मैं आपको बहुत-बहुत धन्यवाद देता हूँ।

महोदया, इस विधेयक के माध्यम से सरकार मूल कानून स्थावर संपत्ति अधिग्रहण और अर्जन अधिनियम 1952 की धारा 7 के खंड 1 में कुछ और विषयों को जोड़ने का काम करेगी। मेरा मानना है कि भूमि अधिग्रहण कानून 2014 में लागू हुआ था, उसमें किसी भी सार्वजनिक कार्य के लिए सुरक्षा संबंधी कार्यों के लिए जमीन का अधिग्रहण हो और प्रभावित व्यक्तियों को उसका उचित मुआवजा मिले, उसमें कोई आपत्ति नहीं है। किंतु रोजगार करने के लिए खेती और अच्छी उपजाऊ जमीन का अधिग्रहण किसी भी मायने में कदापि उचित नहीं होगा। वैसे ही हमारे पास सिंचित और उपजाऊ भूमि की अपनी एक सीमा है। जो बंजर जमीन है, जहां खेती नहीं हो सकती है, वैसी जमीन को उपजाऊ करने के लिए अनिवार्य कानून बनना चाहिए। मैं समझता हूँ कि यह सर्वथा उचित होगा और विशेषकर जो किसान प्रभावित होते हैं, उन्हें परेशानी नहीं होगी। अतः माननीय मंत्री जी से आग्रह करना चाहता हूँ कि मैं एक बहुत अहम् विषय को सरकार के सामने लाना चाहता हूँ कि जब आप अधिग्रहण का नोटिस देते हैं तो यह उन व्यक्तियों को दिया जाता है, जो व्यक्ति सम्पत्ति पर वर्तमान समय में कब्जा लिए हुए हैं।

किंतु वह व्यक्ति किरायेदार हो सकता है, पट्टेदार हो सकता है, उसका मालिकाना हक उस संपत्ति पर नहीं है, फिर उस व्यक्ति को नोटिस क्यों दिया जाएगा? नोटिस तो मालिकाना हक वाले व्यक्ति को मिलना चाहिए। अब यहीं से कानूनी प्रक्रिया एवं अड़चनें आरंभ होती हैं, जो वर्षों तक चलती रहती है। आप यह अंदाज़ा नहीं लगा सकते हैं कि लोग कानूनी लड़ाई में अपनी जमा पूंजी समाप्त कर लेते हैं, मात्र नोटिस की प्रक्रिया के कारण वे सब कुछ लुटा देते हैं और कंगाल भी हो जाते हैं। मेरा एक सुझाव है कि इसमें सुधार लाने की जरूरत है। अतः मेरा आग्रह भी है कि यह कानून आम लोगों को प्रभावित करेगा, इसे पूर्णतः पारदर्शी एवं न्यायोचित होना चाहिए। मैं इस बिल का समर्थन करता हूँ।

धन्यवाद।

**माननीय अध्यक्ष :** श्री पी. करुणाकरन जी।

**श्री मोहम्मद सलीम :** अध्यक्ष महोदया, करुणाकरन जी की जगह मैं अपनी पार्टी की तरफ से बोलना चाहता हूँ।

**माननीय अध्यक्ष :** ठीक है, बोलिए।

**श्री मोहम्मद सलीम (रायगंज) :** अध्यक्ष महोदया, मेरे प्रति आपकी करुणा के लिए मैं आपका धन्यवाद करता हूँ।

महोदया, सबसे पहले तो मैं मंत्री जी को बधाई दूंगा, वे नए मंत्री बने हैं, मेरे पुराने दोस्त हैं। विदेश के मामले से वे देश के मामले और देश की जमीन के मामले में ध्यान दे रहे हैं, यह तो अच्छी बात है, लेकिन कोई भी कानून संसद के लिए, संसद की गरिमा के लिए बहुत ही अपमानजनक होगा अगर यह कानून पारित कर के यह कहा जाए कि सन् 1952 से यह लागू होगा। *It's a bad piece of legislation.*

मैडम, यह जो संशोधन लाया जा रहा है, यह बहुत ही इन्फॉक्स है। राष्ट्रीय सुरक्षा के लिए है, देश की रक्षा के लिए है, यह मंत्री जी के बयान में आया है। मैं एक क्लॉज आपको पढ़ कर बताता हूँ। मैडम, अभी थोड़ी बाद हम इसको पारित करेंगे, लेकिन क्लॉज-2 को आप देखिए, मैं पूरे देश का ध्यान आपके माध्यम से आकर्षित करना चाहता हूँ। यह जो संपत्ति अधिग्रहण और अर्जन अधिनियम, सन् 1952 की धारा 7 में उप-धारा-1 के पश्चात्, निम्नलिखित उप-धारा अतः स्थापित की जाएगी और 14 मार्च, 1952 से अतः स्थापित की गई समझी जाएगी। इसका मतलब है कि मेरे पैदाइश होने से पहले और ऐसे बहुत से लोग हैं, जिनके जन्म लेने से पहले के लिए हम वह कानून बना रहे हैं। यह कौन सी परंपरा हम बना रहे हैं। यह देखने में इन्फॉक्स है, लेकिन बहुत महत्वपूर्ण है। भूमि अर्जन का जो कानून है, ऑर्डिनेंस के बाद ऑर्डिनेंस सरकार ने लाने की कोशिश की है और वह संयुक्त समिति के पास अभी लंबित है। अभी क्या है कि अगर आप पूरे बंडल में नहीं कर पाएंगे तो पीस मील में करेंगे। एक के बाद एक राज्यों को यह कहा जा रहा है कि किसानों की जमीनों को लेने के लिए किस तरह से प्रावधान करना पड़ेगा, वह कानून बन रहा है, मैं एक के बाद एक राज्य का नाम बता सकता हूँ। यहां यह लैण्ड, एग्रीकल्चर से हट कर शहरी विकास मंत्रालय के द्वारा इन पीस मल में यह पीस लिया जा रहा है। मैडम, राष्ट्रीय सुरक्षा के लिए, सेना के लिए, रक्षा के लिए अगर कोई कदम सरकार उठाती है तो इस पर इस सदन में कोई बहस नहीं है।

#### **14.42 hours**

*( Shri Sunil Kumar Jakhar and some other hon. Members then left the House.)*

लेकिन आप देखिए, कल मंत्री जी के भाषण में भी कहा गया कि यह सुरक्षा के लिए है, लेकिन जब उद्देश्य में स्टेटमेंट ऑफ ऑब्जेक्टिव है, उसमें भी दो नंबर पैरा में आप देखिएगा कि लोक प्रयोजनों के लिए स्थावर संपत्ति का अधिग्रहण करने की शक्ति। लोक प्रयोजन, इस देश में तो लोक प्रयोजनों के नाम पर वर्षों से, आप सत्तर साल की बात करते हैं तो मैं भी सत्तर साल की बात करता हूँ कि जब सरकार कोई भी विधेयक लाती है, विधि बनाती है तो सब लोक प्रयोजन के लिए होता है, पब्लिक इंस्ट्रूस्ट के लिए होता

है, लेकिन आप इसमें सिर्फ जैसे कि सुरक्षा कह रहे हैं, यह नहीं है कि सिर्फ सुरक्षा के लिए कर रहे हैं। इस सदन को गुमराह किया जा रहा है, देश को गुमराह किया जा रहा है, यह कह कर किया जा रहा है कि हम राष्ट्रीय सुरक्षा और रक्षा के लिए यह कर रहे हैं।

नहीं, हम यह ब्लैंकेट कर रहे हैं, लेकिन कह रहे हैं कि उद्देश्य हमारा जैसा कि रक्षा है। जैसा कि रक्षा लाइक डिफेंस और सिर्फ डिफेंस दोनों में फर्क है। आप तो कुछ भी सुरक्षा के नाम पर चला सकते हो और यहाँ तो लोक प्रयोजन है। पब्लिक इन्टरेस्ट के लिए तो, जब किसानों की छाती को गोली चलाकर छलनी किया जाता है तब भी आप यह कह सकते हैं कि हमने पब्लिक इन्टरेस्ट के लिए यह किया। इसलिए मैं समझता हूँ कि यह हाइली ऑब्जेक्शनेबल है, हम चेयर से इस बारे में अनुरोध करेंगे। यह लोक सभा वर्ष 2014 से वर्ष 2019 के लिए बनी है। क्या हमें वर्ष 1952 के लिए कानून बनाने का हक है और वह किसलिए किया जा रहा है, आगे बढ़ेंगे तो देखेंगे कि कोर्ट में कई ऐसे मामले लम्बित हैं, कोर्ट ने कई ऐसे अधिग्रहण के नोटिस को नकार दिया है, चाहे वे पिछली सरकार के द्वारा ही क्यों न हों। आप उस सबको पोस्ट फैक्टो, उस आदेश को नकार रहे हैं, उस निर्देश को नकार रहे हैं। इतना अधिकार क्या हम सत्ता में बैठे हुए ब्यूरोक्रेट्स को दे सकते हैं, क्योंकि उस वक्त मंत्री जी भी नहीं करेंगे, हम भी नहीं करेंगे, इसके तहत जो इसका प्रयोग होगा, तो क्या हम अधिकारियों को यह अधिकार दे सकते हैं। इस देश में तो आप जानते हैं कि भूमि एक ऐसा मामला है, सम्पत्ति एक ऐसा मामला है, सिर्फ इसमें बहुत ज्यादा मुकदमे, मामले लम्बित हैं, ऐसी बात नहीं है, जो आप स्कैम की बात कर रहे हो, जो भ्रष्टाचार की बात कर रहे हो, उसका एक बहुत बड़ा जरिया भूमि और सम्पत्ति है। यह हम सब जानते हैं, गाँव से लेकर पूरे देश के लोग इसे जानते हैं, इतिहास गवाह है। हम इसको इतना ब्लैंकेट कानून किसलिए कर रहे हैं और जो बिल समिति में लम्बित है, उसको हम बाईपास करके क्यों इस कानून को ला रहे हैं।

तीसरी बात यह है कि आप यह कह रहे हो, जो लौटाने की बात है, मैं उसमें डिटेल में नहीं जाऊँगा, क्योंकि हमारी पार्टी का समय भी कम है। इसी दिल्ली में, मैं कलकत्ता से आता हूँ, बंगाल से आता हूँ, जब अंग्रेज यहाँ राजधानी ले आये तो यहाँ बहुत सी सम्पत्ति का उन्होंने अधिग्रहण किया। जहाँ राष्ट्रपति भवन है, रायसीना हिल से लेकर यह पूरा हिल्स, नई दिल्ली स्टेशन आदि ये सब वक्फ प्रॉपर्टीज थीं। वर्ष 1980 के दशक में सरकार ने अर्बन डेवलपमेंट से एक समिति बनाई और 123 ऐसी सम्पत्तियाँ, जिन्होंने मुआवजा नहीं लिया, उसको वापस करने की बात थी और वापस कर नहीं सकते हैं, क्योंकि वहाँ निर्माण भवन बना लिया, तो निर्माण करने के बाद राष्ट्रपति भवन कैसे वापस करेंगे, तो उसका उचित मूल्य देना। इसमें तीन सुझाव थे कि अगर खुला है तो वापस करो, नहीं तो उसमें यह प्रावधान भी रखा है कि या आप उसको मुआवजा दो या फिर उसकी एवज में, क्योंकि उतनी डेवलपड लैंड नहीं थी, तो उतनी लैंड आप कहीं बाहर दीजिए। सरकार के साथ तो चलना ही पड़ेगा, यह अंग्रेजों के जमाने से चल रहा है। आपने इस

कानून में उस मामले को नहीं रखा है और उसे नकार देंगे। वह अभी भी लम्बित है, बर्नी कमेटी बनी, कमेटी के ऊपर कमेटी बनी, वह केस कोर्ट में चल रहा है। हमारे एक पुराने मित्र कहते थे कि नई दिल्ली स्टेशन पर प्लेटफार्म के ऊपर मस्जिद क्यों हैं। मैंने बोला कि नई दिल्ली स्टेशन में मस्जिद नहीं है, मस्जिद की जगह पर नई दिल्ली स्टेशन बना है। ऐसे ही एयरपोर्ट पर भी कभी-कभी सवाल होता है। वह वक्फ प्रॉपर्टी का मामला है। वह अलग बात है। अर्बन डेवलपमेंट मिनिस्ट्री में वह लम्बित है और जिस रोज कोर्ट ने यह निर्देश दिया था कि इसको वापस करो, ये कांग्रेस के लोग चले गये, उस वक्त श्रीमती इंदिरा गाँधी जी प्रधानमंत्री थीं, लेकिन कोर्ट के आदेश लागू करने से पहले ही फिर स्टे ले लिया गया। एक दिन का समय दिया गया। इसी तरह से यह देश चलता है, ब्यूरोक्रेट इसी तरह से चलाते हैं और उसके बाद वह केस अभी भी कोर्ट में लम्बित है। सरकार के अटॉर्नी जनरल के बाद, एक के बाद एक सरकार के बड़े-बड़े वकील खड़े ही नहीं होते हैं। मामला ऐसे ही चलता रहता है। सम्पत्ति का मामला ऐसे ही होता है, अगर कोई हड़पना चाहे तो उसको किस तरह से हड़पा जा सकता है, यह उसका उदाहरण है। मैं इस सरकार के ऊपर लांछन नहीं लगा रहा हूँ, मैं यह पुराना इतिहास बता रहा हूँ। पास्ट परफार्मेंस एक इन्डिकेटर होता है, तो इसी तरह से किसी भी किसान, किसी भी नागरिक का सम्पत्ति का अधिकार उसका बुनियादी हक है, फंडामेंटल राइट है। अगर आप उसे उससे डिप्राइव करोगे, तो यह ठीक नहीं है। आप बड़े-बड़े पूँजीपतियों के ऊपर तो हाथ डाल नहीं सकते हैं। वे रुपया मारकर ले जा रहे हैं, एनपीए हैं, वे विदेश लेकर चले जा रहे हैं, उनके ऊपर आप हाथ नहीं डाल सकते हो और जो किसान खेती कर रहा है, जो अपना घर बनाकर वहाँ बसा हुआ है। अर्बन लैंड सीलिंग के बाद अर्बन एरियाज में आजकल बहुत बड़ी सम्पत्ति होती भी नहीं है। आप उन मालिकों को उचित मुआवजा नहीं देकर के, उनकी सुनवाई नहीं करके कैसे करेंगे। लेकिन, इसकी सुनवाई किस तरह से होती है, इसे आप जानते हैं। स्टेट की बड़ी शक्ति के सामने एक छोटा-सा व्यक्ति कुछ नहीं कर सकता। अगर कोई बड़ा व्यक्ति हो तो वे उस मामले को खींच कर सुप्रीम कोर्ट तक ले जाएंगे।

मुआवजा देने के बारे में मैं समझता हूँ कि अगर यह सिर्फ सुरक्षा से संबंधित है तो आप इसमें मुआवजा बढ़ा सकते हैं। पर, जिसकी ज़मीन है, जिसकी खेती है, बेशक वह राष्ट्र का प्रयोजन है और उसे आप सुरक्षा के लिए ले रहे हैं, लेकिन आप मुआवजा बढ़ाने की बात तो कर ही रहे हैं और अगर आप वर्ष 1952 के रेट पर लैंड लेंगे तो यह नहीं होगा। इसमें जो आपने दो प्रावधान किए हैं कि 'अगर अधिग्रहण का नोटिस दोबारा जारी किया जाता है', लेकिन आप दोबारा नहीं करेंगे और चूंकि आपने पुराने कानून को नकारा नहीं है तो आप उसी कानून को आगे ले जाएंगे। दूसरा प्रावधान है - 'अगर ज़मीन का अधिग्रहण राष्ट्रीय सुरक्षा और रक्षा के उद्देश्य से किया जाता है।' मैं कहता हूँ कि इसे आप 'लोक प्रयोजन' के नाम से हाउसिंग के लिए इसे करेंगे, अगर आप मॉल बनाने के लिए करेंगे, आप तो कहेंगे कि यह सरकार ले रही

है, लेकिन अभी पी.पी.पी. मॉडल का मामला है। ज़मीन राज्य सरकार लेती है, वह 'लोक प्रयोजन' के तहत ली जाती है, लेकिन बाद में पी.पी.पी. मॉडल कह कर अगर उसे प्राइवेट को दे दी जाए या पार्टनरशिप में दे दी जाए और फिर वह उन्हें हेंडओवर हो जाए तो यह बहुत बड़ा अन्याय होगा।

तीसरी बात है कि भूमि अर्जन से संबंधित जो समिति बनी है, मैं खुद उस समिति का सदस्य हूँ। अब तो उसकी बैठकें भी नहीं होती हैं। उसकी डेट-आफ्टर-डेट लम्बित होती रहती है। उस कानून को तीन बार ऑर्डिनेंस के माध्यम से लाने की कोशिश की गयी और किसानों के हित के लिए बताई गई, लेकिन बिहार चुनावों के बाद किसानों का वह हित चला गया। उसके चेयरमैन भी यहां बैठे हुए हैं। उस समिति की बैठक भी नहीं होती है। एक तरफ तो पूरे विश्व के इन्वेस्टर्स को कहा जाता है कि हम कानून ला रहे हैं और देश में कहा जाता है कि इस कानून को लाने से किसानों का बहुत बड़ा अनर्थ हो जाएगा, इसलिए अभी इसको रोक कर रखो, जब तक राज्य सभा में मेजॉरिटी नहीं आती है, तब तक हम पारित नहीं करेंगे।

**श्री भर्तृहरि महताब (कटक) :** यह किसने कहा?

**श्री मोहम्मद सलीम :** मैं कह रहा हूँ।... (व्यवधान)

**माननीय अध्यक्ष :** इनको सब मालूम है।

**श्री मोहम्मद सलीम :** समझदारों के लिए इशारा काफी है। देखिए अध्यक्ष महोदया समझ रही हैं, आप तो थोड़ा समझदार बन जाइए।... (व्यवधान)

आप जानते हैं कि मैं बेबाक बोलता हूँ और साफ-साफ बोलता हूँ। मेरे नाम से पूरे देश में एक इंच ज़मीन नहीं है और न रहेगी। सिर्फ मरने के बाद दो गज ज़मीन की जरूरत है, उसके लिए खानदानी कब्र है। मैं वहां चला जाऊंगा। इसलिए मैं ज़मीन के बारे में दावे के साथ कह सकता हूँ, चाहे वह लीगल हो या इल्लीगल डील हो।

मैं जहां कह रहा था, वहां से बैक करना चाहता हूँ।

**माननीय अध्यक्ष :** चलिए, आप अपनी बात कम्प्लीट करिए।

**श्री मोहम्मद सलीम :** हम मुद्दे पर आ रहे हैं। रिक्वीजीशन और एक्वीजीशन का जो मामला है, इस देश में सबसे पहले जो रिक्वीजीशन हुआ, वह दूसरे विश्व युद्ध के समय हुआ। वार के टाइम में डिफेंस के लिए उसकी जरूरत थी। जो प्रॉपर्टीज़ थीं, खासकर अर्बन प्रॉपर्टीज़, चूंकि मैं कोलकाता से आता हूँ, बंगाल से आता हूँ, तो उस समय ब्रिटिश साम्राज्य को जापान का डर था, इसलिए उन्होंने उसकी रिक्वीजीशन कर ली। उसके बाद फिर उन्हें उसे वापस करना था। अभी भी ऐसी सम्पत्ति है, जिसकी रिक्वीजीशन की गयी। आज़ादी के बाद जो सरकार बनी, उसके जो चेले थे, पिट्टू थे, वे वहां बैठे हुए हैं। सरकारी क्या, कोई काम नहीं आता है? लेकिन, वह उसी तरह से लम्बित रह गयी। प्राइम प्रॉपर्टीज़ की रिक्वीजीशन एण्ड

एक्वीजीशन उसी तरह से लम्बित रह गयी। अगर आप कोलकाता शहर में जाकर चारों तरफ देखेंगे तो ऐसी रिक्वीजीशंड प्रॉपर्टीज़ हैं, ऐसी एक्वायर्ड प्रॉपर्टीज़ हैं और उन्हें वापस नहीं किया जा रहा है। चूंकि दूसरे विश्व युद्ध के बाद जब मुल्क आज़ाद हुआ तो हमारे पास पार्टीशन की वज़ह से रिफ्यूजी इन्फ्लक्स हुआ। यह उनका मामला है, मैं यह हिस्टोरिकल पर्सपेक्टिव में कह रहा हूं। शहरों में जब रिफ्यूजीज़ आए तो उनकी भी पुनर्वास करने की बात थी। इसलिए उस समय उसे टेम्परी एक्वायर किया गया। उनके पुनर्वास की जरूरत थी, लेकिन आपके उस समय के जो अधिकारी थे, तब के तमाम उसके डिसेंडेंट्स, आप जो खानदानी राज की बात करते हैं, तो यह आपका डिपार्टमेंट नहीं है, उन सबको 'कस्टोडियन ऑफ़ इनेमीज़ प्रॉपर्टीज़' के नाम पर वहां रखा गया है।

मैं समझता हूं कि जैसे आप लैंड एक्वीजीशन के बारे में फेयर बात कर रहे हैं, कानून में, कम से कम नाम में, और आप उसमें ट्रांसपैरेंसी की बात कर रहे हैं तो इस रिक्वीजीशन और एक्वीजीशन के कानून में भी 'ट्रांसपैरेंसी' शब्द लाना चाहिए और पारदर्शिता दिखनी चाहिए। यह पारदर्शी है, सिर्फ बोलने से नहीं होगा, बल्कि पारदर्शी दिखना चाहिए।

इतना कहते हुए मैं आप से क्षमा याचना करता हूं कि मुझे थोड़ी ऊंची आवाज़ में बोलना पड़ा।

**माननीय अध्यक्ष :** कोई बात नहीं।

**श्री मोहम्मद सलीम :** चूंकि बहुत हल्ला-गुल्ला में हमने अपनी बात शुरू की थी। लेकिन, आप देखिए, जब भी आप हमें बोलने का मौका देंगी, सदन शांत हो जाएगा। भविष्य में इस बात को आप ध्यान में रखें।

धन्यवाद।

DR. KULMANI SAMAL (JAGATSINGHPUR): Hon. Speaker Madam, thank you very much for giving me some time to take part in the consideration and passing of this Bill. I rise to speak on the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017 that aims to replace the Requisitioning and Acquisition of Immovable Property Act, 1952, with retrospective effect, that is, from 14 March, 1952, which is more than 65 years and four months ago, to be precise.

At the outset, I would categorically put it on record very clearly that this Bill aims to attain many goals with one stroke. I wonder 65 years and four months is too long a period to correct all the mistakes, all the damages done in between.

As per the Statement of Objects and Reasons of the Bill, the power to requisition immovable property for public purposes is provided under Section 3 of the 1952 Act and the power to acquire requisitioned property is under Section 7. The principles and method of determination of compensation for requisitioned property and payment thereof have been laid down in Sections 8 and 9 of the 1952 Act.

By proposing to amend Section 7 now the Government tries to jump over prolonged litigation traversing up to the apex court, when the interested persons are succeeding or have succeeded in getting a notice of acquisition quashed, they would-be bestowed with the unintended benefit of compensation for their property.

I am given to understand that this move has come after decades of litigation on a piece of land in Rajasthan for which the Government, if not wakes up now, might have been forced to pay more than Rs. 8000 crore. In addition, as per the Directorate General of Defence Estates, there are as many as 433 litigations due to land acquisition where the Government would have to pay a significant quantum of compensations to the owners.



Therefore, the main problem of faulty identification of a land which should not have been acquired in the first instance goes scot free. Similarly, faulty payment of compensation thereafter also goes unpunished. Therefore, by bringing in this legislation the Government is not eradicating the malady from its root but is trying to cover up the past deeds.

