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Title: Further discussion on the motions for consideration of the National Commission for Backward Classes (Repeal) Bill, 2017 and Constitution (One Hundred and Twenty-Third Amendment) Bill, 2017 (Discussion Concluded and Bill Passed).

HON. SPEAKER: Now, Item Nos. 18 and 19; Shri Hukmdeo Narayan Yadav to continue.

श्री हवमेदव नारायण यादव (मुधबनी) : महोदय, मैं उस दिन इस संविधान संशोधन विधायक पर बोल रहा था। कुछ बॉटमैन उस दिन सदन के सामने खड़ी, लेकिन जो बॉटमैन उस दिन खड़ी, आज मैं व सब बॉट भूल गया कि मैंने उस दिन क्या बोला था। फिर, मैं आज उन बातों को दोहरा रहा हूँ, बल्कि आज देश में आरक्षण के संबंध में कुछ प्रश्न उठते हैं, उन सारे प्रश्नों के बारे में कुछ स्पष्टीकरण देना चाहता हूँ।

15.33 hours (Hon. Deputy Speaker in the Chair)

मैं नहीं, डॉक्टर लोहिया ने इन प्रश्नों के बारे में वर्ष 1962 में जो कुछ कहा था, मैं उन बातों को पहले सदन के सामने रखकर ही आगे बढ़ना चाहूँगा -

"आरक्षण का मूल उद्देश्य होना चाहिए जाति प्रथा के समूल नाश के लिए। जब तक यह जाति प्रथा रहेगी, तब तक इस आरक्षण का दुरुद्ध चलाता रहेगा, तब तक समाज में जातीय संघर्ष रहेगा, समाज में जातीय विद्वेष रहेगा, जातीय तनाव रहेगा और जिसके कारण राष्ट्र पीड़ित रहेगा, भारत माता दुखी रहेगी।"

इसीलिए, इसको अगर समाप्त करना है तो पूरे राष्ट्र को और इस सदन को चिंतन करना चाहिए कि हिन्दुस्तान से जाति प्रथा का समूल नाश कर दिया जाए। वह कैसे और क्यों, इस पर चिंतन करना चाहिए।

माननीय मन्तायम सिंह जी बैठे हुए हैं। मैं उनके सामने दिनांक 23 जून, 1962 में नैनीताल में दिया गया 'निराश के कर्तव्य' और दिनांक 03 सितम्बर, 1963 लोक सभा वाद-विवाद - 'सामाजिक कृष्णित' - यह पढ़ना चाहता हूँ। डॉक्टर लोहिया ने नैनीताल में 23 जून को समाजवादियों को कहा था -

"ऐसा कुछ हो सकता है कि गद्दी मिल जाने पर एक ऐसा कानून बना सकते हो कि जितने भी सरकारी नौकरी हों, उनकी नियुक्ति में इस बात का ध्यान रखा जाएगा कि पहले नौकरी उसी को देना है, जिसने अन्तरजातीय विवाह किया है। अन्तरजातीय विवाह का मतलब द्विज में आपस में नहीं, बल्कि द्विज-अद्विज में। सबसे बड़ी चीज हमको पकड़ रखनी है, वह है विशेष अवसर बनाम समान अवसर।"

यह दुरुद्ध देश में चलता है विशेष अवसर बनाम समान अवसर का। एक तरफ लोग कहते हैं समान अवसर, एक तरफ हम कहते हैं विशेष अवसर। समान अवसर का मतलब कब? जब सभी जगह समानता हो तब। पढ़ाई में, लिखाई में, खान-पान में, समाज में, सब जगह समान अवसर हो। इसके लिए हम लोग कहते थे - 'राजा-पूत निर्धन संतान, सबकी शिक्षा एक समान।' अगर बेड़े बाप का बेटा, गरीब का बेटा एक स्कूल में पढ़े, एक ही घर में पढ़े, एक किताब पढ़े, एक जैसा खाना खाए, एक साथ बैठे तो उस दिन गरीबी-अमीरी का भेद मिट जाएगा। जिस दिन से कलक्टर और चपरासी का बेटा एक ही स्कूल में बराबरी से पढ़े लगेगा, उसी दिन हिन्दुस्तान में सामाजिक कृष्णित होगी। अभी तक यह काम क्यों नहीं किया गया, इस पर ध्यान क्यों नहीं दिया गया? अब आप कहते हैं कि वर्तमान सरकार इस सुधार में कहता है कि जब आपको खीर बनाने के लिए दी गई, तब आपने खीर में एक किलो चीनी के बदेले एक किलो नमक डाल दिया। जब लोग खीर खाने लगे, तब कहते हैं कि यह खीर नमकीन है और आप इस सुधार के की बात कहते हैं। अब इस नमकीन खीर को कैसे सुधारा जाएगा, अगर हम इसको सुधारने के लिए इसमें एक किलो चीनी डालेंगे, तो यह और ज्यादा बिगड़ जाएगा। हम लोग नमकीन खीर खा नहीं सकते हैं। इस खीर को बनाने वाले आप लोग थे, आपने प्रारंभ में ही खेल को बिगाड़ दिया और इसको ऐसा बिगाड़ा कि अब वह संभल नहीं सकता है।

मैं यह कहना चाहूँगा कि समाज में समानता कैसे आएगी, यहां पर दो तरह के लोग हैं:

"किस्ती को घर से निकलते ही मिल गई मंजिल,

कोई हमारी तरह उम्मीद भर सफर में रहा।"

हम देखते हैं कि कोई मॉकेट से निकलते ही राजा बन जाता है, मॉकेट से निकलते ही इस देश के प्रधान मंत्री बनने का सपना देखता है। जब वह मॉकेट से आता है, तो उसके मुंह से रौन के बदेले पीएम-पीएम की आवाज आती है और जब हम अपनी मॉकेट से आते हैं तो हमारे मुंह से रौन के बदेले शेटी-शेटी की आवाज आती है। आप इस देश में किस प्रकार की समानता लाने की बात करते हैं, जब तक इस प्रकार की असमानता देश में मिटनी नहीं, तब तक देश में समानता नहीं आएगी।

आपने तो हर बात को उलझा कर रख दिया है। अगर उसी समय पिछड़े वर्ग को आरक्षण दे दिया गया होता, यह कमीशन बना दिया गया होता, तो आज यह उलझन नहीं रहती, लेकिन आपने हर मामले को उलझा कर रखा है। अब आप हमको कहते हैं कि इस समस्या को सुलझा लीजिए, मोदी जी आप इस समस्या को सुलझा लीजिए। आपने इस समस्या को इस प्रकार से उलझाया कि हम लोग ज्यों-ज्यों इसको सुलझाने का प्रयत्न करते हैं, त्यों-त्यों यह समस्या और अधिक बुरी तरह से उलझती जा रही है। कृपया आप इस वाक्य को जरा गौर से सुनिये;

"ममकिन नहीं हालत की गुन्थी सुलझे,

अहेल दानिशन बुहत सोच कर उलझाया है।"

आपने तो इसे ऐसा उलझा दिया है कि हम सुलझाने का क्या प्रयत्न करें; हम इसे जितना सुलझाते हैं, उतना उलझेता जाता है। मैं प्रधान मंत्री श्री नरेन्द्र मोदी जी को धन्यवाद देना चाहता हूँ कि आज वे इस सुलझा रहे हैं।

मैं फिर आगे कहता हूँ और डॉ. लोहिया ने कहा था कि "जो राजनीतिक दल किसी विशेष अवसर के सिद्धांत को लेकर आगे बढ़ेगा, वह जोखिम उठाने के लिए तैयार होगा। वह साफ तौर से कहना कि हमको योग्य अथवा अयोग्य की बहस में नहीं पड़ना है। हमें तो इन देव हुए लोगों के देव हुए संस्कार को सुधारने के लिए इनको उन्नी जगह पर बैठाने का प्रयास करना है। इसमें ऐसा हो सकता है कि अगर हम सौ आदमी को बठाएंगे, तो उसमें से 60-70 लोग निकले निकलेंगे, लेकिन जो 30 लोग अटके निकलेंगे, वे समाज में एक जबर्दस्त हलचल पैदा करेंगे, जैसे हम ओट में खमीर मिलाते हैं, जैसे ही वे सारे समाज को पुनर्जीवित करते हैं। हम इस प्रकार से एक साथ चौतरफा हमला करके जात-पात को खत्म कर सकते हैं।"

मैं आपसे पूछना चाहता हूँ कि विशेष अवसर की बात किस प्रकार आती है? कभी-कभी कहा जाता है, अगर कोई पिछड़े, दलित या आदिवासी समाज का व्यक्ति अधिकारी बनता है तो उसको कहा जाता है कि आप आरक्षित कोट से आए हैं। क्या कोई आदमी आरक्षित कोट से आया है, तो क्या यह कलंक है। हम लोगों को ऊपर इस प्रकार का कलंक क्यों लगाया जाता है। अगर हमको भी पूरा अधिकार मिले, समान अवसर मिले, तो हम किसी से भी बराबरी कर सकते हैं। मैं हिन्दुस्तान के बेड़े लोगों को तुनीती देना चाहता हूँ कि आप अपने बच्चों को हमारे बच्चों के साथ स्कूल में बिठा दीजिए, हमारे बच्चों की तरह पढ़ने दीजिए, हमारे बच्चों के साथ खेलने दीजिए, फिर हम से कम्पिटिशन कीजिए, तो मैं कहता हूँ कि हम लोग आपको हर प्रतियोगता में हरा देंगे। आप हमारे मुकाबले में कम्पीट नहीं कर सकते हैं।

एक घोड़े को काजू, बादाम व किशमिश खिलाए और उसे रख के लिए तैयार कीजिए; दूसरे घोड़े को परे में रखी लगाकर गली में रख दीजिए, उसे खाने के लिए घास दीजिए, फिर आप इन दोनों

घोड़ों का कम्पिटिशन कराइए और कहिए कि जो आगे निकलेगा, वही सही है। मैं कहता हूँ कि यह फुल्टाई है, यह मानवता का उपहास है, जो आज तक इसे दर्श में होता रहा है। समान अवसर तब होगा, जब समान सुविधा होगी। समान अवसर तब होगा, जब समान योग्यता होगी। समान अवसर तब होगा, जब समान खान-पान होगा। एक बेड़े बाप को बेटा स्कूल में पढ़ने जाता है, तो वह खान का डिब्बा ले कर जाता है; जिसमें आमलेट, कटलेट, चॉकलेट तथा ड्राईफ्रूट आदि जैसे पौष्टिक चीजें होती हैं; दूसरी तरफ जब गरीब, पिछड़े व दलित का बच्चा स्कूल में पढ़ने के लिए जाता है, तब उसे खान में दोपहर का मिड डे मिल मिलता है। इस प्रकार के बच्चों को मिड डे मिल के नाम पर न जोन कैसा-कैसा सड़ा-गला चीज खिला दिया जाता है, कभी-कभी सौ-सौ बटेव मिड डे मिल खाकर मर भी जाते हैं। एक तरफ हमारे बच्चों को सड़ा-गला खाना मिले और दूसरी तरफ बटेव को आमलेट, चॉकलेट, कटलेट, मटलेट वगैरह खिलाने से, वह शर्म जाये। एक तरफ वह खाएगा और दूसरी तरफ हम भ्रूषे रहेंगे, तो हमारा मुकाबला कैसे होगा? इसीलिए डॉ. लोहिया ने कहा था कि आरक्षण नहीं, विशेष अवसर। विशेष अवसर का मतलब मैं ऊंची जातिके उन तमाम लोगों को प्रणाम करता हूँ, जो हिन्दुस्तान की समाजिक क्रांति में आगे होकर लड़ते रहे, मैं जिस समय समाजवादी आंदोलन में लड़ रहा था, उस समय डॉ० वल्लभभाई आ. शिव वन्द्रे आ. आज भी हँस याद है, जिनको अपने समाजिक लोगों ने निष्कासित कर दिया था। इस समाजिक क्रांति में पिछड़ा पौव सौंम साठ, डॉ. लोहिया बोध गांठ; तब हम पिछड़ा, अगड़ा का क्या मायेन लगोते थे, जाति पर नहीं।

"उच्च वर्ग की क्या पहचान, गिटपिट बोल केर न काम,

पिछड़े वर्ग की क्या पहचान, केर महनत पौव अपमान।"

हम यह परिभाषा करते थे।

अंत में मैं कहना चाहूंगा, सात क्रांति, 26 जून, 1962 नजीक, डॉ. लोहिया ने कहा था, "दलित और आदिवासी के लिए तो मैं ऐसा जमाना देखता हूँ, जस गौर से सुनिए, तीस-चातीस वर्ष के बाद बाकी विशेष अवसर देकर, उनको ऊंचा बिलों के बाद इस खत्म कर देना पड़ेगा, लेकिन विशेष अवसर का मतलब भी समझ लेना चाहिए, क्योंकि कुछ लोग कहते हैं कि विशेष अवसर तो कांग्रेस भी दर्ती है। कांग्रेस कहाँ विशेष अवसर दर्ती है? उसने तो सिर्फ कांग्रेस पर लिखा रखा है। दलित को 18 सेंकड़ें मौक देगे और असल में देते हैं डेढ़ या आधा या एक सेंकड़। जब उनसे पूछा जाता है, तो कहते हैं कि हम क्या करें, हमें योग्य लोग नहीं मिले। जस गौर करिएगा, योग्य लोग नहीं मिले। योग्य बनें नहीं दिए और कहते हैं कि योग्य लोग नहीं मिले। यह दलित का भेद है। 18 सेंकड़ें कवल दलित के लिए रखा है, आदिवासी के लिए 5 सेंकड़ें और बाकी पिछड़ी जातियों के बारे में तो कांग्रेस लिखती ही नहीं है।" कभी इनकी जुबान से पिछड़े वर्ग का नाम नहीं निकला था। इसलिए हमको ये दबाकर रखा कि पिछड़े वर्ग के लोग आगे निकल जाएंगे। कांग्रेस लिखती ही नहीं है। वह अपनी पार्टी को कहती है सोशलिस्ट पार्टी, मुतायम सिंह जी आप भी सुनिएगा। "सोशलिस्ट पार्टी इन सबके लिए साठ सेंकड़ें चाहती है और यह तर्क भी दर्ती है कि चोह वह ताकत हो या नाताकत, जैसे भी हो, उनको ऊंची जगहों पर बैठाओ, क्योंकि जब वे जगहों पर बैठेंगे, मौका पाएंगे, तो उनके दिमाग के दरवाजे खुलेंगे। इधर तीन-चार हजार वर्ष से उनके दिमाग के दरवाजे बंद हो गए, क्योंकि उनको ऊंची जगह पर बैठने का मौका नहीं मिलता है। सब पार्टियों का मकसद है, पहले योग्यता, फिर अवसर। समाजवादी दल कहता है पहले अवसर, फिर योग्यता।"

मैं प्रार्थना करूंगा, मैं एक-दो मिनट समय और लूंगा, ज्यादा नहीं लूंगा। पहले योग्यता, इनका तर्क कि तनाव रहम अमानवीय वाला रहा। कहते हैं कि पहले काबिल बनें, तब कर्सी लो। पहले साइकिल चलाना सीखा लो, तब साइकिल का हंडल पकड़ो, पहले तैरना सीखा लो, तब तालाब में उतरें। हम कहाँ तैरना सीखेंगे साहब? विशेष अवसर का मतलब है, वह पहले साइकिल का हंडल पकड़ेंगे, पडल पर पर रथेगा, दो-चार बार गिरना, दो-चार बार चोट खाएगा, तब साइकिल चलाना सीखेगा। वह तालाब में उतरेगा, ऊब-डूब केरगा, कुछ पानी पीएगा, फिर तैरना सीखेगा। इसलिए पिछड़े वर्ग को पहले कर्सी दो, जब अवसर मिलेगा, तब योग्यता भी आएगी। आप कहते हैं कि पहले योग्य बनें, तब आप कर्सी लो। हम कहते हैं कि योग्य बनें ही नहीं, कभी कर्सी पाएंगे ही नहीं, इसलिए पहले हमको कर्सी दो, हम योग्य अवश्य बनेंगे।

अंत में, विशेष अवसर का मतलब क्या है? पंडित दीनदयाल उपाध्याय ने एकदम मानववाद में लिखा है - ममता। ममता का मतलब क्या है? घर में कोई बीमार पड़ता है, तो उसे पहले भोजन देते हैं, उसे फल दो, सब्जी दो, दूध दो, अण्डा दो, मछली-मांस खिलाओ, उसको ताकतवर बनाओ, लेकिन जब ताकतवर बन जाए, तो उसका भोजन बंद करो। ऊंची जातिके लोगो, उनके लिए मैं आपको धन्यवाद देता हूँ, जो आपने इसको किया। दयानंद सरस्वती, विवकानंद, राममोहन राय, ऐसे लोग जिन्होंने समाजिक क्रांति में योगदान किया, मैं उनको सौ-सौ बार नमस्कार करता हूँ।

मैं अंत में प्रार्थना करता हूँ कि पिछड़े वर्गों के नाम पर कुछ लोग कर्सी पा गए, कुछ लोग सता में आ गए। लोहिया जी को तो भूल गए, समाजवाद से जातिवाद, समाजवाद से परिवारवाद और समाजवाद से कौन-कौन सा वाद आया, लेकिन समाजवाद भूल गए। समाजवाद का मतलब है 'निर्धन पूत, राजा संतान, सबकी शिक्षा एक समान'। ऐसा कभी नहीं हुआ। मैं नेहरू मोदी जी से प्रार्थना करूंगा कि आप कीजिए।

अंत में नेहरू मोदी जी से प्रार्थना करूंगा, आपने डा. अम्बेडकर के लिए बहुत कुछ किया है, दिल्ली में लोहिया जी के नाम पर भी बड़ा स्मारक बना दीजिए, उनके नाम पर भी स्थान बना दीजिए। हिन्दुस्तान के करोड़ों पिछड़े लोग आपके आभारी रहेंगे, उसमें हम आएं, लोहिया जी के नाम पर शोध करेंगे। 100-200 करोड़ रुपये लगते हों, तो भी सरकार को उस पर विचार करना चाहिए।

इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूँ।

SHRI K.N. RAMACHANDRAN (SRIPERUMBUDUR): Hon. Deputy Speaker, Sir, I thank you for allowing me to speak.

At the outset, I would say that this is a remarkable Bill. I want to say in this august House that because of my beloved leader *Puratchi Thalaivi* Amma, I am standing here. She was a mark-able and remarkable leader of this Constitution (Amendment) Bill. Amma is an example for all. Amma was the frontrunner. Our *Puratchi Thalaivi Amma* was an embodiment of the greatest leader who fought for upholding social justice and has been a symbol of empowerment of socially, economically weaker sections in Tamil Nadu. This is a fact.

The establishment of a new Commission with constitutional powers for the OBC, just like similar bodies for the SCs and the STs, is the need of the hour. Therefore, the Government has decided to set up a National Commission for Socially and Educationally Backward Classes as a constitutional body by making an amendment to Article 338B.

At present, the functions of the National Commission on Backward Classes are limited to examining the request for inclusion of any class of citizens as a backward class and hear complaints of over-inclusion or under-inclusion of any backward class in the existing quota and advise the Central Government. In order to safeguard the interests of the socially, educationally backward classes more effectively, it is proposed to create a National Commission for Backward Classes with constitutional status at par with the National Commission for Scheduled Castes and the National Commission for Scheduled Tribes. The Commission has powers to examine requests for inclusion of any community in the list of backward classes and hear complaints of over-inclusion or under-inclusion, following which it would advise the Union Government. In its new form, being a constitutional authority could give it more teeth.

Sir, the policy of reservation of seats in educational institutions, and in appointments, for BC, MBC, SC, ST has had a long history in Tamil Nadu dating back to the year 1921. This is a fact that Tamil Nadu is an example for other States. The extent of reservation has been growing upward constantly, consistent with the needs of the people belonging to backward and most backward classes who constitute the majority of population. The reservation for SC, ST, BC and MBC has now reached the level of 69 per cent. This is mark-able history. This achievement has been made only by our Amma.

The issue of social justice has been an integral part of the Dravidian Movement. This is a fact. The Justice Party, officially the South Indian, Liberal Federation, was a political party in the Madras Presidency of British India. It was established in 1917 as a result of a series of social justice conferences and meetings in the Madras Presidency. Communal division between dominant and deprived communities began in the Presidency during the late 19th and early 20th Century mainly due to caste prejudices and disproportionate representation of dominant communities in Government jobs.

Justice Party came under the leadership of Periyar. Still, people recall Vaikam Veerar E. V. Ramaswamy and his Self-Respect Movement. In 1944, Periyar transformed the Justice Party into the social organization called the *Dravidar Kazhagam* and finally withdrew it from electoral politics. The Justice Party's period in power is remembered for the introduction of caste-based reservations, and educational and religious reforms.

The Self-Respect Movement is a movement with the aim of achieving a society where backward castes have equal human rights and encouraging backward castes to have self-respect in the context of a caste-based society that considered them to be a lower-end of the hierarchy. It was founded in 1925 by E. V. Ramasamy. The movement was extremely influential not only in Tamil Nadu, but also overseas in countries with large Tamil population that lived in countries such as Malaysia and Singapore. But Periyar did not want to participate in electoral politics and State's administrative power.

This is my important suggestion / view, through you, Sir. Dr. C.N. Annadurai, the mentor of Dr. *Puratchi Thalaivar* MGR wanted to enter into electoral politics and believed that through participating and winning elections political equations could be changed and social justice could be upheld. So, he systematically continued the social justice movement of Periyar and also pioneered his political movement to form the Government in 1967.

Following the footprints of Periyar and *Anna*, our mercurial leader Dr. *Puratchi Thalaivar* MGR founded our Party, namely, *All-India Anna Dravida Munnetra Kazhagam* (AIADMK), which owes its origin to the Self-Respect Movement, and it continued to protect the Constitutional rights of the backward and most backward communities by following 50 per cent reservation.

After *Puratchi Thalaivar* MGR, our *Puratchi Thalaivi Amma* has become the pioneering champion in upholding social justice in Tamil Nadu. She was the first and foremost ruler to provide 69 per cent reservation for the deprived communities in Tamil Nadu. This is a fact; this is history; and this is the achievement. During her golden period, *Amma* had fought many social and legal battles to implement the 69 per cent reservation policy in Tamil Nadu. No wonder, she has been praised as the Saviour and Restorer of Social Justice in Tamil Nadu: *Samuga Neethi Kaththa Veeranganai*. Her Government had justified in the Supreme Court the law providing for 69 per cent quota in employment and educational institutions in the State contending that backward classes constituted 87 per cent of the population. This is a fact.

The philosophy of reservation has been evolved in the State over many years and the present policy meets with the aspiration of various classes of people whom this policy is intended to benefit. It is, therefore, essential that the law is implemented fully. The law, by making reservation based on population, attempts to bring the unequals in parity with equals. The Act is aimed at bringing about real equality and parity in the matter of opportunities in the area of education and public employment having regard to the prevailing economic and social conditions. This is important. I would request through you the Central Government that the Bill should not affect the States' rights and the States' liberty.

While insisting for 50 per cent reservation in 'Indira Sawhney' case, the Supreme Court has given some lenience to the State Governments to meet the extraordinary circumstances prevailing in certain parts of the country. The Tamil Nadu Government enacted the law providing 69 per cent reservation taking into consideration the peculiar situation in the State. The reservation system in Tamil Nadu is much in contrast to the rest of India, not by the nature of reservation but by its basic history. At present, reservation works out to somewhat less than 69 per cent, depending on how many non-reserved category students are admitted in the super-numerary seats. If 100 seats are available, first, two merit lists are drawn up without considering community, one for 31 seats and the second for 50 seats, corresponding to 69 per cent reservation and 50 per cent reservation respectively. Any non-reserved category students placed in the 50 seat list and not in the 31 seat list are admitted under super-numerary quota, that is, the seats are added to the 100 for these backward students. The 31 seat list is used as the non-reserved open admission list and 69 seats are filled up using the 69 per cent reservation formula -- 30 seats for BC, 20 seats for MBC, 18 seats for SC and one seat for ST.

The effective reservation percentage depends on how many non-reserved category students figure in the 50 list and not in the 31 list. At one extreme, all 19 may be non-reserved category students, in which case the total reservation works out to about 119 or about 58 per cent. At the other extreme, none of the 19 added to the 31 list may be from the non-reserved category, in which case no super-numerary seats are created and reservation works out to be 69 per cent as mandated by the State law.

In the Special Session of Tamil Nadu Legislative Assembly held on 9th November, 1993, it had been unanimously resolved to call upon the Central Government to take steps immediately to bring a suitable amendment to the Constitution of India to enable the Government of Tamil Nadu to continue its policy of 69 per cent reservation in Government services and for admission in educational institutions as at present. An all-party meeting had also been held in November, 1993 in Tamil Nadu urging that there should not be any doubt or delay in ensuring the continued implementation of 69 per cent reservation for the welfare and advancement of the backward classes.

The Tamil Nadu Government enacted a legislation, namely, Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes Bill, 1993 and forwarded it to the Government of India for consideration of the President of India in terms of Article 31C of the Constitution.

16.00 hours

In view of the importance and sensitive nature of the matter, the Union Home Minister held meetings with the leaders of political parties on

13th July, 1994 to discuss the provisions of the Bill. The general consensus among the leaders was that the Bill should be assented to. Accordingly, the President gave his assent to the Bill on 19th July, 1994. The Government of Tamil Nadu accordingly notified it as Act No.45 of 1994 on 19th July, 1994.

The Tamil Nadu Government had requested the Government of India on 22nd July, 1994 that the aforementioned Tamil Nadu Act 45 of 1994 be included in the Ninth Schedule to the Constitution of India as the said Act attracts article 31C of the Constitution as falling within the purview of clauses (b) and (c) of article 39 and articles 38 and 46 of the Constitution vide section 2 of the Act. The Act has been passed relying on the Directive Principles of State Policy enshrined in Part IV of the Constitution and in particular, articles 38, 39 (b) and (c) and 46 of the Constitution.

The Government of India has already supported the provision of the State legislation by giving the President's assent to the Bill and included in the Ninth Schedule to the Constitution of India.

Before I conclude, I wish to suggest some important points with which, I believe most of the members in this august House will agree.

The National Commission for Backward Classes shall consist of a Chairperson, a Vice-Chairperson and three other Members. While appointing the Chairperson and other Members to the NCBC, region-wise representation and chances should be provided.

I suggest that at least one member of the Commission shall be a woman. Any process in the formation, execution of the Commission should be done after proper consultation with the States and on the basis of prior recommendations of the State governments.

Every State Government may, by public notification, specify the socially and educationally backward classes in that State which shall be deemed to be the State List of socially and educationally backward classes in relation to the State.

The State may by law include in or exclude from the State List of socially and educationally backward classes specified in a notification issued under clause (3) any socially and educationally backward class, provided that the aforesaid notification issued under the said clause, shall not be varied by any subsequent notification.

Thank You, Sir.

SHRI KALYAN BANERJEE (SREERAMPUR): Hon. Deputy Speaker, Sir, I am obliged that you have given me this chance to speak on the subject. I will speak on a very limited field and the rest of the arena will be covered by my colleague Shri Dasrath Tirkey.

Sir, I would raise very important questions today. Something has been highlighted by my friend from the AIADMK who has just spoken. There is no quarrel. Let us be very frank to appreciate reservation and making a Commission for the OBCs, SCs, STs, etc. For that, no lecture is required to be given today. Whatever Dr. Ambedkar had said in this regard is the first and final thing in our country and we accept that.

I am not opposing clauses 1, 2 and 3. But I am opposing clause 4, that is insertion of new article 342A which reads like this: "The President may with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the socially and educationally backward classes which shall for the purposes of this Constitution be deemed to be socially and educationally backward classes in relation to that State or Union territory, as the case may be."

Therefore, today by way of this Constitution Amendment, this Central Government wants to take away the power of State Governments. The concept of the OBC was thoroughly argued before a nine-judge Constitution Bench in 1992 in the case of Indira Sawhney and Others versus Union of India and Others. The judgement was given in the ratio of 6:3. The judgement said that the State Government will identify backward classes and the State Government will be having power to make reservation for backward classes, which we call as OBCs. Therefore, under article 141 of the Constitution of India, power of enacting the law in identifying the backward classes has been entrusted by the Supreme Court to State Governments. After this judgement was delivered on 16th November 1992, almost all State Governments in 1993 enacted the law in respect of the backward classes which were called as OBCs. This is a very long judgement. In paragraph 323 of the judgement, there is a summary of the judgement in which it is said that "it is open to the State to adopt valid classification and make special provisions for the protection of classes of citizens whose comparative backwardness the State has a mandate to redress by affirmative action programmes. Any such programme must be strictly tailored to the Constitutional requirement that no citizen shall be excluded from being considered on the basis of merit for any public employment except to the extent that a valid reservation has been in favour of backward classes of citizens."

If we read this judgement, this power has been given by the Supreme Court to States and not to the Union of India. In sub-paragraph four, it has been said by the Supreme Court that in the case of Other Backward Classes of citizens qualified for reservation, the burden is on the State to show that these classes have been subjected to such discrimination in the past that they are reduced to a state of helplessness, poverty and the consequential social and educational backwardness as in the case of the Scheduled Castes and Scheduled Tribes. Therefore, this categorisation has to be made by the State Government. It has been said by the nine-judge bench of the Supreme Court. After that, the Supreme Court has said at clause 12 of that paragraph, "Whenever and wherever poverty and backwardness are identified, it is the Constitutional responsibility of the State to initiate economic and other measures to ameliorate the conditions of the people residing in those regions. But economic backwardness without more does not justify reservation." The gist of the entire judgement is who would identify. Identification is to be made by the State Government; identification would not be done by the Central Government. Who knows in my State which are the backward classes? Why should I depend upon the *ipse dixit* of the Central Government? This is not the law which has been enacted by Parliament. This is the law which has emanated from the Supreme Court judgement and we are following it from 1993. We are doing it for all the States.

In view of Article 16 (4), there is a Constitution amendment. I will just read this. It says:

"Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State."

Therefore, Article 16 (4) empowers the State Government to make reservation for these other backward classes. ...(*Interruptions*)

SHRI N.K. PREMACHANDRAN (KOLLAM): I want one clarification. In Article 16 (4), does the use of the word 'State' mean the 'Government of India' or the particular State concerned? ...(*Interruptions*)

SHRI KALYAN BANERJEE: Please take your seat. ...(*Interruptions*)

HON. DEPUTY SPEAKER: You please address the Chair.

...(*Interruptions*)

SHRI KALYAN BANERJEE: What does 'State' mean? Let us look into the Constitution. We are having a Central Government; we also have the State Governments. This is where we have to read it as the Central Government and the State Government separately. But there is again another 'State' which comes under the purview of Article 12 of the Constitution of India. The public sector undertakings and public funded bodies are also there. But here the State means the State Governments.

The power is vested in the State Government. How can such a power be taken away today by an amendment under Article 342 (1)? Today, there is an attempt on the part of the Government to nullify the judgement which has been laid down in the Indra Sawhney case under Article 141 of the Constitution of India which is binding. Can it be nullified? The State has to identify.

I am coming to the second part. We had said this when we discussed the GST Bill and the GST Council also. Time and again, this Government is trying to hit the federal structure of the Constitution. Under the veil of a Constitution Amendment, under the veil of a statutory amendment, under the veil of many other things, since Parliament has the power and they have a large majority in Parliament, they are hitting the federal structure of the Constitution. I am sorry to say this. We had supported the GST Council Amendment which was brought by the Congress. Unfortunately the Congress did not push it in the Rajya Sabha. It is a very unfortunate affair. When the Congress had brought in the amendment, I agreed with the Chief Whip when he had a talk with me. The problem is this. Today, we can pass a law. With their majority, they can pass a law. It does not matter. We had passed the National Judicial Appointments Bill also. That does not matter. The question is this. Are you hitting the basic structure of the Constitution? Nobody is having a right to hit the basic structure of the Constitution.

Sir, I may point out to you as to what the Government is trying to bring under Article 342(a).

"The President may with respect to any State or Union Territory and where it is State after consultation with the Governor thereof by public notification specifyâ€¦"

Do you know what does the word consultation mean? Consultation may mean that I will talk to you over telephone and you may or may not agree. If you do not agree, do not agree but whatever is in my mind I will do that. The word 'consultation' here has no meaning. It is meaningless. There was this consultation in the Supreme Court judges' appointment case which was delivered in 1992-93. We must have an effective consultation. Today, in 2016-17 we see that there is no effective consultation. Since there is no effective consultation, we have to bring in the National Judicial Appointments Commission Bill which has been struck down by the Supreme Court. MoP is being delivered. I do not know what is going to happen.

Why should the State Governments have to depend upon the *ipse dixit* and the whims of the Central Government? By bringing this Constitution amendment, are they hitting the federal structure of the Constitution, federal structure of the country itself? Can you take the power of the State Government? Maybe, today you are having a good majority. Maybe, today you are heading the nine States. It is not enough. What we are doing today is not just for today or tomorrow or for ten years on. What we are doing today is for our next generation. We have to give answer to them.

So far as Article 342 (a), Clause 4 is concerned, I strongly object and oppose it. I will request all my friends to oppose it tooth and nail otherwise we will be betraying the Supreme Court's judgement in Indira Sawhney case. Thank you, Sir.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Sir, after hearing Shri Hukmdeo Narayan Yadav today and also the other day, an impression went around when I stood up to oppose the content of the Bill. That day I had said very clearly, "I am not going into the merit of the Bill. When the discussion will take place, I will definitely go into the merit of the Bill". But relating to the policy on reservation to be provided to Other Backward Classes, BJD is in support of providing constitutional validity to the reservation for OBC. The erstwhile Janata Dal, where Shri Biju Patnaik was one of the tallest leaders, had also supported reservation for the OBC. Ram Vilas Paswan ji is a witness to it. So, I did not explain that we are for reservation for Other Backward Classes, socially and educationally backward classes.

But during that period one should also remember when a student of Delhi University had put kerosene over him and set himself on fire, what had happened throughout the country. The whole nation was charged relating to the Reservation Policy. But subsequently the nation also accepted that we have to find a way out and that is how that famous judgement in case of constitutional bench of the Supreme Court of India Indra Sawhney Vs. Union of India and others came on 16th November, 1992.

Sir, I stand here to oppose this Bill, not because this Bill goes against the Reservation Policy but because, as I had said the other day, this goes against the federal character of our Constitution.

