

LOK SABHA DEBATES

(English Version)

Ninth Session
(Fifteenth Lok Sabha)



सत्यमेव जयते

(Vol. XXII contains Nos. 21 to 24)

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LOK SABHA DEBATES

LOK SABHA

11.02 hrs.

Thursday, December 22, 2011/Pausa 1, 1933 (Saka)

[English]

The Lok Sabha met at Eleven of the Clock

[MADAM SPEAKER *in the Chair*]

OBITUARY REFERENCE

[English]

MADAM SPEAKER: Hon. Members, I have to inform the House of the sad demise of our former colleague Shri R.L. Kureel.

Shri R.L. Kureel was a Member of the Sixth Lok Sabha from 1977 to 1979, representing the Mohanlalganj Parliamentary Constituency of Uttar Pradesh.

An advocate by profession, Shri Kureel was an Executive Committee member as well as a member of the Board of Governors of International Jurist Organisation. Shri Kureel had served as an advocate of Supreme Court of India nearly for 30 years. He provided free legal aid to the poor and needy sections of the society.

A man with a scientific bent of mind, Shri Kureel invented a device for utilizing waste heat for production of electricity.

A man of letters, Shri Kureel had numerous publications to his credit

Shri R.L. Kureel passed away on 4th November, 2011 at New Delhi at the age of 72.

We deeply mourn the loss of our friend and I am sure the House would join me in conveying our condolences to the bereaved family.

The House may now stand in silence for a short while as a mark of respect to the memory of the departed.

11.01 hrs.

The Members then stood in silence for a short while

PAPERS LAID ON THE TABLE

MADAM SPEAKER: Now papers to be laid.

...(Interruptions)

MADAM SPEAKER: Nothing will go on record.

(Interruptions)...*

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): Madam, on behalf of Shri Ghulam Nabi Azad, I beg to lay on the Table:—

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Nursing Council, New Delhi, for the year 2009-2010.
 - (ii) A copy of the Annual Accounts (Hindi and English versions) of the Indian Nursing Council, New Delhi, for the year 2009-2010, together with Audit Report thereon.
 - (iii) A copy of the Review (Hindi and English versions) by the Government of the working of the Indian Nursing Council, New Delhi, for the year 2009-2010.
- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library, See No. LT 6028/15/11]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Dental Council of India, New Delhi, for the year 2010-2011, alongwith Audited Accounts.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of

*Not recorded.

[Shri Sudip Bandyopadhyay]

the working of the Dental Council of India, New Delhi, for the year 2010-2011.

[Placed in Library, See No. LT 6029/15/11]

- (4) (i) A copy of the Annual Report (Hindi and English versions) of the National Institute of Biologicals, Noida, for the year 2010-2011, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the National Institute of Biologicals, Noida, for the year 2010-2011.

[Placed in Library, See No. LT 6030/15/11]

- (5) (i) A copy of the Annual Report (Hindi and English versions) of the Pharmacy Council of India, New Delhi, for the year 2010-2011, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Pharmacy Council of India, New Delhi, for the year 2010-2011.

[Placed in Library, See No. LT 6031/15/11]

- (6) (i) A copy of the Annual Report (Hindi and English versions) of the Pasteur Institute of India, Coonoor, for the year 2010-2011.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Pasteur Institute of India, Coonoor, for the year 2010-2011, together with Audit Report thereon.
- (iii) A copy of the Review (Hindi and English versions) by the Government of the working of the Pasteur Institute of India, Coonoor, for the year 2010-2011.

[Placed in Library, See No. LT 6032/15/11]

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): Madam, I beg to lay on the Table:—

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Central Government Employees Consumer Co-operative Society Limited (Kendriya Bhandar), New Delhi, for the year 2010-2011, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Central Government Employees Consumer Co-operative Society Limited (Kendriya Bhandar), New Delhi, for the year 2010-2011.

[Placed in Library, See No. LT 6033/15/11]

- (2) A copy of the Annual Report (Hindi and English versions) of the Central Civil Services Cultural and Sports Board, New Delhi, for the year 2010-2011, alongwith Audited Accounts.

[Placed in Library, See No. LT 6034/15/11]

- (3) A copy of the Annual Report (Hindi and English versions) of the Civil Services Society, New Delhi, for the year 2010-2011, alongwith Audited Accounts.

[Placed in Library, See No. LT 6035/15/11]

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): Madam, I beg to lay on the Table:—

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Satyajit Ray Film and Television Institute, Kolkata, for the

year 2010-2011, 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 2010-2011.

[Placed in Library, See No. LT 6036/15/11]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Film and Television Institute of India, Pune, for the year 2010-2011, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Film and Television Institute of India, Pune, for the year 2010-2011.

[Placed in Library, See No. LT 6037/15/11]

- (3) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

- (i) Review by the Government of the working of the National Film Development Corporation Limited, Mumbai, for the year 2010-2011.
- (ii) Annual Report of the National Film Development Corporation Limited, Mumbai, for the year 2010-2011, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 6038/15/11]

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): Madam, on behalf of Shri S. Gandhiselvan, I beg to lay on the Table:—

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the National Institute of Siddha, Chennai, for the year 2010-2011, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the National Institute of Siddha, Chennai, for the year 2010-2011.

[Placed in Library, See No. LT 6039/15/11]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Central Council of Indian Medicine, New Delhi, for the year 2010-2011, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Central Council of Indian Medicine, New Delhi, for the year 2010-2011, alongwith Audited Accounts.

[Placed in Library, See No. LT 6040/15/11]

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI R.P.N. SINGH): Madam, I beg to lay on the Table:—

- (1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

- (a) (i) Review by the Government of the working of the Indian Strategic Petroleum Reserves Limited, Noida, for the year 2010-2011.

- (ii) Annual Report of the Indian Strategic Petroleum Reserves Limited, Noida, for the year 2010-2011, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 6041/15/11]

[Shri R.P.N. Singh]

- (b) (i) Review by the Government of the working of the Oil India Limited, Dibrugarh, for the year 2010-2011.
- (ii) Annual Report of the Oil India Limited, Dibrugarh, for the year 2010-2011, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 6042/15/11]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Petroleum and Natural Gas Regulatory Board, India, New Delhi, for the year 2010-2011, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Petroleum and Natural Gas Regulatory Board, India, New Delhi, for the year 2010-2011.

[Placed in Library, See No. LT 6043/15/11]

- (3) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of Section 79 of the Limited Liability Partnership Act, 2008:—
- (i) The Limited Liability Partnership (Amendment) Rules, 2011 published in Notification No. G.S.R. 796(E) in Gazette of India dated the 4th November, 2011.
- (ii) The Limited Liability Partnership (Second Amendment) Rules, 2011 published in Notification No. G.S.R. 680(E) in Gazette of India dated the 14th September, 2011.

[Placed in Library, See No. LT 6044/15/11]

- (4) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of Section 642 of the Companies Act, 1956:—

- (i) The Companies (Central Government's) General Rules and Forms (Amendment) Rules, 2011 published in Notification No. G.S.R. 749(E) in Gazette of India dated the 5th October, 2011.
- (ii) The Companies (Central Government's) General Rules and Forms (Amendment) Rules, 2011 published in Notification No. G.S.R. 716(E) in Gazette of India dated the 23rd September, 2011.
- (iii) The Companies (Central Government's) General Rules and Forms (Amendment) Rules, 2011 published in Notification No. G.S.R. 618(E) in Gazette of India dated the 11th August, 2011.

[Placed in Library, See No. LT 6045/15/11]

- (5) A copy of Competition Commission of India (General) Amendment Regulations, 2011 (Hindi and English versions) published in the Notification No. G.S.R. L-3/2/Regin-Gen.(Amdt)/2011/CCI in Gazette of India dated the 22nd November, 2011 under sub-section (3) of Section 64 of the Competition Act, 2002.

[Placed in Library, See No. LT 6046/15/11]

- (6) A copy of the Petroleum (Amendment) Rules, 2011 (Hindi and English versions) published in Notification No. G.S.R. 857(E) in Gazette of India dated 2nd December, 2011, under sub-section (4) of Section 29 of the Petroleum Act, 1934.

[Placed in Library, See No. LT 6047/15/11]

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): Madam, I beg to lay on the Table:—

- (1) A copy of the Annual Report (Hindi and English versions) of the Jansankhya Sthirata Kosh, New Delhi, for the year 2009-2010, alongwith Audited Accounts.

[Placed in Library, See No. LT 6048/15/11]

- (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 Indian Pharmacopoeia Commission, Ghaziabad, for the year 2009-2010, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Indian Pharmacopoeia Commission, Ghaziabad, for the year 2009-2010.

- (4) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.

[Placed in Library, See No. LT 6049/15/11]

- (5) (i) A copy of the Annual Report (Hindi and English versions) of the New Delhi Tuberculosis Centre, New Delhi, for the

year 2010-2011, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the New Delhi Tuberculosis Centre, New Delhi, for the year 2010-2011, alongwith Audited Accounts.

[Placed in Library, See No. LT 6050/15/11]

- (6) (i) A copy of the Annual Report (Hindi and English versions) of the Lala Ram Sarup Institute of Tuberculosis and Respiratory Diseases, New Delhi, for the year 2010-2011, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Lala Ram Sarup Institute of Tuberculosis and Respiratory Diseases, New Delhi, for the year 2010-2011, alongwith Audited Accounts.

[Placed in Library, See No. LT 6051/15/11]

- (7) A copy of the Statement (Hindi and English versions) explaining reasons for not laying the Annual Reports and Audited Accounts of the following institutions within the stipulated period of nine months after the close of the different accounting years, mentioned therein:—

Sl. No.	Name of the Institutions	Accounting Year(s)
1	2	3
1.	RST, Nagpur	2009-10 & 2010-11
2.	CNCI, Kolkata	2009-10 & 2010-11
3.	MNJIO, Hyderabad	2008-09 to 2010-11
4.	Kidwai Memorial Institute of Oncology, Bengaluru	2007-08 to 2010-11
5.	GCRI, Ahmedabad	2007-08 to 2010-11

1	2	3
6.	B.B. Cancer Institute, Guwahati	2007-08 to 2010-11
7.	Kamla Nehru Memorial Hospital, Allahabad	2007-08 to 2010-11
8.	Kasturba Health Society, Sewagram, Wardha (MG)	2010-11
9.	North Eastern Indira Gandhi Institute of Health and Medical Science, Shillong	2010-11
10.	Medical Council of India, Delhi	2010-11
11.	National Academy of Medical Sciences, Delhi	2010-11
12.	National Board of Examination	2010-11
13.	Post Graduate Institute of Medical Education and Research, Chandigarh	2010-11
14.	All India Institute of Medical Sciences, New Delhi	2010-11
15.	All India Institute of Speech and Hearing, Mysore	2010-11
16.	National Institute of Health and Family Welfare, New Delhi	2010-11
17.	International Institute of Population Studies, Mumbai	2010-11
18.	Hindustan Latex Ltd., Thiruvanthapuram	2010-11
19.	National Population Stabilization Fund	2010-11
20.	L.G.B. Regional Institute of Mental Health, Tezpur	2010-11
21.	Regional Institute of Medical Sciences, Imphal, Manipur	2010-11
22.	JIPMER, Puducherry	2010-11
23.	Food Safety and Standard Authority of India, New Delhi	2010-11
24.	Indian Pharmacopoeia Commission, Ghaziabad	2010-11
25.	Central Council for Research in Yoga and Naturopathy (CCRYN), New Delhi	2010-11
26.	Morarji Desai National Institute of Yoga, New Delhi	2010-11
27.	National Institute of Naturopathy, Pune	2010-11
28.	Central Council for Research in Homoeopathy, New Delhi	2010-11
29.	National Institute of Homoeopathy, Kolkata	2010-11
30.	Central Council of Homoeopathy, New Delhi	2010-11
31.	Indian Medicines Pharmaceutical Corporation Ltd., Mohan	2010-11

1	2	3
32.	Central Council for Research in Ayurvedic and Siddha, New Delhi	2010-11
33.	Central Council for Research in Unani Medicine, New Delhi	2010-11
34.	National Institute of Unani Medicine, Bengaluru	2010-11
35.	National Institute of Ayurveda, Jaipur	2010-11
36.	Institute of Post Graduate Teaching and Research in Ayurveda, Jamnagar	2010-11
37.	Rashtriya Ayurved Vidyapeeth, New Delhi	2010-11
38.	Indian Council of Medical Research, New Delhi	2010-11
39.	AIDS Prevention and Control Project (APAC), Chennai	2010-11

[Placed in Library, See No. LT 6052/15/11]

(8) A copy of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Amendment Rules, 2011 (Hindi and English versions) published in Notification No. G.S.R. 426(E) in Gazette of India dated 2nd June, 2011, under Section 34 of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994.

(9) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (8) above.

[Placed in Library, See No. LT 6053/15/11]

11.03 hrs.

MESSAGES FROM RAJYA SABHA
AND
BILL AS RETURNED BY RAJYA SABHA
WITH AMENDMENT*

[English]

SECRETARY-GENERAL: Madam Speaker, I have to

*Laid on the Table.

report the following messages received from the Secretary-General of Rajya Sabha:—

(i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 21st December, 2011, agreed without any amendment to the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Amendment Bill, 2011, which was passed by the Lok Sabha at its sitting held on the 12th December, 2011."

(ii) 'I am directed to inform the Lok Sabha that the Academy of Scientific and Innovative Research Bill, 2011, which was passed by the Lok Sabha at its sitting held on the 5th September, 2011, has been passed by the Rajya Sabha at its sitting held on the 21st December, 2011, with the following amendments:—

CLAUSE 9

1. That at page 7, for line 7, the following shall be substituted, namely:—

“(2) The Academy shall make”

2. That at page 7, line 11, *after* the word “citizens” the following shall be *inserted*, namely:—

5 of 2007 “and any exemption from making such reservation under the proviso to clause (b) of section 4 of the Central Educational Institutions (Reservation in Admission) Act, 2006 shall not be applicable to this Academy.”

I am, therefore, to return herewith the said Bill in accordance with the provisions of rule 128 of the Rules of Procedure and Conduct of Business in the Rajya Sabha with the request that the concurrence of the Lok Sabha to the said amendments be communicated to this House.’

Madam Speaker, I lay on the Table the Academy of Scientific and Innovative Research Bill, 2011, as returned by Rajya Sabha with amendment on the 21st December, 2011.

11.04 hrs.

COMMITTEE ON ESTIMATES

12th Report

[English]

SHRI FRANCISCO COSME SARDINHA (South Goa): Madam, I beg to present the Twelfth Report (Hindi and English versions) of Committee on Estimates on action taken by the Government on the recommendations contained in the Seventh Report of the Committee (Fifteenth Lok Sabha) on the subject ‘Sports – Policy, Infrastructure and Training Facilities’ pertaining to the Ministry of Youth Affairs and Sports (Department of Sports).

11.04½ hrs.

COMMITTEE ON ABSENCE OF MEMBERS
FROM THE SITTINGS OF THE HOUSE

Minutes

[Translation]

DR. BALIRAM (Lalganj): I beg to lay on the Table the minutes (Hindi and English versions) of the 5th sitting of the Committee on Absence of Members from the Sittings of the House held on 14 December, 2011.

11.05 hrs.

STANDING COMMITTEE ON INFORMATION
TECHNOLOGY

27th and 28th Reports

[English]

SHRI RAO INDERJIT SINGH (Gurgaon): I beg to present the following Reports (Hindi and English versions) of the Standing Committee on Information Technology (2011-12):—

- (1) Twenty-seventh Report on Action Taken by the Government on the Recommendations/Observations of the Committee contained in the Twenty-third Report (Fifteenth Lok Sabha) on Demands for Grants (2011-12) relating to the Ministry of Communications and Information Technology (Department of Information Technology).
 - (2) Twenty-eighth Report on Action Taken by the Government on the Recommendations/Observations of the Committee contained in the Twenty-fourth Report (Fifteenth Lok Sabha) on Demands for Grants (2011-12) relating to the Ministry of Communications and Information Technology (Department of Posts).
-

11.05¼ hrs.

STANDING COMMITTEE ON ENERGY

23rd Report

[English]

SHRI P.C. CHACKO (Thrissur): I beg to present the Twenty-third Report (Hindi and English versions) of the Committee on Energy on Action Taken by the Government on the recommendations contained in their Fourteenth Report on 'Transmission and Distribution Systems and Networks'.

11.05½ hrs.

STANDING COMMITTEE ON EXTERNAL AFFAIRS

Statement

[English]

SHRI ANANTH KUMAR (Bangalore South): I beg to lay on the Table the Statement (Hindi and English versions) showing action taken by the Government on the recommendations contained in the Seventh Report (Fifteenth Lok Sabha) of the Standing Committee on External Affairs on the replies to the recommendations contained in the Third Report (Fifteenth Lok Sabha) on Demands for Grants of the Ministry of Overseas Indian Affairs for the year 2010-2011.

11.06 hrs.

STANDING COMMITTEE ON FINANCE

44th to 48th Reports

[English]

SHRI YASHWANT SINHA (Hazaribagh): I beg to present the following Reports (Hindi and English versions) of the Standing Committee on Finance (2011-12):—

- (1) Forty-fourth Report on Action Taken by the Government on the recommendations contained in the Thirty-third Report (Fifteenth Lok Sabha)

on Demands for Grants (2011-12) of the Ministry of Finance (Departments of Economic Affairs, Expenditure, Financial Services and Disinvestment).

- (2) Forty-fifth Report on Action Taken by the Government on the recommendations contained in the Thirty-fourth Report (Fifteenth Lok Sabha) on Demands for Grants (2011-12) of the Ministry of Finance (Department of Revenue).
- (3) Forty-sixth Report on Action Taken by the Government on the recommendations contained in the Thirty-fifth Report (Fifteenth Lok Sabha) on Demands for Grants (2011-12) of the Ministry of Planning.
- (4) Forty-seventh Report on Action Taken by the Government on the recommendations contained in the Thirty-sixth Report (Fifteenth Lok Sabha) on Demands for Grants (2011-12) of the Ministry of Statistics and Programme Implementation.
- (5) Forty-eighth Report on Action Taken by the Government on the recommendations contained in the Thirty-seventh Report (Fifteenth Lok Sabha) on Demands for Grants (2011-12) of the Ministry of Corporate Affairs.

11.06½ hrs.

STANDING COMMITTEE ON FOOD, CONSUMER
AFFAIRS AND PUBLIC DISTRIBUTION

15th Report

[English]

SHRI VILAS MUTTEMWAR (Nagpur): I beg to present the Fifteenth Report (Hindi and English versions) of the Standing Committee on Food, Consumer Affairs and Public Distribution (2011-12) on "The Forward Contracts (Regulation) Amendment Bill, 2010" pertaining to the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs).

11.07 hrs.

STANDING COMMITTEE ON PETROLEUM AND
NATURAL GAS

9th and 10th Reports

[English]

SHRI ARUNA KUMAR VUNDAVALLI (Rajahmundry): I beg to present the following Reports (Hindi and English versions) of the Standing Committee on Petroleum and Natural Gas (2011-12):—

- (1) Ninth Report on 'Challenges of Under-recoveries of Petroleum Products'.
- (2) Tenth Report on Action Taken by the Government on the recommendations contained in the Eighth Report (Fifteenth Lok Sabha) of the Committee on 'Demands for Grants (2011-12) of the Ministry of Petroleum and Natural Gas'.

11.07½ hrs.

STANDING COMMITTEE ON SOCIAL
JUSTICE AND EMPOWERMENT

18th Report

[Translation]

SHRI DARA SINGH CHAUHAN (Ghosi): I beg to present the Eighteenth Report (Hindi and English versions) on Action Taken by the Government on the observations/recommendations contained in the Tenth Report of the Standing Committee on Social Justice and Empowerment (Fifteenth Lok Sabha) on the subject "Implementation of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 — rules made thereunder" pertaining to the Ministry of Tribal Affairs.

11.07¾ hrs.

STANDING COMMITTEE ON HOME AFFAIRS

156th Report

[English]

DR. KAKOLI GHOSH DASTIDAR (Barasat): I beg to lay the One Hundred and Fifty-sixth Report (Hindi and English Versions) of the Standing Committee on Home Affairs on Action Taken by Government on the recommendations/observations contained in the One Hundred and Forty Second Report on Implementation of Central Scheme of Modernisation of Prison Administration.

11.08 hrs.

STATEMENTS BY MINISTERS

- (i) **Status of implementation of the recommendations contained in the 198th Report of the Standing Committee on Industry on Professionalization of Boards of CPSEs, pertaining to the Department of Public Enterprises, Ministry of Heavy Industries and Public Enterprises***

[English]

THE MINISTER OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI PRAFUL PATEL): Madam, I beg to lay a statement regarding the status of implementation of the recommendations contained in the 198th Report of the Standing committee on Industry on Professionalization of Boards of CPSEs, pertaining to the Department of Public Enterprises, Ministry of Heavy Industries and Public Enterprises in pursuance of the Direction issued by the hon. Speaker, Lok Sabha vide Parliamentary Bulletin Part-II dated 1.9.2004.

*Laid on the Table and also placed in Library, See No. LT 6054/15/11.

MADAM SPEAKER: Shrimati Panabaka Lakshmi —
Not present.

11.09 hrs.

MOTION RE: THIRTY-THIRD REPORT OF
BUSINESS ADVISORY COMMITTEE

[English]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND
MINISTER OF WATER RESOURCES (SHRI PAWAN
KUMAR BANSAL): Madam, I beg to move:

“That this House do agree with the Thirty-third Report
of the Business Advisory Committee presented to the
House on 21st December, 2011.”

MADAM SPEAKER: The question is:

“That this House do agree with the Thirty-third Report
of the Business Advisory Committee presented to the
House on 21st December, 2011.”

The motion was adopted.

11.10 hrs.

GOVERNMENT BILLS — INTRODUCED

(i) THE NATIONAL FOOD SECURITY BILL*

[English]

THE MINISTER OF STATE OF THE MINISTRY OF
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(PROF. K.V. THOMAS): Madam, I beg to move for
leave to introduce a Bill to provide for food and nutritional
security, in human life cycle approach, by ensuring access
to adequate quantity of quality food at affordable prices,
to people to live a life with dignity and for matters
connected therewith or incidental thereto.

*Published in the Gazette of India, Extraordinary, Part-II, Section-2,
dated 22.12.2011.

MADAM SPEAKER: The question is:

“That leave be granted to introduce a Bill to provide
for food and nutritional security, in human life cycle
approach, by ensuring access to adequate quantity of
quality food at affordable prices, to people to live a
life with dignity and for matters connected therewith
or incidental thereto.”

The motion was adopted.

PROF. K.V. THOMAS: I introduce* the Bill.

[Translation]

SHRI SHAILENDRA KUMAR (Kaushambi): Madam, I
have given notice of the adjournment motion, please
consider it. ...*(Interruptions)*

SHRI R.K. SINGH PATEL (Banda): Madam, please get
the report of Sacchar Committee implemented. ...*(Interrup-
tions)*

[English]

MADAM SPEAKER: Shrimati Panabaka Lakshmi.

11.10½ hrs.

STATEMENTS BY MINISTERS — *Contd.*

(ii) **Status of implementation of the recommenda-
tions contained in the 16th Report of the
Standing Committee on Labour on ‘Develop-
ment of Jute Sector’, pertaining to the Ministry
of Textiles****

[English]

THE MINISTER OF STATE IN THE MINISTRY OF
TEXTILES (SHRIMATI PANABAKA LAKSHMI): Madam, in
pursuance of direction 73 (A) of the hon. Speaker, Lok
Sabha published in Lok Sabha Parliamentary Bulletin-

*Introduced with the recommendation of the President.

**Laid on the Table and also placed in Library, See No. LT 6055/
15/11.

[Shrimati Panabaka Lakshmi]

Part-II dated September 1, 2004, I beg to lay this statement on the status of implementation of the recommendations contained in the 16th Report of the Standing Committee on Labour on 'Development of Jute Sector'.

The Standing Committee on Labour examined and presented its Sixteenth Report in the Lok Sabha on 8th March, 2011. The recommendations of the Committee focus on 'Development of Jute Sector'. The recommendations contained in the report have been examined in the Ministry of Textiles, and a statement on the action taken/proposed to be taken on these recommendations was submitted to the Standing Committee on Labour on 10th August, 2011. The Ministry of Textiles is committed to implement the recommendations of the Committee in their true spirit.

I also lay herewith the status of implementation of these recommendations on the Table of the House.

11.11 hrs.

MATTERS UNDER RULE 377*

[English]

MADAM 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. The rest will be treated as lapsed.

- (i) **Need to introduce a scheme to provide financial assistance to the Safai Karamacharis in the country**

SHRIMATI BOTCHA JHANSI LAKSHMI (Vizianagaram): I would like to bring to the notice of the Government

*Treated as laid on the Table.

regarding the plight of the manual scavengers in Vizianagaram district, Andhra Pradesh.

Even after 63 years of independence, it is really shameful that some people earn their livelihood by cleaning human excreta with their hands. Over the years, books have been written, committees and commissions have been set up, laws have been enacted and crores of rupees have been spent to eradicate manual scavenging. But the practices of manual scavenging still continues in the country.

Several State Governments have denied in court about the existence of manual scavenging despite evidences.

Manual scavengers are prone to skin diseases over a short period of time. In this country out of total number of scavengers, 95 per cent are women scavengers. In Andhra Pradesh which I represent, there are 13 lakh sweeper-scavengers. There is an urgent need to rehabilitate them by providing hand-gloves and masks in absence of which, they are falling prey to diseases like respiratory problem, gastroenteritis, particularly skin diseases.

It is a matter of great sorrow that the community engaged in this job is looked down and isolated from the main society. Though Dry Latrines Act was enacted in 1993, still half of the States are yet to implement it. Now, the manual scavenging job has been outsourced. But the people who are continuing this occupation are not getting any financial help like senior citizen pension. Apart from this, they are overburdened with occupation-related diseases. They are feeling helpless and facing constant health risks and looking forward for financial help from the Government. In spite of introduction of automatic scavenging, their condition has not been improved. Government should take immediate remedial measures in the matter.

A scheme to provide financial assistance to safai karmacharis should be formulated immediately like the schemes for extension of financial assistance to handi-capped persons.

(ii) Need to start laying of railway lines from Ramganjmandi to Jhalawar in Rajasthan and from Agar to Ujjain in Madhya Pradesh

[Translation]

SHRI SAJJAN VERMA (Dewas): It was emphasized in the budget speech of 2009 that the railway tracks would be first of all laid down on no profit - no loss basis in those Scheduled Castes/Scheduled Tribes dominated areas which have been left behind in the race for development. There are two such Parliamentary Constituencies – Dewas, Shajapur and Ujjain which are Scheduled Castes/Scheduled Tribes dominated areas are underdeveloped where in the past few years 'the then' Minister of Railways performed 'Bhoomi Poojan' in the big function for conducting survey for laying of railway lines from Ranganjmandi to Jhalawar in Rajasthan and from Agar to Ujjain in Madhya Pradesh. The survey of this new railway line has not been completed and its D.P.R. has also been prepared. But the action plan of this railway line has not been sent to the Planning Commission for approval. Each time letters were sent to the hon. Minister of Railways with regard to this railway line and when question was raised in the Lok Sabha, it was said that the said railway line will lead to losses thus it cannot be laid. The words of His Excellency, the President and hon. Minister of Railways may not prove sham. Therefore, I urge the Union Government to include this important project of my Parliamentary Constituency Dewas in the 2012-2013 budget after getting it approved from the Planning Commission.

(iii) Need to ensure criteria for sanctioning gas allocation certificates to power plants before they get loans from Power Finance Corporations (PFCs)

[English]

SHRI PONNAM PRABHAKAR (Karimnagar): I would like to draw the kind attention of the august House regarding the important issue of loans given by Power Finance Corporations to Power Plants which are having

gas allocation certificates prior to the construction of such power plants.

The power plants require gas allocation. Recently, EGoM has adopted a criteria that the gas should be allocated to the ongoing projects only. But it is evident that the private players are setting up power plants and taking loans from Power Finance Corporation without any gas allocation in the initial stages. Later, the private companies are insisting that they need gas allocation because they have already set up the power plants and taken the loans from Power Finance Corporation and if the Power Plants are closed, it is not their responsibility to re-pay the loan amount to PFCs. During the last one decade, many power plants especially Nedunoor project of 2100 MW gas based Combined Cycle Power Plant in my Karimnagar Parliamentary Constituency was closed down due to the non-allocation of gas for which the reasons are not known. I have already represented this to Hon'ble Prime Minister, Hon'ble Minister for Petroleum and Natural Gas. Not action has been taken on the request. Whereas, during the last one decade, many private players have constructed power plants and earned a huge amount by selling the same to various State Governments and for other purposes, which is actually not in the national interest. PFCs may incur heavy losses by giving the loans to the power plants on the verge of close.

In this regard, I request the Hon'ble Minister for Power, through the Chair, to kindly include and ensure criteria for sanctioning of gas allocation certificate before the Government or private Power Plants get the loans through PFCs in order to protect the national interest of our country.

(iv) Need to widen the railway over bridge on Nagpur-Mumbai Highway in Wardha city, Maharashtra

[Translation]

SHRI DATTA MEGHE (Wardha): Madam, I would like to draw the attention of the Government towards the urgent need to widen to old railway over bridge in my Parliamentary Constituency Wardha city.

[Shri Datta Meghe]

The demand for widening flyover of Wardha city railway station in my Parliamentary Constituency has been raised many times but no action has been taken in this regard till date. This railway over bridge is on Nagpur-Mumbai Highway where trains ply under it. But due to less width of this railway over bridge the instances of traffic jam and accidents have become common place. People are agitated due to such problems.

I urge the hon. Minister of Railways to resolve this problem of Wardha city as soon as possible and start the work of widening the railway over bridge immediately.

- (v) Need to solve the interstate water disputes between Odisha and Andhra Pradesh with a view to benefit the farmers of Srikakulam and Vizianagaram districts of Andhra Pradesh**

[English]

DR. KRUPARANI KILLI (Srikakulam): There are four inter-state rivers namely Vamsadhara, Bahuda, Mahendratana and Nagavali, which originate from Odisha, and flow through Andhra Pradesh to join Bay of Bengal. These rivers are the main source of irrigation in Srikakulam and Vizianagaram districts of Northern Andhra Pradesh. Due to very minor interstate disputes between Odisha and Andhra Pradesh, the districts of Andhra Pradesh are unable to utilize the river water and continue to be backward districts. Most of the farmers and agricultural labourers are migrating to the other parts of the country due to drought and unemployment. About 20,000 acres of agricultural land situated near Bahuda, Mahendratana river and Nagavali rivers is not getting water for irrigation. The pending State-II works on river Vamsadhara alone will irrigate 1.2 lakh acres of land. The disputes relating to all the above four rivers between Odisha and Andhra Pradesh are to be resolved so as to benefit the farmers of Srikakulam and Vizianagaram districts of Andhra Pradesh.

Hence, I request the Hon'ble Minister for Water Resources to kindly look into the issues and resolve the

inter-state water disputes between Odisha and Andhra Pradesh at the earliest for the benefit of farmers and agricultural labourers.

- (vi) Need to expedite introduction of bi-weekly A.C. Duronto Express train between Madurai and Chennai in Tamil Nadu**

SHRI N.S.V. CHITTHAN (Dindigul): The Minister of Railways in her speech while presenting the railway budget for the year 2011-2012 (Budget speech para no. 34) announced that a Bi-weekly A.C. Duronto Express will be introduced between Madurai and Chennai. Madurai and Chennai is a vital sector of the Railways having very heavy traffic. Passengers are not able to get accommodation for months together. Since the Government of Tamil Nadu has recently steeply increased the bus fare, the railway is the cheap mode of transport for common man. It is reasonable to increase the frequency of trains between Madurai and Chennai.

The Omni bus operators are fleecing money from the travellers by way of demanding exorbitant rate by way of ticket from those who travel in their buses.

More than 10 months have passed since the Railway Minister announced on the floor of the House to introduce bi-weekly A.C. Duronto Express between Madurai and Chennai but nothing has been done in this regard.

I urge upon the Hon'ble Minister of Railways to introduce bi-weekly A.C. Duronto Express train between Madurai and Chennai for the convenience of the passengers who live in that sector immediately.

