

Vol. 232
No. 27



Thursday
14 August, 2014
23 Sravana, 1936 (Saka)

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RAJYA SABHA
OFFICIAL REPORT
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[P.T.O.]

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NEW DELHI

PRICE : ₹ 50.00

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PUBLISHED UNDER RULE 260 OF RULES OF PROCEDURE AND CONDUCT OF BUSINESS
IN THE COUNCIL OF STATES (RAJYA SABHA) AND PRINTED BY SUNLIGHT PRINTERS
11/1606 PATAUDI HOUSE, DARYA GANI, NEW DELHI-110002

RAJYA SABHA

Thursday, the 14th August, 2014/23rd Sravana, 1936 (Saka)

The House met at eleven of the clock,

MR. CHAIRMAN in the Chair.

RE. DEMAND TO SUSPEND QUESTION HOUR TO TAKE UP THE CONSTITUTION AMENDMENT BILL

MR. CHAIRMAN: Hon. Members are informed that as announced yesterday, the time for giving amendments to the Constitution (One Hundred and Twenty-first Amendment) Bill, 2014, and the National Judicial Appointments Commission Bill, 2014, is up to 11.30 a.m. Thereafter, no amendments will be accepted. Members are requested to cooperate.

Now, Question No. 521. ...*(Interruptions)*...

श्री नरेश अग्रवाल (उत्तर प्रदेश) : आज क्वेश्चन ऑवर नहीं। ...*(व्यवधान)*... आज क्वेश्चन ऑवर नहीं, सर। ...*(व्यवधान)*... आज क्वेश्चन ऑवर मत कीजिए। यह बहुत इम्पोर्टेंट बिल है। ...*(व्यवधान)*...

SHRI DEREK O'BRIEN (West Bengal): Sir, the Parliamentary Affairs Minister has written to you. ...*(Interruptions)*...

श्री सभापति : नहीं, क्वेश्चन ऑवर में सब कुछ इम्पोर्टेंट है। ...*(व्यवधान)*...

श्री नरेश अग्रवाल : सर, यह बहुत इम्पोर्टेंट कांस्टीट्यूशन अमेंडमेंट बिल है। ...*(व्यवधान)*...

श्री सतीश चन्द्र मिश्रा (उत्तर प्रदेश) : सर, कांस्टीट्यूशन अमेंडमेंट बिल ले लीजिए। आज क्वेश्चन ऑवर नहीं लीजिए। ...*(व्यवधान)*... आज क्वेश्चन ऑवर को डिस्पेंस कर दीजिए और कांस्टीट्यूशन अमेंडमेंट बिल ले लीजिए। ...*(व्यवधान)*...

श्री नरेश अग्रवाल : आज क्वेश्चन ऑवर नहीं लीजिए। ...*(व्यवधान)*... आज इसे सस्पेंड कीजिए। ...*(व्यवधान)*... यह प्रिसिडेंट नहीं माना जाएगा। ...*(व्यवधान)*... इसे प्रिसिडेंट मत बनाइए, लेकिन ...*(व्यवधान)*...

श्री सभापति : जो शैड्यूल्ड बिजनेस है, उसको चलने दीजिए। ...*(व्यवधान)*... शरद जी, आप बताइए, आप क्या कहना चाहते हैं? ...*(व्यवधान)*... One minute. ...*(Interruptions)*...

श्री सतीश चन्द्र मिश्रा : सर, पहले कांस्टीट्यूशन अमेंडमेंट बिल ले लीजिए। ...*(व्यवधान)*...

श्री नरेश अग्रवाल : सर, पूरा हाउस यह चाहता है कि ...*(व्यवधान)*...

MR. CHAIRMAN: One by one. ...*(Interruptions)*... One by one. ...*(Interruptions)*... शरद जी, बताइए। ...*(व्यवधान)*...

श्री शरद यादव (बिहार) : सभापति जी ...(व्यवधान)...

SHRI DEREK O'BRIEN: Sir, the Parliamentary Affairs Minister has written to you with a request to suspend Question Hour to take up the Bill. ...*(Interruptions)*...

MR. CHAIRMAN: We have sufficient time to be able to do both. ...*(Interruptions)*...

श्री नरेश अग्रवाल : सर, पूरा सदन चाहता है। ...(व्यवधान)... आप पूरे सदन से पूछ लीजिए। ...(व्यवधान)... रेग्युलेशन कर लीजिए। ...(व्यवधान)...

श्री सभापति : आप ऐसा क्यों कर रहे हैं? ...(व्यवधान)... शरद जी, आप बताइए। ...(व्यवधान)...

श्री शरद यादव : सभापति जी, ...(व्यवधान)... वे बैठें, तब तो मैं बोलूँ। ...(व्यवधान)...

MR. CHAIRMAN: Please sit down. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*... One minute, please.

श्री शरद यादव : सभापति जी, यह बिल बहुत महत्वपूर्ण है। यह बहुत इम्पोर्टेंट बिल है और इसको एक घंटे में पूरा करना है और सरकार की भी इच्छा है कि एक बजे तक इसको पूरा करना है। ...(व्यवधान)... सर, यह बिल जो है, इससे देश के लोकतंत्र का जो इतना बड़ा खंभा है, उसके बारे में एक रास्ता निकालना है। तो इस पर सारे लोगों की बहस और राय आनी चाहिए, तो इसके लिए थोड़ा समय चाहिए। मेरी आपसे विनती है कि अगर सरकार एग्री हो, तो जो क्वेश्चन ऑवर है, इसको ...(व्यवधान)... इसमें कोई हर्ज नहीं है। ...(व्यवधान)...

श्री सभापति : प्रकाश जी, आप क्या कहते हैं?

सूचना और प्रसारण मंत्रालय के राज्य मंत्री; पर्यावरण, वन और जलवायु परि वर्तन मंत्रालय के राज्य मंत्री तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री प्रकाश जावडेकर) : सभापति जी, अगर सदन की इच्छा चर्चा करने की है और बिल सचमुच महत्वपूर्ण है, तो आज क्वेश्चन ऑवर को डिस्पेंस किया जा सकता है। ...(व्यवधान)... यही तो हमारी भी इच्छा है। ...(व्यवधान)...

MR. CHAIRMAN: One minute, please. ...*(Interruptions)*... आप बताइए, आप क्या कहना चाहते हैं?

श्री प्रकाश जावडेकर : यह पूरे सदन की इच्छा है। ...(व्यवधान)...

श्री सभापति : एक मिनट। ...(व्यवधान)... आप बैठ जाइए, प्लीज़। ...(व्यवधान)... Please sit down. ...*(Interruptions)*... Don't keep standing. That is not correct, please sit down. ...*(Interruptions)*...

श्री मधुसूदन मिस्त्री (गुजरात) : सर मुझे इसके बारे में नहीं कहना है। लेकिन आज क्योंकि जीरो ऑवर नहीं होने वाला है, इस वजह से मैंने यह मुद्दा उठाया है कि ...(व्यवधान)...

श्री सभापति : ...(व्यवधान)... अगर आपको बोलना है, तो आज जीरो ऑवर में अपना सवाल उठाइएगा। ...(व्यवधान)... वह इस वक्त नहीं उठाया जा सकता। ...(व्यवधान)...

श्री मधुसूदन मिस्त्री : सर, आज जीरो ऑवर नहीं होने वाला है, ...(व्यवधान)... इसके लिए मैं यह मुद्दा अभी उठा रहा हूँ, सर। ...(व्यवधान)...

MR. CHAIRMAN: See, this is not Zero Hour.

SHRI MADHUSUDAN MISTRY: Sir, give me only two minutes, I don't want more time.

MR. CHAIRMAN: What do you want to say? Can you just mention the subject?

श्री मधुसूदन मिस्त्री : मुझे दूसरा कुछ नहीं चाहिए। ...(व्यवधान)... जीरो ऑवर ...(व्यवधान)...

MR. CHAIRMAN: What is the subject?

श्री मधुसूदन मिस्त्री : सर, सवाल यह है कि कितने दिनों से पाकिस्तान रेंजर्स भारत की सीमा पर, एल.ओ.सी. के अन्दर हैं? ...(व्यवधान)...

श्री सभापति : उसे आप जीरो ऑवर में उठाइए या स्पेशल मेंशन दीजिए। ...(व्यवधान)...

श्री मधुसूदन मिस्त्री : वहां पर वॉयलेशन हो रहा है। ...(व्यवधान)... आप सुन लीजिए, सर। ...(व्यवधान)... यह बहुत जरूरी है। ...(व्यवधान)...

MR. CHAIRMAN: Okay, fine; thank you. ...(Interruptions)...

श्री मधुसूदन मिस्त्री : सर, आप मेरी बात तो सुन लीजिए। ...(व्यवधान)...

MR. CHAIRMAN: I can't give Zero Hour time today. ...(Interruptions)...

श्री मधुसूदन मिस्त्री : सर, वहां बी.एस.एफ. के जवान मारे गए हैं। ...(व्यवधान)... प्राइम मिनिस्टर ने वहां पर ...(व्यवधान)...

श्री सभापति : ठीक है। ...(व्यवधान)... आप स्पेशल मेंशन दीजिए। ...(व्यवधान)...

SHRI JAGAT PRAKASH NADDA (Himachal Pradesh): No Zero Hour today, Sir.

श्री मधुसूदन मिस्त्री : अगले 15 अगस्त को ...(व्यवधान)...

श्री सतीश चन्द्र मिश्रा : सर, हम कांस्टीट्यूशन अमेंडमेंट बिल की बात कर रहे हैं और ये ...(व्यवधान)...

MR. CHAIRMAN: Thank you. ...(Interruptions)... Please don't take the precious time. Please sit down. ...(Interruptions)... Please sit down. ...(Interruptions)... बैठ जाइए। ...(व्यवधान)... This is not going on record. Why are you unnecessarily interrupting? Please sit down. ...(Interruptions)... Please sit down. ...(Interruptions)...

SHRI MADHUSUDAN MISTRY:*

MR. CHAIRMAN: Please sit down. There is no Zero Hour today. ...*(Interruptions)*... You can't impose Zero Hour on us. I am sorry. ...*(Interruptions)*... आप बैठ जाइए। आप क्या कर रहे हैं? ...*(व्यवधान)*... Please sit down. ...*(Interruptions)*...

श्री सतीश चन्द्र मिश्रा : सर, यह कौन-सा तरीका है? ...*(व्यवधान)*...

श्री नरेश अग्रवाल : कांग्रेस यह जान-बूझकर कर रही है। ...*(व्यवधान)*...

MR. CHAIRMAN: One minute. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*... I have not called you. ...*(Interruptions)*... Please let me work it out. Hon. Members, please sit down. ...*(Interruptions)*...

SHRI P. RAJEEVE (Kerala): Sir, I have one point.

MR. CHAIRMAN: What is your point?

SHRI P. RAJEEVE: Sir, the point is, we are ready to discuss the Bill. We want a detailed discussion on the Bill. But, as per the rule, Sir, a motion should be there to suspend the Question Hour. Then, I request the Government to move a motion for suspension of the Question Hour.

MR. CHAIRMAN: We are not talking of suspending the Question Hour. So, don't make a motion. ...*(Interruptions)*... Question No. 521. Let it be answered. ...*(Interruptions)*...

श्री नरेश अग्रवाल : सर, अगर पूरा सदन सहमत है ...*(व्यवधान)*... सर, पूरे सदन पर चेयर की इच्छा थोपी नहीं जा सकती है। ...*(व्यवधान)*...

DR. V. MAITREYAN (Tamil Nadu): Sir, we urge you to suspend the Question Hour. ...*(Interruptions)*... Sir, all political parties unanimously request you to suspend the Question Hour. ...*(Interruptions)*...

SHRI JESUDASU SEELAM (Andhra Pradesh): Sir, how long will it take? The hon. Minister should come out with a correct date when these two reports are going to be finalized? ...*(Interruptions)*...

MR. CHAIRMAN: I have great respect for you, but ...*(Interruptions)*... But you can't speak for all political parties. ...*(Interruptions)*... I am sorry. Please allow the Question Hour to proceed. ...*(Interruptions)*... One minute, please. ...*(Interruptions)*...

SHRI JESUDASU SEELAM: What are the contents of it so far? It is difficult for the administration of Andhra Pradesh and Telangana. ...*(Interruptions)*...

*Not recorded.

MR. CHAIRMAN: One minute. एक मिनट बैठ जाइए, the expressed anxiety about availability of time for the Constitution (Amendment) Bill and the associated Bill has been discussed threadbare. We have enough time. The time allotted will be taken for it. शरद जी का जो प्वाइंट and we have enough time. We will have *sine die* in the afternoon, as has been suggested by the hon. Minister for Parliamentary Affairs. So, there is no need for Members to get unduly anxious about it. We have time for both these things. We can do it. Let the Question Hour run. That is all. Thank you.

DR. V. MAITREYAN: You move the motion, we will all support it.

श्री नरेश अग्रवाल : सभापति महोदय, मैं प्रस्ताव करता हूँ ...(व्यवधान)...

MR. CHAIRMAN: You will not succeed in this. ...(*Interruptions*)...

श्री नरेश अग्रवाल : सभापति महोदय, मेरा प्रस्ताव है ...(व्यवधान).... मैं प्रस्ताव करता हूँ ...(व्यवधान).... मेरा resolution है ...(व्यवधान).... रूल 267 के तहत मेरा resolution है ...(व्यवधान).... हम प्रस्ताव कर सकते हैं, यह हमारा अधिकार है। ...(व्यवधान).... हम प्रस्ताव कर सकते हैं। ...(व्यवधान)....

MR. CHAIRMAN: He has not moved the motion. ...(*Interruptions*)... He has not moved the motion. ...(*Interruptions*)...

श्री नरेश अग्रवाल : सर, हम प्रस्ताव मूव कर रहे हैं। ...(व्यवधान)...

DR. V. MAITREYAN: Sir, let him move the motion, and let the House decide on it. ...(*Interruptions*)...

MR. CHAIRMAN: No, you can't move a motion verbally. ...(*Interruptions*)... I am sorry, you have not moved the motion. आप प्रस्ताव verbally नहीं दे सकते हैं, आपको प्रोसीज़र मालूम है, आप बहुत सीनियर मेम्बर हैं।

श्री नरेश अग्रवाल : चेयरमैन सर ...(व्यवधान)...

श्री सभापति : इसका क्या फायदा है? देखिए अगर आप हाउस disrupt करेंगे, तो हाउस adjourn होगा। इससे क्या फायदा होगा?

DR. V. MAITREYAN: We want the discussion earlier, Sir.

MR. CHAIRMAN: No, no; you will get your discussion. ...(*Interruptions*)...

श्री नरेश अग्रवाल : चेयरमैन सर, एक मिनट मेरी बात सुन लीजिए। ...(व्यवधान)...

श्री सभापति : देखिए, आप लोग एक मिनट सुनिए। केशव राव जी, कृपया आप बैठ जाइए। कल शाम को आप सबने देखा कि कितना अच्छा डिस्कशन हुआ। आज उसी तरह का डिस्कशन होगा, काफी समय है, आपको कोई चिंता नहीं है। We have discussed it in the morning meeting. Please allow the Question Hour to proceed. That is all. अगर आप इस तरफ, उस

तरफ, हर तरफ से disruption करेंगे, तो चेयर के पास कोई चारा नहीं रहेगा, but to adjourn the House.

श्री नरेश अग्रवाल : सर, यह disruption शब्द निकाल दीजिए, हम लोग disruption नहीं कर रहे हैं। ...*(व्यवधान)*...

श्री सभापति : तो आप क्या कर रहे हैं? ...*(व्यवधान)*...

श्री नरेश अग्रवाल : सर, मेरी बात तो सुनिए। बहुत से सदस्यों को एक बजे जाना है, उसके तमाम कार्यक्रम बने हुए हैं, पूरे सदन की इच्छा है कि Constitution Amendment Bill पर बहस शुरू कर दी जाए और एक बजे तक इस पर वोटिंग हो जाए। ...*(व्यवधान)*...

DR. K. KESHA RAO (Andhra Pradesh): Sir, let me say one thing. ...*(Interruptions)*... Please allow me. ...*(Interruptions)*...

MR. CHAIRMAN: One minute, please sit down. ...*(Interruptions)*... नरेश जी, कृपया आप बैठ जाइए। ...*(व्यवधान)*... One minute, please ...*(Interruptions)*... The schedule for the two Houses of Parliament is given by the Government. It is up to 14th of August unless changed again by the Government. यह कैसे किसी मेम्बर ने presume कर लिया कि 14th का मतलब है 12 o'clock on 14th or 4 o'clock on 14th. ...*(Interruptions)*...

SHRI Y.S. CHOWDARY (Andhra Pradesh): Sir, that was the understanding yesterday. ...*(Interruptions)*...

MR. CHAIRMAN: The House has a practice. No, no; I am sorry. ...*(Interruptions)*...

DR. V. MAITREYAN: Sir, schedule of Independence Day is also for 15th morning, and we have to reach our destination in the night. ...*(Interruptions)*...

MR. CHAIRMAN: I am working on the assumption that all this has been taken into account by the Government when announcing the schedule. We are all aware of it. We are all trying to finish it by early afternoon. ...*(Interruptions)*... No, you can't make that demand because it is not a valid demand. That's all. ...*(Interruptions)*... वेंकैया जी, बोलिए।

THE MINISTER OF URBAN DEVELOPMENT; THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Sir, nobody is in a hurry, neither the Government nor the Opposition, to my knowledge. But, yesterday, when this matter came in the absence of the Chairman, when the Deputy Chairman was presiding the House, the Members had expressed their concerns that they have to reach their destinations and be present for the flag hoisting ceremony in their respective

constituencies at DC Headquarters. That being the case, it was discussed yesterday and a broad consensus was arrived at that if we were able to conclude it by lunch time, it would be easy for the Members to leave for their respective constituencies. Accordingly, if I am right, the Secretariat can correct me, the Deputy Chairman had also announced that voting will take place at 1 o' clock. That was announced ...*(Interruptions)*... We are not arguing with each other. So, you can put to vote what had been announced yesterday and if the House decides that we will be able to complete it by 1 o' clock and have voting and after that hon. Members can leave, I think, it will be good. It is not that the Members want to rush through this or the Members want to avoid discussion in this House. Members very much wanted to discuss it in the House. But the sanctity of August 15 and the logistics involved in reaching out to distances was the background of the discussion, yesterday. That is why I submit to you to take the sense of the House in the matter. There is no question of discussion that this is not the tradition of suspending the Question Hour. Sometimes, as the Chair rightly observed, the House is adjourned because of disruptions. It had happened for ten days. But my request is not to call it as a 'disruption'. If the Chair takes the sense of the House and if everybody agrees to it, then, let us go by that and complete it by 1 o' clock. But if the Chair decides otherwise, the Government has no problem either way. But the understanding reached yesterday was this. ...*(Interruptions)*...

MR. CHAIRMAN: Venkaiahji, this matter has been discussed, this morning, with your colleague. The point is, there are different views. The Chair is aware that there are different views. There may be more people of one view and less people of one view. For the Chair, it is very difficult to decide. The core matter is कि हमारे पास समय है कि नहीं उन दोनों बिलों को खत्म करने के लिए। जजमेंट यह है और यह चीज डिटेल् में डिस्कस हुई है कि हमारे पास समय है, तो फिर अपनी जो प्रैक्टिस है कल कोई दूसरा खड़ा हो जाएगा और कहेगा कि सेंस ऑफ हाउस यह है कि आप प्रश्नकाल मत चलाइए, तो बड़ी मुश्किल हो जाएगी। चेयर की पोजिशन एप्रिशिएट कीजिए। The Chair is assuring the Members that there is enough time to go through the procedures. हमारे पास अमेंडमेंट्स अभी आ रहे हैं। जब तक वे अमेंटमेंट्स सर्कुलेट नहीं होंगे तो दूसरा ऑब्जेक्शन उठ जाएगा।

DR. V. MAITREYAN: Sir, there may be enough time. But there should be enough number too at the time of voting. ...*(Interruptions)*...

MR. CHAIRMAN: We appreciate the requirement, Maitreyanji. We appreciate the requirement. But the amendments are still coming in. I have just announced कि साढ़े ग्यारह बजे तक अमेंडमेंट्स हम लेंगे, उसके बाद नहीं लेंगे। तो बगैर अमेंटमेंट्स के आप कैसे उस पर कोई कार्यवाही करेंगे? Amendments have to be circulated. So, please understand the practicality. ...*(Interruptions)*... Sharadji, may I request you to please allow the Question Hour to run. ...*(Interruptions)*... Q. No. 521.

ORAL ANSWERS TO QUESTIONS**Allocation of personnel as per the Andhra Pradesh
Reorganisation Act, 2014**

*521. SHRI JESUDASU SEELAM: Will the PRIME MINISTER be pleased to state:

(a) the details of the provisions as contained in the Andhra Pradesh Reorganisation Act, 2014 for finalization of Kamalnathan (State-level) and Sinha (All-India Services) Committee recommendations on allocation of personnel, and the steps being taken by Government with regard thereto; and

(b) the role of Government of Andhra Pradesh and status of their response ?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): (a) and (b) A Statement is laid on the Table of the House.

Statement

(a) and (b) The relevant provisions for finalisation of Advisory Committee's recommendations are contained in Section 80 of the Andhra Pradesh Reorganisation Act, 2014 which is given in Statement – I (*See* below).

The Central Government has constituted an Advisory Committee under the Chairmanship of Shri Pratyush Sinha (Sinha) for recommendation regarding (i) determination of the cadre strength of the three All India Services (AIS) on the basis of objective and transparent principles, (ii) further sub-divide total authorised strength of the three AIS into direct recruitment quota and the promotion quota wise, unreserved (UR), Other Backward Class (OBC), Schedule Caste (SC) and Schedule Tribe (ST) and insider and outsider wise, (iii) to recommend objective and transparent criteria for allocation / distribution of personnel belonging to the three All India Services borne on the undivided cadre of Andhra Pradesh and (iv) to recommend specific individual allocation/distribution of AIS officers in accordance with the allocation guidelines, as approved by the competent authority.

Based on the recommendations of the Pratyush Sinha Committee the Central Government has finalised the division of cadre strength along with its principles which has been notified on 18.07.2014.

The Central Government has also constituted another Advisory Committee under the Chairmanship of Shri C.R. Kamalanathan (Kamalanathan) for (i) recommendation

regarding determination of cadre strength and (ii) its further sub-division into various categories for different services under the State Government, (iii) to recommend objective and transparent criteria for allocation and distribution of personnel belonging to the State Government of undivided Andhra Pradesh and (iv) on the basis of approved criteria recommend specific individual allocation and distribution.

The Kamalanathan Committee is in the process of making final recommendations on the allocation guidelines.

The Chief Secretary of undivided Andhra Pradesh was Member of both the Advisory Committees. After the division of the State of Andhra Pradesh, the Chief Secretaries of both the Successor States, *i.e.*, Telangana and Andhra Pradesh not members of both the Committees.

Statement-I

Details of relevant provisions for finalisation of Advisory Committee's recommendations as contained in Section 80 of the Andhra Pradesh Reorganisation Act, 2014

“80. (1) *The Central Government may, by order, establish one or more Advisory Committees, within a period of thirty days from the date of enactment of the Andhra Pradesh Reorganisation Act, 2014, for the purpose of assisting it in regard to —*

- (a) *The discharge of any of its functions under this Part; and*
 - (b) *The ensuring of fair and equitable treatment to all persons affected by the provisions of this Part and the proper consideration of any representations made by such persons.*
- (2) *The allocation guidelines shall be issued by the Central Government on or after the date of enactment of the Andhra Pradesh Reorganisation Act, 2014 and the actual allocation of individual employees shall be made by the Central Government on the recommendations of the Advisory Committee:*

Provided that in case of disagreement or conflict of opinion, the decision of the Central Government shall be final:

Provided further that necessary guidelines as and when required shall be framed by the Central Government or as the case may be, by the State Advisory Committee which shall be approved by the Central Government before such guidelines are issued. ”

SHRI JESUDASU SEELAM: Sir, the Kamalanathan Committee and the Sinha Committee have been constituted, based on the urgency and the requirements of both

the States, to deal with the important issue of division of officers of both the State level and the All India Services. How much time will this exercise take? The sufferings are too much. ...*(Interruptions)*... It is not happening. Will the hon. Minister elaborate on the timeframe and how will it be done?

DR. JITENDRA SINGH: Mr. Chairman, Sir, the hon. Member has put a very critical question. May I share with this august House that soon after the new Government took over, one of the most challenging jobs before us was the allocation of the cadre and employees between the two States and the urgency was to make the State of Telangana functional by 02nd of June. Accordingly, as per the Andhra Pradesh Reorganization Bill of 2014, two Committees had been constituted. As has been rightly pointed out by the hon. Member, the Pratyush Sinha Committee was meant for the allocation of the All-India Services, whereas the Kamalanathan Committee was for the State employees. Now, considering the urgency of the Telangana State coming into being and becoming functional from the beginning of June, a provisional allocation was made and, thereafter, the final allocation was taken up. As of today, the status currently is that the Pratyush Sinha Committee Report has already been made available to us and the process of the allocation of the All-India Services employees is already going on, whereas the Kamalanathan Committee held its most recent meeting only yesterday at Hyderabad. The provisional allocation has been made. As you would recall that even in the Reorganisation Bill, a provision was made that the personnel orders will be valid for one year from the appointed day, that is, 2nd June. Thereby, what I am trying to state is that even though we still have about seven, eight months, as per the Ordinance, at our disposal to conclude this exercise but we hope that we would be doing it much earlier than that, considering the preferences and the sentiments of all the sections engaged in this sensitive exercise of allocation between the two States.

MR. CHAIRMAN: Thank you. Now, second question.

SHRI JESUDASU SEELAM: Sir, I am happy that the hon. Minister has elaborated on this. But I would like to know from the Minister what is happening to the notice of the Prime Minister who is sitting here. Sir, pending the provisional allocation is fine. Everybody has to do, but as regards pending the outcome of the final allocation, what is happening is, there is unrest because no officer is putting in his best efforts. Thereby, there is a lot of delay in decision making. That is part (a).

MR. CHAIRMAN: No. Put only one question.

SHRI JESUDASU SEELAM: No, no; I am not saying anything. I am asking the question. I have not yet asked. I am telling you the situation. Part (b) is, because of this

uncertainty, there are a lot of pronouncements by some leaders from both the sides that the locals will be sent out. Actually, if you take the number, it is not exactly that the people hailing from the two regions will be sufficient for both the regions. There may be give and take. So, in view of the emotional sentiments and provocation made by different leaders from both the States, would the Prime Minister be kind enough to call both the Chief Ministers and have a meeting so that situation is not escalated till the finalization of the report? ...*(Interruptions)*..

MR. CHAIRMAN: What is the question?

SHRI JESUDASU SEELAM: By when will this finalization take place?

DR. JITENDRA SINGH: Mr. Chairman, Sir, I appreciate the sentiments and the sensibilities of the hon. Member. His question is in two parts, (a) As far as the psychological fear is concerned, I think there is absolutely no room for a psychological fear and we would make all efforts to allay if there is any. As far as part (b) is concerned, about the various kinds of announcements that are being made, possibly, speculative too, which are creating some kind of apprehensions among the employees, I wish to share with this august House that the exercise is being done with as much transparency as at our command. Just to cite an example, as far as the Pratyush Sinha Committee Report is concerned, the exercise is already in its final stages; whatever allocation has been done is being put on the website and sufficient time is being given to each of the employees to register his or her grievance. As far as the State cadre is concerned, the Kamalanathan Committee also has made a provision. We have set up a Committee of the Chief Secretaries of both the States, Andhra Pradesh and Telangana, respectively. If there is any grievance, that can be put there. Therefore, I don't think there should be any room for any apprehension or any clandestine exercise being undertaken. The final recommendations will be available very soon, and as far as possible, the consideration of keeping the officers or the employees in their local State are being worked out. If not, then the most rational, objective and impartial procedure will be adopted.

SHRI Y.S. CHOWDARY: Mr. Chairman, Sir, the hon. Minister has just explained the procedure and process, but the real story is that no officer is working. So, I would request the hon. Minister to tell us by which date the cadre allocation will be done. That is my question. What is the date by which it is going to be done?

DR. JITENDRA SINGH: Sir, as I stated in the beginning, we were allotted one year for the allocation, but we are going to do it faster than that. The provisional allocation was done on the 31st of May itself, even before the Telangana State came into being. Now, as far as the final allocation is concerned, as I stated earlier, the exercise is almost complete.

But, as I said, we want to be more transparent and so, we are giving time to the employees to also register their grievances. But, very soon, maybe in the next few weeks or so, the exercise would be accomplished.

DR. K. KESHAVA RAO: Sir, I wish to ask the same question that Mr. Chowdary has asked. Is there any time frame? You have provisionally allotted 42 IAS officers as per the recommendations of the Pratyush Sinha Committee. Half of them are not working, for the simple reason that because of the guidelines that you earlier announced about their options, nativity, etc., they think that they would have to go to the other State. So, there is no finality. You need to take a call on that. Secondly, you must tell us something about the Kamalanathan Committee's recommendations as well, as Mr. Chowdary had asked, because they are on strike. It is not only not working, but the Telangana NGOs have struck work and said that unless Clause 18(f) is revisited, they will not adopt it. So, it is necessary that you be very clear about it. I am not saying that you have to do it immediately, within a month or two, but, let there be some clarity. You should be clear that such and such guideline would remain. Also, that should also be apolitical. As Mr. Seelam has said, there has to be some kind of coordination and harmony between two authorities in order to do it.

Sir, the question I am asking is this. The DoPT's officers' list was signed only after seven days of submission of the Report by the Prime Minister. Then, it has to be put up on the website. Once it is on the website, you would then get the complaints, grievances, etc. Then again, it will go back to a Committee to be decided upon and then come back. This is the explanation being offered by the officers themselves, so much so that the entire administration is coming – I would not say, has come - to a standstill in a few sections, where these officers have been seated. I want to ask the question, since this is the Question Hour, from the Minister.

MR. CHAIRMAN: Please do without the introduction !

DR. K. KESHAVA RAO: Have you factored in these issues, which I have brought to your notice, time and again, both in view of the under the Kamalanathan Committee Report and the Pratyush Sinha Committee Report?

DR. JITENDRA SINGH: Hon. Chairman, Sir, the hon. Member's concern is well taken. My only complaint is that so many questions were asked together that I am not able to recall which was the first one!

MR. CHAIRMAN: Please answer one ! ...*(Interruptions)*...

DR. JITENDRA SINGH: Anyway, understanding the gist of the matter, the allocation procedure adopted was not arbitrary or subjective, nor was it changed from time to time.

The hon. Member was referring to the all India officers. It was strictly...*(Interruptions)*... Please let me complete.

It is strictly by the guidelines and procedures laid down by the Pratyush Sinha Committee. If you want, I can even spell out the procedure for the benefit of hon. Members. ...*(Interruptions)*... If you want, I can do that, but that's not required here; we have placed it along with the answer. Secondly, it would also not be right to say that both the States were not involved. For example, in the Pratyush Sinha Committee itself, whereas the Chairman was Pratyush Sinha, the Chief Secretary of Andhra Pradesh and the Chief Secretary of Telangana were both members. In addition, there was a Special Secretary from the Ministry of Home Affairs from New Delhi to look after the IAS cadre interests; there was a member from the Indian Foreign Services also to look after the IFS cadre, and an Additional Secretary from DoPT. So, the Pratyush Sinha Committee itself has sought to be as comprehensive and inclusive as possible, and the guidelines followed are not arbitrarily made by DoPT or by the Government, but only following the Pratyush Sinha Committee guidelines and the procedures laid down by it. ...*(Interruptions)*...

SHRI JESUDASU SEELAM: There has been no sensitization of the ground. ...*(Interruptions)*...

श्री सभापति : नहीं, बैठिए। आप क्वेश्चन पूछ चुके हैं, सीलम जी। ...*(व्यवधान)*...

DR. K. KESHAVA RAO: You must go back to the ...*(Interruptions)*...

SHRI JESUDASU SEELAM: It should be done by the Government, not the officials. ...*(Interruptions)*...

MR. CHAIRMAN: Seelamji, please. ...*(Interruptions)*... Mr. Seelam, you can't do this. ...*(Interruptions)*... No, you can't do this. ...*(Interruptions)*... you can't do this. ...*(Interruptions)*...

SHRI JESUDASU SEELAM: People at the officials level will not be able to do it. ...*(Interruptions)*...

MR. CHAIRMAN: Please do not ...*(Interruptions)*... Mr. Rapolu.

SHRI Y.S. CHOWDARY: Sir, the Government has to ...*(Interruptions)*... We all appreciate the procedures and processes, but there is ...*(Interruptions)*...

MR. CHAIRMAN: Please sit down. You have asked your question. रापोलू जी, पूछिए अपना सवाल।

SHRI ANANDA BHASKAR RAPOLU: Mr. Chairman, Sir, as the hon. Minister rightly pointed out, right from 30th June, 2013, various Ministries of the Union

Government, during UPA and afterwards, day in and day out, are concentrating on smoothening the situation in allocation of employees and officials. In between, before the appointed day, there were certain doubts crept in with the decisions of very senior officials belonging to the States. ...*(Interruptions)*...

MR. CHAIRMAN: What is the question?

SHRI ANANDA BHASKAR RAPOLU: I am coming to the question. ...*(Interruptions)*... Complications have created a lot of tensions among the lower level cadres of both the States. I also appreciate the efforts of the residuary State of Andhra Pradesh to shift certain Departments to the capital of the State Vijayawada such as Agriculture, Fisheries and other Departments. ...*(Interruptions)*...

MR. CHAIRMAN: What is your question?

SHRI ANANDA BHASKAR RAPOLU: Is there any provision with the Union Government to look after the complications created by the higher officials before the appointed day which are mongering and irritating the minds of employees of both the States?

DR. JITENDRA SINGH: Mr. Chairman, Sir, as I stated earlier, nothing has been done subjectively or arbitrarily as far as senior officers are concerned. You go through the guidelines laid down by the Pratyush Sinha Committee; it has already been put on the website. As far as the senior-most officers are concerned, the allocation was made, primarily considering, by name or the preference of the two individual States. The allocation is made by the roster that we followed on the basis of districts - 13 to Andhra and 10 to Telangana making it 13:10 for the allocation of posts. And then a roster system for the allocation of the IAS officers was followed for the cadre lower than the senior-most cadre. So, we have gone strictly by that. Even in that, we have tried to accommodate, as far as possible, the locals of the two individual States. If they could get accommodated in individual States, they were not necessarily put into that. But whenever that didn't happen, the roster process, considered more objective and impartial, was resorted to and the senior-most officers were, of course, with the compliance of the two States, allocated in the interests of the two States and by the consent and the willingness of the two States of Telangana and Andhra Pradesh.

Steps taken to increase number of radio hearing audience

* 522. SHRI BASAWARAJ PATIL: Will the Minister of INFORMATION AND BROADCASTING be pleased state:

- (a) the number of radio stations in the country;

(b) the number of radio hearing audience in the country, State-wise; and

(c) whether Government would take any action to increase the number of audience?

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI PRAKASH JAVADEKAR): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) to (c) Prasar Bharati has informed that presently All India Radio (AIR) broadcasting stations are functional at 413 locations throughout the country. In addition, 243 Private FM Radio Stations are functioning in the country at present.

AIR covers about 99.20 % of the total population of the country. The national average number of listeners of AIR on a specific day is 460 Million as estimated on the basis of Radio Audience Survey of AIR. The State-wise listening figures for popular channels at sample places, where the surveys were conducted are given in Statement – I (See below).

It is the constant endeavour of the Government to increase the number of listeners and for the same the popularity, content and quality of programmes broadcast by AIR are being monitored regularly, with the help of a wide network of Audience Research Units across the country. These units regularly provide feedback on the programmes broadcast on each channel to the programme producers so that they can plan, design and modify the programmes according to the evolving needs, tastes and aspirations of the target audience.

Emphasis is also being laid on expansion of FM Transmission. This would ensure superior stereophonic sound and would also make available old Medium Wave programmes on FM mode. The programmes would become available for wider reception, even over hand held mobile sets.

As regards Private FM, the Phase-III policy envisages the extension of private FM Radio services to about 227 new cities in addition to the present 86 cities. 839 new FM radio channels are to be auctioned in 294 cities under the said Policy so as to increase the audience.

Statement – I*State-wise number of listeners of various Channels of AIR*

Sl. No.	State	Channels				Total (Fig. in Lacs)
		Primary Channel 2011	Vividh Bharati 2012-13	FM Rainbow 2013-14	FM Gold 2013-14	
1	2	3	4	5	6	7
1.	Andhra Pradesh	1.3	27.0	18.2	NA	46.4
2.	Arunachal	NA	NA	NA	NA	NA
3.	Assam	48.6	10.9	NA	NA	59.5
4.	Bihar	6.7	49.0	NA	NA	55.7
5.	Chhattisgarh	35.3	NA	NA	NA	35.3
6.	Delhi	2.0	0.4	26.0	24.0	52.4
7.	Goa	2.9	4.5	2.7	NA	10.1
8.	Gujarat	2.9	45.9	NA	NA	48.8
9.	Haryana	12.3	NA	NA	NA	12.3
10.	Himachal Pradesh	1.2	0.0	2.1	NA	3.3
11.	Jammu and Kashmir	17.9	17.9	3.2	NA	39.0
12.	Jharkhand	10.0	24.9	0.0	NA	34.9
13.	Karnataka	1.3	29.3	44.6	NA	75.1
14.	Kerala	18.4	33.2	8.6	NA	60.2
15.	Madhya Pradesh	6.4	35.5	0.0	NA	41.9
16.	Maharashtra	17.8	183.1	25.0	34.3	260.2
17.	Manipur	0.0	0.0	0.0	NA	0.0
18.	Meghalaya	5.3	0.0	0.0	NA	5.3
19.	Mizoram	2.1	0.0	0.0	NA	2.1
20.	Nagaland	0.0	0.0	0.0	NA	NA

1	2	3	4	5	6	7
21.	Odisha	4.0	1.1	2.0	NA	7.1
22.	Punjab	9.4	24.7	41.3	NA	75.4
23.	Rajasthan	5.5	9.0	NA	NA	14.5
24.	Sikkim	NA	NA	NA	NA	NA
25.	Tamil Nadu	26.7	17.3	167.4	1.2	212.6
26.	Tripura	0.6	NA	NA	NA	0.6
27.	Uttar Pradesh	72.1	50.3	54.1	NA	176.5
28.	Uttarakhand	0.0	0.0	7.8	NA	7.8
29.	West Bengal	5.2	18.0	35.3	13.5	72.0
UTs						
1.	Andaman and Nicobar Islands	NA	NA	NA	NA	NA
2.	Chandigarh	NA	9.2	NA	NA	9.2
3.	Dadra and Nagar Haveli	NA	NA	NA	NA	NA
4.	Daman and Diu	NA	NA	NA	NA	NA
5.	Lakshadweep and Minicoy Islands	NA	NA	NA	NA	NA
6.	Puducherry	1.5	NA	NA	NA	1.5
TOTAL		317.5	591.2	438.2	73.1	1420.0

NA - Figures not available as audience research survey could not be conducted/channel not available.

Note: State-wise number of listeners are based on the listeners of only those stations where Audience Research Survey could be conducted. If estimated listeners of all the stations in a particular State are included, the figures will be much higher than the figures given in the above table.

श्री बसावाराज पाटिल : माननीय सभापति जी, जैसी कि यहां पर जानकारी दी गई है, इसके लगभग 46 करोड़ listeners हैं। आज मीडिया के नाम पर काफी हो-हल्ला चल रहा है, लेकिन मैं कहता हूँ कि जो ऑल इंडिया रेडियो के अलग-अलग चैनल्स हैं, आज भी इनकी प्यूरिटी इतनी बनी हुई है कि वे देश के हित में अत्यंत उत्तम हैं। तो इनको बनाए रखने में सरकार और क्या कदम उठाएगी, जिसके कारण इनके listeners की संख्या ज्यादा बढ़े, जिससे देश में बहुत हितकारी वातावरण निर्माण करने में लाभ होगा, इस बारे में माननीय मंत्री जी बताएं।

श्री प्रकाश जावडेकर : सर, जैसा कि माननीय सदस्य ने कहा कि आकाशवाणी का होना बहुत अहम है। आकाशवाणी के 413 केन्द्र हैं, एफ.एम. के 4 गोल्ड, 23 रेनबो और विविध भारती के 37 चैनल्स हैं। 86 लोकल रेडियो स्टेशन्स हैं, एफ.एम. रिले करने वाले भी 93 स्टेशन्स हैं। जैसा कि एक सर्वे में आया, इनके द्वारा 46 करोड़ लोगों तक पहुंचा जाता है, लेकिन ये और ज्यादा लोगों तक कैसे पहुंचें? आज मोबाइल का भी बहुत प्रसार हुआ है और जितनी जल्दी हम एफएमाइजेशन करेंगे और एफ.एम. का frequency modulation ऐसा है, जिसके आधार पर आज देश में स्मार्ट फोन्स बीस करोड़ से ज्यादा हो गए हैं और यह संख्या लगातार बढ़ रही है, तो अगर मोबाइल पर रेडियो सुनाई देता है, तो यह सबसे ज्यादा प्रसार की बात है। इसलिए एफएमाइजेशन का एक कार्यक्रम बनाया गया है और आने वाले पांच सालों में ज्यादा से ज्यादा केन्द्र एफ.एम. पर होंगे और उनके द्वारा उसका बहुत प्रचार-प्रसार होगा।

श्री बसावाराज पाटिल : सभापति जी, मेरा दूसरा सवाल स्पेशली एफ.एम. रेडियो से संबंधित है। जैसा बाहर प्रचार किया जाता है, लेकिन जब एप्लिकेशन देते हैं, प्रोसीजर के आधार पर भी और फाइल के आधार पर भी, कई बार महीनों तक वह फाइल वहां पड़ी रहती है और उसको कोई नहीं देखता है। एफ.एम. रेडियो लोकल कल्चर को बढ़ाने की दृष्टि से एक पावरफुल चैनल है, तो इसके बारे में मैं दो प्रश्न पूछना चाहता हूं।

श्री सभापति : एक प्रश्न...

श्री बसावाराज पाटिल : एक ही में दो प्रश्न हैं, छोटी बात है, मैं लंबा प्रश्न नहीं पूछूंगा। नंबर एक, एफ.एम. चैनल को पॉपुलर करने की दृष्टि से उसकी जो रेंज है, क्या आप उसे बढ़ाएंगे? ऐसा करने से वहां के आस-पास के गांव वालों को सुविधा होगी। इसके अतिरिक्त अगर आप चीपेस्ट रेट में पॉकेट रेडियो जनता को देने की व्यवस्था करेंगे तो उससे जनता को बहुत लाभ होगा। इसके बारे में माननीय मंत्री जी जवाब दें और जो हर्डल्स हैं, उन्हें दूर करें।

श्री प्रकाश जावडेकर : सभापति महोदय, जो सुझाव आए हैं, निश्चित रूप से वे अच्छे सुझाव हैं। जैसा कहते हैं कि these are suggestions for action. मैं एक बात बता देता हूं कि जो डिले होता था, निर्णय प्रक्रिया में विलम्ब होता था, उसका हमने सरलीकरण किया है और अब जो भी फाइल्स आती हैं, वे रखी नहीं रहेंगी, एक समयबद्ध सीमा में उनका निपटारा होगा और अच्छे दिन आ गए हैं, यह आपका प्रत्युत्पन्न होगा।

SHRI DEREK O'BRIEN: Sir, while the efforts to spread the message through FM on smart phones and other such devices is very good, the people who actually spread the message are the Radio Jockeys or the RJs. Is the Minister aware – and if he is, what is the solution to this – that in some stations across country those young men and women have been asked to retire after they reach the age of 35? What great biological change takes place that RJs across the country are being asked to retire? Well, the RJs are the people who the radio messages across to millions of listeners. What is the reason to retire all these young boys and girls at 35 as we have read in the media in the last two weeks?

श्री प्रकाश जावडेकर : सभापति महोदय, सम्माननीय सदस्य ने जो पूछा है, let me assure

him that as soon as it came to my knowledge that some Radio Jockeys, particularly, in Kolkata are asked to retire voluntarily at 35, we have already held it up, and we have stayed it because हमने देखा है कि माननीय अमीन सयानी जी की इतनी उम्र होने के बाद भी उनकी आवाज़ कैसी है। आवाज़ सशक्त होनी चाहिए, आवाज़ सही होनी चाहिए, उसका उम्र से कोई लेना-देना नहीं है। इसलिए मैं सदन को यह एश्योर करना चाहता हूँ कि आरजेज़ को इस तरह से नहीं निकाला जाएगा। ...**(व्यवधान)**...

श्री सीताराम येचुरी : अमीन सयानी जी 80 साल की उम्र में अभी भी रेडियो जॉकी हैं। आप क्या बात कर रहे हैं?

श्री प्रकाश जावडेकर : वही तो मैं बता रहा हूँ, इसलिए मैंने ऑलरेडी इसको स्टे दिया है। ...**(व्यवधान)**...

MR. CHAIRMAN: Please. ...*(Interruptions)*... Shrimati Ambika Soni. ...*(Interruptions)*... Please. ...*(Interruptions)*... अम्बिका सोनी जी, आप अपना सवाल पूछिए।

SHRIMATI AMBIKA SONI: Sir, through you, I would like to bring about that this answer given to the question is inadequate and not complete. The question asks about the number of radio stations in the country, not the radio stations of the All India Radio alone. A very important radio component today, a radio station, is the community radio station. I remember, a couple of years ago, we have brought them up to 132. There is no mention of community radio station.

The second thing that I want to ask the Minister is, there was in the pipeline an idea about allowing FM radio stations to broadcast news. Has it come out of the pipeline to become an actuality?

श्री प्रकाश जावडेकर : सभापति महोदय, माननीय सदस्या पहले इस विभाग को नेतृत्व दे रही थीं, उन्हें इस बारे में पता है कि कम्युनिटी रेडियो सचमुच में जनआंदोलन बने, लोगों तक पहुंचने का साधन बने, इसके लिए प्रयत्न किए जाते हैं। आज उनकी संख्या 243 है, प्राइवेट चैनल्स के साथ मिलाकर। कम्युनिटी रेडियो को जनता तक पहुंचाने के लिए इसका विस्तार और तीव्र गति से हो, इसके लिए अनुदान की योजना में बदलाव करने के बारे में हम विचार कर रहे हैं। हमने 700 का एक टारगेट बनाया है ताकि यह जल्दी से जल्दी वहां तक पहुंचे। ...**(व्यवधान)**...

SHRIMATI AMBIKA SONI: Sir, I asked about the news in the FM radio.

MR. CHAIRMAN: No, no, one question only. Please. Shrimati Jaya Bachchan.

श्रीमती जया बच्चन : सभापति महोदय, मैं मंत्री जी से पूछना चाहती हूँ कि क्या आप जानते हैं कि जो प्राइवेट रेडियोज़ हैं, उनके जॉकीज़, जिनकी आप बात कर रहे थे, वे किस तरह की languages यूज़ करते हैं, किस तरह के जोक्स उसमें आते हैं? They are absolutely objectionable, very bad and the latest thing is that they have started giving news of

Parliament and they mimic a lot of Members of Parliament who have spoken. So, are you going to do something about it because this is really not palatable?

SHRI TARUN VIJAY: Sir, I associate myself with the point raised by Shrimati Jaya Bachchan. This trend is becoming atrocious.

SHRI SATISH CHANDRA MISRA: Sir, we all associate.

श्री प्रकाश जावडेकर : सभापति जी, यह बहुत ही गंभीर मसला है। मैंने पहले जो बताया है वह आकाशवाणी, विविध भारती और एफ.एम. जो हमारे अपने सरकारी माध्यमों के रेडियो जॉकीज़ हैं, उनके बारे में बताया है। जहां तक प्राइवेट रेडियो जॉकीज़ की बात है, धीरे-धीरे double meaning की या दूसरी तरह की शिकायतें आ रही हैं। इसके लिए जैसा कि आपने न्यूज़ की बात कही है, अभी तो न्यूज़ अलाउड नहीं है। What we are allowing, and thinking to allow, is about the All-India Radio news clips. That is only what we are thinking right now. But regarding commentary, what she has said is absolutely serious and we have an Electronic Media Monitoring Centre, which is monitoring this. हम ऐसी रिपोर्ट्स को जल्दी देखकर, उस पर क्या करना चाहिए, इसके बारे में तुरन्त विचार कर रहे हैं क्योंकि यह बढ़ता हुआ एक ट्रेंड है जो ठीक नहीं है।

श्री सतीश चन्द्र मिश्रा : सर, जया जी ने रेडियो जॉकीज़ पर गंदी लेंग्वेज के इस्तेमाल का प्रश्न उठाया है, क्या आप इसे रोकेंगे? ...(व्यवधान)...

MR. CHAIRMAN: Now, Question No. 523.

Schemes for Jammu and Kashmir

* 523.PROF. SAIF-UD-DIN SOZ: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether the Ministry had received any proposals for taking up its schemes for implementation in Jammu and Kashmir; and

(b) if so, the details regarding organisations recommended by the State Government?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): (a) and (b) A Statement is laid on the Table of the House.

Statement

(a) Yes, Sir.

(b) The Ministry of Women and Child Development implements a number of schemes for women and children in the country, including Jammu and Kashmir. Out of them, State Government recommendation is needed in respect of the schemes *Viz.* (i)

Support to Training and Employment Programme for Women (STEP), (ii) SWADHAR, (iii) Financial Assistance for construction of Working Women's Hostel (WWH) and (iv) UJJAWALA.

Scheme-wise details in respect of Organisations and their projects as recommended by the State Government of Jammu and Kashmir and sanctioned by the Ministry of Women and Child Development for implementation in the State are as under:

1. Step (₹ in lakhs)

Sl. No.	Name and Address of the Organisation	Sector/ Trade	Sanction Date	Duration of project	No. of Beneficiaries	Project Cost	Amount Released
1.	Shiv Gramodyog Mandal, Kalibari, Kathua, Jammu and Kashmir-184104	Mushroom Cultivation	7.3.2007	4 years	6000	251.340	184.234
2.	Rural Artisans Welfare Society, House No 17-P, Sector 2, Roop Nagar, Jammu, J&K- 180013.	Handicrafts	1.9.2010	4 years	500	31.730	17.856
3.	Centre for Slum Development, New National Hotel Kohna Khan, Dalgate, Srinagar, J&K.	Goatery	27.12.2012	3 years	500	39.975	11.289

As per records, no new proposal in respect of STEP has been received from State Government (J & K) from 2012-13 onwards.

2. Swadhar

Sl.No.	Name of the NGO	Approved	Details
1	Guild of Service Srinagar	Approved	State Govt. recommended for 100 inmates. PSC held on 16.5.2005 approved the project.

Sl.No.	Name of the NGO	Approved	Details
2	State Social Welfare Board, J & K Kupwara Project	Approved in the Special Meeting of the PSC held on 19.12.2005 for sanctioning grant in aid to women and child victims of earthquake hit areas of J & K.	Approved for 50 inmates.
3	State Social Welfare Board, J & K Poonch Project	Approved in the Special Meeting of the PSC held on 19.12.2005 for sanctioning grant in aid to women and child victims of earthquake hit areas of J & K.	Approved for 50 inmates.

No new proposal as recommended by the State Government of J & K in respect of Swadhar has been received during last three years.

3. Working Women's Hostel (WWH)

Sl. No.	Name of the Implementing Agency	Location of the Hostel	Year of Sanction
1.	Srinagar Development Authority, Srinagar	Bemina Srinagar	1989-90
2.	Hilal Institute Nai Basti, Anantnag	Anantnag	1994-95
3.	Jammu Development Authority, Jammu at Mulhi (Roopnagar), Jammu	Jammu	1994-95
4.	Secretary, Govt. of Jammu and Kashmir Social Welfare Department, Jammu	Leh	1994-95
5.	Jammu and Markazi Behaudi, Khawteen Miskeenbagh, Naupora, Srinagar	Srinagar	1975-76

No new proposal as recommended by the State Government of J & K in respect of WWH has been received during last three years.

4. As regards UJJAWALA also, no proposal as recommended by the State Government of Jammu and Kashmir has been received during last three years.

PROF. SAIF-UD-DIN SOZ: Sir, I was feeling in my mind that if this issue had come up before this Minister, it would have received a better treatment. But the question was whether this Ministry had received proposals from the Jammu and Kashmir Government. The reply is, 'yes'. But when I received this written statement this morning, I found that for major schemes like STEP, SWADHAR, Financial Assistance for Working Women's Hostel, and UJJAWALA, this Ministry has not received any proposals from the J&K Government during the last three years. Now, the question would arise whether it is the responsibility of the Government of Jammu and Kashmir. It is not so because I have been in various Committees and I have seen as to how these schemes are being monitored. We have a special status. Therefore, in implementation of schemes, we suffer in a special way because there is no monitoring.

MR. CHAIRMAN: What is the question?

PROF. SAIF-UD-DIN SOZ: Sir, it is a very important question. The question is that they have not received the proposals. But what is the system of monitoring?

MR. CHAIRMAN: Thank you.

PROF. SAIF-UD-DIN SOZ: Kindly listen to me because I have dealt with this issue in the Committee also. There is a Standing Committee on Rural Development. I will not talk about Jammu and Kashmir. Momentarily, I will talk about Andaman and Nicobar Islands.

MR. CHAIRMAN: Please put the question. We are not discussing Andaman and Nicobar.

PROF. SAIF-UD-DIN SOZ: For the last five years, there was a Commissioner who could not forward any scheme to the Government of India. Now, I raise a question. These major schemes have not been implemented. Did the Secretary to the Government of India go to J&K to hold a meeting there? I am asking this because the system is that the senior officer here writes a letter and then waits for the reply for two years. This is not only the case of Jammu and Kashmir but also of Andaman and Nicobar.

MR. CHAIRMAN: Prof. Soz, we are not discussing Andaman and Nicobar.

PROF. SAIF-UD-DIN SOZ: The hon. Minister should look into it as to why the Government of India did not ensure implementation of these major schemes.

MR. CHAIRMAN: Let the specific questions be answered.

SHRIMATI MANEKA SANJAY GANDHI: Sir, the Government of India has given a large number of schemes to J&K under different names, like STEP, which is to promote different schemes for NGOs. We have given them SWADHAR, and we have given them financial assistance for working women's hostels. Since 2013, the Government has written letters, especially since I became the Minister, asking if J&K Government would like anything. We have received absolutely no reply in spite of phone calls and letters. For instance, even for these One-Stop Crisis Centres, that we are planning to set up, we have written repeatedly to the Chief Minister and to the Members of Parliament from J&K asking them to reply to us whether they would like to have these Centres. If so, we would be happy to build them. Now, I don't know what you mean by monitoring. We are monitoring the schemes that we have given; well, we can't possibly monitor schemes that we have not given. We can just simply write. The laws say that you have to write and ask, and, then, we will be happy to give them to you.

PROF. SAIF-UD-DIN SOZ: The system must change. The phone calls are not, you see, that important. Essentially, the Government of India is entrusted to do something for the welfare of people of India. That is not happening. I gave an example of Andaman and Nicobar Islands. Kindly look into that, and, then, you look into Jammu and Kashmir. Sir, so many schemes have been floated but the hon. Minister will see from records that you have dealt mostly with Government organizations. But when you come to credible NGOs, you sanction projects for mushroom cultivation and handicrafts in Jammu. It is very nice. For Kashmir, you sanction projects, for slum development programme, and, say that the sector is goatry. But to my information, the progress of this sector is not good. I want to raise a particular question to the Minister. I hope the hon. Minister will apply her mind. As far as sanctioning a project for Jammu for handicrafts is concerned, it is very good, but you must know that handicrafts of Kashmir, such as, carpets, shawls, paper *mache*, wood carving, are world-famous arts and crafts. Kashmir has suffered a great deal during militancy.

MR. CHAIRMAN: Thank you.

PROF. SAIF-UD-DIN SOZ: Sir, it is said that 70,000 people were killed. It's a small valley. But this sector is neglected by the Ministry. You have very laudable schemes and you can afford to do it. Change the monitoring. The Secretary to the Government of India must travel to the State, at least, once in three months, hold a meeting and get the schemes implemented. Now, what you will do, particularly, for promotion of arts and crafts of Kashmir, can change the things. Please do that.

SHRIMATI MANEKA SANJAY GANDHI: Sir, the Central Government has not refused any money at all. In fact, we would be delighted to give you as many schemes

as possible, especially, in the area of handicrafts because we all are very, very proud of handicrafts of Jammu and Kashmir. It is just that you have to ask for them. I can send the Secretary. In fact, I am happy to do so.

PROF. SAIF-UD-DIN SOZ: I will request you to visit yourself. ...*(Interruptions)*...

श्री सभापति : सोज़ साहब प्लीज़ ...*(व्यवधान)*... आप बैठ जाइए।

SHRIMATI MANEKA SANJAY GANDHI: I am happy also to go and see myself. In fact, it would be nice to visit Kashmir but the problem is that even if I go or a Secretary goes, unless you have some scheme that has been worked out, I can't just throw money at it. India needs this money; we can't just throw it away. If you don't have land or you don't have beneficiaries or you don't have a scheme worked out, I can't possibly just dump money and come back. So, I would suggest you to please ask the Government of Jammu and Kashmir to send proposals, and I promise you that they would be dealt with expeditiously.

SHRI ANIL DESAI: Sir, through you, I would like to ask the Minister whether the people of Jammu and Kashmir, especially, women and children will be benefited by the schemes floated by the Government of India. I want to know from the hon. Minister as to whether the families of *Kashmiri Pandits*, their women and children, who were driven out by the militant movement of separatists, will also be the beneficiaries of these schemes. Will they be included in this?

SHRIMATI MANEKA SANJAY GANDHI: Sir, this Ministry gives a grant to the J&K Rehabilitation Council in the form of a corpus. Of course, the refugees would be included in this, and, I would be really happy to help them as much as I can.

SHRI K.T.S. TULSI: Hon. Chairman, Sir, I understand that this is an open-ended question. It talks about the proposals for taking up the schemes and it is addressed to the Ministry of Women and Child Development. There is a scheme, I believe, or, there is a proposal, which is under active consideration, of conferring powers of search, seizure and arrest with regard to the women who are victims of sexual harassment or domestic violence, etc. Is that proposal going to be applied to Jammu and Kashmir or not? That is my question.

SHRIMATI MANEKA SANJAY GANDHI: Actually, Sir, I haven't understood the question. What particular project is the Member talking about?

SHRI K.T.S. TULSI: This is ...*(Interruptions)*... National Commission for Women being given the power to arrest, search and seizure. These powers are being conferred on them so that the women who are victims of sexual harassment or domestic violence can

easily have access to justice. Is that going to be made available to Jammu and Kashmir or not?

SHRIMATI MANEKA SANJAY GANDHI: Sir, National Commission for Women does not have these powers as yet. When and if the Government decides that it should have these powers, I am sure it will apply to the whole of India. As you know, Kashmir has special status. So, they then have to sign. They have their own NCW Commission. ...*(Interruptions)*...

MR. CHAIRMAN: Please read part 'b' of the question, "if so, the details regarding organizations recommended by the State Government". So, if there is no recommendation by the State Government, the question does not arise. Now, Shri Ramakrishna. No question? Now, Shri Ratanpuri.

SHRI G.N. RATANPURI: Sir, the hon. Minister has said that ...*(Interruptions)*...

SHRI AVINASH RAI KHANNA: Sir, he has the next question. ...*(Interruptions)*...

MR. CHAIRMAN: I know, but there is no other question. What can I do? I follow the practice of three questions. That's all.

SHRI G.N. RATANPURI: It is supplementary....*(Interruptions)*...It is supplementary.

The hon. Minister has said that she has written letters to the State Government and also to the Members of Parliament. I am one of the ten Members of Parliament from Jammu and Kashmir. I have not received any letter, any communication, for the last more than five years from your Ministry. Now, as you have said, you intend to send your Secretary. I would suggest you to send a team of officers to Srinagar and convene a meeting where the Members of Parliament from Jammu and Kashmir are also invited and discuss certain schemes for the welfare of women and children belonging to Jammu and Kashmir.

MR. CHAIRMAN: It is a suggestion.

SHRI G.N. RATANPURI: And, will you kindly provide me the copies of communications that have been sent during the last five-six years to the Members of Parliament because I have not received even one?

SHRIMATI MANEKA SANJAY GANDHI: Actually, I should clarify that I have sent a letter to every single Member of the Lok Sabha asking them about this. A lot of them have replied to me and said, 'yes, we will give you the land and thank you for asking us'. We have not given it to the Rajya Sabha because it is district-specific, constituency-specific. That's why. ...*(Interruptions)*...

MR. CHAIRMAN: Thank you. ...*(Interruptions)*...

SHRI P. RAJEEVE: That is the question of dignity of this House. ...*(Interruptions)*...

SHRIMATI MANEKA SANJAY GANDHI: I will be happy ...*(Interruptions)*...

MR. CHAIRMAN: It is a procedural matter. It can be sorted out. ...*(Interruptions)*...

SHRI D.P. TRIPATHI: Sir, what is she saying? ...*(Interruptions)*...

MR. CHAIRMAN: All right. Fair enough. ...*(Interruptions)*...

SHRIMATI MANEKA SANJAY GANDHI: I will be happy to ...*(Interruptions)*...
If you believe ...*(Interruptions)*...

MR. CHAIRMAN: It is a procedural matter. It can be sorted out. Thank you.

SHRIMATI MANEKA SANJAY GANDHI: Sir, I am happy to write to the Rajya Sabha as well and I will do so tomorrow.

Widows and orphans in Jammu and Kashmir

* 524. SHRI G.N. RATANPURI: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether the number of widows and orphans is much higher in Jammu and Kashmir compared to the other parts of country;

(b) whether any survey of such widows and orphans has been conducted; and

(c) whether Government has formulated or intends to formulate any programme to provide equal opportunities to such orphans so that they grow up as responsible citizens and ensure social justice?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) and (b) No, Sir. As per Census 2001, the total number of widows in Jammu and Kashmir is 1,96,604 which is 4.1% of the total female population of the state. Sikkim (4%) and Nagaland (2.8%) are the only two states that have a lower percentage of widows compared to Jammu and Kashmir. As per the Registrar General and Census Commissioner, India, last Census was conducted in 2011, however the data on marital status which discloses number of windows is not yet released.

Data relating to number of orphans in the country is not maintained centrally.

(c) The Ministry of Women and Child Development is implementing a Centrally Sponsored Scheme, namely, Integrated Child Protection Scheme (ICPS) for rehabilitation and reintegration of children in need of care and protection, including orphans. The Scheme is being implemented across the country, including Jammu and Kashmir. There is a precondition of signing of Memorandum of Understanding (MoU) with the Union Government for implementation of the Scheme in the State. The Government of Jammu and Kashmir has signed the MoU with the Ministry of Women and Child Development on 19.09.2013 for implementation of ICPS in the State. However, so far, no proposal for release of grants under ICPS has been received from the Government of Jammu and Kashmir.

The Government of India has also been providing assistance to the Jammu and Kashmir Rehabilitation Council in the form of Corpus/Grants. Details of funds released for scholarship to orphans during the last three years is given below:

(₹ in lakhs)

Year	Scholarship to Orphans	
	Beneficiaries covered	Expenditure*
2011-12	1,826	162.01
2012-13	1,921	173.11
2013-14	1,806	129.12

* Ministry of Home Affairs released Corpus Fund of ₹. 19.00 crore in 2008-09. Expenditure is being met from the interest earned on this amount.

SHRI G.N. RATANPURI: Sir, it is a more than 13-year old data in reply to my question. According to the data available with me, in Jammu and Kashmir, we have more than 2,00,000 orphans, more than 50,000 widows, more than 8,000 half widows, thousands of destitute, old people, who don't have any resources, any means of livelihood and many thousand handicapped, who got handicapped in grenade explosions, in explosions of unexploded arsenal in firing ranges and if the process continues ...

MR. CHAIRMAN: What is the question?

SHRI G.N. RATANPURI: I have been told that 19 crore rupees of corpus has been provided by the Government of India to the State Rehabilitation Council. Out of which, last year, just about two crore rupees have been distributed among 3,598 widows; 2,210 old age people; 1,806 orphans and 1,087 handicapped people. Giving the enormity of the

situation, I can safely presume that Government has chosen ignorance or the question reflects lack of seriousness.

MR. CHAIRMAN: That is not a question. That is a view. Please ask a question.

SHRI G.N. RATANPURI: Sir, I will repeat my question. Does the Government intend to conduct a survey of orphans, widows, handicapped people and the destitute in Jammu and Kashmir and come up with specific schemes?

SHRIMATI MANEKA SANJAY GANDHI: Sir, firstly, I would like to inform the hon. Member that the money for the Rehabilitation Council is given by the Ministry of Home Affairs. It is Rs.19 crore. You have to use the interest of this which the Government of Jammu and Kashmir has done. They have used Rs.2 crore. It is obviously the interest of this corpus.

Secondly, you asked about the schemes. ...*(Interruptions)*... Regarding the Census of widows, the Census has been done. But this Census, I am afraid, is of 2001. I agree with the hon. Member that a census should be done. Since it does not come under my Ministry, I will try and talk to the Ministry involved to see if they could do a census of this. ...*(Interruptions)*... May I ask whether it is not possible for the Government of Jammu and Kashmir to do a census themselves? ...*(Interruptions)*...

MR. CHAIRMAN: Thank you. Second supplementary.

SHRI G.N. RATANPURI: Sir, I think the Government is not serious or, I will repeat, the Government has chosen to be ignorant.

MR. CHAIRMAN: What is your supplementary question?

SHRI G.N. RATANPURI: Sir, my specific question is this. I will repeat my first question first. My specific question is whether her Ministry intends to have a survey, not the census. Census is a separate issue. She has told me that the results of the Census 2011 are not out on marital status of women. So, she cannot tell the number of widows according to the latest Census. Why cannot the Ministry have a separate specific survey? And why cannot they come up with specific schemes? This is my first question. I will repeat it again.

MR. CHAIRMAN: Thank you. That is enough.

SHRIMATI MANEKA SANJAY GANDHI: We do not conduct any census in this Ministry. ...*(Interruptions)*... Wait a minute. ...*(Interruptions)*... It is a State subject. I can send a team and we can have an overview of the plight of the women there especially that of widows and orphaned children. That is the best that I can do. I can also provide help

provided the Government of Jammu and Kashmir sends me proposals for schemes. I am happy to help with special homes for women in distress and for orphaned children short-stay houses. But I cannot do a survey ...*(Interruptions)*... I cannot do a proper census because it does not come under my Ministry. ...*(Interruptions)*... It comes under the State. ...*(Interruptions)*...

SHRI G.N. RATANPURI: Sir, my second question is this. ...*(Interruptions)*...

MR. CHAIRMAN: No, you have asked enough questions. ...*(Interruptions)*... No, you have asked enough questions. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*... Shri Khanna. ...*(Interruptions)*...

श्री अविनाश राय खन्ना : मैं आपकी बात ...*(व्यवधान)*...

श्री सभापति : प्लीज़ आप बैठ जाइए ...*(व्यवधान)*... You cannot make speeches here. ...*(Interruptions)*... I am sorry. ...*(Interruptions)*... Ask specific questions. Don't make speeches.

SHRI G.N. RATANPURI: Sir, my second question is this. ...*(Interruptions)*...

MR. CHAIRMAN : What is your second question? ...*(Interruptions)*...

SHRI G.N. RATANPURI: Sir, my second question is this. ...*(Interruptions)*...

MR. CHAIRMAN: You have asked your second question. ...*(Interruptions)*... Mr. Khanna. ...*(Interruptions)*... प्लीज़ आप बैठ जाइए, ...*(व्यवधान)*... You have asked two questions. ...*(Interruptions)*...

श्री अविनाश राय खन्ना : सभापति जी, मेरा बिल्कुल साधारण क्वेश्चन है ...*(व्यवधान)*...

MR. CHAIRMAN: You have asked two questions. ...*(Interruptions)*...

श्री अविनाश राय खन्ना : सभापति जी, दो क्वेश्चन ऐसे आए हैं ...*(व्यवधान)*...

श्री सभापति : आप सवाल पूछिए।

श्री अविनाश राय खन्ना : सर, मैं सवाल पूछ रहा हूँ। जम्मू-कश्मीर सरकार ने केन्द्र से पैसा लेने के लिए प्रपोज़ल नहीं भेजा, दो क्वेश्चन लगातार ऐसे आए हैं। अगर क्वेश्चन का रिप्लाइ पढ़ें, तो 2011-12 में 1826 लोगों को, 2012-13 में 1921 लोगों को और 2013-14 में 1806 लोगों को बेनिफिट हुआ, लेकिन अगला प्रपोज़ल नहीं आया। इसका मतलब...

श्री सभापति : आपका सवाल क्या है?

श्री अविनाश राय खन्ना : इसका मतलब जम्मू-कश्मीर सरकार ने, सर यह मेरा सवाल है....

श्री सभापति : नहीं, नहीं। आप सवाल पूछिए।

श्री अविनाश राय खन्ना : सर, जम्मू-कश्मीर सरकार ने प्रपोज़ल न भेज कर इतने लोगों के मानवाधिकारों का हनन किया है। क्या केन्द्रीय सरकार उस सरकार के खिलाफ और

उन ऑफिसर्स के खिलाफ, जो प्रपोजल न भेजने के लिए रिस्पॉन्सिबल हैं, कोई एक्शन लेगी?
...(व्यवधान)...

SHRIMATI MANEKA SANJAY GANDHI: Sir, all I can do is what I promised to Prof. Soz that we will send somebody to Jammu and Kashmir to see if we can get them to increase the number of proposals from zero to whatever they want. I would also like to tell the hon. Member, Mr. Ratanpuri, that a census, as he said, was done in 2011. It is with the Registrar General of India, which belongs to the Ministry of Home Affairs. As soon as it comes in, we will see how we can help them. Regarding taking action against officials, unfortunately, the system does not allow me to do anything more than constantly asking them to send proposals. I would be happy if they send us more proposals.

SHRI D. RAJA: Sir, Jammu and Kashmir has the largest number of widows. There are two categories of widows – one category is of those widows who lost their husbands in different conflicts in the State of Jammu and Kashmir, and the other category is of those widows who do not know whether their husbands are alive or dead because their husbands are declared to have disappeared. In such a situation, has the Union Government any special programme targeting these widows, helping them in rehabilitation and dignified settlement in life?

SHRIMATI MANEKA SANJAY GANDHI: Sir, we have different schemes. We have short stay homes or other homes for widows or women in distress. This could apply to those kinds of widows. We are happy to give those; however, many are needed. It applies to 50 women at a time. We have schemes for orphaned children. Again, you have to apply for them. We have the STEP scheme to teach them any form of employment-generating talents, vocational talents and again, we are happy to send those to them. I have about eight or nine schemes which would be useful to the widows, but again, they have to be applied for.

श्री नरेन्द्र कुमार कश्यप : सभापति जी, माननीय मंत्री महोदया ने अपने उत्तर में यह जानकारी दी है कि देश में अनाथों की संख्या से सम्बन्धित डेटा केन्द्रीय स्तर पर नहीं रखा जाता है। महोदय, अनाथ बच्चे और विधवा महिलाएं, जिनको प्रांतीय और केन्द्रीय सरकार की सुविधाओं की सबसे ज्यादा जरूरत होती है, उन्हीं का डेटा केन्द्रीय स्तर पर न रखने की व्यवस्था की जानकारी माननीया मंत्री महोदया ने दी है, जो कि एक बहुत गम्भीर विषय है। मैं आपके माध्यम से माननीया मंत्री महोदया से यह जानना चाहता हूँ कि क्या सरकार या आपका विभाग जम्मू-कश्मीर के साथ-साथ भारत में तमाम प्रदेशों की विधवाओं और अनाथ बच्चों का डेटा केन्द्रीय स्तर पर रखने का कोई प्रोग्राम बनाएगा?

SHRIMATI MANEKA SANJAY GANDHI: This is a valuable suggestion.

Unfortunately, it has never been included in a census. I am sure we can look into this to see whether we can put it in the next Census. ...(*Interruptions*)...

खेल के मैदानों और उद्यानों का विकास

*525. श्री अनिल माधव दवे : क्या शहरी विकास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार यह मानती है कि शहरों में खेल के मैदान व उद्यान कम होते जा रहे हैं जिससे बच्चों व युवाओं के सांस्कृतिक, शारीरिक व व्यक्तित्व विकास में कमी हो रही है;

(ख) क्या सरकार के पास खेल के मैदान व उद्यान विकसित करने की व्यवस्था हेतु कोई योजना है और यदि हां, तो तत्संबंधी ब्यौरा क्या है; और

(ग) क्या सरकार टाउनशिप, कॉलोनी और आवास निर्माण करते समय अनिवार्यतः खेल के मैदान और बगीचे विकसित करने के लिए नियम या कानून लाने का इरादा रखती है?

शहरी विकास मंत्री (श्री एम. वेंकैया नायडु) : (क) से (ग) विवरण सभा पटल पर रख दिया गया है।

विवरण

(क) से (ग) शहरी आयोजना/विकास राज्य का विषय है। शहरी विकास मंत्रालय ने इस मामले में मार्गदर्शन हेतु शहरी विकास योजना तैयार करने और कार्यान्वयन करने संबंधी दिशानिर्देश जारी किए हैं। ये दिशानिर्देश उन खुले स्थानों की प्रतिशतताओं को विनिर्दिष्ट करते हैं जिनको जिला स्तर और शहरी स्तरी जैसे विभिन्न स्तरों पर अपेक्षित मनोरंजन स्थानीय उद्यानों, खेल के मैदानों इत्यादि के लिए अलग से रखा जा सकता है। संगत राज्य अधिनियमों के अंतर्गत तैयार किए गए मास्टर प्लानों/विकास योजनाओं के आधार पर ऐसे मामलों पर निर्णय लेना संबंधित शहरी स्थानीय निकायों/राज्य सरकारों का उत्तरदायित्व है।

Development of playgrounds and parks

†*525. SHRI ANIL MADHAV DAVE: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether Government accepts that playgrounds and parks are shrinking in the cities resulting in worsening the cultural, physical and personality development of children and youths;

(b) whether Government has any plan to make arrangement for development of playgrounds and parks and if so, the details thereof; and

(c) whether Government intends to enact rule or law for compulsory development of playgrounds and gardens while constructing township, colony and house?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):

(a) to (c) A Statement is laid on the Table of the House.

