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Title: Discussion on the All India Institute of Medical Sciences and the Post-Graduate Institute of Medical Education and Research (Amendment) Bill, 2007.

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THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAMADOSS): I beg to move\* :

"That the Bill further to amend the All India Institute of Medical Sciences Act, 1956 and the Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966, be taken into consideration. "

**प्रो. विजय कुमार मल्होत्रा (दक्षिण दिल्ली) :** सभापति जी, यह इस सदन की कन्वेंशन है कि बिना स्टैंडिंग कमेटी को भेजे कोई भी बिल कभी भी यहां पास नहीं हुआ है। परन्तु यह पहला बिल है जिसे सरकार बुलडोज़ करके यहां पास करना चाहती है। जिस प्रकार से AIIMS को ब्रिक बाई ब्रिक डिमोलिशन किया गया है, उसका तरीका ठीक नहीं है। यह स्टैंडिंग कमेटी का रूल और कन्वेंशन है कि बिना उसे भेजे कोई बिल यहां पास नहीं होता है। फिर इस बिल में ऐसी कौन सी बात है कि इसे बिना स्टैंडिंग कमेटी में भेजे पास किया जा रहा है और गवर्नमेंट इसे यहां रखना चाहती है? आखिर जब स्टैंडिंग कमेटी बनी हुई है...(व्यवधान)

MADAM CHAIRMAN: These are the discretionary powers of the speaker.

PROF. VIJAY KUMAR MALHOTRA : It is under the pressure of the Minister that thing is being done. It has never been done.

**सभापति महोदया :** मल्होत्रा जी, आप तो बहुत सीनियर मैम्बर हैं।

**प्रो. विजय कुमार मल्होत्रा :** हम इस तरह के तरीके को कंडेम्न करना चाहते हैं और अपना प्रोटेस्ट शो करना चाहते हैं कि अगर AIIMS को बर्बाद करना है तो यह तरीका ठीक नहीं है कि बिना स्टैंडिंग कमेटी को भेजे इस बिल को यहां बुलडोज़ कर दिया जाये।[s30]

We strongly condemn this attitude. ...(Interruptions)

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\* Moved with the recommendation of the President.

MADAM CHAIRMAN : I have already said that it is under the discretionary powers of the Speaker.

**श्री मोहन सिंह (देवरिया) :** सभापति महोदया, पिछले पंद्रह वर्षों से यह परिपाटी संसद में चली आ रही है और संसद ने कानून बनाकर स्वीकार कर लिया कि कोई भी बिल इंट्रोड्यूस होने के बाद स्टैंडिंग कमेटी में जाएगा, सभी दलों के माननीय सदस्य स्टैंडिंग कमेटी में उसकी परीक्षा करेंगे, एक रिपोर्ट के साथ वह बिल इस सदन में प्रस्तुत किया जाएगा। भारत सरकार इस बात के लिए स्वतंत्र है कि उस समिति की संस्तुतियों को स्वीकार करे या न करे। ...(व्यवधान)

**सभापति महोदया :** मोहन सिंह जी, ऐसा है कि अभी मंत्री जी के बोलने के बाद सभी सदस्यों को बोलने का मौका मिलेगा। आप अपनी बात उस समय कह दीजिएगा।

**श्री मोहन सिंह :** नियम पर तो किसी भी स्टेज पर बात की जा सकती है। ...(व्यवधान)

**सभापति महोदया :** स्टैंडिंग कमेटी में तो लिमिटेड मैम्बर्स हैं, यहां तो पूरे हाउस के लिए ओपन है।

â€!(व्यवधान)

**श्री मोहन सिंह :** ऐसा था, तो यह कानून बनाने की ज़रूरत क्यों पड़ी? ...(व्यवधान)

**सभापति महोदया :** यसा सिंह जी, आपकी बात विजय कुमार जी ने कह दी है।

â€!(व्यवधान)

MADAM CHAIRMAN: Don't record anything.

(Interruptions)\* â€!

**सभापति महोदया :** देखिए, मैंने पहले कहा कि यह डिसक्लैमरी पावर्स स्पीकर साहब की हैं। अगर यह बिल यहां आया है, तो आप डिसकस करिये।

â€!(व्यवधान)

**सभापति महोदया :** हाण्डक जी की बात के अलावा किसी की बात रिकार्ड पर नहीं जाएगी।

(Interruptions)\* â€!

**प्रो. यसा सिंह रावत (अजमेर) :** सभापति महोदया, हमें आपति है इस बिल के प्रस्तुतीकरण पर। ...(व्यवधान)

सभापति महोदया : आप अपनी बात बताएं। आपकी पार्टी के लोग जब बोलेंगे तो आप सब बातें बता दीजिएगा।

\*Not recorded

प्रो. रासा सिंह रावत : स्थायी समितियों का गठन इसीलिए किया गया है कि उसमें विधेयकों पर विचार हो सके। ...[\(व्यवधान\)](#)

सभापति महोदया : प्लीज़, आप हाउस का डैकोरम बनाए रखते हुए बैठिये।

â€!([व्यवधान](#))

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI B.K. HANDIQU): Madam Chairman, I would like to make a submission. This matter was taken up in the Business Advisory Committee meeting. It was discussed by all the Members of the BAC and then the hon. Speaker decided that it will not be sent to the Standing Committee. ...[\(व्यवधान\)](#)

संसदीय कार्य मंत्री तथा सूचना और प्रसारण मंत्री (श्री प्रियरंजन दासमुंशी): सभापति महोदया, रासा सिंह रावत जी ने जिस बात की ओर ध्यान आकर्षित किया है, मैं कहना चाहता हूँ कि इस विषय पर कोई वितर्क नहीं है, इस पर कोई दो राय नहीं कि सारी व्यवस्था और बिज़नेस को देखने के लिए जो समिति है, उस समिति में सारी तर्का के बाद माननीय स्पीकर साहब को आशयज्ञ कर दिया गया कि स्पीकर अगर सोचें तो स्टैंडिंग कमेटी में जाएंगे। ...[\(व्यवधान\)](#)

PROF. VIJAY KUMAR MALHOTRA : This is not fair. बीएसी में क्या होता है उसको यहां बताना ठीक नहीं है।

श्री प्रियरंजन दासमुंशी : Let us not question Hon. Speakers decision. ...[\(व्यवधान\)](#)

सभापति महोदया : मंत्री जी हर बात नोटिस में ला रहे हैं। कभी आप कहते हैं कि हर बात नोटिस में लाइए, कभी आप कहते हैं कि नोटिस में नहीं लाएं।

â€!([व्यवधान](#))

श्री प्रियरंजन दासमुंशी : बीएसी की रिपोर्ट हमें इस सदन में पेश करनी पड़ती है। बीएसी की रिपोर्ट सिर्फ पेश ही नहीं करनी पड़ती है, उसकी सदन से इजाज़त भी लेनी पड़ती है। बीएसी रिपोर्ट में जो बिज़नेस तय करते हैं, वह तब तक तय नहीं होता सदन में लाने के लिए, जब तक स्पीकर महोदय की इजाज़त नहीं होती।

श्री स्वारबेल स्वाई (बालासोर) : सभापति महोदया, स्पीकर साहब की बात हम मानते हैं। लेकिन और एक स्पीकर साहब इधर थे शिवराज पाटिल जी, उनकी भी रूनिंग आप देख लीजिए जिसमें उन्होंने कहा है कि अगर थोड़ा ग्रीमैटिकल करैक्शन होगा, कौमा या फुल स्टाप बदलने के अलावा जो भी बात होगी, तो स्टैंडिंग कमेटी में जाना चाहिए। वे भी स्पीकर थे। ...[\(व्यवधान\)](#)

MADAM CHAIRMAN: Don't compare one with another. Please sit down.

...(Interruptions)

MADAM CHAIRMAN: Nothing will go on record except the statement of Dr. Anbumani Ramadoss.

(Interruptions)\* â€!

PROF. VIJAY KUMAR MALHOTRA : We strongly condemn this attitude of the Government. ...[\(Interruptions\)](#)

श्री सज्जन कुमार (बाहरी दिल्ली) : बिना हाउस को विश्वास में लिए आप क्या करवा रही हैं? ...[\(व्यवधान\)](#)

सभापति महोदया : सब बातें रिकार्ड पर आई हैं। मिनिस्टर साहब ने सब कुछ बता दिया।

â€!([व्यवधान](#))

सभापति महोदया : आप सब अपनी अपनी जगह से अपनी अपनी बात कहेंगे, उसके बाद ही मंत्री जी जवाब देंगे।

â€!([व्यवधान](#))[\[h31\]](#)

सभापति महोदया : आदरणीय प्रियरंजन दासमुंशी जी ने आपको सब कुछ बता दिया, उसे आपको मान लेना चाहिए। अभी मंत्री जी बोलेंगे, उसके बाद आप अपनी-अपनी जगह से अपनी बात कहें।

...[\(व्यवधान\)](#)

सभापति महोदया : स्टैंडिंग कमेटी के मेम्बर्स यहां भी हैं और वे मेम्बर्स यहां अपनी बात रखेंगे।

\*Not recorded

**श्री प्रियरंजन दासमुंशी :** सभापति महोदया, मैं बड़े आदर के साथ कहता हूँ कि आदरणीय प्रभुनाथ जी का भाषण मुझे प्रभावित करता है, लेकिन जब एमपीज़ की सैलेरी एंड एलाउंस बिल लाए थे, उस दिन आपने हल्ला नहीं किया...(व्यवधान) उस दिन आपने हल्ला क्यों नहीं किया?...(व्यवधान)

**सभापति महोदया :** आप पहले मंत्री जी की पूरी बात सुन लीजिए।

**श्री प्रियरंजन दासमुंशी :** हमारी परम्परा के अनुसार जो बिजनैस हाउस में पढ़ा जा चुका है और सदन के माननीय सदस्यों ने सुन लिया, पारित कर दिया,...(व्यवधान) उसे हम दोबारा नहीं बोल सकते। ...(व्यवधान)

**सभापति महोदया :** हाउस की गरिमा को बनाए रखें।

...(व्यवधान)

**सभापति महोदया :** अभी आप बैठ जाइए, आपका जब नाम लिया जाएगा, तब आप बोलिए। आप बड़े सीनियर मेम्बर हैं, आप मंत्री जी को बोलने दीजिए।

...(व्यवधान)

MADAM CHAIRMAN: Nothing will go on record.

*(Interruptions)\* â€*

**श्री राजीव रंजन सिंह 'लालन' (बेगूसराय) :** ये बिल के माध्यम से ऑल इंडिया इंस्टीट्यूट को खत्म करना चाहते हैं।...(व्यवधान)

**सभापति महोदया:** आप बैठिए, हाउस का डेकोरम तो रखाए। आप लोग बहुत सीनियर मेम्बर्स हैं।

**प्रो. विजय कुमार मल्होत्रा :** सारी स्टैंडिंग कमेटियां खत्म कर दीजिए।...(व्यवधान)

**सभापति महोदया:** यहां सारी स्टैंडिंग कमेटियों की बात नहीं हो रही, दासमुंशी जी ने आपको सब कुछ बता दिया कि किस तरह से बिल आया। यह स्पीकर साहब की डिस्क्रिशनरी पावर है।

SHRI MADHUSUDAN MISTRY (SABARKANTHA): When it was decided in the BAC, how can they differ on that now?...*(Interruptions)*

PROF. VIJAY KUMAR MALHOTRA : This Bill should go to the Standing Committee.

MADAM CHAIRMAN: Nothing will go on record.

*(Interruptions)\* â€*

\*Not recorded

**सभापति महोदया:** आप मंत्री जी को बोलने का मौका तो दें। आप पहले मंत्री जी की बात सुन लें, उसके बाद अपनी बात कहें।

SHRI BASU DEB ACHARIA (BANKURA): Madam, in Business Advisory Committee, majority of the Members agreed...*(Interruptions)*

PROF. VIJAY KUMAR MALHOTRA : It is not a question of majority or minority...*(Interruptions)*

SHRI BASU DEB ACHARIA : A majority of the Members agreed to bring the Bill directly to the House without referring it to the Standing Committee...*(Interruptions)*

**सभापति महोदया :** कृपा करके आप बैठ जाइए।

SHRI BASU DEB ACHARIA : A number of Bills were not referred to the Standing Committee. They were brought directly to the House...*(Interruptions)* In spite of our objections...*(Interruptions)*

**श्री राजीव रंजन सिंह 'लालन' :** मैडम, हाउस को विश्वास में नहीं लिया गया।...(व्यवधान)

**सभापति महोदया :** हाउस के कुछ रूल्स हैं, उन्हीं रूल्स के एकाडिंग हाउस चल रहा है।

...(व्यवधान)

MADAM CHAIRMAN: Everything is clear now. Please take your seats.

...(Interruptions)

MADAM CHAIRMAN: Let the hon. Minister speak and then you can speak.

...(Interruptions)

MADAM CHAIRMAN: Nothing will go on record.

(Interruptions)\* â€!

**सभापति महोदया :** आदरणीय प्रभुनाथ जी, आप बहुत सीनियर मेम्बर हैं। आप अपनी बात मंत्री जी के बोलने के बाद कहें।

...(व्यवधान)

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\* Not recorded

**सभापति महोदया :** आप बैठ जाइए, सारी बात विलयर हो गई है। आप बार-बार बोल कर अपनी बात को रखना चाहते हैं।[\[rep32\]](#)

...(व्यवधान)

**सभापति महोदया :** कुछ भी रिकार्ड में नहीं जाएगा।

(Interruptions)\* â€!

**सभापति महोदया :** प्रभुनाथ जी, आप हाउस की गरिमा को नहीं रख रहे हैं। मंत्री जी खड़े हैं और आप बोलने नहीं दे रहे हैं।

â€!(व्यवधान)

**SHRI PRIYA RANJAN DASMUNSI :** Madam, it is now time for the Government business. I proposed the business with full concurrence of the House the other day. With full concurrence of the Speaker, I proposed the business to go....(Interruptions)

**प्रो. विजय कुमार मल्होत्रा :** महोदया, यदि यह बिल पास हो गया तो यह सबसे डॉक्रेट बिल होगा...(व्यवधान)

MADAM CHAIRMAN : No more interruptions.

...(Interruptions)

MADAM CHAIRMAN: Everything is recorded now. Please sit down.

...(Interruptions)

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\* Not recorded

**DR. ANBUMANI RAMADOSS :** Thank you, Madam, for giving me an opportunity to bring in a small amendment to the All India Institute of Medical Sciences Act as well as the PGI Chandigarh, proposed as Medical Education and Research Act.

In the last Session of Parliament, I have introduced two Bills to be amended. One Bill was the Cigarettes and other Tobacco Products Bill; another Bill was the All India Institute Bill. ...(*Interruptions*) Out of the two Bills which I introduced in the last Session, one Bill was passed in this august House and in the other august House without going to any Committees. This is the second Bill. It is not that there is no precedence of any Bill not being passed going to the Committees. Out of the two Bills which I have brought in the last Session, one Bill – Cigarettes and other Tobacco Products Bill – was passed without going to the Committees. I do not think that I am such a big person to influence the Speaker not to refer it and all these things. This is a part of the responsibility of the Government.

This is just a small amendment which we would like to bring to the notice of the hon. Members of Parliament where we are fixing the tenure of 65 years for the Directors of both the Institutes, the All India Institute as well as the PGI Institute Chandigarh....(*Interruptions*)

MADAM CHAIRMAN: Kindly do not interrupt.

...(*Interruptions*)

DR. ANBUMANI RAMADOSS: We are just fixing the tenure of 65 years because, in fact, the High Court going into a lot of cases had instructed us to fix the tenure of the Director of these two Institutes. That is why we are fixing the tenure of the Director. The retirement age for All India Institute and PGI Institute Chandigarh for teaching cadres, teaching professionals is only 62 years. Here, we are increasing it for three years and we are fixing a tenure up to 65 years.

There is another amendment which I would like to bring. There are two clauses which we want to introduce. One clause is 65 years. Second clause is that we are bringing an official amendment and deleting that. In the second part of the amendment which we are bringing, we are deleting that voluntarily. This is not only for the All India Institute; for both the Institutes, the All India Institute and the PGI Institute Chandigarh – we are asking them – we are trying to bring in this amendment. So we have nothing personal of any Institute as such as was alleged by the Members of the other side. As a responsible Government, we want the Institute to be one of the best in the world. I am also a medical professional; I am also a doctor. ...(*Interruptions*) We are trying to improve the structure. We want All India Institute of Medical Sciences to be like an Institute of Johns Hopkins or Harvard University or Stanford University which was the best. ...(*Interruptions*)

MADAM CHAIRMAN: This is not the way; please do not interrupt.

...(*Interruptions*)

DR. ANBUMANI RAMADOSS: We want to reach that level. This Bill is not aimed at any individual as such. The Institution has to improve. As collective responsibility to this august House, it is our responsibility to improve the Institution. This amendment is a small amendment which I am trying to bring. I would like to have the cooperation and support of all the Members of Parliament....(*Interruptions*)

MADAM CHAIRMAN: Motion moved:

"That the Bill further to amend the All India Institute of Medical Sciences Act, 1956 and the Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966, be taken into consideration."

SHRIMATI MANEKA GANDHI (PILIBHIT): Thank you for giving me an opportunity to speak. Before I begin, let me say that I oppose this Bill and I think it would be in the fitness of things for it to be referred to the Standing Committee. One of the reasons that it has not been referred to the Standing Committee – reasons that has been given – is that the House can have an opportunity to debate it. That opportunity would have been given to the House any way, even after the Standing Committee. The reason why it should go to the Standing Committee is that the Standing Committee has the time and the expertise to hear witnesses, to hear wiser professional counsel and therefore give the best of what they can give to this House. However, since the Speaker has deemed it fit to allow the Bill straight to the House, let us first be clear which Institution we are talking about, that is being tampered with today.[\[r33\]](#)

I do not refer to PGI because we know that PGI has just been put as an addition. The real purpose is the All India Institute of Medical Sciences. This was the dream of Pandit Nehru to make a super specialty centre that would be the best in Asia. A dream that the centre would create and attract the best medical talent and be a shining example of India's abilities, an independent, autonomous centre as good as any in the West, a dream that is survived when many of the others have fallen by the wayside.

All of us in this House send our poor, our hopeless, indeed ourselves to this hospital with the belief that they can do medical miracles. From my personal experience, I have seen that they do miracles many times, this in spite of the fact that they are under-funded and extremely overworked with 25 lakh patients a year. This can only be achieved as you all will agree that the administration of the hospital, which is so much under stress, is good.

A Bill is brought into Parliament after it has been carefully considered by the Cabinet. It is passed when the Cabinet believes that it is for the good of this country. Sometimes the Cabinet makes an honest mistake and it turns out otherwise. The history of independent India, indeed of the world, is replete with such examples. Humans are not infallible and politicians even less so. However, this is the first time that I have seen a Bill that has been brought in by the well-meaning Government simply to push the personal agenda of one man who wants to remove another. ...(*Interruptions*)

MADAM CHAIRMAN : Let her speak.

...(*Interruptions*)

MADAM CHAIRMAN: Nothing will go on record except the speech of Shrimati Maneka Gandhi.

(*Interruptions*)\* â€

MADAM CHAIRMAN: You can speak when your turn comes. Let her speak now.

...(*Interruptions*)

MADAM CHAIRMAN: You can say whatever you want when your turn comes. Now, let her speak.

...(*Interruptions*)

SHRIMATI MANEKA GANDHI : In the process of this removal, the morale and abilities of the entire institution will be put under threat. The Congress which claims descent from the ideals of Pandit Nehru should do so is really very sad.

What is this Bill? On the face of it, it is a simple one. It says that the Director of AIIMS can only hold office for a term of five years or till he turns 65. Then, it says that the Central Government, if it is of the opinion that this is in the public interest, can remove the Director any time before the expiry of his term ...(*Interruptions*)

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\* Not recorded

MADAM CHAIRMAN: Do not disturb her.

SHRIMATI MANEKA GANDHI : The amendment is yet to come. Therefore, it is still there technically.

Then, it says that the Central Government, if it is of the opinion that this is in the public interest, can remove the Director any time before the expiry of term by giving a notice of three months or giving him three months salary and asking to leave immediately.

This is not a peon, mind you – to whom the Government cannot do this. This is the Director of AIIMS. As I said before, I deliberately do not include the Director of other that other excellent institution, PGI, Chandigarh who has been added to try and disguise the actual target of the Bill.

I am a member of the Standing Committee on Health and for three years I have been watching the course of this attack on the Director of AIIMS by the Minister for Health. Not just I, every Indian has been reading about each foray by the Minister into the citadel of AIIMS whether by direct action or by remarks in the Press or by bringing Bills into Parliament. In this case, ...(*Interruptions*)

MADAM CHAIRMAN: Nothing will [\[h34\]](#)go on record except the speech of Shrimati Maenka Gandhi.

(*Interruptions*)\* â€

[\[h35\]](#)

MADAM CHAIRMAN : Nothing will go on record except the speech of Shrimati Maneka Gandhi.

*(Interruptions)\**

SHRIMATI MANEKA GANDHI : In this case, the Minister is in such a hurry that he has tried twice to pass an Ordinance between the last Parliament Session and this one.

For the uninitiated, let me give you a history of the last three years so that

\* Not recorded

you, in the Treasury Benches and you, that support them, can see the total picture. As soon as he became the Minister for Health and Family Welfare, he moved into the AIIMS Guest House. This, in itself, is unprecedented for a Minister of Health. However, let that be...*(Interruptions)*

DR. ANBUMANI RAMADOSS : Madam Chairman, I need your protection here...*(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI : Let him also speak.

SHRIMATI MANEKA GANDHI : Let the Minister sit because I do not yield...*(Interruptions)*

DR. ANBUMANI RAMADOSS: I have been seeing for the last three and a half years during my tenure as the Minister that every time she has got up to speak about me or my Ministry. She has been alleging a lot of things. Can this go on and on?...*(Interruptions)*

MADAM CHAIRMAN: Mr. Ponnuswamy, please sit down.

*...(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI: The Minister is competent enough to defend himself...*(Interruptions)*

SHRIMATI MANEKA GANDHI : I am afraid that he is a Minister for the first time in the Government and he must realize that every Member has the right to do things in the public interest.

However, let there be, as he is entitled to, as he is technically the President of the AIIMS...*(Interruptions)* I am pointing out only facts. There are no aspersions here; there are only facts. Did he not move into the AIIMS? Is he not the President of AIIMS? Therefore, he is entitled to. That is exactly what I have said.

MADAMA CHAIRMAN: Manekaji, please complete your point.

*...(Interruptions)*

MADAM CHAIRMAN: Hon. Members, please do not disturb.