- (vii) Need to construct a new bridge beneath the existing golden bridge over river Narmada in Bharuch Parliamentary Constituency, Gujarat**

[Translation]

SHRI MANSUKHBHAI D. VASAVA (Bharuch): There are many big indigenous and foreign industries in the Ankaleshwar and Dahej area in my Parliamentary

Constituency, Bharuch where thousands of workers go to work in their cars and two wheelers through the British era golden bridge over river Narmada. The officers and employees of these companies often get late to office due to traffic jam on the bridge during peak hours in morning and evening. The Surat bound small vehicles face a lot of problems as they get stuck in traffic jam on bridge. There is a possibility of constructing a new bridge beneath the existing golden bridge. If a new bridge is constructed under the golden bridge, it will equip the people to face severe problems in future. It is true that the flow of traffic will increase on this bridge in future and there is a possibility of huge traffic jam as well. It will be wise to resolve the problem likely to arise in future before hand.

I urge the Government through the House to construct a new bridge beneath the existing golden bridge over river Narmada in my Parliamentary Constituency Bharuch.

(viii) Need to undertake the expansion of Sone Canal and North Koel canal in order to provide irrigation facilities to farmers in Gaya Parliamentary Constituency, Bihar.

SHRI HARI MANJHI (Gaya): I would like to invite the attention of the House and the hon. Minister of water resources towards my Parliamentary Constituency, Gaya. The Western part of Aurangabad district adjoining my Parliamentary Constituency Gaya is irrigated through Sone canal and North Koel canal. On the contrary there is no permanent arrangement for irrigation in Gaya as a result of which tens of acres of land is lying barren for want of irrigation facility. I demand to hon. Minister of Water Resource to undertake the expansion of both the canals and provide irrigation facility to the farmers of Gaya district. The expansion of the said canals will irrigate the land of hundreds of farmers.

(ix) Need to implement uniform rule for issuance of arm licences in the country

SHRI ASHOK ARGAL (Bhind) : The citizens of the country obtain arm licences for self defence. Licence is

issued after the prior permission granted by police station, additional superintendent of police, superintendent of police or Deputy Commissioner. But today arm licence Rules lack uniformity in the country, as a result of which arm licences of the people of a certain category are valid throughout the country whereas the arm licences issued to the common people are valid within their concerned States due to which the common people have to face problems.

I urge the Union Government to implement uniform rules for issuance of arm licences in the country and the arm licences issued to people should be valid across the country.

(x) Need to provide minimum wages to Aanganwadi workers in Jharkhand and regularize their services

SHRI RAVINDRA KUMAR PANDEY (Giridih): The number of Aanganwadi workers/helpers in Jharkhand is more than 30 thousand. They impart education and take care of children from deprived sections of society in rural areas for their better future. Not only this, they also participate in a number of social works related to health and census. The future of their children is dark because their honorarium is not at par with the minimum wages fixed by the Government. Their various organizations have been agitating in this regard and making demands at various levels to regularize their services and provide them the status of the Government employees.

Hence I urge the Union Government to provide minimum wages to the said Aanganwadi workers/helpers and regularize their services as Government employees.

(xi) Need to allocate funds for widening and maintenance of roads under the control of Cantonment Board in Belagum, Karnataka

[English]

SHRI SURESH ANGADI (Belgaum): Belgaum is regarded as second Capital city of Karnataka and fastest

[Shri Suresh Angadi]

growing city. Developmental activities like construction of roads or its improvements etc. are being undertaken by the State Government. But, some stretches of the roads in the city, under the control of Cantonment Board/Military Engineering Services, are in dilapidated condition. The main roads connecting the National Highway (NH-4A) and city roads under the control of Cantonment Board also need repair. Due to narrowness of the roads and increase in vehicular traffic movements, fatal accidents are occurring. A stretch of road opposite to Kagal Hospital, near Mahadev Temple, Belgaum and General Thimayya road, the most used road which connect busy locality of Tilakwadi, is in a horrific state and a nightmare to travel on it.

The Belgaum Cantonment Board should maintain the stretches of roads under their control. However, it is learnt that these roads could be maintained by the Board only if they are provided with additional/special grant of funds for this purpose.

Therefore, I urge upon the Ministry of Defence to allocate additional/special grant of funds to the Belgaum Cantonment Board for widening/maintenance of the roads under their control in the interest of the people of Belgaum.

(xii) Need to broadcast programmes in Santhali language by Doordarshan Kendra of Cuttack and Bhubaneswar

SHRI LAXMAN TUDU (Mayurbhanj): The Santhali language mostly spoken in the district of Mayurbhanj, Keonjhar, Sundergarh, Balasore, Khurda, Nalco and Bhubaneswar of Odisha. The Santhali Language is one of the recognized languages under the Eighth Schedule to the Constitution of India. The people of adjoining West Bengal and Jharkhand areas are availing the programmes broadcast in Santhali language. But the Doordarshan Kendras of Cuttack and Bhubaneswar are not broadcasting any programme in Santhali language. So most of the people are deprived of the benefit of schemes related to rural development and tribal development because they are not understanding and getting timely knowledge of

above schemes and programme sponsored by the Government of India or Government of Odisha. The required awareness and awakening is not generated among the people knowing the Santhali language.

I would like to make a request to the Government to instruct the Doordarshan Kendra of Cuttack and Bhubaneswar to dedicate some hours for broadcasting of programmes related to development schemes of tribal and rural areas as well as entertainment programme in Santhali Language so that backward and tribal community can be brought into national mainstream.

(xiii) Need to formulate a comprehensive development scheme in Jharkhand to bring people under the influence of naxalism into the mainstream of the country

[Translation]

SHRI KAMESHWAR BAITHA (Palamau): I demand that the Government should implement various scheme for the welfare of naxalites in Jharkhand in order to bring them into the mainstream of the country. The said schemes should be implemented in naxal affected areas without further delay so that these people may be brought into the mainstream of the country and the problem of naxalism may be overcome.

The Government should be sensitive in regard to the issue as to how to bring naxalites in the mainstream.

Hence, I invite the attention of the Government toward this issue.

11.11½ hrs.

THE CONSTITUTION (ONE HUNDRED AND ELEVENTH AMENDMENT BILL, 2009

(Insertion of new article 43B) — Contd.

[English]

MADAM SPEAKER: Now, we will take up Item No. 25, Shri Arjun Ram Meghwal.

[Translation]

Shri LALU PRASAD (Saran): Madam Speaker, may I speak?...*(Interruptions)*

MADAM SPEAKER: Look, I would give you time to speak. Let us take up this Bill first. Please sit down.

...*(Interruptions)*

SHRI SHAILENDRA KUMAR (Kaushambi): We have also given notice of adjournment motion. ...*(Interruptions)*

MADAM SPEAKER: Please sit down. I will give you time.

SHRI ARJUN RAM MEGHWAL (Bikaner): Madam Speaker, I am grateful to you for allowing me to speak on this Constitutional Amendment Bill which is related to cooperative committees.

Madam Speaker, this Bill was introduced in Lok Sabha on 30 November, 2009 and later this Bill was sent to the Standing Committee. This amendment has been brought on the recommendations of the Standing Committee. As per the amendment changes have been made in part four of the Constitution which is related to directive principles of State policy. From article 243 to cooperative societies, everything has been stated is included in the seventh schedule of the constitution and it has been marked on the 32nd entry of the State list. I would like to inform you that there are two structures of cooperative societies in this country. First one is short-term structure which includes Gram Seva Cooperative Committee, Central Cooperative banks and Apex banks. The second structure is long-term structure which includes primary land development banks, State level development banks and dairy structure which includes milk cooperative societies, milk unions and milk federation. There is a fertilizer based structure. Cooperative sector has a big stake in this too. There is a marketing sector within the fertilizer sector and sale purchase cooperative on tehsil and also on State level. I come from Rajasthan and there is Rajfed. Likewise, there are agencies in other States which monitor support price.

*Not recorded.

I would like to say through you that this amendment is a welcome step but the motto of cooperative revolution was – “Ek sabke liye our sab ek ke liye.” This motto was one of cooperation. Few things have been introduced in this amendment apart from this main motto. There was another motive of the cooperative revolution and it was to get rid of middlemen. People in villages had to go to money leaders. It was then that a system of providing credit facility to village people was made and GSS was set up. The provision of short-term loans and long-term loans and loans through cooperatives were added in its. This structure was set up. The main point in this amendment is that this board would not be suspended for more than six months. ...*(Interruptions)*

MADAM SPEAKER: I will listen to you, please have patience. The House will also listen. Please sit down.

...*(Interruptions)*

SHRI ARJUN RAM MEGHWAL: This main point has been introduced in it that the board will not be suspended for more than six months. This is a welcome step. ...*(Interruptions)*

SHRI SHAILENDRA KUMAR: Madam, please listen to us. ...*(Interruptions)*

MADAM SPEAKER: I will.

...*(Interruptions)*

SHRI ARJUN RAM MEGHWAL: It has been mentioned in it that penalty will be imposed on the State Governments. Elections will be held before the expiry of the term of the board. This has been mentioned in it. ...*(Interruptions)*

SHRI LALU PRASAD: Madam, I am on my legs, please listen to me first. ...*(Interruptions)*

MADAM SPEAKER: Please sit down.

...*(Interruptions)*

SHRI LALU PRASAD: I am on a point of order.
 ...(Interruptions)

MADAM SPEAKER: On which rule? Please quote the rule. ...*(Interruptions)*

[English]

MADAM SPEAKER: Nothing will go on record.

*(Interruptions)...**

[Translation]

MADAM SPEAKER: We will give you enough time to speak. Please sit down.

...(Interruptions)

SHRI LALU PRASAD: This debate will take two hours.
 ...*(Interruptions)*

MADAM SPEAKER: No, it will not take two hours. Please sit down.

...(Interruptions)

11.15 hrs.

At this stage, Shri Lal Prasad, Shri Shailendra Kumar and some other hon. Members came and stood on the floor near the Table

...(Interruptions)

SHRI ARJUN RAM MEGHWAL: I, through you, would like to submit that Non-Performing Assets (NPA) in cooperative sector has increased to a great extent. ...*(Interruptions)* The main reasons for increasing Non-Performing Assets are that in short-term NPA has decreased but not in long-term. ...*(Interruptions)* The policy of the Government with regard to providing long-term loan is not appropriate because NPA in long-term

*Not recorded.

has not reduced. Through this amendment efforts have not been made to correct the system. Therefore, we protest this amendment. ...*(Interruptions)* I would like to mention that bring the House in order, I want to speak. ...*(Interruptions)*

11.16 hrs.

At this stage, Shri Lal Prasad, Shri Shailendra Kumar and some other hon. Members went back to their Seats

SHRI ARJUN RAM MEGHWAL: Madam Speaker, it has been mentioned in Para No. 3 of Statement of object and Reasons of the Bill that the system of cooperative societies will be democratised. ...*(Interruptions)* They have claimed that the system of cooperative societies will be made professional, autonomous and economically sound. ...*(Interruptions)* These are the four key objectives of the Bill. ...*(Interruptions)* But the basic objective is still missing. I would like to inform that a committee in the Chairmanship of Chaudhary Brahm Prakash was constituted in the decade of 90s, that too had made some recommendations. ...*(Interruptions)* Therefore, the Cooperative Ministers in various States frequently organised cooperative conferences which also made good recommendations. Then Vaidyanath Committee was constituted which also made recommendations with regard to credit structure in the country. ...*(Interruptions)* The said recommendations have not been assimilated into this. ...*(Interruptions)*

MADAM SPEAKER: You sit down please.

...(Interruptions)

[English]

MADAM SPEAKER: Nothing will go on record.

*(Interruptions)...**

*Not recorded.

[Translation]

SHRI ARJUN RAM MEGHWAL: I, through you would like to inform that an idea emerged in the conferences held by the Cooperatives Ministers of various States was [English] "A strong need has been felt for amending the Constitution so as to keep to co-operatives free from unnecessary outside interference and also to ensure their autonomous organisational set up and their democratic functioning."

...(Interruptions)

11.19 hrs.

At this stage, Shri Lalu Prasad, Shri Shailendra Kumar and some other hon. Members came and stood on the floor near the Table

[Translation]

SHRI ARJUN RAM MEGHWAL: This was the objective of this Bill. But this bill does not mention as to how resources will be made available on cost price. How to get rid of middleman?... (Interruptions)

MADAM SPEAKER: Please conclude now.

...(Interruptions)

SHRI ARJUN RAM MEGHWAL: I, through you, would like to say that the cap of 21 members in the Board to Directors it not appropriate. ... (Interruptions). Five year period has been fixed. One seat has been reserved for SC and ST. ... (Interruptions)

MADAM SPEAKER: Please do not speak at length. Conclude now.

...(Interruptions)

SHRI ARJUN RAM MEGHWAL: I urge the Government to reserve one seat for Scheduled Caste and one for Scheduled Tribe. There is only one seat under which they do not have right to vote. ... (Interruptions)

[English]

MADAM SPEAKER: Alright, please take your seat.

(Interruptions)...*

[Translation]

MADAM SPEAKER: Please take your seat now. You have made your point at length.

SHRI ARJUN RAM MEGHWAL: I would like to say that the structure of loan should be as per the terms and conditions of NABARD and provisions should be made in this Act to ensure the implementation of the said terms and conditions.

MADAM SPEAKER: Please take you seat. You have made your point.

...(Interruptions)

[English]

DR. M. THAMBIDURAI (Karur): I oppose introduction of this Bill.

MADAM SPEAKER: Now, the hon. Minister will reply.

...(Interruptions)

MADAM SPEAKER: Nothing will go on record except what the hon. Minister is saying.

(Interruptions)...*

THE MINISTER OF AGRICULTURE AND MINISTER OF FOOD PROCESSING INDUSTRIES (SHRI SHARAD PAWAR): Madam Speaker, at the very outset, I would like to thank all the hon. Members of this House for giving such overwhelming support to the proposed Bill.... (Interruptions) I congratulate the hon. Members for their keen interest and concern for strengthening the cooperative sector in the country, which has emerged as one of the most important institutions to serve the economically weaker sections of the society.... (Interruptions)

*Not recorded.

[Shri Sharad Pawar]

I am very grateful to the hon. Members who have given very useful suggestions for making improvements in the governance of cooperative societies in the country. ...
(Interruptions)

Madam, as I have already indicated in my speech yesterday, the cooperative movement has seen considerable growth in many important sectors of the economy. ...
(Interruptions)

Madam, with your permission, may I lay the rest of my speech on the Table of the House?

MADAM SPEAKER: Yes.

SHRI SHARAD PAWAR: *An overwhelming majority of about six lakh cooperatives are registered under the respective State Cooperative Societies Act. Only about 600 Multi-State Cooperative Societies are registered in the country under the Multi-State Cooperative Societies Act, 2002, which is a Central Act. Therefore, the States have to primarily take steps to strengthen the cooperatives in the country. The Government of India is always prepared to guide and support the States in this endeavour.

The cooperative movement in the world is more than 200 years old. In our country also, cooperative style of working has been part of our life and prevalent for centuries. However, the cooperative societies were formally incorporated when the Cooperative Credit Societies Act, 1904 was passed. The State of Assam and Tamil Nadu were the first to introduce cooperative banks to provide credit to the weaker sections of the people. The cooperative societies namely Rajahauli Village Bank, Jorhat, Jorhat Cooperative Town Bank and Charigaon Village Bank, Jorhat in Assam and Tirur Primary Agricultural Cooperative Bank Limited, in Tamil Nadu were constituted in the year 1904. This was closely followed by the cooperatives registered in Madhya Pradesh, Punjab, Odisha, Karnataka and West Bengal in the year 1905.

A Model Cooperative Societies Act was finalized in 1990 on the recommendations of an Expert Committee under the chairmanship of Ch. Brahm Prakash to take the cooperative movement forward and suggest a future direction for cooperatives. However, since 'Cooperation' is a State subject, certain difficulties were experienced in making amendment in the State Cooperative Acts on the lines of Model Cooperatives Act. Subsequently, Parallel Cooperative Legislation for self-reliant cooperatives have been proposed for the governance of those cooperatives, which have not received any assistance from the government. So far, only 9 States have enacted this Parallel Cooperative Act, which provides for more autonomous and democratic functioning of cooperatives.

The Parliament has also enacted the Multi State Cooperative Societies Act for promoting cooperative societies with objects not confined to one State and serving the interests of members in more than one State. The Multi State Cooperative Societies Act with its progressive provisions for the democratic member control and autonomous functioning, has helped to create successful national level cooperatives such as IFFCO and KRIBHCO.

The IFFCO was registered on November 3, 1967 as a cooperative society. The society is primarily engaged in production and distribution of fertilizers. It is a unique venture in which the farmers of the country through their own cooperative societies created this new institution to safeguard their interests. The number of cooperative societies associated with IFFCO have risen from 57 in 1967 to 39,824 at present. IFFCO's annual capacity has been increased to 3.69 million tonnes of Urea and NPK/DAP equivalent to 1.71 million tonnes. In addition, essential agro-inputs for crop production are made available to the farmers through a chain of 158 Farmers Service Centre (FSC). IFFCO has promoted several institutions and organizations to work for the welfare of farmers.

KRIBHCO has setup a Fertilizer Complex to manufacture Urea, Ammonia and Bio-fertilizers at Hazira in the State of Gujarat. Late Shrimati Indira Gandhi, former Prime

*.....*This part of the speech was laid on the Table.

Minister of India laid the Foundation Stone on February 5, 1982. Annual capacity for Urea and Ammonia is 1.729 million MT and 1.003 million MT respectively. The Bio fertilizer plant has a capacity of 250 MT per year capacity. Ten Seed Processing Plants are also in operation in various States.

Gujarat Cooperative Milk Marketing Federation Ltd. (GCMMF) was established in 1973. It is India's largest food product marketing organization with dairy milk procurement of approx. 12 million lit (peak period) per day from 15,712 village milk cooperative societies, 17 member unions covering 24 districts, and 3 million milk producer members. It is the Apex organization of the Dairy Cooperatives of Gujarat, popularly known as 'AMUL', which aims to provide remunerative returns to the farmers and also serve the interest of consumers by providing quality products. Its success has not only been emulated in India but serves as a model for rest of the World. GCMMF is India's largest exporter of Dairy Products. It has been accorded a "Trading House" status. For its consistent adherence to quality, customer focus and dependability, GCMMF has received numerous awards and accolades over the years.

I am very happy to inform Hon'ble Members that the right to form cooperative societies is proposed to be made a Fundamental Right under Article 19 (1) (c) of the Constitution as recommended by the Standing Committee on Agriculture. It is expected that this would give boost to the cooperative movement and enthuse the people to actively participate in the cooperative as a matter of right. This would significantly increase the interest and responsiveness of the members and strengthen the cooperative movement further.

Many hon. Members have suggested that there should be employees representation in the management of the cooperative societies. The employees of any working organization play a key role in ensuring success of the organization. In a way, the long term interests of the employees are closely linked to the well-being of the organization in which they work. They can play a very

useful role in the organization to meet its objectives. The proposed amendment provides for having the functional Directors on the Board of a cooperative society to utilize their experience and expertise for improving the functioning of the society. These functional Directors would be the employees of the society. There is also a provision for co-option of the persons who have the expertise in the field related to objects and activities undertaken by the society, as members of the Board. The employees, among others, would also be eligible for being appointed as members of the Board of the society in this category. Further provisions, if required, in this regard, may be brought up by the States in their respective Cooperative Societies Act.

Many hon. Members have given their views on the supersession and suspension of the Board of Directors by the Government. While some members advocate more powers to the Government to supercede the Boards of even those societies where there is no financial assistance from the Government, others feel that this power should either be taken away or it should be severely restricted. I am of the view that the power to supercede or suspend the board of a cooperative society should be used only in exceptional circumstances; only in those cases, where there is serious negligence in the performance of duty or where serious irregularities prejudicial to the interests of the society are committed. However, it has been noticed that there are many instances of supersession and suspension of the Board on very routine and less serious grounds. It is also found that elections are not held for many years for the societies which seriously affects their democratic member control and autonomous functioning. As per the report furnished by NABARD, elections are yet to be held in the States of Andhra Pradesh, Manipur, Odisha and Tamil Nadu. We have tried to build up proper checks and balances to ensure that the power of supersession and suspension is not used indiscriminately or frivolously. The proposed Constitutional amendment specifies the major cases where such supersession or suspension may be resorted and it also limits such action

[Shri Sharad Pawar]

in respect of those societies where some financial assistance has been provided by the Government. It also provides for mandatory conduct of elections within six months of such supersession by an independent authority. Thus, adequate safeguards have been built in to prevent the misuse of this power by the concerned officers.

An issue has been raised whether the cooperative societies are covered under the provisions of the RTI Act. The RTI Act secures access to information under the control of public authorities for citizens in order to promote transparency and accountability in their working. As most of the cooperative societies would not fall under the category of 'Public Authority', therefore, they may not be covered under the provisions of this Act. However, there have been certain orders from various Courts in this regard. The High Court of Kerala in WP No. 1417 of 2009 — Thalapalam Service Cooperative Vs Union of India and Others has held that whether a society is a public authority, is a disputed question of fact, which is to be resolved by the authorities under RTI Act. However, it is in the interest of cooperative societies to have well-informed active members, which only can ensure successful functioning of the cooperative institutions. In view of this, it has been provided in the proposed amendment that the members of the cooperative society would be entitled to secure important information about the working and business of the society. This would bring in much desired transparency and fairness in the working of the societies.

The proposed amendment would go a long way to address the problems and deficiencies that the cooperatives face today. It would not only ensure the autonomous and democratic functioning of the cooperatives but enhance the public faith in these institutions. It would also ensure the accountability of management to the members and other stakeholders and also provide for deterrence for violation of the provisions of the law. It is expected that the cooperative movement would be further strengthened

by this amendment and would be able to serve the members particularly those from economically weaker sections much better.*

MADAM SPEAKER: Hon. Members, before I put the motion for consideration of the Bill to the vote of the House, I may inform the House that this being a Constitution (Amendment) Bill, voting has to be by Division.

11.21 hrs.

Let the Lobbies be cleared—

...(Interruptions)

11.25 hrs.

At this stage, Shri Lalu Prasad, Shri Shailendra Kumar and some other hon. Members went back to their seats

MADAM SPEAKER: Now, the Lobbies have been cleared.

Now, the Secretary-General to inform the House about the procedure regarding operating the automatic vote recording machine.

SECRETARY-GENERAL: Hon. Members, who have not been allotted Division Numbers so far, will be supplied at their seats with Ayes/Noes printed slip for recording their votes. On the slips, they may kindly record the votes of their choice by signing and writing legibly their names, identity card numbers given to them temporary/permanent identify cards supplied to the Members, Constituency and State/Union Territories and the date at the place specified on the slip. Members who decide to record abstention, my ask for the abstention slip.

Operation of the Automatic Vote Recording Machine: Kind attention of the hon. Members is invited to the following points in the operation of the Automatic Vote Recording System:—

1. Before a division starts, every hon. Member should occupy his or her own seat and operate the system from that seat only;

2. As may kindly be seen, the “red bulbs above Display Boards” on either side of the hon. Speaker’s Chair are already glowing. This means the Voting System has been activated;

3. For voting, please press the following two buttons simultaneously immediately after sounding of first gong, namely One “red” button in front of the hon. Member on the headphone plate and

Also

any one of the following buttons fixed on the top of desk of seats:

Ayes	–	Green colour
Noes	–	Red colour
Abstain	–	Yellow colour

4. It is essential to keep both the buttons pressed till the second gong sound is heard and the red bulbs are “off”.

IMPORTANT: The hon. Members may please note that the vote will not be registered if both buttons are not kept pressed simultaneously till the sounding of the second gong.

5. Please do not press the amber button (P) during division.

6. Hon. Members can actually “see” their vote on Display Boards and on their Desk Unit.

7. In case, vote is not registered, they may call for voting through slips.

MADAM SPEAKER: Hon. Members, I shall now put the motion for consideration to the vote of the House.

The question is:

“That the Bill further to amend the Constitution of India, be taken into consideration.”

The Lok Sabha divided:

DIVISION NO. 1

11.27 hrs.

AYES

Aaron Rashid, Shri J.M.

Acharia, Shri Basu Deb

Adhi Sankar, Shri

Aditya Nath, Yogi

Adsul, Shri Anandrao

Advani, Shri L.K.

Agrawal, Shri Rajendra

Ahamed, Shri E.

Ahir, Shri Hansraj G.

Alagiri, Shri S.

Ananth Kumar, Shri

Angadi, Shri Suresh

Antony, Shri Anto

Awale, Shri Jaywant Gangaram

Azad, Shri Kirti

Azharuddin, Mohammed

Baalu, Shri T.R.

‘Baba’, Shri K.C. Singh

Badal, Shrimati Harsimrat Kaur

Baghel, Shrimati Sarika Devendra Singh

Bahuguna, Shri Vijay

Bairwa, Shri Khiladi Lal

Bais, Shri Ramesh

Baite, Shri Thangso

Bajwa, Shri Pratap Singh

*Bakshi, Shri Subrata	Chinta Mohan, Dr.
Baliram, Dr.	Chitthan, Shri N.S.V.
Bandyopadhyay, Shri Sudip	Choudhary, Shri Bhudeo
Banerjee, Shri Ambica	Choudhary, Shri Harish
Banerjee, Shri Kalyan	Choudhary, Shri Nikhil Kumar
Bansal, Shri Pawan Kumar	Chowdhary, Shrimati Santosh
Bapiraju, Shri K.	'Commando', Shri Kamal Kishor
Basavaraj, Shri G. S.	Das, Shri Bhakta Charan
Bauri, Shrimati Susmita	Das, Shri Ram Sundar
Beg, Dr. Mirza Mehboob	Dasgupta, Shri Gurudas
Bhadana, Shri Avtar Singh	Dasmunsi, Shrimati Deepa
Bhaiya, Shri Shivraj	Dastidar, Dr. Kakoli Ghosh
Bhujbal, Shri Sameer	De, Dr. Ratna
Bhuria, Shri Kanti Lal	Deshmukh, Shri K.D.
Biju, Shri P.K.	Devi, Shrimati Ashwamedh
Bishnoi, Shri Kuldeep	Devi, Shrimati Rama
Bundela, Shri Jitendra Singh	Devegowda, Shri H.D.
Chacko, Shri P.C.	Dhanapalan, Shri K.P.
Chang, Shri C.M.	Dhotre, Shri Sanjay
Chakravarty, Shrimati Bijoya	Dhruvanarayana, Shri R.
Chaudhary, Dr. Tushar	Dhurve, Shrimati Jyoti
Chaudhary, Shri Jayant	Dikshit, Shri Sandeep
Chauhan, Shri Mahendrasinh P.	Dome, Dr. Ram Chandra
Chauhan, Shri Prabhatsinh P.	Dubey, Shri Nishikant
Chauhan, Shri Sanjay Singh	Dudhgaonkar, Shri Ganeshrao Nagorao
Chidambaram, Shri P.	Dutt, Shrimati Priya
	Elangovan, Shri T.K.S.

*Voted through slip.

Engti, Shri Biren Singh	Jaiswal, Dr. Sanjay
Ering, Shri Ninong	*Jaiswal, Shri Shriprakash
Gaikwad, Shri Eknath Mahadeo	Jakhar, Shri Badri Ram
Gandhi, Shri Dilipkumar Mansukhlal	Jardosh, Shrimati Darshana
Gandhi, Shrimati Maneka	Jat, Shrimati Poonam Veljibhai
Gandhi, Shrimati Sonia	Jatua, Shri Choudhury Mohan
Gandhiselvan, Shri S.	Jawale, Shri Haribhau
Gawali, Shrimati Bhavana Patil	Jena, Shri Srikant
Geete, Shri Anant Gangaram	Jeyadurai, Shri S.R.
Ghatowar, Shri Paban Singh	Jhansi Lakshmi, Shrimati Botcha
Gogoi, Shri Dip	Jigajinagi, Shri Ramesh
Gohain, Shri Rajen	Jindal, Shri Naveen
Gouda, Shri Shivarama	Joshi, Dr. C.P.
Guddu, Shri Premchand	Joshi, Dr. Murli Manohar
Haldar, Dr. Sucharu Ranjan	Joshi, Shri Kailash
Haque, Shri Mohd. Asrarul	Joshi, Shri Mahesh
Haque, Sk. Saidul	Joshi, Shri Pralhad
*Hari, Shri Sabbam	Judev, Shri Dilip Singh
Hasan, Shrimati Tabassum	Kachhadia, Shri Naranbhai
Hassan, Dr. Monazir	Kashyap, Shri Dinesh
Hossain, Shri Abdul Mannan	Kataria, Shri Lalchand
Hussain, Shri Ismail	Kateel, Shri Nalin Kumar
Jadhav, Shri Baliram	Kaur, Shrimati Preneet
*Jagannath, Dr. Manda	Kaypee, Shri Mohinder Singh
Jagathrakshakan, Dr. S.	Khaire, Shri Chandrakant
Jain, Shri Pradeep	Khandela, Shri Mahadeo Singh

*Voted through slip.

*Voted through slip.

Kharge, Shri Mallikarjun

Khatri, Dr. Nirmal

Khursheed, Shri Salman

Killi, Dr. Kruparani

Kowase, Shri Marotrao Sainuji

Krishnasswamy, Shri M.

Kumar, Shri Kaushalendra

Kumar, Shri P.

Kumar, Shri Ramesh

Kumar, Shri Virendra

Kumar, Shri Vishwa Mohan

Kurup, Shri N. Peethambara

Lakshmi, Shrimati Panabaka

Lalu Prasad, Shri

Lingam, Shri P.

Madam, Shri Vikrambhai Arjanbhai

Mahajan, Shrimati Sumitra

Mahant, Dr. Charan Das

Maharaj, Shri Satpal

Mahato, Shri Baidyanath Prasad

Mahato, Shri Narahari

Mahtab, Shri Bhartruhari

Majhi, Shri Pradeep

Maken, Shri Ajay

*Mani, Shri Jose K.

Manjhi, Shri Hari

Maran, Shri Dayanidhi

Masram, Shri Basori Singh

Mcleod, Shrimati Ingrid

Meena, Shri Namu Narain

Meena, Shri Raghuvir Singh

Meghe, Shri Datta

Meghwal, Shri Arjun Ram

Meghwal, Shri Bharat Ram

Meinya, Dr. Thokchom

Mirdha, Dr. Jyoti

Mishra, Shri Mahabal

Mitra, Shri Somen

*Moily, Shri M. Veerappa

Mukherjee, Shri Pranab

Muttemwar, Shri Vilas

Naik, Dr. Sanjeev Ganesh

Naik, Shri Shripad Yesso

Namdhari, Shri Inder Singh

Napoleon, Shri D.

Narayanrao, Shri Sonawane Pratap

Narayanasamy, Shri V.

Naskar, Shri Gobinda Chandra

Natarajan, Shri P.R.

Natrajan, Kumari Meenakshi

Nirupam, Shri Sanjay

Noor, Kumari Mausam

*Voted through slip.

*Voted through slip.

Ola, Shri Sis Ram	*Potai, Shri Sohan
Owaisi, Shri Asaduddin	Prabhakar, Shri Ponnamm
Pal, Shri Rajaram	Pradhan, Shri Amarnath
Pala, Shri Vincent H.	Purandeswari, Shrimati D.
Palanimanickam, Shri S.S.	Purkayastha, Shri Kabindra
Panda, Shri Prabodh	Raghavan, Shri M.K.
Pandey, Kumari Saroj	Raghavendra, Shri B.Y.
Pandey, Shri Gorakhnath	Rahman, Shri Abdul
Pandey, Shri Ravindra Kumar	Rajagopal, Shri L.
Pangi, Shri Jayaram	Rajesh, Shri M.B.
*Paranjpe, Shri Anand Prakash	Rajukhedii, Shri Gajendra Singh
Paswan, Shri Kamlesh	Ramachandran, Shri Mullappally
Patel, Shri Devji M.	Ramasubbu, Shri S.S.
Patel, Shri Kishanbhai V.	Ramshankar, Prof.
Patel, Shri Lalubhai Babubhai	Rana, Shri Jagdish Singh
Patel, Shri Praful	Rana, Shri Rajendrasinh
Patel, Shri Somabhai Gandadal Koli	Rane, Shri Nilesh Narayan
Patel, Shrimati Jayshreeben	Rao, Dr. K.S.
Pathak, Shri Harin	Rao, Shri Nama Nageswara
*Patil, Dr. Padmasinha Bajirao	Rao, Shri Rayapati Sambasiva
Patil, Shri A.T. Nana	Rathod, Shri Ramesh
Patil, Shri C.R.	Rathwa, Shri Ramsinh
Patil, Shri Sanjay Dina	Rawat, Shri Harish
Patil, Shri Pratik	Ray, Shri Bishnu Pada
Paul, Shri Tapas	Ray, Shri Rudramadhab
Pawar, Shri Sharad	Reddy, Shri Anantha Venkatarami

*Voted through slip.