†Original notice of the question was received in Hindi.

Statement

(a) to (c) Urban Planning/Development is a State subject. Ministry of Urban Development has issued Urban Development Plan Formulation and Implementation Guidelines for guidance in the matter. These guidelines specify percentages of open spaces that may be kept aside for recreation local parks, playgrounds etc. required at various levels like district level and city level. It is for the concerned Urban Local Bodies/State Governments to take decisions on such matters based on the Master Plans/Development Plans formulated under relevant State Acts.

श्री अनिल माधव दवे : सभापति जी, मैं आपके माध्यम से अरबन डेवलपमेंट मिनिस्टर साहब से यह पूछना चाहता हूँ कि देश के शहरों के विकास के लिए जो उनका नक्शा बनता है, जो उनकी प्लानिंग होती है, उसके अन्दर बगीचों और खेल के मैदानों की जो स्थिति है....

MR. CHAIRMAN: Question Hour is over.

WRITTEN ANSWERS TO STARRED QUESTIONS**Investment for urban infrastructure**

*526. DR. R. LAKSHMANAN: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether a High Powered Expert Committee (HPEC) appointed by the Government has estimated that there is a requirement of an investment to the tune of \$39 billion over the next twenty years for the improvement of urban infrastructure, if so, the details thereof; and

(b) whether Government has formulated any comprehensive plan to meet the required amount, if so, the details thereof?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M.VENKAIHA NAIDU):

(a) A High Powered Expert Committee (HPEC) for estimating the investment requirement for urban infrastructure services had been constituted. The HPEC had estimated a requirement of ₹39.2 lakh crore at 2009-10 prices for urban infrastructure over a 20-year period. This includes ₹17.3 lakh crore for urban roads, ₹8.00 lakh crore for delivering urban services such as water, sewerage, solid waste management and storm water drains and ₹ 4.00 lakh crore for investment in renewal and redevelopment including slums.

(b) The Government is considering the launch of a new Urban Development Mission which will take into consideration the recommendation of HPEC.

Schemes for person with disabilities run through facilitators

†*527. DR. SANJAY SINH: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether any co-operative scheme for persons with disabilities is being run through facilitators by the National Trust;
- (b) the number of facilitators trained therefor and the details thereof, and the amount of money spent on such training;
- (c) the number of Non-Governmental Organisations (NGOs) which were assigned with the task of giving training; and
- (d) the method for selection of NGOs and the criteria adopted for their selection?

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI THAAWAR CHAND GEHLOT): (a) to (c) While the National Trust has no co-operative scheme for persons with disabilities, the National Trust implements various training schemes for the welfare and empowerment of persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities. The details of these schemes are as follows:

- (i) Sahyogi: The scheme is creating, promoting and monitoring a pool of care givers for persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities through training by Master Trainers. So far 72 Master Trainers and 2407 Care Givers have been trained under the scheme catering to 36 care giver Cells attached to NGOs. An amount of ₹1.92 crore has been disbursed to NGOs under this scheme.
- (ii) Aspiration: The scheme addresses the developmental disabilities at the early intervention level, for the children in the age group of 0-6 years through (i) Awareness generation amongst parents of persons with disabilities, its family members and related Government Officials/teachers (ii) Training for daily living activities (iii) Respite care services (for parents) and (iv) Social and family integration. A total of 1580 parents/facilitators were trained under the scheme and an amount ₹ 4.43 crore has been spent so far.
- (iii) ARUNIM: ARUNIM facilitates livelihood and capacity building through skill development and innovative product design and development. A total of 1287 persons have been trained by ARUNIM through 64 training programmes. An amount of ₹ 107.42 lakh has been spent for this purpose till March, 2014.

†Original notice of the question was received in Hindi.

(d) Regulation 8 of the Board of Trust Regulations, 2001, empowers the Board of National Trust to decide the criteria for participation in Trusts schemes and programmes as per terms and conditions laid down therein.

Proposal to amend laws related to dalits

†*528. SHRI RAMDAS ATHAWALE: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether there is any proposal to amend the existing acts/laws related to Dalits, if so, the details thereof; and

(b) by when, the final decision would to be taken in this regard?

THE MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI THAAWAR CHAND GEHLOT): (a) and (b) The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) (POA) Act, 1989 was enacted and brought into force on 31.01.1990, with a view to “prevent the commission of offences of atrocities against the members of the Scheduled Castes and the Scheduled Tribes, to provide for Special Courts for the trial of such offences and for the relief and rehabilitation of the victims of such offences”. The PoA Act extends to the whole of India except Jammu and Kashmir, and responsibility for its implementation primarily rests with State Governments and Union Territory Administrations.

Based on the consultation process with various stakeholders and with an objective to deliver members of Scheduled Castes and Scheduled Tribes a greater justice as well as an enhanced deterrent to the offenders, amendments in the PoA Act have been considered to broadly cover the following five areas:

- I. Amendments to Chapter II (Offences of Atrocities) to include new definitions, to re-phrase existing sections and expand the scope of presumptions.
- II. Institutional Strengthening.
- III. Appeals.
- IV. Establishing Rights of Victims and Witnesses.
- V. Strengthening preventive measures.

Accordingly consequent upon approval of the Government, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Bill, 2014, to amend the PoA Act, has been introduced in the Lok Sabha on 16.07.2014.

†Original notice of the question was received in Hindi.

Solid waste management projects under JNNURM in Odisha

*529. SHRI A. U. SINGH DEO: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether Government is running Solid Waste Management Projects under the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) for Odisha;

(b) if so, the details of the districts of Odisha which have been provided Central assistance during the last three years for Solid Waste Management Projects, if not, the reasons therefor; and

(c) whether Government has received new proposals from the State, if so, the details thereof?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAI AH NAIDU): (a) and (b) No Sir. No Solid Waste Management Project has been sanctioned for Odisha under Jawaharlal Nehru National Urban Renewal Mission (JNNURM). The projects under JNNURM were considered by the Ministry subject to their technical appraisal from Technical Agencies, in conformity with the guidelines of the scheme and on receipt of approval/recommendations of the State Level Sanctioning Committee (SLSC).

(c) No proposal is pending as the mandate to sanction new projects under Jawaharlal Nehru National Urban Renewal Mission (JNNURM) came to an end on 31.03.2014.

Programme for people going abroad as labourers

*530. SHRI C.M. RAMESH: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether Government is aware of the fact that mostly those who are not well-educated are going to Gulf countries for working as labourers,

(b) whether Government is also aware of the fact that taking advantage of their position, many private placement agencies in collusion with foreign placement agencies are exploiting them, and

(c) if so, whether Government has formulated any programme to check this trend so that those who want to work as labourers in foreign countries can have a nice/fine working atmosphere, if so, the details thereof?

THE MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRIMATI SUSHMA SWARAJ): (a) Yes, Sir. Many labourers going to the Gulf countries are generally not

well-educated and hence Emigration Check Required (ECR) passports are issued to them being below matriculation standard.

(b) From time to time, complaints are received from the gullible emigrants that they have been duped/cheated by fraudulent elements/unregistered agents/foreign sponsors/foreign employers of fake offers for overseas employment through advertisements in local newspapers, e-mail etc., bypassing the procedure of legal migration through misuse of visit/tourist visa. Complaints are also received of violation of contractual obligations on the part of the foreign employers/sponsors.

(c) The Emigration Act 1983 and Rules thereof as amended from time to time and executive instructions provide framework to facilitate safe and legal emigration, check irregular emigration and for providing protection and welfare to the Indian emigrants. These are listed below.

Emigration Check Required (ECR) passport holders going to any of the 18 ECR countries require emigration clearance, under Section 22 of the Emigration Act, 1983 read with Rule 15 of the Emigration Rule 1983, from any of the office of Protector of Emigrants located at 10 places namely Mumbai, Chennai, Delhi, Hyderabad, Kolkata, Cochin, Thiruvananthapuram, Jaipur, Rae Bareilly and Chandigarh.

In order to safeguard the interests of the emigrant workers and to ensure that only credible persons are enrolled as recruiting agents, various eligibility criteria are imposed, like Police verification of character and antecedents, minimum Educational Qualification of graduation or 2 year Diploma, financial soundness of the applicant and submission of Bank Guarantee of ₹ 20.00 lakhs etc.

Every application for emigration clearance should accompany the requisite documents like Demand from the Foreign Employer, Power of Attorney given by the Employer to the Recruiting Agent, Employment Agreement between the employer and employee, having a provision of Minimum Referral Wages (to ensure reasonable salary), various other conditions of employment (like free accommodation, food, allowances, leave salary, fixed working hours), valid Visa, Insurance Policy under Parvasi Bhartiya Bima Yojna (PBBY) Pre-attestation of employment documents is mandatory in vulnerable cases (unskilled) and Domestic Sector Workers (DSW). In case of women emigrants below 30 years of age, emigration clearance is not accorded, besides attestation of documents by the respective Mission, depositing a security of US \$ 2500 in the Indian Mission by the Foreign Employer has been made mandatory to protect the interests of women emigrants.

Violation of provisions of the Emigration Act/Rules is dealt with seriously. Complaint

against unregistered RAs are referred to concerned State Governments/Police Authorities for investigation and action for violation of Section 10 and 24 of Emigration Act 1983, and other laws of the land, as appropriate. The Police authorities, in turn, after investigating the case and securing adequate evidence, seek approval from Protector General of Emigrants, Ministry of Overseas Indian Affairs/competent authority for prosecuting the accused in the appropriate court of law, under section 27 of the Emigration Act, 1983. Request for such prosecution sanctions are processed and prosecution sanction issued on priority by the office of the Protector General of Emigrants, Ministry of Overseas Indian Affairs. The penal provisions for violation of the Emigration Act, 1983 such as cheating, overcharging, furnishing false information [Section 24(1) and (2)] are punishable with imprisonment upto 2 years and with fine upto ₹ 2,000/-.

In case of complaints against registered RAs, action as stipulated under the Emigration Act 1983 and Emigration Rules 1983, by way of issuing Show Cause Notice (SCN), suspension/cancellation of license and forfeiture of Bank Guarantee, are taken. In case the Foreign Employer (FE) is found to be indulging in exploiting an emigrant, the FE is blacklisted in consultation with the Indian Mission. Once blacklisted, that FE cannot recruit any Indian worker.

Other measures taken for protection and welfare of emigrants include computerized system for emigration clearance. The complete status of the Registered Recruiting Agent is also available for online checking on the website www.poeonline.gov.in.

The Ministry has established Overseas Workers Resource Centre (OWRC), under which, a 24 hour toll free helpline in eight listed languages namely, English, Hindi, Punjabi, Malayalam, Bengali, Tamil, Telugu and Kannada to enable Emigrants/prospective Emigrants to seek information and file complaints against Registered/Unregistered Recruiting Agents/Foreign Employers.

The Ministry has also established Migration Resource Centres (MRCs) at Cochin and Hyderabad with facility for walk in counselling/consultation.

To protect the intending emigrants from being duped by the unscrupulous elements, the Ministry conducts a massive nationwide Awareness and Publicity campaign through print and electronic media to inform intending migrants the do's and don'ts of the recruitment and the emigration procedure.

Indian Community Welfare Fund (ICWF) has been established in all the Indian Missions for on-site welfare of emigrants, which include offering food and accommodation like Shelter for short term to Indian workers in distress, air-ticket at Government cost for repatriation to India, transportation of the mortal remains, initial legal assistance

and emergency medical help and organizing awareness camps at prominent workers accommodation sites.

For redressal of grievances of emigrants, Indian Workers Resource Centre (IWRC) at Dubai, UAE, has been established which is a 24X7 toll free multilingual helpline and also provides free legal, psychological and financial counselling to distressed Indians. Other Missions also have helpline/help desks to attend to grievances of Indian nationals.

Diplomatic initiatives are also taken with host countries to extend the protection of labour laws to the workers in the informal sector. India has signed Memorandum of Understanding (MoU) on Labour with Jordan and Qatar in 1980s, bilateral MoU with the major emigrants receiving countries like United Arab Emirates (UAE) in December, 2006, with Kuwait in April, 2007, with Oman in November, 2008, with Malaysia in January, 2009, and with Bahrain in June, 2009, and Saudi Arabia in January, 2014 (for Domestic Sector Workers).

Water quality monitoring centres under NRCP

†*531. DR. VIJAYLAXMI SADHO: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

- (a) the number of water quality monitoring centres opened under the National River Conservation Programme (NRCP) in Madhya Pradesh, the details thereof;
- (b) the number of centres functioning out of those and functions of these centres; and
- (c) the details of measures being taken for maintaining the quality of river water?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) and (b) No monitoring station has been set up in the State of Madhya Pradesh under the National River Conservation Programme (NRCP). Water quality monitoring of rivers across the country, including Madhya Pradesh, is being carried out by Central Pollution Control Board (CPCB) along with State Pollution Control Boards (SPCBs) under the National Water Quality Monitoring Programme.

(c) It is the responsibility of the State Governments/concerned local bodies to set up proper facilities for collection and treatment of sewage being generated and ensure that untreated sewage does not fall into the rivers, thereby polluting them. This Ministry is supplementing efforts of the State Governments in abatement of pollution in

†Original notice of the question was received in Hindi.

identified stretches of various rivers under the National River Conservation Plan (NRCP) and NGRBA (National Ganga River Basin Authority) programmes, for implementation of projects on a cost sharing basis between the Central and State Governments. Various pollution abatement schemes taken up under these programmes, *inter-alia*, include interception and diversion of raw sewage, setting up of sewage treatment plants, low cost sanitation facilities, electric/improved wood crematoria and river front development.

NRCP and NGRBA programmes presently cover polluted stretches of 42 rivers in 199 towns spread over 21 States at a sanctioned cost of ₹ 10716.45 crore. Till end of March, 2014, ₹ 5097.50 crore has been released to the State Governments for implementation of various pollution abatement works. Sewage treatment capacity of 4957.98 million litres per day has been created so far under the two programmes.

In addition, State Governments, apart from their own budgetary allocations, are also accessing financial assistance for creation of sewerage infrastructure, including setting up of sewage treatment plants, in various towns under other Central Sector Schemes like JNNURM (Jawaharlal Nehru National Urban Renewal Mission) and UIDSSMT (Urban Infrastructure Development Scheme for Small and Medium Towns) of Ministry of Urban Development.

To control discharge of industrial effluents into the rivers, CPCB and respective SPCBs/Pollution Control Committees monitor industries with respect to effluents discharge standards and take action for non-compliance under the Water (Prevention and Control of Pollution) Act, 1974 and the Environment (Protection) Act, 1986.

Norms for special category status to States

*532. SHRI K.C. TYAGI: Will the Minister of PLANNING be pleased to state:

- (a) the details of the norms fixed for grant of special category status to the States;
- (b) whether Government has received proposals from the State Governments to accord Special Category State status to their States during the last three years and the current year;
- (c) if so, the details thereof and the action taken by Government thereon; and
- (d) the names of the States which have already been accorded Special Status along with the funds allocated for their developmental activities during the last three years and the current year?

THE MINISTER OF STATE OF THE MINISTRY OF PLANNING
(SHRI INDERJIT SINGH RAO): (a) Special Category Status for plan assistance has been

granted in the past by the National Development Council (NDC) to some States that are characterized by a number of features necessitating special consideration. These features include: (i) hilly and difficult terrain, (ii) low population density and/or sizeable share of tribal population, (iii) strategic location along borders with neighbouring countries, (iv) economic and infrastructural backwardness and (v) non-viable nature of State finances.

(b) During the last three years and the current year, requests for special category status have been received from the State Governments of Bihar, Jharkhand, Odisha, Goa, Rajasthan, Andhra Pradesh, Chhattisgarh and Telangana.

(c) The requests of the State Governments of Jharkhand, Odisha, Goa and Rajasthan were examined with reference to the NDC criteria and it was communicated by Planning Commission to the State Government of Jharkhand in January, 2011, Goa in June, 2011, Rajasthan and Odisha in May, 2013 that the case for Special Category Status was not made out as per the existing criteria. In case of Bihar, an Inter-Ministerial Group (IMG) was constituted to look into the Memorandum submitted to the Prime Minister by a delegation from Bihar. The IMG in its report submitted on 30th March, 2012 came to a finding that the case for Special Category Status for Bihar based on existing NDC criteria was not made out. Recently, the State Governments of Bihar, Odisha and Rajasthan have reiterated their demand for Special Category Status. Further, the State Governments of Andhra Pradesh, Telangana and Chhattisgarh have also made a request for grant of such a status. These requests are under consideration.

(d) Eleven States have been accorded Special Category Status for plan assistance namely, Arunachal Pradesh, Assam, Himachal Pradesh, Jammu and Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura and Uttarakhand.

The release of plan assistance from the Centre to these States for their development activities during the last three years and the current year is given in the Statement (See below).

Statement

State-wise release of plan assistance from the Centre (2011-12 to 2014-15)

		(₹ in crore)			
Sl. No.	Special Category States (SCS)	2011-12	2012-13	2013-14	2014-15 (as on 11.08.2014)
1	2	3	4	5	6
1.	Arunachal Pradesh	3973.86	4522.74	4342.78	1076.03
2.	Assam	12574.94	12511.25	13673.05	3661.02

1	2	3	4	5	6
3.	Himachal Pradesh	5211.54	5676.27	5637.30	1513.68
4.	Jammu and Kashmir	12541.12	12689.80	12983.34	3399.65
5.	Manipur	3554.04	4228.71	3803.78	1075.48
6.	Meghalaya	2841.50	2992.25	3453.10	731.17
7.	Mizoram	2772.38	2969.20	2951.44	633.65
8.	Nagaland	3544.21	3816.83	3604.84	966.47
9.	Sikkim	1709.09	1822.13	1975.49	366.30
10.	Tripura	4546.33	4644.31	5248.72	1232.23
11.	Uttarakhand	4833.74	4728.17	5418.69	1694.32
TOTAL		58102.75	60601.68	63092.53	16349.99

Source: Public Financial Management System – PFMS (formerly CPSMS), O/o the CGA, Ministry of Finance.

Special category status to Odisha

*533. SHRI KALPATARU DAS: Will the Minister of PLANNING be pleased to state:

(a) whether the Odisha Government has reiterated their demand for grant of special category status to Odisha State on account of various afflictions faced by the people of this State, if so, the details thereof;

(b) whether it is proposed to work out some other *via* media to help Odisha region and backward States in the matter; if so, the details thereof; and

(c) to what extent the new scheme would help Odisha to address various afflictions in this region?

THE MINISTER OF STATE OF THE MINISTRY OF PLANNING (SHRI INDERJIT SINGH RAO): (a) In recent years, Chief Minister of Odisha *vide* letter dated 24.11.2011 addressed to Prime Minister requested for Special Category Status for Odisha on account of adverse human development indicators and high incidence of poverty.

Special Category Status for plan assistance has been granted in the past by the National Development Council (NDC) to some States that are characterized by a number of features necessitating special consideration. These features include: (i) hilly and difficult

terrain, (ii) low population density and/or sizeable share of tribal population, (iii) strategic location along borders with neighbouring countries, (iv) economic and infrastructural backwardness and (v) non-viable nature of State finances.

The request from Government of Odisha was examined with regard to the existing criteria for grant of Special Category Status. Deputy Chairman, Planning Commission conveyed to the Chief Minister *vide* letter dated May 7, 2013 that under the existing criteria approved by the National Development Council, Odisha does not qualify for grant of Special Category Status.

Recently, the Chief Minister of Odisha during his meeting with Prime Minister in June, 2014 has again reiterated the request for grant of Special Category Status to Odisha. It was mentioned that Odisha was one of the least developed States with high incidence of poverty and adverse Human Development Indices and recurring floods, cyclones and drought caused further havoc to the State perpetuating poverty and under development. The request of Odisha is under consideration in the context of the NDC criteria.

(b) and (c) All States including Odisha are provided plan assistance under different block grants and Centrally Sponsored Schemes (CSS) such as Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), Sarva Shiksha Abhiyan (SSA), National Health Mission (NHM), National Rural Drinking Water Programme (NRDWP), Indira Awas Yojana (IAY), Prime Minister's Gram Sadak Yojana (PMGSY), Mid Day Meal (MDM), Integrated Child Development Services (ICDS), Rashtriya Krishi Vikas Yojana (RKVY). Further, Odisha also gets Special Plan assistance for KBK (undivided Kalahandi, Bolangir, Koraput) districts under Backward Regions Grant Fund (BRGF) in addition to the usual assistance for the backward districts.

The release of Central assistance on the plan side for Odisha in 2013-14 was about ₹ 11,112 crore.

Amendments in the Juvenile Justice Act

*534. DR. K.P. RAMALINGAM: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether it is a fact that the National Commission for Women (NCW) has demanded to make amendment in the Juvenile Justice Act to ensure punishment in rape cases;

(b) whether it is also a fact that NCW has stated that 45 per cent of the registered rape cases were perpetrated by juveniles and hence amendments were necessary; and

(c) whether it is also a fact that Government is of the view that juveniles committing rape should be tried as adults and if so, the details thereof?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): (a) and (b) No, Sir.

(c) The Government is of the view that heinous offences such as rape committed by children in the age group of 16-18 years should be dealt with stringent punitive as well as reformatory measures which would act as a deterrent for child offenders committing such crimes and also protect the rights of victim to justice.

Special provisions are proposed in the Juvenile Justice (Care and Protection of Children) Bill, 2014 to address heinous offences committed by children above the age of 16 years. If the Juvenile Justice Board, after conducting a preliminary inquiry comes to the conclusion that there is a need for further trial in such cases, the Board has been given the option to transfer the matter to the Children's Court, which is the Court of Session having jurisdiction to try heinous offences.

Personality tests under Civil Services Examination

†*535. SHRI RAMCHANDRA PRASAD SINGH: Will the PRIME MINISTER be pleased to state:

(a) the minimum and the maximum marks given in the personality tests under Civil Services Examination (CSE) conducted by the Union Public Service Commission (UPSC) for the year 2009, 2010, 2011, 2012, 2013 respectively;

(b) whether UPSC proposes to videograph the personality tests, if so, by when, if not, the reasons therefor; and

(c) the representation of the Other Backward Classes amongst the members of the UPSC?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): (a) Sir, so far as candidates recommended are concerned, the maximum and minimum marks awarded in Personality Test in Civil Services (Main) Examination- 2009, 2010, 2011, 2012 and 2013 are as follows:-

†Original notice of the question was received in Hindi.

Year	Maximum Marks	Highest Marks awarded to any of the candidates recommended so far	Lowest Marks awarded to any of the candidates recommended so far
2009	300	250	050
2010	300	240	075
2011	300	240	090
2012	300	245	090
2013	275	220	110

(b) No, Sir.

(c) At present, in the UPSC, there is no member from OBC Category.

Chinese-built mega port terminal in Sri Lanka

*536. SHRI TIRUCHI SIVA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether a China-built mega port terminal with seventy per cent of project cost met with financial assistance from the China Development Bank has opened up in Sri Lanka's capital; and

(b) whether this facility could be potentially used by China for strategic military purposes in the future?

THE MINISTER OF EXTERNAL AFFAIRS (SHRIMATI SUSHMA SWARAJ):

(a) and (b) The Colombo South Container Terminal (CSCT) located at Colombo Port has been developed by the Colombo International Container Terminals Ltd. (CICT) which is a joint venture company between China Merchant Holdings International (CMHI) and Sri Lanka Ports Authority (SLPA). The project involved an investment of US\$ 500 million and has been financed by a loan of US\$ 350 million from the China Development Bank with the rest of the capital to be raised by shareholders equity. The project was completed in April, 2014. The development of CSCT has been undertaken with the objective of expansion of Colombo Port to cater to the increasing demand of services in the international shipping industry.

Status of the Planning Commission

*537. SHRI RONALD SAPA TLAU: Will the Minister of PLANNING be pleased to state:

(a) whether the post of Deputy Chairman, Planning Commission is vacant, if so, the reasons therefor;

(b) whether the powers of the Commission are to be clipped; and

(c) the mandate of the Commission likely to be changed with the new Government?

THE MINISTER OF STATE OF THE MINISTRY OF PLANNING (SHRI INDERJIT SINGH RAO): (a) Yes Sir. Deputy Chairman, Planning Commission has not been appointed at present. As per the Government of India (Transaction of Business) Rules, 1961, all business allocated to department under the Government of India (Allocation of Business) Rules 1961 shall be disposed of by, or under the general or special directions of the Minister - in-charge. Planning Commission has been allocated business *vide* entry 49 of these Rules. The MoS (Planning) has been given Independent Charge to discharge function as Minister-in-charge. The Prime Minister is the Chairman of the Planning Commission.

(b) and (c) There is no such proposal at present.

Cases of tigers affected by CDV, FMD and KFD

*538. DR. CHANDAN MITRA: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether Government is aware of the reported spread of Certain Deadly Viruses (CDV), Foot and Mouth Disease virus (FMD), Kyasanur Forest Disease (KFD) virus hitting tiger sanctuaries and parks across the country, including Madhya Pradesh;

(b) if so, the number of cases of tigers reported to be affected from CDV, FMD and KFD during the last three years, sanctuary/park-wise; and

(c) the quarantine measures taken by Government to prevent big cats falling prey to these viruses?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) to (c) Yes, Sir. While tiger deaths due to Kyasanur Forest Disease (KFD) and Foot and Mouth Disease (FMD) have not been reported from tiger States, only a single case of tiger mortality due to Canine Distemper Virus (CDV) has been confirmed from the Pilibhit area of Uttar Pradesh in November, 2013. Based on discussion with experts and field officers, and advice from the Indian Veterinary Research Institute (IVRI), and the Wildlife Institute of India, the tiger States have been advised by the National Tiger Conservation Authority for monitoring and taking precautionary measures against spread of Canine Distemper Virus. On receiving an alert from the Regional Office of the National Tiger Conservation Authority, Bengaluru regarding prevalence of Foot and Mouth Disease and Kyasanur Forest Disease in and

around Bandipur Tiger Reserve (Karnataka), the tiger States have been advised regarding preventive and control measures. A single case of death of Bonnet Macaque (*Macaca radiata*) due to Kyasanur Forest Disease was reported during the summer of 2013 in the Bandipur Tiger Reserve of Karnataka. Under the ongoing Centrally Sponsored Scheme of Project Tiger, Central assistance is provided to tiger States, which, *inter alia*, includes funding support for prophylactic immunization against diseases communicable to the wildlife.

Construction of new bridges in NCR

†*539. SHRI PARVEZ HASHMI: Will the Minister of URBAN DEVELOPMENT be pleased to state:

- (a) whether the proposal for construction of new bridges near Kalindi Kunj (Delhi-Noida) and (Delhi-Faridabad) Okhla-Kalindi bypass project is under the consideration of Government; if so, the details of said projects;
- (b) the details of outlay of the said projects; and
- (c) the time by which the work on this is likely to be started, the details thereof?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):

(a) The proposal for construction of Kalindi bypass from Noida toll bridge near Maharani Bagh to Badarpur Border has been approved in principle by Delhi Development Authority and United Traffic and Transportation Infrastructure (Planning and Engineering) Centre (UTTIPEC).

Another proposal for construction of second bridge over Yamuna River near Kalindi Kunj (Kalindi Kunj-Noida) has not yet been approved by DDA/UTTIPEC.

- (b) The project cost has not yet been firmed up.
- (c) The process of obtaining approval from the various authorities has been initiated.

High speed trains

†*540. SHRI MAHENDRA SINGH MAHRA: Will the Minister of URBAN DEVELOPMENT be pleased to state:

- (a) whether final decision to run high speed trains between Delhi-Meerut, Delhi-Panipat and Delhi-Alwar has been taken;
- (b) if so, by when these high speed trains are likely to be operated;

†Original notice of the question was received in Hindi.

(c) whether Ministry also proposes to run high speed trains from Delhi to Moradabad and Agra in future;

(d) if so, by when a decision would be taken in this regard; and

(e) if not, the reasons therefor?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):

(a) No, Sir.

(b) Question does not arise.

(c) and (d) Ministry of Railways (Railway Board) has informed that New Delhi-Agra is one of the nine routes announced in the Rail Budget 2014-15 for raising of train speed to 160/200 kmph. There is no proposal to run high speed trains from Delhi to Moradabad.

(e) Does not arise.

WRITTEN ANSWERS TO UNSTARRED QUESTIONS

Utilization of thorium

3846. DR. K.V.P. RAMACHANDRA RAO: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the Atomic Minerals Directorate for Exploration and Research (AMD), a constituent unit of Department of Atomic Energy (DAE), has so far established 11.93 million tons of monazite (Thorium bearing mineral) in the country, which contains about 1.07 million tons of thorium, if so, the details thereof; and

(b) the steps that are being taken to address the utilization of thorium in different types of reactors?

THE MINISTER OF STATE IN THE DEPARTMENT OF ATOMIC ENERGY (DR. JITENDRA SINGH): (a) Yes, Sir. India has abundant quantity of thorium resources contained in the mineral monazite occurring in the beach sand placer deposits along the eastern and western coasts of the country as well as the inland placers in parts of Kerala, Tamil Nadu, Odisha, Andhra Pradesh, West Bengal, Jharkhand and Chhattisgarh. The Department of Atomic Energy (DAE) through its Atomic Minerals Directorate for Exploration and Research (AMD) has carried out exploration activities over the past six decades, which have resulted in establishing *in situ* resources of 11.93 million tonnes of

monazite as on May, 2014 in the country. Indian Monazite contains about 9-10% of ThO₂ which in turn results in about 1.07 million tonnes of thorium oxide (ThO₂).

(b) Substantial work has been carried out in the areas of research on technologies for utilisation of thorium in nuclear fuel cycle and on the development of an Advanced Heavy Water Reactor (AHWR), to serve as a technology demonstrator for use of thorium based fuel on a large scale. Some of the major initiatives taken in this direction are:

- (i) Thorium fuel fabrication through powder pellet route has been well established. Few tons of fuel have been made for CIRUS and Dhruva, PHWR and for blanket assemblies for Fast Breeder Test Reactor (FBTR). Few pins have been fabricated using mixed oxides of (Th-Pu) for irradiation in research reactors.
- (ii) Thoria bundles are used in the initial cores of PHWR. The irradiation experience of thoria fuel in the research reactors CIRUS and Dhruva, PHWR and test irradiations are satisfactory.
- (iii) The thoria pins of CIRUS have been reprocessed to obtain Uranium-233. The recovered Uranium-233 has been fabricated as fuel for KAMINI reactor at Kalpakkam. The Post Irradiation Examination of one of the thoria bundle irradiated in PHWR has also been carried out for validation of theoretical analyses.
- (iv) Studies have been carried out regarding use of thorium in different types of reactors with respect to fuel management, reactor control and fuel utilisation.
- (v) A Critical Facility for Advanced Heavy Water Reactor (AHWR) has been commissioned in 2008 and is being used for carrying out experiments to further validate the physics design features of Advanced Heavy Water Reactor.
- (vi) A small research reactor KAMINI with 30 kWth capacity utilises nuclear fuel based on Uranium-233 derived from irradiation of thorium. It is in operation at Indira Gandhi Centre for Atomic Research (IGCAR), Kalpakkam.

A 300 MWe Advanced Heavy Water Reactor (AHWR), which will produce most of its power from thorium based fuel, has been designed and developed in Bhabha Atomic Research Centre (BARC). This reactor has been included in the XII Five Year Plan for initiation of activities towards its construction. The reactor, being the first of its kind is likely to take about ten years for completion of its construction, following the first pour of concrete.

Monazite minerals in Andhra Pradesh

3847. SHRI DEVENDER GOUD T. : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that Andhra Pradesh has the highest Monazite mineral reserves in the country;

(b) if so, the quantity of Thorium that would be extracted from the above reserves;

(c) the efforts that the Indian Rare Earths Limited is making to explore the above reserves; and

(d) the projects requirement of Thorium by 2020?

THE MINISTER OF STATE IN THE DEPARTMENT OF ATOMIC ENERGY (DR. JITENDRA SINGH): (a) Yes, Sir.

(b) As of May, 2014, exploration activities carried out by Atomic Minerals Directorate for Exploration and Research (AMD), a constituent unit of Department of Atomic Energy (DAE), has led to the establishment of 3.72 million tonnes of Monazite in the Beach Sand Mineral (BSM) deposits of Andhra Pradesh, which is the highest in India. The above resources of Monazite (3.72 million tonnes) is estimated to contain about 0.33 million tonnes of thorium oxide (ThO₂), which corresponds to about 0.29 million tonnes of thorium metal.

(c) Indian Rare Earth Limited (IREL) a 100% owned Government of India Undertaking under the administrative control of the DAE, is engaged in mining and separation of beach sand minerals. IREL produces Monazite in its plants at Manavalakurichi in Tamil Nadu, Chavara in Kerala and OSCOM in Odhisa.

IREL has set up Monazite processing plant at OSCOM, Odhisa to process 10,000 tonnes of Monazite per annum. Thorium is a by-product along with rare earth chloride and tri-sodium phosphate as main product from this plant.

Besides, IREL has also set up plant facilities at its unit in Rare Earths Division (RED), Aluva to process the rare earth chloride from Monazite Processing Plant (MoPP) to produce separated high pure rare earths. The plant has been commissioned.

(d) The annual requirement of thorium oxide for the 300 Mwe Indian Advanced Heavy Reactor will be about five tons, with a one-time requirement of less than sixty tons for the initial core.

Funds for development of NER

3848. SHRIMATI NAZNIN FARUQUE : Will the Minister of DEVELOPMENT OF NORTH EASTERN REGION be pleased to state:

(a) the details of funds given for the Development of North Eastern Region by the Ministry and its various organizations during this financial year;

(b) the purpose for which these funds were given; and

(c) the steps being taken by Government for the development of North Eastern Region ?

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION [GENERAL (RETD.) V.K. SINGH]: (a) and (b) Details of funds allocated for development of North Eastern Region to the Ministry of Development of North Eastern Region and its various organisations during current financial year (2014-15) Scheme-wise and the purposes for which funds have been allocated are given below:

	(₹ in crore)
1. Advocacy and Publicity (For showcasing potential of North Eastern Region)	7.00
2. Capacity Building and Technical Assistance (For Training Youth of the Region and also State Government/ Public Sector employees of the region)	20.00
3. North Eastern Council (NEC) (A Statutory Regional Planning Body for securing balanced development of NE region)	770.00
4. North Eastern Region Livelihood Project (NERLP) (To improve rural livelihoods especially that of women, unemployed youth and most disadvantaged in four North Eastern States <i>viz.</i> Mizoram, Nagaland, Sikkim and Tripura)	30.00
5. North Eastern States Road Investment Programme (NESRIP)	45.00
North Eastern States Road Project Management Unit (This scheme relates to construction of roads and bridges covering six NE States excluding Arunachal Pradesh and Nagaland)	2.00

6.	Non Lapsable Central Pool of Resources (NLCPR) (For creating socio-economic infrastructure in North Eastern Region and aims at filling critical gaps in existing developmental programmes/ schemes)	950.00
7.	Non Lapsable Central Pool of Resources – Central – (NLCPR Central) (For enhancing effective and optimal utilization of funds in the NLCPR Pool towards development of North Eastern States)	72.00
8.	Special package for Bodoland Territorial Council (BTC) (To develop socio-economic infrastructure in Bodo Territorial Council areas over and above the normal plan assistance to State of Assam)	50.00
9.	Loans to North Eastern Development Finance Corporation (NEFDi) (Providing Credit and other support facilities for promotion, expansion and modernization of industrial enterprises and infrastructure projects in North Eastern Region)	60.00
10.	Organic Farming in North Eastern State (For encouraging/developing organic farming in North Eastern States)	New Scheme 100.00
11.	North Eastern Road Corporation (For developing road infrastructure for speedy movement in North Eastern States)	New Scheme 200.00
12.	Loan to North Eastern Handicraft and Handlooms Development Corporation (NEHHDC) (To develop and promote handicrafts and handlooms and allied products of North Eastern Region and development of artisans and weavers)	2.00
13.	Loan to North Eastern Regional Agricultural Marketing Corporation (NERAMAC) (To purchase marketable surplus of fruits and vegetables from growers of North Eastern India, to make necessary arrangements for its processing and marketing and to support farmers and producers through input supplies for better productivity under aegis of Central Sector Schemes.	2.00

(c) Steps taken by the Government for Development of Road, Railways, Air and Inland Waterway's are given hereunder:

I. Road Connectivity:

The Ministry of Road Transport and Highways has formulated the Special Accelerated Road Development Programme for North-East (SARDP-NE), for upgradation of 10141 km road stretches of National Highways and State Roads in the year 2005-06. Out of 10141 km of roads included under SARDP-NE, 6418 km has been approved by the Government for implementation under Phase 'A' and the Arunachal Pradesh Package of Roads and Highways and balance 3723 km has been approved only for preparation of DPR under Phase 'B' of SARDP-NE. Targets and Allocation are not fixed State-wise. However, the length sanctioned and achievement year-wise during the last three years and the current year is as under:

(figures in km.)

Year	Length sanctioned	Length completed
2011-12	983	150
2012-13	69	260
2013-14	64	363
2014-15	78	70
(up to June, 2014)		

Details of funds allocated year-wise along with expenditure are as follow:-

(₹ in crore)

Year	Allocation	Expenditure
2011-12	1950	1940
2012-13	1845	1844
2013-14	3007.83	3007.83
2014-15	3000	453.67
(up to June, 2014)		

Projects are targeted for completion by March, 2017 for Phase 'A' and March, 2018 for Arunachal Pradesh Package. With regard to connectivity with the district headquarters the works are under different stages like Detailed Project Report, tender and implementation/completion. The status of connectivity with State Capitals is given hereunder:-

Sl. No.	State Capital	Status
1	Itanagar	4-lane connectivity to Itanagar with East West corridor at Nagaon has been approved by the Government under SARDP-NE. It comprises of six packages for which alignments have already approved. One project of the Brahmaputra Bridge is under bidding and balance five packages, have been approved by the High Power Committee (HPC) on 16.07.2014.
2	Guwahati	Already connected by 4-lane highway through East West (EW) corridor.
3	Shillong	The proposal for 4-laning of NH-40 from Jorabat to Barapani on BOT (Annuity) basis and improvement of existing 2-lane Barapani to Shillong section of NH-40 on EPC basis was included under Phase 'A' of SARDP-NE. The present progress of Jorabat to Barapani is 66.30% and 41.8 km of length has been completed. The project is likely to be completed by Jan. 2015 except Umsing by-pass, for which the land is yet to be handed over by the State Government of Meghalaya and the portion from Barapani to Shillong has been taken as two lane with paved shoulder by-pass to Shillong city under SARDP-NE Phase 'A'.
4	Kohima and Imphal	4-laning of NH-39 from Dimapur to Kohima is included as part of Special Accelerated Road Development Programme for North East (SARDP-NE) Phase 'A'. This project is under bidding.
5	Aizawl	The work is in progress for 2 laning connectivity to Aizawl.
6	Agartala	To connect Agartala with East West corridor, Silchar-Churaibari-Agartala section is being developed as two lanes under National Highway (Original)/SARDP-NE.

Sl. No.	State Capital	Status
7	Gangtok	There is no proposal to upgrade NH-31A connecting Gangtok to 4 lane standards. However, an alternate 2 lane Highway (in addition to NH 31A) has been approved by the Government.

II. Rail Connectivity:

Presently, 12 new line projects, 4 gauge conversion projects and 2 doubling projects *i.e.* total 18 projects have been taken up in NE region, which are at different stages of progress. Outlay of ₹ 2079 crore, ₹ 2279 crore and ₹ 3392 crore have been provided during 2011-12, 2012-13 and 2013-14 respectively for the projects in North East Region. Outlay for the current year (2014-15) is ₹ 5200 crore which is about 50% higher than the last year (2013-14).

The capitals of Assam, Arunachal Pradesh and Tripura are already connected with railway network. Projects to provide connectivity to capitals of remaining States except Sikkim have been taken up as under and are progressing as per availability of funds.

Sl. No.	State	Remarks
1.	Manipur (Imphal)	New line from Jiribam – Imphal, sanctioned in 2003-04, will provide connectivity to Imphal.
2.	Nagaland (Kohima)	New line from Dimapur – Kohima, sanctioned in 2006-07, will provide connectivity to Kohima.
3.	Mizoram (Aizawl)	New line from Bhairabhi – Sairang, sanctioned in 2008-09, will provide connectivity to Aizawl.
4.	Meghalaya (Shillong)	New line from Tetaliya – Byrnihat sanctioned in 2006-07 and Byrnihat- Shillong, sanctioned in 2010, will provide connectivity to Shillong.

Sivok-Rangpo new line has been taken up to provide connectivity to Sikkim but the proposal to extend this line upto Gangtok has not been taken up. There is no proposal to connect all District Headquarters in various States.

III. Air Connectivity:

In NER, there are total of 24 airports (12 operational and 12 non-operational) including Bagdogra in West Bengal. Out of the operational airports, seven airports

(Agartala, Dimapur, Dibrugarh, Guwahati, Imphal, Lilabari and Shillong) are with Airport Authority of India (AAI) and four are Indian Air Force (IAF) airports (Bagdogra, Jorhat, Silchar and Tezpur) where AAI have civil enclaves. Airport at Lengpui (Mizoram) belongs to the State Government. Out of the twelve operational airports the Guwahati and Imphal airports are international airports while all other airports are domestic airports. For improving air connectivity in North East Region, AAI had taken up a number of infrastructure development works at various airports in the past decade and a number of development works are contemplated for coming years. The objective is to make Guwahati as Inter-Regional Hub and Agartala, Dibrugarh and Imphal as Intra-Regional Hubs. For this, construction of maintenance hangars, extension and strengthening of runway, extension and strengthening of Apron, construction of new terminal buildings/extension and modification of existing terminal buildings, etc. are planned in these airports. In addition to the above, development works are also planned for other airports like extension of runway suitable for A-321 type of aircrafts at Shillong, new terminal buildings at Silchar and Jorhat etc.

IV. Inland Waterways:

Inland Waterways Authority of India (IWAI) has a mandate to develop National Waterways including National Waterway-2 (River Brahmaputra) from Bangladesh Border (near Dhubri) to Sadiya for the purpose of inland water transport and Development of Barak River from Lakhimpur to Bhanga (121 km) as a National Waterway at an estimated cost of ₹ 141 crore at 2014 price .

Sector prioritised and strategy for development

3849. SHRIMATI JHARNADAS BAIDYA: Will the Minister of DEVELOPMENT OF NORTH EASTERN REGION be pleased to state:

- (a) the years in which the Ministry of Development of North Eastern Region (DONER) was created and what was allocation during inception (first) and last (2013-14) financial year;
- (b) whether the Ministry has prioritised any sector(s) or defined any strategy to ensure the desired goal;
- (c) if so, those prioritised sector(s) or the strategies defined; and
- (d) till date in which sectors the Ministry has achieved the significant successes?

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION [GENERAL (RETD) V.K. SINGH]: (a) Department of Development of North Eastern Region was upgraded to a Ministry in May, 2004. The budget allocation during first 2004-05 and last year (2013-14) financial year are as under:

Year	Plan	Non-Plan
2004-05	₹ 1,185.00 crore	₹ 9.70 crore
2013-14	₹ 2,006.00 crore	₹ 24.97 crore

(b) to (d) The sectors which have been identified for funding, number of projects undertaken including their value under Non Lapsable Central Pool of Resources (NLCPR) schemes, including special Bodo Territorial Council (BTC) package, since 1998-99 and through North Eastern Council (NEC) during XI and XII Five Year Plans are indicated below:

(i) Non Lapsable Central Pool of Resources (NLCPR):

Sectors	Number of projects undertaken	Cost of project (₹ in crore)
Agriculture and Allied	05	23.60
Education	166	1439.20
Flood Control and Irrigation	174	557.54
Health	54	667.32
Miscll.	136	1060.74
Power	228	2492.46
Road and Bridges	629	5800.28
Sports	42	343.61
Tourism and Culture	06	179.01
Water Supply	157	1626.07
TOTAL	1597	14189.83

(ii) North Eastern Council (NEC):

Sectors	Number of projects undertaken	Cost of project (₹ in crore)
Agriculture and Allied	28	111.56
Power	55	420.61
Irrigation, Flood Control and WSM	73	317.47
Industries	22	102.09
Tourism	33	123.29

Sectors	Number of projects undertaken	Cost of project (₹ in crore)
Transport and Communication	26	2000.34
Medical and Health	27	245.85
HRD and Edu. Sector (sports)	81	340.94
Science and Technology	04	11.91
Information and Public Relation	10	46.13
TOTAL	359	3720.19

The strategy of the Ministry is to support those projects that fill the gap in infrastructure development in North Eastern Region.

National Mission to improve the accuracy of monsoon forecasts

3850. SHRI MOHD. ALI KHAN: Will the Minister of EARTH SCIENCES be pleased to state:

(a) whether Government has any proposal for a National Mission to try and improve the accuracy of monsoon forecasts; and

(b) if so, the details thereof and the present status thereof?

THE MINISTER OF STATE OF THE MINISTRY OF EARTH SCIENCES (DR. JITENDRA SINGH): (a) and (b) Under the National Monsoon Mission initiative institutions of Earth System Science Organisation (ESSO), the Indian Institute of Tropical Meteorology (ESSO-IITM), Pune, India Meteorological Department (ESSO-IMD), Indian National Centre for Ocean Information Services (ESSO-INCOIS), Hyderabad and National Centre for Medium Range Weather Forecasting (ESSO-NCMRWF), Noida, have embarked upon to build a state-of-the-art coupled ocean-atmospheric climate model for (a) improved prediction of monsoon rainfall on extended range to seasonal time scale (16 days to one season) and (b) improved prediction of temperature, rainfall and extreme weather events on short to medium range time scale (up to 15 days) so that forecast skill gets quantitatively improved further for operational services of Earth System Science Organisation- India Meteorological Department (ESSO-IMD).

One of the Implementation Agreements - Dynamical Seasonal Prediction of Indian Summer Monsoon Rainfall (Establishment of Monsoon desk) was signed during the visit of President Obama in November, 2010 under which Indian and US scientists are working jointly on seasonal forecast. ESSO-NCMRWF is putting efforts to improve the adopted unified model in collaboration with UK for seamless prediction of monsoon

rainfall forecasts in all temporal ranges (Short-up to 72 hours, Medium-3 to 10 days and extended beyond 10 days) including extreme weather phenomena.

The dynamical forecast for 2013 based on this model was 104 to 108 % of LPA and observed rainfall was 106 % of LPA. The forecast for 2014 was 96% of LPA. On the other hand ESSO- IMDs monsoon forecasts based on statistical tools are also found to be reasonably accurate. In addition, the extended range prediction of monsoon rainfall was initiated during monsoon 2014.

Arrangement for technical assessments of monsoon situation

†3851. SHRI DARSHAN SINGH YADAV: Will the Minister of EARTH SCIENCES be pleased to state:

(a) whether it is a fact that the monsoon situation has not been consistent for the last few years in the country;

(b) whether Government has any arrangement for latest technical assessments in this regard; and

(c) whether our meteorologists are making effort to discover the options of technical and artificial rain, if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF EARTH SCIENCES (DR. JITENDRA SINGH): (a) No Sir. The monsoon rainfall for the country as a whole over a long period data set has not shown any significant trend. However, Chhattisgarh, Jharkhand and Kerala have witnessed slight decrease in rainfall, and 8 sub divisions namely Gangetic West Bengal, West Uttar Pradesh, Jammu and Kashmir, Konkan and Goa, Madhya Maharashtra, Rayalaseema, Coastal Andhra Pradesh and North Interior Karnataka show increasing trend.

Although, the long period average rainfall during Monsoon (June to September) for the India as a whole remained more or less at 890 mm, the actual quantum of seasonal rainfall received during last 10 years is presented below to present interannual variability of monsoon:

Year	Monsoon (June to September) rainfall in mm	Rainfall in % Departure
2004	779.6	-13%
2005	874.4	-1%
2006	889.4	0%

†Original notice of the question was received in Hindi.

Year	Monsoon (June to September) rainfall in mm	Rainfall in % Departure
2007	944.6	6%
2008	877.4	-2%
2009	698.1	-22%
2010	910.6	2%
2011	901.2	2%
2012	823.6	-7%
2013	937.4	6%

During current monsoon 2014 the deficiency of rainfall is -17% as on 11th August, 2014.

(b) Yes Sir. Under the National Monsoon Mission initiative institutions of Earth System Science Organisation (ESSO), the Indian Institute of Tropical Meteorology (ESSO-IITM), Pune, Indian National Centre for Ocean Information Services (ESSO-INCOIS), Hyderabad and National Centre for Medium Range Weather Forecasting (ESSO-NCMRWF), NOIDA, have embarked upon to build a state-of-the-art coupled ocean-atmospheric climate model for (a) improved prediction of monsoon rainfall on extended range to seasonal time scale (16 days to one season) and (b) improved prediction of temperature, rainfall and extreme weather events on short to medium range time scale (up to 15 days) so that forecast skill gets quantitatively improved further for operational services of Earth System Science Organisation- India Meteorological Department (ESSO-IMD).

One of the Implementation Agreements - Dynamical Seasonal Prediction of Indian Summer Monsoon Rainfall (Establishment of Monsoon desk) was signed during the visit of President Obama in November, 2010 under which Indian and US scientists are working jointly on seasonal forecast. ESSO-NCMRWF is putting efforts to improve the adopted unified model in collaboration with UK for seamless prediction of monsoon rainfall forecasts in all temporal ranges (Short- up to 72 hours, Medium-3 to 10 days and extended beyond 10 days) including extreme weather phenomena.

(c) As things stand today, artificial rain making techniques involving cloud seeding cannot be used for bringing rain clouds to rainfall deficit/drought areas. Such efforts can only induce potential pre-existing clouds, already passing over a given place, to produce rain only if organized weather modification intervention becomes successful.

Earth System Science Organisation - Indian Institute of Tropical Meteorology

(ESSO-IITM) is putting its effort in understanding the rain formation in clouds through studying cloud microphysical characteristics through a research program Cloud Aerosol Interaction and Precipitation Enhancement Experiment (CAIPEEX).

Enhancement of efficiency of IMD

3852. SHRI MANSUKH L. MANDAVIYA: Will the Minister of EARTH SCIENCES be pleased to state:

(a) the Action taken by Government as on date to enhance the efficiency of Indian Meteorological Department (IMD) as it has been observed that the prediction about monsoon is not proper due to which our farming community is facing greater difficulties;

(b) the action taken by Government for better coordination with the State Government in this regard, as many times most of farmers are not aware about probable weather prediction; and

(c) whether the Ministry has been approached by Ministry of Tourism and to update forecast of probable weather to tourists, as such mechanism are functioning in developed nations?

THE MINISTER OF STATE OF THE MINISTRY OF EARTH SCIENCES (DR. JITENDRA SINGH): (a) Earth System Science Organisation has taken various action to enhance the efficiency of Indian Meteorological Department (IMD). As part of its XI Five Year Plan, Government has initiated a comprehensive modernization programme for ESSO-IMD covering upgradation of (i) observation systems, (ii) advanced data assimilation tools, (iii) advanced communication and IT infrastructure, (iv) high performance computing systems and (v) intensive/sophisticated training of ESSO- IMD personnel to facilitate the implementation of advanced global/regional/ meso-scale prediction models for improving the accuracy of weather forecasts in all temporal and spatial scales and for quick dissemination of weather forecast assessments/warnings to the users. Further, several manual operations have been fully automated.

In order to capture the characteristics of the severe weather in real time, 24x7 monitoring system comprising 675 Nos. of AWSs; 1209 Nos. of ARGs; 18 S and C-Band DWRs have been commissioned at Chennai, Sriharikota, Machilipatnam, Visakhapatnam, Kolkata, Mumbai, Bhuj, Hyderabad, Nagpur, Patiala, Delhi Palam, Lucknow, Patna, Mohanbari, Agartala, Delhi Lodi Road, Bhopal and Jaipur.

High Performance Computing (HPC) systems have been used to enhance the weather forecasting capacities by assimilating all available global satellite data for

forecast generation. The global model that was earlier run at 50km grid scale are now run at 22km grid. The regional scale model run earlier at 27km grid is replaced by 9km and 3km grid scale models. The accuracy of short range (up to 3 days in advance) monsoon forecasts has improved from 50-60% to 70-95%. The skill of district level medium range rainfall forecast (up to 5-7 days in advance) has improved from 60-70% to 75-85% in monsoon season and from 70-75% to 85% in non-monsoon seasons. As far as the track and landfall forecasts of the tropical cyclones are concerned, the performance evaluation of the updated forecast systems for the past 5-years, have demonstrated enhanced forecast skill by about 18%. ESSO-IMD currently operates 5- Doppler Weather Radars (DWR) at Chennai, Machilipatnam, Visakhapatnam, Kolkata, Sriharikota on the east coast along with a network of Automatic Weather Stations (AWS) and Automatic Rain Gauges (ARG) for continuous weather surveillance over the Bay of Bengal.

ESSO-IMD has operationalized its location specific now casting (near real-time) weather service for severe weather (Thunderstorms; heavy rainfall from lows/depressions over the land) across the country. This service activity currently covers 140 urban centres on experimental basis under which now cast of 3-6 hour range is issued. Origin, development/movement of severe weather phenomena are regularly monitored through DWRs and with all other available observing systems.

Based on scientific assessment of the need for further augmentation of observing system network expansion has been formulated. The upgradation of the observing system, high performance computing, communication, forecast/warning systems, product dissemination systems etc. are part of a continuous process by which state-of-the-art science and technology tools can be made accessible to the scientists engaged in weather research and forecasting towards enhancing the service quality.

(b) ESSO-IMD is issuing quantitative district level weather forecast up to 5 days from 1st June, 2008 for the farming community. The products comprise of quantitative forecasts for 7 weather parameters *viz.*, rainfall, maximum and minimum temperatures, wind speed and direction, relative humidity and cloudiness. Further, crop specific advisories to help the farmers are issued and widely disseminated. The Integrated Agrometeorological Advisory Service (AAS) of ESSO- IMD has been successful in providing the crop specific advisories to the farmers through different print/visual/Radio/IT based media including Short Message Service (SMS) and Interactive Voice Response Service (IVRS) facilitating for appropriate field level actions. Presently, 5.59 million farmers are receiving the agromet advisories on their mobile through SMS and IVRS.

(c) ESSO-IMD is issuing special weather forecasts for tourist places and they are available on the National and Regional websites of IMD. Special forecasts are also issued for pilgrim tourists for Char Dham Yatra, Amarnathji Yatra etc. The weather information (Maximum, Minimum temperatures, Rainfall and Sky condition, etc.) and forecast for next 7 days for 310 important cities and towns in all the States and Union Territories of India including 107 tourist locations, is currently being issued under tourism forecasts by the IMD.

ESSO-IMD is in discussion with Ministry of Tourism, Government of India and other State Governments like Govt. of Maharashtra, Uttarakhand, etc. to provide updated forecast of various tourist locations.

Constitution of Special Tiger Protection Force

†3853. SHRI NARAYAN LAL PANCHARIYA: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether a proposal is under consideration to constitute Special Tiger Protection Force for protection of tigers through National Tiger Conservation Authority and if so, the details thereof;

(b) whether Government of Rajasthan has also sent any such proposal to the Central Government and if so, when along with the details thereof; and

(c) whether Government proposes to make some contribution for this force?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) Under the ongoing Centrally Sponsored Scheme of Project Tiger, 100% Central assistance is provided to States for raising, arming and deploying the Special Tiger Protection Force, and the details in this regard are given in Statement (*See below*).

(b) An amount of ₹ 93 lakhs was provided to the State of Rajasthan during the year 2008-09 under the Centrally Sponsored Scheme of Project Tiger for raising, arming and deploying the Special Tiger Protection Force in Ranthambhore Tiger Reserve. However, the said amount has been adjusted against further allocation under the said Scheme, owing to the fund remaining unutilized by the State.

†Original notice of the question was received in Hindi.

Statement

Funding support provided for raising, arming and deploying the Special Tiger Protection Force (STPF) under the Centrally Sponsored Scheme of Project Tiger during last three years and current year

Sl. No.	Name of Tiger Reserve	State	Year							
			2011-12		2012-13		2013-14		2014-15 (as on 8.8.2014)	
			Allocation	Release	Allocation	Release	Allocation	Release	Allocation	Release
1	Pench	Maharashtra	0.00	0.00	86.80115	86.80115	220.00	196.55	228.96	71.28
2	Tadoba-Andhari	Maharashtra	0.00	0.00	86.80115	86.80115	220.00	175.80	210.00	62.28
3	Bandipur	Karnataka	0.00	0.00	0.00	0.00	477.9772	477.9772	0.00	0.00
4	Similipal	Odisha	300.00	240.00	0.00	0.00	250.00	200.00	250.00	94.98

(₹ in lakhs)

Creation of eco-sensitive zone around wildlife sanctuary

†3854. SHRI NARAYAN LAL PANCHARIYA: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether a decision has been taken by Government to create eco-sensitive zone all around the wildlife sanctuary and national parks, if so, the details thereof, and

(b) whether Government of Rajasthan has sent such a proposal to Central Government, if so, the details of action taken thereon?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) The National Board for Wildlife on 17th March, 2005 had decided that “Delineation of Eco-Sensitive Zones would have to be site specific and relate to regulation, rather than prohibition of specific activities. State Governments will have to be consulted in this regard and concurrence obtained. This being an area of potential conflict with local communities, no enhancement of area should be done arbitrarily”.

(b) Government of Rajasthan had forwarded proposals for declaration of eco-sensitive zone around 27 National Parks and Sanctuaries to the Central Government in September, 2013. The proposals were scrutinized by the Wildlife Institute of India. The State Government of Rajasthan was requested to revise the proposals in view of the comments of the Wildlife Institute of India. A meeting with the representatives of the Government of Rajasthan was also convened in the Ministry on 20th February, 2014 to discuss the proposals. The Government of Rajasthan has submitted the revised proposals to the Central Government for further scrutiny and issuance of draft notification.

Environmental approval to Bandra-Varsova sealink project

†3855. SHRI RAMDAS ATHAWALE: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether Government has received any request from State Government of Maharashtra regarding environmental approval to Bandra-Varsova sealink project, if so, the details thereof as on date;

(b) the latest status of the proposal; and

(c) by when the proposal is expected to be finalized and the reasons for the delay?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) and (b)

†Original notice of the question was received in Hindi.

The Maharashtra State Road Development Corporation (MSRDC) submitted a proposal for clearance under Coastal Regulation Zone (CRZ) to develop sea link from Versova to Bandra in the suburbs of Mumbai. The CRZ clearance for the project has been granted on 9.01.2013.

- (c) Does not arise in view of the reply to parts (a) and (b) above.

Proposal for amendment of Coastal Regulation Zone Act

3856. DR. T.N. SEEMA: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether Government has received proposal from State Government of Kerala seeking the amendment of Coastal Regulation Zone Act (CRZA); and

(b) if so, the details thereof and the response of Government thereto?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) and (b) Yes, Madam. The Government of Kerala has sought amendment to the CRZ Notification, 2011 regarding certain issues including relaxation in the existing provisions for construction of dwelling units for the fishermen community.

A committee under the Chairmanship of Shri (Dr.) Shailesh Nayak, Secretary, Ministry of Earth Sciences has been set up to review these issues.

Steps taken to revoke ban on Jallikattu

3857. SHRI MOHD. ALI KHAN: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether Government has banned Jallikattu, which is a tradition and culture of rural Tamil Nadu;

(b) if so, the details thereof and the reasons therefor; and

(c) the steps being taken to revoke such ban on Jallikattu to protect their tradition and culture?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) to (c) The Government of India has issued a Notification GSR 528(E) dated 11th July, 2011 prohibiting exhibition or training of bulls as performing animals. The notification was challenged by some organisations in the Supreme Court. The Supreme Court *vide* its judgment dated 7th May, 2014 pronounced in SLP (C) No. 11686 of 2007, has upheld

the notification of the Government of India, and declared that bulls cannot be used as performing animals, either for the Jallikattu events or Bullock-cart Races in the state of Tamil Nadu, Maharashtra or elsewhere in the country.

Relaxation of clearance for projects of Chhattisgarh

†3858. DR. BHUSHAN LAL JANGDE: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether many irrigation projects, dam related plans have not materialized due to environment related laws as Chhattisgarh is a forest area; and

(b) whether Government would relax environmental restrictions for Parry project, Jonk river project and other small and big dams of Chhattisgarh in the same way as the Government has approved the Polavaram, Inchampalli projects in Telangana by amending the environmental laws?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) and (b) Environmental clearance (EC) to River Valley, Multipurpose and Irrigation projects is governed under the provisions of Environmental Impact Assessment Notification, 2006. The forest clearance (FC) for diversion of forest land for such projects is granted in accordance with the provisions under the Forest (Conservation) Act, 1980 and the rules and regulations framed there-under. These two legal instruments provide for environmental clearance for projects having impact on forest land.

In Chhattisgarh State, the Government have already accorded environmental clearance to the Kelo Major Irrigation project on 21.10.2008. The projects namely Parry project and Jonk river project have not been received in the Ministry for environmental clearance.

Proposal to link wildlife sanctuaries

3859. SHRI MOHD. ALI KHAN: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether Government has any proposal to link wildlife sanctuaries under one roof in each State; and

(b) if so, the details thereof and the recommendations received from each State, if not, the reasons therefor?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) There is no proposal to link wildlife sanctuaries in each State under consideration of the Ministry.

(b) Does not arise.

Illegal Wildlife Shipment

3860. SHRI BAISHNAB PARIDA: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether Government is aware that a tightly knit cross-country poaching network in wild life is operating in India and it is depleting India's forests of its magnificent wildlife:

(b) whether such a network is in existence at certain borders States in the country, if so, the details thereof; and

(c) whether most of the illegal wildlife shipment, carried by human couriers, is sent through certain specific border points dodging Indian patrols, if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) and (b) The data available with the Ministry does not reveal any tightly knit cross country poaching network operating in India. However, Indian wildlife is under stress from poaching and illegal trade in wildlife and their parts. The poaching is caused primarily by three reasons: (i) for consumption and local petty trade, (ii) due to human-wildlife conflict; and (iii) for illegal trade. Illegal trade in wildlife is demand driven and the demand is mainly from the urban centers and destinations abroad. The dynamics of illegal wildlife trade involves multiple layers of operators starting with poaching in wildlife habitats, passing through multiple layers of middlemen while in transit, before reaching the final consumer destination. Each of these modules is opportunistic and mostly operate independent of each other.

(c) No specific data is available with the Ministry indicating smuggling of wildlife and products through certain specific border points. However, inputs do indicate smuggling by human carriers and certain areas on the Indian borders are sensitive to such offences. Some of the most sensitive areas for such smuggling are as under:

(i) Dharchula (Uttarakhand)

(ii) Palla (UP)

(iii) Sonauli (UP)

- (iv) Bahraich (Uttar Pradesh)
- (v) Raxaul (Bihar)
- (vi) Panitanki (West Bengal)
- (vii) Jaigaon (West Bengal)
- (viii) Moreh (Manipur)
- (ix) Zokhawthar (Mizoram)
- (x) Ladakh (Jammu and Kashmir),
- (xi) Spiti and Kinnaur (Himachal Pradesh)
- (xii) Basirhat (West Bengal)

Emitting of cancer-causing chemicals by energy saving bulbs

3861. SHRI BAISHNAB PARIDA: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

- (a) whether energy saving bulbs emit cancer-causing chemicals when switched on, if so, the details thereof;
- (b) whether certain international studies have confirmed the above menace;
- (c) whether these agencies have suggested certain remedial measures to control this hazards, if so, the detail thereof;
- (d) whether broken green bulbs are equally health -hazard; and
- (e) if so, the details thereof, *inter-alia* indicating the action plan of Government to control the above menace?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) to (e) As reported by the Central Pollution Control Board (CPCB), there is a small amount of mercury in Compact Fluorescent Lamps (CFL) for the functioning of the bulb. There is no exposure to mercury using CFLs as long as they are not broken. In case of the broken bulb, the exposure to mercury is negligible as compared to other mercury bearing products; for example- clinical instruments. However, long exposure to mercury is known to have adverse impact on human health. The recent international reports suggest that CFLs also release several other carcinogenic chemicals and toxins like phenol, naphthalene and styrene including ultraviolet radiations when CFLs are switched on.

The CPCB as member of the Task Force has published Technical Guidelines on 'Environmentally Sound Management of Mercury in Fluorescent Lamps Sector' in 2008 wherein it is mentioned that all mercury contaminated used lamps and cut glass tips may be treated/recycled either in a recycling unit developed at the production site or at any authorized lamp Recycling Unit. The State Pollution Control Boards/Committees may incorporate above requirements in their consent/authorizations.

Protection of wildlife in West Bengal

3862. SHRI VIVEK GUPTA: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) the details of Government involvement and intervention in preserving and development of the national parks and wildlife sanctuaries in West Bengal; and

(b) the details of the amount spent by the centre on protecting Wild Animals in West Bengal, both planned expenditure, scheme-wise and the non-plan amount?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) and (b) The Ministry provides technical and financial assistance to State/ Union Territory Governments including Government of West Bengal for protection and conservation of wildlife and its habitats under various Centrally Sponsored Schemes *viz.*, 'Integrated Development of Wildlife Habitats', 'Project Tiger', 'Project Elephant' and 'Intensification of Forest Management Scheme' in accordance with the Annual Plan of Operations submitted by them and subject to availability of funds.

Details of year-wise release of funds under these schemes to the State Government of West Bengal during the last three years are as below:

Name of the Scheme	Amount (₹ in lakh)		
	Year		
	2011-12	2012-13	2013-14
Integrated Development of Wildlife Habitats	246.425	164.135	184.37
Project Tiger	157.66	404.916	347.81
Project Elephant	224.50	91.865	97.626
Intensification of Forest Management Scheme	50.86	71.09	Nil
TOTAL	679.445	732.006	629.806

Conditions of Zoos in West Bengal

3863. SHRI VIVEK GUPTA: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) the number of animals in various zoos of West Bengal, the details thereof, district-wise and zoo-wise;

(b) the number of visitors to each of the above zoo during last three years and the steps being taken by Government to enhance the annual number of visitors, if so, the details thereof;

(c) whether Government has proposed and plans to upgrade these zoos, if so, the details thereof;

(d) whether Government plans on shifting animals of the Kolkata zoo or the Kolkata zoo itself, if so, the details thereof; and

(e) the details of the amount, both plan and non-plan, from the centre being spent on infrastructure, upkeep and maintenance of each of these zoos in Bengal?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) The details regarding number of animals in various zoos of West Bengal district-wise and zoo-wise is given in Statement-I (*See below*).

(b) The number of visitors to each of the zoos in the State of West Bengal in the past three years is given in Statement – II (*See below*). To enhance the annual number of visitors to each of the zoo, the Master Plan for the long-term development of the zoos are prepared and adoption of zoo animals, friends Of zoos and zoo volunteers schemes are implemented.

(c) The Government is planning to upgrade the zoos by relocating the South Khairbari Leopard Safari, Kunjanagar Eco Park, Cooch Behar and Satellite facility at Kholta of Rasikbeel Mini Zoo, Cooch Behar to North Bengal Wild Animals Park near Siliguri.

(d) No.

(e) The details of amount, both plan and non-plan, from the Centre being spent on Infrastructure, upkeep and maintenance of each of these zoos in Bengal is given in Statement – III.

Statement - I*The number of animals in various zoos of West Bengal, District-wise, Zoo-wise*

Sl. No.	Zoo Name	District	Animals as on 31.3.2014
1.	Kunjanagar Eco-Park	AliporeDuar	61
2.	South Khairbari Leopard Safari And Rehabilitation Centre	AliporeDuar	18
3.	Kumari Kangsabatti Deer Park, Bonpakuria	Bankura	42
4.	Ramnabagan Mini Zoo	Burdwan	147
5.	Rasikbeel Mini Zoo	Coochbihar	21
6.	Padmaja Naidu Himalayan Zoological Park	Darjeeling	274
7.	Gar Chumuk (Ulughata) Deer Park	Howrah	85
8.	Zoological Garden, Alipore	Kolkata	1202
9.	Calcutta Snake Park	Kolkata	356
10.	Marble Palace Zoo	Kolkata	121
11.	Nature Park at Toratotla Road	Kolkata	42
12.	Pugmarks – PFA Sanitketan Rescue Centre	Kolkata	7
13.	West Bengal Snake Park & Laboratory	Kolkata	139
14.	Adina Deer Park	Malda	73
15.	Jhargram Zoo	Pachim Mednipur	133
16.	Surulia Mini Zoo, Purulia	Purulia	54

Statement – II*The number of visitors has each of the zoos in the State of West Bengal in the last 3 years*

Sl. No.	Zoo Name	District	No. of Visitors		
			2011-12	2012-13	2013-14
1	2	3	4	5	6
1.	Kunjanagar Eco-Park	AliporeDuar	85600	60500	66594

1	2	3	4	5	6
2.	South Khairbari Leopard Safari and Rehabilitation Centre	AliporeDuar	59429	40198	54211
3.	Kumari Kangsabatti Deer Park, Bonpakuria	Bankura	9295	11371	22429
4.	Ramnabagan Mini Zoo	Burdwan	100800	124300	109000
5.	Rasikbeel Mini Zoo	Coochbihar	138047	133370	120380
6.	Padmaja Naidu Himalayan Zoological Park	Darjeeling	426668	470462	422704
7.	Gar Chumuk (Ulughata) Deer Park	Howrah	*N.A.	N.A.	N.A.
8.	Zoological Garden, Alipore	Kolkata	2351714	2461090	2857348
9.	Calcutta Snake Park	Kolkata	N.A.	N.A.	197133
10.	Marble Palace Zoo	Kolkata	N.A.	N.A.	180000
11.	Nature Park at Toratotla Road	Kolkata	N.A.	N.A.	N.A.
12.	Pugmarks – PFA Sanitketan Rescue Centre	Kolkata	N.A.	N.A.	N.A.
13.	West Bengal Snake Park & Laboratory	Kolkata	N.A.	310870	N.A.
14.	Adina Deer Park	Malda	10000	N.A.	N.A.
15.	Jhargram Zoo	Pachim Mednipur	56631	59689	75958
16.	Surulia Mini Zoo, Purulia	Purulia	N.A.	24735	32867

*N.A. Not available

Statement – III

Details of the amount, both plan and non-plan released by centre for the zoos in West Bengal in the last three years

Basic responsibility of management of zoos are with zoo operators i.e. State Government; Municipal Corporation, Forest Department, as the case may be.

(Amount in lakhs)

Name of Zoo	2011 -2012		2012-2013		2013-14	
	Non-Plan	Plan	Non-Plan	Plan	Non-Plan	Plan
Padmaja Naidu Himalayan Zoological Park	9.00	281.81	9 00	250.58	9.00	185.37
South Khairbari Leopard Safari and Rehabilitation Centre	Nil	33.35	*N. A.	Nil	N. A.	Nil

*N.A. Not applicable.

Forest farming

†3864. SHRI LAL SINH VADODIA: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

- the number of States having forests in the country;
- the number of States where forest farming is in practice, if so, the details of these places;
- whether forest farming is practised in Gujarat, if so, the details thereof, district-wise; and
- whether the land has been allocated to farmers (tribes) in forests; if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) All the States and Union Territories have forest cover.

- No information regarding forest farming has been received in the Ministry.

†Original notice of the question was received in Hindi.

(c) and (d) Forest farming is not practised in the State of Gujarat. However, incidences of the unauthorized cultivation in forest by local people has been observed. The State Government conferred occupancy rights *vide* Government notification dated 06/02/1970 over 58,328 hectare of land being cultivated by the local people of the Dang in the protected forests. Thereafter, State Government regularized cultivation over an area of 10, 289 hectare of forest land *vide* Government resolution dated 05.07.1972 and again as per the State Government resolution 06.10.1992 and Government of India letter dated 02.08.2000, the State Government regularized unauthorized cultivation over an area of 21,012 hectare of forest land. Thus from 1972 to 2000, 31841 hectare unauthorized cultivations in forest area was regularized in favour of unauthorized cultivators. The district-wise details are given in the Statement (*See* below).

Further under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, a total of 30,57,126 claims have been disposed of, which is 81.21% of the total claims received.

Statement

The district-wise details of regularized unauthorized cultivation in forest area in the State of Gujarat

Sl. No.	Name of District	Regularization of unauthorized cultivation in forest area
		Area in hectare
1	2	3
1.	Banaskantha	144.46
2.	Sabarkantha	1604.41
3.	Kheda	280.69
4.	Dahod	6159.43
5.	Vadodara	5654.73
6.	Narmada	2812.05
7.	Bharuch	945.15
8.	Surat	1548.79
9.	Dang*	97.82
10.	Navsari	1135.98

1	2	3
11.	Valsad	2672.31
12.	Panchmahal	8780.71
13.	Gandhinagar	4.39
TOTAL		31840.92

* In addition to above, State Government conferred occupancy rights *vide* Government notification dated 06/02/1970 over 58,328 hectare of land being cultivated by the local people of the Dang in the protected forests.

Canine Distemper disease among tigers and other animals

3865. DR. CHANDAN MITRA: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether Government is aware of the likely outbreak of Canine Distemper (CD) disease among tigers and other animals belonging to feline group across the country;

(b) if so, the details thereof along with the number of such cases reported so far during the last two years; and

(c) the effective steps taken by Government to prevent spread of CD disease among tigers in all the tiger reserves of the country including entry of stray dogs in and around tiger reserves?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) to (c) Yes, Sir. So far, only a single case of tiger mortality due to Canine Distemper Virus (CDV) has been confirmed from the Pilibhit area of Uttar Pradesh in November, 2013. Based on discussion with experts and field officers, and advice from the Indian Veterinary Research Institute (IVRI), and the Wildlife Institute of India, the tiger States have been advised by the National Tiger Conservation Authority for monitoring and taking precautionary measures against spread of Canine Distemper Virus. Under the ongoing Centrally Sponsored Scheme of Project Tiger, central assistance is provided to tiger States, which, *inter-alia*, includes funding support for prophylactic immunization against diseases communicable to the wildlife.