The 1952 Act has the provision that once the purpose for which the properties were requisitioned is over, it must be returned back to the owner in as good a condition as when the possession was taken. Under the 1952 Act when acquiring a requisitioned property, the Central Government has to issue a notification with regard to such an acquisition. Before issuing such a notice, the government has to provide the property owner an opportunity to be heard. The property owner at such hearing will have to provide reasons for why the property should not be acquired.

Now, this proposed amendment Bill provides that the Government may reissue the acquisition notice to the property owner to give them adequate opportunity for a hearing. This would be irrespective of any past court orders or judgments setting aside any past notices for acquisition. I do not know whether all the court judgements that have come in between have been properly addressed or not. I feel we must honour all the hon. Courts' orders in this regard.

The next interesting provision is about the interest payable on compensation. In the cases where a notice is reissued, the property owner or the person interested in the property will be entitled to the same annual rate of interest prevalent at any relevant time on the domestic fixed deposit offered by the State Bank of India as defined under Clause (g) of Section 2 of the State Bank of India Act 1955 on the compensation payable from the date of publication of the first notice till the final payment of the compensation. This will eventually reduce the financial burden for the Government.

As we all know, the Government is a collective group that works for the benefit of the public at large. I have no option but to support the proposed amendment Bill in its endeavour to amend the Act of 1952.

**15.00 hours**

(Hon. Deputy Speaker *in the Chair*)

Last but not least, the proposed amendments will take care of the cost variation of the land when they are sold due to non-completion of the projects by the Government.

I would thank my Party President and my Leaders for permitting me to put forth our views on this amendment Bill.

Thank you very much.

**श्री श्रीरंग आप्पा बारणे (मावल):** माननीय उपाध्यक्ष महोदय जी, स्थावर सम्पत्ति अधिग्रहण और अर्जन अधिनियम, 1952 का संशोधन करने वाला यह विधेयक यहां पेश किया गया है, मैं इस विधेयक का समर्थन करता हूँ।

माननीय उपाध्यक्ष जी, 1952 के अधिनियम के अनुसार केन्द्र सरकार रक्षा विभाग से जुड़े सार्वजनिक कार्य के लिए जमीन अधिग्रहण करती है तो इसमें एक शर्त है सार्वजनिक कार्य हेतु ली गई जमीन रक्षा विभाग और केन्द्र सरकार के उद्देश्यों के लिए उपयोग होनी चाहिए। पिछले 65 वर्षों में किसानों की बहुत सी जमीन अधिग्रहण की गयी। मेरे यहां पूना में दिघी, बोसरी, चरौली आदि क्षेत्रों में 1232 एकड़ जमीन रक्षा विभाग द्वारा अधिग्रहण की गई थी, उसमें से 750 एकड़ जमीन टाटा टेलीकॉम कंपनी को किराये पर दी गई है। रक्षा विभाग द्वारा अधिग्रहण की गई जमीन का उपयोग अगर रक्षा विभाग हेतु होता है तो ठीक है, लेकिन अगर रक्षा विभाग की जमीन दूसरे कामों के लिए दी जाती है तो जिस उद्देश्य के लिए किसानों की जमीन ली गयी थी, वह उद्देश्य पूरा नहीं होता है। आज भी देश भर में 222 प्राइवेट कंपनीज को रक्षा उत्पादन के लिए लाइसेंस दिए गए हैं। रक्षा विभाग की कंपनीज में रक्षा विभाग के लिए उत्पादन होता है। आज कई कंपनीज में भारत सरकार पूर्ण रूप से उत्पादन नहीं कर रही है और आज लगभग 143 ऐसी कंपनीज उत्पादन करती हैं। मेरी सरकार से मांग है कि सरकार को देश के रक्षा हित के लिए जितनी जमीन अधिग्रहण करने की आवश्यकता हो, सरकार द्वारा किसानों की उतनी ही जमीन अधिग्रहण की जानी चाहिए। जब किसानों की जमीन अधिग्रहण होती है और जिस एरिया में वह जमीन अधिग्रहण होती है, आज अगर उस इलाके में जमीन का भाव देखा जाए तो वह बढ़ता जा रहा है। इस तरह से इसमें किसानों का नुकसान होता है।

मैंने पहले भी सदन में यह बात उठाई थी, मेरे चुनाव क्षेत्र मावल में मिसाइल प्रकल्प के लिए केन्द्र सरकार द्वारा वर्ष 2003 में 190 एकड़ जमीन अधिग्रहण की गयी थी। आज तक उस जमीन का पूरा मुआवजा किसानों को नहीं मिला है। जमीन अधिग्रहण का काम स्थानीय कलेक्टर और वहां के स्थानीय अधिकारी करते हैं और केन्द्र सरकार को जमीन देते हैं। जिन किसानों की जमीन अधिग्रहण करते हैं, वे किसान आज तक कोर्ट के चक्कर काटते आ रहे हैं, कोर्ट में लड़ाई लड़ते आए हैं, लेकिन उनको न्याय नहीं मिला है। वर्ष 2013 में सुप्रीम कोर्ट ने एक जजमेंट दी थी कि रेडी रेकनर के हिसाब से किसानों को मुआवजा मिलना चाहिए। आज 65 वर्ष बाद सरकार कानून में यह प्रावधान लाई है, इसके लिए मैं सरकार को धन्यवाद देता हूँ। यह अच्छी बात है। अगर आज कानून में यह प्रावधान लाया गया है तो आगे चलकर निश्चित रूप से किसानों को इस हक के लिए कम से कम कोर्ट में नहीं जाना पड़ेगा।

माननीय उपाध्यक्ष जी, मैं आपके माध्यम से यह भी मांग करता हूँ कि आगे चलकर कोई किसान अगर अपने हक के लिए लड़ाई लड़ता है तो उसे कोर्ट में जाने का प्रावधान कानून में है। लेकिन सरकार में

ऐसा कानून होना चाहिए कि समझौता करके और अगर उसमें जमीन के बदले कुछ मुआवजा मिलता है तो यह कानूनी लड़ाई खत्म हो जाएगी और किसानों को अच्छी राहत सरकार द्वारा मिल सकती है।

दूसरे, जितनी जमीन का अधिग्रहण होता है, रक्षा विभाग के लिए जमीन का अधिग्रहण होता है, देश के हितों के लिए जमीन का अधिग्रहण होता है, लेकिन जितनी जमीन अधिग्रहीत हो जाती है, उसमें किसानों का कुछ फायदा नहीं होता। किसानों के अपने परिवार में अनेक जन रहते हैं। अगर आगे चलकर, ऐसे कोई प्रकल्प के लिए जमीन लेते हैं तो किसानों की उसमें भागीदारी होनी चाहिए।

आज कानून में प्रावधान है कि उसमें ब्याज मिलेगा। लड़ाई लड़ते हुए जितना समय जाएगा, उतने समय का उसमें किसानों को ब्याज मिलेगा। लेकिन ब्याज से किसानों के परिवारों का गुज़ारा नहीं होने वाला है। इसमें ऐसा प्रावधान होना चाहिए आगे चलकर इसमें कुछ तो किसानों की भागीदारी होनी चाहिए या उनको ज्यादा रकम मिलनी चाहिए या किसानों को सरकार द्वारा कहीं पर जमीन दी जाती है। किसान भूमिहीन नहीं होना चाहिए। यह बात मैं इसमें रखता हूँ।

अंत में, मैं कहना चाहता हूँ कि आज भी रक्षा विभाग के पास कई सारी ऐसी जमीनें हैं जो रक्षा विभाग की नहीं हैं। वे जमीनें आज भी कई किसानों के नाम पर हैं, लेकिन तब किसान अनपढ़ था, उसको मालूम नहीं था, रक्षा विभाग ने जब सबका सर्वे किया था, तब यह बात सामने आई थी। इसलिए जिन जिन किसानों के नाम पर वे जमीनें थीं और जिनकी जमीनों का सरकार द्वारा अधिग्रहण किया गया था और जिनको उन जमीनों का पैसा नहीं मिला, मेरा कहना है कि उनको आज के रेट से पैसा मिलना चाहिए नहीं तो सरकार द्वारा किसानों को जमीन वापस दी जानी चाहिए। इतनी बात कहकर मैं अपनी बात समाप्त करता हूँ। धन्यवाद।

DR. RAVINDRA BABU (AMALAPURAM): Thank you, Sir, for giving me this opportunity. On behalf of the Telugu Desam Party, we fully support this Bill.

Sir, where my colleague from Shiv Sena Party has ended, I will start from there. He was telling that stakeholding of the land acquisition by the State should also be with the farmers, that is, the original owners of the land. We have already done this in Andhra Pradesh. In Amravati, we have resorted to land pooling. We have pooled almost 25-30 thousand acres of land without any resistance, hitch or problem. We have acquired the land smoothly by making farmers the stakeholders. This can be emulated. My appeal to the hon. Minister is this. You can take some cue from Andhra Pradesh's experimentation of land pooling instead of forcibly acquiring through Act, legislation and enforcement. You can also requisition the land through friendly approach like we did it in Andhra Pradesh.

Sir, while introducing the Bill yesterday, the hon. Minister was telling about small farmers getting together and flocking together to form a land coterie. They will smell that this land is going to be acquired in future and therefore, they will go in for litigation. This price escalation usually takes place after 10-15 years. Then, there will be undue benefit. The unjust enrichment will accrue to the farmers or coterie. Hon. Minister, I have a small doubt. When you said like this, you have presumed that the small farmers will form into a coterie or one land mafia fellow will make them form into a coterie. Imagine the case of a small land holding farmer - not part of the coterie - who has to sacrifice his land. Suppose his land cost was not escalated to the extent it should have been when the land was requisitioned ten years back. However, if the acquisition is taking place after ten years, then the land cost would have escalated, but the benefit is not coming to the farmers. There is a hitch in the Act to not to give any escalated value to the farmer. What have they said in the Bill? It says that the price existing at the time of requisition will be paid to the farmers including the interest payable as fixed by the State Bank of India. This is the wording of the Act. I am very afraid that this will be detrimental to the small farmers. If there is any fraudulent coterie or a vested

interest coterie, fine; I agree with the hon. Minister but if there are *bona fide* farmers and small farmers who innocently held their land, then their land is taken away by the Government through this Act. So, some justice has to be done. Let us not assume everything as fraud. Let us not assume that everything is bad or negative. There can be positives also.

I would like to have one more clarification from the hon. Minister. He has said that this land acquisition is for the safety and security of the country. The safety and security of the country is ensured by the Defence as far as outside enemy is concerned. But what about the enemies within the country? There are enemies within the country also. The biggest enemy in the country is the poverty. The biggest threat to Indian fabric and secular fabric is communalism. The biggest threat to internal safety is poverty, dissents or the so called Left Wing Extremism in the tribal areas where exploitation is taking place. So, internal safety and security should also be ensured within the country. The safety and security of the people should be ensured.

Now, land is acquired for the purpose of building houses. For example, Telangana is building lakhs of houses. In that process, if they want to acquire some land, this also should be considered as internal safety and security because they are ensuring safety and security within the country. The Defence is the only agency to secure the country! I beg to differ because the people also form a major chunk of safety and security of the country. Therefore, to ensure safety and security of poor people, if the land has to be acquired for the purpose of poverty alleviation, this also should be included in this. For example construction of houses, educational institutions and health institutions for the purpose of public good is also a part and parcel of safety and security of the country.

With these words, I fully appreciate this Bill. I would like the hon. Minister to definitely address the apprehensions which I have raised on the floor of the House. On behalf of Telugu Desam Party, I fully support the Bill.

SHRI A.P. JITHENDER REDDY (MAHABUBNAGAR): Sir, I thank you very much for giving me this opportunity to speak on The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017.

Sir, on behalf of Telangana Rashtriya Samiti Party, we support the Bill. I would like to take this opportunity to draw the attention of the Government to certain issues that States face when it comes to land acquisition and a few problems that Telangana has specifically faced over the last few years.

I recently came across reports that the Government has started a process of making a central database of how much land it owns. It is an extremely welcome step and was a very long overdue. However, this tiring exercise will be useful only if these lands are put to good use. We have seen lands owned particularly by the Ministry of Defence and the Ministry of Railways remaining unused for decades together. I would request the Government to consider allowing State Governments to construct infrastructure and special welfare projects on these lands if these lands have remained idle for decades and the Ministry anticipates so in the coming years too.

The schemes of the Telangana Government like Double Bedroom Housing for providing houses to poor people would be a lot more feasible financially if unused Central Government lands were made available to us for construction.

I thank Dr. Ravindra Babu for recommending that the land should be given for Double Bedroom Scheme. He has seen that this scheme is already grounded. Very transparently, our Government has allotted double bedroom houses free of cost. We have not charged a single paisa from any person for giving double bedroom houses. But for poor people, whoever were homeless, on State Government owned land we have constructed houses, each house measuring 500 sq. ft. and provided them free of cost. If such lands are put to such use, then it would be very useful.

Very recently, the Ministry of Defence has agreed to give the Bison Polo Ground in Hyderabad for construction of the new Telangana Secretariat after

prolonged negotiations. I would like to highlight the difficulties in availing, not only unused Defence lands but also the lands surrounding a Defence establishment. According to the regulations, permission needs to be taken from the local military authority if the proposed construction is within 10 meters from the outer wall of any Defence establishment and in certain cases the restriction is up to 100 meters. High rise buildings are not allowed to be constructed within these limits and restrictions on heights are laid down. Earlier, the restriction limit applied up to 500 meters and we appreciated the decision taken by the Government to relax this limit. However, what I want to raise here is the problems that one faces when the proposed construction is just beyond these limits of 10 and 100 meters. The local military authority refuses to abide by the land records of the local administrative and revenue authorities. They themselves do not conduct any land survey and thereby it becomes a hindrance when a proposed construction activity is just outside the limits. These problems are basically more pronounced in the cantonment areas. These types of things are happening in Hyderabad Cantonment area. Earlier, the land was given to them on requisition by those people for reasons of war and all that. Now, there is a habitation of about 35000 people in that vicinity and all of a sudden they come down and put the barricades and declare that the roads are closed. It is not a good practice. The State and the people are ready to support and accommodate the requisition by the military, but they cannot come overnight with their guns totting and tanks and just say that the road is blocked and that they will not allow entry of people inside. That is not the way it should happen. A number of such problems in the cantonment areas have been brought to the notice of the Ministry of Defence. The problems have not been resolved. We wanted an alternative road. The proposal for the alternative road has already been given. So, these types of harassments should stop. I would like the Government to take a note of this issue and see to it that such practices stop.



The hon. Prime Minister has often talked about cooperative federalism. I would like to mention two things in this regard. Whenever Government makes requisition or acquires a land even for purposes of national security, it should take steps to take the State Governments into confidence. Unilateral decisions of acquiring a land without taking the State Government into confidence undermines the spirit of Centre-State relations as envisaged in our Constitution.

Secondly, I would like to request the Government to consider formulating a policy wherein land dealings between State and the Centre, should be an exchange rather than monetary purchase or lease. We had a very big problem negotiating the Bison land. When a land belonging to the Defence, which is a Government land, is given to the State Government, in return they ask for a land and in such cases, there should not be any discussion with regard to payment of money for that land. Equivalent land or double of the land that can be taken, but the Government should not consider the old registration rate of that land to the new registration rate that ought to prevail now and say that since today's registration rate of the land is more, the State Government, as per today's registration rate, has to give so much of land. That kind of a negotiation should not be there. Such a policy of land exchange instead of purchase of land would enhance and uphold the spirit of cooperative federalism in its true essence.

The hon. Minister while moving the Bill for consideration started off by saying that any sovereign State must have the power to requisition and acquire property for defence and national security purposes. While we completely agree with this, we also believe that a State should have the power to acquire property when it is meant for social welfare projects. We often see cases where acquisition is made in good faith and with fair compensation but still the acquisition is challenged and the social welfare projects get delayed due to litigation proceedings. I do want to go much into it as we have now come up with two major projects in Telangana. One is known as Kaleshwaram Project and the other is Palamuru Lift Irrigation Project. A lot of land acquisition has been done in

those projects. I would not like to go into it because we have amicably taken some decisions.

Just as the Central Government incurs a loss, the State Government too incurs huge losses due to prolonged litigation and compensation which have to be paid at the increased property rates. Not only does this result into financial loss, but also stalls social welfare and developmental projects.

We request the Government which is well versed with these issues to come up with a policy to address this matter.

Lastly, I would also like to take this opportunity to particularly highlight the huge land survey undertaken by the Telangana Government in September of this year under the leadership of KCR. It is a programme that none of the previous Governments have dared to take up. We deployed more than 10,000 Government employees to undertake a comprehensive land survey over a period of 100 days and clean the ill-maintained land records. The land survey was last done during the 1930s and those records continued to be in use till date. Change of administration and officials over these years has led to increase in irregularities and confusion. Today, more than 60 per cent of the cases pending in Indian judiciary are pertaining to land titles and land records. Such a survey will put these land disputes to rest. The land surveys were to be carried out across 10,806 villages and the total land to be covered was around 1.8 crore acres. We have already completed 92 per cent of the villages covering 1.5 crore acres of land.

I urge the Government to have a look at the programme. We have initiated and requested other State Governments to adopt similar measures in order to upgrade the land records.

Sir, I invite the hon. Minister for Urban Development to please visit Hyderabad.

THE MINISTER OF STATE OF THE MINISTRY OF HOUSING AND URBAN AFFAIRS (SHRI HARDEEP SINGH PURI): I have seen those projects when the Metro Project was inaugurated.

SHRI A.P. JITHENDER REDDY : Sir, have you seen the land survey also?

SHRI HARDEEP SINGH PURI: I have seen some of the projects.

SHRI A.P. JITHENDER REDDY : We have done the land survey. After 1930 till today, no Government has done it. About 10, 806 villages have already been surveyed today; 92 per cent has been surveyed. Now new title is being issued. New electronic passbook is being issued. If any land transaction has to take place, you can do the transaction online itself. You can make the payment online and get the mutation done online so that there will be no problem for any person regarding mediators. Such a step has been taken very boldly and daringly by the Government of Telangana.

I would request all the other State Governments to come and see and put their records straight.

SHRI VARAPRASAD RAO VELAGAPALLI (TIRUPATI): Sir, in the proposed Amendment Bill, it has been mentioned that the Government of India can acquire land in specific cases. Instead of using vague words like these, the Government may kindly come up with the specifications and they may mention them in the amendments.

Similarly, we suggest that acquisition could be done only with regard to defence and exclusively for defence purposes only. The other word they have used is the 'national security'. That might be misused. So, what we suggest is, it should be done only for 'defence purposes' and that too only if the Government of India takes it up. Tomorrow, in case the defence production is privatised by any means, the land should not be acquired for the private people. It also has been mentioned that in some cases the land could be acquired for the housing purpose. As the land would be taken away from the poor peasants and traditional communities, I suggest that for housing purpose this kind of brutal acquisition could be avoided when it comes to the poor peasants.

With regard to the issue of compensation, differential rate of compensation could be considered as a special case. Those who are very poor, like the peasants, traditional communities, like *adivasis*, the rates could be a little more, may be four times. It is because they have to part with whatever little land once for all and they can never afford to get it back. So, I suggest that the compensation could be more generous for the marginalised people.

There is a provision for 'personal hearing'. But who would be conducting the personal hearing is not indicated specifically. So, I suggest that the personal hearing should be conducted by not less than the District Collector. Then only it could be done in a fair manner.

When the value is fixed, I suggest that the market value rather than the guideline value could be considered so that the people who are parting with their land could be satisfied at least monetarily. In most of the cases, the Rehabilitation and Resettlement is not up to the mark. These poor people are displaced and they

are not provided with adequate resettlement packages. So, I suggest that these things could be incorporated in the Act itself while making the amendments to safeguard the interests of the poor people.

More importantly, if the lands are located at the periphery of the land being acquired and if the lands belong to the Scheduled Castes and the Scheduled Tribes, widows, and ex-servicemen, then the land acquisition could be avoided. There is a provision also for that because this Act should be read with the original Land Acquisition Act. So, if the poor people's lands are located in the hinterland, the land acquisition of these weaker sections should be avoided totally.

The annual rate of interest has been mentioned as that of the SBI fixed deposits. But it would be too small. As of now, it is only seven to eight per cent. The poor people would be badly affected. ... (*Interruptions*) My colleague who is an active Member is saying that it is less than six per cent. It should be minimum of 18 per cent because the poor people have to wait for too long and once they part with their lands, there is no other source of livelihood for them. So, it is extremely important that a minimum of 18 per cent of interest is paid to the land owners.

For lands which are not put into use, they have mentioned a period of five years. I think they should not take that long. So, if it is not put into use within two years, it should be handed over back to the poor people.

Crop season should always be exempted in case it is half way through. For the appeal the time period given is 21 days. That is too short in case of a Government appeal. Both in case of the Government appeal and court appeal, a minimum of 90 days should be provided. A farmer has to go and talk, etc. He may not be knowing that 21 days is the total period.

It is very surprising as to why this 65-years retrospective effect is given to such an amendment. Where is the need for that? It amounts to brutal use of the Government authority. It is because for the cases that are pending for more than 65 years, the Government is going to fix their own value. It amounts to great injustice. I do not see any natural justice in this case. They can acquire the land,

but the value should be fixed as per the present market value. A lot of Government land is available, but unfortunately they are not getting into the lands which are lying unused.

If a survey is done by the Government of India at the national level, those lands which are barren now could be put to use instead of taking away the fertile lands of the poor people.

Recently we visited the site of the Polavaram Project which is a national project. It is very unfortunate to hear the cries of the *Adivasis* whose lands have been taken away. But they have not been paid the compensation till date, nor have they been resettled properly. It is very unfair. They are very poor people. They cannot afford to go to court and fight against the Government. So, this kind of relief should be inbuilt to protect the interest of the poor people. The Government does not do anything deliberately to affect the interest of the poor people. Therefore, the poorest of the poor, the traditional communities, particularly the *Adivasis* and the Scheduled Castes should be protected.

Sir, whenever *Dharkast* lands are taken away, it is very unfortunate that the Government is not adequately compensating those people as if it is the Government's land. It is not true. If a person uses the land or if a person is assigned that land, I think it should be considered as his own personal *patta* land. So, if the compensation is paid, it should be paid at par with other *patta* lands.

Then, the right to property is extremely important. There is always a clash between the court and the Government. So, I would like to suggest that the right to property should be strengthened with particular reference to the poorest of the poor, particularly the *Adivasis*, the Scheduled Castes, the Ex-Servicemen and the widows. Then only the future generations of these people would be benefited. Thank you.

SHRI N.K. PREMACHANDRAN (KOLLAM): Mr. Deputy Speaker, Sir, I thank you very much for giving me this opportunity to take part in the discussion on a very important Bill, that is, the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017.

Sir, the Requisitioning and Acquisition of Immovable Property Act came into force in 1952. As the hon. Minister had stated yesterday in his opening remarks, since 1952, 11 amendments have been done and this is the 12<sup>th</sup> amendment.

First of all, I would like to seek a clarification from the hon. Minister. The Minister said yesterday that this 12<sup>th</sup> amendment is brought specifically for defence and national security purposes. I have a doubt on this point. The original Act of 1952 was to empower the Central Government to requisition any immovable property and for the public purpose of the Union Government and to acquire such property later. So, the sole purpose of the Act of 1952 was not specifically for any defence purposes or for any purpose relating to national security, but it is for any public purpose. The term 'public purpose' has a wider meaning and wider interpretation. So almost all the hon. Members here have stated that this is only for defence purposes and the purposes which are related to national security. It is entirely different and it has a wider meaning. So, I would like to get a clarification on this point from the hon. Minister.

SHRI KALYAN BANERJEE : All the Members have not said that.

SHRI N.K. PREMACHANDRAN : Most of the Members have said that.

Sir, kindly see the implication of this Bill. Section 3 deals with requisition, Section 7 deals with acquisition and Sections 8 and 9 deal with the quantum of compensation to be determined. These are the pertinent provisions and we are going to amend Section 7 of the original Act.

