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Thursday, December 17, 2015

Agrahayana 26, 1937 (Saka)

LOK SABHA DEBATES

(English Version)

Sixth Session

(Sixteenth Lok Sabha)



(Vol. XIV Contains Nos 11 to 20)

LOK SABHA SECRETARIAT

NEW DELHI

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THE DEPUTY SPEAKER

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LOK SABHA DEBATES

LOK SABHA

Thursday, December 17, 2015/Agrahayana 26, 1937 (Saka)

The Lok Sabha met at Eleven of the Clock

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

FELICITATION BY THE SPEAKER

Successful launch of PSLV-C29 from Sriharikota, Andhra Pradesh on 16 December, 2015

[English]

HON. SPEAKER: Hon. Members, as you are aware, our country has successfully launched six Singapore satellites and put them into orbit through Polar Satellite Launch Vehicles (PSLV-C29) from Sriharikota, Andhra Pradesh on the 16th December, 2015. This is the first time that our country tested a multiple burn fuel rocket engine.

We are extremely proud of this accomplishment by our space scientists.

The House conveys its congratulations to the Scientists and Technologists of the Indian Space Research Organisation and wishes them success in all their future endeavours. ... (*Interruptions*)

HON. SPEAKER: Hon. Members, I have received notices of Adjournment Motion from Dr. A. Sampath, Shri P.V. Midhun Reddy, Shri Ravneet Singh, Dr. M. Veerappa Moily, Shri Mallikarjun Kharge, Shri Jyotiraditya Scindia, Shri K.C. Venugopal, Shri Bhagwant Mann, Prof. Saugata Roy, Shri Sudip Bandyopadhyay, Shri P. Karunakaran, Shri Dushyant Chautala and Shri N.K. Premachandran on different issues.

Some issues have already been raised.

... (*Interruptions*)

HON. SPEAKER: The matters though important enough do not warrant interruption of the Business of the day. The matters can be raised – and I will allow you – through other opportunities.

... (*Interruptions*)

HON. SPEAKER: I have therefore disallowed all the notices of Adjournment Motion.

... (*Interruptions*)

[Translation]

HON. SPEAKER: Not now, we will listen to you later.

... (*Interruptions*)

11.03 hours***ORAL ANSWERS TO QUESTIONS**

[English]

HON. SPEAKER: Q. 261 – Shri Konda Vishweshwar Reddy

(Q.261)

SHRI KONDA VISHWESHWAR REDDY: Madam Speaker, the metric for evaluating a solar power plant is not megawatt but how many units of electricity it is producing. ... (*Interruptions*)

[Translation]

HON. SPEAKER: I won't hear anything right now, I will listen at 12.

... (*Interruptions*)

[English]

SHRI KONDA VISHWESHWAR REDDY: In the answer to my Question, the Minister has replied that according to the National Solar Mission projects, when they studied the plant load factor it was 16.28 per cent to 21 per cent. ... (*Interruptions*)

THE MINISTER OF URBAN DEVELOPMENT, MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): We can discuss it after the Question Hour. ...
(Interruptions)

HON. SPEAKER: What is it?

SHRI M. VENKAIAH NAIDU: After the Question Hour, we can discuss the hike in excise duty on petrol and diesel. The Government will be ready to respond to the queries by the Members after the Question Hour once the Chair admits. ... *(Interruptions)* If the Chair desires, after the Question Hour, if the Chair admits, we have no problem with regard to petroleum prices to be discussed in the House. ... *(Interruptions)*

HON. SPEAKER: I am not working on your problem or their problem. I have to run the House. It is not a matter of your problem or their problem but the problem is with regard to running the House. They cannot take assurance from me. I have said that I will allow them afterwards at some other time. It does not mean, I will allow them to speak at 12.00 or 12.05 p.m. Nobody can suggest like this. [Translation] I am giving you a chance to speak every day, it has never happened that I have not given it. From my side, I am giving everyone their rights.

[English] Yes, you can ask your supplementary. It is not like that.

[Translation] Assurances are not given. I am not the Chairperson of the Assurance Committee.

[English]

SHRI KONDA VISHWESHWAR REDDY: Madam, Speaker, in the Ministry's answer he has given that the Plant Load Factor, according to a study by the Government, ranges from 16.28 per cent to 21.75 per cent. ... (*Interruptions*)

[Translation]

HON. SPEAKER: Kharge Ji, you please sit down. This matter has now come up, and I request all of you to understand that despite my repeated appeals, you continue to create disruption for an entire hour each day. I have said this before and I reiterate that I give you the opportunity to raise your issues during Zero Hour. Even while responding to the notices you submit, I suggest alternative ways for you to raise your concerns. This has never happened before. You are all witnesses to the fact that whether it is during Zero Hour or on other occasions, I have consistently provided you the opportunity to speak on adjournment motions. Some members even submit notices for adjournment motions simply so that they may be allowed to speak on the matter during Zero

Hour. I am sorry to say this. You should also reflect on your conduct. I am not making any personal comment. You must examine your own actions. Even then, I provide opportunities to speak. But as I have said earlier, please do not display placards. Yet you continue to do so. I have repeatedly asked you to not enter the Well, and yet you do so every day. These rules have not been made by me. They were framed collectively by all of you. However, to cause daily disruption in the Well for an hour and then expect to raise matters afterwards, [English] this is not the way. Do not take it like that. I am not saying 'no' to anybody. I am allowing you also to speak. [Translation] This has never happened. I had given an opportunity to Shrimati Teacher Ji yesterday also to raise the same topic about which you or any other colleague has given notice today. [English] It is not like that. Sudip Bandyopadhyay ji, I gave you a chance yesterday also. Do I have to express like this? [English] Please do not do that. [Translation] That is why I say that I will allow, but by 12 o'clock or five minutes past 12 o'clock, I cannot assure like that.

[English]

SHRI KONDA VISHWESHWAR REDDY: Madam, in the Ministry's answer the Minister has answered that the Plant Load Factor in their study ranges from 16.28 per cent to 21.75 per cent. ...
(Interruptions)

[Translation]

HON. SPEAKER: This petrol issue has been raised before as well, yet I will give a chance.

... (*Interruptions*)

[English]

SHRI KONDA VISHWESHWAR REDDY: Actually, this is very-very good. It compares with international standards of PLF for solar PP but India is inherently suitable, the weather and the temperature, and it is highly doubtful these figures are true. ... (*Interruptions*)

[Translation]

HON. SPEAKER: Hon. Member is asking question, do not disturb him.

... (*Interruptions*)

11.08 hours

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

... (*Interruptions*)

[English]

SHRI KONDA VISHWESHWAR REDDY: Even the industry bodies and the foreign consulting companies gave similar projection for Plant Load Factor. But when independent research organizations, like the Indian Institute of Science, did the Plant Load Factor, it was only between 11 and 15 per cent which makes solar PP not very viable because of various reasons relating to dust. The temperature of solar panels reduces the efficiency of solar panel. If I am a consumer, if I tamper the meter I pay less bill but if I am a producer and I tamper, I end up getting more money from the grid. Spain and Europe have seen such scams where they were artificially producing more solar power. In fact, investigations reveal that even they produce solar energy in the middle of night, supplied and got money. So, my question is what steps the Ministry is taking to prevent such fraud in solar power and to ensure an independent body studies the Plant Load Factor.

SHRI PIYUSH GOYAL: Madam, Speaker, I am very grateful to the hon. Member for talking about that we have to look at the units produced and not MW. This Government has gone even beyond that. This Government has brought in a completely transparent reverse bidding process by which all the powers that the companies purchase or Discoms purchase will be through a transparent process. I am

delighted to inform the Members through you that in the most recent auctions that we have had, solar power has come down to as low as Rs.4.63 per unit.

Madam Speaker, they are not small companies. They are international companies of repute. Soft Bank whose subsidiary SBG has got this order in the last tender is a world renowned 20 billion dollar Company. This Company is looking to invest Rs.60,000 crore in India. ... (*Interruptions*)

Similarly, for domestic content requirement this year, only day before yesterday, the bidding took place and it went on till 4 o'clock through the night. Through that process, a price of Rs. 5.12 through domestic made in India product has been discovered. ... (*Interruptions*) So I do not think there is any scope for manipulation. The States are very conscious and they do control the units of energy that are fed into the grid through proper and smart meters. But having taken the hon. Member's suggestions, we will further examine how we can better it... (*Interruptions*)

SHRI KONDA VISHWESHWAR REDDY: Madam Speaker, the second question I have is that solar is primarily made in Germany and China as also other countries. ... (*Interruptions*) Why are they not made in India and renewables being promoted? It is because the amount of

subsidy for biogas based electricity for the entire country is just Rs.10 crore. I was shocked to find it but thousands of crores of rupees of solar subsidies are given to other made in Germany and China. ... *(Interruptions)*. ... *So, I think the foreign exchange is not being utilized well by promoting made in Germany and China renewables instead of made in India renewables... *(Interruptions)*.

SHRI PIYUSH GOYAL: Madam Speaker, at the outset, I would like to urge the hon. Member to refrain from quoting very derogatory Australian cartoons. I would urge you, Madam, to consider expunging that portion of his comments because it is not in good taste. ... *(Interruptions)* Cartoons made by foreign newspapers showing India in poor light are certainly not acceptable to any hon. Member of this House. So I would like you to kindly consider whether that should remain on record. ... *(Interruptions)*

As regards made in India programme, I think this Government is the first Government in the history which has taken the Made in India and Make in India programme to great heights. ... *(Interruptions)* The very fact that the domestic content requirement tenders are being taken out with such sincerity and continuously with high periodicity,

* Not recorded.

demonstrate our commitment to encourage domestically made products. ... (*Interruptions*)

As I said earlier, the prices have come down. Today, I was informed that the price of our latest procurement of domestic product has come down to Rs.5.65 crore per megawatt for the capital equipment including five years maintenance cost. That means the prices have come down of domestic product by nearly Rs.1.5 crore in the last one and a half years. So, this Government is encouraging domestic manufacturing and will continue to encourage it. ... (*Interruptions*)

As regards biogas, he made a comment that only Rs.10 crore is provided. I have said this in earlier questions that biogas plants which are individual plants are not found viable. We are looking at places and *gaushalas* where there are a large number of bovine animals where we can set up biogas plants. But this Government stands committed to providing any amount of money required to encourage biogas further. ... (*Interruptions*)

HON. SPEAKER: Shri Kudikunil Suresh – not asking.

... (*Interruptions*)

DR. PRITAM GOPINATH MUNDE: Madam, I thank you very much for giving me this opportunity to ask a very important question.

[Translation]

I want to ask the Hon. Minister that we all are aware of the drought situation in Maharashtra. Among the many problems faced by farmers today, the biggest one is the problem of electricity bills. The Maharashtra Government is providing solar pumps to the farmers, but in the coming time, does the Union Government propose to give any subsidy for solar plants to promote industrialisation and to generate employment in Maharashtra, not only on agriculture? Tax exemption on solar plants is definitely on solar plants, but that will happen after plant erection. Is the Union Government making any provision to provide any subsidy so that more and more people are attracted to erect the plant?

SHRI PIYUSH GOYAL: Madam, the Hon. Member has drawn attention to a very important matter. First of all, I would like to congratulate the Chief Minister and the Government of Maharashtra that after assessing the drought situation, they have announced a package of about ten thousand crore rupees yesterday or day before. In which a provision has also been made to waive the electricity bills of the areas which are in severe condition due to drought, where the farmers have problems. At the same time, farmers at large should get electricity connections at affordable rates and at many places they

should get free solar pumps and agricultural pumps, for this I take the suggestions of the Hon. Member very seriously that we should provide more quantity of electricity there. Provide solar pumps. But it is heartening to note that the Maharashtra Government has initiated talks with Energy Efficiency Services Limited (EESL), a Government of India company that is also distributing LED bulbs on a large scale across the country, on how to replace pumps of about five lakh farmers free of cost. By replacing them, energy efficient pumps should be installed, due to which farmers will get adequate amount of water and electricity consumption will also reduce. As far as increasing industrialisation to increase employment in Maharashtra is concerned, I am very happy to tell the House that the Union Government is going to make a scheme in which farmers, unemployed youth, women, Dalits, Scheduled Castes and Scheduled Tribes who have been lagging behind for many years and to whom the Governments have not done justice even after 68 years of independence, the Union Government would provide equity support to all of them so that they can generate their own employment by installing small micro grids.

[English]

DR. J. JAYAVARDHAN: Hon. Madam Speaker, thank you for giving me this opportunity.

India lies in the high solar insolation region endowed with huge solar energy potential. To utilize this potential, the Ministry of New and Renewable Energy is giving incentive of Rs. 20 lakh per Mega Watt (MW) for ultra mega solar parks with at least 500 MW capacity. For creating 1 MW capacity solar park, five acres of land is required. So, for an ultra mega solar park of 500 MW capacity 2500 acres of barren land is required. In a State like Tamil Nadu which has its length and breadth covered with agricultural land, finding such a large tract of contiguous barren land with appropriate insolation levels is very difficult. Hence, the financial incentive given to ultra mega power plants should be extended to small and medium solar parks of 1 MW to 10 MW capacity. Further, development of smaller parks has many advantages over ultra mega solar parks in terms of transmission capacity utilization and effective absorption of generated power. This was clearly highlighted in the Memorandum submitted by our hon. Chief Minister of Tamil Nadu Puratchi Thalaivi Amma to the hon. Prime Minister. I would like to know the stand of the Union Government with regard to developing small and medium solar power parks.

SHRI PIYUSH GOYAL: Madam Speaker, I am grateful to the hon. Member for highlighting that India is a high solar insolation country. In

fact, recognizing the great potential of solar energy, this Government in the Budget on 20th February, 2015 scaled up India's energy ambition through solar energy from 20000 MW by 2022 to one lakh MW which is a growth of five times over the Mission, but actually it is a growth of 35 times over the solar energy as on that day. India had only 3.5 MW and we plan to make it 100 Giga Watt in seven years which is today the world's largest solar programme anywhere in the world.

Madam, I am also happy to report to the House, through you, that in Paris on 30th of November, 2015, hon. Prime Minister, Shri Narendra Modi and hon. President of France together launched the International Solar Alliance which is a unique organization which consists of all the countries which lies between the Tropic of Capricorn and the Tropic of Cancer. There are 121 countries which have very high solar radiation. This body is going to take solar energy to the nook and corner of the world. India and Shri Modi, are providing leadership in that.

As far as the subsidy of Rs. 20 lakhs for Solar Parks is concerned, I appreciate the concern of the hon. Member. Hon. Chief Minister of Tamil Nadu, Amma, has also raised this issue. We shall be happy to allow Tamil Nadu to have smaller Solar Parks if the Government of Tamil Nadu comes up with a proposal. Looking at the great enthusiastic response from various States, the Union Government is considering

approval of additional batch of Solar Parks. If Tamil Nadu comes up with a proposal, even if it is not of 500 megawatts but smaller ones, the Union Government is prepared to consider that.

SHRI MUTHAMSETTI SRINIVASA RAO (AVANTHI): Madam Speaker, a photovoltaic power station is also known as a solar park and is a large scale photovoltaic system designed for the supply of merchant power into the electricity grid. The proposition is good and more relevant in the wake of climate change affecting the globe including India where we are facing unprecedented floods and drought and affecting agriculture production. No doubt, it is a green energy. Solar Parks should be concentrated in rural areas and semi urban areas where power supply is erratic.

May I know from the hon. Minister whether he has received any proposal from the Government of Andhra Pradesh to set up Solar Parks in the newly formed State as there is abundant sunshine? If so, what is the fund earmarked for that State for the development of Solar Parks?

I also thank the hon. Minister for including our State for getting power for 24x7. I expect an answer from the hon. Minister regarding setting up of Solar Parks.

SHRI PIYUSH GOYAL: Madam Speaker, I am glad to inform the hon. House through you and the Member will be delighted to know that Andhra Pradesh is taking a leadership role when it comes to developing solar energy. In fact, when we introduced the scheme of Solar Parks, the first three Parks that we received were from the State of Andhra Pradesh. We have already approved three Parks in the State of Andhra Pradesh. One Park is of 1500 MW called Anantapur Solar Park. It is in the land identified at NP Kunta of Anantapur and Galliveedu of Cuddapah district. The second Solar Park is called Kurnool Solar Park which is of 1000 MW. That is in the Kurnool District and the third Solar Park is the Cuddapah Solar Park in the Galliveedu Madal, Cuddapah District. So, 3500 MW is the largest quantity of Solar Park which we have approved in any State of the country. I compliment the Government of Andhra Pradesh for its leadership.

In fact, I am also delighted to inform the House through you that five States have introduced solar power in a big way. By coincidence, all the five States are BJP and NDA-ruled States. The largest amount of solar generating capacity today is in Rajasthan which has 1256 MW. The second largest one is Gujarat which has 1024 MW. The third largest is Madhya Pradesh which has 678 MW. The fourth largest is

Maharashtra which has 378 MW and right now, the fifth largest is Andhra Pradesh with 253 MW.

I am also delighted that all these States are pursuing solar energy with great vigour. I am confident that India will become the solar capital of the world in the years to come.

(Q. 262)

[English]

SHRIMATI KOTHAPALLI GEETHA: Madam Speaker, I would thank you for giving me this opportunity. One of the oldest legal systems in the world today is the Indian Judicial System in which all Indians take pride. But the present system of functioning of the judiciary in India has lost its relevance and is facing crucial inherent problems such as corruption, huge backlog of pendency of cases, lack of transparency, hardships of the under-trials and also complete isolation from society. Today, there are as many as 2.68 crore cases that are pending at different levels in the country, out of which 58,000 cases are pending in the Supreme Court of India as per the Statement given by the hon. Minister. ... (*Interruptions*) It has always been loudly discussed to increase the number of judges, to create more courts and speedy disposal but implementation is always late or inadequate. ... (*Interruptions*)

As we are all well aware, justice delayed is justice denied. So, at this point, every common citizen of India today looks upon the judiciary for his relief, as the custodian of his fundamental rights. ... (*Interruptions*) So, I would like to know from the hon Minister, through you, Madam, whether the Government is planning any measures for the

clearance of the pendency of cases, for the speedy disposal of cases as well as fixing accountability and time-frame and also for the appointment of more judges in the relevant courts.

SHRI D.V. SADANANDA GOWDA: Madam Speaker, this Government has taken several initiatives to bring down the pendency of cases in the country. After this Government came into power, we have taken several new legislative measures to see that all these cases are disposed of at the earliest. ... (*Interruptions*) Of course, I do concede that there is a huge pendency of cases in this country. Since the last two years, the pendencies are on the decline. I can give the statistics. Of course, the percentage of decline is not up to the expectations of the people. ... (*Interruptions*) But I will give the statistics.

The pendency in the Supreme Court as on 31.12.2012 was to the extent of 66,692 cases. But, as on 30.11.2015, it has come down to 58,879 cases. Of course, it is a very less percentage but it is on the decline. Even in the High Courts also, it has come down from 44.34 lakh in 2012 to 41.53 lakh as on 31.12.2014. Even in the Subordinate Courts also, it has considerably come down. But we have taken several initiatives to see that the pendency comes down. ... (*Interruptions*)

Madam, we have adopted three different strategies as far as this matter is concerned. One, we have already initiated steps to repeal the

redundant clauses. All the obsolete clauses and redundant clauses are taken away from this so that the confusion is brought down. Nearly, 1741 Acts have been identified. We have already removed about 1200 redundant Acts. Amendment to Acts are generating a large number of cases to be settled out of court to avoid proliferation of cases. So many cases can be taken out of the court. That will certainly help. This is the initiative taken by the Government. Amendment to Arbitration and Conciliation Act is one of the main steps we have taken where so many cases can be taken out of the court and settled outright. So, that will certainly help in the reduction of cases. Similarly, the Bill to amend the Negotiable Instruments Act was tabled and it had been passed. It will certainly give a big relief as far as reduction of cases are concerned. I will specially cite the Motor Vehicles Act. There is a proposal to bring the Comprehensive Road Safety Bill because of which the challan cases will come down. So, this Government has taken several initiatives to see that the pendency of cases is reduced. We have already taken initiative to see that some time-bound disposal of cases is done. We are recommending so many things. I have already given a project to the National Law School to see what changes are needed in the legal framework like CPC, Cr.P.C., the Evidence Act, etc. so that we can speed up the disposal of cases. Similarly, at the policy level changes are

needed. Administrative changes are needed. Once these recommendations come to us, certainly this Government will take some more initiatives to see the pendency is reduced. Of course, I do concede that the vacancies of judges in various courts are very huge, especially in the High Courts, more than 400 vacancies are there. In subordinate courts, nearly 5,000 vacancies are there. Of course, the appointment of judges to the Subordinate Courts is the responsibility of the State Governments with the consultation of the High Courts. So we have already requested the Chief Ministers and the Chief Justices of all the High Courts in the meeting held in April to speed up the appointment process so that these vacancies can be filled.

As far as appointment of High Court Judges is concerned, yesterday the Supreme Court has come out with a direction that the Memorandum of Procedure has to be drafted by the Ministry of Law and Justice after due consultation with the High Courts and State Governments. So we are working on it. Certainly, there is no delay on the part of the Government as regards taking new initiatives either for reducing the pendency of cases or filling up of the vacancies of judges to various courts.

SHRIMATI KOTHAPALLI GEETHA: Madam Speaker, I thank the hon. Minister for his elaborate reply. But the pendency of cases has

come down by a very small percentage. Still, a large number of cases are pending. We also know that the need of the hour is to introduce reforms in the Judiciary so as to address the defects in the system and also provide justice. Then, in the functioning of the Judiciary, substantial issues like quality of justice that is provided and accountability are also not specified. In view of the immediate need to restructure the functioning of the Judiciary to make it answerable to the needs of the democratic and progressive society, I would like to know from the hon. Minister, through you, whether the Government is moving forward to restructure the Judiciary to make it more transparent and accountable and also to make it fairer.

SHRI D.V. SADANANDA GOWDA: Madam Speaker, of course, it is the need of the hour that the Judiciary should be made more transparent and more accountable. The Government has already taken several initiatives in this direction. As far as judges are concerned, they have been properly trained in various aspects in the Judicial Academy at Bhopal which gives more and more training to the judges. Similarly, several legislations have been brought before the Parliament which has certainly given a boost to this. Of course, the Judicial Transparency and Accountability Bill had lapsed earlier. We are working on it. We will look into the matter after taking suggestions from various stakeholders.

SHRI PRALHAD JOSHI: Madam Speaker, as explained by the hon. Minister, the pendency of cases has reduced, but it is very marginal. In most of the advanced countries like France, USA etc., there is no provision for vacation for the courts. The judges in this country can take leave according to their convenience without affecting the smooth functioning of the courts. Then, there are so many vacations for the Supreme Court, High Courts and Subordinate Courts and now-a-days there are strikes by lawyers which result in closure of courts. The Justice Malimath Committee which was set up by the Union Government for reforms in the Criminal Justice System has recommended three weeks increase in the annual working days of the Supreme Court and High Courts. So far it has not been implemented. Though the hon. Minister has initiated many reforms under the leadership of Modi Ji, I would like to know from the hon. Minister, through you, whether he is going to increase the number of working days for the Supreme Court, High Courts and Subordinate Courts and also abolish the system of vacation to courts which has come to us from the colonial days.

SHRI D.V. SADANANDA GOWDA: Madam Speaker, the suggestion is well taken. But we can come to a conclusion on this only after discussions with the Chief Justice of the Supreme Court of India and Chief Justices of all the High Courts. Then, the State Governments

should also be taken on board. So, a wider consultation is required on this matter. Certainly, the suggestion of the Member is well taken.

The second issue he has raised is with regard to the Advocates. Of course, it is the Bar Council of India which is looking after all these aspects. The Advocates Act, 1961 gives the clear mandate to the Bar Council of India as well as the Bar Council of the States to look into the matter. ... (*Interruptions*)

DR. A. SAMPATH: Thank you, Madam Speaker. Madam Speaker, I would like to say a word of thanks to the hon. Minister for giving a proper reply to the question raised by the hon. Member Shrimati Geetha Ji. ... (*Interruptions*) It has been put to the notice of this House and, through you, this House has put to the notice of the Government of India that Judiciary lacks accountability, transparency and scrutiny also.... (*Interruptions*)

I would like to invite your attention to the answer given by the hon. Minister Shri Sadananda Gowda Ji. In the Annexure, in Paragraph 3, regarding the pendency in District and subordinate courts, the number of cases which are pending as on 31st December, 2014 is 2.64 crore. ... (*Interruptions*) Approximately, it is equivalent to the total population of my State. It is almost equivalent to the population of the State of Kerala. During the last two years, there has not been much decrease in

the pendency of cases. The Minister admits that... (*Interruptions*) There are more than 5000 vacancies to be filled up in the lower and subordinate courts. It is not with the National Judicial Appointment Commission. ... (*Interruptions*) Unless and until the vacancies lying in the subordinate courts are filled up, the pendency of cases cannot decrease. ... (*Interruptions*)

So, my humble question to the hon. Minister, through you, is this. What measures the Government is intending to take for the immediate appointment of, for the filling up of all the lower court vacancies in the subordinate courts for the speedy disposal of trial cases? ... (*Interruptions*) Thank you, Madam.

HON. SPEAKER: Already, I think, he has replied.

... (*Interruptions*)

SHRI D.V. SADANANDA GOWDA: Madam Speaker, I made it very clear that the appointment of judges in the subordinate courts is the responsibility of the State Governments and the High Courts concerned. ... (*Interruptions*) I had a meeting with the Chief Justices of various High Courts and the Chief Ministers of various States wherein this was elaborately discussed. ... (*Interruptions*) A request has been made to the Chief Justices of the High Courts as well as the Chief Ministers to

fill up the vacancies as early as possible. ... (*Interruptions*) Especially in certain States, the Public Service Commissions will fill up the vacancies. In some other States, the High Courts will hold some examinations and they will fill up the posts. ... (*Interruptions*) Primarily it is their responsibility but we will motivate and we will request the various State Governments and the Chief Justices of the High Courts to fill up the vacancies. ... (*Interruptions*)

SHRI P.P. CHAUDHARY: Thank you, Madam. The reply of the hon. Law Minister is very exhaustive and it is commendable that some legislative initiative regarding amendment of the Negotiable Instruments Act, the Arbitration Act and establishment of the commercial courts has been taken. ... (*Interruptions*) My request to the hon. Minister is that three provisions of the Constitution were never invoked which can redress the problem of pendency of cases. One is regarding Articles 124,128 and another is regarding Article 224 A which provide for appointment of the retired Judges in the High Courts and the Supreme Court. ... (*Interruptions*) So, I would like to know whether the Government is proposing to make a request to the Supreme Court and the respective High Courts for their appointment till the time the regular appointments are made to clear the arrears of cases in the Supreme Court and the High Courts. ... (*Interruptions*) These Articles

provide that the Chief Justice of India and the Chief Justice of the High Court, with the previous consent of the President of India, can appoint the retired judges in the sittings of the Supreme Court and the High Court. ... (*Interruptions*) Apart from this, Article 312 provides for creation of the All India Judicial Services. ... (*Interruptions*) The hon. Law Minister has stated that the appointment of the subordinate judiciary is within the domain of the State Government. But, creation of the All India Judicial Services is within the domain of the Parliament. ... (*Interruptions*) So, is there any proposal to create the All India Judicial Services? Is there any proposal with the Government to request the Chief Justice of India and the Chief Justice of the High Court to take the services of the retired Judges? ... (*Interruptions*) Thank you very much. ... (*Interruptions*)

SHRI D.V. SADANANDA GOWDA: As far as the appointment of Supreme Court Judges and High Court Judges is concerned, yesterday the Supreme Court has come up with a judgment wherein the Ministry of Law and Justice is directed to consult the Chief Justices of the High Courts and the States and draft a Memorandum of Procedure for the appointment of Judges. ... (*Interruptions*) We will go through the judgment of the Supreme Court and take suitable steps. ... (*Interruptions*)

My friend has asked a question with regard to the appointment of the retired judges. ... (*Interruptions*) It can be done only on the recommendations of the CJI. We will certainly explore the possibility for this. ... (*Interruptions*) Only after due consultation and coming to a conclusion as to what needs to be incorporated in the Memorandum of Procedure, we will take up this issue further. ... (*Interruptions*)

SHRI ANIL SHIROLE: Has the Government considered setting up of fast track courts by giving the litigants the choice to expedite their cases by paying suitably high, court fees something like “Tatkal Reservation in Railways?” ... (*Interruptions*)

SHRI D.V. SADANANDA GOWDA: If the Ministry of Railways will propose, we will look into the matter. ... (*Interruptions*)

HON. SPEAKER: Fast-track courts are already there.

... (*Interruptions*)

[Translation]

DR. SATYA PAL SINGH: Madam Speaker, I have many questions but I want to ask a direct question to the Hon. Minister, through you. ... (*Interruptions*) Today the situation in our country is such that if a poor man steals one thousand rupees, he gets the same punishment. ... (*Interruptions*) and a businessman steals one thousand crore rupees. So,

the punishment is the same for him also. ... (*Interruptions*) It is like if a goat grazes a field, an ox grazes or an elephant grazes them, they are hit with the same stick. ... (*Interruptions*) A goat can die from a stick. ... (*Interruptions*) Hitting the bull with that stick will not make much difference. ... (*Interruptions*) But hitting the elephant with that stick will have no effect on the elephant at all. ... (*Interruptions*) Will the Hon. Minister bring judicial reforms in this law. ... (*Interruptions*) The person who commits a wrongdoing should be punished as per the extent of the crime. ... (*Interruptions*) As Manu and Kautilya have written earlier, one should be punished according to the qualification, the rank and experience of the one who has. ... (*Interruptions*)

I would like permission to ask you another question. ... (*Interruptions*) My second question is that the report of Judicial Reform given by Justice Malimath has been lying with the Government of India since the year 2003. ... (*Interruptions*) Is the Government of India considering to implement that. ... (*Interruptions*)

[English]

SHRI D.V. SADANANDA GOWDA: As far as Justice Malimath Committee's Report is concerned, certainly we are looking into the matter. ... (*Interruptions*) We want to take some initiatives as far as judicial reforms are concerned. ... (*Interruptions*)

As far as the penalty and other things are concerned, the Ministry of Law and Justice has already taken note of the provisions of this Report. ... (*Interruptions*) The matter is already referred to the Law Commission for obtaining its opinion. As soon as we get the Law Commission's Report, we will go ahead with this. ... (*Interruptions*)

(Q.263)

[English]

SHRI HARINDER SINGH KHALSA: Madam Speaker, in my question I had specifically asked about the details of the projects and schemes under implementation for cleaning of the river and the success achieved so far. ... (*Interruptions*) While the hon. Minister has very kindly given the details of the pollution level at different stretches of the river, I did not get the answer of the success achieved in the projects so far. ... (*Interruptions*)

[Translation]

SUSHRI UMA BHARTI: Madam Speaker, Hon. MP has raised a very important question. ... (*Interruptions*) The details which we have, cannot be called a success story. ... (*Interruptions*) In Delhi itself, 20 kilometres stretch of Yamuna has 5021.4 MLD of dirt and our refining capacity is 3037.8 MLD, it is a big gap, ... (*Interruptions*) and the capacity that does exist is also not functioning to its full potential. I went to Chilla and saw myself ... (*Interruptions*) that the plant that was established for a specific MLD capacity was also not operating in accordance with its designated capacity. Hon. Member will be happy to know ... (*Interruptions*) by the year 2017, we are constructing an

interceptor in a 20 kilometre stretch which will clean almost 80 per cent of Yamuna by the year 2017, we are committed to this. Our plan is to start it from April itself. I want to inform the House about Yamuna, through you, Hon. Members will be happy to know that we have decided to clear the Lakhwar Vyasi project which was pending for many years ... (*Interruptions*) due to which the quantity of water in Yamuna will increase, less water comes into Yamuna from Hathni Kund, the main problem of Yamuna was that it was not able to carry its filth because there was lack of water in it. We have approved the proposal of the Uttarakhand Government. ... (*Interruptions*) I am giving this information in the House today itself, we will build the Lakhwar Byasi Project and will stop the Yamuna water during the monsoon period and release it in the Yamuna during the non-monsoon period, so that there will be so much water in the Yamuna that it will be able to fight its own pollution. ... (*Interruptions*) If the entire stretch of Yamuna has to be repaired, then for this a meeting was held under the chairmanship of our Secretary, in which the Hon. Urban Development Minister, Hon. Indian Water Ways Minister and I was also part of it ... (*Interruptions*) A Committee has been formed comprising of the Chief Secretary of Uttar Pradesh, Secretary of Urban Development, Secretary of Indian Water Resources. ... (*Interruptions*) I have requested this

committee that the Delhi Government and the Union Government should work together regarding Yamuna, ... (*Interruptions*) I am sure we will figure out a plan together. I am confident that the State Government and the Union Government, including Urban Development, Indian Water Wage and our Ministry, will be able to implement this scheme in April itself. ... (*Interruptions*) I assure the entire House about this, ... (*Interruptions*) I also try to make the Hon. Member free from worries that by the year 2017, we will clean the 20 kilometre stretch of Yamuna which has about 5000 MLD of filth. We will clear 80% of it.

Hon. Madam Speaker, I request the Hon. Members, through you, that Modi ji will clean the filth of Yamuna and Ganga ... (*Interruptions*) but not being able to visit a temple in Assam, the court verdict in the National Herald case ... (*Interruptions*) a raid on a corrupt officer, what is the fault of the House in these, who will clean this mess, ... (*Interruptions*) I want to know this from you and the Congress people who are making filth in the House here ... (*Interruptions*) because of which we are not able to answer so many things to the entire country, either you take the responsibility of fixing this mess or Madam the Congress leader takes it. ... (*Interruptions*)

[English]

SHRI HARINDER SINGH KHALSA: Hon. Speaker, Madam, while I would not like to digress from the Question the way the hon. Minister has digressed by giving addendum to the answer, I would like to know the number of sewages which are draining into the river right from Yamnotri up to Wazirabad and from Wazirabad to Delhi and beyond Delhi. ... (*Interruptions*) I would also like to know the number of factories which drain their water waste into the river. ... (*Interruptions*)

SUSHRI UMA BHARTI: Madam Speaker, if you allow me, I can read the details of all those drains of Delhi. ... (*Interruptions*) There are 18 main drains in Delhi, out of which the largest drain is from Najafgarh. ... (*Interruptions*) In the stretch of 20 kilometres from Najafgarh to Okhla, about 80 percent of the entire Yamuna, that is, the stretch of Yamuna from Yamunotri to Prayag, the maximum dirt belongs to these 18 drains of Delhi and these 18 drains are made available ... (*Interruptions*)

Madam Speaker, if you allow me, I have brought their details. ... (*Interruptions*)

I can read them out. ... (*Interruptions*)

HON. SPEAKER: You write and send them.

