



LOK SABHA DEBATES

(Part I -- Proceedings with Questions and Answers)

Wednesday, August 1, 2018/Shravana 10, 1940 (Saka)

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PART I – QUESTIONS AND ANSWERS

Wednesday, August 1, 2018/Shravana 10, 1940 (Saka)

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सत्यमेव जयते

LOK SABHA DEBATES

(Part II - Proceedings other than Questions and Answers)

Wednesday, August 1, 2018/ Shravana 10, 1940 (Saka)

LOK SABHA DEBATES

PART II –PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS

Wednesday, August 1, 2018/Shravana 10,1940 (Saka)

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(1100/GG/KKD)

1100 बजे

(माननीय अध्यक्ष पीठासीन हुईं)

...(व्यवधान)

कुमारी सुष्मिता देव (सिल्चर): मैडम, असम और मेघालय बॉर्डर पर, बंगालियों को पीटा जा रहा है। ... (व्यवधान)

HON. SPEAKER: Everyday, it should not be there.

... (*Interruptions*)

HON. SPEAKER: Not, now. Please take your seat.

Let us take up the Question Hour. Q. No. 201, Shri Laxmi Narayan Yadav.

... (*Interruptions*)

SHRI KALYAN BANERJEE (SREERAMPUR): Why Bengalis are being beaten up? ... (*Interruptions*)

HON. SPEAKER: Not now.

... (*Interruptions*)

(प्रश्न 201)

श्री लक्ष्मी नारायण यादव (सागर): अध्यक्ष महोदया, त्वरित और सुलभ न्याय दिलाना लोकतंत्र का बहुत बड़ा आधार स्तंभ होता है। ... (व्यवधान)

HON. SPEAKER: I know. But everyday, it should not be raised.

... (Interruptions)

1101 hours

(At this stage, Kumari Sushmita Dev came and stood near the Table.)

... (Interruptions)

श्री लक्ष्मी नारायण यादव (सागर): अध्यक्ष महोदया, हमारे देश में पिछले कई वर्षों से इतने ज्यादा प्रकरण उत्पन्न हुए कि उनके चलते वर्षों-वर्ष गुजर गए और हम सब जानते हैं कि ऐसे कई लोग रहे जो न्याय की आस में अपना पूरा जीवन समाप्त कर देते हैं, लेकिन उन्हें न्याय नहीं मिल पाता है। ... (व्यवधान) वे जेलों में सड़ते हैं। ... (व्यवधान) मैं इस सरकार को धन्यवाद दूंगा कि सत्ता में आने के बाद इस सरकार ने बहुत ही ईमानदार प्रयास आरंभ किए। ... (व्यवधान) जिसके चलते एक सम्मेलन सन् 2015 में मुख्यमंत्रियों का बुलाया गया और सभी राज्यों के उच्च न्यायालयों के माननीय मुख्य न्यायाधीशों का भी एक सम्मेलन बुलाया गया। ... (व्यवधान)

HON. SPEAKER: Nothing will go on record except the Question.

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

श्री लक्ष्मी नारायण यादव (सागर): अध्यक्ष महोदया, उस सम्मेलन में कुछ फैसले हुए, जिनका जिक्र माननीय मंत्री जी ने किया है। ... (व्यवधान) उसके अनुसार यह निर्णय हुआ था कि पांच साल के भीतर सारे के सारे प्रकरण निपटा दिए जाएंगे। ... (व्यवधान) ये प्रकरण अधिकतम पांच साल के लिए लंबित रहेंगे। ... (व्यवधान) महोदया, उस समिति के बनने के बाद क्या-क्या हुआ, यह तो इन्होंने उत्तर में बता दिया है। ... (व्यवधान) परंतु यह नहीं बताया है कि उसके परिणामस्वरूप कितने प्रकरण अभी तक निपट गए हैं और कितने लंबित हैं। ... (व्यवधान) मेरे एक अनुमान के मुताबिक उस निर्णय को हुए तीन साल हो गए हैं। ... (व्यवधान) महोदया, कम से कम दो तिहाई प्रकरण जो पांच सालों से लंबित हैं, वे निपट जाने चाहिए थे। ... (व्यवधान) मैं माननीय मंत्री जी से जानना चाहता हूँ कि इसमें वास्तविक स्थिति क्या है? ... (व्यवधान) उस संकल्प के बाद कितने प्रकरण निपटे हैं? ... (व्यवधान)

1103 hours

(At this stage, Kumari Sushmita Dev went back to her seat.)

श्री रवि शंकर प्रसाद : अध्यक्ष महोदया, माननीय सदस्य ने जो प्रश्न उठाया है, वह बहुत ही संवेदनशील प्रश्न है। आपने सही कहा कि एक बैठक सन् 2015 में हुई थी, फिर सन् 2016 में चर्चा हुई थी, उसके बाद पिछले हफ्ते शनिवार और रविवार को माननीय मुख्य न्यायाधीश ने सारे उच्च न्यायालयों की एक बैठक बुलाई थी। मैं स्वयं चर्चा कर के इसको मॉनिटर करता हूँ।

महोदया, मैं एक बात सदन को बहुत विनम्रता से बताना चाहूंगा, आप इस मामले में स्वयं बहुत अनुभवी हैं। हमारा काम इन्फ्रास्ट्रक्चर देना है, जैसे कोर्ट हॉल बने, रेसिडेंशियल यूनिट बने, कानून पास हो आदि। जजों का काम निर्णय करना है। भारत की न्यायपालिका आज़ाद है। आपने मुझसे सवाल किया है तो जो मैं देखता हूँ कि सुप्रीम कोर्ट में सन् 2014 के बाद से लगभग 10,573 केसों के डिस्पोज़ल में कमी आई है। उच्च न्यायालयों में 1,94,000 केसों के डिस्पोज़ल में कमी आई है। लेकिन जो हमारी सबऑर्डिनेट ज्यूडिशरी है, इसमें अभी-भी संख्या के मामले में संतोषजनक निदान नहीं हुआ है। आपने बताया, मैंने हर हाईकोर्ट का विस्तार से आपको संलग्न दिया है। एक जो मुझे कारण दिखाई पड़ता है कि सेंट्रल स्कीम में सन् 1993-94 से हम जो राशि दे रहे थे, मोदी जी की सरकार आने के बाद उसका 42 परसेंट हम लोगों ने दिया है, जो 25 सालों में हाइएस्ट है। यह इन चाल सालों में सबसे ज्यादा है।

माननीय अध्यक्ष जी, मैं एक आंकड़ा जरूर देना चाहूंगा कि हमारी कोशिश है कि अगले साल मार्च तक 21,153 कोर्ट हॉल्स हो जाएंगे, यानि जजों से अधिक कोर्ट हॉल्स देश में हो जाएंगे।

(1105/CS/RP)

नरेन्द्र मोदी जी की सरकार आने के बाद वर्ष 2014 से 2,819 कोर्ट हॉल्स बने हैं। न्यायाधीशों के लिए आवास की 2,321 यूनिट्स बनी हैं।

महोदया, मैं बताना चाहता हूँ कि नेशनल जूडिशियल डेटा ग्रिड पर 10 करोड़ केसेज, जो डिस्पोज्ड ऑफ हैं, जो पेन्डिंग हैं, का डिजिटल प्लेटफार्म उपलब्ध है। हम

जिलेवार ले रहे हैं और जो भी केस पाँच साल से ऊपर के हैं, खासकर क्रिमिनल केसेज, उनके लिए मैंने स्वयं सारे मुख्य न्यायाधीशों को पत्र लिखा है। मैं उन्हें लिखता रहता हूँ, उनसे चर्चा भी करता हूँ कि आपको प्राथमिकता में क्रिमिनल केसेज का डिस्पोज ऑफ करना चाहिए। उनके फैसले भी हुए हैं और हम इसे आगे बढ़ायेंगे। दस साल से पुराने जितने भी सिविल केसेज हैं, उनको प्राथमिकता में डिस्पोज ऑफ कीजिए और बाकी जो हीनस ऑफेंस है, वरिष्ठ नागरिकों, महिलाओं के खिलाफ केसेज हैं, उन पर कार्रवाई होगी।

श्री लक्ष्मी नारायण यादव (सागर): महोदया, मंत्री जी ने काफी अच्छा उत्तर दिया है। आजकल आम जन-मानस में यह धारणा है कि सुप्रीम कोर्ट और हाई कोर्ट्स में मामले लम्बित होने का एक कारण पी.आई.एल. को निपटाने का है और उन्होंने यह एक नया काम अपने ऊपर ले लिया है। न्यायपालिका पी.आई.एल. के माध्यम से सरकारों पर कन्ट्रोल करने या सरकारों को चलाने का काम करना चाहती है। क्या आम जन-मानस की यह धारणा सही है कि इसके कारण भी सुप्रीम कोर्ट और हाई कोर्ट्स में केसेज ज्यादा लम्बित हो रहे हैं, क्योंकि माननीय न्यायाधीशों का ध्यान पी.आई.एल. को निपटाने में ज्यादा लगा रहता है?

श्री रवि शंकर प्रसाद : महोदया, गरीबों के हक में पी.आई.एल. दाखिल की जाए, मजदूरों को वेतन मिले, इसके लिए पी.आई.एल. दाखिल की जाए, अगर कोई नेता भ्रष्टाचार कर रहा है, उस पर पी.आई.एल. हो, इसका हम पूरा समर्थन करते हैं। मैं अपनी व्यक्तिगत चर्चा कम करता हूँ, लेकिन बिहार के कुछ बड़े-बड़े भ्रष्टाचार के मामलों

में पी.आई.एल. का वकील मैं ही था, जिसमें नेताओं को सजा हो रही है। मैं एक बात बहुत ही विनम्रता से कहना चाहूँगा कि शासन चलाने का अधिकार उन्हीं का है, जिन्हें जनता शासन करने के लिए चुनती है और जो हाउस के प्रति जवाबदेह होते हैं। कानून बनाने का अधिकार उन्हीं का है, जिनको जनता वोट देकर कानून बनाने के लिए चुनती है और जो सदन के प्रति जवाबदेह होते हैं। मैं बहुत विनम्रता से यह कहूँगा कि हाई कोर्ट या सुप्रीम कोर्ट का काम पी.आई.एल. के माध्यम से शासन चलाना नहीं है। यह अधिकार देश के संविधान ने चुने हुए लोगों को दिया है। मैं बस इतना ही कहना चाहता हूँ।

श्री मनसुखभाई धनजीभाई वसावा (भरुच): महोदया, आपने मुझे प्रश्न पूछने का मौका दिया, इसके लिए आपका धन्यवाद।

महोदया, मैं आपके माध्यम से माननीय मंत्री जी से कहना चाहता हूँ कि लम्बित मामलों में किसानों की जमीन अधिग्रहण से सम्बन्धित मामले, सिंचाई के प्रोजेक्ट, फॉरेस्ट लैंड तथा कई जगहों पर विविध संगठनों द्वारा मेडिकल एडमिशन और सरकारी नौकरियों में रिजर्वेशन के गलत प्रमाण-पत्र के आधार पर नौकरी प्राप्त करने पर कई उच्च न्यायालयों में रिट पिटिशन दाखिल हुई है। वनधाणी अधिकार की रक्षा के लिए क्या कानून मंत्रालय कोई मदद करेगा? मैं भारतीय जनता पार्टी की सरकार की सराहना करता हूँ कि वह कानून में जल्दी से जल्दी सुधार करके, गरीब लोगों को, जरूरतमंद लोगों को न्याय दिलाने का बहुत अच्छा कदम उठा रही है। मैं इसके लिए

सरकार के कानून मंत्रालय का बहुत आभारी हूँ। मैं वनधाणी अधिकार की रक्षा हेतु कानून मंत्री जी से पूछना चाहता हूँ कि आप इसमें क्या सहायता कर सकते हैं?

श्री रवि शंकर प्रसाद : महोदया, सरकार आने के बाद माननीय प्रधान मंत्री जी का पहला निर्देश था कि पुराने कानूनों को समाप्त करो। जो अनुपयोगी कानून हैं, जो अंग्रेजों के समय के कानून हैं और गरीब विरोधी हैं, उन्हें समाप्त किया जाना चाहिए। मुझे इस सदन को बताते हुए खुशी हो रही है कि अब तक लगभग 1,400 कानून हम निरस्त कर चुके हैं, जिस पर इस सदन ने सहयोग किया है। हमने कई राज्य सरकारों को भी कहा है कि आप भी पुराने कानूनों को निरस्त कीजिए और काफी लोगों ने ऐसा किया है। हम इस काम को करेंगे और ऐसा करते रहेंगे कि जितने भी अनुपयोगी कानून हैं, वे समाप्त होने चाहिए। जहाँ तक आपने वन बंधुओ और उनके अधिकारों की बात कही, हमारी सरकार पूरी सजग है। जहाँ भी इस प्रकार के मामले हाई कोर्ट में आते हैं, सुप्रीम कोर्ट में आते हैं, हमारी सरकार मॉनीटर करती है, हमारा सम्बन्धित विभाग मॉनीटर करता है, मैं स्वयं मॉनीटर करता हूँ। अगर आपकी किसी स्पेसिफिक हाई कोर्ट के किसी स्पेसिफिक केस के बारे में चिंता हो तो वह मुझे बताइए, मैं अवश्य सहयोग करूँगा।

(1110/MY/RCP)

श्री मल्लिकार्जुन खड़गे (गुलबर्गा): मैडम स्पीकर, मेरा एक छोटा-सा प्रश्न है। आज जिस प्रकार से कोर्ट में ज्यादा केसेज़ पेंडिंग हैं, उनके लिए ही हर जगह हाई कोर्ट्स की ब्रांचेज़ बनाई गई हैं। ऐसी ही एक ब्रांच मेरे कांस्टीट्यूंसी गुलबर्गा में बनी है, लेकिन

उसका जुरिस्डिक्शन कम रहने के कारण कोर्ट को जितना केसेज़ ऑब्ज़र्ब करना चाहिए, उतने नहीं हो रहे हैं। इसलिए हमने आपसे भी दरखास्त की और उसी ढंग से मैं चीफ जस्टिस से भी मिला। हमने गवर्नमेंट ऑफ कर्नाटक की तरफ से रिकमेन्डेशन के लिए प्रयास किया, लेकिन वह काम नहीं हो रहा है। अगर आप वह काम नहीं करेंगे तो बंगलुरु में जो केसेज़ पेंडिंग्स हैं, गुलबर्गा और बंगलुरु में कम से कम 800 किलोमीटर का अंतर है, उसी तरह से जो धारवाड़ है, वह भी गुलबर्गा से कम से कम 500 किलोमीटर की दूरी पर है, इसलिए गुलबर्गा में कोर्ट की ब्रांच खोली गई थी। उसकी बिल्डिंग भी सभी तरह से ठीक हो गई है। वहाँ जिन जजों का अपॉइन्टमेंट होता है, उनमें से सिर्फ दो या तीन जजों को अपॉइन्टमेंट किया जाता है। वे केसेज़ ट्रांसफर नहीं करते हैं। मैं कहूंगा कि हैदराबाद तथा कर्नाटक में स्पेशल कोर्ट के लिए हमने यहाँ 371(जे) का अमेंडमेंट किया है, संविधान में संशोधन किया है। मैं चाहूंगा कि जिस एरिया के लिए उस कोर्ट को बनाया गया है, अगर आप पूरे एरिये को एक ही हाई कोर्ट में लाएंगे तो सभी को सहूलियत होगी और कोर्ट भी फिजिबल बनेगा।

श्री रवि शंकर प्रसाद: माननीय खड़गे जी, आप बहुत ही अनुभवी सांसद है और आपको प्रशासन का भी अनुभव है। आपको मालूम होगा कि भारत के संविधान में न्यायपालिका आज़ाद है। The Judiciary is completely free – in which area, what Bench will sit and what shall be their territorial jurisdiction? These are all matters to be determined by the Chief Justice of the High Court. That is the right norm. What is important is that your

concern needs to be conveyed. There are Supreme Court judgments also that in these matters where Benches are to be located, what cases are to go, the High Court is the primary institution whose consultation is important.

Now, you have flagged an issue to me. I will try to convey your concerns to surely the Chief Justice of the Karnataka High Court. What geographical location they will determine is their call. ... *(Interruptions)* Just a minute. But, as far as your concern is concerned, because you are a senior leader, I make it a point that I will convey that you have also raised this concern. But, I would like to remind you that my power is limited and must remain limited because our Government respects the independence of the Judiciary.

श्री प्रेम सिंह चन्दूमाजरा (आनंदपुर साहिब): स्पीकर महोदया, मैं आपके माध्यम से माननीय मंत्री जी के ध्यान में एक ऐसा केस लाना चाहता हूँ, जिसे मैं समझता हूँ कि देश में सबसे ज्यादा समय से लंबित पड़ा है और सबसे ज्यादा संवेदनशील है।

मैडम स्पीकर, मैं माननीय मंत्री जी से जानना चाहता हूँ कि वर्ष 1984 के कत्लेआम के कुछ दोषी लोगों के विरुद्ध केस चल रहा है। उनमें से एक केस ऐसा है जिसमें हमारे मंत्री जी वकील थे, मैं सारे सिख समाज की ओर से इनका आभारी हूँ ,

जब चार्ज लगाए गए थे, क्योंकि इन्होंने फीस भी नहीं ली थी। मैं माननीय मंत्री जी से कहना चाहता हूँ कि आज अखबारों में भी आया है कि वह केस डेढ़ वर्ष से फाइनल स्टेज पर हियरिंग में चल रहा है। कल माननीय कोर्ट ने एलान कर दिया कि उनकी कोई प्रमोशन हो रही है और उस केस को किसी और को ट्रांसफर किया जाए। आज वकील आए थे और हमारे सिख समुदाय के बहुत से लोग आए थे। अगर उस केस को ट्रांसफर कर दिया गया तो वह केस और डेढ़-दो वर्ष चलेगा। जिनके विरुद्ध वह केस है, वे अब आखिरी उम्र में चल रहे हैं। इसलिए मैं चाहता हूँ कि ऐसा कोई विधि-विधान बने, जिससे वह केस ट्रांसफर न हो, उसकी डे-बाई-डे हियरिंग हो ताकि हमारे समाज को इंसाफ मिल पाए। मैं माननीय मंत्री जी से यही पूछना चाहता हूँ।

श्री रवि शंकर प्रसाद: आदरणीय अध्यक्ष जी, हमारे माननीय सदस्य बहुत ही वरिष्ठ हैं और मैं उनकी पीड़ा को समझता हूँ। यह पूरे देश के लिए चिंता का विषय है कि वर्ष 1984 के नरसंहार में जो न्याय मिलना चाहिए था, उसमें कठिनाई हुई है। हमारी सरकार आने के बाद एसआईटी बनाई गई और स्वयं गृह मंत्री जी कोशिश में लगे हुए हैं। हम सभी लोग चाहते हैं कि न्याय मिलना चाहिए। इसमें मैं आपको इतना ही आश्चस्त करूँगा कि आपकी पीड़ा के अनुसार इसे और एक्सपिडाइट करें, यह हम लोग का कलैक्टिव कमिटमेंट है। लेकिन मान लीजिए कि सुप्रीम कोर्ट का कॉलेजियम किसी जज को कहीं का चीफ बनाकर भेजता है, तो उनकी एक प्रक्रिया होती है।

(1115/CP/SMN)

मैं उसमें अवरोध पैदा नहीं कर सकता हूँ। मैं आपको बड़े विश्वास के साथ इतना ही आश्वस्त करना चाहता हूँ कि वे कहीं भी जाएं, उसका फास्ट ट्रैक करके डिस्मिस हो, इसमें हमारा विधि विभाग पूरा सहयोग करेगा। मैं आपको यह कहना चाहूंगा।

SHRI KALYAN BANERJEE (SREERAMPUR): The hon. Law Ministers, both the Minister of Law and the Minister of State for Law, are having practical experience in dealing with the matters.

Madam, through you, I would like to tell that the resolutions which have been taken are the most important part that all the High Courts shall assign top most priority for disposal of cases which are pending for more than five years. This has not been given effect to. Today, all the matters are pending. Writ matters of more than ten years and criminal appeals of more than 8-10 years are pending. Time is going up. Ultimately, when acquittal is there, they are languishing in the jail for 13–14 years. You have also created commercial courts. You have taken good steps. I must appreciate you for taking these steps. But incidentally, till now the judges, who are taking up the criminal matters, are now taking commercial court matters. Unless the posts are created, no benefit will come.

Madam, through you, I have a question and also a request. Will the Central Government ask all the High Courts, in terms of the resolution as to how many cases have been disposed of and how many cases are pending for more than five years in all the High Courts, including appeals in the District Courts and the decisions? How many such decisions have been implemented and how many cases are still pending?

SHRI RAVI SHANKAR PRASAD: Madam Speaker, the hon. Member, who has asked the question, is a more eminent lawyer than both me and the hon. Minister of State. Therefore, his experience is more practical. ... (*Interruptions*) I had never used the floor for that but I think some kind of banter should be allowed.

Now, what is important? As the Law Minister, from my Department, I am personally writing to all the Chief Justices, giving them District-wise figure. If you see the annexure to my reply, what each High Court has done is already mentioned. I am happy to share with you that many High Courts have made promotion, CR appreciation, conditional upon performance in the disposal of old

cases. Therefore, many High Courts are doing a good job and we need to appreciate it.

Yes, I take your concern on board. Madam Speaker, one of the biggest concerns for me is that more than 5000 posts of subordinate judiciary are vacant. In the filling up of these posts, neither the Government of India has the power nor the State Government has the power. Somewhere majority of the High Courts undertake examination and in many States, the Public Service Commissions are recommending. What have we done? We want to have a centralized system for appointment of subordinate judiciary at some level with some percentage. Under the mandate of the Prime Minister, the keenness commitment of our is that judges from the deprived community, from the Scheduled Castes, from the Scheduled Tribes, from the OBC, minority and women must also become part of the subordinate judiciary. After training, they must get elevated to the High Court so that everyone needs to have representation in the High Court selection also.

There are differences between us and some High Courts. I am sure with the collective will, we will be able to come out of that. Now,

we have the National Law School. Finest young boys and girls are coming. After IIT, the minds of India are in the National Law School. Why should not they, after some years of practice, be made Additional District Judges so that they become the chain for the High Court Judges? These are the larger issues which we are working on under the mandate of the Prime Minister. It is because if we talk of inclusive society, the judiciary must also reflect that inclusion. That is our commitment.

(ends)

(Q. 202)

PROF. SUGATA BOSE (JADAVPUR): Madam Speaker, may I take this opportunity to welcome back our Prime Minister from the BRICS Summit in South Africa where he had the opportunity of another interaction with the President of China and I do so with simple '*namaskar*' from a respectable distance?

(1120/MMN/NK)

Madam Speaker, in the early twenty-first century, Asia is recovering the global position it had lost 200 years ago. In order to realise our dream of an Asian century, India and China must strive to peacefully manage their simultaneous rights. It is, therefore, entirely appropriate to have close engagement at the highest levels of our two Governments. I hope the informal summit in Wuhan will lead not only to another informal summit at a beautiful place in India next year but will also lead to a structured strategic framework of dialogue to enhance our cooperation and resolve our differences.

In the written reply to my Question, the reply mentions about the topics covered and the results of the nine-hour conversation but one word is conspicuous by its absence. It is the name of a place

called 'Doklam' which was a cause for great concern last year during our Monsoon Session of Parliament. We, in the Opposition, showed our solidarity with the Government to enable our brave soldiers to hold their ground and to allow space for our diplomats to make their best efforts to defuse the crisis.

Our Parliament deserves to be taken into confidence as to whether or not our Prime Minister raised the Doklam issue and whether the strategic guidance provided by the two leaders to the respective militaries has resulted in the dismantling of the Chinese infrastructure which came uncomfortably close to our Siliguri corridor. Will the External Affairs Minister please shed some light on this matter?

श्रीमती सुषमा स्वराज : अध्यक्ष जी, सांसद प्रो. सुगत बोस बहुत विद्वान सांसद हैं। आपने कहा कि एक वर्ड 'conspicuous by its absence and that is Doklam'. उससे पहले की लाइन में मैंने यह भी लिखा है कि स्पेसिफिक टॉपिक डिस्कस नहीं हुआ। अगर कोई स्पेसिफिक टॉपिक डिस्कस नहीं हुआ तो डोकलाम शब्द कैसे आता।

अध्यक्ष जी, मैं आपके माध्यम से सदन को बताना चाहती हूँ कि वुहान की ...(व्यवधान)।

माननीय अध्यक्ष : पहले सुन लीजिए।

श्रीमती सुषमा स्वराज : अध्यक्ष जी, पहले पूरा आंसर सुन लीजिए, वुहान की समिट किसी तय एजेंडे के साथ नहीं हुई थी। मैं वुहान की समिट की तैयारी के लिए स्वयं चीन गई थी। दोनों विदेश मंत्रियों ने यह तय किया था कि हम किसी स्पेसिफिक एजेंडे या किसी निर्धारित एजेंडे में अपने नेताओं को न बांधे, उन्हें स्वतंत्र रूप से बात करने दें। आप कहेंगे कि इसका ध्येय क्या था? वहां मुद्दों को सुलझाना उद्देश्य नहीं था, मुद्दों को सुलझाने के लिए सही वातावरण तैयार करना था। ध्येय तीन थे, पहला, दोनों नेताओं के बीच सहजता यानी कम्फर्ट लेवल बढ़े, दूसरा, दोनों नेताओं के बीच आपसी समझ म्युचुअल अंडरस्टैंडिंग बढ़े, तीसरा, दोनों नेताओं के बीच पारस्परिक विश्वास बढ़े, म्युचुअल ट्रस्ट यानी समझ, सहजता और विश्वास बढ़ाने के लिए मीटिंग हुई थी। मैं सदन में खड़े होकर पूरी जिम्मेदारी के साथ कह सकती हूं कि इन तीनों ध्येयों में हमने सफलता प्राप्त की। उसके बाद केवल जोहान्सबर्ग में नहीं मिले, उसके पहले चीन में ही चिंगदाओ में मिले, एससीओ समिट के साइडलाइन में मिले, जोहान्सबर्ग में ब्रिक्स की साइडलाइन में मिले। वुहान में जो समझ बनी थी, उसके परिणास्वरूप वहां जो हुआ, उसमें डोकलाम भी आता है। पहली बात यह हुई कि दोनों नेताओं ने अपनी मिलिट्रीज को निर्देश दे दिए कि अगर नीचे कोई मिस-अंडरस्टैंडिंग होती है, कोई मतभेद होता है तो उसे नीचे स्तर पर सुलझाएं, कोई विवाद न बनने दें। उसी के फलस्वरूप चीन के रक्षा मंत्री भारत आ रहे हैं। दूसरी चीज तय हुई, जो वुहान मीटिंग का फॉलो-अप था, उसमें तय हुआ कि चीन-भारत के लोगों के बीच संपर्क बढ़े, इसके लिए भी तंत्र बना जो विदेश मंत्री के स्तर पर बना, जिसके लिए विदेश मंत्री इस वर्ष के अंत में यहां आ

रहे हैं। फॉलो-अप के तौर पर ठोस उपलब्धियां भी हुई हैं। आप लंबा जवाब नहीं चाहेंगे, वरना मैं सभी ठोस उपलब्धियों का जिक्र करती। जहां तक डोकलाम का सवाल है, मैं पहले भी कह चुकी हूं, आज फिर पूरी जिम्मेदारी से कह रही हूं कि डोकलाम बहुत ही परिपक्व कूटनीति के साथ सुलझा लिया गया है। फेस ऑफ साइट पर यथास्थिति बनी हुई है। डोकलाम की स्टैंड ऑफ साइट पर एक तिल का भी अंतर नहीं हुआ है।

(1125/VR/SK)

PROF. SUGATA BOSE (JADAVPUR): I am very happy to hear that the Doklam issue has been resolved through diplomatic efforts. My second supplementary, hon. Speaker, relates to our vital concerns in the Indian Ocean inter regional arena of which India historically has been very economic, cultural and political hub. During the last year, China has acquired a military base in Djibouti and obtained the 99 years lease of the Sri Lankan port of Hambantota. China has been building ports in other countries in our neighbourhood and increasing its influence in all of the lands abating the Indian Ocean.

Has our Prime Minister, in general term, apprised the President of China of our irreducible interests in our oceanic periphery and also sought freedom of navigation in the South China Sea so that we may have peace and prosperity across the Indo-Pacific?

I am sorry, Madam Speaker, that I am having to pose these questions to Sushma ji who was not present at Wuhan. I had originally addressed the question to the Prime Minister but our Secretariat redirected it to our esteemed External Affairs Minister. There used to be a Parliamentary tradition of a Prime Minister giving a statement before this House of the People after an important summit. I am very happy to hear it from Sushma ji for whom I have the highest respect, but after she has answered this question, I would request the Prime Minister to say a few words about the Summit. Thank you.

श्रीमती सुषमा स्वराज: माननीय अध्यक्ष जी, मैं वहां उपस्थित थी या नहीं, लेकिन मैं उत्तर देने में सक्षम हूं। वुहान में जो कुछ हुआ, मैंने उसका बहुत ही विस्तृत विवरण दिया है। मैंने कहा है कि मैं वहां तैयारी के लिए गई थी। मुझे सब कुछ मालूम है कि वहां क्या घटा इसलिए मैं पूरा उत्तर दूंगी।

जहां तक माननीय सदस्य ने फ्रीडम ऑफ नेविगेशन की बात उठाई है, जो चीजें जग जाहिर हैं, जो हमारी नीति में हैं, उन्हें अलग से उठाने की आवश्यकता नहीं है। हमारी यह नीति है कि इंटरनेशनल मेरिटाइम रूट्स में फ्रीडम ऑफ नेविगेशन हर उस देश का अधिकार है जिसकी टेरिटरी उसमें आती है, जिसका मेरिटाइम जोन उसमें आता है। हमारी साउथ चाइना सी के बारे में बहुत ही स्पष्ट नीति है कि फ्रीडम ऑफ

नेविगेशन होना चाहिए और जो भी आपस में डिस्प्यूट हों, अनक्लॉस के तहत इंटरनेशनल लॉ एंड ऑर्डर माने जाने चाहिए। रूल्स ऑफ ऑर्डर को माना जाना चाहिए और सारे के सारे विवाद अनक्लॉस के तहत ही तय किए जाने चाहिए। हमारी यह बहुत ही स्पष्ट नीति है, यह चाइना को भी मालूम है। ... (व्यवधान)

श्री मल्लिकार्जुन खड़गे (गुलबर्गा): माननीय प्रधानमंत्री जी यहां मौजूद हैं। वे खुद ही यहां गए थे।... (व्यवधान)

माननीय अध्यक्ष: ऐसे नहीं होता है। जो उनके प्रश्न हैं, वही जवाब देंगे।

... (व्यवधान)

HON. SPEAKER: This is the Question Hour. I am sorry.

Shri P.D. Rai ji.

... (*Interruptions*)

HON. SPEAKER: Nothing will go in record, except the Question.

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

SHRI PREM DAS RAI (SIKKIM): Madam Speaker, thank you for allowing me to participate in this question. My question to the hon. Minister is ... (*Interruptions*)

माननीय अध्यक्ष: वह सक्षम हैं। आप बैठिए।

... (व्यवधान)

HON. SPEAKER: The hon. External Affairs Minister will answer it.

... (*Interruptions*)

माननीय अध्यक्ष: यह क्वेश्चन ऑवर है। आप बैठिए।

... (व्यवधान)

HON. SPEAKER: Except the Question, nothing will go in record

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

SHRI PREM DAS RAI (SIKKIM): Madam Speaker, the answer to the question is rather broad and, therefore, I take the opportunity by participating with a question, which is most specific to the region and one which my fellow colleague, Dr. Sugata Bose has already raised on Doklam. I am very happy to understand the resolution of the same.

However, Madam, recently the Vice External Affairs Minister from China visited Bhutan. I would like to understand from the hon. Minister whether this was one of the outcomes of the Wuhan Summit.

श्रीमती सुषमा स्वराज: माननीय अध्यक्ष जी, मैं माननीय सदस्य की बात नहीं समझी। चीन के वाइस प्रीमियर भूटान में अब गए तो वुहान सम्मिट में इसके बारे में कैसे बात होती?

मैंने कहा कि वुहान सम्मिट में कोई तय एजेंडा नहीं था। भूटान के वाइस प्रीमियर अब गए, तो वुहान में किस बारे में बात होती? ... (व्यवधान) मैंने डोकलम के बारे में

जवाब इतना स्पष्ट दिया है कि किसी स्पेसिफिक इश्यू पर बात नहीं हुई। चूंकि डोकलम सुलझ चुका था, डोकलम सुलझ चुका है। मैं बार-बार कह रही हूं कि डोकलम सुलझ चुका है, कूटनीतिक परिपक्वता, डिप्लोमेटिक मेच्योरिटी से सुलझ चुका है। वहां जो स्टैंड अप साइट हैं, उस पर तिल भर भी परिवर्तन नहीं हुआ है।

मैं सदन में खड़े होकर कह रही हूं, पूरी जिम्मेदारी से कह रही हूं कि वहां का स्टेटस-को बराबर बना हुआ है, उसमें तिल भर भी परिवर्तन नहीं हुआ है, तो बार-बार डोकलम का विषय क्यों उठाया जाता है? ... (व्यवधान)

श्री अधीर रंजन चौधरी (बहरामपुर): वहां यह इश्यू है... (व्यवधान)

माननीय अध्यक्ष: विदेश मंत्री कुछ कहना चाहती हैं।

... (व्यवधान)

श्रीमती सुषमा स्वराज: भूटान और चाइना का बाउंड्री डिस्प्यूट अलग चल रहा है। डोकलम में ट्राई जंक्शन प्वाइंट की बात हमसे संबंधित थी। नॉर्दर्न डोकलम का बाउंड्री डिस्प्यूट उनके साथ चल रहा है, यह भूटान और चीन के बीच में है। इसमें भारत कुछ नहीं कह सकता है।

हमारी जो फेस ऑफ साइट है, मैं उसके बारे में बार-बार कह रही हूं कि फेस ऑफ साइट का मामला पिछले साल 28 अगस्त, 2017 को सुलझ चुका है। वहां तिल भर भी परिवर्तन नहीं हुआ है।

(इति)

(1130/SAN/SK)

(Q. 203)

DR. K. GOPAL (NAGAPATTINAM): Respected Madam Speaker, electrification of railway routes is a good thing and the country can save precious oil. At the same time, the country has got huge diesel infrastructure. We have more than 5,800 working diesel locomotives. Moreover, we already have diesel locomotive manufacturing units, and more units are also coming up.

The premature idling of in-service rolling stock assets of the diesel is also not a good idea. Therefore, my question is what the fate would be of diesel infrastructure already existing, including the diesel locomotive units, in the event of 100 per cent electrification of railway routes.

SHRI PIYUSH GOYAL: Madam Speaker, it is a very good question which the hon. Member of Parliament has raised.

First of all, I am sure that the entire House will agree that electrification is a good idea. Electrification helps us not only save precious foreign exchange and import of diesel, but it also helps the environment because it ensures that the pollution that is created by

trains is significantly reduced. Therefore, this Government has accelerated the pace of electrification.

Madam Speaker, you will be happy to know and the hon. Members will also be happy to know, through you, that as against roughly 610 kilometres electrified in 2013-14, in the year 2017-18, we have electrified 4,087 kilometres, which is almost seven times of what was done four years ago. This year, our target is 6,000 kilometres of electrification.

As regards the premature retirement of diesel locomotives, I would like to inform the hon. Member that diesel locomotives will continue to be used as the electrification progress albeit at a lower level. Even after that, as a standby arrangement, we will need diesel locomotives so that if there is any breakdown, any requirement in the border areas, any requirement when the Army has to be moved, and where we are not able to set up lines and do electrification in remote border areas or of strategic lines, we may use them. We will require diesel locomotives to that extent.

Having said that, I am delighted to share with the House that we have now found a way so that within the cost of periodic

overhauling of diesel locomotives, we will be able to convert them to electric locomotives. So, no diesel locomotive will go waste. When those locomotives come up for the periodic overhaul, after their routine life is over, we will convert them into electric ones at a less cost than the cost we will be incurring on their periodic overhaul.

Finally, we will certainly need to have certain facilities for manufacturing of diesel locomotives to provide for the safety margins in the strategic areas, which the Government has ensured will also be by highly energy efficient and less polluting diesel locomotives from a plant coming up in Bihar.

The rest of the diesel locomotive manufacturing facilities, which have old and outdated technology, will now be converted to make electric locomotives. Therefore, no facility will go waste and no facility will remain idle. There will be no loss to the country. It is a win-win, gain-gain situation for India.

DR. K. GOPAL (NAGAPATTINAM): As the hon. Minister said in the reply, the modernisation of railway stations had commenced way back in 2012, but no one is taking interest to enter into it from the private sector. I came to know that finally, the Railway has decided

to spend Rs. 5,000 crore on modernisation of 68 major stations following a lukewarm response from private companies for the redevelopment project.

(1135/SM/MK)

I have also learnt that the Railways is also working on the conditions proposed for private participation to make station redevelopment a more attractive proposition. Therefore, I would like to know from the hon. Minister as to which are those 68 stations that are under consideration for modernisation and the steps taken by the Railways to make private participation more attractive in redevelopment of railway stations.

I take this opportunity to get a confirmation from the hon. Railway Minister regarding the steps taken by the Railways in expansion of Karaikal, Thiruvapur and Nagapattinam railway stations which includes construction of one more platform.

SHRI PIYUSH GOYAL: Madam, Speaker, when we assessed the demand and the abilities of private parties to develop railway stations, two main features came up before the Government. While I appreciate that this project was started in 2012, I would like to inform that the reason why we did not get a good response was two-fold.