Sir, certain powers have been given to respective States to formulate a law and Indira Sawhney's case is one of the glaring examples as to how States have to formulate a law. I am thankful to the hon. Minister. He came and talked to me and tried to impress upon me that yes we are not taking away any power of the State. That will remain. But, I have a different opinion and after hearing the AIADMK Member and also Shri Kalyan Banerjee, I think the Government should reconsider.

I have certain other points also to make. The point is this. This Bill looks very innocuous and many hon. Members sitting in the Treasury Benches, belonging to OBC, feel very elated that because constitutionally this mechanism is now getting addressed. I also felt very much delighted because for the last 20-25 years, there has been a persistent demand that other than the Judgement that has been provided by the hon. Supreme Court in which respective Acts have been formulated by the Union Government and also by the respective State Governments, there is no constitutional validity relating to this provision. There was a demand cutting across party lines and everywhere. When UPA was there, repeated demands were also made to make it a constitutional provision so that whenever a change will be made relating to reconsideration of the reservation of OBC, then it has to come to the Parliament. Unilaterally, the executive cannot do away with it. Unilaterally, the State Government cannot do away with it. The provision can only be tackled and can only be made of reconsideration and deletion by the Parliament. So, therefore, the first amendment, that is getting effected is 338(b) concerning the National Commission for Backward Classes. This also reminds us that there was an opinion which was created saying that leave it as National Commission for Backward Classes. But, there was a large number of people who were also saying that make it specific because there are socially and educationally backward classes. It is because this determination of backwardness is not relating to poverty, untouchability and is not relating to remoteness. I am mentioning these three words because we have provided reservation to Scheduled Castes as per the constitutional provision because of untouchability. That is required and is needed. Therefore, a number of agitations went on before Independence and social upheaval was also there due to untouchability. It is because of untouchability, a large section of our society was bereft of recognition, both financially and educationally. Therefore, Scheduled Castes reservation is there. It is because of remoteness, reservation is provided to Scheduled Tribes. Therefore, because of remoteness and untouchability, poverty is there. That is the reason why, reservation was provided.

But, in the case of backward classes, as it was mentioned in the Constitution, subsequently during Shri Jawaharlal Nehru's Prime-ministership, Kaka Kalelkar Committee was formed and it was decided that this type of provision was required. It was a different matter till the Mandal Commission was created, not much step was taken. But, those were turbulent times. India faced three wars. There was an emergency. But, when there was a fractured mandate in 1989 because of political reason or whatever it may be, the Mandal Commission's recommendation was accepted. It is because it was accepted, the matter went to the court of law and in 1992, a pronouncement was made by the apex court which was just now read out by Shri Kalyan Banerjee.

Sir, I would just like to mention here that according to the Indira Jaisingh, the new body relating to the Backward Class Commission is likely to be similar to the National Commission for Scheduled Castes under article 338 and the National Commission for Scheduled Tribes under article 338A which were introduced in the Constitution by way of two constitutional amendments – one in 1990 and another in 2003. It took another 13 years for the Scheduled Tribes to have a constitutional proviso. For Scheduled Castes, it was done in 1990 and we had reservation since beginning of our Independence or even before that. It was not constitutionally or legally binding that a citizen of this country can claim. It happened for the Scheduled Castes in 1990 and for Scheduled Tribes in 2003. The provision of Indira Sawhney case was of 1992 and now we are in 2017. Around 24-25 years have passed.

In between, what has happened? As I had mentioned, in the case of Indira Sawhney *verses* Union of India, the Supreme Court in 1992 found that it was not invalid to identify a group by any criteria like occupation, social, educational or economic situation. However, it was not invalid. However, it noted that social and educationally backward class under article 340 had to be construed in a limited sense and did not have the wide sweep as well as the fundamental right guaranteed to backward classes in article 16(4). This provision empowers the Government to make reservations in appointments in favour of any backward class of citizens.

The Constitution which provides for reservation and other social justice measures for social classes which are victims of untouchability – Scheduled Castes; victims of remoteness under vulnerable conditions, namely, Scheduled Tribes; and victims of social inferiority or lowliness under the caste system in Socially and Educationally Backward Classes. Especially, I would say that it is not for the poor or for the disempowered. Poor and unemployed who do not belong to these three social classes should be helped through means such as scholarship and educational loans but not through reservation. This is the judgment in sum total.

Therefore, we are not against reservation *per se*. We are in favour of reservation. I would also accept the Government view that it is necessary to bring a Bill to make it constitutionally viable, it is necessary that the Constitution should empower the Parliament that any deletion or addition should be done here. But I have a difference because clause 4 of the Bill is really misleading and is creating confusion. It would further create confusion in future once it becomes an act. श्री थावर चंद जी अनुभवते नता है और उनका एक व्यू-पॉइंट है। He accepts that in democracy, I am also empowered to hold a view. इस विचार पर हमोर मतभेद हो सकते हैं, but I will always try to impress upon him that the lines that have been included here and the amendments that I have already moved needs reconsideration by the Government, especially when he says in this Bill – 'the President may, with respect to any State or Union Territory and where it is a State, after consultation with the Governor thereof'. What does this consultation mean? I was taken aback when Shri Kalyan Banerjee told me that because of the judgment of the Supreme Court, consultation means 'due consideration'. I am not a lawyer; I have not studied law, but as a layman I tried to impress upon Thawar Chand ji इस कंसल्टेशन को हटाकर आप रिक्मेंडेशन डाल दीजिए। Recommendation of the State Government will be duly considered. This much only.

श्री कौशलेन्द्र कुमार (नांदेद) : यह होना चाहिए।

श्री भृगुहरि महताब : हम इतना ही कह रहे हैं। हमोर निश्चिंत जी यहाँ बैठे हुए हैं, यह कहते हैं कि English is a very funny language. इसीलिए ये डेढ़ सौ साल तक, बल्कि और ज्यादा समय तक हमोर ऊपर राज करते रहे। उसी हिसाब से मैंने इस विधायक का हिन्दी अनुवाद नहीं देखा, पर मैं यही समझता हूँ कि, consultation with the Governor means consultation with the State Government. But, is it binding? It is not binding. My anxiety is that, जैसा अभी यह हुआ है, पहले जब यह प्रोवीजन नहीं था। जिस एक्ट के ऊपर आज का यह कार्य चल रहा है। ऐसे रिक्मेंडेशन राज्यों से तो आए हैं, केंद्र सरकार ने कुछ को एक्सेप्ट किया है, कुछ को एक्सेप्ट नहीं किया है, कुछ ऐसी कास्ट्स को जोड़ दिया गया है, जो राज्य सरकार की तरफ से रिक्मेंड होकर यहाँ नहीं आये, फिर भी उनको स्टेट्स के खोले में डाल दिया गया है। I have the full list with me. The list that we have, as per the decision of the Supreme Court, वर्ष 1993 में बीजू पटनायक जी की सरकार थी। उन्होंने उच्च न्यायालय के पूर्व वरिष्ठ जज के नतूत्व में एक ओ.बी.सी. कमीशन बनाया। सोर राज्यों में भी ऐसा ही बना। उस कमीशन ने सुनवाई की और सुनवाई के अनुसार अपनी रिपोर्ट सरकार को दी। सरकार ने उस रिपोर्ट को एक्सेप्ट किया। उस हिसाब से 209 Castes and sub-castes of OBC were declared. उन 209 में, उन सबको यहाँ भी भेजा गया और यहाँ भेजने के बाद 200 नोटिफाईड हुए। जब यह बिल आया तो मैंने अपनी सरकार से पूछा कि आपने जो लिस्ट भेजी है, उसमें हमारी कास्ट्स कहीं हैं। उड़ीसा सरकार की तरफ से मुझे उतर मिला कि जो 200 कास्ट्स इनिथन लिस्ट में हैं, इनमें 18 हमारी नहीं हैं। उड़ीसा सरकार की तरफ से यह रिक्मेंडेशन नहीं गया था। इन्हें अपने आप हमोर खोले में जोड़ दिया गया है।

मंती जी, मैं यही समझता हूँ कि अब यह गलती नहीं होगी, पर उसमें और दिक्कत आएगी, क्योंकि अभी आप जो विधेयक एस.सी. और एस.टी. के हिसाब से तैयार किए हैं, जो प्रोवीजन एस.सी. कमीशन के लिए हैं, जो प्रोवीजन एस.टी. कमीशन के लिए हैं, आप वहीं पराक्राफ वर्तोज 4 में डाल दीजिए। इसमें होगा क्या कि जैसे हमारे स्वराष्ट्र मंती जी यहाँ बैठें हैं, रजिस्टर जनरल ऑफ इण्डिया, After consultation with the State Government, उन्हें को भेज दिया जाएगा, वहाँ देखेंगे, जैसे ज़ाएल जी यहाँ बैठें हैं, कितने साल लग गये और भी पड़ेंगे हैं। जब हम कहेंगे सोरो कास्ट, किसी जगहों में वह कट गया। इस ट्राइबल लिस्ट में डालो। आर.जी.आई. के पास पड़ा है, यह 1999 से पड़ा है, अब तक आया नहीं। ... (व्यवधान) ये सारा आयोग, एथनोग्राफी, फील्ड विजिट, ये चक्कर चलता रहेगा, लेकिन यह समाधान का रास्ता नहीं है। अगर हम किसी को काटना चाहें हैं, जो 18 हमारी लिस्ट में डाल दिए गये हैं, ये भी कटेंगे नहीं, मातूम नहीं आप कर सकते हैं, पंगुत जोड़ेंगे वचपल घिस जायगी। यह होगा नहीं और सोर वैक्थंस होम मिनिस्टर के ऊपर ऑलेग कि यह क्यों नहीं हो रहा है? आप आर.जी.आई. को इंस्ट्रक्शंस दीजिए। आर.जी.आई. आपकी मिनिस्ट्री के अंडर है। आर.जी.आई. को देने के बाद it will come to Parliament. The Government will bring it to Parliament and Parliament will concur it, there is no doubt about it, once it gets clearance from the RGI. But is there any role of the State Government in identifying this and recommending it? It has no role. The role has been defined by the pronouncement of the Supreme Court in 1993 according to which this Act has been formulated in Odisha and in every State. What will happen?

I was being told and I have been impressed that those provisions will continue in the State. It may continue. There are many redundant Acts. This becomes redundant because the State will have no power now either to add a caste or to delete a caste. It will all be done by the Parliament of India as it is being done for Scheduled Castes and Scheduled Tribes which is a good thing. But it came into operation after 1990 for the Scheduled Castes and after 2003 for the Scheduled Tribes.

The moment this Bill is passed in Parliament, what will happen to those castes which are not in the Union List? Will you be providing funds for them? Are we not denying the State Government to provide it for them? Then the C&AG will catch their throat saying how come they are doing it. This is the point of concern. That is the reason why I have been repeatedly pleading before this Government privately and also in this deliberation now that it is necessary to reconsider it.

When I said to send it to the Standing Committee, there was uproar from the ruling side thinking that I was trying to delay it. I am not trying to delay it. When you are doing a good job, do it perfectly. This is something which all of us sitting on this side are drawing your attention to. We want reservation for OBCs. It should be done constitutionally. We are in favour of it. Do that much. Why do you try to fiddle in all these affairs? Is it because there is an agitation brewing up in Haryana? Is that the reason why you want to get this done? Since there is an agitation in Maharashtra, since there is an agitation in Andhra Pradesh, since there is an agitation in Gujarat, there is a hidden agenda, as was earlier being said. Is it so?

If that is so, how will this Bill be going to help? This Bill does not help those castes. Once this Bill becomes an Act, it will be very difficult to include the Jats of Haryana, very difficult to include Marathas of Maharashtra, very difficult to include the Patidars of Gujarat and very difficult to include the Kapus of Andhra Pradesh in the list because it is a long-drawn process.

I do not know whether Shri Thaawar Chand Gehlot ji has manufactured some new formula to get it through. If it is so, I have no objections. But these agitations will get more aggravated. Therefore, my plea to you is not to play with fire. Allow the State Governments to decide. You keep yourself confined to the reservation of the Union. In Union we have 27 per cent. Tamil Nadu is a favoured state.

HON. DEPUTY-SPEAKER: Fifty per cent for OBCs and the total is 69 per cent.

SHRI BHARTRUHARI MAHTAB: In Odisha we cannot go beyond fifty per cent. SCs are 23 percent and STs are 15 percent. There is a *divyang* reservation that comes to 38 and odd per cent. So, the maximum reservation for OBCs is 11.75 or 11.65 per cent. It is not 27 per cent. That is the position in Odisha. By supporting this Bill, the BJP, the party in power, is denying justice to those OBCs of Odisha. I will give you an example. Shri Jua Oram will be able to understand it better. Pradhan is a caste in Odisha. It is in the Odisha list, but not in the Union list. Think about it. Think about the music that Pradhans will face in Odisha. Think about it. We oppose this Bill.

SHRI RAM MOHAN NAIDU KINJARAPU (SRIKAKULAM): Mr. Deputy-Speaker, Sir, I thank you for giving me an opportunity to speak on this historic Bill. For many years, the request for granting constitutional status for the NCBC has been pending with the Union Government. For the best reasons known to the Governments earlier it was not done. I just leave it to them as to why they have not done it. But at present I would like to wholeheartedly congratulate the Central Government and our Prime Minister, Shri Narendra Modi ji, for taking this historic step of granting constitutional status for National Commission for Backward Classes.

Ever since the formation of the NCBC in 1992 this demand has been there. Many parliamentary Committees have been started. With good memory I would like to bring to the notice of the House that my father, the late Shri Yerran Naidu garu, when he was also present in that OBC Committee a decade ago, he also requested that constitutional status be given to this Commission. Today with great pride I sit in this very august House. I also have the good fortune of being a Member of the OBC Committee. This time for the Government to grant this status means a lot to me, to our State and also to all the OBCs across this country.

Coming to the controversial point that has been raised by the Members who spoke before me, I would like to say that it needs to be clarified by the Cabinet Minister of the Union, Shri Gehlot ji regarding the right of the State to determine the OBC status of a particular community or a class. It is because if you consider the State of Andhra Pradesh, there are 139 castes which come under the Backward list of the States, which are not completely recognised by the Central Government itself under the OBC list. So, considering the State of Andhra Pradesh, the OBC list of the Centre has different castes and there is a different list with the States which have additional castes.

Now, if you do not give the power to the States saying that what needs to be considered under the BC, let it be the State one or the Centre one, then it might

lead to a lot of chaos and a lot of confusion both at the Centre and in the States. So, the Centre needs to take into account that some of the castes are present in different States. Now that Andhra Pradesh and Telangana are two different States, the same castes are present in both the States. At the State level, both the State Governments are treating these castes at a different status. Now, how will the Central Government look at these castes? This is a very crucial point. There are a lot of intricacies when you consider the OBC status given to a particular caste. I come from a regional party and a party which was founded on the pillars of Backward Classes. The founder of our party Nandamuri Taraka Rama Rao Garu famously said that society is the temple and people are our Gods. On these lines, he constantly thrived to help the Backward Classes of the State of Andhra Pradesh and we are still continuing on that policy.

Sir, for the upliftment of the Backward Classes, last year we spent approximately Rs. 2,000 crore which was just for the educational upliftment of these people in our State.

16.46 hours (Hon. Speaker *in the Chair*)

When the State Government requests the Central Government to help in this great cause of providing education to the Backward Classes, out of these Rs. 2,000 crore, they provided only Rs. 34 crore which is very meagre. The provision to give more funds is very little. Even this year we could only request for a meagre amount of Rs. 125 crore.

Madam, 27 per cent reservation has been recommended for the OBCs by the Mandal Commission. But even today, according to the recent statistics provided under RTI in 2015, it shows that out of this 27 per cent, the Central Government organisations accommodate only 12 per cent in various States. If you consider the higher posts, after promotion and all that, it does not go beyond 7 per cent. So, there has been a lot of injustice in fulfilling that 27 per cent which has been recommended by the Mandal Commission. That is why we have all been requesting the Government to give constitutional status to NCBC. This will help in achieving that 27 per cent. But, is this constitutional status being granted to NCBC enough to give 27 per cent is still a question and this needs to be considered by the Central Government. What more do we need to do?

There are a lot of other hindrances in achieving 27 per cent reservation. One of them is creamy layer. When you consider creamy layer, at present there is a limit of Rs. Six lakh. But if you see, the people who come below this limit of Rs. Six lakh, they are not educated enough to compete and get the reservation being provided to them. That is why, the Commission headed by Justice Eswaraiah has also recommended that the ceiling limit of creamy layer should be increased.

HON. SPEAKER: Now, please conclude.

SHRI RAM MOHAN NAIDU KINJARAPU: Madam, this is a historic Bill. I think everybody should be allowed to put forth his constructive ideas. So kindly give me five minutes more.

HON. SPEAKER: Everybody will get a chance, but only for two minutes. So, kindly conclude in two minutes.

SHRI RAM MOHAN NAIDU KINJARAPU: The other point is about the fund being granted to the NCBC and this is only Rs. 4.08 crore. This is very meagre for the functioning of the Commission itself. Even though it is debatable, we are saying that more than 50 per cent of the country's population comes under OBCs. So you can imagine how many complaints and grievances would be coming to the NCBC. Now this amount of Rs. 4.08 crore will not be enough even to pay the salary of the employees of the NCBC. They have to do additional work now. Now we are talking about going into the States to find out as to who are the people who deserve the OBC status and all that. So, more and more fund should be granted to the NCBC.

Then, some States have further classified BCs into BC (A), BC (B) etc. as in the case of State of Andhra Pradesh. So, the Centre has to look into further

classification of OBCs into different categories. Considering that 54 per cent of the OBCs across the country are put under one single category, and to fulfil that 27 per cent, it does not seem to be justified. That is why, the Central Government has also to look into these different categories. There are de-notified tribes in the OBCs also, which are recognised by the Central Government. There are 'Most Backward Classes' and also certain 'Backward Classes'. So, the classification needs to be done within this OBC at the Central level also.

There are States, which are having different kinds of schemes for BCs. For the State of Andhra Pradesh, we are giving scholarships; we are building new centres for their educational status. Like that, the Centre needs to support the States, which are coming up with good schemes, to help the BCs also. They have to have sufficient allocation of funds being made. There have to be many more steps, which need to be taken. I congratulate this Government and also the hon. Prime Minister for taking up this historic step of granting it the Constitutional status, but further steps need to be followed up for the upliftment of the BCs.

With these words, I conclude. Thank you.

DR. BOORA NARSAIAH GOUD (BHONGIR): Hon. Madam Speaker, I am thankful to you for giving me this opportunity to speak on this Bill. I would request you to allow me to put forward our task. It is a very important Bill as far as the OBCs are concerned.

I rise to support this Bill whole-heartedly before I further go into the subject. I would say that it is a perfect tribute to the Jyotirao Phule Jayanti, which is going to be celebrated tomorrow, the 11th April. I think, it is a perfect tribute, which we can pay, through this Parliament, to great men like Phule-ji.

Madam, after I came into this Parliament as a first time MP, people and various employees' organizations brought this notice of giving Constitutional status to the National Commission for Backward Classes. The National Commission for Backward Classes was constituted in August, 1993. Before that, the Supreme Court gave its judgment on the Mandal Commission. I believe, at that time, the UPA Government was in power. I never understood it that though they had constituted the National Commission for Backward Classes (NCBC), yet they did not give it a Constitutional status. They did not give the right to hear the grievance of the BCs. It did not have to cost any money. It did not have to involve any financial implications. Then, I realized an old story, which I had read during my childhood, about the friendship between a fox and a crane. You know, the fox is very cunning. The fox befriended with crane and invited him for dinner. The crane accepted the invitation and reached the fox's place. The fox prepared soup for the crane, but as the fox is cunning, he served the soup in flat dishes. But the crane could not drink it with his long beak, and the fox himself happily lapped the crane's share with his tongue. Here, also it looks like that only.

Madam, I also remember a story of the Roman period. During the Roman period also, there was reservation. There were two segments – Plebeians and Plabeians. The Plabeians were depressed classes. They also demanded reservation. Then, the Caesar said: "Okay. Let us give reservation to Plabeians." The plebeians were the upper class. They said: "We will give you reservation. But the Plebeians would talk to the God; and if he allows,

then only, we will implement the reservation".

The same thing has happened here, Madam. What has happened? The reservations are given. After the 2008 Census, just seven per cent of the category A,B,C and D was implemented out of the 27 per cent. On the one hand, you have given the reservation and on the other hand, you have taken it away. ऐसा हो गया।

Madam, here we have the National Commission for Backward Classes. But if there is a grievance, non-implementation, etc., one has to go to the National Commission for Scheduled Castes. 'बगानी शादी'म अडल्ला दीवाना, बाजू की शादी'म अपन कतर लगाना।' वह कैसे होगा?

Madam, 25 years have passed. When I was looking at the statistics, I felt dejected, faint and reluctant. What is this fun? If you do not want to give reservation, do not give. Why did you give it at all? Only 125 complaints were entertained. It is because the SC poor fellows had already got a lot of complaints with the NCSC.

But today, I whole-heartedly welcome this move by the Government. Most importantly, there are two issues, which are affecting the interests of the OBCs. One is *Rahu* and the other is *Ketu*. The *Rahu* is non-Constitutional status, which is being fulfilled, now. The *Ketu* is the Creamy Layer. At the time of giving reservation, you have put a clause of 'creamy layer' so that the OBCs cannot take the benefit of reservation. Only 11 per cent OBCs are able to take the benefit of this reservation.

Therefore, I urge upon the hon. Minister of Social Justice to delete the word 'creamy layer' till 27 per cent OBCs will not take the benefit of this reservation.

HON. SPEAKER: Now, please conclude.

...(Interruptions)

DR. BOORA NARSAIAH GOUD: I would like to raise only two or three points, Madam.

Some of my colleagues have opposed the Bill. They were also elected by the OBC voters. Today, the argument is, how the Centre can take over the entire things? In case of Scheduled Castes and Scheduled Tribes, unless and until Parliament approves, no caste can be included. Why do you want to treat OBCs separately? Why did you not object at that time? Why did you not object about the State power at that time? Why are you objecting it now? It is just because in your State out of 50 per cent only 11 per cent reservation is given. You are definitely doing injustice to OBCs in your State. Why are you opposing?

Before I conclude, Madam, I would like to suggest some points. It is almost 60 years. I urge upon the Government of India and Shri Narendra Modi ji to kindly constitute the OBC Ministry. You are requested to kindly bring out socio-economic caste census. You should increase the budget. Today, you are giving Rs. 13 per person in the budget which is negligible.

I would also like to request the Government to establish the Phule Institute or the Phule Foundation on a par with the Ambedkar Foundation; declare holiday on Phule Jayanti; and give all the tributes to this great man who was an inspiration to Dr. Ambedkar himself.

With this, I wholeheartedly support this Bill. Thank you very much.

HON. SPEAKER: Now, everybody will try to be very brief.

...(Interruptions)

SHRI P. KARUNAKARAN (KASARGOD): Thank you, Madam Speaker. Due to paucity of time, I do not want to give a lengthy speech. I would only like to speak on some important points.

In the beginning, I would like to say that the framers of the Constitution took note of the fact that certain communities in the country were suffering from extreme social, educational and economic backwardness arising out of age-old practice of untouchability and certain others on account of this primitive agricultural practices, lack of infrastructure facilities and geographical isolation. Maybe the reason would be that SC and ST Commission has come. Now, we are in the time of the OBC Commission.

I would like to say that the Government has given the constitutional status to the OBC Commission. That is a welcome step. It is because in the OBC Committee, we have been debating this issue. In the Parliament and outside, we have been asking and arguing that this Commission should be given the Constitutional status. At the same time, I would also like to say that merely giving Constitutional status to this Commission is not sufficient. We have a large number of commissions and legislations. If we think about the SC Commission or ST Commission or Minority Commission, almost all the posts – Chairman's post, Vice-Chairman's post, and members' posts – are vacant which was highly criticized. These commissions are meant to resolve the grievances of the common people. When these commissions have no Chairmen, Vice-Chairmen and the members, how would it be possible for these commissions to work? So, the Government has to take a serious note of it.

Secondly, before the Centre, many other States had already taken up the reservation policy earlier in their States. As stated by a Member from Tamil Nadu, they have taken this issue much earlier. As far as Kerala is concerned, a Commission under Mr. Damodaran was appointed. The Commission had submitted its Report. We have been implementing this Report. We have given 50 per cent reservation in Kerala – 27 per cent for OBC and rest is given to other categories like SC, ST, etc. Here also, we have the federal set up. We give reservation to a caste in one State but we are not giving reservation to this same caste in other States. I have my own experience. In 2002, when I came in the Parliament, the Marathi community was excluded from ST List.

17.00 hours

I tried to get it included in the list. Once the Parliament excluded it, it was not possible. However, I fought for 10 years and took up the issue

with the State Government, the Minorities Commission and also with the SC, ST Commission. So, this is a Herculean task, as far as the legislation is concerned.

Regarding federal set up, every State has its own mechanism. As far as Kerala is concerned, there is the KIRTADS Committee. KIRTADS comprises of eminent scientists and others. They consider who are to be in the SC list or the SC list or in the OBC list. Then it goes to go to the Backward Classes Commission. Then it goes to the Government, that is, the Cabinet. That is how the OBCs are included. Now, according this Bill, as far as the States and the rights that they are getting are concerned, that is, inclusion or exclusion from SC to OBC or from OBC to ST, these are the issues that can be taken up by the States and not by the Centre. When you say that we have made legislation here, that is, to consult the Governor or to consult the Government, that may be a telephonic exercise or a telephonic consultation. At the same time, in the State, I know well as to which community belongs to the OBC or the SC or ST. That is known to the KIRTADS or the Backward Classes Committee in the State. Even if the results come here, I know that this has to go to the SC Committee or the ST Committee or sometimes to the Minority Commission or to the Social Justice Ministry. Then, it also has to go to the Registrar of India, to the Group of Ministers and then to the Cabinet. So, it is a herculean task. I thought that I have to support the Bills but, at the same time, Article 334(a) is really not giving the status to the States which have been implementing it and, as a result, the rights of the States are taken away. It is really about the basic principle of the federal set up. On that issue, I appeal to the Government that the clause has to be taken away and there should be clarity on this issue. Otherwise, it would be difficult, as far as the OBCs are concerned.

Thank you.

HON. SPEAKER: Shrimati Buta Renua.

SHRIMATI BUTTA RENUKA (KURNOOL): Thank you, Madam Speaker. I have a request. Please allow me to complete my full speech.

HON. SPEAKER: You complete it in time like P. Karunakaran *ji*. He has also done it very nicely. So, you do like that.

SHRIMATI BUTTA RENUKA: It is commendable that this Government has seriously taken up the long-pending demand for a constitutional body for the OBCs and has come forward with this legislation that enables setting up of the National Commission for Socially and Educationally Backward Classes (NCSEBC) under the new Article 338B. I wholeheartedly welcome this move and express my sincere gratitude to the Government in this regard.

The National Commission for Backward Classes will be replaced by the NCSEBC and the proposed body is expected to take care of the grievances of the backward classes. This will quickly resolve the grievances of the OBCs to a large extent.

This Bill will bring in a significant change as it will be a permanent Commission similar to the SC and ST Commissions. The new Commission should be given powers to examine requests for inclusion of many communities in the list of backward classes and also hear complaints of over-inclusion and under-inclusion. Unlike the earlier body, the advice of the new body will be binding upon the Government and this is a welcome move.

You are aware that several States are facing demands and agitations, demanding inclusion of various castes in the list of Backward Classes to enable them to avail the reservation facility in education and employment. At the same time, there are protests from certain other castes against their inclusion. Marathas, Patels, Jats, Kapus and others are asking for reservation today, preferably through their recognition as Other Backward Classes. There are other castes opposing their inclusion. These agitations are sometimes turning violent and ugly.

With the setting up of the Commission, it may adopt a scientific and rational approach for inclusion and exclusion of any caste. I also request this Government to engage all the political parties and other sections of the society on the issue of creamy layer and arrive at a rational decision. This is a heartburning issue within the classes enjoying reservation.

The demand for reservations is growing day by day because of lack of employment opportunities. The Government jobs are not the only solution to meet the aspirations of the people. We must encourage trade and industry so that more jobs can be created. I am sure with so many initiatives being taken by the Government the economic development is on the right path and will result in employment creation.

I request the Government to consider introduction of reservations for backward classes in private sector. This can be done without compromising on the quality of workforce and by way of giving incentive to the employers for engaging employees of backward classes. This will help OBCs catch up in socio-economic terms. I do hope that this new body would look into this aspect also.

Further, I would like to submit that there are various schemes for the backward classes but the implementation of these schemes is not proper and effective. I request the Government to entrust evaluation and implementation of these schemes to the proposed commission.

I hope the NCSEBC will have a greater and larger role and is not just a replica of the existing body. The proposed body should have greater transparency. It has also to be ensured that the new commission focuses not only on the inclusion and reservation, but also on the holistic development and advancement of each community within the backward classes. Social and economic development which will ensure their upliftment on par with the socially and economically advanced castes will be the real test for the proposed Commission. The new Commission should work exclusively for the segments of the backward classes who are victims of untouchability, victims of social inferiority and those who belong to vulnerable sections. The Government should assist the poor and unemployed by way of scholarships and educational loans.

Another important task that the Commission should take up is categorisation of backward classes into "backward", "more backward", "most backward" and "extremely backward" castes with sub-quota so as to spread the benefits of reservation and other social justice measures equitably. I think I am just getting a little nervous since the time is very less.

HON. SPEAKER: I know about that but try to conclude.

SHRIMATI BUTTA RENUKA: I want to give my last and final suggestion. Most of the political parties in their manifestoes are making wrong

promises, which are leading to a lot of violence in the States. I think, before promising anything in the manifesto, they should think about it and then declare that promise in the manifesto. Otherwise, wrong promises will lead to a wrong way.

