



LOK SABHA DEBATES

(Part I -- Proceedings with Questions and Answers)

Monday, July 30, 2018/Shravana 8, 1940 (Saka)

LOK SABHA DEBATES

PART I – QUESTIONS AND ANSWERS

Monday, July 30, 2018/Shravana 8, 1940 (Saka)

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LOK SABHA DEBATES

(Part II - Proceedings other than Questions and Answers)

Monday, July 30, 2018/ Shravana 08, 1940 (Saka)

(Please see the Supplement)

LOK SABHA DEBATES

PART II –PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS

Monday, July 30, 2018/Shravana 04,1940 (Saka)

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PLEASE SEE THE SUPPLEMENT.)**

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LOK SABHA DEBATES

PART II –PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS

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(1100/VR/PC)

1100 hours

(Hon. Speaker *in the Chair*)

... (*Interruptions*)

SHRI SUDIP BANDYOPADHYAY (KOLKATA UTTAR): Madam, 40 lakh names have been deleted from the National Register of Citizens in Assam.... (*Interruptions*) Madam, it is a very serious issue. ... (*Interruptions*)

PROF. SAUGATA ROY (DUM DUM): Madam, this is a very serious issue.

HON. SPEAKER: I am not saying 'no' to you. I will allow you to take it up after Question Hour.

... (*Interruptions*)

HON. SPEAKER: Let us take up Question Hour - Shreemathi Teacher.

(Q.161)

SHRIMATI P.K. SHREEMATHI TEACHER (KANNUR): Thank you very much, Madam. As we all know that Kerala is known as the God's Own Country across the world. It is chosen as one of the 10 paradises of the world by the National Geographic Traveller.

Madam, the earlier name of my district Kannur was Cannanoor, that means, a Place of Lord Krishna. It is one of the most beautiful places in Kerala with many ancient temples, drive in beaches, backwaters and hill stations. Thousands of visitors and devotees come to Kannur every day.

The upcoming Kannur International airport is one of the largest airports in South India. A large number of international and domestic tourist inflow is expected in the coming years. My district is a world famous destination for its folk lore, handloom and ancient divine art form known as 'Theyyam'.

Madam Speaker, through you, I would like to raise an important question to the hon. Minister and it is about the pilgrim tourism project, which is recommended by the State Government. There are a number of famous temples in my district. There is a Sree Mridanga

Saileswari temple and there is no other temple like that in the whole of India. Then, there is a Sree Kottiyoor temple where lakh of devotees come every year. Sree Rajarajeswara temple is a divine place where late hon. Chief Minister of Tamil Nadu, J. Jayalalitha used to visit. A number of hon. Ministers, Member of Parliaments and other people representatives visit Sree Rajarajeswara Shiva temple every year.

Then, a number of other divine temples like Sree Muthappan temple, Trichambaram Sree Krishna Temple, Sree Subrahmanya Swami temple, Sree Sundareswara temple, Sree Mamanikkunnu Mahadevi temple, Velam Sree Mahaganapathi temple and Sree Annapoorneswari temple, are there in my district. Madam, the famous Sree Hanuman temple is itself located in my village, Cheruthazham.

Madam, I am very happy to mention that the priest of Sree Badarinath temple, Shri Ravalji belongs to my own village. Traditionally, they come from my village.

(1105/SM/MM)

Madam, I am very happy to inform the House that the priest of the Badrinath temple is my neighbour.

HON. SPEAKER: It is very good that you are recognising so many temples and other things. But please the question.

SHRIMATI P.K. SHREEMATHI TEACHER (KANNUR): Madam, there are at least 10 temples in every ward of my district. There are thousands of famous temples in Kannur. Devotees come to Kannur from far-off places.

So, considering the spiritual importance of Kannur and the increasing inflow of pilgrims, I would like to ask whether the Hon'ble Minister and the Government of India(Tourism Department) will sanction this spiritual and pilgrim tourist project at the earliest.

SHRI ALPHONS KANNANTHANAM: Speaker Madam, no such proposal has been received in my Ministry under the project, 'PRASAD' from the Government of Kerala. However, we have received a proposal under Swadesh Darshan Scheme which is another flagship scheme of the Government of India. It is a proposal to develop cruise tourism in Malabar. Originally, the proposal was worth Rs.300 crore. We had a presentation before our Ministry and we had asked them to rework on it. Now, we have got a proposal of Rs.98 crore which has come from the Government of Kerala. Our Mission Directorate has examined it. Our Committee with the

Secretary and the Chairman has also examined it. Madam, the proposal is before us.

SHRIMATI P.K. SHREEMATHI TEACHER (KANNUR): Madam, the recommendations of the State Government have already reached here. I would request the Hon'ble Minister to kindly consider them. I would also like to know about the total number of tourism projects that have been undertaken after the Hon'ble Minister has assumed the charge.

I would like to say one important matter. As has been already told, Kannur International Airport is going to be inaugurated in the next two-three months. In this context, the Kerala Government has submitted a proposal about the tourism hub. The proposal of the Malabar river cruise project has already been submitted and the Ministry of Tourism has asked the State Government to fund the remaining amount. The State Government has started the project with the support of Rs.53 crore last year. But for the last two years, the sanction from the Central Government is awaited. Still, it has not been received even after two years. It has been carefully studied at all levels. Dr. Mahesh Sharma was the Tourism Minister at that time. I had submitted a project and it was carefully studied at all levels by

the Ministry of Tourism. But the sanction has not been received. The file is with the Ministry. All the formalities have been completed. I am awaiting a positive reply. I would request the Hon'ble Minister, through you, to sanction the Malabar river cruise project at the cost of Rs.82 crore at the earliest.

SHRI ALPHONS KANNANTHANAM: Madam, Speaker, as has been mentioned earlier, this project is before us and we are considering it. Madam, this is the first time that I am replying to the questions in the Parliament even though I became the Minister 11 months back. Madam, kindly permit me to say a few things about tourism. We have two flagship programmes in the Ministry. One is Swadesh Darshan and the other is Prasad. We have sanctioned 69 projects under the Swadesh Darshan scheme with the sanctioned amount of Rs.5711 crore. Under the PRASAD scheme, we have sanctioned 24 schemes at an outlay of Rs.727 crore. Madam, for North East, we have sanctioned eight projects worth of Rs.723 crore. Under tribal scheme theme, we have sanctioned four projects worth of Rs.381 crore. Under Buddhist theme, we have sanctioned five projects worth of Rs.362 crore. Under eco-tourism project, we have sanctioned five

projects worth of Rs. 461 crore. Under coastal theme, we have 11 projects worth of Rs.896 crore.

(1110/SAN/SJN)

Under PRASHAD scheme, we have sanctioned 24 projects worth Rs. 727 crore. These are all projects which we have sanctioned.

Madam Speaker, the process is very simple. The State Government submits the proposal to us. We call them for a concept presentation before the Mission Directorate headed by the Joint Secretary. Obviously, modifications are made in the project proposal. The State comes back to us later. Again, it comes before the Mission Directorate. If it is approved by the Mission Directorate, it goes to a committee headed by the Secretary of the Department, with all senior officials being there. Then, of course, we take the approval of the Finance Ministry. Thereafter, the file comes to me.

May I also say a couple of words about the total budget? We have Rs. 5,711 crore sanctioned under Swadesh Darshan and Rs. 727 crore sanctioned under PRASHAD. My total outlay for development works in the current year is Rs. 1,320 crore. So, we have to examine these projects in detail and see the feasibility,

depending on how feasible a project is, how many tourists it can attract and subject, of course, to the financial feasibility of all things. These are some of the things which we do.

Of course, cruise tourism is one of the things which we promote very strongly. We sanctioned projects worth Rs. 106 crore over the past few years. Many of them have been completed, like Cochin, Chennai and Goa ports. These points have been completed. In Mumbai port, projects worth Rs. 300 crore have been sanctioned. The Ministry of Shipping is putting in Rs. 197 crore and the rest is going to come from the private sector. In Cochin, Rs. 21.43 crore worth of project is for a new cruise terminal which can berth big cruise ships and it is going on. These are the couple of things that we do.

We also run 42 institutes of hotel management, out of which 21 are under the Central Government and 21 are under the State Governments.

Madam Speaker, we also do massive publicity. This year, we have Rs. 450 crore for overseas publicity and Rs. 135 crore for publicity domestically. ... (*Interruptions*)

HON. SPEAKER: Let it be. A Question on tourism comes very rarely.

SHRI ALPHONS KANNANTHANAM: I think, Madam Speaker, that is an overview of what we are doing in the Ministry. Of course, there are many things to do. If there are more questions, I would be very happy to share the information with the House.

SHRI N.K. PREMACHANDRAN (KOLLAM): Madam Speaker, I thank you very much. It is quite fortunate that the maiden answer of the hon. Minister is on a matter which is relating to Kerala. It is a worth day to have this question also.

Madam Speaker, the hon. Minister just now answered that the proposal has to come from the concerned States. My first suggestion is that the proposals, which are being submitted by Members of Parliament, should also be considered. Otherwise, unfortunately, we are submitting so many proposals. This is not only in respect of tourism but in respect of almost all the Centrally-sponsored schemes that the Members of Parliament have no role in selecting the works. I would request the Government at the Centre to take note of the situation so that the proposals, which are being submitted by the Members of Parliament, should also be taken into consideration while allocating the projects.

Madam, my question is relating to my constituency. As Shrimati Teacher has rightly said, the hon. Minister visited the Eastern part of my constituency last month during the inauguration of the broad guage conversion work. Achankovil Sree Dharma Sastha Temple, Aryankavu Sree Dharma Sastha Temple and Kulathooppuzha Sree Dharma Sastha Temple are three major important temples of Lord Ayyappa. The place is connected to Sabarimala also. Punalur *Edathavalam* is also there. The point is that these three Lord Ayyappa temples are representing the three stages of Lord Ayyappa Swami. It is very important to note that a lot of devotees are coming to these temples. The chandan and the *teertha* are considered to have medicinal properties to cure snake bites. Such historically important three temples are there which are connected to Sabarimala also. Punalur *Edathavalam* is also there.

My specific question to the hon. Minister is this. Will he consider a proposal which I have already submitted to the Ministry of Tourism to incorporate or include this either in Swadesh Darshan Scheme or PRASHAD Scheme? This is the specific question which I would to ask the hon. Minister. Thank you.

SHRI ALPHONS KANNANTHANAM: Madam Speaker, it is a very strange coincidence that when I was a Member of the Kerala Assembly, both of them were Ministers and I used to ask them questions.

Madam Speaker, I have the details of all the representations from every Member of Parliament here. I can even explain them. Every representation, which is received in my Ministry, we take them very seriously.

(1115/SPR/BKS)

We give them reply. We send it to the State Government for incorporating them in their projects.

As far as Kerala is concerned, at present, there are three projects which are under implementation. The cost of Patrandata-Gavi-Vagamon project is for Rs.99 crore; the cost of Sabarimala-Erumely-Pamba project is for Rs.92 crore; and the cost of Sri Padmanabha Swamy-Sabaraimala project is for Rs.90 crore. Sri Padmanabha Temple has an amazing worth of assets, over Rs.100,000 crore. Once they have finished with these, we shall certainly consider other projects.

HON. SPEAKER: The question is totally on Kerala.

PROF. K.V. THOMAS (ERNAKULAM): Madam, Piravam is the birthplace of Sri Sankaracharya and he was brought up in Kalady. People visit both these important pilgrim centres. Malayattoor is the place where Saint Thomas Cave is located. Vallarpadam, as the hon. Minister knows, is a major pilgrim centre where Saint Kuriakose was born; and brought up in Koonammavu. These are the major centres of pilgrimage in Ernakulam which are well known to the hon. Minister. Various proposals have been placed before the Government of India by the Government of Kerala. In what way these centres, especially the birthplace of Sri Sankaracharya, Kalady, can be developed?

SHRI ALPHONS KANNANTHANAM: Madam, there are two proposals which we are considering in the Ministry. These are not proposals. We are now expanding the size of PRASAD Scheme which could be implemented. One of the places which is under consideration is the Saint Thomas Church in Malayattoor which is possibly built in 52 A.D. by one of the disciples of Christ.

Second one is the most popular mosque outside Saudi Arabia, the Cheraman Mosque at Kodungallur. Both these have been circulated to the State Government; we are waiting for the response. As soon as we have the response, we shall examine in totality as to

what are the proposals which have come from other States, and we will see how all these can be incorporated.

माननीय अध्यक्ष : अब थोड़ा हनुमान बनिए।

श्री कौशलेन्द्र कुमार (नालंदा): मैडम, मैं माननीय मंत्री जी से यह जानना चाहता हूँ कि मेरे संसदीय क्षेत्र नालंदा में राजगृह एक जगह है, जिसे महात्मा बुद्ध जी की ज्ञान की भूमि कहा जाता है एवं जैनियों की निर्वाण भूमि पावापुरी है। मैडम, आप वहाँ चार महीने पहले जा चुकी हैं। मैं जानना चाहता हूँ कि प्रसाद योजना के तहत राजगृह के विकास के लिए, जहाँ दुनिया भर से लोग आते हैं, मंत्री जी अपने क्या विचार रखते हैं?

SHRI ALPHONS KANNANTHANAM: Madam, we have two proposals from Bihar which are under implementation. One is development of basic facilities at Vishnupad Temple in Gaya; the project cost is Rs.4.27 crore. Madam, 50 per cent of the work is completed. Second project is about the development of Patna Sahib at a cost of Rs.41.54 crore. These are two proposals; we have not received any other proposals from Bihar. As and when we receive, we shall consider.

श्री गणेश सिंह (सतना): मैडम, माननीय मंत्री जी ने प्रसाद योजना के तहत 24 परियोजनाओं की स्वीकृति दी है। उसी में मध्य प्रदेश राज्य के ओंकारेश्वर को जोड़ा हुआ है, लेकिन मैं माननीय मंत्री जी से निवेदन करूंगा कि चित्रकूट जहाँ भगवान राम जी ने साढ़े ग्यारह वर्ष का वनवास काटा था, उसको भी इस योजना के अंतर्गत शामिल

किया जाए। वैसे मैहर में मां शारदा का मंदिर, ओरछा मंदिर और उज्जैन का महाकाल ये सभी स्थान प्रसाद योजना में शामिल होने के लायक हैं। फिर भी मैं मंत्री जी से यह चाहूंगा कि चित्रकूट को जरूर इस योजना में शामिल किया जाए।

SHRI ALPHONS KANNANTHANAM: Madam, now Omkareshwar project is being implemented at a cost of Rs.40.67 crore. Unfortunately, even though we have given the first instalment of Rs.8.13 crore, the progress has been very slow. Only five per cent of the work has been done so far. We have not received any proposal regarding Chitrakoot. As and when we receive the proposal, we shall consider it. In generality, as we do in all projects received from all the States, we give equal importance. This shall be considered along with other proposals.

(1120/SPR/GG)

SHRI ADHALRAO PATIL SHIVAJIRAO (SHIRUR): Madam, I would like to thank the Minister and his Ministry for approving a project for Trimbakeshwar in Nasik, Maharashtra. As I remember, I had already requested and submitted a proposal to develop and obtain funds for another important Jyotirling, that is, Bhimashankar, in my constituency. I have already submitted that proposal to the Government of Maharashtra. More than a year has gone by, I have

learnt that no information has been received from the Government. So, I would request the hon. Minister to check as to whether he has received any proposal from the Government of Maharashtra for the development of Bhimashankar.

The question is not related to his Ministry, yet, I would like to inform the Government that there is another temple - in my constituency - Asthavinayak Temple in Venadri where ASI centre is located. Entry fee is charged from the visitors to the temple by the ASI. Would the responsible Minister look into it?

माननीय अध्यक्ष : यह उनका प्रश्न नहीं है।

...(व्यवधान)

माननीय अध्यक्ष : इसका उनसे कोई संबंध नहीं है।

...(व्यवधान)

SHRI ALPHONS KANNANTHANAM: Madam, ASI does not come under me; that comes under the Culture Ministry.

We are implementing a scheme at Trimbakeshwar at a cost of Rs.37.81 crore; it is under tendering process. We have not received any such proposal from the State Government. As and when we receive, it shall receive consideration just like all other projects do.

श्री ए. पी. जितेन्द्र रेड्डी (महबूबनगर): मैडम, आपने मुझे प्रश्न पूछने का अवसर दिया, इसके लिए मैं आपको धन्यवाद देता हूँ। मैडम, ऐसा लग रहा है कि आज सोमवार की सुबह-सुबह पूरे देश के टेंपल्स के दर्शन हो गए हैं। सारे भगवानों के नाम भी हमने लिए हैं। मैडम, तेलंगाना में महबूबनगर के अंदर जोगलांबा टेंपल एक एंशिएंट टेंपल है, जो पांचवा शक्तिपीठ कहा जाता है। Lots of devotees from all over the country visit this place. मैं मंत्री जी से पूछना चाहता हूँ कि प्रसाद स्कीम के अंदर इसको शामिल कर के क्या टूरिज्म के तहत इसको शामिल किया जाएगा? This is about my State, Telangana, Madam.

SHRI ALPHONS KANNANTHANAM: Madam, as and when I get the written request, I would be able to check on that, and revert to the House.

(ends)

(Q.162)

SHRIMATI MAUSAM NOOR (MALDAHA): Madam, according to the Union Government, the newly formed National Testing Agency (NTA) would conduct the national level examinations in on-line mode. For example, NET, NEET, JEE(Main), which were earlier conducted by the CBSE, will now be conducted by the NTA.

For example, NET will be conducted in December; JEE(Main) twice a year – in January and in April; and NEET is conducted in February and May. The hon. Minister has stated that the exams would be more secure and at par with the international norms. There will be no issue of leakage; it would be more student-friendly, open, scientific and leak-proof system. Has the Government fixed responsibilities and accountability on authorities handling the examinations to ensure effectiveness of on-line mode of examination? If so, please cite the details?

SHRI PRAKASH JAVADEKAR: The answer is `yes'. दुनिया में, बहुत सारे विकसित देशों में यह टेस्टिंग एजेंसी होती है। अपने यहां हर विश्वविद्यालय में परीक्षा अलग होती है, हर बोर्ड में परीक्षा अलग होती है और परीक्षा में मुद्दा यह उठता है कि बहुत साइंटिफिकली पेपर सैटिंग नहीं होती है। इसलिए यह सब होने के लिए, साइकोमेट्रिक रिसर्च और इसकी इनपुट के साथ, पेपर सेफ्टी, यह इसका बहुत

महत्वपूर्ण हिस्सा है। इसलिए पेपर सेफ्टी के लिए, क्योंकि जैसे जीआरई, जीमैट में होता है, वहां तो हरेक को अलग क्वेश्चन पेपर आता है, यहां ऐसा नहीं है। लेकिन छात्रों को सिक्वोर्ड एन्वायरमेंट में परीक्षा मिलेगी। इसलिए जब मैंने इसकी घोषणा की तो इसका बहुत स्वागत हुआ।

(1125/UB/CS)

अभी हम इसे अन्तिम रूप दे रहे हैं और जल्द ही इसकी घोषणा करेंगे, लेकिन जवाबदेही बिल्कुल फिक्स रहेगी।

SHRIMATI MAUSAM NOOR (MALDAHA): Madam, several students, especially from the financially backward sections and from remote regions, may find transition to online mode difficult. In that case, would the Government provide sufficient time and training to them to get accustomed to online-mode system?

श्री प्रकाश जावड़ेकर : एकचुअली यह ऑनलाइन मोड नहीं है, इसे कम्प्यूटर बेस्ड कहना चाहिए, क्योंकि ऑनलाइन में नेटवर्क का इश्यू आता है। यहाँ यह इश्यू नहीं है। इसमें एक प्रारूप तैयार किया जाएगा, जिसे कम्प्यूटर पर डाउनलोड किया जाएगा। कॉलेज में कम्प्यूटर होता है, स्कूल में कम्प्यूटर होता है। ऐसे रिमोट एरियाज में जहाँ कम्प्यूटर नहीं है, उनके लिए ट्रांजिशन होने के एक वर्ष तक ऑप्शन देना है। हम इस पर विचार कर रहे हैं। तीन हजार से ज्यादा जगहों पर, जहाँ स्टूडेंट्स परीक्षा देने के लिए आते हैं, उनके लिए विशेष सेंटर्स भी रहेंगे। जहाँ-जहाँ जिन-जिन कॉलेजेज में सेंटर्स हैं, वहाँ सितम्बर माह से वे शनिवार, रविवार को आकर प्रैक्टिस कर सकते हैं।

उन्हें उसमें माउस का ही उपयोग करना है। जो लिखित प्रश्न हैं, वे वैसे ही रहेंगे, उसमें हाथ से सर्कल करना होता है, यहाँ कम्प्यूटर से करना है। बस इतनी सी ही चीज है। उसमें लिखना और बाकी फैमिलिएरिटी नहीं है। हम तीन हजार सेंटर्स पर इसे करेंगे। हम यह भी विचार कर रहे हैं कि पहले वर्ष के लिए, जब ट्रांजिशन हो रहा है, तो इसका भी ऑप्शन रखा जाए।

SHRI S. RAJENDRAN (VILUPPURAM): Hon. Speaker, all the examinations under National Testing Agency will be computer based only.

In this context, I would like to know from the hon. Minister whether the Government has made arrangements to give special training to students coming from rural areas who are willing to appear in JEE Main and the NEET Examination as they lack computer-based learning.

SHRI PRAKASH JAVADEKAR: The students will get five months to practise. They will practise on all Saturdays and Sundays, means nearly twenty Saturdays and Sundays. Actually, they do not require that much time because the students are sharp and the students, especially from rural areas are sharper. Let me tell you that the sufficient arrangement has been made but, as I said, we are considering whether there should be an inter-transitory provision.

DR. M. THAMBIDURAI (KARUR): Madam Speaker, I want to know through you whether it is necessary to have this kind of National Testing Agency to conduct examination throughout India.

Madam, you know very well that education was solely a State Subject. Afterwards, it was brought into the Concurrent List. When it was brought into the Concurrent List, the Central Government started interfering in the education system. The medium of instruction must be the mother tongue which is internationally accepted. That is why, the States were given the authority to provide education.

But, now, the Centre, in the name of tests and making standards, is unnecessarily interfering in the State Governments' arena by taking away all the powers. If the entrance examination is conducted two times in a year, the students are going to concentrate on the test only. Due to the Government's policy to conduct the test, the rural people would be affected. When the students study in 11th and 12th classes, they study all subjects. If you bring entrance examination, the students will concentrate only on entrance examination. The standard of education will definitely go down because the students will start joining coaching centres. As the hon. Member said, the rural people cannot have these kinds of facilities to

have access to coaching centres. Therefore, the mushrooming of coaching centres is going to come here, affecting school education. The standard of education in schools will go down. Does the Government not have faith in the State Governments' conducting the examination at plus-2 level? Do you want another system wherein you conduct common examinations? There are various problems like translating the questions. There are so many deficiencies.

Lastly, in the NEET Examination in Tamil Nadu, there were so many anomalies which took place in the translation of questions in the NEET examination. Even the Madras High Court ordered to give grace marks to the affected students.

(1130/NKL/RV)

But, you went to the Supreme Court for stay, that is a different issue. When the court itself said that there are anomalies in conducting the examination, why cannot you stop these types of examinations? Allow the State Governments, which are having standards, to do it. Why are the State Governments investing in education of Doctors and Engineers? It is to meet the requirements of the States. They require many doctors. If you conduct the entrance examinations centrally, the standard will go up and only

elite people will get through and those doctors would not come and serve in the rural areas. That is the problem we are facing. Therefore, students should be selected based on marks obtained at 10+2 level. That must be the criteria. You should not subject them to other entrance tests in-between. If you do so, the students would not study the syllabus prescribed in 10+1 and 10+2 courses but only concentrate on the entrance examinations. If you are going to conduct it two times, students of all schools will concentrate only on the entrance examinations throughout the year and they will not bother about their school syllabus prescribed for plus one and plus two examinations. This will be a dangerous thing.

HON. SPEAKER: Let the Minister answer now.

DR. M. THAMBIDURAI (KARUR): Madam, our State Government is against this policy. Other States will also accept this. ... (*Interruptions*) Why is the Centre interfering in a State Government's subject? The Tamil Nadu Government and our political parties are against the Centre interfering in our State Subject and conducting these kinds of examinations.

SHRI PRAKASH JAVADEKAR: The two-three issues which you have raised are very important. I appreciate the views of the hon.

Member. The issue is that there was only one Central examination called JEE for admission to Engineering. ... (*Interruptions*) Now, I am answering. This examination was for taking admission into IITs and NITs. Then NEET came at the behest of the court. The court said that it has to be conducted by CBSE and there will be a national test. As far as Tamil Question Paper is concerned, we sought translators from Government of Tamil Nadu. They gave us the translators who translated the question paper. But now, there is a question raised. From next time, we are saying that we will take an affidavit from the State Government confirming that the translation is correct. Then, there should be no problem. I appreciate the issues which have been raised. But, this is the decision taken due to Supreme Court's intervention.

Madam Speaker, about two crore students appear for the 12th standard examination throughout the country, including all the State Boards. Only 12 lakh candidates appear for NEET and nearly 12 lakh candidates appear for JEE. So, only 24 lakh candidates out of about two crore candidates appear for these two examinations and the rest of the admissions are done by State Governments.

SHRI ANIL SHIROLE (PUNE): Madam Speaker, I want to know from the hon. Minister whether the Government have thought of conducting the tests online for GRE and if so, is there any action taken so far and the results thereof?

SHRI PRAKASH JAVADEKAR: As I said, it is a computer-based examination. We should provide facilities for some transition for those who cannot. But, I can tell you that we have got tremendous response from the students. There was not even a single complaint. Everybody welcomed it. Therefore, for the last one month, people are very happy. But, this is not online but computer based.

SHRI RAMCHANDRA HANSDAH (MAYURBHANJ): Speaker Madam, it is good that the Central Government has created an autonomous agency like NTA to conduct various national-level examinations. Particularly in UGC NET, when examinations for Indian Languages are conducted, it is expected that the questions should be set in their own scripts. But, UGC NET Examination, so far has been conducted in Devnagri Script, though my own language, Santhali has its own script named OI Chiki. Education is imparted through OI Chiki language in nine universities across the country. So, will the Minister take necessary steps to sort out this anomaly so that

examination in Santhali Language is conducted in its own script, Ol Chiki?

(1135/MY/KMR)

SHRI PRAKASH JAVADEKAR: The question is specifically about a script. In our Language Department we are already taking note of all aspirations of people through various languages. There was one issue of Maithili about which you also wrote to me, Madam, and we have replied saying that we have taken note of it. This is a suggestion for action.

(ends)

(प्रश्न 163)

श्री अनुराग सिंह ठाकुर (हमीरपुर): अध्यक्ष जी, माननीय प्रधानमंत्री जी ने जब 'गीव इट अप' कहा तो देश के एक करोड़ से ज्यादा लोगों ने अपनी सब्सिडी छोड़ दी। मैं माननीय मंत्री जी को भी बधाई देना चाहता हूँ कि उन्होंने 'उज्ज्वला योजना' लाकर एवं मुफ्त में गैस सिलेंडर का प्रावधान करके चार करोड़ से ज्यादा महिलाओं को राहत दी है। लेकिन चिंता का विषय आज भी बना हुआ है कि हम जो क्रूड ऑयल इम्पोर्ट करते हैं, उसके ऊपर भारत की निर्भरता बनी रहती है। अलग-अलग सरकारें आईं और अलग-अलग वायदे हुए। माननीय मंत्री जी से मेरा प्रश्न यह है कि आखिरकार अगर कार्बन से ही एनर्जी मिलती है और हमें क्रूड ऑयल पर निर्भर रहना पड़ता है, आपका फॉरेन एक्सचेंज भी उस पर सबसे ज्यादा खर्च होता है, तो इस सरकार ने कौन-से ऐसे कदम उठाए हैं जिनसे भविष्य में हमारी निर्भरता उस पर कम हो और जो अंतर्राष्ट्रीय दाम बढ़ते-गिरते रहते हैं, उसके कारण उपभोक्ता तथा व्यापारियों को ज्यादा नुकसान न हो? आपने ऐसा कौन-सा कदम उठाया है, जिससे उपभोक्ता को लाभ मिल सके?

श्री धर्मेन्द्र प्रधान: महोदया, माननीय सदस्य ने एक मूलभूत विषय को इस प्रश्न के माध्यम से सदन के सामने रखा है, क्योंकि प्रत्येक व्यक्ति को ऊर्जा चाहिए। डेवलपमेंट के लिए एक प्रमुख शर्त एनर्जी है। आज की हमारी जो वैज्ञानिक प्रक्रिया है, उसमें फॉसलाइज फ्यूल से, चाहे वह कोयला हो या हाइड्रो-कार्बन हो, उससे हम एनर्जी कन्वर्जन करते हैं। लेकिन, आज आधुनिक वैज्ञानिक युग में अन्य कई प्रकार के बायोमास से कार्बन कन्वर्जन करना होता है, जिसे हम इथेनॉल, बायो-डीजल, बायो-सीएनजी कहते हैं। रिन्यूअबल एनर्जी, ग्रीन एनर्जी, कम प्रदूषण तथा कम्पेटिटिव रेट

आदि सारे विषय भी धीरे-धीरे भारत में एक नीति बनाकर पिछले जून महीने में ही भारत सरकार ने न्यू बायो-फ्यूल पॉलिसी, 2018 के नाम से देश के सामने रखी है। इथेनॉल, बायो-डीजल, बायो-सीएनजी, बायो-कम्पोस्ट इन सारे विषयों को मिनिस्ट्री ऑफ पेट्रोलियम एंड नेचुरल गैस, मिनिस्ट्री ऑफ फूड, मिनिस्ट्री ऑफ एग्रीकल्चर, मिनिस्ट्री ऑफ फाइनेंशियल सर्विस, मिनिस्ट्री ऑफ कॉमर्स तथा मिनिस्ट्री ऑफ रिन्यूअल एनर्जी ने मिलकर एक सामूहिक रणनीति बनाई है, जिससे हमारे देश की आत्मनिर्भरता बढ़े। माननीय सदस्य की बात सही है कि अंतर्राष्ट्रीय बाजार के क्रूड ऑयल के दाम के उतार-चढ़ाव का कुप्रभाव भारत की अर्थ-नीति में भी देखने को मिलती है। भारत सरकार ने वर्ष 2018 में एक लॉग टर्म स्ट्रैटेजी के नाते उसका एक वैकल्पिक रास्ता न्यू बायो-फ्यूल पॉलिसी के रूप में लाई है, जिसके बारे में मैंने उत्तर में विशेष कुछ लिखा है।

श्री अनुराग सिंह ठाकुर (हमीरपुर): अध्यक्ष जी, मुझे प्रसन्नता है कि इससे किसानों को भी लाभ मिलेगा और भारत की निर्भरता विदेशी देशों के ऊपर कम होगी, लेकिन जब तक यह लागू होता है, तब तक ईरान-इंडिया पाइप लाइन के बारे में क्या हुआ? आईओसी तथा ओएनजीसी (विदेश) ने कहा था कि हम विदेशों में जाकर ज्यादा ऑयल फील्ड्स को एक्वायर करेंगे ताकि हिन्दुस्तान को उसका लाभ मिल पाए, तो उस पर क्या हुआ? केलकर कमेटी से लेकर सी.रंगराजन कमेटी में सुझाव दिए गए थे कि किस तरह से ऑयल प्राइसिंग को कैलकुलेट किया जाए, उसमें से हम कितनी चीजों को लागू कर पाए हैं? माननीय मंत्री जी से मेरा निवेदन है, क्योंकि इसके बारे में जानना बहुत आवश्यक है।

मैडम, एक दूसरा विषय आता है कि बैटरी ऑपरेटेड कार आएगी, तो वर्ष 2025 से 2030 तक भारत सरकार के विभिन्न मंत्रालय क्या कदम उठाएंगे? वर्ष 2025 में किस तरह की गाड़ियाँ, ट्रक्स, बसें वगैरह इस देश में देखने को मिलेंगी? उनकी रिक्वायरमेंट कौन पूरी करेगा? क्योंकि, एक व्यक्ति कहता है कि इलेक्ट्रिकल कार आएगी, एक कहता है कि बैटरी ऑपरेटेड तथा इथेनॉल वाली कार आएगी। इस देश में क्या होगा? हमारे माननीय मंत्री जी उस पर थोड़ा प्रकाश डालें।

(1140/CP/GM)

श्री धर्मेन्द्र प्रधान : अध्यक्ष महोदया, मल्टी सोर्स तो रखना ही पड़ेगा। अभी का जो एनर्जी सोर्स है, इसके अलावा जैसे-जैसे टेक्नोलॉजी का रिवोल्यूशन होता जा रहा है, इलेक्ट्रिक व्हीकल हो या बायो-एनर्जी ड्रिवेन व्हीकल हो, सबको लाना पड़ेगा। एक लांग टर्म स्ट्रैटिजी के नाते उन्होंने कई विषयों का उल्लेख किया। पिछले दिनों में रंगराजन साहब हों, केलकर जी हों, इन्होंने जो-जो रिकमेंडेशंस कीं, जैसे केलकर जी की एक बड़ी रिकमेंडेशन थी कि देश में सीबीएम उत्पादित होनी चाहिए। हमारे देश में कोयले का अपार भण्डार है, लेकिन उसका वैल्यू एडिशन हम नहीं कर पाते हैं। सीबीएम का उत्पादन बढ़े, इसके लिए कई सारे रिफार्म्स वर्तमान सरकार ने किए हैं। इसका उत्पादन बढ़ा है। कोयले से मेथनॉल बने, इसके लिए हमारे यहां पर्याप्त कोयला है। उसमें मेथनॉल कन्वर्ट करते हैं। इसके ऊपर भी वर्किंग ग्रुप बनाकर हम लोग काम कर रहे हैं।

अध्यक्ष महोदया, विदेश में निवेश की बात कही गई। मैं आप के माध्यम से सदन को सूचित करना चाहूंगा कि शायद आजादी के बाद हम लोगों की ऊर्जा सिक्योरिटी के संबंध में रणनीति रही है कि विदेश में भारत का निवेश रहे। मैं जिम्मेदारी के साथ

कहना चाहूंगा कि पिछले चार साल में माननीय प्रधान मंत्री नरेन्द्र मोदी जी के वैश्विक नेतृत्व के कारण जिस ढंग से भारत को अंतर्राष्ट्रीय बाजार में अच्छे मूल्य पर, रशिया हो या खाड़ी के देश हों, अब तक हम खाड़ी के देशों से तेल खरीदते थे। उन देशों में हमें कुएं नहीं मिलते थे। पहली बार यू.ए.ई. की सरकार ने लोअर ज़ाकूम की ऑयल फील्ड भारत को अच्छे मूल्य पर लांग टर्म के लिए दी है। भारत सरकार की, विशेषकर प्रधान मंत्री जी की वैश्विक नेतृत्व की यह एक बड़ी स्वीकृति है। इस प्रकार के अनेकों कार्यक्रम चलाए जा रहे हैं।

श्री जय प्रकाश नारायण यादव (बाँका): अध्यक्ष महोदया, मैं माननीय मंत्री जी को बधाई देना चाहता हूँ कि बाँका बाराहाट में गैस सिलेण्डर के एक बड़े सेंटर का निर्माण किया जा रहा है। मैं माननीय मंत्री जी से जानना चाहता हूँ कि उसकी लागत कितनी है, कब तक यह योजना पूरी हो जाएगी और स्थानीय लोगों को क्या छोटे रोजगार में प्राथमिकता दी जाएगी?

श्री धर्मेन्द्र प्रधान : अध्यक्ष जी, सदन के वरिष्ठ सदस्य यादव जी ने अपने चुनाव क्षेत्र में लगने वाले एक एलपीजी बॉटलिंग प्लांट के बारे में पूछा। मेरे पास उसके लागत मूल्य की जानकारी अभी नहीं है। इसकी जानकारी मैं निश्चित रूप से आज ही उनको दे दूंगा।

दूसरा, उन्होंने स्थानीय नौजवानों के रोजगार के बारे में पूछा, तो मैं उनको सूचित करना चाहूंगा कि कम से कम प्रतिदिन सौ ट्रक्स उसी बॉटलिंग प्लांट से बिहार के अन्य जिलों में सिलेण्डर लेकर जाएंगे। निश्चित रूप से बिहार के नौजवान, बाँका के नौजवान, यादव जी की उसमें निगरानी रहे, लोगों को रोजगार मिलेगा और रोजगार सृजन होगा।

श्री सुनील कुमार जाखड़ (गुरदासपुर): अध्यक्ष महोदया, मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहूंगा कि विदेशी करेंसियों के मुकाबले रुपये की गिरती हुई कीमत का कितना बोझ हमारे इम्पोर्ट बिल के ऊपर पड़ा है? आपने अभी माननीय प्रधान मंत्री के वैश्विक साख की बात कही। वैश्विक साख एक तरफ रह गई, आप ही की पार्टी के लोग 2014 से पहले रुपये की गिरती हुई कीमत के साथ सरकार की साख गिरने की बात कहते थे। मेरा आपके माध्यम से यही सवाल है कि रुपये की पिछले 4 साल के अन्दर जो कीमत फॉरेन करेंसीज के मुकाबले गिरी है, उसका कितना बोझ देश के खजाने के ऊपर पड़ा है? क्या माननीय मंत्री जी इस बात के लिए सदन को आश्वस्त करेंगे कि रुपये की गिरती हुई कीमत की बदौलत जो डीजल की कीमतें बढ़ी हैं, उसकी कोई सब्सिडी किसानों को दी जाएगी?

श्री धर्मेन्द्र प्रधान: अध्यक्ष महोदया, यह मूल प्रश्न से थोड़ा अलग है, लेकिन मैं आदर के साथ आपकी अनुमति से माननीय सदस्य के इस प्रश्न का उत्तर देना चाहूंगा। अगर एक रुपया भारतीय मुद्रा डॉलर की तुलना में इम्बैलेंस होती है, तो लगभग 60 पैसे का बोझ हमारे ऊपर आ जाता है।

(1145/NK/RSG)

अध्यक्ष महोदया, आज की वैश्विक स्थिति में किसी को ईर्ष्या के कारण अगर मोदी जी का वैश्विक नेतृत्व स्वीकार नहीं करना है तो यह उनके दिल की बात है। मैं इसके लिए उनको विवाद में नहीं लेना चाहता। आज विश्व भारत को कैसे स्वीकार कर रहा है, भारत के पासपोर्ट की वजूद कैसे बढ़ी है, जो लोग विदेश जाते हैं उनको पता

चलता है। वर्ष 2014 और 2018 की स्थिति में कोई तुलना नहीं है। उन दिनों भारत में जिस प्रकार की अस्थिरता थी, नीतियों में अस्पष्टता और अनिर्णयता थी, आज हम उससे कई मील आगे जा चुके हैं। आज वैश्विक स्थिति में ट्रेड वार छिड़ी हुई है। जियो-पॉलिटी में कुछ देश अपनी ही बातों को विश्व की अर्थ नीति पर लादना चाहते हैं। मैं सदन को निश्चित रूप से आश्वस्त करना चाहता हूँ कि भारत अपने हितों को सर्वोपरि रखकर निर्णय कर रहा है। इस कारण भारतीय मुद्रा का अव्यमूल्यन होना केवल भारत की अर्थनीति से जुड़ा नहीं है। आज वैश्विक क्राइसिस बनी हुई है।

श्री निहाल चन्द (गंगानगर) : अध्यक्ष महोदया, केन्द्र सरकार, माननीय मंत्री जी और माननीय प्रधान मंत्री जी ने कच्चे तेल के आयात और एलपीजी के क्षेत्र में देश के लिए बहुत बड़ा काम किया है। मैं इसके लिए उनको बधाई देता हूँ। माननीय मंत्री जी से निवेदन है कि प्रत्येक राज्य में पेट्रोल और डीजल के भाव में अंतर है। मेरे लोक सभा क्षेत्र गंगानगर में हनुमानगढ़ एक बहुत बड़ा जिला है, इस जिले में एक तेल डिपो था, जिसे इस सरकार ने बंद कर दिया था। इसकी वजह से राजस्थान और पंजाब में छह रुपये डीजल के भाव में बढ़ोतरी हुई है। मैं माननीय मंत्री जी से जानना चाहता हूँ कि जो तेल डिपो बंद है, क्या आप उसे शुरू करने के लिए विचार कर रहे हैं?

श्री धर्मेन्द्र प्रधान : अध्यक्ष महोदया, यह प्रश्न मूल प्रश्न से अलग है। मैं सदस्य से मिलकर उसका समाधान करने की कोशिश करूंगा।

(ends)

(Q.164)

SHRI PRASUN BANERJEE (HOWRAH): Thank you, Madam Speaker. I am getting a chance after a long time.

This is a small question to the Minister regarding the criteria considered/adopted for granting the 'Institutions of Eminence (IoE) tag/status. My question was whether certain institutes which are yet to be set up have been granted the IoE tag/status; if so, the details thereof including the names of such institutes along with the reasons therefor; the names of applicants/institutes which had applied for IoE tag under Green Field category; and the details of private and Government sector institutions which have been granted the status of IoE as on date along with the conditions imposed thereunder.

SHRI PRAKASH JAVADEKAR: The major information and the list is given in the answer itself but let me repeat that there were 114 applications: 74 from public institutions – that is, Centrally-funded institutions, Central universities, State public universities, and Centrally-funded deemed universities – and 29 from private universities; and Green Field category universities – which did not exist but which had a plan to have major investment in education and better education – were 11 in number.

The Committee headed by Shri Gopaldaswami, included Dr. Tarun Khanna of Harvard University, Dr. Renu Khator of University of Houston, and Dr. Pritam Singh, former Director of IIM Lucknow. They took presentations from all the institutes. The criteria were to have a 15-year vision and 5-year implementation plan. The implementation plan includes academic plan, recruitment plan, research plan, administrative plan, infrastructure plan, collaboration plan, finance plan, governance plan, outputs and outcomes per year, and clear annual milestones and action plan. So, all these aspects were comprehensively considered by the Committee. The Government kept it at arm's length because this was an empowered committee.

(1150/RK/SK)

Let me once again clarify that no Greenfield University, which is not in existence but has a plan to come up in future, has been given the status of Institution of Eminence. They have been only issued Letter of Intent with a clear guideline of what they should do for three years, complete the process and then only they will be granted status after verification and inspection.

श्री प्रसून बनर्जी (हावड़ा): माननीय अध्यक्ष जी, एम्पावर्ड एक्सपर्ट कमेटी बनी है, यह बंगलुरु, दिल्ली और मुम्बई में है। पश्चिम बंगाल में द ग्रेट चीफ मिनिस्टर ममता जी एजुकेशन के लिए सोचती हैं।

मैं जानना चाहता हूँ कोलकाता में कब ईईसी यानी एम्पावर्ड एक्सपर्ट कमेटी आएगी?

SHRI PRAKASH JAVADEKAR: An Empowered Committee has taken note of all the 114 applications which include application from West Bengal also. This is not the end of the story. I think they will decide as to how to go about with the process further. Today, only six institutes; three public institutions - Indian Institute of Sciences Bangalore, IIT Bombay and IIT Delhi - have been notified as Institutions of Eminence.... (*Interruptions*)

SHRI SUDIP BANDYOPADHYAY (KOLKATA UTTAR): You have forgotten IIT Kharagpur.... (*Interruptions*)

HON. SPEAKER: You should not speak like this.

... (*Interruptions*)

SHRI PRAKASH JAVADEKAR: IIT Kharagpur is a very good institute. The Empowered Committee will definitely look into it.

PROF. SAUGATA ROY (DUM DUM): Madam, the idea of having Institution of Eminence is a good idea because our former President

Shri Pranab Mukherjee and former Prime Minister Dr. Manmohan Singh often used to say that none of the Indian universities or institutes of technology are in the first 200 universities of the world. So, there must be some effort to put them on the list of first 200 institutions.

I may mention that big institutions are not built by money and infrastructure alone. Prof. Raman got the Nobel Prize working in a ramshackle laboratory in Kolkata. Prof. Shah and Prof. Bose got their international eminence working from there. So, the main thing is to attract talent from abroad. Two Indians; Hargobind Khorana and Prof. Chandrasekhar got their Nobel Prizes working from abroad. Now, the question is how to get these eminent people from abroad.

Unfortunately, in the last few years best professors who came to work for the Government of India - Dr. Raghuram Rajan, Prof. Arvind Panagariya and Prof. Arvind Subramanian - have left the Government of India. So, there is still brain drain going on during the time of this Government.

The Minister has told us in detail as to how the full list was prepared. You had one Professor from Harvard Business Schools. I do not know why, to favour some business group or what, he was

not selected. I would like to say that the credibility of the whole process of selection has been vitiated by the inclusion of Jio belonging to the Reliance Group. I would like to ask the hon. Minister specifically two questions.

I appreciate the hon. Minister's effort in bringing about improvement. What steps are being taken by the Government to bring the best Indian professors, working abroad to work in Indian universities or institutes of technology? And, in spite of the widespread criticism of giving a Letter of Intent to Jio, belonging to the Reliance, while there is no institute - it is only on paper and it has been widely criticised both in academic and political circles – whether the Minister will reconsider his decision of giving a Letter of Intent to the Jio Institute?

(1155/PS/MK)

SHRI PRAKASH JAVADEKAR: Prof. Saugata Roy has rightly said that eminence comes from eminent professors and it does not come from a very good infrastructure only. So, how can we bring those eminent people back who are teaching abroad and those who are doing Ph.Ds there? Now, IITs and many other institutes are tracking students who are doing their third year of Ph.D. So, how can we bring

the NRI and OCI students back who are doing their Ph.D? I was very happy when I visited IISER, Pune, last month. I saw 12 youngsters who had come voluntarily from abroad after doing Ph.Ds. Some of them were teaching there; some of them were having good jobs at MNCs; and some of them were getting good offers from MNCs. But, in spite of that, such people are coming here because they want to serve the country. This flow will grow further.

You have mentioned about three persons. They had come here for a three-year period on lien from these institutes. So, that was their individual decision. I do not say that it was a 'brain-drain' issue. I would say that there was a 'brain gain' problem for three years here.

As far as Jio Institute is concerned, let me make it very clear, that this has nothing to do with the Government. This was the Empowered Committee's suggestion. Shri N. Gopaldaswami's statement is on record. ... (*Interruptions*) Out of 11 institutes which were to be selected under the Greenfield Category, only one has been recommended. ... (*Interruptions*) So, the issue is very clear. The Government is giving Rs. 1000 crore only to public institutes, that is, IITs and IISCs. No single paisa is given to the private institutes. The Letter of Intent has been issued by the Government to

this Institute under which the Institute should be set up within three years. Only then, the Government will grant it, otherwise, it will not be granted.

डॉ. किरिट पी. सोलंकी (अहमदाबाद): अध्यक्ष महोदया, मंत्री जी ने इंस्टिट्यूट्स ऑफ एमिनेंस का जवाब देते हुए बहुत विस्तार से जवाब दिया है। मैं नरेन्द्र मोदी जी की सरकार और मंत्री जी को बधाई देता हूं कि देश में जो इंस्टिट्यूट्स ऑफ एमिनेंस बने हैं और इसके लिए इंडियन इंस्टिट्यूट ऑफ साइंस, आई.आई.टी. दिल्ली और आई.आई.टी., मुंबई को चिन्हित किया है। इसके अलावा तीन और इंस्टिट्यूट्स प्राइवेट सेक्टर के हैं। मैं आपसे जानना चाहता हूं कि जो लोग गरीब तबके के हैं शिड्यूल कास्ट्स, शिड्यूल ट्राइब्स और ओ.बी.सी. के लोग हैं, क्या उनके लिए उस इंस्टिट्यूट में आरक्षण रहेगा? आरक्षण एक अवसर होता है। अगर उनको ऐसे इंस्टिट्यूट्स में अवसर नहीं मिलेगा, तो वे बहुत ही पीछे रह जाएंगे। क्या मंत्री जी बताएंगे कि उनके लिए आरक्षण का प्रावधान रहेगा या नहीं?

श्री प्रकाश जावड़ेकर: अध्यक्ष महोदया, सस्ती शिक्षा भी मिले और सबको अवसर मिले, इसके लिए ज्यादा-से-ज्यादा नई यूनिवर्सिटिज़ तैयार हों, यही कल्पना है। ये जितनी अच्छी यूनिवर्सिटिज़ होती हैं, वहां सोशल जस्टिस का निश्चित रूप से पालन होगा, यह हमने पहले ही उनको बताया है।

(इति)

(प्रश्न 165)

श्री राम चरित्र निषाद (मछलीशहर): अध्यक्ष महोदया, मैं माननीय मंत्री जी को जवाब देने के लिए बधाई देता हूँ। मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहता हूँ कि आज अनौपचारिक कर्मचारियों की संख्या पूरे देश में लगभग 50 करोड़ है। ये लोग ई.पी.एफ. और ई.एस.आई. से वंचित रह जाते हैं। अनौपचारिक कर्मचारी होने के नाते ये लोग तमाम योजनाओं से वंचित रह जाते हैं। मैं माननीय मंत्री जी से जानना चाहता हूँ कि आने वाले दिनों में इन लोगों को सोशल सिक्योरिटी के दायरे में लाने के लिए क्या सरकार की कोई योजना है?

श्री संतोष कुमार गंगवार: मैं माननीय सदस्य जी को धन्यवाद दूंगा कि उन्होंने बहुत ही महत्वपूर्ण बात सदन के सामने प्रस्तुत की है। मैं यह बताना चाहूंगा कि प्रोविडेंट फंड के सदस्यों की संख्या का ग्रोथ रेट लगातार बढ़ रहा है। इस समय ग्रोथ रेट साढ़े नौ परसेंट से दस परसेंट के बीच में है। पिछले एक वर्ष में लगभग एक करोड़ सदस्य ई.पी.एफ.ओ. से जुड़े हैं। यह बात अपने आप में दुरुस्त है कि 40 करोड़ से अधिक वे असंगठित कर्मचारी हैं, जिनको ये सुविधाएं नहीं मिल रही हैं।

(1200/RPS/RC)

महोदया, हमारी सरकार और आदरणीय प्रधानमंत्री जी पूरी तरह से चिन्तित हैं कि कैसे इनको सामाजिक सुरक्षा के दायरे में लाया जाए। हम इस सन्दर्भ में लगातार बैठकें कर रहे हैं और इसके बारे में कई विषयों पर चर्चा भी कर चुके हैं। मैं बताना चाहूंगा कि सरकार बहुत जल्दी ही ऐसी जानकारी सदन को देगी और हम निर्णय लेंगे कि कैसे इन 40 करोड़ लोगों को सुरक्षा के दायर में लाएं ताकि इनको सारी सुरक्षा मिल सके,

परन्तु संगठित कर्मचारियों की संख्या भी लगातार बढ़ रही है। इस समय यह संख्या साढ़े छः करोड़ के आस-पास है।

श्री राम चरित्र निषाद (मछलीशहर): महोदया, मैं घरेलू मजदूरों के बारे में मंत्री जी से एक प्रश्न पूछना चाहता हूँ। आज घरेलू मजदूरों को कोई प्रशिक्षण नहीं दिया जाता है, उनकी कोई समय-सीमा नहीं है, उनका कोई वेतन निर्धारित नहीं होता है। मैं माननीय मंत्री जी से जानना चाहता हूँ कि क्या सरकार आने वाले दिनों में राष्ट्रीय स्तर पर, उनके जीवन स्तर को उठाने के लिए कोई योजना ला रही है?

