

LOK SABHA

BULLETIN – PART I (Brief Record of Proceedings)

Thursday, August 2, 2018/Shravana 11, 1940 (Saka)

No.298

11.00 A.M.

1. Obituary References

The Speaker made reference to the passing away of Shri Sydaiah Kota, member of the Eleventh Lok Sabha.

She also made reference to the reported loss of lives of 33 persons and injuries to several others when a bus fell down into a deep gorge in the Raigad district of Maharashtra on 28 July, 2018.

As a mark of respect to the memory of the departed, members stood in silence for a short while.

11.03 A.M.

2. Starred Questions

Starred Question Nos. 221–223 were orally answered. Replies to Starred Question Nos. 224–240 were laid on the Table.

3. Unstarred Questions

Replies to Unstarred Question Nos.2531–2760 were laid on the Table.

12.02 P.M.**4. Papers laid on the Table**

The following papers were laid on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Nehru Yuva Kendra Sangathan, Delhi, for the year 2015-2016, alongwith Audited Accounts.
(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Nehru Yuva Kendra Sangathan, Delhi, for the year 2015-2016.
- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.
- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Satyajit Ray Film and Television Institute, Kolkata, for the year 2016-2017, alongwith Audited Accounts.
(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Satyajit Ray Film and Television Institute, Kolkata, for the year 2016-2017.
- (4) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.
- (5) A copy each of the following papers (Hindi and English versions) under sub-section (1) of Section 394 of the Companies Act, 2013:-
 - (i) Review by the Government of the working of the National Film Development Corporation Limited, Mumbai, for the year 2016-2017.
 - (ii) Annual Report of the National Film Development Corporation Limited, Mumbai, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

- (6) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (5) above.
- (7) A copy a copy of the Memorandum of Understanding (Hindi and English versions) between the Power Finance Corporation Limited and the Ministry of Power for the year 2018-2019.
- (8) A copy of the Energy Conservation (Energy Consumption Norms and Standards for Designated Consumers, Form, Time within which, and Manner of Preparation and Implementation of Scheme, Procedure for Issue of Energy Savings Certificate and Value of Per Metric Tonne of Oil Equivalent of Energy consumed) Amendment Rules, 2018 (Hindi and English versions) published in Notification No. G.S.R. 409(E) in Gazette of India dated 27th April, 2018 under sub-section (1) of Section 59 of the Energy Conservation Act, 2001.
- (9) A copy of the Memorandum of Understanding (Hindi and English versions) between the Kamarajar Port Limited and the Ministry of Shipping for the year 2018-2019.
- (10) A copy each of the following papers (Hindi and English versions):-
- (i) Memorandum of Understanding between the Hindustan Copper Limited and the Ministry of Mines for the year 2018-2019.
 - (ii) Memorandum of Understanding between the National Aluminium Company Limited and the Ministry of Mines for the year 2018-2019.
- (11) A copy each of the following Notifications (Hindi and English versions) under sub-section (1) of Section 28 of the Mines and Minerals (Development and Regulation) Act, 1957:-
- (i) The Mineral Conservation and Development (Amendment) Rules, 2018 published in Notification No. G.S.R.289(E) in Gazette of India dated 27th March, 2018.
 - (ii) G.S.R.389(E) in Gazette of India dated 23rd April, 2018, notifying the Odisha Mineral Exploration Corporation Limited for the purposes of the

second proviso to sub-section (1) of Section 4 of the Mines and Minerals (Development and Regulation) Act, 1957.

- (iii) G.S.R.255(E) in Gazette of India dated 21st March, 2018, reserves area of 697.979 hecets for undertaking prospecting or mining operations in respect of bauxite deposits through M/s NALCO in the Taluk of Pottangi of Koraput District in the State of Odisha till 26th April, 2022.
- (12) (i) A copy of the Annual Report (Hindi and English versions) of the Airports Economic Regulatory Authority of India, New Delhi, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Airports Economic Regulatory Authority of India, New Delhi, for the year 2016-2017.
- (13) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (12) above.
- (14) (i) A copy of the Annual Report (Hindi and English versions) of the Polavaram Project Authority, Hyderabad, for the year 2016-2017,.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Polavaram Project Authority, Hyderabad, for the year 2016-2017.
- (15) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (14) above.
- (16) A copy a copy of the Memorandum of Understanding (Hindi and English versions) between the NTC Limited and the Ministry of Textiles for the year 2018-2019.
- (17) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of Section 3 of the Jute Packaging Material (Compulsory Use in Packing Commodities) Act, 1987:-