श्री गणेश सिंह (सतना): अध्यक्ष महोदय, मैं संविधान का 123वां (संशोधन) विधयक, 2017 एवं राष्ट्रीय पिछड़ा वर्ग आयोग निरसन विधयक, 2017, दोनों विधयकों में एक साथ हो रही चर्चा में भाग ले रहा हूँ। मैं इस बिल का पूरी तरह समर्थन करता हूँ।

यह आज का ऐतिहासिक क्षण है। सन् 1993 से लगातार इंतजार था कि सामाजिक एवं शैक्षणिक रूप से पिछड़े हुए इस वर्ग को सैवधानिक संशोधन के बाद एक बड़ा सामाजिक न्याय मिलेगा, माननीय प्रधान मंत्री जी ने इस दशक के 52 फीसदी लोगों के लिए यह एक बहुत बड़ा काम किया है, जो लगातार इस इंतजार में थे कि शायद हमारी बात कोई सुन नहीं रहा है, लेकिन प्रधान मंत्री जी ने उनकी बात सुनी। जो सैवधानिक दर्जा देने का काम शुरू हुआ है, इसके पीछे एक बहुत बड़ा कारण भी है। वर्तमान में संविधान के अनुच्छेद 338 के खंड 10 के अधीन राष्ट्रीय अनुसूचित जाति आयोग अन्य पिछड़े वर्गों के साथ विभेद से संबंधित शिकायतें और परियातों की जांच-पड़ताल करने की जिम्मेदारी निभा रहा है।

वर्ष 1993 में उच्चतम न्यायालय ने इंदिरा साहनी मामले में निर्णय देते हुए अन्य पिछड़ा वर्ग को केंद्रीय सूची में सम्मिलित करने का निर्णय दिया तथा ओ.बी.सी. नाम जोड़ने और हटाने के लिए एक स्थायी निकाय गठित करने का निर्देश दिया था। तब 14 अगस्त, 1993 में पिछड़ा वर्ग आयोग का गठन किया गया था, लेकिन इस सैवधानिक अधिकार प्राप्त नहीं था। नया अनुच्छेद 338 ख को अंतःस्थापित करके, जिसमें राष्ट्रीय सामाजिक और शैक्षणिक पिछड़े वर्ग आयोग का गठन किया जा सके, एक अध्यक्ष, उपाध्यक्ष और तीन सदस्य सम्मिलित होंगे। राष्ट्रीय अनुसूचित आयोग ने वर्ष 2014-15 की रिपोर्ट में सिफारिश की थी कि अनुच्छेद 338 के खंड 10 के अधीन सामाजिक और शैक्षणिक दृष्टि से पिछड़े वर्गों की शिकायतें सुनने का अधिकार राष्ट्रीय पिछड़ा वर्ग आयोग को दिया जाना चाहिए।

अध्यक्ष महोदय, उक्त आयोग सामाजिक और शैक्षणिक दृष्टि से पिछड़े वर्गों की शिकायतों को सुनेगा, अभी अनुच्छेद 338 के खंड 10 के अधीन राष्ट्रीय अनुसूचित जाति आयोग द्वारा किया जा रहा था। वर्ष 2012-13 में पिछड़ा वर्ग के लिए रैट्रिबुटिंग कमेटी बनी थी, जिसने 27.8.2012 की पहली रिपोर्ट में सिफारिश की थी कि इस सैवधानिक दर्जा दिया जाए। दूसरी रिपोर्ट 26.4.2013 में आई थी, तीसरी रिपोर्ट 30.8.2013 में आई थी, पांचवीं रिपोर्ट 7.2.2014 में आई थी और यह बार-बार मांग की गई कि पिछड़ा वर्ग आयोग को सैवधानिक दर्जा दिया जाए। हम लोग 20 मार्च, 2017 को प्रधामन्त्री जी से मिले थे, संसदीय समिति के 18 सदस्य जिसमें सभी राजनीतिक दलों के सदस्य थे, इसके लिए हमने प्रधानमंत्री जी से निवेदन किया था। 29 मार्च, 2017 ईसें कबिनेट में मंजूरी मिली और इस सैवधानिक दर्जा दिया गया, जिस बिल पर अभी सदन में चर्चा हो रही है। पिछड़ा वर्ग आयोग में 2004-2009 के बीच 3,828 शिकायतें आई थीं, 2010-2016 तक 3,112 शिकायतें आई थीं, लेकिन स्वीकृत 250 शिकायतों में से मात्र 37 का निराकरण हुआ था, इस वर्ग के साथ इतना बड़ा अन्याय होता रहा है।

इसके पहले जिन आयोगों को सैवधानिक दर्जा दिया गया था, उसमें एनसीएससी, राष्ट्रीय अनुसूचित जाति आयोग, इस 24.2.2004 को सैवधानिक अधिकार मिला था, एनसीएसटी, राष्ट्रीय अनुसूचित जनजाति आयोग को 15.3.2004 को सैवधानिक अधिकार मिला था, राष्ट्रीय मानवाधिकार आयोग को भी अधिकार मिला, राष्ट्रीय महिला आयोग, राष्ट्रीय अल्पसंख्यक आयोग, राष्ट्रीय बाल अधिकार आयोग को भी अधिकार मिला। इसके अलावा, राष्ट्रीय पिछड़ा वर्ग हेमशा से इस बात के लिए मांग करता रहा है कि हमें सैवधानिक अधिकार मिले, लेकिन वह अधिकार नहीं मिला था।

जो नया बिल पेश किया गया है उसमें सुप्रीम कोर्ट के आदेश पर राष्ट्रीय पिछड़ा वर्ग वर्ष 1993 में बना था, लेकिन अब राष्ट्रीय पिछड़ा वर्ग आयोग को सैवधानिक अधिकार 2017 के कानून के तहत संविधान में संशोधन से संसद/ राष्ट्रपति बनाएंगे, इस अधिकार के साथ-साथ एससी/एसटी आयोग के बराबर सभी अधिकार मिलेंगे। ओबीसी की शिकायतें सुनी जाएंगी।

ओबीसी के विकास के लिए राज्य सरकारें, भारत सरकार को सुझाव दे सकते हैं। यह कहना है कि राज्यों के अधिकार छीन जा रहे हैं, यह सही नहीं है, राज्यों को उसी तरह के अधिकार होंगे, राज्य अपनी शिकायतें आयोग के पास भेजेंगे, आयोग राष्ट्रपति महोदय के पास भेजना और राष्ट्रपति महोदय फिर संसद को भेजेंगे। यह अधिकार संसद के पास सुरक्षित रहने वाला है। अभी यह विभाग तय करता था, कभी केर और कभी न केर, ऐसी स्थिति थी, लेकिन इसी तरह से राज्यों से जो शिकायतें आएंगी उसे राज्यपाल महोदय के पास भेजी जाएंगी, राज्यपाल महोदय विधान सभा को भेजेंगे और यह विधान सभा में तय होगा। इसमें किसी को भी अधिकार का हनन हौन वाला नहीं है।

मंडल कमीशन ने 3,743 ओबीसी जातियों को शामिल करने की सिफारिश की थी, लेकिन केंद्रीय सूची में 2,513 को विहित किया गया, महाराष्ट्र में 261, ओडिशा में 200, तमिलनाडु में 181, कर्नाटक में 199, झारखंड में 134, बिहार में 136, गुजरात में 104, उत्तर प्रदेश में 76 और मध्य प्रदेश में 68, अन्य सभी राज्यों में केंद्रीय सूची में जातियां शामिल हुईं हैं। ओबीसी को सामाजिक न्याय अभी तक नहीं मिला, यह लगातार बात होती रही, इसकी जनसंख्या 52 फीसदी है। वर्ष 2011 में सामाजिक और आर्थिक सर्वेक्षण हुआ, उसमें सभी कार्टेक सेनस आ गए। लेकिन इसमें ओबीसी का सेसस नहीं आया। यहां तक कि हमारे देश में जानवर कितने हैं उसका सेसस भी आ गया, लेकिन ओबीसी वर्ग कितने हैं, उसका सेसस एनाउंस नहीं किया गया। इसमें पता होना चाहिए कि इन जातियों की संख्या क्या है। मैं समझता हूँ कि ये समाज के वे वर्ग हैं जो सचमुच बहुत पीड़ित, दुखी और पिछड़े हैं। ये वे लोग हैं जो हल चलाकर जो खेती करता है, वह ओबीसी वर्ग में है। जो खेत में मजदूरी करता है, फल-सब्जी उगाता है, लोहे के औजार बनाता है, लकड़ी का फर्नीचर बनाता है, धुतूओं के बर्तन बनाता है, सोन-चांदी के आभूषण बनाता है, कपड़े सिलाता है, वह ओबीसी वर्ग में है। जो पतल-दोना बनाता है, मनिहारी का काम करता है, दूध-दही का काम करता है, माती और क्ली का काम करता है, फूलों के हार बनाता है, वह ओबीसी वर्ग में है। जो भवन निर्माण में काम करता है, कारीगरी करता है, होटलों में बैरगिरी करता है और खाने के बर्तन साफ करता है, पड़ोस के घरों में साफ-सफाई का काम करता है, रिपेराट्वसी चलाता है, कपड़े धोने का काम करता है, कोल्हू से तेल निकालने का काम करता है, बाल काटने का काम करता है, चाय बचने का काम करता है, चाट बचने का काम करता है, ये वे जातियां हैं जिनको सचमुच सामाजिक न्याय की जरूरत है। यह वह वर्ग है जो सचमुच देश में सेवा के क्षेत्र में काम कर रहा है, लेकिन इस वर्ग को अभी तक न्याय नहीं मिला है, सैवधानिक अधिकार मिलने के बाद निश्चित तौर पर इस वर्ग के लोगों की शिकायतें सुनी जाएंगी और इन्हें अधिकार मिलेंगे।

वर्ष 1953 में काका कोलतकर आयोग बना था, जिसकी रिपोर्ट 1955 में आई थी, वह भी ठेड बस्ते में पड़ी रह गई। उस समय किसकी सरकार थी? वर्ष 1979 में मंडल कमीशन बना, 1980 में रिपोर्ट आई लेकिन वह भी ठेड बस्ते में पड़ी रही। वर्ष 1990 में उसकी सिफारिश स्वीकार हुई जब जनता दल की सरकार थी। वर्ष 1993 से लेकर अभी तक यह आयोग सैवधानिक अधिकार पाने के लिए लगातार विभिन्न स्तरों पर मांग करता रहा है। मु.पुनः माननीय प्रधानमंत्री जी और माननीय सामाजिक न्याय एवं अधिकारिता मंत्री थावर दंड गहलोत जी का बहुत धन्यवाद करता हूँ और इस बिल का बहुत स्वागत करता हूँ कि उन्होंने ऐतिहासिक निर्णय लिया है। मैं प्रेर सदन से निवेदन करता हूँ कि सर्वसम्मति से इस बिल को पास करें। यह बहुत अच्छा बिल है और बहुत वर्षों के बाद आया है।

श्री धीमन्त यादव (बदायूँ) : माननीय अध्यक्ष जी, जहां तक इस संविधान संशोधन का सवाल है, मैं समझता हूँ कि समाजवादियों ने, डॉ. राम मनोहर लोहिया जी, माननीय जय प्रकाश जी और उसके बाद आदर्शनीय नेता लालू जी और शरद जी से लेकर तमाम सामाजिक न्याय के परोक्षों ने देश में मंडल आयोग की सिफारिश को लागू करवाया। हम सब जानते हैं कि मंडल आयोग में 27 फीसदी की बात कही गई, लेकिन 27 फीसदी का अभी तक टॉन्ट पूरा नहीं हुआ, 12 फीसदी तक ही पहुंच पाए हैं। यह हम नहीं भारत सरकार कह रही है।

जहां तक इस बिल का सवाल है, हम लोगों ने भी इसी सदन में मांग की थी कि सैवधानिक दर्जा हो। सैवधानिक दर्जा जिस रूप में दिया जा रहा है, पूरे पिछड़े वर्ग में किसी तरह से पिछड़े वर्ग की जिम्मेदार जातियों को 27 फीसदी के आरक्षण से निकालकर नई जातियों को जोड़ने की शंका है, मेरी माननीय मंत्री जी से अपील है कि जब आप जवाब दे तो इस शंका का समाधान जरूर कर लीजिए। अगर पिछड़े वर्ग के साथ कुछ और जातियां जोड़ने की सरकार की कोई योजना है तो 27 फीसदी से बढ़ाकर उसी अनुपात में आरक्षण बढ़ाएं और उसके बाद जाँच तो कोई आपत्ति नहीं होगी। अगर बिना आरक्षण की सीमा बढ़ाए जोड़ा, तो समाजवादी लोग सड़कों पर उतरेंगे और संसद में भी आपका विरोध मजबूती के साथ करेंगे... (व्यवधान)

महाराज जी ने सवाल उठाया, और भी भारतीय दलों ने सवाल उठाया है। हमारी मांग है कि देश में संघीय ढंग में प्रदेश सरकारों की सहमति के बिना कोई भी कानून भारत सरकार के स्तर से नहीं बनना चाहिए। हमारी, आपकी और सबकी संघीय ढंग की रक्षा की जिम्मेदारी है।

अध्यक्ष महोदय, हमारा एक गंभीर मामला है। इस सदन में जाति जनगणना को लेकर दो दिन, यानी 6-7 मई, 2011 को चर्चा हुई और एक सर्वसम्मति बनी, लेकिन उसकी रिपोर्ट आज तक नहीं आयी। मंत्री जी इस बारे में जवाब दें, क्योंकि आप पिछड़े वर्गों के भले के लिए बहुत तारीफें ले रहे हैं। सदन में शूद्र मंत्री जी मौजूद हैं, इसलिए जवाब देंगे। वे आपके साथी हैं और यह सामूहिक

जिम्मेदारी का बात है। गृह मंत्री जी जवाब देते कि आखिर कब जाति जनगणना की रिपोर्ट इसे देश में ओयगी। देश का पिछड़ा वर्ग इंताजार कर रहा है कि वह रिपोर्ट कब ओयगी। देश के पिछड़ों के साथ आज जो अन्याय हुआ है, उसका सबसे बड़ा कारण क्रिमिलियर है। हमारे साथी ने अभी इस बारे में चर्चा की है। जब तक क्रिमिलियर की सीमा नहीं हटती, तब तक उन्हें कोई फायदा नहीं होगा। देश में पेंड-लिस्ट लोगों का छः लाख रुपये से काम नहीं चलेगा, इसलिए मैं चाहता हूँ कि क्रिमिलियर की सीमा हटनी चाहिए।

अध्यक्ष महोदया, मेरी एक मांग और है कि बैकलॉग की भरतियां होनी चाहिए। सरकारी सेवाओं में पिछड़े वर्ग के लोगों केवल 12 फीसदी हैं। जब तक आप बैकलॉग की भरतियों के लिए विशेष अभियान नहीं चलायेंगे, तब तक पिछड़ों को न्याय नहीं मिलेगा। इसी तरह से सरकारी सेवाओं में वतास वन, श्रेणी ए की हालत है। ... (व्यवधान)

अध्यक्ष महोदया, मैं एक मिनट में अपनी बात समाप्त कर रहा हूँ। देश में 43 केंद्रीय विश्वविद्यालयों में केवल एक वीसी ओबीसी का है। इसी तरह 2371 में से केवल एक प्रोफेसर ओबीसी का है और 4708 में से छः आसिस्टेंट प्रोफेसर ओबीसी का है। 9521 में से केवल 1745 ओबीसी ... (व्यवधान)

माननीय अध्यक्ष : ये आंकेड़ सबेक पास है, इसलिए आप बैठ जाइये।

â€ (व्यवधान)

माननीय अध्यक्ष: धर्मनूद यादव जी, मैंने आपको बोलने के लिए इतना समय दिया, लेकिन आप ठीक बात नहीं करते।

â€ (व्यवधान)

माननीय अध्यक्ष : धर्मनूद यादव जी, ठीक है, आप अपना वाक्य कम्प्लीट कीजिए।

श्री धर्मनूद यादव: देश में 70 सदिय स्तरे के अधिकारियों में से केवल एक ओबीसी का है। 278 में से केवल दस ओबीसी के हैं। ... (व्यवधान)

माननीय अध्यक्ष : आप ये आंकेड़ मत बताइये। सींटी।

â€ (व्यवधान)

श्री धर्मनूद यादव: यही हालत दलितों, पिछड़ों की है। ... (व्यवधान)

*SHRI SHER SINGH GHUBAYA (FEROZEPUR): I thank you, Hon. Speaker ma'm, for giving me the opportunity to speak on two important bills – "The National Commission of Backward Classes (repeal) Bill, 2017" and "The Constitution (One hundred and twenty-third) Amendment Bill, 2017".

Hon. Madam, I thank the Hon. Minister Shri Gehlot for piloting this land mark bill in this august House. This is a watershed bill and I whole-heartedly support this bill on my behalf and on behalf of my party.

Hon. Madam, the reserved category people constitute a large percentage of population in my state Punjab. Let me draw the attention of the Hon. Minister to the fact that facilities like scholarships to the backward caste students are not being granted in time. I urge upon the Hon. Minister to kindly allot money for scholarships in time to the reserved category students. The implementation is tardy and needs to be fine-tuned and streamlined.

Hon. Madam, in 2007, certain castes in Punjab and other states had been included in the reserved category list. However, several other castes have not yet been included in the reserved category. Their exclusion from the list is a denial of justice to these castes. In 2007, certain castes from U.P. were included in the SC category list. These castes reaped the benefit of reservations. But, the same castes present in Punjab, Goa etc. were not brought in the ambit of reservations.

Hon. Madam, I hail from Ferozepur Parliamentary Constituency. It has the second highest percentage of reserved category people in India. Similarly in about 5 to 10 other constituencies, the percentage of reserved category people is as high as 50%. The castes that have been included in reserved category list in U.P. should also get the reservation benefits at the all-India level. I urge upon the Central Government to see to it that we get a favourable judgement in this sub-judice case from the Supreme Court.

श्री जय प्रकाश नारायण यादव (बैंका) : अध्यक्ष महोदया, आपने मुझे इस विधयक पर बोलने का अवसर दिया, इसके लिए आपको बहुत-बहुत धन्यवाद देता हूँ।

माननीय श्री थावरचन्द गहलोत जी ने राष्ट्रीय पिछड़ा वर्ग आयोग (निरसन) विधयक, 2017 प्रस्तुत किया है। मैं कबीरे के एक दोह को उद्धरित करना चाहूंगा :

"कबिसा जब हम पैदा हुए, जग हंसा हम रोए।

ऐसी करनी कर चलो, हम हंस, जग रोए।"

आज आप यह काम करते कि लोगों को हंसोत, लेकिन आज हम हंस नहीं रहे हैं, हम रो रहे हैं। उसका कारण है। जातीय जनगणना को प्रकाशित कीजिए। यह अब तक क्यों डिबेट में बन्द है? इसके लिए अगर कोई गुनाहगार है तो वह भारतीय जनता पार्टी गुनाहगार है। कौन गरीब है, कौन भिखारी है, कौन भवनी है, किसेक पास छत नहीं है, कौन दलित है, कौन शोषित है, आदिवासी है, बैकवर्ड है, ओबीसी है? उसकी माती हालत क्यों खराब है? यह कोई एक दिन का सवाल नहीं है। इस पर आप जवाब दीजिए।

अध्यक्ष महोदया, मंडल कमीशन में जो सूचीबद्ध जातियां हैं, उनमें जरा सा भी हरेफेर नहीं होना चाहिए। राज्य सरकार को प्रभावहीन किया जा रहा है, यह विधयक बहुत खतरनाक होगा। इस बिल में मैंने तीन संशोधनों का प्रस्ताव दिया है, उनको पूर्णरूपेण स्वीकार किया जाए, अन्यथा यह बिल समाज के पिछड़े तबकों के साथ घोखा करने वाला साबित होगा। चालाकी से मंडल आयोग के डथ वास्तु पर संसद से साइन कराया जा रहा है और आयोग के बहाने मंडल कमीशन को समाप्त करने का बहाना बन रहा है। उसमें से कई जातियों को निकालने की साजिश हो रही है, इसलिए इसमें राष्ट्रपति महोदय को परामर्श देने का मतलब है कि राज्य के अधिकारों में कटौती की जा रही है। खासकर, मंडल आयोग पर खतरा है। ... (व्यवधान) मैं दो मिनट में अपनी बात समाप्त करूंगा।

माननीय अध्यक्ष: एक मिनट में अपनी बात समाप्त कीजिए।

श्री जय प्रकाश नारायण यादव : अध्यक्ष महोदया, एक समय था जब मंडल आयोग आया तो देश में कमंडल चला और आज जब कमंडल का राज आया तो मंडल जा रहा है। बिहार के तत्कालीन

मुख्यमंत्री तातू जी ने कहा था कि अगर कोई मंडल कमीशन, पिछड़ा आयोग और राज्य सरकार के अधिकार को छीनना चाहता, उसे सैवधानिक अधिकार देने के बहाने पिछड़े वर्ग की जातियों को उसमें से हटाने की साजिश होगी या अन्य जातियों को उसमें जोड़ने की साजिश होगी तो उसे कभी बर्दाश्त नहीं किया जाएगा। धन्यवाद।

मानव संसाधन विकास मंत्रालय में राज्य मंत्री (श्री उपेन्द्र कशवाहा) : अध्यक्ष महोदय, जो संविधान संशोधन विधायक आया है, मैं उसके समर्थन में बोलने के लिए खड़ा हूँ।

समय बहुत कम है, इसलिए मैं बहुत ही संक्षेप में अपने सुझाव सदन के समक्ष रखना चाहता हूँ। कई माननीय सदस्यों ने कई महत्वपूर्ण सुझाव दिए हैं, उनमें से दो-तीन सुझाव ऐसे हैं, जिनके बारे में मेरी पार्टी राष्ट्रीय लोक समता पार्टी पहले से ही कहती रही है, मैं उनकी चर्चा भी करूँगा और उनके अतिरिक्त दो-तीन अन्य सुझाव दूँगा।

अध्यक्ष महोदय, ओबीसी कमीशन को सैवधानिक दर्जा दिया जा रहा है, इसके लिए मैं अपनी पार्टी की ओर से माननीय प्रधानमंत्री जी एवं मंत्री जी को धन्यवाद देता हूँ कि वे बहुत ही अच्छा काम कर रहे हैं। इसके साथ ही कुछ अन्य काम भी करने होंगे। कई माननीय सदस्यों ने भी कहा है, कृषि लेबर का बैरियर ठीक उसी तरह से है, जैसे आप किसी माननीय सदस्य को बोलने की अनुमति दें लेकिन उसके मुँह पर पट्टी बांध दी जाए तो वह सदस्य कैसे बोल पाएगा। ठीक वही स्थिति कृषि लेबर के कारण बनती है। कृषि लेबर की सीमा को, अगर संभव हो तो पूर्ण रूप से समाप्त करें, अन्यथा उसकी सीमा को छः लाख रुपये से बढ़ाकर कम से कम 15 लाख रूपए करें। यह काम जल्द से जल्द करना चाहिए।

दूसरा, जब से आरक्षण की व्यवस्था लागू हुई, अलग-अलग राज्यों की ओर से कई जातियों को जोड़ने का काम हुआ है। जातियों की संख्या ओबीसी में बढ़ती जा रही है, लेकिन उसका दायरा 27 प्रतिशत ही है। इस 27 प्रतिशत आरक्षण के दायरे को बढ़ाया जाना चाहिए, लेकिन जब-जब यह मांग उठती है, ... (व्यवधान) मैं अपनी पार्टी की ओर से बोल रहा हूँ। ... (व्यवधान)

महोदय, भ्रष्टाचार के खिलाफ उसका दायरा बढ़ाया जाना चाहिए। लोक तंत्र के जो चार स्तम्भ हैं, उसमें न्यायपालिका में भी ओ.बी.सी. की संख्या बिल्कुल नहीं है, नगण्य है, शून्य के बराबर है। उसके चलेते भी हैं न्याय नहीं मिल पा रहा है। हाई कोर्ट और सुप्रीम कोर्ट में अपवाद के लिए कभी एक ही जज दिखें वरना उनकी संख्या नहीं है, इसलिए वहां भी हमारा प्रतिनिधित्व होना चाहिए। ऐसा हम सरकार को सुझाव देना चाहते हैं। लोक तंत्र का जो चौथा स्तम्भ है, जिसका रोल धीरे-धीरे और बढ़ता ही जा रहा है, वह मीडिया है। मीडिया में भी हमारे लोगों की संख्या नहीं है।

मीडिया जनमत निर्माण का भी काम करती है। मीडिया सरकार के निर्णय को भी प्रभावित करने का काम करती है। इतनी महत्वपूर्ण संस्था में ओ.बी.सी. का प्रतिनिधित्व जब तक नहीं होगा, तब तक ओ.बी.सी. को न्याय नहीं मिल पाएगा। इसलिए वहां भी ओ.बी.सी. का प्रतिनिधित्व सुनिश्चित होना चाहिए।

महोदय, प्राइवेट सेक्टर में आज नौकरियों की संख्या बढ़ती जा रही है। सरकारी नौकरियों की संख्या धीरे-धीरे घटती जा रही है, लेकिन वहां भी आरक्षण की कोई व्यवस्था नहीं है। ओ.बी.सी. का प्रतिनिधित्व और बाकी एस.सी.एस.टी. जो सामाजिक न्याय के दायरे की कटौत है, उनकी संख्या वहां भी होनी चाहिए।

अंत में, मैं इतना ही कहना चाहूँगा कि जो सामाजिक, आर्थिक जनगणना की रिपोर्ट के प्रकाशन की बात हो रही है, लिखित रूप से ओ.बी.सी. को भी इस बात का हक है कि उसकी कितनी संख्या है। अगर सरकार के स्तर पर उसकी गणना हो रही है तो उसका प्रकाशन समय पर होना चाहिए, आपने मुझे बोलने का समय दिया है, इसके लिए मैं आपको धन्यवाद देता हूँ अपनी बात समाप्त करता हूँ।

SHRI SIRAJUDDIN AJMAL (BARPETA): Madam Speaker, thank you for giving me this opportunity. My Party supports this Bill for National Commission for Backward Classes. Everything is known to everyone and I do not have to say too many things here. But I would just like to put forward a few points on behalf of my Party.

Madam, it has been the history of our country that weaker sections of the people always face discrimination, injustice and atrocities. This has been the reason that the Government created the National Commission for SCs, the National Commission for STs, the National Commission for Backward Classes, and the National Commission for Minorities. But I am sorry to say that these Commissions failed to achieve their goal of empowerment and protection from injustice and atrocities. Every government appoints its well wishers for these posts in return for their contribution of power. Even the Mandal Commission's 27 per cent reservation has not been fully implemented in most of the places.

Madam, AIUDF strongly recommends and requests the Central Government to upgrade the status of the National Commission for Minorities to a constitutional body from a statutory body. This will give teeth to the National Commission for Minorities. I am sorry to say that the National Commission for Minorities which was formed to protect the interests of minority communities failed to redress the complaints of minority communities as it does not have the power and constitutional status.

The National Commission for Minorities was created under the National Commission for Minorities Act, 1992 to look into the complaints of the minorities.

Madam, once again I would request and appeal to the Government to upgrade the status of National Commission for Minorities to a constitutional body from a statutory body.

Thank you very much, Madam.

श्री कौशेलकुमार (नांददा) : माननीय अध्यक्ष जी, मैं आपको धन्यवाद देता हूँ कि आपने मुझे बोलने का समय दिया है।

बिहारे के बहुत कम सांसद यहां पर बोलेंगे। मात्र एक या दो न ही यहां बोलेंगे और तीसरा मैं बोल रहा हूँ। पिछड़ा वर्ग, ओ.बी.सी. और एस.सी. के बहुत सारे सांसद यहां वनकर आए हैं।

मैं मंडल में अपनी बात दो-चार मिनट में समाप्त कर दूँगा, मैं सबसे पहले इस बिल का समर्थन करता हूँ कि माननीय मंत्री जी के द्वारा यह विधायक जो विगत 20-25 सालों से लम्बित था, उसको यहां लाकर सभी पिछड़े-ओ.बी.सी. के लोगों को जो आपने न्याय दिलाने का प्रयास किया है, इसके लिए मैं आपको धन्यवाद देता हूँ।

महोदय, 56 प्रतिशत आबादी के बारे में आज यहां पर चर्चा हो रही है। अभी माननीय मंत्री जी ने विस्तार से चर्चा की है कि कृषि लेबर को समाप्त किया जाए या उसके दायरे को बढ़ाने की जरूरत है। 27 प्रतिशत आरक्षण सरकार ने दिया है, लेकिन आज कई राज्यों में ओ.बी.सी. के आरक्षण को लेकर आंदोलन चल रहे हैं।

मैं मंडल, गजरात में पेटल और जाट लोगों का आंदोलन हो रहा है, हम आपके माध्यम से सरकार से निवेदन करते हैं कि इस 27 प्रतिशत से बढ़ाएँ और उन लोगों को भी इसमें शामिल कीजिए। आप न्यायपालिका में चले जाएँ, वहां हमारी कितनी संख्या है, जब हम राष्ट्रपति कार्यालय में जाते हैं तो वहां ओबीसी की संख्या नगण्य है। ऐसी परिस्थिति में हमारी आपसे मांग है कि ओबीसी के बकराँज को भरा जाय। इस प्राइवेट सेक्टर में भी लाया जाय और उनको आरक्षण दिलाया जाय।

इसके साथ-साथ मैं यह भी कहना चाहता हूँ कि जिस तरह से बिहारे में दस वर्ष पहले ओबीसी का प्रवधान पंचायतों में लागू किया गया, ... (व्यवधान)

माननीय अध्यक्ष: जयप्रकाश जी, कृपया प्रॉम्पटिंग नहें।

â€¦ (व्यवधान)

श्री कौशेलन्द कुमार: बिहार के तर्ज पर यहाँ भी इस लागू किया जाये। जननायक कुर्पी लुकर जी का यह मानना था कि जो पिछड़े, अतिपिछड़े और जो ज्यादा गरीब लोग हैं, उनको सभी की तरजीह देना है, सभी को न्याय मिले, यही बात कह कर मैं अपनी बात समाप्त करता हूँ। धन्यवाद।

SHRI PREM DAS RAI (SIKKIM): Hon. Speaker Madam, I thank you for giving me the opportunity to speak on the Constitution (One Hundred and Twenty-Third Amendment) Bill 2017. Most of the items related to this Bill have already been spoken of; so, I will limit myself to just a few. I rise to support this Bill on behalf of my party, the Sikkim Democratic Front.

The Creamy Layer issue is a very important one and that is something which this particular Bill has not addressed. Therefore, we insist that somehow this cap on Creamy Layer should be raised from Rs. Six lakh to Rs. 10 lakh or Rs. 15 lakh. The hon. Minister must answer the question as to what happens to the State Commissions and what would be the powers of the State Commissions in future. As far as 27 per cent reservation is concerned, the way there is a rise in the number of backward classes in this country, this 27 per cent reservation needs to be looked at and raised in future.

With these words, I, on behalf of my party, support this Bill.

SHRI ASADUDDIN OWAISI (HYDERABAD): Hon. Speaker Madam, on the Constitution (One Hundred and Twenty-Third Amendment) Bill 2017, my request to the Government is that there is an empirical data on social and educational backwardness of Muslims, whether it is Sachar Committee, Ranganath Mishra Committee, Kundu Committee, National Sample Survey or the Census 2011. Will this Government consider the Muslim community, not on the basis of religion, but on the basis of the empirical data given by the Government of India itself as socially and educationally backward?

शेकण्डली, दो बियादी बिहार सीमांचल में है, सलजुपरी और कोल्हडिया बियादरी, जिनका कभी भी इंतज़ान नहीं हुआ है, जो सीमांचल की 25 लाख की आबादी है, वया उनका इंतज़ान होगा?

तीसरी बात, वलॉज 4, 352(ए) में हम पूरे इस्तिफार सदेर जमुहिया को दे रहे हैं, जो इस बात को तय करेगा कि न सिर्फ सेंटर लिस्ट बल्कि सेंटर स्टेट लिस्ट में भी किसी बकवर्ड वलास कम्युनिटी का इंतज़ान होगा या नहीं होगा। वया यह कॉन्सेप्ट ऑफ फडरलिज्म के खिलाफ है या नहीं।

चौथी बात यह है कि हम जो कमीशन बनाने जा रहे हैं, इसमें एक ऐसा मैकनिज्म फ़िएट करना जरूरी है कि 'माज़ी' में जितने बकवर्ड वलास कम्युनिटीज थे, जो रिजर्वती प्रोग्रेस कर रहे हैं, जिनके बेट अब चीफ मिनिस्टर बन रहे हैं, वया उस कम्युनिटी को कंटीन्यू करेगा, वया आप उनको बकवर्ड वलास से निकालेंगे।

मैं हकूमत से फिर से मुतालाबा करता हूँ कि आप स्टेट के पावर को मत छिनिए। तमिलनाडु एवं दूसरे स्टेट इतने प्रोग्रेसिव हैं कि वहाँ पर ट्रांसजेंडर को भी रिजर्वेशन दिया गया है, साथ में कई जगहों पर मार्जिनलाइज्ड कम्युनिटीज को रिजर्वेशन दिया गया। फिर से मैं हकूमत से मुतालाबा करता हूँ कि आपका वायदा है, इंडिया फर्स्ट 'सबका साथ, सबका विकास', नेशनल कमीशन माइनिॉरिटीज को कॉन्स्टिटुशनाल स्टेट्स नहीं है, नेशनल कमीशन फॉर वमन को कॉन्स्टिटुशनाल स्टेट्स नहीं है, कमीशन फॉर प्रोटक्शन ऑफ वाइल्ड यडट्स को कॉन्स्टिटुशनाल स्टेट्स नहीं है, एनएवआरसी को कॉन्स्टिटुशनाल स्टेट्स नहीं है, तो वया आप चारों कमीशन को कॉन्स्टिटुशनाल स्टेट्स देंगे या नहीं देंगे।

मैं मुखातिफ हरमिज़ नहीं हूँ, आप पेटनों, मराठों और जाट को आरक्षण दीजिए, मगर जिनका इम्परिकल एविडेंस है, मुसलमानों का सोशल एजुकेशनल बकवर्ड का, उनको आपको आरक्षण देना पड़ेगा। अगर आप वाकई में 'सबका साथ, सबका विकास' में विश्वास करते हैं, यह इंसाफ का तकाजा है, मैं उम्मीद करता हूँ कि हकूमत इस पर गौर करेगी।

جناب اسد الدین اوویسی (حیدرآباد): دوسری بات، دو برادری پہلر سیمانچل میں ہیں، سلجپوری اور کولہیا برادری، جن کا کبھی بھی انکلوزن نہیں ہوا ہے، جو سیمانچل کی 25 لاکھ کی آبادی ہے، کیا ان کا انکلوزن ہوگا؟

تیسری بات، کلاز 4، 352 (A) میں ہم پورے اختیار صدر جمہوریہ کو دے رہے ہیں، جو اس بات کو طے کریں گے کہ نہ صرف سینٹر لسٹ بلکہ سینٹر اسٹیٹ لسٹ میں بھی کسی بیکورڈ کلاس طبقہ کا انکلوزن ہوگا یا نہیں ہوگا۔ کیا یہ کانسیپٹ آف فیڈرلزم کے خلاف ہے یا نہیں ہے۔

چوتھی بات یہ ہے کہ ہم جو کمیشن بناتے جا رہے ہیں اس میں ایک ایسا میکینزم کریٹ کرنا ضروری ہے کہ ماضی میں جتنی بیکورڈ کلاس کمیونٹیز تھی، جو ریزنوبلی پروگریس کر چکے ہیں، جن کے بیٹے اب چیف منسٹر بن چکے ہیں، کیا اس کمیونٹی کو کنٹینو کریں گے، کیا آپ ان کو بیکورڈ کلاس سے نکالیں گے۔

میں حکومت سے پھر مطالبہ کرتا ہوں کہ آپ اسٹیٹ کی پاور کو مت چھینئے۔ تم ناڈو اور دوسری ریاستیں اتنے پروگریسیو ہیں کہ وہاں پر ٹرانسجینڈر کو بھی ریزرویشن دیا گیا ہے۔ جنوبی ہندوستان میں کئی جگہوں پر مارچنلانڈ کمیونٹیز کو ریزرویشن دیا گیا۔ پھر سے میں حکومت سے مطالبہ کرتا ہوں کہ آپ کا وعدہ ہے، انڈیا فرسٹ، سب کا ساتھ سب کا وکاس، نیشنل کمیشن آف مائنورٹیز کو آئینی درجہ حاصل نہیں ہے، نیشنل کمیشن فور وومین اور مین کو آئینی درجہ حاصل نہیں ہے، نیشنل کمیشن فور پروٹیکشن آف چائلڈ رائٹس کو آئینی درجہ حاصل نہیں ہے، این۔ایچ۔آر۔سی۔ کو آئینی درجہ حاصل نہیں ہے تو کیا آپ چاروں کمیشن کو آئینی درجہ دین گے یا نہیں دین گے۔

میں مخالف بر گز نہیں ہوں، آپ پٹیلوں، مراٹھوں اور جاٹ کو ریزرویشن دیجئے، مگر جن کا امپریکل ایویڈنٹس ہے، مسلمانوں کا سوشل ایجوکیشن بیکورڈ کا ان کو آپ کو ریزرویشن دینا پڑے گا۔ اگر آپ واقعی میں سب کا ساتھ، سب کا وکاس میں یقین رکھتے ہیں، یہ انصاف کا تقاضہ ہے، میں امید کرتا ہوں کہ حکومت اس پر غور کرے گی۔

(ختم شد)

स्वास्थ्य और परिवार कल्याण मंत्रालय में राज्य मंत्री (श्रीमती अनुप्रिया पेटल) : माननीय अध्यक्ष महोदया, सरकार की ओर से संविधान (123वां संशोधन) विधायक, 2017 लाया गया है, मैं अपनी पार्टी 'अपना दल' की ओर से उसका स्वागत करती हूँ। माननीय प्रधानमंत्री जी को और माननीय श्री महतोत साहब को मैं अपनी पार्टी की ओर से बृहत्-बृहत् आभार व्यक्त करना चाहती हूँ, देश की जनता की ओर से और विशेष रूप से देश की पिछड़ी जातियों की ओर से हमारी सरकार का आभार व्यक्त करना चाहती हूँ। एक बृहत् तमबी मांग थी कि राष्ट्रीय पिछड़ा वर्ग आयोग को एक सैधानिक दर्जा प्रदान किया जाए। 25 वर्षों से यह मांग लगातार उठती रही है। बेडू दर्भान्य की बात है कि इतने वर्षों में तमाम सरकारें आसीं, लेकिन किसी ने भी देश की पिछड़ी जातियों के स्थायी समाधान के लिए कोई तत्परता नहीं दिखाई। लेकिन हम सबके लिए बेडू गौश्व और हर्ष का विषय है कि माननीय प्रधानमंत्री श्री नरेन्द्र मोदी जी की सरकार ने पिछड़ी जातियों के दर्द को सुना और समझा तथा पुराने समय से चली आ रही मांग को संज्ञान में लेते हुए राष्ट्रीय पिछड़ा वर्ग आयोग को सैधानिक दर्जा प्रदान करने की दृष्टि से आज यह कदम उठाया है और यह विधायक लोन का काम किया गया है।

