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Thursday, July 26, 2018

Shravana 4, 1940 (Saka)

LOK SABHA DEBATES

(English Version)

Fifteenth Session

(Sixteenth Lok Sabha)



(Vol. XXXII contains Nos. 1 to 10)

LOK SABHA SECRETARIAT

NEW DELHI

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LOK SABHA DEBATES

LOK SABHA

Thursday, July 26, 2018/Shravana 4, 1940 (Saka)

The Lok Sabha met at Eleven of the Clock

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

OBITUARY REFERENCES

[Translation]

HON. SPEAKER: Hon. Members, I have to inform the House about the sad demise of three former Members, namely, Shri Kameshwar Paswan, Shri Pandurang Pundlik Fundkar and Shri Raj Narain Passi.

Shri Kameshwar Paswan was a Member of the 11th Lok Sabha representing Nawada Parliamentary Constituency of Bihar.

Earlier, Shri Paswan was a Member of the Bihar Legislative Assembly for two terms and served as the Welfare Minister in the Government of Bihar from 1977 to 1979. He was also a Member of Rajya Sabha from 1990 to 1996.

A teacher and a social worker, Shri Paswan worked for the upliftment of the weaker and downtrodden sections of society.

Shri Kameshwar Paswan passed away on 28th May, 2018 in Patna, Bihar at the age of 77.

Shri Pandurang Pundlik Fundkar was a Member of 9th, 10th and 11th Lok Sabha representing Akola Parliamentary Constituency of Maharashtra.

Shri Fundkar was Minister for Agriculture and Horticulture in the Government of Maharashtra at the time of his death. Earlier, he

was a Member of Maharashtra Legislative Assembly for two terms and a Member of Maharashtra Legislative Council for three terms.

Shri Pandurang Pundlik Fundkar passed away on 31st May, 2018 in Mumbai, Maharashtra at the age of 67.

Shri Raj Narain Passi was a Member of 10th, 12th and 13th Lok Sabha representing Bansaon Parliamentary Constituency of Uttar Pradesh.

Shri Raj Narain Passi passed away on 19th July, 2018 in Lucknow, Uttar Pradesh at the age of 69.

We deeply mourn the loss of our three former colleagues. I am sure the House will join me in conveying our condolences to the bereaved families.

Now, the House will remain silent for some time in respect of the departed souls.

11 01 hrs

The Members then stood in silence for a short while

[English]

HON. SPEAKER: Question Hour.

Question No. 121 - Shri Ravneet Singh.

. . . (*Interruptions*)

[Translation]

HON. SPEAKER: Please Sit down, I know. After the Question Hour it will be at 12 hrs.

. . . (*Interruptions*)

HON. SPEAKER: Shri Kharge Ji, what big thing has happened?

. . . (*Interruptions*)

HON.SPEAKER: Twelve o'clock, not now.

. . . (*Interruptions*)

HON. SPEAKER: Please sit down. Not now, after the Question Hour.

. . . (*Interruptions*)

HON. SPEAKER: Kharge Ji, what is the big deal?

. . . (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): Madam, Reservation on SC, ST ... (*Interruptions*)

HON. SPEAKER: I am aware that the Government has issued an order. However, the matter is scheduled for twelve o'clock. I am sorry.

Shri Ravneet Singh. Ask questions.

... (*Interruptions*)

[English]

HON. SPEAKER: Nothing will go on record.

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

HON. SPEAKER: After Question Hour means after Question Hour.

11 05 hrs

***ORAL ANSWERS TO QUESTIONS**

HON. SPEAKER: Question No. 121.

(Q. 121)

[Translation]

* Not recorded

* For Questions, please visit <https://sansad.in/ls/questions/questions-and-answers> .

SHRI RAVNEET SINGH: Thank you, Hon. Madam Speaker. I will especially talk about Punjab and Ludhiana. Punjab and Ludhiana are the textile hubs of North India. We are the leaders in export and manufacturing of woolen garments. Ludhiana accounts for 40 percent of the total exports from Punjab. All major manufacturers, including international brands such as Marks and Spencer, Zara, and H and M, as well as Indian brands like Oswal, Monte Carlo, Pringle, Duke, and Vardhman, are well known. I wish to speak about NIFT, particularly how new designs are created annually in the designer segment. They do business worth crores of rupees. For the high paid jobs of designers there, we have to bring degree holder students from NIFT Mumbai, Kolkata and Delhi. It's a good thing. Manufacturers in Punjab work on small machines and do small jobs. Why do we have to bring people from outside for the design work to be done there? Why don't you open any college or centre of NIFT there so that the students there and the entire Punjab can benefit?

SHRI AJAY TAMTA: Madam, the Hon. Member said a very good thing that the textile production of Ludhiana in Punjab, especially, is in the whole country and the world. He also said that NIFT should be started there to provide good designers.

Madam, I would like to inform the Hon. Member that since May 5, 2010, the Government of Punjab has been continuously corresponding with our BOG, which is the Board of Governance, to open NIFT there. NIFT institutes are established in Mohali, Ludhiana and Jalandhar. The proposal of the state Government to run it from NIFT was discussed several times. The new guidelines of BOG have started from 4.9.2012. Accordingly, a proposal has been sought from the state and efforts are being made in that direction. There has been a lot of discussion on this. All these things have been done by the former Minister of Information and Broadcasting and also during your time. I would like to state that there are some guidelines of BOG. BOG is an autonomous body. He has to act on it.

HON. SPEAKER: Second Supplementary.

SHRI RAVNEET SINGH: Hon. Madam Speaker, in the reply given by the Hon. Minister, he has stated that the matter has been frozen. However, three years have already passed since it was frozen. I am deeply disappointed by another point mentioned in his response. He has stated that there is no faculty in Punjab and referred to issues of brand equity.

Hon. Madam Speaker, Punjabis are recognised across the world. If I may refer to the city of Ludhiana, it is known that the highest

sales of Mercedes vehicles in the country have taken place there. When Maruti entered the market, it was Ludhiana that witnessed the highest demand.

The Hon. Minister, in his reply, spoke of brand equity. I would respectfully ask, does the Hon. Minister believe that Punjabis are unaware of brands? Some of the most prominent names globally are of Punjabi origin.

I have written three letters to the Hon. Minister on this matter.

Hon. Madam Speaker, I wish to place on record before this House that I have not received a single reply to date.

I would like to say that the Hon. Minister should apologise for suggesting that Punjabis lack brand equity. I urge the Government to assure us that the National Institute of Fashion Technology will be established in Punjab. The Government must commit to doing whatever is necessary in coordination with the State Government.

Ten years have already passed without any progress. I was the Member of Parliament from Anandpur Sahib previously, and I have raised this issue repeatedly. Now, as the Member from Ludhiana, I continue to press for this urgently.

... (*Interruptions*) Hon. Minister, please give some satisfactory answer to this. The Hon. Minister should have been present here but he is not. Only I have received the response. Let me add this. All major international brands are manufactured there...
(*Interruptions*)

SHRI AJAY TAMTA: The Hon. Member conveyed his feelings and in response to the letter also I would like to respectfully tell you that this has not happened. If you are talking about 'NIFT' then your letter must have also been taken into account because all these things happen through BOG and since 'NIFT' started in the country from 1986 and NIFT was brought into the Act in 2006. Since there are 16 institutes NIFT campuses across the country, which also have 450 qualified faculties and 11040 students, students study in them and 23 thousand youth have come out of it.

I would like to reiterate to the Hon. Member as BOG is an independent body and only through that we can operate it. We have informed them through letters from the state Government. I would like to inform that he should consider it through the state Government and send his proposal to the BOG. I assure you that we will also take cognizance of your letters to BOG.

(Q.122)

[English]

SHRI T.G. VENKATESH BABU: Madam Speaker, I would like to know from the Hon. Minister through you as to whether the Government has allocated exclusive funds to various villages, Town Panchayats, Municipalities and City Corporations in the country and set any targets for the construction of community toilets to achieve ODF status by 2023. If so, I want to know the details of the funds sanctioned to various villages, Town Panchayats, Municipalities and Corporations of Tamil Nadu in the last three years.

[Translation]

MINISTER OF RURAL DEVELOPMENT, MINISTER OF PANCHAYATI RAJ AND MINISTER OF MINES (SHRI NARENDRA SINGH TOMAR): Hon. Madam Speaker, the Swachh Bharat Mission is divided into two parts. The Swachh Bharat Mission Rural is run by the Ministry of Drinking Water and Sanitation, while the Swachh Bharat Mission Urban is managed by the Ministry of Urban Development. After the formation of the new Government, continuous efforts have been made to increase the percentage of cleanliness across the country through the mission of Swachh Bharat and I am happy to say that the percentage of

cleanliness in the country has increased from 38.7 percent in 2014 to 88.42 percent today. With this achievement, 19 states have been declared open defecation free. A total of 418 districts, over 4,088 blocks, 1,77,780 Gram Panchayats, and 4,01,925 villages have attained open defecation free status. There is no shortage of funds under the Swachh Bharat Mission Rural. Financial allocations are being made regularly to all states, including Tamil Nadu, and a substantial portion of that funding still remains with the respective state governments.

I want to assure the Hon. Member through you that he should continue advancing the work of the Swachh Bharat Mission. Whenever funds are needed, whether for his state or anywhere else in the country, there will be no shortage of money.

[English]

SHRI T.G. VENKATESH BABU: Madam, I would like to know from the Hon. Minister about the total amount spent by the Government in the last three years for publicity campaigns and advertisements in TV and print media to promote and create awareness on the importance of using toilets to achieve ODF status and also about the total amount contributed by the various profit-making PSUs and private companies in the last three years.

[Translation]

SHRI NARENDRA SINGH TOMAR: Madam, in Swachh Bharat Mission Gramin (rural), efforts have been made to awaken community sentiments and those who want to support, help in this movement, corporate sector people and PSUs and other organizations are taking everyone's cooperation and are constantly trying to take this work forward.

Through IEC, it is the endeavour of the Government that all kinds of means of information, be it electronic media, print media or other types of initiatives to make the community aware, to create cleanliness motivators, to organize programs like Swachh Sankalp se Swachh Siddhi and to create awareness in villages, through all those subjects, we are trying to make everyone aware of cleanliness and bring cleanliness in nature, so that in the coming tomorrow our country can become completely clean, beautiful, clean and we can be able to reduce the percentage of diseases caused by filth.

SHRI PASHUPATI NATH SINGH: Hon. Madam Speaker, just now the Minister has given a detailed answer and we are moving towards both Swachh Bharat and Swasth Bharat under the Swachh Bharat Mission. In the reply given by the Hon. Minister, he has said that the death rate of children in particular has come down. I congratulate him on this. This campaign of Swachh Bharat and Defecation Free India, under which work is also being done very

well and social disparity is also being removed from it. Those who had toilets in their Houses were considered big men, those who had pucca Houses, those big men were counted, those who had gas stoves in their Houses, those big men were counted. The Modi Government has been very successful in removing this social disparity. Madam, in all the toilets being constructed, there are two types of toilets. One is being built in Houses, which are private toilets and the other type of toilets, community toilets are being built. But there is a hindrance in both, due to which people do not use the toilet even after the toilet is built. Water is an obstacle. What measures will be taken by the Government to make proper arrangements for it, whether the Government has assessed that even after the construction of toilets due to lack of water, it is not being used? I want to know this from the Hon. Minister.

SHRI NARENDRA SINGH TOMAR: Madam, the concern of the Hon. Member is right in his place and the Government is also striving for that. It is the commitment of both the Government of India and the State Government to ensure adequate availability of water in villages. I would like to tell the Hon. Member through you that the way the work of building toilets is going on at a rapid pace all over the country, they should be used in the same way. As much as we are conscious of construction, we are conscious of use. The Ministry, State Government and District Administration through

IEC constantly make this effort to be used. According to the study that we have just conducted, there are 93 percent of toilets which are being used and we are working on the remaining ones. But the availability of water is also important. Secondly, I would like to say through you and the Hon. Member has also said that the mortality rate of children is coming down. Diseases that spread due to dirt, such as diarrhoea and other related illnesses, also occurred. The Hon. Member had asked, a UNICEF quote, according to their study more than one lakh children die. A WHO study is currently underway. The study will be out in a few days.

Madam, I want to tell the country through you that from the year 2014 to the year 2017-18, there has been a decrease of about 75 thousand deaths in this type of death. When the target of the Swachh Bharat Mission is met in the year 2019, then one lakh 22 thousand deaths will be reduced, according to the WHO study.

SHRI VINAYAK BHAURAO RAUT: Madam, thank you for giving me this opportunity to ask my question. The ODF scheme is called 'Hagandari Mukh Yojana' (Defecation free scheme) in Marathi. Under this scheme, the Sindhudurg district of my Parliamentary Constituency got its first nomination in the whole country and Sindhudurg district was given the Honour by the hands of Hon. Prime Minister Modi Ji. The problem with this is that after

this district is declared defecation-free, the funds given for the construction of toilets, and the financial assistance given, are closed. In our district, at least 800 to 1,000 new Houses are built every year with permission. When the brothers are divided among themselves, their new Houses are built. Where such new Houses are built, if toilets are to be built there, then it does not get financial assistance.

Madam, I request the Hon. Minister through you and want to ask the question that despite being a defecation-free district, if Houses are built in that district with permission, will you make any arrangement for them to get financial assistance under this scheme?

SHRI NARENDRA SINGH TOMAR: Madam, the question of the Hon. Member is according to his area, but I would like to inform the Hon. Member through you that cleanliness is a matter of behaviour and nature change. The amount given for cleanliness is an incentive amount in a way. There is always a limit to this incentive. The ideal situation should be that once the community has awakened and has done ODF to the entire district, then awareness should come so much that when a new House is being built, people should try to build toilets on their own.

[English]

DR. RATNA DE (NAG): Thank you Madam. It is pertinent to point out here that out of 20 districts in our West Bengal, 14 districts have been declared ODF districts, and out of 38,000 villages, 33,525 villages have been declared Open Defecation Free villages with the active initiatives of our Chief Minister. Madam, through you I would like to ask the Hon. Minister, whether the Ministry has tried to find out the impact of the programme on the health of people ever since the programme came into being? Have the toilets built been disabled-friendly? If yes, what are the details thereof.

[Translation]

SHRI NARENDRA SINGH TOMAR: Madam, I would like to inform the Hon. Member that when a village, district or state is open defecation-free, it has its own process. First the village declares itself, then it is examined and then it is considered ODF. Districts and states do the same. Along with this, the Ministry of Drinking Water and Sanitation also conducts third-party studies on its behalf and conducts a thorough investigation.

SHRI ADHIR RANJAN CHOWDHURY: Madam, you and perhaps all our colleagues would be aware that the Union Government had earlier constituted a Vigilance and Monitoring Committee to monitor and take care of the flagship programme in India. Since 2016, it has been named DISHA as its new form.

Being the senior-most MP from my district Murshidabad, I have been the chairman of the DISHA Committee since 2012, but till date no meeting has been called there. ... (*Interruptions*) I request all my colleagues. ... (*Interruptions*) When a district collector showed courage to call a meeting there, he was transferred the very next day. ... (*Interruptions*) We come to the Parliament and raise the voice of common people, but Member like us are themselves being deprived of it. ... (*Interruptions*) The Government that is running in Bengal is a Government of dictatorship, so there is no democracy in Bengal... (*Interruptions*) What is the status of an MP there, ... (*Interruptions*) Being the chairman of the DISHA Committee, he is not given that opportunity. ... (*Interruptions*)

Hon. Minister, the letter you have sent, it was said to celebrate a database week for the 'DISHA' committee, ... (*Interruptions*) But how can we celebrate the week there? ... (*Interruptions*) You write a letter to the Chairman, but for the last six years the Chairman cannot call any meeting, ... (*Interruptions*) How can I respect your letter? ... (*Interruptions*)

And I have another question. Hon. Minister, my question is that the amount of success you are talking about, the amount of success you are talking about, the Parliamentary Standing Committee is saying that the details of your achievement are not correct. The

Parliament Standing Committee is also saying that the Swachhta Mission is lethargic. She is also saying that Rs. 15 thousand Crore are lying like this.... (*Interruptions*) I would like to say that there is one question and one right, these are two issues.... (*Interruptions*)

SHRI NARENDRA SINGH TOMAR: Hon. Madam Speaker, The pain expressed by Hon. Adhir Ranjan ji is understandable and he had also met me once in this regard. I too had made efforts to address this concern, but I wish to inform the entire House through you that subsequent to the year 2014, when the DISHA Committee was constituted, several additional departments were incorporated into it and efforts were made to ensure that all our Hon. Members properly supervise and oversee the Centrally sponsored schemes in their respective constituencies.

Hon. Madam Speaker, I have also addressed a letter to all the Hon. Chief Ministers. Our Secretary has repeatedly contacted all the Chief Secretaries. I also continue to write to all the Hon. Members requesting that this work be expedited. During the recent period from the 25th to the 29th, we observed a week dedicated to the DISHA Committee, and a communication regarding the same was sent to all the Members. On one of the days, specifically the 28th, the Secretaries of all the States were convened and the matter was deliberated upon with them. On that very day, that is the 28th,

meetings were conducted across all districts and interaction took place with the Hon. Members through video conferencing. Nevertheless, such circumstances are still arising in some areas, but I am in complete agreement with the concern expressed by Hon. Adhir Ranjan ji. I would also respectfully urge the Hon. Chief Minister to convene a meeting of this Committee in his jurisdiction and address the matter accordingly.

Secondly, what the Hon. Member has said that the Standing Committee says that all the achievements are not good. I want to tell them that in the political field, anything can be said in the House and it has been said generally, but when we sit in the House, the data in the House is a kind of certified figure by the State, District Administration and the Centre. Attempts should not be made at the political level. If you feel that there is a vacuum and lack of work in running a program like Swachhata, then the Standing Committee or the Hon. Member will inform us. We will try to fill that gap with utmost sincerity.

One more thing, I want to inform Adhir Ranjan ji through you that I will make an effort to address his concern, but our Hon. Kharge ji and Saugata Roy ji, both of whom hold significant influence, can be more helpful in resolving his grievance. If he appeals to them as well, then it will be alright. ... (*Interruptions*)

HON. SPEAKER: Shri Sharad Tripathi. Please ask Short question, the replies given already covers most of it.

SHRI SHARAD TRIPATHI: Hon. Madam Speaker, I thank you for giving me this opportunity to ask supplementary questions. First of all, I would like to congratulate our Hon. Minister and Hon. Prime Minister through you that the rural sanitation coverage in India, which was 38 percent in October, 2014, has proved to be a milestone in the country's cleanliness drive today by 88 percent in July, 2018.

The issue was raised by an Hon. Member that a large number of toilets are not functioning owing to lack of water. The biggest impact of the cleanliness drive has been that the mortality rate of children has come down and UNICEF in its data of 2015 has also shown that children who used to die of pneumonia and diarrhoea are declining day by day very fast. I would like to know from the Hon. Minister through you whether, by establishing coordination with the State Governments, as the Hon. MLAs in our own State have the opportunity to install India Marka hand pumps at various locations on their own initiative, the Hon. Minister will also grant us Members similar authority by coordinating with the State Governments, so that we too may install India Marka hand pumps

and thereby ensure the proper functioning of toilets as well as address the issue of drinking water in the surrounding areas.

SHRI NARENDRA SINGH TOMAR: Hon. Madam Speaker, drinking water is a State subject. Under the National Drinking Water Rural Scheme, the Union Government extends support to the States, and the State Governments endeavour to utilise the Union scheme while also allocating funds from their own budgets for drinking water. I acknowledge that what Sharad ji has mentioned is a genuine concern. In this regard, along with the State Government, we shall also communicate with the Hon. Chief Minister so that prompt action may be taken in this direction.

(Q. 123)

SHRI PREM SINGH CHANDUMAJRA: Hon. Madam Speaker, first of all, I would like to congratulate our Government for giving priority to those areas which were deprived, villages and poor for the first time after independence. Deendayal Gram Jyoti Yojana came for the electrification of villages. Punjab was electrified 40 years ago. In this new scheme, money was given to Punjab for restructuring, to strengthen the infrastructure. Madam, it is said that parents give more incentives to a good child in the family, but this did not happen in the case of Punjab. We had sent a scheme of Rs. 700 crore from Punjab, but only Rs. 250 crore was released. Hon. Minister has given me this list of schemes in Punjab. There is no achievement of anyone except the 11 KV line, and no figures of achievement for any other works. What is the reason for this? I would like to know. Considering the electrification work carried out in Punjab forty years ago, it ought to have received a larger share from the central funds. At minimum, it should have been credited as much as the scheme provided. What does this indicate?

HON. SPEAKER: Your question has been completed. Ask in short.

SHRI R.K. SINGH: Hon. Madam Speaker, we have given a scheme of four hundred crore rupees to Punjab. We have sanctioned a scheme of Rs. 251.99 lakh under the new scheme.

Apart from this, there was an unspent amount of Rs. 149 crore in the old scheme, we have also allowed that to be used. It is true that no progress has been made in the implementation of these schemes. The reason for this is that the work contract, which was allotted by the Punjab Government, was very late. The tender was allotted to December, 2017, which is why the progress is very low. We have written as much progress as we have made. Where progress has not been shown, progress has not been made, progress is very slow. The Punjab Government has not asked for any more funds. If the Punjab Government demands more funds for any work, we will consider it.

SHRI PREM SINGH CHANDUMAJRA: Hon. Madam Speaker, the figure given by the Hon. Minister for unspent funds is incorrect; it is Rs. 250 crore, not Rs. 149 crore.

SHRI R.K. SINGH: Madam, Rs. 250 crore was sanctioned for the new scheme and Rs. 149 crore remains unspent; this amount has also been approved, making the total Rs. 400 crore.

SHRI PREM SINGH CHANDUMAJRA: Hon. Madam Speaker, the Hon. Minister stated that Punjab did not request any additional

funds. However, I have information and am well aware that a proposal for Rs. 700 crore was submitted, of which only Rs. 250 crore was sanctioned. My constituency lies at the border area, and many parts of Punjab border the hilly regions. Previously, the border areas had twenty-four-hour electricity supply. Since the new Government assumed office, shortages have occurred, with power cuts starting in the border areas. A separate proposal has been submitted to disconnect villages from the lights, for which funds are required. The work is progressing slowly, a fact acknowledged by the Hon. Minister. I request advice on measures to expedite this work so that the difficulties faced by the people may be resolved.

SHRI R.K. SINGH: Hon. Madam Speaker, the work is really slow. We discuss with the State Governments every two months how to speed up the pace of work. I will again talk to the Punjab Government to speed up the pace of work as we do it through the State Governments.

We have also sanctioned funds for the area of Hon. Member. An amount of four hundred crore rupees crore was sanctioned only after consultation with the Punjab Government. They were approved for the schemes they needed. I reiterate that the Punjab Government has not demanded any more amount after that. If they demand more money, we will definitely consider it. We will again

talk to the state Government to speed up the work. The pace of work is slow.

[English]

SHRI KALIKESH N. SINGH DEO: Madam, the question I wish to ask applies as much to Punjab as it does to the entire nation. The definition of electrification of a village is, 10 percent of the Households in the village being electrified, as it stands today. When you say that the entire nation has been electrified, every village has been electrified, just electrifying 10 percent of the entire nation does not meet the sufficient criteria. The World Bank still assesses that almost 20 crore people in the country still live without access to electricity, and almost another 30-40 crore live with access to electricity which is insufficient or intermittent. There is a lot to be done. My question to you is this. Does the Government have any scheme or policy which will address these deficiencies in the long-term? Thank you.

[Translation]

SHRI R.K. SINGH: Hon. Madam Speaker, as far as rural electrification is concerned, the definition given by the Hon. Member is correct that if ten percent more public building gets electrified in the village, it is considered electrified. We have given funds for electrification of all the villages whose list was sent by the

state Governments. The state Governments reported to us that all those villages were electrified. We did not stop at that, our goal is to bring light to every House.

Hon. Madam Speaker, as far as rural electrification is concerned, the definition given by the Hon. Member is correct that if ten percent of the Houses in the village are covered, and public buildings are connected then the village is considered electrified. We have given funds for electrification of all the villages which were sent to us by the State Governments and the State Governments have reported to us that all the villages have been electrified. We have not stopped at that, our goal is to bring light to every House. A scheme has been approved for this purpose. We started it on 10-11 October. So far, we have electrified 92 lakh Households. By March 31, 2019, we will electrify all Households.

The state Governments sent us information that three crore 80 lakh Houses have not been electrified. We aim to electrify them by 31st March. We will try to complete the inclusive Odisha by December. Efforts are being made to complete the remaining Houses by December. We have done 92 lakh Houses and will do the same.

SHRIMATI RANJEET RANJAN: Hon. Madam Speaker, this is a matter related to electricity. I want to tell you about Bihar, there

are many flaws in the meter reading here, one, it has been privatized. A Bill of Rs. 200 comes to Rs. 2000, a Bill of Rs. 500 comes to Rs. 5000. A case has been registered against them and an FIR has been lodged. They run to the people's representatives. They should also be fined. What has the Government done for this?

What percentage of electricity work is left in Bihar? Where there was already electricity, contracts were given for the restoration of wires, there are also many flaws. I want to ask the Hon. Minister through you, what percentage of its work is left?

SHRI R. K. SINGH: Hon. Madam Speaker, the first point that we have approved is about metering. Under the Deen Dayal Gram Jyoti Yojana and Saubhagya Yojana, we are also giving funds to the state Governments for the purchase of meters. What the Hon. Member has said is absolutely correct that there are flaws in the meter reading. The meter reading is not done on time. We have meetings with the state Governments. In some places the Bills go after three-six months. For this, we have asked the state Governments to resort to technology for this and are also giving funds for this.

We have asked the state Governments to go towards smart prepaid meters, for this also we are giving funds. A meter reading is not required. Sometimes the meter reader goes for reading and never goes. With the help of these meters, consumers will be able

to see that if the amount credited is exhausting, then they will be able to recharge the amount from the mobile again. This will also benefit the poor as the poor will recharge Rs. 100 if they have Rs. 100 and Rs. 50 if they have Rs. 50. If the meter reader did not come for three months, if he came then he wrote nonsense, then what will not be the problem? This is a problem not only in Bihar but also in other places. This will solve the problem. We are discussing this with the state Governments.

As far as quality is concerned, we keep discussing it with the state Governments. We have given funds to the state Governments for the restoration of the project management agency. It's a job to check everything. A separate audit system has also been put in place. Our teams also go, send reports and we send it to the state Governments that the work has not been done properly here, get it done.

SHRI UDAY PRATAP SINGH: Hon. Madam Speaker, first of all, I would like to express my gratitude to the Hon. Minister that the Department of Energy is continuously doing good work in the field of electrification in rural areas. In the electricity department, there is a question mark on the quality and quality of construction works, while the Government of India gives funds to the states. The

Rural Development Department has created Central Monitors, their experiment has been very successful.

I would like to know from the Hon. Minister through you whether the Electricity Department will appoint Central Monitors like the Rural Development Department which can directly monitor the work being done in the Electricity Department and the aided schemes of the Government of India from here.

SHRI R.K. SINGH: Madam, we have made this arrangement and placed a quality assurance mechanism in REC. Under this, the inspectors go from here and do the inspection and wherever there are flaws, they bring them to the notice of the state Government that there is a need to rectify these flaws. I have a report on how many lapses have been found and how many of them have been corrected. Apart from this, we have formed eight teams in the ministry, where if there is a particular complaint, we also send a team from the ministry and get it investigated. If any discrepancy is found somewhere, it is brought to the notice of the state Governments. The state Governments have their own teams. ... (*Interruptions*)

(Q. 124)

SHRI SANJAY DHOTRE: Hon. Madam Speaker, Bharatmala Pariyojana is a very ambitious project. In this, informative inputs for freight movement among all the districts and routes for

connectivity of our ports are being built from all the districts, due to which our trade, import-export is going to increase. It seems to me that for the first time this scheme of about Rs. 5 lakh 35 thousand crore has been made in this country, this is also a record. For this, I congratulate and congratulate Hon. Minister Shri Nitin Gadkari ji and I feel that the entire House will agree with my sentiment.

Hon. Madam Speaker, three out of 28 Ring Roads and 12 out of 44 Economic Corridors are passing through Maharashtra to promote Ports Connectivity and Logistics Park in Maharashtra. I want to ask the Minister through you, how much work has been done in Maharashtra so far and by when the rest of the work will be done?

SHRI NITIN GADKARI: Hon. Madam Speaker, under the historic Bharatmala project, which is the largest of its kind since independence, we are undertaking the development of eighty-four thousand kilometres of National Highways across the Nation. It is expected to cost around seven and a half lakh crore rupees of investment. It is to connect 550 districts with four-way national highways, in which North-East has been given priority. This will generate ten crore man-days employment and create 22 million permanent jobs in the construction phase. We are working on two projects. I would like to inform that while selecting this, we have

studied all the things like border rate, traffic density, export-import, economic corridor, backward areas, tribal areas etc. with the help of Bhaskaracharya Institute of Gujarat. While doing so, we have decided to address the 24,800 km length in the first phase. Its cost is Rs. 3 lakh 85 thousand crore and the balance of 10 thousand kilometres of NHDP has also been added to 34,800 kilometres in the first phase. It is priced at Rs. 5 lakh 35 thousand crore. I want to assure the House that we are working on this at a very fast pace. In this, works worth about 3500 kilometres and one lakh Rs. 44 thousand crore have been started so far. I am confident that by March this year, we will start work worth about Rs. 5 lakh crore and about 20 thousand kilometres. Works worth one lakh 44 thousand crore rupees have already started and the rest of the works will also start.

As far as Maharashtra is concerned, I do not have separate information about Maharashtra yet, but 980 km of work has started in Maharashtra. The most important thing, which I am happy to say in this House, like the Delhi-Mumbai corridor, we are building a new green highway, that new green highway is going from the backward area. It will start from Delhi and go to Jaipur Ring Road, Jaipur Ring Road to Alwar.

It will go from Alwar to Jhabua, Ratlam to Vadodara. Due to the backward areas of Rajasthan, Haryana, Madhya Pradesh, Gujarat and Maharashtra, if we had built the Delhi-Mumbai Express Highway, our land acquisition cost would have been seven and a half lakh rupees per hectare, but due to selecting the backward area, our cost, the highway we are building between Delhi-Mumbai, 16 thousand crore rupees have been saved in the land acquisition. It will pass through Jhabua, Ratlam in Madhya Pradesh, Alwar in Rajasthan and backward areas of Haryana.... (*Interruptions*)

I am happy to inform that out of one lakh crore rupees of Delhi-Mumbai corridor, Rs. 44 thousand crore is for Vadodara to Mumbai and work worth Rs. 44 thousand crore has also been started. Now we have to perform the Bhoomi Pujan. We will try to do it by December this year. We are trying to prepare a new road from Mumbai to Cochin, which will save two hundred kilometres. In 'Bharatmala', it has been added that how much traffic goes from where, how much distance is reduced, and what will happen for this? ...(*Interruptions*) We will connect it to Kanyakumari.

Hon. Madam Speaker, I would like to assure the House through you that many projects have been taken up in 'Bharatmala'. The best thing I would say for the backward area of Rajasthan is that airstrips are being built at 17 locations—road-cum-airstrips where

aeroplanes can land. Where there is no airport up to a distance of 300 kilometres, we will stop the road traffic, like the railway gate, the plane will land and if it goes, the road traffic will start. When I say this, people feel that it is a dream, it is difficult to believe. I am telling with responsibility in this House that whatever I am saying, it will happen every single thing, it will definitely happen and it will definitely change the picture of the country.

SHRI SANJAY DHOTRE: Hon. Madam Speaker, the work on the National Highway, Bharatmala Project takes a lot of material. It contains sand, ballast and other materials. With the innovative imagination of Nitin ji, the work of Jalyukt Shivar is going on in Maharashtra, it has been used very well, and due to which water conservation and water storage have also increased. This material comes from far and wide, due to which the heavy-duty trucks etc. ply on the roads of our state highways, districts and villages, the roads get damaged, its work is not done later.

I request the Hon. Minister that if there is a project of five lakh, 35 thousand crore rupees, then if a little provision is made for it, then our roads will be repaired.

SHRI NITIN GADKARI: Hon. Madam Speaker, what the Hon. Member is saying is not the provision in the project. Roads in the state are in bad shape. They might get a little bit worse because of

NHI, but that is only because of us, such a thing is not true. The job of the state is to repair the village and district roads. If one or two places have been damaged due to our work, if they bring this to my notice, then the Government will think positively about repairing the road, but basically it is not our responsibility.

[English]

SHRI RAHUL SHEWALE: The Mumbai-Pune Expressway was made fully operational in 2002. But no one thought that it would face traffic congestion in just over a decade. Similar problems are being faced by the other existing national highways across the country.

So, I would like to know from the Hon. Minister as to what steps have been taken by his Ministry under his ambitious Bharat Mala project to address the issue of futuristic growth of traffic and congestion and thus to make highways congestion free for longer periods.

[Translation]

SHRI NITIN GADKARI: Madam, the Hon. Member has rightly said that the traffic density is increasing. Therefore, there is a need to convert two lanes into four lanes, four lanes into six lanes, six lanes into eight lanes and eight lanes into express highways. The Government was of the view that no national highway should be

identified. For this, we decided to take the length of 96 thousand kilometres of road to 2 lakh kilometres. I do not understand that our bureaucratic system has great resistance towards it, while five lakh accidents happen, one and a half lakh people die. Automobiles have a growth of 22 percent and there is a huge reservation to increase the NH. All those Hon. Member who have met me and said whatever they said, I have studied the traffic density of their area and declared it as NH and have so far constructed 1 lakh 70 thousand kilometres of roads, out of which 50 thousand kilometres are principal highways and the rest we have converted to NH.

Madam, one thing is important that where there is traffic of 10 thousand PCUs, there are four lanes. Where PCUs traffic is above 20 thousand, there are six lanes. There are 12 express highways being built in the country. Express Highway Access Control, such as Delhi-Meerut 14-lane highway has been built. Journalists who cover the proceedings of Parliament who live there tell me that earlier it used to take two hours to come, now it takes 20 minutes. Now the total time from Delhi to Meerut will be 40 minutes till next February. We are converting 30 thousand kilometres of road into 4 lanes and at some places 6 lanes. Our problem is that for this, material is used, clearance of forest is required by the environment ministry, and finance is required from banks. Because of this, there is a problem and if this problem is removed then this work can be

expedited and as the traffic density increases, we will increase the length. As is the network of NH, Metro City is connected by express highway from Bangalore to Chennai, Bangalore to Hyderabad, Bengaluru to Vijayawada, Vijayawada to Chennai, Nagpur to Hyderabad, Mumbai to Delhi, Delhi to Katra, etc. ... (*Interruptions*)

SHRI ADHIR RANJAN CHOWDHURY: What have you done for Bengal?

SHRI NITIN GADKARI: It will be in Bengal also, but please help with the land acquisition there.

Madam, I think there will be more speed in doing this work. ... (*Interruptions*)

SHRI JYOTIRADITYA MADHAVRAO SCINDIA: Madam Speaker, will we not get a chance to speak? A very important question for us. ... (*Interruptions*)

HON. SPEAKER: Have taken the name of a Member of your party. You leaders should not come forward in every matter.

... (*Interruptions*)

[English]

SHRI VINCENT H. PALA: Thank you, Madam. ... (*Interruptions*) The Minister has said that 2,000 kms. road is being considered along the international border. ... (*Interruptions*)

In my State of Meghalaya, we have 480 kms. of international border. ... (*Interruptions*) After construction of fencing over there, the people in the border areas have been sandwiched as they cannot go to Bangladesh, and at the same time they cannot go to Meghalaya also. ... (*Interruptions*) We have big villages that need to be connected by roads. ... (*Interruptions*)

Will the Hon. Minister consider connecting those villages through the Bharatmala Project? He had stated that 14 lanes have been constructed on a stretch of 980 kms. I need only 50 kms. These villages in the border areas have been sandwiched because of construction of border fencing, and they do not have road connectivity in summer. Will the Minister consider this as a special case? Though it is a State road, I would request him to give special fund for the international border to connect these villages with rest of India.

[Translation]

SHRI NITIN GADKARI: Madam, the work of connecting villages is not connected with us. The Ministry of Rural Development gives this work to the state Government under the Pradhan Mantri Gram Sadak Yojana. At the international level, we have sanctioned a loan of six thousand crore rupees to Meghalaya, which is going to Myanmar. To connect Nepal, Bhutan, India and

Bangladesh, ADB has sanctioned projects worth 24 thousand crore rupees, including some bridges. We have given priority to Meghalaya, Tripura and especially the North East. I am happy to inform you that for the first time under the leadership of Hon. Prime Minister Shri Narendra Modi, it has been decided in the country that special attention has to be paid to the North-East. I am happy to inform that for the first time in the history of the country, highways, and roads worth one lakh crore rupees have been sanctioned for the North-East and works worth Rs. 45 thousand crore have started. ...*(Interruptions)* Stay calm, our Government is building five bridges in the Brahmaputra which you have not built in 50 years. I think North-East will get priority in this. ... *(Interruptions)*

HON. SPEAKER: Bhuriya ji, 'Bharat Mala' is going from your place. Question Hour is going to end, you keep your point in a minute.