... (*Interruptions*)

SUSHRI UMA BHARTI: If you are allowing, I will send the information to the Hon. Member. ... (*Interruptions*) But I want to say that we have made preparations to repair this entire stretch, but I still have to give you an information about Yamuna. ... (*Interruptions*) for the total filth of Delhi which is going into Yamuna, sewer network has to be fixed. ... (*Interruptions*) According to that, even after fixing the stretch of 20 kilometres by 80 percent interceptor, we will not be able to fix these 18 drains because 52 percent of the filth will still be left. ... (*Interruptions*) If this has to be rectified, then, through you, I will also request the Delhi Government to make an action plan regarding this very soon. ... (*Interruptions*) In this action plan, let us clean up the filth of entire Delhi. ... (*Interruptions*) If we move at this momentum, we will be able to fix it by the year 2030 ... (*Interruptions*) But if we take out some fast track measures, we can fix them in 7-8 years as well. ... (*Interruptions*)

Madam Speaker, I have the list of these drains. ... (*Interruptions*) If you have said so, I will send this information to the Hon. Members. ... (*Interruptions*)

SHRI RAMESH CHANDRA KAUSHIK: Hon. Madam Speaker, I express my gratitude to you for giving me an opportunity to ask questions. ... (*Interruptions*) I want to tell the Hon. Minister that a very small amount of water flows into the Yamuna river, which is highly polluted. ... (*Interruptions*) When will it be made unpolluted and clean water will start flowing in sufficient quantity? ... (*Interruptions*) Along with this, what steps are being taken to provide sufficient quantity of clean water in Yamuna river, so that the work of conveying water from Sonipat to Agra can be started. ... (*Interruptions*) Even the clean water of Yamuna is getting spoiled in Sonipat. ... (*Interruptions*) A lot of waste is coming from factories, so what is the Hon. Minister's view on this? ... (*Interruptions*) Is there any plan to build a dam for the floods that occur during the rains in Sonipat, so that the water can be collected? ... (*Interruptions*) After the rains, that water can be used for irrigation and drinking in Delhi. ... (*Interruptions*) What is the provision of connecting Yamuna and Ganga and when will you start it? ... (*Interruptions*)

SUSHRI UMA BHARTI: Hon. Madam Speaker, we are very concerned about the amount of water coming from the Hathnikund Barrage, because if we from the Hathnikund barrage. ... (*Interruptions*) be it Yamuna or Ganga, this is the best way to free them from pollution

is that there is more water content in them. ... (*Interruptions*) Apart from this, we will take measures to prevent the filth that goes through the dirty drains in Yamuna in the year 2017 and by the year 2018 in the Ganga. ... (*Interruptions*) We have told this many times, through you. ... (*Interruptions*) Hon. Member has made a specific question about releasing more water. ... (*Interruptions*) We have already had a meeting regarding this, in which the Governments of Delhi, Uttar Pradesh, Haryana, Rajasthan, Himachal and Punjab, their Chief Ministers or their representatives had come. ... (*Interruptions*) It was discussed whether we can release more water from Hathnikund without affecting the irrigation capacity? ... (*Interruptions*) In this, we had also requested the Delhi Government that if some more water is released from Hathnikund to Haryana, Rajasthan and Uttar Pradesh without affecting the irrigation potential, will they let it go straight to Mathura-Vrindavan? ... (*Interruptions*) There was an atmosphere of consensus regarding this. In the meantime, this proposal of Lakhwar Vyasi was under consideration with us. ... (*Interruptions*) Through you, I would like to tell the Hon. Members that the work on Ganga and Yamuna has been done for 29 years, but that entire work has washed away in the drains. ... (*Interruptions*)

Madam Speaker, we are trying with all sincerity to ensure that this work is effectively done. For this, we need cooperation from the State Governments. Hon. Member has spoken about Sonipat, in this regard I want to say that I myself went to see the STP of Sonipat, which is running from the JICA fund. Seeing its condition, I felt sad that the plant is not able to work as per its full capacity. We have given Rs. 1664 crore to the Delhi Government. Whatever need arises in future for cleaning Yamuna, the committee formed by us should recommend it to us and we will start it in April. By the year 2017, we will solve 80 per cent.

Madam, regarding the issue of Hathnikund, today I am reiterating that the Lakhwar Vyasi project will be completed on time. Today, I have decided and I am announcing in the House today that we have ensured preparations to release more water from Hathnikund into the Yamuna.

SHRI DUSHYANT CHAUTALA: Madam Speaker, I received the same reply from the Ministry of Hon. Minister on 15th February, 2015 through 377.

I would like to ask the Hon. Minister that the Yamuna Action Plan 1,2,3 has been launched in three phases but wherever the Yamuna Action Plan was talked about, only the cleaning of Delhi drains and treatment of Delhi's waste was discussed. Nowhere in the Minister's

reply has there been any discussion about the cleanliness of the drinking water supplied to the people in the tributaries that go from Faridabad, Palwal and Yamuna to Alwar, Rajasthan. The Hon. Minister is saying that by the year 2019, the water of Yamuna will be cleaned. Today, if the wastage of Delhi is affecting someone's health, it is affecting the health of the people of Haryana and Rajasthan. Will the Government change the Yamuna Action Plan and think about purifying water in Faridabad, Palwal, Mewat and further up to Alwar district?

SUSHRI UMA BHARTI: Hon. Speaker, I have already said that 80 percent pollution is in the 20 kilometre stretch of Delhi but 20 per cent is what the Hon. Member has said. Another Hon. Member sitting in the House, Shrimati Hemamalini, is an Member from Mathura and has expressed concern many times. Even though, she has not asked the question today, I will assure her, through you, that the question which the Hon. Member has just asked is a very important question. We do not need to change any plan, but we need to add something to the plan. We have made a plan to clean hundred per cent of the Yamuna, which also has a stretch of Mathura and Vrindavan. If we have to fix Mathura, Vrindavan, then we have to fix Palwal, Faridabad too. I want to tell the Hon. Member through you, and he will be happy to know that we are

going to take a final decision in a week or ten days regarding the filth of Mathura, Vrindavan, Palwal and Faridabad.

(Q. 264)

[English]

SHRIMATI P.K. SHREEMATHI TEACHER: Madam, yesterday we had a thorough discussion on the pendency of cases. Today also, the hon. Minister answered about the pendency of cases. My question is about the Nyaya Panchayats. ... (*Interruptions*) In the answer, the Minister is saying, “The Ministry of Panchayati Raj had prepared a Draft Nyaya Panchayat Bill during 2010 and it is forwarded to the Ministry of Law and Justice.” My question is, whether the Ministry of Law and Justice has given any comments regarding the Constitutional validity of Nyaya Panchayats and if so, the details thereof? ... (*Interruptions*)

SHRI CHAUDHARY BIRENDER SINGH: Madam Speaker, this Bill was prepared after constitution of a Committee which was headed by Mr. Baxi in 2006 and after that the Bill was framed based on Mr. Baxi’s recommendation.

12.00 hours

In October 2007, a draft Bill was circulated to the Ministries, the Departments of Union Government, all the States and the Union Territories. The Bill was modified in the light of the comments received

from them and again circulated to the stakeholders on 23rd January, 2008. ... (*Interruptions*)

Madam, a Cabinet Note was sent in August 2009 for introducing the Bill in Parliament. The same was returned by the Cabinet Secretariat with the advice that the Ministry may hold further inter-Ministerial consultation to arrive at consensus. ... (*Interruptions*) Then, we wrote to the States latest on 23rd and 29th October this year and we convened a meeting of all the stakeholders and all the Secretaries of Law Departments of the States. ... (*Interruptions*) Then, there was an objection by the Ministry of Law and Justice. One of the major factors for that objection was that Ministry of Law has already passed an Act which is called the Gram Nyayalayas Act, 2008 and 10 States are functioning under that Act. ... (*Interruptions*)

Madam, the main constraint in the latest consultation which we had with different State Secretaries was about the funding. Primarily, at present, we are in a position to have 1,50,000 gram Panchyat Nyayalayas but for that an additional amount of Rs.1200 crore is required. If the entire system is to be covered under this provision, we will be requiring more than Rs.3000 crore. ... (*Interruptions*) So, if we are in a position to have that much of funding, then only we can think of introducing the Bill. ... (*Interruptions*)

HON. SPEAKER: The Question Hour is over.

... (*Interruptions*)

***WRITTEN ANSWERS TO QUESTIONS**
Starred Question Nos.265 to 280
Unstarred Question Nos.2991 to 3220

[English]

HON. SPEAKER: Shri Deepender Ji, I have received your notice regarding question of privilege.

... (*Interruptions*)

THE MINISTER OF STATE OF THE MINISTRY OF SKILL DEVELOPMENT AND ENTREPRENEURSHIP AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RAJIV PRATAP RUDY):

Madam, this will not do. We will not agree to this behaviour. ...

(*Interruptions*) They have disturbed the House for one full hour. ...

(*Interruptions*) Everyday for last two weeks they are doing this. ...

(*Interruptions*) This will not do.... (*Interruptions*)

HON. SPEAKER: This issue is a different one.

... (*Interruptions*)

HON. SPEAKER: Shri Deepender Ji, please speak.

... (*Interruptions*)

HON. SPEAKER: I am talking about Deepender Ji.

... (*Interruptions*)

SHRI DEEPENDER SINGH HOODA (ROHTAK): Madam Speaker, you have allowed me to raise a serious matter. ...

(Interruptions)

HON. SPEAKER: Don't have to raise the subject, you just say your point.

... (*Interruptions*)

SHRI DEEPENDER SINGH HOODA: A public representative in his Lok Sabha constituency ... (*Interruptions*) First inviting to an event organised by the Government of India ... (*Interruptions*) and at the last moment by the district administration and the State Government ... (*Interruptions*) I want to raise the issue of canceling that invitation. ... (*Interruptions*) By the Ministry of Health, Government of India ... (*Interruptions*) this is the subject relating to the ground-breaking ceremony of the National Cancer Institute. ... (*Interruptions*) However, questions were being raised regarding the appropriateness of organising that Bhoomi Poojan ceremony ... (*Interruptions*) because this project was approved in the year 2013. ... (*Interruptions*) In the year 2014, Dr. Manmohan Singh ji ... (*Interruptions*) and Ghulam Nabi Azad ji had laid the foundation stone for it. ... (*Interruptions*) If we don't speak here, then where will we speak? When the Bhoomi Pujan was organized. ... (*Interruptions*) It was decided to organise this event. ... (*Interruptions*)

HON. SPEAKER: I can't stop anyone.

... (*Interruptions*)

SHRI DEEPENDER SINGH HOODA: At that time, I received a formal invitation, my name was also there in all the advertisements. ...

(*Interruptions*)

[English]

HON. SPEAKER: I have received your notice and it is under my consideration. So, I will see to it. Now, it is okay.

... (*Interruptions*)

12.06 hours**PAPERS LAID ON THE TABLE**

[English]

HON. SPEAKER: Now, papers to be laid on the Table – Shri D.V. Sadananda Gowda.

THE MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA): Madam, I beg to lay on the Table:-

- (1) A copy of the Annual Report (Hindi and English versions) of the Indian Law Institute, New Delhi, for the year 2014-2015, alongwith Audited Accounts.
- (2) Statement regarding Review (Hindi and English versions) by the Government of the working of the Indian Law Institute, New Delhi, for the year 2014-2015.

[Placed in Library, See No. LT 3627/16/15]

THE MINISTER OF RURAL DEVELOPMENT, MINISTER OF PANCHAYATI RAJ AND MINISTER OF DRINKING WATER AND SANITATION (SHRI CHAUDHARY BIRENDER SINGH):

Madam, I beg to lay on the Table:-

- (1) A copy of the Annual Report (Hindi and English versions) of the National Rural Roads Development Agency, New Delhi, for the year 2014-2015, alongwith Audited Accounts.
- (2) A copy of the Review (Hindi and English versions) by the Government of the working of the National Rural Roads Development Agency, New Delhi, for the year 2014-2015.

[Placed in Library, See No. LT 3628/16/15]

[Translation]

THE MINISTER OF STATE OF THE MINISTRY OF TEXTILES (SHRI SANTOSH KUMAR GANGWAR): Madam Speaker, I beg to

lay on the Table:-

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

- (a) (i) Review by the Government of the working of the British India Corporation Limited, Kanpur and its subsidiaries for the year 2014-2015.
- (ii) Annual Report of the British India Corporation Limited, Kanpur and its subsidiary, for the year 2014-2015, along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3629/16/15]

- (b) (i) Review by Government on the working of National Textile Corporation Limited, New Delhi for the year 2014-2015.
- (ii) Annual Report of the National Textile Corporation Limited, New Delhi for the year 2014-2015, Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3630/16/15]

- (c) (i) Review by the Government of the working of the Jute Corporation of India Limited, Kolkata, for the year 2014-2015.

- (ii) Annual Report of the Jute Corporation of India Limited, Kolkata, for the year 2014-2015, along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3631/16/15]

- (d) (i) Review by Government of the working of the National Handloom Development Corporation Limited, Lucknow, for the year 2014-2015.

- (ii) Annual Report of the National Handloom Development Corporation Limited, Lucknow, for the year 2014-2015, along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3632/16/15]

- (e) (i) Review by the Government of the working of the Cotton Corporation of India Limited, Navi Mumbai, for the year 2014-2015.

- (ii) Annual Report of the Cotton Corporation of India Limited, Navi Mumbai, for the year 2014-2015, along with Audited

Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3633/16/15]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Jute Industries' Research Association, Kolkata, for the year 2014-2015, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Indian Jute Industries Research Association, Kolkata, for the year 2014-2015.

[Placed in Library, See No. LT 3634/16/15]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Central Silk Board, Bangalore, for the year 2014-2015.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Central Silk Board, Bangalore, for the year 2014-2015, together with Audit Report thereon.

- (iii) A copy of the Review (Hindi and English versions) by the Government of the working of the Central Silk Board, Bangalore, for the year 2014-2015.

[Placed in Library, See No. LT 3635/16/15]

- (4) (i) A copy of the Annual Report (Hindi and English versions) of the Bombay Textile Research Association, Mumbai, for the year 2014-2015, along with Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Bombay Textile Research Association, Mumbai, for the year 2014-2015.

[Placed in Library, See No. LT 3636/16/15]

- (5) (i) A copy of the Annual Report (Hindi and English versions) of the South India Textile Research Association, Coimbatore, for the year 2014-2015, along with Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the South India Textile Research Association, Coimbatore, for the year 2014-2015.

[Placed in Library, See No. LT 3637/16/15]

- (6) A copy of Notification No. S.O. 2353(E) (Hindi and English versions) published in Gazette of India dated 28th August, 2015, regarding reconstitution of official members in the National Jute Board for a period of two years from the date of the notification issued under sub-section 4(b) of Section 3 of the National Jute Board Act, 2008.

[Placed in Library, See No. LT 3638/16/15]

- (7) A copy of the Notification No. S.O. 2640(E) (Hindi and English versions) published in Gazette of India dated 28th September, 2015, directing that the validity of the Order expiring on 30th September, 2015 shall be extended for further period of three months from the expiry of said order or until further order whichever is earlier under sub-section (2) of Section 3 of the Jute Packaging Material (Compulsory Use in Packing Commodities) Act, 1987.

[Placed in Library, See No. LT 3639/16/15]

[English]

**THE MINISTER OF STATE OF THE MINISTRY OF POWER,
MINISTER OF STATE OF THE MINISTRY OF COAL AND
MINISTER OF STATE OF THE MINISTRY OF NEW AND
RENEWABLE ENERGY (SHRI PIYUSH GOYAL):** Madam, I beg
to lay on the Table:-

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

(a) (i) Review by the Government of the working of the NHDC Limited,
Bhopal, for the year 2014-2015.

(ii) Annual Report of the NHDC Limited, Bhopal, for the year 2014-
2015, alongwith Audited Accounts and comments of the Comptroller
and Auditor General thereon.

[Placed in Library, See No. LT 3640/16/15]

(b) (i) Review by the Government of the working of the NHPC Limited,
Faridabad, for the year 2014-2015.

(ii) Annual Report of the NHPC Limited, Faridabad, for the year 2014-
2015, alongwith Audited Accounts and comments of the Comptroller
and Auditor General thereon.

[Placed in Library, See No. LT 3641/16/15]

(c) (i) Review by the Government of the working of the Power Grid Corporation of India Limited, New Delhi, for the year 2014-2015.

(ii) Annual Report of the Power Grid Corporation of India Limited, New Delhi, for the year 2014-2015, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3642/16/15]

(d) (i) Review by the Government of the working of the Power Finance Corporation of India Limited, New Delhi, for the year 2014-2015.

(ii) Annual Report of the Power Finance Corporation of India Limited, New Delhi, for the year 2014-2015, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3643/16/15]

(e) (i) Review by the Government of the working of the Solar Energy Corporation of India, New Delhi, for the year 2014-2015.

(ii) Annual Report of the Solar Energy Corporation of India, New Delhi, for the year 2014-2015, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3644/16/15]

(f) (i) Review by the Government of the working of the Indian Renewable Energy Development Agency Limited, New Delhi, for the year 2014-2015.

(ii) Annual Report of the Indian Renewable Energy Development Agency Limited, New Delhi, for the year 2014-2015, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3645/16/15]

(g) (i) Review by the Government of the working of the Coal India Limited, Kolkata, and its subsidiary companies for the year 2014-2015.

(ii) Annual Report of the Coal India Limited, Kolkata, for the year 2014-2015, and its subsidiary companies alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3646/16/15]

(2) (i) A copy of the Annual Report (Hindi and English versions) of the National Institute of Wind Energy, Chennai, for the year 2014-2015, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the National Institute of Wind Energy, Chennai, for the year 2014-2015.

[Placed in Library, See No. LT 3647/16/15]

(3) A copy of the Joint Electricity Regulatory Commission for the State of Goa & Union Territories (Standard of Performance for Distribution Licensees) Regulations, 2015 (Hindi and English versions) published in Notification No. 19/20/2015-JERC/1680 in Gazette of India dated 27th July, 2015 under Section 182 of the Electricity Act, 2003 read with Section 2(64) of the said Act.

[Placed in Library, See No. LT 3648/16/15]

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

(5) (i) A copy of the Annual Report (Hindi and English versions) of the Central Power Research Institute, Bangalore, for the year 2014-2015, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Central Power Research Institute, Bangalore, for the year 2014-2015.

[Placed in Library, See No. LT 3649/16/15]

(6) (i) A copy of the Annual Report (Hindi and English versions) of the Sardar Swaran Singh National Institute of Renewable Energy, Kapurthala, for the year 2014-2015, along with Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Sardar Swaran Singh National Institute of Renewable Energy, Kapurthala, for the year 2014-2015.

[Placed in Library, See No. LT 3650/16/15]

[English]

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE, MINISTER OF STATE OF THE MINISTRY OF TOURISM AND MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (DR. MAHESH SHARMA): Madam, I beg to lay on the Table:-

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

(i) Review by the Government of the working of the Pawan Hans Limited, New Delhi, for the year 2013-2014.

(ii) Annual Report of the Pawan Hans Limited, New Delhi, for the year 2013-2014, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

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

[Placed in Library, See No. LT 3651/16/15]

(3) A copy of the Memorandum of Understanding (Hindi and English versions) between the Pawan Hans Limited and the Ministry of Civil Aviation for the year 2015-2016.

[Placed in Library, See No. LT 3652/16/15]

(4) A copy of the Aircraft (Carriage of Dangerous Goods) Amendment Rules, 2015 (Hindi and English versions) published in Notification No. G.S.R. 296(E) in Gazette of India dated 17th April, 2015 under Section 14A of the Aircraft Act, 1934, together with an explanatory note.

[Placed in Library, See No. LT 3653/16/15]

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA PROTECTION (PRO SANWAR LAL JAT): Madam Speaker, I beg to lay on the Table:-

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

- (a) (i) Review by the Government of the working of the National Projects Construction Corporation Limited, New Delhi, for the year 2014-2015.
- (ii) Annual Report of the National Projects Construction Corporation Limited, New Delhi, for the year 2014-2015, along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3654/16/15]

- (b) (i) Review by Government of the working of the WAPCOS Limited, New Delhi, for the year 2014-2015.
- (ii) Annual Report of the WAPCOS Limited, New Delhi, for the year 2014-2015, along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3655/16/15]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Narmada Control Authority, Indore, for the year 2014-2015, along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Narmada Control Authority, Indore, for the year 2014-2015.

[Placed in Library, See No. LT 3656/16/15]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Brahmaputra Board, Guwahati, for the year 2014-2015, along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Brahmaputra Board, Guwahati, for the year 2014-2015.

[Placed in Library, See No. LT 3657/16/15]

[English]

**THE MINISTER OF STATE IN THE MINISTRY OF ROAD
TRANSPORT AND HIGHWAYS AND MINISTER OF STATE IN
THE MINISTRY OF SHIPPING (SHRI PON RADHAKRISHNAN):**

Madam, I beg to lay on the Table:-

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

(a) (i) Review by the Government of the working of the Cochin Shipyard Limited, Kochi, for the year 2014-2015.

(ii) Annual Report of the Cochin Shipyard Limited, Kochi, for the year 2014-2015, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3658/16/15]

(b) (i) Review by the Government of the working of the Indian Road Construction Corporation Limited, New Delhi, for the year 2014-2015.

(ii) Annual Report of the Indian Road Construction Corporation Limited, New Delhi, for the year 2014-2015, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3659/16/15]

(c) (i) Review by the Government of the working of the Shipping Corporation of India Limited, Mumbai, for the year 2014-2015.

(ii) Annual Report of the Shipping Corporation of India Limited, Mumbai, for the year 2014-2015, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3660/16/15]

(d) (i) Review by the Government of the working of the Sethusamudram Corporation Limited, Chennai, for the year 2014-2015.

(ii) Annual Report of the Sethusamudram Corporation Limited, Chennai, for the year 2014-2015, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library, See No. LT 3661/16/15]

(2) (i) A copy of the Annual Administration Report (Hindi and English versions) of the Calcutta Dock Labour Board, Kolkata, for the year 2014-2015, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Calcutta Dock Labour Board, Kolkata, for the year 2014-2015.

[Placed in Library, See No. LT 3662/16/15]

(3) (i) A copy of the Annual Administration Report (Hindi and English versions) of the Paradip Port Trust, Paradip, for the year 2014-2015.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Paradip Port Trust, Paradip, for the year 2014-2015.

[Placed in Library, See No. LT 3663/16/15]

(4) (i) A copy of the Annual Accounts (Hindi and English versions) of the Tariff Authority for Major Ports, Mumbai, for the year 2014-2015, together with Audit Report thereon.

(ii) A copy of the Review (Hindi and English versions) by the Government on the Audited Accounts of the Tariff Authority for Major Ports, Mumbai, for the year 2014-2015.

[Placed in Library, See No. LT 3664/16/15]

(5) (i) A copy of the Annual Administration Report (Hindi and English versions) of the Cochin Port Trust, Cochin, for the year 2014-2015.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Cochin Port Trust, Cochin, for the year 2014-2015.

(iii) A copy of the Annual Accounts (Hindi and English versions) of the Cochin Port Trust, Cochin, for the year 2014-2015, together with Audit Report thereon.

(iv) A copy of the Review (Hindi and English versions) on the Audited Accounts of the Cochin Port Trust, Cochin, for the year 2014-2015.

[Placed in Library, See No. LT 3665/16/15]

(6) (i) A copy of the Annual Report (Hindi and English versions) of the Inland Waterways Authority of India, Noida, for the year 2014-2015, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Inland Waterways Authority of India, Noida, for the year 2014-2015.

[Placed in Library, See No. LT 3666/16/15]

(7) (i) A copy of the Annual Administration Report (Hindi and English versions) of the Visakhapatnam Port Trust, Visakhapatnam, for the year 2014-2015, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Visakhapatnam Port Trust, Visakhapatnam, for the year 2014-2015.

[Placed in Library, See No. LT 3667/16/15]

(8) A copy each of the following Notifications (Hindi and English versions) under Section 10 of the National Highways Act, 1956:-

- (i) S.O. 1134(E) published in Gazette of India dated 24th April, 2014, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 65 (Hisar Section) in the State of Haryana.
- (ii) S.O. 1061(E) published in Gazette of India dated 9th April, 2014, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 22 (Solan-Shimla Section) in the State of Himachal Pradesh.
- (iii) S.O. 3280(E) published in Gazette of India dated 26th December, 2014, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 21 (Ner Chowk-Manali Section) in the State of Himachal Pradesh.
- (iv) S.O. 705(E) published in Gazette of India dated 10th March, 2015, regarding acquisition of land for building, maintenance, management and operation of National

Highway No. 65 (Ambala-Kaithal Section) in the State of Haryana.

- (v) S.O. 512(E) published in Gazette of India dated 16th February, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 21 (Ner Chowk-Manali Section) in the State of Himachal Pradesh.
- (vi) S.O. 711(E) published in Gazette of India dated 10th March, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 22 (Parwanoo-Shimla Section) in the State of Himachal Pradesh.
- (vii) S.O. 396(E) published in Gazette of India dated 6th February, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 10 (Rohtak-Hisar Section) in the State of Haryana.
- (viii) S.O. 344(E) published in Gazette of India dated 4th February, 2015, regarding acquisition of land for building, maintenance, management and operation of National

Highway No. 8 (Gurgaon-Kotputli-Jaipur Section) in the State of Haryana.

- (ix) S.O. 749(E) published in Gazette of India dated 13th March, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 10 (Rohtak-Hisar Section) in the State of Haryana.
- (x) S.O. 578(E) published in Gazette of India dated 20th February, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 65 (Ambala Section) in the State of Haryana.
- (xi) S.O. 318(E) published in Gazette of India dated 2nd February, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 21 & 95 (old) and 5 (New) (Ludhiana-Chandigarh Section) in the State of Punjab.
- (xii) S.O. 663(E) published in Gazette of India dated 4th March, 2015, regarding acquisition of land for building, maintenance, management and operation of National

Highway No. 65 (Ambala-Kaithal Section) in the State of Haryana.

- (xiii) S.O. 658(E) published in Gazette of India dated 5th March, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 22 (Solan-Shimla Section) in the State of Himachal Pradesh.
- (xiv) S.O. 339(E) published in Gazette of India dated 5th February, 2014, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 65 (Hisar Section) in the State of Haryana.
- (xv) S.O. 231(E) published in Gazette of India dated 23rd January, 2014, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 152 (Kaithal-Narwana Section) in the State of Haryana.
- (xvi) S.O. 701(E) published in Gazette of India dated 7th March, 2015, regarding acquisition of land for building, maintenance, management and operation of National

Highway No. 65 (Ambala-Kaithal Section) in the State of Haryana.

- (xvii) S.O. 341(E) published in Gazette of India dated 5th February, 2014, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 65 (Hisar Section) in the State of Haryana.
- (xviii) S.O. 336(E) published in Gazette of India dated 5th February, 2014, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 73 (Yamunanagar-Panchkula Section) in the State of Haryana.
- (xix) S.O. 845(E) published in Gazette of India dated 20th March, 2014, authorising the Officers, mentioned therein, as the competent authority to acquire land for building, maintenance, management and operation of National Highway No. 65 (Ambala Bypass) in the State of Haryana.
- (xx) S.O. 1588(E) published in Gazette of India dated 24th June, 2014, regarding acquisition of land for building, maintenance, management and operation of National

Highway Nos. 21 (Old) and 205(New) (Kharar-Kurali Section) in the State of Punjab.

- (xxi) S.O. 1589(E) published in Gazette of India dated 24th June, 2014, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 65 (Ambala Section) in the State of Haryana.
- (xxii) S.O. 499(E) published in Gazette of India dated 21st February, 2014, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 10 (Hisar-Dabwali Section) in the State of Haryana.
- (xxiii) S.O. 1025(E) published in Gazette of India dated 3rd April, 2014, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 5 (Ludhiana-Chandigarh Section) in the State of Punjab.
- (xxiv) S.O. 247(E) published in Gazette of India dated 28th January, 2015, regarding acquisition of land for building, maintenance, management and operation of National

Highway No. 95 (New NH No. 5) (Ludhiana-Chandigarh Section) in the State of Punjab.

- (xxv) S.O. 319(E) published in Gazette of India dated 2nd February, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway Nos. 21 & 95 (Old) and 5 (New) (Ludhiana-Chandigarh Section) in the State of Punjab.
- (xxvi) S.O. 402(E) published in Gazette of India dated 6th February, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway Nos. 21 & 95 (Old) and 5 (New) (Ludhiana-Chandigarh Section) in the State of Punjab.
- (xxvii) S.O. 501(E) published in Gazette of India dated 21st February, 2014, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 71A (Rohtak-Jind Section) in the State of Haryana.
- (xxviii) S.O. 734(E) published in Gazette of India dated 11th March, 2014, regarding acquisition of land for building, maintenance, management and operation of National

Highway No. 21 (Bilaspur-Ner Chowk Section) in the State of Himachal Pradesh.

- (xxix) S.O. 1302(E) published in Gazette of India dated 16th May, 2014, making certain amendments in the Notification No. S.O. 2777(E) dated 14th September, 2013.
- (xxx) S.O. 363(E) published in Gazette of India dated 5th February, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 21 (Ner Chowk-Manali Section) in the State of Himachal Pradesh.
- (xxxi) S.O. 510(E) published in Gazette of India dated 16th February, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 21 (Kiratpur-Bilaspur Section) in the State of Himachal Pradesh.
- (xxxii) S.O. 645(E) published in Gazette of India dated 3rd March, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 65 (Ambala-Zirakpur Section) in the State of Punjab.

- (xxxiii) S.O. 704(E) published in Gazette of India dated 10th March, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 65 (Ambala-Kaithal Section) in the State of Haryana.
- (xxxiv) S.O. 942(E) published in Gazette of India dated 7th April, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 15 (Amritsar-Pathankot Section) in the State of Punjab.
- (xxxv) S.O. 943(E) published in Gazette of India dated 7th April, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 15 (Pathankot-Amritsar Section) in the State of Punjab.
- (xxxvi) S.O. 946(E) published in Gazette of India dated 6th April, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 15 (Amritsar-Pathankot Section) in the State of Punjab.

- (xxxvii) S.O.1038(E) published in Gazette of India dated 17th April, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 15 (Amritsar-Pathankot Section) in the State of Punjab.
- (xxxviii) S.O. 1040(E) published in Gazette of India dated 17th April, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway Nos. 21 (Old) and 205 (New) (Kharar-Kurali Section) in the State of Punjab.
- (xxxix) S.O. 1157(E) published in Gazette of India dated 1st May, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 71 (Rohtak-Jind Section) in the State of Haryana.
- (xl) S.O. 1158(E) published in Gazette of India dated 1st May, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 71 (Rohtak-Jind Section) in the State of Haryana.

- (xli) S.O. 1159(E) published in Gazette of India dated 1st May, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 71 (Rohtak-Jind Section) in the State of Haryana.
- (xlii) S.O. 1235(E) published in Gazette of India dated 8th May, 2015, regarding acquisition of land for building, maintenance, management and operation of National Highway No. 1 (Panipat-Jalandhar Section) in the State of Haryana.
- (xliii) S.O. 1785(E) published in Gazette of India dated the 1st July, 2015, regarding rates of fees to be recovered from the users of National Highway No. 66 (formerly NH-47) (Edapilly-Vytilla-Aroor Section) in the State of Kerala.
- (xliv) S.O. 1880(E) published in Gazette of India dated the 13th July, 2015, regarding rates of fees to be recovered from the users of National Highway No. 28 (formerly NH-47) (Lucknow to Faizabad to Gorakhpur to Uttar Pradesh/Bihar Border) in the States of Uttar Pradesh and Bihar.

- (xlv) S.O. 2041(E) published in Gazette of India dated the 24th July, 2015, regarding rates of fees to be recovered from the users of National Highway No. 66 (Guwahati Bypass-Nagaon-Daboka-Udauli Section) in the State of Assam.
- (xlvi) S.O. 2646(E) published in Gazette of India dated the 28th September, 2015, regarding rates of fees to be recovered from the users of National Highway No. 1 [Delhi/Haryana (Kundli) Border to Panipat Section] in the State of Haryana.
- (xlvii) S.O. 1724(E) published in Gazette of India dated the 26th June, 2015, entrusting the stretches, mentioned therein, to the National Highways and Infrastructure Development Corporation Limited.
- (xlviii) S.O. 1725(E) published in Gazette of India dated the 26th June, 2015, making certain amendments in the Notification No. S.O. 1096(E) dated 4th August, 2005.
- (xlix) S.O. 1726(E) published in Gazette of India dated the 26th June, 2015, directing Border Roads Organization to exercise the function relating to the development and maintenance of the stretches, mentioned therein, in the State of Himachal Pradesh.

- (l) S.O. 1727(E) published in Gazette of India dated the 26th June, 2015, making certain amendments in the Notification No. S.O. 1096(E) dated 4th August, 2005.
- (li) S.O. 1728(E) published in Gazette of India dated the 26th June, 2015, entrusting the stretches, mentioned therein, to the National Highways and Infrastructure Development Corporation Limited.
- (lii) S.O. 1729(E) published in Gazette of India dated the 26th June, 2015, making certain amendments in the Notification No. S.O. 1096(E) dated 4th August, 2005.
- (liii) S.O. 1921(E) published in Gazette of India dated the 15th July, 2015, making certain amendments in the Notification No. S.O. 1096(E) dated 4th August, 2005.
- (liv) S.O. 2102(E) published in Gazette of India dated the 3rd August, 2015, making certain amendments in the Notification No. S.O. 1532(E) dated 14th June, 2013.
- (lv) S.O. 2123(E) published in Gazette of India dated the 5th August, 2015, making certain amendments in the Notification No. S.O. 1096(E) dated 4th August, 2005.

- (lvi) S.O. 2337(E) published in Gazette of India dated the 25th August, 2015, making certain amendments in the Notification No. S.O.689(E) dated 4th April, 2011.
- (lvii) S.O. 2338(E) published in Gazette of India dated the 25th August, 2015, declaring highways, mentioned therein, as new National Highways.
- (lviii) S.O. 2339(E) published in Gazette of India dated the 25th August, 2015, making certain amendments in the Notification No. S.O.689(E) dated 4th April, 2011.
- (lix) S.O. 2334(E) published in Gazette of India dated the 25th August, 2015, making certain amendments in the Notification No. S.O. 1096(E) dated 4th August, 2005.
- (lx) S.O. 2335(E) published in Gazette of India dated the 25th August, 2015 entrusting the stretches, mentioned therein, of new National Highway No. 47 to National Highway Authority of India in the State of Kerala.
- (lxi) S.O. 2336(E) published in Gazette of India dated the 25th August, 2015, making certain amendments in the Notification No. S.O. 1096(E) dated 4th August, 2005.

- (lxii) S.O. 2526(E) published in Gazette of India dated the 17th September, 2015, making certain amendments in the Notification No. S.O. 689(E) dated 4th April, 2011.
- (lxiii) S.O. 2529(E) published in Gazette of India dated the 17th September, 2015, making certain amendments in the Notification No. S.O. 1096(E) dated 4th August, 2005.
- (lxiv) S.O. 2530(E) published in Gazette of India dated the 17th September, 2015, making certain amendments in the Notification No. S.O. 1096(E) dated 4th August, 2005.
- (lxv) S.O. 2532(E) published in Gazette of India dated the 17th September, 2015, directing Border Roads Organization to exercise the function relating to the development and maintenance of the stretches, mentioned therein, in the State of Punjab.
- (lxvi) S.O. 2533(E) published in Gazette of India dated the 17th September, 2015, making certain amendments in the Notification No. S.O. 1096(E) dated 4th August, 2005.
- (lxvii) S.O. 2534(E) published in Gazette of India dated the 17th September, 2015, making certain amendments in the Notification No. S.O. 1096(E) dated 4th August, 2005.

- (lxviii) S.O. 2527(E) published in Gazette of India dated the 17th September, 2015, making certain amendments in the Notification No. S.O. 689(E) dated 4th April, 2011.
- (lxix) S.O. 2528(E) published in Gazette of India dated the 17th September, 2015, entrusting the stretches, mentioned therein, of new National Highway No. 216A to National Highway Authority of India.
- (lxx) S.O. 2697(E) published in Gazette of India dated the 5th October, 2015, entrusting the stretches, mentioned therein, of new National Highway No. 32 to National Highway Authority of India.
- (lxxi) S.O. 2698(E) published in Gazette of India dated the 5th October, 2015, making certain amendments in the Notification No. S.O. 1096(E) dated 4th August, 2005.
- (lxxii) S.O. 2827(E) published in Gazette of India dated the 14th October, 2015, making certain amendments in the Notification No. S.O. 689(E) dated 4th April, 2011.
- (lxxiii) S.O. 2346(E) published in Gazette of India dated 26th August, 2015, regarding rates of fees to be recovered from

the users of National Highway No. 45 (Tindivanam-Ulundurpet Section) in the State of Tamil Nadu.

- (lxxiv) S.O. 2483(E) published in Gazette of India dated 14th September, 2015, regarding rates of fees to be recovered from the users of National Highway No. 3 in the States of Uttar Pradesh, Rajasthan and Madhya Pradesh.
- (lxxv) S.O. 2484(E) published in Gazette of India dated 14th September, 2015, regarding rates of fees to be recovered from the users of National Highway No. 12 (Jhalawar-Rajasthan/MP Border Section) in the State of Rajasthan.
- (lxxvi) S.O. 2645(E) published in Gazette of India dated 28th September, 2015, regarding rates of fees to be recovered from the users of National Highway No. 5 (Vijayawada to Vishakhapatnam Section) in the State of Andhra Pradesh.
- (lxxvii) S.O. 2081(E) published in Gazette of India dated 30th July, 2015, regarding exemption of collection of user fee at Gangadhar bridge on National Highway No. 31 at Golokganj over river Gangadhar in the State of Assam with effect from 4.8.2015 or the date of expiring of the existing toll fee leave period whichever is earlier.

