

**LOK SABHA**

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**SYNOPSIS OF DEBATES  
(Proceedings other than Questions & Answers)**

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**Thursday, July 19, 2018/Ashadha 28, 1940 (Saka)**

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**SUBMISSION BY MEMBERS**

*Re: Constitution of Joint Parliamentary Committee on purchase of Rafale Fighter Jets.*

**THE MINISTER OF RURAL DEVELOPMENT, MINISTER OF PANCHAYATI RAJ, MINISTER OF MINES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI NARENDRA SINGH TOMAR)**

*responding to the issue raised by several hon. Members, said:* I would like to tell the opposition that the Government is ready to have a discussion on Rafale issue or any other issue concerning people.

**THE MINISTER OF HOME AFFAIRS (SHRI RAJNATH SINGH)**

*also responding said:* I would like to submit that if the opposition wants to have a discussion on the Rafale issue, we are ready for the same.

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**\*MATTERS UNDER RULE 377**

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\* Laid on the Table as directed by the Speaker.

- (1) **SHRI KANWAR SINGH TANWAR** laid a statement regarding need to expedite payment of arrears to sugarcane farmers in Amroha Parliamentary Constituency, Uttar Pradesh.
- (2) **SHRI HARIOM SINGH RATHORE** laid a statement regarding need to give permission to wipe out *Vilayati babool or Prosopis Juliflora* in Rajasthan and other States.
- (3) **SHRI JANAK RAM** laid a statement regarding need to reopen Hathua sugar mill, Mirganj in Gopalganj Parliamentary Constituency, Bihar.
- (4) **SHRIMATI RAMA DEVI** laid a statement regarding need to construct a road along right side embankment of river Bagmati from Janar Gram to Piprahi Dhala via Dubba Ghat (Dekuli) in Sheohar district, Bihar.
- (5) **SHRI KIRTI AZAD** laid a statement regarding need to provide safe and clean drinking water in Darbhanga and surrounding areas in Bihar.
- (6) **SHRI SUSHIL KUMAR SINGH** laid a statement regarding need to provide stoppage of various trains at railway stations under Aurangabad Parliamentary Constituency, Bihar.

- (7) **SHRI VISHNU DAYAL RAM** laid a statement regarding need to improve railway services and passenger facilities at Daltonganj railway station in Palamu Parliamentary Constituency, Jharkhand.
- (8) **SHRIMATI MALA RAJYALAKSHMI SHAH** laid a statement regarding need to set up a Yoga based Natural Medicine Centre in Tehri Garhwal district, Uttarakhand.
- (9) **KUNWAR PUSHPENDRA SINGH CHANDEL** laid a statement regarding need to expedite construction of Mahoba to Orai new railway line in Uttar Pradesh.
- (10) **SHRI RAMEN DEKA** laid a statement regarding construction of bridge on Brahmaputra, Assam.
- (11) **SHRI BHANU PRATAP SINGH VERMA** laid a statement regarding need to expedite construction of flyover and service road on Jhansi - Kanpur NH at Kalpinagar in Jalaun Parliamentary Constituency, Uttar Pradesh.
- (12) **DR. UDIT RAJ** laid a statement regarding need to review the decision to privatize various airports in the country.
- (13) **SHRI ADHIR RANJAN CHOWDHURY** laid a statement regarding restoration of rail bridge in Murshidabad district of West Bengal.
- (14) **SHRI KODIKUNNIL SURESH** laid a statement regarding financial package to deal with unprecedented floods in Kuttanad region, Kerala.

- (15) **SHRI VINCENT H. PALA** laid a statement regarding setting up of Mega Food Park in Meghalaya.
- (16) **SHRI C. MAHENDRAN** laid a statement regarding construction of dams at Nallar and Anamalaiar in Pollachi Parliamentary Constituency of Tamil Nadu.
- (17) **SHRIMATI K. MARAGATHAM** laid a statement regarding improvement of railway services and facilities in Kancheepuram Parliamentary Constituency, Tamil Nadu.
- (18) **DR. RATNA DE (NAG)** laid a statement regarding need to address the problem of homelessness in the country.
- (19) **SHRIMATI RITA TARAI** laid a statement regarding improvement of BSNL services in Jajpur district of Odisha.
- (20) **SHRI RAJAN VICHARE** laid a statement regarding need to set up Passport Seva Kendra in Mira Bhayander and Navi Mumbai under Thane Parliamentary Constituency, Maharashtra.
- (21) **SHRI TEJ PRATAP SINGH YADAV** laid a statement regarding need to provide crèche facility in Kendriya Vidyalayas.
- (22) **SHRI RAJU SHETTY** laid a statement regarding need to accord the status of religion to Lingayats.
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## **THE SURROGACY (REGULATION) BILL, 2016**

**THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI JAGAT PRAKASH NADDA)** moving the motion for consideration of the Bill, said: It is a long-awaited Bill. All sections of society, and practically every political party was of the opinion that commercial surrogacy should be immediately stopped and altruistic surrogacy should be the only way on ethical grounds. Keeping the Indian ethos in mind, trying to stop the exploitation of mothers, and see to it that the children are not abandoned and foreigners do not get away over surrogacy, we have decided to come with this Surrogacy Bill 2016 to regulate it. I would request the Members of all Parties to participate in this debate, and pass this Bill.

