

# **LOK SABHA DEBATES**

**(English Version)**

**Thirteenth Session**

**(Sixteenth Lok Sabha)**



*(Vol. XXVII contains Nos.1 to 10)*

**LOK SABHA SECRETARIAT**

**NEW DELHI**

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**THE SPEAKER**

Shrimati Sumitra Mahajan

**THE DEPUTY SPEAKER**

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**SECRETARY GENERAL**

Shrimati Snehlata Shrivastava

## LOK SABHA DEBATES

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LOK SABHA

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Friday, December 29, 2017/Pausha 8, 1939 (Saka)

The Lok Sabha met at Eleven of the Clock

[**HON. SPEAKER** *in the Chair*]

## **REFERENCE BY THE SPEAKER**

### **Loss of lives and property in tragic incidents**

**HON. SPEAKER:** Hon. Members, typhoon 'Tembin/Vinta' struck the southern parts of Philippines and neighbouring region on 22nd December, 2017. According to the information available, this typhoon caused more than 266 fatalities and large scale damage of property.

This House expresses its deep condolence over loss of lives in this typhoon and stands in solidarity with the affected people

On 23rd December, 2017, 33 persons are reported to have been killed and several others injured when a bus fell into the Banas river in Sawai Madhopur district of Rajasthan.

The House expresses its profound sorrow on these tragic incidents which have brought pain and sufferings to the bereaved families and wishes the injured a speedy recovery.

The House will now observe silence for a short while as a mark of respect to the departed souls.

**11.01 hrs**

*(The Members then stood in silence for short while.)*

**11.03 hours****\*ORAL ANSWERS TO QUESTIONS**

**HON. SPEAKER:** Now Question hour, Q. No. 161, Shri Ramsinh Rathwa.

**(Q. 161)**

**SHRI RAMSINH RATHWA:** Madam Speaker, rural banks, cooperative banks and credit banks are institutions that function as cooperative banks of small groups or farmers. These cooperative banks raise capital from the market, and in such a situation, there appears to be no justification for withdrawing the tax exemption under section 80(P). I would like to know from the Hon. Minister how much revenue loss the Government would incur by withdrawing this exemption, and whether this loss can be compensated from any other sector.

**SHRI ARUN JAITLEY:** Madam Speaker, first of all, I would like to clarify that in the Finance Bill of 2006, the exemptions that were withdrawn under section 80(P) of the Income-tax Act related to urban cooperative banks. These provisions did not apply to primary agricultural credit societies, primary cooperative agricultural societies, and rural development banks. Now, it

depends upon each assessee as to how much tax becomes payable in cases where exemptions are withdrawn. The objective is that in any system, whether an arrangement, an industry, a bank or any institution, an exemption is granted in the initial stage. Once it becomes sufficiently established and capable of competing in the market, it should no longer enjoy that exemption. It can then compete and participate in the market. Therefore, it has been observed that after these exemptions were withdrawn in 2006 for the banks concerned, they have expanded significantly, by three to four times. Consequently, there has been no adverse impact on their functioning.

**SHRI RAMSINH RATHWA:** Madam Speaker, I express my gratitude to the Hon. Minister. A very correct position has been placed before the House.

My second question is that cooperative banks have traditionally extended credit to small farmers and small industries, but these banks are not provided credit guarantee cover, whereas such cover is available to other public and private sector banks. I would like to know from the Hon. Minister whether any proposal is under the consideration of the Government to extend credit guarantee cover to cooperative banks. If so, what is it? Further, is the Government considering the opening of accounts in these

cooperative banks under the Pradhan Mantri Jan-Dhan Yojana and the Sukanya Samriddhi Yojana?

**SHRI ARUN JAITLEY:** Madam Speaker, the basic question is not directly related to these issues. However, the effort has been to gradually bring cooperative banks at par with other banks and to align their functioning with that of other banks. Accordingly, policy is formulated from time to time. The suggestion made by the Hon. Member will be kept in mind.

*[English]*

**PROF. K.V. THOMAS:** Madam, during the demonetization period, a large number of cooperative banks in Kerala faced the major problem of managing the banned Rs. 500 and Rs. 1000 notes. This has been brought to the notice of the hon. Finance Minister by our hon. Chief Minister, all political parties, and organizations connected with the banking system.

I would like to know as to what are the steps the Government of India has taken to find a reasonable solution for this major problem, otherwise all these banks will be in great trouble. The pensioners, farmers and small traders are the people who are connected with these banks.

**SHRI ARUN JAITLEY:** Madam, this question again does not relate to this. But, from the memory I can recollect that in the first

4-5 days during the demonetization period, some of the cooperative banks had taken deposits of Rs.500 and Rs.1000 notes. Thereafter, the Reserve Bank of India had issued a circular directing them not to take those deposits itself. This issue remained pending for a reasonable period of time when representations were made to me and also to the Reserve Bank to find a solution with regard to the amounts which had already been deposited. Thereafter, for the time period in which they had taken those deposits till the Reserve Bank issued a clarification, they had permitted those cooperative banks to make their deposits into the Treasury itself.

*[Translation]*

**SHRI JAGDAMBIKA PAL:** Madam Speaker, the Hon. Minister has just stated that the intention is to bring cooperative banks at par with commercial banks. This is a very welcome step, and considerable efforts are being made in this direction. He also mentioned that income tax is linked to profit and that where cooperative banks are earning profits, the exemption granted under the Finance Act, 2006 has been withdrawn.

I would like to submit that these cooperative banks certainly function in the same manner as commercial banks. The common man and consumers deposit their money in them. In Uttar Pradesh,

there are 14 such banks, including those in Siddharthnagar and Maharajganj, along with several other districts, where the general public has deposited crores and crores of rupees of their hard-earned money. However, since these cooperative banks are not in profit, withdrawals are not being permitted. As a result, people are unable to solemnise marriages, they are facing severe hardships, farmers are not getting loans, and they are unable to purchase agricultural implements and fertilisers. This is a serious difficulty. In this regard, will the Union Government consider taking any steps to ensure that depositors in those cooperative banks of Uttar Pradesh, where the money of consumers and the common people is deposited, are able to access their funds?

**SHRI ARUN JAITLEY:** Madam Speaker, this matter falls within the domain of the Reserve Bank of India. If such a problem is arising with respect to any specific bank and if the Hon. Member brings it to my notice and provides the details, I will certainly request the Reserve Bank of India to take appropriate action.

*[English]*

**HON. SPEAKER:** Shri P.V. Midhun Reddy – not present.

**(Q. 162)**

**SHRI P. KARUNAKARAN:** Madam, the economic growth of a country depends on various factors as stated by the hon. Finance Minister. It depends upon the growth of agriculture, industry and service sector. On this issue, I would like to ask a specific question. The employment opportunities have a vital role to play in regard to development in all the areas.

At the time of elections, the BJP had stated that if they come to power, they would give employment to two crore people in the country. Now three and half years have passed and in this period seven crore employment opportunities were to be created.

I would like to know from the hon. Finance Minister during this period how many employment opportunities have been created. If so many employment opportunities have not been created, what is the reason?

**SHRI ARUN JAITLEY:** Madam, I am sure the hon. Member knows that in India the employment generation takes place both in the organized and in the unorganized sectors. There are some data which are normally available only with regard to some of the organized sectors but a large amount of employment and the bulk of the employment does get created even in the unorganized sectors like self-employment, small sector, SMEs and so on. For

all those sectors, the authentic data at the moment as such is not available as far as I am concerned because the principal question does not relate to that. Whatever official data is available, if the hon. Member writes to me I can certainly have it conveyed to him.

**SHRIMATI DEV VARMA:** Madam, I think we all know that it takes more than six days to export and more than 13 days to import any commodity. Therefore, India's high logistics cost is hurting the economy of the country. Maybe, everyone is not aware of it. There is involvement of multiple Departments and agencies which is limiting the efficiency of the economy.

Therefore, on account of these facts as also stated by the Chairman of the Economic Advisory Council, I would like to raise a few questions. I would like to know whether the Government has taken any steps to converge multi-departmental action into an integrated logistics policy. I would also like to know whether the Government has taken any steps to facilitate paperless environment across the logistics value chain...*(interruptions)*

**HON. SPEAKER:** You have to ask only one question.

**SHRI ARUN JAITLEY:** Madam, for some good reason I am being asked such questions today which are not related to the main Question. But nonetheless since the hon. Member has made a very important point, let me tell the hon. Member that it is a very

important point as far as trade is concerned. One of the factors is that facilitation of trade itself helps in cutting down cost and therefore increases trade efficiency as far as the country is concerned. This is one of the serious areas that we are looking at.

A lot of steps have been taken. For instance, our port capacities have expanded; the turn-around timing of our ships, certainly in the shipping sector itself, has expanded. As far as the Customs and Revenue Departments are concerned, most of their procedures have now gone online and therefore the procedures have been expedited. But this is still one area -- because in the 'Ease of doing Business' ranking where our ranking has improved in the last three years from 142 to 100, we have moved 42 positions in the last three years -- where we still need to take a lot more steps. Recently the Government having been seized of it, the Department of Industrial Policy and Promotion, which is the nodal Department which looks after this, is taking a large number of steps and getting various Departments and Ministries of the Government to make sure that efficiencies can be brought into this area also which the hon. Member has referred to.

**SHRI ADHALRAO PATIL SHIVAJIRAO:** Madam Speaker, the economic growth of any country depends on how the Government treats its manufacturing sector. This Government, particularly in the last three years, have been doing a lot of good

work in terms of manufacturing in India through programmes like 'Make in India', 'Start-up India' etc. But one sector which has been neglected since last 15 to 20 years is the electronic and IT hardware industry. There is a great scope, particularly in India because the economies of countries like Taiwan and Korea, relatively smaller countries, have progressed since the Governments of those countries have given importance to the electronics and IT hardware sectors, like semi-conductors. In India there are hardly any activities going on in the field of semi-conductors. This is one sector where Indian scientists are working in the Silicon Valley; Indian scientists are working in Korea and Europe and they are doing a good job and doing research in the semi-conductor industry in those countries.

I would like to know from the hon. Finance Minister whether, in the next Budget, the Government will focus on giving importance to the electronics and IT hardware industry.

**SHRI ARUN JAITLEY:** Madam Speaker, the hon. Member has raised a very important issue and I think, this goes to the core of India's manufacturing policy itself. There are areas of manufacturing such as the auto sector, the pharmaceutical sector where we have conventionally, in the last one or two decades, done reasonably well. The hon. Member may realise that in the last three years or so -- for example, the assembly of mobile

telephones in India which were earlier not taking place -- these areas relating to electronics etc. have now picked up. Recently we have also made some changes in our custom tariffs in order to ensure that domestic manufacturing becomes more competitive rather than imported material only coming to India. Keeping that exactly in mind, about two weeks ago we made certain changes as far as the customs tariff are concerned.

I cannot disclose as to what will happen in the next Finance Bill itself but certainly, the industry has made detailed presentations to us in the pre-Budget consultations. These are all areas which we will certainly look into as far as the electronic sector is concerned.

**PROF. SAUGATA ROY:** Madam Speaker, the hon. Minister has given a detailed reply to the Question which shows that India's growth rate plummeted to an all-time low of 5.7 per cent in the first quarter of 2017-18 and showed only a small rise in the second quarter of 2017-18. This fall in GDP growth was anticipated. In fact, Dr. Manmohan Singh, speaking in the other House, had said that because of demonetisation, GDP growth is bound to fall by one per cent.

May be we have passed the worst times. The Minister has listed out a number of steps which he had taken to improve the GDP growth which is in a bad shape. He has mainly emphasised on the money being spent on infrastructure, like roads, ports, etc.

When the economy hits a low, the one thing that is expected normally is to introduce financial stimulus into the economy. From the steps taken by the Minister, I do not see any financial stimulus, in particular, has been given in order to especially boost the manufacturing sector which, in quarter one, went down to as much as 1.2 per cent.

May I ask the hon. Minister, apart from the steps listed out here, what further financial stimulus he is proposing to take for the economy to take us out of the rut that we are in? I am asking this because one former Governor of Reserve Bank, Dr. Y.V. Reddy,

has said that the economy is not expected to recover for two years from the after-effects of hurried GST implementation. Thank you Madam. I am extremely obliged.

**SHRI ARUN JAITLEY:** The hon. Member's phraseology, with utmost respect to him, is somewhat exaggerated. Our economy, for three years in a row, is the world's fastest growing economy. This year, even the IMF and the World Bank have said that by 0.1 per cent, ours will be the second fastest growing economy.

Therefore, to exaggerate that situation to say that we have hit the bottom and that it is a 'rot' that has set in is somewhat not correct.

**PROF. SAUGATA ROY:** I only said 'rut', not 'rot'.

**SHRI ARUN JAITLEY:** 'Rut' is worse than 'rot'.

So, as I said, it is somewhat an exaggerated explanation or analysis as far as the economy is concerned. Let me tell the hon. Member that in the first quarter, if one analyses the data in detail, the services sector rose by 8.7 per cent which was quite robust, which actually meant that people were making purchases. So, there was no demonetisation effect visible as there was currency available with people in order to make the purchases. It is because the 1<sup>st</sup> July date for GST has been announced in advance, the de-stocking itself was taking place and manufacturing for that quarter

had remained suspended which we have seen in the next quarter that it has suddenly picked up. The second quarter detail itself reflects that. All indications seem to suggest that in the coming quarters the curve is going to be on an upward swing.

Now, as far as expenditure is concerned, we have already seen in the second quarter, the manufacturing sector has touched seven per cent level. Therefore, when the manufacturing sector touches seven per cent level, to say that the Government should go in for tax cuts and for larger fiscal deficits, which are measures the Government takes in extreme situations, is not proper. These are not measures which are normally taken when you have a seven per cent growth in the manufacturing sector in the second quarter itself.

**HON. SPEAKER:** Very good.

**(Q. 163)**

**SHRI BIDYUT BARAN MAHATO:** Madam Speaker, I thank you for giving me the opportunity to place this very important matter before the House. I would also like to express my gratitude to the Hon. Minister for having replied in detail. I require some further information and, therefore, I seek your indulgence for a little more time. In any company, ownership is established through its units or shares. Shareholders are the owners of the company. These units are known as share certificates. In earlier times, all kinds of share certificates were printed on good quality paper and issued by companies to their shareholders.

At present, companies registered in the stock market issue shares in electronic form, and the shareholders of such companies can convert their paper-based shares into electronic form in their demat accounts. At present, this facility is available only for shares of companies listed on stock exchanges. This facility is known as paperless share certificates. At present, this facility is not available to all companies that are not listed on stock exchanges, whether they are limited companies or private limited companies. As a result, lakhs of tonnes of paper are consumed, which is harmful from both environmental and cost perspectives.

The number of such companies is many times greater than that of listed companies. In the context of the Digital India initiative, it is necessary for the Government to take steps. In order to prevent wastage, environmental damage and corruption, a concrete step by the Government is required.

I would like to know from the Hon. Minister whether the Government has any plan to ensure that share certificates of all companies are dematerialised and held in electronic form. Is the Government increasing the number of depositories to implement dematerialisation on such a large scale? Is the Government proposing to enact any new law for issuing paperless shares?

**SHRI ARUN JAITLEY:** Madam Speaker, shares in dematerialised form relate to companies that make public offerings. The provision under section 29 of the Companies Act is very clear and mandatory that a company making a public offering must hold its shares in dematerialised form. Apart from this, the Government may categorise other companies, particularly public limited companies, for dematerialised form. A study in this regard is underway, and after the study is completed, the Government will take a decision and announce it. If the Government so decides, such companies will then be required to maintain their shares in dematerialised form. This provision does not apply to private companies because the number of shareholders in private

companies is very small and, therefore, the use of paper is not very substantial.

**SHRI BIDYUT BARAN MAHTO:** Madam Speaker, at present, is the Government considering providing any incentive, by way of encouragement, for converting paper-based share certificates into demat form? If unlisted companies are brought within the ambit of dematerialised shares, are the NSDL (National Securities Depository Limited) and the CDSL (Central Depository Services Limited) prepared to handle this? If so, will this impose any financial burden on the stakeholders? What would be the reaction of the industry in this regard?

**SHRI ARUN JAITLEY:** Madam Speaker, there is no requirement to provide any incentive in this matter because there is a statutory provision. The law clearly specifies the companies or categories of companies for which maintaining shares in dematerialised form is mandatory. If a company makes a public share issue or a public offering, it is compulsory. In the case of a public limited company which does not make a public offering, the Government has yet to take a decision. If the Government takes such a decision, it will be mandatory for all concerned, and there will be no need to provide any incentive.

**SHRI NARANBHAI KACHHADIYA:** Madam Speaker, through you, I would like to state that under the leadership of the Hon. Prime Minister, the Government has taken several revolutionary steps across the country to strike firmly at black money and to eliminate it completely. These include demonetisation, GST and another revolutionary step, under which more than one lakh shell companies in the country have been shut down.

Madam, many unlisted companies in the country are involved in various forms of fraud and tax evasion. I would like to know from the Hon. Minister whether the Ministry will be able to compel all such unlisted companies in this regard. What action has been taken so far on this issue, and will SEBI be consulted in this matter? I would also like to know what further action the Government proposes to take.

**SHRI ARUN JAITLEY:** Madam Speaker, the basic question relates to dematerialised form. This question does not pertain to that subject. However, I would like to inform the Hon. Member that there are many companies which are listed but do not carry out any operations and do not file their returns. If they fail to file returns for a specified period, they become defunct companies and their names are struck off from the list. Similarly, there are several companies which were used merely as shell companies for money

transfers, illegal transactions and transfer of black money. Although this terminology is not used in any statute, in common parlance they are treated as shell companies. The Income Tax Department and the investigating agencies under the Companies Act, including the SFIO, which is one such investigating agency, are already taking strict action against a large number of such cases that have come to light.

**(Q. 164)**

**SHRI SHRIRANG APPA BARNE:** Madam Speaker, on 6 December 2017, a Memorandum of Understanding was signed to promote mutual cooperation between India and Cuba in the field of health. This is a commendable step by the Government..

Madam, medical services in Cuba are very affordable, due to which many people travel to Cuba for medical treatment. In our country, treatment for cancer, heart disease, kidney ailments and liver transplants involves very high expenditure. Assistance is available from the Prime Minister's Relief Fund, but this assistance does not reach everyone. There are many economically backward regions in the country, such as Vidarbha in Maharashtra and Bundelkhand in Uttar Pradesh. ... (*Interruptions*)

**HON. SPEAKER:** Barne ji, please ask your question.

**SHRI SHRIRANG APPA BARNE:** Madam Speaker, I am asking my question. In addition, there are numerous tribal areas across the country where the cost of treatment for these diseases is extremely high. Through you, I would like to know from the Hon. Minister what steps the Government is taking, under this agreement, to ensure that treatment for serious diseases such as cancer, heart disease, kidney ailments and liver transplants

becomes affordable and accessible in economically backward regions and tribal areas of the country.

**SHRI JAGAT PRAKASH NADDA: Madam Speaker,** as far as the MoU with Cuba is concerned, it relates to mutual training of our existing doctors. Secondly, it concerns how we can provide medical training to our raw human resources. It also pertains to pharmaceuticals and, along with pharmaceuticals, this agreement also covers our indigenous medicines.

As regards the issue raised by the Hon. Member concerning tribal areas, and particularly diseases such as cancer, cardiovascular diseases and kidney diseases, the Union Government is implementing several programmes. With regard to cancer, we are providing facilities ranging from National Cancer Centres to State Cancer Centres, and also tertiary cancer centres. Through these, we are making efforts to provide technical support in terms of equipment and training, which is being extended to the State Governments.

In the same manner, tertiary cancer centres and State Cancer Institutes have been provided in Maharashtra, Chhattisgarh and other parts of the country. We provide one Cancer Institute at a cost of Rs. 120 crore, and a tertiary cancer centre at a cost of Rs. 45 to 50 crore. As far as super speciality medical colleges are

concerned, we are upgrading them and providing support to State Governments for super speciality facilities. This is also being done in Maharashtra. With regard to tribal areas, we act on the proposals received from the State Governments. The Union Government provides technical support as well as financial support to the State Governments.

**SHRI SHRIRANG APPA BARNE:** Madam Speaker, the Hon. Minister has informed the House in writing about the exchange of agreements. However, I would like to draw your attention to the fact that even today, sixty per cent of the country's population resides in rural areas. Even now, medical care personnel are not available at health centres, and in many health centres the number of doctors is inadequate. Technicians are also not available. Agreements have been made for the exchange of equipment and training, but there are many areas across the country where medical health care centres exist but doctors are not available there. How will this exchange take place?

**HON. SPEAKER:** Is an MoU not required for this? Please ask your question.

**SHRI SHRIRANG APPA BARNE:** How will people receive relief from health centres in such circumstances?

**SHRI JAGAT PRAKASH NADDA:** Madam Speaker, this question is not related to the original question. Question No. 8 of the Hon. Member pertains to the shortage of doctors. ...  
*(Interruptions)*

In this regard, I would like to state only one thing. As far as our Government is concerned, we have made efforts, first of all, to increase medical seats. From the perspective of the medical profession, 5,000 postgraduate seats have been increased within this year itself. We are also working on super speciality facilities. Secondly, our position is very clear that, to make available the doctor in the Rural CHCs, whatever facilities you need, the Government of India is committed. It is for the State Governments to come up. We have also conveyed to them that if a gynaecologist is required and whatever salary is necessary to make her available, the State Government should offer it, and the Union Government will bear that salary. That is our commitment. We will do it.

**DR. SANJAY JAISWAL:** Madam Speaker, first of all, I would like to congratulate the Hon. Minister. Across the world, Cuba is an ideal example of how very good treatment can be provided at a low cost. India also needs to learn from Cuba. An MoU has been signed for this purpose. The Hon. Minister has implemented programmes such as active surveillance for tuberculosis and

Mission Indradhanush, from which Cuba also needs to learn. At the same time, we need to learn from Cuba how they provide excellent treatment at low cost within their own country, even for their national leaders. Of the seven points mentioned by the Hon. Minister, policy-making is not included. My request is that the policy-makers in the Health Department should be able to visit Cuba and learn how facilities comparable to developed countries can be provided at minimal cost. I would like to know whether the Hon. Health Minister will send any team to Cuba to learn about their financial management in the health sector, so that India can also follow a similar model at lower cost.

**SHRI JAGAT PRAKASH NADDA:** Madam, we will include this suggestion in the Joint Working Group that will be constituted. Last year, our Minister of State visited Cuba and conducted a study there along with the officials. However, the Joint Working Group will certainly, we will look into it.

*[English]*

**SHRI ADHIR RANJAN CHOWDHURY:** Madam, there is an adage that ‘necessity knows no bounds.’ Out of desperation, I am going to deviate from the core issue of the question.

**HON. SPEAKER:** No, please.

**SHRI ADHIR RANJAN CHOWDHURY:** I am seeking your indulgence. Just listen to me, Madam... (*Interruptions*)

West Bengal has been ravaged by dengue.

**HON. SPEAKER:** If the hon. Minister wants to answer it, I have no objection.

... (*Interruptions*)

**SHRI ADHIR RANJAN CHOWDHURY:** Actually, dengue has assumed an epidemic proportion in West Bengal. But we do not have even an iota of knowledge of what is the exact figure of dengue casualties.

I have persuaded your Ministry also to extend all kinds of cooperation. Even in Bengal, doctors have been forced not to mention the cause of death. It is really a matter of great concern.

Therefore, I would like to get the information from your Ministry as to what is the exact position concerning West Bengal in so far as Dengue invasion is concerned. It is because Dengue has almost assumed epidemic proportions and doctors have been forced not to mention the cause of death.

**HON. SPEAKER:** This is not related to this Question.

**SHRI JAGAT PRAKASH NADDA:** Madam, it is not related to this Question.

**(Q. 165)**

**SHRI MEKAPATI RAJA MOHAN REDDY:** Madam, I thank the hon. Minister for his elaborate answer. But cancer is a deadly disease. It is spreading like epidemic among adults, children and, especially, among ladies in the form of breast cancer. The treatment of this disease is very costly. It is beyond the limit of common citizen.

Therefore, the Government has to develop some alternative medicines or some Ayurvedic medicine which should also be cost effective. It should not have any side effects. That is why, I would like to know from the hon. Minister whether the Government of India proposes to set-up Ayurvedic dispensaries or hospitals for poor people at various places across the country to treat this disease free of cost.

*[Translation]*

**SHRI SHRIPAD YESSO NAIK:** Hon. Speaker, Madam, the Hon. Member has raised a question regarding cancer, and everyone will agree that the number of cancer patients in the country is increasing. Therefore, our Ministry of AYUSH is working extensively in this direction.

As we all know, health is a State subject. The Ministry of AYUSH, which functions under the Union Government, is putting

its full strength into research and education. We have laid special emphasis on research so that effective medicines can reach the people. You are aware that there are several institutions, and we have collaborative projects with institutions such as AIIMS. Through these, we are making efforts to develop new medicines. We are prepared to provide the necessary financial support to the States to ensure that these reach the grassroots level. Through the AYUSH Mission, we have committed to providing one AYUSH hospital in every district. So far, at least 69 hospitals have already been approved. This arrangement has been made so that quality medicines are developed and institutions of AYUSH are available within the States themselves for dispensing these medicines. Thus, we are working on both fronts through the AYUSH Mission. For cancer prevention, we need to lay greater emphasis. By promoting yoga and bringing about lifestyle changes, we are making every possible effort to reduce the number of cancer patients to the maximum extent possible.

*[English]*

**SHRI MEKAPATI RAJA MOHAN REDDY:** Madam, my second supplementary is regarding the finances. As you also know, when we are in our Constituencies, many people come to us for the Prime Minister's Relief Fund. We write letters. But money

from the Prime Minister's Relief Fund is not being released in all the cases that we have referred to.

Therefore, I would like to know from the Government whether you are proposing any fund, under the Department of AYUSH, to treat cancer patients, so that when Members of Parliament write to you, you can also do the needful. This is a very important thing. A lot of people are coming to us. We are writing letters for releasing money from the Prime Minister's Relief Fund but we are not getting this fund released in all the cases. That is why, I would like to ask you this question.

*[Translation]*

**SHRI SHRIPAD YESSO NAIK:** Hon. Speaker, Madam, the question raised by the Hon. Member is serious. However, as far as finance is concerned, the Ministry of AYUSH does not have adequate financial capacity, nor does it have a large budget. I would like to request the Hon. Finance Minister and the Hon. Prime Minister that under the Prime Minister's schemes, assistance is provided to cancer patients. In our constituencies as well, if any cancer patient approaches us, we send a proposal to the Prime Minister's Office and assistance is certainly provided from the Prime Minister's Office. There is no such system available with us. We will, however, make every effort to provide as much

funding as possible to the State Governments through research and medicines.

**DR. MANOJ RAJORIA:** Hon. Speaker, Madam, I thank you for giving me the opportunity to raise a very important issue. The original question was regarding the support being extended by the Government for the treatment of cancer under the various AYUSH systems. First of all, I would like to thank the Hon. Minister for stating that AYUSH hospitals have been opened in 69 districts across the country. For this, I am grateful to the Hon. Minister and the Hon. Prime Minister. At the same time, I would also request that efforts be made to open AYUSH hospitals at the earliest in the remaining districts of the country, and I specifically urge that AYUSH institutions be established as soon as possible in all the 33 districts of Rajasthan.

As the Hon. Minister mentioned in his reply, there are five autonomous research councils for Ayurveda, Yoga, Unani, Homoeopathy and Siddha, and budgetary allocations are made through these research councils. I am also a Member of the Health Committee, and when these research councils appear before us, they come only for budget allocation. I would like to draw the attention of the Hon. Minister to the fact that when it comes to research, there is a set pattern, and on the basis of that same set pattern, they present research proposals and seek increased

budgets every time. But what is the actual work being done in research? I myself am a homoeopathic doctor, but when it comes to research, there is a serious lack of meaningful research in all these systems, due to which their full potential is not being realised.

I would like to urge the Hon. Minister to lay down clear criteria for all research councils, whereby those research councils that deliver tangible results are provided better budgetary support, and those that do not deliver results are not granted budgets, so that the overall standard of research councils improves. ...

*(Interruptions)*

**HON. SPEAKER:** Are you making suggestions?

**DR. MANOJ RAJORIA:** Hon. Speaker, Madam, yes. Apart from these research councils, there are many non-governmental institutions that are interested in undertaking research. Is the Union Government formulating any scheme to extend support to such institutions so that assistance can be provided to cancer patients, and also for other lifestyle-related diseases?

**SHRI SHRIPAD YESSO NAIK:** Hon. Speaker, Madam, in addition to the Government institutions to which we extend support for research, under the AYUSH Mission we have a scheme through which, by way of extramural activities, we also

provide funding privately. We have already extended substantial funding for such research. I will provide the details of this funding to the Hon. Doctor.

*[English]*

**SHRI VINCENT H. PALA:** Thank you, Madam. In the North East, cancer is one of the highest in the world. May I know from the hon. Minister, through you, what initiative the Union Government has taken in terms of integrating the AYUSH system of treatment with the other system of treatment in the North East, especially in the areas where people consume lots of betel nuts etc.? In terms of research, in terms of treatment, what is the initiative taken by the Government and how much money has been spent in case any initiative has been taken in the North-East specially to reduce cancer there?

*[Translation]*

**SHRI SHRIPAD YESSO NAIK:** Hon. Speaker, Madam, as I have stated earlier, health is a State subject. I had also mentioned that the role of the Union Government is linked to research and education, and that aspect has also been integrated here. Our research centres are located in the North-East as well. That is why we have established a research centre for Homoeopathy there, which was inaugurated two to three months ago. Through these

centres, we will be able to serve the people of the North-East. I would like to state that funding and State budgetary support are extended to State Governments by allocating resources on the basis of population and the level of backwardness of the State.

**SHRI PRAHLAD SINGH PATEL:** Hon. Speaker, Madam, my question relates to all systems of medicine, particularly the indigenous systems, for which the Hon. Shri J. P. Nadda is the Minister. When cancer reaches the stage where surgery is required, the situation is different, and even after surgery, continuous treatment is necessary. When the disease recurs, the circumstances become even more difficult. For surgery and subsequent treatment, we are entirely dependent on allopathy. When cancer recurs, a situation arises where the family is unable to cope. The expenditure is inevitable, but attendants are often not available. More important than the hospital is the hospice. I am associated with the 'Virat Hospice' in Jabalpur, where Gyaneshwari Devi is working. All systems of medicine, particularly Ayurveda, can provide support in the hospice sector.

Through you, I would like to request and ask both the Ministers concerned whether there is any scheme to promote hospices, because medicines are required there and service providers are also required. Even if there may not be extensive

research, there are people who have been working in this field for years. Does the Government have any plan to support them?

**SHRI SHRIPAD YESSO NAIK:** Hon. Speaker, Madam, the Hon. Member has raised a very pertinent question. This is a societal need. Till now, all such care is provided in hospitals, and when patients return home, the Ministry or others are not in a position to do much. Certainly, after discussing this matter with the Hon. Health Minister, we can consider this issue.

**(Q. 166)**

**DR. RAMESH POKHRIYAL NISHANK:** Hon. Speaker, Madam, AYUSH and Ayurveda constitute a science dedicated to the protection of human health across the world, and it is to raise a question on this subject that I stand in the House. I would like to congratulate the Hon. Minister that under his able leadership, and under the leadership of our esteemed Hon. Prime Minister, the manner in which 177 countries across the world have aligned themselves with us on yoga and Ayurveda has clearly established that yoga and Ayurveda can provide effective leadership in safeguarding the health of people worldwide. There has been continuous concern in this House regarding cancer as well. In leading and renowned medical institutions across the world, whether it be MD Anderson, California, the University of Maryland, Harvard or the University of Arizona, integrated management combining allopathy with Ayurveda, homoeopathy and naturopathy is progressing very rapidly. The reply given by the Hon. Minister reflects developments over the last ten to twenty years, but Ayurveda is now advancing at a much faster pace. In view of this momentum, has the Government formulated any special plan at the national level, as a mission, for the development of an affordable and robust integrated system of medicine? If such a plan has been formulated, what is it, and if

not, by when does the Government propose to formulate and implement it?

**SHRI SHRIPAD YESSO NAIK:** Hon. Speaker, Madam, the Hon. Member has asked about integration. The integration programme is progressing very well. Through the AYUSH Mission, we are implementing the co-location scheme, under which AYUSH doctors are being deployed at every Primary Health Centre, every Community Health Centre and in District Hospitals. I am pleased to state that the co-location scheme has been initiated in all States, and integration has begun in an effective manner.

Under pilot projects, we have selected six districts where yoga and allopathy are being practised together. In one district, Ayurveda is being implemented, in another homoeopathy, and collectively these systems are undertaking screening of entire villages through primary centres. If a disease is diagnosed at an early stage, complications can be avoided later. Doctors also state that if cancer is detected in its initial stage, treatment is possible. In this manner, we are implementing these programmes. After assessing the results, it is our intention to extend this programme to one hundred districts.

**DR. RAMESH POKHRIYAL NISHANK:** Madam, I will discuss this matter separately with both the Ministers regarding the extent to which the formulated scheme has been implemented, as we are monitoring it very closely.

My second supplementary question is that, according to the World Health Organization report, there should be at least one doctor per one thousand people. In our country, there is not even one doctor for more than 1,674 people. The Hon. Health Minister has just stated that seats have been increased. I had also stated in the previous Session to the Hon. Minister that in Government and non-Government Ayurvedic medical colleges, the number of professors or readers required, if assessed as per prescribed norms, is not even fifty per cent of those who have received training. We need to examine who is teaching in these colleges. If there are no professors and readers, who will teach in these institutions? I would like to ask the Hon. Health Minister and the Hon. AYUSH Minister whether they will jointly sit together and formulate a special project, as a mission, to develop an affordable and robust integrated system of medicine, so that within five years sufficient supply can be ensured up to the required level. Has any such plan been formulated? If so, what is that plan? If not, by when will it be formulated and when will it be implemented?

**SHRI SHRIPAD YESSO NAIK:** Hon. Speaker, Madam, I would like to place before the House the efforts being made by the Ministry of AYUSH in this regard. Today, public interest in AYUSH systems is increasing. Good hospitals are also being established. Through National Institutes, we have increased the number of postgraduate seats, and it is after postgraduate education that professors are produced. We have also granted permission to private colleges for these courses so that the number of professors can be increased. This will address the concern raised by the Hon. Member. We are making further efforts to establish more such institutes and to increase the number of professors. It is correct that the rate of growth of our population is high, and accordingly, we must also accelerate our efforts. The Ministry of AYUSH is endeavouring to open as many postgraduate colleges as possible and to prepare a larger number of professors. We are moving ahead rapidly in this direction.

**SHRIMATI MEENAKASHI LEKHI:** Hon. Speaker, Madam, AYUSH medical science is also a science, just like allopathy. However, there are several diseases for which there is no cure in allopathy. For instance, thyroid disorder may be cited, as it is considered a deficiency disease and medication has to be taken throughout one's life. In Ayurveda, there is a medicine known as *Thyrobin*, regarding which it is claimed that thyroid can be treated

within four months and hypothyroidism can be cured. For such diseases, the doctors of AYUSH systems, whom we also refer to as *Vaidyas*, do not have any established system or mechanism through which they can register such medicines in their own names and obtain patents. Multinational companies take these formulations and get them patented in their own names. I would like to know whether the Ministry is taking any action in this regard to ensure patent protection for such medicines, to provide legal support to practitioners, and to recognise these formulations as the intellectual property of India.

**SHRI SHRIPAD YESSO NAIK:** Hon. Speaker, Madam, the Hon. Member has raised a very important question.

In this regard, I would like to state that there is a system for filing various kinds of patents within the Ministry of AYUSH as well. So far, we had not been able to progress very rapidly in the field of research. However, after the Hon. Prime Minister established AYUSH as a separate Ministry, our budget in this sector has increased. We have also set up new laboratories.

The Hon. Member has rightly stated that this work should be undertaken at the earliest. We are aware of how rapidly our neighbouring country, China, has progressed in the field of

patents. It will take some time for us to put this system fully in place.

I assure the Hon. Member that we will make earnest efforts in this direction so that the work is carried out properly at the earliest.

**HON. SPEAKER:** Premachandran ji, please speak briefly. Time is running out.

*[English]*

**SHRI N.K. PREMACHANDRAN:** Madam, it is a welcome step by the Government to integrate the systems of medicine in India under the AYUSH Ministry. The traditional system of medicine, Ayurveda, is facing a severe crisis due to the shortage of Ayurvedic medicinal plants and herbs. My specific question to the Hon. Minister is this: In order to promote the cultivation of Ayurvedic medicinal plants and herbs, is there a proposal to establish a National Herbal Research Institute? If so, when will it be established, and will it be an institute at the national level?

*[Translation]*

**SHRI SHRIPAD YESSO NAIK:** Hon. Speaker, Madam, the Hon. Member has referred to plantation. We have increased the budget of our National Medicinal Plants Board. We are

undertaking plantation activities in coordination with all the States.

As you have also mentioned herbs, I would like to state that this too falls within the same ambit. If you have any further suggestions in this regard, kindly place them before us. We will certainly consider them.

*[English]*

**HON. SPEAKER:** The Question Hour is over.

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**\*WRITTEN ANSWERS TO QUESTIONS**

Starred Question Nos. 167 to 180

Unstarred Question Nos. 1841 to 2070

**12.00 hours**

**PAPERS LAID ON THE TABLE**

*[English]*

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

**THE MINISTER OF STATE OF THE MINISTRY OF AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY (AYUSH) (SHRI SHRIPAD YESSO NAIK):** Madam, I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Central Council of Indian Medicine, 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 Council of Indian Medicine, New Delhi, for the year 2016-2017.

[Placed in Library, See No. LT 8205/16/17]

- (2) (i) A copy of the Annual Report (Hindi and English

versions) of the Central Council of Homoeopathy, 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 Council of Homoeopathy, New Delhi, for the year 2016-2017.

[Placed in Library, See No. LT 8206/16/17]

**THE MINISTER OF STATE OF THE MINISTRY OF CULTURE AND MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (DR. MAHESH SHARMA):** Madam, I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Central Pollution Control Board, Delhi, for the year 2015-2016, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Central Pollution Control Board, Delhi, for the year 2015-2016.

- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library, See No. LT 8207/16/17]

- (3) A copy of Notification No. S.O.2836(E) (Hindi and English versions) published in Gazette of India dated 31<sup>st</sup> August, 2017, making certain amendments in Notification No. S.O.1174(E) dated 18<sup>th</sup> July, 2007 issued under Sections 12 &13 of the Environment (Protection) Act, 1986.

[Placed in Library, See No. LT 8208/16/17]

- (4) A copy of the Wetlands (Conservation and Management) Rules, 2017 (Hindi and English versions) published in Notification No. G.S.R.1203(E) in Gazette of India dated 26<sup>th</sup> September, 2017 under Section 26 of the Environment (Protection) Act, 1986.

[Placed in Library, See No. LT 8209/16/17]

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE AND MINISTER OF STATE IN THE MINISTRY OF SHIPPING (SHRI PON RADHAKRISHNAN):** Madam, I beg to lay on the Table:-

(1) A copy of the 29<sup>th</sup> Progress Report (Hindi and English versions) on the Action Taken pursuant to the recommendations of the Joint Parliamentary Committee on Stock Market Scam and matters relating thereto, December, 2017.