*...(Interruptions)*

SHRI PRIYA RANJAN DASMUNSI: Mr. Ponnuswamy, the Minister is capable of defending himself. Why are you interrupting?...*(Interruptions)*

SHRIMATI MANEKA GANDHI : If that had been the only thing and done because the Minister believed in being there because he wanted to oversee the hospital as part of his many, many functions, I would have applauded in his action. But what was the reason? Did he not start working with Unions in order to destroy discipline and remove the Director? Immediately, we started hearing remarks from his colleagues in the Health Ministry about the one caste stranglehold and how it needed to be broken; and this is part of the recorded document in the Health Ministry, and that the Minister would do it. That the person who said this, and it is recorded as I said in the Health Ministry meeting, later changed his mind and became a critic of the Minister's doings, is also recorded.

This is the first time that we have seen doctors in the light of the castes in AIIMS, and I wonder the Minister did not see them as doctors but his representatives of social divisions.

After the Minister took up residence in AIIMS, he appointed an OSD, who is a retired Sub-Inspector of the Tamil Nadu

Police...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI: Madam, there is a standing practice in the Parliament that if any hon. Member wants to make any allegation against a Minister, he should give an advance notice and seek the permission. That is the rule of the House...(Interruptions) Lalanji, this is the practice...(Interruptions)

श्री राजीव रंजन सिंह 'ललन' : यह एलीगेशन नहीं, फैक्ट्स हैं।...(व्यवधान)

MADAM CHAIRMAN: Manekaji, kindly speak on the subject only.

...(Interruptions)

श्री प्रियरंजन दाम्मुंशी : सभापति महोदया, अगर अगेन्स्ट दी मिनिस्टर कोई एलीगेशन है तो उसके लिए कॉपी फर्निश करके इजाजत लेनी पड़ती है, यह हाउस का नियम है।...(व्यवधान)

SHRIMATI MANEKA GANDHI : I am not making allegations. I am sorry, these are not allegations but these are facts. He appointed an OSD, the OSD is a retired Sub Inspector of the Tamil Nadu Police Force; and he gave him a Guest House in the AIIMS, is also a fact. Now, each Minister is entitled to have personal staff at the expense of the Government. But this personal staff is only for his official work in the Ministry. They are not supposed to deal with autonomous institutions on a day-to-day basis, and specially not, because the number of trained personnel from AIIMS is deputed from the Nirman Bhavan for providing all official assistance to the Health Minister in his capacity as the President of the AIIMS. This OSD took the Guest House meant for scholars, international scientists, and started meeting staff, officers, faculty and Unions in order to create more confusion...(Interruptions)

MADAM CHAIRMAN: Mr. Ponnuswamy, please let her speak. When your turn comes, you may also speak. [r36]

SHRIMATI MANEKA GANDHI : The files pertaining to the administration of AIIMS, which should have been totally autonomous, but which have been going to the Ministry for years and years and being passed by previous Ministers which admit, who simply regard this as a formality, were now held up for months. The appointment of officers, the foreign visits of faculty for medical seminars – these are just some of the files held up. ...(Interruptions)

Every senior doctor claims that he had to meet this OSD in order for his justified work to be passed on file. Of course, now that we find that degrees for students were held up for years together in spite of the fact that India needs doctors desperately and this had to be solved by a High Court intervention which is one of many High Court interventions in these last three years. These were not the only things. Projects that had been passed by your Planning Commission for the betterment of medical facilities provided for AIIMS were also held up. So much for your commitment to healthcare!

Till today the Health Minister has not constituted any Committee for formulating recommendations towards implementation of the Sixth Pay Commission for the staff again which is what were supposed to have been done three years ago.

Then it was decided that the sins of omission were not enough; let us have some sins of commission as well. So, he broke all the rules framed to appoint the Dean of the AIIMS and appointed a Dean without even consulting the Director. In fact, he even disregarded the recommendation of a Search Committee appointed by himself. It is the tradition that the Dean of AIIMS is appointed from the seniormost professors. The current Dean is 24<sup>th</sup> in seniority and has superseded 23 more senior faculty members for no reason at all except the Minister's prerogative. ...(Interruptions)

The dust had not settled on that when the anti-quota agitation broke out among students who had simply gone to AIIMS to be doctors and had not thought that caste would be an impediment to their ability to serve the country, during this agitation, the Director made every effort to defuse an ugly situation and he wrote. ...(Interruptions) We have, the Health Committee has all the letters. The Standing Committee on Health has all the letters given by the Director. ...(Interruptions)

SHRI E. PONNUSWAMY (CHIDAMBARAM): Madam, this is not correct. ...(Interruptions)

MADAM CHAIRMAN : Nothing will go on record except the speech of Shrimati Maneka Gandhi.

(Interruptions) \*â€!

सभापति महोदया : आप बैठिये। आपकी पार्टी की मॅम्बर बोल रही हैं, आप उन्हें बोलने दीजिए।

â€!(व्यवधान)

\* Not recorded

SHRIMATI MANEKA GANDHI : He wrote to the Police Commissioner, the Health, Home and Cabinet Secretaries and to the Principal Secretary to the Prime Minister. The Minister who lives there, did not visit the AIIMS campus during the agitation and did not hesitate to constantly and publicly blame the Director.

You have all met Dr. Venugopal. Many of you have been treated by him including the hon. Prime Minister. ...(*Interruptions*)

MADAM CHAIRMAN : Nothing else will go on record.

*(Interruptions)\** ❌!

MADAM CHAIRMAN : Please sit down.

...(*Interruptions*)

**प्रो. विजय कुमार मल्होत्रा** : सभापति महोदया, आप उन्हें रोकिये। इस तरह हाउस नहीं चल सकता। ...(व्यवधान)

SHRI PRIYA RANJAN DASMUNSI : Madam, I would like to make it abundantly clear that this UPA Government is not against any individual. We are streamlining the policy only. ...(*Interruptions*)

SHRIMATI MANEKA GANDHI : I am happy that you have said that. ...(*Interruptions*)

SHRI PRIYA RANJAN DASMUNSI : Policymaking is the right of the Government. Individual is not the issue. Let us not bring individuals. ...(*Interruptions*)

MADAM CHAIRMAN : Let her complete.

...(*Interruptions*)

SHRI E. PONNUSWAMY : Why do you name the persons? ...(*Interruptions*)

\* Not recorded

MADAM CHAIRMAN : Nothing will go on record except the speech of Shrimati Maneka Gandhi.

*(Interruptions)\** ❌!

SHRI KHARABELA SWAIN (BALASORE): Nobody is supporting you. You are the only two people ...(*Interruptions*)

**सभापति महोदया** : मल्होत्रा जी, आप अपने लोगों को बैठाइये।

❌!(व्यवधान)

SHRI KHARABELA SWAIN : Nobody in the House is supporting you. ...(*Interruptions*)

SHRIMATI MANEKA GANDHI : Does he look like the kind of man who has the health, the time or the inclination for any kind of political manoeuvring and specially to engineer an agitation that puts his own institution with which he has been associated for over 48 years under stress? [\[k37\]](#)

When the Minister went to the press to blame the Director, the Director simply defended himself by saying that he was not responsible for the agitation. On June 16, the Minister went to the Press and publicly warned Director that action would be taken against him for defending himself in the media. I fail to see the crime. The Minister can attack a senior doctor of anything, but the Director, who is senior and much older, cannot say anything! The Minister then announced his own decision to remove officials and cut pay of the doctors who had taken part in the protest and he said to the Director that he was free to resign and that he should not lobby for people to try and stop him from resigning. Does it sound like the statement of a Minister?

Then, Dr. Venugopal went on leave in June, 2006. In his absence, the Minister using the Dean that he had appointed ...(*Interruptions*)

MADAM CHAIRMAN : Nothing will go on record.

(*Interruptions*) \*â€!

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\* Not recorded

MADAM CHAIRMAN: Please take your seat.

...(*Interruptions*)

श्री राजीव रंजन सिंह 'ललन' : लगता है दाल में कुछ काला है...(*व्यवधान*)

सभापति महोदया : रंजन जी, आप उनका समय मत खराब करें। कृपया बैठ जाएं।

...(*व्यवधान*)

MADAM CHAIRMAN : Nothing will come on record.

(*Interruptions*)\* â€!

सभापति महोदया : आप बैठ जाएं, मंत्री जी जवाब देंगे।

...(*व्यवधान*)

श्री स्वारबेल स्वाई अगर इन्हें इस तरह से बीच-बीच में बोलना है तो फिर मंत्री जी को तो अपना जवाब ले कर देना चाहिए।...(*व्यवधान*)

सभापति महोदया : कृपया उन्हें बोलने दें।

SHRIMATI MANEKA GANDHI : If the hon. Member, for whom I have great respect, believes that I am wrong, he is most welcome to contradict every single thing. I am not infallible. I say things as I see them. ...(*Interruptions*) I have been ...(*Interruptions*) He is most welcome to say ...(*Interruptions*) I will not interrupt him when he speaks. ...(*Interruptions*)

MADAM CHAIRMAN: Shri Ponnuswamy, please do not disturb now.

...(*Interruptions*)

श्री राजीव रंजन सिंह 'ललन' : इनके इस तरह के रवैये से लगता है कि दाल में कुछ काला है, इसीलिए बार-बार ये लोग इंटरप्ट कर रहे हैं।

सभापति महोदया : कृपया उन्हें बोलने दें।

...(*Interruptions*)

PROF. RASA SINGH RAWAT (AJMER): Something is wrong in it. ...(*Interruptions*) दाल में कुछ काला है। ...(*Interruptions*)

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\* Not recorded

MADAM CHAIRMAN: Nothing is wrong. Let her speak. The Minister will reply. Everything will be clear.

SHRIMATI MANEKA GANDHI : When the Director went on leave in June, 2006 ...(*Interruptions*)

MADAM CHAIRMAN: Please do not stand again and again.

...(*Interruptions*)

SHRI E. PONNUSWAMY : She raises her voice for the cause of the animals ...(*Interruptions*)

SHRIMATI MANEKA GANDHI : Does the Director look like an animal to him? He is a respected Director. ...(*Interruptions*)

MADAM CHAIRMAN: Shri Ponnuswamy, nothing will go on record.

*(Interruptions)\**

SHRIMATI MANEKA GANDHI : In the Director's absence, the Minister using the Dean he had appointed himself, removed the Senior Financial Advisor and no reasons were given. He removed the first woman who had ever been made Sub-Dean and again put his own person as Sub-Dean. Then, he removed the woman who was in charge of the media and put his own person there. The lady, media in charge, was also removed as were a large number of women. These appointments can only be made by the Director, but the Minister, of course, is above the rules.

Not content with tinkering around with staff, whose removal was aimed at provoking the Director to resigning because of the humiliation, the Minister was infuriated by the calm and indifference shown by the senior doctors and the Director. But on 5<sup>th</sup> July 2006, the Minister in his role as President of the institute body of AIIMS sacked the Director. No rules were followed. The Director was made to sit outside on a bench when this decision was taken, even though he was a

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\* Not recorded

member of the institute body. Every newspaper, every parliamentarian reacted and the entire academia and medical community reacted. The Health Committee of Parliament issued a unanimous condemnation. This Committee is made of Members from all parties in Parliament and a great deal of good work is done by the Ruling Party Members in that Committee.[\[s38\]](#)

(12/1445/ak-har)[\[r39\]](#)

The entire Committee on Health and Family Welfare of the Parliament issued a unanimous condemnation of this illegal act. The Government ...(*Interruptions*)

DR. KARAN SINGH YADAV (ALWAR): I am sorry to interrupt, but I was a Member of that Committee. ...(*Interruptions*)

**सभापति महोदय :** डा. करण सिंह यादव जी, आप अपनी बात बाद में बताइयेगा।

SHRI E. PONNUSWAMY : Madam, she has not spoken a single point on the Bill being discussed in the House. ...(*Interruptions*)

MADAM CHAIRMAN: Nothing will go on record.

*(Interruptions)\**

SHRIMATI MANEKA GANDHI : One person objected, but even then I may bring it to your notice that the condemnation was drafted by the person who is your current Minister of Defence. ...(*Interruptions*) Two days later, the hon. High Court of Delhi stayed the termination of the Director, terming it as illegal.

MADAM CHAIRMAN: Shrimati Gandhi, please conclude your speech.

*...(Interruptions)*

SHRIMATI MANEKA GANDHI : They also passed remarks against the Minister saying that he should pay more attention to the health crisis in the country -- which at that time was an outbreak of Dengue -- rather than concentrating on disrupting the entire hospital. This is what the hon. High Court had to say regarding this issue.

The Minister spent the next few months working on the next move. On 18 October 2006 he called an Institute Body Meeting where the Director was again

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\* Not recorded

publicly humiliated, and he was asked to submit answers to the queries made by the Minister and his Body. He was also given only a limited time to do so. The Director sent his replies within the time stipulated, but not one has been looked up in a year. ...(*Interruptions*)

MADAM CHAIRMAN: Shrimati Gandhi, please conclude your speech.

...(*Interruptions*)

SHRIMATI MANEKA GANDHI : I am not going to conclude. ...(*Interruptions*)

MADAM CHAIRMAN: Your Party was allotted only 14 minutes for this discussion. The name of one more speaker from your Party is there to speak on this issue.

...(*Interruptions*)

SHRIMATI MANEKA GANDHI : I will take 10 more minutes to conclude my speech. ...(*Interruptions*)

MADAM CHAIRMAN: If this is the case, then no other Member from your Party will speak on this subject.

...(*Interruptions*)

SHRIMATI MANEKA GANDHI : I am taking the entire time allotted to BJP. ...(*Interruptions*) विजय जी, आप बोल दीजिए कि पार्टी का बचा हुआ सारा टाइम मुझे दिया गया है।

**श्री. विजय कुमार मल्होत्रा :** सभापति महोदया, पार्टी के बचे हुए टाइम में माननीय मेनका जी बोलेंगी।

**श्री प्रियरंजन दासगुप्ता :** पांच-दस मिनट बढ़ जाएं तो कोई बात नहीं, लेकिन एक ही लोग बोलेंगे और कोई नहीं बोलेंगे, ऐसे नहीं चलेंगे।

SHRI E. PONNUSWAMY : Madam, she has not even mentioned a single point regarding the Bill. All the points mentioned by her are irrelevant here. ...(*Interruptions*)

MADAM CHAIRMAN: Mr. Ponnuswamy, you can speak during your turn to speak. She is concluding her speech as only 14 minutes were allotted to her Party.

...(*Interruptions*)

SHRIMATI MANEKA GANDHI : No, I am not concluding my speech. ...(*Interruptions*)

MADAM CHAIRMAN: The time allotted to Shrimati Gandhi's Party is exhausted. She has already taken more than 14 minutes.

...(*Interruptions*)

MADAM CHAIRMAN: She has taken almost 23 minutes although only 14 minutes were allotted to her Party.

...(*Interruptions*)

SHRIMATI MANEKA GANDHI : Madam, five minutes have gone in disruption out of the 14 minutes allotted to the Party.

Not one answer of the Director has been looked at in a year or discussed. So important was the information demanded!

On 29 March 2007, that is, six months later, the Division Bench of the hon. High Court ordered the Institute Body to discuss the answers given by the AIIMS Director, and ordered the Institute to be fair and objective. ...(*Interruptions*)

SHRI E. PONNUSWAMY : Madam, is this point relevant here? ...(*Interruptions*)

MADAM CHAIRMAN: Shrimati Gandhi, please conclude your speech. Nothing will go on record.

(*Interruptions*)\* &#x2013;

SHRIMATI MANEKA GANDHI : The hon. High Court is telling the Minister to be fair and objective. ...(*Interruptions*)

MADAM CHAIRMAN : Shrimati Gandhi, please conclude your speech. You have already taken more than 24 minutes. It is more than the time actually allotted to your Party for participation in this discussion, which was originally 14 minutes.

...(*Interruptions*)

प्रो. रासा सिंह रावत : सारे हिंदुस्तान में यह सबसे महत्वपूर्ण संस्था है।

\* Not recorded

MADAM CHAIRMAN: Your Party was allotted a total time of 14 minutes, and you have already taken more than 24 minutes to speak on this subject.

...(Interruptions)

SHRIMATI MANEKA GANDHI : Madam, I will conclude in five more minutes.

So huge was the uproar that the Prime Minister stepped in and appointed a Committee under the Chairmanship of Prof. M. S. Veliathan to look at the functioning and autonomy of AIIMS. The Veliathan Committee submitted its report in October, and contrary to what the Minister wanted, this Committee highlighted the achievements of AIIMS under this Director and recommended the removal of the Health Minister and the Health Secretary from the Institute Body of AIIMS and recommended autonomy for the institution. ...(Interruptions)

MADAM CHAIRMAN: Now, please conclude your speech.

...(Interruptions)

MADAM CHAIRMAN: Nothing will go on record except the speech of Shrimati Gandhi.

...(Interruptions)

SHRIMATI MANEKA GANDHI : This report was passed on by the Prime Minister's Office to the Health Minister for action. It has been ignored. ...(Interruptions)

The saga does not stop here. The AIIMS Registrar was charged with serious malpractice and vigilance cases in the selection of Senior Residents. He was transferred by the Director to a rural Health Centre in Ballabgarh. The Health Minister intervened, and he ordered that the man may not be transferred notwithstanding any criminal investigation...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : Madam, my humble submission -- without any disrespect to Shrimati Maneka Gandhi -- is that I will take the entire contents to the hon. Speaker.

SHRIMATI MANEKA GANDHI : Yes, you may do it. ...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : If there are any specific allegations about the conduct of a Minister, then it has to be tabled with a copy to the Minister in advance and provided the rule permits.[\[r40\]](#)

It never happened like this. ...(Interruptions)

PROF. VIJAY KUMAR MALHOTRA : She is not making any allegations. ...(Interruptions)

SHRI PRIYA RANJAN DASMUNSI: I know the rules better than you, Mr. Malhotra. According to the rules, it is an allegation. ...(Interruptions)

MADAM CHAIRMAN : Nothing will go on record.

(Interruptions)\*

SHRI PRIYA RANJAN DASMUNSI: The last sentence is a specific allegation. A specific allegation can be made only with a prior notice to the Minister with a copy to the hon. Speaker. You cannot make comments against the Minister just like that and *suo motu*. I demand that it must be expunged from the records because it is not permitted under the rules. ...(Interruptions) How can she make sweeping remarks against the Minister? It is not permitted under the rules. She can quote anything, but if it is a specific allegation, then the Minister should be given prior notice of it. ...(Interruptions)

SHRI LAKSHMAN SINGH (RAJGARH): What she is saying is true.

SHRI PRIYA RANJAN DASMUNSI: Mr. Lakshman Singh, do not try to teach me the rules. If it is an allegation, whether it is right or wrong, you must give prior notice to the Minister. It does not matter whether it is a BJP Government or a Congress

Government. You cannot go on like that. *â€¦ (Interruptions)*

MADAM CHAIRMAN: Maneka ji, please speak on the AIIMS (Amendment) Bill.

*...(Interruptions)*

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\* Not recorded

SHRI PRIYA RANJAN DASMUNSI: Parliament is run on the basis of rules and not by the personal designs of anybody. It is wrong. If she is ignorant of the rules, she can take the BPST course. *...(Interruptions)*

MADAM CHAIRMAN: Nothing will go on record.

*(Interruptions)\* â€¦*

SHRI PRIYA RANJAN DASMUNSI: Rules are the last word in Parliament. You cannot do like this.

MADAM CHAIRMAN: Maneka ji, please conclude.

*...(Interruptions)*

MADAM CHAIRMAN: Nothing will go on record.

*(Interruptions)\* â€¦*

SHRI PRIYA RANJAN DASMUNSI: We are not getting only one information. Maneka ji is so studious and I respect her. The only information she should give to the House is since which date the Scheduled Castes' students have to stay in a separate hostel and use a separate canteen. That information should come before the House.

MADAM CHAIRMAN: Maneka ji, please conclude now. Nothing will go on record, except the speech of Smt. Maneka Gandhi.

*(Interruptions)\* â€¦*

MADAM CHAIRMAN: Please sit down.

*...(Interruptions)*

**श्री प्रियरंजन दाम्मुंशी :** मेनका जी को बोलने की पूरी आजादी है, लेकिन मंत्री के खिलाफ कोई आरोप लगाते हैं, तो पहले नोटिस देना पड़ता है।

MADAM CHAIRMAN : Nothing will go on record.

*(Interruptions)\* â€¦*

**श्री प्रियरंजन दाम्मुंशी :** किसी मंत्री के खिलाफ ही नहीं, अगर किसी संसद सदस्य के खिलाफ भी आरोप लगाते हैं, तो पहले नोटिस देना पड़ता है।

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MADAM CHAIRMAN: You have taken half-an-hour, please conclude now Maneka ji.

SHRIMATI MANEKA GANDHI : No, I will not conclude. I need ten more minutes to speak. *...(Interruptions)*

MADAM CHAIRMAN: Nothing will go on record. Maneka ji, please conclude within two minutes.

SHRIMATI MANEKA GANDHI : I need ten minutes more because most of my time has been taken away by interventions.

MADAM CHAIRMAN: Your time is over. I will give you only two more minutes and please finish your speech by then otherwise, I will call the next speaker.

...(Interruptions)

MADAM CHAIRMAN: Let her conclude her speech please.[\[r41\]](#)

SHRIMATI MANEKA GANDHI : Madam, more than half of that time has gone in interruptions. I would not need to say all this, if this Bill had gone to the Standing Committee. If that had been the case, all these views would have been put on record there. It is a fact that on the one hand the Government said, "सब को अपनी बात बोलने के लिए समय मिलेगा" and then they say we cannot speak. This is against the principles of natural justice. Either you send it to the Standing Committee, in which case we can point this out there. Otherwise, you have to give us time to place our views in the House. I am sorry but I cannot be responsible for the time lost in interruptions. I am going to carry on for another five minutes.

As per the statutory regulations, in the AIIMS each Faculty Member has to perform to the satisfaction of the Director. Even though the Governing Body is the appointing authority of the faculty, the regulations confer the power of confirmation and also of initiation of any disciplinary action against the faculty members, on the Director. In the last few months we know how many senior doctors have been suspended directly by the Minister without even informing the Director. Can this happen in any institution anywhere in India?

Madam, you have asked me to wind up. I am sure there will be other points, if other people are speaking I can give them the facts and they can carry on. I would like to say one thing. The Minister has gone again and again to court, to the High Court, to the Supreme Court. Who has paid the fee of lawyers that the Minister has used for going to court? ...(Interruptions) This is not an allegation.

MADAM CHAIRMAN: Please conclude now, you have taken 34 minutes.

SHRIMATI MANEKA GANDHI : Do you know â€. \*

MADAM CHAIRMAN: You have taken more time than allotted. You have already taken 34 minutes. Please conclude now.

SHRIMATI MANEKA GANDHI : Give me one minute more.

MADAM CHAIRMAN: You please conclude within half a minute. You have already taken 34 minutes.

SHRIMATI MANEKA GANDHI : Of which 20 minutes have gone in interruptions.

MADAM CHAIRMAN: Only 14 minutes were allotted to your party.

SHRIMATI MANEKA GANDHI : All right. I am going to conclude.