महोदया, जो ओबीसी के कल्याण संबंधी संसदीय समिति है, जिसकी मैं स्वयं सदस्य रही हूँ, उसने भी इस बात की आठ बार सिफारिश की। विभिन्न राजनीतिक दलों के हमारे बृहत्-से माननीय सदस्य यहाँ पर उपस्थित हैं, जिन्होंने 377 तक और शून्यकाल के तहत इस मांग को बराबर उठाया, मैं भी उनमें से एक हूँ। ओबीसी वर्ग से आगे वाले सभी माननीय सांसदगण ने माननीय

प्रधानमंत्री जी से मिलकर इस बात की गुहार लगाते रहे और एनडीए की बैठकों में भी इस मांग को बराबर उठाया। मुझे इस बात की बहुत खुशी है कि हमारी सरकार के कार्यकाल में यह ऐतिहासिक काम हो रहा है और एक सकारात्मक माहौल में, पूरे सदन को इस विधेयक को पारित करने में सहयोग देना चाहिए, क्योंकि यह भारत में पिछड़ी जातियों के भविष्य के निर्माण के लिए और इतिहास को बदलने वाला कार्य है, जिसे हमारी सरकार करने जा रही है। मैं इस निर्णय का पूरी तरह से स्वागत करती हूँ।

कुछ बोलें, जो विधेयक के साथियों की तरफ से आर्य हैं, जिनमें से बीजू जनता दल के एक वरिष्ठ सदस्य हैं, उन्होंने कहा कि आंध्र प्रदेश के कापू समुदाय के लोग, गुजरात के पाटीदार समुदाय के लोग, महाराष्ट्र के मराठा और हरियाणा के जाट समुदाय के लोगों को आरक्षण की व्यवस्था से वंचित करने के उद्देश्य से सरकार ऐसा करने जा रही है। इस संबंध में, मैं सिर्फ इतना ही कहना चाहती हूँ कि इस प्रकार की बातें हमें देश की जनता को गुमराह करने का काम कर रहे हैं। पिछड़ा वर्ग आयोग को संवैधानिक दर्जा देने की मांग बहुत पुरानी है और इन समुदायों से संबंधित आंदोलन उसके काफी बाद के हैं। इसलिए उन दोनों को आपस में जोड़कर देखना उचित नहीं होगा। इस मांग को हम पूरा करें और उसमें सभी सहयोग करें। यह जरूरी है।

इसेक साथ ही, राज्यों के अधिकारों में हस्तक्षेप के विषय को उठाया गया, उसके संबंध में मैं कहना चाहती हूँ कि आज हमारी सरकार यह परिवर्तन कर रही है, उसके माध्यम से हम अपनी संसद को सर्वोपरि बना रहे हैं। इसमें अच्छी बात यह है कि राज्यों की ओर से अब जो प्रतिनिधित्व आएगा, वह एनसीबीसी की तरफ से सीधे राष्ट्रपति महोदय को जाएगा और उसके बाद उस संसद के पटल पर रखा जाएगा और संसद उस पर विचार करेगी। इस संसद के अंदर देश का प्रतिनिधित्व करने वाले लोग, जनता द्वारा चुने हुए प्रतिनिधि आते हैं, बहुराज्यीय साथी आते हैं, इसलिए यदि हम ऐसा कहते हैं कि हमारी सरकार जो कार्य कर रही है, वह ज्यादा पारदर्शिता लाने के लिए कर रही है और संसद के माध्यम से राष्ट्रहित में अधिक उपयुक्त फैसले किए जाएंगे, किसी भी कास्ट को इंचुड करना या एक्सक्लूड करना किसी की विडम्बना एंड फसीज़ पर नहीं होना चाहिए, बल्कि ऑब्जेक्टिविटी के आधार पर और पार्लियामेंट की स्ट्रक्चर के आधार पर होना चाहिए। इसलिए सरकार पर भरोसा जताने पर इस पारित करने में सहयोग करना चाहिए।

एक विषय इस विधेयक को रैटिफिकेशन केमटी में भर्जन का भी आया है, उसके संबंध में मैं कहना चाहती हूँ कि रैटिफिकेशन केमटी ने इसके संबंध में पहले ही तीन बार अपना विचार रखा है, इसलिए इस पन: रैटिफिकेशन केमटी में वर्यो भर्जन के लिए कहा जा रहा है, यह बात मरी समझ से परे है। अपनी पार्टी की ओर से मैं सरकार का अंग हूँ। इसलिए अपनी पार्टी की ओर से मैं माननीय सामाजिक और अधिकारिता मंत्री से इतना जरूर कहना चाहूंगी कि यह एक बहुत ही अच्छा कार्य है, जो अग्रा था, जिसे पूरा किया जा रहा है। लेकिन इसेक साथ ही, ओबीसी वर्ग से जुड़े हुए अन्य विषयों- ओबीसी मंत्रालय का अलग से गठन, फ़िजिलियर की सीमा को आंग बढ़ाना और कास्ट सेससे के आंफेड को जारी करना, राष्ट्रपति सचिवालय से लेकर न्यायालय तक ओबीसी की भागीदारी को सुनिश्चित करना आदि विषय भी उठने ही महत्वपूर्ण हैं और मुझे पूरा विश्वास है कि माननीय मंत्री जी इन विषयों पर भी पूरा ध्यान देंगे। इसी के साथ, इस बिल का समर्थन करते हुए मैं अपनी बात को समाप्त करती हूँ।

DR. A. SAMPATH (ATTINGAL): Madam Speaker, I want to raise a point for clarification. *â€* (Interruptions)

HON. SPEAKER: Shri Mullanally Ramachandran, you have two minutes only.

SHRI MULLAPPALLY RAMACHANDRAN (VADAKARA): Madam, I may be excused. I cannot finish my speech in two minutes.

Respected Madam Speaker, I am extremely thankful to you for having given me this opportunity. This is a very important legislation. The idea to set up such a National Commission for Backward Classes has been hanging fire for a long time.

You may recall that in 1951, it was the first Prime Minister of India, Late Pandit Jawahar Lal Nehru who moved the first amendment to the Constitution. That amendment was to give status to the Backward Classes in the country. Afterwards, the composite Madras State enacted the OBC Reservation. It is the Congress Government which empowered the State Governments to provide reservation by putting it in the Ninth Schedule. That is the situation.

As per the Mandal Commission Report of 1980, OBCs comprised 52 per cent of the population. I understand that the Caste Census has been submitted to the Government but unfortunately it has not been released. I would request the Government to release the Caste Census at the earliest.

Due to historical reasons, the backward communities spread across the country were subjected to social segregation and discrimination. Still the same condition is prevailing all across the country. The social and educational backwardness could be eliminated only with the active support of the Governments at the State and Union level.

It is to be remembered that under the UPA Government reservation was provided to OBCs for admission to higher education institutions like IIT, AIIMS, etc. Consequent to the Supreme Court verdict of 1992, 27 per cent of civil service positions were reserved for OBCs. However, it is agonizing to note that not more than 7 per cent of eligible positions in Government jobs are being filled. Some of the Union Government departments and establishments, including public sector undertakings and nationalized banks, are not honoring the reservation policy of the Government of India.

The Parliamentary Committee on Welfare of Other Backward Classes was started during the time of UPA Government. Being a Member of the Committee I have come across several instances of non-compliance and criminal negligence on the part of the Government in filling the reservation quota for OBCs.

Therefore, my appeal to the Government is that it should take stringent action against those erring officials who take little or no interest in ensuring that vacancies reserved for OBC are duly filled. The feudalistic mindset and the cavalier manner in which the issue is addressed is disturbing.

Madam, every Member who has participated in the discussion has some reservation about the power being given to the Centre. We believe in cooperative federalism. After setting up of this Commission, the power of the States is intended to be withdrawn in respect of inclusion of castes in the Backward Class List. My considered view is that the consent of the States is to be taken on this vital issue.

I welcome the step to set up such a Commission but I have some reservations. It is apparent that all political parties are in broad agreement with having the Commission. My view is that it should be referred to the Standing Committee for further discussion and then only the wishes of the House will be fulfilled....(Interruptions)

Madam, I have one more point to make. There is an imperative need to include at least one lady Member on the Commission.

Secondly, reservation must be made for OBCs to the higher judiciary as also to higher positions in the PSUs.

Thirdly, the Government should stipulate a time frame for filling in the vacancies reserved for OBCs in various departments and undertakings.

Fourthly, a time frame is to be fixed for filling vacancies in the Commission arising due to reasons like retirement, death, etc.

With these words, I conclude my speech. Thank you.

*DR. PRITAM GOPINATH MUNDE (BEED): Thank you Madam Speaker, with your permission I would like to speak in my mother-tongue Marathi. It is a very important issue and hence I would like to request you to kindly allow me to speak and give enough time. First of all, I would like to thank our Hon. Prime Minister Narendra Modi and Social Justice and Empowerment Minister Shri Thawarchand Gehlotji million times for this historic decision of granting the constitutional status to the National Commission for OBCs. Today, I can't stop remembering my father, the great OBC leader Gopinath Munde. My father and other OBC leaders fought for the issues related to the OBCs relentlessly throughout their lives and it is because of them that today Government is taking this historic decision. I think, our coming generations would be thankful to Hon. Modi ji for taking this decision. We have been waiting for this day for the last 25 years.

Today, we have been discussing the pros and cons of the possible impact of this decision. Some people have apprehensions that it would not be beneficial for our federal structure and the states' rights would get affected. But I don't think so, on the contrary, we can see that in some states, some castes are identified as OBCs but the same castes are notified as SCs / STs in some other states.

But in some other states they are not recognized as backward castes and they have been put in unreserved category. Infact, I firmly believe that it will definitely help to ensure transparency and stop irregularity in the entire process. It will streamline the process of caste inclusion and there will be better co-ordination in this regard. So, we should discard the negative approach and take it positively.

The Kalelkar Committee and Mandal Commission were the foundation stones for granting constitutional status to the NCBC, we should also go for caste based census. Hon. Gopinath Mundeji had also raised this issue in Parliament. We cannot decide our reservation policy on the basis of the figures collected during British Era. If we do not know about the exact figures and data, how can we decide on the issue of adequate representation? Until and unless, we do not know about the actual population of OBCs how can we decide the percentage of reservation? I think this is a convenient exercise. Just because you cannot go beyond 50% you are giving only 27%.

Reservation for OBCs is not a mercy but it is our right. So it is requested to collect the necessary data regarding OBCs.

Today, I want to ask those persons who are opposing this bill that when they were in power for 15 long years in a state as well as at centre, why did not they take care of them? Did not they notice their pain and agony at that time?

Today you are expressing concerns about them then why did not you take action on those issues? I have the data of 2014-15. The funds sanctioned for OBC scholarships were Rs. 25 crores but the amount disbursed was only around Rs. 2.5 crores. The amount of Rs. 300 crores remained unspent for the year. If they were really concerned about OBCs, why did not they spend funds.

They used to mock BJP as the party of upper caste people only. But today BJP has become all-inclusive political party. Perhaps this is their pain.

At last, I would like to congratulate and thank Government of Maharashtra for creating a special OBC department for the development and upliftment of OBCs.

I would once again like to thank Hon. Prime Minister and Minister for Social Justice and Empowerment for changing the lives of OBCs by bringing this bill.

Thank you.

SHRI N.K. PREMACHANDRAN (KOLLAM): Madam Speaker, thank you very much for affording this opportunity to participate in the debate on 123rd Constitution (Amendment) Bill.

Madam, I rise to support this Constitution (Amendment) Bill with a strong reservation. As Mr. Kalyan Banerjee has rightly pointed out regarding reservation in States, the OBCs should be given priority and should be given reservation. Providing constitutional status to the National Commission for Backward Classes is the need of the hour. It is the directive of the Supreme Court also. I am in full agreement with that and I support it. But now we are having the State Commissions. Every State is having a Commission for the Backward Classes. Now who is a backward class is being determined by the State. So, I would like to urge upon the Government that the consent of the State should be taken in order to determine a particular society or a particular class as backward class.

During the time of UPA Government in the year 2009, Maj. Gen. Sinha Commission was constituted. Forward classes of people are also there. Maj. Gen. Sinha Commission report was there and Ranganath Mishra Commission report is also there. There are also economically backward people among the forward castes. But only because of the reason that they belong to the forward castes, they are being denied of all the privileges.

So, we are having Commission for Scheduled Castes and Scheduled Tribes and now we constitute a new Commission called the National Commission for Other Backward Classes and the House is in full agreement also. At the same time, the people who are economically backward but belong to forward classes of the society should also be provided with some privileges so as to have the better living standard in our country. So, this should also be taken into consideration.

Madam, in my State of Kerala, the Government of Kerala has constituted a State Commission for Forward Classes and it is functioning in a better way. We are not seeking reservation but some educational and other types of privileges have to be given to the downtrodden and unprivileged people belonging to the forward classes. That should also be taken into consideration when we are discussing this Bill.

Finally, the Socio-Economic and Caste Census should be published. The Government is in custody of Socio-Economic and Caste Census of 2011 but it has not been published. The Government and its other organizations are using it. It is being used by the Government in the elections from the point of social engineering also, but unfortunately it is not in public domain. So, I urge upon the Government that the Socio-Economic and Caste

Census of 2011 should be published.

With these words, I support the Bill.

*SHRI DHANANJAY MAHADIK (KOLHAPUR): Thank you Madam Speaker, I fully support this 123rd Constitution Amendment Bill on behalf of my party and myself. I also demand reservation for Marathi community as well. People of Maratha Community agitated on the streets. Silent marches were organized months ago without damaging any Government property. They are basically from farmer community. They should be given reservation in education and employment. Grave injustice has been done to them.

Hence, through you Madam, I would like to request the Government to give reservation to the Maratha community as well.

Thank you.

*SHRI PRATAPRAO JADHAV (BULDHANA): Thank you Madam Speaker. I rise to support this bill on behalf of my party Chief Uddhavji Thakre and myself. If OBC population in the country is 52% then the reservation for them should also be 52%. Parliament should also consider the demand for reservation of Maratha community as early as possible.

Thank you Madam.

सामाजिक न्याय और अधिकारिता मंत्री (श्री थावर चंद गहलोत) : अध्यक्ष महोदया, आपने मुझे इस बिल पर बोलने का अवसर दिया, इसके लिए मैं आपको धन्यवाद देता हूँ।

माननीय अध्यक्ष : मैं आपको बीच में रोकूँ, इसलिए पहले ही बोल रही हूँ कि छ: बजे को ठ, इस बिल को पारित होने तक अगर आप सहमत हों तो मैं हाउस का समय बढ़ा देती हूँ।

अनेक माननीय सदस्य : सहमत हूँ।

माननीय अध्यक्ष : ठीक है, मंत्री जी, अब आप बोलिये।

18.00 hours

श्री थावर चंद गहलोत : अध्यक्ष महोदय, देश के यशस्वी प्रधान मंत्री आदरणीय नरेंद्र मोदी जी के मार्गदर्शन में लेब समय से पिछड़े वर्ग के हितों के लिए पिछड़ा वर्ग आयोग को सैवधानिक दर्जा देने की मांग की जा रही थी। मुझे खुशी है कि उनके मार्गदर्शन में भैर मंत्रालय ने यह विधायक यहां प्रस्तुत किया है। लगभग 24 माननीय सदस्यों ने इस पर अपने विचार व्यक्त किए हैं। एक खुशी की बात यह है कि सभी माननीय सदस्यों ने इस आयोग को सैवधानिक दर्जा देने का समर्थन किया है। यह इस बात को दर्शाता है कि लेब समय से जो चली आ रही मांग थी, उसको इस सरकार ने पूरा करके एक ऐतिहासिक काम किया है, ऐतिहासिक निर्णय किया है। पिछड़े वर्ग के हितों के लिए इसको सशक्त करने का काम किया है। मैंने उस दिन निवेदन किया था कि इस आयोग को एस.सी. और एस.टी. की भांति सैवधानिक दर्जा प्राप्त होगा और उसी प्रकार के अधिकार इस आयोग को भी प्राप्त होंगे। अभी तक इस आयोग को ओ.बी.सी. वर्ग से संबंधित उनकी समस्याओं को सुनने का अधिकार नहीं था, वह एस.सी. आयोग सुनता था। अब एस.सी. आयोग की बजाय यह ओ.बी.सी. आयोग ही उनके शिवांसिस को सुनगा और उनके समाधान के लिए प्रयास करेगा। इसकी महती आवश्यकता थी। ओ.बी.सी. वर्ग के विकास के लिए राज्य सरकारों और भारत सरकार को यह आयोग सुझावे दे सकेगा। पहले इस प्रकार के अधिकार इस आयोग को नहीं दौते थे। एस.सी. और एस.टी. आयोग की तरह राज्यों एवं केंद्र सरकार को यह आयोग ओ.बी.सी. की योजनाओं एवं उनके विकास के लिए भी सुझावे दे सकेगा। अभी तक इस प्रकार के अधिकार इस आयोग को नहीं थे। अभी तक जो आयोग बने थे, सामान्यतः वे विषयवस्तु के आधार पर अनुच्छेद 340 के अंतर्गत बने थे और उस विषय को पूरा करने का, अनुसंधान करने का और फिर प्रतिवेदन देने के बाद उस आयोग का अस्तित्व स्थायी नहीं था। अब इस आयोग का अस्तित्व स्थायी होगा। पहले तो यह था कि सरकार बाय ऑर्डर आयोग गठित कर सकेगी। अब राष्ट्रपति जी के माध्यम से इस आयोग की स्थापना होगी। इस आयोग में अध्यक्ष और उपाध्यक्ष सहित पांच सदस्य होंगे। यह प्रावधान पहले भी था। इस प्रकार से इस आयोग को हमें सशक्त बनाने का प्रयास किया है।

अनेक माननीय सदस्यों ने अपने विचार व्यक्त करते हुए इसका समर्थन किया है, पंडित आदरणीय दादा कल्याण बनर्जी साहब और आदरणीय भद्रहरि महताब साहब ने और कुछ अन्य माननीय सदस्यों ने यह आशंका व्यक्त की है कि राज्यों को जो आज आयोग बनाने का अधिकार है और राज्यों के आयोग को ओ.बी.सी. वर्ग की जातियों का चयन करने या उनमें से किसी को निकालने का अधिकार है, वह समाप्त हो जाएगा। मैं आश्चर्य करती हूँ कि इसमें इस प्रकार की कोई व्यवस्था नहीं है कि उनके अधिकारों का हम इन केंद्रों या उन आयोगों को हम समाप्त करेंगे। वे आयोग बरकरार रहेंगे। उन आयोगों के अधिकार भी बरकरार रहेंगे। हम उनमें किसी प्रकार का कोई हस्तक्षेप नहीं करने वाले हैं, क्योंकि वे आयोग प्रारंभ में काका कोलकर कमेटी की रिपोर्ट के आधार पर कुछ राज्यों ने बनाए थे। बाद में कुछ राज्यों ने मण्डल कमीशन की रिपोर्ट के आधार पर बनाए थे। बाद में कई राज्यों ने सन् 1952 में, जिसका उल्लेख बनर्जी साहब ने भी किया था, उस फसेल के तारतम्य के आधार पर बनाए हैं। वे सैवधानिक प्रावधानों के अंतर्गत बने हैं, इसलिए उनको कमजोर करने की हमारी किसी प्रकार की कोई मंशा नहीं है। आज भी नहीं है और ओग भी हम इस प्रकार का विचार नहीं करने वाले हैं।

इसेक साथ ही साथ धारा 4 में 342(क) एक नया वर्तोज़ डाल रहे हैं। उसमें जो भाषा है, उस पर इनको आशंका है। इसमें यह है कि वहां उनके राज्यपाल से परामर्श के पश्चात, एक तो यह है। दूसरा यह है कि राज्यपाल का नाम हटाकर वहां की सरकार का नाम कर दें। मैं निवेदन करना चाहता हूँ, भद्रहरि महताब साहब विद्वान हैं, मैं उनसे कई बार मार्गदर्शन लेता रहा हूँ, समय-समय पर हम विचार-विमर्श भी करते रहे हैं, अगर वे अनुच्छेद 74 देखें और अनुच्छेद 163 देखें, जो राष्ट्रपति और राज्यपाल से सम्बन्धित है और फिर सम्बन्धित सरकारों को देखें, सम्बन्धित सरकारों के अधिकारों और कर्तव्यों को देखें, राष्ट्रपति और भारत की सरकार, गवर्नर और राज्य की सरकार। राष्ट्रपति भारत की सरकार की राय के बिना कोई निर्णय नहीं करते हैं। भारत सरकार की राय के बिना कहीं भी किसी प्रकार की सलाह नहीं देते हैं। इसी प्रकार से राज्य की सरकार की राय के बिना, सलाह के बिना, निर्णय के बिना राज्यपाल भी किसी को भी किसी प्रकार का परामर्श या सलाह नहीं देते हैं।... (व्यवधान) यह सैवधानिक प्रावधान है।... (व्यवधान) यह सैवधानिक प्रावधान है।... (व्यवधान) अगर उनका आशय कुछ है तो रूनिवसिटी से सम्बन्धित राज्यपाल को कुछ अधिकार हैं, वे उनका उपयोग करते हैं और दया याचिका के सम्बन्ध में उनके जो अधिकार हैं, उनका उपयोग करते हैं, बाकी सैवधानिक मामलों में और इस प्रकार के मामलों में वे राज्य की सरकार की सलाह को ही ओग बढ़ाते हैं। अपनी इच्छा से कुछ करने का अधिकार उन्हें नहीं है।... (व्यवधान) मेरी पूरी बात सुनिए।... (व्यवधान)

माननीय अध्यक्ष : उन्हें पूरा करने दीजिए। आप बैठ जाइए।

वे (व्यवधान)

श्री थावर चंद गहलोत : मैं इस आधार पर यह आश्चर्य कर सकता हूँ कि अगर राज्यपाल भारत की सरकार को किसी प्रकार कोई परामर्श देगे तो उस समय हम देखेंगे कि राज्य की सरकार ने इस आशय की राय उनको दी है या नहीं दी है।... (व्यवधान) इसको हम देखकर के ही उस समय करवाई करेंगे और जब यह करवाई करेंगे तो राज्य सरकार की भावनाओं का सम्मान हम करेंगे।... (व्यवधान) राज्य सरकार की इच्छा, आकांक्षा के विपरीत हम इस प्रकार का कोई काम नहीं करेंगे कि राज्य सरकार का संघीय ढाँचा प्रभावित हो। राज्य सरकार के अपने अधिकार हैं। यह देश संघीय ढाँचे पर आधारित है। हम राज्यों के अधिकारों और कर्तव्यों का सम्मान करते हैं, ओग भी करेंगे। इसेक साथ ही साथ बहुत सारे दूसरे विषय ओग हैं।

DR. M. THAMBIDURAI (KARUR): I want to know one point from the hon. Minister. Does he accept that Governor means State Government? I want to know whether he accepts it or not. Madam, can he give an undertaking in the House that the State Government must be consulted? Let him give an undertaking on the floor of the House and let him make it clear in the House..

श्री थावर चंद गहलोत : सर, मैं स्पष्ट कर चुका हूँ। मैं फिर स्पष्ट करना चाहता हूँ कि राज्यपाल राज्य की सरकार की सलाह पर ही काम करता है।... (व्यवधान) जहाँ भी राज्य की सरकार कोई राय देती है, उसको ही वह ओग बढ़ाता है। फिर भी मैं आश्चर्य कर चुका हूँ, मैं आश्चर्य करता हूँ कि अगर राज्यों से कोई प्रस्ताव आयेगे तो राज्य की सहमति है या नहीं है, यह हम देखेंगे और राज्य की सहमति होगी तो ही उस विषय पर प्राथमिकता देंगे। हम इस बात का ध्यान रखेंगे।

श्री महिलकाकुंज स्वदेन (गुलबर्गा) : एक मिनट मेरी बात सुनिए। नःसनेद बिल को तो सभी लोग सपोर्ट कर रहे हैं, सभी लोग एक होकर बिल को सपोर्ट कर रहे हैं। इसमें हम यही पूछ रहे हैं कि गवर्नर से आप कंसल्ट करेंगे, लेकिन कंसल्ट और कन्सेन्ट में डिफरेंस है। कंसल्ट सिर्फ कंसल्ट है, कंसल्ट टेलिफोन पर भी कर सकते हैं, एक लटर लिखकर भी कह सकते हो, लेकिन कन्सेन्ट, अनेतस उन्डौन कन्सेन्ट अगर नहीं दी तो यहाँ पर आप नहीं ल सकते हैं। अगर वहाँ पर सिर्फ कंसल्ट करके फारवर्ड कर दिया, उनको कुछ भी कहने दो, अल्टीमटली आप जो चाहेते हैं, वही होता है। कन्सेन्ट और कंसल्टेशन में डिफरेंस है।... (व्यवधान) गवर्नर को फॉर्मल कंसल्ट करके भेज सकते हैं, लेकिन सरकार से कन्सेन्ट करके अगर ले आए तो वह महत्वपूर्ण है, इसलिए, यह बहुत महत्वपूर्ण हौन की वज़ह से आपको इसका उत्तर देना चाहिए। जो संशय हमारे पास है, जो सर्पीशन आज क्रियेट हो रहा है, उस आप निकाल दीजिए, नहीं तो आप स्टेट के पार्वस छीन रहे हैं, ऐसा हो रहा है। स्टेट की पार्वस को छीन लेना, ऐसा नहीं होना चाहिए। यही हम आपसे विनती करते हैं।

श्री थावर चंद गहलोत : अध्यक्ष महोदय, मैं फिर प्रार्थना कर रहा हूँ, निवेदन कर रहा हूँ कि हम राज्य सरकार के अधिकारों में आंशिक भी हस्तक्षेप नहीं कर रहे हैं। राज्य की सरकार से राज्यपाल परामर्श करेंगे और उस परामर्श के आधार पर हमें जो वे परामर्श देगे, वही करेंगे। इसका मतलब राज्य सरकार की जो बात है, राज्य सरकार का जो निर्णय है, वही हमारे पास आएगा। इसी प्रकार का प्रावधान अनुसूचित जाति आयोग में और अनुसूचित जनजाति आयोग में है। उसमें और इसमें किसी प्रकार की कोई शब्दावली में अन्तर नहीं है।... (व्यवधान) इसलिए मैं आश्चर्य करती हूँ कि राज्यों के अधिकारों में हम कोई हस्तक्षेप नहीं करने वाले हैं।... (व्यवधान)

DR. M. THAMBIDURAI: It is a very important matter. You are telling that in the case of Scheduled Castes and Scheduled Tribes Commission, you are consulting the Governor. What you are telling is correct. But our experience is that whenever the State Government recommends for inclusion of some castes in Scheduled Castes or Scheduled Tribes list, it is not at all accepted. Then what is the use of consulting the Governor? You give the power to the State Government to do that. You clarify that. The case of Scheduled Castes and Scheduled Tribes Commission is different. Now, you are making a new law. Based on the experience we are telling that we are suffering. That is why we want a clarification. You say that Governor means 'State Government consultation'. If you give that assurance then it would be alright. We are not opposing that.

श्री थावर चंद गहलोत : अध्यक्ष महोदया, मैं फिर इस बात को दोहराता हूँ कि गवर्नर की राय राज्य सरकार का परामर्श ही होगा। अभी तक एस.सी./एस.टी. आयोग में भी राज्य सरकार से ही प्रस्ताव आते हैं और राज्य सरकारों के प्रस्तावों को ही हम आर.जी.आई. और एस.सी./एस.टी. कमीशन के पास भेजते हैं। यही प्रक्रिया है, हम जब नियम बनाएंगे तो नियमों में उनका उल्लेख करेंगे, मैं फिर निवेदन करना चाहता हूँ कि इस पर किसी प्रकार की कोई शंका-कशंका नहीं रहनी चाहिए। शंका-कशंका को दूर करने की मैं प्रार्थना करता हूँ।

इसेक साथ ही साथ, जातियों में कोई घट-बढ़ या कोई और गड़बड़ी नहीं हो, इसलिए हम अनुच्छेद-366 में जो परिभाषाएँ हैं, उसमें '26(सी)' एक नया वर्तोज डाल दे दें। वर्तमान में जो ओ.बी.सी. जातियाँ हैं, वे और 'मंडल कमीशन' के आधार पर उनका जो बंकाउण्ड है, वह सारा रिकॉर्ड में दर्ज होगा और भविष्य में विचार होगा तो उसी आधार पर होगा। अब रहा सवाल कि राज्य में ओ.बी.सी. की सूची कसी होगी तो यह राज्य का आयोग और राज्य की सरकार के अधिकार क्षेत्र का है। उसमें हमारा किसी प्रकार का कोई हस्तक्षेप नहीं होगा और न ही हम केंद्र की सूची में अगर राज्य कोई जाति सम्मिलित करना चाहता है तो जो प्रक्रिया एस.सी./एस.टी. आयोग में है कि राज्य सरकार हमें प्रस्ताव भेजगी और जो एस.सी./एस.टी. आयोग की कार्य-प्रक्रिया है, उसी के आधार पर उस पर कार्यवाई करके जोड़ने और घटाने का बिल संसद में लाएंगे। संसद सर्वोपरि है और संसद से जो निर्णय होगा, उस पर हम अमल करेंगे। हमें हमारे अधिकारों को कम करने का काम किया है, हम हमारे स्वार्थ को या सरकारी पक्ष को मजबूत करने के लिए यह नहीं कर रहे हैं। अभी तक प्रणाली यह थी कि ओ.बी.सी. कमीशन अगर कोई रिकॉमंडेशन करता था तो भारत सरकार सीधा उस पर 'यस ऑर नो' कर सकती थी। परन्तु, अब भारत की सरकार यह नहीं करेगी, अब यह संसद करेगी। इस का मतलब यह है कि सही निर्णय होगा। सरकार और आयोग 'कलड़ी में गड़ फोड़' कुछ भी कर लेंगे, ऐसा जो अधिकार था, वह अब नहीं रहेगा। संसद उस पर कार्यवाई करेगी।... (व्यवधान)

जहां तक औपसी साहब ने कहा कि... (व्यवधान) क्या आप मुस्लिमों को ओ.बी.सी. में आरक्षण देंगे? अनेक राज्यों में मुस्लिमों को भी ओ.बी.सी. की सूची में दर्ज कर रखा है, तमिलनाडु में भी है और अन्य कई राज्यों में भी है।... (व्यवधान) जिन राज्यों में यह व्यवस्था पहले से है, उनमें हम कोई हस्तक्षेप करने वाले नहीं हैं, यहाँ मैंने पहले भी बताया है।... (व्यवधान) मैं इन सब बातों का निवेदन करते हुए प्रार्थना करता हूँ कि इस ऐतिहासिक संविधान संशोधन विधेयक को पारित किया जाए।... (व्यवधान)

HON. SPEAKER: Hon. Members, Before I put the motion for consideration to the vote of the House, I may inform the House that this being a Constitution (Amendment) Bill, voting has to be by division. So, let the lobbies be cleared.

Now, the Lobbies have been cleared.

First, we will take up Item No. 18 – the National Commission for Backward Classes (Repeal) Bill.

The question is:

"That the Bill to repeal the National Commission for Backward Classes Act, 1993 be taken into consideration."

The motion was adopted.

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

The question is:

"That clause 2 stands part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1, the Enacting formula, the Preamble and the Long Title were added to the Bill.

सामाजिक न्याय और अधिकारिता मंत्री: महोदया, मैं प्रस्ताव करता हूँ:-

"कि विधेयक को पारित किया जाए।"

HON. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

HON. SPEAKER: The House will, now, take up Item No. 19 – the Constitution (One Hundred and Twenty-Third Amendment) Bill.

The Lobbies are already cleared.

Now, Secretary-General to read the instructions.

SECRETARY-GENERAL: Kind attention of the hon. Members is invited to the following points in the operation of the Automatic Vote Recording System:-

1. Before a Division starts, every hon. Member should occupy his or her own seat and operate the system from that seat only.
2. When the hon. Speaker says "Now Division" the Secretary-General will activate the voting button whereupon "RED BULBS" above display boards on both sides of hon. Speaker's Chair will glow and a GONG sound will be heard simultaneously.
3. For Voting, hon. Members may please press the following two buttons simultaneously "ONLY" after the sound of the first GONG and I repeat only after the sound of the first GONG.

Red "VOTE" button in front of every hon. Member **on the Head of the phone plate**

And

Any one of the following buttons fixed on the top of desk of seat:

Ayes : Green Colour

Noes : Red Colour

Abstain : Yellow Colour

4. It is essential to keep both the buttons pressed till another **GONG** is heard and the **RED BULBS** above plasma display are "**OFF**".

5. Hon. Members may please note that their votes will be not be registered:

(i) if buttons are kept pressed **before** the first **GONG** sound.

(ii) Both buttons are not kept simultaneously pressed till the second **GONG** is sounded.

6. Hon. Members can actually "**SEE**" their vote on display boards installed on either side of hon. Speaker's Chair.

7. In case the vote is not registered, they may call for voting through slips.

Shri Gurjeet Singh Aunjla, a new elected Member has not been allotted Division number so far. He will be supplied "Ayes" and "Noes" printed slips for recording his vote. He may kindly record vote by his office choice by signing and writing legibly his name, ID number and constituency on the slip.

श्री तारिक अनवर (कटिहार): अध्यक्ष जी, प्रधान मंत्री जी सदन में उपस्थित नहीं हैं, क्या इस संविधान संशोधन में उनकी दिलचस्पी नहीं है?

विदेश मंत्री (श्रीमती सुषमा स्वराज): अध्यक्ष जी, एक सवाल उन्होंने उठाया है कि प्रधान मंत्री जी नहीं हैं, मैं बता दूँ कि आज आस्ट्रेलिया के प्रधानमंत्री भारत की यात्रा पर हैं।

माननीय अध्यक्ष: यह उनको भी मालूम है।

श्रीमती सुषमा स्वराज: वह उनके साथ हैं, इसलिए वह नहीं आ पा रहे हैं। ... (व्यवधान)

HON. SPEAKER: The question is:

"That the Bill further to amend the Constitution of India be taken into consideration."

