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Wednesday, December 20, 2017

Agrahayana 29, 1939(Saka)

## **LOK SABHA DEBATES**

**(English Version)**

**Thirteenth Session**

**(Sixteenth Lok Sabha)**



*(Vol. XXVII Contains Nos. 01 to 10)*

**LOK SABHA SECRETARIAT**

**NEW DELHI**

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## **CONTENTS**

**Sixteenth Series, Vol. XXVII, Thirteenth Session, 2017-  
2018/1939 (Saka)**

**No. 4, Wednesday, December 20, 2017/Agrahayana 29,  
1939(Saka)**

### **SUBJECT**

### **PAGES**

#### **ORAL ANSWER TO QUESTION**

*Starred Question No. 61	20-21
--------------------------	-------

<b>WRITTEN ANSWERS TO QUESTIONS</b>	<b>22</b>
-------------------------------------	-----------

Starred Question Nos.62 to 80

Unstarred Question Nos. 691 to 787\*\*

789 to 920

---

\* The sign + marked above the name of a Member indicates that the Question was actually asked on the floor of the House by that Member.

\*\* Unstarred Q. No. 788 was deleted due to resignation of the Member (Shri Nana Patole).

**PAPERS LAID ON THE TABLE** 23-56

**MESSAGE FROM RAJYA SABHA** 57

**COMMITTEE ON PRIVATE MEMBERS' BILLS AND  
RESOLUTIONS**

37<sup>th</sup> Report 58

**RAILWAY CONVENTION COMMITTEE**

17<sup>th</sup> to 19<sup>th</sup> Reports 58-59

**COMMITTEE OF PRIVILEGES**

4<sup>th</sup> to 8<sup>th</sup> Reports 60

**STANDING COMMITTEE ON FINANCE**

50<sup>th</sup> to 55<sup>th</sup> Reports 60-62

## **STANDING COMMITTEE ON HEALTH AND FAMILY WELFARE**

103<sup>rd</sup> to 105<sup>th</sup> Reports

62-63

## **STANDING COMMITTEE ON TRANSPORT, TOURISM AND CULTURE**

254<sup>th</sup> and 255<sup>th</sup> Reports

63-64

## **STATESMENTS BY MINISTERS**

- (i) Status of implementation of the recommendations contained in the 45<sup>th</sup> Report of the Standing Committee on Finance on Demands for Grants (2017-18), pertaining to the Ministry of Statistics and Programme Implementation

**Shri D.V. Sadananda Gowda**

64

- (ii) Status of implementation of the recommendations contained in the 31<sup>st</sup> Report of the Standing Committee on Coal and Steel on 'Coal Review of Allotment, Development and Performance of Coal/Lignite Blocks', pertaining to the Ministry of Coal

**Shri Haribhai Chaudhary**

65

- (iii) Status of implementation of the recommendations contained in the 16<sup>th</sup> Report of the Standing Committee on Railways on 'Outstanding dues for Indian Railways', pertaining to the Ministry of Railways

**Shri Rajen Gohain**

66

- (iv) Status of implementation of the recommendations contained in the 39<sup>th</sup> Report of the Standing Committee on Social Justice and Empowerment on Demands for Grants (2017-18), pertaining to the Ministry of Minority Affairs

**Dr. Virendra Kumar**

66-75

**MATTERS UNDER RULE 377**

76-113

- (i) Need to construct bunkers in border villages to ensure safety of people from firing across the border

Shri Jugal Kishore

77

- (ii) Need to undertake doubling of Maksi - Ruthiyai railway line in Rajgarh Parliamentary Constituency, Madhya Pradesh

Shri Rodmal Nagar

78

- (iii) Need to resume the operation of Ordnance Depot at Naini in Allahabad, Uttar Pradesh

Shri Shyama Charan Gupta 79

- (iv) Need to enhance the procurement ceiling of groundnut from farmers in Rajasthan

Shri Rahul Kaswan 80

- (v) Need to ban the film 'Padmavati' allegedly distorting historical facts

Shri Chandra Prakash Joshi 81

- (vi) Need to simplify the process at Toll Plazas on National Highways

Shri Subhash Chandra Baheria 82



- (vii) Need to establish All India Institute of Medical Sciences in Maharajganj, Bihar

Shri Janardan Singh Sigriwal 83-84

- (viii) Need to reinstate the services of security guards in collieries in Jharkhand

Shri Ravindra Kumar Pandey 85-86

- (ix) Need to construct an under-bridge on level crossing No. 162 at village Vilpan on Udaipur - Himmatnagar railway line in Gujarat

Shri Manshankar Ninama 87

- (x) Need to release the balance funds under the National Food Security Scheme to Rajasthan

Shri Sukhbir Singh Jaunapuria 88

- (xi) Need to undertake construction of Pachnada multipurpose project in Jalaun Parliamentary Constituency, Uttar Pradesh

Shri Bhanu Pratap Singh Verma 89

- (xii) Regarding contamination of river Brahmaputra

Shri Ramen Deka 90

- (xiii) Need to develop National Highway No. 123 (507) from Herbertpur to Barkot as an all weather road

Shrimati Mala Rajyalaxmi Shah 91-92

- (xiv) Need to provide air connectivity to Kota city with other cities under UDAN scheme of civil aviation

Shri Om Birla 93

- (xv) Need to provide boat ambulances to Assam during floods

Shri Rameshwar Teli 94

- (xvi) Regarding Alkaloid research and production in the country

Shri Sudheer Gupta 95

- (xvii) Regarding status of framework Agreement between Government of India and National Socialist Council of Nagaland (IM)

Dr. Thokchom Meinya 96

- (xviii) Need to improve living standard of people engaged in fisheries sector

Shri K. C. Venugopal 97

- (xix) Need to allocate funds for construction of a new Post Office building and Passport Seva Kendra at Kallampalayam Road in Tirupur, Tamil Nadu

Shrimati V. Sathyabama 98-99

- (xx) Need to extend the services of Bangalore Metro Rail upto Mookandapalli in Hosur, Tamil Nadu

Shri K. Ashok Kumar 100-101

- (xxi) Regarding latest status of two railway projects in Joynagar Parliamentary Constituency of West Bengal

Shrimati Pratima Mondal 102-103

- (xxii) Need to review the existing allocation of rice and wheat quota to Odisha under the National Food Security Act

Shri Bhartruhari Mahtab 104

(xxiii) Need to recover pending loans given to industrial houses

Shri Shrirang Appa Barne 105-106

(xxiv) Need to exempt tax on Sanitary Napkins

Shri Ram Mohan Naidu Kinjarapu 106-107

(xxv) Need to review the selection procedure of Republic Day tableau

Shri A. P. Jithender Reddy 107-108

(xxvi) Need to project historical facts in right perspective by Hindi movie makers

Kunwar Haribansh Singh 108-109

(xxvii) Need to include Kudmi tribe of Jharkhand in  
the list of Scheduled Tribes

Shri Kaushalendra Kumar

110-113

**REQUISITIONING AND ACQUISITION OF  
IMMOVABLE PROPERTY (AMENDMENT) 114-201  
BILL, 2017**

Shri Ramesh Bidhuri 114-120

Shri Kalyan Banerjee 120-128

Shri Gopal Shetty 129-140

Shri Kaushalendra Kumar 141-142

Shri Mohammad Salim 143-152

Shri Kulmani Samal 152-156

Shri Shrirang Appa Barne 157-160

Dr. Ravindra Babu 161-164

Shri A.P. Jithender Reddy 165-172

Shri Varaprasad Rao Velagapalli 173-177

Shri N.K. Premachandran	178-184
Shri M. Udhaya Kumar	185-189
Dr. Shrikant Eknath Shinde	189-192
Shri Hardeep Singh Puri	193-199
Motion to consider	199
Clauses 2,3 and 1	199-200
Motion to Pass	201

**STATUTORY RESOLUTION RE: DISAPPROVAL OF  
INDIAN FOREST (AMENDMENT) ORDINANCE, 2017**

**AND**

**INDIAN FOREST (AMENDMENT) BILL, 202-324  
2017**

Motions to consider	202
Dr. Harsh Vardhan	202-210, 290-311,

	317-320
Shri N.K Premachandran	211-221
	312-314
Shrimati Bijoya Chakravarty	221-226
Shri G. Hari	227-231
Shrimati Aparupa Poddar	232-235
Shri Tathagata Satpathy	236-241
Shri Muthamsetti Srinivasa Rao (Avanthi)	242-244
Shri Jitendra Chaudhary	245-251
Shri Konda Vishweshwar Reddy	252-255
Shri Sunil Kumar Singh	256-263
Shri Prem Das Rai	264-269
Shri Jai Prakash Narayan Yadav	270-273
Shri Sirajuddin Ajmal	274-276
Shri Kaushalendra Kumar	277-278



Shri Rajesh Ranjan	279-281
Adv. Joice George	282-284
Shri Bhartruhari Mahtab	285-289
Clauses 2,3 and 1	322-324
Motion to Pass	324

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## LOK SABHA DEBATES

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LOK SABHA

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Wednesday, December 20, 2017/Agrahayana 29, 1939 (Saka)

The Lok Sabha met at Eleven of the Clock

[HON. SPEAKER *in the Chair*]

## ORAL ANSWER TO QUESTION

... (*Interruptions*)

[*English*]

**HON. SPEAKER:** Question No. 61 – Shri Kesineni Nani.

... (*Interruptions*)

**SHRI KESINENI SRINIVAS:** Question No. 61. ... (*Interruptions*)

**(Q. No. 61)**

**HON. SPEAKER:** Hon. Members, please sit down.

... (*Interruptions*)

**HON. SPEAKER:** Hon. Members, please take your seat. Let us continue with the Question Hour.

... (*Interruptions*)

**HON. SPEAKER:** Shri Bhartruhari Mahtab, I will allow you after the Question Hour.

... (*Interruptions*)

**HON. SPEAKER:** You can raise it during ‘Zero Hour’; not now.

... (*Interruptions*)

**11.03 hours**

*(At this stage, Shri Gaurav Gogoi and some other hon. Members came and stood on the floor near the Table.)*

... (*Interruptions*)

**HON. SPEAKER:** The House stands adjourned to meet again at 12 noon.

*The Lok Sabha then adjourned till Twelve of the Clock.*

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**\*WRITTEN ANSWERS TO QUESTIONS**

Starred Question Nos. 62 to 80

Unstarred Question Nos. 691 to 787\*\* 789 to 920

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\* For Questions, please refer to Master copy of English version, placed in Library. You can also visit <https://sansad.in/ls/questions/questions-and-answers> for more information

**12.02 hours**

*The Lok Sabha re-assembled at Two Minutes past Twelve of the Clock.*

*(Hon. Speaker in the Chair)*

**PAPERS LAID ON THE TABLE**

*[English]*

**HON. SPEAKER:** Papers to be laid on the Table.

*... (Interruptions)*

**THE MINISTER OF SCIENCE AND TECHNOLOGY, MINISTER OF EARTH SCIENCES AND MINISTER OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (DR. HARSH VARDHAN):** Madam, I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under sub-section (2) of Section 44 of the Regional Centre for Biotechnology Act, 2016:-

- (1) The Statutes of the Regional Centre for Biotechnology, 2017 published in Notification No. RCB/STA/2017/01 in Gazette of India dated 19<sup>th</sup> September, 2017.

- (2) The Regional Centre for Biotechnology (Doctor of Philosophy Degree Programme) Regulations, 2017 published in Notification No. RCB/REG/2017/01 in Gazette of India dated 19<sup>th</sup> September, 2017.
- (3) The Regional Centre for Biotechnology (Recognition of Institution of Higher Learning within India and conduct of the Academic Programme) Regulations, 2017 published in Notification No. RCB/REG/2017/02 in Gazette of India dated 19<sup>th</sup> September, 2017.
- (4) The Ordinances of the Regional Centre for Biotechnology, 2017 published in Notification No. RCB/ORD/2017/01 in Gazette of India dated 19<sup>th</sup> September, 2017.

[Placed in Library, See No. LT 7755/16/17]



**THE MINISTER OF RAILWAYS AND MINISTER OF COAL**

**(SHRI PIYUSH GOYAL):** Madam, I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of Section 394 of the Companies Act, 2013:-

- (1) (i) Review by the Government of the working of the NLC India Limited (formerly Neyveli Lignite Corporation Limited), Chennai, and its Subsidiaries for the year 2016-2017.
- (ii) Annual Report of the NLC India Limited (formerly Neyveli Lignite Corporation Limited), Chennai, and its Subsidiaries for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7756/16/17]

- (2) (i) Review by the Government of the working of the Coal India Limited, Kolkata, and its subsidiary companies for the year 2016-2017.

- (ii) Annual Report of the Coal India Limited [Volume I and Volume II (Part I & II)], Kolkata, for the year 2016-2017, and its subsidiary companies alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7757/16/17]

*[Translation]*

**THE MINISTER OF STATE FOR THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION; MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE; MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS; MINISTER OF STATE IN THE DEPARTMENT OF ATOMIC ENERGY AND MINISTER OF STATE IN THE DEPARTMENT OF SPACE (DR. JITENDRA SINGH):** Madam Speaker, I lay the following papers on the Table-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Tata Memorial Centre, Mumbai, for the year 2016-2017, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of Tata Memorial Centre, Mumbai, for the year 2016-2017.

[Placed in Library, See No. LT 7758/16/17]

- (2)(i) A copy of the Annual Report (Hindi and English versions) of the Saha Institute of Nuclear Physics, Kolkata, for the year 2016-2017, along with the Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Saha Institute of Nuclear Physics, Kolkata, for the year 2016-2017.

[Placed in Library, See No. LT 7759/16/17]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Institute for Plasma Research, Gandhinagar, for the year 2016-2017, alongwith the Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Institute for Plasma Research, Gandhinagar, for the year 2016-2017.

[Placed in Library, See No. LT 7760/16/17]

(4) (i) A copy of the Annual Report (Hindi and English versions) of the Atomic Energy Education Society, Mumbai, for the year 2016-2017, alongwith the Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the functioning of the Atomic Energy Education Society, Mumbai, for the year 2016-2017.

[Placed in Library, See No. LT 7761/16/17]

(5) (i) A copy of the Annual Report (Hindi and English versions) of the Institute of Physics, Bhubaneswar, for the year 2016-2017, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the functioning of the Institute of Physics, Bhubaneswar, for the year 2016-2017.

[Placed in Library, See No. LT 7762/16/17]

(6) (i) A copy of the Annual Report (Hindi and English versions) of the National Institute of Science Education and Research, Bhubaneswar, for the year 2016-2017, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the functioning of the National Institute of Science Education and Research, Bhubaneswar, for the year 2016-2017.

[Placed in Library, See No. LT 7763/16/17]

- (7) (i) A copy of the Annual Report (Hindi and English versions) of the Tata Institute of Fundamental Research, Mumbai, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Tata Institute of Fundamental Research, Mumbai, for the year 2016-2017.

[Placed in Library, See No. LT 7764/16/17]

- (8) (i) A copy of the Annual Report (Hindi and English versions) of the Homi Bhabha National Institute, Mumbai, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the functioning of the Homi Bhabha National Institute, Mumbai, for the year 2016-2017.

[Placed in Library, See No. LT 7765/16/17]

(9) 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 Electronics Corporation of India Limited, Hyderabad, for the year 2016-2017.
- (ii) Annual Report of the Electronics Corporation of India Limited, Hyderabad, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7766/16/17]

- (10) (i) A copy of the Annual Report (Hindi and English versions) of the Harish-Chandra Research Institute, Allahabad, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Harish-Chandra Research Institute, Allahabad, for the year 2016-2017.

[Placed in Library, See No. LT 7767/16/17]

**THE MINISTER OF STATE FOR THE MINISTRY OF COMMUNICATIONS AND MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MANOJ SINHA):** Madam Speaker, I lay the following papers on the Table-

(1) A copy each of the following Notifications (Hindi and English versions) under Section 37 of the Telecom Regulatory Authority of India Act, 1997:-

(i) The Standards of Quality of Service of Basic Telephone Service (wireline) and Cellular Mobile Telephone Service (Fifth Amendment) Regulations, 2017 published in Notification No. F. No. 304-2/2016-QoS in Gazette of India dated 18th August, 2017.

(ii) The Telecommunication Interconnection Usage Charges (Thirteenth Amendment) Regulations, 2017 published in Notification No. F. No. 10- 8/2016-BB&PA in Gazette of India dated 20<sup>th</sup> September, 2017.

(iii) The Telecom Regulatory Authority of India (Allowances to part-time members) Amendment Rules, 2015 published in Notification No. G.S.R.190(E) in Gazette of India dated 23rd February, 2016 together with corrigendum thereto published in Notification No. G.S.R.1245(E) dated 12th October, 2017.

(2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at item No. (iii) of (13) above.

[Placed in Library, See No. LT 7768/16/17]

(3) A copy each of the following Notifications (Hindi and English versions) under sub-section (5) of Section 7 of the Indian Telegraph Act, 1885:-

(i) The Indian Telegraph (Amendment) Rules, 2017 published in Notification No. G.S.R.1131(E) in Gazette of India dated 6th September, 2017.

(ii) The Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017 published in Notification No. G.S.R.998(E) in Gazette of India dated 8th August, 2017.

[Placed in Library, See No. LT 7769/16/17]

(4) A copy of the Panic button and Global Positioning System facility in all mobile phone handsets (Amendment) Rules, 2017 (Hindi and English versions) published in Notification No. G.S.R. 1441(E) in Gazette of India dated 23rd November, 2017 under sub-section (4) of Section 10 of the Indian Wireless Telegraphy Act, 1933.

[Placed in Library, See No. LT 7770/16/17]



(5) A copy each of the following papers (Hindi and English versions) under sub-section (1) of Section 394 of the Companies Act, 2013:-

- (a)(i) Review by the Government of the working of the Hemisphere Properties India Limited, New Delhi, for the year 2016-2017.
- (ii) Annual Report of the Hemisphere Properties India Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7771/16/17]

- (b)(i) Review by the Government of the working of the Telecommunications Consultants India Limited, New Delhi, for the year 2016-2017.
- (ii) Annual Report of the Telecommunications Consultants India Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7772/16/17]

(c) (i) Review by the Government of the working of the ITI Limited, Bangalore, for the year 2016-2017.

(ii) Annual Report of the ITI Limited, Bangalore, for the year 2016- 2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7773/16/17]

(d) (i) Review by the Government of the working of the Mahanagar Telephone Nigam Limited, New Delhi, for the year 2016-2017.

(ii) Annual Report of the Mahanagar Telephone Nigam Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7774/16/17]

(6) A copy each of the following papers (Hindi and English versions):-

(i) Memorandum of Understanding between the Telecommunications Consultants India Limited and the Department of Telecommunications for the year 2017-2018.

(ii) Memorandum of Understanding between the ITI Limited and the Department of Telecommunications, Ministry of Communications and Information Technology, for the year 2017-2018.

[Placed in Library, See No. LT 7775/16/17]

*[English]*

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI RAJEN GOHAIN):** 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 394 of the Companies Act, 2013:-

(a) (i) Review by the Government of the working of the Braithwaite and Company Limited, Kolkata, for the year 2016-2017.

- (ii) Annual Report of the Braithwaite and Company Limited, Kolkata, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7777/16/17]

- (b) (i) Review by the Government of the working of the RITES Limited, Delhi, for the year 2016-2017.

- (ii) Annual Report of the RITES Limited, Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7778/16/17]

- (c) (i) Review by the Government of the working of the IRCON International Limited, New Delhi, for the year 2016-2017.

- (ii) Annual Report of the IRCON International Limited, New Delhi, for the year 2016-2017, alongwith Audited

Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7779/16/17]

- (d) (i) Review by the Government of the working of the Container Corporation of India Limited, New Delhi, for the year 2016-2017.
- (ii) Annual Report of the Container Corporation of India Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7780/16/17]

- (e) (i) Review by the Government of the working of the Konkan Railway Corporation Limited, Navi Mumbai, for the year 2016-2017.
- (ii) Annual Report of the Konkan Railway Corporation Limited, Navi Mumbai, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7781/16/17]

- (f) (i) Review by the Government of the working of the Mumbai Railway Vikas Corporation Limited, Mumbai, for the year 2016-2017.
- (ii) Annual Report of the Mumbai Railway Vikas Corporation Limited, Mumbai, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7782/16/17]

- (g) (i) Review by the Government of the working of the Rail Vikas Nigam Limited, New Delhi, for the year 2016-2017.
- (ii) Annual Report of the Rail Vikas Nigam Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7783/16/17]

- (h) (i) Review by the Government of the working of the Indian Railway Catering and Tourism Corporation Limited, New Delhi, for the year 2016-2017.

- (ii) Annual Report of the Indian Railway Catering and Tourism Corporation Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7784/16/17]

- (i) (i) Review by the Government of the working of the Indian Railway Finance Corporation Limited, New Delhi, for the year 2016-2017.
- (ii) Annual Report of the Indian Railway Finance Corporation Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7785/16/17]

- (j) (i) Review by the Government of the working of the Railtel Corporation of India Limited, New Delhi, for the year 2016-2017.

- (ii) Annual Report of the Railtel Corporation of India Limited, New Delhi, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7786/16/17]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Railway Sports Promotion Board, Delhi, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Railway Sports Promotion Board, Delhi, for the year 2016-2017.

[Placed in Library, See No. LT 7787/16/17]

(3) A copy each of the following papers (Hindi and English versions):-

- (i) Memorandum of Understanding between the RITES Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7788/16/17]



- (ii) Memorandum of Understanding between the IRCON International Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7789/16/17]

- (iii) Memorandum of Understanding between the Rail Vikas Nigam Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7790/16/17]

- (iv) Memorandum of Understanding between the Konkan Railway Corporation Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7791/16/17]

- (v) Memorandum of Understanding between the Mumbai Railway Vikas Corporation Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7792/16/17]

- (vi) Memorandum of Understanding between the Braithwaite and Company Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7793/16/17]

- (vii) Memorandum of Understanding between the Railtel Corporation of India Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7794/16/17]

- (viii) Memorandum of Understanding between the Bharat Wagon and Engineering Company Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7795/16/17]

- (ix) Memorandum of Understanding between the Indian Railway Catering and Tourism Corporation Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7796/16/17]

- (x) Memorandum of Understanding between the Container Corporation of India Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7797/16/17]

- (xi) Memorandum of Understanding between the Dedicated Freight Corridor Corporation of India Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7798/16/17]

- (xii) Memorandum of Understanding between the Burn Standard Company Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7799/16/17]

- (xiii) Memorandum of Understanding between the Indian Railway Finance Corporation Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7800/16/17]

- (xiv) Memorandum of Understanding between the Kolkata Metro Rail Corporation Limited and the Ministry of Railways for the year 2017-2018.

[Placed in Library, See No. LT 7801/16/17]

*[Translation]*

**MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT; AND MINISTER OF STATE IN THE MINISTRY OF MINORITY AFFAIRS (DR. VIRENDRA KUMAR):** Madam Speaker, I lay the following papers on the Table-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Chandigarh Waqf Board, Chandigarh, for the year 2016-2017, alongwith Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Chandigarh Waqf Board, Chandigarh, for the year 2016-2017.

[Placed in Library, See No. LT 7802/16/17]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Dadra and Nagar Haveli Waqf Board, Silvassa, for the year 2016- 2017, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Dadra and Nagar Haveli Waqf Board, Silvassa, for the year 2016-2017.

[Placed in Library, See No. LT 7803/16/17]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Lakshadweep State Waqf Board, Kavaratti, for the year 2016-2017 alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Lakshadweep State Waqf Board, Kavaratti, for the year 2016-2017.

[Placed in Library, See No. LT 7804/16/17]

- (4) (i) A copy of the Annual Report (Hindi and English versions) of the Central Waqf Council, New Delhi, for the year 2016-2017, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Central Waqf Council, New Delhi, for the year 2016-2017.

[Placed in Library, See No. LT 7805/16/17]

*[English]*

**THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY; AND MINISTER OF STATE IN THE MINISTRY OF EARTH SCIENCES (SHRI Y.S. CHOWDARY):** Madam, I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the ESSO-Indian Institute of Tropical Meteorology, Pune, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the ESSO-Indian Institute of Tropical Meteorology, Pune, for the year 2016-2017.

[Placed in Library, See No. LT 7806/16/17]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the ESSO-National Centre for Antarctic

and Ocean Research, Goa, for the year 2016-2017, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the ESSO-National Centre for Antarctic and Ocean Research, Goa, for the year 2016-2017.

[Placed in Library, See No. LT 7807/16/17]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the National Institute of Ocean Technology, Chennai, for the year 2016-2017, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the National Institute of Ocean Technology, Chennai, for the year 2016-2017.

[Placed in Library, See No. LT 7808/16/17]

- (4) (i) A copy of the Annual Report (Hindi and English versions) of the ESSO-Indian National Centre for Ocean Information Services, Hyderabad, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the ESSO-Indian National Centre for Ocean Information Services, Hyderabad, for the year 2016-2017.

[Placed in Library, See No. LT 7809/16/17]

- (5) (i) A copy of the Annual Accounts (Hindi and English versions) of the National Centre for Earth Science Studies, Thiruvananthapuram, for the year 2016-2017, together with Audit Report thereon.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the Audited Accounts of the National Centre for Earth Science Studies, Thiruvananthapuram, for the year 2016-2017.

[Placed in Library, See No. LT 7810/16/17]



**THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (DR. SUBHASH RAMRAO BHAMRE):** 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 394 of the Companies Act, 2013:-

- (a) (i) Review by the Government of the working of the Garden Reach Shipbuilders and Engineers Limited, Kolkata, for the year 2016-2017.
- (ii) Annual Report of the Garden Reach Shipbuilders and Engineers Limited, Kolkata, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7811/16/17]

- (b) (i) Review by the Government of the working of the Bharat Electronic Limited, Bengaluru, for the year 2016-2017.
- (ii) Annual Report of the Bharat Electronic Limited, Bengaluru, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor

General thereon.

[Placed in Library, See No. LT 7812/16/17]

- (c) (i) Review by the Government of the working of the BEL Optronic Devices Limited, Pune, for the year 2016-2017.
- (ii) Annual Report of the BEL Optronic Devices Limited, Pune, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7813/16/17]

- (d) (i) Review by the Government of the working of the BEL-Thales Systems, Bengaluru, for the year 2016-2017.
- (ii) Annual Report of the BEL-Thales Systems, Bengaluru, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7814/16/17]

- (e) (i) Review by the Government of the working of the Mishra Dhatu Nigam Limited, Hyderabad, for the year

2016-2017.

- (ii) Annual Report of the Mishra Dhatu Nigam Limited, Hyderabad, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7815/16/17]

- (f) (i) Review by the Government of the working of the Goa Shipyard Limited, Goa, for the year 2016-2017.
- (ii) Annual Report of the Goa Shipyard Limited, Goa, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7816/16/17]

- (g) (i) Review by the Government of the working of the Hindustan Shipyard Limited, Visakhapatnam, for the year 2016-2017.
- (ii) Annual Report of the Hindustan Shipyard Limited, Visakhapatnam, for the year 2016-2017, alongwith

Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7817/16/17]

- (h) (i) Review by the Government of the working of the Bharat Dynamics Limited, Hyderabad, for the year 2016-2017.
- (ii) Annual Report of the Bharat Dynamics Limited, Hyderabad, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7818/16/17]

- (i) (i) Review by the Government of the working of the BEML Limited, Bangalore, for the year 2016-2017.
- (ii) Annual Report of the BEML Limited, Bangalore, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 7819/16/17]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Jawahar Institute of Mountaineering and Winter Sports, Pahalgam, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Jawahar Institute of Mountaineering and Winter Sports, Pahalgam, for the year 2016-2017.

[Placed in Library, See No. LT 7820/16/17]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the National Institute of Mountaineering and Allied Sports, Dirang, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the National Institute of Mountaineering and Allied Sports, Dirang, for the year 2016-2017.

[Placed in Library, See No. LT 7821/16/17]

- (4) (i) A copy of the Annual Administration Reports (Hindi and English versions) of the Cantonment Boards for the year 2016-2017.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Cantonment Boards for the year 2016-2017.

[Placed in Library, See No. LT 7822/16/17]

- (5) (i) A copy of the Annual Report (Hindi and English versions) of the Nehru Institute of Mountaineering, Uttarkashi, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Nehru Institute of Mountaineering, Uttarkashi, for the year 2016-2017.

[Placed in Library, See No. LT 7823/16/17]

- (6) A copy each of the following Notifications (Hindi and English versions) under article 309 of the Constitution:-

- (i) The Army Pay Rules, 2017 published in Notification No. S.R.O.9(E) in Gazette of India dated 5<sup>th</sup> May, 2017.

- (ii) The Air Force Pay Rules, 2017 published in Notification No. S.R.O.10(E) in Gazette of India dated 5<sup>th</sup> May, 2017.
- (iii) The Navy Pay Regulations, 2017 published in Notification No. S.R.O.11(E) in Gazette of India dated 5<sup>th</sup> May, 2017.
- (iv) The Army Officers Pay Rules, 2017 published in Notification No. S.R.O.12(E) in Gazette of India dated 5<sup>th</sup> May, 2017.
- (v) The Air Force Officers Pay Rules, 2017 published in Notification No. S.R.O.13(E) in Gazette of India dated 5<sup>th</sup> May, 2017.
- (vi) The Navy Officers Pay Rules, 2017 published in Notification No. S.R.O.14(E) in Gazette of India dated 5<sup>th</sup> May, 2017.
- (vii) The Non-Combatants (Enrolled) of Air Force Rules, 2017 published in Notification No. S.R.O.16(E) in Gazette of India dated 30<sup>th</sup> June, 2017.
- (viii) The Navy Officers Pay (Amendment) Regulations, 2017 published in Notification No. S.R.O.19(E) in Gazette of India dated 6<sup>th</sup> July, 2017.

- (ix) The Military Nursing Service Pay Rules, 2017 published in Notification No. S.R.O.21(E) in Gazette of India dated 14<sup>th</sup> July, 2017.
- (x) The Army Pay (Amendment) Rules, 2017 published in Notification No. S.R.O.22(E) in Gazette of India dated 14<sup>th</sup> July, 2017.
- (xi) The Air Force Pay (Amendment) Rules, 2017 published in Notification No. S.R.O.23(E) in Gazette of India dated 14<sup>th</sup> July, 2017.
- (xii) The Navy Pay (Amendment) Regulations, 2017 published in Notification No. S.R.O.24(E) in Gazette of India dated 14<sup>th</sup> July, 2017.

[Placed in Library, See No. LT 7824/16/17]

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**12.04 hours**

**MESSAGE FROM RAJYA SABHA**

**SECRETARY GENERAL:** Madam Speaker, I have to report a message received from the Secretary General of Rajya Sabha:-

“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 19<sup>th</sup> December, 2017 agreed without any amendment to the Companies (Amendment) Bill, 2017 which was passed by the Lok Sabha at its sitting held on the 27<sup>th</sup> July, 2017.”

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... (*Interruptions*)

**12.04 ½ hours**

**COMMITTEE ON PRIVATE MEMBERS' BILLS AND  
RESOLUTIONS**

**37<sup>th</sup> Report**

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

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**12.04 ¾ hours**

**RAILWAY CONVENTION COMMITTEE**

**17<sup>th</sup> to 19<sup>th</sup> Reports**

*[Translation]*

**SHRI BHARTRUHARI MAHTAB (CUTTACK):** Madam, I beg to present the following Reports (Hindi and English versions) of the Railway Convention Committee -

- (1) Seventeenth Report (Sixteenth Lok Sabha) on ‘Facilities given by Indian Railways to Differently Abled Persons (Divyangjan)’.
  - (2) Eighteenth Report (Sixteenth Lok Sabha) on ‘Action Taken by the Government on the Observations/Recommendations of the Committee contained in their Ninth Report on Consultancy, Engineering and Project Management Services by RITES’.
  - (3) Nineteenth Report (Sixteenth Lok Sabha) on ‘Action Taken by the Government on the Observations/Recommendations of the Committee contained in their Tenth Report on Scrap Disposal System in Indian Railways’.
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**12.05 hours**

**COMMITTEE OF PRIVILEGES**

**4<sup>th</sup> to 8<sup>th</sup> Reports**

**SHRIMATI MEENAKASHI LEKHI (NEW DELHI):** Madam, I lay on the Table, the fourth, fifth, sixth, seventh and eighth Reports (Hindi and English versions) of the Committee of Privileges.