Madam, I would like to thank you for giving me this time. Who is this Director? Who is this person that we are targeting and getting rid off so unmercifully? Is he a terrorist? Is he a bad man? Is he a bad Director? He is a recipient of Padma Bhushan given by you. He is one of the most eminent people in India. He is a gentle, unassuming and a completely professional Director who does not care for fame. He will go to the Saibaba Institute that he had set up which runs free for the poor. He is there as the Director of AIIMS because Pandit Nehru, Raj Kumari Amrit Kaur, two Rajya Sabha Standing Committees, the Vaidyanathan Committee and so on recommended autonomy. This Bill goes completely in the

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opposite direction. This Bill will make the Director completely subservient to whoever Minister comes. It has nothing to do with this one. Is that what you wanted to do today? [\[KMR42\]](#)

**डॉ. करण सिंह यादव (अलवर) :** सभापति महोदया, मैं इस बिल के समर्थन के लिए खड़ा हुआ हूँ जिसमें 65 साल की लिमिट की बात कही गई है। आम तौर पर एम्स में टीचिंग फैसिलिटी के लिए 62 साल की उम्र निर्धारित है और इसमें 65 साल का प्रावधान किया गया है या पांच साल का टेन्चोर, जो पहले होगा। यह बात सही है कि इसे लाने के पीछे हाई कोर्ट और सुप्रीम कोर्ट में अनेक केस हैं। सुप्रीम कोर्ट ने इस बात की डायरेक्शन भी दी है कि सरकार की इस मामले में एक विलयर पॉलिसी हो। पिछली सरकार ने अपनी होशियारी और क्लुइड से डायरेक्टर का पीरियड पांच साल का बना लिया जबकि जो वर्तमान में डायरेक्टर हैं उनकी उम्र पहले ही 65 वर्ष से ज्यादा हो चुकी है। पिछले सालों में जो कुछ एम्स में हुआ, मैं उसकी तरफ सदन का ध्यान दिलाना चाहता हूँ। यहां मुझ से पहले जो माननीय सदस्या बोलीं, उनकी स्पीच वेल ड्रिफ्टड, वेल आर्टिकुलेटिड, वेल रिटन थी। I unfortunately do not have that kind of education and knowledge to vent my views in such an articulated manner. But we have to look into why every time All India Institute of Medical Sciences (AIIMS)

becomes the epicentre of all anti-reservation movements. This time when the legislation came and Central institutes were provided with the reservation facilities for OBC and others, the AIIMS became the epicentre. The whole media knows and the whole country knows that the administration and the people are there who gave them protection; nobody can enter into the AIIMS area. They cannot put up the *shamiana* or tents and relax their in the coffee house and sweet shops are opened up. They

are all treated like VIPs. But it is not only the AIIMS boys, but all also those who opposes the reservations, a large fund is being given to them and the AIIMS administration keep silence over that. Nobody is bothered about that. It does not stop that. After that, what has happened in the AIIMS, especially for the people of SCs, STs and OBCs, it is a shame that the photographs of Baba Bheemrao Ambedkar, the books of Bheemrao Ambedkar and the copies of the Constitution were burnt in that institution. The boys of SCs, STs and OBCs are discriminated. Hon. Minister, Shri Priya Ranjan Dasmunsi just now was telling that they have to be segregated in different hostels; they have to be segregated in different canteens; they have to go into different cafeterias after 60 years of Independence. Are we heading to that state where there is such a gross discrimination?

Here, a lot of things have been talked about. Why should we not discuss the Thorat Committee report, which has gone into threadbare as to what is the percentage of SCs and STs employees in the institution; as to how the reservations are being implemented; and as to how much opportunities are being given to them. I admire Dr. Venugopal for many things. Madam, fortunately, I come from the same profession. I had been a doctor myself. Believe me, honestly, when I say that he was a great surgeon; it was because of his surgeon competence and hard work that this country has recognised him and given him Padma Sri and Padma Bhusan. But this does not give him a guarantee that he can run the AIIMS in an autocratic way or in whatever way he wants it. The AIIMS is governed by certain rules and laws. There is a Governing Body; there is an AIIMS Body where eminent scientists and doctors from various parts of the country are members. This Parliament has chosen two of us from this House and there is a very senior and eminent Member from Rajya Sabha, Shri Dhawan, if I name him, are members of that committee. It is not the direction of the Health Minister; if a Director sitting there takes a vow that he would not obey a single order of the, - leave the President of the Institute, leave the Health Minister – Government Body, that body which is governing the AIIMS, and that Governing body if it gives some direction, it will not be obeyed or it will be absolutely floated, then, what is the answer? [r43] Lucky are they! In this country, we know what is happening; I have nothing to say against the hon. courts, which are so favourable and so kind that we cannot get a date and the very next day, they go and get a stay on whatever they want to – whether it is reservation in the Central Institutes or whatever it is.

On the one hand, the courts say 'no work, no pay'. It has been implemented all over; the Communist friends might know and everybody knows that. They have been fighting; they want the right to strike, but the Supreme Court said, 'no work, no pay'. The AIIMS Resident Doctors, the blue-eyed boys went the other day and the Health Ministry was told to take appropriate decision. It did not say what the appropriate decision was, whether salary should be paid to them or not. They did not comply with that. The appropriate decision was – the court's decision – 'no work, no pay'. The next time when the Health Ministry went there, the Lordship said, 'you came kneeling to this court and they discontinued the strike, give them the salary'. They were paid the salary. It has not happened in the country. We cannot say anything against the judiciary. But anything that you say is taken care of by the courts.

I have been the member of the AIIMS' Governing Body. I know the working of everything. The AIIMS is now run in a most autocratic way; autonomy is blatantly misused. The case of the Registrar was cited here. This gentleman was a protégé of his; he was a staunch supporter of the present Director. He was elevated from a small post to the post of the Registrar. As long as that, he was pleased. The moment, he did not obey a single order, he was removed the next day. He does not have the power to remove the Registrar, who is being appointed by the Committee or by the Institute's Governing Body.

The Governing Body called the Director and they took a decision, whatever complaints that he has against the Registrar, will be sorted out; we will investigate the complaints. But suddenly he found that he was not qualified and suddenly he found that he had a large corruption charges. You can ask anybody in the AIIMS, they will tell you how close this gentleman was with him. If he was corrupt, then who is to be blamed? Why was he made Registrar? He was not appointed Registrar by Dr. Ramadoss or the present Governing Body.

This Bill should be passed as early as possible because the situation is deteriorating every day. As a doctor, we know the mistakes are committed sometimes by the doctors, knowingly or unknowingly. Recently there was a case where the surgeon was alleged to have left a screw in the chest of the patient, while operating. This happens; the mistakes can happen sometimes; and this has happened with every doctor who has practised surgery in this world.

If the matter was reported to the hon. President of the Governing Body, in his wisdom, he took a decision to penalize that doctor. I say with all honesty; I know the doctor who was penalized – Dr. Bishoi – he is a very good surgeon; he is a very qualified surgeon; he is a very excellent surgeon as far as the skill is concerned. ...(*Interruptions*)

MADAM CHAIRMAN : Please do not disturb; nothing will go on record. Let him speak. Shrimati Maneka Ji, please sit down. Nothing will go on record, except what Dr. Yadav says.

(*Interruptions*)\* â€¦

MADAM CHAIRMAN: Shrimati Maneka Ji, please sit down. Nothing will go on record.

*(Interruptions)\**

DR. KARAN SINGH YADAV : The President constituted a Committee and believe me. ...*(Interruptions)*

MADAM CHAIRMAN: Only what Dr. Yadav says will go on record.

*(Interruptions)\**

MADAM CHAIRMAN: Shrimati Maneka Ji, please sit down.

*...(Interruptions)*

PROF. M. RAMADASS (PONDICHERRY): Madam, nothing should go on record. ...*(Interruptions)*

MADAM CHAIRMAN: Nothing will go on record; I have said that already. [\[MSOffice44\]](#)

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\* Not recorded

DR. KARAN SINGH YADAV : We would have protected him. There is no reason why we would not have protected him. He is a good surgeon and mistakes can happen with anybody but one cannot be sacrificed for a small mistake....*(Interruptions)*

MADAM CHAIRMAN : Please do not disturb him.

*...(Interruptions)*

DR. KARAN SINGH YADAV : But what did the Director do the next day? He suspended the Head of the Department, Dr. Sampat Kumar, who was heading that Department. Now the situation in AIIMS is that Dr.Sampat Kumar is working because the Health Minister or the President thinks that he is not at fault. He is working under his guidance. The other chap who was suspended is working because the Director or the Court has given him a life. In such a situation, people have started finding fault with each other. Doctors are busy in getting information about the weaknesses of other doctors. AIIMS has become the centre of politics. At 6.00 o'clock when you walk in the Director's Office a coterie of people will be surrounding him. Director is a good man but he is being surrounded by so many people who...*(Interruptions)*

MADAM CHAIRMAN: Shrimati Maneka Gandhi, please do not disturb him. Let him speak. Please maintain the decorum.

*...(Interruptions)*

SHRI S.K. KHARVENTHAN (PALANI): We have the right to support. Why are you shouting?...*(Interruptions)* Do you want to act as a lawyer in the Parliament?...*(Interruptions)*

MADAM CHAIRMAN: Nothing will go on record. Yadav ji, you may please speak.

*(Interruptions)\**

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SHRIMATI MANEKA GANDHI : He is a good man and you do not recognize a good man....*(Interruptions)*

MADAM CHAIRMAN: Do not say what is good and what is bad. Please let him speak.

*...(Interruptions)*

DR. KARAN SINGH YADAV : It is not a question of good or bad....*(Interruptions)*

MADAM CHAIRMAN: Prof. Ramadass, please sit down. Do not disturb him. If you want to discuss something you can go outside.

Please sit down. Do not discuss among yourselves.

...(Interruptions)

MADAM CHAIRMAN: Please do not fight with each other. If you want to discuss anything you can go out. Please do not disturb the House. Yadav ji, you can carry on.

DR. KARAN SINGH YADAV : Madam Chairperson, in this House the present Minister who was an MP at that time brought in a Call Attention Motion on the problems of AIIMS and the actions which were being taken against the employees' union. We were at that time on the other side. Former Prime Minister Shri Vajpayee protected him. Madam Maneka Gandhi protected him. From the Congress Benches I supported him. But after the reservation issue when we found that the people of the oppressed classes are treated as the second grade or third grade citizens, we have no business to support any high and mighty...(Interruptions) He has made compromises with all the unions. Whatever action he has taken, he has been pleasing everybody. He has been regularizing everybody now. The Students' Union, Faculty Union, Fourth Class Employees' Union, everybody is supporting him because now in the Director's Office he has taken a vow that till the date of his retirement, that is in June, somehow or the other, by hook or crook he has to sit on the chair and has to see that this governing body of this Parliament can do nothing about him. That is his aim and doctors are working day-in and day-out going to the courts left and right...(Interruptions)

SHRIMATI MANEKA GANDHI : Do not destroy AIIMS in the process...(Interruptions)

MADAM CHAIRMAN: Please keep silence. Nothing, except Shri Yadav's statement, will go on record.

(Interruptions)\*

DR. KARAN SINGH YADAV : The Governing Body has been insisting for many years, after we became a part of it, to see how the trauma centre could be developed. It is a large institution where we have to take care of the accident victims. With a great persuasion some semblance of trauma centre has started working. The AIIMS does not have the burns and plastic surgery unit.[\[R45\]](#)

We want that the cancer surgery unit should be developed. But whatever is being developed, it is at the whims of the Director. This is one example in this regard. I would appeal to all my fellow parliamentarians to think about the autonomy of that kind where you give all autocratic powers to some individual. But these powers are not given by the Constitution. All the powers vest with the Governing Body and he is a gentleman who just does not obey the Governing Body. He does not reply to the letters of the Governing Body. What can you do in this situation? My friends could tell me.

About the appointment of Registrar or Dean or Sub-Dean, it is for the first time that a young Health Minister who is committed to the ideology of down-trodden and OBCs and has appointed some of the very bright OBC SC/ST people as the Dean and the Sub-Dean. But they do not like it. The President has appointed them but they were not allowed to work. The charge was given to some third person. The file would not go to the Registrar. The file would go to the Dean. Whenever he wants he can put the tenth man in the seniority at the top in

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\* Not recorded

the Selection List and the senior people are ignored. It is a clear case where science is not developing and where most of the faculty is now interested only in how politics is done. People are becoming more expert in fighting court cases. It is high time that we resolve that the Bill is passed so that the AIIMS is restored to normalcy and a good environment is created. It is very disgusting to see the condition of AIIMS these days.

So far, reservation for OBC has not been implemented in education but in service of the Registrar, the reservation has been implemented. This year when the Registrars got elected and when it was found that a large number of SC/ST and OBC candidates have cleared the written examination, they changed the format. They changed the format in such a way that they conducted the interview. When the Governing Body asked how did you do that, that report has not been submitted by them. After all you will have to run the institution. The Health Minister was forced to say on *ad hoc* basis that the case is pending in the court. Everything is being decided by the courts. So that situation should never happen in this kind of institution. As a doctor, I do feel that autonomy has to be there. The academic, teaching and selection autonomy has to be there. But this does not mean that in the name of autonomy, you would not carry out the legal provisions and statutory laws of implementing the reservation for OBCs, SCs and STs. The boys and girls of these communities and classes would remain always under fear and terror. There

have been examples of this. There have been examples which show that boys and girls who took part in the agitation have been failed in the examination. The boys who have come from their own merit have been failed...(Interruptions)

MADAM CHAIRMAN : Please do not disturb. Please sit down. Nothing will go on record except Dr. Karan Singh Yadav's statement.

*(Interruptions)\**

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\* Not recorded

MADAM CHAIRMAN: Manekaji, you please sit down.

*...(Interruptions)*

MADAM CHAIRMAN: Yadavji, you please address the Chair.

*...(Interruptions)*

MADAM CHAIRMAN: Manekaji, you please sit down. Do not disturb the House. Please sit down.

*...(Interruptions)*

MADAM CHAIRMAN: Mr. Ponnuswamy, please sit down. Nothing will go on record except Mr. Yadav's statement.

*(Interruptions)\**

MADAM CHAIRMAN: Yadavji, you kindly address the Chair.

DR. KARAN SINGH YADAV : Madam, the examinations in AIIMS are conducted by the AIIMS Examination Section. The Examiners are appointed by the Director. In fact, certain boys and girls belonging to Scheduled Caste and Scheduled Tribe communities came up with a specific complaint...(Interruptions)

They came out with their past records and showed that they had been admitted as general candidates despite being SCs/STs. They had cleared all the examinations but because they participated in the agitation, they had been failed in the examination. The Governing Body took a decision that these boys may be examined again but the same set of people were appointed as Examiners.[\[R46\]](#)

MADAM CHAIRMAN : Please do not disturb. You are disturbing again and again.

*...(Interruptions)*

SHRIMATI MANEKA GANDHI : The failing of a student is being attributed...(Interruptions)

MADAM CHAIRMAN: Please do not disturb the House.

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\* Not recorded

Nothing will be recorded except the speech of Dr. Karan Singh Yadav.

*(Interruptions)\**

MADAM CHAIRMAN: Please let him speak. You already have spoken for 36 minutes. Please sit down now. Please have some decorum in the House.

Nothing will go on record except the speech of Dr. Karan Singh Yadav.

*(Interruptions)\**

DR. KARAN SINGH YADAV : The extent of autocracy in the institution was to such an extent that there was a dispute between the two Heads of Departments. The room of a lady professor was locked and guards were stationed. She was not even allowed to walk into her room. We in the Governing Body said that this at least should not be done. We as doctors cannot stoop to that level of locking the rooms...(Interruptions)

MADAM CHAIRMAN: I am asking you time and again not to disturb him. Nothing, except the speech of Dr. Karan Singh Yadav, will go on record.

(Interruptions)\*

MADAM CHAIRMAN: Dr. Yadav, you please address the Chair.

DR. KARAN SINGH YADAV : Unfortunately what happened was that when this issue of reservation came, the so called intellectuals approached the courts and appealed that there should not be any reservation for the OBCs. The matter was pending in the courts. But the court did not prevent them from recruiting people belonging to the Scheduled Castes and Scheduled Tribes. They recruited everybody on an *ad hoc* basis. Almost 200 Assistant Professors were appointed on *ad hoc* basis and they continued in their positions. When they completed their tenure of four years, the previous Governing Body, the one of which I was not a member, was convinced – it is clearly stated in the DOPT rules that *ad hoc* services cannot be counted for future promotions – and all those who had been in

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*ad hoc* service were selected and was promoted to higher positions. As a result of that the candidates belonging to the Scheduled Castes, the Scheduled Tribes and the OBC communities were deprived. AIIMS have their own people and they keep on selecting them and no one from outside can come in there.

Madam, it is an institution which needs to be taken care of. It is the responsibility of this House and this Government to see that this institution runs well. Everything is not fine there. It is time to bid a farewell and say a good bye to all those who have served the institution so far either as doctors and surgeons or others. We have honoured them. It is time to ask them not to damage this institution any more.

Madam, with these few words, I strongly support and also request the House that in the interest of the institution, in the interest of the profession, in the interest of the poor man and the down-trodden people and other communities this Bill should be unanimously passed and we should see to it that AIIMS start improving henceforth and there is no further deterioration.

DR. RAM CHANDRA DOME (BIRBHUM): Madam Chairperson, I rise to support the All India Institute of Medical Sciences and the Post-Graduate Institute of Medical Education and Research (Amendment) Bill, 2007.

Madam, this Bill was pressed in the last Session in its original text. It had sought amendment to Section 11 of the Act of 1956. Though I was in a different mood at that time, our party position was clear that we cannot support this Bill in its original form. It

was because, earlier, it was intended to encroach upon the autonomous spirit of the Governing Body of the All India Institute of Medical Sciences. But now, the hon. Minister has circulated the relevant amendment for the disputed clauses 2 and 3, sub-section 1(b) and by that amendment, it is clear that the objectionable and disputed part has to be deleted. Due to that reason, I rise to support this Bill on behalf of my Party as it intends to streamline the administration and management of the Institute which is a pioneer Institute in our medical system under our Government meant for the ordinary public.

We take this Institute as having the stature of the Supreme Court. It is an Institute for giving tertiary care for the people. It is an Institute for higher learning in medical sciences, training and research. This Institute is meant for this objective. We are proud of this Institute for various reasons. But I cannot say right now that this Institute is doing all well. At this point of time, we cannot say that this pride is still prevailing. We cannot be proud of this Institute for many reasons. It is the Institute which is meant for giving tertiary care to the ailing human beings. We know the ills of human beings. But, unfortunately, this Institute itself is suffering from some dreaded illness. That is the main point. Why I am saying this here?

I have some specific observations. Many things have been said by Madam Maneka Gandhi who had put her points elaborately. Many intricacies are there. I do not want to go into all of them now. Dr. Karan Singh Yadav, my colleague who is a doctor, expressed his views from the side of the Government. But I am definitely not in a position to charge any person. I would not cast aspersions on any particular person. I am only speaking on the merits of the Bill.

Madam, a few days ago, when our country was in turmoil, unfortunately, this Institute found a place in the media. The name of this Institute was highlighted by the media. It was on the anti-quota movement. An Institute which is meant for giving tertiary care and valuable care to the ailing patients has become the citadel of the anti-quo[MSOffice47]ta movement. Unfortunately this Institute has been dragged into nasty politics. It is not my personal observation. It is the observation of the Fact Finding Committee, appointed by the Government, under the Chairmanship of Prof. Thorat, who is the Chairman of the UGC. This Committee has come out with many findings, observations and recommendations in its Report. Though that Report has not been tabled in this House, the text of the observations and recommendations have come out in the media, in the Press. We are astonished about it. Being a doctor and a social worker, I am ashamed of this Institute. If these observations are correct and if this is the factual position, then it is a very dangerous thing, which is happening there. This Report implicates the administration itself. I do not know what is the actual position.

I demand that the Thorat Committee Report should be tabled in this House. It has so many observations and recommendations, which are very much damaging and unsoothing; which are against the natural justice and human rights of a particular segment of people; a particular segment of students; a particular segment of faculty members; a particular segment of junior and senior residents. These ills are happening there.

We, in the Parliament, are for streamlining the administration. We have to streamline the administration of the Institute so that these ills could be removed from the body politic of AIIMS. Otherwise, our pride cannot be protected. That is why I rise to support this Bill.

I have recorded some observations, which came out in the media. I want to put all those findings here. So, Madam Chairman, I seek your protection.

Many of our colleagues, here and outside, are always vociferous about human rights. The most important thing, that is the statutory reservation, which is enshrined in our Constitution, is not being followed in AIIMS. The Government has given statutory reservation power to AIIMS also. But unfortunately, for the last many years the reservation policy is not being followed. It has been given a go-bye.

Some students, who might have been misled, say they are against reservation and that they are for merit and equal justice. They say that merit should be the primary basis. But unfortunately, the position is this. Then, why 33 per cent reservation for the AIIMS today in seats? That 33 per cent is exclusive of Scheduled Caste/Scheduled Tribe statutory reservation. These kind of defects and deficiencies are there, through which legitimate statutory rights of the Scheduled Caste/Scheduled Tribe students are being compromised.[MSOffice48] I charge the Government – whichever Government it may be – these sorts of things are happening for so many years. They are going on. ...(*Interruptions*)

MADAM CHAIRMAN : Dr. Dome, please conclude your speech. You were allotted five minutes, but you have already taken 15 minutes.

DR. RAM CHANDRA DOME : Madam, I need few more minutes.

A lot of Members have spoken for so many minutes. ...(*Interruptions*) I do not want to put any aspersions or allegations against anybody. I do not want to put any illegitimate things here. I would only just want to put some legitimate observations here.

Madam on 24<sup>th</sup> August, 2001, the Supreme Court in its order struck down the reservations for category other than those constitutionally provided as *ultra virus*. Even then, that sort of reservation by-passing this Supreme Court order is going on. How is it going on?

Madam, in the case of post-based roster system, which is the only basis for reservation provided by the Government of India, it is not being followed by the AIIMS authority in the case of Senior Residency whereas in the case of Junior Residency, roster for admission is followed. These sorts of anomalies are there.

There is discrimination in training and posting and even in the examination system. A lot of hon. Members have pointed it out. It is not just mere observation. This is happening there. We must apply our mind. The Government and the Parliament cannot sit idle. They must act. The Scheduled Caste and Scheduled Tribe students allege about the discriminatory attitudes towards them in posting, personal attention during training and during examinations and they also faced such treatment of harassments during and after the anti-quota agitation. There is discrimination in other spheres also. The Resident Doctors Association is there. This is the front runner organization of the Resident Doctors. But this Association also has been made caste-based. This is very unfortunate.

Madam, the pro-quota students had to face harrowing experiences out of those repercussions. One glaring example that has come in the media is about the case of Dr. Ajitha Gil. It is a unique example. I would urge upon the Government to investigate this case. It is a clear case of discrimination. She was meted out with psychological and mental torture. It is very unfortunate.  
...(Interruptions)

MADAM CHAIRMAN: Dr. Dome, your Party time is over. Now, please conclude.