*Voted through slip.

Reddy, Shri K.J.S.P	Shekhawat, Shri Gopal Singh
Reddy, Shri M. Venugopala	*Shivaji, Shri Adhalrao Patil
Reddy, Shri M. Sreenivasulu	Shivkumar, Shri K. alias J.K. Ritheesh
Reddy, Shri S. Jaipal	Shukla, Shri Balkrishna Khanderao
Reddy, Shri S.P.Y.	Sibal, Shri Kapil
Roy, Prof. Saugata	Siddeshwara, Shri G.M.
Roy, Shri Mahendra Kumar	Singh, Chaudhary Lal
Roy, Shrimati Shatabdi	Singh, Dr. Bhola
Saha, Dr. Anup Kumar	Singh, Rao Inderjit
Sahay, Shri Subodh Kant	Singh, Shri Ajit
Sahu, Shri Chandu Lal	Singh, Shri Bhoopendra
Sai, Shri Vishnu Dev	Singh, Shri Dushyant
Sai Prathap, Shri A.	Singh, Shri Ganesh
Sampath, Shri A.	Singh, Shri Ijyaraj
Sangma, Kumari Agatha	Singh, Shri Jaswant
*Sanjoy, Shri Takam	Singh, Shri Jitendra
Sardinha, Shri Francisco Cosme	Singh, Shri Murari Lal
Sayeed, Shri Hamdullah	*Singh, Shri N. Dharam
Scindia, Shri Jyotiraditya M.	Singh, Shri R.P.N.
Scindia, Shrimati Yashodhara Raje	Singh, Shri Rajnath
Selja, Kumari	Singh, Shri Rakesh
*Semmalai, Shri S.	Singh, Shri Sukhdev
Sethi, Shri Arjun Charan	*Singh, Shri Sushil Kumar
Shanavas, Shri M.I.	Singh, Shri Uday
Shariq, Shri S.D.	Singh, Shri Uday Pratap
Sharma, Shri Jagdish	Singh, Shri Vijay Bahadur
	Singh, Shri Virbhadra

*Voted through slip.

*Voted through slip.

Singh, Shrimati Meena

Singla, Shri Vijay Inder

Sinha, Shri Yashwant

Siricilla, Shri Rajaiah

Sivaprasad, Dr. N.

Solanki, Dr. Kirit Premjibhai

Solanki, Shri Bharatsinh

Solanki, Shri Makansingh

Sugavanam, Shri E.G.

Suklabaidya, Shri Lalit Mohan

Sule, Shrimati Supriya

Sushant, Dr. Rajan

Swamy, Shri Janardhana

Swaraj, Shrimati Sushma

Tagore, Shri Manicka

Tamta, Shri Pradeep

Tandon, Shri Lalji

Tandon, Shrimati Annu

Taviad, Dr. Prabha Kishor

Taware, Shri Suresh Kashinath

Tewari, Shri Manish

Thamaraiselvan, Shri R.

Thambidurai, Dr. M.

Thomas, Prof. K.V.

Thomas, Shri P.T.

Tomar, Shri Narendra Singh

Tudu, Shri Laxman

Udasi, Shri Shivkumar

Upadhyay, Shrimati Seema

Vardhan, Shri Harsh

Vasava, Shri Mansukhbhai D.

Venugopal, Shri D.

Verma, Shri Sajjan

Viswanathan, Shri P.

Vivekanand, Dr. G.

Vundavalli, Shri Aruna Kumar

Vyas, Dr. Girija

Wakchaure, Shri Bhausahab Rajaram

Wasnik, Shri Mukul

Yadav, Shri Arun

Yadav, Shri Dinesh Chandra

Yadav, Shri Hukmadeo Narayan

Yadav, Shri Madhusudan

Yadav, Shri Sharad

MADAM SPEAKER: Hon. Members, subject to correction*, the result of the Division is:

Ayes : 317

Noes : Nil

Abstain : 001

* The following Members also recorded and corrected their votes through slips.

Ayes 317 + S/s Subrata Bakshi, Sabbam Hari, Dr. Manda Jagannath, S/s Shriprakash Jaiswal, Jose K. Mani, M. Veerappa Moily, Anand Prakash Paranjpe, Dr. Padmasinha Bajirao Patil, S/s Sohan Potai, Takam Sanjay, S, Semmalai, Andhalrao Patil Shivaji, N. Dharam Singh, Sushil Kumar Singh = 331

Abstain 1 – Shri Sanjay Takam wrongly voted for Abstain. Later on he corrected through slip for 'Ayes' = 0

The motion is carried 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 was adopted.

MADAM SPEAKER: The House will now take up clause-by-clause consideration of the Bill. Since there is a Government Amendment for inserting a new clause 1A to the Bill, the hon. Minister may first move Motion No. 5 under Rule 388 for suspension of clause 1 of the Rule 88 of the Rules of Procedure.

Motion Re: Suspension of Rule 80 (i)

THE MINISTER OF AGRICULTURE AND MINISTER OF FOOD PROCESSING INDUSTRIES (SHRI SHARAD PAWAR): Madam, I beg to move:

“That this House do suspend clause (i) of rule 80 of the Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 3 to the Constitution (One hundred and Eleventh Amendment) Bill, 2009 and that this amendment may be allowed to be moved.”

MADAM SPEAKER: The question is:

“That this House do suspend clause (i) of rule 80 of the Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 3 to the Constitution (One hundred and Eleventh Amendment) Bill, 2009 and that this amendment may be allowed to be moved.”

The motion was adopted.

New Clause 1A **Amendment of Article 19**

Amendment made:

‘1A. In Part III of the Constitution, in article 19, in clause (1), in sub-clause (c), after the words “or unions”, the words “or co-operative societies” shall be inserted.’. (3)

(Shri Sharad Pawar)

MADAM SPEAKER: The Lobbies are already cleared.

The question is:

“That new clause 1A be added to the Bill.”

The Lok Sabha divided:

DIVISION NO. 2

11.30 hrs.

AYES

- Aaron Rashid, Shri J.M.
- Acharia, Shri Basu Deb
- Adhi Sankar, Shri
- Aditya Nath, Yogi
- Adsul, Shri Anandrao
- Advani, Shri L.K.
- Agrawal, Shri Rajendra
- Ahamed, Shri E.
- Ahir, Shri Hansraj G.
- Alagiri, Shri S.
- *Anandan, Shri M.
- Ananth Kumar, Shri
- Angadi, Shri Suresh
- Antony, Shri Anto

*Voted through slip.

Awale, Shri Jaywant Gangaram	Bhujbal, Shri Sameer
Azad, Shri Kirti	Bhuria, Shri Kanti Lal
Azharuddin, Mohammed	Biju, Shri P.K.
Baalu, Shri T.R.	Bishnoi, Shri Kuldeep
'Baba', Shri K.C. Singh	Bundela, Shri Jitendra Singh
Babar, Shri Gajanan D.	Chacko, Shri P.C.
Babbar, Shri Raj	Chang, Shri C.M.
Baghel, Shrimati Sarika Devendra Singh	Chakravarty, Shrimati Bijoya
Bahuguna, Shri Vijay	Chaudhary, Dr. Tushar
Bairwa, Shri Khiladi Lal	Chaudhary, Shri Jayant
Bais, Shri Ramesh	Chauhan, Shri Mahendrasinh P.
Baite, Shri Thangso	Chauhan, Shri Prabhatsinh P.
*Bajwa, Shri Pratap Singh	Chidambaram, Shri P.
*Bakshi, Shri Subrata	Chinta Mohan, Dr.
Baliram, Dr.	Chitthan, Shri N.S.V.
Bandyopadhyay, Shri Sudip	Choudhary, Shri Harish
Banerjee, Shri Ambica	Choudhary, Shri Nikhil Kumar
Banerjee, Shri Kalyan	Chowdhary, Shrimati Santosh
Bansal, Shri Pawan Kumar	Chowdhury, Shri Bansa Gopal
Bapiraju, Shri K.	'Commando', Shri Kamal Kishor
Basavaraj, Shri G.S.	Das, Shri Bhakta Charan
Baske, Shri Pulin Bihari	Das, Shri Ram Sundar
Bauri, Shrimati Susmita	Dasgupta, Shri Gurudas
Beg, Dr. Mirza Mehboob	Dasmunsi, Shrimati Deepa
Bhadana, Shri Avtar Singh	Dastidar, Dr. Kakoli Ghosh
Bhaiya, Shri Shivraj	De, Dr. Ratna
	Deka, Shri Ramen

*Voted through slip.

Deshmukh, Shri K.D.	Guddu, Shri Premchand
Devi, Shrimati Ashwamedh	Haque, Shri Mohd. Asrarul
Devegowda, Shri H.D.	Haque, Sk. Saidul
Dhanapalan, Shri K.P.	Hari, Shri Sabbam
Dhotre, Shri Sanjay	Hassan, Dr. Monazir
Dhruvanarayana, Shri R.	Hazari, Shri Maheshwar
Dhurve, Shrimati Jyoti	Hossain, Shri Abdul Mannan
Dias, Shri Charles	Hussain, Shri Ismail
Dikshit, Shri Sandeep	Jagannath, Dr. Manda
Dome, Dr. Ram Chandra	Jagathrakshakan, Dr. S.
Dubey, Shri Nishikant	Jahan, Shrimati Kaiser
Dudhgaonkar, Shri Ganeshrao Nagorao	Jain, Shri Pradeep
Dutt, Shrimati Priya	Jaiswal, Dr. Sanjay
Elangovan, Shri T.K.S.	Jaiswal, Shri Shriprakash
Engti, Shri Biren Singh	Jakhar, Shri Badri Ram
Ering, Shri Ninong	Jardosh, Shrimati Darshana
Gaikwad, Shri Eknath Mahadeo	Jat, Shrimati Poonam Veljibhai
Gandhi, Shri Dilipkumar Mansukhlal	Jatua, Shri Choudhury Mohan
Gandhi, Shrimati Maneka	Jawale, Shri Haribhau
Gandhi, Shrimati Sonia	Jena, Shri Srikant
Gandhiselvan, Shri S.	Jeyadurai, Shri S.R.
Gawali, Shrimati Bhavana Patil	Jhansi Lakshmi, Shrimati Botcha
Geete, Shri Anant Gangaram	Jigajinagi, Shri Ramesh
Ghatowar, Shri Paban Singh	Jindal, Shri Naveen
Gogoi, Shri Dip	Joshi, Dr. C.P.
Gohain, Shri Rajen	Joshi, Dr. Murl Manohar
Gouda, Shri Shivarama	Joshi, Shri Kailash

Joshi, Shri Mahesh	Madam, Shri Vikrambhai Arjanbhai
Joshi, Shri Pralhad	Mahajan, Shrimati Sumitra
Judev, Shri Dilip Singh	Mahant, Dr. Charan Das
Kachhadia, Shri Naranbhai	Maharaj, Shri Satpal
Karwaria, Shri Kapil Muni	Mahato, Shri Baidyanath Prasad
Kashyap, Shri Dinesh	Mahato, Shri Narahari
Kataria, Shri Lalchand	Mahtab, Shri Bhartruhari
Kateel, Shri Nalin Kumar	Majhi, Shri Pradeep
Kaur, Shrimati Preneet	Maken, Shri Ajay
Kaypee, Shri Mohinder Singh	Mani, Shri Jose K.
Khaire, Shri Chandrakant	Manjhi, Shri Hari
Khan, Shri Hassan	Maran, Shri Dayanidhi
Khandela, Shri Mahadeo Singh	Masram, Shri Basori Singh
Kharge, Shri Mallikarjun	Mcleod, Shrimati Ingrid
Khatri, Dr. Nirmal	Meena, Shri Namoo Narain
Khursheed, Shri Salman	Meena, Shri Raghuvir Singh
Killi, Dr. Kruparani	Meghe, Shri Datta
Krishnasswamy, Shri M.	Meghwal, Shri Arjun Ram
Kumar, Shri Kaushalendra	Meghwal, Shri Bharat Ram
Kumar, Shri P.	Meinya, Dr. Thokchom
Kumar, Shri Ramesh	Mirdha, Dr. Jyoti
Kumar, Shri Virendra	Mishra, Shri Mahabal
Kumar, Shri Vishwa Mohan	Mitra, Shri Somen
*Kurup, Shri N. Peethambara	*Moily, Shri M. Veerappa
Lakshmi, Shrimati Panabaka	Mukherjee, Shri Pranab
Lingam, Shri P.	Muttemwar, Shri Vilas

*Voted through slip.

*Voted through slip.

Nagar, Shri Surendra Singh	Patel, Shri Lalubhai Babubhai
Naik, Dr. Sanjeev Ganesh	Patel, Shri Praful
Naik, Shri Shripad Yesso	Patel, Shri Somabhai Gandadal Koli
*Namdhari, Shri Inder Singh	Patel, Shrimati Jayshreeben
Napoleon, Shri D.	Pathak, Shri Harin
Narayanrao, Shri Sonawane Pratap	Patil, Dr. Padmasinha Bajirao
Narayanasamy, Shri V.	Patil, Shri A.T. Nana
Naskar, Shri Gobinda Chandra	*Patil, Shri C.R.
Natarajan, Shri P.R.	Patil, Shri Sanjay Dina
Natrajan, Kumari Meenakshi	Patil, Shri Pratik
Nirupam, Shri Sanjay	Paul, Shri Tapas
Noor, Kumari Mausam	Pawar, Shri Sharad
Ola, Shri Sis Ram	Potai, Shri Sohan
Owaisi, Shri Asaduddin	Prabhakar, Shri Ponnamp
Pal, Shri Rajaram	Pradhan, Shri Amarnath
Pala, Shri Vincent H.	Purandeswari, Shrimati D.
Palanimanickam, Shri S.S.	Purkayastha, Shri Kabindra
*Pandey, Kumari Saroj	Raghavan, Shri M.K.
Pandey, Shri Gorakhnath	Raghavendra, Shri B.Y.
Pandey, Shri Rakesh	Rahman, Shri Abdul
Pandey, Shri Ravindra Kumar	Rajagopal, Shri L.
Pangi, Shri Jayaram	Rajesh, Shri M.B.
Paranjpe, Shri Anand Prakash	Rajukhedi, Shri Gajendra Singh
Paswan, Shri Kamlesh	Ram, Shri Purnmasi
Patel, Shri Devji M.	Ramachandran, Shri Mullappally
Patel, Shri Kishanbhai V.	Ramasubbu, Shri S.S.

*Voted through slip.

*Voted through slip.

Ramshankar, Prof.	Sangma, Kumari Agatha
Rana, Shri Jagdish Singh	Sanjoy, Shri Takam
Rana, Shri Kadir	Sardinha, Shri Francisco Cosme
Rana, Shri Rajendrasinh	Sayeed, Shri Hamdullah
Rane, Shri Nilesh Narayan	Scindia, Shri Jyotiraditya M.
Rao, Dr. K.S.	Scindia, Shrimati Yashodhara Raje
Rao, Shri Nama Nageswara	Selja, Kumari
Rao, Shri Rayapati Sambasiva	Semmalai, Shri S.
Rathod, Shri Ramesh	Sethi, Shri Arjun Charan
Rathwa, Shri Ramsinh	Shanavas, Shri M.I.
Rawat, Shri Harish	Shariq, Shri S.D.
Ray, Shri Bishnu Pada	Sharma, Shri Jagdish
Ray, Shri Rudramadhab	Shekhawat, Shri Gopal Singh
Reddy, Shri Anantha Venkatarami	*Shivaji, Shri Adhalrao Patil
Reddy, Shri K.J.S.P	Shivkumar, Shri K. alias J.K. Ritheesh
Reddy, Shri M. Venugopala	Shukla, Shri Balkrishna Khanderao
Reddy, Shri M. Sreenivasulu	Sibal, Shri Kapil
Reddy, Shri S. Jaipal	Siddeshwara, Shri G.M.
Reddy, Shri S.P.Y.	Singh, Chaudhary Lal
Roy, Prof. Saugata	Singh, Dr. Bhola
Roy, Shrimati Shatabdi	Singh, Rao Inderjit
Sahay, Shri Subodh Kant	Singh, Shri Ajit
Sahu, Shri Chandu Lal	Singh, Shri Bhoopendra
Sai, Shri Vishnu Dev	Singh, Shri Dushyant
Sai Prathap, Shri A.	Singh, Shri Ganesh
*Sampath, Shri A.	Singh, Shri Ijyaraj

*Voted through slip.

*Voted through slip.

Singh, Shri Jaswant	Tagore, Shri Manicka
Singh, Shri Jitendra	Tamta, Shri Pradeep
Singh, Shri Murari Lal	Tandon, Shri Lalji
*Singh, Shri N. Dharam	Tandon, Shrimati Annu
Singh, Shri R.P.N.	Taviad, Dr. Prabha Kishor
Singh, Shri Rajnath	Taware, Shri Suresh Kashinath
Singh, Shri Rakesh	*Tewari, Shri Manish
Singh, Shri Sukhdev	Thamaraiselvan, Shri R.
Singh, Shri Uday	Thambidurai, Dr. M.
Singh, Shri Uday Pratap	Thomas, Prof. K.V.
Singh, Shri Vijay Bahadur	*Thomas, Shri P.T.
Singh, Shri Virbhadra	*Tirkey, Shri Manohar
Singh, Shrimati Meena	Tiwari, Shri Bhisma Shankar alias Kushal
Singla, Shri Vijay Inder	Toppo, Shri Joseph
Sinha, Shri Yashwant	Tudu, Shri Laxman
Siricilla, Shri Rajaiah	Udasi, Shri Shivkumar
Sivaprasad, Dr. N.	Upadhyay, Shrimati Seema
Solanki, Dr. Kirit Premjibhai	Vardhan, Shri Harsh
Solanki, Shri Bharatsinh	Vasava, Shri Mansukhbhai D.
Solanki, Shri Makansingh	Venugopal, Shri D.
Sugavanam, Shri E.G.	Verma, Shri Sajjan
Suklabaidya, Shri Lalit Mohan	Viswanathan, Shri P.
Sule, Shrimati Supriya	Vivekanand, Dr. G.
Sushant, Dr. Rajan	Vundavalli, Shri Aruna Kumar
Swamy, Shri Janardhana	Vyas, Dr. Girija
Swaraj, Shrimati Sushma	Wasnik, Shri Mukul

*Voted through slip.

*Voted through slip.

Yadav, Shri Arun

Yadav, Shri Dinesh Chandra

Yadav, Shri Hukmadeo Narayan

Yadav, Shri Madhusudan

Yadav, Shri Sharad

MADAM SPEAKER: Subject to correction*, the result of the Division is:

Ayes	:	320
Noes	:	Nil

The motion is carried 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 was adopted.

New Clause 1A was added to the Bill.

**Clause 2 Insertion of
new Article 43B**

MADAM SPEAKER: Adv. A. Sampath has tabled notice for moving an amendment to clause 2.

Shri Sampath, are you moving Amendment No. 6?

SHRI A. SAMPATH (Attingal): Madam Speaker, I beg to move:

“Page 1, line 11,—

after “societies:

insert “and also provide financial aid to ensure social justice.” (6)

*The following Members also recorded their votes through slips.

Ayes 320 + S/s M. Anandan, Pratap Singh Bajwa, Subrata Bakshi, N. Peetamber Kurup, M. Veerappa Moily, Inder Singh Namdhari, Kumari Saroj Pandey, S/s C.R. Patil, A. Sampath, Adhalrao Patil Shivaji, N. Dharam Singh, Manish Tewari, P.T. Thomas, Manohar Tirkey = 334

MADAM SPEAKER: I shall now put amendment No. 6 moved by Shri A. Sampath to the vote of the House.

The amendment was put and negatived.

MADAM SPEAKER: The Lobbies are already cleared. I shall now put clause 2 to the vote of the House. The question is:

“That clause 2 stand part of the Bill.”

The Lok Sabha divided:

SHRI SHARAD PAWAR: Madam, I want fresh voting again. I want fresh Division.

SHRI T.R. BAALU (Sriperumbudur): Fresh voting could be done. There is no bar. We can go for fresh voting.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): Madam, perhaps some of the hon. Members could not really follow the procedure. Earlier, there was a motion for amendment moved by an hon. Member, which was to be negatived, they thought that the division is being followed in respect of that amendment. ...*(Interruptions)*

Madam, it happens. Therefore, I would urge you and this is a very valid request that I am making, to kindly consider putting it to vote again. That will facilitate things. ...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL: Madam, that is permissible.

Madam, what normally happens is that before the division, you may also ask for the voice vote to be followed by division. ...*(Interruptions)*

SHRI T.R. BAALU: Madam, it is a system failure. ...*(Interruptions)*

MADAM SPEAKER: Hon. Members, please take your seats. Do not create any confusion. It is a very serious matter. We are in the process of having a constitutional

amendment. Please take it seriously and pay attention to what is happening.

Now, I have received a request from the hon. Minister of Parliamentary Affairs that a large number of Members want correction of their votes. I have gone through the rules.

...(Interruptions)

MADAM SPEAKER: Please do not disturb.

...(Interruptions)

MADAM SPEAKER: I have gone through the rules. I would like to have a sense of the House whether this division should be done again. So, please raise your hands.

...(Interruptions)

SHRI BASU DEB ACHARIA (Bankura): Once division is done, it cannot be done again. ...(Interruptions)

SHRI GURUDAS DASGUPTA (Ghatal): Madam, I am on a point of order. Under what rule is it allowed? ...(Interruptions)

MADAM SPEAKER: No. Let the Speaker decide now. Please sit down.

...(Interruptions)

MADAM SPEAKER: Let me take the decision. Please sit down.

...(Interruptions)

MADAM SPEAKER: I find that a majority of Members want a division again.

Let the Lobbies be opened so that other Members can come and then the Lobbies be cleared.

...(Interruptions)

MADAM SPEAKER: Please sit down. There should be no confusion.

...(Interruptions)

MADAM SPEAKER: Let the Lobbies be cleared.

...(Interruptions)

MADAM SPEAKER: Hon. Members, please keep quiet. Please let us not have any confusion this time. There was confusion last time.

Hon. Minister made a request. So, as a very special case, which is not to be quoted in future as a precedent, I am allowing division.

The Lobbies are cleared. The Question "That clause 2 do stand part of the Bill" is already before the House.

The Lok Sabha divided:

DIVISION NO. 3

11.52 hrs.

AYES

Aaron Rashid, Shri J.M.

Adhi Sankar, Shri

Aditya Nath, Yogi

Adsul, Shri Anandrao

Advani, Shri L.K.

Agrawal, Shri Rajendra

Ahamed, Shri E.

Ahir, Shri Hansraj G.

Ahmed, Shri Sultan

Ajmal, Shri Badruddin

Alagiri, Shri S.

Amlabe, Shri Narayan Singh

Anandan, Shri M.

Ananth Kumar, Shri

*Voted through slip.

Angadi, Shri Suresh	Basavaraj, Shri G.S.
Antony, Shri Anto	Basheer, Shri Mohammed E.T.
Argal, Shri Ashok	Beg, Dr. Mirza Mehboob
Awale, Shri Jaywant Gangaram	Besra, Shri Devidhan
Azad, Shri Kirti	Bhadana, Shri Avtar Singh
Azharuddin, Mohammed	Bhagat, Shri Sudarshan
Baalu, Shri T.R.	Bhagora, Shri Tara Chand
'Baba', Shri K.C. Singh	Bhaiya, Shri Shivraj
Babar, Shri Gajanan D.	Bhujbal, Shri Sameer
Babbar, Shri Raj	Bhuria, Shri Kanti Lal
Badal, Shrimati Harsimrat Kaur	Bishnoi, Shri Kuldeep
Baghel, Shrimati Sarika Devendra Singh	Bundela, Shri Jitendra Singh
Bahuguna, Shri Vijay	Chacko, Shri P.C.
Bairwa, Shri Khiladi Lal	Chang, Shri C.M.
Bais, Shri Ramesh	Chakravarty, Shrimati Bijoya
Baite, Shri Thangso	Chaudhary, Dr. Tushar
Baitha, Shri Kameshwar	Chaudhary, Shri Jayant
Bajwa, Shri Pratap Singh	Chauhan, Shri Dara Singh
*Bakshi, Shri Subrata	Chauhan, Shri Mahendrasinh P.
Baliram, Dr.	Chauhan, Shri Prabhatsinh P.
Bandyopadhyay, Shri Sudip	Chauhan, Shri Sanjay Singh
Banerjee, Shri Ambica	Chavan, Shri Harishchandra
Banerjee, Shri Kalyan	Chidambaram, Shri P.
Bansal, Shri Pawan Kumar	Chinta Mohan, Dr.
Bapiraju, Shri K.	Chitthan, Shri N.S.V.
Barq, Dr. Shafiqur Rahman	Choudhary, Shri Bhudeo
	Choudhary, Shri Harish

*Voted through slip.

Choudhary, Shri Nikhil Kumar	Gadhvi, Shri Mukesh Bhairavdanji
Choudhry, Shrimati Shruti	Gaikwad, Shri Eknath Mahadeo
Chowdhary, Shrimati Santosh	Gandhi, Shri Dilipkumar Mansukhlal
Chowdhury, Shri Adhir	Gandhi, Shrimati Maneka
'Commando', Shri Kamal Kishor	Gandhi, Shrimati Sonia
Das, Shri Bhakta Charan	Gandhiselvan, Shri S.
Das, Shri Ram Sundar	Gavit, Shri Manikrao Hodlya
Dasmunsi, Shrimati Deepa	Gawali, Shrimati Bhavana Patil
Dastidar, Dr. Kakoli Ghosh	Geete, Shri Anant Gangaram
De, Dr. Ratna	Ghatowar, Shri Paban Singh
Deka, Shri Ramen	Gogoi, Shri Dip
Deora, Shri Milind	Gohain, Shri Rajen
Deshmukh, Shri K.D.	Gouda, Shri Shivarama
Devi, Shrimati Ashwamedh	Guddu, Shri Premchand
Devi, Shrimati Rama	Gulshan, Shrimati Paramjit Kaur
Dhanapalan, Shri K.P.	Haldar, Dr. Sucharu Ranjan
Dhotre, Shri Sanjay	Haque, Shri Mohd. Asrarul
Dhruvanarayana, Shri R.	Hari, Shri Sabbam
Dhurve, Shrimati Jyoti	Hassan, Dr. Monazir
Dias, Shri Charles	Hossain, Shri Abdul Mannan
Dikshit, Shri Sandeep	Hussain, Shri Ismail
Dubey, Shri Nishikant	Jadhav, Shri Baliram
Dudhgaonkar, Shri Ganeshrao Nagorao	Jagannath, Dr. Manda
Dutt, Shrimati Priya	Jagathrakshakan, Dr. S.
Elangovan, Shri T.K.S.	Jahan, Shrimati Kaisar
Engti, Shri Biren Singh	Jain, Shri Pradeep
Ering, Shri Ninong	Jaiswal, Dr. Sanjay

Jaiswal, Shri Shriprakash

Jakhar, Shri Badri Ram

Jardosh, Shrimati Darshana

Jat, Shrimati Poonam Veljibhai

Jatua, Shri Choudhury Mohan

Jawale, Shri Haribhau

Jena, Shri Mohan

Jena, Shri Srikant

Jeyadurai, Shri S. R.

Jhansi Lakshmi, Shrimati Botcha

Jigajinagi, Shri Ramesh

Jindal, Shri Naveen

Joshi, Dr. C.P.

Joshi, Dr. Murli Manohar

Joshi, Shri Kailash

*Joshi, Shri Mahesh

Joshi, Shri Pralhad

Judev, Shri Dilip Singh

Kachhadia, Shri Naranbhai

Kashyap, Shri Virender

Kaswan, Shri Ram Singh

Kataria, Shri Lalchand

Kateel, Shri Nalin Kumar

Kaur, Shrimati Preneet

Kaypee, Shri Mohinder Singh

Khaire, Shri Chandrakant

Khan, Shri Hassan

Khandela, Shri Mahadeo Singh

Kharge, Shri Mallikarjun

Khatri, Dr. Nirmal

Khursheed, Shri Salman

Killi, Dr. Kruparani

Kowase, Shri Marotrao Sainuji

Krishnasswamy, Shri M.

Kumar, Shri Kaushalendra

Kumar, Shri P.

Kumar, Shri Ramesh

Kumar, Shri Virendra

Kumar, Shri Vishwa Mohan

Kumari, Shrimati Chandresh

Kumari, Shrimati Putul

Kurup, Shri N. Peethambara

Laguri, Shri Yashbant

Lakshmi, Shrimati Panabaka

Lalu Prasad, Shri

Madam, Shri Vikrambhai Arjanbhai

Mahajan, Shrimati Sumitra

Mahant, Dr. Charan Das

Maharaj, Shri Satpal

Mahato, Shri Baidyanath Prasad

Mahtab, Shri Bhartruhari

Majhi, Shri Pradeep

Maken, Shri Ajay

*Voted through slip.

Mani, Shri Jose K.	Naskar, Shri Gobinda Chandra
Manjhi, Shri Hari	Natrajan, Kumari Meenakshi
Maran, Shri Dayanidhi	Nirupam, Shri Sanjay
Masram, Shri Basori Singh	Noor, Kumari Mausam
Mcleod, Shrimati Ingrid	Ola, Shri Sis Ram
Meena, Shri Namu Narain	*Owaisi, Shri Asaduddin
Meena, Shri Raghuvir Singh	Pal, Shri Jagdambika
Meghe, Shri Datta	Pal, Shri Rajaram
Meghwal, Shri Arjun Ram	Pala, Shri Vincent H.
Meghwal, Shri Bharat Ram	Palanimanickam, Shri S.S.
Meinya, Dr. Thokchom	Pandey, Dr. Vinay Kumar
Mirdha, Dr. Jyoti	Pandey, Kumari Saroj
Mishra, Shri Govind Prasad	Pandey, Shri Ravindra Kumar
Mishra, Shri Mahabal	Pangi, Shri Jayaram
Mitra, Shri Somen	Paranjpe, Shri Anand Prakash
Moily, Shri M. Veerappa	Paswan, Shri Kamlesh
Mukherjee, Shri Pranab	Patel, Shri Devji M.
Munda, Shri Karia	Patel, Shri Kishanbhai V.
Muttemwar, Shri Vilas	Patel, Shri Lalubhai Babubhai
Naik, Dr. Sanjeev Ganesh	Patel, Shri Praful
Naik, Shri P. Balram	Patel, Shri Somabhai Gandadal Koli
Naik, Shri Shripad Yesso	Patel, Shrimati Jayshreeben
Namdhari, Shri Inder Singh	Pathak, Shri Harin
Napoleon, Shri D.	Patil, Dr. Padmasinha Bajirao
Narah, Shrimati Ranee	Patil, Shri A.T. Nana
Narayanrao, Shri Sonawane Pratap	Patil, Shri C.R.
Narayanasamy, Shri V.	

*Voted through slip.