What is the history of this amendment? There were many complaints stating that an opportunity for hearing was not afforded to many persons whose properties have been acquired. They have not been provided with an opportunity

of hearing. So they went to the court and finally the hon. Supreme Court has given a verdict that since no reasonable opportunity of being heard has not been given, all these acquisition notices are being quashed. That means, no acquisition proceeding is pending now and it has come to a standstill. Now, the Central Government has come up with an amendment. The first notice is regarding requisition. That is according to Section 3. The second notice is coming under Section 7. It says that your property is going to be acquired, show cause as to why your property cannot be acquired or an opportunity be given for hearing so that you can substantiate your case. Here, Section 7 is going to be amended. A beneficial verdict was given by the hon. Supreme Court. It is a pro-people judgment given by the Supreme Court. When natural justice was denied to the poor property owners, the Supreme Court held that these acquisitions were invalid, illegal and all these acquisitions proceedings have been quashed. Yes, I do agree with the financial responsibility of the Government. Then, what is the next course of action according to this Act? According to this Act, the next action can be to issue a fresh notice. It means, the market value of the property will be counted or will be estimated or will be accounted on the date of the subsequent fresh notice. Now, the Government is coming with a Bill, which is having a retrospective effect since 1952, saying: "Yes, fresh notice will be issued. As it has been directed by the hon. Supreme Court, we will issue the fresh notice. But in ascertaining and calculating the compensation, you are only entitled for not less than six per cent of interest or the interest which is being determined on the fixed deposit by the State Bank of India, according to the State Bank of India Act". That means, the beneficial verdict given to the property owners is being limited and the Government wants to get rid of the Supreme Court judgement. Hence, I oppose this Bill.

Other provisions are also there. Kindly see them. Suppose, the acquisition notice has been issued in the year 1990 and subsequently the Supreme Court found that, that acquisition notice has not complied with the principles of natural justice.



Since, it has not complied with the principles of natural justice, the acquisition process has been found to be null and void and the notice is being quashed. That means, you have to initiate fresh acquisition proceedings. Instead of going for fresh proceedings, you are going to issue a fresh notice subject to condition saying: “Though a fresh notice is being issued, we are not going to commence the acquisition proceedings afresh and you are only entitled for the interest which is being provided by the State Bank of India on the fixed deposit.” We all know that land is a very important factor. We know that almost all the political developments and the social developments in the country are based on land. It is the prime issue of the socio-economic, political and cultural development of our society. It plays a very vital role in bringing prosperity in the country. We know that the Left Wing extremism, Maoist movement and the naxalite movement are based on land. You can also see the Nandigram issue and the Singur issue. We know the repercussions and impact of all these acquisition proceedings. That is why, in the year 2013, the then UPA Government has enacted a landmark legislation.

SHRI KALYAN BANERJEE : At that time, you fought against us.

SHRI N.K. PREMACHANDRAN : No, you do not know the stand of my Party. My party is having a distinct view on the Nandigram issue of West Bengal and you know it very well.

Sir, the 2013 Act is very pertinent. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, is still before the Standing Committee. Still, it is before the Joint Committee of Parliament. Such a landmark legislation is there. When acquisition is being taken or it is being considered, a fair and just compensation should be provided to the people who have suffered. It is also a mandatory responsibility of the society to see that the person who has suffered due to acquisition should be compensated in a proper way. So, that principle has to be adopted in the land acquisition proceedings. Thereby, I would like to say that this 2013 Act has to be brought into

force and the Committee, which has been appointed for scrutiny of this Bill, may be abolished and the Bill may be made final.

Coming to the Bill, the first provision (1A) is absolutely correct. According to the judgement of the Supreme Court, this proviso has been incorporated. Coming to the two provisos – the first proviso is regarding the annual rate of interest which is being prescribed; another one is about the enhanced compensation – I would like to seek clarification from the hon. Minister because the enhanced compensation with or without interest awarded by the court or other authority, before the date of commencement of the Requisitioning and Acquisition of Immovable Property (Amendment) Act, 2017, shall be subject to the re-issuance of a notice under this sub-section and shall be applicable only to the cases of land being acquired for national security and defence purposes. Even if the enhanced compensation is awarded by the land acquisition authority or any other court or whatever it may be, you are only entitled for enhanced compensation if the property is being acquired for national security purposes or for defence purposes. Then only you are entitled for enhanced compensation. Suppose the court has made a verdict that you are entitled for this much quantum of compensation, even if the court or the authority concerned makes an order of enhanced compensation for a property other than the property relating to national security or defence purposes, then one is not entitled for enhanced compensation. That will be subject to issuance of subsequent notice which means it will be having a retrospective effect to 1952. That is totally unfair. That is why I would like to say a benefit which has been given after the legal fight in the Supreme Court, a beneficial right which has been accrued to the poor people of this country, the Government of India, by means of this amendment, is trying to restrict and limit the right of the poor people who have relinquished their land for public purposes, for defence purposes. Hence I oppose this Bill and also I would like to seek clarifications from the hon. Minister on these aspects. Thank you very much, Sir.

SHRI M. UDHAYA KUMAR (DINDIGUL): Hon. Deputy Speaker, Sir, Vanakkam. The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017 seeks to amend the Requisitioning and Acquisition of Immovable Property Act, 1952.

The 1952 Act empowers the Central Government to requisition any immovable property and also to acquire them under certain specified conditions. Now, this Bill provides that the Government may re-issue the acquisition notice to the property owner, or a person interested in the property, to give them adequate opportunity for a hearing.

This would be irrespective of any past court orders or judgements setting aside any past notices for acquisition. However, the re-issue of notice will not apply to cases where compensation has already been awarded and accepted by the claimants. It has been introduced amid instances of persons interested in a property challenging the acquisition move citing that they were not given any opportunity for personal hearing.

According to the Government, there could be situations that result in prolonged litigations and if the apex court quashes the notice of acquisition, there might be astronomical hike in compensation amount on account of market value appreciation.

Sir, through a recent ruling, the Madras High Court has ordered return of 7.83 acres of land worth several crores of rupees now, at Maraimalai Nagar near Chennai to children of a freedom fighter. The court also ruled that the movable and immovable properties held by freedom fighters and defence personnel should never be acquired by Government for any purpose. That has been elaborately cited in the judgement recently rendered by the hon. Madras High Court.

There are instances of families or family members who have not received adequate compensation even after several years of their lands being taken possession by the Government for their projects. In certain cases, the lands taken

from the people by the Government have not been utilized to the full extent and the lands are still kept in Government possession as vacant lands.

There are also instances where the acquired properties had been utilized for other commercial purposes, much against the purpose for which the land had been originally acquired.

There are instances when the courts have directed the Governmental authorities to re-convey the lands to the original owners or their blood relatives when they found that the acquired land has not been utilized for the purpose for which it was acquired.

Against this backdrop, the Bill seeks to amend a Section of the Requisitioning and Acquisition of Immovable Property Act, 1952 to enable the Central Government to re-issue the notice of acquisition to the owner or such other person interested in the property, for the purpose of giving “opportunity of being heard”.

In cases where a notice has been reissued, the property owner will be entitled to an interest on the compensation payable to them. The interest will be calculated for the period from when the first notice was issued till the date of the final payment of compensation. This interest will be same as the annual rate of interest, prevalent at any relevant time, on the domestic fixed deposit offered by the State Bank of India.

With regards to the applicability of enhanced compensation, the Bill provides that such enhanced compensation will be awarded only if the acquisition notice has been re-issued, and the land is being acquired for the purpose of national security and defence.

The Governments in various States also have their own Acts with regard to the requisitioning and acquisition of immovable property and there are instances where the Centre has taken over the lands belonging to States, municipal corporations and local bodies/institutions for the purpose of defence and national security. Although there were hardly any legal entanglements between the Centre

and the States with regard to the acquisition and requisition of Government lands, I wish that the hon. Minister would clarify whether the State Governments, municipal corporations and local bodies also fall under the ambit of this Bill.

Thank you.

श्री नारणभाई काछड़िया (अमरेली) : उपाध्यक्ष महोदय, आपने मुझे सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) संशोधन विधेयक, 2017 पर बोलने का मौका दिया, इसके लिए मैं आपका धन्यवाद करता हूँ।  
...(व्यवधान)

HON. DEPUTY SPEAKER: This is not the Bill. You have to speak on the next Bill. You please sit down.

Now, Dr. Shrikant Eknath Shinde. You take two minutes.

DR. SHRIKANT EKNATH SHINDE (KALYAN): Sir, I will take five minutes.

HON. DEPUTY SPEAKER: You have to take two minutes only.

DR. SHRIKANT EKNATH SHINDE (KALYAN): Sir, thank you for giving me the opportunity to speak on the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017.

आज इस बिल में जो अमेंडमेंट किए हैं, अमेंडमेंट ऑफ सैक्शन 7, मैं इसके लिए सरकार को धन्यवाद देता हूँ कि आज बहुत सारी ऐसी जमीनें हैं। मेरे चुनाव क्षेत्र में भी नेवाई एक गाँव है, उस गाँव में 1600 एकड़ जमीन का नेवी ने अधिग्रहण किया है, लेकिन आज तक वहाँ के लोगों को काम्पन्सेशन नहीं मिला है। इस बिल के माध्यम से, इस प्रोविजन के माध्यम से आज लोगों के पास सुनवाई का मौका है और वह मौका इस बिल के माध्यम से लोगों को जरूर मिलेगा, मैं ऐसी आशा व्यक्त करता हूँ। मेरे चुनाव क्षेत्र के नेवाई में आये दिन आन्दोलन हो रहा है। दूसरे विश्व युद्ध के दौरान तब की ब्रिटिश सरकार ने यहाँ के किसानों की करीब 1600 एकड़ जमीन ली थी। महायुद्ध के दौरान डिफेंस कोआर्डिनेशन डिपार्टमेंट के नोटिफिकेशन के जरिए डिफेंस ऑफ इंडिया रुल्स के नियम 75 ए (एक) के अनुसार आदेश पारित कर रिक्विजिशन के तहत जमीन ली थी। उस नोटिफिकेशन में साफ लिखा था कि एक बार युद्ध खत्म होने के बाद छह महीने के अंदर वह जमीन किसानों को वापस दी जाएगी, लेकिन दुर्भाग्य की बात यह है कि आज सात दशकों के बाद भी उन किसानों को अपनी जमीन नहीं मिली है। वह जमीन उन्हें वापस नहीं दी गई है। गए जून महीने में वहाँ पर एक बहुत बड़ा जन-आन्दोलन खड़ा हुआ और उसके कारण काफी सारे किसान दो-तीन महीने के लिए जेल में चले गए। आज किसानों को अपने हक के लिए, अपनी जमीनों के लिए अपनी ही सरकार से लड़ना पड़ रहा है। यह हम सबका बहुत बड़ा दुर्भाग्य है। पहले यह जमीन वायु सेना के कब्जे में थी, अब कागजातों पर किसानों को बिना बताए नेवी का नाम डाल दिया गया है। बीच में एयरपोर्ट अथॉरिटी ऑफ इंडिया ने भी अपना दावा ठोका था। किसानों को बिना बताए पहले आर्मी, फिर नेवी, आर्मी से यह जमीन नेवी के पास कैसे गई और रिक्विजिशन से यह एक्विजिशन कैसे हुआ, इस पेपर की किसानों की माँग है, उसकी किसान हमेशा माँग कर रहे हैं, लेकिन सरकार की तरफ से कोई भी जवाब नहीं आ रहा है। हमने तब के डिफेंस मिनिस्टर पर्रिकर जी और स्टेट डिफेंस मिनिस्टर भामरे जी से इन किसानों की दो-चार बार मीटिंग भी कराई है, लेकिन अब तक यह मामला सुलझा नहीं है। मेरी इस सरकार से दरखास्त है, मंत्री जी से मेरी दरखास्त है कि यह जो बिल है, इस बिल के माध्यम से, जो किसान प्रभावित हैं, उन किसानों को अपनी बात रखने के लिए मौका मिलेगा। आज नेवाई में बीस गाँव ऐसे हैं, यह 1600 एकड़ का जो परिसर है, उस 1600 एकड़ में बीस गाँव बसे हैं। आप मुझे बताइए कि इन बीस गाँवों को आप हटाएंगे कैसे, इतने लोगों को हटाना मुश्किल है, लोग सालों से वहाँ पर खेती कर रहे हैं।

महोदय, मैं आपके माध्यम से कहना चाहता हूँ कि केन्द्र सरकार इस मामले को बहुत गंभीरता से ले और जो काम्पन्सेशन की बात है, केन्द्र सरकार कह रही है कि हम काम्पन्सेशन दे चुके हैं, लेकिन जो

पेपर्स हैं, वे पेपर्स अभी तक किसानों को प्रोवाइड नहीं किए हैं। वे पेपर्स किसानों को दिए जाने चाहिए। किसानों के साथ केन्द्र सरकार की एक मीटिंग होनी चाहिए और आज के रेट से उनको काम्पन्सेशन मिलना चाहिए। अगर उन्हें काम्पन्सेशन नहीं दे सकते हैं तो जिन लोगों की जो जमीन अधिग्रहीत की है, वह उन्हें वापस दी जाए। उसमें भी हम एक बीच का मार्ग निकाल सकते हैं कि अगर हम इसके बीच में स्टेट गवर्नमेंट को लाएं, स्टेट गवर्नमेंट के पास जो जमीन है, केन्द्र सरकार उनको कह सकती है कि एक बीच का मार्ग देकर जो-जो प्रभावित किसान हैं, उन किसानों को जमीन के बदले जमीन हम दे सकते हैं। इससे अच्छा मुआवजा किसानों के लिए कुछ नहीं होगा। मैं एक बार फिर से सरकार का बहुत-बहुत धन्यवाद व्यक्त करता हूँ कि आज इतने सालों के बाद एक प्रावधान, एक अमेंडमेंट इस बिल में लाया गया है। इससे किसानों को अपनी बात रखने का मौका मिलेगा। मैं एक बार फिर से सरकार को धन्यवाद देता हूँ। धन्यवाद।



SHRI HARDEEP SINGH PURI: Mr. Deputy-Speaker, Sir, 15 hon. Members have addressed different provisions of the Bill and some very valuable suggestions have been made. Since I am addressing this august gathering almost as a first timer, I had the privilege of introducing this Bill yesterday, I may not, by virtue of my own newness to the House and inexperience, be able to address each one of the points made, but I will try and address the more substantive points which have a bearing on the Bill.

One of the hon. Members said that this is an amendment – and I should add that this Act has already been amended on 11 earlier occasions and this is the 12<sup>th</sup> amendment – which is being brought for a very limited and specific purpose.

Then, I had mentioned, and one of the hon. Members also reminded me, that any sovereign State must have the power to requisition and then acquire land for the purposes of defence and national security. So, I want to repeat that. It must have that power. Otherwise, the sovereign State cannot perform its functions; it cannot provide security, the defence, which is a Central subject. But, at the same time, the State has a corresponding obligation and that obligation relates to the payment of compensation.

As I had mentioned earlier, when I introduced the Bill though somewhat hurriedly, that the State has no intention of not honoring that obligation. The State wants to pay compensation and it wants to pay fair and just compensation. But let me explain as to why this amendment has become necessary.

Section 3 provides for land to be requisitioned by the Central Government for national security and defence purposes. So, let there be no ambiguity. This is not a power of a State Government, or any other body cannot exercise it. But, it is the Central Government that does it.

Then, there is Section 7, which provides that the land or assets so requisitioned can then be acquired within a period of 17 years. The issue here is, the compensation which you pay is paid at the point of acquisition. That is the limited point.

Why is that point becoming relevant? It is becoming relevant because some parties, when they have their assets acquired, may either keep quiet about it for some time or they choose through collusion to go to the Court. As the hon. Member, Shri Ramesh Bidhuri suggested earlier, the person whose land is being acquired knows fully well that the land has been acquired by the State agency and it is a completely safe acquisition.

So, at what point do you pay compensation? According to the Act, you should pay compensation when the notice for acquisition is issued. But some people will go to the Court and challenge that notice for acquisition on the condition that they have not been provided a hearing. So, we have to remove that lacuna. But, let us hypothetically say that there is a five year gap between the first notice of acquisition and the second notice of acquisition. Will you pay compensation on the date of first notice of acquisition or on the date of second notice of acquisition when in the interim period because of Government intervention and because of the fact that the Government has brought substantive improvements to the land, the land value has shot up?

Then, one hon. Member said कि कम्पेनसेशन नहीं दिया जा रहा है, स्टेट बैंक ऑफ इंडिया का इंटेरेस्ट बहुत कम है। No, it is not a compensation or interest situation at all. In the interim period till you get your compensation, you will be paid interest according to the Fixed Deposit rate of the State Bank of India, which is between 6 and 9 per cent.

Let us say, in other words, taking a hypothetical case, you had your requisition done in 2000. But the notice of acquisition was challenged in a Court. The Court took up the challenge and it is coming up, let us say, 10 years later. There is one of two possibilities when you challenge it. The challenge is there because the party has not been provided an opportunity to be heard. You provide an opportunity to be heard and then the Court dismisses it. What does the Court do? The Court then will settle it saying that this is done. You pay compensation at the market rate prevailing in 2010 or in 2000. There is a substantial difference in

the rate in those 10 years. Another hon. Member brought up the issue of another Act which is the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act. That Act stays. You follow its provisions. This amendment is solely for the point of determining the date for the compensation to be computed.

**16.00 hours**

Will it be done on the date of the second or final notice for acquisition under Section 7? In case where the court dismisses the take over, the State has one or two responsibilities. If the amount of compensation being demanded is too high, the State should either pay it or the State should say that it foregoes the asset. In either case, there is no question of a poor farmer being deprived.

Let me also try and address some of the other concerns. There was a concern raised about the enemy within. I completely agree that when you are dealing with issues of national security, defence, that is the enemy slightly more visible across the border. Or, when our western neighbour unleashes terror as an instrument of policy, that enemy is not visible. But you have an enemy within - poverty. I have absolutely no doubt that terrorism actually thrives where there is poverty and you have to address that. That is something which the Prime Minister and this Government is trying to do through other schemes, like providing electricity connections free to the villagers, providing housing under Pradhan Mantri Awas Yojana, providing affordable housing for the economically weaker sections and providing housing for the lower income groups. That is an entirely separate category.

Mr. Deputy Speaker, Sir, in the kind of scenario we are dealing now, these are not poor farmers whose land has been suddenly acquired. The farmers may have at some stage been short-changed. I have no doubt about that. Somebody who has resources and who can use the system of the courts, acquires small parcels of land from farmers and pays them compensation which, I have no doubt, would not have been adequate or appropriate. That person, then, gets into a

situation with the State because of an acquisition under the Act of 1952. We are now trying to check that unintended benefit and profiteering which would accrue as a result of misuse of those provisions.

Sir, in other words, I welcome the wide-spread support that this Bill has received. I also believe that the doubts which had been expressed essentially stem from, perhaps, an inadequate appreciation of the provisions of this Bill. An hon. Member asked how it is only for national security and defence. It is clearly given in the proviso that it is only for national security and defence.

Also, a very important clarification, which might address some of the doubts, is that the Government has no intention to open up cases where compensation has already been provided and where the recipient has already received the compensation. So, there is no intention to open up those cases.

As I said, there are many more issues which have been raised. Some of them may not have a direct bearing or relevance on the Bill, but I did tell my colleague here that I will confine myself because you wanted to maybe take up the next Bill.

Also, I have another Bill coming and I think, one of the hon. Members has already foreshadowed that discussion.

With these limited words, I recommend and commend the Bill for adoption. Thank you very much.

HON. DEPUTY SPEAKER: The question is:

“That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952, be taken into consideration.”

*The motion was adopted.*

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

**CLAUSE 2                      Amendment of Section 7**

HON. DEPUTY SPEAKER: There are amendment Nos. 1 and 2 to Clause 2 to be moved by Shri N.K. Premachandran. Are you moving your amendments?

SHRI N.K. PREMACHANDRAN : Sir, I am not moving the amendments, but I want to seek one clarification.

Hon. Minister is reiterating the fact that it is only for national security and defence purpose. Only second proviso is regarding that. The other section is for all the public purposes. Please correct me.

SHRI HARDEEP SINGH PURI: I want to state for record that the 1952 Act deals with acquisition of land for public purposes.

I am not getting involved with it. This Amendment is specifically to deal with the Government of India's acquisition under Section 7 for national security and defence purposes only.

HON. DEPUTY SPEAKER: Okay. The question is:

“That clause 2 stand part of the Bill.”

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clause 1, the Enacting Formula and the Long Title were added to the Bill.*

HON. DEPUTY SPEAKER: Now, the hon. Minister may move that the Bill be passed.

SHRI HARDEEP SINGH PURI : I beg to move:

“That the Bill be passed.”

HON. DEPUTY SPEAKER: The question is:

“That the Bill be passed.”

*The motion was adopted.*

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**16.06 hours**

**STATUTORY RESOLUTION RE: DISAPPROVAL OF  
INDIAN FOREST (AMENDMENT) ORDINANCE, 2017  
AND  
INDIAN FOREST (AMENDMENT) BILL, 2017**

HON. DEPUTY SPEAKER: Now, we are taking Item Nos. 22 and 23 together. Shri Premachandran to move the Statutory Resolution.

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, I beg to move the Statutory Resolution :

“That this House disapproves of the Indian Forest (Amendment) Ordinance, 2017 (Ordinance No.6 of 2017) promulgated by the President on 23 November, 2017.”

THE MINISTER OF SCIENCE AND TECHNOLOGY, MINISTER OF EARTH SCIENCES AND MINISTER OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (DR. HARSH VARDHAN): Sir, I beg to move :

“That the Bill further to amend the Indian Forest Act, 1927, be taken into consideration.”