(lxxviii) S.O. 2095(E) published in Gazette of India dated 31st July, 2015, authorising the Deputy Commissioner, Hailakandias the competent authority to acquire land for building, maintenance, management and operation of National Highway No. 53 (Bagmara to Badarpurghat Section) in the State of Assam.

[Placed in Library, See No. LT 3668/16/15]

(9) A copy each of the following Notifications (Hindi and English versions) issued under sub-section (1) of Section 47 of the Indian Maritime University Act, 2008:-

- (i) Notification No. F. No. IMU/HQ/ADM/Notification/2015 published in Gazette of India dated 9th April, 2015, regarding repealing of Recruitment Rules for the post of Vice Chancellor, Indian Maritime University.
- (ii) Notification No. IMU/HQ/ADM/RR/2015 published in Gazette of India dated 3rd September, 2015, regarding repealing of Recruitment Rules for the post of Junior Engineer (Civil) and (Electrical), Pro Vice Chancellor, Internal Audit Officer and Junior Assistant.

- (iii) Notification No. F. No. IMU/HQ/ADM/Notification/2015 published in Gazette of India dated 3rd September, 2015, regarding Ordinances governing administrative and academic matters.

[Placed in Library, See No. LT 3669/16/15]

- (10) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at item No. (i) of (9) above.
- (11) A copy each of the following Notifications (Hindi and English versions) issued under Merchant Shipping Act, 1958:-
 - (i) G.S.R.864(E) published in Gazette of India dated 17th November, 2015, rescinding the Merchant Shipping (Distressed Seamen) Rules, 1960.
 - (ii) G.S.R.865(E) published in Gazette of India dated 17th November, 2015, rescinding the Merchant Shipping (Certificate of Service) Rules, 1970.
 - (iii) G.S.R.866(E) published in Gazette of India dated 17th November, 2015, rescinding the Merchant Shipping (Rates) Rules, 1977.

- (iv) G.S.R.867(E) published in Gazette of India dated 17th November, 2015, rescinding the Merchant Shipping (Radio) Rules, 1983.
- (v) G.S.R.868(E) published in Gazette of India dated 17th November, 2015, rescinding the Merchant Shipping (Examination of Masters and Mates) Rules, 1985.
- (vi) G.S.R.869(E) published in Gazette of India dated 17th November, 2015, rescinding the Merchant Shipping (Examination of Engineer Officers in the Merchant Navy) Rules, 1989.
- (vii) G.S.R.870(E) published in Gazette of India dated 17th November, 2015, rescinding the Merchant Shipping (Certificates of Competency) Rules, 1989.
- (viii) G.S.R.871(E) published in Gazette of India dated 17th November, 2015, rescinding the Lifeboatmen's (Qualification and Certification) Rules, 1963.
- (ix) G.S.R.872(E) published in Gazette of India dated 17th November, 2015, rescinding the Merchant Shipping (Distress Messages and Navigational Warnings) Rules, 1964.

- (x) G.S.R.873(E) published in Gazette of India dated 17th November, 2015, rescinding the Merchant Shipping (Pilot Ladder) Rules, 1967.
- (xi) G.S.R.874(E) published in Gazette of India dated 17th November, 2015, rescinding the Merchant Shipping (Muster) Rules, 1968.
- (xii) G.S.R.875(E) published in Gazette of India dated 17th November, 2015, rescinding the Merchant Shipping (Safety Convention Certificates) Rules, 1968.
- (xiii) G.S.R.876(E) published in Gazette of India dated 17th November, 2015, rescinding the Merchant Shipping (Radio Direction Finders) Rules, 1968.

[Placed in Library, See No. LT 3670/16/15]

(12) A copy of the Merchant Shipping (Levy of Seamen's Welfare Fee)(Amendment) Rules, 2015 (Hindi and English versions) published in Notification No. G.S.R. 720(E) in Gazette of India dated 18th September, 2015 issued under Section 458(3) of the Merchant Shipping Act, 1958.

[Placed in Library, See No. LT 3671/16/15]

(13) A copy of Notification No. S.O. 2122(E) (Hindi and English versions) published in Gazette of India dated 5th August, 2015,

appointing the Officer, mentioned therein, of the National Highways Authority of India to exercise the powers and discharge the functions conferred on it under Sections 24, 25, 26, 27 and 43 of the Control of National Highways (Land and Traffic) Act, 2002 under sub-section (3) of Section 50 of the said Act.

[Placed in Library, See No. LT 3672/16/15]

(14) A copy of the National Highways Authority of India (Recruitment, Seniority and Promotion) Third Amendment Regulations, 2015 (Hindi and English versions) published in Notification No. 11012/248/2015-Admn. in Gazette of India dated 19th November, 2015 under Section 37 of the National Highways Authority of India Act, 1988.

[Placed in Library, See No. LT 3673/16/15]

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI SUDARSHAN BHAGAT): Madam Speaker, I beg to lay on the Table:-

1. A copy of the Annual Report (Hindi and English versions) of the National Institute of Rural Development and Panchayati Raj, Hyderabad, for the year 2014-15.

2. A copy of the Annual Accounts (Hindi and English versions) of the National Institute of Rural Development and Panchayati Raj, Hyderabad, for the year 2014-15, together with Audit Report thereon.
3. A copy of the Review (Hindi and English versions) by the Government of the working of the National Institute of Rural Development and Panchayati Raj, Hyderabad, for the year 2014-15.

[Placed in Library, See No. LT 3674/16/15]

12.06 ½ hours

**STANDING COMMITTEE ON PERSONNEL, PUBLIC
GRIEVANCES, LAW AND JUSTICE**

79th Report

[English]

SHRI M. UDHAYAKUMAR (DINDIGUL): Madam, I beg to lay the Seventy-ninth Report (Hindi and English versions) of the Standing Committee on Personnel, Public Grievances, Law and Justice on the Subject 'Feasibility of Holding Simultaneous Elections to the House of People (Lok Sabha) and State Legislative Assemblies'.

12.07 hours**STATEMENTS BY MINISTERS**

(i) Status of implementation of the recommendations contained in the 3rd Report of the Standing Committee on Water Resources on Demands for Grants (2015-16), pertaining to the Ministry of Water Resources.*

[Translation]

THE MINISTER OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA CONSERVATION (SHRI UMA BHARTI): Madam Speaker, I beg to lay a statement on the Table regarding the status of implementation of the recommendations contained in the 3rd Report of the Standing Committee on Water Resources on Demands for Grants (2015-16), pertaining to the Ministry of Water Resources.

* Laid on the Table and also Placed in Library See No. LT 3675/16/15.

12.07 ½ hours

(ii) (a) Status of implementation of the recommendations contained in the 203rd Report of the Standing Committee on Transport, Tourism and Culture on `Privatization of Services at Airports`, pertaining to the Ministry of Civil Aviation.*

[English]

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE, MINISTER OF STATE OF THE MINISTRY OF TOURISM AND MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (DR. MAHESH SHARMA): Madam, I beg to lay the following statements regarding the status of implementation of the recommendations contained in the 203rd Report of the Standing Committee on Transport, Tourism and Culture on `Privatization of Services at Airports`, pertaining to the Ministry of Civil Aviation.

* Laid on the Table and also placed in Library, See No. LT 3676/16/15.

12.07 ¾ hours

(ii) (b) Status of implementation of the recommendations contained in the 215th Report of the Standing Committee on Transport, Tourism and Culture on Action Taken by the Government on the recommendations/ observations contained in the 203rd Report of the Committee on `Privatization of Services at Airports`, pertaining to the Ministry of Civil Aviation.*

[English]

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE, MINISTER OF STATE OF THE MINISTRY OF TOURISM AND MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (DR. MAHESH SHARMA): Madam, I beg to lay the following statements regarding the status of implementation of the recommendations contained in the 215th Report of the Standing Committee on Transport, Tourism and Culture on Action Taken by the Government on the recommendations/ observations contained in the 203rd Report of the Committee on `Privatization of Services at Airports`, pertaining to the Ministry of Civil Aviation.

* Laid on the Table and also placed in Library, See No. LT 3677/16/15.

[English]

HON. SPEAKER: Now, 'Zero Hour'.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): Madam Speaker ... (*Interruptions*)

HON. SPEAKER: What is it?

... (*Interruptions*)

[Translation]

HON. SPEAKER: I have stated his issue, now you sit down please. It is done.

... (*Interruptions*)

[English]

HON. SPEAKER: Shri B.B. Patil.

SHRI BHEEMRAO B. PATIL (ZAHEERABAD): Madam Speaker, as the House is aware, ASHA workers are on strike for more than 100 days demanding a solution to a charter of demands. ... (*Interruptions*)

[Translation]

HON. SPEAKER: Only your people are disturbing you, not everyone.

... (*Interruptions*)

[English]

HON. SPEAKER: Your people were disturbing. I am sorry.

... (*Interruptions*)

[Translation]

HON. SPEAKER: I gave you a chance to speak, you could have spoken in a minute, then you started speaking longer. No, now sit down please. Not now.

... (*Interruptions*)

HON. SPEAKER: I have taken notice of it. Sit down.

It is okay.

... (*Interruptions*)

[English]

SHRI BHEEMRAO B. PATIL: At present, ASHA workers are being paid incentive for their performance at the rate of Rs. 300 per delivery, Rs. 150 per FP case and Rs. 150 for follow up of immunization after delivery. ... (*Interruptions*)

HON. SPEAKER: I have told that the privilege notice is with me. [Translation] Please sit down. Don't advocate on behalf of everyone. Please sit down.

... (*Interruptions*)

[English]

HON. SPEAKER: Only Shri B.B. Patil's statement will go on record.

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

SHRI BHEEMRAO B. PATIL: On an average, ASHA workers are getting only Rs. 1,500 per month. This amount is shared by both the Union Government and the State Government and paid through DMHO. ... (*Interruptions*) The demands of the striking employees include according recognition to ASHA workers as second Auxiliary Nurse Midwives and issuance of health cards and insurance; Rs. 15,000 per month salary against incentives; pending salary amount of 39 months of community health workers; pension, gratuity and maternity leaves; demand of pending bills, uniforms and other due payments; increase of *Prasuti Seva* incentive; and TA / DA allowances as they also have to visit habitations and keep officials informed about the outbreak of any seasonal diseases. ... (*Interruptions*)

* Not recorded.

It is not out of place to mention here that ASHA workers belonging to the Health Department have to discharge duties such as attending to women during labour pain; educate rural women on good health practices; and take care of new-born babies among many others, which are practically very difficult. ... (*Interruptions*) They are also responsible for the implementation of health schemes launched by the State and Union Governments, and they play a key role in the society. ... (*Interruptions*)

[Translation]

HON. SPEAKER: Please conclude now, in Zero Hour, you don't have to speak at such length, nor do you read out the entire statement. You have to simply convey your points briefly.

[English]

SHRI BHEEMRAO B. PATIL: But, unfortunately, they are not considered as health workers by the Government and are paid very less amount of money as incentives. ... (*Interruptions*) Be it mid-day meal, Anganwadi or ASHA workers, several Governments changed, but their intentions and policies remained the same. ... (*Interruptions*)

Hence, I would request the Government to be sensitive to the demands of ASHA workers and consider their regularization as

Government employees and fixation of minimum wages, which are genuine. ... (*Interruptions*) Thank you. ... (*Interruptions*)

HON. SPEAKER: Shri Bhairon Prasad Mishra and Shri Shivkumar Udasi are permitted to associate with the issue raised by Shri Bheemrao B. Patil.

... (*Interruptions*)

[Translation]

HON. SPEAKER: I have already said that [English] it is under my consideration.

[Translation]

KUNWAR PUSHPENDRA SINGH CHANDEL (HAMIRPUR): Madam Speaker, through you, I would like to place a serious matter before the House. When a person's body temperature increases by one degree or two degrees, it is said that his health is bad and a doctor should be consulted.

HON. SPEAKER: The temperature of the House is also increased.

KUNWAR PUSHPENDRA SINGH CHANDEL: Right, so it is necessary for here as well that the temperature of the House remains low. ... (*Interruptions*)

HON. SPEAKER: You continue with your point.

KUNWAR PUSHPENDRA SINGH CHANDEL: The temperature of Mother Earth has increased due to global warming in the whole world, because of which crop production is decreasing. There is serious food crisis all over the world. Indian philosophy has been sensitive to environmental balance since ancient times. The Shanti Path mentioned in the ancient Yajurveda about three thousand years ago is indicative of this. Today, serious consequences of global warming are emerging. While there were floods in Chennai recently, due to global warming, my Parliamentary Constituency Hamirpur, Mahoba, Tinwari and entire Bundelkhand have been facing continuous drought for the last ten years. The crop is ruined and the farmer is in bad shape. Increase in global temperature is a reality and correct explanation of its causes is the need of the hour.

IIFC Bangalore is working on this under the N.D.A Government led by Hon. Prime Minister Narendra Modi. It deserves compliments, that it has initiated innovative research on environment and climate change. Global warming is not just happening due to human causes, but also because of natural causes. It is not justified to impose carbon tax on international trade on developing countries like India by other

countries. It could be a diplomatic weapon of some countries. However, India is now capable and self-reliant, and it will not yield to pressure.

Therefore, I request the Government of India to make appropriate efforts to reduce the risks caused by global warming, the receding agricultural production, particularly in Bundelkhand, to reduce the bad impact on the livelihood of people and on the economy due to the continuously declining productivity. Along with this, the low cost global and energy resources and industries in the areas affected by global warming in the country, especially in my Bundelkhand area, should be developed on a high priority basis.

HON. SPEAKER: Shri Bhairon Prasad Mishra, Shri Keshav Prasad Maurya, Shri Raghav Lakhanpal, Shri Dev GM Patel, Shri Rahul Kaswan are permitted to associate with the issue raised by Kunwar Pushpendra Singh Chandel.

[English]

DR. RATNA DE (NAG): Madam, it is a matter of astonishment for me as know that arsenic poisoning has spread to 12 States. Arsenic groundwater contamination was first detected in West Bengal in 1983. By 2020, its spread was reported from the Ganges-Brahmaputra fluvial region covering Jharkhand, Bihar etc. At present, 96 out of 640 districts

have high concentration of arsenic. ... (*Interruptions*) Most disturbing news at present is that arsenic poisoning has entered food chain through farm products. A Committee of Secretaries in a report to the Government has estimated that over seven lakh people have been affected by arsenic with around 3 lakh people having arsenic related diseases. Around 30 per cent of this three lakh people having arsenic related disease are poor and malnourished. A plan of action should be put in place immediately to ensure that arsenic contamination does not enter into our food and farm products in these 12 States.

Under these circumstances, I would strongly urge the hon. Minister to address the issue of arsenic poisoning and get rid of arsenic content in our farm products and food. ... (*Interruptions*)

HON. SPEAKER: Dr. Kirit P. Solanki is permitted to associate with the issue raised by Dr. Ratna De (Nag).

HON. SPEAKER: Why are you shouting? None of your words are going on record.

... (*Interruptions*)

HON. SPEAKER: Kharge Ji, please sit down. Nothing is said at length in the privilege motion.

... (*Interruptions*)

[English]

HON. SPEAKER: I have taken it. I am sorry.

... (*Interruptions*)

[Translation]

HON. SPEAKER: Deependra ji, I had given you time as well to speak. It doesn't happen again and again.

... (*Interruptions*)

HON. SPEAKER: Deependra ji, please sit down.

... (*Interruptions*)

HON. SPEAKER: Saugata ji, if you want to raise any issue then please let me know. Don't advocate on behalf of others. Please sit down.

... (*Interruptions*)

SHRI RAHUL SHEWALE: Madam Speaker, I am grateful to you for giving me this opportunity to raise an important matter about my Parliamentary Constituency South-Central Mumbai. ... (*Interruptions*)

Madam Speaker, the residents of Koli Samaj Housing in Sion Koliwada in Mumbai are taking the brunt of the negligence of the previous government till date. ... (*Interruptions*) Pollution is spreading here due to coal storage. The health of the residents is constantly

deteriorating. ... (*Interruptions*) Similarly, for the last ten years, Sewri residents are sick due to coal pollution. The coal that is brought from the Haji Bandar is stored here. ... (*Interruptions*) There is a huge stock of coal in the areas like Sion, Sewri, Mumbai Port Trust etc. ... (*Interruptions*)

12.17 hours

(At this stage, Shri Mekapati Raja Mohan Reddy and some other hon. Members came and stood on the floor near the Table.)

12.18 hours

(At this stage, Shri Mekapati Raja Mohan Reddy and some other hon. Members went back to their seats.)

[English]

HON. SPEAKER: Nothing will go on record.

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

SHRI RAHUL SHEWALE (MUMBAI SOUTH CENTRAL): Due to the sorting and cleaning of coal taking place here, coal dust remains constantly suspended in the atmosphere. Residents here are suffering

* Not recorded.

from cough, asthma and TB ailments. ... (*Interruptions*) Open trucks are used to transport coal and load coal dust into rail wagons, which results in a significant amount of pollution. Residents of the railway line are suffering from diseases due to this pollution. ... (*Interruptions*) It is surprising that Google Maps clearly show that between the year 2009 and the year 2015, the green belt in this area has gradually turned black and grey, yet the attention of the Government is not towards this. ... (*Interruptions*)

Therefore, I urge the Government to relocate the coal storage from Sion Koliwada, Sewri, and the surrounding areas so that the health of the residents may improve and more people do not suffer from diseases in the future. Thank you. ... (*Interruptions*)

[English]

HON. SPEAKER: Shri Arvind Sawant, Shri Rajan Vichare and Shri Shrirang Appa Barne are permitted to associate with the issue raised by Shri Rahul Shewale.

DR. J. JAYAVARDHAN (CHENNAI SOUTH): Hon. Speaker, Madam, the entire country is aware of the devastation caused by the recent floods in Tamil Nadu. Many families have lost their huts and dwelling places along with all the household belongings. In Chennai

City, about 50,000 families have already been surveyed and identified living along the banks of the Adayar and Cooum Rivers and the Buckingham Canal. Out of these 50,000 families, the Government of Tamil Nadu would be able to accommodate 25,000 families in tenements already constructed and under construction by the Tamil Nadu Slum Clearance Board. For the remaining 25,000 families particularly those residing along the Buckingham Canal and for a further 25,000 families residing in the vicinity of other water courses and water bodies in Chennai City affected in the recent flooding, our hon. Chief Minister of Tamil Nadu Puratchi Thalaivi Amma has prepared a project to construct 50,000 multi-storeyed tenements on various pieces of land that are available with the State Government. The construction cost is expected to be Rs.10 lakh per unit. The total cost of this massive special housing project will be Rs.5,000 crore. Therefore, a special scheme should be sanctioned for constructing 50,000 houses for the urban poor who are to be resettled from water courses and water bodies at a cost of Rs.5,000 crore.

Madam Speaker, in addition to the special scheme, under the existing programmes of the Government of India Rs.1.5 lakh is provided as a grant for reconstruction of houses *in situ*. It is estimated that there are 50,000 such houses in Chennai and adjoining urban areas

which were damaged in the floods. Therefore, a special allocation of Rs.750 crore for 50,000 houses at a rate of Rs.1.5 lakh per house as Central grant should be sanctioned. The State Government will add a further Rs.1 lakh per house to provide a grant of Rs.2.5 lakh per house for *in situ* reconstruction of houses in slum areas affected by the floods. Thank you.

SHRI P.V. MIDHUN REDDY (RAJAMPET): Madam Speaker, the genesis of granting Special Category Status to Andhra Pradesh began when hon. Prime Minister gave a categorical assurance in Rajya Sabha on 20th February, 2014 while intervening in the discussion on the Andhra Pradesh Reorganisation Bill. The Government had taken it to the Union Cabinet and the Union Cabinet had approved granting Special Category Status to Andhra Pradesh for five years on 2nd March, 2014, and sent the proposal to Planning Commission for implementation.

During Lok Sabha Elections, BJP had taken this further by including it in the manifesto and saying that if it came to power it will grant Special Category Status to Andhra Pradesh not for five years but ten years. It is now almost 18 months since the Government had given that assurance. But instead of progressing on the proposal, it appears

that the Government is intentionally regressing. It is not acceptable to the people of Andhra Pradesh.

In March this year, hon. Minister for Planning in reply to a question about special category status to Andhra Pradesh said in this august House that presently there is no proposal before the Government of India to accord Special Category Status to any State. YSR Congress Party and people of Andhra Pradesh were shocked on hearing this news and there were big dharnas, rasta rokos and other protests held all over the State. Our Party President Jaganmohan Reddy-garu undertook a fast unto death and our Party protested in this House and gave notices of adjournment motion and calling attention to raise the issue.

We request the Government of India to announce Special Category Status to Andhra Pradesh without any further delay as committed in the House to protect the interests of the people of Andhra Pradesh. Without any further delay, the Government of India should announce Special Category Status to Andhra Pradesh. It is the responsibility of both the BJP and the TDP Governments to honour the commitments made on the floor of the House and as promised in the NDA manifesto about according Special Category Status to Andhra Pradesh without any further delay. We want the Government of India to give a clear

statement in the House about according special category status to Andhra Pradesh. ... (*Interruptions*)

[Translation]

HON. SPEAKER: Please associate with it, everybody does not have to speak.

... (*Interruptions*)

HON. SPEAKER: Jitendra Reddy ji, everyone will not speak on this.

... (*Interruptions*)

[English]

SHRI A.P. JITHENDER REDDY (MAHABUBNAGAR): Madam Speaker, I welcome the demand made by the hon. Member. And I would like to say that on the line of the request made for Andhra Pradesh, Telangana should also be given a special category status.

[Translation]

SHRI PARESH RAWAL (AHMEDABAD-EAST): Madam Speaker, nowadays a lot of things have started being organised in our country. Organised noise is also made. Organised Mafia is also there. The education sector is also starting to get organised. My direct reference is towards the coaching classes. I understand that those who

take admission in a private school, first have to pay donation, capitation fee etc. They cannot go to the Government school, because they know very well how the standard of a Government school is. There is no use of going there. I believe that if the children of government employees start going to government schools, start going to government hospitals, start using government transport, then their standards can rise. But when will this happen, leave alone God, even Rajnikanth would not know. I understand that to avoid all these things, people go to a private school, but even after going there, they have the fear that if my child does not go to the coaching class, [English] he will not be able to excel. [Translation] So, he has to enroll in coaching classes. In these coaching classes, the same teachers come, who teach in the government schools. It is a whole nexus. Sometimes this happens, there are some coaching classes which have direct connection with those who set the examination papers. From there the paper gets leaked, examination marks etc. are manipulated. I understand that our entire culture is gradually becoming a second opinion culture that if we do not go here, do not go to him, our child will not be able to excel. If we go there, this burden also falls on the parents and the middle class.

The second thing is that, all these coaching classes which are there, no one needs any permission, no license is needed to open a coaching

class, they open them anywhere. If permission is taken to open a school, similarly rules should be made for coaching classes as well, some law should be made. Whoever wishes, he starts a coaching class and this whole business continues. I am afraid that these are not even organised mafias, this is education terrorism. Just as the Government does not have a list of who is a terrorist, similarly the Government does not have a list of how many coaching classes there are. They don't have a list. I believe that the Government should take appropriate action in this matter; otherwise, the hard disk of education of the entire future generation will become completely corrupted. Thank you.

HON. SPEAKER: Shri Keshav Prasad Maurya, Shri Ajay Misra Teni, Shri Ramsinh Rathwa, Shri Ravindra Kumar Jena, Shri Devji M. Patel, Shri Shivkumar Udasi, Dr. Sanjay Jaiswal, Shri Ravindra Kumar Pandey, Dr. Kirit P Solanki, Shri Naranbhai Kachhadia, Shri Pralhad Joshi, Shri Vinod Kumar Sonkar, Shri Satish Kumar Gautam, Shrimati Kirron Kher, Shrimati Meenakshi Lekhi, Shri Shrirang Appa Barne, Shrimati Poonam Mahajan, Kunwar Pushpendra Singh Chandel, Shrimati Anju Bala, Shrimati Santosh Ahlawat, Shrimati Riti Pathak, Shri Nana Patole, Kumari Shobha Karandlaje, Shri Rajesh Ranjan, Shri Nishikant Dubey and Shri Bhairon Prasad Mishra are permitted to associate with the issue raised by Shri Paresh Rawal.

SHRI HARIOM SINGH RATHORE (RAJASMAND): Madam, I thank you for giving me an opportunity to speak. In the context of the development of Haldighati, the world-renowned battlefield located in the Mewar region of Rajasthan, I rise to present my views before the Government, through you.

This Haldighati war fought between the forces of revered Maharana Pratap and Akbar is considered to be the first freedom struggle of the nation where the sovereignty of foreign forces was rejected. Maharana Pratap did not compromise on independence despite all adverse circumstances. Despite his limited resources, Akbar's huge army was defeated. Wherever there are such battlefields across the world, those places are the centre of pride for those nations. Haldighati freedom struggle is also a matter of pride for our nation. If a detailed plan is prepared for the development of this historic war zone, it will not only promote national pride but also attract a large number of domestic and international tourists. In addition to the preservation of historical sites, it will create new avenues of employment for the local population. Thank you very much.

HON. SPEAKER: Shri Sumedhanand Saraswati, Dr. Kirit P Solanki, Kunwar Pushpendra Singh Chandel and Shri Bhairon Prasad Mishra are

permitted to associate with the issue raised by Shri Hariom Singh Rathore.

[English]

SHRIMATI KIRRON KHER (CHANDIGARH): Hon. Madam Speaker, according to the Census 2011, 2.68 crore persons with disabilities and 9.68 crore senior citizens reside in India. Despite this, the specific needs of such vulnerable road users during commuting have not been addressed by the existing transport system. The concerns have aggravated, particularly in metropolitan cities due to bad road design along with neglect of pedestrians in the urban and transport policies.

Our roads are designed only keeping motorized vehicles in mind. As we are all aware, majority of roads do not even have usable footpaths. So, road users are forced to walk on the roads making them vulnerable to road accidents. This situation is especially dangerous for people with disabilities. We, therefore, need a significant overhaul of the urban design and road engineering standards in India.

The NDA Government is already taking proactive measures in this regard. On 3rd December, the International Day for Persons with Disabilities, the Hon. Prime Minister introduced the *Sugamya Bharat Abhiyan* to make environment, public transport and IT infrastructure

completely accessible for all. I am delighted to learn that the hon. Minister of Road Transport and Highways has also committed to introducing the safe system approach in road design and engineering.

Along with these initiatives, I appeal to the hon. Ministers of Road Transport and Highway and Urban Development to establish minimum safety standards, incorporating universal design for all roads, footpaths and other walking spaces. It is imperative that we make our footpaths, roads and transportation system inclusive for all categories of road users.

HON. SPEAKER: Shri Keshav Prasad Maurya, Shri P.P. Chaudhary, Shrimati Poonam Mahajan, Shri Pushpendra Singh Chandel, Shri Ashwini Kumar Chaubey, Shri Shivkumar Udasi, Dr. Sanjay Jaiswal, Kumari Shobha Karandlaje and Shri Bhairon Prasad Mishra are permitted to associate with the issue raised by Shrimati Kirron Kher.

... (*Interruptions*)

[Translation]

DR. VIRENDRA KUMAR (TIKAMGARH): Madam Speaker, I want to bring a matter of great importance before the House, through you. Recently, due to continuous and unseasonal rainfall in Chennai, normal life was severely disrupted and the local economy was

significantly affected. It will take a long time to get the entire system back on track. Hon. Chief Minister Amma started a lot of efforts there at her level. The sensitive Prime Minister of our country, Hon. Narendra Modi ji, also promptly stepped forward to help the rain affected areas in Chennai. Initiatives in this regard were also started by Hon. Members.

In case of any natural calamity in any part of our country, whether it is the cyclone of Orissa and Gujarat, cloudburst incidents in Uttarakhand and Himachal Pradesh, in case of such natural calamities, help is promptly extended by the State Governments and the Union Government there. In this regard, there is a need to run a campaign in the entire country on the lines of the cleanliness campaign run by the Prime Minister of our country, Hon. Narendra Modi. In this cleanliness campaign, students, employees, film workers, actors, artists, even judges from all over the country took initiative and demonstrated the unity of their country.

I want to place before the House, through you, that there are about 70-80 crore mobile users in our country. A policy needs to be formulated in this regard. A common code number should be created by our Telecom Department, such as 555555. A dedicated number should be created, and when a mobile operator dials that number, one

rupee should be deducted from the caller's balance. This one-rupee deduction, when applied nationwide, could generate approximately 70 to 80 crore rupees in a single instance, while also connecting the public sentiment of the entire country with the cause. In case of a natural calamity in any part of our country, the whole country will be able to demonstrate its unity and help it in coming forward.

Along with this number, there will be many individuals who may wish to contribute more than one rupee. Therefore, after dialling the number 555555, the caller will hear a beep, after which they can enter the amount they wish to contribute, be it Rs. 25, Rs. 50, Rs. 100, Rs. 500, or any other sum. The specified amount will then be deducted accordingly. In this way, by donating a huge amount, the sentiments of the entire country can be united to help in case of natural disaster in any area of our country.

Through you, I request the Union Government to immediately make arrangements for dialling such a number through mobile phones in order to garner support from the people of the country to face natural disasters. Thank you very much.

HON. SPEAKER: Shri Rajendra Agrawal, Shri Ramsingh Rathwa, Shri Keshav Prasad Maurya, Shri Satish Kumar Gautam, Shri Bhairon Prasad Mishra, Kunwar Pushpendra Singh Chandel, Shrimati Anju

Bala, Shrimati Santosh Ahlawat, Shrimati Riti Pathak, Shrimati Krishna Raj, Shrimati Ranjanben Bhatt, Shri P.P. Singh and Shri P.P. Singh. Permission is granted to associate Shri Chaudhary, Shri Ganesh Singh, Dr. Sanjay Jaiswal, Shri Devji M. Patel, Shri Arjun Ram Meghwal, Shri Shivkumar C. Udasi, Shri R. Dhruv narayan, Shri Ashwini Kumar Choubey and Kumari Shobha Karandlaje with Dr. Virendra Kumar.

For this to work, the mobile phone must also be functioning properly. Shri Sudip Bandyopadhyay.

[English]

SHRI SUDIP BANDYOPADHYAY (KOLKATA UTTAR):

Madam, I want to raise an issue and want to draw the attention of the hon. Finance Minister also. ... (*Interruptions*)

The call drop issue has become a very sensitive issue throughout the country. While talking for ten to fifteen minutes, the line is being disconnected for at least 15 to 17 times. What for do I want to draw your attention? The private group assured that they would pay Re. 1 charge to the customer. I would like to know whether the Government has taken any step to collect or to pay this amount to those customers who are using these telephone lines whether it is Vodafone, AirTel,

Idea, Reliance or even BSNL or MTNL and how much money has been collected. In my opinion, I think the whole House will also agree that this problem has caused tremendous anxiety in the country. Why is the Government not taking up the issue on the floor of the House so that we can elaborately discuss it? I will be very happy if the Government or at least somebody from the Government would respond and give us light how we are coming out of these typical call drop problems which are prevailing in the whole country. ... (*Interruptions*)

HON. SPEAKER: Shri Rajeev Satav, Shri M.B. Rajesh, Shri P.K. Biju, Dr. A. Sampath, Shri Jose K. Mani, Shri Joice George, Shri Bhairon Prasad Mishra, and Shri Nishikant Dubey are permitted to associate with the issue raised by Shri Sudip Bandyopadhyay.

... (*Interruptions*)

SHRI P.V. MIDHUN REDDY (RAJAMPET): Food adulteration is a major issue our country is facing. A lot of people are getting affected by food adulteration. Even extensive use of pesticides is affecting the poor people.

In my constituency, there is a huge demand for a dialysis centre as a lot of people's kidneys are affected because of extensive use of pesticides and a lot of people are suffering. Earlier, you were kind

enough to make me talk on this issue under Calling Attention and the Minister had announced a Committee which was to report in 45 days but I do not think anything substantial has taken place. I request the Government to place strict laws to curb food adulteration and restrict the use of pesticides which are harming the people.

HON. SPEAKER: Shri Devji Patel, Dr. Sanjay Jaiswal and Shri Shivkumar Udasi are permitted to associate with the issue raised by Shri P.V. Midhun Reddy.

[Translation]

SHRI JAGDAMBIKA PAL (DOMARIYAGANJ): Madam Speaker, Today, in the slum areas of the country, Anganwadi workers and helpers working through the ICDS are making a significant contribution towards reducing maternal and infant mortality rates. They have a very important contribution in reducing malnutrition. For the last 40 years, only women in the society are engaged in these entire programmes of Anganwadi and ICDS. They have played an important role in not only reducing the mortality rate of other children, but they have also played a very important role in reducing malnutrition. However, today their situation is such that no clear policy has been made for them.

Today, the workers who work in Anganwadi in Uttar Pradesh are given Rs. 3200 and their helpers Rs. 1600. In no other State do they get less than Rs. 5,000. In Haryana and other states, they are given Rs. 9,000.

Madam, I want to urge, through you, that today when the report of pay-commission comes from time to time due to inflation for regular employees, the situation in which these Anganwadi women, workers and helpers have been working continuously for the last 40 years, a clear policy should be made for them and uniform honorarium should be given in all the states for their work. This money goes through grants from the Government of India. There is some honorarium in one state and there is a separate honorarium in another state. Through you, we want to demand from the Government that our workers and helpers working in Anganwadi in all the States of the country should get equal salary and honorarium. As they have an important role in national programmes like pulse polio and census etc., there should be some plan to appoint them as a government employee as well. There has been no increase in their honorarium in the last five-six years.

[English]

HON. SPEAKER: Shri Sharad Tripathi, Shivkumar Udasi, Devji M. Patel, Nana Patole, Harish Dwivedi, Satish Kumar Gautam, Bhairon

Prasad Mishra, Bhanu Pratap Singh Verma, Keshav Prasad Maurya, P.P. Chaudhary, Rajeev Satav, Kunwar Pushpendra Singh Chandel, Dr. Sanjay Jaiswal, Dr. Manoj Rajoria are permitted to associate with the issue raised by Shri Jagdambika Pal.

SHRI PRALHAD JOSHI (DHARWAD): Madam, you are quite aware that Railway is playing a pivotal role in overall development of the country. One of such projects is Hubli-Ankola railway line the foundation stone of which was laid by Shri Vajpayee in 2002. Subsequently, in 2004 the Ministry of Environment rejected the proposal saying that it destroys the prime forest land. We represented the Environment Ministry and it suggested the User Agency Railways to review the entire project. The Railway reviewed it and 920 hectare of the forest land was reduced to 700 hectares. It was once again presented to the Environment Ministry. In the meanwhile people went to the Green Bench. Recently, the Green Bench has rejected it.

My humble submission to the Ministry of Environment is, this is one of the important lines where the Karnataka Government is also ready to share 50 per cent of the cost of the project. It connects the hinterland to the West coast and also provides boost for the trade and commerce community from various parts of the country. I very humbly suggest the Environment Ministry to go for a review in the Green Bench

and properly argue the case so as to provide permission for Hubli-Ankola railway project in Karnataka, which is a very important project connecting hinterland to the West coast.

HON. SPEAKER: Shri Shivkumar Udasi is permitted to associate with the issue raised by Shri Pralhad Joshi.

SHRIMATI KOTHAPALLI GEETHA (ARAKU): Thank you, Madam, Speaker, for giving me this opportunity to speak in this august House regarding the atrocities against women. Today, we commemorate the third death anniversary of Nirbhaya incident. India is a spiritual land where women are worshiped in various forms. The status of women in India has been subjected to various changes and the history has been quite eventful. However, women in India today continue to face so many problems, like violent victimization through rape, acid throwing, dowry killings and forced prostitution of young girls.