One is, the lease period that was being offered to private developers was about 45 years. Secondly, we did not allow them to sublease or to have mortgage on the property because of which private sector was showing a lukewarm response. There was also another element about the work to be carried on top of the railway station and the railway infrastructure which had its own complications. It was intimidating the private developers. A lot of approvals were also involved in it and there were designing problems which the private developers faced.

Railways is a very complex infrastructure. Safety of rail assets has to be ensured. Considering all this, these developers have gone for two-pronged approaches. First, they are moving for a change in the norms of modernisation to see that we can allow 90 or 99 years lease. That will be decided by the Cabinet when the note comes up. Whatever period of lease is desirable, we will increase it. We will also ensure that the multiple leases, sub-leases and mortgage will be allowed so that the private sector finds it more attractive to participate in it.

Secondly, we are spending money on these 68 stations so that the work required to be done on the railway stations is carried out by the Railways and we also offer the private sectors 'outside railway system' which will not intimidate them and it will not be difficult for implementation of the project. They can speedily, through a transparent auction, get the project and implement it.

HON. SPEAKER: SHRI CHHOTELAL – not present

श्री जगदम्बिका पाल (डुमरियागंज): अध्यक्ष महोदय, माननीय मंत्री जी ने कहा है कि जो पिछले चार वर्षों में जो नहीं हुआ, उससे ज्यादा रेलवे लाइन के इलेक्ट्रिफिकेशन के लिए इन्होंने योजना बनायी है। वर्ष 2018-19 में इन्होंने 13675 किलोमीटर का लक्ष्य रखा है। मैं आपके माध्यम से मंत्री जी से कहना चाहता हूं कि गोरखपुर, आनंद नगर, नवगढ़, बलरामपुर, गोंडा होते हुए, नेपाल के समानान्तर एक रेलवे लाइन है। यदि उस रेलवे लाइन के लिए इलेक्ट्रिफिकेशन की स्वीकृति है, तो इस पर कब तक कार्य प्रारंभ हो जाएगा? माननीय मंत्री जी ने यह भी कहा है कि हमने रेलवे स्टेशन डेवलपमेंट कॉरपोरेशन बनाया है।

माननीय अध्यक्ष: कृपया प्रश्न पूछें।

श्री जगदम्बिका पाल: इसमें इन्होंने जो आनन्द विहार या बिजवासन स्टेशन बनाया है, उनकी स्वीकृति किस वर्ष हुई थी और उन स्टेशन्स को कब तक पूरा कर दिया जाएगा? क्योंकि 23 स्टेशन्स की जो बोली मांगी गयी थीं, उनमें से केवल दो स्टेशन

की बोली आयी हैं। जो ए एवं ए 1 कटेगरी के स्टेशनस हैं, उसके लिए कोई समय-सीमा है? मैं आपके माध्यम से जानना यह चाहता हूँ।

श्री पीयूष गोयल: मैडम, जो उत्तर प्रदेश की लाइन का जिक्र किया गया है, वह लाइन तो अभी बननी है। वह नई लाइन है। अगर यह लाइन ऑलरेडी स्वीकृत है, तो इसका इलेक्ट्रिफिकेशन साथ-साथ में होगा। जहां-जहां पर रेलवे में इंफ्रास्ट्रक्चर एक्जीस्टिंग है, बनने वाला है या स्वीकृत है, उस पर हम इलेक्ट्रिफिकेशन करने जा रहे हैं। जैसे-जैसे प्राजेक्ट्स सैंक्शन होगा, वैसे-वैसे उनका विद्युतीकरण होगा। जो 23 स्टेशनस की बात की है, तो मैंने पहले जवाब में बताया था कि दो स्टेशनस हबीबगंज, भोपाल के पास और गांधीनगर गुजरात में है। इन दोनों पर बिड्स आए थे। उन दोनों पर तेजी से कार्य चल रहा है और आधा कार्य पूरा हो चुका है। शायद मार्च तक पूरा हो जाएगा। लेकिन, बाकी स्टेशन में जो कठिनाई आयी थी, उसका जिक्र मैंने पहले कर दिया था कि हम उसमें बदलाव ला रहे हैं।

(1140/AK/SPS)

DR. KAKOLI GHOSH DASTIDAR (BARASAT): Thank you, Madam, through you, I would like to ask this from the hon. Minister. During 2009-2010, the Barasat Station in my Constituency was upgraded and a ladies passenger waiting room along with a toilet, and an underpass at Gate No. 12 were sanctioned by the then Railway Minister, hon. Madam Mamata Banerjee. The work had also started,

but over the last few months, the ladies passenger waiting room along with the toilet are locked, and the work for construction of underpass at Gate No. 12 of the Station has stopped.

Why is it that these works, started by her, have been stopped recently?

SHRI PIYUSH GOYAL : Madam Speaker, I can assure the hon. Member that we believe that Government is in continuation, and any work started by any previous Railway Minister will continue as per schedule.

I would not right away have the details of this specific Station as to why that work has stopped or why the room is locked, if at all. I will certainly get back to the hon. Member with that information.

*SHRI GURJEET SINGH AUJLA (AMRITSAR): Thank you, Hon. Madam Speaker, for giving me the opportunity to ask a supplementary Question. I would like to draw the attention of the Hon. Minister towards the trains that start and end at Amritsar Railway Station.

People who visit Amritsar generally are devotees who pay their obeisance at Golden Temple and Durgiana Temple. But, the condition of trains that ply to and from Amritsar is very bad. Sachkhand train plys between Takht shri Darbar Sahib and Shri Khadoor Sahib. But, even the AC coaches of this train are not worth travelling. Same is the case of general coaches. Similarly, in the Jan Shatabdi train, no extra coaches are being added despite a huge rush of passengers. There are 13 primary trains and 14 secondary trains.

HON. SPEAKER: The question does not arise. I will not allow.....

माननीय अध्यक्ष: यह प्रश्न इससे सम्बन्धित नहीं है।

...(व्यवधान)

HON. SPEAKER: No, I will not allow it. ऐसा नहीं होता है, इससे आदत पड़ जायेगी।

... (Interruptions)

HON. SPEAKER: I know that he can reply to your query.

... (Interruptions)

माननीय अध्यक्ष: ऐसी आदत मत डालिए।

...(व्यवधान)

माननीय अध्यक्ष : प्रश्न संख्या 204, श्री गजानन कीर्तिकर ।

(प्रश्न 204)

श्री गजानन कीर्तिकर (मुम्बई उत्तर पश्चिम): अध्यक्ष महोदया, जैसा कि माननीय मंत्री महोदय ने अपने उत्तर में लिखा है कि मुम्बई के गोरेगांव, मोतीलाल नगर डाकघर, का पुनर्निर्माण करने की आवश्यकता है। इस सम्बन्ध में मैं मंत्री जी का ध्यान इस ओर आकर्षित करना चाहता हूँ कि मोतीलाल नगर डाकघर जो कि सन् 1995 में निर्मित किया गया था वह अपनी वैधतापूर्ण कालावधि से पहले ही गिर चुका है। अतः मैं माननीय मंत्री महोदय से जानना चाहता हूँ कि मोतीलाल नगर डाकघर, जो गोरेगांव में स्थित है और यह डाकघर मेरे संसदीय क्षेत्र में आता है, इसका पुनर्निर्माण कब तक किये जाने की सम्भावना है? जिस ठेकेदार ने पहले इस भवन का निर्माण किया था, उसके खिलाफ सरकार द्वारा क्या कानूनी कार्रवाई की जायेगी?

श्री मनोज सिन्हा: अध्यक्ष महोदया, इस प्रकरण में जांच चल रही है और निश्चित रूप से मैं सदन को और माननीय सदस्य को आश्वस्त करना चाहता हूँ कि जिम्मेदारी तय करते हुए कानून के दायरे में जो भी कार्रवाई सम्भव है वह उन लोगों के विरुद्ध की जायेगी। तत्काल किराये पर लेकर उस पोस्ट ऑफिस का काम शुरू कर दिया गया था और स्वीकृति प्रदान कर दी गयी है। शीघ्र ही नया भवन बनाकर माननीय सदस्य के क्षेत्र में पोस्ट ऑफिस प्रारम्भ करा दिया जायेगा।

(1145/RPS/UB)

श्री गजानन कीर्तिकर (मुम्बई उत्तर पश्चिम): मैडम, मैं मंत्री जी का ध्यान मुंबई के कुछ डाकघरों और कर्मचारी आवासों की जर्जर अवस्था की ओर आकर्षित करना

चाहता हूं। अंधेरी पूर्व स्थित डाकघर कर्मचारी आवास की सभी इमारतें जर्जर अवस्था में हैं और वे किसी भी समय गिर सकती हैं। लोखण्डवाला डाकघर, जो अंधेरी पश्चिम में स्थित है, उसकी निर्माण योजना पिछले तीन वर्षों से तैयार है, लेकिन अब तक वहां कार्य शुरू नहीं हुआ है। वहां झोपड़-पट्टियों का अतिक्रमण शुरू हो गया है और उस पर एनक्रोचमेंट होने की संभावना है। मेघवाड़ी डाकघर, जो जोगेश्वरी पूर्व में स्थित है, उसे बने हुए दो साल हो चुके हैं, लेकिन आज तक इसे महाराष्ट्र सरकार द्वारा हस्तांतरित नहीं किया गया है, इसकी क्या वजह है?

मैं मंत्री जी से यह जानना चाहता हूं कि शहर डाकघर कर्मचारी आवास और लोखण्डवाला डाकघर के पुनर्निर्माण का काम कब तक शुरू किया जाएगा एवं मेघवाड़ी डाकघर को सरकार द्वारा कब तक अपने अधीन लेकर उसका संचालन शुरू किया जाएगा?

श्री मनोज सिन्हा : मैडम, मैं माननीय सदस्य को पहले भी पत्र के माध्यम से विस्तृत उत्तर दे चुका हूं कि कर्मचारियों के आवास के लिए 2.24 करोड़ रुपये वर्ष 2016-17 में दिए गए हैं। टेंडर की प्रक्रिया पूरी कर ली गई है और मेंटिनेंस का काम प्रारम्भ कर दिया जाएगा। 1.5 करोड़ रुपये वर्ष 2017-18 में भी दिए गए हैं। मोतीलाल नगर पोस्ट ऑफिस के विषय में माननीय सदस्य ने जानना चाहा है, जांच के बाद जब वह डैजर्स स्थिति में पाया गया तो हमने नया भवन लेकर, जिसके लिए हम 99 हजार रुपये प्रति माह किराया दे रहे हैं, उसे शुरू कर दिया है। इसमें जो लोग जिम्मेदार होंगे, उनके खिलाफ हम कार्रवाई भी करेंगे।

दूसरे, मजासवाड़ी पोस्ट ऑफिस के बारे में माननीय सदस्य ने जानना चाहा है, वहां महाराष्ट्र सरकार की स्लम रिहैबिलिटेशन एक्ट के अंतर्गत जो जमीन थी, हमें जितना एरिया चाहिए था, उतना एरिया वे लोग नहीं दे रहे थे। अभी चार दिन पूर्व हमारे चीफ पोस्ट मास्टर जनरल और महाराष्ट्र सरकार के बीच एक एमओयू साइन हुआ है, जिसमें महाराष्ट्र सरकार ने कहा कि 278 वर्ग मीटर जमीन अभी दे रहे हैं और शेष अगले तीन महीने में देंगे। वह एफिडेविट प्राप्त होने के बाद, मुझे उम्मीद है कि वह कार्रवाई आने वाले कुछ दिनों के अंदर पूरी हो जाएगी।

माननीय अध्यक्ष : पोस्ट ऑफिस की बिल्डिंग दो साल से तैयार है, मगर दी नहीं गई है।

श्री सुधीर गुप्ता (मंदसौर): अध्यक्ष महोदया, आज देश में बदलाव की स्थिति है और प्रत्येक क्षेत्र में यह बदलाव महसूस हो रहा है, चाहे कृषि क्षेत्र हो। वहां एमएसपी में परिवर्तन, सिंचाई और बिजली की सुविधाएं बढ़ी हैं, फर्टिलाइजर की लाइनों का समापन हुआ है, बीमा और मुआवजे के भुगतान तत्काल हो रहे हैं और मिट्टी परीक्षण हो रहा है। मैं यह भी महसूस कर रहा हूँ कि गरीबों के लिए देश में करोड़ों की संख्या में आवास मिले हैं, गैस के चूल्हे उपलब्ध हुए हैं और स्वास्थ्य में भी सुधार की स्थिति आई है। बैंकिंग सेक्टर में मुद्रा योजना पर काम हुआ है। आज जिस तरह से देश में हर क्षेत्र में सुधार हुआ है, गांव-गांव में ऑप्टिकल फाइबर की लाइनें गई हैं, बैंकिंग सुविधाओं के लिए लोग डाकघर से जुड़ना चाहते हैं, तो उसमें आप पासपोर्ट सेवा केन्द्रों को जिला और ब्लॉक स्तर पर कहां स्थापित करना चाहते हैं, उसके लिए क्या

मानक तय किए गए हैं? बैंकिंग सेक्टर में आप पेमेंट बैंकिंग को कितना नीचे तक ले जाना चाहते हैं और ग्रामीण क्षेत्र में जो डाकघर हैं, उनकी सुविधाओं में कितना विस्तार करने का आपने मन-मानस बनाया है?

श्री मनोज सिन्हा : अध्यक्ष महोदया, विदेश मंत्रालय के सहयोग से पोस्ट ऑफिस पासपोर्ट सेवा केन्द्र की योजना दो वर्ष पूर्व प्रारम्भ हुई थी। इसी सदन में देश के वित्त मंत्री जी ने कहा था कि हम पोस्ट ऑफिसेज के साथ मिलकर पोस्ट ऑफिस पासपोर्ट सेवा केन्द्र देश में प्रारम्भ करेंगे। हमारी सरकार ने एक नीति तय की थी कि देश के किसी नागरिक को पासपोर्ट बनवाने के लिए 50 किलोमीटर से ज्यादा यात्रा न करनी पड़े। हम ऐसे 251 केन्द्र बना चुके हैं। सैद्धान्तिक रूप से सरकार ने यह फैसला किया है कि जिन लोक सभा क्षेत्रों में कोई पासपोर्ट कार्यालय नहीं है, वहां हम कम से कम एक पोस्ट ऑफिस पासपोर्ट सेवा केन्द्र जरूर बनाएंगे। इस काम को हम तेज गति से कर रहे हैं। माननीय सदस्य ने बैंकिंग के सन्दर्भ में जानना चाहा है, सेविंग बैंक एकाउण्ट पोस्ट ऑफिस के साथ पहले से है, लेकिन इंडिया पोस्ट पेमेंट बैंक पूरी तरह से तैयार है। किसी भी दिन प्रधानमंत्री जी इसको लॉच करने जा रहे हैं, उसकी तारीख एक-दो दिन में देश को मालूम हो जाएगी।

(1150/ASA/KMR)

650 पोस्ट पेमेंट बैंक की ब्रान्चेज हम देश भर में लॉच करेंगे और उनके 1,55,000 असेस प्वाइंट्स होंगे जो पूरी तरह से बैंक की तरह काम करेंगे। उसमें 1,30,000 के आसपास ये ग्रामीण क्षेत्रों में होंगे, गांवों में होंगे। देश में जितने बैंक वर्ष

2017 तक बने थे, उससे ज्यादा बैंक एक साल में मोदी जी के नेतृत्व में हम बनाने जा रहे हैं।

SHRI P. KARUNAKARAN (KASARGOD): Madam Speaker, in the answer given by the hon. Minister the details of heritage post offices and other institutions have been given. There are many post offices in rural areas functioning but not in very good conditions. Many post offices are functioning from rented buildings even though there are sufficient lands with the Department in various parts of the country. In my own State Kerala, the Department of Posts has its own lands. In spite of that, post offices are operating in rented buildings. I would like to know from the hon. Minister whether there is any time-bound plan with the Postal Department to construct buildings of their own because they have their own land. Does the Government have any such plan?

श्री मनोज सिन्हा : माननीय अध्यक्ष महोदया, जहां रेंट ज्यादा है, वहां हम कोशिश करते हैं कि हमारी अपनी बिल्डिंग हो। सामान्य तौर पर राज्य सरकारों ने अनेक स्थानों पर हमें ज़मीन उपलब्ध कराई है। अगर मैं आंकड़े बताऊं तो मोटे तौर पर 22 करोड़ रुपये प्रतिवर्ष भवन निर्माण के लिए हमारा विभाग खर्च करता था जिसे हमारी सरकार ने बढ़ाकर लगभग 60 करोड़ रुपये किये हैं। लेकिन यह सच है कि अभी जो लगभग

25000 डिपार्टमेंटल पोस्ट-ऑफिसेज हैं, हमारी 4500 बिल्डिंग सरकारी हैं। हम कोशिश कर रहे हैं कि जहां-जहां हमारे पास लैंड है, वहां प्राथमिकता के आधार पर अपना भवन बनाएं। लेकिन अगर कहीं सस्ते दर पर हमें रेंट पर भवन मिला हुआ है और वहां ज्यादा पूंजी लगाई जाए, मैं समझता हूं कि यह कहीं से मुनासिब नहीं है। स्टैंडिंग कमेटी ने ऑलरेडी इस विषय में संस्तुति की हुई है। माननीय सदस्य ने केरल की बात कही है तो मैं इसे दिखवा लूंगा। अगर उनका कोई आवेदन होगा तो मैं इस पर विचार करके उन्हें सूचित करूंगा।

SHRI A.P. JITHENDER REDDY (MAHABUBNAGAR): Madam, in the heart of town Maktal in my Constituency, there is a post office which has about three acres of land. The condition of the building is so bad that people fear that it may collapse one day and lead to some incident. We have written many letters seeking restoration of that post office. There are private people also there who are ready to construct a building and give place for the post office to run properly and some income can accrue to the post office also. But nobody is bothered about this type of old buildings. In the heart of Maktal town, construction debris is getting accumulated and pigs and antisocial elements are coming into that area and that is becoming a nuisance.

I would like to ask the Minister if he has any plan to take up the restoration of this building and to make it into a modern post office.

श्री मनोज सिन्हा : माननीय अध्यक्ष महोदया, पिछले दिनों काफी धन व्यय करके देश भर के जितने पोस्ट-ऑफिसेज हैं, उनको अच्छा बनाने की हमने कोशिश की है। माननीय सदस्य के निर्वाचन क्षेत्र में जो बिल्डिंग है, नीतिगत तौर पर मैं यह बात कहना चाहता हूँ कि सरकार की कोई भूमि किसी बिल्डर को देकर डेवलप कराई जाए, ऐसी कोई पॉलिसी नहीं है। अगर कोई पॉलिसी बनाई भी जाएगी तो ट्रांसपेरेंट ढंग से बनाई जाएगी क्योंकि जहाँ भी ज़मीन है, मेरे पास भी लोग आते हैं, स्थानीय अफसरों के पास भी बिल्डर लोग तमाम लोगों को लेकर जाते हैं। इसलिए किसी बिल्डर को ज़मीन देना और लाभ पहुंचाना यह सरकार का काम नहीं है। मैं माननीय सदस्य की चिन्ता का ध्यान करता हूँ और मैं सुनिश्चित करूँगा कि माननीय सदस्य के यहां जो ज़मीन पड़ी है, वहां पोस्ट-ऑफिस बन जाए। लेकिन किसी बिल्डर को ज़मीन देकर डेवलप कराना ऐसी कोई नीति नहीं है। अगर बनाना होगा तो फिर कैबिनेट से एप्रूवल लेना होगा।

(इति)

(Q.205)

SHRI K. ASHOK KUMAR (KRISHNAGIRI): Madam Speaker, the hon. Minister in his reply has said that there have been media reports about leakage of personal data and misuse by private companies. The existing Information Technology Act has provisions that allow the Government to take action against companies, social media platforms, mobile application providers which exploit user data through unauthorised means.

(1155/GM-ASA)

I would like to know from the hon. Minister the action taken by the Government under the provisions of the said Act against companies for leakage and misuse of the data.

SHRI RAVI SHANKAR PRASAD: Hon. Speaker Madam, India is emerging as a big digital power. Programmes like Digital India and Startup India are all digital based. We have saved Rs. 90,000 crore by application of technology in the DBT. But these two news reports came in public domain. I have taken strict action. Facebook replied and apologised to the Government and also said that this much of data was pilfered by the other agency Cambridge Analytica. The Cambridge Analytica gave one reply but did not follow up with the

other reply. Because of this divergence, I have referred the matter to the Central Bureau of Investigation.

I can only make three observations. Firstly, the Government of India headed by Shri Narendra Modi supports freedom of social media to articulate views; to inform; to enlighten; to empower. But any abuse of social media to promote terrorism and extremism will not be allowed and tough action will be taken. Secondly, any foreign entity like Facebook or Cambridge Analytica cannot abuse the data of Indians to influence the elections of India. India's elections are very transparent and sanctified. In this House today, I want to share some initiatives which I have taken and which I have shared in the other House. All the social media platforms must have a grievance officers in India before whom complaints can be made.

Secondly, all the social media platforms must comply with the requirements of Indian laws as well. Thirdly, all social media platforms must ensure that any kind of fake news or abusive things cannot be circulated and recirculated to create crimes in India; that will not be acceptable. Therefore, the origin of those news should also be technologically answered. I have conveyed to them a very

clear observation that it does not need a rocket science to identify lakhs of messages being circulated on a particular day in a particular area in a particular State; they must find a technological solution. While we fully support empowerment, information and education, any abuse of social media will not be allowed.

Lastly, we respect privacy, but privacy with innovation and privacy not becoming the shield of the terrorists and the corrupt: these are the broad foundations we have laid and we are working together.

SHRI K. ASHOK KUMAR (KRISHNAGIRI): Today, the cybercrime is on the rise in various online transactions. The protection of data has also become a daunting task for the Government. The existing laws pave the way for violators to escape. Therefore, the need of the hour is to strengthen the law to prevent it. I would like to know from the hon. Minister if the Government is considering to bring a comprehensive data protection law.

SHRI RAVI SHANKAR PRASAD: Madam, I am very grateful to the hon. Member because he has raised a very important question. Today, data has become the new oil as people say. In every

technology you use, data will be there. But we have to have a very balanced approach to that. The first thing I did is that I set up a Committee headed by the eminent retired judge of the Supreme Court Shri B. N. Srikrishna. He has given a report and that report today is online and a proposed draft law is also there. I would also like to have the views of the hon. Members of the House. Very soon, I am going to write to all the Chief Ministers. My Secretary will write to the Chief Secretaries so that we also get feedback from the State Governments. I want to assure you that whenever there is approval by the Cabinet on data protection law, before that consultation comes to the House, I would like to have an elaborate debate here so that we have a robust data protection law.

I have two observations on data. India is becoming a big centre of data. Data innovation and data analysis is becoming a new job, a new enterprise. Our Government is committed to India becoming one of the biggest global centres of data analysis where Indian IT professionals can work.

(1200/RSG/RAJ)

Secondly, if there is a particular illness in a particular area, hon. Speaker, we have to have data why that kind of an illness is going on. Therefore, we have to work with a balance. What is the balance? Let me say it in one line. Data availability, data innovation, data enterprise, data utility, and data privacy have to work together so that India becomes a robust centre.

(ends)

QUESTION HOUR OVER

विषय : स्थगन प्रस्ताव

माननीय अध्यक्ष: माननीय सदस्यगण मुझे विभिन्न विषयों पर कुछ सदस्यों से स्थगन प्रस्ताव की सूचनाएं प्राप्त हुई हैं, मामले महत्वपूर्ण हैं, लेकिन अन्य अवसरों पर ये मामले उठाए जा सकते हैं, इसलिए मैंने स्थगन प्रस्ताव की किसी भी सूचना को अनुमति नहीं दी है।

... (*Interruptions*)

HON. SPEAKER: I will allow you later on, after the papers are laid.

... (*Interruptions*)

सभा पटल पर रखे गए पत्र

1201 hours

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

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

- (1) (एक) सिविल सर्विसेज सोसाइटी, नई दिल्ली के वर्ष 2016-2017 के वार्षिक प्रतिवेदन की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) तथा लेखापरीक्षित लेखे।
- (दो) सिविल सर्विसेज सोसाइटी, नई दिल्ली 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 विलंब के कारण दर्शाने वाला विवरण (हिन्दी तथा अंग्रेजी संस्करण)।

संचार मंत्रालय के राज्य मंत्री तथा रेल मंत्रालय में राज्य मंत्री (श्री मनोज सिन्हा):

मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ:

- (1) निम्नलिखित पत्रों की एक-एक प्रति (हिन्दी तथा अंग्रेजी संस्करण) :-
 - (एक) टेलीकम्युनिकेशन्स कंसल्टेंट्स इंडिया लिमिटेड तथा दूरसंचार विभाग के बीच वर्ष 2018-2019 के लिए हुआ समझौता ज्ञापन।
 - (दो) आईटीआई लिमिटेड तथा दूरसंचार विभाग के बीच वर्ष 2018-2019 के लिए हुआ समझौता ज्ञापन।

- (2) भारतीय दूरसंचार विनियामक प्राधिकरण अधिनियम, 1997 की धारा 37 के अंतर्गत दूरसंचार अंतरसंपर्क (संशोधन) विनियम, 2018 (2018 का 4) जो 5 जुलाई, 2018 के भारत के राजपत्र में अधिसूचना संख्या एफ. सं. 10-10/2016-बीबी एण्ड पीए में प्रकाशित हुए थे, की एक प्रति (हिन्दी तथा अंग्रेजी संस्करण)।

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (DR. SUBHASH RAMRAO BHAMRE): Madam, I beg to lay on the Table a copy of the Memorandum of Understanding (Hindi and English versions) between the Hindustan Aeronautics Limited and the Department of Defence Production, Ministry of Defence for the year 2018-2019.

... (*Interruptions*)

DR. A. SAMPATH (ATTINGAL): Madam, I have given a notice of privilege under rule 222 and rule 223. It is a privilege notice. ...

(*Interruptions*)

HON. SPEAKER: I will allow you. Please sit down.

... (*Interruptions*)

**COMMITTEE ON PRIVATE MEMBERS'
BILLS AND RESOLUTIONS
43rd Report**

1203 hours

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

**COMMITTEE ON VIOLATION OF PROTOCOL NORMS AND
CONTEMPTUOUS BEHAVIOUR OF GOVERNMENT OFFICERS
WITH MEMBERS OF LOK SABHA (16TH LOK SABHA)
4th and 5th Reports**

1203 hours

SHRI RAYAPATI SAMBASIVA RAO (NARASARAOPET): Madam, I beg to lay on the Table of the House the Fourth and Fifth Reports (Hindi and English versions) of the Committee on Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha.

**वित्तीय समाधान और निक्षेप बीमा विधेयक, संबंधी संयुक्त समिति
प्रतिवेदन**

श्री निशिकान्त दुबे (गोड्डा): अध्यक्ष महोदया, मैं वित्तीय समाधान और निक्षेप बीमा विधेयक, 2017 संबंधी संयुक्त समिति का प्रतिवेदन (हिन्दी तथा अंग्रेजी संस्करण) प्रस्तुत करता हूँ।

**वित्तीय समाधान और निक्षेप बीमा विधेयक, संबंधी संयुक्त समिति
साक्ष्य का अभिलेख**

श्री निशिकान्त दुबे (गोड्डा): अध्यक्ष महोदया, मैं वित्तीय समाधान और निक्षेप बीमा विधेयक, 2017 संबंधी संयुक्त समिति के समक्ष दिए गए साक्ष्य का अभिलेख सभा पटल पर रखता हूँ।

अन्य पिछड़े वर्गों के कल्याण संबंधी समिति 12वां प्रतिवेदन

श्री गणेश सिंह (सतना): अध्यक्ष महोदया, मैं सड़क परिवहन और राजमार्ग मंत्रालय से संबंधित 'भारतीय राष्ट्रीय राजमार्ग प्राधिकरण में रोजगार में अन्य पिछड़ा वर्ग का प्रतिनिधित्व सुनिश्चित करने और उनके कल्याण के लिए किए गए उपाय' के बारे में अन्य पिछड़े वर्गों के कल्याण संबंधी समिति का 12वां प्रतिवेदन *(हिन्दी तथा अंग्रेजी संस्करण) प्रस्तुत करता हूँ।

रसायन और उर्वरक संबंधी स्थायी समिति का की गई कार्रवाई का विवरण

श्रीमती अंजू बाला (मिश्रिख): अध्यक्ष महोदया, मैं रसायन और पेट्रो रसायन विभाग के 'रसायन और पेट्रो रसायन क्षेत्र में सरकारी क्षेत्र के रुग्ण उपक्रमों के जीर्णोद्धार' विषय पर 35वें प्रतिवेदन (16वीं लोक सभा) में अंतर्विष्ट सिफारिशों पर की-गई-कार्रवाई संबंधी 42वें प्रतिवेदन (16वीं लोक सभा) के अध्याय एक में अंतर्विष्ट सिफारिशों पर सरकार द्वारा की-गई-कार्रवाई दर्शाने वाला विवरण (हिन्दी तथा अंग्रेजी संस्करण) सभा पटल पर रखती हूँ।

*इस प्रतिवेदन को 'अध्यक्ष, लोक सभा' के निदेश के निदेश 71क के अंतर्गत 25 अप्रैल, 2018 को माननीय अध्यक्ष, लोक सभा को प्रस्तुत किया गया। माननीय अध्यक्ष ने 'लोक सभा के प्रक्रिया तथा कार्य संचालन नियम' के नियम 280 के अंतर्गत प्रतिवेदन के मुद्रण, प्रकाशन और परिचालन की अनुमति दी।

**STATEMENT CORRECTING ANSWER GIVEN TO
UNSTARRED QUESTION NO. 4200 DATED 21.3.2018
RE: (i) ACTS ENACTED BY PARLIAMENT AND
(ii) GIVING REASONS FOR DELAY IN
CORRECTING THE ANSWER**

1204 hours

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE AND MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI P.P. CHAUDHARY): Madam, I beg to make a statement (i) correcting the reply (English version) to Unstarred Question No. 4200 given on 21 March, 2018 by Shri Shivkumar Udasi, MP regarding 'Acts Enacted by Parliament' and (ii) giving reasons for delay in correcting the reply.

—————
... (*Interruptions*)

HON. SPEAKER: Hon. Members, please take your seat.

... (*Interruptions*)

RE: QUESTION OF PRIVILEGE

1204 hours

DR. A. SAMPATH (ATTINGAL): Madam Speaker, I am on a point of order. ... (*Interruptions*)

With your permission, I would like to state that I have given a notice under rule 222 and rule 223. This is regarding a statement, I mean a reply made by hon. Minister of Parliamentary Affairs Shri Ananthkumar on the floor of the House on the very first day of the commencement of this Session, that is, on the 18th July. ... (*Interruptions*)

During 'Zero Hour', Members raised an issue regarding an attack. ... (*Interruptions*)

HON. SPEAKER: What type of notice is it?

DR. A. SAMPATH (ATTINGAL): I have given a privilege notice. ... (*Interruptions*)

SHRI NISHIKANT DUBEY (GODDA): There is no point of order during 'Zero Hour'. ... (*Interruptions*)

DR. A. SAMPATH (ATTINGAL): With due respect, I have given the notice addressed to the hon. Speaker, as the rule says. ... (*Interruptions*) Under rule 222 and rule 223, I have given the notice

of my intention to raise this matter on the floor of the House. I have given it to the Secretary-General also. ... (*Interruptions*)

(1205/RK/IND)

It is regarding the statement made by the hon. Minister on the floor of the House. My submission is that he has tried to mislead the House as also the public. He made a statement regarding the attack on one of the hon. Members of the House, Dr. Shashi Tharoor. On the issue which the hon. Member raised during 'Zero Hour', cutting across Party lines many of the hon. Members of the House have also condemned and associated with the matter.

Without seeking any information from the concerned State Government, the hon. Minister had stated in this august House that law and order is a State subject. The Minister has not yet collected the information from the concerned State Government.

HON. SPEAKER: I will see to it.

DR. A. SAMPATH (ATTINGAL): He has not yet gone through the FIR also. All the arrested eight persons belong to the BJP. He has made a statement that the attack was made by the 'CPI(M) goons' and criminals. Madam, these words should not be used by the Parliamentary Affairs Minister. They are unparliamentary words

also. I would request the Minister, through you Madam, to withdraw these words and correct his statement. He has to make a correct statement on the floor of the House.

HON. SPEAKER: I will have to go through it.

DR. A. SAMPATH (ATTINGAL): Madam, if he is not willing to correct his statement, my breach of privilege notice may be taken into cognizance and action may be taken against the Minister who has tried to mislead the House.... (*Interruptions*)

HON. SPEAKER: You have given a Privilege notice. I will see to it.

DR. A. SAMPATH (ATTINGAL): This is a very serious issue. The Minister should not try to mislead the House.

HON. SPEAKER: I will go through it. You have given the Privilege notice. I will go through it.

SPECIAL MENTIONS

1207 hours

SHRI JYOTIRADITYA M. SCINDIA (GUNA): Madam, I have given a notice for the Adjournment Motion.... (*Interruptions*)

श्री जुगल किशोर (जम्मू) : अध्यक्ष महोदया, शिक्षा के विषय में केंद्र सरकार बहुत गंभीर है। देश में सभी शिक्षित हों और सभी विद्यार्थियों को अच्छी शिक्षा मिले, इसके लिए केंद्र सरकार ने कई कदम उठाए हैं। इसके लिए मैं केंद्र सरकार के प्रति आभार व्यक्त करता हूँ।

महोदया, हमारा पुंछ डिस्ट्रिक्ट बार्डर का डिस्ट्रिक्ट है। यहां कोई केंद्रीय विद्यालय नहीं है। हम चाहते हैं एक केंद्रीय विद्यालय पुंछ में और एक केंद्रीय विद्यालय राजौरी नौशेरा में जल्द से जल्द खोला जाए, जिससे कि अच्छी से अच्छी शिक्षा विद्यार्थी ले सकें। यहां केंद्रीय सरकार के भी कई विभाग जैसे आर्मी आदि हैं, इनके लिए दो केंद्रीय विद्यालय पुंछ और नौशेरा में खोले जाएं।

माननीय अध्यक्ष: श्री भैरों प्रसाद मिश्र, श्री शरद त्रिपाठी, श्री लखन लाल साहू, श्री हरीश मीना, श्री रामचरण बोहरा, श्री सी.पी. जोशी और डॉ. कुलमणि सामल को श्री जुगल किशोर द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

SHRI K.C. VENUGOPAL (ALAPPUZHA): Thank you very much, Madam Speaker, for giving me an opportunity. The natural calamity is not leaving Kerala. We had heavy rains day before yesterday and

yesterday also. The rain has been continuing for the last one month. Day before yesterday, the entire coastal houses have been damaged due to sea erosion. All the fishermen are in a very difficult situation. They are not in a position to go for fishing. Their entire houses have been damaged by the massive sea erosion. The problem is that there are no sufficient pulimuttus and sea bridges.

Sea erosion is not included in the natural calamity list and that is why the Government is not giving any assistance. Earlier, the Defence Ministry used to give funds to the States like Kerala for coastal protection but now they are not giving it. As the tribal people live in forests, the fishermen live on the sides of the coast. They will not leave that place. Their livelihood is dependent on sea. Therefore, the Government should consider it seriously.

The Minister has already assured that a package in this regard will be given by the Centre. This should be given the maximum priority. Pulimuttu should be given top priority otherwise, the entire Kerala coast will vanish. I am not in a position to go to my constituency Alappuzha. It is in a very bad shape. It should be given top priority. I am seeking an answer from the hon. Minister. Madam,

the Parliamentary Affairs Minister is here. We are facing this situation continuously for the last one week.

(1210/PS/VB)

Everyday houses have been damaged.

माननीय अध्यक्ष: ऐसा नहीं होता है। इस प्रकार से आवाज नहीं लगाते हैं।

...(व्यवधान)

HON. SPEAKER: I can understand. That is why, I have allowed you to speak.

SHRI K.C. VENUGOPAL (ALAPPUZHA): People are losing their lives. Hundreds of thousands of people are in camps. They are living in temporary shelters. Therefore, Madam Speaker, your intervention is also needed. Thank you very much. ... (*Interruptions*)

HON. SPEAKER: Shrimati Supriya Sule, Adv. Joice George, Shri Innocent, Shri Rajeev Satav, Shri Mullappally Ramachandran, Shri N.K. Premachandran Shri Rabindra Kumar Jena and Dr. Kulmani Samal are permitted to associate with the issue raised by Shri K.C. Venugopal.

SHRI BHEEMRAO B. PATIL (ZAHEERABAD): Madam Speaker, after the bifurcation of Telangana and A.P. States, major tourist places such as Kanak Durga Temple at Vijayawada, Venkateswara

Swamy Temple at Tirupati, Shri Mallikarjun Temple at Srisailam went to the share of Andhra Pradesh. There is no major tourist place in our Telangana State. There are a few historical and important places and temples even in Telangana, such as Sri Kethaki Sangameshwara Temple in Jharasangam, which is in my Parliamentary Constituency; Someswara Temple in Kolanupaka in Nalgonda District; Basara Saraswati Temple in Adilabad District; Mirzapur Hanuman Temple in Kamareddy District; Baba Sadulla Hussain Dargah in Badapahad in Kamareddy District; Medak Church in Medak District, etc. They have been neglected since long. There is a major flow of tourists in this area, but there is a lack of facility. The rich and higher revenue temples such as Srisailam, Badrinath and Kedarnath have been selected for PRASAD and Bharat Darshan Schemes.

I would like to know from the hon. Tourism Minister as to what steps have been taken for the promotion of places of heritage and including the less revenue generated temples in the list. I would also like to know as to what steps are taken to develop tourism in Telangana State. Through the Chair, I request the hon. Minister to provide the required funds of about Rs. 100 crore to develop places

of Jharasangam temple as a pilgrimage centre and also to develop it as a tourism place under PRASAD scheme sponsored by the Tourism Department, Government of India.