[Placed in Library, See No. LT 8210/16/17]

(2) (i) A copy of the Annual Report (Hindi and English versions) of the Institute of Economic Growth, 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 Institute of Economic Growth, Delhi, for the year 2016-2017.

[Placed in Library, See No. LT 8211/16/17]

(3) A copy of the Annual Accounts (Hindi and English versions) of the Securities and Exchange Board of India, Mumbai, for the year 2016-2017, together with Audit Report thereon.

[Placed in Library, See No. LT 8212/16/17]

- (4) (i) A copy of the Annual Report (Hindi and English versions) of the Madras School of Economics, 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 Madras School of Economics, Chennai, for the year 2016-2017.

[Placed in Library, See No. LT 8213/16/17]

- (5) (i) A copy of the Annual Report (Hindi and English versions) of the Institute for Social and Economic Change, Bangalore, for the year 2016-2017, alongwith Audited Accounts.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Institute for Social and Economic Change, Bangalore, for the year 2016-2017.

[Placed in Library, See No. LT 8214/16/17]

- (6) (i) A copy of the Annual Report (Hindi and English versions) of the Centre for Development Economics (Delhi School of Economics-University of Delhi),

Delhi, for the year 2016-2017, alongwith Audited Accounts.

- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Centre for Development Economics (Delhi School of Economics-University of Delhi), Delhi, for the year 2016-2017.

[Placed in Library, See No. LT 8215/16/17]

- (7) (i) A copy of the Annual Report (Hindi and English versions) of the Institute for Studies in Industrial Development, 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 Institute for Studies in Industrial Development, New Delhi, for the year 2016-2017.

[Placed in Library, See No. LT 8216/16/17]

- (8) (i) A copy of the Annual Report (Hindi and English versions) of the National Council of Applied Economic Research, New Delhi, for the year 2016-2017, alongwith Audited Accounts.

- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the National Council of Applied Economic Research, New Delhi, for the year 2016-2017.

[Placed in Library, See No. LT 8217/16/17]

- (9) (i) A copy of the Annual Report (Hindi and English versions) of the Centre for Policy Research, New Delhi, for the year 2016-2017, alongwith Audited Accounts.

- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the Centre for Policy Research, New Delhi, for the year 2016-2017.

[Placed in Library, See No. LT 8218/16/17]

(10) A copy each of the following Notifications (Hindi and English versions) under Section 48 of the Foreign Exchange Management Act, 1999:-

- (i) The Foreign Exchange Management (Foreign Exchange Derivative Contracts) (Second Amendment) Regulations, 2017 published in

Notification No. G.S.R.1324(E) in Gazette of India dated 24<sup>th</sup> October, 2017.

- (ii) The Foreign Exchange Management (Transfer or Issue of Any Foreign Security) (Amendment) Regulations, 2017 published in Notification No. G.S.R.1386(E) in Gazette of India dated 14<sup>th</sup> November, 2017.
- (iii) The Foreign Exchange Management (Transfer or Issue of Security by a Person Resident outside India) Regulations, 2017 published in Notification No. G.S.R.1374(E) in Gazette of India dated 7<sup>th</sup> November, 2017.

[Placed in Library, See No. LT 8219/16/17]

(11) A copy of the Statement (Hindi and English versions) on Quarterly Review of the trends in receipts and expenditure in relation to the budget at the end of the second quarter of the Financial year 2017-2018 and Statement explaining deviations in meeting the obligations of the Government under sub-section (1) of Section 7 of Fiscal Responsibility and Budget Management Act, 2003.

[Placed in Library, See No. LT 8220/16/17]

*[Translation]*

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SHIV PRATAP SHUKLA):** Madam, I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Insurance Regulatory and Development Authority, Hyderabad, for the year 2016-2017.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Insurance Regulatory and Development Authority, Hyderabad, for the year 2016-2017.

[Placed in Library, See No. LT 8221/16/17]

- (2) A copy of the 47<sup>th</sup> Valuation Report (Hindi and English versions) of the Life Insurance Corporation of India, Mumbai, for the year 2016-2017.

[Placed in Library, See No. LT 8222/16/17]

(3) A copy of the Reserve Bank of India Pension (Amendment) Regulations, 2017 (Hindi and English versions) published in Notification No. Co.HRMD No. 6563/21/01/2017-18 in Gazette of India dated 6th October, 2017 under sub-section (4) of Section 58 of the Reserve Bank of India Act, 1934.

[Placed in Library, See No. LT 8223/16/17]

(4) A copy of the State Bank of India Employees' Pension Fund (Amendment) Regulations, 2017 (Hindi and English versions) published in Notification No. BOD&GO/VKK/470 in Gazette of India dated 4th October, 2017 under sub-section (4) of Section 50 of the State Bank of India Act, 1955.

[Placed in Library, See No. LT 8224/16/17]

(5) A copy each of the following Notifications (Hindi and English versions) under sub-section (6) of Section 19 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970:-

- (i) The Allahabad Bank (Officers' Service (Amendment) Regulations, 2017 published in Notification No. F. No. HO/ADMN/3F-49/1512 in Gazette of India dated 17<sup>th</sup> November, 2017.
- (ii) Notification No. F. No. HO/GM\_Sectt/PA/DC/2017/1163

published in Gazette of India dated 30<sup>th</sup> November, 2017 making certain amendments in the schedule to the Allahabad Bank Officer Employees“ (Discipline & Appeal) Regulations, 1976.

[Placed in Library, See No. LT 8225/16/17]

(6) A copy of the Insurance Regulatory and Development Authority of India (Payment of commission or remuneration or reward to insurance agents and insurance intermediaries) (Second Amendment) Regulations, 2017 (Hindi and English versions) published in Notification No. F. No. IRDAI/Reg/9/146/2017 in Gazette of India dated 23<sup>rd</sup> October, 2017 under Section 27 of the Insurance Regulatory and Development Authority Act, 1999.

[Placed in Library, See No. LT 8226/16/17]

(7) A copy of the Small Industries Development Bank of India (Staff) [Amendment] Regulations, 2017 (Hindi and English versions) published in Notification No. F. No.HRV No.L00141487/Staff General(2) in Gazette of India dated 31<sup>st</sup> May, 2017 under sub- section (3) of Section 52 of the Small Industries Development Bank of India Act, 1989.

[Placed in Library, See No. LT 8227/16/17]

(8) A copy of the Prevention of Money-Laundering (Maintenance of Records) Seventh Amendment Rules, 2017 (Hindi and English

versions) published in Notification No. G.S.R.1506(E) published in Gazette of India dated 12th December, 2017 under section 74 of the Money Laundering Act, 2002 together with an explanatory memorandum.

[Placed in Library, See No. LT 8228/16/17]

(9) A copy of the Income-tax (18th Amendment) Rules, 2017 (Hindi and English versions) published in Notification No. G.S.R.821(E) published in Gazette of India dated 3rd July, 2017 under section 296 of the Income Tax Act, 1961 together with an explanatory memorandum.

[Placed in Library, See No. LT 8229/16/17]

(10) A copy each of the following Notifications (Hindi and English versions) under Section 166 of the Central Goods and Services Tax Act, 2017:-

- (i) G.S.R.994(E) published in Gazette of India dated 8th August, 2017, together with an explanatory memorandum seeking to extend time period for filing of details of outward supplies in form GSTR-1 for months of July and August.
- (ii) G.S.R.995(E) published in Gazette of India dated 8th August, 2017, together with an explanatory

memorandum seeking to extend time period for filing of details of inward supplies in form GSTR-2 for months of July and August

- (iii) G.S.R.996(E) published in Gazette of India dated 8th August, 2017, together with an explanatory memorandum seeking to extend time period for filing of details in form GSTR-3 for months of July and August.
- (iv) G.S.R.997(E) published in Gazette of India dated 8th August, 2017, together with an explanatory memorandum seeking to introduce date of filing of GSTR-3B for months of July and August.
- (v) The Central Goods and Services Tax (Fifth Amendment) Rules, 2017 published in Notification No. G.S.R.1023(E) in Gazette of India dated 17th August, 2017, together with an explanatory memorandum.
- (vi) G.S.R.1024(E) published in Gazette of India dated 17th August, 2017, together with an explanatory memorandum seeking to notify the date and conditions for filing the return in form GSTR-3B for month of July, 2017.
- (vii) G.S.R.1039(E) published in Gazette of India dated 21st

August, 2017, together with an explanatory memorandum seeking to further extend the date for filing of return in form GSTR-3B for month of July, 2017.

- (viii) G.S.R.1070(E) published in Gazette of India dated 28th August, 2017, together with an explanatory memorandum seeking to extend time period for filing of details in form GSTR-5A for month of July.
- (ix) G.S.R.1071(E) published in Gazette of India dated 28th August, 2017, together with an explanatory memorandum seeking to extend time period for filing of details in form GSTR-6 for months of July and August.
- (x) The Central Goods and Services Tax (Sixth Amendment) Rules, 2017 published in Notification No. G.S.R.1121(E) in Gazette of India dated 30th August, 2017, together with an explanatory memorandum.
- (xi) G.S.R.1126(E) published in Gazette of India dated 1st September, 2017, together with an explanatory memorandum seeking to waive the late fee for late filing of form GSTR-3B for month of July.
- (xii) G.S.R.1129(E) published in Gazette of India dated 5th

September, 2017, together with an explanatory memorandum seeking to extend due dates for furnishing details>Returns for the months of July, 2017 and August, 2017.

- (xiii) G.S.R.1144(E) published in Gazette of India dated 11th September, 2017, together with an explanatory memorandum seeking to extend the time limit for filing of GSTR-1, GSTR-2 and GSTR-3.
- (xiv) G.S.R.1145(E) published in Gazette of India dated 11th September, 2017, together with an explanatory memorandum seeking to extend the time limit for filing of GSTR-6.
- (xv) G.S.R.1158(E) published in Gazette of India dated 15th September, 2017, together with an explanatory memorandum seeking to grant exemption to a casual taxable person making taxable supplies of handicraft goods from the requirement to obtain registration.
- (xvi) G.S.R.1163(E) published in Gazette of India dated 15th September, 2017, together with an explanatory memorandum notifying Section 51 of the CGST Act, 2017 for TDS.

- (xvii) G.S.R.1164(E) published in Gazette of India dated 15th September, 2017, together with an explanatory memorandum seeking to extend the last date for filing the return in form GSTR-3B for the months of August, 2017 to December, 2017.
- (xviii) The Central Goods and Services Tax (Seventh Amendment) Rules, 2017 published in Notification No. G.S.R.1165(E) in Gazette of India dated 15th September, 2017, together with an explanatory memorandum.
- (xix) The Central Goods and Services Tax (Eighth Amendment) Rules, 2017 published in Notification No. G.S.R.1214(E) in Gazette of India dated 29<sup>th</sup> September, 2017, together with an explanatory memorandum.
- (xx) G.S.R.1218(E) published in Gazette of India dated 4th October, 2017, together with an explanatory memorandum regarding extension of facility of LUT to all exporters.
- (xxi) The Central Goods and Services Tax (Ninth Amendment) Rules, 2017 published in Notification No. G.S.R.1251(E) in Gazette of India dated 13th October,

2017, together with an explanatory memorandum

- (xxii) G.S.R.1252(E) published in Gazette of India dated 13th October, 2017, together with an explanatory memorandum making certain amendments in the Notification No. 32/2017-Central Tax, dated 15th September, 2017.
- (xxiii) G.S.R.1253(E) published in Gazette of India dated 13th October, 2017, together with an explanatory memorandum seeking to cross-empower State Tax officers for processing and grant of refund.
- (xxiv) G.S.R.1254(E) published in Gazette of India dated 13th October, 2017, together with an explanatory memorandum seeks to make payment of tax on issuance of invoice by registered persons having aggregate turnover less than Rs 1.5 crores.
- (xxv) G.S.R.1255(E) published in Gazette of India dated 13th October, 2017, together with an explanatory memorandum seeking to extend the time limit for filing of form GSTR-4.
- (xxvi) G.S.R.1256(E) published in Gazette of India dated 13th October, 2017, together with an explanatory

memorandum seeking to extend the time limit for filing of form GSTR-5A.

- (xxvii) G.S.R.1257(E) published in Gazette of India dated 13th October, 2017, together with an explanatory memorandum seeking to extend the time limit for filing of form GSTR-6.
- (xxviii) G.S.R.1258(E) published in Gazette of India dated 13th October, 2017, together with an explanatory memorandum seeking to extend the time limit for submission of form GST ITC-01.
- (xxix) The Central Goods and Services Tax (Tenth Amendment) Rules, 2017 published in Notification No. G.S.R.1304(E) in Gazette of India dated 18th October, 2017, together with an explanatory memorandum.
- (xxx) G.S.R.1305(E) published in Gazette of India dated 18th October, 2017, together with an explanatory memorandum seeking to notifying certain supplies as deemed exports under Section 147 of the CGST Act, 2017.
- (xxxi) G.S.R.1306(E) published in Gazette of India dated 18th October, 2017, together with an explanatory

memorandum seeking to notify the evidences required to be produced by the supplier of deemed export supplies for claiming refund under rule 89(2)(g) of the CGST Rules, 2017.

- (xxxii) G.S.R.1326(E) published in Gazette of India dated 24th October, 2017, together with an explanatory memorandum seeking to waive late fee payable for delayed filing of form GSTR-3B for August and September, 2017.
- (xxxiii) The Central Goods and Services Tax (Eleventh Amendment) Rules, 2017 published in Notification No. G.S.R.1344(E) in Gazette of India dated 28th October, 2017, together with an explanatory memorandum.
- (xxxiv) G.S.R.1345(E) published in Gazette of India dated 28th October, 2017, together with an explanatory memorandum seeking to extend the due date for submission of details in form GST-ITC-01.
- (xxxv) G.S.R.1346(E) published in Gazette of India dated 28th October, 2017, together with an explanatory memorandum seeking to extend the due date for submission of details in form GST-ITC-04.

- (xxxvi) G.S.R.1352(E) published in Gazette of India dated 30th October, 2017, together with an explanatory memorandum making certain amendments in the Notification No. 30/2017-Central Tax, dated 11th September, 2017.
- (xxxvii) The Central Goods and Services Tax (Twelfth Amendment) Rules, 2017 published in Notification No. G.S.R.1411(E) in Gazette of India dated 15th November, 2017, together with an explanatory memorandum.
- (xxxviii) G.S.R.1412(E) published in Gazette of India dated 15th November, 2017, together with an explanatory memorandum seeking to mandate the furnishing of return in form GSTR-3B till March, 2018.
- (xxxix) G.S.R.1413(E) published in Gazette of India dated 15th November, 2017, together with an explanatory memorandum seeking to prescribe quarterly furnishing of form GSTR-1 for those taxpayers with aggregate turnover of upto Rs. 1.5 crore.
- (xl) G.S.R.1414(E) published in Gazette of India dated 15th November, 2017, together with an explanatory

memorandum seeking to extend the due dates for furnishing of form GSTR-1 for those taxpayers with aggregate turnover of more than Rs. 1.5 crore.

- (xli) G.S.R.1415(E) published in Gazette of India dated 15th November, 2017, together with an explanatory memorandum seeking to extend the time limit for filing of form GSTR-4.
- (xlii) G.S.R.1416(E) published in Gazette of India dated 15th November, 2017, together with an explanatory memorandum seeking to extend the time limit for furnishing the return in form GSTR-5 for the months of July to October, 2017.
- (xliii) G.S.R.1417(E) published in Gazette of India dated 15th November, 2017, together with an explanatory memorandum seeking to extend the time limit for furnishing the return in form GSTR-5A for the months of July to October, 2017.
- (xliv) G.S.R.1418(E) published in Gazette of India dated 15th November, 2017, together with an explanatory memorandum seeking to extend the time limit for furnishing the return in form GSTR-6 for the month of

July, 2017.

- (xlv) G.S.R.1419(E) published in Gazette of India dated 15th November, 2017, together with an explanatory memorandum seeking to extend the due date for submission of details in form GSTR ITC-04.
- (xlvi) G.S.R.1420(E) published in Gazette of India dated 15th November, 2017, together with an explanatory memorandum seeking to limit the maximum late fee payable for delayed filing of return in form GSTR-3B from October, 2017 onwards.
- (xlvii) G.S.R.1421(E) published in Gazette of India dated 15th November, 2017, together with an explanatory memorandum seeking to exempt suppliers of services through an e-commerce platform from obtaining compulsory registration.
- (xlviii) G.S.R.1422(E) published in Gazette of India dated 15th November, 2017, together with an explanatory memorandum seeking to exempt all taxpayers from payment of tax on advances received in case of supply of goods.
- (xlix) G.S.R.1262(E) published in Gazette of India dated 13th

October, 2017, together with an explanatory memorandum seeking to exempt payment of tax under Section 9(4) of the CGST Act, 2017 till 31.03.2017.

[Placed in Library, See No. LT 8230/16/17]

(11) A copy each of the following Notifications (Hindi and English versions) under Section 24 of the Integrated Goods and Services Tax Act, 2017:-

- (i) G.S.R.1155(E) published in Gazette of India dated 14th September, 2017, together with an explanatory memorandum granting exemption from registration to job-workers making inter-state supply of services to a registered person from the requirement of obtaining registration.
- (ii) G.S.R.1156(E) published in Gazette of India dated 14th September, 2017, together with an explanatory memorandum granting exemption to a person making inter-state taxable supplies of handicraft goods from the requirement to obtain registration.
- (iii) G.S.R.1259(E) published in Gazette of India dated 13th October, 2017, together with an explanatory

memorandum making certain amendments in Notification No. 8/2017-Integrated Tax dated 14th September, 2017.

- (iv) G.S.R.1260(E) published in Gazette of India dated 13th October, 2017, together with an explanatory memorandum seeking to exempt persons making inter-State supplies of taxable services from registration under Section 23(2).
- (v) G.S.R.1261(E) published in Gazette of India dated 13th October, 2017, together with an explanatory memorandum seeking to cross-empower State Tax Officers for processing and grant of refund .
- (vi) The Integrated Goods and Services Tax Amendment Rules, 2017 published in Notification No. G.S.R.1424(E) in Gazette of India dated 15th November, 2017, together with an explanatory memorandum.
- (vii) G.S.R.1263(E) published in Gazette of India dated 13th October, 2017, together with an explanatory memorandum seeking to exempt payment of tax under Section 5(4) of the IGST Act, 2017 till 31.03.2018.

[Placed in Library, See No. LT 8231/16/17]

(12) A copy of the Notification No. G.S.R.1264(E) (Hindi and English versions) published in Gazette of India dated 13th October, 2017, together with an explanatory memorandum seeking to exempt payment of tax under Section 7(4) of the IGST Act, 2017 till 31.03.2018 under Section 24 of the Union Territory Goods and Service Tax Act, 2017.

[Placed in Library, See No. LT 8232/16/17]

*[English]*

**THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI JAGAT PRAKASH NADDA):** Madam, on behalf of Shri Ashwini Kumar Choubey, I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Medical Council of India, New Delhi, for the year 2016-2017.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Medical Council of India, New Delhi, for the year 2016-2017.

[Placed in Library, See No. LT 8233/16/17]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Pharmacy Council of India, New

Delhi, for the year 2016-2017, alongwith Audited Accounts.

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

[Placed in Library, See No. LT 8234/16/17]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Jawaharlal Institute of Postgraduate Medical Education and Research, Puducherry, 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 Jawaharlal Institute of Postgraduate Medical Education and Research, Puducherry, for the year 2016-2017.

[Placed in Library, See No. LT 8235/16/17]

(4) A copy each of the following Notifications (Hindi and English versions) under sub-section (4) of Section 20 of the Dentists Act, 1948:-

- (i) The “Dental Council of India (Establishment of New Opening of New Dental College, Opening of New or Higher Course of Study or Training and Increase of

Admission Capacity in Dental Colleges) (9<sup>th</sup> Amendment) Regulations, 2017 published in Notification No. DE-22-2017 in Gazette of India dated 5<sup>th</sup> July, 2017.

(ii) The “Dental Council of India (Establishment of New Opening of New Dental College, Opening of New or Higher Course of Study or Training and Increase of Admission Capacity in Dental Colleges) (11<sup>th</sup> Amendment) Regulations, 2017 published in Notification No. DE-22-2017 in Gazette of India dated 5<sup>th</sup> July, 2017.

(iii) The Dental Council of India, Master of Dental Surgery Course Regulations, 2017 published in Notification No. DE-87-2017 in Gazette of India dated 5<sup>th</sup> September, 2017.

(iv) The Revised BDS Course (8<sup>th</sup> Amendment) Regulations, 2017 published in Notification No. DE-87(1)(8)-2017 in Gazette of India dated 27<sup>th</sup> July, 2017.

[Placed in Library, See No. LT 8236/16/17]

(5) (i) A copy of the Annual Report (Hindi and English

versions) of the National Academy of Medical Sciences (India), New Delhi, for the year 2016-2017, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the National Academy of Medical Sciences (India), New Delhi, for the year 2016-2017.

[Placed in Library, See No. LT 8237/16/17]

**THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI JAGAT PRAKASH NADDA):** Madam, on behalf of Shrimati Anupriya Patel, I beg to lay on the Table:-

- (1) A copy of the Annual Report (Hindi and English versions) of the Jansankhya Sthirata Kosh, New Delhi, for the year 2016-2017, alongwith Audited Accounts.

[Placed in Library, See No. LT 8238/16/17]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Population Research Centre (Maharaja Sayajirao University of Baroda), Shimla, 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 Population Research Centre (Maharaja Sayajirao University of Baroda), Shimla, for the year 2016-2017.

[Placed in Library, See No. LT 8239/16/17]

**THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE AND MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI P.P. CHAUDHARY):** Madam, I beg to lay on the Table:-

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (4) of Section 469 of the Companies Act, 2013:-

- (i) The Companies (Filing of Documents and Forms in Extensible Business Reporting Language) Amendment Rules, 2017 published in Notification No. G.S.R.1372(E) in Gazette of India dated 7<sup>th</sup> November, 2017.
- (ii) The Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Second Amendment Rules, 2017 published in Notification No. G.S.R.1267(E) in Gazette of India dated 13<sup>th</sup> October, 2017.
- (iii) The Companies (Incorporation) Second Amendment Rules, 2017 published in Notification No. G.S.R.955(E) in Gazette of India dated 27<sup>th</sup> July, 2017.

- (iv) The National Company Law Appellate Tribunal (Amendment) Rules, 2017 published in Notification No. G.S.R.1061(E) in Gazette of India dated 24<sup>th</sup> August, 2017.
- (v) The Companies (Arrests in connection with Investigation by Serious Fraud Investigation Office) Rules, 2017 published in Notification No. G.S.R.1062(E) in Gazette of India dated 24<sup>th</sup> August, 2017.
- (vi) The Companies (Acceptance of Deposits) Second Amendment Rules, 2017 published in Notification No. G.S.R.1172(E) in Gazette of India dated 20<sup>th</sup> September, 2017.
- (vii) The Companies (Restriction on number of layers) Rules, 2017 published in Notification No. G.S.R.1176(E) in Gazette of India dated 21<sup>th</sup> September, 2017.
- (viii) The Companies (Registered Valuers and Valuation) Rules, 2017 published in Notification No. G.S.R.1316(E) in Gazette of India dated 18<sup>th</sup> October, 2017.

- (ix) The Companies (Accounts) Amendment Rules, 2017 published in Notification No. G.S.R.1371(E) in Gazette of India dated 7<sup>th</sup> November, 2017.
  - (x) The Companies (Filing of Documents and Forms in Extensible Business Reporting Language) Second Amendment Rules, 2017 published in Notification No. G.S.R.1480(E) in Gazette of India dated 4<sup>th</sup> December, 2017.
  - (xi) The Companies (cost records and audit) Amendment Rules, 2017 published in Notification No. G.S.R.1498(E) in Gazette of India dated 8<sup>th</sup> December, 2017.
- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at item No. (iii) of (1) above.

[Placed in Library, See No. LT 8240/16/17]

(3) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of Section 458 of the Companies Act, 2013:-

- (i) S.O.2938(E) published in Gazette of India dated 6<sup>th</sup> September, 2017, regarding delegation of powers to Regional Directors, mentioned therein.
- (ii) S.O.3401(E) published in Gazette of India dated 23<sup>th</sup> October, 2017, regarding delegation of powers under Section 247 of Companies Act, 2013 to Insolvency and Bankruptcy Board of India.

[Placed in Library, See No. LT 8241/16/17]

(4) A copy of the Companies (Removal of Difficulties) Second Order, 2017 (Hindi and English versions) published in Notification No. S.O.3400(E) published in Gazette of India dated 23<sup>th</sup> October, 2017 under sub-section (2) of Section 470 of the Companies Act, 2013.

[Placed in Library, See No. LT 8242/16/17]

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**12.03 hrs**

## **MESSAGES FROM RAJYA SABHA**

**SECRETARY GENERAL:** Madam Speaker, I have to report the following messages received from the Secretary General of Rajya Sabha:

- (1) “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 27<sup>th</sup> December, 2017 agreed without any amendment to the Indian Forest (Amendment) Bill, 2017 which was passed by the Lok Sabha at its sitting held on the 20<sup>th</sup> December, 2017.”
- (2) “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 27<sup>th</sup> December, 2017 agreed without any amendment to the Indian Institute of Petroleum and Energy Bill, 2017 which was passed by the Lok Sabha at its sitting held on the 4<sup>th</sup> August, 2017.”
- (3) “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 28<sup>th</sup> December, 2017 agreed without any amendment to the National Capital Territory of Delhi Laws (Special Provisions) Second (Amendment) Bill, 2017 which was passed by the Lok Sabha at its sitting held on the 27<sup>th</sup> December, 2017.”

- (4) “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 28<sup>th</sup> December, 2017 agreed without any amendment to Repealing and Amending Bill, 2017 which was passed by the Lok Sabha at its sitting held on the 19<sup>th</sup> December, 2017.”
- (5) “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 28<sup>th</sup> December, 2017 agreed without any amendment to the Repealing and Amending (Second) Bill, 2017 which was passed by the Lok Sabha at its sitting held on the 19<sup>th</sup> December, 2017.”
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**12.04 hrs**

**COMMITTEE ON ABSENCE OF MEMBERS FROM  
SITTINGS OF THE HOUSE**

**10<sup>th</sup> Report**

**SHRI LAKHAN LAL SAHU (BILASPUR):** Madam, I beg to lay the Tenth Report (Hindi and English versions) of the Committee on Absence of Members from the Sittings of the House.

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**12.05 hrs**

**RAILWAY CONVENTION COMMITTEE**

**20<sup>th</sup> Report**

**SHRI K. ASHOK KUMAR (KRISHNAGIRI):** Madam, I beg to present the Twentieth Report (Sixteenth Lok Sabha) on 'Vigilance in Indian Railways' (Hindi and English versions) of the Railway Convention Committee.

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**12.06 hrs**

**STANDING COMMITTEE ON AGRICULTURE**

**(i) 46<sup>th</sup> Report**

*[Translation]*

**SHRI HUKMDEO NARAYAN YADAV (MADHUBANI):**

Madam, I beg to present the Forty-sixth Report (Hindi and English versions) (Sixteenth Lok Sabha) of the Standing Committee on Agriculture on Action Taken by the Government on the observations/recommendations contained in the Thirty-eighth Report on Demands for Grants (2017-18) pertaining to the Ministry of Food Processing Industries.

**(ii) Statement**

**SHRI HUKMDEO NARAYAN YADAV:** Madam, I beg to present the Statements (Hindi and English versions) showing further action taken by the Government on the following Reports:-

- (1) 42<sup>nd</sup> Report on action taken by the Government on the observations/recommendations contained in the 35th Report (Sixteenth Lok Sabha) on 'Demands for Grants (2017-18)' of the Ministry of Agriculture and Farmers Welfare (Department of Agriculture, Cooperation and Farmers Welfare).

(2) 43<sup>rd</sup> Report on the action taken by the Government on the observations/recommendations contained in the 36th Report on 'Demands for Grants (2017-18)' of the Ministry of Agriculture and Farmers Welfare (Department of Agricultural Research and Education).

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**12.07 hrs**

**STANDING COMMITTEE ON INFORMATION  
TECHNOLOGY**

**(i) 42<sup>nd</sup> to 44<sup>th</sup> Reports**

*[English]*

**SHRI ANURAG SINGH THAKUR (HAMIRPUR):** Madam, I beg to present the following Reports (Hindi and English versions) of the Standing Committee on Information Technology (2017-18):-

- (1) Forty-second Report on Action Taken by the Government on the Observations/Recommendations of the Committee contained in their Thirty-sixth Report (Sixteenth Lok Sabha) on 'Demands for Grants (2017-18) of the Ministry of Electronics and Information Technology'.
- (2) Forty-third Report on Action Taken by the Government on the Observations/Recommendations of the Committee contained in their Thirty-eighth Report (Sixteenth Lok Sabha) on 'Issues Related to Quality of

Services and Reported Call Drops’ relating to the Ministry of Communications (Department of Telecommunications).

- (3) Forty-fourth Report on ‘Status of Cable TV Digitisation and Interoperability of Set Top Boxes’ relating to the Ministry of Information and Broadcasting.

**(ii) Statements**

**SHRI ANURAG SINGH THAKUR:** Madam, I beg to lay the Statements (Hindi and English versions) showing further Action Taken by the Government on the following Reports of the Standing Committee on Information Technology:-

(1) Eighteenth Action Taken Report (16th Lok Sabha) on the recommendations of the Committee contained in their Second Report (16th Lok Sabha) on 'Demands for Grants (2014-15)' of the Ministry of Electronics and Information Technology.

(2) Nineteenth Action Taken Report (16th Lok Sabha) on the recommendations of the Committee contained in their Eighth Report (16th Lok Sabha) on 'Demands for Grants (2015-16)' of the Ministry of Information and Broadcasting.

(3) Twenty-second Action Taken Report (16th Lok Sabha) on the recommendations of the Committee contained in their Sixth Report (16th Lok Sabha) on 'Demands for Grants (2015-16)' of the Ministry of Electronics and Information Technology.

(4) Thirtieth Action Taken Report (16th Lok Sabha) on the recommendations of the Committee contained in their Twenty-third Report (16th Lok Sabha) on 'Demands for Grants (2016-17)' of the Ministry of Information and Broadcasting.

(5) Thirty-first Action Taken Report (16th Lok Sabha) on the recommendations of the Committee contained in their Twenty-fourth Report (16th Lok Sabha) on 'Demands for Grants (2016-17)' of the Ministry of Communications (Department of Telecommunications).

(6) Thirty-second Action Taken Report (16th Lok Sabha) on the recommendations of the Committee contained in their Twenty-fifth Report (16th Lok Sabha) on 'Demands for Grants (2016-17)' of the Ministry of Electronics and Information Technology.

(7) Thirty-third Action Taken Report (16th Lok Sabha) on the recommendations of the Committee contained in their Twenty-sixth Report (16th Lok Sabha) on 'Demands for Grants (2016-17)' of the Ministry of Communications (Department of Posts).

(8) Thirty-ninth Action Taken Report (16th Lok Sabha) on the recommendations of the Committee contained in their Thirty-fourth Report (16th Lok Sabha) on 'Demands for Grants (2017-18)' of the Ministry of Information and Broadcasting.

(9) Forty-first Action Taken Report (16th Lok Sabha) on the recommendations of the Committee contained in their Thirty-seventh Report (16th Lok Sabha) on 'Demands for Grants (2017-18)' of the Ministry of Communications (Department of Posts).

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**12.09 hrs**

**STANDING COMMITTEE ON RURAL DEVELOPMENT**

**40<sup>th</sup> and 41<sup>st</sup> Reports**

**DR. P. VENUGOPAL (TIRUVALLUR):** I beg to present the following Reports (Hindi and English versions) of the Standing Committee on Rural Development:-

(1) Fortieth Report on action taken by the Government on the recommendations contained in the Twenty-sixth Report (Sixteenth Lok Sabha) on 'Pradhan Mantri Aawas Yojana-Gramin (PMAY-G)' previously Indira Aawas Yojana (IAY) 27 of the Department of Rural Development (Ministry of Rural Development).

(2) Forty-first Report on action taken by the Government on the recommendations contained in the Thirty-fourth Report (Sixteenth Lok Sabha) on 'Demands for Grants (2017-18)' of the Ministry of Panchayati Raj.

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**12.10 hrs****\*MOTION RE: REPORT OF JOINT COMMITTEE ON  
CITIZENSHIP (AMENDMENT) BILL, 2016 – EXTENSION  
OF TIME**

*[Translation]*

**SHRI RAJENDRA AGRAWAL (MEERUT):** Madam, I beg to move:-

"That this House do extend time for presentation of the Report of the Joint Committee on The Citizenship (Amendment) Bill, 2016 upto the First day of the last week of the Budget Session 2018."

*[English]*

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

“That this House do extend time for presentation of the Report of the Joint Committee on The Citizenship (Amendment) Bill, 2016 upto the First day of the last week of the Budget Session, 2018.”

*The motion was adopted.*

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\*Memorandum giving reasons for extension of time circulated separately.

**12.13 hrs**

## **BUSINESS OF THE HOUSE**

**THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION (SHRI ARJUN RAM MEGHWAL):** With your permission Madam, I rise to announce that Government Business during the week commencing Monday, the 1<sup>st</sup> of January, 2018 will consist of:-

1. Consideration of any items of Government Business carried over from today's order paper: - {it contains discussion on Statutory Resolution seeking disapproval of the Insolvency and Bankruptcy Code (Amendment) Ordinance, 2017 (No. 7 of 2017) and consideration and passing of the Insolvency and Bankruptcy Code (Amendment) Bill, 2017 and consideration and passing of (a) The Ancient Monuments and Archaeological Sites and Remains (Amendment) Bill, 2017. (b) The Public Premises (Eviction of Unauthorized Occupants) Amendment Bill, 2017. (c) The High Court and the Supreme Court Judges (Salaries and Condition of Services) Amendment Bill,

2017. (d) The Payment of Gratuity (Amendment) Bill, 2017 and (e) The Dentists (Amendment) Bill, 2017}
2. Consideration of the amendments made by Rajya Sabha in the Constitution (One Hundred and Twenty Third Amendment) Bill, 2017, as passed by Lok Sabha.
  3. Consideration and passing of the following Bills: -
    - (a) The Representation of the People (Amendment) Bill, 2017.
    - (b) The Specific Relief (Amendment) Bill, 2017.
    - (c) The National Council for Teacher Education (Amendment) Bill, 2017.
    - (d) The Negotiable Instruments (Amendment) Bill, 2017.
    - (e) The National Medical Commission Bill, 2017.

**HON. SPEAKER:** Shri Rattan Lal Kataria – Not present.

*[Translation]*

**SHRI A.T. NANA PATIL (JALGAON):** Hon. Speaker, Madam, I would like to request that the following subjects be included for consideration in the business of the House during the next week:

1. Under the Sarva Shiksha Abhiyan, several development works in schools across the country, such as construction of

classrooms, boundary walls and allied works, could be undertaken. However, for some time now, the Government has imposed a halt on these development works. As a result, the development of schools has come to a complete standstill. Therefore, the Government should make adequate budgetary provision for development works under the Sarva Shiksha Abhiyan in the forthcoming Budget, so that essential works such as construction of classrooms and boundary walls can be carried out.

2. Train Nos. 22101/22102 Rajyarani Express are presently running between Manmad and Mumbai. If this train is extended to operate between Jalgaon and Mumbai, it will provide convenient connectivity for the residents of Jalgaon district travelling to Mumbai, and the Railways will also earn good revenue. It is noteworthy that sufficient time is available for extending this train up to Jalgaon, as it remains stationed in the Manmad yard for a considerable duration. Therefore, the Government needs to take steps to extend the Rajyarani Express to operate between Jalgaon and Mumbai.

**SHRI BHAIRON PRASAD MISHRA (BANDA):** Hon. Speaker, Madam, I request that the following two important matters be included in the List of Business for the next week:

1. The condition of the National Highway on the Jhansi-Mirzapur route, from Karvi to Shankargarh, falling within my parliamentary constituency, has deteriorated severely. I, therefore, request that directions be issued for its reconstruction at the earliest.
2. The irrigation facilities within my parliamentary constituency are extremely inadequate. The Yamuna river has sufficient water. Therefore, directions may kindly be issued for creating adequate irrigation facilities by constructing lift irrigation schemes and canals from this river.

*[English]*

**SHRI MULLAPPALLY RAMACHANDRAN (VADAKARA):**

Respected Madam Speaker, I request that the following items may be included in the List of Business for next week.

1. The alarming increase in atmospheric pollution in the National Capital Region is threatening the very lives of the people.
2. The bottlenecks on NH-66 between Kozhikode and Kannur in North Kerala, especially at Moorad Bridge, 4 kms south of Vadakara, is causing misery and loss of precious time to lakhs of people of Kerala.

*[Translation]*

**SHRI BIDYUT BARAN MAHATO (JAMSHEDPUR):** Hon. Speaker, Madam, I request that the following matters of public importance pertaining to my parliamentary constituency be included in the List of Business for the next week:

1. The construction of the Jugsalai overbridge in my parliamentary constituency of Jamshedpur has not been able to commence due to erroneous decisions taken by the Railway authorities. Earlier, it was decided by the Railways that in exchange for 10,000 square feet of Railway land, an amount of Rs. 7 crore would be payable. When the State Government agreed to pay the said amount and even issued the tender, the Railways have now demanded Rs. 12 crore for the same land, citing GST. This has led to an unnecessary delay in the commencement of the work.
2. A survey for the construction of a railway line via Chandil, Badam, Patamda and Wadhwan through Jhargram, at an estimated cost of about Rs. 12 crore, has already been completed, but the work has not yet started. Similarly, the survey for a new railway line from Chakulia, Bahragora and Budamara up to Odisha was conducted nearly ten years ago, but the construction work has still not begun. People have

been waiting for this project for years. Further, there is a long-standing demand for construction of a double railway line from Tata to Keonjhar via Badam Pahad.

**SHRI LAKHAN LAL SAHU (BILASPUR):** Hon. Speaker, Madam, I would like to make a submission regarding broadcasting in Sanskrit through news channels. Sanskrit is the most ancient language of India, and in order to promote it, news should be broadcast in Sanskrit through news channels. If we do not pay attention to this aspect, the condition of this language may deteriorate to the point of extinction. Therefore, I request the Government to give special attention to this language. News channels are a powerful medium at present, and through them Sanskrit can be easily taken to every citizen, which will prove meaningful in the future. Thank you.

**SHRI DEVENDRA SINGH 'BHOLE' (AKBARPUR):** Hon. Speaker, Madam, I request that the following matters relating to my parliamentary constituency be included in the List of Business for the next week:

1. In view of the pressing requirement, directions may kindly be issued for the construction of an overbridge or underpass on National Highway No. 2 at village Sachendi in Kanpur Nagar

district and at village Rania in Kanpur Dehat district, falling within my parliamentary constituency.

2. The judicial jurisdiction of Tehsil Ghatampur and Tehsil Bilhaur has been transferred from Kanpur Nagar district to Kanpur Dehat district. However, the administrative jurisdiction of these two Tehsils continues to remain with Kanpur Nagar district, causing inconvenience to litigants in terms of travel and access. In view of this difficulty, necessary action may kindly be taken to restore the judicial jurisdiction of both these Tehsils to Kanpur Nagar district.  
Thank you.