... *(Interruptions)*

SHRI KANTI LAL BHURIA: Madam, it is nice to hear what the Hon. Minister is saying. She is passing through my area, but the work has not started. I request the Hon. Minister that I have staged a dharna in the House. The Indore-Ahmedabad road is 50 km single road. There have been 200-300 accidents but nothing has happened till date. You had said that you would complete this work in six

months, today it has been a year and the work has not even started there.

I want to ask the Hon. Minister that by when the work of this road will be completed?

12 00 hrs

SHRI NITIN GADKARI: Hon. Madam Speaker, I have made one thing clear that the alignment is going from your place. Your work has started here, I have not claimed this. Contracts worth Rs. 44 thousand crore were awarded for only Vadodara to Mumbai lane in Delhi to Mumbai lane, that's all I said. You can't start work right now, it will take time.

I just want to tell you that by the end of December, I am not giving a firm assurance, but perhaps by the end of December, we will try to start the work by fixing your alignment and tendering. We will try to start your work in this area.

Hon. Madam Speaker, you also know about the road of Ahmedabad, you also had this problem here. You had called a meeting of contractors three times. That problem has now been solved. The same contractor is here. He has become a bankrupt. It has no funds. We are doing that work by taking 50 percent money from NHAI. It requires the NOC of the banks. There are some technical problems. It has become a very complicated case, yet I

assure them that the work will be completed by finding a way out in this regard.

HON. SPEAKER: But it is very important to cover that area also. This is correct.

HON. SPEAKER: Hon. Members, I have received notices of adjournment motions from some Hon. Members on various subjects. Matters are important, but can be raised on other occasions. Therefore, I have not given permission for any notice of adjournment motion.

SHRI JYOTIRADITYA MADHAVRAO SCINDIA (GUNA):

Hon. Madam Speaker, the Gwalior-Shivpuri-Dewas four-lane scheme was sanctioned by the UPA Government at a cost of Rs. 3,900 crore. We also laid the foundation stone for it. On 23rd July last, Shri Gadkari ji had gone to inaugurate the event. Being a local MP, I was neither invited to the event nor had my name on the invitation card. My name was written in the plaque, but that plaque was broken and a new plaque was made. Shri Gadkari himself was present at the event. ...Hon. Chief Minister Shivraj Singh Chouhan and other officials were present on the occasion... (*Interruptions*) If the rules are violated in the case of local Member, we will be insulted, ...(*Interruptions*) So this proposition of privilege rule I am moving by you. If the dignity of Member is not taken care of in this House, the plaque will be broken, ... (*Interruptions*) It is stifling democracy. ... (*Interruptions*) Hon. Gadkari ji is sitting here, I have had a discussion on my phone with him. ... (*Interruptions*) He himself has expressed regret. ... (*Interruptions*) But I want to move the privilege motion. ... (*Interruptions*) I want Shri Gadkari to answer this in this House because he is present here... (*Interruptions*)

HON. SPEAKER: It is done. Now sit down.

. . . (*Interruptions*)

HON. SPEAKER: That is what he has given the privilege motion.

. . . (*Interruptions*)

[English]

HON. SPEAKER: Gadkari ji, he is talking about Privilege Motion given by him against Shivraj Singh Chauhan, not against you.

. . . (*Interruptions*)

[Translation]

MINISTER OF ROAD TRANSPORT AND HIGHWAYS, MINISTER OF SHIP TRANSPORT, AND MINISTER OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REVIEW (SHRI NITIN GADKARI): Hon. Madam Speaker, what she has mentioned, I went there, is about me. When I went there, it is true that his name was not in the magazine. This program was organized at the local department level, but it is my responsibility, because I am the Hon. Minister of the department. I didn't know about that. Then an MLA of his party came and met me and told me that this had happened. On this, I called the District Magistrate there and asked why this name had not been put. He said that he called them, but the Hon. Member said that I do not have time, I will not come. ... (*Interruptions*)

SHRI JYOTIRADITYA MADHAVRAO SCINDIA: No, Hon. Madam Speaker, ... (*Interruptions*)

[English]

HON. SPEAKER: Nothing will go on record.

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

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

... (*Interruptions*)

HON. SPEAKER: What is this?

... (*Interruptions*)

HON.SPEAKER: He is talking about a privilege motion given by him against the Chief Minister. You all sit down.

. . . (*Interruptions*)

[Translation]

SHRI NITIN GADKARI: Hon. Madam Speaker, ...(*Interruptions*) You let me speak. ...(*Interruptions*) I am clearing the matter to you. ... (*Interruptions*)

[English]

* Not recorded

HON. SPEAKER: Now, you also listen to him. You have to listen to him.

... (*Interruptions*)

HON. SPEAKER: Nothing will go on record. Only the Minister's statement will go on record.

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

HON. SPEAKER: Not like this.

... (*Interruptions*)

[Translation]

SHRI NITIN GADKARI: I have said what the Collector said here. Madam, I still accept this. Whether the Member of Parliament comes or not, his name should have been written. His name should have been on the stone. That's a mistake. I apologise to the Hon. Member on behalf of the department so that this does not happen next time. ... (*Interruptions*)

HON. SPEAKER: You sit down. It's enough now.

... (*Interruptions*)

HON. SPEAKER: What more do you want? I didn't say I would see it. You should sit down.

* Not recorded

. . . (*Interruptions*)

SHRI JYOTIRADITYA MADHAVRAO SCINDIA: Hon. Madam Speaker, you have to give protection. ... (*Interruptions*)

HON. SPEAKER: Will I have to apologise?

. . . (*Interruptions*)

HON. SPEAKER: I know. I have said it. They did not say to give you protection, and what protection do you need? Sit down.

. . . (*Interruptions*)

HON. SPEAKER: Please, don't speak too much.

. . . (*Interruptions*)

HON. SPEAKER: Item No-5. Shri Ram Kripal Yadav.

. . . (*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): Hon. Madam Speaker, your instructions should go everywhere as it is a general issue. It is okay that Gadkari ji has apologised. It is a different matter, but all other Member, whether they belong to our party or any other party, if all are treated in the same manner, it is not good. That is why strict action should be taken on your part and you should say that if someone commits such a mistake, then you give some punishment on your behalf for them. ... (*Interruptions*)

HON. SPEAKER: I cannot punish anyone.

. . . (*Interruptions*)

HON. SPEAKER: As far as I know,

. . . (*Interruptions*)

HON. SPEAKER: Please be seated. There is no court here.

. . . (*Interruptions*)

HON. SPEAKER: Don't speak too much. Will I speak then?

. . . (*Interruptions*)

HON. SPEAKER: I am sorry.

. . . (*Interruptions*)

HON. SPEAKER: If you will not allow me to speak, from where will I give protection? Shall I take the stick? Let me speak.

. . . (*Interruptions*)

HON. SPEAKER: This is not a good attitude.

. . . (*Interruptions*)

MINISTER OF RURAL DEVELOPMENT, MINISTER OF PANCHAYATI RAJ AND MINISTER OF MINES (SHRI NARENDRA SINGH TOMAR): Hon. Madam Speaker, I would like to bring to the notice of the entire House through you that Jyotiraditya ji is a Hon. Member of Parliament of Guna. He inaugurates and lays the foundation stone of all the schemes of the

state Government and the Union Government. There's no obstacle to that. I was not there that day, but I understand that Nitin Gadkari ji is an Hon. Member of this House and a senior Minister. He also acknowledged this and then admitted that the collector there spoke to you. And then he apologized to you. I think that's the end of it.

Hon. Madam Speaker, you have also been a Member of Parliament, I have also been a Member of Parliament and he has also been a Member of Parliament. Which BJP MP was called during the UPA Government? ...*(Interruptions)* Who was called when the Congress Government was in power? *(Interruptions)*

SHRI JYOTIRADITYA MADHAVRAO SCINDIA: Everyone was called. ... *(Interruptions)*

HON. SPEAKER: I do not want a debate on this.

. . . *(Interruptions)*

SHRI NARENDRA SINGH TOMAR: Everything should not be made a subject of politics. ... *(Interruptions)* When Nitin Gadkari ji apologised, I think it has become a big deal in itself. ... *(Interruptions)* This method is not proper at all. ... *(Interruptions)*

HON. SPEAKER: It is the greatness of Gadkari ji that he immediately got up and apologised. And I really appreciate him for that. For him, I would say that Jyotiraditya ji, this is not the method.

. . . (*Interruptions*)

HON. SPEAKER: This is not a way of speaking.

. . . (*Interruptions*)

***WRITTEN ANSWERS TO QUESTIONS**

Starred Question Nos. 125 to 140

Unstarred Question Nos. 1381 to 1610

12 10 hrs

PAPERS LAID ON THE TABLE

[English]

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

THE MINISTER OF STATE OF THE MINISTRY OF POWER AND MINISTER OF STATE OF THE MINISTRY OF NEW AND RENEWABLE ENERGY (SHRI R.K. SINGH):

I beg to lay on the Table:-

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

(i) Memorandum of Understanding between the North Eastern Electric Power Corporation Limited and the Ministry of Power for the year 2018-2019.

[Placed in Library, See No. LT 9388/16/18]

(ii) Memorandum of Understanding between the THDC Limited and the Ministry of Power for the year 2018-2019.

[Placed in Library, See No. LT 9389/16/18]

(iii) Memorandum of Understanding between the NHPC Limited and Ministry of Power for the year 2018-2019.

[Placed in Library, See No. LT 9390/16/18]

(iv) Memorandum of Understanding between the NHDC Limited and NHPC Limited for the year 2018-2019.

[Placed in Library, See No. LT 9391/16/18]

(2) A copy of the Annual Report (Hindi and English versions) of the DNH Power Distribution Corporation Limited, Silvassa, for the year 2016-2017, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon under sub-section (1) of Section 394 of the Companies Act, 2013.

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| (3) | <p>Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (2) above.</p> <p>[Placed in Library, See No. LT 9392/16/18]</p> |
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THE MINISTER OF STATE IN THE MINISTRY OF FINANCE AND MINISTER OF STATE IN THE MINISTRY OF SHIPPING (SHRI PON RADHAKRISHNAN): I beg to lay on the Table:-

(1) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Maritime University, Chennai, for the year 2016-2017.

- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Indian Maritime University, Chennai, for the year 2016-2017, together with Audit Report thereon.
 - (iii) A copy of the Review (Hindi and English versions) by the Government of the working of the Indian Maritime University, Chennai, for the year 2016-2017.
- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library, See No. LT 9393/16/18]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Inland Waterways Authority of India, Noida, for the year 2016-2017, along with 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 2016-2017.

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

[Placed in Library, See No. LT 9394/16/18]

- (5) A copy each of the Notification No. G.S.R.351(E) (Hindi and English versions) published in Gazette of India dated 9th April, 2018 approving the Mumbai Port Trust Employees (Recruitment, Seniority and Promotion) Amendment Regulations, 2018 under sub-section (4) of Section 124 of the Major Port Trusts Act, 1963.

[Placed in Library, See No. LT 9395/16/18]

- (6) A copy of the Admiralty (Assessors) Rules, 2018 (Hindi and English versions) published in Notification No. G.S.R.601(E) in Gazette of India dated 29th June, 2018, under sub-section (4) of Section 18 of the Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017.

[Placed in Library, See No. LT 9396/16/18]

... (*Interruptions*)

[Translation]

HON. SPEAKER: Nobody will speak now, please sit down.

. . . (*Interruptions*)

HON. SPEAKER: Now it is becoming too much. Please all of you sit down.

. . . (*Interruptions*)

HON. SPEAKER: You sit down, now it's over, it's too much. You sit down, I was also going to say something, that too will not speak. Gadkari ji, in fact it is your greatness and I have seen that there are many instructions from here that wherever any program of the Union Government is held, it has to be called, it happens and it is also called. But it should be called where it is not.

. . . (*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI RAM KRIPAL YADAV): Hon. Madam Speaker, I beg to lay on the Table a copy of the Annual Report (Hindi and English versions) of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005, for the year 2017-2018.

[Placed in Library, See No. LT 9397/16/18]

MINISTER OF STATE IN THE MINISTRY OF MINES AND MINISTER OF STATE IN THE MINISTRY OF COAL (SHRI HARIBHAI CHAUDHARY): Madam, I beg to lay on the Table a

copy of the Memorandum of Understanding (Hindi and English versions) between the Mineral Exploration Corporation Limited and the Ministry of Mines for the year 2018-2019.

[Placed in Library, See No. LT 9398/16/18]

[English]

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION (SHRI JAYANT SINHA): I beg to lay on the Table a copy of the Airports Authority of India (Conditions of Service of the Chairman and other Members) Amendment Rules, 2018 (Hindi and English versions) published in Notification No. S.O.1577(E) in Gazette of India dated 12th April, 2018 under Section 43 of the Airports Authority of India Act, 1994.

[Placed in Library, See No. LT 9399/16/18]

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION (SHRI ARJUN RAM MEGHWAL): I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the North Eastern Regional Institute of

Water and Land Management, Tezpur, for the year 2016-2017, along with Audited Accounts.

(ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the North Eastern Regional Institute of Water and Land Management, Tezpur, for the year 2016-2017.

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

[Placed in Library, See No. LT 9400/16/18]

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

(i) Memorandum of Understanding between the National Projects Construction Corporation Limited and the Ministry of Water Resources, River Development and Ganga Rejuvenation for the year 2018-2019.

[Placed in Library, See No. LT 9401/16/18]

(ii) Memorandum of Understanding between the WAPCOS Limited and the Ministry of Water Resources, River Development and Ganga Rejuvenation for the year 2018-2019.

[Placed in Library, See No. LT 9402/16/18]

- (4) (i) A copy of the Annual Report (Hindi and English versions) of the National Institute of Hydrology, Roorkee, for the year 2016-2017, along with Audited Accounts.
- (ii) Statement regarding Review (Hindi and English versions) by the Government of the working of the National Institute of Hydrology, Roorkee, for the year 2016-2017.
- (5) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (4) above.

[Placed in Library, See No. LT 9403/16/18]

- (6) (i) A copy of the Annual Report (Hindi and English versions) of the Betwa River Board, Jhansi, for the year 2016-2017, along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Betwa River Board, Jhansi, for the year 2016-2017.

- (7) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (6) above.

[Placed in Library, See No. LT 9404/16/18]

- (8) A copy of the Cauvery Water Management Scheme, 2018 (Hindi and English versions) published in Notification No. S.O.2236(E) in Gazette of India dated 1st June, 2018, under subsection (7) of Section 6A of the Inter-State River Water Disputes Act, 1956.

[Placed in Library, See No. LT 9405/16/18]

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRI AJAY TAMTA): Madam, I beg to lay on the Table:-

1. A copy each of the following papers (Hindi and English versions):-
 - (i) Memorandum of Understanding between the Jute Corporation of India Limited and the Ministry of Textiles for the year 2018-2019.

[Placed in Library, See No. LT 9406/16/18]

(ii) Memorandum of Understanding between the Cotton Corporation of India Limited and the Ministry of Textiles for the year 2018-2019.

[Placed in Library, See No. LT 9407/16/18]

2. A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of Section 13B of the Union Silk Board Act, 1948:-

- (i) S.O.2930(E) published in Gazette of India dated 15th June, 2018, nominating Director, Sericulture and Weaving Department, Government of Meghalaya to serve as Member of the Central Silk Board for a period of 3 years.
- (ii) S.O.2352(E) published in Gazette of India dated 8th June, 2018, notifying minimum quality standards and conditions for notified kind or varieties of silkworm seed under Section 8C of the said Act.
- (iii) S.O.1771(E) published in Gazette of India dated 26th April, 2018, nominating Shri Neeraj Shekhar and Shrimati Sampatiya Uikey Members of Parliament

(Rajya Sabha) to serve as Member of the Union Silk Board for a period of 3 years.

- (iv) S.O.2184(E) published in Gazette of India dated 30th May, 2018, nominating Commissioner and Principal Secretary, Cottage and Rural Industries, Government of Gujarat, Gandhi Nagar to serve as Member of the Union Silk Board for a period of 3 years.

[Placed in Library, See No. LT 9408/16/18]

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION (SHRI ARJUN RAM MEGHWAL): On behalf of Dr. Satya Pal Singh, I beg to lay on the Table:-

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| (1) | (i) | A copy of the Annual Accounts (Hindi and English versions) of the National Mission for Clean Ganga, New Delhi, for the years 2014-2015 to 2016-2017, together with Audit Report thereon. |
| | (ii) | A copy of the Review (Hindi and English versions) on the Audited Accounts of the National Mission for |

| | | |
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| | | Clean Ganga, New Delhi, for the years 2014-2015 to 2016-2017. |
| (2) | Two statements (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above. [Placed in Library, See No. LT 9409/16/18] _____ | |

12 12 hrs

COMMITTEE ON SUBORDINATE LEGISLATION

30th Action Taken Report

[Translation]

SHRI DILIPKUMAR MANSUKHLAL GANDHI (AHMEDNAGAR): Madam, I beg to present the Thirtieth Action Taken Report (Hindi and English versions) of the Committee on Subordinate Legislation on the observations/ recommendations contained in Seventh Report of the Committee (Sixteenth Lok Sabha).

12 13 hrs

STANDING COMMITTEE ON LABOUR

39th Report

DR. KIRIT SOMAIYA (MUMBAI NORTH-EAST): Madam, I beg to present the "Thirty-ninth Report (Hindi and English versions) of the Standing Committee on Labour on the "The Employees' State Insurance Corporation - Coverage of Establishments, Recovery of Arrears and Functioning of the Hospitals and Dispensaries under the Scheme" pertaining to the Ministry of Labour & Employment.

12 14 hrs

STANDING COMMITTEE ON COMMERCE

143rd to 145th Reports

[English]

DR. KAMBHAMPATI HARIBABU (VISAKHAPATNAM): I beg to lay on the Table the following Reports (Hindi and English versions) of the Standing Committee on Commerce:-

- (1) 143rd Report on Action Taken by Government on the Recommendations/Observations of the Committee contained in its 137th Report on 'Trade with Association of South-East Asian Nations (ASEAN)'.
 - (2) 144th Report on Action taken by Government on the Recommendations/Observations of the Committee contained in its 139th Report on 'Impact of Goods and Services Tax (GST) on Exports'.
 - (3) 145th Report on 'Impact of Chinese Goods on Indian Industry'.
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SHRI BHARTRUHARI MAHTAB (CUTTACK): I rise to mention in this House about a very serious incident that is happening throughout the country. The National Crime Record Bureau in its last statistical report for 2016 has reported that 1,11,569 children were reported missing that year across the country. The NCRB further reported that half of such missing children have been traced while rest are presumed abducted, remained untraced at the end of the year.

Not necessarily all of these children were abducted but there is no doubt that majority of such children were abducted, with bias towards female victims. Two third of the missing children were females which points towards the potential of sexual exploitation.

Further, there is a genuine fear of child snatchers in rural areas, particularly tribal areas, of the country and this crime is considered relatively more heinous in human minds. As a result, any rumour of presence of child snatchers in an area energizes mob to gather in greater numbers than a rumour of any other sort of criminal activity.

Recently, three Odia boys who were working in Chennai were walking back to their homes and they started giving chocolates to some street urchins whom they found on the streets. This was seen by some people on the street who mistook those three Odia boys to be child snatchers and started chasing them. These three boys ran

for their lives and fortunately they were saved. They were just giving some chocolates to children out of love and that created panic on the street and they had to run for their lives.

I, therefore, urge upon the Government to take necessary steps to rein in spread of false rumours on social media which has actually affected large parts of the country. Rumours are being spread on social media like Whatsapp and this has resulted in mob lynching of a person in Assam. It is necessary that rapid prosecution of those found guilty of child trafficking is done and the local population is made aware of safety of their children particularly in remote areas where the police is ineffectual.

Hon. Minister of Women and Child Welfare is moving a very important Bill today. The problem today in the country is that child snatching rumours are creating widespread panic and they are leading to incidents of mob lynching which is actually creating problems in the country. The Government should take such steps that can not only address the issue of missing children but also the issue of mob lynching of people wrongly suspected to be child snatchers, as these two issues are deeply interconnected.

HON. SPEAKER: Dr. Kulmani Samal, Shri P.R. Sundaram, Kunwar Pushpendra Singh Chandel, Shri Rabindra Kumar Jena, Shri Bhairon Prasad Mishra, Dr. P.K. Biju, Dr. Kirit P. Solanki, Shri Nishikant Dubey, Shrimati Supriya Sule and Shri Dhananjay Mahadik are permitted to associate with the issue raised by Shri Bhartruhari Mahtab.

SHRI P.R. SUNDARAM (NAMAKKAL): Madam Speaker, the common man is facing serious problems because of the truck strike in Tamil Nadu which has entered the seventh day and is causing a loss of Rs.1000 crore to Tamil Nadu and millions of crores of loss to Government of India.

The Western Districts of Tamil Nadu are badly affected as hundreds of lorry drivers have been forced to go without work and live without their daily wages and jobs. In my Constituency Namakkal, three crore eggs are produced and supplied all over Tamil Nadu, Kerala and Karnataka. More than five crore eggs were lying stagnant due to the current lorry strike. The lorry association had said that the strike was unavoidable because the fuel price hike has happened and the Union Government is not fulfilling their long-pending demands.

Sago, turmeric, steel and textile products worth of Rs.300 crore are lying stagnant in Karur, Namakkal and Salem alone. Prices of

essential items, vegetables and fruits have increased steeply and they will be further affected in the next few days if the lorry strike continues. Tamil Nadu Government has ordered that farmers be allowed to take their vegetables to markets free of cost in Government buses and supply milk in minivans. Yesterday, Hon. Deputy Speaker Mr. Thambidurai, our party leader Dr. Venugopal and myself met the Hon. Minister for Road Transport Shri Nitin Gadkari and requested him to find a solution to this issue. Hon. Minister said that he would consider our request. Hence, I request the Government of India to take immediate action to end the ongoing strike by truck operators. Thank you.

HON. SPEAKER: Kunwar Pushpendra Singh Chandel, Shri Rabindra Kumar Jena, Shri Bhairon Prasad Mishra, Shri K. Ashok Kumar, Shri G. Hari and Shrimati K. Maragatham are permitted to associate with the issue raised by Shri P.R. Sundaram.

Don't talk. Salim ji, I have allowed you for one sentence.

SHRI MOHAMMAD SALIM (RAIGANJ): Hon. Madam Speaker, a very pertinent issue is raised.

[Translation]

There is this problem all over the country and simultaneous strikes are going on in the country. This will lead to a shortage of common

commodities. The Government should respond to this and accept the genuine demand of the transporters.

HON. SPEAKER: Shri PK Biju, Shri MB Rajesh, Shri Innocent and Shri Rabindra Kumar Jena are permitted to associate with the issue raised by Shri Mohammad Salim.

SHRI RAVINDRA KUMAR PANDEY (GIRIDIH): Madam, thank you for giving me this opportunity to speak during Zero Hour.

We have 117 plant cleaning workers working in the washery of the Kathara area and 42 in the swang washery under CCL, a subsidiary of Coal India who were working under the contractor for the last 20 years. With effect from 25-11-2016, without giving any prior notice, he was suddenly made to work on the orders of the General Manager of Kathara area. All these workers are also Members of CMPF and have been given vocational training. They have also been paid salaries till June 2016 as per the recommendation of the High Power Committee by the Regional Management. All these labourers are displaced from nearby villages, from land acquisition affected areas and are living below the poverty line. The workers have been kept in the swang washery for about five months. They have not been paid salaries for months. There was a movement. We also spoke at our level, but there is no positive response from the management. It is also a

matter of understanding where crores of rupees of funds are going in their name today. Labourers are needed to clean the coal stock there. There is a fire in the coal stock and about 5-6 tonnes of coal has caught fire due to a lack of labourers and this is causing a loss of crores of rupees to CCL.

Madam, you are requested to take action on this and the workers should get justice. Thank you.

HON. SPEAKER: Kunwar Pushpendra Singh Chandel and Shri Bhairon Prasad Mishra are permitted to associate with the issue raised by Shri Ravindra Kumar Pandey.

SHRI DEVENDRA SINGH 'BHOLE' (AKBARPUR): Madam, I would like to convey through you the pride of the entire country regarding IIT Kanpur. IIT Kanpur was established in the year 1962. The people who had given their land there were constantly using that land as a traffic. Once the Institute tried to block the route several years ago, a written agreement was reached in this regard with the then Director there for not doing so. After this written agreement, a similar attempt was made once again two years ago. A team led by our Hon, Minister Shrimati Smriti Irani ji went and the road was reopened after an investigation. It is an assembly Constituency in Kanpur. We have councillors from there. There has

been a mischievous attempt by the acting director Shri Manindra Agrawal to close that road again.

I request that a new director has been appointed there, again the Hon. Minister of the Government of India should direct him and send a team there. About one million people are affected by it. There is no other way for them. This is continuously spreading. To avoid any uncomfortable situation there, I request you to kindly take cognizance of it. Thank you.

HON. SPEAKER: Kunwar Pushpendra Singh Chandel and Shri Bhairon Prasad Mishra are permitted to associate with the issue raised by Shri Devendra Singh 'Bhole'.

PROF. CHINTAMANI MALVIYA (UJJAIN): Madam, I thank you for giving me this opportunity to place before the House the suffering and anomaly of SC/ST spread all over the country.

Madam, we have been reading since childhood that it is the job of the legislature to make laws and it is interpreted by the judiciary. On March 21 last, the Hon. Court has amended the Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1990, requiring permission for arrest in the offences which are registered.

Madam, this has aggravated a lot of trouble. First of all, I would like to thank our Hon. Prime Minister Shri Narendra Modi ji for understanding its practical difficulties and difficulties and taking

immediate cognizance of it and submitting a review petition for early hearing. The court has refused an urgent hearing.

Madam, this is causing a lot of trouble. First, the investigation is done before the report is filed and if the investigation is done then it takes more than two months to get arrested. The poor person of the village, who is suffering, and who is exploited, has to go to the SSP to take action. After that, there has been very little action. Crimes against Scheduled Castes have increased due to non-arrest and the provision of anticipatory bail.

Madam, I would also like to say that the ordinary offence that happens is acted upon immediately, but if any offence is committed against the people belonging to the Scheduled Castes, it goes to the same Ordinance, it goes to that Act. As a result, arrests and actions are delayed. This is creating an atmosphere of social harmony. The oppressed and exploited society in the country considers itself helpless. I would like to request the Government through you that if the court is not ready to hear this petition expeditiously, then the Government should bring an Act for it. The Government should free the people belonging to the Scheduled Castes and Scheduled Tribes from this atrocity and work to stand with them. Thank you very much.

HON. SPEAKER: Shri Virendra Kashyap, Kunwar Pushpendra Singh Chandel, Shri Rajesh Ranjan and Dr. Kirit P. Solanki are permitted to associate with the issue raised by Prof. Chintamani Malviya.

[English]

SHRI RAM MOHAN NAIDU KINJARAPU (SRIKAKULAM): Thank you, Madam Speaker, for giving me the opportunity to speak in ‘Zero Hour’.

I would like to bring to the notice of the Government the issue of inclusion of specific communities, namely, Sistakaranam, Sondi, and Kalinga Vysya, which are prevalent in the northern districts of Andhra Pradesh, Srikakulam, Vizianagaram, and Visakhapatnam, in the list of OBCs.

Along with the leaders of these associations, I have met the Prime Minister. He has recommended that the request be put forward to the National Commission for Backward Classes and that the Government would also look into it. On the 8th December, 2015, I had asked a Question to the Government of India, in which they had replied that they had got the request from various associations along with the request from the State Government of Andhra Pradesh.

I would like to inform that the communities mentioned have a population of around 12 lakhs. They are among the most backward communities with poor economic, social, and educational status. These communities are highly under-developed and 90 percent of their population is living below the poverty line. They are also not able to sustain their children's education.

The people of these communities in the State of Andhra Pradesh have been agitating since the formation of the Mandal Commission in the year 1979 for inclusion of these communities in the list of OBCs.

It is pertinent to inform here that the Government of Andhra Pradesh, after careful examination of the matter, have decided to accept the recommendation of the Andhra Pradesh Commission for Backward Classes to included them in the list of OBCs.

I strongly request and demand the Union Government to look into the matter sympathetically and advise the authorities concerned to include Sistakaranam, Kalinga Vysya, and Sondi communities in the Union list of OBCs.

Thank you very much.

[Translation]

HON. SPEAKER: Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Shri Ram Mohan Naidu Kinjarapu.

DR. KIRIT SOMAIYA (MUMBAI NORTH EAST): Hon. Madam Speaker, there have just been two incidents in my area, I would like to place before you what happened to the women in both of them. In an incident yesterday, a woman's saree got stuck in a train at Kanjur railway station and a constable of the Railway Police Force (RPF) saved her life by placing his life on her palm. The name of that constable of RPF is Shri Rajkamal Yadav, I congratulate him and will also request the Government to respect him.

Also, about the second incident I want to talk about the Criminal Negligence of the Company in the System, because of which the woman pilot Captain lost her life. You must be aware that a few days ago a plane crashed in my area Ghatkopar and it crashed directly vertically. I reached there in fifteen minutes. That plane was 10 years old. 10 years ago, the Uttar Pradesh Government scrapped and sold it. He stood at Juhu airport for seven years. He was repaired two years ago, after which he was supposed to go to Surat on the flight that came out, but it came back from half a distance and that plane crashed. The female pilot Maria Dwivedi who was there is no

longer there. Today her husband is wandering from one place to another. He had also visited the Parliament House here yesterday. I got him to meet Hon. Suresh Prabhu ji and Civil Aviation Secretary and also met Mumbai Police. His husband Prabhat Kathuria is saying that his wife will not get justice just because the owner of the civil aviation company is a very big person and who is he? The company is called Indamer Aviation Pvt Ltd.

Hon. Madam Speaker, I have extracted all his details. Today I have all his documents. The aircraft of that civil aviation company was parked at the same place for 10 years. Four civil aviation officials of the company, including two pilots and two engineers, were running from the bottom. If that plane had fallen 25 feet here, 200 people living in slums would have lost their lives. The name of the owner of the company whose plane it was, is...*. Till date no action is being taken against him, and no FIR is being filed. I pray that an FIR should be registered against this company – no matter how big the company is, action must be taken against it.

HON. SPEAKER: I have said that I do not want to take names and have also told them.

*Not rcorred

. . . (*Interruptions*)

HON. SPEAKER: Nobody has to be named. Kirit ji, complete it. Don't take names.

. . . (*Interruptions*)

DR. KIRIT SOMAIYA: Hon. Madam Speaker, a husband is running from pillar to post. No FIR has been registered so far. Is this a limit? You register an FIR. ... (*Interruptions*) The preliminary report that came out revealed the criminal negativity of this company. The plane that was purchased 10 years ago for a few lakhs was repaired and run. He had no due diligence. I have to give justice to that woman, justice to that husband. The FIR has been registered. No matter how big the company is, action should be taken against it.

HON. SPEAKER: Dr. Kirit P. Solanki, Shri Bhairon Prasad Mishra and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Dr. Kirit Somaiya.

SHRIMATI RANJEET RANJAN (SUPAUL): Hon. Madam Speaker, we talk about bullet train. The area I come from is the region of Kosi and Seemanchal. A gauge conversion work has been going on there for 10 years, but the big railway line has not yet come. About 2 crore people travel by train there every day and 90 thousand labourers go to work in other states. They catch trains

from Saharsa or Patna. The gauge conversion work of Supaul has been going on at a very slow pace for 10 years.

I would like to talk about some trains. We are saying big things on one side, but where the big line has not gone and you have been working there for 10 years, but that is not happening. Gauge conversion work on the Saharsa-Forbesganj section under the Samastipur Division of East Union Railway has been going on for 10 years. At present, the work of gauge conversion has been done till Baruari, but due to the lack of fibre cable, the work is pending there. If only the cable is supplied there, then that train will run at least till Baruari and people will be able to catch the train directly from Supaul. There is not even a single direct train from Saharsa to Amritsar, Punjab, Delhi or Mumbai. The work of gauge conversion of Nirmali to Sakri section is also going on at a very slow pace.

You have announced many new railway lines. The new railway line from Supaul to Galgaliya via Triveniganj, Araria was approved long ago, but the land has not been acquired yet. The Saraigarh Bhawatiahi to Nirmali railway section has been lying incomplete for the last 10 years, while bridges and culverts are ready at a cost of thousands of crores. A mega block has also been taken up in this section. This is causing inconvenience to the public as well as revenue loss to the railways.

The survey for the new railway line from Bihariganj to Virpur via Murliganj, Khurda, Jadia, Chhatapur, and Balua should be done immediately. An overbridge was announced in Saharsa. The Minister laid the foundation stone 4 times, but the work on the overbridge has not yet started. The survey work of Kursaila to Bihariganj railway section has also been completed, but due to lack of budget, the work of this section is not being started. My request is that which is a very backward area, where people dream of starting a big railway line, which was also the dream of Lalit Narayan Mishra, long ago he showed the track to the people there. I request you to start the work immediately. Thank you very much.

SHRI RAVINDRA KUMAR RAI (KODERMA): There is a three-tier Panchayati Raj system in the country, a serious situation is arising at the village level on its imbalance, so that the Ministry of Rural Development and Panchayati Raj of the Government of India gives due attention to it.

In the light of the 14th Finance Commission report, there is a three-tier Panchayati Raj system with Panchayat Samiti at the block level and District Council at the district level. At the panchayat level, the head is the head, at the block level, the head is the head and at the Zilla Parishad level, the president is the vice president. According to the arrangement in the 13th Finance Commission, in

the Panchayati Raj system which was to be developed in rural areas, 60 percent of financial powers were with the Panchayat, 20 percent were with the Panchayat Samiti and 20 percent were with the Zilla Parishad. In the light of the 14th Finance Commission report, in the three-tier Panchayat system, two tiers were exempted from financial authority, paralyzed by financial authority.

Now the election of the head is done with the same promptness as the election of the Members of the Panchayat Samiti and the election of the District Council. The Zila Parishad and Panchayat Samiti have no financial powers, they are the people's representatives, and they are feeling helpless. In the eyes of the general public, he also expects development from the mukhiya, from the Hon. Members of the panchayat samiti, from the head and the unit of the district council.

There is an imbalance in the country, there is a rural development department and Panchayati system, consider this to balance all three. Earlier, there was a constitutional judicial system in Panchayats. There used to be cases of well-balanced section, there used to be small disputes of land and property, there used to be family disputes, it was decided by the sarpanch. That is over. Today, due to this, the investment of money of the poor in the court

has increased more. I request that the Government should consider making a constitutional judicial system at the panchayat level.

HON. SPEAKER: Shri Lakhan Lal Sahu, Shrimati Rama Devi, Shri Harish Meena, Shri Rahul Kaswan, Shri Rabindra Kumar Jena, Dr. Manoj Rajoria, Kunwar Pushpendra Singh Chandel, Shri Bhairon Prasad Mishra, Shri Vishnu Dayal Ram and Shri Bharat Singh are permitted to associate with the issue raised by Shri Ravindra Kumar Rai.

[English]

SHRI BHEEMRAO B. PATIL (ZAHEERABAD): Thank you, Madam Speaker.

I would like to speak on behalf of employees of OFMK National Defence Workers Union Ordnance Factory, Medak.

Madam Speaker, recoveries are being made from the employees from July, 2017 onwards for those who have availed All India Tour LTC. That amount is higher than the minimum home taking salary which is prescribed under the Industrial Act. But, there are guidelines from OFB, MoD & DoPT to inquire into each case and

submit the same for one-time relaxation to the Ministry of Defence on case to case basis.

Hence, the above act of recovery is not in line with the directives of the higher formations of OFMK. It is demoralizing the employees leading to industrial unrest.

Madam, manpower needs to be increased in OFMK in workmen cadre, since many of the employees are going on superannuation. OFMK is to reach the target of Rs. 3400 crore which is very difficult without sufficient manpower. About 600 people have lost their valuable land for the installation of prestigious Ordnance Factory, Medak. They have lost their livelihood also. Hence, appointment orders are required to be given immediately to around 151 land displaced persons. Local candidates should be considered for appointment in OFMK.

Therefore, it is humbly requested, through the Chair, to the Hon. Minister of Defence to intervene in the matter and arrange to resolve the above-mentioned grievances of the employees of OFMK on priority basis.

[Translation]

HON. SPEAKER: Shri Bhairon Prasad Mishra are permitted to associate with the issue raised by Shri Bhimrao B. Patil.

[English]

SHRI MULLAPPALLY RAMACHANDRAN (VADAKARA):

Thank you, Madam Speaker.

I wish to draw the urgent attention of this august House to the most alarming and a serious situation which has arisen across the country as a result of the use of formalin and other dangerous substances on fish meant for the human consumption.

The staple food of Kerala is rice and fish and a large consignment of fish is reaching the State from other parts of the country. Formalin is a hazardous chemical causing cancer and other fatal diseases.

Under the circumstances, I urge upon the Government to restrict the sale of formalin and take effective measures to prevent the use of hazardous chemicals in fish.

[Translation]

HON. SPEAKER: Shri Rabindra Kumar Jena, Shri Rajeev Satav and Shri NK Premachandran are permitted to associate with the issue raised by Shri Mullappally Ramachandran.