HON. SPEAKER: Yes, hon. Minister, do you want to say something on Shri K.C. Venugopal's statement?

THE MINISTER OF CHEMICALS AND FERTILIZERS AND
MINISTER OF PARLIAMENTARY AFFAIRS (SHRI
ANANTHKUMAR): My dear friend and colleague, Shri K.C.
Venugopal Ji, has raised a very pressing issue regarding havoc in
Kerala due to heavy rain and sea erosion. ... (*Interruptions*)

I assure him that I will bring it to the attention of the concerned
Ministries. At the same time, the Central Government will provide all
the assistance to the suffering people. ... (*Interruptions*)

HON. SPEAKER: No, not like that.

डॉ. भागीरथ प्रसाद (भिंड): माननीय अध्यक्ष महोदया, अब तक रेल मंत्रालय अंग्रेजों की परम्परा के अनुसार कोलकाता और मुम्बई को केन्द्र में रखते हुए रेल लाइनों का विस्तार करता रहा है। इसके कारण चम्बल और बुंदेलखंड के क्षेत्र उपेक्षित रहे हैं। यहाँ पिछले सौ वर्षों में कोई भी नयी रेल लाइन नहीं दी गयी है। श्री नरेन्द्र मोदी जी के नेतृत्व में सरकार द्वारा पहली बार देश के उपेक्षित विकासशील क्षेत्रों में रेल सुविधाएँ देने का काम हुआ है।

भिंड से इटावा, भिंड-आगरा वाया उदी रेल लाइन का निर्माण हुआ और रेलगाड़ियों का संचालन हुआ। वर्ष 2016 के रेल बजट में भिंड से कोंच और महोबा को शामिल करके एक वैकल्पिक राष्ट्रीय रेल मार्ग योजना को मूर्त रूप दिया गया है। यह लिंक उत्तर भारत से दक्षिण भारत के स्थानों को जोड़ेगी। यह लाइन भिंड से महोबा तथा पूर्व में निर्मित महोबा से खजुराहो, कटनी, जबलपुर, बालाघाट, गोंदिया, चन्द्रपुर, विजयवाड़ा और चेन्नई को जोड़ेगी।

दूसरी ओर, हैदराबाद और बेंगलूरु से सीधा सम्पर्क हो जाएगा। इस नये मार्ग से आगरा, झांसी, भोपाल, इटारसी, नागपुर की रेल व्यस्तता कम होगी।

अतः मैं भारत सरकार से अनुरोध करता हूँ कि भिंड-महोबा रेल लिंक को राष्ट्रीय रेल मार्ग का हिस्सा मानकर इसका निर्माण शीघ्र किया जाए। इससे पहली बार बुंदेलखंड जैसे पिछड़े क्षेत्र को इसमें शामिल करने से एक नये राष्ट्रीय रेल मार्ग का उदय होगा।

HON. SPEAKER: Shri Chandra Prakash Joshi, Shri Bhanu Pratap Singh Verma, Shri Bhairon Prasad Mishra and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Dr. Bhagirath Prasad.

श्री गोपाल शेटी (मुम्बई उत्तर): माननीय अध्यक्ष महोदया, केन्द्रीय जलवायु परिवर्तन मंत्रालय ने दिनांक 21.09.2015 को महाराष्ट्र राज्य में डहाणु प्रादेशिक योजना की स्वीकृति कुछ शर्तों के साथ प्रदान की थी। राज्य सरकार ने डहाणु प्रादेशिक योजना

से संबंधित अंतिम अधिसूचना को शीघ्र जारी किए जाने हेतु अनुरोध किया है। लेकिन, केन्द्र सरकार ने अब तक इस संबंध में अंतिम अधिसूचना जारी नहीं की है।

इस संबंध में, यह भी अवगत कराना है कि महाराष्ट्र राज्य के अर्बन डेवलपमेंट विभाग ने डहाणु तालुका, जो पर्यावरण की दृष्टि से अत्यधिक संवेदनशील है, से संबंधित विकास योजना का प्रस्ताव दिनांक 05.01.2017 को केन्द्रीय एवं जलवायु परिवर्तन मंत्रालय को प्रेषित किया है, जो अभी तक लंबित है।

(1215/PC/RC)

मेरा केंद्र सरकार से अनुरोध है कि वह डहाणु प्रादेशिक योजना से संबंधित अधिसूचना शीघ्र जारी किए जाने के साथ-साथ डहाणु तालुका, जो पर्यावरण की दृष्टि से अत्याधिक संवेदनशील है, से संबंधित विकास योजना और डहाणु विकास योजना से निकले हुए हिस्से को शीघ्र स्वीकृति प्रदान करने का कष्ट करे। धन्यवाद।

माननीय अध्यक्ष: कुँवर पुष्पेन्द्र सिंह चन्देल एवं श्री भैरों प्रसाद मिश्र को श्री गोपाल शेटी द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री ज्योतिरादित्य माधवराव सिंधिया (गुना) : अध्यक्ष महोदया, इस सरकार ने कई बार अच्छे दिनों के सपने दिखाने की बात कही है और महंगाई पर काबू करने की बात कही है। लेकिन सदैव की तरह ये बातें जुमले के रूप में रह गई हैं। कल रसोई गैस के दाम बढ़ाए गए, 1.70 रुपये सब्सिडाइज़्ड गैस पर और 35.50 रुपये नॉन-सब्सिडाइज़्ड गैस पर बढ़ाए गए।

अध्यक्ष महोदया, यह आश्चर्य की बात है कि एक माह - जुलाई माह के अंदर दूसरी बार रसोई गैस के दामों में बढ़ोत्तरी की गई है। पहली जुलाई को सब्सिडाइज़्ड

गैस पर पौने तीन रुपये और नॉन-सब्सिडाइज़्ड पर 55 रुपये बढ़ाए गए। इसका मतलब है कि कुल मिलाकर पांच रुपये और 90 रुपये, क्रमशः सब्सिडाइज़्ड और नॉन-सब्सिडाइज़्ड गैस पर एक माह में बढ़ाए गए हैं। जब यू.पी.ए. की सरकार थी, तब सब्सिडाइज़्ड का दाम 412 रुपये था। आज वह 500 रुपये पर पहुंच गया है। यह 22 प्रतिशत वृद्धि है। नॉन-सब्सिडाइज़्ड 414 रुपये थी, जो कि आज 800 रुपये पर पहुंच गई है। मतलब, चार सालों में 90 प्रतिशत वृद्धि हो गई।

अध्यक्ष महोदया, आज किसान पिट रहा है। आज एक साधारण महिला घर-गृहस्थी के बोझ के नीचे झुक रही है, यह सरकार दाम घटाने के बजाए इंडियन ऑयल और पावर ग्रिड को मिलाकर उज्ज्वला योजना और सौभाग्य योजना के लिए 300 करोड़ रुपये के इशतिहार और विज्ञापन लाने की योजना ला रही है। आज हम पूछना चाहते हैं कि ये महंगाई पर कब काबू पाएंगे? हमें सरकार से इसका जवाब चाहिए। आम आदमी के जीवन में जहां तेल का दाम घट रहा है, वहीं डीजल और पेट्रोल का दाम आसमान छू रहा है। महोदया, यह कहां का अर्थशास्त्र है, हमें समझ में नहीं आता है। ... (व्यवधान) इनके खजाने में 15 लाख करोड़ रुपये आ गए, जो यह कहते थे कि 15 लाख रुपये जनता के खजाने में देंगे। ... (व्यवधान) सरकार इसका जवाब दे, नहीं तो जनता इनको कठघरे में खड़ा करेगी। ... (व्यवधान)

माननीय अध्यक्ष: डॉ. कुलमणि सामल, श्री राजेश रंजन, श्री रवीन्द्र कुमार जेना, श्री धनंजय महाडीक, कुमारी सुष्मिता देव एवं श्री राजीव सातव को श्री श्री ज्योतिरादित्य माधवराव सिंधिया द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री कपिल मोरेश्वर पाटील (भिवंडी): धन्यवाद अध्यक्ष महोदया।

हमारे देश में कैरोसीन की दरें, घरेलू उपयोग और औद्योगिक उपयोग के लिए अलग-अलग हैं। इसी धरती पर महाराष्ट्र सरकार ने 27.11.2017 को केंद्र सरकार के अन्न व पुरवठा मंत्रालय को एक प्रस्ताव भेजा है कि जिस तरह कैरोसीन की दरें अलग-अलग हैं, उसी धरती पर चीनी की दरें, घरेलू उपयोग और औद्योगिक उपयोग के लिए अलग-अलग हों। यह प्रस्ताव महाराष्ट्र सरकार ने भेजा है।

मैं आपके माध्यम से सरकार से विनती करता हूँ कि जल्द से जल्द वह इस प्रस्ताव को मान्यता दे। धन्यवाद।

माननीय अध्यक्ष: कुँवर पुष्पेन्द्र सिंह चन्देल एवं श्री भैरों प्रसाद मिश्र को श्री कपिल मोरेश्वर पाटील द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्रीमती संतोष अहलावत (झुन्झुनू): आदरणीय अध्यक्ष महोदया, आपने मुझे एक अत्यंत महत्वपूर्ण विषय पर बोलने का मौका दिया, इसके लिए मैं आपका आभार व्यक्त करना चाहती हूँ।

महोदया, मेरे संसदीय क्षेत्र में राष्ट्र हित का एक संस्थान - हिंदुस्तान कॉपर लिमिटेड चल रहा है, जहां का तांबा सर्वोत्कृष्ट क्वालिटी का है। गत वर्ष सरकार ने उसको निजी हाथों में दे दिया था। 15 दिनों से वहां के जो बेचारे दिहाड़ी मजदूर हैं, जो अल्प वेतन भोगी लोग हैं, उनको हड़ताल पर बैठने के लिए मजबूर होना पड़ा है। न उनको वेतन मिल रहा है, न उनको चिकित्सकीय सुविधाएं उपलब्ध हो रही हैं।

मैं आपके माध्यम से सरकार से कहना चाहती हूँ कि वह इस मामले में हस्तक्षेप करे। मजदूरों के हितों का संरक्षण करना भी हमारा काम है। वे छोटे लोग हैं। कंपनी को जो सुविधाएं देनी चाहिए, उनको वे सुविधाएं दिलवाने में आप मेरी मदद करें। मैं आपका आभार व्यक्त करती हूँ। धन्यवाद।

माननीय अध्यक्ष: कुँवर पुष्पेन्द्र सिंह चन्देल, श्री भैरों प्रसाद मिश्र एवं श्री चन्द्र प्रकाश जोशी को श्रीमती संतोष अहलावत द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

डॉ. सुनील बलीराम गायकवाड़ (लातूर): माननीय अध्यक्ष महोदया, धन्यवाद।

मैं आपके माध्यम से सदन का ध्यान एक बहुत ही महत्वपूर्ण विषय की ओर आकृषित करना चाहता हूँ। मेरे लोक सभा क्षेत्र लातूर से लातूर रोड - नांदेड़ की नई रेल लाइन मंजूर हो गई है और उसका सर्वे भी हुआ है। अभी तक वहां प्रत्यक्ष काम की शुरुआत होना बाकी है।

मैं आपके माध्यम से माननीय रेल मंत्री जी से निवेदन करता हूँ कि वहां इस नई रेल लाइन का काम जल्द से जल्द शुरू कराया जाए। माननीय रेल मंत्री जी ने लातूर को मेट्रो बोगी का कारखाना दिया है, इसके लिए मैं उनको बहुत-बहुत धन्यवाद देता हूँ और उसका भी जल्द से जल्द काम शुरू करवाने की उनसे मांग करता हूँ। बहुत-बहुत धन्यवाद।

माननीय अध्यक्ष: कुँवर पुष्पेन्द्र सिंह चन्देल को डॉ. सुनील बलीराम गायकवाड़ द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री सुशील कुमार सिंह। सुशील कुमार सिंह नहीं आए हैं क्या?

श्री सुखबीर सिंह जौनापुरिया।

(1220/MM/SNB)

श्री सुखबीर सिंह जौनापुरिया (टोंक-सवाई माधोपुर): महोदया, राजस्थान के टोंक जिले में बनस्थली निवाई जंक्शन पर दूरगामी ट्रेनों का ठहराव करने की रिक्वेस्ट में आपके माध्यम से करना चाहता हूँ।

अध्यक्ष महोदया, टोंक के लिए रेल मंजूर की गयी थी। उसके सर्वे का काम भी हो गया है, लेकिन उसके बाद से काम आगे नहीं बढ़ पाया है। मैं आपके माध्यम से एक बात और कहना चाहता हूँ कि पिछले शासन में भूमि अधिग्रहण बिल लागू हुआ था। यह एक ऐसा काला कानून पैदा हुआ है कि जब तक 80 परसेंट की स्वीकृति न हो तब तक कोई काम नहीं हो सकता है। पिछले साढ़े चार साल से कोई नई इंडस्ट्री इसके कारण से नहीं लग पा रही है।

महोदया, टोंक जिला मुख्यालय सहित आस-पास के जिलों के लाखों विद्यार्थी बनस्थली विद्यापीठ जाने के लिए रेल की यात्रा करते हैं। निवाई में बनस्थली विद्यापीठ देश का प्रसिद्ध बालिका विश्वविद्यालय है, जहां देश भर की करीब 15 हजार छात्राएं शिक्षा प्राप्त कर रही हैं। निवाई तथा टोंक में राज्य स्तरीय कपड़ा मण्डी है। जिसके लिए व्यापारियों को सूरत, मुम्बई, बेंगलुरु आदि क्षेत्रों में आना-जाना पड़ता है। इस रेलवे स्टेशन से अनेक दूरगामी ट्रेनें निकलती हैं, जिनका ठहराव निवाई स्टेशन पर न रहने के कारण क्षेत्र के व्यापारियों, छात्राओं और यात्रियों को जयपुर जाकर यात्रा करनी पड़ती है। इस स्थिति में ट्रेनों का ठहराव न होने के कारण क्षेत्र के लोगों को काफी नुकसान भुगतना पड़ रहा है। मेरा आपके माध्यम से मंत्री जी से निवेदन है कि जयपुर से मुम्बई, जयपुर से बांद्रा, जयपुर से इंदौर, जयपुर से चेन्नई, जयपुर से कोयम्बटूर,

जयपुर से एर्नाकूलम और जयपुर से बेंगलुरु की सात प्रमुख रेल हमारे यहां स्टेशन पर रुक जाएं तो जो 15 हजार बालिकाएं पढ़ रही हैं, उनको भी जयपुर तक जाने में सुविधा होगी और वहां के व्यापारियों को भी सुविधा मिलेगी।

माननीय अध्यक्ष: श्री चन्द्र प्रकाश जोशी, श्री भैरों प्रसाद मिश्र और कुँवर पुष्पेन्द्र सिंह चन्देल को श्री सुखबीर सिंह जौनापुरिया द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री भैरों प्रसाद मिश्र (बांदा) : महोदया, मैं आपके माध्यम से सदन का एक बहुत ही महत्वपूर्ण समस्या की ओर ध्यान आकर्षित करना चाहता हूँ। मेरे संसदीय क्षेत्र के बगल से बार्डर पर ललहोली के पास एक महत्वपूर्ण राजमार्ग है जो बांदा से कानपुर को जाता है। वह बांदा, फतेहपुर, कानपुर के लिए प्रमुख मार्ग है। यह मार्ग मध्य प्रदेश को जोड़ता है। यह बहुत ही व्यस्त मार्ग है। लेकिन यह मार्ग चार किलोमीटर तक बहुत ही खराब हालत में है। यह पांच वर्ष से खराब हालत में है। इसके लिए हम लगातार मांग करते रहे हैं। पुरानी राज्य सरकार ने तो इस पर ध्यान नहीं दिया। नयी सरकार भी कहती है कि वह राष्ट्रीय राजमार्ग बनेगा। लेकिन उसके लिए अभी तक प्रस्ताव नहीं गया है। इस समय बरसात का सीजन है और इतने बड़े गड्ढे हो गए हैं कि पानी भरने के बाद वे दिखाई नहीं पड़ते हैं, जिससे वहां दुर्घटनाएं हो रही हैं। वहां लगातार जाम लग रहा है। मैं आपके माध्यम से सरकार से मांग करना चाहता हूँ कि राष्ट्रीय राजमार्ग की उसकी मांग बहुत दिनों से पेंडिंग है। इस महत्वपूर्ण बांदा-कानपुर राजमार्ग को राष्ट्रीय राजमार्ग में लेकर उसको बनवाया जाए। लेकिन जब तक वह राष्ट्रीय राजमार्ग नहीं बन जाता है,

तब तक राज्य सरकार से बात करके यथाशीघ्र उसको कम से कम मोटराइज़ करवा दिया जाए। जिससे लोगों की समस्या का निदान हो सके।

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

डॉ. उदित राज (उत्तर-पश्चिम दिल्ली): अध्यक्ष महोदया, मेरा संसदीय क्षेत्र उत्तर पश्चिम दिल्ली है। मेरे क्षेत्र में काफी ग्रामीण एरिया है। वर्ष 2014 के चुनाव के पहले नरेला तक मेट्रो के लिए वहां बहुत बड़ा आंदोलन हुआ था। उनका यह कहना है कि गाजियाबाद, पलवल, फरीदाबाद, गुड़गांव तक मेट्रो जा रही है, लेकिन दिल्ली के गांव में जो लोग रह रहे हैं, क्या उन्होंने दिल्ली के गांव में पैदा होकर कोई अपराध किया है कि दिल्ली में ही मेट्रो नहीं पहुंच रही है और पड़ोसी राज्यों के जिलों में पहुंच रही है? आपके माध्यम से मेरी यही प्रार्थना है कि नरेला तक मेट्रो पहुंचाने का काम जल्द शुरू हो। यूडी मिनिस्ट्री और दिल्ली सरकार की इसकी जिम्मेदारी बनती है। दुर्भाग्य की बात है कि दिल्ली सरकार का कोऑपरेशन नहीं है।

इसके अतिरिक्त अदिति महाविद्यालय कॉलेज बवाना में स्थित है। ग्रामीण क्षेत्र में गर्ल्स के लिए कोई डिग्री कॉलेज या यूनिवर्सिटी नहीं है। इस कॉलेज की बिल्डिंग नहीं है, जबकि पास में लैण्ड उपलब्ध है। उस लैण्ड को लेकर वहां महाविद्यालय बनाने की आवश्यकता है।

माननीय अध्यक्ष: शून्य काल में केवल एक विषय उठाया जाता है।

श्री दीपेन्द्र सिंह हुड्डा, श्री शरद त्रिपाठी और कुँवर पुष्पेन्द्र सिंह चन्देल को डॉ० उदित राज द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

(1225/RU/SJN)

SHRI ANANDRAO ADSUL (AMRAVATI): Madam Speaker, I would like to draw the kind attention of the hon. Minister of Commerce and Industry regarding problems being faced by the Meindwal Community in Vidharbha Region of Maharashtra due to delay in starting of export of sheep and goats.

Vidharbha has a large population of cattle rearing community. Sheep and goats are being reared in this area by Meindwal Community which is fully dependent on this profession for their livelihood. The farmers and cattle-rearing community are not getting their due and are being over-burdened with loans and as a result, they are committing suicide.

The people of Vidharbha saw a silver lining in the decision of the Government to export sheep and goats from Nagpur Airport. This export was to commence from 30th June, 2018. It is very unfortunate that due to protest by some people belonging to a minority community, this export could not be started.

Madam, all leaders, including the Union Minister of Road and Transport, the Chief Minister of Maharashtra State and Minister of Commerce and Industry, were supposed to be there for commissioning of this scheme. They had already been invited. However, it went in vain due to the sabotage made by those who never intend to see the welfare of the Charward/Meindwal community whose sole bread comes from this profession only. Rearing of sheep and goats is an age-old profession in India. Even the great King, Chandragupta Maurya, was born in this community.

A great initiative was taken through the dream Scheme, namely, Make in India under the aegis of the our Prime Minister.

Keeping in view the above, I urge upon the Union Government to take care of the feelings of the Meindwal Community so that this Scheme of export of sheep and goats can be started without further delay so that further suicides by farmers and cattle rearers can be minimized to a great extent.

HON. SPEAKER: Shri Bhairon Prasad Mishra, Kunwar Pushpendra Singh Chandel, Dr. Kulmani Samal are permitted to associate with the issue raised by Shri Anandrao Adsul.

श्री एम. बी. राजेश (पालक्काड) : अध्यक्ष महोदया, धन्यवाद। आज मैं राष्ट्रभाषा में बोलना चाहता हूं, इसलिए मुझे आप एक मिनट का बोनस प्रदान करिए। पालक्काड कोच फैक्टरी मेरे क्षेत्र का विषय है। मैंने इस सदन इस विषय को 23 बार उठाया है। पालक्काड कोच फैक्टरी की घोषणा 2008 के रेल बजट में हुई थी। 2012 में उसके लिए जमीन का अधिग्रहण करने के बाद फैक्टरी का शिलान्यास भी किया गया, लेकिन पिछले छः सालों में शिलान्यास के अलावा कुछ नहीं हुआ है। आज पालक्काड में हजारों लोग एक बड़ी ह्यूमन चैन का आयोजन करकर, उसमें कोच फैक्टरी के लिए मांग कर रहे हैं। इसलिए मैंने आज के दिन पुनः इस विषय को उठा रहा हूं।

माननीय अध्यक्ष: डॉ. ए. सम्पत, एडवोकेट जोएस जॉर्ज, श्री इन्नोसेन्ट और श्री पी. के. बिजू को श्री एम. बी. राजेश द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है। आप अच्छा बोल रहे हैं।

श्री एम. बी. राजेश (पालक्काड) : पिछले छः वर्षों में रेलवे ने कुछ नहीं किया और दो महीने पहले मुझे माननीय रेल मंत्री जी का एक पत्र प्राप्त हुआ कि भारतीय रेल को नए कोचों की जरूरत नहीं है इसलिए कोच फैक्टरी प्रोजेक्ट की शुरुआत अभी नहीं की जा सकती है। यह केवल पालक्काड की ही नहीं बल्कि पूरे केरल की 36 साल पुरानी मांग है कि सन् 1982 में पालक्काड कोच फैक्टरी का वादा किया गया था लेकिन 36 साल बाद भी कुछ नहीं किया गया। जब यू.पी.ए. की सरकार थी तो उन्होंने हमको 10 साल तक इससे वंचित रखा था और अभी ए.डी.ए. की सरकार भी वही काम कर रही है। मैं इस पर अपना आक्रोश प्रकट करता हूं। अतः आपके माध्यम से मेरी केन्द्र सरकार

और रेल मंत्री जी से मांग है कि पालक्काड कोच फैक्टरी को बनाने का वादा जल्दी से जल्दी पूरा किया जाए।

श्री विद्युत वरण महतो (जमशेदपुर): अध्यक्ष महोदया, धन्यवाद कि आपने मुझे एक बहुत ही महत्वपूर्ण विषय इस सदन में उठाने का अवसर प्रदान किया। मैं आपका ध्यान एक अति महत्वपूर्ण विषय की ओर आकृष्ट कराना चाहता हूँ कि भारत सरकार ने दिनांक 29.03.2018 को एक अधिसूचना के माध्यम से पेयमेंट ऑफ ग्रेच्युटी एक्ट में संशोधन किया है। इस संशोधन के माध्यम से ग्रेच्युटी भुगतान के लिए करमुक्त सीमा बीस लाख रुपए तक बढ़ाई गई है।

(1230/BKS/NKL)

इस अधिनियम से संबंधित ग्रेच्युटी नियमावली में अभी तक संशोधन नहीं हुआ है, जिसके कारण टाटा सहित निजी क्षेत्र की अनेक कंपनियों के कर्मचारी इसके लाभ से वंचित हैं। इस संबंध में मेरे संसदीय क्षेत्र जमशेदपुर के अंतर्गत स्थित टाटा कंपनी के टाटा वर्सेस यूनियन के साथ-साथ कई मजदूर संगठनों ने मिलकर ग्रेच्युटी रूल में संशोधन करने हेतु अनुरोध किया है।

अतः आपके माध्यम से मैं माननीय मंत्री जी से मांग करता हूँ कि इन कर्मचारियों के हित में ग्रेच्युटी नियमावली में यथाशीघ्र संशोधन किया जाए, ताकि इसका लाभ संबंधित क्षेत्रों के कामगारों को मिल सके। धन्यवाद।

HON. SPEAKER: Shri Bhairon Prasad Mishra, Shri Sharad Tripathi, Kunwar Pushpendra Singh Chandel and Shri Rabindra Kumar Jena

are permitted to associate with the issue raised by Shri Bidyut Baran Mahato.

श्री राजीव सातव (हिंगोली): अध्यक्ष महोदय, मैं महाराष्ट्र के किसानों की बात सदन में रखना चाहता हूं। चार-पांच महीने पहले महाराष्ट्र में तूर दाल और चने की खरीद का डिसिजन सरकार ने लिया। अब सरकार ने डिसिजन तो लिया, लेकिन 70 से 80 प्रतिशत किसान इससे वंचित रहे। 80 प्रतिशत किसानों का माल भी मार्केट कमेटी में नहीं जा पाया और सरकार की स्कीम का कोई फायदा नहीं हुआ। तब सरकार ने यह आश्चर्य किया था कि जिन्होंने भी मार्केट कमेटी में रजिस्ट्रेशन किया है, उनको हजार रुपये पर क्विंटल सरकार अनुदान देगी। लेकिन इसके बारे में भी कोई डिसिजन सरकार की तरफ से नहीं आया है।

इसलिए मेरी सरकार से मांग है कि महाराष्ट्र में किसानों के द्वारा की जाने आत्महत्याओं का प्रमाण बढ़ता जा रहा है। जो माल सरकार ने खरीद लिया और जो मार्केट कमेटी एक्ट है, उसके अनुसार 24 घंटे के अंदर किसान को पेमेंट देनी चाहिए। परंतु चार-पांच महीने हो गए, किसानों न पेमेंट मिल रहा है और न कोई ब्याज मिल रहा है। अतः मेरी मांग है कि उनका पेमेंट मिले और ब्याज भी मिले और जिनका माल लिया नहीं है, उनको हजार रुपये प्रति क्विंटल के हिसाब से, जो हजार रुपये अनुदान जाहिर किया है, वह देने की कृपा करे। धन्यवाद।

HON. SPEAKER: Shrimati Supriya Sule is permitted to associate with the issue raised by Shri Rajeev Satav.

श्री रामदास सी. तडस (वर्धा): अध्यक्ष महोदय, मैं आपके माध्यम से माननीय गृह मंत्री जी का ध्यान सामाजिक कार्यकर्ता आचार्य विनोबा भावे जी की अखंड पद यात्रा की ओर आकृष्ट करते हुए कहना चाहता हूँ कि मेरे संसदीय क्षेत्र में वर्धा सेवाग्राम से 7 मार्च, 1951 में विनोबा जी ने पदयात्रा शुरू की थी, जो आंध्र प्रदेश के शिवरामपल्ली तक, जो आज के अनुसार तेलंगाना राज्य के नालगोंडा जिले के पोचमपल्ली गांव तक भूदान के लिए यात्रा की थी। जो एक क्रांतिकारी एवं साहसिक कदम था। आचार्य विनोबा जी ने इसी गांव में सब भूमि गोपाला की घोषणा करते हुए जमींदारों से जमीन दान की मांग की थी। आचार्य जी ने 40 हजार मील की पदयात्रा की, जिसके फलस्वरूप उन्होंने 22.90 लाख जमीन दान में संग्रह की। इस जमीन में से 16.66 लाख एकड़ जमीन जरूरतमंद और भूमिहीनों में बांटी गई, लेकिन बाकी जमीन भूमि माफिया, कालेज आदि के लोगों ने अपने कब्जे में कर ली है।

मेरी आपके माध्यम से केन्द्र सरकार से मांग है कि इस सारी जमीन की सी.बी.आई से चौकशी लगाई जाए, ताकि गरीब लोगों को यह भूमि मिल सके। धन्यवाद।

HON. SPEAKER: Shri Bhairon Prasad Mishra and Shri Sharad Tripathi are permitted to associate with the issue raised by Shri Ramdas C. Tadas.

SHRI M. UDHAYAKUMAR (DINDIGUL): Thank you, Madam Speaker. I am constrained to say that although Dindigul is industrially and commercially a much-developed district in the State of Tamil Nadu. But, as far as railways are concerned, it is a backward and

neglected one, resulting into inconvenience to rail users of Dindigul and Theni Districts who are dependent on Dindigul Railway Station. It has been a demand to have direct train between Dindigul and Chennai and a train for Tirunelveli from here in day time. The Chennai bound passengers from Dindigul are not able to board trains from Dindigul as the trains coming from Southern districts of Tamil Nadu are already overcrowded. So, it has been a demand to attach two unreserved coaches in trains bound for Chennai from Dindigul.

Kodaikanal and Palani are two important places in Tamil Nadu attracting tourists and devotees from all over the country and abroad. Therefore, through you, Madam Speaker, I urge upon the hon. Minister of Railways to implement these genuine demands of the people of Theni and Dindigul districts for commencement of new trains and addition of unreserved coaches in trains at the earliest.

Moreover, the long pending demand and scheme of two States- Kerala and Tamil Nadu is the Sabarimala Scheme. This Scheme has been announced by the hon. Minister of Railways for the new railway line between Dindigul and Sabarimala. A meagre amount of Rs. 30 lakh has been allocated for conducting the feasibility inspection survey.

(1235/KSP/GG)

So, I would request the Ministry of Railways to give special attention to this scheme and allocate more funds for conducting the Feasibility Survey. I would also request the Railway Ministry to expedite the scheme and complete it at the earliest.

HON. SPEAKER: Dr. A. Sampath and Shri P.R. Sundaram are permitted to associate with the issue raised by Shri M. Udhayakumar.

SHRI K.H. MUNIYAPPA (KOLAR): Madam Speaker, I would like to raise a very important matter of urgent public importance and invite the attention of the Government towards the problems being faced by the workers of Bharat Gold Mines Limited.

Madam, I would like to bring to the notice of the Government that the world-famous Bharat Gold Mines is situated in my constituency. This was closed in 2002 and so, more than 15,000 workers are suffering without any work. The houses which have been given to them are 130 years old. The workers are suffering. I have raised this issue with the hon. Minister repeatedly.

The arrears due to the workers have not been paid. A new Mining Policy has come now under which except zinc and coal, all other mining activities come under the States. The State Government

is willing to take over the land. More than 12,000 acres of land is available with the Government of India. The Government of Karnataka is planning to start National Investment and Manufacturing Zone in that area. So, if the Government of India hands over the land to the State Government, the State Government is willing to start mining activities or set up other industries so that these 15,000 families can earn livelihood.

Another important issue is that these workers are living in huts. But only 3,000 workers have been allotted huts and nearly 10,000 workers are yet to be allotted huts. I would request these workers may also be allotted huts at the earliest.

डॉ. करण सिंह यादव (अलवर): माननीय अध्यक्ष महोदया, राजस्थान के अलवर जिले में राष्ट्रीय राजमार्ग संख्या-8 पर स्थित शाहजहांपुर के आस-पास के 10 गांवों की भूमि दिल्ली-मुंबई इंडस्ट्रियल कॉरिडोर हेतु अधिग्रहीत की गई थी। हाल ही में इस योजना में एक करोड़ रुपये प्रति बीघा की दर वाले शाहजहांपुर, गूगलकोटा, चौबारा, जौनायचा खुर्द व बावद को इसलिए अधिग्रहण से मुक्त किया गया क्योंकि यहां सरकार को किसानों को अधिक मुआवजा देना पड़ता था।

लेकिन इन्हीं गांवों से सटे हुए, उन्हीं की सीमा से जुड़े हुए ग्राम पलावा, बीरोद, मिर्जापुर, लामचपुर, एवं मानका गांवों की भूमि की जमीन बहुत कम दर पर, दस लाख रुपये प्रति बीघा की दर पर अधिग्रहीत की जा रही है।

इन गांवों की जमीन भी उतनी ही उपजाऊ है, जितनी पूर्ववर्ती गांवों की थी। हरियाणा की सीमा से सटे एनसीआर के इन पांचों गांवों के किसानों की मांग है कि इन गांवों को या तो अधिग्रहण से मुक्त किया जाए या मुआवजा राशि की दर इन गरीब किसानों को उतनी ही दी जाए, जितनी पड़ोस के गांवों के लिए उन्होंने रखी थी। सरकार से अनुरोध है कि पलावा, बीरोद, मिर्जापुर, लामचपुर एवं मानका के किसानों की जायज़ मांगों पर सहानुभूति से विचार करें।

महोदया, यहां जो गांव अपनी भूमि देना चाहते हैं, उसको सरकार लेना नहीं चाहती है और जो नहीं देना चाहते हैं, उनकी जमीन सस्ते दामों पर लेना चाहती है। मैं आपके माध्यम से निवेदन करूंगा कि सरकार इस पर पुनर्विचार करें।

SMT. RITA TARAI (JAJPUR) : Respected Speaker Madam, the issue is that there is a need to construct a flyover at Jaraka & cleaning of the road drainage system.

Respected Speaker Madam a lot of road users are facing *difficulties and a lot of accidents are taking places on NH16 at Jaraka daily. There is an urgent need to construct a flyover there. Similarly the cleaning of roads by a proper drainage system in also necessary. Hence I urge upon the Minister of Surface Transport & National Highways to give priority to our case. People of the region

* Original in odia

are suffering more during raining reason as flood water is entering their houses. Please do the needful urgently.

Thank you.