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**12.05 ½ hours**

**STANDING COMMITTEE ON FINANCE**

**50<sup>th</sup> to 55<sup>th</sup> Reports**

*[English]*

**SHRI M. VEERAPPA MOILY (CHIKKABALLAPUR):** Madam, I beg to present the following Reports (Hindi and English versions) of the Standing Committee on Finance:

- (1) Fiftieth Report on 'Review of NSSO and CSO and streamlining of statistics collection machinery in the country including Management Information System for project

monitoring/appraisal' of the Ministry of Statistics and Programme Implementation.

- (2) Fifty-first Report on Action Taken by the Government on the Recommendations contained in the Forty-sixth Report on 'Demands for Grants (2017-18)' of the Ministry of Finance (Departments of Economic Affairs, Expenditure, Financial Services and Investment and Public Asset Management).
- (3) Fifty-second Report on Action Taken by the Government on the Recommendations contained in the Forty-seventh Report on 'Demands for Grants (2017-18)' of the Ministry of Finance (Department of Revenue).
- (4) Fifty-third Report on Action Taken by the Government on the Recommendations contained in the Forty-fourth Report on 'Demands for Grants (2017-18)' of the Ministry of Corporate Affairs.
- (5) Fifty-Fourth Report on Action Taken by the Government on the Recommendations contained in the Forty-fifth Report on "Demands for Grants (2017-18)" of the Ministry of Statistics and Programme Implementation.

- (6) Fifty-fifth Report on Action Taken by the Government on the Recommendations contained in the Forty-eighth Report on 'Demands for Grants (2017-18)' of the Ministry of Planning.
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**12.06 hours**

**STANDING COMMITTEE ON HEALTH AND FAMILY  
WELFARE**

**103<sup>rd</sup> to 105<sup>th</sup> Reports**

*[Translation]*

**DR. SANJAY JAISWAL (WEST CHAMPARAN):** Madam, I lay on the Table, the following Reports (Hindi and English versions) of the Standing Committee on Health and Family Welfare:-

- (1) 103<sup>rd</sup> Report on Action Taken by the Government on the recommendations/ observations contained in the Ninety-ninth Report of the Committee on Demands for Grants (2017-18) of the Department of Health and Family Welfare.
- (2) 104<sup>th</sup> Report on Action Taken by the Government on the recommendations/ observations contained in the One

hundredth Report of the Committee on Demands for Grants (2017-18) of the Department of Health Research.

- (3) 105<sup>th</sup> Report on Action Taken by the Government on the recommendations/observations contained in the One hundred and first Report of the Committee on Demands for Grants (2017-18) of the Ministry of AYUSH.
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**12.06 ½ hours**

**STANDING COMMITTEE ON TRANSPORT, TOURISM  
AND CULTURE**

**254<sup>th</sup> and 255<sup>th</sup> Reports**

**SHRI HARISH MEENA (DAUSA):** Madam, I lay on the Table, the following Reports (Hindi and English versions) of the Standing Committee on Transport, Tourism and Culture:-

- (1) Two Hundred and Fifty-fourth Report on the 'Action Taken by the Government on the Observations/Recommendations of the Committee contained in its Two Hundred and Forty-fifth Report on the Demands for Grants (2017-18) of the Ministry of Culture'.
- (2) Two Hundred and Fifty-fifth Report on the 'Action Taken by the Government on the Observations/Recommendations

of the Committee contained in its Two Hundred and Forty-eighth Report on the Demands for Grants (2017-18) of the Ministry of Tourism'.

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**12.07 hours**

**STATEMENTS BY MINISTERS**

*[English]*

**(i) Status of implementation of the recommendations contained in the 45th Report of the Standing Committee on Finance on Demands for Grants (2017-18), pertaining to the Ministry of Statistics and Programme Implementation\***

**THE MINISTER OF STATISTICS AND PROGRAMME IMPLEMENTATION (SHRI D.V. SADANANDA GOWDA):**

Madam, I beg to lay a statement regarding the status of implementation of the recommendations contained in the 45<sup>th</sup> Report of the Standing Committee on Finance on Demands for Grants (2017-18), pertaining to the Ministry of Statistics and Programme Implementation.

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\* Laid on the Table and also placed in Library See No. LT 7825/16/17 and 7826/16/17 respectively.



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**12.07 ½ hours**

**(ii) Status of implementation of the recommendations contained in the 31st Report of the Standing Committee on Coal and Steel on 'Coal Review of Allotment, Development and Performance of Coal/Lignite Blocks', pertaining to the Ministry of Coal\***

*[Translation]*

**THE MINISTER OF STATE IN THE MINISTRY OF MINES AND MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI HARIBHAI CHAUDHARY):** Madam, I beg to lay a statement regarding the status of implementation of the recommendations contained in the 31<sup>st</sup> Report of the Standing Committee on Coal and Steel on 'Coal Review of Allotment, Development and Performance of Coal/Lignite Blocks', pertaining to the Ministry of Coal.

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**12.08 hours**

**(iii) Status of implementation of the recommendations contained in the 16th Report of the Standing Committee on Railways on 'Outstanding dues for Indian Railways', pertaining to the Ministry of Railways\***

**THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI RAJEN GOHAIN):** Madam, I beg to lay a statement regarding the status of implementation of the recommendations contained in the 16<sup>th</sup> Report of the Standing Committee on Railways on 'Outstanding dues for Indian Railways', pertaining to the Ministry of Railways.

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**12.08 ½ hours**

**(iv) Status of implementation of the recommendations contained in the 39th Report of the Standing Committee on Social Justice and Empowerment on Demands for Grants (2017-18), pertaining to the Ministry of Minority Affairs\***

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\* Laid on the Table and also placed in Library, See No. LT 7827/16/17 and 7828/16/17 respectively.

*[Translation]*

**MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT AND MINISTER OF STATE IN THE MINISTRY OF MINORITY AFFAIRS (DR. VIRENDRA KUMAR):** Madam, I lay on the Table, a statement regarding the status of implementation of the recommendations contained in the 39th Report of the Standing Committee on Social Justice and Empowerment on Demands for Grants (2017-2018) pertaining to the Ministry of Minority Affairs.

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**HON. SPEAKER:** Members, I have received notices of some adjournment motions. The Matters are important but can be raised on other occasions, therefore, I have not allowed notice of adjournment motion.

. . . *(Interruptions)*

**HON. SPEAKER:** Zero Hour begins. Shri Bhartruhari Mahtab.

. . . *(Interruptions)*

*[English]*

**SHRI BHARTRUHARI MAHTAB (CUTTACK):** Madam, my point of contention here is not to raise this issue during Zero Hour. We have been repeatedly giving Adjournment Motions and Notices. This is a matter relating to the functioning of the House and the prestige of the Parliament. The Government made a commitment on the floor of this House and also in the Rajya Sabha relating to the formation of Tribunal and relating to Mahanadi Inter-State Water Dispute. Now the Government is going back on the commitment which it made on the floor of the House... (*Interruptions*)

### **12.10 hours**

*(At this stage, Shri Deepender Singh Hooda and some other hon. Members came and stood on the floor near the Table.)*

That is why, our Party has been insisting that this discussion should be taken up under Adjournment Motion. That is the reason why I do not want to raise it during the 'Zero Hour'... (*Interruptions*)

**SHRI SUDIP BANDYOPADHYAY (KOLKATA UTTAR):**

Madam, we associate with it... (*Interruptions*)

**SHRI BHARTRUHARI MAHTAB:** That is the reason why we want to raise this matter. It is not a State-specific issue. It is a national issue where the Government is going back. It is acting in a duplicity... (*Interruptions*). That was a commitment that it had made. It is the neutrality that is supposed to be maintained by the Union Government. It has to be neutral when a dispute arises between two States relating to water sharing. But the neutrality of this Government has been compromised. It has been compromised not only in the Parliament but it has been compromised also in the Supreme Court, the highest legal body which is to determine on this issue... (*Interruptions*). That is the reason why we are insisting that this is a fit case for Adjournment Motion.

Secondly, if we deliberate it under Adjournment Motion, the sky is not going to fall. We would only ventilate our point of view and the Government can ventilate its point of view. The Members from Chhattisgarh can also ventilate their point of view. Ultimately, it is the Union Government which has to act neutrally. But what we find from their behaviour in the Supreme Court and also in the

Parliament is that it has withdrawn the commitment it had made during December, 2016 and August, 2017. Repeatedly the Government made this commitment on the floor of the House while a number of questions were put forth. The answer was given by the Minister of Water Resources that the draft Cabinet note is already ready and he will be going in for the constitution of the Tribunal. But now they have gone to the Supreme Court and said that it is not going to form a Tribunal... (*Interruptions*)

Third point is regarding the constitutional provision. As per the Act of 1956, the Inter-State Water Dispute Tribunal has to be formed when a complacent State raises an objection and says that there is a need to form a Tribunal. The Government has no flexibility to override this Act. It has to form a Tribunal because the word used is 'shall'. It says that the Government shall form a Tribunal within one year. That one year has lapsed on 19 November, 2017. Still neither this Government is coming back to us nor it is forming a Tribunal. What we hear outside is that because a Bill is pending, that is why, they are not forming the Tribunal... (*Interruptions*). A Tribunal can be formed. It can be subsumed after a single Tribunal comes into existence. That is the reason why we want an Adjournment Motion

to be admitted. In your wisdom, you have done outright rejection...  
(*Interruptions*)

**HON. SPEAKER:** It is an important matter but you can raise it in other way.

**SHRI BHARTRUHARI MAHTAB:** I have given notices for Calling Attention and also for Short Duration Discussion under Rule 193... (*Interruptions*)

**SHRI SUDIP BANDYOPADHYAY:** Madam, we also support his views... (*Interruptions*)

**SHRI BHARTRUHARI MAHTAB:** We want your wisdom to prevail. Kindly allow us to participate in a discussion on this burning issue. Fourteen Parties including Trinamool Congress, Left Front and Congress Party are demonstrating in Parliament Street in Delhi for the last two days. That is the reason why we want to agitate this issue here. As quickly as possible, this needs to be considered and it should be listed in the List of Business... (*Interruptions*)

**HON. SPEAKER:** If you have given any other notice, I will see to it. That much I can say.

... (*Interruptions*)

**HON. SPEAKER:** I have allowed him. How can I say anything now? I have allowed you and you have made your statement. I cannot force the Government to respond.

... (*Interruptions*)

**SHRI BHARTRUHARI MAHTAB:** If the Adjournment Motion is not being allowed, Calling Attention can be allowed or a Short Duration Discussion can be allowed. That is my request to you.

**HON. SPEAKER:** I will see to it. Just now I cannot say anything.

. . . (*Interruptions*)

[*Translation*]

**SHRI KRUPAL BALAJI TUMANE (RAMTEK):** Hon. Speaker, I thank you for giving me the opportunity to speak during Zero Hour. Nagpur has great significance in the country. Many trains run from Nagpur to other parts of the country. Many trains run from Nagpur towards Delhi, including passenger and express trains. ... (*Interruptions*) Passenger trains run from Nagpur to Amla, Itarsi, but for the last few days it has been seen that trains are cancelled with one day's prior notice. 51293 Nagpur-Amla passenger train has been cancelled for the last two months, due to which the common citizens travelling by this train are facing a lot of difficulties. This train used to run once in the morning and once in the evening. People are facing a lot of inconvenience due to the cancellation of trains in the morning. ... (*Interruptions*)



Through you, I demand from the government that two additional coaches should be installed in the trains running in the evening and people serving in the express trains should be permitted to travel. ...  
(*Interruptions*)

**HON. SPEAKER:** Shri Bhairon Prasad Mishra is permitted to associate with the matter raised by Shri Krupal Balaji Tumane.

**SHRIMATI POONAM MAHAJAN (NORTH CENTRAL MUMBAI):** Hon. Speaker, today I stand to speak about the stories of patriots. Earlier, I stood to talk about Kerala and mentioned that the series of killings had not stopped. ... (*Interruptions*) It has not yet stopped. The killings of Youth Wing workers continue. This sequence of violence has not ended. ... (*Interruptions*) The same is happening in Karnataka.

Today, I rise to pay tribute. The subject is related to a Youth Wing worker from Jammu and Kashmir, which we consider to be a paradise. This matter concerns a Youth Wing worker from Jammu and Kashmir, specifically the President of the Shopian District, who was murdered. As the President of the Youth Wing, I have travelled across 19 states... (*Interruptions*) I got the opportunity to visit Jammu and Kashmir for the first time. When I reached Srinagar in

Kashmir, I was pleasantly surprised by how many young people wanted to connect with us. There were girls, there were boys. The people of Kashmir were telling us that they want to align their dreams with the vision of our respected Prime Minister Narendra Modi. ...(*Interruptions*)

**HON. SPEAKER:** What do you want to say?

. . . (*Interruptions*)

**SHRIMATI POONAM MAHAJAN:** This matter is discussed and the youth of Srinagar says that we should connect with the people of the country. I went to Srinagar on October 22, after which Gauhar Bhat was murdered. What I want to say is, what form should patriotism take? (*Interruptions*) A 26-year-old young man from Shopian was saying this. ... (*Interruptions*) I would like to thank the Ministry of Home Affairs for taking swift action on this. I am the youth of the country, we all want to say that this is happening in Kerala, this is happening in Karnataka, this is happening in Srinagar.....\*(*Interruptions*)

All I want to say is that the balance interlocutor is Deveshwar Sharma ji, I request him and the government that the youth of

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\* Not recorded.

Kashmir also want to connect with the youth of the country, want to connect with the mainstream, give them strength. ... (*Interruptions*)

When we talk about Kashmir, we say - 'Agar Firdaus Bar Ru-e Zameen Ast, Hamin Ast-o Hamin Ast-o Hamin Ast'. ... (*Interruptions*)

**HON. SPEAKER:** Shri Alok Sanjar, Shri Rodmal Nagar, Shri Nishikant Dubey, Shri Bhairon Prasad Mishra and Kunwar Pushpendra Singh Chandel are permitted to associate with the matter raised by Shrimati Poonam Mahajan.

. . . (*Interruptions*)

[*English*]

**HON. SPEAKER:** The House stands adjourned to meet again at 2 o'clock.

**12.19 hours**

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

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**14.01 hours**

*The Lok Sabha re-assembled at One Minute past Fourteen of the  
Clock.*

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

**MATTERS UNDER RULE 377\***

*[English]*

**HON. DEPUTY-SPEAKER:** Hon. Members, 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 the text of the matter at the Table of the House within 20 minutes. Only those matters shall be treated as laid for which the text of matter has been received at the Table within the stipulated time. The rest will be treated as lapsed.

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\* Treated as laid on the Table

**(i)Need to construct bunkers in border villages to ensure safety of people from firing across the border**

*[Translation]*

**SHRI JUGAL KISHOR (JAMMU):** I would like to draw the attention of the Government towards the border area of Jammu in the State of Jammu and Kashmir. In the border area of Jammu, there is sudden firing from the Pakistani side every day, due to which many houses get demolished and many people lose their lives. People living on the border do not find any safe place to save their lives from the sudden firing from Pakistan, due to which many people lose their lives.

Therefore, I want to ask the government to construct a bunker in every house in the border area of Jammu at the earliest, so that people can take shelter in the bunkers to avoid the sudden firing from Pakistan and people can save their lives as well as their children and do not migrate from the border.

**(ii) Need to undertake doubling of Maksi-Ruthiyai railway line in Rajgarh Parliamentary Constituency, Madhya Pradesh.**

**SHRI RODMAL NAGAR (RAJGARH):** In my Parliamentary Constituency Rajgarh (Madhya Pradesh), the only railway line Guna-Maksi section comes under the Jabalpur division of West-Central Railway. There has been a long-standing demand for doubling the railway line connecting to the capital Delhi via Indore, Ujjain, Sarangpur, Biaora Ruthiyai.

I request the Minister of Railways to approve the doubling and electrification of the Maksi-Ruthiyai railway section, which is only about 190 kilometres, and to issue instructions for expediting the work of electrification and for the development of the people of the area.

**(iii) Need to resume the operation of Ordnance Depot at  
Naini in Allahabad, Uttar Pradesh**

**SHRI SHYAMA CHARAN GUPTA (ALLAHABAD):** The Central Ordnance Store at Naini in Allahabad is established before Independence. Ordnance storage and some other work related to the army are being allocated here. I have been told that the complete closure has been recommended vide Army Headquarters Letter No. A/26445/LTPP/OS-20 dated August 31<sup>st</sup> 2017. In this regard, the labour unions here have given their representation not to close it.

It is known that the closing will not only cause inconvenience to the working employees and their families but will also bring disrepute to it by the closure of a well-established depot.

This depot is at a very convenient location. Its prominence has been proved on various occasions and it has also performed important work even during war. This place is also very good from a security point of view. It would not be appropriate to close it. Being a Member of Parliament from Allahabad Parliamentary Constituency, I have also made a request in this regard. Please let it continue working.

**(iv) Need to enhance the procurement ceiling of groundnut from farmers in Rajasthan**

**SHRI RAHUL KASWAN (CHURU):** In the districts under the Bikaner Division of Rajasthan, such as Churu, Bikaner, Hanumangarh, and Sri Ganganagar, groundnut production takes place both in canal areas and tube well regions. The yield per farmer is about 150 to 200 quintals. However, the cost of groundnut farming is quite high for the farmers. Currently, the government has set the Minimum Support Price for peanuts at Rs. 4450 per quintal and has started the procurement process. Unfortunately, only 25 quintals per farmer are being purchased, and the rest of the peanuts are still lying in the fields. Additionally, there are irregularities in the weighing and measurement processes by officials and staff, with 20 per cent of the peanuts being returned to farmers due to quality assessment issues. I request the Government to prevent these procurement irregularities under the MSP scheme and ensure that the entire peanut produce from each farmer is purchased. Moreover, the procurement limit should be increased from 25 quintals to at least 100 quintals per farmer.



**(v) Need to ban the film 'Padmavati' allegedly distorting  
historical facts**

**SHRI CHANDRA PRAKASH JOSHI (CHITTORGARH):** In India, historical stories and history have been disclosed in films, which are a medium of mass outreach. Many film actors and directors present mythological and historical facts by making changes in the historical facts due to their personal and commercial interests. Similarly, in Sanjay Leela Bhansali's film "Padmavati", the character of Queen Padmavati of Mewar is portrayed beyond the facts and contrary to public sentiments, due to which the entire public is getting hurt and is unanimously demanding its ban. Also, no such film should be made in the future, which distorts Indian history or culture and displays it on the world scene.

**(vi) Need to simplify the process at Toll Plazas on National Highways**

**SHRI SUBHASH CHANDRA BAHERIA (BHILWADA):** Long queues of vehicles are generally seen at toll points on National Highways. Due to this reason, vehicles are taking a lot of time to pass through. At present, due to the feasibility of weighing freight vehicles, the time taken has further increased. The basic idea behind the construction of highways is to save time and fuel. This is being opposed. Common people are facing problems. The time taken at toll points feels very heavy. The cost of fuel is also increasing and the increase in the amount collected at toll points every year is adding fuel to the fire. If the vehicles are made toll-free when they have to wait for more than 15 minutes at toll booths, it could provide some relief from this issue and improve the efficiency and management of the toll staff and facilities. In essence, I request that whatever steps are necessary should be taken to solve this problem immediately.

**(vii) Need to establish All India Institute of Medical Sciences in Maharajganj, Bihar.**

**SHRI JANARDAN SINGH SIGRIWAL (MAHARAJGANJ):**

Our state Bihar is a backward state. The state is backward in many other areas, especially in the field of health services. Today, due to the backwardness of Bihar in the field of health services, 11 crore people here, have to go to hospitals in cities like Delhi, Varanasi, Lucknow, Kolkata, Chennai etc. for proper and better treatment of serious diseases. The people here have to bear a lot of financial burden while travelling to these hospitals for treatment. So much, so that many families reach the verge of financial bankruptcy while trying to get treatment for the disease. Not only this, due to the good hospitals being far away from Bihar, they do not reach on time and even if they reach, there is a lot of delay in the treatment while taking frequent trips to the said hospitals, due to which many times the patients even lose their lives.

In these circumstances, there is a great need to strengthen health services as much as possible and establish new high-level healthcare institutions in Bihar to provide better and higher health services to

the people of Bihar. In such a situation, I request the Government that necessary work be done for the quick establishment of an All India Institute of Medical Sciences (AIIMS) in my parliamentary constituency Maharajganj, Bihar soon.

**(viii) Need to reinstate the services of security guards in collieries in Jharkhand.**

**SHRI RAVINDRA KUMAR PANDEY (GIRIDIH):** There is an automatic order of the Ministry of Home Affairs to give priority to DGR for the appointment of security guards in public establishments of the country. A regular tender is issued for this. Coal India seek names from DGR for all its companies. The rate of tender with this remains fixed. At present, such agencies, in whose name the company pays salaries every month, neither get their salaries properly nor do they get uniforms, shoes and slippers. At present, 232 security guards have been deployed under the company for 15-20 years in various collieries under the Kathara area of CCL.

Out of these, the guards of Swang Colliery and Washery were laid off from work without any prior notice with effect from November 18th, 2016. Again, 100 private guards working in Kathara, Colliery, Kathara Washeri and Jarangdih Colliery were laid off from work without any prior notice from November 16th, 2017. Due to the deployment of guards without making alternative arrangements for security, coal, iron, copper, valuable machine parts

and diesel worth lakhs of rupees per unit are allegedly being stolen indiscriminately every day. As if all four have got permission to rob the colliery washery. In this way, on one hand, the stove of two hundred families, which were engaged in employment for 20 years, was extinguished, while on the other hand, due to the theft of crores of rupees every month, the coal industry and national wealth are being harmed. Here, a fierce fire is raging in the face of Kathara Colliery, this fire is moving very fast towards Jhirke village and the densely populated Jhirke village is on the verge of falling prey to a massive landslide on the lines of Jharia. On top of that, due to severe blasting every day, cracks have appeared in many houses, some houses have even collapsed, ponds have been cut, wells have been dried up and roads are being cut. Similarly, with the intention of the management to cause devastation in the villages and create unemployment on top of that, CCL has been established in the area. There is tremendous anger and tension against the management.

Therefore, I demand from the Union Government that the deployed security guards should be re-employed as before and safety should be given priority in the expansion of mines adjacent to populated areas.

**(ix) Need to construct an under-bridge on level crossing No. 162 at village Vilpan on Udaipur-Himmatnagar railway line in Gujarat.**

**SHRI MANSHANKAR NINAMA (BANSWADA):** I would like to draw the attention of Hon. Minister of Railways towards my Parliamentary Constituency. There has been a long-standing demand from the local people to construct an under-bridge at Gate No.162 in Gram Panchayat Chhapi, Village-Vilpan on the Udaipur to Himmatnagar, Ahmedabad railway line. I had also requested the former Minister of Railways in this regard, but no progress has been made in the above work so far. As this matter is related to the public interest, so prompt action is required on it. Due to the non-fulfilment of the above demand, there is a lot of resentment among the local people.

Therefore, I request the hon. Minister of Railways that in view of the seriousness of the matter, in public interest, the work of the underbridge at gate no.162 in Udaipur to Himmatnagar, Ahmedabad railway line, should be started at the earliest.

**(x) Need to release the balance funds under the National Food Security Scheme to Rajasthan**

**SHRI SUKHBIR SINGH JAUNAPURIA (TONK-SAWAI MADHOPUR):** The National Food Security Scheme was implemented in the state of Rajasthan on October 2nd, 2013. A notification was issued by the Government of India dated 17.08.2015, according to which the expenditure on the distribution of food grains is to be borne by the Central Government and the State Government in the ratio of 50-50. Revised proposals of Rs. 261.40 crore and Rs. 151.31 crore as the first instalment of the year 2016-17 were sent by the Government of Rajasthan vide letters dated 20.04.2016 & 03.06.2016. Out of the amount of Rs. 261.40 crore, payment of Rs. 256.34 crore is still pending from the Government of India. The issue was also discussed in the meeting held at NITI Aayog, New Delhi on 15.06.2016, in which officials of the Government of India and State Government participated.

I request the Union Government to release an amount of Rs. 156.37 crore to the State Government at the earliest.



**(xi) Need to undertake construction of pachnada  
multipurpose project in Jalaun Parliamentary Constituency,  
Uttar Pradesh**

**SHRI BHANU PRATAP SINGH VERMA (JALAUN):** Pachnada is a place under Madhogarh tehsil in my parliamentary constituency Jalaun, Garautha Bhognipur is a place where the rivers Kunari, Sindh, Pahuch, Chambal and Yamuna rivers meet. There are large numbers of freshwater dolphin fish, rare species of crocodile are found here, so there is immense potential here to make it a tourist spot.

Apart from this, irrigation problem is also a major problem in Bundelkhand, due to which crops of many districts of Madhya Pradesh, Rajasthan, and Uttar Pradesh get destroyed due to lack of irrigation. There is a need for adequate means of irrigation, for which I have been demanding the construction of the Pachnada Dam since 1996, on which our government is making efforts towards the construction of the Pachnada Dam Barrage.

I demand from the central government that efforts should be made in this direction as soon as possible and after conducting a re-survey of the Pachnada dam, they should make efforts to construct a multi-purpose dam project here.

**(xii) Regarding contamination of river Brahmaputra**

*[English]*

**SHRI RAMEN DEKA (MANGALDAI):** The contamination of water of Brahmaputra river is having serious impact in Assam. Brahmaputra river is lifeline for the people of Assam. Government should ascertain the source of contamination and whether China has any role for sudden contamination of water of Brahmaputra river. I urge the Government to take immediate steps to resolve the issue of contamination of water of Brahmaputra river.

**(xiii) Need to develop National Highway No. 123 (507) from  
Herbertpur to Barkot as an all weather road**

*[Translation]*

**SHRIMATI MALA RAJYALAKSHMI SHAH (TEHRI-GARHWAL):** I would like to draw the attention of the Union Road Transport Minister towards my parliamentary constituency in Uttarakhand. Under the Chardham Highway Development Project, the Delhi-Yamunotri National Highway (Herbertpur to Barkot) connecting the first Dham Yamunotri has been deprived of this project. Pilgrims begin their journey with the darshan of Maa Yamuna (Yamunotri). Considering the importance of the said Dham, in 1962, approval was given for the construction of a motorway in the name of Delhi-Yamunotri (Yamuna Road) to connect Yamunotri Dham with the motorway. After construction, from 1965 to 2002, the Delhi-Yamunotri road has been operating under the name of State Highway No.94, but due to paperwork error, the entire stretch of the said route was neither included in the Chardham route nor approved as the National Highway. In the year 2002, the Government of India extended some part of the said route from Herbertpur to Barkot, 111 km. It was declared as National Highway

123 (507) and this route has also been deprived of the Chardham Yatra route. I request you to approve the extension of National Highway 123(507) as Delhi-Yamunotri in the public interest and please include part of 111, from Herbertpur to Badkot Band in All Weather Road.

**(xiv) Need to provide air connectivity to Kota city with other cities under UDAN scheme of civil aviation**

**SHRI OM BIRLA (KOTA):** Kota is a major divisional headquarters of Rajasthan. Recently, keeping in view the needs of the residents, the airport here has been opened for public service, which is being used daily for an aeroplane commuting from Jaipur, which is inadequate for the people here because, under the “UDAN” initiative, the government is connecting all those airports which are within 200 to 800 km and Indore, Banaras, New Delhi and Mumbai fall within this range. Keeping in view the needs of the residents of Kota, there is a need to fly aeroplanes to these cities.

Therefore, I strongly demand from the government that the developing Kota should be linked to more airports within the “UDAN” initiative and the public demand for maximum stoppage of flights to these cities should also be met.

**(xv) Need to provide boat ambulances to Assam during floods**

*[English]*

**SHRI RAMESHWAR TELI (DIBRUGARH):** Every year flood wreaks havoc in Assam. Flood water submerges almost more than half of Assam bringing untold miseries to its people. Providing health care facilities during flood is the most challenging task. I, therefore, request the government to make necessary arrangements for providing adequate number of water ambulances to ensure medical care facilities to the flood affected people. The water ambulance or boat ambulance equipped with oxygen cylinders, ventilators, an Intensive Care Unit and medicines alongwith trained staff would play an important role in providing medical facilities to the patients in flood affected areas especially in the critical and emergency cases. I appeal to the central government to provide adequate number of boat ambulance before the onset of monsoon.

**(xvi)      Regarding Alkaloid research and production in the  
country**

*[Translation]*

**SHRI SUDHEER GUPTA (MANDSOUR):** In my parliamentary constituency Mandsaur Neemuch Jaora, farmers have been cultivating opium traditionally. Opium is used to make valuable alkaloids, which are used medicinally. All over the world, only 24 varieties of alkaloids are made and alkaloids are imported from abroad in India. I want to know whether there is an Alkaloid Research Centre in India. If yes, then how many types of alkaloids can be produced in India? Does India have sufficient industrial capacity for alkaloid production, and if not, what are the efforts being made to expand the industrial capacity?

**(xvii) Regarding status of framework Agreement between  
Government of India and National Socialist Council of Nagaland  
(IM)**

*[English]*

**DR. THOKCHOM MEINYA (INNER MANIPUR):** Details regarding Framework Agreement of 3 Aug 2015 between GOI and NSCN (IM) are being sought by people of Manipur, Assam and Arunachal Pradesh without much success. Recently in Hornbill Festival, Hon'ble President of India said that the final solution of vexed Indo-Naga issue is coming soon. Ministry of Home Affairs has informed me in a reply to my question in this House that all stakeholders shall be taken on board before a final solution is worked out. Here is the real issue. Is there any hidden agenda in the whole process? We are all for an amicable solution to the Indo-Naga issue. But it should not disturb the territorial integrity of the State of Manipur. Manipur got merged with Union of India with a clear-cut territory - Geographical boundary. There shall be no compromise on the territorial integrity of Manipur. Hence I urge upon the Union Government not to try to disturb the same.



**(xviii) Need to improve living standard of people engaged in fisheries sector**

**SHRI K.C. VENUGOPAL (ALAPPUZHA):** The fisheries and aquaculture in India is a very important sector of food production providing nutritional security to the food basket, contributing to the agricultural exports and engaging about fourteen million people in different activities. Constituting about 6.3% of the global fish production, the sector contributes to 1.1% of the GDP and 5.15% of the agricultural GDP. Lakhs of fishermen in the coastal region depend upon fishing and related activities. They provide a vital economic resource to our economy. However in terms of living standard and quality of life, they are comparatively backward to other marginalized communities. Their conditions are even worse than the tribal communities in some parts of the coastal areas. In view of this, there must be holistic measures to ensure proper housing, quality education and health service for them. However, till now fisheries sector has not been an independent Ministry in the Central Government. It comes under the agricultural ministry.

**(xix) Need to allocate funds for construction of a new Post Office building and Passport Seva Kendra at Kallampalayam Road in Tirupur, Tamil Nadu**

**SHRIMATI V. SATHYABAMA (TIRUPPUR):** The Postal Department is having a site measuring 1.04 acres and 298 sq.ft. in TS No 461/1A at Kallampalayam Road, Tirupur. This land is lying vacant for the last several years.

Sixteen number of post offices are located in and around Tirupur within 10 kilometers radius. Rent is being paid for 13 post offices. Though Tirupur Head post office is functioning in its own building, it is functioning with very cramped accommodation with Business post centre, 0/0 Superintendent of Posts, Tirupur division, Divisional Training Centre and Savings Bank Control Office.

As the building is very old and situated near the Railway Station, it is not possible to expand Tirupur Head Post Office building either horizontally or vertically.

There is sufficient space available at Kallampalayam road, Tirupur (SF No 461/1) to construct a new building to accommodate all the above mentioned offices under one roof. If a new building is

constructed, Passport Kendra can also function from there which will be more convenient to the public in and around Tirupur.