Use of fly ash in forests

3866. SHRI PYARIMOHAN MOHAPATRA : Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether Government is aware that fly ash mixed with urban sludge is used in forests in the People's Republic of China and if so, whether Government has any information regarding about benefits and hazardous of such use; and

- (b) the reasons for not following the Chinese example in our country?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) and (b) As per the information revived from Indian Council of Forestry Research and Education, mixture of fly ash and urban sludge is seen as a potential medium to improve degraded soils, including the forest soils as source of nutrients. Diverse literature from different countries is available on the subject. As per the information received from Center for Fly Ash Research and Management, New Delhi, the works reported by China are generally experimental works in small patches of land. Trials are also underway in India to study the effects of fly ash and mixture of fly ash and urban sludge on soil properties by organisation like the International Development Research Centre (IDRC), the Canadian International Development Agency (CIDA), the Indian-Canada Environment Facility (ICEF), and the Indian Institute of Technology, Centre for Fly Ash Research and Management (C-FARM), New Delhi.

Death of peacock in Raswan, U.P.

3867. DR. T. SUBBARAMI REDDY: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

- (a) whether Government's attention is drawn to news-item "U.P. peacock deaths create fear of unknown" publishing in media on 21-7-2014 in Raswan, about 50 kms. from Mathura, Kosi Kalan and Dehgaon, U.P., if so, the response of Government;
- (b) whether reasons were analysed for deaths of so many peacocks and report called for from the authorities, if so, the details thereof;
- (c) the preventive steps that are suggested for saving peacock in the region; and
- (d) whether any environment impact assessment study is made, keeping the above in mind, if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) Yes, Sir. The Government has noticed the publication of news item "Uttar Pradesh peacock deaths create fear of unknown" published in the Asian Age and 21st July, 2014.

(b) and (c) The deaths have been reported to have been caused due to heat wave leading to viral infections in the birds. The deaths of wild animals particularly peacocks due to heat wave are among various natural causes of deaths.

Protection and conservation of wild animals and birds is a subject matter dealt with by the State/Union territory Governments. Whenever, any offence in respect of animals

and birds protected under the Wild Life (Protection) Act, 1972 is suspected to have been committed, appropriate legal action is taken by the appropriate authorities.

(d) No, Sir.

Polluted stretches of rivers

3868. DR. R. LAKSHMANAN: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether Government has identified nine stretches of rivers of Adyar, Cooum, Cauvery, Noyyal, Vaigai, Tamiraparani, Bhavani and Palar as polluted one; and

(b) if so, the details of the steps taken by Government in this regard and funds allocated to clean these stretches so far, and if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) As per the Central Pollution Control Board (CPCB) Report of 2010, the stretch of Adyar river along Chennai, Cooum river along Chennai, river Cauvery at downstream of Erode, at Tiruchirapalli and at Grand Anaicut, river Noyyal along Coimbatore, Tirupur and Palyanakotti, river Tamiraparani along Ambasamudam, Vaigai river along Madurai, Bhavani river at Bhavani and river Palar along Vellore have been identified as polluted.

(b) It is the responsibility of the State Government/ concerned local bodies to set up proper facilities for collection and treatment of sewage being generated and ensure that untreated sewage does not fall into the rivers, thereby polluting them. This Ministry is supplementing the efforts of the State Governments in abatement of pollution in identified stretches of various rivers under the National River Conservation Plan (NRCP) for implementation of projects on a cost sharing basis between the Central and State Governments. Under NRCP, this Ministry has sanctioned projects pertaining to interception and diversion of sewage, sewage treatment plants, low-cost sanitation, river front development, improved wood crematoria etc. for pollution abatement of rivers Adyar, Cooum, Cauvery, Tamiraparani, Vaigai and Vennar, which are being implemented in the towns of Bhavani, Chennai, Erode, Karur, Kumarapalayam, Kumbakonam, Madurai, Mayiladuthurai, Pallipalayam, Thanjavur, Tirunelveli, Trichirappalli and Trichy in Tamil Nadu at a sanctioned cost of ₹ 915.93 crore. Funds amounting to ₹ 623.65 crore have been released by the Ministry to the Government of Tamil Nadu and sewage treatment capacity of 478 million litres per day (mld) has been created so far in these towns under NRCP.

Infrastructure in World Carbon Credit market

†3869. SHRI ANIL MADHAV DAVE: Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether Government agrees with the fact that the north eastern States draped with dense forests and rare flora hold significance in carbon credit market, similar to that of Amazon valley in the world; and

(b) whether Government is considering to bring it in the world carbon credit market by building infrastructure and making overall development in this area?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) and (b) Under the Kyoto Protocol, the Clean Development Mechanism (CDM) has evolved ^ as a market based mechanism. In CDM projects, carbon credits are earned by project proponents that develop and implement projects and registered it with the CDM Executive Board (EB) of the United Nations Framework Convention on Climate Change (UNFCCC). CDM projects are registered and listed on a country-wise manner and as on 30th June, 2014 India has registered a total of 1511 CDM projects. In the Amazon Valley, there are several countries and the total accumulated CDM projects registered from these countries figures out only 405. The country-wise distribution of CDM projects are Bolivia- 4, Brazil-324, Colombia-60, Ecuador-31, Guyana-1; and Peru-60.

In the North East (NE) region, Hydro power project is among large scale projects seeking carbon credits by projects developers under the CDM. As on date, the National CDM Authority (NCDMA) has accorded Host Country Approval (HCA) to 28 CDM projects in the North East region. Majority of these projects are in hydro sector and there are few projects in manufacturing sector and Waste handling and disposal. However, there is no project in the Forestry sector approved from NE region so far. In the NE region, 7 projects have been successfully registered with the CDM-EB. There is potential for further development of CDM projects in this region and by building infrastructure and making overall development in the NE region provide opportunities to the project developers for increasing the number of CDM projects in the region.

Evaluation of desert development projects

†3870. SHRI NARAYAN LAL PANCHARIYA : Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether it is proposed to re-commission the desert development project being operated by Government in desert districts of Rajasthan State, if so, the details thereof; and

†Original notice of the question was received in Hindi.

(b) whether Government has got the desert development project evaluated, if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR): (a) As per the information received from Department of Land Resources, Ministry of Rural Development, there is no proposal to re-commission the desert development project in Rajasthan. Desert Development Programme (DDP) along with other two schemes *viz* Drought Prone Areas Programme (DPAP) and Integrated Wastelands Development Programme (IWDP), under operation since 1995-96, have since been integrated and consolidated into a single modified programme called 'Integrated Watershed Management Programme' (IWMP) with effect from 26.02.2009 being implemented throughout the country including Rajasthan.

(b) The Department of Land Resources had got the Desert Development Programme evaluated. National Institute of Rural Development (NIRD), Hyderabad was entrusted to find the impact assessment of all the watershed projects sanctioned under IWDP, DPAP and DDP scheme during 1.04.1998 to 31.03.2002. The study was taken up in 837 micro-watershed over 121 districts in 9 States. The executive summary of the study report is given in Statement – I (*See below*). In another study, NIRD, Hyderabad was assigned to find the impact of investments in watershed projects sanctioned under IWDP, DPAP and DDP during 1.04.2002 to 31.03.2005. The study was taken up in 937 micro-watersheds over 169 districts in 17 States. The executive summary is given in Statement – II.

Statement – I

Executive summary of the study Report on the impact assessment of all the watershed projects sanctioned during 1.4.1998 to 31.3.2002

The objectives of the Study

The objectives projected in 1994 as well as 2001 revised guidelines of WDP under, DoLR, MoRD are as follows:

(a) Project Objectives (1994):

- * To promote the economic development of the village community which is directly or indirectly dependent on the watershed through:-
 - (i) Optimum utilization of the watershed's natural resources like land, water, vegetation, etc. that will mitigate the adverse effects of drought and prevent further ecological degradation.
 - (ii) Employment generation and development of the human and other economic resources of the village in order to promote savings and other income-generation activities.

- * To encourage restoration of ecological balance in the village through:-
 - (i) Sustained community action for the operation and maintenance of assets created and further development of the potential of the natural resources in the watershed.
 - (ii) Simple, easy and affordable technological solutions and institutional arrangements that make use of, and build upon, local technical knowledge and available materials.
 - * Special emphasis to improve the economic and social condition of the resource poor and the disadvantaged sections of the Watershed Community such as the assetless and the women through:-
 - (i) More equitable distribution of the benefits of land and water resources development and the consequent biomass production.
 - (ii) Greater access to income generating opportunities and focus on their human resources development.
- (b) **Revised Objectives (2001):**
- * Developing wastelands/degraded lands, drought-prone and desert areas on watershed basis, keeping in view the capability of land, site-conditions and local needs.
 - * Promoting the overall economic development and improving the socio-economic condition of the resource poor and disadvantaged sections inhabiting the programme areas.
 - * Mitigating the adverse effects of extreme climatic conditions such as drought and desertification on crops, human and livestock population for their overall improvement.
 - * Restoring ecological balance by harnessing, conserving and developing natural resources *i.e.* land, water, vegetative cover.
 - * Encourage village community for:
 - (i) Sustained community action for the operation and maintenance of assets created and further development of the potential of the natural resources in the watershed.
 - (ii) Simple, easy and affordable technological solutions and institutional arrangements that make use of, and build upon, local technical knowledge and available materials.

- (iii) Employment generation, poverty alleviation, community empowerment and development of human and other economic resources of the village.

Keeping in view the above, the following are focused as the important objectives of the present study.

The assessment covered:

- * Review of the process of planning, implementation and benefits accrued from watershed projects in qualitative and quantitative terms,
- * Assessment of the overall impact of the project on the natural resources (land, water, and vegetation) of the beneficiaries and the area through qualitative research methods.
- * Assess consequent impact on production systems, wage employment, debt reduction and community development.
- * Prepare a summary findings and lessons learned by consolidating the findings of the evaluation across the states and suggest suitable programme strategies for smooth implementation of various watershed activities and sustained development in future.
- * Assist MoRD in refining existing Guidelines.

The whole programme is process oriented, institutional centric and an area based programme calling for skills, dedication and commitment of the executive agencies.

The Study

The DoLR of MoRD, Gol assigned the study on Impact Assessment of Watersheds sanctioned between April 1, 1998 and March 31, 2002 to NIRD, in all 837 watersheds spread over 121 districts in 9 States under DPAP, IWDP and DDP were taken up for the study. The primary stakeholders (SMF as well as LMF) selected were 33,880. The overall proportion of the SMF and LMF was about 2:1. In each watershed 40 farmers who were willing to share their perceptions were selected keeping the proportion of SMF and IMF in the watershed.

Three survey schedules were developed through qualitative research methods using (i) Rapid Reconnaissance Survey of the watershed area by the investigator by visit to and FGD approach, (ii) Present profile of the Villages (collected from the secondary data) and (iii) Detailed Field Survey on the changes with implementation of the WDP (through a questionnaire eliciting perception of the stakeholders). These surveys were evaluated

through a marking system. Each assessment indicator has been given a pre-determined mark as per its importance in its overall impact on the watershed development. Such a system enables intra-comparison of performance of all indicators.

Since the MoRD emphasizes on the retrieval of the natural resources to their original status, greater emphasis was made to assess the impact of the various programmes (DPAP, DDP, and IWDP) on the land, water and vegetation. As a consequence, the yields of crops are expected to be on the rise along with that of livestock production. Axiomatically these would be more employment generation, debt reduction and community development. All such issues have also been examined.

Brief Review of Watershed Development in India:

Based on a brief review of the studies done in collaboration with various agencies on WDP projects, a few important issues which were not adequately addressed are identified and placed below:

- * Harmonise the use of soil and water between upstream and downstream within a watershed area as the first step.
- * Further stand-alone treatment ignoring the hydrological boundaries needs to be amended.
- * A long term commitment for a continuum in NR Management is essential.
- * Invest in watershed hydrology, expertise with reference to protection of upstream (providers) such that the downstream beneficiaries (recipients) either invest in in-built protection through increased contribution to WDF or providing incentives to the providers from the WDP funds.
- * Regular and routine monitoring of the environmental parameters is important for environmental enhancement.
- * It is important to avoid mono-scaling up either from administration or researchers or influential persons. Working together in NRM will be more sustainable, *i.e.* avoid hierarchical patterns in NRM.
- * Resist treatment at lower reaches, at the first instance.
- * Consider regional characteristics. Avoid fixed recipes, consider local culture and have flexibility in NRM in particular.
- * Equity and women empowerment need further attention for sustainable development.

- * Training the leaders from CBOs is needed for smooth transition of the programme.
- * Rural marketing (“House shopping”) and sustainable livelihoods are needed to safeguard the rights of the disadvantaged.
- * Correct silent famine (mal-nutrition), illiteracy and preventable diseases.
- * Final goal “People to act: Government to facilitate”.

Present Status of Selected Districts

It is well known that the rainfed areas are economically and ecologically disadvantaged. About 84% of the poor and 66% of the livestock of country exist in these areas.

In the present study districts, the productivity varies from low to very low or at best average. Largely the cropping Intensity (C.I.) was low in the selected districts except in areas where the rainfall was bimodal where two crops become possible (a short pulse followed by cereal or cash crop).

The area under fruits and vegetables was more than 10% of net cultivated area (NCA) only in 28 districts.

The cultivable wastelands varied from district to district, from as low as 519 hectares (Neemuch in Madhya Pradesh) to as high as 29,08,225 hectares (Jaisalmer in Rajasthan TGA is about 38 Mha. of which 68% is Cultivable Wastelands).

MPCE in rural areas was lower than the national average of ₹ 695 in as many as 89 districts. The rural poverty was lower than the national average of 27.1% only in 32 districts.

Droughts occur more with decrease in rainfall and the data also prove the point. Thus, these districts are ecologically as well as economically disadvantaged.

Achievements

(a) Impact of WDPs on land, water and vegetation:

(i) Change in land use pattern: The overall impact on this indicator in the study showed that the achievement was 60.9 %, while most of cases the community was found to invest more on good lands. Thus WDP could lead to better use of the lands.

(ii) Quality of water harvesting structures (WHSs): The overall impact on the quality part was good (63.0 %). Most of the community did maintain the WHSs in a good condition. The quality of WHSs in general was good in the study area.

(iii) Status of WHSs: The overall impact on the status of WHSs showed the need for protecting the contributing area of each of the structures since 50% marks was more frequently observed in the study area. The silting up was common and needs a correction for sustaining the WHSs.

(iv) Stream / spring flow periods: The average impact was not adequate. Increase in stream flow up to 10% only was observed in the study. In a few cases, however there was even a reduction in the stream/spring flow. Vegetation is the main means to improve the stream/spring flows.

(v) Groundwater increase: Overall, with the implementation of WDP, there was increase of groundwater. In the process, rise in water table was 1-2 meters. But in some districts even there was reduction of the groundwater table. Participatory groundwater Irrigation management is an important requirement in sustaining the groundwater use.

(vi) Runoff reduction: The results indicate that the overall runoff reduction was up to 46%. But in most of the districts it was up to 20 %. This could be due to the lack of proper protection of the arable lands as well as CPRs. Vegetation of the WDP areas helps in much better runoff reduction.

(vii) Soil erosion reduction: There was an average reduction in soil erosion upto 25-30%. In the present study even 50% reduction was observed in many of the districts. It could have been more if mechanical measures were combined with vegetative measures. The result calls for combined measures of mechanical and vegetative means to further reduce soil erosion.

(viii) Surface water increase: The study revealed an overall increase stood upto 40%. It could have been even more if the traditional systems of surface water harvesting were duly taken care of. The Institutional WHSs (e.g. Percolation tanks, Check dams) should be put in place in such a way that the traditional systems including tanks are not in jeopardy.

(ix) Decrease in wastelands: The study revealed a decrease in wasteland on an average upto 20%. But in several districts, it was even less. A much bigger effort is needed for conversion of cultivable wastelands to farming.

(x) Improvement in vegetative cover: The study reflects an increase in vegetation upto 20% most of the districts. Such an effort should continue for further increase so as to sequester more carbon (minimising GHG emissions) and protect the surface soil cover which leads to reduced runoff and soil loss.

Overall impact of WDPs on NRs

Aggregated averaged indicates that the overall achievement was 48.6%, more frequent performance by 51.3. The good performing districts were limited to Andhra Pradesh (4), Gujarat (4), Karnataka (4), Tamil Nadu (3) and Madhya Pradesh (1).

Performance across States

Good performance on overall basis was observed in Gujarat and Karnataka with poor performance in Uttar Pradesh, Himachal Pradesh and Jammu and Kashmir. Thus the overall good performance in NRM was in Gujarat followed by Karnataka.

Performance across Programmes

Aggregated average performance of the programmes shows that IWDP was better performance (51.5 %) followed by DPAP. The overall performance on NRM was superior with IWDP

(b) Impact of NRM on production system, economic and social indicators

The present cropping intensity in rainfed areas is 110. The WDP led to 124. The yield of cereals increased by 49% while that of energy rich crops (pulses, oilseeds and cotton) went up by 28%.

Milk yield increased by 45%.

There was a surge in horticulture. Presently only 28 out of 121 districts under study have more than 10% area under horticulture.

Employment

The increase in labour days was 43 per annum per head.

Debt reduction

There was 37% reduction in debt.

CBOs

Only 48% of CBOs were partly functional.

Out of these achievements, farmers in low rainfall areas had a higher share in milk production and employment. On the other hand, in better rainfall areas, the energy rich crops performed better and could reduce their debt more than the low rainfall area farmers.

Economic analysis

ACBR was 1.4. But once gestation period of NR improvement is complete the ACBR is bound to further improve.

Epilogue

The impact assessment study has indicated quite a few points for consideration. Important, among them include:

- * The selected 121 districts for the study are ecologically and economically disadvantaged.
- * The WDP lead to better land use.
- * The quality of WHSs in general was good.
- * Silting up of WHSs was common.
- * Runoff reduced upto 46% while erosion reduced upto 25-30%.
- * Wastelands decreased by 20%.
- * The gestation period in expression of the improved NRs is important while considering the impact of the watersheds
- * The overall benefits were more with LMF by 4% over SMF as they have more land. But in the social and economic sectors SMF and LMF performed at equal level.
- * The created assets need maintenance and the untapped potential of these rainfed areas need special attention for achieving the targeted 4% growth in agriculture.
- * Effort must continue to benefit the poorer sections of the society even after completion of the project.
- * Stress condition (arid and dry semiarid) appears to bring the people together.

- * It is important to encompass the open forests and scrub areas besides the CPRs under the programme for providing additional fodder, fuel and manure.
- * To sustain the groundwater recharge, participatory groundwater irrigation besides improving WUE is needed.

All these efforts will lead to sustainable inclusive development of the rural areas in the country.

Recommendations:

Besides the new guidelines effective from 01.04.2008 by the GOI, some recommendations are made for consideration.

- * Provide funds as seed money (say ₹ 5.0 lakhs/watershed) to CBOs for post project training needs with empowerment to identify the training centre of trainers.
- * Enhance land productivity through community based approaches, leaving the maintenance of WHSs and CPRs under the aegis of MGNREGS.
- * Participatory groundwater irrigation management is needed. Water use efficiency has to be improved and the needed infrastructure be provided either under IWMP or MGNREGS.
- * Improve management of open forests, scrub lands and permanent pastures besides traditional water bodies as they are presently sinking. Only vertical growth in productivity can solve the ever increasing demands of fodder, fuel and manure. Encourage participation of women in this area of development.
- * Provide enabling atmosphere to enhance production systems. This should include the internalized inputs in crop production and green fodder besides healthcare for livestock
- * Watershed selection criteria must be strictly followed. Similarly improve the data base management.
- * Handholding after the closure of the project for 2-3 years is needed.
- * *Varsha Beema* should be extended to all the WDP areas.
- * The completed watersheds need “plus” activities that include maintenance of created assets, production systems and participatory groundwater management and encouraging community based approaches.

- * In difficult areas (*e.g.* arid West Rajasthan and high rainfall tribal districts) the time limits for the project need to be flexible. Better training and capacity building must be attempted through resources and functional literacy programmes.
- * The wage structure in IWMP must be equal to that of MGNREGS or NRM activities be transferred to that programme.
- * CPRs must receive more attention. The water bodies and related activities like fish farming also need active attention.

Statement – II

Executive summary of the Study Report on the impact of investments in watershed projects sanctioned during 1.4.2002 to 31.3.2005

Introduction

At the initiative of DoLR, MoRD NIRD has completed the impact assessment of watershed projects sanctioned under DPAP, DDP and IWDP during the period of 1st April, 2002 to 31st March, 2005. The study titled as “**A Comprehensive Study of Impacts of Investments in Watershed Projects**” was taken up in 947 completed watershed projects spread over 169 districts in 17 States. In all, 444 watersheds under DPAP, 321 under DDP and 182 under IWDP were considered for the study. Fifteen nodal agencies were identified to elicit the needed data from the beneficiaries (@75 per watershed) and through FGDs besides PIA and district level officials using six schedules. The components included EPA, HRD activities, training and capacity building, NRM (SMC works, WHSs, plantation) crop demonstration, production systems and use of revolving fund.

As many as 66,680 primary beneficiaries were surveyed in the study, which included 76% SMF and 24% LMF. The nodal agencies provided district-wise summarized data sets under each of the schemes using averages of the data from the SMF and LMF under each watershed and also from the PIAs. NIRD prepared the consolidated report based on the data (scheme-wise and/or State-wise). It was found that the performances under IWDP and DPAP were almost similar. So the data sets were examined agro climatologically in three classes *viz.* Hilly humid region (IWDP), Semiarid (DPAP; IWDP) and Arid (DDP). Accordingly, the consolidated report was prepared. All the data included in the report are averages of a watershed of 500 ha area.

Some important features of selected districts

Among the 169 districts, the net sown area was only 15% in hilly humid areas while it was about 45% in other two areas (semiarid and arid regions). Soil erosion was serious

in arid region (51%), while it was 21% in humid and 36% in semiarid areas. Groundwater depletion was 100% in arid areas while it was 85% in semiarid and 23% in hilly humid areas. Low to very low productivity was more in arid (86%) areas as compared to 55% (hilly humid areas) and 68% (semiarid areas).

Natural Resource Management

- * On an average of watershed, 48.5ha (9.7%) of cultivable wastelands was brought under plough (47ha humid, 50ha in semiarid and 19 ha in arid).
- * An additional area of 26 ha (35ha humid, 27 ha semiarid and 14ha in arid) under rainfed farming and 46 ha (14ha humid, 64 ha in semiarid and 49ha in arid) under irrigation were recorded.
- * Upto 65ha area (93ha humid, 45ha semiarid and 71ha arid) was improved under vegetative cover. Only 50% of the plants had survived. Fodder availability increased from 68% to 82%.
- * Out of the 40 soil conservation and water harvesting measures (60 humid, 28 semiarid and 38 arid), 22% were of poor quality. However the soil erosion was reduced by 40 %.
- * With these measures, the water retention period in the surface water bodies increased by 3 months.
- * Groundwater table increased by 1.2m (1.7m humid, 2.4m semiarid and 0.6m arid) Drinking water availability increased from 68% (pre project period) to 82% (post project period).

Production Systems

- * The cropping intensity (CI) increased from 131 to 139. Perceptible increase was with SMF (129 to 140) in semiarid areas. Presently it was static at 125 in arid and 165 in humid areas. However, with proper training the CI can be increased to 195 in humid areas.
- * SMF were more enthusiastic with horticulture by bringing about 23ha under horticulture as compared to 7.6 ha by LMF. The thrust was more visible in humid areas where the area increase was 53 ha.
- * As far as crops are concerned, the farmers showed thrust in enhancing the yield of oilseeds and pulses, more so in semiarid regions, the increase being 41% and 33% respectively.

- * Even though cereal productivity increased only by 18% in semiarid areas, the enhancement in rice yields in hilly humid areas was 32%. The availability of cereals at HH level increased by 10% with the Project.

Livestock Enterprises

- * SMF had more livestock than LMF.
- * Small ruminants were more in both arid and humid areas.
- * There was a quantum jump in bovine population from 201 to 483 per watershed area with the implementation of the project.

Milk production increased from 742 to 970 litres/annum with SMF while it was from 1122 to 1372 litres/annum with LMF. Overall increase in milk production is by 25.64%. Consequently the adequacy levels moved from 57.3% to 64.8% with SMF and 62.6% to 72.9% with LMF. Maximum gains were observed in semiarid areas.

Human Resource Development

- * On an average 29 CBOs (9 SHGs, 14 UGs and 6 LGs) were formed per watershed by the PIA.
- * WCs were formed as per norms.
- * Overall, 8 trainings were conducted with 38 participants including 16 women and 17 SC/ST members.
- * In 80% of the projects, DPR was prepared in a participatory mode.
- * Women participation was reported at 85% in planning as well as execution of works in the project.
- * Upto 2/3rd of the stakeholders were agreeable for pro-poor sharing of the usufructs in CPRs.

Economic effectiveness

- * Household's income found to have increased by 54%; *i.e.*, ₹ 39,355 with SMF and ₹ 80,900 with LMF on an average of watershed area.
- * Similarly there was debt reduction to the extent of 38% with SMF and 34% with LMF.
- * The average BCR was 2.6 ranging from 1.2 to 4.2, the IRR (%) was 26.6 ranging from 6.0 to 57.5.

Examination of expenditure

- * There was convergence in funding for NRM in the hilly humid areas.
- * The overall spending on different components, agroclimatologically were as follows.

(₹ in lakhs)

Sl. No.	Component	Funds Allocated on Different Heads per Watershed			
		Allotment	Hilly humid	Semiarid	Arid
1.	EPA	0.75	3.56	1.29	0.69
2.	Training	0.75	4.61	1.77	0.87
3.	Crop demonstrations	1.0	1.91	0.54	0.68
4.	Revolving fund	1.0	0.79	0.90	0.93
5.	Works	24.5	57.36	23.31	22.30

Source: Secondary Data (DPR).

It was clear that there was surge to spend more on training and capacity building. However, revolving fund and crop demonstrations did not receive the needed attention. Both are relevant to help the SMF in diversification as well as improvement in yield of crops. Even though overall averages were nearer to allotments in works, state/scheme-wise it was found that in arid areas of Andhra Pradesh, Gujarat and Rajasthan did not spend much. In the case of semiarid areas, the defaulters included Chhattisgarh, Gujarat, Maharashtra and Orissa.

Suggestions

Following are the important suggestions:

- * The project needs to have larger time frame. Consolidation phase should include a revisit to DPR, investigation on created assets, reorganizing the CBOs into federations, handing over assets to UGs, creating marketing facilities, livelihood options and ensuring the continuance of linkages with line departments and banks.
- * Systematic hydrological assessment, ensuring equity among the upstream and downstream stakeholders through compensation to upstream farmers.
- * Adoption of Farming Systems Approach to tap synergies in order to reduce cost in production.

- * Encouraging non-chemical farming, tapping synergies between crops, livestock and trees.
- * Training to be location specific with focus on women as well as PR bodies.
- * Available community lands to be put to high value tree crops like medicinal plants by the CBOs.
- * Preparation of shelf of projects with a master plan to cover all the areas that need area development on watershed basis.
- * Resilience building of WSD in the context of climate change.
- * Thrust on diversification for mitigating the effects of drought as well as climate change.
- * Usufructs sharing with pro-poor bias and encouraging the poor as well as women in development of CPRs as well as long term fallow land.
- * Focus on non-farm labour opportunities to benefit the SMF and the landless.
- * Proper inventory to be required for of CPRs (land and water bodies) developed under the project and ensuring mechanism for pro-poor sharing of the benefits.
- * Besides timely release of funds as per approved under DPR, funding for community water sources (eg. Group borewell) for benefiting the poor.
- * Evolving methods for user charges for use of the created assets, particularly water bodies and community lands.
- * Ensuring the SMF and the poor having access to institutional credit.
- * Proper guidelines for use of WDF as well as RF after the closure of the project.
- * Strictly following the set criteria in selection of watersheds and providing a base line report including economic and social status as well.
- * Converging IWMP and MGNREGS with defined roles under each scheme.
- * Avoiding frequent transfers of the staff employed in the project.
- * Providing incentive awards to both the farmers as well as the staff members.

Post Project Sustainability: Options and Mechanisms

The issues which need attention are as follows:

- * With proper awareness created through training and capacity building, the community assets like water bodies and vegetated CPRs should be handed

over to the UGs, with a small provision of seed money for their maintenance. Inland fishing could augment the income of the UGs. The RF as well as WDF could be placed with UGs.

- * By hand holding at least for 2 years after completion of the project, the PIA/WDT members should provide the needed technological assistance to the stakeholders in enhancing the productivity of soils, crops and livestock so as to reap the full benefits of NRM. They must also enable the beneficiaries in marketing the surpluses, particularly the perishables.
- * By giving incentive to the production system, the dysfunctional or partly functional CBOs of the project could be reactivated. Convergence of the programs like MGNREGS and RKVY would be of great help in this direction.
- * Training must be a continuous process. To achieve this goal, the funding agencies may provide the needed infrastructure on a cluster-of-watersheds approach along with seed money to CBOs or their federations. They, in turn, can identify the need-based training as also the trainers. Specific attention is needed on geo-hydrology, participatory groundwater irrigation management, payment for negative externalities resulting in the upstream areas.
- * Pro-poor usufructs sharing from CPRs in cluster of watersheds is important for their sustainability and to avoid conflicts.
- * Equity particularly in sharing the benefits of the up-stream and downstream treatment must be a part, of the DPR for smooth functioning of the project.
- * So as to continue attention to the women (gender issue), CBOs must ensure involvement of women in the post-project activities to see that they have better access to water, fodder and fuel.
- * Since, livelihood option and micro-enterprises are now a part of the new guidelines, it is suggested that ₹ 12 lakhs per 500 ha completed watershed may be provided for such activities which alone would benefit the SMF, landless, poor and destitute and lead to the noble aim of inclusive growth.

Recommendations

- For inclusive growth, SMFs' centered effort is needed to guarantee more non-farm employment besides diversification to activities like poultry, vermicompositing etc.

- A revisit to NRM is needed in view of the new paradigm developing in the recent past, particularly payment for the negative externalities to upstream land owners need attention.
- In WHSs and their development, the geo-hydrological aspects must be considered to benefit the on-farm groundwater recharge.
- Climate change and consequent intense/heavy rains must be taken care of improved land husbandry and for proper designs for RWHSs. The need for participatory groundwater management becomes all the more relevant.
- Biomass generation in any form needs more attention to sustain production systems in the rainfed areas.
- Training is a continuous process. Besides providing the needed infrastructure, some seed money may be provided to the CBOs for (a) identifying the training needs and (b) choosing the trainer.
- Credit for the poor needs a special dispensation.
- WDF may be properly utilized even within the support under MGNREGS.
- Special focus is required to create the four banks - seed, fodder, biomass (nutrient & pesticide based) and water.
- Marketing the surpluses generated with the implementation of the Project through cooperative or CIG-approach needs consideration.
- More attention is needed on crop demonstration as well as of proper use of RF.
- The staff at district level, PIA and WDT must have sufficient understanding of land and water so as to bring about equity an essential part in proper implementation of the IWMP.

Agreement with Bangladesh to improve rail-road links

3871. SHRI BAISHNAB PARIDA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India and Bangladesh have entered into certain agreement to improve rail-road links to enhance trade and also get transit access through that country to bridge distance between the mountainous North Eastern States and rest of the country;

(b) if so, whether it involves construction of rail links between the two countries by the Indian Government to achieve the objective; and

(c) whether Ministry of Railways has signed certain agreements with the Bangladesh Government in the matter, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS [GENERAL (RETD.) V.K. SINGH]: (a) to (c) In September 2011, Governments of India and Bangladesh signed a Framework Agreement on Cooperation for Development that envisages taking steps to facilitate trade by road, rail, inland waterways, air and shipping with the objective of promoting trade and people-to-people contacts across borders.

In addition, the Governments of India and Bangladesh entered into a Memorandum of Understanding for Development of Railway Infrastructure to Establish Rail Link between Agartala (India) and Akhaura (Bangladesh) in February 2013. The Detailed Project Proposal prepared by the Indian side for this rail link is awaiting approval of Bangladesh. Opening the rail link is in line with our objective of promoting trade and people-to-people contacts across borders.

Agreement on traditional rights of fishermen

3872. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether there is agreement for guaranteed rights to fishermen of India and Sri Lanka to enjoy traditional rights of fishing in each other's waters in and around Katchatheevu Island;

(b) if so, the details regarding the agreement about the rights of Indian fishermen in that area;

(c) whether any demarcation of maritime boundary has taken place in that area; and

(d) the number of Indian fishermen those have been taken into custody by Sri Lankan Navy and the action taken by Government to guarantee safety to fishermen in that area?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS [GENERAL (RETD.) V.K. SINGH]: (a) to (d) The 1974 Agreement on the demarcation of the International Maritime Boundary Line between India and Sri Lanka as also the Exchange of Letters of 1976 stipulate that fishing vessels and fishermen of India shall not engage in fishing in the historic waters, territorial seas and the exclusive economic zone of Sri Lanka. Under the Agreement, Indian fishermen enjoy access to visit the Katchatheevu

Island. However, writ petitions have been filed on the issue of Katchatheevu Island in various courts.

Government attaches the highest importance to the safety, security and welfare of Indian fishermen. As soon as the reports of apprehension of Indian fishermen are received, Government, through diplomatic channels, immediately takes up with the Government of Sri Lanka the issue of their expeditious release and repatriation. The matter has also been taken up during bilateral meetings at various levels including during the meeting between PM and the President of Sri Lanka in New Delhi on 27 May and, recently, between EAM and the Sri Lankan External Affairs Minister on 11 July 2014 in New Delhi. Government has repeatedly emphasized upon the need to ensure humane treatment and that there should be no resort to violence against fishermen under any circumstances. Government, as a result of its continuous efforts has secured the release of all 676 Indian fishermen arrested in 2013 and 536 Indian fishermen arrested till 8 August 2014 from the custody of Sri Lanka. As on 8 August 2014, there are 94 Indian fishermen alongwith 63 Indian fishing vessels under the custody of Sri Lankan authorities on charges of fishery related violations.

Dialogue during BRICS Summit

†3873. SHRI MOTILAL VORA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) the names of the countries that Indian Prime Minister had dialogue with their heads of States/heads of Governments during the summit of the BRICS countries;
- (b) the terms of reference of the dialogue along with the results thereof; and
- (c) whether the issue with regard to preventing repeated cross-border incursion by China into Indian territory was figured during the dialogue with China, and if so, the response of China thereto?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS [GENERAL (RETD.) V.K. SINGH]: (a) to (c) Hon'ble Prime Minister, Shri Narendra Modi had bilateral meetings with the other BRICS Leaders-Presidents of Brazil, China, Russia and South Africa-as well as with the Presidents of Guyana, Peru and Suriname on the margins of the 6th BRICS Summit in Brazil in July 2014.

Hon'ble Prime Minister met Brazilian President Dilma Rousseff at Presidential Palace in Brasilia on 16 July 2014. The entire gamut of bilateral issues was discussed and three MoUs were signed between India and Brazil in the areas of Environment,

†Original notice of the question was received in Hindi.

Establishment of a Consultation Mechanism on Consular and Mobility Issues and Implementing Arrangement establishing Cooperation in Augmentation of a Brazilian Earth Station for Receiving and Processing Data from Indian Remote Sensing Satellites.

Hon'ble Prime Minister met Chinese President Xi Jinping in Fortaleza, Brazil on 14 July 2014. The meeting, the first between the two leaders, lasted approximately 80 minutes. The discussion centered on all aspects of the bilateral agenda as well as on regional and global issues. Hon'ble Prime Minister stressed the importance of strengthening mutual trust and confidence, maintaining peace and tranquility on the border and respecting each other's interests and concerns, including in our shared neighbourhood, for realizing the full potential of our relationship. President Xi Jinping shared our views on creating the right conditions and building a higher degree of engagement and familiarity between the two countries to harness the true potential of their relationship.

Hon'ble Prime Minister met Russian President Vladimir Putin in Fortaleza, Brazil, on 15 July 2014. Both the leaders expressed their commitment to strengthen and deepen bilateral political, economic, defence and international cooperation, as also to explore new areas and new forms of cooperation for the future. Both sides agreed to work towards concrete outcomes for the Annual Summit later in the year, when President Putin will visit India.

Hon'ble Prime Minister had a bilateral meeting with South African President Jacob Zuma in Brasilia on 16 July 2014. During the meeting the two Leaders resolved to work together to deepen bilateral cooperation and international partnership. Hon'ble Prime Minister invited South Africa to be part of planned celebration in January 2015 of hundred years of Mahatma Gandhi's return to India from South Africa.

Intensification of bilateral relations especially trade and investments were discussed during Hon'ble Prime Minister's meeting with President of Suriname in Brasilia on 16 July 2014.

Further strengthening of bilateral relations between India and Guyana including extension of a Line of Credit by India were discussed by Hon'ble Prime Minister during his meeting with President of Guyana in Brasilia on 16 July 2014.

It was agreed between Hon'ble Prime Minister and President of Peru to increase trade and enhance commercial ties between the two countries during their meeting in Brasilia on 16 July 2014. The two Leaders also exchanged views on application of technology to agriculture, water resource management and S&T.

Delay in Mumbai terror attack case

3874. SHRI S. THANGAVELU: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India has expressed its unhappiness over the prolonged delay of trial in Pakistan in Mumbai terror attack case, if so, the response received by Government from Pakistan; and

(b) whether Pakistan has also expressed concern over the delay in the Samjhauta Express bombing case in which 68 people were killed, most of them Pakistanis, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS [GENERAL (RETD.) V.K. SINGH]: (a) and (b) Government has repeatedly conveyed its concerns to the Pakistan leadership, including during the recent meeting of Prime Minister with the Prime Minister of Pakistan on May 27, 2014 in New Delhi, that despite assurances received at the highest levels in Pakistan the ongoing trial in Pakistan against some of the accused persons involved in the Mumbai terror attacks has been progressing at a slow pace. The need to expeditiously bring all those persons responsible for this heinous crime to justice has also been repeatedly underlined.

Pakistan has been raising the issue of India's investigation into the 2007 Samjhauta Express bomb blast case where both Indian and Pakistani citizens were killed causing huge loss of public property. Pakistan invariably raises the issue when the issue of delay in the Mumbai attack case is raised with them.

Indian delegation visit to Nepal

3875. DR. T. SUBBARAMI REDDY: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the outcome of Indian delegation visit to Nepal; and

(b) the proposals and agreements signed in the bilateral talk, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS [GENERAL (RETD.) V.K. SINGH]: (a) and (b) External Affairs Minister led an inter-ministerial delegation on an official visit to Nepal from 25-27 July, 2014 at the invitation of the Minister for Foreign Affairs of the Government of Nepal. During her stay in Kathmandu, she paid courtesy calls on The Rt. Hon'ble Dr. Ram Baran Yadav, President of Nepal, The Rt. Hon'ble Mr. Sushil Koirala, Prime Minister and The Rt. Hon'ble Mr.

Subash Chandra Nembang, Speaker of the Legislature-Parliament. She also met with the Leader of Opposition in the Legislature-Parliament The Hon. Pushpa Kamal Dahal 'Prachanda' and leaders of other political parties. The two Foreign Ministers also co-chaired the third meeting of the India-Nepal Joint Commission. The Joint Commission reviewed a range of issues including political and security issues, economic cooperation and infrastructure, trade and transit, power and water resources, culture, education and media. Both sides expressed happiness at the reactivation of the Joint Commission after a gap of 23 years. Both sides also signed an MOU on the installation of 2,700 shallow tube-wells in the Terai region.

Recruitment of contract labour

3876. SHRI ANANDA BHASKAR RAPOLU: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the method adopted in selecting and recruiting the contract labour in Indian Embassies and other diplomatic missions all across the globe;

(b) the benefits and monthly pay available to such contract labourers and whether there are any service period restrictions to get such benefits from Indian Missions;

(c) whether the Ministry came to know of any inhuman handlings of such contract employees in Indian Diplomatic Mission located at Jeddah, Saudi Arabia and the correctional steps taken thereafter; and

(d) whether they are eligible for the stipulations ensured for the workers being engaged by foreign private companies or persons?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS [GENERAL (RETD.) V.K. SINGH] : (a) Indian Missions/Posts abroad do not engage "Contract Labour". However, locally recruited staff to serve as receptionists; interpreters, local clerks, chauffeurs and messengers are employed in all Indian diplomatic Missions/ Posts around the world. Recruitment of these local employees is governed by relevant rules and regulations approved by the Ministry. In accordance with these rules, recruitment is carried out through advertisement of vacancies in local newspapers and on the basis of tests/interview of the applicants by the concerned Mission/Post.

(b) Such locally recruited employees are paid salary and allowances as applicable to different levels of employees in accordance with the approval of the Ministry of External Affairs. The Indian Missions/Posts make contribution towards social security and medical insurance wherever such contributions are mandated by local laws. Terminal gratuity is paid to a local employee who has put in a minimum of ten years of service,

if the concerned Mission/Post is not contributing to social security. Free return passage to India is granted to those locally recruited employees who have put in 25 years of service.

(c) Any inhuman handling of such employees has not been brought to the notice of this Ministry including with regard to Consulate General of India located in Jeddah, Saudi Arabia.

(d) Local employees in Indian Missions/Posts abroad are not governed by stipulations for workers engaged by foreign private companies or persons. Services of local staff are subject to terms and conditions contained in the employment contract prescribed by the Ministry of External Affairs, local laws as and where applicable and Vienna Convention on Diplomatic Relations, 1963 and Vienna Convention on Consular Relations 1963.

Setting up of international maritime boundary

3877. DR. K. P. RAMALINGAM: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India and Sri Lanka are considering to set up an International Maritime Boundary Line between India and Sri Lanka, if so, the details thereof; and

(b) whether Government has received widespread protest against this move from the State of Tamil Nadu, if so, the steps taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS [GENERAL (RETD.) V.K. SINGH]: (a) and (b) Under the 1974 Agreement on the boundary in historic waters between India and Sri Lanka and the 1976 Agreement on the maritime boundary between the two countries in the Gulf of Mannar and the Bay of Bengal the International Maritime Boundary Line between the two countries has been demarcated. However, writ petitions have been filed on the issue of Katchatheevu Island in various courts.

Strengthening of ties with Nepal

3878. DR. PRADEEP KUMAR BALMUCHU: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India and Nepal have agreed to review the ties between the countries, if so, the details thereof; and

(b) whether in this direction both the countries have agreed to update the treaty of Peace and Friendship 1950 to implement bilateral investment promotion and protection on agreement (BIPPS); the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS [GENERAL (RETD.) V.K. SINGH]: (a) Yes. Both sides held the third meeting of the India-Nepal Joint Commission at the level of Foreign Ministers on 26 July 2014 in Kathmandu to review the ties between the two countries.

(b) Yes. The Joint Commission reiterated the need for reviewing, adjusting and updating the Treaty of Peace and Friendship 1950, reflecting the current realities. It directed the Foreign Secretaries to make necessary recommendations. Both sides also stressed the need to complete necessary formalities to enable entry into force of the Bilateral Investment Protection and Promotion Agreement (BIPPA).

Building of Dharmashala in Nepal

†3879. SHRI PRABHAT JHA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the declaration of building a Dharmashala in the premises of Pashupatinath Mandir in Kathmandu, the capital of Nepal was made by Government of India in 2002, if so, the details thereof;

(b) whether the task of getting a Dharmashala built has not been performed by Government of India so far; and

(c) if so, the details thereof along with the reasons therefor and whether the present Government proposes to get this task performed soon, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS [GENERAL (RETD.) V.K. SINGH]: (a) to (c) A Memorandum of Understanding (MOU) for construction of the Nepal-Bharat Maitri Pashupati Dharmashala in Kathmandu was signed between the Government of India (GoI) and Pashupati Area Development Trust (PADT) on March 10, 2004.

After signing of the MOU, the process for appointing a Consultant for preparing the Detailed Project Report (DPR) of the Dharmashala was initiated and the Consultant was appointed in November 2004. The DPR prepared by the Consultant was examined and shared with PADT in February 2005. The tender for selection of Consultant for construction of the Dharmshala was issued in November 2006 and the Consultant was appointed in July 2007. The design of the Dharmashala building prepared by the Consultant was submitted to the Kathmandu Metropolitan City Office in November 2007 for permission,

†Original notice of the question was received in Hindi.

which was received on June 30, 2008. During 2008-2011, the project could not be taken up due to several factors including the untoward attack on Indian Priests at Pashupatinath Temple. At the request of PADT in November 2011, Notice Inviting Tenders for pre-qualification of contractors for construction of the Dharmashala at Pashupatinath Temple were published in December 2012 and pre-qualification of contractors completed in June 2014. Financial bids have been invited from the pre-qualified contractors for construction of the Dharmashala.

Revival plan for Scooters India Limited

3880. DR. CHANDAN MITRA: Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state:

(a) whether Government has prepared a revival plan for Scooters India Limited (SIL); if so, the main features of the revival plan;

(b) whether Government has identified any strategic partner for SIL, if so, the details thereof; and

(c) the steps taken by Government for prompt and time bound execution of the revival plan for SIL?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI RADHAKRISHNAN P.) (a) Yes, Sir. A revival scheme for Scooters India Limited (SIL) was approved by Cabinet in its meeting held on 31.01.2013.

The main features of the revival plan *inter-alia* include Infusion of fund of ₹ 90.38 crore (₹ 70.38 crore as equity for capex and ₹ 20 crore as interest free plan loan for working capital); conversion of plan/non-plan loan of ₹ 85.21 crore into equity, waiver of interest of ₹ 26.37 crore; Enhancement of superannuation age from 58 years to 60 years in relaxation of DPE guidelines and implementation of 2007 pay revision as per DPE guidelines.

(b) No, Sir.

(c) In pursuance of the Cabinet decision dated 31.01.2013 and orders passed by BIFR, financial sanctions for infusion of funds to the tune of ₹ 31.90 crore out of ₹ 70.38 crore as equity, provision of ₹ 20 crores as interest free plan loan for working capital, waiver of interest of ₹ 26.37 crore, conversion of plan/non-plan loan of ₹ 85.21 crore into equity etc. have already been issued by the Government.

Withdrawal of subsidy on electric cars

3881. DR. CHANDAN MITRA:

SHRI BAISHNAB PARIDA:

Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state:

(a) whether Government proposes to put on road six-seven million electric cars and two-wheelers by 2020;

(b) if so, the details thereof along with the strategy chalked out to increase consumer confidence and provide greater acceptability for electric cars;

(c) whether Government has withdrawn the subsidy on electric cars, if so, the reasons therefor; and

(d) the steps taken by Government to introduce a clear policy to promote electric cars and also provide for requisite infrastructure by setting up charging stations for electric vehicles all over the country especially in Madhya Pradesh?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI RADHAKRISHNAN P.): (a) and (b) Yes, Sir. A Scheme under the National Electric Mobility Mission 2020 has been proposed for EFC and Cabinet. The scheme is to be approved by EFC and cabinet.

The Mission plan projects a potential for 6-7 million units of new vehicles sales of xEVs, along with resultant fuel savings of 2.2 - 2.5 million tonnes that can be achieved by 2020. The purpose of the scheme is to encourage faster adoption (market creation and related activities), domestic technology development (Research and Development) and manufacturing of full range of cleaner electric vehicle technologies that include mild hybrid, full hybrid vehicles (HEVs), Plug in Hybrids (PHEVs) and Pure Electric Vehicles (BEVs) (collectively termed as xEVs) thereby leading to creation of a strong, globally competitive, viable and self-sustaining electric vehicle industry and its eco system in India.

The Mission Plan 2020 envisages demand incentive scheme for faster adoption of Electric Vehicles. An inclusive approach has been proposed in the scheme and all vehicle segments come under the purview of the incentive scheme, along with the complete range of electric and hybrid vehicles (Mild, Strong, Plug-in, BEV variants are covered).

The scheme proposes a comprehensive approach which includes providing charging infrastructure, development of indigenous technology, capacity creation and supply side measures to increase confidence and provide greater acceptability for electric car and other vehicles.

(c) During 2010-12, the Ministry of New and Renewable Energy (MNRE) had implemented an Alternate Fuels for Surface Transportation Program (AFSTP), at a total expenditure of ₹ 95 crore. Incentive was provided to OEMs for EVs. The MNRE scheme was a limited intervention and was not designed to catalyze any major vehicle or component development activity by the industry *i.e.* components of technology, charging infrastructure, and supply side interventions were not covered.

(d) A Scheme under the National Electric Mobility Mission 2020 has been proposed for EFC and Cabinet. The Mission is designed as a comprehensive program of activities. The major set of activities are: Market Creation through Incentives Scheme (including retrofitting of in-use vehicles); Projects for Pilot Demonstration Fleet; Scheme for Public Charging Infrastructure and Charging Standard; and Technology Platform Development (including vehicle testing and homologation infrastructure). The scheme will cover all States including Madhya Pradesh and union territories of the country.

Achievement of SJSRY

3882. SHRI DEVENDER GOUD T.: Will the Minister of HOUSING AND URBAN POVERTY ALLEVIATION be pleased to state:

(a) the details of components in the Swarna Jayanti Shahari Rozgar Yojana (SJSRY);

(b) the achievements of SJSRY during the last two Five Year Plans, year-wise and State-wise;

(c) the efforts the Ministry is making to popularize and penetrate SJSRY like Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA); and

(d) how the Ministry has been able to implement SJSRY in Andhra Pradesh and physical targets set and achieved during the last five years, year-wise and district-wise?

THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION (SHRI M. VENKAIAH NAIDU): (a) The details of components of Swarna Jayanti Shahari Rozgar Yojana (SJSRY):

- (1) Urban Self Employment Programme (USEP) -Assistance to individual urban poor for setting up of micro-enterprises.
- (2) Urban Women Self-help Programme (UWSP) -Assistance to urban poor women self- help groups for setting up of group-enterprises and providing them assistance through revolving fund for thrift and credit activities.
- (3) Skill Training for Employment Promotion amongst Urban Poor (STEP-UP)- For imparting skill training to urban poor to enhance their employability for self- employment or wage employment.
- (4) Urban Wage Employment Programme (UWEP) -construction of socially and economically useful public assets in towns having population less than 5 lakhs by utilizing labour of urban poor.
- (5) Urban Community Development Network (UCDN)- Assisting the urban poor in organizing themselves in self- managed community structures so as to gain collective strength to address the issues of poverty facing them and participate in the effective implementation of urban poverty alleviation programmes.

(b) Details showing State-wise achievements under Swarna Jayanti Shahari Rozgar Yojana (SJSRY) for the last two Five Year Plans (2002-03 to 2011-12) are given in Statement – I and Statement – II (*See below*).

(c) Swarna Jayanti Shahari Rozgar Yojana (SJSRY) has now been restructured into National Urban Livelihoods Mission (NULM) w.e.f. September, 2013. Ministry is making all the efforts to take benefits of NULM to the urban poor by holding meetings with the State Government officials, holding workshops for state level/ ULB level officials and conducting field visits by officers of the Ministry.

(d) Details showing Targets and Achievements under Swarna Jayanti Shahari Rozgar Yojana (SJSRY)/National Urban Livelihoods Mission (NULM) as reported by State of Andhra Pradesh during the last 5 years (2009-10 to 2013-14) are given in Statement – III and Statement – IV.

Statement - I

State-wise, year-wise physical progress (Number of Beneficiaries) under Swarna Jayanti Shahari Rozgar Yojana (SJSRY) since 2002-03 till 2006-07

Sl. No	Name of the States/UTs	2002-03		2003-04		2004-05		2005-06		2006-07	
		Setting up of micro-enterprises	Skill training to urban poor	Setting up of micro-enterprises	Skill training to urban poor	Setting up of micro-enterprises	Skill training to urban poor	Setting up of micro-enterprises	Skill training to urban poor	Setting up of micro-enterprises	Skill training to urban poor
1	2	3	4	5	6	7	8	9	10	11	12
1.	Andhra Pradesh	45896	5322	56772	8244	17704	5631	5887	11613	2195	4945
2.	Arunachal Pradesh	112	52	136	149	40	0	36	100	23	3
3.	Assam	2563	652	3067	548	1150	4638	0	2085	1305	0
4.	Bihar	0	0	0	0	0	0	0	0	8315	31
5.	Chhattisgarh	1256	3250	1909	2400	1903	4559	2155	602	2814	6203
6.	Goa	121	8	148	10	53	345	0	0	0	0
7.	Gujarat	3256	5692	4314	6195	4307	5958	4892	2776	8339	4171
8.	Haryana	2156	2856	3016	3231	2362	4171	0	7965	4413	6226
9.	Himachal Pradesh	135	653	255	987	302	839	89	394	370	962
10.	Jammu and Kashmir	562	758	681	838	1265	1748	918	5165	350	0
11.	Jharkhand	0	0	0	0	0	0	0	0	0	0
12.	Karnataka	7500	6532	8499	39329	4572	2709	3451	1241	7359	5064
13.	Kerala	1895	5666	2193	5112	3007	4736	3847	4527	4420	4908
14.	Madhya Pradesh	4456	8954	4799	9353	8704	7524	9187	19645	10200	39078

1	2	3	4	5	6	7	8	9	10	11	12
15.	Maharashtra	8965	19856	9720	21758	19114	14518	20611	20140	21422	31436
16.	Manipur	562	0	638	0	0	2506	0	0	0	628
17.	Meghalaya	0	859	0	939	0	0	0	0	0	0
18.	Mizoram	1356	456	1546	597	1175	379	48	1346	0	1906
19.	Nagaland	660	635	665	650	265	250	0	333	520	18
20.	Odisha	4896	2985	5244	3126	3967	2273	8375	1703	7671	5770
21.	Punjab	900	2295	923	2475	527	1440	17	597	0	1185
22.	Rajasthan	4500	1622	4606	1799	4660	1957	6643	3340	9301	6036
23.	Sikkim	35	156	30	173	76	176	44	118	0	0
24.	Tamil Nadu	4200	2800	3920	3033	2356	5016	7433	19920	21574	12763
25.	Tripura	759	1566	621	1915	544	4783	578	4253	1286	1728
26.	Uttarakhand	0	0	0	0	153	1212	0	0	0	0
27.	Uttar Pradesh	5836	21563	5653	23847	6919	29031	11789	24255	18880	31997
28.	West Bengal	3892	8569	4354	9372	4033	2361	5349	3986	4859	876
29.	Andaman and Nicobar Islands	0	0	0	0	4	0	6	0	21	0
30.	Chandigarh	52	562	54	649	72	961	24	794	36	937
31.	Dadra and Nagar Haveli	0	0	0	0	10	98	0	0	0	0
32.	Daman and Diu	0	0	0	0	0	0	0	0	0	0
33.	Delhi	139	365	148	400	214	220	624	775	107	230
34.	Puducherry	546	955	644	1124	1108	1792	2738	4400	398	263
	TOTAL	107206	105639	124555	148253	90566	111831	94741	142073	136178	167364

Statement - II

State-wise, year-wise physical progress (Number of Beneficiaries) under Swarna Jayanti Shahari Rozgar Yojana (SJSRY) since 2007-08 till 2011-12

Sl. No.	Name of the States/UTs	2007-08		2008-09		2009-10		2010-11		2011-12	
		Setting up of micro-enterprises	Skill training to urban Poor	Setting up of micro-enterprises	Skill training to urban Poor	Setting up of micro-enterprises	Skill training to urban Poor	Setting up of micro-enterprises	Skill training to urban Poor	Setting up of micro-enterprises	Skill training to urban Poor
1	2	3	4	5	6	7	8	9	10	11	12
1.	Andhra Pradesh	16436	27599	29156	45369	8389	23914	22505	26753	12946	67664
2.	Arunachal Pradesh	0	0	0	0	16	20	34	28	143	213
3.	Assam	30	102	479	420	472	420	126	470	206	1006
4.	Bihar	0	0	1347	2315	0	0	0	17134	1449	5170
5.	Chhattisgarh	3910	3247	1522	1909	2490	1083	2773	3701	4582	10505
6.	Goa	0	0	655	1570	0	0	0	0	14	59
7.	Gujarat	8707	11283	8008	4039	19394	23754	11302	31517	9848	43179

1	2	3	4	5	6	7	8	9	10	11	12
8.	Haryana	4427	6638	2052	5745	4490	5495	2424	4724	2269	2440
9.	Himachal Pradesh	166	243	122	199	33	170	26	112	69	262
10.	Jammu and Kashmir	488	1347	339	3357	0	0	200	2356	88	1380
11.	Jharkhand	0	0	0	0	364	209	784	2874	116	438
12.	Karnataka	13955	11502	17536	13462	8298	15853	7557	13397	12343	26644
13.	Kerala	3432	3982	3820	3632	2493	2696	2895	3190	3920	5040
14.	Madhya Pradesh	17043	14200	5272	16493	16817	33088	17822	31439	13580	27586
15.	Maharashtra	42370	78002	49482	55523	37575	40693	42148	38669	13472	56168
16.	Manipur	6	1256	7	737	8	3335	8	131	0	1283
17.	Meghalaya	144	1692	99	51	24	47	52	154	0	0
18.	Mizoram	0	2149	0	0	159	230	546	3145	759	2755
19.	Nagaland	255	255	276	10	345	46	326	154	905	864
20.	Odisha	9719	7657	1094	3317	8500	5697	9506	3356	5939	7364
21.	Punjab	0	1315	383	0	14	0	66	0	59	995
22.	Rajasthan	8832	4645	4833	4037	9415	5315	7353	3355	5947	9131
23.	Sikkim	71	350	479	1478	86	0	150	320	106	908
24.	Tamil Nadu	13026	8193	23659	73024	3624	1224	8585	7198	11141	29656

25.	Tripura	655	4316	272	1826	200	1014	382	1586	433	1688
26.	Uttarakhand	0	0	736	1414	992	1744	914	2168	725	1890
27.	Uttar Pradesh	26080	54869	27302	54802	3410	15281	9943	52419	5509	31846
28.	West Bengal	9468	1547	4690	2268	22595	7049	5019	5878	13411	24870
29.	Andaman and Nicobar Islands	53	0	29	1	43	1	43	0	65	0
30.	Chandigarh	30	745	607	5459	0	0	114	124	444	616
31.	Dadra and Nagar Haveli	0	0	67	219	0	0	0	0	5	60
32.	Daman and Diu	0	0	68	0	0	0	0	0	0	0
33.	Delhi	1297	250	275	325	125	109	2511	548	316	1230
34.	Puducherry	450	880	70	417	706	44	1423	276	534	760
TOTAL		181050	248264	184736	303418	151077	188531	157537	257176	121343	363670

Statement – III

Details showing the District/Municipal Corporation (M.C.) - wise and year - wise Targets and Achievements under Urban Self Employment Programme (USEP) component of SJSRV/ NULM in Andhra Pradesh during the last 5 years (2009-10 to 2013-14)

Sl. No.	District/ Municipal Corporation	2009-10		2010-11		2011-12		2012-13		2013-14	
		Target	Achievement								
1.	Anantapur	611	552	525	397	400	246	551	557	550	413
2.	Chittoor	436	382	465	387	500	560	648	769	600	607
3.	East Godavari	425	422	533	505	400	200	668	580	600	468
4.	Guntur	1080	1044	909	779	800	652	603	645	600	504
5.	GVMC (M.C.)	72	72	61	57	800	78	807	322	800	536
6.	Kadapa	249	247	396	347	450	441	500	496	500	436
7.	Krishna	458	443	674	640	400	422	513	496	500	541
8.	Kurnool	485	478	476	418	500	352	614	565	600	488
9.	Nellore	348	345	321	308	450	313	378	405	400	435
10.	Prakasam	484	478	417	387	300	142	332	303	300	316
11.	Srikakulam	173	173	252	236	280	177	200	122	200	155
12.	Visakhapatnam	51	51	172	105	150	80	121	104	125	132
13.	Vizianagaram	114	111	252	241	250	135	208	211	200	159
14.	VMC (M.C.)	496	494	714	35	700	165	161	354	250	110
15.	West Godavari	534	472	541	493	300	198	421	417	400	328
	TOTAL	6016	5764	6708	5335	6680	4161	6725	6346	6625	5628

Statement – IV

Details showing the District/Municipal Corporation (M.C.) - wise and year - wise Targets and Achievements under Skill Training (STEP- UP) component of SJSRV/ NULM in Andhra Pradesh during the last 5 years (2009-10 to 2013-14)

Sl. No.	District/ Municipal Corporation	2009-10		2010-11		2011-12		2012-13		2013-14	
		Target	Achievement								
1.	Ananthapur	620	625	703	650	673	723	804	1002	1494	1489
2.	Chittoor	266	341	366	468	751	1001	2005	2100	1681	2105
3.	East Godavari	827	863	788	638	939	1233	2087	2250	1868	2183
4.	Guntur	1152	1120	1210	1050	1342	1171	2169	2500	2017	2152
5.	GVMC (M.C.)	591	309	619	700	1585	1082	2000	2300	2689	3491
6.	Kadapa	561	615	591	608	697	709	1175	1500	2241	2570
7.	Krishna	1034	1504	928	1150	460	914	1072	1100	1494	1899
8.	Kurnool	561	467	591	425	630	1273	912	1158	2988	3986
9.	Nellore	325	465	366	468	515	971	2487	3050	1644	1857
10.	Prakasham	665	586	647	585	390	466	905	1255	1121	1296
11.	Srikakulam	384	393	422	487	339	544	882	1225	1046	1206
12.	Visakhapatnam	310	265	366	558	130	238	1953	2500	523	598
13.	Vizianagaram	310	208	366	425	324	445	898	1258	747	813
14.	VMC (M.C.)	591	1027	788	658	740	824	1000	1225	2241	2558
15.	West Godavari	620	653	647	700	681	944	2108	2500	1494	1728
	TOTAL	8816	9441	9396	9570	10196	12538	22458	26923	25288	29931

Urban housing pricing policy

3883. DR. BHALCHANDRA MUNGEKAR: Will the Minister of HOUSING AND URBAN POVERTY ALLEVIATION be pleased to state:

- (a) whether it is possible to formulate urban housing pricing policy; and
- (b) if so, the details of the policy; if not, the reasons therefor?

THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION (SHRI M. VENKAIAH NAIDU): (a) and (b) Formulation of Urban Housing Pricing Policy is not under consideration at present.

Survey by NSSO on slum household in urban areas

3884. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of HOUSING AND URBAN POVERTY ALLEVIATION be pleased to state:

- (a) whether the National Sample Survey Organization (NSSO) had conducted a survey in 2012 on the number of slum households in the urban areas of the country if so, the details thereof including the major findings of the survey;
- (b) whether the findings of NSSO differ with the census data on slum population if so, the details thereof and the reasons therefor; and
- (c) the steps taken by Government to make various cities in the country slum free?

THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION (SHRI M. VENKAIAH NAIDU): (a) Yes, Sir. National Sample Survey Organization (NSSO) had conducted survey in 2012 on the number of slum households in the urban area of the country and key fundings are:

- An estimated total of 33510 slums existed in the urban area.
- An estimated 8.8 million households live in these slums, about 5.6 million in notified and 3.2 million in non-notified slums.
- It was estimated that 44.0 million people live in slums in the country.
- The average slum size was estimated at 263 households. The notified slums had on the average 404 households and the non-notified slums had on the average only 165.

(b) Yes. NSSO (69th round) estimated slum households at 8.8 million and census 2011 estimated slum households at 13.7 million.

The differences between the data published by Registrar General of India (RGI) and NSSO may primarily be attributed to the difference in Methodology. The Census data on slum is based on complete enumeration and NSSO's slum data is based on sample survey and estimation. The census estimates of slum households is the total number of household living in Enumeration Blocks (EBs) identified as Slum Blocks. NSSO does not have concept of Slum Block but use its method of Urban Frame Survey. Other reason is the element of subjectivity in case of identifying non-notified slums.

(c) Slum is a State subject. However Government of India assists State Governments through its schemes.

Government at presents is implementing Rajiv Awas Yojana (RAY) as Centrally Sponsored Scheme and Rajiv Rin Yojana (RRY) as central sector Scheme.

Government has also extended the period of Basic Services to the Urban Poor (BSUP) and Integrated Housing and Slum Development Programme (IHSDP) components of Jawaharlal Nehru National Urban Renewal Mission (JNNURM) upto 31st March, 2015 for completing the projects sanctioned upto March, 2012 only.

JNNURM in West Bengal

3885. SHRI VIVEK GUPTA: Will the Minister of HOUSING AND URBAN POVERTY ALLEVIATION be pleased to state:

(a) the number and details of schemes and Dwelling Units (Pucca, Temporary or Kutcha) sanctioned under the Jawaharlal Nehru Urban Renewal Mission (JNNURM) in West Bengal, district-wise;

(b) the details of names of projects along with the amount sanctioned, district-wise;

(c) the details of the amount of funds that have been spent;

(d) whether the work for which the funds were sanctioned have been completed, if so, the details thereof; and

(e) if not, whether Government has set any deadline for the work to be done, if so, details thereof?

THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION (SHRI M. VENKAI AH NAIDU): (a) to (e) Jawaharlal Nehru National Urban Renewal Mission (JNNURM) was extended upto March, 2014 first and then upto March, 2015 only for completion of projects sanctioned upto March, 2012. The details of JNNURM in West Bengal, district-wise is given in the Statement.

