

# LOK SABHA

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

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

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### SUBMISSIONS BY MEMBERS

- (i) *Re: Publication of complete draft of the updated National Register of Citizens in Assam.*

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

*responding to the issue raised by several hon. Members, said:* For a long time, the people of Assam have been raising demand for the National Register of Citizens. I would like to make it clear that in this regard whatever work is being done is under the orders and supervision of the Supreme Court. Further, the National Register of Citizens which has been published, does not contain the final list. The people who feel that their names should have been there in this list can file their claims and objections after 28<sup>th</sup> August, 2018. The claims and objections will be disposed of at the higher administrative level. Even after that if a person is not satisfied, s/he will have the opportunity to approach the foreigners' tribunal. Therefore, there is no need to create unnecessary panic in this regard.

(ii) *Re: Need for strict import policy of agriculture produce.*

**THE MINISTER OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI RAMVILAS PASWAN)** *responding to the issue raised by several hon. Members, said:* This is a health related issue. We will definitely look into it. Health cannot be compromised under any circumstances.

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**\*MATTERS UNDER RULE 377**

1. **SHRIMATI JAYSHREEBEN PATEL** laid a statement regarding need to introduce teaching of humanities in all senior secondary schools in the country.
2. **SHRI NISHIKANT DUBEY** laid a statement regarding pending projects of Jharkhand.
3. **SHRI KIRTI AZAD** laid a statement regarding need to undertake setting up of a planetarium, beautification of ponds and construction of road over bridges in Darbhanga Parliamentary Constituency, Bihar.
4. **SHRI GANESH SINGH** laid a statement regarding appointments for teaching posts in Central Universities.
5. **SHRI AJAY MISRA TENI** laid a statement regarding need to develop a mechanism to maximize the rate of conviction of criminals.

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

6. **SHRI DEVENDRA SINGH BHOLE** laid a statement regarding need to extend Bundelkhand region like benefits to Kanpur Nagar and Kanpur Dehat districts along river Yamuna in Uttar Pradesh.
7. **SHRI OM BIRLA** laid a statement regarding need to provide financial assistance to farmers for fencing of their agricultural fields.
8. **SHRI RAJENDRA AGRAWAL** laid a statement regarding need to review and ban the product of Johnson and Johnson in India pronounced harmful in America.
9. **SHRI HARISHCHANDRA CHAVAN** laid a statement regarding need to provide water of Damanganga river to dams in Dindori Parliamentary Constituency, Maharashtra.
10. **SHRI BHANU PRATAP SINGH VERMA** laid a statement regarding need to shift underpass on Konch to Ait Railway line in Jalaun Parliamentary Constituency, Uttar Pradesh.
11. **SHRI PASHUPATI NATH SINGH** laid a statement regarding need to run Howrah- New Delhi Durgam Express and Ranchi- Jaynagar Express train via Dhanbad, Jharkhand.
12. **SHRI SUKHBIR SINGH JAUNAPURIA** laid a statement regarding need to provide stoppage of Dayodaya Express (Train No. 12181/82) and

- Jaipur-Indore Express (Train No. 12973/74) at Israda railway station in Sawai Madhopur district, Rajasthan.
13. **SHRI VINOD KUMAR SONKAR** laid a statement regarding need to establish a Kendriya Vidyalaya in Kaushambi district, Uttar Pradesh.
  14. **SHRI RAJEEV SATAV** laid a statement regarding reservation to Maratha community in Maharashtra.
  15. **DR. THOKCHOM MEINYA** laid a statement regarding condition of National Highway 37 between Imphal and Jiribam.
  16. **SHRI S. R. VIJAYA KUMAR** laid a statement regarding release of basic and performance grant amount to urban local bodies in Tamil Nadu.
  17. **SHRIMATI K. MARAGATHAM** laid a statement regarding augmenting railway connectivity in Tamil Nadu.
  18. **PROF. SAUGATA ROY** laid a statement regarding Indo-Pak relations.
  19. **SHRIMATI APARUPA PODDAR** laid a statement regarding problems in Jawahar Navodaya Vidyalaya at Dihibagnan in Arambagh Parliamentary Constituency of West Bengal.
  20. **DR. KULMANI SAMAL** laid a statement regarding providing basic amenities to slum dwellers in Paradip region, Odisha.
  21. **SHRI SHRIRANG APPA BARNE** laid a statement regarding need to set up a special fund and blood bank for Thalassemia patients.