(1240/CS/KKD)

डॉ. रमेश पोखरियाल निशंक (हरिद्वार) : महोदया, दो-दो विदेशी सीमाओं से घिरा उत्तराखण्ड देव भूमि के साथ-साथ वीर भूमि है। यहाँ औसतन एक परिवार से एक व्यक्ति सेना में भर्ती होकर जहाँ राष्ट्र की सीमाओं पर अपनी कुर्बानी देता है, वहीं दूसरी पंक्ति में उसकी माँ, बहनें भी सैनिक की ही तरह देशभक्ति और राष्ट्रभक्ति का प्रमाण देती हैं। चाहे देश की आज़ादी से पहले हो, चाहे देश की आज़ादी के बाद, चाहे चन्द्रशेखर आजाद हों, चाहे सुभाष चन्द्र बोस, उनके कैम्प हमेशा लगा करते थे और हर परिवार से एक व्यक्ति सेना में भर्ती होकर राष्ट्र की सीमाओं पर अपनी कुर्बानी देता है।

महोदया, पेशावर काण्ड का महानायक वीर चंद्र सिंह गढ़वाली हो, चाहे वर्ष 1962, वर्ष 1965, वर्ष 1971 का युद्ध हो, चाहे कारगिल का युद्ध हो, चाहे मुंबई के ताज होटल पर आतंकवादियों का निशाना हो, चाहे गुजरात के अक्षरधाम मंदिर का विषय हो, चाहे दंतेवाड़ा का प्रकरण हो, चाहे संसद पर आतंकी हमले का विषय हो, पहली पंक्ति में खड़े होकर के उत्तराखण्ड के सपूतों ने अपनी कुर्बानी देकर के अपनी श्रेष्ठता दर्ज की है।

महोदया, अभी कुछ दिन पहले मैं यूरोपीय देशों की यात्रा पर था। नायक दरबान सिंह नेगी एवं राइफलमैन गब्बर सिंह नेगी को फ्रांस में अद्भुत वीरता के लिए विक्टोरिया

क्रास से सम्मानित किया गया। इतना ही नहीं मेजर सोमनाथ शर्मा और मेजर शैतान सिंह को परमवीर चक्र से सम्मानित किया गया। मैंने अभी बेल्लिजयम में देखा कि वहाँ प्रथम विश्व युद्ध का जो गेट/स्मारक है, वहाँ हमारे भारतीय और उत्तराखण्ड के वीर सैनिकों की वीरता की गाथा दर्ज है।

महोदया, मेरा यह कहना है कि जिस क्षेत्र में ऐसे सपूत हैं, जिनकी धमनियों में देशभक्ति का खून बहता हो, जो यह कहते हों कि:

युगों-युगों से यही हमारी बनी हुई परिपाटी है,
खून दिया है, मगर नहीं दी कभी देश की माटी है।

पूरे हिमालय क्षेत्र में ऐसे वीर पुरुषों को सेना और अर्द्धसैनिक बलों में निःशुल्क प्रशिक्षण हर हालत में दिया जाना चाहिए। मैं सरकार से पुरजोर माँग करता हूँ कि उत्तराखण्ड और हिमालय क्षेत्र के जितने भी ऐसे वीर नौजवान हैं, उनको उन्हीं स्थानों पर प्रशिक्षण दिया जाए। इससे बेराजगारी दूर होगी, वहाँ गाँव खाली हो रहे हैं, उनसे पलायन रूकेगा और राष्ट्र को ऐसे राष्ट्रभक्त नौजवान मिलेंगे, जो वीरता को शिखरता तक पहुँचायेंगे। मैं आपके माध्यम से सरकार से यही माँग करता हूँ। धन्यवाद।

माननीय अध्यक्ष: श्री शरद त्रिपाठी, श्री अजय मिश्रा टेनी, श्री भैरों प्रसाद मिश्र, कुँवर पुष्पेन्द्र सिंह चन्देल और श्री रवीन्द्र कुमार जेना को डॉ. रमेश पोखरियाल निशंक द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री राजीव प्रताप रूडी (सारण) : महोदया, हम सब इस देश के संविधान पर विश्वास रखते हैं और उसी के तहत पूरे भारतवर्ष में जो राष्ट्रीय सेवाएं हैं, जैसे यू.पी.एस.सी., बैंकिंग सर्विसेज आदि के तहत नियुक्तियाँ होती हैं। मैं एक प्रसंग आपके सामने रख रहा

हूँ। कुछ बच्चे हमसे मिलने के लिए बिहार में आए। उनकी बात सुनकर मैं थोड़ा सा चिंतित भी हुआ, चकित भी हुआ, क्योंकि इस प्रकार की बातें देश में औसतन सुनने को नहीं मिलती हैं। लगभग 40 बच्चों का एक बैच था, जिसमें असम, गुजरात, महाराष्ट्र, केरल, झारखण्ड, बिहार के बच्चे हैं। कई राज्यों के बच्चे उसमें हैं। जो बैंकिंग की राष्ट्रीय परीक्षा होती है, ये सभी बच्चे उसमें उत्तीर्ण हुए हैं। परीक्षा में उत्तीर्ण होने के बाद उनकी जाँच-पड़ताल हुई और बैंकिंग सर्विसेज बोर्ड ने उन्हें नियुक्ति का पत्र भी दे दिया। नियुक्ति-पत्र देने के बाद नियुक्ति की तिथि भी तय कर दी कि नियुक्ति-पत्र में लिखी तारीख को आकर आप मेघालय ग्रामीण बैंक में ज्वाइन कीजिए। मेघालय ग्रामीण बैंक में नियुक्ति के लिए इन 40 बच्चों को नियुक्ति-पत्र दे दिया। आज पूरा एक साल हो गया है, लेकिन इन सभी बच्चों को, जो पूरे भारतवर्ष के बच्चे हैं, उनको वहाँ पर अभी तक नियुक्ति नहीं दी जा रही है। उन लोगों ने भारत सरकार में मंत्रियों से मिलने का बहुत प्रयास किया, अन्य लोगों से मिलने का प्रयास किया। एक वर्ष बीत गया है और अब अगले वर्ष की भी वैकेंसीज आ गई हैं। अगर किसी राज्य को इस प्रकार की आपत्ति है कि अन्य राज्यों के बच्चों को हम अपने राज्य में नौकरी नहीं देंगे तो फिर उनके नियुक्ति-पत्र में परिवर्तन कराकर उन बच्चों को दूसरे राज्यों में नौकरी के लिए नियुक्ति-पत्र देना होगा। मैं भी इसके लिए लगातार प्रयत्नशील रहा हूँ। यह सवाल संविधान का है। अगर देश के संविधान में, देश की राष्ट्रीय सेवाओं में उत्तीर्ण होकर, आई.ए.एस. की परीक्षा पास करके बिहार, हिमाचल प्रदेश, उत्तराखण्ड का बच्चा तमिलनाडु और केरल में काम करता है, तो आखिर देश की बाकी ऑल इंडिया सर्विसेज में किसी राज्य में उनकी नियुक्ति पर कैसे रोक लग सकती है? यह एक बड़ा संवैधानिक विषय है।

महोदया, मैं आपके माध्यम से सरकार से आग्रह करूँगा कि ऑल इंडिया बैंकिंग सर्विसेज में जिन बच्चों को मेघालय ग्रामीण बैंक में नियुक्ति-पत्र जारी करने के बाद रोजगार नहीं मिला है, उन्हें अविलम्ब वहाँ पर ज्वाइन करने की अनुमति दिलवायी जाए।

माननीय अध्यक्ष: श्री शरद त्रिपाठी, श्री भैरों प्रसाद मिश्र, कुँवर पुष्पेन्द्र सिंह चन्देल और श्री रवीन्द्र कुमार जेना को श्री राजीव प्रताप रूडी द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री अरविंद सावंत (मुम्बई दक्षिण): महोदया, आपने मुझे शून्य काल में बोलने का मौका दिया, इसके लिए आपका धन्यवाद। आज लोकमान्य बाल गंगाधर तिलक जी की पुण्यतिथि है, सर्वप्रथम मैं उन्हें अभिवादन करता हूँ। मैं आज मुंबई की पुरानी इमारतों का विषय उठाना चाहता हूँ। कल हमारे नाना शंकरशेट जी की पुण्यतिथि थी, जिन्हें आद्यः शिल्पकार कहा जाता है, जिन्होंने मुंबई शहर को बसाया।

(1245/MY/RP)

उन्होंने ही देश में नई रेल शुरू की थी। आज इस मुम्बई शहर की अवस्था इतनी बुरी है कि 30 हजार से ज्यादा इमारतें गिरने वाली हैं, वे बहुत ही दुरावस्था में हैं। 16 हजार इमारतें तो इतनी बुरी हालत में हैं कि वे कभी भी ढह सकती हैं। इस विषय को लेकर मैं बार-बार सदन में बोलता आया हूँ। मैंने हाल ही में माननीय प्रधानमंत्री जी को भी लेटर लिखा और कहा कि आपने गरीबों के लिए पक्के घर का वादा किया है। यह अच्छी बात है। लेकिन जो लोग कल तक पक्के घरों में थे, हो सकता है कि कल तक वापिस रास्ते पर आ जाएं। सरकार की तरफ से उनको सुरक्षा देने की आवश्यकता है।

अध्यक्ष महोदया, उसमें दो विषय हैं- एक विषय है कि पुरानी इमारतों को ठीक किया जाए और जो दूसरा विषय है, उसमें कुछ इमारतें केन्द्र सरकार, पोर्ट ट्रस्ट, रेलवे तथा एनटीसी की जमीन पर है और एलआईसी की भी खुद की बिल्डिंग है। ये उन्हें पुनर्विकास की अनुमति नहीं देते और खुद भी रिपेयर नहीं करते हैं। वहाँ बिल्डिंग्स ढह सकते हैं। पोर्ट ट्रस्ट तथा रेल की जमीन पर झुग्गी-झोपड़ियाँ हैं, लेकिन उनके लिए सरकार की कोई नीति नहीं है। हम गरीबों के लिए पक्के मकान का वादा कर रहे हैं, लेकिन हम उनको कैसे घर देंगे? वहाँ हमारे पास एक स्लम रिहैबिलिटेशन अथॉरिटी है, वह राज्य सरकार की जमीन पर मकान बना सकती है, लेकिन केन्द्र सरकार की जमीन पर मकान नहीं बना सकती है।

इसलिए, मैं आपके माध्यम से फिर दोबारा सरकार का ध्यान आकर्षित करना चाहता हूँ। मैं कहता हूँ कि मुम्बई शहर आपको इनकम टैक्स तथा अन्य टैक्स के रूप में सबसे ज्यादा आमदनी देता है। मैं सरकार से निवेदन करना चाहता हूँ कि ज्यादा से ज्यादा धन देकर इनको सुरक्षा प्रदान करें। धन्यवाद।

माननीय अध्यक्ष: कुँवर पुष्पेन्द्र सिंह चन्देल, श्री श्रीरंग आप्पा बारणे, श्री गजानन कीर्तिकर, डॉ. श्रीकांत एकनाथ शिंदे, श्री भैरों प्रसाद मिश्र, श्री गोपाल शेटी तथा श्री राहुल शेवाले को श्री अरविंद सावंत द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री सुशील कुमार सिंह (औरंगाबाद): धन्यवाद, अध्यक्ष महोदया। अगर आपकी अनुमति हो तो मैं यहीं से बोलूँ।

माननीय अध्यक्ष: हाँ, आप बोलिए। आप कहाँ गए थे? मैंने आपका नाम लिया था।

श्री सुशील कुमार सिंह (औरंगाबाद): अध्यक्ष महोदया, बिहार में एक जाति है जिसको हम 'लोहार' के नाम से पुकारते हैं। यह जाति सामाजिक, आर्थिक तथा शैक्षणिक दृष्टिकोण से अत्यंत पिछड़ी हुई है।

मैं आपके माध्यम से इस जाति की एक बहुत महत्वपूर्ण समस्या की ओर सरकार का ध्यान आकृष्ट कराना चाहता हूँ। 'लोहार' जाति की आरक्षण अंग्रेजी और हिन्दी अनुवाद में उलझ कर रह गई है। अनुसूचित जाति जनजाति आदेश संशोधन अधिनियम 1976 के तहत क्रमांक 22 पर दर्ज Lohara, Lohra का हिन्दी 'लोहारा' तथा 'लोहरा' अंकित किया गया है। वर्ष 2006 में तत्कालीन कांग्रेस के नेतृत्व वाली यूपीए सरकार के कार्यकाल में इसके स्थान पर 'लोहारा' तथा 'लोहरा' प्रतिस्थापित कर दिया गया। इस संशोधन (Act 48 of 2006) की वजह से मामला और उलझ गया। राज्य सरकार ने इस खामी को दूर करने के इरादे से विभिन्न संगठनों से परामर्श किया तथा सामाजिक संस्थानों से (Ethnographic) रिपोर्ट भी तैयार कराई और केन्द्र सरकार को भेजा। इस रिपोर्ट पर कोई निर्णय हो, इसके पहले ही सरकार ने 9 मई, 2016 को यानि मोदी जी के नेतृत्व में एनडीए सरकार द्वारा जारी गजट अधिसूचना में 292 पुराने कानूनों, संशोधन विधेयकों में से 290 को निरस्त कर दिया। इसी में वर्ष 2006 का वह संशोधन विधेयक भी था, जिसमें बिहार की 'लोहार' जाति को अनुसूचित जनजाति का दर्जा अमान्य और 'लोहार' 'लोहरा' जाति को ही अनुसूचित जनजाति माना गया था। वर्ष 2006 का संशोधन, अनुसूचित जनजातियां आदेश (संशोधन) अधिनियम -1976 में किया गया था, जिसमें अंग्रेजी के Lohara का हिन्दी ट्रांसलेशन 'लोहार' दर्ज है। जैसे बिहार में बोलचाल की भाषा में 'लोहार' जाति के लिए 'लोहरा' शब्द का भी प्रयोग

किया जाता है, उसी तरह अंग्रेजी के शब्द Surendra को हिन्दी में सुरेन्द्र कहते हैं, न की सुरेन्द्रा?

पूर्व की सरकारों ने जातिगत राजनीति के चलते ऐसा किया। इस समाज को देश के प्रधानमंत्री आदरणीय श्री नरेन्द्र मोदी जी के नेतृत्व वाली वर्तमान सरकार में बहुत आस्था है और लोगों का भरोसा भी है... (व्यवधान) महोदया, मैं अपनी माँग रख रहा हूँ... (व्यवधान)

माननीय अध्यक्ष: ठीक है, अपनी माँग रखो। लेकिन आप इतना लंबा भाषण पढ़ रहे हो।

श्री सुशील कुमार सिंह (औरंगाबाद): महोदया, सदन के माध्यम से सरकार से मेरा निवेदन होगा कि वर्ष 2016 में निरस्त किए गए वर्ष 2006 के कानून के आलोक में एक स्पष्ट अधिसूचना जारी हो। बिहार के 'लोहार' जाति को अनुसूचित जनजाति की श्रेणी में शामिल किया जाए, यही मेरी माँग है।

माननीय अध्यक्ष: कुँवर पुष्पेन्द्र सिंह चन्देल, श्री राजेश रंजन तथा श्री भैरों प्रसाद मिश्र को श्री सुशील कुमार सिंह द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

(1250/CP/RCP)

श्री दशरथ तिर्की (अलीपुरद्वारस): माननीय अध्यक्ष महोदया, आपने मुझे शून्य काल में बोलने का अवसर दिया, इसके लिए मैं आपको धन्यवाद देता हूँ। आज बहुत दिनों के बाद मैं चांस पाया हूँ, इसके लिए बहुत-बहुत धन्यवाद।

मैं वाणिज्य मंत्रालय का ध्यान आकर्षित करना चाहता हूँ। मेरा संसदीय क्षेत्र चाय बागान इलाका से है। करीब-करीब पौने तीन सौ चाय बागान वहाँ पर हैं। इनमें करीब 15-16 चाय बागान बंद हैं। वर्ष 2016 में हमारे माननीय प्रधान मंत्री जी वहाँ गए थे। उस दौरे में उन्होंने यह आश्वासन दिया था कि आप लोग हमें वोट दीजिए और आपके क्षेत्र के जितने चाय बागान हैं, उनको मैं खुलवा दूंगा। उसके पश्चात हमारी भूतपूर्व वाणिज्य मंत्री सम्माननीया सीतारमण जी भी गई हुई थीं, उन्होंने भी यह आश्वासन दिया था कि डंकन्स कम्पनी के बंद ये सात चाय बागान हम लोग टी-बोर्ड के अधीनस्थ करेंगे। यह दुःख की बात है कि अभी तक कुछ भी नहीं हुआ। हमारी माननीय मुख्य मंत्री ममता बनर्जी की परचेष्टा से करीब 4-5 बागान अभी खुले हुए हैं।

मैं वाणिज्य मंत्रालय से अनुरोध करता हूँ कि ये चाय बागान दूरस्थ हैं, इनको कैसे सुविधा दी जाए और कैसे खोला जाए, इसके लिए मैं आग्रह करता हूँ। धन्यवाद।

श्री गणेश सिंह (सतना): अध्यक्ष महोदया, मैं आपके माध्यम से माननीय स्वास्थ्य मंत्री जी का ध्यान आकृष्ट कराना चाहता हूँ कि नॉन प्रैक्टिसिंग एलाउंस आधुनिक चिकित्सकों, दंत चिकित्सकों, पशु चिकित्सकों, आयुर्वेद और होम्योपैथी को दिया जा रहा है, यहाँ तक कि नर्सों को भी नर्सिंग एलाउंस दिया जा रहा है। भौतिक और व्यावसायिक शिक्षकों को काशी विद्यालय सहित तमाम केन्द्रीय विश्वविद्यालयों और शैक्षणिक संस्थानों में नॉन प्रैक्टिसिंग एलाउंस नहीं दिया जा रहा है, जबकि वे दिव्यांगजनों और पैरालिसिस इत्यादि से पीड़ित अक्षम मरीजों को उनके घर जाकर सेवा देते हैं। वे ओपीडी वार्ड तथा आईसीयू में दाखिल मरीजों की भी फिजियोथेरेपी करते हैं।

मेरा माननीय स्वास्थ्य मंत्री जी से विशेष आग्रह है कि काशी विश्वविद्यालय सहित तमाम केन्द्रीय विश्वविद्यालयों और शैक्षणिक संस्थानों में कार्यरत भौतिक और व्यावसायिक चिकित्सा शिक्षकों को उनकी न्यूनतम योग्यता यूजीसी के दिशा-निर्देशों के अनुरूप परास्नातक हों, उनको समान अधिकार दिलाने हेतु नॉन प्रैक्टिसिंग एलाउंस दिया जाए ... (व्यवधान)

माननीय अध्यक्ष : श्री शरद त्रिपाठी, कुँवर पुष्पेन्द्र सिंह चन्देल और श्री भैरों प्रसाद मिश्र को श्री गणेश सिंह द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्रीमती अर्पिता घोष (बालूरघाट): मैडम, आपको मालूम होगा कि जॉर्ज ओरवेल नाम के एक बहुत फेमस नॉवेलिस्ट थे। उन्होंने 1984 नाम की एक नॉवेल लिखी थी। उसमें जो स्टेट थी, उस स्टेट में ऐसा था कि लोगों के ऊपर स्टेट नजर रख रही थी और कुछ लोगों को देश से नॉन आइडेंटिफाई कर रहे थे। अभी हमारे देश की ऐसी हालत है कि आधार के बेस पर हमारे ऊपर नजर रखी जा रही है। असम में एनआरसी चालू हुआ है। लोगों को देश से निकालने का बंदोबस्त कर रहे हैं। यह हमारे लिए बहुत बड़ा इश्यू है। हम आपके माध्यम से रिव्यू कराना चाहते हैं, गवर्नमेंट यह ... (Not recorded) बंद करे, इसको रोके। ... (व्यवधान)

माननीय अध्यक्ष : ... (Not recorded) नहीं होता है।

...(व्यवधान)

श्रीमती अर्पिता घोष (बालूरघाट): नहीं तो आगे चलकर देश बहुत खराब स्थिति में आ जाएगा। ... (व्यवधान)

SHRI MUTHAMSETTI SRINIVASA RAO (AVANTHI)

(ANAKAPALLI): Thank you, Madam Speaker, for giving me an opportunity to raise the issue of creating a new Railway Zone with headquarters at Visakhapatnam.

I would like to bring to the kind notice of the Government that Waltair Division of the East Coast Railway contributes the highest revenue to the Indian Railways. The Division has been discriminated in getting its dues in terms of train services, passenger amenities, development of railway stations etc., in proportion to its contribution to the total revenue accruals of the East Coast Railway Zone, as a result, there has been a growing demand from public, public representatives, intellectuals and other sections of the society for creation of a separate Railway Zone and its Headquarters at Visakhapatnam. It is to be noted that Visakhapatnam has all wherewithal to become the Headquarters of an independent Railway Zone. Considering its importance as a major industrial, educational and financial hub, it is the long-cherished dream, desire and demand of the people of Uttarandhra to have a separate Railway Zone.

While bifurcating the State of Andhra Pradesh, the then Government had promised in the A.P. Reorganisation Act that a

separate Railway Zone would be created in Andhra Pradesh, apart from other promises. Last week, in the other House, while replying to the Short Duration Discussion initiated by our leader, Shri Sujana Chowdhury, Shri Rajnath Singh, hon. Home Minister promised that the Railway Zone would be created in Andhra Pradesh State. But the Government filed an affidavit in the Supreme Court that it was not possible to create a separate Railway Zone in Andhra Pradesh.

I am unable to understand the dual statements being made by the representatives of the Government. Which one is correct? Therefore, I would request the Government of India to announce the creation of a new Railway Zone well in advance, probably before the next General Elections, 2019. Thank you, Madam.

(1255/NK/SMN)

श्री शेर सिंह गुबाया (फिरोजपुर): अध्यक्ष महोदया, आपने मुझे एक बहुत ही सेन्सेटिव इश्यू पर बोलने का मौका दिया, धन्यवाद। पंजाब में एक जानलेवा बीमारी जिसका नाम सुनते ही पेशेंट मौत की तरफ दौड़ने लगता है। कैंसर का रोग पंजाब में बहुत फैल चुका है। खासकर मालवा एरिया के हर गांव में पांच-दस पेशेंट कैंसर के मिलते हैं। भटिंडा से बीकानेर एक ट्रेन जाती है, उसका नाम ही कैंसर ट्रेन रखा गया है। मैं आपके माध्यम से यह बताना चाहता हूँ कि प्रधान मंत्री रिलीफ फंड मिल रहा है, उससे काफी लोगों को फायदा हुआ है। एक महीने में दो केस निकलते हैं। मेरा आपसे निवेदन है कि जितनी

भी कैंसर के पेशेंट की फाइल कम्पलीट होकर आती है, उनको इमिडिएटली फंड रिलीज किया जाए क्योंकि फंड हॉस्पिटल को जाना है न कि पेशेंट के पास जाना है। मेरा इस पर निवेदन है कि इस पर गौर करके इन पेशेंटों को पूरा फंड दिया जाए।

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

श्री धर्म वीर गांधी (पटियाला): अध्यक्ष महोदया, पंजाब में हजारों दलित छात्र हैं, उनका वजीफा या छात्रवृत्ति रुकी हुई है। इसका कारण यह है कि पंजाब सरकार अपना हिस्सा नहीं डाल रही है और केन्द्र सरकार पैसा रोक कर बैठी है। मेरी विनती है कि दलितों को दी जाने वाली छात्रवृत्ति है, उसका केन्द्र-राज्य के साथ एक बंधन किया हुआ है उस बंधन को तोड़ा जाए, केन्द्र अपना हिस्सा दे और उसके बाद राज्य सरकार भी बाध्य होगी कि वह अपना हिस्सा दे ताकि दलित बच्चों की शिक्षा पर असर न पड़े।

श्री निनोंग इरिंग (अरुणाचल पूर्व): अध्यक्ष महोदया, मैं एक बहुत ही गंभीर आपदा के विषय में बोलना चाहता हूँ। मैं पिछली बार भी इस विषय को सदन में उठाया था। सियांग नदी है, उसका कम से कम दस या पन्द्रह फीट वॉटर लेवल राइज हो गया। अभी डिब्रूगढ़ और धीमाजी के दोस्त यहां बैठे हैं। सिर्फ अरुणाचल प्रदेश ही नहीं बल्कि पूरा असम और अरुणाचल प्रदेश इससे नष्ट हो जाएगा। राष्ट्रीय आपदा राशि है, या चीन से भी इसकी राशि मांगनी पड़ेगी। मैं सदन से छुट्टी लेकर गया था। पिछली बार छह लोगों को नदी से अपने रिस्क पर डूबने से बचा कर लाया जबकि मैं डूबने वाला था। इस नदी से बहुत खतरा होगा। अभी अरुणाचल प्रदेश और असम में बारिश नहीं हुई है। इस बार जब पानी आएगा तो सब खत्म हो जाएगा, ध्वंस हो जाएगा।

SHRI M.K. RAGHAVAN (KOZHICODE): Thank you Madam for giving me this opportunity to raise a very important issue affecting lakhs of NRIs from Kerala.

Madam, the airfare is increasing everytime including budget carrier which has upset the travel plans of Keralites especially those connected with the Gulf countries. Today, a Kozhikode-Riyadh flight ticket charge is Rs. 43,000 and Kozhikode-Sharjah is Rs. 55,715 against the normal fare of Rs. 4,000 – 12,000 range.

The coming months are flooded with educational institutions vacations in the GCC, Bakrid and Onam festivals.

This exorbitant hike has hit workers, especially on blue collar workers, who depend on the budget carriers. Apparently, the lifting of the curbs by the DGCA has led to this hike.

Madam, my humble submission is this. There is an immediate intervention required by the Government of India because this is happening especially for Kerala based travels while fares are very low from Chennai and Mumbai.

My humble submission before you is that there is an immediate intervention required by the Government of India to bring the air fares to normalcy for which a permanent regulatory authority is required.

माननीय अध्यक्ष: श्री मुल्लापल्ली रामचन्द्रन और एडवोकेट जोएस जॉर्ज को श्री एम.के. राघवन द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री अजय मिश्रा टेनी (खीरी): अध्यक्ष महोदया, हमारी सरकार ने जीएसटी रिफार्म को लागू किया था, इससे पूरे देश को बहुत लाभ हुआ है। जीएसटी लागू होने के बाद जहां डॉयरेक्ट और इन डॉयरेक्ट टैक्स ढांचा बढ़ने के साथ ही करदाताओं की संख्या में भी बढ़ोत्तरी हुई है। वहीं भारतीय अर्थव्यवस्था के विषय में कई नई जानकारियां और आंकड़े भी उपलब्ध हुए हैं, जो नीतिगत फैसले लेने में मददगार साबित हो सकते हैं। मेरी याद में जीएसटी लागू होने के बाद पहली बार राज्यों की हिस्सेदारी का आकलन हुआ है। यह पहली बार जानकारी सामने आई है कि भारत के कुल निर्यात का 70 प्रतिशत केवल पांच राज्यों से महाराष्ट्र, गुजरात, कर्नाटक, तमिलनाडु और तेलंगाना करते हैं। यह भी जानकारी आई है कि जहां अंतर्राज्यीय व्यापार व निर्यात अधिक है वहां का जीवन स्तर अच्छा है।

(1300/SK/MMN)

निर्यात की व्यापक संभावनाएं श्रम व साधन की उपलब्धता है, मैं आपके माध्यम से वित्त मंत्री जी से अनुरोध करता हूं कि जैसे उत्तर प्रदेश, मध्य प्रदेश, बिहार और राजस्थान आदि राज्यों में भौगोलिक व अन्य कारणों से निर्यात कम है, को निर्यात व्यापार में जीएसटी में छूट देने की कृपा करें।

माननीय अध्यक्ष: श्री भैरों प्रसाद मिश्र, श्री शरद त्रिपाठी और कुंवर पुष्पेन्द्र सिंह चन्देल को श्री अजय मिश्रा टेनी द्वारा उठाए गए विषय के साथ संबद्ध करने की अनुमति प्रदान की जाती है।

श्री अधीर रंजन चौधरी (बहरामपुर): माननीय अध्यक्ष जी, सरकार की लापरवाही के चलते नागरिक पंजीकरण को लेकर अनिश्चित वातावरण पैदा हुआ है, वह थमने का नाम नहीं ले रहा है। (व्यवधान) माननीय गृह मंत्री कह रहे हैं कि फौज और पुलिस तैनात कर चुके हैं। गृह मंत्री जी कहते हैं कि कोई अगर पंजीकरण में छूट जाए तो उसे फॉरेन ट्रिब्यूनल में मौका मिलेगा। आरजीआई कहते हैं कि 31 दिसंबर तक मौका मिलेगा, पार्टी के महासचिव कहते हैं कि हम में हिम्मत है इसलिए हमने यह एनआरसी चालू की है और चीफ मिनिस्टर कहते हैं कि हमारा बेबी है। (व्यवधान)

माननीय अध्यक्ष: गवर्नमेंट जो कहती है, फाइनल है।

.... (व्यवधान)

श्री अधीर रंजन चौधरी (बहरामपुर): इसी मुद्दे को लेकर हिंदुस्तान में ध्रुवीकरण की सियासत हो रही है, क्षेत्रीयकरण की सियासत हो रही है। आम लोगों को सुरक्षा देने में सरकार नाकामयाब हुई है। मेघालय में बंगाली लोगों पर हमला हो रहा है। इनकी रक्षा होना चाहिए। (व्यवधान)

KUMARI SUSHMITA DEV (SILCHAR): Madam, I just want to bring to the notice of the august House that today when people are crossing from Assam to Meghalaya, they are being asked if they are citizens. Today I want to request the hon. Home Minister of India that

the Central Forces are there to ensure that peace is maintained. We want peace in Assam. At least, people crossing from Assam to Meghalaya border should not be subjected to local people policing them and beating them. They are from my constituency. I seek protection of this Government against such violent acts and illegal action against people crossing from Assam to Meghalaya. Thank you, Madam.

श्री प्रहलाद सिंह पटेल (दमोह): माननीय अध्यक्ष जी, मैं तीसरी बार इस विषय को उठा रहा हूँ। 124 साल पुरानी मृदंग सम्राट नाना साहेब पानसे जी की गुरु पूर्णिमा देश की सबसे लंबी दूसरी प्रकार की परंपरा है। उनकी संगीत शैली उनके ही नाम पर जानी जाती है।

मैंने पहले भी भारत सरकार से आग्रह किया था, अंतर्राष्ट्रीय गुरु पूर्णिमा का अवसर उनका परिवार और उनके परिजन ही मनाते हैं, लेकिन अभी तक वहां सरकार की तरफ से कोई स्ट्रक्चर नहीं है। वे स्वयं अंग्रेजों के खिलाफ लड़े थे, मुगलों के खिलाफ लड़े थे, होल्करों के पास रहकर, नौकरी करके इस विधा को दिया। उनकी संगीत की विधा बकायन शैली है।

मैं आपके माध्यम से भारत सरकार से आग्रह करना चाहता हूँ कि जो प्रोजेक्ट आया है, उसे दें ताकि अंतर्राष्ट्रीय स्तर पर कलाकार, जो गांव में रुकते हैं, उनको सुविधा मिल सके।

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

श्री हरीश मीणा (दौसा): माननीय अध्यक्ष जी, मैं दौसा निर्वाचन क्षेत्र से आता हूँ, यहां पिछड़े और गरीब लोग निवास करते हैं। यहां पीने के पानी की समस्या है। राजस्थान में सबसे ज्यादा पानी में फ्लोराइड दौसा में है। इसके फलस्वरूप लोगों को तरह-तरह की बीमारियां होती हैं।

मैं आपके माध्यम से भारत सरकार से आग्रह करता हूँ कि इस इलाके का सर्वे कराएं और यहां के लोगों को जो मेडिकल राहत चाहिए, मुहैया कराएं।

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

... (व्यवधान)

माननीय अध्यक्ष: सदन दो बजकर पांच मिनट तक स्थगित किया जाता है।

1303 hours

The Lok Sabha then adjourned for Lunch till five minutes *past*

Fourteen of the Clock.

(1405/VR/MK)

1408 hours

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

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

MATTERS UNDER RULE 377 – LAID

1408 hours

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 slips at the Table of the House within 20 minutes.

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

Re: Flood problem in Assam.

SHRI RAMEN DEKA (MANGALDAI): The flood creates havoc in Assam year after year. Devastating flood claims human lives, Livestock and damages crops. Further, it causes erosion. But successive governments both at Centre and State has not drawn comprehensive plan to control flood and erosion which is a major cause of under-development of the state.

In view of this, I earnestly request the Government to take concrete steps to address the problem. Therefore, I request the Government to release sufficient fund to tackle the present situation of flood in Assam.

(ends)

Re: Need to provide adequate relief package and alternative land to people displaced by wildlife sanctuaries in the country

श्री फगन सिंह कुलस्ते (मंडला):

**Re: Need to extend benefits of government welfare schemes to
all the villagers under Bilaspur parliamentary constituency,
Chhattisgarh**

श्री लखन लाल साहू (बिलासपुर):

Re: Compensation to farmers of Siddharthnagar district, Uttar Pradesh

श्री जगदम्बिका पाल (डुमरियागंज):

**Re.: Need to set up a petroleum research Institute in
Dibrugarh, Assam.**

SHRI RAMESHWAR TELI (DIBRUGARH): My constituency Dibrugarh is famous for mineral wealth. Natural gas, oil, coal etc. are found in abundance in the district of Dibrugarh. Digboi oil refinery which is the oldest refinery in Asia is located here. Oil India Limited (OIL) company's Operational Headquarters is also situated in Dibrugarh district. Several oil fields where oil explorations are taking place exist in this mineral rich area. But despite being blessed with such rich mineral resources, my constituency does not have an institute to carry out research and development in the field of petroleum and petroleum products. Setting up of a petroleum research institute in this petroleum rich area will benefit not only our country, but it will also benefit other petroleum producing countries of the world. I, therefore, request the government to set up a petroleum research institute in Dibrugarh at the earliest.

(ends)

**Re: Need to construct under-bridges on National Highway
No. 79 in Bhilwara parliamentary constituency, Rajasthan**

श्री सुभाष चन्द्र बहेड़िया (भीलवाड़ा):

**Re: Customer services in Garhwa post office in Palamu
parliamentary constituency, Jharkhand**

श्री विष्णु दयाल राम (पलामू):

Re: Need to set up a Medical college in Korba, Chhattisgarh

डॉ. बंशीलाल महतो (कोरबा):

Re: Development projects in Dahanu Taluka in Maharashtra

श्री गोपाल शेटी (मुम्बई उत्तर):

Re.: Extension of services of Latur Express train.

DR. SUNIL BALIRAM GAIKWAD (LATUR): Latur Express that runs from Mumbai to Latur has been extended up to Bidar in Maharashtra. Earlier this train used to ply between Mumbai and Latur only. But after the extension of its operation up to Bidar, the passengers coming from Mumbai to my constituency Latur have been facing a lot of hardship as the train gets overcrowded with hundreds of passengers coming to Bidar. The congestion inside the compartments causes serious inconveniences to the railway commuters who travel to Latur from Mumbai daily. I, therefore, urge upon the Hon'ble Minister for Railways to take appropriate steps so that the Mumbai-Latur Express is extended up to Udgir only which falls under my constituency Latur and not to Bidar so as to ensure comfortable travel of railway passengers.

(ends)

**Re: Need to include banana under Pradhan Mantri Fasal Bima
Yojana**

श्री प्रभुभाई नागरभाई वसावा (बारदौली):

Re: Need to formulate a comprehensive plan to address water-logging problem in cities during rainy season

श्री शरद त्रिपाठी (संत कबीर नगर):

Re.: Inclusion of two temples of Karnataka under PRASAD Scheme.

SHRI R. DHYUVANARAYANA (CHAMARAJANAGAR): I would like to draw the kind attention of the House towards the fact that in my Constituency, there are two important pilgrimage Temples ie., one is Sri Malai Mahadeshwara Temple at Malai Mahadeshwara Hills of Kollegal Taluk, Chamarajanagar District and another is Sri Srikanteshwara Temple at Nanjangud, Mysore District of Karnataka State. More than lakh devotees per month from all over the Country are visiting these Temples. These pilgrimage places need infrastructure facilities for tourists. Hence, I hereby urge the Union Government to grant sanction to both the temples under PRASAD — National Mission on Pilgrimage Rejuvenation and Spiritual Augmentation Scheme under Ministry of Tourism for the purpose of providing infrastructure facilities to tourists.

(ends)

Re.: Need to check illegal sale of private data of people.

SHRI M.I. SHANAVAS (WAYANAD): I would like to draw the attention of the Central Government towards the fact that a serious economic offence is being committed by fraudulent elements in the name of data transfer of citizens. This sale of data is spreading rapidly in Indian cities. First an SMS is sent to an individual stating that if they would pay Rs.1500, full personal details like age, date of birth, account number, email ID etc. of 30 crore people will be revealed. They also provide details of doctors, engineers, bank account number, PAN card numbers etc.

Here, the right to privacy is being shattered for Rs.1500. Government should take immediate steps against this unlawful activity.

(ends)

Re: Acquisition of land for Delhi-Mumbai Industrial Corridor

डॉ. करण सिंह यादव (अलवर):

Re. Inclusion of Madurai in Bilateral Air Service Agreements (BASA) with Middle East and Far East countries.

SHRI T. RADHAKRISHNAN (VIRUDHUNAGAR): When Britishers ruled India they sent Indians to different countries to work in rubber, tea, palm & sugarcane plantations. 80% of these people are from Tamil Nadu & 50% belong to 8 southern districts of Tamil Nadu. After Independence Tamilians migrated to different parts of the world. At present over 2 million Indian Tamil people are working in various Gulf countries. All together 10 million Tamil Nadu people living overseas and it is the highest NRI from India. About 50% are from eight Southern districts of Tamil Nadu for which Madurai is the centre. Madurai being a major tourist destination and emerging medical tourism centre, the much deserved customs airport became a reality very lately.

Since Madurai is the major centre, all the eight southern districts depend on Madurai airports for their needs. Now Madurai has got a Custom clearance facility at the airport which handles over *one* million passengers per year. However, it has no international carriers operating to other countries except Sri Lankan airlines since

Madurai is not included in Bilateral Air Service Agreements (BASA). It's being said that Madurai airport is not included *in* BASA of various Middle East and Far east nations which is being a barrier to introduce direct International flights from Madurai to much needed Dubai, Singapore, Kuala Lumpur (Malaysia), Saudi Arabia, Abu Dhabi and Muscat by the foreign airlines. It is high time for the Ministry of Civil Aviation to consider the plea of 8 districts of Southern Tamil Nadu and take necessary measures to include Madurai airport in the Bilateral treaties of various Middle East and Far East nations as earlier as possible so that the foreign airlines can introduce direct services from Madurai to these nations.

Currently passengers in south Tamil Nadu have to travel to metros like Bangalore, Chennai or Trivandrum for affordable flights. Madurai is located at the southern of the state, this facilitates passenger to get better connectivity. By including Madurai under BASA, international carriers would be able to provide their services to different countries at an affordable cost. Presently international flights are being operated by the SpiceJet & Air India Express with

good load factor. Madurai airport is having full infrastructure to meet the requirement of additional flights.

Beyond everything, the backward districts of Southern Tamil Nadu including Madurai district completely depend on Madurai airport for its Industrial and economic growth. The move enabling direct International flights from Madurai to Middle east and Far East nations, will boost up the Tourism, Medical, Tourism, Industrialization and Information Technology sector growth in the region. I urge upon the government to include Madurai in Bilateral Air Service Agreement so that foreign airlines can operate to and fro from Madurai Airport.

(ends)

Re: Making Villupuram Junction a model station in Tamil Nadu

SHRI S. RAJENDRAN (VILUPPURAM): Villupuram in Tamil Nadu is a Municipality and the administrative headquarters of Viluppuram district, the largest district in the state of Tamil Nadu. It is well connected by rail to all the important cities in Tamil Nadu. The city serves as a major railway junction, and National Highway 45 passes through it. As per the Government of India 2014 data, Viluppuram had a population of 96253.

Villupuram is a prominent railway junction in Tamil Nadu and serves as the distribution point of rail traffic from Chennai, the state capital of Tamil Nadu, towards the southern parts of the state like Tiruvannamalai, Kumbakonam, Thanjavur, Pondicherry, Trichy, Madurai and Kanyakurnari. It is the -second largest junction in terms of branch lines in Tamil Nadu. It is one of the top 5 junctions of Southern Railways which has earned the status of an A Grade train station in Tamil Nadu.

But if you visit the Villupuram Junction, you find the infrastructure very poor and not up to the mark. A lot of improvement needs to be done keeping in view the number of trains passing through day and night, and the number of railway passengers using Villupuram Junction.

Hence, I strongly urge the Railway Minister and the Government of India to provide Villupuram Junction a status of pride and make it as a Model Station, by improving the infrastructure and upgrading the existing facilities to world class befitting its location and status.

(ends)

Re: Need to complete construction of platform at Chandkhali Halt Station in West Bengal

SHRIMATI PRATIMA MONDAL (JAYANAGAR): I would like to draw the kind attention of the Hon'ble Railway Minister towards the fact that under my Parliamentary Constituency, there is a halt station named Chandkhali on Sealdah-Canning line which has not yet started functioning due to non-completion of one side of the platform. In the year 2014, I personally requested to the then railway minister and submitted a letter to him to take necessary action to complete the said pending work. In this context, I also contacted the General Manager, Eastern Railway several times. However, despite all my efforts, I always received the same reply that "the work will be completed in the coming dry season as water logging is the main problem in the monsoon season."

I would like to request the Hon'ble Railway Minister to intervene in the matter and instruct officials to complete the said railway station platform without any further delay. It has been more than 5 years since people in my constituency have been waiting for something that can easily be accomplished in a few months.

(ends)

Re: Construction of a bypass on National Highway No. 26 at Bolangir in Odisha

SHRI KALIKESH N. SINGH DEO (BOLANGIR): In the year 2013, the NH 26 bypass to Bolangir was sanctioned for construction. 5 years hence, the revised cost of DPR has not been sanctioned to date. The project cost has also surged owing to the increase in land valuation and acquisition cost over the years.