DR. RAM CHANDRA DOME : Madam, similar situation is prevailing in the case of selection of faculty members. A lot of examples have been mentioned here in this House by my learned colleague, Dr. Karan Singh Yadav. So, I am not going into the details. The denial of research opportunities also has been mentioned here. The recommendation of the Thorat Committee has come in the Press. I would like to briefly point out the text of those recommendations:

"Post-based roster system should be strictly followed in the faculty appointments. Reservation policy should be applied in its totalityâ€¦[a49]"  
"The Liaison Officer should monitor and report to the Ministry of Health and Family Welfare about its implementation.  
Participation of the SC/ST and OBC faculty in all the Committees of the AIIMS should be ensured.

There should be a redressal mechanism for complaints and grievances of the faculty and resident doctors in an appropriate forum."

Now, I come to the role of the Administration. The observation of the Committee, the text is very painful. The Committee observes:

"From the account of faculty residents and students, direct and indirect evidence to believe, the All India Institute of Medical Sciences Administration headed by the Director had a role in promoting the anti-quota agitation."

MADAM CHAIRMAN : Dr. Dome, please conclude now.

DR. RAM CHANDRA DOME : If this is the situation, if this is the factual position, then, it is really damaging the administration and the body-politic. I am not against any particular Professor. I also have regards for him. He may be a known person....(Interruptions) But nobody is above the statutory law of the land. So, this should be investigated and appropriate action should be taken against the erring person or persons. This is my request to the Government....(Interruptions)

One of the Senior Professors, even the Dean of Medicine of AIIMS was humiliated by the anti-quota agitationists. This is an unfortunate situation. There is segregation in all the social activities of the Institute in respect of the Scheduled Caste, Scheduled Tribe and Backward Class students. This has been pampered. This is the factual position. They are not able to take their meals in a common dining room. ...(Interruptions) There is segregation in games and sports.

MADAM CHAIRMAN: Dr. Dome, your Party's time is over. You have taken more than 15 minutes. Please conclude now.

DR. RAM CHANDRA DOME : They are not able to read in a common reading room in the Library. If this is the situation, it is very shameful. We have to eradicate those evils and we have to streamline this Institute. Definitely, the Administration is the main

culprit here. Knowingly or unknowingly, it is playing different roles in all these ills. That is why, now it is the right time to streamline the Institute. That is why, the proposal of the Government through this Bill is before us. Though it is a small amendment, yet it has a tremendous, positive impact. It will have a tremendous, positive impact on streamlining this Institute. As the intention is to streamline the Institute, to deliver the goods to the people, to raise the standard of health of the people, we once again support this Bill.

On behalf of my Party, I would like to say that we all do not support the intention of any encroachment on the autonomy of the Institute. There should be no encroachment on the autonomy of the Institute. We are for the strengthening of the autonomy of the Institute. That is why, I am supporting this Bill. Thank you.

**श्री राम कृपाल यादव (पटना) :** सभापति महोदया, माननीय मंत्री जी द्वारा आज इस सदन में लाए गए अखिल भारतीय आयुर्विज्ञान संस्थान और स्नातकोत्तर आयुर्विज्ञान शिक्षा और अनुसंधान संस्थान (संशोधन) विधेयक, 2007 के पक्ष में बोलने के लिए मैं खड़ा हुआ हूँ। एम्स बहुत ही महत्वपूर्ण संस्था है और देश के विभिन्न भागों से आकर लोग एम्स में अपना इलाज कराते हैं। [p50] उसकी अपनी साख है। वहां न सिर्फ इलाज होता है बल्कि विभिन्न रोगों का शोध भी होता है। देश के प्रत्येक भाग के जो मरीज अपने प्रदेशों के इलाज से निराश हो जाते हैं, वे एम्स में आकर अपनी जान बचाने का काम करते हैं। एम्स में इलाज करवाने के लिए खासकर बिहार से लोग आते हैं क्योंकि वहां बड़ी मेडिकल संस्थाएं नहीं हैं जहां लोग अपना उपचार करवा सकें। बिहार के काफी लोग यहां आकर उचित इलाज की व्यवस्था करवा पाते हैं। यह अस्पताल नहीं है बल्कि इसके माध्यम से लोगों की जान बचाने का उत्तम प्रबंध होता है। जो बिल लाया गया है, वह न सिर्फ एम्स के संदर्भ में लाया गया है बल्कि पीजीआई, चंडीगढ़ के संदर्भ में भी लाया गया है कि संस्था को इपूट किया जाए, उसका प्रबंधन पूर्णरूप से निष्पक्ष हो। इसलिए माननीय मंत्री जी इस विधेयक को संसद में पारित करवाने के लिए हम सबके सामने लाए हैं।

महोदया, भारतीय जनता पार्टी की माननीय सदस्या मेनका गांधी जी अभी यहां नहीं हैं। वे इस विधेयक का पुरजोर विरोध कर रही थीं कि इसे स्टैंडिंग कमेटी में भेजा जाए। हमें लगता है कि विपक्ष की सब पार्टियां इसका विरोध कर रही थीं। उनको परेशानी हो रही है। वे एम्स का सुधार नहीं चाहते। वे चाहते हैं कि वह राजनीति का अखाड़ा बना रहे, लोग मरते रहें और उस संस्था के माध्यम से लोग अपनी राजनीति करते रहें। इसलिए कहा जा रहा है कि इसे स्टैंडिंग कमेटी में भेजा जाए, इसपर विचार नहीं किया जाए। असल में इस विधेयक के माध्यम से भारतीय जनता पार्टी की मानसिकता परिलक्षित हो रही है। इनकी बुनियाद इसी पर खड़ी है। इन्हें ओबीसी, शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स के लोग कहां से अच्छे लगेंगे। पिछले दिनों इस संस्था की साख काफी गिरी है। इस संस्था के बनने के बाद शायद ऐसा कोई निदेशक नहीं आया जो इतना कंट्रोलरियल हो और जिसने पार्टी और पोलिटिक्स, जात-पात में पूरी तरह इन्वॉल्व होकर संस्था को बांट दिया हो। उस डायरेक्टर को जितनी जल्दी हटा दिया जाए, वह अलग बात है लेकिन उन्होंने जिस तरह हरकत करने का काम किया है, उसके लिए उन्हें पब्लिशमेंट देनी चाहिए। यह संस्था राजनीति का अड्डा नहीं है। दलितों के लिए अलग व्यवस्था, ओबीसी के लिए अलग व्यवस्था, डायरेक्टर प्रोमैशन को लीड कर रहे हों, डायरेक्शन दे रहे हों, ओबीसी और दलित लोगों को प्रोत्साहित कर रहे हों, मैंने आज तक कभी इस तरह की हरकत करने वाले डायरेक्टर को, जो सरकारी सेवा में रहा हो, नहीं देखा। उन्हें कहां से ताकत मिल रही है, उनके पीछे ऐसी कौन सी ताकत है जो मंत्री जी समझ नहीं पा रहे हैं या सरकार नहीं समझ पा रही है। क्या स्थिति उत्पन्न हो गई है? वोट का सहारा लिया जा रहा है। न्यायालय के माध्यम से एक आदेश लाया जा रहा है कि यह काम नहीं करें, वह काम करें। उच्चतम न्यायालय का आदेश है - नो वर्क नो पे। लेकिन वहां दूसरी तरह का आदेश पारित किया जा रहा है। जो लोग अपनी मांगों के लिए हड़ताल में जाने वाले हैं, उन्हें प्रोत्साहित किया जा रहा है। मैंने आज तक ऐसा नहीं सुना कि किसी संस्था के डायरेक्टर के माध्यम से उनके प्रबंधन में दलित समुदाय के लोगों के लिए अलग खाने की व्यवस्था हो, अलग भोजनालय की व्यवस्था हो। [N51] भारत का अपना संविधान है और आजादी के बाद यही हमारी खूबसूरती रही है। बाबा भीमराव अम्बेडकर जी ने जो संविधान लिखा था, उसमें सब लोगों को बराबरी का हक दिलाने की बात कही गयी थी। लोगों को क्या पीड़ा है? आज आजादी के 60 वर्ष बाद भी दलित और ओबीसी के लोगों के साथ यह दृष्टिकोण अपनाया जाता है--एक सरकारी संस्था में, एक सरकारी निदेशक के माध्यम से जो डाक्टर है। अब डाक्टर का स्थान अलग होता है। लोग कहते हैं कि ऊपर भगवान है तो नीचे डाक्टर। उस डाक्टर के माध्यम से छुआछूत होता है। हमारे मूल संविधान को चोट पहुंचाने की कोशिश उस डायरेक्टर ने की है। ... (व्यवधान) ऐसे डायरेक्टर को हटाना तो दूर, गिरफ्तार करना चाहिए और जितनी ज्यादा पब्लिशमेंट दे सकें, उसे देनी चाहिए, मगर लोगों को यह बर्दाश्त नहीं होगा। लोग शैड्यूल्ड कास्ट्स, शैड्यूल्ड ट्राइब्स, ओबीसी के लिए सामाजिक न्याय को आधार बनाकर राजनीति कर रहे हैं क्योंकि उन्हें वोट लेना है। लेकिन इस देश के लोग जाग चुके हैं। अब वे बातों में आने वाले नहीं हैं। ओबीसी, शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स के लोगों के बिना उनका पेट भरने वाला नहीं है और न ही उनको वोट मिलने वाला है। मगर यह सब दिखावा है, जो सामने नजर आ रहा है। ऐसे लोगों को प्रोत्साहित करने का काम किया जा रहा है, बैक करने का काम किया जा रहा है। यह सब चलने वाला नहीं है। इस देश में जो गरीब तबके के लोग हैं जिनकी आबादी 75 प्रतिशत है, वे अपने संविधान, हक और रक्षा-सुरक्षा के प्रति जाग चुके हैं। यदि उनकी रक्षा-सुरक्षा और मान मर्यादा को आहत पहुंचाने की कोशिश की जायेगी, तो शैड्यूल्ड कास्ट्स, शैड्यूल्ड ट्राइब्स और ओबीसी के लोग इसे बर्दाश्त करने वाले नहीं हैं। इनकी धार में जो लोग आयेगे, वे डह जायेगे, उनका नाश हो जायेगा। यह तो मामूली डायरेक्टर है। डायरेक्टर मंत्री को अपमानित करने का काम कर रहा है क्योंकि मंत्री शैड्यूल्ड कास्ट, शैड्यूल्ड ट्राइब और ओबीसी का आदमी है। लोगों को यह पच नहीं रहा है। अगर मंत्री पद पर यदि शैड्यूल्ड कास्ट, शैड्यूल्ड ट्राइब और ओबीसी का आदमी न होकर अपर क्लास का आदमी होता, तो शायद उसे इस तरह से प्रोत्साहित नहीं किया जा पाता।

आजादी के बाद शायद यह पहला स्वास्थ्य मंत्री है जिसे इतना अपमान सहना पड़ा है--एक डायरेक्टर की वजह से, मामूली निदेशक के माध्यम से, जो एक्वाइटी होता है। अब कहा जाता है कि उसे स्वायत्ता दी जाये और उसका पद न काटा जाये। माननीय मंत्री जी, आप बताइये कि यहां रिस्पॉसिबिलिटी किसके ऊपर है? भगवान न करे, एम्स में कोई हदसा हो जाये। मान लीजिए किसी की लापरवाही की वजह से एम्स में 500 मरीजों की मौत हो जाती है। आप कहते हैं कि उसे पांच साल तक बनाकर रखो। आप उसे छुओ मत यानी पूरे टर्म तक बनाकर रखो। मान लीजिए किसी निदेशक की वजह से, जो वहां का प्रबंधन करता है, वहां का सर्वेसर्वा है, उसकी गलतियों की वजह से 500 लोगों की मौत हो जाती है, तो क्या उस पर रिस्पॉसिबिलिटी फिक्स नहीं की जायेगी? क्या ऐसे लोगों को पांच साल तक कन्टीन्यू कराने का काम किया जायेगा? क्या मंत्री उसे नहीं हटा सकते हैं? यह कहां का कानून है? इसका जवाब कौन देगा? उसकी जवाबदेही किसके ऊपर है? क्या डायरेक्टर पार्लियामेंट में आकर जवाब देने का काम करेगा? यह रिस्पॉसिबिलिटी तो मंत्री के ऊपर होती है और मंत्री के ऊपर कोई नियंत्रण ही नहीं है। अब मंत्री क्या करेंगे? वह क्या कर सकते हैं?

महोदया, स्थिति बहुत गंभीर हो गयी है। मैं समझता हूँ कि इस तरह के पदाधिकारियों को रखना हमारे और लोकतंत्र के हित में नहीं है। यह संवैधानिक हित में भी नहीं है। हम कहां आगे बढ़ने की बात कर रहे हैं, कहां हम 21वीं शताब्दी में जा रहे हैं और कहां हम पीछे जा रहे हैं। हजारों वर्षों की जो तकलीफ, घृणा, विद्वेष है, उसे इस डायरेक्टर के माध्यम से प्रचलित करने का काम किया जा रहा है, जो परिलक्षित हो रहा है, दिख रहा है। [MSOffice52]

महोदया, मैं आपके माध्यम से सदन के सभी सदस्यों से विनम्र प्रार्थना करता हूँ कि ऐसे लोगों को एक दिन भी उस पवित्र संस्था में बने रहना उचित नहीं होगा। आप सभी को मालूम है कि एम्स की क्या दशा हो गई है। हम लोगों को आए दिन एम्स में जाना पड़ता है। कोई सीरियस पेण्ट है, लेकिन उसका नम्बर छः महीने के बाद, एक साल के बाद आ रहा है। आदमी मर रहा है, लेकिन इलाज नहीं हो रहा है। ऐसे एक नहीं अनेकों उदाहरण हैं। किसी को प्रॉपर टाईख नहीं मिलती। हम लोगों के भी रिकमंडेशन लैटर्स जाते हैं, आपके पास भी इस तरह के लोग आते होंगे, खासकर बिहार से गरीब तबके के लोग रिकमंडेशन लैटर के लिए आते होंगे, लेकिन उसके बावजूद उन्हें कोई वहां एंट्रेंस नहीं करता। हमारे रिकमंडेशन लैटर को रहीं की टोकरी में फेंक दिया जाता है। क्या यही सांसद की अहमियत है कि उसकी सिफारिश को इग्नोर कर दिया जाए और मरीज को डांट कर भगा दिया जाए यह कह कर कि तुम क्यों किसी सांसद की एप्लीकेशन लेकर आए हो।

सभापति महोदया, मैं एक उदाहरण देना चाहता हूँ। हमारी पार्टी के वरिष्ठ सांसद रघुनाथ झा जी हैं। वह कुछ समय पहले बीमार थे और उनका इलाज एम्स में चल रहा था। उनकी स्थिति काफी चिंताजनक हो गई थी और उन्हें आईसीयू में भर्ती कराया गया था। उन्हें देखने के लिए रेल मंत्री लालू प्रसाद जी गए। उन्होंने वहां जाकर देखा कि व्यवस्था ठीक नहीं है, क्योंकि रघुनाथ झा जी की स्थिति काफी नाजुक हो गई थी। इस पर रेल मंत्री जी ने अपने साथ आए राज्य मंत्री अखिलेश सिंह जी से कहा कि आप निदेशक साहब को बुलाकर लाएं और बताएं कि व्यवस्था ठीक नहीं है। जब अखिलेश जी उनके पास आए तो उन्हें नकार दिया गया। यह शर्म की बात है कि भारत सरकार के एक राज्य मंत्री के बुलावे पर भी निदेशक महोदय नहीं आए। यह तो एक प्रकार से तानाशाही हुई और लोकतंत्र में तानाशाही नहीं चल सकती। वह डायरेक्टर साहब पता नहीं अपने आपको क्या समझते हैं। इससे पता चलता है कि एम्स में कैसी दुर्घटना हो गई है और इन डायरेक्टर साहब के रहते वह दूर होने वाली नहीं है। सैकड़ों लोग मौत से जूझते रहते हैं, लेकिन उन्हें देखने वाला कोई नहीं है। इतनी गिरावट वहां आ गई है। हम लोग मंत्री जी को शिकायत करेंगे, लेकिन उनके हाथ में कोई पावर नहीं होगी, कोई नियंत्रण नहीं रहेगा तो डायरेक्टर साहब सुनने वाले नहीं हैं।

देश में एस.सी. और एस.टी. की तरह ओबीसी के लिए आरक्षण की बात हुई। संसद में सभी पक्षों द्वारा उस विधेयक को पास किया गया। लेकिन उसके विरोध में आंदोलन हुआ और लोगों को उकसाया गया कि तुम आरक्षण के विरोध में काम करो। इस काम के लिए वहां फंडिंग की गई। एम्स के डाक्टर्स को निर्देश दिया गया कि इसका विरोध करो। इस तरह से वहां के लोगों को उकसाने का काम किया गया। अगर इस तरह की पवित्र संस्थाओं में, छात्रों में, टीचर्स में राजनीति का प्रवेश हो जाएगा तो ये संस्थाएं अपवित्र हो जाएंगी।

**सभापति महोदया :** कृपया समाप्त करें।

**श्री राम कृपाल यादव :** मैं बहुत पीड़ा से बोल रहा हूँ।

**सभापति महोदया:** समय का भी ध्यान रखें।

**श्री राम कृपाल यादव :** करोड़ों लोगों की भावना को व्यक्त करने का काम मैं कर रहा हूँ। हम लोगों के दिलों में इस निदेशक के रहते हुए बड़ी निराशा है, बड़ा दर्द है। यह दर्द भला भारतीय जनता पार्टी को क्यों होगा, इन्हें कहां से दर्द होने वाला है।

ओबीसी के लिए आरक्षण के विरोध में जब आंदोलन चल रहा था, तो एम्स में तम्बू गाड़े गए थे कि विरोध करो। वहां बाबा साहेब भीमराव अम्बेडकर जी की फोटो को भी जलाने का काम हुआ था। इस तरह से कैसे देश बचेगा, जिन बाबा साहेब भीमराव अम्बेडकर की हम पूजा करते हैं, उनकी फोटो को जलाने का काम किया गया। इससे तो अच्छा यह है कि डायरेक्टर साहब को चाहिए कि वह अपना काम छोड़ दें और अगर उन्हें राजनीति में इतना मजा मिलता है तो फिर राजनीति करने का काम करें। [R53]

**16.00 hrs.**

जनता के बीच में काम करते तो ज्यादा अच्छा होता। इस बिल में केवल नियंत्रण करने का काम किया गया है और कोई खास बात नहीं है। इस पर इतना बवाल मचाने की कोई आवश्यकता नहीं है। यह विधेयक आम अचानक के हित में है। मैं निवेदन करना चाहूंगा कि एम्स में ऐसे डायरेक्टर साहब तथा डायरेक्टर साहब जैसे लोगों की मानसिकता और विचारधारा वाले लोग, ऊंच-नीच वाली मानसिकता वाले लोग जो हैं उनको भी पब्लिश करने की आवश्यकता है।

**सभापति महोदया:** एम्स जैसे संस्थान प्रत्येक स्टेट में भी बनाए जाए, इस पर आप बोलें।

**श्री राम कृपाल यादव :** दिल्ली में ही नहीं, 6 अन्य जगहों पर भी एम्स बनाने की बात है। हमारे संसदीय क्षेत्र में भी एम्स बनाने का निर्णय हुआ है। इन लोगों ने बिना पैसा सैंशन किये ही वहां शिलान्यास किया। भारतीय जनता पार्टी की सरकार ने महामहिम उपराष्ट्रपति जी से शिलान्यास कराया था। पैसा सैंशन नहीं हुआ। कोई कार्रवाई नहीं हुई। मैं यूपीए सरकार के माननीय प्रधानमंत्री जी को और यूपीए सरकार के मंत्री जी और अपने नेता माननीय लालू जी को धन्यवाद देना चाहता हूँ जिनके प्रयास से उसके लिए पैसा सैंशन हुआ। लेकिन जितनी राशि दी जा रही है वह ऊंट के मुंह में जीरा वाली बात है। आप जितनी राशि दे रहे हैं उससे काम होने वाला नहीं है। पांच करोड़ बोलने के बाद भी आपने उसे छोड़ दिया है। हमारा कोई सांसद ऐसा नहीं है जिसके घर पर रोज 50 आदमी रिकमंडेशन के लिए न जाते हों। वहां एम्स खुल जाएगा तो इस एम्स पर कम भार पड़ेगा। पटना के साथ-साथ अगर सब जगह एम्स खुल जाएं तो मरीजों को जो परेशानियों का सामना करना पड़ता है वह नहीं करना पड़ेगा। मैं आपसे निवेदन कर रहा था लेकिन समय का अभाव है, इसलिए इस विधेयक को जोरदार समर्थन के साथ पास किया जाए, जिससे माननीय मंत्री जी को ताकत मिले। साथ ही डायरेक्टर ने जो उन्होंने गलत काम किये हैं, जात-पात, ऊंच-

नीच, तो उन्हें हटाया न जाए बल्कि उनपर कानून के अनुसार केस कीजिए, मुकदमा कीजिए और जेल में भेजने का काम कीजिए, ताकि गलत काम करने की किसी डायरेक्टर की हिम्मत न हो और स्वस्थ वातावरण का वहां निर्माण हो। इस देश में कुंठित भावना से ग्रसित लोगों को ऐसे पदों पर नहीं बैठाया जाना चाहिए।

इन्हीं शब्दों के साथ हम अपनी बात समाप्त करते हैं।

SHRI BRAJA KISHORE TRIPATHY (PURI): Madam Chairman, we are discussing the All India Institute of Medical Sciences and the Post-Graduate Institute of Medical Education and Research (Amendment) Bill, 2007. We are fortunate that the hon. Minister is from a branch of medical science and doctors' fraternity. Dr. P. Venugopal is a prominent and internationally reputed doctor and surgeon who has rightly been rewarded with Padma Bhushan by the nation.

But what is happening in the recent past in the All India Institute of Medical Sciences, the prime Institute of the country, is most disheartening for everybody of us.[\[r54\]](#) [\[h55\]](#)

The Minister is the Chief Executive of the Ministry, the representative of this Parliament, and our representative in the Government. He deserves respect, no doubt but he should not also disrespect anybody. The way he is functioning is a cause of concern for all of us. We do not approve his action. He should concentrate more for the benefit of the nation and for the improvement of medical science in the country but it seems that his tenure is full of litigation. He is more interested in litigation. He has always been dragged to court. His entire action is being determined by the hon. Court so many times.

All India Institute of Medical Sciences is an autonomous institution of national importance, established with an objective of developing patterns of teaching in UG, PG, and medical education so as to demonstrate a high standard of medical education to all other medical college institutions in India.