22. **SHRI JAYADEV GALLA** laid a statement regarding international flights from Tirupati and Vijayawada airports.
23. **SHRI MD. BADARUDDOZA KHAN** laid a statement regarding railway line from Beharampore to Krishnanagar.
24. **SHRI TARIQ ANWAR** laid a statement regarding need to conduct Section Officers' Limited Departmental Competitive Examination for the years 2016, 2017 and 2018.
25. **SHRI TEJ PRATAP SINGH YADAV** laid a statement regarding need to set up a CGHS Wellness Centre in Mainpuri Parliamentary Constituency, Uttar Pradesh.

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**STATUTORY RESOLUTION**

*Re: Disapproval of Homoeopathy Central Council (Amendment)*

*Ordinance, 2018 (No. 4 of 2018)*

**AND**

**THE HOMOEOPATHY CENTRAL COUNCIL (AMENDMENT) BILL, 2018 –**

*Contd.*

**DR. MANOJ RAJORIA:** Some people are under the impression that through this Bill the Government is going to dissolve the Central Council of Homeopathy. The hon. Minister will clarify in this regard and I would also like to

add that this governing body has been constituted for a year. Subsequently, the elections will be held for the body just as the elections were held to elect the members of the Central Council of Homeopathy. Therefore, this Government Body will oversee the medical colleges just for a year. I would urge upon the hon. Minister to inter-link all system of AYUSH with '*Ayushman Bharat*' in order that the common people may avail themselves of the benefits of AYUSH and Homeopathy. The Prime Minister is going to convert around 1.5 lakh PHCs into Wellness Centres and recruit doctors therein. I would like to submit that a certain number should be ensured there for the induction of AYUSH, Homeopathy, Ayurveda and Unani doctors. A definitive formula should be devised and the same should be implemented across the country. I would like to draw your attention towards the Government of Rajasthan. Rajasthan holds the distinction of being such a State where Ayushman Bharat has already been espoused and public are being served under *Bhamashah* Insurance Scheme. A uniform guideline of Ayush should be implemented across the country. Every system of Ayush should be accorded equal importance and their distribution should be such that the States may ensure its implementation. At the same time, I would like to suggest that guidelines should be issued to the State Governments to let the students pursuing homeopathy as a system of medicine complete their internship in the local medical college or hospital.

**DR. K. KAMARAJ:** The hon. Minister has said that the amendment Bill has been brought to check the opening of unauthorized colleges, introduction of unauthorized curriculum and increasing number of medical seats. The other reason is the instances of serious malpractices in the Council as a result of which the quality of medical education is compromised. The President of the Central Council of Homeopathy has accepted the bribe and the CBI has arrested him. I would like to know from the hon. Minister as to what is the result of the investigation. Another thing is that there is no transparency in the functioning of the Council. The Council is stalling the corrective steps of the Central Government. I just want to remind the hon. Minister that in the previous Act itself there is a mention of 'Commission of Inquiry'. I would like to know the status report of the Commission of Inquiry. It is true that most of the homeopathy colleges are lacking basic infrastructure. The Council has failed to ensure ethics in the practice of Indian System of Medicines and Homeopathy. To overcome this problem, already two Bills are there. One Bill is the Homeopathy Central Council (Amendment) Bill, 2005. This Bill was referred to the Standing Committee. The Standing Committee had given its report in the year 2005. I would like to know as to why the Government had not acted on the 2005 recommendations. Even if the Council is not working according to its mandate, why are you replacing the Council now? Whether the Board of Governors nominated by the Government can take corrective

measures. It is surprising that this Government is proposing a National Commission Bill which permits the medical practitioners to practice modern medicine through a bridge course. Why is this Government bringing a bridge course? In conclusion, the Government should have brought up an amendment to correct the deficiency in the Act rather than superseding the Council.