Therefore, I urge the Union Government to allot sufficient funds for construction of an integrated building for the purpose of Department of Posts and Passport Kendra at the vacant site at Kallampalayam Road, Tirupur.

**(xx) Need to extend the services of Bangalore Metro Rail upto  
Mookandapalli in Hosur, Tamil Nadu**

**SHRI K. ASHOK KUMAR (KRISHNAGIRI):** In my constituency Krishnagiri, the industries in Hosur are producing various goods from Pin to Aeroplane. The major industries are Tatas, Birlas, Hindujas, TVS group of companies, Murugappa group of companies, and also a number of MNCs. Hosur is an industrial area consisting of about 700 industries comprising of Large, Medium, Small and tiny industries.

People from all walks of life, from IT professionals, workers of garment industry, more particularly women and contract workers travel to and fro daily through the 15 Kms stretch between Mookandapalli (Hosur SIPCOT area) and Bommasandra Industrial area via Attepalli further to reach Electronic city.

The road traffic is heavy and there is vehicular congestion. It often takes an hour or more to pass this 15-20 Kms stretch because of frequent traffic jams. If the Bangalore Metro Rail service from Electronic City is extended up to Mookandapalli (Hosur), it will be a

boon for the people as it will solve their daily traffic problems and also it will be commercially very profitable.

Therefore, I urge the Government to extend the Metro rail services upto Mookandapalli, Hosur.

**(xxi) Regarding latest status of two railway projects in Jaynagar  
Parliamentary Constituency of West Bengal**

**SHRIMATI PRATIMA MONDAL (JAYANAGAR):** I would like to bring to the notice of the Hon'ble Railway Minister, that I have raised in the Parliament several times during Zero hour, Rule 377 & also in the railway budget speech regarding two new railway line projects namely

- (i) Jaynagar to Moipith coastal via- Jamtala under South 24 Pargana district at Kultali Block.
- (ii) Jayanagar to Raidighi (Bokhkhali is a tourist spot which is under Raidighi). In this regard I have received two letters from Shri Rajen Gohain Hon'ble Minister of State for Railways, Government of India bearing No. 2016/W-II/ER/R-377/29 dated 28/12/16 & No. 2016/W-II/ER/R-377/29 dated 10.05.17 that an amount of Rs. 533 crore has been earmarked for the two new railway line projects:-
  - (a) Jaynagar to Durgapore (32 Km) which is fully under my parliamentary constituency;
  - (b) Jaynagar to Raidighi (20 Km partly under my constituency).

But after that I did not get any information of further progress of the said two projects.

This is my humble request to you to kindly take necessary action by giving priority to the above-mentioned two rail projects.

**(xxii) Need to review the existing allocation of rice and wheat quota to Odisha under the National Food Security Act**

**SHRI BHARTRUHARI MAHTAB (CUTTACK):** The monthly allocation of rice and wheat by the Union Government to the State of Odisha under the National Food Security Act, 2013 was inadequate and surplus respectively to meet the requirement of beneficiaries as per the option exercised for the period from November, 2015 to February, 2017. The Government of Odisha has, therefore, requested the Union Government time and again to allocate the shortfall quantity of rice and withdraw the surplus wheat provided under NFSA. However, no response from the Union Government has been received so far. I, therefore, urge upon the Union Government to provide the shortfall quantity of 99,960 MT rice to the State of Odisha for the period from November, 2015 to February, 2017 and withdraw the surplus wheat from there at the earliest.



**(xxiii) Need to recover pending loans given to industrial houses**

*[Translation]*

**SHRI SHRIRANG APPA BARNE (MAVAL):** India's GDP is Rs.144 lakh crore and loans given by various banks are Rs. 70 lakh crore, and according to the Reserve Bank of India, out of these loans, there is a high possibility of Rs. 13 lakh crore turning into bad debts. Out of this Rs. 13 lakh crore, Rs. 7 lakh crore is the amount lent by various banks to just 10 different companies.

This includes Rs. 90 thousand crore to Bhushan Steel, Rs. 58 thousand crore to Videocon, Rs. 55 thousand crore to JP Group, Rs. 50 thousand crore to Essar Ltd, Rs. 38 thousand crore to Jindal Group, Rs. 19 thousand crore to Lenco, Rs. 14 thousand crore to Punj Lenco and Rs. 14 thousand crore to Elcto Steel. Banks have not devised any strategy to withdraw such a large amount of loans and due to this lending, 9 public sector banks are on the verge of closure today and at present the Reserve Bank of India has issued prompt corrective action to these banks. And the government is going to merge these banks with other banks. Till date no decision has been taken on how the government is going to recover this given loan.

I urge the government to immediately withdraw this amount from these companies by enacting necessary laws to recover such huge loan amount from these companies.

**(xxiv) Need to exempt tax on Sanitary Napkins**

*[English]*

**SHRI RAM MOHAN NAIDU KINJARAPU (SRIKAKULAM):** Menstrual bleeding is neither a voluntary act nor a luxury. All women on an average menstruate between ages of 12 to 51. A woman, on an average spends 65 days menstruating every year. Yet, while our nation is growing at a great pace, it is disturbing that only 12 % of our women are using sanitary napkins. The rest 88% is using unhealthy practices like old rugs, ashes or husk sand. Due to this the overall health of women is greatly affected. Incidents of Reproductive Tract Infections are 70% more common among women. By taxing this basic and absolutely essential commodity as a luxury product, a system of gender discrimination is being practiced. This is unacceptable given that the right to sanitation and healthy life is a fundamental right guaranteed under the Constitution of India. Beyond affordability, Articles 14, 15, 21 and 47 to the Constitution

guarantee equality before law and prohibit discrimination on the basis of gender. I request the Government for 100% tax exemption on environmental and health friendly Sanitary Napkins. I request the Central Government also to distribute sanitary napkins free of cost to girls and women who cannot afford them.

**(xxv) Need to review the selection procedure of Republic Day tableau**

**SHRI A.P. JITHENDER REDDY (MAHABUBNAGAR):** The Republic Day Parade is one of the most significant platforms for a State to showcase the uniqueness of their culture and traditions at the national level. Unfortunately, the current system of selection of tableau is devoid of equality with respect to the opportunity that a State get to showcase their tableau.

In the year 2017, Punjab's tableau got selected after a period of five years and Lakshadweep's tableau got selected after 23 long years. This has often led to discontentment amongst many States who have been rejected more number of times than the others. Even capital Delhi has been at receiving end of this system and twice it

has so happened that their tableau was rejected for three years in a row.

In the year 2017, Telangana proposal went through six stages of interviews only to get rejected at the end and without any concrete reason being given for the rejection.

**(xxvi) Need to project historical facts in right perspective by  
Hindi movie makers**

*[Translation]*

**KUNWAR HARIVANSH SINGH (PRATAPGARH):**In the life story of the film “Padmavati” based on the life of Queen Padmavati, the scene depicting Khilji seeing Queen Padmini in the mirror is nonsense. Where did the glass come from at that time? How can scenes like their love affair be shown? The person who was an attacker is being described as a hero. The film stars Khilji as the protagonist and Padmini as the heroine. Whereas, the importance of Raja Ratan Singh has been eliminated. After all, how can an attacker be a hero? Historians believe that Khilji cannot be treated as a hero under any circumstances. It is mentioned in the Chhitai Charit that he attacked Ranthambore, Chittorgarh and Devagiri only so that he

could capture women with the help of his army. In such a situation, he was not of good character. Historians point out that the invader is being forcefully made a hero, which is not tolerable. A song from the film shows Ghoomar dance. The character in this is like an ordinary dancer. This is not acceptable to Rajputs under any circumstances. Ghoomar dance is a symbol of etiquette and its history is also quite old. Even so, women do not perform Ghoomar dance in front of everyone. This is a family event. In such a situation, it is not at all possible that a queen would dance like this. The film attempts to distort Rajasthani culture and the history of Queen Padmavati through music and dance.

Therefore, I demand from the government that our Indian culture and civilization and history should not be misrepresented in the film. Strict action should be taken and a life ban should be imposed on the filmmakers presenting it, and keeping in mind the sentiments of the social people, such controversial films should not be shown in future.

**(xxvii) Need to include Kudmi tribe of Jharkhand in the list of  
Scheduled Tribes**

**SHRI KAUSHALENDRA KUMAR (NALANDA):** Notification No. 550 dated-02.05.1913 of the Government of India and Notification No.3563 (J) dated-08.02.1931 of the Government of Bihar-Orissa declared Munda, Santhal, Kudmi, Oraon, Ho, Khadia etc. disciplined tribals (Tribe) by conservative or traditional law. This notification still exists constitutionally, as it has never been revoked. Other tribes of Jharkhand, such as the Kudmi community, are entitled to land security under Section- 46 of the Chhota Nagpur Tenancy Act. In this regard, as per Government of India Order No. SRO-510 dated-06.09.1950 and dated- 05.10.1950, only those who are listed as primitive tribes in the census report of 1931 E will be listed in the Scheduled Tribe list (Primitive Tribal). However, non-inclusion of Kudmi community is a complete violation of the right to equality enshrined in the basic Articles 14 and 15 of the Constitution.

Therefore, I demand from the government that in view of the pathetic economic and social condition of the Kudmi community of Jharkhand state, the Totemic Kudmi caste of the state should be included in the list of Scheduled Tribes

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**14.02 hours**

**THE REQUISITIONING AND ACQUISITION OF  
IMMOVABLE PROPERTY (AMENDMENT) BILL,  
2017...Contd.**

*[English]*

**HON. DEPUTY-SPEAKER:** Now the House shall take up item Nos. 22 and 23 together. Shri N.K. Premachandran.

**14.02½ hours**

*(At this stage, Shri K.C. Venugopal and some other hon.  
Members came and stood on the floor near the Table.)*

**THE MINISTER OF CHEMICALS AND FERTILIZERS AND  
MINISTER OF PARLIAMENTARY AFFAIRS (SHRI  
ANANTHKUMAR):** Sir, I request that further consideration of the motion moved by Shri Hardeep Singh Puri yesterday, on the 19<sup>th</sup> December, 2017, may be taken up now. The motion is as follows:



“That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952, be taken into consideration.”

**HON. DEPUTY-SPEAKER:** All right. Shri Ramesh Bidhuri may continue now.

... (*Interruptions*)

**HON. DEPUTY-SPEAKER:** There is no ‘Zero Hour’ now.

... (*Interruptions*)

**HON. DEPUTY-SPEAKER:** Already hon. Speaker has disallowed it. So, I cannot allow you now.

... (*Interruptions*)

**14.03 hours**

**REQUISITIONING AND ACQUISITION OF  
IMMOVABLE PROPERTY (AMENDMENT) BILL,  
2017....contd.**

*[Translation]*

**SHRI RAMESH BIDHURI (SOUTH DELHI):** Sir, yesterday I was speaking about the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017. Hon. Urban Development Minister respected Shri Puri ji has brought this Bill. ...

*(Interruptions)*

Sir, to bring to the notice of those who have stood here to make noise, I would like to tell you about this bill. ... *(Interruptions)* Sir, this Bill is being passed keeping in mind the security of the country, the land which we acquire for the defence of the country as requisition through Section-3 and when payment for the same is made through Section-7. The matter goes on, if, in the meanwhile, that matter goes to the Judiciary, then the arrangements for those lands cannot be made there and the security of the country gets hampered.... *(Interruptions)* Because of this, the government has to

spend crores and billions of rupees there.... (*Interruptions*) We also have some such cases in front of us, where people are demanding Rs. 8 to 10 thousand crores. By law, if the land is acquired for defence or national security, then no half-acre, one acre or two-acre land is acquired. ... (*Interruptions*) I had said this yesterday also and today for the information of our colleagues standing there, I want to say that hundreds of thousands of acres of land is acquired in this way. ...(*Interruptions*) There are some people like this... (*Interruptions*) The case of Shivpuri in Tamil Nadu is before you. It is well known whose land lies around the land under the name of the paramilitary force. Which Minister of Finance or which Minister of Home Affairs owns land there, this is no secret. ...(*Interruptions*) They were Finance Ministers of the same party. What do they do? When we issue a Section-3 notice for requisition.

After the notice, if Section 7 notification is given to acquire that land, then on the pretext of notice, those people as an applicants go to the court. The land which we acquire for a long time is sometimes taken as agricultural land and there is a condition that when the government returns the land, it will return in this situation. There is this condition in it but later the government thinks that we should buy the land. Meanwhile, they go to the court on the pretext of

notice. It is not hidden from anyone what kind of nexus the Congress people have been creating in the country in the last 70 years. The matter of the 2G spectrum is before you. The case of a coal scam is in front of you. The case of Adarsh Society is before you. To avoid these types of scams, the government should take over that land; after taking over, the government will give the money for that land, but at a given time. But by deliberately keeping the cases pending in the Judiciary for 15 years, if they get the money for that land then where will they keep the black money? They think that the court will pass an order in our favour. They demand from the government the money for the current rate, the rate for 15 years, 12 years. They think that we will get that money. In this way, the government loses billions of rupees. This Bill has been brought to save the money which should be used for the development of the country. The value at the time of the notification is still being considered by the government. Based on the pattern of the State Bank of India, if I were to deposit a fixed amount today, the interest rate on that deposit would apply. Through this bill, the individual will receive the money as per the applicable rates, otherwise, my friends from the opposition and others will raise concerns that our fundamental rights are being

taken away, and our rights are being violated. The government is coming up with this bill in a dictatorial manner.

Let me give you the example of Delhi. The Education Compulsory Act came into force in 2005. Even today, there is a law in the country that education should be compulsory. The vice-chancellor of Delhi wrote four letters to the CM of Delhi that there is no college for girls in South Delhi. It has been 70 years since the country gained Independence. These people have been ruling the country for the last 70 years. Their government was in power for the last ten years, but no new college for girls was opened in Delhi. Our Prime Minister has given the slogan of 'Beti Bachao, Beti Padhao' and if girls will get respect and education through this, then colleges should be opened. The Vice-Chancellor has written two or three letters to the CM of Delhi. I have met the Chief Minister and the Minister of Education, but till date the Chief Minister of Delhi is not allowing the college to be built on that Gram Panchayat land. That land belongs to the Gram Panchayat, it is the land of the villagers. What could be more unfortunate than the fact that a college is not being allowed to be built on that land? Thus, this law is meant to stop such people. This bill has been brought to save the country from those narrow-minded people, who deal with the country, with the

wealth of the country, with the generation of the country for their personal interests.

I have other similar examples as well. We adopted a village. To make it a model village, Hon. Prime Minister has said that the villages will be developed as a sample. If those villages develop, then seeing them will definitely motivate people to live in a cleaner environment in their villages. But if a girls' school has to be opened there, a community centre has to be set up for the marriage of children, and if a bank or post office branch has to be opened there, then Mr. Sisodia, who is the Deputy Chief Minister of Delhi, the Development Commissioner who was there, when I told them that I will go to their house and sit on a dharna if she does not give the land. She told me that Mr. Bidhuri, do not do politics in this.

Sir, these are things related to this. Why was this law enacted? Later, many people will make noise that this law is being brought to take away the rights of the people. This law is being brought to save the country's wealth and to take the country's generation forward. That is why I am speaking on this Bill. That is why I am giving an example. The DC tells me that she will talk to the Deputy CM. The Deputy CM tells her to ask Bidhuri to take land from DDA. The

Development Commissioner said, Mr. Bidhuri, these are such narrow-minded people, I will not work under them, and she left the job as a DC and joined the Union Government. That is why I am saying that this bill has been brought to save this country from the people of Kharge ji's team who have been ruling the country for 70 years. Through this law, there is no provision to allot land to Disneyland or brother-in-law through this bill.

This land should be given only to the country for defence, for the security of the country, not to oblige it anywhere.\* Land will be allotted, this is not a bill for that work. ... (*Interruptions*) Therefore, while supporting this Bill, I would like to thank you and also thank the hon. minister for the vision of Prime Minister Modi, which focuses on the country's borders... (*Interruptions*)

**HON. DEPUTY SPEAKER:** Shri Kalyan Banerjee.

. . . (*Interruptions*)

**SHRI RAMESH BIDHURI:** Sir, I am concluding in a minute. ... (*Interruptions*) It will be the plan of our Hon. Prime Minister, our Minister that through this bill we will not make any kind of compromise on the border of the country and the youth of the

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\* Not recorded

country. ... (*Interruptions*) We will bring this bill to take such tough decisions. I thank you very much for giving me this opportunity to speak on this Bill. ... (*Interruptions*)

**SHRI KALYAN BANERJEE (SREERAMPUR):** Hon. Deputy Speaker, Sir, the Bill which has been brought before this House for consideration is the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017. ... (*Interruptions*) Through this Bill, an amendment is sought to be brought under Clause 2, Sub-Clause 1(a). ... (*Interruptions*)

**SHRI MALLIKARJUN KHARGE (GULBARGA):** Mr. Deputy Speaker, Sir, during 'Zero Hour', one Member was allowed. ... (*Interruptions*)

**HON. DEPUTY SPEAKER:** No, there is no 'Zero Hour'. We are discussing the Bill moved by the hon. Minister.

... (*Interruptions*)

**SHRI MALLIKARJUN KHARGE :** Sir, I am on a point of order. ... (*Interruptions*)

**HON. SPEAKER:** I have heard. There is no 'Zero Hour' now.

... (*Interruptions*)



**SHRI KALYAN BANERJEE:** Sir, by this Clause, an opportunity of hearing is being given which was not there earlier. ...  
(*Interruptions*)

**HON. DEPUTY SPEAKER:** You are saying about expunction. What should I expunge? There is nothing.

... (*Interruptions*)

**SHRI MALLIKARJUN KHARGE:** During 'Zero Hour', a Member was allowed. ... (*Interruptions*)

**HON. DEPUTY SPEAKER:** There is no 'Zero Hour' now.

**SHRI MALLIKARJUN KHARGE:** Sir, the House was adjourned around 12 o'clock. After that, we are meeting just now. ...  
(*Interruptions*)

**HON. DEPUTY SPEAKER:** Now the business before the House is different. We have taken up the Bill for consideration.

... (*Interruptions*)

**HON. DEPUTY SPEAKER:** There is no 'Zero Hour' now. When 'Zero Hour' comes, you can raise it at that time.

... (*Interruptions*)

**SHRI KALYAN BANERJEE:** Sir, Clause 2, Sub-clause 1(a) which is sought to be brought is really filling up the gaps. ... *(Interruptions)* A reasonable opportunity of hearing is being given under this provision. ... *(Interruptions)* I have no objection. ... *(Interruptions)* This is beneficial to the person who is going to be affected. ... *(Interruptions)* We have to go back to the history and see why this Act was enacted in the first place. ... *(Interruptions)*

**HON. DEPUTY SPEAKER:** Mr. Kharge, you can raise it tomorrow.

... *(Interruptions)*

**HON. DEPUTY SPEAKER:** What is your point of order?

... *(Interruptions)*

**HON. DEPUTY SPEAKER:** A point of order may be raised in relation to the business before the House at the moment. This is what the rule says.

... *(Interruptions)*

**HON. DEPUTY SPEAKER:** Please listen to me. Any point of order should relate to the subject which is before the House now. Only that will go on record. All other things will not go on record.

... (*Interruptions*)

**SHRI MALLIKARJUN KHARGE:** Sir, kindly give me a minute.

... (*Interruptions*) Sir, we are not taking any objection to your decision. That is a different thing. The Member who spoke against Manmohan Singhji... (*Interruptions*)

**HON. DEPUTY SPEAKER:** No, nothing will go on record.

...(*Interruptions*)... \*

**HON. DEPUTY SPEAKER:** Nothing will go on record. Only Mr. Kalyan Banerjee's speech will go on record.

... (*Interruptions*) ... \*

**SHRI KALYAN BANERJEE:** Deputy Speaker, Sir, kindly, bring this House in order.... (*Interruptions*) I cannot speak. How can I speak in this way? ... (*Interruptions*)

**HON. DEPUTY SPEAKER:** Nothing will go on record.

... (*Interruptions*) ... \*

**SHRI KALYAN BANERJEE:** Sir, let the House be in order. If this is the way, I cannot speak. ... (*Interruptions*) I have been interrupted fourth time.... (*Interruptions*) Let the House be in order. ...

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\* Not recorded.

*(Interruptions)* Otherwise, take up this issue some other day. ...

*(Interruptions)* No one can speak, Sir, in this way.... *(Interruptions)*

**SHRI ANANTHKUMAR:** Sir, only Congress Party wants to disturb the proceedings. ... *(Interruptions)* Actually, there is no issue or no point of order. The entire House wants to conduct business of the House. ... *(Interruptions)* They are creating obstructions. Therefore, I request my dear friend and colleague of Trinamool Congress Mr. Kalyan Banerjee to continue his speech. ... *(Interruptions)* Already Ramesh Bidhuri ji has spoken. ... *(Interruptions)* I also request him to continue his speech. ... *(Interruptions)* Sir, they cannot hold 80 per cent of the House to ransom. ... *(Interruptions)* Therefore, my request to you, Sir, is to continue the proceedings of the House. ... *(Interruptions)*

**HON. DEPUTY SPEAKER:** Mr. Kalyan Banerjee, please continue your speech.

... *(Interruptions)*

**SHRI KALYAN BANERJEE (SREERAMPUR):** Sir, what I was telling is if we go back into the history of the Act itself, earlier the Defence of India Act was there.... *(Interruptions)* After Independence, when the Legislature felt that the Defence of India

Act was not required and the rules were framed thereafter, the Requisitioning and Acquisition of Immovable Property Act, 1952 was brought.... (*Interruptions*) The initial intention of this legislation, at that point of time, was that for the time being a premise can be requisitioned.... (*Interruptions*) Any land can be requisitioned for the use of the Central Government. ... (*Interruptions*) There is no difficulty. Now, as you know, requisition cannot be continued until doomsday. ... (*Interruptions*) Therefore, one has to take a decision whether it has to be released from the requisition or acquisition has to be taken. ... (*Interruptions*) I just tell you, there are a number of cases where the acquisition proceeding was taken but it was not ended. ... (*Interruptions*) No compensation has been given. ... (*Interruptions*) Ultimately, because of the failure of the officials of the Central Government, who are concerned with this Department, so many acquisitions and requisitions have declared illegal and void. ... (*Interruptions*) Therefore, the time has been ripening to take a decision whether you want to release it from the requisition or you want to acquire the property. ... (*Interruptions*) If you wish to acquire the property, do it immediately. Please do not keep it pending for long. ... (*Interruptions*) This is not the ambit. Immediately, you do it.

Actually, that is not happening. ... (*Interruptions*) As a result thereof, ultimately, who is suffering? Lot of money is going out from the public exchequer. This is one of the reasons. ... (*Interruptions*)

I can cite you a number of cases. At least in West Bengal, in Jalpaiguri and Darjeeling districts where military buildings have been made, Army structures have been made, still that requisition has not been completed. Even if it has been done, some procedural mistake is there; one is going to suffer. That is a different thing. ... (*Interruptions*)

I would just like to put a very relevant question for your consideration. Parliamentary Affairs Minister is here; Law Minister is also here. To all, I have a request; you have to consider one aspect of the matter. In future, you have to come out with that. The compensation which has been assigned under the Requisitioning and Acquisition of Immovable Property Act, has been provided under Section 8 of the Act. In substance, nothing has been given as to what would be the amount of compensation. It is either by an agreement or by arbitration. Therefore, what are the principles? That has not been laid down. Now, with the passage of time, when acquisition

was a strong question in our country, we have brought the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. We have brought it and it is under consideration. We are implementing it. We have repealed the old Land Acquisition Act itself where the compensation amount was very little. Under Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, you have given the principles of determination of compensation. The objective of the Government is that every land loser must get more compensation. That is the objective of the Act. That is also the objective of the Central Government. ... (*Interruptions*)

My point is this. This is an old Act. Now you try to bring a *pari materia* provision akin to Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act in this Act itself, the Act in question itself in future so that compensation amount can be decided. There must be a formula of paying compensation. It cannot be by an agreement or an arbitrator cannot decide the question exactly without any basis, any guidelines or anything. I am really happy to see that an opportunity of hearing has been brought in here which is really commensurate

with the principles of natural justice. It is a good thing but, in future, you have to think about that whether a *pari materia* provision akin to Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act can be brought under this Act itself. One must know what should be his compensation, the market value etc. It can be taken into consideration. Kindly take note of two things. This is one thing. ...

*(Interruptions)*

Secondly, it is my appeal to the hon. Minister; kindly give instruction to your Department. Take all cases of requisition and acquisition. Where requisition is continuing for 30 years, 40 years, it is not required. It can be acquired. You acquire it; otherwise you just release it. There is no use of paying money. Some properties are there which are under requisition and the Central Government is also not using the properties. On the contrary, the Central Government is paying money. That is also a loss to the public exchequer. Kindly take into consideration that in future. That is my request. With this, I conclude. ... *(Interruptions)*



*[Translation]*

**SHRI GOPAL SHETTY (MUMBAI NORTH):** Deputy Speaker Sir, I am grateful to you for giving me an opportunity to speak on a very important Bill. I rise to support the Requisitioning and Acquisition Of Immovable Property (Amendment) Bill, 2017.

Sir, since the country became independent... (*Interruptions*)

[English]

**SHRI MALLIKARJUN KHARGE:** Under Rule 380, because in ‘Zero Hour’, ..... (*Interruptions*)

**HON. DEPUTY SPEAKER:** Now, it is not ‘Zero Hour’. You talk about this Bill which is going on. ...

(*Interruptions*)

**SHRI MALLIKARJUN KHARGE:** One hon. Member used defamatory words against the ex-Prime Minister who is not a Member of this House. Against him, those defamatory words were used. I request you to expunge all those words. ... (*Interruptions*)

**HON. DEPUTY SPEAKER:** I will go through that. ...

(*Interruptions*).

**SHRI MALLIKARJUN KHARGE:** He should apologize for that. ... *(Interruptions)* This is not fair. This is the point of order. We met even the Speaker also. She said that she will expunge that immediately. So far the matter is not expunged.

**HON. DEPUTY SPEAKER:** No, I will go through that. ...

*(Interruptions)*

**SHRI MALLIKARJUN KHARGE:** Sir, it has been telecasted. If it goes in print media, the Government should apologize for that. ... *(Interruptions)*

**HON. DEPUTY SPEAKER:** The Government will not come into this. You have already explained to the Speaker. ...

*(Interruptions)*

**SHRI K.C. VENUGOPAL (ALAPPUZHA):** Sir, hon. Speaker has assured us. ... *(Interruptions)* It is in the record. It went on to the media also. ... *(Interruptions)*

**HON. DEPUTY SPEAKER:** We will go through that.

**SHRI MALLIKARJUN KHARGE:** So, Sir, we must be allowed to discuss this issue thoroughly so that the entire nation should know who is the traitor, who is back-stabbing and who is disturbing?

HON. DEPUTY SPEAKER: Whatever was said regarding this by the hon. Member in the morning, that will be gone through. ...

*(Interruptions)*

*[Translation]*

**SHRI GOPAL SHETTY:** Deputy Speaker Sir, I would like to request my friends from the Congress that this House is discussing a very important Bill. Those who have lost their land should get justice and they should get money. ... *(Interruptions)* Modi ji's government has come to the country. The defence establishment has not done justice to the people whose lands were requisitioned during the wars after 1952. ... *(Interruptions)* For the first time in the history of the country, the people of the country have elected Modi ji's government and sent it to this House and since Modi ji took power, many changes are being seen in this country. ... *(Interruptions)* As a result of which the defence people had requisitioned their land. ... *(Interruptions)*

Sir, the Defence Establishment Act says that the land which has been acquired once, after the end of the war, by thanking them in a respectful manner, the amount of land that you have used... *(Interruptions)* Whatever compensation he gets, he should be given

with thanks. ... (*Interruptions*) This system has been going on since the British era and our bureaucrats are still working in the same mindset even today. ... (*Interruptions*) The people whose land was taken 70 years ago have not received the money even today.... (*Interruptions*)

[*English*]

**HON. DEPUTY SPEAKER:** Whatever was said by the hon. Member, that was expunged. ...

(*Interruptions*)

[*Translation*]

**SHRI GOPAL SHETTY:** I would like to thank the Modi Government, I would like to congratulate the minister that he has brought a very good Bill to be passed in the House and I have also got the opportunity to express my opinion on it. ... (*Interruptions*)

Sir, Section 3 says that, whenever you require land in time of war, you can requisition it.... (*Interruptions*) Section 7 says that, if you want the land forever then you have to acquire it.... (*Interruptions*) According to the Acquisition Act, whatever the price of the land at that time, you can transfer the land to your name by paying that money to them. ... (*Interruptions*) But as much as the

people of our Defence Establishment do not harass the people of our enemy country, the work of harassing the people of our country is being done through the department. ... (*Interruptions*) I would like to request that the people of Defence Establishment should take as much land as they want. There is money in the Government's vault to acquire the land. If the Defence Establishment wants more land, then the people of the country will give you money to buy land. ... (*Interruptions*) But by unnecessarily acquiring someone's land, without completing all the formalities as per the Acquisition Act, you take away someone's land.

[*English*]

**HON. DEPUTY SPEAKER:** Whatever speech Shri Gopal Shetty is making will go on record. Whatever he is speaking will go on record.

[*Translation*]

**SHRI GOPAL SHETTY:** I would like to give you an example of how the people of the country are suffering, those whose lands were lost. After the requisition, you have not done justice till date, as a result, affluent people got that land registered in their names by signing agreements with the original owners of the land. Today,

those who have taken the land in their name will get the benefit of whatever Act, but those who have their original land will not get even a penny of money. You need to know this. Officers get salaries, we MPs get honorariums. The job of both of us is to serve the third person in a democracy. Which is called service in English. When the British created it, it was a service. Both you and I work together to serve the people. ... (*Interruptions*) But these days, less service and more trouble is being done through the bureaucracy. That's why I would like to thank R K Sinha ji for giving me the opportunity to speak on this Bill. When development work goes on in a city like Mumbai. (*Interruptions*)

[*English*]

**HON. DEPUTY SPEAKER:** I listened to whatever he said.

...(*Interruptions*)

[*Translation*]

**SHRI GOPAL SHETTY:** During the Congress era, you stopped all the works by issuing all the bogus illegal circulars, land of Central, Ordinance Depot. Even today in the second phase when I moved the Private Member's Bill here (*Interruptions*)

*[English]*

**HON. DEPUTY SPEAKER:** I have already listened to what you said.

*...(Interruptions)*

*[Translation]*

**SHRI GOPAL SHETTY:** Luckily my number has also been added. There will be a discussion on that even tomorrow, so I do not want to go into that topic. But by supporting this Bill, Modi ji's government is doing the work of providing justice to those whose land has been requisitioned. ... *(Interruptions)*

*[English]*

**HON. DEPUTY SPEAKER:** He is on his legs.

*[Translation]*

**SHRI GOPAL SHETTY:** All our ministers are also doing it. Therefore, I would like to thank him on behalf of all the people of the country. You requisitioned the land of common people and did not pay them for 50 years. Today, the government has brought the rule that, the rate which was there in those days along with the interest procedure of the State Bank, they will be given money along

with the interest. ... (*Interruptions*) Actually, in today's time, land has a lot of value because of its multiplication, but the land is required for defence establishment. So, I would not like to go into all those issues. Because I am in favour of the government, I want our defence establishment to be efficient. ... (*Interruptions*) If our neighbouring countries harass us, the morale of our soldiers and the army should increase to fight with them. Therefore, the entire country is with the army. ... (*Interruptions*) But some officers who work sitting in the office should also understand that we work to give justice to the people of the country. Therefore, I believe through this Bill, there will be a huge change in the coming days.