As we commemorate the death of Nirbhaya, I would like to draw the attention of this House to a statement that has been given by a convict in the gang-rape case who is in jail. He said:

“Women who go out in the night had only themselves to blame if they attracted the attention of the molesters.”

In this interview to the BBC documentary, he says that a girl is more responsible than a boy. I wonder whether we are living in a civilized society or we are still living in the jungle law.

Hence I would request this august House to join hands in framing legislations for protecting women from such violent incidents. We will all rise under your able leadership, Madam, to empower women to safeguard themselves from such acts.

[Translation]

HON. SPEAKER: Shri Bhairon Prasad Mishra, Shri P. P. Chaudhary, Shri Rajeev Satav are permitted to associate with the matter raised by Shrimati Kothapalli Geeta.

SHRI RAJENDRA AGRAWAL (MEERUT): Madam Speaker, I thank you for giving me an opportunity to speak. How the insensitivity of the system is bent on ruining a poor farmer, I want to present such a case in the House, through you.

Vivek Sangwan, son of Raghuraj Singh, a resident of Meerut, had taken a loan of Rs. 3,13,800 from the Jani Branch of Punjab National Bank for B.Tech education in the year 2009. It was only after giving the final year B.Tech examination that Vivek Sangwan was diagnosed with cancer. For the health of his son, Raghuraj Singh got him treated by

taking a personal loan and selling his land, but Vivek could not be saved. He died on 1st November, 2013. Raghuraj Singh is being served notices by the bank for recovery of loan after the death of his son Vivek and threatening legal action if he fails to repay the loan.

Madam Speaker, there is no requirement of any guarantee or other person being a guarantor for education loan. Under the pressure of credit requirement, almost all students and parents sign a contractual form of loan on the advice of the management mechanism of the bank without reading the terms of the bank in detail. I have my own experience. I took a home loan. I signed at 40 or 45 places. I couldn't read them myself. The common proforma of the bank is of this type. Certainly, Shri Raghuraj Singh has also done the same.

Madam Speaker, how should this poor farmer, who has already lost his son, should he repay the loan, sell his remaining land or go to jail or commit suicide in despair. I spoke to the Divisional Head in this regard. I wrote a letter to the Finance Ministry. A letter from the Finance Ministry went to the Divisional Head. He said we don't have any such system. Therefore, he should make a settlement with us under OTS. The poor farmer does not have even that much money to settle under the OTS. Now, he has been given notice on 6th November that either you pay us, otherwise we will take action against you.

Madam, I would like to draw your attention that in such cases, instructions should be given and no attempt should be made to ruin the father's life by making him a co-borrower. How many such cases must be there in this country? In this way, the children who died, God forbid, some other child dies, but if the death occurs, the loan should not be recovered from the family. This is my request to you, thank you very much.

HON. SPEAKER: Shri Keshav Prasad Maurya and Kunwar Pushpendra Singh Chandel are permitted to associate with the matter raised by Shri Rajendra Agrawal.

Shrimati Veena Devi - not present.

Shrimati Jayshreeben Patel.

SHRIMATI JAYSHREEBEN PATEL (MEHSANA): Madam, I thank you for giving me time. I want to draw the attention of Hon. Agriculture Minister, through you.

The revival package under the Vaidyanathan Committee is Rs. 828.69 crore, which has been released by the Union Government. This agricultural credit is being provided through the cooperative structure, which aims to strengthen the structure, strengthen the primary societies through C.R.A. and to maintain some other standards, some amount has

been provided to the District Central Cooperative Banks. Out of this, only Rs. 567.76 crore has been given to Gujarat. Out of this, Rs. 260.91 crore has not been received by Gujarat yet.

Its remaining amount of Rs 253.88 crore is to be distributed amongst the cooperative banks of 11 districts and Rs. 7.03 crore amongst the primary agricultural cooperative societies.

Therefore, through you, I request the Government, the Hon. Agriculture Minister, to give the remaining amount to the state of Gujarat as soon as possible. It is necessary for these cooperative institutions to increase the capital base.

SHRI PASHUPATI NATH SINGH (DHANBAD): Madam Speaker, I am grateful to you for giving me this opportunity to speak on the subject of lasting public importance under Zero Hour. I would like to draw the attention of the Hon. Human Resource Development Minister to my Parliamentary Constituency. In the last budget session, the Indian School of Mines from our Parliamentary Constituency Dhanbad has been declared as an IIT institute. In the very campus of the Indian School of Mines, a private school named Indian School of Learning, has been running since 1989. About 1500 students are studying in this private school which is up to class 12th. The Indian School of Learning, which is situated on the campus of the Indian School of Mines and was

operating on leased land from ISM, has its lease currently nearing its end. This means that ISM wants the Indian School of Learning to remove its school from the campus, which would be extremely painful and unfortunate for the future of approximately 1,500 students studying there.

Therefore, I humbly request the Hon. Minister of Human Resource Development to grant permission to the Indian School of Learning, a private school where the children of the professors and employees of the Indian School of Mines also study, to continue operating at the same location.

[English]

HON. SPEAKER: Shri Nishikant Dubey is permitted to associate with the issue raised by Shri Pashupati Nath Singh.

SHRI HEMANT TUKARAM GODSE (NASHIK): Hon. Speaker, Madam, thank you for giving me this opportunity. I would like to draw the attention of the Government on the forthcoming toll plaza in my Nashik constituency at Shinde village on Nashik – Sinnar NH-50 for only 25 kilometres small urban stretch.

The proposed toll is on the boundary of Nashik Municipal Corporation. The distance between the boundary of Nashik NMC and

Sinnar Corporation is only 7 to 8 kilometres which will be developed within 4 to 5 years and the two cities will be combined by completion of this project.

In Sinnar there is an industrial zone whose work force stay in Nashik and travel daily. All agricultural goods and vegetables are carried by farmers from Sinnar to Nashik on this route by mini trucks and tempos. Also, due to social, personal and for visiting hospitals thousands of people travel and use this route for personal needs and not for commercial needs.

A provision for a monthly pass of Rs. 215 for a non-commercial vehicle and 50 per cent additional of the prescribed rate for commercial vehicle is made for 20 kilometres distance from the proposed toll plaza. But because of this distance Nashik city, Sinnar town and hundreds of villages will get affected and also the burden will be on about 35 to 40 lakhs of people and needy users in this urban area for the next 18 years.

For this 25 kilometres small stretch the project cost is Rs. 312.96 crore out of which the Government is funding Rs. 120.51 crore as VGF and the balance Rs. 192.45 crore should also have been funded by the Government but the Government has given on the basis of BOT and as a result of that around 35 to 40 lakhs people will suffer for the next 18 years.

Hon. Madam Speaker, through you, I would like to request the Ministry of Road and Surface Transport to cancel the toll plaza at Shinde village on Nashik – Sinnar NH 50 either by buy backing the toll plaza at Shinde and complete the entire work on Government funds or re-arrange the toll fee of Shinde toll ahead of the toll plaza towards Pune at Chalakwadi which will be a justice to the passengers traveling long distances. It will also help to reduce the hindrance to traffic and save traffic time. I would, therefore, like to request the Government to do the needful to avoid huge protests and allegations from public and also ensure that the Kolhapur toll incident does not get repeated in Nashik as well.

Thank you.

SHRI ANTO ANTONY (PATHANAMTHITTA): Hon. Madam Speaker, thank you for giving me this opportunity. I would like to request the Government to redress the grievances of the railway passengers in the country. Recent incidents of robbery, damaged coaches, delayed services and unexpected cancellation of trains has made train journey a nightmare. Due to lack of sufficient number of RPF personnel loot gangs are fearlessly wandering through express trains. There were two robberies reported in the Kerala Express in this month only. Sudden spurt in the number of robberies is alarming. As

per reports, most of the robberies have taken place between 9 pm and midnight. Therefore, I would like to request the Government to gear up the night patrolling of the RPF personnel in long distance trains.

Unexpected cancellation of trains has become a regular practice in the Indian Railways. In festival seasons, it creates a lot of panic among passengers. It should be noted that the Government has SMS mechanism to intimate railway related information. However, due to the irresponsible attitude of the authorities, passengers are getting information about train cancellation only after they reach the railway station. These types of unfortunate incidents should be avoided by disseminating the information regarding cancellation through SMS.

Another concern relating to train journey is delayed services. Sometimes, long distance trains run eight to ten hours late. Average travel time to Kerala bound train is 50 hours. Therefore, taking eight to ten hours more for a journey is a cumbersome experience. Coaches of most of the Kerala bound trains are damaged. During rainy season, it is difficult to travel in these coaches.

In addition to this problem, rat menace in the coaches also creates a lot of troubles to the passengers.

Therefore, I request the Government to take favourable action in matters related to the railway passengers in the country.

HON. SPEAKER: Shri Abhijit Mukherjee, Adv. Joice George, Shri P.K. Biju, Shri M.B. Rajesh, Shri Jose K. Mani and Dr. A. Sampath are permitted to associate with the issue raised by Shri Anto Antony.

[Translation]

SHRI JAI PRAKASH NARAYAN YADAV (BANKA): Hon. Madam Speaker, there are immense possibilities for tourism in Bihar, as nature has endowed it with numerous remarkable sites like Mandar, Bausin, Teldiha in Banka district, Kamariya in Sultanganj, Deoghar where people go on foot, where the world famous fair is held, Belhar, Chanan Katoria Vikramshila, Masudan Temple and Sitakund of Munger, Sitachand and Lachua Jain Temple of Jamui. A letter in this regard, has also been given to the Government of India that

[English]

“Keeping in view the vast tourism potential of the State of Bihar, the Ministry of Tourism decides to consider seven tourist circuits, namely, Vaishali and Bodhgaya development alongwith other places in Buddhist Circuit including Vikramshila (Rs. 200 crore); Sultanganj to Deoghar Project

(Rs. 50 crore); Patna Sahib (Rs. 50 crore); Mahatma Gandhi Circuit (Rs. 50 crore); Ramayan Circuit (Rs. 100 crore); Jain Circuit including Champapuri and Pawapuri (Rs. 50 crore); Circuit for Mandar Hills and Ang Kshetra (Rs. 50 crore)”

[Translation]

I would like to know from the Hon. Minister, through you, when will the money be given for the announcement which was made, who will prepare the DPR, which agency will do the work? Money should be released to strengthen the tourist places of Mandar, Kamariya, Dharamshala and Deoghar of Banka.

[English]

DR. ANBUMANI RAMADOSS (DHARMAPURI): Madam, we all know about the recent flood in Tamil Nadu, specially Chennai and Cuddalore regions. Hundreds of people lost their lives; hundreds of thousands of people lost their property and houses; and lakhs of farmers have lost their crops. It has been three weeks since then but normalcy has not yet returned.

We have seen a huge deluge in Chennai. This deluge has been partly natural and partly manmade. ... (*Interruptions*)... (*Not recorded*). People were not warned. ... (*Interruptions*)

[Transaltion]

HON. SPEAKER: You make your point, it does not work like that.

... (*Interruptions*)

[English]

SHRIMATI V. SATHYABAMA (TIRUPPUR): Madam, he is completely misleading the House. ... (*Interruptions*)

DR. ANBUMANI RAMADOSS: Due to this, hundreds of people died and thousands lost their property. ... (*Interruptions*)

Madam, I would like to bring to the notice of the Government some glaring issues during this disaster. We have the National Disaster Management Act enacted in 2005... (*Interruptions*)

[Translation]

HON. SPEAKER: Do not level allegations.

... (*Interruptions*)

[English]

DR. ANBUMANI RAMADOSS: It has been ten years since that Act has been enacted and during this disaster, we found that the National Disaster Management Authority was lacking.

I request the hon. Prime Minister to review the National Disaster Management Authority.

I say this because there was absolutely no coordination among the Disaster Management Authority, the Army, the State Government and the Union Government. There is a huge lapse in communication. So, I kindly urge upon the hon. Minister to do the needful. ... (*Interruptions*)

HON. SPEAKER: Shri P.R. Sundaram. Do you want to say something?

... (*Interruptions*)

SHRI K. ASHOK KUMAR (KRISHNAGIRI): Our Chief Minister has taken immediate action. ... (*Interruptions*)

HON. SPEAKER: Now, you take your seat. You have already said whatever you wanted to.

... (*Interruptions*)

HON. SPEAKER: I will see it. If there are any allegations or something, it should not go on record.

... (*Interruptions*)

HON. SPEAKER: Shri Sundaram, I think you do not want to say anything.

... (*Interruptions*)

SHRI P.R. SUNDARAM (NAMAKKAL): Hon. Speaker, I thank you for giving this opportunity. Please allow me to speak in Tamil.

HON. SPEAKER: Yes.

[English]

***SHRI P.R. SUNDARAM (NAMAKKAL):** Tamil Nadu has been devastated by the recent heavy rains causing loss to lives and property at large scale. I wish to quote here the emotional Address of Hon. Chief Minister Dr. Puratchithalaivi Amma to the people of Tamil Nadu.:

“I am deeply pained at the sorrows and sufferings faced by you due to the recent heavy rains and floods unseen in last 100 years. Don’t worry. This is your Government. You have given me the power to withstand and win over anything. I am With You and For You always. I assure that I will get you relieved soon from your miseries and I will add renewed vigour to your life. I have ensured relief works to be undertaken on war footing basis. I am carrying with me all your sufferings. You are my life. My home and heart is Tamil Nadu. I don’t have a life on my own.....

... (*Interruptions*)

HON. SPEAKER: Your Party Member is speaking. You are disturbing him. Nothing else will go on record. Only Shri Sundaram’s statement will go on record.

* English translation of the Speech originally delivered in Tamil.

... (*Interruptions*)

SHRI P. R. SUNDARAM: I don't have relatives. I am never selfish.

HON. SPEAKER: Why are you disturbing your own Party Member?

... (*Interruptions*)

SHRI P. R. SUNDARAM:I am even forgetting my real name as all of you fondly call me 'Amma'. I am dedicated to work for your welfare throughout my life."

HON. SPEAKER: Shri Sundaram. What is your demand? All these things will not go on record.

... (*Interruptions*)

SHRI P. R. SUNDARAM: Only one minute I will take. Tamil Nadu Government is known for its ability to tackle any kind of natural disaster of any magnitude. I have whole faith that Amma's hands are there to help us at times of distress. Some people are raising issues in this august House against the government of Tamil Nadu. The State led by Hon. Amma is undertaking all measures on war footing basis. The Address of Amma has instilled enormous confidence in the minds of people of Tamil Nadu.

HON. SPEAKER: What is it? You are not saying anything. You want relief. You are not speaking about relief.

... (*Interruptions*)

SHRI P. R. SUNDARAM: I therefore request that as demanded by Hon. Amma, Rs.8481 crore should be provided to flood-affected Tamil Nadu. Besides Rs. 5000 crore should be provided for construction of 50000 houses for the homeless, on war footing basis. Under the 'Housing for All' Scheme, Rs. 750 Crore should be provided for construction of 50000 houses for those who lost their huts in recent floods. Hon. Amma has urged Ministry of Urban Development to allocate Rs. 3770 crore for revival Chennai Metro Rail Services. I urge the Union Government should allocate funds as demanded by Hon. Amma. I request you to kindly release funds and provide support to continue the relentless efforts of Hon. Puratchithalaivi Amma for the welfare of people of Tamil Nadu. Thank you.

HON. SPEAKER: Shri Ravneet Singh. Do you want to say anything? All right, you do not want to say anything. Shri Rajan Vichare.

... (*Interruptions*)

HON. SPEAKER: I will allow you after Shri Rajan Vichare.

13.00 hours

[Translation]

SHRI RAJAN VICHARE (THANE): Hon. Madam Speaker, I would like to draw the attention of this House regarding the problems being faced by the drug vendors due to online drug sale. In the present times, everything is happening online which is considered an indicator of the progress of modern society. In this series, medicines are also being included, which are being sold through online mode. Around 55 thousand drug vendors from Maharashtra had closed their shops on 14th October, 2015 in protest. Around 3700 medical store owners in my own Parliamentary Constituency Thane district had also closed their shops against online drug sale and have opened a front against it. ...

(Interruptions)

There are more than 20 lakh small villages in India, where most people do not have the knowledge of computers, so they are unable to buy medicines online. If someone's health suddenly worsens, such as fever, problems like loose motions, etc., they immediately go to the nearest medical store and buy medicines, but if the online method comes, if he is not much educated and does not have knowledge of computer, then how will he be able to buy medicines online? Nowadays the trade of fake medicines is also going on in full swing. With the

introduction of online method, its business will increase further. When a person goes to a medical store to get medicines, the entire dose of the medicine is explained to him by the medicine seller. But who will explain the dose of medicines to them in the online method? Today many people take intoxicating medicines for sleep and with the introduction of this method, many companies selling online medicines will come in the market and drug addicts will take more drugs which will be dangerous for their health. According to the Drugs and Cosmetics Act, there is a provision of strict punishment for those possessing and selling fake medicines. In such a situation, if people buy fake medicines through online method, they may even lose their lives. Who will take responsibility for it?

Through this House, I request the Hon. Health Minister, to find a proper way to intervene in this serious matter. ... (*Interruptions*)

[English]

HON. SPEAKER: I will allow you. The first is Shri Veerappa Moily. I am allowing him you to raise the issue of petrol and diesel.

[Translation]

Prof. Ravindra Vishwanath Gaikwad, Dr. Manoj Rajoria, Shri Pushpendra Singh Chandel and Shri Shrirang Appa Barne are permitted to associate with the issue raised by Shri Rajan Vichare.

... (*Interruptions*)

SHRI RAGHAV LAKHANPAL (SAHARANPUR): Madam, the Hindon and Krishna rivers originate from the Shivalik hills and join the Yamuna river after flowing through hundreds of villages of my Lok Sabha constituency Saharanpur. For the last several years, these two rivers are being polluted by industrial units and by the polluted sewerage water of the city. The situation is such, that more than three hundred people from nearby villages have died in the last four-five years due to drinking this polluted water. Even today five-six hundred people are suffering from serious diseases. Be it cancer, skin disease or jaundice. More than one lakh people are affected by the pollution of this Hindon river. NGT had directed the State Government to clean this river. The State Government has also formed a state committee and there have been discussions about building reservoirs at one or two places. But I fear that all this work may remain on paper only and innocent people may continue to die there. Therefore, I request the Government to direct the Uttar Pradesh Government to start the work

of cleaning the Hindon river at the earliest. If resources are required for this, then those resources should also be made available to the State Government by the Union Government. Thank you. ... (*Interruptions*)

HON. SPEAKER: Shri Pushpendra Singh Chandel, Shri Bhairon Prasad Mishra, Shri Keshav Prasad Maurya and Dr. Satyapal Singh are permitted to associate with the issue raised by Shri Raghav Lakhanpal.

... (*Interruptions*)

HON. SPEAKER: Veerappa Ji is the first name to speak on petrol and diesel. [English] I am allowing you.

... (*Interruptions*)

HON. SPEAKER: I am sorry. Let me say something. You had given notice to speak on petrol and diesel. I am allowing you raise the issue of petrol and diesel. If you want to say something on that, you can.

... (*Interruptions*)

[Translation]

SHRI MALLIKARJUN KHARGE (GULBARGA): Madam, in Zero Hour. ... (*Interruptions*)

HON. SPEAKER: You do not have Zero Hour notice, everyone else has given notice to say something or the other.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE: Madam, I have given the notice. I have given a request that the constitutional crisis that is taking place in Arunachal. ... (*Interruptions*)

HON. SPEAKER: Arunachal Pradesh issue was over yesterday. No. Nothing will go on record.

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

HON. SPEAKER: I am sorry.

... (*Interruptions*)

HON. SPEAKER: Do not raise the Arunachal Pradesh issue. It was over yesterday.

... (*Interruptions*)

HON. SPEAKER: The House stands adjourned to meet again at 2.05 pm.

13.05 hours

The Lok Sabha then adjourned till Five minutes past Fourteen of the Clock

* Not recorded.

14.07 hours

*The Lok Sabha re-assembled at Seven Minutes past
Fourteen of the Clock.*

(Hon. Deputy Speaker *in the Chair*)

MATTERS UNDER RULE 377*

[English]

HON. DEPUTY SPEAKER: Hon. Members, the matters under Rule 377 shall be laid on the Table of the House. Members who have been permitted to raise matters under Rule 377 today and are desirous of laying them may personally hand over the text of the matter at the Table of the House within 20 minutes. Only those matters shall be treated as laid for which text of the matter has been received at the Table within the stipulated time. The rest will be treated as lapsed.

* Treated as ordered by Chair.

(i) Need to amend Gazette Notification to facilitate issuance of caste certificate to all the people having the surname as Mina or Meena.

[Translation]

DR. MANOJ RAJORIA (KARAULI-DHOLPUR): I would like to draw the attention of the Government to the problem being faced by the Scheduled Tribe students in my Parliamentary Constituency Karauli-Dholpur for getting caste certificates. In the Gazette Notification, under the Scheduled Tribes category the Government of India has mentioned Meena-Mina in a different way in English. In Rajasthan, just as words like paani-paani are used interchangeably in spoken language, Meena and Mina also refer to the same caste group. However, in common parlance, Meena is the term generally used. In order to remove this discrepancy and remove the difficulties being faced by the tribal class, the Rajasthan Government has instructed the officials to make Meena-Mina certificates that caste certificates of students of each tribe group should be made. I urge the Scheduled Tribes Commission and the Government of India that keeping in view the future of the students with regard to this issue, the gazette notification should be amended and Meena-Mina written in Hindi and the way it is written in English should be considered same so that there is no official obstacle in the tribal

certificates made earlier and the tribal certificates to be made in the future, so that the future of the students of the tribe can be saved.

(ii) Need to formulate a comprehensive policy for conservation and promotion of various forms of folk art in the country.

[Transaltion]

SHRI KESHAV PRASAD MAURYA (PHULPUR): I would like to draw the attention of the Government towards the conservation and promotion of folk arts and folk artistes of India.

In a vast country like India, till date, our countless folk arts have been the medium to bring its glorious history and rich traditions to us. Sadly, its millions of practitioners, connoisseurs and experts are today forced to live a life of helplessness. It is a matter of concern that today the folk arts which speak of fields and farms, forests and trees, water and land, customs and festivals and which have made such significant contributions are being ignored. In the present context, folk arts on the verge of extinction, the pitiable social and economic condition of folk artists, the dying artists, the sobbing arts, how many of these folk traditions now survive only in the fading memories of a few elderly individuals whose passing shall mark their end as well. The lack of opportunity, respect and grants has dried up the very roots of these folk arts.

I request that the Ministry of Culture implement the following actions on the basis of clear policy formulation and high priority:-

A Folk Art Ordinance should be enacted under which, by according top priority to cultural matters, all the folk arts and artistes of India shall be placed under the protected and rare category. A policy should be made to protect folk arts by declaring them as national heritage.

Elderly artistes should be provided with pension, and in particular, artistes above the age of seventy years should be granted pension and assistance immediately upon submission of the prescribed form.

There should be sector-wise and genre-wise budget allocation for folk arts so that grants can reach every folk art and folk artiste. The National Academy of Folk Art should be established in the capital city of Delhi and the foundation of alternative income enhancement scheme should be laid for poverty alleviation of folk artistes.

(iii) Need to change in guidelines of the Mahatma Gandhi National Rural Employment Guarantee Scheme works in the labour-material ratio from present 60:40 to 50:50.

[Translation]

SHRI C. R. CHAUDHARY (NAGPUR): I would like to draw the attention of Hon. Minister of Rural Development by putting across the facts related to Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGA).

In 2015-16, 60 percent of the total budget of Mahatma Gandhi National Rural Employment Guarantee Scheme will be spent on creating means for farming and water conservation. In these, provision has been made for construction of ponds, tankas, diggi construction, fencing of fields, feeding grounds for animals, cold storage for storing perishable products etc. The Government deserves praise for this. In the meetings of Panchayat Samiti members, Sarpanchs and Zilla Parishad, it was revealed that there is an urgent need to amend two points in the guidelines of Mahatma Gandhi National Rural Employment Guarantee Scheme. First, the wage and material ratio should be changed from the current 60:40 to 50:50, because the expenditure in case of permanent and fixed works is more on material. Secondly, the limit of land holding in Rajasthan is higher as compared to other states, whereas in this

scheme, only those who are small and marginal farmers can avail the benefits, amongst them also, there is a provision to give priority to the people of Scheduled Castes and Tribes. This deprives the middle class cultivators. Construction of ponds, cold storage etc. in the fields is done only by those farmers whose land holdings are more than the marginal farmers.

Therefore, I request the Union Government to extend this benefit to those who have land twice the limit of marginal cultivators. Also, the ratio of material and wages should be kept at 50:50.

(iv) Need to shut down slaughter houses being operated in the heart of the cities in Uttar Pradesh and shift them to places far from human habitations.

[Translation]

YOGI ADITYANATH (GORAKHPUR): The National Green Tribunal had ordered immediate closure of illegal slaughterhouses operating within the country, especially in Uttar Pradesh, expressing concern over the sale of open meat, but no effective action has been taken by the Uttar Pradesh Government on the orders of the National Green Tribunal even after a lapse of four months. While the illegal slaughter houses running in Uttar Pradesh are openly disobeying the orders of the National Green Tribunal, it is also a serious challenge for the environment. Meat is being sold openly at the crossroads and in every locality. Open meat is dangerous from the point of view of all types of infectious diseases including swine flu and bird flu etc.

Therefore, I request the Union Government to stop the illegal slaughter houses and meat shops operating openly in Uttar Pradesh with immediate effect or to prevent further damage to the environment and human health by relocating them away from human settlements.

(v)Need to address the problems being faced by differently- abled persons in the country

[English]

SHRIMATI BIJOYA CHAKRAVARTY (GUWAHATI): Among millions of people nearly seven crores are differently-abled persons. It is not that disabilities are man-made. But differently-abled persons are part of society. As such, they need humane treatment. Many differently-abled persons are achievers and offer services to the humanity. Although Government offer them lots of help but my plea is to let these differently-abled persons lead a life of dignity and honour. We have seen the plight of these people, who are begging, are treated as a curse. I urge the Government through you to create a support base for differently-abled persons. States be asked to fill the job quota meant for them. Both at the Centre and state level, job quota for them be increased. They should be given right kind of skill training.

I, therefore, urge upon the Government that the differently-abled persons be provided the financial assistance which should be sustainable for them.

(vi) Need to construct a boundary wall around Velavadar National Park in Bhavnagar Parliamentary Constituency, Gujarat to restrict the movement of Blackbucks often straying into agricultural fields and causing damage to crops.

[Translation]

DR. BHARATIBEN D. SHYAL (BHAVNAGAR): Velavadar National Park has been situated in the Bhal region of Saurashtra in my Parliamentary Constituency Bhavnagar (Gujarat) since 1976, which is spread over an area of about 42 kilometres. Thousands of black deer are found in this national park. There is no boundary wall around this park due to which deer roam in the nearby agricultural fields and damage the standing crops. This national park can also be made a tourist destination but due to lack of renovation and facilities, it has become a mere forest.

Therefore, I request the Union Government to build a boundary wall around Velavadar National Park so that the crops of the farmers can be saved and it can be further renovated into a national tourist destination.

(vii) Need to undertake repair of National Highways in Jalaun Parliamentary Constituency, Uttar Pradesh and redesign the roads and dividers often causing fatal accidents and also send a central team to undertake physical inspection of N.H. No. 25 between Kanpur and Jhansi.

[Translation]

SHRI BHANU PRATAP SINGH VERMA (JALAUN): The National Highways Authority (PIU) passing through Jalaun, Garautha and Bhognipur of my Parliamentary Constituency Jalaun in Uttar Pradesh allocated work worth Rs. 100 crore in Jhansi in the year 2005. The task was completed in the year 2014 at a cost of more than Rs. 1200 crore. Along with this, several crores of rupees were spent in consultancy. Arbitrations worth several crores are going on even later. Despite spending so much money, the condition of the roads is pathetic and not a single road to get down from the over bridge has been built as per the standards. Even the roads connecting the four lanes are in a dilapidated condition. There are potholes at many places, the road is uprooted and before the eight toll booths, a private toll booth has been installed which collects money from trucks. Road accidents are happening every day due to the roads not being in good condition and dividers not been made properly. Many people have lost their lives due

to vehicle and road accidents in the village Baragaon, Somai of Orai tehsil. Furthermore, approximately two kilometres of road in Kalpi Nagar remains incomplete to date, resulting in traffic congestion lasting for hours on the national highway. Consequently, precious time is lost for many patients, leading to untimely deaths as they are unable to reach the hospital in time.

Therefore, I request the Union Government to constitute a Central Zonal Committee to conduct physical verification of National Highway Kanpur-Jhansi National Highway-25 and complete the unfinished work in Kalpi Nagar, so that the problem of road accidents and jam can be solved.

(viii) Need to take steps to ensure release of Indian fishermen captured by Pakistani soldiers from Indian territorial waters.

[Translation]

SHRI DEVENDRA SINGH 'BHOLE' (AKBARPUR): In the month of October last year, Indian fishermen near Dwarka in the Gujarat region were abducted by Pakistani soldiers after trespassing into the Indian maritime boundary and were taken to Pakistan. Out of all the fishermen caught, three fishermen are Jaichandra Kumar son of Shri Ganga Prasad, Ravi Shankar son of Shri Buddhi Lal and Sanjay Dutt son of Shri Ram Pratap, all residents of village Mohammadpur Narwal, Block Bhitargaon, Tehsil Ghatampur, District Kanpur Nagar (Uttar Pradesh) which comes under Ghatampur assembly constituency of my Parliamentary Constituency. The three fishermen had set out to sea from Dwarka near Okha in Gujarat province aboard boat number GJ 11MM 11333 Maheshwari 2 on 08.1.2015 to pursue their ancestral occupation and earn a livelihood for their families. They have been abducted by Pakistani soldiers from a place called Jakhau, located at a short distance from the beach. The incidents of kidnapping of fishermen along the coast, are increasing day by day. The families of the fishermen are extremely worried as there is no information regarding the captured fishermen yet.

Therefore, I request the Union Government to intervene in this regard and issue necessary orders to the concerned authorities to get the caught fishermen released from the Pakistani jail.

(ix) Need to promote places of tourist attractions in Rajouri-Poonch district in Jammu & Kashmir.

[Translation]

SHRI JUGAL KISHORE (JAMMU): I would like to draw the attention of the Government to promote tourism in J&K. If Suchetgarh Border is developed like Wagah Border, then tourism here will get a big success. It is necessary to promote tourism in Jammu and Kashmir. There are 7 lakes in Rajouri-Poonch which are known as “**Seven Lakes**”. There are many such tourist places here like Baba Amarnath-Tatta Pani-Magala Devi-Manatalai-Saruisar-Mansar etc., which need attention. Promoting tourism here will not only provide employment to the youth but will also solve many other problems.

(x) Need to improve rail connectivity in Jharkhand

[English]

SHRI NISHIKANT DUBEY (GODDA): Left Wing Extremism (LWE) problem is one of the most serious internal security challenges faced by the country. Jharkhand is amongst the worst affected states in this regard. The state has remote and inaccessible areas which need significant improvement in rail connectivity for providing the necessary impetus for economic development. Poor railway connectivity is also hampering fight against Left Wing Extremism.

I request for setting up of the following rail lines:-

1. Rail link of 65 kms between Godda and Pakur
2. Pirpainti to Naughachia via Bateshwarsthan
3. KasiyaTand (JamtaraJ to Basukinath via Chitra - Palojori

As part of PPP initiatives in the Santhal Pargana regions, it may be stated that a Railway Line under the latest committed funding policy of the Ministry of Railways with Government of Jharkhand has already been sanctioned for Pirpainti to Jasidih via Godda, Hansdiah and second line from Bhagalpur to Rampurhat via Hansdiha and Dumka.

These extension lines would be of help in transporting a large quantities of coal from three incoming projects like Simlomg

Expansion, Hura "C" and Chupertvita and existing mines of chitara of ECL.

The mineral rich state of Jharkhand is the single largest revenue contributor to the coal India. However, the state received step-motherly treatment all along. The above said rail lines will connect five major lines as follows:-.

A) Delhi to Guwahati via Naugachia, Bateshwarsthan

B) Bhagalpur to Howrah via Pirpainti, Pakur

C) Bhagalpur to Rampurhat via Hansdiha

D) Delhi to Howrah and Kharagpur via Jasidih

F) Howrah to Delhi via Dhanbad

These railways will also connect ports like Haldia and Paradip. The deprived Tribals of the region and the state of Jharkhand would benefit from the above mentioned lines. I, therefore, urge upon the Government to take necessary steps in this regard.

(xi) Need to undertake fresh archaeological survey, study and excavation of Nagari, a village of archaeological importance in Chittorgarh Parliamentary Constituency, Rajasthan and also set up a Museum at Nagari for the tourists.

[Translation]

SHRI CHANDRA PRAKASH JOSHI (CHITTORGARH): In the year 1998, the Archaeological Survey of India had published a monograph titled 'छंद एधन्यथधद्द्द्धृत्थत्थ अंश्थत्थद्दमः नह्त्थश्ठद्दध' on the archaeological importance of the city of Chittorgarh (Rajasthan), my Parliamentary Constituency. Earlier, the monuments and archaeological remains dating back to the BC period were obtained from archaeological excavations in Nagari near Chittorgarh in the nineteenth century by the archaeologist A. C. L. Carlleye. This means that there are possibilities of finding archaeological evidence in the surrounding areas of the city as well.

Therefore, I request the Hon. Minister of Culture and Tourism to once again take up the work of archaeological survey, study and excavation of the city area and to build an Archaeological Survey of India Museum for tourists in the city, in which the archaeological materials recovered from there will be displayed. Proper maintenance

be done of the Umdival (Garuda pillar) and Hathibara (Sankrishna-Vasudeva Puja Shila type) located in Nagari. Presently Umdival is situated in an unsafe condition on some private land. After reclaiming it, the Archaeological Survey of India should take it under its control, along with this, the access of tourists to the archaeological sites should be facilitated by developing roads in the urban area and a master plan should be prepared for the development of the archaeological urban area.

(xii) Need to set up industries based on agriculture, dairy development, fisheries and setting up of a mega food park in Hamirpur Parliamentary Constituency, Uttar Pradesh.

[Translation]

KUNWAR PUSHPENDRA SINGH CHANDEL (HAMIRPUR):

Migration for employment is a serious social evil in the entire country including Bundelkhand, and coordinated efforts are needed to stop it.

As per 2011 Census, 23 crore people in the country have migrated for employment. In view of the migration of such a large number of people, there is a need to review the employment policy. The situation is even more alarming in Uttar Pradesh where 60 percent migration has taken place in other states and even after the increase in GDP, 95 percent employment has been lost in agriculture. The main occupation of Bundelkhand is agriculture. Due to lack of employment in agriculture, a large number of people have migrated to other sectors.

Therefore, I request the Union Government that along with agricultural development, there is a need for agro-based industry, dairy development, fisheries, mega food park at Hamirpur-Mahoba-Tindwari (Bundelkhand) in my Parliamentary Constituency Hamirpur (Uttar Pradesh) and the adequate amount of land availability on the banks of

Yamuna in this area, dense labour availability is also an attractive investment destination for the industry.

(xiii) Need to set up a branch of Allahabad University or Banaras Hindu University and Institute of Technical Education in Kaushambi district, Uttar Pradesh.

[Translation]

SHRI VINOD KUMAR SONKAR (KAUSHAMBI): Kaushambi district under my Lok Sabha constituency was created on April 4, 1997 by separating 3 tehsils from Allahabad district. This district is still deprived of basic facilities and is far away from development. It is extremely backward especially in the field of education. After separation of Kaushambi district from Allahabad, all the educational institutions moved to Allahabad. Since there is not a single government degree college, technical institute and agricultural school in Kaushambi district of our Parliamentary Constituency, students have to go to remote areas for education, which causes a lot of difficulty.

Therefore, I request the Union Government to kindly open a branch, institute of Allahabad University for higher education or a branch, institute of Banaras Hindu University for agricultural education or any Indian Government institute for technical education in Kaushambi district of my Parliamentary Constituency (Uttar Pradesh).