**DR. KAKOLI GHOSH DASTIDAR** *initiating said:* Let us have a public debate like we had for the ART Draft Bill. I think it was started in 1998-99 by Indian Council of Medical Research. But I do not know the fate of that Bill. This subject of surrogacy should have come along with the ART Bill because without having an IVF Laboratory and a Test Tube Baby Laboratory, we cannot have surrogacy. So, these two subjects should have been brought together. In this Bill, there is no mention of the same sex couples. We have to include them if we have to do justice. It is also a matter of great concern and despair that we leave the treatment of infertile couples mostly to the hands of private clinics. Many government hospitals do not have the setup to carry out In-Vitro fertilisation and

embryo transfer. All India Institute of Medical Sciences has a unit but that is not sufficient for the whole of the country and the Government has to step in by the side of these couples to help them and also to keep the unscrupulous private clinics at bay from exploiting these couples. We have to have a provision for such women who have no uterus when we are giving them medical surrogacy. We must vehemently stop fashion surrogacy that is taking place in our country, not only commercial surrogacy in which the surrogate mother is being exploited. Our society looks down upon women who do not get children. The Medical Council Act of 1956 has defined the term Embryologist but we have to change this definition because today's Embryologist is much different from what it was in 1956. In today's science, a woman is given injections, follicle stimulating hormones, to get multiple eggs. When both members of a couple are suffering with proven infertility, when the altruistic purpose is applicable, we have to keep in mind the LGBT community also and we must have a public debate before we pass this Bill.

**SHRI BHARTRUHARI MAHTAB:** The Surrogacy Regulation Bill of 2016 is related with a serious subject that has been in the mind of a large section of the society of our country for quite some time. The Bill prohibits commercial surrogacy and allows altruistic surrogacy. Altruistic surrogacy involves no compensation to the surrogate mother other than the medical and insurance expenses related to the pregnancy. The Bill permits surrogacy only for couples

who cannot conceive a child. The surrogate mother and the intending couple need eligibility certificates from the appropriate authority. But the Bill does not specify a time limit within which such certificates will be granted. Moreover, the Bill does not specify a review of appeal procedure in case the surrogacy applications are rejected. The Bill also states that the surrogate mother has to be a close relative of the intending couple who commission the surrogacy. The Bill does not specify who would be a close relative. The Standing Committee has addressed this issue very minutely and it requires reconsideration by the Government

**SHRI NISHIKANT DUBEY:** Surrogacy is a big industry. 80% surrogacy is commercial in its nature. Because of this reason, the Government has introduced this Bill. The Law Commission had made a recommendation in the year 2009 to bring a Bill on surrogacy. I would like to request the hon. Minister to throw light on close relationship. The Government has introduced a historic Bill and I would request the House to get it passed.

**SHRIMATI SUPRIYA SADANAND SULE:** I congratulate the hon. Minister for bringing such an important social issue because surrogacy is not just about the morals, it is about parenthood. Nobody can justify what the yardstick of a parenthood is. I would like to ask just a few short points. There is a five-year clause but fertility does not take five years to be justified. So, why five years? There could be couples who scientifically can prove that they are infertile. Secondly, there could be very fertile couples who do not have children even after

being married for several years. So, why should they be left out of this? These two Clauses, I will like you to re-look at. Another issue is about 'single parent'. Single women and men are allowed to adopt children. So, why cannot one have a surrogate child? Out of the 42 recommendations made, only 11 have been taken up by this. So, you could take all 42 recommendations or give a clarification for not taking up. In this country for one lakh women, 136 women die also in pregnancy. So, it is a very sensitive issue. It is a very good Bill and we support it. But it is not modern enough.

**DR. BOORA NARSAIAH GOUD:** The science gives opportunity to the childless couples to have a child through surrogacy as they are infertile because of various reasons. We have to give this facility of motherhood to the infertile couple. Because of the commercial nature of surrogacy, this Bill has introduced a five year clause. As a doctor I can say that there are certain medical conditions like lack of ovaries, lack of wombs, lack of sperms, azoospermia in the male, etc. In such cases, they are infertile outrightly. You do not have to wait for five years. Therefore, I would urge upon the Minister to re-consider it. The second question is regarding the commercial use and illegality. The surrogate mother can be a close relative or she may not be a close relative. Suppose an authority gives them a certificate that they are close relatives but the surrogate mother takes money for extending the services of surrogacy. Then, who will be punished? This point has



not been made in this Bill. I would like to state that while framing the rules and the guidelines if the hon. Minister can correct all these things, it would be better.