सर, लगभग तीन साल पहले, जब मैं साइंस एंड टेक्नोलॉजी मिनिस्टर बना, तब मैंने अपनी साइंस की लेबोरेट्रीज का अध्ययन सबसे पहले नॉर्थ ईस्ट में जाकर करना शुरू किया। उस समय बैम्बू के संदर्भ में, जो बैम्बू के प्रोडक्ट्स हैं, चाहे वह फैब्रिक हो, फूड प्रोडक्ट्स हों या फर्नीचर हो या विभिन्न प्रकार की रिसर्च के दूसरे आउटकम्स हों, मैंने उनको अपनी सीएसआर की लैब्स में देखा। उस समय बैम्बू की इम्पोर्ट्स को मैंने उतना ही समझा था, जितना एक साइंटिस्ट की निगाह से उसे मैंने देखा था। लेकिन अभी कुछ समय पूर्व, जब मुझे एनवायरनमेंट मिनिस्टर बनने का मौका मिला और इस विभाग से जुड़े हुए कानूनों को गहराई से समझने का मौका मिला, तब ध्यान में आया कि आज जो अमेंडमेंट इंडियन फॉरेस्ट एक्ट, 1927 में करने का प्रयास किया गया है, जिसे आज पार्लियामेंट के सामने रखा गया है। जिसके लिए कैबिनेट ने एप्रूव करके एक ऑर्डिनेंस भी लागू किया। गहराई से अध्ययन करने पर मुझे बड़ा आश्चर्य हुआ कि इतने गहरे और गंभीर विषय, जिसकी देश को इतनी जबर्दस्त आवश्यकता थी, शायद अगर अनेक वर्षों पूर्व यह संशोधन हुआ होता तो देश की इकोनोमी को बहुत ज्यादा बूस्ट मिला होता। इंडियन फॉरेस्ट एक्ट में यह संशोधन करने के लिए इस देश को वर्ष 1927 से वर्ष 2017 तक, यानि 90 साल इंतजार करना पड़ा।

हमारी नेशनल फॉरेस्ट पालिसी वर्ष 1988 में बनी थी और उसके अंदर बहुत सी बातें थीं, जैसे हम देश के अंदर अपना फॉरेस्ट कवर बढ़ाएं, ग्रीन कवर बढ़ाएं, ट्री कवर बढ़ाएं और अभी यह 24 प्रतिशत के आस-पास है, उसे बढ़ाकर हम 33 से 34 प्रतिशत तक लेकर जाएं। इसके संदर्भ में हम सभी ने संकल्प लिया था। मेरा सबसे पहले कहना है कि यह जो बिल है, हमारे देश में जो हमारा बहुत चिर-प्रतीक्षित लक्ष्य है, उसको कामयाब बनाने के अंदर इसकी बहुत महत्वपूर्ण भूमिका होने वाली है। मैं शुरूआत में केवल कुछ तथ्य आपके समक्ष रखना चाहता हूं और फिर सब लोगों की बात सुनने के बाद इस विषय पर और विस्तार से आपसे बातचीत करूंगा।

जो बैम्बू है, जिसके संदर्भ में यह आज का बिल है, अभी तक इंडियन फॉरेस्ट एक्ट 1927 के अंदर इस बैम्बू को परिभाषा के तहत ट्री की परिभाषा के अंदर रखा गया है जबकि साइंस के हिसाब से, टैक्सोनॉमी के हिसाब से यह ग्रास है। लेकिन 90 सालों तक यह ट्री की परिभाषा में रहा और उसके कारण सब प्रकार के सरकार के ऐसे कंट्रोल सिस्टम्स जिसमें बैम्बू के कारण जो गरीब लोगों को, गरीब किसानों को, हमारे ट्राईबल्स को या इसके साथ जुड़े हुए व्यवसाय से जुड़ी हुई छोटी-छोटी इंडस्ट्रीज को जिस प्रकार का बूस्ट मिलना चाहिए था, उस बूस्ट से वे इसलिए वंचित रह गये क्योंकि ट्री की परिभाषा में रहने के कारण इसकी कटिंग के ऊपर, इसके ट्रांजिट के ऊपर इतने प्रकार के गहरे कानून लगते थे कि किसी के लिए भी व्यावहारिक तौर पर इस काम को पूरे प्रोत्साहन के साथ, पूरे उत्साह के साथ कर पाना व्यावहारिक तौर पर संभव नहीं था। इसी तरह से यह जो हमारा **Scheduled Tribes and Traditional Forest Dwellers Act, 2006** है, इसमें भी इसको परिभाषा के हिसाब से माइनर फॉरेस्ट प्रोड्यूस का नाम दिया गया है। हमारा यह कहना है कि किसी भी प्रोडक्ट का जो क्लासिफिकेशन है, वह टैक्सोनॉमी के हिसाब से, लीगली भी और सोशली भी एकदम कॉमन होना चाहिए और इसलिए अमेंडमेंट के माध्यम से जो हमारा इंडियन फॉरेस्ट एक्ट का सैक्शन 2 का सब सैक्शन 7 है, उसमें जो ट्री की परिभाषा है, उसमें से बैम्बू को हटाकर बैम्बू से जुड़े हुए सारे व्यवसाय को, व्यापार को फॉरेस्ट कवर के साथ जुड़े हुए पॉजीटिव मूवमेंट को देश के अंदर स्ट्रैन्थन करने की सरकार की मंशा है। इस मंशा के माध्यम से हम इस बैम्बू मिशन से जुड़े हुए हजारों-लाखों करोड़ों लोगों को बेहतरी का जीवन देना चाहते हैं।

Sir, bamboo has been recognised as an important source of natural wealth as early as 4<sup>th</sup> century BC by Kautilya and it has been documented in Artha Sastra. It was popularly known as green gold or poor man's timber. Recently it has been elevated to the status of timber of the 21<sup>st</sup> century. I feel so sorry why this poor man's timber has been given such a raw treatment for almost 90 years. But thanks to the dynamic and the pragmatic leadership of our Prime Minister Narendra Modi

under whose guidance and inspiration we all work, we have now at least got to a position where we can think of something great happening on this front in this country.

Sir, just to place some facts before you and this august House I want to tell you that in terms of the area on which bamboo is grown in our country or for that matter anywhere in this world, we have the largest area in the whole world where bamboo is grown. And in terms of our genetic resource, we are second richest to China. China has something like 142 species of bamboo: we have something like 136 species of bamboo.

The total forest area in our country is 76.95 million hectares; only about 13.96 million hectares, that is about 18.14 per cent of it, are basically covered by bamboo. This is as per the 2011 report.

The production of bamboo in our country is 4.6 million tonnes but this is only fifty per cent of our requirement. Out of that, about 1.9 million tonnes are used by the pulp and paper industry which amounts to about 35 per cent. This is a very important industry.

I have the statistics of Madhya Pradesh where they say that one tonne of bamboo is equivalent to an income of Rs. 7,000. If we value this bamboo production outside the forest, it can further be increased after this amendment is passed by Parliament. At the moment it comes to about Rs. 71 billion. That is the potential; and that is what bamboo is, about which we are talking now.

One tonne of bamboo can give 350 mandays of employment to the country. Right now, 20 million workers or poor persons are involved somehow in bamboo-related activity.

I have to specifically mention about the North-East where I studied about bamboo in the science labs that it is a way of life for the people. I have seen some of the best furniture in some of my science labs produced from bamboo from the North-East. Out of 5.60 million hectares of land that we have in the North-East,



31.40 per cent is used for bamboo. This constitutes fifty per cent of the total stock of the whole country. It becomes important specifically for the North-East.

Bamboo is versatile and fast growing. Fifty per cent of it can be cut in three years. It acts as a big catalyst for the economy. If you start the intervention at the policy stage where we are starting today, going through the extraction, cutting stage, utilisation stage and further to the trading stage, it contributes to strengthen your household strategy and food security.

All of us know about handicrafts and various tools and implements like *hasua*, *khurpi*, *hal*, and *kudal*. I was just putting down a list of some of the important things that bamboo is actually giving to the society. I could draw a long list. I would just like to bring it to the notice of this House. I start from wood substitutes and composites including bamboo-based panels; bamboo flooring; bamboo boards; bamboo furniture; and incense sticks, where right now we see the *agarbattis* and such other things being imported from Vietnam which is unfortunate for us.

Apart from these, we have bamboo blinds, bamboo ply, veneers, strip boards composite with wood and jute. Then, even we have food products like bamboo shoots, vegetables, pickles and savour drinks. We have fodder like bamboo leaves. I am just completing this list. My friends are saying that I should talk about it later on. So, I will just complete this list and then, maybe continue with it after all of you have spoken. I just want to mention about the construction and the structural applications which include traditional houses, huts, bamboo frames with plastic and pre-fabricated houses, poles, paper mat, bamboo-based fibres, fabrics, fibres for yarns which are like anti-microbial and moist-absorbent. Fuel developing area is a new area where we use the bamboo charcoals. Then, we have bamboos for paper and pulp, fencing, scaffolding, handicrafts, utensils, baskets, mats, toys, wall hangers, pencils, decorative items, ropes, containers, agricultural implements, musical instruments, umbrella handles, fishing rods, screen wall plates, dulla fish baskets, pathi rain shields, poola, dala trays, pencil

holders, lamp shades, table mates, decorative fans, door screens, tools, vegetable baskets, shopping bags and of course, traditional medicine also. This is a small list out of the many things that this bamboo is producing. I will continue with my statement later on. Sir, what I wanted to emphasise is that it was so essential to make everything pertaining to bamboo growth in the non-forest areas easy for the people of this country to involve them, to give them employment and money and to see that they can stand on their own feet. Then, of course, it is essential to ensure that we are able to produce so many products and we can deliver them not only in India but also abroad. I have another list of the bamboo products which are transported or exported to countries as developed as America, Australia, England and so many other countries. There is another list.

Sir, I would request that this long awaited amendment to the Indian Forest Act, 1927 should be taken up in the right spirit by the hon. Members of the House. I am sure that whosoever will get into the depth of this issue, he will have a strong recommendation for passing it immediately and implementing it for the betterment of the countrymen.

SHRI N.K. PREMACHANDRAN (KOLLAM): Thank you very much, Sir. I was very eagerly listening to the advancement of arguments made by the hon. Minister who is a very nice gentleman and one of the close friends of ours.

**16.24 hours**

(Shri Ramen Deka *in the Chair*)

A deliberate silence was there regarding the issuance of the Ordinance. We have moved the statutory Resolution disapproving the promulgation of the Ordinance. It is a well-established constitutional position that promulgation of Ordinance under Article 123 can be done only under extraordinary circumstances, when the House is not in Session. It is an independent legislation brought out by the Executive and the Ordinance should be issued only under the compelling circumstances.

Further, Article 123 does not speak about replacement of an Ordinance by an Act of Parliament. Sir, the Government is deliberately avoiding the supremacy of Parliament and the legislative process. There are so many judgements. I am not going to quote all those judgements including some recent judgements of the hon. Supreme Court that speaks against the Ordinance route to legislation.

Sir, the recent Supreme Court judgement in Krishna Kumar *versus* State of Bihar case, a seven-member Bench of the Supreme Court has held that re-promulgation of Ordinance is impermissible and termed it as a fraud on the Constitution. Though it is related to re-promulgation of the Ordinance, there are strong and stringent observations against the Ordinance route of legislation. In the same case, the Supreme Court further stated that the Constitution does not permit the President or the Governor as a parallel law-making authority independent of Legislature.

Now-a-days, the Governor and the President are becoming the parallel law-making authority by means of promulgating ordinances day-by-day. That is why, the Supreme Court in the year 2017 has categorically said that the Governor and the President of the country can never be assigned the right to have the legislative process. Legislative process is the full domain of the Legislature. It is within the

purview of the legislature whether it is Parliament or the Legislature. I do agree that in certain extraordinary circumstances, in urgent necessity and in compelling circumstances, the Government is forced to promulgate an Ordinance. Such a provision is there under article 123.

Sir, let us now examine whether this Ordinance No.6 of 2017, *i.e.*, the Indian Forest Ordinance of 2017, will come within the purview of article 123 of the Constitution. This Ordinance was promulgated on 23<sup>rd</sup> November, 2017. I would like to specifically know from the hon. Minister what was the urgency and exigency in promulgating this Ordinance on 23<sup>rd</sup> November, 2017. Secondly, what compelling circumstances or extraordinary situations were there so as to promulgate such an Ordinance? There are no compelling circumstances or necessities. So, there is a cloud of suspicion that it is to protect somebody's interest. Otherwise, why could the Government not wait for ten days as the Parliament was being summoned in the month of December, 2017?

Normally, during the third week of November, we used to have the Winter Session of Parliament. Unfortunately, this time the Winter Session of Parliament was delayed not because of Opposition's fault or the Members of this House but because of the Gujarat Elections, the Government wanted to avoid discussion in Parliament on political issues. The Government did not want to have such a debate in Parliament. Therefore, the Government postponed summoning of Winter Session to 15<sup>th</sup> December, 2017. On 14<sup>th</sup> December, Gujarat elections were held and on 15<sup>th</sup> December itself, they have summoned the Parliament Session. So, it is not the fault of the Members. So, the delay in summoning the Winter Session is also a fault on the part of the Government. So, I do allege that promulgation of this Ordinance is lacking *bona fides*. I seek a specific answer from the hon. Minister.

Once again I would like to seek a specific answer from the hon. Minister as to what is the urgency, what is the exigency and what is the compelling circumstance or what is the extraordinary situation prevailing so as to promulgate

an Ordinance by which bamboo is taken out of the definition of tree under Indian Forest Act of 1927. Coming to the Bill, kindly see whether such an exigency was required for promulgating an Ordinance. The entire intention of the amendment to the Act is to omit bamboo from the purview of definition of tree in section 2 clause (7) of the Indian Forest Act of 1927. Now what is clause (7) of section 2? According to this clause, tree includes palms, bamboos, stumps, brush-wood and canes. Now kindly read clause 4 of section 2, sub-clause (i) regarding forest produce. The definition is that the forest produce includes trees, leaves, flowers, fruits and all other parts or produce of the trees.

Even the leaves of the trees, any produce of the trees will come under the purview of the definition of 'forest produce'. My suggestion is that we should read clause 2(vii) and 2(iv) together. If we read these clauses together, then we could find that if 'bamboo' is being omitted from the definition of the 'tree', then the implications of it are too much. The implications and also the ramifications of removing bamboo from the purview of the definition of 'tree' are very high.

Sir, the hon. Minister has rightly pointed out that this Act was enacted during the times of British India and it was aimed at consolidating the law relating to forest. There were three purposes for it. Firstly, consolidating the law relating to forest; secondly, transit of forest produce and thirdly, the duty to be levied on the forest produce. These were the three objectives of enunciating such a law by the Parliament in 1927. When bamboo is taken out of the purview of the definition of tree, as I pointed out just now, the ramifications of it would be beyond our imagination.

Sir, for example, I will cite Section 26 of the Act. Section 26 of the Forest Act says that any person causing any damage to a tree by felling or by cutting or by transiting or by any means, he is punishable with a fine and he is also punishable with imprisonment for six months, or fine or imprisonment both. Almost all the provisions of the Indian Forest Act deals with forest produce.

HON. CHAIRPERSON : Please conclude now.

SHRI N.K. PREMACHANDRAN : Sir, this is a Statutory Resolution as well as the Bill. Two hours have been allotted for this Bill.

HON. CHAIRPERSON: There is also the right to reply.

SHRI N.K. PREMACHANDRAN : I would not make such long reply then. I will conclude.

Sir, if you examine all the provisions of the Indian Forest Act, then you will find that there are trees and also forest produce. If you remove bamboo from the category of 'tree', then that will be affecting the forest produce. Kindly look at the contradiction. I think, the hon. Minister has been misled in this regard.

Sir, you may kindly refer to the Statement of Objects and Reasons of this Bill. I fully agree with the Statement of Objects and reasons of the Bill. Para 2 of the Statement of Objects and Reasons says that farmers are having hardship in getting the permits for felling and transit of bamboos within the State and also for outside the State which has been identified as one of the major impediments for the cultivation of bamboos by the farmers. This is the ground on which the Bill has been brought forward. The farmers are finding it very difficult to plant bamboos and cut and transport the bamboos.

The third para of the Statement of Object and Reasons states that in order to exempt bamboos grown on non-forest area from the requirement of permit for felling or transit under the said Act, it would encourage bamboo plantation by farmers resulting in the enhancement of their incomes from the agricultural fields. I fully agree with the Statement of Object and Reasons.

The hon. Minister in the Statement of Objects and Reasons have specifically stated that this is a matter which is affecting bamboos cultivated in non-forest areas. I fully agree with him. But the provisions of the Bill are confined to the Indian Forest Act of 1927.

HON. CHAIRPERSON: Please conclude now. There are a number of speakers to speak on this Bill and you have taken 10 minutes.

SHRI N.K. PREMACHANDRAN : Moving a Statutory Resolution is a right of a Member just like the hon. Minister moving the Bill. The Member who is moving the Statutory Resolution is also having such a privilege.

HON. CHAIRPERSON: The time allotted for this Bill is two hours. Please conclude now.

SHRI N.K.PREMACHANDRAN : Sir, I will abide by your ruling. I will conclude.

Sir, I have just come to the crux of the Bill. You are talking about non-forest areas in the Objects and Reasons but what is the amendment proposed? The amendment proposed is that the Forest Act is being amended. The ramifications of it are too high.

There are a lot of bamboo forests in our country and in my State also, there are a lot of bamboo forests. If this Bill is passed, no permit is required to cut, remove the bamboos and transit the bamboos which are cultivated in the forests. You may clarify this point afterwards.

Forest permission is required for it. Restriction of cultivation of bamboo in non-forest area has to be removed. That is my point and I have moved an amendment also in this regard. My amendment is that if bamboo is cultivated in the land other than the forests, it is all right but by this Bill, you are taking away bamboo from the definition of the tree and the definition of forest produce. In that case, we are going to convert a forest activity into a non-forest activity. This is my point and exemption is sought for the bamboo grown in the forest area because you are amending the definition of tree in the Forest Act. If this amendment is passed, no permit is required for felling and transiting bamboo as far as the forest produce is concerned.

Bamboo ceases to be a forest produce and regulations and rules regarding the conservation of forests in respect of bamboo are lost. That is the point which I am trying to highlight.

Coming to the significance of bamboo, you are an environmental expert and you are a scientist also and you may know that bamboo plays a vital role in the protection of bio diversity in forests. It is a major component in water conservation and prevents soil erosion. Bamboo is one of the ingredient plants in maintaining the forest eco system. The forest eco system is absolutely maintained by the bamboo structure. Further, it is a major feed for elephants, panda, deer and other animals. So, in the significant ruling of Goda Varma Raja case, the Supreme Court has held that once a forest is declared, it is a forest for ever. So, bamboo forest is there. Suppose bamboo is not a forest and not a tree and does not come under the Forest Act, definitely, the implication is too much. By this amendment, you are converting a forest into a non-forest activity. There are a lot of bamboo forests. As you have rightly said, adivasis or tribal people are not facing difficulty. The right to Forest Act which was passed by the then Government is there. They can very well use bamboo for handicrafts. They can very well use the forest products. It is a fundamental right which is given to the adivasis and the tribal population in the forests for which the Forest Act is also there.

In the name of protecting the interest of the bamboo farmers, it is being stated, subject to clarification, that it is brought for the industry. The Statement of Objects and Reasons and the contents of the Bill are totally contradictory.

Hence, I oppose the Bill and I urge upon the Government to consider my amendment so that the interests of the farmers can be protected.

With these words, I conclude my speech.



HON. CHAIRPERSON : Motions moved:

“That this House disapproves of the Indian Forest (Amendment) Ordinance, 2017 (Ordinance No.6 of 2017) promulgated by the President on 23 November, 2017.”

“That the Bill further to amend the Indian Forest Act, 1927, be taken into consideration.”

SHRIMATI BIJOYA CHAKRAVARTY (GUWAHATI): Sir, I rise to support the Bill. In fact, the amendment is highly necessary to throw away the lack luster haggard and rules and regulations which do not give any benefit to the poor farmers who grow bamboos.

I want to remind one point to the hon. Member who suggested various amendments. Is the hon. Member aware of the fact that bamboo is grown by the poor people and the tribal people and how much they are benefited? The Government has not permitted to cut forest trees in the forest area. The Government wants to give permission to cut bamboo and use it for the benefit of people in the non-forest land.

Another point is, wood products worth nearly Rs. 10,000 crore have to be imported from foreign countries. If bamboo is grown in such a way that can be easily done, then we can get it at half of the import price.

One more important point is, bamboo is being smuggled to Myanmar and Bangladesh. Thousands of crores of rupees worth of bamboos are exported. They cannot be stopped with all the old laws that continue for the last 70 years since Independence. So, a new set of rules is necessary and hence, this amendment is brought forward.

I do not expect that the hon. Member is anti-poor. If he supports the poor people and poverty stricken people, then he must support the Bill which may bring wonders to these people. The present amendment will serve as a huge piece of luck and a sort of bonanza for the farmers. It will not only improve the economy

but also enhance the ecological benefit. After this amendment, the handicaps faced by the farmers while planting bamboo in non-forest land will be free of various shackles to sell different products in different States and different parts of the country. It promotes exports too which will be highly beneficial for the economy also.

This move will surely enhance farmers' income as they are free to grow more and sell more of these products. Farmers will be highly inspired to grow more which they are not able to do at present. This will protect the environment too. As bamboo is economically viable, it serves as a cheap raw material. So, easily the cottage industries, etc. can be developed in the rural areas profusely. This mighty source of forest will be a real treasure especially for the poor people in particular and for the country in general.

Nobody has a vision as to how bamboo can improve ecological balance and side by side improve the plight of the poor and the needy. The constant thinking along with apt vision by our Prime Minister, hon. Modi ji, has made it possible. This neglected resource can be a luck changer to the right kind of people of the country.

Bamboo belongs to the grass family. It is a fast growing plant. It has more than 1,400 species. It is highly versatile and quick renewable resource. In the midst of present change in climate, we feel the urgent need to provide innovative responses to this far neglected and far resourceful product. We consider it as a product of rural area and a product of village people. So, nobody cared about it.

Now, the present Government under the leadership of Shri Narendra Modi ji, and our hon. Minister is thinking very seriously to change the luck of the people.

Prime Minister Modi's challenge is uplifting the downtrodden people who live in far off villages, tribal populated areas and they will be benefited by this amendment. Even after long years of Independence, no Government has thought about it positively to do something in this area. Not only this, bamboo has a

cultural and emotional status in various societies and now it will be a great treasure too.

We know that bamboo grows in rain-fed areas. It easily grows in North-Eastern region, Bengal, Odisha, Karnataka, Bihar and in other parts of the country sporadically. We use it in various ways. The hon. Minister has mentioned it. So, I do not like to repeat it.

In the western parts of the country, the bamboo is used as Huggies or nappies for the babies and it is used as napkins by the girls also. It is a highly useful material and they export to various parts of the world. So, our Ministry can think of it in that way also.

It must be admitted that by amending the Forest Act, the Government has almost alleviated the sufferings of the people because farmers are crippled by the red-tapism and by the middle men too. These are the largest hurdles which come in the way of the poor people. By this amendment, Prime Minister's dream project of skill development will get a great boost. It will serve as a spanner for the cottage industries in a large way as this raw material is very cheap in comparison to other ones.

It will help in community development too as huge revenues will be generated. These funds will be available to be used for various development projects which are meant for the needy people. By this move of the Government, farmers will get incentive to grow more bamboo. I must mention one point that the Government should be cautious that big businessmen and big business houses do not exploit these poor farmers taking advantage of the free trade. So, proper market facilities should be made available to the poor people to encourage them to grow bamboo. Therefore, I would request the hon. Minister that it is very necessary to give support price initially to farmers who want to grow more bamboo in non-forest areas.

Then, serious research work on bamboo should be undertaken. In Meghalaya, some research on bamboo is being done, but it is not done seriously.

So, efforts should be made to promote research and also export of bamboo should be promoted with modern technology which can be brought from outside so that our bamboo products can be exported to different parts of the world.

Finally, I would like to congratulate the hon. Minister for taking steps to rejuvenate this sector which has long been neglected. With these words, I support this Bill.

SHRI G. HARI (ARAKKONAM): Mr. Chairman, Sir, the Indian Forest (Amendment) Bill, 2017 replaces the Indian Forest (Amendment) Ordinance, 2017 and amends the Indian Forest Act, 1927. The Act consolidates laws relating to forests, transit of forest produce and the Duty to be levied on them. Under the Act, the definition of tree includes palms, bamboos, stumps, brushwood and canes. The Bill amends this definition of tree to remove the word 'bamboos'. Since bamboo is defined as a tree under the Act, its inter-State movement requires permit when in transit to other States. Consequent to the amendment, felling or transportation of bamboos grown in non-forest areas will not require any permits.

Bamboo is the most important non-wood forest product and bamboo, in India, is known as the poor man's timber. It is a valuable raw material for the booming bamboo industry. During the last 15 to 20 years, bamboo has developed as a substitute for wood. Bamboo may replace wood in many industrial applications and thereby contribute to the saving and restoration of the world's forests.

Bamboo is a major construction material in many countries, particularly in rural areas. It can be used for almost all parts of houses, including posts, roofs, walls, floors, beams, trusses and fences. People also use bamboo to produce mats, baskets, tools, handles, hats, traditional toys, musical instruments and furniture.

Bamboo has great potential for economic and environmental development and also for international trade. Engineered bamboo may well replace wood, steel and concrete in many uses. Activated bamboo charcoal can be used for cleaning the environment, absorbing excess moisture and for producing medicines. Houses made of engineered bamboo have certain advantages. They can be packed flat and transported long distances at a reasonable cost. They are better designed and environment friendly. Bamboo materials are widely available and can be cultivated at low cost.

The Forest Ministry had, for long, classified bamboo as a tree despite its scientific description as a grass. The classification ensured that under the Indian

Forest Act, 1927, bamboo remained under the firm control of forest departments and the tribals got very little benefit.