Statement
District-wise details of Names of Project along with Central Share Sanctioned, Spent and Physical Progress of Projects

Sl. No.	District	City Scheme	Name of Projects	Amount / Amount/ Central Share					No. of DU's Approved under progress	No. of DU's Completed
				Share Sanctioned Released	Share Released	Share	Share	Share		
1	2	3	4	5	6	7	8	9		
1.	Bankura	1.	Bankura JN-IHSDP	4.92	4.92	415	31	384		
		2.	Bishnupur JN-IHSDP	5.02	5.02	364	160	155		
		3.	Sonamukhi JN-IHSDP	2.72	2.72	200	-	200		
2.	Bardhaman	1.	Asansol JN-BSUP	5.77	5.77	400	-	400		
		BSUP Scheme for Durgapur Distt. Bardhaman, Asansol Urban Region. West Bengal								
		2.	Asansol JN-BSUP	8.22	7.25	1,024	448	254		
		BSUP for the town of Kulti Asansol (West Bengal)								
3.	Asansol JN-BSUP	3.	Asansol JN-BSUP	13.90	3.48	1,169	238	52		
		BSUP Scheme for Jamuria (Phase II) under Kolkata region								
4.	Asansol JN-BSUP	4.	Asansol JN-BSUP	15.56	7.78	1,306	256	444		
BSUP Scheme for the town of Raniganj (Phase II) under Kolkata region										

5. Asansol JN-BSUP	Low Cost Housing for Urban Poor under BSUP Component Asansol	16.09	8.05	1,371	38	396
6. Asansol JN-BSUP	912 Relocation DUs BSUP Scheme for the Town of Durgapur (Phase-IV) Burdwan West Bengal	17.89	17.89	912	504	-
7. Asansol JN-BSUP	BSUP Scheme for the town of Kulti phase II	24.87	12.43	1,937	591	375
8. Asansol JN-BSUP	2232 DUs BSUP for the town of Asansol Phase II. Barddhaman West Bengal	29.08	21.81	2,232	791	793
9. Asansol JN-BSUP	Rehabilitation of Slums in Asansol. Asansol Urban Area (West Bengal)	44.46	44.46	4,000	1,164	1,931
10. Asansol JN-BSUP	Rehabilitation of Slums in Durgapur. Asansol Urban Area (West Bengal)	53.01	53.01	4,000	175	3,825
11. Asansol JN-BSUP	4626 DUs BSUP Phase III for Asansol. Barddhaman West Bengal	65.43	65.43	4,626	1,195	2,667
12. Barddhaman JN-IHSDP	Burdwan	17.03	17.03	1,629	72	1,422
13. Dainhat JN-IHSDP	Dainhat	5.14	5.14	390	-	390
14. Guskara JN-IHSDP	Ihsdp Scheme for the Town of Gushkara, West Bengal	6.80	6.80	450	9	438

1	2	3	4	5	6	7	8	9
		15.	Kalna	10.69	10.69	1,060	1	1,059
		16.	IHSDP Scheme for Kalna, Distt. Burdwan, West Bengal	8.72	8.72	650	18	632
		17.	Memari	8.00	8.00	621	-	621
3.	Birbhum	1.	Bolpur	7.02	7.02	573	-	573
		2.	Dubrajpur	5.83	5.83	416	6	406
		3.	Rampurhat	8.71	8.71	603	172	431
			IHSDP Scheme for Rampurhat, Distt. Birbhum, West Bengal					
		4.	Sainthia	4.79	4.79	340	-	340
		5.	Suri	11.58	5.79	728	84	166
			IHSDP Scheme for Suri, Distt. Birbhum, West Bengal					
4.	Dakshin Dinajpur	1.	Balurghat	12.62	12.62	790	-	790
			IHSDP Scheme for the town of Balurghat (Phase-I), Dakshin Dinajpur, West Bengal					
		2.	Gangarampur	8.74	8.74	685	-	685
		3.	Gangarampur	7.33	7.33	467	78	389
			467 Dus IHSDP Scheme for the town of Gangarampur, Dakshin Dinajpur, West Bengal					

5.	Darjiling	1.	Darjiling JN-IHSDP	IHSDP Scheme for Darjeeling Dist Darjeeling, West Bengal	15.18	15.18	890	245	402
		2.	Kalimpong JN-IHSDP	IHSDP Scheme for the town of Kalimpong town, District-Darjeeling West Bengal	9.59	9.59	567	11	538
		3.	Kurseong JN-IHSDP	IHSDP Scheme for the Town of Kurseong, Darjeeling, West Bengal	9.59	9.59	565	19	546
		4.	Mirik JN-IHSDP	IHSDP Scheme for the Town of Mirik, District – Darjeeling, West Bengal	6.36	6.36	423	-	423
6.	Haora	1.	Dhuliya JN-IHSDP	Dhuliyan	5.76	5.76	400	-	400
7.	Hugli	1.	Arambag JN-IHSDP	IHSDP Scheme for the town of Arambagh, District – Hugly West Bengal	8.00	8.00	522	379	137
		2.	Tarakeswar JN-IHSDP	IHSDP Scheme for the town of Tarakeswar town, District Hoogly West Bengal	7.91	7.91	584	130	454
8.	Jalpaiguri	1.	Alipurduar JN-IHSDP	Alipurduar	5.92	5.92	420	-	420
		2.	Dhupguri JN-IHSDP	Dhupguri	7.31	7.31	509	-	509

1	2	3	4	5	6	7	8	9	
		3.	Jalpaiguri JN-IHSDP	Jalpaiguri	11.55	11.55	625	-	625
		4.	Mal JN-IHSDP	Mal Municipality	4.86	4.86	465	-	465
		5.	Siliguri JN-IHSDP	Siliguri	29.46	29.46	1,998	68	1,491
		6.	Siliguri JN-IHSDP	Siliguri, Ph-II	14.06	14.06	1,206	152	962
		7.	Siliguri JN-IHSDP	IHSDP for Siliguri (Phase-3), Darjeeling West Bengal	28.79	28.79	1,859	387	861
9.	Cooch Behar	1.	Dinhata JN-IHSDP	Dinhata	4.49	4.49	319	1	318
		2.	Haldibari JN-IHSDP	Haldibari	4.08	4.08	304	-	304
		3.	Cooch Behar JN-IHSDP	Cooch Bihar	6.75	6.75	632	99	498
		4.	Cooch Behar JN-IHSDP	320 Dus IHSDP Scheme for the town of Coochbehar, Ph-2, West Bengal	5.11	5.11	320	220	-
		5.	Mathabhanga JN-IHSDP	Mathabhanga	2.32	2.32	181	-	181
		6.	Mathabhanga JN-IHSDP	402 Dus IHSDP Project for the town of Mathabhanga Coochbihar, West Bengal	6.34	6.34	402	9	393
		7.	Mekliganj JN-IHSDP	Mekliganj	3.71	3.71	294	-	294
		8.	Tufanganj JN-IHSDP	Tufanganj	4.39	4.39	308	-	308

10. Kolkata	1. Asansol JN-BSUP	BSUP Scheme for the Town of Jamuria Municipality (Phase I) Kolkata, West Bengal	8.19	4.09	1,057	321	352
	2. Asansol JN-BSUP	BSUP Scheme for the Town Raniganj Municipality (Phase I) Kolkata, West Bengal	8.75	4.37	977	7	506
	3. Kolkata JN-BSUP	Rehabilitation of 2 Slums in Konnagar Municipality (Phase-I) Kolkata, West Bengal	1.04	1.04	128	-	128
	4. Kolkata JN-BSUP	Rishra Housing project in Rishra Municipal Area Phase I (1 Slums)	1.09	1.09	128	-	120
	5. Kolkata JN-BSUP	Bally Housing Project in Bally Municipality (Phase 1) Kolkata, West Bengal	1.20	1.20	136	-	136
	6. Kolkata JN-BSUP	BSUP Scheme for Baruipur (Relocation) KMA Kolkata, West Bengal	1.33	1.07	78	64	-
	7. Kolkata JN-BSUP	Rehabilitation of 1 slums in Bidhannagar Municipality (Phase 1) Kolkata, West Bengal	1.78	1.33	210	-	162

1	2	3	4	5	6	7	8	9
8.	Kolkata JN-BSUP	BSUP Scheme for the town of Baranagar (Phase I) in Kolkata Metropolitan Area	2.16	2.16	202	-	202	
9.	Kolkata JN-BSUP	BSUP Scheme for the town of Budge Budge, West Bengal	1.96	1.47	190	-	190	
10.	Kolkata JN-BSUP	Chetla Housing Project at Kolkata by KMDA	3.82	1.91	416	-	64	
11.	Kolkata JN-BSUP	BSUP Scheme for the town of Baruipur, Kolkata region KMDA	4.85	4.85	543	-	543	
12.	Kolkata JN-BSUP	Rehabilitation of 5 slums in Baidyabati Municipality (Phase I) Kolkata, West Bengal	4.65	3.49	631	21	531	
13.	Kolkata JN-BSUP	240 DUs BSUP Scheme for the Town of Kanchrapara (Phase-2) North 24 Paraganas, West Bengal	5.38	5.38	240	-	240	
14.	Kolkata JN-BSUP	Rehabilitation of 2 slums in Serampore Municipality (Phase-I) Kolkata, West Bengal	3.52	2.51	448	320	-	

15.	Kolkata JN-BSUP	Integrated Development of Slums in South Dum Dum, Kolkata	0.47	1.26	55	10	45
16.	Kolkata JN-BSUP	364 Du for the Town of Konnagar (Phase II) Kolkata Ma	6.31	4.73	428	2	362
17.	Kolkata JN-BSUP	BSUP Scheme for the town of Pujali (Phase II) under Kolkata region	6.51	4.88	550	272	205
18.	Kolkata JN-BSUP	500 Dus BSUP Scheme for the town of Bidhanagar Phase-2 North 24 Paraganas, West Bengal	6.79	1.70	500	2	9
19.	Kolkata JN-BSUP	BSUP Scheme for Bansberia, Kolkata region KMDA Phase II	6.89	6.37	562	132	417
20.	Kolkata JN-BSUP	Rehabilitation of 1 Slum in Champdany Municipality (Phase 1) Kolkata, West Bengal	6.36	6.36	882	24	834
21.	Kolkata JN-BSUP	Integrated Development of Slums in Barasat Municipality Area, Phase-I, Kolkata	6.54	6.54	868	10	858
22.	Kolkata JN-BSUP	Integrated Development of Slums in Barrackpore Municipality Area Phase I (16 slums) Kolkata	6.58	4.94	740	-	526

1	2	3	4	5	6	7	8	9
23.	Kolkata JN-BSUP	BSUP Scheme for the town of Dum Dum, Kolkata region KMDA	6.92	3.46	748	8	289	
24.	Kolkata JN-BSUP	G3 RCC Frame structure has been proposed for dwelling units with basic infrastructure facilities Reconsideration of Housing for Urban Poor KMC, Kolkata	7.89	5.92	1,280	-	1,184	
25.	Kolkata JN-BSUP	Scheme for the town of Khardah, West Bengal	8.13	4.72	1,246	80	640	
26.	Kolkata JN-BSUP	Rehabilitation of 6 slums in North Dum Dum (Phase I) Kolkata, West Bengal	8.34	8.34	721	-	721	
27.	Kolkata JN-BSUP	562 Dus BSUP for Titagarh Phase I 24 Pargana (North) Kolkata Ma	8.37	8.37	562	16	546	
28.	Kolkata JN-BSUP	BSUP Scheme for the Town of Pujali, West Bengal	8.46	6.84	1,103	9	997	
29.	Kolkata JN-BSUP	Rehabilitation of 13 Slums in Kalyani (Phase I), Kolkata	8.90	8.90	899	-	899	

30.	Kolkata JN-BSUP	BSUP Scheme for rehabilitation of 6 slums in the Town of Bhatpara Phase-I, North 24 Paraganas, West Bengal	8.96	8.96	797	-	797
31.	Kolkata JN-BSUP	Integrated Development of Rehabilitation of 10 slums in Kanchrapa (Phase-I) Kolkata, West Bengal	9.01	9.01	787	-	787
32.	Kolkata JN-BSUP	Integrated Development of Slums in Rajarhat. Gopalpur Municipality Area Phase-I (9 Slums) Kolkata	8.57	8.57	973	13	960
33.	Kolkata JN-BSUP	Improvement of Slum in Gayeshpur through KMDA, West Bengal	10.01	10.01	958	-	958
34.	Kolkata JN-BSUP	BSUP Scheme for Hooghly Chinsurah (Phase II) under Kolkata region	10.65	10.65	858	288	570
35.	Kolkata JN-BSUP	Rehabilitation of 25 slums in Uttarpara Kotrung Municipality (Phase I) Kolkata, West Bengal	10.84	10.84	1,286	72	1,214
36.	Kolkata JN-BSUP	Scheme for the town Madhyamgram Kolkata, West Bengal	11.86	10.02	1,253	-	1,253

1	2	3	4	5	6	7	8	9
37.	Kolkata JN-BSUP	Integrated Development of Rehabilitation of 6 slums in Kalyani (Phase II)	13.41	13.41	1,412	-	1,412	1,412
38.	Kolkata JN-BSUP	500 Dwelling Units BSUP Scheme for the Town of Halisahar (Phase-2) North 24 Paraganas, West Bengal	13.41	13.41	500	34	466	
39.	Kolkata JN-BSUP	BSUP Scheme for 29 slums in 3 clusters in the towns of North Barrackpore Kolkata region KMDA	13.32	9.99	1,526	149	1,177	
40.	Kolkata JN-BSUP	BSUP Scheme for the town of Bansberia, West Bengal	12.70	12.70	1,341	22	1,319	
41.	Kolkata JN-BSUP	BSUP Scheme for the town of Hooghly Chinsurah, West Bengal	13.44	13.44	2,021	165	1,856	
42.	Kolkata JN-BSUP	BSUP Scheme for the town of Chandernagore (Phase III) under Kolkata region	15.20	15.20	1,177	236	941	
43.	Kolkata JN-BSUP	Scheme for the town of Kamarhati Kolkata, West Bengal	16.15	10.19	1,738	9	1,009	

44.	Kolkata JN-BSUP	1108 Dus BSUP Scheme for the town of Bally Phase 2 Kolkata Metropolitan Area, Howrah, West Bengal	16.22	8.11	1,108	109	432
45.	Kolkata JN-BSUP	1120 DUs for Garulia (Kolkata MA), West Bengal	16.38	16.38	1,120	195	925
46.	Kolkata JN-BSUP	BSUP Scheme for Budge Budge Ph-II, Distt. 24 Parganas (South) Kolkata Metropolitan Area, West Bengal	16.38	4.10	1,130	-	153
47.	Kolkata JN-BSUP	BSUP Scheme for the town of Khardah Phase II in. Kolkata Metropolitan Area	16.78	16.78	1,330	50	1,280
48.	Kolkata JN-BSUP	BSUP Scheme for the town of Barrackpore (Phase II) under Kolkata region	17.52	8.76	1,434	-	799
49.	Kolkata JN-BSUP	BSUP Scheme for the town of Panihati (Phase II) under Kolkata region	17.75	13.32	1,206	443	620
50.	Kolkata JN-BSUP	Integrated Development of Slums in Chandernagore Municipal Corp Area (Phase I) (47 slums)	19.56	19.56	1,905	23	1,882

1	2	3	4	5	6	7	8	9
51.	Kolkata JN-BSUP	BSUP Scheme for the town of Madhyamgram Phase II in Kolkata Metropolitan Area	19.87	19.87	1,435	24	1,411	
52.	Kolkata JN-BSUP	BSUP Scheme for the town of Rishra (Phase II) under Kolkata region	20.65	20.65	1,643	40	1,603	
53.	Kolkata JN-BSUP	Nonadanga Housing Project (Kmda) Kolkata Metropolitan Development Authority	20.86	20.86	2,848	192	2,656	
54.	Kolkata JN-BSUP	Integrated Development of Slums in Uluberia Municipality Area (Phase I) (7 slums), Kolkata, West Bengal	19.17	19.17	2,120	-	2,120	
55.	Kolkata JN-BSUP	899 DUs Detailed Project Report for "Basic Services to the Urban Poor under BSUP. JNNURM in 17 slums for Titagarh Municipal Area Kolkata, West Bengal	21.90	10.95	899	245	312	
56.	Kolkata JN-BSUP	BSUP Scheme for the town of Rajpur Sonarpur (Phase II) under Kolkata region	22.24	16.68	1,788	620	1,168	

57.	Kolkata JN-BSUP	Revision in sanctioned DPR-BSUP Scheme for the Town of Panihati, Phase-I Kolkata Metropolitan Development Area, West Bengal	15.88	11.91	1,700	103	1,597
58.	Kolkata JN-BSUP	BSUP Scheme for the town of Serampore (Phase II) under Kolkata region	24.33	24.33	2,002	4	1,998
59.	Kolkata JN-BSUP	Integrated Development of slums in Rajpur Sonarpur Municipality Area Phase I	22.23	22.23	2,135	67	1,950
60.	Kolkata JN-BSUP	1197 DUs BSUP Scheme for the Town of Konnagar (Phase-3) Hooghly, West Bengal	24.65	6.16	1,197	117	295
61.	Kolkata JN-BSUP	BSUP Scheme for the town of Naihati in Kolkata Metropolitan Area	26.28	13.14	2,325	20	1,145
62.	Kolkata JN-BSUP	BSUP Scheme for the town of Uluberia (Phase II) under Kolkata region	26.85	20.13	2,100	386	912
63.	Kolkata JN-BSUP	Slum Development Programme in Barrackpore KMDA West Bengal	27.08	13.54	2,191	4	1,048

1	2	3	4	5	6	7	8	9
64.	Kolkata JN-BSUP	BSUP Scheme for Baruipur (Ph-II) KMA, Kolkata, West Bengal	19.36	20.94	1,419	348	1,071	
65.	Kolkata JN-BSUP	Integrated Housing and slum Development Project for Anandnagar (ward 59). Jalpara (ward 58) Garden Reach 1 (ward 138) under BSUP in Kolkata Metropolitan	25.38	6.35	2,500	100	220	
66.	Kolkata JN-BSUP	BSUP Scheme for the town of Maheshtala (Phase II) under Kolkata region	28.00	21.00	2,167	391	1,776	
67.	Kolkata JN-BSUP	BSUP Scheme for the town of Halisahar, Kolkata region KMDA	13.99	13.99	2,253	76	2,177	
68.	Kolkata JN-BSUP	BSUP Scheme for Rajarhat Gopalpur (Ph-II), KMA Kolkata, West Bengal	28.64	28.64	2,180	40	2,140	
69.	Kolkata JN-BSUP	BSUP Scheme for North Dum Dum (Ph-II) KMA, Kolkata, West Bengal	29.06	29.06	1,974	3	1,971	
70.	Kolkata JN-BSUP	BSUP Scheme for the town of Barasat (Phase II) under Kolkata region	29.43	29.43	2,486	546	1,940	

71.	Kolkata JN-BSUP	BSUP Scheme for the town of Bhadreswar Municipality, Kolkata, West Bengal	28.75	25.66	4,110	700	3,410
72.	Kolkata JN-BSUP	BSUP Scheme for the town of Maheshtala (Phase I) West Bengal	25.14	28.73	2,622	294	2,328
73.	Kolkata JN-BSUP	Integrated Development of slums in Howrah Municipal Corporation (Phase I) Slum.	29.11	7.28	3,248	32	384
74.	Kolkata JN-BSUP	BSUP Scheme for the town of Champdani (Phase II) in. Kolkata Metropolitan Area	34.04	17.02	3,452	512	764
75.	Kolkata JN-BSUP	1947 DUs BSUP Scheme for the Town of Bhatpara (Phase-2), North 24 Paraganas, West Bengal	34.78	34.78	1,947	11	1,936
76.	Kolkata JN-BSUP	BSUP Scheme for the town of Gayeshpur (Phase II) under Kolkata region	35.07	35.07	2,485	217	1,730

1	2	3	4	5	6	7	8	9
77.	Kolkata JN-BSUP	1469 DUs BSUP Scheme for the Town of Rajarhat Gopalpur (Phase IV) North 24 Parganas, West Bengal	35.68	35.68	1,469	911	558	
78.	Kolkata JN-BSUP	1406 Units Detailed Project Report for BSUP Scheme for the town of Madhyamgram (Phase-III), West Bengal	37.51	37.51	1,406	251	1,155	
79.	Kolkata JN-BSUP	1499 DUs BSUP Scheme for the Town of Dankuni (Phase-1), Hooghly, West Bengal	38.16	19.08	1,499	383	924	
80.	Kolkata JN-BSUP	1573 DUs BSUP Scheme for the Town of Rajarhat Gopalpur (Phase-III), North 24 Paraganas, West Bengal	38.72	38.72	1,573	780	793	
81.	Kolkata JN-BSUP	(Revised in 144th CSMC) 1598 DUs BSUP Scheme for the Town of Serampore (Phase 3), Hooghly, West Bengal	38.74	38.74	1,598	303	1,295	
82.	Kolkata JN-BSUP	BSUP Scheme for the town of Kalyani (Phase III) under Kolkata region	42.02	31.52	3,488	1,966	1,309	

83.	Kolkata JN-BSUP	2000 DUs Integrated Development of slums under BSUP scheme of JNNURM for the Town of North Dum Dum (Phase-3), 240 Paraganas (North), West Bengal	45.27	33.96	2,000	147	1,853
84.	Kolkata JN-BSUP	Integrated Housing Project for Slum Dwellers of Rajarhat, Kachharipara and Hatgachia area at Mouza Boinchhala in Kolkata (KMC)	54.97	13.74	6,480	-	200
85.	Kolkata JN-BSUP	Rehabilitation of Kumartuli Slums in Kolkata, West Bengal (Additional Project)	4.17	1.04	-	-	-
86.	Kolkata JN-BSUP	200 Transit DUs Rehabilitation Project of Kumartuli for the artisans of Kumartuli under BSUP Scheme of JNNURM at Rabindra Sarani, Kolkata by KMDA (Additional Project)	3.04	3.04	200	-	200
87.	Kolkata JN-BSUP	BSUP Scheme for the Town of Baranagar (Phase-II), 24 Paraganas (North), West Bengal	8.15	4.62	439	72	180

1	2	3	4	5	6	7	8	9
88.	Kolkata JN-BSUP	BSUP Scheme for the town of Halisahar, Phase-II, 24 Paraganas (North) West Bengal	49.24	49.24	2,192	1,407	785	
89.	Kolkata JN-BSUP	BSUP Scheme for the town of Maheshitala, Phase-III 24 Paraganas (South), West Bengal	7.84	7.84	500	280	220	
90.	Kolkata JN-BSUP	500 Dus Detailed project report for "BSUP Project for Canal South road"	14.47	3.62	500	100	-	
91.	Kolkata JN-BSUP	16 Dus Detailed project report for "BSUP Project for Chetla Haat."	0.83	0.21	16	16	-	
92.	Kolkata JN-BSUP	36 Dus Detailed project report for "BSUP Project for Sen Pally (Sardar Bustee)"	1.02	0.26	36	-	32	
93.	Kolkata JN-BSUP	BSUP Project for Maheshitala Municipality (Phase-IV) for 1184 Dus	30.22	7.56	1,184	400	-	
94.	Kolkata JN-BSUP	BSUP project for construction of 1034 Dus (<i>in-situ</i>) in 8 slums of Bhatpara Municipality (Phase-III)	21.59	17.28	1,034	314	720	

95.	Kolkata JN-BSUP	BSUP Phase IV for <i>in-situ</i> construction of 154 Dus and infrastructure development in three slums of Chandernagore Municipality	2.96	1.48	154	66	88
96.	Kolkata JN-BSUP	BSUP project for construction of 799 Dus (<i>in-situ</i>) in 5 slum of Bhatpara Municipality (Phase-IV)	19.06	15.25	799	118	681
97.	Kolkata JN-BSUP	BSUP Project for construction of 1031 Dus (<i>in-situ</i>) in 7 slums of Kanchrapara Municipality (Phase-III)	21.66	17.33	1,031	88	332
98.	Kolkata JN-BSUP	BSUP Scheme for the town of Ultadanga, under Kolkata improvement trust for 1000 Dus	23.53	5.88	1,000	220	-
99.	Kolkata (VAMBAY) JN-IHSDP	GOI Subsidy recommended from JNNURM for West Bengal SJDA Scheme No 18665 for Complete construction of 75 DU under VAMBAY Scheme	0.15	0.15	75	-	75

1	2	3	4	5	6	7	8	9
11.	Maldah	1. English Bazar JN-IHSDP	IHSDP Scheme for the town of English Bazar (Phase-I), Maldah, West Bengal	13.40	13.40	852	60	782
		2. Old Maldah JN-IHSDP	IHSDP Scheme for the town of Old Maldah town, District-Malda, West Bengal	8.63	8.63	550	3	547
12.	Medinipur	1. Chandrakona JN-IHSDP	Chandrakona	5.03	5.03	350	4	346
		2. Contai JN-IHSDP	IHSDP Scheme for the town of Contai town, District-Purba Medinipur West Bengal	9.50	9.50	636	19	617
		3. Egra JN-IHSDP	Egra	4.78	4.78	332	-	332
		4. Ghatal JN-IHSDP	Ghatal	3.69	3.69	352	23	329
		5. Haldia JN-IHSDP	Haldia	6.89	6.89	645	-	645
		6. Haldia JN-IHSDP	IHSDP Project for the Town of Haldia	12.72	12.72	795	-	793
		7. Jhargram JN-IHSDP	Jhargram	7.00	7.00	645	29	615
		8. Jhargram JN-IHSDP	JN-IHSDP Scheme for the Town of Jhargram (Phase-II) West Bengal	3.20	3.20	205	6	166
		9. Kharagpur JN-IHSDP	Kharagpur (Phase-I)	3.42	3.42	272	63	203
		10. Kharagpur JN-IHSDP	Kharagpur (Phase-II)	2.95	2.95	232	90	130

11.	Kharagpur JN-IHSDP	Kharagpur (Phase-III)	3.86	3.86	306	97	189
12.	Kharar JN-IHSDP	Kharar	3.77	3.77	300	7	293
13.	Kshirpai JN-IHSDP	Khirpai	3.69	3.69	300	5	292
14.	Medinipur JN-IHSDP	Midnapore	11.63	11.63	948	3	945
15.	Panskura JN-IHSDP	Panskura	5.29	5.29	498	-	498
16.	Ramjibanpur JN-IHSDP	Ramjibanpur	3.79	3.79	300	6	290
17.	Tamluk JN-IHSDP	IHSDP Scheme for the town of Tamluk (Phase-I), West Bengal	7.15	7.15	456	107	349
13.	Murshidabad						
1.	Baharampur JN-IHSDP	Berhampur	2.04	2.04	168	-	80
2.	Beldanga JN-IHSDP	IHSDP Scheme for the town of Beldanga (Phase-I), Murshidabad, West Bengal	4.94	4.94	362	1	361
3.	Jangipur JN-IHSDP	Jangipur	5.33	5.33	344	-	344
4.	Jangipur JN-IHSDP	IHSDP Scheme for the Town of Jangipur (Phase2), Murshidabad, West Bengal	8.04	8.04	650	7	643
5.	Jiaganj Azimganj JN-IHSDP	Jiaganj-Azimganj	7.94	7.94	593	-	593
6.	Jiaganj Azimganj JN-IHSDP	IHSDP Scheme for the Town of Jiaganj-Azimganj (Phase-2), Murshidabad, West Bengal	8.16	8.16	521	-	303

1	2	3	4	5	6	7	8	9
	7.	Kandi JN-IHSDP	IHSDP Scheme for the town of Kandi town Distt Murshidabad, West Bengal	7.18	7.18	555	46	509
	8.	Murshidabad JN-IHSDP	IHSDP Scheme for the town of Murshidabad town, District-Murshidabad, West Bengal	6.74	6.74	497	9	488
14.	Nadia	1.	Birnagar JN-IHSDP	4.27	4.27	300	-	300
		2.	Chakdaha JN-IHSDP	12.16	12.16	887	-	887
		3.	Chakdaha JN-IHSDP	6.39	6.39	440	-	440
			440 Dus IHSDP Scheme for the town of Chakdaha, Nadia, West Bengal					
		4.	Coopers Camp JN-IHSDP	6.40	6.40	450	31	419
		5.	Krishnanagar JN-IHSDP	9.22	9.22	640	40	600
		6.	Nabadwip JN-IHSDP	7.25	7.25	735	25	344
		7.	Ranaghat JN-IHSDP	2.17	2.17	155	-	155
		8.	Ranaghat JN-IHSDP	4.60	4.60	297	47	180
			Town of Ranaghat (Phase 2), Nadia, West Bengal					
		9.	Santipur JN-IHSDP	5.13	5.13	357	62	129

15.	North Twenty Four Parganas	10.	Taherpur JN-IHSDP	Taherpur	4.97	4.97	390	-	390
		1.	Ashoknagar Kalyangarh JN-IHSDP	Ashoknagar Kalyangarh	11.76	11.76	848	8	840
		2.	Baduria JN-IHSDP	Baduria	7.41	7.41	516	54	462
		3.	Bangaon JN-IHSDP	IHSDP Scheme for the Town of Bongaon, West Bengal	11.71	11.71	767	132	531
		4.	Basirhat JN-IHSDP	Basirhat	11.35	11.35	1,069	2	1,065
		5.	Gobardanga JN-IHSDP	Gobardanga	5.57	5.57	500	-	500
		6.	Habra JN-IHSDP	Habra	10.57	10.57	896	123	773
		7.	Nalhati JN-IHSDP	Nalhati	4.89	4.89	330	-	330
		8.	Taki JN-IHSDP	Taki (Phase-1)	3.94	3.94	307	-	307
		9.	Taki JN-IHSDP	IHSDP Scheme for the Town of Taki (Phase 2), North 24 Parganas, West Bengal	5.59	5.59	504	75	429
16.	Puruliya	1.	Jhalda JN-IHSDP	IHSDP Scheme for Jhalda, Distt. Purulia, West Bengal	6.38	6.38	408	120	287

1	2	3	4	5	6	7	8	9	
		2.	Puruliya JN-IHSDP	Purulia	6.18	6.18	611	182	242
		3.	Raghunathpur JN-IHSDP	400 Dus IHSDP scheme for the town of Raghunathpur, Ph I, West Bengal	6.32	6.32	400	-	400
17.	South Twenty Four Parganas	1.	Diamond Harbour JN-IHSDP	591 Dus IHSDP Scheme for the Town of Diamond Harbour, Ph-I West Bengal	7.98	7.98	591	365	65
		2.	Joynagar Mazilpur JN-IHSDP	Joynagar	3.22	3.22	225	6	218
18.	Uttar Dinajpur	1.	Dalkhola JN-IHSDP	Dalkhola	4.58	4.58	360	86	274
		2.	Islampur JN-IHSDP	Islampur	4.77	4.77	370	24	338
		3.	Kaliaganj JN-IHSDP	IHSDP Scheme for the Town of Kaliaganj Town, District-Uttar Dinajpur West Bengal	6.36	6.36	400	3	397
		4.	Raiganj JN-IHSDP	Raiganj	19.81	19.81	2,000	3	1,997
GRAND TOTAL					2636.14	2214.38	2,03,855	25,744	1,39,706

Ray in Andhra Pradesh

3886. DR. K.V.P. RAMACHANDRA RAO: Will the Minister of HOUSING AND URBAN POVERTY ALLEVIATION be pleased to state:

- (a) whether it is a fact that Government is implementing the Rajiv Awas Yojana (RAY) as a Centrally Sponsored Scheme (CSS); if so, the details of the scheme;
- (b) whether it is a fact that under the scheme, Central assistance is extended for redevelopment/upgradation/relocation of slums on “whole slum” basis; and
- (c) if so, the assistance provided to Andhra Pradesh?

THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION (SHRI M. VENKAIAH NAIDU): (a) Yes, Sir. The Government is implementing Rajiv Awas Yojana (RAY), as a Centrally Sponsored Scheme, for providing houses alongwith basic civil and social infrastructure for slum dwellers and urban poor. Under the Scheme, Government provides Central assistance to the extent of 50% to 75% with cost upper ceilings of ₹ 5 lakh and ₹ 4 lakh depending upon size of City and 80% assistance is provided for Cities in North-Eastern States and Special Category States.

(b) Yes Sir, Projects for slum rehabilitation/development are taken on “Whole Slum” basis.

(c) A total of 5 projects for construction of 2,286 DUs with total project cost of ₹ 128.91 crore involving Central share of ₹ 60.20 crore have been approved till date for 4 cities/towns in Andhra Pradesh. A sum of ₹ 26.10 crore has been released to Andhra Pradesh under RAY.

Appointment of Doordarshan correspondents

†3887. DR. ANIL KUMAR SAHANI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether it is under consideration for making changes in the system of appointment on biennial basis for Doordarshan Correspondent (Stringer) on the lines of All India Radio Correspondents (PTC) and also with similar facilities;
- (b) will this step reduce rampant corruption on the pretext of appointments every alternative year; and
- (c) the steps being taken by Government in this regard?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI PRAKASH JAVADEKAR): (a) No, Sir.

(b) and (c) Do not arise.

Amendment in cable television network regulation act

†3888. SHRI RAMDAS ATHAWALE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether any request has been received by Government from the Maharashtra Government regarding amendment in the Cable Television Networking Regulation Act 1995, if so, the details thereof, and the latest status of the proposal;

(b) whether Government has taken any steps or proposes to take any steps to amend the Act; and

(c) if so, the details thereof and the reasons for delay therein?

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI PRAKASH JAVADEKAR): (a) to (c) The Ministry had received a letter dated 30.6.2009 from Government of Maharashtra regarding the issue of non realization of entertainment duty levied on cable operators. The State Government of Maharashtra had requested the Ministry to make necessary amendments in the Cable Act enabling the Post and Telegraph Department (Registration Authority) to refuse the grant of Registration of renewal certificate to those cable operators who have not paid the entertainment duty under the State Act. They have further informed that the entertainment duty to be paid by the cable operators is levied on the basis of number of cable connections provided by them and that there is rampant under declaration of cable connections by the cable operators, leading to evasion of entertainment tax in Maharashtra.

The Cable Television Networks (Regulation) Act, 1995 was amended in 2011, wherein it has been made mandatory for every cable operator to transmit or retransmit programmes of any channel in an encrypted form through a Digital Addressable System (DAS) in a phased manner in four phases.

Phase I and II of DAS have already been completed. Initial data from the State Governments from the cities covered in the first two phases indicates that there is significant increase in the collection of Entertainment Tax.

Digitization of cable TV would bring transparency in the subscriber base and would enable State Government to realize the full amount of Entertainment Tax after the completion of all the four phases of digitization.

†Original notice of the question was received in Hindi.

Special television content for viewers in rural area

3889. DR. KANWAR DEEP SINGH: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) Since Prasar Bharti has informed Doordarshan to conduct regular Doordarshan Audience Research Television Ratings (DART) through Audience Research units for the rural population has Doordarshan been able to create programmes which are able to score higher on the TRP scale; and

(b) if so, the details thereof and the steps taken in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI PRAKASH JAVADEKAR): (a) and (b) Prasar Bharati has informed that Audience Research Unit of Doordarshan had been conducting Rural DART (Doordarshan Audience Research TV Rating) surveys till March, 2013. However, Doordarshan is utilizing the data provided by TAM for designing the programmes which are acceptable to the rural audience.

Constitution of Prasar Bharati Recruitment Board

3890. SHRI AMBETH RAJAN: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that Prasar Bharati Corporation came into existence way back in 1997 and still it has not constituted Prasar Bharati Recruitment Board;

(b) if so, the reasons therefor; and

(c) whether Prasar Bharati Corporation will now constitute the recruitment board within a tentative time, if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI PRAKASH JAVADEKAR): (a) to (c) Yes Sir. The constitution of Prasar Bharati Recruitment Board (PBRB) could not be taken up till 2010 due to resistance of employees against absorption in the Prasar Bharati Corporation and consequent uncertainty in the status of employees. The Prasar Bharati Act, 1990 was amended in January, 2012 thereby settling the status of employees of Prasar Bharati.

Prasar Bharati forwarded a proposal for framing Rules of PBRB for approval of Government in July, 2010 which was subsequently revised by Prasar Bharati in May, 2012. Inter-Ministerial consultations for framing Rules for PBRB have now been completed. The Ministry of Information and Broadcasting is in the process of creation of posts of Chairperson and Members of PBRB. Tentative time for constitution of PBRB cannot be given at this stage.

DD News channel in Uttarakhand

†3891. SHRI MAHENDRA SINGH MAHRA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether a proposal to start DD News channel in Uttarakhand is pending before the Ministry;
- (b) if so, the details thereof and reasons for its pendency;
- (c) whether it is pending due to non-availability of building for broadcasting of DD News; and
- (d) if so, whether DD News may be broadcasted from a single room as private channels are doing, and if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI PRAKASH JAVADEKAR): (a) and (b) Prasar Bharati has informed that no such proposal to start DD News channel in Uttarakhand is pending.

(c) and (d) Does not arise in view of reply to (a) and (b) above.

Pravasi Bhartiya Divas, 2014

3892. SHRI MOHD. ALI KHAN: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

- (a) whether Government has held Pravasi Bharatiya Divas (PBD) Conclave in 2014; and
- (b) if so, the details thereof and the outcome thereof, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF OVERSEAS INDIAN AFFAIRS [GENERAL (RETD.) V.K. SINGH]: (a) and (b) Yes, Sir. The 12th edition of the Pravasi Bharatiya Divas (PBD) Convention was held at Vigyan Bhavan, New Delhi from 7th-9th January, 2014. The Ministry of Youth Affairs and Sports was the Partner Ministry for the PBD 2014. The theme of this year's PBD was 'Engaging Diaspora: Connecting Across Generations'. The then Prime Minister inaugurated the annual flagship event of the Ministry of Overseas Indian Affairs on 8th January and the Hon'ble President delivered the Valedictory Address and conferred the Pravasi Bharatiya Samman Awards on 9th January on 13 distinguished overseas Indians for their notable contributions in different field.

Dato' Seri G Palanivel, Federal Minister for National Resources and Environment,

†Original notice of the question was received in Hindi.

Government of Malaysia was the Chief Guest of Pravasi Bharatiya Divas held at New Delhi in January, 2014.

PBD 2014 had special sessions on youth on 7th January called the “Youth PBD”. Further, there were various sessions on India’s Growth and Development, India’s Soft Power, Issues of NRIs in the Gulf, Media and Entertainment Industry, Meeting of Diaspora Organisations, the PBD Oration, and sessions on Investment Opportunities in States, Innovation and Technology, Healthcare Opportunities in India etc. on the 2nd and 3rd days of PBD. Enthusiastic participation of nearly 2000 delegates from the diverse overseas Indian community spread across the globe and India made PBD Convention 2014 a successful event.

Conducting of Youth Parliamentary Competition in West Bengal

3893. SHRI VIVEK GUPTA: Will the Minister of PARLIAMENTARY AFFAIRS be pleased to state:

(a) whether Government has re-imbursed any expenditure on conducting Youth Parliamentary Competitions in West Bengal over the past three years, if so, the details thereof; and

(b) the number of Youth Parliaments that have been conducted in the State of West Bengal during the last three years?

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): (a) No, the West Bengal Government has not preferred any claim for re-imburement during the last three years.

(b) Does not arise.

Efficacy of RTI Act

†3894. SHRI NARENDRA KUMAR KASHYAP: Will the PRIME MINISTER be pleased to state:

(a) whether Government has made any study to determine the efficacy of the Right to Information Act, 2005; if so, the details and the outcome thereof;

(b) whether many complaints have been received regarding rejection of applications requests under the Right to Information Act; and

(c) if so, the details thereof during the last three years, State-wise and the action taken on the said complaints by Government?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): (a) A study was conducted during the year 2008-2009 through an independent organization to assess the key issues and constraints in implementation of the Right to Information Act, 2005. The study pointed out that:

- (i) there was inadequate planning by the public authorities in regard to supply of information;
- (ii) awareness about the Act in rural areas was much less than in urban areas;
- (iii) awareness amongst women is much less than men;
- (iv) the gap in implementation of the Act is because of lack of clear accountability in respect of various functionaries, etc.

In this regard, the study recommended measures for:

- (i) improving awareness on right to information;
- (ii) improving convenience in filing information requests;
- (iii) improving efficiency of the Information Commissions;
- (iv) enhancing accountability and clarity of various stakeholders, etc.

(b) There are a number of cases where an applicant has filed first appeal with the First Appellate Authority in the concerned Public Authority and second appeal/complaint with the Central Information Commission/State Information Commission, as the case may be, *inter-alia*, due to the following reasons:

- (i) Non-receipt of information within prescribed time;
- (ii) Denial of request for information;
- (iii) If he/she believes that incomplete/misleading or false information under this Act has been given by the Public Information Officer.

(c) The number of second appeals/complaints registered by the Central Information Commission during the last three years is as under:

2011-12	2012-13	2013-14
33922	28801	20438

However there is no separate data in respect of complaints received regarding rejection of application requests under the Right to Information Act. State-wise data is not centrally maintained.

The Right to Information Act, 2005 already provides for imposition of penalty and recommendation of disciplinary action by the Central Information Commission/State Information Commission, as the case may be, against the Public Information Officer who has malafidely denied the request for information under the RTI Act.

Backlog vacancies in Telangana and Andhra Pradesh

3895. SHRI MOHD. ALI KHAN: Will the PRIME MINISTER be pleased to state:

- (a) whether Government recently reviewed the backlog vacancies in Government jobs to fill more than 80,000 jobs in various Government offices;
- (b) if so, the details thereof, State-wise, including Telangana and Andhra Pradesh particularly for SC, ST and BC; and
- (c) if not, by when such a review would be undertaken?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): (a) and (b) The Government, in May, 2013, reviewed the progress of achievement of Special Recruitment Drive conducted during November, 2008 to March, 2012 to fill up backlog of reserved vacancies of Scheduled Castes, Scheduled Tribes and Other Backward Classes. During this Drive, 48,034 backlog of reserved vacancies were filled up. The Special Recruitment Drive was in respect of backlog of reserved vacancies in Central Government Departments/ Ministries, their Attached and Subordinate Offices, Autonomous Bodies and Public Sector Undertakings and was not conducted State-wise.

(c) Review, recruitment and filling up of backlog of reserved vacancies in the State Government is done by the respective State Government.

Central Government employees under Lokpal Act, 2014

†3896. SHRI PRABHAT JHA: Will the PRIME MINISTER be pleased to state:

- (a) whether it is a fact that the Central Government has notified the rules under the Lokpal Act, if so, the details thereof; and
- (b) whether under the new rules, it has become mandatory for all the Central Government employees to provide details of their property and liabilities and if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): (a) and (b) Under the

†Original notice of the question was received in Hindi.

Lokpal and Lokayuktas Act, 2013, it is mandatory for every public servant, which includes Central Government employees also, to declare assets and liabilities in the manner provided by or under the said Act. Government has notified the Public Servants (Furnishing of Information and Annual Return of Assets and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014, under the Lokpal and Lokayuktas Act, 2013, laying down the form and manner of submission of information and annual return.

Women in Government service

3897. SHRI T.K. RANGARAJAN:

SHRIMATI GUNDU SUDHARANI:

Will the PRIME MINISTER be pleased to state:

(a) the percentage of women in Government service and the increase in percentage in the last ten years;

(b) whether Government has taken/ contemplating to take any policy decision to encourage the number of women in Government service;

(c) whether it is a fact that in several competitive examinations the maximum age limit for General candidates is 27 years; and

(d) whether the Ministry appreciates the nature of responsibilities of a woman *vis-a-vis* man and need for increasing the maximum age limit for women for entry in Government service?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DR. JITENDRA SINGH): (a) Details of percentage of women in Government service over the years, as per the Census of Central Government Employees, 2012, released by Directorate General Employment and Training are given in Statement-I (*See below*).

(b) In order to encourage the women to join Government service, they are provided some special facilities as under:

- (i) maternity leave
- (ii) child care leave
- (iii) child adoption leave
- (iv) special allowance to women with disability

- (v) provision of crèche facility
- (vi) posting of husband and wife at the same station
- (vii) special priority in allotment of residential accommodation
- (viii) provision for protection of women from acts of sexual harassment
- (ix) age relaxation for appointment to widows, divorced woman and woman judicially separated from their husbands and who are not remarried
- (x) special dispensation for woman officers of All India Services of North East cadre
- (xi) change of Cadre in case of marriage of All India Service Officer and
- (xii) exemption from payment of fee for examinations conducted by the Union Public Service Commission and Staff Selection Commission.

Also, as per the recommendations of the 62nd Department Related Parliamentary Standing Committee, publicity to encourage women to prefer/join Government Service is being given.

(c) The upper age limit for general candidates for entry in the Government Service is given in Statement-II (*See below*).

(d) There is a provision for age relaxation for appointment in Government service for widows, divorced women and women judicially separated from husbands and not remarried upto 35 years for posts of Group C filled through Staff Selection Commission/ Employment Exchange (upto 40 years for members of Scheduled Castes/ Scheduled Tribes).

Statement – I

Details of women in Government over the years

Year	Total No. of employees (in lakhs)	No. of women employees (in lakhs)	Percentage
1991	38.13	2.88	7.58
2001	38.76	2.91	7.53
2009	30.99	3.11	10.04

Statement – II*Upper age limit for general candidates for different posts in government service*

Posts	Age Limits
(i) Posts having Grade Pay more than Grade Pay ₹ 7600/-	Preferably below 50 Years
(ii) Posts having Grade Pay ₹7600	50 years
(iii) Posts having Grade Pay ₹ 6600	40 years
(iv) Posts having Grade Pay ₹ 5400	35 years
(v) Posts having Grade Pay ₹ 4200, 4600 and 4800	30 years
(vi) Posts having Grade Pay ₹ 1800, 1900, 2000, 2400 and 2800	Between 18 and 25 years

Note: The upper age limit for recruitment by the method of Direct Open Competitive Examination to the Central Civil Services and Civil posts specified in the relevant Service/ recruitment rules shall be increased by two years.

Number of Aadhaar cards issued

†3898. SHRI PARVEZ HASHMI: Will the Minister of PLANNING be pleased to state:

- the number of persons given Aadhaar cards in the country along with Delhi till date;
- whether the contracts of those agencies have been terminated which despite doing registration for Aadhaar cards at many places did not issue the same and in such circumstances it is apprehended that they can misuse the data available with them; and
- the action required to be taken in such situation by those persons who have been registered for Aadhaar cards as issued card to them still hangs in balance and Government is making Aadhaar card mandatory in all Government departments?

THE MINISTER OF STATE OF THE MINISTRY OF PLANNING (SHRI INDERJIT SINGH RAO): (a) As on 9.08.2014, a total of 65,58,54,475 Aadhaar have been generated, including 1,71,38,742 Aadhaars in respect of Delhi.

(b) UIDAI does not enter into contracts with the enrolment agencies, but restricts itself to empanelment of such agencies, subject to fulfillment of prescribed criteria. UIDAI has also laid down guidelines and processes that must be followed by the enrolment

†Original notice of the question was received in Hindi.

agencies for Aadhaar enrolment and issuance of enrolment ID. After collection of demographic and biometric details, the data of the resident gets encrypted at the point of enrolment itself. The encrypted packet can be decrypted only in UIDAI's Central Identity Data Repository (CIDR), after it is uploaded for processing to generate Aadhaar.

It is reiterated that Aadhaar can only be generated by UIDAI and none other. In view of above, it is not possible for any enrolment agency to decrypt or misuse the data.

(c) Those residents who had enrolled for Aadhaar but have not received the same, can check the status of their Aadhaar generation using the enrolment ID, online or through UIDAI's toll free helpline. If the relevant enrolment packet has been rejected due to quality reasons, the resident is required to re-enrol at any of the enrolment centres. Upon generation of Aadhaar, residents can download electronic copy of their Aadhaar (called "e-Aadhaar") from UIDAI's website. Enrolment for Aadhaar is voluntary and not mandatory. It is for the various agencies to use the Aadhaar for delivery of public services.

Incentives to Indian scientists

3899. DR. KANWAR DEEP SINGH: Will the Minister of SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether Government is thinking of providing autonomy to scientific institutions in the country and also simplification of rules so that Indian scientists would not require to fill up forms when they would be conducting research;

(b) whether Government is planning/contemplating to give incentives to Indian scientists to publish in international journals; and

(c) the steps taken/proposed to be taken by Government to provide all such facilities to Indian scientists to encourage/motivate them to remain in the country and work for the progress and prosperity of the country?

THE MINISTER OF STATE OF THE MINISTRY OF SCIENCE AND TECHNOLOGY (DR. JITENDRA SINGH): (a) Scientific research institutes under the Ministry of Science and Technology have already been provided autonomy. They are governed by their own Memorandum of Association (MOA) and Rules and Regulations. They decide on their own research agenda.

(b) Indian scientists are always encouraged to publish their research papers in international journals, for which payments are also made by their respective Institutes, wherever required.

(c) The Government of India has established a number of well-equipped institutions for higher education and research across the country. In addition, it also funds research projects submitted by scientists and institutions. State-of-the-art research facilities have thus been established in large number of institutions. The Government also facilitates Indian scientists to carry out research in advanced laboratories elsewhere in the world. Scientists enjoy complete autonomy in conducting their research. A number of fellowship programmes have been instituted with handsome fellowship and contingency amounts to attract bright Indian scientists from abroad as well as to retain them in the country. These include - the INSPIRE Faculty Scheme, Ramalingaswami Fellowships, Ramanujan Fellowships, Women Scientists Awards and Young Scientist Awards.

Workplace gender sensitization training

3900. DR. KANWAR DEEP SINGH: Will the Minister of SCIENCE AND TECHNOLOGY be pleased to state:

(a) how much role does workplace gender sensitization training and workshops play in the DST's Disha and Bio-CARE schemes for women scientists;

(b) whether the Ministry has any method to track the progress of such training and workshops to gauge its efficacy;

(c) if so, the details thereof, if not, the reasons therefor; and

(d) whether the Ministry is considering the implementation of tools such as Gender Budgeting and internal audits of these training and workshop programmes, if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF SCIENCE AND TECHNOLOGY (DR. JITENDRA SINGH): (a) to (d) DISHA and Bio-CARE Programmes of the Ministry of Science and Technology do not have any specific component on workplace gender sensitisation trainings and workshops. However, under the DISHA Programme, various training programmes are held for women Scientists/Technologists on different topics in various training institutes in the country. These institutes have been advised to include a suitable module on workplace gender sensitization in such trainings. The Ministry has constituted a Gender Budgeting Cell for undertaking a review of the public expenditure profile of the Department through a gender lens, conduct beneficiary-incidence analysis and recommends specific changes in the operational guidelines of various research and development schemes so as to improve coverage of women beneficiaries of the public expenditure.

Status of reservation of OBC in various States

† 3901. SHRI NARENDRA KUMAR KASHYAP: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the details of people benefited from reservation system in the country, which was established on the basis of B.P. Mandal Commission for the upliftment of backward classes in India wherein constitutional provision of 27 per cent reservation was made for them;

(b) the names of States where reservation system has not been implemented yet;

(c) whether Government will consider to implement reservation system in those States where it has not been implemented yet; and

(d) the details of reservation status of the States where it is in force, caste-wise?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI SUDARSHAN BHAGAT): (a) The details obtained from the DoPT are as follows:

Sl. No.	Year	OBC
1.	2007	196236
2.	2008	390286
3.	2009	410948
4.	2010	447717

(b) Details are given in the Statement (See below).

(c) The Central Government provides 27% reservation for Other Backward Classes (OBCs) in Central Government services and Central Educational Institutions. The subject matter 'reservation in the particular State/UT' squarely relates to services of State/UT Governments concerned.

(d) The details are given in the Statement.

Statement*Details of reservation quota for OBCs in States/UTs*

Sl. No.	State/UT	Reservation Quota for OBCs in States/UTs
1.	Andhra Pradesh	Reservation to OBCs in State aided Education Institutions and in State services is 29%. It is divided among five groups as under: BC-A=7%, BC-B=10%, BC-C=01%, BC-D=07%, BC- E=04%.

†Original notice of the question was received in Hindi.

Sl. No.	State/UT	Reservation Quota for OBCs in States/UTs
2.	Arunachal Pradesh	There is no OBC population in the State. Hence there is no reservation for OBCs in the State.
3.	Assam	“Providing 27% reservation to OBCs in State services.
4.	Bihar	The OBCs reservation quota in the State is as follows: BC-II- 12% BC-I - 18% OBCs Women- 03%
5.	Chhattisgarh	Providing 14% reservation to OBCs in State services.
6.	NCT of Delhi	27% reservation in civil posts and services.
7.	Goa	Government of Goa has approved enhancement of OBC quota from 19.5% to 27%.
8.	Gujarat	Providing 27% reservation to socially and educationally backward class in State services.
9.	Haryana	Providing 27% reservation in class III and IV and 10% in class I and II to OBCs in State services.
10.	Himachal Pradesh	Providing reservation @ 12% in Class I and II and 18% in Class-III and IV posts to the persons belonging to OBC category, in the services of the State.
11.	Jammu and Kashmir	Providing reservation to Socially and Educationally Backward Classes in direct recruitment as under: (i) Weak and Under Privileged Classes (social castes) 2% (ii) Residents of Areas adjoining Actual Line of Control (ALC) 3% (iii) Residents of Backward Areas (RBA) 20%.

Sl. No.	State/UT	Reservation Quota for OBCs in States/UTs
		For appointment by promotion as under :
		Resident of Backward Area - 10%
		Actual Line of Control (ALC) - 02%
		Weak and under privileged Classes - 01%
12.	Jharkhand	Providing 14% reservation to OBCs.
13.	Karnataka	Providing 32% reservation to OBCs for the purpose of admission to Educational Institutions and in Employment in State Civil Services and Government of Karnataka Undertakings.
14.	Kerala	Providing 40% reservation to OBCs.
15.	Madhya Pradesh	Providing 14% reservation to OBCs in the State.
16.	Maharashtra	Providing reservation to OBCs in State services as under: Special Backward Category 2% Other Backward Classes 19%
17.	Manipur	Providing 17% reservation for OBCs in the State.
18.	Meghalaya	No community has been recognized as OBCs.
19.	Mizoram	There is no OBC in the State. Hence making reservation for OBC in the State does not arise.
20.	Nagaland	State of Nagaland does not have OBC.
21.	Odisha	Provision for reservation of 27% for Socially and Educationally Backward Classes in the posts and services in the State.
22.	Punjab	Providing 12% reservation to Backward Classes in direct recruitment in Government employment and 5% reservation in educational institutions.
23.	Rajasthan	Providing 21% reservation to OBCs in State services.
24.	Sikkim	Reservation in posts and services to be filled up by direct recruitment by OBCs under the State Government and Public Sector Undertakings is 21%.

Sl. No.	State/UT	Reservation Quota for OBCs in States/UTs								
25.	Tamil Nadu	Providing reservation to OBCs in the State level Services as under: <table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">Backward Classes</td> <td style="text-align: right;">26.5%</td> </tr> <tr> <td>Backward Classes Muslim</td> <td style="text-align: right;">3.5%</td> </tr> <tr> <td>Most Backward Classes/Denotified Community</td> <td style="text-align: right;">20%.</td> </tr> </table>	Backward Classes	26.5%	Backward Classes Muslim	3.5%	Most Backward Classes/Denotified Community	20%.		
Backward Classes	26.5%									
Backward Classes Muslim	3.5%									
Most Backward Classes/Denotified Community	20%.									
26.	Tripura	There is no reservation quota for OBCs in the State.								
27.	Uttar Pradesh	Providing 27% reservation to OBCs.								
28.	Uttarakhand	Providing 14% reservation to OBCs in State level services.								
29.	West Bengal	17% of the vacancies are reserved for OBCs in services and posts under the Government of West Bengal.								
30.	A &N Islands	Providing 38% reservation to OBCs.								
31.	Chandigarh	Providing 27% reservation to OBCs in State services.								
32.	Daman and Diu	Providing 27% reservation to OBCs in State services.								
33.	Dadra and Nagar Haveli	Providing 5% reservation to OBCs in State services.								
34.	Lakshadweep	There is no OBC population in this Union Territory because entire population is Muslim Scheduled Tribe. Hence Nil.								
35.	Puducherry	Providing reservation to OBCs in State services as under: <table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">Most Backward Classes (MBCs)</td> <td style="text-align: right;">20%</td> </tr> <tr> <td>Other Backward Classes (OBCs)</td> <td style="text-align: right;">13%</td> </tr> <tr> <td>Backward Tribes (BT)</td> <td style="text-align: right;">1%</td> </tr> <tr> <td>Total Backward Classes</td> <td style="text-align: right;">34%</td> </tr> </table>	Most Backward Classes (MBCs)	20%	Other Backward Classes (OBCs)	13%	Backward Tribes (BT)	1%	Total Backward Classes	34%
Most Backward Classes (MBCs)	20%									
Other Backward Classes (OBCs)	13%									
Backward Tribes (BT)	1%									
Total Backward Classes	34%									

Castes to be included in the list of OBC of Rajasthan

†3902. SHRI NARAYAN LAL PANCHARIYA: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the castes of Rajasthan for which the proposal is pending for inclusion in the other backward classes list;

(b) by when the castes included in the list of OBC by the State Government of Rajasthan will be included in the list of the Central Government; and

(c) whether the criteria of State Commission for Other Backward Classes and National Commission for Other Backward Classes for the inclusion in the list of OBC are different, if so, the reasons therefor, if not, by when the castes declared as OBC by Government of Rajasthan will be included in the list of OBC by the Central Government?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI SUDARSHAN BHAGAT): (a) No proposal for inclusion of castes of Rajasthan in the Central List of Other Backward Classes (OBCs) is pending in this Ministry at present.

(b) Does not arise.

(c) Yes. The castes and communities which were common to both the list in the report of the Mandal Commission and the State Government's List were notified in the Central List of Other Backward Classes. Based on the judgment in the Indra Sawhney case, the NCBC has prescribed a set of guidelines and parameters for determining whether a particular caste/community or class of people deserve to be included in the Central List of Backward Classes. The data/parameters have been fixed to ascertain their social, educational, employment and economic status. The State Commission's reports and the act of the State Government of inclusion of certain castes/classes/communities are not binding on the NCBC.

Pension scheme for widows and senior citizens

†3903. SHRI VISHAMBHAR PRASAD NISHAD: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the number of widows and senior citizens in the country, State-wise;

(b) whether Government would consider to provide pension to all of them on the basis of their population for the sake of their livelihood, on the lines of Samajwadi Pension Yojana/Compulsory Pension Scheme of Uttar Pradesh Government; if so, the details thereof; and

†Original notice of the question was received in Hindi.

(c) if not, reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI SUDARSHAN BHAGAT): (a) Details showing size of elderly population (aged 60+) by residence in States and Union Territories, as per Census 2011 is given in Statement-I (*See below*). As regards widows, the Office of Registrar General and Census Commissioner, India conducts decadal Population Census wherein data on various Socio-economic parameters including marital status are collected. Last Census was conducted in 2011 and the previous one in 2001. Data on marital status of Census 2011 is not yet released. However, State/UT-wise total number of widows, as per Census 2001 is given in Statement-II (*See below*).

(b) and (c) The Ministry of Rural Development is administering the National Social Assistance Programme (NSAP). These schemes are for the households living Below Poverty Line (BPL) fulfilling the eligibility criteria prescribed by the Government of India. Indira Gandhi National Widow Pension Scheme (IGNWPS) is for the BPL widows who are of the age of 40 years and above. Under Indira National Old Age Pension Scheme (IGNOAPS), benefits are extended to the BPL persons of the age of 60 years and above. The schemes mentioned in part (b) of the question are State funded schemes and at present there is no proposal to follow these schemes by the Central Government.

Statement – I

State-wise details of aged population (60+) by sex to total population – 2011

Sl. No.	State/UT	Total Population (approx.)		
		Persons	Males	Females
1	2	3	4	5
1.	Andhra Pradesh	8278241	3906328	4371913
2.	Andaman and Nicobar Islands	25424	14189	11235
3.	Arunachal Pradesh	63639	33189	30450
4.	Assam	2078544	1054817	1023727
5.	Bihar	7707145	4106593	3600552
6.	Chandigarh	67078	34833	32245
7.	Chhattisgarh	2003909	928159	1075750
8.	Dadra and Nagar Haveli	13892	6359	7533
9.	Daman and Diu	11361	4873	6488

1	2	3	4	5
10.	NCT of Delhi	1147445	576755	570690
11.	Goa	163495	74315	89180
12.	Gujarat	4786559	2245601	2540958
13.	Haryana	2193755	1088621	1105134
14.	Himachal Pradesh	703009	340875	362134
15.	Jammu and Kashmir	922656	482580	440076
16.	Jharkhand	2356678	1181745	1174933
17.	Karnataka	5791032	2747072	3043960
18.	Kerala	4193393	1883595	2309798
19.	Lakshadweep	5270	2674	2596
20.	Madhya Pradesh	5713316	2769556	2943760
21.	Maharashtra	11106935	5253709	5853226
22.	Manipur	187694	93137	94557
23.	Meghalaya	138902	66939	71963
24.	Mizoram	68628	34345	34283
25.	Nagaland	102726	54779	47947
26.	Odisha	3984448	1994270	1990178
27.	Puducherry	120436	53419	67017
28.	Punjab	2865817	1443662	1422155
29.	Rajasthan	5112138	2432263	2679875
30.	Sikkim	40752	22472	18280
31.	Tamil Nadu	7509758	3661226	3848532
32.	Tripura	289544	141920	147624
33.	Uttar Pradesh	15439904	8037133	7402771
34.	Uttarakhand	900809	441897	458912
35.	West Bengal	7742382	3851314	3891068
TOTAL		103836714	51065214	52771500

Source: Census of India 2011

Statement – II*Total number of widows as per Census 2001*

Sl. No.	Name of State/UT	Number of Widows
	India (Total)	34289729
1.	Jammu and Kashmir	196604
2.	Himachal Pradesh	229664
3.	Punjab	662113
4.	Chandigarh	16788
5.	Uttarakhand	293331
6.	Haryana	533974
7.	Delhi	305940
8.	Rajasthan	1589726
9.	Uttar Pradesh	3763168
10.	Bihar	1887575
11.	Sikkim	10005
12.	Arunachal Pradesh	25639
13.	Nagaland	26516
14.	Manipur	59459
15.	Mizoram	20373
16.	Tripura	123817
17.	Meghalaya	59604
18.	Assam	869005
19.	West Bengal	3155365
20.	Jharkhand	822827
21.	Odisha	1370123

Sl. No.	Name of State/UT	Number of Widows
22.	Chhattisgarh	771106
23.	Madhya Pradesh	1752228
24.	Gujarat	1614413
25.	Daman and Diu	5511
26.	Dadra and Nagar Haveli	4979
27.	Maharashtra	3726735
28.	Andhra Pradesh	3270964
29.	Karnataka	2322843
30.	Goa	69052
31.	Lakshadweep	2136
32.	Kerala	1690508
33.	Tamil Nadu	2976137
34.	Puducherry	53040
35.	Andaman and Nicobar Islands	8461

Babu Jagjivan Ram Hostel Scheme in Maharashtra

†3904. SHRI RAMDAS ATHAWALE: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Central Government has received any proposal from Government of Maharashtra regarding Babu Jagjivan Ram Hostel Scheme; if so, the details thereof, till date;

(b) the latest status of the proposal; and

(c) by when it is expected to be finalized and the reasons for the delay?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI SUDARSHAN BHAGAT): (a) to (c) The Government of Maharashtra has forwarded one complete proposal pertaining to a Non-Governmental Organisation (NGO) for expansion of its existing hostel facilities, under Babu Jagjivan Ram Chhatrawas Yojna (BJRCY).

The proposal is under examination.

†Original notice of the question was received in Hindi.

Separate reservation for most backward castes

†3905. SHRI NARENDRA KUMAR KASHYAP: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether a large number of castes have been included in the list of backward castes in India, the number of such castes at present;

(b) the percentage of development, employment and education among backward classes, caste- wise;

(c) whether any other concrete policy will be formulated for those castes which have not progressed so far in the field of development, employment, education and economy; and

(d) whether the Ministry would consider to provide the benefit of reservation to the most backward castes like Kashyap, Nishad, Bind, Dheevan, Dheemar, Kahar, Kewat, Mallah, Majhi, Sahni, Baghel, Prajapati, Kumhar, Saini, Maurya etc. in the country separately on the basis of their population; if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI SUDARSHAN BHAGAT) : (a) At present 2404 castes/ communities have been included in the Central List of Other Backward Classes for different States *vide* 32 notifications issued so far by the BC Division.

(b) As per information provided by the DoPT the data regarding representation of other backward classes in employment is as under:

2007	6.9%
2008	12.7%
2009	13.4%
2010	14.9%

The details of Worker Population Ratios (As per NSSO Report of 2009-10) of various social groups are given in the Statement (*See* below).

(c) No.

(d) Out of these fifteen communities, seven communities namely Bind, Dhivar, Kewat, Mallah, Prajapati, Kumhar and Saini communities are included in the Central List of OBCs. There is no proposal to provide separate reservation to these communities based on their population.

†Original notice of the question was received in Hindi.

Statement

Number of persons employed per 1000 persons (WPR) according to the usual status (ps+ss) for different social groups during 1983 to 2009-2010

NSS round (year)	Household social group					All – India All (incl.n.r.)
	ST	SC	OBC	Others		
1	2	3	4	5	6	
			Rural male			
66th (2009-10)	559	548	540	552	547	
61st (2004-05)	562	545	537	557	546	
55th (1999-2000)	558	531	532	520	531	
50th (1993-94)	591	554		547	553	
43rd (1987-88)	567	538		535	539	
38th (1983)	588	551		540	547	
			Rural female			
66th (2009-10)	359	269	267	199	261	
61st (2004-05)	464	333	330	262	327	
55th (1999-2000)	438	325	302	223	299	
50th (1993-94)	482	355		297	328	
43rd (1987-88)	454	358		294	323	
38th (1983)	478	381		310	340	

1	2	3	4	5	6
			Urban male		
66th (2009-10)	510	550	543	542	543
61st (2004-05)	523	537	554	550	549
55th (1999-2000)	480	503	530	518	518
50th (1993-94)	520	505		523	521
43rd (1987-88)	504	492		509	506
38th (1983)	531	490		514	512
			Urban Femal		
66th (2009-10)	203	178	145	113	138
61st (2004-05)	245	200	185	134	166
55th (1999-2000)	204	185	169	108	139
50th (1993-94)	234	199		145	155
43rd (1987-88)	225	213		140	152
38th (1983)	255	205		139	151

Note: For 38th, 43rd and 50th rounds, no separate category of social group 'OBC' was there and the category 'others' included 'OBC' category also.
(NSS Report No. 543, 2007-10)

Inclusion of fishermen community under SC category

3906. SHRI KIRANMAY NANDA: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether it is a fact that fishermen community in some States is under SC category and in some States they are non SC; and

(b) if so, the list of States where fishermen are under SC category and the reasons for keeping them out of SC category in other States?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI SUDARSHAN BHAGAT: (a) No caste with the nomenclature as 'Fishermen' has been specified as a Scheduled Caste in relation to any State/Union Territory.

(b) Does not arise.

Allocation and utilization of funds

3907. DR. PRADEEP KUMAR BALMUCHU: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the quantum of funds allocated, utilized and also unspent for the Ministry during the last five years;

(b) if so, the reasons for unspent balance therefor;

(c) what steps have been initiated at the Ministry level to ensure that allocated sums are spent on time and programmes are executed during the said period; and

(d) whether the Ministry would provide the details of its major programmes?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI SUDARSHAN BHAGAT) : (a) The quantum of funds allocated, utilized and unspent during the last five years *i.e.* 2009-10, 2010-11, 2011-12, 2012-13 & 2013-14 is given as under-

(₹ in crore)					
Year	Budget Estimates	Revised Estimates	Expenditure	Shortfall (3-4)	% utilisation of funds
2009-10	2500.00	2500.00	2450.81	49.19	98.03
2010-11	4500.00	4300.00	4186.14	113.86	97.35
2011-12	5375.00	5123.00	5009.73	113.27	97.79
2012-13	5915.00	5012.00	4880.47	131.53	97.38
2013-14	6625.00	5625.00	5422.43	202.57	96.40

(b) The Ministry is implementing a number of Centrally Sponsored Schemes which are being implemented through the State Governments/UT Administrations. The proposals from the State Governments/UT Administrations are often received late. Further, many of these proposals are incomplete and lack proper documentation/certification by the State Governments. This leads to under utilisation of funds in some schemes. Besides, some saving is also due to non-receipt of adequate proposals from the Universities/Non-Governmental Organisations.

(c) Sustained efforts have been made by this Ministry by writing to the State Governments and reminding them periodically to send complete proposals. Besides, the Ministry holds Regional Conferences with the concerned Departments of the State Governments to review the schemes in which the necessity of sending timely and complete proposals is emphasised.

(d) The Ministry of Social Justice and Empowerment is entrusted with the empowerment of the disadvantaged and marginalized sections of the society. The target groups of the Ministry include – Scheduled Castes, Other Backward Classes, Persons with Disabilities, Senior Citizens, Victims of Substance Abuse, Transgender persons and beggars. The Ministry has been implementing various programmes/schemes for social, educational and economic development of the target groups. The list of the major schemes implemented by this Ministry is given in the Statement.

Statement

List of Major Programmes/ Schemes of the Ministry

Schemes for Schedule Caste Development

Post Matric Scholarship for Scheduled Castes (SCs)

Pre Matric Scholarship for SC Students (Class IX and X)

Scheme of Free Coaching for SC and OBC Students

Rajiv Gandhi National Fellowship for SCs

Special Central Assistance to Scheduled Caste Sub-Plan

Scheme of Upgradation of Merit of Scheduled Caste Students

Top Class Education

Implementation of Prevention of Civil Rights Act, 1955 and Prevention of Atrocities Act, 1989

Babu Jagjivan Ram Chhatrawas Yojana – Girls Hostels

Babu Jagjivan Ram Chhatrawas Yojana - Boys Hostels

Assistance to Voluntary Organizations Working for SCs.

National Overseas Scholarship Scheme for SC Students for Higher Studies Abroad

Special Central Assistance to Scheduled Castes Sub-Plan

National Safai Karamcharis Finance & Development Corporation (SKFDC)

National Scheduled Caste Finance & Development Corporation (SFDC)

Self-Employment Scheme of Rehabilitation of Manual Scavengers

Pradhan Mantri Adarsh Gram Yojana

Schemes for D/O Disability

National Institutes for Disabled Persons

Assistance to Disabled persons for purchase/fitting of aids/Appliances Scheme (ADIP)

Scheme for Implementation of the Persons with Disabilities Act, 1995

Deendayal Disabled Rehabilitation Schemes

Scheme of incentives to Employees in Private Sector for providing employment to
Persons with Disabilities

Post-Matric Scholarship for students with Disabilities

Schemes for Social Defence

Assistance to Voluntary Organizations for Prevention of Alcoholism & Substance (Drug)
Abuse

Assistance to Voluntary Organizations for General Grant in Aid in the field of Social
Defence

Assistance to Voluntary Organizations under the Scheme of Integrated Programme for
Older Persons

Schemes for Backward Classes

National Backward Class Finance & Development Corporation (NBCFDC)

Pre-Matric Scholarships Other Backward Classes students

Post-Matric Scholarship for Backward Classes

Rajiv Gandhi National Fellowship for OBCs & Economically Backward Classes

Indian Sign Languages Research and Training Centre

3908. DR. CHANDAN MITRA: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether there is shortage of special educators and rehabilitation specialists specially trained to teach the disabled population in the country, if so, the details thereof along with reasons therefor;

(b) the reasons for the delay in setting up of Indian Sign Languages Research and Training Centre; and

(c) the fresh steps taken by Government for starting degree/diploma courses in special education for training people of Autism Spectrum Disorder, Cerebral Palsy, hearing impaired, mentally challenged and visually impaired to meet the demand in these areas?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI SUDARSHAN BHAGAT): (a) Disability is a State subject. According to Rehabilitation Council of India (RCI), there is no direct information communicated by the State Governments about the actual requirement of special educators to RCI. However, as per an evaluation study commissioned by the Ministry of Human Resource Development, which submitted its report in March, 2013, there was a shortage of special teachers in the States/ UTs. As per projections got done by the RCI, 34,693 special educators were available in 2011 against a demand of 1,74,217. As on 31.07.2014 total special educators registered in the RCI's Central Rehabilitation Register are 63,318. The reasons for shortage include lack of clear policies in the respective States regarding recruitment rules, appointments, programme for preparing special educators and rehabilitation specialist, requirement of NOCs from States for programmes run under self finance mode, requirements of affiliating Universities and low remuneration paid to rehabilitation professionals, shortage of faculty at degree level within the country.

(b) Ministry of Social Justice and Empowerment had initially approved the establishment of Indian Sign Language Research and Training Centre, as an autonomous centre of Indira Gandhi National Open University (IGNOU), New Delhi, in July, 2011. On receipt of disengagement letter from Vice Chancellor, IGNOU and the Ministry of Human Resource Development, the Ministry reviewed the matter and decided to establish the Centre as a stand-alone Institution under this Ministry. Expenditure Finance Committee in its meeting held on 18th July, 2014 recommended the proposal.

(c) The Rehabilitation Council of India encourages Universities, Institutions

and NGOs to establish programmes for training of special educators and rehabilitation specialists. It also develops and reviews courses at degree and diploma level continuously. A large number of courses are being run for hearing impaired, mentally challenged, visual impairment, cerebral palsy and Autism Spectrum Disorders. RCI has also been requested to take initiatives to prepare a complete database on number of special teachers trained every year to help bridge up the gap between demand and supply of special teachers.

Reservation in Jammu and Kashmir

†3909. SHRI NARENDRA KUMAR KASHYAP: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) the percentage of reservation for the SCs, STs and OBCs respectively in the State of Jammu and Kashmir;
- (b) whether Government would contemplate to make up the percentage of reservation, if it is less than the required level; and
- (c) whether the provision for reservation for the STs in politics exists in the State of Jammu and Kashmir and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI SUDARSHAN BHAGAT): (a) (i) Existing percentage of reservation in Jammu and Kashmir in direct recruitment to civil posts and civil services on all India basis by open competition is as follows:

Category	Percentage of reservation
Scheduled Castes (SCs)	8%
Scheduled Tribes (STs)	11%
Other Backward Classes (OBCs)	27%

- (ii) As informed by the Government of Jammu and Kashmir, the 'J&K Reservation Act,' 2004 and Rules there under, provide reservation for SCs, STs, Socially and Economically Backward Classes and other categories. The total percentage of reservation, however, shall in no case exceed 50%. The existing percentage of reservation in direct recruitment under the services of the State Government is as follows:

Category	Percentage of reservation
Scheduled Castes (SCs)	8%
Scheduled Tribes (STs)	10%
Socially and Economically Backward Classes (Other than Scs and STs)	25%

†Original notice of the question was received in Hindi.

(b) No such proposal is under consideration of the State Government.

(c) No reservation is provided to the STs under the State Constitution. However, political reservation for members of ST community is secured in various institutions of Local Self Governance under different Laws, like J&K Municipal Act, 2000, J&K Municipal Corporation Act, 2000 and J&K Panchayati Raj Act, 1989. In addition, Section 50 of the State Constitution provides for nomination of 8 members, not more than three of whom shall be persons belonging to any of the socially, economically backward classes in the State to the State Legislative Council. The members of ST community are invariably considered for nomination while filling up the seats through nomination.

Financial assistance to NGOs in West Bengal

3910. DR. KANWAR DEEP SINGH: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Ministry has a programme under implementation that gives financial assistance to Non-Governmental Organisations (NGOs) working for the welfare of Other Backward Classes (OBCs);

(b) the details of funds released to NGOs and projects from 2012-13 to 2013-14, for the welfare of OBCs in West Bengal; and

(c) whether a monitoring and evaluation study was undertaken regarding the utilization of the funds released, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI SUDARSHAN BHAGAT): (a) Yes.

(b) The details are as under:

Year	Name of Project	Amount (in ₹ lakh)
2012-13	Type and Shorthand	1.84
	Scooter Motorcycle	1.77
	Repairing Training Centre	
2013-14		Nil

(c) Yes. The details are as under:

- (i) An evaluation study for NGOs was conducted in Manipur and Assam by Omeo Kumar Das Institute of Social Change and Development, Dispur (Guwahati) which revealed that benefits accrued from the skill development training given by the Voluntary Organizations. It increased employability of the beneficiaries.
- (ii) An evaluation study was also conducted by Department of Social Work, Jamia Millia Islamia University, New Delhi in 2008 in the case of NGOs in Delhi. This study highlighted the benefits derived from the training programs to the beneficiaries.
- (iii) The National Backward Classes Finance and Development Corporation, New Delhi engaged services of W One Management Systems consulting company India to undertake the study for evaluation and inspection of the beneficiaries for various training programmes. The study revealed a huge increase in the employment status of the beneficiaries.

Change in spending habits by people of rural areas

3911. SHRI TARUN VIJAY: Will the Minister of STATISTICS AND PROGRAMME IMPLEMENTATION be pleased to state:

(a) whether Government is aware that purchasing power/spending habits of people are increasing in rural areas and towns more than in metro cities across the country, if so, the details thereof; and

(b) the reasons for such changes in the spending habits by the people of rural areas and towns?

THE MINISTER OF STATE OF THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION (SHRI INDERJIT SINGH RAO): (a) Based on its survey on Household Consumer Expenditure Surveys, the National Sample Survey Office (NSSO) gives estimates of average Household Monthly Per Capita Consumer Expenditure (MPCE) for rural and urban areas. As per the results of Household Consumer Expenditure surveys conducted by NSSO in its 66th (July, 2009 - June, 2010) and 68th (July, 2011 - June, 2012) rounds, the average Monthly Per Capita Consumer Expenditure

(Mixed Reference Period) at constant prices (1987- 88 base) has increased by 7.25% per annum in rural areas and 5.86% in urban areas between 2009-10 and 2011-12. This shows that the increase in average monthly per capita expenditure in rural areas is higher as compared to urban areas during 2009-10 to 2011-12.

(b) Government has given priority to agriculture and rural development with a view to generating adequate productive employment and to accelerate the growth rate of the rural economy. For the development of infrastructure in the villages, the Government is implementing Pradhan Mantri Gram Sadak Yojana. The Ministry of Rural Development has been implementing major schemes in areas of rural employment generation, rural housing, rural infrastructure, area development, and social assistance to target groups, which are intended to develop the rural areas and particularly the villages by ways of increasing the income and improving the standard of living of the rural population.

Tribal University in Odisha

3912. SHRI PYARIMOHAN MOHAPATRA: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether any proposal for setting up of a Tribal University has been received from the Government of Odisha;
- (b) if so, the present status of consideration of such a proposal; and
- (c) if not, whether Government would consider establishment of a multi-campus Tribal University in Odisha considering its tribal population and the large number of tribes?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MANSUKHBHAI DHANJIBHAI VASAVA): (a) and (c) There is no proposal for setting up of a Tribal University in the State of Odisha.

- (b) Does not arise in view of (a) above.

Claims for encroached land under FRA

†3913. DR. VIJAYLAXMI SADHO: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether Government is aware that most of the claims made by tribals for

†Original notice of the question was received in Hindi.

the encroached land under the Forests Rights Act have been rejected by different States;

(b) if so, State-wise details thereof, along with the information thereon; the reasons for rejecting the claims; and

(c) the action being taken by Government in this regard, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MANSUKHBHAI DHANJIBHAI VASAVA): (a) The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (In short FRA, 2006) seeks to recognize and vest the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and Other Traditional Forest Dwellers who have been residing in such forests for generations but whose rights could not be recorded, following a laid down procedure and subject to fulfillment of certain conditions. The Government is aware that some of the claims made under this Act have been rejected.

(b) The State-wise details of number of claims filed, titles distributed, claims rejected and percentage claims disposed off as on 30.6.2014 is given in the Statement (*See* below). The major causes for rejection of claims have come to the notice of this Ministry such as non-occupation of forest land as on 31.12.2005, claims being made on land other than forest land/revenue land, multiple claims and high rate of rejection of Other Traditional Forest Dwellers due to lack of evidence etc.

(c) The Act has an inbuilt provision of appeal in law. In addition, this Ministry has also written to the State Governments to review the cases where claims have been rejected. Appropriate changes have also been effected in the Rules on 06.09.2012 and guidelines issued on 12.07.2012 to ease out the problems and hindrances encountered in the implementation of the Act, and to provide unencumbered access to rights already conferred by the Act.

Statement

State-wise details of claims and distribution of title deeds under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

Sl. No.	States	No. of claims received				No. of titles distributed	No. of claims rejected	Total No. of claims disposed of / % respect of claims received
		1	2	3	4			
1.	Andhra Pradesh		4,11,012 (4,00,053 individual and 10,959 community)		1,69,370 (1,67,263 individual and 2,107 community)	1,65,466	3,34,836 (81.46%)	
2.	Arunachal Pradesh		-		-	-	-	
3.	Assam		1,31,911 (1,26,718 individual and 5,193 community)		36,267 (35,407 individual and 860 community)	37,669	73,936 (56.04%)	
4.	Bihar		2,930		28	1,644	1,672 (57.06%)	
5.	Chhattisgarh		7,56,062		3,12,250	4,01,784	7,14,034 (94.44%)	
6.	Goa		-		-	-	-	
7.	Gujarat		1,91,592 (1,82,869 individual and 8,723 community)		42,752 (40,994 individual and 1,758 community)	18,394 (13,252 individual and 5,142 community)	61,146 (31.91%)	
8.	Himachal Pradesh		5,692		346	2,160	2,506 (44.02%)	

(As on 30.06.2014)

9.	Jharkhand	42,003	15,296	16,958	32,254 (76.78%)
10.	Karnataka	2,55,030 (2,50,455 individual and 4,575 community)	7,058 (6,962 individual and 96 community)	1,59,116 (1,56,877 individual and 2,239 community)	1,66,174 (65.15%)
11.	Kerala	37,535 (36,140 individual and 1,395 community)	24,599	7,889	32,488 (86.55%)
12.	Madhya Pradesh	5,18,003 (4,89,642 individual and 28,361 community)	1,88,511 distributed (1,75,196 individual, 13,315 Community and 16,530 ready)	2,82,922 (ST-40.47%) (OTD-97.06%)	4,71,433 (91.00%)
13.	Maharashtra	3,48,075 (3,42,951 individual and 5,124 community)	1,43,283	2,75,854	4,19,137 (120.41%)
14.	Manipur	-	-	-	-
15.	Meghalaya	-	-	-	-
16.	Mizoram	-	-	-	-
17.	Odisha	5,63,967 (5,51,903 individual and 12,064 community)	3,34,865 distributed (3,31,669 individual and 3,196 community)	1,36,850 (1,36,177 individual and 673 community)	4,71,715 (83.64%)
18.	Rajasthan	69,775 (69,123 individual and 652 community)	34,147 (34,082 individual and 65 community)	33,515	67,662 (96.97%)
19.	Sikkim	-	-	-	-
20.	Tamil Nadu	21,781 (18,420 individual and 3,361 community)	(3,723 titles are ready)	-	-

1	2	3	4	5	6
21.	Tripura	1,82,617 (1,82,340 individual and 277 community)	1,20,473 (1,20,418 individual and 55 community)	21,384 (21,164 individual and 220 community)	1,41,857 (77.68%)
22.	Uttar Pradesh	92,433 (91,298 Individual and 1,135 community)	17,705 (16,891 individual and 814 community)	73,028	90,733 (98.16%)
23.	Uttarakhand	182	-	1	1(0.54 %)
24.	West Bengal	1,38,640 (1,35,442 individual and 3,198 community)	31,809 distributed and 15,285 titles are ready	30,775	62,584 (45.14%)
25.	Andaman and Nicobar Islands	-	-	-	-
26.	Daman and Diu	-	-	-	-
27.	Dadra and Nagar Haveli	-	-	-	-
	TOTAL	37,69,240 (36,84,223 individual and 85,017 community)	14,78,759 (14,56,493 individual and 22,266 community) and ready for distribution	16,65,409 (16,57,135 individual and 8,274 community)	31,44,168 (83.41%)

Development of aboriginal people

†3914. SHRI ISHWARLAL SHANKARLAL JAIN: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether population of aboriginal tribal people in the country has come down or is coming down; if so, the details thereof;

(b) whether any steps have been taken or are being taken by Central Government for overall development of aboriginal tribal people;

(c) whether Government has provided or is providing any grant or special package to State Governments for development of aboriginal tribal people in their respective States; and

(d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MANSUKHBHAI DHANJIBHAI VASAVA): (a) Scheduled Tribes are notified under Article 342 of the Constitution of India. There is no category notified as aboriginal people. RGI conducts decadal Population Census wherein data are collected on all persons, including Scheduled Tribes. The following table shows the population growth/decline of STs in Andaman and Nicobar Islands in the last decade:

Sl. No.	Name of the Tribe	Population as per Census	
		2001	2011
	All STs	29,469	28,530
1.	Andamanese, Chariar, Chari, Kora, Tabo, Bo, Yere, Kede, Bea, Balawa, Bojigiyab, Juwai, Kol	43	44
2.	Jarawas	240	380
3.	Nicobarese	28,653	27,168
4.	Onges	96	101
5.	Sentinelese	39	15
6.	Shom Pens	398	229

†Original notice of the question was received in Hindi.