श्री संतोष कुमार गंगवार: महोदया, मैं माननीय सदस्य की बात से सहमत हूँ। असंगठित क्षेत्र में काम करने वाले कर्मचारियों की संख्या 40 करोड़ से अधिक है। घरेलू कर्मचारियों की सेवा शर्तें एवं बाकी सारी सुविधाएं, खासकर महिला कर्मचारियों को अत्यधिक असुविधा का सामना करना पड़ता है। सरकार इस बारे में पूरी तरह से चिन्तित है और हम लगातार इस सन्दर्भ में बैठकें कर रहे हैं। अगर माननीय सदस्य भी इस सन्दर्भ में कोई सुझाव देना चाहें तो उनका स्वागत है। हम बहुत जल्द ही इस बारे में अंतिम निर्णय लेने जा रहे हैं।

(इति)

QUESTION HOUR OVER

RULING RE: NOTICES OF ADJOURNMENT MOTION

माननीय अध्यक्ष : माननीय सदस्यगण, मुझे विभिन्न विषयों पर कुछ सदस्यों से 'स्थगन प्रस्ताव' की सूचनाएँ प्राप्त हुई हैं। मामले महत्त्वपूर्ण हैं, मगर व्यवधान डाला आवश्यक नहीं है। इसलिए मैंने 'स्थगन प्रस्ताव' संबंधी किसी भी सूचना के लिए अनुमति प्रदान नहीं की है।

PAPERS LAID ON THE TABLE

1201 hours

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

THE MINISTER OF PETROLEUM AND NATURAL GAS AND

MINISTER OF SKILL DEVELOPMENT AND

ENTREPRENEURSHIP (SHRI DHARMENDRA PRADHAN): Sir, I

beg to lay on the Table:-

(1) A copy of the Petroleum and Natural Gas Regulatory Board (Authorising Entities to Lay Build, Operate or Expand City or Local Natural Gas Distribution Networks) Amendment Regulations, 2018 (Hindi and English versions) published in Notification No. F. No. PNGRB/Auth./CGD/Amd/2018 in Gazette of India dated 6th April, 2018 under Section 62 of the Petroleum and Natural Gas Regulatory Board Act, 2006.

(2) (i) A copy of the Annual Report (Hindi and English versions) of the Society for Petroleum Laboratory, Noida, for the year 2016-2017, along with Accounts.

- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Society for Petroleum Laboratory, Noida, for the year 2016-2017.
- (3) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (2) above.

श्रम और रोजगार मंत्रालय के राज्य मंत्री (श्री संतोष कुमार गंगवार): महोदया, मैं कर्मचारी भविष्य निधि स्कीम, 1952 के अंतर्गत जारी अधिसूचना सं. का.आ. 2011(अ), जो 21 मई, 2018 के भारत के राजपत्र में प्रकाशित हुई थी तथा जो उक्त स्कीम के अधीन नियोक्ता द्वारा देय प्रशासनिक शुल्क की दर को 0.65 प्रतिशत से कम करके 0.05 प्रतिशत किए जाने के बारे में है, की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) सभा पटल पर रखता हूँ।

सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय के राज्य मंत्री (श्री गिरिराज सिंह):

महोदया, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ :

1. (एक) नेशनल इंस्टीट्यूट फॉर माइक्रो, स्मॉल और मीडियम इंटरप्राइजेज, हैदराबाद के वर्ष 2016-2017 के वार्षिक प्रति वेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।
(दो) नेशनल इंस्टीट्यूट फॉर माइक्रो, स्मॉल और मीडियम इंटरप्राइजेज, हैदराबाद के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा के बारे में विवरण(हिन्दी तथा अंग्रेजी संस्करण)।
2. उपर्युक्त (1) में उल्लिखित पत्रों को सभा पटल पर रखने में हुए विलम्ब के कारण दर्शाने वाला विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

इस्पात मंत्रालय में राज्य मंत्री (श्री विष्णु देव साय): महोदया, मैं निम्नलिखित पत्रों की एक-एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) सभा पटल पर रखता हूँ :

1. मीकॉन लिमिटेड तथा इस्पात मंत्रालय के बीच वर्ष 2018-2019 के लिए हुआ समझौता ज्ञापन।
2. एनडीएमसी लिमिटेड तथा इस्पात मंत्रालय के बीच वर्ष 2018-2019 के लिए हुआ समझौता ज्ञापन।
3. राष्ट्रीय इस्पात निगम लिमिटेड तथा इस्पात मंत्रालय के बीच वर्ष 2018-2019 के लिए हुआ समझौता ज्ञापन।

4. एमएसटीसी तथा इस्पात मंत्रालय के बीच वर्ष 2018-2019 के लिए हुआ समझौता ज्ञापना।
5. स्टील अथॉरिटी ऑफ इंडिया लिमिटेड तथा इस्पात मंत्रालय के बीच वर्ष 2018-2019 के लिए हुआ समझौता ज्ञापना।
6. एमओआईएल लिमिटेड तथा इस्पात मंत्रालय के बीच वर्ष 2018-2019 के लिए हुआ समझौता ज्ञापना।
7. केआईओसीएल लिमिटेड तथा इस्पात मंत्रालय के बीच वर्ष 2018-2019 के लिए हुआ समझौता ज्ञापना।

जनजातीय कार्य मंत्रालय में राज्य मंत्री (श्री सुदर्शन भगत): महोदया, मैं राष्ट्रीय अनुसूचित जनजाति वित्त और विकास निगम तथा जनजातीय कार्य मंत्रालय के बीच वर्ष 2018-2019 के लिए हुए समझौता ज्ञापन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) सभा पटल पर रखता हूँ।

मानव संसाधन विकास मंत्रालय में राज्य मंत्री (श्री उपेन्द्र कुशवाहा): महोदया, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ :

- (1) (एक) सर्व शिक्षा अभियान केरल, त्रिवेंद्रम के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।
(दो) सर्व शिक्षा अभियान केरल, त्रिवेंद्रम के वर्ष 2016-2017 के कार्यकरण की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण)।
- (2) उपर्युक्त (1) में उल्लिखित पत्रों को सभा पटल पर रखने में हुए विलम्ब के कारण दर्शाने वाला विवरण (हिन्दी तथा अंग्रेजी संस्करण)।
- (3) (एक) तमिलनाडु स्टेट मिशन ऑफ एजुकेशन फॉर ऑल (सर्व शिक्षा अभियान), चेन्नई के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।

(दो) तमिलनाडु स्टेट मिशन ऑफ एजुकेशन फॉर ऑल (सर्व शिक्षा अभियान), चेन्नई के वर्ष 2016-2017 के कार्यक्रम की सरकार द्वारा समीक्षा के बारे में विवरण (हिन्दी तथा अंग्रेजी संस्करण) ॥

- (4) उपर्युक्त (3) में उल्लिखित पत्रों को सभा पटल पर रखने में हुए विलम्ब के कारण दर्शाने वाला विवरण (हिन्दी तथा अंग्रेजी संस्करण) ।

THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRIES (SHRI C.R. CHAUDHARY): Sir, I beg to lay on the

Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Madras Special Economic Zone Authority, Chennai, for the year 2016-2017, along with Audited Accounts.
 - (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Madras Special Economic Zone Authority, Chennai, for the year 2016-2017.
- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

(3) A copy of the Memorandum of Understanding (Hindi and English versions) between the India Trade Promotion Organisation and the Department of Commerce, Ministry of Commerce and Industry, for the year 2018-2019.

(4) A copy of the Static and Mobile Pressure Vessels (Unfired) (Amendment) Rules, 2018 (Hindi and English versions) published in Notification No. G.S.R.388(E) in Gazette of India dated 23rd April, 2018 under sub-section (8) of Section 18 of the Explosives Act, 1884.

(5) A copy of the Notification No. S.O.3424(E) (Hindi and English versions) published in Gazette of India dated 12th July, 2018, regarding appointment of Shri Subhash Vasu as Chairman of Spices Board for a period of three years issued under Section 3 of the Spices Board Act, 1986.

मानव संसाधन विकास मंत्रालय में राज्य मंत्री तथा जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय में राज्य मंत्री (डॉ. सत्यपाल सिंह): महोदया, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ :

MESSAGES FROM RAJYA SABHA

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

1. “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 25th July, 2018 agreed without any amendment to the Fugitive Economic Offenders Bill, 2018 which was passed by the Lok Sabha at its sitting held on the 19th July, 2018.”

2. “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 26th July, 2018 agreed without any amendment to the Negotiable Instruments (Amendment) Bill, 2018 which was passed by the Lok Sabha at its sitting held on the 23rd July, 2018.”

सरकारी उपक्रमों संबंधी समिति**23वां प्रतिवेदन**

श्री शान्ता कुमार (कांगड़ा): महोदया, मैं 'आवास और शहरी विकास निगम (हडको)' के बारे में सरकारी उपक्रमों संबंधी समिति के 18वें प्रतिवेदन में अंतर्विष्ट टिप्पणियों/सिफारिशों पर सरकार द्वारा की-गई-कार्रवाई के बारे में समिति का 23वां प्रतिवेदन (हिन्दी तथा अंग्रेजी संस्करण) प्रस्तुत करता हूँ।

**STATEMENT RE: STATUS OF IMPLEMENTATION
OF RECOMMENDATIONS CONTAINED IN 28TH REPORT
OF STANDING COMMITTEE ON SOCIAL JUSTICE
AND EMPOWERMENT - LAID**

सामाजिक न्याय और अधिकारिता मंत्री (श्री थावर चंद गहलोत): महोदया, मैं दिव्यांगजन सशक्तीकरण विभाग, सामाजिक न्याय और अधिकारिता मंत्रालय से संबंधित अनुदानों की मांगों (2016-17) के बारे में सामाजिक न्याय और अधिकारिता संबंधी स्थायी समिति के 28वें प्रतिवेदन में अंतर्विष्ट सिफारिशों के कार्यान्वयन की स्थिति से संबंधित वक्तव्य सभा पटल पर रखता हूँ।

**STATEMENT RE : STATUS OF IMPLEMENTATION
OF RECOMMENDATIONS CONTAINED IN 37TH REPORT
OF THE STANDING COMMITTEE ON SOCIAL JUSTICE
AND EMPOWERMENT - LAID**

सामाजिक न्याय और अधिकारिता मंत्री (श्री थावर चंद गहलोत): महोदया, मैं दिव्यांगजन सशक्तीकरण विभाग, सामाजिक न्याय और अधिकारिता मंत्रालय से संबंधित अनुदानों की मांगों (2017-18) के बारे में सामाजिक न्याय और अधिकारिता संबंधी स्थायी समिति के 37वें प्रतिवेदन में अंतर्विष्ट सिफारिशों के कार्यान्वयन की स्थिति से संबंधित वक्तव्य सभा पटल पर रखता हूँ।

(1205/SNB/ASA)

**STATEMENT RE: STATUS OF IMPLEMENTATION OF
RECOMMENDATIONS IN 137TH REPORT OF STANDING
COMMITTEE ON COMMERCE ON 'TRADE WITH ASSOCIATION
OF SOUTH-EAST ASIAN NATIONS (ASEAN)'.**

THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRIES (SHRI C.R. CHAUDHARY): Madam, I beg to make a statement regarding the status of implementation of the recommendations contained in the 137th Report of the Standing Committee on Commerce on 'Trade with Association of South-East Asian Nations (ASEAN)', pertaining to the Department of Commerce, Ministry of Commerce and Industry.

BUSINESS OF THE HOUSE

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION (SHRI ARJUN RAM MEGHWAL):

Madam, with your permission I rise to announce that Government Business during the week commencing Monday, the 30th July, 2018 will consist of: -

1. Consideration and passing of the following Bills:
 1. The Dentists (Amendment) Bill, 2017;
 2. The Representation of People (Amendment) Bill, 2017;
 3. The Consumer Protection Bill, 2018;
 4. The New Delhi International Arbitration Centre Bill, 2018;
 5. The Transgender Persons (Protection of Rights) Bill, 2016;
 6. The Surrogacy (Regulation) Bill, 2016;
 7. The National Medical Commission Bill, 2017;
 8. The Banning of Unregulated Deposit Schemes Bill, 2018;
 9. The Micro Small and Medium Enterprises Development (Amendment) Bill, 2018;
 10. The Arbitration and Conciliation (Amendment) Bill, 2018;

11. The Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 2017; and
12. The Major Port Authorities Bill, 2016.
13. Further discussion on Statutory Resolution seeking disapproval of the Homoeopathy Central Council (Amendment) Ordinance, 2018 (No. 4 of 2018) and further consideration and passing of the Homoeopathy Central Council (Amendment) Bill, 2018.
14. Discussion on Statutory Resolution seeking disapproval of the Criminal Law (Amendment) Ordinance, 2018 (No. 2 of 2018) and consideration and passing of the Criminal Law (Amendment) Bill, 2018.
15. Discussion on Statutory Resolution seeking disapproval of the Insolvency and Bankruptcy Code Amendment Ordinance, 2018 (No. 6 of 2018) and consideration and passing of the Insolvency and Bankruptcy Code Amendment Bill, 2018.
16. Discussion on Statutory Resolution seeking disapproval of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Ordinance, 2018 (No. 3 of 2018) and consideration and passing of the

Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill, 2018.

17. Consideration and Passing of the Constitution (One Hundred and Twenty Third Amendment) Bill, 2017 as returned by Rajya Sabha with amendment.
18. Discussion on Statutory Resolution seeking disapproval of the National Sports University Ordinance, 2018 (No. 5 of 2018) and consideration and passing of the National Sports University Bill, 2018.
19. Consideration and passing of the Appropriation Bills relating to following Demands after their presentation, consideration and adoption: -
 1. Supplementary Demands for Grants for 2018-19.
 2. Demands for Excess Grants for 2015-16.

SUBMISSIONS

श्रीमती जयश्रीबेन पटेल (मेहसाणा) : माननीय अध्यक्ष महोदया, अगले सप्ताह की कार्यवाही में निम्नलिखित विषय को शामिल किया जाए:-

1. गुजरात में सिंधु संस्कृति का जाना-पहचाना पुरातत्वीय स्पॉट लोथल में भारत सरकार द्वारा मेरी टाइम यूनिवर्सिटी म्युजियम बनाने की योजना तय हुई है। इसे जल्द से जल्द कार्यान्वित किया जाए।
2. गुजरात स्थित सुविख्यात सूर्य मंदिर मोढेरा जो एक पुरातत्वीय स्पॉट है, इसके सर्वांगीण विकास के लिए सांस्कृतिक मंत्रालय द्वारा धन आबंटित किया जाए।
धन्यवाद।

श्री सुभाष चन्द्र बहेड़िया (भीलवाड़ा) : माननीय अध्यक्ष महोदया, 30 जुलाई 2018 से शुरू होने वाले सप्ताह में चर्चा के लिए निम्न विषय जोड़े जाएं:

1. भीलवाड़ा लोक सभा क्षेत्र से गुजरने वाले एन.एच. 79 पर विभिन्न स्थानों पर अंडर पास बनवाने की आवश्यकता के बारे में।
2. वस्त्र उद्योग के जॉब वर्क के लिए जी.एस.टी. में भरने वाले फॉर्म के फाइल आई.टी.आर. 4 में आने वाली समस्याओं के बारे में।

श्री कौशलेन्द्र कुमार (नालंदा) : माननीय अध्यक्ष महोदया, लोक सभा के आगामी सप्ताह की कार्य-सूची में निम्नलिखित विषयों को जोड़ा जाए:-

1. देश के किसानों की आर्थिक स्थिति अत्यन्त ही दयनीय होती जा रही है। किसान कर्ज के बोझ में डूबे हुए हैं क्योंकि उनको फसल से उतनी आमदनी नहीं होती जितनी उनकी लागत लगती है। जब फसल तैयार होती है तो रेट आधे हो

जाते हैं और लेने वाला कोई नहीं होता। एमएसपी सिर्फ कागजी सूचना बनकर रह गया है। शादी-ब्याह, खेती के औजार, ट्रैक्टर आदि खरीद के लिए उन्हें अपने खेतों को गिरवी रखना पड़ता है। अतः सरकार किसानों को विशेष योजना के तहत पूर्ण कर्ज माफ करे और ब्याज-मुक्त ऋण देने का भी प्रावधान करे। साथ ही विशेषकर छोटे और मझोले किसान, जो साहूकारों के कर्ज के बोझ तले दबे हैं, उन्हें भी आर्थिक मदद दी जाए।

2. पूरे देश में खेती पर आधारित कृषि-श्रमिकों की दशा बहुत ही खराब है। इनकी संख्या देश भर में 55 से 58 प्रतिशत है। हमारी खेती मौसम पर आधारित है जिससे कृषि-श्रमिकों को बराबर रोजगार नहीं मिलता है, विशेषकर महिला कृषि-श्रमिक की स्थिति बहुत ही दयनीय है। उनके छोटे-छोटे बच्चे बिलखते रहते हैं। कुछ मदद मनरेगा से हो जाया करती थी परंतु अब 'मनरेगा' भी सुचारू रूप से नहीं चलती है क्योंकि सरकार पूरा फंड ही नहीं दे रही है। बिहार जैसे गरीब राज्यों की स्थिति तो और भी ज्यादा खराब है। अतः केन्द्र सरकार कृषि श्रमिकों को पेंशन की तर्ज पर मासिक-भत्ता देने की योजना बनाकर उनके परिवार के निर्वहन की व्यवस्था करे। धन्यवाद।

श्री अजय मिश्रा टेनी (खीरी) : माननीय अध्यक्ष महोदया, मैं अगले सप्ताह की कार्यसूची में निम्नलिखित विषयों को शामिल करने का अनुरोध करता हूँ:-

1. जनपद लखीमपुर में बेलरॉया-पनवारी राज्य महामार्ग को राष्ट्रीय महामार्ग (जिसका प्रस्ताव उ.प्र. सरकार द्वारा केन्द्र सरकार को भेजा जा चुका है) स्वीकृत कर उक्त मार्ग पर निघासन ब्लॉक में स्थित पचपेड़ी घाट के पुल का निर्माण कराने पर विचार किया जाए।
2. गृह मंत्रालय ने पूरे देश के सभी पुलिस स्टेशनों को जोड़ते हुए क्राइम एंड क्रिमिनल ट्रैकिंग नेटवर्क एंड सिस्टम कार्यान्वित किया है जिससे अपराधी को पकड़ने में सफलता मिली है परंतु अभियोजन के स्तर पर प्रक्रिया शिथिल होने के कारण बड़ी संख्या में अपराधी न्यायालयों से बच निकलते हैं। अतः अभियोजन न्यायालयों में प्रदर्शन तथा अपराधियों को सजा दिलाने हेतु न्यायालय में पैरोकारी सशक्त किए जाने पर विचार किया जाए। धन्यवाद।

(1210/RAJ/RU)

विशेष उल्लेख

श्री अरविंद सावंत (मुम्बई दक्षिण): अध्यक्ष महोदया, एक दुर्घटना घटी है।

...(व्यवधान)

माननीय अध्यक्ष : आप बैठ जाइए, ऐसा नहीं होता है।

...(व्यवधान)

माननीय अध्यक्ष : हम आपको मना नहीं कर रहे हैं। क्या जीरो आवर समाप्त हो गया है। आप बैठ जाइए, हम आपको बुलाएंगे।

...(व्यवधान)

श्री अरविंद सावंत (मुम्बई दक्षिण): अध्यक्ष महोदया, 30 लोग मर गए।...(व्यवधान)

माननीय अध्यक्ष : आप बैठ जाइए। आपके चिल्लाने से मैं आपको नहीं बुलाऊंगी। आप शांति से बैठ जाइए। हम आपको बुलाएंगे।

...(व्यवधान)

SHRI SUDIP BANDYOPADHYAY (KOLKATA UTTAR): Madam Speaker, on behalf of our Party, Prof. Saugata Roy has put up a notice of Adjournment Motion.

Today morning, the National Register of Citizens (NRC) of Assam has declared 3,20,00,000 citizens as authenticated citizens and deleted the names of 40,07,760 citizens from the declared list.

The first list was declared on 30th June. The second list is declared today. When the first list was declared, the persons whose names were deleted were asked to produced their documents again and they gave them. Again, they have now been told that for the third time also, they should produce their papers. But those persons are telling that they have submitted all the papers and they are certainly authenticating with their documents placed before the Board. Now, where will these 40 lakh people go? It is most inhuman and torture upon their mentality.

So, I would request the Central Government and the hon. Home Minister, Shri Rajnath Singh to take a decision in this matter very seriously to see that some step is taken very promptly and justice should not be denied to these people. Fresh revision with top priority under the supervision of the Government of India should be made. If necessary, an amendment should be brought that these people will get their shelter.

Madam, I cannot understand as to why such a thing is happening only in Assam. What about other States? This matter should be taken up very urgently. It is a question of more than 40,07,760 persons. I think, the Government will take it up with utmost

priority to give relief to those people and justice should not be denied to them. An assurance should be given by the hon. Home Minister in this regard. ... (*Interruptions*)

HON. SPEAKER/HON : Shrimati Supriya Sule and Shri Mullappally Ramachandran are permitted to associate with the issue raised by Shri Sudip Bandyopadhyay.

...(व्यवधान)

माननीय अध्यक्ष : आप अपने नाम एसोसिएशन के लिए लिखवा दीजिए

...(व्यवधान)

माननीय अध्यक्ष : खड़गे जी, एक वाक्य और आप सहयोगी बनना चाहेंगे।

...(व्यवधान)

SHRI MALLIKARJUN KHARGE (GULBARGA): Madam, I fully support what Shri Sudip Bandyopadhyay has said. मैं चाहता था कि इसके लिए एक अलग चर्चा हो। उन्होंने मुद्दा उठाया है, चालीस लाख लोगों का मुद्दा है, उनके वोटिंग का विषय है, उनके रहने का विषय है, उनके सिटिजनशिप का विषय है, उनका यह हक है। वे चालीस लाख लोग जो यहां पर पैदा हुए हैं, यहां के रहने वाले हैं और ओरिजिनल सिटिजन्स हैं, कार्ड मांगना, आईडेंटिटी लाना और दूसरे डॉक्यूमेंट्स लाना, उनका जन्म कहां हुआ, उनके पिता जी कौन थे, ये सारी चीजें पूछ रहे हैं। ... (व्यवधान) बहुत से लोगों को डिलिट किया गया है और यह भी है कि यह परपसली डिलिट किया गया है, यह भी हो रहा है।

अगर ऐसा हुआ तो आप लोग एक बहुत बड़ी गलती कर रहे हैं। वहां पर आप एक बहुत बड़ा डिविजन करने जा रहे हैं, इसलिए मैं चाहता हूं कि होम मिनिस्टर जल्द से जल्द कदम उठाएं और अमेंडमेंट करके चालीस लाख लोगों को न्याय दिलाएं।

HON. SPEAKER/HON : Dr. Shashi Tharoor, Adv. Joice George and Shri Rajeev Satav are permitted to associate with the issue raised by Shri Mallikarjun Kharge.

...(व्यवधान)

श्री मोहम्मद सलीम (रायगंज): अध्यक्ष महोदया, यह बहुत गंभीर मामला है। हमें इस पर बहुत संजीदगी से विचार करना पड़ेगा। ...(व्यवधान)

माननीय अध्यक्ष : आप एक वाक्य में बोलिए, क्योंकि बात आ गई है।

...(व्यवधान)

श्री मोहम्मद सलीम (रायगंज): अध्यक्ष महोदया, यह बहुत संवेदनशील मामला है। पिछले कई महिनों से, असम में स्थिति बिगड़ न जाए, इसके लिए सुरक्षा बल भी तैनात किया गया है। मैं सबसे पहले यह कहूंगा कि धर्म आधारित नागरिकता या भाषा आधारित नागरिकता का सवाल लेकर हम ऐसी छेड़खानी करेंगे तो वहां पर बहुत प्रेजाइल यूनिटी है। हमारी नागरिकता का प्रश्न है। भविष्य में एनआरसी का मामला दूसरे प्रांत में फैलाने की कोशिश की जा रही है। चालीस लाख लोगों को स्टेटलेस सिटिजंस करने से, आप उन्हें विदेश नहीं भेज पाएंगे। लेकिन आप डिकैंप मे दे कर, उनसे इंसानियत का अधिकार छिन रहे हैं।

(1215/KSP/IND)

Their human rights, basic constitutional rights and democratic rights are at stake. Please protect that. ... (*Interruptions*)

माननीय अध्यक्ष : श्री एम.बी. राजेश और श्रीमती पी.के. श्रीमथि टीचर को श्री मोहम्मद सलीम द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

...(व्यवधान)

माननीय अध्यक्ष : जय प्रकाश जी, आप दो वाक्यों में अपनी बात समाप्त कीजिए।

...(व्यवधान)

श्री जय प्रकाश नारायण यादव (बाँका): अध्यक्ष महोदया, यह मानवाधिकार का मामला है, यह इंसानियत का मामला है और असम के चालीस लाख नागरिकों की सुरक्षा के हक का सवाल है, उनके मताधिकार का सवाल है। इससे नफरत फैलेगी, अशांति फैलेगी, हिंसा फैलेगी। असम में नागरिकता पर सवाल उठाया जा रहा है, यह गंभीर मुद्दा है और मानवाधिकार से जुड़ा है। ऐसे मामले को सरकार को गंभीरता से लेना चाहिए और कोई अनहोनी घटना नहीं होनी चाहिए। जो 40, 50, 60 सालों से लोग वहां रह रहे हैं, उनकी नागरिकता पर हमला नहीं होना चाहिए।

गृह मंत्री (श्री राजनाथ सिंह): अध्यक्ष महोदया, जहां तक नेशनल रजिस्टर आफ सिटीजन्स का प्रश्न है, ऐसा नहीं है कि यह सिलसिला हमारी सरकार आने के बाद प्रारम्भ हुआ हो, बल्कि इसकी डिमांड लम्बे समय से असम के नागरिकों द्वारा होती रही है। असम की वर्तमान सरकार से पहले की सरकारों ने, मैं किसी राजनीतिक पार्टी

का नाम नहीं लेना चाहता हूँ, उस समय भी वहाँ फारेन ट्रिब्यूनल्स बनाए गए थे। पहले उनका नम्बर-36 था, लेकिन सुप्रीम कोर्ट के आदेश पर उनका नम्बर बढ़ाकर 100 कर दिया गया। मैं यह स्पष्ट करना चाहता हूँ कि सरकार ने इसमें कुछ नहीं किया है। इस विषय में जो भी काम चल रहा है वह सुप्रीम कोर्ट के सुपरविज़न के अंडर चल रहा है। यह बार-बार कहना कि सरकार ने ऐसा कुछ किया है, सरकार बड़ी इन्हुमन हो गई है, सरकार ब्रूटल हो गई है, ठीक बात नहीं है। इस बारे में यदि मैं कहूँ कि इस प्रकार के एलीगेशन्स बेसलेस हैं, तो यह गलत नहीं होगा। इस संबंध में जो भी लिस्ट पब्लिश हुई है, वह लिस्ट फाइनल एनआरसी नहीं है। अभी 2.89 करोड़ की एनआरसी पब्लिश हुई है। इसके बाद क्लेम्स एंड ऑब्जेक्शंस का पूरा अवसर मिलेगा। जिन लोगों को लगता है कि हमारा नाम एनआरसी में होना चाहिए था, वे लोग अपने क्लेम्स एंड ऑब्जेक्शंस 28 अगस्त के बाद फाइल कर सकते हैं। इसके लिए एसओपी भी तैयार होगी, उसमें क्लेम्स एंड ऑब्जेक्शंस फाइल करेंगे और उसके बाद उसका डिस्पोजल होगा। इसका डिस्पोजल कितने दिनों में होगा, इसका फैसला भी सुप्रीम कोर्ट को ही करना है, इस संबंध में हम कुछ नहीं कह सकते हैं। हॉयर एडमिनिस्ट्रेटिव लेवल पर क्लेम्स एंड ऑब्जेक्शंस का डिस्पोजल होगा। यदि इसके बाद भी कोई संतुष्ट नहीं होता है, तो उनके लिए फॉरनर्स ट्रिब्यूनल में जाने का अवसर रहेगा।

अध्यक्ष महोदया, मैं समझता हूँ कि कहीं न कहीं तो न्याय मिलेगा, इसलिए इस मुद्दे को लेकर अनावश्यक किसी प्रकार का पैनिक क्रिएट करने की आवश्यकता नहीं है और मैं पूरे सदन से अपील करना चाहता हूँ कि यह बहुत ही सेंसिटिव इश्यू है और इस संबंध में सभी का सहयोग प्राप्त होना चाहिए। ... (व्यवधान) आप भले ही आक्रोश

में बोलें। ... (व्यवधान) आप मेरी बात सुनिए। आप मेरे बोलने के बाद नाराज़ हो जाना, पहले मेरी बात सुन लीजिए। इस बारे में सरकार कुछ नहीं कर रही है, जो कुछ भी हो रहा है, वह सुप्रीम कोर्ट के अंडर सुपरविज़न में हो रहा है।... (व्यवधान)

श्री मोहम्मद सलीम (रायगंज): आप वहां किसी को बोलने का मौका नहीं दे रहे हैं।
... (व्यवधान)

HON. SPEAKER: Nothing will go on record except Shri Rajnath Singh's statement.

...(Interruptions)... (Not recorded)

HON. SPEAKER: Nothing is going on record. सलीम जी, आप क्यों चिल्ला रहे हैं, आप अपना गला क्यों खराब कर रहे हैं?

...(Interruptions)... (Not recorded)

श्री राजनाथ सिंह : आप निर्धारित कर दीजिए कि इसमें हमारा क्या रोल है। मैं पूरे सदन से कहना चाहता हूँ कि विपक्ष के लोग यह निर्धारित कर दें कि इसमें हमारा क्या रोल है।... (व्यवधान)

अध्यक्ष महोदया, मैं इतना ही कहना चाहूंगा कि इस प्रकार के सेंसिटिव इश्यू को अनावश्यक पोलिटिसाइज नहीं किया जाना चाहिए और इस संबंध में मैं सभी का सहयोग चाहता हूँ।... (व्यवधान)

(1220/KKD/VB)

SHRI MALLIKARJUN KHARGE (GULBARGA): In protest, we are walking out ... (*Interruptions*)

1220 hours

(At this stage, Shri Mallikarjun Kharge, Shri Dharmendra Yadav, Shri Mohammad Salim, Shri Jai Prakash Narayan Yadav and some other hon. Members left the House.)

... (Interruptions)

SPECIAL MENTIONS

HON. SPEAKER: Now, 'Zero Hour'. Shri Adhalrao Patil Shivajirao.

... (*Interruptions*)

SHRI ADHALRAO PATIL SHIVAJIRAO (SHIRUR): Madam Speaker, I would like to draw your kind attention to the complete stoppage of work on the National Highway NH-60 from Khed to Sinnar. This important project has been lying in limbo for more than one year.

The ground breaking ceremony to start the pending work of six bypasses on this Khed-Sinnar Highway, namely, Khed, Manchar, Kalamb, Narayangaon and Alephata was held in Pune exactly one year ago in the presence of the hon. Road and Transport Minister, Shri Nitin Gadkari. During his speech, the hon. Minister had promised that the work of these bypasses would positively start by October, 2017 and will be completed by August, 2018. But the sad state of affairs is such that more than a year later, the site has not yet seen any activity.

The connecting roads have been constructed but due to non-completion of these six bypasses, the traffic problems still persist.

The construction of this project began on 12th February, 2014 and the toll collection commenced in February, 2017 since 75 per cent of the project length was completed. In spite of the toll being collected, the concessionaire has not yet completed the bypasses at these six locations.

The concessionaire IL&FS make excuses that the non-acquisition of land and resistance from the farmers are obstructing their work. But in reality, no such opposition exists for this project. The NHAI officials also have shown no urgency whatsoever in implementing this project. The construction of these roads is extremely essential as the said area is facing severe problem of traffic congestion and pollution. The distance of just 50 kilometres from Khed to Alephata takes more than five hours to travel, and many times, ambulances rushing to the hospitals with critically ill patients are holed up in the traffic for very long.

While the hon. Minister himself had publicly given the assurance that this work would be completed before August, 2018, but no work has yet started.

Madam, as a Member of Parliament and being the representative of that area, I have to take the blame from the public

for non-completion of work. So, I would like to request the hon. Minister. No NHAI officials or the Government officials are taking any interest in completing the work. So, it is the responsibility of the Ministry to fine or penalise the concessionaire and make him to complete the work. It is a very important matter because six accidents have already taken place; and six people have died in the ambulances.

So, it needs to be taken up immediately. Thank you.

HON. SPEAKER: Shri Bhairon Prasad Mishra and Dr. Kulmani Samal are permitted to associate with the issue raised by Shri Adhalrao Patil Shivajirao.

श्री ओम बिरला (कोटा): माननीय अध्यक्ष महोदया, मैं सदन के माध्यम से माननीय प्रधानमंत्री जी को धन्यवाद देना चाहता हूँ, जिन्होंने देश के किसानों की आमदनी को वर्ष 2022 तक दुगुना करने के लक्ष्य के साथ काम किया है। पहली बार खरीफ की 14 फसलों के समर्थन मूल्य में लागत का 50 प्रतिशत से 90 प्रतिशत तक की बढ़ोतरी की गयी है।

सरकार से मेरी माँग है कि समर्थन मूल्य पर फसल की खरीद के लिए केन्द्र और राज्य सरकारें एक ऐसा तंत्र बनाएँ ताकि उसके माध्यम से जिन 14 फसलों के समर्थन मूल्य घोषित किये गये हैं, उन पर उनकी खरीद सुनिश्चित हो और किसानों को समय पर भुगतान हो सके।

सीएसीपी (कृषि लागत और मूल्य आयोग) ने भी यह सिफारिश की है कि देश के तमाम मण्डियों में केन्द्र और राज्य सरकारें ऐसी व्यवस्था करें कि समर्थन मूल्य से कम दाम पर किसानों के फसलों की बिक्री न हो।

(1225/PC/RP)

अगर यह व्यवस्था हो जाती है, तो मुझे आशा है कि देश का किसान खुशहाल और समृद्ध हो जाएगा। भारत सरकार ने ग्रामीण विकास मंत्रालय के माध्यम से 22 हजार मंडियों का विकास करने की योजना बनाई है। इसी के साथ eNAM डिजिटल के माध्यम से भी देश को जोड़ने का काम किया है।

माननीय अध्यक्ष महोदया, मेरा निवेदन है कि इसके लिए एक व्यापक योजना बनाई जाए और मंडियों और मंडियों में आने वाले रेहड़ियों के लिए सुनिश्चित व्यवस्था की जाए। इसी के साथ मैं एक और विषय रखना चाहता हूँ। एन.सी.डी.एफ. - वादा कारोबार के अंदर हमें कृषि जीसों को अलग करना चाहिए। कृषि जीसों को अलग करने से किसानों को ठीक समर्थन मूल्य मिलेगा। इसी के साथ भावांतर योजना के लिए एक नया स्वरूप और नई नीति बनाई जाए। इसी के साथ यदि बाजार आश्वासन योजना को भी ठीक से लागू किया जाए, तो प्रधान मंत्री जी का जो देश के किसानों की आमदनी को वर्ष 2022 तक दोगुना करने का सपना है, वह निश्चित रूप से पूरा होगा। इस देश में पहली बार प्रधान मंत्री जी ने सदन और सदन के बाहर कहा है। यह एक ऐतिहासिक कदम है कि वर्ष 2022 तक हम किसानों की आमदनी को दोगुना करने के लक्ष्य को पूरा करेंगे। आपका बहुत-बहुत धन्यवाद।

माननीय अध्यक्ष: श्री शरद त्रिपाठी, कुँवर पुष्पेन्द्र सिंह चन्देल, डॉ. कुलमणि सामल, श्री हरीश मीना, श्री भैरों प्रसाद मिश्र, डॉ. किरिट पी. सोलंकी, श्री रोड़मल नागर, श्री गोपाल शेटी एवं डॉ. मनोज राजोरिया को श्री ओम बिरला द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री निशिकान्त दुबे (गोड्डा) : धन्यवाद अध्यक्ष महोदया।

मैं आपके माध्यम से कांग्रेस की जो नीतियां रही हैं, उनके बारे में बोलूंगा। ये 20-80 की स्कीम लेकर आए थे, जिसके कारण एक लाख करोड़ रुपये का करप्शन और स्कैम हुआ। मैं आपके माध्यम से पूरे देश का ध्यान इस ओर आकृष्ट करना चाहता हूँ। दिनांक 30 जनवरी, 2014 को उस वक्त के तत्कालीन वित्त मंत्री के नेतृत्व में मिनिस्ट्री ऑफ फाइनेंस में एक मीटिंग हुई। उसके मीटिंग के बारे में कहा गया - A meeting was called, which was attended by the representatives from RBI, DGFT, CBEC and Department of Revenue, where it was decided that the request of star-trading house and premium-trading house for their inclusion in 20:80 scheme may be considered. कुछ बिज़नेस हाउसिज़ को फायदा पहुंचाने के लिए ये 20-80 की इस स्कीम को लेकर आए। इसके बाद डिपार्टमेंट ऑफ रेवेन्यू और कस्टम एण्ड एक्साइज़ बोर्ड ने इसे अपोज़ किया और कहा कि इससे नुकसान होगा। लेकिन उस वक्त की तत्कालीन सरकार ने यह सोचा कि क्रूड ऑयल का दाम बहुत बढ़ रहा है और उसे फॉरेन एक्सचेंज कमाना है।

अध्यक्ष महोदया, आपको आश्चर्य होगा कि एक डॉलर मतलब 60 रुपये कमाने के लिए इस देश के खजाने से 212 रुपये दिए गए। हमने 60 रुपये कमाए और 212

डॉलर का हमने उन कंपनियों को फायदा दिया। इसके अलावा आपको इस पर भी आश्चर्य होगा कि स्टार ट्रेडिंग और प्रीमियर ट्रेडिंग का जो क्लासिफिकेशन हुआ, उसमें डी.जी.एफ.टी. के क्लासिफिकेशंस अलग थे, एस.ई.ज़ेड के क्लासिफिकेशन अलग थे और इसके कारण टोटल एक लाख करोड़ रुपये का नुकसान हुआ। ... (व्यवधान) इतना ही नहीं, इस सरकार ने 'अंधेर नगरी चौपट राजा, टके सेर भाजी टके सेर खाजा' का काम किया। आप बताएं कि डायमंड, जो मैन मेड है और जिसका माइनिंग में प्रोडक्शन होता है, दोनों के रेट इन्होंने बराबर के फिक्स किए। ... (व्यवधान) वर्ष 2012 से लगातार इन्होंने कम से कम 15 कंपनियों को फायदा पहुंचाया।

अध्यक्ष महोदया, आपके माध्यम से मेरा सरकार से आग्रह है कि वह 20-80 स्कीम पर उस वक्त के तत्कालीन वित्त मंत्री, उस वक्त के तत्कालीन आर.बी.आई. के गवर्नर, उस वक्त के तत्कालीन इकोनॉमिक सेक्रेट्री और उस वक्त के तत्कालीन बैंकिंग सेक्रेट्री के ऊपर एफ.आई.आर. करे, सी.बी.आई. इंकवॉयरी करे, ई.डी. द्वारा जांच हो और इस स्कैम को बाहर निकाला जाए। धन्यवाद।

माननीय अध्यक्ष: श्री शरद त्रिपाठी, कुँवर पुष्पेन्द्र सिंह चन्देल, श्री शिवकुमार उदासि, श्री रोड़मल नागर एवं श्री भैरों प्रसाद मिश्र को श्री निशिकान्त दुबे द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

SHRI BHARTRUHARI MAHTAB (CUTTACK): Madam Speaker, I was expecting some response after Nishikant Dubey ji had allegedly said whatever he wants to say. He had prepared a draft report and it is still pending. But, I think, the Government should respond to

your queries and to your allegations. But my point here, today, is this. ... (*Interruptions*)

SHRI NISHIKANT DUBEY (GODDA): The draft Report is pending. The Congress Chairman is objecting to it and you are a member. I am not a member. I cleared it but it is pending with Congress. He is the Chairman... (*Interruptions*) He is obstructing it. Since you are a part of this Committee, it is my humble request to ask the Chairman.... (*Interruptions*)

SHRI BHARTRUHARI MAHTAB (CUTTACK): The Government should respond. ... (*Interruptions*)

Madam Speaker, this is a very serious issue. It relates to import of pulses. India has traditionally been the biggest producer and consumer of pulses. But in recent times, it has also become a huge importer of pulses. Most of the import of pulses is from Canada and Australia and rest of the import is from other countries including Myanmar, Russia, Ukraine and some African countries. There are certain reports of high level of Glyphosate in imported pulses.

(1230/RCP/MM)

Glyphosate is a broad-spectrum herbicide which retards plant growth by inhibiting photosynthesis and cellular growth. It is known

to be highly toxic and harmful for human health. It can adversely impact immunity to several serious diseases and the absorption of mineral and vitamin nutrients, apart from disrupting protein-related functions.

Take the case of yellow peas. The quantity of imported yellow peas is higher than any other imported pulse. Yellow peas alone account for annual imports of about three million tonnes. It is commonly consumed by workers and others in low-income groups. It is also a very common street food. Many workers eat it almost every day. The health hazard posed by glyphosate-contaminated *matar* in the case of such regular consumers can well be imagined. Hence it is important to be careful about the health impact of imported pulses.

Developed countries are known to be quite strict in protecting the health interests of their citizens while regulating and approving imports. Australia, for instance, is extremely strict. It is time now that developing countries too are equally concerned and careful about the health concerns of their citizens. As we cannot impress upon Canada, Australia and other countries to have stringent

measures for testing of exported pulses, at least, we can insist on better testing before accepting import of such pulses.

I, therefore, urge upon the Government to make our import policy as strict as made by developed countries to protect the health interests of their citizens while regulating and approving imports.

The hon. Minister of Food is also present here. I would request, if he can intervene in this matter and take appropriate steps. It is because, this relates to the health of our citizens, specially the poor and the working citizens of our country.

HON. SPEAKER: Shri Sharad Tripathi, Shri Bhairon Prasad Mishra and Dr. Kulmani Samal are permitted to associate with the issue raised by Shri Bhartruhari Mahtab.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री (श्री रामविलास पासवान):
महोदया, भर्तृहरि महताब जी ने जो मामला उठाया है, वह स्वास्थ्य से संबंधित है। हम निश्चित रूप से इसको दिखलाएंगे। किसी भी हालत में स्वास्थ्य से खिलवाड़ नहीं होना चाहिए।

HON. SPEAKER: Shri Ravneet Singh – not present.

Shri Balbhadra Majhi – not present.

Shri Arjun Lal Meena – not present.

DR. SHASHI THAROOR (THIRUVANANTHAPURAM): Thank you, Madam Speaker. I wish to draw the attention of the Government to the havoc that has been unleashed in Kerala by two inter-related problems. First is the floods caused by the monsoons on which have had a discussion in the House. The second is the severe damage caused by the coastal erosion inflicted by the turbulent seas. The State has witnessed flash floods and landslides which have disrupted the daily lives of lakhs of people. In fact, over a lakh of people have been relocated to relief camps. Over 8000 houses have been damaged. Madam, 116 people have lost their lives including journalists who have been sent to cover the floods have drowned. That is how serious the situation is. The worst affected are the coastal villages. There are hundreds of crores of rupees damage to crops and houses as well as the submerging of agricultural land. I travelled in that area myself last weekend and I have seen houses with water almost up to half the height of the house. The State Government has sought Rs.831 crore for flood relief. But the Centre has only sanctioned 10 per cent of that, that is, Rs. 80 crore. I would urge the Government to provide the entire request amount on an emergency basis in order to help the suffering people of Kerala.

But the monsoon also amplifies the fury of the sea which in turn affects coastal hamlets in my constituency of Thiruvananthapuram, as they lack barriers to stop waves destroying their homes and affecting their livelihood. In fact, the fisherfolk who have traditionally inhabited the coastlines, who belong to economically and socially disadvantaged minority communities, are suffering terribly.

While some manmade barriers do exist, these have fallen into disrepair. The seawalls protecting the coasts of Thiruvananthapuram, particularly along Valiyathura pier and the Valiyathura-Cheriyathura stretch, have never properly recovered after the devastating impact of Cyclone Ockhi, despite my previous request to the Government.

I want to urge the Government, once again, to provide financial assistance to strengthen rock groynes, as they are called, or *pulimuttu*, as we call, the walls into the sea along poonthura, Panathura and Beemapalli shorelines, in order to overcome the difficulties being faced by these poor people, my constituents, along the sea line. Thank you, Madam.

HON. SPEAKER: Shri Rajeev Satav and Dr. Kulmani Samal are permitted to associate with the issue raised by Dr. Shashi Tharoor.

(1235/SJN/SMN)

SHRIMATI P.K. SHREEMATHI TEACHER (KANNUR): Madam Speaker, District hospital of Kannur is the most important health institution in my constituency. It was established about 95 years back by the British Government. For the last nine decades, this 500 hundred bed hospital is serving lakhs of common people every year. It is situated in Kannur Cantonment area which is adjacent to DSC.

I am not describing it in detail. The hospital is facing the challenge of dearth of space. When I was the Minister for Health and Family Welfare in Kerala during the UPA time, I requested them to give enough land for the hospital. When I became a Member of Parliament in that constituency, I once again requested the hon. Defence Minister. The hospital management especially the district panchayat and the health department also requested the Central Government to allocate land. There is enough land adjacent to that hospital. I request the hon. Defence Minister Nirmala Ji to sanction the land for this Government hospital. Lakhs of common people are coming to this hospital. It is working as a mini-medical college. All the facilities are there. I humbly request the Government and the hon. Minister to allocate enough land from this cantonment area.

HON. SPEAKER: Dr. P.K. Biju, Adv. Joice George and Shri M.B. Rajesh are permitted to associate with the issue raised by Shrimati P.K. Shreemathi Teacher.

श्री सुखबीर सिंह जौनापुरिया (टोंक-सवाई माधोपुर) : अध्यक्ष महोदया, आपने मुझे शून्य काल में बोलने का मौका दिया, इसके लिए मैं आपको धन्यवाद देता हूँ। यह मुद्दा ऐसा है कि आज सावन के महीने का पहला सोमवार है, इसलिए मैं भगवान शंकर जी के लिए कुछ मांग इस उम्मीद के साथ कर रहा हूँ कि मेरी मांग को जरूर पूरा किया जाएगा। मैं एक महत्वपूर्ण विषय सदन के सामने रखना चाहता हूँ। मेरे संसदीय क्षेत्र के जिला सवाई माधोपुर में घुश्मेश्वर ज्योतिर्लिंग है, यह 12वां ज्योतिर्लिंग है, जो कि जिला सवाई माधोपुर के शिवाड में स्थापित है। इसमें लाखों की संख्या में श्रद्धालु देश के कोने-कोने से आते हैं और श्रावण मास में यहां श्रद्धालुओं की संख्या काफी बढ़ जाती है। चूंकि श्रावण मास में बारिश ज्यादा होती है और अभी-भी हो रही है, जिससे यहां आने वाले यात्रियों को सड़क मार्ग से यात्रा करने में काफी परेशानी होती है, इसलिए रेल ही एकमात्र यात्रा का साधन है।

मेरी मंत्री जी से सदन के माध्यम से यह मांग है कि ईसरदा स्टेशन पर दयोदय एक्सप्रेस ट्रेन संख्या नं. 12181-82 एवं जयपुर-इंदौर एक्सप्रेस चलती है।

अध्यक्ष महोदया, जयपुर-इंदौर से मेरा और आपका कहीं न कहीं संबंध है। जयपुर-इंदौर एक्सप्रेस सप्ताह में केवल दो दिन चलती है। मेरे और आपके क्षेत्र से बहुत से लोग से यहां तक आते हैं। मैंने एक पत्र आपके माध्यम से दिया था। अतः मैं यह मांग करता हूँ कि जयपुर-इंदौर एक्सप्रेस को सप्ताह में लगातार सातों दिनों के लिए चलाना

चाहिए, ताकि आपके और मेरे क्षेत्र के लोगों को इससे काफी सुविधा मिल सके। वर्तमान समय में सवाई माधोपुर से ईसरदा व ईसरदा से जयपुर तक साढ़े नौ घंटे तक किसी भी गाड़ी का ठहराव नहीं है, जिससे यहां की लगभग 100 ग्राम पचायतों को काफी परेशानियों का सामना करना पड़ रहा है। इसलिए मंत्री जी से मेरी मांग है कि इन ट्रेनों का ठहराव ईसरदा रेलवे स्टेशन पर जल्द से जल्द कराया जाए ताकि श्रद्धालुओं के साथ-साथ आस-पास के ग्रामीणों को भी इसका लाभ मिल सके।

श्री राम टहल चौधरी (राँची) : धन्यवाद अध्यक्ष महोदया, मेरे निर्वाचन क्षेत्र राँची में एच.ई.सी (हैवी इंजीनियरिंग कॉर्पोरेशन) है, जिसमें मजदूरों की काफी रकम बकाया है जिसके बारे में मैंने पहले भी कई बार यह मुद्दा सदन में उठाया है। मैं शून्य काल में आज अपने लोकसभा क्षेत्र राँची के अंतर्गत स्थित एच.ई.सी कंपनी धुर्वा, राँची (झारखंड) के बारे में सूचित करना चाहता हूँ कि पिछले कई वर्षों से एच.ई.सी से सेवानिवृत्त कर्मचारियों को 01-07-1997 से 17-01-2008 तक के पुनरीक्षण एरियर का भुगतान एवं अन्य भत्ते नहीं मिले हैं। कुछ सेवानिवृत्त कर्मचारी पैसों के अभाव के कारण अपनी चिकित्सा सही तरीके से नहीं कर पा रहे हैं। ऐसे बहुत से सेवानिवृत्त कर्मचारी भी थे, जो पैसों के अभाव में अपना इलाज नहीं करा पाएँ और उनकी मृत्यु भी हो चुकी है।

(1240/MMN/BKS)

हमने इस विषय को संसद में कई बार उठाया है। संसदीय प्रश्न 377 के अंतर्गत मैंने अपने विचार व्यक्त किए हैं और शून्यकाल में भी कई बार इस मामले को उठाया है। यह आश्वासन भी दिया गया कि एचईसी की जमीन को झारखंड सरकार को बेचकर उसकी बकाया धनराशि को प्राप्त करके एचईसी के मजदूरों के बकाया वेतन का भुगतान

कर दिया जाएगा। इस संबंध में मैं कई बार माननीय भारी उद्योग मंत्री को पत्र लिख चुका हूँ और पर्सनली भी मिल चुका हूँ। नियम के अनुसार मजदूरों का बकाया एरियर एवं बकाया वेतन का भुगतान करने की प्राथमिकता दी जाती है। झारखंड सरकार ने एचईसी की जमीन के पैसे का भुगतान कर दिया है। उसके बावजूद भी बकाये का भुगतान नहीं किया, जब कि मुख्य मंत्री जी ने कहा कि हमने जमीन का पैसा दे दिया है, आप मजदूरों का भुगतान कर दीजिए।

महोदया, त्रिपक्षीय वार्ता समझौता दिनांक 27.11.2006 को हुआ था। जिसमें भुगतान की बात कही गई थी। इसमें 7356 कर्मचारियों का बकाया वेतन है, जिनमें से बहुत से लोगों का देहांत हो गया है।

अतः मैं सदन के माध्यम से भारी उद्योग मंत्री से निवेदन करता हूँ कि उन्होंने बार-बार यह आश्वासन दिया है कि बकाया पैसा राज्य सरकार से मिलने के बाद भुगतान कर देंगे, लेकिन उसके बाद भी भुगतान नहीं हुआ है। कंपनी धुर्वा, रांची के सेवानिवृत्त कर्मचारियों को 01.07.1997 से 17.01.2008 तक वेतन पुनरीक्षण एरियर का भुगतान यथाशीघ्र दिलवाने की कृपा करें। चूंकि अभी तक उपरोक्त पुनरीक्षण एरियर का भुगतान नहीं हुआ है, जिससे मजदूरों में काफी आक्रोश एवं गुस्सा है। इसके पहले भी वे लोग आंदोलन करते रहे हैं। धन्यवाद।

माननीय अध्यक्ष: श्री शरद त्रिपाठी तथा श्री भैरों प्रसाद मिश्र को श्री राम टहल चौधरी द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्रीमती रंजीत रंजन (सुपौल): अध्यक्ष जी, मैं आपके माध्यम से रेलवे में जो ऑनलाइन एग्जाम है, उसके नाम पर युवाओं के साथ जो अन्याय हो रहा है...

माननीय अध्यक्ष : आपने इसमें कुछ और विषय दिया है, क्या आप उस विषय को बदलना चाहती हैं?