Pursuant to the judgment of the Delhi High Court dated 29<sup>th</sup> November, 2002, the Union Government had appointed Dr. P. Venugopal as the Director of AIIMS. The term of five years of Dr. Venugopal as the Director is up to 3<sup>rd</sup> July, 2008. He is left with only six or seven months of his service. The judgment of 29.3.2007 concludes that such appointment is according to the prevailing laws and was in consonance with the 'practice' adopted and prevalent in the Institute for a considerable time. So, he has been appointed legally. He is also continuing legally. He had been appointed according to what was followed for a long time in AIIMS. But what is happening now?

The Delhi High Court has recorded this in its earlier order dated 18<sup>th</sup> November, 2006, which says that there seems to be only one point agenda of the Union Health Minister, that is, to remove Dr. P. Venugopal, Director of AIIMS in any possible manner.

Madam, this Bill is coming here for that purpose. The court has observed one year back, that the only agenda of the hon. Health Minister is just to remove Dr. P. Venugopal. I do not know why he is so much interested just to remove a person, who is an internationally reputed person.

Madam, the Bill is placed for seeking the approval of this House retrospectively just to get rid of this gentleman. This is the most important point. He is to retire after six months. The entire intention of this Ministry and this Bill is just to remove one person, the House is discussing this now, and we are taking the entire time of the House for this purpose. What is his fault? I just want to know this from the Government. Why is he so much interested in this? Let us know what the fault of this doctor, so that we can also support but that is not in the objective of this Bill. The Minister should tell us, what the real position is. We would like to know why the Minister is interested to remove the Director of AIIMS. He should say that, and he should share that with the nation. ...*(Interruptions)*

MADAM CHAIRMAN : Please do not disturb. Let him speak. The Minister will reply.

...*(Interruptions)*

SHRI MADHUSUDAN MISTRY (SABARKANTHA): The Bill does not say that. ...*(Interruptions)*

SHRI BRAJA KISHORE TRIPATHY : You go through the Bill. I am just going through the Bill. [\[h56\]](#)

[\[r57\]](#)

Madam, I would like to quote para 3 (A), lines 21 to 29, of the Bill. It says:

"Provided that any person holding office as a Director immediately before the commencement of the All-India Institute of Medical Sciences and the Post-Graduate Institute of Medical Education and Research(Amendment) Act, 2007, shall in so far as his appointment is inconsistent with the provision of the sub-section, cease to hold office on such commencement as such Director and shall be entitled to claim compensation not exceeding three months pay and allowances for the premature termination of his office or of any contract of services."

What is the intention of this provision? That is there in the Bill itself....*(Interruptions)*

SHRI BRAJA KISHORE TRIPATHY : Who is the Director?...*(Interruptions)*

MADAM CHAIRMAN : Noting will go on record except the speech of Shri Brijia Kishore Tripathy.

*(Interruptions)\* â€*

SHRI BRAJA KISHORE TRIPATHY : We are not ignorants...(*Interruptions*)

MADAM CHAIRMAN: Mr. Tripathy, you please address the Chair. Do not reply to the Member.

SHRI BRAJA KISHORE TRIPATHY : Madam, he is disturbing me.

MADAM CHAIRMAN: Mr. Ponnuswamy, please sit down.

...(*Interruptions*)

MADAM CHAIRMAN: Hon. Members, let him continue his speech.

SHRI BRAJA KISHORE TRIPATHY : I am drawing the attention of the hon. Minister as also the entire House. It is about the provision in the Bill itself.

'Any such provision seeking to exclude giving of notice, opportunity of hearing and the existence of justifiable reasons for any premature termination shall be unconstitutional.' This is the verdict of the court. So, this would be

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\* Not recorded

unconstitutional.

MADAM CHAIRMAN: Mr. Tripathy, please come to the point.

SHRI BRAJA KISHORE TRIPATHY : Pardon!

MADAM CHAIRMAN: You give your gist point-wise.

SHRI BRAJA KISHORE TRIPATHY : No Madam, this interference should not be there. This is such an important Bill.

MADAM CHAIRMAN: I can understand, and that is why I have given you the time.

SHRI BRAJA KISHORE TRIPATHY : There is no limitation of the time. We are discussing the Bill...(*Interruptions*)

MADAM CHAIRMAN: I am saying, you address the Chair and speak within the time limit.

SHRI BRAJA KISHORE TRIPATHY : There is no limit of the time. This is the Bill. We cannot pass the Bill like this. Every sentence, you are just interfering...(*Interruptions*)

SHRI BALASAHEB VIKHE PATIL (KOPERGAON): Time has been allotted on this Bill.

SHRI RAJIV RANJAN SINGH 'LALAN' (BEGUSARAI): This is such an important Bill, and there is no time limit for it...(*Interruptions*)

MADAM CHAIRMAN: I am saying that time has been allocated to each party and one should stick to that time. You give only the points.

SHRI BRAJA KISHORE TRIPATHY : I am only mentioning points. This provision is unconstitutional. That is why I am referring to the court order. I have just cited the provision of the Bill, and I am also citing the court order stating how this provision would be unconstitutional.

If you approve this thing, tomorrow, it would be declared unconstitutional by the court. So, should we be ignorant like this and approve this?

That is my point and I am just trying to draw the attention of the entire House to know the provision of law. The same would be declared unconstitutional in the light of law laid down by the Supreme Court in a number of cases. If time permits, I can cite a number of cases where it has already been declared unconstitutional by the hon. Supreme Court.

I may tell you that this Act, after the Bill is passed would also be unconstitutional. This Government has been dragged with litigation and the entire House has been taken for a ride. We have been alerting this Government not to make such a legislation; which would be struck down by the court. But the Government is not listening. In so many cases in the past, it has happened.

About this case, I am again requesting the hon. Minister --we have tremendous respect for him – that he should not take this House for a ride by passing this provision because it would be struck down by the court as unconstitutional. I would again urge the Government to consider this point.

SHRI MADHUSUDAN MISTRY : Do not side with him.

SHRI BRAJA KISHORE TRIPATHY : I am not siding with anybody.

MADAM CHAIRMAN: That is why I am saying, you should address the Chair. Do not pay attention to what they are saying.

SHRI BRAJA KISHORE TRIPATHY : Madam, this Government has also issued some orders from different Ministries. I am just telling how they are doing things in two face...*(Interruptions)*

MADAM CHAIRMAN: The Health Ministry is seeking the approval of the House restricting the age to 65.[\[r58\]](#)

It is now restricting the age of the Director to 65 years. What is the order of the other Ministry, Ministry of Human Resource Development? It says in the light of the recent development, the Ministry of Human Resource Development has already issued orders for increasing the superannuation age of all teaching appointments in the universities from the age of 62 to 65, with a further condition that in individual cases the superannuation age is extendable to the age of 70 years.

This present Government, their Ministry of Human Resource Development, have issued such an order that the age of the teachers in the universities can be extended to the age of 70 years. Now, through this Bill they are seeking to limit the age of the Director in the All India Institute of Medical Sciences to 65 years. Why is it so? Why is the Government giving just two orders – one Ministry is giving one order extending the age to 70 years and the other Ministry is restricting the age of 65 years? This is only to remove a particular person. ...*(Interruptions)*

Madam, I am also drawing the attention of this House to what will happen after. It is also reported that about 130 to 150 doctors, the faculty members of the All India Institute of Medical Sciences have made a representation to the hon. Prime Minister, hon. Rashtrapatiiji and the hon. Minister also. What is their contention? The faculty members of AIIMS in a letter to the hon. Prime Minister on 13<sup>th</sup> November, 2007 have threatened mass resignation against the AIIMS (Amendment) Bill, 2007. The letter says : "Your own Government, through the Health Minister, is pressing for a draconian and repressed Bill to reduce the chair of the Director of the AIIMS to a subversive yes-man for all times to come whereas your own initiative of Valiathan Committee report is gathering dust for more than a year." This Government has appointed the Valiathan Committee, a very reputed Committee which has also submitted its report one year ago. The Minister is not taking any steps. The report is gathering dust. But the hon. Minister is interested just to remove the Director. ...*(Interruptions)* The recommendation says – it will be pertinent to emphasise it here – that "the AIIMS Act needs a comprehensive amendment" and hence review in the light of the Valiathan Committee report is necessary. So, let the hon. Minister come with some amendments for the AIIMS Act so that the recommendations of the Valiathan Committee can be incorporated. We will welcome that thing.

The Valiathan Committee report says on how to make the All India Institute of Medical Sciences an autonomous institution. But what is he doing? Where is he leading to? He is from the same faculty, he is from the same fraternity.

MADAM CHAIRMAN : Please conclude now.

SHRI BRAJA KISHORE TRIPATHY : He is also a doctor. The way in which he is seeking the approval of this Bill from this House is detrimental to the entire reputation of the House.

Lastly, the faculty members of AIIMS have also told it.

MADAM CHAIRMAN : Thank you Tripathyji. Please conclude now.

SHRI BRAJA KISHORE TRIPATHY : Yes, Madam. I am concluding.

I would request the hon. Minister that he should withdraw this Bill because of the respect for the doctors' fraternity. He belongs to that fraternity. I respect it. The entire House is also in support of withdrawal of this Bill. The hon. Minister should withdraw this Bill and he should come with a comprehensive Bill so that we can support it. Why should be the entire nation will unnecessarily come to an ugly situation where the court will again strike down the Act etc.? We should not allow to take it to that position.

MADAM CHAIRMAN : Thank you Tripathyji. Thank you very much.

SHRI BRAJA KISHORE TRIPATHY : Madam, I hope good sense should prevail on him. He has made some amendments in this Bill. He should also withdraw this Bill.

**श्री राजीव रंजन सिंह 'लालन' (बेगूसराय) :** सभापति महोदया, ऑल इंडिया इंस्टीट्यूट ऑफ मेडिकल साइंसेज एंड पी.जी.आई. के संबंध में जो बिल सदन में लाया गया है, मैं उसका पुरजोर विरोध करता हूँ। आम तौर पर सदन में कई तरह के बिल आये हैं और सदन में बिलों पर चर्चा होती है। लेकिन जब अच्छे के लिए कोई बिल आता है तो सभी दल और पूरा सदन एकमत होकर उस बिल का समर्थन करता है। लेकिन इस बिल की बुनियाद ही वर्चस्व को लेकर है। ऑल इंडिया इंस्टीट्यूट ऑफ मेडिकल साइंसेज में हम देख रहे हैं कि पिछले एक, डेढ़ वर्षों से किस तरह सरकार का और विभाग के मंत्री का हस्तक्षेप हो रहा है। ऑल इंडिया इंस्टीट्यूट ऑफ मेडिकल साइंसेज एक आटोनोमस बॉडी है, एक स्वायत्त संस्था है। इसके पहले भी स्वास्थ्य मंत्रालय रहा है, इसके पहले भी स्वास्थ्य मंत्री रहे हैं, इसके पहले भी डायरेक्टर रहे हैं, इसके पहले भी वहां डाक्टर रहे हैं, इसके पहले भी वहां इलाज होता रहा है। लेकिन आज तक के इतिहास में जिस तरह से पिछले डेढ़ वर्षों में इस विभाग के मंत्री ने, जो वहां के चेयरमैन भी हैं, किस तरह ऑल इंडिया इंस्टीट्यूट ऑफ मेडिकल साइंसेज के प्रतिदिन के काम में हस्तक्षेप करके उस पर अपना वर्चस्व कायम करने का काम किया है, उसके कारण इन्हें यह बिल लाना पड़ा है। वह भी क्यों लाना पड़ा? कई बार यह हाई कोर्ट गये, कई बार मामला हाई कोर्ट में गया, कई बार मामला सुप्रीम कोर्ट में गया। सब जगह सरकार को और विभागीय मंत्री को मुंह की खानी पड़ी और मुंह के बल गिरने के बाद इस सदन का लबादा, इस सदन का समर्थन प्राप्त करके यह फिर से ऑल इंडिया इंस्टीट्यूट ऑफ मेडिकल साइंसेज पर अपना कब्जा करना चाहते हैं। हम लोग बिहार के हैं। आप लोग वहां जाकर देख लीजिए, प्रतिदिन वहां सात प्रतिशत मरीज बिहार से आते हैं। हम लोग वहां देखते रहे हैं। जब हम लोग ऑल इंडिया इंस्टीट्यूट ऑफ मेडिकल साइंसेज में जाते रहे हैं तो वहां सुनते रहे हैं कि किस तरह से वहां प्रतिदिन के काम में, किस तरह से डाक्टरों के छोटे-मोटे फैकल्टीज लैबोरेटरी के अपाइंटमेंट में मंत्री डायरेक्टिव इश्यु करते रहे हैं, यह हम सुनते रहे हैं। अगर मंत्री में साहस है, यदि उस ऑल इंडिया इंस्टीट्यूट ऑफ मेडिकल साइंसेज के चेयरमैन की हैसियत से मंत्री में साहस है तो वह बताएँ कि कितनी बार उन्होंने ऑल इंडिया इंस्टीट्यूट ऑफ मेडिकल साइंसेज को डायरेक्टिव इश्यु की। हम उनसे यह जानना चाहेंगे कि कितनी बार हाई कोर्ट और सुप्रीम कोर्ट में उन्हें मुंह की खानी पड़ी और हाई कोर्ट और सुप्रीम कोर्ट ने क्या-क्या जजमेंट उन पर दिये।

**श्री देवेन्द्र प्रसाद यादव (झंझारपुर) :** आप ज्युडिशियल एक्टिविज्म का पक्ष ले रहे हैं।

**श्री राजीव रंजन सिंह 'लालन' :** यह ज्युडिशियल एक्टिविज्म नहीं है, हर चीज को ज्युडिशियल एक्टिविज्म नहीं कह सकते। रूटीन वर्किंग में कितनी बार इन्होंने हस्तक्षेप किया है। श्रीमती मेनका गांधी जी ने कई बातों की चर्चा की। अगर उनमें साहस है तो वह जवाब दें। उन्होंने कहा कि ऑल इंडिया इंस्टीट्यूट ऑफ मेडिकल साइंसेज के गैरस्टाफ पर किस तरह इन्होंने कब्जा किया। \* ...(व्यवधान)

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAMADOSS): Do not mislead. ...*(Interruptions)* When you do not know, do not allege. Do not allege blindly. ...*(Interruptions)* Do not do that. ...*(Interruptions)* It is not befitting of you. ...*(Interruptions)*

SHRI E. PONNUSWAMY (CHIDAMBARAM): Please delete this from record. ...*(Interruptions)*

MADAM CHAIRMAN : Please delete this word from the record.

...*(Interruptions)*

PROF. M. RAMADASS (PONDICHERRY): Please delete these words. ...*(Interruptions)*

MADAM CHAIRMAN: I have already deleted these words.

...*(Interruptions)*

DR. ANBUMANI RAMADOSS: Because she told you ...*(Interruptions)* Do not do that. ...*(Interruptions)*

PROF. M. RAMADASS : Please delete this word. ...*(Interruptions)*

MADAM CHAIRMAN: Shri Ramadass, I have already deleted this word.

...*(Interruptions)*

**सभापति महोदया :** यह निकाल दिया जाए।

...(व्यवधान)

**श्री राजीव रंजन सिंह 'लालन' :** आप इसका जवाब दीजिएगा। ...(व्यवधान)

SHRI E. PONNUSWAMY : Madam, it may be deleted. ...*(Interruptions)*

MADAM CHAIRMAN: It is already deleted.

**श्री राजीव रंजन सिंह 'लालन' :** आप जवाब दीजिए। आपके मंत्री जवाब देंगे, आप क्यों खड़े हैं? आप सत्ताई सुनिये। सत्ताई कड़वी होती है। ...(व्यवधान) सत्ताई सबसे कड़वी होती है। सब जानने का प्रयास

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\* Not recorded

कीजिए। ...(व्यवधान)

**सभापति महोदया :** आप अपने प्वाइंट पर बोलिये। साइलेन्ट प्लीज। प्लीज आप बैठिये। I have already deleted these words.

...(Interruptions)

MADAM CHAIRMAN: It is already deleted from the record. Please sit down. Let him speak.

...(Interruptions)

SHRI E. PONNUSWAMY : He is using unparliamentary words. ...(Interruptions)

SHRI RAJIV RANJAN SINGH 'LALAN' : I have not used any unparliamentary words.

MADAM CHAIRMAN: The Chair will take care of it.

...(Interruptions)

SHRI RAJIV RANJAN SINGH 'LALAN' : If I have spoken any unparliamentary words, I am ready to apologise. ...(Interruptions)

MADAM CHAIRMAN: Shri Rajiv Ranjan Singh, please address the Chair.

...(Interruptions)

SHRI RAJIV RANJAN SINGH 'LALAN' : I have said 'misuse of power'. Who has said that 'misuse of power' is unparliamentary?

MADAM CHAIRMAN: Nothing will come on record.

*(Interruptions)\* â€*

SHRI RAJIV RANJAN SINGH 'LALAN' 'Misuse of power' is not unparliamentary word. That is a parliamentary word.

MADAM CHAIRMAN: Shri Rajiv Ranjan Singh, please address the Chair.

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\* Not recorded

...(Interruptions)

MADAM CHAIRMAN: Cross-talk will not come on record.

*(Interruptions)\* â€*

**सभापति महोदया :** आप अपनी बात मुझे बतायें।[\[b59\]](#)

**श्री राजीव रंजन सिंह 'ललन' :** मैं आपको बताना चाहता हूँ कि जब मामला सुप्रीम कोर्ट में गया, हाइकोर्ट ने जब कहा कि एसीसी कैबिनेट कमेटी ऑन अपॉइंटमेंट्स के पास इस मामले को भेजना चाहिए। ...(व्यवधान) उसी वेयरमैन ने जब सुप्रीम कोर्ट में एफिडेविट फाइल किया तो अपनी ही सरकार के खिलाफ हलफनामा दायर करने का काम उस वेयरमैन ने किया। ...(व्यवधान) यह रिकार्ड की बात है। मैं कोई आरोप नहीं लगा रहा हूँ। क्यों ऐसा हो रहा था? इसलिए ऐसा हो रहा था क्योंकि वर्तव्य कायम करने में पूरी सरकार उनका समर्थन नहीं कर रही थी। आज वे इस सदन के माध्यम से पूरे सदन का समर्थन लेकर वर्तव्य कायम करना चाहते हैं। उस पर कब्जा करना चाहते हैं। ...(व्यवधान) 70 करोड़ रुपया इन्होंने "एम्स" से कटवा दिया। ...(व्यवधान) माननीय सदस्य त्रिपाठी जी बता रहे थे कि एचआरडी मिनिस्ट्री ने डाइरेक्टिव जारी किया है। मैं माननीय मंत्री जी से जानना चाहता हूँ। ...(व्यवधान)

DR. ANBUMANI RAMADOSS : Are you relenting? If you have got any proof that I have reduced the funds of Rs. 70 crore, then please give it to me. Please do not make any allegation on something that you do not know. ...(Interruptions)

MADAM CHAIRMAN : The hon. Minister can respond to all these points during his reply to the discussion.

...(Interruptions)

MADAM CHAIRMAN : Shri Rajiv Ranjan Singh, please speak only to the point.

...(Interruptions)

MADAM CHAIRMAN : Prof. Ramadass and Shri Ponnuswamy, please sit down.

...(Interruptions)

PROF. M. RAMADASS : Are you prepared to challenge him on this issue? Please do not tell untruth. Be a Parliamentarian, and do not tell untruth. ...(Interruptions)

\* Not recorded

MADAM CHAIRMAN : It is already deleted. The hon. Minister will respond to all these issues in his reply.

...(Interruptions)

SHRI RAJIV RANJAN SINGH 'LALAN' : I am coming to your point also. Why are you so worried? Let the Minister reply. Why are you getting so agitated? The truth is always painful. ...(Interruptions)

MADAM CHAIRMAN : Please do not resort to cross-talks. Nothing will go on record.

(Interruptions)\* Æ!

MADAM CHAIRMAN : Prof. Ramadass and Shri Ponnuswamy, please sit down. Please do not disturb the House.

...(Interruptions)

श्री राजीव रंजन सिंह 'ललन' : महोदया, मैं बताना चाहता हूँ,...(व्यवधान) देंगे। बैठे रहिए।...(व्यवधान) महोदया, अभी त्रिपाठी जी ने सतर वर्ष की चर्चा की। ...(व्यवधान) एचआरडी मिनिस्ट्री ने डाइरेक्टिव इश्यू किया है। मैं स्वास्थ्य मंत्री जी से जानना चाहता हूँ कि एक इंस्टीट्यूट के डाइरेक्टर का कितनी बार आपने सतर वर्ष तक एक्सटेंशन कराया और एक तरफ दूसरे इंस्टीट्यूट के डाइरेक्टर को आप दो-दो बार एक्सटेंशन दिला रहे हैं,...(व्यवधान)

सभापति महोदया : राजीव रंजन जी, आप अपनी बात प्वाइंट्स में बता दीजिए। मंत्री जी रिप्लाई देंगे।

श्री राजीव रंजन सिंह 'ललन' : महोदया, यही कारण था कि हम लोगों ने शुरू में विरोध किया कि स्टैंडिंग कमेटी में भेजिए।...(व्यवधान) तब आपने कहा कि आप आज लिमिटेशन जारी नहीं कर सकते। अभी और पांच मिनट में हम अपनी बात समाप्त करेंगे।...(व्यवधान)

MADAM CHAIRMAN : Nothing will go on record except the speech of Shri Rajiv Ranjan Singh.

(Interruptions)\* Æ!

\* Not recorded

श्री राजीव रंजन सिंह 'ललन' : इसके अलावा आज जो वो पार्लियामेंट को गुराह कर रहे हैं, पार्लियामेंट की आड़ में जो वे एम्स पर कब्जा करना चाहते हैं, हम सुप्रीम कोर्ट के एक जजमेंट का एक पैरा कोट करके सिर्फ बताना चाहते हैं क्योंकि कल फिर सरकार को सुप्रीम कोर्ट में मुंह की खानी पड़ेगी। जो स्टेट बैंक ऑफ इंडिया,...(व्यवधान) मिस्त्री जी, छोड़िए न। आपकी तो बहुत अच्छी रेप्युटेशन है।...(व्यवधान)

सभापति महोदया : आप कृपया वेयर को एड्रेस करके अपनी बात कहें न कि मिस्त्री जी को।

...(व्यवधान)

श्री राजीव रंजन सिंह 'ललन' : स्टेट बैंक ऑफ इंडिया स्टॉफ यूनियन्स वर्सेज यूनियन ऑफ इंडिया के केस में सुप्रीम कोर्ट के जजमेंट का सिर्फ एक पैरा आपको कोट करके बताना चाहेंगे, उसके बाद एक लाइन में अपना अनुभव बताना चाहेंगे तथा उसके बाद हम अपनी बात समाप्त करेंगे। It states that :

"Whenever any amendment is brought in force retrospectively or any provision of the Act is deleted retrospectively, in this process rights of some are bound to be effective one way or the other. In every case the exercise by legislature by introducing a new provision or deleting an existing provision with retrospective effect *per se* does not amount to violation of Article 14 of the Constitution. The legislature can change, as observed by this Court in

Cauvery Water Disputes Tribunal, Re (1993 Supp. (1) SCC 96 (II), the basis on which a decision is given by the Court and thus change the law in general, which will affect a class of persons and events at large" [r60]  
"It cannot, however, set aside an individual decision inter parties and affect their rights and liabilities alone. Such an Act on the part of a Legislature amounts to exercising the judicial power of the State and to function as an Appellate Court of Tribunal, which is against the concept of separation of powers."