(b) to (d) The Ministry of Tribal Affairs is implementing the following Special Area Programmes/Central Sector/Centrally Sponsored Schemes for the socio-economic and educational development of Scheduled Tribes in the country:

- (i) Scheme of Construction of Hostels for ST Girls and Boys
- (ii) Scheme of Establishment of Ashram School in Tribal Sub-Plan Areas
- (iii) Post-Matric Scholarship for ST students
- (iv) Upgradation of Merit
- (v) Pre-Matric Scholarship for ST students studying in classes IX & X.
- (vi) Rajiv Gandhi National Fellowship for STs
- (vii) Scheme of National Overseas Scholarship for STs
- (viii) Top Class Education for ST students
- (ix) Grants-in-aid to Voluntary Organisations working for the welfare of Scheduled Tribes
- (x) Coaching For Scheduled Tribes
- (xi) Strengthening Education among Scheduled Tribe Girls in Low Literacy Districts
- (xii) Vocational Training in Tribal Areas
- (xiii) Development of Particularly Vulnerable Tribal Groups (PVTGs)
- (xiv) Grants-in-Aid to STDCCs for MFP Operations
- (xv) Mechanism for Marketing of Minor Forest Produce (MFP) through Minimum Support Price (MSP) and Development of Value Chain for MFP as a measure of social safety for MFP gatherers.
- (xvi) Grants under Article 275(1) of the Constitution of India
- (xvii) Special Central Assistance to Tribal Sub Plan (SCA to TSP)
- (xviii) Development of Tribal Products/Produce (Grants in aid to Tribal Cooperative Marketing Development Federation of India Limited (TRIFED)
- (xix) Van Bandhu Kalyan Yojana.

Dangerous condition of buildings

3915. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether Government is aware that in recent building collapse in Delhi, Mumbai and some other places so many people lost their lives and so many people have been grievously hurt;

(b) if so, how many such cases have been recorded during the last three years;

(c) whether Government has identified buildings in dangerous conditions and warned the people to vacate such buildings with the alternatives if so, the details thereof; and

(d) the details of the action taken against builders, contractors etc using substandard construction material?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):

(a) to (d) Yes, Sir. Government is aware of these incidents. The regulation of building construction activity is a state subject. It is the responsibility of the Urban Local Bodies / Development Authorities to regulate construction activities in accordance with the provisions of the respective building by-laws and structural safety norms and take action in case of violations of the same. Ministry of Urban Development does not maintain such data.

Details of commercial markets

3916. SHRI VIJAY GOEL: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) the number and plans of commercial markets prior to 1962;

(b) the number and plans of Old markets under L and DO, Directorate of Estate and CPWD, transferred to the NDMC and MCD prior to MPD-1962;

(c) the number and plans of Central Business Districts, Sub Central Business Districts;

(d) the number and plans of District Centres and how many in advance development; and

(e) the number and plans of Sub-District Centres and Community Centres in Delhi and their names?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):
 (a) and (b) As per information provided by Director, Local Bodies, Government of National Capital Territory of Delhi, New Delhi Municipal Council and Cantonment Board there were 31 Commercial Markets prior 1962. Plans of these Markets are not available.

(c) As per information provided by DDA, there are 3 Central Business Districts.

(d) DDA has informed that there are 23 District Centres which are proposed as per MPD 2021. Out of 23, 15 are in advanced development stage and remaining 8 are in planning stage.

(e) DDA has informed that as per MPD 2021 there is no nomenclature titled "Sub-District Centres". As per MPD/Zonal Development Plans the numbers and plans of Community Centres are as follows:

(i) South Zone	-	17
(ii) East Zone	-	9
(iii) West Zone and Dwarka	-	15
(iv) North Zone	-	10
(v) Rohini and Narela	-	15
TOTAL	-	66

Regularization in Lal Dora villages

3917. SHRI VIJAY GOEL: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) the details of clarifications given in Government Order No. J-13037/113/74/UDI/UDIIB Government of India, Ministry of Works and Housing dated 16th February, 1977 about regularization within and beyond Lal Dora in villages;

(b) the details of the plans prepared after the aforesaid order by the Delhi Development Authority and the Municipal Corporation of Delhi, the details thereof;

(c) the number and areas of Gaon Sabha Lands in Delhi; and

(d) whether there are 617 old water bodies in 369 villages of Delhi, details thereof?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):

(a) As per the policy dated 16.02.1977 of the Government of India, various unauthorized colonies which had come up in Delhi including those around villages outside the "Lal Dora" as also the unauthorized extensions of approved colonies were to be regularized on the terms and conditions as below:

- (i) Both residential and commercial structures are to be regularized.
- (ii) Structure is to be regularized after fitting them in a layout plan and after keeping other space for roads and other community facilities. To the extent land is already available for roads and other community facilities in the immediate vicinity or neighbourhood, such land should be utilized for these purposes.
- (iii) Development charges as determined by DDA/MCD be payable by the owners of the properties in such manner as may be laid down by these bodies.
- (iv) The families which are displaced in the process of providing space for roads and other community facilities are to be rehabilitated in the following manner:
 - (a) Owners of the houses, who or any of those family members do not own plot/house in Delhi are to be provided alternate Land/flat.
 - (b) The tenants are to be allotted alternate accommodations provided they or any of their dependant members of family do not own a house/plot in Delhi.
- (v) In the process of regularisation, wherever necessary, change of land use are to be considered with reference to the provisions of the Master Plan/Zonal Plan.
- (vi) Colonies which have been notified for acquisition are also to be considered for regularisation and wherever necessary other consequential steps will be taken.
- (vii) DDA/MCD are to take up the work of completing the case by case study of all the colonies, which could not be done earlier on a top priority basis.
- (viii) A High Level Implementation Body is to be set up to watch the progress of regularisation and development of unauthorised colonies in accordance with the Policy laid down by Government. The DDA and MCD are to be the implementing authorities.

- (ix) The civic services which are to be provided in future in the colonies to be thus regularised, as also those which may already exist in these colonies, are to be maintained by MCD.
- (x) The MCD to take immediate steps especially to provide water and electric connections in all the unauthorised colonies. Those who had already deposited the money would be given preference.

(b) As per information provided by Director, Local Bodies, Government of National Capital Territory of Delhi, 567 unauthorised colonies were regularized till October 1993 under the policy dated 16.02.1977. Out of these, 140 have been approved by Delhi Development Authority.

(c) and (d) The information is being collected.

Zonal plans of Delhi

3918. SHRI VIJAY GOEL: Will the Minister of URBAN DEVELOPMENT be pleased to state:

- (a) how many zones are in Delhi and whether most of the zonal plans of Delhi have been approved by the Ministry in 2010;
- (b) which of the zonal plans are as per Section-8 of D.D. Act;
- (c) the details of the area of North of Wazirabad road in zone-E, where 6 to 8 lakhs people have been living since 1991, and the entire area has been shown as green; and
- (d) whether it is possible to demolish all the houses and rehabilitate them somewhere else; and if so, the details of rehabilitation plan?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):

(a) There are 17 Planning Zones as per Master Plan of Delhi-2021 (MPD-2021). These are A, B, C, D, E, F, G, H, J, K-I, K-II, L, M, N, O, P-I and P-II Zone. The Zonal Development Plan of all the zones, except for Zone-D, have been approved in the year 2010.

(b) All the Zonal Development Plan have been prepared in accordance with the provisions of Section 7 and 8 of Delhi Development Act, 1957.

(c) As per the Zonal Development Plan for Zone 'E' most of the area towards the North of Wazirabad road which covers sub zone E-17 and E-18 are shown as 'Agricultural/ Green Belt'.

(d) As per the Section 343 of the Delhi Municipal Corporation Act, 1957 the Commissioner of Municipal Corporation is empowered to issue orders of demolition of building or any work, which is in contravention to the provisions of the Act or byelaws made there-under. However, as per the provisions of The National Capital Territory of Delhi Laws (Special Provisions) Second Act 2011, which is valid upto 31.12.2014, *status quo* is to be maintained in respect of all other areas within National Capital Territory of Delhi as on 08.02.2007. Further all notices issued by any local authority for initiating action against encroachment or unauthorized development in respect of the areas referred in the Act shall be deemed to have been suspended and no punitive action shall be taken till 31st day of December 2014.

Plans for sewage system in newly developed areas

†3919. SHRI NARAYAN LAL PANCHARIYA: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether Central Government is preparing a plan to build sewage system in deprived and newly developed areas, if so, the number of cities for which scheme is under consideration; and

(b) whether Rajasthan has sent a proposal of 147.40 crore for first phase for Jodhpur city if so, the details thereof?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):

(a) No such proposal is under consideration.

(b) Under Jawaharlal Nehru National Urban Renewal Mission (JNNURM), Government of Rajasthan had submitted 3 Detailed Projects Reports (DPRs) related to Sewerage in Jodhpur, out of which one project was sanctioned with Additional Central Assistance (ACA) commitment of ₹50.26 crore.

Development of Mithi river

†3920. SHRI RAMDAS ATHAWALE: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether Government has received any request from the Government of Maharashtra regarding grant of additional Central assistance under the development project of Mithi river; if so, the details thereof as on date;

(b) the latest status of this proposal; and

†Original notice of the question was received in Hindi.

(c) by when this proposal is likely to be finalised and the reasons for the delay therein?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAI AH NAIDU):
(a) to (c) The Government of Maharashtra had sent a proposal (revised Detailed Project Report) for Additional Central Assistance (ACA) for Mithi River Development Project Phase-II to the Ministry of Urban Development which was sent to Ministry of Water Resources in September, 2010 for techno-economic appraisal. The Central Water Commission (CWC) under Ministry of Water Resources has reported that they have yet not received the requisite information/compliance report on their observations from the State Government/ Mumbai Metropolitan Region Development Authority (MMRDA). The proposal will be considered only after compliance to the comment/observation of CWC by the State Government/MMRDA and all mandatory clearance.

Ludhiana metro transport project

3921. DR. KANWAR DEEP SINGH: Will the Minister of URBAN DEVELOPMENT be pleased to state:

- (a) the total amount of allocation for Ludhiana Metro Transport project;
- (b) whether Metro connectivity is planned in such a way so as to expand to future Tier I and Tier II cities of Punjab, if so, the details thereof, if not, the reasons therefor; and
- (c) the details of the technological agreements signed with other countries so as to bring in better metro rail technology to India?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAI AH NAIDU):
(a) Central Government has not allocated any funds for Metro Rail Project in Ludhiana.

(b) No, Sir. Planning and proposing Metro Rail Projects is done by the concerned State Governments.

(c) No, Sir. The Ministry of Urban Development has not signed any such technological agreement with other countries.

Maintenance of ultra-modern bus stands in Delhi

†3922. SHRI PARVEZ HASHMI: Will the Minister of URBAN DEVELOPMENT be pleased to state:

- (a) whether it is a fact that the ultra-modern bus stands of DTC with steel frames

†Original notice of the question was received in Hindi.

were installed during the Commonwealth Games by Government and Delhi Integrated Multi-Modal Transit System (DIMTS) in Delhi;

(b) the total number of such stands installed in Delhi and the details of the number of stands installed, agency-wise together with the names of the agencies;

(c) whether it is a fact that the material has been stolen at many bus stands and in the absence of maintenance their condition is deteriorating and may cause an accident at any time; and

(d) the agency responsible for their maintenance at present?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):

(a) Yes, Sir.

(b) Government of NCT of Delhi has informed that the Delhi Integrated Multi-Modal Transit System Limited (DIMTS) had constructed 250 modern stainless steel Bus Queue Shelters (BQSs) on PPP model and 750 BQSs from Government funds for Transport Department, Government of NCT of Delhi.

(c) Government of NCT of Delhi has informed that some such cases have come into light. They have further informed that the stolen material is replaced by the Concessionaire to whom these shelters have been allotted under a Concession Agreement against the advertisement rights of them.

(d) The following agencies are responsible for maintenance of aforesaid Bus Queue Shelters at present:

- (i) Rajdeep Publicity Private Limited for 431 BQSs constructed from Government funds.
- (ii) J C. Decaux for 319 BQSs constructed from Government funds.
- (iii) Delhi Integrated Multi Modal Transit System Limited (DIMTS) for 250 BQSs constructed on PPP model.

Developing modern towns and cities

†3923. SHRI ISHWARLAL SHANKARLAL JAIN: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether Government in order to continue the development of cities and towns and to develop small towns and cities into cities equipped with all modern facilities under

†Original notice of the question was received in Hindi.

twelfth five year plan, proposes or plans to spend more money on them, if so, details thereof; and

(b) the details of towns and small cities of different States included for this purposes?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):
(a) and (b) Yes Sir. The Government is considering to launch a new Urban Development Mission. The contours of the proposed scheme is under finalisation.

Public transportation system in urban areas

3924. SHRI AVINASH PANDE: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether Government has, or is planning to put in place any mechanism to monitor the efficacy of public transportation systems in urban areas, if so, the details thereof; and

(b) if not, reasons therefor?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):
(a) Yes, Sir. There is a system of monitoring and control in respect of the performance of Metro Projects through arranging regular meetings of Boards of Directors (BoD). As per para 12 of Bus Funding Guidelines, following mechanisms have been adopted:

(i) Quarterly progress report from State Level Nodal Agency (SLNA) to the MoUD.

(ii) Upon completion of the project, the SLNA through the State Government submits a completion report.

(b) Question does not arise.

Emergency response for high-rise buildings

3925. SHRI AVINASH PANDE: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether Government has formulated or is planning to formulate safety guidelines and/or mandatory procedures for emergency response in urban areas, especially for high-rise buildings; and

- (b) if so, the details thereof, and if not, the reasons therefor?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU): (a) and (b) Safety guidelines have been provided in the National Building Code, 2005. In order to sensitize the State Governments, Ministry of Urban Development has circulated copies of the same as well as Report of the Committee of Experts under the National Seismic Advisor and Handbook on Seismic Retrofit of Buildings published by CPWD and IIT Chennai to the State Governments advising them to incorporate the disaster mitigation provisions in the building bylaws and Town Country Planning Acts.

Irregularities in JNNURM in Delhi

†3926. SHRI PRABHAT JHA: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether it is a fact that most of the projects being run in the National Capital Delhi under the Jawaharlal Nehru National Urban Renewal Mission are incomplete; if so, the details thereof;

(b) whether the cases of irregularities being committed in these projects have come to light; and

- (c) if so, the details thereof and whether those cases are being investigated?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU): (a) Out of 23 projects sanctioned under Urban Infrastructure Governance (UIG), Sub-Mission of JNNURM, 09 projects have been reported physically complete in National Capital Delhi. The remaining projects are at various Stages of implementation. Details of projects are given in the Statement (*See below*).

(b) No, Sir.

(c) Does not arise.

†Original notice of the question was received in Hindi.

Statement*Details of projects implementation status under UIG: Delhi*

Sl. No.	Name of the UA	Project Title	Approved Cost	Total ACA Commitment (Central Share)	(Amount ₹ in lakhs) (Data as on 13.08.2014)		Date of Completion as per latest QPR
					As per MoF Release Order – ACA Released till date	6	
1	2	3	4	5	6	7	
1.	New Delhi Municipal Corporation	Redevelopment of Connaught Place, New Delhi-Urban Renewal and Heritage Conservation	25378	8882.3	2220.58		On-going
2.	Delhi Jal Board	Setting up of 20 MGD STP each at Nilothi and Pappankalan	24544	8590.4	3436.56		On-going
3.	Municipal Corporation of Delhi	Traffic Management plan for areas Around civic centre JLN Marg, Minto Road, New Delhi	9716	3400.6	850.15		On-going
4.	Public Works Department, Delhi	Construction of Grade Separator on Road No. 56 ISBT Anand Vihar, Delhi	9600	3360	3024		Completed
5.	Public Works Department, Delhi	Construction of 3 additional clover leaves at Noida More Flyover i/c slip road, bridges, footpath, cycle track and underpass.	8818	3086.3	771.575		On-going

6.	Public Works Department, Delhi	RUB & ROB at Railway Level Crossing at Road No 68 Near Nand Nagari.	9800	3430	3087	On-going
7.	Municipal Corporation of Delhi	Development of multilevel underground unconventional parking at various locations under the jurisdiction of MCD (AL-Block, Shalimar Bagh, Shiv	46980	16443	4110.75	On-going
8.	Municipal Corporation Delhi	Improvement and strengthening of roads of Okhla Indl. Area Phase I & II, Central Zone.	14861	5201.35	2080.5375	On-going
9.	Municipal Corporation of Delhi	Covering of Nallah in Nauroji Nagar from Africa Avenue to Ring Road for providing parking/road cum parking under the jurisdiction of MCD.	5120	1792	448	On-going
10.	Municipal Corporation of Delhi	Covering of nallah from Press Enclave road passing through Sheikh Sarai, Chirag Delhi, Panchsheel Enclave, Greater Kailash-I, Andrews Ganj upto Ring Road behind Police Station Defence Colony for providing Parking/Road cum parking under the Jurisdiction of MCD.	23300	8155	3262	On-going

1	2	3	4	5	6	7
11.	Municipal Corporation of Delhi	Improvement of road of 60 ft. ROW and above by providing RMC Pavement (Phase-I) in various zones of MCD	16510	5778.5	1444.625	On-going
12.	Municipal Corporation of Delhi	Re-modeling of SSBLL (Saharanpur Samli Branch Line) drains in Shah. (N) Zone.	15226	5329.1	1332.275	On-going
13.	Delhi Jal Board	Rehabilitation of Trunk Sewer	25337	8867.95	7981.1575	Completed
14.	Public Works Department.	Flyover at Africa Avenue and Arun Asaf Ali Road.	9161	3206.35	2885.71	Completed
15.	Public Works Department, Delhi	Flyover at Vivekanand Marg, Nelson Mandela Marg, Poorvi Marg.	9161	3206.35	2885.71	Completed
16.	Public Works Department, Delhi	Construction of Grade Separator at Raja Ram Kohli Marg, Intersection on Marginal Bund Road Geeta Colony Delhi.	250	87.5	78.765	Completed
17.	Public Works Department, Delhi	Construction of Grade Separator for free flow Traffic at T-Junction of Marginal Bund Road and Master Plan Road over Disusrd Canal near Shastri Nagar in East Delhi.	250	87.5	78.765	Completed
18.	Public Works Department, Delhi	Construction of Grade Separator at the Junction of G.T. Road and Road No. 56 near Apsara Border.	14147	4951.45	4456.3025	Completed

19.	Public Works Department, Delhi	Construction of Bridge and its Approaches over River Yamuna Down Stream of existing Bridge at Wazirabad, Delhi.	98071	34324.85	22311.15	On-going
20.	Public Works Department, Delhi	Alignment over Barapulla Nallah	97000	33950	13580.5	On-going
21.	Public Works Department, Delhi	Ring Road Bye-pass from Salimgarh Fort to Velodrom Road Package-I Velodrom Road to back of Rajghat Power Station Package-II Back of Rajghat Power Station to Salimgarh Fort	40944	14330.4	12897.36	Completed
22.	Public Works Department, Delhi	Corridor Improvement of U.P. Link Road from NH-24 Crossing (Noida More) to Chilla Regulator	25010	8753.5	7878.15	Completed
23.	Delhi Jal Board	Laying Interceptor Sewers along the 3 major drains viz: Najafgarh, supplementary and Shahdhra for abatement of pollution in Yamuna River.	135771	47519.85	11880	On-going
23.			6,64,955.00	2,32,734.25	1,12,981.62	9
		TOTAL	6,64,955.00	2,32,734.25	1,12,981.62	9

JNNURM in Odisha

3927. SHRI A.U. SINGH DEO: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether Government is running any project under Jawaharlal Nehru National Urban Renewal Mission (JNNURM) for the Kalahandi Bolangir Koraput (KBK) region of Odisha, if so, the details thereof;

(b) if not, whether Government has any plans to start new JNNURM projects for the districts in KBK region; and

(c) whether Government has provided additional Central assistance for the JNNURM projects running in Odisha, if so, the details thereof, and if not, the reasons therefor?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU): (a) to (c) JNNURM was programme for a reform driven, fast track, planned development of identified cities and not regions. In Odisha, under Urban Infrastructure Governance (UIG), Sub-Mission of JNNURM, 4 projects are under implementation and under Urban Infrastructure Development Scheme for Small and Medium Towns (UIDSSMT), 23 projects are under implementation. Details are given in Statement-I to III (*See below*). No new project can now be sanctioned as JNNURM has ended on 31.03.2014.

Statement – I**Projects Implementation status under UIG: Odisha**

Sl. No.	Name of the City	Project Title	Approved Cost	Date of CSMC / CCEA/ Project Approval	Total ACA Commitment (Central Share)	Date of Last ACA Released	Installment Numbers	As per MoF Release Order – ACA Released till date	Utilisation as per March '14 QPR	% of Amount Utilised against Approved Cost	% of work completed (Physical Progress)	Date of Completion as per latest QPR	(Amount ₹ in lakhs)
													Data as on 13.08.2014
1.	Bhubaneswar	Conservation of the Heritage Tank of Bindusagar in Bhubaneswar city	601.31	9-Feb-07	481.05	28-Aug-12	4	432.94	716.06	119%	Completed	Completed	
2.	Bhubaneswar	Integrated Sewerage Project	49,891.35	22-Feb-07	39,913.08	18-Dec-12	3	25,943.50	23,175.56	46%	10%	Mar-16	
3.	Bhubaneswar	Storm water drainage for Bhubaneswar	6,833.00	26-Feb-09	5,466.40	27-Jan-12	2	2,186.56	2,966.83	43%	23%	Feb-15	
	Bhubaneswar		57,325.66		45,860.53			28,563.00	26,858.45	47%		1	
4.	Puri	24x7 Piped Water Supply to Puri Town	16,690.00	18-Jul-08	13,352.00	23-Feb-09	1	3,338.00	6,835.59	41%	19%	Jun-14	
	Puri		16,690.00		13,352.00			3,338.00	6,835.59	41%		0	
		TOTAL	74,015.66		59,212.53			31,901.00	33,694.04	46%		1	

Statement - II**Urban Infrastructure Development Scheme for Small and Medium Towns (UIDSSMT)
Project-wise status as on 31.03.2014 (Phase - I)**

Overall Allocation (₹ in crore)	181.79
Total ACA committed so far (including incentive) (₹ in crore)	207.28
Total Release (₹ in crore)	141.82
2nd Installment released for projects	2
Total funds release as second installment	5.76

Sl. No.	Name of towns/cities	Scheme/ Name of component	Cost approved by SLSC	Total eligible Central Share (80%)	Ist installment of the eligible Central Share (50%)	Incentive @ 1.5% for DPR preparation	2nd Installment of ACA	ACA released during 2006-07	ACA released during 2007-08	ACA released during 2008-09	ACA released in 2010-11	ACA released in 2012-13	ACA released in 2013-14	Total release
Odisha														
1.	Berhampur	Preservation of Water Bodies	1665.89	1332.71	666.36	24.99		691.35	0.00	0.00				691.35
2.	Cuttack	Water Body	533.66	426.93	213.47	8.00	185.78	114.73	106.73	0.00		185.78		407.24
		Road Up-gradation	5074.12	4059.3	2029.65	76.11		1090.96	1014.85	0.00				2105.81
3.	Sambalpur	Water Supply	976.00	780.8	390.40	14.64	390.35	209.84	195.20	0.00		390.35		795.39
		Sanitation	593.23	474.58	237.29	8.90		127.55	118.65	0.00				246.20

(₹ in lakhs)

4.	Berhampur	Water Supply	520.15	416.12	208.06	7.80	0.00	215.86	0.00	215.86	0.00	215.86			
5.	Koraput	Water Supply	87.50	70.00	35.00	1.31	35.00	36.31	0.00	35.00	0.00	71.31			
6.	Paralakhemundi	Water Supply	527.74	422.19	211.10	7.92	0.00	219.01	0.00	219.01	0.00	219.01			
7.	Angul	Water Supply	1273.32	1018.66	509.33	19.10	0.00	528.43	0.00	528.43	0.00	528.43			
8.	Vyasagar	Water Supply	1429.87	1143.90	571.95	0.00	571.95	0.00	0.00	571.95	0.00	1143.90			
9.	Gadakhai (Cuttaick)	Conservation of heritage building	1724.98	1379.98	689.99	0.00	0.00	0.00	0.00	689.99	0.00	689.99			
10.	Phulbani	Water Supply	748.45	598.76	299.38	0.00	0.00	0.00	0.00	299.38	0.00	299.38			
11.	Nayagarh	Water Supply	2048.66	1638.93	819.46	0.00	819.47	0.00	0.00	819.46	0.00	1638.93			
12.	Bargarh	Water Supply	3033.00	2426.40	1213.20	0.00	1213.20	0.00	0.00	1213.20	0.00	2426.40			
13.	Talcher	Water Supply	1069.00	855.20	427.60	0.00	427.60	0.00	0.00	427.60	0.00	855.20			
14.	Bhawanipatana	Water Supply	972.00	777.60	388.80	0.00	0.00	0.00	0.00	388.80	0.00	388.80			
15.	Jajpur	Conservation of Water Bodies	225.92	180.74	90.37	0.00	90.37	0.00	0.00	90.37	0.00	180.74			
16.	Jharsuguda	Water Supply	3196.11	2556.89	1278.44	0.00	0.00	0.00	0.00	1278.44	0.00	1278.44			
TOTAL 14			18	25699.60	20559.68	10279.84	168.77	3643.35	2234.43	2435.04	4410.38	90.37	1278.44	3733.72	14182.39

Statement – III*Urban Infrastructure Development Scheme for Small and Medium Towns (UIDSSMT)**Project-wise status as on 31.03.2014 (Transition Phase)*

Overall Allocation (₹ in crore)	198.57
Total ACA committed so far (including incentive) (₹ in crore)	99.28
Total Release (₹ in crore)	
2nd Installment released for projects	
Total funds release as second installment	
No. of Project Completed	

Sl. No.	Name of towns/cities	Scheme/Name of component	Cost approved by SLSC	Total eligible Central Share (80%)	Ist installment of the eligible Central Share (50%)	Incentive @ 1.5% for DPR preparation	ACA released in 2013-14	Total release
Odisha								
1.	Cuttack Ph – I	Water Supply	6865.00	5492.00	2746.00		2746.00	2746.00
2.	Choudwar Ph – I	Water Supply	990.87	792.70	396.35		396.34	396.34
3.	Rourkela	Water Supply	7705.57	6164.46	3082.23		308.23	3082.23
4.	Baripada	Water Supply	5378.00	4302.40	2151.20		2151.20	2151.20
5.	Sambalpur Ph-I	Water Supply	3881.49	3105.19	1552.60		1552.60	1552.60
TOTAL			24820.93	19856.74	9928.37		9928.37	9928.37

Toilet facilities in slum areas in Delhi

3928. SHRI BAISHNAB PARIDA: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether it is a fact that around 56 per cent of children of slum areas in Delhi especially girls defecate in the open;

(b) whether Government is aware that in such circumstances young girls who go out to relieve themselves in the open stand high risk of their misuse by anti-social elements; and

(c) if so, the action plan of Government to provide toilet facilities for young girls and women in the slum areas to control any kind of untowards incident?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):
(a) to (c) Government of National Capital Territory of Delhi (GNCTD) has reported that some children of slum areas defecate in open, though the percentage of such children is not available. The Delhi Urban Shelter Improvement Board (DUSIB) on behalf of GNCTD has planned to construct toilet complexes in the slum areas subject to availability of space. The DUSIB is making arrangement for Mobile Toilet Facilities where space for construction of such toilet complexes is not available.

Master Plan of Delhi

3929. SHRI VIJAY GOEL: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether the third (last) Master Plan of Delhi came into enforcement in 2001 or February, 2007 or not at all, if not then, when it would come into force;

(b) whether the Master Plan of Delhi is under review, if so, since when;

(c) when Delhi is going to have a Legal Plan under Section 7 of Delhi Development Act; and

(d) reasons of delay by DDA in planning and not fulfilling the provisions given in Sections 6, 7 and 8 of the Delhi Development Act?

THE MINISTER OF URBAN DEVELOPMENT (SHRI M. VENKAIAH NAIDU):
(a) Master Plan for Delhi-2021 (MPD-2021) was notified *vide* S.O. No. 141 (E) dated 7th February, 2014, and it came into force with immediate effect.

(b) As per para 19 of Chapter "Introduction" of MPD-2021, the Plan is reviewed at five yearly intervals to keep pace with the fast changing requirements of the society. The process for revision of MPD-2021 was initiated in September, 2011.

(c) Section 7 of Delhi Development Act, 1957 provides for survey and preparation of Master Plan for Delhi (MPD). Accordingly, the first Master Plan for Delhi was formulated as per the provisions of the said Act and was promulgated on 1.09.1962 with a 20 years perspective from 1962-1981. Subsequently, MPD-2001 and MPD-2021 were formulated for 20 year perspective period, which were notified on 1.08.1990 and 7.02.2007 respectively.

(d) Section 6, 7 and 8 of Delhi Development Act, 1957 provide for (i) objects of the Authority, (ii) survey and preparation of Master Plan for Delhi and (iii) preparation of Zonal Development Plan, respectively. Based on the provisions contained in the above Sections, the Master Plans were notified and Zonal Development Plans were prepared, with a perspective of 20 years.

Institutes for children of beggars

3930. SHRI BAISHNAB PARIDA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether it is proposed to set up an institute for children of beggars with a view to reform them in Delhi, if so, the details thereof;

(b) whether such an institution *i.e.* Institute of Social Sciences has been set up in Odisha where it caters to the education of wards of Naxal elements to ensure that they do not follow the foot-steps of their parents; and

(c) if so, the details with feedback of its success?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): (a) and (b) No Sir.

(c) Question does not arise.

UN Convention on the rights of child and proposal for reducing the age of juvenile

3931. SHRI AVINASH PANDE: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether Government is planning to reduce the age for defining a 'child' or 'juvenile' under the Juvenile Justice Act, 2000 below 18 years, if so, the reasons therefor; and

(b) whether this change is in conformity with India's obligation under the United Nations Convention on the Rights of Child, which India has ratified?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): (a) No, Sir.

(b) Does not arise.

Inter-country adoption

3932. SHRI A.W. RABI BERNARD: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether it is a fact that 70 per cent of the special need cases that adoption agencies sought clearance for inter-country adoption were falsely shown as medically unfit;

(b) whether it is also a fact that the agencies are trying to dissuade Indian applicants from adopting them in favour of more lucrative international adoptions, if so the details thereof;

(c) whether the Ministry has received complaints against the adoption agencies in this issue: and

(d) if so, the details thereof and the action taken against the agencies?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): (a) to (c) No, Sir.

(d) Does not arise.

Malnutrition in children

†3933. SHRI MAHENDRA SINGH MAHRA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the names of States of the country in which the children have fallen prey to malnutrition, the details thereof, State-wise;

(b) whether Government has found out the causes of malnutrition of the children in the country; and

(c) if so, the details of the measures taken to prevent children from malnutrition in future?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): (a) As per the NFHS-3 in 2005-06, country has 42.5%

†Original notice of the question was received in Hindi.

children under 5 years as underweight. The rate of malnutrition has declined from 42.7% in 1998-99 (NFHS-2) to 40.4% in 2005-06 (NFHS-3) for children below 3 years of age. The States of Chhattisgarh, Madhya Pradesh, Bihar, Jharkhand, Meghalaya have malnutrition rates above the national average of 42.5% while Madhya Pradesh, Bihar, Jharkhand have more than 50% underweight children. The State-wise data on underweight and anemia in children as per NFHS-3 is given in the Statement (*See below*).

(b) and (c) Malnutrition is complex, multi-dimensional and inter-generational in nature, needing convergence of interventions, coordination and concerted action from various sectors. The causes are inadequate access to food, health services, safe drinking water, sanitation and environmental conditions, educational levels, income and socio-cultural factors like early marriage, etc. Situation is further compounded by ignorance about nutritional needs of infants and young children and repeated infections.

The Government has taken several measures to encourage and ensure adequate availability of nutrition amongst different ages especially children in the age group of 0-6 years. Ministry is implementing several schemes/programmes such as Integrated Child Development Services (ICDS), Rajiv Gandhi Schemes for Empowerment of Adolescent Girls (RGSEAG) namely SABLE, Indira Gandhi Matritva Sahyog Yojna (IGMSY) as direct targeted interventions to tackle the problem of malnutrition.

To create awareness about nutrition and promote home-level feeding practices, a Nationwide Information, Education and Communication campaign against malnutrition was launched during 2012-13.

Statement

*Prevalence of underweight and anaemia in children
(under 5 years) State-wise NFHS 3 (2005-06)*

Sl. No.	State	% Underweight children (below 5 yrs. of age)	% anaemic children (below 5 yrs. of age)
1	2	3	4
1.	Andhra Pradesh	32.5	70.8
2.	Assam	36.4	69.6
3.	Arunachal Pradesh	32.5	56.9
4.	Bihar	55.9	78.0
5.	Chhattisgarh	47.1	71.2

1	2	3	4
6.	Delhi	26.1	57.0
7.	Goa	25.0	38.2
8.	Gujarat	44.6	69.7
9.	Haryana	39.6	72.3
10.	Himachal Pradesh	36.5	54.7
11.	Jammu and Kashmir	25.6	58.6
12.	Jharkhand	56.5	70.3
13.	Karnataka	37.6	70.4
14.	Kerala	22.9	44.5
15.	Madhya Pradesh	60.0	74.1
16.	Maharashtra	37.0	63.4
17.	Manipur	22.1	41.1
18.	Meghalaya	48.8	64.4
19.	Mizoram	19.9	44.2
20.	Nagaland	25.2	NA
21.	Odisha	40.7	65.0
22.	Punjab	24.9	66.4
23.	Rajasthan	39.9	69.7
24.	Sikkim	19.7	59.2
25.	Tamil Nadu	29.8	64.2
26.	Tripura	39.6	62.9
27.	Uttar Pradesh	42.4	73.9
28.	Uttarakhand	38.0	61.4
29.	West Bengal	38.7	61.0
	INDIA	42.5	69.5

Status of malnutrition among children

3934. SHRI KALPATARU DAS: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) the status of malnutrition among children in the country;
- (b) whether it is a fact that around 56,000 children die every day on account of malnutrition in India as per an NGO report;
- (c) whether it is also a fact that the above menace is normally confined to slum-dwellings in the country; and
- (d) if so, the action plan of Government to speed up medical facilities in such slums especially in the urban cities to help control this menace?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): (a) As per National Family Health Survey-3, (2005-06), 42.5% of under five children are underweight, 48% are stunted, 19.8% are wasted and 69.5% are anemic.

(b) and (c) Malnutrition is a multi-faceted problem and is not a direct cause of death but contributes to mortality and morbidity by reducing resistance to infections.

(d) Under National Health Mission, the Ministry of Health and Family Welfare is undertaking following measures to address under-nutrition among children in urban as well as rural areas:

- Vitamin A supplementation for children aged 6 months to 5 years.
- All children in the age group of 6 months - 5 years receive biweekly Iron and Folic Acid syrup for prevention of anaemia
- Promotion of optimal Infant and Young Child Feeding Practices.
- Treatment of children with severe acute malnutrition at special units called the Nutrition Rehabilitation Centres (NRCs), set up at public health facilities. Presently 872 such centres are functional all over the country.
- Growth monitoring of children up to three years by promoting use of Mother and Child Protection card.
- Health and nutrition education during Village Health and Nutrition Days (VHND) to promote dietary diversification, inclusion of iron folate rich food and increase in awareness to bring about desired changes in the dietary practices including the promotion of breastfeeding.

- Management of malnutrition and common neonatal and childhood illnesses at community and facility level by training service providers in IMNCI (Integrated Management of Neonatal and Childhood Illnesses) training.

Gender development index

3935. DR. T. SUBBARAMI REDDY: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- whether Government's attention has been drawn to UN's annual human development report released in third week of July, 2014;
- whether the Gender Development Index (GDI) shows that India ranks lower than that of its neighbours in respect of gender development; if so, the details thereof; and
- the steps proposed to increase the level of GD Index, with details?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): (a) and (b) Yes Sir. Based on the Human Development Report, 2014, India ranks 132 in respect of Gender Development Index (GDI) with GDI 0.828, which is lower than GDI of some of its neighboring countries. The details are as follows:

Sl.No.	Country	Gender Development Index*	Rank
1.	Afghanistan	0.602	148
2.	Bangladesh	0.908	107
3.	Bhutan	Not Available	
4.	China	0.939	88
5.	Maldives	0.936	90
6.	Myanmar	Not Available	
7.	Nepal	0.912	102
8.	Pakistan	0.750	145
9.	Sri Lanka	0.961	66

* Gender Development Index, measures disparities in Human Development Index (HDI) by gender. The closer the ratio is to 1, the smaller the gap between women and men, *i.e.* the lower is the disparity between men and women in respect of various socio-economic indicators.

(c) The Government has already accorded high priority to the issue of gender disparity and undertaken a number of initiatives for socio-economic empowerment of

Women to reduce disparity between men and women. The various Ministries under the Government of India have been implementing several schemes/programmes through State Governments/UT Administrations in order to improve socio-economic status of women and to increase their participation in various fields. Details of some of the initiatives taken by the Ministry of Women and Child Development are as follows:

- (i) Gender Budgeting, which aims at translating gender commitments into budgetary commitments, has been adopted as a tool for mainstreaming gender perspective at various stages of planning, budgeting, implementation, impact assessment and revisiting of policy/programme objectives and allocations, with an objective of influencing and effecting a change in the Ministries' policies, programmes in a way that could tackle gender imbalances, promote gender equality and development and ensure that public resources through the Ministries budgets are allocated and managed accordingly;
- (ii) The Government of India has also introduced a Gender Budget Statement 20, an important tool for reporting allocations made for women in the Union Budget, with effect from 2005-06;
- (iii) A scheme called Support to Training and Employment Programme for Women (STEP) has been helping to ensure sustainable employment and income generation for marginalized and asset-less rural and urban poor women across the country;
- (iv) Rastriya Mahila Kosh (RMK) has been extending micro-finance services to bring about socio-economic upliftment of poor women;
- (v) National Mission for Empowerment of Women (NMEW) has been set up with the aim to strengthen the overall processes that promote all round development of women.
- (vi) Rajiv Gandhi Scheme for Empowerment of Adolescent Girls-Sabla is being implemented for all-round development of adolescent girls of 11-18 years by making them self-reliant by facilitating access to learning, health and nutrition;
- (vii) Indira Gandhi Matritva Sahayog Yojana (IGMSY) has been contributing towards better enabling environment by providing cash incentives for improved health and nutrition to pregnant and nursing mothers.

Further, as a new initiative to increase the GDI, the Government recently announced a new scheme namely 'Beti Bachao Beti Padhao' to be implemented by Ministry of Women and Child Development.

Anganwadi in Gujarat

†3936. SHRI LAL SINH VADODIA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) the number of Anganwadi Centres proposed to be set up in the country, State-wise;
- (b) the number of Anganwadi centres started, State-wise; and
- (c) the number of Anganwadi centres which are yet to be started particularly in Gujarat State, State-wise?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): (a) to (c) Government has approved 14 lakh Anganwadi Centres (AWCs)/mini-AWCs of which 13,74,935 AWCs/mini-AWCs have been sanctioned to States/UTs as on date.

Proposals for further sanction of 87,339 AWCs/mini-AWCs (66,222 AWCs and 21,117 mini-AWCs) have been received from the States/UTs including request of State Government of Gujarat for sanction of 1349 AWCs/mini-AWCs (843 AWCs and 506 Mini-AWCs). These proposals have been assessed as per the population norms for opening of new AWCs and availability of AWCs for sanction.

Out of 13,74,935 AWCs/ mini-AWCs sanctioned, 13,41,745 AWCs/mini-AWCs became operational as on 31.12.2013. In Gujarat, 50,226 AWCs/mini-AWCs are operational out of 52,137 sanctioned AWCs/ mini-AWCs. State-wise details are given in the Statement.

Statement

*Details of Sanctioned and Operational Anganwadi Centres (AWCs)
and mini-AWCs as on 31.12.2013*

Sl. No.	State/UT	No. of AWCs/ mini-AWCs	
		Sanctioned by GOI	Operational
1	2	3	4
1.	Andhra Pradesh	91307	90757
2.	Arunachal Pradesh	6225	6028
3.	Assam	62153	62153
4.	Bihar	91968	91677

†Original notice of the question was received in Hindi.

1	2	3	4
5.	Chhattisgarh	64390	49651
6.	Goa	1262	1262
7.	Gujarat	52137	50226
8.	Haryana	25962	25838
9.	Himachal Pradesh	18925	18901
10.	Jammu and Kashmir	28577	28577
11.	Jharkhand	38432	38432
12.	Karnataka	64518	64518
13.	Kerala	33115	33115
14.	Madhya Pradesh	92230	91276
15.	Maharashtra	110486	107739
16.	Manipur	11510	9883
17.	Meghalaya	5864	5156
18.	Mizoram	2244	1980
19.	Nagaland	3980	3455
20.	Odisha	72873	71306
21.	Punjab	26656	26656
22.	Rajasthan	61119	61100
23.	Sikkim	1308	1233
24.	Tamil Nadu	55542	54439
25.	Tripura	9911	9911
26.	Uttar Pradesh	188259	187659
27.	Uttarakhand	23159	19052
28.	West Bengal	117170	116390
29.	Andaman and Nicobar Islands	720	709

1	2	3	4
30.	Chandigarh	500	500
31.	Delhi	11150	10897
32.	Dadra and Nagar Haveli	281	267
33.	Daman and Diu	107	107
34.	Lakshadweep	107	107
35.	Puducherry	788	788
ALL INDIA		1374935	1341745

Advisories for missing children

3937. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) how far the web portal 'Track Child' has been effective to track missing children;
- (b) whether advisories were issued to States to appoint nodal officers at all police stations to deal with cases of missing children and make registration of FIRs mandatory;
- (c) if so, whether the same has been done in all States; and
- (d) how many children are still missing who have not been tracked down so far?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): (a) To create a mechanism for tracking 'missing' and 'found' children, the Ministry of Women and Child Development has developed a national portal called 'Track Child' which has data on missing and found' children. Approximately, 22,831 children have been matched through this system since January, 2012 when the system was introduced across the country.

(b) to (d) Yes, Sir. The Ministry of Home Affairs has issued Advisories to States/UTs which, *inter-alia*, stipulate that each police station should have, at least, one Police Officer, especially instructed and trained and designated as a Juvenile Welfare Officer in terms of Section 63 of the Juvenile Justice (Care and Protection of Children) Act, 2000 to deal with cases of missing children. These advisories make registration of FIRs in cases of missing children mandatory. As per information available, the State-wise number of children missing, traced and untraced in the country during the last year, 2013 along with the percentage of untraced children are given in the Statement.

Statement

*State/UT-wise details of information on missing/traced/
untraced children for the year 2013*

Sl.No.	State	Number of Children Missing	Number of Children Traced	Number of Children Un- traced	% of Children Untraced
1	2	3	4	5	6
1.	Andaman and Nicobar Islands	37	23	14	37.8
2.	Andhra Pradesh	5712	2682	3030	53.0
3.	Arunachal Pradesh	22	0	22	100.0
4.	Assam	1059	432	627	59.2
5.	Bihar	0	0	0	-
6.	Chandigarh	136	14	122	89.7
7.	Chhattisgarh	2771	1227	1544	55.7
8.	Dadra and Nagar Haveli	6	2	4	66.7
9.	Daman and Diu	0	0	0	-
10.	Delhi	7181	3939	3242	45.1
11.	Goa	159	112	47	29.6
12.	Gujarat	2801	1371	1430	51.1
13.	Haryana	45	13	32	71.1
14.	Himachal Pradesh	256	140	116	45.3
15.	Jammu and Kashmir	289	155	134	46.4
16.	Jharkhand	0	0	0	-
17.	Karnataka	318	107	211	66.4
18.	Kerala	1305	900	405	31.0
19.	Lakshadweep	0	0	0	-

<i>Written Answers to</i>		[14 August, 2014]		<i>Unstarred Questions</i> 209	
1	2	3	4	5	6
20.	Madhya Pradesh	0	0	0	-
21.	Maharashtra	15334	9413	5921	38.6
22.	Manipur	36	30	6	16.7
23.	Meghalaya	0	0	0	-
24.	Mizoram	0	0	0	-
25.	Nagaland	177	45	132	74.6
26.	Odisha	2539	615	1924	75.8
27.	Puducherry	49	46	3	6.1
28.	Punjab	42	7	35	83.3
29.	Rajasthan	2192	1176	1016	46.4
30.	Sikkim	124	41	83	66.9
31.	Tamil Nadu	3271	1979	1292	39.5
32.	Tripura	372	31	341	91.7
33.	Uttar Pradesh	0	0	0	-
34.	Uttarakhand	362	200	162	44.8
35.	West Bengal	0	0	0	-
TOTAL		46595	24700	21895	47.0

Note: Source of Data is State Crime Records Bureaux (SCRBx).

Note: Data not received from Bihar, Jharkhand, Lakshadweep, Madhya Pradesh, Meghalaya, Uttar Pradesh and West Bengal.

Malnutrition in Vidarbha region

3938. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether Government is aware that there is widespread malnutrition prevalent among women and children of tribal areas in the country and there are many surveys regarding this claiming different statistics;

(b) whether Government or any credible agency have conducted any country wide survey, if so, the details thereof during the last three years; and

(c) the situation in tribal region particularly in Vidarbha and the situation in respect of women and children of that region?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI): (a) The Ministry of Health and Family Welfare conducts periodical surveys namely National Family Health Survey (NFHS) and District Level Household Survey (DLHS) to assess trends of malnutrition and considers these as reliable estimates. As per National Family Health Survey-3 (2005-06), under-five children belonging to Scheduled Tribes have higher rates of underweight children *i.e.* 54.5% of ST children are underweight as against 47.9% in Scheduled Caste, 43.2% in OBC Category and 33.7% in others. The rates of Anemia in women are also higher among tribal women. 68.5% tribal women have anaemia against 58.3% in Scheduled Castes, 54.4% in OBC and 51.3% in others. Similarly among children, rates of anemia are higher among under-five children with prevalence of 76.8% as compared to 72.2% in Scheduled Castes, 70.5% in OBC and 65.8% in others.

(b) and (c) In the last three years, Ministry of Health and Family Welfare has conducted DLHS-4 in 2011-12 and its results are in process of publication. DLHS-4 has measured levels of under nutrition and anaemia among women and under-five children. However, as per last conducted DLHS-2 (2002-04), rates of malnutrition among under five children, and anaemia in children and adolescent girls as well as pregnant women in districts covered in Vidarbha region are given in the Statement.

Statement

Anaemia and malnutrition among children in districts covered in Vidarbha region as per DLHS-2 (2002-04)

Districts in Vidarbha Region	% of under-weight children	Anaemia among children			Anaemia among adolescent girls			Anaemia among Pregnant Women		
		Mild	Moderate	Severe	Mild	Moderate	Severe	Mild	Moderate	Severe
1	2	3	4	5	6	7	8	9	10	11
Akola	51.2	47.9	49.8	1.5	12.4	68.6	18.6	48.5	39.4	12.1
Amravati	55.9	47.7	49.1	2	13.9	52.2	33.6	44.1	52.9	2.9

<i>Short Notice</i>	[14 August, 2014]										<i>Question</i> 211
1	2	3	4	5	6	7	8	9	10	11	
Bhandara	51.2	54.4	43	1.5	14.2	71.3	14.2	52.6	42.1	5.3	
Buldana	58	29.3	65.1	4.4	9.9	44.7	44.9	27.4	7.1	1.6	
Chandrapur	59.1	33.3	63.3	2.2	5.8	44.2	48.8	35.7	64.3	0	
Gadchiroli	61.9	32.8	67.2	0	1.8	50.4	47.8	37.5	62.5	0	
Gondia	57.3	54.4	42.6	2.4	12.8	59.1	28.2	48.6	42.9	57	
Nagpur	46.2	22.1	68.4	8.4	5.3	29.3	65.3	38.5	61.5	0	
Wardha	52.5	22.5	76.7	0.4	3.3	36.7	59.6	11.8	88.2	0	
Washim	58.5	45	50	3.6	21.5	52.5	25	38.2	55.9	2.9	
Yavatmal	60	58	39.9	2.5	17.2	65.6	15.8	66.7	28.2	5.1	
Maharashtra	47.7	45.2	50.2	2.7	17.3	5.5	29.4	44.3	52.3	1.8	

SHORT NOTICE QUESTION

Power generation in the country

1. SHRI ARVIND KUMAR SINGH: Will the Minister of POWER be pleased to state:

- (a) the daily power generation capacity in the country, State-wise;
- (b) the actual power generated on daily basis;
- (c) the daily availability of power, State-wise; and
- (d) the reasons for the huge gap between daily generation capacity and actual generation/availability?

THE MINISTER OF STATE OF THE MINISTRY OF POWER (SHRI PIYUSH GOYAL): (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) The State-wise details of the installed generation capacity in the country as on given in Statement-I (*See* below).

(b) The actual average power generation on daily basis during June, 2014 was 2947.62 MU/day.

(c) The State-wise details of daily availability of power in the country is given in Statement-II (*See* below).

(d) The reason for gap between power generation capacity and availability are due to the capacity which remains under planned maintenance, forced outages and reserve shut down, auxiliary consumption, fuel shortage and transmission losses etc.

The category wise details of the installed capacity as on 30.06.2014 is as under:

Coal/Lignite	148478.39 MW
Gas	22607.95 MW
Diesel	1199.75 MW
Nuclear	4780.00 MW
Hydro	40730.09 MW
Renewable	31692.14 MW
TOTAL:	249488.32 MW

Against the above installed capacity, the peak demand being met was 137352 MW. The difference in capacity and availability was due to following reasons:

- (i) About 20% capacity normally remains under planned maintenance and forced outage. At the end of June, 2014, 45203 MW was under planned maintenance and forced outage.
- (ii) 3768 MW capacity was under reserve shut down due to merit order dispatch.
- (iii) 22607.95 MW capacity of gas was running at low PLF of 23.75% of its capacity due to shortage of fuel.
- (iv) Hydro generation depends on water inflows and monsoon.
- (v) Renewable energy has very low % PLF.
- (vi) There is auxiliary consumption of 8 to 10% for thermal unit and around 1% for hydro units.
- (vii) There is transmission loss of about 4%.

Statement – I*State-wise Installed Capacity*

Sl.No.	Region / State	Installed Capacity – As on 30.06.2014
1	2	3
1.	Chandigarh	115
2.	Delhi	7,828
3.	Haryana	8,292
4.	Himachal Pradesh	4,036
5.	Jammu and Kashmir	2,593
6.	Punjab	9,053
7.	Rajasthan	15,201
8.	Uttar Pradesh	14,411
9.	Uttarakhand	2,661
	Un-allocated	2,034
	Northern Region	66,223
10.	Chhattisgarh	9,975
11.	Gujarat	28,423
12.	Madhya Pradesh	14,465
13.	Maharashtra	35,167
14.	Daman and Diu	48
15.	Dadra and Nagar Haveli	80
16.	Goa	400
	Un-allocated	2,047
	Western Region	90,606
17.	Andhra Pradesh	17,731
18.	Karnataka	14,270

1	2	3
19.	Kerala	3,892
20.	Tamil Nadu	21,193
21.	Puducherry	284
22.	Lakshadweep	11
23.	NLC	100
	Un-allocated	1,518
	Southern Region	58,998
24.	Bihar	2,198
25.	DVC	6,839
26.	Jharkhand	2,580
27.	Odisha	8,337
28.	West Bengal	8,959
29.	Sikkim	314
30.	Andaman – Nicobar	70
	Un-allocated	1,454
	Eastern Region	30,751
31.	Arunachal Pradesh	249
32.	Assam	1,143
33.	Manipur	179
34.	Meghalaya	455
35.	Mizoram	150
36.	Nagaland	118
37.	Tripura	433
	Un-allocated	183
	North-Eastern	2,910
	ALL INDIA	2,49,488

Statement – II

*The State-wise details of availability of power in the country
Energy Requirement/Energy Availability as on 31.7.2014*

Region/State	Energy Requirement	Energy Availability	Surplus/ (Deficit(-ive))	
	(MU)	(MU)	(MU)	%
1	2	3	4	5
Chandigarh	6.1	6.1	0.0	0.0
Delhi	108.1	108.0	-0.1	-0.1
Haryana	172.2	172.2	0.0	0.0
Himachal Pradesh	26.4	26.4	0.0	0.0
Jammu and Kashmir	32.9	31.2	-1.7	-5.2
Punjab	216.4	216.4	0.0	0.0
Rajasthan	163.8	163.4	-0.4	-0.2
Uttar Pradesh	326.0	268.4	-57.6	-17.7
Uttarakhand	35.6	32.4	-3.2	-9.0
Northern Region	1,087.5	1,024.4	-63.0	-5.80
Chhattisgarh	62.0	61.1	-0.9	-1.5
Gujarat	210.5	210.1	-0.5	-0.2
Madhya Pradesh	133.7	133.7	0.0	0.0
Maharashtra	334.6	333.2	-1.4	-0.4
Daman and Diu	5.7	5.7	0.0	0.0
Dadra and Nagar Haveli	13.7	13.6	-0.1	-0.9
Goa	7.8	7.6	-0.2	-2.6
ESIL	11.0	10.9	-0.1	-0.8
Western Region	778.9	775.7	-3.2	-0.41

1	2	3	4	5
Andhra Pradesh	135.2	135.2	0.0	0.0
Telangana	136.1	124.2	-11.8	-8.7
Karnataka	156.6	148.6	-8.0	-5.1
Kerala	56.7	55.9	-0.8	-1.4
Tamil Nadu	283.0	283.0	0.0	0.0
Puducherry	6.6	6.6	0.0	0.0
Lakshadweep	0.0	0.0	0.0	0.0
Southern Region	774.1	753.5	-20.6	-2.66
Bihar	51.6	51.1	-0.5	-1.1
DVC	59.5	59.5	0.0	0.0
Jharkhand	18.9	18.9	0.0	0.0
Odisha	72.6	71.8	-0.8	-1.1
West Bengal	142.8	142.8	0.0	0.0
Sikkim	1.12	1.12	0.00	0.0
Andaman and Nicobar Islands	0.0	0.0	0.0	0.0
Eastern Region	346.6	345.2	-1.4	-0.39
Arunachal Pradesh	1.6	1.6	0.0	-1.13
Assam	27.3	25.8	-1.4	-5.3
Manipur	1.7	1.6	-0.1	-3.2
Meghalaya	4.4	4.2	-0.2	-3.8
Mizoram	0.9	0.8	-0.1	-9.8
Nagaland	1.7	1.7	0.0	-1.0
Tripura	3.1	2.8	-0.3	-8.2
North-Eastern Region	40.6	38.6	-2.0	-5.01
ALL INDIA	3,027.7	2,937.5	-90.2	-2.98

12.00 NOON

(MR. DEPUTY CHAIRMAN *in the Chair*.)**PAPERS LAID ON THE TABLE**

श्री तरुण विजय : माननीय उपसभापति जी, असम में भयानक लड़ाई हो रही है। ...**(व्यवधान)**... वहां पर कई लोग निर्वासित हो गए हैं और पांच से ज्यादा लोग मारे गए हैं। ...**(व्यवधान)**... नागालैंड और असम में बॉर्डर युद्ध हो रहा है। ...**(व्यवधान)**... सरकार इसके बारे में क्या कर रही है? ...**(व्यवधान)**... असम-नागालैंड के बॉर्डर पर लोग निर्वासित हो गए हैं। ...**(व्यवधान)**... बताया गया है कि नागालैंड में 50 से भी ज्यादा लोग मारे गए हैं। ...**(व्यवधान)**... सरकार इस पर अपनी स्थिति स्पष्ट करे। ...**(व्यवधान)**... असम और नागालैंड के नागरिक भी अपने देश के नागरिक हैं, वे विदेशी नहीं हैं। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Hon. Members, please sit down, it was decided in the Leaders' meeting that at 12 o'clock exactly we will take up the Constitution (Amendment) Bill. So, I am taking up further discussion on the Bill. ...*(Interruptions)*... It was decided that at 12 o'clock we will take up.

Review of the working (2013-14) of ICAR, New Delhi, and related papers

कृषि मंत्री (श्री राधा मोहन सिंह) : महोदय, मैं निम्नलिखित पत्रों की एक-एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखता हूँ:-

- (i) Review by Government on the working of the *Indian Council of Agricultural Research (ICAR), New Delhi, for the year 2013-14.

[Placed in Library. See No. L.T.540/16/14]

- (ii) Statement giving reasons for the delay in laying the Annual Report of the Indian Council of Agricultural Research (ICAR), New Delhi, for the year 2013-14.

I. MoU (2014-15) between GoI and NEHHDC, Limited**II. Outcome Budget (2014-15) of the Ministry of Development of North Eastern Region**

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJIJU): Sir, on behalf of General (Retd.) V.K. Singh, I lay on the Table, a copy each (in English and Hindi) of the following papers:-

- (i) Memorandum of Understanding between the Government of India (Ministry of Development of North Eastern Region) and the North Eastern Handicrafts

* The Annual Report of the Indian Council of Agricultural Research (ICAR), New Delhi, for the year 2013-14, was laid on the Table on the 25th July, 2014.

and Handlooms Development Corporation (NEHHDC) Limited, for the year 2014-15.

[Placed in Library. *See* No. L.T.746/16/14]

- (ii) Outcome Budget, for the year 2014-15, in respect of the Ministry of Development of North Eastern Region.

[Placed in Library. *See* No. L.T.748/16/14]

Outcome Budget (2014-15) of the Ministry of Planning

SHRI KIREN RIJJU: Sir, on behalf of Rao Inderjit Singh I lay on the Table, a copy (in English and Hindi) of the Outcome Budget, for the year 2014-15, in respect of the Ministry of Planning.

Notification of the Ministry of Environment, Forest and Climate Change

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING; THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE; AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI PRAKASH JAVADEKAR): Sir, I lay on the Table, under Section 26 of the Environment (Protection) Act, 1986, a copy (in English and Hindi) of the Ministry of Environment, Forest and Climate Change Notification No. S.O. 1880 (E), dated the 22nd July, 2014, amending Notification No. S.O. 93 (E), dated 29th January, 1998, to substitute certain entries in the original Notification.

[Placed in Library. *See* No. L.T. 817/16/14]

- I. Notifications on the Ministry of Personnel, Public Grievances and Pensioners**
- II. Reports and Accounts (2011-12, 2012-13, 2013) of CVC, Board, Research Institute and Outcome Budget (2014-15) of the Ministry of Earth Sciences**

विज्ञान और प्रौद्योगिकी मंत्रालय के राज्यमंत्री; पृथ्वी विज्ञान मंत्रालय के राज्यमंत्री; प्रधानमंत्री कार्यालय में राज्यमंत्री, कार्मिक, लोक शिकायत और पेंशन मंत्रालय में राज्य मंत्री; परमाणु ऊर्जा विभाग में राज्य मंत्री तथा अंतरिक्ष विभाग में राज्यमंत्री (डा. जितेन्द्र सिंह) : महोदय, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ:-

- I. (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), under sub-section (2) of Section 3 of the All India Services Act, 1951:-

- (1) G.S.R. 511 (E), dated the 18th July, 2014, publishing the Indian Administrative Service (Fixation of Cadre Strength) Fifth Amendment Regulations, 2014.
- (2) G.S.R. 512 (E), dated the 18th July, 2014, publishing the Indian Administrative Service (Pay) Fifth Amendment Rules, 2014.
- (3) G.S.R. 513 (E), dated the 18th July, 2014, publishing the Indian Police Service (Fixation of Cadre Strength) Amendment Regulations, 2014.
- (4) G.S.R. 514 (E), dated the 18th July, 2014, publishing the Indian Police Service (Pay) Amendment Rules, 2014.
- (5) G.S.R. 515 (E), dated the 18th July, 2014, publishing the Indian Forest Service (Fixation of Cadre Strength) Amendment Regulations, 2014.
- (6) G.S.R. 516 (E), dated the 18th July, 2014, publishing the Indian Forest Service (Pay) Amendment Rules, 2014.
- (7) G.S.R. 573 (E), dated the 8th August, 2014, publishing the All India Services (Conduct) Amendment Rules, 2014.

[Placed in Library. for (1) to (7) See No. L.T. 750/16/14]

- (ii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), under sub-section (2) of Section 62 of the Lokpal and Lokayuktas Act, 2013:—

- (1) S.O. 409 (E), dated the 15th February, 2014, publishing the Lokpal and Lokayuktas (Removal of Difficulties) Order, 2014.

[Placed in Library. See No. L.T. 752/16/14]

- (2) S.O. 1840 (E), dated the 15th July, 2014, amending Notification No. S.O. 409 (E), dated the 15th February, 2014, to substitute certain entries in the original Notification.

[Placed in Library. See No. L.T. 752/16/14]

- (iii) A copy (in English and Hindi) of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) Notification No. G.S.R. 501 (E), dated the 14th July, 2014, publishing the Public Servants (Furnishing of Information and Annual Return of Assets

and Liabilities and the Limits for Exemption of Assets in Filing Returns) Rules, 2014, under Section 61 of the Lokpal and Lokayuktas Act, 2013.
[Placed in Library. *See* No. L.T. 751/16/14]

II (i) A copy (in English and Hindi) of the Fiftieth Annual Report of the Central Vigilance Commission (CVC), New Delhi, for the year 2013, under sub-section (3) of Section 14 of the Central Vigilance Commission Act, 2003.

(ii) A copy each (in English and Hindi) of the following papers:-

(a) Sixteenth Annual Report and Accounts of the Technology Development Board, New Delhi, for the year 2011-12, together with the Auditor's Report on the Accounts.

(b) Review by Government on the working of the above Board.

(c) Statement giving reasons for the delay in laying the papers mentioned at (i) (a) above. [Placed in Library. *See* No. L.T. 624/16/14]

(iii) (a) Annual Report and Accounts of the Aryabhata Research Institute of Observational Sciences, Nainital, for the year 2012-13, together with the Auditor's Report on the Accounts.

(b) Review by Government on the working of the above Institute.

[Placed in Library. *See* No. L.T. 623/16/14]

(c) Statement giving reasons for the delay in laying the papers mentioned at (ii) (a) above.

(iv) Outcome Budget, for the year 2014-15, in respect of the Ministry of Earth Sciences.

[Placed in Library. *See* No. L.T. 753/16/14]

Notification of the Ministry of Home Affairs

SHRI KIREN RIJJU : Sir, I lay on the Table, under Section 77 of the Disaster Management Act, 2005, a copy (in English and Hindi) of the Ministry of Home Affairs Notification No. G.S.R 544 (E), dated the 30th July, 2014, publishing the National Disaster Management Authority (Term of Office and Conditions of Service of Members of the National Authority and Payment of Allowances to Members of Advisory Committee Amendment) Rules, 2014.

[Placed in Library. *See* No. L.T. 704/16/14]

Notifications of the Ministry of Agriculture

(श्री राधा मोहन सिंह) : महोदय, मैं निम्नलिखित पत्र सभा पटल रखता हूँ:-

1. (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Agriculture (Department of Agriculture and Cooperation), under sub-section (6) of Section 3 of the Essential Commodities Act, 1955:—

- (1) S.O. 1906 (E), dated the 28th July, 2014, publishing the Fertiliser (Control) Second Amendment Order, 2014.
- (2) S.O. 1907(E), dated the 28th July, 2014, regarding fixation of the specifications of Calcium Cyanamide to be imported into India for a period of one year from the date of publication of this notification.
- (3) S.O. 1908 (E), dated the 28th July, 2014, notifying the specifications of the customized fertilizers for a period of three years from the date of publication of this notification.
- (4) S.O. 1909 (E), dated the 28th July, 2014, regarding fixation of the specifications of 100 per cent Water Soluble Mixture of Fertilizer to be manufactured or imported into India.
- (5) S.O. 1910 (E), dated the 28th July, 2014, amending Notification No. S.O. 280 (E), dated the 28th January, 2013, to insert the certain entries in the original Notification.
- (6) S.O. 1911 (E), dated the 28th July, 2014, regarding fixation of the specifications of provisional fertilizer to be manufactured for a period of three years from the date of publication of this notification.

[Placed in Library. For (1) to (6) See No. L.T. 711/16/14]

(ii) A copy (in English and Hindi) of the Ministry of Agriculture (Department of Agriculture Research and Education) Notification No. CAU/Reg/584/Ord/05, dated the February 1- February 7, 2014 (Weekly Gazette), regarding making of the first Ordinance for the manner of Conduct of the Convocation of Central Agricultural University, Imphal, under sub-section (2) of Section 43 of the Central Agricultural University Act, 1992.

[Placed in Library. See No. L.T. 710/16/14]

I. Report and Accounts (2012-13) of various National Trust, New Delhi and related papers

II. Reports and Accounts (2012-13) of various National Medical Institutes, MoU (2014-15) between GoI and NHFDC

सामाजिक न्याय और अधिकारिता मंत्रालय में राज्य मंत्री (श्री सुदर्शन भगत) : महोदय, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ:-

- I. (1) A copy each (in English and Hindi) of the following papers, under Section 25 of the National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999:—
- (a) Annual Report and Accounts of the National Trust, New Delhi, for the year 2012-13, together with Auditor's Report on Annual Accounts.
- (b) Review by Government on the working of the above Trust.
- (2) Statement (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (1) above.

[Placed in Library. *See* No. L.T. 772/16/14]

II. A copy each (in English and Hindi) of the following papers:—

- (i) (a) Annual Report and Accounts of the National Institute for the Visually Handicapped (NIVH), Dehradun, for the year 2012- 13, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (i) (a) above.

[Placed in Library. *See* No. L.T. 715/16/14]

- (ii) (a) Twenty-ninth Annual Report and Accounts of the National Institute for the Mentally Handicapped (NIMH), Secunderabad, Andhra Pradesh, for the year 2012-13, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (ii) (a) above.

[Placed in Library. *See* No. L.T. 717/16/14]

- (iii) (a) Annual Report and Accounts of the National Institute for the Orthopedically Handicapped (NIOH), Kolkata, for the year 2012-13, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (iii) (a) above.

[Placed in Library. See No. L.T. 713/16/14]

- (iv) (a) Annual Report and Accounts of the Ali Yavar Jung National Institute for the Hearing Handicapped, Mumbai, for the year 2012-13, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (iv) (a) above.

[Placed in Library. See No. L.T. 718/16/14]

- (v) (a) Annual Report and Accounts of the Swami Vivekanand National Institute for Rehabilitation Training and Research, Cuttack, Odisha, for the year 2012-13, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (v) (a) above.

[Placed in Library. See No. L.T. 716/16/14]

- (vi) (a) Annual Report and Accounts of the National Institute for Empowerment of Persons with Multiple Disabilities, Chennai, for the year 2012-13, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (vi) (a) above.

[Placed in Library. See No. L.T. 714/16/14]

- (vii) (a) Annual Report and Accounts of the Pandit Deendayal Upadhyaya Institute for the Physically Handicapped, New Delhi, for the year 2012-13, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (vii) (a) above.

[Placed in Library. *See* No. L.T. 719/16/14]

- (viii)(a) Annual Report and Accounts of the Centre for Rehabilitation Services and Research (CRSR), Odisha, for the year 2012- 13, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Centre.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (viii) (a) above.

[Placed in Library. *See* No. L.T. 771/16/14]

- (ix) (a) Annual Report and Accounts of the Bhagwan Mahaveer Viklang Sahayata Samiti, Jaipur, Rajasthan, for the year 2012-13, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Samiti.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (ix) (a) above.

[Placed in Library. *See* No. L.T. 770/16/14]

- (x) (a) Annual Report and Accounts of the Narayan Seva Sansthan, Rajasthan, for the year 2012-13, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Sansthan.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (x) (a) above.

[Placed in Library. *See* No. L.T. 769/16/14]

- (xi) Memorandum of Understanding between the Government of India (Ministry of Social Justice and Empowerment, Department of Disability Affairs) and the National Handicapped Finance and Development Corporation (NHFDC), for the year 2014-15.

[Placed in Library. *See* No. L.T. 720/16/14]

STATEMENTS BY MINISTERS

Status of implementation of recommendations contained in the Thirtieth Report of the Department-related Parliamentary Standing Committee on Energy

THE MINISTER OF STATE OF THE MINISTRY OF POWER; THE MINISTER OF STATE OF THE MINISTRY OF COAL AND THE MINISTER OF STATE OF THE MINISTRY OF NEW AND RENEWABLE ENERGY (SHRI PIYUSH GOYAL): Sir, I make a statement regarding status of implementation of recommendations contained in the Thirtieth Report of the Department-related Parliamentary Standing Committee on Energy on “Functioning of Central Electricity Regulatory Commission”.

Status of implementation of recommendations contained in the Two Hundred and Fifty-first Report of the Department-related Parliamentary Standing Committee on Science and Technology, Environment and Forests

THE MINISTER OF STATE OF THE MINISTRY OF SCIENCE AND TECHNOLOGY; THE MINISTER OF STATE OF THE MINISTRY OF EARTH SCIENCES; THE MINISTER OF STATE IN THE PRIME MINISTER’S OFFICE; THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS; THE MINISTER OF STATE IN THE DEPARTMENT OF ATOMIC ENERGY AND THE MINISTER OF STATE IN THE DEPARTMENT OF SPACE (DR. JITENDRA SINGH): Sir, I make a statement regarding Status of implementation of recommendations contained in the Two Hundred and Fifty-first Report of the Department-related Parliamentary Standing Committee on Science and Technology, Environment and Forests on Action taken by the Government on the recommendations contained in Two Hundred and Forty-fourth Report of the Committee on Demands for Grants (2013-14) pertaining to the Department of Scientific and Industrial Research.

**MOTION FOR ELECTION TO THE JOINT COMMITTEE
ON OFFICES OF PROFIT**

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY AND THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD) :
I beg to move the following motion:—

“That this House concurs in the recommendation of the Lok Sabha that a Joint Committee on Offices of Profit be constituted for the purposes set out in the Motion adopted by the Lok Sabha at its sitting held on the 1st August, 2014 and communicated to this House, and resolves that this House do join in the said Joint

[Shri Ravi Shankar Prasad]

Committee and proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, five Members from among the Members of the House to serve on the said Joint Committee.

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: Now, we will take up the Constitution (One Hundred and Twenty-first amendment) Bill, 2014. ...*(Interruptions)*...What is your point? ...*(Interruptions)*...

SHRI BHUBANESWAR KALITA (Assam): Sir, the sense of the House was taken.

MR. DEPUTY CHAIRMAN: What is your problem?

SHRI BHUBANESWAR KALITA: The Chairman has given a ruling that we have enough time to raise our issues. Sir, the Chairman has given a ruling that the Chair will allow us to raise our issues besides this Bill. We are very serious about this Bill. But, at the same time, we should be allowed to raise our issues.

MR. DEPUTY CHAIRMAN: No, no. Please take your seats. All others sit down. ...*(Interruptions)*... I am giving the floor to Shri Kalita. What is your problem?

SHRI BHUBANESWAR KALITA: Sir, the Chairman in the morning has given an assurance that besides this Bill other issues of public importance will also be allowed to be raised in the House. Now, the issue that I want raise is about violence at Assam-Nagaland border.

MR. DEPUTY CHAIRMAN: Now, please sit down.

SHRI BHUBANESWAR KALITA: In the last few days, a number of people have ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Not now. The Chairman did not say at all that ...*(Interruptions)*...

SHRI BHUBANESWAR KALITA: The situation is very serious. The Government of India has to take it seriously.

MR. DEPUTY CHAIRMAN: Please sit down. Let me say something. ...*(Interruptions)*...

SHRI BHUBANESWAR KALITA: Sir, please allow the Members to speak for a few minutes.

MR. DEPUTY CHAIRMAN: Please take your seat. Mr. Karimpuri, what is your point? What do you want to say?

SHRI AVTAR SINGH KARIMPURI (Uttar Pradesh): * Hon'ble Deputy Chairman, Sir, last week, I had raised a point in the house, where a baptised Sikh student wearing kirpan 'a Sikh religious symbol' was not allowed to appear in the Pre-Medical Entrance Test at Kota in Rajasthan.

MR. DEPUTY CHAIRMAN: You have raised it here. You have already raised it in the House. ...*(Interruptions)*... I am not allowing it.

श्री अवतार सिंह करीमपुरी : सरकार ने एश्योर किया था कि वह हाउस में इसका जवाब देगी। ...*(व्यवधान)*... सरकार ने कहा था कि इसका जवाब देगी। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: You have already raised it. Please sit down. ...*(Interruptions)*... You had raised this issue and I myself had observed from the Chair that the Government may look into it and take necessary action.

SHRI AVTAR SINGH KARIMPURI: Sir, today is the last day of the Session. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please sit down. ...*(Interruptions)*... I am not allowing like that. Please listen to me. See, the issue raised by Shri Karimpuri is a question of discrimination on the basis of race or caste, whatever it is. I hope the Government will take note of it and do the needful.