Patil, Shri Sanjay Dina	Rao, Shri K. Narayan
Patil, Shri Pratik	Rao, Shri Nama Nageswara
Paul, Shri Tapas	Rao, Shri Rayapati Sambasiva
Pawar, Shri Sharad	Rathod, Shri Ramesh
Potai, Shri Sohan	Rathwa, Shri Ramsinh
Prabhakar, Shri Ponnam	Rawat, Shri Harish
Pradhan, Shri Amarnath	Ray, Shri Bishnu Pada
Pradhan, Shri Nityananda	Ray, Shri Rudramadhab
Punia, Shri P.L.	Reddy, Shri Anantha Venkatarami
Purandeswari, Shrimati D.	Reddy, Shri K.J.S.P
Purkayastha, Shri Kabindra	Reddy, Shri M. Venugopala
Raghavan, Shri M.K.	Reddy, Shri M. Sreenivasulu
Raghavendra, Shri B.Y.	Reddy, Shri S. Jaipal
Rahman, Shri Abdul	Reddy, Shri S.P.Y.
Rai, Shri Prem Das	Roy, Prof. Saugata
Rajagopal, Shri L.	Roy, Shrimati Shatabdi
Rajendran, Shri C.	Sahay, Shri Subodh Kant
Raju, Shri M.M. Pallam	Sahu, Shri Chandu Lal
Rajukhedi, Shri Gajendra Singh	Sai, Shri Vishnu Dev
Ram, Shri Purnmasi	Sai Prathap, Shri A.
Ramachandran, Shri Mullappally	Sangma, Kumari Agatha
Ramasubbu, Shri S.S.	Sanjoy, Shri Takam
Ramshankar, Prof.	Sardinha, Shri Francisco Cosme
Rana, Shri Jagdish Singh	Sayeed, Shri Hamdullah
Rana, Shri Rajendrasinh	Scindia, Shri Jyotiraditya M.
Rane, Shri Nilesh Narayan	Scindia, Shrimati Yashodhara Raje
Rao, Dr. K.S.	Selja, Kumari

Semmalai, Shri S.	Singh, Shri Murari Lal
Sethi, Shri Arjun Charan	Singh, Shri N. Dharam
Shanavas, Shri M.I.	Singh, Shri Pashupati Nath
Shariq, Shri S.D.	Singh, Shri Pradeep Kumar
Sharma, Shri Jagdish	Singh, Shri R.P.N.
*Sharma, Shri Madan Lal	Singh, Shri Radha Mohan
Shekhawat, Shri Gopal Singh	Singh, Shri Rajiv Ranjan Singh alias Lalan
Shetkar, Shri Suresh Kumar	Singh, Shri Rajnath
Shinde, Shri Sushilkumar	Singh, Shri Rakesh
*Shivaji, Shri Adhalrao Patil	Singh, Shri Sukhdev
Shivkumar, Shri K. alias J.K. Ritheesh	Singh, Shri Sushil Kumar
Shukla, Shri Balkrishna Khanderao	Singh, Shri Uday
Sibal, Shri Kapil	Singh, Shri Uday Pratap
Siddeshwara, Shri G.M.	Singh, Shri Vijay Bahadur
Singh, Chaudhary Lal	*Singh, Shri Virbhadra
Singh, Dr. Bhola	Singh, Shrimati Meena
Singh, Dr. Raghuvansh Prasad	Singh, Shrimati Rajesh Nandini
Singh, Dr. Sanjay	Singla, Shri Vijay Inder
Singh, Rao Inderjit	Sinha, Shri Yashwant
Singh, Shri Ajit	Siricilla, Shri Rajaiah
Singh, Shri Bhoopendra	Sivaprasad, Dr. N.
Singh, Shri Dushyant	Sivasami, Shri C.
Singh, Shri Ganesh	Solanki, Dr. Kirit Premjibhai
Singh, Shri Ijyaraj	Solanki, Shri Bharatsinh
Singh, Shri Jaswant	Solanki, Shri Makansingh
Singh, Shri Jitendra	Sugavanam, Shri E.G.

*Voted through slip.

*Voted through slip.

Suklabaidya, Shri Lalit Mohan	Venugopal, Dr. P.
Sule, Shrimati Supriya	Venugopal, Shri D.
Sushant, Dr. Rajan	Verma, Shri Sajjan
Swamy, Shri Janardhana	Viswanathan, Shri P.
Swaraj, Shrimati Sushma	Vivekanand, Dr. G.
Tagore, Shri Manicka	Vundavalli, Shri Aruna Kumar
Tamta, Shri Pradeep	Vyas, Dr. Girija
Tandon, Shri Lalji	Wakchaure, Shri Bhausahab Rajaram
Tandon, Shrimati Annu	Wasnik, Shri Mukul
Tanwar, Shri Ashok	Yadav, Prof. Ranjan Prasad
Taviad, Dr. Prabha Kishor	Yadav, Shri Arun
Taware, Shri Suresh Kashinath	Yadav, Shri Dinesh Chandra
Tewari, Shri Manish	Yadav, Shri Hukmadeo Narayan
Thamaraiselvan, Shri R.	Yadav, Shri Madhusudan
Thambidurai, Dr. M.	Yadav, Shri Sharad
Tharoor, Dr. Shashi	NOES
Thirumaavalavan, Shri Thol	Acharia, Shri Basu Deb
Thomas, Prof. K.V.	Bauri, Shrimati Susmita
Thomas, Shri P.T.	Biju, Shri P.K.
Tirath, Shrimati Krishna	Devegowda, Shri H.D.
Tiwari, Shri Bhisma Shankar alias Kushal	Dome, Dr. Ram Chandra
Tomar, Shri Narendra Singh	Haque, Sk. Saidul
Toppo, Shri Joseph	Lingam, Shri P.
Tudu, Shri Laxman	Majumdar, Shri Prasanta Kumar
Udasi, Shri Shivkumar	Malik, Shri Sakti Mohan
Vardhan, Shri Harsh	Natarajan, Shri P.R.
Vasava, Shri Mansukhbhai D.	Panda, Shri Prabodh

MADAM SPEAKER: The Lobbies are already cleared.

...(Interruptions)

MADAM SPEAKER: I shall now put clause 3, as amended, to the vote of the House.

...(Interruptions)

[Translation]

MADAM SPEAKER: Please be quite what are you doing?

...(Interruptions)

MADAM SPEAKER: Please sit silently. We are amending the Constitution. Please be silent and do not make noise.

...(Interruptions)

[English]

MADAM SPEAKER: Please, let us have order in the House. What is this happening? Why are you standing? Who is standing? Please sit down. Next time, I am not going to wait and I will go on reading.

The Lobbies are already cleared. I shall now put clause 3, as amended, to the vote of the House.

The question is:

"That clause 3, as amended, stand part of the Bill."

The Lok Sabha divided:

DIVISION NO. 4

11.57 hrs.

AYES

Aaron Rashid, Shri J.M.

Adhi Sankar, Shri

Aditya Nath, Yogi

Adsul, Shri Anandrao

Advani, Shri L.K.

Agrawal, Shri Rajendra

Ahamed, Shri E.

Ahir, Shri Hansraj G.

Ahmed, Shri Sultan

Ajmal, Shri Badruddin

Alagiri, Shri S.

Amlabe, Shri Narayan Singh

*Anandan, Shri M.

Ananth Kumar, Shri

Antony, Shri Anto

Argal, Shri Ashok

Awale, Shri Jaywant Gangaram

Azad, Shri Kirti

Azharuddin, Mohammed

Baalu, Shri T.R.

'Baba', Shri K.C. Singh

Babar, Shri Gajanan D.

Babbar, Shri Raj

Badal, Shrimati Harsimrat Kaur

Baghel, Shrimati Sarika Devendra Singh

Bahuguna, Shri Vijay

Bairwa, Shri Khiladi Lal

Bais, Shri Ramesh

Baite, Shri Thangso

*Corrected through slip.

Baitha, Shri Kameshwar	Chakravarty, Shrimati Bijoya
Bajwa, Shri Pratap Singh	Chaudhary, Dr. Tushar
*Bakshi, Shri Subrata	Chaudhary, Shri Jayant
Bandyopadhyay, Shri Sudip	Chauhan, Shri Mahendrasinh P.
Banerjee, Shri Ambica	Chauhan, Shri Prabhatsinh P.
Banerjee, Shri Kalyan	Chauhan, Shri Sanjay Singh
Bansal, Shri Pawan Kumar	Chavan, Shri Harishchandra
Bapiraju, Shri K.	Chidambaram, Shri P.
Basavaraj, Shri G.S.	Chinta Mohan, Dr.
Basheer, Shri Mohammed E.T.	Chitthan, Shri N.S.V.
Baske, Shri Pulin Bihari	Choudhary, Shri Bhudeo
Bauri, Shrimati Susmita	Choudhary, Shri Harish
Beg, Dr. Mirza Mehboob	Choudhary, Shri Nikhil Kumar
Besra, Shri Devidhan	Choudhry, Shrimati Shruti
Bhadana, Shri Avtar Singh	Chowdhary, Shrimati Santosh
Bhagat, Shri Sudarshan	Chowdhury, Shri Adhir
Bhagora, Shri Tara Chand	'Commando', Shri Kamal Kishor
Bhaiya, Shri Shivraj	Das, Shri Bhakta Charan
Bhujbal, Shri Sameer	Das, Shri Ram Sundar
Bhuria, Shri Kanti Lal	Dasmunsi, Shrimati Deepa
Biju, Shri P.K.	Dastidar, Dr. Kakoli Ghosh
Bishnoi, Shri Kuldeep	De, Dr. Ratna
Bundela, Shri Jitendra Singh	Deka, Shri Ramen
Bwiswmuthiary, Shri Sansuma Khunggur	Deora, Shri Milind
Chacko, Shri P.C.	Deshmukh, Shri K.D.
Chang, Shri C.M.	Devi, Shrimati Ashwamedh
	Devi, Shrimati Rama

*Voted through slip.

Devegowda, Shri H.D.	Gulshan, Shrimati Paramjit Kaur
Dhanapalan, Shri K. P.	Haldar, Dr. Sucharu Ranjan
Dhotre, Shri Sanjay	Haque, Shri Mohd. Asrarul
Dhruvanarayana, Shri R.	Haque, Sk. Saidul
Dhurve, Shrimati Jyoti	Hari, Shri Sabbam
Dias, Shri Charles	Hassan, Dr. Monazir
Dikshit, Shri Sandeep	Hossain, Shri Abdul Mannan
Dome, Dr. Ram Chandra	Hussain, Shri Ismail
Dubey, Shri Nishikant	Jadhav, Shri Baliram
Dutt, Shrimati Priya	Jagannath, Dr. Manda
Elangovan, Shri T.K.S.	Jagathrakshakan, Dr. S.
Engti, Shri Biren Singh	Jain, Shri Pradeep
Ering, Shri Ninong	Jaiswal, Dr. Sanjay
Gadhvi, Shri Mukesh Bhairavdanji	Jaiswal, Shri Shriprakash
Gaikwad, Shri Eknath Mahadeo	Jakhar, Shri Badri Ram
Gandhi, Shri Dilipkumar Mansukhlal	Jardosh, Shrimati Darshana
Gandhi, Shrimati Maneka	Jat, Shrimati Poonam Veljibhai
Gandhi, Shrimati Sonia	Jatua, Shri Choudhury Mohan
Gandhiselvan, Shri S.	Jawale, Shri Haribhau
Gavit, Shri Manikrao Hodlya	Jena, Shri Mohan
Gawali, Shrimati Bhavana Patil	Jena, Shri Srikant
Geete, Shri Anant Gangaram	Jeyadurai, Shri S.R.
Ghatowar, Shri Paban Singh	Jhansi Lakshmi, Shrimati Botcha
Gogoi, Shri Dip	Jigajinagi, Shri Ramesh
Gohain, Shri Rajen	Jindal, Shri Naveen
Gouda, Shri Shivarama	Joshi, Dr. C.P.
Guddu, Shri Premchand	Joshi, Dr. Murli Manohar

Joshi, Shri Kailash	Lakshmi, Shrimati Panabaka
Joshi, Shri Mahesh	Lalu Prasad, Shri
Joshi, Shri Pralhad	Lingam, Shri P.
Judev, Shri Dilip Singh	Madam, Shri Vikrambhai Arjanbhai
Kachhadia, Shri Naranbhai	Mahajan, Shrimati Sumitra
Kashyap, Shri Virender	Mahant, Dr. Charan Das
Kaswan, Shri Ram Singh	Maharaj, Shri Satpal
Kataria, Shri Lalchand	Mahato, Shri Baidyanath Prasad
Kateel, Shri Nalin Kumar	Mahato, Shri Narahari
Kaur, Shrimati Preneet	Mahtab, Shri Bhartruhari
Kaypee, Shri Mohinder Singh	Majhi, Shri Pradeep
Khaire, Shri Chandrakant	Majumdar, Shri Prasanta Kumar
Khandela, Shri Mahadeo Singh	Maken, Shri Ajay
Kharge, Shri Mallikarjun	Malik, Shri Sakti Mohan
Khatri, Dr. Nirmal	Mani, Shri Jose K.
Khursheed, Shri Salman	Manjhi, Shri Hari
Killi, Dr. Kruparani	Maran, Shri Dayanidhi
Kowase, Shri Marotrao Sainuji	Masram, Shri Basori Singh
Krishnasswamy, Shri M.	Mcleod, Shrimati Ingrid
Kumar, Shri Kaushalendra	Meena, Shri Namu Narain
Kumar, Shri Ramesh	Meena, Shri Raghuvir Singh
Kumar, Shri Virendra	Meghe, Shri Datta
Kumar, Shri Vishwa Mohan	Meghwal, Shri Arjun Ram
Kumari, Shrimati Chandresh	Meghwal, Shri Bharat Ram
Kumari, Shrimati Putul	Meinya, Dr. Thokchom
Kurup, Shri N. Peethambara	Mirdha, Dr. Jyoti
Laguri, Shri Yashbant	Mishra, Shri Govind Prasad

Mishra, Shri Mahabal	Pandey, Dr. Vinay Kumar
Mitra, Shri Somen	Pandey, Kumari Saroj
Moily, Shri M. Veerappa	Pandey, Shri Gorakhnath
Mukherjee, Shri Pranab	Pandey, Shri Rakesh
Munda, Shri Karia	Pandey, Shri Ravindra Kumar
Muttemwar, Shri Vilas	Pangi, Shri Jayaram
Naik, Dr. Sanjeev Ganesh	Paranjpe, Shri Anand Prakash
Naik, Shri P. Balram	Paswan, Shri Kamlesh
Naik, Shri Shripad Yesso	Patel, Shri Devji M.
Namdhari, Shri Inder Singh	Patel, Shri Kishanbhai V.
Napoleon, Shri D.	Patel, Shri Lalubhai Babubhai
Narah, Shrimati Ranee	Patel, Shri Praful
Narayanrao, Shri Sonawane Pratap	Patel, Shri Somabhai Gandadal Koli
Narayanasamy, Shri V.	Patel, Shrimati Jayshreeben
Naskar, Shri Gobinda Chandra	Pathak, Shri Harin
Natarajan, Shri P.R.	Patil, Dr. Padmasinha Bajirao
Natrajan, Kumari Meenakshi	Patil, Shri A.T. Nana
Nirupam, Shri Sanjay	Patil, Shri C.R.
Nishad, Capt. Jai Narain Prasad	Patil, Shri Sanjay Dina
Noor, Kumari Mausam	Patil, Shri Pratik
Ola, Shri Sis Ram	Patle, Shrimati Kamla Devi
Owaisi, Shri Asaduddin	Paul, Shri Tapas
Pal, Shri Jagdambika	Pawar, Shri Sharad
Pal, Shri Rajaram	*Potai, Shri Sohan
Pala, Shri Vincent H.	Prabhakar, Shri Ponnam
Palanimanickam, Shri S.S.	Pradhan, Shri Amarnath
Panda, Shri Prabodh	

*Voted through slip.

Pradhan, Shri Nityananda

Reddy, Shri Anantha Venkatarami

Punia, Shri P. L.

Reddy, Shri K.J.S.P

Purandeswari, Shrimati D.

Reddy, Shri M. Venugopala

Purkayastha, Shri Kabindra

Reddy, Shri M. Sreenivasulu

Raghavan, Shri M.K.

Reddy, Shri S. Jaipal

Raghavendra, Shri B.Y.

Reddy, Shri S.P.Y.

Rahman, Shri Abdul

Roy, Prof. Saugata

Rajagopal, Shri L.

Roy, Shri Mahendra Kumar

Rajesh, Shri M.B.

Roy, Shrimati Shatabdi

Raju, Shri M.M. Pallam

Saha, Dr. Anup Kumar

Rajukhedi, Shri Gajendra Singh

Sahay, Shri Subodh Kant

Ram, Shri Purnmasi

Sahu, Shri Chandu Lal

Ramachandran, Shri Mullappally

Sai, Shri Vishnu Dev

Ramasubbu, Shri S.S.

Sai Prathap, Shri A.

Ramshankar, Prof.

Sampath, Shri A.

Rana, Shri Jagdish Singh

Sangma, Kumari Agatha

Rana, Shri Rajendrasinh

Sanjoy, Shri Takam

Rane, Shri Nilesh Narayan

Sardinha, Shri Francisco Cosme

Rao, Dr. K.S.

Sayeed, Shri Hamdullah

Rao, Shri Nama Nageswara

Scindia, Shri Jyotiraditya M.

Rao, Shri Rayapati Sambasiva

Scindia, Shrimati Yashodhara Raje

Rathod, Shri Ramesh

Selja, Kumari

Rathwa, Shri Ramsinh

Semmalai, Shri S.

Rawat, Shri Ashok Kumar

Sethi, Shri Arjun Charan

Rawat, Shri Harish

Shanavas, Shri M.I.

Ray, Shri Bishnu Pada

Shariq, Shri S.D.

Ray, Shri Rudramadhab

Sharma, Shri Jagdish

Sharma, Shri Madan Lal	Singh, Shri Rakesh
Shekhawat, Shri Gopal Singh	Singh, Shri Sukhdev
Shetkar, Shri Suresh Kumar	*Singh, Shri Sushil Kumar
Shinde, Shri Sushilkumar	Singh, Shri Uday
Shivaji, Shri Adhalrao Patil	Singh, Shri Uday Pratap
Shivkumar, Shri K. alias J.K. Ritheesh	Singh, Shri Vijay Bahadur
Shukla, Shri Balkrishna Khanderao	Singh, Shri Virbhadra
Sibal, Shri Kapil	Singh, Shrimati Meena
Siddeshwara, Shri G.M.	Singh, Shrimati Rajesh Nandini
Singh, Chaudhary Lal	Singla, Shri Vijay Inder
Singh, Dr. Bhola	Sinha, Shri Yashwant
Singh, Dr. Sanjay	Siricilla, Shri Rajaiah
Singh, Rao Inderjit	Sivaprasad, Dr. N.
Singh, Shri Ajit	Solanki, Dr. Kirit Premjibhai
Singh, Shri Bhoopendra	Solanki, Shri Bharatsinh
Singh, Shri Dushyant	Solanki, Shri Makansingh
Singh, Shri Ganesh	*Sugavanam, Shri E.G.
Singh, Shri Ijyaraj	Suklabaidya, Shri Lalit Mohan
Singh, Shri Jaswant	Sule, Shrimati Supriya
Singh, Shri Jitendra	Swamy, Shri Janardhana
Singh, Shri Murari Lal	Swaraj, Shrimati Sushma
Singh, Shri N. Dharam	Tagore, Shri Manicka
Singh, Shri Pradeep Kumar	Tamta, Shri Pradeep
Singh, Shri R.P.N.	Tandon, Shri Lalji
Singh, Shri Radha Mohan	Tandon, Shrimati Annu
Singh, Shri Rajiv Ranjan Singh alias Lalan	Tanwar, Shri Ashok
Singh, Shri Rajnath	

*Voted through slip.

Taviad, Dr. Prabha Kishor

Yadav, Shri Hukmadeo Narayan

Taware, Shri Suresh Kashinath

Yadav, Shri Madhusudan

Tewari, Shri Manish

Yadav, Shri Sharad

Thamaraiselvan, Shri R.

NOES

Thambidurai, Dr. M.

Acharia, Shri Basu Deb

Tharoor, Dr. Shashi

Barq, Dr. Shafiqur Rehman

Thirumaavalavan, Shri Thol

Devegowda, Shri H.D.

Thomas, Prof. K.V.

Dudhgaonkar, Shri Ganeshrao Nagorao

Thomas, Shri P.T.

Kumar, Shri P.

Tirath, Shrimati Krishna

Venugopal, Dr. P.

Tomar, Shri Narendra Singh

MADAM SPEAKER: Subject to correction*, the result of the division is:

Toppo, Shri Joseph

Ayes	:	374
------	---	-----

Tudu, Shri Laxman

Noes	:	007
------	---	-----

Udasi, Shri Shivkumar

Vardhan, Shri Harsh

The motion is carried 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.

Vasava, Shri Mansukhbhai D.

The motion was adopted.

Venugopal, Shri D.

Clause 3, as amended, was added to the Bill.

Verma, Shri Sajjan

Clause 1	Short Title and Commencement
----------	------------------------------

Viswanathan, Shri P.

Vivekanand, Dr. G.

Vundavalli, Shri Aruna Kumar

MADAM SPEAKER: There is a Government amendment to clause 1. Now, the Minister to move Amendment No. 2.

Vyas, Dr. Girija

Wasnik, Shri Mukul

*The following Members also recorded and corrected their votes through slips.

Yadav, Prof. Ranjan Prasad

Ayes 374 + S/s M. Anandan, Subrata Bakshi, Sohan Potai, Sushil Kumar Singh, E.G. Sugavanam = 379

Yadav, Shri Arun

Noes 7 – Shri M. Anandan wrongly voted for Noes. Later on, he corrected through slip for Ayes = 6

Yadav, Shri Dinesh Chandra

Amendment made:

Page 1, lines 3 and 4, —

for “the Constitution (One Hundred and Eleventh Amendment) Act, 2009”

substitute “the Constitution (Ninety-seventh Amendment) Act, 2011”. (2)

(Shri Sharad Pawar)

12.00 hrs.

MADAM SPEAKER: The Lobbies have already been cleared.

The question is:

“That clause 1, as amended, stand part of the Bill”

The Lok Sabha divided:

DIVISION NO. 5

12.0¼ hrs.

AYES

Aaron Rashid, Shri J.M.

Acharia, Shri Basu Deb

Adhi Sankar, Shri

Aditya Nath, Yogi

Adsul, Shri Anandrao

Advani, Shri L.K.

Agrawal, Shri Rajendra

Ahamed, Shri E.

Ahir, Shri Hansraj G.

Ahmed, Shri Sultan

Ajmal, Shri Badruddin

Alagiri, Shri S.

Amlabe, Shri Narayan Singh

Anandan, Shri M.

Ananth Kumar, Shri

Angadi, Shri Suresh

Antony, Shri Anto

Argal, Shri Ashok

Awale, Shri Jaywant Gangaram

Azad, Shri Kirti

Azharuddin, Mohammed

Baalu, Shri T.R.

‘Baba’, Shri K.C. Singh

Babar, Shri Gajanan D.

Babbar, Shri Raj

Badal, Shrimati Harsimrat Kaur

Baghel, Shrimati Sarika Devendra Singh

Bahuguna, Shri Vijay

Bairwa, Shri Khiladi Lal

Bais, Shri Ramesh

Baite, Shri Thangso

Baitha, Shri Kameshwar

Bajwa, Shri Pratap Singh

*Bakshi, Shri Subrata

Bandyopadhyay, Shri Sudip

Banerjee, Shri Ambica

Banerjee, Shri Kalyan

Bansal, Shri Pawan Kumar

*Voted through slip.

Bapiraju, Shri K.	Chinta Mohan, Dr.
Basavaraj, Shri G.S.	Chitthan, Shri N.S.V.
Basheer, Shri Mohammed E.T.	Choudhary, Shri Bhudeo
Baske, Shri Pulin Bihari	Choudhary, Shri Harish
Beg, Dr. Mirza Mehboob	Choudhary, Shri Nikhil Kumar
Besra, Shri Devidhan	Choudhry, Shrimati Shruti
Bhadana, Shri Avtar Singh	Chowdhary, Shrimati Santosh
Bhagat, Shri Sudarshan	Chowdhury, Shri Adhir
Bhagora, Shri Tara Chand	'Commando', Shri Kamal Kishor
Bhaiya, Shri Shivraj	Das, Shri Bhakta Charan
Bhujbal, Shri Sameer	Das, Shri Ram Sundar
Bhuria, Shri Kanti Lal	Dasmunsi, Shrimati Deepa
Biju, Shri P.K.	Dastidar, Dr. Kakoli Ghosh
Bishnoi, Shri Kuldeep	Deka, Shri Ramen
Bundela, Shri Jitendra Singh	Deora, Shri Milind
Bwiswmuthiary, Shri Sansuma Khunggur	Deshmukh, Shri K.D.
Chacko, Shri P.C.	Devegowda, Shri H.D.
Chang, Shri C.M.	Devi, Shrimati Ashwamedh
Chakravarty, Shrimati Bijoya	Devi, Shrimati Rama
Chaudhary, Shri Arvind Kumar	Dhanapalan, Shri K.P.
Chaudhary, Dr. Tushar	Dhotre, Shri Sanjay
Chaudhary, Shri Jayant	Dhruvanarayana, Shri R.
Chauhan, Shri Dara Singh	Dhurve, Shrimati Jyoti
Chauhan, Shri Prabhatsinh P.	Dias, Shri Charles
Chauhan, Shri Sanjay Singh	Dikshit, Shri Sandeep
Chavan, Shri Harishchandra	Dome, Dr. Ram Chandra
Chidambaram, Shri P.	Dubey, Shri Nishikant

Dudhgaonkar, Shri Ganeshrao Nagorao

Dutt, Shrimati Priya

Elangovan, Shri T.K.S.

Engti, Shri Biren Singh

Ering, Shri Ninong

Gadhvi, Shri Mukesh Bhairavdanji

Gaikwad, Shri Eknath Mahadeo

Gandhi, Shri Dilipkumar Mansukhlal

Gandhi, Shrimati Maneka

Gandhi, Shrimati Sonia

Gandhiselvan, Shri S.

Gavit, Shri Manikrao Hodlya

Gawali, Shrimati Bhavana Patil

Geete, Shri Anant Gangaram

Ghatowar, Shri Paban Singh

Gogoi, Shri Dip

Gohain, Shri Rajen

Gouda, Shri Shivarama

Guddu, Shri Premchand

Gulshan, Shrimati Paramjit Kaur

Halder, Dr. Sucharu Ranjan

Haque, Shri Mohd. Asrarul

Hari, Shri Sabbam

Hasan, Shrimati Tabassum

*Hassan, Dr. Monazir

Hossain, Shri Abdul Mannan

Hussain, Shri Ismail

Jadhao, Shri Prataprao Ganpatrao

Jadhav, Shri Baliram

Jagannath, Dr. Manda

Jagathrakshakan, Dr. S.

Jahan, Shrimati Kaiser

Jain, Shri Pradeep

Jaiswal, Dr. Sanjay

Jaiswal, Shri Gorakh Prasad

Jaiswal, Shri Shriprakash

Jakhar, Shri Badri Ram

Jardosh, Shrimati Darshana

Jat, Shrimati Poonam Veljibhai

Jatua, Shri Choudhury Mohan

Jawale, Shri Haribhau

Jena, Shri Mohan

Jena, Shri Srikant

Jeyadurai, Shri S.R.

Jhansi Lakshmi, Shrimati Botcha

Jindal, Shri Naveen

Joshi, Dr. C.P.

Joshi, Dr. Murli Manohar

Joshi, Shri Kailash

Joshi, Shri Mahesh

Joshi, Shri Pralhad

Judev, Shri Dilip Singh

Kachhadia, Shri Naranbhai

*Voted through slip.

Karunakaran, Shri P.

Karwariya, Shri Kapil Muni

Kashyap, Shri Virender

Kaswan, Shri Ram Singh

Kataria, Shri Lalchand

Kateel, Shri Nalin Kumar

Kaur, Shrimati Preneet

Kaypee, Shri Mohinder Singh

Khaire, Shri Chandrakant

Khan, Shri Hassan

Khandela, Shri Mahadeo Singh

Kharge, Shri Mallikarjun

Khatri, Dr. Nirmal

Khursheed, Shri Salman

Killi, Dr. Kruparani

Kowase, Shri Marotrao Sainuji

Krishnasswamy, Shri M.

Kumar, Shri Kaushalendra

Kumar, Shri P.

Kumar, Shri Ramesh

Kumar, Shri Virendra

Kumari, Shrimati Chandresh

Kumari, Shrimati Putul

Kurup, Shri N. Peethambara

Laguri, Shri Yashbant

Lakshmi, Shrimati Panabaka

Lalu Prasad, Shri

Lingam, Shri P.

Madam, Shri Vikrambhai Arjanbhai

Mahajan, Shrimati Sumitra

Mahant, Dr. Charan Das

Maharaj, Shri Satpal

Mahato, Shri Narahari

Mahtab, Shri Bhartruhari

Majhi, Shri Pradeep

Maken, Shri Ajay

Malik, Shri Sakti Mohan

Mani, Shri Jose K.

Manjhi, Shri Hari

Maran, Shri Dayanidhi

Masram, Shri Basori Singh

Mcleod, Shrimati Ingrid

Meena, Shri Namoo Narain

Meena, Shri Raghuvir Singh

Meghe, Shri Datta

Meghwal, Shri Arjun Ram

Meghwal, Shri Bharat Ram

Meinya, Dr. Thokchom

Mirdha, Dr. Jyoti

Mishra, Shri Mahabal

Mitra, Shri Somen

Moily, Shri M. Veerappa

Mukherjee, Shri Pranab

Munda, Shri Karia

Muttemwar, Shri Vilas

Nagar, Shri Surendra Singh

Naik, Dr. Sanjeev Ganesh

Naik, Shri P. Balram

Naik, Shri Shripad Yesso

Namdhari, Shri Inder Singh

Napoleon, Shri D.

Narah, Shrimati Ranee

Narayanrao, Shri Sonawane Pratap

Narayanasamy, Shri V.

Naskar, Shri Gobinda Chandra

Natrajan, Kumari Meenakshi

Nirupam, Shri Sanjay

Nishad, Capt. Jai Narain Prasad

Noor, Kumari Mausam

Ola, Shri Sis Ram

Owaisi, Shri Asaduddin

Pal, Shri Jagdambika

Pal, Shri Rajaram

Pala, Shri Vincent H.

Palanimanickam, Shri S.S.

Panda, Shri Prabodh

Pandey, Dr. Vinay Kumar

Pandey, Shri Gorakhnath

Pandey, Shri Rakesh

Pandey, Kumari Saroj

Pandey, Shri Ravindra Kumar

Pangi, Shri Jayaram

Paranjpe, Shri Anand Prakash

Paswan, Shri Kamlesh

Patel, Shri Devji M.

Patel, Shri Kishanbhai V.

Patel, Shri Lalubhai Babubhai

Patel, Shri Praful

Patel, Shri Somabhai Gandadal Koli

Patel, Shrimati Jayshreeben

Pathak, Shri Harin

Patil, Shri A.T. Nana

Patil, Shri C.R.

Patil, Shri Sanjay Dina

Patil, Shri Pratik

Patle, Shrimati Kamla Devi

Paul, Shri Tapas

Pawar, Shri Sharad

Potai, Shri Sohan

Prabhakar, Shri Ponnamp

Pradhan, Shri Amarnath

Pradhan, Shri Nityananda

Punia, Shri P. L.

Purandeswari, Shrimati D.

Purkayastha, Shri Kabindra

Raghavan, Shri M.K.

Raghavendra, Shri B.Y.