*[English]*

**SHRI K. ASHOK KUMAR (KRISHNAGIRI):** The following item may be taken for discussion during the next week business.

The Ministry of Finance has refused to release grants of Rs. 522.91 crore due to the Government of Tamil Nadu based on 13<sup>th</sup> Finance Commission recommendations, even in respect of expenditure incurred during the Finance Commission period of 2010-15, despite having submitted utilisation certificates on time. The reason it has cited is that the 13<sup>th</sup> Finance Commission period ended on 31<sup>st</sup> March, 2015 and no balance is payable to the States thereafter. How has the Ministry of Finance, Government of India,

expected the State Government to submit the utilisation certificate for expenditure incurred up to 31<sup>st</sup> March, 2015 before 31<sup>st</sup> March, 2015? Hence, the ground of rejection of the Government of Tamil Nadu is totally unjustified.

**DR. KIRIT SOMAIYA (MUMBAI NORTH EAST):** I request you to include the following issues for discussion in the List of Business for next week.

1. The status and efforts made by the Government and outcome of recently held WTO Conference at Argentina, particularly, agriculture subsidy and e-commerce.
2. The horrible fraud going on in the name of so-called cryptocurrency, Bitcoin and block chain, and the measures being taken by the Government to check this fraud. It is ponzi and is being used like penny stock for money laundering.

**SHRI P.R. SUNDARAM (NAMAKKAL):** Madam Speaker, the important issue of 'Privatisation of Salem Steel Plant' may please be added in the next week's business of the House.

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**12.16 hrs**

**NATIONAL MEDICAL COMMISSION BILL, 2017\***

**HON. SPEAKER:** Item No. 19 – Shri Jagat Prakash Nadda.

... (*Interruptions*)

**SHRI JYOTIRADITYA M. SCINDIA (GUNA):** Madam, this is a very important Bill. It should be sent to the Standing Committee.

... (*Interruptions*)

[*Translation*]

**HON. SPEAKER:** This is not the case. [*English*] This is introduction only.

... (*Interruptions*)

**THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI JAGAT PRAKASH NADDA):** Madam, I beg to move for leave to introduce a Bill to provide for a medical education system that ensures availability of adequate and high quality medical professionals; that encourages medical professional to adopt latest medical research in their work and to contribute to research; that has an objective periodic assessment of medical institutions and facilities maintenance of a medical register for

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\* Published in the Gazette of India, Extraordinary, Part II, Section -2 dated 29.12.2017.

India and enforces high ethical standards in all aspects of medical services; that is flexible to adapt to changing needs and has an effective grievance redressal mechanism and for matters connected there with or incidental thereto .

... (*Interruptions*)

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

“That leave be granted to introduce a Bill to provide for a medical education system that ensures availability of adequate and high quality medical professionals; that encourages medical professional to adopt latest medical research in their work and to contribute to research; that has an objective periodic assessment of medical institutions and facilities maintenance of a medical register for India and enforces high ethical standards in all aspects of medical services; that is flexible to adapt to changing needs and has an effective grievance redressal mechanism and for matters connected there with or incidental thereto.”

*The motion was adopted.*

**HON. SPEAKER:** The Minister may now introduce the Bill.

... (*Interruptions*)

**SHRI JAGAT PRAKASH NADDA:** I introduce\* the Bill.

... (*Interruptions*)

[*Translation*]

**HON. SPEAKER:** Why do you not give notice in time?

... (*Interruptions*)

[*English*]

**SHRI JYOTIRADITYA M. SCINDIA:** Madam, we are not able to raise issues in the House. ... (*Interruptions*)

[*Translation*]

**HON. SPEAKER:** Please take your seat. The Bill has been introduced strictly in accordance with the Rules. If you wish to oppose it, there are prescribed procedures for that as well. If you are not aware of them, you may ask Premachandran ji. He raises objections at the stage of introduction every time. This is not how it is done.

... (*Interruptions*)

[*English*]

**SHRI JYOTIRADITYA M. SCINDIA:** Please allow us to put forward our views, Madam... (*Interruptions*)

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\* Introduced with the recommendation of the President.

*[Translation]*

**HON. SPEAKER:** You cannot do this.

... *(Interruptions)*

**HON. SPEAKER:** This is not how it is done. If you want to oppose the introduction, you should give notice in time. I will allow it, but if you do not do that, how will it work? Things do not happen like this, and it is only introduction.

...*(Interruptions)*

**SHRI JYOTIRADITYA MADHAVRAO SCINDIA:** Madam, then should the Standing Committee be dissolved? Nothing has happened in the Standing Committee at all. ... *(Interruptions)*

**HON. SPEAKER:** At present, it is only the introduction stage. You may do so at the appropriate time. I will not object then. Please, this is not how it is done.

...*(Interruptions)*

**SHRI JYOTIRADITYA MADHAVRAO SCINDIA:** Madam, in the Business Advisory Committee, we are asked to raise the matter in the House, and when we raise it in the House, it is said that it is only at the stage of introduction. ... *(Interruptions)*

**HON. SPEAKER:** The Hon. Minister is saying something. Please listen to him.

...(Interruptions)

**SHRI JAGAT PRAKASH NADDA:** Madam, I would like to request the Hon. Member to read the report of the Standing Committee, because it is on the basis of that report that this Bill has been brought. ... (*Interruptions*)

**HON. SPEAKER:** Alright. Now all of you may take your seats.

...(Interruptions)

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*[English]*

**HON.SPEAKER:** Now 'ZeroHour' .

. . . (Interruptions)

*[Translation]*

**HON. SPEAKER:** Shri Kirit Somaiya ji, please speak. What do you wish to say?

... (*Interruptions*)

**DR. KIRIT SOMAIYA (MUMBAI NORTH EAST):** Madam Speaker, a fire broke out at the Kamala Mills Compound in Mumbai, in which 18 people were burnt alive. As per the information available to me, the pub and the restaurant operating there were illegal and did not have the required permissions. In the Kamala Mills Compound and the adjoining Phoenix Mills Compound, there are dozens of such hotels, restaurants and pubs. Through you, I would like to request that the Urban Development Minister and the Government of Maharashtra be informed so that a special fire audit of all these establishments is conducted. Kamala Mills and Phoenix Mills are nothing but death traps.

Madam, about fifteen days ago, a similar fire incident occurred at Farsan Mart, adjacent to my constituency, in which 12 workers were burnt alive. Such incidents are occurring on a daily basis. What are the officers of the Brihanmumbai Municipal

Corporation doing? Fire audits are not being conducted, and permissions granted are illegal. Therefore, a special audit and fire inspection of both these mill compounds must be carried out, and the lives of ordinary citizens must be protected. ...(*Interruptions*)

**HON. SPEAKER:** Shri Gopal Shetty is permitted to associate with the issue raised by Dr. Kirit Somaiya.

...(*Interruptions*)

**HON. SPEAKER:** Shri Arvind Sawant ji, do you also share the same concern?

...(*Interruptions*)

**SHRI ARVIND SAWANT:** Madam Speaker, I had given a notice on this very issue this morning. This incident pertains to my constituency. He has a habit of intervening. ... (*Interruptions*)

**HON. SPEAKER:** Am I not allowing you?

...(*Interruptions*)

**SHRI ARVIND SAWANT:** Madam Speaker, he has a habit of intervening. He is compelled by habit. ...(*Interruptions*)

**HON. SPEAKER:** Am I not allowing you? This is not how it is done. He also has a right.

...(*Interruptions*)

**SHRI ARVIND SAWANT:** Madam Speaker, leave that aside. He is compelled by habit. ... (*Interruptions*)

Hon. Speaker, Madam, the Kamala Mills incident falls within my parliamentary constituency. In that incident, a fire broke out in a hotel. The fire kept spreading and went upwards. The exit on the upper floor was closed. There were many women there, some of whom were celebrating a birthday. Those unfortunate persons stayed inside the bathroom. The fire did not reach there, but there was severe suffocation. Fourteen people lost their lives, out of whom eleven were women. Madam, I am deeply saddened that such a major tragedy has occurred. I would like to say that in Mumbai, all mill premises should be used either as residential complexes or as proper commercial complexes, but not in this manner.

Madam, you would be shocked to know who granted permission to these establishments and how they were constructed.

**HON. SPEAKER:** That is precisely why they are angry.

**SHRI ARVIND SAWANT:** Madam Speaker, my demand is different. I will proceed further. These hotels belong to influential people, not to ordinary citizens. Their friends may be there, ours may also be there, one never knows. I am deeply distressed by this

tragedy. I demand that a judicial inquiry be conducted into this incident. The hotel belongs to the son of a Commissioner. If the inquiry is conducted later by officials, they will protect each other. I do not want that. This time, we must go to the root of the matter. All mills, whether residential or commercial complexes, must be thoroughly inspected, and especially this accident must be investigated. I express my condolences to the families of those who lost their lives in this tragedy. I pay my tributes to those who died in this incident. Once again, I demand that a judicial inquiry be ordered into this tragedy.

**HON. SPEAKER:** Shri Gopal Shetty, Shri Ajay Misra Teni, Shri Sharad Tripathi, Shri Rahul Shewale, Shri Shrirang Appa Barne, Dr. Shrikant Eknath Shinde, and Shrimati Bhavana Gawali (Patil) are permitted to associate with the issue raised by Shri Arvind Sawant.

**SHRI KRUPAL BALAJI TUMANE (RAMTEK):** Madam Speaker, I thank you for giving me the opportunity to speak during Zero Hour. As everyone is aware, Nagpur district is known not only across the country but across the world for oranges. The taste of Nagpur oranges is well known to all. Today, we are witnessing that for the past one month, a disease known as Phytocateoria Diabia has affected the orange trees there.

**HON. SPEAKER:** You had stated that you would speak about Satara district.

**SHRI KRUPAL BALAJI TUMANE:** Madam, I referred to Nagpur. Why should I go to Satara? I am raising the issue relating to my own constituency. I do not intrude elsewhere. I will confine myself to my subject.

**HON. SPEAKER:** Alright, please proceed. I am stating what is written here.

**SHRI KRUPAL BALAJI TUMANE:** Madam, due to a disease known as Phytocteria Diabia affecting the crop, orange trees of farmers are suffering heavy damage. The fruits that were on the trees are falling to the ground in large numbers. Nagpur oranges, which are supplied across the country, have not reached the market so far this season due to this very reason. This is precisely the peak season.

Through you, Madam, I request the Government that in areas where such crops have been destroyed, inspections should be conducted by agricultural officers, and the farmers who have suffered losses should be paid compensation at least at the rate of Rs. 25,000 per acre. This compensation should be provided by the Union Government, because in other districts the Union Government has granted compensation. In the same manner,

justice should also be done to orange growers through compensation from the Union Government.

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

*[English]*

**SHRI GAURAV GOGOI (KALIABOR):** Hon. Speaker Madam, the recent eviction which has taken place in Amchang Wildlife Sanctuary in Assam in the peak of winter is insensitive and inhuman. Children studying in schools were forced to abandon their preparation for examinations and the elderly were forced to sleep in the winter at night. These marginalized communities who are displaced are victims of flood, land loss and erosion. Yet, they were treated as unauthorized occupants by the insensitive Government. I request the Ministry of Environment and Forests that revenue villages, which have been classified under the eco-sensitive zone of wildlife sanctuary, need to be rehabilitated in a proper manner. Mindless eviction is an assault on the rights of indigenous communities. I request the State Governments across India not to carry out evictions in winter when people are most vulnerable and are left to suffer in the cold. I would request the Minister of Environment and Forests to issue a directive to State Governments that all revenue villages falling

under eco-sensitive zones in various wildlife sanctuaries of Assam should be rehabilitated in a proper manner with adequate compensation and adequate provisions for their education and shelter.

**HON. SPEAKER:** Shri Kaushalendra Kumar – not present.

Dr. Ravindra Kumar Ray.

**SHRI RAVINDRA KUMAR RAY (KODARMA):** Hon. Speaker, Madam, I would like to raise a matter relating to the Sarva Shiksha Abhiyan during Zero Hour.

Madam, illiteracy and lack of education are a curse and a stigma for society and the nation. In order to eradicate this stigma from our country, the Sarva Shiksha Abhiyan was launched during the tenure of Shri Atal Bihari Vajpayee ji in the year 2000–2001. Under this programme, lakhs of teachers were engaged across the country, who have been imparting education with limited resources and on low honorarium. They have been striving to remove the blot of illiteracy from India. In the year 2001, an amendment was made to the Constitution of India, under which it was decided to implement the Sarva Shiksha Abhiyan. This decision was taken under the provisions of the Constitution and later became part of the Fundamental Rights under the Constitution.

Hon. Speaker, Madam, my humble request is that the teachers who have been working under the Sarva Shiksha Abhiyan from 2001 to 2017 have been rendering their services for the last seventeen years with great dedication. Even today, their future has not been secured, and they continue to work on a meagre honorarium. Their future remains uncertain. In my State of Jharkhand alone, there are about 55,000 such teachers who are passing through this phase of uncertainty. I would like to thank the Governments of Madhya Pradesh and Chhattisgarh, which have taken steps to regularise such teachers. My request is that these teachers, who were born out of a scheme of the Union Government, should be provided a secure future through the initiative of the Union Government. Necessary provisions should be made for regularisation of their educational services. This is no longer a matter of prolonged sacrifice alone, as many of them now have families and dependants. They should be paid appropriate remuneration and should be given the right to equal pay. I request the Union Government to take the initiative and work in coordination with the State Governments to put such a system in place. This issue is becoming extremely serious, and teachers are repeatedly resorting to agitations. It is not appropriate for teachers to be forced into movements and protests. This is my humble submission. Thank you very much.

**HON. SPEAKER:** Shri Nishikant Dubey, Dr. Kulmani Samal, Shri Pashupati Nath Singh, Shri Ravindra Kumar Pandey, Kunwar Pushpendra Singh Chandel, and Shri Bhairon Prasad Mishra to associate with the issue raised by Shri Ravindra Kumar Ray.

Shri Dushyant Chautala Ji. Sometimes you are seen on this side, sometimes on the other.

**SHRI DUSHYANT CHAUTALA (HISAR):** Hon. Speaker, Madam, my issue during Zero Hour also relates to teachers. ... (*Interruptions*) Today, for Union Government jobs, there is the Central Teacher Eligibility Test, and in every State, there are separate tests, such as the Haryana Teacher Eligibility Test in Haryana and a different test in Odisha. Each test has its own validity period. If someone qualifies these examinations and becomes a JBT teacher, the Haryana Government requires the teacher to appear again after five years, while the Union Government requires it after seven years. What is most surprising is that even after clearing the Central test, if a person wishes to be appointed as a teacher in Haryana, he is required to clear the Haryana State test again.

Today, my demand from the Government is this: if the Government can introduce NEET for medical examinations and JEE for engineering, then in the same manner, CTET should be

implemented uniformly across the country. As regards its validity, if I clear an examination today and do not get a job for five or seven years, then I am required to appear again. However, once I get a job, I am valid to teach for my entire life. Therefore, the validity period should be extended to ten years, and a single Central Teacher Eligibility Test should be implemented across the country. Under this system, if a student from Haryana wishes to go to Odisha and work as a Hindi teacher, he should not be required to appear in any other examination. The Union Government should make such a provision.

Through you, I urge the Hon. HRD Minister to kindly provide a centralised examination system for teacher eligibility across the country. Thank you very much.

**HON. SPEAKER:** Shri Sharad Tripathi and Shri Bhairon Prasad Mishra are permitted to associate with the issue raised by Shri Dushyant Chautala...*(Interruptions)*

**HON. SPEAKER:** Shri Dharambir - Not present.

**SHRI SUSHIL KUMAR SINGH (AURANGABAD):** Hon. Speaker, Madam, through you, I would like to place before the Government the problem relating to Aadhaar faced by crores of elderly and persons with disabilities in the country.

Madam, the problem is that in the case of elderly persons, their thumb impressions fade or become flat. As a result, for the past one year, the pensions of crores of elderly and persons with disabilities in the country have been stopped. This is happening because the thumb impressions of elderly persons have faded and become flat, due to which authentication does not take place. As a result, their pensions have been stopped. Similarly, the eyesight of elderly persons deteriorates, and iris authentication also fails, leading to this serious problem.

There is another issue related to Aadhaar. LPG subsidy amounts are not being credited to the bank accounts of beneficiaries but are instead being transferred to the bank accounts of private telecom operators. This has happened in the case of 31 lakh people, and an amount of Rs. 190 crore has gone into the account of Airtel. The Government has taken action in this matter. The Petroleum Ministry has cancelled the licence and has directed that the money be credited back to the accounts of the customers. They have also accepted this. I have two demands from the Government. First, the thumb impressions of elderly persons are fading. When an elderly person is unable to obtain a SIM card in his or her own name, this becomes a serious problem. Even my own mother could not obtain a SIM card in her own name, and we were compelled to take it in the name of my wife or my sister-in-

law. Such incidents are happening with crores of elderly persons across the country. The Government should seriously consider a solution to this problem and make arrangements to restore the pensions of elderly persons whose pensions have been stopped for the last eight to ten months.

Secondly, the suspension of Airtel's licence by the Petroleum Ministry is inadequate. This is a case of fraud. If my money is transferred to someone else's account without my consent or knowledge, criminal cases should be registered against the responsible private telecom operator companies so that they learn a lesson and do not repeat such acts. This is a clear case of cheating. I make this demand before the Union Government.

**HON. SPEAKER:** Shrimati Rama Devi, Shrimati V. Sathyabama, Shri Shivkumar Udasi, Shri Rakesh Singh, Shri Nishikant Dubey, Kunwar Pushpendra Singh, Shri Sushil Kumar Singh, and Shri Bhairon Prasad Mishra are permitted to associate with the issue raised by Shri Sushil Kumar Singh.

*[English]*

**SHRI TATHAGATA SATPATHY (DHENKANAL):** Madam Speaker, I am supporting what has been said by Shri Sushil Kumar Singh...*(interruptions)*

**HON. SPEAKER:** You may associate with him.

*[Translation]*

**SHRI BHANU PRATAP SINGH VERMA (JALAUN):** Hon. Speaker, Madam, in my Lok Sabha constituency of Jalaun-Garotha-Bhognipur, a survey was conducted for a railway line from Kanch, Maind, Jalaun, Hazrokothon, Orai and Dibiyapur. When the Janata Party Government was in power in 1977, earthwork was also carried out on this railway line. Even after the completion of earthwork, surveys have been conducted several times, but till date the railway line has not been constructed.

I demand that while presenting the Budget for **2017–18**, the Union Government should kindly include this new railway line, which falls under the North Central Railway, for approval and implementation.

**HON. SPEAKER:** Shri Bhairon Prasad Mishra and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Shri Bhanu Pratap Singh Verma.

**SHRI NARANBHAI KACHHADIA (AMRELI):** Hon. Speaker, Madam, through you, I would like to draw attention to a very important issue. Earlier this year, in 2017, the Department of Telecommunications conducted a survey regarding telecom-related problems in Amreli district. The survey identified the need for installation of 15 new towers, and approval was granted for all

15. In addition, the survey found the need for upgradation of 63 existing towers, but approval was accorded for only 27 towers.

Madam, due to the inadequate number of approved towers, the telecom problems of Amreli district will not be fully resolved. At present, the condition of BSNL mobile, landline and internet connectivity in Amreli district is very poor. BSNL mobile services remain non-functional, landlines often remain defunct for several days, and there is no facility of 3G broadband. Our Government is moving public services online to fight corruption, but due to the lack of adequate internet connectivity, the intended benefits are not reaching the people. Poor people are required to give thumb impressions to obtain ration, but because of extremely slow internet speed, they are often deprived of ration.

Therefore, through you, Madam, I would like to request the Hon. Minister to take this matter into consideration and increase the number of approved towers so as to resolve the problem in a comprehensive manner, thereby enabling the fulfilment of the Hon. Prime Minister's vision of Digital India.

**HON. SPEAKER:** Shri Sharad Tripathi and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Shri Naranbhai Kachhadia.

**SHRI AJAY MISRA TENI (KHERI):** Hon. Speaker, Madam, our country has an ancient and rich family and social culture. There has been a long-standing tradition of mutual respect and protection of rights, particularly a commendable tradition of respecting elderly persons and treating them with dignity in India. However, in developing countries, especially due to economic pursuits and competition for progress, incidents of ill-treatment of elderly persons are on the rise. In 2015, a study was conducted on ill-treatment of the elderly, in which India was ranked 71st among 96 countries. The study stated that elderly persons mostly faced mental and physical harassment from their own family members. It further highlighted that the condition of women is worse than that of men. According to the *Caring Alerts* report of the United Nations Population Fund, women, due to their higher life expectancy compared to men, face greater economic and social harassment. In India, the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 was enacted. However, due to prolonged legal procedures, the intended benefits of this Act are not reaching the affected persons effectively.

Therefore, through you, Hon. Speaker, Madam, I request the Government to take necessary action to ensure a dignified, safe and healthy life for elderly persons, and to bring forward a practical and effective law in this regard.

**HON. SPEAKER:** Shri Bhairon Prasad Mishra, Shri Sharad Tripathi, Kunwar Pushpendra Singh Chandel, and Shri C.P. Joshi are permitted to associate with the matter raised by Shri Ajay Mishra Teni.

*[English]*

**SHRI MULLAPPALLY RAMACHANDRAN (VADAKARA):** Madam Speaker, I would like to raise a very important issue regarding the high rate of pollution in the city of Delhi.

The capital city of Delhi has earned the dubious distinction of being one of the world's most polluted cities. The alarming rate at which atmospheric pollution is increasing in the capital city of Delhi must be addressed on a war-footing. Its effects are enormous than any other natural or man-made disaster. It is terrifying to know that the scale of pollution has necessitated closure of schools and offices and is forcing people to go about with masks.

Deepawali days were horrible for people could not come out from their homes as smoke and sound pollution had reached its peak. On the Christmas day, the situation is reported to have deteriorated.

Health is the most precious asset of any nation and the health of the people should not be put at risk in the name of haphazard projects and unscientific development activities.

I urge upon the Union Government and through you, the Delhi Administration to take stringent steps to ban fireworks, to prohibit burning of stubbles as also to prevent vehicular pollution.

**HON. SPEAKER:** Kunwar Pushpendra Singh Chandel and Shrimati V. Sathyabama are permitted to associate with the issue raised by Shri Mullappally Ramachandran.

*[Translation]*

**SHRI NISHIKANT DUBEY (GODDA):** Hon. Speaker, Madam, at present, the biggest problem in this country is that of Non-Performing Assets of banks. The level of NPAs has increased due to the mistakes committed by the UPA Government, and today it stands at around Rs. 8 lakh crore to Rs. 10 lakh crore. How funds were extended and in what manner they were given to corporates is a separate issue. However, at this stage, I would like to draw the attention of the Government to two specific matters. ... *(Interruptions)* Basel norms. ... *(Interruptions)* I would request that my complete submission be heard first. “A half-filled pot spills easily”; that appears to be the situation here. ... *(Interruptions)*

The UPA Government signed two international agreements, one relating to Basel norms and the other to the International Financial Regulatory System. Basel norms have been implemented across the world, including in India. Basel II is already in operation. You are aware that despite Basel I and Basel II being in place, the world witnessed a major financial crisis in 2007–08. India, however, somehow managed to protect itself from its severe impact. Now Basel III is being implemented. Under its provisions, financial adequacy requirements are much more stringent. On the one hand, NPAs are increasing, and on the other hand, higher financial adequacy has to be maintained. For this purpose, the Union Government has provided a package of Rs. 2,11,000 crore, whereas an amount of Rs. 2,41,000 crore is required. The Reserve Bank of India constituted the Mahapatra Committee, which, after examination, stated that India is not in a position to compete globally. Banking systems in the United States, the United Kingdom, Europe and other developed countries are far stronger, with banks much larger than ours. We are still a developing country.

For this reason, the Mahapatra Committee observed that in the coming situation, the cost of capital is going to increase, which will place additional stress on banks.

Secondly, as a consequence of Basel III, the capital requirement, which was earlier 9 per cent, has directly increased to about 11.5 per cent. Under the International Financial Regulatory System, which is to be implemented from 1 April 2018, the cost of maintaining the Statutory Liquidity Ratio and the Liquidity Coverage Ratio is going to increase further. In addition, in the global scenario, we have committed ourselves internationally. Across the world, the Volcker Rule is being implemented. After the implementation of the UK Bribery Act and the reinforcement of the US Foreign Corrupt Practices laws, the situation will be such that banks will not be in a position to extend credit or lending after 1 April 2018. If we wish to expand credit, lending and infrastructure, and promote the development of villages, the poor and farmers, banks will not be able to do so under these constraints. As a result, serious difficulties will arise for the country's infrastructure development.

Through you, I urge the Government to either withdraw from the Basel III framework and the International Financial Reporting System or defer their implementation. Otherwise, the development of the country will not be possible. Jai Hind, Jai Bharat.

**HON. SPEAKER:** Kunwar Pushpendra Singh Chandel, Shri Bhairon Prasad Mishra, Shri Shivkumar Udasi, and Shri Sharad

Tripathi are permitted to associate with the issue raised by Shri Nishikant Dubey.

**SHRI SHYAMA CHARAN GUPTA (ALLAHABAD):** Hon. Speaker, Madam, there are four Assembly constituencies in the Yamunapar region of my Allahabad parliamentary constituency. Due to inadequate rainfall during this season, agricultural crops have not fared well. In the same region, private and public sector units in the Naini industrial area are also on the verge of closure. As a result, owing to the collapse of agriculture and employment, it has become extremely difficult for farmers, labourers and other citizens to sustain their livelihoods. Due to the lack of rainfall, the condition of farmers has become pitiable. In view of this, it is necessary to declare this region as drought-affected, provide compensation to farmers for their crops, and waive all kinds of their loans. It is also essential to create adequate irrigation facilities, such as construction of tubewells and ensuring water supply in canals, so that long-term benefits may accrue. Concrete efforts should be made by the Government to revive the closed units in the Naini area and those on the verge of closure, including BPCL Naini and ITI Naini. I have written several letters to the Hon. Ministers concerned apprising them of this problem. While tubewells have been installed in Bundelkhand for irrigation, the irrigation facilities in our Yamunapar region are in an even more

deplorable condition. Earlier, I had requested the installation of 500 tubewells in the Yamunapar region to provide irrigation facilities, but regrettably, no action has been taken on my request. As a result, farmers in this region are facing severe drought conditions.

Therefore, through you, Hon. Speaker, Madam, I request the Government to pay special attention to this issue.

**HON. SPEAKER:** Lengthy speeches are not made during Zero Hour.

Kunwar Pushpendra Singh Chandel, Shri Sharad Tripathi, and Shri Bhairon Prasad Mishra are permitted to associate with the issue raised by Shri Shyama Charan Gupta.

**SHRI ARJUN LAL MEENA (UDAIPUR):** Hon. Speaker, Madam, my Lok Sabha constituency of Udaipur is the divisional headquarters of southern Rajasthan. It is a predominantly tribal region, and six districts fall within this division, namely Udaipur, Dungarpur, Banswara, Chittorgarh, Pratapgarh and Rajsamand. About 70 to 75 per cent of the population of this division belongs to the Scheduled Tribes. This area has been declared a Fifth Schedule Area by the Union Government. Poor tribal people here are required to go to the Jodhpur High Court to seek justice and assert their rights.

Madam, the Jodhpur Bench of the Rajasthan High Court is located at a distance of about 300 kilometres from Udaipur. There is no direct rail connectivity between Udaipur and Jodhpur. As a result, poor tribal people, Government employees and members of the general public have to incur substantial expenditure of both time and money to travel to Jodhpur in pursuit of justice.

Therefore, through you, I request the Government to establish a High Court Bench at the Udaipur Divisional Headquarters, so that poor tribal people, Government employees and the general public may have access to affordable and expeditious justice.

**HON. SPEAKER:** Kunwar Pushpendra Singh Chandel is permitted to associate with the issue raised by Shri Arjun Lal Meena.

*[English]*

**SHRIMATI MEENAKASHI LEKHI (NEW DELHI):** Madam Speaker, I thank you very much for giving me this opportunity.

Madam, we all respect doctors and medical profession like any other society. But while on the one side, the doctors in the government hospitals are over-worked, under-paid and under a lot of pressure, on the other side, the doctors in the private sector, - not all of them, but a whole lot of them – practice profession as business and because of that a lot of financial irregularities are

happening in the hospitals across the country and this needs to be corrected. *[Translation]* I would like to request the Government that just as a regulatory body like TRAI was established, a similar Medical Practice Regulatory Body should be constituted to regulate the functioning of hospitals. At present, while the Government has reduced the prices of stents, the charges for procedures have remained the same, and in fact have increased, because the amount saved there has been added elsewhere through billing. There should be a regulatory body that fixes standard rates for diagnosis, procedures and hospital maintenance. An institution such as *Takshashila Institute* is also of the view that there should be Protection of Patient Services, that is, a dedicated framework for patients availing medical services. In hospitals having 1,300 to 1,500 beds, an officer or designated authority should be appointed to ensure that everything is functioning properly. Under a transparent methodology, practising doctors should receive due respect, and at the same time, those engaged in the business aspect of healthcare should be able to operate in a proper and regulated manner.

**HON. SPEAKER:** Shri Bhairon Prasad Mishra, Kunwar Pushpendra Singh Chandel, Shri Sharad Tripathi, and Dr. Kulmani Samal are permitted to associate with the issue raised by Shrimati Meenakashi Lekhi Ji.

*[English]*

**SHRI ARJUN CHARAN SETHI (BHADRAK):** Madam Speaker, violence against women has become a prominent topic of discussion in India in recent years. India has been witnessing a rising trend in crime against women such as murder, rape, molestation and dowry deaths since 2006 of which, rape is the fastest growing crime in the country and as many as 18 women are assaulted in some form or the other every hour across the country. However, rape is one of the most common crimes against women in India and a woman is raped every 29 minutes in our country. Over the past few months, the case of rape and assault on children and their kidnapping and murder have increased drastically across the country despite the fact that the Government has taken several measures to prevent such incidents. But those measures are not capable enough to curb the cases of crime against women and children in the country. The 2012 Delhi gang rape brought a lot of international attention to the issue of gang rape in India. On 16<sup>th</sup> December, 2012, in Munirka, New Delhi, a 23-year old was beaten and gang raped in a private bus and she died 13 days later.

There are very disturbing incidents that are happening throughout the country. So, I request the hon. Prime Minister as well as the Government to take prompt and immediate action in this matter so that these things are controlled and such cases are dealt with drastically.

*[Translation]*

**HON. SPEAKER:** Kunwar Pushpendra Singh Chandel ji is permitted to associate with the issue raised by Shri Arjun Charan Sethi ji.

*[English]*

Shri P.K. Biju - Not present

**SHRI BHEEMRAO B. PATIL (ZAHEERABAD):** Hon. Madam Speaker, I would like to raise a very important and long pending issue for the pension of employees of Regional Rural Banks.

Regional Rural Banks were established in order to cater to the needs of Rural Development by providing banking facilities to farmers and rural workers. The Regional Rural Banks which are owned by the Government of India, Sponsor Banks and State Governments are in the ratio of 50:35:15. The Government of India is holding 85 per cent shares of 56 RRBs spread in 29 States,

627 Districts with 31,017 branches and 86,555 staff members. The retired staff are now over 35,000.

The National Industrial Tribunal, which was constituted under the direction of the Supreme Court, gave its award in favour of the RRBs for equal pay with NCBs, which was binding for the Government of India. The Government of India allowed equal pay for equal job, but denied pension. The employees of the RRBs approached different High Courts, who pronounced judgments in favour of the RRBs to pay pension at par. But then, one SLP was filed in the Supreme Court against a High Court judgment. Now, the case is pending for disposal in the Supreme Court for the last five years.

Madam, in this course of time, over 3,000 retirees have already died; and the death toll is on the rise everyday due to lack of financial assistance in the form of pension. They are being denied the respectable living in the society.

Hence, I would request the Government of India to take some serious measures to provide the retirees of the Regional Rural Banks with the minimum basic needs to protect their lives. I also demand the immediate withdrawal of unjust and non-maintainable SLP, and pave the way for implementation of unconditional pension parity with the public sector banks, and uphold the

dignity, décor and respect of senior citizens of employees of the Regional Rural Banks and save their souls and provide justice to them. Thank you, Madam.

**HON. SPEAKER:** Kunwar Pushpendra Singh Chandel is permitted to associate with the issue raised by Shri Bheemrao B. Patil.

**\*SHRI K. ASHOK KUMAR (KRISHNAGIRI):** I will speak for two minutes. Madam Speaker, this is an important subject relating to safety matches industry. Please allow me.

After the implementation of GST almost all the safety match industries in Tamil Nadu have been badly affected. During the regime of Hon. Prime Minister Shri Narendra Modi, a tax rebate was provided for the safety matches industry, even if electric machines are used in other processes except box filling, *vide* Central Excise Notification No 12/2014 dated 11.07.2014. We are aware of the fact that the semi-mechanized units outnumber the fully mechanized units in the country. As this is the case, uniform levy of GST at the rate of 18 per cent will adversely affect the safety matches industry and the workers dependent on this industry. The rate of GST should be brought down to 12 percent. In my Krishnagiri Parliamentary constituency and the neighbouring Dharmapuri district, safety matches are not manufactured by using small sticks of wood but by a special method of using recycled paper-wax match sticks. We have less than 100 safety match industries in our country, out of which 30 industries are in our area which are registered and functioning as micro and small scale industries.

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\* English translation of the speech originally delivered in Tamil.

Instead of using wood from trees, these industries use the recycled paper for making match sticks thereby giving employment to rural men and women of this area. As the safety matches industries are less than 100 in number in our country, and they function only on a small scale, this sector should be protected by the Government. It is also important as it protects environment besides giving employment to rural people. I therefore urge upon the Union Government that even though the manufacturers of Wax Coated Paper safety matches use mechanized way of production except box filling, GST should be levied at only 5 percent instead of 18 per cent. This is my humble submission. Thank you Madam Speaker.

**HON. SPEAKER:** Kunwar Pushpendra Singh Chandel is permitted to associate with the issue raised by Shri K. Ashok Kumar.

**SHRI HEMANT TUKARAM GODSE (NASHIK):** Hon. Speaker, I would like to raise a very important issue. It is with regard to extending the railway local services of the Central Railways from Kasara to Nashik.

Before also, the Central Railway Mumbai Suburban Section has been extended up to Kasara on the north-east side and up to Karjat on the south side. There was an extension afterwards up to

Pune. Now, Lonawala and Pune local services are making the commuting easier for the passengers.

Madam, Nashik and Pune are at about the same distance from Mumbai. But till now, the North East side remains undeveloped due to non-extension after Kasara. The reason given is the Ghat section. A retired railway expert, Shri W.M. Sangale has suggested to the Railway Board as to how to run the local railway service in Ghat Section without bankers. Advanced technologies are also coming. Nashik is a rapidly developing city. There is also a tremendous increase in passengers travelling from Nashik to Mumbai.

Therefore, I would like to request the Railway Ministry through you, Madam Speaker, to work out and resolve the Ghat Section issue by using advanced technology and suggestions given by the railway expert Shri Sangale. It is also requested to extend the local railway service from Kasara to Nashik, so that commuting to Mumbai becomes easier for the passengers from Nashik. This will develop faster and will generate more employment opportunities.

**HON. SPEAKER:** Shri Shrirang Appa Barne, Shri Rahul Shewale, Dr. Shrikant Eknath Shinde, Shri Adhalrao Patil Shivajirao, Shrimati Bhavana Pundalikrao Gawali and Shri

Bhairon Prasad Mishra are permitted to associate with the issue raised by Shri Hemant Tukaram Godse.

**SHRI KODIKUNNIL SURESH (MAVELIKKARA):** Thank you, Madam, for giving me an opportunity to raise a very urgent matter of public importance.

I would like to bring the attention of the hon. Finance Minister through you, Madam, towards the matter where SBI has denied to give certificates and other documents to those students who have availed education loans from State Bank of Travancore. Now, SBT has been merged with SBI. All the documents of the students have been transferred from SBT to SBI. But SBI has been irresponsibly behaving with poor students in Kerala.

Madam, recently the Government of Kerala has decided to give financial assistance to those poor students who have availed education loan from SBI or SBT and failed to repay it. But all the documents are with SBI. They are not returning the documents to the students. As a result, students are not getting any help from the State Government.

Therefore, I would like to request the hon. Finance Minister to intervene in this matter so that they can get back their certificates immediately.

Thank you, Madam.

**HON. SPEAKER:** Shri N.K. Premachandran and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Shri Kodikunnil Suresh.

*[Translation]*

**SHRI DHANANJAY MAHADIK (KOLHAPUR):** Hon. Speaker, Madam, our country ranks first in the world in milk production. If India's share in global milk production is examined, it is about 70 per cent. There are 177 milk unions, 15 milk marketing federations, and about one and a half lakh milk societies engaged in the collection and sale of milk. There is a possibility that milk production will increase further next year, with an estimated growth of 4.18 per cent. About seven crore families are associated with this sector, and more than two crore people earn their livelihood from it. Women, in particular, are closely associated with this industry. This is a very large sector, yet it is running at a loss. The reason is that the breeds of cows and buffaloes in our country, such as HF cattle, Murrah and Jaffarabadi, require fodder, medicines, tonics and maintenance, the cost of which is not affordable. We are all aware of the Swaminathan Committee report, which recommends that farmers should receive at least 50 per cent profit over the cost of production, but this is not happening. A large agitation was taken out recently in my constituency of Kolhapur on this very issue.

Through you, I request the Government to provide a subsidy of Rs. 5 per litre on milk and Rs. 7 per litre to those who produce milk powder. The Government should also provide milk powder as part of nutritional food schemes for all. This will benefit children as well as milk producers. The paddy stored in Government warehouses that is not fit for human consumption should be given to companies for conversion into cattle feed, so that fodder becomes cheaper, and the Government should make it available at affordable rates. Farmer suicides in the country can find a meaningful alternative solution through the promotion of the dairy sector.

*[English]*

**HON. SPEAKER:** Shri Shrirang Appa Barne, Shri Rahul Shewale, Dr. Shrikant Eknath Shinde, Shri Hemant Tukaram Godse, Shri Adhalrao Patil Shivajirao, Shrimati Bhavana Pundalikrao Gawali and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Shri Dhananjay Mahadik.

**13.00 hrs**

*[Translation]*

**SHRIMATI HEMAMALINI (MATHURA):** Hon. Speaker, Madam, thank you.

I wish to raise a matter concerning folk art, which is gradually becoming extinct and about which I am deeply concerned. The culture of any country is shaped by the lifestyle, values, attire, ornaments, dance and music of its people.

From Jammu and Kashmir to Kerala, every State and Union Territory of India has its own folk arts, which form an important part of its identity. When we speak of folk art, folk dance, folk songs and music immediately come to mind, along with folk painting. Folk dances and music are among the most well-known forms, such as the Ghoomar dance of Rajasthan, which is widely recognised.

**HON. SPEAKER:** Please speak briefly.

**SHRIMATI HEMAMALINI:** Yes Madam, I will be brief. My submission is that these art forms are today facing extinction, despite receiving recognition even abroad. These artists are usually seen performing only on occasions such as Republic Day on 26 January. Something needs to be done for their welfare and

preservation of these art forms. I, therefore, request the Ministry of Culture to take appropriate steps in this regard. Thank you.

**HON. SPEAKER:** Shri Bhairon Prasad Mishra, Shri Sumedhanand Sarswati, Kunwar Pushpendra Singh Chandel, and Shrimati V. Sathyabama are permitted to associate with the issue raised by Shrimati Hemamalini.

**SHRI DEEPENDER SINGH HOODA (ROHTAK):** Hon. Speaker, Madam, thank you. I would like to raise a very important issue here.