The Lok Sabha divided.

DIVISION NO. 1 AYES 18.24 hours

Advani, Shri L.K.

Agrawal, Shri Rajendra

Ahir, Shri Hansraj Gangaram

Ahluwalia, Shri S.S.

Ajmal, Shri Badruddin

Amarappa, Shri Karadi Sanganna

Ananthkumar, Shri

Angadi, Shri Suresh C.

Anwar, Shri Tariq

@Aujla, Shri Gurjeet Singh

Azad, Shri Kirti

Babu, Dr. Ravindra

Badal, Shrimati Harsimrat Kaur

Baheria, Shri Subhash Chandra

Bais, Shri Ramesh

Baker, Shri George

Bala, Shrimati Anju

@Banerjee, Shri Kalyan

Barne, Shri Shrirang Appa

Bhabhor, Shri Jasvantsinh Sumanbhai

Bhagat, Shri Bodh Singh

Bhagat, Shri Sudarshan

Bhamre, Dr. Subhash Ramrao

Bharti, Sushri Uma

Bhatt, Shrimati Ranjanben

Bhole, Shri Devendra Singh

Bidhuri, Shri Ramesh

Biju, Shri P. K.

Birla, Shri Om

Bohra, Shri Ramcharan

Brahmpura, Shri Ranjit Singh

Chand, Shri Nihal

Chandel, Kunwar Pushpendra Singh

Chandrappa, Shri B. N.

Chaudhary, Shri C. R.

Chaudhary, Shri Haribhai

Chaudhary, Shri P.P.

Chaudhary, Shri Pankaj

Chaudhary, Shri Ram Tahal

Chaudhary, Shri Santokh Singh

Chaudhury, Shri Jitendra

Chauhan, Shri Devusinh

Chauhan, Shri P. P.

Chavan, Shri Harishchandra

Chavda, Shri Vinod Lakhmashi

Chewang, Shri Thupstan

@Chhotelal, Shri

Choubey, Shri Ashwini Kumar

Choudhary, Col. Sonaram

Choudhary, Shri Babulal

Choudhary, Shri Birendra Kumar

Chouhan, Shri Nandkumar Singh

Chowdhury, Shri Adhir Ranjan

Chudasama, Shri Rajeshbhai

Darve, Shri Raosaheb Patil

@Dastidar, Dr. Kakoli Ghosh

Datta, Shri Sankar Prasad

Dattatreya, Shri Bandaru
Deka, Shri Ramen
Deo, Shri Arka Keshari
@Dev, Kumari Sushmita
Devi, Shrimati Rama
Devi, Shrimati Veena
Dharambir, Shri
Dhotre, Shri Sanjay
Dhruvanarayana, Shri R.
Dhurve, Shrimati Jyoti
Dohre, Shri Ashok Kumar
Diwakar, Shri Rajesh Kumar
Dubey, Shri Nishikant
Dubey, Shri Satish Chandra
Dwivedi, Shri Harishchandra alias Harish
Engti, Shri Biren Singh
Ering, Shri Ninong
Fatepara, Shri Devjibhai G.
Gaddigoudar, Shri P.C.
Gadkari, Shri Nitin
Gaikwad, Dr. Sunil Baliram
Galla, Shri Jayadev
Gandhi, Shri Dilipkumar Mansukhlal
Gandhi, Shri Rahul
Gandhi, Shrimati Maneka Sanjay
Gandhi, Shrimati Sonia
Gangwar, Shri Santosh Kumar
Gautam, Shri Satish Kumar
Gavit, Dr. Heena Vijaykumar
Ghubaya, Shri Sher Singh
Giluwa, Shri Laxman
Girri, Shri Maheish
Gogoi, Shri Gaurav
Gohain, Shri Rajen
Goud, Dr. Boora Narsaiah
Gowda, Shri D.V. Sadananda
Gowda, Shri S.P. Muddahanume
Gupta, Shri Shyama Charan
Gupta, Shri Sudheer
Gurjar, Shri Krishanpal
Haribabu, Dr. Kambhampati

Hay, Prof. Richard
Hegde, Shri Anantkumar
Hemamalini, Shrimati
Hikaka, Shri Jhina
Innocent, Shri
Jadhav, Shri Prataprao
Jaiswal, Dr. Sanjay
Jardosh, Shrimati Darshana Vikram
Jat, Prof. Sanwar Lal
Jaunapuria, Shri Sukhbir Singh
Jayavardhan, Dr. J.
Jena, Shri Rabindra Kumar
Jigajinagi, Shri Ramesh
Joshi, Dr. Murli Manohar
Joshi, Shri Chandra Prakash
Joshi, Shri Pralhad
Jyoti, Sadhvi Niranjana
Kachhadia, Shri Naranbhai
Kaiser, Choudhary Mehboob Ali
Kalvakuntla, Shrimati Kavitha
Kamaraj, Dr. K.
Karandlaje, Kumari Shobha
Kashyap, Shri Dinesh
Kashyap, Shri Virender
Kaswan, Shri Rahul
Kataria, Shri Rattan Lal
Kateel, Shri Nalin Kumar
Katheria, Dr. Ramshankar
Kaushik, Shri Ramesh Chander
Khadse, Shrimati Rakshatai
Khan, Shri Md. Badaruddoza
Kharge, Shri Mallikarjun
Kher, Shrimati Kirron
Khuba, Shri Bhagwanth
Kinjarapu, Shri Ram Mohan Naidu
Kishore, Shri Jugal
Koli, Shri Bahadur Singh
Koshiyari, Shri Bhagat Singh
Kristappa, Shri N.
Kulaste, Shri Faggan Singh
Kumar, Dr. Arun

Kumar, Dr. Virendra
Kumar, Kunwar Sarvesh
Kumar, Shri Ashwini
Kumar, Shri B. Vinod
Kumar, Shri Dharmendra
Kundariya, Shri Mohanbhai Kalyanjibhai
Kushawaha, Shri Ravinder
Kushwaha, Shri Upendra
Laguri, Shrimati Sakuntala
Lakhanpal, Shri Raghav
Lekhi, Shrimati Meenakashi
Maadam, Shrimati Poonamben
Mahadik, Shri Dhananjay
Mahajan, Shrimati Poonam
Maharaj, Dr. Swami Sakshiji
Mahato, Dr. Banshilal
Mahato, Shri Bidyut Baran
Mahendran, Shri C.
Malviya, Prof. Chintamani
Manjhi, Shri Hari
Maragatham, Shrimati K.
Meena, Shri Arjun Lal
Meena, Shri Harish
Meghwal, Shri Arjun Ram
Meinya, Dr. Thokchom
Mishra, Shri Anoop
Mishra, Shri Bhairon Prasad
Mishra, Shri Daddan
Mishra, Shri Janardan
Mishra, Shri Kalraj
Mohan, Shri M. Murli
Mohan, Shri P.C.
Mohapatra, Dr. Sidhant
Moily, Shri M. Veerappa
Mukherjee, Shri Abhijit
Munda, Shri Karia
Munde, Dr. Pritam Gopinath
Muniyappa, Shri K.H.
Nagar, Shri Rodmal
Nagesh, Shri Godam
Naik, Prof. A.S.R.

Naik, Shri Shripad Yesso
Narasimham, Shri Thota
Ninama, Shri Manshankar
Nishad, Shri Ajay
Nishad, Shri Ram Charitra
Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

Paatle, Shrimati Kamla
Panda, Shri Baijayant Jay
Pandey, Dr. Mahendra Nath
Pandey, Shri Rajesh
Pandey, Shri Ravindra Kumar
Paswan, Shri Chirag
Paswan, Shri Kamlesh
Paswan, Shri Ram Chandra
Paswan, Shri Ramvilas
Patasani, Shri Prasanna Kumar
Patel, Dr. K. C.
Patel, Shri Devji M.
Patel, Shri Dilip
Patel, Shri Lalubhai Babubhai
Patel, Shri Natubhai Gomanbhai
Patel, Shri Prahlad Singh
Patel, Shri Subhash
Patel, Shrimati Anupriya
Patel, Shrimati Jayshreeben
Pathak, Shrimati Riti
Patil, Shri A.T. Nana
Patil, Shri Bheemrao B.
Patil, Shri C. R.
Patil, Shri Kapil Moreshwar
Patil, Shri Sanjay Kaka
Patole, Shri Nana
Phule, Sadhvi Savitri Bai
@Poddar, Shrimati Aparupa
Pradhan, Shri Nagendra Kumar
Prasad, Dr. Bhagirath
Pratap, Shri Krishan
Premachandran, Shri N.K.
Radadiya, Shri Vithalbhai Hansrajbhai

Radhakrishnan, Shri Pon
Raghavan, Shri M.K.
Rai, Shri Nityanand
Rai, Shri Prem Das
Raj, Shrimati Krishna
[@Raajhaa](#), Shri A. Anwhar
Rajbhar, Shri Harinarayan
Rajesh, Shri M. B.
Rajoria, Dr. Manoj
Raju, Shri Ashok Gajapathi
Raju, Shri Gokaraju Ganga
Ram, Shri Janak
Ram, Shri Vishnu Dayal
[@Ramachandran](#), Shri K. N.
Ramachandran, Shri Mullappally
Ramadoss, Dr. Anbumani
Rathod, Shri D.S.
Rathore (Retd.), Col. Rajyavardhan
Rathore, Shri Hariom Singh
Rathwa, Shri Ramsinh
Raut, Shri Vinayak Bhaurao
Raval, Shri Paresh
Rawat, Shrimati Priyanka Singh
Ray, Shri Bishnu Pada
[@Ray](#), Shri Partha Pratim
Ray, Shri Ravindra Kumar
Reddy, Shri J.C. Divakar
Reddy, Shri Mekapati Raja Mohan
Rudy, Shri Rajiv Pratap
Sahu, Shri Chandulal
Sahu, Shri Lakhan Lal
Sai, Shri Vishnu Dev
Saini, Shri Rajkumar
Salim, Shri Mohammad
Samal, Dr. Kulmani
Sampla, Shri Vijay
Sampath, Dr. A.
Sanjar, Shri Alok
Sarmah, Shri Ram Prasad
Sarswati, Shri Sumedhanand
Satav, Shri Rajeev

[@Sathyabama](#), Shrimati V.

Satpathy, Shri Tathagata

Sawaikar, Adv. Narendra Keshav

Sawant, Shri Arvind

Shah, Shrimati Mala Rajyalakshmi

Shankarrao, Shri Mohite Patil Vijaysinh

Sharma, Shri Ram Kumar

Sharma, Shri Ram Swaroop

Shekhawat, Shri Gajendra Singh

Shetty, Shri Gopal

Shetty, Shri Raju

Shewale, Shri Rahul

Shinde, Dr. Shrikant Eknath

Shirole, Shri Anil

Shivajirao, Shri Adhalrao Patil

Shyal, Dr. Bhartiben D.

Siddeshwara, Shri G. M.

Sigriwal, Shri Janardan Singh

Simha, Shri Pratap

Singh, Dr. Jitendra

[@Singh](#), Dr. Nepal

Singh, Dr. Prabhas Kumar

Singh, Dr. Satya Pal

Singh, Dr. Yashwant

Singh (Retd), Gen. Vijay Kumar

Singh, Kunwar Bharatendra

Singh, Kunwar Haribansh

Singh, Rao Inderjit

Singh, Shri Abhishek

[@Singh](#), Shri Bharat

Singh, Shri Bhola

Singh, Shri Brijbhushan Sharan

Singh, Shri Dushyant

Singh, Shri Ganesh

Singh, Shri Giriraj

Singh, Shri Kirti Vardhan

Singh, Shri Lallu

Singh, Shri Nagendra

Singh, Shri Pashupati Nath

Singh, Shri R. K.

Singh, Shri Radha Mohan
Singh, Shri Rajnath
Singh (Raju Bhaiya), Shri Rajveer
Singh, Shri Rakesh
Singh, Shri Rama Kishore
Singh, Shri Ravneet
Singh, Shri Satyapal
Singh, Shri Sunil Kumar
Singh, Shri Sushil Kumar
Singh, Shri Uday Pratap
Singh, Shri Virendra
Singh, Shrimati Pratyusha Rajeshwari
Sinha, Shri Jayant
Sinha, Shri Manoj
Sinha, Shri Shatrughan
Solanki, Dr. Kirit P.
Somaiya, Dr. Kirit
Sonkar, Shri Vinod Kumar
Sonker, Shrimati Neelam
Sriram, Shri Malyadri
Supriyo, Shri Babul
Suresh, Shri D.K.
Swain, Shri Ladu Kishore
Swaraj, Shrimati Sushma
Tadas, Shri Ramdas C.
Tamta, Shri Ajay
Tanwar, Shri Kanwar Singh
Tarai, Shrimati Rita
Tasa, Shri Kamakhya Prasad
Teacher, Shrimati P.K. Shreemathi
Teli, Shri Rameshwar
Teni, Shri Ajay Misra
Thakur, Shri Anurag Singh
Thakur, Shrimati Savitri
Thambidurai, Dr. M.
Tharoor, Dr. Shashi
Thomas, Prof. K.V.
Tomar, Shri Narendra Singh
Tripathi, Shri Sharad
[@Trivedi](#), Shri Dinesh
Udasi, Shri Shivkumar

Udhayakumar, Shri M.
Usendi, Shri Vikram
Utawal, Shri Manohar
@Vaghela, Shri L. K.
Vardhan, Dr. Harsh
Vasava, Shri Parbhubhai Nagarbhai
Venugopal, Shri K. C.
Verma, Dr. Anshul
Verma, Shri Bhanu Pratap Singh
Verma, Shri Rajesh
Verma, Shrimati Rekha
Vichare, Shri Rajan
Wanga, Shri Chintaman Navasha
Yadav, Shri Dharmendra
Yadav, Shri Hukmdeo Narayan
Yadav, Shri Jai Prakash Narayan
Yadav, Shri Laxmi Narayan
Yadav, Shri Om Prakash
Yadav, Shri Ram Kripal

NOES

Elumalai, Shri V.
Singh, Dr. Bhola

HON. SPEAKER: Subject to correction*, the result of the Division is:

Ayes: -- 345

Noes: -- 004

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

The motion was adopted.

Clause 2 Amendment of section 338

HON. SPEAKER: Before I put clause 2 to the vote of the House, I would like to say that this being a Constitution (Amendment) Bill, voting has to be by Division. The Lobbies have already been cleared. I shall now put clause 2 to the vote of the House.

The question is:

"That Clause 2 stands part of the Bill."

The Lok Sabha divided.

DIVISION NO. 2 AYES 18.26 hours

Advani, Shri L.K.
Agrawal, Shri Rajendra
Ahir, Shri Hansraj Gangaram
Ahluwalia, Shri S.S.

Ajmal, Shri Sirajuddin
Amarappa , Shri Karadi Sanganna
Ananthkumar, Shri
Angadi, Shri Suresh C.
Anwar, Shri Tariq
[@Aujla](#), Shri Gurjeet Singh
Azad, Shri Kirti
Babu, Dr. Ravindra
Badal, Shrimati Harsimrat Kaur
Baheria, Shri Subhash Chandra
Bais, Shri Ramesh
Baker, Shri George
Bala, Shrimati Anju
Banerjee, Shri Kalyan
Barne, Shri Shrirang Appa
Bhabhor, Shri Jasvantsinh Sumanbhai
Bhagat, Shri Bodh Singh
Bhagat, Shri Sudarshan
Bhamre, Dr. Subhash Ramrao
Bharti, Sushri Uma
Bhatt, Shrimati Ranjanben
Bhole, Shri Devendra Singh
Bidhuri, Shri Ramesh
Biju, Shri P. K.
[@Birla](#), Shri Om
Bohra, Shri Ramcharan
Brahmpura, Shri Ranjit Singh
Chand, Shri Nihal
Chandel, Kunwar Pushpendra Singh
Chandrappa, Shri B. N.
Chaudhary, Shri C. R.
Chaudhary, Shri Haribhai
Chaudhary, Shri P.P.
Chaudhary, Shri Pankaj
Chaudhary, Shri Ram Tahal
Chaudhary, Shri Santokh Singh
Chaudhury, Shri Jitendra
Chauhan, Shri Devusinh
Chauhan, Shri P. P.
Chavan, Shri Harishchandra

Chavda, Shri Vinod Lakhmashi
Chhewang, Shri Thupstan
Chhotelal, Shri
Choubey, Shri Ashwini Kumar
Choudhary, Shri Babulal
Choudhary, Shri Birendra Kumar
Chouhan, Shri Nandkumar Singh
Chowdhury, Shri Adhir Ranjan
Chudasama, Shri Rajeshbhai
Danve, Shri Raosaheb Patil
Dastidar, Dr. Kakoli Ghosh
Datta, Shri Sankar Prasad
Dattatreya, Shri Bandaru
Deka, Shri Ramen
Deo, Shri Arka Keshari
Dev, Kumari Sushmita
Devi, Shrimati Rama
Devi, Shrimati Veena
Dharambir, Shri
Dhotre, Shri Sanjay
Dhruvanarayana, Shri R.
Dhurve, Shrimati Jyoti
Dohre, Shri Ashok Kumar
Diwakar, Shri Rajesh Kumar
Dubey, Shri Nishikant
Dubey, Shri Satish Chandra
Dwivedi, Shri Harishchandra alias Harish
Engti, Shri Biren Singh
Ering, Shri Ninong
Fatepara, Shri Devjibhai G.
Gaddigoudar, Shri P.C.
[@Gadkari](#), Shri Nitin
Gaikwad, Dr. Sunil Baliram
Galla, Shri Jayadev
Gandhi, Shri Dilipkumar Mansukhlal
Gandhi, Shri Rahul
Gandhi, Shrimati Maneka Sanjay
Gandhi, Shrimati Sonia
Gangwar, Shri Santosh Kumar
Gautam, Shri Satish Kumar
Gavit, Dr. Heena Vijaykumar

Ghosh, Shrimati Arpita
Ghubaya, Shri Sher Singh
Giluwa, Shri Laxman
Girri, Shri Maheish
Gogoi, Shri Gaurav
Gohain, Shri Rajen
Gopalakrishnan, Shri C.
Goud, Dr. Boora Narsaiah
Gowda, Shri D.V. Sadananda
Gowda, Shri S.P. Muddahanume
Gupta, Shri Shyama Charan
Gupta, Shri Sudheer
Gurjar, Shri Krishanpal
Haribabu, Dr. Kambhampati
[@Hay](#), Prof. Richard
Hegde, Shri Anantkumar
Hemamalini, Shrimati
Hikaka, Shri Jhina
Innocent, Shri
Jadhav, Shri Prataprao
Jaiswal, Dr. Sanjay
Jardosh, Shrimati Darshana Vikram
Jat, Prof. Sanwar Lal
Jaunapuria, Shri Sukhbir Singh
Jayavardhan, Dr. J.
Jena, Shri Rabindra Kumar
Jigajinagi, Shri Ramesh
Joshi, Dr. Murli Manohar
Joshi, Shri Chandra Prakash
Joshi, Shri Pralhad
Jyoti, Sadhvi Niranjan
Kachhadia, Shri Naranbhai
Kaiser, Choudhary Mehboob Ali
Kalvakuntla, Shrimati Kavitha
Karandlaje, Kumari Shobha
Karunakaran, Shri P.
Kashyap, Shri Dinesh
Kashyap, Shri Virender
Kaswan, Shri Rahul
Kataria, Shri Rattan Lal
Kateel, Shri Nalin Kumar

Katheria, Dr. Ramshankar
Kaushik, Shri Ramesh Chander
Khadse, Shrimati Rakshatai
Khan, Shri Md. Badaruddoza
Kharge, Shri Mallikarjun
Kher, Shrimati Kirron
Khuba, Shri Bhagwanth
Kinjarapu, Shri Ram Mohan Naidu
Kishore, Shri Jugal
Kirtikar, Shri Gajanan
Koli, Shri Bahadur Singh
Koshiyari, Shri Bhagat Singh
Kristappa, Shri N.
Kulaste, Shri Faggan Singh
Kumar, Dr. Arun
Kumar, Dr. Virendra
Kumar, Kunwar Sarvesh
Kumar, Shri Ashwini
Kumar, Shri Dharmendra
Kumar, Shri Kaushalendra
Kundariya, Shri Mohanbhai Kalyanjibhai
Kushawaha, Shri Ravinder
Kushwaha, Shri Upendra
Lakhanpal, Shri Raghav
Lekhi, Shrimati Meenakashi
Maadam, Shrimati Poonamben
Mahadik, Shri Dhananjay
Mahajan, Shrimati Poonam
Maharaj, Dr. Swami Sakshiji
Mahato, Dr. Banshilal
Mahato, Shri Bidyut Baran
Mahtab, Shri Bhartruhari
Mahendran, Shri C.
Malviya, Prof. Chintamani
Manjhi, Shri Hari
Maragatham, Shrimati K.
Meena, Shri Arjun Lal
Meena, Shri Harish
Meghwal, Shri Arjun Ram
Meinya, Dr. Thokchom
Mishra, Shri Anoop

Mishra, Shri Bhairon Prasad

Mishra, Shri Daddan

Mishra, Shri Janardan

Mishra, Shri Kalraj

Mohan, Shri M. Murli

Mohan, Shri P.C.

Mohapatra, Dr. Sidhant

Moily, Shri M. Veerappa

Mukherjee, Shri Abhijit

Munda, Shri Karia

Munde, Dr. Pritam Gopinath

Muniyappa, Shri K.H.

Nagar, Shri Rodmal

Nagesh, Shri Godam

Naik, Shri Shripad Yesso

Narasimham, Shri Thota

Ninama, Shri Manshankar

Nishad, Shri Ajay

Nishad, Shri Ram Charitra

Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

Paatile, Shrimati Kamla

Panda, Shri Baijayant Jay

Pandey, Dr. Mahendra Nath

Pandey, Shri Rajesh

Pandey, Shri Ravindra Kumar

Paswan, Shri Chirag

Paswan, Shri Kamlesh

Paswan, Shri Ram Chandra

Paswan, Shri Ramvilas

Patasani, Shri Prasanna Kumar

Patel, Dr. K. C.

Patel, Shri Devji M.

Patel, Shri Dilip

Patel, Shri Lalubhai Babubhai

Patel, Shri Natubhai Gomanbhai

Patel, Shri Prahlad Singh

Patel, Shri Subhash

Patel, Shrimati Anupriya

Patel, Shrimati Jayshreeben

Pathak, Shrimati Riti
Patil, Shri A.T. Nana
Patil, Shri Bheemrao B.
Patil, Shri C. R.
Patil, Shri Kapil Moreshwar
Patil, Shri Sanjay Kaka
Patole, Shri Nana
Phule, Sadhvi Savitri Bai
Poddar, Shrimati Aparupa
Pradhan, Shri Nagendra Kumar
Prasad, Dr. Bhagirath
Pratap, Shri Krishan
Premachandran, Shri N.K.
Radadiya, Shri Vithalbhai Hansrajbhai
Radhakrishnan, Shri Pon
Raghavan, Shri M.K.
Rai, Shri Nityanand
Rai, Shri Prem Das
Raj, Shrimati Krishna
Raajhaa, Shri A. Anwhar
Rajbhar, Shri Harinarayan
Rajesh, Shri M. B.
Rajoria, Dr. Manoj
Raju, Shri Ashok Gajapathi
Raju, Shri Gokaraju Ganga
Ram, Shri Janak
Ram, Shri Vishnu Dayal
Ramachandran, Shri Mullappally
Ramadoss, Dr. Anbumani
Rathod, Shri D.S.
Rathore (Retd.), Col. Rajyavardhan
Rathore, Shri Hariom Singh
Rathwa, Shri Ramsinh
Raut, Shri Vinayak Bhaurao
Raval, Shri Paresh
Rawat, Shrimati Priyanka Singh
Ray, Shri Bishnu Pada
Ray, Shri Ravindra Kumar
Reddy, Shri J.C. Divakar
Reddy, Shri Konda Vishweshwar
Reddy, Shri Mekapati Raja Mohan

Rudy, Shri Rajiv Pratap
Sahu, Shri Chandulal
Sahu, Shri Lakhan Lal
Sai, Shri Vishnu Dev
Saini, Shri Rajkumar
Salim, Shri Mohammad
Sampla, Shri Vijay
Sampath, Dr. A.
Sanjar, Shri Alok
Sarmah, Shri Ram Prasad
Sarswati, Shri Sumedhanand
Satav, Shri Rajeev
@Sathyabama, Shrimati V.
Satpathy, Shri Tathagata
Sawaikar, Adv. Narendra Keshav
Sawant, Shri Arvind
Shah, Shrimati Mala Rajyalakshmi
Shankarrao, Shri Mohite Patil Vijaysinh
Sharma, Shri Ram Kumar
Sharma, Shri Ram Swaroop
Shekhawat, Shri Gajendra Singh
Shetty, Shri Gopal
Shetty, Shri Raju
Shewale, Shri Rahul
Shinde, Dr. Shrikant Eknath
Shirole, Shri Anil
Shivajirao, Shri Adhalrao Patil
Shyal, Dr. Bhartiben D.
Siddeshwara, Shri G. M.
Sigriwal, Shri Janardan Singh
Simha, Shri Pratap
Singh, Dr. Jitendra
@Singh, Dr. Nepal
@Singh, Dr. Prabhas Kumar
Singh, Dr. Satya Pal
Singh, Dr. Yashwant
Singh (Retd), Gen. Vijay Kumar
Singh, Kunwar Bharatendra
Singh, Kunwar Haribansh
Singh, Rao Inderjit
Singh, Shri Abhishek

[@Singh, Shri Bharat](#)

Singh, Shri Bhola

Singh, Shri Brijbhushan Sharan

Singh, Shri Dushyant

Singh, Shri Ganesh

Singh, Shri Giriraj

Singh, Shri Kirti Vardhan

Singh, Shri Lallu

Singh, Shri Nagendra

Singh, Shri Pashupati Nath

Singh, Shri R. K.

Singh, Shri Radha Mohan

Singh, Shri Rajnath

Singh (Raju Bhaiya), Shri Rajveer

Singh, Shri Rakesh

Singh, Shri Rama Kishore

Singh, Shri Ravneet

Singh, Shri Satyapal

Singh, Shri Sunil Kumar

Singh, Shri Sushil Kumar

Singh, Shri Uday Pratap

Singh, Shri Virendra

Singh, Shrimati Pratyusha Rajeshwari

Sinha, Shri Jayant

Sinha, Shri Manoj

Sinha, Shri Shatrughan

Solanki, Dr. Kirit P.

Somaiya, Dr. Kirit

Sonkar, Shri Vinod Kumar

Sonker, Shrimati Neelam

Sriram, Shri Malyadri

Supriyo, Shri Babul

Suresh, Shri D.K.

Swain, Shri Ladu Kishore

Swaraj, Shrimati Sushma

Tadas, Shri Ramdas C.

Tamta, Shri Ajay

Tanwar, Shri Kanwar Singh

Tasa, Shri Kamakhya Prasad

Teacher, Shrimati P.K. Shreemathi

Teli, Shri Rameshwar
Teni, Shri Ajay Misra
Thakur, Shri Anurag Singh
Thakur, Shrimati Savitri
Thambidurai, Dr. M.
Tharoor, Dr. Shashi
Thomas, Prof. K.V.
Tomar, Shri Narendra Singh
Tripathi, Shri Sharad
Trivedi, Shri Dinesh
Udasi, Shri Shivkumar
Udhayakumar, Shri M.
Usendi, Shri Vikram
Utawal, Shri Manohar
Vanaroja, Shrimati R.
Vardhan, Dr. Harsh
Vasava, Shri Parbhubhai Nagarbhai
Velagapalli, Shri Varaprasad Rao
Venugopal, Shri K. C.
Verma, Dr. Anshul
Verma, Shri Bhanu Pratap Singh
Verma, Shri Rajesh
Verma, Shrimati Rekha
Vichare, Shri Rajan
Wanga, Shri Chintaman Navasha
Yadav, Shri Dharmendra
Yadav, Shri Hukmdeo Narayan
Yadav, Shri Jai Prakash Narayan
Yadav, Shri Laxmi Narayan
Yadav, Shri Om Prakash
Yadav, Shri Ram Kripal

NOES

Naik, Prof. A.S.R.

HON. SPEAKER: Subject to correction¹, the result of the Division is:

Ayes: 352

Noes: 001

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 Insertion of new article 338 B

HON. SPEAKER: There are eight Amendments to Clause 3. Shri Rajeev Satav ji, are you moving your Amendment No. 1 to Clause 3?

SHRI RAJEEV SATAV (HINGOLI): I beg to move:

"Page 2, after line 9 insert,-

"Provided that at least one Member of the Commission shall be a woman;
Provided further that no post of a Member, including that of a Secretary and Staff of the Commission, shall lie vacant for more than ninety days." (1)

At least, one Member of this Commission should be a woman. That is the amendment. I request the Government to accept this Amendment.

श्री थावर चंद गहलोत : अध्यक्ष महोदया, मैं सदन को आश्चर्य करता हूँ। परम्परा रही है कि पांच सदस्यों में एक महिला सदस्य होती है। जब हम नियम बनाएंगे, तो उसमें उसका उल्लेख करेंगे। उसमें एक महिला सदस्य होगी।

HON. SPEAKER: I shall now put Amendment No. 1 to Clause 3 moved by Shri Rajeev Satav to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: Shri B. Vinod Kumar, are you moving your Amendment No. 7 to Clause 3?

SHRI B. VINOD KUMAR (KARIMNAGAR): Madam, my Amendment is related to the same issue. I requested the hon. Minister to see that, at least, one woman should be the Member.

HON. SPEAKER: Are you moving your Amendment or not?

SHRI B. VINOD KUMAR: I hope that the hon. Minister can accept this Amendment now.

श्री थावर चंद गहलोत : मैं फिर से आश्चर्य करता हूँ कि जब इससे संबंधित नियम बनाएंगे, तो उसमें उल्लेख करेंगे। उसमें महिला सदस्य होगी।

SHRI B. VINOD KUMAR: Thank you. I am not moving my Amendment.

HON. SPEAKER: Shri K.C. Venugopal, are you moving your Amendment No.8 to Clause 3?

SHRI K.C. VENUGOPAL (ALAPPUZHA): Madam Speaker, I beg to move:

"Page 2, line 5,-
after "three other Members"
insert ", of which one Member shall be a
woman," (8)

There are five Members in the Committee including Chairman and Vice-Chairman. Out of other three members, one Member should be a woman.

HON. SPEAKER: I shall now put Amendment No. 8 moved by Shri K.C. Venugopal to the vote of the House.

SHRI K.C. VENUGOPAL: Madam, I want Division....(*Interruptions*)

HON. SPEAKER: The Lobbies have already been cleared.

The question is:

"Page 2, line 5,-
after "three other Members"
insert ", of which one Member shall be a
woman," (8)

The Lok Sabha divided.

Anwar, Shri Tariq
@Aujla, Shri Gurjeet Singh
Biju, Shri P. K.
Chandrappa, Shri B. N.
Chaudhary, Shri Santokh Singh
Chaudhury, Shri Jitendra
Chowdhury, Shri Adhir Ranjan
Datta, Shri Sankar Prasad
Deo, Shri Arka Keshari
Dev, Kumari Sushmita
Dhruvanarayana, Shri R.
Engti, Shri Biren Singh
Ering, Shri Ninong
Gandhi, Shri Rahul
Gandhi, Shrimati Sonia
Gogoi, Shri Gaurav
Gowda, Shri S.P. Muddahanume
Hikaka, Shri Jhina
Innocent, Shri
Jena, Shri Rabindra Kumar
Khan, Shri Md. Badaruddoza
Kharge, Shri Mallikarjun
Kirtikar, Shri Gajanan
Laguri, Shrimati Sakuntala
Mahadik, Shri Dhananjay
Mahtab, Shri Bhartruhari
Meinya, Dr. Thokchom
Mohapatra, Dr. Sidhant
Moily, Shri M. Veerappa
Mukherjee, Shri Abhijit
Muniyappa, Shri K.H.
Panda, Shri Baijayant Jay
Patasani, Shri Prasanna Kumar
Pradhan, Shri Nagendra Kumar
Premachandran, Shri N.K.
Raghavan, Shri M.K.
Rajesh, Shri M. B.
Ramachandran, Shri Mullappally
Salim, Shri Mohammad
Samal, Dr. Kulmani
Sampath, Dr. A.