- (i) S.O.4081(E) (Hindi and English versions) published in Gazette of India dated 27th December, 2017, making certain amendments in Notification No. S.O.126(E) dated 14th January, 2016.
- (ii) S.O.1024(E) (Hindi and English versions) published in Gazette of India dated 9th March, 2018, making certain amendments in Notification No. S.O. 126(E) dated 14th January, 2016.

(18) A copy each of the following Notifications (Hindi and English versions) under Section 10 of the National Highways Act, 1956:-

- (i) S.O.1322(E) published in Gazette of India dated the 22nd March, 2018, regarding rates of fees to be recovered from the users of National Highway No. 125 (Sitarganj-Tanakpur Section) in the State of Uttarakhand excluding Khatima Bypass section on EPC mode.
- (ii) S.O.1533(E) published in Gazette of India dated the 6th April, 2018, regarding rounding off user fee to nearest Rs.5/- in nearly 42 old BOT (Toll) projects.
- (iii) S.O.2009(E) published in Gazette of India dated the 21st May, 2018, regarding rates of fees to be recovered from the users of National Highway No.7 (Madurai-Tirunelveli-Panagudi-Kanyakumari Section) in the State of Tamil Nadu.
- (iv) S.O.2010(E) published in Gazette of India dated the 21st May, 2018, regarding rates of fees to be recovered from the users of National Highway No. 3 (Shivpuri-Guna Section) in the State of Madhya Pradesh.
- (v) S.O.2299(E) published in Gazette of India dated the 6th June, 2018, regarding rates of fees to be recovered from the users of Six-Lane Eastern Peripheral Expressway (NH No. NE-II) in the States of Haryana and Uttar Pradesh.

- (vi) S.O.2940(E) published in Gazette of India dated the 18th June, 2018, regarding rates of fees to be recovered from the users of National Highway Nos., mentioned therein.
- (vii) S.O.3162(E) published in Gazette of India dated the 29th June, 2018, regarding rates of fees to be recovered from the users of National Highway No. 16 (Old NH 5) (Vijayawada to Visakhapatnam Section) in the State of Andhra Pradesh.
- (viii) S.O.3163(E) published in Gazette of India dated the 29th June, 2018, regarding rates of fees to be recovered from the users of National Highway 15 (Jaisalmer-Barmer-Sanchor-Gujarat Border (upto Gandhav Bridge Section) in the State of Rajasthan.
- (ix) S.O.3164(E) published in Gazette of India dated the 29th June, 2018, regarding rates of fees to be recovered from the users of National Highway 5 (Vijayawada to Visakhapatnam Section) in the State of Andhra Pradesh.
- (x) S.O.3165(E) published in Gazette of India dated the 29th June, 2018, regarding rates of fees to be recovered from the users of National Highway 76 (Swaroopganj-Pindwara-Rajasthan/Gujarat Border Section) in the State of Rajasthan.
- (xi) S.O.3166(E) published in Gazette of India dated the 29th June, 2018, regarding rates of fees to be recovered from the users of National Highway 16 (Old NH 5) (Vijayawada to Visakhapatnam Section) in the State of Andhra Pradesh.
- (xii) S.O.3167(E) published in Gazette of India dated the 29th June, 2018, regarding rates of fees to be recovered from the users of National Highway 8A (Bamanbore to Samakhyali to Gandhidham Section) in the State of Gujarat.