Rahman, Shri Abdul

Rai, Shri Prem Das	Reddy, Shri M. Sreenivasulu
Rajagopal, Shri L.	Reddy, Shri S. Jaipal
Rajendran, Shri C.	Reddy, Shri S.P.Y.
Rajesh, Shri M.B.	Roy, Prof. Saugata
Raju, Shri M.M. Pallam	Roy, Shri Mahendra Kumar
Rajukhedi, Shri Gajendra Singh	Roy, Shrimati Shatabdi
Ram, Shri Purnmasi	Sahay, Shri Subodh Kant
Ramachandran, Shri Mullappally	Sahu, Shri Chandu Lal
Ramasubbu, Shri S.S.	Sai, Shri Vishnu Dev
Ramshankar, Prof.	Sai Prathap, Shri A.
Rana, Shri Jagdish Singh	Sampath, Shri A.
Rana, Shri Kadir	Sangma, Kumari Agatha
Rana, Shri Rajendrasinh	Sanjoy, Shri Takam
Rane, Shri Nilesh Narayan	Sardinha, Shri Francisco Cosme
Rao, Dr. K.S.	Sayeed, Shri Hamdullah
Rao, Shri K. Narayan	*Scindia, Shri Jyotiraditya M.
Rao, Shri Nama Nageswara	Scindia, Shrimati Yashodhara Raje
Rao, Shri Rayapati Sambasiva	Selja, Kumari
Rathod, Shri Ramesh	Semmalai, Shri S.
Rathwa, Shri Ramsinh	Sethi, Shri Arjun Charan
Rawat, Shri Ashok Kumar	Shanavas, Shri M.I.
Rawat, Shri Harish	Shariq, Shri S.D.
Ray, Shri Bishnu Pada	Sharma, Shri Jagdish
Ray, Shri Rudramadhab	Sharma, Shri Madan Lal
Reddy, Shri Anantha Venkatarami	Shekhawat, Shri Gopal Singh
Reddy, Shri K.J.S.P	Shetkar, Shri Suresh Kumar
Reddy, Shri M. Venugopala	Shinde, Shri Sushilkumar

Shivaji, Shri Adhalrao Patil	Singh, Shri Sushil Kumar
Shivkumar, Shri K. alias J.K. Ritheesh	Singh, Shri Uday
Shukla, Shri Balkrishna Khanderao	Singh, Shri Uday Pratap
Sibal, Shri Kapil	Singh, Shri Vijay Bahadur
Siddeshwara, Shri G.M.	Singh, Shri Virbhadra
Singh, Chaudhary Lal	Singh, Shrimati Meena
Singh, Dr. Bhola	Singh, Shrimati Rajesh Nandini
Singh, Dr. Raghuvansh Prasad	Singla, Shri Vijay Inder
Singh, Dr. Sanjay	Sinha, Shri Yashwant
Singh, Rao Inderjit	Siricilla, Shri Rajaiah
Singh, Shri Ajit	Sivaprasad, Dr. N.
Singh, Shri Bhoopendra	Sivasami, Shri C.
Singh, Shri Dushyant	Solanki, Dr. Kirit Premjibhai
Singh, Shri Ganesh	Solanki, Shri Bharatsinh
Singh, Shri Ijyaraj	Solanki, Shri Makansingh
Singh, Shri Jagdanand	Sugavanam, Shri E.G.
Singh, Shri Jitendra	Suklabaidya, Shri Lalit Mohan
Singh, Shri Murari Lal	Sule, Shrimati Supriya
Singh, Shri N. Dharam	Sushant, Dr. Rajan
Singh, Shri Pashupati Nath	Swamy, Shri Janardhana
Singh, Shri Pradeep Kumar	Swaraj, Shrimati Sushma
Singh, Shri R.P.N.	Tagore, Shri Manicka
Singh, Shri Radha Mohan	Tamta, Shri Pradeep
Singh, Shri Rajiv Ranjan Singh alias Lalan	Tandon, Shri Lalji
Singh, Shri Rajnath	Tandon, Shrimati Annu
Singh, Shri Rakesh	Tanwar, Shri Ashok
Singh, Shri Sukhdev	Taviad, Dr. Prabha Kishor

Taware, Shri Suresh Kashinath

Yadav, Shri Arun

Tewari, Shri Manish

Yadav, Shri Dinesh Chandra

Thamaraiselvan, Shri R.

Yadav, Shri Hukmadeo Narayan

Thambidurai, Dr. M.

Yadav, Shri Madhusudan

Tharoor, Dr. Shashi

Yadav, Shri Sharad

Thirumaavalavan, Shri Thol

MDAM SPEAKER: Subject to correction*, the result of the Division is:

Thomas, Prof. K.V.

Ayes : 390

Thomas, Shri P.T.

Noes : Nil

Tirath, Shrimati Krishna

The motion is carried 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.

Tirkey, Shri Manohar

The motion was adopted.

Tomar, Shri Narendra Singh

Clause 1, as amended, was added to the Bill.

Toppo, Shri Joseph

Enacting Formula

Tudu, Shri Laxman

Amendment made:

Udasi, Shri Shivkumar

Page 1, line 1,—

Upadhyay, Shrimati Seema

for "Sixtieth"

Vardhan, Shri Harsh

substitute "Sixty-second". (1)

Vasava, Shri Mansukhbhai D.

Venugopal, Dr. P.

(Shri Sharad Pawar)

Venugopal, Shri D.

Verma, Shri Sajjan

MADAM SPEAKER: The question is:

Viswanathan, Shri P.

"That the Enacting Formula, as amended, stand part of the Bill."

Vivekanand, Dr. G.

The motion was adopted.

Vundavalli, Shri Aruna Kumar

The Enacting Formula, as amended, was added to the Bill.

Vyas, Dr. Girija

The Long Title was added to the Bill.

Wakchaure, Shri Bhausahab Rajaram

Wasnik, Shri Mukul

*The following Members also recorded their votes through slips.

Yadav, Prof. Ranjan Prasad

Ayes 390 + S/s Subrata Bakshi, Dr. Monazir Hassan, Shri Jyotiraditya M. Scindia = 393

SHRI SHARAD PAWAR: I beg to move:

“That the Bill, as amended, be passed.”

MADAM SPEAKER: The Lobbies have already been cleared.

The question is:

“That the Bill, as amended, be passed.”

The Lok Sabha divided:

DIVISION NO. 6

12.01 hrs.

AYES

Aaron Rashid, Shri J.M.
 Acharia, Shri Basu Deb
 Adhi Sankar, Shri
 Aditya Nath, Yogi
 Adsul, Shri Anandrao
 Advani, Shri L.K.
 Agrawal, Shri Rajendra
 Ahamed, Shri E.
 Ahir, Shri Hansraj G.
 Ahmed, Shri Sultan
 Ajmal, Shri Badruddin
 Alagiri, Shri S.
 Amlabe, Shri Narayan Singh
 Anandan, Shri M.
 Ananth Kumar, Shri
 Angadi, Shri Suresh
 Antony, Shri Anto

Argal, Shri Ashok
 Awale, Shri Jaywant Gangaram
 Azad, Shri Kirti
 Azharuddin, Mohammed
 Baalu, Shri T.R.
 ‘Baba’, Shri K.C. Singh
 Babar, Shri Gajanan D.
 Babbar, Shri Raj
 Badal, Shrimati Harsimrat Kaur
 Baghel, Shrimati Sarika Devendra Singh
 Bahuguna, Shri Vijay
 Bairwa, Shri Khiladi Lal
 Bais, Shri Ramesh
 Baite, Shri Thangso
 Baitha, Shri Kameshwar
 Bajwa, Shri Pratap Singh
 *Bakshi, Shri Subrata
 Bandyopadhyay, Shri Sudip
 Banerjee, Shri Ambica
 Banerjee, Shri Kalyan
 Bansal, Shri Pawan Kumar
 Bapiraju, Shri K.
 Basavaraj, Shri G.S.
 Basheer, Shri Mohammed E.T.
 *Baske, Shri Pulin Bihari
 Bauri, Shrimati Susmita

*Voted through slip.

Beg, Dr. Mirza Mehboob

Besra, Shri Devidhan

Bhadana, Shri Avtar Singh

Bhagat, Shri Sudarshan

Bhagora, Shri Tara Chand

Bhaiya, Shri Shivraj

Bhujbal, Shri Sameer

Bhuria, Shri Kanti Lal

Biju, Shri P.K.

Bishnoi, Shri Kuldeep

Bundela, Shri Jitendra Singh

Bwiswmuthiary, Shri Sansuma Khunggur

Chacko, Shri P.C.

Chang, Shri C.M.

Chakravarty, Shrimati Bijoya

Chaudhary, Dr. Tushar

Chaudhary, Shri Arvind Kumar

Chaudhary, Shri Jayant

Chauhan, Shri Dara Singh

Chauhan, Shri Mahendrasinh P.

Chauhan, Shri Prabhatsinh P.

Chavan, Shri Harishchandra

Chidambaram, Shri P.

Chinta Mohan, Dr.

Chitthan, Shri N.S.V.

Choudhary, Shri Bhudeo

Choudhary, Shri Harish

Choudhary, Shri Nikhil Kumar

Choudhry, Shrimati Shruti

Chowdhary, Shrimati Santosh

Chowdhury, Shri Adhir

'Commando', Shri Kamal Kishor

Das, Shri Bhakta Charan

Das, Shri Ram Sundar

Dasmunsi, Shrimati Deepa

Dastidar, Dr. Kakoli Ghosh

De, Dr. Ratna

Deka, Shri Ramen

Deora, Shri Milind

Deshmukh, Shri K.D.

Devi, Shrimati Ashwamedh

Devi, Shrimati Rama

Devegowda, Shri H.D.

Dhanapalan, Shri K.P.

Dhotre, Shri Sanjay

Dhruvanarayana, Shri R.

Dhurve, Shrimati Jyoti

Dias, Shri Charles

Dikshit, Shri Sandeep

Dome, Dr. Ram Chandra

Dubey, Shri Nishikant

Dudhgaonkar, Shri Ganeshrao Nagorao

Dutt, Shrimati Priya

Elangovan, Shri T.K.S.

Engti, Shri Biren Singh	Jagannath, Dr. Manda
Ering, Shri Ninong	Jagathrakshakan, Dr. S.
Gadhvi, Shri Mukesh Bhairavdanji	Jahan, Shrimati Kaisar
Gaikwad, Shri Eknath Mahadeo	Jain, Shri Pradeep
Gandhi, Shri Dilipkumar Mansukhlal	Jaiswal, Dr. Sanjay
Gandhi, Shrimati Maneka	Jaiswal, Shri Gorakh Prasad
Gandhi, Shrimati Sonia	Jaiswal, Shri Shriprakash
Gandhiselvan, Shri S.	Jakhar, Shri Badri Ram
Gavit, Shri Manikrao Hodlya	Jardosh, Shrimati Darshana
Gawali, Shrimati Bhavana Patil	Jat, Shrimati Poonam Veljibhai
Geete, Shri Anant Gangaram	Jatua, Shri Choudhury Mohan
Ghatowar, Shri Paban Singh	Jawale, Shri Haribhau
Gogoi, Shri Dip	Jena, Shri Mohan
Gohain, Shri Rajen	Jena, Shri Srikant
Gouda, Shri Shivarama	Jeyadurai, Shri S. R.
Guddu, Shri Premchand	Jhansi Lakshmi, Shrimati Botcha
Gulshan, Shrimati Paramjit Kaur	Jigajinagi, Shri Ramesh
Haldar, Dr. Sucharu Ranjan	Jindal, Shri Naveen
Haque, Shri Mohd. Asrarul	Joshi, Dr. C.P.
*Haque, Sk. Saidul	Joshi, Dr. Murli Manohar
Hari, Shri Sabbam	Joshi, Shri Kailash
Hassan, Dr. Monazir	Joshi, Shri Mahesh
Hossain, Shri Abdul Mannan	Joshi, Shri Pralhad
Hussain, Shri Ismail	Judev, Shri Dilip Singh
Jadhao, Shri Prataprao Ganpatrao	Kachhadia, Shri Naranbhai
Jadhav, Shri Baliram	Karwaria, Shri Kapil Muni
	Kashyap, Shri Virender

*Voted through slip.

Kaswan, Shri Ram Singh

Kataria, Shri Lalchand

Kateel, Shri Nalin Kumar

Kaur, Shrimati Preneet

Kaypee, Shri Mohinder Singh

Khaire, Shri Chandrakant

Khan, Shri Hassan

Khandela, Shri Mahadeo Singh

Kharge, Shri Mallikarjun

Khatri, Dr. Nirmal

Khursheed, Shri Salman

Killi, Dr. Kruparani

Kowase, Shri Marotrao Sainuji

Krishnasswamy, Shri M.

Kumar, Shri Kaushalendra

Kumar, Shri P.

Kumar, Shri Ramesh

Kumar, Shri Virendra

Kumar, Shri Vishwa Mohan

Kumari, Shrimati Chandresh

Kumari, Shrimati Putul

Kurup, Shri N. Peethambara

Laguri, Shri Yashbant

Lakshmi, Shrimati Panabaka

Lalu Prasad, Shri

Lingam, Shri P.

Madam, Shri Vikrambhai Arjanbhai

Mahajan, Shrimati Sumitra

Mahant, Dr. Charan Das

Maharaj, Shri Satpal

Mahato, Shri Baidyanath Prasad

*Mahato, Shri Narahari

Mahtab, Shri Bhartruhari

Majhi, Shri Pradeep

Maken, Shri Ajay

Malik, Shri Sakti Mohan

Mani, Shri Jose K.

Manjhi, Shri Hari

Maran, Shri Dayanidhi

Masram, Shri Basori Singh

Mcleod, Shrimati Ingrid

Meena, Shri Namoo Narain

Meena, Shri Raghuvir Singh

Meghe, Shri Datta

Meghwal, Shri Arjun Ram

Meghwal, Shri Bharat Ram

Meinya, Dr. Thokchom

Mirdha, Dr. Jyoti

Mishra, Shri Govind Prasad

Mishra, Shri Mahabal

Mitra, Shri Somen

Moily, Shri M. Veerappa

Mukherjee, Shri Pranab

 *Voted through slip.

Munda, Shri Karia

Muttemwar, Shri Vilas

Naik, Dr. Sanjeev Ganesh

Naik, Shri P. Balram

Naik, Shri Shripad Yesso

Namdhari, Shri Inder Singh

Napoleon, Shri D.

Narah, Shrimati Ranee

Narayanrao, Shri Sonawane Pratap

Narayanasamy, Shri V.

Naskar, Shri Gobinda Chandra

Natarajan, Shri P.R.

Natrajan, Kumari Meenakshi

Nirupam, Shri Sanjay

Nishad, Capt. Jai Narain Prasad

Noor, Kumari Mausam

Ola, Shri Sis Ram

Owaisi, Shri Asaduddin

Pal, Shri Jagdambika

Pal, Shri Rajaram

Pala, Shri Vincent H.

Panda, Shri Prabodh

Pandey, Dr. Vinay Kumar

Pandey, Kumari Saroj

Pandey, Shri Gorakhnath

Pandey, Shri Rakesh

Pandey, Shri Ravindra Kumar

Pangi, Shri Jayaram

Paranjpe, Shri Anand Prakash

Paswan, Shri Kamlesh

Patel, Shri Devji M.

Patel, Shri Kishanbhai V.

Patel, Shri Lalubhai Babubhai

Patel, Shri Praful

Patel, Shri Somabhai Gandadal Koli

Patel, Shrimati Jayshreeben

Pathak, Shri Harin

Patil, Dr. Padmasinha Bajirao

Patil, Shri A.T. Nana

Patil, Shri C.R.

Patil, Shri Sanjay Dina

Patil, Shri Pratik

Patle, Shrimati Kamla Devi

Paul, Shri Tapas

Pawar, Shri Sharad

Potai, Shri Sohan

Prabhakar, Shri Ponnamp

Pradhan, Shri Amarnath

Pradhan, Shri Nityananda

Punia, Shri P. L.

Purandeswari, Shrimati D.

Purkayastha, Shri Kabindra

Raghavan, Shri M.K.

Raghavendra, Shri B.Y.

Rahman, Shri Abdul	Reddy, Shri M. Venugopala
Rai, Shri Prem Das	Reddy, Shri M. Sreenivasulu
Rajagopal, Shri L.	Reddy, Shri S. Jaipal
Rajbhar, Shri Ramashankar	Reddy, Shri S.P.Y.
Rajendran, Shri C.	Roy, Prof. Saugata
Rajesh, Shri M.B.	Roy, Shri Mahendra Kumar
Raju, Shri M.M. Pallam	Roy, Shrimati Shatabdi
Rajukhedi, Shri Gajendra Singh	Sahay, Shri Subodh Kant
Ram, Shri Purnmasi	Sahu, Shri Chandu Lal
Ramachandran, Shri Mullappally	Sai, Shri Vishnu Dev
Ramasubbu, Shri S.S.	Sai Prathap, Shri A.
Ramshankar, Prof.	Sampath, Shri A.
Rana, Shri Jagdish Singh	Sangma, Kumari Agatha
Rana, Shri Rajendrasinh	Sanjoy, Shri Takam
Rane, Shri Nilesh Narayan	Sardinha, Shri Francisco Cosme
Rao, Dr. K.S.	Sayeed, Shri Hamdullah
Rao, Shri K. Narayan	Scindia, Shri Jyotiraditya M.
Rao, Shri Nama Nageswara	Scindia, Shrimati Yashodhara Raje
Rao, Shri Rayapati Sambasiva	Selja, Kumari
Rathod, Shri Ramesh	Semmalai, Shri S.
Rathwa, Shri Ramsinh	Sethi, Shri Arjun Charan
Rawat, Shri Ashok Kumar	Shanavas, Shri M.I.
Rawat, Shri Harish	Shariq, Shri S.D.
Ray, Shri Bishnu Pada	Sharma, Shri Jagdish
Ray, Shri Rudramadhab	Sharma, Shri Madan Lal
Reddy, Shri Anantha Venkatarami	Shekhawat, Shri Gopal Singh
Reddy, Shri K.J.S.P.	Shetkar, Shri Suresh Kumar

Shinde, Shri Sushilkumar	Singh, Shri Rakesh
Shivaji, Shri Adhalrao Patil	Singh, Shri Sukhdev
Shivkumar, Shri K. alias J.K. Ritheesh	Singh, Shri Sushil Kumar
Shukla, Shri Balkrishna Khanderao	Singh, Shri Uday
Sibal, Shri Kapil	Singh, Shri Uday Pratap
Siddeshwara, Shri G.M.	Singh, Shri Vijay Bahadur
Singh, Chaudhary Lal	Singh, Shri Virbhadra
Singh, Dr. Bhola	Singh, Shrimati Meena
Singh, Dr. Raghuvansh Prasad	Singh, Shrimati Rajesh Nandini
Singh, Dr. Sanjay	Singla, Shri Vijay Inder
Singh, Rao Inderjit	Sinha, Shri Yashwant
Singh, Shri Ajit	Siricilla, Shri Rajaiah
Singh, Shri Bhoopendra	Sivaprasad, Dr. N.
Singh, Shri Dushyant	Solanki, Dr. Kirit Premjibhai
Singh, Shri Ganesh	Solanki, Shri Bharatsinh
Singh, Shri Ijyaraj	Solanki, Shri Makansingh
Singh, Shri Jagdanand	Sugavanam, Shri E.G.
Singh, Shri Jaswant	Suklabaidya, Shri Lalit Mohan
Singh, Shri Jitendra	Sule, Shrimati Supriya
Singh, Shri Murari Lal	Swamy, Shri Janardhana
Singh, Shri N. Dharam	Swaraj, Shrimati Sushma
Singh, Shri Pashupati Nath	Tagore, Shri Manicka
Singh, Shri Pradeep Kumar	Tamta, Shri Pradeep
Singh, Shri R.P.N.	Tandon, Shri Lalji
Singh, Shri Radha Mohan	Tandon, Shrimati Annu
Singh, Shri Rajiv Ranjan Singh alias Lalan	Tanwar, Shri Ashok
Singh, Shri Rajnath	Taviad, Dr. Prabha Kishor

Taware, Shri Suresh Kashinath

Tewari, Shri Manish

Thamaraiselvan, Shri R.

Thambidurai, Dr. M.

Tharoor, Dr. Shashi

Thirumaavalavan, Shri Thol

Thomas, Prof. K.V.

Thomas, Shri P.T.

Tirath, Shrimati Krishna

Tirkey, Shri Manohar

Tiwari, Shri Bhisma Shankar alias Kushal

Tomar, Shri Narendra Singh

Toppo, Shri Joseph

Tudu, Shri Laxman

Udasi, Shri Shivkumar

Upadhyay, Shrimati Seema

Vardhan, Shri Harsh

Vasava, Shri Mansukhbhai D.

Venugopal, Dr. P.

Venugopal, Shri D.

Verma, Shri Sajjan

Viswanathan, Shri P.

Vivekanand, Dr. G.

Vundavalli, Shri Aruna Kumar

Vyas, Dr. Girija

Wakchaure, Shri Bhausahab Rajaram

Wasnik, Shri Mukul

Yadav, Prof. Ranjan Prasad

Yadav, Shri Arun

Yadav, Shri Dinesh Chandra

Yadav, Shri Hukmadeo Narayan

Yadav, Shri Madhusudan

Yadav, Shri Sharad

NOES

Majumdar, Shri Prasanta Kumar

MADAM SPEAKER: Subject to correction*, the result of the Division is:

Ayes : 394

Noes : 001

The motion is carried 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, is passed by the requisite majority, in accordance with the provisions of article 368 of the Constitution.

Hon. Members, since a new clause 1A has been added to the Bill, it may be renumbered as clause 2 and the subsequent clauses may also be reserialised accordingly.

The Lobbies may be opened.

[English]

MADAM SPEAKER: We shall now take up the 'Zero Hour'. Shri Lalu Prasad to speak.

*The following Members also recorded their votes through slips.

Ayes 394 + S/s Subrata Bakshi, Pulin Bihari Baske, Sk. Saidul Haque, Shri Narahari Mahato = 398

[Translation]

SHRI LALU PRASAD (Saran): Madam Speaker, I would like to raise a question with regard to the fact that yesterday we were told that the Lokpal Bill has not been printed and all MPs will be provided a copy of it by night. We shifted through all the documents from night till the time we came here but we could not trace the copy of this Bill. It has been released in the electronics media. So the first issue is related to privilege. Second, the idea of the social justice has been taken care of in the Bill circulated here. We all know that 50 per cent reservation for the Scheduled Castes and Scheduled Tribes, the OBCs, women and minority had been provided for everywhere and on every level. This is what was told to us and we also verified it but not the delay in the introduction of Bill and the copy of Bill not being provided to us in the night on the excuse of printing point to the fact that the RSS and the BJP have removed the Muslims. ...*(Interruptions)* It is evident from here that there is a nexus between the Congress Party, the BJP and the RSS. ...*(Interruptions)* This is the reasons why this delay has taken place. I read-out of the total member of the Lokpal and the Lokayuktas, 50 per cent members will be from the Scheduled Castes, the Scheduled Tribes, the backward classes and women. ...*(Interruptions)*

MADAM SPEAKER: Please, see Lalu Ji, Please, do not read the Bill which has not been introduced.

...*(Interruptions)*

SHRI LALU PRASAD: Please, listen to me.

MADAM SPEAKER: This Bill has not been introduced. Please, do not read it.

...*(Interruptions)*

SHRI LALU PRASAD: Are the people belonging to minority not the citizens of this country? This is a conspiracy. ...*(Interruptions)* This had been circulated. ...*(Interruptions)* The minority groups have been neglected on one or the other excuse. This is an incomplete Bill. Why

was the word minority not included? ...*(Interruptions)* The Congress Party has done so under the pressure of the RSS and the BJP. We will neither tolerate it nor accept it. ...*(Interruptions)* This Bill should be improved and the minority should be brought in. We are change the constitution in five minutes. On the excuse of the Constitution, the minority of the country has been kept aside under a conspiracy against them due to the pressure of the RSS and the BJP. The BJP and the RSS have played a role in it. ...*(Interruptions)* It should be introduced after improving it. I will read and see this Lokpal Bill sans the minority. The House is free to decide, any course of action. They are hand in glove in this. The minority has no been included due to the pressure of the RSS and the BJP. This is a conspiracy. ...*(Interruptions)*

[English]

MADAM SPEAKER: Now, I give the floor to Shri Gurudas Dasgupta. Nothing else will go on record.

*(Interruptions)...**

[Translation]

SHRI SHAILENDRA KUMAR (Kaushambi): Madam Speaker, I had given a notice of adjournment motion. ...*(Interruptions)*

MADAM SPEAKER: I will call you.

12.08 hrs.

At this stage, Shri Shailendra Kumar, Shri Ghanshyam Anuragi came and stood on the floor near the Table.

MADAM SPEAKER: I will call you after him.

...*(Interruptions)*

12.08½ hrs.

At this stage, Shri Shailendra Kumar, Shri Ghanshyam Anuragi went back to their seats.

*Not recorded.

[Translation]

MADAM SPEAKER: Please, listen to Shri Gurudas Dasgupta. Please, sit down.

...(Interruptions)

MADAM SPEAKER: I will call you also.

...(Interruptions)

[English]

MADAM SPEAKER: Nothing else will go on record, except what Shri Gurudas Dasgupta is saying.

(Interruptions)...*

SHRI GURUDAS DASGUPTA (Ghatal): How can I speak? ...(Interruptions)

[Translation]

MADAM SPEAKER: Please, listen to him.

(Interruptions)...

DR. SHAFIQR RAHMAN BARQ (SAMBHAL) : Are the members of minority not the citizens of the country? ...(Interruptions)

MADAM SPEAKER: All right. You have expressed your thought. Now please, list to him.

...(Interruptions)

[English]

MADAM SPEAKER: The House stands adjourned to meet again at 2 p.m.

12.10 hrs.

*The Lok Sabha then adjourned till
Fourteen of the Clock*

*Not recorded.

14.00 hrs.

*The Lok Sabha reassembled at Fourteen
of the Clock*

[MR. DEPUTY-SPEAKER *in the Chair*]

[Translation]

MR. DEPUTY SPEAKER: Shri Mulayam Singh Ji, please speak.

SHRI MULAYAM SINGH YADAV (Mainpuri): Mr. Deputy Speaker, Sir, thank you. I will not take much time. After me, Shri Lalu Prasad also is to speak. Mr. Deputy Speaker, Sir, the recommendations of Sachar Committee are not being implemented. I would like to point out that the Congress Government Constituted the Sachar Committee and the report has also been submitted to it then why are the recommendations not being implemented? Why has the Government kept this report in the cold bag? We all have read and know about the recommendations being made for the Muslims in the report of the Sachar Committee. It has been stated that the betterment of the Muslims is not possible without reservation. ...(Interruptions) We may call them the Muslims or the minority. The second issue which I would like to raise is that why have the Muslims or the Minorities removed from the Lokpal Bill. Why have they been removed whether they are the Muslims or the Sikhs? You are not aware of the fact that most of the people are anti-Muslims. Therefore, my objection is as to why the Muslims are kept aside of the very important committee of the House? There are my two questions. Give satisfactory reply to these questions. Hon. Minister is sitting here. Shri Sharad Pawar is sitting here. He should make announcement from here that the recommendations of the Sachar Committee will be implemented and the Muslims and the minorities will be given representation in the Lokpal Bill.

Shri Sharad Pawar is sitting here. He is very senior. ...(Interruptions) Hon. Minister is also sitting behind. He has

been the Chief Minister. Shri P. Chidambaram is also sitting here. Why does he remain so sad?

MR. DEPUTY SPEAKER: Please, conclude.

SHRI MULAYAM SINGH YADAV: Mr. Deputy Speaker, Sir, I would like to submit that the House will run smoothly under your chairmanship. I raise two issues before you. The Congress Party and the Government should accept it and give reply to my question in the House only. ...*(Interruptions)*

MR. DEPUTY SPEAKER: Those who want to associate with him may associate.

...*(Interruptions)*

MR. DEPUTY SPEAKER: Why have both of you stood up? How will both of you speak? Won't call one only?

...*(Interruptions)*

SHRI SHARAD YADAV (Madhepura): Mr. Deputy Speaker, Sir, when the all party meeting was called it was decided unanimously that the people belonging to the weaker section will be incorporated into the Lokpal Bill. But they have come within the ambit of the reservation. But, I would like to inform the House that 70-80 per cent population of the Muslims falls under the category of backward classes. ...*(Interruptions)*

MR. DEPUTY SPEAKER: Please, sit down.

MR. DEPUTY SPEAKER: Nothing will go on record except the speech of Shri Sharad Yadav.

(Interruptions)...*

SHRI SHARAD YADAV: I want to say that in the present scenario the people belonging to the minority communities will be Lokpal Bill. But when the sub-categories of reservation have to be included. ...*(Interruptions)*

*Not recorded.

MR. DEPUTY SPEAKER: The Lokpal Bill has not been introduced till now. When it will be introduced, then only talk about it. Whatever you have to say, please, say then only.

...*(Interruptions)*

MR. DEPUTY SPEAKER: Speak on Lokpal Bill whenever it is introduced.

...*(Interruptions)*

SHRI BASU DEB ACHARIA (Bankura): Sir, the points made by Shri Mulayam Singh Yadav with regard to recommendations of the Sachar Committee and the Justice Ragannath Committee. ...*(Interruptions)*

MR. DEPUTY SPEAKER: Please, keep silence. Let the hon. Member Speaker.

...*(Interruptions)*

MR. DEPUTY SPEAKER: Let Shri Basu Deb Acharia conclude.

...*(Interruptions)*

MR. DEPUTY SPEAKER: Please, you speak after Shri Basu Deb Acharia.

...*(Interruptions)*

SHRI BASU DEB ACHARIA: Mr. Deputy Speaker, Sir, I would like to know what action has been taken by the Government on the recommendation of these two committees? ...*(Interruptions)* The Government should give clarification about it. ...*(Interruptions)*

MR. DEPUTY SPEAKER: Please, you take your seat.

...*(Interruptions)*

SHRI BASU DEB ACHARIA: The State Government West Bengal has provide ten per cent reservations of social. ...*(Interruptions)*

MR. DEPUTY SPEAKER: He has already spoken about it.

...(Interruptions)

MR. DEPUTY SPEAKER: Please, sit down.

...(Interruptions)

SHRI BASU DEB ACHARIA: The people belonging to the minority Committee have been given ten per cent reservation. ...(Interruptions)

MR. DEPUTY SPEAKER : You please, sit down.

...(Interruptions)

SHRI BASU DEB ACHARIA: As per the recommendations of Justice Ranganath Mishra Commission. ...(Interruptions)

MR. DEPUTY SPEAKER: Nothing else will go on record except the speech of the Basu Deb Acharia Ji.

(Interruptions)...*

SHRI BASU DEB ACHARIA: The Bill which is to be introduced with regard to the appointment of Lokpal has been circulated. Members of SC, ST, Women OBC, minority, socially backward, educationally [English] those who are backward, [Translation] should also be included therein. This suggestion was put forth in the all party meeting. ...(Interruptions) This Bill which has been circulated, [English] it is quite surprising that it is missing. ...(Interruptions) I repeat that it is missing.

MR. DEPUTY SPEAKER: Please take your seat.

...(Interruptions)

MR. DEPUTY SPEAKER: Shri Dara Singh Chauhan ji, you may speak now.

...(Interruptions)

MR. DEPUTY SPEAKER: Nothing else will go on record except Dara Singh Ji's speech.

...(Interruptions)

*Not recorded.

SHRI DARA SINGH CHAUHAN (Ghosi): How can I speak in this situation. ...(Interruptions)

MR. DEPUTY SPEAKER: Please take your seat.

...(Interruptions)

MR. DEPUTY SPEAKER: Dara Singh Chauhan Ji, you may speak now.

...(Interruptions)

SHRI DARA SINGH CHAUHAN: Sir, please bring the House in order. ...(Interruptions)

MR. DEPUTY SPEAKER: Basu Deb Acharia Ji you have spoken at length. Now take your seat.

...(Interruptions)

[English]

SHRI BASU DEB ACHARIA: Sir, what is going on in the House? ...(Interruptions) You called me to speak. They are protesting it. Why are they protesting?

[Translation]

MR. DEPUTY SPEAKER: Dara Singh Chauhan Ji, you may speak. [English] Nothing else will go on record.

...(Interruptions)

Translation]

SHRI DARA SINGH CHAUHAN: Mr. Deputy Speaker, Sir, the Government is raising the issue of minorities time and again. ...(Interruptions)

MR. DEPUTY SPEAKER: Are you speaking on Sachar Committee? This is about Sachar Committee. Lokpal Bill has not been introduced so far, it has not been brought before the House.

...(Interruptions)

SHRI DARA SINGH CHAUHAN: Yesterday you told that many hon. Members of various parties have not been

allowed to speak. The Government is distracting the House by raising the issue of minorities time and again. My party had said in the all party meeting. ...*(Interruptions)*

MR. DEPUTY SPEAKER: You are supposed to speak on Sachar Committee and not on Lokpal Bill. Speak on the issue raised by Mulayam Singh Ji.