Madam Speaker, I wish to speak about retired personnel of our paramilitary forces. Our paramilitary forces make a vital contribution to the security of the country. Whether it is Kashmir, the North-East, Naxal-affected States, ports or airports, whenever there is any security-related challenge in the country, the role of the paramilitary forces is extremely significant.

I would like to place certain demands related to them before the House. It is unfortunate that some time ago, these paramilitary forces had to stage a protest at Rajghat to put forward their demands. Their first demand is that their name should be changed. They should not be referred to as paramilitary forces, nor should they be considered inferior to anyone. I would like to suggest that they be designated as Internal Security Forces.

The second demand relates to One Rank, One Pension. Just as steps have been taken to implement One Rank, One Pension for the Indian Army, the same should also be extended to the paramilitary forces. A new pension scheme was introduced for the paramilitary forces on 1 January 2004. Instead of this, the old pension scheme should be restored.

GST exemption has been granted in the CSD canteens of the Army. The Hon. Finance Minister is present here. There are CAPF canteens, which are used by personnel of the CRPF, BSF, ITBP, SSB and other forces. GST exemption should also be extended to these canteens. Medical facilities for the paramilitary forces should also be enhanced.

**HON. SPEAKER:** You have placed your demands. Your time is now coming to an end.

**SHRI DEEPENDER SINGH HOODA:** Madam Speaker, I would like to place just one final demand on their behalf.

The martyrs of the paramilitary forces should be accorded the same status as the martyrs of the Indian Army. We cannot differentiate between martyrs. Personnel of our paramilitary forces lay down their lives while fighting Naxalites and other threats. Therefore, they should be given the status of martyrs and all related benefits on an equal footing.

I demand that the Hon. Home Minister should meet a delegation of ex-paramilitary forces personnel, so that their problems can be resolved at the earliest. Thank you.

**HON. SPEAKER:** Kunwar Pushpendra Singh Chandel is permitted to associate with the issue raised by Shri Deepender Singh Hooda.

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**13.03 hrs**

**STATUTORY RESOLUTION RE: DISAPPROVAL OF  
INSOLVENCY AND BANKRUPTCY CODE  
(AMENDMENT) ORDINANCE, 2017**

**AND**

**INSOLVENCY AND BANKRUPTCY CODE  
(AMENDMENT) BILL, 2017**

**HON. SPEAKER:** Now, the House will take up Items 20 and 21 together. There will be no lunch break.

Shri N.K. Premchandran *ji*.

**SHRI N.K. PREMACHANDRAN (KOLLAM):** Madam, I beg to move:

“That this House disapproves of the Insolvency and Bankruptcy Code (Amendment) Ordinance, 2017 (Ordinance No. 7 of 2017) promulgated by the President on 23 November, 2017.”

**13.03 1/2 hrs**

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

**THE MINISTER OF FINANCE AND MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY):** Sir, I beg to move:

“That the Bill to amend the Insolvency and Bankruptcy Code, 2016, be taken into consideration.”

The Bill was passed by this House and the Rajya Sabha. It was notified as a law and the provisions came into effect on the 1<sup>st</sup> of December, 2016. So, effectively for almost a little more than a year, this has been in operation. Since this is for the first time in India that a law of this kind was being put into operation, this was necessary. It is because, those who cannot run businesses and have literally made the businesses insolvent, an exit had to be found for them. In order to save the employment and save the enterprises itself, an effort has to be made, in the first instance, to have a resolution under which those enterprises themselves could be saved. If a resolution is not possible, it is only then that in extreme cases one goes to the extent of dissolution.

The functioning has revealed that certain improvements etc. and changes were necessary. If we look at the language of the Bill itself, I think there was some clarity which was required with

regard to the definition of the word 'resolution applicant' as to who can apply for a resolution itself. And, that clarification has been brought in clause 3 of the amended Bill which came in the form of an Ordinance itself. Clause 4 itself deals with the eligibility criteria that can be fixed. The core and the sole of this new Ordinance is really clause 5 which is Section 29A of the original Bill.

I may just explain that once a company goes into the resolution process, then applications would be invited with regard to the potential resolution proposals as far as the company is concerned or the enterprise is concerned. Now a number of ineligibility clauses were not there in the original Act, and, therefore, 29A introduces those who are not eligible to apply. For instance, there is a clause with regard to an undischarged insolvent who is not eligible to apply; a person who has been disqualified under the Companies Act to act as a Director cannot apply; and a person who is prohibited under the SEBI Act cannot apply. So these are statutory disqualifications. And, there is also a disqualification in clause (c) with regard to those who are corporate debtors and who, as on the date of the applicant making a bid, do not operationalise the account by paying the interest itself. That is, you cannot say that I have an NPA. I am not making the account operational. The accounts will continue to be NPAs

and yet I am going to apply for this. Effectively, this clause will mean that those, who are in management and on account of whom this insolvent or the non-performing asset has arisen, will now try and say, I do not discharge any of the outstanding debts in terms of making the accounts operational, and yet I would like to apply and get the same enterprise back at a discounted value, for this is not the object of this particular Act itself. So clause 5 has been brought in with that purpose in mind.

And, clause 6, which is the other important clause, brings in that the Committee of Creditors, which by 75 per cent majority has to approve a resolution process, will see in terms of clause 6 the feasibility and the viability of the proposal which has been made for the resolution itself. It is not bound to accept any or every proposal that comes up before itself. It must see that it must be a proposal which itself is feasible and viable, which inspires confidence and it is only then that the Committee of Creditors will approve that.

Now these are improvements. Since I said that this is for the first time India has entered into this jurisprudence, it is a learning experience for us also. One year after operationalising it, all the concerned stakeholders have been consulted and these amendments have been brought in. The reason why the Ordinance was brought in because a large number of cases are already

pending resolution mechanism itself, and, therefore, if we had not immediately brought in, then even the ineligible persons, who are sought to be made ineligible under this, would have started applying for the resolutions itself. Therefore, in order to give it an immediate effect, an Ordinance to this effect was necessary and that is the reason why the Ordinance was brought in.

With these few words, I commend this Bill to the hon. House for acceptance.

**SHRI N.K. PREMACHANDRAN (KOLLAM):** Sir, several times in this House I have made the point on the Constitutional position of article 123 regarding the promulgation of Ordinance. I am not going to repeat all those issues because since this Ordinance is exclusively or it is an independent legislation brought by the Executive. This can be issued only on extraordinary circumstances or compelling circumstances under which article 123 can be invoked.

Sir, kindly see, in this case whether article 123 is a fit case for promulgation of this Ordinance because I do accept the argument of the hon. Finance Minister that several times we are forced or the circumstances may compel us to promulgating an Ordinance. I do accept that. Even the GST compensation to the States Amendment Ordinance was also promulgated like this.

Yes, I do fully agree that it was right time to have an Ordinance so as to protect the interest of the country as a whole. That is why we have all supported the GST (Compensation to States) Amendment Bill at that time. Unfortunately, I could not speak on that subject because of the turmoil in the House.

Sir, let us analyse whether this Ordinance has come within the purview of Article 123. This Ordinance has been promulgated on 23<sup>rd</sup> of November, 2017. As every one of us knows that normally

the Winter Session of Parliament is summoned in the third week of November. Unfortunately, this time due to the Gujarat elections, the House was postponed to be summoned on 15<sup>th</sup> December, 2017. It means that from 23<sup>rd</sup> of November to 15<sup>th</sup> December only three weeks remaining. Why did the Government not wait for three weeks so as to bring a fresh Bill in the House instead of promulgating an Ordinance? That is the main objection, which I would like to make regarding the promulgation of the Ordinance.

Sir, let us also look at as to what were the exigencies in promulgating this Ordinance. The Ordinance seeks to amend the Insolvency and Bankruptcy Code as the hon. Finance Minister has just now narrated it clause by clause. The first amendment is -

- (a) to facilitate the phased implementation of the Code to corporate persons, individuals and partners which fall under Section 2 of the Code. So, the definition clause in Section 2 is proposed to be amended.
- (b) to provide clarity so as to the persons who can submit a resolution plan in response to an invitation made by the resolution professionals.
- (c) enable the resolution professionals to specify the eligibility conditions of prospective resolution

professionals while inviting resolution plans from the applicant.

(d) provide for certain persons ineligible for being a resolution applicants, as rightly pointed out by the hon. Minister, in discharging insolvency resolution, a person who has already been disqualified as a company's director or a board member from the company and he provides that the committee of creditors shall approve the resolution plan by vote of not less than 75 per cent of the voting share of the financial creditors. The proposed amendment is after verifying or convincing with the viability and feasibility of this proposal and that too as per the direction of the board. This is the amendment which is being proposed.

(e) disallow the sale of the property to a person who is ineligible to be a resolution applicant in case of liquidation; and finally,

(f) providing the penal provisions.

I would like to know from the hon. Minister as to what the urgency was in bringing these seven amendments that are to be sought in the Bill. We could have waited for three weeks and would come to the House with a fresh Bill and avoid such

promulgation of an Ordinance. So, my point is that promulgation of this Ordinance is *ultra vires* to Article 123 and hence this has to be disapproved. There was no urgency, exigency or contingency or compelling extraordinary circumstance so as to attract Article 123 of the Constitution.

Sir, coming to the Bill I would like to say that when the original Bill was brought in, there were a lot of apprehensions. I do agree and appreciate that this is a new jurisprudence which have come into existence. It is well known that this Insolvency and bankruptcy Code, 2016 is the consolidation of laws relating to the reorganisation of insolvency resolution of the corporate persons, partnership firms and individuals in a time bound manner. It was enacted as an effective legal framework for timely resolution of insolvency and bankruptcy. The ultimate purpose of the original Bill, which was enacted in the year 2016, was to provide the benefit of ease of doing business.

The National Company Law Tribunal and the Debt Recovery Tribunal are designated as the adjudicating authorities for resolution of insolvency, liquidation and bankruptcy.

The two other very important features in the original Bill are – an Insolvency and Bankruptcy Fund of India has been constituted

and an Insolvency and Bankruptcy Board of India is also constituted. These are the special features of the Bill.

When the original Bill was presented in the House, there was a big campaign and a disproportionate hope was being given to the industry that this Code was going to resolve all the problems being faced by the industry and the business in India. A widespread campaign was there. My point of view is that this Bankruptcy and Insolvency Code is not only expeditious but also it results in gross abuse, massive corruption, favouritism and nepotism and it may help to generate black money also. I can give you a certain reasons for it.

The reason number one is that the minority interest dominates over the majority interest. This is the first defect or disadvantage of this Bill. Even a minor default will lead to the company being placed in the hands of insolvency experts and it will be dissolved unless 75 per cent of the creditors agree to continue the operations of the company. It may be noted that the SICA of 1985 deals with only limited type of companies, that is, industrial companies. Under SICA, the rehabilitation of a company has to be approved by 75 per cent of the secured creditors and BIFR is the nodal agency to implement it. The BIFR must be supported by 75 per cent of the secured creditors and any statutory authority. In this way, the interest of the secured creditors and the Government

revenue are protected. Even the recovery proceedings under the Securitisation Act are not affected by the BIFR proceedings. So, the banks will be protected. The most protected institutions will be the banks.

Here, in this case, 26 per cent of the creditors can move for an insolvency resolution and thereby, go for liquidation proceedings. That means 26 per cent of the unsecured creditors can hold the interest of the 74 per cent of the secured creditors. That means, winding up of a company is automatic unless 75 per cent of the creditors oppose the winding up. This means that 26 per cent creditors, who may represent two to five per cent of the capital of the company, may hold the company to ransom.

Further, the National Company Law Tribunal has no jurisdiction to look into the larger interest of the majority shareholders or the creditors, the government revenue and workmen. That will be determined by the minority creditors. The point is that the companies may suffer financial crisis for so many reasons which may be temporary and need not be permanent. There may be a downturn in the market conditions, change in the overall scenario, strikes and labour problem, non-payment or payment not being made in proper time and change in government policies and decisions.

As soon as a petition of insolvency resolution is admitted, the company is handed over to the insolvency professional and thereby generate an automatic stay on all the assets of the company. It means that if any default has happened due to the above circumstances which I have mentioned, the company will be subjected to insolvency resolution and thereby liquidation. So, this is not meant for the revival of the company but for the insolvency resolution, the final result of which will be liquidation.

Sir, an amendment has been brought to the IBC. At the time of introduction of the Bill also, we had raised an issue. Who is an insolvency professional? Clause 319 speaks about the insolvency professional, but nowhere are mentioned the qualifications of an insolvency professional. The experience of the insolvency professional, the expertise and the managerial capacity of the insolvency professional is not well established in the original Act. Instead of establishing it, there is a provision that the qualifications of the insolvency professional will be decided by the insolvency professional agency. The point which I would like to make is that now the hon. Minister is coming with a new amendment, that is, Section 29A. That is a resolution plan. He has already read it. According to Section 29A, the proposed amendment in this Bill, a person shall not be eligible to submit a resolution plan if such person or any other person acting jointly or

in concert with such person.... I am not going to read the whole of it.

Sir, Section 29A deals with qualifications or the eligibility criteria for a particular person to present a resolution plan. I would like to put a humble question to the hon. Minister. If a person who has to submit a resolution plan, he has to comply with the criteria which are being enunciated in the Amendment Act. I fully agree with it and also support it, but my concern is that in the case of an insolvency professional, the qualifications and the eligibility criteria will be determined by an insolvency professional agency.

Then, what is the role of Parliament? When a person is submitting an insolvency plan before the Insolvency Authority or the Adjudicating Authority, then, the eligibility criteria and qualifications are well enunciated, well determined in the original Bill. Now it is in the amendment Bill. I too support it. It is also a good step. But in the case of Insolvency Professional, the qualification and eligibility criteria has to be made. How an Insolvency Professional, that is, a third party, can manage a company better than the existing management of the company? Insolvency Professional has no stake in the company. The result will be siphoning off of the money and winding up of the company rather than the reviving of the company. That is why, I have said in my opening remarks that it should be for the revival

proposal; it should be for the revival process of the company. Instead of reviving the company, the ultimate result will be that the third party, that is, the Insolvency Professional, whose qualification will be determined by the Insolvency Professional Agency, such agencies will be looking into the affairs of the company and the entire assets will be handed over to the Insolvency Professional and everything will be just like the Receiver being appointed by the court. We know when a Receiver or a Commissioner is appointed to take stock of the situation, what is happening in various places? We see siphoning off of the property by the Receiver. Our experience is that it is being experienced in a lot of cases.

Whether the Government has any role in determining as to who is the Insolvency Professional? That is the heart and soul of this Act, as rightly said by the hon. Minister. The Insolvency Professional has a vital role in the insolvency proceedings. Therefore, his qualification has to be determined. Hence, I suggest to the hon. Minister that instead of delegating this authority to the Insolvency Professional Agency, kindly bring an amendment, prescribe eligibility criteria of the insolvency professional in the main Act itself.

Even if there is a minor default also, operational creditors, or the financial creditors can move for insolvency. In this regard, I do

accept the time limit – 180 plus 90 days – that is 270 days. There also, big companies would be protected. These big companies can very well swallow the smaller companies.

In regard to priority in realisation also, I would like to make a very important point. This is the time and opportunity when we can highlight the issue in respect of the Bill. Unsecured and secured creditors have been put on the same footing which will be a serious disadvantage to the public sector banks and secured creditors.

Sir, you may kindly see this. The priority of clearing the liability is workers, secured creditors, revenue, tax, etc. The last priority is being given to 'revenue' and 'tax' is being given the last priority. This will only assist minority, unsecured financial manipulators and will be against the economic interests of Indian business, Indian public sector banks and Indian workmen also.

Regarding workmen and staff, I would like to state here that workmen and staff will be dismissed immediately on the order of winding up of the company. There is no protection as far as workmen are concerned. This Bill gives a new message that destruction is liberalisation. There is no concept of revival of companies; if a person wants to create trouble, he can very well do it. So, the ramifications of the Bill have to be seriously considered

and appropriate amendments are required in the original Act. It has become operational since the last one year. From the operational exercises, it has come to this conclusion and many amendments have been brought in. My suggestion and submission is, kindly have a relook into these provisions also; come up with new amendments so that Bill can be made more fruitful and protect the interests of the secured creditors and the public sector institutions.

With these words, I conclude my speech. Thank you very much, Sir.

**HON. DEPUTY SPEAKER:** Motions moved:

“That this House disapproves of the Insolvency and Bankruptcy Code (Amendment) Ordinance, 2017 (Ordinance No. 7 of 2017) promulgated by the President on 23 November, 2017.”

“That the Bill to amend the Insolvency and Bankruptcy Code, 2016, be taken into consideration.”

**PROF. K.V. THOMAS (ERNAKULAM):** Sir, this Insolvency and Bankruptcy Code (Amendment) Ordinance, 2017 has been brought to replace the Ordinance which the Government has promulgated.

Now, the original Bill was brought in 2016 and the Government has got the experience of it after its implementation – there are various lacunae, there is no difference of opinion. This is the time when we have to look into the financial situation of the country.

This Government has been in power for the last forty-five months and after fifteen months, in the natural course, this Government has to face the people of this country. What was the promise made during the election and after the election? I do not want to repeat it because it has been expressed in this House and outside. The hon. Prime Minister, during the time of his election campaign, said that if you bring a new Government, a new face, the corruption will be removed and all the black money will be brought back. Now, when we analysed that after forty-five months, where are we?

This Government has brought some drastic measures. On 8<sup>th</sup> November, 2016, the demonetisation was brought and the hon. Prime Minister promised that, by the end of December, 2016,

things will be normal. But is it normal after eight or nine months? This is now the end of 2017. This Government also brought the GST which was brought in such a hurry. We had warned the Government that it had to be discussed but it was brought in such a hurry that, now and then, we are bringing the amendments. My State and especially, our Finance Minister have welcomed the GST with an understanding that the State of Kerala will be benefited. But, now, our own Chief Minister and the Finance Minister of Kerala say that Kerala is on the receiving end. Our financial situation is so bad. We have not got any benefit by implementing the GST.

Now, Sir, look at the NPA. In 2015-16, when the NPAs of the banks were examined, at that time, in the public sector banks, the NPAs were to the tune of Rs. 5 lakh crore. Now, I understand that it is going at an alarming rate. The PSU banks are writing off and the NPAs have gone up to Rs. 55,356 crore. In the first two quarters of the fiscal year 2017-18, the NPAs are about 54 per cent higher than it was last year. Yesterday, I was told that NPAs are going to be about Rs. 20 lakh crore. I do not know whether this is correct or not. Anyhow, it is more than Rs. 20 lakh crore. So, what is happening? How is the financial discipline brought in? I welcome this Insolvency and Bankruptcy Code, there is no

difference of opinion. It is to bring the discipline but, is the discipline brought in?

You should understand that when this Government came to power, it was a big *mela* in the courtyards of Rashtrapati Bhawan, the money was spent, and it was said that a new Government is coming with a new hope, but where are we? The farmers are on agitation. In Tamil Nadu, the farmers are not getting the price they need to continue producing, for example, tomato; tomatoes are being thrown on the street. In Kerala, the rubber farmers are not getting the price they deserve. So, the whole farming community is on agitation. Look at the consumers, the price of all consumer items, starting from rice to edible oil, is spiralling. What is the Government going to do? Through what way are they going to control this price rise?

Now, the Food Security has been implemented. I compliment the Government on this. Almost, all the State Governments have implemented the Food Security Act. That has actually benefited the Government of India. The subsidy component on food items has come down. But where are we going? What is the policy of the Government to bring down the prices? The people of this country, the small farmers, and the traders are suffering.

My colleague Suresh has brought out the issue of bank loans given to students in Kerala. It was the SBT which gave adequate funding to the students of Kerala for higher studies. Now that has been merged with the SBI. After this merger, the SBI has to protect all the conditions in which bank loans were given to the students. But we find that SBI norms are more stringent and the students are on the streets.

Recently in Kerala, Tamil Nadu and Lakshadwip we had the Ockhi thunderstorm. After that thunderstorm, the hon. Prime Minister came to Trivandrum and Tamil Nadu. The Central Team was at Kochi and Trivandrum. They have come back. But what is the assistance given? It is a very meagre amount that has been announced. It is about Rs.300 crore. However, the loss is of more than Rs.7000 crore. In my Parliamentary Constituency Kochi, which is a coastal Constituency, thousands of houses were washed away from Chellanam which is one of the fishermen village in my parliamentary constituency to the other end of Munambar. About 700 fishermen are missing. Fishing boats and fishing nets have been damaged. What assistance is the Union Government giving to States like Tamil Nadu, Kerala, Lakshadweep, etc? It is a meagre amount as per the norms of natural calamity assistance. It will not be enough. That is why we told the Government that this

should be declared as a national calamity, but the Government is keeping mum.

Similarly, for years the coastal people are asking for construction of protective walls at the seashore and also the wave breakers. It needs money. In 1984 when I came to this House, the assistance given for the protection of seawalls was 50:50 – 50 per cent by the Government of India and 50 per cent by the State Government. Now it is zero. No assistance is given. And States like Tamil Nadu, Kerala, Karnataka, Andhra Pradesh find it very difficult. So, my suggestion to the Government is that it should help the poor people, the fishermen, the traders, and the students.

Looking at the NPAs, where have all the NPAs gone? NPAs have gone to major corporate houses. More than 80 per cent of NPAs are NPAs created by corporate houses. About 12 corporate houses have got the majority of NPAs. The clause in the Bill initiated by the hon. Minister which provides clarity as to the person who can submit their resolution plan in response to an invitation made by the Resolution Professional, is a good clause. That is because we find that when the NPAs are being examined, in many cases, we need clarity. For example, how can there be NPAs in jewellery manufacturing units? We can understand NPAs in national highways, in coal and mining, in civil aviation because it is a policy matter of the Government. Why in jewellery

industry? Is jewellery industry a policy matter of the Government? I think the Government has to be strict, the Government has to be disciplined. At the same time, false promises will not help people move ahead.

With these words I would request the Government to take positive steps and not negative steps.

*[Translation]*

**DR. SANJAY JAISWAL (WEST CHAMPARAN):** Hon. Deputy Speaker, Sir, I am extremely grateful to you for giving me the opportunity to speak on such an important Bill as the Insolvency and Bankruptcy Code (Amendment) Bill, 2017.

At present, Shri N. K. Premachandran is not present here. Had he been here, I would have been very pleased. He repeatedly raises the question as to why there was a need for an Ordinance. In this Lok Sabha, time is distributed equally among Members. If this is examined strictly, a party with a single Member should get only about 22 seconds. However, through the device of a statutory resolution, Shri Premachandran speaks for as long as he wishes on every occasion.

*[English]*

**HON. DEPUTY SPEAKER:** That is a different thing. It is not about a single-member party or a small party. He has moved the Resolution; it is not for the sake of his party.

**DR. SANJAY JAISWAL:** Sir, I am coming to the topic. My point is that this thing does not happen in the Insolvency and Bankruptcy Code. That is why this ordinance has been brought. He has opposed the Ordinance. But the reason for the Ordinance was that *[Translation]* no one is able to take advantage of any

provision or rule of the Government and dominate the process. The Insolvency and Bankruptcy Code has been brought precisely to prevent such misuse, and this Ordinance was promulgated for that purpose. Shri Premachandran ji is a very learned person, and I have great respect for him. It would have been better if he had gone through the rationale for bringing the Ordinance. When the IBC was introduced, I was also a part of that process. We all believed that we were bringing a very good law, but reform is a continuous process. I am grateful to Hon. Shri Modi ji and Shri Arun Jaitley ji because they never hesitate to undertake reforms. As a result of that approach, we have witnessed several improvements even in GST. In the same manner, reforms are being discussed today. In the United States, after the introduction of similar legislation, more than 300 amendments were made. This shows that reform is an ongoing process. When we observed that several companies were attempting to re-enter through the banking route and that those who had committed wrongdoing wanted to regain control of the same companies, this Ordinance was brought to prevent exactly that. It will help in curbing black money and stopping defaulters.

I am unable to understand this point. When the law is being made stricter and those who have brought companies to ruin are being restrained, how can it be argued that the same directors

should be given another opportunity merely by calling them insolvency professionals or otherwise. The directors who have completely destroyed a company, should they be given a second chance? On the one hand, it is precisely because a company has been driven into collapse that it has gone into insolvency. If, after entering the resolution process, the same people continue to remain in control, then what is the meaning of resolution at all? Those who have already ruined a company should not be given another opportunity. It is the responsibility of the Government to ensure that someone else is given that chance.

Hon. Thomas ji has been a very senior Minister. In the year 2005, bank loans amounted to Rs. 4.27 lakh crore. During the period when his Government was in power, these loans increased to Rs. 26 lakh crore. All the loans on account of which we are bringing this law today do not belong to the NDA Government. This entire burden of loans pertains to their period. We are undertaking the process of correcting the wrongs of that borrowing. I am extremely grateful to Hon. Shri Modi ji and Shri Arun Jaitley ji for framing rules to prevent those who were trying to capture companies again from behind the scenes.

Hon. Thomas ji had this work been done during your Government's tenure, this situation would not have arisen today. What is the level of NPAs today? We know it to be around Rs. 8

lakh crore, but your data is different. This entire situation is a legacy of your period. Our intention is absolutely clear. We are working with industrialists on two fronts. On the one hand, we are improving the ease of doing business. As a result of the Government's policies, India has moved up significantly and today stands much higher in the ease of doing business rankings. Anyone who wishes to do genuine and honest business is welcome to come and work. On the other hand, those who are wilful defaulters, who deliberately siphon off funds and divert money for other purposes, are being dealt with through stringent laws. That is the clear objective of this Government. We have carefully examined the rules that have been framed. Those who are unable to repay loans will not be allowed to re-enter the insolvency resolution process. Those whose accounts have already turned into NPAs will not be permitted. Directors who had stood as guarantors are being prevented from buying back guarantees again. Similarly, anyone who has any connection with a defaulter is being restrained. The law has been designed to ensure that companies do not once again fall into the hands of the same wrong elements after a haircut. We have all seen examples where a company worth Rs. 950 crore was reduced to Rs. 40-45 crore, and the very same people who had completely ruined the company were again trying to take control of it. I am extremely grateful to

the Hon. Minister for understanding the urgency of the situation and for bringing the Ordinance to prevent companies from going into the hands of wrong elements. A very important part of this Bill, which perhaps was not explained clearly earlier, is that in any company there are multiple banks involved, construction companies are involved, and alternative investment funds are involved. If these entities are not allowed to come together with new companies, no takeover will be possible, and the insolvency resolution process itself will fail. I am thankful to the Hon. Minister for keeping all these aspects in mind and for framing a very sound and effective law.

The greatest benefit of this measure is that it has instilled fear in the minds of new borrowers. Now, if someone takes a loan, does not run the factory properly, or borrows more than what is actually required, they are conscious that they could face ruin in the future. This is the greatest achievement of the NDA Government under the leadership of Hon. Shri Narendra Modi ji and Hon. Shri Arun Jaitley ji. Promoters now think a hundred times before borrowing and prefer to take only the minimum necessary amount, because ultimately they will have to repay the interest. As a result, they are restrained from indulging in fraud or diversion of funds. Today, no one dares to commit fraud or divert money. Because of these rules, new investors will come in. The

biggest advantage will be an increase in capital flow. Earlier, the same companies used to return repeatedly. Now, new companies are getting an opportunity. If the earlier directors had succeeded, the company would not have entered the resolution process in the first place. It is precisely because they failed that the company reached insolvency. The very objective of this new law is to ensure that new and capable entities step in during resolution. For this reason, I thank the Hon. Minister, as these measures will lead to increased investment in our country, attract new participants, and boost foreign direct investment. Only those who genuinely want to run companies will come forward, and professionals will enter the field with the clear understanding that they must manage enterprises responsibly, otherwise even their personal assets could be at risk.

Several entities have been restricted through discretionary provisions because their NPAs have already reached levels of 10 per cent or 12 per cent. This Bill has been brought to ensure that such entities do not manipulate or interfere with the resolution process in any manner. The belief of our Government is very clear: those who conduct business honestly and responsibly should be encouraged in every possible way so that new industries are established, while for those who indulge in wrongdoing, this Bill acts as a strong deterrent in itself. The money of the poor and of

shareholders will remain secure. Earlier, companies would issue shares, collapse, and promoters or directors would walk away with the gains. This will no longer be possible. Those who earn wealth honestly will be allowed to grow, and that wealth will be utilised for the welfare of the poor. This is the core objective of this Government. This is the first Government of India that has viewed policies purely from the perspective of the rich and the poor, with more than sixty schemes dedicated exclusively to the welfare of the poor. However, resources are required for this. Without industrial growth, without the proper expansion of industry, and without an increase in employment, it will not be possible to generate the funds necessary for welfare.

I am deeply grateful to the Hon. Minister for intervening at exactly the right time and bringing forward this Amendment Bill. I fully support it. I am confident that this will significantly accelerate India's growth in the industrial sector.

*[English]*

**DR. P. VENUGOPAL (TIRUVALLUR):** Thank you, hon. Deputy Speaker Sir, for giving me this opportunity to speak on the Insolvency and Bankruptcy Code (amendment) Bill, 2017.

On the 23<sup>rd</sup> November, 2017, the Government promulgated an Ordinance amending the Insolvency and Bankruptcy Code or IBC 2016. The Bill which the Government has introduced today essentially replaces the Ordinance issued last month.

I am not sure whether the Bill has brought in some more changes to the Code apart from the changes made by the Ordinance because the Bill has been introduced at a very short notice in the Parliament for consideration and passage.

The provisions relating to the corporate insolvency resolution process of the Code were made effective from 1<sup>st</sup> December, 2016. Before commenting upon specific provisions of the Bill I would like to know from the hon. Minister the need for amending the IBC within one year of its operationalisation. Further, I would like to know from the Minister whether the Bill amends the Code prospectively or retrospectively and if it is the latter case, which in principle is bad law making, the reasons for amending the Code retrospectively.

Clause 5 of the Bill prohibits certain persons from submitting a resolution plan to resolve a defaulting company. These persons *inter alia* include wilful defaulters, disqualified directors, promoters or management of the defaulting company, persons who have given a guarantee on a liability of a defaulting company, persons who have indulged in preferential or under-valued transactions, NPA accounts classified as such for more than one year, persons connected to any aforesaid persons. I would like to mention here that the list of people barred from the resolution process is too broad and encompassing. Having such a broad category of persons disqualified from the resolution process would hamper the competitive bidding process while attempting to resolve the company.

When the IBC was passed last year by the Parliament, the objective was to provide an enabling structured legal framework for the resolution of insolvent firms. However, the proposed amendment may push more insolvent firms to liquidation as it effectively reduces the number of applicants who may try to resolve the insolvent firm and thus the chances to revive the firm to that extent is diminished. I would like to know whether during the last six months the Government has noticed any instances where the Code has been misused by the existing management of twelve large NPA accounts, which were referred to the

Bankruptcy Code by the RBI this year, to short circuit the insolvency resolution processes prescribed under the IBC. If this is the case, then I am of the opinion that this Bill is more of a knee jerk reaction from the Government to stop the existing management of these twelve large defaulting companies to get back their assets at a steep discount. I would like to mention that in the Synergies Dooray debt recast, which was the first resolution case approved by the National Company Law Tribunal, the financial institutions had to take a hair cut of more than 80 per cent in the final resolution of the company.

Now, the larger question here is that while the proposed amendment will hurt and should hurt some persons or entities who are gaming the corporate insolvency process, it also puts the resolution process of small companies in jeopardy as it effectively reduces the universe of prospective applicants who can bid for the company.

There may be numerous suitors for large insolvent firms which have been referred to bankruptcy courts but what would happen to small textile units say in Tiruppur, Tamil Nadu if in future they are referred to insolvency resolution. I think there would be not many takers for such small and medium enterprises who will be the most hurt by such reduction in the number of applicants to the resolution process.

Some of the exclusions in clause 5 are very hard to comprehend. For example, a person who is disqualified to act as a Director under the Companies Act is also excluded from submitting a Resolution Plan. It seems to me very ironical that if a person is disqualified, as a Director under the Companies Act, for say, non-filing of returns of Company-A which may be due to lack of oversight, he stands to be disqualified from the resolution process of an entirely unconnected Company-B. Another inexplicable disqualification is with respect to persons who have given a guarantee on a liability of a defaulting company. If a resolution process is triggered in a company on account of some default, what sense does it make to debar the guarantor of such an insolvent company who has no connection with the default which has triggered the insolvency process? Keeping out such a person from the resolution process under the IBC makes no sense, as such a person is in a better position to give a fair valuation of the company's assets and viable turn-around plan on account of his knowledge of the relevant industry in general and the insolvent company's interest in particular.

The Bill also debars every person connected to the list of disqualified person given in clause 5 of the Bill from submitting a resolution plan. By virtue of this clause, say, if a company goes down under, every promoter, related to every party and associate

of that company can never participate in any resolution proposed for any other insolvent company under the IBC. This is a very sweeping exclusion as it cuts down a large number of prospective applicants who may submit good resolution plans to revive an insolvent company.

With these reservations, I support this Bill.

**PROF. SAUGATA ROY (DUM DUM):** Hon. Deputy-Speaker, Sir, I rise to speak on the Insolvency and Bankruptcy Code (Amendment) Bill, 2017 which is there to replace the Ordinance which was promulgated on 23<sup>rd</sup> November, 2017.

This Bill seeks to amend the Insolvency and Bankruptcy Code, 2016. Now this Insolvency and Bankruptcy Code was brought in this House in 2015, then referred to a Joint Committee of both Houses of Parliament and then the Report was submitted and finally the Bill was passed. It had the support of all parties since it came through a Joint Committee of Parliament. It beats me as to why within one year it has become necessary to bring an amendment to this Act.

Sir, what I want to say is that this Ordinance is a desperate step by a desperate Government. The problem of the Government is serious. According to the hon. Minister the gross Non-Performing Assets of scheduled commercial banks were Rs. 8,50,178 crore as on 30.9.2017. Now, under the Insolvency and Bankruptcy Code, the Reserve Bank of India has sent 12 companies which had fund-based outstanding amount greater than Rs. 5 crore, with 60 per cent or more classified as non-performing, to initiate insolvency process under the IBC. Already some action has been taken and the companies, who are big defaulters which include companies like Essar Steel, Bhushan Steel, LANCO, Alok

Industries, ABG Shipyard and Jaypee Infratech. Already actions have been initiated under IBC. Twelve companies have been referred to the NCLT under this. Now, what is this Insolvency and Bankruptcy Code? When a company is going to be insolvent, then an insolvency professional will be appointed. The insolvency professional will ask for applications so that the resolution process can be initiated. The new National Company Law Tribunal has been formulated under this.

Now, what does the amendment brought by Shri Jaitley say? It has certain restrictions. Let us look at the ineligibility to be a resolution applicant. A person will be ineligible to submit a plan if he is an undischarged insolvent, he is a wilful defaulter identified by the RBI, his account has been identified as NPA for more than a year, he has been convicted of an offence, he has been disqualified as a Director under the Companies Act, or he has been prohibited from trading in securities. These are the people who will be ineligible to apply for resolution of a company.

This resolution plan says that it has to be approved by 75 per cent of the majority of the Creditors Committee. It is subject to any condition specified by the Insolvency and Bankruptcy Board. The Ordinance prohibits the Committee of Creditors from approving a resolution plan submitted before the promulgation of this Ordinance, where the plan has been submitted by a person

ineligible to be a resolution applicant. This means that you are limiting the number of resolution applicants by putting certain conditions.

Now, there is also a penalty which says that any person contravening provisions of the Code will be punishable with a fine ranging between one lakh rupees and two crore rupees.

To me, this Bill, appears to be an overkill. IBC was all right. Now they have broadened the people ineligible. I will tell you what will happen because of this. The category of people barred is too broad and risks the very objectives of the original code. It is germane to remember here that the IBC is not intended to serve as a mere instrument of liquidation. That is not to close down factories, it is to revive factories. It is to provide an enabling legal framework for the reorganisation and insolvency resolution of corporate persons in a time bound manner for maximisation of value of assets of such persons.

The amendment risks of becoming an instrument of blunt force that hurts more than it helps. It has been pointed out that not all bad loans are a result of *mala fide* intent on the borrower's part. Specifically, cases where companies have ended up struggling to service debt as a result of unpredictable external factors that adversely impacted their operations and financials barring the

promoters of such firms from a chance to restructure and turnaround the business merely because the loans have turned sour are unfair to both the entrepreneur and the enterprise itself.

For instance, steel companies were among the worst hit in the wake of global downturn in commodity prices and depressed demand. Some of the steelmakers were considering participating in bids to restructure the debt and businesses hoping to run them again. By widening the scope, it considers ineligible to participate in the resolution process and worse, making the amendments retrospective to cover even those cases already referred to the NCLT, the Centre may have ended up by throwing the baby out with the bathwater,.

The Government has done too much. It has barred too many people and it will hamper the resolution process under IBC.

### **14.00 hrs**

The current Ordinance is a dangerous shortcut. It relieves the banks from judging the promoters and guides them towards a faster resolution – even if financially less attractive – in many cases.

In terms of policy objectives, the Government of India has moved towards minimising a wilful defaulter from entering the fray. But this move would have been justified if the virtue of

keeping the defaulter at bay was far higher than the genuine 'sin' of driving away a defaulting but genuine promoter.

This Ordinance, as I said, will throw out the baby with the bathwater. You are actually not improving the situation in a case where the economy is already in doldrums. This morning the Minister said that the economy is in a serious condition. The rate of growth had fallen to 5.7 per cent.

Mr. Deputy-Speaker, Sir, you are from a rural area. The agricultural growth in the last two quarters has been 2.3 per cent and 1.7 per cent respectively. The farm loans have totalled to Rs. 8.5 lakh crore last year and Rs. 9.5 lakh crore this year. So, in spite of that the agriculture has not grown. So, it is in a difficult situation. I think the Minister needs to look at it afresh. He needs to have a fresh look at the Bill instead of making amendments to the original Bill so that they do not spoil the chances of recovery of these companies which are on the verge of closure.

The Government has brought another Bill called the Financial Resolution and Deposit Insurance Bill, which is before the Joint Committee. That is most dangerous because it has got a 'bail-in' provision. That 'bail-in' provision will jeopardise the deposits of small people. People are already protesting against the FRDI Bill. The problem with lawyers as Minister is that they think that the

solution to every problem is enacting laws. I would request them to desist from enacting these unnecessary laws. Rather they should implement the laws that have been enacted already to solve this problem.

**SHRI BHARTRUHARI MAHTAB (CUTTACK):** Mr. Deputy-Speaker, Sir, the Insolvency and Bankruptcy Code 2016 was enacted to consolidate insolvency related laws and provide a time-bound process to resolve insolvency among companies and individuals.

‘Insolvency’ refers to a situation where a person is unable to pay or repay his debt. The Code is in its early stages of implementation, with the first case resolved in August, 2017. Institutions under the Code such as information utilities to handle financial information related to debtors are being set up and insolvency professionals are being trained.

Over the last two years, 300 cases have been registered under the Code, some of which have been challenged in courts. In November, 2017 a Committee was set up to review the Code – I think the hon. Minister is aware of it – to identify issues in its implementation and suggest changes. The Committee has been given two months’ time to submit its Report. The Ordinance was promulgated on 23<sup>rd</sup> November, 2017 to prohibit, specifically certain persons from submitting resolution plans to resolve defaulting companies. The Government stated that the Ordinance seeks to prevent these persons from misusing the Code. When we go through the Ordinance and the Bill that is before us for consideration, we find that there are marked changes. Perhaps it

has dawned upon the Government later that the Ordinance is not going to give any relief to the promoters. That is the real reason though it is being said that they are restricting certain promoters to involve themselves in this process. I will come to those aspects a little later.