**DR. RATNA DE (NAG):** Homeopathy Central Council (Amendment) Ordinance, 2018 was promulgated on May 18, 2018. It ensures supersession of the Homeopathy Central Council from 2018. This important piece of legislation should not be rushed through via Ordinance route. The Homeopathy Central Council should not be superseded in a hurry. The exercise of reconstitution the Board of Governors should be left to an expert body. Homeopathy needs to be given all assistance. I would like to know as to how much fund has been allocated to the homeopathy in the recent past. I hope the hon. Minister will help the persons who have established Homeopathy Medical Colleges as well as the students who have acquired medical degrees from such colleges before promulgation of the Ordinance. The National Institute of Homeopathy in Kolkata needs to be upgraded. I would like to request the Hon. Minister to allocate funds generously to this institute. Homeopathy doctors should be recruited on regular basis. Promotion of homeopathy doctors would serve as an incentive to the aspirants to take up homeopathy as a career in medical sciences.



**SHRI RABINDRA KUMAR JENA:** The Bill seeks to amend the original Act of 1973 due to large scale malpractices that were detected in the Central Council of Homoeopathy. Each year, about 63 million people face poverty because of medical related expenditure. We, as a country, are known today more as a diabetic capital of the world than for anything else in the health sector. Given this situation, we should explore and harness the full potential of alternative system of medicine like homoeopathy. It is unfortunate that today we have not been able to at least recognized and standardize homoeopathy as a science. I would urge upon the hon. Minister not to fill this Board with retired bureaucrats and not to make it a place for political accommodation in the election year.

**DR. SHRIKANT EKNATH SHINDE:** I welcome this Bill for the supersession of the Central Council of Homoeopathy. But this should not be a temporary one. There has to be a permanent and sound regulatory framework. Now, the Government is taking radical steps with regard to modern medical education. There will be two Boards, namely, Under Graduate Board and the Post Graduate Board. Then, there will be a Rating Board and also a Medical Ethics Board. So that there will not be any conflict of interest. Such system should also be in place for Homoeopathy and Ayush. Appointing a Board of Governors in place of the Central Council of Homoeopathy is a welcome step. The Government should not have a total control on the Board. There should be elected

representatives from the Homoeopathy field, who will run this Board. I would request the Government to bring NMC like Commission in place of Central Council of Homoeopathy so that malpractices can be curbed and the infrastructure is improved. I support this Bill.

**DR. RAVINDRA BABU:** Started by Samuel Hahnemann, Homoeopathy is a very old alternative medical system dating back to 1779. I would like to know from the hon. Minister whether homoeopathy was banned in Germany for practicing to treat the patients. The Central Government has the power to suspend the Council. Why could the hon. Minister not invoke that clause to suspend this Council? Why has he to come to the Parliament again? It is like making a mockery of the legislative functions of the Parliament. This practice should be stopped. In the Bill, a Board of Governors is proposed in place of Council. But where is the guarantee that the Governors will act impartially to the benefit of the Homoeopathy. It is not clear whether these Governors will have any Homoeopathy background. So, what is the constitution of this body? Giving permission to the Homoeopathy colleges, especially, for Under-Graduation and Post-Graduation, always starts with corruption. Therefore, what are the steps being taken to prevent such recurrence in future so that the corruption can be rooted out once and for all? It is the cheapest medicine available to the poor people. Therefore, I support this Bill with proposed amendments.

**DR. BOORA NARSAIAH GOUD:** It is a very important Bill which can change the way the system of Homoeopathy medicine can be managed, both, in terms of providing education and treatment across the country. The Bill has been brought to check the rampant corruption, lack of transparency and lack of adequate education skills. A new Section 12C has been inserted which says that all the Homoeopathy Medical Colleges, which have already been accorded permission, have to again seek permission within one year. What will happen to the students who have studied for two years? Where do they go? There is no provision for that. Today, you open any TV channel, any newspaper, you see hundreds of advertisements regarding Homoeopathy. But, there is no system to monitor it and see what they are delivering. We have got only one National Institute of Homoeopathy in Kolkata. I would like to urge upon the Minister to open one more National Institute of Homoeopathy in my State, Telangana.

**SHRIMATI P.K. SHREEMATHI TEACHER:** Homoeopathy is the safest and cheapest method of treatment available in the world. India has two and a half lakh registered practitioners, who can be posted in the rural areas and can provide qualitative treatment to the poor people. The State of Kerala is an example for utilization of the Homoeopathic doctors. There is a homoeopathic dispensary or hospital in almost all panchayats and almost one lakh people are utilizing the services of the homoeopathic doctors at the grass root level every day. Some of

the members are continuing in the Council for even 25 years. This can be prevented by fixing the maximum term of a member as two terms. The Central Council of Homoeopathy Act is not implemented in many States uniformly which creates difficulties in the recognition of the qualifications of different States. At present, not all the subjects have post graduate courses, therefore, post graduate courses should be started in all subjects. Each State should have only one elected representative irrespective of the number of registered practitioners. A team of inspectors may be selected from the teachers of different colleges and no member from the Council should be made inspectors to check corruption in inspection. To improve the standard of the teaching faculty, an all India examination should be conducted for post graduate holders who intend to become teachers. There should be a system of grading of colleges.