श्रीमती रंजीत रंजन (सुपौल): मैडम, हां मैं बदलना चाहती हूं।

माननीय अध्यक्ष : आपको पहले बोलना चाहिए, आपकी इस बारे में कोई रिक्वैस्ट नहीं है।

श्रीमती रंजीत रंजन (सुपौल): सॉरी मैम। 9 अगस्त से रेलवे की परीक्षा शुरू हो रही है, यह असिस्टेंट लोको पायलट और टैक्नीशियन की परीक्षा है। जिसमें पदों की संख्या 26502 है और 47 लाख छात्र इसमें भाग ले रहे हैं। रेल मंत्रालय की तरफ से जो दावा किया जा रहा है, उसमें दिखाया जा रहा है कि ऑनलाइन परीक्षा है और इसमें तकरीबन 1 लाख पदों की बहाली होगी और दो करोड़ छात्र इसमें हिस्सा ले रहे हैं। यह मीडिया में भी दिखाया जा रहा है। इसमें मिनिस्टर साहब को यह क्लियर करना चाहिए। अब जब छात्रों ने 9 अगस्त की परीक्षा के लिए एडमिट कार्ड डाउनलोड किए तो पता चला कि ऑनलाइन एग्जाम है, लेकिन किसी का सेंटर बंगलुरु है और किसी का चेन्नई है। बिहार वालों का बंगलुरु है, किसी का मोहाली है। पटना के छात्र जबलपुर जा रहे हैं, कटिहार के मोहाली जा रहे हैं, आरा के हैदराबाद जा रहे हैं और बक्सर के चेन्नई जा रहे हैं। राजस्थान और उत्तर प्रदेश के छात्रों के सामने भी यही चुनौती है। चूंकि बिहार के मैसेज बहुत ज्यादा आए हैं, इसलिए हमें वहां के लोगों के बारे में ज्यादा पता चला है। कईयों ने रेल मंत्री जी को ट्वीट करके रोते हुए कहा है कि आप इस तरह से न करें, क्योंकि हमारे एग्जाम्स छूट जाएंगे।

महोदया, पहली बात यह है कि इसमें पांच-छः हजार रुपये का खर्चा है, दूसरा टिकट वेटिंग में मिल रही है, तीसरा ट्रेनें बहुत लेट हैं और 9 अगस्त को एग्जाम है। इसमें युवाओं के तकरीबन पांच-छः हजार रुपये खर्च होंगे। क्योंकि इतनी दूर जाना है तो बच्चे चार दिन पहले जाएंगे। वहां पर होटल में रहने का किराया आदि में बहुत पैसे खर्च होंगे। कहने को कह सकते हैं कि इसमें कोई फर्क नहीं पड़ेगा, लेकिन उनमें कोई चौकीदार का बेटा है, कोई ठेला चलाने वाले का बेटा है।

इसलिए हमारी रिक्वैस्ट है कि इसमें लगभग 1500 से 3000 हजार रुपये सिर्फ टिकट पर खर्चा आ रहा है। सवाल यह उठता है कि ऑनलाइन परीक्षा में जब कंप्यूटर पर ही परीक्षा देनी है तो आसपास के केन्द्रों में इसकी व्यवस्था क्यों नहीं की गई। लाखों युवाओं ने चार-चार साल तक एग्जाम्स की तैयारी की है और यह उनके साथ बहुत नाइंसाफी है, क्योंकि 9 अगस्त के बाद तीसरे दिन ही बैंक की परीक्षा भी है तो युवाओं के साथ इतना बड़ा अन्याय क्यों हो रहा है। ऑनलाइन परीक्षा के नाम पर आप छात्रों को बिहार से हैदराबाद, मोहाली, चेन्नई आदि जगहों पर क्यों भेज रहे हैं? यह किस तरह का प्रोपेगंडा है, मैं समझती हूं कि इसे सरकार को निश्चित रूप से गम्भीरता से लेना चाहिए। धन्यवाद।

माननीय अध्यक्ष: श्रीमती सुप्रिया सुले को श्रीमती रंजीत रंजन द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

(1245/GG/VR)

श्री कोडिकुन्नील सुरेश – उपस्थित नहीं।

श्रीमती वी. सत्यबामा।

SHRIMATI. V. SATHYABAMA (TIRUPPUR): Madam Speaker, Thank you for this opportunity. I express my sincere thanks and gratitude to Hon. Minister for Textiles Smt. Smriti Irani Ji for her consistent efforts to bring happiness in the minds of the thousands of people engaged in Handloom sector particularly through the Office of the Development Commissioner for Handlooms. But unfortunately the recent order of the office of the Development Commissioner for Handlooms, New Delhi (Order No.1/2/2016-DCH/P&S Dated.18.04.2018) the Handloom weavers Entrepreneurs were removed from the eligible beneficiaries and *henceforth cannot procure yarn under the welfare schemes. I request the Hon'ble Minister to restore and include the Handloom Weavers Entrepreneurs in the eligible beneficiaries list so that the 7000 weavers of the Erode handloom Entrepreneurs will thrive in their business. I would also request the Hon'ble Minister to provide

* Original in Tamil

weaver identity cards to all Handloom weavers and include them under the Direct Benefit Transfer (DBT) Scheme to avail all the benefits of the Scheme directly to the weavers. I thank the Hon'ble Minister and wish to get her continuous support in this regard. Thank you.

माननीय अध्यक्ष : श्री पी.आर. सुंदरम एवं श्री भैरों प्रसाद मिश्र को श्रीमती वी. सत्यबामा द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

***SHRI V. ELUMALAI (ARANI)** Hon. Madam Speaker, Vanakkam.

The work relating to laying of road on the National Highway No 77 which passes between Pondicherry and Krishnagiri, via Tindivanam, Gingee Thiruvannamalai and Uthangarai, was started several years ago. Till date the work has not been completed. On this National Highway, in the stretch between Pondicherry-Tindivanam, work was completed in the year 2010. But it is a matter of concern that laying work has not been completed in the stretch between Krishnagiri and

Tindivanam. This is an important highway. Every year several thousands of pilgrims use this National Highway to visit Thiruvannamalai Arunachaleswarar temple and Memalaiyanur Angalamman temple. It is pertinent to mention that the National Highway No 66 between Pondicherry and Krishnagiri provides connectivity with Bengaluru. Several accidents take place on this Highway due to dilapidated condition. I therefore urge upon the laying work on this National Highway should be completed soon as it was pending since the year 2010. Even though I have time and again raised this issue in this august House, the laying work has not been completed. While Hon. Union Minister for Road Transport and Highways has been giving importance to several other National Highways of the country, I urge upon him that he should also give importance to this National Highway No 77 between Krishnagiri and Pondicherry and ensure the early completion of laying work. During the last 4 years I have time and again raised this issue in this House. This National Highway which passes through my constituency also gives connectivity to my own residence, is in dilapidated condition,

Hon. Union Minister by giving utmost priority should ensure that the laying work on this National Highway No 77 gets completed soon.

माननीय अध्यक्ष : श्री अशोक कुमार एवं श्री भैरों प्रसाद मिश्र को श्री वी. एलुमलाई द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

माननीय अध्यक्ष : श्री रवीन्द्र कुमार पाण्डेय एवं श्रीमती रीती पाठक – उपस्थित नहीं।

श्री संतोख सिंह चौधरी।

श्री संतोख सिंह चौधरी (जालंधर): अध्यक्ष महोदया, आपने मुझे जीरो ऑवर में अपनी बात रखने का मौका दिया है, इसके लिए मैं आपका धन्यवाद करता हूँ।

मैडम, सिक्स लेन जालंधर-पानीपत एक्सप्रेस वे, जो नैशनल हाईवे नंबर-1 है, यह सन् 2009 में शुरू हुआ था और इसको तीस महीने में मुक्कमल होना था। मैडम, यह नैशनल हाईवे मेरे संसदीय क्षेत्र जालंधर से गुजरता है और जालंधर का अपना महत्व है। जालंधर एक इंडस्ट्रियल हब है, वहां स्पोर्ट्स इंडस्ट्री है, हैण्ड-टूल इंडस्ट्री है, लैडर इंडस्ट्री है, वहां बहुत सारे रिलिजियल प्लेसिस और एजुकेशनल इंस्टिट्यूशंस हैं।

(1250/CS/SAN)

जालंधर स्मार्ट सिटी के प्रोजेक्ट में आया है। मेरे जालंधर सिटी को जो मुख्य द्वार है, वहाँ रामा मंडी जंक्शन पर फ्लाईओवर बन रहा है। यह पिछले दस साल से अपूर्ण है और यह रूका हुआ है। इस फ्लाईओवर के रूकने की वजह से जो हजारों की

संख्या में वहाँ से वाहन गुजरते हैं, उनसे ट्रैफिक जाम होता है। वहाँ इसकी वजह से दुर्घटनाएं होती हैं। जो लोग माता चिंतपूर्णी और माता वैष्णो देवी के दर्शन के लिए जाते हैं, इसकी वजह से उन्हें असुविधा होती है। इसी तरह से मेरा अगला जंक्शन पीएपी चौक है, फ्लाईओवर है। वह शहर का मुख्य जंक्शन है। वह भी दस साल से अपूर्ण पड़ा हुआ है। हमने बहुत बार मंत्रालय से और उसे बनाने वाली एजेंसी से निवेदन किया है, लेकिन वह वैसे का वैसे ही पड़ा हुआ है। इसके आगे हमारा पठानकोट चौक है। पठानकोट चौक के फ्लाईओवर और अन्य दूसरे फ्लाईओवरस का जो स्टॉक, वाटर ड्रेनेज सिस्टम है, उसे इन्होंने फॉल्टी बनाया है। जब बारिश होती है, तो इसकी वजह से सारा शहर फ्लडिड हो जाता है।

महोदया, मेरा आपके माध्यम से मंत्री जी से निवेदन है कि इन तीनों प्रोजेक्ट्स को फौरी तौर पर टेकओवर किया जाए ताकि शहर को जो हम स्मार्ट सिटी बनाने जा रहे हैं, उसमें हमें कामयाबी मिले और इसकी वजह से लोगों को जो असुविधा होती है, उससे निजात हासिल कर सकें। आप इसके लिए मंत्रालय को निर्देश दें कि फौरी तौर पर इन प्रोजेक्ट्स को पूरा किया जाए। धन्यवाद।

माननीय अध्यक्ष : श्री भैरों प्रसाद मिश्र को श्री संतोख सिंह चौधरी द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री अजय मिश्रा टेनी (खीरी) : महोदया, आपने मुझे शून्यकाल में बोलने का मौका दिया, इसके लिए आपका धन्यवाद।

महोदया, लगातार बढ़ती जनसंख्या के चलते देश में सबको गुणवत्तापूर्ण व सस्ती स्वास्थ्य सेवा उपलब्ध कराना एक बड़ी चुनौती है। लिहाजा स्वास्थ्य सेवाओं के निजीकरण के साथ ही जेनरिक दवाओं का प्रयोग बढ़ाने के लिए सरकार प्रयास कर रही है।

चूँकि किसी दवा का पेटेंट लेने में एक बड़ी राशि खर्च होती है, इसलिए ब्रांडेड दवाओं का दाम अधिक होता है। बिना पेटेंट के बनाए जाने वाली समान गुणवत्ता की जो दवाएं होती हैं, जिन्हें हम जेनरिक दवाओं के रूप में मानते हैं, वे सस्ती होती हैं, लेकिन उनकी गुणवत्ता और प्रभावशीलता में किसी तरह की कोई कमी नहीं होती है। यही कारण है कि पूरी दुनिया का जो दवाओं का बाजार है, उसमें भारत की जेनरिक दवाओं का हिस्सा 20 प्रतिशत से अधिक है और 100 से अधिक देशों में हमारी दवाएं निर्यात होती हैं। अमेरिका जैसे विकसित देश में भी 40 प्रतिशत हमारी जेनरिक दवाओं का हिस्सा है। हिन्दुस्तान के दवाओं के बाजार में जेनरिक दवाओं का हिस्सा मात्र सात प्रतिशत है और वह भी अभी हम लोगों के बहुत प्रयास के बाद पहुँचा है।

सरकार द्वारा जेनरिक दवाओं के प्रचार-प्रसार का लगातार प्रयास किया जा रहा है। माननीय प्रधान मंत्री जी ने अभी 15 जुलाई को उत्तर प्रदेश के सभी जिला चिकित्सालयों में जेनरिक दवाओं के आउटलेट का उदघाटन किया था। परन्तु कम कीमत होने के कारण लोगों को जेनरिक दवाओं के प्रभाव पर लगातार शंकाएं बनी रहती हैं। जेनरिक दवाओं के प्रभावी प्रयोग हेतु लोगों को अधिक जानकारी उपलब्ध कराने की आवश्यकता है।

महोदया, मैं आपके माध्यम से माननीय स्वास्थ्य मंत्री जी और सरकार से माँग करता हूँ कि जेनरिक दवाओं के प्रयोग को बढ़ाने हेतु एक ऐसी वेबसाइट व एप बनाएं, जिन पर ब्रांडेड दवा का नाम डालने के साथ ही उसके साथ जेनरिक विकल्प, जो बाजार में उपलब्ध हैं, उनका नाम आ जाए, उसका दाम आ जाए, ब्रांडेड दवा से उसके दाम का अन्तर और जो निकटतम स्टोर हो, जहाँ वह जेनरिक दवा उपलब्ध हो, उसके बारे में भी सूचना आ जाए तो इससे जेनरिक दवाओं का प्रतिशत पूरे दवा बाजार में बढ़ाने में मदद मिलेगी। जेनरिक दवाओं के माध्यम से सस्ती दवाएं देश की जनता को उपलब्ध कराने का भारत सरकार का जो एक उद्देश्य है, जिस लक्ष्य को हम लोग लेकर चल रहे हैं, वह भी इससे पूरा होगा। धन्यवाद।

माननीय अध्यक्ष : श्री भैरों प्रसाद मिश्र, डॉ. मनोज राजोरिया, श्री हरीश मीना, श्री विनोद कुमार सोनकर, श्री राहुल शेवाले, कुँवर पुष्पेन्द्र सिंह चन्देल और डॉ. कुलमणि सामल को श्री अजय मिश्रा टेनी द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री अरविंद सावंत (मुम्बई दक्षिण) : महोदया, आपने मुझे शून्यकाल में बोलने का मौका दिया, इसके लिए आपका बहुत-बहुत धन्यवाद।

मैं बहुत ही दुखी अंतःकरण से यहाँ खड़ा हूँ। महाराष्ट्र के दापोली में डॉ. बालासाहेब सावंत कोंकण कृषि विद्यापीठ है। उस विद्यापीठ के कर्मचारी 28 जुलाई को पिकनिक के तौर पर एक बस द्वारा महाबलेश्वर जा रहे थे। बीच में एक अम्बेनली घाटी है, उस घाटी में जाते समय दुर्घटना हुई और बस बहुत गहरी खाई में, 600 फीट नीचे

खाई में गिरी। उस बस में 34 लोग सवार थे। उनमें से सिर्फ एक व्यक्ति जीवित बचा, बाकी सभी लोगों की मृत्यु हो गई। साधारणतया जब ऐसी घटना होती है तो आपकी तरफ से ही श्रद्धांजलि का प्रस्ताव आता है। मैं ऐसी अपेक्षा कर रहा था। मैंने आपसे जाकर विनती की, आपने मुझे अनुमति दे दी। मैं इसके लिए आपको खास तौर पर धन्यवाद देता हूँ।

(1255/RV/SM)

अध्यक्ष महोदया, इनमें से केवल एक व्यक्ति, जिसकी उम्र 57 वर्ष थी, उसे छोड़कर बाकी सभी लोग 35 वर्ष से 45 वर्ष की उम्र के थे। मैं सरकार का इस तरफ ध्यान आकर्षण करते हुए विनती करना चाहता हूँ कि इस परिवार को सहायता देने की आवश्यकता है। अगर आप उन सारे लोगों के परिवारों को देखें तो उनमें पत्नी, दो बच्चे हैं। अगर उनके परिवार में लड़की है, तो वह दस वर्ष की उम्र की है, किसी की उम्र बारह वर्ष की है। उनके पूरे परिवार की स्थिति इस कारण ध्वस्त हो रही है। अगर आप कृषि विद्यापीठ में जाएंगे तो आपको पता चलेगा कि हम इधर भी किसी श्मशान में आए हैं। वहां पूरा ऑफिस-का-ऑफिस खाली है। यह दुर्घटना बहुत ही विदीर्ण करती है, यह हृदय-द्रावक है।

महोदया, मैं आपके माध्यम से सरकार से विनती करता हूँ कि सरकार कहीं से भी इन परिवारों की सहायता करे। उनके दुःख में हम भी शामिल हैं, यह लोक सभा भी शामिल है। आपके माध्यम से सरकार को यह समझना चाहिए। हम सभी उन परिवारों के दुःख के साथ हैं और आप से फिर मांग करता हूँ कि उन परिवारों को सरकार की तरफ से कुछ सहायता दी जाए।

माननीय अध्यक्ष: कुँवर पुष्पेन्द्र सिंह चन्देल, श्री भैरों प्रसाद मिश्र, श्री आधलराव पाटील शिवाजीराव, श्री श्रीरंग आप्पा बारणे एवं डॉ. श्रीकांत एकनाथ शिंदे को श्री अरविंद सावंत द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

SHRI MUTHAMSETTI SRINIVASA RAO (AVANTHI)

(ANAKAPALLI): Madam, I thank you for giving me the opportunity.

This is a very important issue in our State. I request you to accord assent to AP Kapu Reservation (of seats in educational institutions and appointments or posts in services under the State) Bill.

The Government of Andhra Pradesh has decided to provide five per cent reservation for the Kapus by creating a Separate 'F' category among the list of backward classes. The State Cabinet, chaired by Chief Minister Shri N. Chadrababu Naidu, approved the long-pending demand to provide 5 per cent reservation for Kapus which was also an election promise.

Those belonging to the Kapus – Telaga, Baliya and Ontari community – will be classified under 'F' category for jobs and in various educational institutions. There was no place for political reservation in the Bill.

While the agrarian community of Kapus, who have been demanding reservation for more than two decades, have welcomed the decision of the A.P. Government.

The Andhra Pradesh Legislative Assembly had passed the AP Kapu Reservation(of seats in educational institutions and appointments or posts in services under the State) Bill on Saturday in the winter Session of the Assembly held in December,2017.

The Bill was sent to the Governor, Shri E.S.L. Narasimhan to refer it to the Central Government for its inclusion in the Schedule IX of the Constitution which he did. Now the Bill is pending before the Central Government for approval.

The Kapu community is looking at the Central Government to provide a Constitutional status to the Bill even by resorting to amendment to the Constitution as in the case of Tamil Nadu to exceed the limit of 50 per cent reservation.

Therefore, I would urge upon the Central Government to clear the Bill at the earliest so that we can secure five per cent reservation in education institutions and jobs for the Kapu Community.

HON. SPEAKER: Now, I am only allowing one minute each to all of you. Please do not take too much time.

डॉ. करण सिंह यादव (अलवर): मैडम, राजस्थान में एम्स, जोधपुर में मेरे लोक सभा संसदीय क्षेत्र अलवर के ग्राम सिहाली की प्रथम वर्ष की एक छात्रा रश्मि यादव ने चार दिन पूर्व ही उसमें एडमिशन लिया था और उसने अपने कमरे में फाँसी का फंदा लगाकर आत्महत्या कर ली।

उस बच्ची ने जो छोटा-सा एक सुसाइड नोट लिखा है, वह मैं आपके संज्ञान में लाने के लिए मैं उसे सुनाना चाहूंगा - “माँ, पापा, मामा, भाई-बहन, मुझे माफ करना। मैं तुम्हें परेशानी में नहीं डालना चाहती थी। पर, मम्मी, मुझसे सेल्फ-रेस्पेक्ट के बिना नहीं जीया जाता।” वह आगे लिखती है - “Sir, I am sorry. आपने मुझे कुछ ज्यादा सुना दिया कि मैं आपके सामने सॉरी भी नहीं बोल सकी। I am really very very sorry. पर, प्लीज, ऐसा अन्य स्टूडेंट के साथ मत करना। आपका अपना व्यवहार अच्छा होगा, पर आज मेरे साथ अच्छा नहीं हुआ। सर, मेरा स्कूल भी अच्छा था, मुझमें मैनर्स भी है और मम्मी, बड़े लोग अच्छे नहीं होते।”

मैडम, इस बच्ची का जो दर्द है, वह इसमें साफ झलकता है कि कॉलेज के किसी शिक्षक ने अपने शब्दों से, अपने व्यवहार से, अपनी भाषा से इस बच्ची के आत्म-सम्मान को ठेस पहुंचाई है। उसे ठेस लगी, जिसके कारण इस बच्ची ने ऐसा आत्मघाती कदम उठाया। वह पहली बार किसी होस्टल में नहीं गई थी। पहले वह कोचिंग में पढ़ती थी। दो साल वह वेटेनरी कॉलेज में रह कर आई थी।

मैडम, मैं आपका ध्यान एम्स, जोधपुर की तरफ लेकर जाना चाहूंगा, जहां पिछले तीन सालों में तीन सुसाइड्स हुए हैं। मुझे लगता है कि वहां कहीं-न-कहीं जब ये नए बच्चे पढ़ने जाते हैं तो वे घबराए हुए होते हैं। उन्हें अच्छा वातावरण देने की और उनके

साथ शालीनता के साथ व्यवहार करने की जरूरत है। अगर वहां पर कोई अध्यापक इस तरह का व्यवहार करे तो फिर देश के ये कॉलेज कैसे चलेंगे? अतएव, इस अति महिला उत्पीड़न के विषय में मैं कहना चाहूंगा कि इसकी सी.बी.आई. से जाँच कराई जाए। इसे सिर्फ डिप्रेसन का मामला न समझा जाए।

माननीय अध्यक्ष: कुँवर पुष्पेन्द्र सिंह चन्देल एवं डॉ. मनोज राजोरिया को डॉ. करण सिंह यादव द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।
(1300/AK/MY)

श्रीमती रेखा वर्मा (धौरहरा): धन्यवाद, अध्यक्ष महोदया। मेरे संसदीय क्षेत्र के अंतर्गत आने वाले क्षेत्रों के बीच में घाघरा और शारदा नदी बहती हैं। इन नदियों के कारण बरसात में कई गाँव उजड़ जाते हैं। इससे क्षेत्रीय जनता को काफी दिक्कतों का सामना करना पड़ता है।

महोदया, मैं सदन के माध्यम से माननीय मंत्री से यह जानना चाहती हूँ कि इन दोनों नदियों से हर साल होने वाली तबाही से निपटने के लिए क्या कोई योजना बनाई जा रही है? भविष्य में इन परेशानियों को देखते हुए क्या कोई कारगर योजना चलाई जाएगी? धन्यवाद।

माननीय अध्यक्ष: श्री भैरों प्रसाद मिश्र तथा कुँवर पुष्पेन्द्र सिंह चन्देल को श्रीमती रेखा वर्मा द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

SHRI R. DHARUVANARAYANA (CHAMARAJANAGAR): Madam, I want to raise an important issue. All over India, the private banks are working at par with Government undertaking banks by following the

same Reserve Bank of India (RBI) policies. These private financial banks enjoy all the benefits of the Government policies. However, RBI has fixed service areas only for the Government undertaking banks, and no private banks have been entrusted with service areas.

The Government undertaking banks are implementing Government schemes whether it is State Government or Central Government schemes, but these private banks are not implementing the Government schemes. For example, they are not giving loan for self-employment schemes, agriculture loan, etc.

My request, through you, Madam, is to urge upon the Union Government, especially, the Finance Ministry to take appropriate steps for them to implement the Government of India schemes and provide loans for the intended beneficiaries. The Government should give strict instruction to the private banks with regard to this issue. Thank you, Madam.

HON. SPEAKER : Kunwar Pushpendra Singh Chandel is permitted to associate with the issue raised by Shri R. Dhruvanarayana.

DR. BOORA NARSAIAH GOUD (BHONGIR): Thank you, Madam, for giving me this opportunity. I want to raise an important issue and

draw the attention of the Ministry of Social Justice & Empowerment and the Government of India.

As you are aware, the progress of this country is based on quality and free education, which was the basis of our progress and the respect Indians get across the world. Today, the poor students from SC, ST, OBC and also EBC get higher education, especially, in Ph.D. in the Universities through the Rajiv Gandhi National Fellowship Scheme, but for the last two years there is no notification for the SC and OBC students whereas the notification for the ST students was issued, as a result of this they are totally in distress.

I want to draw the attention of the NDA Government to the fact that there are 2,000 scholarships meant for the SCs, but OBCs -- that constitute 50 per cent of the population of India -- have got only 200 scholarships. I want to draw the attention of the Government of India towards this issue and request them to look into it. I am saying this because the principle of the NDA Government is *Sabka Saath Sabka Vikas*. I want the Government to fulfil it in letter and spirit. Thank you very much.

HON. SPEAKER: Dr. A. Sampath and Shrimati P.K. Shreemathi Teacher are permitted to associate with the issue raised by Dr. Boora Narsaiah Goud.

श्री सुमेधानन्द सरस्वती (सीकर): धन्यवाद, अध्यक्ष महोदया। रेल मंत्रालय ने दुर्घटनाओं को रोकने के लिए एक बहुत ही महत्वपूर्ण प्रयास किया है और फाटक के स्थान पर अंडर-पास बनाए गए हैं। इससे दुर्घटनाएँ तो रूकी हैं, लेकिन एक बड़ी समस्या खड़ी हो गई है। मेरे लोक सभा क्षेत्र में ब्रॉडगेज - निर्माण का कार्य चल रहा है और वहाँ अनेक अंडर-पास बने हैं। वर्षा ऋतु में सभी अंडर-पास में पानी भर जाता है और कई बार ऐसी परिस्थिति पैदा होती है कि वहाँ से ट्रैफिक का निकलना मुश्किल हो जाता है। पैदल यात्री भी किसी तरह से निकल नहीं पाते हैं। मोटरसाइकिल वाले फँस जाते हैं। अभी पिछले दिनों फतेहपुर में एक बस फँस गई जिसमें 25-30 आदमी सवार थे। उस बस को बड़ी मुश्किल से क्रेन लगाकर निकाला गया।

महोदया, आपके माध्यम से मेरा सरकार से निवेदन है कि वहाँ पानी-निकासी की स्थायी व्यवस्था की जाए ताकि किसी प्रकार की दुर्घटना न हो। यह मेरा निवेदन है। धन्यवाद।

माननीय अध्यक्ष: श्री भैरों प्रसाद मिश्र, कुँवर पुष्पेन्द्र सिंह चन्देल, श्री हरीश मीना, डॉ. मनोज राजोरिया तथा श्री ओम बिरला को श्री सुमेधानन्द सरस्वती द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री रवीन्द्र कुमार पाण्डेय (गिरिडीह): धन्यवाद, अध्यक्ष महोदया। मैंने इस विषय को शून्य काल में नियम 377 के तहत दो-तीन बार रखने का प्रयास किया है। हमारे लोक सभा क्षेत्र के अंतर्गत धनबाद डिविजन में डी.सी. लाइन लगभग 14 महीने से बंद है।
(1305/CP/SPR)

यह कारण बताया गया कि नीचे आग है और नई रेल लाइन हम बिछाएंगे। यह ताज्जुब की बात है कि 14 महीने होने जा रहे हैं, आज भी वहां आंदोलन चल रहा है, एक इंच भी लाइन वहां नहीं बिछी। लगभग 5 लाख लोग इससे प्रभावित हैं। कितनी ही गाड़ियां रद्द कर दी गईं। इस विषय के बारे में हम लोग रेल मंत्री से भी मिले।

मेरा आपके माध्यम से आग्रह होगा कि इस पर भारत सरकार संज्ञान ले और अविलम्ब रेल लाइन को चालू किया जाए।

माननीय अध्यक्ष : श्री भैरों प्रसाद मिश्र और कुँवर पुष्पेन्द्र सिंह चन्देल को श्री रवीन्द्र कुमार पाण्डेय द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

SHRI PARTHA PRATIM RAY (COOCHBEHAR): Madam, before Partition of India in 1947, there was a rail link through Gitaldaha and Mogalhat to Lalmonirhat Junction, which is now situated in Bangladesh. Till 1955, the railway link existed when there were talks between India and Pakistan for resumption. Later this route has been disbanded by the Governments as the talks were not successful. In 1972, Bangladesh has been formed. As India maintains a good

diplomatic relationship with the neighbouring country, we have a passenger train service - Maitree Express (Friendship Express) - between Bangladesh and India.

I, therefore, sincerely request the Government to renew and restore the railway link which connects North East India to other parts of India via Bangladesh. The proposed route will be the shortest route for people traveling from Gitaldah, Alipur, Duar (Cooch Behar) to Kolkata via Lalmonirhat (Bangladesh). The travel time spent through this new route would be less than half of the time spent currently. This would be hassle-free for people of North Bengal and other North East India for travel.

SHRI K. ASHOK KUMAR (KRISHNAGIRI): Madam, I would like to state that Reservation Counter at Jolarpet Railway Station is open between 08.00 a.m. and 02.00 p.m. About 136 passenger trains pass through this station. People from about 200 villages use this reservation counter. When this counter is closed at 02.00 p.m., people in this area has to commute to a reservation counter located at Ambur Railway Station, which is about 40 km. away from Jolarpet. It is causing inconvenience to the people in the area. Hence, I would like to request the Railway Minister, through you, Madam, to see that

the Reservation Counter at Jolarpet Railway Station is kept open till 08.00 p.m.

Madam, I urge upon the Union Government to take necessary steps to extend the working hours of the reservation counter at Jolarpet Railway station from 08.00 a.m to 08.00 p.m.

श्री प्रवेश साहिब सिंह वर्मा (पश्चिमी दिल्ली): अध्यक्ष महोदया, मैं आपको धन्यवाद देता हूँ कि आपने बहुत ही महत्वपूर्ण विषय पर मुझे बोलने का अवसर दिया। दिल्ली के गांव के लोग दिल्ली के सबसे पुराने बाशिन्दे हैं, मगर फिर भी दिल्ली के गांव के लोगों को अपने घर, लाल डोरा बढ़ाने के लिए संघर्ष करना पड़ता है।

पिछले 10 दिनों से घेवरा मोड़ पर सारे किसान भूख हड़ताल पर बैठे हैं कि उनके गांव का लाल डोरा बढ़ना चाहिए। सैक्शन 74(4) के अंतर्गत किसानों को मालिकाना हक मिलना चाहिए। धारा 81(33) को खत्म करना चाहिए, मगर दिल्ली सरकार उनकी तरफ कोई ध्यान नहीं दे रही है। भारत सरकार से किसानों को जो स्कीम मिलती है, जो फायदा देश भर के किसानों को मिलता है, वह फायदा दिल्ली के किसानों को नहीं मिलता है, क्योंकि 2008 में कांग्रेस की सरकार ने दिल्ली में किसान का दर्जा खत्म कर दिया था। पिछले 13 सालों में दिल्ली में किसान का दर्जा नहीं दिया गया, इसलिए न उनको बढ़ा हुआ मुआवजा मिलता है, न बढ़ा हुआ फसलों का दाम मिलता है। आप सबने अखबारों में पढ़ा होगा कि घुमनहेड़ा गांव में 70 गायें मारी गईं। दिल्ली सरकार ने जिस एनजीओ को वह ठेका दिया हुआ था, वहां के विधायक ने वहां की गौशाला पर कब्जा किया हुआ था। उनकी नाकामी की वजह से

वहां पर गायों की मौत हुई है। मैं चाहता हूं कि भारत सरकार दिल्ली सरकार से बात करे कि दिल्ली के गांव की तरफ वह कुछ ध्यान दे, ताकि उनको मूल भूत सुविधायें मिल सकें। दिल्ली के गांवों का लाल डोरा बढ़े। कैर, झड़ोदा, डिचाउ, बडूसराय, लाडपुर जैसे कई गांवों का लाल डोरा बढ़ना है, जो दिल्ली सरकार नहीं बढ़ा रही है।

माननीय अध्यक्ष : श्री भैरों प्रसाद मिश्र और कुँवर पुष्पेन्द्र सिंह चन्देल को श्री प्रवेश साहिब सिंह वर्मा द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्रीमती अर्पिता घोष (बालूरघाट): मैडम, रेलवे इश्यू के ऊपर मैं अपनी बात कहना चाहूंगी। वहां पर हालत बहुत खराब है। वहां एक तेभागा एक्सप्रेस चलती है। हमारे यहां दो ही ट्रेनें बालूरघाट कांस्टीट्यूएंसी में चलती हैं। रात को एक गौड एक्सप्रेस जाती है और सुबह तेभागा एक्सप्रेस जाती है। तेभागा एक्सप्रेस में नार्थ दिनाजपुर को ट्रेन से जोड़ा जा रहा है। उसमें जो एसी कोच था, उसे कट कर दिया गया। आज आदर्श स्टेशन की बात होती है। हमारे यहां पर स्टेशन की बहुत खराब हालत है। वहां ऊपर से पानी गिरता है और गंगारामपुर में इतना नीचे है कि लोग वहां से आना-जाना नहीं कर पाते हैं।

तीसरी बात यह है कि जब रेल मंत्री ममता बनर्जी थीं, उन्होंने बुनियादपुर में वैगन फैक्ट्री दी थी। गवर्नमेंट ने बताया है कि उसकी कोई गुंजाइश नहीं है, वह अभी नहीं बन सकती है। मेरी आपके माध्यम से रिक्वेस्ट है कि यह बनना बहुत जरूरी है। वहां के लड़के-लड़कियों के इंप्लायमेंट के लिए यह बहुत जरूरी है। ... (व्यवधान)

(1310/NK/UB)

श्री राहुल कस्वां (चुरु): माननीय अध्यक्ष महोदया, मेरे क्षेत्र में सिधमुख कैनाल प्रोजेक्ट है। इसे हरियाणा, पंजाब और राजस्थान के मध्य वर्ष 1983 में एग्जिक्यूट किया गया। 0.47 एमएएफ पानी का एग्रीमेंट है लेकिन 0.30 एमएएफ पानी दिया जा रहा है। 0.17 एमएएफ पानी हरियाणा ने इश्यू क्रिएट किया कि कैपेसिटी इन्हान्समेंट के बाद ही पानी दिया जाएगा। राजस्थान सरकार ने पैसा देकर कैपेसिटी इन्हान्स कर दिया, जिसे पंजाब गवर्नमेंट ने एग्री भी किया लेकिन वह पानी आज तक नहीं दिया गया। सिधमुख कैनाल का एक बूंद पानी वहां नहीं पहुंचा। लोग मंढेर पर बैठकर इंतजार कर रहे हैं कि कब पानी आएगा?

मेरा अनुरोध है कि इसके लिए हरियाणा गवर्नमेंट को प्रैशराइज करे कि एग्रीमेंट की बात को मानते हुए सिधमुख कैनाल को पानी दिया जाए, यही मेरा निवेदन है।

माननीय अध्यक्ष : कुँवर पुष्पेन्द्र सिंह चन्देल को श्री राहुल कस्वां द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री नारणभाई काछड़िया (अमरेली): अध्यक्ष महोदया, मैं माननीय प्रधान मंत्री जी और रोड और परिवहन मंत्री नितिन गडकरी जी को धन्यवाद करता हूँ क्योंकि मेरे क्षेत्र अमरेली में नौ हजार रुपये का नेशनल हाईवे का प्रोजेक्ट दिया है। मैं आपके माध्यम से माननीय मंत्री जी से कहना चाहता हूँ कि अभी तक उसका डीपीआर और सर्वे का काम शुरू नहीं हुआ है।

मेरी जानकारी के अनुसार जब तक अस्सी प्रतिशत भूमि का अधिग्रहण नहीं होता तब तक टेंडर प्रक्रिया नहीं होती है। मैं आपके माध्यम से मंत्री जी से अनुरोध है

कि जल्द से जल्द डीपीआर और टेंडर प्रक्रिया शुरू की जाए ताकि मेरे क्षेत्र के लोगों को उसका लाभ मिले। बहुत-बहुत धन्यवाद।

माननीय अध्यक्ष : कुँवर पुष्पेन्द्र सिंह चन्देल और कुँवर पुष्पेन्द्र सिंह चन्देल को श्री नारणभाई काछड़िया द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री विद्युत वरण महतो (जमशेदपुर): अध्यक्ष महोदया, मेरे संसदीय क्षेत्र के अंतर्गत जादुगोडा यूसीआईएल माइन्स कंपनी द्वारा एक ऑटोमेकि इनर्जी एजुकेशन सोसायटी के माध्यम से केन्द्रीय विद्यालय संचालित है। नॉन-इम्प्लायज संघ आदिवासी बहुत क्षेत्र है। नॉन-इम्प्लायज संघ के लिए ग्यारह हजार रुपये प्रति वर्ष से बढ़ा कर बाइस हजार रुपये कर दिया गया है। छात्रा का फीस 1800 रुपये था उसे बढ़ाकर 22,000 रुपये कर दिया गया है। यह आदिवासी बहुल और पिछड़ा क्षेत्र है।

मैं आपके माध्यम से माननीय मंत्री जी से आग्रह करता हूँ कि फीस को घटा कर बेटी बचाओ, बेटी पढ़ाओ प्रधान मंत्री जी का सोच है, उसको पूरा कर सकें।

माननीय अध्यक्ष : कुँवर पुष्पेन्द्र सिंह चन्देल और भैरों प्रसाद मिश्र को श्री विद्युत वरण महतो द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

*SHRI GURJEET SINGH AUJLA (AMRITSAR): I thank you, Hon. Speaker ma'am for giving me the opportunity to speak on an important issue concerning the Punjabis, especially Sikhs.

Ma'am, I would like to draw your attention towards the problems being faced by Sikhs in Shillong, Meghalaya. The Sikhs are settled in Shillong since 1863 on a two acre land. But, efforts are afoot to make them leave their home. Several generations of Sikhs have been residing over there for the last 150 years. They have valid voter I-cards, Adhar cards, Ration cards etc. in their names. Electricity meter is in their names. A gurdwara and a school are also located there.

Madam, our Hon. Chief Minister Captain Amarinder Singh constituted a committee to look into this persecution of Sikhs. I was part of the committee that comprised of Ravneet Bittu ji and Sukhi Randhawa ji. We held talks with the Chief Minister of Meghalaya, but we did not get a positive response. The C.M. is acting at the

*Original in Punjabi

behest of local people who want the Sikhs to leave the place.

Ma'am, Dalit Sikhs have been residing over the 2 acre land since last 150 years. They are being threatened and persecuted over there. Earlier, in Kutch, Gujarat too, 25,000 Sikhs settled there were persecuted and efforts were made to make them leave their homes. High Court had given a stay. However, the State Government has filed an appeal against the judgement in the court.

Ma'am, I urge upon the centre to intervene in these matters. Prime Minister Shri Narendra Modi had assured in a rally in Punjab that he will protect the right of Sikhs. The Central Government must intervene in both these matters. The safety and security of Sikhs must be ensured at both these places.

Thank you.

HON. SPEAKER: The House stands adjourned till 2.15 p.m.

1313 hours

The Lok Sabha then adjourned till fifteen minutes past

Two of the Clock.

(1415/KMR/SK)

1419 hours

*The Lok Sabha re-assembled after Lunch at
nineteen minutes past Fourteen of the Clock.*

(Hon. Deputy Speaker *in the Chair*)

MATTERS UNDER RULE 377 -- LAID

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

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**Re: Need to introduce teaching of humanities in all senior
secondary schools in the country**

श्रीमती जयश्रीबेन पटेल (मेहसाणा):

Re.: Pending projects of Jharkhand.

SHRI NISHIKANT DUBEY (GODDA): The Jharkhand State is known as a vast reservoir of natural resources in terms of forests as well as minerals. There is lack of Irrigation-facilities in the Santhal Pargana of Godda district where almost 85 per cent of the population are dependent on *farming* for their livelihood.

The Chandan Dam of Banka district in Bihar was completed in 1978 and can irrigate 80 thousand hectares of Rabi and Kharif crops. Under this large scale irrigation project, there was a plan to build 105 kms long canal, 35 kms of the canal in Bihar's Banka and other 70 kms in Jharkhand's Godda. The water from the Dam was to reach Godda's Triveni, Kajhiya, Harna north and Harna south. It had to be connected to Poryaiyhat's proposed Suggabathan dam. This was also to be the support system of river Sapin, Sunder, Sonapur, Bhaura, Rajabandh and Sunder reservoir.

Further, over the last four years, I have been making personal efforts in pushing for projects that have actually been conceived

almost 40 years back. These projects have neither started nor have they been closed.

Among such projects, I am highlighting the following projects which need your immediate attention:

Old Projects :-

- | | | | |
|------|----------------------------|---|---------|
| (1) | Punasi | - | Deoghar |
| (2) | Triveni | - | Godda |
| (3) | Kajhaiya | - | Godda |
| (4) | Harna | - | Godda |
| (5) | Sugabathan Dam | - | Godda |
| (6) | Expansion of
Sundar Dam | - | Godda |
| (7) | Budhai Dam | - | Deoghar |
| (8) | Saidapur Beer | - | Godda |
| (9) | Tardiha Beer | - | Godda |
| (10) | Darhwa Beer | - | Deoghar |
| (11) | Dahua Beer | - | Deoghar |
| (12) | Krishnasagar Dam | - | Deoghar |
| (13) | Trikut Jalashaya | - | Deoghar |

- (14) Raja Bandh & - Godda
Mahagama Canal
- (15) Kalikatta beer - Thakurgangti, Godda
- (16) Khanbara beet - - Godda
- (17) Budhwa Bandy - Godda

New Projects :-

- (1) Kalipur Reservoir at Motihara Nadi Dumka
- (2) Bhurbhura Reservoir
- (3) Bishanpur Reservoir
- (4) Jamania reservoir
- (5) Pargodih Reservoir at Bansloi River, Godda.

I request the Minister concerned to kindly look into these matters on urgent basis. This will be a real gift to the farmers of Jharkhand.

(ends.)

**Re: Need to undertake setting up of a planetarium,
beautification of ponds and construction of road over
bridges in Darbhanga parliamentary constituency, Bihar**

श्री कीर्ति आजाद (दरभंगा):

Re: Appointments for teaching posts in Central Universities

श्री गणेश सिंह (सतना):

**Re: Need to develop a mechanism to maximize the rate of
conviction of criminals**

श्री अजय मिश्रा टेनी (खीरी):

**Re: Need to extend Bundelkhand region like benefits to
Kanpur Nagar and Kanpur Dehat districts along river Yamuna
in Uttar Pradesh**

श्री देवेन्द्र सिंह भोले (अकबरपुर):

**Re: Need to provide financial assistance to farmers for fencing
of their agricultural fields**

श्री ओम बिरला (कोटा):

**Re: Need to review and ban the product of Johnson and
Johnson in India pronounced harmful in America**

श्री राजेन्द्र अग्रवाल (मेरठ):

**Re: Need to provide water of Damanganga river to dams in
Dindori parliamentary constituency, Maharashtra**

श्री हरिश्चन्द्र चव्हाण (दिंडोरी):

**Re: Need to shift underpass on Konch to Ait Railway line in
Jalaun parliamentary constituency, Uttar Pradesh**

श्री भानु प्रताप सिंह वर्मा (जालौन):

**Re: Need to run Howrah - New Delhi Durgam Express and
Ranchi - Jaynagar Express train via Dhanbad, Jharkhand**

श्री पशुपति नाथ सिंह (धनबाद):

Re: Need to provide stoppage of Dayodaya Express (Train No. 12181/82) and Jaipur - Indore Express (Train No. 12973/74) at Israda railway station in Sawai Madhopur district, Rajasthan

श्री सुखबीर सिंह जौनापुरिया (टोंक-सवाई माधोपुर):

**Re: Need to establish a Kendriya Vidyalaya in Kaushambi
district, Uttar Pradesh**

श्री विनोद कुमार सोनकर (कौशाम्बी):

Re: Regarding reservation to Maratha community in

Maharashtra

श्री राजीव सातव (हिंगोली):

**Re.: Condition of National Highway 37 between Imphal and
Jiribam.**

DR. THOKCHOM MEINYA (INNER MANIPUR): Without blaming monsoon, the deplorable condition of NH 37 (Imphal-Jiribam road) always haunts the mind of the people and the Government of Manipur. With frequent bandhs and blockades along NH 2 (Imphal - Dimapur road) the need for improving Imphal-Jiribam road as an all-weather second lifeline has always been felt. The then Prime Minister had assured that development work along Imphal-Jiribam road would be completed by 2013. The present Prime Minister had also assured that this work would be completed within 100 days of the formation of his new Government in 2014. The condition of NH 37 remains non-serviceable as usual. I demand for the immediate completion of the construction of RCC Bridges and make this NH 37 at least a two-lane all weather road. I also request the establishment of dedicated National Highways Protection Security Forces to regulate flow of passenger and goods vehicles round the clock.

(ends.)

Re.: Release of basic and performance grant amount to urban local bodies in Tamil Nadu.

SHRI S.R. VIJAYA KUMAR (CHENNAI CENTRAL): The 14th Finance commission had allocated an amount of Rs. 1263.96 crore as the Basic Grant and Rs. 365.37 crore as the Performance Grant for the year 2017-18 to the Urban Local Bodies in Tamil Nadu, The Union Government has released a sum of Rs. 631.98 crore as the first instalment of Basic Grant for the year 2017-18 to the Urban Local Bodies. While releasing the 1st instalment, The Union Government has directed Tamil Nadu Government to pursue the court case regarding the Local Bodies Election and appraise the Union Finance Ministry before the 2nd Instalment is considered for release.

Out of the earmarked Rs.1462.18 crore Basic Grant and Rs. 414.92 crore Performance Grant to Urban Local Bodies for 2018-19, Rs. 731.09 crore has to be released in June.

The entire 1st Instalment grant for 2017-18 have been released to Urban Local Bodies for providing basic amenities such as water

supply, sanitation, waste management, street lights etc., and Utilization Bills and Utilization Certificate has been duly submitted to the Union Government. At the moment all Urban Local Bodies are in dire need of funds to carry out their day to day affairs to provide citizens basic amenities.

The elections to the Local bodies in Tamil Nadu have been delayed due to various litigations and delimitation issues. Citing this as the reason, the Union Government had not released the 2nd Instalment of Basic Grant and Performance Grant for the year 2017-18 and 1st Instalment of basic Grant for 2018-19 to Urban Local Bodies in Tamil Nadu. The 14th Finance Commission has not indicated that the funds should be released only if elections to urban local bodies are held and an elected body is in place.

Therefore, I urge the Government to release immediately the 2nd Instalment of Basic Grant and Performance Grant for the year 2017-18 and 1st Instalment of basic Grant for 2018-19 to Urban Local Bodies in Tamil Nadu.

(ends.)

Re.: Augmenting railway connectivity in Tamil Nadu.

SHRIMATI K. MARAGATHAM (KANCHEEPURAM): Kancheepuram and Chengalpattu Railway Station needs Escalator Faculty, as Chengalpattu Railway Station is the next busy station after Tambaram, Passengers board and de-board Express trains.

Construction of a Sub-way at Level Crossing No 45, between Thirukalukundram and Chengalpattu started. However, it is still incomplete. There is delay in completion of Rain Water Channel at level crossing (LC-54), Chengalpattu - Thirukalukumdarm Railway Crossing.

Kancheepuram is the Industrial-hub connecting Chennai. Huge number of passengers are finding it very difficult as timings of EMU from Kancheepuram to Chennai Beach - Tirumalpur & Sriperumbudur is more than one at a half hour per train.

Stoppages of Train No 16127/Guruvayur Express; Train No 16105/Tiruchendur Exp; Train No 16853/Cholan Express; Train No 16351/Mumbai-Nagercoil Express at Madurankatakam Railway

Station is needed. These Trains had stoppages before guage conversion.

Stoppage of EMU Train No 40804/40802 Chennai Beach - Kancheepuram at Villiyambakkam & Rettipalayam Railway Stations is also needed.

(ends.)

Re.: Indo-Pak relations.

PROF. SAUGATA ROY (DUM DUM): From the results of Pakistan's general election, it seems that Imran Khan's Party Tehreek is on the way to become the majority party in Pakistan. Mr. Imran Khan, former cricketer is to be elected as the Prime Minister of Pakistan whether as head of the single party government or coalition. This will start a new era in Indo-Pakistan relations. Imran Khan said that Pakistan is ready to improve its ties with India and asserted that the blame game between the two neighbours is detrimental to the subcontinent. Of course, he maintained that Kashmir is the core issue between the two countries and should be resolved through talks. He says that the thrust is on poverty in South Asia. The Government of India should take a look at Imran's statement and declare their position viz., the new government in Pakistan.

(ends.)

**Re: Problems in Jawahar Navodaya Vidyalaya at Dihibagnan
in Arambagh Parliamentary constituency of West Bengal**

SHRIMATI APARUPA PODDAR (ARAMBAG): Jawahar Navodaya Vidyalayas are unique educational institution. These were set up to provide good quality modern education and facilities to the talented students.

A serious concern in my constituency has cropped up recently, pertaining to Navodaya Vidyalaya of Dihibagnan Arambagh. Students are served low quality food and there are financial irregularities.

In this situation my humble submission to hon'ble Human Resource Minister is to look into the matter and take necessary steps.

(ends)

Re: Providing basic amenities to slum dwellers in Paradip region, Odisha

DR. KULMANI SAMAL (JAGATSINGHPUR): The slum dwellers at Sandhakud, Atharbanki, Lockpara, Brindaban Colony, Loknath Colony, etc. in Paradip region of Odisha have been deprived of basic amenities like drinking water, sanitation and electricity. It is reported that the slum colonies in and around Paradip are having around 9000 registered households. Out of these registered families, more than 5000 households either do not have toilets or having dysfunctional toilets thereby making them to defecate in open field, In spite of many appeals made from time to time to the concerned authority, the problems faced by these slum dwellers are not being taken into consideration.

Hence, I would like to urge upon the Minister of Shipping to direct the concerned authority of Paradip Port Trust Administration to ensure supply of drinking water, sanitation and electricity in above mentioned slum dwellings in Paradip, Odisha at the earliest.

(ends)

**Re: Need to set up a special fund and blood bank for
thalassemia patients**

श्री श्रीरंग आप्पा बारणे (मावल):

Re: International flights from Tirupati and Vijayawada airports

SHRI JAYADEV GALLA (GUNTUR): Government of India had declared, with a lot of fanfare, Tirupati and Vijayawada as international airports more than three years ago after upgrading them to meet the requirements of international standards for flying international flights.

In 2016 itself it was decided to start operations initially to US, Singapore, West Asia from Vijayawada airport and subsequently to other international destinations. But, nothing has so far happened. Same is the case with Tirupati that it has not logged even one international flight so far. When it comes to Visakhapatnam, being Defence Airport, Navy is putting so many restrictions and I am given to understand that Jet is going to withdraw its flight, SpiceJet withdrew its international flight and Sri Lankan Airlines also threatened to withdraw its operations to Visakhapatnam. This clearly indicate that even one international airport in AP is crippled due to unacceptable restrictions imposed by Indian Navy. It wanted to fly its

fighters for training, etc., which restricts movement of commercial flights.

Secondly, with an objective to make Vijayawada airport cargo hub of the State, cargo complex has been established. It was supposed to start its operations from early this year, but it has also not started. Once cargo complex is completed, the aqua farmers are more benefited as they can export shrimp. Not just aqua, even agri products, spices, etc., can also be exported which benefits the farmers.

In view of the above, I request the Minister of Civil Aviation to immediately start international flights from Tirupati and Vijayawada and also start operations from Vijayawada Cargo Complex.

(ends)

Re: Railway line from Beharmpore to Krishnanagar

SHRI MD. BADARUDDOZA KHAN (MURSHIDABAD): So far as the Question of new railway line in my district Murshidabad is concerned, an old demand is there. It is Behrampore to Krishnanagar Via Islampur, Domkal, Jalangi and Karimpur. But in the last rail budget there is no mention about this railway line. Behrampore to Krishnanagar via Islampur, Domkal, Jalangi & Karimpur is an important proposal because lakhs of people are living there without railway connectivity with a district town & also with the capital city of Kolkata. They are totally dependent on road transport which is also not adequate. Due to this, people of these areas are facing lots of problem in their daily life specially students, vegetable vendors, small businessmen, patients etc. & youths are losing lots of job opportunities.

Hence, I request the Minister concerned again through you madam that please include this proposal in the next railway budget so that the people of the region may get some relief. (ends)

**Re: Need to conduct Section Officers' Limited Departmental
Competitive Examination for the years 2016, 2017 & 2018**

SHRI TARIQ ANWAR (KATIHAR): I wish to raise the issue that out of 3193 posts of Section Officer, around 1270 posts are vacant in various Ministries and Department of Central Government. 50% of the vacant posts are filled up through promotion on seniority and the rest 50% are filled up through Departmental Exam conducted by UPSC. The result of Section Officers' Limited Departmental Competitive Exam held in 2015 has not been declared so far due to litigation. Consequently, next exams of 2016, 2017 & 2018 have not yet been notified. The extant Central Secretariat service Regulations, 2010, under which above exam is conducted, makes some juniors eligible and some seniors of the same select list ineligible, which results in grievances almost every year leading to court cases thus the process of promotion gets derailed. DOPT should sort out the problems amicably so that the SOLDCE 2016, 17 & 18 could be conducted at the earliest.