Hon. Members, the leaders of all parties met in the morning in the presence of the hon. Chairman, and have decided that at 12 o'clock, we will take up the Constitution (Amendment) Bill. Now, it is already 12.05 p.m. So we have to take it up. Then the time allotted for the Bill was three hours. Already, one hour and 36 minutes are over and what remains is one hour and 24 minutes. So, we have to dispose of this Bill within that allotted time, in a maximum of one hour and 30 minutes. Then it was also agreed in the morning meeting that we will do away with the lunch hour. So, this is what the leaders of all parties decided. Therefore, I will take up this discussion now. All the Members will have to restrict to the time limit. Please be brief in your speech and just focus on bullet points so that before 1.30 P.M. we can start the voting process. As it is a Constitutional Amendment, a Division has to be taken. After the Constitution (Amendment) Bill is passed, the Government can move the other Bill. At that time, when we take up that Bill, if the Members have a view on that, I will allow it at that time. With regard to the issue raised by Shri Kalita, if the hon. Chairman has stated that other issues will be allowed to

* English version of the original speech made in Punjabi.

be raised, after both the Bills are disposed of, I will sit for some more time and allow him. There is no problem.

SHRI SATISH CHANDRA MISRA (Uttar Pradesh): Sir, the reply to the Discussion on the Working of the Ministry of Women and Child Development could not be done yesterday. As the House is adjourning today, the reply to the Discussion may not be taken up. Please give a decision that if the reply cannot be taken up today, it will be taken up in the next Session.

MR DEPUTY CHAIRMAN: I think that is a very reasonable demand.

THE MINISTER OF URBAN DEVELOPMENT, THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATIONS AND THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Sir, that will be done.

MR. DEPUTY CHAIRMAN: Yes, it was a very important discussion and everyone is interested in the reply. So, if we cannot take it up today, if the House agrees, it will be taken up in the next Session.

Before I take up the Bill, the hon. Finance Minister has to move a Motion.

GOVERNMENT BILLS

The Insurance Laws (Amendment) Bill, 2008

THE MINISTER OF FINANCE (SHRI ARUN JAITLEY): Sir, I move the following motion:-

“That the Bill, further to amend the Insurance Act, 1938, the General Insurance Business (Nationalisation) Act, 1972 and the Insurance Regulatory and Development Authority Act, 1999, as introduced in the Rajya Sabha, be referred to a Select Committee of the Rajya Sabha consisting of the following Members:—

1. Dr. Chandan Mitra
2. Shri Mukhtar Abbas Naqvi
3. Shri Jagat Prakash Nadda
4. Shri Anand Sharma
5. Shri B. K. Hariprasad
6. Shri Jesudasu Seelam
7. Shri Satish Chandra Misra
8. Shri K. C. Tyagi

9. Shri Derek O'Brien
10. Dr. V. Maitreyan
11. Prof. Ram Gopal Yadav
12. Shri P. Rajeeve
13. Shri Kalpataru Das
14. Shri Naresh Gujral
15. Shri Rajeev Chandrasekhar

with instructions to report to the Rajya Sabha by the last day of the first week of the next Session”.

The question was put and the motion was adopted.

The Constitution (One Hundred and Twenty-first Amendment) Bill, 2014

श्री शरद यादव (बिहार) : उपसभापति महोदय, मैं एक ही निवेदन करना चाहता हूँ कि आज़ादी के बाद की जो हालत है और जो लोग बिल के हक में बोले हैं, उसके बारे में मुझे कुछ नहीं कहना है, वह ठीक है। जो तरुवर है, जो वृक्ष है, उसके ऊपर की बातें काफी हो चुकी हैं और मैं उससे सहमत हूँ, मैं उससे असहमत नहीं हूँ, लेकिन मैं रवि शंकर प्रसाद जी से कहना चाहता हूँ कि वह देश जो... आप जो National Judicial Appointments Commission Bill लाना चाहते हैं, उसके संबंध में मैं आपसे इतना ही कहना चाहता हूँ कि 1993 के पहले जो सिस्टम था और जो अब आप ला रहे हैं, उससे मैं असहमत नहीं हूँ, लेकिन मैं एक ही बात आपको बताना चाहता हूँ कि इस देश की 80 फीसदी, 85 फीसदी लोगों की इस पर पूरे सिस्टम में, जुडिशियल सिस्टम में भागीदारी कितनी है। अरुण जी, पंचायत तो बहुत दूर है...(व्यवधान)... मैं यह निवेदन करना चाहता हूँ कि 68 वर्ष में देश के जितने चीफ जस्टिस हुए हैं, वे 52 हैं। मैं बाकी लोगों का नाम नहीं लूंगा, लेकिन उनमें बौकवर्ड क्लास के जो जज हुए, वे एक को छोड़ कर जीरो हैं। बैकवर्ड क्लास का मतलब है, किसानों का मतलब है दो-तिहाई लोग। एस.सी. के सिर्फ दो हैं, एस.टी. के एक हैं और मुस्लिम पांच हैं। यह लगभग 80-85 फीसदी... अरुण जी, आपका दृष्टिकोण अब खुल गया है। यह हालत है। रवि शंकर जी तो हमारे बीच में पैदा हुए हैं। ये जानते हैं, लेकिन इनका हृदय आज तक प्रेम और मोहब्बत से.... मैं उस आबादी का आदमी नहीं हूँ। मेरी त्रासदी यह है कि उसके हक में मुझे खड़ा होना पड़ता है। यानी भारत सरकार के 52 चीफ जस्टिस हुए, उनमें इनकी हाजिरी 80 फीसदी है, लेकिन चीफ जस्टिस के मामले में एक जगह भी इनको मुहैया नहीं हो पायी। यदि एक-आध को हो गई है, तो वह 32 दांतों के बीच में है। उसकी कोई हैसियत नहीं है। मान लीजिए, यदि कोई यूरोप चला जाएगा तो उनके जैसे ही उसे जीना पड़ेगा। अब मैं देश के सुप्रीम कोर्ट के फॉर्मर जजेज के किस्से बताता हूँ। ये टोटल 145 हैं। मेरे लिहाज से इनमें बी.सी. जीरो हैं। यदि आपको कोई आंकड़ा मिल गया हो, कोई aberration में आ गया हो तो उसे आप मुझे बता देना। इसी तरह से, शेड्यूल्ड कॉस्ट भी जीरों, एस.टी. भी शून्य और मुस्लिम 10 हैं। बाकी सब.. बताइए, बताइए।

वित्त मंत्री; कॉरपोरेट कार्य मंत्री तथा रक्षा मंत्री और सभा के नेता (श्री अरुण जेटली) : आप चेक कर लीजिए, यह गलत है। कम हैं, लेकिन हुए हैं। ...**(व्यवधान)**...

श्री शरद यादव : कोई aberration होगा तो होगा, लेकिन उसका कोई मतलब नहीं है। मैं तो यह इसलिए कह रहा हूँ कि मैंने रात भर में इसको देखा है और यह हो सकता है कि कम्प्यूटर पर मैंने जो देखा है, वह गलत हो। इसीलिए मैंने रवि शंकर जी से कहा कि जो गलत हो गया हो, उसे करैक्ट कर देना। मैं इस सारे सिस्टम को गहराई से देखने की बात कह रहा हूँ, क्योंकि यह एक जंजाल है और कहां-कहां कितनी जातियां हैं, यह ढूंढना मुश्किल है। जो हाई कोर्ट जज़ेज हैं, वे 146 हैं। बाकी जो बन गए हैं, वे तो हजारों सालों से राज कर रहे हैं, उनकी संख्या अगर मैं गिनाऊं तो कोई फायदा नहीं होगा। अगर मैं इसे गिनता हूँ तो इससे फासला बढ़ता है और मन को चोट पहुंचती है। जो चला रहे हैं, उनके मन पर भी और जो बाहर हो गए हैं, उनके मन पर भी चोट पहुंचती है। हाई कोर्ट के जो फॉर्मर जज़ेज हैं, वे 146 हैं। उसमें भी हालत कमोबेश एक, जीरो, यानी बैकवर्ड क्लास के जीरो, एक या दो हैं, उन्हें मैं खुद जानता था, लेकिन बाकी एस.सी.जी/एस.टी.जी और मुस्लिम, मुझे लगता है कि उसमें नौ से ज्यादा हैं। टोटल 343 हैं। वीकर सेक्शन के जो टोटल लोग हैं, उनमें शेड्यूल्ड कास्ट के दो, बी.सी. जीरो, मुस्लिम 24 और क्रिश्चियन चार हैं। ...**(समय की घंटी)**... सर, क्या समय खत्म हो गया?

MR. DEPUTY CHAIRMAN: Take two more minutes.

श्री शरद यादव : इस सदन में आकर मैं बहुत तंग हो गया हूँ। इस वक्त की पाबंदी के चलते और चार-पांच लोग डंडा लेकर खड़े हो जाते हैं। मैं एक बात पूछना चाहता हूँ कि देश के जो ये लोग हैं, अगर इनकी मजबूती नहीं हुई तो यह देश कैसे मजबूत हो जाएगा? कैसे, यह आप मुझे बता दीजिए। जब यह आजादी आई, तो इसका यह मकसद था, जिस तरह से इंसान का संपूर्ण शरीर जब पूरा मजबूत होगा, तभी तो वह सड़क पर चलेगा। कोई कहे कि आंख गड़बड़ है तो चल जाएगा, पैर गड़बड़ है तो चल जाएगा, लेकिन वह नहीं चल सकता। यह विकलांग है, रवि शंकर जी। इसलिए मेरे कहने के बाद आपने कहा है कि इसमें जो एमिनेंट पर्सन्स लेंगे, उनमें एक महिला लेंगे और इन 80 फीसदी एस.सी.जी, एस.टी.जी और ओ.बी.सी. लोगों में से लगे। यानी, आप दो लोगों को लेंगे। उनमें से एक को तो आप माइनस कर ही दीजिए, क्योंकि आप एक महिला लेंगे। आपकी दृष्टि से, इस व्यवस्था में हम सब लोग ऐसे जकड़े हुए हैं कि इसमें हम भी इतने दिनों से हैं, लेकिन इसको सुधार नहीं पाते हैं। जब महिलाओं का मामला आएगा, तो जो महिलाएं ऊंचे तबके की हैं, वे आगे रहेंगी। अगर आप सोचते हैं कि आदिवासी महिला उनके बराबर हो जाएगी, दलित महिला उनके बराबर हो जाएगी, बैकवर्ड क्लास की महिला उनके बराबर हो जाएगी, तो वह ठीक नहीं है। राम गोपाल जी की पत्नी से आप कहेंगे कि राम गोपाल जी जैसा बोल लो, तो कठिन हो जाएगा। ...**(व्यवधान)**... दिक्कत है हमारी, ...**(व्यवधान)**... यानी इन लोगों की दिक्कत है। ...**(व्यवधान)**...

एक माननीय सदस्य : इनसे अच्छा बोलती हैं। ...**(व्यवधान)**...

श्री शरद यादव : आप जानते नहीं है इसलिए बोल रहे हैं, हम जानते हैं, वे कोई कम अक्ल की नहीं हैं।

श्री उपसभापति : शरद जी, आपका टाइम खत्म हो गया है।

श्री शरद यादव : क्यों हमें तंग कर रहे हैं? हम जो बात कह रहे हैं, वह नई बात कह रहे हैं। आप यह सिस्टम ला रहे हैं। 1993 के पहले एक सिस्टम था, फिर 1993 के बाद दूसरा सिस्टम आया। जस्टिस वर्मा और मैं, हम दोनों एक साथ जबलपुर गए थे। वे अपना माथा टोकते थे कि मैंने क्या कर दिया, यह जो मेरा कॉलेजियम सिस्टम वाला है, वह तो और बेकार हो गया, पहले से भी बेकार हो गया। मैं आपके इस बिल के हक में हूँ। कांस्टीट्यूशनल अमेंडमेंट के हक में भी हूँ और यह जो आप नेशनल ज्युडिशियल एपाइंटमेंट्स कमीशन बनाना चाहते हो, उसके भी हक में हूँ। लेकिन इस हक के बाद अंधेरा है, यह आबादी इंसानों की है या नहीं है, यह जनता आपकी है या नहीं है, इससे वोट लेते हैं या नहीं लेते, यह लोकतंत्र जो है और इस सदन में मेरी बात सुनने वाले जो लोग हैं, जो पिछड़े हैं, दलित हैं, उनके हक वे खुद नहीं ले पाते। मुसलमान तो बोल लेते हैं, लेकिन उनकी आवाज जो है... मैं इस सैक्शन से नहीं हूँ, मैं इंजीनियरिंग कॉलेज में किसी रिजर्वेशन से नहीं, मेरे बाप-दादा भी नहीं, मेरे भाई भी नहीं, मैं तो आपकी जैसी जमात का आदमी हूँ। मधु लिमये चले गए, डा. लोहिया चले गए, अब अरुण जेटली भी समझते हैं लेकिन बोलते नहीं हैं। ...**(समय की घंटी)**...

संचार और सूचना प्रौद्योगिकी और विधि और न्याय मंत्री (श्री रवि शंकर प्रसाद) : मैं बोलता हूँ।

श्री शरद यादव : आप बोलते हैं मेरे पास अलग से, यहां आप भी नहीं बोलते, क्योंकि आप जकड़े हुए हो। डिप्टी चेयरमैन सर, ...**(व्यवधान)**...

श्री उपसभापति : समाप्त कीजिए।

श्री शरद यादव : आप जो नेशनल ज्युडिशियल एपाइंटमेंट्स कमीशन बना रहे हो, इससे उनको कोई फर्क नहीं पड़ेगा, जिन लोगों के बारे में आपने चर्चा की है। उनके हक में आप इसमें छः सदस्य रख रहे हो, उसको आठ कर दो, क्या बिगड़ रहा है आपका? इतना बड़ा 120 करोड़ का देश है, इन लोगों को कब तक मारोगे और कब तक कहोगे? अभी आप कहेंगे कि नहीं, हम उनका ख्याल रखेंगे। उनका ख्याल तो 68 वर्ष में सब लोग, हम लोग रख रहे हैं। उनका कहां ख्याल हुआ? मैंने जो आपके सामने आंकड़े दिए, इसलिए मेरा आपसे निवेदन है कि इस देश में ये हजारों साल से सह रहे हैं, लेकिन इन्होंने आपके साथ कभी तक रार नहीं किया। ...**(व्यवधान)**...

श्री उपसभापति : बस, हो गया।

श्री शरद यादव : अरे, क्यों इनको, इस तरह से... अब इनमें होशबंद लोग हो गए हैं, काबिल लोग भी हो गए हैं। ये सारे छः सदस्य होंगे, एक सिस्टम से होंगे। मेरी विनती यह है कि आप इस मामले का कोई रास्ता निकालिए, तो फिर देश में ये दोनों सिस्टम फेल हुए हैं, कोई ऐसा सिस्टम आए कि सामाजिक विषमता दोनों में कोई फर्क नहीं है। ये दोनों चीजें आप यदि साथ लेकर नहीं चलेंगे तो मुल्क नहीं बनता, यही मेरी आपसे विनती है और आप तो इस बात को समझने वाले मंत्री हैं। यदि आपके मन में यह बात आ गई, यह संकल्प हो गया तो बात दुरुस्त हो जाएगी। बहुत-बहुत शुक्रिया, बहुत-बहुत धन्यवाद।

SHRI A. NAVANEETHAKRISHNAN (Tamil Nadu): Thank you, Mr. Deputy Chairman, Sir. I deem it a great privilege to stand in this august House to speak on the Constitution (One Hundred and Twenty-first Amendment) Bill, 2014, Bill No. 97 of 2014. I thank the hon. Law Minister for referring to the letter written by hon. Chief Minister Amma regarding this Bill. No more collegium system, thanks to the Central Government. The collegium system for appointment of judges is against the concept of the rule of law. Hon. Chief Minister Amma recommended that Judicial Appointments Commission should function at two levels—at the national-level and at the State-level—which is contained in the letter written to the hon. Law Minister. The National Judicial Appointments Commission is for the Supreme Court judges and the State Judicial Appointments Commission is for the High Court judges.

Article 214 as well as Article 217 are amended by this Constitutional Amendment. Article 214 deals with the appointment of Supreme Court judges and Article 217 deals with the appointment of High Court judges. As per this Constitutional Amendment, the Central Government's role is protected because it was taken away by the collegium system. Now, my grievance is that the State Government role must be again restored by including an amendment to create the State level Judicial Appointments Commission. Sir, that is humble submission because that has been very vehemently recommended by our leader Amma in her letter to the hon. Law Minister. It is because the State Government is in a position to locate or find out the right candidates from the depressed classes, namely, minorities, women, backward classes, Scheduled Castes and Scheduled Tribes.

Sir, in our State, the hon. Chief Minister Amma is implementing the 69 per cent Reservation Policy in the judicial appointments also. It is done through the State Public Service Commission, and also the District Judges are selected by the High Court. So, in all judicial appointments, 69 per cent reservation is being followed. Because of this reservation, Scheduled Caste, Scheduled Tribe, backward class and most backward class candidates are able to occupy judicial posts at the State Judiciary level. It is a well known fact that the High Court Judges' posts and Supreme Court judges' posts are not available to the rural or mofussil practitioners of law and also not available to the common man. Because of the effective implementation of the 69 per cent Reservation Policy by the hon. Chief Minister Amma, now the 69 per cent reserved community people are occupying the judicial posts in the State of Tamil Nadu. In the 24 High Courts, the total strength of posts of judges is 906. Out of these 906 posts, 1/3rd of the total strength of the posts is filled up by judicial officers, the officers who are in the subordinate judiciary. So, 1/3rd strength must be filled up by the subordinate judiciary. That guarantee must be given by the hon. Law Minister by way of amending the Constitution itself. If it is done, then, the already judicially trained people can occupy the posts of High Court judges and also from the High Court, they can go to the Supreme Court.

Sir, the hon. Chief Minister Amma is very strictly following the Reservation Policy in order to uplift the downtrodden. That is why I am stressing it again and again at the risk of repetition. Sir, as per Article 217 of the Constitution, the consultation is only with the Chief Justice of India and the Governor. In this context, I would like to say that the hon. Law Minister knows it better than me that the Governor means the Council of Ministers. The advice offered by The Council of Ministers is to be forwarded by the Governor to the President. So, the role of the State Government must be protected. This is my humble request to the hon. Law Minister. I am doing it at the risk of repetition.

Sir, I had the privilege of assisting our hon. Chief Minister in one of the cases. Hence, I am taking the privilege, and again I am requesting him that the role of the State Government must be restored and preserved in the process of selection of High Court judges. Sir, at the State level Judicial Appointments Commission, the hon. Chief Minister must be included as one of the members of this Commission, and the views of the Chief Minister must bind the Commission. So, it must be given due weightage. I am saying this because the State Government is accountable and answerable to the people. The State Government is in a better position to identify the right candidates. This is my humble request to the hon. Law Minister. If it is done, then, the downtrodden people can come to occupy the higher posts of the High Court Judges and Supreme Court Judges. This is my humble submission. *(Time-bell rings)*

MR. DEPUTY CHAIRMAN: Only one more minute.

SHRI A. NAVANEETHAKRISHNAN: Okay, Sir. Our hon. Chief Minister is more judicious in her action and thought. She is more judicious than any other judicial institution of our nation. Because of her, many lawyers from the rural areas are now practising in the High Court of Madras. She has given them appointment very liberally. That is why I request the hon. Law Minister to include it in the Constitution (Amendment) Bill for creation of State-level Judicial Appointments Commission. Thank you very much, Sir.

SHRI ARUN JAITLEY: Mr. Deputy Chairman, Sir, since yesterday we have been debating the Constitution Amendment to deal with the procedure for appointment of Judges to the highest courts of the land, the Supreme Court and the High Courts. Intervening on behalf of the Government, let me at the very outset clarify that neither the Government, and I am sure, nor this House also, almost in one voice does not see this as a turf battle. It is not an issue as to who really has the power to appoint Judges. We are concerned with the mechanism under which there are adequate checks and balances, and, therefore, we are able to resultantly appoint the best possible talent which is available as Judges. I may clarify that there is no effort either on behalf of this House or the Government that we are going back to a system of Executive primacy. We have seen the Executive

[Shri Arun Jaitley]

primacy in this matter and, therefore, whether it was supersession of Judges in 1973, the transfer of Judges during the Emergency in 1975, the supersession again in 1977 in the matter of the appointment of Chief Justice, we have seen that system. Therefore, there is no question of anybody supporting the idea of any form of Executive primacy in the matter of appointments. It is normally being argued and there is some substance in the argument that in the interest of independence of Judiciary, which is a part of the basic structure of the Constitution, there should be an element of primacy of the judicial institutions. If it was only linked to primacy, and an effective consultation with the Executive, probably, this amendment would not have been necessary. Why is that when this amendment was debated yesterday in the other House, in one voice the entire House spoke in favour of the amendment? Effectively what is today happening is that the procedure of judicial appointments is not through a procedure of judicial primacy with effective consultation with the Executive, It has virtually boiled down to a system of judicial exclusivity in the matter of appointments. The role of other institutions, which the Constitution envisages, is also negligible. Sir, let us just go back to Article 124 which deals with the appointment of Judges to the Supreme Court and Article 217 which deals with the appointment of the Judges of High Courts. Article 124 (2) — I may be pardoned for reading it — says that ‘every Judge of the Supreme Court shall be appointed by the President by warrant.’, so, it emphasises the words ‘appointed by the President’, which means appointed by the Government, ‘under his hand and seal after consultation with Judges of the Supreme Court’, so, the President, that is, the Government will consult the Judges of the Supreme Court, ‘and of the High Courts of the States as the President may deem necessary for the purpose and shall hold office until he attains the age of 65 years, provided that in the case of appointment of a Judge other than a Chief Justice, the Chief Justice shall always be consulted.’ Translated into simple English language, the provision was, the President, that is, the Government will appoint the Judges. The Government will consult such Judges of the Supreme Court as also of the High Court and after that consultation appoints the Judges of the Supreme Court. Effectively when the Government sought, from 1950 onwards or as the Constitution came into force, the advice of the Supreme Court in the matter of the appointment of the Judges of the Supreme Court, invariably the Government accepted that advice. It was only in the 1970s that some difficulties arose. The judicial institution was the institution to be consulted. Due weightage was always given to that consultation. And, inevitably that consultation prevailed. The Government never replaced it by names of its own choice. Through the 1950s and 1960s, this system continued. Similarly, in the context of the High Court appointments, Article 217 says, "Every Judge of a High Court shall be appointed by the President by warrant under his hand and seal after consultation with the Chief Justice of India, the Governor of

the State, and, in the case of appointment of a Judge other than the Chief Justice, the Chief Justice of the High Court". So., in the case of a High Court appointment, the President will consult the Chief Justice of India. He will consult the Chief Justice of the High Court. He will also consult the Governor, which means on the aid and advice of the Council of Ministers; so, the Chief Minister of the State. And, after consulting all these people, he will appoint the Judges. Here, again, whatever the judicial institution said was normally given primacy and that was accepted. Effectively, post 1993, how has this worked? The 1993 judgement changed the Constitution by re-writing it. The argument was that the larger interest is the independence of the Judiciary. So, in the context of independence of Judiciary, because that is the object, we read the two Articles — the President, that is, the Government will appoint such Judges as the Supreme Court will suggest. In case they have a contrary opinion, they can send their contrary opinion once. If the Supreme Court reiterates, they have no choice but to appoint them. This is the judgement of 1993. We have had the Congress Government, the UPA Government, the United Front Government and the NDA Government in the past. I am sure, the experience of all the Governments has been the same that in effect the way the judgement is working is not what Article 124 and Article 217 say. The basic structure of the Constitution is the original Constitution that the President will appoint, in consultation. Today, we re-wrote the Constitution by virtue of the judgements to say that the Judges will appoint Judges. They will, probably, take the views of the Executive, in the process. And, the way it has worked out, the Indian system is clear: Judges appoint Judges. There is a marginal role of 'consultation' with the Executive. There is hardly a role which a Governor or a Chief Minister has. A letter is written and their views are taken. But their views are very rarely put into any effective consideration. And, if the Executive has a contrarian view and there is a strong reason for that contrarian view and it conveys it to the judicial institution, it is supposed to be considered, under the Judgement. But, effectively, the due regard, which should have been given to it, has normally not been given. I can quote-umpteen examples. But, it is not fair. In this forum, I wish to observe inter-institutional courtesies. Therefore, I will not go into those examples. So, effectively, today Judges appoint Judges and there is a marginal role that the Executive has. The effort now is that we restore back what the spirit of the original Constitution was. And, in restoring back the spirit of the original Constitution, are we going to create Executive primacy? The answer is 'no'. Are we going to maintain, through this Amendment, the Judicial primacy, the answer is 'yes'. So, the amendment has the following: Out of the six members of the collegium — that was also the collegium which the earlier Law Minister, Mr. Sibal, had moved in this House. The composition of the collegium is identical. You have three senior most judges of the

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Supreme Court. The Chief Justice of India will chair the collegium. There is no other group which is represented in this collegium which can match that strength. So, the predominant strength is of the judicial institution. The Executive is represented by only one person and that is the Law Minister. You have two eminent citizens. You have the Prime Minister, the Leader of the largest party in Opposition in the House of the People and the Chief Justice of India nominating these men of eminence. How these people will nominate and the manner in which such collegiums function has already been specified now in the CVC case by the Supreme Court. So, whatever are the guidelines laid down, there will be a procedure. So, in the nomination of these two eminent citizens also, the judicial institution has a vital role. So, the primacy is continuously maintained. But rather than merely an opinion being expressed and the opinion inevitably being overruled, you have some people who represent public interest, who will provide the necessary checks and balances and you have the Law Minister who can represent the Government's or the President's viewpoint that this is why some person should be appointed and such and such person should not be appointed. Let us, Sir, be clear that no power by anyone is absolute power. It has to be exercised for good reason. The appointment of judges, so far, is a power which is exercised in a non-transparent manner. There are no reasons given. So, even if the President were to refer a case back, he may not know the reasons also, why his objections have been overruled. Now, a system in which the Executive, two eminent citizens and three judges are present, the judicial primacy is maintained; if the Executive wants, it can never appoint a person. It can only provide its valuable inputs about a person. That is how this power is going to be exercised.

Sir, this is the last point that I have to make. It is being said that the power exclusively belongs to the institution and they exercise it because it is in the larger interest of the independence of Judiciary. Independence of Judiciary is a part of the basic structure of the Constitution. It is true it is a part of the basic structure, it must be maintained. But Article 124 is also a part of the basic structure. Article 217 is also a part of the basic structure. An elected Government is also a part of the basic structure. So, an elected Government at the Centre or in the State being completely kept outside the process, is that not an aberration of the basic structure. After all, democracy is the most basic of the basic structures of the Constitution. The Constitutional document is paramount. Therefore, the balancing act is that let this power be now exercised collectively, but in that collectivity, the primacy of the judicial institution be maintained so that we can have the best possible people who are appointed judges. This is the rationale behind this amendment. I think with the overwhelming support it has, it conveys a very powerful message that we are restoring back the spirit of Articles 124 and 217 while maintaining the primacy of the judicial institutions in the matter of appointments.

SHRI P. RAJEEVE (Kerala): Sir, we are enlightened by the views expressed by our eminent lawyer and the Finance Minister, Shri Arun Jaitley.

MR. DEPUTY CHAIRMAN: Nobody has any doubt about it.

SHRI P. RAJEEVE: I rise to support the Bill, Sir. This is the need of the day. My Party CPI (M) has a consistent stand on the issue of judicial reforms. We stand for a comprehensive judicial reform. The reform should not be confined to appointments only. We want a Judicial Commission which deals not only with the appointments but also ensures the standard and accountability of the Judiciary. Instead of the proposed Judicial Appointment's Commission, we want a Judicial Commission.

Sir, I was attentively hearing the remarks of Jaitleyji who was an eminent lawyer and who became one of the youngest Additional Solicitors General of the country at the age of 37. I am keenly eager to know what Jaitley's stand on accountability issue is. When we were discussing the Bill mooted by UPA-II, Jaitleyji spoke on that Bill. I would like to quote here a few things from his speech which he made at that time. I quote, "I would personally like to see a National Judicial Commission which has not merely the appointment powers but to which there is some element of accountability of the Judges itself." I again quote from Jaitley's speech. I quote, "Now should the National Judicial Commission only be an appointment body or should it also have some element of powers in relation to accountability or not? In my respectful submission, it must have powers of accountability." Sir, I want to know what your view on this issue is. This is your speech on the Bill mooted by the earlier Government. What is your view? This Commission has the powers only for appointments. I want to know why the learned Law Minister did not accept the respectful submission of an eminent lawyer of Jaitleyji's standing and what the reasons behind this change of position are. It is true that you are now in the Government. Earlier, you were in the Opposition. At that time, you had one stand but now you have changed your stand or diluted your position on the accountability of the Judiciary. I think, Jaitleyji, at that time, had appreciated the consistent stand of CPI (M) and the Left. At that time, Jaitleyji mentioned that 'we should have a comprehensive judicial appointments mechanism.' The country should know the reasons for the change of position of BJP that the accountability should be incorporated in the legislation which deals with the National Judicial Appointments Commission. Sir, I could not find any reason for that. There is no change in the situation. The situation remains the same as it was when the Bill was mooted by the UPA-II.

Sir, Jaitleyji correctly mentioned that before the 1970 era, we had a very good mechanism. Then, after 70s, the pendulum moved to one extreme in favour of the Executive. But after 1993, the pendulum went to the other extreme in favour of the Judiciary. We could not find a single word 'Collegium' in the Constitution. But that is

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the rule of the day, Sir. That is the failure of the Legislature. Actually, we have failed to address that issue. Ravi Shankar Prasadji correctly stated that it is the culmination of the exercise of 20, years. But we failed to make it a fruitful exercise. However, this is a good move. I support this move.

Now, as per one report — I don't know whether it is true or not - 70 per cent Judges of the Supreme Court is coming from 132 families only. A former Supreme Court Judge is regularly writing the blogs. He mentioned that this is 'uncle syndrome', which means uncles nominated their nephews. There is sometime 'father, syndrome' but we could not see a 'mother syndrome' because the representation of women in the upper judiciary is very minimal. Therefore, we could not find 'mother syndrome'. But 'uncle syndrome' is there, *i.e.*, 70 per cent of the Judges in the apex court is coming only from 132 families. It means that collegium A supports the proposal mooted by collegium B - earlier, you had mentioned this in the House — and there is an exercise, and this is the result.

Sir, we had waited several years to get a woman Judge in the apex court. Now, after the retirement of one CJI of our country, there is no judge in the apex court who belongs to SC/ST community. I raised this issue several times by putting questions on it. But the answer from the Ministry always is that 'we don't have that statistics of SC & ST representation in the apex court.' We could not find a single Judge belonging to SC/ST in the apex court of our country. How can we get natural justice if they have no representation in the society? If it does not reflect the objective realities of the society, how can we get natural justice from the Apex Court? This issue needs to be addressed.

Sir, I now move on to the amendments. Out of the six members here, one should be a woman. There is a rotation mechanism in place, but out of these six members, there is no chance with the Chief Justice, but out of the judges, yes! But, otherwise, of these eminent personalities or even the Law Minister, one should be a woman.

MR. DEPUTY CHAIRMAN: You want the Law Minister to be a woman!

SHRI P. RAJEEVE: They can change it, if needed! ...*(Interruptions)*... So, one of them should be a woman.

Sir, I represent the State of Kerala. I live in the city of Kochi, where one of the great Judges of the country, Justice V. R. Krishna Iyer, lives. He would cross 100 years in November, 2015; he would be crossing, a century in November, 2015! At this age, he is

still arguing for reforms in the Judiciary. I quote: “There is no structure to hear the public in the process of selection, no principle is laid down, no investigation is made and a sort of anarchy has prevailed.”

MR. DEPUTY CHAIRMAN: That is what we are doing now! We are saying that!

SHRI P. RAJEEVE: Then, my question would be, is that sufficient to address these issues? We have a very good example, that of Britain. The UK system is considered as a model of participatory and transparent appointments. The Constitutional Reform Act (CRA) 2005, was recently amended by the Judicial Appointments Regulations, 2013. There are 15 members in the JAC and the Chairman is always a lay member, not a judicial member and not the Chief Justice. It is always a lay member. *(Time-bell rings)* Sir, I would take two minutes.

The appointment of Judges is not a concern of the Judiciary, the Legislature or the Executive; it is the concern of the public. Then, this Commission should be more participatory and should have representatives of professionals, jurists and other sections. *(Time-bell rings)*

MR. DEPUTY CHAIRMAN: Now conclude.

SHRI P. RAJEEVE: Sir, there is a distinction between a new Judge and a senior Judge. The Supreme Court Judge should be elected by the collegium of all Judges and there should be a representation of High Court Chief Justice, elected by the collegium, including all High Courts’ Chief Justices. *(Time-bell rings)* Just one more minute, Sir.

There should be one representative from among them and one representative from the Bar Council. Then, Sir, we need to see whether it goes along with Article 14 of the Constitution. Article 14 of the Constitution is on equality before law. If it is there, there should be a notification, that is, notification for the vacancies. And, qualified lawyers must have the right to submit their application. Only then can you ensure transparency in the system.

Sir, my last point is, this should not be confined to the appointment of Judges in the Supreme Court and the High Court. It should be applicable to the tribunals as well, State as well as national tribunals.

With these words, I support this Bill, Sir. Thank you.

MR. DEPUTY CHAIRMAN: Now, Shri Kalpataru Das. You have four minutes. ...*(Interruptions)*... Your time is four minutes. What can I do?

SHRI KALPATARU DAS (Odisha): Mr. Deputy Chairman, Sir, you have given me only four minutes.

At the outset, I support the Bill moved by the hon. Law Minister, on my behalf and on behalf of the Biju Janata Dal. Sir, this is not the first time that this Bill has been brought to the Parliament. Even earlier, the UPA Government had brought in such a Bill, which was debated and referred to the Select Committee. And, it is on the basis of recommendations made by the Select Committee that these Bills have been prepared.

Sir, the hon. Law Minister, while introducing the Bill, it is amply clear, before preparing the Bill and its introduction, consulted eminent jurists of the country, almost all political parties and only then brought this Constitution (Amendment) Bill to the House.

Sir, yesterday, it was unanimously passed in the Lok Sabha. It means that all the political parties want such an amendment to the Constitution and the appointment of a National Judicial Commission. Everybody wants it. The problem is, as raised yesterday, it may be *ultra vires* of the Constitution. There are apprehensions that if both the Bills are passed simultaneously, it may be declared *ultra vires* of the Constitution. Hon. Minister has clarified this yesterday. Today hon. Minister of Finance has clarified that in a more vivid manner. It is now the need of the hour; it is not the question, of Judicial supremacy or Executive supremacy. There should be a balance between them. Till 1993, there was no need of amendment of the Constitution. But for the last twenty years, there have been effort for the amendment of the Constitution to replace this Collegium system by a well-defined system by which Judges can be appointed. Yes, accountability should also be there. Here also, the supremacy of the Judiciary is there because the Chief Justice of India will be the Chairman of the Commission, with two senior-most Judges as members. The Chief Justice of India will also be a member in the selection of two eminent jurists who will also be members in that Commission. This Commission will be constituted and for that there is a necessity of amending Article 124 by way of some insertion. With this, I support the Bill. I also request all the Members of the House to support it to bring a check and balance between the Judiciary and the Executive. The independence of the Judiciary will continue but there will be accountability. As Mr. P. Rajeev was telling, all these Judges of the Supreme Court are from 132 families. This will not be repeated in future.

MR. DEPUTY CHAIRMAN: Now, Shri D. Raja. ...*(Interruptions)*...

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, my name is first actually. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You are for the Bill and the Bill is coming up. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: I gave it earlier. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You gave it for the Bill.

SHRI TIRUCHI SIVA: Sir, the Amendment and the Bill are being discussed. I want to speak. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, that is coming after this. This will be over before 2 o'clock. The Bill is coming. You gave the name for that. ...*(Interruptions)*... Mr. Siva, you gave the name late. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, I want to speak on both. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You gave the name late. Let me first dispose of the names given earlier, then I will call you. I have got the list of names which came late. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: I told them ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I saw your letter; it is for the Bill. ...*(Interruptions)*... I cannot give chance to those who gave their names late leaving those who gave their names in time. That is my point. ...*(Interruptions)*... I have got the list of names which came in time. First, I will dispose of it, after that, according to time, I will accommodate everybody. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Everybody is discussing the same thing. I also want ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I cannot go back. ...*(Interruptions)*... The Bill is coming. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, I agree with you. But the problem is not with me. They just came and asked me if I wanted to speak on Judicial Bill. I said, 'Yes'. I have been waiting for long.

MR. DEPUTY CHAIRMAN: You are in the panel of Vice-Chairmen. I saw what you have written. You have written for the Bill. But if you want to speak on the Amendment, I will include you, but after disposing of the names in the list. I will go by the procedure. Now, Shri D. Raja, please speak.

SHRI D. RAJA (Tamil Nadu): Sir, I rise to support this Bill. My Party has been consistently demanding the constitution of a National Judicial Commission. Way back in 2002, when late Mr. Jana Krishnamurthy was Law Minister, my Party wrote to the Government favouring the constitution of a National Judicial Commission. Now also, we support it when our good friend, Shri Ravi Shankar Prasad, is the Law Minister.

[Shri D. Raja]

Sir, the Constitution is the fundamental law of the nation. Dr. Ambedkar, while framing the Constitution, raised the question that in concurrence with the Chief Justice of India, appointments ought to be made. There, Dr. Ambedkar discussed it in detail. Finally, Dr. Ambedkar concluded that a veto could not be given to the Chief Justice of India howsoever great integrity he might have. That is how he settled that issue.

Sir, I would like to address one serious question which my colleagues have raised, that is, how far the Judiciary represents the social diversity in the country. India is a country of tremendous diversities. We have caste diversity, social diversity, religious diversity, linguistic diversity and cultural diversity. So, the Judiciary cannot live in an abstract world, not taking into consideration the diversities of Indian society, Indian nation. Sir, even in countries like the U.K., we have this experience. Section 64 of the Constitutional Reforms Act, 2005, of the United Kingdom specifies the need for encouragement of diversity in Judiciary. That is an Act of the United Kingdom. Even the South African Constitution requires that persons appointed as Judges must reflect the racial and gender composition of the country. This is the South African Constitution. We had a President, Shri Narayanan, who was one of the outstanding Presidents of India. Shri Narayanan pleaded for ensuring that Judiciary represented social diversity. Even the retired Judge, Justice Sadasiva also spoke about Judiciary representing social diversity because in a country like ours, if Judiciary does not have that social diversity properly represented, we cannot hope to get justice for ordinary people. I can go on quoting examples. What happened to the Tsundur case where *dalits* were massacred, but the guilty were all acquitted. And, *dalits* were massacred in Bihar by Ranveer Sena. Everybody knew, but all those accused were acquitted. Where is the justice for the people? It is a fact that *dalits* were massacred. They died. But all the accused, who killed them, were acquitted. No justice was done. That is where I find that Judiciary should have the representation of all deprived classes and sections in our society. Otherwise, people will not get the real justice. So, I think, this National Judicial Appointments Commission could have been the 'National Judicial Commission'. This Commission gives some kind of a very limited sense that it is concerned only with the appointment of some Judges in the Supreme Court and the High Courts. But, it should be a Judicial Commission so that it gives a comprehensive sense to the people and people should have great faith in our judicial system. There, I think, people are asking as to why there is not even a single Judge from SC/ST communities in the Supreme Court. Do you think that there is no efficient senior advocate or anybody to climb up to that position? It is not so. There is some kind of * mechanism in all these matters.

*Expunged as ordered by the Chair

SHRI RAVI SHANKAR PRASAD: Sir, Mr. Raja is a great speaker, but I request if * can be avoided.

MR. DEPUTY CHAIRMAN: I think, * is expunged.

SHRI D. RAJA: Sir, I am not a lawyer like my friend, Shri Ravi Shankar Prasad. I am a political activist. I speak straight from my heart. This Judiciary does not represent the social diversity in the country. It should be ensured and people belonging to deprived sections should feel that this Judiciary is also theirs. When they think that democracy is theirs and Parliament is theirs, they should think that Judiciary is also theirs. This Judicial Commission will have to function accordingly.

MR. DEPUTY CHAIRMAN: Now, Shri H.K. Dua. Please take only four minutes because time allotted for Nominated Members is already over.

SHRI H.K. DUA (Nominated): Sir, in our Constitutional scheme of things, there is a clear demarcation between various institutions, namely, Parliament, Judiciary and the Executive. Whenever any organ of the State, any one of these three, exceeds its limits, the people sense danger. In the 1970s, there was a talk of committed judiciary. But, later, of the supersession of Judges, an eminent Judge, Justice H.R. Khanna, resigned on a matter of principle and conscience. So, there was turmoil and the people were concerned because the Executive, at that time, was crossing the limits prescribed for it. In 1993 Judgement, the judiciary had crossed the limits. The brother Judges went on to appoint the brother Judges. And, you know, when brother Judges appoint other brother judges, nepotism creeps in, favoritism comes in, and, in a Collegium, there have been instances where bargaining takes place between one Judge and another Judge, and the Chief Justice takes a better share.

Justice J.S. Verma was on the 1993 Bench, which set up the Collegium, a novel institution, which is not mentioned in the Constitution. He was for setting it up. Later on, he regretted this decision of the Supreme Court in public. I think, he appeared before the Parliamentary Committee and expressed this view, and in public statements, and in private conversations, he went on saying that a wrong decision was taken by the Bench in 1993, of which he was a Member. His regret was that the Supreme Court approved of a Collegium.

Sir, nowhere in the world the judges appoint themselves. Always, it is an Executive decision but there are checks on misuse of the Executive power. That aspect, I think, is taken care of by the Judicial Appointments Commission, which is being provided for. Sir, I won't take much time. But, I would say that there has been considerable lobbying with

* Expunged as ordered by the Chair.

[Shri H.K. Dua]

the Collegium members all over the States and the High Court Judges, who were aspiring to be a Supreme Court Judge, don't leave any stone unturned to get to the Supreme Court. In the High Court, they retire early and since they want to be in the Supreme Court, they visit the houses of the Collegium members, try to bring influences of all kinds. That kind of culture which prevails in the judiciary leads to malpractices, should be corrected. The quality of justice has declined in the country. I would like to cite two, three cases. For example, take in Jessica Lai case, or, Priyadarshini Mattoo case. Now, there was miscarriage of justice. Only after public concern and the media concern, ultimately, the courts had to intervene, the highest court had to intervene to provide justice. Also, I can't understand as to how in the trial courts, and, at even High Court level, a BMW car became a truck along the way, and, the man, who killed 6 people on Lodhi Road in the capital of India got away very lightly. This is because the right kind of people are not being appointed in the judiciary.

Sir, the Collegium has never laid down the criteria for appointment of judges to say, as to what kind of judges you need in the High Courts or in the Supreme Court. The Delhi High Court has come out with judgements which spelt out criteria for admission to nursery schools. But the people do not know as to what criteria are there for getting admission into the High Court or the Supreme Court. (*Time-bell rings*) Just half-a-minute more. Sir, That's all. Sir, I am a little worried when a recognized organ of the state exceeds its limit and when a recognized organ of the state thinks that whatever it says, is always right. I get worried about the individuals who think they are always right, worried about the institution when they think they are always right. Now, this aberration, and which was wrong on the part of the Supreme Court to arrogate to itself the power to appoint judges is being set right in the Constitution, and that is why I support this Bill. Thank you very much, Mr. Deputy Chairman.

MR. DEPUTY CHAIRMAN: Thank you very much, *Duaji*. Now, Shri Tiruchi Siva. You have only five minutes.

SHRI TIRUCHI SIVA: Sir, on behalf of the DMK party, I rise to support the Constitution (One Hundred and Twenty-first Amendment) Bill, 2014. Sir, unlike what is interpreted outside, it is an innocuous Bill. Some people say that it is transgressing into the powers of the Judiciary and some are of the opinion that it will impinge upon the future of the Judiciary of this country. We are neither encroaching upon the territory of the Judiciary nor are we transgressing into the powers of the Judiciary, It is actually only the Constitution Amendment in Article 124, which inserts Article 124 (a), (b) and (c). It only

enables the Parliament to legislate and to constitute a National Judicial Appointments Commission. The imperative need for that has been felt in the past. We have to realize that this is not the first ever attempt. In the year 1990, the 67th Amendment was introduced in the Parliament, but it was not passed. In the year 2013, the Constitution Amendment 120th, which sought to bring in a National Judicial Appointments Commission, was brought, and now this 121st Amendment seeks the same thing, Sir. It is only to broad base the appointments of the Judges of the Supreme Court and the High Courts. It enables the participation of the Judiciary, the Executive and eminent persons in the society, and it ensures greater accountability, greater transparency and greater objectivity in appointments of the Judges. So, Sir, we realize this. What is the system adopted in other countries regarding the collegium which has been so far in charge of appointing of Judges? Sir, I recall the Impeachment Motion which was moved in this House to impeach a Calcutta High Court Judge, which was very, very sensational and the deposition of the Judge made us all feel that what he had, done was right. Later, the then Leader of Opposition, now the hon. Finance Minister, the legal luminary, Mr. Arun Jaitley, spoke and refuted word by word and proved the need for the Judicial Accountability Bill, the Judicial Appointments Commission and we realized everything. So, I think this is a right move at the right time and the country needs this. Sir, in USA the Judges are appointed by the President and their appointment is approved by the Senate. At the same time, the Judges' professional lives and their political views are subjected to public scrutiny. Here, in our country, the selection of the collegium, the appointment of the Judges or their transfer, are not subjected to public scrutiny. Now, the Executive has got a role. Moreover, even in the constitution of the Commission, the Chief Justice becomes the Chairperson, two senior-most Judges of the Supreme Court, the Law Minister, two eminent persons,, when these constitute, representatives from Court are more in number. Sir, I want a clarification from the hon. Law Minister with respect to the definition of 'eminent persons'. It should not just be some degree-holders or some people who are affluent in the society, who are well-known. In The United Kingdom, I would like to make a point of it, the Judicial Appointments Commission is a fifteen-member Commission and the Chairman is always a lay member. Of the fourteen other Commissioners, it is mandatory that five are judicial members, two are professional members and five are lay members. So, I would suggest to the hon. Law Minister to look into the definition of 'eminent persons'. (*Time-bell rings*) Sir, our Constitution has insulated the independence of the Judiciary. In our Constitution, the executive, the judiciary and the legislature are independent. At the same time, they are interdependent. It is a system of check and balance. If the Parliament enacts a law, which is unconstitutional, the judiciary is entitled to strike it down. If the judiciary gives a judgement granting punishment, the President has the power to give pardon. So, in all respects, we are interlinked. The participation of the executive and the eminent persons

[Shri Tiruchi Siva]

in the appointment of judges will enable the judicial system in our country very much.
(Time-bell rings)

Sir, I would like to quote Justice Krishna Iyer here. He said this about the judiciary. He said, "The great reputation, high impartiality, luminous competence and unbending independence of the judiciary is of national import." We realise that and this Constitution (Amendment) Bill and subsequent constitution of the National Judicial Appointments Commission are the need of the hour. I congratulate the hon. Law Minister on bringing these Bills. I request him to kindly try to implement Article 312 which insists on Indian Judicial Service which brings in judges. I again congratulate the hon. Law Minister on bringing these Bills. Thank you very much, Sir.

MR. DEPUTY CHAIRMAN: Hon. Members, I have a number of requests asking that voting should be held before 2.00 p.m. But I have before me four names. Two of them are from the category of 'Others.' They should take four minutes each. The Congress Party has got 24 minutes and it has two speakers. I request them to sacrifice a few minutes. If they take seven minutes each, I will be very grateful to them. Shri Rajeev Shukla.

SHRI RAJEEV SHUKLA (Maharashtra): Sir, we have already sacrificed enough. उपसभापति जी, मैं कानून मंत्री जी द्वारा लाए गए विधेयक के समर्थन में खड़ा हुआ हूँ।
...(व्यवधान)...

श्री नरेश अग्रवाल (उत्तर प्रदेश): सर, ये फिल्मी सितारे के बारे में बोलेंगे, तो ठीक रहेगा, ये कानून के बारे में क्या बोलेंगे? ...(व्यवधान)...

श्री राजीव शुक्ल : रेखा जी के बारे में रोज आप बोल रहे हैं। जया जी, इस पर आप आपत्ति उठाइए, ये फिल्मी सितारों का मजाक बना रहे हैं। ...(व्यवधान)...

श्री रवि शंकर प्रसाद : नरेश जी ने जो बात कही है, वह बहुत गंभीर है, विचार करने योग्य है।
...(व्यवधान).... ज्यूडिशियरी पर बोल रहे हैं ...(व्यवधान)...

श्री राजीव शुक्ल : जया जी, आप इस पर आपत्ति कीजिए न, आपकी पार्टी के सदस्य फिल्मी सितारों का मजाक बना रहे हैं। ...(व्यवधान)...

श्रीमती जया बच्चन (उत्तर प्रदेश) : मजाक आप लोग बनाएं और आपत्ति मैं करूँ।
...(व्यवधान)...

श्री राजीव शुक्ल : इन्होंने मजाक बनाया है। ...(व्यवधान).... सर, यह समय जोड़ा नहीं जाना चाहिए।

उपसभापति जी, मैं इस बिल के समर्थन में बोलने के लिए खड़ा हुआ हूँ, लेकिन एक बात की मुझे तकलीफ है। अगर यही काम करना था, तो छः महीने पहले यही काम करने के लिए आपके सामने एक बिल रखा था। 99 परसेंट यही बिल था और उस समय अगर माननीय

रविशंकर प्रसाद जी उसका समर्थन कर देते, तो आज वे जूडिशियल अप्वाइंटमेंट कमीशन की बैठक में बैठ कर जज अप्वाइंट कर रहे होते। उन्होंने इसको छः महीने डिले कराया और उस समय मैंने कहा था कि बेवजह इसको मत टलवाइए, इतिहास इसको याद करेगा, लेकिन उस समय ये हमारी बात नहीं माने। आज वही बात उन्हें करनी पड़ रही है। अगर तब हमारी बात को मान लेते, तो आज वे मीटिंग में बैठ कर जज तय कर रहे होते। कोई बात नहीं, देर आए, दुरुस्त आए, हमें इस पर कोई एतराज नहीं है।

उपसभापति महोदय, सबसे बड़ी बात यह है कि इसकी जरूरत क्यों पड़ी? 2003 में, उस समय अरुण जेटली जी ने इसका प्रस्ताव किया था कि इस तरह का कमीशन बनाना चाहिए और इसमें कुछ न कुछ तब्दीली आनी चाहिए। सबने कहा और यह बात जगजाहिर है कि जस्टिस जे.एस.वर्मा ने स्वयं कहा कि मुझसे बहुत बड़ी गलती हो गई, कोलेजियम सिस्टम बिल्कुल काम नहीं कर रहा है और जजों की नियुक्ति तथा उनके तबादलों के लिए यह सिस्टम सही नहीं है। इसके बाद वेंकटचेलैया साहब, जो बहुत रेस्पेक्टेड हैं, उन्होंने भी यह बात कही। लगातार तमाम चीफ जस्टिस ने यह बात कही, लेकिन दुख इस बात का है कि सब रिटायर होने के बाद यह बात कहते थे। जब वे स्वयं चीफ जस्टिस रहते थे तब किसी ने इस बात के लिए कोई कोशिश नहीं की। आज 22 साल के बाद यह चीज रिव्यू होकर सामने आ रही है और आज बड़ा ऐतिहासिक दिन है कि आज हम उसको पारित करने जा रहे हैं।

सरकार ने अब जो बिल पेश किया है, उसमें बिल्कुल साफ-साफ है और मैं तो अरुण जेटली जी की बात को और आगे बढ़ाता हूँ कि संविधान में जो बेसिक प्रोविजन्स हैं, अभी सरकार ने इस बिल में उनको पूरी तरह से नहीं रखा है। उसमें तो सीधी-सीधी बात थी कि एक्जिक्युटिव तय करे कि सिर्फ जजेज को कंसल्ट करेंगे। इसमें फिर भी बहुत Large-heartedness है। जो कपिल सिब्बल ने बिल तैयार किया था और जो बिल रवि शंकर प्रसाद जी भी लाए हैं, इसमें उसके बावजूद भी उनके लिए पूरे तीन स्थान हैं, चीफ जस्टिस हैं और सुप्रीम कोर्ट के दो जजेज हैं। इनके अलावा उसमें सिर्फ लॉ मिनिस्टर हैं। अगर आप पॉलिटिकल लीडरशिप से किसी को लीजिए, तो उसमें सिर्फ एक लॉ मिनिस्टर है। जो दूसरे लोग आएंगे, ऐसा नहीं है कि वे पॉलिटिशियंस आएंगे, वे people of eminence होंगे, मतलब वे बड़े-बड़े वकील हो सकते हैं या कुछ सामाजिक कार्यकर्ता हो सकते हैं। जब उसमें सिर्फ एक पॉलिटिकल आदमी है तो फिर इतना हो-हल्ला क्यों है? मतलब, पॉलिटिकल आदमी कहीं नहीं होना चाहिए। आज जो बिल लाए जाते हैं, उनमें यह चीज रखी जाती है कि no ex-MLA, no ex-Member of Parliament and no political person will be qualified to be the member of this Commission. उसमें यह पहले ही लिख दिया जाता है। आज यह चल रहा है कि राजनीतिक व्यक्ति खराब है, इसको हमेशा दूर रखो। हम लोगों को इस चीज को लेकर देश में एक लम्बी लड़ाई लड़नी पड़ेगी। इसमें तो केवल एक लॉ मिनिस्टर मेम्बर है, इसके बावजूद इस पर आपत्ति पर आपत्ति आ रही है, चीफ जस्टिस बयान पर बयान दिए चले जा रहे हैं कि कोलेजियम सिस्टम चला जाएगा तो पता नहीं क्या हो जाएगा। उसमें तीन जजेज रहेंगे, सिर्फ एक लॉ मिनिस्टर रहेगा, दो People of eminence होंगे और उनको सेलेक्ट करने के लिए भी लीडर ऑफ अपोज़िशन, प्राइम मिनिस्टर और चीफ जस्टिस होंगे। इस प्रकार, इसमें भी चीफ जस्टिस को इन्वॉल्व किया गया है, यानी जो लोग तय होंगे, उसमें भी ज्युडिशियरी की सलाह ली जाएगी। इस तरह, इसमें दोनों बार ज्युडिशियरी का कौन सा dominance कम हो रहा है? इसमें उसके dominance का बराबर ख्याल रखा गया है,

[श्री राजीव शुक्ल]

बल्कि एक middle path निकाला गया है और इस मिक्स से निकलकर जो जज़ेज आएंगे, वे बहुत अच्छे होंगे। मैं यह दावे के साथ कहता हूँ कि पॉलिटिकल सिस्टम से जो जज़ेज निकलकर आए, उन जज़ेज पर आज तक कोई उंगली नहीं उठा पाया। मोहम्मद करीम छागला से लेकर ऐसे कितने ही एक से बढ़कर एक लोग आए, लेकिन उन पर कोई भी उंगली नहीं उठा पाया और उनकी हमेशा तारीफ हुई। इनके बाद collegium system से जो जज़ेज निकलकर आए, उनके बारे में रोज उंगली उठती है। यह उंगली कौन उठाता है? यह उंगली हम नहीं उठाते, बल्कि फॉर्मर चीफ जस्टिस उठा रहे हैं। ऐसा जस्टिस वी.एन. खरे ने कहा। ऐसा किसने नहीं कहा? इसके बाद मार्कण्डेय काट्यू जी अपने ब्लॉग पर जज़ेज के बारे में रोज एक कॉलम लिख रहे हैं। वे कौन हैं? ये सब लोग collegium system से आए हुए जज़ेज के बारे में बात कर रहे हैं। रिटायर होने के बाद सारे जज़ेज यह बात उठा रहे हैं कि अंदर क्या हुआ। वे चिट्ठी खोल रहे हैं। आज collegium system को लेकर जितने सवाल ज्युडिशियरी के लोग उठा रहे हैं, उससे लगता है कि कहीं न कहीं इस सिस्टम में कोई खराबी है। अगर इस खराबी को दुरुस्त करने के लिए कोई काम हो रहा है तो इस पर एतराज क्यों है? मैं यह समझता हूँ कि यह बहुत अच्छा काम हो रहा है। पिछली सरकार ने इसको शुरू किया, इस सरकार ने इसको एडॉप्ट किया और मुझे लगता है कि सब लोगों को इस पर अपनी सहमति देनी चाहिए।

ऐसे दो-तीन मुद्दे हैं, जिनको हमें ध्यान में रखना चाहिए। उनमें से एक pendency of cases है। आज जितने केसेज पेंडिंग हैं, अगर उनका निपटारा हो तो उसमें 323 साल लगेंगे। New York Times ने लिखा है, “It appears that the wheel of judiciary has come to a standstill in India. उसने ऐसा क्यों लिखा? क्योंकि इतनी छुट्टियां होती हैं, इतनी डेट्स पर डेट्स पड़ती चली जाती हैं कि केसों का निपटारा नहीं हो पाता। इसलिए ज्युडिशियरी की accountability भी फिक्स होनी चाहिए। उनको कितने देर में कौन सा केस निपटाना है, इसके लिए भी आगे प्रोविजंस करने चाहिए, वरना लोगों को न्याय नहीं मिल पाएगा। इसलिए पेंडेंसी को देखना भी जरूरी है और छुट्टियों पर भी कंट्रोल लगाना चाहिए। अतुल्य घोष का केस 32 सालों में खत्म हुआ। दादा केस शुरू करता है और ग्रैडसन के आने तक उसका निपटारा होता है, तो ज्युडिशियरी यह कौन से टाइम पर डिलीवरी कर रही है? इनका डिलीवरी सिस्टम भी गड़बड़ है, वह भी ठीक होना चाहिए।

अब इसमें करप्शन की बात आती है करप्शन की बात हम पॉलिटिकल लोग नहीं उठा रहे हैं, बल्कि जितने जज़ेज हैं वही करप्शन की बात कह रहे हैं। कहीं किसी के घर के बाहर नोटों के बंडल मिलते हैं, कभी यह सुनने को मिलता है कि किसी ने एसी ले लिया, किसी ने कोई कार ले ली, कभी किसी के बारे में यह कहा जाता है कि यह land grabber है, किसी ने जमीन खरीद ली, किसी ने प्लॉट खरीद लिया, ये सारी बातें जज़ उठा रहे हैं, हम लोग नहीं बोल रहे हैं। मुझे लगता है कि अब खुद ज्युडिशियरी के introspection का वक्त आ गया है। मैं यह नहीं कहता कि ज्युडिशियरी में सारे लोग करप्ट हैं, उनमें 70-80 प्रतिशत लोग ऑनेस्ट हैं। हायर ज्युडिशियरी में यह संख्या बहुत ज्यादा है, लेकिन लोअर ज्युडिशियरी सबसे ज्यादा खतरे की चीज़ है। लोअर ज्युडिशियरी को ठीक करने की जिम्मेदारी हायर ज्युडिशियरी पर है और वे काम को नहीं करते हैं। आप किसी भी लोअर ज्युडिशियरी में जाइए, जिले की अदालत में तारीख बढ़ाने के पैसे

पेशकार सबके सामने लेता है, लेकिन उसका कोई स्टिंग आपरेशन भी नहीं करता वहां सबके सामने धड़ाधड़ पैसे लिए जा रहे हैं। जिसे visible corruption कहते हैं, वह लोअर ज्युडिशियरी में है। वह जिम्मेदारी हाई कोर्ट के चीफ जस्टिस, हाई कोर्ट के इन-चार्ज जज की होती है, लेकिन वे कुछ नहीं करते। वहां जाकर मजिस्ट्रेट से आप कोई भी हलफनामा साइन करा लीजिए। ऐसे कई हलफनामे हैं, जिनमें महात्मा गांधी को मुलजिम बना दिया गया, भारत के राष्ट्रपति, प्रधानमंत्री को मुलजिम बना दिया गया। उन्होंने देखा तक नहीं, केवल पैसे लगाए और मुहर लगाकर दस्तखत कर दिए। यह हाल लोअर ज्युडिशियरी का है और इस लोअर ज्युडिशियरी से आम आदमी प्रभावित होता है। माननीय मंत्री जी, लोअर ज्युडिशियरी के बारे में आप क्या कर रहे हैं और इस कमीशन में इस बारे में आप क्या प्रोविजन कर रहे हैं? यह स्टेट लेवल पर बहुत जरूरी है, क्योंकि लोअर ज्युडिशियरी में इतना करप्शन है कि आप सोच भी नहीं सकते। तीसरी बात है महंगा न्याय। महंगे न्याय का भी कुछ करना पड़ेगा। महंगा न्याय में इस सेंस में कह रहा हूं कि सुप्रीम कोर्ट का रिटायर्ड जज भी सुप्रीम कोर्ट में मुकदमा नहीं लड़ सकता। वकीलों की जो फीस है, कोई भी वकीलों की उतनी फीस नहीं दे सकता। जो हालत है उसमें यह सस्ता न्याय कहां से मिलेगा, कैसे आम आदमी हायर ज्युडिशियरी में लड़ सकता है? एक-एक एपिरिंस के 25-25 लाख लगते हैं। यह सब ज्युडिशियरी की जिम्मेदारी है। क्योंकि वे क्या करते हैं कि जब कोई नामी-गिरामी वकील खड़ा हुआ है, लोगों के दिलों में यह परसेप्शन रहता है कि नामी-गिरामी वकील को खड़ा करोगे तभी फेवर में जजमेंट होगा। उस चक्कर में जो नामी-गिरामी वकील देश भर में हैं, उनको लोग पैसा देकर लाते हैं और यह होता है कि अगर कोई साधारण वकील अच्छा लीगल आरग्यूमेंट भी दे रहा है, तो शायद उसकी सुनी नहीं जाएगी। इस परसेप्शन की वजह से लोग लुटे जा रहे हैं। तो यह तो ज्युडिशियरी को ख्याल रखना होगा कि चाहे वह केवल महीने पुराना वकील हो, लेकिन अगर वह आरग्यूमेंट अच्छा दे रहा है तो उसको तरजीह देनी चाहिए, बड़े-बड़े वकीलों के ऊपर, और तभी जाकर सस्ता न्याय मिल सकेगा। ...**(समय की घंटी)**... अभी तो मेरे 24 मिनट नहीं हुए। ...**(व्यवधान)**...

श्री उपसभापति : इसमें देखो, कितने मिनट हो गए।

श्री राजीव शुक्ल : सर, मैं कह रहा हूं कि घंटी बजाने की आदत थोड़ा कम कर दीजिए। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: You have to conclude. ...**(Interruptions)**...

श्री राजीव शुक्ल : तो यह जो लोगों को महंगा न्याय मिल रहा है, यह ठीक नहीं है। चौथी चीज, यह कि एकजीक्यूटिव हमेशा गलत नहीं हैं। यह जो परसेप्शन देश में बना दिया गया है कि जो कोई भी चीज एकजीक्यूटिव करेगी वह गलत है। इसलिए प्याज के दाम कितने हो वह भी हम तय करेंगे, ट्रेन कैसे चले यह भी हम तय करेंगे, नगरपालिका कैसे चले यह भी हम तय करेंगे, क्योंकि जो एकजीक्यूटिव है वह सब बेकार है। फिर डेमोक्रेसी किसलिए है? फिर यह चुन-चुनकर इतने चुनाव क्यों होते हैं, क्यों लोग आते हैं? जब आप उनके साथ में कोई पॉवर ही नहीं देना चाहते, एकजीक्यूटिव खराब है तो फिर एकजीक्यूटिव को इलेक्ट ही क्यों करते हो, फिर तो डेमोक्रेसी खत्म करिए। इसलिए यह बहुत जरूरी है कि इन चारों चीजों पर मंत्री जी जवाब दें कि आगे क्या प्रावधान कर रहे हैं। सदस्यों तक का तो यह कहना है कि इसको और कम्प्रहेंसिव बनाना चाहिए था और इस ज्युडिशियल कमीशन में यह चीज डालनी चाहिए थी कि करप्शन से

[श्री राजीव शुक्ल]

कैसे डील करेंगे। इसमें वह प्रोविजन नहीं है। उनका कहना है कि पहले एक स्टेप चलो, फिर दूसरे स्टेप पर आएं। इसलिए उसका भी ध्यान रखें। बहुत-बहुत धन्यवाद।

MR. DEPTUTY CHAIRMAN : Dr. Keshava Rao, only five minutes.

DR. K. KESHAVA RAO (Andhra Pradesh): Mr. Deputy Chairman, Sir, thank you. Today, I will not object to your time-limit because I really want the House to pass the Bill. I was looking forward to the Bill being passed. As the Minister said, it is a culmination of 24 years of our thinking, our protests, our sufferings, sufferings in silence, although we wanted it. But it is not the reason. We had caved in to the judiciary for various reasons. We went for the committed Executive. We went for the Executive supremacy, or, whatever it is. But, Sir, whatever it is, the Bill is so well drafted. Yesterday, I was looking into it. So, tighter draft. Yet I have my own doubts, because whatever it is, after having enjoyed it for 24 years, the judiciary might not leave us that free. Although all of us are asking for this Bill, I have my own doubt. It is for the Law Minister who is really firm. He is one of the strong Ministers, let him also take this into view. The very fact that the entire House, and the other House, have expressed a unanimous voice, the emphatic voice for a judicial reform. We have always been talking of reforms in terms of social reforms and economic reforms. But nobody has talked about judicial reforms which really uphold the very Constitutional democracy for us, and the lives of the people.

Hon. Member, Mr. Jethmalani is sitting here. He wrote an article. He has dealt very deeply with how they all become wards of the Supreme Court, or, any court. How the Judges become our guardians. Now that particular thing is crumbling. What do we do? Today, why did the Minister come with this Bill? Yesterday, the Minister's clarification in the other House, or, Mr. Jaitley's clarification has cleared it. Since all of us are on the same page, I do not think, I need to take much time of the House. But I would like to say why are we becoming diffident? Mr. Jaitley said that they are going to stand by the independence of the judiciary, everybody wants it. Independence, or what is called, he used the word, impartiality. We would see to it that impartiality remains and so on. What I am saying is independence and impartiality are now judicial priorities. They are not private property of those people. It is the right of all the people, all of us want it. But what we want is, along with independence, there has to be accountability; otherwise, without accountability, independence is nothing. It would become a scam. So, that is what we are trying to do. Earlier, the system that we had for all these years, perhaps, went bad in a few cases where the Executive got its own supremacy. What I am saying is, today the Minister tried, to balance the thing. What is the balance? He has factored in the Judiciary, about which we have been talking so much; he has motored in the Executive add he has

factored in the civil society. He has factored in these three with a balance. As Shri Jaitley said, the Judiciary still keeps its supremacy. It is not there in this Bill. It is in the next Bill. The other Bill says that if two people differ you will not have your way. That means, it will certainly be the Judiciary which will have its last say, to which I might have my own reservations. But, nonetheless, it will be there because the people are asking for it. Sir, why we are asking for this is not because they did not have any criterion or this or that. But certainly, as time is short, I will jump to other points. The point is, what Shri D. Raja has brought in, what Shri Yadav has brought in and what others tried to bring in, is the sociology of law. We are saying this today because you are going to head the judicial system or jurisprudence as such. You are going to become a guide and a philosopher, as far as the very judicial reforms are concerned. We are not only worried about whom we are bringing as the Chief Justice and as a judge of the high court. What is there is also important, though we are not discussing it. That is not the agenda before us. But nonetheless, it is the true agenda, as far as our hearts are concerned. What Shri Yadav says is, when you see the entire country, in more than 800 judges, we are not having any OBC or any SC. They are hardly having anything. It hurts the people. Let the Minister...

MR. DEPUTY CHAIRMAN: Please conclude.

DR. K. KESHAVA RAO: Let the Minister, as the Chief Executive, look at this fact also, because there are issues like pending cases, infrastructure, fee, etc. All these are issues which have to be factored into these things. Shri Misra talked about fee. It is absolutely prohibitive, in a sense, it discourages. (Time Bell rings) Actually, the Minister wrote a letter to our State. We did not reply to it, I understand. I feel sorry for it. But it was the same thing which I am saying. We are all with you. We are heartily with you as far as this Bill and this reform is concerned. Thank you.

DR. E.M. SUDARSANA NATCHIAPPAN (Tamil Nadu): Mr. Deputy Chairman, Sir, I congratulate the hon. Law Minister, Shri Ravi Shankar Prasad, for having this historical role of coming forward with such a law, which was initiated many years back by many Governments. From the 11th Lok Sabha, from 1991 onwards, till the 16th Lok Sabha, there were eight Governments and six Prime Ministers. Every time, they tried to work it out by bringing some sort of law to see that appointments are properly made instead of going by the 1993- Judgement which stated that judges could elect themselves within their own fraternity. Sir, the Constitution-framers were very clear in saying that Parliament was supreme, when you compare with the Judiciary or the Executive. The powers which were given can easily be assessed by way of the Preamble of our Constitution which gives a very clear version as to how the Constitution thinks.

[Dr. E.M. Sudarsana Natchiappan]

I am reading out the Preamble: “We, the people of India, having solemnly resolved to constitute India into a sovereign, socialist, secular, democratic republic and to secure to all its citizens justice, - social, economic and political - liberty, equality and fraternity...” Now, justice in social, economic and political aspect is to be given by all the three wings of the Government. The State is having an executive power. The Executive is elected by the people. It reflects upon the peoples feeling about what type of Government it wants for a particular period. This way the Lok Sabha is elected. Similarly, States are electing their own representatives to the Rajya Sabha to reflect the attitude of State Governments, local people, linguistic, ethnic and cultural groups. They decide what type of representation they want in the Senate, the Rajya Sabha. Therefore, this is the reflection of the people’s mind, that is, the accountability of the representatives of the people. Therefore, it has to reflect. Whether it is the action of the Judiciary, the Executive or the Legislature, the people’s will has to come out. It has to be reflected in each and every action because the accountability is to the people by representatives who are elected by the people. Therefore, the executive power is nothing but the people’s power which is given through Parliament, and Parliament is supreme according to the Constitution. If you read Article 124, it gives power in the first clause, which says, "Parliament, by law, prescribes the larger number of judges." The number of judges of the Supreme Court can be done only by Parliament. Similarly, removal of judges can also be done only by Parliament. The procedure for removal is also to be done by Parliament. Salaries of particular judges, whether of the Supreme Court or High Courts, are also vested with Parliament under Article 124. Similarly, Article 145 says: “Subject to the provisions of any law made by Parliament, the Supreme Court may, from time to time, with the approval of the President, make rules for regulating generally the practice and procedure of the Court.” Therefore, the entire thing, whether it pertains to salaries or appointments or procedure of working, etc., is vested with Parliament. Parliament has the supreme power to see that everything is properly done, be it the Legislature, the Judiciary or the Executive, because these are the organs which are answerable to the people; they are accountable to the people. If the Judiciary makes a particular aspect of the judgement, Parliament, that is, Members elected by the people, ask the Executive as to why this has been done. We started from the Jain dairy where some initials were put up. Many of the top-level dignitaries of the political parties had to face trial. We never saw such a thing when the diary of an accused could be used as evidence against innocent people and, finally, we know what happened. We have examples of plenty of cases, right from 1993 till date, to see how innocent political leaders were brought in for the court procedure. This is because the Executive, that is, Parliament, was depending upon many of the coalition partners, and, therefore, they were

not energetic enough to see to it that Judiciary was pinned down. But I congratulate the Government on taking this step, an early path. I say this because if they even wait for six months more, by then, they will also be facing certain cases against their own Ministers; many scams will be coming out, and they will have to look after those things rather than bringing in this type of legislation. Therefore, I feel that this is the correct time. But I request them that they have to bring a package. When Shri Jaitley was the Leader of the Opposition, he used to very often raise in the debate that we should have a comprehensive enactment on appointments, on taking action against judges, and also on how salaries and other things have to be fixed. Now the Judicial Accountability Bill is before Parliament. It ought to have come. But the same mechanism, which is now brought in by this Constitutional Amendment, need not be vested with the same powers because it is the appointing authority. Appointing authority cannot have the authority to take disciplinary action and also hold an inquiry. We have to bring about another body which is the Judicial Accountability Commission and this has to be brought in an appropriate time when the Government feels that it is proper. Similarly, Sir, I would like to rush through the two provisions. In this Constitutional amendment we find that, more or less the Constitutional acceptance for the collegium is given. Three judges who called themselves as a collegium from 1993 judgment onwards are now accepted as a Constitutional body, provided the Executive is also reflected with the Judiciary's consent. Two more eminent jurists are also appointed. Who are they? Who is appointing? Is it the Prime Minister, the Chief Justice of India and the Leader of the Opposition or the largest group of Opposition in the Parliament? Therefore, here also, the Judiciary is having a say in appointing persons who are called eminent persons. Therefore, here also, the judiciary is having a stronghold to see that proper persons are appointed. Similarly, Sir, if you take Article 222, there are two clauses. They are 124B which is now going to be inserted. Clause (b) says, 'recommend transfer of Chief Justices and other Judges of High Courts from one High Court to any other High Court'; and Clause (c) says 'ensure that the person recommended is of ability and integrity.' I am sorry, Sir, more or less, the transfer is made only for punishment. Nowadays, the Judiciary has started to usurp the power and is challenging the federal set-up of India. Sir, the person who was born and educated in a particular State, in a culture, in a linguistic manner, should be the judge of the High Court of a particular State. He should be the Chief Justice of that particular State. He has to reflect the culture and the linguistic aspect of that particular State. Now, you are removing them to some other State and putting some other person as the Chief Justice of a High Court. And secondly, the senior most judge is also from some other State. They are becoming a collegium to select the members. It is more or less, I feel violation of federal set up.

MR. DEPUTY CHAIRMAN: Please conclude.

DR. E. M. SUDARSANA NATCHIAPPAN: I am concluding. You have given me time. I will conclude within that time.

MR. DEPUTY CHAIRMAN: I know your party has got six more minutes but sacrifice five minutes!

DR. E.M. SUDARSANA NATCHIAPPAN: Sir, we are always sacrificing. Congress is always sacrificing everything.

MR. DEPUTY CHAIRMAN: Sacrifice is always good.

DR. E. M. SUDARSANA NATCHIAPPAN: Sir, I would like to conclude by saying that federal powers of the State should not be taken away. We, the people of India, have already followed the system of giving more powers to the Federal system. You have given a chance in the subsequent Bill to get the consent of the Chief Minister who is responsible for the local people, and also the Governor of the State. Sir, that State should also have the power to say that these were the people from our State, who should be represented (Time-bell rings) as a judge and also the Chief Justice of the High Court. Article 222 should not be taken up as a usual course. It should be an exceptional one in certain cases alone. Thank you.