**SHRI NIHAL CHAND:** I would like to extend sincere thanks to the Government for bringing in this Bill in order to enhance the quality of education, research and medicine development to widen the coverage of medical facilities to cover every citizen of this country. As far as the colleges are concerned, 223 colleges have been opened by the Government in India. It is my earnest request to the Government to open a medical college in Sri Ganganagar. I would also request the Government to set up a Homeopathic Research Centre in Sri Ganganagar. It is also requested to the Union Government to take appropriate steps to save the

people from the deadly disease like Cancer by which the people of 8 districts of Rajasthan are badly affected.

**DR. KARAN SINGH YADAV:** The fundamental reason behind promulgating the Ordinance was that the Government was continuously losing its cases in very court. The courts continued to give decisions to overturn almost all the decisions taken by the Government. This Government has been hell bent on changing the name and work of the institutions, be it the Planning Commission or the Indian Medical Council. At the same time, the University Grants Commission is being disintegrated. The Government wants to engage their own persons in these institutions along with saffronising them. Not only that now the Government is going to appoint the persons from corporate houses as Joint Secretaries through lateral entry. Besides, a number of colleges and universities are being permitted to be set up in the name of a single person in Bhopal.

**SHRI DHANANJAY MAHADIK:** On behalf of my Party, I rise to oppose the Homoeopathy Central Council (Amendment) Bill, 2018. In 2002, Homoeopathy Central Council Act was amended and the power to give permission to new colleges, new courses and increase in intake capacity was taken over the by the Central Government, stating that the CCH had failed to improve the standards of education. As such, after 2002, it was the responsibility of the Central Government to improve the educational standards. As far as the amnesty granted

by the Government is concerned, it continued for five years which spoiled and degraded the standards of education in homoeopathic colleges. The conduct of elections of members in CCH has been the responsibility of this Government, which it never conducted in time, and now it blames the President, Vice-President and members of CCH who have been thrown out undemocratically. At the same time, I would submit that the CBI Court has exonerated all against whom the charge-sheets were filed. I do not know about the criteria of selection of present Governors amongst whom one is the retired Secretary of AYUSH Ministry during whose tenure the CCH matters were delayed and remained unresolved. I request the Government to allow the homeopathic students to function in the rural areas and they are ready to work. I will suggest that the matter may either be dropped here or referred to a Joint Select Committee.

**SHRI KAUSHALENDRA KUMAR:** Today, a qualitative Homoeopathic education is being ensured to be provided in the Homoeopathic medical colleges by the Government through an amendment to the Central Council for Homoeopathic Act, 1973. This is a welcome move by the Government. I would like to submit that the Government should create awareness about the Homoeopathic treatment as it has no side effect. At the same time, it is affordable and easily accessible. Section 12(c) is being incorporated in the CCH Act which

will check the malpractices in the institution. Now, the deck will be cleared for the renewal of accreditation given to all the Homoeopathic colleges within a year.

**SHRI JAY PRAKASH NARAYAN YADAV:** Homeopath and Ayurveda have been the part and parcel of Indian tradition and culture and a better system of treatment. A certain amount of fund should be provided to the Homeopathic colleges situated at Patna, Bhagalpur, Munger and Darbhanga in Bihar, so as to make them better institutions. Besides a concrete measures need to be taken to constitute governing body there.