Bamboo is an intrinsic part of Northeast culture where they eat, sleep and use bamboo daily. Northeast has 45 per cent of global bamboo reserves. But historically, bamboo has never got the recognition it deserves. We are still following the very old Indian Forest Act, 1927. The Act also places various transport and permit related restrictions on plantation grown bamboo. Thus, the trade in bamboo is severely restricted. But the same does not apply to other forest and plantation products like rubber, coir or tea. Unless bamboo is given the same status, the bamboo industry cannot grow as we desire.

The Northeast Region can supply 90 per cent of the bamboo needed for many sectors. Thousands of rural families can be employed if we reform our policies.

In India, there are five different ministries looking after bamboo. There should be a single commodity board for bamboo, just as we have a Tea Board and a Coir Board. Bamboo is a strong and an earthquake-resistant material. A country like Costa Rica has a national bamboo housing policy. But in our country bamboo is not considered in housing rules and building codes. Why cannot we use Government projects like Indira Awaas Yojana to provide bamboo houses to the rural poor?

Bamboo is a versatile non-wood forest product and also known as poor man's timber. It is a material which accompanies one from cradle to grave. Bamboo is the base for a broad range of rural and semi urban cottage industries that provide livelihood for the rural poor. The Bamboo market across the world is of USD 10 billion out of which USD 5 billion go to China even though India is the second largest producer of bamboo in the world after China. It is estimated that the world market of bamboo will increase to USD 20 billion but India's bamboo market is limited to Rs. 26,000 crores only.

Another great importance of Bamboo plant is its nutritional and medicinal value, especially, in the cases of hypertension, cholesterol and diabetes. In order to meet the growing requirement of timber, bamboo has become fast growing resource. Bamboo is an ideal, innovative and environment friendly natural resource which is also being used for clothing, shelter and for oral consumption. Bamboo is useful for sustainable development of rural and tribal economy.

Successful marketing of bamboo products is the need of the hour. We have to explore new markets within and outside the country. People who are living in villages know the importance of bamboo. If we continue to consider bamboo as part of forest, then nothing will improve. We have to consider it as part of agriculture. Bamboo can lead to economic development of our nation. From fuel to fodder, from meal to medicine, from arrow to airport, bamboo and its products are used. Bamboo habitat is spread from Kanyakumari to Kashmir and from Gujarat to Assam.

There is an urgent need for setting up of the National Bamboo Board to promote it as a brand and market bamboo outside. The cultivation of bamboo on private land has to be encouraged.

I hope, this Bill will ensure a better scope for bamboo market in the country and provide the much needed economic growth for the people in the remote villages and tribal lands.

Thank you.

SHRIMATI APARUPA PODDAR (ARAMBAG): Thank you, Sir. I rise to speak on the Indian Forest (Amendment) Bill, 2017. The Bill has replaced the Indian Forest (Amendment) Ordinance promulgated by the President of India on November, 23, 2017.

The Indian Forest Act, 1927, which is the parent Act for the above Bill, seeks to consolidate laws relating to forest and transit of forest produce. As has been discussed, the present Bill seeks to amend the definition of “Trees” by omitting the word ‘bamboo’ from its definition under Section 2, sub-clause 7. The persons producing bamboo would no longer need State permits during transit and selling of bamboo in other States.

Sir, there exist conflicts on the status of bamboo under different laws. Our colonial era law, the Indian Forest Act, 1927, classified bamboo as tree and fallen bamboo as timber. This was contrary to the scientific classification of bamboo as “Grass” which our hon. Minister has already mentioned. Had it been considered ‘grass’, bamboo would be exempted from many restrictions in cutting and transportation. Although we have a Forest Rights Act, 2006 which classifies bamboo as non-timber, the States have largely applied restrictions on bamboo transit in line with the 1927 Act.

This brings me to another issue. Some States in the country have their own set of laws governing forests. I would like to mention here that this Amendment does not affect the State laws and rules. Thus, in all practicalities, we may end up seeing no change on how bamboo is transported and sold. I wish to ask the Government whether the States have been given the freedom to decide whether permits for bamboo movement are required. Or, are the States expected to follow the amendment being moved, if passed by the House? There is a need for simultaneous change in the laws of all the States to avoid any future uncertainties. This would reduce the burden on farmers for whom the main source of livelihood is bamboo production. India has the largest area under Bamboo cultivation and it is the second richest country in terms of bamboo genetic resources after China.



This Bill will generate demand for raw material leading to plantation of bamboo tree on non-forest land, providing employment and encouraging growth of small and medium industry in villages and small towns also.

According to my understanding of the text of the Bill, the amendment pertains only to the definition of 'trees'. However, according to the Statement of Objects and Reasons, the amendment is in order to exempt bamboos grown on non-forest lands. I would like to ask the Minister as to why the Amendment is not drafted to that extent to shed light on the aspect of de-regulation of bamboo for 'non-forest lands'. Is this a patent drafting error from the side of the Government or an attempt to make unseen changes in law? I would request the Government to make change to clarify its position. Also, most bamboo production occurs within forest lands. How are we supporting the cause of helping our farmers if they would not get the benefit of it? The Government should ponder over a solution of the same. The solution should be in line with the environmental considerations and farmers' welfare.

Bamboo has over 1500 documented uses varying from light bulbs to aircraft manufacturing. India has about 30 per cent of bamboo resources. However, our market share in the global market remains roughly about four per cent. The bamboo sector employs 10 million people, which has the capacity to employ 50 to 129 million people. The need is to harness the domestic and global potential of bamboo use to increase income of our farmers.

Lastly, Sir, I would like to reiterate the disapproval of the process of enacting the Bill. Through you, I urge upon the Government to control its desire of issuing ordinances time and again. This has the effect of bypassing the Parliament's lawmaking powers. The ordinances are becoming an alternate tool of legislation under the present Government.

With these words, I conclude. Thank you, Sir.

**17.00 hours**

SHRI THATHAGATA SATPATHY (DHENKANAL): Sir, I wish to get my opposition to this Ordinance being turned into a Bill right at the outset. My prime question as Mr. Premachandran has very eloquently put it is: ‘who actually in this country has benefited in this period between 23<sup>rd</sup> November when the Ordinance was passed by the President and today 20<sup>th</sup> December, 2017? In the Ordinance, it clearly states “whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action”. What are these circumstances? What are the conditions under which the Government has advised or compelled the hon. President to take such an action eventually which has been brought into Parliament a month later? Could it not have waited? My personal feeling is this. Please take no offence hon. Minister Sir. You have been misguided by your officials or due to some other extraneous pressures which is not in the interests of, what we are hearing, for the poor and the needy farmers. It is not in their interests. If you remove bamboo from the Indian Forest Act, how do you suppose that it will be saved and you will be able to grow more bamboo? Are you trying to tell us that by creating an atmosphere where there will be privatisation of bamboo been grown? The country will see a greater growth in bamboo clumps or bamboo forests? Will there be more economic activity because privatisation will take place? Is privatisation the only method that we are being told is the panacea to all the evils which faces the forests and the jungles of India? The Indian Forest Act, 1927 actually no longer holds a pre-eminent position in the Indian Forest Law. Most States, including my State of Odisha, Maharashtra, Karnataka, Madhya Pradesh, all of them, have enacted their own Forests Acts and rules. I have, of course, not been that fortunate enough to read the Gujarat Forest Act, but never mind. Gujarat probably is no more your model State that you would like me to refer to it because the *Gujaratis* have been very smart and they have told the whole nation how the country should behave in the future. Amending the IFA does not really, in my opinion, affect the forest

laws which the States have enacted and, therefore, this does not change anything at the ground level. It may be true that the British rulers had included bamboo which is scientifically or botanically, I am not sure, whatever is the right word, is of the grass family. There is no doubt about it. There is no second opinion about it. But why did they do it? It is not that they were eager just to control forest for their financial benefits. They also probably saw, I have a sneaking suspicion, I have nothing to prove my statement but I have a sneaking suspicion that they probably did it because they foresaw how bamboo was relevant for Indians and especially for the tribals and the marginal farmers and they probably took more care of our people than we are doing at present.

In this amendment, the Central Government has put in a caveat that this deregulation does not apply to bamboo grown on forest lands. It is only applying to bamboo grown on non-forest lands. What troubles me is, suppose a truck loaded with bamboo crosses a forest check gate, how does the guard come to know that this bamboo that is being loaded in the truck and is being transported elsewhere, whether it is to Bangladesh or to other parts of India or to Mizoram or to Nagaland or to Odisha or from Odisha to Andhra Pradesh or wherever it is, which land this particular truckload of bamboo comes from? What is your definition? How do you differentiate it? Or, how do you make that forest check guard differentiate it? It is because what I find is that the Government does not take a holistic view or does not take a larger picture/view of the problems facing this country. You are acting exactly like the bureaucrats do.

I remember when I was an MLA in the early 90s' when the late Biju Patnaik Ji was the Chief Minister of Odisha, we had a Million Well Programme. In the Million Well Programme, they were giving off just doles, giving out Rs.35,000 to small and marginal farmers who had landholdings of maximum one-and-a-half acres, and the caveat there was, your well should be 35 feet deep. So, when they started digging wells in Dhenkanal, Angul and in other parts of Odisha, I realised one thing that it is some *babu*, not bamboo—do not give bamboo to everybody—

some babu sitting in the Central Secretariat in Delhi who has decided that this is the depth where you will strike water, and that water they strike probably, maybe, in Punjab or maybe, in other Indo-Gangetic plain areas but in places away from riverbeds, you do not get anything at 35 feet. I am sure even here in Delhi also—you are a Delhi resident; you are a leader of Delhi and you would know better Sir—if you dig 35 feet, you would not get water. You will only get the drain water and nothing else beyond that.

So, this also is indicative that you probably have been misguided or extraneous elements have come into play by which this Ordinance has been promulgated in such a manner, and now we are being forced to pass it as an Act. As you might know, Sir, in regard to bamboo and products coming from bamboo, like bamboo shoots, you have two ways. You have the expensive Chinese restaurants. You can go there and eat Chinese bamboos or bamboo shoots cooked in a Chinese manner. But in my State, there are Adivasis who eat bamboo shoots as a regular dietary supplement. There are also indications which a bamboo clump gives. I am not aware how many people are aware of this. There is a very long dry spell when rains will be disturbed and crops might be affected. You will find bamboo gives out a kind of paddy, *chawal*. The bamboo flower gives off the greens. I know it because I have eaten it myself and it is really tasty. The people eat it and it is very nutritious.

**17.08 hours**

(Hon. Deputy Speaker *in the Chair*)

So, when you are allowing this differentiation, what you are doing is, you are actually striking at the stomach of the poor and the smallest of the farmers. It is wrong to say or you cannot say like you cannot take the name of Jesus, Holy Christ and get away with anything. Similarly, you cannot always say that it is for the poor and for the needy farmer. The farmer does not really require our compassion. They do not require our *daya*. They want us to keep away and leave them alone. They know how to fend for themselves. The farmer was here long before we, the so-called elite, came up on this land, pillaged and damaged it. So,

let us respect the farmers; let us respect the poor; let us not talk to them like they are below us; and let us take care of them. Sir, I think it would be in the right spirit of things if you will take back this Bill, get into the details, work out the details as to how it can be implemented properly and then re-introduce it again. Do not make this Ordinance be forced to the gullets of Parliament.

Also, please let us know what are the Acts or who are the beneficiaries between 23<sup>rd</sup> November and 20<sup>th</sup> December, 2017. Why was this done in such a hurried manner? Thank you, Sir.

SHRI MUTHAMSETTI SRINIVASA RAO (AVANTHI) (ANAKAPALLI): Mr. Deputy-Speaker, Sir, I rise to support the Indian Forest (Amendment) Bill, 2017. It is a simple Bill. It would put an end to the need for getting permission to transport bamboo.

Under the Act, the definition of 'tree' includes palms, bamboos, stumps, brush-wood and canes. The Government has brought this Bill to amend this definition to remove the word 'bamboos'. It is proposed to waive off the requirement of permission for felling or transportation of bamboo grown in non-forest areas for economic use. I am sure this amendment will encourage farmers and other individuals to take up bamboo cultivation under agro-forestry mission. This step will go a long way in enhancing the agricultural income of farmers and tribals, especially in Northeast and Central India and, to some extent, in the tribal areas of Andhra Pradesh.

India has the largest area under bamboo cultivation and is the second richest in terms of bamboo genetic resources after China. This amendment to the Bill is actually in line with the objective of doubling the income of farmers, besides conservation and sustainable development.

Before this amendment, the felling and transit of bamboo grown on forest as well as non-forest land attracted provisions of the Indian Forest Act, 1927. At that time, the Government convinced that the amendment and the resultant change in classification of bamboo grown in non-forest areas will usher in much needed and far-reaching reforms in the bamboo sector.

Sir, some of the other benefits of amendment include enhanced supply of raw material to the traditional craftsmen of rural India, bamboo based paper and pulp industries, cottage industries, furniture making units, fabric making units and incense stick making units.

Apart from promoting major bamboo applications such as wood substitutes and composites like panels, flooring, furniture and bamboo blind, it will also help

industries dealing with food products like bamboo shoots, construction and housing, etc.

Sir, the amendment Bill will also greatly help in the success of recently constituted National Bamboo Mission. We are currently importing timber and allied products such as pulp, paper and furniture, etc. So, this will save valuable foreign exchange.

Before I conclude my speech, I want to give a small piece of advice to the hon. Minister. All of us also have to think about the pollution. Everyday we read about it in the newspapers, especially in Delhi and other metros. It is the responsibility of all of us, the representatives and the Government. We have to make the tree plantation activity mandatory in urban areas.

In Andhra Pradesh, under the guidance of our hon. Chief Minister we spend every second Saturday in tree plantation activities. So, it is very much necessary for all of us to control pollution and help in maintaining the ecological balance throughout the country. That is why, I request the hon. Minister to focus on tree plantation as well. Though it is not related to this Bill, I wanted to give this piece of advice to the hon. Minister.

With these words, I reiterate my support to the Bill. I thank the hon. Deputy-Speaker, Sir, for giving me this opportunity.

SHRI JITENDRA CHAUDHURY (TRIPURA EAST): Hon. Deputy Speaker, Sir, the Bill brought by the Government for amending the Indian Forest Act in order to treat bamboo as grass instead of tree, as is mentioned in the original Act, is a welcome one. Of course, this is a right step being taken by the Government and I do appreciate that.

Sir, simply changing the treatment of bamboo as grass instead of tree, I think, will not suffice. There are so many things which are being manufactured with bamboo in our country. Hon. Minister also in his preliminary speech made the statement that India is the second richest in bamboo resources in the world, next only to China. In India, there are 125 indigenous and 11 exotic species belonging to 23 genera. Out of the huge resources we have in India, about 60 per cent grow naturally in the North-Eastern region.

When some of my learned colleagues participated in the debate, they talked about the legality or illegality of bringing this legislation here. I am not going into that; I am going into the other aspect of bamboo. In the eastern part of our neighbouring country, China, bamboo has become the main source of their economy. Bamboo is the source for industry as a raw material and an economy worth billions of dollars is being generated there out of bamboo. Also, billions of people, right from bamboo growing stage to its industrial use stage, are being engaged. In India, why is bamboo not treated with that objective to see how it can be economically utilized for the benefit of our people? I would like to cite an example from my State of Tripura.

Sir, as you know, in the early eighties, the entire hill areas, where the tribals were inhabiting, got infected with insurgency. Then, the Government introduced rubber plantation in the hill areas because rubber is an exotic plant in our part of the country. In Tripura, rubber is a major source of economy in the hill areas, and mostly the tribals and very small and marginalized farmers are growing it. In combating insurgency, this economic activity through rubber has helped a lot. It has become a game changer. On similar lines, I would like to emphasise today that



in the North-Eastern region and rest of the country where bamboo is being grown, like Andhra Pradesh and other States, bamboo should be taken up for uplifting the economies of those regions by setting up industries based on bamboo. There should be done an R&D exercise in this regard. A separate wing can be established in the Ministry of Commerce and Industry. In India also, we can have a huge industry and consequently employment generation out of that.

In addition, since bamboo grows naturally – it is another debate whether it is tree or grass – it does not require much of expenditure on fertilizers, insecticides, pesticides etc. The only thing is that it has to be processed in a time bound manner and you have to put in place the technology so that it can be used. It is very unfortunate that the subject of bamboo in our country is dealt with by several Departments and several Ministries. Of course, it comes under the Forest Ministry to see to it whether it is tree, grass or species. The Forest Department takes care of its production only and no other thing, like how economic activities and employment generation could happen with the help of bamboo. The Forest Department does not have any thinking on that.

During the UPA's time, the NMB has been created under the Science and Technology Department, and sometimes this subject has also been dealt by the Agriculture Department. Here, what we have seen is that crores of money has been spent. Some of our experts, scientists and even some bureaucrats have travelled across the globe and delivered lectures, but nothing has happened on the ground as to how best these resources could be utilised for the economy and for employment generation. This was not done.

Secondly, I would like to request that since bamboo is growing in the hilly areas and almost 60 per cent of the bamboo resource is in the North-Eastern Region, now after the enactment of the Forest Right Act for the right of the tribals and traditional forest dwellers, automatically bamboo has been treated as a minor forest produce in the Forest Right Act. While it is declared as a minor forest produce, the tribal communities that live in the hilly / forest areas where the

bamboo grows naturally are exempted from some taxes, etc. that are imposed. I think that it should be maintained, namely, in the hilly / tribal areas where the *adivasi* people are living and where the bamboo is growing, and they can have their income generated out of it.

In this Parliament itself the CAMPA Bill has been amended. Earlier, huge amount was stuck up and it was thought as to how to release the fund, and there the amendment has been made and main role has been framed, etc. But what do we find here? It is seen that the money that is made available under CAMPA should be spent for re-plantation and also for these forest areas where the indigenous people and the *adivasi* people live.

What are we witnessing today? We are witnessing that the CAMPA money instead of being used for afforestation activity is being used for other activities in the Forest Department, which is not benefiting the forest dwelling people / the *adivasi* people and other people.

I can cite another example. Of course, this amendment is aimed for the benefit of the people and also to see how the bamboo resources can be further expanded and production further increased. In our country, the most important ingredient of the incessant stick comes from the North East and mostly from my State Tripura. Some 6-7 years ago, more than 60 per cent of the incessant sticks used to go from Tripura and Assam to the mainland of Karnataka, Andhra Pradesh and Sivakasi where the incessant sticks / agarbatti, etc. were produced, but now day by day the supply of incessant sticks from the North East is getting reduced. We have examined as to why it is happening and what is the reason behind it. Are Andhra Pradesh, Karnataka or Odisha and other bamboo growing States supplying the incessant sticks? Of course, bamboo is there, but in Andhra Pradesh and Odisha incessant stick making has not started in that way and still its source is the North-Eastern Region.

What are the other sources that reduced supply from the North Eastern Region? Now, it is coming from Vietnam and some other Asian countries. Why

is the industry importing incense sticks from Asian countries, from Vietnam in particular? That is because the import duty on incense sticks was, like on many other ingredients, 30 per cent earlier and it has been reduced to almost zero. While the incense sticks from Vietnam come to Indian on ships, incense sticks from the North-East travel to the mainland by road in trucks. As a result, their transport cost is higher. As a consequence, the very poor people in the North-Eastern region are losing their jobs. I would like to say to the hon. Minister that while it is very positive that the amendment has been brought, mere bringing it will not suffice. Bamboo has to be optimally utilised in our country. We are the second richest in the world as far as bamboo is concerned. The application of bamboo should be scientifically, commercially thought out with a long-term plan so that the forest dwelling people, the tribals are benefited. If that is done, it will be a game changer for the most backward regions of the North-East. I think the Government of India will support us on that and in the future in collaboration with Commerce and other Departments, not only the Environment Department but in totality, bamboo should be thought of. That way we can really do justice to the resources and we can really do justice to our economy and also generate employment.

Thank you.

SHRI KONDA VISHWESHWAR REDDY (CHEVELLA): Thank you, Sir, for the opportunity.

When you take a piece of wire and pass electricity through it, it becomes hot and sometimes it glows. Thomas Edison actually saw this and he realised that he could actually create light out of electricity. Then he tried everything on earth, he tried copper, he tried aluminium, he tried iron, he put them in a glass bulb, and it was glowing but not giving out enough light. Then he burnt a piece of bamboo strand, it became carbon and he put it in a glass bulb, and when it glowed, it gave out light. Let that same light shine upon us and decide what is in the best interest of the country, best interest of the poor tribals and best interest of our economy.

Actually, Sir, to be very frank, we came here trying to support the Bill. That light has really shone, Sir, when two people have enlightened us. Premachandranji has enlightened us and Satpathy-ji and a few others have enlightened us. Today, after being a little more enlightened, we decided that this Bill needs a review. This definitely needs a review because it is also suspect. What is the reason, it has now become a habit, for taking this route of Ordinance and pushing a Bill in the Parliament with such urgency? That itself raises suspicions. After having heard luminaries in the Parliament here, I would say that while the objects and reasons for bringing this Bill are very valid, the Bill itself conflicts with its own objects and reasons. So, I think we probably have to review it, probably send it to a Committee, and we need to have another opportunity to have a better Bill presented in the Parliament.

While Thomas Edison created light out of a bamboo strand - we have been to the North-East in the Industry Committee earlier this year – thousands of tonnes of bamboo is being burnt in NTPC power plant as a substitute for coal. The farmers there get Rs.1000 a tonne. The same tonne of bamboo which I wanted to import to Telangana, for a reason I will explain later, costs about Rs.10,000 to Rs.15,000 a tonne. The value which is Rs. 1,000 in one part of India is Rs. 12,000 in another part of India. We wanted to get a few truckloads of bamboo

costing only about Rs. 20,000 but the transportation cost was Rs. 2 lakh, which is about ten times more.

We need to focus on other areas. If you really want to develop bamboo, let us focus on those areas of improving transportation, reducing exports, and improving the khadi and village industries. Every time we go to the North-East to buy bamboo when Karnataka, Tamil Nadu and Telangana are also growing bamboo. This is because the bamboo industry promoted by the KVIC is in a dismal state. So, if our interest is to promote bamboo and bamboo industries, let us look at these aspects.

An hon. MP was speaking about the *agarbatti* or incense sticks. It is not only about incense sticks but Hyderabad is famous for kite flying. Next month, we are all going to fly kites. The spines of the kites are also imported. The shipments of bamboo for incense sticks have reduced from the North-East but increased from Thailand and Vietnam. So, let us focus on these areas.

We can focus on the River Brahmaputra as the means of transportation. If the River Brahmaputra were to be used as the means of transportation, we can make it legal by making an amendment to the Act without changing the definition because it has a much larger impact as Shri Premachandran and Shri Satpathy had mentioned. Let us focus only on that area. You are concerned only about the non-forest bamboo. Let us focus on discussions with Bangladesh for getting the bamboo transported down to the ports and supply to the whole of India at lower costs. That will have a huge impact on the bamboo industry.

Shri Tathagat Satpathy spoke about the bamboo shoots as a food source. It is a Chinese delicacy. It is available in the Chinese restaurants but in the tribal areas also they eat it. I also remember a Chinese torture. They make you eat bamboo shoot curry. When you eat that curry, the bamboo goes into your stomach.

It expands the pain causing severe pain; ultimately, it will burst open the stomach and kill the prisoner. So, let this Bill be not one of those Chinese tortures where we pass this Bill today and tomorrow it kills the bamboo industry.

Thank you very much, Sir.