SHRIMATI RAMA DEVI (SHEOHAR): Hon. Madam Speaker, in my Parliamentary Constituency, the village of Padumker in the Patahi block of East Champaran district holds considerable mythological and historical importance. According to local beliefs, in ancient times, King Shiva Singh of the Oinwar dynasty of the

Mithila region commissioned the digging of the ponds of Ghordaur and the nearby Harvahia and Annvahia ponds in the Patahi block. Until a decade or two ago, these three ponds were filled with lotus and lily flowers, creating a mesmerizing scene that attracted people from surrounding areas. However, in recent years, these ponds have been overtaken by water hyacinths, and the local flora is deteriorating, posing an environmental concern. Trees and embankments around the ponds are being cut down, with people encroaching upon the land and claiming ownership, which has pushed these ponds to the brink of losing their historical significance, ancient charm, and identity.

Therefore, I request the Government through the House to take further action for the overall development of the above three ponds under the above Patahi block by renovating them under an action plan.

HON. SPEAKER: Kunwar Pushpendra Singh Chandel and Shri Bhairon Prasad Mishra are permitted to associate with the issue raised by Shrimati Rama Devi.

[English]

SHRI KONDA VISHWESHWAR REDDY (CHEVELLA): The Railways were the most convenient mode for long-distance and

inter-city transport. This year, the airlines have overtaken in inter-city travel both in terms of revenues and numbers.

The other reality is that there is unprecedented rural-urban migration and rapid urbanization which is clogging Indian cities. Now our urban civic infrastructure is crumbling. Therefore, the Railways are more needed today for village to city transport than for inter-city transport.

Chevella, my Lok Sabha Constituency, is half urban and half rural. Many trains which pass through the villages of this rural area do not stop there. They just zip pass. So the youths who are working in Hyderabad have to migrate to Hyderabad. The students who are studying in Hyderabad also have to migrate to Hyderabad. So, it is putting more pressure on urban infrastructure.

I would therefore request that the following trains should stop in my Constituency in Nawandgi Railway Station near Tandur. They are Hubli Express, Namded Express and Hyderabad-Gulbarga Express. Then I would request for a stoppage at Marapalli Station of Hyderabad-Bidar Intercity, Shirdi Express and Hyderabad-Bengaluru Express.

Madam, the Railways need to re-discover, re-orient and re-invent itself to meet the changing needs of the nation. It will help mitigate rural-urban migration.

HON. SPEAKER: Shri Harish Meena, Dr. Manoj Rajoria and Shri Rahul Kaswan are permitted to associate with the issue raised by Shri Konda Vishweshwar Reddy.

SHRI RAM TAHAL CHOUDHARY (RANCHI): Hon. Madam Speaker, there is the Swarnarekha Multipurpose Project at Chandil under my Constituency. I have raised this issue several times in the House. Through you, I want to draw the attention of the Government in this direction during Zero Hour. The Swarnarekha Multipurpose Project at Chandil in my home state Jharkhand was built 38 years ago. The project, built 38 years ago, is causing a lot of hardship to the poor displaced families. Their Houses and fields get submerged in water during rainy days, which is very painful. We have been fully aware of his troubled life for 36 years. While many works have been done for the displaced family and a time bound action plan was formulated under the Revised Rehabilitation Policy 2012 for the remaining displaced, in 36 years, the affected and displaced families have been deprived of rehabilitation facility and compensation of land. No development book has been released so far. The poor rural displaced people have become victims of starvation due to the acquisition of land. The people affected by this project have not even been provided employment as per rules,

which is extremely regrettable. The voices of the displaced families are not being heard. The water of the dam of this project is lying idle, irrigation is also not being done here by lift technology. There was talk of generating electricity under this irrigation scheme, there was talk of providing water to the fields, but no work is being done.

I request through the House that in the Swarnarekha Multipurpose Project of Chandil, the displaced people should be rehabilitated on priority basis, a development booklet should be provided to them, compensation for land acquisition should be paid, employment should be provided and proper housing should be provided.

Hon. Speaker, I request through you that all the displaced families, if they get the qualification, then there should also be a job arrangement for them so that there is no problem in land acquisition in future. The Government should think about the displaced families.

HON. SPEAKER: Shri Bhairon Prasad Mishra, Kunwar Pushpendra Singh Chandel and Dr. Kulmani Samal are permitted to associate with the issue raised by Shri Ram Tahal Choudhary.

[English]

SHRI KODIKUNNIL SURESH (MAVELIKKARA): Madam Speaker, I am very grateful to you for giving me this opportunity to speak on a very important issue.

The entire Dalit community has expressed concern over the wrong message sent by the appointment of ... * as the Chairman of the National Green Tribunal. Since he is the judge who ruled against the SCs and STs (Prevention of Atrocities) Act, the Dalit community is demanding immediate removal of ... * from the Chairmanship of NGT.

HON. SPEAKER: You have given notice to speak about Dalit Christians.

SHRI KODIKUNNIL SURESH: Yes, I am speaking on Dalit issue, Madam.

[Translation]

HON. SPEAKER: It is not right to say such a thing by taking the name of a judge.

[English]

SHRI KODIKUNNIL SURESH: ... * has been recently appointed as the Chairman of the National Green Tribunal. ... (*Interruptions*)

* Not recorded

* Not recorded

HON. SPEAKER: You did not speak about the Commission. You said something about ... * and something like that.

... (*Interruptions*)

SHRI KODIKUNNIL SURESH: Members belonging to SCs and STs from NDA personally met the Hon. Home Minister, Shri Rajnath Singh. Shri Ram Vilas Paswan wrote a letter to Shri Rajnath Singh and his Party Chairman, his son, Shri Chirag Paswan wrote a letter to the Home Minister for immediate removal of ... *

In this regard, two judges bench in the Supreme Court was constituted. One among them was ... *. He has ruled against the SCs and STs (Prevention of Atrocities) Act. On 2nd April, there was a national ban against the Supreme Court judgement on the SCs and STs (Prevention of Atrocities) Act.

Lakhs and lakhs of Dalits are protesting against the judgement. In many parts of the country, thousands of Dalits were arrested and sent to jail. Twelve persons belonging to Scheduled Castes were killed due to police firing. The situation is very serious because of the judgement of ... *.

Retirement of ... * was in June, 2018. In the same month, ... * was appointed as the Chairman of the National Green Tribunal. What message is being given to the country by this? One thing is

very clear. ... * His judgement against the SCs and STs is because of the pressure of the ... *

HON. SPEAKER: All these things will not go on record.

... (*Interruptions*) *

HON. SPEAKER: You speak on the subject for which you have given notice. I am sorry.

... (*Interruptions*)

HON. SPEAKER: No allegation like this should be made. This will not go on record.

... (*Interruptions*)*

HON. SPEAKER: You have given notice on a different subject.

... (*Interruptions*)

SHRI KODIKUNNIL SURESH: Throughout the country, the SCs and STs are being attacked by the people belonging to ... * All the accused against the atrocities on SCs and STs are from ... * (*Interruptions*)

HON. SPEAKER: Shri Lakhan Lal Sahu may speak now. Nothing will go on record except what Shri Lakhan Lal Sahu says.

... (*Interruptions*) *

HON. SPEAKER: Shri M.B. Rajesh, Dr. P.K. Biju, Shri Mullappally Ramachandran and Shri Innocent are permitted to associate with the issue raised by Shri Kodikunnil Suresh.

[Translation]

SHRI LAKHAN LAL SAHU (BILASPUR): Madam, Bilaspur Constituency of Chhattisgarh state is a very important place. There are many public and Government institutions in Bilaspur. Many commercial and industrial institutions like Chhattisgarh High Court, Railway Zone, Headquarters of SECL, Union University are operating there. Also, there is a military cantonment at Bharani-Parsada, Sakri and Chakarbhatha.... (*Interruptions*)

Madam, where the jawans live with their families and go to different parts of the country to protect the country. ... (*Interruptions*) I would like to bring to your notice that last time when Shri Manohar Parrikar ji was the Defence Minister, he had migrated to Bilaspur. At that time there was a demand from there that a Sainik School should be opened in Bilaspur, but till date no action has been taken on it.

I would like to request through you that such soldiers, who work from there for the service of the whole country and the state and for the protection of the nation, sometimes such situations arise that their children do not get a proper education. In such a situation, I

demand to open a Sainik School in Bilaspur. I thank you for giving me the opportunity to speak.

HON. SPEAKER: Shri Bhairon Prasad, Dr. Kulmani Samal and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Shri Lakhan Lal Sahu.

SHRI BHANU PRATAP SINGH VERMA (JALAUN): Hon. Madam Speaker, there is a shuttle running from coach to eight in Jhansi Division of North Union Railway in our Lok Sabha Constituency. There is a village adjacent to that railway line, 169C under the bridge is being built there. Due to the construction of that bridge, the entire village is filled with water and there is no drainage from there. The bridge is currently filled with water. It has become difficult for the villagers to come out. The under-bridge has been constructed from the wrong side. There was the mausoleum of the freedom struggle Deshraj. That bridge is being built over that samadhi. This causes loss to the farmers.

I demand from the Union Government that the wrong under-bridge which is being built should be investigated specifically. If a road was constructed from the right side which the contractor was getting, then there is a drain at 300 meters from the villages from which all the water of the village could come out of it. Due to making this wrong side, the villages are facing problems, the

farmers there are facing problems. It should be investigated and arrangements should be made to drain out water from the village in some way. Thank you.

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

[English]

SHRI ANANDRAO ADSUL (AMRAVATI): Madam Speaker, I would like to raise a very important matter of urgent public importance.

Madam, as per reliable sources it is learnt that the Government of India is coming under pressure to lobby Pakistan for the release of missing 54 Prisoners of War held in Pakistan since 1971 conflict. While 90,000 Pakistani troops were captured by the Indian Army at the end of the war and later released as part of the Simla Peace Agreement, 54 Indian soldiers, officers and some pilots are continued to be held by Pakistan till today.

The Government of India has not taken serious steps to get back these 54 Prisoners of War who are languishing in Pakistani jails since 1971. The Indian Government has never approached the International Court of Justice for repatriation of these 54 Prisoners of War by Pakistan. Pakistan had to return these Indian prisoners

according to Geneva Convention. However, the Indian Government had not taken up the matter according to Geneva Convention.

Madam, I would like to draw the attention of the Minister of External Affairs that this is a serious matter and the morale of the Indian Armed Forces is affected due to non-compliance of Geneva Convention by Pakistan since 1971. So, I would request the Minister of External Affairs to look into the matter seriously and raise the matter of these Prisoners of War at international forums to pressurize Pakistan to release 54 Prisoners of War without further delay.

HON. SPEAKER: Shri Shrirang Appa Barne, Shri Hemant Tukaram Godse, Shri Bhairon Prasad Mishra, Shri Arvind Sawant, Shri Shrirang Appa Barne, Shri Rahul Shewale, Dr. Shrikant Eknath Shinde and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Shri Anandrao Adsul.

[Translation]

SHRI GOPAL SHETTY (MUMBAI NORTH): Madam Speaker, the new post office building was inaugurated in the year 2009 in Goregaon, an important suburban area of Mumbai in the state of Maharashtra. The new one was constructed, but that building reached a dilapidated condition in the year 2015 itself, due to which this building was demolished.

At present, postal services are being provided in a rented building at an inconvenient site in Goregaon, due to which the local people are facing a lot of trouble. It is also a matter of great concern that the RCC building, which has a normal life of around 50-60 years, has become useless within just 6 years. Now the situation is that anti-social elements are encroaching on Government land by occupying the vacant land.

Hon. Madam Speaker, I request the Government through the House that within just 6 years of the above building, a high-level inquiry should be conducted into the dilapidated, uselessness, as well as the vacant land of the postal department should be freed from the encroachment of anti-social elements. Keeping in mind the facilities of the citizens in future, a new building with modern technology should be constructed soon and punitive action should be taken against the culprits.

HON. SPEAKER: Dr. Kulmani Samal, Shri Sharad Tripathi, Kunwar Pushpendra Singh Chandel and Shri Bhairon Prasad Mishra are permitted to be associated with the issue raised by Shri Gopal Shetty.

[English]

SHRI THOTA NARASIMHAM (KAKINADA): Madam, thank you for giving me the opportunity. I would like to draw the attention to the proposed petrochemical complex project in Kakinada, Andhra Pradesh which got shelved due to the political reasons. What a pity! The capital cost of Kakinada petrochemical complex is Rs. 32,500 crore. GAIL and HPCL have evaluated the techno commercial feasibility and suggested a viable gas funding of Rs. 5,000 crore. The Union Government expects the new State Government of Andhra Pradesh, which is already reeling under the burden of revenue deficit of Rs. 20,000 crore every year to bear the full amount of viable gas funding. However, petroleum being a Union Subject, the Union Government should support the newly formed State of Andhra Pradesh in bearing the viable gas funding amount. Is it not true that the Union Government forced ONGC to buy 80 percent holding in Gujarat State Petroleum Corporation, a sick unit, amounting to Rs. 25,000 crore in 2017?

Madam, the KG Basin is hub of future oil and gas of the country. Recently gas hydrates were found in KG Basin which can feed the country for 60 years in future without relying on imports. Almost Rs. 1,00,000 crore is being invested in this area by ONGC, GSPC and Reliance. With such a huge investment with heavy oil

and gas flow, is it not a blunder to ignore the Kakinada Petrochemical complex, which is a promise made in the Andhra Pradesh Reorganization Act?

[Translation]

SHRI RAMESH BIDHURI (SOUTH DELHI): Hon. Madam Speaker, you have given me an opportunity to speak on a very sensitive issue. Three girls died of starvation in Delhi and this has also been confirmed in the medical report. He is the Deputy Chief Minister of Delhi. Under the Food Security Bill, 2015, if food can be delivered to tribal areas in Chhattisgarh, Rajasthan, Gujarat, and Jharkhand, why can't food be delivered inside the country's capital Delhi? The Delhi Government is only sitting to blame and killing the poor. About four lakh ration cards were found in Delhi through electronic point of sale devices, on whose ration was taken, the Delhi Government was accused of a scam of about Rs. 15 hundred crore. There are 2500 ration shops in Delhi. The ration sent by the Union Government does not reach these shops and the Government tells 19 lakh people that food will be delivered through doorstep delivery. They blame only the Union Government and the insensitive Government does not have the right to remain in power if three girls of a family, two years, four years and six years of age, die of hunger in the capital of the country.

Madam,... * had carried fodder, this is in the CAG report. A Rs. 1500-crore scam has come up in the CAG report. ... (*Interruptions*)

12 58 hrs

At this stage, Shri Jai Prakash Narayan Yadav came and stood on the floor near the Table

Hon. Madam Speaker, the ration of food and civil supply was on the number of scooters ... * carried. Such an insensitive Government should be dismissed immediately. ... (*Interruptions*)

HON. SPEAKER: You all can associate yourself with the issue raised by Bidhuri ji.

... (*Interruptions*)

HON. SPEAKER: Shri Sharad Tripathi, Shri Bhairon Prasad Mishra, Shrimati Meenakashi Lekhi, Shri Ajay Mishra Teni and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Shri Ramesh Bidhuri.

... (*Interruptions*)

HON. SPEAKER: ... * subject will not go on record.

... (*Interruptions*)

12 59 hrs

At this stage Shri Jai Prakash Narayan Yadav went back to his seat.

SHRI PARVESH SAHIB SINGH VERMA (WEST DELHI):

Madam, we received this news yesterday. On one hand, we talk about 'Beti Padhao Beti Bachao'. We came to know that an eight-year-old girl, a five-year-old girl and a two-year-old girl died of hunger. According to the medical report, not a single grain was found in his stomach.

HON. SPEAKER: You associate yourself with this subject in one sentence.

SHRI PARVESH SAHIB SINGH VERMA: Madam, I will conclude in just one minute. Today there was another news in the newspaper that the excise revenue of Delhi has increased by 41 percent since last year. 1500 new contracts have been opened in Delhi. The poor people spend their money there because the Delhi Government is promoting them. It is the Constituency of the Deputy Chief Minister of Delhi and three girls have died there. The Delhi Government has not made any statement in this regard and the Chief Minister is silent. ... (*Interruptions*)

HON. SPEAKER: Shri Sharad Tripathi, Shri Bhairon Prasad Mishra, Shrimati Meenakashi Lekhi, and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Sri Parvesh Sahib Singh Verma.

. . . (*Interruptions*)

HON. SPEAKER: Sit down, you have stated your point.

. . . (*Interruptions*)

13 00 hrs

SHRI DEEPENDER SINGH HOODA (ROHTAK): Hon. Madam Speaker, the issue raised is a sensitive issue. The Aam Aadmi Party Government in Delhi has failed miserably. The Union Government is equally responsible for starvation deaths in the capital of the country.

HON. SPEAKER: I asked you to associate.

. . . (Interruptions)

SHRI MAHESH GIRI (EAST DELHI): Madam, the tragic tragedy of the death of three girls in Delhi was raised in this House by my colleagues. I associate with them. But I just came with my family. I am going to tell you the truth in Parliament.

The Deputy Chief Minister of the Delhi Government is openly telling lies. He tweeted that the family of the three girls who died had come to stay as guests in the area two days ago. But that's not so. The family has been living in the Mandawali area for years. Ration scam is the biggest reason. They did not even get ration and died due to the wrong treatment at the Mohalla clinic. Therefore, the Delhi Government should be sacked.

HON. SPEAKER: Sarvashri Bhairon Prasad Mishra, Sharad Tripathi, Kunwar Pushpendra Singh Chandel and Shrimati

Meenakashi Lekhi are permitted to be associated with the issue raised by Shri Mahesh Giri.

13 02 hrs

SUBMISSION BY MEMBER

Re: Circular of UGC treating respective Department of University as an unit resulting in denial of reservation in promotion to reserved category candidates

SHRI MALLIKARJUN KHARGE (GULBARGA): Hon. Madam Speaker, I would like to raise two or three important issues.

Recently, the Ministry of Human Resource Development has taken a decision, this decision will adversely affect the reservation of SC, ST and OBC in teacher posts in higher education institutions. Under this, now while implementing reservation in the posts of teachers in educational institutions, the entire university will be considered as one unit and the different departments there will be considered as one unit. That is, in total, the roster system was done by taking all the posts in the university, professor, assistant professor etc. Now recently, by making an amendment, the UGC has said-

An amendment has been conveyed to all universities by UGC vide its Notice dated 5th March, 2018 wherein universities require to calculate reservation for SC and ST in teaching vacancies by

treating each department, subject, as a unit for every level of teaching.

If there is one post in each department, whoever is the head of the department, there is a single post for this, there is no reservation in it. Even if a reservation comes in it, it will come after 15 years as per the roster system.

This is a huge loss for SC, ST and OBC. Why is this happening in universities? Do you want to abolish the reservation? Do you want to scrap SC, ST and OBC? You know that now jobs are being reduced. Jobs have also disappeared in all the public sectors. Railway jobs have also been cut. So I want the Government to restore it. The previous GO should be restored.

You know that recently, the judgment to dilute the SC/ST Prevention of Atrocities Act... * had given. ... (*Interruptions*)

HON. SPEAKER: Why are you bringing both the issues together?

SHRI MALLIKARJUN KHARGE (GULBARGA): Madam, this is related to the same. Such a judge has been made the chairman of the GST tribunal.

HON. SPEAKER: These two matters are different. You know that too. I gave you a chance to raise a matter.

*Not recorded

. . . (*Interruptions*)

HON. SPEAKER: Sit down now.

. . . (*Interruptions*)

SHRI MALLIKARJUN KHARGE: This indicates that you support it yourself. ... (*Interruptions*) You will give promotion to those who do injustice and atrocities. He will be appointed the day he retires. ... (*Interruptions*)

THE MINISTER OF CHEMICALS AND FERTILIZERS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI ANANTH KUMAR): Hon. Madam Speaker, Shri Kharge Sir has raised an important issue here. The Government has taken the matter seriously and started the process. The issue of Promotion of Schedule Castes, Schedule Tribes and OBC in UGC and other Universities...(*Interruptions*)

SHRI MALLIKARJUN KHARGE: Not just promotion, but appointment... (*Interruptions*)

HON. SPEAKER: Shri Rajeev Satav, Dr. Kulmani Samal, Shri Dhananjay Mahadik, Shrimati Supriya Sule, Shri R. Dhruvanarayan and Shri Rajesh Ranjan are permitted to associate with the issue raised by Shri Mallikarjun Kharge.

SHRI ANANTH KUMAR: You listen to me. The Government has stopped the process of making reservations in both promotion and recruitment in a different way for our Scheduled Castes, Scheduled Tribes and OBC brothers.

To reconsider this, we have filed a Special Leave Petition in the Supreme Court. Secondly, the Hon. Prime Minister has said many times on the Schedule Caste and Schedule Tribe Atrocities Act. ... *(Interruptions)* There shall, however, be no change of comma or full stop. We have also recorded SLP to reconsider it. ... *(Interruptions)*

HON. SPEAKER: Veerappa Moily Ji.

. . . *(Interruptions)*

[English]

SHRI M. VEERAPPA MOILY: Thank you, Hon. Speaker, for giving me an opportunity to speak regarding stoppage of admission for the academic session 2018-19 in the Border Security Force Institute of Technology situated in Yelahanka in my Constituency at Bangalore. It is run by the BSF Union Education Fund Society, as a welfare measure to the Force personnel. ... *(Interruptions)* In

fact, it was started in the year 1992 when Shri S.B. Chavan was the Home Minister.... (*Interruptions*)

[Translation]

HON. SPEAKER: Nothing is heard from what they are shouting in between. My eyes also work.

... (*Interruptions*)

[English]

SHRI M. VEERAPPA MOILY: They are shifting one institution after another from Karnataka, more particularly from my Constituency.... (*Interruptions*) Shri S.B. Chavan, who was the Home Minister, came there to inaugurate it. I was also Education Minister at that time from the State. In fact, the institution has trained more than 3000 students who are working across the world in various capacities in renowned companies such as Wipro, Infosys, TCS, Accenture, L&T, Seimens, Microsoft and so many other good institutions. They give training in Electrical & Electronics and other important professional and technical courses. The Institute has been recognised both by the AICTE and also by the Directorate of Technical Education (DTE). Before starting this Institute, viability study has been done. There is no reason just to wind up that institution which will affect the future of 100 employees who are in the age group of 40 to 50 years and also of

hundreds of students, particularly children of BSF personnel. The idea is to provide this kind of a training to keep up the morale of the Border Security Force personnel. Also, there are increased casualties. Their family Members are distressed as there is no one to guide and look after them.... (*Interruptions*)

HON. SPEAKER: Veerappa Moily ji, it should not be long.

... (*Interruptions*)

SHRI M. VEERAPPA MOILY: Madam, I am concluding. But the question is this. Where is the rationale behind shifting? ... (*Interruptions*) This is the second instance where they have shifted one more CRPF training institute at Taralu from the very same Constituency. I do not know what the rationale behind it is. Of course, I have already written to the Home Minister. There is absolutely no response. Either shifting this institute or the educational institute will definitely demolish the morale of the Force personnel. ... (*Interruptions*)

SHRIMATI K. MARAGATHAM (KANCHEEPURAM): Madam Speaker, I wish to raise an important issue with regard to my Kancheepuram Parliamentary Constituency.

The only district in India with highest number of lakes is Kancheepuram. Palar river is the lifeline, as it supplies drinking water to almost all parts of Kancheepuram and for irrigation and it also supplies drinking water to some parts of Chennai.

Water is the main source for cultivation. It can be done by lift irrigation of water from bore-wells. This is possible only by harvesting rainwater.

Madam, I wish to say in this House that our Hon. Leader Puratchi Thalaivi Amma was a founder in the entire country in harvesting rain water for agriculture. Puratchi Thalaivi Amma is the first Chief Minister in the country who passed a law that every building constructed in Tamil Nadu should have rain water harvesting and recharging provision.

As Kancheepuram has large number of lakes, it is very essential that steps are taken to store rain water, by which sub-soil recharging is possible and will benefit the nearby areas.

Hence, I request the Union Government and the Hon. Water Resources Minister to allot sufficient funds for my Kancheepuram Parliament Constituency for deepening all the rivers and lakes for better water conservation in Kancheepuram district.

HON. SPEAKER: Dr. J. Jayavardhan is permitted to associate with the issue raised by Shrimati K. Maragatham.

[Translation]

SHRI SHER SINGH GUBAYA (FEROZEPUR): Hon. Madam Speaker, I thank you for giving me this opportunity to speak on a very sensitive issue which is related to reservation of SC, ST. After independence, after the year 2002, all the castes who have come under SC, ST category used to get full rights immediately. Unfortunately, after the year 2002, the castes who have come to SC, ST, there are 94 castes in 15 states and they have not got full right to participate in the elections to the Assembly and Parliament of the State. Because what used to happen after this, the notification used to come out simultaneously and the castes who used to come got the right. At present, there are 43 assembly seats in 15 states, but they have not got any right to it. Uttar Pradesh got the right to two seats in the year 2012-13, we are happy for it, not against it. Similarly, the Bill for the reservation of five seats in Sikkim is coming up in the same session. We want that just like you are including Sikkim in the reservation of SC, ST, the rest of the 14 states should also be included with the same Bill in the same session, so that the SC, ST people there can get full rights. They have got rights in panchayats and other elections. Thank you.

SHRI BHARAT SINGH (BALLIA): Hon. Madam Speaker, I am thankful to you for giving me this opportunity to speak during Zero

Hour. I want to raise a very burning issue in my area Ballia. Ballia Lok Sabha Constituency is the poorest and most backward region of Uttar Pradesh. The announcement of Purvanchal Expressway during the Samajwadi Party Government was made by the then Chief Minister,... * did.

HON. SPEAKER: Don't take names, say only former Chief Minister.

SHRI BHARAT SINGH: There was a lot of hope among the people of Ballia that the expressway would come in Purvanchal and Ballia would develop, they stopped it midway to Ghazipur. Just on July 14, the Hon. Prime Minister laid the foundation stone of the Azamgarh to Purvanchal Expressway. I want to say that Ballia was at the forefront of the freedom struggle. Mangal Pandey was from Ballia, and Lok Nayak Jai Prakash ji was from Ballia. The name of Ballia, who gave so much martyrdom, is inscribed in golden letters in the history of independence.

Through you, I would like to draw the attention of the Government of India and the Government of Uttar Pradesh that for the development of Ballia, it is necessary that the Purvanchal Expressway should be extended beyond the land of Lok Nayak Jai

Prakash ji. Our Ballia is so backward that there is no hospital there. With this, the development will be faster.

[English]

HON. SPEAKER: Shri Bhairon Prasad Mishra, Shri Sharad Tripathi and Kunwar Pushpendra Singh Chandel are permitted to associate with the issue raised by Shri Bharat Singh.

13 15 hrs**MATTERS UNDER RULE 377***

[Translation]

HON. SPEAKER: Hon. Members, today we will not have lunch hour, because today we have to take an important Bill for discussion. We have repeatedly expressed concern about women and children, we are going to take Bills related to them today. We will start a discussion on this. But before that, I would like to say that the matters under rule 377 will be laid on the Table of the House. Members who have been permitted today under Rule 377 and are desirous of laying on the Table may personally send the text of the matter to the Table within twenty minutes. Only those matters which are laid on the Table shall be deemed to be lapsed.

* Treated as laid on the Table

**(i) Regarding Improving railway connectivity in Jhalawar
Parliamentary Constituency, Rajasthan**

[English]

SHRI DUSHYANT SINGH (JHALAWAR-BARAN): My Parliamentary Constituency Jhalawar and Baran are promising upcoming industrial districts in Rajasthan, with a combined approximate working population of 2 million people.

With more than 7000 registered industrial units of textile and stone-cutting, this area needs direct connectivity with the main-line of the West Union Railway giving the area direct connectivity to the national capital region.

The nearest railway station is Ramganj-Mandi, about 45 minutes away and Kota, which is more than an hour away. This scenario is not allowing commerce and growth to flourish in my area.

Therefore, I request the Hon'ble Minister of Railways to take a due note of this urgent situation and provide the region with connectivity to West Union Railway Mainline and start a MEMU train service from Baran to Chhabra and further till Kota which will facilitate this area to get connected with the industrial corridors of Jaipur and New Delhi.

(ii) Need to start production and marketing of Ayurvedic medicine for Acute promyelocytic Leukemia

[Translation]

SHRI AJAY MISRA TENI (KHERI): Acute promyelocytic leukaemia is a type of blood cancer. About 13 lakh people are at risk of developing cancer. With allopathic medicines it is cured, and controlled, but does not disappear completely and does occur again.

Vaidya Dr. Balendu Prakash of Uttarakhand had successfully treated many such cancer patients before 1997, in which this disease was completely cured, so the Government handed them a research project. In 1997, pilot studies were conducted on 11 patients whose pathology tests confirmed MPML. After 90 days of treatment in which he was given Ayurvedic medicine made by Dr. Balendu Prakash, not only did he recover completely, he did not get this disease again. As a result, the Government of India recognized this as authentic, got the US-European patent of this drug and for this research, Dr. Balendu Prakash was awarded the Padma Shri at the age of 39 years. However, commercial manufacturing and extensive use of this drug have not yet started.

I demand from the Government and the Ministry of AYUSH for the manufacture and commercial use of this APMML drug.

(iii) Need to desilt all the dams and reservoirs in the country

SHRIMATI RAKSHATAI KHADSE (RAVER): Recently, the permission of environmental norms for the construction of big dams and reservoirs, large amount of funds and time has to be given to the Government for acquiring farmland and other eligible land, which is difficult in today's time. Therefore, good care is necessary for the maintenance and full use of the maintained dams and reservoirs, so that these dams and reservoirs can be constructed for storage of water at full capacity and it can be fully utilized. In a recent survey conducted in Maharashtra, it has been recorded that most of the big dams and reservoirs have accumulated huge amount of silt due to which the storage capacity of such big dams and reservoirs has decreased by 50 to 60 percent and the process of accumulation of silt in such dams is continuously increasing. For example, the Hatnur Dam established in Jalgaon district of Maharashtra was surveyed by Mary Institute, Nashik last year, the report of which has been received by the Government of Maharashtra itself, which is surprising that in the last 11 years, there has been an increase of 14 percent in silt, due to which 54 percent of silt in lieu of water in this dam has been recorded till last year. If this continues at this pace, the storage capacity of water in such

dams will decrease and in the coming few years, there will be no water but silt in these dams and reservoirs. This situation is being seen in all the major dams and reservoirs of the country. I request the Hon. Minister that proper methods/measures and technological solutions need to be found to remove the silt deposited in all such big dams and reservoirs and all such dams in which more than 50 percent of the silt has accumulated should start the process of cleaning the silt of all these dams and reservoirs as soon as possible so that all the built dams and reservoirs of the country get water storage system re-available in their construction capacity and that storage water can be used properly in the coming time.

(iv) Need to address the problem of contaminated water in Sambhal Parliamentary Constituency, Uttar Pradesh

SHRI SATYAPAL SINGH (SAMBHAL): I would like to draw the attention of the Government to the very important issue 'People who are forced to drink contaminated water'. It is well known that water is life and contamination of water is an alarm bell not only for mankind but also for animals and birds. There are many such areas in which the water level is very low and the water which is there is also contaminated / poisonous because many serious diseases like cancer occur due to consumption of contaminated water. In my Lok Sabha Constituency Sambhal (Uttar Pradesh) there is polluted water (not potable) in Singhpur Sahni etc. By drinking which one or more people in almost every family in that area have become victims of dangerous diseases like cancer. I had raised this issue in the House earlier also and the water of this area was also examined. After investigation, water in many areas was not found to be potable. Such contaminated water has also been banned for drinking (considered), but since then why is the water getting polluted and no necessary steps have been taken to convert it into pure potable water due to which there is disappointment in the area and there is a fear of serious diseases among the people.

I request the Hon. Minister of Health and Family Welfare, Minister of Water Resources and Drinking Water and the Government of India to make polluted water potable water, make cancer-free belts and set up state-of-the-art plants in such areas, please provide potable water as soon as possible so that the people living in such areas see a new ray of hope and get rid of serious diseases among the people. I and the people of the area will be very grateful to the Government.

(v) Need to undertake renovation of approach roads to railway stations, construction of foot-over bridges and road over bridges on level crossing in Gopalganj district, Bihar

SHRI JANAK RAM (GOPALGANJ): Gopalganj district (Bihar) has many railway stations like Jalalpur, Sipaya, Sasa Musa, Narkatia, Thawe Junction, Gopalganj, Manjha, Sher, Sidhwalia, Tekanwas etc. and halt where there is still problem of foot over bridge, road over bridge, approach road. The railway tracks passing through the stations are in a very bad condition. In the previous Government, overbridges, foot overbridges, link roads have not been renovated for many years, due to which the general public and school children are facing a lot of trouble in crossing the railway track. Accidents happen every day, there is a risk of loss of life and property. There is a lot of resentment among the public about this problem and the problem is increasing day by day due to the renovation of the road and the non-construction of railway link road.

I request the Hon. Minister of Railways to renovate railway station link roads at Thawe Junction, Sasa Musa, Sipaya, Jalalpur, Hathua, Manjha, Barauli, Sidhwalia, Tekanwas railway stations of my Parliamentary Constituency and construction of road over

bridge there for smooth movement of traffic on foot over bridge and various railway crossings. This is my request and demand to the Union Government.

(vi) Need to set up a Committee of Experts to study use of Formaldehyde for preservation of fish

[English]

ADV. NARENDRA KESHAV SAWAIKAR (SOUTH GOA): I

would like to draw the attention of the Government towards the use of Formaldehyde to extend the shelf life of fish from production to marketing stage.

Fish is an important source of human protein and is staple diet of the people living across the coastal areas of our nation.

Considering the serious impact of use of formaldehyde, many State Governments viz. Assam, Nagaland, Goa etc. have recently initiated action in the matter by imposing ban on import of fish.

The use of formaldehyde has caused fear and anxiety in the minds of the people at large, in spite of the steps taken by the respective Governments.

I would, therefore, request the Union Government to set up a Committee of Experts to conduct a study into the use of formaldehyde and spread awareness about its impact on public health.

(vii) Regarding irregularities in post office situated in Pipargawan village in Bidhnu Development block in Akbarpur Parliamentary Constituency, Uttar Pradesh.

[Translation]

SHRI DEVENDRA SINGH 'BHOLE' (AKBARPUR): I would like to bring to light a case of unethical economic corruption committed by an officer of the Department of Posts under my Parliamentary Constituency which has caused financial loss to the people of the said area.

Under my Lok Sabha Constituency, Branch Pipargawan of village Pipargawan of development block Bidhnu of district Kanpur was operated by the Department of Posts under the name of Branch Pipargawan whose main branch was in Naubasta Kanpur Nagar. The money was deposited in the said post office by the people of village Pipargawa and village Baghara and other villages. Lakhs of rupees of account holders of Post Office Pipargawan and Gram Baghara were fraudulently withdrawn and not even the passbooks of some account holders were issued and through fake passbooks kept assuring the account holders that your money was deposited in the account while no money was deposited in the departmental accounts by that officer. Upon getting information about the said, a complaint was sent by the account holders to the Senior

Superintendent Post Office and on coming to my notice, I along with all the victims personally met the Chief Superintendent of Posts and talked and sent a letter to get back the money of the account holders.

Therefore, please issue necessary orders to the concerned to return the deposits of the account holders of the said villages by the department and to take punitive action against the guilty so that the money of the account holders can be returned.

**(viii) Need to provide adequate compensation to villagers
relocated from Sanjay National Park in Sidhi
Parliamentary Constituency, Madhya Pradesh.**

SHRIMATI RITI PATHAK (SIDHI): The process of displacement of Majhigawan, Bhadaura and Ruda Gram Panchayats under Kusumi of my Parliamentary Constituency Sidhi which are displaced by Sanjay National Park started on 21st February, 2008 by an order issued by the then Union Government under the Tiger Conservation Act and the displacement was announced on 13th April, 2017. But due to lack of proper compensation, the villagers are not ready for displacement, they say that for years they have built a lot in this village, trees, trees, Houses etc. but with this amount, no land can be purchased anywhere. The villagers are getting the benefit of some schemes of the Government, but they are

not getting the benefit of the two important schemes of the Union Government, Pradhan Mantri Awas Yojana and Saubhagya Yojana, these three panchayats are still without electricity and Pradhan Mantri Awas is proving to be a boon for the poor. But the residents of the displaced panchayats are deprived of these schemes.

I request the Hon. Minister to get proper compensation amount after re-evaluation done in the said displaced Gram Panchayats.

(ix) Need to fill up vacant posts in Government Offices and Departments and also to regularise the services of contractual/temporary employees working in Government sector

SHRI HARISH MEENA (DOUSA): I would like to draw the attention of the Government to an important issue. There is serious disappointment among the youth of the country due to the privatization of Government sector jobs, temporaryization etc. Government jobs are constantly being cut and old vacant posts are not being filled. The private sector is expanding rapidly. It is true that the introduction of the private sector has created a sense of competition among the employees and increased their efficiency, but the uncontrolled expansion of the private sector has greatly damaged the idea of social justice as enshrined in the Indian Constitution. There is no proper representation of Scheduled Castes/Tribes, Backward Classes, Divyangs and economically weaker sections in various sectors. This is creating a sense of despair and resistance among the deprived sections of the country. In the last few days, the Government has issued an advertisement for direct recruitment to very high posts i.e., a very important post like Joint Secretary. The question on everyone's mind is why there was a need for this direct recruitment of more than one officer from the civil service. Similarly, privatisation in

public sector undertakings is spreading very fast. This privatisation can only benefit the capitalists as it helps them get cheaper labour and their profits increase unaccounted for. Such indiscriminate privatisation of jobs does not seem appropriate for a public welfare state.