- (xiii) S.O.3168(E) published in Gazette of India dated the 29th June, 2018, regarding rates of fees to be recovered from the users of National Highway 8A (Bamanbore to Samakhlyali to Gandhidham Section) in the State of Gujarat.
- (xiv) S.O.1842(E) published in Gazette of India dated 8th May, 2018, declaring highways, mentioned therein, as new National Highways.
- (xv) S.O.1819(E) published in Gazette of India dated 4th May, 2018, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 24B (Lucknow-Raibareilly-Allahabad Section) in the State of Uttar Pradesh.
- (xvi) S.O.1466(E) published in Gazette of India dated 3rd April, 2018, declaring highways, mentioned therein, as new National Highways.
- (xvii) S.O.1385(E) published in Gazette of India dated 27th March, 2018, making certain amendments in the Notification No. S.O.1096(E) dated 4th August, 2005.
- (xviii) S.O.1357(E) published in Gazette of India dated 26th March, 2018, declaring highways, mentioned therein, as new National Highways.
- (xix) S.O.1117(E) published in Gazette of India dated 13th March, 2018, declaring highways, mentioned therein, as new National Highways.
- (xx) S.O.995(E) published in Gazette of India dated 6th March, 2018, declaring highways, mentioned therein, as new National Highways.
- (xxi) S.O.993(E) and S.O.994(E) published in Gazette of India dated 6th March, 2018, making certain amendments in Notification No. S.O.689(E) dated 4th April, 2011.
- (xxii) S.O.2025(E) published in Gazette of India dated 22nd May, 2018, making certain amendments in the Notification No. S.O.1096(E) dated 4th August, 2005.

- (xxiii) S.O.2027(E) published in Gazette of India dated 22nd May, 2018, making certain amendments in the Notification No. S.O.1096(E) dated 4th August, 2005.
- (xxiv) S.O.2024(E) published in Gazette of India dated 22nd May, 2018, containing corrigendum to the Notification No. S.O. No.3202(E) dated 29th September, 2017.
- (xxv) S.O.2023(E) published in Gazette of India dated 22nd May, 2018, declaring highways, mentioned therein, as new National Highways.
- (xxvi) S.O.1970(E) published in Gazette of India dated 19th June, 2018, making certain amendments in the Notification No. S.O.1096(E) dated 4th August, 2005.
- (xxvii) S.O.2943(E) published in Gazette of India dated 19th June, 2018, declaring highways, mentioned therein, as new National Highways.
- (xxviii) S.O.2944(E) published in Gazette of India dated 19th June, 2018, declaring highways, mentioned therein, as new National Highways.
- (xxix) S.O.2945(E) published in Gazette of India dated 19th June, 2018, making certain amendments in the Notification No. S.O.1096(E) dated 4th August, 2005.
- (xxx) S.O.2969(E) published in Gazette of India dated 20th June, 2018, making certain amendments in the Notification No. S.O.1096(E) dated 4th August, 2005.
- (xxxi) S.O.2971(E) published in Gazette of India dated 20th June, 2018, declaring highways, mentioned therein, as new National Highways.
- (xxxii) S.O.3031(E) published in Gazette of India dated 22nd June, 2018, making certain amendments in the Notification No. S.O.1096(E) dated 4th August, 2005.

- (xxxiii) S.O.3251(E) published in Gazette of India dated 5th July, 2018, making certain amendments in Notification No. S.O.689(E) dated 2nd March, 2017.
- (xxxiv) S.O.3252(E) published in Gazette of India dated 5th July, 2018, making certain amendments in the Notification No. S.O.1096(E) dated 4th August, 2005.
- (xxxv) S.O.3255(E) published in Gazette of India dated 5th July, 2018, declaring highways, mentioned therein, as new National Highways.
- (xxxvi) S.O.1519(E) published in Gazette of India dated 6th April, 2018, making certain amendments in the Notification No. S.O.1096(E) dated 4th August, 2005.
- (xxxvii) S.O.1358(E) published in Gazette of India dated 26th March, 2018, making certain amendments in the Notification No. S.O.689(E) dated 4th April, 2011.

(19) A copy each of the following Notifications (Hindi and English versions) under Section 11 of the National Highways Act, 1988:-

- (i) S.O.1518(E) published in Gazette of India dated 6th April, 2018, entrusting the stretches of National Highway Nos., mentioned therein, to National Highways Authority of India in the State of Maharashtra.
- (ii) S.O.2026(E) published in Gazette of India dated 22nd May, 2018, entrusting the stretches of National Highway No. 32 (Jharkhand/West Bengal Border to Detiya Section) to National Highways Authority of India in the State of West Bengal.
- (iii) S.O.2028(E) published in Gazette of India dated 22nd May, 2018, entrusting the stretches of National Highway No. 131A (Narenpur-Purnea Section) to National Highways Authority of India in the State of Bihar.