The citizens of Bolangir face traffic issues caused by trucks that pass through the city every day. There is no alternative pathway for these trucks as the roads passing through the city are the sole link between NH 26 and NH 57. The flow of traffic is further disrupted as these heavy vehicles are not allowed to pass through the city from 8 am to 10pm as per rule.

Construction of bypass will ease out city traffic and will save on financial losses due to obstruction in the flow of traffic. Hence, I request the Ministry to avoid any procedural delay and sanction the revised amount at the earliest.

(ends)

Re: Need to rename 'Bombay Hight Court' as 'Mumbai High Court'

श्री विनायक भाऊराव राऊत (रत्नागिरी-सिंधुदुर्ग):

**Re: Need to set up a bench of Bombay High Court in Kolhapur,
Maharashtra**

श्री धनंजय महाडीक (कोल्हापुर):

**Re: Need to include development works executed by Zila
Panchayat authority under Mahatma Gandhi National Rural
Employment Guarantee Scheme**

श्री शैलेश कुमार (भागलपुर):

Re: Releasing funds to Channelise Sawan Nadi in Punjab

SHRI PREM SINGH CHANDUMAJRA (ANANDPUR SAHIB): There is a famous sub-river known as *Sawan Nadi* which comes from Una side of Himachal Pradesh and joins Punjab area of Anandpur Sahib sub—division and also merges in Satluj River at the starting point of Ropar sub-division which covers about 30 kms area of Punjab. This Swan Nadi has been channelise in Himachal Pradesh region. As a result, water flows at a speed inundating and causing the destruction of fertile land, roads, crops, houses, businesses and posing threat to lives every year during Monsoon season.

I would urge upon the Government of India to release Funds to channelise the said *Sawan Nadi*. The project has already been sanctioned by the Ministry of Water Resources. In this regard, lift irrigation project has already been submitted by the then Badal Government to irrigate the land and supply of drinking water for sub—mountain area of my constituency known as Changer and Beet area in Anandpur Sahib and Garh Shanker Sub Division. I request the Central Government also to release the fund for the above area. (ends)

Re: Reservation of Limboo-Tamang communities of Sikkim in the State Legislative Assembly

SHRI PREM DAS RAI (SIKKIM): The attention of the House is drawn towards the demand of reservation for the Limboo-Tamang communities to the Sikkim State Legislative Assembly. The Limboo-Tamang communities, notified as Scheduled Tribes in 2003, constitute a sizeable portion of the State's population. However, they have been deprived of their Constitutional entitlement to reservation of seats in the Sikkim State Legislative Assembly ensured under the Article 332.

The Government of Sikkim through a process of consultation submitted to the Union Home Ministry the formula through which this pending demand could be met in an equitable manner and justice done to all the communities and Tribes of Sikkim. Therefore, there is a long-standing demand to increase the number of seats in the Assembly from 32 to 40, so as to accommodate 5 seats for the two communities as per the Constitution of India.

The Ministry of Home Affairs has taken the proposal under consideration, but with the state elections due next year, there is an

urgent need to amend the relevant Acts which require Parliament's approval.

I request the Government to expedite the process and grant the due rights to the people of the State of Sikkim, so that '*Sabka Saath, Sahka Vikaas*' is possible. Also this matter is to be taken up expeditiously as per the Supreme Court directive received in January 2016.

(ends)

Re: Handing over of land owned by Department of Posts to Thrissur Municipal Corporation in Kerala

SHRI C. N. JAYADEVAN (THRISSUR): The matter regarding the shifting of Thrissur town post office and transfer of land between the Postal department and Thrissur Corporation for the purpose of widening of Pattalam Road in the heart of Thrissur town was initiated in the year 2014. After a series of meetings between the Corporation and Chief Post Master General, Kerala Circle and a meeting with the then Union Minister of Communications an agreement was executed between Postal department and Thrissur Corporation on 19-10-2015. Finally, the Union Cabinet decided to hand over the land to the Municipal Corporation by the end of last year. But in the process of implementing the order, the Post Master General, Trivandrum has submitted a new M.O.U draft to the Corporation including a provision that prior to the construction of the new building on the land provided by the Corporation, "the First Party (Corporation) shall deposit the amount as arrived by the Department of Posts (for the proposed project in the form of a bank guarantee for Rs. 1,69,45,500/- (Rupees one crore sixty nine lakh forty five thousand and five hundred only)

for one year as indemnity". As the Municipal Corporation, as per act, cannot make a bank guarantee, their humble request is that the MoU condition for bank guarantee may be waived. So, I urge upon the government to instruct the Postal Department in Kerala to waive this provision in the new MoU, so that the long pending demand of the Corporation and the people for a wide road to untie the traffic knot in the town is realized.

(ends)

**STATUTORY RESOLUTION RE: DISAPPROVAL OF
COMMERCIAL COURTS, COMMERCIAL DIVISION AND
COMMERCIAL APPELLATE DIVISION OF HIGH COURTS
(AMENDMENT) ORDINANCE**

AND

**COMMERCIAL COURTS, COMMERCIAL DIVISION AND
COMMERCIAL APPELLATE DIVISION OF HIGH COURTS
(AMENDMENT) BILL**

1409 hours

HON. DEPUTY SPEAKER: Now, let us take up Item Nos.13 and 14 together. Shri N.K. Premachandran.

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

“That this House disapproves of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Ordinance, 2018 (No. 3 of 2018) promulgated by the President on 3rd May, 2018.”

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): Sir, I beg to move:

“That the Bill to amend the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015, be taken into consideration.”

(1410/SAN/RPS)

Sir, today is a very historic day when I am moving the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill, 2018. This Bill is a larger narrative pursuant to ensuring India's performance in 'ease of doing business', ensuring quicker adjudication of commercial disputes. Most importantly, a proper pre-litigation mediation is being involved in doing this.

First of all, I would like to share with this hon. House the importance of 'ease of doing business'. Ease of Doing Business is the ranking given by the World Bank based on what type of criteria you have for enforcing contract, for tax compliance, for regulatory compliance etc. I am very happy to share with the House that when we had come to power, we were at 142nd place in the ranking and

now, we have jumped 42 points and India today is at 100th rank as far as 'ease of doing business' is concerned. Everything has been done with the cooperation of the House, reform measures taken, good governance and transparent governance.

Sir, we had come with the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Bill in 2015. When this Act came into being, we had given an exception. What was the exception? We have two systems. Delhi High Court has original jurisdiction and so has the Bombay High Court, Madras High Court, Calcutta High Court and Himachal Pradesh High Court. Therefore, they were given exemption. The suit had to be filed there in the Commercial Appellate Division. In the rest of the country, as you know, whether it is in Patna, Raipur or Bhubaneswar, a suit even of Rs. 5,000 crore will be filed in the district court. Then, it goes to the High Court.

Sir, we had kept the original pecuniary jurisdiction at rupees one crore in the High Court and, say, in Mumbai, it was Rs. 50 lakh and somewhere else, it was Rs. 25 lakh and like that. Now, a question arose whether we are discriminating between a small commercial dispute and giving fast track adjudication only to the big

commercial disputes. India is a huge country and in this huge country, we must have adequate space for fast track adjudication of commercial disputes so that the person can take a call to remain there or not to remain there.

Sir, kindly see the whole issue of partnership disputes. It is, again, a commercial dispute. Supply is a services' dispute. They keep on lingering and lingering. It also impacts the financial health of the country. I only need to share with this House that India today is becoming one of the topmost economies of the world. As per the World Bank and the IMF, the largest amount of FDI has come into India. India today is being toasted as an important economic engine of the overall global economic narrative.

Good governance is also an important component of an economy. Good governance is not only of ordinary civil disputes, criminal disputes, which must be given a focus, but also of commercial disputes.

Sir, if you see the original Act, we have given a very expansive definition of what a commercial dispute is all about. After I hear my distinguished friends, hon. Members of this House, I will elaborate that by way of an initial comment.

When we came with this amendment, we said ‘....bring it to rupees three lakh from rupees one crore, but we must give latitude to the State Government and the High Court to take a call so that the amount of rupees three lakh should not become completely a base parameter for that.’ For instance, in Uttar Pradesh, Agra can have more litigation of commercial nature. Maybe, Badaun may not have. The State Government may take up a proposal to club three or four districts together. In Tamil Nadu, there are many areas which are commercially very viable. There will be a higher number of commercial disputes in some areas while in some other areas, they may be in a smaller number.

(1415/SM/ASA)

In case of Maharashtra, Pune area has more commercial disputes than other areas. Then we came to the conclusion that a State Government, in consultation with the High Court, can create commercial courts as required.

I thought, I must convey to this House the total number of Commercial Courts. Sir, at present, there are 214 Commercial Courts in the country and there are 25 Commercial Appellate Divisions in 16 High Courts; 12 commercial divisions are there in

other High Courts. A total number of 2164 cases of the value of Rs.1 crore and above are pending.

When we were drafting the law, there was a question. Suppose, there is a commercial dispute of Rs.5 lakhs, should we go to the High Court for appeal? In this law, what we have done is that there will be an Appellate Division at the district level for a smaller dispute.

The most important thing I would like to share with this House is that we must promote pre-mediation resolution of disputes. Suppose, two partners have fallen out. If, by the intervention of mediators, the disputes can be resolved, we must give a chance for pre-mediation resolution of disputes.

Sir, one thing I would like to share with this House is that this is the most important commercial law initiative perhaps in the entire world where pre-mediation initiative has been given a very important focus. Suppose one partner has run away with all the profits. Then we need interim protection from the court. Therefore, the law says, 'except in the case of urgent interim relief, every commercial dispute must go to the mediation first'. Three months' period has been prescribed. First, you should use it. If you are not able to resolve,

then come to the court. Therefore, pre-mediation litigation resolution is an important milestone.

Sir, one thing I would like to share with this hon. House is that I am not creating any new mechanism of mediation. Under National Legal Service Authority, mediators are there all over the country. We are making use of their services.

Sir, I only want to inform this House that there are 408 Alternative Dispute Resolution Centres in the country. There are 577 Mediation Centres; 11027 mediators are there. There are 4588 judicial officers as mediators. Therefore, a huge number of trained mediators are available.

We have also a provision of 48 hours training of new mediators. I want to share my experience with this House. Suppose, some retired Secretaries of India want to become mediators, let us use their services. Some retired CEOs of banks want to become mediators. Suppose a public man, for example, Members of Parliament wants to become a mediator as pro bono, we should welcome it. They can go to the crux of the matter because of their vast experience and ask the parties to resolve the dispute.

Therefore, in commercial disputes, this enormous focus on use of alternative dispute mechanism forum is a very important component of this Bill.

But I would like to dwell upon the larger narrative/perspective behind all these things. A speedy resolution of dispute is also a part of good governance. If we have to have good governance, we must have mechanism for speedy disposal.

Sir, in the morning, I had an occasion to address the first question on the issue of access to justice and alternative dispute mechanism. We are also doing a lot of things in this regard. I would like to share with this House my opening comment on this. Let us take the case of appointment of High Court judges. We have increased the number. You were the hon. Deputy Speaker during 2014-15. Due to NJAC, the entire formula had been stayed except a few. We have our reservation with that. But once that decision came about, what did we do? We appointed 126 High Court judges which was the highest in the last 30 years.

In 2017, we had appointed 115 High Court judges. In 2018, we have appointed 34 High Court judges; we have sent 126 judges to the Supreme Court Collegium for appointing as judges. Sir, by this

year's end, by God's willing, we will cross the highest number of appointments of High Court Judges ever in one year. The judges of Supreme Court have been appointed. About 300 to 400 judges have been confirmed.

Sir, I can anticipate the questions of my distinguished friends about subordinate judiciary.

(1420/AK/RAJ)

There also, we have given infrastructure where about 5,000 vacancies are there. Many of the persons present here are aware of it as I had mentioned it. While debating this issue on Commercial Court, I am going to urge the High Courts and the Supreme Court of India to ensure that these 5,000 vacancies of the Subordinate Judiciary are also filled at the earliest. I am saying this because we do not have any power nor the State Governments have any power in it. Many High Courts conduct their examination themselves or upon their recommendations the State Public Service Commission does it.

But what I said in the morning, I will say the same thing in my concluding comment while moving this Bill. If we need to have access to justice, then we must have competent judges -- well trained

judges. Today, the National Law School is producing a good number of judges, but my Government is equally committed to the deprived sections of India, namely, the SCs, STs, OBCs and minorities who also must get proper exposure in judiciary and proper training.

I think that the Subordinate Judiciary is the best place for this. Let there be a centralized examination. But what is important is that we want to showcase to the world that even in small disputes of commercial nature legal system is available to fast-track that proceedings.

This is how the whole architecture is there. I suppose that the entire House will support this Bill fully. Sir, I am grateful for this opportunity.

(ends)

1421 hours

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, I rise to oppose the Commercial Courts, Commercial Division & Commercial Appellate Division of High Courts (Amendment) Ordinance 2018. ...

(Interruptions)

SHRI RAVI SHANKAR PRASAD : Sir, can I say something on a lighter note? Mr. Premachandran is a very good friend of mine.

HON. DEPUTY SPEAKER: He is a good lawyer.

... *(Interruptions)*

SHRI RAVI SHANKAR PRASAD : He has been together with me in the other House also. But I learnt to my dismay that in the last four years he has not supported any Bill. I think that for this Bill he should make an exception.

SHRI N.K. PREMACHANDRAN (KOLLAM): I fully agree with the hon. Minister, but I am strongly opposing the Ordinance route of legislation. I have not spoken about the Bill. I will come to it at a later stage.

In this Monsoon Session, this august House is discussing the fifth Ordinance, and Statutory Resolution has been moved against all these five Ordinances.

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):

One more is remaining to be discussed.

SHRI N.K. PREMACHANDRAN (KOLLAM): Yes, the National Sports University Bill is remaining, which is also listed for discussion today.

As the hon. Minister, Shri Ravi Shankar Prasad, has rightly stated in this House that I had the fortune to move four Statutory Resolutions out of five. I cannot understand the logical reasoning of the Government regarding the promulgation of Ordinance one after the other. What is the emergency or exigency or urgency in issuing this Ordinance under Article 123 of the Constitution?

The hon. Minister, in his opening remarks, has stated or has made observations regarding the contents of the Bill. But I would like to know this from the hon. Minister, and that is the main point that I want to highlight in this august House. What is the urgency, exigency or necessity or what are the compelling circumstances, which prompted the Government to promulgate an Ordinance using the office of His Excellency the President of India?

I know that it is unfair on my part to say about the significance and ingredients of Article 123 or under what circumstances an Ordinance can be promulgated since the hon. Minister is the best legal luminary, and he is well aware of the provisions of the Constitution than anyone in this House. So, I need not explain it here as it will be unfair on my part if I am explaining it to him. Since he is fully conversant about the Constitutional provisions and the fact that Article 123 can be applied only in the case of extraordinary circumstances when the House is not in Session and some urgent action is required, then only this weapon shall / can be used.

If we go through the Statement of Objects and Reasons, paragraph three states that :

“As Parliament was not in session and immediate action was required to be taken to make necessary amendments in the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015, to further improve India's ranking in the 'Doing Business Report', the President promulgated the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Ordinance, 2018 on 3rd May, 2018.”.

(1425/UB/IND)

So, I would like to get a clarification from the hon. Minister as to what was the urgency to promulgate this Ordinance. That is my question.

Sir, regarding the nomenclature of the Bill, I would also like to suggest the hon. Minister that the long title and the short title of the Bill should also be changed. It is very difficult to pronounce it even in the court of law. If we want to quote the Sections of a particular provision of the Commercial Courts, Commercial Divisions, Commercial Appellate Division of the High Courts Act, it is very difficult to pronounce. The nomenclature of this Bill should be changed. I would like to pronounce it as Commercial Courts Act.

The original Act is Commercial Courts Act itself which was brought through an Ordinance. This was brought into public domain through an Ordinance on 23rd October, 2015. Yesterday also, the same point was raised. The other Bill which we discussed yesterday also came into public domain as an Ordinance. Subsequently, if an Act has come into existence in the public domain through the Ordinance route of legislation, again and again, the amendments would also be brought through the route of Ordinance. It is not a good practice of parliamentary democracy. I would like to say that the

Government is systematically undermining the parliamentary system of our country. This is quite unnecessary to opt for the route of Ordinance Legislation.

Let us examine the urgency of the Ordinance. I fully agree with the hon. Minister. He has already explained that the entire purpose of the original Act is to bring a fast-track mechanism for disposal of commercial disputes for which a commercial court is established at the level of district judge which is mentioned in the original Act and a provision of separate division is there in the High Court. Third, a Commercial Appellate Division in the High Court has to be constituted. These are the original provisions of the original Act. The Ordinance is now promulgated to amend the existing Act of 2015.

Sir, there are four important proposals or amendments which have been brought in the Ordinance. First is to reduce the specified value of commercial dispute from Rs. 1 crore to Rs. 3 lakhs and the parties to the dispute can approach the lowest level of subordinate courts for speedy resolution of commercial disputes. So, two intentions are there. First one is that a specified value of the commercial dispute which is reduced to Rs. 3 lakhs from Rs. 1 crore

and the lowest subordinate judiciary can also act since the value has been decreased to Rs. 3 lakhs.

Second is about enabling the State Governments to constitute commercial courts at the level of district judge in respect of High Courts having original civil jurisdiction. As the hon. Minister has rightly pointed out, Delhi, Mumbai and Chennai High Courts have original civil jurisdiction. At the level of district judge, commercial appellate jurisdiction is given. That is also a good suggestion.

Third is about enabling the State Governments to constitute designated commercial appellate courts at the level of district judge to exercise the appellate jurisdiction over the commercial courts below the level of district judge. That means for all the commercial disputes coming before the subordinate courts of the district court, appellate authority will be the district judge for which this Amendment has been brought.

The fourth one is to provide compulsory mediation before institution of a suit. I fully agree, this is the positive outcome of the Bill. The best thing that the Government has done in this Bill is the last one, i.e. chapter 3A, that is an amended chapter incorporating

Section 12(a) by which the mediation before the institution of a suit is a welcoming step.

Sir, I would like to know from the hon. Minister as to what is the urgency in giving effect to these four amendments. Was there any urgency or any compelling situation prevailing so as to promulgate the Ordinance? Is it in order to give effect to these four Amendments from 31st May, 2017? What are the instances which have happened after 31st May, 2018 till the commencement of this Session?

Sir, regarding the Bill, I have certain reservations and I am seeking some clarification from the hon. Minister because I am not fully aware of the impact of this Bill. When the commercial courts are being constituted, what would be their impact? It is not very clear as far as I am concerned.

(1430/KMR/VB)

I am not opposing the Bill in toto but I have some reservations regarding the spirit of the Bill.

Today morning the hon. Minister answered a question about the pendency of cases before the Supreme Court and in subordinate courts. Arrears Committees have been constituted to reduce the number of pending cases. In 24 High Courts, Arrears Committees

have been constituted. The Government is also trying and initiating action to minimise the pendency of suits and litigations before the courts of law. When we are making complaints regarding pendency of suits in various courts, we the Parliament and the Government have to keep in mind that we are further overburdening the judiciary by making enactments one after the other. While we are making new legislations and making new areas of litigation, we are not creating the proportionate judicial infrastructure. New courts are not being constituted. At a time when courts are overburdened with pending litigations regarding civil, criminal and many other cases, we are designating our courts as Commercial Courts, Commercial Divisions and Commercial Appellate Divisions of High Courts. Giving preference to these cases will definitely adversely affect the other pending cases. That is the first reservation which I would place before the hon. Minister. Particular courts are being designated as Commercial Courts and certain Divisions of High Courts will be designated as Commercial Divisions and certain High Court Benches will be designated as Commercial Appellate Divisions of the High Courts. When you are doing all this, what will happen is that the courts have to give preferential treatment to these cases. It will then

definitely adversely affect the other cases which are pending before the court and the pendency of the litigation will increase. That is the first reservation that I have.

Crime is an offence against the State. Commercial disputes are also there. My apprehension is that when a criminal appeal which is being tried before a High Court Division or High Court, what will happen to the criminal appeals when such a High Court has been designated as a Commercial Court of Appellate Jurisdiction? When there is a long pendency of criminal appeals under High Court jurisdiction, at the same time we are designating that particular court as a court of appellate jurisdiction for commercial disputes, definitely the pendency of cases will be more. That is why I would like to say that indirectly it is affecting all other pending cases because you are giving preferential treatment to the cases of commercial disputes on the ground that ease of doing business is the prime motto of the Government. On that basis the Government is doing this. On that I would like the Minister to clarify.

Mr. Deputy Speaker, Sir, you may kindly see that there are so many special courts. Day before yesterday we were discussing the issue of trafficking of women and children. There also it was said that

special courts will be constituted. We are actually not creating special courts, we are only designating the existing courts which are trying the offences, as special courts. That is the problem. That is why I say that whenever the Government comes with a legislation as a result of which there is possibility of increase in litigations, proportionate increase in judicial infrastructure has to be made. The number of courts, the number of judges, etc., should also be increased proportionately. Otherwise it will be affecting the other pending cases adversely and those cases will be the cases of the poor people in the country. We have the juvenile courts of justice, SC/ST atrocities courts, family courts and many other courts.

Sir, the Government is reducing the specified value of a commercial dispute from Rs.1 crore to Rs. 3 lakh.

(1435/GM-PC)

I would like to ask the hon. Minister whether he has conducted any impact study on this. Suppose Rs. One crore is the specified value of the commercial dispute, you are decreasing it to Rs. Three lakh. In section 2(c), there are 22 items which are relating to the commercial disputes. Supposing all these 22 items of disputes in which the quantum of the specified value of the commercial dispute

comes to Rs. Three lakh, our courts will be flooded with petitions of commercial disputes. What will be the fate of other civil cases?

This commercial dispute, according to me, is just like a civil dispute. What is the significance of it? If the value is Rs one crore and above, we can understand because the pecuniary jurisdiction will be increasing. Here in this case, what will be the impact? Suppose if it is being done, to my knowledge even a *munsif* court or even a magistrate court, subject to the pecuniary jurisdiction, can be declared or designated as a commercial court because of which other cases will suffer. When the specified value of the dispute comes to Rs. Three lakh, almost all the disputes relating to the commerce will be within the purview of the definition in clause 2(c) that is commercial dispute. Courts will be flooded with commercial disputes and thereby all other cases and disputes relating to various subjects will be insignificant or irrelevant in a court of law. So, I could not understand the logic of reducing the specified value of a commercial dispute to Rs. Three lakh. The hon. Minister has just stated that by doing this, poor petitioners will be able to file their petitions. For this, civil remedy is there. They can very well approach the *munsif* court or the concerned court so as to redress their

grievance. Suppose A is having an agreement with B and there is a violation of agreement and the specified quantum is Rs. 3 or 4 lakh, he is getting a preferential treatment to go to a commercial court and get the redressal at the earliest. What about other individual transactions of civil nature? The preference which is being given is illogical and there is no reasonable justification to have this preferential treatment to this particular commercial dispute.

I fully agree and accept the new proposal of pre-institution mediation and settlement for which a new chapter has also been brought in. I fully agree to it and I congratulate the Minister. This is the best course of action because we are having the Legal Services Authorities Act and it is functioning very well. So, the pendency of litigations can be reduced.

When all these amendments and enactments are being done to achieve the goal of ease of doing business and to accelerate the economic growth and improve the Indian justice delivery system, my humble submission to the hon. Minister is that acceleration of economic growth should not be at the cost of the common man. When you are giving preferential treatment in the adjudication of commercial disputes that is the disputes of business people, delivery

of speedy and effective justice to other sections of the society should not be compromised or should not be suffer. Since there is no urgency in issuing an Ordinance of this nature, I oppose the promulgation of Ordinance and I support the Bill subject to the reservations and apprehensions which I have already made and for which I am seeking clarification. With this, I conclude.

(ends)

HON. DEPUTY SPEAKER: Motions moved:

“That this House disapproves of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Ordinance, 2018 (No. 3 of 2018) promulgated by the President on 3rd May, 2018.”

and

“That the Bill to amend the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015, be taken into consideration.”

1439 बजे

श्रीमती मीनाक्षी लेखी (नई दिल्ली) : आदरणीय उपाध्यक्ष जी, बहुत-बहुत धन्यवाद कि आपने मुझे व्यावसायिक अदालतें, उच्च न्यायालय की व्यावसायिक डिविज़न और व्यावसायिक एपेलेट डिविज़न (संशोधन) अधिनियम, 2018 पर बोलने का मौका दिया। ... (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): Hon. Deputy Speaker Sir, this is the privilege of the Opposition. You should give chance to the Member from Opposition to initiate the debate; he is ready. Every day, the initiation goes to the ruling party. The concerned Minister has already made his comments. They can wait. At least you can give the chance to the Opposition. Always this has been done and you are doing it. I don't know why you are doing it. Since yesterday, this has changed.

(1440/MM/RSG)

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):
Sir, there is a mention here that item Nos. 13 and 14 may be discussed together. ... (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): We are not objecting to that. When the hon. Deputy Speaker said that, we kept quiet. ...

(Interruptions)

Our submission is that the initiation should come from this side.

... *(Interruptions)*

HON. DEPUTY SPEAKER: You raised this yesterday also. So, I want to say something regarding this.

... *(Interruptions)*

**OBSERVATION RE: PROCEDURE TO BE FOLLOWED DURING
COMBINED DISCUSSION ON STATUTORY RESOLUTION
DISAPPROVING ORDINANCE AND BILL REPLACING
ORDINANCE**

1442 hours

HON. DEPUTY SPEAKER: Hon. Members would recall that during the combined discussion on the Statutory Resolution and the Insolvency and Bankruptcy Code (Second Amendment) Bill, 2018 yesterday, Shri Mallikarjun Kharge raised a point stating, "After the Minister introduces the Bill and speaks, it is the prerogative of the opposition party to initiate the discussion. This is a wrong precedent. It is my request that it should not be clubbed like this". Shri Kharge also submitted, "It is the right of the main opposition party to initiate the discussion. We are not given that opportunity and Members from other parties have been allowed to speak in between. It is not a good thing." That is what you said.

In this regard, I would like to inform the House that the subject matter of the Statutory Resolution for disapproval of the Ordinance and the Ordinance replacing Bill is similar in nature. Therefore, it would not be appropriate to discuss both the items separately.

Accordingly, as per well-established practice, the Statutory Resolution seeking disapproval of the Ordinance and the Bill seeking to replace the Ordinance are discussed together to save the time of the House. The practice of listing both the items for combined discussion has stood the test of time and therefore does not seem to require any change.

The procedure being followed in such cases is that first the Member in whose name the Statutory Resolution is listed moves the Resolution and thereafter the Minister-in-charge of the Bill moves the motion for consideration of the Bill and speaks. After the speech of the Minister, the mover of the Statutory Resolution is allowed to speak on the Ordinance as well as the Bill because he cannot be given a second chance to speak on the Bill separately. After the speech of the mover of the Statutory Resolution, Members from various parties are called to speak as usual on the basis of party strength.

Therefore, Shri Mallikarjun Kharge, this is what I am suggesting since we follow a practice like this. We will be giving sufficient time as we gave yesterday also.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): Sir, we are not begging but asking for our right. ... (*Interruptions*)

HON. DEPUTY SPEAKER: It is your right; I am not denying that.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): They should give us the chance. Why should the Ruling Party initiate the discussion? The Ruling Party can always discuss it in the party meetings also. ... (*Interruptions*)

HON. DEPUTY SPEAKER: It is not like that.

SHRI MALLIKARJUN KHARGE (GULBARGA): This is the only forum for the opposition parties to take the initiative and highlight their grievances.

HON. DEPUTY SPEAKER: Shri Premachandran is also from the opposition. It is your group which is a combined group; not any other group.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): It is a matter of prerogative; it is a matter of our right. ... (*Interruptions*)

You do not want to honour our right. It is left to you. ... (*Interruptions*)

HON. DEPUTY SPEAKER: That is not the intention.

... (*Interruptions*)

श्री अर्जुन राम मेघवाल : महोदय, अगर यह स्टेट्यूटरी रेज़ोल्यूशन नहीं होता तो कांग्रेस पार्टी के मेम्बर को ही पहले बोलने का अवसर मिलता। प्रेमचन्द्रन जी ने रेज़ोल्यूशन दिया और उसको माना गया, इसलिए उनको बोलने का मौका मिला। ... (व्यवधान)

HON. DEPUTY SPEAKER: Anyway, I have called her.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): You can suspend the rules. You are the supreme authority. ... (*Interruptions*)

HON. DEPUTY SPEAKER: The House is the supreme authority; I am not the supreme authority. Whatever way you guide me, I will follow that.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): You can suspend the rules. ... (*Interruptions*)

SHRIMATI MEENAKASHI LEKHI (NEW DELHI): Sir, I think we are wasting time now. ... (*Interruptions*)

HON. DEPUTY SPEAKER: If all of you want to suspend, I will suspend; but all of you have to accept.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): We have authorised you in the rules. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Smt. Meenakashi Lekhi, you may continue now.

श्रीमती मीनाक्षी लेखी (नई दिल्ली) : उपाध्यक्ष महोदय, यह कानून अदालत की व्यवस्था और व्यापारिक गतिविधियों के बीच में सामंजस्य बैठाने की एक कोशिश है। दिल्ली व्यापार का केन्द्र है। मुझे लगता है कि यह मुद्दा व्यापारियों के हितों और व्यवस्था से जुड़ा हुआ है। जहां व्यापार है, वहां विवाद है। जैसे-जैसे उद्योग और व्यापार बढ़ेगा तो यह एक सामान्य प्रक्रिया है कि वहां-वहां विवाद भी बढ़ेगा। उन सब विवादों का हम सही तरीके से निपटारा कर सकें, इसकी व्यवस्था भी हमें देश में खड़ी करनी होगी।

(1445/RK/SJN)

अंतर्राष्ट्रीय स्तर पर भी अगर दो देशों के बीच में कोई झगड़ा होता है, तो वर्ल्ड ट्रेड ऑर्गेनाइजेशन (डब्ल्यू.टी.ओ) के रूप में वहां पर व्यवस्थाएं बनी हुई हैं, जिसके जरिए उन विवादों को सुलझाया जा सकता है। घरेलू स्तर पर जब व्यापारियों के बीच अगर सरकार के साथ या आपस में कोई भी झगड़ा होगा या किसी भी किस्म के विवाद उत्पन्न होंगे तब ऐसी व्यवस्था को ठीक करने के लिए हमें एक समुचित व्यवस्था बनानी है। हाल फिलहाल में कई ऐसे कानून देश में बदले गए, चाहे वह स्पेसिफिक रिलिफ एक्ट हो या ऑर्बिट्रेशन एक्ट हो, तमाम ऐसी चीजों को बदला गया ताकि देश में व्यापार की व्यवस्था ठीक हो सके। उसी व्यापारिक व्यवस्था को ठीक करने के लिए 2015 में

एक कानून आया, जिसको कॉमर्शियल कोर्ट्स, कॉमर्शियल डिवीजन एंड कॉमर्शियल एपपेलेट डिवीजन ऑफ हाई कोर्ट्स के एक्ट के नाम से दिया गया। उसके अंदर हाई कोर्ट्स में और जिला स्तर पर व्यावसायिक अदालतों की स्थापना करने की व्यवस्था थी। कुछ चार्टर हाई कोर्ट्स ऐसे हैं, जिनके पास ओरिजिनल ज्यूरिडिक्शन है जैसे दिल्ली हाई कोर्ट और कई ऐसी हाई कोर्ट्स हैं जहां पर ये ज्यूरिडिक्शन उपलब्ध नहीं हैं। इसी व्यवस्था को ठीक करने और तेजी से इन विवादों को समाप्त करने के लिए इस कानून का प्रावधान किया गया है। देश में विदेशी निवेश बढ़ रहा है। FDI is on the high. कामर्शियल लिटिगेशन भी बढ़ रही है और व्यापारिक लेनदेन में भी वृद्धि हो रही है। इसी के चलते विदेशी निवेशकों को हमारी ज्यूरिडिक्शन और हमारे लीगल सिस्टम की एक सकारात्मक छवि मिले, उस दिशा में यह एक अच्छा कदम है। हाई कोर्ट्स में व्यावसायिक डिवीजन उसी के आधार पर बनाई गई है। व्यावसायिक डिवीजन और अपीलिय डिवीजन के मध्य में मई के महीने में 2018 में इस आर्डिनेंस को लाया गया था, लेकिन इस संशोधन का मूल है कि व्यवसाय को कैसे आसानी से किया जा सके। मंत्री साहब ने यह बात पहले कही है कि हमें ईज ऑफ डूइंग बिजनेस की रैंकिंग में सुधार करना है। 130वीं रैंकिंग से हम 100वीं रैंकिंग पर पहुंचे हैं, लेकिन अधिक से अधिक हमारी रैंकिंग और बढ़े, ऐसा संदेश हम पूरी दुनिया में दे सकें। ईज ऑफ डूइंग बिजनेस की हमें रैंकिंग बढ़ानी है और वर्ल्ड बैंक के जो क्वांटिफाइबल पैरामीटर्स हैं, उन पैरामीटर्स के तहत यह एक कदम है।

Repeatedly, Shri Premachandran has asked as to why the jurisdiction has been brought down to Rs.3 lakh instead of Rs.1

crore. The answer to that is, when a study was made - it nearly takes about four years, 1420 days, to resolve any smallest commercial litigation - as per 2013 record, 32,656 civil cases were pending in various High Courts and 52 per cent were commercial disputes. When he is talking about reduction in the number of cases and benefit to common man, traders, small traders are also common people. They also help in the growth of GDP. Their pain needs to be resolved so that the circulation of money is increased. Premachandran ji asked as to whether there is any study made. I would like to say that yes, there is a study and as per that study in 2013, 32,656 cases are pending and 52 per cent of that litigation happens to be the commercial disputes. Most commercial disputes, especially of high value, have an impact on the financial investment and economic activity in the country.

Sir, the Law Commission in its 253rd Report, submitted in 2015, also recommended quick disposal of commercial cases and commercial disputes which require special expertise. There are lawyers who can practice on all sides. But, you get trained in certain format and under this particular aspect the commercial courts have been separated. This Act of 2015 was enacted to fast track the

disposal of high value commercial disputes by establishing Commercial Courts at the district level and Commercial Divisions and Commercial Appellate Divisions at the High Court to adjudicate upon commercial disputes such as disputes relating to construction and building contracts and goods and services as well.

(1450/PS/BKS)

Now, what really has transpired in December 2017? As has already been mentioned by the hon. Minister, in December, 2017, the Government had established a total of 247 commercial courts across the country. But, the non-exhausted list of 22 disputes, termed as commercial disputes, has also been brought in. To increase the efficiency of the system, there are still many enactments and many things which we need to correct and this is just one part of the correction to improve the ease of doing business. By bringing the jurisdiction to three lakhs, we will actually be bringing judicial accessibility to a wider audience and to a larger number of people. By making it available to a larger number of people, we will be resolving a larger number of disputes. It is in this context that the jurisdiction has been reduced after studying the data in detail.

This particular amendment has been brought in with the specific value which was determined under Section 2 (1) (i), where the minimum pecuniary jurisdiction is mentioned, which was one crore earlier before the Ordinance, now it has been brought to three lakhs. This jurisdiction will initiate more such disputes to have a faster disposal.

As I have mentioned earlier, under the Charter, there are Chartered High Courts and non-Chartered High Courts. So, certain original jurisdictions are vested with certain High Courts and not with every High Court. This was one impediment in establishing commercial divisions. So, there was a bar of some sort. To do away with the bar, this particular enactment has been brought in and this is another major change which has been brought in through this particular Bill.

The third aspect of the commercial appellate court is that normally at the District Level, either a District Judge or a Judge below the level of District Judge, will be notified as the Commercial Court Judge. Then the appeal need not go to the High Court. The appeal can go to the District Judge. That is also a part of this particular enactment.

Now, I come to mediation. A completely new chapter has been added. I think we must welcome this particular aspect. The most pre-litigation mediation, which was non-existent and specially keeping the commercial disputes in mind, I think, this is a leaf we have taken out of the Italian Jurisdiction. In Italy, there has been a study that the efficacy of the system has been maintained and we have tried to replicate that by introducing this particular chapter in the entire Act. This chapter makes a couple of changes. First, it puts a time limit on the mediation. It is in three months in which a mediation process has to end. Second, in case where both sides agree and where both sides are in agreement, the mediation period can be extended by two months and that also has to be in writing. Third, whatever is decided in this particular mediation process, will be treated. Otherwise we have to move to the court in suit to make that particular order as a compromise and an agreement between the parties. Now automatically, a mediation order, whichever is passed between the parties, becomes a certified order and becomes an arbitral award. That change has also been brought in to the arbitration act which reduces the burden.

So, again I am answering the question asked by Shri N.K. Premachandran that as to why it has been brought down to three lakh rupees. The moment we make it three lakh, more and more number and a larger population will be able to access this methodology. Through mediation, we can end half of litigation. What everyone wants is some interest variation and a kind of dispute which can be resolved. So, after resolution, the order in the mediation cell achieves finality and is accorded the status of an arbitral award, which is fantastic. The present amendment Bill intends to do the same.

Now, I come to the issue of transfer of counter claims. There was a problem in transferring the counter claims. Now, with this, we have even resolved that particular issue. Earlier, if a civil suit was involving at least Rs. 1 crore, it could not be transferred. But, it can now be transferred if a person specifically wants the case to be transferred to the commercial division.

I am again going back to ease of doing business. The ease of doing business is a global indicator where a quantitative mechanism by the World Bank has been established. It prepares a very credible and widely accepted nation's ranking on the index.

(1455/RC/GG)

This ranking is based on 10 sub-indices which contains qualitative measures of regulation for starting a business, dealing with construction permits, employing workers, registering property, getting credit, protecting investors, taxes, trading across borders, and enforcing contracts which is the primary purpose of this enactment. Earlier, we made that amendment even in the Specific Relief Act in 2018 itself.