**14.33 hours**

(Hon. Speaker *in the Chair*)

Many people in our country became landless, and many people died. Take a look at history. After this bill is passed, when you give money, how much are the original owners and how much is the land that the capitalists had bought from the original owners, you will know that the original owners have gone, passed away, died. Their children, despite having land, did not get any money and were not



able to work. The situation has also been created in such a way that despite many people having land, their land has also been lost and money has not been received. This type of situation also exists. But why not late, I would like to thank the government once again, that the work of providing justice to the people is being done here today through a good bill. ... (*Interruptions*) Therefore, I would like through this House that in the coming days, any kind of accountability should be fixed on all those officials who harass people by doing arbitrary things like this. After passing this bill, I would like to request this House that for the last 50-60 years, those people who have been subjected to injustice, and atrocities, whose lands have been lost, how many such people were affected, who could not do anything, their record should also come in this House. This should come in so that in the coming days the officers who do this type of work will also learn some lesson. It is possible that many officers may have retired and gone away. The officers in power today will not be at fault. But the same thing is happening even today. That is why I believe, that the people of the Defence Establishment should fight on the road and work to secure the country. The rest of the matters are handled by the system that is working through the Parliament. The people in that system should

work. The people of the Defence Establishment should be allowed to do whatever arrangements they have to make only for fighting and enemies. I want to place my voice before this House through people across the country.

Madam, I was saying that when the COD issue came out when I met you, you were also impressed, you also gave us a chance to discuss it here. A good minister like Mr. Parrikar, worked very hard to issue a circular, but only the addition of the Naval was left in it, hence people have been troubled for the last year. Hence, the bureaucrats need to understand the sentiments of the country, the government and the Parliament. It does not go down well to impede the development of the country just due to trivial technical errors. At one place, the Prime Minister of the country says that by 2022 everyone should get a house, and people should have their own pucca house, but the bureaucracy that exists creates some obstacles or the other and works to stop the development work. This House will have to think very seriously about this. We have great respect for the Defence Establishment. Our army is the number one army in the world. By losing their lives, and not worrying about their families, they worry about the people of this country. But at such times, there is another group, which works in its own way and

creates trouble. I would like to say that an arrangement should be made for the speedy payment of the outstanding amount to the people in a time bound manner after the Bill is passed. If we bring an amendment bill in this way, and pass it after discussing it in the House, then people will get its benefit, otherwise even after passing the bill, many benefits are not available. I have 25-26 years of experience, I have been a corporator three times, an MLA twice and have come here for the sixth time. What happens is that even after many bills are passed, people do not get their benefits, we have also seen this. Therefore, I would also like to say that a report on the resultant benefits of the Bill accrued to the people should be submitted to the House within a period say, three or six months after the passing of the Bill. This will go a long way in ensuring the accountability. Otherwise, the officer class has to think that, you do whatever you have to do, we will do whatever we have to. Due to this, it will not give justice to the people of this country in the future, I try to convey this feeling through this Bill. Therefore, I would like to thank the leader of my party Shri R.K. Sinha ji for giving me this opportunity to speak on this subject. I got an opportunity here to raise the voice of the shocked and distressed people of the country, whose lands were lost. Therefore, while thanking Shri R.K. Sinha ji,

I would like to thank the Modi government and Modi ji once again, for discussing many issues of public interest here and making all the amendments in the bill during his tenure of three and a half years. We are working to give justice to the people by making all the amendments required in the bill.

Therefore, Madam, I conclude my speech here by supporting this Bill. Thank you very much, Bharat Mata Ki Jai.

**SHRI KAUSHALENDRA KUMAR (NALANDA):** Madam Speaker, I thank you very much for giving me this opportunity to speak on the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017.

Madam, through this Bill, the Government is likely to include some more provisions in the Clause 1 of Section 7 of the Requisitioning and Acquisition of Immovable Property Act, 1952. I am of the opinion that the land acquisition law was implemented in 2014. There is no objection to the acquisition of land for public purposes and security purposes, if proper compensation is paid to the affected persons. But it is not proper to acquire cultivable and fertile land to raise a business. Similarly, we have our own limitations of irrigated and fertile land. Moreover, a law should invariably be made to convert the wasteland into fertile land. I think it will be absolutely appropriate and especially the farmers who are affected will not suffer. Therefore, I would like to request the Hon. Minister that I want to bring a very important matter before the Government that when you give notice of acquisition, it is given to those persons who are in possession of the property at present.

But if that person be a tenant or a lessee, he does not have ownership rights on that property, then why will notice be given to that person? Notice should be served to the land owner only. Now this is where the legal process and obstacles begin, which continues for years. You cannot imagine that people lose their savings in legal battles, just because of the process of notice they lose everything and become penniless. Therefore, it is my request that there is a need to bring improvement in this regard. Therefore, I also insist that this law will affect the common people, this should be made completely transparent and justifiable. I support this Bill.

Thank you.

**HON. SPEAKER:** Shri P. Karunakaran ji.

**SHRI MOHAMMAD SALIM:** Madam Speaker, I would like to speak on behalf of my party in place of Karunakaran ji.

**HON. SPEAKER:** Alright, please go ahead.

**SHRI MOHAMMAD SALIM (RAIGANJ):** Madam Speaker, I thank you for your kindness towards me.

Madam, first of all, I would like to congratulate the Minister, he has become the new Minister, and he is an old friend of mine. It is a good thing that after handling foreign affairs, he is now focusing on national matters, especially concerning the country's land. However, it would be highly disrespectful to the dignity of Parliament if we pass this law and say that it will be implemented retroactively from 1952. It's a bad piece of legislation.

Madam, this amendment that is being brought is very innocuous. It is for national security, it is for the Defence of the country, this has come in the statement of the Minister. Let me read one Clause to you. Madam, we will pass it a little later, I would like to draw the attention of the whole country towards Clause 2 of this Bill. The following sub-section shall be inserted after sub-section (1) of section 7 of the Requisitioning and Acquisition of Immovable Property Act, 1952, and it shall be deemed to have been established from 14th March, 1952. This means that we are making a law for a time before my birth, and for many others who were not born at that time. What tradition are we creating? It is inquisitive to look at, but

very important. The land acquisition law has been tried by the government to bring ordinance after ordinance and it is still pending with the joint committee. What is happening now is that if they cannot do it in one go, they are doing it piecemeal. One state after another is being told how provisions will have to be made to take over the land of farmers, that law is being made, I can name one state after another. Here, this land is being taken away from agriculture by the Ministry of Urban Development into these grinding wastes. Madam, there is no contention in this House if Government is willing to take any step for the national security, army, or defence.

#### **14.42 hours**

*( Shri Sunil Kumar Jakhar and some other hon. Members then left the House.)*

But look, even in the Minister's speech yesterday it was said that this is for security, however if you check the statement of objectives, even in paragraph number two, it states the power to acquire immovable property for public purposes. Public purpose, if you talk about seventy years, then I will also talk about seventy years. Whenever the government brings a bill or makes a law, it's always in



the name of public purpose, for the public interest. But here, you are not solely doing this for security purposes as you're claiming; it's not just for security. This House and the whole country is being misguided on the pretext of national security and safety.

No, we are blanketing it, but saying that our aim is to protect ourselves. There is a difference between like Defence and only Defence. You can do anything in the name of security and there is a public interest. So for public interest, even when the chest of the farmers is sieved by firing, you can say that we did this for public interest. So, I am of the opinion that it is highly objectionable, we will request the Chair about this. This Lok Sabha has been constituted for the year 2014 to 2019. Do we have the right to make a law for the year 1952 and for what it is being done, if we move ahead, we will see that there are many such cases pending in the court, the court has rejected many such acquisition notices even if they were issued by the previous government. You are denying all that post facto, that order, that instruction. Can we give this much power to the bureaucrats sitting in power, because at that time even the ministers will not do it, and neither will we do it, as per its use, can we give this power to the officers? In this country you know that land is one such issue, property is one such issue, only there are too

many cases, cases pending in it, it is not something that you are talking about scam, you are talking about corruption. A big source of it is land and property. We all know this, people from the village to the entire country know this, history is a witness. Why we are bringing in this blanket law by bypassing the Bill pending before the committee in this regard?

The third thing is that you are saying that I will not go into the details about the issue of return, because our party time is also short. In this very Delhi, I come from Calcutta, I come from Bengal when the British brought the capital here, they acquired a lot of property here. Where Rashtra Pati Bhavan is located, the entire hills from Raisina Hill, New Delhi Station etc. were all Waqf properties. In the 1980s, the government formed a committee from Urban Development and 123 such properties, which did not take compensation, were to be returned and cannot be returned, because if the construction building is built there, then how will the Rashtrapati Bhavan return after construction, then give its fair price. There were three suggestions in this if it is open, then return it, otherwise, there is a provision in it whether you give it compensation or in return, because there was not so much developed land, then give that much land somewhere outside. We have to go with the

government, this has been going on since the British era. You have not placed that case in this law and will reject it. It is still pending, Bernie's committee was formed, and committee after committee were formed, that case is still going on in the court. One of our old friends used to say, why is there a mosque on the platform at New Delhi station? I said that there is no mosque in New Delhi station, New Delhi station has been built in place of the mosque. Similar questions are also being raised at the airport. There is a case related to Waqf property also. That's a different thing. This case is pending with the Urban Development Ministry and stay order were taken on the same day on which court has given directions to return it, these Congressmen left, at that time Mrs. Indira Gandhi was the Prime Minister, but even before the court order was implemented, the stay was taken again. One day's time was given. This is how this country runs, bureaucrats run like this and after that, that case is still pending in the court. After the Attorney General of the government, one after another the big lawyers of the government do not stand up. The case continues like this. Such is the case of property, if someone wants to grab it, this is an example of how it can be grabbed. I am not blaming this government, I am telling this old history. Past performance is an indicator, similarly, right to property is assumed

as a fundamental right of any farmer or any citizen. If you deprive him of that, it is not right. You cannot lay hands on the big capitalists. They are taking away money, they are NPAs, they are taking them abroad, you cannot lay your hands on them and the farmer who is doing farming, who is settled thereby building his own house. After urban land ceiling, there is no big property in urban areas these days. How will you do it by not giving proper compensation to those owners, and not listening to them? But, you know how its hearing takes place. A small person cannot do anything in front of the big power of the state. If there is a big person, they will drag the matter to the Supreme Court.

With regard to compensation, it is my opinion that we can increase the amount of compensation if it is related to security only. But whoever owns the land and cultivates it, of course, that is the purpose of the nation and you are taking it for security, but you are talking about increasing the compensation it would not be appropriate to acquire land on the rates prevailing in 1950. In this, you have made two provisions that 'If notice of acquisition is issued again' but you will not do it again and since you have not rejected the old law you will take the same law forward. The second provision is - 'If land is acquired for the purpose of National

Security and Defence.' I say you will do it for housing in the name of 'public purpose', if you do it for building a mall, you will say that it is being taken by the Government, but right now it is a case of PPP model. The land is taken by the State Government, it is taken under 'Public Purpose', but if this land is handed over to any private entity on the pretext of PPP model then it would be a grave injustice to them.

Thirdly, I myself am a member of the Committee on Land Acquisition. Now, its meetings don't even take place. They keep getting postponed date after date. The law was attempted to be brought through an ordinance three times, and it was stated to be in the interest of the farmers, but after the Bihar elections, that interest seemed to disappear. The chairman of that committee is also sitting here. The committee doesn't even hold meetings. On one hand, investors from across the world are being told that we are bringing this law, while on the other hand, it is being said within the country that if this law is implemented, it will cause great harm to the farmers, hence keep it on hold for now, until the majority comes in the Rajya Sabha, we will not pass it.

**SHRI BHARTRUHARI MAHTAB (CUTTACK):** Who said this?

**SHRI MOHAMMAD SALIM:** I am saying.... (*Interruptions*)

**HON. SPEAKER:** He knows everything.

**SHRI MOHAMMAD SALIM:** A hint is enough for the wise. See, Madam Speaker is understanding, you should become a little sensible.... (*Interruptions*)

You know I speak frankly and clearly. There is not and will never be an inch of land in the entire country in my name. Only two yards of land are needed after death, for that there is a family grave. I'll go there. Therefore, I can say with certainty about the land, whether it is a legal or illegal deal.

Where I left off, I would like to go back to that point..

**HON. SPEAKER:** Please, complete your point.

**SHRI MOHAMMAD SALIM:** I am getting to the point. As far as requisition and acquisition are concerned, the first requisition that took place in this country took place during the Second World War. It was needed for defence in times of war. The properties were there, especially the Urban Properties, since I come from Kolkata, I come from Bengal, at that time the British Empire was afraid of Japan, so they requisitioned it. After that, they had to return it. There is still

property which has been requisitioned. The disciples and stooges of the government that was formed after independence are sitting there. Doesn't the government know how to work? But, it remained pending in the same manner. Requisition and acquisition of Prime properties remained pending in the same manner. If you visit Kolkata, you'll see requisitioned and acquired properties that haven't been returned. After the Second World War, when the country gained independence, we had an influx of refugees due to Partition. I'm bringing this up in a historical context. In urban areas, the resettlement of these refugees was also a priority. Therefore, at that time, those properties were temporarily acquired. There was a need for their rehabilitation, but all the descendants of the officers of your time, the family rule you talk about, it is not your department, all of them have been named after 'Custodian of Enemies Properties'.

I believe that just as you are speaking fairly about land acquisition, emphasizing fairness and transparency in the law, at least in name, 'transparency' word should be incorporated in this requisition and acquisition law. Simply stating that something is transparent is not enough, it must visibly reflect transparency in practice.

Having said this, I apologize to you that I had to speak in a slightly loud voice.

**HON. SPEAKER:** No problem.

**SHRI MOHAMMAD SALIM:** Since we started our discussion amidst a lot of noise. But, you see, whenever you give us a chance to speak, the House will become silent. Keep this in mind in the future.

Thank you.

*[English]*

**DR. KULMANI SAMAL (JAGATSINGHPUR):** Hon. Speaker Madam, thank you very much for giving me some time to take part in the consideration and passing of this Bill. I rise to speak on the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017 that aims to replace the Requisitioning and Acquisition of Immovable Property Act, 1952, with retrospective effect, that is, from 14 March, 1952, which is more than 65 years and four months ago, to be precise.

At the outset, I would categorically put it on record very clearly that this Bill aims to attain many goals with one stroke. I wonder 65



years and four months is too long a period to correct all the mistakes, all the damages done in between.

As per the Statement of Objects and Reasons of the Bill, the power to requisition immovable property for public purposes is provided under Section 3 of the 1952 Act and the power to acquire requisitioned property is under Section 7. The principles and method of determination of compensation for requisitioned property and payment thereof have been laid down in Sections 8 and 9 of the 1952 Act.

By proposing to amend Section 7 now the Government tries to jump over prolonged litigation traversing up to the apex court, when the interested persons are succeeding or have succeeded in getting a notice of acquisition quashed, they would-be bestowed with the unintended benefit of compensation for their property.

I am given to understand that this move has come after decades of litigation on a piece of land in Rajasthan for which the Government, if not wakes up now, might have been forced to pay more than Rs. 8000 crore. In addition, as per the Directorate General of Defence Estates, there are as many as 433 litigations due to land

acquisition where the Government would have to pay a significant quantum of compensations to the owners.

Therefore, the main problem of faulty identification of a land which should not have been acquired in the first instance goes scot free. Similarly, faulty payment of compensation thereafter also goes unpunished. Therefore, by bringing in this legislation the Government is not eradicating the malady from its root but is trying to cover up the past deeds.

The 1952 Act has the provision that once the purpose for which the properties were requisitioned is over, it must be returned back to the owner in as good a condition as when the possession was taken. Under the 1952 Act when acquiring a requisitioned property, the Central Government has to issue a notification with regard to such an acquisition. Before issuing such a notice, the government has to provide the property owner an opportunity to be heard. The property owner at such hearing will have to provide reasons for why the property should not be acquired.

Now, this proposed amendment Bill provides that the Government may reissue the acquisition notice to the property owner to give them adequate opportunity for a hearing. This would be

irrespective of any past court orders or judgments setting aside any past notices for acquisition. I do not know whether all the court judgements that have come in between have been properly addressed or not. I feel we must honour all the hon. Courts' orders in this regard.

The next interesting provision is about the interest payable on compensation. In the cases where a notice is reissued, the property owner or the person interested in the property will be entitled to the same annual rate of interest prevalent at any relevant time on the domestic fixed deposit offered by the State Bank of India as defined under Clause (g) of Section 2 of the State Bank of India Act 1955 on the compensation payable from the date of publication of the first notice till the final payment of the compensation. This will eventually reduce the financial burden for the Government.

As we all know, the Government is a collective group that works for the benefit of the public at large. I have no option but to support the proposed amendment Bill in its endeavour to amend the Act of 1952.

**15.00 hours**

(Hon. Deputy Speaker *in the Chair*)

Last but not least, the proposed amendments will take care of the cost variation of the land when they are sold due to non-completion of the projects by the Government.

I would thank my Party President and my Leaders for permitting me to put forth our views on this amendment Bill.

Thank you very much.

*[Translation]*

**SHRI SHRIRANG APPA BARNE (MAVAL):** Hon. Deputy Speaker Sir, this Bill to amend the Requisitioning and Acquisition of Immovable Property Act, 1952 has been introduced here, I support this Bill.

Hon. Deputy Speaker Sir, as per the provisions of 1952 Act, if the Union Government acquire land for public purpose related to Defence then it has to comply with the condition that land acquired for public purposes should only be used for the purpose of Defence and Union Government. In the last 65 years, a lot of land of farmers has been acquired. But in Didhi, Bosri, Charauli areas in Pune, 1232 acre land was acquired by Defence, of which 750 acre land was given to TATA Telecom company on lease. If the land acquired by the Defence Department is used for the Defence Department, then it is fine, but if the land of the Defence Department is given for other works, then the purpose for which the land of the farmers was taken, is not fulfilled. Even today, 222 private companies have been licensed for defence production across the country. Defence Department companies produce for the Defence Department. Today in many companies the Government of India is not producing fully

and today about 143 such companies are producing. So, I would like to urge upon the Government that it should acquire the land in the interest of national security in the quantity, it actually requires. When farmers' land is acquired and if we look at the price of land in the area where the land is acquired, it is increasing. In this way farmers suffer loss.

I had raised this issue in the House earlier also, in my Maval Constituency, Union Government had acquired 190 acre of land in the year 2003 for missile development. But farmers are yet to be provided full compensation. The land acquisition is done by the local collector and local officials and the land is given to the Union Government. The farmers whose land is acquired, have been making rounds of the court till date, fighting in the court, but they have not got justice. In the year 2013, the Supreme Court gave a judgment that farmers should get compensation according to Ready Reckoner. Today, after 65 years, the government has brought this provision into law, for this I thank the government. It's a good thing. If this provision has been made on this act today, then in future definitely farmers will not have to go to court at least for this right.

Hon. Deputy Speaker, I also demand through you that in the future, if a farmer fights for his right, then there is a provision in the law to go to court. But provision should also be made to ensure the participation of farmers or to provide more compensation to them or provide land anywhere in lieu of the land acquired.

Secondly, the land that is acquired, the land is acquired for the Defence Department, the land is acquired for the interests of the country, but the land that is acquired does not benefit the farmers. Farmers have many members in their families. In the future, if land is taken for such a project then farmers should participate in it.

Today there is a provision in the law that interest will be given on it. The farmers will get interest on the time spent fighting the battle. But the farmers' families are not going to survive on the interest. There should be such a provision in this that in future there should be some participation of farmers in this or they should get more money or farmers are given land somewhere by the government. Farmers should not be landless. I keep this point in it.

In conclusion, I would like to say that still there are various lands with the defence which are not owned by Defence. Even today, those lands are in the name of many farmers, but at that time the

farmers were illiterate, they did not know, this thing came to light when the Defence Department surveyed everyone. Therefore, the farmers who had those lands in their name whose lands were acquired by the government and who did not get the money for those lands should be given compensation at the prevailing rate otherwise government should return the land to the farmers. I conclude my speech by saying this. Thank you.



*[English]*

**DR. RAVINDRA BABU (AMALAPURAM):** Thank you, Sir, for giving me this opportunity. On behalf of the Telugu Desam Party, we fully support this Bill.

Sir, where my colleague from Shiv Sena Party has ended, I will start from there. He was telling that stakeholding of the land acquisition by the State should also be with the farmers, that is, the original owners of the land. We have already done this in Andhra Pradesh. In Amravati, we have resorted to land pooling. We have pooled almost 25-30 thousand acres of land without any resistance, hitch or problem. We have acquired the land smoothly by making farmers the stakeholders. This can be emulated. My appeal to the hon. Minister is this. You can take some cue from Andhra Pradesh's experimentation of land pooling instead of forcibly acquiring through Act, legislation and enforcement. You can also requisition the land through friendly approach like we did it in Andhra Pradesh.

Sir, while introducing the Bill yesterday, the hon. Minister was telling about small farmers getting together and flocking together to form a land coterie. They will smell that this land is going to be acquired in future and therefore, they will go in for litigation. This

price escalation usually takes place after 10-15 years. Then, there will be undue benefit. The unjust enrichment will accrue to the farmers or coterie. Hon. Minister, I have a small doubt. When you said like this, you have presumed that the small farmers will form into a coterie or one land mafia fellow will make them form into a coterie. Imagine the case of a small land holding farmer - not part of the coterie - who has to sacrifice his land. Suppose his land cost was not escalated to the extent it should have been when the land was requisitioned ten years back. However, if the acquisition is taking place after ten years, then the land cost would have escalated, but the benefit is not coming to the farmers. There is a hitch in the Act to not to give any escalated value to the farmer. What have they said in the Bill? It says that the price existing at the time of requisition will be paid to the farmers including the interest payable as fixed by the State Bank of India. This is the wording of the Act. I am very afraid that this will be detrimental to the small farmers. If there is any fraudulent coterie or a vested interest coterie, fine; I agree with the hon. Minister but if there are *bona fide* farmers and small farmers who innocently held their land, then their land is taken away by the Government through this Act. So, some justice has to be done. Let

us not assume everything as fraud. Let us not assume that everything is bad or negative. There can be positives also.

I would like to have one more clarification from the hon. Minister. He has said that this land acquisition is for the safety and security of the country. The safety and security of the country is ensured by the Defence as far as outside enemy is concerned. But what about the enemies within the country? There are enemies within the country also. The biggest enemy in the country is the poverty. The biggest threat to Indian fabric and secular fabric is communalism. The biggest threat to internal safety is poverty, dissents or the so called Left Wing Extremism in the tribal areas where exploitation is taking place. So, internal safety and security should also be ensured within the country. The safety and security of the people should be ensured.

Now, land is acquired for the purpose of building houses. For example, Telangana is building lakhs of houses. In that process, if they want to acquire some land, this also should be considered as internal safety and security because they are ensuring safety and security within the country. The Defence is the only agency to secure the country! I beg to differ because the people also form a

major chunk of safety and security of the country. Therefore, to ensure safety and security of poor people, if the land has to be acquired for the purpose of poverty alleviation, this also should be included in this. For example construction of houses, educational institutions and health institutions for the purpose of public good is also a part and parcel of safety and security of the country.

With these words, I fully appreciate this Bill. I would like the hon. Minister to definitely address the apprehensions which I have raised on the floor of the House. On behalf of Telugu Desam Party, I fully support the Bill.

**SHRI A.P. JITHENDER REDDY (MAHABUBNAGAR):** Sir, I thank you very much for giving me this opportunity to speak on The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017.

Sir, on behalf of Telangana Rashtriya Samiti Party, we support the Bill. I would like to take this opportunity to draw the attention of the Government to certain issues that States face when it comes to land acquisition and a few problems that Telangana has specifically faced over the last few years.

I recently came across reports that the Government has started a process of making a central database of how much land it owns. It is an extremely welcome step and was a very long overdue. However, this tiring exercise will be useful only if these lands are put to good use. We have seen lands owned particularly by the Ministry of Defence and the Ministry of Railways remaining unused for decades together. I would request the Government to consider allowing State Governments to construct infrastructure and special welfare projects on these lands if these lands have remained idle for decades and the Ministry anticipates so in the coming years too.

The schemes of the Telangana Government like Double Bedroom Housing for providing houses to poor people would be a lot more feasible financially if unused Central Government lands were made available to us for construction.

I thank Dr. Ravindra Babu for recommending that the land should be given for Double Bedroom Scheme. He has seen that this scheme is already grounded. Very transparently, our Government has allotted double bedroom houses free of cost. We have not charged a single paisa from any person for giving double bedroom houses. But for poor people, whoever were homeless, on State Government owned land we have constructed houses, each house measuring 500 sq. ft. and provided them free of cost. If such lands are put to such use, then it would be very useful.

Very recently, the Ministry of Defence has agreed to give the Bison Polo Ground in Hyderabad for construction of the new Telangana Secretariat after prolonged negotiations. I would like to highlight the difficulties in availing, not only unused Defence lands but also the lands surrounding a Defence establishment. According to the regulations, permission needs to be taken from the local military authority if the proposed construction is within 10 meters

from the outer wall of any Defence establishment and in certain cases the restriction is up to 100 meters. High rise buildings are not allowed to be constructed within these limits and restrictions on heights are laid down. Earlier, the restriction limit applied up to 500 meters and we appreciated the decision taken by the Government to relax this limit. However, what I want to raise here is the problems that one faces when the proposed construction is just beyond these limits of 10 and 100 meters. The local military authority refuses to abide by the land records of the local administrative and revenue authorities. They themselves do not conduct any land survey and thereby it becomes a hindrance when a proposed construction activity is just outside the limits. These problems are basically more pronounced in the cantonment areas. These types of things are happening in Hyderabad Cantonment area. Earlier, the land was given to them on requisition by those people for reasons of war and all that. Now, there is a habitation of about 35000 people in that vicinity and all of a sudden they come down and put the barricades and declare that the roads are closed. It is not a good practice. The State and the people are ready to support and accommodate the requisition by the military, but they cannot come overnight with their guns totting and tanks and just say that the road is blocked and that

they will not allow entry of people inside. That is not the way it should happen. A number of such problems in the cantonment areas have been brought to the notice of the Ministry of Defence. The problems have not been resolved. We wanted an alternative road. The proposal for the alternative road has already been given. So, these types of harassments should stop. I would like the Government to take a note of this issue and see to it that such practices stop.

The hon. Prime Minister has often talked about cooperative federalism. I would like to mention two things in this regard. Whenever Government makes requisition or acquires a land even for purposes of national security, it should take steps to take the State Governments into confidence. Unilateral decisions of acquiring a land without taking the State Government into confidence undermines the spirit of Centre-State relations as envisaged in our Constitution.

Secondly, I would like to request the Government to consider formulating a policy wherein land dealings between State and the Centre, should be an exchange rather than monetary purchase or lease. We had a very big problem negotiating the Bison land. When a land belonging to the Defence, which is a Government land, is



given to the State Government, in return they ask for a land and in such cases, there should not be any discussion with regard to payment of money for that land. Equivalent land or double of the land that can be taken, but the Government should not consider the old registration rate of that land to the new registration rate that ought to prevail now and say that since today's registration rate of the land is more, the State Government, as per today's registration rate, has to give so much of land. That kind of a negotiation should not be there. Such a policy of land exchange instead of purchase of land would enhance and uphold the spirit of cooperative federalism in its true essence.

The hon. Minister while moving the Bill for consideration started off by saying that any sovereign State must have the power to requisition and acquire property for defence and national security purposes. While we completely agree with this, we also believe that a State should have the power to acquire property when it is meant for social welfare projects. We often see cases where acquisition is made in good faith and with fair compensation but still the acquisition is challenged and the social welfare projects get delayed due to litigation proceedings. I do want to go much into it as we have now come up with two major projects in Telangana. One is known

as Kaleshwaram Project and the other is Palamuru Lift Irrigation Project. A lot of land acquisition has been done in those projects. I would not like to go into it because we have amicably taken some decisions.

Just as the Central Government incurs a loss, the State Government too incurs huge losses due to prolonged litigation and compensation which have to be paid at the increased property rates. Not only does this result into financial loss, but also stalls social welfare and developmental projects.

We request the Government which is well versed with these issues to come up with a policy to address this matter.

Lastly, I would also like to take this opportunity to particularly highlight the huge land survey undertaken by the Telangana Government in September of this year under the leadership of KCR. It is a programme that none of the previous Governments have dared to take up. We deployed more than 10,000 Government employees to undertake a comprehensive land survey over a period of 100 days and clean the ill-maintained land records. The land survey was last done during the 1930s and those records continued to be in use till date. Change of administration and officials over these years has led

to increase in irregularities and confusion. Today, more than 60 per cent of the cases pending in Indian judiciary are pertaining to land titles and land records. Such a survey will put these land disputes to rest. The land surveys were to be carried out across 10,806 villages and the total land to be covered was around 1.8 crore acres. We have already completed 92 per cent of the villages covering 1.5 crore acres of land.

I urge the Government to have a look at the programme. We have initiated and requested other State Governments to adopt similar measures in order to upgrade the land records.

Sir, I invite the hon. Minister for Urban Development to please visit Hyderabad.

**THE MINISTER OF STATE OF THE MINISTRY OF HOUSING AND URBAN AFFAIRS (SHRI HARDEEP SINGH PURI):** I have seen those projects when the Metro Project was inaugurated.

**SHRI A.P. JITHENDER REDDY:** Sir, have you seen the land survey also?

**SHRI HARDEEP SINGH PURI:** I have seen some of the projects.

**SHRI A.P. JITHENDER REDDY:** We have done the land survey. After 1930 till today, no Government has done it. About 10, 806 villages have already been surveyed today; 92 per cent has been surveyed. Now new title is being issued. New electronic passbook is being issued. If any land transaction has to take place, you can do the transaction online itself. You can make the payment online and get the mutation done online so that there will be no problem for any person regarding mediators. Such a step has been taken very boldly and daringly by the Government of Telangana.

I would request all the other State Governments to come and see and put their records straight.

**SHRI VARAPRASAD RAO VELAGAPALLI (TIRUPATI):** Sir, in the proposed Amendment Bill, it has been mentioned that the Government of India can acquire land in specific cases. Instead of using vague words like these, the Government may kindly come up with the specifications and they may mention them in the amendments.

Similarly, we suggest that acquisition could be done only with regard to defence and exclusively for defence purposes only. The other word they have used is the 'national security'. That might be misused. So, what we suggest is, it should be done only for 'defence purposes' and that too only if the Government of India takes it up. Tomorrow, in case the defence production is privatised by any means, the land should not be acquired for the private people. It also has been mentioned that in some cases the land could be acquired for the housing purpose. As the land would be taken away from the poor peasants and traditional communities, I suggest that for housing purpose this kind of brutal acquisition could be avoided when it comes to the poor peasants.

With regard to the issue of compensation, differential rate of compensation could be considered as a special case. Those who are

very poor, like the peasants, traditional communities, like *adivasis*, the rates could be a little more, may be four times. It is because they have to part with whatever little land once for all and they can never afford to get it back. So, I suggest that the compensation could be more generous for the marginalised people.

There is a provision for ‘personal hearing’. But who would be conducting the personal hearing is not indicated specifically. So, I suggest that the personal hearing should be conducted by not less than the District Collector. Then only it could be done in a fair manner.

When the value is fixed, I suggest that the market value rather than the guideline value could be considered so that the people who are parting with their land could be satisfied at least monetarily. In most of the cases, the Rehabilitation and Resettlement is not up to the mark. These poor people are displaced and they are not provided with adequate resettlement packages. So, I suggest that these things could be incorporated in the Act itself while making the amendments to safeguard the interests of the poor people.

More importantly, if the lands are located at the periphery of the land being acquired and if the lands belong to the Scheduled Castes

and the Scheduled Tribes, widows, and ex-servicemen, then the land acquisition could be avoided. There is a provision also for that because this Act should be read with the original Land Acquisition Act. So, if the poor people's lands are located in the hinterland, the land acquisition of these weaker sections should be avoided totally.

The annual rate of interest has been mentioned as that of the SBI fixed deposits. But it would be too small. As of now, it is only seven to eight per cent. The poor people would be badly affected. ... (*Interruptions*) My colleague who is an active Member is saying that it is less than six per cent. It should be minimum of 18 per cent because the poor people have to wait for too long and once they part with their lands, there is no other source of livelihood for them. So, it is extremely important that a minimum of 18 per cent of interest is paid to the land owners.

For lands which are not put into use, they have mentioned a period of five years. I think they should not take that long. So, if it is not put into use within two years, it should be handed over back to the poor people.