(xiv) Need to undertake electrification of the villages under Deendayal Upadhyaya Gram Jyoti Yojana in Jharkhand.

[Translation]

SHRI RAM TAHAL CHAUDHARY (RACHI): I would like to draw the attention of the Government to the rural electrification works that have been undertaken in the past in the State of Jharkhand. So far, rural electrification has not been done in the entire state of Jharkhand. There are no wires in many villages and poles have not yet been installed in many villages. There are still many such villages in Jharkhand, especially in the tribal and other rural areas where electricity has not yet reached and there are transformers of 10 KV or 15 KV in the village which are unable to bear the load of electricity and get burnt out. Under the Rural Electrification Scheme, if one or two houses in a village were electrified, it was assumed that the nearby villages are also electrified. Therefore, I request the Union Government that the Government has started the Deendayal Upadhyay Rural Electrification Scheme to provide electricity in rural areas, it should be implemented properly not only in Jharkhand but in the entire country. In villages where there is a shortage of equipment, the required equipment should be supplied so that all the villages of Jharkhand may be electrified and uninterrupted electricity may be supplied for 24 hours.

(xv) Need to issue necessary directions to the Government of Maharashtra for immediate release of water to Karnataka from Kalamnavadi reservoir

[English]

SHRI PRAKASH B. HUKKERI (CHIKKODI): “Doodhganga” Project is the inter-state irrigation project between the States of Karnataka and Maharashtra. A Kalamnavadi reservoir has been constructed river Doodhganga near Asangao village in Radhanagari tataka of Kilhapur district in Maharashtra.

Under the irrigation project 4.0 TMC of water is allocated to Karnataka to irrigate to irrigate about 15167 hectares of land in Chikkodi taluka of Belagavi district in Karnataka. Since the said project is still under progress, the Karnataka’s share of water is being released from Nidhori canal to Doodhagnga and Vedaganga rivers for the use of Karnataka. Out of 4 TMC water, 0.57 TMC water is released during monsoon. The remaining water would be released depending upon the availability of water of Kalamnavadi reservoir from October to May every year.

Accordingly, in the current year, apart from 0.57 TMC water of monsoon allocation 3.43 TMC water is to be released to Karnataka. But

in the wake of deficient rainfall, water storage in Kalamavadi reservoir has come down, consequently Karnataka's share of water also reduced from 3.430 TMC to 2.442 TMC water. The water should be released from Nidhori canal to Dooghanga and Vedeganga rivers during November, 2015 to April, 2016.

Due to severe drought, people living in border villages of both Karnataka and Maharashtra facing drinking water crisis. They are depending on the water from Kalamavadi reservoir to meet their drinking water needs as well as that of their cattle. But the Government of Maharashtra is not willing to release the Karnataka's share of water, even though water availability in the reservoir is sufficient to release to Karnataka.

Therefore, my humble submission to the Union Government that people of both Karnataka and Maharashtra are facing drinking water crisis in the border villages of both the states and there is a need to fulfill the drinking water needs of people of inter-state border villages. In such a situation I request the Union government a direction should be issued to the Government of Maharashtra for immediate release of 2.442 TMC water to Karnataka's share from Kalamavadi reservoir and also proportionate water from Maharashtra's share to ensure the availability

of drinking water to all the people living in the border of both Karnataka and Maharashtra.

(xvi) Need to undertake gauge conversion of railway line between Saharsa and Forbesganj and provide a rail link between Saraigarh and Nirmali in Supaul Parliamentary Constituency, Bihar.

[Translation]

SHRIMATI RANJEET RANJAN (SUPAUL): Saharsa-Forbisganj railway section under Samastipur division of East-Central Railway was identified for gauge conversion by the Railways in 1996 and the foundation stone of this railway section was also laid by the then Railway Minister, but even after so many years, the gauge conversion work in this section has not been completed. Even the soil work has not been completed yet. Saharsa-Forbesganj is the only railway section in this region, serving as the sole route for people of India and Nepal to travel. Last year, a mega block was imposed between Forbesganj and Raghapur, and till now no work has been done. As a result, alongside the difficulties faced by the general public, the Railways is also suffering a significant loss of revenue. Now from 1st December, mega block has been imposed from Raghapur to Saraigarh and Kosi Mahasetu between Saraigarh to Nirmali is ready. In this situation, it is imperative to complete the work of mega block from Forbesganj to Raghapur and Raghapur to Saraigarh in both the North sections without any further delay, in public interest and in the interest of Railways.

Therefore, I request the Hon. Railway Minister that the gauge conversion work of Saharsa to Forbesganj railway section should be done at the earliest and at the same time the Saraigarh-Nirmali railway line should also be completed soon so that it provides convenience to the general public as well as to the Railways. Revenue can also be generated and due to this, two divisions, Kosi and Darbhanga will also be connected to each other, due to which this area will have direct contact with Delhi.

(xvii) Need to mitigate the sufferings of tea garden workers

[English]

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR):

Workers in closed tea gardens of north Bengal have been leading a life of hell. The workers do not have access to even the basic human needs. Poverty and penury have become the hallmark of their lives. They do not have adequate food to eat, no electricity in their homes, no water supply, no health facilities and other amenities. All of them have been victims of malnutrition. They are on the brink of starvation death. In spite of no fault committed by them, they have been left in the lurch by the owners of tea gardens. Wages have been denied to them. Provident fund has not been paid to them.

My humble request to the Government is that they be saved from starvation deaths.

**(xviii) Need to provide timely subsidy to the farmers of
Krishnagiri district in Tamil Nadu engaged in horticulture**

[English]

SHRI K. ASHOK KUMAR (KRISHNAGIRI): Krishnagiri district is one of the major districts in producing horticultural crops under polyhouse in India. Our farmers have been cultivating for the past ten years on areas extending upto 75 lakh square meters.

Many horticulture farmers have been benefitted by implementing new technologies like protected cultivation in polyhouse by availing subsidies from the National Horticulture Board.

The farmers constructed their polygreen houses last year. But so far they have not got the subsidy. This leads to heavy burden on the farmers. The banks did not release the term loan due to non-release of the letter of intent from the Board.

Madam, this is a pioneer project in horticulture and will bring Indian agriculture to international standards. Hence, I request the Union Government to release funds to the National Horticulture Board to avoid paying more interest on term loans.

**(xix) Need to re-open Railway Gate No. 436 in Srivilliputtur town
in Tamil Nadu**

[English]

SHRIMATI M. VASANTHI (TENKASI): Srivilliputhur town has around 1 Lakh population with the world renowned Sri Andal Temple is situated here. Srivilliputhur Municipality is a first grade municipality in Virudhunagar District of Tamil Nadu situated in my Tenkasi Parliamentary Constituency.

There is an urgent need for reopening of the railway Gate No. 436 to facilitate vehicles and people to pass through. The railway gate was closed for some reasons and after people's demand, it was reopened temporarily for some time. This gate should be opened permanently as a manned railway gate. currently, the people of all sections are finding it difficult to pass through a small subway. The subway instead of being helpful causes hindrances.

Therefore, I urge the Union Government to reopen the Railway gate No. 436 situated in Srivilliputhur Town.

(xx) Need to revisit the transplantation of human organs Act to disseminate awareness about organ donation

[English]

DR. RATNA DE (NAG) (HOOGHLY): Even after 65 years of independence, in our country organ donation is a taboo. Many patients are waiting for kidney transplant. Many patients are not lucky to get donated organ. It is estimated that 500000 people die every year in India due to non-availability of organs. Another startling data is that 0.08 people per million population are organ donors on an average. It is stated that in India 150000 to 200000 new patients with severe kidney problems are there, but only 6000 of these new patients get a kidney transplant. It is said that by way of organ donation, one can give live to as many as five persons. Families who lose their loved ones should be asked to extend this gesture in order to promote organ donations so that a nation with 1.2 billion people would be proud of taking a leapfrog in the field of organ donation. I would like to put emphasis upon awareness about organ donation by the Government by way of national campaigns. There is a need to revisit the 'Transplantation of Human Organs Act' to disseminate much needed awareness about organ donation.

(xxi) Need to accord priority in employment opportunities in the mining work to locals.

[Translation]

SHRIMATI SAKUNTALA LAGURI (KEONJHAR): My Parliamentary Constituency Keonjhar (Orissa) is an extremely backward district where mining work is being carried out in government as well as private sectors in iron ore and mineral mines, yet the local people are not given employment in these mining operations. Moreover, due to land acquisition for mining activities in these iron ore mines, the local people of my Parliamentary Constituency have been displaced. My Parliamentary Constituency is a tribal and tribal-dominated area where poverty and unemployment prevail extensively. In this regard, a rule has to be made to provide employment to the local people engaged in mining operations in mines in these mines.

Therefore, I request the Union Government to give priority to providing employment to the local people engaged in mining operations in mines located in tribal and tribal-dominated areas.

(xxii) Need to take suitable measures to correct the Olympic record books published in 2008 and 2012 wrongly depicting Norman Pritchard who won two silver medals in 1900 Paris Olympic as British athlete.

[Translation]

SHRI RAJAN VICHARE (THANE): I would like to draw the attention of the Government towards the Paris Olympics of 1900 which holds pride and prestige for the country. A young man named Norman Pritchard brought laurels to India by winning two silver medals, one each in the 200 metre race and the 200 metre hurdle race competitions. Norman Pritchard was an Indian, having been born and brought up in India. Hence, he got the name of India inscribed on both the medals won by him. The achievements were recorded in the name of India for nearly 140 years in every record book and every book related to the Olympics published before the year 2004. However, unfortunately, during the Athens Olympics in 2004, a sports expert named Mark Butler altered the record books to attribute both silver medals to the United Kingdom. Consequently, the record books published in 2008 and 2012 incorrectly credited the United Kingdom with the two silver medals, which is wrong. If the country's Olympic organisation had raised its

voice against such manipulation in time, the country's pride would have remained within the country.

Therefore, I request the Hon. Sports Minister to understand the seriousness of the matter and take the initiative to ensure that India's name is duly registered in the record books of the International Olympic Organisation for the medals won by Norman Pritchard by raising this issue at the appropriate international forum.

(xxiii) Need to provide clean drinking water in fluoride affected regions in the country

[English]

SHRI KESINENI SRINIVAS (VIJAYAWADA): I would like to bring to the notice of the Government the problem relating to high levels of fluoride in the ground water in Vijayawada Parliamentary Constituency.

High amount of fluoride that is greater than 1.5 parts per million (ppm) in drinking water is a serious issue in many parts of India. Fluorosis has been a serious issue in Andhra Pradesh. Evidence indicates that 70-100% parts of the state are afflicted with the problem.

Fluoride is often called a two-edge sword — in small dosages, it has remarkable influence on the dental system by inhibiting dental caries, while in higher dosages causes dental and skeletal fluorosis. When present in concentration of 0.8-1.0 mg/L, fluoride is beneficial for calcification of dental enamel especially for the children below 8 years of age. At higher concentrations (1.5-2.0 mg F/L), fluoride affects adversely and leads to dental fluorosis. At still higher concentration, (3-6 mg *FIL*) skeletal fluorosis occurs. The disease affects the bone and

ligaments. Intakes of 20-40mg F/day over long period have resulted in crippling skeletal fluorosis.

Fluoride contaminated ground water is creating health problems in India. Nearly 90 million people including 6 million children in the country in 200 districts in 15 states are affected with dental, skeletal and/or non-skeletal fluorosis.

According to a Central Ground Water Board report, ground water in 20 districts of undivided Andhra Pradesh was found to have concentration of fluoride above 1.5mg per litre.

Doctors assert that 2 mg per litre of fluoride content leads to dental fluorosis. Depending on the length of the exposure, it affects different tissues in the human body affecting teeth, bones, making them brittle and also causing ageing.

People in rural areas generally consume water without any filtration and are adversely affected by dissolved impurities like Fluoride.

In view of the serious health repercussions of fluoride in drinking water, I request the Government to take necessary action to provide clean drinking water to people in excess fluoride affected regions of the country.

(xxiv) Need to provide a relief package to address the problems being faced by domestic rubber plantation farmers in Kerala

[English]

SHRI JOSE K. MANI (KOTTAYAM): India's domestic rubber plantation sector provides livelihood to more than 12 lakh small and marginal plantation farmers and meets, to a large extent, India's demand for natural rubber. Slump in domestic rubber market due to indiscriminate imports has crippled the rubber plantation sector saddled with unsold stocks season after season. With mounting debt burden the farmers are incapable of switching over to alternative crops and have been solely counting upon market intervention by the Government.

It is in the interest of providing a level playing field for the home-grown produce to restrict rubber imports. The Government's apathy towards the well-being of the domestic rubber producers has emboldened the rubber industry to stock up through cheap imports at the cost of a stable domestic market. The Government seems to have no regulatory mechanism to monitor the quantum of imports much beyond the estimated gap in supply and demand, emboldening the rubber industry to build up inventories far above the projected requirements.

Adhocism has debilitated the domestic plantation sector with a moribund Rubber Board waiting to be resurrected to the status enjoyed by other commodity boards. What is urgently needed is the infusion of at least Rs. 500 crores to the Price Stabilization Fund for plantation crops to supplement the efforts of the State Government.

Hence, I call upon the Centre to provide relief package to the plantation farmers of Kerala.

[English]

SHRI MALLIKARJUN KHARGE (GULBARGA): Mr. Deputy Speaker, Sir, I want to make a submission for two minutes.

HON. DEPUTY SPEAKER: Not two minutes, you say it in one minute only.

[Translation]

SHRI MALLIKARJUN KHARGE: There has been Constitutional Crisis in Arunachal Pradesh. ... (*Interruptions*)

[English]

The Congress Party has got two-thirds majority there and 47 MLAs belong to the Congress Party. The Union Government is instigating* to divide the Ruling Party there. ... (*Interruptions*)

HON. DEPUTY SPEAKER: No, the Governor's name will not go on record.

SHRI MALLIKARJUN KHARGE: Sir, this is a new development. They have conducted the Assembly sitting outside the Assembly Hall. They have conducted it in a Community Hall. They have removed the

* Not recorded.

Speaker and the Deputy Speaker has presided over the sitting. ...
(*Interruptions*)

HON. DEPUTY SPEAKER: This is a State Subject. Please conclude.

SHRI MALLIKARJUN KHARGE: Where is democracy? ... *

HON. DEPUTY SPEAKER: No, such things will not go on record.

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

SHRI MALLIKARJUN KHARGE: Sir, if you allow, the Government itself participates in the division. ... (*Interruptions*) In the morning also, I requested. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Conduct of a Governor cannot be discussed here. Regarding the Governor, whatever he said, cannot go in the records.

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

SHRI MALLIKARJUN KHARGE: Unfortunately, the Speaker did not allow me. This is very bad. Sir, you allow me. At least, I will put forward certain things. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Already you have said about that.

* Not recorded.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE: This is a new development. *Hangama* is going on. Tear gases are being thrown. So, this is very important. If the Government behaves like this, dividing the people and defecting people from the Congress, they want to instal BJP Government with the help of others. ... (*Interruptions*)

HON. DEPUTY SPEAKER: That is enough.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE: This is very bad, undemocratic, unconstitutional. ... (*Interruptions*)

HON. DEPUTY SPEAKER: I have already allowed you.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE: I will tell you. You show me. You are also a very senior leader. You are a senior leader ... (*Interruptions*) Can a Governor interfere in the internal matter of the Government without consulting the Government? ... (*Interruptions*)

HON. DEPUTY SPEAKER: Whatever is said about the Governor cannot go on record. I would not allow it.

... (*Interruptions*)

SHRI MALLIKARJUN KHARGE: Without consulting the Cabinet, they are doing it. We do not want to participate; we will boycott the proceedings for the whole day. ... (*Interruptions*)

14.12 hours

(At this stage, Shri Mallikarjun Kharge and some other hon. Members left the House.)

14.12 ½ hours

**STATUTORY RESOLUTION RE: DISAPPROVAL OF
ARBITRATION AND CONCILIATION (AMENDMENT)
ORDINANCE, 2015 AND
ARBITRATION AND CONCILIATION (AMENDMENT) BILL,
2015 – Contd.**

[English]

HON. DEPUTY SPEAKER: Now we are taking up Item Nos. 14 and 15 together.

Motions moved:

“That this House disapproves of the Arbitration and Conciliation (Amendment) Ordinance, 2015 (No. 9 of 2015) promulgated by the President on 23 October, 2015”.

“That the Bill to amend the Arbitration and Conciliation Act, 1996, be taken into consideration.”

Shri B. Senguttuvan to speak.

SHRI B. SENGUTTUVAN (VELLORE): Hon. Deputy Speaker, Sir, I thank you for affording me this opportunity to participate in the crucial

debate on the important subject of Arbitration and Conciliation (Amendment) Bill, 2015.

This Amendment Bill introduced by the hon. Minister for Law and Justice seeks extensively to amend the existing provisions of the Arbitration and Conciliation Act, 1996 so as to make the Arbitration and Conciliation law one of the most effective instruments of alternate dispute resolution.

Whilst the Bill was pending in the Parliament, the hon. Law Minister introduced certain more amendments to the Amendment Bill as well as to the Principal Act. The Amendment Bill is perhaps one of the preparatory steps to welcome foreign investors to India to do business in a very conducive climate. Originally the Law of Arbitration was found in the three enactments, namely, the Arbitration Act 1940, the Arbitration (Protocol and Convention) Act 1937, and the Foreign Awards (Recognition and Enforcement) Act, 1961. The law of Arbitration, as it stood under these enactments was rather incipient and underdeveloped. Perhaps, with the liberalization of the Indian economy, the need to having a more responsive law on arbitration was felt. Therefore, the Arbitration and Conciliation Act, 1996 came to be enacted.

The Arbitration and Conciliation Act of 1996 is actually a model law framed by the United Nations Commission on International Trade Law (UNCITRAL). The United Nations Commission on International Trade Law adopted in 1985 a model law on international commercial arbitration. The General Assembly of the United Nations also recommended that the member countries do give due consideration to the said model law. The single most important feature of the UNCITRAL model law and rules was that they harmonized concepts on arbitration and conciliation found in various legal jurisdictions all over the world and thus they contained provisions which are designed for universal application. Therefore the enactment of the Arbitration and Conciliation Act, 1996 was actually a welcome measure as it enabled the parties to easily resolve their disputes by having recourse to arbitration rather than try it by any other mode or in any other forum. I am talking about the 1996 Act.

It was modelled on the United Nations Commission on International Trade and Trade Law. It had universality of application. However, in the course of its practical implementation, we came to experience that the law is far from perfection and that there are several hiccups and shortcomings in the working of the provisions of the Act. Therefore, the present amendments are being brought about. The Law

Commission of India, in its Report no. 246, also suggested that these amendments be carried out to the 1996 Act.

Sir, there are a number of crucial amendments brought about by the Amendment Bill. The first amendment relates to the definition of court in Section 2 of Clause 'e' of the Principal Act. According to the Amendment, the court of jurisdiction in a case of an international commercial arbitration is that of the High Court. ... (*Interruptions*)

HON. DEPUTY SPEAKER: Mr. Senguttuvan, hon. Minister would like to say something. You can continue your speech after him.

THE MINISTER OF URBAN DEVELOPMENT, MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Deputy Speaker Sir, I am told that certain remarks have been made against the Governor and also what is happening in Arunachal Pradesh. On behalf of the Government, I have to put the record straight. I do not want to join issue with them in detail. But let me make it very clear that the Governor, as per the Articles 174, 175, 181 of the Constitution, has acted within his rights and from time to time he has been informing the Hon. President of India. The legislators, who are in the Ruling Party, they broke away from that Party for whatever reasons know to them, gave a No-Confidence Motion

against the Speaker. Then, the Governor has asked the Speaker to face the House and take this No-Confidence Motion. They did not immediately respond to that. So, the Governor has summoned the Assembly and fixed the date of 16th yesterday for deciding the No-Confidence Motion on the Floor of the House. Then, the Speaker surprisingly disqualified 14 MLAs. He is facing No-Confidence Motion and he disqualified 14 MLAs. It is really a shame and a challenge to the system. Later, some of the ministers led by the Chief Minister went to Governor on the pretext of discussing something. Instead of discussing, they accused, abused and threatened the Governor. It is really bringing a shame to the system and democracy. If you have majority, you must rule the State. If you do not have majority, you must quit. If you have any doubt then the trial of strength must be taken in the Assembly. They have locked the Assembly. Deputy Speaker has to convene the meeting outside the Assembly Hall. So, surprising things are happening. I am not justifying this party or that party. Earlier also we have seen there, wholesale people coming from that side to this side and wholesale people going from this side to that side. [Translation] This does not suit a democracy, but the system is such, what can we do. What I am saying is that there is no interference from the Union Government in this. [English] There is no role for the Union Government. [Translation] It is

not appropriate to repeatedly take the name of the Hon. Prime Minister, continually accuse and criticise the Union Government, and then walk away by levelling allegations.

[English]

Sir, lastly, I would like to conclude by saying that in the morning when this issue was to be raised, even the petroleum prices, I stood up and offered by saying: “After the Question Hour the Government will be willing to respond.” The Speaker said: “You cannot decide what is to be admitted.” Yes, Speaker is right. The Speaker has to admit. I said: “Only if the Speaker admits then I am ready.” They did not care for that. They created *hungama* for one hour. They did not allow the Question Hour. They have taken the rights of all the members of the House. Later, they went back to their seats and started demanding: “We should be given an opportunity.” Then, Mr. Deputy Speaker Sir, they were giving slogans, [Translation] Democracy is being murdered. They themselves contributed to its murder for an hour and later walked out of the House shouting slogans. [English] This is becoming a regular practice. This cannot be accepted at all. Everyday the Adjournment Motion is given. I would like to take the entire country into confidence here. One of the Adjournment Motions is to discuss about ‘Tourism in Bihar’. They want the adjournment of the House on this issue. You can

understand the seriousness of this issue. Let us follow the rules. Let us go by the Chair. Let us respect the Chair. Then, whatever Chair decides, that is final.

With regard to Governor, there is a clear Ruling by the Chair in the Lok Sabha saying: “You cannot discuss the conduct of the Governor except issues on which he has acted in his discretionary power.”

Here also you can discuss the discretionary power in the House and at the end of the day, the ruling says very clearly that the decision of the Governor cannot be questioned. That is the ruling of the Chair. That is the position of the Constitution.

If they have any grievance, they should approach the court. Instead of doing that, coming here, accusing the Government and abusing the Governor is not acceptable. Any reference to Governor or his action or any reference to the Arunachal Pradesh Assembly, if they have gone into record, I would urge upon the hon. Deputy Speaker to please remove them from the record.

HON. DEPUTY SPEAKER: Already I gave the ruling that whatever they have raised regarding the Governor’s action cannot go into the record. That is expunged. I already gave that ruling. Therefore, that question does not arise.

Now, Shri Senguttuvan, you please continue.

SHRI B. SENGUTTUVAN: Thank you, hon. Deputy Speaker.

The amendment to Section 2 and Clause (e) of the Principal Act runs as follows: “The court of jurisdiction in a case of an international commercial arbitration is that of the High Court and in any other case, the principal Civil Court of the District.”

Clause (f) of Section 2 is also amended whereby a new proviso is incorporated. Section 7 of the principal Act is also amended.

Section 8 in the principal Act which deals with the power of a judicial authority to refer the Parties to arbitration where there is an arbitration agreement.

This amendment seeks to substitute the entire sub-section (1) of Section 8 of the principal Act and adds a proviso to the existing sub-section (2). The purport of the amending exercise is to refer the parties to arbitration and the only limitation to this power of referral is that there is *prima facie* no valid arbitration agreement.

Section 9 of the Arbitration and Conciliation Act is a crucial provision, and this provision also undergoes an amendment in the Amendment Bill. Section 9 deals with the power of the court to pass interim orders pending arbitration proceedings. Whilst the existing

provision becomes sub-section (1), new sub-sections 2 and 3 are now added by way of this Amendment Bill. Where the court has passed an interim order of protection under Section 9, prior to the commencement of the arbitral proceedings, then it becomes mandatory as per this amendment to commence the arbitral proceedings within 90 days. This is to do way with the inconvenience caused by interim *ex parte* orders passed in original applications. Hence, the amendment requiring commencement of arbitral proceedings within a period of 90 days of obtaining interim order from the court is certainly a welcome measure. The Court is also under an obligation not to grant such a relief as one that would be denied by the arbitral tribunal in the circumstances of the case.

Section 11 of the Principal Act which deals with appointment of arbitrator, is also extensively amended by Clause 6 of the Amending Bill, 2015. Section 11A has been inserted by Clause 7 of this Amending Bill.

Section 12 deals with the neutrality of the arbitrator. Section 12 of the principal Act is amended under Clause 8 of the Amending Bill. The entire sub-section (1) of Section 8 is substituted with a new sub-section. The arbitrator whilst entering upon arbitration is required to make certain disclosures that may raise justifiable doubts as to his neutrality.

He is ineligible to arbitrate when found to have bias in favour of either of the parties.

It may be noticed here that to ensure neutrality of arbitrators, the amended Section 12 of the principal Act provides that when a person is approached in connection with possible appointment of arbitrator, he shall disclose in writing about the existence of any relationship or interest of any kind, which is likely to give rise to justifiable doubts about his neutrality; and the circumstances that are likely to affect his ability to devote sufficient time to complete the arbitration within the stipulated period of 12 months. Further, Sir, if a person is having specified relationship, he shall be ineligible to be appointed as an arbitrator.

Explanation one of the Bills provides that the first Schedule in the Bill guides the grounds giving rise to justifiable doubts about the independence or impartiality of the arbitrator. As per Explanation two which is also being inserted by this amendment, the disclosure shall be made in the form specified in Schedule 6. Schedule 7 sets out the circumstances which affect the ability of the Arbitrator to conclude the Arbitration proceedings within twelve months. Schedules 4 to 7 are new additions under the Amendment Bill.

These are very important provisions. These provisions ensure that the neutrality of the arbitrator is maintained at all costs.

Sir, it is noticed that a new provision of Section 29A inserted by this Amendment provides that the Arbitral Tribunal shall make its award within a period of twelve months. Parties may by consent extend such period up to six months. Thereafter, the mandate of the arbitrator will terminate unless it is extended by the Court, on sufficient cause being shown. The Court while extending the period may also order reduction of fees of arbitrators not exceeding five per cent for each month's delay, if the court finds that the proceedings have been delayed for reasons attributable to the arbitral tribunal. If the award is made within a period of six months, arbitrator may get additional fees if the parties agree.

The newly inserted section 29B, makes for fast track procedure for conducting arbitration. Under this section, the parties to the dispute may agree to their dispute being resolved through fast track procedure by excluding oral evidence. Award in such cases may be given within a period of six months.

But, Sir, we have our own reservations with reference to the efficacy of this limitation of twelve months period. In the Indian context, it would not be possible to wrap up the entire arbitral

proceedings in a period of just twelve months. Arbitration is just not restricted to pleadings alone; but may involve reception of oral/documentary evidence. On occasions, the documentary evidence to be adduced in the arbitration proceedings may not be available immediately and the procurement of which may take considerable time. Therefore, to expect the arbitrator to conclude the proceedings in twelve months is simply not possible given the circumstances prevailing in India.

Sir, we are apprehensive that this requirement of having to complete the arbitration proceedings in a matter of just twelve months, extendable by court by another six months is a counter-productive measure. Since it is feared that it is not possible to wind up proceedings in twelve months and if no agreement is reached for extension, the matter would be taken to court. Years may elapse before a verdict is reached. That is why, it is considered appropriate to provide the time limit of 24 months to conclude the arbitral proceedings. In this connection, I have moved an amendment to sub-section (1) of section 29A to the effect that the “award shall be made within a period of 24 months”.

I apprehend that the new provisions by which the fees of the arbitrators are docked by five per cent for the delay which is attributable to him and the provision that his fees may be hiked by consent for quick

disposal appear to be opposed to public policy or established judicial principles.

This kind of carrot and stick policy towards the arbitrator is not the right approach. An arbitrator should function with a free and fair mind; and he should give an award based on principles of fairness and established laws of the land. He should not be goaded either by the sense of fear of losing his fees or by the motive of aggrandisement which will not be in public interest. I think it is best that the Government removes this carrot and stick clause from the purview of these amendments.

It is further noticed that the whole of Section 17 of the principal Act has been substituted by a new Section. The new provisions of Section 17 empower the arbitral tribunal with power and discretion to grant extensive interim relief.

It is noticed again that provisions of Section 23, 24 and 25 have also been amended and new Sections 25A, 29A and 29B have been inserted by the amending Bill. By these provisions, the Arbitral Award is to be made within a period of 12 months; and if the parties agree, they may fast-track the procedure to conclude the arbitration in six months. Section 31 has also been amended. A new Section 31A has been incorporated by this amending Bill.

Very importantly, Section 34 has been amended. Section 34 in the principal Act relates to the application to set aside the Arbitral Award. One of the grounds for setting aside the Arbitral Award is that the Arbitral Award is opposed to “public policy”. Experience shows that many an Award, the products of years of arbitral wrangling, have been simply got set aside on the ground that it was opposed to the amorphous concept of “public policy”. This amendment has been necessitated by the fact that the Supreme Court of India in the cases of ONGC Ltd. Vs. Western Geco International Ltd., and Associate Builders Vs. Delhi Development Authority interpreted the definition of “public policy” rather expansively according to the Law Commission.

These judgments of the Supreme Court introduced a justifiable fear that every award could be set aside on the ground of its being opposed to public policy. That is why, the present amendment seeks to introduce a new Explanation to Section 34 restricting the grounds on which an award can be set aside on the ground of its being opposed to public policy.

The amendment Bill further amends Sections 36, 37, 47, 48, 56 and 57 and adds Schedules IV to VII.

In conclusion, we welcome these amendments subject to our reservation on one aspect relating to the period of limitation provided

for concluding the arbitration, regarding which I have already said that I am moving an amendment.

Sir, there was some doubt with regard to the prospective and retrospective nature of the amendments. There is a Constitutional prohibition against *ex post facto* criminal laws. All laws would have prospective application unless the intention is very clear that they have retrospective operation. Usually amendments affecting substantive laws will have prospective application and only procedural laws could have retrospective application. However, pending the Amendment Bill, an amendment to the principal Act by way of a new provision of Section 25A has been introduced by the hon. Minister as per which the amendments are prospective in nature as they would not affect the pending proceedings unless the parties otherwise agree.

Barring the reservation to Section 29A, we welcome the legislation as they are intended to speed up the arbitral proceedings and confer jurisdiction on the Indian courts to pass interim orders even where the seat of arbitration is in a foreign country. These amendments consolidate and strengthen the Indian law of arbitration and conciliation. Arbitration and conciliation are two different but very effective modes of Alternative Dispute Resolution Mechanism. In Tamil Nadu, the Government under our hon. Chief Minister, Dr.

Puratchi Thalaivi Amma has provided the courts with the facility of mediation centres, whereby the process of conciliation dispute-resolution is usually reached.

While welcoming this amendment Bill I feel obliged to state that the legal professionals of London, which was the preferred destination for international arbitration, have been able to earn for the country nearly Rs.3 lakh crore per annum by way of arbitration. I fervently wish that India would likewise be a preferred destination for international arbitration and our legal profession would rise up to the challenge. I thank you for this opportunity.

[Translation]

SHRI JAGDAMBIKA PAL (DOMARIYAGANJ): Deputy Speaker
Sir, I am extremely thankful to you that you have given me an opportunity to speak on an important Bill 'The Arbitration and Conciliation Amendment Bill, 2015'.

Today the august House is witness to this fact. During the Question Hour, the entire House expressed concern that in the country, whether it is Subordinate Courts, Lower Courts, High Courts or the Supreme Court, the interest of litigants across India is at stake, with the pendency of cases standing at 3,06,11,879. Therefore, it is natural to say that Justice Delayed is Justice Denied and on this point the Hon. Minister has said in great detail that our Government is making efforts in the direction of reducing the pendency of cases in our country so that people may receive justice. We will definitely congratulate the Government, because the pendency has been continuing steadily for the past several years, whether in the Subordinate Courts, the High Courts or the Supreme Court. Concern is expressed in this august House, there is concern within the judiciary, discussions take place regarding the interests and rights of the litigants and the need to safeguard them, yet no concrete steps are taken in that direction.

I am happy about this and I will definitely congratulate our Government that today not just in one direction but many steps have been taken simultaneously to reduce this pendency. Like the Negotiable Instrument Act, 1981 has been amended. The disputes amongst the people in the negotiation, last for years, at least it should be convenient for the people or this original Arbitration and Consolidation Act of 1940, it was amended in 1996, today we stand before this august House towards amending it or the way in which the courts or commercial divisions of the commercial appellate division and the level of the High Court have been discussed yesterday, so that all the commercial disputes that are there today, which were not disposed of for years and because of which development is also hampered, because anywhere there is any dispute today, tomorrow, an MOU is entered between anyone, there is an agreement between two parties, agreement between government and private party and some dispute arises on some point then certainly after going to the court, there used to be no resolution for years under the civil jurisdiction then they used to move to High Court and then Supreme Court. There used to be no time bound solution to it, but today at least this Government has made an effort to ensure that now whatever agreement there is in development or anywhere, whether between private parties or with the government, PSUs, if there is any

dispute, then we will work to resolve that dispute in a time bound manner in the subordinate courts at the lower level and in the High Court. In the coming days, the pendency of these cases will definitely reduce and development will also increase in this country. As far as this Act is concerned, Hon. Minister has come up with the amendment of the Arbitration Act, so far definitely the situation which we had that in our set up, arbitration which used to be in the out of court domestic issues, either that case should be pending in the court and both the parties have agreed to the fact that they are ready for arbitration, then the court definitely gives them a chance that both of them can do the out of the courts arbitration. However, today, largely across the world, whenever there is an international agreement, whenever there is business with any party or trade is conducted, a clause of arbitration is now included in it. But, earlier we did not have any effective or time-bound Act for International Arbitration. To implement it effectively today, we have amended the 1996 Act. It has two very important parts. Part one of this contains – [English] any arbitration conducted in India. [Translation] This is for its enforcement. The second part-two deals with [English] enforcement of foreign awards. [Translation] It is clearly stated in it, that if there is any domestic award, it will be governed through Part-One and if there is any international award, it will be

governed through Part-II. The New York Convention on International Awards and the Geneva Convention will apply and will be governed by Part II. One of the two unusual features in the 1996 Act was a law, we have also implemented that law with our International Commercial Arbitration. In this regard, the Hon. Minister has very clearly brought his amendment.

The basic objective of this amendment encompasses two or three key aspects. First is that, so far, the jurisdiction was not decided that if we have a domestic arbitrator, at what level will he go? They will now go to the original civil jurisdiction court. If there is any international dispute, it can be taken only at the High Court level. Earlier, it was not certain how many days would it take for the appointment of the Arbitrator. Even after the arbitration was decided, the arbitrator was not appointed. Arbitration will also become time bound now. Thus, the intention behind Arbitration was that if there is a dispute between two parties, then they can work in a time bound manner to resolve that dispute out-of-court, so moving in that direction, after the enactment of this Act, the disputes worth crores and billions of rupees which are still pending in many courts, jurisdiction for them will be decided today that what will happen for domestic and international arbitration?

As our other Hon. Members have also said, [English] from the date of service on the opposition party, [Translation] it will become absolutely necessary to make the appointment within 60 days of the opposition party receiving the notice. Similarly, it has been stated in it - [English] the award shall be made within 12 months. [Translation] 12 months time has been given for this as well. There will be a fast track procedure for this.

[English]

It is clearly mentioned in clause 2(1) of the Bill :

“(e) “Court” means—

(i) in the case of an arbitration other than international commercial arbitration, the principal Civil Court of original jurisdiction in a district, and includes the High Court in exercise of its ordinary original civil jurisdiction, having jurisdiction to decide the questions forming the subject-matter of the arbitration if the same had been the subject-matter of a suit, but does not include any Civil Court of a grade inferior to such principal Civil Court, or any Court of Small Causes;”

[Translation]

Now it has become clear that if there is any domestic arbitration, it will be in this court itself. [English] It further reads:

“(ii) in the case of international commercial arbitration, the High Court in exercise of its ordinary original civil jurisdiction, having jurisdiction to decide the questions forming the subject-matter of the arbitration if the same had been the subject-matter of a suit, and in other cases, a High Court having jurisdiction to hear appeals from decrees of courts subordinate to that High Court;”

[Translation]

At least till now, the jurisdiction in our country was not decided as to which level of court we will take the arbitration to, whether we will take it to the subordinate court of civil courts or to the level of High Court. I would like to congratulate the Hon. Minister for this amendment. Today there are thousands, lakhs, crores of disputes in the country and if there is a discussion of arbitration, then at least there will be a clear jurisdiction. Similarly, there is section 12B and the amendment made in its 13.