As regards getting an electricity connection and closing a business, now this is very pertinent. India enjoys the disrepute for its ability to handle insolvency cases. We have improved from 136 to 103. So, we have jumped 30 ranks. This contributed the top most help which India needed to change its fortune. It is because the World Bank Ease of Doing Business ranking was low for a long time. The country enacted to fasten the process of winding up losing businesses.

What is happening is that when you start a business which is not making money and is actually a dead business, it needs to be shut down. Now because of so many litigations and other such things, the winding up of business itself was becoming a problem.

The Insolvency Act which has been brought in recently and all the changes which have been brought in will add to that. Then successful reforms are being carried out to improve India's ranking worldwide so that we can get more and more FDI; we can showcase our economy; and we can jump the rank. We have replaced France by becoming the sixth largest economy. In coming times, we would want to improve our place in the world ranking and we would like to be No. 1 in the world rankings.

All I can say that, *saaf niyat* and *sahi vikas* that is what the country is working towards and that is what we have done in four years. It is with *saaf niyat* and *sahi vikas* that these changes, as a composite package, have been brought in.

इस सदन में बैठे अपने सभी साथियों को मैं यही बताना चाहती हूँ कि जहां साफ नीयत है, बरकत वहीं है। विपक्ष में बैठे अपने सभी साथियों – प्रेमचन्द्रन जी और तमाम साथियों से कहना चाहूँगी कि हौसले में अगर पाकीज़गी होगी और नीयत में सच्चाई होगी तो इंसान कुछ भी कर सकता है। चार साल के बेमिसाल कार्यकाल में आपने देखा होगा कि चाहे मोहब्बत हो या इबादत, चाहे सियासत हो या तिज़ारत हम तो हर जगह साफ नीयत रखते हैं और पाकीज़ा फितरत रखते हैं। तभी राष्ट्रीय पटल हो या अंतर्राष्ट्रीय पटल, हर तरफ विकास का डंका बज रहा है और सबको सुनाई देता है। अतः मैं इस संशोधन विधेयक का समर्थन करती हूँ और सदन में बैठे अपने सभी

साथियों से आग्रह करती हूँ, विनती करती हूँ कि इस विधेयक का समर्थन कर के मोदी सरकार की निरंतर बढ़ती विकास यात्रा में अपना अमूल्य योगदान दें ताकि देश की प्रगति में हम सब लोग भागीदार बन सकें।

धन्यवाद।

(इति)

1458 hours

SHRI S.P. MUDDAHANUME GOWDA (TUMKUR): Sir, I may be permitted to speak from this place.

1458 hours (Shri K.H. Muniyappa *in the Chair*)

Sir, at the cost of repetition, I would like to subscribe my views to the views expressed by my senior colleague, Shri Premachandran Ji, with regard to promulgation of this Ordinance and also the amendments.

The word 'Ordinance' has got its own seriousness. In Kannada, we use the word *sugrivaghne* which shows the seriousness of the word. In the rarest of the rare cases, we do adopt the measure of bringing legislation through Ordinances but here I would request the hon. Law Minister who himself is a legal luminary to convince us, explain to this House and let the country know what was the imminent urgency he had in bringing this legislation through the Ordinance route. The other Bill which is listed today, that has also been brought through the Ordinance route. If such a provision is used every now and then, definitely the seriousness of this provision will erode. If it is repeatedly and unnecessarily used, it will lose its seriousness. That is why, I have my own reservations in this regard.

(1500/SNB/CS)

Sir, the reasons assigned by the hon. Minister in the Statement of Objects and Reasons are to attract business at the international level and also ease of doing business and speedy disposal of commercial disputes for bringing forward this legislation. If the intention of the Government is to attract business at the international level, then why does the Government propose to reduce the pecuniary jurisdiction of the quantum from Rs. 2 crore to Rs. 3 lakh?

In Section 2(c) 22 items have been mentioned. Almost every alternate litigation that is pending in the civil courts is a commercial dispute including a commercial dispute of ordinary transactions of merchants, bankers, financiers, traders etc. If that is the case when the Government is bringing forward a special legislation to form commercial courts, then it should have some seriousness.

Today in the morning itself the hon. Minister conceded to the pendency of cases in the courts in the country, including civil and criminal cases. Reduction of the pecuniary jurisdiction of the quantum from Rs. 3 crore to Rs. 2 lakh to bring cases within the ambit of this legislation dilutes the importance of the legislation. The

Government proposes to form commercial courts specifically with an intention to attract business at the global level. My observation is that by reduction of the quantum of pecuniary jurisdiction to Rs. 3 lakh takes away the seriousness of this legislation.

Sir, the intention of the Government is 'ease of doing business' and also speedy settlement of commercial disputes. If that is so, then what measures have the Government taken, under this Act, to create more infrastructure. Speedy disposal of cases requires abundant infrastructure. If the Government seeks to have speedy disposal of cases with the same infrastructure, I do not think the purpose of the Government would be served.

Sir, in the morning itself, from the reply of the hon. Minister himself what we could infer is that even in criminal cases where the punishment is supposed to be for a period of three years, there are many cases and instances where there are under-trial prisoners who have been languishing in prisons for than four to five years. Due to lack of speedy disposal of cases even the prisoners are lying in the prison and are serving more period than the punishment that they are meant for. Forget about the fate of the civil litigants. Such cases

of civil litigation are pending for more than 25 to 30 years in the civil courts. If that is the case, then how can the Government think of getting speedy disposal of cases without making any provision with regard to creation of additional infrastructure? In this Bill we do not find any provision for creation of additional infrastructure. For example, in the Commercial Appellate Division Court the Government proposes to appoint a sitting High Court Judge. The State Government shall, with the concurrence of the Chief Justice of High Court, appoint one or more persons having experience in dealing with commercial disputes to be the judge/judges of a commercial court from amongst the cadre of higher Judicial Services. Likewise, the Chief Justice of the High Court nominates such judges of the High Court who have experience in dealing with commercial disputes to be the judges of the Commercial Appellate Division. So, through the provision of the Bill, the Government seeks to extract manpower which is already working and the manpower which is already over-burdened resulting in the inordinate delay in disposal of criminal, civil and other matters.

(1505/RU/MY)

If that is the case, unless you create more infrastructure, unless you appoint more judges and ease out the burden of the sitting judges both in the subordinate judiciary as well as the higher judiciary, the purpose of this legislation will not be meted out. That is the situation. Why I am mentioning this is, in the morning and now also, you have fairly conceded to the fact that there is shortage of more than 5500 subordinate judicial officers. There are vacancies of nearly 50 per cent of the High Court judges. In this situation, unless more judges are appointed, more courts are created and more infrastructure is created, the very purpose of bringing this legislation will be defeated.

You are bringing the provision of pre-institutional mediation and settlement. This is a new chapter which you are bringing in here. What purpose are you serving by bringing this legislation? Here, you want to create authorities under the Legal Services Authorities Act for pre-mediation and settlement. You are making pre-mediation settlement as a mandatory thing. In every case, it is made mandatory. Even if it is a matter of Rs. 3 lakhs, it should be referred to under this provision.

There is also a provision created for a litigant. To avoid this provision, if he makes an interim application, then the matter is taken away from this provision. If any interim application is there seeking an order of injunction or some such order, then that matter is being taken away from this provision. Mere filing of an application is sufficient. Otherwise, where is the provision for it and who is going to decide whether this is a case that should be referred to pre-institutional mediation and settlement or not? Here they can save five months of time. That is why, anybody can file an interim application and file a petition before the commercial court. Absolutely, there is a scope for that.

Finally, I would like to place a problem regarding my own State. In the morning, my leader, Shri Kharge, raised a very important and pertinent issue which has been making a very big news in our State.

This august House was kind enough to give special status to Hyderabad-Karnataka under article 371J of the Constitution. That provision was given keeping in mind the backwardness of that area. Six districts are included in it, namely, Gulbarga, Bidar, Yadgir, Koppal, Raichur and Bellary. These districts come under

Hyderabad-Karnataka area. Special status was awarded under Article 371J keeping in view the fact that the area requires further development. Fortunately, three Benches were created in Karnataka. One is in Bengaluru, the second one is in Hubli-Dharwad and the third one is in Gulbarga. If the benefit of article 371J is to be given to all the six districts, then geographically also, it should be kept intact.

What happened is, out of the six districts, two districts are taken away from the territorial jurisdiction of this court and are given to the High Court at Hubli-Dharwad. Suppose a litigation is filed under the provisions of article 371J at Hubli-Dharwad, any order that is going to be passed there affects the whole Hyderabad-Karnataka Region. That is why, my humble request to the Government of India is to please see that these two districts are kept intact in the territorial jurisdiction of Gulbarga High Court so as to see a real meaning in the special status given to Hyderabad-Karnataka under article 371J.

With these words, I conclude my speech and I thank you for having given me an opportunity to participate in the discussion.

(ends)

(1510/NKL/CP)

1510 hours

SHRI J.J.T. NATTERJEE (THOOTHUKUDI): Thank you hon. Chairman Sir. The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill, 2018 amends the Commercial Courts Act, 2015 which provides for Commercial Courts and Commercial Divisions of High Courts to adjudicate commercial disputes with a value of at least one crore rupees. The Bill reduces this limit to three lakh rupees.

Sir, the pecuniary jurisdiction of Commercial Courts reduced from one crore rupees to three lakh rupees will lead to the transfer of all commercial disputes above three lakh rupees. It may over-burden the Commercial Courts and defeat the objective with which they were established. The courts in India are over-burdened with high pendency of cases.

As of April 2018, there are over three crore cases pending across the Supreme Court, the High Courts, and the Subordinate Courts including District Courts. Between 2006 and April 2018, there

has been an 8.6 per cent rise in the pendency of cases across all courts.

Increase in the pendency of cases for long periods has resulted in the increase of under trials in prisons. There were about 5 lakh prisoners in jails. Of these, two-thirds were under trials and the remaining one-third were convicts. The Government should take necessary steps to address this issue.

The Bill also allows the State Governments to establish commercial courts at the district level, even in territories where high courts have ordinary original civil jurisdiction.

In areas where High Courts do not have original jurisdiction, State Governments may set up Commercial Appellate Courts at the district level to consider appeals from Commercial Courts below the level of a district judge. The Bill does not clarify whether the cost of setting up of new commercial courts will be borne by the Union Government or by the State Governments or both.

Sir, I would like to record in this august House that the overall vacancies of judges have increased across all courts from 23 per cent in 2006 to 35 per cent in 2018. In the Supreme Court, it has

increased from 8 per cent to 23 per cent; in the High Courts from 16 per cent to 38 per cent; and in the Subordinate Courts from 19 per cent to 26 per cent. The establishment of more Commercial Courts would require more judges and the Government should consider this issue and provide the courts with adequate number of judges.

Sir, the intention of the Government is very clear. It aims to transfer large number of already pending cases and new cases of pecuniary jurisdiction of Commercial Courts from courts. At the same time, it is the prime duty of the Government to provide adequate number of judges and to provide necessary infrastructure facilities for the newly established Commercial Courts in the country and should not burden the State Governments. Thank you, Sir.

(ends)

1514 hours

SHRI IDRIS ALI (BASIRHAT): Thank you, Sir. I am deeply grateful to your honour for giving me the scope to say on this important Bill.

At the same time, I am also highly grateful to one of the great National Leaders, the Chief Minister of West Bengal, Ms. Mamata Banerjee who is also known as the second Mother Teresa because without her blessings, I would not have become a Member of Parliament.

Hon. Chairman, Sir, the Government on May 3, 2018 promulgated an Ordinance amending the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015.

(1515/KSP/NK)

Sir, this Bill seeks to amend the Commercial Courts, Commercial Division and Commercial Appellate Division of High courts Act, 2015, and also seeks to replace the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Ordinance, 2018.

There are many cases pending in courts. This is really a cause of concern for the common man. Setting up of commercial courts would certainly give some relief to the people. But the Government has to appoint suitable judges for the purpose and they should also be provided training in micro economics.

As on date, the Judiciary is burdened with more than three crore pending cases in the Supreme Court, the High Courts and the Subordinate Courts. In the High Courts, 23 per cent of the cases have been pending for over 10 years. Further, over 29 per cent of all cases have been pending between two and five years. In the Subordinate courts, over eight per cent cases have been pending for over 10 years. The maximum number of cases have been pending in the Subordinate Courts for less than two years and that comes to 47 per cent.

Sir, the increase in the pendency of cases for long periods, over the years, has resulted in an increase in the number of under trials in prisons. As of 2015, there were over four lakh prisoners in jails. Of these, two-thirds were under trials and the remaining one-third were

convicts. This is the reason as to why most of the people do not want to go to courts and get their disputes resolved outside courts.

We all know that there is a huge backlog and a large number of vacancies exist in courts. Unless those vacancies are filled early, any number of creating additional machineries may not solve the problem of accumulation of cases. Overall, vacancies in the country have increased across all courts from 23 per cent in 2006 to 35 per cent till April, 2018. In the Supreme Court, it has increased from eight per cent to 23 per cent; in the High Courts, it has increased from 16 per cent to 38 per cent and in the Subordinate courts, it has increased from 19 per cent to 26 per cent. As of April, 2018, the High Courts have a vacancy of 406 posts of judges against the sanctioned strength of 1,079 judges. In the Subordinate Courts, the vacancies of judges have increased from 19 per cent to 26 per cent between 2006 and 2017. In West Bengal, there is a vacancy of 40 posts of judges and Andhra Pradesh has a vacancy of 66 posts of judges.

(1520/KKD/SK)

SHRI IDRIS ALI (BASIRHAT): Sir, I would take only three minutes more to conclude because West Bengal should not be deprived. The hon. Law Minister is present here.

HON. CHAIRPERSON (SHRI K.H. MUNIYAPPA): No. Please conclude within a minute.

SHRI IDRIS ALI (BASIRHAT): Sir, one of the most critical changes introduced in this Bill is with respect to the appointment of Judges of Commercial Courts. Earlier, the State Governments could appoint those Judges only with the concurrence of the Chief Justice of the High Court whereas after the amendment, the State Government has the power to appoint such Judges even without the concurrent of the Chief Justice of the High Court. Unless all the vacancies of the Judges are filled up in the regular courts, the problem of disposal of cases will never get solved.

Sir, according to the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015, herein referred to as the Principal Act under the provisions of Sections 19 and 20 of the Bill cast an obligation on the State Governments to

provide infrastructural facilities. Considering the financial conditions of the States, the Centre should provide substantial funds for the establishment of these infrastructural facilities. In order to fulfil the objective of quick disposal of pending cases, the vacancies in the Judiciary at all levels should be filled up; and for that reason or purpose for the fulfilment of the Objects and Reasons, the Central Government should come up with sufficient financial support to the State Governments.

HON. CHAIRPERSON: Please conclude, now.

SHRI IDRIS ALI (BASIRHAT): Sir, give me just one minute. The hon. Law Minister is here, and I am duly obliged to him that he is noting down our points.

Mr. Law Minister, it is a fact that you have created Commercial Courts but for that purpose you have not created new posts of Judges to deal with the commercial matters. In effect, a Judge, who is taking up the criminal matters, is also becoming a Judge for commercial matters.

Sir, the hon. Law Minister is an eminent lawyer and he knows everything.

Lastly, I would urge upon the Government to make sure that a poor person gets justice at his doorsteps at all levels. So, necessary steps may be initiated without further loss of time.

HON. CHAIRPERSON: Now, Dr. Shrikant Eknath Shinde.

SHRI IDRIS ALI (BASIRHAT): Sir, one minute ... (*Interruptions*)

Let me conclude my speech by adding one sentence in Bangla. I am thankful to our Chief Minister of West Bengal who is not only the most charismatic leader of this country but also a great revolutionary leader of West Bengal.

With these words, I conclude. Thank you.

(ends)

1524 hours

DR. SHRIKANT EKNATH SHINDE (KALYAN): Hon. Chairman, Sir, I am thankful to you for giving me this opportunity to speak. Today, we are discussing the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill, 2018.

The pecuniary jurisdiction of the Commercial Courts will be brought down from present Rs. 1 crore to just Rs 3 lakh with this amendment.

At the same time, there will be provisions whereby the State Governments will be able to establish Commercial Courts where the High Courts have ordinary original civil jurisdiction.

There is no such provision in the present Act of 2015 and such High Courts, namely, Mumbai High Court, Delhi High Court, Chennai High Court, Kolkata High Court and Himachal High Court to establish Commercial Divisions to resolve the commercial disputes.

Hon. Chairman, Sir, the original law was enacted for the speedy resolution of commercial disputes.

Pendency of cases is a major challenge in front of our Judiciary. As on today, more than three crore cases are pending in various courts across the country.

Sir, commercial disputes need to be resolved speedily because it affects the investment in the country and the overall economy.

Foreign investors are interested in India's growth story but they might be put off if our redressal system is not expeditious.

Therefore, the speedy resolution of commercial cases is important for ease of doing business. Therefore, this Parliament had enacted this law in 2015 under which the pecuniary jurisdiction of the Commercial Courts was minimum of Rs. 1 crore.

(1525/RP/MK)

Now, with this amendment, the jurisdiction will be brought down to Rs. 3 lakh.

Sir, I appreciate the Government's concerns for the speedy resolution of commercial disputes. With job market slowing and the growing unemployment, we need more and more investments in manufacturing as well as in service sectors to create more job opportunities. Therefore, the speedy recovery of commercial

disputes may go a long way in assuring and comforting investors. I appreciate Government's concern. We have seen in many cases like Vodafone's tax issue or in Tata versus DoCoMo to name a few. Therefore, one cannot deny the necessity of a robust judicial framework for the speedy recovery. However, at the same time, we must also ask ourselves whether we have necessary infrastructure to bring about these changes.

It is widely believed that lowering the pecuniary jurisdiction of these courts will increase their work load tremendously. As on today, more than 39,000 cases are pending in commercial courts, which have risen by 123 per cent in just two years when the minimum limit was Rs. 1 crore. It means, we have just moved to the point of bottleneck from one court to another. Just imagine the number of additional cases these courts will be flooded with if we lower the minimum level to just Rs. 3 lakh.

The vacancy of judges is the major reason behind these large pendencies. As on today, 41 per cent of the approved strength of judges in High Courts and 23 per cent in subordinate courts are vacant. The Standing Committee on Law and Justice had clearly

stated in its Report in 2015 that without filling up of these vacancies, the very purpose of creating commercial courts would be defeated. That is what we are experiencing with more than 100 per cent increase in pending cases in commercial courts.

Various measures were suggested to overcome this problem. One of them was doubling of judges' strength and appointing retired judges on an *ad-hoc* basis for one year. Unfortunately, the Government has not yet made any move in this direction. The Standing Committee on Law and Justice has been consistently urging to fill up these vacancies. Even in a recently submitted Report of this Committee, it has expressed concerns about the large number of vacancies.

It has also recommended to increase the retirement age of Supreme Court Judges from 65 years to 67 years and of High Court Judges from 62 years to 65 years. The UPA Government has brought the Bill to increase the age limit of High Court Judges from 62 years to 65 years but, unfortunately, it was lapsed after the dissolution of the 15th Lok Sabha in 2014. More than 400 posts of judges are vacant in 24 High Courts of this country.

Therefore, I urge upon the Government to consider this recommendation and bring a Bill to increase the retirement age of Supreme Court and High Court Judges. While plugging one loophole, we cannot let the other loophole remain open, otherwise, the whole exercise of bringing down the specified value of commercial disputes from Rs. 1 crore each to Rs. 3 lakh would prove futile.

I welcome the Government's steps in this direction. The Government's intention is very good of bringing down the specified value of commercial disputes from Rs. 1 crore each to Rs. 3 lakh. It will encourage investors to invest and bring more investment but at the same time, the infrastructure should also be improved. I request the Government to consider all these suggestions.

With this, I support this Bill.

(ends)

1529 hours

DR. A. SAMPATH (ATTINGAL): Chairman, Sir, I respect a lot the hon. Minister. I had an opportunity for the first time to be with him on a television debate on the Italian marines case. I hope, the hon. Minister may remember that English TV channel discussion we had during the time of the 15th Lok Sabha. We were in the same line regarding the United Nations Convention on Law of the Sea.

Here, Sir, I would like to invite the attention of the hon. Minister towards my request. He is an eminent lawyer of the Supreme Court. I bow my head before him as he is my learned senior. He may also accept my view if he was on this side along with me. It is because my Party will be on this side because we are from the Left and CPM is always on the left side of the Chair.

(1530/RCP/RPS)

Sir, I would like to know whether we are having an Ordinance *raj*. This House is the supreme legislative body of this nation. We are the largest multi-party democracy in the world. We have adopted our bicameral legislative system. Regarding this exercise of law making by Ordinance, I hope, even the senior lawyer may disagree

with the path undertaken by his own Government. Here what happens in this House is this. Even in previous discussions also, some of our eminent Members of Parliament – I also associated with them – have pointed out this matter. If a legislation has to be initiated in the House, the proper method is this. That should be put to study including discussion with various stakeholders and also taking of evidences by the Departmentally Related Standing Committee of the Parliament. In this House, unfortunately, during the tenure of the Sixteenth Lok Sabha, if you see, the Standing Committees have become just like the... *(Not recorded)* It is for namesake. Many of the Standing Committees do not meet at all.

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): My very distinguished friend Sampath, ... *(Not recorded)* will not be a right word for a Standing Committee. I leave it to you.

DR. A. SAMPATH (ATTINGAL): I do not want to stick on to the word. Any word that my learned senior may suggest, I will take with both hands. It is only for namesake, we have the Departmentally Related

Standing Committees. It is because, it is a new invention that our Parliament has put forth to the whole Parliamentary democracy of other nations also. Now, I am a member of the Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice for quite a long time. It does not meet at all. I have had my service in the Standing Committee on Defence during the time of the Eleventh Lok Sabha. Then I was in the Standing Committee on Finance along with Shri Yashwant Sinha ji, when he was the Chairman. Advani ji was also there along with me in the Standing Committee on Home Affairs. The Standing Committees have a duty to scrutinise the laws. Sometimes, of course, it comes under the guise of amendments. Just because it is coming under the guise of amendments, can we say that it is not a new law? It is only putting some powers, some wings, some teeth and nails. Anyway, this method of making law is just like taking something straight from the oven. That type of legislation should be discouraged. That is my humble request to the hon. Minister, through you, Sir.

When it involves the interest of the common man, interest of the millionaires, the billionaires and the corporates, I would like to

know whether the Government is with the millionaires, the billionaires, the corporates and the transnational corporations or it is with the common man. I am not saying the words '*aam admi*'. Some of my friends may ask me to delete that word also because Aam Admi Party MPs are here.

We are a nation in which the largest number of undertrial prisoners are languishing behind the bars. Many of them, even after completing their term, are behind the bars. We are the nation where the largest number of trials are yet to be initiated; we call them POCSO cases. Today, our Question Hour proceedings did not reach up to the Starred Question No.220. Had that come, the hon. Minister would have in any way given the reply to the supplementary questions also. In reply to Question No.220, the hon. Minister has given a detailed statement regarding the POCSO cases and the situation of the courts which try the POCSO cases.

Day before yesterday, we had a discussion on the Criminal Law (Amendment) Bill. We passed the Criminal Law (Amendment) Bill almost unanimously even though, some of us, including me, have certain differences regarding the capital punishment.

(1535/SMN/ASA)

May I ask you a question? May I know the number of vacancies yet to be filled up in the Judiciary? Many of our friends have already pointed out this. It is more than 6000. For your information, in many nations, not only in the European nations but also in the developing nations, the ratio of judicial officer per lakh people is 10-40. It means 10-40 judicial officers are there per one lakh population. But in our nation, it is less than 30 per one million population. How will justice be provided to the common man? Of course, the Goddess Thetis knocks the door of the rich while the majority of the people languish behind the bar and they run after Goddess Thetis and the Goddess Thetis is supposed to be blind-folded. For the Ease of Doing Business, I also agree with the Statement of Objects and Reasons as narrated here by my hon. Minister. I have no difference of opinion.

HON. CHAIRPERSON (SHRI K.H. MUNIYAPPA): Please conclude.

DR. A. SAMPATH (ATTINGAL): I will take two more minutes. This is regarding the law and justice. I am also putting some economics in this. I am not saying about the GDP, gas and diesel. Yesterday also, the fuel prices went up like anything. I am not saying about the GDP.

One per cent of the total GDP is not earmarked for dealing with law and justice matters and for the courts of this country. There was an instance where the Chief Justice of the Supreme Court of India was virtually weeping before the Prime Minister of India. He was weeping and crying. Why had he cried with folded hands? It is because of the workload of the judiciary and the workload of his fellow beings and the vacancies which are yet to be filled up.

Through you, may I ask a question? Only through you, I can ask a question to the hon. Minister. This morning in answer to Question No.201, he gave a very good reply and he said that we have an independent judiciary. Of course, we all agree with him. I also studied like that. I also took lectures on that to my students in the Government Law College. At the same time, why are we not filling up the vacancies of the judges in the Apex Court as well as in the High Courts? What about the collegium recommendation? If the people are feeling that there is a tug of war between the Executive and the Judiciary, I am not a person to be blamed for that. This House is not to be blamed for that.

HON. CHAIRPERSON (SHRI K.H. MUNIYAPPA): Please conclude.

DR. A. SAMPATH (ATTINGAL): I am going to conclude. Sir, the Government is very much eager to get this Bill passed. It is related with commerce. It is related with money. It is related with machines and not with man. When there is a battle between man and machine, I stand with the man. When there is a battle between man and the money, I stand with the man. We have to stand for the common people. How many legislations have we made to provide justice to the common man?

Before concluding, for the National Legal Service Authority and for the free legal aid which we provide to the poor, do you know Sir, the amount which we provide to the budding lawyers? It is from Rs. 500 to Rs. 1500. In that, only the junior lawyers may come to provide the free legal aid. That is the money which a lawyer may get. How many times do the young lawyers visit the jail?

I will take only one more minute. You kindly allow me one more minute because other political parties are not participating in this matter.

(1540/MMN/RAJ)

I am not here to raise the voice of the hi-fi people because they know how to manage and, if not, to manipulate. I am here to raise the voice of the voiceless. Here my request to the Government is this. There is a saying in English, 'Many have eyes but do not see; many have ears but do not hear.' Here it is the duty of the Government, especially when the Minister is an eminent lawyer, to provide justice to the common people and that too at the doorsteps of the people.

HON. CHAIRPERSON (SHRI K.H. MUNIYAPPA): Please conclude.

Now, Dr. Boora Narsaiah Goud.

DR. A. SAMPATH (ATTINGAL): Sir, I am going to conclude.

In the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill, you are putting more burden upon the shoulders and heads of the existing judiciary. You are not appointing more people. At the same time, you are asking them to dispose of the cases within five years. There are pending cases. Even criminal cases are pending. If the

criminal cases are pending, it is the violation of Article 21 as enumerated in the Constitution of India.

HON. CHAIRPERSON: Please conclude.

DR. A. SAMPATH (ATTINGAL): So, my humble submission to the Government, through you, Sir, is that they have to appoint more judges; they have to provide more money to the judiciary; and they have to also establish more courts.

HON. CHAIRPERSON: Please conclude.

DR. A. SAMPATH (ATTINGAL): Sir, there is one more point. Even though the Constitution enumerated, why is there no other branch of Supreme Court of India in other places? The Supreme Court is still here in Delhi and everybody has to come to Delhi.... (*Interruptions*)

(ends)

HON. CHAIRPERSON: Nothing will go on record, except the speech of Dr. Boora Narsaiah Goud.

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

1542 hours

DR. BOORA NARSAIAH GOUD (BHONGIR): Sir, thank you very much for the opportunity. ... (*Interruptions*) देर है, मगर दुरुस्त है।

Sir, when I look at the Bill, I immediately remember the story of a play written by Shakespeare, 'The Merchant of Venice'. You know, Sir, that Venice was a very good commercial capital. As you know, in that play, there is a person called Bassanio who wanted to marry a very rich girl. So, he wanted 3,000 Ducats. So, he approached his good friend, Antonio for the loan. But unfortunately, Antonio did not have any money because he had invested all his money in the ship business. So, he had requested one moneylender by name, Shylock for the amount. But Shylock had agreed to give the loan on the condition that within three months if he did not repay, he should give pound of his flesh. That is the story. Then, of course, due to various reasons, Antonio could not repay it but the Duke, who had ruled, had given a nice judgment telling that Shylock can take the pound of flesh from Mr. Antonio provided he does not shed even one drop of blood. That is the moral of the story. This is how the judgment worked.

Now I remember the merchants of India. What happens to our merchants like Vijay Mallya or anybody else? When they take loan for the glamorous business purpose and when they cannot repay, they will go to London or they will go to Antigua or they will go to other countries and ask us to provide a video of five star jail system so that they can come back. That is the system. That is the fault in our judicial system which is affecting investment in India. That is the problem.

Today I want to bring one thing to the notice of the Minister. Why London, Singapore, Hong Kong and Dubai are successful commercial spots or capitals? That is because there is an effective dispute redressal system. That is the reason why they are successful commercial capitals. But what is happening in our country? Justice delayed is justice denied. But our typical judicial system is, as you know, तारीख पे तारीख, तारीख पे तारीख is the present malady affecting our judicial system. Now, you look at the statistics. ... (*Interruptions*) यह हकीकत है। ... (व्यवधान) तारीख पे तारीख, यह हकीकत है। हकीकत से दूर होने के लिए ... (व्यवधान) तारीफ नहीं, तारीख है। आप ने गलत सुना। मैंने तारीख ही

बोला है। ... (व्यवधान) मैं मिनिस्टर साहब की तारीफ कर रहा हूँ, लेकिन मैंने तारीख ही बोला है। ... (व्यवधान)

(1545/VR/IND)

Sir, today for a commercial redressal system, the average time taken is four years, that is, 1420 days. From 2015-17, there is a downward jump of 127 per cent, that means increase in delay in redressal of the disputes. But, on the other hand, the good thing is, India has jumped 30 positions in terms of Ease of Doing Business ranking.

If you look at the number of pending cases in various courts, there are 54,000 cases pending in the Supreme Court. Then, around 43 lakh cases are pending in the High Courts and almost three crore cases are pending in the subordinate courts.

In terms of vacancy, there are 43 per cent posts of the High Court judges that are vacant and 27 per cent posts of subordinate court judges are vacant. Sir, you know it pretty well that investment in a country is linked to the prevailing dispute redressal systems.

Sir, today the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Bill,

2018 is before the House. Basically, the spirit of the Bill is that it has reduced the specified value of a commercial dispute to Rs.3 lakh from Rs.1 crore. The Bill allows the State Governments to establish commercial courts at the district level, even in territories where High Courts have ordinary original civil jurisdiction. In areas where High Courts do not have original jurisdiction, the State Governments may set up commercial appellate courts at the district level to consider appeals from commercial courts. The most important thing is the inclusion of a dispute redressal system through mediation which may work out effectively.

Hon. Chairman, Sir, our legal system works in four ways – first is, litigation; second is, arbitration; third is, consultation and the fourth is, mediation. If all these processes are exhausted, we go to the court.

HON. CHAIRPERSON (SHRI K.H. MUNIYAPPA): Please conclude.

DR. BOORA NARSAIAH GOUD (BHONGIR): Sir, I am just going to conclude. I have only five or six points to raise. I am not going to take excess time. I hope that our courts also clear their cases like this.

Sir, I would like to draw the attention of the hon. Minister on the word 'may', which means that it is on the discretion of the State Governments. I would prefer it to be made mandatory and not to be left on the discretion of the State Governments. It should have been 'shall' rather than 'may'. Once you use the word 'may', a State which wants to do it, would do it and the other State, which does not want to do it, will not do it. I would request the hon. Minister if this can be corrected at the time of framing of rules, I will be happy.

Second, you are drawing judges from the same pool of judges. Already there are a lot of vacancies pending. If you draw the same judges to the commercial courts, there will be a side effect of it like it happens in medicines. The pendency of cases will increase.

HON. CHAIRPERSON: Please conclude.

DR. BOORA NARSAIAH GOUD (BHONGIR): I am going to conclude in just two minutes. I am not going to deliver a lecture.

I would like to draw the attention of the hon. Minister to create parallel commercial courts, including infrastructure as well as judges and staff. Then only it will be of some utility.

My third point is that we should have a time-bound judgement. The cases in these courts would be of commercial nature. They would also be of criminal nature. If it is time-bound, everything will be there in black and white. So, I request the Government to bring in a clause to make it a time-bound process.

Then, as I said, *tariq par tariq* is a big problem. How do we avoid it? We should create a clause which should disincentivize the lawyers who go for more adjournments. Unless and until we disincentivize these lawyers, the system would not work effectively. ... (*Interruptions*) As you know, Sir, all the big lawyers take fee for their appearance in the court. It means, more they appear, the more fee they get. So, you have to limit the number of appearances before the court. That will be helpful.

Before I conclude, I want to ask the hon. Minister that irrespective of whatever outcome of mediation process is, whether it will have any judicial impact on the litigation process or the final judgement. Sir, I fully support the Bill. I hope that whatever deficiencies are there, the hon. Minister would correct them, while framing the guidelines. Thank you very much.

(ends)

1549 hours

SHRI ASADUDDIN OWAISI (HYDERABAD): Thank you, Sir. The Government might pass this Bill with its brute majority. But the fact of the matter is that setting up of commercial courts by itself will not reduce the massive backlog in cases without addressing the issue of vacancies in the posts of judges.

Sir, I have heard what the hon. BJP Member from Delhi has said. She said that 32,656 civil suits are pending in five High Courts in original jurisdiction of our country and of it, 51.7 per cent pertain to commercial disputes.

(1550/SAN/VB)

I wish to say to the hon. Minister that the proposed Bill is not a magic wand whereby you waive it and every issue will be solved. I would like to know from the hon. Minister whether the vacancies have increased in all courts from 23 per cent in 2006 to 35 per cent in 2018. Is this your governance? In Supreme Court, the vacancies have risen from eight per cent to 23 per cent. In High Court, the vacancies have risen from 16 per cent to 38 per cent. In subordinate courts, the vacancies have risen from 19 per cent to 26 per cent. The

startling statistics is that out of 1,079 positions of judges in High Courts, 400 are vacant. In subordinate courts, there are 5,746 vacancies against the sanctioned strength of 22,474 judges. We have more than two crore cases pending. For those cases to be decided with the existing strength, it will take us 365 years. I want to know from the hon. Minister what is the hard and fast solution that you are producing over here, without filling up those vacancies of judges. He takes credit for his Government, saying that they have filled so many vacancies. This is the record which I am putting in front of you. You are not at all interested in filling up vacancies in the Supreme Court, the High Courts and the subordinate courts.

My next point is about the appointment of judges of commercial courts. Earlier, the State Governments could appoint judges with the concurrence of Chief Justice of the concerned High Court. In the present amendment Bill, the hon. Minister's Government has given the power to appoint judges without the concurrence of the Chief Justice of the concerned High Court. Sir, we believe in theory of separation of powers. Parliament is independent; Executive is independent; and the Judiciary is independent. You might be having

a 56-inch chest leader who wants to trample upon the separation of powers, but you cannot do this. How can the Chief Minister of a State appoint a judge without the concurrence, permission or whatever you call it, of the Chief Justice of the High Court? This will not stand the test of law.

1552 hours (Hon. Deputy Speaker *in the Chair*)

Now, I come to overlapping jurisdiction. It is odd to note that the pecuniary jurisdiction of Commercial Division set up in the High Court is to be the same as that of the commercial court set up at the district level. If this is actually implemented, all low value claims will also have to be admitted in the High Courts, thereby increasing their workload or jurisdiction. So, my request to the hon. Minister is to modify it to such pecuniary jurisdiction of Commercial Division of High Courts that commences from the value which is the maximum pecuniary jurisdiction of the commercial courts at the district level'. That has to be done.

These are all important points – litigation, procedure 256, Law Commission's recommendation etc. You are redefining the limits among the present High Courts and the judicial courts. Why are you

not giving enough money to establish more new courts? When money is not the issue for you, why can you not do it?

I conclude by asking this to the hon. Minister. When it is being done in the interest of the country and ease of doing business, what about my State of Telangana? Why do you not give us a separate High Court? Should we also not improve our ease of doing business? These are all contradictions within this Government, a reactionary Government, which does not want to do its homework, but just to ensure that its political TRP increases, at the cost of justice and Judiciary, they are passing such a Bill.

Thank you.

(ends)

1554 hours

SHRI PINAKI MISRA (PURI): Hon. Deputy Speaker, I am very grateful to you for giving me this chance to speak.

Sir, I rise in this hon. House to speak with some degree of concern as to why the Government has chosen to bring down the denomination value of these courts to such a low level. In 2003, the 17th Law Commission had recommended rupees one crore. The Commercial Courts, High Courts Bill, 2009 had mentioned rupee five crore as the benchmark. In 2010, the Select Committee on Commercial High Courts mentioned rupees one crore. The 20th Law Commission said rupees one crore. The Commercial Courts, Commercial Division Bill in 2015 said rupees one crore, but the Standing Committee on Personnel, Public Grievances, Law and Justice had recommended rupees two crore. Of course, it is not just this Government, but the past Governments have also dealt with Standing Committee Reports always in the breach.

(1555/SM/PC)

So, the Standing Committee Reports are to be disregarded. This has now been brought down to an alarming Rs.3 lakh level. I am not able to understand as to what can be the rationale behind it.

Mr. Deputy Speaker, Sir, it is a very piquant situation where, by this piece of legislation, the Indian rupee is actually being sought to be given such an exalted value when today actually the rupee is touching 70 rupees a dollar. This has been brought down to Rs. 3 lakh which is virtually four and a half thousand dollars. That is called a high denomination litigation in this country. I am sorry to say that this is going to choke the courts completely. There was never an idea to bring about these commercial courts.

Shri Ravi Shankar Prasad is a very eminent and senior advocate. He is aware that the original idea was to fast track these commercial disputes because all over the world India continues to labour with the poorest possible reputation for the dispensation and the quick disposal of high denomination and high value claims.