I request the Government to pay attention to this and take appropriate measures to protect social justice and the Constitution, appointments to vacant posts should be made soon and salaries and other facilities should be provided to contractual or temporary employees in Government departments as per rules.

**(x) Regarding irregularities in operation of petrol puMember
in Thane district, Maharashtra**

SHRI GOPAL SHETTY (MUMBAI NORTH): In the country, especially in Thane district of Maharashtra State, the number of petrol puMember of various oil companies, especially Bharat Petroleum Corporation Limited, which were sold or illegally transferred without taking NOC from the oil company and which were taken on lease and even after the expiry of the lease period, the petrol pump on that land is operating illegally and the land owner has not been paid rent during the lease period.

I request the Government to formulate such a policy by conducting a high level inquiry into such cases so that such recurrence can be stopped in future.

(xi) Need to start skill development and entrepreneurship programme in Uttarakhand based on the potential of natural resources of the State

DR. RAMESH POKHRIYAL NISHANK (HARIDWAR):

Uttarakhand is a strategically important state bordering two foreign borders each. The vulnerable budding state, grappling with natural calamities every day, is reeling under a massive migration. Due to 67 percent of the land in the state being surrounded by forests, the situation has become more difficult. This exodus has left thousands of villages deserted. On the one hand, this migration is a serious threat to national security and on the other hand, it is causing social and economic disparity. Unemployment is rising in the state. Unfortunately, various skill development schemes of the Union and State Governments have not been successful in these areas. There is a need to run programs according to the ecological, physical and human resources of the mountainous region. In such a situation, I believe that in all the Himalayan states including Uttarakhand, skill development enterprise programs should be run in the areas of forest based industry, herb production, floriculture, mushroom production, organic farming, fruit production, vegetable production, biotechnology, eco-tourism, spiritual tourism, non-

conventional energy production, organic milk production, Honey production etc.

Therefore, I request the Government that if the Government works in these areas, then along with having strategic security, the problem of migration will be solved and the entire Himalayan region will be socially and economically uplifted.

**(xii) Need to expedite four-laning of Jammu-Akhnoor-Poonch
National Highway**

SHRI JUGAL KISHORE (JAMMU): I would like to draw the attention of the Government towards the National Highway in my Lok Sabha Constituency Jammu, which is from Jammu to Poonch. The work of this highway is going on at a very slow pace, this highway is an important national highway of Jammu and Kashmir, as this highway runs along the India-Pakistan border and passes through three districts and reaches Poonch. The Border Security Force and the Army are also completely dependent on it, as all their activities and movement take place through this highway, for which a provision of Rs. 5100 crore has been made in the package announced by the Hon. Prime Minister.

The tender for the construction of Jammu-Akhnoor National Highway has been given by NHIDCL for the construction of this road, but the work of this National Highway is progressing very slowly.

This National Highway is also very important for the convenience of the people of Akhnoor, Sunderbani, Nowshera, Rajouri and Poonch region.

I request the Government to please complete the work of this National Highway (four lanes) soon, this is very important for the people of Jammu and Kashmir.

(xiii) Need to impart knowledge of Constitution of India to students in schools and higher educational institutions

SHRI VINOD KUMAR SONKAR (KAUSHAMBI): We, the people of India, determined to make India a ‘sovereign, socialist, secular, democratic republic’ and to secure to all its citizens “social, economic and political justice, freedom of thought, expression, belief, religion and worship, equality of status and opportunity and to promote in them all fraternity ensuring dignity of the individual and unity and integrity of the nation”, the Indian Constitution was adopted, enacted and surrendered in the Constituent Assembly on 26th November, 1949. Our Constitution guarantees fundamental rights to citizens, fundamental duties, right to equality, right to freedom of religion, right to culture and education, right to constitutional remedies, right to state policy, etc. We, the people of India, have faith and loyalty to the Constitution. Every citizen of India needs to know the Constitution.

Therefore, I demand from the Government that it should be made mandatory to teach the Constitution in all the schools/higher educational institutions of the country. So that every person can keep a detailed knowledge of his fundamental rights and follow it and cooperate in maintaining the unity and integrity of the nation.

(xiv) Need to set up a Planetarium in Meerut, Uttar Pradesh

SHRI RAJENDRA AGRAWAL (MEERUT): Meerut is a mythological and historical city as well as the focal point of education, medicine and economy in western Uttar Pradesh. The Union Government has also selected Meerut for the development of Smart City. In this sequence, there is a need to establish a planetarium in Meerut metropolis to create awareness and scientific attitude among the students about the infinite universe. The establishment of the planetarium will benefit the students and inquisitors of the entire western Uttar Pradesh and tourism will also develop in Meerut.

I request the Government to take appropriate steps for setting up a planetarium in Meerut metropolis.

**(xv) Need to grant the status of state Government employee to
Aanganwadi workers**

SHRI MOHAMMAD ASRARUL HAQUE (KISHANGANJ): I would like to draw the attention of the Government towards the poor economic condition of Anganwadi workers/helpers. They were appointed for the smooth functioning of Anganwadi centres. The State Government has increased their Honorarium by only Rs.750/-. At present, an Honorarium of Rs. 3750/- is given to the maid and Rs.1750/- to the maid. She runs an Anganwadi centre throughout the year and after 3.00 pm she also takes care of the health of mother-child and girls by going from House to House. Apart from helping in administering polio drops and immunisation of mothers in health centres, additional work is also done by appointing them as assistant BLOs. They are also used by other departments of the state Government. In view of this, I request the Government to give the status of state employee and due Honorarium to these servitors/helpers.

(xvi) Regarding Final notification on Western Ghats relating to Ecologically Sensitive areas

[English]

SHRI ANTO ANTONY (PATHANAMTHITTA): I request the Government to kindly issue the final notification on the Western Ghats. People in Kerala are concerned about the grave implications of the Expert Panel reports on Western Ghats headed by Prof. Madhav Gadgil and Dr. K. Kasturirangan. Both reports ignored the ground realities in Kerala while relying on remote sensing techniques. As a result, plantations and agricultural lands were identified as Ecologically Sensitive Areas (ESAs). Today densely populated 123 villages in Kerala are identified as ESAs, and the inhabitants in these villages are deprived of their right of development. Having understood the gravity of the issue, the Government of Kerala conducted a serious study and submitted its detailed report to the Government of India. Therefore, I request the Government to issue the final notification on the Western Ghats by considering the report submitted by the Government of Kerala in this regard.

(xvii) Need to allocate funds to Kerala for construction of sea walls along the coastline

SHRI MULLAPPALLY RAMACHANDRAN (VADAKARA):

The State of Kerala has a long coastline of 580 Kms and lakhs of fishermen who live in indigent circumstances inhabit the coastal areas. Kerala had an unprecedented heavy monsoon this year. The State has witnessed sea erosion all along the coast causing extensive damages. The traditional method of protecting the shore from heavy sea erosion was by constructing sea walls. The people along the coast line are living under threat of further erosion. Under the circumstances, I request the Union Government to allocate more funds to the state for constructing sea walls along the coastline.

**(xviii) Need to set up a Kendriya Vidyalaya at Kumbakonam
in Tamil Nadu**

SHRI R.K. BHARATHI MOHAN (MAYILADUTHURAI): In my Mayiladuthurai Parliamentary Constituency at the moment, there is no Kendriya Vidyalaya School. Mayiladuthurai Constituency comprises the assembly segments of Sirkazhi, Mayiladuthurai, Poompuhar, Thiruvudaimarudur, Kumbakonam and Papanasam and several small towns with a population of over 25 Lakhs. The people of this region are mostly agriculturists and they need a Kendriya Vidyalaya to provide quality CBSE education at low cost.

Though there are several Private CBSE schools in this region, they are beyond the reach of the poor agriculturists and other working community. The District administration has already identified suitable land for the establishment of Kendriya Vidyalaya in Kumbakonam.

Therefore, I urge the Government to provide top priority to establish a Kendriya Vidyalaya school at Kumbakonam in Tamil Nadu.

(xix) Need to provide stoppage of Antyodaya Express and Rameshwaram - Bhubaneswar Express at Chidambaram railway station

SHRI M. CHANDRAKASI (CHIDAMBARAM): The newly introduced Tambaram — Tirunelveli Antyodaya express (16191/16192) and the Rameshwaram — Bhubaneswar weekly Express do not have a stoppage at Chidambaram. It is really unfortunate that services of these two important train are being denied to the people of Chidambaram.

Chidambaram is a Municipal town having world famous Nataraja Temple known for its architecture. The mangroves at Pichavaram, an important natural wetland, is barely few kilometers from Chidambaram. The Annamalai University which is one of the oldest Universities in the country is also located at Chidambaram. Besides there are lots of Petrochemical companies in the SIPCOT area in between Chidambaram and Cuddalore.

Therefore, Chidambaram assumes importance and there is an urgent need for the stoppage of the Antyodaya Express (16191/16192) and Rameshwaram — Bhubaneswar Express (18495/18496) at Chidambaram railway station.

Hence I urge the Government to take immediate steps to provide stoppage for Antyodaya Express (16191/16192) and Rameshwaram - Bhubaneswar Express (18495/18496) at Chidambaram railway station.

(xx) Regarding non-payment of insurance amount to farmers of Odisha by a private insurance company

SHRI NAGENDRA KUMAR PRADHAN (SAMBALPUR):

The Government of India have declared Pradhan Mantri Fasal Bima Yojana for the welfare of farmers through which many farmers will be benefitted. The scheme was unveiled by Prime Minister on 13.01.2016. After declaration of this scheme, the farmers of my districts i.e. Sambalpur, Angul and Deogarh along with ten districts of Odisha were registered under this scheme by Tata AIG Company. In the year 2017 thousands of farmers (small, marginal and bhagchasi farmers) insured their crop with the above company. But in the year 2017, in Kharif cultivation most of the farmers faced natural calamities such as attack of Chokda insect leading to loss of crores of rupees. Tata AIG agreed to pay the farmers of 92 Gram Panchayats and the rest of 30 Gram Panchayats of Sambalpur was left out and same is the case with other ten districts. One year has already passed and not a single penny has been received from Tata AIG company. There is huge discontentment among the farmers of the State and Sambalpur district in particular. Road blockade, demonstration before Collector have become the order of the day. I would like to request Hon'ble Agriculture and Finance Ministers to

sort out the issue immediately so that people get their insured amount.

**(xxi) Need to set up fast track courts for early disposal of
corruption cases**

[Translation]

SHRI SHRIRANG APPA BARNE (MAVAL): According to a survey, 7 out of 10 people have to pay bribes to avail Government services. These findings have come to light in a report by Transparency International, an organisation that monitors corruption worldwide. As per the report, India ranks the highest in bribe-related cases among 16 Asian countries. According to the results from various surveys, at least 90 crore people had to pay bribes to Government officials at least once last year. Cases of bribery even emerge in areas such as education and healthcare.

When it comes to Government officials accepting bribes, the survey indicates that the police are at the top of the list, causing distress to all sections of society.

When a Government employee is caught in a bribery case, the trial often continues beyond their retirement and, in some cases, even until their death.

In this regard, I request the Government to set up fast track courts to dispose of these cases so that these cases can be heard at the earliest and appropriate punishment can be given to the guilty.

(xxii) Need to implement Land Acquisition Act, 2013 in letter and spirit in Jharkhand

SHRI VIJAY KUMAR HANSDAK (RAJMAHAL): The Government of Jharkhand is making efforts to add several provisions in the Land Acquisition Act 2013 which are violating the rights of the tribal people, in which only consultation is forbidden, going to court instead of the consent of 70 percent of the Panchayat and the impact of this law has not been ascertained through social assessment studies. Such a law exists only in Jharkhand and not in any State whereas the Land Acquisition Act 2013 is applicable by the Union Government and the Land Acquisition Act is complied with on the basis of the 5th Schedule of the Constitution. There can be no interference in this law through the Governor of Jharkhand. In Jharkhand, the PPESA Act is not being implemented fully. The said Act has been implemented arbitrarily in Jharkhand. The Land Acquisition Act and Forest Acts have been brought to strangulate crores of tribal-origin people of Jharkhand and to make way for making a handful of capitalists more rich, due to which the tribal-origin people of Jharkhand state are very angry and apprehensive. In the name of many schemes, the land of the tribal-origin people is being acquired and made landless, due to which the

tribal-origin people are going towards destruction. With the implementation of many schemes, they are being displaced on a large scale and rendered jobless. The policy of the Government of Jharkhand seems to be designed to completely destroy the tribals and the objective of the Government of Jharkhand is to in effect the Land Acquisition Act of the Union Government.

I request the Government not to allow any kind of tampering with the basic provisions of the Land Acquired Act so that the tribal-natives of the country can do their economic and social development without hesitation.

13 16 hrs

TRAFFICKING OF PERSONS (PREVENTION, PROTECTION AND REHABILITATION) BILL, 2018

[English]

HON. SPEAKER: Now, Item No.15, the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018.

Hon. Minister.

... (*Interruptions*)

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): Madam, I beg to move:

“That the Bill to prevent trafficking of persons, especially women and children and to provide care, protection and rehabilitation to the victims of trafficking, to prosecute offenders and to create a legal, economic and social environment for the victims and for matters connected therewith or incidental thereto, be taken into consideration.”

HON. SPEAKER: Do you want to say something on this Bill?

SHRIMATI MANEKA SANJAY GANDHI: Yes.

This Bill attempts to create a legal, economic and social environment for victims and for matters connected therewith or incidental there. Madam Speaker, today as I stand here for introducing this Bill, I speak to you and to Parliament on behalf of the vulnerable women and children of India.

The Government of India and all of us have always firmly upheld that children are the soul of India because in them we see the culmination of our dreams and hopes as a nation. We have defended and empowered the decisive role that women play in the growth story of India.

How then can we sit silent and let women and children be bought and sold like slaves? When an 11-year old Tara is trafficked from her village, sold into bonded labour, beaten and burnt by her owner, how do we save her? When she is sold for marriage to a 45-year old man and raped every day for months, how do we save her? We have no institutions and no processes to do so. If today we do not pass this Bill, we are choosing to deny Tara and all the millions like her the fundamental right to life and liberty. The Government's statistics show that 19,223 women and children were trafficked in 2016 as against 15,448 in 2015. Moreover, 1,11,569 children have been reported missing in the year 2016. They are presumed to have

been trafficked or abducted for exploitative purposes. These figures are only reported because the reality is actually and probably much worse. The crime of trafficking is hugely organized and largely invisible. We are living in this awful reality where price tags are put on human lives; our children's future is put into jeopardy because our laws and Bills fail them.

I am asked the question, 'Why do we need the law?' The answer is simple. While the current response mechanisms focus on criminalization of offences relating to trafficking or prosecution of offenders, they fail to target the backbone of this organized crime.

Section 370 of IPC only defines and penalizes the offence of trafficking of persons, and the Immoral Traffic Prevention Act (ITPA), 1956 only deals with sexual exploitation. The new Bill addresses these gaps.

I evoke your wisdom and compassion towards ending this grave and shameful crime of trafficking. I urge upon you all to come together to pass this Bill.

Now, I will explain why this Bill is the first step towards a comprehensive solution to trafficking in persons in India, that goes beyond just its criminalization.

This Bill has been prepared after extensive consultations with a variety of stakeholders. It has been placed on the Ministry's website

for comments for months. It has received over 300 suggestions from public and civil society. Regional consultations have been held in all the main cities. Over 60 NGOs, Government Departments and Police have taken part in it. We have had extensive discussions with the Members of Parliament and have benefited from their advice.

It has comprehensive and holistic provisions provided in one place – it covers prevention of trafficking; protection of victims, witnesses and complainants; and also the comprehensive rehabilitation of victims. This will only strengthen, confirm and assert our commitment to the Constitution of India, which under Article 23 expressly prohibits human trafficking.

Starting from the perspective of the victim of trafficking, this Bill is a great boon. This is the first time that the spirit of the Constitution has been captured in the Bill, as it makes relief and rehabilitation of the rescued person a matter of right. So far it has simply been a matter of welfare. How good we want it to be.

Transformation from welfare perspective to a rights-based perspective is a blessing and support to victims. The Preamble starts with the phrase - to create a legal environment for the victims. Several Sections have been incorporated to ensure the rights of victims. Now, the victims of trafficking, who usually suffer in silence have an opportunity to be heard.

From the perspective of investigation, the major challenge today is the issue of trans-border jurisdiction and related investigation. Human trafficking is a borderless crime, but jurisdictional issues come in the way of investigation. The Bill provides for a National Bureau to effectively address this aspect. This is the need of the hour and is welcomed by law enforcement agencies in the country. Special crimes need special attention. Hence the setting up of these special Anti-Human Trafficking Units (AHTU) all over the country, as is mandated in the Bill, is an important step.

The method of trans-border cooperation, beyond the States and even beyond the international border has been, for the first time, identified and addressed. A vast area of confusion has been made clear and lucid.

The system of nodal officers and nodal police officers in States, which started in 2005 under the aegis of the National Human Rights Commission (NHRC), has seen ups and downs. This nodal system is very important to ensure that the convergence of all concerned happens to prevent and combat human trafficking. The Bill brings a legal status to the nodal system, providing a single window approach to the response system.

As against the existing provisions of the Immoral Traffic (Prevention) Act, this Bill allows police officers to undertake rescue, as and when they receive information. There is no need for any notified police officer or rushing to the magistrate for prior approval. This provision empowers the police station and the Anti-Human Trafficking Units (AHTU) to undertake swift action as and when information is received and rescue the person at the earliest to avoid further exploitation.

The Anti-Human Trafficking Units set up in the country, starting with the first nine set up in 2007 in the MHA-UN joint project and replicated more than 300 districts, are being legitimized and institutionalized. The setting up of these special units is indeed an important step.

Prosecution of offenders starting from recruiters, harbourers, transporters, financiers, abusers, exploiters, conspirators, abettors etc. has been a daunting task for the prosecutors in the country. This Bill makes a strong positive effort in facilitating prosecution of the offenders of this organized crime. The presumption in respect of offences against children, women and physically or mentally challenged persons gives the prosecution adequate scope to ensure easy, fast and efficient disposal of crimes. This will certainly bring in certainty and celerity in the delivery of justice.

The Bill also provides for freezing and confiscating illicit assets, born out of trafficking crimes. This is a landmark addition to the trafficking law as neither Section 370 of Indian Penal Code (IPC) nor the Immoral Traffic (Prevention) Act (ITPA) has any such provision. It is well known that the traffickers make huge profits out of the sale and purchase of human beings. Funds recovered from frozen bank accounts will be transferred to the Rehabilitation Fund under this Bill, which will further be used to support survivors and prevent re-trafficking. For the first time, the buying and selling of human beings is being made a cognizable offence.

Victims, who have been forced to commit heinous crimes under this Bill by their traffickers, now have been granted immunity to protect them from undue prosecution.

The Bill has given specific charter, shape and method to the rehabilitation process. The functions and roles of agencies have been delineated. The national, State and district level committees on rehabilitation are a strong step, providing a single-window approach to the entire process. So far one had to knock on many doors to get any relief for the victim, but no more.

The Bill also makes it clear that rehabilitation is not contingent on prosecution. This provision is another major breakthrough as it

guarantees the rights of the victim in the best possible manner. Further, there would not be any pressure on the victim to speak, state or depose in any particular manner due to external pressure. The provision of setting up a rehabilitation fund and the mandate given for the utilization of the fund is timely.

It is known that the police agencies across the country, except at few places, are indeed helpless in respect of funds for extending even the minimum care to rescued persons. Therefore, this Bill provides a rehabilitation fund for this purpose. For instance, yesterday 16 girls were rescued by the Delhi Commission for Women. Now, they have come to me saying ‘what do we do with them?’ The Government of Nepal is phoning us, saying ‘send them back to us, send them to the Embassy.’ The police have no idea where to spend the money from. The Bill removes all such impediments in the law enforcement process and justice by making adequate fund support for every act envisaged post-rescue.

The Bill has brought in accountability of the rehabilitation agencies of the Government. So far, under the existing laws, a duty was cast upon the police to rescue, and yet no accountability existed on the agencies of the Government concerned with rehabilitation. By endorsing a new provision of bringing in accountability of the Government agencies, it is not only the victim who is going to be

benefited, but the entire justice delivery process stands to gain. The victim, who is counselled and rehabilitated, will be in a better position to support the prosecution.

Further, a strong step by the victim in ensuring the prosecution of offenders will naturally expedite the entire process. Taking it further, effective and timely prosecution of offenders will be a great boon in the prevention of such crimes. Therefore, this provision of victim and witness care will go a long way in ensuring the rule of law.

The chapter on prevention enhances the richness of the Bill. Earlier legislations like ITPA, Bonded Labour (Abolition) Act, Child Labour Act did envisage prevention, but the body of the legislation was conspicuously silent on the steps and the procedures. The present Bill, for the first time in the Indian Statute, has not left things to imagination. Preventive measures, the role of agencies, the tasks to be performed are clearly spelt out in the Bill. This will bring in accountability of all agencies concerned. Once legislated, prevention of trafficking becomes a legal mandate of the agencies concerned and this will ensure accountability and is a constructive step in good governance.

This Bill is a path-breaking step, and SAARC and UNODC nations are looking forward to India to take lead by enacting this

law. While a number of countries have different laws for this crime, our Bill is unique. All other countries mostly focus on the crime and treat the victim primarily as a witness. Our Bill is comprehensive as it focuses on prevention, protection and prosecution, and puts in place institutional mechanisms for the same. It places the victim at the centre of the law. There are no conditions on the victim to testify to get access to entitlements. Unlike any other South Asian country, rehabilitation becomes a right of the victim under this Bill.

It is an improvement over the existing laws, including Section 370 of IPC. This section of IPC defines trafficking and its derivative, but it is silent on forced labour and bonded labour. This Bill incorporates trafficking for forced labour, bonded labour, besides for surrogacy, false marriage and begging as aggravated forms of trafficking and calls for enhanced punishment for the offenders.

The proposed anti-trafficking Bill will hit the organized nexus of trafficking by attacking the economic base that powers this vicious crime. The provisions under this Bill aim at economic deterrence by providing for attachment and forfeiture of property, as I explained, that is used for the commission of offences. It will levy heavy fines and freeze bank accounts of the perpetrators. The funds recovered, as I have said before, will be transferred to the

rehabilitation fund. It covers new and aggravated forms of trafficking with an increased punishment.

As our children look to us, it is time we stand up as a country and be counted for the right decision. The proposed Bill is the right step that will provide a comprehensive solution to deal with the issue of trafficking of persons in India.

India must take global leadership for the achievement of the Sustainable Development Goals by the year 2030. Goal 8.7 pertains to the need to take immediate and effective steps to eradicate forced labour, end any form of slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, by 2030, and by 2025, end child labour in all its forms.

Goal 16.2 seeks to end abuse, exploitation, trafficking and all forms of violence and torture of children. India has also signed and ratified the UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against Transnational Organised Crime, which requires India to formulate a comprehensive approach to eliminate all forms of trafficking.

I speak to all of you. Let us make this Bill a reality today to protect and provide for the millions of victims who have suffered

silently for years. We are accountable to all our citizens, especially the most vulnerable ones, women and children. Today we have a chance to deliver to them a law which guarantees their rights and ensures that the perpetrators of crimes are brought to justice. Thank you.

HON. SPEAKER: Motion moved:

“That the Bill to prevent trafficking of persons, especially women and children and to provide care, protection and rehabilitation to the victims of trafficking, to prosecute offenders and to create a legal, economic and social environment for the victims and for matters connected therewith or incidental thereto, be taken into consideration. ”

PROF. SUGATA BOSE (JADAVPUR): I wanted to just correct an error in the List of Business at No. 15. It is an important Bill. It says that this Bill is being moved to ‘persecute offenders’. I am sure that this is probably a typographical error. But it could also be a Freudian slip since so many vulnerable people are being ‘persecuted’ in our country. I know that Shrimati Maneka Gandhi is a very kind hearted person and she would not wish to ‘persecute’ any one. So, before we proceed any further, I think we should make a correction at No. 15 of the List of Business to say that this Bill

will 'prosecute offenders'. There is a big difference between 'persecution' and 'prosecution.'

HON. SPEAKER: It must be a typing mistake.

SHRIMATI MANEKA SANJAY GANDHI: I did not make the List of Business.

HON. SPEAKER: It is a typing mistake.

DR. SHASHI THAROOR (THIRUVANANTHAPURAM):

Some of us are conscious that this Government is not always aware of the distinction between ‘persecution’ and ‘prosecution’. But that is another matter.

Let me just stress that there is absolutely no doubt, no two views about the need to have a strong law to deal with trafficking in people.

13 33 hrs

(Hon. Deputy Speaker *in the Chair*)

It is interesting to note that our founding fathers and mothers found the offence of trafficking so horrific that they penalised it through Article 23 of the Constitution even though constitutional provisions do not normally deal with criminal law. So, that was a very major step. As the Justice Verma Committee Report pointed out, it is a matter of deep concern in our country and across the world that lakhs of people, especially women and children, are uprooted and transmitted through illegal placement agencies and rackets as part of the trafficking and trade in human beings.

Now, we are all in agreement that trafficking must be rooted out. But we may differ on how to approach it. We must not adopt the extreme approach of saying that anyone who does not agree with this Bill is pro-trafficking. We are all, as the Hon. Minister was saying, determined to fight for the vulnerable women and children

of this country, but we wish to fight effectively and this Bill sadly does not do that.

I want to stress that the intent of the Minister in bringing the Bill to deal with trafficking is good. Indeed there are many good things about this Bill. I agree with her intent and the positive provisions, some of which she has mentioned, like the interim relief for the victims, requiring cases of trafficking to be conducted by special public prosecutors, providing for compensation for victims, as well as mandating cross border repatriation of victims of international trafficking in a time-bound manner. These are to be applauded. However, the rest of the Bill raises very many serious concerns.

We already have numerous laws which deal with trafficking. There is Section 370 of the Indian Penal code; there is ITPA which the Minister mentioned; there is Juvenile Justice Act which she sadly changed couple of years ago; there is the Bonded Labour System (Abolition) Act; there is the Contract Labour Act; there is the Inter-State Migrant Workmen Act; etc. But the problem with all these laws is that they have varied approaches and parallel enforcement and institutional mechanisms to deal with trafficking. So, clearly the need of the hour is a comprehensive legislation which truly harmonises these various provisions and brings out a

clear-cut strategy to deal with trafficking. This is what was promised by the Government to the Supreme Court in the *Prajwala vs. Union of India* case in 2015.

Sadly, however, this Bill only adds to the existing overlapping cocktail of laws, and through the creation of 10 anti-trafficking bureaucratic bodies it will also create confusion in the enforcement of these laws.

Now, the Statement of Objects and Reasons of this Bill states that the existing laws do not recognize trafficking of persons for the purposes of physical and other forms of exploitation. This is simply factually incorrect. In fact, all the new offences that the Bill creates under the term 'aggravated trafficking' -- which the Minister also mentioned -- are already covered under the ambit of Section 370 IPC and other provisions. In other words, this is a rehash of existing laws, and we must face it for what it is.

One of the cardinal principles involved in drafting legislation is to study how the existing laws have been applied, so that the new laws can improve not only upon the old laws, but upon any unintended consequences, difficulties and failings of the previous laws.

The Bill heavily relies on the definition of trafficking provided under Section 370 of the IPC. However, a study of 125 appellate

cases just in the last five years, between 2013 and 2018, shows that this provision and Section 370A have been applied liberally by the Police and the courts, going well beyond the legislative intent of those provisions, as a proxy for wrongful confinement. In a case, one case out of these many cases, where a woman left her husband and lived with another man along with her child, attracted this provision of trafficking. This provision has also been used to target sex workers -- which I have mentioned to the Minister also -- most of whom are marginalized and vulnerable women in our society.

My big critique is not just to say that there is lack of safeguards in all the provisions in the Bill. The legal system, unfortunately, conflates the fine distinction between those women who are trafficked into sex work and adult consenting sex workers. There is no doubt that our society views sex work negatively, prejudicially, and through a moralistic lens. But, as the Supreme Court has just reminded us in a different context, we, as Legislators, need to view matters of rights and laws through the lens of constitutional morality and not majoritarian social morality.

Irrespective of our individual views, I do not think that anyone can accept the idea of harassing people who voluntarily engage in the sex trade owing to their economic condition. As it is, Section 370 of the IPC is used extensively against sex workers in

conjunction with the ITPA. There are numerous instances in which the Police have threatened sex workers, and they have cited these laws to threaten them and demanded bribes and even demanding sex from these poor women. Unfortunately, this Bill has no safeguards against such misuse.

Let us keep in mind that if we want to ensure success of HIV awareness programmes, for example, and if we want to root out trafficking in sex work, then we need to cooperate with sex workers in collectives. If we fail to place enough safeguards against misuse, then the law will only drive them further underground and jeopardize our public health programmes and the larger fight against trafficking. ... (*Interruptions*)

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, why is it that only the Chair is being shown on the screen?

DR. SHASHI THAROOR: It seems that the camera is not looking at the speaker. I hope that it is hearing us. Sir, we are seeing you extensively, but not the speaker who is speaking in the House, but only for a couple of minutes.

Nonetheless, even if the Bill does not expressly mention ‘sex work’, phrases such as ‘resulting in pregnancy’ or ‘causing exposure to HIV’ can be used to bring it under the ambit of the law. Similarly, the use of phrases such as ‘administration of hormones’

in the Bill can be used to target transgender persons since many of them take hormones during their process of gender affirmation, and since some medical practitioners are unwilling to do so, on their behalf they at-times self-administer these substances.

Transgender persons also work in collectives, and they unfortunately often have to engage in begging due to lack of opportunities available to them. This Bill criminalizes trafficking for the purpose of begging, and since Section 370 has been widely applied in the past, I fear that this provision will now be used to target transgender groups because they beg as often as they do.

The Bill uses phrases such as 'may lead to trafficking' or 'likely to be used for trafficking' in penal provisions. How can we have language like this in something that criminalises and imposes punishment - 'likely', 'maybe'? We must have a clear nexus between an Act and an offence. That is how laws are supposed to be written. These provisions can be struck down by the Judiciary even as being unconstitutional because vagueness in the definition of criminal offences can be applied arbitrarily, and will therefore, violate Article 14 of the Constitution. This is the recent ruling of *Shreya Shingal Versus Union of India* and the court has taken a clear line on this.

The Bill, as the Hon. Minister mentioned, creates a new offence of aggravated trafficking. This attracts at least 10 years of imprisonment and may extend to life imprisonment. Now, this is an addition to the existing definition of Section 370 of the IPC – definition of trafficking. Therefore, it is supposed to be more serious in nature; otherwise, what makes it aggravated. But the logical fallacy of this is completely apparent when you look at the Bill because it says that trafficking for the purposes of begging is an aggravated offence but trafficking for the purpose of sexual exploitation is a general offence. So, what is the difference? Why is begging worse than exploiting women sexually? What is aggravated trafficking all about?

It is distressing to note that Clause 16 of the Bill which allows medical examination of the victims fails to mention that the consent of the victim shall be taken as and when practical. This is particularly relevant for victims who may be suffering from HIV-AIDS because there were instances of sharing of medical results with the courts without the consent of these persons. And the court have unfortunately ruled that such persons must remain in rehabilitation homes as their families cannot take care of them, forcing them thereby to be torn apart from their loved ones. I have got details if the Minister is interested in such cases.

Now, let us look at rehabilitation which again the Hon. Minister mentioned as a serious and important element. This Bill sadly reiterates the failed method of institutional rehabilitation. We need to make sure that people who do not want to be in these homes are not forcefully incarcerated in them. In fact, a recent study has revealed that out of a sample of 243 women picked up in raids in Maharashtra, 193 were adult consenting sex workers who were incarcerated in rehabilitation homes against their wishes. Some of these women were kept in these homes for nearly three years. The only beneficiaries in this provision are the people running those homes, they are not the victims.

I understand that the Bill also empowers the Magistrate to release victims from these homes if they can apply for the same. But there is no requirement for the Magistrate to hear them in person before deciding on the merits of their case. Nor is there an appeal procedure provided if the Magistrate rejects the application. If anything, in fact, the proviso in Section 17(4) even allows the Magistrate to disregard the wishes of an adult victim, if the Magistrate is not convinced that it has been made voluntarily. This is a paternalist measure unworthy of the Hon. Minister, which denies the agency of the victim. These homes can be places of mental and physical torture.

The interesting thing is that this Bill has gone through many drafts. The earlier draft, the fourth draft, had provisions which mandated monthly inspections of these homes because we clearly need regular assessment of quality of these homes. Even the Supreme Court appointed panel had stated that the type of vocational training provided in these homes fails to provide the skills necessary for basic sustenance. That draft of the Bill also had beneficial provisions such as giving the victim timely notice of trials, giving them the power to summon materials, periodic review of the protection of the victims, mandating the Government to take immediate action against anyone harassing the victims. Unfortunately, the present Bill has dropped all these provisions. Clearly some vested interests have intervened; the people involved in these homes don't want to be inspected; they don't want to be held accountable. I urge the Minister to retain these provisions which help the victims of trafficking in the long run. They were there in the earlier draft and she can easily restore them again.

Bonded labour is a permanent form of trafficking in our country. Steps must be taken to enforce the mandate of the Bonded Labour System (Abolition) Act of 1976. Despite its poor implementation the Act of 1976 is revolutionary. It lays importance on the rehabilitation of the victims of bonded labour by recognising their agency while providing them economic assistance. However,

this rights-based approach of the Act may be weakened by the institutional method of rehabilitation favoured by the present Bill. Particularly, clause 59 states that the provisions of this Bill will have an overriding effect over the provisions of any other statutes if conflict arises. So, even the more progressive language of the Bonded Labour Bill can be overridden by this retrogressive Bill. It is a disgrace.

In fact, this Government could have even used an existing model in the Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013 which was passed by the then UPA Government. This Bill fails to replicate this Model even though it lays emphasis on providing assistance to victims and respecting the agency while empowering them. That is a sort of model which this Government should follow but, unfortunately, the Bill today before us fails to replicate any of these core principles.

So, we are going backwards in this Bill from progressive legislation already adopted by this Parliament in recent years.

The Bill establishes a Rehabilitation Fund for a wide range of activities, the Minister rightly mentioned, such as providing legal aid, housing, skill development and rehabilitation of victims of trafficking. Interestingly, this discarded fourth Draft of the Bill had a clause mandating the Government to allot budgetary allocations

to this Fund. But this Bill mysteriously drops that request. As per the Financial Memorandum attached to the Bill, Mr. Chairman, a paltry sum of Rs. 10 crore has been allotted by the Government to the Rehabilitation Fund whereas this Government is a Government that has spent Rs. 4,343 crore on publicity and advertising alone since it came to power in May 2014. For women and children victims of whom the Minister speaks so emotionally, Rs. 10 crore has been allotted. In fact, Rs. 10 crore is the same amount given to one more bureaucratic institution of which our country has too many, namely, the National Anti-Trafficking Bureau. That amount goes up to Rs. 25 crore in the second and third year for the bureaucracy whereas renewal of the Rehabilitation Fund is only assured on an 'as needed' basis.

Let me say, Sir, unambiguously to the Minister, this is a Bill of the bureaucracy, drafted by the bureaucracy and for the bureaucracy. The victims are the lowest priority in this Bill.

Now, I want to get to the very important issue of prevention because the Bill claims to place measures to prevent trafficking. It is, actually, stated as the very first in the Objects and Reasons of what this Bill is trying to accomplish. But there is only one clause in the entire Bill which deals with preventive measures. These measures are broad and very vaguely worded. I will quote some:

“Developing appropriate law and order framework to ensure prevention of trafficking...”. What is ‘appropriate law and order framework’? Are we going to give the *Sarkar* a complete blank cheque? I will quote another point: “Coordinating with corporate sector to implement various schemes and programmes for the prevention in trafficking of persons”. Are we now through the law empowering a nameless set of companies to profit from dealing with the trafficking of persons? It fails to give any vision of policy to prevent trafficking. But I suspect that this may even be deliberate on the part of the drafters because placing vague obligations in a law makes it even more difficult to hold the Government accountable.

There is a well-accepted distinction that troubles me that has been ignored by the Government in talking about the migration perspective. The distinction between human trafficking and the smuggling of migrants is well established in international law. Trafficking in persons, i.e. the kind of thing we are trying to outlaw in the Bill today, involves the use of either deception or coercion to exploit the victim either within their own country -- in this case, our country -- or transnationally (as the Hon. Minister mentioned Nepal as an example) whereas in the case of smuggling of migrants, there is no coercion or deception, the smugglers are facilitating the irregular crossing of international borders with the consent of the

migrant. Very often, the migrant pays money to an agent or a syndicate to smuggle him across the border to another country.