- (iv) S.O.2946(E) published in Gazette of India dated 19th June, 2018, entrusting the stretches of National Highway No. 30 (Ara-Mohania Section) to National Highways Authority of India in the State of Bihar.
 - (v) S.O.2970(E) published in Gazette of India dated 20th June, 2018, entrusting the stretches of National Highway No. 161BB (Madnur-Rudrur-Bodhan Section) to National Highways Authority of India in the State of Telangana.
 - (vi) S.O.3030(E) published in Gazette of India dated 22nd June, 2018, entrusting the stretches of National Highway No. 111 (New NH. 130) (Bilaspur-Partharpali Section) to National Highways Authority of India in the State of Chhattisgarh.
 - (vii) S.O.3032(E) published in Gazette of India dated 22nd June, 2018, entrusting the stretches of National Highway Nos, mentioned therein, to National Highways Authority of India in the State of Uttar Pradesh.
 - (viii) S.O.3254(E) published in Gazette of India dated 5th July, 2018, entrusting the stretches of National Highway Nos, mentioned therein, to National Highways Authority of India in the State of Gujarat.
 - (ix) S.O.1969(E) published in Gazette of India dated 22nd June, 2018, entrusting the stretches of National Highway No. 161 (Sangareddy-Telangana/Maharashtra Border Section) to National Highways Authority of India in the State of Telangana.
 - (x) S.O.1386(E) published in Gazette of India dated 27th March, 2018, entrusting the stretches of National Highway Nos, mentioned therein, to National Highways Authority of India in the State of Gujarat.
- (20) A copy of the National Highways Fee (Determination of Rates and Collection) Amendment Rules, 2018 (Hindi and English versions) published in Notification No. G.S.R.427(E) in Gazette of India dated the 7th May, 2018 under Section 9 of the National Highways Act, 1956.

(21) A copy of the Annual Report (Hindi and English versions) of the National Mission for Clean Ganga, New Delhi, for the year 2016-2017.

5. Reports of Standing Committee on Coal and Steel

Shri Rakesh Singh presented the following Reports (Hindi and English versions) of the Standing Committee on Coal and Steel:-

- (1) Forty-second Report on Action Taken by the Government on the observations/recommendations contained in the Thirty-sixth Report (16th Lok Sabha) of the Committee on the Subject 'Production, Marketing and Distribution of Coal' relating to the Ministry of Coal.
- (2) Forty-third Report on Action Taken by the Government on the observations/recommendations contained in the Thirty-seventh Report (16th Lok Sabha) of the Committee on the Subject 'Physical and Financial Performance of SAIL and MECON Ltd.' relating to the Ministry of Steel.
- (3) Forty-fourth Report on Action Taken by the Government on the observations / recommendations contained in the Thirty-eighth Report (16th Lok Sabha) of the Committee on 'Demands for Grants (2018-19)' relating to the Ministry of Steel.
- (4) Forty-fifth Report on Action Taken by the Government on the observations / recommendations contained in the Thirty-ninth Report (16th Lok Sabha) of the Committee on 'Demands for Grants' relating to the Ministry of Mines.
- (5) Forty-sixth Report on Action Taken by the Government on the observations / recommendations contained in the Fortieth Report (16th Lok Sabha) of the Committee on 'Demands for Grants (2018-19)' relating to the Ministry of Coal.

6. Reports of Committee on Papers laid on the Table

Shri Chandrakant B. Khaire presented the Twentieth and Twenty-first Reports (Hindi and English versions) of the Committee on Papers Laid on the Table (2017-2018).