Crop season should always be exempted in case it is half way through. For the appeal the time period given is 21 days. That is too

short in case of a Government appeal. Both in case of the Government appeal and court appeal, a minimum of 90 days should be provided. A farmer has to go and talk, etc. He may not be knowing that 21 days is the total period.

It is very surprising as to why this 65-years retrospective effect is given to such an amendment. Where is the need for that? It amounts to brutal use of the Government authority. It is because for the cases that are pending for more than 65 years, the Government is going to fix their own value. It amounts to great injustice. I do not see any natural justice in this case. They can acquire the land, but the value should be fixed as per the present market value. A lot of Government land is available, but unfortunately they are not getting into the lands which are lying unused.

If a survey is done by the Government of India at the national level, those lands which are barren now could be put to use instead of taking away the fertile lands of the poor people.

Recently we visited the site of the Polavaram Project which is a national project. It is very unfortunate to hear the cries of the *Adivasis* whose lands have been taken away. But they have not been paid the compensation till date, nor have they been resettled



properly. It is very unfair. They are very poor people. They cannot afford to go to court and fight against the Government. So, this kind of relief should be inbuilt to protect the interest of the poor people. The Government does not do anything deliberately to affect the interest of the poor people. Therefore, the poorest of the poor, the traditional communities, particularly the *Adivasis* and the Scheduled Castes should be protected.

Sir, whenever *Dharkast* lands are taken away, it is very unfortunate that the Government is not adequately compensating those people as if it is the Government's land. It is not true. If a person uses the land or if a person is assigned that land, I think it should be considered as his own personal *patta* land. So, if the compensation is paid, it should be paid at par with other *patta* lands.

Then, the right to property is extremely important. There is always a clash between the court and the Government. So, I would like to suggest that the right to property should be strengthened with particular reference to the poorest of the poor, particularly the *Adivasis*, the Scheduled Castes, the Ex-Servicemen and the widows. Then only the future generations of these people would be benefited. Thank you.

**SHRI N.K. PREMACHANDRAN (KOLLAM):** Mr. Deputy Speaker, Sir, I thank you very much for giving me this opportunity to take part in the discussion on a very important Bill, that is, the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017.

Sir, the Requisitioning and Acquisition of Immovable Property Act came into force in 1952. As the hon. Minister had stated yesterday in his opening remarks, since 1952, 11 amendments have been done and this is the 12<sup>th</sup> amendment.

First of all, I would like to seek a clarification from the hon. Minister. The Minister said yesterday that this 12<sup>th</sup> amendment is brought specifically for defence and national security purposes. I have a doubt on this point. The original Act of 1952 was to empower the Central Government to requisition any immovable property and for the public purpose of the Union Government and to acquire such property later. So, the sole purpose of the Act of 1952 was not specifically for any defence purposes or for any purpose relating to national security, but it is for any public purpose. The term 'public purpose' has a wider meaning and wider interpretation. So almost all the hon. Members here have stated that this is only for defence

purposes and the purposes which are related to national security. It is entirely different and it has a wider meaning. So, I would like to get a clarification on this point from the hon. Minister.

**SHRI KALYAN BANERJEE:** All the Members have not said that.

**SHRI N.K. PREMACHANDRAN:** Most of the Members have said that.

Sir, kindly see the implication of this Bill. Section 3 deals with requisition, Section 7 deals with acquisition and Sections 8 and 9 deal with the quantum of compensation to be determined. These are the pertinent provisions and we are going to amend Section 7 of the original Act.

What is the history of this amendment? There were many complaints stating that an opportunity for hearing was not afforded to many persons whose properties have been acquired. They have not been provided with an opportunity of hearing. So they went to the court and finally the hon. Supreme Court has given a verdict that since no reasonable opportunity of being heard has not been given, all these acquisition notices are being quashed. That means, no acquisition proceeding is pending now and it has come to a standstill. Now, the Central Government has come up with an

amendment. The first notice is regarding requisition. That is according to Section 3. The second notice is coming under Section 7. It says that your property is going to be acquired, show cause as to why your property cannot be acquired or an opportunity be given for hearing so that you can substantiate your case. Here, Section 7 is going to be amended. A beneficial verdict was given by the hon. Supreme Court. It is a pro-people judgment given by the Supreme Court. When natural justice was denied to the poor property owners, the Supreme Court held that these acquisitions were invalid, illegal and all these acquisitions proceedings have been quashed. Yes, I do agree with the financial responsibility of the Government. Then, what is the next course of action according to this Act? According to this Act, the next action can be to issue a fresh notice. It means, the market value of the property will be counted or will be estimated or will be accounted on the date of the subsequent fresh notice. Now, the Government is coming with a Bill, which is having a retrospective effect since 1952, saying: "Yes, fresh notice will be issued. As it has been directed by the hon. Supreme Court, we will issue the fresh notice. But in ascertaining and calculating the compensation, you are only entitled for not less than six per cent of interest or the interest which is being determined on the fixed deposit

by the State Bank of India, according to the State Bank of India Act”. That means, the beneficial verdict given to the property owners is being limited and the Government wants to get rid of the Supreme Court judgement. Hence, I oppose this Bill.

Other provisions are also there. Kindly see them. Suppose, the acquisition notice has been issued in the year 1990 and subsequently the Supreme Court found that, that acquisition notice has not complied with the principles of natural justice. Since, it has not complied with the principles of natural justice, the acquisition process has been found to be null and void and the notice is being quashed. That means, you have to initiate fresh acquisition proceedings. Instead of going for fresh proceedings, you are going to issue a fresh notice subject to condition saying: “Though a fresh notice is being issued, we are not going to commence the acquisition proceedings afresh and you are only entitled for the interest which is being provided by the State Bank of India on the fixed deposit.” We all know that land is a very important factor. We know that almost all the political developments and the social developments in the country are based on land. It is the prime issue of the socio-economic, political and cultural development of our society. It plays a very vital role in bringing prosperity in the country. We know that

the Left Wing extremism, Maoist movement and the naxalite movement are based on land. You can also see the Nandigram issue and the Singur issue. We know the repercussions and impact of all these acquisition proceedings. That is why, in the year 2013, the then UPA Government has enacted a landmark legislation.

**SHRI KALYAN BANERJEE:** At that time, you fought against us.

**SHRI N.K. PREMACHANDRAN:** No, you do not know the stand of my Party. My party is having a distinct view on the Nandigram issue of West Bengal and you know it very well.

Sir, the 2013 Act is very pertinent. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, is still before the Standing Committee. Still, it is before the Joint Committee of Parliament. Such a landmark legislation is there. When acquisition is being taken or it is being considered, a fair and just compensation should be provided to the people who have suffered. It is also a mandatory responsibility of the society to see that the person who has suffered due to acquisition should be compensated in a proper way. So, that principle has to be adopted in the land acquisition proceedings. Thereby, I would like to say that this 2013 Act has to be brought into force and the

Committee, which has been appointed for scrutiny of this Bill, may be abolished and the Bill may be made final.

Coming to the Bill, the first provision (1A) is absolutely correct. According to the judgement of the Supreme Court, this proviso has been incorporated. Coming to the two provisos – the first proviso is regarding the annual rate of interest which is being prescribed; another one is about the enhanced compensation – I would like to seek clarification from the hon. Minister because the enhanced compensation with or without interest awarded by the court or other authority, before the date of commencement of the Requisitioning and Acquisition of Immovable Property (Amendment) Act, 2017, shall be subject to the re-issuance of a notice under this sub-section and shall be applicable only to the cases of land being acquired for national security and defence purposes. Even if the enhanced compensation is awarded by the land acquisition authority or any other court or whatever it may be, you are only entitled for enhanced compensation if the property is being acquired for national security purposes or for defence purposes. Then only you are entitled for enhanced compensation. Suppose the court has made a verdict that you are entitled for this much quantum of compensation, even if the court or the authority concerned makes an order of enhanced

compensation for a property other than the property relating to national security or defence purposes, then one is not entitled for enhanced compensation. That will be subject to issuance of subsequent notice which means it will be having a retrospective effect to 1952. That is totally unfair. That is why I would like to say a benefit which has been given after the legal fight in the Supreme Court, a beneficial right which has been accrued to the poor people of this country, the Government of India, by means of this amendment, is trying to restrict and limit the right of the poor people who have relinquished their land for public purposes, for defence purposes. Hence I oppose this Bill and also I would like to seek clarifications from the hon. Minister on these aspects. Thank you very much, Sir.



**SHRI M. UDHAYA KUMAR (DINDIGUL):** Hon. Deputy Speaker, Sir, Vanakkam. The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017 seeks to amend the Requisitioning and Acquisition of Immovable Property Act, 1952.

The 1952 Act empowers the Central Government to requisition any immovable property and also to acquire them under certain specified conditions. Now, this Bill provides that the Government may re-issue the acquisition notice to the property owner, or a person interested in the property, to give them adequate opportunity for a hearing.

This would be irrespective of any past court orders or judgements setting aside any past notices for acquisition. However, the re-issue of notice will not apply to cases where compensation has already been awarded and accepted by the claimants. It has been introduced amid instances of persons interested in a property challenging the acquisition move citing that they were not given any opportunity for personal hearing.

According to the Government, there could be situations that result in prolonged litigations and if the apex court quashes the

notice of acquisition, there might be astronomical hike in compensation amount on account of market value appreciation.

Sir, through a recent ruling, the Madras High Court has ordered return of 7.83 acres of land worth several crores of rupees now, at Maraimalai Nagar near Chennai to children of a freedom fighter. The court also ruled that the movable and immovable properties held by freedom fighters and defence personnel should never be acquired by Government for any purpose. That has been elaborately cited in the judgement recently rendered by the hon. Madras High Court.

There are instances of families or family members who have not received adequate compensation even after several years of their lands being taken possession by the Government for their projects. In certain cases, the lands taken from the people by the Government have not been utilized to the full extent and the lands are still kept in Government possession as vacant lands.

There are also instances where the acquired properties had been utilized for other commercial purposes, much against the purpose for which the land had been originally acquired.

There are instances when the courts have directed the Governmental authorities to re-convey the lands to the original

owners or their blood relatives when they found that the acquired land has not been utilized for the purpose for which it was acquired.

Against this backdrop, the Bill seeks to amend a Section of the Requisitioning and Acquisition of Immovable Property Act, 1952 to enable the Central Government to re-issue the notice of acquisition to the owner or such other person interested in the property, for the purpose of giving “opportunity of being heard”.

In cases where a notice has been reissued, the property owner will be entitled to an interest on the compensation payable to them. The interest will be calculated for the period from when the first notice was issued till the date of the final payment of compensation. This interest will be same as the annual rate of interest, prevalent at any relevant time, on the domestic fixed deposit offered by the State Bank of India.

With regards to the applicability of enhanced compensation, the Bill provides that such enhanced compensation will be awarded only if the acquisition notice has been re-issued, and the land is being acquired for the purpose of national security and defence.

The Governments in various States also have their own Acts with regard to the requisitioning and acquisition of immovable

property and there are instances where the Centre has taken over the lands belonging to States, municipal corporations and local bodies/institutions for the purpose of defence and national security. Although there were hardly any legal entanglements between the Centre and the States with regard to the acquisition and requisition of Government lands, I wish that the hon. Minister would clarify whether the State Governments, municipal corporations and local bodies also fall under the ambit of this Bill.

Thank you.

*[Translation]*

**SHRI NARANBHAI KACHHADIYA (AMRELI):** Deputy Speaker Sir, I thank you for giving me this opportunity to speak on the Public Premises (Eviction of Unauthorized Occupants) Amendment Bill, 2017. ... (*Interruptions*)

*[English]*

**HON. DEPUTY SPEAKER:** This is not the Bill. You have to speak on the next Bill. You please sit down.

Now, Dr. Shrikant Eknath Shinde. You take two minutes.

**DR. SHRIKANT EKNATH SHINDE (KALYAN):** Sir, I will take five minutes.

**HON. DEPUTY SPEAKER:** You have to take two minutes only.

**DR. SHRIKANT EKNATH SHINDE (KALYAN):** Sir, thank you for giving me the opportunity to speak on the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017.

*[Translation]*

Today, I thank the government for the amendments made in this bill, Amendment of Section 7, because today there are many such lands. The Navy acquired 1600 acres of land in Newai village in my Parliamentary Constituency but the people have not got the compensation till date. Through this Bill, through this provision, today people have a chance to be heard and I hope that people will definitely get that opportunity through this Bill. In the Newai village in my Parliamentary Constituency, agitations are taking place frequently. During the time of the Second World War, the British Government had acquired 1600 acres of land from the farmers in this village. The land was acquired under acquisition by an order under the Rule 75A (1) of the Defence of India Rules vide the Notifications issued by the Defence Coordination Department during the World War time. The Notification explicitly mentioned that the land will be returned to the farmers within six months after the end of the World War, but unfortunately, even after seven decades, those

farmers have not got back their lands. Those lands have not been returned to them. Last June, a huge mass movement broke out there and due to that many farmers went to jail for two-three months. Today, farmers have to fight their own government for their rights and their lands. This is very unfortunate for all of us. Earlier, this land was under the occupation of the Air Force. Now, this land has been transferred to the Navy without any information to the farmers. At one point of time, even the Airport Authority of India also claimed its ownership on this land. Without informing the farmers, first the Army, then the Navy, how this land from the Army went to the Navy and how this acquisition happened through requisition, this paper is demanded by the farmers. The farmers should be provided the relevant papers but the Government is not giving any information in this regard. We have also held two-four meetings of these farmers with then Minister of Defence Parrikar ji and State Defence Minister Bhamre ji, but till now this matter has not been resolved. I request this government, I request the minister that through this bill, those farmers who are affected will get a chance to express their views. Today there are twenty such villages in Newai, which is a complex of 1600 acres, twenty villages are settled in that 1600 acres. You tell me how you will remove these twenty villages,

it is difficult to remove so many people, people have been farming there for years.

Sir, through you, I request the Union Government to take this matter seriously and as far as compensation is concerned, the Union Government is saying that we have given compensation, but the papers have not yet been provided to the farmers. Those papers should be given to the farmers. The Union Government should also hold a meeting with the affected farmers and they should get the compensation at the present rate of compensation. If they cannot be given the compensation then they should be given back their land. However, a middle path could also be adopted by bringing in the State Government in this matter and directing the State Government to give land to the farmers in lieu of their land as compensation. Nothing could be a better compensation than land to the aggrieved farmers. I once again express my gratitude to the Government that today, after so many years, a provision, an amendment has been brought in this Bill. This will give farmers a chance to express their views. I thank the Government once again. Thank you.



*[English]*

**THE MINISTER OF STATE OF THE MINISTRY OF HOUSING AND URBAN AFFAIRS (SHRI HARDEEP SINGH PURI):** Mr. Deputy-Speaker, Sir, 15 hon. Members have addressed different provisions of the Bill and some very valuable suggestions have been made. Since I am addressing this august gathering almost as a first timer, I had the privilege of introducing this Bill yesterday, I may not, by virtue of my own newness to the House and inexperience, be able to address each one of the points made, but I will try and address the more substantive points which have a bearing on the Bill.

One of the hon. Members said that this is an amendment – and I should add that this Act has already been amended on 11 earlier occasions and this is the 12<sup>th</sup> amendment – which is being brought for a very limited and specific purpose.

Then, I had mentioned, and one of the hon. Members also reminded me, that any sovereign State must have the power to requisition and then acquire land for the purposes of defence and national security. So, I want to repeat that. It must have that power. Otherwise, the sovereign State cannot perform its functions; it

cannot provide security, the defence, which is a Central subject. But, at the same time, the State has a corresponding obligation and that obligation relates to the payment of compensation.

As I had mentioned earlier, when I introduced the Bill though somewhat hurriedly, that the State has no intention of not honouring that obligation. The State wants to pay compensation and it wants to pay fair and just compensation. But let me explain as to why this amendment has become necessary.

Section 3 provides for land to be requisitioned by the Central Government for national security and defence purposes. So, let there be no ambiguity. This is not a power of a State Government, or any other body cannot exercise it. But, it is the Central Government that does it.

Then, there is Section 7, which provides that the land or assets so requisitioned can then be acquired within a period of 17 years. The issue here is, the compensation which you pay is paid at the point of acquisition. That is the limited point.

Why is that point becoming relevant? It is becoming relevant because some parties, when they have their assets acquired, may either keep quiet about it for some time or they choose through

collusion to go to the Court. As the hon. Member, Shri Ramesh Bidhuri suggested earlier, the person whose land is being acquired knows fully well that the land has been acquired by the State agency and it is a completely safe acquisition.

So, at what point do you pay compensation? According to the Act, you should pay compensation when the notice for acquisition is issued. But some people will go to the Court and challenge that notice for acquisition on the condition that they have not been provided a hearing. So, we have to remove that lacuna. But, let us hypothetically say that there is a five year gap between the first notice of acquisition and the second notice of acquisition. Will you pay compensation on the date of first notice of acquisition or on the date of second notice of acquisition when in the interim period because of Government intervention and because of the fact that the Government has brought substantive improvements to the land, the land value has shot up?

then, one Hon. Member said that compensation is not being given, the interest of State Bank of India is very less. No, it is not a compensation or interest situation at all. In the interim period till you get your compensation, you will be paid interest according to the

Fixed Deposit rate of the State Bank of India, which is between 6 and 9 per cent.

Let us say, in other words, taking a hypothetical case, you had your requisition done in 2000. But the notice of acquisition was challenged in a Court. The Court took up the challenge and it is coming up, let us say, 10 years later. There is one of two possibilities when you challenge it. The challenge is there because the party has not been provided an opportunity to be heard. You provide an opportunity to be heard and then the Court dismisses it. What does the Court do? The Court then will settle it saying that this is done. You pay compensation at the market rate prevailing in 2010 or in 2000. There is a substantial difference in the rate in those 10 years. Another hon. Member brought up the issue of another Act which is the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act. That Act stays. You follow its provisions. This amendment is solely for the point of determining the date for the compensation to be computed.

### **16.00 hours**

Will it be done on the date of the second or final notice for acquisition under Section 7? In case where the court dismisses the

take over, the State has one or two responsibilities. If the amount of compensation being demanded is too high, the State should either pay it or the State should say that it foregoes the asset. In either case, there is no question of a poor farmer being deprived.

Let me also try and address some of the other concerns. There was a concern raised about the enemy within. I completely agree that when you are dealing with issues of national security, defence, that is the enemy slightly more visible across the border. Or, when our western neighbour unleashes terror as an instrument of policy, that enemy is not visible. But you have an enemy within - poverty. I have absolutely no doubt that terrorism actually thrives where there is poverty and you have to address that. That is something which the Prime Minister and this Government is trying to do through other schemes, like providing electricity connections free to the villagers, providing housing under Pradhan Mantri Awas Yojana, providing affordable housing for the economically weaker sections and providing housing for the lower income groups. That is an entirely separate category.

Mr. Deputy Speaker, Sir, in the kind of scenario we are dealing now, these are not poor farmers whose land has been suddenly

acquired. The farmers may have at some stage been short-changed. I have no doubt about that. Somebody who has resources and who can use the system of the courts, acquires small parcels of land from farmers and pays them compensation which, I have no doubt, would not have been adequate or appropriate. That person, then, gets into a situation with the State because of an acquisition under the Act of 1952. We are now trying to check that unintended benefit and profiteering which would accrue as a result of misuse of those provisions.

Sir, in other words, I welcome the wide-spread support that this Bill has received. I also believe that the doubts which had been expressed essentially stem from, perhaps, an inadequate appreciation of the provisions of this Bill. An hon. Member asked how it is only for national security and defence. It is clearly given in the proviso that it is only for national security and defence.

Also, a very important clarification, which might address some of the doubts, is that the Government has no intention to open up cases where compensation has already been provided and where the recipient has already received the compensation. So, there is no intention to open up those cases.

As I said, there are many more issues which have been raised. Some of them may not have a direct bearing or relevance on the Bill, but I did tell my colleague here that I will confine myself because you wanted to maybe take up the next Bill.

Also, I have another Bill coming and I think, one of the hon. Members has already foreshadowed that discussion.

With these limited words, I recommend and commend the Bill for adoption. Thank you very much.

**HON. DEPUTY SPEAKER:** The question is:

“That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952, be taken into consideration.”

*The motion was adopted.*

**HON. DEPUTY SPEAKER:** The House will now take up clause by clause consideration of the Bill.

## **CLAUSE 2          Amendment of Section 7**

**HON. DEPUTY SPEAKER:** There are amendment Nos. 1 and 2 to Clause 2 to be moved by Shri N.K. Premachandran. Are you moving your amendments?

**SHRI N.K. PREMACHANDRAN:** Sir, I am not moving the amendments, but I want to seek one clarification.

Hon. Minister is reiterating the fact that it is only for national security and defence purpose. Only second proviso is regarding that. The other section is for all the public purposes. Please correct me.

**SHRI HARDEEP SINGH PURI:** I want to state for record that the 1952 Act deals with acquisition of land for public purposes.

I am not getting involved with it. This Amendment is specifically to deal with the Government of India's acquisition under Section 7 for national security and defence purposes only.

**HON. DEPUTY SPEAKER:** Okay. The question is:

“That clause 2 stand part of the Bill.”

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clause 1, the Enacting Formula and the Long Title were added to the Bill.*

**HON. DEPUTY SPEAKER:** Now, the hon. Minister may move that the Bill be passed.

**SHRI HARDEEP SINGH PURI:** I beg to move:



“That the Bill be passed.”

**HON. DEPUTY SPEAKER:** The question is:

“That the Bill be passed.”

*The motion was adopted.*

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**16.06 hours****STATUTORY RESOLUTION RE: DISAPPROVAL OF  
INDIAN FOREST (AMENDMENT) ORDINANCE, 2017****AND****INDIAN FOREST (AMENDMENT) BILL, 2017**

**HON. DEPUTY SPEAKER:** Now, we are taking Item Nos. 22 and 23 together. Shri Premachandran to move the Statutory Resolution.

**SHRI N.K. PREMACHANDRAN (KOLLAM):** Sir, I beg to move the Statutory Resolution:

“That this House disapproves of the Indian Forest (Amendment) Ordinance, 2017 (Ordinance No.6 of 2017) promulgated by the President on 23 November, 2017.”

**THE MINISTER OF SCIENCE AND TECHNOLOGY,  
MINISTER OF EARTH SCIENCES AND MINISTER OF  
ENVIRONMENT, FOREST AND CLIMATE CHANGE (DR.  
HARSH VARDHAN):** Sir, I beg to move:

“That the Bill further to amend the Indian Forest Act, 1927, be taken into consideration

n.”

*[Translation]*

Sir, about three years ago, when I became the Minister of Science and Technology, I first started studying my science laboratories by going to the North East. In the context of bamboo at that time, the products of bamboo, be it fabric, food products or furniture I have myself seen the outcome of varied researches on bamboo in the CSIR labs. At that time, I understood the importance of bamboo as much as I saw it through the eyes of a scientist. But some time ago, when I got the opportunity to become the Minister of Environment and got the opportunity to understand the laws related to this department in-depth, then it came to mind that the amendment that has been made today in the Indian Forest Act, 1927, has been placed before the Parliament today. The Cabinet also approved an ordinance in this regard. I was astonished after studying this subject in depth that as to why this vital Amendment was not made many years before because the country needed it most and this could have given an impetus to our economy. The country had to wait for about 90 years i.e. from 1927 to 2017 to make this amendment in this Bill.

Our National Forest Policy was formulated in the year 1988 which has several important points, like we should increase our forest cover within the country, increase green cover, increase tree cover and now it is around 24 per cent, we should increase it to 33 to 34 per cent. We all had taken a resolution in this regard. First of all, I would like to say that this Bill is going to play a very important role in making our long-awaited goal in our country a success. I would like to place before you only a few facts in the beginning and then after listening to all the people, I will talk to you in more detail on this subject.

As far as bamboo is concerned, in the context of today's Bill, bamboo has so far been kept under the definition of tree in the Indian Forest Act, 1927 though according to science and taxonomy it is a grass. But for 90 years it remained in the definition of the tree and because of that such control systems of the government in which the poor people, the poor farmers, our tribals or the small industries associated with the business associated with it should have got the kind of boost, they were deprived of that boost because being in the definition of tree, there were so many types of deep laws on its cutting, on its transit that it was practically not possible for anyone to do this work with full encouragement, with full enthusiasm.

Similarly, in our Scheduled Tribes and Traditional Forest Dwellers Act, 2006, it has also been named as Minor Forest Produce as per the definition. We have to say that the classification of any product should be very common in terms of taxonomy, legally as well as socially and therefore, the Government intends to bring in its entire business, forest cover, the positive movements associated with it vide this amendment in the sub-Section 7 under the Section 2 of the Act. This will improve the life of lakhs of people associated with bamboo mission.

*[English]*

Sir, bamboo has been recognised as an important source of natural wealth as early as 4<sup>th</sup> century BC by Kautilya and it has been documented in Artha Sastra. It was popularly known as green gold or poor man's timber. Recently it has been elevated to the status of timber of the 21<sup>st</sup> century. I feel so sorry why this poor man's timber has been given such a raw treatment for almost 90 years. But thanks to the dynamic and the pragmatic leadership of our Prime Minister Narendra Modi under whose guidance and inspiration we all work, we have now at least got to a position where we can think of something great happening on this front in this country.

Sir, just to place some facts before you and this august House I want to tell you that in terms of the area on which bamboo is grown in our country or for that matter anywhere in this world, we have the largest area in the whole world where bamboo is grown. And in terms of our genetic resource, we are second richest to China. China has something like 142 species of bamboo: we have something like 136 species of bamboo.

The total forest area in our country is 76.95 million hectares; only about 13.96 million hectares, that is about 18.14 per cent of it, are basically covered by bamboo. This is as per the 2011 report.

The production of bamboo in our country is 4.6 million tonnes but this is only fifty per cent of our requirement. Out of that, about 1.9 million tonnes are used by the pulp and paper industry which amounts to about 35 per cent. This is a very important industry.

I have the statistics of Madhya Pradesh where they say that one tonne of bamboo is equivalent to an income of Rs. 7,000. If we value this bamboo production outside the forest, it can further be increased after this amendment is passed by Parliament. At the moment it comes to about Rs. 71 billion. That is the potential; and that is what bamboo is, about which we are talking now.

One tonne of bamboo can give 350 mandays of employment to the country. Right now, 20 million workers or poor persons are involved somehow in bamboo-related activity.

I have to specifically mention about the North-East where I studied about bamboo in the science labs that it is a way of life for the people. I have seen some of the best furniture in some of my science labs produced from bamboo from the North-East. Out of 5.60 million hectares of land that we have in the North-East, 31.40 per cent is used for bamboo. This constitutes fifty per cent of the total stock of the whole country. It becomes important specifically for the North-East.

Bamboo is versatile and fast growing. Fifty per cent of it can be cut in three years. It acts as a big catalyst for the economy. If you start the intervention at the policy stage where we are starting today, going through the extraction, cutting stage, utilisation stage and further to the trading stage, it contributes to strengthen your household strategy and food security.

All of us know about handicrafts and various tools and implements like *hasua*, *khurpi*, *hal*, and *kudal*. I was just putting down a list of some of the important things that bamboo is actually

giving to the society. I could draw a long list. I would just like to bring it to the notice of this House. I start from wood substitutes and composites including bamboo-based panels; bamboo flooring; bamboo boards; bamboo furniture; and incense sticks, where right now we see the *agarbattis* and such other things being imported from Vietnam which is unfortunate for us.

Apart from these, we have bamboo blinds, bamboo ply, veneers, strip boards composite with wood and jute. Then, even we have food products like bamboo shoots, vegetables, pickles and savour drinks. We have fodder like bamboo leaves. I am just completing this list. My friends are saying that I should talk about it later on. So, I will just complete this list and then, maybe continue with it after all of you have spoken. I just want to mention about the construction and the structural applications which include traditional houses, huts, bamboo frames with plastic and pre-fabricated houses, poles, paper mat, bamboo-based fibres, fabrics, fibres for yarns which are like anti-microbial and moist-absorbent. Fuel developing area is a new area where we use the bamboo charcoals. Then, we have bamboos for paper and pulp, fencing, scaffolding, handicrafts, utensils, baskets, mats, toys, wall hangers, pencils, decorative items, ropes, containers, agricultural implements, musical instruments, umbrella



handles, fishing rods, screen wall plates, dulla fish baskets, pathi rain shields, poolas, dala trays, pencil holders, lamp shades, table mats, decorative fans, door screens, tools, vegetable baskets, shopping bags and of course, traditional medicine also. This is a small list out of the many things that this bamboo is producing. I will continue with my statement later on. Sir, what I wanted to emphasise is that it was so essential to make everything pertaining to bamboo growth in the non-forest areas easy for the people of this country to involve them, to give them employment and money and to see that they can stand on their own feet. Then, of course, it is essential to ensure that we are able to produce so many products and we can deliver them not only in India but also abroad. I have another list of the bamboo products which are transported or exported to countries as developed as America, Australia, England and so many other countries. There is another list.

Sir, I would request that this long awaited amendment to the Indian Forest Act, 1927 should be taken up in the right spirit by the hon. Members of the House. I am sure that whosoever will get into the depth of this issue, he will have a strong recommendation for

passing it immediately and implementing it for the betterment of the countrymen.

**SHRI N.K. PREMACHANDRAN (KOLLAM):** Thank you very much, Sir. I was very eagerly listening to the advancement of arguments made by the hon. Minister who is a very nice gentleman and one of the close friends of ours.

**16.24 hours**

(Shri Ramen Dekha *in the Chair*)

A deliberate silence was there regarding the issuance of the Ordinance. We have moved the statutory Resolution disapproving the promulgation of the Ordinance. It is a well-established constitutional position that promulgation of Ordinance under Article 123 can be done only under extraordinary circumstances, when the House is not in Session. It is an independent legislation brought out by the Executive and the Ordinance should be issued only under the compelling circumstances.

Further, Article 123 does not speak about replacement of an Ordinance by an Act of Parliament. Sir, the Government is deliberately avoiding the supremacy of Parliament and the legislative process. There are so many judgements. I am not going to quote all those judgements including some recent judgements of the hon. Supreme Court that speaks against the Ordinance route to legislation.

Sir, the recent Supreme Court judgement in Krishna Kumar *versus* State of Bihar case, a seven-member Bench of the Supreme Court has held that re-promulgation of Ordinance is impermissible and termed it as a fraud on the Constitution. Though it is related to re-promulgation or the Ordinance, there are strong and stringent observations against the Ordinance route of legislation. In the same case, the Supreme Court further stated that the Constitution does not permit the President or the Governor as a parallel law-making authority independent of Legislature.

Now-a-days, the Governor and the President are becoming the parallel law-making authority by means of promulgating ordinances day-by-day. That is why, the Supreme Court in the year 2017 has categorically said that the Governor and the President of the country can never be assigned the right to have the legislative process. Legislative process is the full domain of the Legislature. It is within the purview of the legislature whether it is Parliament or the Legislature. I do agree that in certain extraordinary circumstances, in urgent necessity and in compelling circumstances, the Government is forced to promulgate an Ordinance. Such a provision is there under article 123.

Sir, let us now examine whether this Ordinance No.6 of 2017, *i.e.*, the Indian Forest Ordinance of 2017, will come within the purview of article 123 of the Constitution. This Ordinance was promulgated on 23<sup>rd</sup> November, 2017. I would like to specifically know from the hon. Minister what was the urgency and exigency in promulgating this Ordinance on 23<sup>rd</sup> November, 2017. Secondly, what compelling circumstances or extraordinary situations were there so as to promulgate such an Ordinance? There are no compelling circumstances or necessities. So, there is a cloud of suspicion that it is to protect somebody's interest. Otherwise, why could the Government not wait for ten days as the Parliament was being summoned in the month of December, 2017?

Normally, during the third week of November, we used to have the Winter Session of Parliament. Unfortunately, this time the Winter Session of Parliament was delayed not because of Opposition's fault or the Members of this House but because of the Gujarat Elections, the Government wanted to avoid discussion in Parliament on political issues. The Government did not want to have such a debate in Parliament. Therefore, the Government postponed summoning of Winter Session to 15<sup>th</sup> December, 2017. On 14<sup>th</sup> December, Gujarat elections were held and on 15<sup>th</sup> December itself,

they have summoned the Parliament Session. So, it is not the fault of the Members. So, the delay in summoning the Winter Session is also a fault on the part of the Government. So, I do allege that promulgation of this Ordinance is lacking *bona fides*. I seek a specific answer from the hon. Minister.