...*(Interruptions)*

SHRI DARA SINGH CHAUHAN: The Committee on Lokpal Bill said that SC, ST, minority, women will be included in Lokpal. I would like to ask as to why the minority member has not been included in the Lokpal. ...*(Interruptions)*

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): This bill has not been introduced so far, do not speak much about it. ...*(Interruptions)*

SHRI DARA SINGH CHAUHAN: Then why the issue of minority has been raised. Conduct a discussion on it when it will be introduced. ...*(Interruptions)*

MR. DEPUTY SPEAKER: Now, do not discuss anything about Lokpal Bill. Discuss the current issue.

...*(Interruptions)*

[English]

MR. DEPUTY SPEAKER: The House stands adjourned to meet again at 3.30 p.m.

14.11 hrs.

The Lok Sabha then adjourned till Thirty Minutes past Fifteen of the Clock.

15.30 hrs.

The Lok Sabha re-assembled at Thirty Minutes past Fifteen of the Clock.

[SHRI FRANCISCO COSME SARDINHA *in the Chair*]

...*(Interruptions)*

MR. CHAIRMAN : Hon. Members, you will get your time. Please take your seats.

...*(Interruptions)*

[Translation]

SHRI LALU PRASAD (Saran): Listen to me, what is all this? ...*(Interruptions)*

[English]

MR. CHAIRMAN : He is withdrawing the Bill.

...*(Interruptions)*

SHRI YASHWANT SINHA (Hazaribagh): Mr. Chairman, Sir, where is the notice to withdraw the Bill? ...*(Interruptions)*

[Translation]

SHRI LALU PRASAD: If new bill has been brought, send it to the standing committee. ...*(Interruptions)*

15.31 hrs.

THE LOKPAL BILL, 2011

[English]

MR. CHAIRMAN : Now we take up item no. 22. Shri V. Narayanasamy.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): Sir, I beg to move for leave to withdraw the Bill to provide for the establishment of the institution of Lokpal to inquire into allegations of corruption against certain public functionaries and for matters connected therewith or incidental thereto.

MR. CHAIRMAN: The question is:

"That leave be granted to withdraw the Bill to provide for the establishment of the institution of Lokpal to

inquire into allegations of corruption against certain public functionaries and for matters connected therewith or incidental thereto.”

The motion was adopted.

SHRI V. NARAYANASAMY: Sir, I withdraw the Bill.

15.32 hrs.

THE LOKPAL AND LOKAYUKTAS BILL, 2011*

[English]

MR. CHAIRMAN : Now we take up item no. 22A. Shri V. Narayanasamy.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): Sir, I beg to move for leave to introduce a Bill to provide for the establishment of a body of Lokpal for the Union and Lokayukta for States to inquire into allegations of corruption against certain public functionaries and for matters connected therewith or incidental thereto.

MR. CHAIRMAN: Motion moved:

“That leave be granted to introduce a Bill to provide for the establishment of a body of Lokpal for the Union and Lokayukta for States to inquire into allegations of corruption against certain public functionaries and for matters connected therewith or incidental thereto.”

Shrimati Sushma Swaraj.

...(Interruptions)

[Translation]

SHRIMATI SUSHMA SWARAJ (Vidisha): Mr. Chairman,

Sir, I have given a notice to you under rule 72 and I would like to raise some objections at the time to introduced of this Bill.

Mr. Chairman, Sir, the country was eagerly waiting for a strong and effective Lokpal Bill to be introduced and passed in, this Parliament but the current draft of the Bill has disappointed us. I will talk about my reasons for disappointment only at the time of discussion on this Bill. The three days fixed by BAC for debate are the days when I will explain clause by clause why this Bill is powerless and ineffective. As I can only raise objections at the time of introduction of the Bill, I have primarily two objections on this Bill and both are related to Constitution.

My first objection is that the provision of reservation in this Bill is not in confirmities with the Constitution. Mr. Chairman, Sir, please look at the provioso in Article 3, Chapter 2, in the Bills.

[English]

“Provided that not less than 50 per cent members of the Lokpal from amongst the persons belonging to the Scheduled Castes, Scheduled Tribes, Other Backward Classes and Women.”

[Translation]

Later on they have included minorities too in the errata. Mr. Chairman, Sir you are aware that there are dozens of judgements of the hon. Supreme Court where it was said that the reservation will never exceed fifty per cent. This is the first time this has happened that such kind of language has been used in the Bill where it is has been stated not less than fifty per cent? You are aware that there is the provision of including nine people in this Bill. There will be one Chairman and eight members of Lokpal. One plus eight = nine. Not less than fifty per cent means at least five people. This language is in itself unconstitutional. I would like to ask the leader of the House, as experts on Constitution, advocates such as Shri Kapil Sibbal, Shri Pawan Kumar Bansal are present here, have they read the Bill as the phrase 'not less than fifty per cent' can never

*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 22.12.2011.

be mentioned but it has been mentioned in the proviso. If this Bill is sent to the court today after being passed, it would be struck down on first day only. Would we like to introduce such a Bill after 43 years which is declared void ab initio being passed. Therefore, the language of not less than fifty per cent is unconstitutional and not in accordance with the Constitution. Therefore, this provision of minorities brought through the medium of errata religion based reservation is not Constitutional. ...*(Interruptions)* There is a provision of SC, ST, OBC in our country and reservation for the Scheduled Castes and the Scheduled Tribes 27 per cent reservation has been provided through Mandal Commission but there is no provision of reservation for minorities in the Indian Constitution. This is my first objection. ...*(Interruptions)* We will definitely change the opinion of the House at the time of debate. Because as far as we are here we will not let any unconstitutional Bill to be passed here. We will turn this discussion during debate. This is my first objection. My second objection is that this Bill given a rap at the knuckles of federal structure of the constitution. Mr. Chairman, Sir, two Bills have been introduced with this Bill – the Constitution Amendment Bill and one another Bill. It has been stated in clause 323(D) of the Constitution Amendment Bill, where amendment has been introduced, *[English]* 'There shall be Lokayukta for every State'. *[Translation]* After that, it has been mentioned everywhere that *[English]* 'The law will be made either by Parliament or State Legislature as the case may be' *[Translation]* That option is provided everywhere. Constitution amendment is being made in 323 (D) and there is an option therein that whether Parliament formulates the Bill or the State Legislature formulates it, it is constitutional but as this Bill has been brought along with it, chapter-2 has been included in it where it is stated *[English]* 'Establishment of Lokayukta'. ...*(Interruptions)*

I am saying as to know it is unconstitutional. You might recall that at the time of debate on Lokayukta and Lokpal I had said that if a Bill is introduced under sub-clause-2 of clause 252 with the resolution of two State assemblies it will become an enabling provision and the State

Governments which would like to adopt it would be able to adopt it. You have not done so. You adopted clause 253. Under the clause 253 a Bill can be formulated on the basis of any international coordination or international treaty. I would like to say this again and again in front of the constitutional experts who are present here that the Bill formulated under the clause 253 is mandatory. There is no option in it. This constitution amendment and the Bill are mutually contradictory. This constitution amendment provides option and that option should be granted to the States. Many States have formulated very good Lokayukta Bills. Few States have adopted it now while some States have it for years. The Lokayukta Bill in Karnataka is quite old. Uttarakhand and Bihar have formulated a new Lokpal Bill. All of the Bills which are more effective and powerful will become redundant. All those Bills will no longer be effective as a provision of this Bill makes it mandatory. Therefore, I said that I will discuss about the Bill later. Both my objections are Constitutional objections. Firstly, the provision of reservation introduced by you is not Constitutional. Secondly, this is an infringement of federal structure. Because, the Bill made under the clause 253 will not be optional, it will be mandatory. We do not have any right to strike at the spirit of federal structure. The States where effective Bills have been formulated would be forced to adopt this Bill. We should not put the States in a fix. I would like you to withdraw this Bill on the basis of these two objections. Draft this Bill as per the Constitution and then we would pass it. The unconstitutional Bill should not be introduced today. These are my two main objections.

[English]

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): I would just like to make one submission that normally at the stage of the introduction of the Bill objection can be raised on the legislative competence of the House to take up that Bill; whether the House has the competence to consider the Bill.

So far as the legislative competence is concerned, in the Concurrent List Item 1, Item 2, and Item 11(a) provide

[Shri Pranab Mukherjee]

the competence to the Central Government, this Parliament to pass a legislation on this subject.

The other issues which the hon. Leader of the Opposition has raised relate to the merit of the Bill. These cannot be discussed at the time of introduction of the Bill. Many a Bills have been passed in this House or in other House or in both the Houses which the Supreme Court has struck down as unconstitutional. But that does not mean that Lok Sabha or Rajya Sabha, while passing the Bill, insulted the Constitution or violated the provisions of the Constitution. It is the Constitutional responsibility of this House to pass the laws within its legislative competence and it is for the Judiciary to decide whether the laws passed, the various provisions of the Bill, are in conformity with the various provisions of the Constitution. Let this House do not assume the role of the Judiciary and declare the Bill void *ab initio* by describing it as unconstitutional. ...*(Interruptions)* Therefore, my most respectful submission is that the Minister is within his right; this House has legislative competence to take up this Bill. Whether the Bill will be passed or not, it depends on the Members of the House. We should not sit on judgement upon it.

I agree with the Leader of the Opposition that this Bill and debate on this Bill, is attracting the attention of entire nation because this Bill is just not a simple piece of legislation initiated by the Government alone; there is a long history; some agitation is also going on. It went on earlier. There were series of discussions. On 27th of August, both the Houses, this House and the other House, expressed the wish of the House in certain formulations which were drafted collectively, and this is the consequence of that process and that exercise. The Parliament also decided, both, this House and the other House, in an unprecedented manner; the entire proceedings of the business of the day were forwarded to the Standing Committee to consider them while formulating their recommendations on the Lokpal Bill which was placed before them.

Therefore, my respectful submission would be that the hon. Members are fully entitled to make their comments and to decide in what form and in what state they will finally pass the Bill. But, let the Bill be introduced and let us have the opportunity of discussion on it.

[Translation]

SHRIMATI SUSHMA SWARAJ: Mr. Chairman, Sir, I am on a point of order.

First of all, I would like to say what the leader of the House has said that objection can be raised with regard to the legislative competence only at the time of the introduction of the Bill, is wrong. The Leader of the House is very experienced. The Rules are on his fingers tips. But, we commit mistakes many times. Therefore, our leader during my law course had taught us that we must consult books even for once before speaking. There are many things in our minds. It remains in our minds that objection could be raised on the legislative competence only. But, the fact is not so. Rules States that if there is any objection in the Legislative competence, then full debate will take place and if there is any other objection, then notices will be given and a brief Statement will be made. If you allow me, I read out the Rule No. 72.

[English]

"If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting, if he thinks fit, brief statements from the member who opposes the motion and the member who moved the motion, may, without further debate, put the question: Provided that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of the House, the Speaker may permit a full discussion thereon."

[Translation]

If I had raised questions on the legislative competence, then complete discussion would have taken place.

Why did I make a brief statement because I am raising constitutional objections without legislative competence. As the Leader of the House said that we should play the role of the judiciary, it is very necessary that we should anticipate whether the rules formulated by us do not get strike off by the judiciary anywhere. Therefore, the legal luminaries sitting here and those who are not well versed with law have the responsibility that at the time of enacting any law, it should not be patently illegal and patently unconstitutional, which can be strike down by the Judiciary. To make the provision for reservation of more than 50 per cent and to make provision for reservation based on the religion are patently unconstitutional. For whom have the federal structure been violated? For whom has the mandatory provision been made under 253? I have got copy of Constitution. What does the entry 41 of the list 2 of the Constitution say with regard to the State public service? It States that the Lokayukta will monitor the public services of the States. Therefore, the State Government should formulate laws with regards to the Lokayukta. A model Bill can be formulated from here and it will be propriety of the State Governments to accept it or not. But if a mandatory Bill is being introduced here, then, it is patently unconstitutional. The Government is doing two unconstitutional things through this Bill, therefore, I have made my objection. ...*(Interruptions)*

[English]

MR. CHAIRMAN: You have made your points.

...*(Interruptions)*

[Translation]

SHRI MULAYAM SINGH YADAV (Mainpuri): Mr. Chairman, Sir, I conclude with putting two questions before the House. ...*(Interruptions)* because, it may take long-time and you will not allow to do so. We have some objections against the introduction of the Lokpal Bill. The first objection is that this Bill has long-term results. This Bill should have been circulated among the Members of

the Parliament before being introduced in the House. But, it was not done and efforts are being made to introduce it directly which is unconstitutional. The Parliamentary system is the basic structure of our Constitution and even the Parliament does not have the right to change it. In the Parliamentary system, the Prime Minister is directly accountable to the Parliament. But the Prime Minister is being made responsible indirectly to the Lokpal through this Lokpal Bill which is completely against the soul of the Indian Constitution. Therefore, the permission with regard to the introduction of this Bill in the House should not be granted. When the Lokpal Bill is passed, right from low grade staffer to the Ministers will hesitate from taking decisions and signing the file. It will destroy the entire administrative structure. It is being taken for granted that the chairman and all the members of the Lokpal will be honest. Is it so? Will the Lokpal not become a new system of corruption to blackmailing people?

Mr. Chairman, Sir, through you, I urge that the House not to grant permission to introduce this Bill.

SHRI LALU PRASAD: Mr. Chairman, Sir, I would like to thank the Government for one point that it has left out the minorities under their pressure. ...*(Interruptions)* You please speak later on. ...*(Interruptions)* the learned persons are sitting here and they will speak. ...*(Interruptions)* Please, listen to me. Please, do not make haste. ...*(Interruptions)* Please listen to all. It is our task to pass or not to pass this Bill.

Sir, the Lokpal is being appointed at 50% sub-layer in which the representation of the Scheduled Castes, the Scheduled Tribes, the OBCs, minorities or women have been given. You should not come under the influence of these people and should work properly. I thank you for it. ...*(Interruptions)**

[English]

MR. CHAIRMAN: It should not be recorded.

*Not recorded.

[Translation]

SHRI LALU PRASAD: Please, expunge it from the record. ...*(Interruptions)**

[English]

MR. CHAIRMAN: This will not go on record.

SHRI LALU PRASAD: First point is that the objections raised by the hon. leader of opposition are appropriate with regard to certain issues. But her view that 50 per cent reservation with the unconstitutional is not appropriate. This is not the Government service. ...*(Interruptions)*

[English]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): That is the point.

[Translation]

SHRI LALU PRASAD: This is not a Government job and to say that it will exceed 50 per cent and rule not be diluted. And if it is mentioned in the rule books, that is meant for the Government service and jobs. Minorities mean-Sikh, Christian, Muslim community, Buddhist etc. ...*(Interruptions)* All are incorporated into it. ...*(Interruptions)* Please listen to me. ...*(Interruptions)* This is not appropriate. Meanwhile the RSS had made a statement. I am unable to understand as to why they take a U-turn on their statement that Muslims have to be befriended for the sake of power. You have been committing mistakes till date. It is good that Law related to reservation has been amended and the present bill has been introduced in the House without delay. The country is run with panache and not with agitation. The same person will again order us and take us for slaves and in case we do not obey him he will agitate in front of the house of Sonia ji, Rahul ji, Hon. MPs etc. In this manner constitutional institutions will be assaulted and as I have said it earlier also that I am not

*Not recorded.

against it. Corruption is prevailing in the entire world. But what is this happening? Be it the MPs of opposition or ruling party, I am speaking in brief but I will definitely speak at length when I get an opportunity. ...*(Interruptions)* It is alright that MPs are public servants and they have to face the consequences as per the provisions made in CRPC but it is surprising that Ex-MPs also have been included in it. As far as I am aware the team Anna too had not demanded it then how it has been added that if a complaint is registered against an Ex-MP he will be summoned to courts. Therefore, I said please do not issue whip. This is wrong. ...*(Interruptions)* Be it the MPs of opposition or the ruling party. Who are these learned people who are misguiding the country and manipulating all the things. We are the product of the movement led by Lok Nayak Jai Prakash Narayan. The issue of corruption is not a new issue for the country. Jai Prakash Narayan ji had raised this issue and fought against corruption. A number of senior leaders of our party fought against it and now the hon. MPs have been asked to eradicate corruption. It does not mean that I am opposing anybody, it is a misconception, media persons do not understand this and make it an issue that Lalu is opposing. Everybody had insisted to tear the copy of the Bill. Have I been tearing the Bill on regular basis? Why should I tear it? The Parliament is competent enough to take the decision. As Pranab Babu said that we have to decide it and all the 545 MPs will bring amendments. Let me speak, nobody studied it, nobody even read it. What we had done in the standing committee? Certain provision were changed overnight, we should not do such wrong doing in the fear of agitation, we should go in the right direction. ...*(Interruptions)* Sharad Bhai I am speaking now, will you say anything in between?

SHRI SHARAD YADAV (Madhepura): No – no.

SHRI LALU PRASAD: Our view is clear that Lokpal Bill should be passed, nobody will oppose it. Everybody speaks against corruption, we all fight against it, Lokpal Bill should be passed but it should be a strong Lokpal. This is not a strong Lokpal Bill rather a manipulated and biased one. Will corruption be addressed in this country?

We are here as are they. We will see. Corruption is rampant everywhere. Therefore, corruption should be removed from all spheres of life.

The national property should be nationalised and equally distributed among people. All the land should be confiscated but nobody looks at me. People deliver speeches against corruption with full enthusiasm that land and property will be divided except those people who speak on corruption. A retired police officer, two advocates, a social activist, these three-four persons together will dictate the MPs and the Parliament to accept their demands else they will stage an agitation. Is it a game!...*(Interruptions)* We people are in the law making body, we make the constitution of the country, we have to enact the law. What they think of the Parliament, we have nothing to do with people who hold fast, stage dharna, improve their health. We have to decide the direction of the country. This is a conspiracy for the destruction of the democracy and constitution prepared by Baba Saheb Ambedkar. Whosoever hatches conspiracy, wherever such conspiracy is forged, whether it is hatched in foreign country or in our country, it should not be taken casually. The country will never forgive us for this.

In the MPLADS, the Members gives his recommendation and his opponent files complaint. It is investigated and the person who had got the work done take say he has done the work and the file has been submitted to the MP. So, how much accountability do you want to associate with Kalmadi? You want to hold Kalmadi accountable for a thousand tasks. ...*(Interruptions)* Please listen to me, this is just the beginning. There will be an extensive debate on this later on. Please tell now, the fault of ex MP. When ex MP arrives, no one gives him space even in a bathroom. Please tell if anyone does. There have been ex MPs such as Shri Ranjan Yadav. Now he wants to contest but we will not give him any opportunity to stand up and complaints would be filed against, them by many people. Likewise, he would do against me. In such a way, there will always be danger and allegations would be levelled of corruption not only against those who indulged in it but

also against those who are innocent.

I am not in favour of conflict between supremacy of the Parliament and independence of judiciary. I have already stated that judiciary has its own place in a democracy. Therefore, I did not talk about it and said that judiciary should not be included in the Lokpal Bill. I will take about it when a separate Bill is introduced for judiciary.

Sir, therefore this Bill has been introduced in haste. We have not read it thoroughly. We have many objections against this Bill and so do the others who will soon raise them. Therefore, it should be passed only after a proper debate. Even the demand which Anna Hazare Ji has not raised has been introduced in this Bill. Please tell us what will be passed and what is he demanding? Even he does not agree with this Lokpal Bill. Please tell us if he agrees with this Lokpal Bill. He is going forward with protest against this Bill. It is true that we were face to face on a TV channel IBN-7. I had said that we are not against Anna Ji. You are a devotee of Lord Krishna. ...*(Interruptions)* It is good that you are there. Therefore, look after your health. Delhi is freezing. He is going to Maharashtra. ...*(Interruptions)* Please listen. He is going to Maharashtra because Delhi is freezing. But Shri Bal Thackeray said that there is no need for Lokpal Bill there. ...*(Interruptions)* This remark is about Shri Bal Thackeray. I oppose the ideology of Shri Bal Thackeray. He is saying that he is slightly old, you are also old. ...*(Interruptions)* Please listen. I am talking on everyone's behalf.

16.00 hrs.

Sir, I am speaking because the MPs have authorised me to speak. Please tell how media was included in this? Media is one of the pillars of the country. When I give speeches, media prints my photo and it reaches all the villages. Even that has been included in this Bill and they have been briefed that they have been excluded as it is owned by the corporate. Media is owned by the corporates. Now you see, even media is being strangulated. I have said this after putting a lot of thought into it that the

[Shri Lalu Prasad]

hon. Prime Minister is not just the PM but the Leader of the country. Today, Shri Manmohan Singh is the PM, tomorrow someone else would be the PM. It could be Shri Advani Ji to Shri Narendra Modi Ji. Nothing is certain. This atrocious steps should be stopped. It has been said in it that this department and that department have been left out and the hon. Prime Minister has been included in it. Prime Minister is the leader of the country. Anyone can file any number of cases, be it after five years or later. If the Prime Minister visits abroad, the foreign rulers will say that the PM is going to be a prisoner soon and say that there is no stability in India and the Prime Minister is under scanner for corruption. They will laugh at us. What kind of image of India will be projected then? I said that Prime Minister should be kept out of it but look what has been written in this Bill. Shri Chidambaram is never allowed to speak here. ...*(Interruptions)* Please listen to me. This is the last chance. It will have to be repealed like POTA later on and who knows if we will be in House at that time. People feel bad but I am not against this Bill. This is not a powerful Lokpal Bill. This is a useless Bill. Please refer it to the Standing Committee. We will draft the Bill. All party meeting was held and we had given suggestions. Shrimati Sushma Swaraj had also given suggestions. Please do not consider Shrimati Sushma Ji as the leader of the BJP. She was also in our party. I was with her. I only oppose her because she has changed the party. I also respect her.

Sir, a few of our colleagues have also changed their parties. Parliament is not run from footpaths and roads. Parliament is the place for debate. I appeal to Congress MPs, BJP MPs, CPM MPs, Shiv Sena MPs only because the country would never forgive us. If any parts issues whip and tells you to present in the House, It should not be done for any wrong deed otherwise the history will never forgive us. *[English]* We are competent. *[Translation]* but it has been said that there are 180 thieves in Lok Sabha. Are we thieves? It is being said that the country is afraid of traitors and thieves. We are being called traitors. I was born

in 1984 and Britishers left this country even before I was born.

The MPs should say what the people should do. The case is registered. Almost 10,000 cases will be registered against Kumari Mayawati. Shri Mulayam Singh Yadav Ji will be the Chief Minister in future and the cases will be registered against him also. There is no doubt that I am a major victims of it and the cases are regularly registered against me. The Judiciary should be independent. The CBI should not be made accountable to the Lokpal. The Government should never make mistake in it. We will protest against it. We are in support of the Lokpal and a strong Lokpal should be set up. We should be convinced. Shri Anna Ji might be listening. This is not a strong Lokpal. We should not make haste. You should understand it. We come here after winning the election with great difficulty. There are greeting the entire day. ...*(Interruptions)*

[English]

MR. CHAIRMAN: Please address the chair.

[Translation]

SHRI LALU PRASAD: Sir, please listen to me. I am concluding in five minutes.

[English]

MR. CHAIRMAN: I Know it, but please address the Chair.

[Translation]

SHRI LALU PRASAD: Mr. Chairman, Sir, you are about to be promoted because you are handling the House better. We should not take decisions in haste and move forward step by step or so that strong Lokpal should be set up. The Lokpal will affect not only the politicians but also the bureaucrats who go to inaugurate new projects. ...*(Interruptions)* There are apartments. There are NGOs. Leave the press. The press will abuse us, speak against us and even broadcast the news that the House does not want to incorporate the press in the Lokpal. It creates news anyhow. Please, to not incorporate it into the Lokpal. We

does it do? It does nothing. Whatever we do, thy publicize them. A good quality of picture of Shri Sibal ji gets printed in the paper. ...*(Interruptions)* The Minister of Parliamentary Affairs, Shri Pawan Kumar Bansal is not a small fry as far as learning is concerned. He treads despite the people try to stop him. ...*(Interruptions)* These people understand that only we are controlling the Government.

[English]

MR. CHAIRMAN: Please conclude now. You have made your point. Let us not hijack the proceedings.

[Translation]

SHRI LALU PRASAD: Sir, I accept the direction given by you.

[English]

MR. CHAIRMAN: Please conclude.

[Translation]

SHRI LALU PRASAD: The supporters of Shri Annaji including Shrimati Kiran Bedi and other people might be listening to it. This is a not a Bill. It will defame us. I would like to say to the Congress Party. As you saw, so shall you reap. You have started all this types to work therefore the people are against you. Shri Sharad Yadav Ji and other leaders are to speak, therefore, I would like to conclude by saying that this Bill should be reintroduced after withdrawing it and the House should be extended by 10-15 days. It should be sent to the Standing Committee and the more and more people should be consulted. Take advice from Shri Advaniji. Shri Advaniji understands all the matter very well as to whom these laws are likely to affect. I am not against it. Shri Mulayam Singh Yadav and me are being pressurized to speak and I saw the entire night. Shri Mulayam Singh had said that if the Lokpal get passed, the police will get so much power that they can dictate the terms to the security of the MP. For example it was said in this order. These are the suggestions of Shri Mulayam Singh Yadav, me and all parties. Please, do not ignore

Shri Rajnath Singh as he is a right person. He should be allowed to speak and participate. Shri Sinhaji is a learned persons. He and all persons should be listened to. Please, withdraw this Lokpal Bill. It does not mean that we are opposing it. Re-introduce the Bill after making some amendments and the tenure of this House is still two and a half years.

It is true that we respect hon. Shrimati Sonia Gandhiji. She is very sensitive. Shri wants that the respect and prestige of all people remain intact, the Lokpal gets passed and the incidents of corruption also get checked. But how will the incidents of corruptions get checked? We will have to make great efforts for checking corruption as Shri Sharad Yadavji used to say. This Bill should be deferred. I conclude.

[English]

...*(Interruptions)*

MR. CHAIRMAN : Now Shri Asaduddin Owaisi. First I am considering all those Members who have given in writing. I am giving time to others later.

...*(Interruptions)*

MR. CHAIRMAN: There has to be some rule. They have given in writing, that is why, that have to be given the chance first.

SHRI ASADUDDIN OWAISI (Hyderabad): I have given notice under rule 72(1). My reasons for opposing the introduction of the proposed Bill are, firstly, by including the Prime Minister under the jurisdiction of the Lokpal, we are definitely undermining and weakening the institutional autonomy of the executive. Under our constitutional scheme, we are going to create an extra-constitutional power over and above the entire executive, which will be accountable to none. There is a conceptual problem in this Bill. That is, it starts on the premise that not only the Members of the august House, but also the Prime Minister is corrupt. Do we want such a scenario? Today, it is Dr. Manmohan Singh who is the Prime Minister. But, power is not eternal. I am sure, a young

[Shri Asaduddin Owaisi]

man is going to replace him in the Congress Party. I hope that, maybe, the NDA can come to power; we cannot stop that. It is for the ruling party to see what is behind all these things and whose hands it is tying. What will be the respect which a Prime Minister commands after this Bill becomes a law?

The second issue is about not including the minorities. Minorities comprise 19 per cent of our population. Is it natural justice that 19 per cent people should not be represented in the Lokpal institution? It has now been brought in after whatever happened this early morning. The question here is, if you have not taken care of the errata, a message would have gone that minorities are not capable of fighting corruption. A deliberate attempt is being made over here to cleverly confuse this august House by talking about articles 15 and 16. We very well know what articles 15 and 16 stand for. As regards the question of 50 per cent, I would request the hon. leader who has raised this issue to go and read article 381(d) of the Constitution. What does it talk about? When the people oppose by saying no reservation on the basis of religion, what is the Presidential Order of 1950, what is article 340? Is it not a black mark on our Constitution?

Therefore, for the aforesaid two reasons, I oppose the introduction of the Bill and I welcome the errata that has been issued.

[*Translation*]

SHRI SHARAD YADAV: Mr. Chairman, Sir, I will not go into details. I would like to say that I support the points raised by Shrimati Sushma Ji with regard to the federalism and States. The kind of laws being brought by the Government is mandatory. I would like to say that many States have set up Lokayuktas and I request Shri Pranab Ji that the suggestions given by Shrimati Sushmaji should be implemented it is necessary because the people have invested months and years to set up the Lokayukta in their States. It will create a crisis before this mandatory

questions and this Bill will be challenged in courts. It will not be good if any mess is created in it. I would like to request you to pass this Bill and it will be a good thing considering the labour of the people who have made efforts to set up the Lokayukta.

SHRI DARA SINGH CHAUHAN (Ghosi): Mr. Chairman, the entire House is in favour of a strong Lokpal Bill. But after going through the draft, it seems to me that it is not a strong Lokpal Bill. At the time of detailed discussion. I would discuss its contents point-wise. I read the Bill which was circulated before discussion and I saw that after including dalits backward classes, Schedule Caste/ Scheduled Tribes, women the minorities were not included in this Bill I would like to congratulate you for including minorities in this Bill after we raised this issue. But I would like to say one more thing in reply to what the leader of opposition was saying that not only in this Bill but in any Bill in future if there is any problem in providing reservation to minorities or Muslims my Bahujan Samaj Party is with you even if it means amending the constitution. The minorities should get reservation in this Bill as well as in every field.

[*English*]

SHRI KALYAN BANERJEE (Sreerampur): Sir, today morning when the Bill was circulated to us, immediately we contacted our leader and our leader requested the Government to bring in the minorities by way of amendments and the Government has done it. We are seriously giving thanks to the Government for bringing it into the concept.

If we see Rule 72(1) of Rules of Procedure and Conduct of Business in Lok Sabha, it says:

“If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting, if he thinks fit, brief statements from the member who opposes the motion and the member who moved the motion, may, without further debate, put the question:

Provided that where a motion is opposed on the

ground that the Bill initiates legislation outside the legislative competence of the House, the Speaker may permit a full discussion thereon:"

Therefore, the hon. Leader of the House, Shri Pranab Mukherjee, very rightly said that there is no scope for debate on this question regarding the introduction of the Bill. Sir, the second proviso says:

"Provided further that the Speaker shall forthwith put to vote the motion for leave to introduce a Finance Bill or an Appropriation Bill."

Therefore, it naturally implies that excepting the Finance Bill and Appropriation Bill, there is no scope for taking any opinion from the House in respect of introduction of the Bill and introduction of the Bill is an automatic thing, and other debate is nothing but only an ordinary thing. This is an academic thing. Therefore, Sir, I support whatever has been said by our leader, Shri Pranab Mukherjee, in respect of the interpretation of Rule 72(1) that there is no scope for debate.

In the morning, I wanted to say one thing that give chance to the Members of the parties which are having majority of Members. From the Chair, kindly do not allow anybody, any leader...*(Interruptions)*

MR. CHAIRMAN: This is irrelevant.

SHRI KALYAN BANERJEE: Sir, in the morning, it has happened. Kindly do not allow first the leaders, whoever the leaders, from the parties which are having minimum Members. ...*(Interruptions)*

Sir, we have seen in 35 years how Muslims have been oppressed in our State. ...*(Interruptions)*

MR. CHAIRMAN: Nothing will go on record.

*(Interruptions)...**

DR. M. THAMBIDURAI (Karur): Mr. Chairman, Sir, my

party is for the Lokpal Bill, but at the same time, because of the manner in which this Bill is being introduced and the name it is called by, we are against the Lokpal and Lokayukta Bill. As our Finance Minister said, we have the competence to enact the laws. I have no objection to that. At the same time, in the name of the enacting laws on the subjects under the Concurrent List, encroaching upon the right of the State Governments is against the principle of our democracy and federal set up. In that context, I am opposing the introduction itself. We are for Lokpal Bill, but at the same time, we are not for Lokpal and Lokayukta Bill.

Secondly, we have also raised it many times that the Prime Minister's name must not be included in this Lokpal Bill. This is the view of our party. My leader has also been also stating that since the Office of the Prime Minister is the highest office, his name must not be included. We are against the inclusion of Prime Minister under it.

Sir, State Governments are given powers under the federal set up. Once again we are requesting the Government that we must not encroach those powers, even though we have the right. We have to respect the State Government and the State Legislature which is there. Therefore, the issue of Lokayukta must not be thrust on the State Governments. It should be left to the choice of the State Governments. We cannot thrust it on them from the Parliament. That is our submission.