**श्री सुनील कुमार सिंह (चतरा) :** माननीय उपाध्यक्ष महोदय, भारतीय वन अधिनियम में संशोधन करने के लिए भारतीय वन (संशोधन) विधेयक, 2017 लाया गया है। मैं इसके समर्थन में बोलने के लिए खड़ा हुआ हूँ।

मेरे से पहले बहुत-से विद्वान सदस्यों ने अपनी बातें कही हैं। मैं चाहूँगा कि यदि समय की मर्यादा हो, तो आप मुझे बोलने के लिए थोड़ा समय दें। मैं संसदीय कार्य मंत्री जी से भी आग्रह करूँगा कि इसके लिए थोड़ी अवधि बढ़ाएँगे क्योंकि अब तक देश को पता ही नहीं चला होगा कि सदन में बहस किस बात पर हो रही है। मुझे नहीं लगता है कि बम्बू के बारे में पूरा देश जानता होगा। मैं सदन में इस विधेयक के माध्यम से, जो 'बांस' की परिभाषा बदली गई है और जिस 'बांस' को जानने वाले हमारे ट्राइबल्स, हमारे किसान, गाँव में रहने वाले दूर-दूर बैठे लोग हैं, उन तक अपनी बात पहुँचाना चाहूँगा।

एक सवाल उठा है कि यह टाइमिंग क्यों, लेकिन यह किसी ने नहीं पूछा कि 90 वर्षों तक एक औपनिवेशिक कानून चलता रहा और उसे बदला क्यों नहीं गया। अंग्रेजों की नीयत के बारे में आज सुनकर बहुत अच्छा लगा कि उन्होंने कुछ कानून हमारे लिए बनाए थे।

महोदय, हम तो यही जानते थे कि बांस के माध्यम से कागज बनाने के लिए यूरोप में ले जाने के लिए इस पर रोक लगाई गई थी। बॉटनी और बाकी पाठ्यक्रमों में जिसे घास कहा जाता है, उसे आप ट्री कहते थे। आज जब उस परिभाषा को ठीक करने का वक्त आया है, तो टाइमिंग पर संदेह और सवाल उठ रहे हैं। निश्चित रूप से यह एक महत्वपूर्ण और ऐतिहासिक निर्णय है। वर्ष 2022 तक हमारी सरकार ने माननीय प्रधान मंत्री नरेन्द्र मोदी जी के नेतृत्व में यह निर्णय लिया है कि हम किसानों की आय को दोगुना करेंगे। इस संबंध में किसानों की आय को दोगुना करने के मसले में जितने भी उपाय हैं, खास कर जो छोटे-छोटे काम हैं, उनके माध्यम से हम इस काम को पूरा करेंगे।

महोदय, हम छोटे लोग हैं। हम इन छोटे-छोटे कामों और इस देश की छोटी जनता के माध्यम से अपने देश को वैश्विक शक्ति का केन्द्र बनाना चाहते हैं। आज हम 43 हजार करोड़ रुपयों से ऊपर विदेशी मुद्रा टिम्बर के लिए व्यय करते हैं। यह टिम्बर विभिन्न क्षेत्रों में उपयोग में आता है। इसकी परिभाषा बदली जाएगी। लोग कहते हैं कि यह खाने के काम में आता है, लेकिन उन्हें यह नहीं पता है कि बांस की खेती में यदि लगातार कटाई नहीं होगी, तो बांस फलेगा नहीं, फूलेगा नहीं और उसकी खेती नहीं हो सकती है। बांस की खेती इस वजह से कम होती जा रही है।

महोदय, मैं जिस क्षेत्र से आता हूँ, आज वह 40-45 प्रतिशत जंगल का क्षेत्र है। मेरे झारखंड के चतरा लोक सभा क्षेत्र में तीन-तीन रिजर्व फॉरेस्ट्स हैं। वहां का बेटला फॉरेस्ट साल लकड़ी और बांस के उत्पादन के लिए प्रसिद्ध है। इस कारण यह निर्णय शक्तिशाली और स्वावलंबी भारत के निर्माण की दिशा में बहुत अच्छा कदम है। आज तक हमारे ट्राइबल किसानों को जो हक नहीं मिल सका, वह इसके माध्यम से

मिलेगा। बांस की खेती में यदि सिल्विकल्चर ऑपरेशन और हारवेस्टिंग की प्रक्रिया लगातार नहीं चलेगी, तो बांस की खेती स्वतः मर जाएगी। यदि किसी को यह देखना है, तो मैं उसे निमंत्रण देता हूँ कि वह मेरे साथ चलकर बेतला फारेस्ट और पलामू टाइगर रिजर्व में इसे देखे।

महोदय, यह आवश्यक है कि हम इसके माध्यम से किसानों को प्रोत्साहन दें। इसके लिए मैं माननीय मंत्री जी से यह आग्रह करूँगा कि उनके पास जो रिजर्व फॉरेस्ट्स हैं, जिन में 'सिल्विकल्चर ऑपरेशन' और 'हारवेस्टिंग' का काम इन दिनों बंद हो गया है, उसकी प्रक्रिया में तेजी लाई जाए ताकि लगातार कटाई से उसका उन्नयन हो सके।

महोदय, मैं संक्षेप में कहूँगा कि इस परिभाषा में जो शब्द हटाया गया है, उससे निश्चित रूप से बांस की खेती में बहुत बढ़ोतरी होगी। मैं यह बात इसलिए कह रहा हूँ क्योंकि मेरे क्षेत्र से बांस डालमिया नगर की फैक्ट्री में जाता था। आज यह फैक्ट्री बिहार में है, परंतु परिवहन के रिस्ट्रिक्शंस के चलते डालमिया नगर स्थित यह फैक्ट्री बांस न मिल पाने के कारण बंद हो गई। मेरे क्षेत्र का बांस उद्योग अपने स्टेट में नजदीक में कोई पेपर मिल न रहने के कारण समाप्त हो गया। आसपास के राज्य जैसे कि ओडिशा में बांस का उत्पादन होता है। ओडिशा मेरे यहां से बहुत दूर नहीं है, लेकिन हमारे किसान अपने बांस को वहां नहीं ले जा सकते थे। इस नियम के माध्यम से निश्चित रूप से किसानों को लाभ होगा। कई लोगों ने इस संबंध में बहुत सी बातें कही हैं। इन बातों को ध्यान में रखते हुए मैं सिर्फ यह बताऊँगा कि 1 टन बांस लगभग 350 लोगों को रोजगार उपलब्ध करवाने में सक्षम है। आज हमारे यहां बांस का लगभग 10.50 मिलियन टन स्टॉक पैदा हो रहा है। इससे 2 करोड़ लोगों को किसी न किसी रूप में काम मिला हुआ है।

महोदय, संयुक्त राष्ट्र संघ के औद्योगिक विकास संगठन के आकलन के अनुसार अकेले उत्तर पूर्व-नॉर्थ ईस्ट क्षेत्र में जिसमें भारत का पूर्वी भाग शामिल नहीं है, वहां यदि बांस की खेती को प्रोत्साहन दिया जाए, तो वहां लगभग 5 हजार करोड़ रुपये का कारोबार होने की संभावना है। इसके माध्यम से उत्तर पूर्व के क्षेत्रों की अर्थव्यवस्था में सुधार का काफी स्कोप है। हमें इस ओर भी विचार करना चाहिए।

माननीय मंत्री जी ने इसे पूअर्स टिम्बर, ग्रीन गोल्ड कहा है और यह सही भी है। आज पूरे विश्व की अर्थव्यवस्था में बांस का योगदान 12 अरब अमेरिकी डॉलर से अधिक है। इसलिए इसकी सम्भावनाओं के बारे में सरकार को विचार करना होगा और बांस की खेती को हर राज्य में हर क्षेत्र में प्रोत्साहन देना होगा।

महोदय, चूंकि समय का अभाव है, अन्यथा मैं अपने क्षेत्र के बांस की खेती और उत्पाद की विस्तृत जानकारी सदन में रखता ।

महोदय, सत्पथी जी ने बांस से उत्पन्न होने वाले खाद्य पदार्थ के बारे में बताया कि वह पैडी की तरह होता है। उनको मैं बताना चाहता हूँ कि यदि बांस की लगातार कटाई नहीं होगी तो वह उत्पन्न नहीं होगा। बांस भोजन का स्रोत है और 100 ग्राम बांस के बीज में 60 ग्राम से अधिक कार्बोहाइड्रेट और 265



कैलोरी ऊर्जा होती है, इसलिए हम इसको अल्टरनेटिव फूड सोर्स के रूप में भी उपयोग कर सकते हैं। बांस की खेती तीन से पांच साल में उपज देना प्रारम्भ कर देती है। अन्य फसलों में सूखे, कीट और बीमारियों का असर होता है, लेकिन बांस की खेती पर कीट और सूखे का अधिक प्रभाव नहीं पड़ता है और बांस अन्य पेड़ों के मुकाबले 30 प्रतिशत अधिक ऑक्सीजन छोड़ता है और कार्बन डाइऑक्साइड खींचता है। साथ ही, यह पीपल की तरह दिन में कार्बन डाइऑक्साइड खींचता है और रात में ऑक्सीजन छोड़ता है, इसलिए इस दृष्टि से भी यह मानव के लिए उपयोगी है। इसीलिए इसके माध्यम से खासकर झारखण्ड जैसे राज्य में जहां चतरा, लातेहार, गिरिडीह, जमेशदपुर का चाकुलिया में इस कानून के माध्यम से एक परिवर्तन आएगा और इस कानून के माध्यम से इसकी खेती को आगे बढ़ाने में सक्षम होंगे। एक हेक्टेयर में पांच मीटर की दूरी पर अगर बांस के पेड़ लगाए जाएं तो 330 कॉलम लगेंगे जिसमें लगभग 1650 से 2970 बांस का उत्पादन होगा जो झारखण्ड जैसे राज्य में 80 से 100 रुपये में बिकता है, जिसकी कीमत किसानों को प्रति हेक्टेयर कम से कम 1 लाख 32 हजार से 2 लाख 37 हजार 600 रुपये मिलने की सम्भावना है। इसलिए माननीय प्रधानमंत्री जी के नेतृत्व में डॉ. हर्षवर्द्धन जी जो बिल लेकर आए हैं, वह देश की अर्थव्यवस्था और किसानों के योगदान से भारत को दुनिया में सिरमौर बनाने का एक उपाय है।

बाँस के अनेक प्रकार हैं। मैं माननीय मंत्री जी को बताना चाहूंगा कि कुछ राज्यों में बांस की कुछ प्रजातियों पर रोक लगा दी गयी है। मेरे पास झारखण्ड सरकार की एक अधिसूचना है, जिसमें उन्होंने बांस को तो मुक्त किया है, लेकिन बांस की एक प्रजाति जिसे *Dendrocalamus strictus* कहते हैं; इसे आम बोलचाल की भाषा में लाठी बांस कहते हैं, जो बहुतायत में वहां पायी जाती है। अगर इसका कल्टीवेशन न हो तो वह समाप्त हो जाती है। इसलिए इसका ध्यान रखना है कि इस पर रिस्ट्रिक्शन न लगायी जाए। इस पर बहुत रिसर्च हुई है, खास तौर से मेरे क्षेत्र में स्थित विनोबा भावे विश्वविद्यालय, हजारीबाग के प्रध्यापकों श्री दिवाकर प्रसाद निराला, एस.सी. जैन और फालो कुमारी ने पूरे क्षेत्र में बांस के उत्पादन पर अनेक रिसर्च किए हैं, जो जर्नल्स में भी आए हैं। समय का अभाव है, इसलिए क्वोट नहीं कर पा रहा हूं। अंत में मैं बांस की उपयोगिता पर उस रिसर्च से क्वोट करना चाहूंगा -

“Bamboo provides cradle to coffin by utilization in every possible way. Many cultural traditions and customs in North Chota Nagpur are ultimately connected with bamboo. Even today, bamboo continues to find new uses. It is a major source of income and encouragement of bamboo cottage industries in the North Chota Nagpur may increase the economic level of the poor people. Bamboo is one of the most important and precious plant resources for the people of North Chota Nagpur division of Jharkhand. It provides food, fodder, fuel, housing and shelter for indigenous community of tribal people. It is the part of life for poor people.”

मैं अंत में एक ही बात कहकर अपनी बात समाप्त करूंगा कि समग्र और एकात्म विकास के लिए आवश्यक है कि एथिक्स एजूकेशन यानी टेक्नोलॉजी, इकोनॉमिक्स, इकोलॉजी और इनवॉयरमेंट की इंटीग्रेटेड अप्रोच चाहिए और इसके माध्यम से इसी इंटीग्रेटेड अप्रोच में हम टेक्नोलॉजी का सहारा लेकर बांस के उत्पादों को वैश्विक स्तर का बना सकते हैं और बांस के माध्यम से चतरा, लातेहार, गिरीडीह, पलामू, गढ़वा और चकुलिया जैसे क्षेत्र की गरीब जनता, किसान, आदिवासी, पिछड़े समुदाय को एक नया जीवन दे सकते हैं। उनकी आय को बढ़ा सकते हैं, धन्यवाद।

SHRI PREM DAS RAI (SIKKIM): Mr. Deputy-Speaker, Sir, thank you for giving me this opportunity to participate in, what I call, a very important amendment Bill, the Indian Forest (Amendment) Bill, 2017. It is basically a very simple amendment which seeks to remove the definition of 'bamboo' away from the definition of a 'tree'. This has been done by just removing it from Section 2 (vii) of the Indian Forest Act of 1927.

Sir, much has been said about bamboo. But let me just give you one example. On 18<sup>th</sup> of September, 2011, the State of Sikkim witnessed the biggest earthquake which measured almost 6.8 on the Richter scale and caused a lot of havoc throughout the State. There was not only loss of life and property but the entire communication system, telephone communication, mobile telephony was disrupted as well as disruptions on land. What happened then was the resilience of the Panchayats were brought to bear and the single grass that significantly helped everybody during that particular period was bamboo. Bamboo, therefore, is such a resilient species of grass that it could be used as disaster risk reduction resource. I must say that even today we have the Mantham lake which was created out of a landslide and people from one part of North Sikkim were completely cut off, even though there are roads on the other side because of the formation of this particular lake. What did the people of that area do? They made a bamboo bridge over that particular lake and are able to now cross on foot. This is the quality of this particular species and to unleash it from all kinds of regulation is, I think, the most important piece of legislation that I have witnessed for a very long time.

Sir, it also validates the point that in the year 2014, I had brought an exact Private Member's Bill. Therefore, it is one of the most significant things that, I think, has happened in Parliament that a Bill which was brought as a Private Member's Bill, exactly the same has now been brought forward by the Government for passing. I am not sure whether this has anything to do with what the hon. Minister quoted that the inspiration came from somewhere else, but hopefully something also came from this. But the background to this and my own

participation in this discussion is that I have done enough research on the subject. I have done research; we had sent out people, researchers into the whole of the North-East. They had visited several States including Tripura, Nagaland, Arunachal Pradesh and Sikkim and found that the problems that were related were mainly regulatory.

Let me also inform the hon. Member from Tripura that there are reasons for the high cost and the low demand of transportation of incense sticks. When bamboo has to cross borders, even streams and other places, the amount of rent-seeking behaviour that is seen along the transportation chain is just too much. Therefore, the cost of transportation actually goes up.

Hence, I agree completely with some of the Members here that we need to take a very holistic approach and that approach is definitely required but the first and most significant step is to actually redefine bamboo or take it away from the definition of tree which the colonial powers had wanted us to do in their own way.

I have a lot to say but I can see you shaking your head which means that I have to conclude shortly.

The Indian Forest Act, 1927 wrongly classified this as already stated. But there are subsequent Supreme Court orders which stand contrary to the classification and it is important for us to look at them.

Firstly, the Panchayats (Extension to the Scheduled Areas) Act, 1996 (40 of 1996) directs the State Governments *vide* section 4 (m) (ii), to ensure that the panchayats at the appropriate level and the Gram Sabhas are endowed specifically with the ownership of minor forest produce. However, 'minor forest produce' is not defined in the Act.

In a clarification by the Supreme Court *vide* its orders dated 12.12.1996 in *T.N. Godavarman Thirumulkpad versus Union of India*, it said the orders "does not cover minor forest produce, including bamboo, etc." Here, bamboo is considered a minor forest produce.

While realising that this order may have serious implications in National Parks and sanctuaries, the Court revised its stand and in I.A. No. 707, order dated 18.02.2002, it ruled that “cutting of trees does not include bamboo and cane, which really belongs to the grass family, other than those in the national parks and sanctuaries. In other words, no bamboo including cane in national parks and sanctuaries can be cut but the same may be cut elsewhere”. Here, bamboo was correctly classified as a grass.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) *vide* section 2 (i) defines minor forest produce to include “all non-timber forest produce of plant origin including bamboo”. Further, it also gave forest dwelling scheduled tribes and other traditional forest dwellers *vide* section 3 (1) (c) the right of “ownership, access to collect, use and dispose of minor forest produce which have been traditionally collected within or outside village boundaries”.

Such is the complication of this particular species that today it has been removed and the simplification process has started. Indeed this will see the flourishing of industry and value addition to this great produce of ours. One has to just look at China and see the billions of dollars worth of varieties of produce which the hon. Minister had also alluded to.

I would like to make a final submission. From the scientific part, the hon. Minister has actually seen the opportunities. But what is the opportunity here? The opportunity is Make in India and Start-up India. There are opportunities for the people in the North-East and other bamboo growing areas. If you want to do any value addition, then there will be a spawning of processing industries. Those products are of mechanical nature and some of these processing equipment need to be made. Jalandhar and Ludhiana are the best places where they would flourish so that we can make the machinery that is required within India.

Thank you, Sir.

**श्री जय प्रकाश नारायण यादव (बाँका) :** उपाध्यक्ष महोदय, आपने मुझे बोलने का अवसर दिया, इसके लिए आपका धन्यवाद करता हूँ। भारतीय वन (संशोधन) विधेयक, 2017 आज इस सदन में लाया गया है। कुछ आपत्तियों के साथ हम अपनी बात को रखेंगे।

महोदय, बाँस का उत्पादन देश में बढ़े, वन क्षेत्र से ले कर ग्रामीण क्षेत्रों तक बढ़े, यह हर कोई चाहता है और इसकी जरूरत भी है। खास कर जो पूर्वोत्तर के राज्य हैं, असाम से ले कर पूर्वोत्तर के सभी राज्य हैं, झारखण्ड का भाग है और बिहार का भी वह इलाका, जिस इलाके के संसदीय क्षेत्र से मैं स्वयं आता हूँ, जो कि बाँका संसदीय क्षेत्र कहलाता है और हमारा जमुई और मुंगेर का क्षेत्र, जंगलों का, पहाड़ों का प्रकृति की गोद में हँसता हुआ इलाका, जहां बाँस की भी खेती बड़े पैमाने पर होती है। इससे रोजगार के अवसर भी पैदा होंगे, जो ग्रामीण अर्थव्यवस्था है वह सुदृढ़ होगी, बाँस से हाथ की कारीगरी होती है, बाँस से अनेक सामान बनते हैं। यह कुटीर उद्योग का साधन भी है और गरीबों की आय का स्रोत भी है। जो गांव के गरीब हैं, दलित हैं, शोषित हैं, उपेक्षित हैं, लाचार हैं, बेबस हैं, जो आदिवासी भाई हैं, यह उनकी आय का स्रोत है। बाँस से विभिन्न प्रकार की कारीगरी होती है, जैसे डलिया बनती है, सूप बनती है, टोपी बनती है, बर्तन बनते हैं, मिट्टी ढोने के काम में आता है, अनाज ढोने के काम में आता है, चटाई बनती है, चचरी बनता है, यहां तक कि सब्जी भी बनती है, कॉटेज बनते हैं, शादी में जो मंडप बनता है, उसमें भी बाँस को लगाया जाता है, घर की सजावट में, घर की किवाड़ में बाँस को लगाया जाता है, जो तीर और धनुष बनता है, वह भी बाँस का बनता है।

महोदय, खास कर उत्तर भारत में और कई जगहों पर पूजा पाठ में भी जैसे छठ पर्व होता है, उसमें आस्था रखने वाली करोड़ों माँ-बहनें जो सूर्य की पूजा करती हैं, छठ का व्रत रखते हैं, वे बाँस की डलिया में ही और बाँस के माध्यम से ही सुबह का अर्घ्य देते हैं और शाम का अर्घ्य भी देने का काम करते हैं, इसीलिए बाँस का उत्पादन अत्यंत आवश्यक है और ग्रामीण क्षेत्रों में तो अत्यंत आवश्यक है। इसके पत्ते जानवर, मवेशी और बकरी आदि खाते हैं। यह आदिवासी भाइयों के लिए बहुत ही महत्वपूर्ण है, जो जंगल में रहते हैं। आदिवासी भाई जल, जमीन और जंगल के बीच रहते हैं, उनकी सुविधाओं को, उनकी अर्थव्यवस्थाओं को, उनके कुटीर उद्योग को बढ़ाना हमारी जिम्मेदारी है, यह मैं मंत्री जी से कहना चाहता हूँ। नहीं तो बिचौलिये हर जगह से व्यवसाय में घुस जाते हैं। गांवों में सब्जी होती है, उसको ले जाते हैं, बाँस की खेती होती है, उसको ले जाते हैं, कई दूसरे उद्योग हैं, जैसे रेशम का उद्योग है और मधु का उद्योग है, उसमें बिचौलिये ले जाते हैं। आज कई ऐसे व्यवसाय हैं, जिनमें महिलाएं लगी हुई हैं। बाँस से कई चीजें बनती हैं। कुदाल बनता है, तांगे में काम आता है, पर्यावरण के लिए उपयोगी है। यह श्रमिक, गांव और किसानों के लिए लाभकारी होना चाहिए। जब बाढ़ आती है तो चचरी बना कर गांव के लोग बाँस पर चलते हैं। इसको शौचालय में लगाया जाता है, गौशाला बनाने के काम में आता है। एक तरफ तो ग्रामीण

क्षेत्रों के लिए बाँस का उत्पादन है, दूसरा जो वन क्षेत्र है, उसमें अगर हम छूट दे देंगे तो बड़े पैमाने पर इसका शोषण होगा और बड़े पैमाने पर इसकी अवैध कटाई होगी। लोगों ने वैसे भी अवैध कटाई कर के बड़े पैमाने पर जंगलों को नष्ट करने का काम किया है, चाहे वह झारखण्ड का जंगल हो, बिहार का जंगल हो या पूर्वांचल का जंगल हो। जो बड़े जमींदार हैं, उन लोगों ने कटाई की है। इसीलिए इस मामले में पूरी पावर केन्द्र सरकार लेना चाहती है। हम कहना चाहते हैं कि इसमें राज्य सरकार की भी सहभागिता होनी चाहिए। ... (व्यवधान) बस दो मिनट और बोल कर मैं अपनी बात को समाप्त करूंगा।

### **18.00 hours**

केन्द्र सरकार इस पावर को अपने हाथों में न लेकर राज्य सरकार से भी समान रूप से इसके लिए बात करनी चाहिए। मैं मानता हूँ कि आज कई चीजों के लिए बाँस का उत्पादन होना चाहिए। इस उद्योग का शोषण नहीं होना चाहिए, ग्रामीण क्षेत्रों में इसको बढ़ावा देना चाहिए और इन चीजों को जोड़कर वन क्षेत्र को हमें आगे बढ़ाना चाहिए। वन क्षेत्र हमारा सबसे बड़ा साधन है और खासकर गरीब लोगों के लिए, जो जंगल में रहते हैं, पहाड़ों पर रहते हैं। यह उनकी आय का स्रोत भी है। माननीय मंत्री जी इसका ख्याल रखेंगे और आदिवासी लोगों का विशेष रूप से ख्याल रखेंगे। बहुत-बहुत धन्यवाद।

**संसदीय कार्य मंत्रालय में राज्य मंत्री तथा जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय में राज्य मंत्री (श्री अर्जुन राम मेघवाल):** महोदय, यह बिल चल रहा है, हमारी रिक्वेस्ट है कि हाउस का सेंस ले लिया जाये और जब तक यह बिल पूरा नहीं होता है, तब तक हाउस का टाइम बढ़ा दिया जाए।

**HON. DEPUTY SPEAKER:** Only four Members are yet to speak on this Bill and then after the Minister's reply, this Bill can be passed. So, if the House agrees, the sitting of the House can be extended till the Bill is passed.