**SHRI C.N. JAYADEVAN:** The Bill provides for the supersession of the present Central Council, which will be reconstituted within one year from the date of supersession. In the interim period, the Central Government will constitute a Board of Governors, which will exercise the powers of the Central Council. The 1973 Act was amended in the year 2002 to check the growth of substandard Homoeopathy Colleges, and to impart quality education. But there have been instances of serious malpractices in the Council, as a result of which the quality of medical education has been compromised with. The basic problem is corruption and inefficiency of the Council Members. The Medical Council of India (MCI) was also facing the same problem. Hence, the National Medical Commission Bill, 2017 is being brought abolishing MCI. In that Bill, there is a provision for the Homoeopathic and Ayurvedic doctors to practice allopathy by doing a bridge-

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

**SHRI N.K. PREMACHANDRAN:** I rise to support the Bill but oppose the Ordinance route of legislation. This also a case where there is no need or urgency of promulgation of an Ordinance. The significance of homoeopathic treatment is that it doesn't have any side effects and at least 77 per cent people believe that homoeopathy is the best form for long term treatment. I would like to raise a serious objection that there is no mention about the previous Bills which are pending in Rajya Sabha. But the point to be considered here is, when the hon. Minister is moving a Bill before this August House, at least the Minister should disclose the fact that two Bills are pending in the other House and the Standing Committee have submitted the Reports. The recommendations of the Standing Committee are important for the smooth functioning of the Central Council for Homoeopathic. Besides, I urge upon the Minister to ensure timely issuance of Letter of Permission. Moreover, a 60 year old Government-aided medical college in my State has to run from pillars to posts to get the Letter of Permission. This issue also need to be taken care of.

**DR. RAMESH POKHRIYAL NISHANK:** This Bill is a good initiative towards the reinforcement of the Ministry of Ayurveda, Yoga and Naturopathy,



Unani, Siddha and Homoeopathy (AYUSH). Questions are being raised on the promulgation of Ordinance whereas it was the need of the hour. Provisions were being violated and malpractices were rampant in the Council. The Central Government has kept reserved its policy decision about the Section 3(g) which provides that if a person has set up a Homeopathic medical college or introduced new courses or enhanced intake of the students before the promulgation of the Ordinance, then he will have to take permission from the Government to this effect within a year or all these will stand null and void. I would like to state that at present there are more than 2 lakh homeopathic doctors and every year 12000 homeopathic doctors are added to it. About 20 to 25 crores of persons are undergoing homeopathic treatment. Hence, both the Government and private sector should be incorporated into it. I would also like to state that homeopathy has undoubtedly been discovered in Germany but even today India is a leader in this sector. Similar control of CCH and CCIM is required because there are similar complaints against both the bodies. There is a requirement of 12000 faculties for the available colleges but only 6000 faculties are registered there. No hospital can run without AYUSH wing. There are many ailments which can be successfully treated in homeopathy at low cost. I support this Bill.

**DR. BANSHILAL MAHATO:** The highest number of patients take treatment under AYUSH in the world. This Bill is necessary to control the quacks.

192 countries in the world have followed 21 June for Yoga Programme. Every district must have a big homeopathy hospital. Necessary importance should be given to AYUSH and more provision in the Budget should be made for this. Good homeopathic colleges should also be opened.

**SHRI SHRIPAD YESSO NAIK** *replying said:* I thank all the hon. Members. The main point raised by the hon. Members is that when a new session was to start after two months then why this Bill was brought? I want to tell the hon. Members that there was a need to grant permission in a time-bound manner to all the colleges after conducting inspection. Therefore, if we had not brought this Ordinance, it would have served no purpose. There were some other reasons as well which necessitated this Bill. The Ministry had no provision to curb the irregularities hence this Board of Governors has been constituted for one year and we have promised to remove all irregularities. This has happened in the case of Medical Council of India as well. Hon. Member asked about bridge course. I want to tell the Member that we have not granted permission for bridge course. There are 233 homeopathy colleges in all which are affiliated to the universities of their respective states. Persons from the field of homeopathy only have been taken on the Board of Governors. The Ministry has been pursuing the amendments to this Council Act. The Ministry is also at the same time examining the possibility of replacement of the Act itself to overcome the existing lacunae in this Act. The

Government is taking steps to ensure that all homeopathic colleges have minimum standards and infrastructure. The Government has tried to improve the functioning of CCH. This is good that barring a few hon. Members, almost all have supported this Bill. Suggestions of all the Members will be considered.

*The Resolution, by leave, was withdrawn.*

*The Bill was passed.*

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**THE STATE BANKS (REPEAL AND AMENDMENT) BILL, 2017**

*(Amendments made by Rajya Sabha)*

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE**  
**(SHRI SHIV PRATAP SHUKLA)** moved that the amendments made by Rajya Sabha in the State Bank (Repeal and Amendment) Bill, 2017, as passed by Lok Sabha, be taken into consideration.