Once again I would like to seek a specific answer from the hon. Minister as to what is the urgency, what is the exigency and what is the compelling circumstance or what is the extraordinary situation prevailing so as to promulgate an Ordinance by which bamboo is taken out of the definition of tree under Indian Forest Act of 1927. Coming to the Bill, kindly see whether such an exigency was required for promulgating an Ordinance. The entire intention of the amendment to the Act is to omit bamboo from the purview of definition of tree in section 2 clause (7) of the Indian Forest Act of 1927. Now what is clause (7) of section 2? According to this clause, tree includes palms, bamboos, stumps, brush-wood and canes. Now kindly read clause 4 of section 2, sub-clause (i) regarding forest produce. The definition is that the forest produce includes trees, leaves, flowers, fruits and all other parts or produce of the trees.

Even the leaves of the trees, any produce of the trees will come under the purview of the definition of 'forest produce'. My suggestion is that we should read clause 2(vii) and 2(iv) together. If we read these clauses together, then we could find that if 'bamboo' is being omitted from the definition of the 'tree', then the implications of it are too much. The implications and also the ramifications of removing bamboo from the purview of the definition of 'tree' are very high.

Sir, the hon. Minister has rightly pointed out that this Act was enacted during the times of British India and it was aimed at consolidating the law relating to forest. There were three purposes for it. Firstly, consolidating the law relating to forest; secondly, transit of forest produce and thirdly, the duty to be levied on the forest produce. These were the three objectives of enunciating such a law by the Parliament in 1927. When bamboo is taken out of the purview of the definition of tree, as I pointed out just now, the ramifications of it would be beyond our imagination.

Sir, for example, I will cite Section 26 of the Act. Section 26 of the Forest Act says that any person causing any damage to a tree by felling or by cutting or by transiting or by any means, he is

punishable with a fine and he is also punishable with imprisonment for six months, or fine or imprisonment both. Almost all the provisions of the Indian Forest Act deals with forest produce.

**HON. CHAIRPERSON:** Please conclude now.

**SHRI N.K. PREMACHANDRAN:** Sir, this is a Statutory Resolution as well as the Bill. Two hours have been allotted for this Bill.

**HON. CHAIRPERSON:** There is also the right to reply.

**SHRI N.K. PREMACHANDRAN:** I would not make such long reply then. I will conclude.

Sir, if you examine all the provisions of the Indian Forest Act, then you will find that there are trees and also forest produce. If you remove bamboo from the category of 'tree', then that will be affecting the forest produce. Kindly look at the contradiction. I think, the hon. Minister has been misled in this regard.

Sir, you may kindly refer to the Statement of Objects and Reasons of this Bill. I fully agree with the Statement of Objects and reasons of the Bill. Para 2 of the Statement of Objects and Reasons says that farmers are having hardship in getting the permits for felling and transit of bamboos within the State and also for outside



the State which has been identified as one of the major impediments for the cultivation of bamboos by the farmers. This is the ground on which the Bill has been brought forward. The farmers are finding it very difficult to plant bamboos and cut and transport the bamboos.

The third para of the Statement of Object and Reasons states that in order to exempt bamboos grown on non-forest area from the requirement of permit for felling or transit under the said Act, it would encourage bamboo plantation by farmers resulting in the enhancement of their incomes from the agricultural fields. I fully agree with the Statement of Object and Reasons.

The hon. Minister in the Statement of Objects and Reasons have specifically stated that this is a matter which is affecting bamboos cultivated in non-forest areas. I fully agree with him. But the provisions of the Bill are confined to the Indian Forest Act of 1927.

**HON. CHAIRPERSON:** Please conclude now. There are a number of speakers to speak on this Bill and you have taken 10 minutes.

**SHRI N.K. PREMACHANDRAN:** Moving a Statutory Resolution is a right of a Member just like the hon. Minister moving the Bill. The Member who is moving the Statutory Resolution is also having such a privilege.

**HON. CHAIRPERSON:** The time allotted for this Bill is two hours. Please conclude now.

**SHRI N.K.PREMACHANDRAN :** Sir, I will abide by your ruling. I will conclude.

Sir, I have just come to the crux of the Bill. You are talking about non-forest areas in the Objects and Reasons but what is the amendment proposed? The amendment proposed is that the Forest Act is being amended. The ramifications of it are too high.

There are a lot of bamboo forests in our country and in my State also, there are a lot of bamboo forests. If this Bill is passed, no permit is required to cut, remove the bamboos and transit the bamboos which are cultivated in the forests. You may clarify this point afterwards.

Forest permission is required for it. Restriction of cultivation of bamboo in non-forest area has to be removed. That is my point and I have moved an amendment also in this regard. My amendment is that if bamboo is cultivated in the land other than the forests, it is all right but by this Bill, you are taking away bamboo from the definition of the tree and the definition of forest produce. In that case, we are going to convert a forest activity into a non-forest

activity. This is my point and exemption is sought for the bamboo grown in the forest area because you are amending the definition of tree in the Forest Act. If this amendment is passed, no permit is required for felling and transiting bamboo as far as the forest produce is concerned.

Bamboo ceases to be a forest produce and regulations and rules regarding the conservation of forests in respect of bamboo are lost. That is the point which I am trying to highlight.

Coming to the significance of bamboo, you are an environmental expert and you are a scientist also and you may know that bamboo plays a vital role in the protection of bio diversity in forests. It is a major component in water conservation and prevents soil erosion. Bamboo is one of the ingredient plants in maintaining the forest eco system. The forest eco system is absolutely maintained by the bamboo structure. Further, it is a major feed for elephants, panda, deer and other animals. So, in the significant ruling of Goda Varma Raja case, the Supreme Court has held that once a forest is declared, it is a forest for ever. So, bamboo forest is there. Suppose bamboo is not a forest and not a tree and does not come under the Forest Act, definitely, the implication is too much. By this amendment, you are

converting a forest into a non-forest activity. There are a lot of bamboo forests. As you have rightly said, adivasis or tribal people are not facing difficulty. The right to Forest Act which was passed by the then Government is there. They can very well use bamboo for handicrafts. They can very well use the forest products. It is a fundamental right which is given to the adivasis and the tribal population in the forests for which the Forest Act is also there.

In the name of protecting the interest of the bamboo farmers, it is being stated, subject to clarification, that it is brought for the industry. The Statement of Objects and Reasons and the contents of the Bill are totally contradictory.

Hence, I oppose the Bill and I urge upon the Government to consider my amendment so that the interests of the farmers can be protected.

With these words, I conclude my speech.

**HON. CHAIRPERSON:** Motions moved:

“That this House disapproves of the Indian Forest (Amendment) Ordinance, 2017 (Ordinance No.6 of 2017) promulgated by the President on 23 November, 2017.”

“That the Bill further to amend the Indian Forest Act, 1927, be taken into consideration.”

**SHRIMATI BIJOYA CHAKRAVARTY (GUWAHATI):** Sir, I rise to support the Bill. In fact, the amendment is highly necessary to throw away the lack luster haggard and rules and regulations which do not give any benefit to the poor farmers who grow bamboos.

I want to remind one point to the hon. Member who suggested various amendments. Is the hon. Member aware of the fact that bamboo is grown by the poor people and the tribal people and how much they are benefited? The Government has not permitted to cut forest trees in the forest area. The Government wants to give permission to cut bamboo and use it for the benefit of people in the non-forest land.

Another point is, wood products worth nearly Rs. 10,000 crore have to be imported from foreign countries. If bamboo is grown in such a way that can be easily done, then we can get it at half of the import price.

One more important point is, bamboo is being smuggled to Myanmar and Bangladesh. Thousands of crores of rupees worth of bamboos are exported. They cannot be stopped with all the old laws that continue for the last 70 years since Independence. So, a new set of rules is necessary and hence, this amendment is brought forward.

I do not expect that the hon. Member is anti-poor. If he supports the poor people and poverty stricken people, then he must support the Bill which may bring wonders to these people. The present amendment will serve as a huge piece of luck and a sort of bonanza for the farmers. It will not only improve the economy but also enhance the ecological benefit. After this amendment, the handicaps faced by the farmers while planting bamboo in non-forest land will be free of various shackles to sell different products in different States and different parts of the country. It promotes exports too which will be highly beneficial for the economy also.

This move will surely enhance farmers' income as they are free to grow more and sell more of these products. Farmers will be highly inspired to grow more which they are not able to do at present. This will protect the environment too. As bamboo is economically viable, it serves as a cheap raw material. So, easily the cottage industries, etc. can be developed in the rural areas profusely. This mighty source of forest will be a real treasure especially for the poor people in particular and for the country in general.

Nobody has a vision as to how bamboo can improve ecological balance and side by side improve the plight of the poor and the needy. The constant thinking along with apt vision by our Prime Minister, hon. Modi ji, has made it possible. This neglected resource can be a luck changer to the right kind of people of the country.

Bamboo belongs to the grass family. It is a fast growing plant. It has more than 1,400 species. It is highly versatile and quick renewable resource. In the midst of present change in climate, we feel the urgent need to provide innovative responses to this far neglected and far resourceful product. We consider it as a product of rural area and a product of village people. So, nobody cared about it.

Now, the present Government under the leadership of Shri Narendra Modi ji, and our hon. Minister is thinking very seriously to change the luck of the people.

Prime Minister Modi's challenge is uplifting the downtrodden people who live in far off villages, tribal populated areas and they will be benefited by this amendment. Even after long years of Independence, no Government has thought about it positively to do something in this area. Not only this, bamboo has a cultural and emotional status in various societies and now it will be a great treasure too.

We know that bamboo grows in rain-fed areas. It easily grows in North-Eastern region, Bengal, Odisha, Karnataka, Bihar and in other parts of the country sporadically. We use it in various ways. The hon. Minister has mentioned it. So, I do not like to repeat it.

In the western parts of the country, the bamboo is used as Huggies or nappies for the babies and it is used as napkins by the girls also. It is a highly useful material and they export to various parts of the world. So, our Ministry can think of it in that way also.

It must be admitted that by amending the Forest Act, the Government has almost alleviated the sufferings of the people



because farmers are crippled by the red-tapism and by the middle men too. These are the largest hurdles which come in the way of the poor people. By this amendment, Prime Minister's dream project of skill development will get a great boost. It will serve as a spanner for the cottage industries in a large way as this raw material is very cheap in comparison to other ones.

It will help in community development too as huge revenues will be generated. These funds will be available to be used for various development projects which are meant for the needy people. By this move of the Government, farmers will get incentive to grow more bamboo. I must mention one point that the Government should be cautious that big businessmen and big business houses do not exploit these poor farmers taking advantage of the free trade. So, proper market facilities should be made available to the poor people to encourage them to grow bamboo. Therefore, I would request the hon. Minister that it is very necessary to give support price initially to farmers who want to grow more bamboo in non-forest areas.

Then, serious research work on bamboo should be undertaken. In Meghalaya, some research on bamboo is being done, but it is not done seriously. So, efforts should be made to promote research and

also export of bamboo should be promoted with modern technology which can be brought from outside so that our bamboo products can be exported to different parts of the world.

Finally, I would like to congratulate the hon. Minister for taking steps to rejuvenate this sector which has long been neglected. With these words, I support this Bill.

**SHRI G. HARI (ARAKKONAM):** Mr. Chairman, Sir, the Indian Forest (Amendment) Bill, 2017 replaces the Indian Forest (Amendment) Ordinance, 2017 and amends the Indian Forest Act, 1927. The Act consolidates laws relating to forests, transit of forest produce and the Duty to be levied on them. Under the Act, the definition of tree includes palms, bamboos, stumps, brushwood and canes. The Bill amends this definition of tree to remove the word ‘bamboos’. Since bamboo is defined as a tree under the Act, its inter-State movement requires permit when in transit to other States. Consequent to the amendment, felling or transportation of bamboos grown in non-forest areas will not require any permits.

Bamboo is the most important non-wood forest product and bamboo, in India, is known as the poor man’s timber. It is a valuable raw material for the booming bamboo industry. During the last 15 to 20 years, bamboo has developed as a substitute for wood. Bamboo may replace wood in many industrial applications and thereby contribute to the saving and restoration of the world’s forests.

Bamboo is a major construction material in many countries, particularly in rural areas. It can be used for almost all parts of houses, including posts, roofs, walls, floors, beams, trusses and

fences. People also use bamboo to produce mats, baskets, tools, handles, hats, traditional toys, musical instruments and furniture.

Bamboo has great potential for economic and environmental development and also for international trade. Engineered bamboo may well replace wood, steel and concrete in many uses. Activated bamboo charcoal can be used for cleaning the environment, absorbing excess moisture and for producing medicines. Houses made of engineered bamboo have certain advantages. They can be packed flat and transported long distances at a reasonable cost. They are better designed and environment friendly. Bamboo materials are widely available and can be cultivated at low cost.

The Forest Ministry had, for long, classified bamboo as a tree despite its scientific description as a grass. The classification ensured that under the Indian Forest Act, 1927, bamboo remained under the firm control of forest departments and the tribals got very little benefit.

Bamboo is an intrinsic part of Northeast culture where they eat, sleep and use bamboo daily. Northeast has 45 per cent of global bamboo reserves. But historically, bamboo has never got the recognition it deserves. We are still following the very old Indian

Forest Act, 1927. The Act also places various transport and permit related restrictions on plantation grown bamboo. Thus, the trade in bamboo is severely restricted. But the same does not apply to other forest and plantation products like rubber, coir or tea. Unless bamboo is given the same status, the bamboo industry cannot grow as we desire.

The Northeast Region can supply 90 per cent of the bamboo needed for many sectors. Thousands of rural families can be employed if we reform our policies.

In India, there are five different ministries looking after bamboo. There should be a single commodity board for bamboo, just as we have a Tea Board and a Coir Board. Bamboo is a strong and an earthquake-resistant material. A country like Costa Rica has a national bamboo housing policy. But in our country bamboo is not considered in housing rules and building codes. Why cannot we use Government projects like Indira Awaas Yojana to provide bamboo houses to the rural poor?

Bamboo is a versatile non-wood forest product and also known as poor man's timber. It is a material which accompanies one from cradle to grave. Bamboo is the base for a broad range of rural and

semi urban cottage industries that provide livelihood for the rural poor. The Bamboo market across the world is of USD 10 billion out of which USD 5 billion go to China even though India is the second largest producer of bamboo in the world after China. It is estimated that the world market of bamboo will increase to USD 20 billion but India's bamboo market is limited to Rs. 26,000 crores only.

Another great importance of Bamboo plant is its nutritional and medicinal value, especially, in the cases of hypertension, cholesterol and diabetes. In order to meet the growing requirement of timber, bamboo has become fast growing resource. Bamboo is an ideal, innovative and environment friendly natural resource which is also being used for clothing, shelter and for oral consumption. Bamboo is useful for sustainable development of rural and tribal economy.

Successful marketing of bamboo products is the need of the hour. We have to explore new markets within and outside the country. People who are living in villages know the importance of bamboo. If we continue to consider bamboo as part of forest, then nothing will improve. We have to consider it as part of agriculture. Bamboo can lead to economic development of our nation. From fuel to fodder, from meal to medicine, from arrow to airport, bamboo and

its products are used. Bamboo habitat is spread from Kanyakumari to Kashmir and from Gujarat to Assam.

There is an urgent need for setting up of the National Bamboo Board to promote it as a brand and market bamboo outside. The cultivation of bamboo on private land has to be encouraged.

I hope, this Bill will ensure a better scope for bamboo market in the country and provide the much needed economic growth for the people in the remote villages and tribal lands.

Thank you.

**SHRIMATI APARUPA PODDAR (ARAMBAG):** Thank you, Sir. I rise to speak on the Indian Forest (Amendment) Bill, 2017. The Bill has replaced the Indian Forest (Amendment) Ordinance promulgated by the President of India on November, 23, 2017.

The Indian Forest Act, 1927, which is the parent Act for the above Bill, seeks to consolidate laws relating to forest and transit of forest produce. As has been discussed, the present Bill seeks to amend the definition of “Trees” by omitting the word ‘bamboo’ from its definition under Section 2, sub-clause 7. The persons producing bamboo would no longer need State permits during transit and selling of bamboo in other States.

Sir, there exist conflicts on the status of bamboo under different laws. Our colonial era law, the Indian Forest Act, 1927, classified bamboo as tree and fallen bamboo as timber. This was contrary to the scientific classification of bamboo as “Grass” which our hon. Minister has already mentioned. Had it been considered ‘grass’, bamboo would be exempted from many restrictions in cutting and transportation. Although we have a Forest Rights Act, 2006 which classifies bamboo as non-timber, the States have largely applied restrictions on bamboo transit in line with the 1927 Act.



This brings me to another issue. Some States in the country have their own set of laws governing forests. I would like to mention here that this Amendment does not affect the State laws and rules. Thus, in all practicalities, we may end up seeing no change on how bamboo is transported and sold. I wish to ask the Government whether the States have been given the freedom to decide whether permits for bamboo movement are required. Or, are the States expected to follow the amendment being moved, if passed by the House? There is a need for simultaneous change in the laws of all the States to avoid any future uncertainties. This would reduce the burden on farmers for whom the main source of livelihood is bamboo production. India has the largest area under Bamboo cultivation and it is the second richest country in terms of bamboo genetic resources after China. This Bill will generate demand for raw material leading to plantation of bamboo tree on non-forest land, providing employment and encouraging growth of small and medium industry in villages and small towns also.

According to my understanding of the text of the Bill, the amendment pertains only to the definition of 'trees'. However, according to the Statement of Objects and Reasons, the amendment is in order to exempt bamboos grown on non-forest lands. I would

like to ask the Minister as to why the Amendment is not drafted to that extent to shed light on the aspect of de-regulation of bamboo for 'non-forest lands'. Is this a patent drafting error from the side of the Government or an attempt to make unseen changes in law? I would request the Government to make change to clarify its position. Also, most bamboo production occurs within forest lands. How are we supporting the cause of helping our farmers if they would not get the benefit of it? The Government should ponder over a solution of the same. The solution should be in line with the environmental considerations and farmers' welfare.

Bamboo has over 1500 documented uses varying from light bulbs to aircraft manufacturing. India has about 30 per cent of bamboo resources. However, our market share in the global market remains roughly about four per cent. The bamboo sector employs 10 million people, which has the capacity to employ 50 to 129 million people. The need is to harness the domestic and global potential of bamboo use to increase income of our farmers.

Lastly, Sir, I would like to reiterate the disapproval of the process of enacting the Bill. Through you, I urge upon the Government to control its desire of issuing ordinances time and

again. This has the effect of bypassing the Parliament's lawmaking powers. The ordinances are becoming an alternate tool of legislation under the present Government.

With these words, I conclude. Thank you, Sir.

**17.00 hours**

**SHRI THATHAGATA SATPATHY (DHENKANAL):** Sir, I wish to get my opposition to this Ordinance being turned into a Bill right at the outset. My prime question as Mr. Premachandran has very eloquently put it is: ‘who actually in this country has benefited in this period between 23<sup>rd</sup> November when the Ordinance was passed by the President and today 20<sup>th</sup> December, 2017? In the Ordinance, it clearly states “whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action”. What are these circumstances? What are the conditions under which the Government has advised or compelled the hon. President to take such an action eventually which has been brought into Parliament a month later? Could it not have waited? My personal feeling is this. Please take no offence hon. Minister Sir. You have been misguided by your officials or due to some other extraneous pressures which is not in the interests of, what we are hearing, for the poor and the needy farmers. It is not in their interests. If you remove bamboo from the Indian Forest Act, how do you suppose that it will be saved and you will be able to grow more bamboo? Are you trying to tell us that by creating an atmosphere where there will be privatisation of

bamboo been grown? The country will see a greater growth in bamboo clumps or bamboo forests? Will there be more economic activity because privatisation will take place? Is privatisation the only method that we are being told is the panacea to all the evils which faces the forests and the jungles of India? The Indian Forest Act, 1927 actually no longer holds a pre-eminent position in the Indian Forest Law. Most States, including my State of Odisha, Maharashtra, Karnataka, Madhya Pradesh, all of them, have enacted their own Forests Acts and rules. I have, of course, not been that fortunate enough to read the Gujarat Forest Act, but never mind. Gujarat probably is no more your model State that you would like me to refer to it because the *Gujaratis* have been very smart and they have told the whole nation how the country should behave in the future. Amending the IFA does not really, in my opinion, affect the forest laws which the States have enacted and, therefore, this does not change anything at the ground level. It may be true that the British rulers had included bamboo which is scientifically or botanically, I am not sure, whatever is the right word, is of the grass family. There is no doubt about it. There is no second opinion about it. But why did they do it? It is not that they were eager just to control forest for their financial benefits. They also probably saw, I

have a sneaking suspicion, I have nothing to prove my statement but I have a sneaking suspicion that they probably did it because they foresaw how bamboo was relevant for Indians and especially for the tribals and the marginal farmers and they probably took more care of our people than we are doing at present.

In this amendment, the Central Government has put in a caveat that this deregulation does not apply to bamboo grown on forest lands. It is only applying to bamboo grown on non-forest lands. What troubles me is, suppose a truck loaded with bamboo crosses a forest check gate, how does the guard come to know that this bamboo that is being loaded in the truck and is being transported elsewhere, whether it is to Bangladesh or to other parts of India or to Mizoram or to Nagaland or to Odisha or from Odisha to Andhra Pradesh or wherever it is, which land this particular truckload of bamboo comes from? What is your definition? How do you differentiate it? Or, how do you make that forest check guard differentiate it? It is because what I find is that the Government does not take a holistic view or does not take a larger picture/view of the problems facing this country. You are acting exactly like the bureaucrats do.

I remember when I was an MLA in the early 90s' when the late Biju Patnaik Ji was the Chief Minister of Odisha, we had a Million Well Programme. In the Million Well Programme, they were giving off just doles, giving out Rs.35,000 to small and marginal farmers who had landholdings of maximum one-and-a-half acres, and the caveat there was, your well should be 35 feet deep. So, when they started digging wells in Dhenkanal, Angul and in other parts of Odisha, I realised one thing that it is some *babu*, not bamboo—do not give bamboo to everybody— some *babu* sitting in the Central Secretariat in Delhi who has decided that this is the depth where you will strike water, and that water they strike probably, maybe, in Punjab or maybe, in other Indo-Gangetic plain areas but in places away from riverbeds, you do not get anything at 35 feet. I am sure even here in Delhi also—you are a Delhi resident; you are a leader of Delhi and you would know better Sir—if you dig 35 feet, you would not get water. You will only get the drain water and nothing else beyond that.

So, this also is indicative that you probably have been misguided or extraneous elements have come into play by which this Ordinance has been promulgated in such a manner, and now we are being forced to pass it as an Act. As you might know, Sir, in regard to

bamboo and products coming from bamboo, like bamboo shoots, you have two ways. You have the expensive Chinese restaurants. You can go there and eat Chinese bamboos or bamboo shoots cooked in a Chinese manner. But in my State, there are Adivasis who eat bamboo shoots as a regular dietary supplement. There are also indications which a bamboo clump gives. I am not aware how many people are aware of this. There is a very long dry spell when rains will be disturbed and crops might be affected. You will find bamboo gives out a kind of paddy, *chawal*. The bamboo flower gives off the greens. I know it because I have eaten it myself and it is really tasty. The people eat it and it is very nutritious.

**17.08 hours**

(Hon. Deputy Speaker *in the Chair*)

So, when you are allowing this differentiation, what you are doing is, you are actually striking at the stomach of the poor and the smallest of the farmers. It is wrong to say or you cannot say like you cannot take the name of Jesus, Holy Christ and get away with anything. Similarly, you cannot always say that it is for the poor and for the needy farmer. The farmer does not really require our compassion. They do not require our *daya*. They want us to keep away and leave them alone. They know how to fend for themselves.



The farmer was here long before we, the so-called elite, came up on this land, pillaged and damaged it. So, let us respect the farmers; let us respect the poor; let us not talk to them like they are below us; and let us take care of them. Sir, I think it would be in the right spirit of things if you will take back this Bill, get into the details, work out the details as to how it can be implemented properly and then re-introduce it again. Do not make this Ordinance be forced to the gullets of Parliament.

Also, please let us know what are the Acts or who are the beneficiaries between 23<sup>rd</sup> November and 20<sup>th</sup> December, 2017. Why was this done in such a hurried manner? Thank you, Sir.

**SHRI MUTHAMSETTI SRINIVASA RAO (AVANTHI) (ANAKAPALLI):** Mr. Deputy-Speaker, Sir, I rise to support the Indian Forest (Amendment) Bill, 2017. It is a simple Bill. It would put an end to the need for getting permission to transport bamboo.

Under the Act, the definition of ‘tree’ includes palms, bamboos, stumps, brush-wood and canes. The Government has brought this Bill to amend this definition to remove the word ‘bamboos’. It is proposed to waive off the requirement of permission for felling or transportation of bamboo grown in non-forest areas for economic use. I am sure this amendment will encourage farmers and other individuals to take up bamboo cultivation under agro-forestry mission. This step will go a long way in enhancing the agricultural income of farmers and tribals, especially in Northeast and Central India and, to some extent, in the tribal areas of Andhra Pradesh.

India has the largest area under bamboo cultivation and is the second richest in terms of bamboo genetic resources after China. This amendment to the Bill is actually in line with the objective of doubling the income of farmers, besides conservation and sustainable development.

Before this amendment, the felling and transit of bamboo grown on forest as well as non-forest land attracted provisions of the Indian Forest Act, 1927. At that time, the Government convinced that the amendment and the resultant change in classification of bamboo grown in non-forest areas will usher in much needed and far-reaching reforms in the bamboo sector.

Sir, some of the other benefits of amendment include enhanced supply of raw material to the traditional craftsmen of rural India, bamboo based paper and pulp industries, cottage industries, furniture making units, fabric making units and incense stick making units.

Apart from promoting major bamboo applications such as wood substitutes and composites like panels, flooring, furniture and bamboo blind, it will also help industries dealing with food products like bamboo shoots, construction and housing, etc.

Sir, the amendment Bill will also greatly help in the success of recently constituted National Bamboo Mission. We are currently importing timber and allied products such as pulp, paper and furniture, etc. So, this will save valuable foreign exchange.

Before I conclude my speech, I want to give a small piece of advice to the hon. Minister. All of us also have to think about the

pollution. Everyday we read about it in the newspapers, especially in Delhi and other metros. It is the responsibility of all of us, the representatives and the Government. We have to make the tree plantation activity mandatory in urban areas.

In Andhra Pradesh, under the guidance of our hon. Chief Minister we spend every second Saturday in tree plantation activities. So, it is very much necessary for all of us to control pollution and help in maintaining the ecological balance throughout the country. That is why, I request the hon. Minister to focus on tree plantation as well. Though it is not related to this Bill, I wanted to give this piece of advice to the hon. Minister.

With these words, I reiterate my support to the Bill. I thank the hon. Deputy-Speaker, Sir, for giving me this opportunity.

**SHRI JITENDRA CHAUDHURY (TRIPURA EAST):** Hon. Deputy Speaker, Sir, the Bill brought by the Government for amending the Indian Forest Act in order to treat bamboo as grass instead of tree, as is mentioned in the original Act, is a welcome one. Of course, this is a right step being taken by the Government and I do appreciate that.

Sir, simply changing the treatment of bamboo as grass instead of tree, I think, will not suffice. There are so many things which are being manufactured with bamboo in our country. Hon. Minister also in his preliminary speech made the statement that India is the second richest in bamboo resources in the world, next only to China. In India, there are 125 indigenous and 11 exotic species belonging to 23 genera. Out of the huge resources we have in India, about 60 per cent grow naturally in the North-Eastern region.

When some of my learned colleagues participated in the debate, they talked about the legality or illegality of bringing this legislation here. I am not going into that; I am going into the other aspect of bamboo. In the eastern part of our neighbouring country, China, bamboo has become the main source of their economy. Bamboo is the source for industry as a raw material and an economy worth

billions of dollars is being generated there out of bamboo. Also, billions of people, right from bamboo growing stage to its industrial use stage, are being engaged. In India, why is bamboo not treated with that objective to see how it can be economically utilized for the benefit of our people? I would like to cite an example from my State of Tripura.

Sir, as you know, in the early eighties, the entire hill areas, where the tribals were inhabiting, got infected with insurgency. Then, the Government introduced rubber plantation in the hill areas because rubber is an exotic plant in our part of the country. In Tripura, rubber is a major source of economy in the hill areas, and mostly the tribals and very small and marginalized farmers are growing it. In combating insurgency, this economic activity through rubber has helped a lot. It has become a game changer. On similar lines, I would like to emphasise today that in the North-Eastern region and rest of the country where bamboo is being grown, like Andhra Pradesh and other States, bamboo should be taken up for uplifting the economies of those regions by setting up industries based on bamboo. There should be done an R&D exercise in this regard. A separate wing can be established in the Ministry of

Commerce and Industry. In India also, we can have a huge industry and consequently employment generation out of that.

In addition, since bamboo grows naturally – it is another debate whether it is tree or grass – it does not require much of expenditure on fertilizers, insecticides, pesticides etc. The only thing is that it has to be processed in a time bound manner and you have to put in place the technology so that it can be used. It is very unfortunate that the subject of bamboo in our country is dealt with by several Departments and several Ministries. Of course, it comes under the Forest Ministry to see to it whether it is tree, grass or species. The Forest Department takes care of its production only and no other thing, like how economic activities and employment generation could happen with the help of bamboo. The Forest Department does not have any thinking on that.

During the UPA's time, the NMB has been created under the Science and Technology Department, and sometimes this subject has also been dealt by the Agriculture Department. Here, what we have seen is that crores of money has been spent. Some of our experts, scientists and even some bureaucrats have travelled across the globe and delivered lectures, but nothing has happened on the ground as to

how best these resources could be utilised for the economy and for employment generation. This was not done.

Secondly, I would like to request that since bamboo is growing in the hilly areas and almost 60 per cent of the bamboo resource is in the North-Eastern Region, now after the enactment of the Forest Right Act for the right of the tribals and traditional forest dwellers, automatically bamboo has been treated as a minor forest produce in the Forest Right Act. While it is declared as a minor forest produce, the tribal communities that live in the hilly / forest areas where the bamboo grows naturally are exempted from some taxes, etc. that are imposed. I think that it should be maintained, namely, in the hilly / tribal areas where the *adivasi* people are living and where the bamboo is growing, and they can have their income generated out of it.

In this Parliament itself the CAMPA Bill has been amended. Earlier, huge amount was stuck up and it was thought as to how to release the fund, and there the amendment has been made and main role has been framed, etc. But what do we find here? It is seen that the money that is made available under CAMPA should be spent for



re-plantation and also for these forest areas where the indigenous people and the *adivasi* people live.

What are we witnessing today? We are witnessing that the CAMPA money instead of being used for afforestation activity is being used for other activities in the Forest Department, which is not benefiting the forest dwelling people / the *adivasi* people and other people.

I can cite another example. Of course, this amendment is aimed for the benefit of the people and also to see how the bamboo resources can be further expanded and production further increased. In our country, the most important ingredient of the incessant stick comes from the North East and mostly from my State Tripura. Some 6-7 years ago, more than 60 per cent of the incessant sticks used to go from Tripura and Assam to the mainland of Karnataka, Andhra Pradesh and Sivakasi where the incessant sticks / agarbatti, etc. were produced, but now day by day the supply of incessant sticks from the North East is getting reduced. We have examined as to why it is happening and what is the reason behind it. Are Andhra Pradesh, Karnataka or Odisha and other bamboo growing States supplying the incessant sticks? Of course, bamboo is there, but in Andhra Pradesh

and Odisha incessant stick making has not started in that way and still its source is the North-Eastern Region.