Satav, Shri Rajeev
Satpathy, Shri Tathagata
Singh, Dr. Prabhas Kumar
Singh, Kunwar Haribansh
Singh, Shri Ravneet
Singh, Shrimati Pratyusha Rajeshwari
Suresh, Shri D.K.
Swain, Shri Ladu Kishore
Tarai, Shrimati Rita
Teacher, Shrimati P.K. Shreemathi
Tharoor, Dr. Shashi
Thomas, Prof. K.V.
Velagapalli, Shri Varaprasad Rao
Venugopal, Shri K. C.
Yadav, Shri Jai Prakash Narayan

NOES

[@Advani, Shri L.K.](#)
Agrawal, Shri Rajendra
Ahir, Shri Hansraj Gangaram
Ahluwalia, Shri S.S.
Amarappa , Shri Karadi Sanganna
Ananthkumar, Shri
Angadi, Shri Suresh C.
Azad, Shri Kirti
Babu, Dr. Ravindra
Badal, Shrimati Harsimrat Kaur
Baheria, Shri Subhash Chandra
Bais, Shri Ramesh
Baker, Shri George
Bala, Shrimati Anju
Barne, Shri Shrirang Appa
Bhabhor, Shri Jsvantsinh Sumanbhai
Bhagat, Shri Bodh Singh
Bhagat, Shri Sudarshan
Bhamre, Dr. Subhash Ramrao
Bharti, Sushri Uma
Bhatt, Shrimati Ranjanben
Bhole, Shri Devendra Singh
Bidhuri, Shri Ramesh

Birla, Shri Om
Bohra, Shri Ramcharan
Brahmpura, Shri Ranjit Singh
Chand, Shri Nihal
Chandel, Kunwar Pushpendra Singh
Chaudhary, Shri C. R.
Chaudhary, Shri Haribhai
Chaudhary, Shri P.P.
Chaudhary, Shri Pankaj
Chaudhary, Shri Ram Tahal
Chauhan, Shri Devusinh
Chauhan, Shri P. P.
Chavan, Shri Harishchandra
Chavda, Shri Vinod Lakhmashi
Chhewang, Shri Thupstan
Chhotelal, Shri
Choubey, Shri Ashwini Kumar
Choudhary, Shri Babulal
Choudhary, Shri Birendra Kumar
Chouhan, Shri Nandkumar Singh
Chudasama, Shri Rajeshbhai
Danve, Shri Raosaheb Patil
Dattatreya, Shri Bandaru
Deka, Shri Ramen
Devi, Shrimati Rama
Devi, Shrimati Veena
Dharambir, Shri
Dhotre, Shri Sanjay
Dhurve, Shrimati Jyoti
Dohre, Shri Ashok Kumar
Diwakar, Shri Rajesh Kumar
Dubey, Shri Nishikant
Dubey, Shri Satish Chandra
Dwivedi, Shri Harishchandra alias Harish
Fatepara, Shri Devjibhai G.
Gaddigoudar, Shri P.C.
Gadkari, Shri Nitin
Gaikwad, Dr. Sunil Baliram
Galla, Shri Jayadev
Gandhi, Shri Dilipkumar Mansukhlal
Gandhi, Shrimati Maneka Sanjay

[@Gangwar](#), Shri Santosh Kumar
Gautam, Shri Satish Kumar
Gavit, Dr. Heena Vijaykumar
Ghubaya, Shri Sher Singh
Giluwa, Shri Laxman
Girri, Shri Maheish
Gohain, Shri Rajen
Gowda, Shri D.V. Sadananda
Gupta, Shri Shyama Charan
Gupta, Shri Sudheer
Gurjar, Shri Krishanpal
Haribabu, Dr. Kambhampati
Hay, Prof. Richard
Hegde, Shri Anantkumar
Hemamalini, Shrimati
Jadhav, Shri Prataprao
Jaiswal, Dr. Sanjay
Jardosh, Shrimati Darshana Vikram
Jat, Prof. Sanwar Lal
Jaunapuria, Shri Sukhbir Singh
Jigajinagi, Shri Ramesh
Joshi, Dr. Murli Manohar
Joshi, Shri Chandra Prakash
Joshi, Shri Pralhad
Jyoti, Sadhvi Niranjan
Kachhadia, Shri Naranbhai
Kaiser, Choudhary Mehboob Ali
Karandlaje, Kumari Shobha
Kashyap, Shri Dinesh
Kashyap, Shri Virender
Kaswan, Shri Rahul
Kataria, Shri Rattan Lal
Kateel, Shri Nalin Kumar
Katheria, Dr. Ramshankar
Kaushik, Shri Ramesh Chander
Khadse, Shrimati Rakshatai
Kher, Shrimati Kirron
Khuba, Shri Bhagwanth
Kinjarapu, Shri Ram Mohan Naidu
Kishore, Shri Jugal
Koli, Shri Bahadur Singh

Koshyari, Shri Bhagat Singh
Kulaste, Shri Faggan Singh
Kumar, Dr. Virendra
Kumar, Kunwar Sarvesh
Kumar, Shri Ashwini
Kumar, Shri Dharmendra
Kundariya, Shri Mohanbhai Kalyanjibhai
Kushawaha, Shri Ravinder
Kushwaha, Shri Upendra
Lakhanpal, Shri Raghav
Lekhi, Shrimati Meenakashi
Maadam, Shrimati Poonamben
Mahajan, Shrimati Poonam
Maharaj, Dr. Swami Sakshiji
Mahato, Dr. Banshilal
Mahato, Shri Bidyut Baran
Malviya, Prof. Chintamani
Manjhi, Shri Hari
Meena, Shri Arjun Lal
Meena, Shri Harish
Meghwal, Shri Arjun Ram
Mishra, Shri Anoop
Mishra, Shri Bhairon Prasad
Mishra, Shri Daddan
Mishra, Shri Janardan
Mishra, Shri Kalraj
Mohan, Shri M. Murli
Mohan, Shri P.C.
Munda, Shri Karia
Munde, Dr. Pritam Gopinath
Nagar, Shri Rodmal
Naik, Shri Shripad Yesso
Narasimham, Shri Thota
Ninama, Shri Manshankar
Nishad, Shri Ajay
Nishad, Shri Ram Charitra
Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

Paatle, Shrimati Kamla
Pandey, Dr. Mahendra Nath

Pandey, Shri Rajesh
Pandey, Shri Ravindra Kumar
Paswan, Shri Chirag
Paswan, Shri Kamlesh
Paswan, Shri Ram Chandra
Paswan, Shri Ramvilas
Patel, Dr. K. C.
Patel, Shri Devji M.
Patel, Shri Dilip
Patel, Shri Lalubhai Babubhai
Patel, Shri Natubhai Gomanbhai
Patel, Shri Prahlad Singh
Patel, Shri Subhash
Patel, Shrimati Anupriya
Patel, Shrimati Jayshreeben
Pathak, Shrimati Riti
Patil, Shri A.T. Nana
Patil, Shri C. R.
Patil, Shri Kapil Moreshwar
Patil, Shri Sanjay Kaka
Patole, Shri Nana
Phule, Sadhvi Savitri Bai
Prasad, Dr. Bhagirath
Pratap, Shri Krishan
Radadiya, Shri Vithalbhai Hansrajbhai
Radhakrishnan, Shri Pon
Rai, Shri Nityanand
Rai, Shri Prem Das
Raj, Shrimati Krishna
Rajbhar, Shri Harinarayan
Rajoria, Dr. Manoj
Raju, Shri Ashok Gajapathi
Raju, Shri Gokaraju Ganga
Ram, Shri Janak
Ram, Shri Vishnu Dayal
Rathod, Shri D.S.
Rathore (Retd.), Col. Rajyavardhan
Rathore, Shri Hariom Singh
Rathwa, Shri Ramsinh
Raut, Shri Vinayak Bhaurao
Raval, Shri Paresh

Rawat, Shrimati Priyanka Singh
Ray, Shri Bishnu Pada
Ray, Shri Ravindra Kumar
Reddy, Shri Mekapati Raja Mohan
Rudy, Shri Rajiv Pratap
Sahu, Shri Chandulal
Sahu, Shri Lakhan Lal
Sai, Shri Vishnu Dev
Saini, Shri Rajkumar
Sampla, Shri Vijay
Sanjar, Shri Alok
Sarmah, Shri Ram Prasad
Sarswati, Shri Sumedhanand
Sawaikar, Adv. Narendra Keshav
Sawant, Shri Arvind
Shah, Shrimati Mala Rajyalakshmi
Sharma, Shri Ram Kumar
Sharma, Shri Ram Swaroop
Shekhawat, Shri Gajendra Singh
Shetty, Shri Gopal
Shetty, Shri Raju
Shewale, Shri Rahul
Shinde, Dr. Shrikant Eknath
Shirole, Shri Anil
Shivajirao, Shri Adhalrao Patil
Shyal, Dr. Bhartiben D.
Siddeshwara, Shri G. M.
Sigriwal, Shri Janardan Singh
Simha, Shri Pratap
Singh, Dr. Bhola
Singh, Dr. Jitendra
Singh, Dr. Nepal
Singh, Dr. Satya Pal
Singh, Dr. Yashwant
Singh (Retd), Gen. Vijay Kumar
Singh, Kunwar Bharatendra
Singh, Rao Inderjit
Singh, Shri Abhishek
Singh, Shri Bharat
Singh, Shri Bhola
Singh, Shri Brijbhushan Sharan

Singh, Shri Dushyant
Singh, Shri Ganesh
[@Singh, Shri Giriraj](#)
Singh, Shri Kirti Vardhan
Singh, Shri Lallu
Singh, Shri Nagendra
Singh, Shri Pashupati Nath
Singh, Shri R. K.
Singh, Shri Radha Mohan
Singh, Shri Rajnath
Singh (Raju Bhaiya), Shri Rajveer
Singh, Shri Rakesh
Singh, Shri Satyapal
Singh, Shri Sunil Kumar
Singh, Shri Sushil Kumar
Singh, Shri Uday Pratap
[\\$Singh, Shri Virendra](#)
Sinha, Shri Jayant
Sinha, Shri Manoj
Sinha, Shri Shatrughan
Solanki, Dr. Kirit P.
Somaiya, Dr. Kirit
Sonkar, Shri Vinod Kumar
Sonker, Shrimati Neelam
Sriram, Shri Malyadri
Supriyo, Shri Babul
Swaraj, Shrimati Sushma
Tadas, Shri Ramdas C.
Tamta, Shri Ajay
Tanwar, Shri Kanwar Singh
Tasa, Shri Kamakhya Prasad
Teli, Shri Rameshwar
Teni, Shri Ajay Misra
Thakur, Shri Anurag Singh
Thakur, Shrimati Savitri
Tomar, Shri Narendra Singh
Tripathi, Shri Sharad
Udasi, Shri Shivkumar
Usendi, Shri Vikram
Utawal, Shri Manohar
[@Vaghela, Shri L. K.](#)

Vardhan, Dr. Harsh

Vasava, Shri Parbhubhai Nagarbhai

Verma, Dr. Anshul

Verma, Shri Bhanu Pratap Singh

Verma, Shri Rajesh

Verma, Shrimati Rekha

Vichare, Shri Rajan

Wanga, Shri Chintaman Navasha

Yadav, Shri Dharmendra

Yadav, Shri Hukmdeo Narayan

Yadav, Shri Laxmi Narayan

Yadav, Shri Om Prakash

Yadav, Shri Ram Kripal

ABSTAIN

Goud, Dr. Boora Narsaiah

Kalvakuntla, Shrimati Kavitha

Naik, Prof. A.S.R.

Patil, Shri Bheemrao B.

HON. SPEAKER: Subject to correction*, the result of the Division is:

Ayes: 056

Noes: 276

Abstain: 004

The motion was negatived.

HON. SPEAKER: Premachandran ji, are you moving your Amendment Nos. 9 and 11 to Clause 3?

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

Page 2, line 5,--

for "three"

substitute "seven". (9)

Page 2, line 18,--

for "to advise"

substitute "to participate and advise".

(11)

The National Commission for Scheduled Castes and Scheduled Tribes is similar to that of the National Commission for Backward Classes in which there are nine Members. Please respond; I will withdraw my amendment. The number of population of backward classes is far more than that of the Scheduled Castes and Scheduled Tribes. So the number there is nine and here it is five. For OBC it is five; there it is nine. If the Minister could respond, definitely I will withdraw, if he gives an assurance.

श्री थावर चंद गहलोत : अनुसूचित जाति और अनुसूचित जनजाति आयोग में पांच-पांच सदस्य ही हैं, मैं माननीय सदस्य से प्रार्थना करता हूँ कि अपना संशोधन वापस ले लें।

SHRI N.K. PREMACHANDRAN: Madam, the Minister is wrong. I will read the provisions of the Scheduled Caste Commission.

HON. SPEAKER: I shall now put Amendment Nos. 9 and 11 to Clause 3 moved by Shri N.K. Premachandran to the vote of the House.

The amendments were put and negatived.

HON. SPEAKER: Shri Jai Prakash Narayan Yadav, are you moving your Amendment Nos. 14 to 16 to Clause 3?

श्री जय प्रकाश नारायण यादव (बैंका) : मैं प्रस्ताव करता हूँ :

पृष्ठ 2, पंक्ति 8 और 9,--

राष्ट्रीय पिछड़ा वर्ग आयोगके स्थान पर राष्ट्रीय औद्योगिक पिछड़ा वर्ग आयोग प्रतिस्थापित किया जाए। (14)

पृष्ठ 2, पंक्ति 11,--

तीनके स्थान पर पांच प्रतिस्थापित किया जाए। (15)

पृष्ठ 2, पंक्ति 22 से 27 के स्थान पर निम्नलिखित अंतःस्थापित किया जाए,-

(ख) यह सुनिश्चित करना कि पहले से अधिसूचित किसी जाति को गैर-अधिसूचित नहीं किया जाएगा तथा वित्तीय रूप से सक्षम जातियों को पिछड़ा वर्ग श्रेणी में सम्मिलित करने का प्रयास नहीं किया जा सके।

(ग) राष्ट्रीय पिछड़ा वर्ग आयोग अधिनियम, 1993 के अधीन गठित राष्ट्रीय पिछड़ा वर्ग आयोगके गठन से लेकर केंद्र, राज्यों और संघ शासित क्षेत्रों द्वारा सरकारी नौकरियों में दिए गए 27 प्रतिशत आरक्षणके क्रियान्वयनके आलोकमें सामाजिक और शैक्षिक दृष्टि से पिछड़े वर्गों के सामाजिक-आर्थिक विकास का मूल्यांकन करना। (16)

HON. SPEAKER: I shall now put Amendment Nos. 14 to 16 to Clause 3 moved by Shri Jai Prakash Narayan Yadav to the vote of the House.

The amendments were put and negatived.

HON. SPEAKER: The Lobbies are already cleared. I shall now put Clause 3 to the vote of the House.

The question is:

"That Clause 3 stands part of the Bill"

The Lok Sabha divided:

DIVISION NO. 4 AYES 18.33 hours

Advani, Shri L.K.

Agrawal, Shri Rajendra

Ahir, Shri Hansraj Gangaram

@Ahluwalia, Shri S.S.

Amarappa, Shri Karadi Sanganna

Ananthkumar, Shri

Angadi, Shri Suresh C.

@Anwar, Shri Tariq

Arunmozhithevan, Shri A.

@Aujla, Shri Gurjeet Singh

Azad, Shri Kirti

Babu, Dr. Ravindra

Badal, Shrimati Harsimrat Kaur

Baheria, Shri Subhash Chandra

Bais, Shri Ramesh

Bala, Shrimati Anju

Barne, Shri Shrirang Appa

Bhabhor, Shri Jasvantsinh Sumanbhai

Bhagat, Shri Bodh Singh

@Bhagat, Shri Sudarshan

Bhamre, Dr. Subhash Ramrao

Bharti, Sushri Uma

Bhatt, Shrimati Ranjanben

Bhole, Shri Devendra Singh

Bidhuri, Shri Ramesh

Biju, Shri P. K.

Birla, Shri Om

Bohra, Shri Ramcharan

₹Brahmpura, Shri Ranjit Singh

Chand, Shri Nihal

Chandel, Kunwar Pushpendra Singh

@Chandrappa, Shri B. N.

Chaudhary, Shri C. R.

Chaudhary, Shri Haribhai

Chaudhary, Shri P.P.

Chaudhary, Shri Pankaj

Chaudhary, Shri Ram Tahal

Chaudhary, Shri Santokh Singh

Chaudhury, Shri Jitendra

Chauhan, Shri Devusinh

₹Chauhan, Shri P. P.

Chavan, Shri Harishchandra

Chavda, Shri Vinod Lakhmashi

Chhewang, Shri Thupstan

Chhotelal, Shri

Choubey, Shri Ashwini Kumar

Choudhary, Col. Sonaram

Choudhary, Shri Babulal

Choudhary, Shri Birendra Kumar

Chouhan, Shri Nandkumar Singh

Chowdhury, Shri Adhir Ranjan

Chudasama, Shri Rajeshbhai

Danve, Shri Raosaheb Patil

Datta, Shri Sankar Prasad

Dattatreya, Shri Bandaru

Deka, Shri Ramen

Deo, Shri Arka Keshari

@Dev, Kumari Sushmita

Devi, Shrimati Rama

Devi, Shrimati Veena

Dharambir, Shri

Dhotre, Shri Sanjay

Dhruvanarayana, Shri R.

Dohre, Shri Ashok Kumar

Diwakar, Shri Rajesh Kumar
Dubey, Shri Nishikant
Dubey, Shri Satish Chandra
Dwivedi, Shri Harishchandra alias Harish
Engti, Shri Biren Singh
Ering, Shri Ninong
Fatepara, Shri Devjibhai G.
Gaddigoudar, Shri P.C.
Gadkari, Shri Nitin
Galla, Shri Jayadev
Gandhi, Shri Dilipkumar Mansukhlal
Gandhi, Shrimati Maneka Sanjay
@Gandhi, Shrimati Sonia
Gangwar, Shri Santosh Kumar
Gautam, Shri Satish Kumar
Gavit, Dr. Heena Vijaykumar
Ghubaya, Shri Sher Singh
Giluwa, Shri Laxman
Girri, Shri Maheish
[@Gogoi](#), Shri Gaurav
Gohain, Shri Rajen
Gopalakrishnan, Shri C.
Gowda, Shri D.V. Sadananda
Gowda, Shri S.P. Muddahanume
[\\$Gupta](#), Shri Shyama Charan
Gupta, Shri Sudheer
Gurjar, Shri Krishanpal
Haribabu, Dr. Kambhampati
Hegde, Shri Anantkumar
Hemamalini, Shrimati
Hikaka, Shri Jhina
Innocent, Shri
Jadhav, Shri Prataprao
Jaiswal, Dr. Sanjay
Jardosh, Shrimati Darshana Vikram
Jat, Prof. Sanwar Lal
Jaunapuria, Shri Sukhbir Singh
Jayavardhan, Dr. J.
Jena, Shri Rabindra Kumar
Jigajinagi, Shri Ramesh

Joshi, Dr. Murli Manohar
Joshi, Shri Chandra Prakash
Joshi, Shri Pralhad
@Jyoti, Sadhvi Niranjana
Kachhadia, Shri Naranbhai
Kaiser, Choudhary Mehboob Ali
Kalvakuntla, Shrimati Kavitha
Karandlaje, Kumari Shobha
Karunakaran, Shri P.
Kashyap, Shri Dinesh
Kashyap, Shri Virender
Kaswan, Shri Rahul
Kataria, Shri Rattan Lal
Kateel, Shri Nalin Kumar
Katheria, Dr. Ramshankar
Kaushik, Shri Ramesh Chander
Khadse, Shrimati Rakshatai
Khan, Shri Md. Badaruddoza
Kher, Shrimati Kirron
Khuba, Shri Bhagwanth
Kinjarapu, Shri Ram Mohan Naidu
Kishore, Shri Jugal
Koli, Shri Bahadur Singh
Koshiyari, Shri Bhagat Singh
Kristappa, Shri N.
Kulaste, Shri Faggan Singh
Kumar, Dr. Arun
Kumar, Dr. Virendra
Kumar, Kunwar Sarvesh
Kumar, Shri Ashwini
Kumar, Shri Dharmendra
Kundariya, Shri Mohanbhai Kalyanjibhai
Kushawaha, Shri Ravinder
@Kushwaha, Shri Upendra
Laguri, Shrimati Sakuntala
Lakhanpal, Shri Raghav
Lekhi, Shrimati Meenakashi
Maadam, Shrimati Poonamben
Mahadik, Shri Dhananjay
Mahajan, Shrimati Poonam
Maharaj, Dr. Swami Sakshiji

Mahato, Shri Bidyut Baran

Mahtab, Shri Bhartruhari

Malviya, Prof. Chintamani

Maragatham, Shrimati K.

[\\$Meena](#), Shri Arjun Lal

Meena, Shri Harish

Meghwal, Shri Arjun Ram

Meinya, Dr. Thokchom

Mishra, Shri Anoop

Mishra, Shri Bhairon Prasad

Mishra, Shri Daddan

Mishra, Shri Janardan

Mishra, Shri Kalraj

Mohan, Shri M. Murli

Mohan, Shri P.C.

Mohapatra, Dr. Sidhant

Moily, Shri M. Veerappa

Munda, Shri Karia

Munde, Dr. Pritam Gopinath

[@Muniyappa](#), Shri K.H.

Nagar, Shri Rodmal

Nagesh, Shri Godam

Naik, Prof. A.S.R.

Naik, Shri Shripad Yesso

[@Narasimham](#), Shri Thota

Nishad, Shri Ajay

Nishad, Shri Ram Charitra

Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

Paatle, Shrimati Kamla

Panda, Shri Baijayant Jay

Pandey, Dr. Mahendra Nath

Pandey, Shri Rajesh

Pandey, Shri Ravindra Kumar

Paswan, Shri Chirag

Paswan, Shri Kamlesh

Paswan, Shri Ram Chandra

Paswan, Shri Ramvilas

Patasani, Shri Prasanna Kumar

Patel, Dr. K. C.

Patel, Shri Devji M.
Patel, Shri Dilip
Patel, Shri Lalubhai Babubhai
Patel, Shri Natubhai Gomanbhai
Patel, Shri Prahlad Singh
Patel, Shri Subhash
Patel, Shrimati Anupriya
Patel, Shrimati Jayshreeben
Patil, Shri A.T. Nana
Patil, Shri Bheemrao B.
Patil, Shri C. R.
Patil, Shri Kapil Moreshwar
Patole, Shri Nana
Phule, Sadhvi Savitri Bai
Pradhan, Shri Nagendra Kumar
Prasad, Dr. Bhagirath
Pratap, Shri Krishan
Premachandran, Shri N.K.
Radadiya, Shri Vithalbhai Hansrajbhai
Radhakrishnan, Shri Pon
Raghavan, Shri M.K.
Rai, Shri Nityanand
[@Rai, Shri Prem Das](#)
Raj, Shrimati Krishna
Rajbhar, Shri Harinarayan
Rajesh, Shri M. B.
Rajoria, Dr. Manoj
Raju, Shri Ashok Gajapathi
Raju, Shri Gokaraju Ganga
Ram, Shri Janak
Ram, Shri Vishnu Dayal
Ramachandran, Shri K. N.
Ramachandran, Shri Mullappally
Ramadoss, Dr. Anbumani
Rathod, Shri D.S.
Rathore (Retd.), Col. Rajyavardhan
Rathore, Shri Hariom Singh
Rathwa, Shri Ramsinh
Raut, Shri Vinayak Bhaurao
Raval, Shri Paresh
Rawat, Shrimati Priyanka Singh

Ray, Shri Bishnu Pada
Ray, Shri Ravindra Kumar
Reddy, Shri J.C. Divakar
Reddy, Shri Mekapati Raja Mohan
Rudy, Shri Rajiv Pratap
Sahu, Shri Chandulal
Sahu, Shri Lakhan Lal
Sai, Shri Vishnu Dev
Saini, Shri Rajkumar
Salim, Shri Mohammad
Samal, Dr. Kulmani
Sampla, Shri Vijay
Sanjar, Shri Alok
Sarmah, Shri Ram Prasad
Sarswati, Shri Sumedhanand
Satav, Shri Rajeev
Sathyabama, Shrimati V.
Satpathy, Shri Tathagata
Sawaikar, Adv. Narendra Keshav
Sawant, Shri Arvind
Sharma, Shri Ram Kumar
Sharma, Shri Ram Swaroop
Shekhawat, Shri Gajendra Singh
Shetty, Shri Gopal
Shetty, Shri Raju
Shewale, Shri Rahul
Shinde, Dr. Shrikant Eknath
Shirole, Shri Anil
[@Shivajirao](#), Shri Adhalrao Patil
Shyal, Dr. Bhartiben D.
Siddeshwara, Shri G. M.
Sigriwal, Shri Janardan Singh
Simha, Shri Pratap
Singh, Dr. Jitendra
[@Singh](#), Dr. Nepal
Singh, Dr. Prabhas Kumar
Singh, Dr. Satya Pal
Singh, Dr. Yashwant
Singh (Retd), Gen. Vijay Kumar
Singh, Kunwar Bharatendra
Singh, Kunwar Haribansh

Singh, Rao Inderjit
Singh, Shri Abhishek
Singh, Shri Bharat
Singh, Shri Bhola
Singh, Shri Brijbhushan Sharan
Singh, Shri Dushyant
Singh, Shri Ganesh
Singh, Shri Giriraj
Singh, Shri Kirti Vardhan
Singh, Shri Lallu
Singh, Shri Nagendra
Singh, Shri Pashupati Nath
Singh, Shri R. K.
[@Singh, Shri Radha Mohan](#)
Singh, Shri Rajnath
Singh (Raju Bhaiya), Shri Rajveer
Singh, Shri Rakesh
Singh, Shri Satyapal
Singh, Shri Sunil Kumar
Singh, Shri Sushil Kumar
Singh, Shri Uday Pratap
Singh, Shri Virendra
Singh, Shrimati Pratyusha Rajeshwari
Sinha, Shri Jayant
Sinha, Shri Manoj
Sinha, Shri Shatrughan
Solanki, Dr. Kirit P.
Somaiya, Dr. Kirit
Sonkar, Shri Vinod Kumar
Sonker, Shrimati Neelam
Sriram, Shri Malyadri
Supriyo, Shri Babul
Suresh, Shri D.K.
Swain, Shri Ladu Kishore
Swaraj, Shrimati Sushma
Tadas, Shri Ramdas C.
Tamta, Shri Ajay
Tanwar, Shri Kanwar Singh
Tasa, Shri Kamakhya Prasad
Teli, Shri Rameshwar
Teni, Shri Ajay Misra

Thakur, Shri Anurag Singh
Thakur, Shrimati Savitri
Thambidurai, Dr. M.
Tharoor, Dr. Shashi
Thomas, Prof. K.V.
Tomar, Shri Narendra Singh
Udasi, Shri Shivkumar
Udhayakumar, Shri M.
Usendi, Shri Vikram
Utawal, Shri Manohar
Vaghela, Shri L. K.
Vardhan, Dr. Harsh
Vasava, Shri Parbhubhai Nagarbhai
Velagapalli, Shri Varaprasad Rao
Venugopal, Shri K. C.
Verma, Dr. Anshul
Verma, Shri Bhanu Pratap Singh
Verma, Shri Rajesh
Verma, Shrimati Rekha
Vichare, Shri Rajan
Wanga, Shri Chintaman Navasha
Yadav, Shri Hukmdeo Narayan
Yadav, Shri Laxmi Narayan
[@Yadav](#), Shri Om Prakash
Yadav, Shri Ram Kripal

NOES

Kumar, Shri B. Vinod

HON. SPEAKER: Subject to correction*, the result of the Division is:

Ayes: 312

Noes: 005

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

The motion was adopted.

Clause 3 was added to the Bill.

Clauses 4 and 5 Insertion of new article 342 A and amendment of article 366

HON. SPEAKER: There are six amendments to clause 4. Shri Bhartruhari Mahtab to move Amendment Nos. 2 to 5. Are you moving all the amendments?

SHRI BHARTRUHARI MAHTAB (CUTTACK): Yes, Madam, I beg to move:

Page 3, line 16.

for "after consultation with the Governor thereof"

substitute "only with prior recommendation of the State Government and giving due regard to such recommendation" (2)

Page 3, lines 17 and 18, -

omit "for the purposes of this Constitution" (3)

Page 3, line 18, -

after "deemed to be"

Insert "the Central List of" (4)

Page 3, *after* line 23, -

Insert "(3) Every State Government may, by public notification, specify the socially and educationally backward classes in that State which shall be deemed to be the State List of socially and educationally backward classes in relation to that State.

(4) The State may by law include in or exclude from the State List of socially and educationally backward classes specified in a notification issued under clause (3) any socially and educationally backward class, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification." (5)

I have moved Amendment Nos. 2 to 5 relating to the protection of the State interest and therefore, my substitute is after consultation with the Governor thereof is only with prior recommendation of the State Government and giving due regard to such recommendation.

I would again insist the Minister to respond.

HON. SPEAKER: I shall now put Amendment Nos. 2 to 5 to Clause 4 moved by Shri Bhartruhari Mahtab to the vote of the House.

SHRI BHARTRUHARI MAHTAB: Madam, I want Division.

HON. SPEAKER: We will have Division now. The Lobbies have already been cleared.

The Question is:

Page 3, line 16.

for "after consultation with the Governor thereof"

substitute "only with prior recommendation of the State Government and giving due regard to such recommendation" (2)

Page 3, lines 17 and 18, -

omit "for the purposes of this Constitution" (3)

Page 3, line 18, -

after "deemed to be"

Insert "the Central List of" (4)

Page 3, *after* line 23, -

Insert "(3) Every State Government may, by public notification, specify the socially and educationally backward classes in that State which shall be deemed to be the State List of socially and educationally backward classes in relation to that State.

(4) The State may by law include in or exclude from the State List of socially and educationally backward classes specified in a notification issued under clause (3) any socially and educationally backward class, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification." (5)

DIVISION NO. 5 AYES 18.35 hours

Ali, Shri Idris

Arunmozhithevan, Shri A.

@Banerjee, Shri Kalyan

Barman, Shri Bijoy Chandra

Biju, Shri P. K.

Chandrakasi, Shri M.

Chaudhury, Shri Jitendra

Dastidar, Dr. Kakoli Ghosh

Datta, Shri Sankar Prasad

Deo, Shri Arka Keshari

Elumalai, Shri V.

Ghosh, Shrimati Arpita

Hari, Shri G.

Hikaka, Shri Jhina

Jayadevan, Shri C. N.

Jayavardhan, Dr. J.

Jena, Shri Rabindra Kumar

Kalvakuntla, Shrimati Kavitha

Kamaraj, Dr. K.

Khan, Shri Md. Badaruddoza

Kumar, Shri Kaushalendra

Laguri, Shrimati Sakuntala

Mahtab, Shri Bhartruhari

Mahendran, Shri C.

Maragatham, Shrimati K.

Mohapatra, Dr. Sidhant

Mondal, Shri Sunil Kumar

Mondal, Shrimati Pratima

Mukherjee, Shri Abhijit

Nagesh, Shri Godam

Naik, Prof. A.S.R.

Panda, Shri Baijayant Jay

Parasuraman, Shri K.

Patasani, Shri Prasanna Kumar

Patil, Shri Bheemrao B.

Poddar, Shrimati Aparupa

Pradhan, Shri Nagendra Kumar

Raajhaa, Shri A. Anwhar

Rajesh, Shri M. B.

Ramachandran, Shri K. N.

Ray, Shri Partha Pratim
Reddy, Shri Konda Vishweshwar
Salim, Shri Mohammad
Samal, Dr. Kulmani
Sampath, Dr. A.
Saren, Dr. Uma
Sathyabama, Shrimati V.
Satpathy, Shri Tathagata
Singh, Dr. Prabhas Kumar
Singh, Kunwar Haribansh
Singh, Shrimati Pratyusha Rajeshwari
Sundaram, Shri P. R.
Swain, Shri Ladu Kishore
Tarai, Shrimati Rita
Teacher, Shrimati P.K. Shreemathi
Thakur, Shrimati Mamata
Thambidurai, Dr. M.
Tirkey, Shri Dasrath
Trivedi, Shri Dinesh
Udhayakumar, Shri M.
Velagapalli, Shri Varaprasad Rao
Yadav, Shri Dharmendra
Yadav, Shri Jai Prakash Narayan

NOES

Advani, Shri L.K.
Agrawal, Shri Rajendra
Ahir, Shri Hansraj Gangaram
Ahluwalia, Shri S.S.
Amarappa , Shri Karadi Sanganna
Ananthkumar, Shri
Angadi, Shri Suresh C.
Anwar, Shri Tariq
[@Aujla](#), Shri Gurjeet Singh
Babu, Dr. Ravindra
Badal, Shrimati Harsimrat Kaur
Baheria, Shri Subhash Chandra
Bais, Shri Ramesh
Baker, Shri George
Bala, Shrimati Anju
Barne, Shri Shrirang Appa

Bhabhor, Shri Jasvantsinh Sumanbhai

Bhagat, Shri Bodh Singh

@Bhagat, Shri Sudarshan

Bhamre, Dr. Subhash Ramrao

Bharti, Sushri Uma

Bhatt, Shrimati Ranjanben

Bhole, Shri Devendra Singh

Bidhuri, Shri Ramesh

Birla, Shri Om

Bohra, Shri Ramcharan

Brahmpura, Shri Ranjit Singh

Chand, Shri Nihal

Chandel, Kunwar Pushpendra Singh

Chandrappa, Shri B. N.

Chaudhary, Shri C. R.

Chaudhary, Shri Haribhai

Chaudhary, Shri P.P.

Chaudhary, Shri Pankaj

Chaudhary, Shri Ram Tahal

Chaudhary, Shri Santokh Singh

Chauhan, Shri Devusinh

@Chauhan, Shri P. P.