*The motion was adopted and the amendments were agreed to.*

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**STATUTORY RESOLUTION**

***Re: Disapproval of Criminal Law (Amendment) Ordinance, 2018***

***(No.2 of 2018)***

**And**

**THE CRIMINAL LAW (AMENDMENT) BILL, 2018**

**SHRI N.K. PREMACHANDRAN:** moved that this House disapproves of the Criminal Law (Amendment) Ordinance, 2018 (No. 2 of 2018) promulgated by the president on 21st April, 2018.

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU)** *moving the motion for consideration of the Bill, said:* This is a very important occasion for all of us to come together on this Bill. In recent times, there have been many cases of rape which have shaken the conscience of this nation. So with a view to bringing in a stringent measure to punish the criminals, the Government had promulgated this Ordinance. Now, to replace that Ordinance the Government is moving this Bill. I appeal to the House to support the Bill to ensure the safety of women and girls in the country.

**SHRIMATI KIRRON KHER** *initiating said:* I rise to support this historic piece of legislation today. Before 2014, we had the horrific case of Nirbhaya's gang rape and brutal murder. We saw the entire country rising as one against it and this Parliament passed a stringent law against it. This Bill reflects the long-awaited hope of the country, for a safer future for our young girls and children. This Bill comprehensively amends relevant laws relating to rape, to explicitly extend coverage to victims who are minors. We have all heard the terrible truth about children of two or three years being raped. Leaving no room for ambiguity, the Indian Penal Code has been amended to insert new Section dealing with the

rape and gang rape of women belonging to 12 and 16 years of age. The Penalties for these crimes have been strengthened. The proposed amendments to the Code of Criminal Procedure promises to change this scenario. This Bill recognizes that a time bound investigation and disposal of appeals is the right of every victim and none should suffer the pain of delayed justice. It is commendable that this Government is already taking important measures in this direction. It is a significant step under the hon. PM's Beti Bachao mission. Another noteworthy provision of this Bill, is the denial of anticipatory bail for persons accused of rape.

**SHRIMATI RANJEET RANJAN:** In our existing system, however strong we make our laws that will not be effective. First we have to fix the responsibility. An incident takes place in Bihar, the rapist was not arrested immediately and he fled away to Nepal. Police officials are not sensitive. When the rapist arrested, the police officials try to declare him under age, because we do not take the cases of rapes seriously. Delhi or in any other metro cities such incidents come into light immediately, but in rural areas such incidents takes place every now and then and nobody takes notice. When we all take it seriously and make every effort to counter such cases then only the situation will improve. Often we see that such incidents are intentionally turned into a subject of politics, caste, muscle power etc. How can anyone get justice in such a situation? Therefore, I would like to say that responsibility and accountability should be fixed either the

guilty is police officials, doctor or any other else. Every responsible should be punished. The victim girl below the age of 12 should not be called again for witness.

I would like to request the Government to address the shortage of courts and public prosecutors. Alongwith that, forensic lab should be set up in each state. Similarly, special training should be imparted to police, doctors and medical staff in this regard. Moreover, conducive environment for the children should be ensured in the courts and 'model victim at protection scheme' should also be initiated.

**SHRI T. G. VENKATESH BABU:** This Bill, reflects the care and widespread opinion and research carried out by the Home Ministry. The increased rate of rape offences has shaken the conscience of the entire nation. According to the National Crime Records Bureau, there is a increase of 87.3 per cent in rapes. Maybe, social awareness has reduced the number of unreported cases which were rampant due to social stigma. Social stigma still haunts the rape victims, to which this Bill has not provided any tangible remedy. The castration of the repeat rape offenders or even the first-time offenders may also be looked into this Bill. It is the duty of any Government to protect our girls and women at any cost. For this purpose, the whole official machinery has to be geared up to raise up to face this daunting challenge. This Bill should also provide for sex education to weed out

the taboos existing in the male-female relationship, which is a major contributor to the crime of rape. Similarly, religions, caste divides, creed, race and genders will have no place in enforcing this Bill.