The Bill to replace the Ordinance amending the Insolvency and Bankruptcy Code, 2016 offers promoters of small and medium enterprises undergoing insolvency proceedings a month's window to repay overdue loans and bid for their companies. This will be applicable where those promoters are sole bidders. This is a welcome step.

This Bill seeks to give some relief to promoters in general, by tweaking the definition of one year of Non-Performing Assets on the basis of which they are disqualified to bid for their companies. This also excludes Asset Reconstruction Companies, alternative investment funds and banks from the definition of 'connected persons', protecting these entities from becoming ineligible for bidding. The Bill also tweaks the language of the Ordinance to bar promoters or those in the management or control of companies with over a year of NPAs from bidding. It broadens the definition of those barred from bidding. As the previous speaker said, it restricts, but that is just the other way. Perhaps, he was referring to

the Ordinance. But the Bill actually broadens the definition of those who can participate in the bidding process.

This proposes a 30-day grace period for promoters who had bid for companies undergoing insolvency proceedings before the Ordinance was promulgated on 23<sup>rd</sup> November, barring them from the bidding process, promoters of only SMEs had bid for their companies undergoing insolvency proceedings before the Ordinance took effect. With the Ordinance it was expected that 70 per cent of SMEs would be pushed into liquidation. While providing 30 days more, the Bill seeks to retain the period of insolvency up to 180 days, extendable by another 90 days.

The Bill proposes to relax the norm for disqualifying a promoter from bidding for a company undergoing insolvency resolution. The Ordinance barred promoters whose companies have had their loans declared NPAs by banks for over a year from bidding for these. The year is counted from declaration of a loan as an NPA till the invitation of bids. This Bill proposes to calculate this period of one year till an application of this insolvency is accepted by the National Company Law Tribunal. So, some of those promoters who were not able to bid for companies since the one year period was over could qualify as that period might not be complete when NCLT admitted the case. So, this is a welcome step which has been incorporated in the Bill.

Further, I would like to say that this Amendment Bill allows defaulting promoters to be a part of the debt resolution process of the companies. It has paved the way for Asset Reconstruction Companies, alternative investment funds such as private equity funds and banks to participate in the bidding process. Many of these entities acquire distressed assets and the classification of these assets as Non-Performing Assets would have disqualified them from the bidding process.

Similarly, banks opting to convert their debt into equity under the RBI's scheme for Sustainable Restructuring of Stressed Assets would have inadvertently become promoters of these insolvent companies and thereby being barred from the resolution process. Through this Bill, it has been corrected. The Amendment aims to correct these anomalies.

This Bill seeks to strike a fine balance in the trade-off between punishing wilful defaulters and ensuring a more effective insolvency process.

The Bill also seeks to bring any individual who has in control of the NPA under the ambit of the Insolvency Code. It lays out that the individual insolvency law will be implemented in phases. It also allows guarantors of insolvent firms to bid for other firms under the insolvency process. This Bill has addressed concerns

about some of the stringent provisions in the Ordinance that investors felt, could have made the resolution process a non-starter.

I believe, the dilution of the clauses may still not be enough for an effective resolution process. Perhaps after six month, hopefully, in the next Monsoon Session again, you would be coming back to this House with certain relevant amendments because it is in the making.

Those *bona fide* promoters, who were expecting to be ring-fenced and brand all acts of default as malfeasance have been crestfallen. This needs to be addressed.

What is the Insolvency Code all about? It was envisaged as a resolution tool, but now, it has become a loan recovery tool. The law does not recognise promoters, who may be facing genuine operational or financial difficulties because of external factors such as policy decision. The IBC was enacted in 2016 to find a time bound resolution for ailing and sick firms either through closure or revival while protecting the interests of creditors.

A successful completion of the resolution process was expected to aid in reducing rising loans in the banking system. By September end this year, NPAs in the Indian Banking System would have made up 9.85 per cent of total advances according to

CARE Rating. The position of promoters has largely remained unchanged except for certain clarifications offered by the Amendment Bill. This needs to be explained that after two years of implementation of the Code, why NPAs have not come down. This Bill seeks to make some provisions of the Ordinance effective retrospectively. It proposes that the Committee of Creditors must invite new bids if the promoters, who had bid for companies undergoing insolvency resolution, are disqualified by the Ordinance.

The situation, today, Sir is that the companies apart from 12 big ones that are undergoing insolvency resolution, have a cumulative debt of Rs. 150,000 crore. The big companies have cumulative debt of around Rs. 250,000 crore. A little over 300 companies are undergoing insolvency proceedings.

Sir, before I conclude, I should also mention that the Ordinance prohibits a person from submitting a resolution plan if he has given a guarantee on a liability of the defaulting company undergoing resolution or liquidation; and this is a problem, which needs to be addressed. For example, 'A' lends Rs. 1000 to 'B' This amount is guaranteed by 'C' implying that if 'B' is unable to repay this amount, then 'C' will repay it on 'B's' behalf. There may be a case for prohibiting 'C' from submitting a resolution plan if he does not honour the guarantee. However there may be

instances where 'C' honours the guarantee but the resolution process is triggered by default on other debt of 'B'.

The question is whether a guarantor, who honours his guarantee should be barred from submitting a resolution plan for the company. That question remains unanswered. Thank you, Sir.

**SHRI JAYADEV GALLA (GUNTUR):** Thank you, hon. Deputy-Speaker, Sir, for giving this opportunity to speak on the Insolvency and Bankruptcy (Amendment) Bill, 2017.

Sir, I would like to congratulate the hon. Finance Minister for the very important and far-reaching legislation of the Insolvency and Bankruptcy Code, the original Code that was passed.

This Act was one of the important factors for India improving its ranking in Ease of Doing Business from 142 to the Top 100; and I look forward to more reforms coming in so that India can move up to Top 50 and then thereafter, to move up to Top 10 in the world.

Along with GST, it was also an important factor in India's credit rating improvement as well. I am very happy to see that the Government is moving quickly to act after finding loopholes and weaknesses in such important legislation. This Bill ensures weeding out of those unscrupulous individuals who are undischarged insolvents, wilful defaulters, whose accounts have been id'd as NPA for more than a year and few others who have not repaid.

This Bill aims to change the older order under which men who presided over the debacle of a company by not paying bankers do not get a second chance. It means, the amendment looking for

buyers who could turn the business around and not to give it to same men who brought it down in the first place. So, I welcome this.

Sir, we all know that before the Ordinance, most of the bankers would have been willing to enter into deals and accept haircut on loans as long as such promoters were not perceived corrupt or categorized as wilful defaulters. It means, if there is no forensic audit which shows that they had diverted funds to other group of companies or personal accounts, they are allowed to be a contender to get his company back. But here, I wish to make a point. My point is relating to insertion of proposed sub-section (c) of Section 29A. Here, you are saying that if one's account is classified as NPA and a period of one year or more has been lapsed from the date of such classification and who has failed to make such payment of all overdue amounts with interest, he is not eligible to submit his resolution plan. I feel that the period of one year is too short a period. Many industry segments run in business cycles and in these business cycles if you have a downturn and at the low point of that business cycle, it may take more than a year – generally, it takes about two to three years – for this business cycle to turn around. So, I request the hon. Minister to consider revising it for, at least, three-year period, so that genuine persons

can get an opportunity. There are good apples and bad apples and, I think, this will ensure that the good apples are given a chance.

Sir, with respect to barring certain persons from the liquidation process as opposed to the Resolution process, I personally feel that the banking sector may be the loser since the Bill is reducing the number of bidders and thus minimizing the scope for finding the right price for stressed assets. A liquidated company ceases to exist, so the background of persons bidding for its assets may be irrelevant in my opinion. I am saying this because recently SEBI has classified three lakh entities as shell companies and the promoters, directors and relatives of these companies will not be allowed to bid for stressed assets. And this move hurts small and mid-size SMEs.

Thirdly, I wish to give an example since I am also an entrepreneur. To consider a case where an entrepreneur ropes in other investors and funds most of the fixed assets with equity. He then takes bank loans only as a means of working capital. If there is no charge or mortgage created on fixed assets in favour of the banks, and if the company defaults due to some unpredictable external factors, how can such undertaking be allowed to be taken over by a person proposing insolvency resolution without working out the enterprise value and compensating shareholders?

With these few words, I thank you once again for giving me this opportunity.

**SHRI B. VINOD KUMAR (KARIMNAGAR):** Thank you, Sir. I rise to speak on the Insolvency and Bankruptcy Code (Amendment) Bill, 2017.

This Bill has been brought to amend the Insolvency and Bankruptcy Code, 2016. As mentioned by the hon. Minister, the Ordinance was issued on 23<sup>rd</sup> November, 2017. The reasons mentioned were that prior to the Ordinance of 2017, there was no bar on who could submit a resolution plan or participate in the acquisition of assets of a company at the stage of liquidation. This meant that promoters who are willful defaulters could bid for the stressed assets and regain control over the company at the expense of the creditors. To prevent this malpractice, the Government has brought the Ordinance which is a welcome step. Now, it has been replaced by this Bill. The Bill provides as to who can submit a resolution plan in response to an invitation made by a resolution professional. It also empowers resolution professional with approval of committee of creditors to decide who can submit a resolution plan.

The committee of creditors can approve a resolution plan by a vote of minimum 75 per cent of the voting share of financial creditors. This also provides for punishment for contravention of provisions where no punishment is prescribed.

As per clause 5 of the Bill, a person shall not be eligible to submit a resolution plan, if such person, or any other person acting jointly or in concert with such person is: (a) an undischarged insolvent, (b) a wilful defaulter according to the RBI guidelines, (c) an account holder or promoter of a non-performing company for over one year, (d) convicted for any offence punishable with imprisonment for two years or more, (e) disqualified to act as a director under the Companies Act, 2013 (f) prohibited by SEBI from trading in securities, (g) a promoter or in the management or control of a company in which fraud or extortion or undervalued transactions have taken place, (h) having a connected person not eligible under any of the above-mentioned items. This is mentioned in Clause 5 of the Bill.

There are some issues to be addressed. There are some apprehensions. Some experts say that by barring certain entities from bidding, the number of bids received will be even lower, thus depressing the prices of assets even further. This will lead to greater losses. This is one apprehension.

Others say, this move will go a long way in preventing promoters from using shell companies to regain control of their defaulting companies. But the question is this. If the criteria to label as wilful defaulter or fraudulent promoter remain the same,

how effective will the Bill be in preventing such entities to bid for such stressed assets?

The big concern among resolution professionals is that the amendments will disrupt nearly all pending insolvency proceedings as on today. Besides this, the eligibility of all bidders will have to be ascertained before examining their bids. Earlier, the resolution plan had to qualify for consideration; now the bidder must also qualify. In cases where only the promoter has submitted a plan, and such promoter is found to be ineligible, fresh bids will need to be invited.

Identification of a wilful defaulter has been left to the banks but within the guidelines of the RBI. This might lead to arbitrariness and such punitive or restrictive measures should be enshrined in the law, rather than being left to an interested party such as a lender or a bank.

A promoter may challenge his identification as a wilful defaulter in court and seek a stay on the insolvency proceedings till the challenge is decided. It may further cause delay and losses to the already stressed assets.

Sir, these are the apprehensions which are seen in the Press and media. I would like to bring them to the notice of the hon. Minister who is very much available in the House. However, our

Party is supporting this Bill as the aim of the Bill is not to avoid honest bidders. It only seeks to exclude dishonest entities and wilful defaulters who cause downfall of a company and later seek to recapture the same assets at a lower price. Sister concerns and shell companies are also prevented from regaining control over stressed assets. Thus, the Bill closes the existing loopholes and rewards honest entities looking to restructure failing companies by tightening the insolvency rules. As such, our Party is supporting this Bill replacing the Ordinance.

Thank you, Sir.

**SHRI P. KARUNAKARAN (KASARGOD):** Sir, I would like to participate in the discussion on the Insolvency and Bankruptcy Code (Amendment) Bill, 2017. It is really an amendment to the Insolvency and Bankruptcy Code, 2016 which we have discussed last year. Within no time, the Government has come again to make an amendment to the Bill passed by the House.

The Bill was passed after a detailed discussion, as was said by the Finance Minister earlier. But, in practice, when it is implemented, it was found that there was a lacuna in the Bill. It has been explained by the Minister himself.

The Opposition always says that the Bills, either they are Finance Bills or other important Bills, can be sent to the Standing Committee. It does not mean that it minimizes the importance of the Parliament or the status of the Minister. No doubt, our Finance Minister and his colleagues are capable of tackling the issues but at the same time what we see is that even within six months, we have to go in for other amendments. It is because they are handling these issues not after an elaborate discussion. But when it goes to the Standing Committee, it is given much importance and other issues may come. So yesterday also we had taken up the same issue. But I do not think the Government is taking it in such a way that the importance of the Standing Committee has to be upheld.

Sir, the provision in the earlier Bill is for insolvency resolution and liquidation of a company or a corporate person in court. It does not restrict or bar any person from submitting a resolution plan or participating in the acquisition process. It is true. This was the provision included in the last Bill. It is correctly understood that many corporate companies or persons may misuse the situation. There may be undesirable persons. So the restriction as laid down in the Bill is essential but this was not seen by the Ministry earlier. So it has been decided to make the amendment to the Insolvency and Bankruptcy Code, 2016. In the Statement of Objects and Reasons, in paragraph five, there are about eight norms and conditions. I do not want to go into the details because other Members have made it clear.

Besides this amendment, I would like to talk about some other issues which are also touched by the other Members, especially the financial issues. Commending the Bill, our Finance Minister has rightly stated that the NPA has become the most important issue as far as our growing economy is concerned. The Government has taken a number of steps. The Finance Minister has said that there is no *status quo*. *Status quo* would not give any result. I would like to know whether there is any change as far as the NPA is concerned, though we have taken a number of steps.

So what is the decision or the step that the Government is going to take?

Now-a-days, the Government is taking all the powers in their hands. It is recommended by the NITI Aayog. We know that the GST Council has got the highest power. Their power is really above the Parliament which we have. Now-a-days, besides the taxes, there is a trend because the States are really suffering much. When the Union Government is taking each and every step, the State has to bear the burden. There is a trend of increase in the cess and surcharges from the side of the Union Government. In 2013-14, the revenue share of the Union Government from cess and surcharge was only 6.7 per cent but in 2016-17, it rose to 10.8 per cent. In 2013-14, the surcharge was 2.5 per cent and it rose to 4.4 per cent. It is increasing. Now also it has increased. But you see, on the revenue of surcharges and cess there is no devolution to the States. It goes to the Union Government's account. The people have to pay and the Union Government may get the revenue but the State Governments are not getting any share out of these revenues.

On the other side, the Union Government has made a change in the funding pattern of almost all the Centrally-sponsored schemes. Earlier in the PMGSY, the share was 90:10 basis. Now it is 60:40 basis. In SSA, earlier it was 90:10 basis and now it is

60:40 basis. That is true in IAY and all that. It means that the State has to take the burden when the Centre is implementing the schemes. I do agree that these schemes are good for the States. It was on the assumption we asked in the last Session also why the Government has changed the funding pattern. Then it said, the GST is coming; you may get much more money. It was assumed because our Finance Minister said it is a simplification of surcharges, VAT and many other taxes. Instead of them, there is only one tax. But what is the experience?

Wherever we go, we have to pay more. Even on the *masala dosa*, we have to pay more. There is an experience of my colleague, Mr. Premachandran. He is a good parliamentarian here. He said he has gone to the haircutting saloon in Delhi. Earlier he had given only Rs.300. Now it is Rs.400. He questioned that. The increase is because of GST. So, wherever we go, whether in Parliament or outside or to a tea shop, there is a price hike. It is also true that this amount is not going to the Government. Many people are exploiting it and demanding more money in the name of GST.

I would like to say that on one side, with this tax, the Union Government is getting more revenue, but on the other side, the States are getting nothing. When the GST came into force, the States have to get the tax on the commodities, which come from

the other States. But these taxes are collected from the producer States. A State like Kerala has to get IGST to be collected from other States. But it will take time. Kerala has to get almost Rs.700 crore per month to be collected from the other States. But, it is not collected and it is still deposited in the Union Government's account. Till now, it is about Rs.4000 crore, which Kerala has to receive through IGST collection, but it is lying in the Union Government account. I believe this is also true in case of other States as well.

Sir, it is on the basis of 14 per cent growth that the Union Government is giving compensation to the States. It is being given twice in a month. This is also creating new problems for the States. Hence, I would like to request the hon. Finance Minister, if the Union Government gives grant to the States from the IGST Fund, which is deposited in the Central account, it can be compensated in the IGST settlement and there would not be any loss.

It is true that when the Government gives compensation to the States, they also include revenue from the VAT, which has been collected by the State. But I would also request the Government to take into consideration the last year's arrear which might have been there on account of revenue on the VAT because the collection of this arrear is also a kind of revenue for the State.

After introduction of the GST, the Government of Kerala has been actively collecting the tax. We expected to collect around 25 per cent of revenue but our experience is that we could get only 14 per cent.

Prof. Thomas has already mentioned the issue of Ockhi Cyclone, which has caused a big burden on the State. So, the Union Government should give due importance to the issue of welfare through the Centrally Sponsored schemes. We have initially asked for an amount of Rs.433 crore for the State of Kerala. But the Union Government is giving only Rs.133 crore.

So, I conclude with a request to the Government that they should also consider these issues besides other legislative issues. Thank you, Sir.

**SHRI VARAPRASAD RAO VELAGAPALLI (TIRUPATI):**

Thank you very much, Sir. I admire the hon. Finance Minister for his steadfast approach in trying to bring down the NPAs and streamlining the process of loaning. Our party, the YSR Congress congratulates him.

We all know that the insolvency and bankruptcy laws and processes are extremely complicated. There is a lot of ambiguity in this process. The Insolvency and Bankruptcy Code was introduced in 2016. It also adds an element of ambiguity. I am sure that it needs more time to get streamlined.

Sir, the NPAs are taking alarming proportions in our country. The NPAs are taking away 10 per cent of the advances. They also form 10 per cent of the GDP of our country. It is only the 50 top corporates which are literally forming 80 per cent part of the total NPAs. So, this issue is extremely important which needs to be re-looked.

The RBI, in consultation with other banks, has identified 12 big corporate companies, which literally form more than 25 per cent of the NPAs with an aggregate bad loan of Rs.3.5 lakh crore.

When we compare it with the global situation, the NPAs in India form 10 per cent of the advances whereas in other advanced

countries like USA and UK it forms only less than 2 per cent of the advances. Even in case of China, it is less than 2 per cent.

So, it is high time that we pay attention to the issue of NPAs. I do not see any reason why the SEBI is now postponing the disclosure of list of defaulters. Two years back, the hon. Finance Minister had assured the House that the defaulters' list would be published as soon as possible so that they could be put to shame and others could learn lessons from it. But SEBI for one reason or the other is postponing the disclosure of the list of defaulters. That may be avoided.

Sir, this Ordinance is definitely required so that the bad elements, the defaulters do not find backdoor entry to claim again the ownership of a company and giving a much bigger haircut to the bankers. At the same time, while defining the resolution applicant, more number of people have been debarred. The category is too broad. It may ultimately end up to be much more ambiguous than the previous one, the Code itself. It is essential to prevent the unscrupulous elements, but sometimes, without any *mala fide* intentions, people may come under it. Due to global downturn or the prices coming down or the demand-supply situation worsening, as we have been seeing in respect of steel companies in the last two to three years, they may come under it. By debarring these people, the resolution applicants, from

participating again, perhaps you are not giving any chance to the people, who do not have any *mala fide* intentions, to participate again to restructure their loans and to get one more opportunity. Hon. Finance Minister may kindly re-look at this issue because the IBC is not merely an instrument of liquidation. It gives an opportunity and a framework for reorganisation as well as to restructure the enterprises and give an opportunity to the entrepreneur. So, it is not merely an instrument of liquidation. Hence, it needs to be little broader.

It is not fair to bar these resolution applicants, like the persons who have been convicted for two years. Tomorrow if he goes in for an appeal, where does he stand? Similarly, SEBI bars a particular person from accessing the security markets over a trivial or small issue. Can a big corporate company be debarred on the basis of smaller issues like this and can a person be disqualified to be a Director as per the Companies Act and all that? A resolution applicant should not be barred because of small issues like this. Definitely, there is a need to have a re-look at this issue.

There is no doubt that we are stressing a lot on the ease of doing business and every time, we are clapping a lot. In the comity of nations, India's ranking has come down from 140 to 100 or so in the list, but I am sure the more ease we create in doing business, might end up in more NPAs in future. As earlier speaker

mentioned, the present Ordinance could end up in unintentionally throwing out the baby with the bathwater. This means that it might dilute the spirit of the original IBC of 2016.

Sir, I thank you very much for having given me this opportunity to speak on this Bill.

*[Translation]*

**SHRI SUBHASH CHANDRA BAHERIA (BHILWARA):**

Hon. Deputy Speaker, Sir, thank you very much for giving me the opportunity to speak on the Insolvency and Bankruptcy Code (Amendment) Bill, 2017.

Sir, when the IBC was implemented, it had a single objective: before any company goes into liquidation or is declared bankrupt, if its creditors believe that the company can be revived, it should not be pushed into liquidation. Instead, eligible applicants should submit a resolution plan, and if the creditors are satisfied, the company should be revived under the supervision of a resolution professional. The IBC was brought with this very objective in mind. It came into force on 1 December, and certain practical difficulties were subsequently noticed. In some cases, it was found that the very same persons who were responsible for the company's failure and non-performance became resolution applicants. In order to prevent this, the present Amendment Bill has been brought. Through clause 5 of this Bill, a new section, namely section 29A, has been inserted.

Sir, under this provision, those companies which have already defaulted, as well as promoters or related persons whose company accounts have remained NPAs for more than one year, have also

been covered. Those who have already driven one company into distress cannot be expected to run another company properly. Therefore, such persons have been disqualified.

Sir, I congratulate the Hon. Finance Minister for this measure. In many cases, corporates themselves initiated the resolution process and then attempted to regain control of the same company through indirect means. This Amendment Bill has been brought precisely to prevent such attempts. It clearly lays down, in detail, who will be eligible to be a resolution applicant and who will stand disqualified.

Further, the IBC has three parts. Parts One, Two and Three have not yet been made applicable to individuals and partnership firms, and the earlier legal provisions continue to operate in respect of them. Since the impact on individuals and partnership firms would be significant, the Government has chosen to implement these provisions in a phased manner. As a first step, the focus will be on individual directors who have given personal guarantees for loans of companies undergoing the resolution process. The manner and stages in which these provisions will be applied have been clearly defined, and their implementation will commence accordingly.

Sir, I would also like to state that if a company goes into liquidation and its assets are put up for sale, a person who is disqualified under the law cannot purchase those assets. This provision has also been incorporated in the Bill. Some Members have expressed apprehension that this may reduce the number of bidders and that the value which could otherwise have been realised may not be achieved. However, the mindset of defaulters is to bid aggressively only to regain control of the assets, whereas in reality it is the genuine investors whose money ultimately gets lost.

Through you, I extend my sincere congratulations to the Hon. Finance Minister and express my full support for this Bill.

**SHRI DUSHYANT CHAUTALA (HISAR):** Hon. Deputy Speaker, Sir, I am grateful to you for giving me the opportunity to speak on the Insolvency and Bankruptcy Code (Amendment) Bill, 2017. I would like to congratulate the Hon. Finance Minister for taking a distinct step within the framework of the Bankruptcy Code. Through this Bill, three categories of persons who were, in one way or another, attempting to escape accountability by having their accounts declared as NPAs, have now been brought within the ambit of the law.

I would also like to place one suggestion. It is often said that one bad apple can spoil a hundred good apples. In this context, the one-year tenure being provided under this Bill deserves deeper consideration by the Government. I would suggest that it be increased to three years, because every business goes through a bad cycle at some point. Even small shopkeepers are today facing difficulties. The Government has not been able to provide GST refunds in a timely manner, which has also pushed many businesses into a downturn. Therefore, the tenure provided for recovery should be extended. If this is done, you will find that those who are genuinely sound businesses will automatically remain outside the purview of this law.

**14.16 hrs**

(Hon. Speaker *in the Chair*)

I would like to raise one more point. We have brought the Bankruptcy Code, and the FDRI Bill is also being brought for the financial sector. At present, the largest NPAs are in the agricultural sector, particularly relating to farmers. The Government should also create a similar provision or bring appropriate legislation so that farmers, whether associated with the cooperative sector or nationalised banks, who are facing distress and economic hardship, may also receive support through such a structured mechanism. I have stood here to make this humble request. I support the Bill. Thank you very much.

*[English]*

**SHRI RAJESH PANDEY (KUSHINAGAR):** Madam Speaker, I am grateful to you for giving me an opportunity to speak on this Bill.

Congratulating our hon. Finance Minister and rousing the thoughts of Shri Sanjay Jaiswalji and Shri Subhashji, I want to say further that the need to bring this Insolvency and Bankruptcy (Amendment) Bill, 2017 arose because the similar persons who, with their misconduct, contributed to the defaults of the companies or are otherwise undesirable may misuse this situation due to lack of prohibition or restrictions to participate in the resolution or liquidation process, and gains or regains control of the corporate debtor. This may undermine the process laid down in the court as unscrupulous person would be seen to be rewarded at the expense of the creditors.

I really find it strange as to why the previous Government did not process the perils of the old Insolvency and Bankruptcy Code. What exactly do we want to achieve by this? We want to provide clarity to the persons who can submit resolution plans in response to an invitation made by the resolution professionals.

Secondly, it is also to provide for making certain persons ineligible for being resolution applicants. This is also a matter of

concern that if a person who is responsible for the downfall of any enterprise and wants to take advantage of that situation or if he becomes ineligible for any reason for that matter, should not be permitted.

It has been, after worth consideration, provided that the Committee of creditors shall approve the resolution plan by a vote of not less than 75 per cent of voting share of the financial creditors after considering the feasibility and viability of the resolution plan.

It is not that we are giving a very open opportunity that anybody could misuse this Bill. So, at least, 75 per cent of the votes should be in his favour so that he can apply for a Resolution.

This Bill is also to disallow the sale of property to a person who is ineligible to be a Resolution applicant in the case of liquidation of the corporate. Madam, earlier, if a company defaulted, there were, at least, four different legal routes available to the debtors and the creditors. This could lead to multiple negotiations and multiple penalties etc. for the debtor compounding his plight. Moreover, such parallel proceedings had also given rise to numerous instances of conflict between the laws. Four different agencies – the High Courts, the Company Law Board, the Board for Industrial and Financial Reconstruction

(BIFR) and the Debt Recovery Tribunals (DRTs) – have overlapping jurisdictions giving rise to the potential of systematic delays and complexities in the process. This new Bill addresses all these issues by bringing a new uniform Code. I am thankful to the hon. Finance Minister for the same.

Madam, current insolvency proceedings take months, if not years and the average time is four years. This delay can acutely devalue the assets involved, thus, making the insolvency negotiations redundant. The current disposition involves the institution of official liquidator which is prone to red tapism, chronic corruption and nepotism. The new Code seeks to keep the role of adjudicator to the minimum. Currently, only 25 per cent of the asset value is recovered by the creditors even after the liquidation process. That is the matter of great concern.

Now, I am coming to how to deal with it. Our public sector banks, which are compounded to the pitiable position, find themselves in rising NPAs and mounting stressed assets have also eroded their profits, as the recent SBI reports point out. The easing of liquidation process can help the banks recover a lot of bad debts.

Madam, formerly, in our country, any change in the legal system was hard to enforce which is the reality but, now, with the

changed attitude of our Government and under the able guidance of our hon. Finance Minister, this Code has proposed massive laws, procedures and infrastructure. There is no doubt that once the Code is fully implemented, it is going to be one of the best initiatives by the legislature and a boon to the economy in the broader sense. I offer my sincere gratitude to our hon. Prime Minister and the hon. Finance Minister, Shri Arun Jaitley ji for bringing this Bill and I fully support it.

**SHRI GAURAV GOGOI (KALIABOR):** Madam Speaker, this Bill comes to replace an Ordinance which was promulgated by the President of India on 23<sup>rd</sup> November and we are now discussing this Bill within Parliament. But we must keep in mind that if the Parliament was convened normally, as it is by the third week of November, then there would have not been an Ordinance, this Bill would have been discussed within Parliament. It is quite ironical that, while a political party which talks about simultaneous elections of assembly and Lok Sabha, and about improving the efficiency of this Government, the recent two months were examples of gross inefficiency. Only two States went to elections. While the elections were supposed to have been convened at the same time, the dates were not overlapping and dates were postponed. Important Bills have been introduced in Parliament during this Session and passed in a hurry, be it the GST compensation, this ordinance or the reform of the Medical Council of India. All this process is going in a hurry and the deliberation that might have normally occurred is not taking place.

So, it is ironical that while you talk of simultaneous Assembly and Lok Sabha elections, when two States had to go to elections, you did not do it. And if you remember, earlier this year when elections were held in West Bengal and Uttar Pradesh we had

Parliament going on then. So, we could have convened Parliament to discuss and deliberate at length.

Madam Speaker, just on this larger point - because many people look towards us, our constituents look towards us to discuss important matters – Parliament now only sits on an average for 70 to 75 days, as you would know while in the First Session Parliament used to sit for 150 to 180 days.

**HON. SPEAKER:** No.

**SHRI GAURAV GOGOI:** It would cross 100, Madam, it was 120 to 130 days.

Madam, while the Constitution has only a provision that no two sittings of the session should be convened if there is a distance of more than six months, I hope that through you, Madam, we can bring about an amendment where we put in a minimum number of sittings, a minimum number of days, and a regular schedule, so that we know that Parliament will sit and come elections or any other thing, Parliament is scheduled because we are accountable to the people of India.

Madam, this Bill deals largely with the Insolvency and Bankruptcy Code. The Insolvency and Bankruptcy Code largely deals with the crisis of NPAs. What is the extent of this crisis? The extent is that total exposure of banks to bad loans is around

Rs.8,00,000 crore, roughly translating to five per cent of our GDP. That is more than what we need, that is more than the budget that we have for our education, more than the budget that we have for any other important social welfare sector. There were around 300 cases in the National Company Law Tribunal.

Madam, unfortunately there is a misconception amongst the ruling party, they think that debt recovery and recovery of bad loans has only started post-2014, after the Prime Minister has taken over. Let me remind them that there have always been steps initiated by the Government of India to recover bad loans. There were multiple Acts. We used to have Lok Adalats, we used to have Debt Recovery Tribunals and they were functioning for many years. What the Insolvency and Bankruptcy Code has done is to implement the recommendations of the Bankruptcy Law Reforms Committee and codify these existing laws.

*[Translation]*

You say that the matter was not taken cognisance of earlier. That is a misconception. It had been taken cognisance of earlier, and various kinds of action were taken and different kinds of rules were in place. I would like to place a few figures on record. According to the World Bank, a table has been prepared on bank non-performing loans as a percentage of total gross loans. This

shows, in a given year, how much of the total lending by banks in India has turned into non-performing assets. I am placing India's figures before the House. In 2011, the percentage of non-performing loans to gross loans was 2.7 per cent. In 2012, it was 3.4 per cent. In 2013, it rose to 4.0 per cent. Up to this point, these are figures from the period of the UPA Government.

Now I will read out the figures from the period of your Government. ... (*Interruptions*) Please listen. I will also explain later why this Bill has been brought and whom it is intended to benefit. ... (*Interruptions*) In 2014, out of total gross loans the percentage of nonperforming loans was 4.3. In 2015, it was 5.9. And in 2016, it is 9.2. So, the issue of NPAs was of concern and it had been addressed through various laws during UPA, the Finance Ministry used to convene meetings of the Directors of public sector banks and we used to tell them in meetings in 2012-13, we used to advise them to pay close attention to those companies which had taken loans from the public sector and had failed to repay them.

### **15.00 hrs**

These matters were very much within our cognisance. Meetings of bank directors were convened by the Finance Ministry during our Government. However, during the tenure of

your Government, because your attention drifted, the issue of NPAs worsened, *[English]* From a concern, it became a crisis of epic proportions under your Government. You must take into account that in whose tenure it has worsened. In 2011, it was two per cent; in 2013 it was around four per cent and by now it is around 9.2 per cent and growing even further. I appreciate that there is an Insolvency and Bankruptcy Code which allows us a certain sense of predictability, which allows a certain sense of stability and gives a legislative clarity to promoters. But how does the Government intend to measure the success of the Insolvency and Bankruptcy Code?

*[Translation]*

You have asked how you will assess whether the law that you have brought has been successful or not. I would like to give one example in this regard. If your assessment is that all non-performing loans and bad debts will be recovered, and that creditors who were not getting their money earlier will now receive it through the IBC, then I would like to cite one recent case decided by the NCLT only a few months ago. In that case, the lender or creditor had to accept a 94 per cent haircut. This means that the creditor had advanced a loan of Rs. 972 crore, but the recovery amounted to only Rs. 54 crore. In other words, if a creditor lends one hundred rupees, he gets back only six rupees. If

such judgments continue to be delivered, where the amount lent by the creditor is not recovered through the Insolvency and Bankruptcy Code, then public sector banks will not get their money back. Today, the issue is of credit supply. At present, public sector banks are not extending credit to industries, and this problem will persist. Banks have made provisions in their balance sheets on the assumption that a substantial recovery will take place through the IBC from bad debts and non-performing loans. They expect that after such recovery, they will be able to lend to more companies, those companies will invest, and employment will be generated. However, this is not happening, and NPAs continue to rise. ... (*Interruptions*)

[*English*]

**HON. SPEAKER:** Please conclude now.

**SHRI GAURAV GOGOI:** Madam, I want only two minutes. [*Translation*] Your NPAs are continuously increasing. Therefore, you will have to examine how much benefit this law is actually delivering. A CRISIL report states that if the top 50 defaulters owe Rs. four lakh crore, it is realistic that only about Rs. 1.6 lakh crore will be recovered from this amount. Independent agencies are also saying that recovery beyond this level is unlikely.

Credit offtake and credit to private investment will remain your problem. I would like to reiterate this point. What is the recovery rate today? You often speak about the Ease of Doing Business. Even in the Ease of Doing Business rankings, it is clearly mentioned what the recovery rate is in different countries. On one dollar, how many cents is a country able to recover. India's recovery rate is 26 cents. China's recovery rate is 36 cents. Malaysia's recovery rate is 81 cents, and Thailand's recovery rate is 67.7 cents. You believe that all this will be achieved through the Insolvency and Bankruptcy Code, but that is not happening. Therefore, I would like to say that instead of patting yourselves on the back, you should review this Bill once again and assess whether it will increase the recovery rate or reduce it, because this is directly linked to credit. Credit is linked to private investment, and private investment is linked to jobs. I would also like to remind you of your 2014 election promise regarding employment, where you spoke of creating two crore jobs every year, whereas the reality is that instead of two crore jobs, only about one and a half lakh jobs are being created annually.

You speak about Ease of Doing Business, but at least once, you should also speak about Ease of Farming. The IBC Bills that you have brought for big banks or the so-called top 12 dirty dozen,

as the RBI itself has described them, appear to be designed primarily to help these very defaulters.

You should also speak about Ease of Farming. During the tenure of the UPA Government, farm loans amounting to Rs. 80,000 crore were waived. It is deeply distressing that when farmers are suffering today, the Finance Ministry of the Union Government states that it will not implement a farm loan waiver. Large companies receive relief through haircuts, but farmers do not receive relief. Therefore, it pains me that the Union Government speaks only about Ease of Doing Business, which focuses largely on big companies in Delhi and Mumbai, but does not speak about Ease of Farming. Madam, what is the real picture of the economy today? A senior Member of your party in the Rajya Sabha, whose name I will not mention, has stated that credit rating agencies such as Fitch and Moody's are being pressured, arm-twisted and intimidated by the Union Government, and that ratings are being managed. An article has also appeared stating that pressure is being exerted on the Central Statistics Organisation by the Union Government to airbrush and beautify the real GDP numbers and present a better picture.

*[English]*

**HON. SPEAKER:** Please conclude now.

**SHRI GAURAV GOGOI:** Madam, this is my last point.

Kindly tell us what the formula for calculating GDP was prior to 2014, and what it is today. Shri Arun Jaitley ji, the Hon. Finance Minister, had himself said in 2014 that there were global headwinds, and that because of these global headwinds, the Indian economy was not progressing in the manner it should have. You may have seen that earlier this year, an article by Ruchir Sharma was published, in which he stated that while the global economy has recovered from the 2007–08 global financial crisis, the Indian economy is moving backwards. It is stagnating at 5.7 per cent and 6.3 per cent. If the pre-2014 formula is applied, the growth rate of 6.3 per cent could fall to around 4 per cent, and 5.7 per cent could fall to around 3 per cent. We want you to present the reality before the country. We want to know what the real picture is. We seek transparency, not an airbrushed version of economic data. *[English]* Do not photoshop the figures; do not airbrush the figures. Do not ‘lie’ to the people of India; they deserve transparency.

**HON. SPEAKER:** Please conclude.

**SHRI GAURAV GOGOI:** I am concluding.

*[Translation]*

I would urge you to kindly reconsider this Bill. We are surprised that this Ordinance was promulgated on 22 November. The provisions included in this Ordinance were articulated earlier, on 9 November, at a public function by a prominent steel industrialist, who stated that such an Ordinance should be brought to remove provisions that support dubious promoters. I am deeply surprised that what an industrialist said at a public function on 9 November was followed by an Ordinance on similar lines on 22 November. I would request that this aspect be examined carefully to ascertain whether there is any nexus involved. It should be ensured that the Insolvency and Bankruptcy Code is not being used to benefit any particular deal or entity. I would further request that the Bhushan Steel deal be brought before Parliament, so that it may be examined transparently and it can be demonstrated whether the IBC is indeed functioning in the manner claimed. With these observations, I conclude my remarks.

**SHRI ARUN JAITLEY:** Hon. Speaker, Madam, I am grateful to Premachandran ji and the other Hon. Members who have placed their views on this Bill in detail.

Among all the issues that have been raised, there are two or three principal matters relating to this Ordinance. Since the Ordinance itself deals with a very limited subject, I would like to clarify those points.

First of all, it is necessary to clarify the issue raised by Gogoi ji, the last speaker, because I regret to say that even now the real nature of the problem has not been fully appreciated. How did the problem of NPAs arise on such a large scale? Gogoi ji has studied at some of the finest educational institutions in the world and must have heard the saying many times that there are three kinds of 'lies': lies, damned lies, and statistics. Today, he himself has become a victim of the third category. The problem of NPAs arose for specific reasons. If one understands the examples that he himself cited, it will become clear what kind of wrongs were committed during the tenure of his Government.

All the loans that are presently involved under the Insolvency and Bankruptcy Code are loans that were sanctioned in the earlier period. If I may say so, perhaps at that time it was believed that between 2003 and 2008 there was an economic boom across the

world, and therefore banks should continue lending to every industry, industry would flourish, and the country would benefit. If loans were given in good faith, one might accept that explanation. However, when loans are extended without adequate security, then a question mark arises even on the intent behind such decisions.