(ends)

**Re: Need to set up a CGHS Wellness Centre in Mainpuri
parliamentary constituency, Uttar Pradesh**

श्री तेज प्रताप सिंह यादव (मैनपुरी):

(1420/MK/GM)

**STATUTORY RESOLUTION RE: DISAPPROVAL OF
HOMOEOPATHY CENTRAL COUNCIL (AMENDMENT)**

ORDINANCE

AND

**HOMOEOPATHY CENTRAL COUNCIL
(AMENDMENT) BILL-Contd.**

HON. DEPUTY SPEAKER: Now we will take up item nos. 16 and 17 together.

Dr. Manoj Rajoria.

1420 बजे

डॉ. मनोज राजोरिया (करौली-धौलपुर): माननीय उपाध्यक्ष जी, आपने मुझे होम्योपैथिक सेंट्रल काउंसिल अमेंडमेंट बिल-2018 पर बोलने का अवसर दिया। मैं माननीय प्रधानमंत्री जी और माननीय मंत्री जी को धन्यवाद देना चाहूंगा कि जो शुरुआत उन्होंने की थी कि इस देश में आम आदमी की सुविधा के लिए किस तरीके से सारे सिस्टम को पारदर्शी बनाया जाए, किस तरीके से आम जन के लिए उपयोगी बनाया जाए, उसी के हित में यह एक महत्वपूर्ण है। माननीय उपाध्यक्ष जी, सेंट्रल काउंसिल ऑफ होम्योपैथी एक ऐसी काउंसिल थी, जिसमें चुनाव के माध्यम से लोग चुने जाते हैं और वे होम्योपैथिक शिक्षा और चिकित्सा को किस तरीके से बढ़ाया जाए,

इसका काम करते हैं। इसमें काफी कमियां रहीं, उन कमियों को दूर करने के लिए ही माननीय मंत्री जी यह बिल लेकर आए हैं। मैं इस बिल के समर्थन में खड़ा हुआ हूं। मैं सदन से आह्वान करूंगा कि सदन इस बिल का समर्थन करे और जो सुधार माननीय मंत्री जी ने किए हैं कि सेक्शन 3 (1) और सेक्शन 12 (सी) में किस प्रकार से होम्योपैथिक मेडिकल कॉलेजेज़ की जो परमिशन होती है, उसको दिया जाए। इससे पहले ऐसा होता था कि परमिशन सिर्फ सी.सी.एच. देती थी। भारत सरकार का 2012 के बाद जो भी कॉलेज बने उनमें कोई यागदान नहीं होता था। प्रधानमंत्री नरेन्द्र मोदी जी का सपना है कि मेडिकल शिक्षा में भी एक क्वालिटी होनी चाहिए, एजुकेशन का स्तर होना चाहिए। चूंकि सरकार का सीधा नियंत्रण नहीं था और उसको नियंत्रित करने, अच्छी शिक्षा और अच्छी चिकित्सा उपलब्ध कराने के लिए मंत्री जी यह एमेंडमेंट बिल लेकर आए हैं। इसमें कुछ लोगों भ्रम है कि ये सेंट्रल काउंसिल ऑफ होम्योपैथिक को कहीं भंग तो नहीं कर रहे हैं। माननीय मंत्री जी इसको स्पष्ट करेंगे और मैं भी बताना चाहूंगा कि यहां एक गवर्निंग बॉडी एक साल के लिए बनाई गयी है। इसके बाद जिस प्रकार से सी.सी.एच. मेम्बर्स के चुनाव होते थे, दोबारा देश में चुनाव होंगे और यह गवर्निंग बॉडी एक साल तक कार्य करेगी, जो सभी मेडिकल कॉलेजेज़ को देखेगी। इसका महत्वपूर्ण उद्देश्य यह है कि होम्योपैथिक मेडिकल कॉलेजेज़ में जो शिक्षा के लिए इंफ्रास्ट्रक्चर चाहिए, जो चिकित्सक चाहिए, जो मेडिकल एजुकेशन चाहिए, वे सब किस प्रकार से सुनिश्चित किए जाएं, क्योंकि सब स्टैण्डर्ड कॉलेजे देश के कई हिस्सों में चल रहे थे। उन सब स्टैण्डर्ड कॉलेजेज़ का स्टैण्डर्ड किस प्रकार से सुधारा जाए और उनकी गुणवत्ता एवं शिक्षा में किस प्रकार से सुधार किया जाए, यह इस बिल

का उद्देश्य है। मैं माननीय मंत्री जी को इसकी बारीकियों एवं उनकी नीयत के लिए धन्यवाद देना चाहूंगा कि इनका उद्देश्य सिर्फ एजुकेशन सिस्टम को इम्प्रूव करना है। इसके लिए मैं उनका बहुत आभार एवं धन्यवाद व्यक्त करता हूँ। एक अच्छी व्यवस्था जो माननीय मंत्री जी ने की है कि हमेशा यह शिकायत आती थी कि मेडिकल कॉलेज में एडमिशन हो जाते थे, लेकिन टीचर्स नहीं आते थे, स्टूडेंट्स नहीं आते थे। यह जियो लोकेशन अटेंडेंस का सिस्टम पूरे देश में लागू करने जा रहे हैं, जिसमें यह सुनिश्चित होगा कि संबंधित कॉलेज में, जो मान्यता प्राप्त है, उनमें सभी शिक्षक समय पर आ रहे हैं और सभी टीचर्स के साथ क्या सभी स्टूडेंट्स भी समय पर आ रहे हैं? इससे उनकी अटेंडेंस और उनकी शिक्षा को सुनिश्चित किया जाए। साथ में, कॉलेजेज़ खोलने के लिए जो इंस्पेक्शन था, उसका अधिकार भी माननीय मंत्री जी ने मंत्रालय को दिया है, जिससे कि उनकी गुणवत्ता उसमें सुनिश्चित की जाए।

माननीय उपाध्यक्ष जी, जिस प्रकार से माननीय मंत्री जी ने आयुष के अंदर पूरे देश में अच्छा काम किया है। इसके साथ-साथ उन्होंने होम्योपैथी के लिए बहुत अच्छा काम किया है। मैं एक छोटी-सी जानकारी देना चाहूंगा कि होम्योपैथिक चिकित्सा के साथ में उन्होंने होम्योपैथिक एजुकेशन और रिसर्च में भी काम किया है। अभी कोलकाता का एक बहुत बड़ा इंस्टिट्यूट है-कोलकाता नेशनल इंस्टिट्यूट ऑफ होम्योपैथी, उसमें एक हॉस्टल बनाने का काम माननीय मंत्री जी कर रहे हैं। कोलकाता में एक बड़ी लैब, जो रिसर्च करेगी, उसके लिए भी उन्होंने काम किया है। कोट्टायम में एक मेंटल हॉस्पिटल था, उसको बड़ा बनाने का माननीय मंत्री जी ने काम किया है। मैं आपके ध्यान में लाना चाहूंगा कि प्रधानमंत्री जी के नेतृत्व में 21 जून को अंतर्राष्ट्रीय

योग दिवस मनाया गया। पूरे देश में योग के माध्यम से आयुष का और भारत का मान-सम्मान बढ़ा, इसके लिए मैं प्रधानमंत्री जी एवं मंत्री को धन्यवाद दूंगा। आयुष में माननीय मंत्री जी होम्योपैथिक चिकित्सा को आम जन तक पहुंचाने के लिए काम किया, क्योंकि होम्योपैथिक चिकित्सा ही एक ऐसी चिकित्सा पद्धति है, जिसमें गरीब लोगों को ही साइंटिफिक, सस्ती और प्रभावशाली दवाएं मिलती हैं। जनता के लिए विशेष तौर से भारत जैसे देश के लिए यह एक बहुत उपयोगी कारगर कदम होगा।

(1425/RPS/RSG)

उपाध्यक्ष महोदय, माननीय प्रधानमंत्री जी 'आयुष्मान भारत' के माध्यम से, आज देश के दस करोड़ परिवारों को प्रधानमंत्री आयुष्मान भारत योजना के तहत जोड़ने जा रहे हैं, इसमें पांच लाख रुपये तक का बीमा उन परिवारों को दिया जाएगा। मैं मंत्री जी से आग्रह करूंगा कि 'आयुष्मान भारत' में आयुष के सभी सिस्टम्स को जोड़ें, जिससे आम जन को आयुष और होम्योपैथी का लाभ मिल सके। प्रधानमंत्री जी ने बहुत बड़ा सपना देखा है कि देश के सभी लगभग डेढ़ लाख पीएचसीज को वेलनेस सेंटर्स बनाया जाए। उन वेलनेस सेंटर्स में सभी डाक्टरों की नियुक्ति भी करने जा रहे हैं। मैं सदन के माध्यम माननीय मंत्री जी से कहना चाहूंगा कि उन सभी डेढ़ लाख वेलनेस सेंटर्स में यह सुनिश्चित किया जाए कि वहां इतने आयुष डाक्टरों होंगे और उनमें से कितने प्रतिशत होम्योपैथी डाक्टरों, कितने प्रतिशत आयुर्वेद और यूनानी के डाक्टरों होंगे। इसका एक सुनिश्चित फार्मूला तय करके पूरे देश में लागू किया जाए, जिसके माध्यम से आम जन को एलोपैथी के साथ-साथ आयुष सिस्टम, विशेष तौर से होम्योपैथी का भी लाभ मिल सकेगा।

उपाध्यक्ष जी, मैं आपका ध्यान राजस्थान सरकार की तरफ भी दिलाना चाहूंगा कि जिस प्रकार से प्रधानमंत्री जी ने 'आयुष्मान भारत' के माध्यम से पांच लाख रुपये तक का बीमा देने का कार्य देश की जनता की सेवा के लिए किया है, उसी प्रकार से राजस्थान की यशस्वी मुख्यमंत्री श्रीमती वसुन्धरा राजे जी ने एक बहुत शानदार भामाशाह बीमा योजना चला रखी है। इसमें तीस हजार रुपये से लेकर तीन लाख रुपये तक का बीमा पीड़ित परिवार को दिया जाता है। आज राजस्थान में लाखों परिवारों ने इस योजना का लाभ लिया है और जैसे ही 'आयुष्मान भारत' योजना लागू होगी, मैं समझता हूँ कि यह राशि तीन लाख रुपये से बढ़कर पांच लाख रुपये हो जाएगी। राजस्थान एक ऐसा राज्य है, जिसमें 'आयुष्मान भारत' को पहले ही अपनाकर, भामाशाह बीमा योजना के माध्यम से बहुत सफलतापूर्वक, माननीय मुख्यमंत्री जी के नेतृत्व में जनता की सेवा का कार्य किया जा रहा है।

महोदय, मैं माननीय मंत्री जी के ध्यान में लाना चाहूंगा कि जिस प्रकार से उन्होंने आयुष का पूरे देश और दुनिया में नाम रोशन किया है, आयुष की एक गाइडलाइन पूरे देश में जारी की जाए, क्योंकि अधिकतर विषय राज्यों के लिए छोड़ दिए जाते हैं और जब सरकारी नौकरियां निकलती हैं, होम्योपैथी डाक्टर्स की नौकरी लगने का विषय आता है तो कुछ राज्य सरकारें उदारतापूर्वक उनका उत्तर देती हैं और कुछ राज्य सरकारों में उनके अवसरों का हनन हो जाता है। कई जगह ऐसा होता है कि आयुष के अन्य सिस्टम्स उनके अधिकारों का हनन करते हैं। सदन के माध्यम से मैं कहना चाहूंगा कि आयुष की सभी पद्धतियों को समान रूप से महत्व दें और उनके बीच बंटवारा इस

तरीके से करें कि राज्यों द्वारा उनका पालन सुनिश्चित रूप से किया जाए। महोदय, मुझे चीफ व्हिप जी ने समय कम दिया है, फिर भी मैं उस समय में ही अपनी बात रखूंगा।

मैं होम्योपैथिक डाक्टर्स की बात कहना चाहूंगा। मैं खुद एक होम्योपैथिक डाक्टर हूँ। मैंने बीएचएमएस और एमडी किया है। लगभग दस साल पढ़ाई में लगते हैं। होम्योपैथी में भी एमबीबीएस के बराबर ही सब्जेक्ट्स होते हैं। उसमें एनॉटमी, फिजियोलॉजी, गाइनी, प्रैक्टिस ऑफ मेडिसिन, सर्जरी, ईएनटी आदि सभी सब्जेक्ट्स होते हैं। सिर्फ हॉस्पिटल्स की एक कमी थी, माननीय मंत्री जी को धन्यवाद दूंगा कि होम्योपैथी डाक्टर्स की गुणवत्तापूर्ण शिक्षा के लिए इन्होंने यह सुनिश्चित किया है कि प्रत्येक होम्योपैथिक कॉलेज में एनएबीएच सर्टिफाइड हॉस्पिटल हो ताकि उन्हें अच्छी ट्रेनिंग मिले।

मैं इसके साथ ही यह सुझाव देना चाहूंगा कि राज्य सरकारों को एक गाइडलाइन जारी करें कि जो होम्योपैथिक डाक्टर्स पढ़ाई कर रहे हैं, चाहे वे अंडरग्रेजुएट बीएचएमएस की पढ़ाई कर रहे हैं या एमडी कर रहे हैं, स्थानीय मेडिकल कॉलेज या हॉस्पिटल में जाकर वे अपनी इंटरनशिप कार्य पूरा कर सकें, क्योंकि होम्योपैथिक डाक्टर्स की योग्यता और जनता की सेवा में मेरा पूरा भरोसा है। होम्योपैथिक डाक्टर्स की योग्यता, उनके काम और जन सेवा में आप भरोसा कीजिए। मैं छोटी सी शायरी के साथ अपनी बात समाप्त करूंगा। होम्योपैथी डाक्टर्स की क्षमता के बारे में मैं एक बात कहना चाहूंगा :

“मिलेगी परिन्दों को मंजिल, ये बातें उनके पर बोलते हैं।

रहते हैं कुछ लोग खामोश, लेकिन उनके हुनर बोलते हैं।”

बहुत-बहुत धन्यवाद, उपाध्यक्ष जी।

(इति)

(1430/RK/ASA)

1430 hours

DR. K. KAMARAJ (KALLAKURICHI): Thank you, Deputy Speaker, Sir. The Homeopathy Central Council (Amendment) Bill, 2018 replaces the Homeopathy Central Council (Amendment) Ordinance, 2018 which amended the Homeopathy Central Council Act, 1973.

The Homeopathy Central Council Act provides for the constitution of a Central Council of Homeopathy and maintenance of a Central Register of Homeopathy. The Government has brought this Bill to replace the Ordinance. The Bill proposes to insert Clause 3A regarding supersession of the Central Council. The Government has dissolved the existing Central Council of Homeopathy and replaced it with the Board of Governors which will exercise the powers of the Central Council for one year.

Secondly, the Government has inserted a new clause, Clause 12C seeking to give permission to the existing homeopathy colleges. It says that all the existing homeopathy colleges should again get

permission from the Central Government within one year otherwise the degrees given by all these colleges will be de-recognised.

Sir, in health care India is practising two systems of medicine; the Allopathic or modern scientific system and the Ayush system of medicine including homeopathy, Indian system of medicine Ayurveda, Sidha, Unani, Yoga, Naturopathy etc. The homeopathy system of medicine is criticised as pseudoscience but it is the second largest system of medical practice in the world.

There are many regulatory bodies for all these systems of medicine. Everybody knows that all these regulatory bodies have failed to perform the mandate given to them. The Central Council of Homeopathy has been established by an Act. The main functions of the Central Council of Homeopathy are to evolve uniform standards of education in homeopathy and the registration of practitioners of Homeopathy. The registration of practitioners on the Central Register of Homeopathy will ensure that medicine is not practised by those who are not qualified in this system and those who practice, observe a code of ethics in the profession. This Act was enacted in 1973.

There are around 223 Homeopathic colleges in India of which about 171 colleges are permitted to conduct the Homeopathic courses and 50 colleges are denied permission to conduct these courses. In the Ninth Report of the Planning Commission, the Government of India noted that there was mushrooming of Homeopathy Medical Colleges, there is lack of well qualified teachers and quality of training is not of requisite standard. It was, therefore, felt that there is a need to amend some of the provisions of the Homeopathy Central Council Act.

In 2002, The Homeopathy Central Council Act, 1973 was amended by inserting Sections 12A and 12B. These two Sections mainly deal with the recognition of the colleges and the recognition of the Degrees provided by these colleges.

The hon. Minister while speaking on the Bill has said that the amendment Bill has been brought to check; the opening of unauthorised colleges, introduction of unauthorised curriculum and increasing number of medical seats. How can one open an unauthorised college as already an Act is there in this regard? Owing to the lack of relevant provisions of the Act, there is renewable recognition to the existing Homeopathic colleges and as a result,

certain unauthorised colleges are running which do not fulfil the prescribed criteria. The third reason for bringing this Bill before the House is, the Ministry does not have an authority to illegal colleges. In the Central Council of Homeopathy there is no provision in the existing Act to remove the Chairman and the Members. The Central Council does not follow the directions of the Ministry.

In the existing Act itself there are clear cut provisions to control the Central Council of Homeopathy. The other reason as to why the Council was dismissed and superseded by the Central Government with the Board of Governors is, the instances of serious malpractices in the Council as a result of which the quality of medical education is compromised. The President of the Central Council of Homeopathy has accepted the bribe and the CBI has arrested him.

(1435/PS/RAJ)

But, what is the result of the investigation? I would like to know from the hon. Minister as to what the result of the investigation is.

Another thing is that there is no transparency in the functioning of the Council. The Council is stalling the corrective steps of the Central Government. Many members of the Council are continuing

in the Council long after their tenure is completed. Many of the senior members of the Council were repeatedly elected.

I just want to ask from the hon. Minister about the constitution of the Central Council. About five elected members are from the State Homeopathy Council; seven members are elected from Homeopathy Universities. Of the total number of members, 40 per cent of the members are nominated by the Central Government. Out of them, 40 per cent is nominated. How can a Council make a mistake? There is a 40 per cent representation from the Ministry. There is a serious misconduct against the President of the Council who continued to be a member of the Council even after the end of his tenure as the election to elect the new incumbent could not be completed. The previous Act correctly says that before three months, the members and the President have to be elected. The reason for the delay, as they have stated, is that they could not maintain a proper register and they could not conduct the election. I just want to remind this thing. According to the Council's website, Shri Ramjee remained as the President for nine years. One of his predecessors, Shri Jugal Kishore, occupied the said post for almost 15 years. In the previous Act, it is specifically mentioned that the persons occupying

for the post of President can only come for the second term, and not for the third term. Once the Council's term expires, if the succeeding Council is not elected, the previous members will continue in the Council. The other reason that they are giving is that the college owners are regulators in homeopathy. Many of the CCH members, including the President, have their own colleges. Some Council members are directly associated with some college as a Director or Faculty. This has led to a culture where a homeopathy college gets approved under the barter system, that is, 'you clear my college and I will clear yours'. This is also done for pecuniary benefits.

I just want to remind the hon. Minister that in the previous Act itself there is a mention of 'Commission of Inquiry'. The Commission of Inquiry is constituted under the head of the retired Judge of the High Court Judge. I would like to know as to what the Government has done for this. You are saying that there are irregularities. I would like to know as to what the Commission of Inquiry has done and as to what is the report of the Commission. If the Commission has given a report to you, then according to the Act, the Government has to act. It clearly says that if the Central Government thinks that the Central Council fails to comply with any such requirement, then the

Central Government may amend the regulation of the Central Council or makes such provision or order or to take such other steps as may deem necessary to give effect to the recommendations of the Commission. If there is a malpractice or misconduct in the council, then what has the Government done? The hon. Minister must be able to tell us about it.

I am accepting what the hon. Minister has said that most of the homeopathy colleges are lacking basic infrastructure. They do not have patients; there are no hospitals; insufficient staff is there; and hospital records are fake. Even both under-graduate and post-graduate courses were described as blindly imitative of the corresponding courses in Allopathic medicine to the extent that the very character of the Ayush systems gets compromised. There is a lack of faculty.

Another thing is that the person who gets degree from the homoeopathic colleges, does not do their homeopathic practise. He does the alternative system of medicines. Most of them practise some modern medicines. That is called 'quackery'.

The Council has failed to ensure ethics in the practice of Indian System of Medicines and Homeopathy. Many of the internal reports

of the Government reveal that there is a malpractice in the functioning of the Council. The Council has failed to do their mandate which was given to them.

To overcome this problem, already two Bills are there. One Bill is The Homeopathy Central Council (Amendment) Bill, 2005. Since there is no provision for the removal of President or Vice-President of the Council and also withdrawal of the members nominated to the Council in case they commit some irregularity or unwanted activities, the Bill was referred to the Standing Committee. The Central Council abuses and exceeds its powers and in such conditions, there is a need to issue a proper direction to the Central Council. These provisions were there in the previous Bill. To correct this, the previous Bill was brought to the Parliament and was referred to the Standing Committee. The Standing Committee had given its report in the year 2005. I would like to know as to why the Government had not acted on the 2005 recommendations.

(1440/RC/IND)

Again in 2015, this Bill was examined by the Standing Committee on Health and Family Welfare. The Committee had recommended in 2005 itself to remove all these difficulties and you

were supposed to bring an amendment to that effect. Again, they have recommended to remove all these difficulties. What was the Government doing for the last three years? Why did they not bring any amendment to this Act?

Sir, enough provisions are there in the Act. They indulged in malpractices in connivance with the Government officials. But the Government has failed to control all the malpractices. Now the democratically elected Council is being replaced with the Department. Even if the Council is not working according to its mandate, why are you replacing the Council now?

I would like to know from the Government whether the Board of Governors nominated by the Government can take corrective measures. They can act under the existing provisions. I would like to know from the Minister how he will correct the anomalies which are there in the Act.

Sir, when the whole system is in such a grave situation, it is surprising that this Government is proposing a National Commission Bill to replace the Medical Council of India which permits the medical practitioners to practice modern medicine through a bridge course. I would like to know from the Minister when his Secretary has opposed

the bridge course. When the Central Council of Homoeopathy has opposed the bridge course, why is this Government bringing a bridge course? It wants to bring in other people who are involved in the other systems of medicine to practice allopathy medicine.

In conclusion, if there is a failure of the Council as also the Department to control proliferation of medical colleges, the Government should have brought up an amendment to correct the deficiency in the Act rather than superseding the Council.

The Government is bringing Ordinances for everything. Why do they need an Ordinance when the Standing Committee had already given a recommendation in 2015 for amending the Act? I would also request the Minister that he has to identify the science behind homoeopathy medicine.

With these words, I conclude.

(ends)

1443 hours

DR. RATNA DE (NAG) (HOOGHLY): Sir, as the House is aware, Homoeopathy Central Council (Amendment) Ordinance, 2018 was promulgated on May 18, 2018. This was aimed at amending the Homoeopathy Central Council Act, 1973. What is the urgency of promulgating the Ordinance on this very important aspect? To be precise, it ensures supersession of the Homoeopathy Central Council from 2018. The Government aims at reconstituting the Central Council within one year from the date of its supersession. What is the necessity of rushing through this important piece of legislation via Ordinance route, thus, disregarding the parliamentary process of ensuring accountability and giving importance to the normal process of legislation? The primary job of Parliament is not only to frame laws to ensure for the administration of the country but also to ensure accountability of the Government.

What is the necessity of the supersession of the Homoeopathy Central Council in a hurry? Has any expert gone into the whole aspect for giving effect to its supersession from this date? Why is one year period required to reconstitute the Central Council from the date of its supersession?

(1445/SNB/VB)

It is stated, 'in regard to policy decision Government directions will be final'. When we are reconstituting the Board of Governors and allowing it to exercise the powers of the Homoeopathic Council, then why should there be an interference of the Government? Why is it stated that with regard to policy decisions, directions of the Government will be final? Why not leave this exercise of reconstituting the Board of Governors to an expert body who will select the people from the field with experience and expertise which would go a long way in furthering the contribution of the Homoeopathy Council?

Sir, though I am a professional doctor in allopathy medicine, yet I love homoeopathy, yet I often go to homoeopathy doctors to get some medicines for relief. But Homeopathy is considered as an alternative to the allopathy medicines because it is cost effective. Homoeopathy needs to be given all assistance. But over the past decade or so, homoeopathy has not been given its due. I would like to know from the hon. Minister as to how much funds have been allocated to the homoeopathy in the recent past. Now, there is insistence from the Government on the persons -- who have

established Homoeopathy Medical Colleges, started new courses, increased seats before the promulgation of this Ordinance -- to seek permission from the Government. If they fail to follow this direction, then the students who have studied and acquired qualification from these colleges will not be recognised. It needs to be amended to make it friendly for the fraternity of Homeopathy education. I hope the hon. Minister will clarify the position and help not only the persons who have established homoeopathy medical colleges, increased seats and introduced new courses before the promulgation of the Ordinance and but also help those students who have acquired a medical degree from such colleges before promulgation of the Ordinance.

Sir, we have an Institute of Homoeopathy, namely, the National Institute of Homoeopathy in Kolkata. It was established way back in 1975. It started as an autonomous organisation under the Ministry of Health and Family Welfare, Government of India. Presently, it is under the Department of AYUSH, Government of India. First, it had its affiliation to the University of Kolkata till 2003-04. Since the academic year 2004-05, it has its affiliation to the West Bengal University of Health Sciences. It conducts courses and offers

Bachelor degree in Homoeopathy medicines and surgery since 1981 and since 1990 this institute has been conducting course and offering post-graduate degrees, namely, Doctor of Medicine in Homoeopathy. The State of West Bengal is regarded as the *Mecca* of Homoeopathy. Time has now come to upgrade this institute and accord it the status of a Central University of Homoeopathy and declare it as an Institute of eminence. I would like to request the hon. Minister to allocate funds generously to this Institute and upgrade this institute.

Sir, we often find acute shortage of homoeopathy doctors in different hospitals. There is a requirement of regular recruitment of doctors. Promotion of homoeopathy doctors would serve as an incentive to the aspirants to take up homoeopathy as a career in medical sciences.

Sir, I would like to request the hon. Minister that whenever the Government considers the reconstitution of the Board of Governors of the Homoeopathy Council of India, they should consider including experts and eminent homoeopathy doctors from Kolkata, particularly from the National Institute of Homoeopathy and also from different medical colleges in Kolkata. This would benefit not only the

Government but also the country at large and help reap rich dividends and also help in the growth and development of country which in turn would help the needy and the poor who have reposed faith in the system of homoeopathy medicine and I believe this system of medicine has also caught the imagination of the world in the last three to four decades.

With these words, I conclude.

Thank you.

(ends)

(1450/RU/PC)

1450 hours

SHRI RABINDRA KUMAR JENA (BALASORE): Sir, I thank you for allowing me to speak on the Homeopathy Central Council (Amendment) Bill, 2018.

The Bill seeks to amend the original Act of 1973. The Bill provides that the Central Council will be superseded by a Central Government body for a period of one year. The Statement of Objects and Reasons says that it has become necessary to introduce this Amendment Bill primarily due to large scale malpractices that were detected in the Council.

Sir, there are three basic procedural issues. Before I go into the merits of the Bill, I will raise those three procedural issues.

Firstly, let us read Section 4.1 and Section 4.2 of the original Act of 1973. Section 4.1 says:

“An election shall be conducted by the Central Government in accordance with such rules as may be made by it.”

Section 4.2 says that in case of a dispute, the decision of the Central Government shall be binding and final. When such Sections are provided in the original Act, 1973, a basic question comes up. Was there a necessity to bring in this Amendment and this Ordinance? This is my first point.

Let me come to the second point on the issue of Ordinance. The Ordinance was issued on 18th May, 2018. As the Statement of Objects and Reasons says that there were large scale malpractices like misappropriation; somebody was arrested by the CBI. That incident happened on 22nd October, 2016. I will pause here for a moment and quote one of the paragraphs from the discussion held in the Constituent Assembly in which Dr. Ambedkar said:

“The Chapter titled ‘Legislative Powers of the President’ ought to be named ‘Power to legislate when Parliament is not in Session.’”

When the Statement of Objects and Reasons says that because of misappropriation, an Ordinance or the Bill was necessary, we had one-and-a-half years time to legislate. We

had a Winter Session of 2016, we had three full Sessions of 2017 and one full Session of 2018. During the past one-and-a-half years, the hon. Minister had enormous time to bring in a Bill and avoid this Ordinance. What was the objective of this legislation? Why is the legislative power being misused time and again?

I would quote one more sentence from the judiciary also. It is a famous landmark judgement of Chief Justice P.N. Bhagwati. He has said:

“The power to promulgate an ordinance is essentially a power to be used to meet an extraordinary situation.”

What was that extraordinary situation in the last one and a half years? He further says that it cannot be allowed to be perverted to serve political ends. I leave it to the wisdom of the hon. Minister to decide whether an Ordinance was necessary or not.

Coming to the third point on the procedural issue, by taking this decision, a statutory body which was formed by an Act of

Parliament has been demolished overnight by a body of the Government of India. Was it necessary?

Having said this on the procedural issue, I will now come to the merits of the Bill. We know that each year, close to 63 million people, close to the population of the United Kingdom, face poverty because of medical related expenditure. Added to that, we, as a country, are known today more as a diabetic capital of the world than for anything else in the health sector.

Given this situation, we should explore and harness the full potential of alternative system of medicine like homeopathy.

We thank the hon. Prime Minister that he addressed the country after he assumed office in 2014. The whole country and all of us had enormous expectations that the alternative system of medicine will get its due importance. But what have we got now, Sir?

It is unfortunate that today we have not been able to at least recognise and standardise homeopathy as a science. We have failed to do that and we have failed to recognise the contribution made by a Homeopath of tremendous reputation. Let us take the case of Dr. Vijay Kar. I will draw the attention of the

hon. Minister to his case. Dr. Vijay Kar is not from Odisha. He is from Mumbai. The whole world including the United Nations has recognised his wonderful contribution in the field of homeopathy by which millions and millions of people world over have got benefited.

(1455/NKL/MM)

It is unfortunate that we have not been able to recognise him. It is time that we must confer at least Padma Vibhushan to people like Dr. Vijayakar, if not Bharat Ratna. That will be at least a small reciprocation to the field of Homoeopathy and see that how the Homoeopaths are awarded, rewarded and recognised in our country. I will give you a small example of my hometown. I come from the place called Balasore. It is a small district containing one and a half lakh population. People from the United Kingdom and Singapore come to seek treatment from two great Homoeopathic Doctors in my township. One is Dr. Suresh Nayak and the other is Dr. Radhakanta Mohapatra. Not only that but several professors from All India Institute of Medical Sciences, Delhi travel to my hometown to get the treatment of Homoeopathy. Dr. Ratna De, being an Allopath was just now telling that she also respects homoeopathy. So, that is the power and the potential of homoeopathy which we have somehow not been

able to recognise. It is time, I would once again urge upon the hon. Minister to please do see for yourself, the power of homoeopathy. You feel yourself. Maybe you can take a treatment for yourself or some of your family members and see what potential the Homoeopathy enjoys. That could be the beginning of a new chapter. Maybe you can bring it to the knowledge of hon. Prime Minister, who has an interest in the field of alternative system of medicine, so that millions and millions of people may get a new lease of life.

Sir, before I conclude, I would urge upon the hon. Minister, as we have understood as to why this Board has been brought in for a period of one year, not to fill this Board with retired bureaucrats and not to make it a place for political accommodation in the election year. By doing this, we will be playing with the life of hundreds and thousands of people in our country. That will not be a justice to the people of our country. Take the case of Maharashtra Assembly. They passed a bridge course of one year to prescribe allopathic medicine. Everybody objected to it. Council objected to it, Homoeopathy objected to it and Allopathy objected to it. It is because the Homoeopathy and Allopathy are two sciences operating on two different pedestals. These have got two different systems of

medicine. We need to recognise and respect this and definitely, we will see a different output from the field of Homoeopathy.

Sir, before I conclude, I would thank you and again urge the hon. Minister that as you have the majority to pass the Bill, please do include these observations in the Rule which you are going to frame under this Bill. Thank you, Sir. (ends)

1458 hours

DR. SHRIKANT EKNATH SHINDE (KALYAN): Thank you, Deputy Speaker, Sir. Today, we are discussing on the Homoeopathy Central Council (Amendment) Bill, 2018. Sir, the medical education in India in a way is poised to undergo a transformative change in the next few years. On one hand, we are discussing National Medical Commission for the education of Modern Medicine and on the other hand, here, today we are discussing this Bill which is expected to bring a positive impact on the quality of the Homoeopathy Education. In this Bill, the Homoeopathy Central Council will be dissolved and a new Board of Governors will be constituted which will exercise the power of Central Council. But, after one year, the Central Council will be reconstituted. But, it is not mentioned anywhere as to how the structure will be and what power it will have. The Bill does not have

all this information. Sir, I find strange similarity between many complaints we hear about the Medical Council of India and the Central Council of Homoeopathy- level of education is deteriorating; no proper infrastructure; no teachers. Henceforth, there is no proper education to the Homoeopathic Doctors. CCH is facing corruption charges and I would say that cartelisation is there in the CCH. We hear all these complaints about MCI also. MCI being the approving and the assessment body at the same time, there were many alleged malpractices. उसी के चलते एमसीआई की जगह पर एनएमसी बिल लाया गया और उसका कानून भी जल्द बनने वाला है। एमसीआई के बारे में भी सरकार ने वर्ष 2010 में उसको सस्पेंड किया था और तीन साल के बाद नवंबर, 2013 में फिर एक बार एमसीआई को कंस्टीट्यूट किया गया, लेकिन फिर एक बार एमसीआई को डिसोल्व कर एनएमसी बिल लाने जा रहे हैं।

Therefore, Mr. Deputy Speaker Sir, considering the similarity in the nature of complaints against the Central Council of Homoeopathy and learning from the past experience of MCI, my humble suggestion to the Government is to bring a comprehensive composition, I would say a comprehensive commission for all streams of alternative medicine on the line of NMC.

(1500/KSP/SJN)

In the Statement of Objects and Reasons, it is mentioned that there have been many instances of serious malpractices in the Council, as a result of which the quality of medical education has been compromised. There are a lot of examples. Homoeopathy Colleges are run with no proper buildings, no proper infrastructure and presence of teachers is only on the muster roll. There was also an agitation in Assam two months ago by Homoeopathy students demanding proper infrastructure, enough teachers and hostel facilities as there were no proper buildings. This is not the injustice meted out to doctors, but this is the injustice meted out to patients who have faith in Homoeopathy medicines, because they depend on the doctors who study from all these medical colleges who will treat the patients in future.

It is also mentioned in the Statement of Objects and Reasons that many members of this Council are continuing in the Council long after their tenure is completed; election does not take place on time and there are serious allegations of corruption also. One of the past Presidents of CCH was arrested by CBI on graft charges. This does not augur well for the health sector in general and the future of

Homoeopathy in particular. Therefore, I welcome this Bill for the supersession of the Central Council of Homoeopathy. But this should not be a temporary one. There has to be a permanent and sound regulatory framework going forward.

Now, the Government is taking radical steps with regard to modern medical education. वहां पर कॉलेज को परमीशन देने वाली संस्था और रेटिंग करने वाली संस्था अलग होगी। There will be two Boards, namely, Under Graduate Board and the Post Graduate Board. Then, there will be a Rating Board and there will also be a Medical Ethics Board. जिसके चलते मेडिकल एजुकेशन से जुड़े हर अंग का परिचालन अलग-अलग संस्था के माध्यम से किया जाएगा और कन्फ्लिक्ट ऑफ इंटररेस्ट की कोई गुंजाइश नहीं रहेगी। हमें पता नहीं है कि सी.सी.एच. को किस तरह गठित किया जाएगा। What will be the composition of CCH?

मुझे लगता है कि मिनिस्ट्री को इस पर प्रकाश डालने की बहुत जरूरत है। इसलिए मेरा यह मानना है कि मॉडर्न मेडिसिन एजुकेशन के लिए सरकार जो कदम उठा रही है, ठीक वैसे ही कदम होम्योपैथी और अन्य आयुष मेडिकल एजुकेशन के लिए भी उठाने चाहिए। सेंट्रलाइज्ड एडमिशन, सेपरेट बोर्ड्स फॉर एप्रुव्हल एंड एसेसमेंट ऑफ कालेजेस जैसी व्यवस्था होम्योपैथी और आयुष के संदर्भ में भी होनी चाहिए, तब जाकर के आयुष के शिक्षा का स्तर बढ़ेगा।

Sir, the Bill provides for the approval of new medical colleges in a span of one year, if such a medical college is started before the commencement of this Act. If the permission is not sought within the stipulated period, then the recognition would be withdrawn as per Section 12B of the original Act. However, there should be clarity as to what will happen to the students studying in such colleges. We cannot leave them in lurch. They must be accommodated in other colleges, either from the same city or from the same District or the same State.

Every year, 5,000 to 6,000 Homoeopathy Doctors pass out of these colleges only in Maharashtra. More than three lakh Homoeopathy Doctors are present in this country and Maharashtra leads the chart with 59,831 registrations.

Sir, when we see the international practice of Homoeopathy, 95 per cent of French Paediatricians prescribe homoeopathic medicines. According to a survey derived from the French Government's record of the prescribing habits of French Physicians, 95 per cent of French Paediatricians, Dermatologists and General Practitioners use homoeopathic medicines. Further, 43 per cent of all health and medical professionals in France prescribe

homoeopathic medicines for their patients. The World Health Organisation (WHO) has declared France to have the best healthcare in the world, and obviously, the consistent and persistent use of homoeopathic medicines by medical professionals and by the general public help contribute to the health of the population of France. Also, in Germany, 57 per cent of the population prefer homoeopathic medicines.

This is the position of use of homoeopathic medicines in other countries. But on the contrary, we have only 7,439 Homoeopathy Dispensaries in our country and there are only 200 Homoeopathy Colleges in the whole country. There is no proper infrastructure and there is no proper faculty in these colleges. Due to lack of such opportunities, most of the Homoeopathy Doctors end up practising Allopathy and, that is why, people do not have confidence in them and also the Government does not have confidence on Homoeopathy Doctors. As Ayurvedic Doctors are preferred for the post of NRHM, Homoeopathic Doctors have no place there.

So, to improve the quality, we should have a monitoring mechanism. All these issues are at the centre of the Central Council

of Homoeopathy. But they have not been sufficiently addressed in this Bill.

(1505/KKD/BKS)

Suspending the Central Council of Homeopathy and appointing a Board of Governors in its place, is a welcome step. But we must not forget that this is just a beginning. The Board, which we are constituting, like the four Boards in the NMC, is all controlled by the Nominated Members. It should not happen with the NMC as well as this Homeopathy Council. The Government should not have a total control on the Board. There should be elected representatives from the Homeopathy field, who will run this Board and will maintain a good quality of the Homeopathy Council.

I would, therefore, request the Government to bring NMC like Commission in place of Homeopathy Central Council with separation in approval and assessment function so that many malpractices can be curbed and the infrastructure is improved.

With these few words, I extend my support to this Bill.

Thank you.

(ends)

1506 hours

DR. RAVINDRA BABU (AMALAPURAM): Hon. Deputy-Speaker, Sir, I am thankful to you for giving me this opportunity to speak on this important Bill.

Sir, this Homeopathy is a very old alternative medicine, almost dates back to 1779, which was started by Samuel Hahnemann. Hahnemann was accidentally taking cinnamon bark, that is, cinchona, which we call as the anti-malarial drug. He was taking it regularly. But he was shocked to see the results, which were like the disease. The symptoms, which he got while taking the bark, were like the disease itself. Then, he coined the words 'like cures like'. For example, if you want to treat the nausea, you have to take a medicine, which produces milder nausea. For example, *Amrutanjan*. Everybody knows about it. When you have a headache, you will apply *Amrutanjan* or something counter irritant. That will also produce irritation. But that will mask the underlying actual headache.

So, this is the principle on which the Homeopathy developed and flourished. Of course, Samuel himself suffered for lack of practice initially for 15 years. But he died in 1843 as a millionaire.

The Homeopathy had spread to all over Europe before coming to India.

Sir, I would like to seek a small clarification from the hon. Minister. The Homeopathy as an alternative medicine ran into trouble in Germany, and if I remember correctly, the homeopathy was banned there for treating the patients. So, I would like to know from the hon. Minister whether it is correct that the homeopathy was banned in Germany for practicing to treat the patients. If that is so, let us know the reason why it was banned. The reason as stated, at that time, was that 'the Homeopathy is no longer based on scientific principle of internal medicine, which Allopathy, Ayurveda, Siddha and Yunani as alternative practice.

Therefore, I would urge upon the hon. Minister to please constitute a body before effectively functioning of the Homeopathy. Why was it banned in Germany for some time? I do not know whether this ban is continuing still or not. So, let us not be hasty in encouraging this kind of alternative medicine.

Secondly, my colleague Shri Jena has well done and made a very good point by quoting clause 4.2, wherein it is said that the Central Government has the power to suspend the Council. Even

that is there in the old Act also. Why could the hon. Minister not invoke that clause to suspend this Council? Why has he to come to the Parliament again? As he also said correctly, one and half years, he has seen four Sessions. Why has he to bring this now? Why is there an Ordinance route before passing it? It is just making mockery of the legislative functions of the Parliament. This type of practice should not be encouraged, in future.

Sir, he is going to constitute a National Council of AYUSH. The Medical Council of India is also being renamed as the National Commission. If he is going to have a Central Council of Homeopathy, what is the guarantee that this will function unlike the Medical Council of India? He is proposing the Board of Governors, now in place of Council. But what is the guarantee that the Governors will act impartially to the benefit of the Homeopathy? He has not clarified whether these Governors will have any Homeopathy background or whether these Governors have any expertise in the Homeopathy field. So, what is the constitution and biochemistry of this body? This also needs to be clarified.

(1510/RP/GG)

Also, giving permission to the Homoeopathy colleges, especially, for Under-Graduation and Post-Graduation, always starts with corruption. Wherever there is a new opening of Homoeopathy college, there is a chance of corruption. He himself has admitted that there is a CBI raid on the President of this Council. Therefore, what are the step being taken to prevent recurrence of it in future so that the corruption can be rooted out once and for all?

AYUSH being alternative medicine and being given a lot of push by the Government all over India, why should we not club the Health and Family Welfare with AYUSH, so that left hand also knows what right hand is doing. It is the cheapest medicine available to the poor people. Therefore, I support this Bill with proposed amendments.

(ends)

1511 hours

DR. BOORA NARSAIAH GOUD (BHONGIR): Sir, it is a very important Bill which can change the way the system of Homoeopathy medicine can be managed, both, in terms of providing education and treatment across the country.

As you know, the basic principle of Homoeopathy is 'like cures like'. जैसे अपने देश में कहा जाता है कि काँटे को निकालना है तो काँटा इस्तेमाल करना पड़ता है। That is the basic concept of Homoeopathy. I would like to tell you as to why this Bill has been brought by the Minister. At the outset, I must appreciate the efforts of hon. Minister of AYUSH for spreading awareness about Yoga. Now, we have got the International Yoga Day. Also, this alternative medicine, AYUSH, have got respectability not only across the country but also across the world. I think, I must appreciate him before I further talk on the Bill. Why has this Bill been brought? While introducing the Bill, the hon. Minister said specifically about the rampant corruption, lack of transparency and lack of adequate educational skills. These are the three points. This Bill has been brought to amend the old Act of 1973. That is fair enough. We do not have any objection. The House will agree to it. But this problem is visible not only in this Bill but also

across India. Now, we believe that the corruption genes have mutated every Indian and, as a result, every institution has become corrupt. By introducing this Bill, a new Institution will be brought in where the Ministry of AYUSH will have a direct supervision on such institutes through its Board of Governors, who are the people with eminence in education. I would like to add 'you' here. It is the integrity in the field of Homoeopathy medicine. That is the word used in this Bill. I feel, it is not 'integrity in the field of Homoeopathy', which is required but it is 'integrity of the person'. It is because the whole Board was accused of corrupt practices. It is not the integrity of the Homoeopathy medicine but it is the integrity of the persons, who are going to be the Governors of the Board tomorrow. Otherwise, as in Homoeopathy, it is 'like cures like', we will again have this problem because person is a problem not the Act. I do agree that in our country, power tends to corrupt; absolute power corrupts absolutely. In my four years' experience in Parliament, in terms of corruption index, I can say wholeheartedly that politicians have to undergo a test every five years. They are being questioned by the media and the Parliament. Their every act should be answerable to Parliament.

Earlier, these institutions were law unto themselves. They were not going to listen to anybody. Now, it is not there and I welcome it.

(1515/RCP/CS)

After Section 12B of the principal Act, a new Section 12C section has been inserted. Section 12C says that all the Homoeopathy Medical Colleges, which have already been accorded permission, have to again seek permission within one year. My colleague who spoke before me raised the same problem. If you insert that Section, there are two chances. If the people who are putting new Governor are not having adequate integrity, that will open the floodgates of corruption. Secondly, what will happen to the students who have studied for two years? If, suddenly, you derecognise, where do they go? We have not made any provision for that. It is because, when we are making a law, we are playing with the lives of many students. At least, while framing the rules, I would request the Minister, if at all such a situation arises, there should be a remedy also for that.

Regarding Homeopathy, it may not be effective for all the diseases, but, definitely, for chronic illnesses, it is effective to some extent. Today, you open any TV channel, any newspaper, you see

hundreds of advertisements regarding Homeopathy like Constitutional Homeopathy, Parliament Homeopathy, Rajya Sabha Homeopathy. Like that, every page is full of Homeopathy advertisements. Again, there is no system to monitor it. There is no system to see what they are delivering. As per the medical ethics, you cannot advertise beyond a limit. You open any TV channel, Hindi, Telugu, Tamil, English, you see such advertisements. I would like to know whether you are willing to take some action to curb this unethical practice which will have a huge bearing on the Homeopathy system.

Before I conclude, as I said, there is a National Institute of Homeopathy of excellence and eminence. Many people, including, I think, many of our hon. Members, take Homeopathic medicines for certain illnesses, chronic illnesses. But, we have got only one National Institute of Homeopathy in Kolkata. I take this opportunity to urge upon the Minister to open one more National Institute of Homeopathy in my youngest State, Telangana.

(ends)

1518 hours

SHRIMATI P.K. SHREEMATHI TEACHER (KANNUR): Thank you, Sir. I also share the feelings of other hon. Members. The Government issued an Ordinance for this Bill. Actually, if there is an urgency, the Government had enough time; four years of the Government are over. In the Statement of Objects and Reasons, it is said that many Members of the Council are continuing in the Council long after their tenure is completed. It is very unfortunate and undemocratic also. Who is responsible for that? Further, there have been many charges of serious misconduct against the President of the Council. For the last so many years, people are discussing and medical fraternity is discussing that the Members and President of the Council are facing very serious allegations. They continue to be Members of the Council even after the end of their tenure as the election to elect the new incumbents could not be completed in time. My humble question is this. Why do you permit them to continue? Actually, we should have brought a Bill regarding this, instead of bringing an Ordinance. Always, bringing an Ordinance means, it is undemocratic. This is not an urgent step. What is the urgency in this regard? We know it very well that allegations are there and the

President of the Council is very corrupt. We know everything. Even then we are waiting. So, I would like to know from the hon. Minister as to why we issued an Ordinance for this Bill.

Central Council of Homeopathy is the apex body which controls the Homeopathic education and practice in India. The main job of the Council is to formulate a syllabus for degree and post-graduate education and to conduct inspections on colleges to see whether the regulations of the Council were implemented. Most of the allegations about the Council is regarding inspections and recognition of some of the sub-standard colleges.

(1520/SMN/RV)

Homoeopathy is the safest and cheapest method of treatment available in the world, though it has some limitations. India has two and a half lakh registered practitioners. They can be posted in the rural areas and can provide the first level of qualitative treatment to the poor people in rural India and can ensure healthcare for people of all villages. Only cases which require hospitalisation and more treatment need be referred to the main centres. Homoeopathy can provide it in the most cheapest way since homoeopathic medicines are the cheapest when compared to the cost of other treatments.

The State of Kerala is an example for utilisation of the Homoeopathic doctors. We have a homoeopathic dispensary or hospital in almost all panchayats and almost one lakh people are utilising the services of the homoeopathic doctors at the grass root level every day. Kerala has commendable achievements in many parameters of public health.

The previous Council had around 60 members which constitutes 14 members nominated by the Central Government, one member from homoeopathic faculties in different universities and elected members from different States. But the elections from different States and faculties were not conducted at the proper time and hence, many members continue even after the expiry of their term, since in the act there is a clause that the Members can continue until the next person is elected.

I have one suggestion. This extension of the term can be curtailed by conducting the elections six months before the end of the term of previous members.

Some of the members are continuing in the council even for more than 25 years and they belong to the private management lobbies.

My suggestion is this. This can be prevented by fixing the maximum term of a member as two terms.

The Central Council of Homoeopathy Act is not implemented in many States uniformly. This leads to difficulties in the recognition of the qualifications of different States.

My suggestion in this context is that the newly proposed Bill should be provided with provision to make it mandatory to all States and if any university is not doing it, they should not be allowed to conduct courses.

At present, not all the subjects have post graduate courses. My suggestion to the hon. Minister is that post graduate courses should be started in all subjects.

Now, some States have three or four more time members than other States since they have one member for every ten thousand registered practitioners. These States are controlling the Council.

My suggestion to the hon. Minister is that each State should have only one elected representative irrespective of the number of registered practitioners.

About inspections, most of the complaints against the Council is because of the lack of uniformity in inspections which leads to corruption.

Sir, a team of inspectors may be selected from the teachers of different colleges and they should be trained to do the inspections and no member from the Council should be made inspectors. Only teachers may be appointed as inspectors. If any college feels that they are discriminated, a provision may be made for a re-inspection for a certain fee.

To improve the standard of the teaching faculty, an all India examination (like UGC NET) should be conducted for post graduate holders who intend to become teachers. An outside body may be entrusted with it.

There should be a system of grading of colleges depending on their results in university exams, facilities in the colleges and running of collegiate hospitals.

Sir, we do promote homoeopathy. But for rural areas, we should give priority and the Government should take initiative and implement dispensaries in rural areas. We are looking for medical

colleges and big hospitals. We have to give priority to dispensaries also.