The relationship between the smuggler and the migrant, therefore, is not exploitative in nature; it is symbiotic. But the relationship between the trafficker and the migrant is exploitative. That distinction has to be observed and is completely missing in the language and intent of the Bill.

Smuggling or migration often takes place due to dire economic conditions, we know that. The UN Member states as far back as 1975 agreed to avoid the word 'illegal' in relation to migration. In fact, there is a draft Global Compact for Migration that has just been negotiated, with India agreeing to it. The negotiation finished this month and it will be adopted at the UN in December. This Global Compact makes a clear distinction between smuggling of migrants and human trafficking in judicial prosecutions policy and legislation. Even though these activities may both be offences, it will be unfair and disproportionate to club the two while imposing penal consequences.

So, again I request the Minister to look again at the Bill. Clause 31(11) of the Bill mentions trafficking by encouraging any person to migrate illegally into India or Indians into other countries as 'aggravated trafficking'. Thereby it conflates trafficking with

smuggling of migrants in violation of international law and human rights principles. And once again India is just agreeing to a Global Compact and then we are passing a Bill today that will undermine what we have agreed to that we are going to ratify in December.

Let me now conclude with a few suggestions. The Bill talks about the repatriation of victims of trafficking. However, it completely ignores the fact that victims of trafficking also have families. Repatriation only means under the law that the Government would transfer the victim from one State to another, to their home State. But the Bill should have actually prescribed restoration, which mandates the Government to help the victim reunite with his or her family from which they have been separated, rather than merely leaving them in a limbo in the State of origin. This must only be undertaken if the adult victim wishes to return to his or her home.

We need to recognise that trafficking is not merely a law and order issue, it has its roots in socio-economic realities of our country and our neighbouring countries. By weakening our labour laws, denying MNREGA workers their wages, you make people more vulnerable. Those are the ones who end up being exploited by trafficking. So, we need to also have some sense of responsibility

to improve the socio-economic condition of our women and children.

Then the safeguards against misuse are missing. One way in which misuse of this Bill can be reduced is if the Government implements the recommendations of the Supreme Court appointed panel report submitted in September, 2016 which suggested amendments to the regressive provisions of the ITPA. This will prevent enforcement agencies widening the scope of the Bill by conjointly reading it with an outdated ITPA. So, if you fix the ITPA as well, Hon. Minister, then this Bill has a better chance of being applied fairly and not misused.

The Bill still follows the conventional method of combating trafficking. The Minister could have considered, but should consider still, inserting a supply chain transparency clause as done under the laws of the US, UK, France, Switzerland and Australia which will actually hold corporations liable if there is forced labour in any of their supply chains. That too is an act of trafficking.

I agree with the Hon. Minister that we should have enacted a legislation which can make us a leader in South Asia and even in the world. She mentioned that SAARC is looking at us. Many countries in the world would look at us if we took decisive action

in the fight against trafficking. However, this Bill suffers from numerous problems and deficiencies.

The Hon. Minister even spoke of international cooperation. I wish to draw the attention of the Minister to the statements issued by the United Nations Special Rapporteur on Trafficking in Persons as well as the UN Special Rapporteur on Contemporary Forms of Slavery just four days ago on this Bill when this Bill became public. They said, “Trafficking in persons is primarily a gross human rights violation. However, the Bill overemphasises the criminal response and does not give due consideration to the rights and needs of victims and their effective protection and proper rehabilitation.”

If I know a little bit about the UN organisation, Mr. Deputy Speaker, the Special Rapporteurs are not people who would usually comment on matters of pending domestic legislation before a law is passed. But even these top international experts have been forced to issue this warning because this Bill is so bad. It would be ill advised on the part of the Government to ignore such a public warning by the United Nations’ two leading experts on the subject of this Bill.

I do agree with the Hon. Minister that women and children are vulnerable because our laws have failed. Let us not have one more law that will fail despite the Minister’s good intentions and certain

positive features of the Bill that I had mentioned. It is very clear that my objections are fundamental and a lot more can be done. Therefore, I appeal to the Minister; I am not opposing the Bill; I am requesting that the Minister may refer this Bill to the Standing Committee, which, it is astonishing, has not been done, so that the deficiencies in this Bill can be addressed and we can really formulate a model law against trafficking which the whole of South Asia can look up to and say that India has set an example. I plead with you, Hon. Minister, to seriously refer this Bill to the Standing Committee and then come back to us in the next session. We will pass it with pleasure.

[Translation]

SHRI A.P. JITHENDER REDDY (MAHABUBNAGAR): Hon. Deputy Speaker Sir, this is a very important Bill and very few Member are sitting in the House on behalf of the Government.
...(Interruptions)

[English]

There is nobody in the House.... *(Interruptions)*

SHRI K.C. VENUGOPAL (ALAPPUZHA): Hon. Deputy Speaker Sir, at least the Minister should have sent this Bill to the Standing Committee.... *(Interruptions)*

SHRI MALLIKARJUN KHARGE (GULBARGA): Hon. Deputy Speaker Sir, what is the problem in sending this Bill to the Standing Committee?

HON. DEPUTY SPEAKER: I cannot force the Minister to do it. You have conveyed it to her. Now it is up to her.

... (Interruptions)

[Translation]

SHRI OM BIRLA (KOTA): Hon. Deputy Speaker Sir, after 70 years of independence, this Bill in itself is a very important Bill in the country, which will be able to stop the organized gang. Human trafficking has become the big business after drugs and weapons smuggling. For this reason, when we talk about the countries of the world, 80 percent of the trafficking is of women and children. Incidents of sexual harassment are on the rise in the country. I would like to thank Hon. Minister Shrimati Maneka Gandhi ji, who not only cares about human trafficking but also about mute animals. He understood the sensitivity of the matter. This Bill has not been brought in haste but this Bill has been brought after taking suggestions from several countries including Member, MLAs and several committees after it was introduced in the year 2016. In today's newspaper we saw a painful story. How 16 women from our neighbouring country were being transported from Nepal to India and from India to other countries by human trafficking. It's not just a story. A person travelling in the train saw 25 girls and the way the Hon. Prime Minister has developed the system, and immediately after receiving the message from that train, he worked to stop the smuggling of those girls.

14 00 hrs

Laws have existed before. Earlier also the IPC Act, 1860 used to deal with certain aspects of the law of the Immoral Traffic (Prevention) Act, 1956. Section 370 of the IPC Act, 1860 criminalised human trafficking and sexual abuse. Bills for sexual and commercial exploitation were introduced in the Immoral Traffic (Prevention) Act, 1956. But this Bill is a comprehensive Bill in itself. There was no composite provision in the laws enacted so far to check human trafficking. But, through this Bill, we shall be able to effectively check organised human trafficking in the country. Therefore, various provisions have been made in this Bill relating to looking after the victims and protection and rehabilitation of the victims. Legal financial assistance, good social environment have also been arranged for those victims so that they can get justice properly. People were being sent abroad through human trafficking and this Bill will effectively check that problem. Along with this, the Bill also has aspects of prevention, protection, rehabilitation and exploration of human trafficking.

When human trafficking took place from one state to another, there was a question of police investigation due to incidents happening in different states. From which state the girl was brought, in which state she was sold, where the FIR should be registered, in

which court the case should go. Due to the involvement of two states and separate investigations, the victims could not get justice. This is what we have seen in all the instances of smuggling so far.

The victims had to go where the crime took place. There was no law to protect victims and witnesses. According to the new law, the victim or woman or child will have a closed-door public hearing through video conferencing and a provision will be made through this law to provide protection to the victim and the person giving evidence.

Sir, India is a country of 125 crore people. So far, we have not been able to stop human trafficking in the country. The world knows that many parts and states of our country are still backward due to poverty and illiteracy. Therefore, for the first time in the whole country, the Government has tried to bring forward 115 such districts in those districts, those tehsils, those villages which are backward from education, backward from health, backward from employment, full of expectations. How to improve the backward districts where there are no resources for poverty, illiteracy and employment?

Hon. Deputy Speaker Sir, Hon. Prime Minister has directly interacted with the District Collectors there to meet all the

parameters. After 70 years, the Hon. Prime Minister has made efforts to ensure that the entire country can move forward together with the parameters of education, health and employment in every village of the country. Unless poverty and illiteracy are removed within this country, we will not be able to stop human trafficking. We are, of course, drafting a law but if we want to check the human trafficking effectively then we ought to check poverty and lack of education.

Hon. Deputy Speaker Sir, the situation was such that in a country where there are no lights, no drinking water in 19 thousand villages in 70 years, this country was running in such a situation. Today the Prime Minister has said that there will be lights in the entire 19 thousand villages. 12 crore women will be made self-reliant through self-help groups to provide employment-self-employment to women. In this country, where the poor lived, there was no roof. He was living outside in the absence of a roof. Today the Hon. Prime Minister has said that under the target of building one crore Houses, we have done the work of building 36 lakh Houses so far. Lights have been provided in those Houses, gas connections have been given under the Ujjwala Yojana, free education has been given to the daughters of those Houses for their education.

Hon. Deputy Speaker Sir, not only this, we could provide employment to 12 crore people in this country through Mudra Bank. In this, we have set a target of giving 50 percent to those women who are economically weak and do not have employment resources. If anyone in this country has done the work of creating these women through employment, then Hon. Prime Minister Narendra Modi has done it. Now women sitting at the last end of the village can also overcome their poverty by taking loans ranging from Rs. 50 thousand to Rs. 10 lakh through the self-employment scheme and Mudra Bank.

Hon. Deputy Speaker Sir, when poverty is removed from this country, illiteracy is removed, then only we can talk about the development of the country. Then we can talk about stopping human trafficking. In a country where crores of women go to defecate, we have built more than six crore toilets in the country. We have built toilets in three lakh villages. These toilets are our Honour, Hon. Deputy Speaker Sir. Therefore, along with removing illiteracy and poverty from the country, we have also brought a law to stop human trafficking. Along with bringing the law of human trafficking, we have made many things to stop human trafficking and trafficking, so that the person involved in human trafficking will also be included in the category of criminals. So we have made the law comprehensive.

Our Hon. Member has gone. He was saying that that this Bill has got many deficiencies, the Bill is immature and incomplete. From the year 2016 to the year 2018, Shrimati Maneka Gandhi ji has worked among the public on this law for two years. She also met several Members of Parliament and us. Many women and NGOs met who said that you sit in Parliament, injustice is being done to us, human trafficking is happening and you are not making laws on it sitting in Parliament.

Hon. Deputy Speaker Sir, I would like to thank the Hon. Prime Minister and Maneka Gandhi for enacting this law. Not only this, a nodal officer will be made at the state level in this law. A nodal officer will be appointed at the district level. In this, anti-traffic units will be formed at the district level and district courts will be set up in every district so that people get justice soon. Such cases should be disposed of within a year and justice should be delivered quickly, hence it has been defined in this law. Not only this, under this law, work has also been done to bring those who are suffering, how to strengthen them financially considering their rehabilitation, employment and their family conditions. Till now, what will be the rehabilitation for women, what will be its amount, the Hon. Member was saying that the amount of ten crore rupees is less.

Hon. Deputy Speaker Sir, there is no dearth of money under the rule of Shri Narendra Modi ji. That is why this law has been made comprehensive with protection rehabilitation. I can say that through this law we shall be able to check human trafficking effectively in the country. Till now, children's organs were being smuggled into our country. Children were sold, and women were sold. The sensitivity in this country was gone. After the enactment of this law, those who were doing the work of human trafficking in the country, now one way of human traffickers will be in the jail of Tihar or other jails in India. Any bonded labourer or any human trafficker has been classified as a serious and punishable offence. I would like to thank Shrimati Maneka Gandhi ji who introduced this important Bill in the House and I would like the whole House to pass this Bill so that justice can be done to her. Thank you.

[English]

SHRIMATI PRATIMA MONDAL (JAYANAGAR): Sir, I rise to speak on The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018.

Sir, trafficking is not only a global concern, but also it is affecting a number of South Asian Nations. It is commendable that India is taking pioneering action in formulating a comprehensive Bill. The new Bill proposes to tackle one of the most pervasive crimes affecting the most vulnerable persons. It aims at prevention, rescue and rehabilitation of the vulnerable target groups, including women and children.

This Bill, however, does not propose any new things other than what had already existed. It, however, creates a new category of aggravated forms of trafficking which carry a minimum punishment of 10 years and which may be extended to life imprisonment. Some of the aggravated forms of trafficking, included in the Bill, are trafficking for the purpose of forced labour, begging, marriage and child bearing, which have already been included under the existing law. Similarly, the so-called new offences of administering hormones or committing trafficking by administering alcohol and drugs, have already been incorporated in the existing law.

Sir, the new anti-trafficking Bill appears to be flawed as there are provisions that are problematic and also, they make no sense. For instance, gradation of offences appears to be illogical. The anti-trafficking Bill categorises offences for a certain purpose as aggravated forms of trafficking which carry a punishment of 10 years or life imprisonment. Logically, offences that are graded higher must be more serious or culpable than the acts that constituted trafficking under Section 370 IPC, which attract punishment of 7 to 10 years imprisonment and fine. But, that is not the fact. Trafficking for the purpose of begging is considered to be aggravated, whereas trafficking for sexual exploitation is a simple trafficking. Further, still slavery and practices similar to slavery and servitude, which captures the most shocking forms of operation and bondage, under domestic and international law, are also coming under simple trafficking.

Sir, some of the provisions are also vague and impractical. The Bill criminalises a host of activities which lack culpability and criminal intent. For example, this Bill authorises closure of premises which can be used as place of trafficking. Therefore, applied in the context of labour trafficking, this law would allow factories and firms to be closed down on a simple complaint by police or any person.

The penal provisions against promoting or facilitating trafficking of persons are also vague. IT companies, travel companies and employment sites would need more clarity.

There is a provision for confiscation of properties. The properties may be attached not only when they are used for the commission of an offence but also if they are likely to be used for commission of an offence under the Act. There is no guidance as to when and under what circumstances such a likelihood would arise so as to warrant attachment of the properties.

The Bill falls back on the outdated methods of rescuing and detaining victims in the name of rehabilitation. Institutionalisation of victims in homes apparently for protection and rehabilitation is contradictory to their fundamental rights. The victim of trafficking, especially woman who had been trafficked for sexual exploitation need to be rehabilitated in homes or shelters which have right environment for rehabilitation and integration in the society rather than providing a hostile and unsafe environment resulting in similar trauma.

Instead of streamlining enforcement, the Anti-Trafficking Bill encourages institutional bureaucracy by creating ten different agencies including Anti-Trafficking Officers, Units, Committees and the bureaus at the district and national levels to counter the

problem which will result in chaos and policy indecision as well as passing the buck on the question of accountability.

Besides, none of the proposed authorities has any representation from the affected community whose participation and perspective is vital for addressing trafficking successfully. In fact, involvement of sex worker in oversight committee and Anti-Trafficking Boards was strongly recommended by the Supreme Court appointed panel in light of their effective role and contribution. This has been overlooked.

Sir, the problem of trafficking cannot be dissociated from poverty, livelihood, displacement and security. People have and will always move for work whether out of distress or for better opportunities.

Prisons cannot confine or capture the dreams and aspirations of people, especially the poor and the marginalised. Adopting an approach of imprisonment in jail to what is largely a socio-economic phenomenon, is misplaced and unwise.

Before I conclude my speech, I would like to refer to one incident which happened in an NGO based home in the district of Jalpaiguri in West Bengal where child trafficking cases happened

and local and national level women ... ^{1*} leaders were involved ...
(*Interruptions*).

HON. DEPUTY SPEAKER: The name will not go on record. I have expunged that. Please sit down.

SHRIMATI PRATIMA MONDAL: They were women belonging to the ruling Party. If it is the scenario, the *beti bachao* slogan is not only vague but also a show off.

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SHRIMATI V. SATHYABAMA (TIRUPPUR): Sir, first of all, I convey my congratulations and sincere thanks to the Hon. Minister for Women and Child Development, Shrimati Maneka Gandhi for bringing the country's first ever anti-trafficking law which is the need of the hour.

The Bill provides for the establishment of a National Anti-Trafficking Bureau to investigate trafficking cases and implement provisions of the Bill. The Bureau will comprise of police officers and other officers as required. Further, the Bureau may request the State Government to co-operate in the investigation or transfer the case to the State Government for investigation and trial.

The coordinating and monitoring surveillance along known routes, facilitating surveillance, enforcement and preventive steps, maintaining coordination between law enforcement agencies and NGOs and other stakeholders, and increasing international cooperation with authorities abroad for intelligence sharing and mutual legal assistance are the main functions of the Bureau.

Under the Bill, the State Government will appoint a State Nodal Officer and State Anti-Trafficking Committee. The Bill also provides for the setting up of Anti-Trafficking Units at the district level. The Bill provides for the establishment of Anti-Trafficking Relief and Rehabilitation Committees at the national, State and

district levels. An Anti-Trafficking Police Officer or an ATU can rescue persons if there is an imminent danger to them. They will be produced before a Magistrate or a Child Welfare Committee for medical examination. The district ATC will provide relief and rehabilitation services to the rescued persons.

The Bill requires the Union or State Government to set up Protection Homes. These would provide shelter, food, counselling and medical services to the victims. Further, the Union or the State Government will maintain the Rehabilitation Homes in each district to provide long-term rehabilitation to the victims. Rehabilitation of victims will not be dependent on criminal proceedings being initiated against the accused or the outcome of the proceedings. The Union Government will also create a Rehabilitation Fund which will be used to set up these Protection and Rehabilitation Homes.

This Bill provides for setting up designated courts in each district which will seek to complete trial within a year. The Bill specifies the penalties for various offences including trafficking of persons, promoting trafficking, disclosing the identity of the victim and aggravated trafficking such as trafficking for bonded labour and begging. For example, aggravated trafficking will be punishable with rigorous imprisonment of ten years up to life imprisonment along with a minimum fine of one lakh of rupees. Further,

publishing of any material which may lead to the trafficking of a person will be punishable with imprisonment between five and ten years and a fine between Rs. 50,000 and Rs. 1 lakh.

Before I conclude, I urge the Union Government to be cautious and ensure that the provisions of the Bill after becoming an Act should not be misused or abused for personal vengeance or vendetta.

SHRI TATHAGATA SATPATHY (DHENKANAL): Sir, the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018 is a very interesting Bill.

Primarily, I find two headlights focussing in two directions. The Bill seems to have two main angles. First is, rehabilitation of unwanted bureaucrats either at the State level or at the Centre who will be adjusted in various Anti-Trafficking Committees. This is part A.

Then, part B is giving excessive powers to cops to search, seizure, rescue, investigation, collecting evidence etc. The very first page itself focusses on two angles. But along with that, I think all Hon. Members of Parliament have received a letter from no less a person than Shri Satyarthi supporting and exhorting the Member to support the Bill that Shrimati Maneka Gandhi will bring forth. We would have anyway done it because no matter what we say, the Bill will be passed.

But, let me, at the outset, say that although the intention of this Bill is extremely good, it is having a lot of lapses and it should have a proper review which it deserves. We are not doubting the intentions of the Hon. Minister. Her intentions are good, but the Bill does not focus on human rights or it is not based on victim-centric approach. It lacks in these two things. Mostly the stress is on

criminal law perspective. For example, the focus is on rescue, raids, rehabilitation, institutionalisation of victims under the garb of rehabilitation instead of protection.

None of us can claim that we are unaware of what happened in the Muzaffarpur shelter a few days ago. Even the Government of Bihar was compelled to admit that the hapless girls, who were housed there, were being exploited physically and a lot of injustice was meted out to them and there was no quarter they could approach for help. So, this is not something one can politically wave off and we know that the Minister is not dealing with this as a political subject because if she says that, then it so happens that Bihar is governed by the party which is in power at the Centre.

I would like to refer to the case of *Buddhadev Karmakar v State of West Bengal* in which the Supreme Court constituted a panel to examine legal issues in relation to prevention of trafficking, rehabilitation of sex workers to leave sex work, conditions conducive for sex workers to live with dignity. This was exclusively for sex workers. I am not going into that aspect. But one of the key recommendations of the panel was to adopt community-based rehabilitation. Unfortunately, this Bill badly lacks on that aspect and it completely ignores it.

I read through most of the Bill. It is quite a big Bill, it took me some time to comprehend the language. It has very high levels of surveillance built into it.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Is it American English?

SHRI TATHAGATA SATPATHY: As Mr. Mahtab says, the Bill is virtually a copy of an American Bill, the Immoral Traffic (Prevention) Act, 1956, which probably they might have thrown into the dustbin and one of our bureaucrats, who must have gone on a jaunt to Washington DC, might have picked it up and presented it to the Hon. Minister. Madam Minister, this is my creation.

Sir, the language also is a little confusing. If you see Section 20 (vii), it is all surveillance in the garb of rehabilitation. The Bill says that police officers can, on mere suspicion that someone is being trafficked, conduct a raid and rescue operation. The Bill also authorises closure of premises which are to be used as a place of trafficking about which earlier speakers have also mentioned. These premises can include land, farm, home, factory and any movable property. That means, suppose there is a public transport bus, then the police officer can even seize a bus claiming that this might traffick people who have been clandestinely brought in.

I have an issue, especially with this one, because I come from the State of Odisha and in Odisha, we have a lot of migrant labour. I will give an example. The Economic Survey of India 2017 estimates that the magnitude of inter-State migration in India was close to nine millions annually between 2011 and 2016. While Census 2011 says that the total number of internal migrants in the country accounting for inter and intra-State is at a staggering 139 million people. The vague nature of the Bill may lead to the criminalization of all irregular migrants. Odisha might face acute problems because the Supreme Court also says that when you have anybody being paid less than the minimum wages, that is to be considered as forced labour. So, if you see the migrant labour, a lot of our labourers both men and women are brought to more economically advanced States like Punjab, where they do farm work and after the season is over – the cropping or the harvesting season is over – they go back home. But then there are middlemen who organize this in liaison with the big farmers of Punjab. If this law is left to the mercy of the police and the courts, then there is a probability that we will eventually be nabbing and seizing the properties of the farmers, nabbing these middlemen and topping the flow of migrant labour, which is essential for even developed States. So, I do not know as to how it will be used because as I have said this many a time, and many learned Members have also

mentioned it, that we merrily sit passing laws in this House thinking that our intentions are good and the good intentions will be telecast. Now, everybody is on to television. People also complain that why the camera is looking at the ... * and not looking at the ... * . So, let us say, it is telecast down at the grassroot level in a very weird and in a very perverted manner. So, we have to take an overall view of the issue now. This is a very sensitive issue and I will not have the courage to say that the Bill is wrong in its intentions or the motives of the Governments are wrong, but it is something that has been done, I will put it, haphazardly, without proper research. I will take the case of consulting the NGOs as an example. Now, I have my reservations about NGOs because in my Constituency in one block called Gondia, there are something like 9,700 odd NGOs. So, I am very scared of NGOs. They will show all the MGNREGS work, take pictures, take videos, bring some people there and send it to an organization, I do not know which organization; and get funded for that also. So, NGOs are very creepy, are very doubtful in nature. Instead, when it concerns workers, it would have been appropriate to consult labour unions and trade unions also. But unfortunately, even the list that the Hon. Minister read out had no mention of trade unions being consulted because this also concerns workers. So,

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labour law perspective has been missing in States like Jharkhand and Odisha, which contribute to the growth of the nation not only now, but for the last 70 years as we have been independent since 70 plus years.

So, Jharkhand, Odisha, all the Eastern States have contributed, including Bihar and Bengal. Right from freight rationalisation till today, we are only giving to the country but in case of States like Maharashtra or Punjab, they are only taking. They are very humble people.

So, I would suggest that this Bill be sent to a committee and a fresh opinion be sought on this. There should be no ego issue in this. We fully support the Bill but we would like that it be fine-tuned and it be brought back again for a speedy passage in the House.

Thank you.

[Translation]

SHRI VINAYAK BHAURAO RAUT (RATNAGIRI-SINDHUDURG): Sir, I rise to support the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018 which has been brought here. There are social instincts in the society. For the past many years, there was a need to oppose this trend for many reasons, there was a need to ban it. There is a law for this, but the law was not being used. Through this Bill, efforts are being made to provide justice to the victims by imposing ban on all anti-social approach. I once again congratulate the Minister for this.

Sir, there are many features of this Bill but mere enacting of laws is not going to serve the cause. It is essential to implement the enacted laws properly. How can a criminal be punished at the right time so that such a thing does not happen in future? Full information about what can be done for this, complete preparation through this Bill has been done through the Government.

Sir, if you especially come to Mumbai, you can see that after landing at the airport, directly to the CST, whether by road or by railway, on every single route, at the checkpoint, at the railway station, whether it is the Gateway of India or any other good place, wherever you go, a large number of such beggars and children will be seen begging. The reality is that all beggar children in Mumbai

do not belong to any poor family. There are various gangs engaged in trafficking and inhuman torture of children and forcing them into begging in Mumbai. One man oversees groups of 10-10 child beggars, forming a team in this manner. To supervise 10-15 children, there is a supervisor. Above the supervisor, there is also a boss. In many slums of Mumbai there are bosses of pickpockets, bosses of children begging. He is the boss of a gangster. It is their job to collect money from poor children who help them with money. Suppose they earn Rs. 100, then out of Rs. 100 you do not give even Rs. 2 for such children to eat. All of the money is dragged from them by their opponents and the boss who lives on them. That's how they do it. If the cruelty of humanity is to be seen somewhere, then if you examine the children begging in Mumbai, then you will know that by the grace of God, they got this human body, but unfortunately, because of such rogue people, they had trouble begging on the way.

These children even do not get their share from their earnings. There are orphanages, child ashrams in Maharashtra and other parts of the country. MP Arvind Sawant visits many tribal areas of Thane district every year, Shrikant Shinde ji and Rajan Vichare ji go to tribal areas every year to help the poor, tribals and tribal people. It's an unfortunate matter. Similarly, girl children are also not safe in the orphanages and children homes situated in the tribal areas. I am

not blaming everyone. When examined in most of the children's ashrams, it is found that girls between the ages of twelve and thirteen are pregnant. There is a need to put restriction on the appointment of male officers in Balika Ashrams. This has been included in the Bill. Today, piMember are involved in human trafficking in all the districts of Maharashtra, these children and girls become victims due to poverty. They assure them to get a job or give a thousand to two thousand rupees to the people of their House. The children are brought to Mumbai and taken to other parts of the country. Sometimes they send them out of the country. Some are electricians, some in IT, some engineers. There are agencies operating in Mumbai that also need to be investigated. All the institutions sending people abroad under the pretext of offering jobs bring educated or technical people close to them. They are told they will get a job in a hotel or a company with a certain salary. Unfortunately, an IT engineer from here ends up cleaning toilets abroad. They do not have food, no drinking, no living arrangement, they seize their passports, they do not know the account. When an engineer here does the work of cleaning there, the right law was needed to stop this mismanagement. Through this Bill, a huge system of law has been made. I want to say in a few words about the specialty of this Bill that while smuggling and abusing, a law was made against forced labour, child labour. Be it tea carts,

vadapav shops, samosas or some food shops, vegetable vendors, they have eight-nine-year-old children working with them. In the tribal area of Thane district, children of 4 years of age are being forced to work in brick kilns by the kiln owners, pay a salary of five rupees, and do not give anything to eat. If they do not work, they beat them with a whip, such a situation persists. In this Bill, the work of banning those who forcefully do business with such children, who support them has also been done through this Bill.

There is always a task to catch the culprits. Miscreants are sent to jail, despite having a four-year-old child working, such people are not prosecuted, they are not punished, this Bill should be implemented in a time-bound manner. Anyway, there is a provision for that. There is a punishment of five to ten years but within one year after such an incident takes place, the law should be decided on it, the process of the court should be completed so that the actual use of this Bill can be done. Those who are poor girls of the country, miscreants misbehave with them, there should be tremendous pressure of law on them.

[Translation]

SHRI MUTHAMSETTI SRINIVASA RAO (AVANTHI) (ANAKAPALLI): Hon. Deputy Speaker Sir, I rise to support the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018. As we all know, trafficking in human beings is the third largest organised crime violating the basic human rights. There is no specific law so far to deal with this crime. Accordingly, the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill 2018 has been prepared. The Bill addresses one of the most pervasive and invisible crimes affecting the most vulnerable persons especially women and children.

First of all, I suggest there are so many laws that were enacted in this country since Independence. But our society has failed miserably to protect the rights of women and children. I feel prevention is better than cure. Socio-economic issue is the first reason for trafficking of women and children. It is because of poverty; it is because of lack of education; and lack of awareness in society that people are coming into this life. For example, there is a law prohibiting dowry. Nobody is allowed to take dowry in this country. But the majority of the people in this country are taking and giving the dowry. So, when our late Chief Minister Shri NT Rama Rao banned the consumption of liquor in the erstwhile

combined State of Andhra Pradesh, unfortunately, our people used to bring the liquor from the surrounding States like Karnataka, Tamil Nadu and Odisha.

The Hon. Minister is going to form a National Anti-Trafficking Bureau. What I want to say is that at least the head of this Bureau should be a strong person like Shrimati Kiran Bedi. Even if you appoint a male person to head the National Anti-Trafficking Bureau, it is of no use. The new law will make India a leader among South Asian countries to combat trafficking. Trafficking is a global concern affecting a number of South Asian nations. Amongst them, India is now a pioneer in formulating a comprehensive legislation. UNODC and SAARC nations are looking forward to India to take a lead by enacting this law.

The Bill has been prepared in consultation with line Ministries, Departments, State Governments, NGOs and domain experts. I thank the Minister for incorporating in the Bill a large number of suggestions received by the Ministry of Women and Child Development through hundreds of petitions.

Sir, recently, we have passed a Bill and formed the Nirbhaya Act. I do not know after passing the Nirbhaya Act, whether really the crimes have been stopped or not.

This Bill addresses the issue of trafficking from the point of view of prevention, rescue and rehabilitation. There are various forms of trafficking like forced labour, begging, trafficking by administering chemical substance or hormones on a person for the purpose of early sexual maturity, trafficking of a woman or child for the purpose of marriage or under the pretext of marriage or after marriage.

The Bill prescribes punishment for promoting or facilitating trafficking of persons which includes producing, printing, issuing or distributing unissued, tampered or fake certificates, registration or stickers as proof of compliance with the Government requirements or commits fraud for procuring or facilitating the acquisition of clearances and necessary documents from the Government agencies.

The Bill provides for the confidentiality of victims/ witnesses and complainants by not disclosing their identity. Further, the confidentiality of the victims is maintained by recording their statements through video conferencing. This also helps in trans-border and inter-State crimes.

Time bound trial and repatriation of the victims within a period of one year from the time the crime is taken into cognizance is also there.

The Bill prescribes for the immediate protection of rescued victims and their rehabilitation. The victims are entitled to interim relief immediately within 30 days to address their physical, mental trauma etc. and further appropriate relief within 60 days from the date of filing of charge sheet.

Rehabilitation of the victim which is not contingent upon criminal proceedings being initiated against the accused or the outcome thereof. This is a very good provision.

Rehabilitation Fund is being created for the first time. Let this Fund also not remain unutilized like the Nirbhaya Fund. This fund would be used for the physical, psychological and social well-being of the victim, including education, skill development, healthcare, psychological support, legal aid, safe accommodation, etc.

I welcome the provision of designated courts in each district for the speedy trial of the cases. The Bill creates a dedicated institutional mechanism at the district, State and Union level. These will be responsible for prevention, protection, investigation and rehabilitation work related to trafficking.

The National Investigation Agency (NIA) will perform the task of Anti-Trafficking Bureau at the national level present under the MHA. I have my apprehensions whether the National Investigation Agency would be able to take upon itself this much load of work.

Punishment ranges from rigorous minimum 10 years to life and a fine of not less than Rs.1 lakh. I think the fine is very less. In fact, it should be raised to Rs.5 lakh. In order to break the organised nexus both at the national and international level, the Bill provides for the attachment and forfeiture of property and also initiation of criminal proceedings.

Also, the Bill comprehensively addresses the transnational nature of crime. Of course, the National Anti-Trafficking Bureau will perform the functions of, at the international level, coordination with the authorities in foreign countries and international organisations; international assistance in investigation; facilitate inter-State and transborder transfer of evidence and materials, witnesses and others for expediting the prosecution; facilitate inter-State and international video conferencing in judicial proceedings, etc.

Since the Bill, once enacted by Parliament, would make India a leader among the South Asian countries to combat trafficking, I wholeheartedly welcome it. The intention is

good and we support the Bill. But it is better if it goes to the Standing Committee to improve upon its effectiveness.

Thank you, Deputy Speaker, Sir, for giving this opportunity.

SHRIMATI KAVITHA KALVAKUNTLA (NIZAMABAD):

Thank you, Sir, for allowing me to speak on the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018.

As we speak, it is very sad to note that a child in this country goes missing every eight minutes and every year thousands of women, children, transgender and men are being trafficked into slavery, forced labour and prostitution on a daily basis. South Asia, with India at its centre, is the fastest growing and the second largest region for human trafficking after East Asia, according to the UN Office of Drugs and Crime. The US State Department had placed us as a tier two country in its Annual Report of 2018 because the conviction rate, investigations and prosecutions in this country are disproportionately low relative to the scale of human trafficking.

It is unfortunate this Government has been very, very silent on 1,11,569 missing children in 2016 year alone. Out of these 1,11,569 children, only 55,944 children were recovered and we have no data on the rest of the children, and the Government has never been vocal about this. I request the Hon. Minister to be very empathetic to this situation and revert on that.

At this time and given the situation in this country, I truly welcome this Bill. I support this Bill on behalf of my Party, TRS for four reasons mainly. One, in our country, we never had a proper

framework to prevent trafficking and we did not have a proper legal framework for protection of victims and witnesses. We did not have a framework or a time bound way to prosecute the offenders. We also did not have a mechanism for time bound rehabilitation and repatriation of victims. This Bill promises us to provide all the four.

When we speak particularly about prevention of trafficking in persons, this really goes in concurrence with the Hon. Prime Minister's idea where he has identified 115 districts and he is trying to develop the most distressed districts of the nation. So, formulating capacity building programmes can certainly empower the vulnerable population and we can prevent trafficking to a great extent. So, I certainly welcome this move.

Of course, when it comes to the protection of victims, this has never been the interest in various laws which we have.

Our learned friend, Shri Shashi Tharoor and many other Hon. Members have said that we do already have certain laws which speak about the provisions of the same Bill. But they do not speak about the victims or protection of the victims as this Bill does. This Bill proposes to establish a National Anti-Trafficking Bureau which is a very, very welcome move. The National Anti-Trafficking Bureau will not only work at the national level also but will have its offices and network at the State and district level which will directly

interact with the people and the vulnerable sections of society. So, this again is a very welcome move. The best part of this Bill is that the identity of the victims and witnesses will be protected with the help of the local police and officers.

Now, I come to a part of the Bill which deals with prosecution of offenders. All of us know that we have a law for each and every crime in India. We also have laws for the most heinous crimes as well. But why people are not afraid of committing any crime is because they are never brought to justice. The cases are stuck in courts for years and year and by the time justice is rendered, it is too late. The best part of this Bill and for which I truly appreciate the Hon. Minister's efforts in adding this clause in the Bill so that the offenders would be brought to justice just within one year. The designated courts are given in each and every district for this purpose. Moreover, special public prosecutors will be chosen to make sure that this process goes on very well.

Sir, a very interesting and important part is, and here the sensitive side of the Government is revealed, when the Hon. Minister has allowed to provide for in-camera trial and video conferencing trial. Usually, victims and witnesses have a very sensitive kind of a situation where they cannot personally be

attending the court. Allowing this trial is a true pathbreaking scenario in this Bill.

Of course, when it comes to rehabilitation of rescued victims, many of the Hon. Members have said that it is again an approach of taking the victims and putting them in the State Homes. But what else can a Government do and how else does it work? This Bill has also tried to address this issue to a greater extent by involving various communities and NGOs. This is the first step. So, I believe that we should all give this Government a chance and support this Bill.

Meanwhile, I do have certain suggestions to make. The Union Home Ministry has already done a great deal of job and they do run a separate website to control this human trafficking problem. They have set up anti-human trafficking units in almost 264 districts of this country. The Hon. Home Minister, Shri Rajnath Singh is planning to increase their number to 332. So, there should be a synergy between the Women and Child Development Ministry and the Home Ministry. Since these Short Stay Homes are already set up and Anti-Human Trafficking Units are already set up, we do not need to spend more money again.

Another initiative by your Honourable self is that you have also set up Short Stay Homes and Swadhar Greh across the nation and

about Rs.50 crore is the budget which is given to these Swadhar Greh this year. These Swadhar Greh can also be utilized as a part of this Bill.

There is an issue, which has truly disappointed most of the people of this nation. This is a very organized crime. If they have to traffic one girl, the *mafia* lay eyes on her and waits for six to eight months to make sure that she is convinced that the boy is going to marry her and send her across. So, this is a very organized crime. So, the response of the Government should be very, very organized. It means that we have to go to the very root of the issue. Madam, I have been very disappointed because when I look at the figures, majority of the trafficked people are either sent to do laborious jobs or to the prostitution Houses. Madam, your Ministry has apparently never interacted with any labour organization, where majority of the victims are sent. Madam, your Ministry has never interacted with the industry properly. So, I request that at least during framing of rules for this Bill kindly interact with the labour organizations. As Shri Tathagata Satpathy was saying, even in my city of Hyderabad I myself see a major influx of labour from various neighbouring States like Andhra Pradesh and Maharashtra. Once this labour come in, they do not come in forcefully, they do want to come in wilfully. So, kindly look into that issue.