7. Statements by Ministers

- (1) 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 on behalf of the Minister of State (Independent Charge) of the Ministry of Power; and Minister of State (Independent Charge) of the Ministry of New and Renewable Energy laid a statement (Hindi and English versions) correcting the reply (Hindi and English versions) given on 26 July, 2018 to Unstarred Question No. 1596 by Dr. P.K. Biju regarding 'Production of Renewable Energy'.
- (2) The Minister of State (Independent Charge) of the Ministry of Youth Affairs and Sports; and Minister of State (Independent Charge) of the Ministry of Information and Broadcasting laid a statement (Hindi and English versions) regarding the status of implementation of the recommendations contained in the 45th Report of the Standing Committee on Information Technology on Demands for Grants (2018-19), pertaining to the Ministry of Information and Broadcasting.
- (3) 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 laid a statement (Hindi and English versions) regarding the status of implementation of the recommendations contained in the 20th Report of the Standing Committee on Water Resources on Demands for Grants (2018-19), pertaining to the Ministry of Water Resources, River Development and Ganga Rejuvenation.

- (4) The Minister of State in the Ministry of Rural Development laid a statement (Hindi and English versions) regarding the status of implementation of the recommendations contained in the 28th Report of the Standing Committee on Rural Development on Demands for Grants (2016-17), pertaining to the Department of Rural Development, Ministry of Rural Development.
- (5) The Minister of State in the Ministry of Mines; and Minister of State in the Ministry of Coal laid the following statements (Hindi and English versions) regarding:-
- (i) the status of implementation of the recommendations contained in the 19th Report of the Standing Committee on Coal and Steel on Demands for Grants (2016-17), pertaining to the Ministry of Mines.
 - (ii) the status of implementation of the recommendations contained in the 28th Report of the Standing Committee on Coal and Steel on Demands for Grants (2017-18), pertaining to the Ministry of Mines.

***12.08 P.M.**

8. Submission by Member

Shri Mallikarjun Kharge made submission regarding alleged inept handling of the SC & ST Act by the Union Government in the Supreme Court.

@Shri Raj Nath Singh responded.

(Lok Sabha adjourned at 1.03 P.M. and re-assembled at 2.02 P.M.)

*From 12.08 P.M. to 1.03 P.M., Members raised matters of urgent public importance.

@Minister of Home Affairs

2.02 P.M.**9. Matters Under Rule 377**

As directed by the Chair, the following members laid on the Table statements on matters sought to be raised by them under Rule 377 as indicated against each :-

- (1) Shri Kamakhya Prasad Tasa regarding setting up of Jawahar Navodaya Vidyalaya and Kendriya Vidyalaya in Charaideo district of Assam.
- (2) Shri Pratap Simha regarding central assistance to Karnataka in the wake of floods and landslides and also announce MSP for agricultural produce.
- (3) Shri Janak Ram regarding need to regularise the academic calendar in universities of Bihar.
- (4) Shri Ram Tahal Choudhary regarding need to increase the frequency of Ranchi - Ernakulam train service.
- (5) Shri Vikram Usendi regarding construction of Kanker and Keshkal bypass road and Antagarh to Koyalibeda road in Chhattisgarh.
- (6) Dr. Ravindra Kumar Ray regarding need to establish an Agriculture University in Giridih, Jharkhand.
- (7) Shri Kamalbhan Singh Marabi regarding need to appoint specialist doctors in Government Medical College, Ambikapur, Surguja district, Chhattisgarh.
- (8) Shri Pralhad Venkatesh Joshi regarding ambulance services by a private company in Karnataka under the National Health Mission Scheme.
- (9) Shri Bharat Singh regarding LPG bottling plant in Ballia parliamentary constituency, Uttar Pradesh.
- (10) Shri Janardan Mishra regarding compulsory enrolment of wards of elected representatives of people and government officials in government schools.
- (11) Smt. Poonam Mahajan regarding need to formulate a comprehensive national security scheme.