SHRI T.K.S. ELANGO VAN (Chennai North): After the demands made by various political parties this morning, I welcome the Government's stand that minorities will also be given reservation in the composition of Lokpal. At the same time, the Constitution Amendment Bill is coming. That Bill includes Lokayukta in its provision which means that Lokayukta becomes mandatory for the State Governments to have, but the composition of Lokayukta and rules should be left to the respective State Governments to decide because we are not supporting the Government of India trespassing into the powers of the State Government as it may affect the federal structure of the Constitution.

*Not recorded.

[Shri T.K.S. Elangovan]

With these words, I welcome the Bill.

...(Interruptions)

SHRI YASHWANT SINHA (Hazaribagh): Sir, I also want to speak. ...(Interruptions)

MR. CHAIRMAN: From your party, your leader has already spoken. I cannot allow another Member.

Shri Basu Deb Acharia.

...(Interruptions)

SHRI YASHWANT SINHA: Sir, we are the largest party in the House. ...(Interruptions) You have to give me a chance. ...(Interruptions) [Translation] Please allow me to speak. ...(Interruptions) Please allow me to speak right now. ...(Interruptions)

MR. CHAIRMAN: I will give you time to speak. [English] Please wait. I will allow you after him.

...(Interruptions)

[Translation]

SHRI YASHWANT SINHA: No, this is not acceptable. ...(Interruptions)

[English]

MR. CHAIRMAN: He has already been requested to speak.

...(Interruptions)

SHRI YASHWANT SINHA : The Leader of the House has said that all of us are equal. You are treating Members unequally in this House. This is the problem....(Interruptions) [Translation] I have been requesting for to long to be given an opportunity to speak. ...(Interruptions) I will not let this to go on. ...(Interruptions)

[English]

MR. CHAIRMAN: Please do not disturb.

Shri Basu Deb Acharia.

SHRI BASU DEB ACHARIA (Bankura): Mr. Chairman, Sir, we are always for a strong, effective and credible Lokpal. When it was debated in the last Session, we had pointed out that the federal structure of our Constitution in regard to constitution of Lokayukta should not be disturbed. There may be an enabling provision and a model Act can be framed, but it should not interfere with the domain of the State Government. If such provision is there, the Government must seriously look into it and bring an amendment so that the federal structure of our Constitution is not disturbed.

I thank the Government for one thing. It was pointed out in all-party meeting by almost all the political parties that along with the Scheduled Castes, Scheduled Tribes, women, Other Backward Classes, minorities should also be provided reservation and that has been done.

Another important point is that we are for providing constitutional status to the Lokpal. One Constitution Amendment Bill has been circulated. In order to provide Constitutional status, that Constitution Amendment Bill should be enacted first and then the Lokpal Bill. We want the Bill to be passed within this Session. It should not be delayed. The House is being extended by three days. During these three days, there will be a structured debate when we will point out some deficiencies that are there. The suggestions that we made in the All-Party Meeting have not been incorporated in the Bill. We will table our amendments and we will discuss them at length. But it should not be delayed. We want a strong Lokpal to tackle corruption in our country. ...(Interruptions)

MR. CHAIRMAN: Shri Yashwant Sinha, already Shrimati Sushma Swaraj has spoken.

SHRI YASHWANT SINHA: I have a different point to make.

MR. CHAIRMAN: Please make your point in just two minutes.

SHRI YASHWANT SINHA: Shri Lalu Prasad could speak as long as he likes, but you will ask me to speak for just two minutes! I will speak for as long as I require to make my point. ...*(Interruptions)*

MR. CHAIRMAN: Please do not cast aspersions.

SHRI YASHWANT SINHA: I am not casting any aspersions. I only want justice from you.

[Translation]

Mr. Chairman, you are talking about rules, we have been waiting for this Bill in this House since morning. When we came to the House at 11.00 a.m., we were expecting this bill to be introduced but it was not introduced at that time. We were told that the Bill would be introduced at 2 p.m. but it was not introduced even at that time. Now, it is being introduced at 3.30 p.m. The notice supplementary agenda was being given at the same time of introduction of this Bill. There was no notice beforehand. Now this corrigendum has come into the picture. When has this corrigendum been issued? This corrigendum has been issued after we came here in the House. ...*(Interruptions)*

[English]

MR. CHAIRMAN: Please do not disturb him.

[Translation]

SHRI YASHWANT SINHA: This corrigendum has been issued after we came here in the House and you are asking for a notice. Where do we have the time for giving notice? There is neither supplementary agenda nor corrigenda, when, can we give notice? I am asking you to look at the corrigenda. There are 46 items in this corrigenda. What are they but clauses and only clauses from beginning to end. You can see it yourself. *[English]* Further down, it says for "Courts to be notified" read "Courts to be constituted"; *[Translation]* the spelling of benefits is wrong which has been corrected.

[English]

The point I am making is this that *[Translation]* When you issue a corrigendum or errata, you rectify the typographical errors and wrong selection of words but do not amend the bill in the corrigendum. *[English]* You are amending this Bill. My point is you are seeking to amend this Bill through this Corrigenda. This is blackmail; this is not a parliamentary practice, and I oppose it strongly. The Government has no business doing this through this Corrigenda. *[Translation]* the clause where they have added minority in the corrigendum, is it corrigendum? I ask whether the addition of minority, *[English]* is that not an amendment? It is not a corrigendum. *[Translation]* If you dare please officially introduce amendment at the time of discussion on the Bill. Then I can agree to your opinion whether it should remain or not remain. There will be a debate at that time. But now can you add it to the bill today? You cannot do that. Therefore, I am saying and requesting you to. ...*(Interruptions)*

[English]

MR. CHAIRMAN: You have made your point.

SHRI YASHWANT SINHA: No, I have not made my point. You have to give me time. *[Translation]* I urge you and through you urge the whole House. ...*(Interruptions)*

[English]

MR. CHAIRMAN: Please do not disturb him.

SHRI YASHWANT SINHA: This Government has shown a monumental inefficiency in dealing with this Bill.

[Translation]

Nobody knows anything. Even the Government does not know about it and it is good if the point has been raised.

[English]

MR. CHAIRMAN: Now, please conclude as you have made your point.

[Translation]

SHRI YASHWANT: Please, please, what I would like to say to you. ... (Interruptions) Whatever has happened is wrong. Basic premise is wrong in it. ...*

[English]

MR. CHAIRMAN: Please conclude. I am not allowing Shri Sinha. Nothing will go in record.

...(Interruptions)

MR. CHAIRMAN: I have given you time. Please do not overdo.

SHRI BHARTRUHARI MAHTAB (Cuttack): Mr. Chairman, we were waiting for this Bill to come today. ... (Interruptions)

MR. CHAIRMAN: Hon. Members, please maintain decorum. This is a very important business.

SHRI BHARTRUHARI MAHTAB: Yesterday in the internet, we saw that the Bill is going to be withdrawn. And today, before we arrived here in the morning, we were expecting that the Bill will be circulated alongwith the Parliamentary Papers. When we arrived here, we saw the Bill arriving in the Lobby. Subsequently, it was circulated both in Hindi and in English versions. Subsequently, this corrigendum was circulated around 3.30 p.m. My point of concern here is that on 27th August, 2011, when we all deliberated and the Leader of the House read out a Statement mentioning three particular issues expressing the sense of the House which was later on, in the evening carried by one of the leading Ministers of the Cabinet to Anna Hazare who was on fast at Ram Lila Maidan, at least I was satisfied, my party Biju Janata Dal was satisfied with the concern which we had expressed relating to formation of Office of Lok Pal. The basic issue which I would like to mention here is that the Lokayukta will be established by the appropriate authority. But I was dismayed by the Bill which was debated, discussed by the Standing

Committee to which Anna DMK, as a Party, has given their note of dissent. Our Member had also expressed his opinion in that Committee. But Biju Janata Dal always stood for the federal structure of the Constitution. We will always strive to maintain the federal structure of the Constitution. At no point of time, Biju Janata Dal will compromise in relation to the protection to the federal structure of the Constitution. But here in this Bill because during that period an impression had gone around, a model of Lokayukta will be circulated. The Constitution provides if two States prepare a Lokayukta and implement it, the Central Government can take it as a model and circulate it to the other States and that can be implemented. If the concern is that respective State Governments may not implement that model, in a specific time period then that provision can be worked out. It did not require to be a part of this Bill. In this Bill, by bringing Lokayukta, you are trampling into the affairs of the State Legislative Assembly. The interest and the dignity of the State Legislative Assembly and the States need to be protected and this is the House where it should be maintained and this Bill is actually trampling that power of the State.

With these words, I would only urge upon the Government, please consider and reconsider this aspect before bringing this Bill to the House for consideration.

[Translation]

SHRI ANANT GANGARAM GEETE (Raigad): Mr. Chairman, Sir, the Shiv Sena party opposed the Lok Pal Bill. The Shiv Sena supremo, Shri Balasaheb Thackeray is the first leader of the country who opposed the Bill keeping in view the future interest of the nation without bothering about its political ramifications. Our constitution and the Parliament are supreme in the country and through this Lokpal Bill, we are trying to degrade the supremacy of our constitution and the Parliament. We are trying to devalue the democracy and the democratic system which we have adopted in which the representatives elected by the people rule the country. It is also the devaluation of the election process and the mandate. We are trying to

*Not recorded.

vest all the powers in the Lokpal which will be accountable to none. Today, there is an apprehension in the mind of Shri Balasaheb Thackeray as to whether we are not heading towards the dictatorship while digressing democracy. Shri Balasaheb Thackeray has tried to place the apprehensions in the public domain without bothering about its political consequences. I would like to cite today's example only. I and this House fail to understand as to why Government is in such a hurry or what the Government has been afraid of since the matter of the Lokpal has come light. ...*(Interruptions)*

Mr. Chairman, Sir, I am not speaking on the merits of the Lokpal. Mr. Chairman, Sir, I will express my views on the Lokpal when it will be introduced in the House and discussion will take place thereon. But, the manner in which efforts have been made to introduce this Bill shows that even the Government is not ready for it. This morning, I heard that the Bill will be brought at 11:00 AM, then it was rescheduled to 2 PM, and now it come at 3:30 PM in the Supplementary list of Business. This Bill which is going to shape the future of the country has got a place in the Supplementary List of Business and it shows that the Government is not in a mood to bring it. Shri Laluji rightly suggested not to apply whip and to introduce the Bill. We intend to eradicate corruption and we are against the corruption. We should even fight against corruption. But, for eradicating corruption, we should not take any step for which the future does not forgive us and the Parliament which has formulated this law. The law should not create a situation in which the treatment becomes more dangerous than the disease itself. Why is then so haste and hurriedness on it? We have repeatedly said that we are going to formulate a strong law like Lokpal to eradicate corruption, then, why is there a haste for it? It is necessary that it should be formulated today only? Is it compulsory that it should be enacted tomorrow only? When are we discussing the future of the country, then no step should be taken in haste and horridness. We have sent it to the Standing Committee. The Standing Committee discussed over it and the report has been submitted. Then, it was

sent to the Cabinet Committee. Today, the old Bill sent to us by the Standing Committee after making amendments and with some suggestions has been withdrawn by the Government and a new Bill has been put before us and we do not know anything about it.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): This is not a new Bill but this is the old one.

SHRI ANANT GANGARAM GEETE: When it was not new why was it introduced?

SHRI PAWAN KUMAR BANSAL: Please, raise the matter which are meaningful. The Standing Committee has given 70 recommendation and this there should be 70 amendments. We have brought the Bill is a new form instead of bringing all amendments to a single Bill one by one.

SHRI ANANT GANGARAM GEETE: Was there any mention of the minorities in the Bill which has been returned by the Standing Committee after making amendment? ...*(Interruptions)*

Mr. Chairman, Sir, we are going to create an institution like a superpower centre which will be above the representatives of the people. In such a situation, this should not be done in a hurry. Therefore, we oppose this introduction. The Government should withdraw it and call an all party meeting. The Government should call an all party meeting and there should be a discussion on it. After that whatever strong law is brought by the Government, to eradicate corruption, we will welcome towards dictatorship from democracy in a haste anyhow or under any pressure, we will keep opposing it till last.

[English]

SHRI GURUDAS DASGUPTA (Ghatal): Sir, better late than never! The country was awaiting for such a legislation for a pretty long time. No Government from this side or no Government from that side had sought to enact such

[Shri Gurudas Dasgupta]

a Bill. Therefore, I appreciate the move of the Government to introduce this Bill — up to this only!

Let me tell you that we should not do it under duress. Let us not surrender the sovereignty of the Parliament. I am saddened by the speech of the Leader of the House. The Leader of the House was referring to some hunger strike by some individual. Today again, he is referring to an impending phase of agitation. Is it that? Are we not fighting corruption on our own? We are doing it because somebody else is threatening the country as a whole. Is it the way the Leader of the House should speak in the House?

I appeal to the Congress Party and the Government that under no circumstances, the sovereignty of the Parliament should be surrendered. It should not do anything under duress.

Having said so, there are a number of concerns. This Bill is being sought to be introduced in an unusual haste. I am here in the Parliament for many years. But I have never seen this; in the Order Paper there was no reference to this Bill. Even half-an-hour ago, we did not know what is going to happen. Suddenly there was a Supplementary List. You have the right and I do not question the right. Supplementary List came out and after that, there was a turmoil in the House; after that we got a corrigendum or in the name of a corrigendum, an amendment. Is it the way a constitutionally constituted Government should function? It is absolutely parliamentary mismanagement; and the Government is acting in peril. The Government is acting in peril. You are representing the country – the Government is representing the country and we are representing the whole nation.

Let us not be afraid of anybody, least of all an ex-policeman, least of all, an ex-bureaucrat, least of all somebody who pretends to be another Father of the Nation. There is only one Father of the Nation. There is only one Father of the Nation – Mahatma Gandhi. Let there be no one pretend himself to be so.

Let us not allow anybody. I am not naming anybody because it is not parliamentary practice. Let nobody pretend as the single crusader against corruption. We fought against corruption. How does the JPC in Harshad Mehta case came about? How the JPC in 2G case came about? The Congress Party also fought against corruption; BJP also fought; we also fought against corruption; many parliamentarians raised a number of Calling Attention motions against corruption. Therefore, there is not a single crusader against corruption. Please do not be afraid of any individual. Please do not be afraid of another phase of hunger strike. Do not surrender the sovereignty of Parliament.

Sir, I have two more concerns.

SHRI P. VISWANATHAN (Kancheepuram): It is the creation of Media....(*Interruptions*)

SHRI GURUDAS DASGUPTA : Yes, I understand and also agree that it is a creature of Media but we should also remember that Media is backed up by the corporate house. It is a creature of Media backed up by the corporate house. But my concern is that the source of corruption in this country is the black-money and the corporates. Why the corporates have not been included? They must be included in this Bill. This is my first concern.

Secondly, the federal system of the country must not be infringed upon.

Thirdly, nobody should be beyond the arm of law. Whatever may be his or her position in the Government or outside, nobody should be beyond the arm of law. The law should be universal for everybody whether he is a Member of Parliament, Prime Minister or the Leader of the Opposition. Everybody must be equal in the eyes of law. Thank you, Sir.

SHRI NAMA NAGESWARA RAO (Khammam): Thank you, Chairman, Sir. From the beginning our Party and our Leader, Nara Chandrababu Naiduji wanted a strong and effective Lokpal Bill.

[Translation]

As regards the issue of haste, I would say that nothing is hasty. We have been discussing this Lokpal Bill for the last 40 years in the country. From 1968 till date several Governments were formed but this Bill could not be passed, but in this 15th Lok Sabha, this should not be repeated. Under the present situation, all countrymen are looking forward to an effective and strong Lokpal Bill and hence this Bill should certainly be introduced. Just now, while expressing his views the leader of the House has said "Passing or not is left to the Members of the House." Yes it is correct.

Our intention should be to ensure the passage of this Bill. We should be willing to pass an effective and strong Lokpal Bill. The Leader of the Opposition has raised certain issues. I would say that certainly a strong and effective Lokpal Bill should be introduced covering all the points raised by the Hon. Leader of Opposition. We are supporting for that.

[English]

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Chairman, Sir, I would like to...*(Interruptions)*

MR. CHAIRMAN: Please maintain order in the House. Mr. Minister you may continue with your speech.

...*(Interruptions)*

SHRI PRANAB MUKHERJEE: Chairman, Sir, I would not like to go into the merits of the debate...*(Interruptions)* I would not like to go into the merits of various points which the hon. Member has referred to. During the course of discussion these will be covered. First of all, I would like to assure that there is no question of undue haste. The country has been waiting for 40 years, not one or two days, for the Lokpal Bill. Several Governments have come and gone. Even in 2001 one of the Reports of the Standing Committee presided over by me recommended the Lokpal Bill. NDA was in the Government at that time. After getting the Report for two years they could not bring the Bill for

certain reasons. I do not blame anybody. The fact of the matter is several Governments, several times made efforts to bring an effective Lokpal, an ombudsman type of organization to deal with corruption at high places. So far as the current events are concerned, suddenly some hon. Members have come and started saying that जल्दबाजी मत करो। Efforts are going on from April onwards.

The Civil Society started agitation. The Government had appointed a negotiating committee with the representatives of the Civil Society. There were series of meetings and four meetings of all political parties took place from the month of June till the last one. Not one or two but four meetings have taken place and various political parties gave their views.

There was discussion in both the Houses of Parliament on 27th August, 2011. Somebody was talking of duress but where is the question of duress? Somebody, who is advising me to be strong, should advise his political leaders. They went and sat on *Dharna Manch* of Shri Anna Hazare. Please check up what did they say there.

Therefore, my submission is that it is not undue haste. It may be that there might have been a mismatch with the normal legislative process in submitting the Order of Business for the day and delay in issuing the Supplementary List. But there is nothing unusual. All of you have said that you were expecting it from Eleven O'clock or Twelve O'clock. So, there was an expectation. There had been some issues and problems, which we have to sort out.

Shri Yashwant Sinha has rightly said that a corrigendum, normally deals with the factual errors, editorial mistakes, spelling mistakes or sometimes factual mistakes. It is actually a factual mistake. Original proposal was to include the minorities. Thereafter, we held some consultations with the various political parties.

A question was raised about the constitutional validity of the Bill, whether it will be legally valid or tenable. Thereafter, there was further reflection on it. After that, it

[Shri Pranab Mukherjee]

was decided that let us not sit in judgement and let the Judiciary decide whether it will be constitutionally valid or not.

So many laws have been passed within the legislative competence of the Parliament, for which we had taken decisions. Sometimes they were declared *ultra vires* by the higher judiciary. Sometimes we accepted their verdict as the law of the land and sometimes we again came to the Parliament to amend the law. Nothing is being dictated.

We, 543 Members of this House will finally decide what will be the fate of the Lokpal. I will not decide it. I am one of the 543 Members of Parliament. All of you will collectively decide which Clause, Sections and provisions you would like to have. But please do not blame the Government, for which it is not responsible.

If you feel that it is not necessary, do not have it. It is because the Bill is to be passed by the Parliament and by nobody else. The legislation and authority of the domain of Parliament is there. A legislation cannot be done at the *Dharna Manch*, on the streets or by the threat of the agitation.

Please remember and do not forget that what the wish of the House was on 27th August, 2011. You have expressed your desire about three concerns, which Shri Anna Hazare indicated — lower bureaucracy should be brought within the purview of Lokpal through appropriate mechanism; Citizens' Charter should be a part of Lokpal and Lokayukta would be a part of Lokpal. It was the wish of the House...(Interruptions)

I may tell Shri Bhartruhari Mahtab, appropriate mechanism was related to the placement of the lower bureaucracy under Lokpal. It was the phrase, which was used with appropriate mechanism in context of Lokpal not with Lokayukta. Therefore, it was thought that it is necessary to bring in Lokayukta. The constitutional point

which has been made, that will be addressed. That is why, it has been stated in section 1 of Clause 4 that different sections of this Act will be notified on different dates. It is put in Part-III. When the question of operationalising it through notification will come, at that point of time, this issue will be addressed adequately.

Sir, therefore, my most respectful submission would be to see that this Bill be introduced. We already had more than required debate for introduction. Normally, a brief debate is permitted by the Chair. As Mr. Kalyan Banerjee has correctly pointed out, we could have a brief debate as per the rules. But you have allowed an elaborate debate and rightly so because it is an important issue.

I would like to reiterate that it is collectively for us to pass this Bill. The whole country is looking at us as to what type of Lokpal Bill we are going to have. If you find that there are deficiencies and shortcomings, you amend it and change it. The Bill is to be passed by the Members of this House. Majority of the Members will have to press the buttons in favour or against that. Therefore, keeping that in view, I would request you to allow the Bill to be introduced by putting the motion to vote...(Interruptions)

[Translation]

SHRI LALU PRASAD: When the members of Parliament decide then only Whip can be withdrawn. ... (Interruptions)

SHRI PRANAB MUKHERJEE: You tell me who has issued the Whip.

SHRI LALU PRASAD: Don't issue the Whip.

[English]

MR. CHAIRMAN: No more discussions. You have already taken enough time.

The question is:

"That leave be granted to introduce a Bill to provide

for the establishment of a body of Lokpal for the Union and Lokayukta for States to inquire into allegations of corruption against certain public functionaries and for matters connected therewith or incidental thereto.”

The motion was adopted.

SHRI V. NARAYANASAMY: I introduce* the Bill.

16.58 hrs.

GOVERNMENT BILLS – INTRODUCED — *Contd.*

(iii) THE CONSTITUTION (ONE HUNDRED AND SIXTEENTH AMENDMENT) BILL, 2011**

(Insertion of a new Part XIV B)

[English]

MR. CHAIRMAN: The House will now take up Item No. 22 B.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN: The question is:

“That leave be granted to introduce a Bill further to amend the Constitution of India.”

The motion was adopted.

SHRI V. NARAYANASAMY: I introduce the Bill.

*Introduced with the recommendation of the President.

**Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 22.12.2011.

16.59 hrs.

DISCUSSION UNDER RULE 193

Agrarian crisis in the country and incidence of suicides by farmers

MR. CHAIRMAN: Now, we will take up Discussion under Rule 193. Shri Basu Deb Acharia.

SHRI BASU DEB ACHARIA (Bankura): Mr. Chairman, Sir, I must thank you for allowing a discussion on a very important and burning problem which millions and millions of farmers are facing today.

[Shri Basu Deb Acharia]

There is crisis in the agrarian sector. It has not been the crisis that has been developed recently.

17.00 hrs.

If we have to look at the agrarian crisis of today, then we will have to analyse the genesis of this crisis. During the last two decades, since 1991, when the economic reforms were initiated by Government of India, we have come across suicides being committed by farmers. We have not seen suicides by farmers pre-1991 in such large numbers. There were some instances of suicide by farmers but from 1995 onwards the farmers of our country resorted to suicides in greater numbers.

MR. CHAIRMAN: Shri Acharia, this is an important matter and you can continue with this next time.

...(Interruptions)

SHRI BASU DEB ACHARIA: Sir, we had been waiting for this to be taken up since last week. ... (Interruptions)

MR. CHAIRMAN: Now, the House will take up 'Zero Hour'.

Shri Ramkishun.

[Translation]

SHRI RAMKISHUN (Chandauli) : Mr. Chairman, Sir, the Indian workers go abroad particularly of gulf countries for job. The companies which take them abroad and help them in getting visa, passport etc. ...*(Interruptions)* I am speaking in Zero Hour. ...*(Interruptions)*

MR. CHAIRMAN: You please speak on only one issue.

...*(Interruptions)*

SHRI RAMKISHUN: I am speaking on one issue only.

The poor people and sons of farmers from Uttar Pradesh, Bihar, Bengal, West Uttar Pradesh, Punjab and Haryana go to gulf countries for employment. ...*(Interruptions)*

[English]

SHRI BASU DEB ACHARIA: When will it be taken up next?

MR. CHAIRMAN: We will definitely take it up. We will give priority to this. Please co-operate.

...*(Interruptions)*

SHRI BASU DEB ACHARIA: It should be allowed today. ...*(Interruptions)*

[Translation]

SHRI NAMA NAGESWARA RAO: Mr. Chairman, Sir, we all want to express our views on the issue being discussed under the Rule 193. ...*(Interruptions)*

[English]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): It was not only you but it was also the Government which was willing for a discussion on the issue. We accepted this despite the fact that the House

was not permitted to function yesterday only on this ground for more than half of the day. Still we accepted this and we were ready for this discussion. But the hon. Members who are present in the House and because after this we are adjourning for 4 days wanted their 'Zero Hour' matters to be taken up. Therefore, this has been taken up and whenever there is an occasion, not necessarily in the next three days because there is other business to be taken up then. It may be taken up in the next Session...*(Interruptions)*

SHRI BASU DEB ACHARIA: Would we have to wait for the next Session for this discussion?...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL: Perhaps, yes. We will see but we cannot say that this discussion will be taken up on 27th or 28th or 29th. We were prepared for this. You can ask the hon. Members present in the House. You cannot blame the Government or the Chair for this. We accepted your motion. That is not fair to say...*(Interruptions)*

SHRI BASU DEB ACHARIA: We want a discussion on this issue...*(Interruptions)*

MR. CHAIRMAN: We will continue next time.

...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL: Sir, you may take the sense of the House and you may decide. I only want to say that we discussed this matter at length in the Rajya Sabha as well and thereafter sine the hon. Members wanted it here, I am reiterating that point that we accepted this here also. You may take the sense of the House...*(Interruptions)* Hon. Members said so and hon. Members also told me that they wanted their 'Zero Hour' matters to be taken up. ...*(Interruptions)* Sir, the Members also want that the House should adjourn at 6 o'clock. How can both the things be done?...*(Interruptions)*

SHRI BASU DEB ACHARIA: Sir, then the Lok Sabha cannot discuss the farmers' issue...*(Interruptions)*

MR. CHAIRMAN: Who said that it cannot be discussed? It is only the question of time. Proper time will be given to all the Members to speak.

SHRI PAWAN KUMAR BANSAL: Sir, then you may take another decision. Let there be no 'Zero Hour' and let the Members continue with this discussion. ...*(Interruptions)*

MR. CHAIRMAN: What is the sense of the House? Shall we continue with the discussion or take up 'Zero Hour'?

...*(Interruptions)*

[*Translation*]

SHRI RAMKISHUN: Mr. Chairman, Sir, please take up the zero hour...*(Interruptions)* It is an international issue. ...*(Interruptions)* It is a very important matter...*(Interruptions)* After that we can hold a discussion under Rule 193.

[*English*]

SHRI BASU DEB ACHARIA: We want the debate on the farmers' issue. 'Zero Hour' can be taken up afterwards. We may have the debate for two hours. ...*(Interruptions)*

MR. CHAIRMAN: Hon. Members, please sit down. Let me give my ruling. Till 6 p.m., we will continue with the discussion and then, at 6 p.m., we will take up 'Zero Hour'. Shri Acharia, you may continue now.

...*(Interruptions)*

[*Translation*]

SHRI RAMKISHUN: Mr. Chairman, Sir, you have called me to speak. ...*(Interruptions)* This is an international issue. ...*(Interruptions)* Our India Crops in the Gulf Country. ...*(Interruptions)*

[*English*]

MR. CHAIRMAN: Please cooperate with the Chair. Nothing will go on record.

*(Interruptions)...**

*Not recorded.

MR. CHAIRMAN: Shri Acharia, please continue.

SHRI BASU DEB ACHARIA: Sir, 2,57,996 farmers have committed suicides. Let us divide the figure into eight years each. The period 1995 – 2002 is when the farmers started committing suicides. During 2003-2010, we may find that the number of suicides committed by farmers is more than the number of farmers who committed suicide in the earlier eight years' period. Why have so many farmers committed suicide?

17.08 hrs.

[SHRI INDER SINGH NAMDHARI *in the Chair*]

Why is it that 90 per cent of the incidents of suicides are in only five States? In Maharashtra alone, 50,000 farmers have committed suicides. The next comes Karnataka. In Karnataka, during this period, 41,000 farmers have committed suicides. Then comes Andhra Pradesh where almost 39,000 farmers have committed suicides in this period.

MR. CHAIRMAN : Shri Acharia, please address the Chair.

[*Translation*]

SHRI BASU DEB ACHARIA: Mr. Chairman, Sir, I am addressing the Chair only. ...*(Interruptions)* [*English*] Then comes the States of Madhya Pradesh and Chhattisgarh. ...*(Interruptions)* [*Translation*] If the Government gives assurance that this issue would be taken up on 27th ...*(Interruptions)* discussion may be held on this topic on 27th ...*(Interruptions)*

[*English*]

MR. CHAIRMAN: You may take it up in the Business Advisory Committee. You will get the required response there.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): I am again saying that I appreciate

[Shri Pawan Kumar Bansal]

the sentiments of the hon. Members. I know the importance of the matter. Therefore, we had accepted this to be taken up. Since I find that the Members are not really interested in taking up this, but only wanting put across the important points under the 'Zero Hour', I had said – and I can only repeat that – that whenever we can find time at the earliest, we would like to take it up. But there are priorities which have to be decided. We can take it up. What else can I say on this matter?...*(Interruptions)*

SHRI BASU DEB ACHARIA : You assure that on 27th you will take it up for two hours. ...*(Interruptions)*

MR. CHAIRMAN : Nothing will go on record.

(Interruptions)...*

MR. CHAIRMAN: The matter is important.

...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL: What I am saying is this. I tried to convince the hon. Member. After the Government business, that is essential to be taken up on 27th and 28th, if we have time on 29th we will try to take it up on 29th. ...*(Interruptions)*

SHRI BASU DEB ACHARIA: You take it up on 27th, not on 29th. This should get priority. The farmers issue should get priority. ...*(Interruptions)*

MR. CHAIRMAN: Shri Acharia, please continue. That would be decided later. Shri Bansal, please try to adjust it on 27th.

...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL: We cannot have it on 27th. ...*(Interruptions)*

MR. CHAIRMAN: What about 28th?

SHRI PAWAN KUMAR BANSAL: I cannot say about 28th. On 29th, after all the essential Government business is transacted, we may take it up. ...*(Interruptions)* It is always like that. Sixty-six per cent of the time of the House has been wasted in only stalling the proceedings. Some Government business is the responsibility of each one of us. There are important legislation which will have to be brought. They are legislation related to anti-corruption. ...*(Interruptions)*

SHRI BASU DEB ACHARIA: The farmers issue should get priority. ...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL: We have done that. That is why it has been listed. ...*(Interruptions)*

SHRI BASU DEB ACHARIA: Why not on 27th or 28th?...*(Interruptions)*

MR. CHAIRMAN: Shri Acharia, whatever time you have, that is also being wasted. What is the use of it? You please speak. After that it will be decided.

...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL: If Shri Acharia is not here on 29th, we can hear him today. Then, we can start with the 'Zero Hour'. ...*(Interruptions)*

SHRI BASU DEB ACHARIA: No. This issue should get priority. ...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL: I am sorry he is repeatedly using the word 'priority' as if we are not giving priority to this matter. We accord priority to the subject. That was the reason why the Minister was sitting here right from the morning till this time. ...*(Interruptions)* What are we arguing about? ...*(Interruptions)*

SHRI BASU DEB ACHARIA : It is not the priority of the Government. ...*(Interruptions)*

...*(Interruptions)*

17.15 hrs.

SUBMISSION BY MEMBERS

**Re: Need to rehabilitate Hindus who have
migrated from Pakistan**

[Translation]

SHRI RAMKISHUN (Chandauli): Mr. Chairman, Sir, the labourers from our country goes to Gulf countries for work. The companies take them there for work and get visas issued to them. The children of farmers from many States like Uttar Pradesh, Bihar, Punjab etc. go to the gulf countries in search of job. Three-four months back 70-75 India citizens went to Kuwait for work. A company from Kuwait took them there. That company got their passports and visas prepared and kept these documents with it. After sometime that company was declared defaulter. I wrote a letter in this regard to the Prime Minister and the Minister of External Affairs also. Besides that I contacted the Indian Embassy in Kuwait, and came to know that 70-75 Indian labourers are locked up in a room in Kuwait. If any person tries to escape, the local cops arrest him and put him behind the bars. Through you, I would like to demand that the Government should make security arrangements for the children of farmers-labourers who go for work to Gulf countries or any other country. Many workers from my district in Uttar Pradesh are entrapped in the Gulf countries, particularly Kuwait. Therefore, the Government of India should make arrangement for bringing them back, because they are facing a situation of starvation. There is no food for them. The local Government is not giving any assistance to them. But imposing penalty on them. A fine of Rs. 5000 to Rs. 7000 per day in terms of Indian currency is being imposed on them. I have contacted the Ministry of External Affairs in this regard, but the Government of India is turning a deaf ear on this issue. I would like to tell the Government that it should ensure that Indian working in foreign land should return to their homeland. Atrocities are committed against the persons whose visas have been seized in Kuwait. I would like to say that the Ministry of External Affairs should district the Indian Embassy in Kuwait to

intervene in this matter and bring back the Indian from there.