**SHRI DHARAM VIRA GANDHI:** Surrogacy is a big problem in India. Infertility has grown manifold during the last ten to fifteen years and the infertility centres have cropped up all over the country and are exploiting the issueless couples to big extent. This Bill was mandatory to regulate the surrogacy rules and surrogacy problems in our country. I have a few suggestions to make. It is in the interest of the surrogate mother which has also to be looked at equally by this Law. I fully agree that the age for decision to have a surrogacy mother or to have a child through surrogacy should not be decided by years. It can be decided within a very short period of time. I firmly believe that only Non-Resident Indians (NRIs), who are passport holders should be allowed to avail the facility of surrogacy in India. Foreign Nationals should not be allowed to avail the surrogacy provisions or the surrogacy facilities in our country. I support this Bill fully and wholeheartedly.

**SHRI KAUSHALENDRA KUMAR:** The Government is constituting National Surrogacy Board and State Surrogacy Board by providing regulations to the practice of surrogacy. This is a very commendable step. Now, commercial surrogacy is also taking place. This must be taken care of, because after having child from a surrogate mother, they are left to their fate. Therefore, this issue must be taken into consideration. The Government should also ensure that surrogate mothers do not face incidents of unethical behaviour and exploitation.

**SHRI JAI PRAKASH NARAYAN YADAV:** 'Beti Bachao - Beti Padhao' slogan was given in the country but today the honour of our daughters is in danger. Muzaffarpur incident in Bihar is a living example of it. Surrogacy has been grossly misused and used for earning money. Now, a law is being enacted regarding surrogacy but every care should be taken to ensure that it is not misused for commercial purposes.

**SHRI N.K. PREMACHANDRAN:** The Surrogacy (Regulation) Bill, 2016, is a very comprehensive Bill which prohibits commercial surrogacy as well as legalizes surrogacy. Alongside, it does prevent unethical practices being followed in the country in the field of surrogacy. In particular, children born out of the surrogated mother are prone to discrimination. So, there is a need to provide them sufficient care and protection. The distinction between commercial surrogacy and ethical surrogacy has to be made very clear lest this should lead to misuse. Fertile couples can have children even five years after their marriage. Some persons want to maintain their beauty and so they want to avoid child birth. In this way, this is susceptible to misuse. I would like to seek a clarification from the hon. Minister on this point also. With these words, I support the Bill.

**SHRI JAGAT PRAKASH NADDA** *replying said:* The issue for which this Bill has come is first of all to see to it that commercial surrogacy does not take place. All sections of the society, all NGOs and all civil societies have said that commercial surrogacy should go. But at the same time, the intention is to save the

family. If conception is not taking place in any family and this is proved that the conception is not taking place then provisions have been made in this Bill so that such family can have a child with the help of modern science. Here, I would like to say that presently this regulation and benefit has been brought forward for defined families only. As far as ART Bill is concerned, suggestions have been received and are under active consideration of the Government. Similarly, as far as single family is concerned, there are other methods also of adoption and other ways where a person, a single family can have a child. The third point was about the NRIs. In the present, NRIs are included in the Bill. It is only the foreigners, who are not included. On the issue relating to the certificate of infertility, the certificate is to be given within 90 days. In the same way, the appeal against the decision of not allowing surrogacy will be decided within 30 days. There was one big issue about the close relatives. This also will be decided in the rules and regulations. I would request that this House should consider this historic Bill and pass it unanimously.

*The Bill, as amended, was passed.*

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## **THE CONSUMER PROTECTION BILL, 2018**

**THE MINISTER OF CONSUMER AFFAIRS, FOOD AND PUBLIC  
DISTRIBUTION (SHRI RAMVILAS PASWAN) *moving the motion for***

*consideration of the Bill, said:* I propose that the Bill to provide for protection of the interests of consumers and for the said purpose, to establish authorities for timely and effective administration and settlement of consumers' disputes and for matters connected therewith or incidental thereto, be taken into consideration. This Bill replaces the Bill of 1986. The population of the country is more than 125 crores and all these people are consumers also. *(Speech unfinished)*

*The discussion was not concluded.*

**SNEHLATA SHRIVASTAVA**  
*Secretary General*

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NOTE: It is the verbatim Debates of the Lok Sabha and not the Synopsis that should be considered authoritative.

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