- (12) Shri Satish Kumar Gautam regarding need to provide reservation to students belonging to SC, ST and OBC categories in Aligarh Muslim University.
- (13) Shri Arjunlal Meena regarding Jawahar Navodaya Vidyalaya in Kherwara Tehsil headquarters in Udaipur parliamentary constituency, Rajasthan.
- (14) Shri Gurjeet Singh Aujla regarding the need for improvement in railway infrastructure at Amritsar in Punjab.
- (15) Shri S.P. Muddahanume Gowda regarding Delhi Police Establishment Board.
- (16) Dr. Raghu Sharma regarding implementation of smart city project in Ajmer, Rajasthan.
- (17) Shri A. Anwhar Raajhaa regarding lifting of ban on sea-cucumbers.
- (18) Shri P. R. Sundaram regarding extension of Train Nos. 22153/22154 upto Karur Railway Station in Tamil Nadu.
- (19) Smt. Rita Tarai regarding condition of National Highway No. 53 in Jajpur Parliamentary Constituency of Odisha.
- (20) Shri Gajanan C. Kirtikar regarding need to provide funds to Central Institute of Fisheries Education, Andheri (West), Mumbai.
- (21) Shri Kunwar Haribansh Singh regarding need to construct an underpass near Chilbila Junction Railway Station on Allahabad - Faizabad rail route in Pratapgarh parliamentary constituency, Uttar Pradesh.

2.03 P.M.**10. Further Consideration of –**

(i) Amendment alternative to the Amendment made by the Rajya Sabha – Adopted;

(ii) Further Amendments made by Lok Sabha – Adopted

The Constitution (One Hundred and Twenty Third Amendment) Bill, 2017

Time Taken: 4 Hrs. 57 Mts.

The following members took part in the debate:-

1. Shri Kalyan Banerjee (resumed his speech)
2. Shri A. Arunmozhithevan
3. Shri Bhartruhari Mahtab
4. Shri Arvind Ganpat Sawant
5. Dr. Boora Narsaiah Goud
6. Shri Kinjarapu Ram Mohan Naidu
7. Shri P. Karunakaran
8. Shri Nityanand Rai
9. Smt. Geetha Kothapalli
10. Shri Tamradhwaj Sahu
11. Shri Prahlad Singh Patel
12. Shri Dharmendra Yadav
13. Shri Madhukarrao Yashwantrao Kukde
14. Shri Pankaj Chowdhary
15. Shri Jai Prakash Narayan Yadav
16. Shri Prem Singh Chandumajra
17. Shri Rajesh Verma

18. Shri Ram Kumar Sharma
19. Smt. Anupriya Patel
20. Shri Ram Tahal Choudhary
21. Shri Dushyant Chautala
22. Shri Santosh Kumar
23. Shri Rodmal Nagar
24. Shri E.T. Mohammed Basheer
25. Shri Ramvilas Paswan
26. Shri Asaduddin Owaisi
27. Shri N.K. Premachandran
28. Shri Prem Das Rai
29. Shri Birendra Kumar Chaudhary
30. Shri Sunil Kumar Mondal
31. Shri Ramesh Bidhuri
32. Shri H.D. Devegowda
33. Shri Rajesh Ranjan alias Pappu Yadav

Dr. Thaawarchand Gehlot replied to the debate.

Thereafter, the Speaker made the following observation:-

"Hon'ble Members, as you are aware, Hon'ble Minister has moved an amendment alternative to the amendment made by Rajya Sabha and also further amendments regarding change of year from 2017 to 2018 and change of year of Republic in the Enacting Formula. I may inform you that in case the House adopts the alternative amendment, the original amendment made by Rajya Sabha would stand substituted by the alternative amendment. As such, the original amendment made by Rajya Sabha will not be proposed for vote of

the House. Hon'ble Members, the alternative amendment seeks to insert a new clause 3 in the Bill by making certain changes in the original clause 3. In this regard, I would like to invite your attention to Direction 31, which provides that "when an amendment for insertion of a new clause in a Bill is adopted by the House, the Speaker shall put the question that the new clause be added to the Bill". Therefore, in case the alternative amendment is adopted by the House, I shall also propose the new clause 3 to the vote of the House. Since we are to consider a Constitution (Amendment) Bill, I shall propose the motion for adoption of alternative amendment, adoption of new clause 3, adoption of further amendments for change of year and year of Republic and the motion for passing of the Bill to the vote of the House by division through special majority as required under article 368 of the Constitution. Keeping in view the spirit of the Rule 156, amendments moved by Shri Bhartruhari Mahtab to the alternative amendment moved by the Hon'ble Minister shall be decided by simple majority."