Nobody wants to come to India and get embroiled either in litigation which comes via courts or in arbitration. Neither of the two modes of settlement of disputes has seen a satisfactory redressal system. That is why this was brought in. It should actually have been brought with the greatest respect to at least Rs.5 crore so that the real heavy-duty litigation could have been dealt with. If it is only Rs.3

lakh, I do not believe that there is going to have a single case. Nobody even bothers about to go to courts for Rs.3 lakh. If a person owes somebody Rs.3 lakhs, he is not ready to go through the entire process of filing a litigation. Now, every single litigation is covered under this. Every single litigation is going to these commercial courts. It is really relegating the position right back to where we were. The ordinary courts will deal with the ordinary litigations. I am not able to understand why the Government have chosen this particular piece of legislation and that too by Ordinance route to bring this to hon. House.

The second issue deals with the appointment. These fast-track courts also will become meaningless without adequate appointments. The hon. Minister has to answer to this hon. House for this present frightening situation. Today, Life of the Law tells that 143 cases of judicial appointments in the High Courts and the Supreme Court are pending with the Government.

This is so even after 143 names have been handed over to the Government by the collegiums of the High Courts and the Supreme Court. We have roughly 800 judges in the High Courts. Today, there

is a vacancy of over 40 per cent in all the High Courts. When you have an over 40 to 50 per cent vacancy in the High Courts, I must say that it is a very shameful situation. I know that the hon. Law Minister keeps telling us that so many judges have been appointed. By far, the number is very few. I can understand the Law Minister's anxiety that not enough names are coming from the collegium as well. We have seen a huge amount of discord in the Supreme Court Collegium. I do not want to take any name. Even in the Collegium of High Courts, there is a massive discord. As a result of this, there is no unanimity of names being given to the Government. I want to make it clear that the Government alone is not to be blamed for that but Government is also to be blamed for the manner in which the names have been sent back, the manner in which the names have been kept back and the manner in which the Government have sat over the files.

Yesterday, a PIL was filed in the Supreme Court saying that a Mandamus must be given to the Government that within six weeks, the Government must clear the names given by the Collegium. That was the petition filed in the Supreme Court. This is a very unedifying

situation. This is not a happy situation for this country particularly when the Law Department is headed by such an eminent counsel. He really ought to ensure that the system of Indian judiciary must flourish. Unfortunately, today, the system of Indian judiciary is not flourishing. It has virtually become moribund and has come down to a very sorry pass. I am sorry that this piece of legislation is going to further add to the burden. I do not understand the rationale for this piece of legislation being brought to the House.

Therefore, I find myself unable frankly to support this piece of legislation.

Thank you very much.

(ends)

(1600/MM/AK)

1600 बजे

श्री राजेश रंजन (मधेपुरा) : उपाध्यक्ष महोदय, मैं माननीय मंत्री महोदय से आग्रह करना चाहूंगा कि हमेशा अध्यादेश के द्वारा ऐसे सवालों को, खास तौर से पिनाकी मिश्रा जी और प्रेमचन्द्रन जी ने बातें उठायी हैं कि कोई भी व्यक्ति छोटी-छोटी कानूनी पेंचों में नहीं पड़ना चाहता है। आप छोटे विवादों को भी कोर्ट में भेजने का प्रावधान लाए हैं। छोटे और मध्यमवर्गीय व्यापारियों पर पहले से ही बोझ है। वे दादा-पिता के समय से चल रहे केसिस से बाहर नहीं आ पा रहे हैं, चाहे जमीन का विवाद हो या अन्य कोई विवाद हो। डेमोक्रेसी में सबसे ज्यादा महत्वपूर्ण गांव का अंतिम व्यक्ति है। आप उनको ध्यान में नहीं रखते हैं। आपका ध्यान केवल बड़े और कॉर्पोरेट लोगों को सुविधा देने पर है। मेरा आग्रह है कि विवादित मुद्दों को क्या पूंजीपति, उद्योगपति, माफिया या बड़े नेता न्यायालयों से प्रभावित होने देंगे? इसके अलावा कॉलेजियम सिस्टम का विवाद चल रहा है कि सुप्रीम कोर्ट बड़ा है या लोकतांत्रिक व्यवस्था में सदन और सरकार बड़ी है? यह सवाल लोगों के बीच में चल रहा है। यह ठीक है कि हमारी सभी व्यवस्थाएं बराबर हैं, लेकिन डेमोक्रेसी में सदन सर्वोच्च है। अब सदन की सर्वोच्चता पर भी सुप्रीम कोर्ट या हाई कोर्ट सवाल खड़े करता है तो फिर सदन की गरिमा और देश के 130 करोड़ लोगों पर वह सवाल खड़ा होता है। तीसरा, आप नये कोर्ट्स देश में बना रहे हैं, लेकिन कई स्टेट्स में हाई कोर्ट की दो-तीन खण्डपीठ हैं। वर्ष 1961 से बिहार में एक हाई कोर्ट है और मैंने आपसे मिलकर रिक्वेस्ट की थी कि पूर्णिया, दरभंगा या भागलपुर, खास तौर से पूर्णिया जो कि नेपाल से जुड़ा हुआ है। यह एक पुराना शहर है और यहां

आप यदि हाई कोर्ट की एक खण्डपीठ देते हैं तो लोगों पर जो 600-800 किलोमीटर आने-जाने का बोझ है, वह कम होगा। वहां केवल 47 जज हैं। वहां जजों की सबसे ज्यादा कमी है। सरकार और न्यायालय के विवाद के कारण वहां जजों की नियुक्ति नहीं हो पा रही है। चौथा, जजों को सैलरी राज्य सरकार देती है। जब आप हाई कोर्ट में किसी जज की नियुक्ति करते हैं तो आप राज्य सरकार से उसकी सहमति क्यों नहीं लेते हैं? आप केवल उनसे राय लेते हैं, जिसको आप मानने के लिए बाध्य नहीं हैं। बिना राज्य के मुख्यमंत्री की सहमति से आप यह क्यों कर रहे हैं? पांचवां, आप आचार संहिता को लेकर आए हैं। इसके कारण एमपी और एमएलए कोर्ट के चक्कर लगाकर थक चुके हैं। आचार संहिता के नाम पर सीओ, एसडीओ, बीडीओ एमपी को कोर्ट में खड़ा कर देता है। आचार संहिता जैसी चीजों को आप बदलिए। छठा, सरकार ओबीसी बिल लाने जा रही है। हिन्दुस्तान में दलितों की संख्या, ओबीसी की संख्या सबसे ज्यादा है, समाज के सबसे कमजोर और वंचित लोगों की संख्या सबसे ज्यादा है। मेरा आग्रह है कि सर्वोच्च न्यायालय और हाई कोर्ट्स में आरक्षण का जो मुद्दा है, नरेन्द्र मोदी जी कहते हैं कि मैं ओबीसी के लिए एक बड़ी चीज लाने जा रहा हूं तो क्या सुप्रीम कोर्ट में आरक्षण को आप लागू करेंगे? क्या एससी और एसटी से हाई कोर्ट्स और सुप्रीम कोर्ट में जज बनेगा? इस हिन्दुस्तान में कितने एससी-एसटी और ओबीसी जज हैं? इस हिन्दुस्तान में कितनी महिला जज हैं?

(इति)

(1605/UB/SJN)

1605 hours

DR. RAVINDRA BABU (AMALAPURAM): Sir, the commercial courts are meant to resolve commercial disputes. It is not very clear whether this includes the tax dispute also.... (*Interruptions*)

HON. DEPUTY SPEAKER: Shri Rajesh Ranjan, please take your seat.

... (*Interruptions*)

DR. RAVINDRA BABU (AMALAPURAM): Sir, commercial courts resolve the commercial disputes. Through you, I want to ask the hon. Minister whether this also includes tax disputes.... (*Interruptions*) Sir, hon. Minister is not paying attention.... (*Interruptions*) The ceiling of Rs. 3 lakhs is a ridiculous thing. For example, service tax exemption is available for small scale industries (SSI) up to the limit of Rs. 10 lakhs. For Central Excise, it is Rs. 2 crore.... (*Interruptions*) If we have already fixed the limits statutorily, where is the question of disputes of Rs. 3 lakhs. If there are disputes of Rs. 3 lakhs, are you not burdening these judicial courts which are already overburdened?

There are already ITAT, Central Excise and Customs Appellate Tribunal, Debt Recovery Tribunal and there are so many other tribunals also which are languishing because of lack of staff, judges and members. Sir, in order to strengthen the commercial courts, we have to strengthen the tax dispute mechanism also because majority of them will resolve the disputes which will increase our ranking in Ease of Doing of Business Index.

As my friend, Shri Ranjan, correctly said, and I support that. He said that 41.7 per cent posts of the judges of the High Courts are vacant and 21 per cent posts of the judges of the District Courts are vacant as there are no judges.

Sir, I have made a fervent appeal to this august House to make All India Judicial Service. If we make All India Judicial Service, as my friend, Shri Ranjan, said, the people having SC/ST quota and OBC quota will also come in the system and deliver not only commercial justice but also social justice. We have been making fervent appeals about this.

First promulgating the Ordinance and then coming to the Lok Sabha is not correct. Repeatedly, this Government started resorting to Ordinance route just before the starting of the Session. This should

not be encouraged. I fervently appeal that Rs. 3 lakh limit looks very ridiculous. We have the limits fixed statutorily for Service Tax, Central Excise, ITAT and also for Debt Recovery Tribunal. So, when those limits are already fixed, changing them into Rs. 3 lakhs is not a good idea.

(ends)

(1610/BKS/KMR)

1610 बजे

श्री कौशलेन्द्र कुमार (नालंदा): उपाध्यक्ष महोदय, आपने मुझे वाणिज्यिक न्यायालय, उच्च न्यायालय, वाणिज्यिक प्रभाग और वाणिज्यिक अपील प्रभाग (संशोधन) विधेयक 2018, 2018 का विधेयक संख्यांक 123 पर चर्चा में भाग लेने का मौका दिया, इसके लिए मैं आपको धन्यवाद देता हूँ।

इस कानून में बदलाव से कारोबारियों की सुगमता रैंकिंग में और सुधार होने की संभावना है। जिस तेजी से देश में आर्थिक विकास के साथ वाणिज्यिक गतिविधियां बढ़ती जा रही हैं, उसी अनुपात में घरेलू और अंतरराष्ट्रीय स्तर पर कमर्शियल विवादों की संख्या में तेजी आई है। एफ.डी.आई. के साथ-साथ लेन-देन के विवादों में भी उल्लेखनीय वृद्धि देखी जा रही है। अतः इस तरह के विवादों के निपटारे के लिए जल्द से जल्द समाधान के तंत्र भी विकसित करने की आवश्यकता है। कानून में बदलाव से सकारात्मक छवि बनेगी।

महोदय, मूल कानून दिसम्बर, 2015 में लागू हुआ। उसके बाद उच्च न्यायालय में वाणिज्यिक प्रकोष्ठ का गठन भी हो चुका है। अब यह देखने वाली बात है कि व्यावसायिक विवादों का निपटारा समुचित और समय पर हो रहा है या नहीं। यदि नहीं तो क्या कारण है, उसे दूर करने की आवश्यकता होगी। मेरा सुझाव है कि सरकार को इस विषय पर अवश्य ध्यान देना चाहिए। मेरा मानना है कि अदालती कार्रवाई से ही समस्या का समाधान नहीं हो सकता। मध्यस्थता के नियम को और लचीला और सुदृढ़ करने की आवश्यकता है। क्योंकि इसमें समय की बर्बादी होती है और पैसे की भी

बर्बादी होती है। इसका सही समाधान होना चाहिए। अतः मध्यस्थता की भूमिका को निश्चित करने की आवश्यकता है। बातचीत से जो मामला हल हो सकता है, वह दोनों पक्षों के हित में होता है। मेरा सुझाव है कि मुकदमा पूर्व मध्यस्थता की व्यवस्था को अनिवार्य किया जाए।

इन्हीं शब्दों के साथ मैं इस बिल का समर्थन करते हुए अपनी बात समाप्त करता हूँ। धन्यवाद।

(इति)

1612 बजे

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF ELECTRONICS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD): Sir, I am extremely grateful to all the Members who have participated in the debate. In fact, today I saw a different version of Lok Sabha. अगर लोक सभा बहस करने के मूड में आती है तो बहस का स्तर बहुत ही आगे बढ़ जाता है। आज हर प्रकार के हमारे मित्रों ने जिस तरह से अपनी बातें कही हैं। मैं अपने दोस्त प्रेमचंद्रन जी, वह कहां गए, उन्होंने एक विषय रखा। माननीय मीनाक्षी जी, गौड़ा जी, श्री जे.जे.टी. नट्टर्जी, श्री श्रीकांत शिंदे, my good friend Mr. Sampath spoke with the same enthusiasm and hope. Thanks for the kind words said about me. उसके बाद बी.एन.गौड साहब ने बात कही, श्री पिनाकी मिश्रा जी ने बात कही, श्री राजेश रंजन जी, उनका उत्साह मैं हमेशा देखता हूं। हालांकि उनका छठा टर्म है, लेकिन उनका उत्साह जरा भी कम नहीं हुआ है, आपका अभिनंदन है।

मैं विशेष रूप से माननीय मीनाक्षी जी का धन्यवाद करूंगा कि बहुत कुछ उत्तर जो मुझे खुद देना था, उन्होंने अपने बहुत ही प्रभावी हस्तक्षेप में उसे रखा है। मैं उस पर आता हूं। लेकिन मैं विषयवार जाऊंगा, ताकि सभी मित्रों की जो चिंता है, उसका मैं निराकरण कर सकूं। आर्डिनैस क्यों लाया गया? आर्डिनैस लाना कोई पाप नहीं है। भारत के संविधान के आर्टिकल 123 में इस बात का प्रावधान है कि इमरजेंसी में आर्डिनैस आ सकता है और आर्डिनैस का असर वही होता है, जो इस सदन के द्वारा

पारित कानून के द्वारा होता है। आर्डिनेंस का मतलब यह नहीं है कि हम सदन की अवहेलना कर रहे हैं। समय सीमा के अंदर हमें सदन में आना पड़ता है और आज हम आर्डिनेंस लेकर आए हैं। लेकिन मैं सदन को बताना चाहूंगा कि हम आर्डिनेंस क्यों लाए हैं, मैं इस विषय में नहीं जाऊंगा। मैं किसी की आलोचना नहीं करना चाहता, लेकिन क्या यह सचाई नहीं है कि पिछले सत्र में सदन नहीं चल पाया था। किन कारणों से नहीं चल पाया, मैं उसमें नहीं जाना चाहता हूं। लेकिन एक सचाई है कि सदन नहीं चल पा रहा था। अब इस साल वर्ल्ड बैंक के ईज ऑफ डूइंग बिजनेस में हमें अपनी रैंकिंग को आगे बढ़ाना था। उनका अपना एक सिस्टम होता है, वह अपनी इंफॉर्मेशन को सर्कुलेट करते हैं। मई में कलैक्ट करते हैं और उनका आग्रह था कि आपने बड़े लोगों के लिए तो फास्ट ट्रैक कोर्ट बनाया है, लेकिन जो छोटे व्यापारी हैं, उनकी चिंता आप क्यों नहीं करते?

(1615/GM/GG)

जब हमारे सामने जब सदन नहीं चल रहा है, किन कारणों से नहीं चल रहा है, उनमें मुझे नहीं जाना है तो क्या हम भारत की छवि को कमजोर होने दें, ये बड़े सवाल हैं। इसलिए हम अध्यादेश ले कर आए, ताकि दुनिया को हम बताना चाहते थे कि भारत आज इकॉनमी में बड़ी तेजी से आगे बढ़ रहा है। आज मुझे इस सदन को बताते हुए बहुत गर्व हो रहा है कि फ्रांस से भी ऊपर हमारी इकॉनमी बढ़ गई है।

सर, मैं देख रहा था और आपकी जानकारी के लिए मैं सदन को बताना चाहूंगा कि सन् 2017-18 में हमने 61.96 बिलियन यूएस डॉलर का एफडीआई भारत में प्राप्त किया है। अगर आप पिछले चार सालों के आंकड़े लेंगे तो 222 बिलियन यूएस डॉलर

एफडीआई भारत में आया है। सर, हम इसमें अपनी छाती को कोई विस्तार से दिखाना नहीं चाहते हैं। इसलिए भारत दुनिया की ताकत अर्थ में बन रहा है। सरकार के वही अफसर हैं, हमने उनमें उत्साह पैदा किया, नियम-कानूनों को ठीक किया, ट्रांसपेरेंस गवर्नेंस लाए और आज देखिए भारत कहां से कहां पहुंच गया है और दुनिया की सबसे बड़ी इकॉनमी बना है। हम सबको इस पर गर्व होना चाहिए।

सर, मैं एक बात और कहना चाहता हूँ कि भारत में क्या बदलाव हो रहा है, जो पहले एफडीआई का विरोध करते थे, वे राज्य सरकारें भी आज एफडीआई चाहती हैं। आज वे भी इनवेस्टर्स मीट कर रही हैं। वे सरकार चाहे वाम की हों या तथाकथित दक्षिण की हों या कोई और विचार धारा की हों। India today is emerging as a global hub of investment. Let us celebrate it. If we make a law for it, that should not be taken to be something wrong. So, I will explain the Ordinance part before the House. But it was done for a good legitimate reason. भारत की रैंकिंग कितनी बढ़ी है, 30 पॉइंट मैंने भी कहा है और बाकी सदस्यों ने भी कहा है। अब दूसरा विषय जो बार-बार उठा है कि आप इन्फ्रास्ट्रक्चर पर लोड क्यों देते हैं। सर, मैं एक बात कहना चाहता हूँ और यह बात मैं कुछ पीड़ा से कहना चाहता हूँ कि अगर भारत को हम दुनिया की बड़ी ताकत बनाना चाहते हैं तो ठेलेवाला, पाना वाला, फुटपाथ वाला, चाय वाला है, अगर उनका भी ट्रेड का कोई डिस्प्यूट है तो क्या हम उनके लिए फास्ट ट्रैक कोर्ट नहीं करेंगे? क्या हम उनको यह कहें कि जाओ यह रास्ता खाली बड़े-बड़े लोगों के लिए खुला है। ऐसा भारत हम नहीं बनाना चाहते हैं। हम ऐसा भारत बनाना चाहते हैं जहां छोटे व्यापारी भी अपने

डिसप्यूट के लिए वही रास्ता अख्तियार करें जो बड़ों के लिए है। लेकिन मैं एक बात जरूर कहूंगा कि अगर हमारे सदस्यों ने विशेष रूप से इस पूरे कानून को पढ़ा होता तो हमने अपनी आरंभिक टिप्पणी में प्री-मेडिएशन की बात कही थी। सर, मैं एक बार सैक्शन 12ए को हाऊस के सामने पढ़ना चाहता हूँ। A suit which does not contemplate any urgent interim relief under this Act shall not be instituted unless the plaintiff exhausts the remedy of pre-institution mediation in accordance with such manner and procedure as may be prescribed by rules.”

हम यह कहना चाहते हैं कि उसका सूट रजिस्टर नहीं होगा, जब तक वह प्री-मेडिएशन में नहीं जाता है। सर, हम इसको क्यों ले कर आए हैं और हमने इसको अर्जेंट रिलीफ क्यों कहा है? मैंने अपनी आरंभिक टिप्पणी में एक बात कही थी कि दो बिजनेस पार्टनर हैं, अच्छा काम हुआ, प्रॉफिट हो गया और फिर लड़ाई हो गई। एक बिजनेस पार्टनर who is the controlling partner वह सारी संपत्ति बेच रहा है या विदेश ले कर जाने की तैयारी कर रहा है तो दूसरे पार्टनर को हम फोर्स करें। He can go to the court for urgent interim relief, before going to the mediation, that he shall not alienate the property of the firm. यह प्रावधान तो होना भी चाहिए। जब मैं इस बिल को बना रहा था तब मैंने कहा कि यह प्रावधान रखो कि अगर ऐसे पार्टनर्स गड़बड़ी कर रहे हैं तो उस पर रास्ता मिलना चाहिए। फिर जो छोटे डिस्प्यूट पर इतनी आपत्ति प्रकट की गई तो मैं इस हाऊस को बड़े विनम्रता से कहूंगा कि अगर तीन लाख का छोटा डिस्प्यूट है तो शायद प्री-मेडिएशन में ऐसे ही

खत्म हो जाएगा। मैं एक और बात कहूंगा कि तीन लाख सबसे पहली सीढ़ी है। कोई पांच लाख का भी हो सकता है, दस लाख का भी हो सकता है, पंद्रह लाख का भी हो सकता है, 25 लाख भी हो सकता है, पचास लाख भी हो सकता है तो इसलिए तीन लाख पर इतनी शर्मिंदगी क्यों है? नरेंद्र मोदी की सरकार में तीन लाख के व्यापारी को भी वही इज्जत मिलेगी जो तीन हजार करोड़ के व्यापारी को भी मिलेगी। यह हमारी सोच है, इस पर आपत्ति क्या है? इसलिए उसके कारण, इस पूरे बिल पर आपत्ति करना कि यह किस टाइप का बिल है, मेरे ख्याल में यह उपयोगी सोच नहीं है।

(1620/RSG/CS)

इंफ्रास्ट्रक्चर के सम्बन्ध में एक बात कही गई और मुझे लगता है कि वह चिंता सही है। मैं सुबह प्रश्नकाल में इसे विस्तार से नहीं पढ़ पाया था। आज मैं बताना चाहता हूँ कि हमारी सरकार ने इंफ्रास्ट्रक्चर के लिए क्या किया है। पहले मैं कोर्ट हॉल पर आता हूँ आज की तारीख में भारत में सबऑर्डिनेट जूडिशियरी में 18,444 कोर्ट हॉल्स हैं और 2,709 कोर्ट हॉल्स बन रहे हैं। इसका मतलब है कि एक साल के बाद देश में कुल 21,153 कोर्ट हॉल्स हो जाएंगे। This is larger than the number of subordinate judiciary judges. हमने इतने कोर्ट हॉल्स बना दिए हैं। आप इनमें बैठिए।

Now I come to residential units for the subordinate judiciary. सबऑर्डिनेट जूडिशियरी में आज देश में जजों के रहने के लिए 15,853 रेजिडेंशियल यूनिट्स हैं और 1,472 यूनिट्स बन रही हैं। Therefore, after nearly one year, their number will come to 17,325. This is what I am proud to say.

Since our Government came to power in 2014, the number of court halls increased by 2,819 and the number of residential units increased by 2,321. Therefore, court halls for subordinate judges and residential units for subordinate judges have increased by leaps and bounds.

I now come to financial assistance. This was raised by many Members of the House. There is a financial assistance scheme since 1993-94. You have held the Office of the Law Minister; therefore, you would be able to recall that. For the last more than 25 years, the total amount given under this scheme is Rs. 6,302 crore. Out of that, Rs. 2,058 crore, which is nearly 45 per cent has been given in the last four years of Narendra Modi Government. We are giving money also.

With regard to the Fourteenth Finance Commission, the devolution has gone up from 32 per cent to 42 per cent. Therefore, we are doing our best for infrastructure. Let me share the information about computerisation of courts. Today, 16,089 courts of India have become computerised. There is a judicial data grid on which nearly 10.5 crore cases are available from which I take out old cases.

अब मैं एप्वाइंटमेंट पर आता हूँ, क्योंकि एप्वाइंटमेंट पर बहुत बातें कही गई हैं। सबसे पहले मैं आपको एक बात बता दूँ, यह नरेन्द्र मोदी जी की सरकार में ही हुआ कि

हम लोगों ने वर्ष 2014 के बाद हाई कोर्ट जजेज में 173 नई पोस्ट क्रिएट की हैं। सबऑर्डिनेट जूडिशियरी में हम लोगों ने उनकी स्ट्रेंथ को बढ़ाया है। यह मैं आपसे कहना चाहता हूँ।

मैं इस हाउस में नेशनल जूडिशियल कमीशन एक्ट लेकर आया था और उस वक्त का मुझे राजेश रंजन जी का भाषण याद है। Even my good friend Sampath also spoke on that; I remember that. What happened was this. The National Judicial Commission was there, where the Law Minister was one Member along with the Chief Justice of India, the Second Judge, the Third Judge and two eminent persons. The Supreme Court quashed it. The Supreme Court had stayed the appointments till the pendency of that case; that case was decided in November of 2015. वर्ष 2014-15 में नियुक्तियाँ कम हो पाईं, उसमें हमारी गलती नहीं है। सुप्रीम कोर्ट ने स्थगन आदेश जारी कर रखा था। जब वह खत्म हुआ तो क्या हुआ, वह मैं आपको बताना चाहता हूँ। I can share this with you because the Secretary-General was earlier Secretary, Justice. She knows about a lot of things in this. ... (*Interruptions*)

HON. DEPUTY SPEAKER: No, Minister, regarding the National Judicial Commission about which you spoke, what is the solution? Parliament passed the legislation. Is the Supreme Court supreme or is the law passed by Parliament supreme? Please let me know what

remedies you have found out. We cannot simply put the blame for everything on the Supreme Court.

... (*Interruptions*)

PROF. SAUGATA ROY (DUM DUM): Sir, his pet project was a separate commission. ... (*Interruptions*) That was turned down by the Supreme Court. He said that as the Law Minister of India he wanted it but the Supreme Court did not want that. ... (*Interruptions*)

HON. DEPUTY SPEAKER: We are the law-makers. We have to find a solution for that.

... (*Interruptions*)

HON. DEPUTY SPEAKER: They are the interpreters. The judges are the interpreters. They are not law-makers; we are the law-makers.

... (*Interruptions*)

(1625/RK/MY)

SHRI RAVI SHANKAR PRASAD: Earlier, I had an occasion to explain, in reply to the query you have raised, Sir, that we have accepted the judgement, but I have serious reservations on the reasoning of the judgement. I am saying this as a student of law and not necessarily as the Law Minister. For the first time, in the history of India, this Parliament, both the Houses except one Member,

extended hundred per cent support. There was hundred per cent support of all the Vidhan Sabhas. There was a consensus in the polity of the country but they set it aside. And, what reasoning did they give? I would like to repeat that reasoning here in this House. They said, listen Prof. Roy, that since the Law Minister is its Member, an honest, fair judge cannot be appointed in the case of litigation against the Government. That is a very loaded comment. I am sorry to say that.

Let me repeat, Sir. We are in power today and you had been in power earlier.

PROF. SAUGATA ROY (DUM DUM): It is a loss of face for Parliament.... (*Interruptions*)

SHRI RAVI SHANKAR PRASAD: Please, let me complete. Sir, all of us assist the Prime Minister; the Finance Minister in Finance, the Defence Minister in Defence and the Law Minister in Law, but ultimately the Prime Minister decides and the President issues the warrants. A very loaded comment, that mere association of the Law Minister will cast upon the impartiality of judges' appointment, has been made.... (*Interruptions*)

HON. DEPUTY SPEAKER: You are representing the whole House.

SHRI RAVI SHANKAR PRASAD: Therefore, Sir, with greatest respect, as a student of Constitution of India, as a lawyer, I totally disagree with the reasoning given by the Supreme Court so far as setting aside of the NJAC is concerned.... (*Interruptions*) Let us not discuss it.

SHRI PINAKI MISRA (PURI): Bring another law with a slight tweaking and pass it again. This time it will fly in the Supreme Court, I guarantee you. Bring another law in this very Parliament Session.... (*Interruptions*)

SHRI DEEPENDER SINGH HOODA (ROHTAK): There should be a discussion on this.... (*Interruptions*)

HON. DEPUTY SPEAKER: The Minister will reply. Mr. Minister, you have understood the sentiments of the House.

... (*Interruptions*)

SHRI DEEPENDER SINGH HOODA (ROHTAK): Sir, this is a very important Constitutional matter. We need to have a discussion on this.... (*Interruptions*)

SHRI RAVI SHANKAR PRASAD: Sir, I had said it on an earlier occasion also, I am more than willing, let the House discuss the state of Indian judiciary. I have no problem. Let us discuss it. I see the

sentiments of this House. One Member has asked about increasing the age of judges. I am not in favour of increasing the age of judges. Please be very clear about it.... (*Interruptions*)

Now, I come to what we have done. In 2016 we appointed 126 High Court judges. This was the highest number in the last 30 years. This is our record.

In 2017, we appointed 115 judges. This year, till now, we have appointed.... (*Interruptions*) Shri Venugopal, I am not yielding.

HON. DEPUTY SPEAKER: Let him finish.

SHRI RAVI SHANKAR PRASAD: We have appointed 34 judges and with regard to 126, I have sent the recommendations for consideration.

SHRI KODIKUNNIL SURESH (MAVELIKKARA): How many Scheduled Caste and Scheduled Tribe... (*Interruptions*)

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

... (*Interruptions*)

HON. DEPUTY SPEAKER: Mr. Minister, you address the Chair.

SHRI RAVI SHANKAR PRASAD: I am not yielding.

When I became the Law Minister in the Modi Government, I wrote to all the Chief Justices of the High Court that in appointment

of judges the case of minorities, women, Scheduled Castes and Scheduled Tribes and Backward Class people must be recommended properly.

SHRI KODIKUNNIL SURESH (MAVELIKKARA): But nothing has happened.... (*Interruptions*)

SHRI RAVI SHANKAR PRASAD: I am not yielding.

My Government is very keen and I keep on emphasising that Scheduled Caste and Scheduled Tribe people should also be appointed.

I now come to the Commercial Courts. As far as Commercial Courts are concerned, I want to explain ... (*Interruptions*)

HON. DEPUTY SPEAKER: He is giving the reply.

... (*Interruptions*)

SHRI RAVI SHANKAR PRASAD: On the issue of Commercial Court, I am very clear that this particular law is designed to create more opportunities for disposal.

HON. DEPUTY SPEAKER: Let the Minister finish the reply. You can seek clarifications later on.

... (*Interruptions*)

SHRI RAVI SHANKAR PRASAD: Sir, I can tell you that in the mediation step itself many smaller disputes, which may not be required to go to the Court, can be taken care of.

(1630/PS/CP)

Now, the question comes: should we just keep quiet? With great respect to my good friend, Shri Pinaki Misra, I want to submit that as Law Minister, I am not a Post Office. As a Law Minister, it is my duty to apply my mind and see that best appointments are made in the judicial process. I will keep on doing it regardless of judgement. We are verifying it. Why not? We should verify. Someone says that training should be proper. Yes, it should be proper. ... (*Interruptions*) I will not make any individual comment. I should not make that. That is not the tradition of this House. I want you to know it. ... (*Interruptions*)

As far as SCs/STs are concerned, I have myself conveyed to the collegium that the country expects that in the appointment of judges, people from that community also must get proper space. I will continue to insist it and want to insist that. ... (*Interruptions*)

Now, I would like to inform the hon. Members that ultimately the collegium of the hon. High Courts and hon. Supreme Court

recommends it. But, what is important is that I must also give my own feedback to ensure that all these things are done properly. Therefore, in my communication, I have always repeatedly said that people of SCs/STs, marginalised community, OBCs and also women must get proper representation. ... (*Interruptions*) That I will continue to do so.

Now, I come to the training part of judges. Some of the hon. Member have talked about it. Yes, you are right that judges should also be trained. We are insisting on giving proper training to judges. The National Judicial Academies are coming up. Once this whole commercial litigation ultimately rises, more and more exposure will be given to this aspect of training of judges. I would like to convey my hon. Member – when he talked about income tax cases and other cases – that tax cases are not within the realm of commercial disputes because they are a separate procedure altogether.

Now, a question was asked by Shri N.K. Premachandran that with so many under-trial prisoners, it creates a load on criminal system, and, therefore, why are we doing this? I think you and Dr. A. Sampath are aware, both with strong legal background, that there is a provision of Section 436A of the Cr.P.C, which says that if you have spent nearly half of your under-trial period in jail, you should be

released. I have written to all the Chief Justices of High Courts. The hon. Supreme Court has given a judgement. We need to follow it up. ... (*Interruptions*) I take note of this thing, Shri Idris. I have taken your feedback. In my communication to the Chief Justice of hon. High Court of Calcutta, I will surely convey that this has been brought to our notice. The provision of Section 436A should be more liberally used to release those under-trials who have served half of their sentence. ... (*Interruptions*) Now, will you please sit down. I am replying to a query. Sir, I think, hon. Member, Shri Idris, should know that the order has to be passed by the judges and not by me as a Law Minister. I can only pursue it, fix a time-frame and do it fast. That I will surely take it up. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Please address the Chair.

SHRI RAVI SHANKAR PRASAD: In case of women detenue, I have myself said that if they have covered 25 per cent, then they should be released on bail.

Sir, the Government is taking pro-active measures in case of judicial reforms. We have scrapped 1400 old laws. I must inform this House that this is one step. Tomorrow or day after tomorrow, I am coming with arbitration law. New Delhi is the centre of arbitration. All

these things are designed to make India a good hub of domestic arbitration and international arbitration for the resolution of disputes. So, this Government is coming up with this whole package. When India is emerging as a big economic power house, surpassing even France, on a way to become the top three, these measures are important.

I have taken on-board the concerns of all the hon. Members. This is a historic legislation. ... (*Interruptions*) Today, you are making history. I can only tell you that even you will see this process unfolding itself as to how India's ease of doing business spectrum ultimately goes up. That is our aim.

I request this House to kindly support the Bill.

(ends)

(1635/RC/NK)

1635 hours

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, first of all, regarding the Ordinance route of legislation, the hon. Minister in his reply has reiterated that the Government is having the ample authority to promulgate an Ordinance. But that ample authority to promulgate Ordinance is subject to the law of the land. We know that the law of the land includes the Supreme Court judgments also.

The hon. Minister is well aware of the latest Supreme Court judgment regarding promulgation of Ordinance. It has explicitly stated that it can be issued only under the compelling circumstances and in the extraordinary situations. Not only regarding promulgation of Ordinance but regarding re-promulgation of Ordinance also, clear Supreme Court judgment is there. So article 123 is not an unfettered authority conferred upon the Government. I do not want to explain it again and again. That is why, in my opening remarks itself I had said that the hon. Minister is well learned and is a legal luminary. In all these aspects, better than anyone else, he is well aware of all these things. He is also aware of the Supreme Court judgments.

So the ample and unfettered authority cast upon the Government regarding the promulgation of Ordinance is subject to the law of the land. The law of the land means the Supreme Court judgments, precedents, and conventions. All these things come under the purview of the law of the land.

So my submission is that there are no compelling circumstances or extraordinary situation so as to promulgate an Ordinance when the House was to commence in the month of July, 2018, to have the Monsoon Session. There is no urgency and there is no exigency. So, still the reason for bringing an Ordinance is not clear.

Secondly, regarding burdening of Indian courts with cases, I did not get a satisfactory answer. The hon. Minister was talking about Section 436 of CrPC. As far as under-trial prisoners are concerned, if their term is about to expire, definitely they are entitled to have its benefits. But most of the under-trial prisoners in the country are not getting that benefit as per Section 436 of CrPC.

But my point still remains and that is why I am critically examining it. If you can elucidate the august House regarding what would be the impact of other pending cases, it will be good. When

you are giving a preferential treatment and preferential court for the commercial disputes under Section 2 (Clause C) of this Act, what would be the fate of other cases which are pending in various courts including criminal as well as civil disputes?

Sir, I am having a dispute with my friend here and suppose it is a civil dispute. Now a commercial dispute of Rs.3 lakh is getting a preferential treatment. But what is the legitimate or logical explanation for preferential treatment for a commercial dispute alone? I think the sole reason is Ease of Doing Business. So, this point has to be cleared. It has not been cleared.

Lastly, I fully agree with the hon. Deputy-Speaker. The entire House as also the Rajya Sabha endorsed your view when you had brought the National Judicial Appointments Commission Bill. We praised you a lot because you made a historic speech in this Parliament while introducing that Bill.

Now we are fully supporting this Bill but suppose the Supreme Court struck down this Bill. Is there any other alternative or remedy to go? Why is the Government not having the political will to over-write the Supreme Court judgment? As far as law making for the country is concerned, still I believe, this Parliament is the supreme

law making body. Suppose the Supreme Court struck it down, definitely there are ways and means to get over this. The question is whether the Government has the will to over-come the situation. I fully agree with you that this is a balanced legislation. It is a good legislation as far as the country is concerned. It is balancing the Judiciary, the Executive as well as the Parliament.

So, on behalf of the House, I once again urge upon you to kindly take the initiative to get the Bill passed in any way and get the endorsement of the Supreme Court.

With these words, I thank you for giving me this opportunity.

(ends)

SHRI K.C. VENUGOPAL (ALAPPUZHA): Sir, I do agree with the sentiments shown by this august House regarding the National Judicial Appointments Commission. The Parliament had passed that Bill and it should be honoured. But I have a question to ask from the Government.

(1640/SNB/SK)

I have a question to the Government. You are saying that the Judiciary should be independent. We totally agree to this but the view of the Government towards the Judiciary should also be independent. But that has not happened. The collegium had recommended the name of a judge.... *(Not recorded)*

HON. DEPUTY-SPEAKER: The name will not go.

SHRI K.C. VENUGOPAL (ALAPPUZHA): Why did the Government reject only that name? What situation prompted the Government to reject that name? ... *(Interruptions)* For a Government also such things are not good. ... *(Interruptions)* Therefore, this Government is also threatening the Judiciary ... *(Interruptions)* This Government is also threatening Judiciary ... *(Interruptions)* That is why this situation has arisen ... *(Interruptions)* Only talking about the independence of the Judiciary is not acceptable.