(ends)

(1525/MY/MMN)

1525 बजे

श्री निहाल चन्द (गंगानगर): उपाध्यक्ष महोदय, आपने मुझे होम्योपैथी केन्द्रीय परिषद अधिनियम 1973 में संशोधन हेतु होम्योपैथी केन्द्रीय परिषद विधेयक, 2018 पर बोलने के लिए टाइम दिया, इसलिए मैं अपनी तरफ से आपको धन्यवाद देना चाहूँगा।

महोदय, देश में शिक्षा, अनुसंधान और औषधि विकास को उन्नत करने और प्रत्येक नागरिक के स्वास्थ्य सुरक्षा योजनाओं में तीव्रता लाने के लिए माननीय प्रधानमंत्री जी और मंत्री जी द्वारा यह बिल लाया गया है। इसकी गुणवत्ता में वृद्धि करने पर निरंतर ध्यान केन्द्रित किया गया है, इसके लिए मैं सरकार को धन्यवाद देना चाहूँगा। मैं इस बिल का समर्थन करने के लिए खड़ा हुआ हूँ। इस कड़ी में भारतीय चिकित्सा पद्धतियों और होम्योपैथी के फार्मासिस्टों के केन्द्रीय पंजिका के संरक्षण हेतु, उनके मामलों से जुड़ी हुई भारतीय चिकित्सा पद्धति, होम्योपैथी की शिक्षा तथा अभ्यास में एकरूपता लाने के लिए केन्द्र सरकार ने काफी काम किया है।

महोदय, केन्द्र सरकार ने इस अधिसूचना में एक शासी बोर्ड बनाने का फैसला किया है। इसमें सात सदस्य नामित होंगे। केन्द्र सरकार द्वारा जो सात सदस्य नामित होंगे, उनमें से एक सभापति होगा। इस प्रकार से केन्द्र सरकार ने एक बोर्ड बनाने का फैसला किया है। इस बिल द्वारा संबंधित विभाग में सुधार लाने का काम किया जा रहा है। वर्ष 2012 से पहले होम्योपैथिक कॉलेज की मान्यता लेने के लिए विभाग की जरूरत नहीं पड़ती थी। पहली बार ऐसा बिल लाया गया है, क्योंकि आज तक जो इसके प्रोफेसर या स्टाफ थे, उनकी जवाबदेही नहीं हुआ करती थी। वहाँ बायोमीट्रिक मशीन

का उपयोग नहीं किया जाता था। यह बिल पास होने के बाद मंत्रालय पर इसका दबाव रहेगा और काउंसिल पर भी दबाव रहेगा।

महोदय, अगर कॉलेज के मामले में देखा जाए तो हिन्दुस्तान के अंदर सरकार ने 223 कॉलेज खोलने का काम किया है। सरकार ने राजस्थान प्रदेश में 8 कॉलेज खोलने का काम किया है। केन्द्रीय होम्योपैथिक अनुसंधान परिषद पिछले चालीस वर्षों से जो काम कर रही है, मैं उसके बेहतर भविष्य के लिए शुभकामना दूँगा। हमारे वैज्ञानिकों ने इसके बेहतर भविष्य के लिए जो रोडमैप तैयार किया है, वह काफी सराहनीय है। परिषद ने पिछले चालीस वर्षों के दौरान 168 नैदानिक अनुसंधान केन्द्र, 40 मूल अनुसंधान केन्द्र खोले हैं और 348 दवाओं के मानकीकरण के लिए अध्ययन किया है। इसके अलावा, 55 अनुसंधान प्रस्तावों की तकनीकी जाँच भी की गई है। डेंगू, मलेरिया, चिकनगुनिया तथा इंसेफलाइटिस सिंड्रोम जैसी बीमारियों के लिए भी व्यापक अध्ययन शुरू किए गए हैं।

महोदय, परिषद ने होम्योपैथी के क्षेत्र में अल्प अवधि के पाठ्यक्रम भी शुरू किये हैं। छात्रों को और आगे अनुसंधान के लिए प्रेरित किया जा सके, इसके लिए छात्रों को छात्रवृत्तियाँ भी दी जा रही हैं। होम्योपैथी की खोज आठरहवीं सदी के अंत में हुई थी। इसमें एकरूपता लाने के लिए यह विधेयक लाया गया है। मैं समझता हूँ कि यह चिकित्सा प्रणाली इस देश के खुशहाल भविष्य के लिए काफी अच्छी होगी। भारत में इस चिकित्सा प्रणाली को लगभग दो सौ साल पहले प्रारंभ की गई थी। आज यह देश के खुशहाल भविष्य के लिए एक महत्वपूर्ण हिस्सा बन गई है। ... (व्यवधान)

HON. DEPUTY SPEAKER: Please address the Chair.

...(व्यवधान)

श्री निहाल चन्द (गंगानगर): महोदय, केन्द्र सरकार ने होम्योपैथी, आयुर्वेद, योग, प्राकृतिक चिकित्सा, यूनानी जैसे अन्य पारंपरिक प्रणालियों के विकास एवं प्रगति के लिए निरंतर प्रयास किया है। केन्द्र सरकार के इस विभाग ने ऐलोपैथिक, होम्योपैथिक तथा आयुर्वेदिक के क्षेत्र में रिसर्च का जो कार्य किया है, वह काफी सराहनीय है। फिजियोथेरेपी भारत की मूल चिकित्सा पद्धति थी, लेकिन आज चीन ने उसे अपनाया है। मैं समझता हूँ कि चीन जैसा बड़ा देश आज उस पर अमल कर रहा है।

महोदय, मैं इस मौके पर राजस्थान के मुख्य मंत्री आदरणीय वसुंधरा जी को भी धन्यवाद देना चाहूँगा। मेरे बोलने से पहले जिस माननीय सदस्य ने जिस तरीके से जिक्र किया, राजस्थान में एक 'भामाशाह योजना' की शुरुआत की गई है। इसमें तीन लाख रुपये तक का खर्च सरकार अपने खजाने से दे रही है। प्रत्येक व्यक्ति स्वस्थ रहे, इसके लिए सारी जिम्मेदारी राजस्थान सरकार ने ली है। केन्द्र की सरकार ने 'प्रधानमंत्री स्वास्थ्य बीमा योजना' की शुरुआत की है। देश का प्रत्येक परिवार, जो गरीब तबके का है, उनको पाँच लाख रुपये तक का खर्च सरकार अपने खजाने से दें, ऐसी व्यवस्था केन्द्र सरकार ने की है। मैं अपनी तरफ से माननीय प्रधानमंत्री जी को धन्यवाद देना चाहूँगा कि उन्होंने इसकी शुरुआत की है।

महोदय, होम्योपैथी के क्षेत्र में भी अनिवार्य रूप से अनुसंधान होना चाहिए। मैं यह बात जरूर कहना चाहूँगा कि वर्तमान में ऐसे कई बीमारियों से यह देश जूझ रहा है। इन बीमारियों का उचित इलाज होम्योपैथी में भी तलाशा जा सकता है।

महोदय, मैं पाँच मिनट में अपनी बात समाप्त करना चाहूँगा। मैं राजस्थान प्रदेश से आता हूँ। श्रीगंगानगर मेरा लोक सभा क्षेत्र है। श्रीगंगानगर व हनुमानगढ़ सहित राजस्थान के जो आठ जिले हैं, वे कैंसर की चपेट में आ गए हैं। भटिंडा से बीकानेर तक चलने वाली ट्रेन का नाम भी 'कैंसर ट्रेन' हो गया है। दो-तीन साल के बच्चे जिनको कैंसर हो गया है, उनका बीकानेर में कीमोथेरेपी किया जा रहा है। हमारे क्षेत्र में कैंसर जैसी भयानक बीमारी फैली है।

(1530/CP/VR)

एक महीने पहले पंजाब से जो पानी राजस्थान आता था, चड्ढा शुगर मिल्स का बॉयलर फटने से सारा रसायन, सारा कैमिकल हरीके बैराज में जा गिरा। इसका गंदा पानी राजस्थान को पीने को मिला। इसमें हजारों मछलियां मर गईं। इसमें लाखों पशु-पक्षी भी मर गए थे।

मेरा केन्द्र सरकार से अनुरोध है कि श्रीगंगानगर में एक मेडिकल कॉलेज बनाया जाए। मैं सरकार से श्रीगंगानगर में होम्योपैथिक रिसर्च सेंटर खोलने के लिए अनुरोध करूँगा। जितने भी सरकार ने काम किए हैं, उसमें राजस्थान सरकार से केन्द्र सरकार बातचीत करके इस विशेष मंत्रालय की एक विशेष टीम श्रीगंगानगर जाए। कैंसर जैसी भयानक बीमारी पश्चिमी राजस्थान के 8 जिलों में हो रही है, उनको रोकने के लिए केन्द्र सरकार काम करे। मैं अपनी ओर से केन्द्र सरकार के इस विधेयक का समर्थन करता हूँ। धन्यवाद।

(इति)

1531 बजे

डॉ. करण सिंह यादव (अलवर): सर, मैं इस होम्योपैथिक अमेंडमेंट बिल पर अपनी बात सूक्ष्म में कहना चाहूंगा। यह बात सही है कि इस आर्डिनेंस को लाने का मतलब कुछ और है। अगर होम्योपैथिक काउंसिल के कार्यकलापों से मंत्री महोदय और सरकार दुःखी होती, तो जिस दिन इनके चेयरमैन के खिलाफ कोई चार्ज आए थे, उसी दिन उस आर्डिनेंस को लेकर आया जा सकता था। इस आर्डिनेंस को लाने के पीछे मूल कारण यह है कि गवर्नमेंट हर कोर्ट केस के अंदर लगातार हार रही है। यह जो भी कार्रवाई करती है, उसके खिलाफ में कोर्ट अपने फैसले देती रहती है। इसका मूल कारण यह है कि ये इस तरह के तुगलकी फरमान यहां से फरमां देते हैं, जिसको सेंटर काउंसिल एक्ट नहीं कर सकती है। जिस बॉडी का दायित्व इस देश में संस्था को रेग्युलेट करने का है, उनको ये रबर स्टैम्प बनाना चाहते हैं। जो आदेश वहां से आ जाए, उस आदेश का क्रियान्वयन हो जाए। यह सिर्फ यहां के लिए नहीं है, जितनी संस्थायें हैं, जिस दिन से यह सरकार आई है, नाम बदलने और काम बदलने पर लगी हुई है। प्लानिंग कमीशन को नीति आयोग, मेडिकल काउंसिल ऑफ इंडिया को तोड़-मरोड़कर, सारे देश के अंदर हड़ताल हो रही है, लेकिन नेशनल मेडिकल काउंसिल बिल लेकर आएंगे और इन्हीं होम्योपैथी वैद्य को वहां पर डॉक्टर बनाकर भेज देंगे। यूजीसी कमीशन को तोड़ा-मोड़ा जा रहा है और बहाना लिया जा रहा है, मेडिकल काउंसिल और होम्योपैथिक काउंसिल में होने वाले भ्रष्टाचार का मैं आपको ऐसे दर्जनों एग्जांपल्स बता दूंगा, जहां पर सेंटर काउंसिल ऑफ होम्योपैथी ने मना किया है कि इस कॉलेज का रिकमंड न किया जाए, लेकिन इन्होंने रिकमंड कर दिया और जहां

उन्होंने रिक्मेंडेशन दे दी, वहां इन्होंने कह दिया कि इसको नहीं दिया जाए। आपस में मालिक और नौकर के जैसे झगड़ा होता रहा, इसी वजह से आज यह स्थिति आई है। इनका सदा यह रहा है कि जितनी संस्थायें हैं, उन संस्थाओं पर अपना राज हो, भगवाकरण हो। इस आयुष विभाग के बारे में मैं आपको बताना चाहूंगा, सरकार बनने के बाद यह अच्छी बात है कि नया विभाग बनाया गया, लेकिन विभाग के अंदर स्पेशल सेक्रेटरी लाए गए, गुजरात से इंपोर्ट करके एक वैद्य जी, जो राजवैद्य रहे हैं, उन्होंने शायद यूनिवर्सिटी के अंदर पढ़ाया है। आज देश में बात हो रही है कि हम लेटरल एंट्री करेंगे। बहुत सारे कारपोरेट हाउसेज के लोगों को ज्वाइंट सेक्रेटरी बनाएंगे। पहले ही वित्त विभाग के अंदर लाकर उन्हें स्पेशल सेक्रेटरी बनाया गया, बाद में उन्हें सेक्रेटरी बनाया गया। इस वजह से वहां एक अनुराग नाम के आईएएस थे, वे इनके नीचे छुट्टी लेकर घर चले गए। जिस दिन से ये वैद्य जी आए हैं, उस दिन से इस विभाग के अंदर काउंसिल और उनके बीच में झगड़े ही चलते रहे।

महोदय, यह मेरी पहली मेडन स्पीच है। आप बहुत कृपा पात्र हैं। आप मुझे दो मिनट और बोलने के लिए दे दीजिए।

ये जहां चाहें, वहां कॉलेज खोल रहे हैं। भोपाल में एक आरबीएस यूनिवर्सिटी होती थी। उसकी जगह 5 यूनिवर्सिटीज कर दीं। उसी एक मालिक के साथ में ... (व्यवधान) सतसाईं कॉलेज, सब्बरवाल कॉलेज, आरकेबी कॉलेज, इंदौर में कर दिया। अपने लोगों को असम के अंदर बिना मांगे ही पोस्ट ग्रेजुएट कोर्सेज दे दिए, आंध्र प्रदेश के अंदर बहुत सारे मेडिकल कालेज दे दिए।

(1535/NK/SAN)

ये चाहते थे कि इसके नीचे जो काउन्सिल है, वह इनके आदेशों का पालन करती रहे और सारे सिस्टम पर इनके आदमी बैठाते रहे। इन्होंने काउन्सिल के ऊपर भ्रष्टाचार के आरोप लगाए हैं।

उपाध्यक्ष महोदय, आप मुझे दो मिनट का समय दें। मैं एक छोटा सा पत्र यहां पढ़ कर सुनाना चाहूंगा। यह पत्र किसी रूलिंग पार्टी के माननीय सांसद द्वारा माननीय प्रधान मंत्री जी को लिखा गया है, जिसे मुझे पढ़ने की अनुमति दें।

HON. DEPUTY SPEAKER: No.

डॉ. करण सिंह यादव (अलवर): महोदय, मैं दो मिनट से ज्यादा नहीं लूंगा। उन्होंने एक मेडिकल कॉलेज के लिए किसी माननीय मंत्री महोदय को अनेकों बार रिक्वेस्ट की है।

HON. DEPUTY SPEAKER: No. Nothing will go on record.

...(Interruptions)... (Not recorded)

HON. DEPUTY SPEAKER: No. Nothing will go on record.

...(Interruptions)... (Not recorded)

HON. DEPUTY SPEAKER: No. Nothing will go on record.

...(Interruptions)... (Not recorded)

HON. DEPUTY SPEAKER: You can give it to the Minister, if you want.

Now, nothing is going on record.

...(Interruptions)... (Not recorded)

1536 hours

SHRI DHANANJAY MAHADIK (KOLHAPUR): Hon. Deputy Speaker, Sir, on behalf of my Party, NCP, I rise to oppose the Homoeopathy Central Council (Amendment) Bill, 2018. This Bill intends to seek sanction to the Ordinance which was brought and notified in haste on 18.05.2018. When the Parliament was not functioning properly, what was the hurry for the Minister to take this Bill into consideration?

In 2002, the Homoeopathy Central Council Act was amended and the power to give permission to new colleges, new courses and increase in intake capacity was taken over by the Central Government, stating that the CCH had failed to improve the standards of education. As such, after 2002, it was the responsibility of the Central Government to improve the educational standards. Thus, the Minister is requested to inform that when for 2016-17, the Central Council of Homeopathy did not recommend or allow permission to 71 colleges for admission of students, on what grounds the AYUSH Ministry permitted 36 of such colleges and which those colleges were. What had been the status in 2017-18 of the said 36 colleges?

Hon. Deputy Speaker, Sir, the HCC Regulations, 2013 were notified, but the Ministry issued directives later on about the grant of amnesty by non-enforcement of these regulations, for which the Ministry did not have any authority in terms of the HCC Act. This amnesty continued for five years which spoiled and degraded the standards of education in homoeopathic colleges.

Sir, the conduct of elections of members in CCH has been the responsibility of this Ministry, which it never conducted in time, and now it blames the President, Vice-President and members of CCH who have been thrown out undemocratically. Some of them have challenged this Ordinance in the High Court. Even the candidates, who have won the elections, were notified quite late or not notified.

In fact, as per my information, the CBI Court has not yet decided the accused, Dr. Ramjee Singh, as guilty. More so, one more case filed by Dr. Ramjee Singh is pending before Delhi High Court.

With regard to the reference made to a complaint signed by 51 MPs, many years back against the then President and Vice-President, by the hon. Minister, resulting into CBI registering a case in 2005, I would submit that the CBI Court has exonerated all against

whom the charge-sheets were filed. This has not been informed to the House.

The Ordinance says that the Board of Governors will be having the persons of repute, but I do not know about the criteria of selection of present Governors amongst whom one is the retired Secretary of AYUSH Ministry during whose tenure the CCH matters were delayed and remained unresolved.

(1540/SM/SK)

Even a few of them may be from other links. Sir, I infer from the above facts that the Ministry is complicating the issues, whereas it should actively interact with the Council and restore the autonomy of CCH. Sir, I would like to refer to the hon. Members who spoke earlier. There are thousands of MBBS doctors and they are not ready to work in rural areas. The homeopathic students are there in lakhs. They are ready to work in rural areas even on a very less payment. Even if Rs.20,000 is paid, they are ready to work in rural areas. We do not have any infrastructure, we do not have any dispensaries in rural areas. I take homeopathic medicine. It is good. It does not have

any side-effects. It is good for children. I request you to allow the homeopathic students to function in the rural areas and they are ready to work. I will suggest that the matter may either be dropped here or referred to a Joint Select Committee.

(ends)

HON. DEPUTY SPEAKER: Now, Shri Kaushalendra Kumar is to speak. You are requested to conclude your speech within two minutes.

1541 बजे

श्री कौशलेन्द्र कुमार (नालंदा): माननीय उपाध्यक्ष जी, अपने मुझे केन्द्रीय होम्योपैथी परिषद संशोधन विधेयक 2018 की चर्चा में भाग लेने की अनुमति दी, इसके लिए मैं आपका धन्यवाद करता हूँ।

सरकार द्वारा आज होम्योपैथी केन्द्रीय परिषद अधिनियम 1973 में संशोधन कर होम्योपैथी मेडिकल कॉलेजों द्वारा गुणवत्तापूर्ण होम्योपैथी शिक्षा दिए जाने को सुनिश्चित किया जा रहा है। यह सरकार का काफी अच्छा कदम है। कानून बनने से देश में मेडिकल सिस्टम को बेहतर बनाने में काफी सफलता मिलेगी।

मेडिकल कॉलेजों द्वारा वार्षिक प्रवेश के लिए केंद्र सरकार मंजूरी लेना अनिवार्य कर रही है। इसके साथ तय मापदंडों पर खरे उतरने वाले कॉलेजों के लिए पांच साल की अनुमति का प्रावधान होगा। यह संशोधन गुणवत्तापूर्ण होम्योपैथी शिक्षा सुनिश्चित करेगा जिससे होम्योपैथी चिकित्सा पद्धति के जरिए बेहतर चिकित्सा सेवाएं उपलब्ध हो सकेंगी।

मैं आपके माध्यम से कहना चाहता हूँ कि सरकार होम्योपैथी चिकित्सा के बारे में जागरूकता पैदा करे क्योंकि यह ऐसी चिकित्सा प्रणाली है जिसके इलाज में कोई साइड इफेक्ट नहीं है। सस्ता इलाज है और सहज उपलब्ध है। देश के कोने-कोने में डॉक्टर इलाज कर रहे हैं, अतः इसके लिए जागरूकता पैदा करनी चाहिए।

यह सही है कि होम्योपैथी परिषद में काफी कदाचार के मामले आ रहे हैं। अतः सरकार द्वारा इसे भंग किया जाना और नया शासक मंडल नियुक्त किया जाना एक सराहनीय कदम है। सीसीएच अधिनियम में धारा 12(ग) को जोड़ा जा रहा है, इससे मान्यता देने में हो रही धांधली रुकेगी। अब एक वर्ष के अंदर सभी होम्योपैथी चिकित्सा कॉलेजों की मान्यता के नवीकरण का रास्ता साफ होगा।

(इति)

1543 बजे

श्री जय प्रकाश नारायण यादव (बाँका): माननीय उपाध्यक्ष जी, आपने मुझे इस बिल पर बोलने की अनुमति दी, इसके लिए मैं आपका बहुत धन्यवाद करता हूँ। होम्योपैथी केंद्रीय परिषद संशोधन विधेयक 2018 सदन के सामने आया है। इसमें कई मुद्दे हैं। होम्योपैथी, आयुर्वेद चिकित्सा भारतीय परंपरा और संस्कृति से रचा-बसा तात्कालिक और बेहतर चिकित्सा है। असाध्य से असाध्य रोगों का भी होम्योपैथी चिकित्सा से सुधार हुआ है। इससे मरीज ठीक हुए हैं। देश के ग्रामीण क्षेत्रों तक होम्योपैथी व्यवस्था से लोग जुड़े हुए हैं, आज भी इसकी मान्यता और लोगों को इस पर विश्वास है। पटना में होम्योपैथी के बड़ा कॉलेज कदमकुंआ में है। भागलपुर में भी है। मुंगेर में बेहतर कॉलेज है। इसकी व्यवस्था और बेहतर करने का काम होना चाहिए। दरभंगा में होम्योपैथी कॉलेज है। कई जगह कॉलेजों की हालत खराब है। मैं मुंगेर कॉलेज के विषय में यही कहना चाहता हूँ कि राशि आबंटित करके पुराने कॉलेज को बेहतर बनाया जाए।

दरभंगा मेडिकल कॉलेज, सिन्हा होम्योपैथी कॉलेज में 20 वर्षों से गवर्निंग बॉडी नहीं बनी है, इसका गठन नहीं हुआ है। हाई कोर्ट का फैसला हुआ है, लेकिन मैनेजमेंट हाथों में कुंडली मारकर बैठी हुई है।

(1545/MK/AK)

वहां प्रबंध समिति नहीं है, इसलिए उसकी मान्यता रद्द की जाए। कोलकाता होम्योपैथी का गढ़ रहा है, लेकिन कोलकाता का जो सबसे बड़ा होम्योपैथी कॉलेज है, उसमें बिल्ली घूमती है। सरकार उस पर ध्यान नहीं देती है। इसमें आप अध्यादेश लाने का काम कर रहे हैं। प्रजातांत्रिक तरीके से इसमें बहस होनी चाहिए, चाहे जो भी

गड़बड़िया हों। किसी का पक्ष-विपक्ष नहीं, जनतांत्रिक तरीके से पूरी चीजों को लाने का काम होना चाहिए। आपने अध्यादेश लाने का काम किया। आप इसको सेलेक्ट कमेटी में भेज सकते थे। इसलिए आप होम्योपैथी कॉलेज की गुणवत्ता पर, इसकी पढ़ाई पर ध्यान दें। वहां कम आय वाले भी गंभीर-से-गंभीर रोगों का इलाज करवाते हैं।

मैं अंत में यही कहना चाहूंगा कि जो भी कॉलेजेज़ खराब हालत में हैं, उनको बेहतर बनाया जाए। खासकर के हमारे मुंगेर, भागलपुर एवं बांका के इलाके में हैं, उनको बेहतर किया जाए।

(इति)

1546 hours

SHRI C. N. JAYADEVAN (THRISSUR): Deputy-Speaker, Sir, the Homoeopathy Central Council (Amendment) Bill, 2018 replacing the Ordinance promulgated on May 18, 2018 is brought to amend the Homoeopathy Central Council Act, 1973.

The 1973 Act sets up the Central Council of Homoeopathy, which regulates homoeopathic education and practice. The Bill provides for the supersession of the present Central Council, which will be reconstituted within one year from the date of supersession. In the interim period, the Central Government will constitute a Board of Governors, which will exercise the powers of the Central Council.

According to the Statement of Objects and Reasons of the Bill, the 1973 Act was amended in the year 2002 to make provision for seeking permission of the Central Government for establishing new colleges or starting new courses of study or increase of admission capacity in existing colleges. The amendment was made to check the growth of substandard Homoeopathy Colleges, and to impart quality education. But there have been instances of serious malpractices in the Council, as a result of which the quality of medical education has been compromised with.

Even after 12 years of this Amendment, it was reported in 2014 that 121 Homoeopathic Colleges out of 188 colleges in the country - including 36 run by State Governments -- were not found fit for accreditation as they failed to meet the requirements for it. These colleges were granted amnesty by the Government and allowed to admit new students from academic year 2014-2015. I want to know whether these colleges had rectified the deficiencies and accreditation was granted to them.

Sir, the basic problem is corruption and inefficiency of the Council Members. The Medical Council of India (MCI) was also facing the same problem. The Government had dissolved the MCI, and an interim arrangement was made. Thereafter, the National Medical Commission Bill, 2017 is being brought abolishing MCI. In that Bill, there is a provision for the Homoeopathic and Ayurvedic doctors to practice allopathy by doing a bridge-course. The whole of allopathic doctors' community has opposed this provision. Recently, a study has found that there has been 50 per cent rise in the number of patients seeking homoeopathic treatment in the country in the past five years.

So, it is necessary that the functioning of the Homoeopathic Colleges in the country should be regulated, and standardized education should be imparted with a syllabus prescribed by CCH.

With these words, I conclude and support the Bill.

(ends)

1549 hours

SHRI N.K. PREMACHANDRAN (KOLLAM): Thank you, Deputy-Speaker, Sir. I rise to support the Bill but oppose the Ordinance route of legislation. This is also a case where there is no need of urgency of promulgation of an Ordinance.

Homoeopathy is a therapeutic system of medicine developed in the 18th Century by the German Physician, Dr. Samuel Hahnemann. It is a holistic system of medicine that stimulates and encourages one's own natural healing forces of recovery. Homoeopathy is safe, economic, gentle and effective. It has already established a name in treating acute, chronic and even generic diseases.

Nowadays, deaths are commonly caused due to the complications or side-effects of medicines rather than diseases.

(1550/SPR/RPS)

The significance of homoeopathic treatment is that it doesn't have any side effects. A recent study conducted by an international consultancy agency, IMRB, regarding acceptance of homoeopathy across the country, revealed that 59 per cent of people have shifted from allopathy to homoeopathy; at least 77 per cent believe that

homoeopathy is the best form for long term treatment. But it is quite unfortunate that we come across a lot of complaints from various parts of the country regarding the quality and standard of homoeopathic medical education in our country. The Central Council for Homoeopathy has been superseded and a new Board of Governors has been constituted to administer the Council. This is the crux of the Bill.

Here, I would like to raise a serious objection for which I am seeking a ruling from you, Mr. Deputy Speaker, Sir. If you go through the Statement of Objects and Reasons of the Bill, there is no mention about the previous Bills which are pending in Rajya Sabha. You may kindly see that in 2002, this Act has been amended. Subsequently, in 2005, the Central Council for Homoeopathy (Amendment) Bill was introduced in Rajya Sabha. That Bill has been sent to the Standing Committee, which had submitted a Report in July itself. The same is pending there.

In May, 2017, the Standing Committee on Health had directed the Government to pursue the Bill and get the Bill passed at the earliest so as to have smooth functioning of the Council. This is the directive given by the Standing Committee in May, 2017. For the

smooth functioning of the Council, the Government may kindly pursue the Bill of 2005 for which we already have the Report of the Standing Committee, on which the Government has done nothing.

Simultaneously, another Bill has been introduced in Rajya Sabha in 2015. That Bill too has been sent to the Standing Committee. To my knowledge, either the Report of the Standing Committee is there or the same is pending. But the point to be considered here is, when the hon. Minister is moving a Bill before this august House, at least the Minister should disclose the fact that two Bills are pending in the other House and the Standing Committee have submitted the Reports. The recommendations of the Standing Committee are important and significant. The sole fact is that for the smooth functioning of the Central Council for Homoeopathic, these recommendations have to be implemented. Unfortunately, the Government did nothing.

Lastly, after proroguing of the last Budget Session, the Government has come out with an Ordinance. What is the scope of the Ordinance? It is just to supersede the Central Council for Homoeopathy and to constitute and appoint a Board of

Governors/Directors to administer the Council. I am seeking a ruling from the hon. Chair regarding this aspect.

I have two suggestions to make. What is happening in the country? The AYUSH Ministry has issued strict instructions for obtaining continuous permission for undergraduate seats from 2017-18 onwards. As per the minimum standard regulation of 2013, delay in issuing Letter of Permission (LoP) to Homoeopathy Colleges has jeopardised the chances of admission of eligible candidates who wanted to appear in the NEET, and admission to the undergraduate courses in Homoeopathy Colleges all over the country. So, I urge upon the Minister to ensure timely issuance of Letter of Permission. Huge corruption is going on in the Ministry of AYUSH. I specifically allege. I am making an allegation. ... (*Interruptions*)

Sir, a 60 year old Government-aided medical college in my State have to come every year before the AYUSH; they have to make a statement; hearing takes place, etc. Only then they would get the Letter of Permission. What is the purpose of moving this amendment before this House? ... (*Interruptions*)

Another college is 80 years old. Every year, the authorities of these medical colleges have to approach the AYUSH Ministry for a

personal hearing and get the sanction. We see mushrooming of the private self-financing colleges in the country. There, there is no problem in getting the LoPs.

(1555/UB/ASA)

Sir, in Maharashtra, 53 out of 53 colleges are privately financed; in Madhya Pradesh, 23 out of 24 colleges are privately financed; and in Gujarat, 30 out of 31 colleges are privately financed. There is no control and no regulation. Sir, the AYUSH Ministry has to give the LoP. Why is the delay in giving the LoP? Even after the NEET Examination, the candidates are not able to get admission in the homoeopathic medical colleges. Those who are eligible as per the NEET List are not able to get the admission because LoP is not being given from the Ministry of AYUSH. That is why, the Central Council of Homoeopathy has to be reconstituted in a democratic way for which a fresh Bill has to be brought instead of bringing an ordinance. Ordinance route of legislation has to be discouraged.

With these words, I support the Bill but I oppose the ordinance route of legislation.

(ends)

HON. DEPUTY SPEAKER: Please try to be very brief because we have to pass the Bill by 4 o'clock.

1556 बजे

डॉ. रमेश पोखरियाल निशंक (हरिद्वार) : माननीय उपाध्यक्ष महोदय, मैं होम्योपैथी केन्द्रीय परिषद विधेयक 2018 के पक्ष में बोलने के लिए खड़ा हुआ हूँ। मैं माननीय मंत्री जी को बधाई देना चाहता हूँ कि उन्होंने एक सशक्त कदम उठाकर होम्योपैथी और आयुष मंत्रालय को सशक्त करने की दिशा में एक ठोस और महत्वपूर्ण पहल की है। पूरा सदन इस बात से सहमत है कि आज देश और दुनिया को आयुष की जरूरत है। आयुर्वेद, होम्योपैथी, यूनानी, सिद्धा और योग को मिलाकर जो आयुष का गठन किया गया था, पहली बार जो मंत्रालय बनाया गया था, वह श्रीमान् अटल बिहारी वाजपेयी जी ने बनाया था। सुषमा जी ने इसको इसकी ऊंचाइयों तक पहुंचाया और आज नरेन्द्र मोदी जी की अगुवाई में हमारे यशस्वी मंत्री जी इसको आगे बढ़ा रहे हैं। इसी का परिणाम है कि इस योग ने, इस विभाग ने आज पूरी दुनिया में 'ओशो योग दिवस' पर 199 देशों को एक कतार में लाकर खड़ा कर दिया है। मैं इसके लिए माननीय प्रधान मंत्री जी और मंत्री जी को बधाई देना चाहता हूँ।

महोदय, चर्चा कुछ भी हो, लेकिन इसकी जरूरत थी। यह कहा जा रहा है कि इस अध्यादेश की जरूरत क्या थी? एक परिषद जिसको जो अधिकार दिये गये हैं, उनका वह उल्लंघन कर रही है। एक परिषद जो प्रावधानों को खंडित करके तमाम गड़बड़ियां कर रही है। सवाल उठ रहा है कि इसको क्यों किया गया? मैं माननीय मंत्री जी को बधाई देना चाहता हूँ कि वह जो नयी धारा 3 (ख) और 2 लाए हैं, इसमें बोर्ड

बनाया है और उसके सारे सदस्यों से बात करके कि इनका क्या काम होगा, इसका भी प्रावधान है। मैं इसकी डिटेल्स में नहीं जाना चाहता हूँ। लेकिन दूसरा नीतिगत निर्णय केन्द्र ने अपने पास रखा है और उसमें 3 (ग) के अंदर रखा गया है कि अध्यादेश जारी होने से पहले अगर किसी व्यक्ति ने होम्योपैथी मेडिकल कॉलेज की स्थापना की है, नये कोर्सेज शुरू किये हैं या छात्रों की क्षमता बढ़ाई है तो उसको एक वर्ष के अंदर शासन से अनुमति लेनी पड़ेगी, अन्यथा वह समाप्त हो जाएगा। यह इसलिए भी आया कि बीच में जिस तरीके से उस परिषद ने अधिकारों का दुरुपयोग किया और माननीय मंत्री जी ने अपने कथन में कहा था कि सी.बी.आई. ने रंगे हाथों उसको पकड़ा। उसके बाद भी सदन में इस तरीके से बहस हो रही है। सी.बी.आई. ने बाकायदा उसको दोषी पाया और उन लोगों के खिलाफ कार्रवाई हो रही है। आयुष को सशक्त करने की दिशा में यह एक बहुत महत्वपूर्ण कदम है। मैं माननीय मंत्री जी से अनुरोध करना चाहता हूँ कि आपने निजी क्षेत्र ही क्यों, जो इसमें शासकीय क्षेत्र हैं, क्योंकि होम्योपैथी में, चाहे वह शासकीय है, चाहे प्राइवेट है, सबके मानक एक जैसे हैं। इसलिए मैं चाहता हूँ कि उनको भी इसके साथ सम्मिलित किया जाना चाहिए। ... (व्यवधान)

महोदय, मैं यह कहना चाहता हूँ कि इस समय भारत में 2 लाख से भी अधिक चिकित्सक हैं और प्रति दिन और प्रति वर्ष 12000 होम्योपैथी चिकित्सक आ रहे हैं। इस देश में 10 करोड़ से भी अधिक लोग होम्योपैथी की चिकित्सा प्राप्त करते हैं। जो अभी यूरोपीय देशों का जिक्र किया गया है, उसमें चाहे जर्मनी, ब्राजील, मैक्सिको, इंग्लैंड और फ्रान्स जैसे देशों में 60 प्रतिशत से भी अधिक लोग होम्योपैथी की चिकित्सा पर निर्भर हैं। कुल मिलाकर 20 से 25 करोड़ लोग आज होम्योपैथी की

चिकित्सा ले रहे हैं। भले ही होम्योपैथी का जन्म जर्मनी में हुआ हो, लेकिन उसका लीडर, उसका नेतृत्व आज भी हिन्दुस्तान कर रहा है। इसलिए मैं यह समझता हूँ कि भारत में चिकित्सालय हैं, महाविद्यालय हैं, विद्यार्थी हैं, लेकिन हां, अभी शोध की कमी है। अभी हमारे तमाम मित्रों ने कहा कि चाहे कोलकाता हो, चाहे पूर्वोत्तर राज्य हों, तमाम स्थानों पर शोध के बड़े-बड़े केन्द्र स्थापित किये गये हैं।

(1600/RAJ/KMR)

गुणवत्तापरक शिक्षा कैसे हो सकती है, अनुसंधान कैसे हो सकता है, उत्तम चिकित्सा कैसे हो सकती है। विश्वविद्यालयों में दवाइयों के लिए हमारी जो प्रतिबद्धता है, उसकी गुणवत्ता के लिए मैं माननीय मंत्री जी को बधाई देना चाहता हूँ कि उन्होंने इस दिशा में सार्थक पहल की है।

श्रीमन्, सीसीएच हो या सीसीआईएम हो, दोनों की संस्थाओं पर समान तरीके से नियंत्रण होना चाहिए क्योंकि जो शिकायतें सीसीएच में हैं, वहीं शिकायतें सीसीआईएम में भी हैं। मैं यह कहना चाहता हूँ कि जितने महाविद्यालय खुले हैं, उनके लिए आयुर्वेद में कुल 12 हजार फैकल्टीज चाहिए, लेकिन पंजीकरण केवल छः हजार फैकल्टीज का है। वहां प्रोफेसर्स नहीं हैं, रीडर्स नहीं हैं। मेरा विनम्र निवेदन है कि मंत्रालय को इसके लिए एक ठोस नीति बनानी चाहिए। नए कॉलेजों की अनुमति तब तब नहीं मिलनी चाहिए जब तक कि उनकी आपूर्ति न हो जाए।

श्रीमन्, मैं इसके लिए आयुष मंत्री जी को विशेष बधाई देना चाहता हूँ कि बड़े से बड़ा चिकित्सालय क्यों न हो, वह देश का हो या दुनिया का हो, आज वह बिना आयुष विंग के नहीं चल सकता है। आज उनको आयुर्वेद की जरूरत है, होम्योपैथी की जरूरत

है। होम्योपैथी का त्वचा विज्ञान में कोई विकल्प नहीं है। एक नहीं ऐसी दसों बीमारियां हैं, जो बहुत न्यूनतम समय, न्यूनतम मूल्य और न्यूनतम कष्ट में वे सौ प्रतिशत समाधित होती हैं।

मैं एक बार पुनः जो अध्यादेश लाया गया है और उसे आज बिल के रूप में प्रस्तुत किया गया है, उसका समर्थन करता हूं। यह कहा जा रहा है कि यह क्यों जल्दी में लाया गया है? यह नोटबंदी के समय हुआ था, तो ठीक है लेकिन इतनी जल्दी इसे लाने की क्या जरूरत थी, दो-तीन दिन रुक जाते। ... (व्यवधान)

(इति)

1602 बजे

डॉ. बंशीलाल महतो (कोरबा): उपाध्यक्ष महोदय, मैं आज होम्योपैथी केंद्रीय परिषद् (संशोधन) विधेयक, 2018 के समर्थन में बोलने के लिए खड़ा हूँ। किसी भी चिकित्सा पद्धति के लिए एनाटॉमी, फिजिओलॉजी और पैथोलॉजी है लेकिन होम्योपैथी की भी आवश्यकता है। कॉलेजों में इसकी फुल-फ्लेज व्यवस्था होनी चाहिए और बजट का भी बहुत अच्छा प्रावधान होना चाहिए।

मैं माननीय प्रधान मंत्री जी और आयुष मंत्री जी को धन्यवाद देना चाहता हूँ, जिन्होंने भारतीय परंपराओं को स्थापित करने के लिए अनेक प्रकार के नए-नए बिल लाए हैं। इसी प्रकार से इस आयुष बिल का भी यही अर्थ है। आयुष एक ऐसा विभाग है, जिससे पूरी दुनिया में लोग सबसे ज्यादा चिकित्सा लाभ प्राप्त करते हैं। इसी में होम्योपैथी भी आता है। आपने इस बिल को ला कर देश पर बहुत बड़ी कृपा की है। किसी भी परिषद को बना कर, मठाधिश बैठा कर काम करना ठीक नहीं है। कुछ माननीय सदस्यों ने आपत्ति व्यक्त की है कि जिस प्रकार से राम जी वगैरह के लिए निर्णय हुआ है, वह ठीक निर्णय है। सरकार चाहे तो इस बिल में अमेंडमेंट करके, इसे बढ़िया से बढ़िया बना कर कॉलेजों को वेल्-एस्टैब्लिश करे। देहात के लोगों को आयुर्वेद की सुविधा सबसे जल्दी मिलती है। उनको होम्योपैथी की सुविधा भी मिलती है। यह पद्धति दो सौ वर्ष पुरानी है। आयुष के अंतर्गत एक आयुर्वेद है, जिसे हम लोग भारतीय चिकित्सा पद्धति कहते हैं। यह सभी युगों में प्राप्त हुआ है। जब लक्ष्मण जी को शक्तिबाण लगा था तो उनकी आयुष पद्धति से चिकित्सा हुई थी। उनको कोई इंजेक्शन लगाने नहीं आया था। अल्टरनेटिव मेडिसिन्स के रूप में लोग एलोपैथी मेडिसिन का उपयोग

कर रहे हैं। झोला-छाप डॉक्टर्स जगह-जगह फैल रहे हैं। इनको रोकने के लिए यह विधेयक आवश्यक है। मैं आपको एक जानकारी देना चाहता हूँ कि वर्ल्ड हेल्थ ऑर्गेनाइजेशन ने एक सर्वे किया है कि उसमें आयुष के लिव-52 मेडिसिन को सात मेडिसिनों में अपनाया है और आज लिव-52 का पूरे विश्व में नाम है।

जहां तक योग का सवाल है तो आज 192 देशों ने हमारे प्रधान मंत्री जी के योग कार्यक्रम को 21 जून को अपनाया है। मैं प्रधान मंत्री जी को धन्यवाद देता हूँ, आयुष मंत्री जी को धन्यवाद देता हूँ। मैं चाहता हूँ कि हर जिले में आयुष का बहुत बड़ा अस्पताल हो।

(1605/IND/GM)

हर डिस्ट्रिक्ट में होम्योपेथी का बड़ा अस्पताल होना चाहिए। मैं छत्तीसगढ़ में रहता हूँ। सरकार एमबीबीएस डाक्टर्स की देहात में नियुक्ति करती है, लेकिन वहां कोई नहीं जाता है। केवल आयुष के डाक्टर्स ही देहातों में जाते हैं। नर्सिंग होम में आयुष के डाक्टर्स प्रैक्टिस कर रहे हैं। मेरा कहना है कि आयुष को बहुत महत्व दिया जाना चाहिए और आयुष पद्धति को अपनाने के लिए बजट में भी ज्यादा प्रावधान करना चाहिए तथा अच्छे कालेजेज खोले जाने चाहिए।

(इति)

1606 बजे

आयुर्वेद, योग और प्राकृतिक चिकित्सा, यूनानी, सिद्ध और होम्योपैथी (आयुष) मंत्रालय के राज्य मंत्री (श्री श्रीपाद येसो नाईक): उपाध्यक्ष महोदय, इस बिल पर जिन माननीय सदस्यों ने भाषण दिया है और जिन्होंने अपने विचार व्यक्त नहीं किए हैं, उन सभी का मैं आभार व्यक्त करता हूँ, क्योंकि मुझे खुशी है कि हम सब मिलकर इस बिल को पारित करेंगे। अधीर रंजन चौधरी जी ने इस बिल के बारे में अपने विचार रखे थे और आज जिन माननीय सदस्यों ने प्रश्न उठाए हैं, वे सभी उनके द्वारा उठाए गए प्रश्न में समावेश होते हैं। अधीर रंजन जी ने पूछा कि दो महीने बाद नया सेशन शुरू होने वाला है, तो इस बिल को पहले क्यों लाया गया? मेरा कहना है कि सभी कालेजेज की इंस्पेक्शन करके तय समय सीमा में परमिशन देने की आवश्यकता है। यदि इसमें लेट हो जाते हैं तो बाद में स्टूडेंट्स नहीं मिलते हैं। यदि हम अभी अध्यादेश नहीं लाते, तो इस साल भी पहले वाली प्रक्रिया ही चलती रहती और जिन मुद्दों के कारण यह बिल लाए हैं, उसका कोई उपयोग न रहता।

महोदय, यह केवल एक ही मुद्दा नहीं है, जिसके कारण हम बिल लाए हैं। एक प्रश्न यह आया कि किसी चेयरमैन ने भ्रष्टाचार किया, इसलिए यह बिल लाया गया है। ऐसा बिलकुल नहीं है, मैंने अपने पहले भाषण में संबंधित सभी मुद्दे रखे थे। मंत्रालय ने कहा भी था कि उस अधिकारी को रिटायरमेंट बेनिफिट्स मत दीजिए। सीसीआई के जो सैक्रेटरी थे, उन्होंने बहाल कर दिया और रिटायरमेंट के बाद सारे बेनिफिट्स दे दिए। सुप्रीम कोर्ट का आदेश था कि कोई मैम्बर यदि किसी दूसरी जगह से आता है तो उन्हें अपना पद छोड़ना था। पहले ऐसा होता था कि कई सालों तक, जब तक कि

इलेक्शन नहीं होते थे, वे बदले नहीं जाते थे, लेकिन सुप्रीम कोर्ट के आदेश के अनुसार उन्हें तीन महीने में ही रिटायर होना चाहिए था। ऐसे कई मैम्बर थे, जिन्होंने पद नहीं छोड़ा था और एक ही जगह रहे हैं। ऐसी कई अनियमितताओं को खत्म करने के लिए या ठीक करने के लिए मंत्रालय के पास कोई प्रावधान नहीं था। इस कारण मंत्रालय ने बोर्ड ऑफ गवर्नेंस एक साल की अवधि के लिए बनाया है और सभी अनियमितताओं को ठीक करने का वचन दिया है। माननीय सदस्य ने यह भी पूछा कि क्या इस तरह की बातें भारत में पहले हुई हैं? मैं कहना चाहता हूँ कि मेडिकल काउंसिल ऑफ इंडिया में ऐसा हुआ था। उन्होंने ब्रिज कोर्स के बारे में पूछा था। मेरा कहना है कि हमने कभी ब्रिज कोर्स को अनुमति नहीं दी है और हम कभी भी ब्रिज कोर्स शुरू नहीं करेंगे।

(1610/vb/rsg)

होम्योपैथी कॉलेजेज विश्वविद्यालय से संलग्न क्यों नहीं हैं, यह भी पूछा गया था। मैं कहना चाहता हूँ कि कुल 233 होम्योपैथी कॉलेजेज अस्तित्व में हैं और ये अपने-अपने राज्यों के विश्वविद्यालयों से संलग्न हैं।

सैफ्रनाइजेशन के बारे में भी आपने कुछ कहा था। जब आप सदन में अपने विचार रखने के लिए खड़े हुए थे, तो उस दिन आपने सैफ्रन शर्ट नहीं पहनी थी। लेकिन यह शर्ट आपको अच्छी लगी, इसीलिए आपने इसे पहना है। ... (व्यवधान) लेकिन इसमें सैफ्रनाइजेशन की कोई बात नहीं है। जो बोर्ड ऑफ गवर्नेंस गठित किया गया है, वह किन लोगों से हुआ है, उसके बारे में मैं बता रहा हूँ।

इस बोर्ड के चेयरमैन आयुष के रिटायर्ड सेक्रेट्री हैं। वे आपके राज्य के ही हैं। उनका नाम डॉ. निरंजन सान्याल है। ये कोलकाता के हैं। इससे इनका कोई संबंध नहीं

है। इसमें अन्य मेम्बर्स हैं- श्री पी.के. पाठक, जो आयुष के एक्स-ऑफिशियो सेक्रेट्री हैं। श्री संजय गुप्ता हैं, जो गवर्नमेंट होम्योपैथिक कॉलेज, भोपाल के प्रोफेसर हैं। डॉ. नित्यानन्द तिवारी हैं, जो पालघर होम्योपैथिक कॉलेज के रिटायर्ड प्रोफेसर हैं। डॉ. अनिल खुराना हैं, जो सीसीआरएच के डेप्युटी डायरेक्टर हैं। होम्योपैथी से संबंधित इन सभी लोगों से यह बोर्ड बनाया गया है। इन लोगों के नाम मशहूर हैं। इन लोगों ने होम्योपैथी के लिए बहुत अच्छे काम किये हैं। ... (व्यवधान) इसमें वैसा कोई नहीं है। इसलिए मैं कह सकता हूँ, ... (व्यवधान) हम इसका विचार भी नहीं करते हैं। ... (व्यवधान)

आयुष मंत्रालय को यहाँ-वहाँ नहीं दिखता है। सभी 'पैथीज़' को समान अवसर देने का हमारा प्रयास है।

डॉ. कामराज जी ने बहुत-से मुद्दे उठाए। यह भी कहा गया कि इससे संबंधित ऑर्डिनेंस क्यों लाया गया। ऑर्डिनेंस लाने का कारण यह था कि यदि हम ऐसा नहीं करते, तो आने वाले वर्षों में बहुत-सी दिक्कतें आतीं। इसलिए मैं चाहता हूँ कि हमारे पास जो अधिकार हैं, the amendment of the Homoeopathy Council Act in 2002 did not cover the renewal of recognition for existing colleges. Hence section 2 (c) is required. इसकी जरूरत थी।

डॉ. कामराज जी ने कहा था, डॉ. रामजी सिंह एक ही नाम नहीं था, हमने कई उदाहरण रखे हैं। There are many complaints against the member of the CCH. As a result, a commission of inquiry was set up in 2005. Based

on its findings, charges were framed against Dr. Lalit Verma. मैंने उसे आपके सामने पेश किया हुआ है।

ऐसे बहुत-से कॉमन मुद्दे हैं। The Ministry has been pursuing the amendment to this Council Act. Two Bills are definitely pending in Parliament. The Ministry is also at the same time examining the possibility of replacement of the Act itself to overcome the existing lacunae of this Act. We will definitely come up with a comprehensive Bill and good rules and regulations will be framed.

डॉ. रत्ना डे जी ने कहा कि इसे सुपरसीड क्यों किया गया है। CCH was superseded by the Board of Governors because many of the members of the CCH including the President are not morally fit. यह बात मैंने ऑलरेडी कही है। CCH will be reconstituted within one year as per the provisions of the existing Act. The Board of Governors consisting of six members are appointed by the Central Government from among those who are renowned homoeopaths with high integrity.

श्री रवीन्द्र कुमार जेना जी ने सीसीएच के मेम्बर्स के इलेक्शन के बारे में पूछा था। The election of CCH members is conducted by the Central Government by appointing the returning officer who is a Joint Secretary of the State Government. The election is delayed due to

administrative issues including non-updation of the said register of practitioners who are the voters.

(1615/RK/PC)

HON. DEPUTY SPEAKER: Let there be order in the House.

श्री श्रीपाद येसो नाईक: श्रीकांत शिंदे जी ने निश्चित तौर पर अपने कई अच्छे सजेशंस यहां दिए हैं। The Board of Governors will exercise the power as per the HCC. इसके बाहर पावर का मिसयूज नहीं करेंगे।

The Government is taking steps to ensure that all homeopathic colleges should have minimum standard and infrastructure....

(Interruptions)

Sir, the Government is examining to bring in a new Bill on the Ayurveda, Unani, Sidha, Yoga and Homeopathy. This is under the active consideration of the Government.

Dr. Ravindra Babu ji has also raised some questions. उन्होंने कहा कि होम्योपैथी तो जर्मनी से है। वहां उसे रिजैक्ट किया गया, लेकिन उसे किसलिए रिजैक्ट किया गया, इसके बारे में उन्होंने एक इंकवॉयरी कमेटी बैठाने की चेष्टा की है।

In the present Act there is no provision to dissolve the CCH. यह जो ऑर्डिनंस लाया गया है, इसके बारे में मैंने बार-बार बताया है, कि यह एक साल के लिए लाया गया है। यह सब ठीक होने के बाद निश्चित तौर पर हम सी.सी.एच. की पावर्स को बहाल करेंगे। उन्होंने यह भी पूछा कि इस करप्शन को कम करने के लिए हमने क्या

उपाय किए हैं? हमने सी.सी.एच. का फंक्शन इंप्रूव करने का प्रयास किया है। वैसे ही हमने बायोमीट्रिक अटेंडेंस के बारे में सभी कॉलेजेज़ और इंस्टीट्यूशंस में आगे जाने की चेष्टा की है। कॉलेजेज़ में जो इंस्पैक्शन होती है, उनके बारे में श्रीमती टीचर ने हमें सलाह दी है कि ये इंस्पैक्शंस गवर्नमेंट टीचर्स द्वारा ही होने चाहिए, ताकि वहां कोई गड़बड़ी न हो।

बूरा नरसैय्या गौड जी ने भी निश्चित तौर पर यहां अपने सुझाव रखे हैं। 12-सी के अंदर कुछ प्रोविजंस हैं। इसके पहले कुछ कॉलेजेज़ पर एक्शन लेने का हमारे पास अधिकार नहीं था, लेकिन इसी 12-सी के अंडर हम कुछ अमेंडमेंट्स लाए हैं, जिनसे इसका अधिकार भी आयुष मिनिस्ट्री को प्राप्त होगा। ...(व्यवधान) मिसलीडिंग एडवर्टाइज़मेंट्स पर हम निश्चित तौर से उपाय करेंगे। ...(व्यवधान) जो नेशनल इंस्टीट्यूट और रिसर्च सेंटर की मांग की गई है, उस पर भी निश्चित तौर से विचार किया जाएगा।

उपाध्यक्ष महोदय, बाकी सभी मेंबर्स - निहाल चन्द जी भी बोले, डॉ. करण सिंह यादव भी बोले। उन्होंने जो कुछ बोला और पूछा, वह एक साधारण क्वेश्चन था। मैं एक और बात आपके सामने रखना चाहता हूं। करण सिंह यादव जी ने आर्डिनेंस के बारे में बोला और इस बारे में उनके भी थोड़े प्रश्न थे। उनके एक पत्र के जरिए मेरे ऊपर आरोप था, पी.एम. को किसी ने एक पत्र लिखा था, उन्होंने उसके बारे में बोला। मैं उनसे कहना चाहता हूं कि वह जिस मेंबर ने लिखा था, उस मेंबर ने इसी हाउस में मेरे पास आकर माफी मांगी है कि उन्होंने गलतफहमी से पी.एम. को पत्र लिखा था, जिसका उन्हें स्पष्टीकरण देना है। ...(व्यवधान)

HON. DEPUTY SPEAKER: Please address the Chair.