The factual position up to the year 2014 was that all these loans pertained to the period prior to that. How did this percentage increase? You have become a victim of the very statistics which were manipulated by continuously restructuring NPAs and not declaring them as NPAs. In English, this is called window-dressing. Another term used for this is evergreening of loans. Dust was being thrown into the eyes of the country and into your own eyes by projecting NPAs as performing assets, and then it was claimed that during your tenure NPAs were only two-and-a-half per cent and later rose to four per cent. That four per cent emerged in this manner: what you had hidden under the carpet came out from under the carpet. The task of bringing it out from under the carpet was done by the Reserve Bank of India in 2015. When the Reserve Bank said, let us have an asset review, let us review the assets that these banks are holding, it was discovered that the loans which you were showing as performing through window-dressing and evergreening were, in reality, non-performing. The Reserve

Bank directed that these be classified as non-performing assets. This percentage did not increase because on 26th or 27th May the Government led by Shri Narendra Modi assumed office. It increased because the veil that had been drawn over the eyes of the country by portraying non-performing assets as performing assets was removed. Therefore, all the figures that you have quoted about the increase should be credited to your own account. You will then understand what the root cause of the problem truly is. You then gave the example of a case before the National Company Law Tribunal, where assets worth Rs. 970 crore fetched only about Rs. 50 crore.

There are two types of enterprises to which loans were extended. Take, for example, a steel mill. It has land, a plant, machinery and tangible assets. If such an enterprise is sold, some value will certainly be realised. On the other hand, loans were also given to trading companies without taking adequate security. Such trading companies had only receivables, and today those receivables no longer exist. In effect, such companies exist only on paper. In some cases, recovery may be five per cent, in others ten per cent, or even less. Therefore, in such situations, not only banks but all creditors are affected. Section 53 of the Code provides what is known as the waterfall mechanism. When this was first passed by Parliament, the highest priority was accorded

to workmen, followed by secured creditors and then unsecured creditors. Only thereafter did the Government's dues figure, whereas under the Companies Act, Government dues earlier had priority. The Government was deliberately moved down the order so that workmen and secured creditors could be paid first. The waterfall arrangement was consciously changed in this Act. Therefore, it must be clearly understood that there are different kinds of companies. There are also purely trading companies, whose assets were only receivables. If those receivables do not exist on the balance sheet or cannot be recovered, then nothing remains except a piece of paper, which may not even be worth that paper. This calls for serious introspection as to how banks have been functioning. For us, this is a legacy problem, which we are trying to resolve.

The second fundamental question raised is: why was there a need for an Ordinance? [*English*] This is a question which Mr. Premachandran raised. Now the Ordinance is necessary because this Act itself provides a 180 day time period in which a resolution is to be completed. There are 12 cases referred by the Reserve Bank. But there are cases which promoters themselves have gone and presented a resolution plan. There are cases where creditors have filed applications. So, there are numerous cases pending and law will apply to all of them. Now the time period is 180 days and

these are resolution processes which are at a fairly advanced stage. Our one year experience shows that an ineligibility criterion has to be introduced. Except one or two Members, most of the Members have spoken in support of ineligibility criterion.

Now, what will happen to all these pending cases if we wait another couple of months and say that the Bill will come up in its usual course? Then what will happen to these hundreds of cases which are pending? You will have two kinds of insolvency applications: those which are pending to which the ineligibility criterion will not apply, and secondly, anything that comes subsequently, to which the ineligibility criterion will apply. Therefore, there was an extreme case of urgency for which the ordinance itself was required.

Lastly, the point is: What was the need to bring in this insolvency criterion? I think several members, including Mr. Galla, have put it very succinctly that there are promoters who have defaulted. Some promoters have been declared insolvent. Some promoters have been debarred by SEBI. Some promoters have been debarred under the Companies Act. Some are wilful defaulters. Now, there is a difference between a commercial debtor and a wilful defaulter. A wilful defaulter is a person who misrepresented and took the money or diverted the money. *[Translation]* There is no impediment whatsoever to disclosing

their names in such cases. Banks do disclose them. *[English]*

What do you do with promoters who are themselves responsible for these NPAs? That is Clause C. Therefore, clause C says that *[Translation]* those who themselves have created non-performing assets should not be permitted to re-enter the process. Consider a simple example. Suppose there is a large mill, whether in textiles or any other sector. In the case of trading companies, assets are minimal. However, where assets do exist, a new promoter will come forward and purchase them. Worldwide experience shows that creditors accept haircuts so that whatever value can be salvaged is recovered. The objective is to preserve the maximum possible value from the assets, rather than allow those who caused the failure in the first place to regain control. *[English]* After all water fall mechanism is a process by which every creditor takes his haircut and there is an equitable distribution in the case of dissolution. In the case of resolution also, they may take some haircut. So, what will happen? The creditors will take a haircut. The banks will take a haircut. The unsecured creditors will take a haircut. The workmen will take a haircut and the man who created the insolvency pays a fraction of the amount and comes back into management. So, nothing changes in the company. The same man manages the company except that the creditors become a little poorer. Should we allow that to continue?

Now various arguments are being given that if you declare this creditor ineligible, then bidders would not come up. If the bid is not adequate, the Committee of Creditors will reject the bid. They have the power. That is the amendment we are introducing.

There are countries in the world which allow defaulting creditor also to bid. but we have to take a conscious decision. we are not saying that you are debarred for ever. we are not saying that you pay the entire amount. if he owes Rs. 10,000 crore and the interest is Rs. 2000 crore, if he pays the interest part and makes the account operationable. If he only pays the interest, then he can bid. . So, we are not debarring him. We are saying that you at least pay the interest and make it an operational account. If a man says that I made this account non-performing; I have not paid the principal; I will not even pay the interest but at a fraction of the price I want to come back into management. Should this Parliament then have a law that this man is allowed to do so or not? The overwhelming view, as expressed by the Members, is that he should not be allowed. This was a gap which was there in the original Bill and by bringing in 29(a) we have tried to fill in that gap. That is the objective. In order that this provision must apply to all existing cases of resolution which are pending, that is the case for urgency. If we had not done this, then all such defaulters would have rejoiced because they would have merrily

walked back into these companies by paying only a fraction of these amounts. That is something which besides being commercially imprudent would also be morally unacceptable. That is the real rationale behind this particular Bill.

Madam Speaker. I commend this Bill to this hon. House for approval.

**SHRI N.K. PREMACHANDRAN (KOLLAM):** Madam Speaker, thank you for giving me this opportunity. The clarification of the hon. Finance Minister regarding the issuance of the Ordinance is still not clear. It is because the ineligibility criterion for insolvency applicants will be there. There will be two classes of insolvency applicants because even the Ordinance was promulgated on 23<sup>rd</sup> November, 2017 and so prior to 23<sup>rd</sup> November, 2017 there was a class of insolvency applicants, may be ineligible for being an insolvency applicant. So, such a classification is there. Even after the promulgation of the Ordinance on 23<sup>rd</sup> November also those two classes of insolvency applicants will be there. So, we are posing this question because in the month of November the Session was not convened and that is not because of the fault of the Members of this House...*(interruptions)* This is retrospective only from 23<sup>rd</sup> November, 2017 because that is the date on which the Ordinance to this effect was promulgated and the provisions of this Act will also come into force from that date only.

The second point that I would like to make is about the pending proceedings. The hon. Minister rightly mentioned that according to clause 25(a) all the pending applications will become retrospectively become applicable. Applicants who come under the ineligibility criteria cannot be further proceeded against as per

the amended provisions. That is why my case is this. Even if the argument of the hon. Minister for promulgation of the Ordinance were to be accepted for the sake of argument, even then the position is not clear. It is because these two aspects are still there – one is about the new amendment according to which all the proceedings, though pending before the adjudicating authority and if the person belongs to non-ineligibility criteria applicant, then he cannot be further proceeded against and so he will not be able to get the benefit. Two, it is applicable only from 23<sup>rd</sup> November, 2017.

Madam, I do agree on the issue of the GST. Though I gave a Resolution for disapproval of that Ordinance, we were in support of the GST (Compensation) Bill. Here, I would like to seek the protection of the Chair.

Another Ordinance had come up regarding bamboo. Madam, you were not there at that time. The definition of ‘bamboo’ was taken away from the definition of ‘tree’ for which also an Ordinance was promulgated. At least, it can be substantiated with reasoning. In order to remove the term ‘bamboo’ from the definition of ‘tree’ an Ordinance was promulgated. What is the justification and what is the emergency? Nothing could be substantiated for this.

Even the President of India, even the hon. Prime Minister and all the Ministers are always talking about debate, discussion and dissent.

**HON. SPEAKER:** So, are you moving it?

**SHRI N.K. PREMACHANDRAN:** Madam, I am concluding. My point is, kindly avoid promulgation of Ordinances and it is better to come before the House with a fresh Bill. Since the hon. Minister has given a satisfactory reply, I am not moving my Resolution.

**HON. SPEAKER:** Is it the pleasure of the House that the Statutory Resolution moved by Shri N.K. Premachandran be withdrawn?

**SEVERAL HON. MEMBERS:** Yes.

*The Resolution was, by leave, withdrawn.*

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

“That the Bill to amend the Insolvency and Bankruptcy Code, 2016, be taken into consideration.”

*The motion was adopted.*

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

The question is:

“That clauses 2 to 10 stand part of the Bill.”

*The motion was adopted.*

*Clauses 2 to 10 were added to the Bill.*

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

**HON. SPEAKER:** The hon. Minister may move that the Bill be passed.

**SHRI ARUN JAITLEY:** I beg to move:

“That the Bill be passed.”

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

“That the Bill be passed.”

*The motion was adopted.*

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**15.29 hrs**

**ANNOUNCEMENT BY THE SPEAKER**

**HON. SPEAKER:** Hon. Members, I have to inform the House that, as decided by the Business Advisory Committee in their meeting held today, there would be no sitting of the House on Monday, the 1<sup>st</sup> January, 2018.

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**15.30 hrs**

**PRIVATE MEMBERS' BILLS - Introduced**

**HON. SPEAKER:** The House will now take up Private Members' Business.

**(i) Payment of Subsistence Allowance to Farmers and  
Agricultural Labourers Bill, 2016\***

*[Translation]*

**DR. BHOLA SINGH (BEGUSARAI):** Hon. Speaker Madam, I beg to move for leave to introduce a Bill to provide for payment of subsistence allowance to farmers and agricultural labourers in order to provide social security to them and their family members and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for the payment of subsistence allowance to farmers and agricultural labourers in order to provide social security

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to them and their family members and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

*[Translation]*

**DR. BHOLA SINGH:** Madam, I introduce\*\* the Bill.

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\*\* Introduced with the recommendation of the President.

**15.31 hrs**

**(ii) Victims of Natural Calamities (Rehabilitation and Financial Assistance) Bill, 2016\***

**DR. BHOLA SINGH (BEGUSARAI):** Hon. Speaker Madam, I beg to move for leave to introduce a Bill to provide for the rehabilitation and financial assistance to the victims of natural calamities and for matters connected therewith.

*[English]*

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

“That leave be granted to introduce a Bill to provide for the rehabilitation and financial assistance to the victims of natural calamities and for matters connected therewith.”

*The motion was adopted.*

*[Translation]*

**DR. BHOLA SINGH:** Madam, I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.31 ½ hrs**

**(iii) Indian Penal Code (Amendment) Bill, 2017\***

*(Substitution of new sections for section 272 and 273)*

**SHRI MAHEISH GIRRI (EAST DELHI):** Hon. Speaker Madam, I beg to move for leave to introduce a Bill further to amend the Indian Penal Code, 1860.

*[English]*

**HON. SPEAKER:** The question is

“That leave be granted to introduce a Bill further to amend the Indian Penal Code, 1860.”

*The motion was adopted.*

*[Translation]*

**SHRI MAHEISH GIRRI:** Hon. Speaker Madam, I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.32 hrs**

**(iv) Constitution (Amendment) Bill, 2017\***

*(Amendment of article 39)*

**SHRIMATI MEENAKASHI LEKHI (NEW DELHI):** I beg to move for leave to introduce a Bill further to amend the Constitution of India.

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

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

*The motion was adopted.*

**SHRIMATI MEENAKASHI LEKHI:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.32 ½ hrs**

**(v) Constitution (Amendment) Bill, 2017\***

*(Amendment of article 102)*

**SHRIMATI MEENAKASHI LEKHI (NEW DELHI):** I beg to move for leave to introduce a Bill further to amend the Constitution of India.

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

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

*The motion was adopted.*

**SHRIMATI MEENAKASHI LEKHI:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.33 hrs**

**(vi) Indian Veterinary Council (Amendment) Bill, 2017\***  
*(Amendment of Sections 2 and 15)*

**SHRIMATI MEENAKASHI LEKHI (NEW DELHI):** I beg to move for leave to introduce a Bill to amend the Indian Veterinary Council Act, 1984.

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

“That leave be granted to introduce a Bill to amend the Indian Veterinary Council Act, 1984.”

*The motion was adopted.*

**SHRIMATI MEENAKASHI LEKHI:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.33 ½ hrs**

**(vii) Constitution (Amendment) Bill, 2017\* (*Amendment of article 366*)**

**SHRIMATI MEENAKASHI LEKHI (NEW DELHI):** I beg to move for leave to introduce a Bill further to amend the Constitution of India.

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

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

*The motion was adopted.*

**SHRIMATI MEENAKASHI LEKHI:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.34 hrs**

**(viii) Constitution (Amendment) Bill, 2017\* (*Amendment of article 22*)**

**SHRIMATI DARSHANA VIKRAM JARDOSH (SURAT):** I beg to move for leave to introduce a Bill further to amend the Constitution of India.

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

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

*The motion was adopted.*

**SHRIMATI DARSHANA VIKRAM JARDOSH:** I introduce the Bill.

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**15.34 ½ hrs**

**(ix) Constitution (Amendment) Bill, 2017\* (*Amendment of article 323B*)**

**SHRIMATI DARSHANA VIKRAM JARDOSH (SURAT):** I beg to move for leave to introduce a Bill further to amend the Constitution of India.

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

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

*The motion was adopted.*

**SHRIMATI DARSHANA VIKRAM JARDOSH:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.35 hrs**

**(x) Constitution (Amendment) Bill, 2017\* (*Amendment of article 51A*)**

**SHRIMATI DARSHANA VIKRAM JARDOSH (SURAT):** I beg to move for leave to introduce a Bill further to amend the Constitution of India.

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

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

*The motion was adopted.*

**SHRIMATI DARSHANA VIKRAM JARDOSH:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.35 ½ hrs**

**(xi) Andhra Pradesh Reorganisation (Amendment) Bill, 2017\***  
*(Amendment of section 46, etc.)*

**SHRI JAYADEV GALLA (GUNTUR):** I beg to move for leave to introduce a Bill further to amend the Andhra Pradesh Reorganisation Act, 2014.

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

“That leave be granted to introduce a Bill further to amend the Andhra Pradesh Reorganisation Act, 2014.”

*The motion was adopted.*

**SHRI JAYADEV GALLA:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.36 hrs****(xii) Special Financial Assistance to the State of Rajasthan  
Bill, 2017\***

*[Translation]*

**DR. MANOJ RAJORIA (KARAULI-DHOLPUR):** Hon. Speaker, Madam, I beg to move for leave to provide for special financial assistance to the State of Rajasthan for the purpose of promoting the welfare of people belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes and for development, exploitation and proper utilization of its resources.

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

"That leave be granted to provide for special financial assistance to the State of Rajasthan for the purpose of promoting the welfare of people belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes and for the development, exploitation and proper utilization of its resources."

*The motion was adopted.*

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**DR. MANOJ RAJORIA:** Madam Speaker, I introduce\*\* the Bill.

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\*\* Introduced with the recommendation of the President.

**15.36 ½ hrs**

**(xiii) Constitution (Amendment) Bill, 2017\* (Insertion of new article 21B)**

**DR. MANOJ RAJORIA (KARAULI-DHOLPUR):** Madam Speaker, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

*[English]*

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

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

*[Translation]*

**DR. MANOJ RAJORIA:** Madam, I introduce\*\* the Bill.

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**15.37 hrs**

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**(xiv) Armed Forces (One Rank One Pension) Bill, 2017\***

*[English]*

**SHRI DEEPENDER SINGH HOODA (ROHTAK):** Madam, I beg to move for leave to introduce a Bill to provide for payment of uniform pension to armed forces personnel retiring in the same rank with the same length of service irrespective of their date of retirement and for matters connected therewith and incidental thereto.

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

“That leave be granted to introduce a Bill to provide for payment of uniform pension to armed forces personnel retiring in the same rank with the same length of service irrespective of their date of retirement and for matters connected therewith and incidental thereto.”

*The motion was adopted.*

**SHRI DEEPENDER SINGH HOODA:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.37 ½ hrs**

**(xv) Academy of Scientific and Innovative Research**

**(Amendment) Bill, 2017\***

*(Insertion of new section 4J)*

**SHRI RAGHAV LAKHANPAL (SAHARANPUR):** Madam, I beg to move for leave to introduce a Bill to amend the Academy of Scientific and Innovative Research Act, 2011.

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

“That leave be granted to introduce a Bill to amend the Academy of Scientific and Innovative Research Act, 2011.”

*The motion was adopted.*

**SHRI RAGHAV LAKHANPAL:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.38 hrs****(xvi) Water Conservation Authority of India Bill, 2017\***

*[Translation]*

**DR. MANOJ RAJORIA (KARAULI-DHOLPUR):** Madam Speaker, I beg to move for leave to introduce a Bill to provide for the establishment of a Water Conservation Authority for the conservation of water of the rivers, ground and rainwater through traditional means of ponds, wells, canals, trenches, etc., and by building reservoirs, bunds and check dams, reviving dried rivers, making trenches in riverbeds, building, recharge shafts, deepening and widening canals and ponds, building permanent water conservation structure by means of rainwater harvesting to recharge the groundwater, encouraging people to participate in water conservation movement and plantation of trees in a big way and for matters connected therewith or incidental thereto..”

*[English]*

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

“That leave be granted to introduce a Bill to provide for the establishment of a Water Conservation Authority for the conservation of water of the rivers, ground and

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rainwater through traditional means of ponds, wells, canals, trenches, etc., and by building reservoirs, bunds and check dams, reviving dried rivers, making trenches in riverbeds, building, recharge shafts, deepening and widening canals and ponds, building permanent water conservation structure by means of rainwater harvesting to recharge the groundwater, encouraging people to participate in water conservation movement and plantation of trees in a big way and for matters connected therewith or incidental thereto..”

*The motion was adopted.*

*[Translation]*

**DR. MANOJ RAJORIA:** Madam, I introduce\*\* the Bill.

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\*\* Introduced with the recommendation of the President.

**15.38 ½ hrs**

**(xvii) High Courts (Use of Official Languages) Bill, 2017\***

**DR. MANOJ RAJORIA (KARAULI-DHOLPUR):** Madam, I propose that permission be granted to introduce a Bill to provide for the use of the official language in the proceedings of the High Courts and matters connected therewith and incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for the use of official language in the proceedings of High Courts and for matters connected therewith or incidental thereto..”

*The motion was adopted.*

*[Translation]*

**DR. MANOJ RAJORIA:** Madam, I introduce\*\* the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\*Introduced with the recommendation of the President.

**15.39 hrs**

**(xviii) Prevention of Extravagance and Unlimited Expenditure  
on Marriages Bill, 2017\***

*[English]*

**SHRI GOPAL SHETTY (MUMBAI NORTH):** Madam, I beg to move for leave to introduce a Bill to provide for the prevention and prohibition of sheer extravagance and unlimited expenditure being incurred on marriages and related ceremonies in various parts of the country and for matters connected therewith or incidental thereto.

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

“That leave be granted to introduce a Bill to provide for the prevention and prohibition of sheer extravagance and unlimited expenditure being incurred on marriages and related ceremonies in various parts of the country and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**SHRI GOPAL SHETTY:** I introduce the Bill.

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**15.39 1/2 hrs**

**(xix) Constitution (Amendment) Bill, 2017\***

*(Amendment of article 324)*

*[Translation]*

**SHRI JAGDAMBIKA PAL (DOMARIYAGANJ):** Madam Speaker, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

*[English]*

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

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

*The motion was adopted.*

*[Translation]*

**SHRI JAGDAMBIKA PAL:** Madam Speaker, I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.40 hrs**

**(xx) Code of Criminal Procedure (Amendment) Bill, 2017\***

*(Amendment of section 125)*

**SHRI JAGDAMBIKA PAL (DOMARIYAGANJ):** Madam Speaker, I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1973.

*[English]*

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

“That leave be granted to introduce a Bill further to amend the Code of “Criminal Procedure, 1973.”

*The motion was adopted.*

*[Translation]*

**SHRI JAGDAMBIKA PAL:** Madam Speaker, I introduce the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.40 1/2 hrs**

**(xxi) Indian Penal Code (Amendment) Bill, 2017\***

*(Substitution of new section for section 497)*

**SHRI JAGDAMBIKA PAL (DOMARIYAGANJ):** Madam Speaker, I beg to move for leave to introduce a Bill further to amend the Indian Penal Code, 1860.

*[English]*

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

“That leave be granted to introduce a Bill further to amend the Indian Penal Code, 1860.”

*The motion was adopted.*

**SHRI JAGDAMBIKA PAL:** Madam Speaker, I introduce the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.41 hrs**

**(xxii) Electricity (Priority Supply to Metropolitan Areas) Bill,  
2017\***

*[English]*

**SHRI GOPAL SHETTY (MUMBAI NORTH):** Madam, I beg to move for leave to introduce a Bill to provide for compulsory supply of electricity to metropolitan areas and for matters connected therewith.

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

“That leave be granted to introduce a Bill to provide for compulsory supply of electricity to metropolitan areas and for matters connected therewith.”

*The motion was adopted.*

**SHRI GOPAL SHETTY:** I introduce\*\* the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\*Introduced with the recommendation of the President.

**15.41 ½ hrs**

**(xxiii) Deposit Insurance and Credit Guarantee Corporation  
(Amendment) Bill, 2017\***

*(Amendment of section 2, etc.)*

**SHRIMATI DARSHANA VIKRAM JARDOSH (SURAT):**

Madam, I beg to move for leave to introduce a Bill further to amend the Deposit Insurance and Credit Guarantee Corporation Act, 1961.

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

“That leave be granted to introduce a Bill further to amend the Deposit Insurance and Credit Guarantee Corporation Act, 1961.”

*The motion was adopted.*

**SHRIMATI DARSHANA VIKRAM JARDOSH:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.42 hrs**

**(xxiv) Autism Spectrum Disorders (Recognition and Treatment) Bill, 2017\***

**SHRIMATI SUPRIYA SULE (BARAMATI):** Madam, I beg to move for leave to introduce a Bill to recognize the rights of person suffering from autism spectrum disorders and making the treatment accessible and affordable and for matters connected therewith.

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

“That leave be granted to introduce a Bill to recognize the rights of person suffering from autism spectrum disorders and making the treatment accessible and affordable and for matters connected therewith.”

*The motion was adopted.*

**SHRIMATI SUPRIYA SULE:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.42 ½ hrs**

**(xxv) Families of Farmers (Financial Assistance and Rehabilitation) Bill, 2017\***

**SHRIMATI SUPRIYA SULE (BARAMATI):** Madam, I beg to move for leave to introduce a Bill to provide for financial assistance to the widows and other dependent family members of farmers who have committed suicide in order to enable such families to earn sustainable livelihood and for matters connected therewith.

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

“That leave be granted to introduce a Bill to provide for financial assistance to the widows and other dependent family members of farmers who have committed suicide in order to enable such families to earn sustainable livelihood and for matters connected therewith.”

*The motion was adopted.*

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**SHRIMATI SUPRIYA SULE:** I introduce\*\* the Bill.

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\*\* Introduced with the recommendation of the President.

**15.43 hrs**

**(xxvi) Universal Health Coverage (Medical and Financial Assistance) Bill, 2017\***

**SHRIMATI SUPRIYA SULE (BARAMATI):** Madam, I beg to move for leave to introduce a Bill to provide health insurance and health care services to all citizens of the country and for matters connected therewith.

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

“That leave be granted to introduce a Bill to provide health insurance and health care services to all citizens of the country and for matters connected therewith.”

*The motion was adopted.*

**SHRIMATI SUPRIYA SULE:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.43 ½ hrs**

**(xxvii) Breast Cancer (Awareness and Free Treatment) Bill,  
2017\***

**SHRIMATI SUPRIYA SULE (BARAMATI):** Madam, I beg to move for leave to introduce a Bill to create awareness among masses to prevent breast cancer among females, provide free screening and medical treatment for those diagnosed with breast cancer and for matters connected therewith.

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

“That leave be granted to introduce a Bill to create awareness among masses to prevent breast cancer among females, provide free screening and medical treatment for those diagnosed with breast cancer and for matters connected therewith.”

*The motion was adopted.*

**SHRIMATI SUPRIYA SULE:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.44 hrs**

**(xxviii) Constitution (Amendment) Bill, 2017\***

*(Amendment of article 32, etc.)*

**KUMARI SUSHMITA DEV (SILCHAR):** Madam, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

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

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

*The motion was adopted.*

**KUMARI SUSHMITA DEV:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.44 1/2 hrs**

**(xxix) Maintenance and Welfare of Parents and Senior  
Citizens (Amendment) Bill, 2017\***

*(Insertion of new Chapter 11A and 11B)*

**KUMARI SUSHMITA DEV (SILCHAR):** Madam, I beg to move for leave to introduce a Bill to amend the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

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

“That leave be granted to introduce a Bill to amend the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.”

*The motion was adopted.*

**KUMARI SUSHMITA DEV:** I introduce\*\* the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.45 hrs**

**(xxx) Compulsory Establishment of Government Women  
College Bill, 2017\***

*[Translation]*

**SHRI AJAY MISRA TENI (KHERI):** Madam, I beg to move for leave to introduce a Bill to provide for compulsory establishment of Government Women college at block level and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for compulsory establishment of Government Women college at block level and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI AJAY MISRA TENI:** Madam, I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.45 ½ hrs**

**(xxx) Computer Training Centres (Regulation) Bill, 2017\***

*[English]*

**SHRI VISHNU DAYAL RAM (PALAMU):** I beg to move for leave to introduce a Bill to regulate the functioning of computer training centres and for matters connected therewith or incidental thereto.

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

“That leave be granted to introduce a Bill to regulate the functioning of computer training centres and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

**SHRI VISHNU DAYAL RAM:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.46 hrs**

**(xxxii) Persons Living Below Poverty Line (Reservation of Vacancies in Posts and Services) Bill, 2017\***

**SHRI VISHNU DAYAL RAM (PALAMU):** I beg to move for leave to introduce a Bill to provide for reservation of vacancies in posts and services in establishments for persons living below poverty line and for matters connected therewith.

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

“That leave be granted to introduce a Bill to provide for reservation of vacancies in posts and services in establishments for persons living below poverty line and for matters connected therewith.”

*The motion was adopted.*

**SHRI VISHNU DAYAL RAM:** I introduce the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.46 1/2 hrs**

**(xxxiii) Arsenic Contamination (Prevention) Bill, 2017\***

*[Translation]*

**SHRI NISHIKANT DUBEY (GODDA):** Madam, I beg to move for leave to introduce a Bill to provide for effective regulation of the level of arsenic in ground water and identification of the risk areas of arsenic contamination, formulation of a national policy for mitigating and preventing arsenic contamination in food and drinking water in the country for the overall welfare, care and protection of the citizens and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for effective regulation of the level of arsenic in ground water and identification of the risk areas of arsenic contamination, formulation of a national policy for mitigating and preventing arsenic contamination in food and drinking water in the country for the overall welfare,

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

care and protection of the citizens and for matters connected therewith or incidental thereto."

*The motion was adopted.*

*[Translation]*

**SHRI NISHIKANT DUBEY:** Madam, I introduce the Bill.

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**15.47 hrs**

**(xxxiv) Voluntary Organisation (Regulation) Bill, 2017\***

**SHRI NISHIKANT DUBEY (GODDA):** Madam, I beg to move for leave to introduce a Bill to provide for recognition and regulation of voluntary organizations and for matters connected therewith and incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for recognition and regulation of voluntary organizations and for matters connected therewith and incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI NISHIKANT DUBEY:** Madam, I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.47 ½ hrs**

**(xxxv) Constitution (Amendment) Bill, 2017\***

*(Amendment of article 83, etc.)*

**SHRI NISHIKANT DUBEY (GODDA):** Madam, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

*[English]*

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

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

*The motion was adopted.*

*[Translation]*

**SHRI NISHIKANT DUBEY:** Madam, I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.48 hrs**

**(xxxvi) Youth (Eradication of Unemployment and  
Miscellaneous Provisions) Bill, 2017\***

**SHRI NISHIKANT DUBEY (GODDA):** Madam, I beg to move for leave to introduce a Bill to provide for the establishment of Right to Unemployment Elimination and Payment of Unemployment Allowance during Unemployment Period and for making all sanctioned posts of Government employment accessible and termination-free and for the disposal of unemployment allowance and for matters connected therewith and incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for eradication of unemployment amongst the youth by granting right to work to every eligible youth and for payment of unemployment allowance during the period of unemployment and for making all the sanctioned posts in Government employment non-lapsable and free

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

from abolition and establishment of right to work fund for funding unemployment allowance and for matters connected therewith or incidental thereto."

*The motion was adopted.*

*[Translation]*

**SHRI NISHIKANT DUBEY:** Madam, I introduce\*\* the Bill.

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\*\* Introduced with the recommendation of the President.

**15.48 1/2 hrs**

**(xxxvii) Prevention of Damage to Public Property**

**(Amendment) Bill, 2017\***

*(Amendment of section 2)*

*[English]*

**SHRI MULLAPPALLY RAMACHANDRAN (VADAKARA):**

I beg to move for leave to introduce a Bill to amend the Prevention of Damage to Public Property Act, 1984.

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

“That leave be granted to introduce a Bill to amend the Prevention of Damage to Public Property Act, 1984.”

*The motion was adopted.*

**SHRI MULLAPPALLY RAMACHANDRAN:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.49 hrs**

**(xxxviii) Right to Protection of Crop Produce Bill, 2017\***

*[Translation]*

**SHRI SHRIRANG APPA BARNE (MAVAL):** Madam, I beg to move for leave to introduce a Bill to provide for right to farmers for protection and sale of surplus crop produce at remunerative prices and for matters connected therewith.

*[English]*

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

“That leave be granted to introduce a Bill to provide for right to farmers for protection and sale of surplus crop produce at remunerative prices and for matters connected therewith.”

*The motion was adopted.*

*[Translation]*

**SHRI SHRIRANG APPA BARNE:** Madam, I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.49 1/2 hrs**

**(xxxix) Compulsory Military Training in Schools and  
Colleges Bill, 2017\***

**SHRI SHRIRANG APPA BARNE (MAVAL):** Madam, I beg to move for leave to introduce a Bill to provide for compulsory military training to all the students in schools and colleges in the country.

*[English]*

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

“That leave be granted to introduce a Bill to provide for compulsory military training to all the students in schools and colleges in the country.”

*The motion was adopted.*

*[Translation]*

**SHRI SHRIRANG APPA BARNE:** Madam, I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.50 hrs**

**(xl) Sportspersons (Welfare) Bill, 2017\***

**SHRI SHRIRANG APPA BARNE (MAVAL):** Madam, I beg to move for leave to introduce a Bill to provide for the welfare of sportspersons who have represented India in Olympic Games, Asian Games, Commonwealth or in any other International Sports Events and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for the welfare of sportspersons who have represented India in Olympic Games, Asian Games, Commonwealth or in any other International Sports Events and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI SHRIRANG APPA BARNE:** Madam, I introduce\*\* the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\*Introduced with the recommendation of the President.

**15.50 1/2 hrs**

**(xli) Compulsory Voting Bill, 2017\***

**SHRI SHRIRANG APPA BARNE (MAVAL):** Madam, I beg to move for leave to introduce a Bill to provide for compulsory voting by the electorate in the country and for matters connected therewith.

*[English]*

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

“That leave be granted to introduce a Bill to provide for compulsory voting by the electorate in the country and for matters connected therewith.”

*The motion was adopted.*

*[Translation]*

**SHRI SHRIRANG APPA BARNE:** Madam, I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**15.51 hrs**

**(xlii) Cotton Growers (Remunerative Price and Welfare)  
Bill, 2017\***

**SHRI A.T. NANA PATIL (JALGAON):** Madam, I beg to move for leave to introduce a Bill to provide for the remunerative price for the produce of the cotton growers, insurance of cotton crop free of cost and for their overall welfare and for matters connected therewith.

*[English]*

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

“That leave be granted to introduce a Bill to provide for the remunerative price for the produce of the cotton growers, insurance of cotton crop free of cost and for their overall welfare and for matters connected therewith.”

*The motion was adopted.*

*[Translation]*

**SHRI A.T. NANA PATIL:** Madam, I introduce\*\* the Bill .

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\*Introduced with the recommendation of the President.

**15.51 ½ hrs**

**(xliii) Banana Growers (Remunerative Price and Welfare)  
Bill, 2017\***

**SHRI A.T. NANA PATIL (JALGAON):** Sir, I beg to move for leave to introduce a Bill to provide for protection, welfare and payment of remunerative price to banana growers and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for protection, welfare and payment of remunerative price to banana growers and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI A.T. NANA PATIL:** Sir, I introduce\*\* the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\*Introduced with the recommendation of the President.

**15.52 hrs**

**(xliv) Special Financial Assistance to the State of  
Maharashtra Bill, 2017\***

**SHRI RAJEEV SATAV (HINGOLI):** Madam, I beg to move for leave to introduce a Bill to provide for special financial assistance to the State of Maharashtra for the purpose of sustainable and balanced development of growth-oriented infrastructure such as housing, drinking water, roads, sanitation, creation of grain and fodder banks, skill development, cloud seeding bunding and welfare schemes for the women, children, senior citizens and people living below poverty line in the State along with combating desertification and drought problem in Marathwada and Vidarbha regions caused by consistent deficit rainfall and drought conditions by encouraging traditional water conservation through lakes, ponds wells, rainwater harvesting and afforestation and for matter connected therewith or incidental thereto.

*[English]*

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

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

“That leave be granted to introduce a Bill to provide for special financial assistance to the State of Maharashtra for the purpose of sustainable and balanced development of growth-oriented infrastructure such as housing, drinking water, roads, sanitation, creation of grain and fodder banks, skill development, cloud seeding bunding and welfare schemes for the women, children, senior citizens and people living below poverty line in the State along with combating desertification and drought problem in Marathwada and Vidarbha regions caused by consistent deficit rainfall and drought conditions by encouraging traditional water conservation through lakes, ponds wells, rainwater harvesting and afforestation and for matter connected therewith or incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI RAJEEV SATAV:** Madam, I introduce\*\* the Bill.

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\*\*Introduced with the recommendation of the President.

**15.52 ½ hrs**

**(xlv) Constitution (Amendment) Bill, 2017\***

*(Amendment of article 172)*

*[English]*

**SHRI RAJIV PRATAP RUDY (SARAN):** I beg to move for leave to introduce a Bill further to amend the Constitution of India.

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

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

*The motion was adopted.*

**SHRI RAJIV PRATAP RUDY:** I introduce the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.53 hrs**

**(xlvi) Constitution (Amendment) Bill, 2017\***

*(Insertion of New Article 47A)*

**SHRI RAJIV PRATAP RUDY (SARAN):** I beg to move for leave to introduce a Bill further to amend the Constitution of India.

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

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

*The motion was adopted.*

**SHRI RAJIV PRATAP RUDY:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.53 ½ hrs**

**(xlvii) Constitution (Amendment) Bill, 2017\***

*(Amendment of articles 48A and 51A)*

**SHRI RAJIV PRATAP RUDY (SARAN):** I beg to move for leave to introduce a Bill further to amend the Constitution of India.

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

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

*The motion was adopted.*

**SHRI RAJIV PRATAP RUDY:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**HON. SPEAKER:** Shri Rajesh Ranjan – not present.

**15.54 hrs**

**(xlviii) Compulsory Employment and Welfare Measures  
for Disadvantaged Persons Bill, 2017\***

**KUNWAR PUSHPENDRA SINGH CHANDEL**

**(HAMIRPUR):** Madam, I beg to move for leave to introduce a Bill to provide for compulsory employment and welfare measures for disadvantaged persons and for matters connected therewith.

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

“That leave be granted to introduce a Bill to provide for compulsory employment and welfare measures for disadvantaged persons and for matters connected therewith.”

*The motion was adopted.*

**KUNWAR PUSHPENDRA SINGH CHANDEL:** I introduce\*\* the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\*Introduced with the recommendation of the President.

**15.54 1/2 hrs**

**(xlix) Forest (Conservation) Amendment Bill, 2017\***

*(Insertion of new sections 3C and 3D)*

*[Translation]*

**SHRI SUKHBIR SINGH JAUNAPURIA (TONK - SAWAI MADHOPUR):** I beg to move for leave to introduce a Bill further to amend the Forest (Conservation) Act, 1980.

*[English]*

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

“That leave be granted to introduce a Bill further to amend the Forest (Conservation) Act, 1980.”

*The motion was adopted.*

**SHRI SUKHBIR SINGH JAUNAPURIA:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.55 hrs**

**(I) Mahatma Gandhi National Rural Employment  
Guarantee (Amendment) Bill, 2017\***

*(Amendment of Schedule II)*

**SHRI SUKHBIR SINGH JAUNAPURIA (TONK - SAWAI  
MADHOPUR):** I beg to move for leave to introduce a Bill further  
to amend the Mahatma Gandhi National Rural Employment  
Guarantee Act, 2005.

*[English]*

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

“That leave be granted to introduce a Bill further to  
amend the Mahatma Gandhi National Rural  
Employment Guarantee Act, 2005.”

*The motion was adopted.*

*[Translation]*

**SHRI SUKHBIR SINGH JAUNAPURIA:** I introduce the Bill.

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*[English]*

**HON. SPEAKER:** Shri Rabindra Kumar Jena – not present.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

Shrimati Poonam Mahajan – not present.

**15.55 ½ hrs**

**(li) Mahatma Gandhi National Rural Employment Guarantee  
(Amendment) Bill, 2017\***

*(Amendment of section 22, etc.)*

**SHRI BALKA SUMAN (PEDDAPALLI):** Madam, I beg to move for leave to introduce a Bill further to amend the Mahatma Gandhi National Rural Employment Guarantee Act, 2005.

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

“That leave be granted to introduce a Bill further to amend the Mahatma Gandhi National Rural Employment Guarantee Act, 2005.”

*The motion was adopted.*

**SHRI BALKA SUMAN:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.56 hrs**

**(lii) Constitution (Amendment) Bill, 2017\***

*(Insertion of new article 28A)*

*[Translation]*

**SHRI OM BIRLA (KOTA):** I beg to move for leave to introduce a Bill further to amend the Constitution of India.

*[English]*

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

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

*The motion was adopted.*

*[Translation]*

**SHRI OM BIRLA:** I introduce the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.56 1/2 hrs**

**(liii) Constitution (Scheduled Castes) Order (Amendment)**

**Bill, 2017\***

*(Amendment of the Schedule)*

**SHRI BIDYUT BARAN MAHATO (JAMSHEDPUR):** I beg to move for leave to introduce a Bill to amend the Constitution (Scheduled Castes) Order, 1950.

*[English]*

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

“That leave be granted to introduce a Bill further to amend the Constitution (Scheduled Castes) Order, 1950.”