There is one more issue to which I want to draw your attention. Whenever a crime of drug trafficking or human trafficking occurs, many times foreign nationals are involved. This Bill does not talk about this aspect of foreign nationals being involved. So, my sincere request to the Hon. Minister is to address this issue, that is, when a foreign national gets himself into this kind of a crime.

15 00 hrs

Now, I come to page number 14 – Chapter XII - of this Bill which speaks about offences and penalties. Clause 31(xi) says “”by encouraging or abetting any person to migrate illegally into India or Indians in to some other country,”. This is a very draconian provision. I would sincerely urge upon the Hon. Minister to kindly look into it and get it removed.

Thank you so much.

SHRI MD. BADARUDDOZA KHAN (MURSHIDABAD):

Hon. Deputy Speaker, Sir, I support this Bill with a request to refer it to the Standing Committee for a better legislation.

Trafficking of human-beings is the third largest organised crime in the world violating the basic human rights. About ninety percent of the trafficking problem in India is internal. Vulnerable groups are lower caste dalits, Members of tribal communities, women, children and migrant workers. Home Minister, Shri Ranj Nath Singh, had said on 7th October, 2015 that ‘it was shocking that people are sold like cattle stock and bonded labour and it is still rampant in India.’ Our Home Minister told how grave the situation is.

There are so many Acts, legislations and laws in India to combat trafficking, but every year, trafficking is increasing. Now, it has attained a multi-dimensional character. In 2012, the number of cases registered was 3,554 and in 2016, the number of cases registered was 8,132. There has taken place a big jump in the figures.

In the Statement of Objects and Reasons of the Bill, it is said that this is primarily fuelled by poverty, illiteracy and lack of livelihood options. Then, the Government must confess that poverty, illiteracy and lack of livelihood options are increasing in our country every year. At least, it exists in our country in a huge

number. So, if we want to stop trafficking, we should try to eradicate poverty and illiteracy. It is a shame to our country when we are going to celebrate 75 years of our Independence in 2022.

Now, I come to some of the clauses of the Bill. The biggest lacuna in the Bill is the absence of a comprehensive definition of 'trafficking'. Trafficking for the purpose of a forced marriage is not included in this Bill. In clause 31(v), it is mentioned in the form of trafficking for a marriage, but forced marriage is not mentioned. In clause 34, it is mentioned that the owners of the places and conveyance used for trafficking will face rigorous punishment. There is a chance of misusing this clause. It is hard to prove a place used for trafficking, knowingly or unknowingly. How will the conveyance owner be liable, if it is a bus or a rented taxi? Parents' home may also be treated as a place of exploitation and be sealed. There is a chance of this kind of happening also.

In clause 10, the responsibility of anti-trafficking unit at the district level and the officer in-charge of the concerned police station is mentioned, especially in sub-clause 10(3). Here, the role of the officer in-charge of the police station is very crucial, but I am sorry to say that in many cases, role of OC or IC is not helpful. OC will register the FIR under Section 154 of the Code of Criminal Procedure, 1973, but some of the officers misbehave with the

victims and do not want to register the complaints initially. When some organisations or political parties come in favour of such victims, only then the case is registered by the police. So, in this Bill, there must be some provision of instant punishment to such police officers.

So far as protection and rehabilitation is concerned, the system of licencing the protection homes, special homes as well as placement agencies has been placed most casually. Sometimes, these homes are the sources of trafficking and immoral work, instead of putting a check on the crime. It must be addressed in this Bill.

Women who are victims of commercial sexual exploitation may not be able or willing to come out of it, but they are not necessarily offenders. The law must protect their basic human rights in the matter of health and education of their children and civic documentation, such as Aadhar, and ration card. Acknowledge the critical role of NGOs to support and collaborate in combating trafficking.

I have two suggestions finally. There is a lack of awareness among the poor people about trafficking. Those who are trafficked are not aware of it and the children are also not aware about it fully. I have a suggestion towards this. We have to create awareness

among our children at the school level through teachers and special educators. If we can do it, it will prevent trafficking. Please set up a legal assistance committee with the help of lawyers to help the victims. You can do it at least at the sub-divisional level. Then, it can be prevented.

Finally, I draw the attention of the Minister towards clauses 9 (1) and 9 (2). Both these clauses are the same. I do not know as to why we need two similar paragraphs.

With these few words, I conclude.

SHRIMATI SUPRIYA SADANAND SULE (BARAMATI):

Thank you Mr. Deputy Speaker Sir. On behalf of my Party I stand here to support this Bill. Obviously, I do not think anybody in this House would oppose this Bill because it is in the interest of the nation, of our children and women.

I was going through some very alarming data from the Home Ministry. It said that the number of persons arrested for trafficking was 10,000; the number of persons chargesheeted was 7,292; and the number of persons convicted was only 159. As we are all aware, this is not a political issue. This is a social issue. I appreciate the Ministry's intervention in bringing this very important Bill. But I only have a few concerns about this Bill because it is about human trafficking. When anybody is trafficked, it is merely a compulsion on that person. It is not out of somebody's will. The intent of the Government is very noble of giving so much authority to the police, which is much appreciated. But I would like to know how this entire administration of a district will be done. In the Bill there is a talk about anti-trafficking unit. Will they use it for emotional quotient? Will this be a normal police who will be a part of anti-trafficking units? Will they be aware of the sensitivity of the issue? Women who have been through trafficking go through a lot of mental trauma. Will there be an NGO, which has been mentioned? What kind of NGOs? It is because in other issues, like adoption, a lot of

wrongdoing has happened. The intent is very good. Nobody wants any child to be adopted wrongly. In adoption what has happened is in every District Committee, there are two NGOs. In that Committee, there are some NGOs who are involved in adoption. So, it becomes a big racket. So, the person who gives children for adoption is on the Committee. So, the Collector is on his side and he is the final authority. So, a lot of wrongdoing happens in adoption. I hope the same thing does not happen here. Sitting in Delhi we make legislation for the whole country. But the implementation bodies are going to be States. So, the noble intention of the Minister and the Ministry may be very good. But on the field, is there going to be some police sensitisation being done about this? It is because the police throughout the country may not be aware of what really the intent of this Bill is.

Actually I hang my head in shame while giving this example. But in Maharashtra, when a woman went to the police station, she was exploited by one of the police officers. So, in such a ghastly situation, are they the only authorities to do this? This is an isolated example. It does not mean all the police are bad. But I think these are little loopholes that we must cover and see how more we can strengthen the trafficking laws. She has extensively talked about rehabilitation, which is a very welcome move. Only yesterday Shrimati Ranjeet Ranjan talked about what happened in a home in

Bihar, what happened in Jharkhand over conversion. These are very complex social issues. What happened in Jharkhand and Patna last week are not political issues. So, how do we integrate these things because in every place a legislator cannot be there? How do we make everybody accountable? There has to be a message on top which says we are going to have zero tolerance towards trafficking and it has to be done in a very fair and transparent manner.

As regards rehabilitation, the fund that she has talked about is a very small fund for a size of this nation. Are the States going to contribute to it or will there be enough funds to get counsellors? Okay, she is confirming that there will be. So, I welcome that step if everywhere we are going to get good and qualified counsellors. But is India ready for such a good counselling? Who are going to be the counsellors? Who is going to choose them? If she could throw a little light so that we could feel more comfortable and rest assured that the intent is very good.

As regards the big issue of transgender, it is not an issue that is so easily discussed in this House. I worked very closely with transgenders for several years. Especially, in Mumbai, we have very large issues of transgenders. Now, there is nothing really openly said about them. Would the Hon. Minister kindly address the issues

of transgenders as to how they will be protected? I am asking this because they are completely left out.

Further, please do not call them 'others'. It is my humble request to you. It has to be a 'male', 'female' and 'tg'. It would be a little kind if you do not call them 'others' because they are not 'others'. So, I would appreciate that, and I am sure that she will look into it.

As regards the other issue of social integration, if somebody is trafficked and brought back, then you will give her a fair hearing. How will you socially integrate her or him back into the society? It is easy for 'him' to integrate in the society, but it is very hard for a woman to get socially integrated back into the society.

Why does this all happen? It only happens because of economic situations. Especially, there is a very good example in Goa. There is a very good NGO who has brought all the sex workers together in Goa, and they run a very fine laundry where they are making so much money that no woman really wants to become a sex worker any more, and no woman wants to be a sex worker. This is not something that she does out of choice. She does that either to feed her children or to protect her family. Why else would she do it? If the Hon. Minister could do something even for sex workers, then I think it will be much appreciated.

The Bill talks about jurisdiction of the Magistrate inter-State. If you could kindly clarify how it would work inter-State. If somebody is caught in one State and sent back, then how will the jurisdiction work? So, there should be nothing grey left about it.

Many people have talked about how we would cover issues, which are abroad. I would not repeat them, but there is one question that I would ask the Hon. Minister to kindly clarify. She has talked about surrogacy and child marriage. One question was human body exploitation. We see kidneys being robbed, and so many such things. If she could kindly clarify for our satisfaction as to what would be the thinking on this issue.

Now, adoption and surrogacy are the new trends in society today. So, when a child is adopted, will we be 100 percent sure that the child is not trafficked from any home, any place or even abroad for that matter?

The District Administrator and the Magistrate has been given a lot of importance. Adoption is mainly done through courts so far. She has given a lot of authority so that the paperwork becomes much less. Hence, I appreciate and respect her intent, but I would like to know this. Our District Administrators already have a big administrative set up. Will he or she have enough time to devote to these issues? I am asking this because these are very sensitive

issues. If the Hon. Minister could give us a broad view on what you think about this issue.

Lastly, I would like to make a point where, in Maharashtra, we have a very good success story about this. Pratham is one of the largest organisations in Maharashtra, which is an NGO that the whole country refers to and we often report for education. They did a very fine programme with the Home Minister, Mr. R. R. Patil, who, unfortunately, is no more the Home Minister. We made several shelters for children and we brought down child labour and trafficking substantially in Maharashtra. So, it has been one of our success stories, and all Governments after that have followed it. Could we do a programme like this where we could call a very refined NGO to work with the Home Ministry and Ministry of Women and Child Development to really make a difference? Can we make sure that every child and woman is protected, and we feel as a proud nation where we can say that? Yes, trafficking was a history and it does not exist in our country anymore. Thank you very much.

SHRIMATI KOTHAPALLI GEETHA (ARAKU): Thank you, Deputy-Speaker, Sir, for giving me this opportunity to speak on the most important legislation pertaining to human trafficking.

15 14 hrs (Shri Ramen Deka *in the Chair*)

The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018 is quite illustrative and certainly designed to curb the social evil of trafficking. I wholeheartedly appreciate the Ministry of Women and Child Development and the Hon. Minister who has put in special efforts and conducted various consultations with domain experts and civil society organisations in drafting this Bill.

The Bill incorporates prevention, rescue and rehabilitation for various aggravated forms of trafficking like forced child labour, forced marriage, sexual exploitation, organ trade, forced surrogacy, forced begging, etc.

I feel that for the first time it has given clarity to the term 'trafficking' in the Indian history. This subject is very close to my heart as day in and day out we keep listening to many stories of exploitation of women and children. Sometimes I feel very upset about the current situation as the present law is not stringent. We finally end up in punishing the sufferers leaving the actual culprits.

Human trafficking is the third largest organized crime, as some of my colleagues have stated, after drugs and the arms trade across the globe. The 2016 NCRB statistics suggest that 8,132 cases of trafficking were reported across the country, with the number of victims rescued being 23,117. Sir, 45 percent of these victims were trafficked for the purpose of 'forced labour', and 22 percent for 'sexual exploitation for prostitution'.

At this juncture, I would like to draw the attention of the august House to an article published in “The Hindu”, a full page article called “Araku Valley’s Dark Secret”. This is my Constituency, Araku. It pertains to the trafficking of women and children from the tribal areas to New Delhi, Goa, Mumbai, Bangalore and Hyderabad. This is being done in an organised manner for a long time. Most of these women who are being subjected to trafficking are minors and their stories are heart touching. I could not stop the tears in my eyes reading their stories. I was quite anguished with the situation; I met some officers; I tried to actually address this issue but it resulted in vain. Nobody took serious cognizance of this crime which has been going on in an organised manner

This Bill goes a step further in addressing the issues of trafficking from the point of view of prevention, rescue and rehabilitation. It has also defined “aggravated” forms of trafficking,

which includes trafficking for the purpose of forced labour, begging, trafficking by administering chemical substance or hormones on a person for the purpose of early sexual maturity, trafficking of a woman or child for the purpose of marriage or under the pretext of marriage or after marriage, etc.

Recently, I have attended a Conference of Survivors of Trafficking from almost six to seven States, organised by the Prayas, an NGO. The survivors have narrated their stories in the Conference; they are very heart touching; survivors have explained their pathetic heart touching stories. They have been subdued by the people who are actually involved in these types of organised crimes, and they feel that these people who are actually involved in these organised crimes escape without any punishment. Survivors are subjected to a lot of punishment. Delivery of justice in time is one of the major issues. Some cases have been going on for years together. Victims lose their lives while attending the court proceedings. When someone wants to marry, they are not able to do so because they are subjected to court cases; they have to attend the court proceedings and nobody comes to their rescue. So, I fully appreciate the 90-day time frame for completion of investigation and strong mechanisms for rehabilitation of victims. This clause must be emphasised and ensured so that it will be implemented in true spirit.

I appreciate the move to constitute a Rehabilitation Fund which would be maintained and monitored by a high level National Anti Trafficking Relief and Rehabilitation Committee. At this juncture, I would like to request the Hon. Minister, through you, this. Clause 13(2) says that the District Anti Trafficking Committee shall consist of the following, namely, the District Magistrate as the Chairperson. But I would like to request the Hon. Minister that the Member of Parliament should be the Chairperson of this Committee because this is mostly a social evil. We, as the representatives of the people, will be able to take this issue forward, create awareness in the society. We will be more helpful in creating an impact.

It is also a welcome step to delink rehabilitation from criminal proceedings and enable extension of rehabilitation services to the survivors whose criminal proceedings fall through for no fault of their own and who may not wish to participate in criminal proceedings at all.

Protection of victims and witnesses is also a prerequisite to deliver justice. The Bill in its very procedure maintains the confidentiality of the victim which I truly appreciate. The designated court may record the statement of victim through video conferencing in any case where the victim is unable to appear before the court for the reasons of safety or confidentiality.

To conclude, the provisions listed in the Bill are very important and the enforcement of this legislation will curb the menace of trafficking in India which is a social evil and which is affecting the lives of millions of citizens.

SHRI DHARAMBIR (BHIWANI-MAHENDRAGARH): Sir, I have gone through the entire text of the Bill. I support the Bill in general but I have some very important basic points to make.

Sir, nobody goes into trafficking and prostitution willingly. The very fact is that one percent of Indian corporates owns 73 percent of India's total wealth. Every day, more and more people are being thrown into penury, exploitation and very destitute state every year. In this situation, it is this vulnerable section of the society which is compelled to go into this type of trafficking and prostitution.

If we are really to fight out this menace, we have to create a very equitable society so that nobody goes into these dirty jobs by compulsion.

Secondly, if the Government is at all sincere about tackling this problem, my first suggestion is that lakhs of children who have disappeared during last ten years should be considered as having gone into trafficking and should be investigated and the cases should be registered. Every case should be investigated on the lines of trafficking. All the inmates of brothel Houses should be investigated and these gangs should be busted which buy them and bring them to the brothel Houses. It is not today's problem. This problem has been there for decades.

Thirdly, as regards the implementation and rehabilitation programme, the record of the Government is not very clear. I have seen One Stop Centres and Rape Crisis Centres, they are not being taken care of properly in my city of Patiala, not much funds have been released and not proper centres have been established. I request the Government to be sincere on rehabilitation programme.

Lastly, my point is about the unhindered powers are given to the police and the bureaucracy. There are chances that the powers may be misused for political vengeance. I think that all steps should be taken, the Bill should be sent to the Standing Committee and all precautions and measures should be taken so that this Bill is not used against any particular opponent.

[Translation]

SHRIMATI MEENAKASHI LEKHI (NEW DELHI): Sir, thank you for giving me this opportunity to speak. I rise to speak on the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018. I stand to discuss in favour of the law against trafficking of persons, the law against human trafficking, that is, for its prevention, its protection and the law for rehabilitation.

I would like to congratulate and thank Hon. Minister Shrimati Maneka Sanjay Gandhi ji for listening to the downtrodden, crushed voices and demanding the passage of the Bill to bring those downtrodden voices to the House of Parliament is absolutely the need of the time. There is no system of rehabilitation in the country for the victims of human trafficking. Sexual exploitation can also be named modern slavery because victims are treated exactly like a slave. They are forced to do such acts which nobody in their normal senses would do.

According to the global figure, 70 to 80 percent of the people pushed into this trade are cases of sexual exploitation. Trafficking for labour, trafficking for other purposes also happens but 70 to 80 percent cases are of sex trafficking, trafficking for the purposes of gratifying human beings through sexual offences. About 50 percent of people who are pushed into this act are children. The House has

been discussing the issue of lynching for some time. If you look at the data in detail you will come to know that there has been a rise of about 30 percent in child abduction cases. The number of such cases has increased by 30 percent in the country. This is the number of children who are lured and driven away from home. The chargesheet in all these cases is filed only in 40.4 percent of the cases. Out of those 40.4 percent of cases in which there is conviction, they are only 22.7 percent. 24 out of every one lakh children become victims of this type of accident and in such a situation their childhood is spoiled. In this way, we have all gathered here against the physical abuse that is deprived of human rights. I think everybody in this House is against it. There was no mechanism for the rehabilitation of crores of children who wanted to find their lost childhood freely due to inhuman torture. I feel that this will be the desire, aspiration and question of the people's representatives, all the people sitting here, all of us from the region and the whole country. For that there are some lines of Nazir Akbarabadi, which I want to tell you -

*“Kidhar chhupe ho, zara munh to humko dikhlao,
hamare haal ke upar bhi kuch taras khao,*

sabon se sunte ho, har ek se kehte ho aao.” (Where are you hiding, show us your face, have some pity on our condition, you hear this from everyone, you tell everyone to come.)

We invite everyone and ask-

“Sabon se sunte ho, har ek se kehte ho aao,

Khuda ke waaste jeene ki raah batao,

Humein bhi kehni hai, kuch tumse baat - kothe par.” (You listen to everyone, you tell everyone to come, for God's sake, tell me the way to live, I also want to say something to you - on the brothel.)

Today we are all standing in favour of those innocent lives who are victims of human trafficking. The people sitting in this House are more responsible than the responsible people of the society because making the law of the country is not only our right but also our duty. Therefore, wherever we see gaps in it, wherever we feel that these reforms should take place in the society and we will bring the reform of the society under law and order. This law and order has been made to fill the same gaps and we are all standing here for the same work and it becomes our duty. Taking forward the same duty, along with being lawmakers, we needed to make strict laws, in which those who are involved in human trafficking get the strictest punishment. At the same time, they also have the pain in

their mind, which sees those innocent faces that they should be rehabilitated.

Shashi Tharoor ji is not in the House yet, but before that he said one thing, to which I felt that I must comment on it. He said such persons should be sent along with their families. I want to mention one case which is my eye-witness case. This is a case 20 years ago. There was a girl from Assam and a man named Firoz had bought her from her parents for five thousand rupees. Telling the girl that she was married to you, he got her married and brought her here and then she gave birth to her. The 14-year-old girl became pregnant and was sold twice. First her so-called husband bought. He then took her to Mewat and sold her. Later, he was sold to another person in Haryana. He is then rescued and recovered. The case came because the girl was more than three months pregnant. When she was asked about abortion, she put her hand on her stomach and said that it belongs to my master, not to abort it. The girl stopped eating and drinking. Where there is talk of the business of body addiction, everyone does it; poverty, compulsion is a situation where the family is involved and when the family is involved then those children can never be sent to those families. In such a situation, the monitoring that is needed, he said one more thing, you have set up a bureaucratic setup in this country, you have further increased that bureaucracy. Brother, you tell me

one thing, can the Government law and order of the country function without bureaucracy? Can you and I take the responsibility of keeping them in our House? Bureaucracy has to come together, therefore, it is inevitable to involve bureaucracy in it and at the same time a mechanism is required to be evolved where Members of Parliament, State Governments and District Committees will have to discharge their respective duties. If you pick up today's newspaper, 16 girls from Nepal have been recovered from Munirka village, which falls in my area. You can imagine that the girls who crossed the international border from Nepal, crossing the states of Jharkhand, Bihar and Uttar Pradesh, must have reached Delhi. Delhi could be their final destination and Kamathipura, Mumbai could be their final destination or Goa. There are so many inter-state agencies and international agencies, unless you stand behind them as an agency, you cannot control it in any way. Today the same agency has been set up because NIA and Home Ministry are directly involved in it and they are taking direct action on it. Not only this, where there are district level committees and when it comes to parallel system, then you have to set up parallel system because today's system is crumbling.

If the Labour Laws in the country, as they dealt with the laws of the year 2010-11, that all these laws exist, you do not need a new law. If the law and order of the year 2010-11 was working, it was

not really needed. But there are statistics in front of the country, there is a problem in front of the country, obviously the statistics show that the system is not working and that law in itself is not enough because there has never been any talk of rehabilitation till date and there is also talk of skill training through this law. Until you do skill training to someone, many people are forced to go in this direction because they are not being seen in the way of a victim but in the way of a perpetrator. If you look at them in a victim's way and prepare them for an alternate job or alternative activities, then perhaps it can be overcome. That is why this law has been brought in view of all those arrangements. This legislation has been brought with a view to tightening the screws on the traffickers involved in the sex trade and bringing them to book.

Sir, this is the third organized crime in the world. This legislation provides for conducive mechanism, dedicated police, courts so that the process of trial and final decision may be completed within a year and the investigation is also to be completed within seven days of time. Therefore, I am glad that the Ministry of Women and Child Development under the leadership of Shrimati Maneka Gandhi has given a thorough thought to this and tried to find a way out with the opinion of experts. For this, it was necessary to find a way because the same arguments which were given for the Legalization of Sex Trade have been

demolished. You have to treat HIV, you don't need a legalization of sex trade. You have to rehabilitate, there is no need for legalization of sex trade. Ultimately, it cannot be a profession. Nobody wants their children to go into sex trade. If I do not want my children to go, how can I tell somebody else's children to go? It is not a trade; it is not a profession and the country thinks very strongly that this is not a profession.

Where there is faith, there is a spirit to do some work, if there is faith, then some way or the other comes out, even with the oat of air, the lamp burns. This is an attempt to light a lamp by taking cover, an attempt to rehabilitate.

In the end, I would like to say that all the provisions that you have to maintain the secrecy of the complainant, the name of the witness, the name of the victim. The Ministry of Home Affairs has worked very well on the way an exercise was needed to eliminate national and international alliances. There is talk of protection and rehabilitation. Along with the strict law, I see the warmth of humanity in the law. Both have tried to reconcile successfully in this law. For this, if we all make a collective effort, it will be effective.

[English]

My Hon. Friend Shrimati Geetha said that it is a social evil. I completely agree with her that it is a social evil. Since it is a social evil, all of us have to combine our efforts to deal with this menace. The law will do its own job; the police will do its job; the politicians need to do their job and give a firm voice to the voices which are not heard.

Thank you very much

SHRI VINCENT H. PALA (SHILLONG): Thank you, Chairman Sir, for giving me the opportunity.

I will take only three or four minutes. I know the intention may be noble but the contents in the Bill are huge. It looks like an umbrella Bill but at the same time there are a lot of lacunae in the Bill. Therefore, I join hands with a lot of other Hon. Members that this Bill should be sent to the Standing Committee and have an appropriate examination before being brought to the House. I am saying this because I have seen the experience of a very rich friend of mine in my own Constituency.

A young lady and a woman came to his House. With the drawing of a Church, they came to ask him for some donation. As everybody knew, being a generous man, he gave them Rs. 2,50,000 for building the Church. He gave the money, tea and all in his House and sent them back home. Since they came by a taxi, he told his driver to drop them at the station. Later on, this lady and the girl were caught from a hotel. When they were caught in the hotel, interrogation started. They found that they came from his House. So, his car was seized, his driver was arrested, his House was also raided, and he was almost in jail but he got a bail. Even the DG had to resign. This is the best example of how the law can be misused. So, the knowledge which comes with examination by a Standing

Committee is not there and based on this example the Minister should consider my request.

In my Constituency, I have gone to many rehabilitation centres. I have found that a majority of the victims do not want to go back but many of them, who came out of the problem and tried to work for four or five months, have been compelled to go back because of poverty and other problems. So, I think, the concerns of the victims should also be considered.

Those are the few things which I think the Minister will look into. I know, this Bill will become an Act but you would be making rules after that. The rules and regulations should be framed in consultation with the State Governments and stakeholders so that this Bill could be implemented in good spirit.

Thank you.

SHRI N.K. PREMACHANDRAN (KOLLAM): Thank you very much, Sir.

I rise to support this Bill. While introducing this Bill for consideration, in her opening remarks Madam Minister has specifically stated that this is a historic Bill as far as prevention of trafficking of persons is concerned. It has also been suggested that this is a comprehensive Bill dealing with this matter. Madam has also made a statement in the House that wider consultation has been done.

She has said that 60 NGOs, a number of stakeholders and even Members of Parliament were consulted. We are having a Parliamentary system of governance in legislation and as per the Rules of Procedure as well as the convention of this House there is a concerned Standing Committee. When the Government is consulting the NGOs, stakeholders and even Member individually why is the Government hesitating to refer the matter to the Standing Committee so as to have a close scrutiny of the entire provisions of the Bill? This is the first question that I would like to ask to the Hon. Minister through you.

This is an original Bill having 58 clauses. It is a big Bill. In one sense it is good also and I support it. A historic Bill having comprehensive legislation in respect of trafficking of persons,

original Bill having 58 clauses is being consulted in the public domain but is not being consulted in the Standing Committee means that you are undermining the authority of the Parliamentary Standing Committee. Why has it not been sent to the Standing Committee?

My first suggestion to the Hon. Minister, through you, Sir, is that this Bill may be sent to the Standing Committee for having a close scrutiny of the entire provisions of the Bill.

Coming to the Bill, I do accept that trafficking of human beings is one of the largest organised crimes violating the human rights. To root out and eradicate the human trafficking, I definitely agree with the Hon. Minister that a comprehensive legislation is absolutely essential. So, the first question which I would like to highlight is whether this Bill is sufficient to meet the situation. Mr. Chairman, Sir, my answer is, the Bill is neither comprehensive nor clear. This is the first point which I would like to make.

What does the Bill intend to do? The Bill intends to prevent the trafficking of persons, to prosecute offenders, to provide care, protection and rehabilitation to the victims of trafficking. As per the Bill, what are the forms of trafficking? Different forms of trafficking are; trafficking of persons for sexual exploitation, trafficking for physical exploitation and other forms of exploitation

like forced labour and bonded labour. According to the Hon. Minister and the Statement of Objects and Reasons of the Bill, in order to meet, combat or to arrest the situation, the Bill creates a conducive, legal, economic and social environment for the victims of trafficking and provides an institutional mechanism at district, State and national level for prevention, protection, investigation and rehabilitation. It also provides for the Rehabilitation Fund for the welfare of the victims of trafficking. Unfortunately, the fund earmarked in the financial memorandum is just Rs.10 crore. As Dr. Shashi Tharoor has said, the intention and the sincerity of the Government is very clear out of it. Finally, we have the penal provision thereof, for those who commit or attempt to commit or abet the offences. This is the crux of the Bill.

Sir, my first concern with regard to the Bill is, the legislation lacks clarity as there are multiplicity of institutional mechanisms to coordinate various agencies to prevent, investigate, prosecute and provide care and protection.

Sir, I may be given time so that I can substantiate my point with regard to the multiplicity of organisations. It is within the purview of the Bill. The first institutional mechanism is the National Anti-Trafficking Bureau. Clause 3 of the Bill says that the Union Government may, by notification, establish a National Anti-

Trafficking Bureau. I may be allowed to quote Clause 3 (2) and I quote:

“The Bureau shall have police officers and other officers of such appropriate rank as may be necessary. ”

Who are the other officers? It is not clear. We are talking about the National Anti-Trafficking Bureau and how vague, ambiguous its structure would be, is very clear from the ill-drafting of the Bill.

Coming to the functions, they are explicitly explained in Clause 4 of the Bill. Sir, 25 functions are earmarked and if you see there is no specific function. We have only general functions of coordination, monitoring and surveillance. If you go through the functions of Anti-Trafficking Bureau, 25 functions are earmarked but ill-drafting of clause 4 is evident. A lot of repetition is there. I am not going to explain it.

Another officer is the State Nodal Officer. We have the State Anti-Trafficking Committee, the State Police Nodal Officer, District Anti-Trafficking Committee, District Police Nodal Officer, Anti-Trafficking Police Officer, Anti-Trafficking Unit, National Anti-Trafficking Relief and Rehabilitation Committee, etc. These are full of bureaucrats. There is no clear and distinct responsibility

earmarked for each agency, except saying about the coordination and assisting all these agencies.

So, my point is that there are already so many existing legislations. Most of the Hon. Members have already cited about it. I am not going into it. But, one point that I would like to make here is this. There is Sections 370 to 373 of Indian Penal Code, including Section 370A which was introduced in 2003, pursuant to the recommendations of J.S. Verma Committee and it was taken from the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children.

HON. CHAIRPERSON: Please conclude.

SHRI N.K. PREMACHANDRAN: There are so many provisions. Most of the provisions in this Bill are just repetitions. I will conclude with two points in two minutes.

Sir, what is the logical basis of distinction between simple form of trafficking and aggravated form of trafficking? To me, there is no logical basis. Since there is no time, I cannot substantiate and explain.

Now, finally, I come to the general criticism about the Bill. Madam, kindly take it in a positive and in a constructive way. The Bill does not speak of a provision where the customer or the client is punished for such trafficking. It mentions only about the party

and the victim. As far as the customer or the client is concerned, there is no mention about it. The Bill is more crime-centric than human rights centric. Instead of streamlining the enforcement, the Bill intends to build institutional bureaucracy, bureaucracy by creating more than ten agencies. So, the Bill over-emphasises criminal response and does not give due consideration to the rights and needs of victims and their effective protection and proper rehabilitation.

So, once again, I submit to the Hon. Minister that this Bill may be sent to the Standing Committee for having a close scrutiny. With these words, I conclude.

[Translation]

SHRI JAI PRAKASH NARAYAN YADAV (BANKA): Hon. Chairperson, I thank you for allowing me to speak on the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill.

I congratulate Hon. Minister Shrimati Maneka Gandhi ji for bringing such a good piece of legislation for the society, country and for the future generations. This Bill seeks to tighten the screws on the perpetrators of such crime and they will be brought to book. Shrimati Shrimati Maneka Gandhi ji is a social reformer as well as a Minister. Human rights are being encroached upon, rights are being attacked. The incident which took place three days ago in Bihar's Muzaffarpur is nothing but a case of human trafficking. That incident has happened with our sisters and daughters, on which everyone's head is bowed. There is no good governance in Bihar. The situation there is very bad. Fifteen- and twenty-year-old daughters were gang-raped, even to the extent of being killed. Just as in the Mahabharata, where Draupadi was disrobed by Dushasan, it seems today that the Honour of our mothers and sisters is being violated. The incident in Muzaffarpur makes us bow our heads in shame. Incidents of rape are increasing. When in Bihar... * was the

*Not recorded

rule of , ... * *The rule of* , ... * people would say, but today there are ... * and ... * has been proved. The situation is very delicate. In Bihar's Sitamarhi, Motihari, Bettiah, and Muzaffarpur, large-scale smuggling occurs through routes from Nepal. Daughters have brought this to light, and newspapers have also exposed it. It has come to light that girls are forcibly brought in large numbers for prostitution, under the guise of orchestra shows, and are then sold. Interstate links have been established—from Bihar to Jharkhand, Jharkhand to Delhi, Delhi to Chhattisgarh, and other places. Thus, it is spreading within the state, outside the state, and even beyond the country.

Hon. Chairperson, this is a big shame for all of us. Social atrocities are increasing, prostitution is on the rise, trafficking is happening, and heinous crimes are being committed. Save childhood, save daughters—we must protect our children's innocence and safeguard our daughters. Human trafficking is occurring, child labour is being enforced, poverty, illiteracy, and the struggle for livelihood are some of the reasons behind it. Begging is happening even in Delhi, and there is corruption hiding behind it. Children are disabled, made blind, the eyes of young children are gouged out, they are crippled in their limbs, and forced to beg near traffic lights. Human rights are our rights, and we must protect them. Rehabilitation, legal aid, education, and other necessary

arrangements are essential today. Especially SC, ST, and OBC children face unjust suffering due to illiteracy. They are troubled and exploited, which is why trafficking of girls and boys is happening today. We must protect childhood. Child labour is a crime. Not only in Bihar but across the entire country, there have been shameful incidents of human trafficking and prostitution. This House must consider these issues strongly and take measures to prevent them.

[English]

DR. HEENA VIJAYKUMAR GAVIT (NANDURBAR): Sir, I thank you for giving me this opportunity.

I rise to support the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018. This Bill is actually the need of the hour and I congratulate the Hon. Minister for having brought this Bill.

Human trafficking is a deplorable human rights violation that occurs worldwide. Trafficking in persons for labour and for sexual exploitation is a form of modern-day slavery and a human rights violation that constitutes a crime against the individual and the State.

I would like to share some figures with the House here. In India, almost 90 percent of trafficking occurs domestically in the State, inter-State and 10 percent outside the country. As per the Crimes in India Report, 2015, which was released by the National Crime Records Bureau, there are 8132 cases reported related to human trafficking in 2016. Some States have highest reporting which include, West Bengal, Tamil Nadu, Andhra Pradesh, Karnataka and also Maharashtra, the State from which I come. I think this was a concern of each and every person sitting here in Parliament. Human trafficking is a very serious issue which needs to be looked at. The

Government has introduced this Bill. It is really commendable and I again congratulate the Minister.

Some really good steps have been taken. One of them is setting up of a National Anti-Trafficking Bureau. The Bill seeks to establish a National Anti-Trafficking Bureau for the prevention and investigation of the trafficking of persons' cases and protection of the victims of trafficking. Even though, law and order is under the State supervision, trafficking is intra, inter and trans-national issue. Cases consisting of different source, transit and destination points, create difficulty in providing timely justice to the victims. Thus, cases involving multiple States will be dealt with by the National Bureau only if approved by the State Police Nodal Officer. The Bureau consists of a team of police officers and other experts to ensure effective discharge of their duties. In addition to this, the Bureau would develop and monitor a database related to trafficking, traffickers and other offenders connected with trafficking or persons, which can only be accessed by the State Governments and District level Committees.

The State Anti-Trafficking Committees will be constituted to oversee the implementation of the Bill to see whether it is happening properly or not. The District Anti-Trafficking Committee would exercise the power and perform functions in

relation to prevention, rescue, protection, medical care, psychological assistance, need based rehabilitation of victims and redressal of grievances.

Coming to the State and District Police Officers, one very good initiative in this Bill is that a dedicated team of police officers will be working on this issue. There is a wide range of issues that police officers will have to look at and sometimes, these issues remain side-lined. I think this is a very good step that the Government has taken in this Bill.

There are certain specific offences which are mentioned in this Bill. They are trafficking leading to mental illness or disability, trafficking for the purpose of bearing child, trafficking leading to serious injury amounting to grievous hurt or death including suicide, trafficking of a pregnant woman or resulting into pregnancy, giving narcotic drugs or psychotropic substances or alcohol for the purpose of trafficking, administering chemical substance or hormones for the purpose of attaining sexual maturity and exploitation, punishment for keeping a place of exploitation or allowing premises to be used as a place of exploitation.

Regarding Rehabilitation Fund, this Bill makes a provision to create a Rehabilitation Fund for the welfare and rehabilitation of the victims of trafficking children. Either Union or State Governments

will make adequate budgetary allocation towards the Fund. Voluntary donations, contribution under CSR may be credited to the Fund and this would be made available to the State and District Anti-Trafficking Committee.

At this point, I would request the Hon. Minister one thing. When we are specifying about the Rehabilitation Fund, we are not specifically saying as to how much will be the budgetary allocation for this. When we are talking about donations, we are not sure as to how much donations we will be getting. I think, we must be very specific about how much will be the Government's contribution in the Rehabilitation Fund like we have the Nirbhaya Fund which is disbursed by the Government.

One very good step is that speedy courts for speedy trials are going to be established and a stipulated time will be given even to the courts to come to a decision in such cases.

For child victims, a special procedure is going to be followed. The Bill provides for plea bargaining as per the procedure given in Chapter XXIA of the Criminal Procedure Code, 1973.

Regarding confiscation, forfeiture and attachment of property, if a person is accused of having committed an offence and possesses or owns any property, and if he is convicted, the property shall be

confiscated and stands forfeited and the same may also be used by way of auction.