श्री श्रीपाद येसो नाईक: निहाल चंद जी ने गंगा नगर में कैंसर के बारे में जो कुछ हो रहा है, बहुत पेशेंट्स वहां से आ रहे हैं, इसलिए वहां होम्योपैथी का एक सेंटर बनवाने के लिए कहा है। मैं निश्चित तौर से इसके ऊपर विचार करूंगा। करण सिंह यादव जी के बाद डॉ. महाडीक ने बोला। उन्होंने ये सजेशंस दिए कि एक्ट में जो प्रोविजंस हैं, उनके सिवा आयुष मंत्रालय कैसे भी आगे नहीं जा सकता है।

(1620/PS/MM)

Any decision on the permission of the college is taken by the Ministry on the basis of the provision of the Act and the regulation. हमारे एक-दो साथियों को छोड़कर बाकी सभी माननीय सदस्यों ने इसका समर्थन किया है। यह एक अच्छी बात है। शैलेन्द्र कुमार जी, जयप्रकाश नारायण जी, जयदेव जी और एम०के० प्रेमचन्द्रन जी ने होम्योपैथी सेन्ट्रल काउंसिल बिल के बारे में पूछा था और मैंने क्लीयर कर दिया है कि हम एक कॉम्प्रीहेंसिव बिल लाने की तरफ काम करेंगे। निशंक जी और डॉ० महतो जी ने जो सुझाव दिए हैं, उन पर निश्चित तौर से ध्यान दिया जाएगा। होम्योपैथी को अच्छी तरीके से आगे बढ़ाने के लिए आयुष मंत्रालय अपना प्रयास जारी रखेगा और इन प्रयासों को आपका सहयोग प्राप्त होता रहेगा। इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूँ। धन्यवाद।

(इति)

1622 hours

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Sir, there is a couplet “विषया विषमसरि”, which is believed to have been the root of homeopathy in the world. Later, Samuel Hahnemann had developed *Similia Similibus Curentur*. You will be happy to note that in the year 1810 one French traveller, Honigberger, had brought homeopathy in our country. In Bengal, first homeopathic college was established.

HON. DEPUTY SPEAKER: You have already spoken on this thing.

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): In Bengal, first homeopathic doctor, Dr. Rajendra Lal Dutta, has been recognised as the Father of Homeopathy in India and Samuel Hahnemann has been recognised as the Father of Homeopathy in the world. So, homeopath and its attachment to Bengal is a great pride of ours.

HON. DEPUTY SPEAKER: You have already spoken all these things.

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): In the year 1948 in the Constituent Assembly, Dr. Satish Samanta had brought a resolution on homeopathy.

I am seeking a simple clarification from my hon. friend and Minister. You have said that the Ordinance has been brought in order to admit students in your college. But, as stated by the hon. Minister, in spite of the promulgation of the Ordinance, the admission of students in homeopathy colleges have not yet taken place this year across the country as inspection is still going on. So, your purpose has not been served by the promulgation of Ordinance.

May I would like to know the number of court cases pertaining to homeopathic colleges contested by the Ministry and how many of them were lost and as to why? I would also like to know the year-wise expenditure that was incurred.

The Government Colleges of Homeopathy in Assam State never applied for an increase in their intake capacity in degree course. But a few years back, this Ministry permitted to increase from 20 to 25 in each of them without any recommendation of CCH. These colleges even now do not meet the minimum standards. The CCH recommended not to permit starting of MD courses in homeopathy in the three Government Homeopathic Colleges at Gudivada, Cuddapah and Rajahmundry, as they were not having the minimum

requirements for degree course. But, the Ayush Ministry permitted them to start 10 seats per specialty subject in MD courses.

For your attention, the conduct of election of members in CCH has been the responsibility of your Ministry. You have assured the House that within a span of one-year new body will be re-constituted. But, I have come to know that the new body will be re-constituted by digital voting. Will you be able to conduct election through digital mechanism within a short span of time? You have to give the assurance and guarantee in the House that within a span of one-year new body will be re-constituted. The CBI court has not yet decided the accused Shri Ramjee Singh as guilty. More so, one more case filed by Shri Ramjee Singh is pending before the hon. Delhi High Court. मैं किसी की पैरवी करने के लिए खड़ा नहीं हुआ हूँ।

(1625/RC/SJN)

मैं यहां किसी की पैरवी करने के लिए नहीं आया हूँ। We want to bolster the age-old institution in our country.

Last but not least, I am aware of the fact that the AYUSH Ministry conducted election for the post of President of CCH on 9th December, 2016 to remove Dr. Ramjee Singh but it did not take cognizance of one vote of Dr. Pankaj Sharma as per direction of the

High Court at Jaipur which was pointed out by one of the candidates in writing.

श्री श्रीपाद येसो नाईक: महोदय, बहुत ही जल्दी अर्थात् एक या दो महीने के अंदर हम सभी को परमीशन देने की कोशिश कर रहे हैं। आधे कालेजेस की रिपोर्ट हमारे पास आ भी चुकी है। आठ से दस दिनों के भीतर हम 50 प्रतिशत से भी अधिक कॉलेजेस को परमीशन दे देंगे और अगले महीने तक सभी कॉलेजेस को परमीशन दे दी जाएगी। दूसरी बात जो मैंने कही थी कि इस काम में एक साल भी नहीं लगेगा और जो आपने डिजीटाइजेशन की बात की है, उस पर हम निश्चित तौर से विचार करके उसे पूरा करने का प्रयास करेंगे।

HON. DEPUTY SPEAKER: Does the hon. Member want to press the resolution?

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Sir, I am not convinced. But since the Minister has already assured the House that some sort of effective measures will be taken, I am under the impression that he will do so.

Therefore, I seek leave of the House to withdraw my resolution.

The Resolution was, by leave withdrawn.

HON. DEPUTY SPEAKER: The question is:

“That the Bill further to amend the Homoeopathy Council Act, 1973, 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

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

Page 1, line 14,-

for "one year"

substitute "six months". (1)

Page 2, line 4,-

after "under this Act"

insert "for a period not more than six months". (2)

Page 2, line 6,-

after "Board of Governors"

insert "for a period not more than six months". (3)

Page 2, line 26,-

for "member"

substitute "person" (4)

Page 2, lines 27 to 29,-

for “disclose his interest in the matter before he may, if allowed by the Board of Governors, participate in such proceedings”

substitute “not be qualified to be appointed or nominated as member of the Board of Governors”. (5)

Page 2, line 36,-

after “under this Act”

insert “for a period not more than six months from the commencement of this Act”. (6)

Page 3, lines 1 and 2,-

for “whether a question is a matter to policy or not”

substitute “on a matter to policy”. (7)

Sir, I have raised a very serious objection to the Bill. The hon. Minister has replied to the debate and has said that he will bring a comprehensive Bill. My question is on technical issue. Why are the two Bills which are pending in the Rajya Sabha have not been mentioned in the Statement of Objects and Reasons. That is a matter to be adjudicated and clarified. It is because this is Parliament.

HON. DEPUTY SPEAKER: He has already mentioned. This is only for admission sake and he is going to bring a new Bill. At that time, you can say whatever you want to.

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, a direction may be given from the Chair that when the Statement of Objects and Reasons will be drafted all the details are there so that all the Members of Parliament can come with full preparation for discussing the Bill.

HON. DEPUTY SPEAKER: He made it very clear in his reply that it is only for the limited purpose. This Ordinance was brought only for admission sake. He is going to bring a comprehensive Bill very soon. At that time, he will take all your suggestions into consideration.

I shall now put Amendment nos. 1 to 7 to Clause 2 moved by Shri N.K. Premachandran to the vote of the House.

The amendments were put and negatived.

HON. DEPUTY SPEAKER: Shri Chowdhury, are you moving Amendment Nos. 8 and 9?

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Sir, I would suggest to the hon. Minister that he should not adopt any kind

of autocratic and authoritarian measure in order to suffocate the voice of democratic forces.

Sir, I am not pressing my amendments.

HON. DEPUTY SPEAKER: Dr. Sanghamita, are you moving your amendments?

DR. MAMTAZ SANGHAMITA (BARDHMAN DURGAPUR): Sir, I beg to move:

Page 2, line 8,-

after "homoeopathy education"

insert "and who have been former Dean/Principal of Government or Government aided Homoeopathy Medical College". (10)

HON. DEPUTY SPEAKER: I shall now put Amendment No. 10 to Clause 2 moved by Prof. (Dr.) Mamta Sanghamita to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: The question is:

"That clause 2 stand part of the Bill"

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3

DR. MAMTAZ SANGHAMITA (BARDHMAN DURGAPUR): I beg to move:

Page 3, line 8,-

after "Act, 2018"

insert "and who has not taken permission from the earlier Council". (11)

HON. DEPUTY SPEAKER: I shall now put Amendment No.11 to Clause 3 moved by Prof. (Dr.) Mamta Sanghamita to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: The question is:

"That clause 3 stand part of the Bill"

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 was added to the Bill.

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

(1630/SNB/BKS)

HON. DEPUTY-SPEAKER: Hon. Minister you may now move that the Bill be passed.

SHRI SHRIPAD YESSO NAIK: Sir, I beg to move:

“That the Bill be passed.”

HON. DEPUTY-SPEAKER: The question is:

“That the Bill be passed.”

The motion was adopted.

STATE BANKS (REPEAL AND AMENDMENT) BILL*Amendments made by Rajya Sabha**

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SHIV PRATAP SHUKLA): Sir, I beg to move:

“That the following amendments made by Rajya Sabha in the Bill to repeal the State Bank of India (Subsidiary Banks) Act, 1959, the State Bank of Hyderabad Act, 1956 and further to amend the State Bank of India Act, 1955 be taken into consideration: —”

ENACTING FORMULA

1. That at page 1, line 1, *for* the word “Sixty-Eighth”, the word “Sixty-ninth” be *substituted*.

CLAUSE 1

2. That at page 1, line 5, *for* the figure “2017”, the figure “2018” be *substituted*.

HON. DEPUTY-SPEAKER: The question is:

“That the following amendments made by Rajya Sabha in the Bill to repeal the State Bank of India (Subsidiary Banks) Act, 1959, the State Bank of Hyderabad Act, 1956 and further to amend the State Bank of India Act, 1955 be taken into consideration: –”

*** The Bill was passed by Lok Sabha on the 10th August, 2017, and transmitted to Rajya Sabha for its concurrence. Rajya Sabha passed the Bill with amendments at its sitting held on the 18th July, 2018 and returned it to Lok Sabha on 19th July, 2018.**

ENACTING FORMULA

1. That at page 1, line 1, *for* the word “Sixty-Eighth”, the word “Sixty-ninth” be *substituted*.

CLAUSE 1

2. That at page 1, line 5, *for* the figure “2017”, the figure “2018” be *substituted*.

The motion was adopted.

HON. DEPUTY-SPEAKER: We shall now take up amendments made by Rajya Sabha. I shall now put amendment nos. 1 and 2 made by Rajya Sabha together to the vote of the House.

The question is:

“ENACTING FORMULA

1. That at page 1, line 1, *for* the word “Sixty-Eighth”, the word “Sixty-ninth” be *substituted*.

CLAUSE 1

2. That at page 1, line 5, *for* the figure “2017”, the figure “2018” be *substituted*.

The motion was adopted.

HON. DEPUTY-SPEAKER: The Minister may now move that the amendments made by Rajya Sabha in the State Banks (Repeal and Amendment) Bill, 2017, as passed by Lok Sabha, be agreed to.

SHRI SHIV PRATAP SHUKLA: Sir, I beg to move:

“That the amendments made by Rajya Sabha in the Bill be agreed to.”

HON. DEPUTY-SPEAKER: The question is:

“That the amendments made by Rajya Sabha in the Bill be agreed to.”

The motion was adopted.

**STATUTORY RESOLUTION RE: DISAPPROVAL OF
CRIMINAL LAW (AMENDMENT) ORDINANCE
AND
CRIMINAL LAW (AMENDMENT) BILL**

1633 hours

HON. DEPUTY-SPEAKER: The House will now take up item nos. 19 and 20 together.

Shri N. K. Premachandran.

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

“That this House disapproves of the Criminal Law (Amendment) Ordinance, 2018 (No.2 of 2018) promulgated by the President on 21st April, 2018.”

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS

(SHRI KIREN RIJIJU): Sir, I beg to move:

“That the Bill further to amend the Indian Penal Code, Indian Evidence Act, 1872, the Code of Criminal Procedure, 1973 and Protection of Children from Sexual offences Act, 2012, be taken into consideration.”

Sir, with the moving of this Bill I would like to make a few remarks at the beginning. This is a very important occasion for all of us to come together without taking any political party line and speak on this Bill.

Sir, in the recent times we have seen so many cases of rape, especially committed against minor girls, girls below 16 and even 12 years of age which has shaken the conscience of this nation. So, with a view to bringing in stringent measures to punish those criminals, the Government had promulgated an Ordinance on 21st April, 2018. Now, to replace that Ordinance, the Government is moving the Criminal Law (Amendment) Bill, 2018.

Sir, I, once again, would like to appeal to the House to support the provisions of the Bill and give encouragement to the Government to take more steps to ensure the safety of women and girls in this country.

HON. DEPUTY SPEAKER: Motions moved:

“That this House disapproves of the Criminal Law (Amendment) Ordinance, 2018 (No.2 of 2018) promulgated by the President on 21st April, 2018.”

“That the Bill further to amend the Indian Penal Code, Indian Evidence Act, 1872, the Code of Criminal Procedure, 1973 and Protection of Children from Sexual offences Act, 2012, be taken into consideration.”

(1635/RU/GG)

1635 hours

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, I rise to oppose the Ordinance route of legislation but support the contents of the Bill subject to certain reservations.

1635 hours (Shri Kalraj Mishra *in the Chair.*)

Most of the times, we have discussed in this House regarding the promulgation of Ordinance and its impact. I need not repeat all those things once again because it is a well-established constitutional position that Article 123 does not permit promulgation of Ordinance unless and until there are some extraordinary situations in the country.

This is an independent legislation brought out by the Executive and further Article 123 of the Constitution does not speak of the replacement of an Ordinance by an Act of Parliament. The Constitution does not permit even His Excellency the President or the Governor as a parallel law-making authority independent of the Legislature. I oppose the Ordinance route of legislation because six Ordinances were promulgated during this two-and-a-half months by

this Government. This is highly unfortunate. So, I once again oppose this Ordinance.

Coming to the Bill, I fully endorse the views expressed by the hon. Minister in his opening remarks regarding stringent punishment which is to be provided to the culprits who are committing the offence of rape especially on girl students or women below the age of 16 years and below the age of 12 years.

The Ordinance and the Bill are intended to address the issue of incidents of rape and gang rape on women under the age of 16 years and 12 years. I fully agree with the hon. Minister and the Government that effective deterrence of this heinous crime through legal provisions of stringent punishment is highly essential; it is the need of the hour; there is no doubt about it and I fully endorse the views of the hon. Minister.

To make the penal provisions more stringent and effective, punishment is required. Immediate arrest of the accused is highly essential and speedy trial in such cases should be ensured. Only then we will be able to address the situation.

In order to achieve the aforesaid goals, four statutes like the Indian Penal Code, the Indian Evidence Act of 1872, the Criminal

Procedure Code as well as Protection of Children from Sexual Offences Act, 2012 are proposed to be amended by this Ordinance or by this Bill.

Sir, by virtue of this amendment, death penalty for the offence of rape of a woman below the age of 12 years and again death penalty for the offence of gang rape on a woman under the age of 12 years and below 16 years, a term not less than 20 years of imprisonment, which may be extended up to life imprisonment in certain conditions, are proposed. Further, there is a stringent punishment of imprisonment for life for gang rape on a woman below 16 years.

Regarding the rape offence, minimum imprisonment was seven to ten years. It has now been made as life imprisonment. These are the amendments which are being proposed by the Government in this Amendment Bill.

I fully agree with the other amendments because investigation should be completed within two months. On whether it is practicable to see that the criminal investigation on a rape case could be completed within two months from the date of commission of offence has to be seen. Anyway, I fully accept and endorse it.

This issue of completion of trial within two months, completion of a criminal case and especially a criminal offence which involves a rape within two months either from the date of commission of offence or from the date of filing the charge-sheet in a court of law has to be clarified.

Regarding appeal to be disposed within six months, I fully agree with this provision also. In most of the cases, even though the Magistrate Court or the trial court convicts a culprit or an accused, even then the appeal or the second appeal will go on like anything, the final verdict will be against the victim.

Another important provision that has been incorporated is, there will be no anticipatory bail in the case of rape or gang rape on women below the age of 16 years and 12 years. This is also a welcoming provision by the Government because nowadays, in any court of law be it in the High Court or any other court, one is getting anticipatory bail and he will be out of jail. I fully endorse or agree with these relaxations or the speedier trial. This is a comprehensive Amendment Bill which we are going to discuss.

The first point which I would like to make or highlight before this august House is whether there is any urgency to issue an Ordinance

and whether this Amendment Bill is sufficient to meet the purpose or not.

(1640/KSP/CS)

This is the point I would like to elaborate and discuss. In this case, we all know that this Ordinance was promulgated on 21st April, 2018. The date is very pertinent and this Ordinance was issued on the aftermath of the Kathua incident in Kashmir. I am of the view that the Government of Jammu and Kashmir as well as the Government at the Centre are fully in defence in respect of the Kathua incident of the rape of a minor girl below the age of 8 years and murder of that girl in the premises of a temple. This is quite unfortunate as far as this country is concerned.

Sir, where is this country moving? In which direction the biggest democracy in the world is moving? A girl below the age of 8 years has been harassed, sexually assaulted, raped and finally she has been murdered in a brutal manner.

श्री रमेश बिधूड़ी (दक्षिण दिल्ली) : इसी के लिए तो यह बिल ला रहे हैं। आप बिल पर बोलिएगा।

SHRI N.K. PREMACHANDRAN (KOLLAM): Why are you so much afraid of Kathua incident? ... (*Interruptions*)

THE MINISTER OF CHEMICALS AND FERTILIZERS AND
MINISTER OF PARLIAMENTARY AFFAIRS (SHRI
ANANTHKUMAR): Mr. Chairman, Sir, nobody is afraid. But my dear
friend Mr. Premachandran should understand that he is speaking
only on his Resolution. The Bill has to be considered. When the Bill
is considered, he can have his speech. He need not give his speech
now because he is not the initiator of this debate.

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, I want to know
whether the Bill and the Statutory Resolution have been taken up
together.

माननीय सभापति (श्री कलराज मिश्र) : प्रेमचन्द्रन जी, यह कम्बाइंड डिस्कशन है,
आप इस बात का ध्यान रखिए।

SHRI N.K. PREMACHANDRAN (KOLLAM): So, I am having full
liberty to speak on the Bill.

SHRI ANANTHKUMAR: No Sir. He has no authority to speak about
the Bill. While moving the Resolution opposing the issue of the
Ordinance, he can only mention as to why he is opposing the
Ordinance on technical and constitutional grounds. He cannot go into
the merits of the Bill and refer to the Kathua incident and other things.

माननीय सभापति : आप इस बात का ध्यान रखें और उसके अनुसार बोलें तो ठीक रहेगा।

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, I am very fortunate that you are in the Chair now. I cannot understand the observation of the Minister. The contents of the Ordinance and the contents of the Bill are one and the same. The hon. Minister of Parliamentary Affairs may kindly see this. So, I have to speak on the Bill also. Therefore, Kathua and Unnao incidents have to be mentioned.

The Kathua incident of gangrape and murder of a minor girl in the premises of a temple has shaken the conscience of the entire nation.

माननीय सभापति : आप बिल पर बोलिए। आपने रेफर कर दिया, यह पर्याप्त है।

... (*Interruptions*)

माननीय सभापति : अब आप समाप्त कीजिए। आप बिल पर बोलिए।

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, the opening sentence of the Statement of Objects and Reasons of this Bill says that the recent incidents of rape has shaken the conscience of the entire nation. This is the opening sentence.

माननीय सभापति : अब आप समाप्त कीजिए।

... (*Interruptions*)

माननीय सभापति : प्रेमचन्द्रन जी, अब आप अपनी स्पीच समाप्त कीजिए।

SHRI N.K. PREMACHANDRAN (KOLLAM): Yes Sir. I am speaking on the Bill. ... (*Interruptions*) Why is the Government so much intolerant?

SHRI ANANTHKUMAR: Nobody is intolerant. You are not understanding the rules and regulations. You are one-member party and you should know your limitation. You have limited time and you are going to speak again on the Bill. This is not the way.

SHRI N.K. PREMACHANDRAN (KOLLAM): This is not proper. Let the Chair give a ruling. ... (*Interruptions*)

SHRI ANANTHKUMAR: He cannot make a speech on the Bill now. ... (*Interruptions*)

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, this is quite unfortunate. I am on my legs only because I am the mover of the Resolution. This is a privilege on the part of a Member to move a Resolution. It means I can very well speak. ... (*Interruptions*) If you do not want to hear, that is different.

श्री अनन्तकुमार : महोदय, आप इनसे कहिए कि ये रेजोल्यूशन को कंसीडर करें।
... (*Interruptions*)

माननीय सभापति : अब आप अपनी बात समाप्त कीजिए।

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, it is quite unfortunate to see that after the Kathua incident, this has been brought. ... (*Interruptions*)

श्री अनन्तकुमार : महोदय, आप इनसे रेजोल्यूशन को कंसीडर करवाइए।

(1645/KKD/RV)

SHRI N.K. PREMACHANDRAN (KOLLAM): If you are so much concerned about the Kathua and Unnao incidents ... (*Interruptions*)

माननीय सभापति (श्री कलराज मिश्र): प्रेमचन्द्रन जी, आप अपने रेजॉल्यूशन को कनक्लूड करें।

...(व्यवधान)

माननीय सभापति : आपने इसे पहले ही मूव कर दिया है। अब आप इसे कनक्लूड करें।

SHRI N.K. PREMACHANDRAN (KOLLAM): Yes, Sir.

Sir, the recent incidents of rape and murder on girls below the age of 12 years and 18 years ... (*Interruptions*)

माननीय सभापति : इसे आप कई बार कह चुके हैं। अब अपने प्रस्ताव को कनक्लूड करें।

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, it has tarnished the image of the country. That is why I am supporting the Bill. It has

tarnished the image of the country. So, this has to be combated.

...(व्यवधान)

HON. CHAIRPERSON: Please conclude, now.

SHRI N.K. PREMACHANDRAN (KOLLAM): What is this, Sir?

माननीय सभापति : प्लीज, आप इसे जल्दी कनक्लूड करें। जब एक बार आपने इसे रेफर कर दिया। उसमें सारी बातें आ गईं। अब अपने प्रस्ताव को आप कनक्लूड करें।

...(व्यवधान)

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, then, I will come to the other part of my speech.

HON. CHAIRPERSON: Now, you have no time.

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, I am the mover of the Resolution.

SHRI ANANTHKUMAR: Sir, he is not the initiator. He is only the Mover of the Resolution.

माननीय सभापति : आपको बोलने के लिए दस मिनट का समय था। आप इसके मूवर थे। इसलिए आपको इतना समय दिया गया। कृपया अब इसे समाप्त करें। आपका दस मिनट से ज्यादा समय हो गया।

...(व्यवधान)

HON. CHAIRPERSON: You have already taken more than 10 minutes.

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, I have just started.

HON. CHAIRPERSON: You started at 1634 hours.

... (*Interruptions*)

HON. CHAIRPERSON: Now, please conclude.

... (*Interruptions*)

माननीय सभापति : कृपया आप लोग बैठ जाइए।

श्री निशिकान्त दुबे (गोड्डा): सर, मेरा इसमें पॉइंट-ऑफ-ऑर्डर है।

माननीय सभापति : ठीक है, आप बोलिए।

SHRI NISHIKANT DUBEY (GODDA): My point of order is under Rule 179 of the Rules of Procedure and Conduct of Business in Lok Sabha, which says: "The discussion on a resolution shall be strictly relevant to and within the scope of the resolution."

सर, इनका रिजॉल्यूशन क्या है? इन्होंने किसी कंस्टीट्यूशनल वैलिडिटी के ऊपर रिजॉल्यूशन दिया होगा। ये पूरे बिल के ऊपर चर्चा नहीं कर सकते। रूल-179 के आधार पर यह चर्चा नहीं हो सकती। जब वे इसकी डिस्कशन में भाग लेंगे, फिर वे पूरे बिल के कॉन्टेंट के ऊपर चर्चा करेंगे। इसमें नियम-179 पूरा क्लियर है। यदि यह क्लियर है तो उन्होंने रिजॉल्यूशन का जो रिजन दिया है, वे अपनी डिबेट का स्कोप केवल उसके ऊपर करेंगे... (व्यवधान)

HON. CHAIRPERSON: Now, Premachandranji, please conclude.

PROF. SAUGATA ROY (DUM DUM): Sir... (*Interruptions*)

माननीय सभापति: सौगत जी, आप बैठ जाइए।

PROF. SAUGATA ROY (DUM DUM): Sir, I am on a point of order

श्री अनुराग सिंह ठाकुर (हमीरपुर): दादा, आप रूल बताइए।

PROF. SAUGATA ROY (DUM DUM): It is Rule 376.

Sir, the hon. Member, Shri Nishikant Dubey has quoted Rule 179. Shri Premachandran's Resolution is not a Resolution under Rule 179. If you look into the Article 123(2)(A) of the Constitution, it deals with Statutory Resolutions. Now, the Statutory Resolutions refer to say that 'the Ordinance will be passed as a Bill unless a Resolution against that Ordinance is passed by the House.'

So, what he has pointed out is a rule under the Constitution. It does not deal with Rule 179.

SHRI ANURAG SINGH THAKUR (HAMIRPUR): But he should move the Resolution. Nobody is stopping him to move the Resolution.

PROF. SAUGATA ROY (DUM DUM): So, इसलिए उसे करने दिया जाए।...(व्यवधान)

माननीय सभापति: अनुराग जी, सौगत जी, आप लोग बैठ जाइए। मैं इस पर अपनी बात बता रहा हूँ।

...(व्यवधान)

माननीय सभापति: इस पर डिबेट नहीं होता है।

सौगत जी, कृपया आप अपना आसन ग्रहण करें। मैं इस पर अपनी बात बता रहा हूँ।

...(व्यवधान)

माननीय सभापति: इन्होंने पॉइंट-ऑफ-ऑर्डर उठाया है। मैं इस पर अपनी बात बता रहा हूँ।

...(व्यवधान)

माननीय सभापति: प्रेमचन्द्रन जी, यह बिल है। इस पर आप बोल सकते हैं, इसे रेफर कर सकते हैं। आप अपनी बात कनक्लूड करके बैठिए।

...(व्यवधान)

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, can I respond to Shri Nishikant Dubey?

माननीय सभापति: अब वह समाप्त हो गया। आप बिल पर डिस्कशन के अन्तर्गत इसे रेफर कर सकते हैं। आपने जो रेजॉल्यूशन दिया है, वह इस बिल के ऊपर दिया है। इसलिए रेफरेंस की दृष्टि से यह बात आ गयी। इसके बाद आप बिल पर बोलिए। आपका जो समय था, उससे बहुत ज्यादा समय हो गया है। इसलिए कृपया अब अपनी बात कनक्लूड करके बैठ जाइए।

...(व्यवधान)

(1650/RP/MY)

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, I have already moved the Resolution. ... (*Interruptions*)

HON. CHAIRPERSON: You cannot take more than ten minutes.

... (*Interruptions*)

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, let me point out. I have already moved the Resolution. What is my Resolution? It is to disapprove the Ordinance. What is the Ordinance? ...

(*Interruptions*) If the Government is not ready to hear me, I am concluding. ... (*Interruptions*)

THE MINISTER OF CHEMICALS AND FERTILIZERS AND
MINISTER OF PARLIAMENTARY AFFAIRS (SHRI
ANANTHKUMAR): It is not the question, Sir. His time is over....

(*Interruptions*)

HON. CHAIRPERSON: Now, Shrimati Kirron Kher.

1651 hours

SHRIMATI KIRRON KHER (CHANDIGARH): Thank you, hon. Chairman, Sir.

First of all, I would like to say that Shri Premachandran was saying: "What is the need to bring in an Ordinance on the 18th of April." If only the hon. Opposition had allowed the House to function during the Budget Session, we would not have been forced to do so with so many things. And also, I would like to say that you keep referring very selectively to one or two cases, which, I think, is politicising a matter that pertains to the entire country and all women and children in general. I take strong objection to your bringing up or picking and choosing one or two areas. You do not talk about other areas which I will not be dignified by replying too.

I rise to support this historic piece of legislation today. These are times when we are confronted with a gruesome reality of an increasing number of innocent children in the country, especially, girls, in the danger of losing their childhood to unspeakable violence. The Criminal Law (Amendment) Ordinance was a rightly timed promulgation and the Bill that we are discussing today, is, indeed a welcome piece of proposed legislation by the Home Ministry. Before

2014, we had the horrific case of Nirbhaya's gang rape and brutal murder. We saw the entire country rising as one against it and this Parliament passed a stringent law against it. In spite of this, we see climbing dark statistics coupled with horrifying details in newspapers. This Bill reflects the long-awaited hope of the country, for a safer future for our young girls and children.

It is an indisputable fact that cases relating to sexual offences require handling with extreme sensitivity, every step of the way. Keeping with this principle, this Bill comprehensively amends relevant laws relating to rape, to explicitly extend coverage to victims who are minors. For instance, this Bill suitably amends Section 53A and the proviso under Section 146 of the Indian Evidence Act, 1872, to ensure that evidence of character or previous sexual experience has no bearing on cases relating to rape of girls under 12 and 16 years. Contrary to claims of 'hasty and knee-jerk response' by some sections, the provisions of this Bill are undoubtedly well-thought out and in sync with current realities. We have all heard the terrible truth about children of two or three years being raped. How can we, as legislators not bring in more stringent laws? And if we do not, how do we reconcile it with our conscience?

Leaving no room for ambiguity, the Indian Penal Code has been amended to insert new Section dealing with the rape and gang rape of women belonging to 12 and 16 years of age. Rightfully so, the penalties for these crimes, for which even 'heinous' seems like an understatement, have been strengthened, so that we say with certainty that "the punishment actually fits the crime." For those who have been expressing a blanket disapproval of the death penalty, I would like to ask, "How can a lesser penalty possibly be justified for repeat offenders?"

For too long, delayed and lengthy trials have exacerbated the trauma of victims and hence the proposed amendments to the Code of Criminal Procedure promises to change this scenario. This Bill recognises that a time-bound investigation and disposal of appeals is the right of every victim and none should suffer the pain of delayed justice. Thus, the provisions reducing the time period of completion of investigations from three to two months and disposal of appeals within six months, have been extended to all cases of rape with no bar on the victim's age.

(1655/RCP/CP)

We see so much delay in these cases. The judgment on the Nirbhaya case has been delivered after four years. Is this not a case of 'justice delayed is justice denied'? It is commendable that this Government is already taking important measures in this direction with a great push being given on setting up of special fast-track courts, providing forensic kits to hospitals and dedicated manpower. It is a significant step under the hon. PM's Beti Bachao mission.

Another noteworthy provision of this Bill, which leaves no room for doubt on this Government's zero tolerance to these crimes, is the denial of anticipatory bail for persons accused of rape under relevant sections of the IPC. Stories abound of the ease with which accused in POCSO cases are able to obtain bail and the resultant trauma experienced by the victims and their families. While it is true that there is a just purpose behind Section 438 of the Code of Criminal Procedure or anticipatory bail, as we know it, we need to accept that this Section has been widely abused. It has already been long recognised that this has turned into an empowering tool for the accused to circumvent the due process of justice. The newly inserted sub-Section 4 is, therefore, a justified limit to the application

of this Section which will ensure that there is no demoralizing effect on the victims.

I believe that these and other provisions of the Bill reflect the will of the people at large and will go a long way in creating a future that see no more of such incidents that shake a nation's conscience. However, we must not stop at enacting new legislations alone. It is deeply unfortunate that there is still, in some places, such a flagrant disregard for guidelines that requires authorities to respect the sensitive nature of these cases. To be more explicit, in spite of the guidelines issued by the Government to focus more on victim and witness testimonies, physical examination continues to be heavily relied on in rape cases which, in no uncertain terms, is intrusive and undignifies and violates the girls and children.

In these last four-and-a-half years, I have stood up many times and spoken for the women of this country against rape, against stalking. Many such incidents have happened across the country, not just in certain States as Shri Premachandran would like to emphasise on.

I extend my whole-hearted support to this Bill. It is clearly a step in the right direction. I have full faith that the Government will also appropriately deal with persons who violate its guidelines.

यह बिल नारी के सम्मान का बिल है। लाल किले से आदरणीय प्रधानमंत्री ने नारियों के सम्मान और बच्चियों की रक्षा की जो बात कही थी, यह बिल उसी दिशा में एक ऐतिहासिक कदम है। बहुत-बहुत धन्यवाद।

(इति)

1658 बजे

श्रीमती रंजीत रंजन (सुपौल): सभापति जी, आपने मुझे बोलने का अवसर दिया, इसके लिए मैं आपको धन्यवाद देती हूँ। आज हम लोग एक बहुत ही संवेदनशील मुद्दे पर अमेंडमेंट लेकर आए हैं। कानून को और अधिक सख्त करने के लिए सभी लोग इस सदन में चर्चा कर रहे हैं।

एक मां होने के नाते जब भी मैंने ऐसे केसेज देखे हैं, तो मुंह से यही निकलता है कि उसको फांसी दे दो। मुझे लगता है कि जब हम कानून बनाते हैं, तो हमें जोश में होश नहीं खोना है। मुझे लगता है, जो मेरा एक्सपीरियंस है, जो मैंने देखा है, जो सिचुएशन है, जो हमारा एन्वायर्नमेंट है, जो हमारा सिस्टम है, हम कानून जितने भी कड़े कर लें, लेकिन जब तक हमारी सोसाइटी, हमारा सिस्टम उसे इम्प्लीमेंट करने के लिए ईमानदार नहीं है, एकाउंटबिलिटी नहीं है, तो मुझे नहीं लगता कि हम फांसी को भी लॉ में लेकर आ जाएं, लेकिन जिस तरह से एक साल, दो साल, पांच साल, छः साल की बच्ची का रेप जघन्य तरीके से होता है, उसका रास्ता सिर्फ लॉ को सख्त करना है।

(1700/NK/SMN)

मैं आपको एक एग्जाम्पल देती हूँ। मैं अपने निर्वाचन क्षेत्र में थी, दो किलोमीटर की दूरी पर हमारी मीटिंग चल रही थी। मेरे पास एक व्यक्ति भागता हुआ आया और मुझे बताया कि बगल में छह-सात साल की बच्ची से रेप हो गया है। वह थाने में है और अभी तक एफआईआर दर्ज नहीं हुई है। मैं मीटिंग छोड़ कर वहां गई। वहां माँ बच्ची को गोद में ली हुई थी। उसका वैजाइना टीयर हो गया था और ब्लीडिंग हो रही थी। थानेदार

उसको वेट करने के लिए कह रहा था। चूंकि एक एमपी वहां पहुंच गया इसलिए आनन-फानन में उन्होंने एफआईआर दर्ज की। मैंने कहा कि एफआईआर दिखाओ कि क्या उम्र लिख रहे हो। उसने कहा, जो भी लिखेंगे, आपको दिखा कर लिखेंगे। पहले इसको डॉक्टर के पास लेकर चलते हैं। डॉक्टर के पास जाने के बाद कहा गया कि मैं गाइनोकोलोजिस्ट नहीं हूँ। मैं वैजाइना टीयर लिख दूंगा लेकिन इस बच्ची के साथ रेप हुआ है, इसे देखने के बावजूद नहीं लिख सकता। अगर मैं उस बच्ची को वहां छोड़ कर चली जाती तो उसकी उम्र भी बढ़ जाती, वैजाइना टीयर लिख दिया जाता। रेप उसमें नहीं लिखा जाता, दो दिन के बाद जिस लड़के ने रेप किया था उसकी उम्र भी कम हो जाती। हमारा सिस्टम ऐसा है कि बहुत ईजी तरीके से रेपिस्ट को बचा लिया जाता है। मैं दो घंटे समय लगाकर सदर अस्पताल गई और महिला डॉक्टर से बात की। मैंने उसके कहा कि आप गाइनोलोजिस्ट हैं, आप सिर्फ यह देखना कि यह बच्ची है। हमारी बच्ची इसलिए नहीं है क्योंकि हम वेल सैटल्ड घर से हैं। सिर्फ माँ समझ कर इसका इलाज करना। उस बच्ची को तीन लेयर स्टेचेज लगे। एफआईआर में सात साल की बच्ची को नौ साल लिखा गया, गाइनोकोलिजिस्ट ने कहा कि रेप दिखता है क्योंकि वैजाइना टीयर है। वह लड़का पड़ोस का था और 21 वर्ष का था। उसकी भी पांच बहनें हैं। पांच-छह घंटे सिर्फ थाने की गलती और लापरवाही के कारण बच्चे को पड़ोस से नहीं पकड़ा गया, क्योंकि हम रेप को गंभीरता से नहीं लेते हैं। दिल्ली या मैट्रो सिटी में हाइलाइट हो जाता है लेकिन गांव में लाखों रेप होते हैं और कोई पूछने वाला नहीं है। मैंने कहा कि उसको पकड़ने क्यों नहीं गए, तब तक उस लड़के को भनक लग गई कि कोई जनप्रतिनिधि उसमें इंटरस्टेड है। वहां नेपाल बार्डर है, वह वहां भाग गया। मैं यह

सब इसलिए बता रही हूँ कि हम सब का इनिशिएटिव है। आप फांसी की सजा करके भी रेपिस्ट को फांसी नहीं दे सकते, जब तक हम खुद नहीं सुधरते। मैंने उसको कहा कि अब क्या करोगे, उसे क्यों नहीं पकड़ा, तो उसने कहा कि अब जांच करेंगे। मैंने कहा कि कैसे जांच करोगे? थानेदार को यह भी नहीं मालूम है कि बच्ची का स्वेब लेना है, उसके अंडरगारमेंट्स लेने हैं।

मैंने अपने सामने गारमेंट्स को सील कराया और फॉरेंसिक लैब जो शायद बंगलुरु में है, बिहार में लैब नहीं है, इस तरह के छह-सात स्टेटों में ही फॉरेंसिक लैब हैं, उसमें भेजा गया। चौबीस घंटे के अंदर उस लड़के की गिरफ्तारी हुई, उसके तीन दिन के बाद मुझे सूचना मिली कि उसको स्कूल में अंडर एज दिखाया जा रहा है। तब तक सोलह का कानून नहीं बना था। मैंने वहां कहा हुआ था कि इसके बारे में बताते रहना। मैंने फिर फोन किया और टीचर्स से कहा कि आप क्या कर रहे हैं? उस 21 साल के लड़के की एज को नहीं घटाया गया। आज तक वह लड़का जेल में है अन्यथा वह पन्द्रह दिनों के अंदर बाहर होता। मैं इसे क्यों कह रही हूँ? हम फांसी की सजा कर देंगे। अभी मेरी बहन किरण जी बोल रही थीं कि हम थानों में टेस्ट किट देंगे। क्या थानों की एकाउन्टेबिलिटी है? एक गरीब बच्ची का रेप होता है। दस हजार रुपये में हमारा थाना बिकता है तो क्या वह किट नहीं बिकेगी? यह और ज्यादा गलत होगा। मैं इसलिए नहीं बोल रही हूँ कि मैं अपोजिशन में हूँ, अनुभव के कारण और एक माँ होने के नाते कह रही हूँ। आज जो सिचुएशन है, आप मैट्रो सिटी में बचा सकते हैं लेकिन रूरल एरिया और छोटे शहरों में रेपिस्ट को बचाने और गुमराह करने के ज्यादा चांसेज होते हैं। उसकी एकाउन्टेबिलिटी नहीं है। हम फॉरेन्सिक लैब पर विश्वास रखते हैं, फॉरेन्सिक

लैब में जाएगा तो कम से कम पुष्टि होकर आएगा। थाने में 99.9 परसेंट गारंटी नहीं है कि अगर किसी की सेटिंग नहीं हुई तो वह रेप को रेप घोषित करेंगे। वहीं केस खत्म हो जाएगा। मुझे नहीं लगता है कि आप इस चीज को संशोधन करें। आप थानों में किट दे रहे हैं, जब तक उनकी एकाउन्टेबिलिटी न हो, विश्वास न हो, उनको बिल्कुल नहीं देना चाहिए।

(1705/SK/MMN)

अभी मुजफ्फरपुर की घटना हुई। 29 बच्चों का रेप हुआ है, 34 का रेप हुआ है या 40 का रेप हुआ है, हम इसकी डिसकशन कर रहे हैं, हम इसकी लड़ाई लड़ रहे हैं। रेप हुआ है, यह सही है, 15 संस्थाओं में रेप हुआ है। सीबीआई जांच हो रही है। हम जब तक चिल्ला-चिल्लाकर, कैंडल लेकर बिहार में नहीं जाएंगे, तब तक बाकी की 14 संस्थाओं में जांच शुरू नहीं होगी।

जहां रेप को राजनीति का अखाड़ा बना दिया जाए, जाति का अखाड़ा बना दिया जाए, प्रभुत्व का अखाड़ा बना दिया जाए, बड़े-छोटे लोगों का अखाड़ा बना दिया जाए, वहां हमें कैसे इंसाफ मिलेगा? यह बहुत महत्वपूर्ण बात है।

मैं सिर्फ कठुआ नहीं दोहराऊंगी, मंदसौर नहीं दोहराऊंगी, निठारी कांड भी दोहराऊंगी, गुड़िया कांड भी दोहराऊंगी। हर दिन रेप होते हैं, लेकिन कितने हम लोगों के सामने आ पाते हैं? बड़ी शर्म आती है, हमने कठुआ की बात की, मंदसौर की बात की, उस दिन भी एक रेप हुआ, न मीडिया ने उठाया, न हम लोगों ने उठाया। उसमें थाने भी चुप बैठ जाते हैं। मेरा सबसे पहले यही कहना है कि एकाउन्टेबिलिटी तय होनी चाहिए, जिम्मेदारी तय होनी चाहिए। अगर थाने ने गलत किया है, रेपिस्ट को बचाने

की कोशिश की है, डॉक्टर ने रेपिस्ट को बचाने की कोशिश की है, उसे कौन से दंड का भागीदार बनाएंगे, यह देखना बहुत जरूरी है। सिस्टम ही ज्यादातर जगहों पर रेपिस्ट को बचाता है। क्या रेपिस्ट बचेगा या सज़ा होगी? उसे बचाने वाले पीछे रह जाते हैं, चुपचाप रह जाते हैं। इसमें 96 परसेंट रिलेटिव और जानने वाले होते हैं। आपने उनके लिए फांसी की सज़ा कर दी, डाटा में साफ दिख रहा है, आप निर्भया कानून लेकर आए, उसे और मजबूत कर दिया, लेकिन उसके बाद क्या हुआ? सज़ा का परसेंटेज और घट गया। दिल्ली में कन्विकशन 16.8 परसेंट हुई और होस्टाइल 67.5 परसेंट हुए। असम में कन्विकशन 24 परसेंट हुई और होस्टाइल 32 परसेंट हुए। महाराष्ट्र में कन्विकशन 19 परसेंट हुई और होस्टाइल 47 परसेंट हुए। आंध्र प्रदेश में कन्विकशन 11 परसेंट हुई और होस्टाइल 78 परसेंट हुए। कर्नाटक में कन्विकशन 4.5 परसेंट हुई और होस्टाइल 94 परसेंट हुए। क्या सॉल्युशन है कि हम फांसी का प्रावधान लेकर आ रहे हैं और इसलिए लोग रेप करना बंद कर देंगे? मुझे तो डर है कि फांसी की सज़ा 12 साल से नीचे लेकर आ रहे हैं, इसमें विक्टिम पर और प्रेशर बढ़ेगा।

एक तरफ कानून कहता है कि बच्ची का रेप हुआ, उसका टैस्ट हुआ, स्वीब हुआ, फोरेंसिक लैब से आया, रेप की पुष्टि हो गई, लेकिन उसके बावजूद बच्ची से पूछा जाता है। लॉ कहता है कि उसके साथ बैठें होंगे, ये होंगे, वे होंगे, लेकिन फैक्ट यह है और डाटा भी कहता है कि कोई भी नियम कानून नहीं माने जाते हैं, बच्ची से डायरेक्ट पूछा जाता है। उससे बहुत ही गंदे सवाल पूछे जाते हैं। फैक्ट है, डाटा कहता है कि बच्ची घबरा जाती है, डर जाती है, अपनी गवाही से मुकर जाती है। आप खुद सोचें कि 12 साल की बच्ची से आप पूछेंगे कि कैसे हुआ, क्या हुआ, क्यों हुआ, क्या तुम भी

इन्वाल्ड थी? क्या वह जवाब देगी? क्या हमने यह सिस्टम बनाया है कि उसकी सिक्योरिटी के लिए उसके साथ कौन रहेगा? अगर हम दिल से बच्चियों के साथ रेप को रोकना चाहते हैं, 12 साल से नीचे की बच्ची के रेप की पुष्टि होती है तो बच्ची को दोबारा गवाही के लिए इन्वाल्ड नहीं करना चाहिए। यह बहुत जरूरी काम है।

आप फ्रांसी के लिए कह रहे हैं, उसमें चार मेन प्वाइंट्स हैं, जो पहले भी कानून में थे, हमें उन पर ध्यान देना चाहिए, उनकी जिम्मेदारी तय करनी चाहिए। मैं फिर उसी प्वाइंट पर आऊंगी, 12 साल से नीचे बच्ची से रेप के लिए फ्रांसी की सजा है। निर्भया कांड के बाद क्या हुआ? ज्यादातर रेप केस में बच्ची को मार देने का प्रयास किया जाता है। अब इसमें क्या होगा?

(1710/MK/VR)

आपके रिलेटिव्स हैं। फैक्ट है बहुत कड़वा है कि बहुत बार ऐसा होगा। टाउन में नहीं गांव में होता है। जाति को बचाने के लिए लोग रेपिस्ट के साथ चले जाते हैं, तो जब इसमें फ्रांसी की सजा का आप प्रावधान करेंगे, तब बच्ची पर प्रेशर दिया जाएगा कि नहीं भड़या नहीं करना नहीं तो उसको फ्रांसी की सजा हो जाएगी। कोर्ट में जज को आपने कोई भी राइट नहीं दिया है कि वह उस सजा को कम कर सके या ज्यादा कर सके। बहुत चासेंज हैं, जैसा डाटा बताता है कि जज उसको पॉस्को में लेते ही नहीं हैं। जो चार प्वाइंट्स, जिसमें हम लोगों को गंभीरता से ध्यान देना चाहिए। एक विशेष न्यायालय और सरकारी वकीलों का जो अभाव है, उसकी कमी को हम कैसे पूरा करेंगे वह बहुत अहम है। हर स्टेट में एक फारेंसिक लैब होनी चाहिए। आप कृपया थाने में कीट न देकर फारेंसिक लैब का प्रावधान करें यह बहुत जरूरी है।

इसके अलावा प्रक्रियागत कमियां, जिसमें बच्चों को अक्सर आरोपी से आमना-सामना करा दिया जाता है। इस पर एक संशोधन लाया जाए कि बच्ची को किस तरह से रेपिस्ट है, उससे बचाया जाए। तफ्तीस में कमियां जिसके बारे में मैंने कहा कि तफ्तीस में कमियां ही नहीं हैं हमारा भ्रष्ट तंत्र अधिकतर में रेपिस्ट को बचाता है। उसकी एकाउंटेबिलिटी तय करने के लिए, उसके दंड के प्रावधान को भी आपको इसमें लेकर आना चाहिए। पीड़ितों की सुरक्षा का अभाव, हक सेंटर फॉर चाइल्ड राइट ने पॉस्को कानून के प्रावधानों के अनुसार जिन मामलों में बच्चों सपोर्ट पर्सन के रूप में सहायता दी है, उनमें से 26 परसेंट मामलों में बच्चों को इस हादसे के बाद अपनी पढ़ाई छोड़नी पड़ी है, 20 परसेंट बच्चों को इस घटना के बाद घर बदलना पड़ा है। बहुत सारे ऐसे बच्चे हैं, जो उसके बाद नार्मल नहीं हैं। इस सिचुएशन को हम कैसे हैंडल करेंगे इसका क्या प्रावधान किया है? पुलिस, डाक्टर्स और मेडिकल स्टॉफ की स्पेशल ट्रेनिंग होनी चाहिए। इसके साथ ही मैं एक सौल्यूशन देना चाह रही हूँ कि जो हम सिर्फ सजा को बढ़ाने का प्रावधान कर रहे हैं। एक ऐसा माहौल हमें बच्चों को देना चाहिए जो यौन अपराधों के बारे में ओपनली बात कर सकें। उन्हें सुनिश्चित करना होगा कि बच्चों के साथ दोस्ताना प्रक्रियाओं का पालन किया जाए। अदालतों में बच्चों के अनुकूल माहौल सुनिश्चित किया जाए। इससे भी महत्वपूर्ण बात यह है कि यौन उत्पीड़न की रोकथाम की कोशिशों को सख्ती से आगे बढ़ाना चाहिए और एक मॉडल विक्टिम एट विटनेस प्रोटेक्शन स्कीम उसके साथ आप जोड़ें। जो विटनेस प्रोटेक्शन है उसको आप किस प्रकार से देंगे?

(इति)

1714 hours

SHRI T.G. VENKATESH BABU (CHENNAI NORTH): Thank you, hon. Chairman, Sir. The Criminal Law (Amendment) Bill, 2018 when enacted will replace the Ordinance of April 21st, 2018. This Bill amends the Indian Penal Code, Indian Evidence Act, 1872, the Code of Criminal Procedure, 1974 and the Protection of Children from Sexual Offences Act of 2012 to facilitate the enhancement of punishment as a deterrent.

The speedy trial, compulsory registration of FIRs, failure of which will lead to punishment of respective officials, facilitating better record of evidence, protecting dignity of rape survivors, remunerative compensating of victims, refusal of Anticipatory Bail to the offenders, broadening the ambit and refusing to accept contrary evidences against the victim like tacit consent putting the blame on the victim, past conduct of promiscuous character, etc. etc. – these are all most welcome aspects of the Bill, which reflects the care and widespread opinion and research carried out by the Home Ministry which happens to be the author of this Bill.

(1715/SAN/RPS)

The death sentence that may be awarded in this Bill as a deterrent punishment to the most heinous crime, like rape of girl children below the age of 12, may be an eye-sore of the human right activists, who argue for the total repudiation of death as a punishment even for the rarest of rare cases, but this Bill silences them too as the crime is unpardonable and degrades the value system of a civilised society. The perpetrators of this crime do not deserve any sympathy, human rights and the protection available on the principles of natural justice and equality. Maybe, this is the only case where capital punishment can be imposed, and whether it acts as a deterrent or not is to be reviewed after the implementation of this proposed Act, over a period of time.

The increased rate of rape offences, with the attendant brutality and violence, has shaken the conscience of the entire nation. The *Nirbhaya* case was the last straw on the camel's back leading to unforeseen amendments to all the criminal Acts in 2013. Even that Act has proved to be insufficient, given the rate of increase in rape cases. In our country, one girl or woman is raped in every 29 minutes.

According to the National Crime Records Bureau, there is an increase of 87.3 per cent in rapes. Its report states that in 1997, the total rapes were 2,487 only, the number which increased to 24,206 in 2011. Maybe, social awareness has reduced the number of unreported cases which were rampant due to social stigma and long, tedious process of seeking justice. Social stigma still haunts the rape victims, to which this Bill has not provided any tangible remedy. Totally camouflaging of the rape victims from any exposure and the *in camera* trials are to be provided in this Bill. The castration of the repeat rape offenders or even the first-time offenders may also be looked into this Bill as a corrective measure and end-cure. It is the duty of any Government to protect our girls and women at any cost. This is an area where the right of our girls and women is to be held high, more than anything else.

This Bill has rightly over-looked temporarily the marital rapes, voyeurism and harassment at workplaces from the ambit of this Bill, which requires deep study and probing.

Sir, the problem will arise when it comes to the total implementation of this Bill after it is passed as an Act. In a male dominated, chauvinist society, the implementation will always act at

a cross-purpose. The whole official machinery has to be geared up to raise up to face this daunting challenge. Actions contrary to this Act have to be dealt with severely, of course, with a deterrent effect. This Bill should provide for this.

This Bill should also provide for sex education to weed out the taboos existing in the male-female relationship, which is a major contributor to the crime of rape.

Rape is also used as a weapon of supremacy, the supremacy of males over females, the supremacy of a caste against another etc. Setting out egalitarianism will be a potent weapon to end rape crimes.

Finally, equity should be the guiding principle when it comes to genders. Religions, caste divides, creed, race and genders will have no place in enforcing this Bill. This Bill has to necessarily incorporate all this.

The immediate passage of the Women's Reservation Bill, long-pending in the Upper House ... (*Not recorded*) is the first right step to end up discrimination against women. Our great leader Amma had contributed immensely in this regard of empowering women.