*The motion was adopted.*

*[Translation]*

**SHRI BIDYUT BARAN MAHATO:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.57 hrs**

**(liv) Constitution (Amendment) Bill, 2017\***

*(Amendment of article 84)*

**SHRI OM BIRLA (KOTA):** I beg to move for leave to introduce a Bill further to amend the Constitution of India.

*[English]*

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

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

*The motion was adopted.*

*[Translation]*

**SHRI OM BIRLA:** I introduce the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**15.58 hrs**

**(iv) Children with Specific Learning Disabilities  
(Identification and Support in Education) Bill, 2017\***

**SHRI OM PRAKASH YADAV (SIWAN):** I beg to move for leave to introduce a Bill to identify and support the children with learning disabilities in education and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to identify and support the children with learning disabilities in education and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI OM PRAKASH YADAV:** I introduce\*\* the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\*Introduced with the recommendation of the President.

**15.59 hrs**

**(lvi) Compulsory Health Insurance for Senior Citizens,  
Mentally Retarded Children and Persons with Disabilities Bill,  
2017\***

**SHRI OM PRAKASH YADAV (SIWAN):** I beg to move for leave to introduce a Bill to provide for the compulsory health insurance for the senior citizens, mentally retarded children and persons with disability to be funded by the Government and for free of cost treatment of insured persons by all hospitals including private hospitals and clinics, etc. and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for the compulsory health insurance for the senior citizens, mentally retarded children and persons with disability to be funded by the Government and for free of cost treatment of insured persons by all hospitals including private hospitals and clinics, etc. and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI OM PRAKASH YADAV:** I introduce\*\* the Bill.

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\*\*Introduced with the recommendation of the President.

**16.00 hrs**

(Hon. Deputy Speaker *in the Chair*)

**(lvii) The Right to Adequate Housing Bill, 2017\***

**SHRI OM PRAKASH YADAV (SIWAN):** Sir, I beg to move for leave to introduce a Bill to provide for the adequate dwelling house to the families living below poverty line or falling under low income group in the country for providing one free of cost or at such reasonable cost and providing interest free loans to families in low income group for purchase of house and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for the adequate dwelling house to the families living below poverty line or falling under low income group in the country for providing one free of cost or at such reasonable cost and providing interest free loans to families in low income group for purchase of house and for matters connected therewith or incidental thereto.”

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

*The motion was adopted.*

*[Translation]*

**SHRI OM PRAKASH YADAV:** Sir, I introduce\*\* the Bill.

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\*\* Introduced with the recommendation of the President.

**16.01 hrs****(lviii) All India Services (Amendment) Bill, 2016\******(Insertion of new section 3A)***

**SHRI RAJEEV SATAV (HINGOLI):** Sir, I beg to move for leave to introduce a Bill further to amend the All India Services Act, 1951.

*[English]*

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

“That leave be granted to introduce a Bill further to amend the All India Services Act, 1951.”

*The motion was adopted.*

*[Translation]*

**SHRI RAJEEV SATAV:** Sir, I introduce the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**16.01 ½ hrs****(lix) Prevention of Corruption (Amendment) Bill, 2017\***

*(Amendment of sections 17 and 19)*

**SHRI SUNIL KUMAR SINGH (CHATRA):** Sir, I beg to move for leave to introduce a Bill further to amend the Prevention of Corruption Act, 1988.

*[English]*

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

“That leave be granted to introduce a Bill further to amend the Prevention of Corruption Act, 1988.”

*The motion was adopted.*

*[Translation]*

**SHRI SUNIL KUMAR SINGH:** Sir, I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**16.02 hrs****(ix) Agricultural Produce (Remunerative Support Prices and Miscellaneous Provisions) Bill, 2017\***

**SHRI SUNIL KUMAR SINGH (CHATRA):** Sir, I beg to move for leave to introduce a Bill to provide for the establishment of an Agricultural Produce Price Fixation Board to fix the remunerative support price of agricultural produce including fruits and vegetables on annual and seasonal basis and timely intervention by the Government at the time of steep fall in prices of such produce in the open market and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for the establishment of an Agricultural Produce Price Fixation Board to fix the remunerative support price of agricultural produce including fruits and vegetables on annual and seasonal basis and timely intervention by the Government at the time of steep fall in prices of such

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

produce in the open market and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI SUNIL KUMAR SINGH:** Sir, I introduce\*\* the Bill.

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\*\* Introduced with the recommendation of the President.

**16.02 1/2 hrs****(lxi) Employees' State Insurance (Amendment) Bill, 2017\***

*(Amendment of section 1, etc.)*

*[English]*

**SHRI N.K. PREMACHANDRAN (KOLLAM):** I beg to move for leave to introduce a Bill further to amend the Employees State Insurance Act, 1948.

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

“That leave be granted to introduce a Bill further to amend the Employees State Insurance Act, 1948.”

*The motion was adopted.*

**SHRI N.K. PREMACHANDRAN:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**16.03 hrs****(Ixi) Code of Criminal Procedure (Amendment) Bill, 2017\******(Amendment of section 154)***

**SHRI DUSHYANT CHAUTALA (HISAR):** I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1973.

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

“That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1973.”

*The motion was adopted.*

**SHRI DUSHYANT CHAUTALA:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**16.03 ½ hrs****(lxiii) Cashew Development Board Bill, 2017\***

*[Translation]*

**SHRI SUNIL KUMAR SINGH (CHATRA):** Sir, I beg to move for leave to introduce a Bill to provide for the setting up of a Board for the development and promotion of cashew cultivation, cashew nut processing, marketing and research to improve its production and productivity and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for the setting up of a Board for the development and promotion of cashew cultivation, cashew nut processing, marketing and research to improve its production and productivity and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI SUNIL KUMAR SINGH:** Sir, I introduce\*\* the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

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**16.04 hrs**

**(Ixiv) Protection of Plant Varieties and Farmers' Rights  
(Amendment) Bill, 2017\*  
(Amendment of section 39)**

*[English]*

**SHRI DUSHYANT CHAUTALA (HISAR):** I beg to move for leave to introduce a Bill to amend the Protection of Plant Varieties and Farmers' Right Act, 2001.

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

“That leave be granted to introduce a Bill to amend the Protection of Plant Varieties and Farmers' Right Act, 2001.”

*The motion was adopted.*

**SHRI DUSHYANT CHAUTALA:** I introduce the Bill.

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**16.04 1/2 hrs**

**(lxv) Human Trafficking (Prevention) Bill, 2017\***

*[Translation]*

**SHRI RAHUL SHEWALE (MUMBAI SOUTH CENTRAL):** I beg to move for leave to introduce a Bill to establish a Central Human Trafficking Prevention Commission for prevention of human trafficking in the country and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to establish a Central Human Trafficking Prevention Commission for prevention of human trafficking in the country and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI RAHUL SHEWALE:** I introduce\*\* the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\*Introduced with the recommendation of the President.

**16.05 hrs****(lxvi) Special Financial Assistance to Mumbai Bill, 2017\*****SHRI RAHUL SHEWALE (MUMBAI SOUTH CENTRAL):** I

beg to move for leave to introduce a Bill to provide for special financial assistance to Mumbai in the State of Maharashtra for the purposes of implementation of development and welfare schemes for the women, children, senior citizens and poor people living in Mumbai and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for special financial assistance to Mumbai in the State of Maharashtra for the purposes of implementation of development and welfare schemes for the women, children, senior citizens and poor people living in Mumbai and for matters connected therewith or incidental thereto.”

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

*The motion was adopted.*

*[Translation]*

**SHRI RAHUL SHEWALE:** I introduce\*\* the Bill.

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\*\*Introduced with the recommendation of the President.

**16.06 hrs****(Ixxvii) Establishment of Schools upto Senior Secondary Level  
Bill, 2017\***

**SHRI SUNIL KUMAR SINGH (CHATRA):** I beg to move for leave to introduce a Bill to establish schools providing free education to all children up to senior secondary level in the country.

*[English]*

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

“That leave be granted to introduce a Bill to establish schools imparting education upto senior secondary level free of cost to all children in the country.”

*The motion was adopted.*

*[Translation]*

**SHRI SUNIL KUMAR SINGH:** I introduce\*\* the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\*Introduced with the recommendation of the President.

**16.07 hrs**

**(lxviii) Financial Assistance for Girl Child born to Parents  
Living Below Poverty Line Bill, 2017\***

**SHRI RAMESH CHANDER KAUSHIK (SONIPAT):** I beg to move for leave to introduce a Bill to provide for financial protection and security to girl child born to parents living below poverty line and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for financial protection and security to girl child born to parents living below poverty line and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI RAMESH CHANDER KAUSHIK:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.07 1/2 hrs**

**(Ixi) Special Educational Facilities (for Children of Parents Living Below Poverty Line) Bill, 2017\***

*[English]*

**DR. UDIT RAJ (NORTH WEST DELHI):** I beg to move for leave to introduce a Bill to provide for special educational facilities to the children of parents living below poverty line and for matters connected therewith.

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

“That leave be granted to introduce a Bill to provide for special educational facilities to the children of parents living below poverty line and for matters connected therewith.”

*The motion was adopted.*

**DR. UDIT RAJ:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.08 hrs****(lxx) Uniform Insurance for Affected Pilgrims Bill, 2017\***

*[Translation]*

**SHRI MAHEISH GIRRI (East Delhi):** I beg to move for leave to introduce a Bill to provide for constitution of a Central Pilgrims Insurance Committee to provide uniform insurance to all the affected pilgrims in incidents/accidents including but not limited to terrorist attacks and to their dependent family members and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for constitution of a Central Pilgrims Insurance Committee to provide uniform insurance to all the affected pilgrims in incidents/accidents including but not limited to terrorist attacks and to their dependent family members and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

*[Translation]*

**SHRI MAHEISH GIRRI:** I introduce\*\* the Bill.

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\*\* Introduced with the recommendation of the President.

**16.08 1/2 hrs**

**(lxxi) Protection of Women from Unnecessary Caesarean  
Section Deliveries Bill, 2017\***

**SHRI MAHEISH GIRRI (EAST DELHI):** I beg to move for leave to introduce a Bill to protect women from unnecessary and arbitrary caesarean section deliveries through the regulation and financial disincentivizing of private and public hospitals and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to protect women from unnecessary and arbitrary caesarean section deliveries through the regulation and financial disincentivizing of private and public hospitals and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI MAHEISH GIRRI:** I introduce\*\* the Bill.

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\*\* Introduced with the recommendation of the President.

**16.09 hrs**

**(lxxii) Representation of the People (Amendment) Bill,  
2017\***

*(Insertion of New Section 16A)*

*[English]*

**SHRI GOPAL SHETTY (MUMBAI NORTH):** Sir, I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1951.

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

“That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1951.”

*The motion was adopted.*

**SHRI GOPAL SHETTY:** Sir, I introduce the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**16.10 hrs**

**(lxxiii) Constitution (Amendment) Bill, 2017\***

*(Amendment of article 10)*

**SHRI GOPAL SHETTY (MUMBAI NORTH):** Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

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

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

*The motion was adopted.*

**SHRI GOPAL SHETTY:** Sir, I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**16.10 1/2 hrs****(lxxiv) Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (Amendment) Bill, 2017\***

*(Amendment of section 31)*

**SHRI N. K. PREMACHANDRAN (KOLLAM):** Sir, I beg to move for leave to introduce a Bill further to amend the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

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

“That leave be granted to introduce a Bill further to amend the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.”

*The motion was adopted.*

**SHRI N. K. PREMACHANDRAN:** Sir, I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**16.11 hrs****(lxxv) Drugs and Cosmetics (Amendment) Bill, 2017\******(Amendment of section 3)***

**SHRI N. K. PREMACHANDRAN (KOLLAM):** Sir, I beg to move for leave to introduce a Bill further to amend the Drugs and Cosmetics Act, 1940.

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

“That leave be granted to introduce a Bill further to amend the Drugs and Cosmetics Act, 1940.”

*The motion was adopted.*

**SHRI N. K. PREMACHANDRAN:** Sir, I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.11 ½ hrs****(lxxvi) Indian Medical Council (Amendment) Bill, 2017\***

*(Insertion of new section 10E)*

**SHRI N. K. PREMACHANDRAN (KOLLAM):** Sir, I beg to move for leave to introduce a Bill further to amend the Indian Medical Council, 1956.

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

“That leave be granted to introduce a Bill further to amend the Indian Medical Council, 1956.”

*The motion is adopted.*

**SHRI N. K. PREMACHANDRAN:** Sir, I introduce\*\* the Bill.

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\*\* Introduced with the recommendation of the President.

**16.12 hrs****(lxxvii) Agricultural Produce (Remunerative Support Prices and Miscellaneous Provisions) Bill, 2017\***

*[Translation]*

**SHRI SUKHBIR SINGH JAUNAPURIA (TONK-SAWAI MADHOPUR):** Hon. Deputy Speaker, Sir, I beg to move for leave to introduce a Bill to provide for the establishment of an Agriculture Produce Price Fixation Board to fix the remunerative support price of agricultural produce including fruits and vegetables on annual and seasonal basis and timely intervention by the Government at the time of steep fall in prices of such produce in the open market and for matters connected therewith to incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for the establishment of an Agriculture Produce Price Fixation Board to fix the remunerative support price of agricultural produce including fruits and vegetables on annual and seasonal basis and timely intervention by the

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

Government at the time of steep fall in prices of such produce in the open market and for matters connected therewith to incidental thereto.”

*The motion was adopted.*

*[Translation]*

**SHRI SUKHBIR SINGH JAUNAPURIA:** I introduce\*\* the Bill.

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\*\* Introduced with the recommendation of the President.

**16.12 1/2 hrs****(lxxviii) E-Commerce (Regulation) Bill, 2017\***

*[English]*

**SHRI ADHALRAO PATIL SHIVAJIRAO (SHIRUR):** Sir, I beg to move for leave to introduce a Bill for protection of rights of consumers against marketing of products and services through e-commerce/telephone/digital methods and for matters connected therewith or incidental thereto.

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

“That leave be granted to introduce a Bill for protection of rights of consumers against marketing of products and services through e-commerce/telephone/digital methods and for matters connected therewith or incidental thereto.”

*The motion was adopted*

**SHRI ADHALRAO PATIL SHIVAJIRAO:** Sir, I introduce the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**16.13 hrs****(lxxix) Agricultural and Other Unorganised Workers  
(Protection and Welfare) Bill, 2017\***

**SHRI ADHALRAO PATIL SHIVAJIRAO (SHIRUR):** Sir, I beg to move for leave to introduce a Bill to provide for the protection from exploitation and anti-labourers practices of the agricultural and other unorganized workers and for the welfare measures to be implemented by the Central and State Governments for such workers by way of establishing a Welfare Authority alongwith a Welfare Fund to ensure minimum wages, pension and provident facilities, compensation in case of accidents, maternity and crèche facilities and medical care to the women workers and for matters connected therewith and incidental thereto.

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

“That leave be granted to introduce a Bill to provide for the protection from exploitation and anti-labourers practices of the agricultural and other unorganized workers and for the welfare measures to be implemented

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

by the Central and State Governments for such workers by way of establishing a Welfare Authority alongwith a Welfare Fund to ensure minimum wages, pension and provident facilities, compensation in case of accidents, maternity and crèche facilities and medical care to the women workers and for matters connected therewith and incidental thereto.”

*The motion was adopted.*

**SHRI ADHALRAO PATIL SHIVAJIRAO:** Sir, I introduce the Bill.

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**16.13 1/2 hrs****(lxxx) Victims of Terrorism (Compensation and Miscellaneous Provisions) Bill, 2017\***

**SHRI ADHALRAO PATIL SHIVAJIRAO (SHIRUR):** Sir, I beg to move for leave to introduce a Bill to provide for the financial compensation, relief and rehabilitation to the victims and their dependents affected by terrorist violence of naxalites, maoists and other terrorist outfits operating in various parts of the country including those supported, sponsored and financed from across the borders through employment and other means and for matters connected therewith and incidental thereto.

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

“That leave be granted to introduce a Bill to provide for the financial compensation, relief and rehabilitation to the victims and their dependents affected by terrorist violence of naxalites, maoists and other terrorist outfits operating in various parts of the country including those supported, sponsored and financed from across the

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

borders through employment and other means and for matters connected therewith and incidental thereto.”

*The motion was adopted.*

**SHRI ADHALRAO PATIL SHIVAJIRAO:** Sir, I introduce\*\* the Bill.

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\*\* Introduced with the recommendation of the President.

**16.14 hrs**

**(lxxxix) Management of Religious Institutions and Places of  
Worship Bill, 2017\***

**SHRI ADHALRAO PATIL SHIVAJIRAO (SHIRUR):** Sir, I beg to move for leave to introduce a Bill to provide for management, operation and control of all aspects of religious institutions and places of worship, which are in direct or indirect control of State and for matters connected therewith or incidental thereto.

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

“That leave be granted to introduce a Bill to provide for management, operation and control of all aspects of religious institutions and places of worship, which are in direct or indirect control of State and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

**SHRI ADHALRAO PATIL SHIVAJIRAO:** Sir, I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.14 1/2 hrs****(lxxxii) Employment Bill, 2017\***

**DR. SHRIKANT EKNATH SHINDE (KALYAN):** Sir, I beg to move for leave to introduce a Bill to provide employment or means and resources for self-employment to, at least, one adult member of every family and for matters connected therewith.

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

“That leave be granted to introduce a Bill to provide employment or means and resources for self-employment to, at least, one adult member of every family and for matters connected therewith.”

*The motion was adopted.*

**DR. SHRIKANT EKNATH SHINDE:** Sir, I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.15 hrs****(lxxxiii) Violent and Indecent Online Games (Prohibition on Distribution, Sale and Advertisement) Bill, 2017\***

**DR. SHRIKANT EKNATH SHINDE (KALYAN):** I beg to move for leave to introduce a Bill to provide for prohibition on distribution, sale and advertisement of online games showing violence and indecency in their operations in the country and for matters connected therewith or incidental thereto.

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

“That leave be granted to introduce a Bill to provide for prohibition on distribution, sale and advertisement of online games showing violence and indecency in their operations in the country and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

**DR. SHRIKANT EKNATH SHINDE:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**16.15 ½ hrs**

**(lxxxiv) Illegal Immigrants (Identification and Deportation)  
Bill, 2017\***

**DR. SHRIKANT EKNATH SHINDE (KALYAN):** I beg to move for leave to introduce a Bill to constitute a National Commission to identify and deport illegal immigrants in the country and for matters connected therewith and incidental thereto.

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

“That leave be granted to introduce a Bill to constitute a National Commission to identify and deport illegal immigrants in the country and for matters connected therewith and incidental thereto.”

*The motion was adopted.*

**DR. SHRIKANT EKNATH SHINDE:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.16 hrs****(lxxxv) Payment of Agricultural Inputs Grants Bill, 2017\***

**SHRI B. VINOD KUMAR (KARIMNAGAR):** I beg to move for leave to introduce a Bill to provide for payment of non-returnable grants to the farmers for meeting the input costs in agriculture with a view to promote increased agricultural output and decreased farmer credit and for matters connected therewith.

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

“That leave be granted to introduce a Bill to provide for payment of non-returnable grants to the farmers for meeting the input costs in agriculture with a view to promote increased agricultural output and decreased farmer credit and for matters connected therewith.”

*The motion was adopted.*

**SHRI B. VINOD KUMAR:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.16 ½ hrs****(lxxxvi) Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services (Amendment) Bill, 2017\***

*(Insertion of new Section 33A)*

**KUNWAR PUSHPENDRA SINGH CHANDEL**

**(HAMIRPUR):** I beg to move for leave to introduce a Bill to amend the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Amendment Act, 2016.

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

“That leave be granted to introduce a Bill to amend the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Amendment Act, 2016.”

*The motion was adopted.*

**KUNWAR PUSHPENDRA SINGH CHANDEL:** I introduce the Bill.

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**16.17 hrs**

**(lxxxvii) Stray Cows (Protection and Control) Board Bill,  
2017\***

*[Translation]*

**KUNWAR      PUSHPENDRA      SINGH      CHANDEL**

**(HAMIRPUR):** I beg to move for leave to introduce a Bill to provide for the constitution of a Board for the protection and control of stray cows in the country and for matters connected therewith.

*[English]*

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

“That leave be granted to introduce a Bill to provide for the constitution of a Board for the protection and control of stray cows in the country and for matters connected therewith.”

*The motion was adopted.*

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\*Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

*[Translation]*

**KUNWAR PUSHPENDRA SINGH CHANDEL:** I introduce\*\*  
the Bill.

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\*\*Introduced with the recommendation of the President.

**16.17 ½ hrs**

**(lxxxviii) Bundelkhand Regiment Bill, 2017\***

**KUNWAR      PUSHPENDRA      SINGH      CHANDEL**

**(HAMIRPUR):** I beg to move for leave to introduce a Bill to provide for the constitution and regulation of new military regiment called Bundelkhand Regiment to secure the boundaries of the country and for matters connected therewith or incidental thereto.

*[English]*

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

“That leave be granted to introduce a Bill to provide for the constitution and regulation of a new army regiment to be known as the Bundelkhand Regiment for safeguarding the borders of the country and for matters connected therewith or incidental thereto.”

*The motion was adopted.*

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

*[Translation]*

**KUNWAR PUSHPENDRA SINGH CHANDEL:** I introduce\*\*  
the Bill.

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\*\* Introduced with the recommendation of the President.

**16.18 hrs****(lxxxix) Compulsory Sports Education and Basic  
Infrastructure Development in Schools Bill, 2017\****[English]*

**SHRI DHANANJAY MAHADIK (KOLHAPUR):** I beg to move for leave to introduce a Bill to provide for compulsory sports education from primary to senior secondary level and provision of requisite basic infrastructure in all Government and Private schools and for matters connected therewith.

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

“That leave be granted to introduce a Bill to provide for compulsory sports education from primary to senior secondary level and provision of requisite basic infrastructure in all Government and Private schools and for matters connected therewith.”

*The motion was adopted.*

**SHRI DHANANJAY MAHADIK:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.18 1/2 hrs**

**(xc) Railways (Amendment) Bill, 2017\***

*(Amendment of section 3)*

**SHRI RAM MOHAN NAIDU KINJARAPU**

**(SRIKAKULAM):** Sir, I beg to move for leave to introduce a Bill further to amend the Railways Act, 1989.

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

“That leave be granted to introduce a Bill further to amend the Railways Act, 1989.”

*The motion was adopted.*

**SHRI RAM MOHAN NAIDU KINJARAPU:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.19 hrs****(xci) Protection of Human Rights (Amendment) Bill, 2017\***

*(Amendment of section 2, etc.)*

**DR. UDIT RAJ (NORTH WEST DELHI):** I beg to move for leave to introduce a Bill further to amend the Protection of Human Rights Act, 1993.

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

“That leave be granted to introduce a Bill further to amend the Protection of Human Rights Act, 1993.”

*The motion was adopted.*

**DR. UDIT RAJ:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.20 hrs**

**(xcii) Removal of Homelessness Bill, 2017\***

**DR. UDIT RAJ (NORTH WEST DELHI):** I beg to move for leave to introduce a Bill further to remove homelessness in the country by providing for framing of a housing scheme aimed at providing dwelling units with all basic facilities at an affordable cost to every homeless family.

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

“That leave be granted to introduce a Bill further to remove homelessness in the country by providing for framing of a housing scheme aimed at providing dwelling units with all basic facilities at an affordable cost to every homeless family.”

*The motion was adopted.*

**DR. UDIT RAJ:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.20 ½ hrs**

**(xciii) Constitution (Amendment) Bill, 2017\***

*(Amendment of the Seventh Schedule, etc.)*

*[Translation]*

**SHRI BHAIRON PRASAD MISHRA (BANDA):** Hon. Deputy Speaker, Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

*[English]*

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

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

*The motion was adopted.*

*[Translation]*

**SHRI BHAIRON PRASAD MISHRA:** Hon. Deputy Speaker, Sir, I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**16.21 hrs****(xciv) Gazetted Officers of the Central Government****(Compulsory National Disaster Response Training) Bill, 2017\***

**SHRI BHAIRON PRASAD MISHRA (BANDA):** Hon. Deputy Speaker, Sir, I beg to move for leave to introduce a Bill to provide for compulsory national disaster response training for all able-bodied gazetted officers of the Central Government and for matters connected therewith.

*[English]*

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

“That leave be granted to introduce a Bill to provide for compulsory national disaster response training for all able-bodied gazetted officers of the Central Government and for matters connected therewith.”

*The motion was adopted.*

*[Translation]*

**SHRI BHAIRON PRASAD MISHRA:** Hon. Deputy Speaker, Sir, I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.21 1/2 hrs****(xcv) Bio-Degradable Packaging Materials (Compulsory Use in Packing Commodities) Bill, 2017\***

*[English]*

**SHRI PARVESH SAHIB SINGH VERMA (WEST DELHI):**

I beg to move for leave to introduce a Bill to provide for the compulsory use of bio-degradable packaging material in the supply and distribution of certain commodities with the aim to curb the usage of plastic and such other non-degradable material in packaging and in the interests of the environment.

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

“That leave be granted to introduce a Bill to provide for the compulsory use of bio-degradable packaging material in the supply and distribution of certain commodities with the aim to curb the usage of plastic and such other non-degradable material in packaging and in the interests of the environment.”

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

*The motion was adopted.*

**SHRI PARVESH SAHIB SINGH VERMA:** I introduce the Bill.

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**16.22 hrs****(xcvi) Reorganization of Time Zones Bill, 2017\***

**SHRI GAURAV GOGOI (KALIABOR):** I beg to move for leave to introduce a Bill to establish and demarcate two separate Time Zones to provide for more systematic inclusive and progressive governance and administration of the country and for matters connected therewith.

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

“That leave be granted to introduce a Bill to establish and demarcate two separate Time Zones to provide for more systematic inclusive and progressive governance and administration of the country and for matters connected therewith.”

*The motion was adopted.*

**SHRI GAURAV GOGOI:** I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.23 hrs**

**(xcvii) Constitution (Amendment) Bill, 2017\***

*(Insertion of new article 24A)*

*[Translation]*

**SHRI RAGHAV LAKHANPAL (SAHARANPUR):** Hon. Deputy Speaker, Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

*[English]*

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

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

*The motion was adopted.*

*[Translation]*

**SHRI RAGHAV LAKHANPAL:** Hon. Deputy Speaker, Sir, I introduce\*\* the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

\*\* Introduced with the recommendation of the President.

**16.24 hrs**

**(xcviii) Protection of Children from Sexual Offences**

**(Amendment) Bill, 2017\***

*(Amendment of Section 2)*

**SHRI GAURAV GOGOI (KALIABOR):** I beg to move for leave to introduce a Bill further to amend the Protection of Children from Sexual Offences Act, 2012.

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

“That leave be granted to introduce a Bill further to amend the Protection of Children from Sexual Offences Act, 2012.”

*The motion was adopted.*

**SHRI GAURAV GOGOI:** I introduce the Bill.

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\* Published in the Gazette of India, Extraordinary, Part-II, Section-2, dated 29.12.2017.

**16.25 hrs**

**SIXTH SCHEDULE TO THE CONSTITUTION  
(AMENDMENT) BILL, 2015 – Contd\***

*[Translation]*

**SHRI HARINARAYAN RAJBHAR (GHOSI):** Hon. Deputy Speaker, Sir, I thank you for giving me the opportunity to speak on this Bill with reference to the living conditions of tribal communities. While speaking on this Bill relating to the Sixth Schedule, as raised by the Hon. Member, I would like to urge you to consider the present condition of tribal people in the country. They are the indigenous inhabitants and, in a sense, have an inherent right over this land. Yet, what is their condition today? In my view, even in a so-called developed India, the condition of tribal communities is the worst. During colonial rule, they fought alongside others for the country's freedom against the British. Today, in independent India, they are compelled to fight for the resolution of their own problems.

**16.25½ hrs**

(Shri Arjun Charan Sethi *in the Chair*)

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\* Further discussion on the motion for consideration of the Bill moved by Shri Vincent H. Pala on the 5<sup>th</sup> August, 2016.

They live amidst dense forests, surrounded by ferocious animals such as tigers, lions and other poisonous creatures. When we look at their economic condition, the condition of their children, their living standards, and their access to food and basic necessities, the reality is deeply distressing. Our slogan is ‘Sabka Saath, Sabka Vikas’, but what kind of development is actually reaching them? It appears to me that so far no Government has paid adequate attention to this side. I would respectfully urge that all necessary resources should be provided to bring tribal communities into the mainstream of society and that proper arrangements for their development should be ensured. Unfortunately, this has not happened so far. I would like to draw your attention to the fact that there are no proper schools, no medical facilities, and no basic arrangements from which they can benefit. Our society has left them to fend for themselves in the forests, while, at the same time, their land and property are being encroached upon day after day. Our tribal people are falling prey to extremists, and their numbers are steadily declining. The Government must turn its attention towards ensuring their security, providing them with the means to live and develop with dignity, ensuring access to education, and extending grants and facilities from the Government so that they are given a genuine opportunity to progress.

Sir, ever since we have been aware, we have seen tribal communities living in the same condition. There is no proper arrangement for the education of their children. Suffering from various kinds of diseases, tribal society is gradually declining. I request the Government to take note that these are among the most deprived sections of society, living their lives in forest areas. There is no provision for electricity for them. One only needs to look at their dwellings to understand how difficult it is to live there. Therefore, through you, I request that the Government pay serious attention to this issue and make arrangements to bring them into the mainstream of society by ensuring comprehensive development at every level. I conclude my remarks by placing this demand before the Government. If the Government has already taken certain steps, I thank it for those efforts, and at the same time, I urge that the remaining shortcomings be addressed. Thank you.

With regard to the proposal presented by Shri Vincent Pala concerning the amendment of the Sixth Schedule of the Constitution, it is certainly a matter worthy of consideration, but several aspects will need to be examined carefully and in depth.

The North-Eastern region has remained an extremely sensitive area from the point of view of India's unity and integrity. Owing to its geographical configuration and the manner in which it is

connected with the rest of India, especially after the Partition of India and Pakistan, when only a very narrow land corridor remained for surface connectivity, a serious concern arose before the nation. Soon after Independence, a situation emerged where questions were raised as to whether the North-East would be able to remain united with India and whether its integration with the country could be sustained. The challenge before the nation was how to keep this region connected with the national mainstream and how to strengthen the sense of belonging and national consciousness among the people there. Continuous efforts were, therefore, made in this direction. The North-Eastern region, which lies cradled in the lap of the Himalayas and is largely forest-covered, has, in many respects, still not been able to attain adequate connectivity. Even today, in several places, railway lines could not be constructed. Road infrastructure has not developed to the extent required, and the essential road links connecting one village to another have also not been adequately developed. Taking advantage of this situation, several foreign agencies attempted, in their own ways, to influence the people of the North-East. I do not suggest that people necessarily develop sentiments on the basis of religion or modes of worship, but we have repeatedly witnessed that extremist and separatist movements emerged in the North-Eastern region and that such movements

received patronage from foreign powers. This created a serious challenge before the country as to how the region could be developed in a manner that would strengthen its integration with the nation. It was precisely with this objective in mind that development was accorded priority, and constitutional provisions such as the Fifth Schedule and the Sixth Schedule were framed.

Sir, I have felt this deeply, because I recall that during our student days, we used to run a programme through the Akhil Bharatiya Vidyarthi Parishad with students from Arunachal Pradesh and Meghalaya called 'Bharat Apna Ghar'. Under this programme, in order to strengthen India's unity and national integration, children from the North-East were brought and placed with families in different parts of the country so that they could pursue their education. We also organised *Bharat Darshan* programmes, through which children from the North-East were shown different parts of India and were made to understand that this country belongs to them as much as it belongs to all of us, and that we all have to work together for the nation and develop together while remaining united. I say this with a sense of pride that for many years, Shri Gegong Apang, who later became the Chief Minister of Arunachal Pradesh under the Congress party, had himself participated in such Bharat Darshan programmes during his student life under the banner of the Akhil Bharatiya

Vidyarthi Parishad. For a long time, the country faced the challenge of the North-East being divided later into what came to be known as the Seven Sisters. Whether it is Nagaland, Mizoram, Tripura or Sikkim, these States were carved out of Assam. Even today, separatist movements are seen there from time to time. Now, we have developed ourselves to a considerable extent. Recently, when the possibility of Chinese intrusion arose at Doklam, the manner in which we compelled them to step back through diplomatic means shows that the clouds of danger over the North-East have receded. However, for safeguarding the unity of the country in the North-East, there has been a lack of sustained effort in training the population and in providing opportunities to nurture a strong sense of national consciousness among the people living there. It is natural for the Government to think in this direction. The people there will truly understand their emotional bond with this country only when they are given special opportunities for development. District Councils were constituted, and there was discussion about granting them special powers. I recall that many times, when the Union Government launched development schemes in a planned manner, the impact was often not as effective at the grassroots as it should have been. Although District Councils were given certain powers under the Scheduled Areas provisions, the developmental potential that was expected

from them did not fully materialise. The hopes and expectations that we had from the powers granted to District Councils in the Scheduled Areas were not realised. Now it is being argued that they should be given even more powers in the name of checks and balances. The reality is that in the political and social conditions of the North-East, economic balance must be maintained, and development works should move forward on the basis of proper checks and balances. The Union Government must keep a firm watch so that provisions of autonomy do not go so far that, in the coming days, they gradually strengthen separatist tendencies. We must also keep this in mind. We will mobilise resources from across the country and ensure that those parts of our nation which are backward, where our tribal brothers and other deprived sections live, are provided with facilities and opportunities similar to those enjoyed in cities such as Mumbai, Delhi, Kolkata or Guwahati. Those who have not yet seen the light of modernity and development must also be given access to such facilities and amenities. It has come to our notice that district-level units were not successful in fulfilling their responsibilities. In many cases, it was observed that the unity required for implementing Government budgets and resources was lacking, and the uniformity expected in decision-making did not emerge. The funds were not utilised in the manner they should have been.

The resources provided by the Union Government were not utilised properly, and in some cases they had to be withdrawn or remained pending. We accept the fundamental truth that India is one people, one culture and one nation. If any person in any corner of the country is distressed, it becomes our national responsibility to ensure that he or she is able to live a life with dignity and basic facilities. It is our national duty to ensure that a deprived person does not develop the feeling that this country is doing nothing for them. Whenever there is a cyclone, a tsunami or any other calamity, special arrangements are made from the national fund, and the entire country stands united in support. Not only the Government, but society at large also contributes separately and extends help by treating the affected people as brothers and sisters. We believe that wherever the children of Bharat Mata reside, they are all her children, and we regard one another as brothers and sisters. This has always been the spirit of our culture. Today, fortunately, a Government guided by this very philosophy of national unity and integration is in place in India, under the leadership of Shri Narendra Modi ji.

Sir, when Shri Atal Bihari Vajpayee ji was the Prime Minister, he launched the Pradhan Mantri Gram Sadak Yojana. The decision for this scheme was taken while sitting in Delhi. I say with great pride and a sense of challenge that if one goes to any Panchayat or

any block in India, whether or not there is a road constructed by the State Government, one will certainly find a Pradhan Mantri Gram Sadak built with grants from the Union Government. This serves as a reminder of Shri Atal Bihari Vajpayee ji. The Hon. Prime Minister Shri Narendra Modi ji launched the Ujjwala Yojana. The decision for this scheme was also taken in Delhi. Speaking from my own experience, I can say that today Members of Parliament are being given time by the agencies to distribute gas connections under this scheme. Such a situation has been created across the country. I am giving these examples to emphasise that if the Union Government resolves to ensure that the river of development flows to any corner of India and that facilities reach the people there, it is possible to accomplish that task. Whether it is the agricultural sector, electricity, transport, railways or roads, if the Union Government makes up its mind, it can deliver on these commitments. I have cited these two schemes as illustrations of this resolve. In the previous Budget, the Hon. Prime Minister approved an ambitious scheme for laying long railway lines in the North-Eastern region. The longest bridge in India has been constructed over the Brahmaputra River in Assam in the North-East, and it has been inaugurated.

I am not saying that the construction of that bridge took place during the tenure of our Government; however, its inauguration

was performed by the Hon. Prime Minister Shri Narendra Modi ji. My only submission is that no matter which part of India it is, no matter how difficult the terrain or how many challenges there may be in reaching that area, today the Union Government is sufficiently capable of carrying the spirit of the nation there through the instrument of development. I believe that the entire House and the whole country will never stand in the way of any Government that works for development.

The development of the North-Eastern region is a national challenge for us. Among the people there, the feeling must be strengthened that we are Indians, India belongs to us, and without India we cannot remain secure. I am conscious that foreign powers keep an eye on the North-East because they believe in colonialism. However, the people living in those hilly regions, in the lap of the Himalayas, believe in humanity, not in the colonial outlook of outsiders. Be it a remote area of the North-East or a difficult terrain in Kerala, we want to ensure that the lamp of Indian nationalism continues to burn steadily everywhere. Therefore, we do not fundamentally argue against the demands being made regarding the Sixth Schedule. However, when even the presently available budgetary allocations are not being fully utilised, and when proposals are made to increase membership and expand powers, I do not feel that, in the present circumstances,

there is an urgent necessity for such changes. Today, funds are available for the development of the North-East, schemes are in place, and the Government has both the intention and the resolve. What we must ensure is that no part of India, no region of our country, feels that the nation does not care for it.

We certainly desire that every citizen of India, especially those who have been neglected for years, who are backward or disadvantaged, who have not yet received the basic necessities of a humane life, and where the rays of modern development have not yet reached with ease, should receive adequate financial support from this House and from our Government.

I am of the view that certain experiments may be undertaken by constituting committees, because the North-Eastern region has witnessed numerous agreements with several States. One may take the examples of Nagaland or Meghalaya. Political committees are undoubtedly of great importance in a democracy; they are, in fact, the soul of democratic functioning, and they cannot be ignored. However, in some situations, it appears to me that where a region is constrained by special circumstances, the Union Government should implement a distinct and dedicated action plan, so that development in such areas is taken up on a priority basis.

Hon. Chairperson, Sir, we must remain cautious that, through any committee mechanism, no sentiment is allowed to develop which may be detrimental to national unity. I am not suggesting that there is necessarily a likelihood of such a sentiment arising, but I wish to alert the House to this concern. Over the past 30–40 years, I have witnessed instances in the valleys of the North-East where anti-India slogans were raised. It is essential that the people there feel that the entire nation of India is directly and inseparably connected with the North-Eastern region.

Hon. Chairperson, Sir, certain forces have, in the past, attempted to turn the Kashmir Valley into a hub of anti-national activities. It is a different matter that today those forces are under severe pressure and their resolve is weakening. In the days to come, they will be compelled to surrender. Similar attempts are also visible, from time to time, in the North-Eastern region. Such incidents have been observed there in the recent past as well. We must, therefore, remain vigilant against such efforts. While extending political rights, we must exercise utmost caution to ensure that, in the name of such rights, sentiments of separatism are not encouraged or allowed to grow.

Hon. Chairperson, Sir, we are strong proponents of the development of the North-Eastern region. For its development, adequate financial resources must be provided in full measure.

Through this House, I would like to appeal to the Union Government that, from a strategic perspective, it should permit and facilitate all such measures that help preserve India's unity and national spirit. The North-Eastern region is a vital part of the country and, nestled in the foothills of the Himalayas, it radiates its unique natural beauty.

Hon. Chairperson, Sir, recently I visited the region as part of a Parliamentary Committee. On visiting the area, I felt that the North-East truly represents the very embrace of Mother India. The beauty of the region is extraordinary. However, within these beautiful geographical surroundings, there are also forces that move covertly and attempt to create discord in the minds of the people. We must remain vigilant against such forces, so that no harm ever comes to the embrace of Mother India. I would urge that the entire House reflect seriously on the question of national unity. It is essential that the Union Government works with its full strength and commitment for the development of the region.