What are the other sources that reduced supply from the North Eastern Region? Now, it is coming from Vietnam and some other Asian countries. Why is the industry importing incense sticks from Asian countries, from Vietnam in particular? That is because the import duty on incense sticks was, like on many other ingredients, 30 per cent earlier and it has been reduced to almost zero. While the incense sticks from Vietnam come to India on ships, incense sticks from the North-East travel to the mainland by road in trucks. As a result, their transport cost is higher. As a consequence, the very poor people in the North-Eastern region are losing their jobs. I would like to say to the hon. Minister that while it is very positive that the amendment has been brought, mere bringing it will not suffice. Bamboo has to be optimally utilised in our country. We are the second richest in the world as far as bamboo is concerned. The application of bamboo should be scientifically, commercially thought out with a long-term plan so that the forest dwelling people, the tribals are benefited. If that is done, it will be a game changer for the most backward regions of the North-East. I think the Government of India will support us on that and in the future in

collaboration with Commerce and other Departments, not only the Environment Department but in totality, bamboo should be thought of. That way we can really do justice to the resources and we can really do justice to our economy and also generate employment.

Thank you.

**SHRI KONDA VISHWESHWAR REDDY (CHEVELLA):**

Thank you, Sir, for the opportunity.

When you take a piece of wire and pass electricity through it, it becomes hot and sometimes it glows. Thomas Edison actually saw this and he realised that he could actually create light out of electricity. Then he tried everything on earth, he tried copper, he tried aluminium, he tried iron, he put them in a glass bulb, and it was glowing but not giving out enough light. Then he burnt a piece of bamboo strand, it became carbon and he put it in a glass bulb, and when it glowed, it gave out light. Let that same light shine upon us and decide what is in the best interest of the country, best interest of the poor tribals and best interest of our economy.

Actually, Sir, to be very frank, we came here trying to support the Bill. That light has really shone, Sir, when two people have enlightened us. Premachandran-ji has enlightened us and Satpathy-ji and a few others have enlightened us. Today, after being a little more enlightened, we decided that this Bill needs a review. This definitely needs a review because it is also suspect. What is the reason, it has now become a habit, for taking this route of Ordinance and pushing a Bill in the Parliament with such urgency? That itself

raises suspicions. After having heard luminaries in the Parliament here, I would say that while the objects and reasons for bringing this Bill are very valid, the Bill itself conflicts with its own objects and reasons. So, I think we probably have to review it, probably send it to a Committee, and we need to have another opportunity to have a better Bill presented in the Parliament.

While Thomas Edison created light out of a bamboo strand - we have been to the North-East in the Industry Committee earlier this year – thousands of tonnes of bamboo is being burnt in NTPC power plant as a substitute for coal. The farmers there get Rs.1000 a tonne. The same tonne of bamboo which I wanted to import to Telangana, for a reason I will explain later, costs about Rs.10,000 to Rs.15,000 a tonne. The value which is Rs. 1,000 in one part of India is Rs. 12,000 in another part of India. We wanted to get a few truckloads of bamboo costing only about Rs. 20,000 but the transportation cost was Rs. 2 lakh, which is about ten times more.

We need to focus on other areas. If you really want to develop bamboo, let us focus on those areas of improving transportation, reducing exports, and improving the khadi and village industries. Every time we go to the North-East to buy bamboo when Karnataka,

Tamil Nadu and Telangana are also growing bamboo. This is because the bamboo industry promoted by the KVIC is in a dismal state. So, if our interest is to promote bamboo and bamboo industries, let us look at these aspects.

An hon. MP was speaking about the *agarbatti* or incense sticks. It is not only about incense sticks but Hyderabad is famous for kite flying. Next month, we are all going to fly kites. The spines of the kites are also imported. The shipments of bamboo for incense sticks have reduced from the North-East but increased from Thailand and Vietnam. So, let us focus on these areas.

We can focus on the River Brahmaputra as the means of transportation. If the River Brahmaputra were to be used as the means of transportation, we can make it legal by making an amendment to the Act without changing the definition because it has a much larger impact as Shri Premachandran and Shri Satpathy had mentioned. Let us focus only on that area. You are concerned only about the non-forest bamboo. Let us focus on discussions with Bangladesh for getting the bamboo transported down to the ports and supply to the whole of India at lower costs. That will have a huge impact on the bamboo industry.

Shri Tathagat Satpathy spoke about the bamboo shoots as a food source. It is a Chinese delicacy. It is available in the Chinese restaurants but in the tribal areas also they eat it. I also remember a Chinese torture. They make you eat bamboo shoot curry. When you eat that curry, the bamboo goes into your stomach.

It expands the pain causing severe pain; ultimately, it will burst open the stomach and kill the prisoner. So, let this Bill be not one of those Chinese tortures where we pass this Bill today and tomorrow it kills the bamboo industry.

Thank you very much, Sir.

*[Translation]*

**SHRI SUNIL KUMAR SINGH (CHATRA):** The Indian Forest (Amendment) Bill, 2017 has been brought to amend the Indian Forest Act. I stand up to speak in support of it.

Many learned members have spoken before me. If time permits, I would like you to give me some time to speak. I would also request the Parliamentary Affairs Minister to extend the period for this because till now the country would not have known what is being debated in the House. I don't think the whole country would know about bamboo. Through this Bill in the House, the definition of 'bamboo' has been changed and the 'bamboo' that our tribals, our farmers, and people living in villages are sitting far and wide, I would like to convey my point to them.

A question has arisen as to why this timing, but no one asked why a colonial law continued for 90 years and was not changed. It was great to hear today about the intentions of the British that they had made some laws for us.

Sir, all we knew was that there was a ban on taking bamboo to Europe for making paper. In Botany and other courses what is called grass, you used to call it tree. Today, when the time has come to



correct that definition, doubts and questions are being raised about the timing. Definitely, this is an important and historical decision. By the year 2022, our government under the leadership of Hon. Prime Minister Narendra Modi has decided that we will double the income of farmers. In this regard, we will accomplish this task through whatever measures are available to double the income of farmers, especially the small ones.

Sir, we are small people. We want to make our country a centre of global power through these small works and small people of this country. Today we spend more than Rs. 43 thousand crore for foreign exchange timber. This timber is used in various fields. It's definition will be changed. People say that it is used for food, but they do not know that if there is no continuous harvesting in bamboo cultivation, then bamboo will not flourish, it will not flourish and it cannot be cultivated. As a result, bamboo cultivation is decreasing.

Sir, the area I come from today is 40-45 per cent forest area. There are three reserve forests in my Chatra Parliamentary Constituency of Jharkhand. The Betla forest there is famous for the production of sal wood and bamboo. As such, this decision is a good step in the direction of making a strong and self-reliant India.

Through this, the tribal farmers of our country will get the rights they did not have till date. In bamboo cultivation, if the silviculture operation and harvesting process are not continued continuously, then bamboo cultivation will automatically die. If anyone wants to see this, I invite him to come with me to Betla Forest and Palamu Tiger Reserve.

Sir, it is necessary that we encourage the farmers through this. For this, I would urge the Hon. Minister to expedite the process of the reserve forests in which 'Silviculture Operation' and 'Harvesting' have been stopped these days so that it can be upgraded through continuous harvesting.

Sir, I would like to summarize that the word which has been removed from this definition will definitely increase the cultivation of bamboo a lot. I am saying this because bamboo was sent from my constituency to the Dalmia Nagar factory earlier. Today this factory is in Bihar, but due to the restrictions of transportation, this factory located in Dalmia Nagar was closed down as bamboo was not available. The bamboo industry in my area wound up as no paper mills were nearby in the state. Bamboo is produced in nearby states such as Odisha. Odisha is not far from my place, but our farmers

could not take their bamboo there. Farmers will definitely benefit from this rule. Many people have said many things in this regard. Keeping these things in mind, I would just say that A single tonne of bamboo can provide employment to 350 people. Today we are producing about 10.50 million tons of bamboo stock. It has employed 2 crore people in some form or the other.

Sir, according to the estimates of the Industrial Development Organization of the United Nations, in the North East region alone, which does not include the eastern part of India, if bamboo cultivation is encouraged, then there is a possibility of a turnover of about 5 thousand crore rupees. Through it, there is much scope of improvement in the economy of the North-Eastern area. We need to think about that as well.

The hon. Minister has rightly termed it as poor's timber and green gold. Today the contribution of bamboo to the economy of the whole world is more than 12 billion US dollars. Therefore, its possibilities have to be considered by the government and bamboo cultivation has to be encouraged in every sector in every state.

Sir, since there is a paucity of time, otherwise I would have kept the detailed information on bamboo cultivation and products of my area in the House.

Sir, Satpathy ji told about the food produced from bamboo that it is like a paddy. I want to tell them that if bamboo is not cut continuously, then it will not be produced. Bamboo is a source of food and 100 grams of bamboo seeds contain more than 60 grams of carbohydrates and 265 calories of energy, it can be used as an alternative source of food also. Bamboo cultivation starts yielding in three to five years. Other crops are affected by drought, pests and diseases, but bamboo cultivation is not affected much by pests and droughts and bamboo releases 30 per cent more oxygen and draws carbon dioxide than other trees. At the same time, it pulls carbon dioxide during the day like people and releases oxygen at night, so from this point of view also it is useful for humans. That is why through this law, a transformation will be witnessed particularly in a state like Jharkhand having Chatra, Latehar, Girdih and Chakuliya of Jamshedpur like areas and its cultivation will be promoted. If bamboo trees are planted at a distance of five meters in one hectare, there will be 330 columns in which about 1650 to 2970 bamboo will be produced which is sold for 80 to 100 rupees in a state like

Jharkhand, the price of which is likely to be at least 1 lakh 32 thousand to 2 lakh 37 thousand 600 rupees per hectare. Therefore, the bill brought by Dr. Harsh Vardhan under the leadership of hon. Prime Minister is a way to make India a leader in the world with the contribution of the country's economy and farmers.

There are many types of bamboo. I would like to inform the hon. Minister that some species of bamboo have been banned in some states. I have a notification of the Government of Jharkhand, in which they have exempted bamboo, but a species of bamboo called *Dendrocalamus strictus*; is called stick bamboo in common parlance, which is found there in abundance. If it is not cultivated, then it ends. Therefore, it is important that there is no restriction on it. A lot of research has been done on this, especially the faculty members of Vinoba Bhave University, Hazaribagh in my area Shri Diwakar Prasad Nirala, S.C. Jain and Falo Kumari have done a lot of research on the production of bamboo in the entire region, which has also come in the journals. Due to lack of time, I am not able to quote. In the end, I would like to quote from that research on the usefulness of bamboo –

*[English]*

“Bamboo provides cradle to coffin by utilization in every possible way. Many cultural traditions and customs in North Chota Nagpur are ultimately connected with bamboo. Even today, bamboo continues to find new uses. It is a major source of income and encouragement of bamboo cottage industries in the North Chota Nagpur may increase the economic level of the poor people. Bamboo is one of the most important and precious plant resources for the people of North Chota Nagpur division of Jharkhand. It provides food, fodder, fuel, housing and shelter for indigenous community of tribal people. It is the part of life for poor people.”

*[Translation]*

In the end, I will conclude by saying the same thing that for holistic and integrated development, it is necessary that an integrated approach to ethics education i.e. technology, economics, ecology and environment is needed and through this integrated approach, we can make bamboo products of global level by resorting to technology and through bamboo, a new life could be given to the

poor people, farmers, tribals and the backward communities of the areas such as Chatra, Latehar, Girdih, Palamu, Gadhwah and Chakuliya and their income could be augmented, thank you.

*[English]*

**SHRI PREM DAS RAI (SIKKIM):** Mr. Deputy-Speaker, Sir, thank you for giving me this opportunity to participate in, what I call, a very important amendment Bill, the Indian Forest (Amendment) Bill, 2017. It is basically a very simple amendment which seeks to remove the definition of 'bamboo' away from the definition of a 'tree'. This has been done by just removing it from Section 2 (vii) of the Indian Forest Act of 1927.

Sir, much has been said about bamboo. But let me just give you one example. On 18<sup>th</sup> of September, 2011, the State of Sikkim witnessed the biggest earthquake which measured almost 6.8 on the Richter scale and caused a lot of havoc throughout the State. There was not only loss of life and property but the entire communication system, telephone communication, mobile telephony was disrupted as well as disruptions on land. What happened then was the resilience of the Panchayats were brought to bear and the single grass that significantly helped everybody during that particular period was bamboo. Bamboo, therefore, is such a resilient species of grass that it could be used as disaster risk reduction resource. I must say that even today we have the Mantham lake which was created



out of a landslide and people from one part of North Sikkim were completely cut off, even though there are roads on the other side because of the formation of this particular lake. What did the people of that area do? They made a bamboo bridge over that particular lake and are able to now cross on foot. This is the quality of this particular species and to unleash it from all kinds of regulation is, I think, the most important piece of legislation that I have witnessed for a very long time.

Sir, it also validates the point that in the year 2014, I had brought an exact Private Member's Bill. Therefore, it is one of the most significant things that, I think, has happened in Parliament that a Bill which was brought as a Private Member's Bill, exactly the same has now been brought forward by the Government for passing. I am not sure whether this has anything to do with what the hon. Minister quoted that the inspiration came from somewhere else, but hopefully something also came from this. But the background to this and my own participation in this discussion is that I have done enough research on the subject. I have done research; we had sent out people, researchers into the whole of the North-East. They had visited several States including Tripura, Nagaland, Arunachal

Pradesh and Sikkim and found that the problems that were related were mainly regulatory.

Let me also inform the hon. Member from Tripura that there are reasons for the high cost and the low demand of transportation of incense sticks. When bamboo has to cross borders, even streams and other places, the amount of rent-seeking behaviour that is seen along the transportation chain is just too much. Therefore, the cost of transportation actually goes up.

Hence, I agree completely with some of the Members here that we need to take a very holistic approach and that approach is definitely required but the first and most significant step is to actually redefine bamboo or take it away from the definition of tree which the colonial powers had wanted us to do in their own way.

I have a lot to say but I can see you shaking your head which means that I have to conclude shortly.

The Indian Forest Act, 1927 wrongly classified this as already stated. But there are subsequent Supreme Court orders which stand contrary to the classification and it is important for us to look at them.

Firstly, the Panchayats (Extension to the Scheduled Areas) Act, 1996 (40 of 1996) directs the State Governments *vide* section 4 (m) (ii), to ensure that the panchayats at the appropriate level and the Gram Sabhas are endowed specifically with the ownership of minor forest produce. However, ‘minor forest produce’ is not defined in the Act.

In a clarification by the Supreme Court *vide* its orders dated 12.12.1996 in *T.N. Godavarman Thirumulkpad versus Union of India*, it said the orders “does not cover minor forest produce, including bamboo, etc.” Here, bamboo is considered a minor forest produce.

While realising that this order may have serious implications in National Parks and sanctuaries, the Court revised its stand and in I.A. No. 707, order dated 18.02.2002, it ruled that “cutting of trees does not include bamboo and cane, which really belongs to the grass family, other than those in the national parks and sanctuaries. In other words, no bamboo including cane in national parks and sanctuaries can be cut but the same may be cut elsewhere”. Here, bamboo was correctly classified as a grass.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) *vide* section 2 (i) defines minor forest produce to include “all non-timber forest produce of plant origin including bamboo”. Further, it also gave forest dwelling scheduled tribes and other traditional forest dwellers *vide* section 3 (1) (c) the right of “ownership, access to collect, use and dispose of minor forest produce which have been traditionally collected within or outside village boundaries”.

Such is the complication of this particular species that today it has been removed and the simplification process has started. Indeed this will see the flourishing of industry and value addition to this great produce of ours. One has to just look at China and see the billions of dollars worth of varieties of produce which the hon. Minister had also alluded to.

I would like to make a final submission. From the scientific part, the hon. Minister has actually seen the opportunities. But what is the opportunity here? The opportunity is Make in India and Start-up India. There are opportunities for the people in the North-East and other bamboo growing areas. If you want to do any value addition, then there will be a spawning of processing industries. Those

products are of mechanical nature and some of these processing equipment need to be made. Jalandhar and Ludhiana are the best places where they would flourish so that we can make the machinery that is required within India.

Thank you, Sir.

*[Translation]*

**SHRI JAI PRAKASH NARAYAN YADAV (BANKA):** Deputy Speaker Sir, thank you for giving me this opportunity to speak. The Indian Forest (Amendment) Bill, 2017 has been introduced in this House today. We will present our point with some objections.

Sir, everybody wants that the production of bamboo in the country may increase in forest areas as well as in rural areas and this is needed also. Especially the Northeastern states, from Assam to all the other Northeastern states, parts of Jharkhand and the area of Bihar from which I come, which is called Banka parliamentary constituency and our Jamui and Munger region, forests, mountains laughing in the lap of nature, where bamboo is also cultivated on a large scale. If bamboo cultivation is promoted, opportunities of employment will be created by which the rural economy will be strengthened, handicrafts are done from bamboo, many items are made from bamboo. Bamboo is a raw material for cottage industries as well and it is a source of income for the poor also. Those who are poor, downtrodden, exploited, neglected, helpless, tribal brothers, this is their source of income. Various types of crafts are made from bamboo, like baskets are made, soups are made, caps are made,

utensils are made, they are used to carry soil, they are used to carry grains, mats are made, chacharis are made, even vegetables are grown, cottages are built, bamboo is used in the wedding pavilions, bamboo is used in home decoration, doors of the house, arrows and bows are also made from it.

Sir, especially in North India and in many places like Chhath festival is also celebrated in worship, crores of mothers and sisters who worship the sun and observe the fast of Chhath, they offer Arghya in the morning and through bamboo, that is why the production of bamboo is very important and in rural areas it is very important. Its leaves are eaten by animals, cattle and goats. This is very important for the tribal brothers, who live in the forest. I want to tell the Minister that the tribal people live among water, land and forest, it is our responsibility to promote their facilities, their economy and their cottage industries. Otherwise, the middlemen enter the business from everywhere. Vegetables that are grown in villages, they take them away, bamboo is cultivated, they take them away, there are many other industries like silk industry and honey industry, middlemen take them away. Today there are many businesses in which women are engaged. Many things are made from bamboo. The spade is made, used in chariots and is useful for

the environment. It should be beneficial for the workers, villages and farmers. When there is a flood, the people of the village walk on bamboo. It is installed in the toilet, used to build a cowshed. At one hand, bamboo is produced for the rural areas, in forest areas, if exemptions are given, there is a chance of large scale exploitation and illegal cutting down of bamboo. In any case, people have destroyed forests on a large scale through illegal felling, be it the forests of Jharkhand, the forests of Bihar or the forests of Purvanchal. The big landowners have done the harvesting. That is why the Union Government wants to take full power in this matter. We want the State Government to participate in it as well. ...(*Interruptions*) I will conclude my speech by speaking for just two more minutes.

### **18.00 hours**

The Union Government should not take this power into its own hands and should equally talk to the State Government for the same. I believe that bamboo should be produced for many things today. This industry should not be exploited, it should be promoted in rural areas and by combining these things we should take the forest sector forward. Forest area is our biggest means and especially for the poor



people, who live in the forest, live on the mountains. It is also their source of income. Hon. Minister will take care of this and will take special care of the tribal people. Thank you very much.

**THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REVIEW (SHRI ARJUN RAM MEGHWAL):** Sir, this Bill is in progress, we request that the sense of the House be taken and the time of the House should be extended until this Bill is completed.

[English]

**HON. DEPUTY SPEAKER:** Only four Members are yet to speak on this Bill and then after the Minister's reply, this Bill can be passed. So, if the House agrees, the sitting of the House can be extended till the Bill is passed.

**SEVERAL HON. MEMBERS:** Yes.

**HON. DEPUTY SPEAKER:** Okay. So, the sitting of the House is extended till the Bill is passed.

**SHRI SIRAJUDDIN AJMAL (BARPETA):** Mr. Deputy Speaker, Sir, I thank you very much for giving me this opportunity to speak on the Indian Forest (Amendment) Bill, 2017. I appreciate the Government for introducing this Bill in which Section 2 of the Indian Forest Act, 1927 would be amended so as to omit bamboo from the definition of tree.

Sir, many Members have said a lot of things about bamboo. I would like to say something different. I would like to draw the attention of the hon. Minister and the Government of India to another very important resource that is being profusely grown by the people of Assam and the entire Northeast. It is grown in home streets there. It is called *Aquilaria Agallocha* or *Aquilaria malaccensis*. This is one of the most remunerative plantation and the people of Gulf, Japan and China value it very highly. It grows like mushroom in the entire Northeast. So it does not need any extra effort to grow this *agarwood*. Just like bamboo, the people of Assam and the entire Northeast grow *agarwood* as cash crop. In a survey conducted by the Assam Forest Department in 2004, 10 million trees are available in home streets and there are no *agarwood* in forests.

Sir, people plan their children's education and marriage on *agarwood*. It is their belief. The Assam Forest Department has stated in its various reports that *agarwood* is not found in the reserve forests of Assam. So, it will not be, in any way, detrimental to environment. People are growing *agarwood* in their own land. *Agarwood* can be put under plantation and agricultural products. The rules pertaining to *agarwood* presently in Assam, Northeast and everywhere is very harsh. The process itself is a punishment. So, if these rules are made simpler and this industry is opened up, it will not only create jobs for millions but also it will earn millions in foreign exchange and also millions for the State of Assam and the entire Northeast.

The Union Government and the respective State Governments of the North Eastern States must ensure incentives to the growers of *agarwood* because it is grown on private lands. If the Government gives support to the growers, its trade can flourish manifold. I would like to make some humble suggestions. The Central Government should bring about necessary amendments in the Schedule of the Wildlife Protection Act, 1972 or the Appendix-I of the same. The Government should also relax rules for export licensing so that people cultivating *agarwood* would get the benefit, the State

Government would also benefit by collecting revenues and the country will get much needed foreign exchange. If this is done, the people of Assam and the entire Northeast would be very grateful to the hon. Minister. So, I request the Minister to kindly look into this matter.

*[Translation]*

**SHRI KAUSHALENDRA KUMAR (NALANDA):** Hon. Deputy Speaker Sir, thank you very much for giving me this opportunity to participate in the discussion on the Forest (Amendment) Bill, 2017.

First of all, I would like to thank the hon. Minister for bringing this Bill. Government is making amendment in the Indian Forest Act, 1927. Bamboo would no longer be categorised as a tree. This is a welcome step. People used to face a lot of difficulties in several parts of the country due to this law. They were even sentenced to jail for cutting bamboo, they were declared criminals. Even today, especially in the state of Chhattisgarh, legal action is going on against many people due to this. The Government has also brought an ordinance to remove all these obstacles and ensure smooth interstate movement of bamboo. Now it will get legal recognition.

Sir, I come from Bihar state. Sunil Bhai has discussed this matter in detail. Bamboo is found abundantly in the state of Bihar. Our colleagues have also said that people in every household use bamboo for domestic purposes in Bihar. They make dauri, khoma out of it. Especially in Chhath Puja, Arghya is offered only on bamboo soup. People in Bihar consider bamboo to be of religious importance. Even

after someone's death, people make a coffin out of bamboo and take him away. People consider bamboo to be religiously sacred. I hope this would encourage bamboo cultivation. The thinking of the Hon. Prime Minister that if we double the income of the farmers by the year 2022, then the small farmers will get relief due to this bill.

*[English]*

**HON. DEPUTY SPEAKER:** Hon. Member, please conclude.

*... (Interruptions)*

*[Translation]*

**SHRI KAUSHALENDRA KUMAR:** Deputy Speaker Sir, I will conclude my speech in two minutes. I would like to urge upon the government to come out with a policy for commercialization of bamboo. Paper Mills used to purchase bamboo earlier, but the farmers are not getting benefit of it, because Paper Mills now no longer purchase bamboo. This needs to be considered. ...  
*(Interruptions)*

**SHRI RAJESH RANJAN (MADHEPURA):** Thank you, Deputy Speaker Sir. I will say it point-wise. Mostly the capitalists have captured water bodies, forest and land areas. Thirty crore population of the country does not have even a single decimal of land and about twenty crore people sleep hungry. Nearly about ten crore people are farmers. After that there are either sharecroppers or daily wage labourers. You talk about farmers. Agriculture is the traditional profession of common people. Almost all of their agro based properly has gone into the hands of capitalists. You are bringing an ordinance, but take any such farming, whether you take vegetables or anything, it is in the hands of babas, in the hands of capitalists. I would like to know from you as to how the farmers should get benefits?

*[English]*

**HON. DEPUTY SPEAKER:** Please mention the relevant points.

*... (Interruptions)*

*[Translation]*

**SHRI RAJESH RANJAN:** Deputy Speaker, I am talking about the same.

Where I am not able to determine the cost of my farming myself and it is determined by some capitalist or businessman. I am talking about the North-Eastern states.

Deputy Speaker Sir, I will conclude by saying two points. The farmers of Bihar, Kosi area, which is the flood-hil area, and the North-East area, are most dependent on bamboo cultivation. I am saying that, if you want to develop bamboo then set up industries based on it.

[English]

**HON. DEPUTY SPEAKER:** Hon. Member, you are not speaking on the Bill. Please conclude.

... (*Interruptions*)

[Translation]

**SHRI RAJESH RANJAN:** Deputy Speaker, I am talking about Bamboo itself. ... (*Interruptions*) I am saying that today if the government wants to develop it based on farmers, then the farmer cannot even put the price of it's cost price. Secondly, unless and until the government set up industries in bamboo producing areas like Bihar, Assam or Jharkhand the people there would be deprived of development. The government should pay attention to bamboo



products such paper etc. For example, vegetables are made from the bundles of bamboo shoots. That bunch of vegetable is available in five-star hotels for five thousand rupees, but how much do the farmers get for it? For this, farmers get only one rupee. One rupee corn is available in malls for six hundred rupees.

I say that if you want to promote bamboo farmers, then you should set up industries based on it wherever it is produced, so that the farmers get its benefits. But there are no farmers left in the country. I say this. I don't have anything more to say than that.

*[English]*

**ADV. JOICE GEORGE (IDUKKI):** Thank you, Deputy Speaker, Sir, for giving me an opportunity to participate in the discussion on the Indian Forest (Amendment) Bill, 2017. While reading the Statement of Objects and Reasons of the Act, the objective is very laudable, rather. But, due to paucity of time, I subscribe to the views expressed by my learned friend Mr. Premachandran as regards the ordinance, the way in which the Bill has been brought in as an ordinance.

Coming to the Bill, as rightly pointed out by the Minister during his introductory speech, as per the forest policy, our forest cover has to be increased from 24 per cent now in existence to 33 per cent. For that, we will have to expand our green coverer in the non-forest areas, in the agrarian farmlands etc. But, the purpose of this amendment is to exclude or, rather omit, the word ‘bamboo’ from the definition of trees as per clause (7) of Section 2 of the Indian Forest Act. When we read Section 2, sub-clause (4), ‘tree’ includes all the plants. But, I think, sub-clause (ii) is very important. Plants not being trees (including grass, creepers, reeds and moss), and all parts or produce of such plants are being treated as forest produces

under Section 2, sub-clause (4) (ii) of the Indian Forest Act. By this enactment, the Government intends to take out 'bamboo' from the definition of trees. But, the amendment will not serve the purpose because, as we know, each and every State Government has got their own Forest Act. This matter is included in the Concurrent List and every State is having their own transit rules for forest produces also. It is because, grass is also included as a forest produce as per Section 2, sub-clause 4 of the Indian Forest Act. Still this being a grass, as rightly pointed out by the Minister in his introductory speech, what purpose is going to be served by this enactment by only, simply bringing out the word 'bamboo' from the definition of tree? This is one point.

Another point as regards this Act is this. We have the Indian Forest Act, 1927. Of course, we have the Indian Forest Policy Rules, 1952. In that Forest Policy Rules, unfortunately we have subscribed to the entire views of the British era and we are continuing with it. We have the Forest Conservation Act, 1980 too. On the basis of the Forest Conservation Act, 1980, many of the learned Members have pointed out the Supreme Court judgement in Godavarman Thirumulpad case. In Godavarman Thirumulpad case, the Supreme Court is issuing directions after directions for implementation of the

Forest Conservation Act. Many of those directions are not served considering the ground reality and ground rules. So, it is for the Parliament to enact rules. In this regard, if we want to expand the forest cover in India, we will have to simplify certain rules as regards transit and cutting of trees which are being grown by farmers in their land. Now the unfortunate thing is that nobody is permitted to cut and remove the trees which they have planted in their property. Thereby, people are not cultivating trees in their land. If we want to increase the green cover, we will have to promote tree growth in the non-forest areas, in farmlands. For that, we will have to incentivise the farmers to grow trees in their land. For that, we will have to permit them to cut and remove the trees planted in their land. Only then, can we improve the forest growth in land. I urge upon the Government to have some policy on that issue for the purpose of promoting tree growth in non-forest areas, not only bamboo, but also all other tree growth. There should be some regulations, restrictions incentivising the persons who are cultivating them.

With these words, I conclude. Thank you, Sir.

**SHRI BHARTRUHARI MAHTAB (CUTTACK):** Deputy Speaker, Sir, at the time of introduction of the Bill, I had raised certain objections and the Minister said that I should understand the spirit of the Bill. I have two specific questions to ask. When he will be replying to the debate today, I would request him to answer these two questions. There are a number of questions that have been posed. I am not repeating those questions. There is a variety of bamboos.

On 25<sup>th</sup> July, 2017, a letter was sent by the Inspector General of Forest (Forest Policy) from the Ministry of Environment, Forest and Climate Change to two respective State Governments asking their opinion because the proposal to amend sub-section 7 of Section 2 under Chapter-I of the Indian Forest Act, 1927 is under consideration of the Ministry. The question was this. What would you say to these proposed amendments? I would like to understand from the Minister as to how many State Governments have responded to this proposal and how many State Governments have supported your proposal. Who are those State Governments who have said that we are not in favour of this amendment? This needs to be told. As far as I could understand, this is in the Concurrent List. In that respect, you sought the opinion of the respective State Governments and also as

very rightly you have asked in last July and letters had been sent from the Ministry to understand the view of the respective State Governments. So, I would like to understand whether the State Governments were taken into confidence while promulgating an Ordinance, what was the urgency or whatever was behind it and whether the State Governments were in support of this so that the matter would be more clear.

My second question is this. There are two specific categories which are being defined in your Bill that to encourage private cultivators or farmers to go in for large scale plantation of bamboo which can be used for commercial use or sale which can be transported from one State to another. It is a different matter. Of course, that question has already been posed that why you are withdrawing the power of the respective States and the permission that was supposed to be given by the respective States. The Government feels that it restricts the commercial nature of bamboo because of its transport. Some Members also mentioned that rent-seeking people also try to impose a different type of tax. That is why, the rate of the bamboo also goes up. But my specific question is this. There are two stages in which bamboo is being cultivated. The predominant species in the forest, especially in Odisha is *Salia*. I

studied botany in my eighth class. After that, of course, Doctor *saab* might have studied it up to plus two and after that, he went into medical profession. I think *Dendrocalamus strictus*, is the botanical name of bamboos which are largely available throughout our State. In Odisha, we have bamboo cultivation, that is Salia, in Odisha itself in more than 14000 square kilometres. The species of bamboo preferred by private growers are generally restricted to Sunari but Sundarkani (*Bambusa nutans*), Badi baunsa (*Bambusa vulgaris*) and Bolangi bounsa (*Bambusa tulda*) are preferred in private land. We need it to thatch our houses. We need it to have enclosures and we also need it to have walls in our mud houses. We also need as it was being told by Mr. P.D. Rai to build bridges across the streams, if not across the canals.

Why did you not distinguish what type of bamboo will be covered in this? By having a blanket freedom of transport of bamboo, there is an apprehension. My question would be this. Do you not see that in large quantity, the whole forests also will get depleted? We face in Odisha, even in Jharkhand and even in certain parts of North-East, there is a man - animal conflict.

Within five years, if all the bamboos will be depleted in forests, again, perhaps, if your Government still continues, it will come back to this House as to how to protect the bamboos in the forests. That is the basic question. Therefore, my question is: how are you going to avoid this man-animal conflict?