This is the Supreme Court's order. ...(*Interruptions*)

MADAM CHAIRMAN : He is just quoting the Supreme Court's order. Now, please conclude. 1

**श्री राजीव रंजन सिंह 'ललन'** : सभापति महोदया, यह सुप्रीम कोर्ट का ऑर्डर है, यह सुप्रीम कोर्ट का जजमेंट है। जिस दिन एक इंडिविजुअल को खत्म करने के लिये कानून बनेगा, न्यायालय का इसमें हस्तक्षेप होगा और सरकार को मुंह की खानी पड़ेगी... (*व्यवधान*) मैं एक अपना एक्सपीरियंस बताना चाहता हूँ। डा. वेनुगोपाल की चर्चा यहां की गई जिसे मैं आज तक नहीं मिला और न ही मैं जानता हूँ। वह एक ऐसा डाक्टर है, अगर उसने इसे अपना व्यापार समझा होता तो उस पर रुपयों की बरसात हो रही होती लेकिन उसने मानवता की सेवा करने के लिये AIIMS में रहना मंजूर किया। आप लोग उस पर कीवर्ड उछालने का काम कर रहे हैं।

सभापति महोदया, पिछले साल मुझे डेंगू हो गया था और मैं AIIMS में भर्ती था। माननीय मंत्री जी डेंगू मरीजों को देखने के लिये अपने तमाम अमले के साथ वहां आये। इसके अलावा श्री दासमुंशी, केन्द्रीय मंत्री भी AIIMS में आये और टी.टी लश्कर के साथ कुर्सी लगाकर सब देखने का काम किया। मैं बगल के कमरे में था लेकिन स्वास्थ्य मंत्री को इतनी फुरसत नहीं थी कि एक सांसद वहां भर्ती है, उसका हाल-चाल पूछने चले आते (*व्यवधान*)

MADAM CHAIRMAN: Nothing will go on record.

(*Interruptions*)\*

**श्री राजीव रंजन सिंह 'ललन'** : लेकिन डा. वेनुगोपाल, जिसे मैं न जानता था, न पहचानता था, वह योड़ा साढ़े छः बजे मुझे देखने के लिये आया करते थे और उसके बाद वार्ड में जाते थे। ये लोग क्या बात करेंगे जो चर्चा कराना चाहते हैं और अपने व्यवसाय का स्थान बनाना चाहते हैं।

\* Not recorded

**श्री शैलेन्द्र कुमार (चायल)** : सभापति महोदया, आपने मुझे अखिल भारतीय आयुर्विज्ञान संस्थान और रनातकोतर आयुर्विज्ञान शिक्षा और अनुसंधान संस्थान (संशोधन) विधेयक, 2007 पर बोलने का अवसर प्रदान किया, उसके लिये मैं आपका आभारी हूँ।

सभापति जी, इस विधेयक पर हमारे कई सम्मानित सदस्यों ने अपनी बातें रखी हैं। AIIMS हमारे देश का सर्वोच्च मेडिकल संस्थान है और पूरे देश में इस संस्थान का नाम प्रतिष्ठा और प्रभावशाली ढंग से लिया जाता है। जैसा माननीय सदस्यों ने जिक्र किया कि पिछले एक-डेढ़ साल से माननीय मंत्री जी और संस्थान के निदेशक के बीच में झगड़ा चल रहा था, यह किसी को मालूम नहीं कि उसके पीछे क्या कारण है या क्या विवाद था? जैसा श्री राजीव रंजन जी ने कहा कि यह संस्थान पहले से ही है, जहां मंत्री जी भी रहे हैं और कई डाक्टर आते जाते रहे हैं जहां मरीजों का इलाज होता रहा है। जहां तक मुझे लगता है कि चूंकि मंत्री जी स्वयं एक डाक्टर हैं, इसलिये हो सकता है कि वहां कुछ कमियां या खामियां हों या जो रोगी वहां आते हैं, उनका इलाज न होता हो जिसके लिये वह शायद कोशिश कर रहे हैं कि संस्थान में बेहतर सेवार्थें हों, उसके लिये प्रयास कर रहे हैं या कोई और मामला है।

सभापति जी, मैं अभी इस विधेयक को देख रहा था कि संस्थान और प्रशासन के बीच में जो झगड़ा है, उससे संस्थान की साख गिरी है और मंत्री जी विवाद के घेरे में आये हैं, इस बात को बराबर हम समाचार-पत्रों में देख चुके हैं। मैंने कई मैगज़ीन्स में भी पढ़ा है। यहां तक कि यह मामला पहले हाई कोर्ट में और बाद में सुप्रीम कोर्ट में भी चला गया, यह बड़े दुख की बात है। तमाम माननीय सदस्यों ने कहा है कि इस संस्थान की अपनी एक प्रतिष्ठा और गौरव स्थापित है।[\[S61\]](#) यहां पर जो भी मरीज़ जाएं, उनकी सही इलाज हो सके। यह बात भी सही है कि संविधान में यह उल्लिखित है कि सबको शिक्षा, स्वास्थ्य और रोज़गार देने की व्यवस्था की जाएगी, लेकिन आज देखा गया है कि ग्रामीण क्षेत्रों में चाहे सीएचसी, पीएचसी या जिला अस्पताल हों या तमाम इस प्रकार के संस्थान हों, वहां पर गरीब आदमी का इलाज नहीं हो पाता है। अभी ध्यानकर्षण प्रस्ताव श्री गुरुदास दासगुप्ता जी ने रखा, उसमें इसी बात को कहा गया कि आज जितने भी सरकारी डाक्टर हैं, चाहे वे किसी भी संस्थान में काम कर रहे हों, वे मरीज़ नहीं देखते हैं, उसके बाद वे सरकारी इलाज नहीं करते, जबकि हमारे सरकारी अस्पताल और संस्थानों में आज भी अच्छे उपकरण मौजूद हैं जहां पेशेन्ट का इलाज हो सकता है, लेकिन वे इंगित करते हैं कि आप फ्लां पैथोलॉजी लैब और फ्लां नर्सिंग होम में जाइए। ज्यादातर देखा गया है कि सरकारी डाक्टर सरकारी सर्विस के अलावा भी नर्सिंग होम में जाते हैं और तमाम पैथोलॉजी लैब या सीटी स्कैन सैन्टर्स या जहां एक्स-रे होते हैं, वहां उनका संबंध होता है। यहां पर बात चूँकि निदेशक की हो रही है जिसमें कहा गया है कि 65 वर्ष की आयु तक, पांच वर्ष तक निदेशक रह सकता है। मुझे नहीं मालूम कि अन्य संस्थानों के निदेशक के संबंध में क्या उल्लिखित है, उनके लिए कितनी आयु तक रहने की व्यवस्था है, लेकिन एम्स के बारे में जो विधेयक लाया जा रहा है, यह एक प्रश्नवाचक विद्ध्य उपस्थित करता है और इसके लिए सरकार को गंभीरता से सोचना पड़ेगा। या तो एक बात यह भी हो सकती है कि डाक्टर अंबुमणि रामदास जी एस.सी. या बैकवर्ड क्लास से हैं, मुझे नहीं मालूम, लेकिन एक लड़ाई इसकी भी होती है कि यदि सर्वोच्च पद पर कोई शैड्यूल्ड कास्ट या ओबीसी का आदमी जाता है तो उस संस्थान में तमाम ऐसी लॉबी होती है कि उनको नीचा दिखाने की कोशिश हमेशा होती है। एक कारण यह भी हो सकता है, इसकी जांच भी होनी चाहिए। सुप्रीम कोर्ट में मामला चल रहा है लेकिन यह नहीं होना चाहिए कि विधेयक आने के बाद सुप्रीम कोर्ट ऐसा फैसला दे जो सरकार के पक्ष में न हो, उससे सरकार की और किरकिरी होगी। इसको भी हमें गंभीरता से लेना होगा। इस विधेयक को लाने से पहले हमें तमाम विद्वजनों से विचार-विमर्श करना चाहिए, तभी जाकर हम इसको पास करने के बारे में सोचें। चूँकि इस पर चर्चा चल रही है, तो मैं अपने राज्य के लिए कुछ मांग करना चाहूंगा। उत्तर प्रदेश की आबादी 18 करोड़ है। वहां पर कवाल टाउन के पांच महानगर हैं - कानपुर, इलाहाबाद, वाराणसी, आगरा और लखनऊ, जिनकी आबादी 50 लाख से ऊपर है। वहां इस प्रकार के पांच बड़े संस्थान खोलने की ज़रूरत है। इससे पहले मैं माननीय मंत्री जी से निवेदन कर चुका हूँ कि इन संस्थानों में यदि पैसे की डिमांड हो रही है तो आप वहां पर मदद करें। आप ऐसे संस्थान खोलें जहां से अच्छे डाक्टर आएँ, निदेशक आएँ और तमाम मरीज़ों को उससे फायदा मिल सके। इसके लिए आपको व्यवस्था करनी होगी। इन्हीं बातों के साथ मैं इस बिल के बारे में जो व्यवस्था की गई है, अगर एम्स के बारे में यह व्यवस्था इस विधेयक में की है, 5 वर्ष या 65 वर्ष आयु की, तो पूरे हिन्दुस्तान में जितने भी संस्थान हैं, वहां भी इसको लागू करने की ज़रूरत होनी चाहिए, तभी न्यायसंगत होगा, अन्यथा हम किसी के साथ अन्याय करने के बारे में इस बिल के माध्यम से सोचने पर मजबूर न हों, यह व्यवस्था हमें देखनी चाहिए।

इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूँ।

SHRI PRABODH PANDA (MIDNAPORE): Madam, Chairman, I rise not to oppose the Bill as such, but I must say that we should study the Amendment Bill in depth. A lot of questions have been raised here. It is a matter of grave concern that All India Institute of Medical Sciences has been a centre of anti-quota movement. We have been proud of that institution, but the fame of that institution has been lowered nowadays.[\[KMR62\]](#)

So, it is a matter of deep concern, not only to the august House but it is also a concern to the people at large. So, it is a national concern. Hence, we cannot just keep mum about the situation in the AIIMS. Hon. Members, particularly, Dr. Ram Chandra Dome and other Members from the Congress side, have narrated the present situation of AIIMS. But other questions are also involved. Firstly, the question about the encroachment of the autonomy is being met or not should be judged or assessed.

Secondly, already some verdict has been passed by the Supreme Court. Have we taken that into account or not? I am not challenging or contradicting the will and the intention of the hon. Minister for bringing this Bill itself. But my question is that, in that situation, why does the Government not bring forward a new legislation? Why do you bring the amendment to the existing Act? So, I am not opposing the Bill but my appeal to the Minister is that for having in-depth discussion and to take all the points which have been raised in this House itself, this should be referred to the Standing Committee. After that we can discuss on that and we can express our judgements. Hence, I think, the Government will think over it and take necessary steps in this regard.

**प्रो. रासा सिंह रावत (अजमेर):** माननीय सभापति महोदया, जैसा अभी एम्स के बारे में कहा गया, जो देश का प्रसिद्धतम और कुशलतम चिकित्सा संस्थान था, आज खेद के साथ कहना पड़ रहा है कि उसकी गरिमा और विश्वसनीयता को बड़ा आघात पहुंच रहा है और यह आघात केवल दो व्यक्तियों के अहम् के टकराव के कारण हो रहा है। बड़े खेद के साथ कहना पड़ रहा है कि एक तरफ गर्वनिंग बॉडी के अध्यक्ष, माननीय स्वास्थ्य मंत्री जी और दूसरी तरफ निदेशक, वेणु गोपाल जी का नाम लिया जा रहा है। परिणामस्वरूप भारत के प्रथम प्रधान मंत्री, पंडित जवाहर लाल नेहरू जी ने जो कल्पना की थी कि गरीबों के लिए अच्छी से अच्छी चिकित्सा, विश्वस्तरीय चिकित्सा सुविधा यहां प्रदान की जाएगी, वैसी चिकित्सा सुविधा यहां प्रदान की जा रही थी। नाम और काम भी था, सब कुछ ठीक था, लेकिन मैं समझता हूँ कि आपसी टकराव के कारण इस संस्थान

की गरिमा को बहुत आघात पहुंच रहा है। चिकित्सा संस्थाओं के अंदर आज भी एम्स का नाम मूर्धन्य है। जब भी कोई बात होती है तो एम्स का नाम आता है - चाहे राजस्थान, बिहार, यूपी या किसी भी भाग में हो। हमारे लिए यह गौरव की बात है कि हमारे यहां एम्स जैसी संस्था है। जब एनडीए की सरकार थी तो उस समय लोगों का कहना था कि हमारे यहां भी एम्स जैसी संस्था हो, क्योंकि यहां एम्स में भीड़ बहुत ज्यादा होती है, इसलिए अन्य राज्यों के अंदर भी एम्स स्थापित किए जाएं। उस समय देश के कई राज्यों के अंदर छः एम्स स्थापित करने का भी निर्णय लिया गया था और यह निर्णय एम्स को आदर्श मान कर किया गया था। जहां असाध्य रोगों का इलाज किया जाता था, लेकिन आज वहां मरीजों की ठीक से देख-भाल नहीं हो पा रही है। आपस में खींचतान और एक दूसरे को नीचा दिखाने के कारण इस प्रकार की स्थिति पैदा हुई है। मैं समझता हूँ कि यह स्थिति किसी भी दृष्टि से इस प्रकार के संस्थान के लिए उपयुक्त नहीं है। अब भी अगर आपने इस संस्था को आटोनोमी प्रदान की है, इस संस्था को स्वायत्तशासी बनाया है तो स्वायत्तशासी बनाने के बाद उस संस्था के कार्यों में हस्तक्षेप नहीं करना चाहिए।

सभापति महोदया, मैं आपके माध्यम से कहना चाहता हूँ कि पांडीचेरी में जो इस प्रकार का चिकित्सा विश्वविद्यालय बना है, वहां पर भी इस प्रकार का निर्णय आया कि माननीय स्वास्थ्य मंत्री जी उस मामले में हस्तक्षेप न करें। [rep63] मैं उसको कोट करना चाहूंगा और यह बहुत ही महत्वपूर्ण बात है संसद की स्थाई समिति ने सिफारिश की थी कि एम्स एवं इसी तरह की संस्थाओं में हेल्थ मिनिस्टर एवं हेल्थ सेक्टरी का सीधा हस्तक्षेप नहीं होना चाहिए। जिस प्रकार का टकराव एम्स के अंदर पैदा हुआ है, उससे इनकी स्वायत्ता को काफी नुकसान पहुंच रहा है। मैं जिस संस्था की बात कह रहा था, जवाहर लाल नेहरू इंस्टीट्यूट ऑफ पोस्ट ग्रेजुएट मेडिकल एण्ड रिसर्च (जेआईपीएमएआर) पाण्डिचेरी बिल, 2007 पर राज्य सभा की स्वास्थ्य समिति, जिसके अध्यक्ष समाजवादी पार्टी के अमर सिंह जी ने राज्य सभा में अपनी सिफारिश प्रस्तुत की थी और उस रिपोर्ट में कहा गया कि समिति को यह टिप्पणी करने पर मजबूर होना पड़ा है क्योंकि हाल ही में कई अप्रिय घटनाएं हुई हैं, जिनसे एम्स की स्वायत्ता प्रभावित हुई है। समिति यह सिफारिश करती है कि स्वास्थ्य मंत्री एवं स्वास्थ्य सचिव को किसी भी इकाई में सीधे तौर पर नहीं रखा जाना चाहिए। समिति ने बताया कि जेआईपीएमएआर में स्वास्थ्य मंत्री एवं स्वास्थ्य सचिव को पदेन सदस्य के रूप में शामिल किए जाने की बात चल रही है। यदि ऐसा हुआ तो जिन समस्याओं का सामना एम्स को करना पड़ रहा है, उन्हीं समस्याओं से इस संस्थान को भी रू-बरू होना पड़ेगा। पांडिचेरी में जिस संस्थान के बारे में सिफारिश आई है, उससे अंदाजा लगाया जा सकता है कि किस तरह की स्थिति पैदा हो गई है।... (व्यवधान)

MADAM CHAIRMAN : Nothing will go on record. Prof. Ramadass, please sit down.

(Interruptions)\* Æ!

प्रो. रासा सिंह रावत अन्य संस्थाओं को भी इसी तरह की समस्याओं से सामना करना पड़ेगा। इसलिए इस तरह की आशय के प्रस्ताव पर फिर से विचार किया जाना चाहिए जिससे स्वास्थ्य मंत्री एवं स्वास्थ्य सचिव उनके कामकाज में हस्तक्षेप न कर सकें। मैं इस संबंध में उर्दू का एक शेर यहां पर कहना चाहता हूँ " न सूरत बुरी है, न सीरत बुरी है, बुरा वही है, जिसकी नीयत बुरी है। " इस विषय के बजाय निदेशक की आयु 65 वर्ष करने एवं अन्य बातों के लिए ताते तो अच्छा होता। लेकिन नीयत का पता यहीं से लग जाता है कि चंडीगढ़ पीजीआई का मुखौटा इन्होंने इसमें लगाया है। पीजीआई चंडीगढ़ की आड में यह बिल लाया गया है। इससे इनकी मैताफाइड इन्टेन्शन का पता चलता है। इसलिए मजबूर होकर मुझे इस बिल का विरोध करना पड़ रहा है। मैं आपकी आज्ञा से कोट करना चाहूंगा "सरकार का हस्तक्षेप एम्स की स्वायत्ता के लिए खतरा " - केन्द्रीय स्वास्थ्य मंत्री एवं निदेशक के बीच पिछले कुछ महीनों से चल रही वर्चस्व की जंग से अखिल भारतीय आयुर्विज्ञान संस्थान की स्वायत्ता प्रभावित हो रही है। सरकार का हस्तक्षेप इन उत्कृष्ट संस्थाओं के लिए अत्यन्त कष्टदायक है। यहां की संचालन समिति के पदेन सदस्यों के रूप में शामिल स्वास्थ्य मंत्री एवं स्वास्थ्य सचिव के कार्यों पर ऐसे में पुनर्विचार किए जाने की आवश्यकता है। स्वास्थ्य एवं परिवार कल्याण संबंधी संसद की स्थायी समिति की इसी संबंध में टिप्पणी की गई है जो केन्द्रीय स्वास्थ्य मंत्री के एम्स में सीधे हस्तक्षेप की ओर इशारा करती है। प्रतिवेदन में लिखा है कि चण्डीगढ़ के पोस्ट ग्रेजुएट मेडिकल ऐजुकेशन एण्ड रिसर्च इंस्टीट्यूट (पीजीएसआईआर) जैसे प्रतिष्ठित संस्थानों में

\* Not recorded

स्वास्थ्य एवं परिवार कल्याण मंत्रालय के प्रभारी केन्द्रीय मंत्री को अध्यक्ष एवं सचिव को पदेन सचिव के रूप में शामिल करना अनुचित है। मैं आपके माध्यम से जानना चाहूंगा कि सरकार ने इस बिल को संसद की स्थाई समिति में क्यों नहीं भेजा? स्थाई समिति में सभी दलों के सदस्य होते हैं जो इस पर विचार-विमर्श करते, जिसमें सरकार के सचिव को भी बुलाया जाता। उसमें पूरी चर्चा करने के बाद यदि यह बिल संसद में आता तो ठीक रहता। लोकतंत्र की मर्यादा, संवैधानिक तंत्र की मर्यादा का उल्लंघन करके यह बिल सीधा सदन में लाया गया है... (व्यवधान)

सभापति महोदया : रावत जी, समय का ध्यान रखिए, यह बातें पहले हो चुकी हैं।

प्रो. रासा सिंह रावत : उसकी स्वायत्ता पर किसी प्रकार का हस्तक्षेप नहीं होना चाहिए। [r64]

मैंडम, आप भी जानती हैं कि चाहे विश्वविद्यालय हों या इस प्रकार के संस्थान हों, इनमें हस्तक्षेप निन्दनीय होना चाहिए। आखिर में हमें विचार करना पड़ेगा कि कोर्ट ने कई बार वहां के अधिकारियों के या निदेशक महोदय के पक्ष में निर्णय दिये हैं। इससे यह पता चलता है कि सरकार कहीं न कहीं गलती कर रही है, इसलिए मैं आपके माध्यम से सरकार से पुनः कहना चाहूंगा कि वह एम्स जैसी संस्था की गरिमा और विश्वसनीयता को देश की जनता के हित में और लाखों लोगों के इलाज के लिए उसकी जो गरिमा बनी हुई है, उसको बरकरार रखने के लिए पुनः प्रयास करें।

SHRI S.K. KHARVENTHAN (PALANI): Madam, I thank the Chair for giving me this opportunity to support this landmark Amendment Bill.

All India Institute of Medical Sciences (AIIMS) in Delhi and the Post Graduate Institute of Medical Education and Research (PGI), Chandigarh have been regulated under the All India Institute of Medical Sciences Act 1956, and Post Graduate Institute of Medical Education and Research Chandigarh Act 1966.

Presently, the appointment, terms and conditions of service of the Directors of the above institutions are also monitored by the above Acts and Rules made there under. The present Bill has been placed in pursuance of the directions of the hon. Delhi High Court dated 29<sup>th</sup> March 2007 in LPA Nos. 2045, 2046 of the year 2006.

The present Director was selected and appointed as Director AIIMS at the age of 61 years for tenure of five years. This is an illegal appointment. This is in contradiction to all earlier appointments of AIIMS, Delhi and PGI, Chandigarh. This appointment is also in contradiction to the subsequent appointment of Director, PGI, Chandigarh in March 2004 who has also been appointed till he attains 62 years.

Delhi High Court held that the Director is an employee of the Institute but the provisions of regulation 30, which prescribe the age of superannuation for non-teaching employees as sixty years and for teaching faculty sixty two years, will not apply for the post of Director. The court held that the appointment to the Director post is a "tenure appointment" and is incapable of being curtailed except for justifiable reason and with notice to the Director, and that too in accordance with law.

Hon. High Court has also directed the Government of India and the AIIMS governing body to formulate a policy covering the various facts and conditions of service of its employees including the Director of the Institute in accordance with law. Hon. High Court further highlighted the deficiencies in the existing rules and regulations to the tenure of the Director of AIIMS, New Delhi and PGI, Chandigarh. To remove the deficiencies and to comply with the directions of the hon. High Court, this Bill is presented by Hon'ble Minister for Health and Family Welfare, Dr. Anbumani Ramadoss.