I would specifically give some suggestions here. I already mentioned about the Rehabilitation Fund. Secondly, the Bill is silent on prevention of re-trafficking. Trafficking is basically a syndicate and we are tackling this on case to case basis. We have also to think about this aspect. If a syndicate is being run and we are able to get hold of one person, the entire syndicate should also be looked into.

Every provision in the Bill is very good. I once again congratulate the Hon. Minister of the NDA Government and I whole-heartedly support the Bill.

[Translation]

SHRI DUSHYANT CHAUTALA (HISAR): Hon. Chairperson, I am thankful to you for giving me this opportunity to speak on this Bill. This is a very important Bill. I would like to congratulate the Hon. Minister that work has been done to bring it into the country as a law, as human trafficking is considered the third largest activity illegally. Through this Bill, the seriousness of the Government comes to the fore. Children are most vulnerable to trafficking. Young children are picked up more from hospitals, railway stations and public places and under this Bill, you talk about creating units with local police officers. As long as we keep the local police involved, I believe that by being hand-in-hand with those criminals, the police will weaken your move.

16 00 hrs

You should take it into account that the onus of investigating the cases should be entrusted to the police of other districts instead of local police while setting up the units. Besides, the security of the children living in the rehabilitation centres is a matter of serious concern. We have seen in Haryana, the convicts of the rehabilitation centres where girls have been raped continuously have now been sentenced to life imprisonment after the CBI inquiry. Yesterday Shrimati Ranjeeta Ranjan raised the issue of Bihar, where a similar

incident of rehabilitation centre 'Apna Ghar' was seen in Muzaffarpur. You say that there will be monthly visits to rehabilitation centres, their monitoring is very important.

Many rehabilitation centres are being run by NGOs in the country and their activities are constantly in doubt. I would like to congratulate you that you have done the work of time bound this work. A decision in this regard will be taken in a year's time.

Hon. Minister, where you talk about penalties, section 40 of your Bill shows that whoever is the employer of a child, whether it is a matter of keeping him at home as a servant or keeping him in a public place as a worker, the trafficking person will be punished separately.

The Prevention of Corruption Act was passed in the same House yesterday. Whoever gives bribes or who takes bribes, everyone will be punished equally. That's how it should be. If the Government has to implement this Bill effectively, then equal rights should be given because on one hand you are talking about giving a sentence of three years and on the other hand you are talking about giving a sentence of ten years. This disparity that is coming in the middle is somewhere working to weaken this law.

You have said about the search and rescue operation that your ATUs will search and rescue them and send them to the

rehabilitation home after presenting them before the Child Welfare Organization or the magistrate. The same is happening today. If a child or an older person is caught in human trafficking, action is taken against him under the same procedure. Like you have set up Nirbhaya centres in the country, why not make provisions in this Bill to help us stop such activities.

Hon. Chairperson, I conclude by supporting this Bill.

SHRI KAUSHALENDRA KUMAR (NALANDA): Hon. Chairperson, thank you very much for giving me this opportunity to participate in the discussion on ‘The Prevention of Trafficking in Persons (Protection and Rehabilitation) Bill, 2018.

I rise to support this Bill on behalf of my party Janata Dal United.

At present, several laws have to be invoked to prevent this crime. Even those laws are not fully enforced. Therefore, this Bill provides for stringent legal provisions which will put check on human trafficking, immoral trade, and physical exploitation, both within and outside the country. Recently, news of the unethical sale of 46 children came to light by an employee of Mother Teresa Institute. A few days ago, more than 50 children were rescued at Mughalsarai railway station. This has become common in the country.

Similarly, fraud and smuggling are being done in the name of being sent abroad. This is being done by an organised gang, which is particularly active in states like Mumbai, Delhi, Punjab etc. Similarly, news of pigeon flying also keeps coming. Therefore, this legislation will bring the human trafficking to a halt and will facilitate the care and rehabilitation of the victims. There are provisions for general economic and social environment as well as

relief and welfare for the affected persons. This law can function efficiently if such crimes are committed abroad as well. With this, along with harsh punishment, at the same time, it will ensure the early disposal of the cases. There are also privacy provisions. This legislation will turn out to be an effective instrument in dismantling the organized nexus at national and international level.

It is seen that brokers have a major role in the case of human trafficking at the local level. Therefore, I suggest that a monitoring mechanism needs to be set up to keep an eye on **piMember** involved in human trafficking and provisions should be made to give such **piMember** stringent punishment. I support this Bill.

[English]

SHRIMATI SATABDI ROY (BIRBHUM): Mr. Chairman, Sir, I rise to support the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018.

Sir, to showcase our commitment to combat human trafficking, I request the Government of India to ensure the following:

1. Time-bound procedures for rescue of victims of trafficking;
2. Empowerment of AHTUs across districts in India with authority to take on powers of rescue and investigation throughout a case cycle, to rescue, filing and registration of FIR, arrest, seizure of evidence, investigation and prosecution.
3. Protocols and funds for coordination of inter-State cases of forced labour should be made available to support officials, survivors and NGOs in inter-State transfers, including lodging and food for survivors and their dependents. Adequate police protection should also be ensured in these transfers.
4. Acknowledge the critical role of NGOs to support and collaborate in combating trafficking, including labour trafficking and bonded labour;
5. allocate adequate funding and resource for the enforcement of the new law on trafficking;

6. On 31st May, the Walk Free Foundation released its 2016 Global Slavery Index, which claimed that there were 45.8 million 'modern slaves' around the world, of whom 18.3 million were in India

7. The proposed law does little to remove India's shame of 'modern slavery'. It is a photocopy of a western approach.

[Translation]

I visited two or four jails because of the Standing Committee. I met a lot of Bangladeshi's there. Children in prisons can live with their mothers until the age of six. After that they can't stay there. At that time, many mothers came to me, unaware of where their children are. They don't know which NGO has their children. They have no support to come to you and express their situation. If you ever go to jail, you'll fall into depression. There are people whose trials have been going on for seven, ten years without any result. They cannot reach you.

I would like to mention something else. As you all know, it is a very big racket. NGOs, homes, and the police are involved in this. They get Rs. 700 for bringing in one child. They do all of this for that reason. I can say something about adoption as well. There are rules and regulations for it, but those who commit crimes get away, while those who genuinely want to adopt cannot reach that point

due to so many files and rules. Once children grow up, adoption becomes meaningless. Many people yearn for children. They talk about rehabilitation, but whether children return home after five months or five years, society's stigma makes it hard for families to accept them.

I believe that none of the rules, laws and acts can change the society, otherwise there are not so many crimes. I would request that with this new law of yours, God bless that the society changes and at the same time we accept those people in this society who are really in trouble. We appeal for this society change and support this Bill.

SHRI RAVINDRA KUMAR PANDEY (GIRIDIH): Thank you, Hon. Chairperson.

I stand up to speak in favour of this Bill. First of all, I would like to thank the Hon. Minister, who has brought this Bill and before that I would also like to thank the Hon. Prime Minister, that in the last four and a half years, all the previous Governments, the rules and regulations were made, the Hon. Prime Minister has done the work of bringing changes in them from time to time. That is why today we have come to this level when we have to see this matter of human trafficking.

Hon. Chairperson, you will see that when an incident happens, it is discussed in the media and everywhere else for two-three days, be it Lok Sabha or any Vidhan Sabha. After three-four days that subject is completely washed out. I come from Jharkhand region. My tribal brothers, women and girls living in villages and villages are sent to Dubai or any Arab country through a racket. They then made a video and sent it. They are also lured to earn money, like you will become king within a year and all your things will be doubled. From there they make videos and send them here.

Later, our Government made several attempts to bring them back. We have to say that should have some monitoring system at railway stations, bus stands and airports, where we can see that if

twenty people are going then where are they going. Somewhere they are not going in baraat etc. and the man who takes them is guiding and persuading them. If we give him a break there, then somewhere it will improve.

Secondly, I have to say that the NGOs which are talking about in All India, they caught the girls and took them to the correctional home. I understand that all the people's representatives, be it the head of the Panchayat, MLAs or Member or Member of the Rajya Sabha, should have a letter from the Ministry that there are these reform Houses in your district and these NGOs are being run by the people. You can visit here from time to time to see what activities are going on. Then somewhere they will be afraid that the people above are also coming to them to see and understand.

I request you to consider the plight of our young girls who, in today's times, are falling victim to this vicious cycle and suffering immensely. Just four days ago, there was news from Jharkhand about a girl who was taken from there and kept as a maid at a wealthy person's home here. She was then subjected to rape, followed by delivery, and many such troubling details emerged. However, after two days, the whole matter faded away. From our Giridih Lok Sabha Constituency, areas like Bagodar, Dumri,

Gomia, Nawadih, etc., people are going to Dubai. Therefore, I request attention be given to these issues.

I thank the Hon. Minister for bringing this Bill. Thank you.

[English]

SHRI PRASANNA KUMAR PATASANI (BHUBANESWAR):

Chairperson, Sir, let me congratulate the Hon. Minister today. I adore her because she is protecting the lives of animals. But she has failed in protecting the lives of human beings. It is not her fault. She is fighting for everybody. So, I congratulate the Hon. Minister. Children are blooming in God's Garden. They are not only blooming but also blossoming. The fragrance of knowledge is also structured in consciousness. We are not conscious of our own consciousness. Shri Kailash Satyarthi was conferred the Nobel Prize for protecting the children, the bonded labour, who were labouring hard. He was brutally beaten for his kind work, despite the fact that he is being honoured by the world. He has given some proposal about protecting the children. We should consider the proposal made by the Nobel laureate Kailash Satyarthi ji about protecting the children and the women. Practically, the kidnapping cases are everyday exhibited on television. You can see how a woman is being tortured today. We are promulgating the law in this august House. But, what happened to the dowry? It starts from the Home; it starts from the family and then it covers the entire country. How is the human being so brutal today? The soil by birth is fertile whereas human being by birth is brutal. why is it happening? One should see it. One should ask about it. One should know it. Sir, I

know, there is not much time. I can just make some points. Today, I would like to draw the attention of this House towards a prominent law which cannot be rooted out.

You know, what happened in Delhi. You are setting up fast track courts. Rapes are occurring at a faster rate. How many people have been punished? So, this law should protect the humanity. Therefore, I pray to this august House to make the law very strong. If one mother is guilty, it means our motherland India is also guilty.

SHRIMATI BUTTA RENUKA (KURNOOL): Thank you, Sir, for giving me an opportunity to speak on the Bill concerning trafficking of persons. As a woman, I am pained on seeing the violations and the loopholes giving scope for human trafficking. Trafficking, as far as our country is concerned, is mostly in women and children. Trafficking is a violation of human rights.

Poverty and illiteracy are the main root causes of human trafficking. This Bill apart from specifying the penal provisions should have dealt with handling the root causes. We must also note that trafficking is more among rural women and children who fall prey to anti-social elements. Vulnerable sections shall be identified and they shall be offered various welfare schemes so that they do not fall into the trap of traffickers.

Trafficking is usually promoted, encouraged and handled by **piMember**, brokers and traffickers. The law should ensure that trafficked victims are prevented from being prosecuted, detained or punished for they are victims of circumstances beyond their control. Protection to such victims should be provided with any conditionality.

I would like to give a few suggestions. Mainly we are talking about the rules and we are bringing laws, Bills and all such things. But, we all have witnessed, especially at traffic junctions and

places, where we see small children begging. In spite of knowing that, we are unable to help these children. At every common place, we see child labour and child abuse. In spite of that, we are unable to help them. Practically, we have to go to the ground level and see how we can help these children. Basically, for the children who are victims, we need to bring this law. With this new Bill, I hope, positive changes will definitely take place into our society and system. I appreciate and I really support this Bill. Thank you.

SHRI E.T. MOHAMMAD BASHEER (PONNANI): Sir, thank you very much for giving me this opportunity. I would like to say that this is a most welcome move. Hon. Minister is in the process of making a divine law. I congratulate her for this. It is a bold initiative. The situation is very alarming. About 20,000 women and children were victims of human trafficking in India in 2016, a rise of 25 percent from the previous year. The Minister of Women and Child Development stated in the Parliament itself that 19,223 women and children were trafficked last year as against 15,448 in 2015.

Our country, which is the centre point of South Asia, is one of the fastest-growing regions for human trafficking in the world. It is a matter of shame. Thousands of people – largely poor, rural women and children – are lured to India's towns and cities each year by traffickers who promise good jobs but sell them into modern day slavery.

We all know that some of the domestic workers are forced to work in small industries such as textile workshops, farming or even small kinds of works. They are exploited like anything. They are not getting any kind of remuneration. We are all saying that India is a country where child labour is eradicated. That is not a fact. In rural areas, you can see a lot of children who are doing heavy work.

Bonded labour is one thing. They are exploited in many ways. Our brothers, sisters and kids are exploited in a ruthless manner.

What is the main reason? The main reason is poverty. We all know that. Using this, they are exploiting them in all kinds of activities. It is a bold initiative on the part of the Minister. That is why, I said that this legislation is very important.

I would like to say only one thing. Stringent action should be taken. One should not have any kind of lenient attitude against the offenders. It is a very serious offence. They are spoiling the generation and they are bringing shame to the nation.

I once again wholeheartedly congratulate the Hon. Minister for taking such an initiative for a noble cause.

With these words, I conclude.

SHRIMATI P.K. SHREEMATHI TEACHER (KANNUR): Sir, I rise to support the Bill. I also congratulate the Minister. But I have some differences of opinion and I want to mention these things in the august House.

The biggest lacuna in the Bill is the absence of a comprehensive definition of trafficking, which should not only include trafficking for the purposes of labour and prostitution but also for forced marriage.

The draft Bill needs to take cognizance of the Immoral Trafficking Prevention Act, 1956, Juvenile Justice (Care and Protection of Children) Act, 2015, IPC Section 370 and various protocols and SOPs which are already in existence to address gaps in existing legislations and to uphold best practices. Merely overriding existing laws will compound the confusion.

The 'District Anti-Trafficking Committee' proposed as the major instrument of implementation is grossly inadequate and incapable of executing the functions vested in it. The important role of the police and the Home Department has been minimised. The Bill is silent on the existing provision in ITPA for a special police officer and an advisory body as also on search, rescue and custody matters. The provision that the rescued person has to be first

produced before the Member Secretary of the proposed district committee unnecessarily complicates the matters.

So many other differences of opinions are also there. But I am shortening my speech. So, Sir, I request the Government and the Minister that the Bill be sent to the select Committee. Then only, the Bill will become perfect and practical.

[Translation]

SHRIMATI JAYSHREEBEN PATEL (MEHSANA): Sir, I am grateful to you for giving me this opportunity to speak on the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018.

All Hon. Members have spoken and discussed in detail on human trafficking. Human trafficking is the worst form of violation of human rights and the third largest organised crime after drug and arms trade worldwide. We call children the future of India, but through trafficking, the childhood of those innocent people is being trampled.

According to National Crime Record Bureau (NCRB) incidence of human trafficking in India is on the rise.

16 24 hrs

(Shri Kalraj Mishra *in the Chair*)

My colleague Meenakashi Lekhi ji has also mentioned that in her speech. Children constitute 60 percent of the total human trafficking cases i.e. 60 percent of the trafficking cases. After the trafficking of children, nothing can be said that those children are going to child labour, they are getting child marriage, they are being

sexually abused or they are being begged. There is no special law yet to deal with these crimes. In view of this, our hardworking Women and Child Development Minister Shrimati Maneka Sanjay Gandhi has brought this Bill for trafficking of persons (Prevention, Protection and Rehabilitation). I appreciate this Bill and describe it as a fulfillment of a reasonable demand.

The Bill also has several key features. The best thing about this Bill is that the rehabilitation of the victim is not subject to the outcome of the case. For the first time a rehabilitation fund is proposed through this Bill. This is the most commendable step. Special courts/fast track courts in every district are also proposed for speedy trial of cases and the Hon. Minister has informed about it.

Creates dedicated institutional frameworks, especially at the district, state and Union levels. With this, all these cases will be solved as soon as possible, that is, it will also be monitored and the cases will be solved.

The Bill deals widely with the transparent nature of crime. The National Anti-Trafficking Bureau also coordinates internationally with officials of foreign countries and international organizations.

Hon. Chairperson, we all know the primary reason for trafficking. It is poverty and illiteracy. Because of this, trade is

done. Our Government has taken many steps to stop this. The innocent faces of trafficking and sexual abuse are looking at this law with hope as this law can turn the sobs of thousands of children of the country into a smile.

This Bill will be of great help to save the women, who are half of the country's population and children, who are tomorrow's, future of the country.

Sir, I heartily congratulate Hon. Prime Minister Modi ji and Shrimati Menaka ji for this Bill. I strongly support this Bill.

Thank you.

SHRI RAJESH RANJAN (MADHEPURA): Hon. Chairperson, I express my gratitude and support to such Bills. The biggest reason for such situations is poverty. Poverty remains a curse. Social, cultural and spiritual consciousness is very important in our lives. We will have to face a lot of difficulties until we take the society towards a lot of progress economically.

There are four states in the country including Bihar which are centres of human trafficking. Sex workers are continuously brought from Nepal. Recently, an incident in Sitamarhi exposed the murder of several Nepalese children. Today, from our state of Bihar, a request has been made for a CBI investigation. I have noted many times that as soon as a mother's attention shifts, the exploitation of her children begins, even if it is by a family Member. Our elder sister also understands this. We have discussed many times how vulnerable one becomes when one's parents pass away. Female foeticide is also becoming a significant contributing factor.

The second reason is the condition of labourers. Children aged 14 years in the country, be it for economic, geographical or social reasons, under any circumstances we do not want to allow those labourers to work as labourers. Then what is the alternative arrangement for them? If we do not give them employment, education, health facilities, then where will that child go? Then it

will lead to exploitation of some or the other bonded labourer. When our parents in our family are hungry, where will that child go?

Law is necessary but its implementation is not effective. Many NGOs, many agencies are working on it. You also know how many agencies are working on this subject in India.

I will conclude by saying one thing. The labourer we bring from the factory and after bringing him, if we do not give him any employment, if we do not give him education, if we do not give him any way to live, then he goes back to the same factory. Since the condition of the family and parents is not good, they are forced to work.

I would urge that a law should be enacted which includes tackling curse like foeticide, poverty and socio-cultural things. The law cannot be implemented because the relationship between the police station, the officer and the leader is not very strong. Political system and politicians have contributed a lot to this. Many names are still there. I want the political system and the politicians should show a better way to stop human trafficking.

[English]

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): I would like to thank all of you for having taken part in the discussion. Many of the Hon. Members have read this Bill very carefully. I appreciate all the suggestions that were made.

Before I start, I would like to say, whatever lacunae that you perceive, and whatever I have learnt from you, we will incorporate that in the rules, and when we put the rules in, I would request all of you to look at them. This Bill has been on the website for the last one year and every draft has been put on the internet. It would have been good, if everybody had read it before and have given us suggestions.

I am going to start from Pratima Mondal ji. I would like to say that I am not creating ten institutuins. It is only the National Anti-Trafficking Bureau and everything comes under that. The rest is already there. We are just legitimising it, putting in money and making it stronger. We have proposed committees headed by the existing officers to ensure the required focus. So, it is not a bureaucrat employment device, as Tathagata ji said.

Then, I would like to thank Shri Om Birla ji for helping with the formulation. Shrimati Pratima ji has asked for the places where

the offence is being committed, and the participants in the committee should be defined. These are certainly being specified and defined in the rules.

I also thank Shrimati Sathyabama ji for her comments. I always enjoy the interventions of Shri Tathagata Satpathy and I especially enjoy interventions that are prompted by Shri Mahtab in his own quiet manner. Unfortunately, he is not correct this time. The Bill is very victim-centric. That is the only reason that I have brought it. Otherwise, there is absolutely no reason for me to reintroduce the laws that already exist.

This is a Bill that has a compassionate view of people who become victims in the sex trade. What is happening at the moment? We get a sex worker and we put her into jail, whether the trafficker goes in or the person, who has sheltered her, makes money from her, does not matter. The woman is always penalised; the child is always penalised. In this Bill, we ask them if they are there on their own volition. So, there is no question of penalising them or putting them in jail. We are just after the traffickers and not the victims.

Then, Tathagata ji said that we used NGOs. Yes, we used NGOs but not the 7800 that exist in his Constituency. We actually use very specialised NGOs, which have been involved in preventing trafficking for many, many years. We used police people; we used

sex workers; we used people who are involved in rehabilitation; we used dozens of lawyers, who have been fighting trafficking cases. So, we did use a lot of NGOs.

I appreciate the point raised by Shri Vinayak Rao, who pointed out the reality of begging. It has been repeatedly asked as to why begging is considered an aggravated crime. It has been considered an aggravated crime because it involves extreme violence and extreme suffering. As many of you pointed out, when you stop at traffic lights, you see these little babies. All of them have been given drugs to make them sleep. All of them have that *nakli* bottle which supposedly shows that milk has been given to them. All of them actually are hired out for hours, for days. For me nothing could be worse than this. So, it is an aggravated crime.

I want to thank Shri Srinivasa Rao for participating in the debate. One of the points that has come up again and again is why only it has been capped at Rs.10 crore. It is not Rs.10 crore. When the Nirbhaya Fund was created, it had, I think, Rs.1000 crore in it.

Over the last few years, we have increased it to Rs. 6,000 crore and this amount of Rs. 6,000 is also being spent. This amount of Rs. 10 crore is just a notional amount of money. It will be increased and it will be increased hugely. Hopefully, it will never be needed, but

of course, it will be done. Therefore, we have put in money as is needed so that there is no cap on it.

Shrimati Kavitha asked how we prevent trafficking and what this Government has done about prevention, before we even got to this Bill. I would like to tell her a few things that my Ministry has done. The Home Ministry has done a lot as well, so has the Labour Ministry, but I am going to tell you what we have done. As soon as I became Minister, I realised that the railways were the main reason behind why one could get away with trafficking because thousands of women and children were coming through railways. So, the first thing we did was that we immediately put posters in every single compartment or coach saying that if you can see a woman or a child that you believe is being trafficked, or has come against his or her will, please call any of the three numbers we have given. I have to tell you that this has been extremely successful. Our rescue rate is very high. Literally, if you phone, at the next stop, you will have police waiting.

We have got an institution called Childline which is internationally one of the best. It gets about four crore calls a year. Since I came, we have doubled it. Our response time to picking up a child or woman or anybody in trouble is one hour.

Then, we have started something new called Railway Childline. We took the 100 most vulnerable railway stations where children, who are trafficked, usually come. Where are they trafficked from? It is from villages where the train stops for one minute. I cannot patrol those areas, but I can patrol the areas to which they arrive. We have given training, and people are stationed at every railway station which is vulnerable. Again, thousands of children have come in. In fact, we gave a Naari Shakti Award to one woman who in Mumbai alone, as part of the Railway Police, has rescued over 900 children herself.

Then, there are two more things. We have something called Track Child which was done by the UPA Government. What it consisted of was that all police stations should have the facility where they could put a child's face into a computer. Unfortunately, this did not work because the places where children disappeared from do not have electricity or computers or they are not involved. So, we started something called Khoya-paya where anybody in India can put in the face and name of a child or a woman who has disappeared, along with his or her details. Anybody else, who thinks that he has seen them or may have seen them, can also put information into this. So far we have saved about 50,000 people through this initiative.

One of the things that bother me a lot is that it is difficult when it is a sexual crime, which children and women get trafficked for. How do you take action when your forensics cannot prove anything? So, we decided to strengthen the Forensics Department. We found, to our dismay, that after so many years, there were capabilities of only 1,500 sexual crimes' forensic investigations. Immediately, we have put in money into six forensic centres at Kolkata, Mumbai, Pune, one in Tamil Nadu, and Chandigarh which has already started working. They have put up an advertisement and are hiring 5,000 people who have qualifications in chemistry and physics to be trained as forensic experts. Once I can get the forensics in place, justice will come that much faster.

16. 39 hrs (Hon. Speaker *in the Chair*)

We are also putting in kits. Though it is not relevant to this subject, but I would like to tell you what else we are doing. Every police station and district hospital will have rape kits. These are simple small boxes in which there are test tubes, places for cloth, places for cotton wool, blood, semen etc. and a list of what is to be done and they are lockable. They go from there straight to the forensic lab so that they cannot be tampered with.

So, that would make collection of evidence so much easier. These are some of the things we have done. Shri Dushyant Chautala

inquired as to why One Stop Centres are not being utilised. One Stop Centres are completely new for India. Some of them are working very well. In fact, I am really sorry that Shri Gandhi has said that his is not working well because he was one of the first people to ask for one. He asked me so many times. I am very happy he has got one but it is not working well. Perhaps you could let me know what is wrong with it and I can correct it. But these One Stop Centres could also be used for rescue and keeping the women if they want to. You had also talked about foreign nationals. This Bill covers and is applicable to foreigners as well. Some Member asked about taking over buildings. This is very simple to do and can be misused by the police by just saying that this is the centre of trafficking and so take it over. No building or premises can be taken over without giving notice and hearing the person or the owner. It has to go through the due process. These are very strong safeguards. If you believe that these safeguards are not enough, please tell me after reading the Bill and I will put them in the Rules. I am also equally frightened about misuse because I am not going to be in Government forever and by instinct I am an NGO. So, I need to protect the rest of India. So, if there is something left out let me know.

Officers and persons in-charge of homes are punishable if they do not discharge their duties. Until now we can have a Muzaffarpur

and we can have things like this happening only because there was no law saying that somebody in-charge of a home can be penalised. Now, they can be penalised. I would like to tell Shri Badaruddoza Khan that marriage is certainly mentioned. He said that somehow we should make this Act known. What we have done is something new. I can look at this and push it a little further in response to his suggestion. We have started something new, that is, every exercise book of every school should have the POCSO Act behind it which says what is good touch, what is bad touch, what will happen if you are molested, etc. His suggestion was that we should also have this anti-trafficking law. We will request the HRD to put this as well in some of the exercise books.

Trafficking for the purpose of marriage or on the pretext of marriage is an offence. You were saying it is not there. It is not true. It is a frequent crime and girls are taken away pretending to be married and forced into prostitution. The Bill is gender neutral. Shrimati Supriya Sule had brought up many good points. The District Committee will have NGOs and people who are aware of the issue. Rules will ensure that proper ones are chosen. The sensitisation of the officers, as she said, is the most important thing. There is no point sitting here and wasting the whole day passing this Bill if it is never going to percolate down. But we have already started that process. In fact, this Bill was made with the help of a

large number of police people who aimed it at sensitisation of their own cadre. Accountability has been built in the law. States will contribute to the Fund. But there are other ways to top up this Fund. The Bill is applicable to all persons, not men and women. I apologise. In future we will remember to put it properly.

SHRIMATI SUPRIYA SADANAND SULE: Thank you Madam.

SHRIMATI MANEKA SANJAY GANDHI: Regarding adoption, you said that sometimes adoption can lead to trafficking. What happens in the CARA form of adoption? There are two or three things which happen with adoption. One is adoption where people are just taking the baby and pretending that they found the baby somewhere. These are people that you cannot do anything about because they never come anywhere for certification.

Then there is another Act called HAMA Act whereby people adopt children. It applies to the Hindu Adoption. The CARA is now very strict and it may take a long time but all children are kept under watch after adoption for a long time both here and abroad. Periodic assessments are done until the child is fully integrated with the adopters.

Regarding these Homes, I have written to Member again and again requesting them to take charge of all the Homes in their areas. I would like to repeat it today. If they could visit all the different

homes in their areas whether they are Homes for adoptions, Swadhar Greh, Juvenile homes or anything, and give me an independent assessment. I would be very grateful for that. Every time I have got independent assessment, work has been done immediately. The problem is that we do not have enough Members of Parliament who actually go and visit these places. So, I would request all of them to do that.

You had asked for a Member of Parliament to be made a part of the Committee. An MP will be made a part of the Committee. We will just put it into the Rules.

What is completely new Supriya ji is buying and selling humans is being covered as a crime for the first time. Then, trafficking for the purpose of buying and selling organs is already covered under Section 370 of the IPC which deals with trafficking.

Regarding National Anti-Trafficking Bureau, you were worried that if you find it in one State, you do not have to go to another State. It is 'National Anti-Trafficking Bureau' because it covers all the cases involving inter-State; the problem of jurisdiction of Magistrates is clearly addressed in this Bill.

Geetha ji, you wanted to know the people involved in the making of this Bill. Sunitha Krishnan, who comes from your State has done work in anti-trafficking for decades and also in rescuing

rehabilitating victims; Prayas; the Nobel Prize Winner, Kailash Satyarthi; the Tata Institute of Social Service; and Shri Nair, are some of the sixty different groups who have helped draft the Bill.

You were worried about conviction and the low rate of conviction. I am saying that the provisions of designated courts in this Bill will hopefully improve the conviction rate and speed up the judicial process.

Many Members have expressed their concerns about sex workers and the inability of existing systems to stop organised crime in this area. Once the provisions relating to confiscation of property under this Bill are implemented, the hell holes of Kamathipura and G.B. Road, will all be a thing of the past because these will directly come under confiscation of property.

Meenakshi ji, thank you for that brilliant speech and for understanding the spirit and also the technicalities of the Bill.

Vincent ji, consent of the victims is very much a part of the Bill. If you believe that it is not enough, we will reinforce it through the Rules.

Shri Premachandran, it has been two years already for this Bill. It has been long overdue. Almost everybody in this area has been consulted. You were saying that the misuse of the law is possible. There are thousands of laws and you can misuse anything that you

want to misuse but the point is that we need to have a law to begin with. If you do not have a law, then you can do what you want to. I do not think that it should prevent us from making the law. This law is victim-centric as I keep repeating and full protection is given to the victims. It provides a singular structure of institutional frameworks at national, State and district levels. Trafficking is complex. It involves enforcement, supervision, rehabilitation and investigation. So, you have to have people at different levels doing different things. We are not proposing ten bodies. The only new body proposed is a National Anti-Trafficking Bureau.

All the others are the existing bodies of serving officers who will discharge additional functions. I would like to thank you, Shri Yadav. Begging is, as I said, an aggravated crime as it involves continual and extreme violence. Dr. Heena, thank you for your comments. The budgetary allocation would be increased as per the need. You had talked about re-trafficking. It is covered under Sections 32 and 33 and attracts imprisonment for life. So, we take it as seriously as you do. Dushyant ji had suggested the one-stop centres. I do agree with him absolutely. Kaushalendra Kumar ji, thank you for your support.

I would like to respond to Shrimati Satabdi Roy that we have been making changes for women in jails. In fact, that is the next

thing. I would be happy to share that with you. We finally reached after one and a half years of sending it to law schools; we prepare a manual for women prisoners, and for children. I agree with what you are saying that after six, if the child is taken away, where does the child go? It is a great concern. I am not going to leave this. It never occurred to me before. I am going to put this into the Rules.

Then, you said that we can't change society. We actually can change society because when this Government came in, when the Prime Minister suggested that we do, `Beti Bachao, Beti Padhao`, I myself was very sceptical and frightened. I said the same thing. We have been killing girl children for years, for decades and centuries. Why would we stop now? But, the campaign did take off. It didn't take long to change the Indian society for the better. We have a hugely patriarchal society in States like Haryana, Punjab, where the sex ratio at birth of girls had come down to 830 per thousand boys. These are the societies that change the fastest.

DR. M. THAMBIDURAI (KARUR): I would like to say a few words about the girl child. In my Dharmapuri district of Tamil Nadu whenever a girl child is born, they kill by giving poison or something. That has been happening. Seeing this, our former Chief Minister expressed serious concern, and said that her Government would come forward and adopt the girl child. She introduced

`Cradle Baby' Scheme due to which many children were saved; they were educated and they are well placed now. Even before `Beti Bachao, Beti Padhao` programme, the Government of Tamil Nadu had already implemented and had also succeeded in that.

SHRIMATI MANEKA SANJAY GANDHI: Absolutely. We learn a lot from you. Seeing the success of `Cradle Baby' scheme, we have implemented it all over India. So, thank you.

We can change the society in one year. Every State got involved; every District Magistrate got involved; every MP got involved, and we did change society. Haryana went up from 830, which was shameful, to 950 in less than two years. So, did most districts. Initially we took 100 districts wherein it went up is 61 districts. In regard to others, we worked on to see what mistakes we made. Now, they are doing extremely well. Now, the `Beti Bachao, Beti Padhao` scheme is all over India. So, we can change society; we need to have a desire to do it.

As Supriya ji said that we have zero tolerance for something; and then, we work backwards. The point is, we have had tolerance for beggars; we have tolerance for sex workers; we have tolerance for women, children and labour. When we decide to have zero tolerance, it is gone.

Then, Shri Pandey spoke. As I explained, railway childline operates in 100 stations and has rescued thousands of children. As I said before, I had sent letters to Members of Parliament giving the names of institutions in their constituencies, as you suggested. If you have not received it, I apologise. I will send it again.

Shri Patasani, thank you for your inputs. Shrimati Renuka, you want to tackle first poverty, and then do anything else. If I could, wouldn't I do it? But this Bill, if I spread it and I diffuse it so much that I first root out poverty, then I root out inequality, then I root out something, then, I would never be able to save whatever little I can save.

So, I kept it more to the point. It also includes skill training which hopefully will work backwards so that they do not come back again into the same problem.

I will tell you what we did. For instance, the Government of Chhattisgarh rescued the girls and for all of them, the District Magistrate opened up bakeries for them and she put ten-ten girls who had been rescued in those bakeries, sent them to Pune where they learnt cooking and now, each bakery makes just wedding cakes. They were given a loan for each bakery and, now, in the first month itself, they have started repaying it to the tune of Rs. 8000 a

month which means they are selling a lot of cakes. So, we gave them a Nari Shakti Puraskar for that.

Shri Basheer, thank you for your appreciation. Shreemathi Teacher, marriage is specifically mentioned and there is a very comprehensive definition of it which I would request you to go through. Shri Patel, thank you for your appreciation.

Shri Tharoor made certain points. I have known Shri Tharoor since I was in college. It is a pity that the Hon. Member did not give us the benefit of his great wisdom during the two years when the Bill was being shaped. It was only after it was introduced in Parliament that he came to see me about this and did not mention a single thing of what he has said today. As you can see now, I am very happy to take suggestions. I do not know everything. All of you are as committed as I am. So, if he had done that, I would have been happy to take note of it.

There are two types of people. I am now going to be very wicked. During the consultation of the Bill, we received comments from two groups. One was representing the victims and another was representing sex workers. Dr. Tharoor represents the second group and has come to me repeatedly in their Defence. As Meenakshi ji said, we do not tolerate this.

HON. SPEAKER: He represented sex workers!

... (*Interruptions*)

SHRIMATI MANEKA SANJAY GANDHI: He represented officially. I am just coming to it.... (*Interruptions*)

HON. SPEAKER: There is nothing wrong in that.

... (*Interruptions*)

SHRIMATI MANEKA SANJAY GANDHI: There is nothing to attack or defend. He came to me officially with the representatives of sex workers and he asked for them not to be harassed if they were voluntarily in the profession to which I have said, “Absolutely, there is no question of harassing them”. The Bill focusses on a victim. If a voluntary sex worker is not a victim, has not been trafficked, has no one to blame for his or her problem; or other ones like TGs, then there is no question of my harassing them or the police having anything to do with them. The Bill is not intended to facilitate or to harass sex workers.

So, I would like to thank you all for this and I would be deeply grateful if you pass this Bill.

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): While commencing the legislative document, Hon. Minister in her introductory speech referred to two bodies – UNODC and SAARC – which are waiting to see India taking a lead in enacting a

legislation against the invisible but pervasive crime across the world.

17. 00 hrs

In this regard, I would like to refer to the observation of United Nations Independent Rapporteurs – Mariz Grazia, Via Marinero, Special Rapporteurs on Trafficking in Persons; and Urmila Bula, Special Rapporteur on Contemporary Forms of Slavery. They were greatly concerned about the Bill as presented by the Government to the Indian Parliament last week. I am drawing your attention to the observation made by the United Nations officials. They urged the Indian Parliament to revise the Bill in accordance with human rights laws. They raised two, three issues in regard to the Bill which seem to conflate trafficking with the smuggling of migrants, and social integration of those victims. They expressed their concern that this may lead to criminalisation of all irregular migrants including victims or potential victims of trafficking who because of a lack of safe, orderly and regular migration channels are forced into the hands of smugglers or traffickers. Simply I am drawing the flagging of the Minister to this.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Madam Speaker, I believe laws and institutions cannot be perfect instruments of doing justice in one go. There is always room for improvement in any law and that is how they evolve. But we cannot keep arguing hoping for a Utopian legislation.

In this Bill, Madam, I would like to refer to two aspects on which clarifications can be given here. We have State Nodal Officers. The State Government is also involved. District-level Committees are to be formed. The Bill was introduced in the House last week and we have taken it up because of its urgency. Ultimately, all of us will be supporting this Bill. But the question arises, have State Governments been consulted or are being consulted? Ultimately, they have to do the work. The Hon. Minister has not mentioned anything either in her speech now or at the time of introduction about the State Governments being consulted. This deals with Chapter 3.

I am reading this out from the Bill. On page 16, clause 39, subsection 2, it says, “Whoever solicits or publicises electronically taking or distributing obscene photographs or videos, or providing material for soliciting or guiding tourists, or using agents or any other form which may lead to the trafficking of a person, shall be punished.” The intent of this is not clear. This needs to be clarified in the rules as the Minister has accepted a number of suggestions. This is so wide, but the intent is missing. That intent needs to be clarified.