**SEVERAL HON. MEMBERS:** Yes.

**HON. DEPUTY SPEAKER:** Okay. So, the sitting of the House is extended till the Bill is passed.

SHRI SIRAJUDDIN AJMAL (BARPETA): Mr. Deputy Speaker, Sir, I thank you very much for giving me this opportunity to speak on the Indian Forest (Amendment) Bill, 2017. I appreciate the Government for introducing this Bill in which Section 2 of the Indian Forest Act, 1927 would be amended so as to omit bamboo from the definition of tree.

Sir, many Members have said a lot of things about bamboo. I would like to say something different. I would like to draw the attention of the hon. Minister and the Government of India to another very important resource that is being profusely grown by the people of Assam and the entire Northeast. It is grown in home streets there. It is called *Aquilaria Agallocha* or *Aquilaria malaccensis*. This is one of the most remunerative plantation and the people of Gulf, Japan and China value it very highly. It grows like mushroom in the entire Northeast. So it does not need any extra effort to grow this *agarwood*. Just like bamboo, the people of Assam and the entire Northeast grow *agarwood* as cash crop. In a survey conducted by the Assam Forest Department in 2004, 10 million trees are available in home streets and there are no *agarwood* in forests.

Sir, people plan their children's education and marriage on *agarwood*. It is their belief. The Assam Forest Department has stated in its various reports that *agarwood* is not found in the reserve forests of Assam. So, it will not be, in any way, detrimental to environment. People are growing *agarwood* in their own land. *Agarwood* can be put under plantation and agricultural products. The rules pertaining to *agarwood* presently in Assam, Northeast and everywhere is very harsh. The process itself is a punishment. So, if these rules are made simpler and this industry is opened up, it will not only create jobs for millions but also it will earn millions in foreign exchange and also millions for the State of Assam and the entire Northeast.

The Union Government and the respective State Governments of the North Eastern States must ensure incentives to the growers of *agarwood* because it is grown on private lands. If the Government gives support to the growers, its trade



can flourish manifold. I would like to make some humble suggestions. The Central Government should bring about necessary amendments in the Schedule of the Wildlife Protection Act, 1972 or the Appendix-I of the same. The Government should also relax rules for export licensing so that people cultivating *agarwood* would get the benefit, the State Government would also benefit by collecting revenues and the country will get much needed foreign exchange. If this is done, the people of Assam and the entire Northeast would be very grateful to the hon. Minister. So, I request the Minister to kindly look into this matter.

**श्री कौशलेन्द्र कुमार (नालंदा) :** माननीय उपाध्यक्ष महोदय, आपने वन (संशोधन) विधेयक, 2017 पर चर्चा में भाग लेने का मौका दिया, इसके लिए बहुत-बहुत धन्यवाद।

सबसे पहले मैं माननीय मंत्री जी को धन्यवाद देता हूँ कि वे यह बिल लाए। सरकार भारतीय वन अधिनियम, 1927 में एक संशोधन कर रही है। बांस अब वृक्ष नहीं कहलाएगा। यह बहुत ही अच्छा कदम है। इस कानून के कारण देश के कई भागों में लोगों को काफी परेशानी होती थी। उन्हें बांस की कटाई पर जेल तक की सजा दी जाती थी, वे अपराधी घोषित कर दिए जाते थे। आज भी, विशेषकर छत्तीसगढ़ राज्य में इसके कारण काफी लोगों पर अब तक कानूनी कार्रवाई चल रही है। सरकार इन सभी बाधाओं और बांस का अन्तरराज्यीय आवागमन सुचारु रूप से चले, इसके लिए अध्यादेश भी ला चुकी है। अब इसे कानूनी मान्यता मिल जाएगी।

महोदय, मैं बिहार राज्य से आता हूँ। अभी सुनील भाई ने विस्तार से इस विषय पर चर्चा की है। बिहार में बांस काफी मात्रा में पाया जाता है। हमारे साथियों ने भी कहा है कि बिहार में हर घर में लोग उसे घरेलू उपयोग में लाते हैं। वे उसकी दौरी, खोमा बनाते हैं। खासकर, छठ पूजा में बांस से बने सूप पर ही अर्घ्य दी जाती है। बिहार में बांस को लोग धार्मिक महत्व का मानते हैं। किसी के मरने के बाद भी बांस से ही रंथी बनाकर लोग उसे ले जाते हैं। बांस को लोग धार्मिक रूप से पवित्र मानते हैं। मैं आशा करता हूँ कि बांस की खेती को बढ़ावा भी मिलेगा। माननीय प्रधान मंत्री जी की जो सोच है कि हम वर्ष 2022 तक किसानों की आमदनी को दोगुना करेंगे, तो जो छोटे-छोटे किसान हैं, इस बिल के कारण उनको राहत मिलेगी।

HON. DEPUTY SPEAKER: Hon. Member, please conclude.

... (Interruptions)

**श्री कौशलेन्द्र कुमार :** उपाध्यक्ष महोदय, मैं अपनी बात दो मिनट में समाप्त करूंगा। मैं सरकार से आग्रह करना चाहता हूँ कि बांस के व्यावसायीकरण पर कोई नीति बनाए। इससे पहले बांस को पेपर मिल्स खरीदते थे, पर अब किसानों को वह लाभ नहीं मिल पा रहा है, क्योंकि अब कोई पेपर मिल्स बांस नहीं खरीदते हैं। अतः इस पर विचार करने की आवश्यकता है।...(व्यवधान)

**श्री राजेश रंजन (मधेपुरा) :** उपाध्यक्ष जी, धन्यवाद। मैं पॉइंटवाइज ही कहूंगा। जल, जंगल और जमीन पर लगभग उद्योगपतियों, पूंजीपतियों का कब्जा है। इस भारत देश में 30 करोड़ लोगों के पास एक डेसिमल ज़मीन नहीं है और लगभग बीस करोड़ लोग भूखे सोते हैं। मात्र लगभग दस करोड़ लोग किसान हैं। उसके बाद या तो बंटाईदार हैं या दिहाड़ी मज़दूर हैं। आप किसानों की बात करते हैं। आम लोगों की जो परंपरागत खेती है या परंपरागत व्यापार है या खेती पर आधारित उसकी जो सम्पदा है, वह लगभग पूंजीपतियों के हाथों में जा चुकी है। आप अध्यादेश ला रहे हैं, पर किसी ऐसी खेती को ले लीजिए, चाहे आप सब्जी को ले लीजिए या किसी चीज को ले लीजिए, यह बाबाओं के हाथों में है, पूंजीपतियों के हाथों में है। मैं आप से बड़ी विनम्रता के साथ पूछना चाहूंगा कि आप किसानों को कैसे बेनेफिट देना चाहते हैं।

HON. DEPUTY SPEAKER: Please mention the relevant points.

... (Interruptions)

**श्री राजेश रंजन :** उपाध्यक्ष महोदय, मैं उसी के विषय में कह रहा हूँ।

जहां मैं अपनी खेती के लागत मूल्यों का दाम खुद नहीं लगा पाता हूँ और उसे कोई पूंजीपति या व्यापारी लगाता है। मैं पूर्वोत्तर राज्यों की बात कहता हूँ।

उपाध्यक्ष महोदय, मैं दो पॉइंट्स कहकर अपनी बात खत्म करूंगा। बिहार का जो इलाका है, जो कोसी का इलाका है, जो सबसे ज्यादा बाढ़ पीड़ित इलाका है, और जो पूर्वोत्तर का इलाका है, वहां का किसान बांस की खेती पर सबसे ज्यादा निर्भर है। मैं कह रहा हूँ कि यदि आप बांस को डेवलप करना चाहते हैं तो उस पर आधारित उद्योगों को लगाएं।

HON. DEPUTY SPEAKER: Hon. Member, you are not speaking on the Bill. Please conclude.

... (Interruptions)

**श्री राजेश रंजन :** उपाध्यक्ष महोदय, मैं बैम्बू पर ही बात कर रहा हूँ।... (व्यवधान) मैं कह रहा हूँ कि आज जो सरकार उसको किसान पर आधारित करके डेवलप करना चाहती है तो किसान तो अपने लागत मूल्य का दाम तक लगा नहीं सकता। दूसरी बात है कि जहां बांस की खेती होती है, चाहे बिहार हो, चाहे असम हो, चाहे झारखण्ड हो, वहां आप जब तक बांस पर आधारित उद्योग नहीं लगाएंगे, तब तक यह डेवलप नहीं होगा। उस पर आधारित चीज, जैसे कागज है या अन्य चीजें हैं, उन पर ध्यान दीजिए। जैसे बांस के कोपर में जो गुच्छी होती है, उसकी सब्जी बनती है। वह गुच्छी की सब्जी फाइव-स्टार होटलों में पांच हजार रुपये में मिलती है, लेकिन किसानों को उसके लिए कितना मिलता है। उसके लिए किसानों को मात्र एक रुपया मिलता है। एक रुपये की मकई मॉल्स में छः सौ रुपये में मिलती है।

मेरा कहना है कि बांस के किसानों को अगर आप आगे बढ़ाना चाहते हैं तो जहां इसका प्रोडक्शन होता है, वहां आप उस पर आधारित उद्योगों को लगाएं, ताकि किसानों को इसका बेनेफिट मिले। लेकिन, देश में किसान नहीं बचा है। मेरा यह कहना है। इससे ज्यादा मुझे कुछ नहीं कहना है।

ADV. JOICE GEORGE (IDUKKI): Thank you, Deputy Speaker, Sir, for giving me an opportunity to participate in the discussion on the Indian Forest (Amendment) Bill, 2017. While reading the Statement of Objects and Reasons of the Act, the objective is very laudable, rather. But, due to paucity of time, I subscribe to the views expressed by my learned friend Mr. Premachandran as regards the ordinance, the way in which the Bill has been brought in as an ordinance.

Coming to the Bill, as rightly pointed out by the Minister during his introductory speech, as per the forest policy, our forest cover has to be increased from 24 per cent now in existence to 33 per cent. For that, we will have to expand our green cover in the non-forest areas, in the agrarian farmlands etc. But, the purpose of this amendment is to exclude or, rather omit, the word 'bamboo' from the definition of trees as per clause (7) of Section 2 of the Indian Forest Act. When we read Section 2, sub-clause (4), 'tree' includes all the plants. But, I think, sub-clause (ii) is very important. Plants not being trees (including grass, creepers, reeds and moss), and all parts or produce of such plants are being treated as forest produces under Section 2, sub-clause (4) (ii) of the Indian Forest Act. By this enactment, the Government intends to take out 'bamboo' from the definition of trees. But, the amendment will not serve the purpose because, as we know, each and every State Government has got their own Forest Act. This matter is included in the Concurrent List and every State is having their own transit rules for forest produces also. It is because, grass is also included as a forest produce as per Section 2, sub-clause 4 of the Indian Forest Act. Still this being a grass, as rightly pointed out by the Minister in his introductory speech, what purpose is going to be served by this enactment by only, simply bringing out the word 'bamboo' from the definition of tree? This is one point.

Another point as regards this Act is this. We have the Indian Forest Act, 1927. Of course, we have the Indian Forest Policy Rules, 1952. In that Forest Policy Rules, unfortunately we have subscribed to the entire views of the British

era and we are continuing with it. We have the Forest Conservation Act, 1980 too. On the basis of the Forest Conservation Act, 1980, many of the learned Members have pointed out the Supreme Court judgement in Godavarman Thirumulpad case. In Godavarman Thirumulpad case, the Supreme Court is issuing directions after directions for implementation of the Forest Conservation Act. Many of those directions are not served considering the ground reality and ground rules. So, it is for the Parliament to enact rules. In this regard, if we want to expand the forest cover in India, we will have to simplify certain rules as regards transit and cutting of trees which are being grown by farmers in their land. Now the unfortunate thing is that nobody is permitted to cut and remove the trees which they have planted in their property. Thereby, people are not cultivating trees in their land. If we want to increase the green cover, we will have to promote tree growth in the non-forest areas, in farmlands. For that, we will have to incentivise the farmers to grow trees in their land. For that, we will have to permit them to cut and remove the trees planted in their land. Only then, can we improve the forest growth in land. I urge upon the Government to have some policy on that issue for the purpose of promoting tree growth in non-forest areas, not only bamboo, but also all other tree growth. There should be some regulations, restrictions incentivising the persons who are cultivating them.

With these words, I conclude. Thank you, Sir.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Deputy Speaker, Sir, at the time of introduction of the Bill, I had raised certain objections and the Minister said that I should understand the spirit of the Bill. I have two specific questions to ask. When he will be replying to the debate today, I would request him to answer these two questions. There are a number of questions that have been posed. I am not repeating those questions. There is a variety of bamboos.

On 25<sup>th</sup> July, 2017, a letter was sent by the Inspector General of Forest (Forest Policy) from the Ministry of Environment, Forest and Climate Change to two respective State Governments asking their opinion because the proposal to amend sub-section 7 of Section 2 under Chapter-I of the Indian Forest Act, 1927 is under consideration of the Ministry. The question was this. What would you say to these proposed amendments? I would like to understand from the Minister as to how many State Governments have responded to this proposal and how many State Governments have supported your proposal. Who are those State Governments who have said that we are not in favour of this amendment? This needs to be told. As far as I could understand, this is in the Concurrent List. In that respect, you sought the opinion of the respective State Governments and also as very rightly you have asked in last July and letters had been sent from the Ministry to understand the view of the respective State Governments. So, I would like to understand whether the State Governments were taken into confidence while promulgating an Ordinance, what was the urgency or whatever was behind it and whether the State Governments were in support of this so that the matter would be more clear.

My second question is this. There are two specific categories which are being defined in your Bill that to encourage private cultivators or farmers to go in for large scale plantation of bamboo which can be used for commercial use or sale which can be transported from one State to another. It is a different matter. Of course, that question has already been posed that why you are withdrawing the power of the respective States and the permission that was supposed to be given

by the respective States. The Government feels that it restricts the commercial nature of bamboo because of its transport. Some Members also mentioned that rent-seeking people also try to impose a different type of tax. That is why, the rate of the bamboo also goes up. But my specific question is this. There are two stages in which bamboo is being cultivated. The predominant species in the forest, especially in Odisha is *Salia*. I studied botany in my eighth class. After that, of course, Doctor *saab* might have studied it up to plus two and after that, he went into medical profession. I think *Dendrocalamus strictus*, is the botanical name of bamboos which are largely available throughout our State. In Odisha, we have bamboo cultivation, that is *Salia*, in Odisha itself in more than 14000 square kilometres. The species of bamboo preferred by private growers are generally restricted to Sunari but Sundarkani (*Bambusa nutans*), Badi baunsa (*Bambusa vulgaris*) and Bolangi bounsa (*Bambusa tulda*) are preferred in private land. We need it to thatch our houses. We need it to have enclosures and we also need it to have walls in our mud houses. We also need as it was being told by Mr. P.D. Rai to build bridges across the streams, if not across the canals.

Why did you not distinguish what type of bamboo will be covered in this? By having a blanket freedom of transport of bamboo, there is an apprehension. My question would be this. Do you not see that in large quantity, the whole forests also will get depleted? We face in Odisha, even in Jharkhand and even in certain parts of North-East, there is a man - animal conflict.

Within five years, if all the bamboos will be depleted in forests, again, perhaps, if your Government still continues, it will come back to this House as to how to protect the bamboos in the forests. That is the basic question. Therefore, my question is: how are you going to avoid this man-animal conflict?

There is another thing because of the laws. You are heading the Ministry of Environment, Forest and Climate Change. Respective States have different laws. We also have our own law. It is the Vana Suraksha Samiti which protects this asset. The permission is given by the Grama Sabha to transport the forest produce



from one place to another. It is not only the State Government. But by having this blanket provision that yes, it can be transported just to favour the traders, are you not trampling into the power of the Vana Suraksha Samiti? Leave aside the States. The Vana Suraksha Samiti has been empowered to protect the forests. The Grama Sabhas or the Gram Panchayats are being empowered to protect the forests. This needs to be considered. Is the Government going to consider this demand or not?

HON. DEPUTY SPEAKER: Now, the hon. Minister.

...(Interruptions)

HON. DEPUTY SPEAKER: I will call you afterwards, please. I will call you at the third reading stage. Please sit down. Please go to your seat. First, you go to your seat.

...(Interruptions)

HON. DEPUTY SPEAKER: No, I will call you. Nothing will go on record.

...(Interruptions)...\*

HON. DEPUTY SPEAKER: I will allow you to speak.

Shri Ramesh Bidhuri, you have to understand it. I will be allowing you to raise your question at the third reading stage. Why are you taking this time? Nothing of what you said will go on record.

...(Interruptions)...\*

HON. DEPUTY SPEAKER: I will call you at the third reading stage. At that time, whatever question you want to ask, you raise it.

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\* Not recorded

THE MINISTER OF SCIENCE AND TECHNOLOGY, MINISTER OF EARTH SCIENCES AND MINISTER OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (DR. HARSH VARDHAN) : Thanks to all of you, and more particularly, more than a dozen of my friends from all corners of this august House have contributed with significant suggestions. Some have supported it. Some have supported this Bill blindly. Some have opposed it blindly. Some have expressed apprehensions. Some have raised doubts about the sincerity and the honesty and the truthfulness of the Government, etc.

Sir, before I answer all those apprehensions that have been expressed, I will continue from where I left because, first, all of us have to appreciate and understand--and even at the cost of repetition I will say-- that why we have brought this amendment. I spoke about the various uses of bamboo. I mentioned a couple of things. But I think many of our friends added a lot more to that huge list. I spoke about the economic impact which we have been deprived of. I spoke about the problems that the poor farmers and the tribal people, etc., are facing. I spoke about the fact that in spite of having the largest area where we cultivate bamboo in the whole world and being the second richest after China in terms of our genetic strength in bamboo, we are still not able to live up to the expectations and our people are still suffering a lot.

Though I have already said it, I, even at the cost of repetition, would like to repeat it once again that it was the difficulties which the people were facing that ultimately forced this Government to come up with this amendment Bill.

I would also like to tell you that this is not a one-day exercise. It is not that on a particular day the Government decided and thought to take it to the Cabinet and converted it into an Ordinance. I will tell you in the chronological order as to how the things started. It started when the party of the hon. Member was in power, though today it is on the other side of the House.

There were problems which all of us were facing. Everybody was supposed to take permission for felling and transit of bamboo trees. There is a bureaucracy

and everybody knows as to what the role of bureaucracy is. There has been an inspector raj. We also know that forestry is in the Concurrent List. There is no doubt about it. We also know that since the time of the Britishers we are having the command and control mindset, which, in fact, is there even after 70 years of our Independence and people continue to suffer from it.

Then, different States in our country have different rules in this regard. It does not seem that they do not have the freedom to frame their rules. It is often found that neighbouring States have different sets of rules, which make the problem of transit of bamboo much more complex. First, you take permission from one place. You enter into another State where you have another activity to perform and for it you take different permission. Then, you enter into another State where you have another sets of rules and you are again asked to take permission under those rules. So, the basic issue, which has been, in fact, disturbing everyone for quite sometime is that there is a need for some sort of harmony in the transit and harvesting mechanism. There were some rules, which were needed. Therefore, we had to bring this felling and transport mechanism out of Government's control and make things easier for the people of our country.

As I said earlier, bamboo is the poor man's timber. I have already mentioned about its multiple usages. As far as its consumption is concerned, you can see its widespread usage – 35 per cent of bamboo is used in pulp, 20 per cent in housing, 20 per cent bamboo is used in rural areas, 5 per cent for non-residential purposes, 8.5 per cent for fuel, 5 per cent for packing, 2.5 per cent for wood based activities, one per cent for furniture and 3 per cent for other activities.

Keeping its need in view, we have to import a major share of bamboo from outside. Then, we also noticed that income of the farmers is not growing at all. We also need to remind ourselves that our hon. Prime Minister has a very, very ambitious target of doubling the income of the farmers by 2022. Then, there was no incentive for growing bamboo in non-forest areas and they also have to face all these troubles. So, these are the issues which we all have been facing for long.

Again, I wish to repeat that the current demand of bamboo in India is 20 million tons. Out of it, only half of it is available in India. Though we share 19 per cent of the total bamboo cultivating area in the world, in contrast to that our market share is only 6 per cent.

Then, if we look at the import and export situation, we find that the export is just about Rs.32 lakh whereas the import is Rs.213.65 crore. This is the difference between what we import on this front and what we export. So, there was a dire need to do something concrete in this regard. It is not about only talking but about doing something concrete, which can actually bring a change. It does not mean that if people have been suffering for 70 years, they have to continue suffering even under Narendra Modiji's regime.

In last three years, we have tried to diagnose the smallest of issues in this country with meticulous precision, we have tried to evolve solutions to them, we have converted those solutions into programmes and we have then started implementing those programmes. Then, there is a Prime Minister who monitors the implementation of the programmes every month in a Cabinet meeting which lasts for not less than five to six hours. This country has never seen a Prime Minister like Narendra Modi. So, nobody should have the wisdom to doubt the intention of this Government.

Then, I will give you the statistics about the Chief Ministers and all. It is not only our officers who have written to the Chief Ministers, even I have also personally written to all the Chief Ministers to request them to remove all hurdles for the people of India in the State laws. We have started meeting even the State people individually now. We have requested them that they should stop taking the royalties so that we can improve the overall ground situation. Then, I will tell you that of these 26 States, how many are supporting and how many are opposing. Later on, I will give you all the names.

I want to tell you once again about the socio-economic and the cultural benefits in the rural areas. The promotion of cultivation of bamboo trees on forest land is increasing the income of farmers. Legal and regulatory hardships are going to be removed and crores of farmers are going to be benefited. Small and large scale industries dependent on bamboo are going to be strengthened. It means 20 million people are going to be benefited further. There will be creation of new jobs. I told in the beginning that one tonne of bamboo means 350 mandays. The poor forest-dwellers are going to be employed in a big way.

Then, I talk about the ecological benefits of this whole activity which we are trying to ease out – strengthening of the soil, moisture conservation, landslide prevention and rehabilitation. My friend, Shri Premachandran also referred to them. This will also help the wildlife habitat. This will be helping the elephants and bears. It is a good source of biomass. Recently, under the Department of Science and Technology, we have put up a plant in Kashipur where we convert ten tonnes of biomass into 3,000 litres of 2G ethanol within 24 hours and that is the most successful experiment in the world. There are only four or five plants in the whole world and ours is running most successfully.

Then, there is promotion of bamboo-based handicrafts. We are strengthening the livelihood opportunities of traditional artisans and tribal people. Then, we want to improve this sense amongst the people that it is their land and it is their tree. Somebody very rightly mentioned about it that you should have the freedom and the right to grow your bamboo tree in your house and you should be able to cut it in the non-forest area. Of course, there will be improvement in the bamboo based culture, especially for the people in the North-East where there is lot of involvement of bamboo in the religious functions also.

Then, I want to mention about the environment and the ecosystem services. It would result in improving the green cover. It is the need of the hour. It is the order of the day that everybody all over the world is talking about climate change, improving forest cover and global warming. If encouraged on non-forest land, it is

certainly going to improve the green cover, which is one of the major things that I talked about in the initial stages when I said that this is the mandate of the Forest Policy of 1988 and we wish to accomplish it successfully.

Then, it controls soil erosion and helps in soil moisture retention. It also helps in litter decomposition in a big way. The fast growing species of bamboo will help in the cause of climate change by absorption of carbon dioxide at a higher rate. All this is scientific; nothing is unscientific in whatever I am saying. Then, there will be increased carbon sequestration. It helps in achieving the nationally determined contributions. In spite of the fact that our *per capita* emissions are one-third of the global average, our emissions in terms of our nationally determined contributions, or what we are going to contribute to this whole world, are such that everyone in the world praises Narendra Modi at every international forum. I have seen that in Germany, in America and in China. Everywhere everybody talks about it. It is because we are truly committed to the cause. It is good to use, and we know that it is a carbon-neutral thing.