[English]

“(13) An application made under this section for appointment of an arbitrator or arbitrators shall be disposed of by the Supreme Court or the High Court or the person or institution designated by such Court, as the case may be, as expeditiously as possible and an endeavour shall be made to dispose of the matter within a period of sixty days from the date of service of notice on the opposite party.”

[Translation]

At least the inconsistencies that existed earlier and the uncertainty regarding the number of days within which the appointment would be made have now been clarified. It is now clear that once the opposition party receives a notice, the appointment will be made within 60 days, whether it concerns the prescribed High Court or the Supreme Court. Similarly, it is clear, which is section 15,

[English]

“After section 29 of the principal Act, the following new sections shall be inserted, namely:— “29A. (1) The award shall be made within a period of twelve months from the date the arbitral tribunal enters upon the reference.”

[Translation]

It is also clear that today at least the ambiguity that there was no time limit, so now at least the new sections of this 29A and 29B which are being inserted will have the time limit at least in the arbitral award that it will not take more than 12 months. Certainly, people will get a security. For the interests of the litigants, first an arbitration was fixed, after that the court used to think that we have finalised or appointed an arbitrator, but there was no time limit for that arbitrator, so the purpose also used to get defeated. It is also mentioned in 29B that we should make it time bound and the procedure along with it should be fast track.

[English]

“29B. (1) Notwithstanding anything contained in this Act, the parties to an arbitration agreement, may, at any stage either before or at the time of appointment of the arbitral tribunal, agree in writing to have their dispute resolved by fast track procedure specified in sub-section (3).”

[Translation]

I understand that after inserting 29B, the action that will take place now after this amendment will lead to a fast track processing. I think today the House will at least congratulate the Hon. Minister and our

Government for the kind of amendments that are being brought everywhere today, be it commercial disputes, arbitration or the Negotiation Act. There is only one objective behind bringing it, one purpose, and that is to ensure that the people of the country, the poor, and those living in the fields and barns can receive cheap and easy justice. The Government is making efforts in that direction. We want to congratulate the Hon. Minister for this and want to congratulate the Government as well for moving forward in the direction of reducing the pendency, which has been a matter of concern for us and for the interests of the litigants.

Until now, the concern was only with the disposal of civil nature cases or cases related to IPC and CrPC. However, on the other hand, regarding economic offences, economic disputes, or such economic irregularities, no action had been taken by the Governments so far. Now, the Government is going to address such disputes by clearly defining the jurisdiction along with a time-bound fast track procedure. Therefore, the country and its people will certainly benefit from this in the coming days.

Sir, I support this Bill while thanking you for giving me time.

[Translation]

SHRIMATI ARPITA GHOSH (BALURGHAT): Sir, I am very grateful to you and my party that I have been given a chance to speak on Arbitration and Conciliation (Amendment) Bill, 2015. Everyone would know that this Bill came in the Rajya Sabha in the year 2003, after that it went to the Parliamentary Standing Committee. The report of the committee was submitted in the year 2005. After that no work has been done on it for 10 years. [English] We really welcome it and we thank the Hon. Minister for expediting it. [Translation] He has expedited it and presented this Bill for discussion in the House, which was very necessary. It had been lying for ten years. It was very important to be time bound. [English] India is ranking 178 among 189 nations on enforcing contracts. We welcome it. [Translation] It is user friendly, it will be cost effective, it will lead to quick disposal of cases. This was very important for us. We have seen that the litigation continued for many years. In the Bill that has just come, I appreciate that a time-bound limitation has been introduced in it, whereby the matter will be concluded within twelve months. When the need arises or the matter comes before the court, and if a slight extension of time is required, then the period may be extended by six months, which the court will consider. The court will think how to do it after 18 months

only then this work can be done properly. Regarding fees, we are also looking at abolishing it soon, it should be abolished within six months, if the parties agree to it, then additional fees are being allowed for it, that means they are thinking of paying a price. If you give a price to someone for any work, it creates a feeling in him that the work should be completed quickly. We are very grateful to the Hon. Minister for thinking of this. He has a very good idea of how to get things done quickly. A lot of foreign investment is needed in India and they are also coming. If all these things do not come up in the present times, it will not be good for our future. We think it is very important to pass this Bill in the House and implement it at the earliest. What has been said about the Appointment of Arbitrators, which is the impartial part, this is also very important. There have been many clauses that it is very important to have an impartial part. If someone has any connection anywhere, it should not be taken into account, or the court should consider it, the clauses given in it are very important for that. Due to this connection, we have seen that the work is not done properly. The Hon. Minister has thought very well about this as well and has included great clauses. [English] Under the Appointment of Arbitrators, cases may be disposed of expeditiously and endeavour should be made to dispose of the matter within a matter of sixty days. [Translation] This was also very

important, otherwise it has been seen that there are many defaulters in the future. It has been observed in most cases that the Union Government has been the biggest defaulter. Will the Hon. Minister think about how to handle this?

The second thing which I want to say is that arbitrators who are appointed or the Panel of Arbitrators are more or less retired judges of the Supreme Court or the High Court. It would be better if non-legal experts are taken, like there are international arbitrator centres, it would be better if some non-legal persons come in this panel. Other than retired judges, it will be very important to bring in regularised legal experts. Some new arbitration centres need to be opened, training centres need to be increased, existing training centres need to be modified because the sooner the arbitration cases are disposed of, the better it will be for our country. I hope that the Government will think about all this, how to do it quickly, about their appointment and most of the people will come to the field of arbitration and the module that is made when legal is taught, a special module should be made and it should include arbitration, only then it will improve. I hope that the Union Government will think about this in future. Whatever steps the Government is taking, I think it will be very good for the State. [English] We really welcome this once again. [Translation] But these

steps have come after 10 years, it should be done quickly [English] implementation is the most important part. [Translation] We make laws, we should think properly for implementation, going forward it will be beneficial for us. [English] Thank you very much.

[English]

SHRI TATHAGATA SATPATHY (DHENKANAL): Sir, namaskar. I rise to speak on the Arbitration and Conciliation (Amendment) Bill, 2015.

As you know, it is a well-established fact that unfortunately both the Union Government and most of the State Governments invariably lose cases when it comes to arbitration. It is also a fact that for the past 15 years or so, maybe a little longer from 1992 onwards when that so-called liberalization took place, our legal system, our Government have more or less been run from the shadows by foreign consultants and mega Indian corporates.

It is true that arbitration and conciliation are both necessary components for creating a proper environment for conducting business between any two parties. But this also gives me a peep into the governance angle vis-à-vis the legal side of this country. If the Government can so bravely go ahead and pass an Amendment Bill stating that a certain timeframe is set by which time a particular arbitration has to be completed, why cannot the hon. Minister think that a similar timeframe should be set for civil and criminal cases of different magnitudes? Maybe we can have different timings. A murder

case could take shorter time, a rape case could take even shorter time and other cases could take slightly longer.

But it is not only justice delayed is justice denied. That is too oft repeated and it makes no sense. The other part that is actually taking place in this country is people are losing faith in our judicial system because they feel that there is no justice, it never comes, when it comes also it has no significance. All these plethora or slew of regulations that are being brought to Parliament – yesterday there was that commercial courts Bill as you are aware and today this Arbitration and Conciliation (Amendment) Bill – show the Government's eagerness for strengthening the mindset of ease of doing business. And this Bill professes to create an alternative dispute resolution mechanism.

Here the assumption is that the arbitrator will be unbiased. It is in Section 12. And it is up to the magnanimity of the arbitrator to be honest or not and come out clean with her or his connections with either of the concerned parties. Government here should also consider setting up an institute like the ones you have for training the IPS and the IAS officers. Like that you can have a training institute where you create a bunch of arbitrators who are trained professionally. We should not take retired people because it is time our mindset moved beyond retired people. We

should employ younger people who can put in longer hours. Give them proper salaries, check their background and train them to be arbitrators.

I will give an example of how arbitration takes place currently. In the Krishna-Godavari Basin gas field, the bid was put up in 1999.

15.00 hours

Interestingly, ONGC and Reliance were two bidders and both of them took 10 years, from 1999 when they got the bid, to start the work. In 2009, they started the work. ONGC, which is a Government company funded by taxpayers' money is supposed to be doing good for the country. In 2013, ONGC claimed that Reliance had siphoned off Rs 11,000 crore worth of gas from ONGC blocks. That means they had dug in, made a pipeline and siphoned off gas from ONGC blocks.

I am happy that my colleagues are interested that Reliance should be investigated. I for one have always been saying that our mega corporates have not become mega by inventing something. They are not Microsoft, they are not Apple, they are not Ford. They have become rich, super rich and maybe one of the richest in the country simply by looting the national resources. These people have managed to corner our coal, our petroleum, our gas, our land through bureaucratic grip, through bureaucratic strength and they have become rich. We have yet

to see an Indian company make a mark in the world theatre by creating something. We have not seen that as yet.

Going back to Krishna-Godavari basin case, Reliance India Limited did not even bother to reply. Then the Directorate General of Hydrocarbons set up an independent study by a US-based consultant DeGolyer and MacNaughton. The consultant submitted that ONGC's claims were valid. ONGC filed a case in Delhi High Court in May, 2015 against Reliance Industries Limited. Reliance India Limited is already contesting three arbitration suites in connection with its KG basin operations. Reliance Industries Limited ignored the national interest.

Similarly, it is very surprising in the case of Vodafone. I am not sitting here and judging whether Vodafone is right or wrong. But Vodafone has been slapped with a huge income tax claim by the Ministry of Finance of the Government of India. It is through a process of law and who has passed that law? This very House, these hon. Members have passed that law. Basing on that law, taking strength from that law, Vodafone was slapped with an income tax amount to be paid. Unfortunately, our system is such that Vodafone has not even bothered to go in appeal and it has not asked for arbitration. Yet, it is there all over this country and the Government sits quiet. We do not have the teeth to implement our own Government's orders.

You have brought in an amendment to Section 25 (a) saying that this Act will not be retrospective. When the Bill for judges' pension and salary could be retrospective, why can you not amend it with retrospective effect so that ONGC-RIL case could be brought under this Act and let it be adjudicated as early as possible within 18 months and let the people of this country get some justice some time. Let us be fair to them.

Sir, we have very big legal luminaries in this Government who we know are going through bad times. I am not mentioning DDCA; that is not my concern. You were there in the earlier House also. You have seen how those same lawyers managed to destroy and pull down that Government and destroyed the country in the process. So, we know the acumen and the ability of our lawyers. They are great people. Nobody can challenge their intelligence. But as far as matters of governance go, I do not think or I do not agree that they are actually good at it.

This section 24 says that there will be hearings on a daily basis without adjournments. I mentioned the point that if you can actually legislate like that and complete cases within a specific time, please consider whether this could be done for other cases also.

I would like to give one small example. When we have this law in force, let us say, suppose a company like Adani goes for arbitration with

an arbitration case to the Orissa High Court – it has not gone, I am just giving an example. I do not know who Adani is. It goes to the Orissa High Court and asks for an arbitration and the High Court sets up an arbitration desk or court and they file a case regarding a port that they own in the State, let us assume. It could be Chennai. One day you will be happy or you will be surprised to know that the Chennai Port also belongs to Adani. It is not impossible. ... (*Interruptions*)

SHRI NISHIKANT DUBEY (GODDA): Who is Adani? ... (*Interruptions*)

SHRI TATHAGATA SATPATHY: I do not know. It could be Nishikantji also. ... (*Interruptions*) I am not saying anything. Nishikant Dubeyji is present in the House; so, I can take his name. Now, I am scared. I am looking around. I am seeing whoever is around because I can take only their names. Otherwise, it seems, you cannot take the name of John F. Kennedy because he is not present in the House. How do we know? His ghost might be here. ... (*Interruptions*)

Anyway, I am coming back to arbitration. They have placed this Adani agent in the Paradip Port Trust now. This gentleman is busy damaging the port and making it grind to a halt. They are in the process of completely destroying Paradip Port. When you can do that, is it possible that in this arbitration thing, unless you have a professional

team of arbitrators, the Government will set up arbitrators who will seem suitable to say, Mukeshji. ... (*Interruptions*) No, he is not in the House. I was talking about that Hindi film singer. Is it possible that there can be spot fixing or match fiction? I would like clarity of vision in this case.

I would also request this in the end. Have you worked out any process for the common citizen owning a small business establishment who gets involved in a litigation of a small amount to get justice faster? Or, will this only be a country of corporates? Ease of doing multi-billion dollar business may become our national slogan instead of Satyameva Jayate.

Thank you, Sir.

[Translation]

SHRI SHRIRANG APPA BARNE (MAVAL): I rise to speak in support of the Arbitration and Conciliation Act, 2015. Although mediation and arbitration are considered to be a quick and cheap option for dispute resolution, the Supreme Court has recently said in a decision that this method is extremely expensive and time consuming. The Supreme Court has said this during one of its hearings. It is also said that this very process is unquestionably challenged in the court.

There are certain provisions of the Arbitration and Conciliation Act which make this entire area a hotbed for advocates on this subject. This Act of the year 1996 has been made in imitation of the United Nations International Trade Law or UNCITRAL. If we look at the decisions given by the High Court and the Supreme Court, this matter has now taken the form of a serious legal complication. Recently the Supreme Court gave a decision, in which the dispute started around 1995 while the decision was given in 2005. The first challenge before the single bench of the Delhi High Court was disposed of in the year 2006 and the appeal before the same court was disposed of in the year 2012. Even after this, it does not seem that these cases end here, but to correct the mistakes, the doors of the court are approached in different ways in the form of review petition and curative petition.

This Act limits the scope of appeal. However, that textual provision presented no challenge on appeals and the decision given in the Associated Builders case cites at least 20 precedents. The decision given in any case can be challenged when it is contrary to Indian law or national interest or justice and morality. These are flexible phrases and can be defined differently in different cases. Despite the bar on judicial intervention, the Supreme Court hears and delivers judgements in a large number of arbitration cases every year. The High Court has its own problems. The first and most controversial issue is the appointment of arbitrators. In many cases, the Supreme Court's decision had to be withdrawn after a long hesitation because the judges had overlooked certain facts.

A question often raised is whether there is an arbitration provision in the contract or not. Even the best draftsman cannot avoid making mistakes. Another issue on which disagreement frequently arises is what should be the jurisdiction of the arbitral award? Some other issues that stall arbitration cases until a court order are the conduct of the arbitrator, administrative law in international contracts and enforcement of awards in foreign cases, etc.

The Law Commission in its 246th report, which deals with amendments to the existing law, has made several suggestions. This

also includes a fixed fee structure. This recommendation has been made so that the rising costs of arbitration can be limited. The proposed framework of the ideal fee will be as impractical as the draft prepared for the advocates of the Supreme Court. More than 100 proposals for reform of the 1996 Act are pending. Even before this, attempts have been made to reform the law.

Sir, I would like to bring to your attention that more than three crore cases are pending for hearing in various courts of the country, on which the Hon. Supreme Court has also expressed concern. There are more than 2 crore 92 thousand cases pending in the district courts, out of which 10.40 percent cases are pending for more than ten years and 18.02 percent cases are pending for five to ten years. Of these, 41.64 percent cases are pending for the last two years and 29.94 percent cases are pending for the last two to five years. More than 40 lakh cases are pending in the High Courts of the country, more than 58,906 cases are pending in the Supreme Court. Maharashtra-Karnataka border dispute is pending in the Supreme Court for 56 years.

Even before this, an attempt has been made to reform this law, based on the 176th report of the Law Commission, this attempt failed because the Rajya Sabha had passed the amendment in the year 2003 itself, but the Standing Committee wanted to reform the Bill, but it

lapsed on its own. Now there is another opportunity through which confidence in arbitration can be restored.

Therefore, I strongly support this Bill brought by the Government. but it lapsed on its own. Now there is another opportunity through which trust can be restored. I finally conclude by supporting this Bill brought by the Government.

[English]

SHRI A.P. JITHENDER REDDY (MAHABUBNAGAR): Thank you very much, Sir, for giving me this opportunity.

The basic premise behind Alternative Dispute Resolution (ADR) is to provide parties a cheaper, quicker and more flexible alternative to the rigid Court dispute-redressal process. This Amendment Ordinance is a well-intended initiative by the Government to improve the arbitration process, and I welcome the move. However, there are still a few key structural deficiencies with the Ordinance that needs to be addressed immediately. I have also moved an amendment on this.

It is unclear whether the amended provisions shall apply to pending arbitration proceedings. The Law Commission of India, in its 246th Report, which recommended amendments to the Arbitration & Conciliation Act, 1996, had proposed to insert a new Section 85-A to the Act, which would clarify the scope of

operation to each amendment with respect to pending arbitration proceedings.

However, this specific recommendation has not been incorporated into the Ordinance. One of the reasons for bringing about this ordinance is to instil a sense of confidence in foreign investors in our judicial

process, with regard to certainty of implementation in practice and ease of doing business. Therefore, it is strongly urged to incorporate Section 85A as proposed by the 46th Report of the law Commission of India, where it clearly states the scope of operation of the amended provisions.

As regards Clause 15 of this Ordinance, which inserts Section 29A - time limit for Arbitral Award is a serious obstacle which creates more problems than it solves. Section 29A sub - section (1) "The award shall be made within a period of twelve months from the date the arbitral tribunal enters upon reference".

This provision sets a 12 month time limit for completion of the arbitration proceedings, failing which, parties can agree for only six months extension. Yes, I do appreciate that it is with good intentions to speed up the process of an arbitration process but, at what cost? This time limit is quite unreasonable as well as unrealistic in practical terms.

As per Section 29A sub-section (4), failing to complete the arbitration proceeding within 12 - 18 month period will result in the termination of the arbitration, if the Court has not extended the period. And, if the Court does grant an extension, it is only after deducting up to 5 per cent fees from arbitrators for the delay each month. Not only we are creating additional burden for the parties to an arbitration, but we are also burdening the courts. It goes against the objective for

bringing in this Ordinance, as an increase in judicial intervention in arbitration matters will only lessen foreign investor confidence in the Indian judicial system. It could also potentially threaten the quality of the final arbitral award as a result of the impractical time limit prescribed. It is problematic for us to determine the time-period for completion of proceedings under Arbitration, as it primarily depends on the case. While a simple contract dispute involving little or no witness evidence might be resolved within 12 months, but what about a complicated construction dispute involving multiple parties (and possibly multiple contracts), tens of complex claims and counterclaims requiring factual and expert evidence, and involving millions or billions of dollars in dispute? Would it not this take substantially longer? Let us not create a restrictive environment even in the world of Alternative Dispute Resolutions which is founded on principles of limited regulation. This specific amendment is based on a faulty premise that one-size fits all approach will work in India irrespective of the nature, complexity and stakes involved in the different disputes.

The London Court of International Arbitration had suggested that the median duration for arbitration was 16 months. However, its website also highlights that "there is no such thing as an "average" arbitration. Sums in issue, and technical and legal complexity may vary

greatly between one case and another, as may the volume of evidence, oral and written, that may be required to determine the dispute. We should not intervene and prescribe a time limit for finalizing a dispute, which is fundamentally a judicial function, and not necessarily a legislative requirement. Therefore, I would strongly urge the Government to address this rigidity in the Amendment Bill and consider either removing this clause which inserts Section 29A from the Bill altogether, or to at least changing the time limit from 12 months to a more realistic 24 months instead. My case has already taken 18 months. The hon. Minister has not solved it yet. You know my arbitration and this arbitration will go for a long time. So, I request that some period should be given otherwise the confidence of the companies will be taken away.

Thank you.

[English]

SHRI KESINENI SRINIVAS (VIJAYAWADA): Hon. Deputy-Speaker, Sir, thank you for giving me this opportunity.

The judicial system in India continued to evolve through the reigns of the Maurays, the Mughals and the British. The present system has held India in good stead. However in the significant increase in the role of international trade, the economic development of nations over the last few decades has been accompanied by a considerable increase in the number of commercial disputes as well.

In India too, rapid globalization of the economy and the resultant increase in the competition has led to an increase in commercial disputes. At the same time, however the growth of industrial growth, modernization and improvement of socio economic conditions, in many instances has out-paced the growth of dispute resolution mechanisms. In many parts of India rapid development meant increased case loads of already over-burdened courts further leading to notorious slow adjudication of commercial disputes. As a result alternative dispute resolution mechanism including arbitration has become more crucial for businesses operating in India as well as for those doing business with Indian firms.

In sum, a huge influx of overseas commercial transactions spurred by the growth of Indian economy has resulted in a significant increase of commercial disputes and arbitration practices lagged behind. The present arbitration system in India is still plagued by many loopholes and shortcomings. The quality of arbitration has not qualitatively developed as a quick and cost effective mechanism for resolution of commercial disputes. According to the World Bank's 'Ease of doing Business' Report for the year 2015, India has been ranked 178 of the 189 nations in the world in contract enforcement. The World Bank's 'Ease of doing Business' rankings analysed the whole business eco system in the country. The rankings include parameters like starting a business, dealing with construction permits, getting electricity, access to credit and enforcing contracts amongst a total of ten parameters.

Sir, India has shown a significant jump of nine places in starting a business parameter and 29 places in getting electricity in the 2016 rankings as compared to 2015. However, there is a drop in the ranking by six places on access to credit and the country's rank on enforcing contracts has remained unchanged at the 178th position.

The contract enforcement rankings factor in quality of judicial processes. On a scale of 0 to 8, India's index of judicial processes is at 7.5. In the field of case management, India scores as low as 0.5 out of

6. With commercial disputes piling up and investors and business men looking up to foreign jurisdictions to settle disputes, India is losing a valuable opportunity for growth.

India is at a juncture where massive investment is needed to create infrastructure to spur economic growth and improve the living standards of the people. This is not possible solely through Government investment. For instance, urban development and rejuvenation alone require about two trillion US dollars upto 2030. It is imperative that we create an atmosphere where businesses are encouraged to invest in creation of public infrastructure.

Until 1996, the law governing arbitration in India consisted mainly of three statutes. They are the Arbitration (Protocol and Convention) Act, 1937, the Indian Arbitration Act, 1940 and the Foreign Awards (Recognition and Enforcement) Act, 1961. The Government enacted the Arbitration and Conciliation Act, 1996 in an effort to modernise the outdated 1940 Act. The 1996 Act is a comprehensive piece of legislation modelled on the lines of the United Nations Commission on International Trade Law's Model Law.

The primary purpose of 1996 legislation was to encourage arbitration as a cost-effective and quick mechanism for the settlement of commercial disputes. The 1996 Act covers both domestic arbitration

and international commercial arbitration. But the current ground realities indicate that these goals are yet to be achieved.

There is a growing recognition that arbitration is becoming a costly affair which is a departure from the intent of the 1996 Act. This is particularly true in ad-hoc arbitration where the fees of the arbitrators are not regulated but decided by the Arbitral Tribunal with the consent of the parties. Some of the Arbitral Tribunals consisting of high profile arbitrators such as the retired Supreme Court and the High Court judges charge high arbitration fees. Further, it is an emerging trend amongst large corporations involved in high stake commercial disputes – including Government Undertakings – to hold ad-hoc arbitrations in five star hotels and other costly venues.

There is a culture of delays where proceedings are frequently adjourned. Arbitration is more cost effective than litigation only if the number of arbitration proceedings is limited.

The prevalent procedure before the arbitrators is as follows: At the first hearing, the claimant is directed to file his claim statement and documents in support thereof. At the second hearing, the opposing parties are directed to file their reply and documents and at the third hearing, the claimant files his rejoinder. At each of these stages, there are usually at least two or three adjournments. The first occasion for

considering any question of jurisdiction does not normally arise until the Arbitral Tribunal has issued at least six adjournments. If the respondent is the State or a public sector undertaking, the number of adjournments is higher as it takes more time for these parties in internally finalizing pleadings and documents that are to be filed before the Arbitral Tribunal. Parties pay a fee to the arbitrators for each hearing and thus spend a substantial amount of money. This is in addition to the other costs involved.

To remedy this situation, the Bill stipulates a period of 12 months for the Arbitral Tribunal to make its award.

According to a survey conducted by the Construction Industry Development Council, the amount of capital blocked in construction sector disputes is over 5,40,000 millions. Given the tardy pace of justice and recurring delays in the judicial system, it is essential that we reform the system to make it more cost effective and less time-consuming.

The Bill moves the country in that direction and would definitely encourage investments and help India become a centre of arbitration. This has been the Government's sincere effort and with this I welcome the Bill and support its passing. Thank you.

[English]

SHRI MEKAPATI RAJA MOHAN REDDY (NELLORE): Mr. Deputy-Speaker, Sir, thank you for giving me this opportunity. I welcome and support this Arbitration and Conciliation (Amendment) Ordinance, 2015.

This amends the 1996 Act by providing time limits both for awards and for the time of disposal of appeals by courts. We welcome these amendments as they bring respectability and credibility to alternate dispute resolution mechanism in the country.

One of the main reasons for India's inability to attract FDIs to its potential is the inordinate time taken for legal dispute resolution. Domestic investors too are increasingly becoming wary of this situation. Even arbitration, as per the 1996 Act, has been getting inordinately delayed negating the very objective of quick resolution to disputes. Unless we do something urgently, there will be no prospect of our attracting huge investments that are essential for our economic growth.

The delay of time in arbitral proceedings was not the only malady plaguing arbitration of India, another equally daunting challenge was

courts' interference in arbitration under Section 9 and awards being set aside by courts.

It is shocking that arbitration cases, which are supposed for resolution, have remained unresolved for over a number of years. It looks like the present Bill does not bring within its fold the existing cases where the arbitrator is already appointed. In my opinion, even the existing cases should be brought within the purview of this Bill. I would request the Government to include this in the Bill.

The amendments, if passed by us, would be a major game changer and enhance the faith of foreign investors towards arbitration in India. This would signal the start of a new era in the Indian arbitration regime.

It is in this context that the present Bill proposing time limit of one year is highly welcome. It is provided that additional fees shall be provided to the Tribunal if an award is made within six months. If the parties give consent to an extension, it shall be made for a further period up to six months. Similarly, the Bill sets time limit of one year for disposal of cases by the courts and this will go a long way in addressing the major concerns.

As per the Bill, the only ground on which courts can set aside an award is when it is, (i) affected by fraud or corruption, (ii) in contravention with the fundamental policy of Indian law; or (iii) conflict with the notions of morality or justice.

A new sub-section in Section 11 is to be added to the effect that an application for appointment of an arbitrator shall be disposed of by the High Court or the Supreme Court as expeditiously as possible and an endeavour should be made to dispose of the matter within sixty days.

The Ordinance also permits parties to choose to conduct arbitration proceedings in a fast track manner. The award would be granted within six months.

A new Section 31 A is to be added for providing comprehensive provisions for cost regime. It is applicable both to arbitrators as well as to related litigation in court. It will avoid frivolous and meritless litigation or arbitration.

Section 17 is to be amended for empowering the Arbitral Tribunal to grant all kinds of interim measures which the court is empowered to grant, under Section 9 and such order shall be ‘enforceable in the same manner as if it is an order of the court’.

We support the Bill in its entirety and also urge the Government to bring even the existing arbitration cases within the ambit of the present Bill.

With these words, I conclude and I support the Bill. Thank you.

[English]

ADV. JOICE GEORGE (IDUKKI): I would thank you, hon. Deputy-Speaker, Sir, for letting me to discuss the Arbitration and Conciliation (Amendment) Bill, 2015.

Sir, we are all discussing how to facilitate the ease of doing business in our country. In fact, we are discussing a very lucrative business of Arbitration and Conciliation not in the domestic arena but in the international sphere also. Nowadays, arbitration and conciliation has become a very lucrative business. In this context, we are looking at this Bill.

Sir, in this Bill, we are trying to reduce the involvement of the court in an arbitration proceedings. For that, we have incorporated certain provisions to restrict the courts from passing interim orders after constitution of an Arbitration Tribunal. We have also reduced the scope of judicial interference in an award by introducing a new section by way of Clause 18. In Clause 18 of the Amendment Bill, an explanation is given to public policy. It says: "For avoiding any doubt, it is clarified that an award is in conflict with the public policy of India, only if,--

“ it is in contravention with the fundamental policy of Indian law and it is in conflict with the most basic notions of morality or justice.”

My humble question to the hon. Minister is whether there can be any distinction among the morality. Is it the basic notion of morality or high grade of morality or the second grade of morality? Is there any differentiation between the standards of morality in our judicial system? If that be the situation, we will also be in predicament. When we come to Section 57, it is said that in order to foreign award may be enforced under this Chapter it shall be necessary that the enforcement of the Award is not contrary to the public policy or the law of India. In this context, I may refer to the decision of the hon. Supreme Court of India in ONGC versus Saw Pipes. In that case, the Supreme Court elaborated the scope of public policy by interpreting that violation of the statutory provisions of Indian law is also against the violation of public policy. If that be the situation, how can we enforce a foreign arbitral award in view of Section 57 where there is a very specific stipulation that if it is against the public policy, it cannot be enforceable. How can it be enforced? On the one hand, we are reducing the scope of the public policy. Moreover, in our Constitution, there is a restriction for making law against the public policy and the fundamental feature of our

Constitution. So, we are permitting the international forum or the Indian arbitrators to pass an award against the public policy and the notions of morality. Can it not be termed as basic notion of morality? Morality is only one. Therefore, I urge upon the Minister to clarify as to whether there are two standards of morality and that can be possible in our judicial system and justice dispensation system.

Yet another issue is about Section 28A, an arbitral award arising out of arbitration other than international commercial arbitration may also be set aside by the court if the court finds that the award is vitiated by patent illegality appearing on the face of that award. So, we are encouraging international arbitrators to pass orders against our law also. There are provisions in this Act restricting the fee structure. But, as far as the international arbitrations are concerned, the arbitration by the arbitrator sitting outside the nation, there is no bar at all. But even if an international award is passed, that cannot be subject to be challenged on the basis of the illegality appearing on the face of the award in Indian courts. That may lead to another legal lacuna. It may be subjected for challenge before the Supreme Court. Ultimately, this will also create problems because we are now trying to get over the decisions of the Supreme court in the ONGC versus Saw Pipes and the other case.

The other case is the Army Welfare Organisation *Versus* Sumangal Service Private Limited reported in AIR 2014 SC 1344. In this case, there may be issues regarding the judicial interferences, though we are trying to limit the interferences of the Judiciary.

Regarding the time limit prescribed in this enactment, we have fixed certain time limit for passing the award, for concluding the arbitration proceedings. In our experience, we have a lot of enactments prescribing the time limit for concluding the judicial process but in none of the cases, there is compliance at all. No court is passing the verdict or concluding the proceedings within the time limit prescribed in the enactment. Here also, though we have specified certain time limit for concluding the case and giving the award, we are also giving some grace period of six months over and above the one year prescribed. My apprehension is regarding the specification in the Act to the effect that arbitral tribunals are not going to conclude the proceedings within the time limit prescribed.

The Report of the Standing Committee on the Arbitration and Conciliation (Amendment) Bill, 2013 which was submitted in this House in July, 2015. The Committee had specifically recommended that there should also be some penal provisions incorporated in the Act, including the blacklisting of the arbitrators those who are failing to

comply with the time limit prescribed or other standards to be met by them in accordance with the provisions of the Act.

Yet another issue is regarding the institutional arbitration. As I mentioned earlier, the arbitration has become more or less a business. Arbitration Hubs are being developed in all the nations including Singapore. But unfortunately, we cannot attract any litigants or prospective parties in our land for conducting arbitration in our nation because of lack of infrastructure or because of the ambiguities in the prevailing laws. In this context, I may invite the attention of the hon. Minister to the recommendations made by the Standing Committee as regards the institutional arbitration. For institutional arbitration, we should have a specific policy. If such a conducive atmosphere is created in India, international parties would opt for India as a venue for arbitration, and India shall become a major player in the field of international arbitration. If we can introduce such system here, we can avoid huge money that we are spending for international arbitration especially in our Government enterprises. For that, we should have certain measures to be adopted.

First of all, we have to set up centre for excellence for international arbitration. For that, it may be an accredited international centre for excellence. It may set up its own parameters and shall be independent

of Government control. It shall have a statutory apex body with the Chief Justice of India as Chairperson, one or two representatives of the Government and professionals, from the institutions of Chartered Accountants, engineers and lawyers shall be Members. Inclusion of an expert is essential while dealing with specialised cases like maritime insurance, technology, transfer of insurance, building contracts, etc. It shall frame its own rules which will govern the appointments, preparation of panel, fixing of fees, conduct of arbitration as well as that of the arbitration proceedings. Such rules shall be made public. This would provide familiarity not only to the international community who have to look out for a proper arbitration avenue for resolution but would also instil confidence in the minds of public that this is a transparent and reliable institution. This will also ensure accountability of the arbitrators. By this way only, we can ensure the credibility of our arbitration system and thereby attract persons from abroad for conducting arbitration cases in our land.

The awards made by the arbitration shall also be scrutinised by this apex body for the purpose of ensuring more transparency and professionalism. Professional bodies like the Bar Council of India, the Institute of Chartered Accountants, etc. should create arbitration wings. They may be granted affiliation to the main arbitration institution. By

this way, we can improve our institution of arbitration system. By virtue of Section 11 of the Act, the Supreme Court and High Courts are entrusted with the responsibility to appoint arbitrators. But the unfortunate thing is, the Supreme Court and High Courts are not discharging the duty up to the expectations of the law making body, that is, the Parliament. In a query put under the RTI Act to the Supreme Court as well as High Courts, it is found that none of the High Courts, except two, are keeping the list of competent arbitrators. The arbitrators are being appointed according to the whims and fancies of the judges and there is no transparency at all. This is also a matter which has to be looked into by this House and there should be some checks and balances to demarcate the powers of the designated courts and designated judges to appoint arbitrators.

Sir, now we are talking about arbitration, international arbitration, international awards and enforceability of international awards in our country. In this context, I would like to invite the attention of the hon. Minister to yet another issue which is having some connection with this issue. We are signing a lot of international treaties every year. We go on negotiating and we are signing many international treaties. But unfortunately we are not having a separate department for international law under the Ministry of Law and Justice. All these international

treaties are being vetted and they are then finalised by bureaucrats. The signing of international treaties has become, more or less, a bureaucratic function. Unfortunately, in our Constitution, there is no provision for getting all these international treaties ratified by the Parliament before their implementation. In the Constitution of USA and in other countries, where there is a federal structure of governance, they are having a provision in their Constitution that unless and until an international treaty gets the nod of the Parliament, it cannot be enforced there. Unfortunately we do not have such a provision in our Constitution. Once we enter into an international treaty, it is binding on us and we will have to follow the regulations or rather the restrictions put on us by that international treaty. So, my humble request to the Minister is that there should be some mechanism in the Ministry of Law and Justice to, at least, see what is exactly happening and what are the treaties which are going to be signed by various Ministries and they should be vetted by the Law Ministry.

In addition to that, I would like to make another point. In the case of rubber and cardamom which are grown in Kerala, we are facing a lot of problems. I am not going to narrate the agonies of the poor farmers there. The issue is that we entered into ASEAN Agreement, WTO Agreement and so many other trade agreements. But when those

agreements were signed, at that time there were no consultations held with the stake holders including the States which are having higher stakes in such matters. It was a unilateral exercise carried out by the Union Government and we have signed all these agreements. But due to these agreements, rubber and some other commodities are being imported into our country without any restriction and the poor farmers are suffering. Though there is a renegotiation clause in the treaties, it cannot be invoked by the State Governments; it can only be done by the Union Government and that too only after completing a cumbersome process. So, in these circumstances, we should have a mechanism that even before entering into an international treaty, there should be consultations with all the stake holders and State Governments so as to ensure the protection of the interest of all the stake holders.