This present Bill paves way to amend Section 11 of AIIMS Act 1956 and Section 11 of PGIMS Act 1966 by including Sub Section 1 A. According to sub-section 1A, the Director shall hold office for a term of 5 years from the date of appointment or until he attain the age of sixty-five years whichever is earlier.

In 2004, the total Budget of the AIIMS was around Rs. 250 crore. However, the present hon. Minister for Health and Family Welfare had a vision to bring AIIMS to the level of John Hopkins and with that view, he got the Budget raised to 500 crore.

MADAM CHAIRMAN : Please conclude.

SHRI S.K. KHARVENTHAN : I am speaking on the Bill. You have allowed other Members....(*Interruptions*) Please permit me to speak for one minute more.

MADAM CHAIRMAN: Your time is over.

SHRI S.K. KHARVENTHAN : For the past few months, the non-plan expenditure has increased two-fold but the planned fund is not being used and about Rs. 200 crore is being retained.

About 104 MPs including Gandhian, Shrimati Nirmala Deshpande have submitted representation against the present Director with regard to caste based discrimination and harassment and an inquiry also was instituted against him.[\[R65\]](#)

The present Director has failed to conduct the Convocation and failed to award the degrees to the undergraduates. The students have started agitation and finally the hon. Minister has signed and issued the certificates.

Throughout the country, all the people are well aware of the anti-public activity of the present Director but the Government of India is not able to do anything for the removal of him. Since he is appointed for the period of five years *i.e.* up to his 66<sup>th</sup> year, he is not bothering about the welfare of the Institution and not abiding by the rules and regulations. The present Amendment Bill will solve this problem.

The UPA Government under the able administration of our hon. Prime Minister, our hon. Minister for Health and Family Welfare, Dr. Anbumani Ramadoss has planned to start six world-class AIIMS like Institutions in Jodhpur, Bhubaneswar, Rishikesh, Patna, Raipur and Bhopal before the end of 2010.

I am humbly appreciating the valuable services of our hon. Minister, Dr. Anbumani Ramadoss.

On considering all these aspects, the present Bill is a welcome step taken by our hon. Minister for Health and Family Welfare, Dr. Anbumani Ramadoss. I appreciate and congratulate the Minister and support this Bill.

**श्री अनंत गंगाराम गीते (रत्नागिरि):** सभापति महोदया, मैं आपको धन्यवाद देता हूँ कि आपने मुझे इस अमेंडमेंट बिल पर बोलने का अवसर दिया है। इस बिल पर न बोलने का इरादा पहले मैंने किया था। बिल बहुत छोटा है, लेकिन इस बिल को लेकर चर्चा सदन के विभिन्न अंगों से हुयी और इस चर्चा के दौरान एक बात साफ तौर पर यहां दिखायी देती है। जिस सदन में हम चर्चा कर रहे हैं, उस सदन की मुख्य जिम्मेदारी यह है कि संविधान ने जिसको जो अधिकार दिया है, उस संवैधानिक अधिकार का पालन सरकार के साथ-साथ इस सदन को और हम सभी को करना है। इस बात पर मुझे यह महसूस हुआ कि शायद हम उस संविधान के अधिकारों को ही चुनौती देने का काम दुर्भाग्य से इस बिल के माध्यम से सदन में करने जा रहे हैं। मैं किसी व्यक्ति विशेष के बारे में बात नहीं कहना चाहता हूँ। पिछली ग्यारहवीं लोकसभा से मैं इस सदन का सदस्य हूँ। जिस व्यक्ति विशेष का यहां उल्लेख हुआ है, मेरा उनसे कभी कोई संपर्क नहीं हुआ और न होने की कोई संभावना है, इसलिए मुझे किसी व्यक्ति विशेष के बारे में कहने की भी कोई आवश्यकता नहीं है।

एक बात से मैं पूरी तरह से सहमत हूँ और जैसा कि राम कृपाल यादव जी भी कह रहे थे कि आल इंडिया इंस्टीट्यूट आफ मेडिकल साइंस एक संस्थान है। यह अनुसंधान करने वाली संस्था भी है। मेडिकल साइंस में रिसर्च करने वाला संस्थान है। हम लगभग हर राज्य में राजनीति करने वाले लोग खास तौर पर आम सभा में भी यह कहते रहते हैं, विशेषकर शिक्षा के क्षेत्र में कहते हैं कि इसमें राजनीति नहीं होनी चाहिए। कई ऐसे क्षेत्र हैं जिनमें राजनीति नहीं होनी चाहिए, वे राजनीति से हटकर रहने चाहिए। यह हम लोग भी कहते हैं और मैं समझता हूँ कि यह आल इंडिया इंस्टीट्यूट आफ मेडिकल साइंस भी वैधानिक शिक्षा का एक संस्थान है। मेडिकल इंस्टीट्यूट एक संस्थान है, इसलिए इस संस्थान की जो स्वायत्ता है, वह बनी रहे। मुझे लगता है कि हमारे संविधानकर्ता हों या जिन्होंने इस देश की आजादी में या स्वतंत्रता संग्राम में भाग लिया और आजादी के बाद जब पंडित नेहरू जी के नेतृत्व में देश में पहली सरकार बनी, तब से लेकर आज तक कई ऐसे संस्थान हैं, जिनको आटोनोंमी दी गयी है। मुझे लगता है कि जो निर्णय इस देश के नेतृत्व करने वाले पूर्व नेताओं ने किया, हम उससे हटकर कुछ नहीं दिशा की ओर इन सारी बातों को ले जा रहे हैं। [p66]

### **17.00 hrs.**

मैं इसीलिए बोलने के लिए खड़ा हुआ हूँ। मुझे इस विवाद में कोई रूचि नहीं है कि उस पद का, उस डिपार्टमेंट का मंत्री या उस मंत्री के तहत आने वाले किसी संस्थान या संस्था का प्रमुख, इन दोनों में कौन बड़ा है, श्रेष्ठ है। यह विवाद का मुद्दा नहीं हो सकता और यदि होता है तो वह लोकतंत्र में दुर्भाग्यपूर्ण है। बार-बार हमें ही टोका जाता है कि यह लोकतंत्र के खिलाफ है। आज हम इस सदन में बहस को किस तरह लेकर जा रहे हैं, मैं यह समझ नहीं पा रहा हूँ। मुझे पूरे दो साल नहीं मिले, मैं अटल जी के नेतृत्व में लगभग डेढ़ साल तक इस देश का ऊर्जा मंत्री रहा। आप जानते हैं कि ऊर्जा विभाग के तहत कई बड़े-बड़े पीएसयूज हैं। उन सारे पीएसयूज को स्वायत्ता दी गई है। यदि मैं चाहता तब भी किसी पीएसयू के चैयरमैन को सीधे डायरेक्टिव नहीं दे सकता था, न दे पा रहा था, जबकि मुझे कई बार लगता था कि कहीं गलत हो रहा है। लेकिन यदि मैं उस विवाद में पड़ता, उसी विवाद में जूझता रहता, तो मुझे लगता है कि शायद मेरे दो साल उसी में खत्म हो जाते। सारी चर्चा के बाद ऐसा लग रहा है कि हमारे हैल्थ मिनिस्टर का अधिक समय इस विवाद में जा रहा है। हमारे देश की सौ करोड़ आबादी में से 70 फीसदी आबादी आज भी ग्रामीण क्षेत्रों में रहती है। वहां आरोग्य के संदर्भ में जो आवश्यक सुविधाएं होनी चाहिए, वे आज भी नहीं हैं।

कल एक स्टार्ट पूंज था, जिसका जवाब मंत्री जी स्वयं दे रहे थे। उसमें हमारे यहां के प्राइमरी हैल्थ सेंटर्स या सब सेंटर्स के बारे में एक सर्वे था और उसकी रिपोर्ट अनैक्सवर टू में कोट की गई थी। हमारे प्राइमरी हैल्थ सेंटर्स में जो सुविधाएं होनी चाहिए, उसका प्रतिशत उस सर्वे में दिया गया था। मैंने कल उसमें जो पढ़ा, वह आज मेरे पास नहीं है।... (व्यवधान)

**सभापति महोदया :** गीते जी, समय समाप्त हो चुका है।

â€ (व्यवधान)

**श्री अनंत गंगाराम गीते :** मैं कोई राजनीतिक बात नहीं कह रहा हूँ।... (व्यवधान)

**सभापति महोदया :** मैं राजनीतिक बात के बारे में नहीं कह रही हूँ, मैं कह रही हूँ कि आप अपनी बात संक्षेप में कहिए।

â€ (व्यवधान)

**श्री अनंत गंगाराम गीते :** मैं अपनी बात संक्षेप में कहूंगा।... (व्यवधान)

**सभापति महोदया :** इस बिल का समय समाप्त हो चुका है और दूसरा बिल भी आना है। आपने समय मांगा, मैंने दिया, इसलिए जितनी जल्दी कनवलूड कर सकें, कीजिए।

**श्री अनंत गंगाराम गीते :** सभापति महोदया, मैं आपके आदेश का पालन जरूर करूंगा। मैं बिल के बारे में ही बोल रहा हूँ। जिस संविधान का सम्मान करने के लिए इस सदन को बनाया गया है, उसी सदन में हम संविधान के खिलाफ कोई काम करें, मुझे डर है कि वह काम हमसे न हो, हम जिम्मेदार न हों और इसीलिए मेरे मन में जो भय है, उसे मैं यहां कुछ उदाहरण के साथ रखना चाहता हूँ। मैं इसलिए उदाहरण देना चाहता हूँ क्योंकि कल जब हमें जवाब मिला तो पता चला कि 50 फीसदी सुविधाएं ग्रामीण क्षेत्रों के हैल्थ सेंटर्स, सब सेंटर्स में आज भी नहीं हैं। जितने भी प्राइमरी हैल्थ सेंटर्स हैं, उनमें से सिर्फ 20 प्रतिशत हैल्थ सेंटर्स में टेलीफोन की सुविधा है, 80 प्रतिशत हैल्थ सेंटर्स में टेलीफोन तक नहीं है जो आज महत्वपूर्ण आवश्यकता है। देश में ऐसी स्थिति है, यह हैल्थ मिनिस्टर के लिए बहुत बड़ा चैलेंज है। यदि उन्हें काम करना है, देश के लोगों की हैल्थ को सुधारना है, 70 फीसदी ग्रामीण जनता की हैल्थ के लिए उन्हें चिन्ता करनी है, तो काफी समय, मौका और अवसर है। जिस प्रकार यह विधेयक आया, जिस प्रकार पिछले डेढ़ साल में एम्स और मंत्री जी को लेकर विवाद अखबारों में आ रहे हैं, जिस प्रकार हाई कोर्ट, सुप्रीम कोर्ट में मामला गया, उसके बाद अब इस सदन को हथियार बनाया जा रहा है, मुझे लगता है कि यह सही नहीं है। मुझे इतना ही कहना था।

DR. R. SENTHIL (DHARMAPURI): Madam Chairperson, I do not have a prepared printed text. So, please permit to talk from my heart.

Madam, today is a very important day for us because today, our beloved leader, Dr. Ramdoss is in the capital to raise a very important issue. The Mandal Commission was constituted in 1977. It has taken a very long staggering walk to reach this day. Since its inception, even after the Report was presented, it took six years to reach Parliament. Though it was presented in Parliament in 1983, it was implemented in 1989. It became an order in 1991. After 17 years, if you look at what it had done, you may find that in 1991, only 12.5 per cent of the Central Government jobs were occupied by OBCs. When the reservation is to be provided for 27 per cent, if you look at today's statistics as submitted by the Attorney-General in the Supreme Court, you may see that it is only 5.3 per cent. I was wondering at it. When the reservation is for 27 per cent, how can it decline? Now, I have understood how it can happen. It can happen when you have upper caste officer like the Director of AIIMS (*Not recorded*) Dr. Karan Singh Yadav beautifully stated how by making ad-hoc appointments, he can very carefully do away with the constitutional rights.

Sir, the main allegation of our Opposition is that this Bill seems to be punishing one person. I know that this Bill is not intended to punish a person. But if it actually does, I am very happy to welcome and in fact, I would say that it is a success of our leader who has staged a demonstration today.

Madam, the other allegation by them was that this Bill was necessitated for only one person. It is true. The same Director, four years ago, was 62. As per the rules of AIIMS, he should be retiring at that age. He, anyway, found many ill and wounded people in the previous Government whom he was treating very well, as admitted by many Members. They all stood by him and said that they need the same doctor and so, they gave an extension of five years bypassing all the rules. Hence, this Bill was necessary. It is because of such people that this Bill has become necessary today.

The other comment that they made was that this Bill should go to the Standing Committee. I want to respond to this point. I am not against the Standing Committee. But we have seen what has happened to the MCI Bill in the Standing Committee. It took years and years of time. At one time, it appeared that the Standing Committee is the bottomless pit. If you drop a Bill into it, it will never come to the surface. But finally after a long debate, the MCI Bill came up. So, I do not think taking this Bill to the Standing Bill is a good idea.

People are telling that we need autonomy.

MADAM CHAIRMAN : Dr. Senthil, please speak on this Bill. Do not reply to the points of Members who have already spoken. The Minister will reply to those points. Please try to conclude in a few minutes.

DR. R. SENTHIL : The most important point is, everyone here made a point about serious SC/ST discrimination in AIIMS. I would like to draw your attention to the Thorat Committee Report mentioned by my friends as well. The Thorat Committee has very clearly stated that it is a very serious discrimination against SCs and STs. My friend also mentioned that they had the courage to burn the writings of the book, the Constitution of India, within the campus, take the video of it and circulate it among the students. Who is permitting them to do it? The video was presented to the Governing Body but the Director was not willing to take action on it. He is an autonomous person who is beyond law. He is not under the control of anybody. Such autonomy cannot be permitted.

Finally, everybody was saying that it is the dream of Pandit Nehru that has become a nightmare for India. My friend earlier mentioned about a surgeon who left a screw in the heart of a person. Let us admit that leaving a screw is a human error which can happen once in the life time of a surgeon. But what he did was, when the patient came back with pain; he did not care for him. He came back again for a surgery. He left him till the patient died. And here is the Director who will protect him out of the way. \*Though this Bill is not intended against him, if this Bill is passed, he should be punished.

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\* Not recorded

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): I rise to support this Bill. In my view Dr. Anbumani Ramadoss, the hon. Minister is legally and professionally competent to pilot this Bill.

The primary object of this amendment is to maintain the autonomy of this Central Institution. We all know that public health is a concurrent subject according to our Constitution. So, naturally there will be State as well as Central legislations in this matter. We have come to a stage where an all-round, exhaustive Central legislation is overdue.

In our country any person with a large amount of money can start a medical college without any difficulty. He is neither concerned about medical ethics nor about the quality of education that is provided. A wealthy boy, after passing an examination, can get admission in the medical college. The medical colleges are mushrooming. That is the order of the day. This is a grave situation. It has come due to market economy. Competition is the order of the day. So, human health and human values are given a go-bye.

We are now facing a crisis. We will have to meet the situation with courage. That is what I would submit. Dr. Anbumani Ramadoss is quite competent for this purpose.

I would like to point out one or two instances. There is a provision for reservation for OBCs and Scheduled Caste/Scheduled Tribe students in post-graduate courses. There is a difficulty in the matter of trained doctors getting admission to the post-graduate courses. There was a provision in our State for allowing admission of experienced doctors, who have put in six or seven years of service, to the post-graduate courses. But unfortunately the Supreme Court has taken away that reservation. So, the net result is that experienced doctors do not get reservation for admission to post-graduate courses. Only raw graduates are allowed admission to the post-graduate courses. That would create a very bad situation. So, at any cost that reservation for experienced doctors, who have put in some years of service in the Department, should be restored.

If I remember correctly, for this purpose, the Kerala Legislature had passed a legislation restoring reservation for the doctors who have put in five or six years of service in the Department to the post-graduate medical courses. That is very essential because quality of education has deteriorated. We should do our utmost to see that experienced medical men come to post-graduate courses, and not just the raw graduates from these medical colleges, private as well as Government medical colleges. House surgeons may get admission, but the experienced doctors are eliminated from this process.

For this purpose, President's assent is required. So, that law passed unanimously by the Kerala Legislature be given consent to and the reservation for trained doctors be restored. It must be restored at any cost. We need reservation on professional basis, not just on the basis of community. It is highly essential.

Admission to professional colleges is also a serious issue. I am not going to take a long time. [\[MSOffice67\]](#)

But I would request you to keep up the standard of the medical education. It has deteriorated because of the private institutions which are flourishing. It has deteriorated and the human life is in danger. As you are from this medical fraternity, I

will request you in this regard. Your credentials cannot be questioned. There is no justification to challenge your credentials. You are quite competent. Dr. Venugopal or anybody else will not stand in your way. You are quite competent to go ahead and bring in the legislation. You are very competent to meet the situation. I hope you will get the support of all the reasonable people. You do not worry about Dr. Venugopal. You proceed and we will render you all help. This may be the first step, but we want a comprehensive legislation defining the uniform policy of the Central Government. That will be a help to the State legislative process also. So, you take the lead, bring in a legislation controlling the private nursing homes and also admission to private medical colleges. So, a comprehensive legislation should be brought in. ...(*Interruptions*) I hope you will hear my advice and do all that is necessary to bring such a comprehensive legislation.

Madam, with these few words, I support this Bill.

MADAM CHAIRMAN : Shri Varkala Radhakrishnan, thank you very much. He was the last speaker. But a request from Dr. Manoj has come. So, I am allowing him to conclude his speech within two minutes.

DR. K.S. MANOJ (ALLEPPEY): Madam Chairperson, thank you very much.

I rise to support the All India Institute of Medical Sciences and the Post-Graduate Institute of Medical Education and Research (Amendment) Bill, 2007.

Madam, I would not have supported this Bill if the clauses 2(1A) and 2(1B) and 3(1B) were there. Since the hon. Minister has moved a notice of amendment to omit those clauses, and if these clauses were there, it might infringe upon the autonomy of this research academic institution, since it has been removed, I support the Bill.

Madam, the AIIMS and the PGI are the two premier institutions in our country. Apart from offering state-of-the-art medical facilities to the general public, research and academic activities are also taking place in these institutions.

Madam, nobody will object that the autonomy of these institutions should be upheld. For research and academic institutions autonomy of the institutions should be there. But by the shield of this autonomy, it should not lead to autocracy. That is what is happening in the All India Institute of Medical Sciences.

Madam, most of my colleagues have pointed out the current situation prevailing in the All India Institute of Medical Sciences. No research activity is going on there. The Director and the administration is now playing politics and that too caste politics. This august House has passed the Bill for reservation for OBCs in the professional institutions. Madam, no institution in the country strikes and struggles against that law has occurred. It occurred only in the All India Institute of Medical Sciences and that was by the support of the administration which is there. These things show the intention and the nature of the administration prevailing there. So, something should be done to correct the current administration of the All India Institute of Medical Sciences.

Madam, the hon. Minister has rightly moved the amendments at the right time to rectify the cancer occurred to the All India Institute of Medical Sciences.

Madam, as you know, cancer is a dreadful disease. If it occurs to any part of the body, before it spreads to other parts, the diseased part should be removed. Also, if it is occurred to the *sanyasi* or to any other person, the ill-effect of the disease will be the same. [\[a68\]](#)

So, when the disease goes to the All India Institute of Medical Sciences, it should be rectified. The hon. Minister of Health and Family Welfare, that too he is a doctor, has diagnosed the disease at the right time and given the right prescription at the right time.

So, with these words, I do support the Bill.

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

...(Interruptions)

MADAM CHAIRMAN: Please do not disturb the House. Please sit down. The hon. Minister has to reply. Let him reply.

...(Interruptions)

SHRI KHARABELA SWAIN (BALASORE): Madam, we very strongly oppose this Bill because instead of sending it to the Standing Committee, with its crude majority, the Government is trying to bulldoze this Bill. This Bill is meant to humiliate only one person. So, we strongly oppose it and walk out.

**17.21 hrs**

*(At this stage, Shri Kharabela Swain and some other  
hon. Members left the House.)*

SHRI BRAJA KISHORE TRIPATHY (PURI): Mr. Minister, are you withdrawing the Bill?...*(Interruptions)* We walk out in protest since the Government is not agreeing to withdraw the Bill.

17.21 ½ hrs.

*(At this stage, Shri Braja Kishore Tripathy and some other  
hon. Members left the House.)*

MADAM CHAIRMAN: Nothing will go on record. Only the hon. Minister will speak now.

*(Interruptions)\**

MADAM CHAIRMAN: Please do not discuss it. The hon. Minister has to reply now.

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\* Not recorded

DR. ANBUMANI RAMADOSS : Madam, I thank you for giving me an opportunity to reply. I would like to thank all the hon. Members of Parliament cutting across different parties for giving their opinion about this small amendment. It is a Bill for both the All India Institute of Medical Sciences and the PGI Chandigarh.

I would again like to remind the hon. Members that this Bill has not only to do with the All India Institute of Medical Sciences but also the PGI Chandigarh. We are bringing forward this small amendment because the High Court has asked us to fix the tenure of the Director and that is why we are fixing the age at 65 years for the Director of the All India Institute of Medical Sciences as well as the PGI, Chandigarh. Whenever a new Bill for the JIPMER, Puducherry comes, the tenure of the Director will be brought to 65 years.

This amending Bill is not an issue between myself and Dr. Venugopal. Neither is it an issue between the BJP and the Government. This is a small amendment. In fact, initially when I thought of bringing forward this amendment, I wanted to say what are the issues about this Institute generally. But then a lot of hon. Members were going in-depth and making allegations saying that this has been going on all along. So, I am taking the opportunity and I would like to refute every one of the allegations. Hence, I just need a little bit of time from you.

Madam, this is not an issue between an individual – whether it is myself or Dr. Venugopal for whom I have high regards and respect. I am also a medical professional. I respect Dr. Venugopal as a professional, as a doctor, as a Padma Sri Awardee. Definitely, I have high regards and respect for him. He is one of the best doctors, best surgeons of this country. But then we have

some issue about administration. A doctor could be a very good doctor but a bad administrator. I would like to go into the issues about what is going on in the Institute. Initially, I was not inclined to talk about these things but then I am forced today to talk to hon. Members and to the nation as to what is happening in that Institute today. I have been very reluctantly speaking to the media for the last year and a half. I am not saying anything about the happenings in the Institute because it is our Institute. It is my own Institute. It is an Institute of the Health Ministry. So, I should not talk about that Institute. It is a premier Institute of this country. I am not a lay politician. I am a medical professional. I am a doctor. I know what is happening there. I want that Institute to move forward in a big way. I have been going to the world-famous Institute like the John Hopkins Institute and the Harvard University. I want the AIIMS to be on the lines of those Institutes.

The Health Ministry has nearly about 30 to 40 Institutes. They have Directors under them. I do not see any problem in any of those institutes including the PGI, Chandigarh which is functioning very smoothly. It has again become one of the best Institutes in this part of the world. There is no issue about it. Only the issue of the AIIMS is there.