श्री निशिकान्त दुबे (गोड्डा): माननीय उपाध्यक्ष जी, मेरा प्रश्न दूसरा है लेकिन ऑर्डिनेंस रूट पर लगातार जो चर्चा हो रही है, मैं उसके बारे में कहना चाहता हूँ। आपको वर्ष 2013-14 का ध्यान होगा, सेबी के ऑर्डिनेंस के लिए कांग्रेस सरकार, जिसे सपोर्ट कर रहे हैं, चार बार ऑर्डिनेंस लेकर आई थी।

कमर्शियल कोर्ट का बिल लेकर ईज ऑफ डुंडुंग बिजनैस के आधार पर सरकार आई है, हम इसका पूरा समर्थन करते हैं। मैं जिस इलाके से आता हूँ, वह इलाका संथाल परगना है। जब बिहार और झारखंड अलग हुआ, झारखंड में एक अनऑफिशियल भारत सरकार के साथ बातचीत हुई।

HON. DEPUTY-SPEAKER: What is the clarification you want to ask?

श्री निशिकान्त दुबे (गोड्डा): हम गरीब हैं, हमारा हाई कोर्ट रांची है। आप डिस्ट्रिक्ट कोर्ट के लिए ज्युरिस्ट्रिक्शन तय कर रहे हैं, एक करोड़ से तीन लाख ला रहे हैं। आप गरीब व्यापारियों को ध्यान में रखकर काम कर रहे हैं। संथाल परगना के गरीब लोगों को 350-400 किलोमीटर जाने में देर लगती है। आपने अधिकार हाई कोर्ट को दिया हुआ है। हाई कोर्ट के बेंच का मामला संथाल परगना, दुमका में पेंडिंग है। मेरा निवेदन है कि आप उसके बारे में ध्यान दें।

श्री दुष्यंत चौटाला (हिसार): माननीय अध्यक्ष जी, माननीय मंत्री जी ने कहा कि यह प्रणाली एक करोड़ से तीन लाख इसलिए की जा रही है ताकि अंबानी और ठेले वाला बराबर अपने अधिकार के लिए लड़ाई लड़ सके।

हम अमीर और गरीब की बात कह रहे हैं। मैं माननीय मंत्री जी से पूछना चाहता हूँ कि एक गरीब आदमी क्या सुप्रीम कोर्ट में पांच लाख रुपए में वकील खड़ा कर

पाएगा? इसके लिए सरकार क्या व्यवस्था करेगी? जब आप कोर्ट में केसेस की संख्या बढ़ाएंगे तो वकीलों की फीस भी ज्यादा होगी क्योंकि अवेलेबिलिटी कम हो जाएगी। गरीब आदमी को भी अधिकार मिले और वह सुप्रीम कोर्ट में जा सके, क्या इस बिल के बाद आप कोई व्यवस्था करेंगे?

श्री विनायक भाऊराव राउत (रत्नागिरी-सिंधुदुर्ग): माननीय अध्यक्ष जी, मेरी जानकारी में है कि सुप्रीम कोर्ट ने सरकार से कहा है कि हाई कोर्ट के रिटायर्ड जज को एडहॉक बेसिस पर नियुक्ति की जाए। हाल ही में सदन में सैक्सुअल हार्समेंट और ह्यूमेन ट्रेफिकिंग दो महत्वपूर्ण विधेयक पास किए गए हैं। ऐसी स्थिति में एडहॉक बेसिस पर रिटायर्ड जज नियुक्त होंगे तो क्या सरकार सैक्सुअल हार्समेंट के केस उनके माध्यम से देखे जाने का कोई प्रावधान करेगी?

DR. A. SAMPATH (ATTINGAL): Sir, I would like to have a clarification from the hon. Minister. I am not speaking about 'ease of doing business' and right to life etc.

There have been various reports on the appointment of the judges of the Supreme Court. The hon. Minister is very well aware of the Memorandum of Proceedings (MOP). There has been a delay on the part of the Government in the correspondence between the Supreme Court and the Government. When the Supreme Court suggests some names to the Government, the

Government takes quite a lot of time to reply back to the Supreme Court.

Sir, I would like to know from the hon. Minister if it is a sin to be in the Supreme Court if two or more judges are speaking the same Mother Tongue and are from the same State. Is it a sin to be a judge of the Supreme Court if they are from the same State but are efficient, senior and eligible? This has happened.

Sir, I am from South India. We the people from South Indian States have a feeling that we are being deprived. I asked him even during the discussions. Even now the hon. Minister is not able to give a proper reply. Even though it is enshrined in the Constitution, yet no Benches of the Supreme Court has been established in any other place than Delhi.

(1645/RU/MK)

The seat of power is still in Delhi. The seat of political power is still in Delhi; the seat of judicial power is in Delhi and the seat of financial power is in Delhi. Will the Government take initiative for decentralisation of the judicial power?

SHRI KODIKUNNIL SURESH (MAVELIKKARA): Sir, I would seek a clarification from the hon. Minister. He has said that the Government

has given instructions to the Supreme Court and the High Courts on appointment of Scheduled Castes and Scheduled Tribes but unfortunately, it is not happening. There is a very serious disparity in the appointment of High Court and Supreme Court judges. Representation of Scheduled Castes and Scheduled Tribes is very poor in the High Courts and Supreme Court.

I would like to ask one question to the hon. Minister through you, Sir. If the Supreme Court and the High Courts do not take steps in this regard, what action will be taken by the Government of India?

SHRI RAVI SHANKAR PRASAD: Sir, on the Ordinance route, I have explained it in detail. I do not want to repeat. लेकिन एक बात जो बार-बार कही जा रही है कि लगता है कि सब कुछ कमर्शियल कोर्ट में ही होगा, बाकी बंद हो जाएगा। मीनाक्षी जी ने बहुत विस्तार से बताया कि लॉ कमिशन ने एक एग्जाम्पल लिया था कि इस तरह के 47 परसेंट कमर्शियल केसेज हैं। आज भी दिल्ली हाईकोर्ट हो, पटना हाई कोर्ट हो, मुम्बई हाई कोर्ट हो या राजस्थान हाई कोर्ट हो वहां क्रिमिनल केस भी होते हैं और सिविल केस भी होते हैं। आप निचले कोर्ट में चले जाएं चाहे पूर्णिया हो या केरल हो, वहां मुंसिफ़ दीवानी केस भी सुनता है और मजिस्ट्रेट क्रिमिनल केस भी सुनता है। यह बात कही जा रही है कि चूंकि कमर्शियल कोर्ट हो रहा है, तो सब कोर्ट बंद हो जाएंगे, यह हम उचित नहीं मानते हैं। बार-बार एडहॉक जजेज के बारे में बात कही गयी। ... (*Interruptions*) Please do not disturb me as I did not

disturb you. That is a friendly commitment which I want from you. You have spoken brilliantly today.

The point which I am trying to highlight is very important. We have enough judges if appointment is done. There are 5000 vacancies in the subordinate judiciary. All of you know that the Government of India has no power; the State Governments have no power and I totally see the reasoning of the All-India Judiciary Service but the High Courts do not agree. Therefore, we have suggested that a centralised examination for 5000 posts be done in which reservation should also be given for SCs, STs and OBCs who will ultimately become Additional District Judges and become High Court Judges. All these matters are pending in the Supreme Court. I am doing my best on behalf of the Government so that diversity of the judiciary is also maintained.

A question came up about the Benches. The Supreme Court itself has said that the Supreme Court Bench should remain in Delhi. Now, what should I do, Adv. Sampath? You are an eminent lawyer yourself. What can I do? Supreme Court has given a judgement that for creation of new Benches, the consent of the Chief Justice is important. अगर पटना हाई कोर्ट के चीफ जस्टिस माननीय राजेश रंजन जी यह

अनुशंसा करें कि एक बेंच पूर्णिया में खोली जानी चाहिए, तो हम गंभीरता से विचार करेंगे। माननीय निशिकान्त दुबे जी अगर झारखंड हाई कोर्ट के मुख्य न्यायाधीश से सम्पर्क करके और उनसे चर्चा करने के बाद कहेंगे कि एक बेंच दुमका में लाइए, तो उस पर भी विचार करना पड़ेगा। लेकिन, जब तक हाई कोर्ट की अनुशंसा नहीं होगी तब तक हम इस दिशा में आगे नहीं बढ़ सकते हैं, यह हम आपसे कहना चाहते हैं।

It is not a sin, Adv. Sampath, if judges come from one State. But surely, while making appointment to the Supreme Court of India, if many High Courts go unrepresented where senior competent persons are there and we are having appointment from only one High Court, then as the Minister for Law and Justice, I am duty bound to convey that concern to the court. It is for them to decide but when I notice the appointment process in the Supreme Court, I am very clear that Supreme Court appointment must also indicate the diversity of India. It is equally important.

One thing I want to clarify here. With your wide experience, you are aware that we do not discuss individual judges' names in this House. That tradition ought to be maintained. ... (*Interruptions*) Sir, I am not yielding to Shri Kharge. We had enough discussion on this subject. I am open to have a full-length discussion, if Shri Anant Kumar permits, on the Judiciary service.

Sir, I request you to start the voting process as I have replied to all the queries.

(1650/NKL/RPS)

SHRI MALLIKARJUN KHARGE (GULBARGA): Mr. Deputy Speaker, Sir, this is not a question of any individual. This is a question of justice. Once it came to Government- the... *(Not recorded)* case, you sent it back.

HON. DEPUTY SPEAKER: The name will not go on record.

SHRI MALLIKARJUN KHARGE (GULBARGA): It has come again. It has been recommended again. Still, that file is pending with them.... *(Interruptions)* Are they acting judiciously or independently? You are always interfering. Whomsoever you like, you are supporting and whomsoever you do not like, you are opposing. This is your attitude. You give the explanation.... *(Interruptions)*

HON. DEPUTY SPEAKER: I cannot compel the Minister. I am sorry.

... *(Interruptions)*

HON. DEPUTY SPEAKER: The question is:

“That this House disapproves of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Ordinance, 2018 (No. 3 of 2018) promulgated by the President on 3rd May, 2018.”

The motion was negatived.

HON. DEPUTY SPEAKER: The question is:

“That the Bill to amend the Commercial Courts, Commercial Division and the Commercial Appellate Division of High Courts Act, 2015, be taken into consideration.”

The motion was adopted.

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

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 amendment No. 1?

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

“ Page 2, line 14,-

for “three lakh”

substitute “seven lakh and fifty thousand”. (1)

HON. DEPUTY SPEAKER: I shall now put amendment No. 1 moved by Shri N.K. Premachandran 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 was added to the Bill.

Clause 6

HON. DEPUTY SPEAKER: Dr. Shashi Tharoor – Not present.

Prof. Saugata Roy – Not present.

The question is:

“That Clause 6 stand part of the Bill.”

The motion was adopted.

*Clauses 6 was added to the Bill.
Clauses 7 to 10 were added to the Bill.*

Clause 11

HON. DEPUTY SPEAKER: Shri N.K. Premachandran, are you moving amendment No. 3?

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

“ Page 3, lines 23 and 24,-

for “such manner and procedure as may be prescribed by rules made by the Central Government”

substitute “the provisions of Code of Civil Procedure, 1908”. (3)

5 of 1908

HON. DEPUTY SPEAKER: I shall now put amendment No. 3 moved by Shri N.K. Premachandran to clause 11, to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: The question is:

“That clause 11 stand part of the Bill.”

*The motion was adopted.
Clause 11 was added to the Bill.*

Clauses 12 to 16 were added to the Bill.

HON. DEPUTY SPEAKER: Shri N.K. Premachandran, are you moving your amendment no. 4 to clause 17?

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, the amendment no. 4 is concerning the State Legal Services Authority. So, I am not moving amendment no. 4.

HON. DEPUTY SPEAKER: The question is:

“That clauses 17 to 20 stand part of the Bill.”

The motion was adopted.

Clauses 17 to 20 were added to the Bill.

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

SHRI RAVI SHANKAR PRASAD: 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.

**STATUTORY RESOLUTION RE: DISAPPROVAL OF NATIONAL
SPORTS UNIVERSITY ORDINANCE
AND
NATIONAL SPORTS UNIVERSITY BILL**

1654 hours

HON. DEPUTY SPEAKER: Now, we take up Item nos. 15 and 16 together.

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

“That this House disapproves of the National Sports University Ordinance, 2018 (No.5 of 2018) promulgated by the President on 31st May, 2018.”

युवा कार्यक्रम और खेल मंत्रालय के राज्य मंत्री तथा सूचना और प्रसारण मंत्रालय में राज्य मंत्री (कर्नल राज्यवर्धन राठौर (सेवानिवृत्त): मैं प्रस्ताव करता हूँ:

“कि सर्वोत्तम अंतर्राष्ट्रीय पद्धतियों को अपनाते हुए चुनी हुई खेलकूद विद्या शाखाओं के लिए राष्ट्रीय प्रशिक्षण केन्द्र के रूप में कार्य करने के अतिरिक्त खेलकूद विज्ञान, खेलकूद प्रौद्योगिकी, खेलकूद प्रबंधन और खेलकूद कोचिंग के क्षेत्रों में खेलकूद शिक्षा को प्रोन्नत करने के लिए मणिपुर राज्य में एक राष्ट्रीय खेलकूद विश्वविद्यालय, जो अपने प्रकार का प्रथम विशिष्ट विश्वविद्यालय है, की स्थापना और निगमन के लिए तथा उससे संबंधित या उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक पर विचार किया जाए”

उपाध्यक्ष जी, हमारे देश में खेल के लिए ऐसी कोई एक सेंट्रल अथॉरिटी या सेंट्रल इंस्टीट्यूशन नहीं है, जो खेल के अलग-अलग विभागों के अंदर ट्रेनिंग कर सके और एक लीडिंग अथॉरिटी की तरह मार्गदर्शन कर सके। यह प्रस्तावित है कि स्टेट

ऑफ मणिपुर में, अपने आपमें पहली बार, इस तरह की नेशनल स्पोर्ट्स यूनिवर्सिटी बनाई जाए।

(1655/KSP/ASA)

इसमें स्पोर्ट्स एजुकेशन भी प्रमोट हो, स्पोर्ट्स साइंसेज, स्पोर्ट्स टैक्नॉलोजी, स्पोर्ट्स मैनेजमेंट, स्पोर्ट्स कोचिंग और साथ-साथ रिसर्च भी हो ताकि स्पोर्ट्स जो आज एक बहुत बड़ी इंडस्ट्री बन गया है, उसके अंदर भारत भी अपनी भागीदारी विश्व के अंदर भी निभा सके। इस कारण से इसमें विलम्ब नहीं किया जा सकता था। स्पोर्ट्स यूनिवर्सिटी मणिपुर के अंदर जनवरी 2018 से दो कोर्सेज शुरू हो गये-बैचलर ऑफ फिजीकल एजुकेशन और बैचलर ऑफ कोचिंग। अब ये दोनों कोर्सेज जो वहां शुरू हो गये और छात्रों को नुकसान न हो, इसके लिए यह जरूरी था कि सरकार ऑर्डिनेंस लेकर आए क्योंकि यह बिल पास नहीं हो पाया था। आज मैं सदन के समक्ष यह प्रस्ताव रखता हूं कि इस विधेयक पर चर्चा और विचार-विमर्श करे और इसको पास करे।

(ends)

1656 hours

SHRI N.K. PREMACHANDRAN (KOLLAM): Mr. Deputy Speaker, Sir, I rise to oppose the National Sports University Ordinance, 2018.

Sir, as repeatedly said in this House during this Session, this is the sixth ordinance that this august House is discussing. In this case, it is a very strange experience, because the National Sports University Bill was introduced in Lok Sabha on 10th August, 2017 and the Bill was referred to the Parliamentary Standing Committee on Human Resource Development. The Standing Committee on Human Resource Development submitted its Report on 15th January, 2018. I am also a member of the Standing Committee on Human Resource Development. The Standing Committee took evidence from various people, detailed discussions took place and finally the Committee submitted a comprehensive report on the National Sports University Bill, 2017.

But what has happened after the submission of the Report of the Standing Committee? It is quite strange to note that after receiving the Report of the Standing Committee on the National Sports University Bill, 2017, an Ordinance was promulgated by the Government on 31st May, 2018. That is why, I am saying that it is a

strange experience as far as this Ordinance is concerned. The Bill was introduced on 10th August, 2017 and it was referred to the Standing Committee for a close scrutiny. The Standing Committee on Human Resource Development, with its own effort and hard work, submitted its Report within six months after a detailed examination of the various provisions of the Bill. The Committee made some recommendations in its Report.

Sir, after receiving the Report of the Standing Committee, what is the role of the Government? When the system of Standing Committee has been incorporated in the Rules of Procedure, the recommendations of the Standing Committees have to be taken into consideration by the Government. Then, the Government has to come with proper amendments, if they are accepting the recommendations of the Standing Committee. Subsequent to the submission of the Report of the Standing Committee, instead of bringing the Bill for consideration along with the recommendations of the Standing Committee, the Government has opted to make the law through the route of an ordinance. That is why, I am saying that it is really a strange thing as far as this legislation is concerned.

Otherwise, why has the Government referred the Bill to the Standing Committee?

Furthermore, the rarest of the rare thing has also happened in this case. Subsequently, the National Sports University Bill, 2017 has been withdrawn in this Session. So, the Bill which is now pending for consideration is the Bill of 2018. But there is no substantial change. The only provision is to repeal the Ordinance which has already been promulgated on 31st May, 2018. In such a situation, the same question arises again as to why the Government was in so much of a hurry to issue this Ordinance? What was the urgency in issuing this Ordinance? Therefore, I, once again, want to reiterate in this House that the Parliamentary system of this country is being systematically undermined by the Government.

(1700/KKD/RAJ)

This cannot be allowed. Within two and half months of time, six Ordinances were promulgated and that too without having any emergency, necessity or exigency. There were no compelling situations or extraordinary situations for issuing the Ordinances. Promulgation of Ordinances, one after another, is not good for a healthy democracy. That is the point, which I would like to make.

This Parliament cannot be taken for granted. This Parliament is not the stamping authority to stamp all the executive actions of this Government. This is not meant for the Parliament.

So, I strongly oppose the Ordinance route of legislation, especially, in a case when the Standing Committee has already submitted its Report. Very concrete recommendations had been made by the Standing Committee. Instead of incorporating those recommendations, instead of accepting those recommendations and coming up with a Bill having proper amendments, this Government has come up with an Ordinance before the House. It is quite unfortunate as far as the Parliamentary ethics are concerned. That is the first point regarding the Ordinance, which I would like to make.

Sir, coming to the Bill, I fully support this Bill. There is no doubt about it.

By this National Sports University Bill, it is intended to set up a full-fledged Sports University of international standards. We do not have an international status of the Sports University. We are having an existing Lakshmbai National Institute of Physical Education. But there are certain limitations as far as this Institute is concerned. It is a Deemed University. It is restricted to offer only the Bachelor of

Physical Education and the Master of Physical Education Degrees.

No other matters can be considered by this University.

There is one Netaji Subhas National Institute of Sports, which focusses only on training of athletes and coaches.

Sir, as also mentioned in the Statement of Objects and Reasons, there are four main areas namely, sports sciences, sports technology, sports management and sports coaching; and we do not have a proper forum to agitate on these four issues. In order to fill this gap and in order to create a comprehensive sports environment in the country, a National Sports University, having international standards with the statutory backing, is highly essential. I fully support this National Sports University Bill, 2017 as well as 2018.

Sir, when we consider the Sports University Bill, the provisions of the Bill also have to be looked into. It is a full-fledged Sports University.

Sir, since the time is very limited, I am not going into the detailed provisions of the Sports University. The Sports University, in a sense, means that it should have an autonomous character and independence. The academic character of the Sports University shall be determined and implemented by their own decisions, rules,

regulations etc. So, the Sports University should have an autonomous character.

Sir, we are creating a Sports University. While we are creating a Sports University, it should have an autonomous and independent character to develop the academic activities as well as the professional trainings. Here, this university has to be established in Manipur, North-East, which I fully support though according to us, Kerala is the best place for having this university because in regard to experience in athletics, football and other sports activities, Kerala is the pioneer State. Definitely, this university ought to have been established in the State of Kerala, but it is in Manipur. Yet I fully endorse it because it is one of the North-Eastern States and that area should be developed. The sports persons and sports activities should be developed there. So, I fully support it.

Sir, along with the discussion, I would urge upon the hon. Minister that Kerala should also be considered as destination of the Sports University. Either a Regional Centre or some other centre may be considered for Kerala. So, adequate representation, sufficient importance and significance should be given to the State of Kerala also.

Sir, academic activities have to be improved and professional training should be given. Otherwise, we need not have a university because institutes are already there. So, we are establishing a Sports University with the specific purpose. In order to have the autonomous character of the university, through this legislation, we are providing the statutory backing.

(1705/RCP/IND)

But, it is quite unfortunate, in certain provisions, to note that the Central Government is having an absolute authority over the National Sports University. If you examine certain provisions of the Bill, the Central Government is exercising its discretion and authority over the autonomous character of the University. That is the only reservation which I would like to make regarding the contents of the Bill or regarding the contents of this Ordinance.

The National Sports University shall never be a department under the Ministry of Sports. It shall not be a University for namesake. Kindly go through the various chapters of the National Sports University Bill. I am not talking about the curriculum and the syllabus of the University. But, regarding the structural organisation, the rules and regulations as well as the inquiry and inspection, in all

these cases, it has been seen that the Central Government is absolutely exercising their authority to have control of the University. Even day-to-day affairs of the University are being controlled and regulated by the Central Government which means the autonomous character of the University is missing in the Bill. That has to be rectified at the earliest. That is the first point which I would like to make regarding the Bill.

I can very well substantiate by reading two clauses, namely, Clause 7 and Clause 25 of the Bill. In clause 7 of the Bill, the unfettered authority is cast upon the Central Government; the Government of India is there in Clause 7 of the Bill. Clause 7 (1) of the Bill says: *“The Central Government may, from time to time, appoint one or more persons to review the work and progress of the University...”* Okay, we can very well understand that the Central Government should have supervision over the University. I accept it. But subsequently, Clause 7 (1) of the Bill says: *“...including outlying campuses, Colleges, Institutions, Regional Centres and Study Centres maintained by it, and to submit a report thereon.....and the University shall abide by such action and be bound to comply with such directions.”* It means, two persons will

be appointed for supervision. It is not only in the University. Suppose you are opening a regional centre in Patiala, you are opening a regional centre in Kashmir under the University, if you are starting some physical education colleges in various parts of the country, the Government of India personnel can directly go to the colleges and have the inspection and the inquiry done. They will submit a report and the University is bound to comply with the directions of the Central Government. Then, what is meant by a University? If it is within the University, we can very well understand it. All the institutions and organisations coming under the University shall be inspected and inquired by the Supervisory Committee and all the directions of the Supervisory Committee have to be abided by the University. It means, it is a Central Government authority. That is why I would say that the National Sports University shall never be a department coming under the Ministry of Sports.

As per Clause 7 (2), the Central Government shall have the right to cause an inspection to be made by such person or persons, as it may direct, of the University, its buildings, sports complexes, libraries, laboratories and equipment, and even of any outlying campus also. I have moved so many amendments regarding

deletion of the word 'inquiry'. Inspection is okay. The Central Vigilance Commission is there. If the University is violating the statutes, ordinances and directions of the Government of India, there are so many other provisions in this regard. If everything is being done by the Central Government, then what is the role of the University? As per the Bill, where any inspection or inquiry has been caused to be made by the Central Government, the University shall be entitled to appoint a representative, who shall have the right to be present and be heard at such inspection or inquiry. I am not going in details because of paucity of time.

As per Clause 7 (9), – it is very interesting – without prejudice to the foregoing provisions of this section, the Central Government may, by order in writing, annul any proceeding of the University which is not in conformity with the provisions of this Act or the Statutes or the Ordinances.

This is the way the provisions are going. That is why I have an apprehension in this regard. Clause 25 (1) is also there. There also, the Central Government is given an absolute authority to control the affairs of this University.

(1710/SMN/VB)

Regarding the sports, it is a quite pathetic situation of this country. 130 crore Indian population is not able to have an international standard either it be in Olympics or in football. It is a pathetic situation everywhere. The Australian Prime Minister recently visited India and had collaboration with the Indian Government to have five MOUs. He spoke in the function that sports build social capital. It is absolutely correct. Sports is a very important component of health management and education. My suggestion is that the sports should be made as a compulsory subject in schools. My point is that through '*Khelo India*' programme which is initiated by this Government to develop the sports culture in grassroot level, one has to identify the sports persons at the grassroot level. If you can identify the sportsperson at the grassroot level and give international coaching, training, nourishments and encouragement, definitely, India can develop the sports culture and international sports persons can be built up in this country for which this National Sports University Bill is a welcome step in such a direction.

With these words, I conclude.

(ends)

HON. DEPUTY SPEAKER: Motions moved:

“That this House disapproves of the National Sports University Ordinance, 2018 (No.5 of 2018) promulgated by the President on 31st May, 2018.”

“That the Bill to establish and incorporate a National Sports University in the State of Manipur, a specialised University first of its kind, to promote sports education in the areas of sports sciences, sports technology, sports management and sports coaching besides functioning as the national training centre for select sports disciplines by adopting best international practices and for matters connected therewith or incidental thereto, be taken into consideration.”

1711 बजे

श्री अनुराग सिंह ठाकुर (हमीरपुर): माननीय उपाध्यक्ष महोदय, आपने मुझे इस बिल पर बोलने का अवसर दिया, इसके लिए बहुत-बहुत धन्यवाद।

वो समां तैयार करो, वो जहाँ तैयार करो,
लगे मेडलों का अम्बार, वो मुकां तैयार करो।
मेडलों का अम्बार लगे, इसीलिए माननीय प्रधानमंत्री जी के नेतृत्व में, इस देश में खेलों को आगे बढ़ाने के लिए अलग-अलग प्रयास किये गये और नेशनल स्पोर्ट्स यूनिवर्सिटी बिल अपने-आप में एक बहुत अच्छा प्रयास है, जिसके समर्थन में मैं बोलने के लिए खड़ा हुआ हूँ।

अगर दुनिया भर में किसी देश की ताकत का आकलन होता है, तो वह उसकी अर्थव्यवस्था से होता है, सैन्य क्षमता से होता है या स्पोर्ट्स के क्षेत्र में कितना अच्छा कर पाता है, इससे होता है।

अभी सदन में पिछले बिल पर श्री रविशंकर प्रसाद जी कह रहे थे कि भारतीय अर्थव्यवस्था ने फ्रांस को पीछे छोड़ दिया है। सभी के मन में प्रसन्नता है कि भारत आगे बढ़ रहा है। लेकिन, खेलों के क्षेत्र में जितना आगे बढ़ना चाहिए, क्या हम उतना आगे बढ़ पाए हैं?

खेलों के बड़े आयोजन के संबंध में कॉमनवेल्थ गेम्स की बात कही गयी। उसका आयोजन कैसे हुआ, यह पता नहीं। लेकिन, एक बहुत बड़ा धब्बा उस समय के आयोजकों और सरकार पर लगा। खेल के लिए इंफ्रास्ट्रक्चर बनाने के नाम पर भी खेलों को नहीं छोड़ा गया। वहाँ से भी भ्रष्टाचार की बू आनी शुरू हुई।

माननीय मंत्री जी, मैं आपके मंत्रालय को बधाई देना चाहता हूँ क्योंकि जो 70 वर्षों में नहीं हुआ, आपने उस दिशा में एक अच्छा कदम उठाया है। मुझे पूर्ण विश्वास है, इससे खेलों को बल मिलेगा।

मणिपुर में बनने वाले इस नेशनल स्पोर्ट्स यूनिवर्सिटी पर 524 करोड़ रुपये खर्च किए जाएंगे। It will be a specialised university of its kind to promote sports education in the area of sports sciences, sports technology, sports management and sports coaching.

हर क्षेत्र को कवर करने का प्रयास किया गया है। यह सिलेक्ट स्पोर्ट्स डिस्सिप्लिन के लिए एक नेशनल ट्रेनिंग सेन्टर होगा। इसके माध्यम से अलग-अलग स्थानों पर सेन्टर ऑफ एक्सीलेंस खोले जाएंगे। लेकिन, यहाँ पर मेरा एक मौलिक प्रश्न खड़ा होता है कि आखिरकार भारत खेलों के क्षेत्र में उतना आगे क्यों नहीं बढ़ पाया? दुनिया में हमारे पास सबसे ज्यादा युवा आबादी है। हम कहते हैं कि हमारे सामने चुनौतियाँ हैं। यदि उसे सही दिशा नहीं दी जाएगी, तो शायद इस देश के सामने एक बहुत बड़ी चुनौती खड़ी हो जाएगी। लेकिन एक प्रयास किया गया है। माननीय प्रधानमंत्री जी स्वयं स्पोर्ट्स एडमिनिस्ट्रेटर रहे हैं, खेल प्रेमी भी हैं और खेलों को आगे बढ़ाने के लिए बजट में बढ़ोतरी भी की है। लेकिन, मेरा यह मानना है कि 21 लाख करोड़ रुपये का बजट भी कम है।

(1715/PC/MMN)

इसके बारे में कहा जाता है कि स्पोर्ट्स एक स्टेट सब्जैक्ट है। राज्य इसके लिए कितना पैसा देते हैं? इस पर कितना खर्चा होता है? एच.आर.डी. मंत्रालय के माध्यम

से भी कुछ योजनाएं चलाई जाती हैं। मिनिस्ट्री ऑफ यूथ अफेयर्स और स्पोर्ट्स के माध्यम से भी बहुत सारी योजनाएं चलाई गई हैं। लेकिन कुल मिलाकर देखा जाए तो पैसा बहुत कम है, बहुत सीमित है। हम कैसे बड़े खिलाड़ी पैदा कर पाएंगे?

माननीय मंत्री जी से मेरा प्रश्न रहेगा और मैं यह कहना चाहूंगा कि वे इसका उत्तर दें कि भारत में प्रदेश स्तर पर, जिला स्तर पर और ब्लॉक स्तर पर खेलों का आधारभूत ढांचा कितना है, क्या इसके आंकड़े आपके पास हैं? देश स्तर पर, जिला स्तर पर, प्रदेश स्तर पर और ब्लॉक स्तर पर किस खेल में हमारे पास क्या टैलेंट एवलेबल है, क्या आपके पास इसके आंकड़े हैं? कोचेज की एवेलिबिलिटी राष्ट्रीय, राज्य, जिला और ब्लॉक स्तर पर क्या है, क्या आपके पास इसके आंकड़े हैं? आप कौन से खेलों को प्राथमिकता देंगे? जिन खेलों में हम मैडल जीत सकते हैं, सब से ज्यादा प्राथमिकता उन खेलों के लिए और उससे कम प्राथमिकता किन खेलों के लिए है? दुनिया भर की ग्लोबल स्पोर्ट्स मार्केट कितनी बड़ी है, अमेरिकन स्पोर्ट्स मार्केट कितनी बड़ी है और भारतीय स्पोर्ट्स मार्केट कितनी बड़ी है, क्या आपके पास इसके आंकड़े हैं? स्पोर्ट्स मैनुफैक्चरिंग के क्षेत्र में हम कितना रोजगार दे पाते हैं? स्पोर्ट्स मैनेजमेंट के माध्यम से कितना रोजगार मिल पाएगा? खिलाड़ियों के पास कितने टूर्नामेंट्स एवलेबल हैं? क्या खिलाड़ियों के पास अपनी परफॉर्मेंस दिखाने के लिए कोई प्लेटफॉर्म है?

ओलंपिक्स में मैडल्स जीतने की बात की जाती है। क्या हम इतनी बारीकी में कभी काम करते हैं कि ओलंपिक्स में ट्रैक एण्ड फील्ड में कितने मैडल्स हैं, फेंसिंग और अलग-अलग खेलों में कितने मैडल्स हैं? क्या हमने इस पर कोई लक्ष्य निर्धारित किया है? भारत में किन खेलों को लेकर संभावनाएं हैं? क्या हमें नीचे से आंकड़े नहीं

जुटाने चाहिए? देश के स्कूल्स और यूनिवर्सिटीज में इंफ्रास्ट्रक्चर कहां-कहां है, कौन सी यूनिवर्सिटीज खेलों को आगे बढ़ने के लिए अवसर दे पा रही हैं और उन यूनिवर्सिटीज को आपके माध्यम से या एच.आर.डी. मंत्रालय के माध्यम से कितना बजट मिल पाता है? अगर हम वर्ष 2016 के ओलंपिक गेम्स की बात करें और अगर उस कैटिगरी में स्टैनफोर्ड यूनिवर्सिटी को अकेला देखा जाए, तो मेरे ख्याल से उसमें 5वें नंबर पर वह आएगी, जिसने सब से ज्यादा मैडल्स जीते होंगे। क्या भारत में एक भी ऐसी यूनिवर्सिटी है? कोई ऐसा खेलों का स्कूल है? 70 सालों में नैशनल इंस्टीट्यूट ऑफ स्पोर्ट्स, पटियाला के अलावा हम कौन सा दूसरा इंस्टीट्यूट दे पाए? फिजिकल एजुकेशन में हमने ग्वॉलियर में एक इंस्टीट्यूट दिया। इसके सिवा हमने इस देश को क्या दिया है?

हम यह कहते हैं कि हमारी 130 करोड़ आबादी है, जिसमें से 65 परसेंट नौजवान हैं, खिलाड़ी हमारे पास हैं, लेकिन रिसर्च एण्ड डेवलपमेंट पर हमारे पास क्या है? मैं माननीय मंत्री जी से पूछना चाहता हूं कि भारत के कितने खिलाड़ी प्रशिक्षण के लिए विदेशों में जाते हैं? उन पर कितना पैसा खर्च किया जाता है? अगर पिछले 10-20 वर्षों में वह पैसा भारत के अंदर आधारभूत ढांचा खड़ा करने के लिए खर्च किया गया होता, तो न केवल भारत के खिलाड़ी यहां खेलते, बल्कि हम दुनिया भर के खिलाड़ियों को भारत लाने का प्रयास कर सकते थे। यह प्रयास पिछली सरकार के माध्यम से क्यों नहीं हुआ? हमारी सरकार इस दिशा में क्या प्रयास कर रही है?

मेरा आपके माध्यम से निवेदन रहेगा, चुनौतियां कई फ्रंट्स पर हैं। इसकी पहली शुरुआत मानसिकता से होती है। हमारे देश में हर परिवार चाहता है कि उसका बच्चा

शारीरिक और मानसिक तौर पर स्वस्थ हो। वह तेंदुलकर बने, धोनी बने, विराट कोहली बने या किसी भी और खेल का खिलाड़ी बने। लेकिन जैसे ही वह बच्चा 14 वर्ष का हो जाता है, उसके मां-बाप उस पर प्रेशर बनाना शुरू करते हैं कि शायद खेलों में तुम्हारा कोई करियर न बन पाए, इसलिए तुम पढ़ाई की ओर ज़्यादा ध्यान देना शुरू कर दो। आखिर उनको अपने बच्चों का भविष्य खेलों में क्यों दिखाई नहीं देता? इसका क्या कारण है? अमेरिका और बाकी देशों में 14 वर्ष के बच्चे के प्रोत्साहित किया जाता है कि आगे बढ़ो और खेलो। स्कूल से लेकर यूनिवर्सिटी तक उसका हाथ पकड़ा जाता है और उसे खेलों की सुविधाएं दी जाती हैं। हमारे देश में ये कमियां क्यों हैं?

(1720/CS/VR)

अभी कुछ दिन पहले दुष्यंत जी टेबल टेनिस के खिलाड़ियों को माननीय प्रधान मंत्री जी से मिलाने ले गए। जिन खिलाड़ियों ने अच्छा काम किया, प्रधान मंत्री जी स्वयं उनसे मिलना चाहते थे। जिस देश के प्रधान मंत्री खिलाड़ियों का मनोबल बढ़ाते हों, मुझे खुशी इस बात की है कि माननीय मोदी जी ऐसा करते हैं और खेलों को आगे बढ़ाने का काम भी करते हैं। ऐसा हमारे प्रधान मंत्री माननीय नरेन्द्र मोदी जी ने किया है। खिलाड़ी मान-सम्मान चाहता है। वह खेलने के लिए प्लेटफार्म चाहता है। वह आगे बढ़ने का अवसर चाहता है। कहीं न कहीं पिछली सरकार लुक ईस्ट की पॉलिसी के बारे में कहती थी। आपने एक्ट ईस्ट की पॉलिसी के माध्यम से अगर 524 करोड़ रुपये की यूनिवर्सिटी खोलने की कहीं पर शुरुआत की, तो मणिपुर राज्य में आपने की है, उसके लिए मैं आपको बधाई देना चाहता हूँ।

उत्तर-पूर्वी राज्य में जो आपने यह प्रयास किया है, यह अनूठा भी है, प्रशंसनीय भी है और स्वागतयोग्य भी है। मणिपुर जाने का अवसर भी सबको मिलेगा। साल के अंत में चाहे उनको डिग्रीज मिलें, एवार्ड्स मिलें, इससे नार्थ-ईस्ट को टूरिज्म में प्रमोशन भी मिलेगा। देश भर के इंस्टीट्यूट्स को एफिलिएशन भी मिलेगा।

मैं आपसे एक निवेदन करना चाहता हूँ और यहाँ पर प्रपोज करना चाहता हूँ कि हमें यहां पर बाइसिकल रिम मॉडल देना चाहिए, ताकि देश भर के स्कूल्स और यूनिवर्सिटीज को उससे जोड़ा जाए। वहाँ पर नेशनल स्पोर्ट्स यूनिवर्सिटी एक एक्सेल के रूप में काम करे और हमारे स्कूल्स और यूनिवर्सिटीज रिम के रूप में।

HON. DEPUTY SPEAKER: Hon. Member, you may continue your speech tomorrow.

Hon. Members, as you know, we are having a function in the Central Hall. The hon. President, the hon. Prime Minister and all other dignitaries are coming.

Therefore, the House stands adjourned to meet again on Thursday, the 2nd August, 2018 at 1100 a.m.

1722 hours

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, August 2, 2018/ Shravana 11, 1940 (Saka).