Chavan, Shri Harishchandra

Chavda, Shri Vinod Lakhmashi

Chhewang, Shri Thupstan

Chhotelal, Shri

Choubey, Shri Ashwini Kumar

Choudhary, Col. Sonaram

Choudhary, Shri Babulal

Choudhary, Shri Birendra Kumar

Chouhan, Shri Nandkumar Singh

Chowdhury, Shri Adhir Ranjan

Chudasama, Shri Rajeshbhai

Danve, Shri Raosaheb Patil

Dattatreya, Shri Bandaru

Deka, Shri Ramen

Dev, Kumari Sushmita

Devi, Shrimati Rama

Devi, Shrimati Veena

Dharambir, Shri

Dhotre, Shri Sanjay

Dhruvanarayana, Shri R.
Dhurve, Shrimati Jyoti
[@Dohre](#), Shri Ashok Kumar
Diwakar, Shri Rajesh Kumar
Dubey, Shri Nishikant
Dubey, Shri Satish Chandra
Dwivedi, Shri Harishchandra alias Harish
Ering, Shri Ninong
Fatepara, Shri Devjibhai G.
Gaddigoudar, Shri P.C.
Gadkari, Shri Nitin
Gaikwad, Dr. Sunil Baliram
Galla, Shri Jayadev
Gandhi, Shri Dilipkumar Mansukhlal
Gandhi, Shri Rahul
Gandhi, Shrimati Maneka Sanjay
Gandhi, Shrimati Sonia
Gangwar, Shri Santosh Kumar
[@Gautam](#), Shri Satish Kumar
Gavit, Dr. Heena Vijaykumar
Ghubaya, Shri Sher Singh
Giluwa, Shri Laxman
Girri, Shri Maheish
Gogoi, Shri Gaurav
Gohain, Shri Rajen
Goud, Dr. Boora Narsaiah
Gowda, Shri D.V. Sadananda
Gowda, Shri S.P. Muddahanume
Gupta, Shri Shyama Charan
Gupta, Shri Sudheer
Gurjar, Shri Krishanpal
Haribabu, Dr. Kambhampati
Hay, Prof. Richard
Hegde, Shri Anantkumar
Hemamalini, Shrimati
Jadhav, Shri Prataprao
Jaiswal, Dr. Sanjay
Jardosh, Shrimati Darshana Vikram
Jat, Prof. Sanwar Lal
Jaunapuria, Shri Sukhbir Singh
[@Jigajinagi](#), Shri Ramesh

Joshi, Dr. Murli Manohar
Joshi, Shri Chandra Prakash
Joshi, Shri Pralhad
Jyoti, Sadhvi Niranjana
Kachhadia, Shri Naranbhai
Kaiser, Choudhary Mehboob Ali
Karandlaje, Kumari Shobha
Kashyap, Shri Dinesh
Kashyap, Shri Virender
@Kaswan, Shri Rahul
Kataria, Shri Rattan Lal
Kateel, Shri Nalin Kumar
Katheria, Dr. Ramshankar
Kaushik, Shri Ramesh Chander
Khadse, Shrimati Rakshatai
Kharge, Shri Mallikarjun
Kher, Shrimati Kirron
Khuba, Shri Bhagwanth
Kinjarapu, Shri Ram Mohan Naidu
Kishore, Shri Jugal
Kirtikar, Shri Gajanan
Koli, Shri Bahadur Singh
Koshiyari, Shri Bhagat Singh
Kristappa, Shri N.
Kulaste, Shri Faggan Singh
Kumar, Dr. Arun
Kumar, Dr. Virendra
Kumar, Kunwar Sarvesh
Kumar, Shri Ashwini
Kumar, Shri Dharmendra
Kundariya, Shri Mohanbhai Kalyanjibhai
Kushawaha, Shri Ravinder
Kushwaha, Shri Upendra
Lakhanpal, Shri Raghav
Lekhi, Shrimati Meenakashi
Maadam, Shrimati Poonamben
Mahadik, Shri Dhananjay
Mahajan, Shrimati Poonam
Maharaj, Dr. Swami Sakshiji
@Mahato, Dr. Banshilal

Mahato, Shri Bidyut Baran
Malviya, Prof. Chintamani
Manjhi, Shri Hari
Meena, Shri Arjun Lal
Meena, Shri Harish
Meghwal, Shri Arjun Ram
Meinya, Dr. Thokchom
Mishra, Shri Anoop
Mishra, Shri Bhairon Prasad
Mishra, Shri Daddan
Mishra, Shri Janardan
Mishra, Shri Kalraj
Mohan, Shri M. Murli
Mohan, Shri P.C.
Munda, Shri Karia
Munde, Dr. Pritam Gopinath
Muniyappa, Shri K.H.
Nagar, Shri Rodmal
Naik, Shri Shripad Yesso
Ninama, Shri Manshankar
Nishad, Shri Ajay
Nishad, Shri Ram Charitra
Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

Pandey, Dr. Mahendra Nath
Pandey, Shri Rajesh
Pandey, Shri Ravindra Kumar
Paswan, Shri Chirag
Paswan, Shri Kamlesh
[\\$Paswan, Shri Ram Chandra](#)
Paswan, Shri Ramvilas
Patel, Dr. K. C.
Patel, Shri Devji M.
Patel, Shri Dilip
Patel, Shri Lalubhai Babubhai
Patel, Shri Natubhai Gomanbhai
Patel, Shri Prahlad Singh
Patel, Shri Subhash
Patel, Shrimati Anupriya
Patel, Shrimati Jayshreeben
[@Pathak, Shrimati Riti](#)

Patil, Shri A.T. Nana
Patil, Shri C. R.
Patil, Shri Kapil Moreshwar
Patil, Shri Sanjay Kaka
Patole, Shri Nana
Phule, Sadhvi Savitri Bai
Prasad, Dr. Bhagirath
Pratap, Shri Krishan
Radadiya, Shri Vithalbhai Hansrajbhai
Radhakrishnan, Shri Pon
Rai, Shri Nityanand
Rai, Shri Prem Das
Raj, Shrimati Krishna
Rajbhar, Shri Harinarayan
Rajoria, Dr. Manoj
Raju, Shri Ashok Gajapathi
Raju, Shri Gokaraju Ganga
Ram, Shri Janak
Ram, Shri Vishnu Dayal
[@Ramachandran, Shri Mullappally](#)
Rathod, Shri D.S.
Rathore (Retd.), Col. Rajyavardhan
Rathore, Shri Hariom Singh
Rathwa, Shri Ramsinh
[@Raut, Shri Vinayak Bhaurao](#)
Raval, Shri Paresh
Rawat, Shrimati Priyanka Singh
Ray, Shri Bishnu Pada
Ray, Shri Ravindra Kumar
Reddy, Shri Mekapati Raja Mohan
Rudy, Shri Rajiv Pratap
[@Sahu, Shri Chandulal](#)
Sai, Shri Vishnu Dev
Saini, Shri Rajkumar
Sampla, Shri Vijay
Sanjar, Shri Alok
Sarmah, Shri Ram Prasad
Sarswati, Shri Sumedhanand
Satav, Shri Rajeev
Sawaikar, Adv. Narendra Keshav

Sawant, Shri Arvind
Shah, Shrimati Mala Rajyalakshmi
Sharma, Shri Ram Kumar
Sharma, Shri Ram Swaroop
Shekhawat, Shri Gajendra Singh
Shetty, Shri Gopal
Shetty, Shri Raju
Shewale, Shri Rahul
Shinde, Dr. Shrikant Eknath
Shirole, Shri Anil
Shivajirao, Shri Adhalrao Patil
[@Shyal](#), Dr. Bhartiben D.
Siddeshwara, Shri G. M.
Sigriwal, Shri Janardan Singh
Simha, Shri Pratap
Singh, Dr. Bhola
Singh, Dr. Jitendra
Singh, Dr. Nepal
Singh, Dr. Satya Pal
Singh, Dr. Yashwant
Singh (Retd), Gen. Vijay Kumar
Singh, Kunwar Bharatendra
Singh, Rao Inderjit
Singh, Shri Abhishek
Singh, Shri Bharat
Singh, Shri Bhola
Singh, Shri Brijbhushan Sharan
Singh, Shri Dushyant
Singh, Shri Ganesh
Singh, Shri Giriraj
Singh, Shri Kirti Vardhan
Singh, Shri Lallu
Singh, Shri Nagendra
Singh, Shri Pashupati Nath
Singh, Shri R. K.
Singh, Shri Radha Mohan
Singh, Shri Rajnath
Singh (Raju Bhaiya), Shri Rajveer
Singh, Shri Rakesh
Singh, Shri Rama Kishore
Singh, Shri Ravneet

Singh, Shri Satyapal
Singh, Shri Sunil Kumar
Singh, Shri Sushil Kumar
Singh, Shri Uday Pratap
Singh, Shri Virendra
Sinha, Shri Jayant
Sinha, Shri Manoj
[@Sinha](#), Shri Shatrughan
Solanki, Dr. Kirit P.
Somaiya, Dr. Kirit
Sonkar, Shri Vinod Kumar
Sonker, Shrimati Neelam
Sriram, Shri Malyadri
Supriyo, Shri Babul
Suresh, Shri D.K.
Swaraj, Shrimati Sushma
Tadas, Shri Ramdas C.
Tamta, Shri Ajay
Tanwar, Shri Kanwar Singh
Tasa, Shri Kamakhya Prasad
Teli, Shri Rameshwar
Teni, Shri Ajay Misra
Thakur, Shri Anurag Singh
Thakur, Shrimati Savitri
Tharoor, Dr. Shashi
Thomas, Prof. K.V.
Tomar, Shri Narendra Singh
Tripathi, Shri Sharad
Udasi, Shri Shivkumar
Usendi, Shri Vikram
Utawal, Shri Manohar
Vaghela, Shri L. K.
Vardhan, Dr. Harsh
Vasava, Shri Parbhubhai Nagarbhai
Venugopal, Shri K. C.
Verma, Dr. Anshul
Verma, Shri Bhanu Pratap Singh
Verma, Shri Rajesh
Verma, Shrimati Rekha
Vichare, Shri Rajan
Wanga, Shri Chintaman Navasha

Yadav, Shri Hukmdeo Narayan

Yadav, Shri Laxmi Narayan

Yadav, Shri Om Prakash

@Yadav, Shri Ram Kripal

HON. SPEAKER: Subject to correction*, the result of the Division is:

Ayes: 064

Noes: 288

The motion was negatived.

HON. SPEAKER: Now, Shri K.C. Venugopal to move Amendment No. 12 to Clause 4.

SHRI K.C. VENUGOPAL (ALAPPUZHA): I beg to move:

Page 3, line 16,â€”

after "thereof"

insert "and after consultation with Government of that State". (12)

Madam, this is one of the most important amendments. We have experienced the role of the Governor in Arunachal Pradesh. ...(*Interruptions*)
Therefore, I am suggesting that it should be 'after consultation with the Government of that State instead of Governor of the State.' ...(*Interruptions*)

HON. SPEAKER: I shall now put Amendment No. 12 moved by Shri K.C. Venugopal to the vote of the House.

The amendment was put and negatived.

HON. SPEAKER: Shri N.K. Premachandran to move Amendment No.13 to Clause 4.

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

Page 3, line 16,â€”

for "consultation with"

substitute "obtaining consent from". (13)

Madam, the amendment no.13 is very simple. Instead of 'consultation with' please insert 'obtaining consent from'.

HON. SPEAKER: I shall now put Amendment No.13 to Clause 4 moved by Shri N.K. Premachandran to the vote of the House.

SHRI N.K. PREMACHANDRAN: Madam, I want Division because this is the material amendment with which the entire opposition is united.

HON. SPEAKER: We will have Division now. The Lobbies are already cleared. The Question is:

Page 3, line 16,â€”

for "consultation with"

substitute "obtaining consent from". (13)

The Lok Sabha divided:

DIVISION NO. 6 AYES 18.37 hours

Ajmal, Shri Sirajuddin

Ali, Shri Idris

Anwar, Shri Tariq

Arunmozhithevan, Shri A.

@Aujla, Shri Gurjeet Singh

Banerjee, Shri Kalyan

Barman, Shri Bijoy Chandra

Biju, Shri P. K.
Chandrakasi, Shri M.
Chandrappa, Shri B. N.
Chaudhary, Shri Santokh Singh
Chaudhury, Shri Jitendra
Dastidar, Dr. Kakoli Ghosh
Datta, Shri Sankar Prasad
@De(Nag), Dr. Ratna
Deo, Shri Arka Keshari
Dev, Kumari Sushmita
Dhruvanarayana, Shri R.
Elumalai, Shri V.
@Engti, Shri Biren Singh
Ering, Shri Ninong
Gandhi, Shri Rahul
Gandhi, Shrimati Sonia
Ghosh, Shrimati Arpita
Gogoi, Shri Gaurav
Gowda, Shri S.P. Muddahanume
Hari, Shri G.
Hikaka, Shri Jhina
Jayadevan, Shri C. N.
Jena, Shri Rabindra Kumar
Kalvakuntla, Shrimati Kavitha
Kamaraj, Dr. K.
Khan, Shri Md. Badaruddoza
@Kharge, Shri Mallikarjun
Kumar, Shri K. Ashok
Kumar, Shri Kaushalendra
Laguri, Shrimati Sakuntala
Mahadik, Shri Dhananjay
Mahato, Dr. Mriganka
Mahtab, Shri Bhartruhari
Mandal, Dr. Tapas
Meinya, Dr. Thokchom
Mohapatra, Dr. Sidhant
Moily, Shri M. Veerappa
Mondal, Shri Sunil Kumar
Mondal, Shrimati Pratima
Mukherjee, Shri Abhijit
Muniyappa, Shri K.H.

Panda, Shri Baijayant Jay
Parasuraman, Shri K.
Patasani, Shri Prasanna Kumar
Poddar, Shrimati Aparupa
Pradhan, Shri Nagendra Kumar
Premachandran, Shri N.K.
Raghavan, Shri M.K.
Rajesh, Shri M. B.
Ramachandran, Shri K. N.
Ramachandran, Shri Mullappally
Ray, Shri Partha Pratim
Salim, Shri Mohammad
Samal, Dr. Kulmani
Sampath, Dr. A.
Saren, Dr. Uma
Satav, Shri Rajeev
Satpathy, Shri Tathagata
Singh, Dr. Prabhas Kumar
Singh, Shri Ravneet
Singh, Shrimati Pratyusha Rajeshwari
Sundaram, Shri P. R.
Suresh, Shri D.K.
Swain, Shri Ladu Kishore
Tarai, Shrimati Rita
Teacher, Shrimati P.K. Shreemathi
Thakur, Shrimati Mamata
Tharoor, Dr. Shashi
Thomas, Prof. K.V.
Tirkey, Shri Dasrath
Trivedi, Shri Dinesh
Venugopal, Shri K. C.

NOES

Advani, Shri L.K.
Agrawal, Shri Rajendra
Ahir, Shri Hansraj Gangaram
Ahluwalia, Shri S.S.
Amarappa , Shri Karadi Sanganna
Ananthkumar, Shri
Angadi, Shri Suresh C.

Azad, Shri Kirti
Babu, Dr. Ravindra
Badal, Shrimati Harsimrat Kaur
Baheria, Shri Subhash Chandra
Bais, Shri Ramesh
Baker, Shri George
Bala, Shrimati Anju
Barne, Shri Shrirang Appa
Bhabhor, Shri Jasvantsinh Sumanbhai
Bhagat, Shri Bodh Singh
Bhagat, Shri Sudarshan
Bhamre, Dr. Subhash Ramrao
Bharti, Sushri Uma
Bhatt, Shrimati Ranjanben
Bhole, Shri Devendra Singh
Bidhuri, Shri Ramesh
Birla, Shri Om
[@Bohra](#), Shri Ramcharan
Brahmpura, Shri Ranjit Singh
Chand, Shri Nihal
Chandel, Kunwar Pushpendra Singh
Chaudhary, Shri C. R.
Chaudhary, Shri Haribhai
Chaudhary, Shri P.P.
Chaudhary, Shri Pankaj
Chaudhary, Shri Ram Tahal
Chauhan, Shri Devusinh
Chauhan, Shri P. P.
Chavan, Shri Harishchandra
Chavda, Shri Vinod Lakhmashi
Chhewang, Shri Thupstan
Chhotelal, Shri
Choubey, Shri Ashwini Kumar
Choudhary, Col. Sonaram
Choudhary, Shri Babulal
Choudhary, Shri Birendra Kumar
Chouhan, Shri Nandkumar Singh
Chudasama, Shri Rajeshbhai
Danve, Shri Raosaheb Patil
Dattatreya, Shri Bandaru
Deka, Shri Ramen

Devi, Shrimati Rama
Devi, Shrimati Veena
Dharambir, Shri
Dhotre, Shri Sanjay
Dhurve, Shrimati Jyoti
Dohre, Shri Ashok Kumar
Diwakar, Shri Rajesh Kumar
Dubey, Shri Nishikant
Dubey, Shri Satish Chandra
Dwivedi, Shri Harishchandra alias Harish
Fatepara, Shri Devjibhai G.
Gaddigoudar, Shri P.C.
Gadkari, Shri Nitin
Gaikwad, Dr. Sunil Baliram
Galla, Shri Jayadev
Gandhi, Shri Dilipkumar Mansukhlal
Gandhi, Shrimati Maneka Sanjay
[@Gangwar](#), Shri Santosh Kumar
Gautam, Shri Satish Kumar
Gavit, Dr. Heena Vijaykumar
Ghubaya, Shri Sher Singh
Giluwa, Shri Laxman
Girri, Shri Maheish
Gohain, Shri Rajen
Gowda, Shri D.V. Sadananda
Gupta, Shri Shyama Charan
Gupta, Shri Sudheer
Gurjar, Shri Krishanpal
Haribabu, Dr. Kambhampati
Hay, Prof. Richard
Hegde, Shri Anantkumar
Hemamalini, Shrimati
Jadhav, Shri Prataprao
Jaiswal, Dr. Sanjay
Jardosh, Shrimati Darshana Vikram
Jat, Prof. Sanwar Lal
Jaunapuria, Shri Sukhbir Singh
Jigajinagi, Shri Ramesh
Joshi, Dr. Murli Manohar
Joshi, Shri Chandra Prakash
Joshi, Shri Pralhad

Jyoti, Sadhvi Niranjan
Kachhadia, Shri Naranbhai
Kaiser, Choudhary Mehboob Ali
Karandlaje, Kumari Shobha
Kashyap, Shri Virender
Kaswan, Shri Rahul
Kataria, Shri Rattan Lal
Kateel, Shri Nalin Kumar
Katheria, Dr. Ramshankar
Kaushik, Shri Ramesh Chander
Khadse, Shrimati Rakshatai
Kher, Shrimati Kirron
Khuba, Shri Bhagwanth
Kinjarapu, Shri Ram Mohan Naidu
Kishore, Shri Jugal
Kirtikar, Shri Gajanan
Koli, Shri Bahadur Singh
Koshiyari, Shri Bhagat Singh
Kristappa, Shri N.
Kulaste, Shri Faggan Singh
Kumar, Dr. Arun
Kumar, Dr. Virendra
Kumar, Kunwar Sarvesh
Kumar, Shri Ashwini
Kumar, Shri Dharmendra
Kundariya, Shri Mohanbhai Kalyanjibhai
Kushawaha, Shri Ravinder
Kushwaha, Shri Upendra
Lakhanpal, Shri Raghav
Lekhi, Shrimati Meenakashi
Maadam, Shrimati Poonamben
Mahajan, Shrimati Poonam
Maharaj, Dr. Swami Sakshiji
Mahato, Dr. Banshilal
Mahato, Shri Bidyut Baran
Malviya, Prof. Chintamani
Manjhi, Shri Hari
Meena, Shri Arjun Lal
Meena, Shri Harish
Meghwal, Shri Arjun Ram

Mishra, Shri Anoop
Mishra, Shri Bhairon Prasad
Mishra, Shri Daddan
Mishra, Shri Janardan
Mishra, Shri Kalraj
Mohan, Shri M. Murli
Mohan, Shri P.C.
Munda, Shri Karia
Munde, Dr. Pritam Gopinath
Nagar, Shri Rodmal
Naik, Shri Shripad Yesso
@Narasimham, Shri Thota
Ninama, Shri Manshankar
Nishad, Shri Ajay
Nishad, Shri Ram Charitra
Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

@Paatile, Shrimati Kamla
Pandey, Dr. Mahendra Nath
Pandey, Shri Rajesh
Pandey, Shri Ravindra Kumar
Paswan, Shri Chirag
Paswan, Shri Kamlesh
Paswan, Shri Ram Chandra
Paswan, Shri Ramvilas
Patel, Dr. K. C.
Patel, Shri Devji M.
Patel, Shri Dilip
Patel, Shri Lalubhai Babubhai
Patel, Shri Natubhai Gomanbhai
Patel, Shri Prahlad Singh
Patel, Shri Subhash
Patel, Shrimati Anupriya
Patel, Shrimati Jayshreeben
Pathak, Shrimati Riti
Patil, Shri A.T. Nana
Patil, Shri C. R.
Patil, Shri Kapil Moreshwar
Patil, Shri Sanjay Kaka
Phule, Sadhvi Savitri Bai
Prasad, Dr. Bhagirath

Pratap, Shri Krishan

[@Radadiya, Shri Vithalbhai Hansrajbhai](#)

Radhakrishnan, Shri Pon

Rai, Shri Nityanand

Rai, Shri Prem Das

Raj, Shrimati Krishna

[@Rajbhar, Shri Harinarayan](#)

Rajoria, Dr. Manoj

Raju, Shri Ashok Gajapathi

Raju, Shri Gokaraju Ganga

Ram, Shri Janak

Ram, Shri Vishnu Dayal

[@Rathod, Shri D.S.](#)

Rathore (Retd.), Col. Rajyavardhan

Rathore, Shri Hariom Singh

Rathwa, Shri Ramsinh

Raut, Shri Vinayak Bhauroo

Raval, Shri Paresh

Rawat, Shrimati Priyanka Singh

Ray, Shri Bishnu Pada

Ray, Shri Ravindra Kumar

Reddy, Shri J.C. Divakar

Reddy, Shri Mekapati Raja Mohan

Rudy, Shri Rajiv Pratap

Sahu, Shri Chandulal

Sahu, Shri Lakhan Lal

Sai, Shri Vishnu Dev

Saini, Shri Rajkumar

Sampla, Shri Vijay

[@Sanjar, Shri Alok](#)

Sarmah, Shri Ram Prasad

Sarswati, Shri Sumedhanand

Sawaikar, Adv. Narendra Keshav

Sawant, Shri Arvind

Shah, Shrimati Mala Rajyalakshmi

Sharma, Shri Ram Kumar

Sharma, Shri Ram Swaroop

Shekhawat, Shri Gajendra Singh

Shetty, Shri Gopal

Shetty, Shri Raju

Shewale, Shri Rahul
Shinde, Dr. Shrikant Eknath
Shirole, Shri Anil
Shivajirao, Shri Adhalrao Patil
Shyal, Dr. Bhartiben D.
Siddeshwara, Shri G. M.
Sigrival, Shri Janardan Singh
Simha, Shri Pratap
Singh, Dr. Bhola
Singh, Dr. Jitendra
Singh, Dr. Nepal
Singh, Dr. Satya Pal
Singh, Dr. Yashwant
Singh (Retd), Gen. Vijay Kumar
Singh, Kunwar Bharatendra
Singh, Kunwar Haribansh
Singh, Rao Inderjit
Singh, Shri Abhishek
[@Singh, Shri Bharat](#)
Singh, Shri Bhola
Singh, Shri Brijbhushan Sharan
Singh, Shri Dushyant
Singh, Shri Ganesh
Singh, Shri Giriraj
Singh, Shri Kirti Vardhan
Singh, Shri Lallu
Singh, Shri Nagendra
Singh, Shri Pashupati Nath
Singh, Shri R. K.
Singh, Shri Radha Mohan
Singh, Shri Rajnath
Singh (Raju Bhaiya), Shri Rajveer
Singh, Shri Rakesh
Singh, Shri Rama Kishore
Singh, Shri Satyapal
Singh, Shri Sunil Kumar
Singh, Shri Sushil Kumar
Singh, Shri Uday Pratap
Singh, Shri Virendra
Sinha, Shri Jayant
Sinha, Shri Manoj

Sinha, Shri Shatrughan
Solanki, Dr. Kirit P.
Somaiya, Dr. Kirit
Sonkar, Shri Vinod Kumar
Sonker, Shrimati Neelam
Sriram, Shri Malyadri
Supriyo, Shri Babul
Swaraj, Shrimati Sushma
Tadas, Shri Ramdas C.
Tamta, Shri Ajay
Tanwar, Shri Kanwar Singh
Tasa, Shri Kamakhya Prasad
Teli, Shri Rameshwar
Teni, Shri Ajay Misra
Thakur, Shri Anurag Singh
Thakur, Shrimati Savitri
Tomar, Shri Narendra Singh
Tripathi, Shri Sharad
Udasi, Shri Shivkumar
Usendi, Shri Vikram
Utawal, Shri Manohar
[@Vaghela](#), Shri L. K.
Vardhan, Dr. Harsh
Vasava, Shri Parbhubhai Nagarbhai
Velagapalli, Shri Varaprasad Rao
Verma, Dr. Anshul
Verma, Shri Bhanu Pratap Singh
Verma, Shri Rajesh
Verma, Shrimati Rekha
Wanga, Shri Chintaman Navasha
Yadav, Shri Hukmdeo Narayan
Yadav, Shri Laxmi Narayan
Yadav, Shri Om Prakash
Yadav, Shri Ram Kripal

HON. SPEAKER: Subject to correction*, the result of the Division is:

Ayes: 074

Noes: 275

The motion was negatived.

HON. SPEAKER: The Lobbies are already cleared. I shall now put Clauses 4 and 5 together to the vote of the House in which case the result of the voting by division shall be taken as applicable to each clause.

The question is:

"That the clauses 4 and 5 sand part of the Bill."

The Lok Sabha divided:

DIVISION NO. 7 AYES 18.38 hours

@Advani, Shri L.K.

Agrawal, Shri Rajendra

Ahir, Shri Hansraj Gangaram

Ahluwalia, Shri S.S.

Ajmal, Shri Sirajuddin

Amarappa , Shri Karadi Sanganna

Ananthkumar, Shri

Angadi, Shri Suresh C.

Anwar, Shri Tariq

@Aujla, Shri Gurjeet Singh

Azad, Shri Kirti

Babu, Dr. Ravindra

@Badal, Shrimati Harsimrat Kaur

Baheria, Shri Subhash Chandra

Bais, Shri Ramesh

Bala, Shrimati Anju

Barne, Shri Shrirang Appa

Bhabhor, Shri Jasvantsinh Sumanbhai

Bhagat, Shri Bodh Singh

Bhagat, Shri Sudarshan

Bhamre, Dr. Subhash Ramrao

Bharti, Sushri Uma

Bhatt, Shrimati Ranjanben

Bhole, Shri Devendra Singh

Bidhuri, Shri Ramesh

§Biju, Shri P. K.

Birla, Shri Om

Bohra, Shri Ramcharan

Chand, Shri Nihal

Chandel, Kunwar Pushpendra Singh

Chandrakasi, Shri M.

Chandrappa, Shri B. N.

Chaudhary, Shri C. R.

Chaudhary, Shri Haribhai

Chaudhary, Shri P.P.

Chaudhary, Shri Pankaj

Chaudhary, Shri Ram Tahal

Chaudhary, Shri Santokh Singh

Chaudhury, Shri Jitendra

@Chauhan, Shri Devusinh

Chauhan, Shri P. P.

Chavan, Shri Harishchandra

Chavda, Shri Vinod Lakhmashi

Chhewang, Shri Thupstan

Chhotelal, Shri

Choubey, Shri Ashwini Kumar

Choudhary, Col. Sonaram

Choudhary, Shri Babulal

Choudhary, Shri Birendra Kumar

Chouhan, Shri Nandkumar Singh

Chowdhury, Shri Adhir Ranjan

Chudasama, Shri Rajeshbhai

Danve, Shri Raosaheb Patil

Datta, Shri Sankar Prasad

Dattatreya, Shri Bandaru

Deka, Shri Ramen

Deo, Shri Arka Keshari

Dev, Kumari Sushmita

@Devi, Shrimati Rama

Devi, Shrimati Veena

Dharambir, Shri

@Dhotre, Shri Sanjay

Dhruvanarayana, Shri R.

Dhurve, Shrimati Jyoti

Dohre, Shri Ashok Kumar

Diwakar, Shri Rajesh Kumar

Dubey, Shri Nishikant

Dubey, Shri Satish Chandra

Dwivedi, Shri Harishchandra alias Harish

Engti, Shri Biren Singh

Ering, Shri Ninong

Fatepara, Shri Devjibhai G.

Gaddigoudar, Shri P.C.

Gadkari, Shri Nitin

Gaikwad, Dr. Sunil Baliram

Galla, Shri Jayadev
Gandhi, Shri Dilipkumar Mansukhlal
Gandhi, Shri Rahul
Gandhi, Shrimati Maneka Sanjay
@Gandhi, Shrimati Sonia
Gangwar, Shri Santosh Kumar
Gautam, Shri Satish Kumar
Gavit, Dr. Heena Vijaykumar
Ghubaya, Shri Sher Singh
Giluwa, Shri Laxman
Girri, Shri Maheish
Gogoi, Shri Gaurav
Gohain, Shri Rajen
[@Gopalakrishnan](#), Shri C.
Goud, Dr. Boora Narsaiah
Gowda, Shri D.V. Sadananda
Gowda, Shri S.P. Muddahanume
Gupta, Shri Shyama Charan
Gupta, Shri Sudheer
Gurjar, Shri Krishanpal
Hari, Shri G.
Haribabu, Dr. Kambhampati
Hay, Prof. Richard
Hegde, Shri Anantkumar
Hemamalini, Shrimati
Hikaka, Shri Jhina
Jadhav, Shri Prataprao
Jaiswal, Dr. Sanjay
Jardosh, Shrimati Darshana Vikram
Jat, Prof. Sanwar Lal
Jaunapuria, Shri Sukhbir Singh
Jigajinagi, Shri Ramesh
Joshi, Dr. Murli Manohar
Joshi, Shri Chandra Prakash
Joshi, Shri Pralhad
Jyoti, Sadhvi Niranjana
Kachhadia, Shri Naranbhai
Kaiser, Choudhary Mehboob Ali
Kamaraj, Dr. K.
Karandlaje, Kumari Shobha

Kashyap, Shri Dinesh
Kashyap, Shri Virender
Kaswan, Shri Rahul
Kataria, Shri Rattan Lal
Kateel, Shri Nalin Kumar
Katheria, Dr. Ramshankar
Kaushik, Shri Ramesh Chander
Khadse, Shrimati Rakshatai
Khan, Shri Md. Badaruddoza
Kharge, Shri Mallikarjun
Kher, Shrimati Kirron
Khuba, Shri Bhagwanth
Kinjarapu, Shri Ram Mohan Naidu
Kishore, Shri Jugal
Kirtikar, Shri Gajanan
Koli, Shri Bahadur Singh
Koshiyari, Shri Bhagat Singh
Kristappa, Shri N.
Kulaste, Shri Faggan Singh
Kumar, Dr. Arun
Kumar, Dr. Virendra
Kumar, Kunwar Sarvesh
Kumar, Shri Ashwini
Kumar, Shri Dharmendra
Kumar, Shri K. Ashok
Kundariya, Shri Mohanbhai Kalyanjibhai
Kushawaha, Shri Ravinder
Kushwaha, Shri Upendra
Lakhanpal, Shri Raghav
Lekhi, Shrimati Meenakashi
Maadam, Shrimati Poonamben
Mahadik, Shri Dhananjay
Mahajan, Shrimati Poonam
Maharaj, Dr. Swami Sakshiji
Mahato, Dr. Banshilal
Mahato, Shri Bidyut Baran
[@Mahendran, Shri C.](#)
Malviya, Prof. Chintamani
Manjhi, Shri Hari
Meena, Shri Arjun Lal
Meena, Shri Harish

Meghwal, Shri Arjun Ram
Meinya, Dr. Thokchom
Mishra, Shri Anoop
Mishra, Shri Bhairon Prasad
Mishra, Shri Daddan
Mishra, Shri Janardan
Mishra, Shri Kalraj
Mohan, Shri M. Murli
Mohan, Shri P.C.
Moily, Shri M. Veerappa
Mukherjee, Shri Abhijit
Munda, Shri Karia
Munde, Dr. Pritam Gopinath
Muniyappa, Shri K.H.
Nagar, Shri Rodmal
Nagesh, Shri Godam
Naik, Shri Shripad Yesso
Narasimham, Shri Thota
Ninama, Shri Manshankar
Nishad, Shri Ajay
Nishad, Shri Ram Charitra
Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

Paatle, Shrimati Kamla
Pandey, Dr. Mahendra Nath
Pandey, Shri Rajesh
Pandey, Shri Ravindra Kumar
Parasuraman, Shri K.
Paswan, Shri Chirag
Paswan, Shri Kamlesh
Paswan, Shri Ram Chandra
Paswan, Shri Ramvilas
Patel, Dr. K. C.
Patel, Shri Devji M.
[@Patel](#), Shri Lalubhai Babubhai
Patel, Shri Natubhai Gomanbhai
Patel, Shri Prahlad Singh
Patel, Shri Subhash
Patel, Shrimati Anupriya
Patel, Shrimati Jayshreeben
Pathak, Shrimati Riti

Patil, Shri A.T. Nana
Patil, Shri Bheemrao B.
Patil, Shri C. R.
Patil, Shri Kapil Moreshwar
Patil, Shri Sanjay Kaka
Patole, Shri Nana
Phule, Sadhvi Savitri Bai
Prasad, Dr. Bhagirath
Pratap, Shri Krishan
Premachandran, Shri N.K.
[@Radadiya](#), Shri Vithalbhai Hansrajbhai
Radhakrishnan, Shri Pon
Raghavan, Shri M.K.
Rai, Shri Nityanand
Rai, Shri Prem Das
Raj, Shrimati Krishna
Raajhaa, Shri A. Anwhar
Rajesh, Shri M. B.
Rajoria, Dr. Manoj
Raju, Shri Ashok Gajapathi
Raju, Shri Gokaraju Ganga
Ram, Shri Janak
Ram, Shri Vishnu Dayal
Ramachandran, Shri Mullappally
Ramadoss, Dr. Anbumani
Rathod, Shri D.S.
Rathore (Retd.), Col. Rajyavardhan
Rathore, Shri Hariom Singh
Rathwa, Shri Ramsinh
Raut, Shri Vinayak Bhaurao
[\\$Raval](#), Shri Paresh
Rawat, Shrimati Priyanka Singh
Ray, Shri Bishnu Pada
Ray, Shri Ravindra Kumar
Reddy, Shri J.C. Divakar
Reddy, Shri Konda Vishweshwar
Reddy, Shri Mekapati Raja Mohan
Rudy, Shri Rajiv Pratap
Sahu, Shri Chandulal
Sahu, Shri Lakhan Lal

Sai, Shri Vishnu Dev
Saini, Shri Rajkumar
Salim, Shri Mohammad
Samal, Dr. Kulmani
Sampla, Shri Vijay
Sampath, Dr. A.
Sanjar, Shri Alok
Sarmah, Shri Ram Prasad
Sarswati, Shri Sumedhanand
Satav, Shri Rajeev
Sawaikar, Adv. Narendra Keshav
Sawant, Shri Arvind
Shah, Shrimati Mala Rajyalakshmi
Sharma, Shri Ram Kumar
Sharma, Shri Ram Swaroop
Shekhawat, Shri Gajendra Singh
Shetty, Shri Gopal
Shetty, Shri Raju
Shewale, Shri Rahul
Shinde, Dr. Shrikant Eknath
Shirole, Shri Anil
[@Shyal, Dr. Bhartiben D.](#)
Siddeshwara, Shri G. M.
Sigriwal, Shri Janardan Singh
Simha, Shri Pratap
Singh, Dr. Bhola
Singh, Dr. Jitendra
Singh, Dr. Nepal
Singh, Dr. Prabhas Kumar
Singh, Dr. Satya Pal
Singh, Dr. Yashwant
Singh (Retd), Gen. Vijay Kumar
Singh, Kunwar Bharatendra
Singh, Kunwar Haribansh
Singh, Rao Inderjit
Singh, Shri Abhishek
Singh, Shri Bharat
Singh, Shri Bhola
Singh, Shri Brijbhushan Sharan
Singh, Shri Dushyant
Singh, Shri Ganesh

Singh, Shri Giriraj
Singh, Shri Kirti Vardhan
Singh, Shri Lallu
Singh, Shri Nagendra
Singh, Shri Pashupati Nath
Singh, Shri R. K.
Singh, Shri Radha Mohan
Singh, Shri Rajnath
Singh (Raju Bhaiya), Shri Rajveer
Singh, Shri Rakesh
Singh, Shri Ravneet
Singh, Shri Satyapal
Singh, Shri Sunil Kumar
[@Singh, Shri Sushil Kumar](#)
[@Singh, Shri Uday Pratap](#)
Singh, Shri Virendra
Singh, Shrimati Pratyusha Rajeshwari
Sinha, Shri Jayant
Sinha, Shri Manoj
Sinha, Shri Shatrughan
Solanki, Dr. Kirit P.
Somaiya, Dr. Kirit
Sonkar, Shri Vinod Kumar
Sonker, Shrimati Neelam
Sriram, Shri Malyadri
Supriyo, Shri Babul
Suresh, Shri D.K.
Swaraj, Shrimati Sushma
Tadas, Shri Ramdas C.
Tamta, Shri Ajay
Tanwar, Shri Kanwar Singh
Tasa, Shri Kamakhya Prasad
Teacher, Shrimati P.K. Shreemathi
Teli, Shri Rameshwar
Teni, Shri Ajay Misra
Thakur, Shri Anurag Singh
Thakur, Shrimati Savitri
Thambidurai, Dr. M.
Tharoor, Dr. Shashi
Thomas, Prof. K.V.
Tomar, Shri Narendra Singh

Tripathi, Shri Sharad
Udasi, Shri Shivkumar
Usendi, Shri Vikram
Utawal, Shri Manohar
Vaghela, Shri L. K.
Vardhan, Dr. Harsh
Vasava, Shri Parbhubhai Nagarbhai
Velagapalli, Shri Varaprasad Rao
Venugopal, Shri K. C.
Verma, Dr. Anshul
Verma, Shri Bhanu Pratap Singh
Verma, Shri Rajesh
Verma, Shrimati Rekha
Vichare, Shri Rajan
Wanga, Shri Chintaman Navasha
Yadav, Shri Hukmdeo Narayan
Yadav, Shri Laxmi Narayan
Yadav, Shri Om Prakash
Yadav, Shri Ram Kripal

NOES

Banerjee, Shri Kalyan
Barman, Shri Bijoy Chandra
Dastidar, Dr. Kakoli Ghosh
De(Nag), Dr. Ratna
Ghosh, Shrimati Arpita
Jayadevan, Shri C. N.
Jena, Shri Rabindra Kumar
Karunakaran, Shri P.
Mahato, Dr. Mriganka
Mahtab, Shri Bhartruhari
Mandal, Dr. Tapas
Mohapatra, Dr. Sidhant
Mondal, Shri Sunil Kumar
Mondal, Shrimati Pratima
Patasani, Shri Prasanna Kumar
Patel, Shri Dilip
Poddar, Shrimati Aparupa
[@Pradhan](#), Shri Nagendra Kumar
Rajbhar, Shri Harinarayan
Ray, Shri Partha Pratim

Saren, Dr. Uma
Satpathy, Shri Tathagata
Swain, Shri Ladu Kishore
Thakur, Shrimati Mamata
Tirkey, Shri Dasrath
Trivedi, Shri Dinesh

HON. SPEAKER: Subject to correction*, the result of the Division is:

Ayes – 320

Noes – 028

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

The motion was adopted.