Sir, the intention behind this Amendment is laudable. But there are certain pitfalls in this Amendment as I pointed out earlier. If we are having a foolproof system to dispense justice in a speedy and user friendly manner, it would be better. The features of the 1996 Act are party autonomy, minimum judicial intervention and maximum judicial support. If we want to foster all these features of the 1996 Act, there should be some rethinking on the issue specially that the proposed amendments as regards the scope of challenge of the awards passed by

international arbitral tribunals as well as our domestic arbitral tribunals specially on the ground of the violation of public policy and the awards passed against the laws prevailing in our land. It is because, we will have to uphold the majesty of the law of our nation, our land. Though there is compulsion on the part of the international community by way of international treaties and conventions, even then we will have to uphold the majesty of our law and our legal system.

With these words, I may conclude. Thank you, Sir.

15.51 hours

(Shri Anandrao Adsul *in the Chair*)

[Translation]

SHRI RATTAN LAL KATARIA (AMBALA): Hon. Chairperson Sir, I would like to congratulate the Hon. Minister that a very important Bill for the progress of India has come up for discussion in this House today. Yesterday also the Hon. Minister had brought a very important Bill, the Bill related to Commercial Court, in the House, which was passed by this noble House. Leader of the House, the way our popular Prime Minister, Hon. Narendra Modi ji has made India's image shine in the world by touring the whole world, the result of the same is being seen today that India which was lagging behind in the 'ease of doing' business, is now slowly moving forward. The way investors are getting attracted towards India today, we feel that our resolve to make India a more powerful nation than China and America is being strengthened by the manner in which one progressive law after another is being passed in this great House. Today, the Arbitration and Conciliation Amendment Bill has come in the same direction.

Hon. Chairperson, Sir, although even before this, the Arbitration Act of 1996 was working in India, but moving with the times when the era of liberalisation started after the year 1991, since then we are

witnessing how the world has shrunk and come together like a small sphere. Recently a huge ministerial conference on climate change took place in Paris. It was seen how our country also struggled for each and every small clause there. Even today, an important ministerial conference regarding WTO is going on in Nairobi, Kenya. Within that too, a fight will be fought on each and every point regarding India's interests. In view of all these things, it is very important to pass such important Bills for India to move with the times and to keep pace with the world.

Sir, it will be written in the history that when the son of Mother India, Narendra Modi, was conducting discussions in this great House to take India forward, the Bills were being discussed, the seats of the Congress Party, which claims to be builder of India, were seen lying vacant right in front.

Today, when development is discussed in foreign countries, I don't know why the stomach of our colleagues sitting in front of us, starts aching. Looking at the one and a half year tenure of our Government, it is clear that India's progress is not being digested by them. The person whom these people called a poisonous person, a merchant of death, is today being discussed all over the world. Obama ji calls our Hon. Prime Minister, a man of action, be it Japan, Australia or Russia, heads of all

the countries one after the other have become convinced of the visionary thinking of the Hon. Prime Minister. When I look at the past, I think that the person whom the Queen of Congress Party used to call a merchant of death, recently Headley has revealed that Ishrat Jahan was a human bomb, attempts were made in the last 10-15 years to kill our leader, the shadow of death always loomed over due to terrorists threats. If he had become a victim of the poisonous propaganda being spread by the Congress Party, today India would be making its own history, this is the same Narendra Modi who was once called the merchant of death, and whom world leaders today recognise and respect. The world now admires this personality. The Government is enacting one revolutionary law after another, and the same intent lies behind this Bill that India also becomes the hub of arbitration like England and Singapore, where decisions do not take long. Earlier, we were governed by the Arbitration Act of 1940, which covered only arbitrations taking place within India. But with time, the Commission on International Trade was formed under the United Nations in 1921, on its basis a Bill was brought in the year 1996, in which we brought a law regarding Arbitrator and Conciliation, but with time, so many shortcomings started appearing in that law that it took years to take a decision. Many times, the arbitrator started facing dilemma regarding

fees also. Arbitration fee cases which should have been settled in lakhs started going into crores, such cases which should have been decided in 15-20 sittings, started having 100-100 sittings to decide those cases. This Bill has been amended to promote neutrality. Before appointing a person as an arbitrator, all these things will be investigated whether the arbitrator knows the other party or there is a possibility of this being suspicious. In this Bill, it has been said that the results will be given in a time frame. In our country, cases remain pending for years, why has the question of taking decisions through arbitration come up today?

16.00 hours

However, yesterday the Hon. Minister said that ever since the NDA Government came in the year 2014, be it the Supreme Court, High Court or District Court, lakhs of cases have been disposed of and the pendency has reduced. But still today there is a need to create a huge infrastructure to settle the cases in such a large country in terms of population. ... (*Interruptions*)

Hon. Chairperson Sir, now it has started to ...* ... (*Interruptions*)

HON. CHAIRPERSON: You have mentioned other things more.

... (*Interruptions*)

* Not recorded.

HON. CHAIRPERSON: You please conclude your speech in a minute or two.

... (*Interruptions*)

SHRI RATTAN LAL KATARIA: Hon. Chairperson, Sir, today it is said that the scope of litigations in private sector and public sector should be increased. When it started to appear in the public sector that there is a glut of cases, then the thought arose that some competent people, some expert people, who can decide the cases in a time bound manner, should be engaged for this work through Arbitrators. The countries of the world were also worried about India that the process of ease of doing business in India is very slow. Here cases remain pending for years and are also expensive. To overcome all these things, this Bill has been brought in this noble House. There is a provision in this, that if an arbitrator does not give his decision in a timely manner, his fees may be deducted. There is a provision in this that whoever gives the judgement before time can be given incentive amount. Not only this, if the cases that have been resolved through arbitration raise suspicion of corruption at any level and it appears that the arbitrator's decision does not stand the test of the rule of law, then under this law, the High Court and the Supreme Court have full discretion and have been vested with complete authority to review those decisions and if any mistake is

found, they should correct it. ... (*Interruptions*) These are the provisions made in this Bill.

HON. CHAIRPERSON: All your points have been covered, so please conclude your speech now.

SHRI RATTAN LAL KATARIA: Hon. Chairperson, Sir, in the end, I support this revolutionary and very important Bill and I want to heartily congratulate the Hon. Minister that he has brought very important Bills one after the other in the House. Thank you.

[Translation]

DR. ARUN KUMAR (JEHANABAD): Hon. Chairperson, Sir, I express my gratitude to you for allowing me to speak in the discussion on Arbitration and Conciliation Bill, 2015. ... (*Interruptions*) is a part of the Government's resolve -- simplification of justice. In the same sequence, yesterday also a Bill related to Commercial Appellate Court was brought and even today it is a very important Bill, which will simplify the justice process.

Sir, keeping in mind the provisions made in it and certainly the errors that still remain in the manner in which cases are being settled in relation to arbitration and disputes, the Bill was brought after considering it in detail.

Sir, this was pending in the Rajya Sabha since 2003, after which it went to the Standing Committee and went through a long process. The Government felt that this important Bill was pending for several reasons and must be implemented. A provision for time limit has also been made in this. An attempt has also been made to address the arbitrariness of the arbitrator. I support this Bill and I also request the Hon. Minister to make arrangements to make a similar provision for criminal cases as well. If the cost of arbitration comes down, small civil suits can be settled through arbitration in lower courts. Disputes for which pending

cases worth more than Rs. 2 crore can be settled through mediation. Many times, it happens that we file a case out of anger and later realise that the person against whom the case has been filed is innocent. The decision to adopt the medium of arbitration in this manner has been made keeping in mind commercial vibrancy and national growth. Certainly, if such arbitration method is implemented keeping social harmony in mind, it can prove to be an effective step. The Government is bringing all those things under its control, which will develop our country and simplify the justice process. I suggest you take the trouble to pay attention to it. With these words I support the Bill.

[Translation]

SHRI KAUSHALENDRA KUMAR (NALANDA): Sir, I thank you for giving me the opportunity to express my views on the Arbitration and Conciliation (Amendment) Bill, 2015.

The Government is working to amend this ordinance in the context of WTO and especially keeping in mind the complexity in the litigations taking place in international trade, the recommendations of the International Trade Law Commission are being given legal form. I also believe and hope that the enactment of the law will reduce the number of cases and will help in solving them easily. Anyway, the litigation in the courts continues for a long time and both the parties remain troubled. There are unnecessary expenses like court fees, expenses on lawyers, travel expenses, wastage of time and mental troubles etc. With the amendment in this law, apart from saving time and expense on business cases, there will also be amicable settlement of cases outside the court and the most important thing is that this will be possible within the stipulated time. Although this is an optional system, but I believe that it should also be mandatory, which will increase its importance. As far as fixing the fees of arbitrators is concerned, it should also be clear, transparent and fair. Both parties should participate in the election of

arbitrators, so that both parties can resolve matters with complete trust in them.

Sir, fees is the main point because fees up to Rs. 40 lakh are being charged for each sitting. This is the comment of the High Court. In one case, the mediators increased their fees to Rs. 20 lakh in a single day by holding two sittings and charging Rs. 10 lakh each. This matter has also come up in the High Court. Therefore, transparency will have to be brought on fees and fees will have to be made nominal.

I believe that this law can be made stricter. It is proposed that if the arbitrators do not settle the cases within the time limit, then five percent per month will be deducted from their fees. Therefore, there should also be a provision that fees will not be paid in case of complete delay. In this way, the cases can definitely be resolved within the stipulated time because there will always be pressure on them about not getting the fees. The Law Commission's recommendation was that any case should be resolved within six months, that would have been fine, but the Government has increased the time limit to one year. This is not appropriate, it should be limited to six months only, which will reduce the burden of cases and cases will be resolved quickly.

As far as the system of appointment of arbitrators is concerned, it should also be clarified whether only retired judges will be selected for

arbitration, or whether members of the intelligentsia and individuals having specialised knowledge related to business can also be appointed as arbitrators. What will be the tenure of such appointments? Will a panel be constituted or a list prepared? Because it is observed that if retired judges continue with their earlier approach, then perhaps the true merits of this law may not be realised. It is hoped that this will be an important step towards ensuring speedy justice in business-related cases. Thank you.

[Translation]

SHRI BHOLA SINGH (BULANDSHAHR): Hon. Chairperson, Sir, you have given me an opportunity to speak on an important Bill. While supporting the Arbitration and Conciliation Amendment Ordinance, 2015, I thank the Hon. Minister.

Arbitration law was implemented to reduce the judicial delay in pending cases in the courts in the country, but the complexity of the judicial process delayed. The demand for change of this law has been there since 1999, but the Hon. Minister has re-introduced this Amendment Ordinance, for which I express my gratitude to the Hon. Minister.

Today, many people in our country are fighting through arbitration, there is a lot of delay in them, it takes a lot of time. The legal procedure and judicial intervention involved in this should be kept away from it. For this, by creating a separate tribunal or body, arbitration cases should be heard through them because there is interference of the court in appointing arbitrators, which takes a lot of time. After that the case is also decided through arbitration on the move, then either of the two parties goes for appeal in the High Court and after going in the appeal, it takes a long time in the court to decide it. Therefore, I urge the Hon. Minister that in the process of appointment of arbitrators, we should

keep in mind that the arbitrators we are appointing should be such a person who has technical and legal knowledge so that there is no delay between the court and them. The way the court is interfering in arbitration cases, a separate law should be made for this. For the case that has to be disposed of, a tribunal or a jury should be introduced. This is my request. The delay that occurs is more due to courts.

Separate arrangements should be made for this and action should be taken. Therefore, it should be changed and kept in it. The deadline may be fixed for any committee or tribunal that may be formed so that those who are waiting for justice for years may get the benefit of it. We have seen that many cases go on for years, even the litigant dies, but his family does not get any benefit. So there should be a separate committee or tribunal system by simplifying this.

[Translation]

SHRI JAI PRAKASH NARAYAN YADAV (BANKA): Hon. Chairperson, I stand up to express my views on Arbitration and Conciliation Amendment Bill. It is true that law should be accessible and affordable to the public. The simpler we make judicial processes, the better. Our country is a poor country, so the people here have to fight cases facing many problems and challenges, which continue for years. As a result, time and money are wasted. There is violence in many places, so a path of compromise or trust must be found somewhere.

Earlier, small disputes were resolved in the panchayats of the village itself. The people of the Panchayats used to sit and build social unity. They used to resolve their disputes in their own way. Gradually development took place, many types of challenges came up, there are still Panchayats in the villages, things are still settled by talking, but its form has reduced. Even now, minor disputes are settled through panchayats in some places. If any major incident happens, then their way is also found through dialogue by the panchayats.

I want to say that justice should be simplified. A way should be found to resolve mutual disputes through compromise or other means. Many national and international questions also arise in our country and

matters related to trade also get stuck, which last for 20-30 years. Because of this, neither big industries are set up nor small industries are able to come up, because compromise is not made. Apart from this, due to such disputes, expenses also remain high. Many times, people, especially the poor, are implicated in false cases, due to which they get entangled in litigation and become financially broke and ruined.

Keeping all these things in mind, the Bill that the Hon. Minister has introduced is a good step. We welcome this Bill, because this Bill should be introduced and passed. At the same time, we also say that no person, especially the poor, should be implicated in a false case. Because, we have seen many times, cunning people or policemen, feudalists or landlords, file false suits against these people. So, this needs to be taken care of.

Sometimes, what happens is that big projects related to the development of the country are stuck for 30-40 years, there should be some way for them as well. Many a times, the Government builds bridges, roads or rail lines or wants to establish an industry then it is caught in project dispute. Therefore, it is important to find a way out.

Hon. Chairperson, we support this Bill, because this is a good Bill and it must be passed. Don't waste time, justice is accessible, easy and affordable, especially in favour of the poor. Apart from this, it should

not spoil the environment, should not cause tension, should be based on mutual agreement and should be suitable for the people living in the country's soil.

[English]

SHRI VARAPRASAD RAO VELAGAPALLI (TIRUPATI): Sir, I thank the Chair for this great opportunity and I also congratulate the hon. Minister. He is very sober and dynamic for bringing out the Commercial Courts Bill yesterday and today the Arbitration and Conciliation Bill. It is extremely relevant for the present day as far as India is concerned. We also appreciate the Law Commission for bringing out this after thorough examination, that is, to bring out the alternative dispute resolution mechanism, which the country badly needs in view of the number of cases mounting in all the courts running into crores of cases and lots of vacancies that are there. As a result, justice delayed is justice denied.

One or two points that I would like to mention here is that it should be user-friendly. A common man should also have the facility here. So, the hon. Minister may kindly consider as to how this could be made user-friendly. Secondly, cost-effective is a very relative term here because if we try to minimize the cost, then we may not have quality arbitration. Therefore, a compromise formula has to be evolved if you want to make it quality arbitration, which is really required because lots of foreign investors are involved and the corporates are involved, which is their hard-earned money, etc. Therefore, instead of insisting on cost-

effectiveness, we may consider quality arbitration, which is extremely important.

Further, the speedy disposal is also extremely important here. Therefore, whatever timeframe has been fixed of 12 months and another 6 months for the arbitrator, beyond that should not be given. The hon. Minister should also really look into the selection of the arbiter, which is extremely crucial here. It would be extremely difficult for the people to work with this system unless a proper fool-proof mechanism is evolved.

We all know and yesterday also we have thoroughly discussed as to how it is going to help investment, economy, ease of doing business, etc. Therefore, it is very relevant. But one thing where we are really lagging behind is the enforcement of contracts, which is extremely poor in the country. Yesterday, we all have expressed our displeasure because we stand lowest in the queue. I am saying this because as against 200 countries we stand somewhere at 186th position. So, we really want to improve that and for that we need to consider that aspect as well. The enforcement of the contracts is extremely important to either see the essence of the law or the intense of the law. This is very important.

Yesterday, the hon. Minister has also found that we have not got a platform to address certain social and economic issues except a case like this, that is, in the debates on the Bills. Therefore, if slight deviation is there, then the hon. Minister may kindly excuse us because the reason is that this is the only platform where we get the real presence of the hon. Minister and we could express our views. Yesterday, I did mention that and today also I want to mention that this is a socio-economic issue and we have wonderful, free, legal-aid mechanism in India as far as money is concerned. In all States the mechanism is there, but the effectiveness system is extremely poor for various reasons either the money that we are paying to the advocates is so poor as a result that under-trials in the country are remaining as under-trials for decades together. A survey may be conducted by the Government. The reason I am saying this is that whosoever is extremely poor like dalits, minorities and the tribal people are languishing in the courts without trial.

This deviation from the subject is there because the hon. Minister is extremely kind. Therefore, we would really request that the legal-aid system, which is available in the country, which has been created only for the poor, has to come up and that has to be streamlined. As regards the lawyers and all that, even if the cost involved is a little more, more efficient lawyers who have name in society and who have commitment

and if need be community-wise also the lawyers have to be picked-up. This is one of the points that I want to mention.

With this, I once again thank the Chair, and I congratulate the hon. Minister for bringing these two Acts, namely the Commercial Courts and this one and making the country more investment-friendly. Thank you very much, Sir. (ends)

[Translation]

SHRI GOPAL SHETTY (MUMBAI NORTH): Hon. Chairperson, Sir, I thank you for giving me this opportunity to speak on this Bill. Just yesterday we passed the Commercial Court Bill, this Bill is its continuation, I believe that with the passing of this Bill, cases related to many commercial traders, be it real estate, movable properties or immovable properties, those cases which are pending in courts and due to which the business is going down. I believe that the efforts of the Government that whether it is the Commercial Court Bill, the Arbitration Bill, the Ease of Doing Business, e-governance, cooperative federalism, GST, if all of this is implemented as we think, it happens as we think, then I believe that we will benefit in the coming days in taking the GDP forward as much as we think.

Sir, just as the confidence of the political field is becoming different in the minds of the people in the country, I am not ready to accept that there should be a very good situation about the court, at least. To come out of this, all these Bills that we are passing these days will have a huge benefit. Court means we go there to seek justice. But by and large, the number of people committing injustice in courts has increased manifold. Because the figure of money in business has become so big, then unwanted people file cases in court, and then the work of a third

person entering between two good people and harassing both of them is also going on at a very large scale. People do this only for settlement. There is nothing in our system that if anyone makes a fake case, then we should punish him, make him guilty, this type of system is not in the present working system. But I believe that in the coming days we have to think about it because a very large section, whether through RTI or by filing unaccounted cases in the court, has turned it into a major business that harasses those engaged in business and also causes losses to the Government. Through this Bill, I would like to thank the Hon. Minister that we have amended the Act of 1940 once in 1996 and then once again we are moving towards amending it. In this amendment, we gave time to arbitration that it should be completed in 12 months. Then the court should also dispose it of within six months. This indicates that if the arbitrator is good, and if he completes the arbitration in two-three months and then goes to the court, then the matter can be settled quickly in the court as well. In many cases it can be seen that even after going for arbitration, the one who is capable, he makes a lots of efforts to manage to delay it there as well. I think that if the Government is aware, if we bring such Bills, then this class, this type of group, can be controlled in a big way in the coming days. After all there is something called government, there is something called law and justice, the

judicial system is also bound by law, if this kind of message, this kind of mentality develops in the country, then I feel that a positive environment will be created in the business circle and those who leave the country or cannot do business even after living in the country or they just earn their profits by bringing products from China or elsewhere and selling them in India. Because of all these reasons, the people of our country have lost all the employment that they had in our country.

You do a lot of work in the cooperative movement, you are aware of all these things. Therefore, I feel that we should also create some system of check and balance in the coming days through the Government. Just like we blacklist contractors by preparing a list of people who file unnecessary cases in the court, if we make a provision to punish such people either by blacklisting such people or by making a new law, then I think that 50% of the cases can be solved and in the coming days the load in the court will reduce and those who want to pursue genuine cases will get justice. In the present system also, we can make such arrangements. The Hon. Minister introduced a Bill yesterday and is presenting a Bill today. Through these two Bills, people will get a big solution in the coming days. For this, I would like to thank the Hon. Minister and I would like to request the Hon. Minister that

whatever are the rules etc. of this, it should be done at the earliest. In the coming days, we should also establish such a system in the Lok Sabha whereby, of all the Bills passed in the previous Lok Sabha, it is reviewed how many were actually implemented. If there is a mechanism for presenting such an account and ensuring accountability in the next Lok Sabha, then our bureaucratic system, that is, the working class, will also be compelled to act responsibly. Otherwise, we will pass it in the Lok Sabha, Rajya Sabha, H.E. the President will also sign it, but it takes a lot of time for many Bills to reach the implementation stage. Hon. Chairperson, if I say it openly, there is a group in our own country which is trying to stall the Bill and stop the Bill even after the Hon. President signs it. All these people do activities. It is only through the system of people like us who do good work or the system of the Government, but there is a large section, who tries to stop all this work and they are very dominant these days. They challenge that it is okay to make any number of Bills, make any number of rules, it is in our hands to implement what to do and what not to do. A large section of this type is functioning across the country.

I would urge the Hon. Minister, through this Bill, that once this moves to the implementation stage, the results or outcomes achieved should also be shared. If a system is put in place to present this

information before the Lok Sabha, I believe it will greatly benefit the people of the country in the coming days.

Sir, I express my gratitude to you for giving me this opportunity to speak on this Bill. Thank you very much.

[English]

SHRI B. VINOD KUMAR (KARIMNAGAR): Mr. Chairman, Sir, I rise to speak on the Arbitration and Conciliation (Amendment) Bill, 2015. Through this Bill, we are replacing the ninth Ordinance issued by the Government in the year 2015 and the 17th under the NDA Government.

The Bill is introduced in the House to strengthen and refine the arbitration process in India for both domestic as well as international arbitration cases. This Bill makes provisions for interim relief by courts and arbitration tribunals. Deadlines for the completion of arbitration process are specified. Eligibility for arbitrators and the fee that can be levied by arbitrators as per case value are also mentioned in the clauses of the Bill.

As all of us know, in 1996 a law was enacted after 56 years of the original Arbitration Act of 1940. Even after Independence we followed that old Act till the Arbitration and Conciliation Act of 1996 was enacted. For the last nearly 20 years, the experience of the Arbitration and Conciliation Act 1996 is also on the lines of the earlier Act of 1940. With great aspirations we thought that this Act will resolve many issues pending before many courts in our country. But ultimately the

experience of this Act of 1996 paved way for introduction of this Bill. Through this Bill we are proposing to amend the parent Act of 1996.

There are 26 clauses in this Bill all of which I have gone through. The Standing Committee in Rajya Sabha, after hearing from many persons from different quarters of life like legal experts, tax experts, gave its report on this. Based on that report and the 246th Report of the Law Commission, these clauses were introduced in the Bill. I support this Bill with one or two suggestions. Let us hope that through this amendment the parent Act of 1996 will serve the purpose for many people.

16.34 hours

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

Mr. Deputy-Speaker, Sir, the Indian arbitration, it is said, is time-consuming, expensive and that many cases are being stalled because of court proceedings. Indian companies themselves prefer arbitration abroad. The domestic arbitration bodies such as Indian Council of Arbitration and the International Centre for Alternate Dispute Resolution are no match to the foreign bodies such as International Chamber of Commerce, the London Court of International Arbitration, and the Singapore International Arbitration Centre.

Let us take the experience of these international bodies also into account. I hope that through this amendment, the parent Act will serve the purpose.

I have moved a small amendment. I hope that the Law Minister will go through it. It is nothing but a small amendment.

HON. DEPUTY SPEAKER: You may speak about it at the time of amendment.

SHRI B. VINOD KUMAR (KARIMNAGAR): Sir, let the hon. Minister hear it and I hope that the hon. Minister will move it as an official amendment also. In the section 12, the present clauses mention that the arbitrators should give an affidavit saying that they should disclose about any relationship with the dispute. I think in the event they give some false information, they should be punished. That is what the small clause is that I am trying to get inserted in section 12 of the Bill.

In clause 13, there is no need for two lines. Clause 13 says:

“An application made under this section for appointment of arbitrator or arbitrators shall be disposed of by the Supreme Court or the High Court or the person or institution designated by such court, as the case may be, as expeditiously as possible and an endeavour shall be made to dispose of the matter within a period

of sixty days from the date of service of notice on the opposite party.’

Sir, ‘within sixty days’ would be fine instead of the unnecessary sentence which says that ‘as expeditiously as possible’ and ‘an endeavour shall be made to dispose of the matter’. Thank you.

[Translation]

SHRI BHAIRON PRASAD MISHRA (BANDA): Hon. Deputy Speaker, I stand up to speak in support of the Arbitration and Conciliation Amendment Bill brought in the House by the Hon. Minister. Today, in view of the pendency of cases from the lower courts to the Supreme Courts in the country, the efforts being made to solve the cases through arbitration are commendable and this is a welcome step. This will not only reduce the number of cases, the time taken in the cases will also be saved and the economic burden on the litigant will also decrease and he will get justice soon.

I would like to make a request to the Hon. Minister that it has been observed in such courts that once a party is not present in this for arbitration, notice is given to it, then it is not given the opportunity of being heard again. Then he has to go directly to the High Court. This is causing hardship to the accused. My request is that there should be such a system that the other parties, the arbitrator who is appointed in it, is either not trying properly, not calling both the parties properly and sometimes it has been seen, I saw an example in Chandigarh that there was a case of business transaction, it was going on in this court, so they went out and sent a notice to one party and that party did not appear, so the case was decided ex parte, due to which he had to go to the High

Court. From this, I understand that the arbitrator appointed in this case is lacking, he should be given a proper opportunity, this is my request.

Secondly, I want to say to the Hon. Minister that earlier in our villages there were Gram Panchayats, Gram Adalats, the Sarpanch system which was there, they too used to resolve the cases, in the village itself by listening to both the parties and considering the views of both the parties, which reduced the number of cases and they did not use to reach the upper court from the lower court. Everyone knows that those cases of goods, revenue, like cases of people's land in the village, lasts for at least 2-2, 3-3 generations and it devastates the farmers. In my Bundelkhand region, the condition of the farmer is worse, if he has to go to court somewhere, it would not have been decided for 10-10 years, 20-20 years, 25-25 years, somewhere the generations have passed, then I urge that there should be some thought about this and at least the village courts, which once dealt with such cases on the basis of reconciliation, the Government should also consider and work to re-establish them. This will also reduce the number of cases. With this suggestion, I end my speech in support of this Bill.

Thank you very much.

[English]

SHRI THOTA NARASIMHAM (KAKINADA): Thank you very much, Deputy Speaker, Sir, for giving me an opportunity to speak a few words on the Arbitration and Conciliation (Amendment) Bill, 2015. We congratulate the Government and the Law Minister Shri Sadananda Gowda on introducing this Bill.

This Amendments Bill is based on the Law Commission's recommendations and suggestions received from stakeholders. The Law Commission of India in its 246th Report had recommended various amendments in the Arbitration and Conciliation Act, 1996 in order to pave way for India to become a hub of international commercial arbitration.

Coming to the important aspects of this Bill, it envisages time-bound disposal of matters, the imposition of a verdict based fee structure as opposed to the prevalent hearing-based one, and a cap on the overall fee, perhaps to incentivise speedy disposal of matters.

The amendments seek to make disposal of commercial disputes more user-friendly and cost effective, which, in turn, will lead to expeditious disposal of cases. The key provisions of the Bill make it mandatory for arbitrators to settle disputes within 12 months. This

period could be extended by six months only by a court on a sufficient cause. It also envisages a cut in the fees of arbitrators if the court finds that the delay has been caused due to arbitrators. It rewards arbitrators with extra fees in case a matter is disposed of within six months and the parties agree to pay more. It empowers arbitration tribunals to grant all kinds of interim measures that courts provide

I believe that the Government's aim for the amendments to the Arbitration Act is for this law to function in conjunction with other legislations and policies, namely, a national litigation policy focusing on transparency and the setting up of specialised commercial courts and benches. However, both of these are still just proposed by the Law Minister; the policy is yet to be formulated.

The Bill states that in the case of international arbitration the relevant court would only be the High Court having original ordinary jurisdiction. The Ordinance permits parties to choose to conduct proceedings in a fast-track manner. The award would be granted within six months.

I think, the motivation of the Government in amending the Arbitration Act and in bringing adjacent changes thereto is to make India a more attractive destination for commercial arbitration as well as to compete with the likes of Singapore and London as international

commercial hubs. I congratulate the Law Minister on introducing such a useful Bill.

With these few words, I conclude my speech and I wholeheartedly support this Bill from my party.

[Translation]

SHRI AJAY MISRA TENI (KHERI): Hon. Deputy Speaker, I rise to support the Arbitration and Conciliation (Amendment) Ordinance, 2015. In fact this ordinance was pending for a long time and it was very needed that the people could get justice in the decisions which are made through arbitrators. Our Government has brought this Ordinance and it has the support of almost the entire House to amend it. I also support this Ordinance.

Sir, the highlights are that those arbitrators should be elected who are neutral, who are acceptable and can take decisions which are acceptable to both sides. The time limit that has been fixed in this is a great step. It gives twelve months' time and subsequently gives time to extend it up to six months with the consent of both the parties. The court has been given the right again that, if need be, we can extend its time even after this. I mean to say that all those things have been included in this ordinance. Efforts have been made to overcome the difficulties that used to be faced in this earlier. In fact, any law is made for the convenience of the people. When there is any inconvenience, it is the responsibility of the Government to remove it and the Government has discharged that responsibility very well.

Sir, while supporting this Bill, on my behalf, I want to add two or three things to this Bill. I want to tell the Hon. Minister that in the court system which we have, there is a huge number of cases from the subordinate court to the Supreme Court, whose suit is not being decided for years. I understand that there are two or three things major in this, due to which such an arrangement is there. The first problem that comes in this is related to procedure. The procedure in the cases is such that continuous dates are drawn for so long that they do not get decided in time.

Secondly, even in small cases, there is such a limited right of appeal that any person once loses a court, moves to another court, especially in civil cases. People talk in villages that civil cases makes one crazy. For thirty-forty years, the cases are not solved. Along with this, there is the biggest problem that if there are influential people, if there is a trial going on against them and it seems definite that they are going to be punished, they file different types of new suits and make that process so lengthy that the main suit is left behind.

I would like to request the Hon. Minister that out of all the pending cases, more than 80 percent of them are from general category. Those cases should be categorised and the appellate right should be limited, not abolished, but after making one or two appeals, that decision should

be accepted completely. For those who are influential people, who adopt various methods to keep the cases pending as well as file lawsuits, if two parties are equal and there is an equal issue, then by collecting all the files at the same place and deciding it in the same court, then they will not get an opportunity to pending them and repeatedly take the dates.

Our other friends have also raised the matter related to Revenue Court. The courts of revenue are very essential for the villages. Small ridges, consolidation, whatever such matters, they drag on for years and the farmers continuously take dates in it. In this, both their money and time are wasted.

I request the Hon. Minister, through you, to set up separate courts for revenue cases. I thank you very much for giving me the opportunity today. In this session, the Congress people were not allowing me to take such opportunities, it was very kind of you that I got the opportunity, thank you very much.

[English]

THE MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA): I thank all the hon. Members who have supported this Bill from the bottom of their heart. This is one of the finest Bills. It will certainly give a new dimension to the legal system and dispute resolution mechanism in our country. This is the dream of the hon. Prime Minister, Narendra Modi Ji also. Ease of doing business and ranking in the World Bank should be geared up and India should be a centre for international arbitration hub.

After elaborate discussions with various stakeholders, after getting suggestions from jurists and after going in detail with the Law Commission's Report I have come up with this Bill before the Parliament. Practically we have to encourage the ADR mechanism for settlement of disputes. In order to improve the World Bank ranking also we should do it. To encourage investors and to make our country an investor friendly country, certainly we should take up such initiatives wherein they should feel that they can invest in India. The Developmental activities are going so fast in India the investors should feel that by investing in India they will not face any trouble during the course of their transaction of business. Especially, the intention of this

Bill includes making settlement of disputes more user-friendly, most cost effective and expeditious disposal of the cases.

The Bill was introduced as early as in 2003 during the regime of NDA. Subsequently the matter was referred to the Standing Committee. Standing Committee after holding elaborate discussion submitted its Report in 2005. In fact, while bringing this Bill the suggestions given in the said Report were also taken into consideration. Almost all the suggestions given in that report were also taken into consideration.

The matter was referred back to the Law Commission which held detailed study in the matter. That has also been taken into consideration. Three important aspects have been taken care of which were really hampering the whole process of disposal of disputes under arbitration. One is inordinate delay in disposing of the cases. Second is the too much interference by the courts. The court itself used to take years together. The persons who went for arbitration could not settle the matter. Thirdly, exorbitant fee charged by the arbitrators. Just now, one of my friends said that they used to charge Rs.5 lakh to Rs.10 lakh for a sitting in the morning and another sitting in the evening. As a whole, the image of our country was tarnished because of all these interferences by the courts, inordinate delay as well as high fee charged by the arbitrators. We have taken all these aspects into consideration and we went ahead.

A number of stringent measures have been taken in the amendment Bill. We have said that the arbitration should be disposed of within a period of 12 months. If the parties agree, it can be extended for a period of six months. So, there is no chance of further extension. If anybody goes to the court under extraordinary circumstances and if the courts feel that it should be extended, then only it can be extended. We have provided for a fast track disposal also. If both the parties agree that it should be tried in the fast track court, within six months it can be disposed of.

For the first time in the history, we have provided for some incentives if the cases are disposed of within six months as also some disincentives if it goes beyond 12 months. This is one area wherein we can see that the arbitration cases can be disposed of speedily.

As far as fee structure is concerned, exorbitant fee was charged earlier. Now we have provided the fee structure in the Fourth Schedule. So nobody can charge beyond that and nobody can demand more fees. So there is much clarity as far as fee structure is concerned.

As regards appointment of arbitrators, we have specifically mentioned the restrictions in the Schedule and have said that such and such persons cannot become arbitrators. So everything has been given in the Bill elaborately and full clarity is there in regard to time schedule,

fee structure and appointment of arbitrators. All these things have been taken into consideration and we have brought this Bill before Parliament.

Nobody has objected to this Bill but some of our friends have observed certain things. They have said that the Bill is the need of the hour and that a good Bill has been brought. A few suggestions have been given by them. One of the suggestions was that it should have retrospective effect. If the parties agree, then there will be no problem. Otherwise, it will only have prospective effect.

Somebody gave a few suggestions like opening new arbitration centres, empanelling arbitrators who are experts and specialists in various subjects as also training institutes should be established. The matter is under consideration of the Government. Certainly, this is one of the good suggestions. The Government has taken note of this and it will consider it.

One of my friends referred to the fee structure and mentioned that quality will go down if the fees are restricted. I may inform the hon. Member that it is not like that. When the fee structure is given, the fees will be applicable for both the parties, for the petitioner as well as the other party. Both the parties will have the same fee structure. So, there will be no problem as far as the fee structure is concerned. The report

was given in 2005. At several stages the matter was discussed over the last ten years and finally the Bill has been brought to the House.

My friend mentioned about the notion of morality of justice. Practically, I feel that the Supreme Court has observed this fact in *ONGC versus San Pipes Case* and it is a subject of judicial interpretation as the term cannot be defined in the Bill. So, it is a matter of interpretation and the court can interpret as far as that matter is concerned.

So, all these issues have been properly taken into consideration and the provisions of this Bill certainly give a new direction as far as the Arbitration and Conciliation Act of 1996 is concerned. Therefore, I commend the Bill to be passed by the House.

Thank you.

[English]

SHRI N.K. PREMACHANDRAN (KOLLAM): Hon. Deputy-Speaker, Sir, I thank you for giving me this opportunity. Yesterday also the hon. Minister was replying to the questions from this side regarding the pendency of cases and the accumulation of cases in the High Courts and the Supreme Court and other *Muffasil* courts. The basic issue which I would like to highlight even today is that a reply was given by the hon. Minister to my Starred Question No. 521 on 30th April, 2015. I am reading the reply given. The data on pendency of cases is maintained by the Supreme Court and the High Courts. As per information furnished by the Supreme Court, 61,081 cases were pending in the Supreme Court as on 01.04.2015; as per information furnished by the High Courts, 41.53 lakh cases are pending in the High Courts as on 31.12.2014.