श्री उपसभापति : श्री रामदास अठावले, आप सिर्फ चार या पांच मिनट लीजिएगा।

श्री रामदास अठावले (महाराष्ट्र) : डिप्टी चेयरमैन सर, इस नई सरकार के कानून मंत्री जी बहुत की क्रांतिकारी बिल लाए हैं। आप जानते हैं कि हमारे देश का संविधान बाबा साहेब अम्बेडकर जी ने लिखा था, वे ड्राफ्टिंग कमेटी के चेयरमैन थे। इस संविधान को बनाने में डॉ. राजेन्द्र प्रसाद जी के नेतृत्व में जिन-जिन लोगों ने भाग लिया, उन सबका इसमें बहुत इम्पोर्टेंट रोल रहा है, इसलिए मुझे लगता है कि यह जो संविधान है, कई लोग कहते हैं कि इस पर अंग्रेजों का प्रभाव है, लेकिन वह प्रभाव बिल्कुल नहीं है। अंग्रेजों पर हमारा प्रभाव था। अंग्रेजों का यहां कोई संबंध नहीं है। हरेक मेम्बर ने स्टडी करके कि कैसा कानून होना चाहिए, उसकी बात कही है। ज्यूडिशियरी का जो कानून है, वह कानून जब बनाया गया था, तो पहले जो अपॉइंटमेंट होते थे, उसमें राष्ट्रपति या सुप्रीम कोर्ट के चीफ जस्टिस अपॉइंटमेंट करते थे, तो लोगों को थोड़ी गलतफहमी होती थी, लेकिन इस सरकार के कानून मंत्री श्री रवि शंकर प्रसाद जी यह जो बिल लाए हैं, यह बहुत इम्पोर्टेंट बिल है। इसमें छः लोगों की कमेटी बनेगी, जिसमें सुप्रीम कोर्ट के चीफ जस्टिस भी रहेंगे, दो जजेज़ रहेंगे, दो एक्सपर्ट्स रहेंगे और लॉ मिनिस्टर भी उसमें रहेंगे, तो इस तरह छः मेम्बर्स की कमेटी बनेगी, लेकिन सर, मेरा सुझाव है कि इसमें एक शेड्यूल्ड कास्ट, शेड्यूल्ड ट्राइब का व्यक्ति भी होना चाहिए और एक महिला भी होनी चाहिए। छः मेम्बर्स में से ...**(व्यवधान)**... दो मेम्बर्स लेने वाले हैं। ...**(व्यवधान)**...

डा. अनिल कुमार साहनी (बिहार) : ओ.बी.सी. का भी होना चाहिए।

श्री रामदास अठावले : ओ.बी.सी. की मांग आप करिए, मैं सब मांगें करूंगा तो वे मानेंगे नहीं। ...**(व्यवधान)**... ठीक है, ओ.बी.सी. का भी होना चाहिए। ...**(व्यवधान)**... 6 मंbers में ओ.बी.सी. का भी हो क्योंकि अगर देश में एस.सी., एस.टी. और ओ.बी.सी. की पापुलेशन देखी जाए तो वह 75 परसेंट है - 52 परसेंट ओ.बी.सी. की और एस.सी., एस.टी. की पापुलेशन 24.4 परसेंट है, इसलिए मुझे लगता है कि सभी जातियों को न्याय मिलना चाहिए, इसमें कोई जातिवाद का प्रश्न नहीं है। अगर आप मैरिट की चर्चा करते हैं तो मैं कहना चाहता हूँ कि दलित समाज में भी बहुत अधिक मैरिट है। बाबा साहेब अम्बेडकर में कितना मैरिट था। अगर मैरिट की बात करते हैं तो रास्ते में, झोंपड़-पट्टी में स्टडी करने वाला भी अगर 70 परसेंट, 80 परसेंट मार्क्स लाता है तो उसका मैरिट अच्छा होता है - मेरी भी मैरिट अच्छा है। मेरा मैरिट अच्छा है कहने से मेरा मतलब है कि हम लोग उस समाज से आए हैं। जो यह 121वां संशोधन है, आप कह रहे हैं कि आपकी सरकार इसको लायी थी, लेकिन आप आखिर में इसको लेकर आए। मैं पूछना चाहता हूँ कि इतने साल आप क्या कर रहे थे? आपको इसे पहले ही लाना चाहिए था। ठीक है, आप लाए या हम लेकर आए, लेकिन जो एप्वाइंटमेंट्स होने वाली हैं, इनसे किसी पर भी किसी तरह का आरोप नहीं लगेगा, जो अच्छा आदमी है, उसका एप्वाइंटमेंट होगा। मेरा अनुरोध है कि उसमें भी शेड्यूल्ड कास्ट, शेड्यूल्ड ट्राइब्स और ओ.बी.सी. के जजेज को एप्वाइंट करना चाहिए। माननीय रवि शंकर प्रसाद जी से मेरा अनुरोध है कि हमें यह करना चाहिए। दलितों ने हमें बहुत अच्छे वोट दिए हैं। हालांकि यह वोट का विषय नहीं है, लेकिन दलितों को न्याय देने के लिए, ट्राइबल्स को न्याय देने के लिए जजेज में हमारे जज भी होने चाहिए। अगर आपको अच्छा न्याय चाहिए तो हमारे समाज में से भी कुछ लोगों को एप्वाइंट करने की आवश्यकता है। ...**(समय की घंटी)**... महोदय, मुझे लगता है कि आपकी बेल बज रही है। जब मैं खड़ा रहता हूँ तो बेल बजती है, वह बजनी भी चाहिए, अगर बेल नहीं बजेगी तो मैं तो बैठूंगा नहीं। ...**(समय की घंटी)**... इसलिए जो सुझाव मैंने दिया है, जो 121वां अमेंडमेंट हो रहा है, The National Judicial Appointments Commission Bill, 2014 को मान्यता देने का जो 121वां कंस्टीट्यूशनल अमेंडमेंट बिल है, इसका मैं समर्थन करता हूँ और इतना ही कहना चाहता हूँ कि ...**(समय की घंटी)**...

श्री उपसभापति : अठावले जी, अब समाप्त करिए।

श्री रामदास अठावले : यह संविधान इतना मजबूत है कि इसमें बदलाव करने की आवश्यकता नहीं है, जब भी चाहे हम इसमें अमेंडमेंट्स कर सकते हैं। इसीलिए मैं इस अमेंडमेंट बिल का पूरा समर्थन करता हूँ, पूरा देश इसको सपोर्ट करेगा। मेरा अनुरोध है कि आप अच्छे लोगों का एप्वाइंटमेंट कर दीजिए। धन्यवाद।

MR. DEPUTY CHAIRMAN: Shri Naresh Gujral. Please take 3-4 minutes and not more than that because we have to go for voting before 2 p.m.

SHRI NARESH GUJRAL (Punjab): Sir, after 67 years of Independence, there is an increasing cynicism against the three pillars of democracy. While the anger against the Legislature and the Executive is more intense, we now find that increasingly the Judiciary is also coming under attack. Sir, till the 70s, there was a time when the judges were considered almost as demi-gods. Their integrity and reputation was beyond question. But,

[Shri Naresh Gujral]

unfortunately, the Judiciary refused to stand up to the Emergency and Mrs. Indira Gandhi. Thereafter, we saw the concept of committed Judiciary as against independent Judiciary. We all remember the role of a particular Law Minister who was pivotal in bringing the kind of people to Judiciary, who should not have been there. Cronies were brought in. People of less than high integrity were brought in and that is when the courts decided to step in the early 90s.

Sir, today what we are witnessing is a huge backlog of cases in the country which is increasingly criminalizing our society. Yet, the backlog of judges is not filled up. So, obviously, this calls for some kind of a change and, I think, the collegium system which is not working perfectly needs some change, which the Government is proposing.

Sir, there have been allegations of promoting brother judges in the collegium and the process requires a relook. I will only narrate two cases to which I was a witness. In one case, the collegium recommended the case of a judge and the file itself said — I am saying it because my father was the Prime Minister then — that the particular person was abusive to the family. The file said that there were complaints against him from fellow judges on his behaviour. Yet, his name was being proposed. When this was brought to the attention of the then Chief Justice, the file was called back, and the name was withdrawn.

But more of horrific was a case when the Chief Justice of India had to be appointed. Normally, Mr. Law Minister would support my contention, the name comes to the Prime Minister one month before the Chief Justice has to retire. In that case, the name was withheld and it came only ten days before the Chief Justice was to retire. The Prime Minister looked at the file. There was unanimity on the recommendation, the senior-most judge was being appointed, and the file was sent to the President. Three or four days later, the Chief Justice calls the Prime Minister and says, ‘there are allegations of corruption against this gentleman’. The then Prime Minister asked him, “Why did you send this name, if there were allegations?” He said, “My hands were tied; my fellow brothers wanted the name to be sent. So, I have sent the name”. The said gentleman, against whom there were allegations of corruption, was promoted as the Chief Justice of India.

Sir, I am narrating these instances just to show that the collegium system has not worked perfectly, and it is time now that we brought a change. (Time-bell rings) I will only take half-a-minute, Sir. I welcome the Clause regarding the women being represented on JAC, because that will ensure that the existing boys’ club is broken up. And, I also hope that this will address the increasing cases of sexual harassment in the judiciary. Thank you very much, Sir.

MR. DEPUTY CHAIRMAN: Now, Km. Mayawati, two minutes.

सुश्री मायावती (उत्तर प्रदेश) : माननीय उपसभापति जी, अपने देश में जजेज की नियुक्ति के लिए लगभग पिछले 20 वर्षों से जो व्यवस्था चली आ रही थी जिसमें काफी कुछ कमियां थीं और पिछली व्यवस्था के तहत लोग किस्म-किस्म की अंगुलियां उठाने लगे थे, तो उसे दूर करने के लिए वर्तमान सेंटर की सरकार ने जजेज की नियुक्ति के लिए जो नई व्यवस्था की है, उसको लेकर जो विधेयक लाया गया है, इसका हमारी पार्टी समर्थन करती है। इस संबंध में मेरा यह भी कहना है, खासतौर से जुडिशियरी को लेकर कि हमारे देश का संविधान लोकतंत्र के ऊपर आधारित है। माननीय न्यायपालिका को इसका एक मजबूत स्तम्भ माना जाता है।

परम पूज्य बाबा साहेब डा. भीमराव अम्बेडकर ने इस महत्वपूर्ण स्तम्भ के बारे में काफी कुछ कहा है। मैं उसके ज्यादा डीटेल में नहीं जाना चाहती हूं। परम पूज्य बाबा साहेब डा. भीमराव अम्बेडकर ने भारतीय संविधान में जो न्यायपालिका की व्यवस्था की, वह यह सोचकर की थी कि इस देश में समाज के सभी वर्गों को और सभी धर्मों के लोगों को जुडिशियरी के जरिए न्याय मिलेगा। यदि राज्य सरकारें किसी भी मामले में उनको न्याय नहीं देती हैं या सेंट्रल गवर्नमेंट उनको न्याय नहीं देती है, चाहे वे किसी भी धर्म के लोग हों, चाहे किसी भी जाति के लोग हों, तो उनके लिए माननीय अदालत के दरवाजे खुले हैं, वे वहां जाकर अपनी बात कह सकते हैं। हमें इस बात को भी ध्यान में रखकर चलना चाहिए कि बाबा साहेब डा. अम्बेडकर ने जुडिशियरी के बारे में बहुत कुछ कहा है। बाबा साहेब डा. भीमराव अम्बेडकर ने इस बात को भी ध्यान में रखकर कहा था कि इस देश में जो अनुसूचित जाति, अनुसूचित जनजाति, ओ.बी.सी. और जो रिलिजियस माइनॉरिटीज के लोग हैं, खासतौर से एस.सी., एस.टी. और ओ.बी.सी. में से जो कन्वर्टेड माइनॉरिटीज के लोग हैं, उनकी तादाद बहुत ज्यादा है। बाबा साहेब डा. भीमराव अम्बेडकर को यह मालूम था कि समाज में जो गैर बराबरी वाली सामाजिक व्यवस्था है, उसके तहत इनको जिंदगी के हर पहलू पर आगे बढ़ने से बरसों से रोका गया है। इस बात को देखते हुए बाबा साहेब डा. भीमराव अम्बेडकर ने भारतीय संविधान में व्यवस्था करते समय यह सोचा था कि केन्द्र में और राज्यों में जिन पार्टियों की सरकारें बनेंगी, वे इन वर्गों के लोगों को जिंदगी के हर पहलू पर आगे बढ़ने के लिए इनके हितों का ध्यान रखेंगी। यदि वे इनके हितों का ध्यान नहीं रखती हैं और इनकी उपेक्षा करती हैं, तो इन वर्गों के लोगों को माननीय अदालत में जाने का पूरा अधिकार है, ताकि वे अदालत में जाकर अपनी बात कह सकें। बड़े दुख की बात है कि हमारे देश को आज़ाद हुए बरसों बीत चुके हैं, लेकिन इन वर्गों के लोगों को जिन्दगी के हर पहलू में आगे बढ़ने के लिए न्याय नहीं मिल रहा है। राज्य सरकारें इनकी उपेक्षा कर रही हैं।...(व्यवधान)... एक मिनट। राज्य सरकारें इनकी उपेक्षा कर रही हैं और केन्द्र की सरकारें भी अभी तक इनकी उपेक्षा कर रही हैं। जब ये लोग न्याय के लिए हाई कोर्ट में जाते हैं या फिर चाहे माननीय सुप्रीम कोर्ट में जाते हैं, पहली बात तो यह है कि इनकी आर्थिक स्थिति बहुत खराब होती है, जिसकी वजह से ये लोग अच्छे वकील नहीं कर पाते हैं। यदि जैसे-तैसे करके ये लोग वकील करते भी हैं, तो इनको न्याय मिलने में बरसों लग जाते हैं। न्याय पाने की आस में इनको दस-दस साल का

[सुश्री मायावती]

समय लग जाता है और ज्यादातर केसों में इनको पूरा न्याय भी नहीं मिल पाता है। ...**(समय की घंटी)**... बस दो-तीन मिनट।

MR. DEPUTY CHAIRMAN: No, no. ...*(Interruptions)*... One minute more.

सुश्री मायावती : मैं इस बिन्दु पर आना चाहती थी कि इनको न्याय नहीं मिल पाता है। जब इन दबे कुचले लोगों को बरसों के बाद हाई कोर्ट में न्याय नहीं मिलता है, सुप्रीम कोर्ट में न्याय नहीं मिलता है, तब ये वीकर सेक्शन के लोग, खासतौर से शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के लोग, दुखी होकर कहते हैं कि हमारे जजेज नहीं हैं, इसलिए हमें न्याय नहीं मिल रहा है। जो इन लोगों की दुखी भावना है, उसकी ओर भी ध्यान देने की जरूरत है। जब ये लोग न्याय के लिए कोर्ट, कचहरी में जाते हैं, जब उनको न्याय नहीं मिलता है, तब वे इस किस्म की बातें सोचते हैं। मेरा सरकार से यह कहना है कि आप जजेज की नियुक्ति के लिए यह जो विधेयक लाए हैं, हम इसका वेलकम करते हैं। इसके लिए हमारी पार्टी का यह भी कहना है कि जब जजेज की नियुक्ति हो, वह चाहे हाई कोर्ट में हो या फिर सुप्रीम कोर्ट में हो, तो इन दबे कुचले लोगों के हितों का भी ध्यान रखना चाहिए। हालांकि आपने यह तो कहा है कि नियुक्ति के लिए एक पैनल बनेगा और इनके हितों का भी ध्यान रखा जाएगा, लेकिन इससे काम नहीं चलेगा। मेरा सरकार से यह कहना है कि जब तक आप जुडिशियरी में ...**(समय की घंटी)**... एस.सी., एस.टी., ओ.बी.सी. के लिए और रिलिजियस माइनोंरिटीज के लोग हैं, इनके लिए अलग से रिजर्वेशन की व्यवस्था नहीं करेंगे, आबादी के हिसाब से इनके लिए अलग से कानून नहीं बनाएंगे तब तक एस.सी., एस.टी. और माइनोंरिटीज के लोग जुडिशियरी में जज नहीं बन सकते।

श्री उपसभापति : ठीक है, अभी आप बैठिए।

सुश्री मायावती : हम केवल इनके हितों का ध्यान रखेंगे, यह कह देने से काम नहीं चलेगा, क्योंकि जुडिशियरी में इनका रिजर्वेशन नहीं है। हमारी पार्टी इसके लिए लम्बे समय से संघर्ष करती आ रही है। इसके लिए केन्द्र सरकार से मेरा यह कहना है कि केवल आश्वासन देने से काम नहीं चलेगा कि हम इनके हितों का ध्यान दखेंगे, आपको सख्त कदम उठाना होगा, ठोस कदम उठाना होगा। आपको इसके लिए न्यायपालिका के अंदर एस.सी., एस.टी., ओ.बी.सी. और जो कन्वर्टेड माइनोंरिटीज के लोग हैं, उनके लिए रिजर्वेशन की व्यवस्था करनी होगी और कानून बनाना होगा।

श्री उपसभापति : मायावती जी, आप बैठिए।

सुश्री मायावती : यदि आप इस सत्र में कानून नहीं बना पाते हैं, तो अगले सत्र में आप जल्दी कानून बनाएं और इन वर्गों के लोगों को आबादी के हिसाब से प्रतिनिधित्व मिलना चाहिए, तभी इनको न्याय मिल पाएगा, ऐसी मेरी सरकार से पुरजोर अपील है।

MR. DEPUTY CHAIRMAN: Now, hon. Members, we decided even yesterday that before 2.00 p.m. it has to be put to vote. That was the decision. The Minister has not replied. I have requests from two legal luminaries, Mr. Ram Jethmalani and Shri K.T.S.

2.00 P.M.

Tulsi. But, I got the names very late. I do not know what to do. But I have got the names very late. I don't know what to do. ...*(Interruptions)*...

SOME HON. MEMBERS: Allow them. ...*(Interruptions)*...

SHRI RAM JETHMALANI (Rajasthan): Sir, even the representative of the party has written to you that they have also given their time to me. ...*(Interruptions)*...

SHRI K.T.S. TULSI (Nominated): I gave my name in the morning. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Both the names have come late. That is the problem. ...*(Interruptions)*... गुप्ता जी का लेटर क्यों आया? ...*(Interruptions)*... If the House agrees, you can be given three minutes each. ...*(Interruptions)*... Okay. Please stick to three, three minutes. ...*(Interruptions)*... I am allowing you on that condition because everybody is sitting here without taking lunch. So, please stick to you time.

SHRI RAM JETHMALANI: Sir, it is impossible to comply with the three minutes ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Then, please don't ...*(Interruptions)*...

SHRI RAM JETHMALANI: When the leader of a party has written to you that they have given their time to me. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You are right. But that letter came late. ...*(Interruptions)*...

SHRI RAM JETHMALANI: All right, Sir. I will try to be as brief as I can. ...*(Interruptions)*... I must tell this House that I have been a supporter of the creation of a National Judicial Commission for the last nearly twenty years. I have written fortnight after fortnight about the creation of the National Judicial Commission. In fact, in the last week also I had written two articles about it. But, the National Judicial Commission of my dreams is widely different from the pale shadow of the National Judicial Commission, which has been created by this amendment of the Constitution and the Bill that follows.

I wish the hon. Law Minister had taken care to study the Constitution of the National Judicial Commissions, which are operating in South Africa for the last twenty years; which have been operating in New Zealand and Australia for so many years. He would have realized that this pale shadow of the Judicial Commission that he has created is a slur on the whole institution of National Judicial Commission. It is a great betrayal of all the intellectuals in this country who has supported the creation of a National Judicial Commission.

[Shri Ram Jethmalani]

Sir, when I support the National Judicial Commission, I must record that I have the highest respect for the Judiciary of this country. Though there are bad fish in that basket, yet, compared to other departments of our life, the Judges are still angels. But that does not mean that they do not need reform. I don't think the hon. Law Minister has studied the constitution of any Judicial Commission, working in any part of the world, particularly in the South Africa, which is the oldest. Sir, that Law Minister is the most disqualified person to be a Member of a Judicial Commission of this kind. First of all, by the exigencies of democratic life, the Law Minister may have to go back any time to earn his livelihood by practicing before a court. He cannot be trusted to have that kind of moral and professional courage that a Minister must have before he propounds a proposal that the Judiciary should be modified. That is my point number one. But that does not mean that the Government should not be represented. The Government must be represented by the Prime Minister, by the Home Minister, but not by any person who, today or tomorrow, has to go back to the court and practice before the Judiciary.

My point number two is this. All civilized countries have contemplated a National Judicial Commission in which, on the one side, the Government is represented by the Prime Minister or by any other Minister, other than a Minister who might have to practice in a court, but also the academic world, the Bar. The Bar is an institution which knows about the qualifications of Judges. As aspiring Judges, they know who is honest, who is corrupt and who could possibly bring grace and glory to this office. (Time-bell rings) So, if the Members of the Bar are completely excluded from this, what is the objection? ...*(Interruptions)*... Then, Sir, there is a unanimity that the civil society must be represented in the National Judicial Commission. The civil society means, particularly, the labour force of the country, the workers who are the fulcrum and who are the foundation of our industrial society. *(Time-bell rings)*

MR. DEPUTY CHAIRMAN: Okay. All right. *(Time-bell rings)* Now, it is over.

SHRI RAM JETHMALANI: Sir, all. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please wind up. Your time is over. ...*(Interruptions)*...

SHRI RAM JETHMALANI: It is supposed to make recommendations. Recommendations are never binding ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay. Shri K.T.S. Tulsi....*(Interruptions)*...

SHRI RAM JETHMALANI: You must have a Judicial Commission which should have the power to appoint... *(Time-bell rings)*

MR. DEPUTY CHAIRMAN: Now, Shri K.T.S. Tulsi. Your time is over.

SHRI RAM JETHMALANI: Sir, this is not fair to me. This is not fair to the Party which has. *(Time-bell rings)*

MR. DEPUTY CHAIRMAN: Okay. Shri K.T.S. Tulsi.

SHRI RAM JETHMALANI: However, I am not going to take even a minute on the Bill itself, which comes. *(Time-bell rings)* Give me the time. Let me finish.

MR. DEPUTY CHAIRMAN: No, no. Your time is over. Now, Shri K.T. S. Tulsi. *(Time-bell rings)* No more time. You have taken four minutes. I am sorry. Your name came very late; yet I allowed you. I am sorry. I have to put it to vote. Shri K.T.S. Tulsi, please.

SHRI RAM JETHMALANI: There has been a serious error and, perhaps, a deliberate error in ignoring my name.

MR. DEPUTY CHAIRMAN: Now, Shri K.T.S. Tulsi. You can take only three minutes.

SHRI K.T.S. TULSI: Sir, I hope it will not be considered disrespectful to my esteemed friend, entertaining, as I do, views quite different from his. In fact, I rise here in support of the Bill and I want to compliment the Law Minister for having taken upon the responsibility on his shoulders to undo the disturbance of balance in the Constitutional framework by the 1993 judgement. It has taken us 21 years to restore the balance. The system of judges appointing judges is just not contemplated in the Constitution. On the other hand, I would like to refresh the memory of this august House with the words of Dr. B.R. Ambedkar. This is what he said and I quote: "To allow the Chief Justice practically a veto upon the appointment of judges is really to transfer the authority to the Chief Justice which we are not prepared to vest in the President or the Government of the day." In spite of the fact that in the Constituent Assembly, this matter was debated, the question of the Chief Justice or the judges being able to appoint judges was squarely and roundly rejected. Yet, the judges took over the power from the Executive. I would like to say that it should not degenerate into a turf war. It is not a question as to who appoints and which person has the last word. The matter of utmost importance with regard to appointment of judges is the transparency in the manner in which they are appointed. Transparency will come if one day we are able to adopt the system, like the way the Parliamentary Committee would hear the objections against the nominees of the Commission and then

[Shri K.T.S. Tulsi]

a decision would be taken. There needs to be a Joint Committee of Parliament, which will entertain the objections, hear them publicly, give an opportunity and take a decision. Ultimately, the power of appointment of judges must vest in the Parliament and in the representatives of the people. Thank you very much.

MR. DEPUTY CHAIRMAN: Thank you very much. Now, hon. Minister please.

श्री रवि शंकर प्रसाद : उपसभापति जी, मैं सदन का बहुत ही कृतज्ञ हूँ कि उसने इस गम्भीर विषय पर एक सर्वानुमति दी है। हम न्यायपालिका की गरिमा का पूरा सम्मान करते हैं और न्यायपालिका की गरिमा के सम्मान का स्वर भी संसद की गरिमा के साथ गया है, इसके लिए मैं सबका अभिनन्दन करना चाहता हूँ। मैं किसी का नाम नहीं लूंगा, मैं समय की सीमा समझता हूँ, लेकिन मैं एक बात कहना चाहता हूँ कि जब मैंने कानून मंत्री बनने के बाद इस प्रयास की शुरुआत की थी, तो प्रधानमंत्री, नरेन्द्र मोदी जी का निर्देश लिया था। उन्होंने कहा था कि यह विषय बहुत दिनों से लम्बित है, इस पर सोचना चाहिए, आप कार्रवाई करें। उसके बाद मैंने ज्यूरिस्ट्स की मीटिंग बुलाई और 26 पॉलिटिकल पार्टिज़ को पत्र लिखे। आज जब मैं सर्वानुमति देख रहा हूँ, तो मैं सोनिया जी का धन्यवाद करना चाहता हूँ, मैं मायावती जी का धन्यवाद करना चाहता हूँ, मैं शरद पवार जी, राम गोपाल यादव जी का धन्यवाद करना चाहता हूँ, मैं जयललिता जी, ममता बनर्जी जी, श्रीमान अरविन्द केजरीवाल जी, प्रकाश कारत जी, सुधाकर रेड्डी जी, शरद पवार जी का धन्यवाद करना चाहता हूँ। इन सब ने पत्र लिखकर ...(व्यवधान)...

श्री शरद यादव : आपने दोबारा शरद पवार बोल दिया।

श्री रवि शंकर प्रसाद : मैंने शरद यादव पहले ही बोल दिया, आपने सुना नहीं। ...(व्यवधान)...

एक माननीय सदस्य : आपने दूसरी बार भी शरद पवार बोल दिया।

श्री रवि शंकर प्रसाद : अच्छा, शरद यादव जी। मैं सबका बहुत ही हृदय से धन्यवाद करता हूँ। माननीय उपसभापति जी, मैं सदन के माध्यम से देश को दो बातें बताना चाहता हूँ। पहली बात यह है कि हम कोई भी काम हड़बड़ी में नहीं कर रहे हैं। मैं चाहता हूँ कि आज यह विषय रिकॉर्ड पर आना चाहिए कि 1990 में 67th Constitutional Amendment Bill आया, वह lapse किया, 1997 में 82nd Constitutional Amendment Bill आया, 2003 में 98th Constitutional Amendment Bill आया और फिर 2013 में 120th Constitutional Amendment Bill आया।

अब मैं आपको बताना चाहूंगा कि किस-किस कमिशन ने कहा कि तुमको Collegium System खत्म करना चाहिए। 2002 में Venketachaliah Commission, 2007 में Administrative Reforms Commission, 2008 में 214th Report of Law Commission of India, और उसके बाद 21st Repot, 28th Report and 44th Report of the Parliamentary Standing Committee में यही बात कही गई। पिछले 22-24 वर्षों में इसके लिए विभिन्न समितियों की इतनी अधिक अनुशंसा हुई है, इसलिए किसी हड़बड़ी में हम कार्यवाही कर रहे हों, ऐसी बात बिल्कुल नहीं है।

दूसरी बात मुझे यह कहनी है कि संविधान के अंतर्गत संसद को अपनी शक्तियों पर संशय क्यों होता है? हमें कानून बनाने की पावर दी गई है, किसी को भी कोर्ट में जाने का अधिकार है, यह होना भी चाहिए। जब संसद देश की अपेक्षाओं, आशाओं और आकांक्षाओं का प्रतिनिधित्व करती है, तो संसद को संविधान के अंतर्गत विधेयक बनाने की अपनी शक्ति का एहसास भी तो होता है। अगर वह चैलेंज है, तो देखा जाएगा, हम उसका जवाब देंगे। लेकिन चैलेंज होगा, इसलिए हम विधेयक को पास करने से हिचकें, इसके लिए मैं सभी माननीय सदस्यों से बहुत नम्रता से कहना चाहूंगा, The Parliament must have full trust in the ability of the Parliament to pass the law. ...*(Interruptions)*...

सर, राजीव शुक्ल जी इस सदन के सम्मानित सदस्य हैं ...*(व्यवधान)*... उन्होंने एक बात यह कही कि आप छः महीने पहले ही मान गए होते। वह लिखते-पढ़ते तो अच्छा हैं, लेकिन होमवर्क नहीं करते। अब मैं उनको क्या बताऊं? यह बिल आया था और राज्य सभा से हमने इसे पास किया था, फिर स्टैंडिंग कमेटी के पास ...*(व्यवधान)*...

श्री राजीव शुक्ल : आपने उस समय वॉकआउट किया था।

श्री रवि शंकर प्रसाद : आप जरा शांत होकर बैठिए। ...*(व्यवधान)*... कुछ दिन पहले आप केन्द्रीय मंत्री रह चुके हैं, इसलिए जब कोई केन्द्रीय मंत्री बोलते हैं, तो शांति से सुना जाता है। आप शांति से बैठिए। ...*(व्यवधान)*...

श्री नरेश अग्रवाल : आपको यह बात कैसे मालूम है कि ये होमवर्क नहीं कर पाते हैं। ...*(व्यवधान)*...

MR. DPEUTY CHAIRMAN: He can instruct him at home. ...*(Interruptions)*...

श्री रवि शंकर प्रसाद : सर, मैं बता रहा था कि वह बिल फिर स्टैंडिंग कमेटी के पास गया। स्टैंडिंग कमेटी ने कहा कि इसे कॉस्टीट्यूशन में लाइए और आपने वहां Induce किया, लेकिन वह lapse कर गया। इसलिए ऐसा कहना कि यह हमारी गलती से पास नहीं हुआ है, यह ठीक नहीं है। इसके लिए आप अपना होमवर्क ठीक करिए। ...*(व्यवधान)*... अब आप शांत हो जाइए और शांति से सुनिए, मैंने अब आपको करेक्ट कर दिया है।

अब यहां पर जो इश्यू उठाए गए हैं, I would like to take them one-by-one. Sir, I am a very small political activist, and I am also a very small lawyer with limited experience. I am not a very eminent lawyer in spite of all the friends who have facts to say that.

MR. DEPUTY CHAIRMAN: You are the Law Minister of a great country like India.

SHRI RAVI SHANKAR PRASAD: Yes, I know that. But, Sir, to say that I have not studied the functioning of various Judicial Commissions is a great disrespect. I have studied the structure given by so many Commissions for the last more than 24 years. I had the widest consultation possible with so many eminent jurists, including Mr. Tulsi and Mr. Parasaran sitting here, and after that, we have come with a mechanism which has got

[Shri Ravi Shankar Prasad]

the widest support here in this entire House. So, to say that I have not done my homework is a great disrespect, Sir. I have not to comment beyond anything that.

Now, Sir, quickly I will take the points. Many Members said, 'why only this Commission, what about accountability?' Mr. Rajeeve, Arun Jaitley's speech, I know. In principle, he supported the doctrine of accountability. But that should be a part of the same mechanism is a larger question. Let me tell you that Judicial Standards and Accountability Bill, you know, is already pending. What is the mechanism there? It is, for enquiry into complaint, declaration of assets and liabilities, judicial statement of values; everything is there. Therefore, if we load everything in the Appointments Commission, it will become too cumbersome, and, I think, my Government very rightly feels that as far as the issue of enquiry into complaint against Judges is concerned, that must be dealt with by the Judiciary alone. Impeachment should not be the avenue for all the complaints. Therefore, all these things are there. The Government will move it appropriately, after consideration, and surely, you will have enough time to speak on that.

Sir, the second issue raised was that there must be State Commissions. The AIADMK Member, Mr. Navaneethakrishnan, rightly raised that issue. Now, under the Constitution, the power of appointment of the Judge of a High Court, or a Judge of the Supreme Court, vests with the President of India. And, in the accompanying Bill, which we shall debate subsequently, we have clearly given that the Chief Minister's role needs to be recognized as far as consultation is concerned. Therefore, if we go in for a State Commission, it may be constitutionally vulnerable. But we have duly factored in the concerns of the States in the subsequent Bill, which we are going to move thereafter.

Now, Sir, I come to the issue of eminent persons.

SHRI P. RAJEEVE: Sir, I demand that one High Court Chief Justice be there among them.

SHRI RAVI SHANKAR PRASAD: I would explain that in the Bill very elaborately. Your concerns would be addressed.

Sir, who would be appointing the eminent persons? They would be the Prime Minister of India, the Chief Justice of India, the Leader of the Opposition and the Leader of the largest Party in the Lok Sabha. They all are eminent people! They are governing the country! One is the head of Government, one is the head of the Judiciary and one is the Leader of the Opposition. Should we not trust their collective wisdom to select really eminent people? If they can govern the country well, I am sure, they can select eminent people well too. That's how I see it.

SHRI TIRUCHI SIVA: What is the definition of eminent people?
...(Interruptions)...

SHRI T.K. RANGARAJAN (Tamil Nadu): What happens if there is a difference of opinion between the three? ...(Interruptions)...

SHRI RAVI SHANKAR PRASAD: Please allow me to complete.
...(Interruptions)...

MR. DEPUTY CHAIRMAN: Let him complete. ...(Interruptions)... Let him complete.

SHRI RAVI SHANKAR PRASAD: Sir, therefore, let us leave it to their collective wisdom. But the standards are available. Hon. Mr. Jaitley pointed out some of them. Others can come in the regulation. But, at least, for once, let me agree with Mr. Rajeev Shukla on one issue — why should we who are in politics not always trust our abilities to have the best selection possible? Trust us! Differences can be there; why not? But there is a mechanism to overcome those differences and, surely, that could be done.

Then, Sir, a question was raised as to why we have left the rotation part. Our issue is very simple. Suppose there is a woman Law Minister; maybe, the eminent people selection process can have a different one. Suppose there is an eminent Minority woman, she can represent both the sections. Suppose there is an eminent Scheduled Caste woman selected, both the issues can be considered. Therefore, that flexibility ought to be there when we talk of eminent persons.

सर, एक विषय के बारे में शरद जी ने भी कहा और माननीय मायावती जी ने भी कहा। यह विषय बहुत गम्भीर है। मैं स्वयं जे.पी. मूवमेंट का एक प्रॉडक्ट रहा हूँ। न्यायमूर्तियों की नियुक्ति में देश की विविधता का सम्मान होना चाहिए, आपकी यह बात बहुत सही है। आपने जो कहा कि अपने दलित वर्ग के, शैड्यूल्ड ट्राइब वर्ग के और पिछड़े वर्ग के न्यायाधीश कम आते हैं, यह चिन्ता की बात है। मैं देश में घूमता हूँ और जानता हूँ कि बहुत से अच्छे लोग हैं, योग्य लोग हैं। हम जो नया आर्किटेक्चर बना रहे हैं, मैं इस सदन को आश्वस्त करना चाहूँगा कि दोनों सदनों की यह जो कलेक्टिव विल है, इसको नेशनल ज्युडिशियल अप्वायंटमेंट कमिशन नोट करेगा और ऐसे लोगों को आना चाहिए, उसमें इसकी चिन्ता होगी।

उपसभापति जी, मेरे मन में एक कल्पना है, जिसे मैं हाउस के सामने शेयर करना चाहता हूँ कि यह जो ज्युडिशियल कमिशन बने, उसका डेटा बनना चाहिए।

श्री शरद यादव : मुझे मालूम है कि आपको समय का कंस्ट्रेंट है। मैं इतना ही निवेदन करूँगा कि 68 वर्ष में यह कहीं किसी जगह, जो नीयत हम बोलते हैं, वह जमीन पर नहीं आयी है। इसमें आपका दोष नहीं है, पूरे सिस्टम का दोष है। इसके बारे में आप किस रास्ते से इसमें मजबूती लाएँगे, यही मेरा प्रश्न है?

श्री रवि शंकर प्रसाद : मैं आपको बता रहा हूँ। जब दूसरा बिल आएगा, तो मैं इसकी और विस्तार से चर्चा करूँगा। लेकिन चूंकि आपने कहा, तो मेरे मन में क्या कल्पना है, जब मैं सोचता हूँ कि नेशनल ज्युडिशियल अप्वायंटमेंट कमिशन बन रहा है, इसका जो दफ्तर हो, उसमें एक डेटा बैंक होना चाहिए। इसकी चर्चा माननीय मायावती जी ने भी की। विभिन्न हाई कोर्ट्स में जो दलित वर्ग के पिछड़े वर्ग के अच्छे वकील हैं, वे केस पर कैसा बहस कर रहे हैं? जजमेंट ...**(व्यवधान)**... रिपोर्टें कितने हैं और क्या चीजें, हैं, हम इसकी पूरी कोशिश करेंगे। जब मैं दूसरा बिल लाऊँगा, तो बताऊँगा कि हाई कोर्ट से तो नाम शुरू होगा, लेकिन नेशनल ज्युडिशियल अप्वायंटमेंट कमिशन को भी अधिकार होगा कि हाई कोर्ट के बारे में वह नॉमिनेशन दे सके। उसमें हम इन चीजों की चिंता कर सकते हैं। मुझे लगता है कि अगर संकल्प हो तो रास्ता निकल सकता है और आज जब हम इस पूरी नियुक्ति की प्रक्रिया में इतना बड़ा बदलाव कर रहे हैं, तो वह इस देश की सामूहिक चिंता और बदलने के संकल्प का द्योतक है। मुझे लगता है कि इसी कार्यवाही में हम उसको पूरा कर पाएँगे।

अब मैं आपको एक बात बताना चाहूँगा कि मैं अम्बेडकर जी का बहुत सम्मान करता हूँ, मैंने उनको बहुत पढ़ा है और अभी मैं अम्बेडकर जी का एक उद्धरण क्वोट करना चाहता था, जो तुलसी जी ने कर दिया। Sir, I always say, all the young Members of Parliament, please study Ambedkarji more. He really has done a great contribution in keeping that fine balance in the Indian Constitution. Let me elaborate what Shri Tulsi stated. What he said, "We don't want to give veto to the President of India for appointment of a judge; we don't want to give a veto to the Legislature in the appointment of a Judge so that political consideration may not come about, and we don't want to give a veto power to the Chief Justice of India because, as a human being, he will also have the same failing and failures." What a fine balance he created! Therefore, this whole issue of empowerment, the whole issue of respecting the diversity of India which needs to be reflected in the judiciary of India, is certainly an issue on which the entire polity is one today. हम उसकी पूरी कोशिश करेंगे। सर, मुझे अंत में एक बात कहनी है कि ज्युडिशियरी की वर्किंग के बारे में बहुत सारे सवाल उठाए गए। उसमें एक लंबी बहस होगी, पेंडेंसी है, करप्शन है, कमजोरियाँ हैं। Mr. Rajeev, I would like to ask you a question. Why the Collegium system could not produce a Judge like V.R. Krishna Iyer? This country is entitled to ask this question today. And, sir, do you know, he was seventh in the Seniority list, yet he was brought to the Supreme Court because of his eminence and because of his calibre. I will reflect upon more when I speak on the Bill. But, today, the country wants the people of eminence to be there in the selection panel and people also want people of talent and promise to become Judges. That is what this Commission envisages. Therefore, I will cut short my speech. It is time to vote and the time to give one clear message that this House respects the independence of Judiciary, the dignity of Judiciary and this House also respects the supremacy of Parliament. That is what I have to say.

MR. DEPUTY CHAIRMAN: The question is:

“That the Bill further to amend the Constitution of India, as passed by Lok Sabha, be taken into consideration.”

(MR. CHAIRMAN *in the Chair.*)

The House divided.

MR. CHAIRMAN: Ayes : 180

Noes : 1

AYES – 180

Abraham, Shri Joy

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Agrawal, Shri Naresh

Akhtar, Shri Javed

Ali, Shri Munquad

Ansari, Shri Salim

Antony, Shri A.K.

Arjunan, Shri K.R.

Ashk Ali Tak, Shri

Ashwani Kumar, Shri

Athawale, Shri Ramdas

Azad, Shri Ghulam Nabi

Bachchan, Shrimati Jaya

Baidya, Shrimati Jharna Das

Balagopal, Shri K.N.

Balyawi, Shri Gulam Rasool

Bandyopadhyay, Shri D.

Banerjee, Shri Ritabrata

Batra, Shri Shadi Lal

Bernard, Shri A. W. Rabi

Bhattacharya, Shri P.

Bora, Shri Pankaj

Budania, Shri Narendra

Chakraborty, Shri Mithun
Chandrasekhar, Shri Rajeev
Chavan, Shrimati Vandana
Chowdary, Shri Y.S.
Dalwai, Shri Husain
Das, Shri Kalpataru
Dave, Shri Anil Madhav
Deo, Shri Anang Uday Singh
Deora, Shri Murli
Desai, Shri Anil
Dhindsa, Sardar Sukhdev Singh
Dhoot, Shri Rajkumar
Dua, Shri H.K.
Dudi, Shri Ram Narain
Dwivedi, Shri Janardan
Faruque, Shrimati Naznin
Gehlot, Shri Thaawar Chand
Gill, Dr. M.S.
Goel, Shri Vijay
Gohel, Shri Chunibhai Kanjibhai
Goyal, Shri Piyush
Gujral, Shri Naresh
Gupta, Shri Prem Chand
Gupta, Shri Vivek
Haque, Shri Md. Nadimul
Hariprasad, Shri B.K.
Hashmi, Shri Parvez
Hembram, Shrimati Sarojini
Heptulla, Dr. Najma A.
Irani, Shrimati Smriti Zubin
Jaitley, Shri Arun
Jatiya, Dr. Satyanarayan
Javadekar, Shri Prakash

Jha, Shri Prabhat
Jugul Kishore, Shri
Kalita, Shri Bhubaneswar
Kanimozhi, Shrimati
Karan Singh, Dr.
Karimpuri, Shri Avtar Singh
Kashyap, Shri Narendra Kumar
Katiyar, Shri Vinay
Khabri, Shri Brijlal
Khan Shri Mohd. Ali
Khanna, Shri Avinash Rai
Kidwai, Shrimati Mohsina
Kujur, Shri Santiuse
Lakshmanan, Dr. R.
Mahra, Shri Mahendra Singh
Maitreyan, Dr. V.
Mandaviya, Shri Mansukh L.
Manjunatha, Shri Aayanur
Mayawati, Km.
Memon, Shri Majeed
Misra, Shri Satish Chandra
Mistry, Shri Madhusudan
Mitra, Dr. Chandan
Mohanty, Shri Anubhav
Mohapatra, Shri Pyarimohan
Mungekar, Dr. Bhalchandra
Muthukaruppan, Shri S.
Nadda, Shri Jagat Prakash
Naidu, Shri M. Venkaiah
Naik, Shri Shantaram
Nanda, Shri Kiranmay
Naqvi, Shri Mukhtar Abbas
Narayanan, Shri C.P.

Natchiappan, Dr. E.M. Sudarsana
Navaneethakrishnan, Shri A.
Nirmala Sitharaman, Shrimati
Nishad, Shri Vishambhar Prasad
O'Brien, Shri Derek
Panchariya, Shri Narayan Lal
Pande, Shri Avinash
Pandian, Shri Paul Manoj
Parasaran, Shri K.
Parida, Shri Baishnab
Parjapati, Shri Ranbir Singh
Patel, Shri Ahmed
Patel, Shri Praful Manoharbai
Pathak, Shri Brajesh
Patil, Shri Basawaraj
Patil, Shrimati Rajani
Perween, Shrimati Kahkashan
Pradhan, Shri Dharmendra
Prasad, Shri Ravi Shankar
Rai, Shrimati Kusum
Raja, Shri D.
Rajan, Shri Ambeth
Rajaram, Shri
Rajeeve, Shri P.
Ramalingam, Dr. K.P.
Ramesh, Shri C.M.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.
Rangasayee Ramakrishna, Shri
Rao, Shri Garikapati Mohan
Rao, Dr. K. Keshava
Rapolu, Shri Ananda Bhaskar
Rashtrapal, Shri Praveen
Rathinavel, Shri T.

Ravi, Shri Vayalar
Reddy, Shri D. Kupendra
Reddy, Shri Palvai Govardhan
Roy, Shri Sukhendu Sekhar
Sadho, Dr. Vijaylaxmi
Sahani, Dr. Anil Kumar
Sai, Shri Nand Kumar
Saini, Shri Rajpal Singh
Saleem, Chaudhary Munavver
Sancheti, Shri Ajay
Sasikala Pushpa, Shrimati
Seelam, Shri Jesudasu
Seema, Dr. T.N.
Seetharmana Lakshmi, Shrimati Thota
Selvaraj, Shri A.K.
Sen, Shri Tapan Kumar
Shafi, Shri Mohammad
Sharma, Shri Satish
Shukla, Shri Rajeev
Singh, Shri Arvind Kumar
Singh, Shri Bhupinder
Singh, Shrimati Kanak Lata
Singh, Dr. Kanwar Deep
Singh, Dr. Manmohan
Singh, Shri Veer
Singh Badnore, Shri V.P.
Singhvi, Dr. Abhishek Manu
Siva, Shri Tiruchi
Soni, Shrimati Ambika
Soz, Prof. Saif-ud-Din
Sudharani, Shrimati Gundu
Swamy, Shri A.V.
Syiem, Shrimati Wansuk
Tarun Vijay, Shri
Thakur, Dr. C.P.

Thakur, Shri Ram Nath
Thakur, Shrimati Viplove
Thangavelu, Shri S.
Tiwari, Shri Alok
Tiwari, Shri Pramod
Tlau, Shri Ronald Sapa
Tripathi, Shri D.P.
Tulsi, Shri K.T.S.
Tundiya, Mahant Shambhuprasadji
Tyagi, Shri K.C.
Vadodia, Shri Lal Sinh
Varma, Shri Pavan Kumar
Vegad, Shri Shankarbhair N.
Vijila Sathyanath, Shrimati
Vora, Shri Motilal
Yadav, Shri Bhupender
Yadav, Shri Darshan Singh
Yadav, Prof. Ram Gopal
Yadav, Shri Sharad
Yechury, Shri Sitaram
Zhimomi, Shri Khekiho

NOES - 1

Jethmalani, Shri Ram

The motion was 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.

MR. CHAIRMAN: Now, we shall take up clause-by-clause consideration of the Bill. In clause 2, there is one Amendment (No. 1) by Shri P. Rajeeve, Shri D. Raja and Shri K.N. Balagopal.

Clause 2 - Amendment of Article 124

SHRI P. RAJEEVE: Sir, I press the amendment because it prevents the expansions of the Commission. So, for deleting the word 'appointments', I press the amendment. Sir, I move:

1. That at page 1, line 10, the word "Appointments" be *deleted*.

Amendment (No. 1) was negatived.

MR. CHAIRMAN: I shall now put clause 2 to vote.

The House divided.

MR. CHAIRMAN: Ayes : 180

Noes : 1

AYES - 180

Abraham, Shri Joy

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Agrawal, Shri Naresh

Akhtar, Shri Javed

Ali, Shri Munquad

Ansari, Shri Salim

Antony, Shri A.K.

Arjunan, Shri K.R.

Ashk Ali Tak, Shri

Ashwani Kumar, Shri

Athawale, Shri Ramdas

Azad, Shri Ghulam Nabi

Bachchan, Shrimati Jaya

Baidya, Shrimati Jharna Das

Balagopal, Shri K.N.

Balyawi, Shri Gulam Rasool

Bandyopadhyay, Shri D.

Banerjee, Shri Ritabrata

Batra, Shri Shadi Lal

Bernard, Shri A. W. Rabi

Bhattacharya, Shri P.

Bora, Shri Pankaj

Budania, Shri Narendra
Chakraborty, Shri Mithun
Chandrasekhar, Shri Rajeev
Chavan, Shrimati Vandana
Chowdary, Shri Y. S.
Dalwai, Shri Husain
Das, Shri Kalpataru
Dave, Shri Anil Madhav
Deo, Shri Anang Uday Singh
Deora, Shri Murli
Desai, Shri Anil
Dhindsa, Sardar Sukhdev Singh
Dhoot, Shri Rajkumar
Dua, Shri H. K.
Dudi, Shri Ram Narain
Dwivedi, Shri Janardan
Faruque, Shrimati Naznin
Gehlot, Shri Thaawar Chand
Gill, Dr. M.S.
Goel, Shri Vijay
Gohel, Shri Chunibhai Kanjibhai
Goyal, Shri Piyush
Gujral, Shri Naresh
Gupta, Shri Prem Chand
Gupta, Shri Vivek
Haque, Shri Md. Nadimul
Hariprasad, Shri B.K.
Hashmi, Shri Parvez

Hembram, Shrimati Sarojini
Heptulla, Dr. Najma A.
Irani, Shrimati Smriti Zubin
Jatiley, Shri Arun
Jatiya, Dr. Satyanarayan
Javadekar, Shri Prakash
Jha, Shri Prabhat
Jugul Kishore, Shri
Kalita, Shri Bhubaneswar
Kanimozhi, Shrimati
Karan Singh, Dr.
Karimpuri, Shri Avtar Singh
Kashyap, Shri Narendra Kumar
Katiyar, Shri Vinay
Khabri, Shri Brijlal
Khan Shri Mohd. Ali
Khanna, Shri Avinash Rai
Kidwai, Shrimati Mohsina
Kujur, Shri Santiuse
Lakshmanan, Dr. R.
Mahra, Shri Mahendra Singh
Maitreya, Dr. V.
Mandaviya, Shri Mansukh L.
Manjunatha, Shri Aayanur
Mayawati, Km.
Memon, Shri Majeed
Misra, Shri Satish Chandra
Mistry, Shri Madhusudan
Mitra, Dr. Chandan

Mohanty, Shri Anubhav
Mohapatra, Shri Pyarimohan
Mungekar, Dr. Bhalchandra
Muthukaruppan, Shri S.
Nadda, Shri Jagat Prakash
Naidu, Shri M. Venkaiah
Naik, Shri Shantaram
Nanda, Shri Kiranmay
Naqvi, Shri Mukhtar Abbas
Narayanan, Shri C.P.
Natchiappan, Dr. E.M. Sudarsana
Navaneethkrishnan, Shri A.
Nirmala Sitharaman, Shrimati
Nishad, Shri Vishambhar Prasad
O'Brien, Shri Derek
Panchariya, Shri Narayan Lal
Pande, Shri Avinash
Pandian, Shri Paul Manoj
Parasaran, Shri K.
Parida, Shri Baishnab
Parjapati, Shri Ranbir Singh
Patel, Shri Ahmed
Patel, Shri Praful Manoharbai
Pathak, Shri Brajesh
Patil, Shri Basawaraj
Patil, Shrimati Rajani
Perween, Shrimati Kakhkashan
Pradhan, Shri Dharmendra

Prasad, Shri Ravi Shankar
Rai, Shrimati Kusum
Raja, Shri D.
Rajan, Shri Ambeth
Rajaram, Shri
Rajeeve, Shri P.
Ramalingam, Dr. K.P.
Ramesh, Shri C.M.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.
Rangasayee Ramakrishna, Shri
Rao, Shri Garikapati Mohan
Rao, Dr. K. Keshava
Rapolu, Shri Ananda Bhaskar
Rashtrapal, Shri Praveen
Rathinavel, Shri T.
Ravi, Shri Vayalar
Reddy, Shri D. Kupendra
Reddy, Shri Palvai Govardhan
Roy, Shri Sukhendu Sekhar
Sadho, Dr. Vijaylaxmi
Sahani, Dr. Anil Kumar
Sai, Shri Nand Kumar
Saini, Shri Rajpal Singh
Saleem, Chaudhary Munavver
Sancheti, Shri Ajay
Sasikala Pushpa, Shrimati
Seelam, Shri Jesudasu

Seema, Dr. T.N.
Seetharama Lakshmi, Shrimati Thota
Selvaraj, Shri A.K.
Sen, Shri Tapan Kumar
Shafi, Shri Mohammad
Sharma, Shri Satish
Shukla, Shri Rajeev
Singh, Shri Arvind Kumar
Singh, Shri Bhupinder
Singh, Shrimati Kanak Lata
Singh, Dr. Kanwar Deep
Singh, Dr. Manmohan
Singh, Shri Veer
Singh Badnore, Shri V.P.
Singhvi, Dr. Abhishek Manu
Siva, Shri Tiruchi
Soni, Shrimati Ambika
Soz, Prof. Saif-ud-Din
Sudharani, Shrimati Gundu
Swamy, Shri A.V.
Syiem, Shrimati Wansuk
Tarun Vijay, Shri
Thakur, Dr. C.P.
Thakur, Shri Ram Nath
Thakur, Shrimati Viplove
Thangavelu, Shri S.
Tiwari, Shri Alok
Tiwari, Shri Pramod

Tlau, Shri Ronald Sapa
Tripathi, Shri D.P.
Tulsi, Shri K.T.S.
Tundiya, Mahant Shambhuprasadji
Tyagi, Shri K.C.
Vadodia, Shri Lal Sinh
Varma, Shri Pavan Kumar
Vegad, Shri Shankarbhai N.
Vijila Sathyananth, Shrimati
Vora, Shri Motilal
Yadav, Shri Bhupender
Yadav, Shri Darshan Singh
Yadav, Prof. Ram Gopal
Yadav, Shri Sharad
Yechury, Shri Sitaram
Zhimomi, Shri Khekiho

NOES - 1

Jethmalani, Shri Ram

The motion was 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.

Clause 2 was added to the Bill.

Clause 3 - Insertion of New Articles 124A, 124B and 124C

MR. CHAIRMAN: Now, we shall take up Clause 3. There are nine amendments (Nos. 2 to 7 & 15 to 17) by Shri P. Rajeeve, Shri D. Raja and Shri K.N. Balagopal.

SHRI P. RAJEEVE: Sir, the Amendment nos. 2, 5 and 6 are the same, which have been rejected by the House. So, I am not pressing them. But I am pressing the Amendment No. 3, that is, there is no distinction between a senior Judge and a fresh Judge as per the Constitution. So, I press the Amendment No. 3. I also press the Amendment No. 4 because in order to protect the federal structure of the Constitution, there should be a representation from the High Court, selected by a collegium of Chief Justice of all High Courts. I also press the Amendment No. 7 because this should be expanded to scrutinise, enquire the complaints against the Judges of the Supreme Court and recommend a disciplinary action, if required. I press my Amendments (Nos. 3, 4 and 7).

Sir, I move:

(3) That at page 2, *for* lines 9 and 10, the following be *substituted*, namely:-

“(b) one Judge of the Supreme Court, nominated by the collegium of all Judges of the Supreme Court”.

(4) That at page 2, *after* line 20, the following be *inserted*, namely:-

“(e) Chief Justice of one of the High courts, nominated by the collegium of Chief Justices of all High Courts; and (f) a nominee of the Bar Association of India”.

(7) That at page 2, *after* line 31, the following be *inserted*, namely:-

“(d) scrutinize, enquire, the complaints against the Judges of Supreme Court and to recommend disciplinary action, if required”.

Amendments (Nos. 3, 4 and 7) were negatived.

MR. CHAIRMAN: There are Amendments (Nos.15-17) by Shri P. Rajeeve.

SHRI P. RAJEEVE: Sir, I am not moving Amendment No.15. I am moving Amendment Nos.16 and 17. Amendment No.16 says that one member among the six members should be a woman. Amendment No.17 says that the Judicial Members of the State Tribunals and the National Tribunal should come under the purview of the Judicial Commission.

Sir, I move:

16. That at page 2, *after* line 18, the following proviso be *inserted*, namely: -

“Provided further that out of the six members of the Commission one shall be a woman”.

17. That at page 2, line 28, *after* the word “Courts”, the words, “and Judicial Members of all National Tribunals and State Tribunals” be *inserted*.

Amendments (Nos. 16 and 17) were negatived.

The House divided.

MR. CHAIRMAN: Ayes : 180

Noes : 1

AYES - 180

Abraham, Shri Joy

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Agrawal, Shri Naresh

Akhtar, Shri Javed
Ali, Shri Munquad
Ansari, Shri Salim
Antony, Shri A.K.
Arjunan, Shri K.R.
Ashk Ali Tak, Shri
Ashwani Kumar, Shri
Athawale, Shri Ramdas
Azad, Shri Ghulam Nabi
Bachchan, Shrimati Jaya
Baidya, Shrimati Jharna Das
Balagopal, Shri K.N.
Balyawi, Shri Gulam Rasool
Bandyopadhyay, Shri D.
Banerjee, Shri Ritabrata
Batra, Shri Shadi Lal
Bernard, Shri A. W. Rabi
Bhattacharya, Shri P.
Bora, Shri Pankaj
Budania, Shri Narendra
Chakraborty, Shri Mithun
Chandrasekhar, Shri Rajeev
Chavan, Shrimati Vandana
Chowdary, Shri Y.S.
Dalwai, Shri Husain
Das, Shri Kalpataru
Dave, Shri Anil Madhav
Deo, Shri Anang Uday Singh
Deora, Shri Murli

Desai, Shri Anil
Dhindsa, Sardar Sukhdev Singh
Dhoot, Shri Rajkumar
Dua, Shri H.K.
Dudi, Shri Ram Narain
Dwivedi, Shri Janardan
Faruque, Shrimati Naznin
Gehlot, Shri Thaawar Chand
Gill, Dr. M.S.
Goel, Shri Vijay
Gohel, Shri Chunibhai Kanjibhai
Goyal, Shri Piyush
Gujral, Shri Naresh
Gupta, Shri Prem Chand
Gupta, Shri Vivek
Haque, Shri Md. Nadimul
Hariprasad, Shri B.K.
Hashmi, Shri Parvez
Hembram, Shrimati Sarojini
Heptulla, Dr. Najma A.
Irani, Shrimati Smriti Zubin
Jaitley, Shri Arun
Jatiya, Dr. Satyanarayan
Javadekar, Shri Prakash
Jha, Shri Prabhat
Jugul Kishore, Shri
Kalita, Shri Bhubaneswar
Kanimozhi, Shrimati
Karan Singh, Dr.

Karimpuri, Shri Avtar Singh
Kashyap, Shri Narendra Kumar
Katiyar, Shri Vinay
Khabri, Shri Brijlal
Khan, Shri Mohd. Ali
Khanna, Shri Avinash Rai
Kidwai, Shrimati Mohsina
Kujur, Shri Santiuse
Lakshmanan, Dr. R.
Mahra, Shri Mahendra Singh
Maitreyan, Dr. V.
Mandaviya, Shri Mansukh L.
Manjunatha, Shri Aayanur
Mayawati, Km.
Memon, Shri Majeed
Misra, Shri Satish Chandra
Mistry, Shri Madhusudan
Mitra, Dr. Chandan
Mohanty, Shri Anubhav
Mohapatra, Shri Pyarimohan
Mungekar, Dr. Bhalchandra
Muthukaruppan, Shri S.
Nadda, Shri Jagat Prakash
Naidu, Shri M. Venkaiah
Naik, Shri Shantaram
Nanda, Shri Kiranmay
Naqvi, Shri Mukhtar Abbas
Narayanan, Shri C.P.

Natchiappan, Dr. E.M. Sudarsana
Navaneethakrishnan, Shri A.
Nirmala Sitharaman, Shrimati
Nishad, Shri Vishambhar Prasad
O'Brien, Shri Derek
Panchariya, Shri Narayan Lal
Pande, Shri Avinash
Pandian, Shri Paul Manoj
Parasaran, Shri K.
Parida, Shri Baishnab
Parjapati, Shri Ranbir Singh
Patel, Shri Ahmed
Patel, Shri Praful Manoharbai
Pathak, Shri Brajesh
Patil, Shri Basawaraj
Patil, Shrimati Rajani
Perween, Shrimati Kakhkashan
Pradhan, Shri Dharmendra
Prasad, Shri Ravi Shankar
Rai, Shrimati Kusum
Raja, Shri D.
Rajan, Shri Ambeth
Rajaram, Shri
Rajeeve, Shri P.
Ramalingam, Dr. K.P.
Ramesh, Shri C.M.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.
Rangasayee Ramakrishna, Shri

Rao, Shri Garikapati Mohan
Rao, Dr. K. Keshava
Rapolu, Shri Ananda Bhaskar
Rashtrapal, Shri Praveen
Rathinavel, Shri T.
Ravi, Shri Vayalar
Reddy, Shri D. Kupendra
Reddy, Shri Palvai Govardhan
Roy, Shri Sukhendu Sekhar
Sadho, Dr. Vijaylaxmi
Sahani, Dr. Anil Kumar
Sai, Shri Nand Kumar
Saini, Shri Rajpal Singh
Saleem, Chaudhary Munavver
Sancheti, Shri Ajay
Sasikala Pushpa, Shrimati
Seelam, Shri Jesudasu
Seema, Dr. T.N.
Seetharama Lakshmi, Shrimati Thota
Selvaraj, Shri A.K.
Sen, Shri Tapan Kumar
Shafi, Shri Mohammad
Sharma, Shri Satish
Shukla, Shri Rajeev
Singh, Shri Arvind Kumar
Singh, Shri Bhupinder
Singh, Shrimati Kanak Lata
Singh, Dr. Kanwar Deep
Singh, Dr. Manmohan

Singh, Shri Veer
Singh Badnore, Shri V.P.
Singhvi, Dr. Abhishek Manu
Siva, Shri Tiruchi
Soni, Shrimati Ambika
Soz, Prof. Saif-ud-Din
Sudharani, Shrimati Gundu
Swamy, Shri A.V.
Syiem, Shrimati Wansuk
Tarun Vijay, Shri
Thakur, Dr. C.P.
Thakur, Shri Ram Nath
Thakur, Shrimati Viplove
Thangavelu, Shri S.
Tiwari, Shri Alok
Tiwari, Shri Pramod
Tlau, Shri Ronald Sapa
Tripathi, Shri D.P.
Tulsi, Shri K.T.S.
Tundiya, Mahant Shambhuprasadji
Tyagi, Shri K.C.
Vadodia, Shri Lal Sinh
Varma, Shri Pavan Kumar
Vegad, Shri Shankarbhai N.
Vijila Sathyananth, Shrimati
Vora, Shri Motilal
Yadav, Shri Bhupender
Yadav, Shri Darshan Singh
Yadav, Prof. Ram Gopal
Yadav, Shri Sharad

Yechury, Shri Sitaram

Zhimomi, Shri Khekiho

NOES - 1

Jethmalani, Shri Ram

The motion was 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.

Clause 3 was added to the Bill.

Clause 4 - Amendment of Article 127

MR. CHAIRMAN: Now, we shall take up Clause 4. There is one Amendment (No.8) by Shri P. Rajeeve, Shri D. Raja and Shri K.N. Balagopal.

SHRI P. RAJEEVE: Sir, since this has already been rejected by the Government, I am not moving it.

The House divided.

MR. CHAIRMAN: Ayes : 180

Noes : 1

Ayes - 180

Abraham, Shri Joy

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Agrawal, Shri Naresh

Akhtar, Shri Javed

Ali, Shri Munquad

Ansari, Shri Salim

Antony, Shri A.K.

Arjunan, Shri K.R.

Ashk Ali Tak, Shri

Ashwani Kumar, Shri

Athawale, Shri Ramdas

Azad, Shri Ghulam Nabi

Bachchan, Shrimati Jaya
Baidya, Shrimati Jharna Das
Balagopal, Shri K.N.
Balyawi, Shri Gulam Rasool
Bandyopadhyay, Shri D.
Banerjee, Shri Ritabrata
Batra, Shri Shadi Lal
Bernard, Shri A. W. Rabi
Bhattacharya, Shri P.
Bora, Shri Pankaj
Budania, Shri Narendra
Chakraborty, Shri Mithun
Chandrasekhar, Shri Rajeev
Chavan, Shrimati Vandana
Chowdary, Shri Y.S.
Dalwai, Shri Husain
Das, Shri Kalpataru
Dave, Shri Anil Madhav
Deo, Shri Anang Uday Singh
Deora, Shri Murli
Desai, Shri Anil
Dhindsa, Sardar Sukhdev Singh
Dhoot, Shri Rajkumar
Dua, Shri H.K.
Dudi, Shri Ram Narain
Dwivedi, Shri Janardan
Faruque, Shrimati Naznin
Gehlot, Shri Thaawar Chand
Gill, Dr. M.S.

Goel, Shri Vijay
Gohel, Shri Chunibhai Kanjibhai
Goyal, Shri Piyush
Gujral, Shri Naresh
Gupta, Shri Prem Chand
Gupta, Shri Vivek
Haque, Shri Md. Nadimul
Hariprasad, Shri B.K.
Hashmi, Shri Parvez
Hembram, Shrimati Sarojini
Heptulla, Dr. Najma A.
Irani, Shrimati Smriti Zubin
Jaitley, Shri Arun
Jatiya, Dr. Satyanarayan
Javadekar, Shri Prakash
Jha, Shri Prabhat
Jugul Kishore, Shri
Kalita, Shri Bhubaneswar
Kanimozhi, Shrimati
Karan Singh, Dr.
Karimpuri, Shri Avtar Singh
Kashyap, Shri Narendra Kumar
Katiyar, Shri Vinay
Khabri, Shri Brijlal
Khan, Shri Mohd. Ali
Khanna, Shri Avinash Rai
Kidwai, Shrimati Mohsina
Kujur, Shri Santiuse
Lakshmanan, Dr. R.

Mahra, Shri Mahendra Singh
Maitreya, Dr. V.
Mandaviya, Shri Mansukh L.
Manjunatha, Shri Aayanur
Mayawati, Km.
Memon, Shri Majeed
Misra, Shri Satish Chandra
Mistry, Shri Madhusudan
Mitra, Dr. Chandan
Mohanty, Shri Anubhav
Mohapatra, Shri Pyarimohan
Mungekar, Dr. Bhalchandra
Muthukaruppan, Shri S.
Nadda, Shri Jagat Prakash
Naidu, Shri M. Venkaiah
Naik, Shri Shantaram
Nanda, Shri Kiranmay
Naqvi, Shri Mukhtar Abbas
Narayanan, Shri C.P.
Natchiappan, Dr. E.M. Sudarsana
Navaneethakrishnan, Shri A.
Nirmala Sitharaman, Shrimati
Nishad, Shri Vishambhar Prasad
O'Brien, Shri Derek
Panchariya, Shri Narayan Lal
Pande, Shri Avinash
Pandian, Shri Paul Manoj
Parasaran, Shri K.
Parida, Shri Baishnab

Parjapati, Shri Ranbir Singh
Patel, Shri Ahmed
Patel, Shri Praful Manoharbai
Pathak, Shri Brajesh
Patil, Shri Basawaraj
Patil, Shrimati Rajani
Perween, Shrimati Kahkashan
Pradhan, Shri Dharmendra
Prasad, Shri Ravi Shankar
Rai, Shrimati Kusum
Raja, Shri D.
Rajan, Shri Ambeth
Rajaram, Shri
Rajeeve, Shri P.
Ramalingam, Dr. K.P.
Ramesh, Shri C.M.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.
Rangasayee Ramakrishna, Shri
Rao, Shri Garikapati Mohan
Rao, Dr. K. Keshava
Rapolu, Shri Ananda Bhaskar
Rashtrapal, Shri Praveen
Rathinavel, Shri T.
Ravi, Shri Vayalar
Reddy, Shri D. Kupendra
Reddy, Shri Palvai Govardhan
Roy, Shri Sukhendu Sekhar
Sadho, Dr. Vijaylaxmi

Sahani, Dr. Anil Kumar

Sai, Shri Nand Kumar

Saini, Shri Rajpal Singh

Saleem, Chaudhary Munavver

Sancheti, Shri Ajay

Sasikala Pushpa, Shrimati

Seelam, Shri Jesudasu

Seema, Dr. T.N.

Seetharama Lakshmi, Shrimati Thota

Selvaraj, Shri A.K.

Sen, Shri Tapan Kumar

Shafi, Shri Mohammad

Sharma, Shri Satish

Shukla, Shri Rajeev

Singh, Shri Arvind Kumar

Singh, Shri Bhupinder

Singh, Shrimati Kanak Lata

Singh, Dr. Kanwar Deep

Singh, Dr. Manmohan

Singh, Shri Veer

Singh Badnore, Shri V.P.

Singhvi, Dr. Abhishek Manu

Siva, Shri Tiruchi

Soni, Shrimati Ambika

Soz, Prof. Saif-ud-Din

Sudharani, Shrimati Gundu

Swamy, Shri A.V.

Syiem, Shrimati Wansuk

Tarun Vijay, Shri

Thakur, Dr. C.P.
Thakur, Shri Ram Nath
Thakur, Shrimati Viplove
Thangavelu, Shri S.
Tiwari, Shri Alok
Tiwari, Shri Pramod
Tlau, Shri Ronald Sapa
Tripathi, Shri D.P.
Tulsi, Shri K.T.S.
Tundiya, Mahant Shambhuprasadji
Tyagi, Shri K.C.
Vadodia, Shri Lal Sinh
Varma, Shri Pavan Kumar
Vegad, Shri Shankarbhai N.
Vijila Sathyananth, Shrimati
Vora, Shri Motilal
Yadav, Shri Bhupender
Yadav, Shri Darshan Singh
Yadav, Prof. Ram Gopal
Yadav, Shri Sharad
Yechury, Shri Sitaram
Zhimomi, Shri Khekiho

NOES - 1

Jethmalani, Shri Ram

The motion was 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.

Clause 4 was added to the Bill.

Clause 5 - Amendment of Article 128

MR. CHAIRMAN: Now, we shall take up Clause 5. There is one Amendment (No.9) by Shri P. Rajeeve, Shri D. Raja and Shri K.N. Balagopal.

SHRI P. RAJEEVE: Sir, since the same amendment has been rejected by the Government, I am not moving my amendment.

The House divided.

MR. CHAIRMAN: Ayes : 180

Noes : 1

AYES - 180

Abraham, Shri Joy

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Agrawal, Shri Naresh

Akhtar, Shri Javed

Ali, Shri Munquad

Ansari, Shri Salim

Antony, Shri A.K.

Arjunan, Shri K.R.

Ashk Ali Tak, Shri

Ashwani Kumar, Shri

Athawale, Shri Ramdas

Azad, Shri Ghulam Nabi

Bachchan, Shrimati Jaya

Baidya, Shrimati Jharna Das

Balagopal, Shri K.N.

Balyawi, Shri Gulam Rasool

Bandyopadhyay, Shri D.

Banerjee, Shri Ritabrata

Batra, Shri Shadi Lal

Bernard, Shri A. W. Rabi

Bhattacharya, Shri P.

Bora, Shri Pankaj

Budania, Shri Narendra
Chandrasekhar, Shri Rajeev
Chavan, Shrimati Vandana
Chowdary, Shri Y.S.
Dalwai, Shri Husain
Das, Shri Kalpataru
Dave, Shri Anil Madhav
Deo, Shri Anang Uday Singh
Deora, Shri Murli
Desai, Shri Anil
Dhindsa, Sardar Sukhdev Singh
Dhoot, Shri Rajkumar
Dua, Shri H.K.
Dudi, Shri Ram Narain
Dwivedi, Shri Janardan
Faruque, Shrimati Naznin
Gehlot, Shri Thaawar Chand
Gill, Dr. M.S.
Goel, Shri Vijay
Gohel, Shri Chunibhai Kanjibhai
Goyal, Shri Piyush
Gujral, Shri Naresh
Gupta, Shri Prem Chand
Gupta, Shri Vivek
Haque, Shri Md. Nadimul
Hariprasad, Shri B.K.
Hashmi, Shri Parvez
Hembram, Shrimati Sarojini

Heptulla, Dr. Najma A.
Irani, Shrimati Smriti Zubin
Jaitley, Shri Arun
Jatiya, Dr. Satyanarayan
Javadekar, Shri Prakash
Jha, Shri Prabhat
Jugul Kishore, Shri
Kalita, Shri Bhubaneswar
Kanimozhi, Shrimati
Karan Singh, Dr.
Karimpuri, Shri Avtar Singh
Kashyap, Shri Narendra Kumar
Katiyar, Shri Vinay
Khabri, Shri Brijlal
Khan, Shri Mohd. Ali
Khanna, Shri Avinash Rai
Kidwai, Shrimati Mohsina
Kujur, Shri Santiuse
Kurien, Prof. P.J.
Lakshmanan, Dr. R.
Mahra, Shri Mahendra Singh
Maitreya, Dr. V.
Mandaviya, Shri Mansukh L.
Manjunatha, Shri Aayanur
Mayawati, Km.
Memon, Shri Majeed
Misra, Shri Satish Chandra
Mistry, Shri Madhusudan
Mitra, Dr. Chandan
Mohanty, Shri Anubhav

Mohapatra, Shri Pyarimohan
Mungekar, Dr. Bhalchandra
Muthukaruppan, Shri S.
Nadda, Shri Jagat Prakash
Naidu, Shri M. Venkaiah
Naik, Shri Shantaram
Nanda, Shri Kiranmay
Naqvi, Shri Mukhtar Abbas
Narayanan, Shri C.P.
Natchiappan, Dr. E.M. Sudarsana
Navaneethakrishnan, Shri A.
Nirmala Sitharaman, Shrimati
Nishad, Shri Vishambhar Prasad
O'Brien, Shri Derek
Panchariya, Shri Narayan Lal
Pande, Shri Avinash
Pandian, Shri Paul Manoj
Parasaran, Shri K.
Parida, Shri Baishnab
Parjapati, Shri Ranbir Singh
Patel, Shri Ahmed
Patel, Shri Praful Manoharbai
Pathak, Shri Brajesh
Patil, Shri Basawaraj
Patil, Shrimati Rajani
Perween, Shrimati Kahkashan
Pradhan, Shri Dharmendra
Prasad, Shri Ravi Shankar
Rai, Shrimati Kusum

Raja, Shri D.
Rajan, Shri Ambeth
Rajaram, Shri
Rajeeve, Shri P.
Ramalingam, Dr. K.P.
Ramesh, Shri C.M.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.
Rangasayee Ramakrishna, Shri
Rao, Shri Garikapati Mohan
Rao, Dr. K. Keshava
Rapolu, Shri Ananda Bhaskar
Rashtrapal, Shri Praveen
Rathinavel, Shri T.
Ravi, Shri Vayalar
Reddy, Shri D. Kupendra
Reddy, Shri Palvai Govardhan
Roy, Shri Sukhendu Sekhar
Sadho, Dr. Vijaylaxmi
Sahani, Dr. Anil Kumar
Sai, Shri Nand Kumar
Saini, Shri Rajpal Singh
Saleem, Chaudhary Munavver
Sancheti, Shri Ajay
Sasikala Pushpa, Shrimati
Seelam, Shri Jesudasu
Seema, Dr. T.N.
Seetharama Lakshmi, Shrimati Thota
Selvaraj, Shri A.K.