Clauses 4 and 5 were added to the Bill.

Clause 1 Short title and commencement

HON. SPEAKER: There is a Government amendment to clause 1.

Now, the hon. Minister to move Amendment No.6

संशोधन किया गया :

पृष्ठ 1, पंक्ति 3 और 4,--

"संविधान (एक सौ तइसवां संशोधन) अधिनियम 2017"क स्थान पर "संविधान (एक सौ दौवां संशोधन) अधिनियम, 2017" को रखा जाए। (6)

(श्री थावर चंद गढ़लोत)

HON. SPEAKER: The Lobbies are already cleared. I shall now put clause 1, as amended, to the vote of the House.

The question is:

"That clause 1, as amended, stands part of the Bill."

The Lok Sabha divided:

DIVISION NO. 8 AYES 18.40 hours

@Advani, Shri L.K.

Agrawal, Shri Rajendra

Ahir, Shri Hansraj Gangaram

Ahluwalia, Shri S.S.

Ali, Shri Idris

Amarappa, Shri Karadi Sanganna

Ananthkumar, Shri

Angadi, Shri Suresh C.

Anwar, Shri Tariq

Arunmozhithevan, Shri A.

@Aujla, Shri Gurjeet Singh

Azad, Shri Kirti

Babu, Dr. Ravindra
Badal, Shrimati Harsimrat Kaur
Baheria, Shri Subhash Chandra
Bais, Shri Ramesh
Baker, Shri George
Bala, Shrimati Anju
Banerjee, Shri Kalyan
Barman, Shri Bijoy Chandra
Barne, Shri Shrirang Appa
@Bhagat, Shri Bodh Singh
Bhagat, Shri Sudarshan
Bhamre, Dr. Subhash Ramrao
@Bharti, Sushri Uma
Bhatt, Shrimati Ranjanben
Bhole, Shri Devendra Singh
Bidhuri, Shri Ramesh
Biju, Shri P. K.
Birla, Shri Om
Bohra, Shri Ramcharan
Chand, Shri Nihal
Chandel, Kunwar Pushpendra Singh
Chandrakasi, Shri M.
@ Chandrappa, Shri B. N.
Chaudhary, Shri C. R.
Chaudhary, Shri Haribhai
@Chaudhary, Shri P.P.
Chaudhary, Shri Pankaj
Chaudhary, Shri Ram Tahal
Chaudhary, Shri Santokh Singh
Chaudhury, Shri Jitendra
@Chauhan, Shri Devusinh
Chauhan, Shri P. P.
Chavan, Shri Harishchandra
Chavda, Shri Vinod Lakhmashi
Chhewang, Shri Thupstan
Chhotelal, Shri
Choubey, Shri Ashwini Kumar
Choudhary, Shri Babulal
Choudhary, Shri Birendra Kumar
Chouhan, Shri Nandkumar Singh

Chowdhury, Shri Adhir Ranjan
Chudasama, Shri Rajeshbhai
Danve, Shri Raosaheb Patil
Dastidar, Dr. Kakoli Ghosh
Datta, Shri Sankar Prasad
Dattatreya, Shri Bandaru
De (Nag), Dr. Ratna
Deka, Shri Ramen
Deo, Shri Arka Keshari
Dev, Kumari Sushmita
Devi, Shrimati Rama
Devi, Shrimati Veena
Dharambir, Shri
Dhotre, Shri Sanjay
Dhruvanarayana, Shri R.
Dhurve, Shrimati Jyoti
Dohre, Shri Ashok Kumar
Diwakar, Shri Rajesh Kumar
Dubey, Shri Nishikant
Dubey, Shri Satish Chandra
Dwivedi, Shri Harishchandra alias Harish
Elumalai, Shri V.
Engti, Shri Biren Singh
Ering, Shri Ninong
Gaddigoudar, Shri P.C.
Gadkari, Shri Nitin
Gaikwad, Dr. Sunil Baliram
Galla, Shri Jayadev
Gandhi, Shri Dilipkumar Mansukhlal
Gandhi, Shri Rahul
Gandhi, Shrimati Sonia
Gangwar, Shri Santosh Kumar
Gautam, Shri Satish Kumar
Gavit, Dr. Heena Vijaykumar
Ghosh, Shrimati Arpita
Ghubaya, Shri Sher Singh
Giluwa, Shri Laxman
Girri, Shri Maheish
Gogoi, Shri Gaurav
Gohain, Shri Rajen
Gopalakrishnan, Shri C.

Goud, Dr. Boora Narsaiah
Gowda, Shri D.V. Sadananda
Gowda, Shri S.P. Muddahanume
Gupta, Shri Shyama Charan
Gupta, Shri Sudheer
Gurjar, Shri Krishanpal
Hari, Shri G.
Haribabu, Dr. Kambhampati
Hay, Prof. Richard
Hegde, Shri Anantkumar
Hemamalini, Shrimati
Hikaka, Shri Jhina
Jaiswal, Dr. Sanjay
Jardosh, Shrimati Darshana Vikram
Jat, Prof. Sanwar Lal
Jaunapuria, Shri Sukhbir Singh
Jayavardhan, Dr. J.
Jena, Shri Rabindra Kumar
Jigajinagi, Shri Ramesh
Joshi, Dr. Murli Manohar
Joshi, Shri Chandra Prakash
Joshi, Shri Pralhad
Jyoti, Sadhvi Niranjana
Kachhadia, Shri Naranbhai
Kaiser, Choudhary Mehboob Ali
Kamaraj, Dr. K.
Karandlaje, Kumari Shobha
Karunakaran, Shri P.
Kashyap, Shri Dinesh
Kashyap, Shri Virender
Kaswan, Shri Rahul
Kataria, Shri Rattan Lal
Kateel, Shri Nalin Kumar
Katheria, Dr. Ramshankar
Kaushik, Shri Ramesh Chander
Khadse, Shrimati Rakshatai
Khan, Shri Md. Badaruddoza
Kharge, Shri Mallikarjun
Kher, Shrimati Kirron
Khuba, Shri Bhagwanth
Kinjarapu, Shri Ram Mohan Naidu

Kishore, Shri Jugal
Kirtikar, Shri Gajanan
Koli, Shri Bahadur Singh
Koshiyari, Shri Bhagat Singh
Kulaste, Shri Faggan Singh
Kumar, Dr. Arun
Kumar, Dr. Virendra
Kumar, Kunwar Sarvesh
Kumar, Shri Ashwini
Kumar, Shri B. Vinod
Kumar, Shri Dharmendra
Kumar, Shri K. Ashok
Kumar, Shri Kaushalendra
Kundariya, Shri Mohanbhai Kalyanjibhai
Kushawaha, Shri Ravinder
Kushwaha, Shri Upendra
[@Laguri](#), Shrimati Sakuntala
Lakhanpal, Shri Raghav
Lekhi, Shrimati Meenakashi
Maadam, Shrimati Poonamben
Mahadik, Shri Dhananjay
Mahajan, Shrimati Poonam
Maharaj, Dr. Swami Sakshiji
Mahato, Dr. Banshilal
Mahato, Dr. Mriganka
Mahato, Shri Bidyut Baran
Mahtab, Shri Bhartruhari
Mahendran, Shri C.
Mandal, Dr. Tapas
Manjhi, Shri Hari
Maragatham, Shrimati K.
Meena, Shri Arjun Lal
Meena, Shri Harish
Meghwal, Shri Arjun Ram
Meinya, Dr. Thokchom
Mishra, Shri Anoop
Mishra, Shri Bhairon Prasad
Mishra, Shri Daddan
Mishra, Shri Janardan
Mishra, Shri Kalraj

Mohan, Shri M. Murli
Mohan, Shri P.C.
Mohapatra, Dr. Sidhant
Moily, Shri M. Veerappa
Mondal, Shri Sunil Kumar
Mondal, Shrimati Pratima
Mukherjee, Shri Abhijit
Munda, Shri Karia
Munde, Dr. Pritam Gopinath
Muniyappa, Shri K.H.
Nagar, Shri Rodmal
Nagesh, Shri Godam
Naik, Shri Shripad Yesso
Narasimham, Shri Thota
Ninama, Shri Manshankar
Nishad, Shri Ajay
Nishad, Shri Ram Charitra
Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

Paatle, Shrimati Kamla
Panda, Shri Baijayant Jay
Pandey, Dr. Mahendra Nath
Pandey, Shri Rajesh
Pandey, Shri Ravindra Kumar
Parasuraman, Shri K.
Paswan, Shri Chirag
Paswan, Shri Kamlesh
[@Paswan](#), Shri Ram Chandra
Paswan, Shri Ramvilas
Patasani, Shri Prasanna Kumar
[@Patel](#), Dr. K. C.
Patel, Shri Devji M.
Patel, Shri Dilip
Patel, Shri Lalubhai Babubhai
Patel, Shri Natubhai Gomanbhai
Patel, Shri Prahlad Singh
Patel, Shri Subhash
Patel, Shrimati Anupriya
Patel, Shrimati Jayshreeben
Pathak, Shrimati Riti

Patil, Shri A.T. Nana
Patil, Shri Bheemrao B.
Patil, Shri C. R.
Patil, Shri Kapil Moreshwar
Patil, Shri Sanjay Kaka
Patole, Shri Nana
Phule, Sadhvi Savitri Bai
Poddar, Shrimati Aparupa
@Pradhan, Shri Nagendra Kumar
Prasad, Dr. Bhagirath
Pratap, Shri Krishan
Premachandran, Shri N.K.
Radadiya, Shri Vithalbhai Hansrajbhai
Radhakrishnan, Shri Pon
Raghavan, Shri M.K.
Rai, Shri Nityanand
Rai, Shri Prem Das
Raj, Shrimati Krishna
Raajhaa, Shri A. Anwhar
Rajbhar, Shri Harinarayan
Rajesh, Shri M. B.
Rajoria, Dr. Manoj
Raju, Shri Ashok Gajapathi
Raju, Shri Gokaraju Ganga
Ram, Shri Janak
Ram, Shri Vishnu Dayal
Ramachandran, Shri K. N.
Ramachandran, Shri Mullappally
Ramadoss, Dr. Anbumani
Rathod, Shri D.S.
Rathore (Retd.), Col. Rajyavardhan
Rathore, Shri Hariom Singh
Rathwa, Shri Ramsinh
Raut, Shri Vinayak Bhaurao
Raval, Shri Paresh
Rawat, Shrimati Priyanka Singh
Ray, Shri Bishnu Pada
Ray, Shri Partha Pratim
Ray, Shri Ravindra Kumar
Reddy, Shri J.C. Divakar
Reddy, Shri Mekapati Raja Mohan

Rudy, Shri Rajiv Pratap
Sahu, Shri Chandulal
Sahu, Shri Lakhan Lal
Sai, Shri Vishnu Dev
Saini, Shri Rajkumar
Salim, Shri Mohammad
Sampla, Shri Vijay
Sampath, Dr. A.
Sanjar, Shri Alok
Sarmah, Shri Ram Prasad
Sarswati, Shri Sumedhanand
Satav, Shri Rajeev
Sathyabama, Shrimati V.
Satpathy, Shri Tathagata
Sawaikar, Adv. Narendra Keshav
Sawant, Shri Arvind
Shah, Shrimati Mala Rajyalakshmi
[@Shankarrao](#), Shri Mohite Patil Vijaysinh
Sharma, Shri Ram Kumar
Sharma, Shri Ram Swaroop
Shekhawat, Shri Gajendra Singh
Shetty, Shri Gopal
Shetty, Shri Raju
Shewale, Shri Rahul
Shinde, Dr. Shrikant Eknath
Shirole, Shri Anil
Shivajirao, Shri Adhalrao Patil
Shyal, Dr. Bhartiben D.
Siddeshwara, Shri G. M.
Sigriwal, Shri Janardan Singh
Simha, Shri Pratap
Singh, Dr. Bhola
Singh, Dr. Jitendra
Singh, Dr. Nepal
Singh, Dr. Prabhas Kumar
Singh, Dr. Satya Pal
Singh, Dr. Yashwant
Singh (Retd), Gen. Vijay Kumar
[@Singh](#), Kunwar Bharatendra
Singh, Kunwar Haribansh
Singh, Rao Inderjit

Singh, Shri Abhishek
Singh, Shri Bharat
Singh, Shri Bhola
Singh, Shri Brijbhushan Sharan
Singh, Shri Dushyant
Singh, Shri Ganesh
Singh, Shri Giriraj
Singh, Shri Kirti Vardhan
Singh, Shri Lallu
Singh, Shri Nagendra
Singh, Shri Pashupati Nath
Singh, Shri R. K.
Singh, Shri Radha Mohan
Singh, Shri Rajnath
Singh (Raju Bhaiya), Shri Rajveer
Singh, Shri Rakesh
Singh, Shri Rama Kishore
Singh, Shri Ravneet
Singh, Shri Satyapal
Singh, Shri Sunil Kumar
Singh, Shri Sushil Kumar
Singh, Shri Uday Pratap
Singh, Shri Virendra
Singh, Shrimati Pratyusha Rajeshwari
Sinha, Shri Jayant
Sinha, Shri Manoj
Sinha, Shri Shatrughan
[@Solanki, Dr. Kirit P.](#)
Somaiya, Dr. Kirit
Sonkar, Shri Vinod Kumar
Sonker, Shrimati Neelam
Sriram, Shri Malyadri
Sundaram, Shri P. R.
Supriyo, Shri Babul
Suresh, Shri D.K.
Swain, Shri Ladu Kishore
Swaraj, Shrimati Sushma
Tadas, Shri Ramdas C.
Tamta, Shri Ajay
Tanwar, Shri Kanwar Singh

@Tarai, Shrimati Rita

Tasa, Shri Kamakhya Prasad

Teacher, Shrimati P.K. Shreemathi

Teli, Shri Rameshwar

Teni, Shri Ajay Misra

Thakur, Shri Anurag Singh

Thakur, Shrimati Mamata

Thakur, Shrimati Savitri

Thambidurai, Dr. M.

Thomas, Prof. K.V.

Tirkey, Shri Dasrath

Tomar, Shri Narendra Singh

Tripathi, Shri Sharad

Trivedi, Shri Dinesh

Udasi, Shri Shivkumar

Udhayakumar, Shri M.

Usendi, Shri Vikram

Utawal, Shri Manohar

Vaghela, Shri L. K.

Vardhan, Dr. Harsh

Vasava, Shri Parbhubhai Nagarbhai

Venugopal, Shri K. C.

Verma, Dr. Anshul

Verma, Shri Bhanu Pratap Singh

Verma, Shri Rajesh

Verma, Shrimati Rekha

Vichare, Shri Rajan

Wanga, Shri Chintaman Navasha

Yadav, Shri Dharmendra

Yadav, Shri Hukmdeo Narayan

Yadav, Shri Jai Prakash Narayan

Yadav, Shri Laxmi Narayan

Yadav, Shri Om Prakash

Yadav, Shri Ram Kripal

NOES

Jayadevan, Shri C. N.

§Kalvakuntla, Shrimati Kavitha

HON. SPEAKER: Subject to correction*, the result of the Division is:

Ayes - 356

Noes - 001

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Enacting Formula and the Long Title were added to the Bill.

HON. SPEAKER: The hon. Minister may now move that the Bill, as amended, be passed:

श्री थावर चंद गहलोत : अध्यक्ष महोदया, मैं प्रस्ताव करता हूँ :

"कि विधयक को संशोधित रूप में पारित किया जाए। "

HON. SPEAKER: Motion moved:

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

SHRI BHARTRUHARI MAHTAB (CUTTACK): Madam, we are totally disagreed on this Bill. We will express our anxiety relating to the interest of respective provincial and State Governments. The hon. Minister has given an assurance that it will be inculcated in the rules....(*Interruptions*)

SHRI KALYAN BANERJEE: But, how can it be done? ...(*Interruptions*)

SHRI BHARTRUHARI MAHTAB: Let the hon. Minister clarify it....(*Interruptions*)

SHRI K.C. VENUGOPAL: How can it be done?...(*Interruptions*)

श्री थावर चंद गहलोत : अध्यक्ष महोदया, मैंने पहले भी निवेदन किया है कि इस विधयक के प्रावधान के अंतर्गत जो भी सुझाव हैं, उनका हम नियम बनोत समय उल्लेख करने की कार्रवाई करेंगे। मैं सब माननीय सदस्यों से अनुरोध करना चाहूंगा कि वे आश्वस्त रहें। मैं विशेष कर भद्राचरि महताब जी से आग्रह करूंगा कि वे विश्वास रखें।

â€¡(ल्यवधान)

माननीय अध्यक्ष : हर कोई ऐसा मत कीजिए।

â€¡(ल्यवधान)

माननीय अध्यक्ष: खड़ेगी जी आप बोलिये।

श्री महिलकार्जुन खड़ेगी (गुलबर्गा) : अध्यक्ष महोदया, अगर एक्ट में प्रोविजन है, तभी रूल बन सकता है। In absence of any such provision in the Act and the Constitution, how can you make rules? ...(*Interruptions*) There is no value for rules. It should be drawn from somewhere. ...(*Interruptions*)

HON. SPEAKER: The Lobbies are already cleared.

The question is:

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

The Lok Sabha divided:

DIVISION NO. 9 AYES 18.44 hours

@Advani, Shri L.K.

Agrawal, Shri Rajendra

Ahir, Shri Hansraj Gangaram

Ahluwalia, Shri S.S.

Ajmal, Shri Sirajuddin

Amarappa, Shri Karadi Sanganna

@Ananthkumar, Shri

Angadi, Shri Suresh C.
Anwar, Shri Tariq
Arunmozhithevan, Shri A.
@Aujla, Shri Gurjeet Singh
Azad, Shri Kirti
Babu, Dr. Ravindra
Badal, Shrimati Harsimrat Kaur
Baheria, Shri Subhash Chandra
Bais, Shri Ramesh
Baker, Shri George
Bala, Shrimati Anju
Banerjee, Shri Kalyan
Barne, Shri Shrirang Appa
Bhabhor, Shri Jasvantsinh Sumanbhai
Bhagat, Shri Bodh Singh
Bhagat, Shri Sudarshan
Bhamre, Dr. Subhash Ramrao
Bharti, Sushri Uma
Bhatt, Shrimati Ranjanben
Bhole, Shri Devendra Singh
Bidhuri, Shri Ramesh
Biju, Shri P. K.
Birla, Shri Om
Bohra, Shri Ramcharan
Brahmpura, Shri Ranjit Singh
Chand, Shri Nihal
Chandel, Kunwar Pushpendra Singh
Chandrakasi, Shri M.
Chandrappa, Shri B. N.
Chaudhary, Shri C. R.
Chaudhary, Shri Haribhai
Chaudhary, Shri P.P.
Chaudhary, Shri Pankaj
Chaudhary, Shri Ram Tahal
Chaudhary, Shri Santokh Singh
Chaudhury, Shri Jitendra
Chauhan, Shri Devusinh
Chauhan, Shri P. P.
Chavan, Shri Harishchandra
Chavda, Shri Vinod Lakhmashi
Chhewang, Shri Thupstan

Chhotelal, Shri
Choubey, Shri Ashwini Kumar
Choudhary, Col. Sonaram
Choudhary, Shri Babulal
Choudhary, Shri Birendra Kumar
Chouhan, Shri Nandkumar Singh
Chowdhury, Shri Adhir Ranjan
Chudasama, Shri Rajeshbhai
Danve, Shri Raosaheb Patil
Datta, Shri Sankar Prasad
Dattatreya, Shri Bandaru
Deka, Shri Ramen
Deo, Shri Arka Keshari
Dev, Kumari Sushmita
Devi, Shrimati Rama
Devi, Shrimati Veena
Dharambir, Shri
Dhotre, Shri Sanjay
Dhruvanarayana, Shri R.
Dhurve, Shrimati Jyoti
Dohre, Shri Ashok Kumar
Diwakar, Shri Rajesh Kumar
Dubey, Shri Nishikant
Dubey, Shri Satish Chandra
Dwivedi, Shri Harishchandra alias Harish
Elumalai, Shri V.
Engti, Shri Biren Singh
Ering, Shri Ninong
Fatepara, Shri Devjibhai G.
Gaddigoudar, Shri P.C.
Gadkari, Shri Nitin
Gaikwad, Dr. Sunil Baliram
Galla, Shri Jayadev
Gandhi, Shri Dilipkumar Mansukhlal
Gandhi, Shri Rahul
Gandhi, Shrimati Maneka Sanjay
Gandhi, Shrimati Sonia
Gangwar, Shri Santosh Kumar
Gautam, Shri Satish Kumar
Gavit, Dr. Heena Vijaykumar
Ghubaya, Shri Sher Singh

Giluwa, Shri Laxman
Girri, Shri Maheish
Gogoi, Shri Gaurav
Gohain, Shri Rajen
Gopalakrishnan, Shri C.
Goud, Dr. Boora Narsaiah
Gowda, Shri D.V. Sadananda
Gowda, Shri S.P. Muddahanume
Gupta, Shri Shyama Charan
Gupta, Shri Sudheer
Gurjar, Shri Krishanpal
Hari, Shri G.
Haribabu, Dr. Kambhampati
Hay, Prof. Richard
Hegde, Shri Anantkumar
Hikaka, Shri Jhina
Jadhav, Shri Prataprao
[@Jaiswal](#), Dr. Sanjay
Jardosh, Shrimati Darshana Vikram
Jat, Prof. Sanwar Lal
Jaunapuria, Shri Sukhbir Singh
Jayadevan, Shri C. N.
Jayavardhan, Dr. J.
Jena, Shri Rabindra Kumar
Jigajinagi, Shri Ramesh
Joshi, Dr. Murli Manohar
Joshi, Shri Chandra Prakash
Joshi, Shri Pralhad
Jyoti, Sadhvi Niranjan
Kachhadia, Shri Naranbhai
Kaiser, Choudhary Mehboob Ali
Kalvakuntla, Shrimati Kavitha
Kamaraj, Dr. K.
Karandlaje, Kumari Shobha
Karunakaran, Shri P.
Kashyap, Shri Dinesh
Kashyap, Shri Virender
Kaswan, Shri Rahul
Kataria, Shri Rattan Lal
Kateel, Shri Nalin Kumar
Katheria, Dr. Ramshankar

Kaushik, Shri Ramesh Chander
Khadse, Shrimati Rakshatai
Khan, Shri Md. Badaruddoza
Kharge, Shri Mallikarjun
Kher, Shrimati Kirron
Khuba, Shri Bhagwanth
Kinjarapu, Shri Ram Mohan Naidu
Kishore, Shri Jugal
Kirtikar, Shri Gajanan
Koli, Shri Bahadur Singh
Koshiyari, Shri Bhagat Singh
Kristappa, Shri N.
Kulaste, Shri Faggan Singh
Kumar, Dr. Arun
Kumar, Dr. Virendra
Kumar, Kunwar Sarvesh
Kumar, Shri Ashwini
Kumar, Shri B. Vinod
Kumar, Shri Dharmendra
Kumar, Shri Kaushalendra
Kundariya, Shri Mohanbhai Kalyanjibhai
Kushawaha, Shri Ravinder
Kushwaha, Shri Upendra
Laguri, Shrimati Sakuntala
Lakhanpal, Shri Raghav
Lekhi, Shrimati Meenakashi
Maadam, Shrimati Poonamben
Mahadik, Shri Dhananjay
Mahajan, Shrimati Poonam
Maharaj, Dr. Swami Sakshiji
Mahato, Dr. Banshilal
Mahato, Shri Bidyut Baran
Mahtab, Shri Bhartruhari
Mahendran, Shri C.
Malviya, Prof. Chintamani
Manjhi, Shri Hari
Maragatham, Shrimati K.
Meena, Shri Arjun Lal
Meena, Shri Harish
Meghwal, Shri Arjun Ram

Meinya, Dr. Thokchom
Mishra, Shri Anoop
Mishra, Shri Bhairon Prasad
Mishra, Shri Daddan
Mishra, Shri Janardan
Mishra, Shri Kalraj
Mohan, Shri M. Murli
Mohan, Shri P.C.
Mohapatra, Dr. Sidhant
Moily, Shri M. Veerappa
Mukherjee, Shri Abhijit
Munda, Shri Karia
Munde, Dr. Pritam Gopinath
Muniyappa, Shri K.H.
Nagar, Shri Rodmal
Nagesh, Shri Godam
Naik, Shri Shripad Yesso
Narasimham, Shri Thota
Ninama, Shri Manshankar
Nishad, Shri Ajay
[Nishad, Shri Ram Charitra](#)
Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

Paatle, Shrimati Kamla
Panda, Shri Baijayant Jay
Pandey, Dr. Mahendra Nath
Pandey, Shri Rajesh
Pandey, Shri Ravindra Kumar
Parasuraman, Shri K.
Paswan, Shri Chirag
Paswan, Shri Kamlesh
Paswan, Shri Ram Chandra
Paswan, Shri Ramvilas
Patasani, Shri Prasanna Kumar
Patel, Dr. K. C.
Patel, Shri Devji M.
Patel, Shri Dilip
Patel, Shri Lalubhai Babubhai
Patel, Shri Natubhai Gomanbhai
Patel, Shri Prahlad Singh
Patel, Shri Subhash

Patel, Shrimati Anupriya
Patel, Shrimati Jayshreeben
Pathak, Shrimati Riti
Patil, Shri A.T. Nana
Patil, Shri Bheemrao B.
Patil, Shri C. R.
Patil, Shri Kapil Moreshwar
Patil, Shri Sanjay Kaka
Patole, Shri Nana
Phule, Sadhvi Savitri Bai
Pradhan, Shri Nagendra Kumar
Prasad, Dr. Bhagirath
Pratap, Shri Krishan
Premachandran, Shri N.K.
Radadiya, Shri Vithalbhai Hansrajbhai
Radhakrishnan, Shri Pon
Raghavan, Shri M.K.
Rai, Shri Nityanand
Rai, Shri Prem Das
Raj, Shrimati Krishna
Rajbhar, Shri Harinarayan
Rajesh, Shri M. B.
Rajoria, Dr. Manoj
Raju, Shri Ashok Gajapathi
Raju, Shri Gokaraju Ganga
Ram, Shri Janak
Ram, Shri Vishnu Dayal
Ramachandran, Shri K. N.
Ramachandran, Shri Mullappally
Ramadoss, Dr. Anbumani
Rathod, Shri D.S.
Rathore (Retd.), Col. Rajyavardhan
Rathore, Shri Hariom Singh
Rathwa, Shri Ramsinh
Raut, Shri Vinayak Bhaurao
Raval, Shri Paresh
Rawat, Shrimati Priyanka Singh
Ray, Shri Bishnu Pada
Ray, Shri Ravindra Kumar
Reddy, Shri Konda Vishweshwar
Reddy, Shri Mekapati Raja Mohan

Rudy, Shri Rajiv Pratap
Sahu, Shri Chandulal
Sahu, Shri Lakhan Lal
Sai, Shri Vishnu Dev
Saini, Shri Rajkumar
Salim, Shri Mohammad
Samal, Dr. Kulmani
Sampla, Shri Vijay
Sampath, Dr. A.
Sanjar, Shri Alok
Sarmah, Shri Ram Prasad
Sarswati, Shri Sumedhanand
Satav, Shri Rajeev
Sathyabama, Shrimati V.
Satpathy, Shri Tathagata
Sawaikar, Adv. Narendra Keshav
Sawant, Shri Arvind
Shah, Shrimati Mala Rajyalakshmi
Shankarrao, Shri Mohite Patil Vijaysinh
Sharma, Shri Ram Kumar
Sharma, Shri Ram Swaroop
Shekhawat, Shri Gajendra Singh
Shetty, Shri Gopal
Shetty, Shri Raju
Shewale, Shri Rahul
Shinde, Dr. Shrikant Eknath
Shirole, Shri Anil
Shivajirao, Shri Adhalrao Patil
Shyal, Dr. Bhartiben D.
Siddeshwara, Shri G. M.
Sigriwal, Shri Janardan Singh
Simha, Shri Pratap
Singh, Dr. Jitendra
Singh, Dr. Nepal
Singh, Dr. Prabhas Kumar
Singh, Dr. Satya Pal
Singh, Dr. Yashwant
Singh (Retd), Gen. Vijay Kumar
Singh, Kunwar Bharatendra
Singh, Kunwar Haribansh

Singh, Rao Inderjit
Singh, Shri Abhishek
Singh, Shri Bharat
Singh, Shri Bhola
Singh, Shri Brijbhushan Sharan
Singh, Shri Dushyant
Singh, Shri Ganesh
Singh, Shri Giriraj
Singh, Shri Kirti Vardhan
Singh, Shri Lallu
Singh, Shri Nagendra
Singh, Shri Pashupati Nath
Singh, Shri R. K.
Singh, Shri Radha Mohan
Singh, Shri Rajnath
Singh (Raju Bhaiya), Shri Rajveer
Singh, Shri Rakesh
Singh, Shri Rama Kishore
Singh, Shri Ravneet
Singh, Shri Satyapal
Singh, Shri Sunil Kumar
Singh, Shri Sushil Kumar
Singh, Shri Uday Pratap
Singh, Shri Virendra
Singh, Shrimati Pratyusha Rajeshwari
Sinha, Shri Jayant
Sinha, Shri Manoj
Sinha, Shri Shatrughan
Solanki, Dr. Kirit P.
Somaiya, Dr. Kirit
Sonkar, Shri Vinod Kumar
Sonker, Shrimati Neelam
Sriram, Shri Malyadri
Sundaram, Shri P. R.
Supriyo, Shri Babul
Suresh, Shri D.K.
Swain, Shri Ladu Kishore
Swaraj, Shrimati Sushma
Tadas, Shri Ramdas C.
Tamta, Shri Ajay
Tanwar, Shri Kanwar Singh

Tarai, Shrimati Rita
Tasa, Shri Kamakhya Prasad
Teacher, Shrimati P.K. Shreemathi
Teli, Shri Rameshwar
Teni, Shri Ajay Misra
Thakur, Shri Anurag Singh
Thakur, Shrimati Savitri
Thambidurai, Dr. M.
Tharoor, Dr. Shashi
Thomas, Prof. K.V.
Tomar, Shri Narendra Singh
Tripathi, Shri Sharad
Trivedi, Shri Dinesh
Udasi, Shri Shivkumar
Udhayakumar, Shri M.
Usendi, Shri Vikram
Utawal, Shri Manohar
Vaghela, Shri L. K.
Vardhan, Dr. Harsh
Vasava, Shri Parbhubhai Nagarbhai
Venugopal, Shri K. C.
Verma, Dr. Anshul
Verma, Shri Bhanu Pratap Singh
Verma, Shrimati Rekha
Vichare, Shri Rajan
Wanga, Shri Chintaman Navasha
Yadav, Shri Dharmendra
Yadav, Shri Hukmdeo Narayan
Yadav, Shri Jai Prakash Narayan
Yadav, Shri Laxmi Narayan
Yadav, Shri Om Prakash
Yadav, Shri Ram Kripal

NOES

Naik, Prof. A.S.R.

HON. SPEAKER: Subject to correction*, the result of the Division is:

Ayes: 360

Noes: 002

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

The motion was adopted.

The Bill, as amended, is passed by the requisite majority, in accordance with the provisions of article 368 of the Constitution.

The Lobbies may be opened.

The House stands adjourned to meet again on Tuesday, 11th April, 2017 at 11 a.m.

18.46 hours

The Lok Sabha then adjourned till Eleven of the Clock

on Tuesday, April 11, 2017 / Chaitra 21, 1939 (Saka).

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