(1720/AK/ASA)

Apart from providing 50 per cent of seats to women in local bodies, she also setup Self-Help Groups; all-women Police Stations; Women Commando Force; and rendered all feasible help including financial assistance for the girls to come up in education and job. These are all set examples for others to follow.

As a result, most of our cities, towns and even villages are accepted to be safe places for girls and women. Prevention is always better than cure. So, this Bill has to be reformulated to include all these three aspects. Thank you, Sir.

(ends)

1721 बजे

श्री प्रहलाद सिंह पटेल (दमोह) : माननीय सभापति जी, मुझे लगता है, जैसे मैं मध्य प्रदेश से आता हूं, अगर कानून हो, राजनैतिक इच्छा-शक्ति हो तो क्या नहीं हो सकता है? दिल्ली में भी एक केस हुआ था। उसमें 48 दिन में फांसी हुई थी। इंदौर की घटना में 23 दिन में फांसी हुई। अभी ग्वालियर की घटना में 19 दिन में फांसी हुई। लास्ट अभी कटनी की घटना में 5 दिन में फांसी हो सकती है तो मुझे लगता है कि कानून है और राजनैतिक इच्छा-शक्ति है तो हम बाकी चीजों से भी पार पा सकते हैं। धन्यवाद।

(इति)

1721 hours

PROF. SAUGATA ROY (DUM DUM): Sir, firstly, one clarification from my end. I had given a Statutory Resolution against the Ordinance, but that was only because the Government was taking the Ordinance route, which is anti-democratic. I have nothing against the Bill, which strives to make the punishment for rapes of minor girls more stringent.

Let me say that I speak with a lot of anguish when I speak on this Bill. I feel that as a political class we have failed our women, sisters and mothers. We wait for an incident to happen, which shakes the conscience of the nation and then we bring a legislation. Legislation should precede social change and not follow it. We had to wait for *Nirbhaya* to be murdered to bring the Criminal Law (Amendment) Act in 2013; we had to wait for the Kathua girl to be raped and murdered before the Government suddenly had a knee-jerk reaction and came out with an Ordinance; and we had to wait for lynching all over the country before the Home Minister announced a Committee to be setup. This is not the job of Parliament. Parliament should always foresee as to what is necessary in society and bring legislation before incidents happen.

Having said this, what happens when the Government brings legislation in a jiffy / hurry is apparent from the Bill. I do not know if the hon. Minister and my young friend, Mr. Rijiju, has read the Bill well. Let me mention where you are saying that : "... when a women under 16 years of age is raped ...". Is a girl under 16 years of age a woman or should she be called a girl? Do not your Departmental officers know any English? Further, it is mentioned that : "... when a woman under 12 years of age ...". Is a girl child under 12 years of age a woman or a girl? Can you not correct these things? Are there no officers to look into these things? But what is worse is where you have talked about gang-rape, which states that : "... when a woman under 12 years of age is raped by one or more persons ...". It means either one or more than one person. Now, when one man rapes it is not a gang-rape. So, it should have been mentioned as 'two or more persons' whereas here it has been written as 'one or more persons'.

What sort of legal knowledge do these people have? Mr. Rijiju, you should look into the legislation before you bring them before the House.

श्री निशिकान्त दुबे (गोड्डा) : आई.पी.सी. में गर्ल और वूमैन में कोई फर्क नहीं है।
...(व्यवधान)

प्रो. सौगत राय (दमदम) : नहीं, आप इसको ठीक करिये।

माननीय सभापति (श्री कलराज मिश्र) : आप बोलिए।

PROF. SAUGATA ROY (DUM DUM): A 12-year-old girl child should not be called a woman.

Then, you have talked about fine, which states that : "... provided that such fine shall be just and reasonable to meet the medical expenses and rehabilitation of victims.". Now, this is ambiguous. In the Motor Vehicles Act, it is mentioned that the fine will be such and such to compensate, but you do not specify any amount. So, you leave it to the Judge to decide as to what is reasonable.

(1725/SPR/RAJ)

Why haven't you prescribed minimum fine for every offence? Then, the law would have been right. I have asked the Table of the House officials whether the Government have brought any amendment. You haven't brought any amendment to correct patent and blatant mistakes. I think, you should acknowledge your mistakes.

Before this Bill came, I was approached by several lawyers of the Supreme Court. They came and told me that they are against death penalty, and they do not think that death penalty is not a

deterrent to rape. I thought for one day, whether what they were saying is right, whether we are proving ourselves to be blood thirsty, thirsty by asking for death penalty for rapists. Then, my conscience told me, no. Those who rape children of 16 or 12 years, do not deserve any mercy. Let them die, if it is proved. That is why, I support this bill. This is not being blood thirsty. This is being just. What is just?

Think of the Kathua girl raped by several person inside a temple, as it was mentioned, and then, killed. Do these people demand any mercy or sympathy in the name of law? I do not think so. Think of Baba Ram Rahim, Asaram Bapu, and all these godmen turning into rapists. Think what they are doing. They deserve the maximum punishment. Think of the incidents that have taken place in Mandasaur in Madhya Pradesh.

I would tell you what the situation in Madhya Pradesh is. ...

(Interruptions)

माननीय सभापति (श्री कलराज मिश्र): आपके एक वक्ता और हैं, इसलिए आप समय का ध्यान रखें।

प्रो. सौगत राय (दमदम): पंडित जी, आप थोड़ा प्रोटेक्शन नहीं देंगे तो हम कहाँ जाएंगे।

माननीय सभापति: चूंकि, समय सुनिश्चित है।

प्रो. सौगत राय (दमदम): मैं समय पर नजर रख कर बोलूंगा।

माननीय सभापति: आप बहुत अच्छा बोल रहे हैं।

PROF. SAUGATA ROY (DUM DUM): What I also wanted to tell you is that all this is bringing bad name to our country. India is world's most dangerous country followed by Afghanistan and Syria for women due to high risk of sexual violence, according to a poll of global experts released on 26th June. हमारी यह बदनामी हो रही है।

I would also like to inform you that 43 per cent of rape victims in India are minors. Out of every 20 rape victims in India, one is a child under 12 years. The NCRB Report also says that out of them, 12 to 16 years old victim is 37.8 per cent. So, 37.8 per cent plus five per cent – 42 per cent of those raped are under 18 years. This is a dangerous propensity, if I may tell you.

What are the details about number of rapes? Our friend, Prahlad ji mentioned that Madhya Pradesh was very good. The total number of POCSO cases pending in courts is the highest in Maharashtra, followed by Uttar Pradesh, followed by Madhya Pradesh. ... (*Interruptions*)

श्री प्रहलाद सिंह पटेल (दमोह): हमारे यहां एफआईआर नहीं होता है।

माननीय सभापति: प्रहलाद जी बोल चुके हैं। कृपया आप इधर संबोधित कीजिए।

प्रो. सौगत राय (दमदम): मैं आपसे ही कह रहा हूँ।

PROF. SAUGATA ROY (DUM DUM): If you really look at rape numbers - I would like to mention here the Rape Victims by State 2,000 plus – Madhya Pradesh is 4,908; Uttar Pradesh is 4,817; Maharashtra is 4,216; Rajasthan is 2,657, and Delhi is 2,170.

(1730/UB/IND)

So, who is the highest? Maharashtra is first with 348, Uttar Pradesh is second.... (*Interruptions*)

माननीय सभापति (श्री कलराज मिश्र): आप अपनी बात समाप्त कीजिए।

...(व्यवधान)

प्रो. सौगत राय (दमदम): यह राजनीति नहीं है, ये आंकड़े हैं। ये एनसीआरबी के आंकड़े हैं। ...(व्यवधान)

(इति)

माननीय सभापति: आप बैठ जाएं। श्री पिनाकी मिश्रा।

...(व्यवधान)

माननीय सभापति: आप बैठ जाएं। मैंने अन्य माननीय सदस्य का नाम बोल दिया है।

...(व्यवधान)

माननीय सभापति: आप बैठ जाएं, आपकी बात रिकार्ड में नहीं जा रही है।

... (Not recorded)... (व्यवधान)

1730 hours

SHRI PINAKI MISRA (PURI): Thank you, hon. Chairperson, for giving me and my Party, the Biju Janata Dal, an opportunity to participate in this very important piece of legislation that this House has brought to pass.... (*Interruptions*)

माननीय सभापति: आपके पास बोलने के लिए चार मिनट का समय है।

SHRI PINAKI MISRA (PURI): This House passed the Protection of Children from Sexual Offences Act, 2012 and Criminal Law (Amendment) Act, 2013 also to allow the death penalty only in rape cases wherein the accompanying brutality leads to death or leaves the victim in a persistent vegetative state. Our Party supported the Government in both these pieces of legislation.

Today, our Party continues to support the Government in its efforts to enhance the stringent provisions with regard to the punishment for rape. However, our Party has serious concerns that the Government chooses to bring in this kind of legislation to the House without going through what is virtually regarded as a mandatory requirement of having the Standing Committee look into some of these provisions. The Government is passing such seminal piece of legislation without the Standing Committee or a Select

Committee having the opportunity to talk to experts. There are hundreds of very, very sound experts in this field in this country who can give valuable inputs to the Government.

1732 hours (Hon. Deputy-Speaker *in the Chair*)

My speech today will concentrate on three aspects. One is about the structural problems today as a result of which POCSO seems to have failed. As the statistics tell us about child rape cases under Section 4 and 6 of POCSO, 9,533 cases were pending for trial from the previous year. The trial has been completed in 7 per cent of the cases in 912 cases. So, considering this 7 per cent, even if it is completion of trial, forget about conviction in POCSO cases, POCSO, therefore, has not succeeded.

Therefore, today, there is a problem with the manner in which we are implementing our laws. There is no lack of laws. The manner of implementation of laws is the fundamental problem.

Secondly, as far as this particular piece of legislation is concerned, I agree with the hon. Member from TMC Party that there is some semantical/syntax problem which should be cured in terms of rape by one or more. It cannot be 'by one or more', it must be 'by two or more'. These semantical problems in any case should be

looked at. But apart from that, very importantly, the definition of rape continues to be not gender neutral. Why are boys being kept out of the loop of this kind of child abuse? Boys are equally abused. Therefore, in POCSO, this House advisedly brought in boys as well within the ambit of abuse law' while the general IPC law continues to exclude boys today which is most unfair. So, the difference between the punishment for girl children being ravished and little boys being ravished is continuing to widen which is not a good thing for society. (1735/KMR/VB)

I believe that if this went to a Standing Committee or a Select Committee, they would be able to advise the Government that you must make this law gender neutral.

I am not an abolitionist, personally. I believe that presence of the death sentence on the statute book is necessary in our country. The difficulty is that the Supreme Court now has narrowed the ambit of death sentence to such a narrow compass that, forget rarest of rare, it has become the rarest of rarest of rarest of rare cases. After the sessions court has granted death sentence, by the time it goes to the Supreme Court and by the time the Presidential Reference, I believe about 0.7 per cent apparently is the rate at which people are

hung. Prahlad-ji has said that within five days death sentence was granted. I ask, when will he eventually be hung? The hon. BJP Member Kirron-ji said, and she is right, that it is a shame that people who were so savage in the Nirbhaya case still continue to happily languish in jail. There is no sign of when they are going to be hanged, despite the review petition being dismissed. Now it will go up to the Hon. President and they will come back again by way of a recusal petition. All kinds of stratagems will be employed. Therefore, the implementation of this law clearly leaves much to be desired.

Apart from that, I completely support the Government when it enhances the punishment to 20 years. But if you bring in death sentence here, the difficulty here will be: (1) it will be impossible to implement, and more importantly (2) the statistics in our country show that in 85 per cent of death sentence cases the people who get death are the poorest of the poor. In the last 35 to 45 years that I have been practising law in the country have I ever seen a rich man go to the gallows. I have never seen that. It is the poorest of the poor who have always ultimately hung. Because they have no access to good legal services, they have no access to good jurisprudence, they have no access to any kind of societal help or family help, they are

the ones who get the worst end of this. Death sentence in our country unfortunately is geared towards actually affecting the poorest of the poor.

The POCSO actually gave a very significant protection to children that they could not be cross-examined in court. But if you have death sentence on the statute, it is impossible under the IPC that the children will not be cross-examined because that is a fundamental right of the citizens. Therefore, you will then bring in a whole new area of law. Once they are open to cross-examination in a court of law, that will completely dilute the protection that we gave them under POCSO.

You have seen that almost 75 to 80 per cent of the child rape cases or molestation cases happen within family, within close circles. Once there is death sentence on the statute, the pressure on children to then resile from taking somebody who is a family member or a close associate to the gallows is going to be huge. So, there will be many more cases than today of children resiling from their original position.

Therefore, I would say that these are significant issues which must go to a Standing Committee or a Select Committee. Apart from

that, I agree with the hon. Congress Member and with my other colleagues who have said that on the implementation aspect you need more special courts, you need more public prosecutors, you need more forensic laboratories, you need a vast amount of infrastructure in this country in order to more effectively implement the entire procedure of trial and conviction.

Therefore, I would urge the House and I would urge the Government - I would not call it lazy governance but I would say that I understand that the Government must always be sensitive to an outrageous incident as what happened recently because of which this Ordinance was brought about - to give it much greater consideration before you bring in something like death penalty because that is a very important provision which ultimately may have far-reaching consequences.

With these words, I give my party's support but I would urge the Government to once again consider some of the seminal and vital aspects of this law. Thank you very much.

(ends)

(1740/PC/GM)

1740 बजे

श्री श्रीरंग आप्पा बारणे (मावल) : माननीय उपाध्यक्ष महोदय, मैं दाण्डिक विधि (संशोधन) विधेयक, 2018 का अपनी पार्टी की तरफ से सपोर्ट करता हूँ।

माननीय उपाध्यक्ष जी, आज देश भर में दिनों-दिन क्राइम बढ़ता जा रहा है। गुनहगारों को कानून का डर नहीं रहा है। रोज अखबार खोलने पर पहले पन्ने पर बलात्कार, चोरी, डकैती, छेड़छाड़ जैसी खबरें रहती हैं। सोशल मीडिया में ऐसी खबरों को ऐसे पेश किया जाता है, जिसके कारण जिनके साथ यह घटना घटी होती है या जिन्हें इस प्रकार की घटना का सामना करना पड़ता है, उन पीड़ितों और उन के परिवारों पर इन घटनाओं का बुरी तरह असर होता है। बार-बार इन खबरों को दिखाने से बुरी तरह उन परिवारों की बदनामी होती है। उन्हें बहुत सारा अपमान झेलना पड़ता है।

महोदय, गुनहगारों को पुलिस और कानून का कोई डर नहीं है, इसलिए क्राइम बढ़ता जा रहा है। एक बात यह भी है कि कई गुनहगारों को राजनीतिक सपोर्ट मिलने के कारण गुनाह करने वालों का मनोबल बढ़ता जा रहा है। कई राजनीतिक पार्टियां ऐसे गुनाह करने वालों को बड़ी इज्जत से सपोर्ट करती हैं। मैं सदन के माध्यम से सभी पार्टियों से एक बात कहना चाहता हूँ कि गुनहगार किसी मज़हब, किसी धर्म का नहीं होता है। गुनहगार आखिर गुनहगार होता है। आज यह जो बिल पेश हुआ है, इसमें भारतीय दंड संहिता, आई.पी.सी. 1860 में संशोधन कर के अपराधियों के लिए कड़ी

सजा का प्रावधान किया गया है। गुनहगारों को इस क्रिमिनल लॉ के तहत ज्यादा से ज्यादा सजा का प्रावधान किया गया है।

महोदय, जब निर्भया और महाराष्ट्र में कोपर्डी जैसी घटनाएं हुईं, तब सभी जाति, धर्म और पार्टी के लोगों ने सामने आकर इसका विरोध किया था। लेकिन एक बात हमारे ध्यान में रहनी चाहिए कि अपराध करने वाले अपराधी, कोर्ट्स में कई वर्षों तक फैसला न होने के कारण, जेल में अपने दिन काटते हैं और उस अपराध की जितनी तीव्रता होती है, वह तीव्रता कम हो जाती है। खून, बलात्कार जैसे केसों के लिए फास्ट ट्रैक कोर्ट्स होनी चाहिए। अपराधियों को जल्दी से जल्दी कम समय में सजा मिलनी चाहिए।

महोदय, आज देश भर में न्याय व्यवस्था की क्या हालत है? देश में लाखों की संख्या में केसिज़ पेंडिंग हैं। कई जगहों में कोर्ट्स में स्टाफ की भारी कमी है। इसके साथ ही साथ देश में न्यायधीशों की भी कमी है। कई जगहों पर न्याय व्यवस्था में इमारतों एवं अन्य सुविधाओं की भी कमी होती है। मैं इस बिल के द्वारा सरकार का ध्यान इस ओर भी आकर्षित करता हूँ कि हम लोग केवल सदन में यह बात उठाते आ रहे हैं कि समय पर न्याय मिलना चाहिए, लेकिन न्याय व्यवस्था के इन पन्नों पर, इन बातों पर भी ध्यान देने की आवश्यकता है। कानून बनाने से अपराधी को सजा मिल जाएगी, लेकिन जिन महिलाओं और नाबालिगों को दुर्भाग्य से ऐसी घटनाओं का सामना करना पड़ता है, उनको भी कानूनी सहायता मिलनी चाहिए।

मीडिया से भी मेरी यह विनती है कि ऐसी घटनाओं को बार-बार ब्रेकिंग न्यूज़

बनाकर दिखाने से पीड़ितों और उनके परिवार वालों को जो बेइज्जती झेलनी पड़ती है, उसके ऊपर भी ध्यान देने की आवश्यकता है। मैं सरकार के इस बिल का समर्थन करता हूँ और आशा करता हूँ कि देश भर में ऐसी घटनाएं न होने के लिए सरकार सख्त कदम उठाएगी। कोई राजनीतिक दल, समाज और कोई राजनेता इस पर राजनीति न करे। गुनहगार आखिर गुनहगार होता है। वह किसी जाति, मजहब का नहीं होता है। इसी के साथ मैं अपना भाषण खत्म करता हूँ और इस बिल का समर्थन करता हूँ।

(इति)

माननीय उपाध्यक्ष: डॉ. रविन्द्र बाबू ।

(1745/RSG/MM)

1745 hours

DR. RAVINDRA BABU (AMALAPURAM): Thank you for giving me this opportunity.

This is such a Bill that there cannot be any difference of opinion about this Bill and the intention of the Government. I do not know but somehow nature has discriminated the females from womb to tomb. From the time they are conceived in the uterus, female infanticide starts; by the time they get menarche, that is, the age of puberty they get the monthlies and other things; pregnancy, delivery, lactation, and all these problems are there for them. In addition to that, there are the brutalities and attacks. This is not a crime; these are acts done by the psychotics and maniacs. We should better give them medieval punishments.

Though we do not agree when something happens in Afghanistan or some Gulf country like whipping, maiming, stoning, or even putting them to death, rape is such a brutal violence against people belonging to a weak sex who cannot defend themselves. A gang-rape is something we cannot even imagine, leave alone seeing at the site!

There is a provision relating to 12-year old girls. Of course, my friend mentioned that since they belong to the same sex, they should have used the word, 'female' instead of using different words like, 'women', 'ladies', or 'girls'. It would have been better if they had used the word 'female'. When she undergoes a rape, she does not even know about it. She would be thinking that it is only a violation. In such a case, when the victim is taken to the hospital, the doctors examine her. They will have to necessarily wait for the gynaecologist, necessarily take the swab, and necessarily send it to the pharmaceutical laboratory. After that, the girl is taken to the police station where they ask such nasty and rubbish questions. We cannot even hear those questions, leave alone facing them! In India, the jurisprudence and judicial system is such that it is heavily against the females.

The nature of the society and religion is such that we have religion wherein we worship gods like Lakshmi, Saraswati and Durga. We also have a festival called Rakshabandhan wherein we give an assurance to the sisters but we perpetrate this type of crimes against females. I do not know where the problem is and what the fault is. The poor people, especially the girls in the villages do not

even know what sex is. They still undergo this type of atrocities, including mutilation of the body. They get horrified. This experience is enough for them to get horrified for the rest of their lives, to lead a life of a psychotic, a life filled with hallucinations, delusions and illusions. They will be condemned for ever once they experience rape. They will never remain human beings. They will be condemned to suffer from this trauma. Therefore, the system should be such that when the victim gives a statement to the parents that she has undergone this type of an experience, instead of putting her to all this rubbish, it should be condemned, she should be immediately removed from the place of the crime and offence, she should be taken out of the district to another place where she should be rehabilitated comfortably by giving psychological counselling, medical treatment; that child should be taken care of in the future also by giving free education and suitable employment so that she will get some assurance from the society and the Government.

Of course, rapists are being dealt with in the Act suitably. ...
(*Interruptions*) We support that. It should have been a death sentence. ... (*Interruptions*) I will conclude shortly. The Nirbhaya case has taken four years and the perpetrators are still to be hanged.

So, we have to introduce some type of punishment which could be medieval. I request my BJP friends also to consider and accept some type of harsh punishment to the rapists to be meted out in the public; not in jails or courts. This way, the future generations of boys and the male-dominated society who prefer sons would be taught a lesson once for all. There should be severe punishment in the public.

With these observations, I support this Bill.

(ends)

(1750/RK/SJN)

1750 hours

SHRI KONDA VISHWESHWAR REDDY (CHEVELLA): Thank you, Sir. Sir, NCRB data shows more than 1,06,000 cases against children in 2016 and they happened in cities and rural areas. They are happening all over the country. The recent incident is that of Kathua rape. Five years after the brutal gang rape of Nirbhaya in Delhi, the incident still continues.

The Bill proposes amendment to the IPC. We do have POCSO but I think this is very-very necessary. Almost all of us here agree giving up to death sentence because we represent the people of the country and the people of the country have reached the limit of sense and sensibilities. These animals have crossed the limits of sense and sensibilities and that is why this harsh punishment.

The Kathua rape, Asifa Bano case in Rasana village of Jammu and Kashmir has left us totally speechless. We were ashamed of ourselves.

श्री निशिकान्त दुबे (गोड्डा): यह नाम रिकार्ड में नहीं जाना चाहिए।

SHRI KONDA VISHWESHWAR REDDY (CHEVELLA): It is a fact, Sir. It left us speechless. It questions our very conscience. Are we

human beings at all in the first place? Not only that, as if this is not sufficient. We are not only ashamed of ourselves, but the foreign Media is rubbing salt into our unbearable shame that we have brought upon ourselves. Sir, some of the rape cases in J&K make bigger headlines in the New York Times, in USA than take the case of Christopher Paul Conway who raped his own twin child who was nine months old. It was gruesome. It was probably even more gruesome than what we have seen in Kathua case. But that appears in two-inch column whereas Kathua rape case comes in a whole half page in the New York Times.

If a crime is committed, is the criminal solely responsible or is the society partly responsible? Definitely, Sir, society is. But I think the foreign Media is making the entire country responsible. Should we hang the criminal or should we hang the whole society? I think we should hang the criminal and that is the mood of the nation today after seeing these gruesome acts here.

I am the co-Convenor of the Parliamentarians' Group for Children. We discuss children issues like sanitation, education and safety. We were invited to Bangladesh along with 17 other countries' MPs in May this year. We were proudly saying about our country's

achievement and what we still need to achieve. One of the Members from Bangladesh raised this issue of the Kathua rape. We were definitely ashamed of it. But all I could muster to say was, 'Yes, we are ashamed, but we will bring a law that will make much more stringent punishment and hopefully prevent such cases'. Sir, today I am proud to stand in the Parliament when an Ordinance is being converted to a Bill. We definitely support it on behalf of the TRS Party.

The UN data says that 27.3 rape cases per lakh are reported in United States; in Brussels there are 21 cases per lakh and in India the figure seems very low, 1.8 rape cases per lakh. So, in USA and Brussels the extent of rape cases is almost 15-20 times higher than in India. Nevertheless, we are projected in the foreign Media. So, it is very good that we are showing the world that the Parliament is here to take action against this.

This also reflects certain under-reporting because I do not think we are solos. There are marital cases and also many unreported cases. In some cases, the police is very efficient and in others it is not.

(1755/PS/BKS)

I think we need to take that into cognizance.

Sir, the Justice Verma Committee in the year 2013 said that the crime has to be proportionate. Who decides that? What is the proportionate crime? Definitely, it is the people who decides? These animals have crossed the limits of the sense and sensibilities. That is why, death being the highest of the punishment, it is being introduced in this Bill.

Sir, besides under-reporting, as has been pointed out by hon. Members, the pendency of cases is another big issue. The fast-track courts which were in the Ordinance, are now removed in this. But, you have put a two-month limit. I think some eminent lawyers have raised this point. I am really confused. Which is better? Is it the fast-track court better or the two-month limit? The definition of two-months is also not very clear, as has been mentioned by Venugopal Ji.

The conviction rates are very low. But, the most important thing is that it is not gender neutral. We have seen in the newspaper that boys being victims of such animals.

I am not a lawyer. But, one eminent Jurist once told me that law is not about what is moral or what is immoral. It is not about what is good or bad, but, what the people think is good or bad. In our democracy, it is what we the MPs think, the people think, is good or bad. What the people think is proportionate or not? This, I think, all the people think it is proportionate. The punishment is proportionate. We should do it by all means.

On behalf of the TRS Party and Members of my Parliamentary Constituency, I support this Bill.

(ends)

**(FOR REST OF THE PROCEEDINGS,
PLEASE SEE THE SUPPLEMENT)**

1757 hours

*DR. A. SAMPATH (ATTINGAL): Thank you, Deputy Speaker, Sir. I hope you will allow me to speak in my mother tongue, Malayalam.

Sir, personally I am against Capital Punishment. As a lawyer and a public servant, I oppose Capital Punishment. But I am compelled to support this bill, I cannot question the good intention behind this bill. I believe that such a bill, is now introduced in this House, because the conscience of the country demands this. But a relevant question remains rape is defined by Section 376 of the Indian Penal Code. Because we award Capital Punishment for rape can we assured that the women and girl children of this country will be safe? We say, women are mothers. They are worthy of worship like Gods. Women have to be given preference, in all walks of life. I believe that all members in this House, will also be parents. Most of the member here, are guardians of girl children. Is the girl child safe? Are the sisters and mothers safe? Where can we trace the origin of this dastardly act, called rape. Even before she learns to walk, while she is still in the cradle, a girl child is vulnerable. Often, she is sexually abused in her own house. In the school and college where

* Original in Malayalam

she goes to study, in public places and places of work, in society as a whole, she can be targeted for sexual abuse. There is invasion on her privacy. In English we say peeping tops, who infringe on her privacy. Where a girl goes, what she does, what does she wears, where she travels, when she leaves her house, what food she eats, all this is monitored by those who do moral policing.

Most unfortunate events have happened even in the capital. We all wept, many of us cried, when the Nirbhaya case happened. Some had the gumption to ask why did Nirbhaya travel at that hour? Why she travelled with her boyfriend. Why she got into that bus. Our society is a patriarchal society. All men in this country, are deep within their mind Male Chauvinists. Sir I hope you are not going to press the button. Sir, matters that have come in social media. I can speak about what happened in Kerala recently.

(1800/RC/GG)

HON. DEPUTY SPEAKER: Now, it is 6 o'clock. If the House agrees, we may extend the time of the House by one hour to see that this Bill is passed.

THE MINISTER OF CHEMICALS AND FERTILIZERS AND
MINISTER OF PARLIAMENTARY AFFAIRS (SHRI
ANANTHKUMAR): We can take it for consideration and passing.

PROF. SAUGATA ROY (DUM DUM): Do you want to pass the Bill
today?

SEVERAL HON. MEMBERS: Yes.

HON. DEPUTY SPEAKER: Mr. Sampath, you come to the point. It
is because what the people are thinking about the girl is different.
We are discussing what happened to girl. That is more serious. We
may think differently. It is a different issue. We cannot say as to why
Nirbhaya travelled at that time. She has every right to go anywhere.
We are concerned about what happened to her. We are concerned
about how horribly she was killed. We have to analyse that.

DR. A. SAMPATH (ATTINGAL): Sir, in my own state Kerala, an
unfortunate incident happened. A poor girl child, in order to pursue
her studies and support her family, she wanted to earn money. She
went to sell fish, for which she got hate mail through the social media.
Is this the uniform of a fish seller? Is this the way, a starving girl
should smile and laugh? Whether it is the public places, or the social

media, this is the attitude of our society. I just want to point out this attitude.

Sir, if girls below twelve years are subject rape the maximum punishment can be death sentence if girls below sixteen are targeted for rape the punishment is raised from up to ten years of imprisonment to twenty years. Sir, you too would agree that this is an important legislation. This is an amendment to the criminal law that is existing in this country. Such an important amendment should have been referred to the parliamentary standing committee.

May be, the minister would say that this is a mere amendment, often very important bills have been inserted in the finance bill and they have been passed without due discussion. When it happens, it is a violation of the sovereign status of the Lok Sabha. So, this amendment bill, should have been subjected to the perusal and the taking oral of evidence done by the standing committee. It needed much more discussion and scrutiny by the standing committee.

Sir, when rape occurs, often it is not reported. Due to fear of dishonor people don't report. We lawyers say, "the inviolability of the human body. Without my consent another person cannot touch my body. secondly, evidence is tampered with. Thirdly, charge sheet is

not filed in time. It was this very august House that brought in the legislation to set up family courts, sir two minutes more. It is mentioned in the legislation that family courts should not function within the premises of the criminal courts. Today, in our country, family courts are functioning within the premises and buildings of the criminal courts. Over 1 lakh POSCO cases are pending in this country. Places where the POSCO case victims are rehabilitated, often do not even have access to ambulance services.

So, instances of rape should not happen. Because rape cases are not reported in some states it does not mean that such instances do not happen there. We have to consider, the percentage of rape, per one lakh of population to get a true picture. By that yardstick Sikkim is shocking. Madhya Pradesh, Maharashtra, Uttar Pradesh, they may have highest number of rape occurrences. The mute question is can we have a faultless and effective police system. Secondly, before the arrogance to power and money will the police force remain impartial? Can we recruit enough police personnel? Can we insure that the investigation is conducted impartially and also ensure that witness do no turn hostile? Can we ensure material evidences are not destroyed and they are produced before the court

without failure? Can we assure that the trial is completed within a stipulated time? Fourthly, can we ensure that the victim is not mentally tortured time and again. Lastly, can we ensure that just because a girl has been violated, she is not considered, a sinner, but is accepted by the mainstream society. These aspects are not sufficiently covered in the bill. This is a complex issue. But we are trying to handle it, in a simple straight forward way. Sir I would like to point out these matters to the Government, through you, Sir. *It is a very complex situation, it raises complicated questions. And if you are going to handle it, by simple methods, I would say that our endeavors may not be fruitful. So, it needs more collection of evidences, debates discussions, deliberation and consultation with other experts also.*

Sir, through you, I would like to bring these matters to the notice of the Government. It is a very complex and a complicated question. If the Government proposes to handle this through simple methods, then I may say that it will not bear fruit. So, it needs more collection of evidences, data, discussion, deliberation and consultations with other experts. Thank you.

(ends)

(1805/SNB/CS)

1808 hours

SHRIMATI SUPRIYA SULE (BARAMATI): Sir, thank you for giving me this opportunity. I, on behalf of my party, stand to speak on this very important and critical Bill. I stand here in support of the Bill.

I would first like to say that this is not just a legislation, this is a social trauma and stigma as a society that we live in and exist. I always believe that I represent the 21st century of India where gender was equal. I was born in Mumbai and was the only child of my parents. The society that I grew in was very gender equal and fair and just. But it is unfortunate that at this stage of our lives when we are talking about digitalisation and a modern world that we are looking at which is looking much smaller, are we really becoming a regressive society that rape and crime against women has gone up?

Sir, I appreciate and respect what the Government has brought forward as a legislation but this takes me back to the Kopardi incident in Maharashtra which happened where a young girl was raped and brutally killed. Now, what has happened because of this case is not

just an isolated incident. The entire society got shaken. If you go to Kopardi today, girls are scared of going to school. Come evening and if they miss a bus, they do not want to go back to school the next day. So, I think, we have to look at the entire holistic picture as a country. I do not think this is about data. I was embarrassed by the fact that so many times the State of Maharashtra was mentioned by saying that the data is so high in the State of Maharashtra. I believe that if there is one rape victim, then it is shameful for all of us as a society. Why are we going all the way up to rape? What about basic eve teasing? Girls drop out of schools and colleges several times because of eve teasing. रेप/बलात्कार तो बहुत गंभीर चीज है, लेकिन लड़कियों से छेड़छाड़ रोकने के लिए हमारा समाज क्या कर रहा है?

(1810/RU/RV)

I do not remember being eve-teased in Mumbai when we went to college. But today if you go to rural India across anywhere, eve-teasing has become a huge nuisance and girls are dropping out of school and college.

The other thing which as a society and which even earlier Members spoke is about the identity of the victim. The first thing is, media reaches there. Even people like us reach their homes. We

are going to only show solidarity but really the identity of any person who goes through this kind of a torture has to be kept secret. We passed a law after Nirbhaya but it is not followed. Everybody knows the identity of that young lady or the young boy whoever goes through this. In a gender-neutral society, to leave boys out of this is, I think, completely a huge lacuna of the Bill. I would urge the hon. Minister to add 'girls and boys' because every child in India deserves protection.

People have talked about police sensitivity and awareness. Even about the Bill regarding trafficking, the entire implementation of this Bill is going to be done by the States. It is a very good and a strong Bill here unless the States are completely sensitised. We did a very good programme when Shri R.R. Patil was the Home Minister then. He has unfortunately died now. That programme is called the *Tanta Mukti* Programme where every village had a council. There were about ten to fifteen representatives who would try and salvage all the fights and the arguments in the village. So, why do not you start a Villagers Committee where vigilance is done even by people? Only police intervention is not going to help. We, as a society, have to step up to make a difference. You could even take steps to get a

vigilance group in every village like we have *Tanta Mukti* in Maharashtra. Why do not you bring in vigilance groups as an authority which make the elders of the village head it and see which girl is coming and which boy is behaving badly? It just becomes as elders of the family. They are not interfering in anybody's life but they are a silent vigilance team. If you could give them some kind of an authority, it will help us. I am not saying that you should give them the power of making a decision but you should give them the power to protect our daughters. That would make a huge difference.

We have a concept of Vishakha Committees in Maharashtra in every organisation. Even if it is a ten-people office, Vishakha Committees are formed. But are they really implemented? They are not. Even when you are eve-teased or somebody says something which a woman feels as not appropriate, you can go up to that Committee and that Committee takes up that matter. Why cannot we have a pan-India programme like this where a woman has a right outside the police station, where she can go and ask for her rights? Sometimes men are not necessarily aware of these things. I would not say that all men are insensitive. I am so happy that so many

male Members have spoken on this issue. It shows the sense of the House and the sensitivity of this House.

Another issue which needs to be expanded and discussed is the issue of cyber crime. A lot of women are highly exploited due to cyber crime. How are we going to look at that part also? It is a ghastly crime. All women-related issues have to be re-looked at. It does not mean that the old legislation was bad but with the new technology coming in today, there is so much exploitation of even married women and young girls by cyber crimes. The entire sexual abuse and the scope of it is getting increased. I would like the hon. Minister to throw some light on this issue so that we can sense and in one voice we should sound of protecting every child and not just the girl child in this House.

I would like to bring to the notice of this House that Maharashtra is going through a very difficult situation. *Beti Bachao-Beti Padhao* is something which Maharashtra did 25 years ago and we are proud that Governments and Governments are continuing this process. But the data of Maharashtra in the last three years shows that the number of female foeticides has gone up. There is a complete

imbalance in the ratio. Obviously, there is something going wrong somewhere.

Legislations do not make social change. In schools, bad touch and good touch are being taught. All these awareness programmes are being brought up. People do not like to talk about sex education in our society but we really need to talk about it. It can be debated openly. I am not saying that it is a right thing or the wrong thing but it can be one of the avenues to reach and find out the reality. In Marathi, there is a word called '*vikshipta*'. Nobody can even think of abusing a child. So, there is some deep psychological problem with this human being who does not deserve to be in the society.

I would like to take up the point mentioned by Prof. Saugata Roy here. Even I was wondering here whether we are regressive in this law but when I put myself and my child in it, of course, no child deserves to be abused in this country, rape is a far thing. So, he must be hanged and must be severely punished.

As a society, we really need to see that no child is abused. Even regarding the PCPNDT Act, the State Committees are not implementing it. The law today will be formed but is it really going to

trickle down? I think, as a member of the society, I would like to reiterate that legislation do not make social changes.

(1815/KSP/MY)

Social changes will take generations. I used to always feel that education makes the difference, but education does not make the difference. In a family, even if the husband and wife are educated, they want one child and, unfortunately, they will always say that they want a boy. So, social change just does not come with education. Legislation will enhance the process. But that does not help bringing down the crime to zero.

Therefore, I would like to urge upon the hon. Minister that from the top we have to send a message that there would be zero tolerance against any crime against any women and any child and the Government should implement it to the best of its ability. I would like the Minister to tell us as to what more we can do as a society to make the change.

With these words, I support the Bill and I congratulate the Minister for bringing forward this Bill.

(ends)

1816 hours

SHRIMATI BUTTA RENUKA (KURNOOL): Mr. Deputy Speaker, Sir, as a woman I am really pained and disheartened that even after 70 years of Independence and spread of literacy across the country, we are facing the need to make our laws more stringent so as to contain atrocities against women, especially the minor girls.

I have always hoped that the country is getting more civilized and women will be treated with utmost respect. It is very sad that in spite of constitutional safeguards and rights provided to women, atrocities are still continuing and Parliament is burdened with the responsibility of protecting women with varied legislation.

Our Constitution, on paper, does not distinguish anybody on the basis of gender and provides equal rights and opportunities. However, in reality, it is very sad that day in day out we keep hearing how women and children are abused and subjected to different forms of violence.

The recent incidents of rape like Kathua and Muzaffarpur have shaken the conscience of this country. I just want to give an example. In my constituency, a girl of 7 years was raped and she was not given

justice in spite of me going and requesting the authorities from place to place. When I went and interacted with her, she did not even know what happened to her. Literally I broke down when I saw that girl. It is such a painful incident. When we see such incidents happening, we feel very bad. All Members of Parliament have expressed the same feeling here. When we see such incidents happening, we feel that death penalty is the only punishment that should be given to such cruel people and there is no other punishment for such people.

Sir, Indian women have been victims of humiliation, torture and exploitation since time immemorial. There are different types of violence perpetrated against women at different time periods in a women's life. Apart from this, there are instances when women are also exposed to violence by police when they approach police for redressal of grievances.

It is unfortunate that the disease is spreading and young children are not immune to this. Minor girls are becoming victims of rape and gang rape. A minor girl, who becomes a victim of such rape, carries that stigma for life and it becomes difficult for her to lead a normal and dignified life.

This Bill provides for stringent punishment for the offenders. The punishment period has been enhanced through this Bill. The most important provision in this Bill is that time lines have been set for investigation. Time period has also been prescribed for disposal of appeals such cases.

Having said that, the moment we come to know that a child has been raped, there should not be any punishment other than death. That is what we all, as women, feel. No other mercy should be shown to these offenders.

(1820/KKD/CP)

Criminal action alone will not compensate the victim. Hence, it is necessary that we should also consider rehabilitation of victims.

We have to do much more to end the victimisation and provide speedy justice to the women and children, who have suffered the violence.

The atrocities against women have a great negative effect on the society and the nation as a whole, and has a bearing on the public health, productivity etc. The effects of violence remain with the victims throughout their lives.

Over the years, the share of women has considerably gone up in Legislatures, Government jobs and -- thanks to the information technology -- even in private jobs. In spite of this, I regret to state that this growth in the participation of women in governance does not have much demonstration effect in reducing the atrocities against women. This is because of the minimal presence of women in places where it matters. The presence of women as police officers, prosecutors and judges will not only strengthen justice for women and child abuse but also act as a deterrent to the potential criminal while infusing confidence in the weaker sex.

So, Sir, again and again, I am insisting that the punishment should be severe. Whatever law, which are bringing into this House, it is its implementation, which really matters. If we cannot make the implementation of such laws properly at the ground level, we are failing in our duties. When we make such good laws, we need to make sure that they are implemented effectively without fail.

With these words, I support this Bill. Thank you.

(ends)

1822 hours

SHRIMATI MEENAKASHI LEKHI (NEW DELHI): Hon. Deputy-Speaker, Sir, I am thankful to you for giving me this opportunity to speak on this very important Bill.

Sir, I was reminded of a couple of cases. I was reminded of a case of Moinuddin Kutty, the theatre case in which a child was abused, and he was in the forefront opposing the Kathua case.

Then, I was reminded of a case of Madrassa in which Muhammed Rafi, who had raped four minor girls. Subsequently, there is a case of four Padris, who have only last week moved the Supreme Court to get bail in a particular case. We have seen the case of Bishop.

Sir, you would ask: why am I mentioning these cases? I am mentioning these cases that even when we are discussing something as serious as rape of minors and crime against women, some people constantly remind us of Kathua and forget all other cases. That is why I am mentioning these cases.

There is no place to do politics when it is a crime against women and when it is a crime against children. And, it is in this context that

I start, I rise to make my point. My point is that we come from civilisation, which people, of course, wrongly quote, but I will quote the entire *shaloka*, which says:

“यत्र नार्यस्तु पूज्यन्ते रमन्ते तत्र देवताः।

यत्रैतास्तु न पूज्यन्ते सर्वास्तत्राफलाः क्रियाः।”

इसका मतलब है कि जहां कहीं आप नारी की पूजा करते हैं, वहां पर देवताओं का वास है। जहां पर आप नारी की पूजा नहीं करते हैं, वहां पर आपकी क्रिया का आपको फल नहीं मिलेगा। देश, दुनिया कितनी तरक्की करे, जब तक इस देश में महिलायें, बच्चे सुरक्षित नहीं हैं, तब तक आपकी तरक्की का लाभ समाज को नहीं मिलेगा। अपने समाज के लिए, अपनी सभ्यता के लिए, अपने संस्कारों के लिए हमें महिलाओं और बच्चों को सुरक्षा देनी है।

इसी के साथ दो लाइनें मुझे और याद आ रही हैं।

“नारी का मत कर अपमान, इसके बल पर चलता जग है,

इससे पैदा होकर, इसकी कोख में पलता मनुष्य है।”

So, the woman, who is a giver of life, cannot be insulted and humiliated. But I got a representation this morning from a group called ‘Vishwa Nari Abhyudaya Sangathan’ little knowing that I will be speaking this afternoon in this House on this very subject. These ladies, who walked up to me, said किसी को इस देश में कानून का डर नहीं है। मैंने कहा कि आज सरकार पूरी तरह से काम कर रही है। मानव तस्करी के खिलाफ

कानून लेकर आई है। कटुआ जैसी जब हरकतें देश में होती हैं, तो उन्नाव की घटना के बाद देश के अंदर इस तरीके का कानून भी लाया जा रहा है।

प्रेमचन्द्रन जी ने कहा कि आर्डिनेंस लाने की क्या जल्दी थी? आर्डिनेंस लाने की जल्दी इसलिए थी कि पूरे देश भर में बहुत आक्रोश था।

(1825/NK/RP)

लॉ एंड आर्डर की सिचुएशन थी, अगर आप कानून नहीं लाते तो उन विक्टम को क्या आश्वासन देते? आप क्या करना चाहते हैं? उन सभी को आश्वस्त करना भी आवश्यक था। अप्रैल के महीने में संसद नहीं बैठती इसलिए आर्डिनेंस लाने की आवश्यकता हुई। आर्डिनेंस लाने की बात की, आर्डिनेंस केवल रूट नहीं है। हम देश का कानून बदलना चाहते हैं इसलिए अब कानून को कानून का रूप देकर लाया गया। जब इन महिलाओं से बात हुई। तब उन्होंने कहा कि बहन जी, जो भी इस तरह की घटनाओं में संलिप्त हों, उन्हें चौराहे पर फांसी दो। I was shocked. My soul was stirred like what are we moving towards. On the one side we see the inhumanity when young children get raped and on the other side, from the victim's perspective, कि वह खुद बंदूक लेकर मारने को तैयार बैठे हैं। वे चाहते हैं कि उनको सजा-ए-मौत चौराहे पर दी जाए। हम किस तरह की ट्राइबल लाइफ की तरफ जा रहे हैं या सिविलाइज्ड सभ्यता की तरफ जा रहे हैं। सभ्यता का मतलब यह है कि कानून व्यवस्था के तहत ऐसे तमाम लोगों को सरकारी तौर पर सजा दी जाए। जब तक सरकारी तौर पर सजा नहीं मिलेगी तो रीट्रिब्यूटिव फार्म ऑफ जस्टिस को मायने हम भूल जाएंगे। इंडियन पीनल कोड की बात होती है। It is penal

provision. जो डेथ सैन्टेस और कैपिटल पनिशमेंट के खिलाफ बोलते हैं, मेरा उनसे यही आग्रह है कि जब आपके अपने परिवार में किसी अपने बच्चे के साथ ऐसा हादसा हो तब मन खुद से गोली उठाकर मारने का, खुद से फांसी लगाने का या कानून के तहत उसका निराकरण किया जाए, यही मांग विक्टिम के दृष्टिकोण से देखी जाए। जब निर्भया केस में जस्टिस वर्मा कमेटी बैठी थी, तब मुझे अपनी पार्टी की तरफ से रिपोर्ट ड्राफ्ट करने का सौभाग्य मिला था, हमने उसमें ये मांग की थी और सत्तर प्रतिशत के आसपास हमारी मांगें मान ली गई थीं। कुछेक चीजें रह गईं थी जो इस कानून के तहत अब पूरी की जा रही हैं। मैंने इन केसेज का इतिहास शांति मुकुंद केस से लेकर निर्भया केस, एक इवोल्यूशन के रूप में, आर्डिनेंस को कानून बनाया जा रहा है, हमने इस रूप में देखा है। जब मैं इस इतिहास को पढ़ती हूं तो मुझे लगता है कि समाज का कोई भी व्यक्ति इसकी अनुमति नहीं देगा। जब अनुमति नहीं देते तो इस पर राजनीति न करे। राजनीति से हमारे मन की व्यवस्था खराब होती है। महिला और बच्चों में किसी भी प्रकार का भेद नहीं कर सकते कि वह किस जाति और किस धर्म का है या किस जगह पर यह घटना हुई है। जहां कहीं भी ऐसा हुआ है, उसके खिलाफ आवाज उठनी चाहिए और जिसने किया है उसको सख्त से सख्त सजा मिलनी चाहिए।

इस कानून में बदलाव लाने की कोशिश है। मैं इस सरकार के विषय में कहूं तो एक बात जरूर कहना चाहती हूं, मुझे प्रधान मंत्री जी का पहला भाषण याद आता है जिसमें उन्होंने कहा कि यह सरकार गरीब, किसान, मजदूर और महिलाओं को समर्पित है। जितने अभी तक कानून बने हैं, चाहे वह मानव तस्करी के हों, महिलाओं को मैटरनिटी लीव देने की हों, तमाम जगहों पर उसी पक्ष को ध्यान में रखा गया है।

विक्टमहुड विक्टम के प्रस्पेक्टिव से देखा गया है और लैंगिक समानता के पक्ष में प्रायोजित हम काम करना चाहते हैं, इसलिए हम लोग इस तरह के कार्यों में एकजुट हैं। मैं कानून के रूप में बताना चाहती हूँ कि क्या बदलाव आया है? बारह वर्ष से कम आयु की बलात्कार की घटना हो, उसमें पहले दस साल न्यूनतम सजा थी अब उसको न्यूनतम बीस वर्ष कर दिया गया है और अधिकतम सजा आजीवन कारावास है। जब बारह वर्ष से कम आयु का सामूहिक बलात्कार हो उसकी न्यूनतम सजा बीस वर्ष थी, अब न्यूनतम सजा को आजीवन कारावास कर दिया गया है और अधिकतम मृत्युदंड है। बलात्कार अगर बारह से सोलह वर्ष के बीच का हो तो उसके लिए दस साल न्यूनतम सजा थी अब उसको बढ़ा कर बीस वर्ष कर दिया गया है और अधिकतम आजीवन कारावास थी, जिसमें कोई परिवर्तन नहीं है। न्यूनतम बारह वर्ष सामूहिक बलात्कार के केस में सजा थी वहां अब आजीवन कारावास कर दिया गया है और अधिकतम सजा में कोई बदलाव नहीं है। वह आजीवन कारावास ही है। सोलह और अधिक उम्र के बीच न्यूनतम सजा सात वर्ष थी, उसे दस वर्ष कर दिया गया है, अधिकतम सजा में डेथ पैनल्टी एक अग्रेवेटेड फार्म ऑफ ऑफेंस है, उसमें डेथ पैनल्टी भी दी जा सकती है। इसमें कई तरह के संशोधन हुए हैं, आईपीसी में संशोधन हुआ है, इंडियन एविडेंस एक्ट में संशोधन हुआ है। सीआरपीसी, जो दंड प्रक्रिया संहिता है, उसमें संशोधन हुआ है।

(1830/SK/RCP)

पोक्सो अपराध संरक्षण अधिनियम में संशोधन हुआ है। मैंने बहुत सदस्यों की बात सुनी, सब इसे अलग-अलग हिस्सों में देख रहे थे, लेकिन संगठित रूप से इससे संबंधित जितने कानून हैं, उनमें संशोधन है।

आईपीसी की धारा 376 की उपधारा 3 में 16 वर्ष से कम उम्र की बच्चियों के लिए संशोधन किया है। 376एबी को जोड़ा गया है, जिसमें 12 साल से कम बच्चियों की उम्र तक यौन दुष्कर्म के लिए 20 साल की सज़ा दी गई है। धारा 376डीए और 376डीबी के प्रावधान में 12 से 16 वर्ष की आयु से कम उम्र की बालिकाओं के साथ सामूहिक ब्लात्कार के लिए आजीवन कारावास की सज़ा दी जाएगी। धारा 376(2ए) में 12 वर्ष से कम आयु की बच्ची के साथ यौन दुष्कर्म के लिए मृत्युदंड का प्रावधान किया गया है।

HON. DEPUTY SPEAKER: You do not go in detail. Come to the point.

SHRIMATI MEENAKASHI LEKHI (NEW DELHI): Sir, the point I am making is this. A couple of things have been spoken. One was spoken about the Ordinance route which I have already addressed and then about the appeal. Appeal also could lie for order for many years. Now, it has been decided that if there is a first appeal and second appeal, the same will have to be made within six months. So, urgency in issuing Ordinance was the general hue and cry and

anger of the society against such heinous crimes. On the question of whether this law will serve its purpose, I am very sure, this law is one step which will bring a general sense of security in the minds of people. Some people mentioned about forensic labs not being operative at district level. All I can say is, they were probably not listening to the debate which took place when Trafficking of Persons Bill was being discussed in the House. The Minister had already made a statement that a certain sum of money has already been allocated towards that purpose, with the result, the labs etc. are likely to me made operational concerning this particular aspect.

All I can say is this. When we are discussing the issues pertaining to women, of course, it is a composite thing we are discussing and it is a step-by-step approach. So, one approach is everything related to sexual offences against women and children. I think, these two Bills – today's Amendment Bill and the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, the new Bill which has come – have actually changed the entire perspective of the country.