SHRI HUKMADEO NARAYAN YADAV (Madhubani): Sir, I would like to raise an important issue during the zero hour. I would like to read out some excerpts from the Lok Sabha Debate. When discussion on this topic was held last time, then all these things were mentioned. I will not take much time and will conclude my speech after reading out a few lines.

MR. CHAIRMAN: It is a poem?

SHRI HUKMADEO NARAYAN YADAV: No, Sir.

"A great ideal should be laid before the people of both India and Pakistan. The right to live in one's own way is probably the biggest right of the world. It is important that the Muslims of India and Hindus of Pakistan should have right to live their lives in dignified way. I totally reject this view point that we should not bother about Pakistani Hindus as they are the citizens of Pakistan. It is our duty to protect to Pakistani Hindus, as it is to protect the Hindus and Muslims living in India. It is inappropriate to argue that so and so is the citizen of such and such place. It makes the matter complicated. We have to provide right to live and protection to everybody."

This was mentioned by Dr. Ram Manohar Lohia in this very House on 3rd April, 1964. I raised this matter so that people should not think that this is the view point of 'Vishwa Hindu Parishad', 'Sangh Parivar' or Bhartiya Janata Party. Dr. Ram Manohar Lohia was a world famous socialist leader. He raised this matter at that time. Today this issue is important because some Hindu citizens of Pakistan have arrived in India. Their visa term has expired. They are living at Majnu Ka Tila in Delhi.

MR. CHAIRMAN: Hukmadeo Ji, I interrupt you for a minute. I read in newspaper today, that the hon'ble High Court has issued some directions in this regard and has asked the certain questions to the Government in this regard.

SHRI ARJUN RAM MEGHWAL (Bikaner): Some orders should be issued to the Government and it should be told to give them the status of the refugees. ...*(Interruptions)*

SHRI HUKMADEO NARAYAN YADAV: If there is any direction for Hindus who have come from Pakistan and whose visa term has expired. They do not want to go back because there is threat to their life and property, culture and religion. The way we consider Muslim as our brothers in India and take guarantee of protection of their rights. Similarly if Hindus living in Pakistan face any kind of problem in the exercise of social, religious and cultural right, the Government of India should intervene in it. The way we provide protection to Hindus and Muslim in India, the similar treatment should be given to the Hindu living in Pakistan. If cultural, religious and social right to Hindu living in Pakistan or anywhere in the world are violated, the Government of India should intervene in it and restore their right to them. This is the most important issue.

MR. CHAIRMAN: Shri Arjun Meghwal, Shri Govind Prasad Mishra and Shrimati Jayshreeben Patel associate themselves with the issue raised by Shri Hukmadeo Narayan Yadav.

Bansal Ji, whether you would like to respond on this issue?

[English]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): Sir, I cannot respond to the things spontaneously. But since you have asked me to stand up, I can only say that I will send this matter to the hon. Home Minister. He will look into the matter.

MR. CHAIRMAN: Shri Suresh Kashinath Taware – not there.

Shri S. Semmalai

SHRI S. SEMMALAI (Salem): Mr. Chairman, Sir, I thank you for calling me to speak.

I wish to draw the attention of the hon. Minister of Communications and Information Technology to the plight of the small savings' agents due to the reduction of commission amount for their agency. Our economy is mainly dependent on savings. So, the savings habit has to be popularized among the people. Post Office service is a vital source of savings. The small savings' agents are the backbone of the Scheme. The commission for their agency service is very paltry. They serve as a main link between the depositors and the Post Offices. While such is the fact, recently the Government has reduced the commission amount with effect from first December. More than five lakh agents are being employed in the profession as full-time agents. Most of them are women who are housewives. For rendering their service in this field, they have to be adequately compensated through a higher commission. I understand that on the recommendations of the Shyamala Gopinath Committee, the commission has been reduced. Earlier, they were getting one per cent commission. Now, it has been reduced to half a per cent. After all half-a-per cent! By this reduction, how much amount is going to be added to the Exchequer? In what way is the Government going to be affected if it pays one per cent?

So, I would like to draw the attention of our hon. Minister to this matter. I would request him to look into this matter and restore the same commission amount — at least what they received earlier. I hope the hon. Minister will address this genuine demand with due consideration.

SHRIMATI BIJOYA CHAKRAVARTY (Guwahati): Mr. Chairman, Sir, I want to raise a very important issue that is threatening the sovereignty of the country. This is regarding the Chinese aggression in the North-Eastern border, especially in the Arunachal Pradesh border. Across the Arunachal Pradesh border, China is escalating its arms and everything. It has constructed modern roads, airstrips. So far as our army personnel are concerned, it is not so. We are suffering a lot. In the electronic media and in the

newspapers, a news item came saying that the Chinese Army entered the Tawang border of Arunachal Pradesh. It tore down the border wall of Tawang. It is a very important matter. We belong to the North-Eastern Region. In 1962, we had got the bitter experience. During that time, the slogan *Hindi-Chini bhai bhai* was going on. During that time, Assam and the entire North-Eastern Region had been given farewell by the then Prime Minister Pandit Jawaharlal Nehru. So, again these things should not occur. Our Army should be very much alert. It should act in the same way what the Chinese Army is doing across the border. Our Government, our Defence Minister should take care of it. Therefore, I bring this very serious matter to the notice of the House.

[Translation]

SHRI IYARAJ SINGH (Kota): Sir, the incidents of disappearance of many companies after collecting crores of rupees from the people by making false promises of good dividend and interest on investment are happening in the country for last so many years.

MR. CHAIRMAN: These incidents are on rise particularly in Rajasthan.

SHRI IYARAJ SINGH: Sir, I am saying that only. Recently the Gold Souk Trade Company Ltd. collected Rs. 300 crore from the common people and disappeared. The directors of this company are absconding. The common man invest in these companies as these are Government registered companies and Government keeps vigil on these companies through various legislations. I would like to tell the House with a sense of regret that activities of these companies are not being monitored in the way it should be. This company has duped 1.5 lakh persons in the entire country. It's offices are locked. The people trusted the four Gold schemes of the company and got trapped. This company is having quality service, Bullion Association Registration certificate and all income tax documents. It's corporate office is in Jaipur, the branch offices in 12 cities and showrooms at many places. 12,000 investors of my Parliamentary Constituency, Kota

who have been duped by this company are in a State of shock and are highly agitated. Instead of harassing the persons who have made investment in the company, the Government should seized the property of the company and a system should be evolved to return the money of investors. I would like to draw the attention of the House that the capital invested by the people should be protected, the initiative should be taken in this direction. The Directors of the company should be immediately arrested. Their whereabouts can be known by use of modern technology in this regard. I would like to draw the attention of the House that a policy should be formulated to reform the process of registration and certification of these companies.

YOGI ADITYA NATH (Gorakhpur): Mr. Chairman, Sir, I would seek your protection because I am drawing the attention of the House towards a very important issue. Around 35 districts of the Eastern Uttar Pradesh and 26 States in India are affected by ensyphilities. Since 1978 people have been dying regularly due to this disease in the Eastern Uttar Pradesh. As per one estimate one lakh innocent children have died due to this disease and around same number of children have become physically and mentally handicapped. These figures are of the Eastern Uttar Pradesh during the last seven years. I would like to quote the figures of seven districts in this House. Last year I had moved the motion of calling attention on 31 August and the hon. Minister had himself admitted that in 2005, 6061 patients were admitted in hospitals due to ensyphilities out of which 1500 died, 528 patients died out of 2320 admitted patients in hospitals in 2006, 995 patients died out of 3024 patients admitted in 2007, 684 died out of 3015 patients admitted in 2008 and 784 deaths took place in the year 2009. I have the figures of BRD Medical College, Gorakhpur of the last year and the current year and as per these figures 3503 patients were admitted in 2010 while 514 died and 3275 patients have been admitted this year while 618 patients have already died. I have been regularly raising this issue in the House for the last 13 years. You must have been observant since last two and a half years that there has not been just a

[Yogi Aditya Nath]

single session in which I have not been regularly raising this issue of eradication of encephalitis and taking steps for its effective control. But it is extremely unfortunate that the disease which is killing innocent children in 26 States of the country and 35 districts of the State is being considered by the Union Government as an issue to be dealt by States and playing with the future of this country. Although, Mr. Chairman, Sir, had talked about calling attention but I have not got any opportunity due to obstruction in the proceedings of the House. This is a very important issue.

MR. CHAIRMAN: What do you want to say?

SHRI JAGDAMBIKA PAL (Domariya Ganj): Sir, this is a very important subject.

MR. CHAIRMAN: It has become even more important as you have spoken.

YOGI ADITYA NATH: The Government has not fulfilled the assurances given by the hon. Minister on my calling attention in 2010. Innocent kids have died due to lack of medicine in B.R.D. Medical College this time but it has not been possible to set up rehabilitation centre there.

Therefore, I would like to urge the Government through you not to consider this epidemic in 35 districts of Uttar Pradesh and 26 States across the country as the problem of only one State. A national programme should be formulated for the same and an action plan must be immediately implemented for its eradication.

My second demand is that the Viral Research Center in Gorakhpur should be upgraded because for the last 33 years the virus for the epidemic has not been located. Whenever we ask about the virus someone says it is J.E., someone V.E. and someone misleads us by saying it is A.E.S. Thus, the whole Eastern Uttar Pradesh is facing this problem of finding the virus. Innocent children are dying there. People are still dying there. Every day four to six people are dying in B.R.D. Medical college. Therefore, I urge the Government to provide sufficient financial aid to

viral research center in B.R.D. Medical college as even the Allahabad High Court in Uttar Pradesh had directed the Union and State Government in 2007 in this regard to set up a high quality research center in Gorakhpur by providing financial aid.

My third demand is regarding grant to separate funds for eradication of encephalitis in the funds being given to Uttar Pradesh under the National Rural Health Mission.

My fourth demand is that the Government should take steps to set up Centre of excellence for J.E. in Gorakhpur.

My fifth demand is that the Government takes steps to spread awareness regarding precautions against encephalitis and to control this disease.

MR. CHAIRMAN: This time your speech is becoming very effective.

YOGI ADITYA NATH: My sixth demand is that the Government takes action with regard to cleanliness supply of clean drinking water and spraying of medicine in areas affected by encephalitis. My seventh demand is that the Government open the promised rehabilitation centre in B.R.D. Medical College, Gorakhpur for the rehabilitation of physically and mentally handicapped children.

MR. CHAIRMAN: Shri Kamal Kishore, please speak but do not leave after speaking and be present here.

SHRI KAMAL KISHORE COMMANDO (Bahraich): Mr. Chairman, Sir, My Parliamentary Constituency Bahraich is adjacent to Nepal and the floods from Nepal pass through Bahraich. Various diseases proliferate due to flood water which adversely affect fishermen and people and all the development works, be it construction of houses or slums made by people, are destroyed every year.

Sir, there are many lakes there. I urge the Government to clean the lakes such as Baghel lake, Dolia lake, Badela lake which is near Samri Kalkla near Mihipurva, and control the water in these lakes. Canals can be constructed there and use that water for irrigating farms.

I urge the Union Government to immediately make all these arrangements to save the property and homes of farmers there and to prevent the loss of funds whether it be of Uttar Pradesh Government or Union Government.

SHRI ARJUN RAM MEGHWAL: Mr. Chairman, Sir, through you, I would like to raise a matter of urgent public importance on the need to accord recognition to the physicians who have ten years experience in the field. There are many retired compounders and persons having RMP type degrees, though RMP degree is not awarded anymore, who are serving people in the medical field for the last so many years, but they have not been granted any recognition. The petition committees of the august houses i.e. Lok Sabha and Rajya Sabha have also made recommendation to the Union Government for granting recognition to the physicians having experience of ten years or more.

[English]

MR. CHAIRMAN: Your subject is "Need to accord recognition of Physician who have 10 years experience in the field."

[Translation]

But what degree shall he hold? What type of physician will be included in it?

SHRI ARJUN RAM MEGHWAL: We are looking into what kind of degree it will be. Why does not the Government conduct to study in this regard? A committee should be constituted to study what kind of services are they rendering. 46 thousand doctors passing out from the medical colleges of the country do not want to practice in rural areas. Primary Health Centres (PHC) and Community health Centres (CHC) are lying closed in Rajasthan due to strike by the doctors. I am talking about the persons rendering services in the rural areas. The issue is not as to whether they should be given recognition or not. The issue is that though these people are working, but there is no check on them, there is no ban on them. Some of

them may be quacks. Those quacks must be removed. There might be some persons who are working in a proper manner. Please classify them. I would like to say that the other issue related to death of patients due to strike by doctors in Rajasthan is associated with this. These people can also provide medical services. The Government should not shut the doors of talks. The health care services have got paralysed, particularly in rural areas. The solution of this problem must be evolved by holding a dialogue with doctors. ...*(Interruptions)**

MR. CHAIRMAN: Maghwal ji, two topics cannot be raised at the same time.

SHRI JAGDAMBIKA PAL (Domriyaganj) : Mr. Chairman, Sir, the entire North India including Delhi, NCR, Jharkhand, Bihar and Uttar Pradesh are in grip of cold wave and fog for the last one week. The poor are the most affected by it. Deaths due to cold wave are caused even in the national capital, Delhi. 27 persons have died due to cold in Eastern Uttar Pradesh. You might recall that the Supreme Court has given a ruling recently saying that it is the duty of the State Governments to ensure that no one should die of cold now after so many years of independence have elapsed. Despite that many poor people are dying due to the nature's fury. If an earning member of a family dies on whom the entire family is dependent and no financial assistance or relief is provided to his dependents, it becomes quite evident that people who live in thatched huts or sleep in the open are worse hit by the cold. Uttar Pradesh administration does not accept that the said deaths were caused due to cold. When such incidents take place in your State, local people donate the money and perform last rites of the deceased.

MR. CHAIRMAN: I have called another name, your views have been recorded.

SHRI JAGDAMBIKA PAL: I thought that you will ask the Government to respond.

*Not recorded.

MR. CHAIRMAN: Had the Minister of Parliamentary Affairs been present he would have responded. Now please conclude.

[English]

SHRIMATI BOTCHA JHANSI LAKSHMI (Vizianagaram): Mr. Chairman, Sir, I thank you for giving me this opportunity to raise a matter of urgent public importance regarding the urgent need to augment the storage capacity of the Food Corporation of India.

Sir, we all know that 1,346.33 tonnes of food grains accrued as damaged and non-issuable in the Food Corporation of India during 2011-12 upto 1st November, 2011 due to various reasons, which includes the grains damaged because of pests, leakage and other causes during transportation.

Many food experts say these damages can be minimized, if we can have sufficient storage capacity. Officially, a total of 62.8 million tonnes of storage capacity — FCI's 33.3 million tonnes and 29.5 million tonnes in States — was available for storing the country's food grains against the stock of 51.7 million tonnes as on 1st October, 2011. But the storage capacity is well dispersed among the States and is not as per the States' requirement, especially in Andhra Pradesh, Maharashtra, Uttar Pradesh and Punjab. For example, in Andhra Pradesh, the present FCI storage capacity is 36 lakh tonnes, whereas the production of food grains is to the tune of 130 lakh tonnes.

I appreciate the Government's efforts for building up food grain storage capacity in PPP mode with the challenge of high real estate prices. The norms are also revised in favour of private partner to encourage new entrepreneurs.

In the light of the Food Security Bill, I would request the Government to augment the storage capacity of FCI as per the requirements and needs of States for effective PDS and food security.

[Translation]

DR. SANJAY JAISWAL (Paschim Champaran): Sir, through you, I would like to draw attention of the House towards an important issue. Raxaul is the second largest city in my Lok Sabha constituency and Indian oil depot is located in the middle of the city. We have raised this issue many times. At the time when hundreds of people were killed in fire in the Indian Oil Depot in Jaipur and loss of crores of rupees was suffered, the Government had taken a decision that no Indian Oil Depot will allow to remain in any city. The said depot is located on the border of Raxaul and we often receive intelligence inputs from Nepal that Maoists from Nepal can cause damage to it, as there is only one river width distance between the depot and Nepal. If one intends to do something from the other side of the river, he can easily cause damage to the said depot. I have been raising this matter for the last two years. The hon'ble Minister assured to look into the matters. A place was also selected, but no attention was paid in this regard. One city of my parliamentary constituency is located on the heap of explosive and the damage to the said depot can be caused not only from Indian side, but as Maoists propoganda has spread in Nepal, whenever Maoists would like to do anything they can easily finish one city of our country. Dry part of India is also located there. Nepal is a landlocked country and the dry party of the entire area is also located near the Indian Oil Depot. Therefore, through you, I would like to submit that Indian Oil Depot located on Indo-Nepal border should be shifted from Raxaul city as soon as possible.

SHRI CHANDRAKANT KHAIRE (Aurangabad): Sir, I rise to speak on the land of saints, Maharashtra. My parliamentary constituency is Sambhajinagar, Aurangabad.

MR. CHAIRMAN: Which saints hail from Aurangabad?

SHRI CHANDRAKANT KHAIRE: Sir, there are many saints. Sant Gyaneshwar is from my district only.

MR. CHAIRMAN: What place does saint Namdeo belong to?

SHRI CHANDRAKANT KHAIRE: Saint Namdeo was not from my State, he was from Maharashtra. He had gone to Punjab also. I would say that saints cannot be confined to any particular place. We have a holy place of Digamber Jain which is situated on Shri Bhanjan hill. The said hill is situated in Ratanpur which is my Parliamentary Constituency. There, more than one thousand acres of land belongs to the Government. Saint Eknath ji did penance there for 12 years. This place is also related to his Guru Janardhan Swami Ji. I would like to tell that it is a renowned place of Saints. The then hon. Chief Minister, Shri Vilasrao Desmukh, had provided one thousand acres of land to Bhaiyyu ji Maharaj ji for setting up the city of saints. He gave the orders twice but this Government has cancelled those orders. Why has it been cancelled? Because they have decided to provide 336 acres of land to open a branch of Aligarh Muslim Vidyapeeth. I would like to ask as to what is the need to open a branch of Aligarh Muslim Vidyapeeth in Sambhajinagar, Aurangabad? There is no need of the said Vidyapeeth there, as we already have enough faculty.

Since my district is a very sensitive area, due to this any incident may occur at any time. Ghashmeshwar temple is by the side of Shulibhanjan hill which is beyond Khuldabad or Ratanpur. The said temple is one of the 12 Jyotirlingas. Ellora caves are also situated there and tourists came there. Not only this, around ten lakh devotees come to Hanuman Temple on the occasion of Hanuman Jayanti and minimum two lakh people come there on every Saturday. As a lot of devotees and pilgrims come there, the sitting up of a branch of Aligarh Muslim University will cause disturbance in that area and also disturb law and order situation. You know that incidents concerning SIMI have come to light many a time in that area. Bahismal hill is also situated there which has the temples of Girja Mata and Tirupati Bala Ji. There is no need to set up the said Vidyapeeth as it is a religious place. Through you, I would like to urge upon the Government to set up the said Vidyapeeth somewhere else instead of my area. The Chairman of the Vidyapeeth had come there. A number of people from various communities have protested against

the place identified for the said vidyapeeth. A number of people have held agitation as the said place belongs to saints. Bhaiyyu Maharaj Ji wanted to set up a city of saints there. Hon. Vilasrao Desmukh ji knows this. He wanted to set up a city of saints, that is place for all saints like Giyaneshwar, Saint Namdeo Maharaj etc. ...(*Interruptions*)

MR. CHAIRMAN: Deshmukhji is still capable of that.

SHRI CHANDRAKANT KHAIRE: He is capable. Sir you may instruct him to convince his Government.

MR. CHAIRMAN: I will not. A word to the wise.

...(*Interruptions*)

SHRI CHANDRAKANT KHAIRE: Sir, Sufi saints were also to be given space alongwith the Hindu Saints in the city of saints but efforts are being made to cancel the orders and to set up Aligarh Muslim Vidyapeeth. We strictly oppose it. I have written letters to everyone. I have written letters to everyone in this regard. I have written letter to the hon. Chief Minister two or three time. I have also sent letters to His Excellency, the Governor of Maharashtra, as well as to Shri Kapil Sibal. But I have not received any reply. Through you, I, would like to inform the Government that if any effort is made to open a branch of Aligarh Muslim Vidapeeth in my area, the Government will have to face protest from Shiv Sena and Hindu people.

MR. CHAIRMAN: Khaire ji, you are now instructed not to leave but stay put.

SHRIMATI RAMA DEVI (Sheohar): Mr. Chairman, Sir, allow me to speak from this place.

MR. CHAIRMAN: If you wish to come to front rows, you are welcome.

SHRIMATI RAMA DEVI: I know my limits. ...(*Interruptions*)

Mr. Chairman, Sir, 15 year old Sheohar district in my Parliamentary Constituency has been affected by naxalits violence and counter violence. This is the most poor and densely populated district with a population of seven lakh

[Shrimati Rama Devi]

people. Most of the area of this district is naxalite affected. The number of naxalites is increasing day by day due to illiteracy and unemployment in this district. You might be knowing that dozens of civilians and police personnel were killed due to naxal violence during the last five years and a number of naxal encounters have taken place during the past days. Some area of this district lies along the Nepal border and the local administration is unable to check the naxalite activities due to the shortage of proper resources. The Government of Bihar has forwarded the proposal to the Ministry of Home Affairs many a time asking to declare some of the districts of Bihar as extremist affected districts. In reply, the Union Government has declared mere six districts as extremist affected districts. I request the hon. Minister to include Sheohar district in the list of extremist affected districts so that all round development of this district could be possible and the naxalites of this area may be the part of the mainstream of the society.

Therefore, through the House I urge the Government that Sheohar district should be included in the list of naxal affected districts so that the all round development of the said poor district could be possible as well as incidents of naxal violence could decrease.

MR. CHAIRMAN: Some more district are being included in the LWE.

SHRIMATI RAMA DEVI: Sitamarghi, Motihar are also in the list.

MR. CHAIRMAN: Dr. Mirza Mehboob Beg. Dr. Mehboob Beg Saheb speaks very-very briefly.

DR. MIRZA MEHBOOB BEG (Anantnag): Thank you Sir, I think that this is a warning.

MR. CHAIRMAN: No, no.

[English]

DR. MIRZA MEHBOOB BEG: Thank you, Sir. Way back, in October, 2010, Government of India had

nominated three interlocutors. They were given an assignment to look into the political alienation which was prevailing in the State of Jammu and Kashmir. This happened, because, there were huge protests in almost all the streets of Jammu and Kashmir and in Kashmir in Particular.

Sir, three reputed interlocutors were nominated. I am very glad to tell you that they visited all the three regions of the State. They visited all the districts of the State and talk to various sections of the society. Then, the interlocutors submitted a detailed Report to the hon. Home Minister on October, 2011.

MR. CHAIRMAN: Was it an interim Report or final Report?

DR. MIRZA MEHBOOB BEG: It was a final Report. They have been submitting interim reports from time to time. They submitted a final Report in October, 2011. Reportedly, it says that the Government of India should restore political autonomy to the State of Jammu and Kashmir and devolution of powers at the regional and sub-regional level.

I am surprised to see this Report. For the last two months, I urge upon the Government of India to make it public, so that, a discussion, a debate starts in the States within the State and also in the rest of the country. It would be a mistake to think that things are normal. We must not take things for granted. We must address the political alienation and address the internal dimensions once and for all. There are external dimensions also but the Government of India, so far as internal dimensions of Kashmir issue are concerned, should address them at the internal dimensions, so that, we can have lasting peace in the State of Jammu and Kashmir.

[Translation]

SHRI NARAYAN SINGH AMLABE (Rajgarh): Mr. Chairman, Sir, through you, I would like to draw the attention of the hon. Minister of communications towards Rajgarh, my Parliamentary Constituency in Madhya

Pradesh. Jeerapur under the district headquarters Rajgarh was made Tehsil almost 30 years ago and my native village also falls under this tehsil. But, unfortunately the Communication Department has not provided the facilities of the district headquarters even today. Therefore, this tehsil headquarters has not got the post of SDO (Telephone) Sanctioned till date and due to it the consumers of this tehsil of my Parliamentary Constituency have to travel almost 70 Km. with regard to the facilities and complaints of telephone and mobile.

Sir, this era is of internet and the communication facility has become an integral part of life today. Keeping it in mind, the BSNL is also providing various kinds of facilities to its customers very easily. The department tries to decrease the traffic congestion to the minimum level. But, the tehsil Jeerapur in my Parliamentary Constituency Rajgarh has not been allotted a separate STD code even today while in other tehsils of the district Khilcheepur, Sarangpur, Rajgarh, Byavara, Narsingh Garh, the STD codes 07370, 07371, 07372, 07374, 07375 respectively are operational. In this series, STD code 07373 is vacant and has not been allotted to any city of not only any State but the country also as per the best of my knowledge.

Sir, through you, I request the hon. Minister of Communications to issue strict order to allot the separate STD code 07370 and to sanction the post of the SDO (Telephone) immediately in Jeerapur tehsil of my Parliamentary Constituency, Rajgarh. I thank you for giving me the opportunity to speak.

MR. CHAIRMAN: Shri Mithilesh Kumarji, your name is in it and on the first position but let me tell you that it is written in the remarks that the matter is sub-judice. The issue on which you want to speak is pending in the court.

SHRI MITHILESH KUMAR (Shahjhanpur): No, Sir, issue has not reached the court yet.

MR. CHAIRMAN: But it is written in remark here that the matter is sub-judice.

SHRI MITHILESH KUMAR: Sir, that is not correct. I want to speak about some other issues.

MR. CHAIRMAN: Okay, please speak.

SHRI MITHILESH KUMAR: Mr. Chairman, Sir, I would like to speak about November, 1994 when the mobile service providers were granted licenses to provide service in four metropolitan cities — Delhi, Mumbai, Kolkata and Chennai. At that time, the Government of India had allotted the maximum 4.5 megahertz cumulative spectrum. But in the year 2001, the cumulative spectrum was increased to 4.4 + 4.4 megahertz from 4.5 megahertz and as a result of it, the private operators got the benefits twice. Neither any new process chalked out nor any Government contract was signed. The old Government contract was signed. The old Government contract was completely opposite to it causing the loss of billion of rupees to the Government exchequer.

Alongwith with it, the provision was relaxed that the operators can use till, 6.2 + 6.2 megahertz as their convenience, and if the number of customers increase, they can use more spectrum. The most surprising thing took place when without any Government provision, the capacity with regard to use of this spectrum was increased to 10.8 + 10.8 megahertz and the mobile operators got benefits many times but the invaluable resources of the country kept decreasing.

MR. CHAIRMAN: This issue is very old. But it is written in it that the matters of urgency public importance only.

SHRI MITHILESH KUMAR: Yes, Sir, the entire world is aware of the 2G spectrum. But no Government is paying attention to the real spectrum scam. Both the parties had been in power. It happened during the tenures of both the Governments. He is accusing this Government only and that is not the case.

MR. CHAIRMAN: What do not want?

SHRI MITHILESH KUMAR: I would like to submit that an enquiry should be held in this issue. Despite that

[Shri Mithilesh Kumar]

allocation of 4.5 megahertz. How will this loss to the exchequer be compensated? I urge the Government to make provision in this regard. My second point is that. ...*(Interruptions)*

MR. CHAIRMAN: Second point is not allowed you have spoken at length. The second point will be expunged.

SHRI MITHILESH KUMAR: I will not speak on any other subject. I would like to say that our country has suffered losses due to this. To get these losses compensated a case of treachery should be filed against the companies which are responsible for the said losses. The amount of the spectrum used by the said companies should be recovered alongwith the interest thereon. I would like to thank you for giving me an opportunity to speak.

[English]

MR. CHAIRMAN: All is well that ends well.

[Translation]

DR. RAGHUVANSH PRASAD SINGH (Vaishali): Mr. Chairman, Sir, I have been waiting for a long time.

MR. CHAIRMAN: I said so because [English] "All is well that ends well."

[Translation]

DR. RAGHUVANSH PRASAD SINGH: Sir, Lohar (blacksmith) community is a poor, backward, and oppressed community in Bihar. People say that "Sau chot sunar ki to ek chot lohar ki." People of Lohar (blacksmith) community are engaged in metal fabrication. They have formed a confederation. Manoj Sharma, the leader of this confederation is ceaselessly fighting for the inclusion of this community in the Scheduled Tribe Category.

MR. CHAIRMAN: Raghuvansh Babu, I would like to ask you one thing. Lohar in Jharkhand are also called as

Luhra. Luhra community has been included in the Scheduled Tribe category.

DR. RAGHUVANSH PRASAD SINGH: They have been included in the Scheduled Tribes category. Therefore, when Lohar word is written in Roman script, people pronounce it as Luhra. Sir, earlier Bihar and Jharkhand were a single State Luhra community in Jharkhand has been included in the Scheduled Tribe category, whereas in Bihar this community has not been included in the Scheduled Tribe category. Therefore, they have raised this demand. Not only Lohar but also Nonia community is a poor community and it has been included in annexure-1 there. The people of this community have also been demanding for inclusion of their caste in the Scheduled Caste category. Then why sub-sections have been made in this annexure? Mallah, Kaiwart, bind, beldar, gound communities have formed separate federations and altogether they have formed a combined confederation. They all are fighting. They insist us to included them in the Scheduled Tribe category. I have forwarded the proposals to the State Government and the Union Government in this regard.

18.00 hrs.

Ethnography is conducted and Registrar General of India looks into this matter.

Mr. Chairman, Sir, let me tell the historical background. For all these communities there was no separate Ministry. From 1981 to 1984 tribal department and Social Justice department were the part of the Ministry of Home Affairs. The documentation was done during the said period. Information was sought from the State Governments. Here you have the documents. Shri G. Krishnan was the Joint Secretary. He had registered the reaction of the Government about these communities. The State Governments also consult institutes of ethnography. There is an institute of ethnography in Ranchi. There is an institute of ethnography in Bihar also. An English writer has written in ethnography that these were the tribal communities since ancient times. But nobody paid attention towards this. In a similar manner Tanti, Tatwa, Garedia. ...*(Interruptions)*

MR. CHAIRMAN: Raghuvansh Babu, we had fixed 6 O'clock as the time limit. If you want to speak at length, we may extend the time.

DR. RAGHUVANSH PRASAD SINGH: Mr. Chairman, Sir, I am going to conclude within a minute. 'Garedia' who graze the sheep are called 'Pal', Kumhar make the earthen pots. Turha, Dhanu etc. communities form federations and confederations and vaise demand for their inclusion in the Scheduled Tribe category. The State Government sometimes accepts their demand and sometimes does not. They are a large number of people who are oppressed. They are backward from social financial and educational point of view.

Mr. Chairman, Sir, through you, I would like to demand that the Government should invite the leaders of these federations and confederations and listen to their demands, Ethnography should be conducted through the institutes of Ethnography and by discussion the matter with the State Government these communities should be included in the Scheduled Caste Tribe category as per their demands. Including them in the Scheduled Caste/Tribe

category as per their demands. Including them in the Scheduled Caste/Tribe category will pave way for taking measures for their welfare. On the other hand a large number of people get the status of backward classes and enjoy the benefit, whereas these are deprived of their right. There fore, I would like to invite the attention of the Government towards the demand of these people for inclusion in the Scheduled Caste/Tribe category and urge the Government to undertake welfare works for these communities by become proactive and undertaking necessary paper work.

[English]

MR. CHAIRMAN: The House stands adjourned to meet again on Tuesday, 27th December, 2011 at 11 a.m.

18.03 hrs.

*The Lok Sabha then adjourned till Eleven of the
Clock on Tuesday, December 27, 2011/
Pausa 6, 1933 (Saka).*