I would now just like to go back about five years when my predecessor Shrimati Sushma Swaraj was there. I respect her very much because I have been appreciative of her efforts when she was the Health Minister. She had brought in a number of schemes which are wonderful schemes. I have been following what she has brought [\[R69\]](#) about. But then about the appointment of Dr. Venugopal, I had to say this. At that point of time, the age of retirement of the Teaching Faculty in AIIMS was 62 years.

Dr. Venugopal was nearly 61 and a quarter years or 61 and a half years when he was appointed as Director for AIIMS for 5 years. I mean I do not think any Government orders are like this. His appointment states – I don't know the exact words – that Dr. Venugopal is appointed as Director for AIIMS for a tenure of five years. That's it. Whereas Dr. Talwar who is appointed as Director, PGI, Chandigarh, just after 4-6 months later, his appointment says that Dr. Talwar is appointed as Director, PGI, Chandigarh, for a period of five years or till he attains the age of 62, whichever is earlier. I don't know why 'till he attains the age of 62, whichever is earlier' was blatantly left out for reasons known to whoever it is. This appointment itself is a question mark, a huge question mark. Today, the issue of 65 years of age is there. Mrs. Maneka Gandhi had brought in so much of scathing as usual. I remember I have been seeing her for the last 3 years. Whenever she addresses Health Ministry issues, she becomes overactive. She was telling that this is an individual agenda. Definitely, it is not an individual agenda. It is a collective agenda. Every time, I see Members of Parliament, eminent scientists, doctors and public, they always ask me, "Please do one thing. Rectify All India Institute of Medical Sciences. It has just gone out of hand."

She was right from the beginning. She was telling about the guest house issue. After I took charge, nearly three and half year back, I was a first time MP. I had never been in the House. I was entitled to an accommodation at the four star or a five star hotel and the Government had to pay for that at that point of time. But, I did not want the Government to pay for this. That is why, as President of the Institute, I was staying in a guest house. It was an ordinary guest house of AIIMS in which as a member of the governing body of the Institute, anybody was allowed to stay. That became such a huge issue with the papers at that point of time. One day, I went for an inspection, maybe, around 11 or 12 o'clock to Casualty Department and other Departments to see whether the doctors were there or not. Then, around 12 or 12.15, Dr. Venugopal walks in. That is something which I do not want to go into in depth. Most of Members know, most of the doctors know, at 12 o'clock, what happens?

Since then, some issues about me repeatedly had come through the media saying that they wanted me to be removed from the guest house literally. I mean, these are the things that I do not want to bring to the notice of the hon. Members. I am being very conscious about that. Today, I have been forced to say this because of so many allegations saying different things about guest house issue and other issues, allegations saying that while I was staying in the guest house, I was instigating the employees. These are allegations that are definitely not worthy. These are petty allegations to bring to the notice of anybody. 'Social divisions' is what she is talking about. I say it is absolutely right. Everybody from the Opposition was talking about this Institute only during one and a half years. What happened to the two year period before that? Was there any issue brought out? Was there any interference on my part brought out during two years before that? I have been in the Ministry for three and a half years. I mean, I am a professional. I have definitely a lot of decency and professionalism. Definitely, it will not be in my credit to do anything with autonomy. A lot of Members have been talking about autonomy. I am the one who is trying to give autonomy to JIPMER, Puducherry. Today, it is under the Health Ministry. I am saying make it autonomous. We are having a National Drug Authority and I am saying make it an autonomous body. Today, it is under the Health Ministry. As a professional, I want to professionalize the entire structure. I will be the last person to impede on the autonomy. [\[MSOffice70\]](#)

But then autonomy does not mean that there is no accountability to Parliament. All the hon. Members here have been talking about what is happening in that institute. Dr. Karan Singh Yadav, a member of the Governing Body, a member of the Institute Body appointed by this very House by an Act of Parliament also talked about the happenings in this institute and I am the Head of the Governing Body. So, we have responsibilities.

Madam, if I am getting a number of representations about discrimination on caste lines and community lines in the All India

Institute of Medical Sciences, should I not interfere as the Head of the Governing Body? There have been so many allegations about flouting of reservation policy which is a constitutional obligation. In that case, should I not interfere as the Head of the Governing Body which is appointed by this very House? There has been complete chaos, confusion and misadministration in this institute. In this scenario, should I not interfere as the Head of the Governing Body? If there is a coterie of five or six junior doctors controlling AIIMS, should I not interfere? Being the Head of the Governing Body of this institute, should I remain as a spectator to all these wrongdoings?

Then, Shri Buta Singh, as the Chairman of the National SC/ST Commission has sent summons to Dr. Venugopal three or four times to appear before the Commission, but he has not appeared before the SC/ST Commission. The National Human Rights Commission has been asking him to appear before it. Nothing is happening. The Governing Body's and the Institute Body's recommendations are not being implemented. This is a scathing remark I am making in this House. The Governing Body's recommendations and the Institute Body's recommendations are not being implemented in the All India Institute of Medical Sciences. In this situation, can we not interfere as part of fulfilling our parliamentary and constitutional obligations?

Madam, autonomy is not autocracy and nobody should say, 'I don't want to listen to anybody'. We have to work within the lines, we have to work within the rules framed by this august House and we should go forward.

Shrimati Maneka Gandhi has been talking about my Officer on Special Duty. This post of OSD is a sanctioned post. It is not a post to which I can arbitrarily appoint anyone. This post is sanctioned by the Governing Body, by the Institute Body and I can appoint anybody whom I have the confidence in. My predecessor Sushmaji appointed an OSD and he was staying in a Guest House in AIIMS. So why is there a big hue and cry about my OSD staying there in a small Guest House there? In fact, Sushmaji's OSD was having a house there, not a Guest House. This kind of petty and mean allegations coming from a person of her stature is very unfortunate.

She was saying that the file was held up. I do not know what she was talking about. These are blind allegations. She was telling about funds not being given. I do not know where she got all this information which is wrong. Shri Karventhan was talking about funds. When I took over as the Minister, the funds of the AIIMS were approximately Rs. 250 crores and in three years I have taken it to Rs. 500 crore. Do you know any institute in this country which has a recurring expenditure, both Plan and Non-Plan put together, of Rs. 500 crore? With an amount of Rs. 500 crore, I could start three new medical colleges in every State every year and we are giving this much money to one institute. Out of Rs. 200 crore of Plan money, just before the last week of March this year, only Rs. 82 crore was spent. Where are we going? Can I not ask questions about these things as Head of the Governing Body?

She was talking about degrees and convocations. Who prevented Dr. Venugopal or the AIIMS from holding the convocation? Did I prevent them from holding the convocation for two years? No. As soon as I took over as the Minister, there was a convocation held. But what happened after that? Did I prevent anybody from holding the convocation? Definitely not. Last year, the convocation was not held because they did not want me to give the degrees and that was due to the obstacle created by a few doctors. That is a different issue. Last year I had signed the degrees of those students who wanted to go abroad. This year again I was willing to sign the degrees and give away the degrees in the convocation, but they did not move forward. It is their responsibility to hold the convocation every year under the rules of AIIMS. When the Degree Certificates were given to me, I found that those Degree Certificates were signed by one so-called Registrar who was not appointed by the Governing Body or the Institute Body. The Director himself has appointed him which he has no authority to do. I said that these are illegal certificates and I would not put my signature on illegal certificates because the Registrar was not appointed by the competent authority which is the Governing Body and the Institute Body. After that, there was a court case, the less said about it, the better. Later I signed the Degree Certificates and then the convocation went on. So, the allegation that I held up the Degrees and I held up the convocation from being held is completely baseless.[\[R71\]](#)

[T\[r72\]](#)hen, the appointment of Dean, which the hon. Member was telling. Madam, Dr. Venugopal recommended appointment of a Dean, I could say, Dr. Sreenath Reddy. In fact, his seniority was 19<sup>th</sup> in the line. Dr. Sreenath Reddy is a very eminent cardiologist. Dr. Venugopal recommended that Dr. Sreenath Reddy be appointed as the Dean. I know Dr. Sreenath Reddy and when we asked him whether he wanted to be the Dean, he said, 'No, Sir, I do not want to be a Dean because I am going to take charge of the Public Health Foundation of India and by holding dual charge, I will not be able to discharge my duties fully.' So, he said blatantly that he did not want to be the Dean. Then, we saw the panel and we appointed the Dean, Dr. Deka, who was 24<sup>th</sup> in the line. Earlier there have been a lot of instances and Dr. Deka is having more faculty experience more seniority. In fact, Dr. Deka has appeared in the interview for the post of Director of AIIMS five years ago. So, such a man of competence he is. Then, we appointed him. I am nobody to appoint him, Madam. The appointing body is the governing body, the instituted body. I have to go through all the formalities of an instituted body, the governing body. I am just an individual there. I have nothing. It

is a collective responsibility. When you say Dr. Ramadoss, it does not mean Dr. Ramadoss. It is a governing body instituted which appoints them and he has accepted that.

An hon. Member has talked about the agitation on reservation. She was telling that Dr. Venugopal has taken so many steps and measures to quell the agitation and so on and so forth. We all know what has happened during the agitation. This premium institute of the country was the hub of the anti-reservation agitation. Immediately, I call all the officers, including the officers of Safdarjang Hospital, PGI, Chandigarh, RML Hospital and AIIMS and said, 'at no point of time the patient care should be affected. These patients are coming from Bihar, Uttar Pradesh and from far flung areas and they are poor patients and that at no point of time their services should be affected. I do not know what you do, these services have to be maintained'. This is the only thing I told them. I do not know what happened, all hell broke loose after that. Time and again we requested the AIIMS administration to quell this. But for 17 days the agitation went on.

Madam, prior to this agitation, in fact, there was an agitation by the employees and Supreme Court has very rightly said that there should not be any agitation in AIIMS in the future and if anybody wants to agitate he can do so 500 meters away from AIIMS. So, when the employees had agitated much before this agitation of reservation, the same Director, Dr. Venugopal, went to the Supreme Court or High Court and said that this was blatant and all that and he suspended and dismissed some employees. Why did he not go to the court during the 17 days' agitation? He says that he has written some letters to the police. You will be surprised to know that tents were there, water was provided through water coolers to the agitators. I would like to inform you, Madam, that some doctors, professors personally came to me and said that they wanted to work but they were prevented to work. I do not want to go on any lines and I will be last the person to go on any lines of division.

This Institute is a great institution and it will not happen that there is going to be a division. We will take all steps possible and we are not going to penalise anybody. We will take all steps to have a harmony. But when this Institute is right under our nose, in the capital of the country, and things are happening and the hon. Members of Parliament have been saying so many things about discrimination of SC/STs, then that has also to be taken care of. Mrs. Nirmala Deshpande had sent a letter signed by 104 Members of Parliament saying that there is an SC/ST discrimination in AIIMS to the Prime Minister. The PMO asked me what is happening and directed me to look into the issue of discrimination in the Institute.

That is why, we appointed a Thorat Committee, under the Chairmanship of Dr. Thorat, Chairman of UGC. Time and again, he was asking for assistance from AIIMS administration, which his committee did not get at all. They did not get any support. They had put notice board and asked anybody to come regarding the AIIMS issue and tell them what was happening. Anybody has a right to go and talk to the committee, whatever the grievances are whether they are against or for or anything.[\[r73\]](#)

When the students come with crying eyes, it is really disheartening for me. As a younger generation, as a professional, as a doctor they come, cry and say: "We are discriminated and we cannot be in the hostel. We are shunted out. We are not allowed to play cricket and basket ball; we can play only football and volley ball." Is this what we are moving forward? We are 60 years post-Independence. This is the premier-most Institute of our country, and they blatantly flay the law there. We will definitely rectify the situation. It has to be rectified. But it cannot be just done in a haphazard manner or bulldozing. Everybody has to be brought into a system. Everybody who is affected whether he is SC/ST or OBC or other, everybody has to be brought into the system and there has to be a slow process.

Coming to the reservation issue which the Members of Parliament have been talking about that it was flouted, recently there was an appointment of Residents. I do not remember the number; I think, about 93-odd Residents have been appointed. According to the policy, for SC/STs and OBCs, there has to be job opportunity. The entire reservation policy was flouted. Then there were so much representations from the doctors who came to me. I had to interfere as the President of the Institute. As a President of the Institute Body and the Governing Body, it is my Constitutional obligation to interfere when reservation policies are being seriously flouted in the Institute. Then I set up a Commission under my Health Secretary, Mr. Naresh Dayal, to look into this issue, and a Core Group under the Governing Body. The Secretary, Health and Family Welfare has been asking about the marks, has been asking for papers about the exam conducted. Till date, we have not got it. Is this autonomy? That is why we were constrained to suspend one doctor, Dr. Dogra. He was the Dean (Exam). He did not give papers. The Members of the Governing Body were asking him to do these things. Then the Members speak that this guy goes on suspending the faculty. Why?

Dr. Karan Singh Yadav was saying, Dr. Bisoy had operated on a patient and he left a screw on the perichord into the heart. The patient died after a few days. This happens. I do not say that this does not happen; this happens. But, then the same doctor after a few days or few weeks put a patient on anaesthesia saying that he will come for operation. He is an Additional Professor of Cardiology. Then the Anaesthetist intimates the patient and put him on anaesthesia. For three hours, he did not turn up. For three hours the patient was on operation table under general anaesthesia without being operated on waiting for Dr. Bisoy to come for operation. After three hours, he said: "I do not have time; you ask someone else to operate." He did not go there. On

that day, there was a Resident agitation going on. As the President of the Institute, I had suspended him. I had brought it to a Committee to look into the issue and give the recommendations. Dr. Venugopal, one week later, revoked the suspension. He has no authority to do that. Suspension, revocation, everything could be done by the Governing Body. Is this the functioning of the Institute? As people say I am trespassing into the autonomy of the Institute; it is definitely not that. I want to rectify this Institute. There is a long way to go.

Dr. Manoj was right in saying as to what has happened to research. It is put on the backburner. So much of funds have been given. There was a mention about Senior Financial Officer. These are all petty things but I am constraint to answer to these. There was a Senior Financial Officer called Mayank Sharma. He was a junior officer. He was, in fact, the *de facto* Director. At that point of time when he was the Senior Financial Officer, he was taking care of all. The same doctors who are agitating today; the same Resident doctors, the same faculty members, all of them are bunching out letters saying: "President of AIIMS, please remove Mayank Sharma." They say that Mayank Sharma is a *de facto* Director. The same people have written to the Prime Minister today, and they are all going to the media saying they will all do this and do that. The same Residents Association, Employees Association, they have given bunches of letters saying, please remove Dr. Venugopal.[\[r74\]](#)

This was before the anti-reservation agitation. Just before the anti-reservation agitation, all of them wanted to sack Dr. Venugopal because of his inaccessibility, autocratic behaviour and dictatorship. All these words were mentioned in their letters of communication. Madam, just one agitation turned the entire thing, top-seater. Immediately, a lot of things were happening.

Madam, I do not want the All India Institute of Medical Sciences to be turned into the All India Institute of Political Sciences. Definitely not, politics should not happen there. In this Institute, public money is there, and this Institute should move forward in a big way. I am nobody. Today I may be in this position and tomorrow I will be nobody and nothing. The Institute goes along. The Institute should move improve and forward in a big way.

Madam, she was talking about the Sub-Dean and the women media. The lesser said about it is the better for me because I do not think that these are the things which need mentioning. ...(*Interruptions*)

She was telling that the Institute Body had sacked the Director, I mean, I had sacked. The Institute Body termed it in the services of the Director at that point of time by a voting of 12 to three. Twelve people supported and three objected. That is how, there was an objection of Mr. Malhotra, who was a member of the IB. This is the status.

Again, she was telling that the Director was made to sit on a bench. Definitely not, Madam. He was a part of the IB. Till his agenda had come up, he was inside the room, and when his agenda came up and at that point of time he was asked to go and sit in my Private Secretary's room. He refused and, I think, he sat outside. The media people were there. These things were going on.

She was talking about the Registrar of AIIMS. In fact, Dr. Karan Singh Yadav had talked about what had happened to the Registrar. He was the one who appointed him, and what happened in between them, we do not know. Suddenly, he says: "He is a corrupt guy and all these things." We conducted an inquiry. He has no authority to remove him. This is the whole problem. He has no authority to remove him. Nor do I have any authority to remove him. The Governing Body has an authority to remove him. That is why, the Governing Body is there.

Madam, she talked about paying the fees of the lawyers. I do not have money to pay for lawyers where cases were filed by AIIMS. As the President of the Institute and as the Minister definitely, I have all the rights and legalities that the Institute or the Government to pay the fees of the lawyers, which everybody is doing. That is the norm of the day. I do not know how such a senior Member could go about these things.

Dr. Karan Singh Yadav, in fact, has been involved and he has been very pained as a doctor. He himself is a cardiologist, and he does not know what is happening there. He is a member of the Governing Body, the Institute Body. In fact, Shri R.K. Dhawan is also a member of the Governing Body. In one interview, Shri Dhawan has said: "Let us wind up the Governing Body, the Institute Body because we do not have any say here. Why should we sit and waste the time? When the administration is not listening to the Governing Body, let us wind it up." So, this is the functioning of the administration of the AIIMS.

Dr. Venugopal would have been a competent person earlier but today he is 66 years old. When I say 'old', he is really old. He is not in a position to physically even walk properly. I am not demeaning or denigrating him. I am just telling the facts.

Today, this Institute is run by a coterie of junior doctors. Today, Dr. Venugopal has no clue of what is happening in AIIMS. This is the sorry state of affairs of the Institute. The doctors are threatened by people. He was telling '*goondaism*' and 'locking of the rooms of the senior faculty professors'. Is this the All India Institute? I am constrained to bring these things because these are all petty things which I should not. For the last one and a half years, I have not been going to the media and

not bringing the facts because this is our own Institute, I respect this Institute and I want this Institute to improve and move forward in a big way.

About the Thorat Committee Report, I think, I will try to table it after getting due permission. I would like the Members to go through the Thorat Committee Report also.

Madam, we have Trauma Centres. We are spending so much on these Trauma Centres and the Cancer Block. All these are not functional now. These Trauma Centres are beautiful centres. Not many patients are going there today. Why are they made not functional? We are putting up whatever faculty they wanted. We have given everything to them. [h75]

Most of the hon. Members have said about the same issues. I do not want to repeat them. In fact, Mr. Ram Kripal Yadav had said about Laluji's visit to the AIIMS. He has stopped short of telling a lot more things because that was the evening at 5 o'clock; I do not know at that time what state he was in. Lesser said the better of that also. This is very, very disheartening. As a youngster, as a professional, as a doctor, it is really disheartening. I just wanted to go about it. Mr. Braja Kishore Tripathy was telling about disrespect. I would be the last person to disrespect anybody, leave alone the eminent person like Dr. Venugopal. As a professional, as a doctor, definitely I have a lot of respect for Dr. Venugopal. This is an allegation and I am really pained to answer all these things.

They have been telling about to concentrate on the national programmes. Definitely. My time, my energy, my focus, and the revenues of the Ministry are on the National Rural Health Mission. We are doing a lot on the National Rural Health Mission. I am spending 80 per cent of my time on the National Rural Health Mission. This is the Mission set up by my Prime Minister for the upliftment of the rural healthcare infrastructure, which has come down and down. Consciously, we are trying to do so many new programmes. There have been so much of appreciations about them except by my friends in the Media here. But otherwise, nationally and internationally, there have been so many people appreciating the efforts of the Health Ministry. The UN bodies, WHO and all the Associations globally have been very appreciative of our efforts. In fact, this is the first time that so many programmes are being done by the Health Ministry. I do not know, Mr. Dasgupta may contradict that...*(Interruptions)*

SHRI GURUDAS DASGUPTA (PANSKURA): I am only saying that you may have great love for international appreciation instead of having domestic appreciation.

DR. ANBUMANI RAMADOSS: I do not have any 'love' or 'not love' for international or national appreciation. But the fact of the matter is that I want this great nation of ours to move forward in a big way. I want the social sectors to compete with the economic sectors; I want the education, health, agriculture, poverty, drinking water and all to reach India and make it a developed nation by 2020. I want to eradicate undernourishment by 2015. These are the things, which we want to do, and we are trying to do them.

Madam, he was talking about the HRD Ministry that it has given the age limit as 70. It is about re-employment after 65. They said that anybody could be re-employed after 65. So, that is not that the HRD has said it as 70.

Mr. Rajiv Ranjan was telling about ego. I do not have any ego. I do not have ego among all these things. He was telling that the Government is interfering etc or controlling it. There is no point in having the Government control. We are all functioning together as a cohesive unit. I get files from the AIIMS for sanction of leave, for deputation, for projects and for disciplinary action. So, where is the question of controlling? It is a cohesive unit, and we need to move forward. We have to keep the distance and we have to move forward. That is what we want to.

Madam, I would like to assure you that we definitely would not interfere into any autonomous functioning of the Institutions. On the contrary, as a professional, I would; we would; and the Government would like to give more autonomy to the Institutions. But these Institutions have to have their constitutional obligations, have to have the obligations of the Parliament, this very House, which is there to enact all these Acts.

With these words, I would once again request all the hon. Members to support this Amendment Bill.

MADAM CHAIRMAN: Thank you.

Now, Motion for consideration of the Bill.

...*(Interruptions)*

DR. RAM CHANDRA DOME : Madam, I just have a small clarification.

MADAM CHAIRMAN: No. The Minister has replied to the debate.

The question is:

"That the Bill further to amend the All India Institute of Medical Sciences Act, 1956 and the Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966, be taken into consideration."

*The motion was adopted.*

MADAM CHAIRMAN: The House will now take up clause-by-clause consideration of the Bill.[\[r76\]](#)

**Clause 2 Amendment of Section 11 of Act 25 of 1956**

*Amendment made :*

Page 2, *omit* lines 11 to 15, (1)

(Dr. Anbumani Ramadoss)

MADAM CHAIRMAN : The question is :

"That clause 2, as amended, stand part of the Bill,"

*The motion was adopted.*

*Clause 2, as amended, was added to the Bill.*

**Clause 3 Amendment of Section 11 of Act 50 of 1966**

*Amendment made :*

Page 2, *omit* lines 29 to 33. (2)

(Dr. Anbumani Ramadoss)

MADAM CHAIRMAN : The question is :

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

*The motion was adopted.*

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

*Clause 1, the Enacting formula and the long Title were added to the Bill.*

DR. ANBUMANI RAMADOSS : Madam, I beg to move :

"That the Bill, as amended, be passed."

MADAM CHAIRMAN : The question is :

"That the Bill, as amended, be passed."

*The motion was adopted.*

SHRI KHARABELA SWAIN (BALASORE): Madam, the hon. Minister said that at 6 o' clock, the 'Zero hour' matters would be taken up. â€¦ (Interruptions) That is what he said.

MADAM CHAIRMAN : There is still five minutes' time. We will just start this Bill.

**17. 58 hrs.**