There is another thing because of the laws. You are heading the Ministry of Environment, Forest and Climate Change. Respective States have different laws. We also have our own law. It is the Vana Suraksha Samiti which protects this asset. The permission is given by the Grama Sabha to transport the forest produce from one place to another. It is not only the State Government. But by having this blanket provision that yes, it can be transported just to favour the traders, are you not trampling into the power of the Vana Suraksha Samiti? Leave aside the States. The Vana Suraksha Samiti has been empowered to protect the forests. The Grama Sabhas or the Gram Panchayats are being empowered to protect the forests. This needs to be considered. Is the Government going to consider this demand or not?

**HON. DEPUTY SPEAKER:** Now, the hon. Minister.

*...(Interruptions)*



**HON. DEPUTY SPEAKER:** I will call you afterwards, please. I will call you at the third reading stage. Please sit down. Please go to your seat. First, you go to your seat.

*...(Interruptions)*

**HON. DEPUTY SPEAKER:** No, I will call you. Nothing will go on record.

*...(Interruptions)...\**

**HON. DEPUTY SPEAKER:** I will allow you to speak.

Shri Ramesh Bidhuri, you have to understand it. I will be allowing you to raise your question at the third reading stage. Why are you taking this time? Nothing of what you said will go on record.

*...(Interruptions)...\**

**HON. DEPUTY SPEAKER:** I will call you at the third reading stage. At that time, whatever question you want to ask, you raise it.

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\* Not recorded

**THE MINISTER OF SCIENCE AND TECHNOLOGY, MINISTER OF EARTH SCIENCES AND MINISTER OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (DR. HARSH VARDHAN) :** Thanks to all of you, and more particularly, more than a dozen of my friends from all corners of this august House have contributed with significant suggestions. Some have supported it. Some have supported this Bill blindly. Some have opposed it blindly. Some have expressed apprehensions. Some have raised doubts about the sincerity and the honesty and the truthfulness of the Government, etc.

Sir, before I answer all those apprehensions that have been expressed, I will continue from where I left because, first, all of us have to appreciate and understand--and even at the cost of repetition I will say-- that why we have brought this amendment. I spoke about the various uses of bamboo. I mentioned a couple of things. But I think many of our friends added a lot more to that huge list. I spoke about the economic impact which we have been deprived of. I spoke about the problems that the poor farmers and the tribal people, etc., are facing. I spoke about the fact that in spite of having the largest area where we cultivate bamboo in the whole world and being the second richest after China in terms of our genetic strength in

bamboo, we are still not able to live up to the expectations and our people are still suffering a lot.

Though I have already said it, I, even at the cost of repeatition, would like to repeat it once again that it was the difficulties which the people were facing that ultimately forced this Government to come up with this amendment Bill.

I would also like to tell you that this is not a one-day exercise. It is not that on a particular day the Government decided and thought to take it to the Cabinet and converted it into an Ordinance. I will tell you in the chronological order as to how the things started. It started when the party of the hon. Member was in power, though today it is on the other side of the House.

There were problems which all of us were facing. Everybody was supposed to take permission for felling and transit of bamboo trees. There is a bureaucracy and everybody knows as to what the role of bureaucracy is. There has been an inspector raj. We also know that forestry is in the Concurrent List. There is no doubt about it. We also know that since the time of the Britishers we are having the command and control mindset, which, in fact, is there even after 70 years of our Independence and people continue to suffer from it.

Then, different States in our country have different rules in this regard. It does not seem that they do not have the freedom to frame their rules. It is often found that neighbouring States have different sets of rules, which make the problem of transit of bamboo much more complex. First, you take permission from one place. You enter into another State where you have another activity to perform and for it you take different permission. Then, you enter into another State where you have another sets of rules and you are again asked to take permission under those rules. So, the basic issue, which has been, in fact, disturbing everyone for quite sometime is that there is a need for some sort of harmony in the transit and harvesting mechanism. There were some rules, which were needed. Therefore, we had to bring this felling and transport mechanism out of Government's control and make things easier for the people of our country.

As I said earlier, bamboo is the poor man's timber. I have already mentioned about its multiple usages. As far as its consumption is concerned, you can see its widespread usage – 35 per cent of bamboo is used in pulp, 20 per cent in housing, 20 per cent bamboo is used in rural areas, 5 per cent for non-residential purposes, 8.5 per cent for fuel, 5 per cent for packing, 2.5 per cent

for wood based activities, one per cent for furniture and 3 per cent for other activities.

Keeping its need in view, we have to import a major share of bamboo from outside. Then, we also noticed that income of the farmers is not growing at all. We also need to remind ourselves that our hon. Prime Minister has a very, very ambitious target of doubling the income of the farmers by 2022. Then, there was no incentive for growing bamboo in non-forest areas and they also have to face all these troubles. So, these are the issues which we all have been facing for long.

Again, I wish to repeat that the current demand of bamboo in India is 20 million tons. Out of it, only half of it is available in India. Though we share 19 per cent of the total bamboo cultivating area in the world, in contrast to that our market share is only 6 per cent.

Then, if we look at the import and export situation, we find that the export is just about Rs.32 lakh whereas the import is Rs.213.65 crore. This is the difference between what we import on this front and what we export. So, there was a dire need to do something concrete in this regard. It is not about only talking but about doing something concrete, which can actually bring a change. It does not

mean that if people have been suffering for 70 years, they have to continue suffering even under Narendra Modiji's regime.

In last three years, we have tried to diagnose the smallest of issues in this country with meticulous precision, we have tried to evolve solutions to them, we have converted those solutions into programmes and we have then started implementing those programmes. Then, there is a Prime Minister who monitors the implementation of the programmes every month in a Cabinet meeting which lasts for not less than five to six hours. This country has never seen a Prime Minister like Narendra Modi. So, nobody should have the wisdom to doubt the intention of this Government.

Then, I will give you the statistics about the Chief Ministers and all. It is not only our officers who have written to the Chief Ministers, even I have also personally written to all the Chief Ministers to request them to remove all hurdles for the people of India in the State laws. We have started meeting even the State people individually now. We have requested them that they should stop taking the royalties so that we can improve the overall ground situation. Then, I will tell you that of these 26 States, how many are

supporting and how many are opposing. Later on, I will give you all the names.

I want to tell you once again about the socio-economic and the cultural benefits in the rural areas. The promotion of cultivation of bamboo trees on forest land is increasing the income of farmers. Legal and regulatory hardships are going to be removed and crores of farmers are going to be benefited. Small and large scale industries dependent on bamboo are going to be strengthened. It means 20 million people are going to be benefited further. There will be creation of new jobs. I told in the beginning that one tonne of bamboo means 350 mandays. The poor forest-dwellers are going to be employed in a big way.

Then, I talk about the ecological benefits of this whole activity which we are trying to ease out – strengthening of the soil, moisture conservation, landslide prevention and rehabilitation. My friend, Shri Premachandran also referred to them. This will also help the wildlife habitat. This will be helping the elephants and bears. It is a good source of biomass. Recently, under the Department of Science and Technology, we have put up a plant in Kashipur where we convert ten tonnes of biomass into 3,000 litres of 2G ethanol within

24 hours and that is the most successful experiment in the world. There are only four or five plants in the whole world and ours is running most successfully.

Then, there is promotion of bamboo-based handicrafts. We are strengthening the livelihood opportunities of traditional artisans and tribal people. Then, we want to improve this sense amongst the people that it is their land and it is their tree. Somebody very rightly mentioned about it that you should have the freedom and the right to grow your bamboo tree in your house and you should be able to cut it in the non-forest area. Of course, there will be improvement in the bamboo based culture, especially for the people in the North-East where there is lot of involvement of bamboo in the religious functions also.

Then, I want to mention about the environment and the ecosystem services. It would result in improving the green cover. It is the need of the hour. It is the order of the day that everybody all over the world is talking about climate change, improving forest cover and global warming. If encouraged on non-forest land, it is certainly going to improve the green cover, which is one of the major things that I talked about in the initial stages when I said that



this is the mandate of the Forest Policy of 1988 and we wish to accomplish it successfully.

Then, it controls soil erosion and helps in soil moisture retention. It also helps in litter decomposition in a big way. The fast growing species of bamboo will help in the cause of climate change by absorption of carbon dioxide at a higher rate. All this is scientific; nothing is unscientific in whatever I am saying. Then, there will be increased carbon sequestration. It helps in achieving the nationally determined contributions. In spite of the fact that our *per capita* emissions are one-third of the global average, our emissions in terms of our nationally determined contributions, or what we are going to contribute to this whole world, are such that everyone in the world praises Narendra Modi at every international forum. I have seen that in Germany, in America and in China. Everywhere everybody talks about it. It is because we are truly committed to the cause. It is good to use, and we know that it is a carbon-neutral thing.

I also wish to mention about the bio-energy sector, which is a fast-growing sector. Bamboo contributes immensely to bio-ethanol production from bamboo blending and fossil fuel. This is an important thing, which was needed to be mentioned.

Of course, as far as the National Bamboo Mission in the agriculture sector is concerned, our cultivable waste land is 12.6 million hectares. We have to encourage all this cultivable waste land and also the degraded land. All this has to be done. If we keep having these hurdles, which have made people suffer for 70 years, then how can you get to this target? How can you live up to the international reputation?

There is successful inter-cropping with cowpeas, soybean, paddy, cotton, potato, wheat, etc., which you can do with bamboo. Bamboo can be used for low-cost fencing around farm lands; one can deter stray cattle; this can be useful in windbreaks; and it is a good substitute for timber.

Finally, currently, India is importing timber and allied products such as pulp, paper and furniture. In 2015, we imported 18.01 million cubic metres of timber products worth Rs. 43,000 crore. We have to appreciate what we are; where we are; and what we have to do. We cannot carry on with these figures when we have the potential, and we have the maximum land. A small change in a bit of law, which many of my colleagues mentioned, and our friend from Sikkim also said that he brought a Bill like this in 2014 as a Private

Member Bill. It is very unfortunate that we are still importing bamboo stick *agarbattis* from Vietnam. What are we doing in 2017? It saves us valuable foreign exchange, and bamboo is helping us in increasing supply of wood substitutes, and increasing supply of raw materials to the traditional craftsman of rural India and bamboo-based paper pulp industry. It is also boosting cottage industry, furniture-making units, fabric-making units and incense stick making.

Bamboo facilitates inter-State movement. It decreases the gap availability of resources from bamboo-rich and bamboo-deficient States. The North-East people are bamboo-rich, but Kerala is bamboo-deficient. I think that this is an amendment, which is ultimately going to remove this gap so that the transit is easier, and the producers and consumers are all benefited. This is in brief about it. I had mentioned this because this Bill is not about a small bamboo being removed from that definition of tree. These are the big perspectives around which the whole thing is revolving.

Now, I come to the answers to the various apprehensions that have been raised here. Regarding this Ordinance thing, I will tell you in chronological order as to when the whole thing started. An

advisory was issued on 14 May 2013, and we were not in power at that time in this country. It was issued to all the States and UTs to consider for relaxing the transit and felling regime on bamboo grown on private land. This happened in May 2013. ... (*Interruptions*) Sir, I will answer every question that has been asked. I have huge amount of respect for you. Please let me complete. I will answer all your queries.

**SHRI BHARTRUHARI MAHTAB:** Odisha did it for private land in 1999.

**DR. HARSH VARDHAN:** I do not know, I was not here in 1999. But I will answer everything that is in my knowledge. If there is something which is not in my knowledge, I will express apologies and maybe will answer that later on, I will send you a written reply to that.

Sir, after we came to power, following upon that advisory, we issued guidelines dated 18<sup>th</sup> November 2014 to all States and UTs to consider relaxing regulatory regime of tree species including bamboo grown on non-forest land. A lot of people have expressed apprehensions that this is about the forest land. The whole thing is about the non-forest land. It is not disturbing anything in the forest.

For the apprehensions that are expressed as to what is going to happen etc., I have got answers.

Then, advisory dated 19<sup>th</sup> May, 2017 was issued to all States and UTs to consider exempting setting up bamboo units from the requirement of NOC/licence. This is all happening to make things easier for people. Then again, advisory dated 13<sup>th</sup> June, 2017 was issued to all States and UTs to consider exempting royalty on bamboo, which I referred to, and its finished products. Then, clarification dated 7<sup>th</sup> July, 2017 was issued to all States and UTs regarding exemption of bamboo from licensing. Then, wood-based industry guidelines have been amended and notified on 12<sup>th</sup> September, 2017. These amendments have further liberalized setting up of saw-mills using bamboo and species grown under agro-forestry. This would encourage setting up of processing units and generate demand for raw material leading to planting of trees on non-forest land. This probably answers one of the issues that were raised as to what we are doing to promote bamboo.

Advisory dated 6<sup>th</sup> of October, 2017 was issued to all States and UTs to consider that commonly grown agro-forestry tree species to be exempted from the requirement of the felling and transit permits.

Then, advisory dated 9<sup>th</sup> October, 2017 was issued to all States and UTs regarding issuing of a pan-India transit permit for inter-State movement of bamboo. This is how consistently we have been following this issue just because we have a concern for these people who are continuing to suffer for 70 years.

On 25<sup>th</sup> November, 2017, the Indian Forest Amendment Ordinance has been promulgated for omission of word bamboo from the definition of trees. Then, advisory dated 30<sup>th</sup> November, 2017 was issued to all States/UTs to consider distribution of good quality seedlings of common agro-forestry species to farmers and interested persons. Then the State Governments have also been requested vide D.O. letter dated 4<sup>th</sup> December, 2017 to consider to bring in appropriate amendment in their respective acts in line with changes in the Indian Forests Act, 1927 brought by the Ministry of Environment, Forests and Climate Change for omission of word bamboo from the definition of trees. This will bring uniformity about legal position of bamboo across the country and help in the promotion of bamboo sector from cultivation to economic use on non-forest land by various stakeholders.

As regards consultation with the State Forest Departments, Central Department and the Ministries, 20 States and UTs responded on the proposal of removal of bamboo from the definition of trees. This is slightly older information, so the number may have improved now. Mizoram, Bihar, Punjab, Goa, Nagaland, Andaman and Nicobar Islands, Karnataka, Telangana, Manipur, Jharkhand, Rajasthan, Andhra Pradesh, Arunachal Pradesh, Assam, Chhattisgarh, Delhi, Haryana, Himachal Pradesh, Kerala and Madhya Pradesh are those States. Twelve States and Union Territories have supported the proposal. They are Mizoram, Punjab, Goa, Nagaland, Karnataka, Manipur, Arunachal Pradesh, Assam, Delhi, Haryana, Himachal Pradesh, Madhya Pradesh. Five States which have opposed the proposed amendment regarding removal of bamboo from the definition of tree include Rajasthan, Bihar, Andaman and Nicobar Islands, Andhra Pradesh and Kerala. Every State is being persuaded at a personal and at an official level further. Three States have given no specific comments. They are Telangana, Jharkhand and Chhattisgarh. There are a few States which have not responded. Thirteen Ministries and Departments of the Government of India including NITI Aayog have gone through the proposal in great detail and they have approved it.

Coming to the urgency, I think much of it has been answered. It started in 2013. We have communicated with various States. We have issued advisories. We are a net importer of bamboo in spite of highest bamboo covered land draining our foreign exchange. So, is it not an emergency to do something concrete?

The National Bamboo Mission is being restructured and it is soon going to be launched in a big way for effective implementation and prior preparedness of the success of the Mission. Why should we control and regulate the poor man's timber and deprive them of the benefits that accrue to them from it?

The provision of the definition of bamboo as a tree is a big hindrance to economic benefits. The Panchayati Raj Ministry and the Tribal Affairs Ministry have been pursuing it for several years but due to various technical reasons it could not happen. It has been going on since the previous Government's era but we cannot deprive the farmers of their benefits. If something was not achieved during previous regimes it does not stop Shri Narendra Modi from achieving it now.

Be assured that our Government is only for the welfare of people. We are not a corrupt Government. We believe in 500 per



cent transparency. Everything is on record; everything is open; and everything can be seen.

I mentioned that there is a need to remove this command and control regime. Several permissions for cutting, transport, etc., were acting as major hindrances in cultivation of bamboo. India has become a net importer. You mentioned how to handle all this in the forest and all. You have the technology; you have surveillance; you have the satellite images; and there is effective monitoring. These can all ensure that forests are protected. Be assured about that. We will be the last people in this world to leave our forests unprotected. Be assured about that.

Shri Premachandran, it is not all about forestry to non-forestry activity. Do we ever think of controlling farm land or agricultural land for growing bamboo? We are not going to allow cutting of bamboo inside the forest. Bamboo inside the forest will still be regulated and protected as per the provisions of the Indian Forest Act, 1927 and the bamboo inside the forest will continue to be a forest produce inside the forest under the provisions of section 2 (4) (ii) which includes grass and hence the apprehension is unnecessary. Be assured.

I know, you have to raise something or the other. I am a great admirer of yours. You read a lot, you study a lot, and you bring out things in detail. I have learnt many things from you. The way you read things is a lesson for everyone, but you may not be correct every time. You have every right to raise an apprehension. But, if you genuinely feel that your apprehension was misplaced, please drop it from your mind once for all.

This Bill will only be for doing away with the requirement of selling and transit permit for bamboo grown on private land outside the forest. Then, you have said as to why there is urgency. I have been to these meetings in Germany and other places and I have seen how urgent it is for everything to be done. Those things which are waiting for 90 years, why should you delay them even for a day? You have been following this issue since May 2013. So, the day it matures, why should we wait?

India is committed to achieve nationally and determined contributions, that is, 2.5 to 3 billion additional carbon sequestration. This proposed amendment will help immensely when India and the entire world are concerned for climate change challenges. The Ministry of Agriculture is planning to promote bamboo cultivation in

a big way under the restructured National Bamboo Mission. For that, it should be anchored urgently with enabling environmental and policy regime for success of this scheme. This will immediately remove the concerns and hardships of the farmers. There was an issue raised about bamboo being used for housing. So, I may inform my hon. Member Shri Hari that bamboo is being used in housing under the Indira Awaas Yojana and special policy organisations like Coir Board and all. We already have a National Bamboo Mission and this proposed amendment will help in speedy implementation. Then, Smt. Poddar also raised some issues. She is probably not here. We have already taken up that issue with the States. I have already told you that we have written to the Chief Ministers and we had meetings with the PCCH and the States for removing difficulties. The hon. Member also spoke about the importance, difficulties and also covered the need for urgency to come out of regulatory regime. My dear Tathagata Ji raised a couple of issues. Some of them have already been replied. Only 11 States have their own Forest Act and most of them have agreed to amend their provisions too. Around 26 States have Indian Forest Act and hence, most part of India will be immediately benefited. They have already supported it. This is just for your information. Then, you asked as to how forest guards will

ensure that the bamboo transported in trucks is from the forest. All forest entries have check posts. Technology and surveillance are the order of the day. These days we are living in the 21<sup>st</sup> century with the latest science and technology at our disposal. The bureaucratic inability to check should not deprive the poor of their rights to grow, cut and sell.

Shri Jithender Ji also mentioned a few things. Only by defining bamboo from tree to grass will not suffice. I have to tell him that under the National Bamboo Mission, one lakh hectare area is proposed to be planted with bamboo in the next three years. It is not only this amendment, but we also have a prospective plan with us on which all our Departments are working closely with synergy. Post-harvest, complete value chain mechanism, skill development and capacity building, market networking and linkages, e-agri markets, tool development and harvest processing, setting up of tissue culture and nursery development, value addition, product development, etc., are already planned. These are the things, which I have mentioned, are already planned under the National Bamboo Mission.

The second question he raised was about the proposed Amendment Bill. This proposed Amendment Bill will ease the

provisions and remove the confusion between the two Acts, that is, the Indian Forest Act and the Forest Rights Act. Then, there was some issued raised by our friend from Jharkhand. ... (*Interruptions*)

Sunil Ji has also mentioned that bamboo requires continuous cutting. I have also mentioned it earlier. As regards reserve forests, maybe we have to go in for surveillance. It is a brilliant suggestion to the proposed Amendment Bill. That is already being done and we will strengthen it. The proposed amendment will be beneficial.

Finally, Mr. Mahtab asked how many States have supported this. I mentioned that day that you are one of those Members for whom I have great respect because of your knowledge, sincerity and commitment.

**SHRI BHARTRUHARI MAHTAB:** You are the doctor Saheb of this House. There is another doctor Saheb in the other House.

**DR. HARSH VARDHAN:** As far as answer to your question is concerned, as per the latest figures, 23 States have already supported it. There are five States which have raised some objections or apprehensions. They are – Rajasthan, Bihar, Andaman and Nicobar, Andhra Pradesh and Kerala. These States have a concern about felling of bamboos in forest land, etc. for which we are having one-

to-one meeting and are trying to clarify that. We are not forcing anything. It is in the larger interest of the country. “Sabka Sath Sabka Vikas” is the theme with which we are working.

One Member said that blanket permission for transport will deplete the forest. I would like to say that this amendment will result in no permission for cutting trees outside forest. I think some of the things may not have been answered but I may clarify them at the personal level.

Once again I wish to tell you that this is a good Bill and time will tell this. Maybe some of us will be in this House after five years and they will appreciate that this is probably the greatest reforms of the last century that Mr. Narendra Modi thought of. Our country had to wait for Mr. Narendra Modi to come to bring about this great change in the Indian Forest Act. When I studied it, I always felt as to why such an amendment had to wait for 90 years.

I would once again repeat that ours is a Government which beliefs in total transparency. We believe only in *manav dharam*, *rashtra dharam* and in *samaj dharam*. We work for that and we put our head and soul into it. Our Prime Minister has given us

inspiration to work with utmost sincerity, commitment, honesty and dedication for the people of this country.

With these few words, I would request all the hon. Members to now, at least, pass this Bill.

**SHRI N.K. PREMACHANDRAN:** Sir, I thank the hon. Minister for his kind words and a detailed reply as also for his good comments about the work which we have done in Parliament.

You have stated that it is a misplaced conviction. I fully agree with you. If you can convince us that it is a misplaced conviction, I am ready to correct it. I have made mainly two points. The first point was regarding Ordinance route of legislation. The Ordinance was promulgated on 23<sup>rd</sup> November, 2017 and the House was going to be summoned on 15<sup>th</sup> of December, 2017. Then what was the urgency in promulgating an Ordinance when the House was to be summoned within two weeks? That is the first question which I posed. I do not think that it is a misplaced conviction on the part of a Legislator.

The second point is regarding felling and transiting bamboo trees which are cultivated in the private land. We fully agree with the Government that all the restrictions and regulations imposed on cutting, felling and transiting of bamboos grown in the private land should be removed. We have no hesitation or opposition to that. We are fully with the farmers. But I had raised a technical question. Just now the hon. Minister has assured the House that bamboo will



continue as a forest produce. I thank him for this assurance. But kindly see what is forest produce.

### **19.00 hours**

Forest produce has been very specifically defined in clause 2(iv)(i), trees, leaves, flowers, fruits and all other parts of trees. Now, bamboo is being taken away from the purview of the definition of trees. How can then it be continued to be called a forest produce? That is the question.

The hon. Minister proposes to amend the Indian Forest Act. There is no harm in making rules and legislations. There is no restriction on growing and cultivating bamboo on private land. In my house there is bamboo. There is no restriction in cutting and transiting bamboo. If any restriction is there in any State, particularly in the North-Eastern States, we can make legislation for those States. But still I could not get convinced as to why Section 2 of the Forest Act is being amended so that bamboo is removed from the definition of 'tree'. Bush is there; even cane is there. Taxonomically cane is being termed as a 'grass' and cane is there within the purview of the definition of tree. Why bamboo alone is being taken away from the purview of the definition of tree? Without having this amendment

there are enough opportunities for taking away the restrictions and regulations in felling, cutting and transiting the bamboos. Under such circumstances, what is the necessity of this legislation? That is my question.

Sir, I am not questioning the integrity and honesty of the hon. Minister. I know him personally. I admire him also. But unfortunately, in a law-making process, even a full stop, or a comma and definition have got their own ramifications. I apprehend, maybe my apprehension is wrong, that this will be misused for depleting the forest area in the country, especially the bamboo forest. That is the apprehension which I would like to place on record. With these words I conclude my speech.

**DR. HARSH VARDHAN:** Sir, I have explained in great detail and once again I can tell the hon. Member that bamboo will continue to be a forest produce as per clause 4(b)(ii) in forest areas and not outside forest land. The apprehension of the hon. Member is that people will misuse it inside forest. In that way, anything can happen anywhere. What is this Government for? What is this system for? What are the satellites for, what is the modern technology for? I have made it amply clear but even then I fail to understand as to why the

hon. Member still has apprehensions. Outside the forest areas, once the amendment is done, it will be treated like any other agri produce. You have to appreciate the spirit of the Bill. The Bill seeks to encourage people to do this bamboo cultivation outside the forest areas. I have already explained in great detail the kind of benefits that are associated with bamboo cultivation and how much it is going to help boost our economy.

**HON. DEPUTY-SPEAKER:** Mr. Minister, whatever you are saying here is correct. But the apprehension of the hon. Member is this. Why are you removing bamboo from the purview of the definition of the word 'tree'? So many other trees are being cut in private cultivation. There is a provision that in private land those trees can be cut. But still those are treated as trees. But if you remove the word 'bamboo' from the category of 'tree', then the apprehension of the hon. Member is that this provision can be misused. That is what he feels. How to protect the bamboos in the forest? That is what he is asking.

**DR. HARSH VARDHAN:** Sir, I can assure the hon. Member that the Government will take full care of the apprehensions expressed by him.

*[Translation]*

**SHRI RAMESH BIDHURI (SOUTH DELHI):** Deputy Speaker Sir, here we have a Kikar like grass inside Aravali, when the British came, after them the Congressmen brought it inside the country. ...

*(Interruptions)*

*[English]*

**HON. DEPUTY-SPEAKER:** What clarification do you want to seek? You are not the Minister of Parliamentary Affairs.

*[Translation]*

**SHRI RAMESH BIDHURI:** Sir, listen to me only for thirty seconds. My request to Doctor Sir is that when its fallen leaves fall on the ground, a layer is formed and the ground gets coloured and even the water from that Kikar is not able to seep into the ground. When they try to cut them, the Forest Act prevents them from doing so. They have no use, the shade from these Kikar trees is negligible. My humble request to the Doctor Sir is that they be considered within this Bill as well, as there are many aspects concerning these Kikar trees. In my area, within a 250-acre diversity park, this Kikar does not allow other plants to grow. Therefore, these Kikar trees should also be added so that they can be cut down and the Forest

Department does not stop us. This is just a comment from me. Thank you very much.

*[English]*

**DR. HARSH VARDHAN:** Sir, I will give him a final clarification. If this also does not satisfy the hon. Member, then I do not know what we can do about it.

Sir, I will give you a list of things that we are going to do to prevent misuse in the forest area. Once people start growing bamboo outside the forest areas, we have to appreciate it.

Right now, why is there a pressure on the forest bamboo? It is because there are many restrictions and we do not allow people to grow them outside the forest area and if they grow them, there are many hurdles. There are inspectors everywhere and there is someone who is demanding something or other. The pressure on forest bamboo will reduce and this will further put a check on illegal cutting. We also have a long list of measures to prevent illegal cutting of bamboo inside the forests.

If you wish, I will read all of them. You will be happy to know that we are not talking in the air. We are working on the ground.

The amendment is basically only to exempt bamboo from the definition of ‘tree’ so that bamboo grown on non-forest/private land does not attract provisions of transit and felling regulations and at the same time, the regulation on movement of bamboo grown on forest land will still be enforceable as it will continue to be a forest produce under the provisions of the Indian Forest Act, 1927. This is the first measure.

There are adequate legal frameworks for conservation and protection of bamboo resources inside the forest areas as per the Indian Forest Act, 1927 and State Forest Acts/Rules. This is the second measure.

Thirdly, as of now, people are discouraged to take up plantation on their own land due to requirements of felling and transit which I have repeated again and again. After removal of these impediments, they will be encouraged to take up plantation/harvest for economic use. This will help in reducing their dependency on bamboo resources from forest areas and help in conservation of resources, instead of cutting of the resources.

Forest Departments are well structured. They are working under the Government system and mechanism. Being an organised sector,

they have their own frontline staff, guards, rangers, etc. to protect the resources.

Harvesting of bamboo inside forest areas is carried out as per the prescribed working plan/management plan.

The bamboo species which are preferably grown by farmers and other individuals in their farm land/private land are commonly different from the bamboo species which are mostly found in the forest areas. Therefore, in case of illegal cutting from the forest areas, it could be ascertained with a reasonable practical logic.

No report has been noticed yet regarding clear axing of bamboo inside the forest areas as the nature of felling of bamboos on large scale will result in heavy volumes and it would not be easy for anyone to transport, hide or modify them instantly from the actual source of cutting.

Further, to add to this, the check post guards have the right to check and retain them on the ground in case of any doubt of the authenticity of the source and they can inspect the source of felled bamboo from simply matching the cutting edges of bamboo and sites of felled bamboo.

We have done it up with this much of meticulous precision. Gram Sabha and community participation will also help in identification of the resources. Then the State Forest Department may ask them, if needed, to get a certificate from the Gram Sabha/Headman indicating that the resources are from their own land. Then, finally with the use of advanced technology, photography, GPS registration, other innovative measures and development, self-certification will be done. There are many more things which we are in the process of developing. We will put the Ministry of Science and Technology at the disposal of the Ministry of Environment and Forest to ensure that all your concerns are addressed.



**SHRI JITENDRA CHAUDHURY:** I am supporting this Bill. I am not opposing it. I appreciate your initiative. You talked about the National Bamboo Mission. These bamboo resources should be put to optimal commercial use. You referred to China. They are making 1,000 billion dollars and our share, as you have mentioned, is only six per cent. Why? It is because there is no policy on how to commercially exploit these resources. Why can we not have a Bamboo Board like the Rubber Board, Spices Board, Coffee Board, and Tea Board? If there could be a Tobacco Board for tobacco, which is injurious to health, why can we not have a Bamboo Board? Unless this is done, you cannot achieve your goal.

**HON. DEPUTY-SPEAKER:** Shri Premachandran, are you withdrawing your Resolution?

**SHRI N.K. PREMACHANDRAN:** No, it has already been moved.

**HON. DEPUTY-SPEAKER:** The question is:

“That this House disapproves of the Indian Forest (Amendment) Ordinance, 2017 (Ordinance No. 6 of 2017) promulgated by the President on 23 November, 2017.”

*The motion was negatived.*

**HON. DEPUTY-SPEAKER:** The question is:

“That the Bill further to amend the Indian Forest Act, 1927, be taken into consideration.”

*The motion was adopted.*

**HON. DEPUTY-SPEAKER:** The House will now take up clause-by-clause consideration of the Bill.

**Clause 2                      Interpretation clause**

**HON. DEPUTY-SPEAKER:** Shri Premachandran, are you moving your amendment?

**SHRI N.K. PREMACHANDRAN:** I beg to move:

“Page 1, lines 5 and 6,--

*for ‘the word “bamboos” shall be omitted’*

*substitute ‘for the word “bamboos”, the words “bamboos in the forest land excluding the bamboos cultivated in the land other than forest land” shall be substituted’.*

The Minister has stated that bamboo means bamboo cultivated in a land other than the forest land. That is my amendment. It can be accepted. If it is accepted, the entire cloud of suspicion will go. I am moving the amendment just for the sake of record.

**HON. DEPUTY-SPEAKER:** I shall now put amendment No. 2 to Clause 2 moved by Shri N.K. Premachandran to the vote of the House.

*The amendment was put and negatived.*

**HON. DEPUTY-SPEAKER:** The question is:

“That clause 2 stands part of the Bill”.

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clause 3 was added to the Bill.*

*Clause 1, the Enacting Formula and the Long Title  
were added to the Bill.*

**DR. HARSH VARDHAN:** I beg to move:

“That the Bill be passed.”

**HON. DEPUTY-SPEAKER:** The question is:

“That the Bill be passed”

*The motion was adopted.*

**HON. DEPUTY-SPEAKER:** The House stands adjourned to meet on Thursday, the 21<sup>st</sup> December, 2017 at 1100 a.m.

**19.15 hours**

*The Lok Sabha then adjourned till Eleven of the Clock on Thursday, December 21, 2017/Agrahayana 30, 1939 (Saka).*

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