I discussed about the evolution. Regarding evolution of cases from Shanti Mukund case till now, I would like to say, औरत अपने आप

बचाए, तब भी मुज़रिम, औरत अपने आप गंवाए, तब भी मुज़रिम। So, both ways, the victim and the perpetrator, it is always the woman. Society's idea, ideology and acceptance of woman need to change. आज हम और हमारा समाज उन सभी अबलाओं और बालिकाओं के अपराधी हैं, जो यौनाचार, यौन दुष्कर्म से पीड़ित होकर अपने मन में निराशा का भाव लेकर बैठी हैं। मैं इसके लिए कुछ पंक्तियां कहना चाहती हूँ –

उठो द्रौपदी वस्त्र संभालो, अब गोविंद न आएंगे,
छोड़ो मेहंदी, भुजा संभालो, खुद ही अपना चीर बचा लो।
द्युत बिछाए बैठे शकुनि, मस्तक सब बिक जाएंगे,
उठो द्रौपदी वस्त्र संभालो, अब गोविंद न आएंगे।

This is to give the strength to women. But, I need to stop and add. यह स्थिति थी जब इस कानून और प्रशासन पर काम नहीं हुआ था, लेकिन मैं उन सभी वंचित महिलाओं को आश्वासन देना चाहती हूँ कि निराश होने की आवश्यकता नहीं है। यह सरकार महिलाओं के प्रति होने वाले अपराधों के प्रति पूर्ण रूप से संवेदनशील है। इन नए संशोधनों से पीड़ित एवं कुंठित महिलाओं को निश्चित ही बल मिलेगा तथा किसी अन्य के साथ ऐसी घटना न हो, इसकी अलख जागेगी।
धन्यवाद।

(इति)

(1635/mk/smn)

1635 बजे

श्री कौशलेन्द्र कुमार (नालंदा): उपाध्यक्ष महोदय, मैं जनता दल (यू) की तरफ से इस विषय पर बोलने के लिए खड़ा हुआ हूँ।

उपाध्यक्ष महोदय, भारतीय दण्ड संहिता, भारतीय साक्ष्य अधिनियम, 1872, दण्ड प्रक्रिया संहिता, 1923 और बालकों का लैंगिंग अपराध से संरक्षण अधिनियम, 2012 के संबंध में अभी सरकार की तरफ से अध्यादेश जारी हुआ है, उसे कानूनी प्रावधान देने का प्रस्ताव आया है। यह सरकार द्वारा महिलाओं के ऊपर दिनोंदिन बढ़ते अपराध को रोकने के लिए एक सशक्त कदम है। अब ऐसा कानून बन गया है कि 12 साल की बच्चियों से दुष्कर्म करने वालों को फांसी की सजा होगी। यौन हमलों में सहमति की उम्र सीमा भी 16 वर्ष से बढ़ाकर 18 वर्ष की गई है। यौन हमले की सजा कम से कम सात साल हो सकती है, जो जीवन के लिए कारावास और जुर्माना या दोनों हो सकती है। गैंगरेप की सजा भी आजीवन कारावास की गई है। इसके लिए धारा 376 (डी)(ए) और 376(डी)(बी) जोड़ी गई है। साक्ष्य संबंधी धाराएं भी संशोधित की गई हैं। अपराधियों को जल्द से जल्द सजा मिले, इसकी पक्की व्यवस्था की जा रही है, जिससे न्याय में किसी भी प्रकार की देरी न हो। सजा पर अपील के निपटारे के लिए अधिकतम सीमा छः महीने रहने का प्रावधान किया गया है। पुलिस को अधिक अधिकार दिए गए हैं। मेरा सुझाव है कि पुलिस की किसी भी प्रकार की कोताही पर

उसे भी कठोर सजा मिले। ऐसा मेरा सुझाव है, जिससे समाज में अपराध के प्रति भय पैदा हो और अपराध पर रोक लगे।

महोदय, हमारा समाज पुरुष प्रधान समाज है। इसका कारण यह है कि आज भी समाज में महिलाओं को बराबरी का स्थान नहीं मिला है। यूनिसेफ की एक रिसर्च रिपोर्ट में कहा गया है कि भारत देश में 15 से 19 वर्ष के बीच की लगभग 77 प्रतिशत लड़कियां यौन हिंसा की शिकार होती हैं। उनमें से आधे से अधिक बच्चियां अपने सगे-संबंधियों के हाथों शारीरिक प्रताड़नाओं की शिकार होती हैं। अतः संबंधों की मर्यादाएं भी टूट रही हैं। आज विश्व के प्रायः सभी देशों में महिलाओं को अपने ही देश में अस्तित्व के लिए संघर्ष करना पड़ रहा है।

मेरा मानना है कि मात्र कानून बना देने से अपराध समाप्त नहीं हो सकता है, इसके लिए जागरूकता लानी होगी। कानून का पालन कराना समाज और प्रशासन की जिम्मेदारी होनी चाहिए। आपराधिक न्याय प्रशासन संवेदनशील हो, अभियोजन पक्ष सशक्त हो, चिकित्सा एवं फोरेंसिक लैब की सुविधाएं दुरुस्त हों, पीड़ितों के पुनर्वास एवं समायोजन तंत्र को मजबूत किया जाए और अन्य उपाय किए जाएं। इस बिल का मैं समर्थन करता हूं। धन्यवाद।

(इति)

1838 hours

SHRI ASADUDDIN OWAISI (HYDERABAD): Sir, I stand to oppose the Bill, reason being that let me remind the Government what was said by the acting Chief Justice of the Delhi High Court on 23rd April, 2018. Justice Gita Mittal had observed that whether the Government knew what is the root cause of rape? Is it educating the people, as the rapists in several cases are juveniles or someone known to girls? Hon. Chief Justice asked, did you carry out a study – any scientific assessment - that death penalty is a deterrent to rape? Have you thought of the consequences to the victim? How many offenders will allow their victim to survive when rape and murder have the same punishment? This is what was said by the acting Chief Justice of Delhi High Court. It is so true. Why do I oppose this Bill? I am of the opinion that the death penalty cannot be justified on the grounds of retribution, deterrence or proportionality. This notion of eye for an eye, tooth for tooth has no place in our constitutionally mediated criminal justice system. Why do I say that? It is not me who has said, a person who knew the law more than all of us. Justice J.S. Verma

Committee said it reviewed laws for sexual crimes. It did not recommend death penalty for rapes.

Law Commission 22nd Report has favoured death penalty for all crimes that led to terror. Now, what can we do? Yes, we need deterrent. As you know very well, in our country, there are 5000 vacancies in judiciary.

(1840/MMN/RPS)

We require another 15,000 judges. Sir, you know very well that more than 5,000 courts have no judges. Our ratio for judges is that for one million population, we should be having 100 judges but we have only 10 judges. So, this is only just a symbolism. If this Bill is made a law, it will be doing more injustice to our daughters. Why cannot the Government dedicate a special children-friendly court so that in the rape trial, it does not become a traumatic experience for the victim? Sir, 98 per cent of the victims know the perpetrators. Will the victim want the perpetrators to be given the death sentence? That is the question which the Government should answer.

The NCRB data clearly tells us that in 2016, four rapes were reported in India in every hour and only one, out of four rape cases registered, led to conviction. So, my request to the Government is

that why they are not improving the female police personnel. In our police stations, what is the percentage of female police personnel? It is only 7.28 per cent. That is where you require attention so that when a woman who is raped or her child is raped and when the case goes to the police station, you have enough female police personnel and that will create confidence in them. But here a rightist Government is only being reactionary as usual. What is the need of the hour, they do not want to do.

I am concluding, Sir. If this Bill becomes law, I want to congratulate the Government that you will be in the esteemed company of Saudi Arabia, Iran and China. Good luck to you. Maybe, the *Sharia* is on the way. We do not know. I want to know this from the hon. Minister. Since their MP has said that the increase in Muslim population has led to rapes, does he agree with that? An hon. MP from UP has said that. Does he agree with the statement of one of his MLAs from UP? He said, "Can a mother of three children be raped?" Does he agree with his own legislators in a part of our country, who stood for the perpetrators of crime?

So, what we require is the change in the mindset of men....
(*Interruptions*) Sir, I am concluding. This equation of power, which

men feel they have, should change. Laws will not stop rape of children. If the mentality of men changes, then that will happen. You bring in change in the judiciary. This is only mere symbolism. The Government is only doing an eyewash. They are not interested in protecting the children. In fact, their track record is, they are supporting the perpetrators of child rape. Thank you, Sir.

(ends)

1843 hours

*SHRI C. N. JAYADEVAN (THRISSUR): Hon'ble Deputy Speaker, I am speaking in my mother tongue, Malayalam. The Criminal Law Amendment Bill, 2018 is being introduced in the House and I whole heartedly support it. In different states of India, there have been sexual assaults and rape of girl children and women. Therefore, I personally, and my party the CPI, whole heartedly support this bill. Our country has a rich cultural legacy. We are truly proud of our ancient heritage. The poet, Vallathol who wrote about the chastity and purity of Indian woman, hails from my native place, Trichur and my state Kerala. It is a paradox that in our country where the traditions teach us to respect women and see all women as mother and worship her, atrocities against women and girl child are on the rise. Therefore, this philistine culture, has to be fought against. And for this a strong legislation is needed.

Here, members including Owaisi put forward an argument. This question is raised in our country and several other countries. Is Capital Punishment a right thing? Shouldn't we provide

* Original in Malayalam

circumstances for an offender to bring transformation in his mind? But I am with all those who think that those who perpetuate heinous crimes like rape against children and women, does not deserve mercy. He can be imprisoned for life or other punishments should be awarded to him. There should not be even on percentage dilution in this regard. I do not want to prolong my speech. Perhaps I have got the least time in the House to speak. Though I am a single member party, I keep reminding my friends that the CPI function in all the twenty-nine states of this country. Maybe we have a single member presence in Lok Sabha today but BJP too was only a two-member party once. Recently even the Prime Minister noted this fact. I am not prolonging my speech.

I support this amendment bill. Thank you.

(ends)

(1845/VR/ASA)

DR. MAMTAZ SANGHAMITA (BARDHMAN DURGAPUR): Thank you, Sir, for allowing me to speak on this very important Bill. This amendment Bill basically is dealing with increasing the punishment duration from seven to 10 years or extending it further according to the age of victim. It has also tried to cite an example to deter such action.

Through this amendment Bill, the Government has reduced the time for completion of such trials from three months to two months. Then, a provision is also made for disposal of an appeal against conviction or acquittal within a period of six months.

Hon. Deputy-Speaker, Sir, I support this Bill because a rape is a rape whether it is of a minor girl or of a hundred years old lady. But the crime is more heinous when it is committed against a girl below 12 years of age as she does not understand as to what it is.

HON. DEPUTY SPEAKER: Please conclude.

DR. MAMTAZ SANGHAMITA (BARDHMAN DURGAPUR): Then, according to the other provision punishment could be extended to life imprisonment if the age of the girl is below 16 years. In this regard, I have a point to make. Nowadays, we call the prison as a correctional

institution. Some hon. Members have pointed out that in most these cases the criminals have psychopathy background. Why cannot we take help of psychiatrists or psycho-analysts before extending the sentence for these criminals?

Then, I want to say something about the death penalty. There are two schools of thoughts in this regard. But most of them are against death penalty. So, why in our country are we going to the primitive side by having a provision of death penalty in these cases?

Sir, we have not properly thought about the rehabilitation of victims. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Please conclude.

Shri Harish Meena ji.

... (*Interruptions*)

(1850/SAN/RAJ)

DR. MAMTAZ SANGHAMITA (BARDHMAN DURGAPUR): Sir, we are making provision for gangrape and rape. Both are completely different. Gangrape is purposefully done. There also, there is a point which we have to see. A gangrape is usually done by the low socio-economic, poor people and to the poor people, often to the dalits and other such people, due to some reason. We have to look into this.

Then, there is another matter. As she has already said, there should be women police stations. As a gynaecologist, I also know that it is very difficult to prove a rape. So, for the purpose of a proper investigations, there is a need to have woman policepersons so that she should be able to go wherever the incident happens.

Thank you very much.

(ends)

1851 बजे

श्री हरीश मीना (दौसा): उपाध्यक्ष महोदय, सर्वप्रथम मैं सरकार को धन्यवाद देना चाहता हूं कि इस महत्वपूर्ण मुद्दे को लेकर पूरा हिन्दुस्तान चिंतित था। ... (व्यवधान) यह मुद्दा व्यक्तिविशेष से जुड़ा हुआ नहीं है, सिर्फ महिलाओं से जुड़ा हुआ नहीं है, यह भारत की संस्कृति, भारत की सभ्यता और भारत की आत्मा पर हमला है। हमारे देश में महिलाओं को देवी, मां और बहन के रूप में पूजा जाता है। हम रोज अखबार में यह देखते हैं कि यह क्या हो रहा है? यह हमारी समाज और सभ्यता के बिल्कुल विपरीत है।

महोदय, सरकार जो बिल लाई है, मैं इसका स्वागत करता हूं। इसका आना आवश्यक है, पर केवल बिल से समस्या का समाधान नहीं होगा। हमें इसको लागू करना है, फलीभूत करना है। मैं आपके माध्यम से मंत्री जी को कुछ सुझाव देना चाहता हूं। आप इसको लागू करेंगे, पुलिस मुकदमों की जांच करेगी लेकिन हम देखते हैं कि हर प्रदेश में पुलिस की वैकेंसीज हैं, वहां पुलिस अधिकारी नहीं हैं। कृपया आप उन वैकेंसीज को भरिए, क्योंकि ये गंभीर मुकदमों हैं। जैसे एससी/एसटी के मुकदमों में एक डेप्टी एसपी रैंक का अधिकारी जांच करता है, वैसे ही इसमें भी मेरी प्रार्थना है कि डेप्टी एसपी रैंक के अधिकारी जांच करें। अगर वह महिला पुलिस अधिकारी होगी तो उनके साथ न्याय होगा।

दूसरा, इन मुकदमों की ट्रायल ज्यूडिशियरी में होगी। आप कोर्ट्स की स्थिति देखिए कि वहां कितने कोर्ट्स हैं, वहां कितनी वैकेंसीज हैं और किस तरह के जजेज

आ रहे हैं, उनकी क्वालिटी क्या है? अब ज्यूडिशियल रिफॉर्म का समय आ गया है। अगर हमें इस कानून को मूल रूप में लागू करना है तो हमें ज्यूडिशियल रिफॉर्म लाने पड़ेंगे। हमें सहानुभूतिपूर्व, न्यायपूर्वक न्यायपालिका का निर्माण करना पड़ेगा, जहां क्वालिटी जजमेंट हो।

तीसरा, इन मुकदमों की कोर्ट में कौन पैरवी करेगा? हमारे एपीपी, सरकारी वकीलों की क्वालिटी क्या है, हमें उसको देखना आवश्यक है।

उपाध्यक्ष महोदय, मेरा गृह मंत्री जी से सुझाव है कि अगर 12 वर्ष से कम आयु की बच्ची का बलात्कार होता है, उसमें उम्र कैद से लेकर मृत्युदंड तक का प्रावधान है। तेरह साल की बच्ची, चौदह साल की बच्ची या पंद्रह साल की बच्ची के साथ हुए अपराध के लिए यह क्यों नहीं है? मैं मानता हूं कि अपराधर, अपराध है, दोषियों को समान सजा मिलनी चाहिए। उनको कठोर से कठोर सजा मिले, यह मेरा आपसे अनुरोध है।

महोदय, आज ये घटनाएं क्यों हो रही हैं? जब हमारा जन्म हुआ था तो हम इन चीजों के बारे में नहीं सुनते थे, कल्पना नहीं करते थे। ये क्यों हो रहे हैं, इनके कुछ कारण हैं। आज आप फ्री इंटरनेट पर पाबंदी लगाइए, उसके लिए कुछ तो नियम हो। आप सोशल मीडिया और टीवी पर पाबंदी लगाइए। वे किस तरह की फिल्में देख रहे हैं। आज ही मुझे टेक्निकल ऑफिसर ने कहा है कि 'जिओ' जो टेलीफोन कंपनी है, वह इंटरनेट सर्विस प्रदान करती है, उनके सर्वे में आया है कि 60 प्रतिशत बच्चे रात पॉर्नोग्राफी, अश्लील चीजें देखते हैं। हमारी इस पर रेग्युलेशन होनी चाहिए। उससे हमारी सभ्यता नष्ट हो रही है, हमारे युवा पथ भ्रष्ट हो रहे हैं।

अंत में, मैं पीड़ितों के पुनर्वास के लिए कहना चाहता हूँ जो पीड़ित हैं, हमें उनका जीवन बर्बाद नहीं करना है। उनकी इज्जत चली गई, लेकिन वे भविष्य में अपना जीवन कैसे जीवन शुरू करें, इसके लिए भी आप चिंता करें। सरकार की मंशा बहुत अच्छी है। मैं इस बिल का पुरजोर समर्थन करता हूँ। जयहिंदा

(इति)

1854 hours

SHRI NINONG ERING (ARUNACHAL EAST): Hon. Deputy Speaker, Sir, I thank you for giving me an opportunity to speak on the Criminal Law (Amendment) Bill, 2018.

I am grateful to my colleagues who have really spoken on this Bill from their hearts, especially Shrimati Supriya Sule, Prof. Saugata Roy, Shri Pinaki Misra and so many others. I am supporting this Bill because this Bill concerns each and every person and their children.

Of course, Madam Lekhi was saying that we should not take into it any political issue and it should not be a political speech for anyone. I think that in all these cases, let it be the cases of madarasas or of churches or let it be the cases of Unnao, Kathua or Naliya, whoever is a criminal or whoever is a perpetrator, he is a perpetrator. So, action must be taken according to that.

Of course, when everyone has spoken on this issue, there is nothing much to cover. I would just like to say three points on this Bill.

(1855/AK/IND)

Firstly, I would like to mention about the gender-based difference in the definition of rape and punishment, which Mr. Pinaki also referred to earlier during his speech. Now, the POSCO Act is already there, which recognizes both the genders, especially, when a small child is involved. These things occur not only with female children, but also, unfortunately, even with male children. But this provision is not there in this Bill, which is before us.

I would say that this is a public appeasement Bill because in 2013 also because of the Nirbhaya case the Amendment was there, and again because of the Kathua case we have brought this Bill, which imposes death penalty. I have nothing much to say about death penalty, but the thing is this. How are you going to implement it? How are you going to convict these people? I am asking this because there are so many reasons for action not being taken properly.

The MoS, Home is also from my own State, and we are from the North East. Now, we have a matriarchal society there, and you will see that rapes are very less in the North East. Why is it so? It is because of this reason, and because equality is there. Here, that

differentiation is there and there is no equality amongst male and female. So, this issue also has to be taken into consideration.

Another thing that I am afraid of with regard to this Bill is that the victim will not survive to report the crime. Now, when punishment is there, automatically the perpetrator will think that अगर हमें मरना ही है और सजा-ए-मौत मिलनी ही है, तो क्यों न मैं इसे ही खत्म कर दूँ, so that there is no witness. These things also have to be taken into consideration. It is not that we do not agree with death penalty. Yes, it should be there and even I want it, especially, in the recent cases of Unnao and Kathua where we really felt bad.

Thirdly, I would like to talk about the problem of implementation of existing laws, and not lack of laws. So many stringent laws are already there, but the thing is how we are going to implement them. This is an issue, which the hon. Home Minister has to see.

As a recommendation from my side, I would like to mention that it is essential to recognize that the crisis lies in the precise manner in which the existing criminal justice system unfolds. We should enhance conviction rates through reforms in police and judicial systems. Now, I would like to say that priority has to be given to

working on the system; appointment of Judges; cases in the villages; sensitization of the doctors, police, nurses, etc.

I would like to suggest three methods to our Home Minister that we should at least try, namely, there has to be a preventive method; secondly, how we are going to do the implementation; and thirdly, the rehabilitation. Now, even in Delhi you will see that when ladies travel by bus they feel very unsecure, but when they travel by Metro, then they feel more secure because there is CCTV, Police, etc. If you ask small children, especially, girls in North Delhi who do not feel secure and they do not like to travel by bus, but in the South, they are more secure because there you have Police, CCTV, and the Administration doing the job. So, those factors also have to be seen.

As regards the implementation part, I will say that the police investigation has to be done very quickly; there should be sensitization on this issue; fast-track courts must be there; the medical reports also have to come out very quickly; the forensic reports should be available on time; and the protection of the witness is also very essential because the witnesses feel unsecure. This aspect also has to be taken into consideration.

As regards rehabilitation, there has to be counselling; compensation; medical health of the victim has to be taken into consideration; and the social stigma also has to be dealt with as to what we are going to do after the incident has taken place.

In Arunachal Pradesh, there is a society known as the Women Against Social Evils. Now, this team is doing the awareness programme in Arunachal Pradesh, and they are going to each school to explain about the POSCO Act and about this Bill also. So, I think that awareness is very much essential, and we have to give more importance to it. Thank you, Sir.

(ends)

(1900/SPR/VB)

HON. DEPUTY SPEAKER: Now, it is 7 o'clock. If the House agrees, we may extend the time of the House till the passing of the Bill.

THE MINISTER OF CHEMICALS AND FERTILIZERS AND
MINISTER OF PARLIAMENTARY AFFAIRS (SHRI
ANANTHKUMAR): The time of the House may be extended till the
consideration and passing of the Bill.

SEVERAL HON. MEMBERS: Yes.

1900 hours

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI KIREN RIJJU): Thank you, Deputy Speaker, Sir, first of all, I would like to extend gratitude to all the hon. Members who had participated in this far reaching, consequential Criminal Law (Amendment) Bill. I would like to mention particularly the names of hon. Members; Shrimati Kirron Kher, Shrimati Ranjeet Ranjan, Shri T.G. Venkatesh Babu, Prof. Saugata Roy, Shri Pinaki Misra, Shri Shrirang Appal Barne, Dr. Ravindra Babu, Shri Konda Vishweshwar Reddy, Dr. A. Sampath, Shrimati Supriya Sule, Shrimati Butta Renuka, Shrimati Meenakashi Lekhi, Shri Kaushalendra Kumar, Shri Ninong Ering, and of course, Shri N.K. Premachandran, who has opposed the Ordinance itself.

First of all, let me tell this august House that what can be more urgent for the Government than to take steps to ensure the safety and security of women. Many of the hon. Members have raised that there was no requirement or urgency for the promulgation of the Ordinance. I genuinely feel that when the whole nation is feeling pain by seeing our young girls, children below the age of 16 and 12 years becoming victims of brutal rape, then, the Government has to rise to

the occasion; the Government cannot remain silent. That is why when the House was not in Session, it was decided by the Government that Ordinance had to be promulgated and brought in force. That is why, on 21st April, 2018, the promulgation of Ordinance was given effect to.

Let me remind this august House that when the hon. Prime Minister of India from the ramparts of the Red Fort made his speech, he made his intention very clear that our sisters, our children, our mothers, and the women of this nation must feel safe in our own country. For that, let every parent question their sons. How are your conduct affecting the morale of the society? So, the intention of the hon. Prime Minister has been taken forward in the form of promulgation of this Ordinance. Now we are here to pass this very important Bill, on which many hon. Members have made their valuable comments and suggestions.

I have taken note of all the important suggestions. I also agree that merely making laws will not be enough. Law is necessary; stringent legal provisions are necessary but much more than that is how we translate those legal provisions into effect. What are the implementation processes? How are we going to strengthen all the

agencies and infrastructure that are there in the country? What are the requirements to make changes? These are important. Within a very brief reply to this discussion, I will be mentioning all those provisions which we have made.

Before that, let me come to the provisions of the law wherein we have made changes. In the beginning, let me say that whether it is minor or major, rape is a rape. It is very shameful for the country even if one instance of rape case take place. It is the collective conscience of this nation; we have to come together. This is the platform where we represent the entire nation. This is the platform where we have to regulate and make provisions. That is why in the previous provisions, the punishment was seven years imprisonment for rape. Now in the new provisions, the punishment has been enhanced to 10 years imprisonment, which is extendable to life. This is under Section 376 of the Indian Penal Code.

(1905/UB/PC)

Now, I am coming specifically to the changes that we have come up with. Let me clarify the point raised by some of the hon. Members about the definition of 'woman'. As per the provision under the Indian Penal Code, it is mentioned as 'woman' because there is

no differentiation between a woman or a girl because rape has been defined as rape of a woman of any age. We are discussing the title or concept here in detail. What I am saying is that the IPC has just defined 'woman' as 'woman of any age'.

Regarding the rape of woman who is under the age of 16 years, the earlier provision for punishment was of ten years. Now, it has increased to twenty years of rigorous imprisonment or the rest of his life. That means he will spend his life up to lifetime in jail.

Regarding those gruesome cases which involve the woman below 12 years of age, earlier, the provision was of ten years rigorous imprisonment extendable to imprisonment for rest of his life, now, it has been extended to 20 years of rigorous imprisonment, to death or rest of life. That means it is extendable up to lifetime. As long as he is alive, he will remain in jail. If it is a gang-rape, the earlier provision for punishment was of twenty years rigorous imprisonment or the rest of life. Now, the provision is for punishment with death or imprisonment for the rest of his life. So, this is a very stringent provision.

Now, in the provisions, there is a consequential effect also. Under the Code of Criminal Procedure, regarding the investigation of

rape cases, in the earlier provision, investigation was to be completed in three months from the date of FIR. Now, the timeline is being reduced to two months from the date of FIR. The inquiry or the trials of rape cases in earlier provision was to be completed as far as possible within two months. The intention was there as it says “as far as possible” but now, we have made it mandatory. So, the inquiry or the trials of rape cases are to be completed within two months timeline. It is a clear mandatory provision which is being inserted.

The investigation officer will come to know only when the cases are reported to him. So, we cannot go on that line. Earlier, there was no timeline for the disposal of appeal when a lower court gives a punishable judgment. Then, anybody could have gone to the appellate court and there was no timeline for the disposal of the appeals. Now, the new provision makes it very clear that even in the cases of appeals, it must be decided within six months’ time. These are very important provisions the Government has come up with.

With regards to anticipatory bail, many of the hon. Members were talking about the people having access to good lawyers and good legal services. They manipulate the case and get bails. These are some of the accusations. Earlier, there was a provision for

anticipatory bail but now the anticipatory bail is not available to a person accused of rape of a woman under 16 years of age. While the bail petitions are being heard, there are systems which we have to tighten. There was no provision of mandatory notice on the bail application by the person accused of rape of woman under 16 years. Now, it is mandatory for the court to inform the public prosecutor within 15 days of receipt of the notice of the bail application.

(1910/KMR/MM)

Under Section 439 of CrPC, a 15-day period has been made mandatory. In addition to that, there was no provision for association of the victim's side during the hearing of bail application by the person accused of rape of a women under 16 years. Now there is an enabling provision made to provide for representation of the victim's side in the court. That means, when the accused moves an application, the lawyer or the representative of the victim has to be present in the court.

HON. DEPUTY SPEAKER: Mr. Minister, you are giving an elaborate explanation of the provisions that are there. All this must be publicized more. People must be made aware of these provisions. People even in the rural areas must come to know that such

provisions exist. Then only they will feel the seriousness. Without publicity if the rules are kept in the books, it would not help. Therefore, you should give more publicity to this.

SHRI KIREN RIJJU: I very much appreciate, hon. Deputy Speaker, Sir, your advice.

HON. DEPUTY SPEAKER: You have to publicize the seriousness of this in all the regional languages. Then only it will have its effect. Otherwise, there is no use.

SHRI KIREN RIJJU: We need to create more awareness. Mr. Deputy Speaker, Sir, your advice is very well taken. All the hon. Members of this august House also have the bounden duty to take forward this message and the new laws and provisions being made here.

HON. DEPUTY SPEAKER: This should be publicized in all the media.

SHRI KIREN RIJJU: Right, Sir.

Sir, I come to some of the issues which hon. Members have raised earlier. It is not enough to make laws, as I have stated. Our Government knows very well that besides legislation we have to take sufficient steps to combat this. Hence, the Union Cabinet headed by

Shri Narendra Modi-ji on 21-4-2018, while approving promulgation of this Criminal Law (Amendment) Ordinance, 2018, also approved a number of other measures. Those measures are for effective implementation of the various provisions of the criminal law that are to enhance the safety of women.

One of the important provisions being given effect to was setting up of fast-track special courts. A Centrally-funded scheme is proposed which will be launched to set up fast-track special courts to exclusively decide on the rape cases and to strengthen such courts where they already exist. Such a scheme will cover strengthening of physical infrastructure and manpower for fast-track special courts, etc., in consultation with the High Court and the State Government concerned.

There is also requirement for the strengthening of prosecution machinery. For that, the States and Union Territories are being asked to strengthen and create dedicated capacity for effective and timely prosecution of cases for fast-track special courts by sanctioning of additional posts of public prosecutors, office infrastructure and supporting manpower.

There is also requirement for quality of investigation. Many hon. Members also have raised this question that the rate of conviction in the cases of rape depends crucially on the quality of evidences collected by the investigating agencies. Therefore, adequate provision of special forensic kits for rape cases are proposed to be made available in all the police stations as well as hospitals where such medico-legal cases are handled, to improve the quality of forensic evidence and thereby strengthen the cases of the prosecution. Dedicated and trained manpower is to be provided for investigation of sexual offences in a time-bound manner.

Hon. Deputy Speaker, Sir, one or more specialized forensic laboratories adequately staffed and equipped are proposed to be set up in each State and Union Territory of India to exclusively deal with the forensic needs of rape cases in an efficient and time-bound manner.

(1915/GM-SJN)

One of the important aspects of the investigation of rape cases is the tracking of the accused persons and the sharing of information. Last year, hon. Minister of Home Affairs Shri Rajnath Singh launched this very important scheme of Crime and Criminal Tracking Network

and System in the country. This will ensure that our National Crime Records Bureau will have all the database and profile of those sexual offenders at the national level and share it with States and Union Territories so that the data can be used by the police for verification of the antecedents of persons for prospective employers and it will be a crucial part of future investigation by any States or any agencies of the country. This will facilitate the entire process. To address the issue from a broader perspective, it was considered necessary to create a National Mission for Safety of Women.

As I have mentioned earlier, besides the fast track courts and strengthening of the forensic laboratories, building of national registry of sexual offenders and thereby appointing additional public prosecutors and providing appropriate medical and rehabilitation facilities to victims are very important steps which are being taken. Issues like sensitization of children through appropriate changes in the school curriculum and media campaign, which the hon. Deputy Speaker just mentioned, are being thought about. So, media campaign, social awareness and checking the proliferation of pornographic material, which the hon. Member mentioned, and other online content will also be taken up.

Our hon. Minister of Home Affairs Shri Rajnath Singh- I have been a witness in the Ministry- has constantly reviewed within the Ministry with all the agencies and the women's safety has been given top priority. That is why our Home Minister for the first time has created a new division in the Home Ministry and this division is known as Women Safety Division. This division is dedicated to the safety and security of women in the country. Besides that, there are various steps taken by the Ministry like special apps and special assistance to various NGOs and other organisations working in this particular field. Besides that, the National Mission for Safety of Women would lead to many beneficial things for all of us to work on for giving a credible response to emerging situation of crimes against women, especially the minor girls.

Today, we are making some changes in the Indian Penal Code and the Code of Criminal Procedure. There are consequential effects on the Indian Evidence Act and I would like to mention some of the important effects which have been made.

Earlier, we heard the situation where the character of women was assassinated. Women are victims of situation and during the trial process they are being subjected to various things which are very

uncomfortable to the victim and to the society as a whole. That is why the section 53A of the Indian Evidence Act has been changed and the new clause seeks to provide that the evidence of the character or previous sexual experiences shall not be relevant in such cases. Another important provision is that in prosecution for rape, it shall not be permissible to put questions in the cross-examination of the victim about her character. No lawyer will be allowed to have a cross-examination about the character of the woman. With that, another important provision under section 26 of the Code of Criminal Procedure provides that rape cases shall be tried, as far as practicable, by a court presided over by a woman.

(1920/RSG/BKS)

A preference has been given where trial of rape cases should be presided over by a woman judge. These are victim-sensitive steps taken by the Government.

Under section 154 of the Code of Criminal Procedure, a new provision being inserted is that information given in the rape cases shall be recorded by a woman police officer or any woman officer. This gives complete protection to the woman victim. The provision under section 161 of the Cr.P.C. provides for the examination of

witness by police. Now, the new provision provides that the statement of the victim shall be recorded by a woman police officer or any woman officer. This is also a very victim-sensitive measure.

... (*Interruptions*)

SHRIMATI P.K. SHREEMATHI TEACHER (KANNUR): What is the meaning of 'any woman officer'?

SHRI KIREN RIJIJU: For that, a person has to be qualified. We cannot put any woman in the job. ... (*Interruptions*)

HON. DEPUTY SPEAKER: It could be a woman officer from the Police Department.

... (*Interruptions*)

SHRI KIREN RIJIJU: I understood your point. We will ensure that this kind of sensitive issues are not being followed by anybody who is not competent. The police officer is not just a police person; he is a police officer competent to deal with these cases. That is why you cannot have a person who is not sitting in appropriate authority being put into the job. He must be an authorised officer or an authorised person, a competent person. ... (*Interruptions*)

Section 5 (a) provides that the statement of the victim shall be recorded by a judicial magistrate as soon as the commission of the

offence has been brought to the notice of the police. Section 173 of the Cr.P.C. also provides – as I mentioned earlier – that the investigation of the case shall be completed within two months from the date of recording of the offence. This means, there is no chance for any officer to take time beyond two months since timeline is very important. Under section 197 (1) of the Cr.P.C., the new provision that has been brought in is that no previous sanction shall be required for prosecution of a public servant accused of the offence of rape. This is very important. This means we are putting the onus on the officers who are completely responsible to ensure speedy justice. Under section 309 of the Cr.P.C., a new section has been inserted. This is a proviso which has been amended to provide for mandatory completion of inquiry or trial of rape cases within two months from the filing of charge-sheet. Once the charge-sheet is filed, it must be completed within two months.

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Has any time limit been mentioned for filing charge-sheet?

SHRI KIREN RIJJU: There is already an elaborate provision. If any police officer fails to act on any such instances which are serious in nature, there is already enough provision to take action against that

officer. There is no escape. I would also like to mention that in the last three to four years the number of cases has gone up primarily because it is now mandatory on the part of the police officer to register the case. It is not only registration of cases but filing of charge-sheet and disposal are also made time-bound. This is very important. I would like to appeal to hon. Members to appreciate this effort. ... (*Interruptions*)

(1925/GG/RK)

श्रीमती रंजीत रंजन (सुपौल): किरेन जी, आपने जो दो महीनों का टाइम दिया है, सपोज़ कि जो एक्युज़्ड है, वही नहीं दे पा रहे हैं। जो विक्टिम है, वह गवाही देने के ही लायक नहीं है, उसको सदमा लगा हुआ है, तो उस केस में अगर दो महीनों से ऊपर टाइम जाता है, तो उस केस में आप क्या क्लैरिफिकेशन देना चाहते हैं?

SHRI KIREN RIJJU: Sir, let me complete the reply and in the end if the Members wish to seek any clarifications, I am ready to give reply to that.

The important progress that I want to mention here is with regard to Section 327, sub-clause 2 of CrPC. It provides that an inquiry or trial of rape cases shall be conducted in-camera. This gives ample scope to the victim to ensure that she gets justice. The recording has to be in-camera now. We are thinking that there

should be no loophole whatsoever left whereby the accused can get away with.

The existing Section 357(b) provides that the compensation payable by the State to the victim of the acid attack and gang rape shall be in addition to the payment of fine to the victim. This amendment will ensure that the compensation scheme will be extended to the victims of the newly proposed categories under Section 376 (a)(b), Section 376 (d)(a) and Section 376 (d)(b).

Another important provision which I would like to mention is the existing Section 357 (c) which provides that all hospitals, public or private, shall immediately provide free of cost first-aid or medical treatment to the victim of offence of rape and shall immediately inform the police. Through this amendment the facility of free first-aid or medical treatment shall be extended to victims under the newly proposed categories of the provisions which I have just mentioned. These are very crucial steps which provide immediate medical care to the victim without any financial burden.... (*Interruptions*)

HON. DEPUTY SPEAKER: Mr. Minister, you may continue. Members may seek clarifications in the end. I will allow all the Members.

SHRI KIREN RIJJU: Sir, as I have mentioned in the very beginning, I am not dragging this issue to a point where I would like to counter Members on some of the points which they have made. In the very beginning, I had said that this is not one-Party issue. It is not a concern for one section of the Party. It is a concern of the nation, a concern of this august House.

That is why I would like to ask Shri Premachandran also as to why he is questioning on the timing of the promulgation. When the Ordinance was promulgated, we had already got information from the State of Madhya Pradesh and elsewhere that they had already booked the criminals under this Ordinance. This means that it is very useful. Prof. Saugata Roy has said that we should have made this law much earlier. We know that the Parliament has to take preventive steps and make preventive laws also. At times this House has to reflect the sentiments of this country. When the sentiments of the whole country are that the Government must take stringent steps to ensure that the punishment for the crimes of such heinous nature has to be very-very stringent, very strong, the Government must rise to the occasion.

Sir, though, I have a number of points to clarify to the hon. Members but the provisions that I have read out, I am sure most of the hon. Members will be satisfied and they will support the intention of this Government to ensure that our women do not feel insecure in our society. Mahatma Gandhi ji had once made this very important remark which I would like to read out in this august House. 'When women feel safe to walk in the streets in the night then only it means that we have achieved full Independence'. So, it is the moral duty of everyone here to ensure that our sisters, daughters and mothers feel safe in our own very civilized, very ancient nation called India.

(1930/PS/CS)

We will not leave any stone unturned to ensure that the provisions, which are made by the Government in this Criminal Law (Amendment) Bill, 2018, are put into effect strongly. This shows the determination of the Government to provide justice to every single case of sexual offence against women.

With these few words, I thank the hon. Deputy Speaker Sir and hon. Members for supporting this Bill. With this, I commend this Bill for passing.

(ends)

DR. MAMTAZ SANGHAMITA (BARDHMAN DURGAPUR): I would like to raise one point. If we are giving treatment, it is okay; we all want to give the treatment. But, the evidence may be lost. That is why, the kit should be there in the hospitals, especially in ladies' department to take the swab.

SHRIMATI SUPRIYA SULE (BARAMATI): The hon. Minister could clarify if he would like to make it 'children below 12 years'. So, at least, there may be a gender equal Bill. That is a request.

DR. A. SAMPATH (ATTINGAL): Sir, through you, I would like to seek a clarification from the hon. Minister. Some children belong to the 'third gender'. By birth, they are in the third gender. Those children may also be subjected to rape. They are in the third gender not because of their fault. Somehow it happens. But, they may also be subjected to these kinds of sexual atrocities. So, that can be put under the definition of 376. I would like to know whether we can put all the children under this provision or not.

HON. DEPUTY SPEAKER: Do you want to seek any clarification or do you just want to move amendments?

SHRI BHARTRUHARI MAHTAB (CUTTACK): I will be moving my amendments.

HON. DEPUTY SPEAKER: Not at this stage.

SHRIMATI P.K. SHREEMATHI TEACHER (KANNUR): Hon. Minister, Rs. 3000 crore is left in the Nirbhaya fund. Will you give a strict and stringent direction to all the State Governments to establish a special court for the minor girls to deal with rape cases? We want to increase the number of women police. Will you give stringent directions to all the State Governments to implement this?

श्रीमती रंजीत रंजन (सुपौल) : आपने कहा है कि सी.आर.पी.सी.1973 के अनुसार सभी बलात्कार पीड़ितों को राज्य सरकार द्वारा मुफ्त मेडिकल उपचार और मुआवजा दिया जाएगा। इसके साथ ही आपने लिख दिया है कि इस प्रावधान में अंडर-16 यानी 16 साल से कम उम्र की नाबालिग लड़कियों के साथ हुए बलात्कार को ही शामिल किया जाएगा। जो 16 साल से अधिक उम्र की लड़कियाँ या महिलाएं होंगी, क्या इसमें उनको मुआवजा देने का कोई प्रावधान नहीं है? क्या यह जिम्मेदारी सिर्फ राज्य की होगी या इसकी मानीटरिंग सेन्ट्रल गवर्नमेंट भी करेगी? मैं फिर से इस बात को रिपीट करूँगी कि यह जो दो माह का समय है, सपोज जो फॉरेंसिक किट है, आप कह रहे हैं कि उसे थाना ही करेगा तो मुझे एक बार फिर क्लेरिफाई करें कि क्या फर्स्ट ऐड, जो फॉरेंसिक किट है, रेप हुआ है या नहीं, क्या उसे थाना ही क्लेरिफाई करेगा?

HON. DEPUTY SPEAKER: You have to seek a clarification. You should not give a speech. Only a clarification should be sought. I cannot allow the speeches.

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Rijiju Ji, you have said that women judges will be provided for rape cases. It is a very healthy proposition that has been made. But, in view of the severe shortage of judicial officials in our country, I would like to know whether it will be possible for you to provide women judicial officials in each and every court or not. It is because the number of rape cases has been increasing.

HON. DEPUTY SPEAKER: You have sought a clarification. Your point has been raised. Now, the hon. Minister will reply.

श्री किरेन रिजीजू : महोदय, इसमें से कुछ बातें मैंने अपने रिप्लाय के दौरान बोल दी हैं। माननीय सदस्य का जेंडर के स्पेसिफिकेशन के बारे में प्रश्न आया है। मेरे ख्याल से जो अमेंडमेंट महताब जी मूव करने वाले हैं, वे उसमें इस मुद्दे को मेंशन करेंगे। जो Protection of Children from Sexual Offences Act (POCSO) है, उसमें ऑलरेडी जेंडर न्यूट्रल का प्रोविजन है। वह एक स्पेशल एक्ट बनाया गया है। यहाँ सवाल यह है कि आई.पी.सी. जो डिफाइन करता है, जैसा मैंने पहले बताया कि आई.पी.सी. की धारा के तहत वुमेन ऑफ एनी ऐज की परिभाषा क्लियर है।

(1935/RV/RC)

उस अंडरस्टैंडिंग से ही हम लोगों ने यह कानून बनाया है। आगे जाकर उस डेफिनिशन का क्या होगा, अगर आप उसकी प्रक्रिया पर चर्चा करना चाहते हैं, तो आप उसकी चर्चा कर सकते हैं। लेकिन, आज के इस कानून के प्रावधानों के बारे में मैं बताना

चाहता हूँ कि महिलाओं की सुरक्षा को लेकर, खासकर, जो बच्चियां हैं, उनको लेकर हम आज जो यह स्पेसिफिक और महत्वपूर्ण बिल लाए हैं, अगर हम लोग उसी पर कंसेंट्रेटेड रहें तो ठीक है।

With regard to special courts, forensic facilities and direction to the State Governments. उसके बारे में हम समय-समय पर अपने होम मिनिस्ट्री से, wherever it is necessary, उसके बारे में हमारे यहां से एडवाइजरी जाती ही है। इस कानून के बनने के बाद, we will ensure that every State and Union Territory follow this in letter and spirit.

1936 hours

SHRI N.K. PREMACHANDRAN (KOLLAM): I am thankful to the hon. Minister for his active response on the issues raised by most of the hon. Members. I fully agree with the hon. Minister that there was a contingency for promulgating an Ordinance.

My suggestion to the hon. Minister would be that in such a situation where there is assault and rape of a woman, especially gang rape and the whole country is shaken, definitely the Government could have opted for convening a special Session of Parliament so as to make an enactment.

As regards promulgation of an Ordinance in this case, definitely I do agree with the hon. Minister and the Government. It related to the rape of young children under the age of 12 years and 16 years.

As regards enforcement, that should be of prime importance and significance. So enforcement and the political will are highly essential to combat these atrocities against children.

With these words, I seek leave of the House to withdraw my resolution.

The Resolution was, by leave, withdrawn.

HON. DEPUTY SPEAKER: The question is:

“That the Bill further to amend the Indian Penal Code, Indian Evidence Act, 1872, the Code of Criminal Procedure, 1973 and Protection of Children from Sexual Offences Act, 2012, be taken into consideration.”

The motion was adopted.

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

HON. DEPUTY SPEAKER: The question is:

“That clauses 2 and 3 stand part of the Bill”

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 4

HON. DEPUTY SPEAKER: Shri N.K. Premachandran, are you moving your Amendment Nos. 1 to 3?

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

Page 2, line 14,-

for “ten years”

substitute “fifteen years”. (1)

Page 2, line 20,-

for “twenty years”

substitute “twenty-five years” (2)

Page 2, line 24,-

after “expenses and”

insert “sufficient for”. (3)

HON. DEPUTY SPEAKER: I shall now put Amendment Nos. 1 to 3 moved by Shri N.K. Premachandran to Clause 4, to the vote of the House.

The amendments were put and negatived.

HON. DEPUTY SPEAKER: Dr. Sanghamita, are you moving Amendment No.19 ?

DR. MAMTAZ SANGHAMITA (BARDHMAN DURGAPUR): Sir, I beg to move:

Page 2, *after* line 26,-

insert “provided also that all rape accused shall undergo psychoanalysis and, if needed, psychiatric checkup while in jail and the accused with sound mind shall undergo extended imprisonment for the remainder of his life.”. (19)

HON. DEPUTY SPEAKER: I shall now put Amendment No. 19 moved by Prof. (Dr.) Mamtaz Sanghamita to Clause 4, to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: The question is:

“That clause 4 stand part of the Bill”

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5

HON. DEPUTY SPEAKER: Shri N.K. Premachandran, are you moving your Amendment Nos. 4 and 5?

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

Page 2, lines 29 and 30,-

for “twenty years”

substitute “thirty years” (4)

Page 2, line 33,-

after “and”

insert “sufficient for”. (5)

HON. DEPUTY SPEAKER: I shall now put Amendment Nos. 4 and 5 moved by Shri N.K. Premachandran to Clause 5, to the vote of the House.

The amendments were put and negatived.

HON. DEPUTY SPEAKER: Shri Mahtab, are you moving your Amendment No.13?

SHRI BHARTRUHARI MAHTAB (CUTTACK): I beg to move:

Page 2, line 28,-

for “commits rape on a woman under”

substitute “commits sexual assault on a child under”. (13)

In this Bill, practically four Acts are being amended. They are the IPC, the Evidence Act, the Cr.PC and the POCSO Act. Here my limited point is that as you are amending the IPC where ‘woman’ has been mentioned, it is necessary to make it more explicit by putting ‘sexual assault on a child’. It is because rape has a different connotation. Those who are practising in the criminal court, they understand very well what rape ultimately signifies.

(1940/SNB/MY)

But sexual assault has a wider connotation and a child may not be able to explain what a rape is. So, in that respect, in this line I have mentioned ‘instead of commits rape on a woman under’ it should be ‘commits sexual assault on a child under’. That is the amendment I have given. There were two specific reports in this regard – one was the Law Commission Report of 2000 and the other one was of Justice Verma in 2013 which had specifically recommended that this definition of rape should be made gender neutral and that should apply equally to both male and female victims.

I would here like to give one instance and I hope the House has the patience to listen to it. When you compare boys and girls, the law cannot discriminate. There are lawyers who may argue for that. Before the promulgation of the Ordinance of 2018, for boys below 12 years, it was 10 years to life imprisonment; for girls, after the Ordinance of 2018, it is 20 years to life imprisonment and also has the provision of death penalty. This is the difference. Before the passage of this amendment Bill, for boys it was 10 years and life imprisonment and after passage of the Bill it will be 20 years with life imprisonment and also with a provision for death penalty. Why is this discrimination against boys? As such we all know, the boys do not come to report, or the parents of the boys do not come to the police station to file cases that their sons have been sexually assaulted; whereas in case of girls, the complaints are coming.

Again, it has been proposed that for the age group of 12 to 16 years, for boys it is seven years to life but for girls it is 20 years to life. For boys of 16 to 18 years it is 7 years to life and for girls, in this Bill, it is 10 years to life. This is discriminatory. It should be made gender neutral. That is the point for which I am moving this amendment.

SHRI KIREN RIJJU: Sir, I have partly touched upon this subject earlier. IPC defines rape specific to women but the new Act which was brought under the title of Protection of Children from Sexual Offences (POCSO), that is gender neutral. That Act has clear cut provisions for both the genders. There is no discrimination on the basis of gender in that Bill. But when it comes to IPC and its consequent effect on POCSO of this particular provision is that wherever the quantum of punishment is more, the effect of the provision of that particular Act will be in effect. That means if the punishment for the offence is to be more stringent under the IPC, then it will be brought under IPC. It is quite natural that after passing of this Bill all these sexual offences against girls below 16 years of age will come under this provision.

SHRI BHARTRUHARI MAHTAB (CUTTACK): My point is about gender neutrality.

SHRI KIREN RIJJU: I have already stated. The POCSO Act is already there. So, let us not get into this issue of definition in IPC. I am very specific in this regard that it is only specific to women as per the IPC definition.

HON. DEPUTY-SPEAKER: I shall now put amendment no. 13, moved by Shri Bhartruhari Mahtab to clause 4, to the vote of the House.

The amendment was put and negatived.

DR. MAMTAZ SANGHAMITA (BARDHMAN DURGAPUR): Sir, I beg to move:

Page 2, *after* line 34,--

Insert “Provided also that all rape accused shall undergo psychoanalysis and, if needed, psychiatric check up while in jail and the accused with sound mind shall be given extended imprisonment for the remainder of his life.” (20)

HON. DEPUTY-SPEAKER: I shall now put amendment No. 20, moved by Dr. Mamtaz Sanghamita to clause 5, to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY-SPEAKER: The question is:

“That clause 5 stand part of the Bill.”

The motion was adopted.

Clause 5 was added to the Bill.

(1945/RU/CP)

Clause 6

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

“Page 2, line 42,--

after “and”

insert “sufficient for”. (6)

Page 3, line 7,--

after “and”

insert “sufficient for”.” (7)

HON. DEPUTY SPEAKER: I shall now put amendment Nos. 6 and 7 moved by Shri N.K. Premachandran to clause 6, to the vote of the House.

The amendments were put and negatived.

SHRI BHARTRUHARI MAHTAB (CUTTACK): I beg to move:

“Page 3, *for* line 1,--

substitute “376DB. Where a child under twelve

years of age is sexually assaulted by

one or more”.” (14)

HON. DEPUTY SPEAKER: I shall now put amendment No. 14 moved by Shri Bhartruhari Mahtab to clause 6, to the vote of the House.

The amendment was put and negatived.

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): I beg to move:

“Page 2, line 36,--

for “one or”

substitute “two or”. (15)

Page 2, line 37,--

after “intention”

insert “, whether or not any member of the group

has actually committed the act of rape”. (16)

Page 3, line 1,--

for “one or”

substitute “two or”.” (17)

It is a technical fault which needs to be corrected because a group cannot be constituted by one. A group must be defined as more than one. I think it is a technical fault and so, needs to be corrected.

HON. DEPUTY SPEAKER: I shall now put amendment Nos.15, 16 and 17 moved by Shri Adhir Ranjan Chowdhury to clause 6, to the vote of the House.

The amendments were put and negatived.

DR. MAMTAZ SANGHAMITA (BARDHMAN DURGAPUR): I beg to move:

“Page 2, *after* 44,--

insert “Provided also that all rape accused shall undergo psychoanalysis and, if needed, psychiatric checkup while in jail and the accused with sound mind shall be given extended imprisonment for the remainder of their life.”. (21)

Page 3, *after* line 9,--

insert “Provided also that all rape accused shall undergo psychoanalysis and, if needed, psychiatric checkup while in jail and the accused with sound mind shall be given extended imprisonment for the remainder of

their life.”.” (22)

HON. DEPUTY SPEAKER: I shall now put amendment Nos. 21 and 22 moved by Dr. Mamtaz Sanghamita to clause 6, to the vote of the House.

The amendments were put and negatived.

HON. DEPUTY SPEAKER: The question is:

“That clause 6 stand part of the Bill.”

The motion was adopted.

Clause 6 was added to the Bill.

Clauses 7 to 20 were added to the Bill.

Clause 21

HON. DEPUTY SPEAKER: Shri Premachandran, are you moving amendment No.8?

SHRI N.K. PREMACHANDRAN (KOLLAM): I am not moving amendment No. 8.

HON. DEPUTY SPEAKER: The question is:

“That clause 21 stand part of the Bill.”

The motion was adopted.

Clause 21 was added to the Bill.

Clauses 22 and 23 were added to the Bill.

Clause 24

HON. DEPUTY SPEAKER: Shri Premachandran, are you moving amendment Nos. 9 to 12?

SHRI N.K. PREMACHANDRAN (KOLLAM): I am not moving amendment Nos. 9 to 12.

HON. DEPUTY SPEAKER: Shri Adhir Ranjan Chowdhury, are you moving amendment No. 18?

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Sir, the Government does not want to be enlightened. That is why, I am moving it.

I beg to move:

“Page 5, line 28, in column 3,--

for “10 years”

substitute “20 years”.”

(18)

HON. DEPUTY SPEAKER: I shall now put amendment No. 18 moved by Shri Adhir Ranjan Chowdhury to clause 24, to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: The question is:

“That clause 24 stand part of the Bill.”

The motion was adopted.

Clause 24 was added to the Bill.

Clauses 25 and 26 were added to the Bill.

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

SHRI KIREN RIJIJU: 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 again at 11 a.m. on Tuesday, the 31st July, 2018.

1948 hours

*The Lok Sabha then adjourned till Eleven of the Clock
on Tuesday, July, 31, 2018/Shravana 9, 1940 (Saka).*