In reply to the next question on what were the reasons for the pendency of the cases in the Supreme Court and the High Courts, the hon. Minister gave many reasons, but I would like to read out just two reasons. Some of the main reasons for pendency of cases in courts are increasing number of State and Central legislation. The first reason for the pendency of cases in the Supreme Court and the High Courts is increasing number of State and Central legislation. The second reason

was continuation of original civil jurisdiction in some of the High Courts. I am only taking these two reasons.

Here, my point is that the number of legislations are increasing and the Government is giving more burden to the High Courts. In this case also if you go through the definition of clause 2, in the definition it says that if it is an international commercial arbitration, then the original jurisdiction will be the High Court. That means the Government is imposing further burden upon the High Courts. We have discussed about the commercial disputes. In the case of an international commercial arbitration also the original jurisdiction is also being given to the High Court. High Courts will be further burdened, pendency will be more and access and as a result of that poor common people will suffer.

In the Arbitration and Conciliation Act there is a provision that the case should be disposed of within 12 months from the date of starting the proceedings and it can go maximum up to 18 months. I fully agree with the hon. Minister on arbitration, fixing of fees, the time schedule, appointment of arbitrators. I agree with him on these points. But the point is that the indirect effect will be on the High Courts which will be heavily burdened. Also, with regard to the international commercial

transactions, how has the definition changed? The hon. Minister has not explained that.

17.00 hours

A very interesting fact to be noted is that the definition of an international commercial arbitration in Section 2(f) of the original Act has been very clearly changed. It says: “International commercial arbitration means an arbitration relating to dispute arising out of legal relationship whether contractual or not considered as commercial under the law in force in India where at least one of the parties is outside India.” One of the parties should be outside India. Only then it will become an international commercial transaction. In Clause 3, you have very intelligently and cleverly removed the term ‘company’.

Sir, you may kindly note that ‘company’ is defined in the Companies Act, 1956. As per the definition of the company in the Companies Act, 1956, it should be registered in India. Otherwise, it should be a foreign company. So, you have deleted the term ‘company’. It is said: “An association or a body of individuals whose central management and control is exercised in any country other than India.” Any oil company or any company can very well tell that control, management, administration and everything are there whether the registered head office is not in foreign country or not. They need not

have any registered head office in Britain or US or anywhere outside India. Any company in India, a domestic company, can very well argue that my business and administration are being carried outside India, I can be considered as a company operating outside and can come within the purview of international commercial arbitration. So, the original jurisdiction will go to the High Court. That will be disposed of within 12 months or 18 months. That means, is it for inviting foreign direct investment? Then why have you removed the term 'company' from this definition?

So, in the definition of international commercial arbitration, you have deleted and omitted 'company' with an ulterior motive that any Indian company, whether it is Reliance or whatever it may be, can very well argue the case that they are having an international commercial arbitration and so, it should come within the purview of Section 2 of this Act, that they can directly go to the High Court and can dispose the case within a specific period, as the hon. Minister has cited. That is the first objection which I would to make.

Regarding the next point, yesterday also I have said it and I want to explain that point further. Regarding international commercial transactions, the original jurisdiction is with the High Court. Indian courts have the jurisdiction to enforce and recognise the arbitration

award even if the place of arbitration is outside India. I would like to ask the hon. Minister that, by this amendment, Indian courts have to recognise and enforce the awards passed by arbitrators or arbitration courts or whatever they may be, outside India.

My question is, what about the awards passed by the Indian arbitration outside the country? Is there any mutual treaty between India and foreign countries regarding arbitration? So, as far as the foreign arbitration is concerned, when the place of arbitration is outside India, that award has to be complied with and enforced and that has to be recognised in India. But my question is, what about Indian companies and any arbitration award that comes into force in our country? Will that be recognised, respected and enforced in other countries? This is my second point on which I would like to seek a clarification from the hon. Minister.

Regarding Clause 8, once again, I would like to say that it is a very dangerous provision. By means of the intervention of the courts in India, most of the proceedings are being delayed like anything. I do accept it. That is not because of the courts alone. It is because of the procedural formalities, because of the CPC and the CrPC which the Parliament has passed. We want judicial reforms *in toto* and not in respect of commercial disputes alone and not in respect of arbitration

alone. Shri Joice George has made that point. An award cannot be set aside. In the original Act, an arbitral award arising out of arbitration other than international commercial arbitration may also be set aside by the court if the court finds that the award is vitiated by patent illegality appearing on the face of the record.

That is the point which is to be looked into by the Minister. Even though my amendment is not being accepted, kindly look into the fact even in the future course of drafting of all these things. Suppose an award passed in the foreign country, an international award passed in the foreign country, as far as the international commercial arbitration, you cannot question, that means Indian courts cannot question, even if there is a patent illegality appearing on the face of the record. So, even an illegal award passed by the foreign arbitration in the case of an international commercial arbitration, Indian courts cannot question. Even if it is apparent on the face of the record that there is an illegality, the Indian courts have no jurisdiction. I am coming to the proviso also.

It says: "An award shall not be set aside merely on the ground of an erroneous application of the law or by re-appreciation of evidence. These are the two areas that are important. 'Application of law' and 'appreciation of evidence' are the two basic principles of Indian judicial system. We have to implement or we have to use the laws in a proper

form. The law has to be applied in a proper way. If the law is applied in an erroneous way, if there is an erroneous application of law, the court has no right to set aside the award. What is this jurisprudence?

Second aspect is 're-appreciation of evidence'. The courts have no right to re-appreciate the evidence. Suppose when the legality of an arbitration award comes to the court, the court has no right to re-appreciate the evidence which was already put before the arbitration. Then what is the scope of appeal? Then what is the scope of judicial process? The supervisory capacity of the judge or the judiciary is the main fact to be considered. When we are talking about the ease of doing business, even the judicial system is being submitted to the international commercial arbitration. So, these two, 're-appreciation of evidence' and 'erroneous application of law' are the main points. That means you cannot re-appreciate factual evidence. If question of law cannot be considered and question of fact cannot be considered, then what is the role of Indian courts in discussing the veracity and legality of these arbitration awards?

Another point is regarding the 'fundamental policy'. Prior to this amendment, as per the original Act, conflict in award will come, if it is against the 'public policy' of India. Now, it is being changed to mean, 'public policy' means 'fundamental public policy'. Hon. Minister,

kindly explain this and enlighten the House as to what is the difference between the 'public policy of India' and 'fundamental public policy of India'. It further says that it is in conflict with the most basic notions of morality or justice. So, if the 'fundamental public policy' is conflicted then the award can be set aside. 'Fundamental public policy' will come only if it is in conflict with the 'most basic notions of morality or justice'. So, my point is that the rights and powers of the judiciary to scrutinise the awards passed by the arbitration is being curtailed by means of this Amendment Act.

I fully agree with the fact that delay is being caused, arbitration proceedings are being prolonged. All these are happening only because of the procedure which we are following in our country, because of the CPC and other procedures which we have enunciated. So, all these points have to be taken into consideration when we are talking about ease of doing business.

I will speak on my amendments when they will be taken up. With these words, once again I move the Resolution disapproving the Ordinance.

With these words, I conclude. Thank you very much.

HON. DEPUTY-SPEAKER: Some Members want to seek clarification.

Shri Sharad Tripathi.

[Translation]

SHRI SHARAD TRIPATHI (SANT KABIR NAGAR): Hon. Deputy Speaker, this Bill was approved under the head of our Government, Hon. Prime Minister Shri Narendra Modi. Our Hon. Prime Minister also introduced this Bill. Certainly, this Panchayat system, the system of arbitration, the system of old Panchayat of India, is a refined and renewed form of the same. The Hon. Prime Minister has visited various villages and towns of the country, the number of which is more than three thousand. They saw the truth of how transparent and speedy justice is still beyond the reach of the common people. They are especially serious about providing them transparent and speedy justice.

[English]

HON. DEPUTY-SPEAKER: What do you want? You put the question. 'Clarification' means only putting a question and not making a speech. So, you seek clarification on what you want.

[English]

SHRI SHARAD TRIPATHI: In response to that, the Hon. Minister had brought a Bill related to Commercial Act yesterday and today I fully support the Bill related to arbitration that he has brought and through you, I would like to ask a question to the Hon. Minister with a request. We are all public representatives. We are accountable and responsible towards the public. We participate in the demonstration sometimes due to the problems of the public. We do not even know when the case has been filed against us.

[English]

HON. DEPUTY-SPEAKER: Shri P.P. Chaudhary. You are not putting questions. I asked you to put question. You have to put the question. I cannot permit it.

[Translation]

SHRI SHARAD TRIPATHI: I would like to request the Hon. Minister to consider whether, in the future, there is a proposal to draft a court that functions specifically as a political court, because when records are examined in cases where criminal charges are filed against public representatives, they often fall into the category of criminals. Therefore, I request the Hon. Minister to consider the formation of a

political court in the country, where only the cases related to political people may be heard and resolved.

[English]

HON. DEPUTY-SPEAKER: It is not connected with this thing. That is the problem. You have to put the question related to the subject, not about other things.

SHRI P.P. CHAUDHARY (PALI): Sir, the Arbitration and Conciliation (Amendment) Bill, 2015 is the need of the hour. It will instill confidence in the minds of the investors. My clarificatory question to the hon. Minister, through you, Sir, is this. This is basically a post-litigation mediation. There are two types of mediations the posts pre-litigation mediations. In our country, we are only having the post-litigation mediation. We do not have the pre-litigation mediation. So, in post-litigation mediation, what is required is the application for appointment of an arbitrator is to be moved before the court. The court is required to decide that application within sixty days. Thereafter, the court can also examine the existence of *prima facie* arbitration agreement. The total period is twelve months. It is required to be decided within 12 months. Further, with the agreement of the parties, it can be extended to six months. Again, on account of "sufficient cause" –the court can extend the time for giving an arbitral award. It is a post-

litigation mediation. In other countries of the world just like America, 70 per cent litigation is reduced only on account of pre-litigation mediation. So, in the case of pre-litigation mediation, if the legal status is given, the parties meet together, agree, and enter into an agreement, their agreement is only required to be registered with the Registrar, then, there is no need to file any arbitration application before the court. Is there any move with the Government to create pre-litigation mediation? Thank you.

SHRI VARAPRASAD RAO VELAGAPALLI (TIRUPATI): Sir, the one case that is long-pending is about the Bhopal Gas Tragedy. The poor people are not able to get justice. Therefore, as the initiative of the Government and the Ministry of Law, Bhopal case could be the first case to be referred to where the worst has happened in the human history so that those people may get justice. The hon. Minister may kindly consider this.

ADV. JOICE GEORGE (IDUKKI): My only clarification is regarding Clause 18 where we have introduced the words 'the fundamental policy of Indian law' and also the words, 'the basic notion'. These words were introduced for the purpose of getting over the implication of judgement in the ONGC case. Again the hon. Minister is saying that this is a matter of interpretation by the court. I

fear that we are again throwing the ball in the court of law. We are leaving the entire issue to the wisdom of the court to interpret all these things. That is not the spirit of the amendment because the spirit of the amendment is to reduce the judicial interference. On the one hand, we are talking about reducing the judicial interference, and on the other hand, we are giving again all the responsibilities to the courts to interpret the clauses of the Act, which would be counterproductive. So, kindly clarify on this issue.

[Translation]

SHRI VINOD KUMAR SONKAR (KAUSHAMBI): Certainly, the Bill that has come will facilitate in reducing thousands of cases in the country. The issue is related to this, a Consumer Forum was formed in the country. At the time when the consumer law was brought, big arguments were made in favour of it that it would benefit the consumers, at the same time, speedy justice would be done, but today lakhs of litigations in various courts of the country, in the District Forum, in the State Forum and in the National Forum are lying related to the consumers. I would like to know from the Hon. Minister whether he will bring any programme or Bill for their arbitration or for the speedy disposal of cases pending in the Consumer Forum? Thank you.

[English]

SHRI D.V. SADANANDA GOWDA: Sir, I am not totally agreeing with Shri Premachandran's view. I beg to differ from his view. He has raised three issues. Yesterday, while answering I stated that the increasing pendency is due to increase in the number of State and Central legislations. I would like to bring it to the notice of this House this. We have seen the Electricity Act. As soon as the said Act was brought into force, lakhs and lakhs of cases were filed under that Act. Today, we are going in for an amendment to the Negotiable Instruments Act. If a banker files a case or ten cases against one individual; those ten cases can be kept together and the same can be resolved as a single case.

The Domestic Violence Act was brought into force. Within a short period, thousands of cases have been filed. For that reason, I stated that there are certain enactments or new legislations because of which cases have been increased. That is what I told. Same is the case with the Motor Vehicles Act under which challans are collected by some other modes with the result reduction of cases would be there. Likewise, the Arbitration and Conciliation Act.

As far as appeal is concerned, we have provided an appeal for patently illegal cases in the court. If you allow all the cases to go to the

court, this Bill will have no base at all. Earlier what happened? If we accept the argument of Shri Premachandran, almost all amendments brought today will have no value at all; it would be infructuous. So, totally to avoid too much interference of the court, we have done all these things. At the same time, as far as ONGC case is concerned, practically the whole judgement was considered and on the basis of that, the present draft has been prepared.

Shri Premachandran had mentioned about the claim of a company as to whether it is a foreign company or not. Practically, reference under Sub-Section 3 is removed because it is already covered under Sub-Section 2 under the terms 'body corporate'. So, there is no confusion as far as the issues which have been raised in the House by Shri N.K. Premachandran. Therefore, I request the House to disapprove his Statutory Resolution.

[English]

HON. DEPUTY SPEAKER: I shall now put the Statutory Resolution moved by Shri N.K. Premachandran to the vote of the House.

The question is:

“That this House disapproves of the Arbitration and Conciliation (Amendment) Ordinance, 2015 (No. 9 of 2015) promulgated by the President on 23 October, 2015.”

The motion was negatived.

HON. DEPUTY SPEAKER: The question is:

“That the Bill to amend the Arbitration and Conciliation Act, 1996, be taken into consideration.”

The motion was adopted.

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

HON. DEPUTY SPEAKER: I shall now put Amendment No. 7 to Clause 5 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: The question is:

“That clause 5 stand part of the Bill.”

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 Amendment of Section 11

SHRI N.K. PREMACHANDRAN: Sir, I beg to move:

“Page 4, line 15,--

after “opposite party”

insert “and the procedure for service of notice shall be completed as expeditiously as possible within a maximum period of 60 days from the date of filing of application” ” (8)

“Page 4, line 19,--

after “Fourth Schedule”

insert “and revise the same from time to time
corresponding to the revision made as per
Section 11A” ” (9)

Sir, my Amendment No. 8 is about issuance of the notice which is a big problem because most of the time is being taken for the issuance of the notice. So, this should also be taken care of.

My Amendment No. 9 is regarding the fee of the arbitrator. The hon. Minister has stated that the fee of the arbitrator has already been fixed by the Parliament. But the Government can, at any time, change the fee as per Section 11A. So, it is not absolute. I am not objecting to it. My point is, if you can change the fee structure at any time, this should also be incorporated along with other Sections.

HON. DEPUTY SPEAKER: I shall now put Amendment Nos. 8 and 9 to Clause 6 moved by Shri N.K. Premachandran to the vote of the House.

The amendments were put and negatived.

Shri Adhir Ranjan Chowdhury - Not present

Shri B. Vinod Kumar - Not present

HON. DEPUTY SPEAKER: The question is:

“That clause 6 stand part of the Bill.”

The motion was adopted.

Clause 6 was added to the Bill..

Clause 7 was added to the Bill.

Clause 8 Amendment of Section 12

SHRI N.K. PREMACHANDRAN: Sir, I beg to move:

“Page 5, *omit* lines 11 to 13.” (10)

Sir, my Amendment is that the person who is interested either in the subject matter or is interested in the parties to the dispute cannot be an arbitrator. That is the provision for which we are making an amendment by virtue of the Schedule.

But a proviso has been given, if the parties are in agreement with the issue, then they can have any arbitrator. That cannot be allowed. It is because, suppose the Government of India is a party to the arbitration and a contractor or a claimant is there, the Government and the claimant

are making an agreement. Okay, though the arbitrator is having some interest in the subject matter of the dispute, he can be, that shall never be allowed, that is the proviso. That is my amendment.

HON. DEPUTY SPEAKER: I shall now put Amendment No. 10 to Clause 8 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: Shri B. Vinod Kumar – not present.

The hon. Minister to move Amendment No. 22 to Clause 8.

Amendment made:

Page 5, *omit* lines 14 and 16. (22)

(Shri D.V. Sadananda Gowda)

HON. DEPUTY SPEAKER: The question is:

“That clause 8, as amended, stand part of the Bill.”

The motion was adopted.

Clause 8, as amended, was added to the Bill.

Clauses 9 to 11 were added to the Bill.

Sir, my purpose of moving the amendments is quite simple that India was ranked 178th among 189 nations in the speed of enforcing contracts. The importance is that urgent steps should be taken to facilitate quick enforcement of contracts, easy recovery of monetary claims and award of just compensation for damages suffered and reduce the pendency of the cases in courts. All I have suggested is that in line 27, for 'twelve months', substitute 'six months' and then omit lines 33 to 35. They say, if the award is made within a period of six months from the date the arbitral tribunal enters upon the reference, the arbitral tribunal shall be entitled to receive such amount of additional fees as the parties may agree.

The purpose of the Hon. Minister is good. He has introduced this clause so that more cases can be solved by arbitration; also that arbitration is not held up in courts to make the process easy so that contract can be easily enforced. But I still think that this Bill has been pending from 2005. The original Amendment Bill was 2003. Then the Law Commission gave a recommendation; the Standing Committee gave a recommendation. It has already been delayed 10 years. So, I would like this to be passed while urging the Minister that strictest step should be taken to enforcing contracts also.

I want to mention that here, for the first time, fees for arbitration have been indicated in the Bill. Normally it is not done. So I hope that this will lead to speedier disposal of the cases. I had mentioned to the Minister just one point that this Bill also has the original and appellate jurisdiction.

There are only three courts in the country which have got original jurisdiction, and they are Calcutta, Bombay and Madras, which are a part of the British Presidency. ... (*Interruptions*) Yes, Shimla also. It is high time that we do away with this colonial legacy. With that purpose, I moved the amendment. But this Bill is basically a harmless Bill. It tries to improve the ease of doing business. So, I would like the Minister to go ahead.

SHRI D.V. SADANANDA GOWDA: As far as the hon. Member, Prof. Saugata Roy's objection is concerned, I would like to say that there is a provision under this Act for fast track. Within six months, if both parties agree, they can resolve. Otherwise, a conscious decision has been taken after considering the Report of the Standing Committee, the Law Commission Report and everything. But there is a fast track provision. Under that fast track provision, that can be taken care of.

HON. DEPUTY SPEAKER: I shall now put Amendments Nos. 3 and 4 to Clause 15 moved by Prof. Saugata Roy to the vote of the House.

The amendments were put and negatived.

HON. DEPUTY SPEAKER: Shri Adhir Ranjan Chowdhury – not present.

Shri A.P. Jithender Reddy to move the Amendment No. 16.

SHRI A.P. JITHENDER REDDY (MAHABUBNAGAR): I beg to move:

“Page 6, line 27,—

for “twelve months”

substitute “twenty four months”.” (16)

Sir, I want to prolong it. As many of my colleagues have said, there are lakhs and crores of cases are pending. ... (*Interruptions*)

SHRI D.V. SADANANDA GOWDA: Just now my friend said that there is arbitration between yourself and myself. It is delayed by more than six months. We will reduce it. ... (*Interruptions*)

SHRI A.P. JITHENDER REDDY: Even when this rule is there, arbitration is not going ahead. ... (*Interruptions*)

SHRI D.V. SADANANDA GOWDA: Sir, the purpose will be defeated if it is enhanced. ... (*Interruptions*)

Sir, my amendment to Clause 18 is re-appreciation of evidence and this application of law that is erroneous application of law and re-appreciation of evidence. These are the basic principles and rights of the supervisory courts. If they are being curtailed, definitely this provision will be struck down by the judiciary. So, my humble submission is that these are the basics of jurisprudence having the application of law in a proper way and appreciation of evidence in a proper way. These are being taken away. So, my submission is that this proviso may be taken away. That is my amendment.

HON. DEPUTY SPEAKER: I shall now put Amendment No. 11 to Clause 18 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: Shri Adhir Ranjan Chowdhury – not present.

The question is:

“That clause 18 stand part of the Bill.”

The motion was adopted.

Clause 18 was added to the Bill.

Clauses 19 to 24 were added to the Bill.

Clause 25 Insertion of new Fourth Schedule, Fifth Schedule, Sixth Schedule and Seventh Schedule

HON. DEPUTY SPEAKER: Hon. Minister to move the Amendment No. 23.

Amendment made:

“Page 14, lines 3 to 4,—

for “TWENTY-FOUR MONTHS AND
RENDER AN AWARD WITHIN
THREE MONTHS”,

substitute “TWELVE MONTHS”.” (23)

(Shri D.V. Sadananda Gowda)

HON. DEPUTY SPEAKER: The question is:

“That clause 25, as amended, stand part of the Bill.”

The motion was adopted.

Clause 25, as amended, was added to the Bill.

HON. DEPUTY SPEAKER: Hon. Minister to move the motion for suspension of Rule 80 (i).

Motion Re: Suspension of Rule 80 (i)

SHRI D.V. SADANANDA GOWDA: I beg to move:

“That this House do suspend clause (i) of rule 80 of the Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to Government amendment No. 24 *to the Arbitration and Conciliation (Amendment) Bill, 2015 and that this amendment may be allowed to be moved.”

HON. SPEAKER: The question is:

“That this House do suspend clause (i) of rule 80 of the Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to Government amendment

No. 24 *to the Arbitration and Conciliation (Amendment) Bill, 2015 and that this amendment may be allowed to be moved.”

The motion was adopted.

* *Vide* Amendments list No. 7 circulated on 10.12.2015

New Clause 25A

Amendment made:

“Page 15, after line 12, insert, -

| | | |
|-----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <p>“Act not to apply to pending arbitral proceedings.</p> | <p>25A. Nothing contained in this Act shall apply to the arbitral proceedings commenced, in accordance with the provisions of section 21 of the principal Act, before the commencement of this Act unless the parties otherwise agree but this Act shall apply in relation to arbitral proceedings commenced on or after the date of commencement of this Act.”.</p> | <p>(24)</p> |
|-----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|

(Shri D.V. Sadananda Gowda)

HON. DEPUTY SPEAKER: The question is:

“That new clause 25A be added to the Bill.”

The motion was adopted.

New clause 25A was added to the Bill.

Clause 26 Repeal and savings

HON. DEPUTY SPEAKER: Dr. Shashi Tharoor – not present.

The question is:

“That clause 26 stand part of the Bill.”

The motion was adopted.

Clause 26 was added to the Bill.

HON. DEPUTY SPEAKER: The question is:

“That Clause 1, the Enacting Formula and the Title stand part of
the Bill.”

The motion was adopted.

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

HON. DEPUTY SPEAKER: The Minister may now move that the
Bill, as amended, be passed.

SHRI D.V. SADANANDA GOWDA: Sir, I beg to move:

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

HON. DEPUTY SPEAKER: The question is:

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

The motion was adopted.

17.36 hours**DISCUSSION UNDER RULE 193****Price Rise**

[English]

HON. DEPUTY SPEAKER: The House shall now take item No. 17 - discussion on price rise.

Shri P. Karunakaran.

SHRI P. KARUNAKARAN (KASARGOD): Thank you Deputy Speaker Sir. I am grateful to you because you have permitted me to initiate the discussion and also admitted under Rule 193. ... (*Interruptions*) Sir, we are discussing a very important issue of the price rise which affects the day to day life of the people. The family budgets are shaken due to uncontrolled price rise that we see everyday. The prices of essential commodities are going up everyday. The cost of production of agriculture produce is also rising and at the same time, the prices of the agricultural produce are declining without any control and it is very difficult for the common man to meet both the ends. I have the experience in this House from the 14th Lok Sabha onwards. We have been discussing the price rise in every Session but the 'price rise' has

never listened to us. It takes its own course leaving the people with strain and pain. I admit that there may be various reasons for the price rise. The experts of economics may term it as demand push inflation. ... (*Interruptions*) It may be demand push inflation, supply push inflation, wage push inflation and general inflation. Whatever may be term they say, the net result is the rising trend of the price and making more and more misery to the common people. We could witness this period as the period of price rise. The *dal* price has continually been in upwards trend crossing the suffering of the people. The *dal* is now more expensive than chicken with a result the real price exceeds 220 per kilo. The prices of *urad* and *arhar dal* have doubled what it was in 2014. The pulses are items of food security as the bulk of the population derives proteins from pulses. The recommended requirement of pulses for a person is 50 to 60 grams but now the availability is only 30 grams per day. Though it was considered as a poor man's protein, nowadays, it has become rich man's luxury. It is because of the rise of prices of the pulses. India is the producer of the pulses, consumer of the pulses and also the importer of the pulses.

When we produce 18-19 million metric tonnes, the consumption is 23 million metric tonnes. The deficit is met by imports, as a result of high quantity of imports, the prices in the international market are also

increasing. Here the Government has to take steps to boost domestic production. The MSP for pulses should be substantially increased. This is not alone sufficient. The Government has to go for procurement from the farmers. Otherwise, the farmers cannot realise the MSP.

Sir, our Finance Minister said that we are going for buffer stock. It is good. But the buffer stock should be on the basis of domestic production. If it is on the basis of international import, it means, the benefits go to the international traders. So, the Government has to stick on to the procurement on the basis of domestic production. It is reported that for the last seven years the prices of pulses, oil, mutton and other items have doubled. The Economic Survey of Delhi for 2014-15 shows that the prices of pulses and other items are now twice and thrice costly. There is no State that does not consume pulses. Either it is vegetarian food or non-vegetarian food, either in *sambar*, whether it is *chana* or *dal*, or any other food item, it is seen as a source of protein by both vegetarians and non-vegetarians. The jump in the price of pulses has put most of the poor families in difficulty throughout the year. The middle class families are also forced to cut down the intake because of high rise in prices.

At present, the import of pulses by multinational companies and big traders has not eased the situation. They will use the import to stockpile

pulses and wait for a better price. In recent times, 75 tonnes of pulses have been seized from hoarders. There are stocks throughout the country. It means, though they import, at the same time they are not giving it to the poor people but they are stocking it and waiting to get a better price. It means, hoarding and black marketing are going on and the Government is not taking any strict action on this.

The skyrocketing price of onion and other food items show that the prices have more than doubled from last year. Onion is now selling at Rs.80 per kilo in some areas of Delhi compared to Rs.37 per kilo in August last year. The prices of onion and other food items have risen more than 50 per cent in many of the cities.

The prices of rice and wheat show the same upward trend. The prices of rice and wheat have doubled in many places. In almost all the vegetable items, we see the same trend. The Government has no scheme to buffer stock. So, my demand is that the Government has to take up sufficient step for buffer stocking to assist the people.

I do agree that inadequate rain, perhaps, has contributed to the fall in the production of pulses in many parts but that alone is not the reason. You see, when there is 12 per cent decline in production, it leads to 100 per cent price rise. It means, we cannot blame only the monsoon but the policy taken by the Government is also equally important. So, the policy

of the Government is also one of the major reasons. We cannot blame the monsoon alone.

One of the main reasons for the burden on the people is that when there is abnormal price rise, there is no corresponding increase in the wage of the workers and employees. One reason is, there is no corresponding increase in the prices of agricultural produce and cash crops also. Again, another reason is that the cost of production in all sectors is going up compared with the increase in price rise. The official figure, especially the Whole Sale Price Index, does not record any rise in prices. Of course, almost all the Finance Ministers say and quote the whole sale prices. We can see that. We may not get any article on the Whole Sale Price Index but at the same time, the Consumer Price Index is the real fact from which we can judge the things. When ordinary people go to the market, they are not able to get it at the whole sale price.

The farmers find it difficult to cultivate their land because it has not only become an unprofitable profession but the prices of agriculture produce and cash crops are also declining. The production can be increased only by assisting the farmers and enabling them to cultivate their land. It should be ensured that they should get Minimum Support

Price (MSP), adequate subsidy, financial assistance including low interest rate on the bank loan.

Sir, we do not have adequate storage facilities. It has come out in an answer given to this House itself that due to absence of this storage facility we are losing 30 to 35 per cent of our vegetables, which otherwise rot. The earlier Government had made a scheme for construction of warehouses but no action has been taken after that.

The price rise adversely affects the people. There are other factors also like new taxes imposed by the Union and State Governments which contribute in increasing this burden even more. Take, for example, the Service Tax. It has risen from 12 per cent to 14.5 per cent, which is an additional burden on the common man. For the corporate millionaires it would not be an issue but the common man has to suffer much.

Sir, the best method to control the price rise is the Public Distribution System. Tamil Nadu is the best model in that respect. Once Kerala was the best model but I do not say that today it is so good. Though it is still better, it has weakened now because of many reasons. I would not go into the detail.

Similarly, the Food Security Act passed by the Parliament was a noble Act. But to get this Act implemented, the Centre has to fulfil its

responsibilities. In this regard, almost all the States have to get more food grains like wheat, rice and sugar. Otherwise, it would not be possible to implement it.

In earlier discussions, the Government has repeatedly stated in the House that increase in petroleum prices in the international market is the main reason for increase in the prices of essential commodities. I would like to draw the attention of the Government that during the UPA time the then Finance Minister as well as the Prime Minister would say that if the prices in international markets are increasing, prices in our country would also increase. It is true that if the prices of petrol and diesel go up, there would be a chain reaction in other items as well. But this Government has got in a very comfortable position and the prices of petroleum products have come down to 50 to 60 per cent in the international market. I want to know as to why this Government is not able to transfer this benefit to the common people and to the consumers.

It has been said by many Finance Ministers that whenever there is a reduction in the international prices of petroleum, there should be a corresponding reflection in the domestic market as well. It is interesting to note the variation in price structure of per barrel crude oil, petrol and diesel, for the following period: in January 2011 it was 84.47; in January 2012 it was 91.71; in January 2013 it was 86.75; in January

2014 it was 110; again in mid 2014 it reached 115; in November 2014 it came down to 80.16 and in 2015 it has come down to 45.

Let us compare the price of petrol and diesel over the last five years. In 2011 January, price of petrol was Rs. 58.37 and price of diesel was Rs. 37.75. In 2012 January, price of petrol was Rs. 63.37 and price of diesel was Rs. 41.29. In 2013 January, it was Rs. 67.24 and Rs. 47.15 respectively. In 2014 January, price of petrol was Rs. 72.43 and price of diesel was Rs. 54.34. In 2014 March, it was Rs. 72.26 and Rs. 50.47 respectively. In January 2015, price of petrol was Rs. 61.33 and price of diesel was Rs. 50.41.

Our Finance Minister has raised the excise duty for the sixth time. Yesterday, we got to know it. What is the reason for again raising the prices of petrol and diesel? The Government has increased excise duty on unbranded petrol from Rs. 7.06 to Rs. 7.36 per litre and on branded petrol from Rs. 8.24 to Rs. 8.54 a litre. Similarly, the Government has increased excise duty on unbranded diesel from Rs. 4.66 to Rs. 5.83 per litre and on branded diesel from Rs. 7.02 to Rs. 8.19 per litre. This decision has been taken and conveyed to this House yesterday by the Finance Minister. What is the reason for the Government to raise excise duty for the sixth time since the present Government came to power one and a half years back? This is the situation when the prices of petrol

and diesel have come down. What reason can the Government provide for this? We know the reason.

The price rise has its own effects. When the excise duty is in a comfortable stage and the prices of petrol and diesel are high, of course the Government may get higher income. When the prices of these products come down, of course, the Government will lose. What the Finance Minister is saying is that they are not transferring the benefits to the consumers. At the same time, they want to get the money. That is the reason for this increase.

I would like to say one phrase in Malayalam “*Kurukande Kannu Eppozhum Kozhikuttulu Ayyerkyum*”. It means that a fox is always keen on the poultry cage because at any cost, the fox wants its food. Just like that, our Finance Minister at any cost wants to get more and more money, even at the cost of the lives of the people.

SHRI M.B. RAJESH (PALAKKAD): Sir, price rise is an important issue concerning the Finance Ministry and the Finance Minister is not present here.

HON. DEPUTY SPEAKER: No. The Minister of Food, Shri Ramvilas Paswan is sitting here. He is a Cabinet Minister.

... (*Interruptions*)

HON. DEPUTY SPEAKER: There are three Cabinet Ministers sitting.

... (*Interruptions*)

HON. DEPUTY SPEAKER: There are three Cabinet Ministers. They will take care. Do not worry.

... (*Interruptions*)

HON. DEPUTY SPEAKER: Whatever he has said, nothing will not go on record.

... (*Interruptions*)

HON. DEPUTY SPEAKER: Shri Karunakaran, please continue.

... (*Interruptions*)

[Translation]

THE MINISTER OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI RAM VILAS PASWAN): The discussion that is taking place regarding the price rise is a very important and serious issue. There is joint responsibility of the cabinet and more over the discussion which the Hon. Member has started, he has started from pulses, he has started from food items. I want to assure you that I will answer whatever is related to food items and the Hon. Finance Minister will answer overall. ... (*Interruptions*) I am noting down all the points. Karunakaran Ji is speaking very well. I don't want any party politics in this.

I would also urge the Hon. Member, as I would put both the points when I speak. We are in position today, earlier we were in opposition. This is always the case. I would definitely like you to criticise the Government, but also give a little suggestion as to what can be done to prevent this. As you said about food that our production is decreasing, our demand is increasing. The foreign policy is that there is a price rise there as well. Now pulses are not available there. You said that the farmer should produce more and more, MSP should be more, but you know that food grains are given at a much higher rate than the MSP. The MSP is very low. No matter how much you increase it, it cannot be

equated. Yesterday we had discussed about sugarcane. Sugarcane is a cash crop. No matter how much you reduce its price, the farmer will grow sugarcane. Even if he has to die, he will die but he will produce it. Pulses do not come under cash crops, food items do not come in cash crop. Therefore, we would like you to put forth the problems and also give suggestions, it will be very beneficial for us.

[English]

SHRI P. KARUNAKARAN: Sir, during my deliberation, I made all those points clear as regards procurement, storage facilities, domestic production, etc. Though I had criticised, but I had also made all these points.

SHRI RAMVILAS PASWAN: No, I have noted down all your points.

SHRI P. KARUNAKARAN: Sir, price rise has its own adverse affect on the family budget, which destabilizes their family; it has its own effect on the day to day life of the people all together; and it has its own effect on the political structure also. It has also become a determining factor in the political changes that we can see in our country. I remember that the first Chief Minister of Kerala, Shri E. M. S. Namboodiripad, who was not only a Communist, but he was a good administrator, a historian, and also an orator. He was known to all. In a

discussion during the election review at a time when we had a set back, he said that: “Do not think that voters are always your tenants. When they feel they will react.” Of course, it was a lesson for us at that time. When the UPA Government was there, along with BJP we fought against price rise. The then Finance Minister, Mr. Chidambaram and Dr. Manmohan Singh were making the same argument that the international prices were going up. Hence, what can we do about it. They also talked about the failure of monsoon, etc., and they were not ready to accept the real factors responsible for it. But when the elections took place, the people were not ready to accept their arguments. Hence, they lost and they were reduced to 42 or 44 in number.

The present Government -- within one and a half years -- have also realized this issue. You are also arguing on the same facts and you are also making the same arguments, and you also got the answer in Bihar elections, Delhi elections, Gujarat elections, and even in the MP elections where we got the highest majority as you lost that seat by 90,000 votes to the Congress. Why is it so? There are a number of other issues, but this is the most important issue. This is the lesson that we have to learn from the people. When they have pain and when they feel, then they would react. It would be better if you realize it. It would be

better for your Party and the Government. Otherwise, more dangerous days are coming to address you.

With these words, I conclude.

[English]

HON. DEPUTY SPEAKER: The House stands adjourned to meet tomorrow the 18th December, 2015 at 11 am.

17.59 hours

*The Lok Sabha then adjourned till Eleven of the Clock on Friday,
December 18, 2015 / Agrahayana 27, 1937 (Saka).*

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