SHRIMATI MEENAKASHI LEKHI: Madam Speaker, aggravated form of offence is what was pointed out in the case of

begging. Whoever asks for alms is the aggregated form of offence, so I think that should be added inside it. Maiming and blinding and what is done physically with them should be defined.

SHRIMATI KAVITHA KALVAKUNTLA: Madam Speaker, I just wanted the Hon. Minister to clarify if the labour organisations were taken into confidence while designing this Bill.

Secondly, Clause 19 specifically refers to mentally retarded children and crimes related to them. In that clause, I think the parents of mentally retarded children should be relaxed. That is not mentioned in the Bill. If it can be put in the rules, I think it will be good.

SHRIMATI PRATIMA MONDAL: Hon. Madam Speaker, I would request the Hon. Minister that the repatriation process should be taken care of in this Bill so that girls trafficked especially from Bangladesh and other neighbouring countries may go to their homes as early as possible. I was the District President of South 24 Parganas and I personally experienced the scenario of girls being detained in homes for years. So, the repatriation process should be taken care of.

HON. SPEAKER: Prof. Saugata Roy, please speak only in one sentence if you have any query; no *bhashan* at all. I will not permit that.

PROF. SAUGATA ROY (DUM DUM): Hon. Speaker, Madam, actually I have stood up to commend the Hon. Minister for her excellent answer. I have seldom heard a Minister reply point by point to every Member who have spoken. I think other Ministers will follow her example and reply in such detail. I have only two small points. The first one is: I do believe that this offence of trafficking is not known to people in general. I saw a Hindi film called 'Mardaani' starring Rani Mukherjee which really brought out this problem of child trafficking. Would the Minister please consider promoting a film or films in different languages by noted directors to highlight the problem of trafficking, particularly child

trafficking? The second point is: at the national level, the Minister has given the task of investigation to the National Investigation Agency. The National Investigation Agency is already overburdened with crimes concerning terrorism. I would like to ask her whether she would consider setting up a different national body for investigating crimes regarding trafficking? That would be very proper instead of burdening the already overburdened National Investigation Agency. Let me again commend the Minister for an excellent reply and a good Bill brought in the Parliament.

[Translation]

HON. SPEAKER: She has brought the Bill from their heart.

[English]

SHRIMATI P.K. SHREEMATHI TEACHER: Madam, in our country, girls are facing a big challenge. Most of the girls are first mentally exploited and then physically exploited. Cybercrimes are also increasing all over India. The aspect of cybercrimes, especially against girls, should be included in the Bill. ... (*Interruptions*)

SHRI MD. BADARUDDOZA KHAN (MURSHIDABAD): Madam, please give me one minute. ... (*Interruptions*)

HON. SPEAKER: No. Everybody has something to ask. Now, the Minister will reply.

... (*Interruptions*)

SHRIMATI MANEKA SANJAY GANDHI: Madam, Shri Adhir Ranjan Chowdhury quoted what Dr. Shashi Tharoor also said, which is that two people from the UN Rapporteurs have asked for a better Bill. While I appreciate their concern, on the other hand when we went to Argentina for Global Conference on the Sustained Eradication of Child Labour, Shri Kailash Satyarthi took along this Bill in its final form and he read it out to 30 Ministers from different countries. I have to say that every one of them thought that it was a better Bill than they had in their own countries. As Shri Bhartruhari Mahtab mentioned, I am not saying that it is the best Bill in the world but what I will try into is that whatever concerns have arisen now which you believe are not in the Bill will go into the Rules, so that we will try and see what the rapporteurs want because I think it is a good Bill. A lot of people from across the world have written to say that they are amending their Bills to come to conformity with this. But we will still try and make it better. Shrimati Meenakashi Lekhi has brought out that we should put in blinding and other such things. We have actually got it; it is in the Bill as body harming. In response to the query whether we consulted the States, yes, we did. Otherwise, I could not get a Bill.

The Prime Minister always insists that the States should be consulted; besides, every other Ministry and the GoMs are there. So, it goes through a very long process.

Only those electronic forms are criminalised which are abetting trafficking; otherwise, there are a lot of qualifiers to prevent misuse of free speech. However, if you believe that there is still a need, we will try to get it together in the Rules and show it to you.

Thank you again.

HON. SPEAKER: The question is:

“That the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018 be taken into consideration.”

The motion was adopted.

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

Clause 2 Definitions

HON. SPEAKER: Shri N.K. Premachandran, are you moving your amendment Nos. 6, 7, and 8 to clause 2?

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

Page 2, line 2, --

for “referred to in”

substitute “designated under”. (6)

Page 2, line 19, --

for “referred to in”

substitute “designated under”. (7)

Page 2, line 21, --

after “Sub-Divisional Magistrate”

insert “designated to discharge the duties and functions under the provisions of this Act”. (8)

I am moving the amendment because it is the designated authority which has to make the Bill better.

HON. SPEAKER: I shall now put amendments No. 6, 7, and 8 moved by Shri N.K. Premachandran to the vote of the House.

The amendments were put and negatived.

HON. SPEAKER: Shrimati P.K. Shreemathi Teacher, are you moving amendment No. 25?

SHRIMATI P.K. SHREEMATHI TEACHER (KANNUR): I beg to move:

Page 3, *for* lines 7 and 8, --

Substitute ‘(w) “trafficking of persons” shall mean

recruitment, transportation, harbouring,

transfer or receiving of a person using threat,

force or any other form of coercion,

abduction, fraud or deception, abuse of power

or position, inducement, including the giving or receiving of benefits, in order to achieve the consent of any person by anyone having control over such person recruited, transported, harboured, transferred or received, for the purpose of exploitation.

Explanations: 1. The expression “exploitation” shall include any form of physical or sexual exploitation, including the exploitation of the prostitution of others, slavery or practices similar to slavery, servitude, or the forced removal of organs:

Provided that the consent of the victim shall be immaterial in determination of the offence of trafficking;’. (25)

HON. SPEAKER: I shall now put amendment No. 25 moved by Shrimati P.K. Shreemathi Teacher to clause 2 to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

“That clause 2 stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clause 4 Functions of the Bureau

HON. SPEAKER: Shri N.K. Premachandran, are you moving amendment No. 9 to clause 4?

SHRI N.K. PREMACHANDRAN: I beg to move:

Page 4, *after* line 39, --

insert “(xxvi) facilitate establishment of protection homes, rehabilitation homes, rehabilitation and all other activities beneficial to the victim”. (9)

This is an additional function of the National Anti-trafficking Bureau. It is a harmless proposal.

HON. SPEAKER: I shall now put amendment No. 9 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

“That clause 4 stand part of the Bill.”

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5 Investigation by the Bureau

HON. SPEAKER: Shri N.K. Premachandran, are you moving amendment No. 10 to clause 5?

SHRI N.K. PREMACHANDRAN: I beg to move:

Page 5, line 9, --

for “other”

substitute “similar”. (10)

HON. SPEAKER: I shall now put amendment No. 10 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. 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 State Nodal Officer

HON. SPEAKER: Shri Premachandran, are you moving amendment No. 11?

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

Page 5, line 22, --

after “relief”

insert “, legal aid”. (11)

HON. SPEAKER: I shall now put amendment No. 11 to clause 6, moved by Shri Premachandran, to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

“That clause 6 stand part of the Bill.”

The motion was adopted.

Clause 6 was added to the Bill.

Clauses 7 to 9 were added to the Bill.

Clause 10 Anti-Trafficking Unit

HON. SPEAKER: Shri N.K. Premachandran, are you moving amendment No. 12?

SHRI N.K. PREMACHANDRAN: Madam, I am not moving this amendment.

HON. SPEAKER: The question is:

“That clause 10 stand part of the Bill.”

The motion was adopted.

Clause 10 was added to the Bill.

**Clause 11 National Anti-Trafficking Relief and
Rehabilitation Committee**

HON. SPEAKER: Shri Rabindra Kumar Jena, are you moving amendment No. 1 to clause 11?

SHRI RABINDRA KUMAR JENA (BALASORE): Madam Speaker, the Minister has already assured the House that she will take this into account in the rules. So, I am not moving my amendment.

HON. SPEAKER: Shri N.K. Premachandran, are you moving amendment No. 13 and 14 to clause 11?

SHRI N.K. PREMACHANDRAN: I beg to move:

Page 6, line 30, --

for “Member”

substitute “Co-Chairperson”. (13)

Page 6, line 38, --

after “victims”

insert “out of which one shall be a woman”. (14)

There are four representatives from civil society out of which one should be a woman. That is my amendment. Kindly carry this amendment.

HON. SPEAKER: I shall now put amendment Nos. 13 and 14 moved by Shri N.K. Premachandran to clause 11 to the vote of the House.

The amendments were put and negatived.

HON. SPEAKER: The question is:

“That clause 11 stand part of the Bill.”

The motion was adopted.

Clause 11 was added to the Bill.

**Clause 12 State Anti Trafficking
Committee**

HON. SPEAKER: Shri Rabindra Kumar Jena, are you moving amendment No.2 to Clause 12?

SHRI RABINDRA KUMAR JENA: Madam, I am not moving amendment No.2 to Clause 12.

HON. SPEAKER: Shri N.K. Premachandran, are you moving amendment Nos.15, 16 and 17?

SHRI N.K. PREMACHANDRAN: Madam, I beg to move:

Page 7, line 17,-

for "Director General of Police"

substitute "Secretary, Law Department". (15)

Page 7, line 23,-

for "Secretary, Law Department"

substitute "Director general of Police". (16)

Page 7, line 26,-

for "Two"

substitute "Four". (17)

HON. SPEAKER: I shall now put amendment Nos. 15,16 and 17 moved by Shri N.K. Premachandran to the vote of the House.

The amendments were put and negatived.

HON. SPEAKER: The question is:

"That clause 12 stand part of the Bill".

The motion was adopted.

Clause 12 was added to the Bill.

Clause 13 District Anti-Trafficking Committee

HON. SPEAKER: Shri Rabindra Kumar Jena, are you moving amendment No.3?

SHRI RABINDRA KUMAR JENA: Madam, I am not moving amendment No. 3 to Clause 13.

HON. SPEAKER: Shri N.K. Premachandran, are you moving amendment Nos.18 and 19?

SHRI N.K. PREMACHANDRAN: Madam, I am not moving amendment Nos. 18 and 19 to Clause 13.

HON. SPEAKER: Shrimati K. Kavitha, are you moving amendment Nos.26 and 27?

SHRIMATI KAVITHA KALVAKUNTALA (NIZAMABAD): Madam, I am not moving amendment Nos. 26 and 27 to Clause 13 as the Hon. Minister has assured that she will make it a part of the rule.

HON. SPEAKER: The question is:

“That clause 13 stand part of the Bill”.

The motion was adopted.

Clause 13 was added to the Bill.

**Clause 14 Powers of District
Anti-Trafficking Committee**

HON. SPEAKER: Shri N.K. Premachandran, are you moving amendment No. 20?

SHRI N.K. PREMACHANDRAN: Madam, I beg to move:

Page 9, line 4,-

after "protection"

insert "education". (20)

HON. SPEAKER: I shall now put amendment No. 20 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

"That clause 14 stand part of the Bill".

The motion was adopted.

Clause 14 was added to the Bill.

Clause 15 was added to the Bill.

Clause 17**Safety, care and protection of
person rescued**

HON. SPEAKER: Shri Rabindra Kumar Jena, are you moving amendment No.5?

SHRI RABINDRA KUMAR JENA: I would request the Hon. Minister to please look into the last amendment of mine which proposes to give an opportunity to the victim to appear before the magistrate. That is the point I am trying to impress. I am not moving amendment No 5 to Clause 17.

HON. SPEAKER: Shri N.K. Premachandran, are you moving amendment No.22?

SHRI N. K. PREMACHANDRAN: Madam, I am not moving amendment No. 22 to Clause 17.

HON. SPEAKER: The question is:

“That clause 17 stand part of the Bill”.

The motion was adopted.

Clause 17 was added to the Bill.

Clauses 18 to 22 were added to the Bill.

Clause 23 Registration

HON. SPEAKER: Shri Tathagata Satpathy – Not present.

The question is:

“That clause 23 stand part of the Bill”.

The motion was adopted.

Clause 23 was added to the Bill.

Clauses 24 and 25 were added to the Bill.

Clause 26 Repatriation of victims

HON. SPEAKER: Shrimati P.K. Shreemathi Teacher, are you moving amendment No.28 to Clause 26?

SHRIMATI P.K. SHREEMATHI TEACHER: Madam, I beg to move:

Page 12, *for* lines 7 to 10,-

substitute “(4) The repatriation of the victims shall be done after taking care of the social, economic and psychological needs of the victim and after providing assistance to all the urgent and long-term needs including housing, food and nutrition assistance, cash assistance, medical assistance including physical and psychological

after “bonded labour”

insert “or sexual exploitation”. (29)

Page 14, *after* line 31,-

insert “(xii) for the purpose of sexual exploitation by use

of weapons to threaten or coerce, or physical beatings, violence and torture.

(xiii)for the purpose of sexual exploitation based on caste-based exploitation or in the name of ‘tradition’”. (30)

HON. SPEAKER: I shall now put amendment Nos. 29 and 30 moved by Shrimati P.K. Shreemathi Teacher to the vote of the House.

The amendments were put and negatived.

HON. SPEAKER: The question is:

“That clause 31 stand part of the Bill”.

The motion was adopted.

Clause 31 was added to the Bill.

Clauses 32 and 33 were added to the Bill.

**Clause 34 Punishment for keeping or
allowing premises to be used as
place of trafficking of persons**

HON. SPEAKER: Shri Tathagata Satpathy – Not present.

The question is:

“That clause 34 stand part of the Bill”.

The motion was adopted.

Clause 34 was added to the Bill.

Clauses 35 to 38 were added to the Bill.

**Clause 39 Buying or selling of
any person**

HON. SPEAKER: Shrimati P.K. Shreemathi Teacher, are you moving amendment No. 31?

SHRIMATI P.K. SHREEMATHI TEACHER: Yes, Madam, I beg to move:

Page 16, *after* line 29,-

Insert " (2) Whoever buys or attempts to buy sexual favour from another person, or hires services of a victim of trafficking, making or agreeing to make payment in cash or kind, shall be punished with rigorous imprisonment for a term which shall not be less than six months but may extend to two years and shall be liable to fine which may extend to twenty thousand rupees:

Provided that on second or subsequent convictions, the rigorous imprisonment shall not be less than two years but may extend to five years and fine may extend to fifty thousand rupees.” (31)

HON. SPEAKER: I shall now put amendment no. 31 to Clause 39 moved by Shrimati P.K. Shreemathi Teacher to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

“That Clause 39 stand part of the Bill.”

The motion was adopted.

Clause 39 was added to the Bill.

Clauses 40 to 46 were added to the Bill.

Clause 47 **Special Public prosecutors**

HON. SPEAKER: Shri N.K. Premachandran, are you moving amendment No. 23?

SHRI N.K. PREMACHANDRAN: Madam, I am not moving amendment No. 23.

HON. SPEAKER: The question is:

“That clause 47 stand part of the Bill.”

The motion was adopted.

Clause 47 was added to the Bill.

Clauses 48 to 51 were added to the Bill.

Clause 52 **Cognizances of offences**

HON. SPEAKER: Shri N.K. Premachandran, are you moving amendment No 24 to Clause 52?

SHRI N.K. PREMACHANDRAN: Madam, I beg to move:

Page 19, line 14,-

for "guilty"

substitute “interfering with investigation.” (24)

Madam, there is a very strong legal error. At the time of moving the bail application, it is written that “Where the Special Public Prosecutor opposes the application and the court is satisfied that there are reasonable grounds for believing that the accused is not guilty of such offence.” Madam, how can the Magistrate or the court find that he is not guilty at the time of moving the bail application? This is a very strong legal error on the part of drafting. Kindly look into the matter. I am moving it.

HON. SPEAKER: I shall now put amendment no. 24 to Clause 52 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: The question is:

“That Clause 52 stand part of the Bill.”

The motion was adopted.

Clause 52 was added to the Bill.

Clauses 53 to 59 were added to the Bill.

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

HON. SPEAKER: The Hon. Minister may now move that the Bill be passed.

SHRIMATI MANEKA SANJAY GANDHI: I beg to move:

“That the Bill be passed”.

HON. SPEAKER: The question is:

“That the Bill be passed”.

The motion was adopted.

HON. SPEAKER: Now, we will take up Item Nos. 16 and 17 together.

SHRI K.C. VENUGOPAL: Are you taking it up now?

HON. SPEAKER: Why not? We will take it up. Let it be started and we will continue up to 6 p.m.

17 24 hrs

Announcement By The Speaker

Cancellation of the Sitting of the House

DR. M. THAMBIDURAI (KARUR): Madam, the Hon. Members from my Party are also requesting for a holiday on Guru Purnima. I would like to know whether the Government is agreeing to it or not. That is what we want to know.

HON. SPEAKER: It is not a Government holiday. All of you have to decide.

DR. M. THAMBIDURAI: We have no objection at all.

HON. SPEAKER: Some Hon. Members have requested me for a holiday tomorrow on Guru Purnima. The House has to decide. Then only I will declare it.

SHRI BHARTRUHARI MAHTAB (CUTTACK): The Lunar Eclipse is also taking place tomorrow. You can get the sense of the House and have a holiday tomorrow. We have been working for a whole week and at least, two Bills are being passed per day. That is the reason, why I am requesting on behalf of others and on my own behalf, that we can have a holiday.

SHRI N.K. PREMACHANDRAN (KOLLAM): Last Friday, because of the No-Confidence Motion, we could not take up the Private Members' Business. Let there be a holiday tomorrow. But, my suggestion is that kindly spare some time for the Private Members' Business in the next week. This has to be compensated. That is my only suggestion.

THE MINISTER OF CHEMICALS AND FERTILIZERS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI ANANTHKUMAR): Madam, if that is the sense of the House, we are with the sense of the House.

HON. SPEAKER: Tomorrow, there is Guru Purnima. Everybody has some Guru in his/her mind. It is needed also to guide us for good behaviour. I am also with you because I also need some Guru to guide me to run the House. So, I declare tomorrow as a holiday. But today, we can work for half-an-hour more up to 6 o'clock.

17 26 hrs

**STATUTORY RESOLUTION RE: DISAPPROVAL OF
HOMOEOPATHY UNION COUNCIL (AMENDMENT)
ORDINANCE, 2018**

AND

**HOMOEOPATHY UNION COUNCIL (AMENDMENT)
BILL, 2018**

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): I

beg to move:

“That this House disapproves of the Homoeopathy Union Council (Amendment) Ordinance, 2018 (No.4 of 2018) promulgated by the President on 18th May, 2018.”

**THE MINISTER OF STATE OF THE MINISTRY OF
AYURVEDA, YOGA AND NATUROPATHY, UNANI,
SIDDHA AND HOMOEOPATHY (AYUSH) (SHRI SHRIPAD
YESSO NAIK): I beg to move:**

“That the Bill further to amend the Homoeopathy Council Act, 1973, be taken into consideration.”

[Translation]

Madam, the Ministry of AYUSH endeavors for integrated development of AYUSH system of medicines and its education. The Ministry has two statutory regulatory bodies, namely the Union Council of Indian Medicine and the Union Council of Homoeopathy. These bodies, inter alia, regulate Ayurveda, Siddha, Unani, Sowa Rigpa and Homoeopathy education respectively.

Madam, the Homoeopathy Union Council Act, 1973 provides for constitution of Union Homoeopathy Council for regulation of the medical education and practice of homoeopathy, maintains the Union Register of Homoeopathy and deals with matters connected therewith. The Act has been enacted on the lines of the Indian Medical Council (IMC) Act, 1956 dealing with education in allopathy colleges, and the Indian Medical Union Council (IMCC) Act, 1970 dealing with education in Ayurveda, Siddha and Unani medical colleges.

As we all know that Homeopathy is fast gaining ground in the whole world and its popularity is on the rise. After independence, homeopathy has gained immense importance as a system of medicine in India and has gained popularity all over the country. Accordingly, the Government of India accords top priority for

development of homeopathy and other alternative systems of treatment based on their capacity.

In order to improve the quality of education and also to be more vigilant in the manner of grant of permission by the Union Government, the Homoeopathy Union Council Act, 1973 was amended by adding Section 12(a) to it, which provides for obtaining prior permission of the Union Government to open a new college or to increase the admission capacity or to add a new course. This amendment has been brought to check the opening of unauthorized colleges, introduction of unauthorized curriculum and increasing the number of medical seats.

It may also be mentioned here that although the Homoeopathy Union Council Regulations, 2013 made by superseding the Regulations of the year 1983 required that all Homoeopathic Colleges must obtain the permission of the Union Government for renewal of their recognition, the Union Government needs to incorporate a special power in this autonomous law under the said Act to grant the aforesaid permission.

Owing to lack of relevant provisions in this Act for renewable of recognition to existing homeopathic colleges and also because certain unauthorized colleges are running which do not fulfill the prescribed criteria specified under this Regulation. Therefore, there

is no control over the degree they receive and the education they receive, there are difficulties in recognizing it. In the light of these facts, the Government has realized that there is urgent need to insert Clause 12C in the CCH Act vide this amendment wherein there is a provision for the role of the Union Government for verification of standards of all the homeopathic colleges and the colleges could be given due recognition under the newly constituted rules and regulations.

The Union Council of Homoeopathy has not been successful in providing the necessary standards in Homoeopathy medical education to the desired extent as the apex regulatory body. Many homeopathy medical colleges are still failing to provide quality education, which is why there have been instances of serious misconduct in CCH and its conduct and as a result the quality of medical education has been compromised. The Ministry has taken various steps to streamline the functioning of the Council and bring transparency in the affairs of the Council. However, CCH is preventing all such initiatives of the Ministry.

Madam, the Ministry does not have authority about illegal colleges. Such colleges are run from one room, the hospital also runs there, the college also runs there. Therefore, it was necessary for us to bring an Ordinance.

Madam, the Ministry has taken various steps to streamline the functioning of the Council and to bring transparency in the affairs of the Council. However, CCH is preventing all such initiatives of the Ministry.

Dr. Ramji Singh, the then Chairman of CCH, was the Chairman for many years and there were allegations of serious corruption against him. On December 19, 2016, the CBI apprehended him while accepting Rs. 20 lakh. A case has also been registered against him by the CBI. He was in jail for about two-and-a-half months. In these circumstances, retaining Dr. Ramji Singh as the chairperson of the apex Union regulatory body is against the interests of the homeopathy system of medicine.

The CBI, in its letter dated 31.03.2008, had recommended initiation of regular departmental action to impose heavy fines against the then secretary of CHC, Dr. Lalit Verma.

As many as 54 Hon. Members of Parliament had complained against the corruption in the CCH. Based on that, a committee was constituted and examined and on the recommendation of the committee, a charge sheet was issued against Dr. Lalit Verma with the consent of the Union Vigilance Commission, Department of Personnel and Training and Department of Legal Affairs. However, the case did not end there. When he retired, the Ministry said his

retirement benefits should not be given, but when the case is over, it should be given. It was also not considered and at the time of retirement, he was sent home giving all the benefits.

It is also noteworthy that many Members of the Council including Dr. Ramji Singh, former President, CCH sat there even after the completion of their term. The Supreme Court has ruled that only three months can remain there after the completion of the five-year term. But they sat there for a year and a half and could not make the choice that was to be made.

At the same time, the quality of homeopathic colleges was also a concern. In order to ensure transparency in AYUSH colleges and to improve quality and executive, the Ministry had taken several important measures including promotion of use of Information Technology in colleges. In this context, the Ministry had issued guidelines for Aadhaar based geo location enabled attendance system for teaching staff, non-teaching hospital staff and postgraduate students of all Homoeopathy colleges.

The CCH does not follow the directions of the Ministry till date. Similarly, the Ministry made efforts to ensure proper transparent behaviour. They didn't accept what we said. So today we had to try to bring this rule.

It is also worth noting that the cooperation and trust extended by CCH was completely violated by Dr. Ramji Singh, former Chairman, CCH, when he wrote to the Ministry of AYUSH mentioning that the Council would not make any recommendations to the Ministry.

Therefore, in order to save the Council and to fulfill its rightful objectives, immediate measures need to be taken to restore its Executive and dispose of time-bound matters relating to admissions. The only option of any corrective measure for the Council is to assign its charge to a person who has the requisite qualifications and experience, including pure Honesty, and who can ensure the Executive of the Council in a transparent manner.

This may also be mentioned that there is no provision in the existing Homoeopathy Union Council Act, 1973 to remove the Chairman/Members of the Council. Therefore, the Ordinance was brought as an interim measure which was promulgated by the Hon. President on 18th May, 2018. Accordingly, The Ministry has appointed the Board of Governors consisting of renowned qualified Homoeopathy doctors to run the council till its reconstitution. The present Council shall be superseded by the Board of Governors appointed by the Union Government, which shall be responsible for

the Executive Committee of the Council for a period of one year or for the reconstitution of the Union Council, whichever is earlier.

The main provisions of the Homoeopathy Union Council (Amendment) Ordinance, 2018 are as under:

The CCH is to be superseded by the Union Government by appointment of a Board of Governors for a period of one year or up to the reconstitution of the Council, whichever is earlier.

Secondly, the Union Government will accord recognition to all homeopathy colleges in line with the provisions of the new rules and regulations framed by the Union Council.

Thirdly, the Government of India has to handover the charge of the Council to the Board of Governors consisting of qualified homeopathy doctors.

I would like to convey with confidence that the Board of Governors held its first meeting in May, 2018 and started examining the renewal of all 223 homeopathy colleges as mentioned in the Clause 12A and the Council has also received 45 new applications which the Board of Governors has been examining so as to make necessary recommendations to the Ministry ensuring that there is no disruption in the academic session. In addition, the Board of Governors is handling the

functions of the Council in accordance with the objectives of the Homoeopathy Union Council Act.

With the above presentations, I appeal to this august House to consider and pass the Homeopathy Union Council (Amendment) Bill, 2018 so as to ensure its effective implementation for the development of homeopathy. Thank you.

[English]

HON. SPEAKER: Motions moved:

“That this House disapproves of the Homoeopathy Union Council (Amendment) Ordinance, 2018 (No.4 of 2018) promulgated by the President on 18th May, 2018”.

“That the Bill further to amend the Homoeopathy Council Act, 1973, be taken into consideration.”

SHRI ADHIR RANJAN CHOWDHURY: Madam Speaker, I moved the Statutory Resolution against the Ordinance promulgated by the Government.

Madam, we have been observing that the Government has been resorting to indiscriminate use of ordinances whereby the democratic norms and procedures are being severely undermined. This is my observation. The reason is self-evident from the Statement of the Minister in which he states that as Parliament was not in Session, immediate action was required to be taken and so the President promulgated the Homoeopathy Union council (Amendment) Ordinance, 2018 on the 18th of May, 2018. This Session commenced on 18th July.

That means only two months elapsed before the commencement of the Parliament. Do you think that the Ordinance, which was meant for dismantling the CCH was so paramount, was so imperative that you did not have any patience to wait for another two months? The simple reason is that Government has been going on an ordinance spree. The Government has been turned into an 'ordinance-holic' Government. They are employing the instrument of ordinance as a political ordinance with a distinct view of saffronizing each and every institution under their custody. You just said that Ram Singh ji took the bribe so he was removed. It's good,

anyone can take bribes, ... * can take, ...* can take. A lot can be done in the name of...* But suppose, our friend Nayak Sir took bribe from someone. I will not assume that Nayak Sir takes the bribe. For the sake of logic, suppose it was decided, will all the AYUSH ministries be dissolved? Try to prove such a small thing that... * being a director will dissolve all the CCHs, it is justified according to you, it is very sad. This statement is self-explanatory that you have brutally dissolved CCH. Simply, this is an innocuous legislation. I do not have any substantial argument to oppose this legislation because it appeared to be an innocuous legislation, but the way they are going to dismantle the apex body which is the decision making body under their Ministry, I think no plausible rationale can be trotted out by them. It is nothing but an authoritarian step that has been taken by them. By this way of promulgation of Ordinance, they should not have dismantled the institution under the nomenclature of CCH.

Madam, frequent resort to this power by the Government, particularly on dates too close to a session of parliament is condemnable. Ordinance should not be promulgated unless it is absolutely necessary. You say, whether the situation was absolutely

*Not recorded

necessary? I refer to Kaul-Shakdher. Dates too close to a Session. There were only two months left in the session and in the meantime, under what compulsion you had to promulgate the ordinance, this is the biggest question.

Power of parliament to look into the desirability of the ordinance is simply an ex post facto matter.

[Translation]

You have issued an order. We did not take any measures to prevent it before issuing it. This is a post-fact matter, so we are discussing it today, but is it true that it is not conducive to Parliamentary tradition. This is the observation of big experts and especially our former Speakers, not mine. If you don't believe anyone, how will we go? You can't wait for just two months.... A man named * took the bribe. The incidents of bribery have taken place even in the medical council, have you dismantled the entire Medical Council? I didn't dare at that time. ... (*Interruptions*) No, it didn't happen that way. Jaiswal ji, you are a doctor, you tell me if only one director made a mistake, is it right for him to dissolve a democratically elected body in this manner? They say they've done it. How can I say to do it, I am in opposition.... (*Interruptions*) Jaiswal Ji himself

*Not recorded

is a doctor, that is why I have asked Jaiswal Ji (*Interruptions*)
The Hon. Minister himself stated in the Statement of Objects and Reasons:

[English]

“The Union Government has taken various steps to streamline the functioning of the Council and to bring transparency in the affairs of the Council. However, the Council has been stalling all such initiatives of the Union Government. Many Members of the Council are continuing in the Council long after their tenure is completed. Further, there have been many charges of serious misconduct against the President of the Council, who continued to be a Member in the Council even after the end of his tenure as the election to elect the new incumbent could not be completed in time.”

[Translation]

What does this mean? All these things come under your Ministry. You yourself are saying that you tried to streamline, but he did not let it happen. You yourself are saying that despite your efforts you have not been listened to. This means that it is your failure. You yourself are accepting that the council could not be streamlined despite several measures taken by you. You tried to improve, but

couldn't. But dismantling the council is not a remedy. It was a remedy to fix it. Why do we bring legislation here? We bring legislation to fix something, not to dissolve an institution. These are your flaws. As a Minister, you tried to streamline it, but your attempt failed. Your attempt failed. By making such a failure statement yourself, you are tarnishing the dignity of the Ministerial post. This is your failure. You are dismantling an institution for your failure.... (*Interruptions*)

Madam, let me speak.... (*Interruptions*)

HON. SPEAKER: Speak, but it also has to end today.

SHRI ADHIR RANJAN CHOWDHURY: Madam, I have just started.... (*Interruptions*) Madam, this itself is a statement of their incompetency. We have a very emotional attachment with homeopathy. Bengal has a long-standing relationship with homeopathy. The Hon. Minister knows. Not today, first of all in India, in the year 1937, a Bill was passed in the legislative assembly of Bengal to give recognition to homeopathy in the British era. The Bill was passed by an MLA named Gyasuddin.

In Bengal, homeopathy has been recognized as a faculty for the first time. ... (*Interruptions*) Bengal has a very old relationship with homeopathy. How did you dismantle the democratically elected

body CCH, and why did you do it? This is your mistake, and you will have to admit it.

The second thing is that you will hand over the responsibility to someone there for a year now. You will form the Board of Governors, who will be the Members in it, what is the criteria for those Members? I also know the criteria of those Members and you also know. You're sitting there with your man. I had earlier asked that saffronisation is happening, you make your man sit there because of saffronisation, otherwise what is the parameter? ... *(Interruptions)* You have not mentioned any parameters that because of such parameters, I created these Board of Governors.

The Hon. Minister's ministry is AYUSH, it has Ayurveda, Homeopathy, Unani and Siddha, but your secretary used to sit there earlier, now some Ayurveda person has been made to sit there. ... *(Interruptions)*

HON. SPEAKER: Shri Adhir Ranjan Chowdhury, you spoke only for five minutes.

SHRI ADHIR RANJAN CHOWDHURY: Madam, this is the Bill, what can I do? I want to give them some knowledge that today genetics have come in homeopathy, Geno Homeopathy. For the first time in the world, genetics combinations with homeopathy are taking place in India. This is a huge progress for us. Its Minister is

Naik Sir. I want their dignity to be like Nadda ji. It seems that you are ... * Minister. You are also a Minister like Nadda ji, I want to see you in the same capacity.

Is there any account in our country that how many people depend on homeopathy? I am aware that more than 100 million people depend on homeopathy. Homeopathy is an art, science, cheap drug. More than four thousand homeopathic medicines are available in our country.

[English]

Hippocrates, the Father of Medicine in the ancient Greece, first discovered the law of similars and law of opposites. The law of similars means Homeopathy. The law of opposites means orthodox medicine. The medicine which follows the law of similars is called Homeopathy. It has no side effects, no addictiveness and no toxicity. That is why there is a huge potentiality of Homeopathic medicines in our country. Already, 86 countries across the world have recognised Homeopathy as an alternative medicine. So, there is a huge potentiality. That is why, I am very much interested to see the growth of homeopathic sector in our country which has been

* Not recorded

growing by a margin of 20 percent to 25 percent. So, there is a huge potentiality of Homeopathy.

But you do not have any sympathy; and you do not have any empathy for homoeopathy. Rather you are displaying your apathy. you are displaying your antipathy to homoeopathy. There lies the problem.

[Translation]

How did you dissolve the Democratic Institution? I want to place two things before the Minister.

HON. SPEAKER: Please conclude your point.

SHRI ADHIR RANJAN CHOWDHURY: Madam, I will conclude by six p.m.

[English]

The ministry of AYUSH which shall be the in-charge of permitting persons and colleges for offering homoeopathy courses and expand such courses has also been promoting the clause 49 of the national medical commission Bill 2017 which focuses on bridge course, that allows homoeopathic profession to prescribe allopathic treatment in rural areas. This has been criticised as lowering the standing of rural health, as allopathic treatment will now be

delivered by practitioners who took a short cut instead of the standard MBBS.

[Translation]

Please Don't do that. Do not harm our health services by forcibly increasing the number of doctors in India by making short cut courses. I know from the bottom of my heart that our friend Dr. Sanjay Jaiswal will agree with me because he is an MBBS doctor. You make anyone a doctor through the bridge course, because you have to show how many doctors have been made in India during the NDA regime. There are still over two lakh homeopathic doctors in the country. Every year 12 to 13 thousand homoeopathy doctors are made in the country. Do not harm all the health infrastructure for rural health delivery in such a hurry by teaching them bridge courses.

You should have focused on the quality of education, but your focus is here and there. You had to make Ramji Singh the biggest enemy. You should arrange for more training to the practitioners. You are saying that there is a small House, not a room. The room is not because there is no money in your pocket. Why don't you ask for money from the Government and spend it to build homeopathy centres in every village? Creating a college is your responsibility. The CCI was an autonomous body. You have taken all the power

from it, but you do not help from your side because there is no money in your pocket. Don't misuse it.

And I want to tell you one more thing.

[English]

There is no focus on strengthening training. The Bill focuses on the authority of the Union Government in addressing the corruption. However, it does not ensure a robust mechanism for improving the quality of practitioners being trained under these institutes.

The Government will permit more number of bridge courses under the curriculum of these institutes seeking to expand courses which will do more harm in the health sector.

Instances regarding the Ministry of AYUSH taking up the role of regulator in lieu of the Council have increased which is an over reach of the Ministry into roles that should ideally be delegated to autonomous bodies.

[Translation]

HON. SPEAKER: Please conclude your speech.

SHRI ADHIR RANJAN CHOWDHURY: Madam, I will conclude by saying a few points.

HON. SPEAKER: Sit down, you have stated your point.

SHRI ADHIR RANJAN CHOWDHURY: Madam, everyone is enjoying my speech.

HON. SPEAKER: Okay, people are enjoying, but time is up.

SHRI ADHIR RANJAN CHOWDHURY: Madam, the discussion will not end today, please let me speak.

HON. SPEAKER: This does not mean that you will go on speaking. Please finish your speech.

... (*Interruptions*)

18 00 hrs

[English]

HON. SPEAKER: This is not the way. Please complete it now.

SHRI ADHIR RANJAN CHOWDHURY: The Standing Committee on Health observed, “The conformation of prescribed standards of Homoeopathy education has been compromised due to legal infirmities in the governing statute.”

The Committee had recommended that the oversight of maintenance of standards should be done with the utmost transparency and there should be a credible and vibrant appeal mechanism in place so that minor technical and procedural defaults are not made a basis for harassment, and questionable practices and

genuine grievances of homoeopathy medical institutions are addressed swiftly within set timelines.

[Translation]

I want to give some advice. Why are homeopathic colleges not affiliated to the university? Homoeopathy colleges should be affiliated with the universities. We also want the homeopathic system of medicine to progress further.

[English]

HON. SPEAKER: Yes, you have completed.

Now the House stands adjourned to meet again on Monday, the 30th July, 2018 at 11 a.m.

18 01 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Monday, July, 30, 2018/Shravana 8, 1940 (Saka).

INTERNET

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