I also wish to mention about the bio-energy sector, which is a fast-growing sector. Bamboo contributes immensely to bio-ethanol production from bamboo blending and fossil fuel. This is an important thing, which was needed to be mentioned.

Of course, as far as the National Bamboo Mission in the agriculture sector is concerned, our cultivable waste land is 12.6 million hectares. We have to encourage all this cultivable waste land and also the degraded land. All this has to be done. If we keep having these hurdles, which have made people suffer for 70 years, then how can you get to this target? How can you live up to the international reputation?

There is successful inter-cropping with cowpeas, soybean, paddy, cotton, potato, wheat, etc., which you can do with bamboo. Bamboo can be used for low-cost fencing around farm lands; one can deter stray cattle; this can be useful in windbreaks; and it is a good substitute for timber.

Finally, currently, India is importing timber and allied products such as pulp, paper and furniture. In 2015, we imported 18.01 million cubic metres of timber products worth Rs. 43,000 crore. We have to appreciate what we are; where we are; and what we have to do. We cannot carry on with these figures when we have the potential, and we have the maximum land. A small change in a bit of law, which many of my colleagues mentioned, and our friend from Sikkim also said that he brought a Bill like this in 2014 as a Private Member Bill. It is very unfortunate that we are still importing bamboo stick *agarbattis* from Vietnam. What are we doing in 2017? It saves us valuable foreign exchange, and bamboo is helping us in increasing supply of wood substitutes, and increasing supply of raw materials to the traditional craftsman of rural India and bamboo-based paper pulp industry. It is also boosting cottage industry, furniture-making units, fabric-making units and incense stick making.

Bamboo facilitates inter-State movement. It decreases the gap availability of resources from bamboo-rich and bamboo-deficient States. The North-East people are bamboo-rich, but Kerala is bamboo-deficient. I think that this is an amendment, which is ultimately going to remove this gap so that the transit is easier, and the producers and consumers are all benefited. This is in brief about it. I had mentioned this because this Bill is not about a small bamboo being removed from that definition of tree. These are the big perspectives around which the whole thing is revolving.

Now, I come to the answers to the various apprehensions that have been raised here. Regarding this Ordinance thing, I will tell you in chronological order as to when the whole thing started. An advisory was issued on 14 May 2013, and we were not in power at that time in this country. It was issued to all the States and UTs to consider for relaxing the transit and felling regime on bamboo grown on private land. This happened in May 2013. ... (*Interruptions*) Sir, I will answer every question that has been asked. I have huge amount of respect for you. Please let me complete. I will answer all your queries.

SHRI BHARTRUHARI MAHTAB : Odisha did it for private land in 1999.

DR. HARSH VARDHAN: I do not know, I was not here in 1999. But I will answer everything that is in my knowledge. If there is something which is not in my knowledge, I will express apologies and maybe will answer that later on, I will send you a written reply to that.

Sir, after we came to power, following upon that advisory, we issued guidelines dated 18<sup>th</sup> November 2014 to all States and UTs to consider relaxing regulatory regime of tree species including bamboo grown on non-forest land. A lot of people have expressed apprehensions that this is about the forest land. The whole thing is about the non-forest land. It is not disturbing anything in the forest. For the apprehensions that are expressed as to what is going to happen etc., I have got answers.

Then, advisory dated 19<sup>th</sup> May, 2017 was issued to all States and UTs to consider exempting setting up bamboo units from the requirement of NOC/licence. This is all happening to make things easier for people. Then again, advisory dated 13<sup>th</sup> June, 2017 was issued to all States and UTs to consider exempting royalty on bamboo, which I referred to, and its finished products. Then, clarification dated 7<sup>th</sup> July, 2017 was issued to all States and UTs regarding exemption of bamboo from licensing. Then, wood-based industry guidelines have been amended and notified on 12<sup>th</sup> September, 2017. These amendments have further liberalized setting up of saw-mills using bamboo and species grown under agro-forestry. This would encourage setting up of processing units and generate demand for raw material leading to planting of trees on non-forest land. This probably answers one of the issues that were raised as to what we are doing to promote bamboo.

Advisory dated 6<sup>th</sup> of October, 2017 was issued to all States and UTs to consider that commonly grown agro-forestry tree species to be exempted from the requirement of the felling and transit permits. Then, advisory dated 9<sup>th</sup> October, 2017 was issued to all States and UTs regarding issuing of a pan-India transit



permit for inter-State movement of bamboo. This is how consistently we have been following this issue just because we have a concern for these people who are continuing to suffer for 70 years.

On 25<sup>th</sup> November, 2017, the Indian Forest Amendment Ordinance has been promulgated for omission of word bamboo from the definition of trees. Then, advisory dated 30<sup>th</sup> November, 2017 was issued to all States/UTs to consider distribution of good quality seedlings of common agro-forestry species to farmers and interested persons. Then the State Governments have also been requested vide D.O. letter dated 4<sup>th</sup> December, 2017 to consider to bring in appropriate amendment in their respective acts in line with changes in the Indian Forests Act, 1927 brought by the Ministry of Environment, Forests and Climate Change for omission of word bamboo from the definition of trees. This will bring uniformity about legal position of bamboo across the country and help in the promotion of bamboo sector from cultivation to economic use on non-forest land by various stakeholders.

As regards consultation with the State Forest Departments, Central Department and the Ministries, 20 States and UTs responded on the proposal of removal of bamboo from the definition of trees. This is slightly older information, so the number may have improved now. Mizoram, Bihar, Punjab, Goa, Nagaland, Andaman and Nicobar Islands, Karnataka, Telangana, Manipur, Jharkhand, Rajasthan, Andhra Pradesh, Arunachal Pradesh, Assam, Chhattisgarh, Delhi, Haryana, Himachal Pradesh, Kerala and Madhya Pradesh are those States. Twelve States and Union Territories have supported the proposal. They are Mizoram, Punjab, Goa, Nagaland, Karnataka, Manipur, Arunachal Pradesh, Assam, Delhi, Haryana, Himachal Pradesh, Madhya Pradesh. Five States which have opposed the proposed amendment regarding removal of bamboo from the definition of tree include Rajasthan, Bihar, Andaman and Nicobar Islands, Andhra Pradesh and Kerala. Every State is being persuaded at a personal and at an official level further. Three States have given no specific comments. They are Telangana, Jharkhand

and Chhattisgarh. There are a few States which have not responded. Thirteen Ministries and Departments of the Government of India including NITI Aayog have gone through the proposal in great detail and they have approved it.

Coming to the urgency, I think much of it has been answered. It started in 2013. We have communicated with various States. We have issued advisories. We are a net importer of bamboo in spite of highest bamboo covered land draining our foreign exchange. So, is it not an emergency to do something concrete?

The National Bamboo Mission is being restructured and it is soon going to be launched in a big way for effective implementation and prior preparedness of the success of the Mission. Why should we control and regulate the poor man's timber and deprive them of the benefits that accrue to them from it?

The provision of the definition of bamboo as a tree is a big hindrance to economic benefits. The Panchayati Raj Ministry and the Tribal Affairs Ministry have been pursuing it for several years but due to various technical reasons it could not happen. It has been going on since the previous Government's era but we cannot deprive the farmers of their benefits. If something was not achieved during previous regimes it does not stop Shri Narendra Modi from achieving it now.

Be assured that our Government is only for the welfare of people. We are not a corrupt Government. We believe in 500 per cent transparency. Everything is on record; everything is open; and everything can be seen.

I mentioned that there is a need to remove this command and control regime. Several permissions for cutting, transport, etc., were acting as major hindrances in cultivation of bamboo. India has become a net importer. You mentioned how to handle all this in the forest and all. You have the technology; you have surveillance; you have the satellite images; and there is effective monitoring. These can all ensure that forests are protected. Be assured about that. We will be the last people in this world to leave our forests unprotected. Be assured about that.

Shri Premachandran, it is not all about forestry to non-forestry activity. Do we ever think of controlling farm land or agricultural land for growing bamboo? We are not going to allow cutting of bamboo inside the forest. Bamboo inside the forest will still be regulated and protected as per the provisions of the Indian Forest Act, 1927 and the bamboo inside the forest will continue to be a forest produce inside the forest under the provisions of section 2 (4) (ii) which includes grass and hence the apprehension is unnecessary. Be assured.

I know, you have to raise something or the other. I am a great admirer of yours. You read a lot, you study a lot, and you bring out things in detail. I have learnt many things from you. The way you read things is a lesson for everyone, but you may not be correct every time. You have every right to raise an apprehension. But, if you genuinely feel that your apprehension was misplaced, please drop it from your mind once for all.

This Bill will only be for doing away with the requirement of selling and transit permit for bamboo grown on private land outside the forest. Then, you have said as to why there is urgency. I have been to these meetings in Germany and other places and I have seen how urgent it is for everything to be done. Those things which are waiting for 90 years, why should you delay them even for a day? You have been following this issue since May 2013. So, the day it matures, why should we wait?

India is committed to achieve nationally and determined contributions, that is, 2.5 to 3 billion additional carbon sequestration. This proposed amendment will help immensely when India and the entire world are concerned for climate change challenges. The Ministry of Agriculture is planning to promote bamboo cultivation in a big way under the restructured National Bamboo Mission. For that, it should be anchored urgently with enabling environmental and policy regime for success of this scheme. This will immediately remove the concerns and hardships of the farmers. There was an issue raised about bamboo being used for housing. So, I may inform my hon. Member Shri Hari that bamboo is being used in housing

under the Indira Awaas Yojana and special policy organisations like Coir Board and all. We already have a National Bamboo Mission and this proposed amendment will help in speedy implementation. Then, Smt. Poddar also raised some issues. She is probably not here. We have already taken up that issue with the States. I have already told you that we have written to the Chief Ministers and we had meetings with the PCCH and the States for removing difficulties. The hon. Member also spoke about the importance, difficulties and also covered the need for urgency to come out of regulatory regime. My dear Tathagata Ji raised a couple of issues. Some of them have already been replied. Only 11 States have their own Forest Act and most of them have agreed to amend their provisions too. Around 26 States have Indian Forest Act and hence, most part of India will be immediately benefited. They have already supported it. This is just for your information. Then, you asked as to how forest guards will ensure that the bamboo transported in trucks is from the forest. All forest entries have check posts. Technology and surveillance are the order of the day. These days we are living in the 21<sup>st</sup> century with the latest science and technology at our disposal. The bureaucratic inability to check should not deprive the poor of their rights to grow, cut and sell.

Shri Jithender Ji also mentioned a few things. Only by defining bamboo from tree to grass will not suffice. I have to tell him that under the National Bamboo Mission, one lakh hectare area is proposed to be planted with bamboo in the next three years. It is not only this amendment, but we also have a prospective plan with us on which all our Departments are working closely with synergy. Post-harvest, complete value chain mechanism, skill development and capacity building, market networking and linkages, e-agri markets, tool development and harvest processing, setting up of tissue culture and nursery development, value addition, product development, etc., are already planned. These are the things, which I have mentioned, are already planned under the National Bamboo Mission.

The second question he raised was about the proposed Amendment Bill. This proposed Amendment Bill will ease the provisions and remove the confusion between the two Acts, that is, the Indian Forest Act and the Forest Rights Act. Then, there was some issued raised by our friend from Jharkhand. ...  
(Interruptions)

Sunil Ji has also mentioned that bamboo requires continuous cutting. I have also mentioned it earlier. As regards reserve forests, maybe we have to go in for surveillance. It is a brilliant suggestion to the proposed Amendment Bill. That is already being done and we will strengthen it. The proposed amendment will be beneficial.

Finally, Mr. Mahtab asked how many States have supported this. I mentioned that day that you are one of those Members for whom I have great respect because of your knowledge, sincerity and commitment.

SHRI BHARTRUHARI MAHTAB : You are the doctor Saheb of this House. There is another doctor Saheb in the other House.

DR. HARSH VARDHAN: As far as answer to your question is concerned, as per the latest figures, 23 States have already supported it. There are five States which have raised some objections or apprehensions. They are – Rajasthan, Bihar, Andaman and Nicobar, Andhra Pradesh and Kerala. These States have a concern about felling of bamboos in forest land, etc. for which we are having one-to-one meeting and are trying to clarify that. We are not forcing anything. It is in the larger interest of the country. “Sabka Sath Sabka Vikas” is the theme with which we are working.

One Member said that blanket permission for transport will deplete the forest. I would like to say that this amendment will result in no permission for cutting trees outside forest. I think some of the things may not have been answered but I may clarify them at the personal level.

Once again I wish to tell you that this is a good Bill and time will tell this. Maybe some of us will be in this House after five years and they will appreciate

that this is probably the greatest reforms of the last century that Mr. Narendra Modi thought of. Our country had to wait for Mr. Narendra Modi to come to bring about this great change in the Indian Forest Act. When I studied it, I always felt as to why such an amendment had to wait for 90 years.

I would once again repeat that ours is a Government which beliefs in total transparency. We believe only in *manav dharam*, *rashtra dharam* and in *samaj dharam*. We work for that and we put our head and soul into it. Our Prime Minister has given us inspiration to work with utmost sincerity, commitment, honesty and dedication for the people of this country.

With these few words, I would request all the hon. Members to now, at least, pass this Bill.

SHRI N.K. PREMACHANDRAN : Sir, I thank the hon. Minister for his kind words and a detailed reply as also for his good comments about the work which we have done in Parliament.

You have stated that it is a misplaced conviction. I fully agree with you. If you can convince us that it is a misplaced conviction, I am ready to correct it. I have made mainly two points. The first point was regarding Ordinance route of legislation. The Ordinance was promulgated on 23<sup>rd</sup> November, 2017 and the House was going to be summoned on 15<sup>th</sup> of December, 2017. Then what was the urgency in promulgating an Ordinance when the House was to be summoned within two weeks? That is the first question which I posed. I do not think that it is a misplaced conviction on the part of a Legislator.

The second point is regarding felling and transiting bamboo trees which are cultivated in the private land. We fully agree with the Government that all the restrictions and regulations imposed on cutting, felling and transiting of bamboos grown in the private land should be removed. We have no hesitation or opposition to that. We are fully with the farmers. But I had raised a technical question. Just now the hon. Minister has assured the House that bamboo will continue as a forest produce. I thank him for this assurance. But kindly see what is forest produce.

### **19.00 hours**

Forest produce has been very specifically defined in clause 2(iv)(i), trees, leaves, flowers, fruits and all other parts of trees. Now, bamboo is being taken away from the purview of the definition of trees. How can then it be continued to be called a forest produce? That is the question.

The hon. Minister proposes to amend the Indian Forest Act. There is no harm in making rules and legislations. There is no restriction on growing and cultivating bamboo on private land. In my house there is bamboo. There is no restriction in cutting and transiting bamboo. If any restriction is there in any State, particularly in the North-Eastern States, we can make legislation for those States. But still I could not get convinced as to why Section 2 of the Forest Act is being

amended so that bamboo is removed from the definition of `tree`. Bush is there; even cane is there. Taxonomically cane is being termed as a `grass` and cane is there within the purview of the definition of tree. Why bamboo alone is being taken away from the purview of the definition of tree? Without having this amendment there are enough opportunities for taking away the restrictions and regulations in felling, cutting and transiting the bamboos. Under such circumstances, what is the necessity of this legislation? That is my question.

Sir, I am not questioning the integrity and honesty of the hon. Minister. I know him personally. I admire him also. But unfortunately, in a law-making process, even a full stop, or a comma and definition have got their own ramifications. I apprehend, maybe my apprehension is wrong, that this will be misused for depleting the forest area in the country, especially the bamboo forest. That is the apprehension which I would like to place on record. With these words I conclude my speech.

DR. HARSH VARDHAN: Sir, I have explained in great detail and once again I can tell the hon. Member that bamboo will continue to be a forest produce as per clause 4(b)(ii) in forest areas and not outside forest land. The apprehension of the hon. Member is that people will misuse it inside forest. In that way, anything can happen anywhere. What is this Government for? What is this system for? What are the satellites for, what is the modern technology for? I have made it amply clear but even then I fail to understand as to why the hon. Member still has apprehensions. Outside the forest areas, once the amendment is done, it will be treated like any other agri produce. You have to appreciate the spirit of the Bill. The Bill seeks to encourage people to do this bamboo cultivation outside the forest areas. I have already explained in great detail the kind of benefits that are associated with bamboo cultivation and how much it is going to help boost our economy.



HON. DEPUTY-SPEAKER: Mr. Minister, whatever you are saying here is correct. But the apprehension of the hon. Member is this. Why are you removing bamboo from the purview of the definition of the word 'tree'? So many other trees are being cut in private cultivation. There is a provision that in private land those trees can be cut. But still those are treated as trees. But if you remove the word 'bamboo' from the category of 'tree', then the apprehension of the hon. Member is that this provision can be misused. That is what he feels. How to protect the bamboos in the forest? That is what he is asking.

DR. HARSH VARDHAN: Sir, I can assure the hon. Member that the Government will take full care of the apprehensions expressed by him.

श्री रमेश बिधूड़ी (दक्षिण दिल्ली) : उपाध्यक्ष महोदय, हमारे यहां अरावली के अंदर घास की तरह एक कीकर होता है, जब अंग्रेज़ आए थे, तो उनके बाद काँग्रेसी उसको देश के अंदर ले आए थे। ... (व्यवधान)

HON. DEPUTY-SPEAKER: What clarification do you want to seek? You are not the Minister of Parliamentary Affairs.

श्री रमेश बिधूड़ी: सर, मुझे केवल तीस सैकेंड सुन लीजिए। डॉक्टर साहब से मेरा निवेदन है कि उसकी जो पत्तियां झड़ती हैं, जब वे जमीन पर पड़ जाती हैं तो परत बन जाती है और जमीन पर कलर हो जाता है और उस कीकर का पानी भी जमीन में नहीं जा पाता है। उन्हें काटते हैं तो फॉरेस्ट एक्ट के तहत उनको काटने नहीं देते हैं। उनका कोई यूज नहीं है, उन कीकरों की छाया भी नहीं होती है। मेरा डॉ० साहब से निवेदन है कि इस बिल के अंदर उनको भी कंसिडर करें, उन कीकरों के और बहुत ऑस्पेक्ट्स हैं। मेरे यहाँ 250 एकड़ के अंदर डाइवर्सिटी पार्क बना है, उस डाइवर्सिटी पार्क में वह कीकर अन्य पौधों को पैदा नहीं होने देती है। इसलिए उन कीकरों को भी इसमें ऐड कर लें उन कीकरों को भी काट सकें और फॉरेस्ट डिपार्टमेंट वाले न रोकें। यह मेरा एक कमेंट है। बहुत-बहुत धन्यवाद।

DR. HARSH VARDHAN: Sir, I will give him a final clarification. If this also does not satisfy the hon. Member, then I do not know what we can do about it.

Sir, I will give you a list of things that we are going to do to prevent misuse in the forest area. Once people start growing bamboo outside the forest areas, we have to appreciate it.

Right now, why is there a pressure on the forest bamboo? It is because there are many restrictions and we do not allow people to grow them outside the forest area and if they grow them, there are many hurdles. There are inspectors everywhere and there is someone who is demanding something or other. The pressure on forest bamboo will reduce and this will further put a check on illegal cutting. We also have a long list of measures to prevent illegal cutting of bamboo inside the forests.

If you wish, I will read all of them. You will be happy to know that we are not talking in the air. We are working on the ground.

The amendment is basically only to exempt bamboo from the definition of 'tree' so that bamboo grown on non-forest/private land does not attract provisions of transit and felling regulations and at the same time, the regulation on movement of bamboo grown on forest land will still be enforceable as it will continue to be a forest produce under the provisions of the Indian Forest Act, 1927. This is the first measure.

There are adequate legal frameworks for conservation and protection of bamboo resources inside the forest areas as per the Indian Forest Act, 1927 and State Forest Acts/Rules. This is the second measure.

Thirdly, as of now, people are discouraged to take up plantation on their own land due to requirements of felling and transit which I have repeated again and again. After removal of these impediments, they will be encouraged to take up plantation/harvest for economic use. This will help in reducing their dependency on bamboo resources from forest areas and help in conservation of resources, instead of cutting of the resources.

Forest Departments are well structured. They are working under the Government system and mechanism. Being an organised sector, they have their own frontline staff, guards, rangers, etc. to protect the resources.

Harvesting of bamboo inside forest areas is carried out as per the prescribed working plan/management plan.

The bamboo species which are preferably grown by farmers and other individuals in their farm land/private land are commonly different from the bamboo species which are mostly found in the forest areas. Therefore, in case of illegal cutting from the forest areas, it could be ascertained with a reasonable practical logic.

No report has been noticed yet regarding clear axing of bamboo inside the forest areas as the nature of felling of bamboos on large scale will result in heavy volumes and it would not be easy for anyone to transport, hide or modify them instantly from the actual source of cutting.

Further, to add to this, the check post guards have the right to check and retain them on the ground in case of any doubt of the authenticity of the source and they can inspect the source of felled bamboo from simply matching the cutting edges of bamboo and sites of felled bamboo.

We have done it up with this much of meticulous precision. Gram Sabha and community participation will also help in identification of the resources. Then the State Forest Department may ask them, if needed, to get a certificate from the Gram Sabha/Headman indicating that the resources are from their own land. Then, finally with the use of advanced technology, photography, GPS registration, other innovative measures and development, self-certification will be done. There are many more things which we are in the process of developing. We will put the Ministry of Science and Technology at the disposal of the Ministry of Environment and Forest to ensure that all your concerns are addressed.

SHRI JITENDRA CHAUDHURY : I am supporting this Bill. I am not opposing it. I appreciate your initiative. You talked about the National Bamboo Mission. These bamboo resources should be put to optimal commercial use. You referred to China. They are making 1,000 billion dollars and our share, as you have mentioned, is only six per cent. Why? It is because there is no policy on how to commercially exploit these resources. Why can we not have a Bamboo Board like

the Rubber Board, Spices Board, Coffee Board, and Tea Board? If there could be a Tobacco Board for tobacco, which is injurious to health, why can we not have a Bamboo Board? Unless this is done, you cannot achieve your goal.

HON. DEPUTY-SPEAKER: Shri Premachandran, are you withdrawing your Resolution?

SHRI N.K. PREMACHANDRAN : No, it has already been moved.

HON. DEPUTY-SPEAKER: The question is:

“That this House disapproves of the Indian Forest (Amendment) Ordinance, 2017 (Ordinance No. 6 of 2017) promulgated by the President on 23 November, 2017.”

*The motion was negatived.*

HON. DEPUTY-SPEAKER: The question is:

“That the Bill further to amend the Indian Forest Act, 1927, be taken into consideration.”

*The motion was adopted.*

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

## **Clause 2      Interpretation clause**

HON. DEPUTY-SPEAKER: Shri Premachandran, are you moving your amendment?

SHRI N.K. PREMACHANDRAN : I beg to move:

“Page 1, lines 5 and 6,--

*for* ‘the word “bamboos” shall be omitted’

*substitute* ‘for the word “bamboos”, the words “bamboos in the forest land excluding the bamboos cultivated in the land other than forest land” shall be substituted’.

The Minister has stated that bamboo means bamboo cultivated in a land other than the forest land. That is my amendment. It can be accepted. If it is accepted, the entire cloud of suspicion will go. I am moving the amendment just for the sake of record.

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

*The amendment was put and negatived.*

HON. DEPUTY-SPEAKER: The question is:

“That clause 2 stands part of the Bill”.

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clause 3 was added to the Bill.*

*Clause 1, the Enacting Formula and the Long Title were added to the Bill.*

DR. HARSH VARDHAN: I beg to move:

“That the Bill be passed.”

HON. DEPUTY-SPEAKER: The question is:

“That the Bill be passed”

*The motion was adopted.*

HON. DEPUTY-SPEAKER: The House stands adjourned to meet on Thursday, the 21<sup>st</sup> December, 2017 at 1100 a.m.

**19.15 hours**

*The Lok Sabha then adjourned till Eleven of the Clock on Thursday, December 21, 2017/Agrahayana 30, 1939 (Saka).*

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