On the following amendments moved by Shri Bhartruhari Mahtab to the amendment alternative amendment made by Rajya Sabha, the House divided, Ayes 86; Noes 320:-

- "(i) that in the amendment alternative to the amendment made by Rajya Sabha, page 1, in the proposed new article 338B, *after* clause (2),- *insert* "Provided that at least one from amongst the Chairperson, Vice Chairperson and three other members shall be a woman";
- (ii) that in the amendment alternative to the amendment made by Rajya Sabha, page 3, in the proposed new article 338B, *after* clause (9),- *insert* "Provided that such consultation shall not be mandatory for a State Government in respect of policy matters affecting socially and educationally backward classes, which are included in List II–State List of the Seventh Schedule to the Constitution."

Accordingly, the amendments were negatived.

On the following motion for adoption of the amendment alternative to the amendment made by Rajya Sabha, the House divided Ayes 409; Noes Nil:-

(i) That for the amendment "That at pages 2 and 3, clause 3 be deleted" made by Rajya Sabha in the Bill further to amend the Constitution of India, as passed by Lok Sabha, the following amendment alternative to the amendment made by Rajya Sabha, be substituted:-

That at pages 2 and 3, the following be inserted,-

'3. After article 338A of the Constitution, the following article shall be inserted, namely:-

Insertion of
new article
338B.

National
Commission
for Backward
Classes.

"338B. (1) There shall be a Commission for the socially and educationally backward classes to be known as the National Commission for Backward Classes.

(2) Subject to the provisions of any law made in this behalf by Parliament, the Commission shall consist of a Chairperson, Vice-Chairperson and three other Members and the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other Members so appointed shall be such as the President may by rule determine.

(3) The Chairperson, Vice-Chairperson and other Members of the Commission shall be appointed by the President by warrant under his hand and seal.

(4) The Commission shall have the power to regulate its own procedure.

(5) It shall be the duty of the Commission-

(a) to investigate and monitor all matters relating to the safeguards provided for the socially and educationally backward classes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;

(b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the socially and educationally backward classes;

(c) to participate and advise on the socio-economic development of the socially and educationally backward classes and to evaluate the progress of their development under the Union and any State;

(d) to present to the President, annually and at such other times as the Commission may deem fit, reports upon

the working of those safeguards;

(e) to make in such reports the recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the socially and educationally backward classes; and

(f) to discharge such other functions in relation to the protection, welfare and development and advancement of the socially and educationally backward classes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

(6) The President shall cause all such reports to be laid before each House of Parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations.

(7) Where any such report, or any part thereof, relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the State Government which shall cause it to be laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any of such recommendations.

(8) The Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5), have all the powers of a civil court trying a suit and in particular in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavits;

(d) requisitioning any public record or copy thereof from any court or office;

(e) issuing commissions for the examination of witnesses and documents; and

(f) any other matter which the President may, by rule, determine.

(9) The Union and every State Government shall consult the Commission on all major policy matters affecting socially and educationally backward classes."

The amendment alternative to the amendment made by the Rajya sabha was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

On the motion for adoption of Clause 3, the House divided Ayes 410; Noes Nil.

Accordingly, Clause 3 was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

On the motion for adoption of following further amendments, the House divided Ayes 409; Noes Nil:-

CLAUSE 1

That at page 1, line 3,-
for "2017" substitute "2018"

ENACTING FORMULA

That at page 1, line 1,-
for " Sixty-eighth" substitute "Sixty-ninth"

Accordingly, the further amendments were adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion of the Bill as amended by the amendment alternative to the amendment made by Rajya Sabha and the further amendment was moved by

Dr. Thaawarchand Gehlot. On the motion, the House divided: Ayes 411; Noes Nil.

The motion was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting. The Bill, as amended by the amendment alternative to the amendment made by the Rajya Sabha and the further amendments, was passed by the requisite majority in accordance with the provisions of article 368 of the Constitution

7.00 P.M.

(Lok Sabha adjourned till 11.00 A.M. on Friday, the 3rd August, 2018.)

SNEHLATA SHRIVASTAVA
Secretary General