Hon. Chairperson, Sir, today I would like to place one important point before the House. Under the leadership of our Hon. Prime Minister, Shri Narendra Modi, development programmes have been formulated for every part of the country. Special योजनाएँ have also been drawn up for the North-Eastern

region. We are paying particular attention to those areas of the North-East which lie along the country's borders, so that all such regions clearly feel, through the spirit of India and through the actions of the Government of India, that there is no place other than India where their existence and security can be safeguarded.

Hon. Chairperson, Sir, I come from Jharkhand. As far as our tribal brothers and sisters are concerned, I have seen that in Jharkhand, Bhagwan Birsa Munda struggled throughout his life. In the prime of his youth, he rose in revolt. With his bow and arrows, he chased the British through forests after forests. He was deceitfully arrested and imprisoned, where he met a mysterious death. I say this with pride that Birsa Munda and his people never accepted British slavery. Just as Akbar was left anguished because he could never enslave Maharana Pratap, similarly the British were left frustrated because they could never subjugate the tribals of Jharkhand. The British were never able to bring them under their control. Sidhu and Kanhu, along with Chand and Bhairav, all brothers born to the same parents, were prepared to lay down their lives. The first two brothers, Sidhu and Kanhu, set out wearing saffron, rising in revolt against the British. They were not wealthy. They had no army. What they had was society with them, the love of society, the trust of society. Along with that trust and affection, they possessed self-respect. To protect their self-respect, to protect

their society and to safeguard the Santhal community, Sidhu and Kanhu left their homes. They fought the British and were martyred. When the news reached home that the two brothers had laid down their lives fighting the British, the other two brothers, Chand and Bhairav, could not stay back. They told their parents that when their brothers had made the supreme sacrifice, they too could not remain behind. Chand and Bhairav also went forth and were martyred while fighting. The land of Santhal Pargana feels proud to associate itself with the names of Sidhu, Kanhu, Chand and Bhairav. They were our ancestors, and they never accepted foreign domination. They did not wish to see foreigners on the soil of India.

Hon. Chairperson, Sir, tribals are those who love the trees of India, the stones of India and the rivers of India. They worship mountains, they worship rivers and they worship stones. They are worshippers of nature. When the army of Maharana Pratap weakened in Rajasthan, it was the Bhil community that stood by him. History bears testimony that for the protection of India's very existence, the tribal communities have always stood firmly in defence of the nation.

*[English]*

**HON. CHAIRPERSON:** The time allotted for this issue is already over. Is it the pleasure of the House to extend the time by another two hours?

**SEVERAL HON. MEMBERS:** Yes.

**HON. CHAIRPERSON:** The time for this issue is extended by another two hours.

*[Translation]*

**SHRI RAVINDRA KUMAR RAY (KODARMA):** Hon. Chairperson, Sir, I was submitting that the Sixth Schedule is a matter closely connected with tribal communities. In Jharkhand, there are areas affected by the Fifth Schedule. When I served as the Mining Minister in the State of Jharkhand, I tried to study the Fifth and Sixth Schedules in depth, and through that process I gained some understanding of these provisions. Hon. Chairperson, Sir, I would like to state only this much: whenever the self-respect and identity of our border regions have been hurt, and whenever challenges have arisen before them, be it Rajasthan, the North-Eastern region or Jharkhand, the tribal society has stood up for this country, struggled for it and made sacrifices for it. Yet, they have demanded very little in return. Many communities have struggled over time. We often hear people say that they struggled and therefore deserve something, that they fought in the freedom struggle and therefore should receive benefits. But the tribal society is a unique society which consistently fought against slavery for the nation, resisted foreign aggressors and opposed foreign oppression. Even after roaming through forests and mountains, they never bowed before foreign rulers. If, for the development of that society, any kind of requirement arises, I would like to say that everything can be sacrificed for them.

**17.00 hrs**

Even today, development is required to bring about improvement in the lives of our tribal brothers and sisters. I see this clearly in Jharkhand. In the forest areas, it is our tribal mothers and sisters who live in the deepest poverty. In this winter season, many of them do not have adequate clothing. They do not have proper houses, and because they live in forest areas, they do not even have land on which they can build a home. I submit that the time has come to seriously consider that our tribal brothers and sisters living in forests should be provided land for habitation on forest land, along with other essential facilities. In the forests, either wild animals live, or brave human beings in the form of tribals live. They possess courage, strength and an inherent capacity to resist adversity. Even today, in times of national crisis and in the most remote and difficult areas, our tribal brothers continue to live and serve the nation. It is our collective view, and it should also be the view of this House, that all kinds of basic facilities must be made available to them. They should be accorded priority. They have sacrificed their own comforts and conveniences for the benefit of others. They themselves live in hardship, suffering and extremely difficult conditions, yet they continue to serve the country. If we look at the Indian Armed Forces, we find large numbers of tribals serving with distinction.

We take pride in soldiers like Albert Ekka, whose name fills us with honour and whose bravery was recognised with the Param Vir Chakra. In my region alone, there are not just one but many such brave individuals. Even today, in the Kashmir Valley, our tribal soldiers are laying down their lives for the nation. Their families continue to live in distress, yet they take pride in associating themselves with the Army and in serving India. When the mortal remains of such soldiers are brought back, and one sees the condition and way of life of their families, it becomes painfully clear the circumstances in which they live.

Sir, even while enduring hardship, they have continued their vow of service to the nation without interruption. Their families face martyrdom, yet they never utter a word of complaint. We, and the Government as well, are concerned that their families should receive support, but no one can ever return a son to a family. In Jharkhand, we witness this reality all too often. Hardly a month passes without the mortal remains of a tribal hero arriving, martyred while defending the nation's borders. We undertake the solemn duty of returning those remains to their families. Our hearts are filled with sorrow, yet our heads are held high with pride. For that tribal society, if there arises a need to do something meaningful, no Government and no House should hesitate. However, it is equally important to decide *how* it should be done

so that the effort is more effective and truly impactful. A firm and well-thought-out decision is required so that the lives of our tribal brothers and sisters, who constitute nearly ten per cent of the country's population, can genuinely improve. This is a large, valiant and resilient section of our people. We are fully in favour of improving their living conditions. We support providing them with the maximum possible resources, and we also support ensuring that they receive cooperation, assistance, affection and a sense of belonging from the entire nation.

The need of the hour is that children from these regions should be admitted, free of cost, to India's leading and reputed institutions, schools and colleges, under Government support. Every year, hundreds of children from each State should be brought and educated in other parts of the country, whether in Delhi, Rajasthan, Jaipur, Ranchi or elsewhere, entirely free of cost. When those children and their families realise who has educated them, when they feel that India and fellow Indians have given them this opportunity, a deep sense of gratitude and national belonging will be instilled in every fibre of their being. No child from the North-East should remain illiterate, nor should any child face obstacles in accessing education. For this purpose, whatever budget is required should be provided, because the real need is this: when a young person from another part of India goes to the

North-Eastern borders and raises the tricolour while proclaiming Bharat Mata ki Jai, that itself is a source of strength. But when a young person from Nagaland, Mizoram, Tripura or Sikkim stands at the border holding the tricolour and raises the same slogan, the strength and meaning of that act are multiplied many times over.

My humble prayer is that such rules and committees be framed as will advance both the spirit of nationalism in the North-Eastern region and the cause of development. There should be schemes in India that foster a sense of belonging among the people of the North-East, instil national and cultural values in children there, and create a feeling of kinship, so that they feel that India is their mother and that they are children of Bharat Mata. When a child living in such remote and difficult terrain grows up educated and becomes a young adult, he may well usher in meaningful change in his society. Today, the debate in the House on the Sixth Schedule should, in its direction, intensity and developmental vision, endeavour to focus on that region. If our deliberations move in that direction, I believe we shall certainly be able to realise the dream of development of the North-East. The Hon. Prime Minister, Shri Narendra Modi ji, has prepared a special action plan for the North-East, and through such efforts we shall be able to make it successful. In the days to come, the

nation's requirement that its border residents come forward to contribute actively to the country will also be fulfilled.

In conclusion, I would submit that we should open every avenue of development for our tribal brothers and sisters and engage with them with generosity, affection and sensitivity. I request that this action plan be given due consideration. I am grateful to you for giving me the opportunity to speak. Vande Mataram.

**SHRI SUNIL KUMAR SINGH (CHATRA):** Hon. Chairperson, Sir, I rise to speak on the Constitution (Sixth Schedule) Amendment Bill, 2015, which has been introduced by our colleague Shri Vincent H. Pala. Before I speak on the merits of the Bill, a few thoughts come to my mind. Shri Vincent Pala is a Member of Parliament from Meghalaya, while we come from the Chatra-Hazaribagh region. I recall that the then Principal of St. Columbus College, Dr. Satish Chandra Banwar, who took charge at the North-Eastern Hill University in the 1980s, fell victim to the poisonous menace of extremism and was assassinated there. Through this Bill brought forward by Shri Vincent Pala, I wish to pay my humble tribute to my revered teacher, Dr. Satish Chandra Banwar, along with Shri Ravindra Kumar Ray, who was also his student.

Undoubtedly, Members may hold differing views on this Amendment Bill. However, through this Constitution Amendment, we must endeavour to bring to the fore those issues relating to the North-Eastern region that truly merit consideration. This Amendment essentially proposes three changes to the existing provisions. First, it seeks to increase the strength of the District Council from thirty to forty Members. Second, it proposes to bring matters relating to mines and minerals, which are closely linked to the traditional livelihoods of tribal communities, within

the legislative competence of the District Councils. Third, it seeks to provide explicit protection to the customary practices and interests of tribal communities. At first glance, these amendments may appear modest. However, upon deeper reflection, it becomes clear that they have significant implications. On the one hand, there are administrative and political dimensions; on the other, there are economic considerations; and thirdly, there is the socio-cultural context of the North-East, with its distinct historical background. Since these aspects have been referred to, it is imperative that we deliberate upon them in detail in this House. Even earlier, under the Sixth Schedule, several powers were conferred, including authority over forests other than reserved forests, construction of canals and water channels for agricultural purposes, regulation and development of jhum cultivation practices, powers relating to village and town committees, appointment of chiefs and headmen, authority over marriage and divorce, and matters concerning social customs. However, the Hon. Member, Shri Vincent Pala, has proposed an additional and important dimension by explicitly emphasising the protection of customary practices and the interests arising therefrom. Viewed from this perspective, the Bill assumes considerable importance. It is also necessary to bear in mind that, at present, the Sixth Schedule provides for only ten Autonomous District Councils.

These include Karbi Anglong and North Cachar Hills in Assam, the Bodoland Territorial Council, the Khasi Hills, Jaintia Hills and Garo Hills Autonomous District Councils in Meghalaya, the Tripura Tribal Areas Autonomous District Council in Tripura, and the Lai, Mara and Chakma Autonomous District Councils in Mizoram. I mention this because, when we discuss the broader interests of the North-East, we must also recognise that several State Governments have established Autonomous Councils under State legislation and have, from time to time, urged the Union Government to grant them recognition under the Sixth Schedule. For various reasons, these demands have not been adequately deliberated upon. For instance, in Manipur, under the Hill Areas District Councils Act, six hill districts are covered, and several organisations have repeatedly suggested amendments to the Sixth Schedule to accommodate such arrangements. When all these factors are taken into account and discussed comprehensively, the true relevance and effectiveness of the Sixth Schedule can be better assessed, and the specific amendments now proposed can be evaluated in a more meaningful manner. I would also like to recall that on 24 September 2014, the Hon. Union Home Minister emphasised the need for comprehensive socio-economic development of Meghalaya. It is in this broader spirit of inclusive

development, administrative efficiency and protection of tribal identity that this Amendment Bill should be examined.

A tripartite dialogue had taken place, pursuant to which a Memorandum of Settlement was signed on behalf of the Government of India. This Memorandum was signed today, in the presence of the Hon. Union Home Minister, Shri Rajnath Singh, between the Government of India, the Government of Meghalaya, and the Achik National Volunteers Council. The objective of this Memorandum was to enhance the autonomy of the Garo Hills Autonomous District Council. The Memorandum also provides for a special package aimed at accelerating social, economic and educational development in the region. The Hon. Home Minister had stated that, in the coming years, this would lead to all-round development in the Garo Hills Autonomous District Council area. He further emphasised that peace should prevail in Meghalaya so that it may emerge as a developed State. Acknowledging the importance of peace for comprehensive social, economic and cultural development, the Hon. Home Minister had congratulated the people of Meghalaya, including those residing in the Garo Hills Autonomous Council area. The reality is that since the present Government assumed office under the leadership of Hon. Shri Narendra Modi, it has never adopted a path of confrontation. On the contrary, we have consistently pursued dialogue,

engagement with the people, and mutual agreements. Alongside dialogue, the Government has also increased outreach through regular visits and tours. I believe that earlier Governments tended to view the North-Eastern region as a distant and remote area, where the presence of the Government of India itself was hardly felt. However, within the last three years, the Hon. Prime Minister himself, along with several Union Ministers, has undertaken numerous visits to the region. As a result, the people of the North-East have begun to feel reassured that India indeed has a Government which genuinely considers the North-Eastern region as an integral part of the country, as its own limb, and as its own responsibility.

We must also keep in mind the background against which these autonomous councils were created. Particularly, when we examine the historical context, we find that during the period of the East India Company, in 1765, Robert Clive was granted the authority of revenue collection for the Bengal Presidency. Through this arrangement, the Company began its revenue collection activities in parts of the North-Eastern region. Subsequently, Regulation X of 1822 was enacted, followed by the Government of India Act, 1853, and the Indian Councils Act, 1861. Thereafter came the Government of India Act, 1870, and the Garo Hills Act, 1869. However, for the first time, an Act relating

to 'Scheduled Districts' was introduced in 1874. Now, it is necessary to reflect upon whether the Act of 1874 was brought by the British rulers for the development of the people of that region, or merely for the convenience of their own administration. This is a fundamental question, because it was from that point onwards that our economic, cultural, and social way of life began to suffer serious erosion. I am raising these points because, in the course of discussions on this constitutional amendment, a question was raised suggesting that Manipur is not the same Manipur which finds mention in the Mahabharata. Today, such assertions are being made, but we often fail to reflect on the fact that the British, in order to minimise resistance and facilitate easy revenue collection, deliberately fragmented India into various administrative units to present it to the world in that form. It may be true that, prior to Independence, India existed as a collection of different administrative units. However, from a cultural perspective, our civilisation, referred to as Bharatvarsha or Aryavarta, has a documented history of at least six to eight thousand years. That history clearly establishes that India existed as a unified civilisational entity, bound together primarily through shared cultural traditions and practices, which served as the principal thread linking one region with another.

Therefore, the British recognised that those regions of India which, in those times, were closer to our neighbouring territories, areas that were once an integral part of India such as Burma, and from where one could travel onward to Indonesia, Java, or Sumatra, required a specific strategy. They formulated a policy that if India was to be ruled, it should be ruled through such administrative arrangements. This approach disrupted a long-standing historical pattern of development in those regions. It is true, however, that after Independence, the governments formed thereafter did not view these regions as a cohesive unit, nor did they adequately assess their significance from the broader national perspective of India. I would submit that had the governments of the last fifteen or twenty years recognised this reality in time, the present situation might not have arisen.

Therefore, I would like to submit that whenever I travel two or three times along the route in my region which is commonly known as the G.T. Road, I repeatedly notice that while in our minds it is National Highway No. 2, on the ground it is marked as A.H. 1. When I examined this further, I came to know that this is Asian Highway No. 1, which is envisaged to run from Japan to Turkey, passing through the North-Eastern region, traversing parts of Jharkhand, crossing the Wagah Border and extending up to Afghanistan. This concept was conceived about eight to ten years

ago. However, no government seriously addressed the issue of strengthening India's connectivity with the North-East on a comprehensive scale. During the tenure of Shri Atal Bihari Vajpayee, arrangements were initiated to connect the country through the North-East and the South-West Corridor, but gradually work on these initiatives slowed down and eventually came to a halt. In this manner, developments took shape around 1874, followed by the Assam Frontier Tracts Regulation, 1880. Thereafter came the Montagu–Chelmsford Report of 1918, followed by the Government of India Act, 1919, through which, for the first time, districts such as the Garo Hills District, Khasi–Jaintia Hills, Mikir Hills (which today form parts of Nagaon and Sivasagar districts), North Cachar Hills, Naga Hills District, Lushai Hills District, Sadiya Frontier Tract, Balipara Frontier Tract, Lakhimpur Frontier Tract, and others were established. Subsequently, several amendments were carried out, and the matter also came up for discussion before the Simon Commission in the year 1930.

The matter was also discussed in the Government of India Act, 1935, and thereafter its structure underwent changes through the Government of India (Excluded and Partially Excluded Areas) Order, 1936. Subsequently, the issue was examined through the Indian Provisional Order, 1946. However, when the formation of

the Constituent Assembly took place with India's Independence in view, the Gopinath Bordoloi Committee was constituted for the first time to deliberate on this subject. The members of this Committee included Shri J. J. M. Nichols-Roy, Shri Rupnath Brahma, Shri A. V. Thakkar, and initially Shri Mayang Nokracha, who was later replaced by Shri Aliba M. T.. The matter was discussed at length in the Council.

In the Drafting Committee, Dr. B. R. Ambedkar himself was present and participated in the discussions. Thereafter, Sardar Vallabhbhai Patel also expressed his concerns regarding the draft and its structure, and extensive deliberations took place on the issue. The Drafting Committee made certain modifications to the provisions as well.

When we refer to the debates through which the Sixth Schedule was determined, the issues that I have just mentioned and the challenges faced by the North-Eastern region after 1947 clearly came to the fore. In particular, during the deliberations of the Bordoloi Committee of the Constituent Assembly and the wider discussions held in the Constituent Assembly on the Sixth Schedule, two or three distinct groups emerged, each holding different viewpoints. On the one hand, Shri Brijeshwar Prasad was of the view that, as far as administration was concerned, the Governor should not have any role and that the matter should be

looked into directly by the President. Those holding this view raised questions such as: *[English]* Is it right, is it safe, is it desirable and is it militarily in the interests of the Government of India? Is it politically advisable that the administration of such vast tract of land should be left in the hands of provincial government, especially in the province where there is no element of political stability? *[Translation]* They advocated that this authority should be vested directly in the President. I find this surprising, and that is why I have stated that, in view of the cultural interventions that have taken place there, particularly the infiltration that has occurred, they also expressed the apprehension that *[English]* I will not jeopardise the interests of India at the altar of tribals. The principle of self-determination has worked havoc in Europe. It has led to vivisection in India. *[Translation]* Reference was made up to the French Revolution, and it was asserted that governance or administration should not be entrusted to them. This emerged as one strand of opinion. On the other hand, Members from Assam, particularly Shri Kuladhar Chaliha and Shri Rohini Kumar Chaudhuri, expressed a different view. I would like to quote them. *[English]* Do you want an assimilation of the tribal and non-tribal people or do you want to keep them separate? If you want to keep them separate, they will never join with Tibet, they will join with Burma, they will never join with the rest of

India. You will take it from me. [*Translation*] This was stated by a Member from Assam, of which the region then formed a part. I am not raising this discussion to suggest that all of us must necessarily subscribe to one view or the other. I am referring to these deliberations only to underline that we must reflect upon the various dimensions debated in the Constituent Assembly and the considerations that shaped the final framework. Had we, while framing that structure, fully recognised those apprehensions and aligned the role of the Government accordingly, many of the problems that have since arisen in the North-Eastern region might not have emerged. That is precisely why I have cited these references.

There must certainly have been the concurrence of Shri Gopinath Bordoloi on this matter, and the Members associated with him stated that it should be placed within the Sixth Schedule. He was the Chairman of that Sub-Committee, and he was supported by Shri Nichols-Roy and other Members. Thus, after prolonged deliberations, Dr. B. R. Ambedkar also listened with considerable sympathy to the tribal representatives from Assam and entrusted them with the authority to decide. That is the purport of what I wish to convey. At the same time, the apprehensions that arose and the discussions that took place in the Constituent Assembly, in my view, warrant renewed consideration even today.

Dr. Ambedkar, in particular, had made an observation in response to Shri Chaliha, wherein he stated - *[English]* I think if Mr. Chaliha had only read carefully the workings of the Sixth Schedule, he would have seen that in appointing the commission, the governor is not going to act at his discretion. There is no discretion left to the governor. That being so, it is quite obvious that in constituting the commission and defining the terms of reference, the governor would be guided by the advice of the local ministers. I do not think, therefore, there need be fears such as the one that he has expressed. *[Translation]* I have only begun my submission. If all these dimensions are not permitted to be articulated while speaking on a Private Member's Bill, and if permission is not granted, then ... *(Interruptions)*

*[English]*

**HON. CHAIRPERSON:** Hon. Member, you have already stated many things, and still, you have many things to speak.

*[Translation]*

**SHRI SUNIL KUMAR SINGH:** Sir, I have only just begun. If we are not permitted to speak on all aspects of a Private Member's Bill, and if permission is not granted... *(Interruptions)*

**HON. CHAIRPERSON:** You have my permission, but there is a time constraint. That is the difficulty.

**SHRI SUNIL KUMAR SINGH:** Sir, I am raising these points because I wish to place on record the underlying spirit behind this constitutional amendment. I am certainly grateful to Shri Vincent Pala for bringing forward this amendment, as it has once again provided the country with an opportunity to reflect upon the issues of the North-Eastern region. Whether one agrees or disagrees with his proposed amendments, the sentiment he has articulated is significant. Today, the people of the North-East repose expectations in the Parliament of India. Those expectations must be addressed. It is in this very context that I have cited these references. In the same manner, if you so direct, I shall now speak briefly.

*[English]*

**HON. CHAIRPERSON:** I am not questioning what you speak. But there are other Members who want to speak.

**SHRI SUNIL KUMAR SINGH:** I have also been waiting for this opportunity for more than six months. *[Translation]* When the proposal relating to the Sixth Schedule was brought forward, provisions were already kept within the Sixth Schedule for its amendment. It was also clearly stated that amendments to the Sixth Schedule could be introduced in three different ways, whenever required. *[English]* (i) Constitution amendment by

following the procedure laid down under Article 368 of the Constitution; (ii) by ordinary parliamentary legislation as provided in paragraph 21 of the Sixth Schedule; (iii) by a notification issued by the governor under paragraph 1(3) of the Sixth Schedule resulting in an amendment to the table appended to paragraph 20 of the Sixth Schedule. *[Translation]* I am stating this because, if the Government so desires, there is no constitutional compulsion that amendments to the Sixth Schedule must necessarily be brought before Parliament through a constitutional amendment. The Government already has the authority in this regard. I would urge that the Government consider this matter from all perspectives. The Hon. Minister is present here and may take an appropriate decision. Such a decision is also necessary because the Sixth Schedule has already been amended several times. The first amendment was made in 1962 through the State of Nagaland Act, and thereafter it has been amended more than ten or eleven times. Through these amendments, it is evident that the provision for amendment was deliberately incorporated by the framers so that it could be used, whenever required, to make the Sixth Schedule more effective. Accordingly, after these multiple amendments, the National Commission to Review the Working of the Constitution was constituted in the year 2000, and its recommendations were brought forward. We should deliberate upon these provisions in

the light of those recommendations. Some issues were raised here earlier. One such contention was that Manipur and Nagaland have no association with India since the period of the Mahabharata and that they have no historical connection. Such a statement was made by an Hon. Member, though I do not wish to quote him. I would submit that social and cultural study is also essential, because there have been numerous figures of historical importance. In particular, I would like to mention Rani Gaidinliu, who made a significant contribution to India's freedom struggle. Along with this, I would also like to refer to several places which are renowned as centres of pilgrimage. This is the region of the North-East which today is viewed in fragmented parts, but which, in its essence, has always been an integral component of our civilisational and cultural continuum.

If we view India through the lens of the world as a single, unified entity, we must also speak of its civilisational continuum. In that context, reference must be made to the Kamakhya Temple, the Bhuvaneshwari Temple of Assam, the Bhilshwar Temple, Surya Pahar, Ashwakanta Temple, and Ugratara Temple. In Arunachal Pradesh, there is Parshuram Kund, the Tawang Monastery, the Akash Ganga Temple, and the Bomdila Monastery. In Tripura, there are the Unakoti Hill Temple and the Tripura Sundari Temple. In Manipur, there is the Shri Govindji

Temple, and in Sikkim, the Rumtek Monastery. When such discussions take place in Parliament and a learned Member rises to suggest that this part of India is separate from India's ancient culture, it causes deep anguish. As a society, we have chosen harmony as our social fibre. Social harmony emerges when each individual thread of social life is woven together to form a single fabric. If we attempt to separate these threads, we will all stand exposed. When the fabric is unravelled into loose strands, it can no longer serve as a covering. Therefore, when we deliberate upon India and express concern for the nation, we must also remain mindful of our cultural history. It is true that culture is often mistakenly equated with religion or modes of worship. When culture is reduced merely to religion or ritual practice, distortions inevitably arise. Our Government does not equate culture with religion or any particular form of worship. I say this in the sense that what is today socially understood as religion is different, whereas Indian thinkers have always viewed dharma as a broader concept, something that is to be imbibed and practised in one's life.

This year marks the birth centenary of Pandit Deendayal Upadhyaya, who had emphasised that while deliberating upon India and, in particular, while discussing the nation, we should not think in fragments. On this occasion, I would like to quote from

his work Integral Humanism: “The first characteristic of Indian culture is that it takes a comprehensive view of the whole of life. Its outlook is integral, that is, integrated. Thinking in fragments may be appropriate from a specialist’s point of view, but it is not suitable from a practical perspective. The principal problem of the West arises from viewing life in fragments and then attempting to patch them together. In contrast, we have discovered unity inherent in the diversity of life, and therefore there exists mutual harmony and complementarity. The unity of the seed manifests itself in the diverse forms of the trunk, branches, leaves, flowers, and fruits of a tree. Although there may be differences in colour, form, and even in certain qualities, the essential connection with the seed is easily recognisable.” It is in this spirit that this matter deserves consideration and reflection. In particular, the issues raised by Shri Vincent Pala merit attention. Whether the number of members is increased from 30 to 40, or even to 60, the critical question remains whether the system we have created functions in accordance with its intended framework. Shri Vincent Pala has referred to the constitution of the District Mineral Foundation Trust. The MMDR Act has been in force for a long time, and his concern pertains to the role and rights of those affected by mining activities. This is indeed an area that requires focused attention. Specific clauses have been laid down regarding the constitution of

the District Mineral Foundation Trust. These provisions must be studied carefully, and concerted efforts must be made at the district level to ensure effective implementation, so that the objectives for which these mechanisms were created are actually realised.

The question that now arises is regarding the role of Members of Parliament in this matter. Undoubtedly, the opinion of the Member of Parliament is sought, and a representative nominated by the Member of Parliament is also included. However, through this Amendment Bill introduced by Shri Vincent Pala, I would urge the Union Government to enhance the role of Members of Parliament in decision-making within the District Mineral Foundation Trust. Members of Parliament should be vested with final authority in this regard. I say this because I have observed in several States that the very spirit of the Trust is being diluted. The Union Government has constituted it as a Trust, but there are a number of State Governments, I would refrain from naming them, where the manner in which it is being run defeats its original intent. While the Union Government has created it as a Trust, and at the district and local levels it has been constituted with autonomy in decision-making, in practice, plans are being formulated at the State level and districts are merely asked to implement them. From this perspective, this issue deserves serious

consideration. I believe there are several such aspects which require attention in this context.

Sir, along with this, I would also like to submit that due to the British policy of divide and rule, no meaningful example of a comprehensive plan for the development of India's tribal communities is found either in the pre-Independence period or during colonial rule. Although one should refrain from making such remarks, I feel that its impact also continued to influence the leaders of independent India. Those who assumed the reins of the country in 1947 lacked a proper understanding of the nation's condition, direction, circumstances, and its people. They were educated in the British system, their clothes were washed abroad, and they did not even consider their own country worthy of such basic self-reliance. When policies framed with such a mindset guide governance, it becomes difficult to realise the true spirit of Swaraj for which the freedom struggle was fought. My colleague, Shri Vincent Pala, therefore faces considerable difficulty in raising these issues today. I have not named anyone, but I would like to take the name of Netaji Subhas Chandra Bose, who had first envisaged the concept of the Five-Year Plan, either at or before the Ramgarh Session of the Indian National Congress. Had successive Congress Governments followed those policies in earnest, I believe many of the present dilemmas would not have

arisen. Netaji Subhas Chandra Bose had articulated a detailed vision of the Five-Year Plan. Unfortunately, even his birth anniversary on 23 January is often forgotten by those who claim his legacy. I refer to this particularly because this amendment relates to the North-East. Before Independence in 1947, it was a great national hero who had liberated this region. Yet, even today, no significant programme, commemoration, or celebration of that liberation has been organised by our Governments. Another such region is the Andaman and Nicobar Islands, which were liberated even before India attained Independence in 1947, by the forces of Netaji. That is why I say that once this discussion begins, it inevitably extends far and wide. Even today, when we visit Kohima, we are required by protocol to pay homage at the memorials of soldiers who fought for the British during the Second World War. However, the brave soldiers of the Indian National Army who fought and laid down their lives have not been accorded similar recognition or honour by us.

No place was left where we could bow our heads in reverence to them. Governments with a dual character continued to function, and as a result, the generations that followed naturally absorbed what they witnessed in governance. The manner in which administration was conducted, the continuation of Macaulay's education system, and the reliance on an English-based framework

of governance inevitably created confusion in the minds of our youth. Therefore, I do not hold the people of the North-Eastern region responsible in any manner for the discontent or extremism that emerged there. I firmly believe that the policies of the Governments of that time were responsible for this situation. Those Governments failed to recognise the people living in the border areas as the nation's first line of defence.

*[English]*

**HON. CHAIRPERSON:** Hon. Members, please listen to me. The time has already been allotted for this particular Resolution. I was not the earliest person in the chair. Many hon. Members have already spoken, and the hon. Member who is speaking says that he wants to speak for some more time. I have told the hon. Members that the time has already been fixed.

**THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION (SHRI ARJUN RAM MEGHWAL):** Hon. Chairperson, Sir, the time can be extended.

**HON. CHAIRPERSON:** Other Members are sitting here and they also want to speak. They have requested me. Whenever this Resolution was admitted, the time was allotted by the House.

*[Translation]*

**SHRI SUNIL KUMAR SINGH:** Hon. Chairperson, Sir, I shall speak only for as long as you permit, because we believe that Private Members' Business is the time when Members are given an opportunity to express their views. If you do not grant permission, I shall take my seat.

*[English]*

**HON. CHAIRPERSON:** If the House agrees, I am ready to give more time for discussion.

**SEVERAL MEMBERS:** We agree.

*[Translation]*

**SHRI SUNIL KUMAR SINGH:** Hon. Chairperson, Sir, I shall take only a little more time. I would certainly like to place on record my appreciation that India's first Prime Minister, Pandit Jawaharlal Nehru, had propounded the theory of Tribal Panchsheel. Had successive governments adhered to that theory in letter and spirit, many of the dilemmas we face today would not have arisen. Recognising the special situation of the North-Eastern region, Pandit Jawaharlal Nehru articulated the Tribal Panchsheel.

I would like to quote it here. The first principle was that tribal people should be allowed to develop according to their own genius, and that there should be no attempt to impose anything on them or overwhelm them with external influences.

*[English]*

“People should develop along the lines of their own genius, and we should avoid imposing anything on them. We should try to encourage, in every way, their own traditional art and culture.”

*[Translation]*

He said this first thing, and if the then governments had complied with Nehru ji, today I think we would not have needed this amendment bill to adhere to our social stereotypes and cultural ethos. This was the first philosophy of Nehru ji's tribal Panchsheel. Another thing he said:

*[English]*

“Tribal rights in land and forest should be respected.”

*[Translation]*

Pandit Jawaharlal Nehru had articulated this second principle. We are all aware that even today, in various parts of the country, including Sixth Schedule areas, forest-dwelling communities continue to struggle for their rights. I come from a region where

an entire district of my Lok Sabha constituency, Latehar, falls under the Fifth Schedule, and even today our forest-dwelling brethren are compelled to fight for their rights over forests. However, I would like to acknowledge that the present Union Government has taken a very significant decision in this regard, one which can be described as having a multi-dimensional impact on the North-Eastern region. I am surprised as to why earlier governments failed to recognise this issue. In the current Session itself, an amendment has been made to the Indian Forest Act. Through this amendment, bamboo has been removed from the category of 'tree' and placed in the category of 'grass'. Botanically, bamboo, which we also call vambo, belongs to the grass family, yet a rule framed by the British in 1927 compelled us to carry this colonial burden for nearly seventy years. By making this single correction, it is now estimated that a bamboo-based economy of at least Rs. 5,000 crore will emerge in the North-Eastern region in the coming years, while simultaneously restoring rights over bamboo to farmers and forest-dwelling communities there.

Not only in the North-Eastern region, but even in backward districts like the one from which I come, I can foresee the kind of economic progress that will take place solely through bamboo cultivation. Had the earlier governments also accepted and

implemented the second principle of Pandit Jawaharlal Nehru's Tribal Panchsheel, such progress would have begun much earlier. Thereafter, Pandit Nehru laid down the third principle:

*[English]*

“We should try to train and build up a team of their own people to do work on administration and development. Some technical persons from our side will no doubt be needed, especially in the beginning, but we should avoid introducing too many outsiders in the tribal territory.”

*[Translation]*

After Independence in 1947, the manner in which successive governments functioned did not reflect adequate trust in the talent and capabilities of the people of the North-Eastern region. For the first time, under the leadership of Hon. Prime Minister Shri Narendra Modi, a separate institutional mechanism has been created with a focused mandate for the North-East, and special attention has been paid to nurturing and strengthening leadership emerging from that region. Further, more than 125 backward districts across the country were identified, and under the aegis of NITI Aayog, senior officers serving in different parts of the Union Government were each assigned one such district. They were tasked with working in teams and initiating indigenous, ground-

level processes of development, keeping in view clearly defined long-term goals, so that sustainable progress could be achieved. In this sense, the third principle articulated by Pandit Jawaharlal Nehru is being actively followed today. I wish to convey this particularly to Shri Vincent Pala. Likewise, the fourth principle laid down by Pandit Nehru, which also contains several constructive and forward-looking ideas, has been consciously adopted and implemented by the present Government in letter and spirit.

*[English]*

“We should never over-administer this area or overwhelm them with a multiplicity of schemes. We should rather work through and not in rivalry to their social and cultural institutions.”

*[Translation]*

We have done exactly the opposite. We put in place arrangements that ran contrary to the local customs, systems, laws and traditions of the region. It may be said that North-Eastern Hill University is a good university, and that Manipur is also developing. However, we did not establish sufficiently good universities there, so that the youth emerging from the region could take charge of the reins of the nation. Whatever has been achieved is largely due to the hard

work of a few individuals. For instance, Kiren Rijiju, who is present here, and others like him, have come forward through sustained personal effort. In addition, there have been several Chief Ministers, examples of whom were also cited by Shri Ravindra Rai, and initiatives such as programmes run by the Akhil Bharatiya Vidyarthi Parishad, including one known as *Shil...*  
*(Interruptions)*

*[English]*

**SHRI VINCENT H. PALA (SHILLONG):** General V.K. Singh was there for more than 30 years. ...*(Interruptions)*

*[Translation]*

**SHRI SUNIL KUMAR SINGH:** The experience of the General is proving useful to us today, and it is for this reason that, after taking the General's advice, we have given special attention to the North-East. We are moving forward in that direction. He then went on to state the fifth point-

*[English]*

“Results should be judged not by statistics or the amount of money spent but by the human character that is evolved.”

*[Translation]*

Today, we entangle the country in a web of statistics. Statistics do not speak the truth. If we place the other side of the statistics before us, it presents a frightening picture. At the time of Independence, the population living below the poverty line was not as large as it is today; over the 67 years of governance, previous governments have left behind a population larger than that, which is living below the poverty line. We may show growth in percentage terms according to numbers, but the reality is different. This challenge has been acknowledged by the Hon. Prime Minister of the country: that even after 67 years of Independence, no government fixed a national benchmark for the poverty line. In such a situation, how could we determine and plan the development of the earlier neglected regions of the country? That is why I quoted the Tribal Panchsheel theory propounded by the revered Pandit Nehru, because our friends seem to have forgotten it. They remember only the criticism that Nehru ji's clothes were washed abroad and that he travelled overseas, but they forget the good principles he articulated. Along with this, earlier governments had constituted the Balwant Rai Mehta

Committee for the improvement of the North-East. The first recommendation of the Balwant Rai Mehta Committee was-

*[English]*

“Like other blocks, the budget for development work in tribal areas should be for six years.”

*[Translation]*

We linked the process of governments being formed and falling with the Budget. We decided that allocations to a region would be made only in proportion to the tenure for which we were elected, leaving the future unconcerned. Had we been clear about long-term goals for the North-East, I do not think Shri Pala would have needed to bring forward this amendment. We do not disagree with his amendment; it is, in fact, necessary. You certainly deserve congratulations for drawing the nation's attention to the North-East through this amendment, because the North-East is in need, and for the first time our Government is doing something concrete for it. We have created a separate directorate for DONER. We have consistently worked on road connectivity, water connectivity, power connectivity, air connectivity, Digital India connectivity, in short, every possible form of connectivity, to integrate the North-East with the rest of India. I have spoken of the dream of Asian Highway Number One, which will run from

Japan through the North-East, traverse the length of India, and extend up to Turkey. The Hon. Prime Minister has spoken of the journey from ‘Sankalp to Siddhi’, and we shall undertake that journey by 2022. In that spirit, we have recognised the challenge of the North-East. Previous governments sowed the seeds of discord in the North-East to reap electoral gains. We are not traders in the seeds of discord. We do not wish to sow a harvest of hatred. When we speak of, and strive for, a harmonious India, a strong India, a capable India, and a prosperous India, there can be no part of India excluded from that vision, whether it is Arunachal Pradesh, Kanyakumari, Ladakh, or any region of the North-East, whether Assam or elsewhere. When we speak of India, we speak from the Himalayas down to the seas. Unless India develops in this comprehensive manner, the Balwant Rai Mehta Committee’s report, which was meant precisely for the improvement of the North-East and the betterment of Sixth Schedule areas, will remain unimplemented, as it has in the past. The Committee further stated -

*[English]*

“The right type of personnel with sympathy and understanding of tribal people should be selected, preferably local people.”

**18.00 hrs**

*[Translation]*

Both Shri Nehru's Panchsheel and the Balwant Rai Mehta Committee accepted certain fundamental principles. However, votes were taken repeatedly with assurances that poverty would be eradicated and the country would be taken forward. For the sake of votes, concern was shown, but even after 60 years of rule by previous governments, the need to place administration in the hands of local people was neither felt nor seriously considered, nor was any meaningful thought given in that direction. Therefore, even the principles articulated by Shri Nehru and the recommendations of the Balwant Rai Mehta Committee were not implemented by the governments of that time, particularly by the Congress governments which remained in power in the North-East for long periods. Had they followed those principles and recommendations, the situation would have been very different.

*[English]*

**HON. SPEAKER:** Hon. Member, you may continue your speech next time.

The House stands adjourned to meet on Tuesday, the 2<sup>nd</sup> January, 2018 at 11.00 am.

**18.01 hrs**

*The Lok Sabha then adjourned till Eleven of the  
Clock on Tuesday, January 2, 2018/Pausha 12, 1939  
(Saka).*

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