**PROF. SAUGATA ROY:** I feel that as a political class we have failed our women, sisters and mothers. We wait for an incident to happen, which shakes the conscience of the nation and then we bring a legislation. Whereas, Parliament should always foresee as to what is necessary in society and bring legislation before incidents happen. First of all, I would like to ask the Government that why haven't the government has prescribed minimum fine for every offence in this Bill? Government has also not brought any amendment to correct patent and blatant mistakes in this Bill? I think, Government should acknowledge its mistakes. Before this Bill came, I was approached by several lawyers of the Supreme Court. They came and told me that they are against death penalty. I thought for one day, whether what they were saying is right. Then, my conscience told me, no. Those who rape children of 16 or 12 years, do not deserve any mercy. Let them die, if it is proved. That is why, I support this Bill. I would also like to inform the Government that 43 per cent of rape victims in India are minors which is a dangerous propensity.

**SHRI PINAKI MISRA:** Today, our Party continues to support the Government in its efforts to enhance the stringent provisions with regard to the

punishment for rape. However, our Party has serious concerns that the Government chooses to bring in this kind of legislation to the House without going through mandatory requirement of having the Standing Committee look into some of these provisions. My speech today will concentrate on three aspects. One is about the structural problems today as a result of which POCSO seems to have failed. Secondly, as far as this particular piece of legislation is concerned, the definition of rape continues to be not gender neutral. So, I would like to ask that why are boys being kept out of the loop of this kind of child abuse? Along with that, I believe that presence of the death sentence on the statute book is necessary in our country. But, I believe about 0.7 per cent apparently is the rate at which people are hung. Therefore, the implementation of this law clearly leaves much to be desired. Secondly, if Government has death sentence on the statute, it is impossible under the IPC that the children will not be cross-examined because that is a fundamental right of the citizens. That will completely dilute the protection that we gave children under POCSO. Therefore, I would say that these are significant issues which must go to a Standing Committee or a Select Committee. I would urge the Government to once again consider some of the seminal and vital aspects of this law.

**SHRI SHRIRANG APPA BARNE:** I support the proposed Bill on the behalf of my party. These days, crime is on the rise in the country and the culprits



do not fear the law. Certain political parties lend support and recognition to such culprits. I would, therefore, like to say that the criminal do not belong to any religion. When Nirbhaya incident and Coopardi incident in Maharashtra occurred then people belonging to all political parties, castes and religion came forward and protested against these incidents. The law may punish a criminal but the females and the girls who undergo this trauma should also get legal support. I would also like to make a request to the media not to make breaking news about the rape incidents because the families of the victims feel humiliated . No political party or political leader should politicise such incidents.

**DR. RAVINDRA BABU:** Rape is a brutal violence against people belonging to a weak sex who cannot defend themselves. We worship gods like Lakshmi, Saraswati and Durga and on Rakshabandhans we give an assurance to the sisters. But the poor girls still undergo this type of atrocities, including mutilation of the body. The system should be such that when the victim gives a statement to the parents that she has undergone this type of an experience, she should be immediately removed from the place of the crime and offence and she should be taken out of the district to another place where she should be rehabilitated comfortably by giving psychological counseling, medical treatment, free education and suitable employment so that she will get some assurance from the society and the Government. Of course, rapists are being dealt with in the Act

suitably. The Nirbhaya case has taken four years and the perpetrators are still to be hanged. So, we have to introduce some type of punishment to the rapists to be meted out in the public, not in jails or courts. This way, the future generations of boys and the male dominated society who prefer sons, would be taught a lesson once for all.

**SHRI KONDA VISHWESHWAR REDDY:** The Bill proposes amendment to the IPC. Almost all of us here agree giving death sentence because we represent the people of the country and the people of the country have reached the limit of their sense and sensibilities. These animals have crossed the limits. We are not only ashamed of ourselves but the foreign Media is also rubbing salt into our unbearable shame that we have brought upon ourselves. I think we should hang the criminal and that is the mood of the nation today after seeing these gruesome acts. I am proud to stand in the Parliament when an Ordinance is being converted to a Bill. The Justice Verma Committee in the year 2013 said that the crime has to be proportionate, therefore, death being the highest of the punishment, it is being introduced in this Bill. The pendency of cases is another big issue. In lieu of the fast track courts, the government has put a two-month limit but the definition of two-months is also not very clear.

**\*DR. A. SAMPATH:**

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\* Please see supplement.

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**SNEHLATA SHRIVASTAVA**  
*Secretary General*

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\*\*Supplement covering rest of the proceedings is being issued separately.

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

*English and Hindi versions of Synopsis of Debates are also available at <http://loksabha.nic.in>.*