Sen, Shri Tapan Kumar
Shafi, Shri Mohammad
Sharma, Shri Satish
Shukla, Shri Rajeev
Singh, Shri Arvind Kumar
Singh, Shri Bhupinder
Singh, Shrimati Kanak Lata
Singh, Dr. Kanwar Deep
Singh, Dr. Manmohan
Singh, Shri Veer
Singh Badnore, Shri V.P.
Singhvi, Dr. Abhishek Manu
Siva, Shri Tiruchi
Soni, Shrimati Ambika
Soz, Prof. Saif-ud-Din
Sudharani, Shrimati Gundu
Swamy, Shri A.V.
Syiem, Shrimati Wansuk
Tarun Vijay, Shri
Thakur, Dr. C.P.
Thakur, Shri Ram Nath
Thakur, Shrimati Viplove
Thangavelu, Shri S.
Tiwari, Shri Alok
Tiwari, Shri Pramod
Tlau, Shri Ronald Sapa
Tripathi, Shri D.P.
Tulsi, Shri K.T.S.
Tundiya, Mahant Shambhuprasadji

Tyagi, Shri K.C.
Vadodia, Shri Lal Sinh
Varma, Shri Pavan Kumar
Vegad, Shri Shankarbhai N.
Vijila Sathyananth, Shrimati
Vora, Shri Motilal
Yadav, Shri Bhupender
Yadav, Shri Darshan Singh
Yadav, Prof. Ram Gopal
Yadav, Shri Ram Kripal
Yechury, Shri Sitaram
Zhimomi, Shri Khekiho

NOES - 1

Jethmalani, Shri Ram

The motion was 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.

Clause 5 was added to the Bill.

Clause 6 - Amendment of Article 217

MR. CHAIRMAN: Now, we shall take up Clause 6 of the Bill. There is one Amendment (No.10) by Shri P. Rajeeve, Shri D. Raja and Shri K.N. Balagopal.

SHRI P. RAJEEVE: Sir, I am not moving.

The House divided.

MR. CHAIRMAN: Ayes : 180

Noes : 1

AYES - 180

Abraham, Shri Joy
Achuthan, Shri M.P.
Adeeb, Shri Mohammed
Agrawal, Shri Naresh

Akhtar, Shri Javed
Ali, Shri Munquad
Ansari, Shri Salim
Antony, Shri A.K.
Arjunan, Shri K.R.
Ashk Ali Tak, Shri
Ashwani Kumar, Shri
Athawale, Shri Ramdas
Azad, Shri Ghulam Nabi
Bachchan, Shrimati Jaya
Baidya, Shrimati Jharna Das
Balagopal, Shri K.N.
Balyawi, Shri Gulam Rasool
Bandyopadhyay, Shri D.
Banerjee, Shri Ritabrata
Batra, Shri Shadi Lal
Bernard, Shri A. W. Rabi
Bhattacharya, Shri P.
Bora, Shri Pankaj
Budania, Shri Narendra
Chavan, Shrimati Vandana
Chowdary, Shri Y.S.
Dalwai, Shri Husain
Das, Shri Kalpataru
Dave, Shri Anil Madhav
Deo, Shri Anang Uday Singh
Deora, Shri Murli
Desai, Shri Anil

Dhindsa, Sardar Sukhdev Singh

Dhoot, Shri Rajkumar

Dua, Shri H.K.

Dudi, Shri Ram Narain

Dwivedi, Shri Janardan

Faruque, Shrimati Naznin

Gehlot, Shri Thaawar Chand

Gill, Dr. M.S.

Goel, Shri Vijay

Gohel, Shri Chunibhai Kanjibhai

Goyal, Shri Piyush

Gujral, Shri Naresh

Gupta, Shri Prem Chand

Gupta, Shri Vivek

Haque, Shri Md. Nadimul

Hariprasad, Shri B.K.

Hashmi, Shri Parvez

Hembram, Shrimati Sarojini

Heptulla, Dr. Najma A.

Irani, Shrimati Smriti Zubin

Jaitley, Shri Arun

Jatiya, Dr. Satyanarayan

Javadekar, Shri Prakash

Jha, Shri Prabhat

Jugul Kishore, Shri

Kalita, Shri Bhubaneswar

Kanimozhi, Shrimati

Karan Singh, Dr.

Karimpuri, Shri Avtar Singh

Kashyap, Shri Narendra Kumar
Katiyar, Shri Vinay
Khabri, Shri Brijlal
Khan, Shri Mohd. Ali
Khanna, Shri Avinash Rai
Kidwai, Shrimati Mohsina
Kujur, Shri Santiuse
Kurien, Prof. P.J.
Lakshmanan, Dr. R.
Mahra, Shri Mahendra Singh
Maitreyan, Dr. V.
Mandaviya, Shri Mansukh L.
Manjunatha, Shri Aayanur
Mayawati, Km.
Memon, Shri Majeed
Misra, Shri Satish Chandra
Mistry, Shri Madhusudan
Mitra, Dr. Chandan
Mohanty, Shri Anubhav
Mohapatra, Shri Pyarimohan
Mungekar, Dr. Bhalchandra
Muthukaruppan, Shri S.
Nadda, Shri Jagat Prakash
Naidu, Shri M. Venkaiah
Naik, Shri Shantaram
Nanda, Shri Kiranmay
Naqvi, Shri Mukhtar Abbas
Narayanan, Shri C.P.
Natchiappan, Dr. E.M. Sudarsana
Navaneethakrishnan, Shri A.

Nirmala Sitharaman, Shrimati
Nishad, Shri Vishambhar Prasad
O'Brien, Shri Derek
Panchariya, Shri Narayan Lal
Pande, Shri Avinash
Pandian, Shri Paul Manoj
Parasaran, Shri K.
Parida, Shri Baishnab
Parjapati, Shri Ranbir Singh
Patel, Shri Ahmed
Patel, Shri Praful Manoharbai
Pathak, Shri Brajesh
Patil, Shri Basawaraj
Patil, Shrimati Rajani
Perween, Shrimati Kakhkashan
Pradhan, Shri Dharmendra
Prasad, Shri Ravi Shankar
Rai, Shrimati Kusum
Raja, Shri D.
Rajan, Shri Ambeth
Rajaram, Shri
Rajeeve, Shri P.
Ramalingam, Dr. K.P.
Ramesh, Shri C.M.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.
Rangasayee Ramakrishna, Shri
Rao, Shri Garikapati Mohan
Rao, Dr. K. Keshava

Rapolu, Shri Ananda Bhaskar
Rashtrapal, Shri Praveen
Rathinavel, Shri T.
Ravi, Shri Vayalar
Reddy, Shri D. Kupendra
Reddy, Shri Palvai Govardhan
Roy, Shri Sukhendu Sekhar
Sadho, Dr. Vijaylaxmi
Sahani, Dr. Anil Kumar
Sai, Shri Nand Kumar
Saini, Shri Rajpal Singh
Saleem, Chaudhary Munavver
Sancheti, Shri Ajay
Sasikala Pushpa, Shrimati
Seelam, Shri Jesudasu
Seema, Dr. T.N.
Seetharama Lakshmi, Shrimati Thota
Selvaraj, Shri A.K.
Sen, Shri Tapan Kumar
Shafi, Shri Mohammad
Sharma, Shri Satish
Shukla, Shri Rajeev
Singh, Shri Arvind Kumar
Singh, Shri Bhupinder
Singh, Shrimati Kanak Lata
Singh, Dr. Kanwar Deep
Singh, Dr. Manmohan
Singh, Shri Veer
Singh Badnore, Shri V.P.

Singhvi, Dr. Abhishek Manu
Siva, Shri Tiruchi
Soni, Shrimati Ambika
Soz, Prof. Saif-ud-Din
Sudharani, Shrimati Gundu
Swamy, Shri A.V.
Syiem, Shrimati Wansuk
Tarun Vijay, Shri
Thakur, Dr. C.P.
Thakur, Shri Ram Nath
Thakur, Shrimati Viplove
Thangavelu, Shri S.
Tiwari, Shri Alok
Tiwari, Shri Pramod
Tlau, Shri Ronald Sapa
Tripathi, Shri D.P.
Tulsi, Shri K.T.S.
Tundiya, Mahant Shambhuprasadji
Tyagi, Shri K.C.
Vadodia, Shri Lal Sinh
Varma, Shri Pavan Kumar
Vegad, Shri Shankarbhai N.
Vijila Sathyananth, Shrimati
Vora, Shri Motilal
Yadav, Shri Bhupender
Yadav, Shri Darshan Singh
Yadav, Prof. Ram Gopal
Yadav, Shri Ram Kripal
Yechury, Shri Sitaram
Zhimomi, Shri Khekiho

NOES-1

Jethmalani, Shri Ram

The motion was 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.

Clause 6 was added to the Bill.

Clause 7 - Amendment of Article 222

MR. CHAIRMAN: Now, we shall take up Clause 7 of the Bill. There is one Amendment (No.11) by Shri P. Rajeeve, Shri D. Raja and Shri K.N. Balagopal.

SHRI P. RAJEEVE: Sir, I am not moving.

The House divided.

MR. CHAIRMAN: Ayes : 180

Noes : 1

AYES - 180

Abraham, Shri Joy

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Agrawal, Shri Naresh

Akhtar, Shri Javed

Ali, Shri Munquad

Ansari, Shri Salim

Antony, Shri A.K.

Arjunan, Shri K.R.

Ashk Ali Tak, Shri

Ashwani Kumar, Shri

Athawale, Shri Ramdas

Azad, Shri Ghulam Nabi

Bachchan, Shrimati Jaya

Baidya, Shrimati Jharna Das

Balagopal, Shri K.N.

Balyawi, Shri Gulam Rasool

Bandyopadhyay, Shri D.

Banerjee, Shri Ritabrata
Batra, Shri Shadi Lal
Bernard, Shri A. W. Rabi
Bhattacharya, Shri P.
Bora, Shri Pankaj
Budania, Shri Narendra
Chandrasekhar, Shri Rajeev
Chavan, Shrimati Vandana
Chowdary, Shri Y.S.
Dalwai, Shri Husain
Das, Shri Kalpataru
Dave, Shri Anil Madhav
Deo, Shri Anang Uday Singh
Deora, Shri Murli
Desai, Shri Anil
Dhindsa, Sardar Sukhdev Singh
Dhoot, Shri Rajkumar
Dua, Shri H.K.
Dudi, Shri Ram Narain
Dwivedi, Shri Janardan
Faruque, Shrimati Naznin
Gehlot, Shri Thaawar Chand
Gill, Dr. M.S.
Goel, Shri Vijay
Gohel, Shri Chunibhai Kanjibhai
Goyal, Shri Piyush
Gujral, Shri Naresh
Gupta, Shri Prem Chand

Gupta, Shri Vivek
Haque, Shri Md. Nadimul
Hariprasad, Shri B.K.
Hashmi, Shri Parvez
Hembram, Shrimati Sarojini
Heptulla, Dr. Najma A.
Irani, Shrimati Smriti Zubin
Jaitley, Shri Arun
Jatiya, Dr. Satyanarayan
Javadekar, Shri Prakash
Jha, Shri Prabhat
Jugul Kishore, Shri
Kalita, Shri Bhubaneswar
Kanimozhi, Shrimati
Karan Singh, Dr.
Karimpuri, Shri Avtar Singh
Kashyap, Shri Narendra Kumar
Katiyar, Shri Vinay
Khabri, Shri Brijlal
Khan, Shri Mohd. Ali
Khanna, Shri Avinash Rai
Kidwai, Shrimati Mohsina
Kujur, Shri Santiuse
Kurien, Prof. P. J.
Lakshmanan, Dr. R.
Mahra, Shri Mahendra Singh
Maitreya, Dr. V.
Mandaviya, Shri Mansukh L.
Manjunatha, Shri Aayanur
Mayawati, Km.

Memon, Shri Majeed
Misra, Shri Satish Chandra
Mistry, Shri Madhusudan
Mitra, Dr. Chandan
Mohanty, Shri Anubhav
Mohapatra, Shri Pyarimohan
Mungekar, Dr. Bhalchandra
Muthukaruppan, Shri S.
Nadda, Shri Jagat Prakash
Naidu, Shri M. Venkaiah
Naik, Shri Shantaram
Nanda, Shri Kiranmay
Naqvi, Shri Mukhtar Abbas
Narayanan, Shri C.P.
Natchiappan, Dr. E.M. Sudarsana
Navaneethakrishnan, Shri A.
Nirmala Sitharaman, Shrimati
Nishad, Shri Vishambhar Prasad
O'Brien, Shri Derek
Panchariya, Shri Narayan Lal
Pande, Shri Avinash
Pandian, Shri Paul Manoj
Parasaran, Shri K.
Parida, Shri Baishnab
Patjapati, Shri Ranbir Singh
Patel, Shri Ahmed
Patel, Shri Praful Manoharbai
Pathak, Shri Brajesh
Patil, Shri Basawaraj

Patil, Shrimati Rajani
Perween, Shrimati Kahkashan
Pradhan, Shri Dharmendra
Prasad, Shri Ravi Shankar
Rai, Shrimati Kusum
Raja, Shri D.
Rajan, Shri Ambeth
Rajaram, Shri
Rajeeve, Shri P.
Ramalingam, Dr. K.P.
Ramesh, Shri C.M.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.
Rangasayee Ramakrishna, Shri
Rao, Shri Garikapati Mohan
Rao, Dr. K. Keshava
Rapolu, Shri Ananda Bhaskar
Rashtrapal, Shri Praveen
Rathinavel, Shri T.
Ravi, Shri Vayalar
Reddy, Shri D. Kupendra
Reddy, Shri Palvai Govardhan
Roy, Shri Sukhendu Sekhar
Sadho, Dr. Vijaylaxmi
Sahani, Dr. Anil Kumar
Sai, Shri Nand Kumar
Saini, Shri Rajpal Singh
Saleem, Chaudhary Munavver
Sancheti, Shri Ajay

Sasikala Pushpa, Shrimati

Seelam, Shri Jesudasu

Seema, Dr. T.N.

Seetharama Lakshmi, Shrimati Thota

Selvaraj, Shri A.K.

Sen, Shri Tapan Kumar

Shafi, Shri Mohammad

Sharma, Shri Satish

Shukla, Shri Rajeev

Singh, Shri Arvind Kumar

Singh, Shri Bhupinder

Singh, Shrimati Kanak Lata

Singh, Dr. Kanwar Deep

Singh, Dr. Manmohan

Singh, Shri Veer

Singh Badnore, Shri V.P.

Singhvi, Dr. Abhishek Manu

Siva, Shri Tiruchi

Soni, Shrimati Ambika

Soz, Prof. Saif-ud-Din

Sudharani, Shrimati Gundu

Swamy, Shri A.V.

Syiem, Shrimati Wansuk

Tarun Vijay, Shri

Thakur, Dr. C.P.

Thakur, Shri Ram Nath

Thakur, Shrimati Viplove

Thangavelu, Shri S.

Tiwari, Shri Alok

Tiwari, Shri Pramod
Tlau, Shri Ronald Sapa
Tripathi, Shri D.P.
Tulsi, Shri K.T.S.
Tundiya, Mahant Shambhuprasadji
Tyagi, Shri K.C.
Vadodia, Shri Lal Sinh
Varma, Shri Pavan Kumar
Vegad, Shri Shankarbai N.
Vijila Sathyanantha, Shrimati
Vora, Shri Motilal
Yadav, Shri Bhupender
Yadav, Shri Darshan Singh
Yadav, Prof. Ram Gopal
Yadav, Shri Ram Kripal
Yechury, Shri Sitaram
Zhimomi, Shri Khekiho

NOES-1

Jethmalani, Shri Ram

The motion was 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.

Clause 7 was added to the Bill.

Clause 8 - Amendment of Article 224

MR. CHAIRMAN: Now, we shall take up Clause 8 of the Bill. There are two Amendments (Nos.12 and 13) by Shri P. Rajeeve, Shri D. Raja and Shri K.N. Balagopal.

SHRI P. RAJEEVE: Sir, I am not moving.

The House divided.

MR. CHAIRMAN: Ayes : 180

Noes : 1

AYES - 180

Abraham, Shri Joy

Achuthan, Shri M.P.

Adeeb, Shri Mohammed
Agrawal, Shri Naresh
Akhtar, Shri Javed
Ali, Shri Munquad
Ansari, Shri Salim
Antony, Shri A.K.
Arjunan, Shri K.R.
Ashk Ali Tak, Shri
Ashwani Kumar, Shri
Athawale, Shri Ramdas
Azad, Shri Ghulam Nabi
Bachchan, Shrimati Jaya
Baidya, Shrimati Jharna Das
Balagopal, Shri K.N.
Balyawi, Shri Gulam Rasool
Bandyopadhyay, Shri D.
Banerjee, Shri Ritabrata
Batra, Shri Shadi Lal
Bernard, Shri A. W. Rabi
Bhattacharya, Shri P.
Bora, Shri Pankaj
Budania, Shri Narendra
Chakraborty, Shri Mithun
Chandrasekhar, Shri Rajeev
Chavan, Shrimati Vandana
Chowdary, Shri Y.S.
Dalwai, Shri Husain
Das, Shri Kalpataru
Dave, Shri Anil Madhav

Deo, Shri Anang Uday Singh
Deora, Shri Murlī
Desai, Shri Anil
Dhindsa, Sardar Sukhdev Singh
Dhoot, Shri Rajkumar
Dua, Shri H.K.
Dudi, Shri Ram Narain
Dwivedi, Shri Janardan
Faruque, Shrimati Naznin
Gehlot, Shri Thaawar Chand
Gill, Dr. M.S.
Goel, Shri Vijay
Gohel, Shri Chunibhai Kanjibhai
Goyal, Shri Piyush
Gujral, Shri Naresh
Gupta, Shri Prem Chand
Gupta, Shri Vivek
Haque, Shri Md. Nadimul
Hariprasad, Shri B.K.
Hashmi, Shri Parvez
Hembram, Shrimati Sarojini
Heptulla, Dr. Najma A.
Irani, Shrimati Smriti Zubin
Jaitley, Shri Arun
Jatiya, Dr. Satyanarayan
Javadekar, Shri Prakash
Jha, Shri Prabhat
Jugul Kishore, Shri
Kalita, Shri Bhubaneswar

Kanimozhi, Shrimati
Karan Singh, Dr.
Karimpuri, Shri Avtar Singh
Kashyap, Shri Narendra Kumar
Katiyar, Shri Vinay
Khabri, Shri Brijlal
Khan, Shri Mohd. Ali
Khanna, Shri Avinash Rai
Kidwai, Shrimati Mohsina
Kujur, Shri Santiuse
Lakshmanan, Dr. R.
Mahra, Shri Mahendra Singh
Maitreya, Dr. V.
Mandaviya, Shri Mansukh L.
Manjunatha, Shri Aayanur
Mayawati, Km.
Memon, Shri Majeed
Misra, Shri Satish Chandra
Mistry, Shri Madhusudan
Mitra, Dr. Chandan
Mohanty, Shri Anubhav
Mohapatra, Shri Pyarimohan
Mungekar, Dr. Bhalchandra
Muthukaruppan, Shri S.
Nadda, Shri Jagat Prakash
Naidu, Shri M. Venkaiah
Naik, Shri Shantaram
Nanda, Shri Kiranmay
Naqvi, Shri Mukhtar Abbas

Narayanan, Shri C.P.
Natchiappan, Dr. E.M. Sudarsana
Navaneethakrishnan, Shri A.
Nirmala Sitharaman, Shrimati
Nishad, Shri Vishambhar Prasad
O'Brien, Shri Derek
Panchariya, Shri Narayan Lal
Pande, Shri Avinash
Pandian, Shri Paul Manoj
Parasaran, Shri K.
Parida, Shri Baishnab
Parjapati, Shri Ranbir Singh
Patel, Shri Ahmed
Patel, Shri Praful Manoharbai
Pathak, Shri Brajesh
Patil, Shri Basawaraj
Patil, Shrimati Rajani
Perween, Shrimati Kahkashan
Pradhan, Shri Dharmendra
Prasad, Shri Ravi Shankar
Rai, Shrimati Kusum
Raja, Shri D.
Rajan, Shri Ambeth
Rajaram, Shri
Rajeeve, Shri P.
Ramalingam, Dr. K.P.
Ramesh, Shri C.M.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.

Rangasayee Ramakrishna, Shri
Rao, Shri Garikapati Mohan
Rao, Dr. K. Keshava
Rapolu, Shri Ananda Bhaskar
Rashtrapal, Shri Praveen
Rathinavel, Shri T.
Ravi, Shri Vayalar
Reddy, Shri D. Kupendra
Reddy, Shri Palvai Govardhan
Roy, Shri Sukhendu Sekhar
Sadho, Dr. Vijaylaxmi
Sahani, Dr. Anil Kumar
Sai, Shri Nand Kumar
Saini, Shri Rajpal Singh
Saleem, Chaudhary Munavver
Sancheti, Shri Ajay
Sasikala Pushpa, Shrimati
Seelam, Shri Jesudasu
Seema, Dr. T.N.
Seetharama Lakshmi, Shrimati Thota
Selvaraj, Shri A.K.
Sen, Shri Tapan Kumar
Shafi, Shri Mohammad
Sharma, Shri Satish
Shukla, Shri Rajeev
Singh, Shri Arvind Kumar
Singh, Shri Bhupinder
Singh, Shrimati Kanak Lata
Singh, Dr. Kanwar Deep

Singh, Dr. Manmohan
Singh, Shri Veer
Singh Badnore, Shri V.P.
Singhvi, Dr. Abhishek Manu
Siva, Shri Tiruchi
Soni, Shrimati Ambika
Soz, Prof. Saif-ud-Din
Sudharani, Shrimati Gundu
Swamy, Shri A.V.
Syiem, Shrimati Wansuk
Tarun Vijay, Shri
Thakur, Dr. C.P.
Thakur, Shri Ram Nath
Thakur, Shrimati Viplove
Thangavelu, Shri S.
Tiwari, Shri Alok
Tiwari, Shri Pramod
Tlau, Shri Ronald Sapa
Tripathi, Shri D.P.
Tulsi, Shri K.T.S.
Tundiya, Mahant Shambhuprasadji
Tyagi, Shri K.C.
Vadodia, Shri Lal Sinh
Varma, Shri Pavan Kumar
Vegad, Shri Shankarbhai N.
Vijila Sathyananth, Shrimati
Vora, Shri Motilal
Yadav, Shri Bhupender
Yadav, Shri Darshan Singh

Yadav, Prof. Ram Gopal

Yadav, Shri Sharad

Yechury, Shri Sitaram

Zhimomi, Shri Khekiho

NOES-1

Jethmalani, Shri Ram

The motion was 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.

Clause 8 was added to the Bill.

Clause 9 - Amendment of Article 224A

MR. CHAIRMAN: Now, we shall take up Clause 9 of the Bill. There is one Amendment (No.14) by Shri P. Rajeeve, Shri D. Raja and Shri K.N. Balagopal.

SHRI P. RAJEEVE: Sir, I am not moving.

The House divided.

MR. CHAIRMAN: Ayes : 180

Noes : 1

AYES - 180

Abraham, Shri Joy

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Agrawal, Shri Naresh

Akhtar, Shri Javed

Ali, Shri Munquad

Ansari, Shri Salim

Antony, Shri A.K.

Arjunan, Shri K.R.

Ashk Ali Tak, Shri

Ashwani Kumar, Shri

Athawale, Shri Ramdas

Azad, Shri Ghulam Nabi

Bachchan, Shrimati Jaya
Baidya, Shrimati Jharna Das
Balagopal, Shri K.N.
Balyawi, Shri Gulam Rasool
Bandyopadhyay, Shri D.
Banerjee, Shri Ritabrata
Batra, Shri Shadi Lal
Bernard, Shri A. W. Rabi
Bhattacharya, Shri P.
Bora, Shri Pankaj
Budania, Shri Narendra
Chakraborty, Shri Mithun
Chandrasekhar, Shri Rajeev
Chavan, Shrimati Vandana
Chowdary, Shri Y.S.
Dalwai, Shri Husain
Das, Shri Kalpataru
Dave, Shri Anil Madhav
Deo, Shri Anang Uday Singh
Deora, Shri Murli
Desai, Shri Anil
Dhindsa, Sardar Sukhdev Singh
Dhoot, Shri Rajkumar
Dua, Shri H.K.
Dudi, Shri Ram Narain
Dwivedi, Shri Janardan
Faruque, Shrimati Naznin
Gehlot, Shri Thaawar Chand
Gill, Dr. M.S.

Goel, Shri Vijay
Gohel, Shri Chunibhai Kanjibhai
Goyal, Shri Piyush
Gujral, Shri Naresh
Gupta, Shri Prem Chand
Gupta, Shri Vivek
Haque, Shri Md. Nadimul
Hariprasad, Shri B.K.
Hashmi, Shri Parvez
Hembram, Shrimati Sarojini
Heptulla, Dr. Najma A.
Irani, Shrimati Smriti Zubin
Jaitley, Shri Arun
Jatiya, Dr. Satyanarayan
Javadekar, Shri Prakash
Jha, Shri Prabhat
Jugul Kishore, Shri
Kalita, Shri Bhubaneswar
Kanimozhi, Shrimati
Karan Singh, Dr.
Karimpuri, Shri Avtar Singh
Kashyap, Shri Narendra Kumar
Katiyar, Shri Vinay
Khabri, Shri Brijlal
Khan, Shri Mohd. Ali
Khanna, Shri Avinash Rai
Kidwai, Shrimati Mohsina
Kujur, Shri Santiuse
Lakshmanan, Dr. R.

Mahra, Shri Mahendra Singh
Maitreyan, Dr. V.
Mandaviya, Shri Mansukh L.
Manjunatha, Shri Aayanur
Mayawati, Km.
Memon, Shri Majeed
Misra, Shri Satish Chandra
Mistry, Shri Madhusudan
Mitra, Dr. Chandan
Mohanty, Shri Anubhav
Mohapatra, Shri Pyarimohan
Mungekar, Dr. Bhalchandra
Muthukaruppan, Shri S.
Nadda, Shri Jagat Prakash
Naidu, Shri M. Venkaiah
Naik, Shri Shantaram
Nanda, Shri Kiranmay
Naqvi, Shri Mukhtar Abbas
Narayanan, Shri C.P.
Natchiappan, Dr. E.M. Sudarsana
Navaneethakrishnan, Shri A.
Nirmala Sitharaman, Shrimati
Nishad, Shri Vishambhar Prasad
O'Brien, Shri Derek
Panchariya, Shri Narayan Lal
Pande, Shri Avinash
Pandian, Shri Paul Manoj
Parasaran, Shri K.
Parida, Shri Baishnab

Parjapati, Shri Ranbir Singh
Patel, Shri Ahmed
Patel, Shri Praful Manoharbai
Pathak, Shri Brajesh
Patil, Shri Basawaraj
Patil, Shrimati Rajani
Perween, Shrimati Kahkashan
Pradhan, Shri Dharmendra
Prasad, Shri Ravi Shankar
Rai, Shrimati Kusum
Raja, Shri D.
Rajan, Shri Ambeth
Rajaram, Shri
Rajeeve, Shri P.
Ramalingam, Dr. K.P.
Ramesh, Shri C.M.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.
Rangasayee Ramakrishna, Shri
Rao, Shri Garikapati Mohan
Rao, Dr. K. Keshava
Rapolu, Shri Ananda Bhaskar
Rashtrapal, Shri Praveen
Rathinavel, Shri T.
Ravi, Shri Vayalar
Reddy, Shri D. Kupendra
Reddy, Shri Palvai Govardhan
Roy, Shri Sukhendu Sekhar
Sadho, Dr. Vijaylaxmi

Sahani, Dr. Anil Kumar
Sai, Shri Nand Kumar
Saini, Shri Rajpal Singh
Saleem, Chaudhary Munavver
Sancheti, Shri Ajay
Sasikala Pushpa, Shrimati
Seelam, Shri Jesudasu
Seema, Dr. T.N.
Seetharama Lakshmi, Shrimati Thota
Selvaraj, Shri A.K.
Sen, Shri Tapan Kumar
Shafi, Shri Mohammad
Sharma, Shri Satish
Shukla, Shri Rajeev
Singh, Shri Arvind Kumar
Singh, Shri Bhupinder
Singh, Shrimati Kanak Lata
Singh, Dr. Kanwar Deep
Singh, Dr. Manmohan
Singh, Shri Veer
Singh Badnore, Shri V.P.
Singhvi, Dr. Abhishek Manu
Siva, Shri Tiruchi
Soni, Shrimati Ambika
Soz, Prof. Saif-ud-Din
Sudharani, Shrimati Gundu
Swamy, Shri A.V.
Syiem, Shrimati Wansuk
Tarun Vijay, Shri

Thakur, Dr. C.P.
Thakur, Shri Ram Nath
Thakur, Shrimati Viplove
Thangavelu, Shri S.
Tiwari, Shri Alok
Tiwari, Shri Pramod
Tlau, Shri Ronald Sapa
Tripathi, Shri D.P.
Tulsi, Shri K.T.S.
Tundiya, Mahant Shambhuprasadji
Tyagi, Shri K.C.
Vadodia, Shri Lal Sinh
Varma, Shri Pavan Kumar
Vegad, Shri Shankarbhair N.
Vijila Sathyananth, Shrimati
Vora, Shri Motilal
Yadav, Shri Bhupender
Yadav, Shri Darshan Singh
Yadav, Prof. Ram Gopal
Yadav, Shri Sharad
Yechury, Shri Sitaram
Zhimomi, Shri Khekiho

NOES-1

Jethmalani, Shri Ram

The motion was 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.

Clause 9 was added to the Bill.

Clause 10- Amendment of Article 231

MR. CHAIRMAN: Now, we shall take up Clause 10.

The House divided.

MR. CHAIRMAN: Ayes : 180

Noes : 1

AYES - 180

Abraham, Shri Joy

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Agrawal, Shri Naresh

Akhtar, Shri Javed

Ali, Shri Munquad

Ansari, Shri Salim

Antony, Shri A.K.

Arjunan, Shri K.R.

Ashk Ali Tak, Shri

Ashwani Kumar, Shri

Athawale, Shri Ramdas

Azad, Shri Ghulam Nabi

Bachchan, Shrimati Jaya

Baidya, Shrimati Jharna Das

Balagopal, Shri K.N.

Balyawi, Shri Gulam Rasool

Bandyopadhyay, Shri D.

Banerjee, Shri Ritabrata

Batra, Shri Shadi Lal

Bernard, Shri A. W. Rabi

Bhattacharya, Shri P.

Bora, Shri Pankaj

Budania, Shri Narendra

Chandrasekhar, Shri Rajeev

Chavan, Shrimati Vandana
Chowdary, Shri Y.S.
Dalwai, Shri Husain
Das, Shri Kalpataru
Dave, Shri Anil Madhav
Deo, Shri Anang Uday Singh
Deora, Shri Murli
Desai, Shri Anil
Dhindsa, Sardar Sukhdev Singh
Dhoot, Shri Rajkumar
Dua, Shri H.K.
Dudi, Shri Ram Narain
Dwivedi, Shri Janardan
Faruque, Shrimati Naznin
Gehlot, Shri Thaawar Chand
Gill, Dr. M.S.
Goel, Shri Vijay
Gohel, Shri Chunibhai Kanjibhai
Goyal, Shri Piyush
Gujral, Shri Naresh
Gupta, Shri Prem Chand
Gupta, Shri Vivek
Haque, Shri Md. Nadimul
Hariprasad, Shri B.K.
Hashmi, Shri Parvez
Hembram, Shrimati Sarojini
Heptulla, Dr. Najma A.
Irani, Shrimati Smriti Zubin
Jaitley, Shri Arun

Jatiya, Dr. Satyanarayan
Javadekar, Shri Prakash
Jha, Shri Prabhat
Jugul Kishore, Shri
Kalita, Shri Bhubaneswar
Kanimozhi, Shrimati
Karan Singh, Dr.
Karimpuri, Shri Avtar Singh
Kashyap, Shri Narendra Kumar
Katiyar, Shri Vinay
Khabri, Shri Brijlal
Khan, Shri Mohd. Ali
Khanna, Shri Avinash Rai
Kidwai, Shrimati Mohsina
Kujur, Shri Santiuse
Kurien, Prof. P. J.
Lakshmanan, Dr. R.
Mahra, Shri Mahendra Singh
Maitreyan, Dr. V.
Mandaviya, Shri Mansukh L.
Manjunatha, Shri Aayanur
Mayawati, Km.
Memon, Shri Majeed
Misra, Shri Satish Chandra
Mistry, Shri Madhusudan
Mitra, Dr. Chandan
Mohanty, Shri Anubhav
Mohapatra, Shri Pyarimohan
Mungekar, Dr. Bhalchandra
Muthukaruppan, Shri S.

Nadda, Shri Jagat Prakash
Naidu, Shri M. Venkaiah
Naik, Shri Shantaram
Nanda, Shri Kiranmay
Naqvi, Shri Mukhtar Abbas
Narayanan, Shri C.P.
Natchiappan, Dr. E.M. Sudarsana
Navaneethakrishnan, Shri A.
Nirmala Sitharaman, Shrimati
Nishad, Shri Vishambhar Prasad
O'Brien, Shri Derek
Panchariya, Shri Narayan Lal
Pande, Shri Avinash
Pandian, Shri Paul Manoj
Parasaran, Shri K.
Parida, Shri Baishnab
Patjapati, Shri Ranbir Singh
Patel, Shri Ahmed
Patel, Shri Praful Manoharbhai
Pathak, Shri Brajesh
Patil, Shri Basawaraj
Patil, Shrimati Rajani
Perween, Shrimati Kakhshan
Pradhan, Shri Dharmendra
Prasad, Shri Ravi Shankar
Rai, Shrimati Kusum
Raja, Shri D.
Rajan, Shri Ambeth
Rajaram, Shri

Rajeeve, Shri P.
Ramalingam, Dr. K.P.
Ramesh, Shri C.M.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.
Rangasayee Ramakrishna, Shri
Rao, Shri Garikapati Mohan
Rao, Dr. K. Keshava
Rapolu, Shri Ananda Bhaskar
Rashtrapal, Shri Praveen
Rathinavel, Shri T.
Ravi, Shri Vayalar
Reddy, Shri D. Kupendra
Reddy, Shri Palvai Govardhan
Roy, Shri Sukhendu Sekhar
Sadho, Dr. Vijaylaxmi
Sahani, Dr. Anil Kumar
Sai, Shri Nand Kumar
Saini, Shri Rajpal Singh
Saleem, Chaudhary Munavver
Sancheti, Shri Ajay
Sasikala Pushpa, Shrimati
Seelam, Shri Jesudasu
Seema, Dr. T.N.
Seetharama Lakshmi, Shrimati Thota
Selvaraj, Shri A.K.
Sen, Shri Tapan Kumar
Shafi, Shri Mohammad
Sharma, Shri Satish

Shukla, Shri Rajeev
Singh, Shri Arvind Kumar
Singh, Shri Bhupinder
Singh, Shrimati Kanak Lata
Singh, Dr. Kanwar Deep
Singh, Dr. Manmohan
Singh, Shri Veer
Singh Badnore, Shri V.P.
Singhvi, Dr. Abhishek Manu
Siva, Shri Tiruchi
Soni, Shrimati Ambika
Soz, Prof. Saif-ud-Din
Sudharani, Shrimati Gundu
Swamy, Shri A.V.
Syiem, Shrimati Wansuk
Tarun Vijay, Shri
Thakur, Dr. C.P.
Thakur, Shri Ram Nath
Thakur, Shrimati Viplove
Thangavelu, Shri S.
Tiwari, Shri Alok
Tiwari, Shri Pramod
Tlau, Shri Ronald Sapa
Tripathi, Shri D.P.
Tulsi, Shri K.T.S.
Tundiya, Mahant Shambhuprasadji
Tyagi, Shri K.C.
Vadodia, Shri Lal Sinh
Varma, Shri Pavan Kumar

Vegad, Shri Shankarbai N.

Vijila Sathyananth, Shrimati

Vora, Shri Motilal

Yadav, Shri Bhupender

Yadav, Shri Darshan Singh

Yadav, Prof. Ram Gopal

Yadav, Shri Ram Kripal

Yechury, Shri Sitaram

Zhimomi, Shri Khekiho

NOES-1

Jethmalani, Shri Ram

The motion was 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.

Clause 10 was added to the Bill.

MR. CHAIRMAN : Now, we shall take up Clause 1, the Enacting Formula and the Title.

The House divided.

MR. CHAIRMAN: Ayes : 180

Noes : 1

AYES - 180

Abraham, Shri Joy

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Agrawal, Shri Naresh

Akhtar, Shri Javed

Ali, Shri Munquad

Ansari, Shri Salim

Antony, Shri A.K.

Arjunan, Shri K.R.

Ashk Ali Tak, Shri

Ashwani Kumar, Shri
Athawale, Shri Ramdas
Azad, Shri Ghulam Nabi
Bachchan, Shrimati Jaya
Baidya, Shrimati Jharna Das
Balagopal, Shri K.N.
Balyawi, Shri Gulam Rasool
Bandyopadhyay, Shri D.
Banerjee, Shri Ritabrata
Batra, Shri Shadi Lal
Bernard, Shri A. W. Rabi
Bhattacharya, Shri P.
Bora, Shri Pankaj
Budania, Shri Narendra
Chakraborty, Shri Mithun
Chandrasekhar, Shri Rajeev
Chavan, Shrimati Vandana
Chowdary, Shri Y.S.
Dalwai, Shri Husain
Das, Shri Kalpataru
Dave, Shri Anil Madhav
Deo, Shri Anang Uday Singh
Deora, Shri Murli
Desai, Shri Anil
Dhindsa, Sardar Sukhdev Singh
Dhoot, Shri Rajkumar
Dua, Shri H.K.
Dudi, Shri Ram Narain
Dwivedi, Shri Janardan

Faruque, Shrimati Naznin
Gehlot, Shri Thaawar Chand
Gill, Dr. M.S.
Goel, Shri Vijay
Gohel, Shri Chunibhai Kanjibhai
Goyal, Shri Piyush
Gujral, Shri Naresh
Gupta, Shri Prem Chand
Gupta, Shri Vivek
Haque, Shri Md. Nadimul
Hariprasad, Shri B.K.
Hashmi, Shri Parvez
Hembram, Shrimati Sarojini
Heptulla, Dr. Najma A.
Irani, Shrimati Smriti Zubin
Jaitley, Shri Arun
Jatiya, Dr. Satyanarayan
Javadekar, Shri Prakash
Jha, Shri Prabhat
Jugul Kishore, Shri
Kalita, Shri Bhubaneswar
Kanimozhi, Shrimati
Karan Singh, Dr.
Karimpuri, Shri Avtar Singh
Kashyap, Shri Narendra Kumar
Katiyar, Shri Vinay
Khabri, Shri Brijlal
Khan, Shri Mohd. Ali
Khanna, Shri Avinash Rai

Kidwai, Shrimati Mohsina
Kujur, Shri Santiuse
Lakshmanan, Dr. R.
Mahra, Shri Mahendra Singh
Maitreya, Dr. V.
Mandaviya, Shri Mansukh L.
Manjunatha, Shri Aayanur
Mayawati, Km.
Memon, Shri Majeed
Misra, Shri Satish Chandra
Mistry, Shri Madhusudan
Mitra, Dr. Chandan
Mohanty, Shri Anubhav
Mohapatra, Shri Pyarimohan
Mungekar, Dr. Bhalchandra
Muthukaruppan, Shri S.
Nadda, Shri Jagat Prakash
Naidu, Shri M. Venkaiah
Naik, Shri Shantaram
Nanda, Shri Kiranmay
Naqvi, Shri Mukhtar Abbas
Narayanan, Shri C.P.
Natchiappan, Dr. E.M. Sudarsana
Navaneethakrishnan, Shri A.
Nirmala Sitharaman, Shrimati
Nishad, Shri Vishambhar Prasad
O'Brien, Shri Derek
Panchariya, Shri Narayan Lal
Pande, Shri Avinash

Pandian, Shri Paul Manoj
Parasaran, Shri K.
Parida, Shri Baishnab
Parjapati, Shri Ranbir Singh
Patel, Shri Ahmed
Patel, Shri Praful Manoharbai
Pathak, Shri Brajesh
Patil, Shri Basawaraj
Patil, Shrimati Rajani
Perween, Shrimati Kahkashan
Pradhan, Shri Dharmendra
Prasad, Shri Ravi Shankar
Rai, Shrimati Kusum
Raja, Shri D.
Rajan, Shri Ambeth
Rajaram, Shri
Rajeeve, Shri P.
Ramalingam, Dr. K.P.
Ramesh, Shri C.M.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.
Rangasayee Ramakrishna, Shri
Rao, Shri Garikapati Mohan
Rao, Dr. K. Keshava
Rapolu, Shri Ananda Bhaskar
Rashtrapal, Shri Praveen
Rathinavel, Shri T.
Ravi, Shri Vayalar
Reddy, Shri D. Kupendra

Reddy, Shri Palvai Govardhan
Roy, Shri Sukhendu Sekhar
Sadho, Dr. Vijaylaxmi
Sahani, Dr. Anil Kumar
Sai, Shri Nand Kumar
Saini, Shri Rajpal Singh
Saleem, Chaudhary Munavver
Sancheti, Shri Ajay
Sasikala Pushpa, Shrimati
Seelam, Shri Jesudasu
Seema, Dr. T.N.
Seetharama Lakshmi, Shrimati Thota
Selvaraj, Shri A.K.
Sen, Shri Tapan Kumar
Shafi, Shri Mohammad
Sharma, Shri Satish
Shukla, Shri Rajeev
Singh, Shri Arvind Kumar
Singh, Shri Bhupinder
Singh, Shrimati Kanak Lata
Singh, Dr. Kanwar Deep
Singh, Dr. Manmohan
Singh, Shri Veer
Singh Badnore, Shri V.P.
Singhvi, Dr. Abhishek Manu
Siva, Shri Tiruchi
Soni, Shrimati Ambika
Soz, Prof. Saif-ud-Din
Sudharani, Shrimati Gundu

Swamy, Shri A.V.
Syiem, Shrimati Wansuk
Tarun Vijay, Shri
Thakur, Dr. C.P.
Thakur, Shri Ram Nath
Thakur, Shrimati Viplove
Thangavelu, Shri S.
Tiwari, Shri Alok
Tiwari, Shri Pramod
Tlau, Shri Ronald Sapa
Tripathi, Shri D.P.
Tulsi, Shri K.T.S.
Tundiya, Mahant Shambhuprasadji
Tyagi, Shri K.C.
Vadodia, Shri Lal Sinh
Varma, Shri Pavan Kumar
Vegad, Shri Shankarbhai N.
Vijila Sathyananth, Shrimati
Vora, Shri Motilal
Yadav, Shri Bhupender
Yadav, Shri Darshan Singh
Yadav, Prof. Ram Gopal
Yadav, Shri Sharad
Yechury, Shri Sitaram
Zhimomi, Shri Khekiho

NOES-1

Jethmalani, Shri Ram

The motion was 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.

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

MR. CHAIRMAN: The question is:

That the Bill further to amend the Constitution of India, as passed by Lok Sabha, be taken into consideration.

The House divided.

MR. CHAIRMAN: Ayes : 180

Noes : 1

AYES - 180

Abraham, Shri Joy

Achuthan, Shri M.P.

Adeeb, Shri Mohammed

Agrawal, Shri Naresh

Akhtar, Shri Javed

Ali, Shri Munquad

Ansari, Shri Salim

Antony, Shri A.K.

Arjunan, Shri K.R.

Ashk Ali Tak, Shri

Ashwani Kumar, Shri

Athawale, Shri Ramdas

Azad, Shri Ghulam Nabi

Bachchan, Shrimati Jaya

Baidya, Shrimati Jharna Das

Balagopal, Shri K.N.

Balyawi, Shri Gulam Rasool

Bandyopadhyay, Shri D.

Banerjee, Shri Ritabrata

Batra, Shri Shadi Lal

Bernard, Shri A. W. Rabi

Bhattacharya, Shri P.

Bora, Shri Pankaj

Budania, Shri Narendra
Chakraborty, Shri Mithun
Chandrasekhar, Shri Rajeev
Chavan, Shrimati Vandana
Chowdary, Shri Y.S.
Dalwai, Shri Husain
Das, Shri Kalpataru
Dave, Shri Anil Madhav
Deo, Shri Anang Uday Singh
Deora, Shri Murli
Desai, Shri Anil
Dhindsa, Sardar Sukhdev Singh
Dhoot, Shri Rajkumar
Dua, Shri H.K.
Dudi, Shri Ram Narain
Dwivedi, Shri Janardan
Faruque, Shrimati Naznin
Gehlot, Shri Thaawar Chand
Gill, Dr. M.S.
Goel, Shri Vijay
Gohel, Shri Chunibhai Kanjibhai
Goyal, Shri Piyush
Gujral, Shri Naresh
Gupta, Shri Prem Chand
Gupta, Shri Vivek
Haque, Shri Md. Nadimul
Hariprasad, Shri B.K.
Hashmi, Shri Parvez
Hembram, Shrimati Sarojini

Heptulla, Dr. Najma A.
Irani, Shrimati Smriti Zubin
Jaitley, Shri Arun
Jatiya, Dr. Satyanarayan
Javadekar, Shri Prakash
Jha, Shri Prabhat
Jugul Kishore, Shri
Kalita, Shri Bhubaneswar
Kanimozhi, Shrimati
Karan Singh, Dr.
Karimpuri, Shri Avtar Singh
Kashyap, Shri Narendra Kumar
Katiyar, Shri Vinay
Khabri, Shri Brijlal
Khan, Shri Mohd. Ali
Khanna, Shri Avinash Rai
Kidwai, Shrimati Mohsina
Kujur, Shri Santiuse
Lakshmanan, Dr. R.
Mahra, Shri Mahendra Singh
Maitreya, Dr. V.
Mandaviya, Shri Mansukh L.
Manjunatha, Shri Aayanur
Mayawati, Km.
Memon, Shri Majeed
Misra, Shri Satish Chandra
Mistry, Shri Madhusudan
Mitra, Dr. Chandan
Mohanty, Shri Anubhav

Mohapatra, Shri Pyarimohan
Mungekar, Dr. Bhalchandra
Muthukaruppan, Shri S.
Nadda, Shri Jagat Prakash
Naidu, Shri M. Venkaiah
Naik, Shri Shantaram
Nanda, Shri Kiranmay
Naqvi, Shri Mukhtar Abbas
Narayanan, Shri C.P.
Natchiappan, Dr. E.M. Sudarsana
Navaneethakrishnan, Shri A.
Nirmala Sitharaman, Shrimati
Nishad, Shri Vishambhar Prasad
O'Brien, Shri Derek
Panchariya, Shri Narayan Lal
Pande, Shri Avinash
Pandian, Shri Paul Manoj
Parasaran, Shri K.
Parida, Shri Baishnab
Parjapati, Shri Ranbir Singh
Patel, Shri Ahmed
Patel, Shri Praful Manoharbai
Pathak, Shri Brajesh
Patil, Shri Basawaraj
Patil, Shrimati Rajani
Perween, Shrimati Kahkashan
Pradhan, Shri Dharmendra
Prasad, Shri Ravi Shankar
Rai, Shrimati Kusum

Raja, Shri D.
Rajan, Shri Ambeth
Rajaram, Shri
Rajeeve, Shri P.
Ramalingam, Dr. K.P.
Ramesh, Shri C.M.
Ramesh, Shri Jairam
Rangarajan, Shri T.K.
Rangasayee Ramakrishna, Shri
Rao, Shri Garikapati Mohan
Rao, Dr. K. Keshava
Rapolu, Shri Ananda Bhaskar
Rashtrapal, Shri Praveen
Rathinavel, Shri T.
Ravi, Shri Vayalar
Reddy, Shri D. Kupendra
Reddy, Shri Palvai Govardhan
Roy, Shri Sukhendu Sekhar
Sadho, Dr. Vijaylaxmi
Sahani, Dr. Anil Kumar
Sai, Shri Nand Kumar
Saini, Shri Rajpal Singh
Saleem, Chaudhary Munavver
Sancheti, Shri Ajay
Sasikala Pushpa, Shrimati
Seelam, Shri Jesudasu
Seema, Dr. T.N.
Seetharama Lakshmi, Shrimati Thota

Selvaraj, Shri A.K.
Sen, Shri Tapan Kumar
Shafi, Shri Mohammad
Sharma, Shri Satish
Shukla, Shri Rajeev
Singh, Shri Arvind Kumar
Singh, Shri Bhupinder
Singh, Shrimati Kanak Lata
Singh, Dr. Kanwar Deep
Singh, Dr. Manmohan
Singh, Shri Veer
Singh Badnore, Shri V.P.
Singhvi, Dr. Abhishek Manu
Siva, Shri Tiruchi
Soni, Shrimati Ambika
Soz, Prof. Saif-ud-Din
Sudharani, Shrimati Gundu
Swamy, Shri A.V.
Syiem, Shrimati Wansuk
Tarun Vijay, Shri
Thakur, Dr. C.P.
Thakur, Shri Ram Nath
Thakur, Shrimati Viplove
Thangavelu, Shri S.
Tiwari, Shri Alok
Tiwari, Shri Pramod
Tlau, Shri Ronald Sapa
Tripathi, Shri D.P.

Tulsi, Shri K.T.S.
Tundiya, Mahant Shambhuprasadji
Tyagi, Shri K.C.
Vadodia, Shri Lal Sinh
Varma, Shri Pavan Kumar
Vegad, Shri Shankarbhai N.
Vijila Sathyananth, Shrimati
Vora, Shri Motilal
Yadav, Shri Bhupender
Yadav, Shri Darshan Singh
Yadav, Prof. Ram Gopal
Yadav, Shri Sharad
Yechury, Shri Sitaram
Zhimomi, Shri Khekiho

NOES-1

Jethmalani, Shri Ram

The motion was 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 National Judicial Appointments
Commission Bill, 2014**

MR. CHAIRMAN: Now, we take up the National Judicial Appointments Commission Bill 2014. ...*(Interruptions)*...

श्री नरेश अग्रवाल (उत्तर प्रदेश) : सर, इसके लिए कितना समय है? ...*(Interruptions)*...

(MR. DEPUTY CHAIRMAN *in the Chair*.)

SHRI P. RAJEEVE (Kerala): Sir, I want to say one thing. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I will allow you. How much time should be allotted to this Bill? Thirty minutes or one hour? ...*(Interruptions)*...

Everybody has discussed it and everybody knows what it is. ...*(Interruptions)*... I will allow you. Mr. Minister, please move the Bill. ...*(Interruptions)*...

SHRI P. RAJEEVE: Sir, actually we have raised this issue. This is the Bill which is on the basis of Article 124A of the Constitution.

MR. DEPUTY CHAIRMAN: After the Minister moves it, I will allow you.

SHRI P. RAJEEVE: Sir, I would request you to give a ruling.

MR. DEPUTY CHAIRMAN: I will give the ruling after he moves it.

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY AND THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD): Sir, I move:

That the Bill to regulate the procedure to be followed by the National Judicial Appointments Commission for recommending persons for appointment as the Chief Justice of India and other Judges of the Supreme Court and Chief Justices and other Judges of High Courts and for their transfers and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration.

Let me explain it very briefly, as I stated yesterday. As I have already explained, under Article 246 of the Constitution, this House has got complete legislative competence to pass any law with regard to List 1. List 1, Entry 77 and Entry 78, is about the composition, etc. of High Courts and also of the Supreme Court. The full legislative competence is there. Secondly, I want to convey to the House that the Constitution (Amendment) Bill has been passed. This Bill shall be sent to the President only after the requisite State Legislatures have ratified that. Thirdly, once the Constitution (Amendment) Bill comes into effect, thereafter the assent shall be taken and then it will be notified in the Gazette. Therefore, all legislative competence is there. I would request the House to take this Bill into consideration.

What is this Bill? The Bill is very simple. The Bill says that in case of the Supreme Court judges, the senior most Judge shall become the Chief Justice. In case of other judges, apart from the consideration of constitutional eligibility, while promoting judges of High Courts, apart from seniority, ability and merit will also be taken into account. In case of High Court judges, it says that the names shall be started by the Chief Justice in consultation with two judges and as many other judges as the regulations may decide. The regulation is to be framed by the Commission headed by the Chief Justice. Why do I say that? Sikkim has got three judges. Allahabad of Misraji has got 100 plus judges. The regulation can say that apart from two judges, he will also consult five to 10 judges, if the

[Shri Ravi Shankar Prasad]

number is there and eminent lawyers also. We can take a view that eminent lawyers from all the classes and communities should also be factored in by regulations. Then for my AIADMK friends and others, the opinion of the Governor and the Chief Minister must be in writing on the recommendations made by the High Court Collegium. Therefore, the Governor, in the constitutional sense, is to act on the aid and advice of the Chief Minister. The National Judicial Commission can also recommend names for a particular High Court. But there also, the views of the Chief Justice and the Chief Minister shall be taken in the same manner. Thereafter, the Commission shall recommend. I have to say two things. If two members of the Commission oppose any recommendation, then that recommendation shall not be carried. Sir, Misraji will very well know that in the Judges' case, as the nine-Judge Bench did in the Supreme Court in 1998, similarly, if two or more members of the collegium dissent, the CJI should not persist with the recommendation. Therefore, if in the collegium, two members were reluctant to recommend, the CJI was to accept. The same principle we have followed here. What I told the other House is that one is a dissenter; two are voice of reason, which must be respected.

Lastly, Sir, the President can seek a reconsideration of the recommendations made, and the collegium has to consider, in the same manner, as they did on the earlier issue. Therefore, let me go one by one. The supremacy of the Chief Justice is maintained. The supremacy of the High Court Chief Justice is also maintained, but the consultation is to be wider. The importance of the State Chief Minister is maintained. His or her view is to be taken properly in writing on the nominations made. Thereafter, the view of the Commission is also there, and, then, Sir, I would like to mention about the thinking which I described in my earlier intervention also. कमीशन किसी पार्टिकुलर हाईकोर्ट के बारे में इस बात पर विचार कर सकता है कि हमारे डेटा बैंक में इतने अच्छे-अच्छे शेड्यूल्ड कास्ट के वकीलों के नाम हैं, ओ.बी.सी. के वकीलों के नाम हैं और हमें पता है कि वे अच्छा काम कर रहे हैं। हम इनके नाम भेज रहे हैं, इन पर आप विचार करें। अब वहां से नाम आएंगे। इस तरह इन सारी चिंताओं का ध्यान रखने की काफी कोशिश की गई है। मैं सदन को बताना चाहता हूँ कि इस कमीशन के सचिवालय को मजबूत बनाने के लिए चाहे रिसर्चर्स हो, डेटा बैंक हों, इन सब के लिए हम पूरी कोशिश करेंगे। इसलिए जब हम कैबिनेट के सामने गए थे तो हमने उससे यह भी आग्रह किया था कि इसको मजबूत करने के लिए आवश्यक पर्सनल्स की व्यवस्था होनी चाहिए।

उपसभापति महोदय, बेसिकली यह पूरा बिल National Judicial Commission के बारे में है कि वह कैसे काम करेगा। मुझे दूसरी बात यह कहनी है, as I said earlier, for enacting this Bill, the Parliament has got full legislative competence, but as the Law Minister, it is my assurance to this House that this Bill shall be sent for assent to the President after the Constitution Amendment comes into effect, and thereafter, it shall be notified in the

Gazette. Therefore, all the precautions have been taken and I think, Sir, this Bill has also been brought forward after wide consultations. I think, the House may, in its wisdom, would like to pass it.

The question was proposed.

MR. DEPUTY CHAIRMAN: Mr. Rajeeve, do you want a ruling now?

SHRI P. RAJEEVE: Sir, I am not questioning the legislative competence of the Parliament to make rules on appointment of Judges. My point is that we are discussing a law, which is on the basis of an Article, that is, Article 124A of the Constitution. Now, the Constitution does not have this Article 124A as of now. Only after getting the ratification of fifty percent State Assemblies and getting the assent of the President, this Article 124A will become part of the Constitution. So, how can we discuss a Bill on the basis of an article which does not exist in the Constitution at present?

MR. DEPUTY CHAIRMAN: The issue raised by Shri P. Rajeeve was also raised yesterday by some other hon. Members. I am giving my ruling now on this issue. The same point was raised yesterday also by some Members that the National Judicial Appointments Commission Bill, 2014, cannot be taken up in the House for consideration and passing until the Constitution (121st Amendment) Bill becomes an Act and it would be unconstitutional to pass both the Bills together. That is the point.

After going through the records and the past precedents, I am of the opinion that it is a legal issue, on which the Presiding Officers do not give any ruling and I leave it to the wisdom of the House. Accordingly, when you discuss, you can raise the issue either way, and when the question is put forth, the House can decide. So, it is the decision of the House.

Now, the time allotted for this discussion is half-an-hour. Isn't it? So, I don't know how much time Dr. Abhishek Manu Singhvi can take.

DR. ABHISHEK MANU SINGHVI (Rajasthan): Sir, I do believe that this is the nitty-gritty; this is where the detail lies. We should have more than half-an-hour for the whole House. I would really request the Chair because both, God and the devil, lie in the details. That is the broad structure. This is the detailed one. If you want to have a meaningful discussion, we should have more time.

MR. DEPUTY CHAIRMAN: Okay, we will make it one hour.

DR. ABHISHEK MANU SINGHVI: Sir, I rise in support largely of the Bill. But I do intend to make some...

MR. DEPUTY CHAIRMAN: Just one point. I agree to one hour. But every Member should strictly adhere to the time. When the time is over, I will say, 'mike off'.

DR. ABHISHEK MANU SINGHVI: Sir, as I said, this is something on which both the God and the devil lie in the details, and this Bill details what the Constitutional structure provides for. Let me begin by congratulating the Law Minister for being the pilot on a momentous occasion, momentous for more reason than one. First of all because it is after a long time that we have brought a very substantive set of legislations dealing with the most powerful organ. Let us not kid ourselves; the Judiciary continues to be the *de facto*, most powerful organ of governance, not only having the power to interpret laws and to invalidate laws but also to invalidate even Constitutional Amendments. Within India, compared to other organs, this is the most powerful organ. And compared to its counterparts globally, the Indian Judiciary remains the most powerful. So, we are dealing with a law, dealing with the most powerful organ, the Indian Judiciary. It is also momentous because after over 20 years and after several failed attempts, we are now going through with these two Bills, most remarkably, with hundred per cent or 99.9 per cent approbation. And that is rare and remarkable momentously because you don't have your fractured mandates for ordinary Acts of Parliament. And here, you had a 100 per cent mandate for a Constitutional Amendment and, of course, also for doing it the fastest way; this is the fastest track court of less than two-and-a-half to three days over both the Lok Sabha and the Rajya Sabha, though, personally, I would have liked a little more time. Even though nobody is thinking of delay, but these are very important legislations.

Sir, I must begin by putting on record a comprehensive tribute to the Indian Judiciary. The Indian Judiciary has proven, historically, of being the bulwark of fairness, justice and objectivity in this country. That is the basis of inspiring faith, expectation, trust in the populism in India and that is no mean achievement. It has been the inventor of doctrine of 'Above God'. There are doctrines invented for the first time in this country globally and copied by other countries. And we must be proud that the Judiciary invented, although increased its powers immeasurably, the Basic Structure Doctrine. We invented in India the PIL. Our levels and scope and degree and depth of judicial review are unparalleled in any systems, civil law or common law systems. Therefore, we also do have the best and brightest in the judicial and legal sector compared to anywhere in the world. I think our Judges do dispose of within a week what other Judges dispose of in one year. Despite that, of course, we have this shameless, terrible spurge of backlog and arrears, but even then the disposal rate of our judges in a week is very high, whereas the other Judges in various countries take more than a year. Sir, if you were to ask yourself the question as to one principal reason why from a whole host of countries emerging from the 1930s to 60s, from the yoke of imperialism, - India was one out of twenty-to-thirty countries,

small and big countries, former colonies of Britain, France and Holland — India remains the only country which is a vibrant democracy. It is a remarkable achievement and what the reason is. One important reason is this bulwark of freedom, an independent judiciary. And you see the wrecks and ruins of Constitutionalism all over South Asia amongst our neighbours. You even see the wrecks and ruins of the absence of an independent judiciary amongst our more dynamic, economic neighbours, the East Asian tigers. And, I think, that is the main achievement.

[THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN) *in the Chair.*]

Before I come to the Bill, I must point out that we must remember that we are not making a change for the sake of change. What is the very brief history? The brief history is that prior to 1993, we had absolute executive primacy. But there is a very interesting conundrum. Judges, the Law Minister mentioned in his Lok Sabha speech about Judges like Shri B.K. Mukherjee from Bengal, etc. He was the only Judge who did not become a Chief Justice. Judges like Patanjali Sastri, Vivian Bose, Hidayatullah etc., were, all the product of an absolute primacy. In an interesting affidavit filed in the Supreme Court in the 90s, it was pointed out that the difference between the Executive and the Judiciary, the Chief Justice, in the appointment process, over the first fifty years of our Independence or forty-five years, was hardly in five or seven cases. So we must realize that there was a period of time when the system fell into debasement, fell down in quality, which is why from the 80s and then the early 90s we had the judges' cases, the five judges, the seven judges, the nine judges judgments, which converted Executive primacy to Judicial primacy. So from Executive primacy pre-93 to Judicial primacy from 1993-2014, we are now going, to use an economic metaphor, into a mixed economy, a mixed economy of a Judicial, Executive, citizenry mixture. It should be a real substantive change, not a new *kichuri* which doesn't function. It functions as badly as the previous one did and ultimately, that depends on how you administer it. Alexander Pope put it very well. It applies across the board although he was speaking of USA. He said, 'For forms of Government, let fools contest; whatever is best administered is best'. We have the capacity to destroy the system within a few months. We had the capacity to use the Executive primacy system much better. So it all depends on how we operate it and each time we change it, it is Newton's Law in operation. We are reacting because the other extreme has been reached in bad operation of the previous system, and I am saying this as a warning because there is no starry eyed desirability without any system. This system has to be operated very, very carefully. Now, as I come to the Bill, what was wrong with the existing system? And some of you are not lawyers, you would not have known it, you have heard it. But some of us are insiders, and I have happened to have the privilege of being an insider of that sector as well, apart from an insider of the Legislature and, to some extent, in the previous Government of

[Dr. Abhishek Manu Singhvi]

the Executive. The problems were, I will just give you a few examples and models. Why these models are important is, we have to guard against them recurring. Some of them can recur with the National Judicial Commission. Model (1) was (A) and (B) judges were together in the High Court. (A) gets promoted to the Supreme Court. (A) and (B) had problems when they were in the High Court. (A) stalls, stops and blocks the elevation of (B) in the Supreme Court. This is not an apocryphal story. We have had two very recent examples, one in the Supreme Court and one in the High Court. Example number two: (A) is the Chief Justice of a High Court. He is an average judge, not the best, but he has this huge funds available for running the legal aid or legal benefit system for Lok Adalats etc. He has impressive seminars. He has impressive functions where he invites the Chief Justices and Judges of the Supreme Court. Despite not being the best, he has a fast track passage to the Supreme Court because he is in the public eye, he is able to entertain a host of Chief Justices. This is important to give the rationale for why we are hankering for this change. Model (C) is when the Chief Justices of the Supreme Court or the Judges of the Supreme Court say that we will bring you the High Court Chief Justice up, only if you ensure that you recommend a few of our nominees for the High Court Bench. That is known as the indirect appointment process whereby the Supreme Court directly appoints a High Court Bench. These are all paradigm which some of you may not know about it, but these are the heart and soul of the problem of the previous system. Then, of course, we have the ‘you scratch my back, I scratch your back’ syndrome. It is the stalemate in the Collegium. I will agree to your nominee only if you agree to mine. Otherwise, I will block it. Remember, this last example is pregnant with possible recurrence in the new proposed Commission as well. We must guard against that. Incidentally, as I move on, there is one part the Law Minister of this House should think of in the future, which is left untouched and, that is, the Indian judges not only reproduce themselves—and obviously the worst part of it is the incestuous intra-breeding which we are now changing, hopefully. There is another aspect to the incestuous intra-breeding. They reproduce themselves even on every, virtually every, tribunal in this country. Perhaps, you are not aware, Sir, that there are vital important tribunals having more power than an ordinary judge may have—the head of the Commission on Telecom, which the Law Minister also holds a portfolio of and it is called TDSAT; the Competition Commission; the Consumer Forum. This has become a place where judges decide who the Chairman is. The Law Minister knows that he can’t decide conclusively in most of the cases. There is a judicial element there and, I think, broad-basing should be looked at because, unfortunately-I must make it clear-all the bad examples I am giving are still in a very small minority which is why the Judiciary system is functioning. But they exist. Another bad example in the tribunal context is that if I happen to be lucky to sit with the Chief Justice in the Bench, then just before my

retirement, I am given the option of choosing the best tribunal I would like to go on. That could be the TDSAT, the Appellate Commission for Competition or anything else. But, that is a vast power which is also in the domain of the Judiciary.

As I turn to the Bill, let me start by thanking the Law Minister and the Government for, again, continuing flattery through continuing imitation. You did it partly in the Insurance Bill. You did it wholly in the Budget. Again, this is our idea, broadly our structure and imitation continues to be very flattering. But, having said that, I must also add the fact that it is regrettable that when you imitate us, when you get into Government, you walked out on largely the same Bill when you were in the Opposition. That does not mean imitation, that means hypocrisy. But, let me not get contentious because I have risen to support the Bill.

I have a few points for the hon. Law Minister. This Bill styles itself as a procedure for appointment and we treat the Constitutional Amendment, which is passed just a short while ago, as the basic substantive one. That is a cardinal error because this Bill has several, several substantive provisions. Many of them were not in our model. I am not saying it out of negativity, but I am making a constructive sort of suggestions which may impinge on the Constitution validity of this Bill in the near future. That does not arise out of fear. It arises out of good sense. This House is not afraid of passing a Bill which might be invalidated by the Judiciary, but this House can't insulate that Bill for invalidation by a hundred per cent vote. This House can insulate the Bill from invalidation, if you make a good Bill and you remove every possible weakness of invalidation.

On the Bill, you have Section 5(1). It brings in a very substantive change. I don't know if you have noticed it. It, in a sense, provides for and legitimizes a supersession by the National Judicial Commission. For the first time, Mr. Ravi Shankar Prasad and his Government have added a small four worded caveat. The National Judicial Commission shall appoint the Chief Justice of India who is always by seniority. You know there is a huge outcry when Mrs. Indira Gandhi did a supersession way back in the 70s. The supersession is directly subversive of judicial independence and judicial independence is a core part of the basic structure. Now, there are four or five words which say, 'You shall appoint the senior-most but if he is fit.' That 'but if he is fit' has not been with the Executive's mixed bag. It may have been partly a consideration of the Judiciary. Formally, every outgoing Chief Justice of India recommends his successor. But, that is a formal recommendation. If this power—and I am saying it only for a future abuse—is used by the NJC to suggest that the senior-most Chief Justice of India is not succeeded by J1, then, there is in effect supersession. Would you be able to justify the supersession by using the words 'if he is considered fit'? I doubt very much.

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Dr. Singhvi, you have got only two more minutes.

DR. ABHISHEK MANU SINGHVI: Sir, can I ask for an extension of five more minutes, with a donation of somebody? I am begging for the time.

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Because even one-minute-speakers are there!

DR. ABHISHEK MANU SINGHVI: The second one is the problem that a large, vast array of details, and you know, the God and devil, both reside in the detail, are left in the phrase 'other criteria of suitability as may be specified by regulations'. Now I bring to the attention of the House, why did we pass the Constitutional Amendment? Because the idea was that you will insulate it from invalidation by putting the principles on the highest level. Now, here the criteria, for selection, by the Commission, is not in the Constitution, is not in the Act; it is to be made, still yet to be born, through regulations made by the Commission. Will the judges consider that a violation of judicial independence, that the power to make regulations, specifying even suitability and criteria, are left to a very low level of what we call delegated legislation, neither in the parent legislation nor in the Constitutional Amendment. The 'one person veto' we have talked about. We are happy. The Congress discussed it in detail in its meeting. We spoke about it, and the Law Minister was good enough to see the sense of what we said. The 'two person veto' is already passed in the Constitutional Amendment. I would have liked a seven-member Bill, without a two-person veto. You don't have a large degree of consensus on these things. To look for a 'two-person veto' means that you must have more than four people agreeing to something. That is not going to be easy. But, you have already passed that. A better thing would have been to have no veto at all, with a seven-member Commission.

The same problem of supersession arises in the case of a High Court Chief Justice. Now, remember, in the High Court Judges' appointment, there is no concept of seniority.

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Your time is over.

DR. ABHISHEK MANU SINGHVI: But, Sir, for a Chief Justice, it is going to be very strange. Even in this High Court where I sit, and he sits and she sits, a person who is junior to me in the same High Court is liable to be appointed the Chief Justice although I am senior to him in the same High Court. This provision provides for that, I am not saying it is going to be used, but it does provide for that. So, Clause 5 (1)(2) and (3) and Clause 6 (1) and (4) have to be seen very carefully, and there, of course, the catch all, in Clause 6(8), "such other conditions for selection as regulations may determine". This is selection of the judges themselves. No criteria are put. माननीय विधि

और न्याय मंत्री जी, मैं बहुत सकारात्मक रूप से यह बोल रहा हूँ। मैं यह इसलिए बोल रहा हूँ, क्योंकि मुझे कोई संदेह नहीं है कि निकट भविष्य में जिन लोगों ने न्यायपालिका का पच्चीस, तीस वर्षों से ब्लड टेस्ट किया है, वे इतनी आसानी से यह अधिकार क्षेत्र छोड़ने वाले नहीं हैं। आपके सामने याचिका होगी, उसमें मूल ढांचे की बात होगी। ये सभी मुद्दे उस मूल ढांचे में उठाए जाएंगे और ऐसा न हो कि 100 प्रतिशत सर्वसम्मति से पास किया गया है, वह निकट भविष्य में निरस्त किया जाए। मेरा यही उद्देश्य है...(व्यवधान)...

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Okay, thank you. You have to conclude it.

DR. ABHISHEK MANU SINGHVI: Sir, two minutes more and I am done. सर, दूसरे सदन में रोटेशन की बात हो चुकी है। मैं समझता हूँ कि उसके बारे में सोचना चाहिए था। यह 6 महीने वाला प्रावधान बहुत अच्छा है, क्योंकि हमारे देश में जहाँ उच्च न्यायालय के सिर्फ साढ़े आठ सौ जजेज होते हैं, उनकी नियुक्ति में कम से कम 6-6 महीने, एक-एक वर्ष का विलम्ब होता है। इतना लम्बा विलम्ब होने के कारण एरि यर्स बढ़ते हैं। किसी के सेवा-निवृत्त होने के 6 महीने पहले इस बात को बिन्दु बनाना, बहुत अच्छी बात लिखी गई है। मैं इसकी सराहना करता हूँ और स्थाई रूप से एक सेक्रेटेरिएट की आवश्यकता है। माननीय विधि और न्याय मंत्री ने जो डेटाबेस की बात की है, मैं चाहूँगा कि डेटाबेस नहीं, एक बहुत व्यापक सेक्रेटेरिएट चाहिए। हमारे कुछ वकील मित्र बाहर हैं। आप पार्टी के भी वकील हैं, आप जानते हैं, उनका यह कहना है कि ये सब चीजें बेकार हैं, क्योंकि एक परमानेंट कमीशन, स्थाई रूप का कमीशन होना चाहिए। मैं इससे सहमत नहीं हूँ, क्योंकि स्थाई रूप के कमीशन का मतलब है कि सिर्फ सेवा-निवृत्त जजेज बैठ सकते हैं।...(व्यवधान)...

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Kindly conclude.

डा. अभिषेक मनु सिंघवी : या कोई और लोग जो जजेज नहीं हैं, वे बैठें। मैं समझता हूँ कि स्थाई कमीशन तो नहीं हो सकता, लेकिन स्थाई रूप का सेक्रेटेरिएट होना चाहिए और वह व्यापक होना चाहिए, बड़ा होना चाहिए तथा कम्प्यूटराइज्ड होना चाहिए।

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Sorry; I have to call the next speaker.

DR. ABHISHEK MANU SINGHVI: Sir, I have much to say, but I am grateful for the limited time given. I would only conclude by saying. Sir, that ultimately it depends on operation, it depends on the comma and full stop, it depends on the nitty-gritty. I would be the most hurt if this excellent initiative is struck down by the courts. I don't think it will be stayed; Constitutional Amendments are not stayed so easily; but it is liable to be struck down. So, we, as a House, should exert ourselves fully to ensure, to the extent possible, nothing is foolproof, a foolproof Bill, even if it takes longer, even if it takes some more effort. Thank you, Sir.

श्री सतीश चन्द्र मिश्रा (उत्तर प्रदेश) : उपसभापति जी, मैं लॉ मिनिस्टर साहब को धन्यवाद और बधाई देना चाहता हूँ। मैं उनको बधाई इसलिए देना चाहता हूँ, क्योंकि जो चीज़ पिछले चौबीस वर्षों से नहीं हो सकी थी, वह चीज़ हमारे लॉ मिनिस्टर साहब के कार्यकाल में हो सकी है। जब इन्होंने कार्यभार संभाला, तो सबसे पहले यह कार्य किया। यह बहुत ही जरूरी था। ये इस बिल को लेकर आए हैं, यह इनके कार्यकाल में पारित हुआ है अतः मैं इसके लिए इनको बधाई देता हूँ। जहां तक इस बिल का सवाल है, मैं इस बिल पर ज्यादा चर्चा करने की आवश्यकता इसलिए नहीं समझता, क्योंकि पिछला जो कांस्टीट्यूशनल अमेंडमेंट बिल था, उस बिल में सारी बातें कह दी गई थीं। इससे पहले जो चर्चा हुई थी, हमने लगभग दो घंटे की उस चर्चा में भाग लिया था। हमने उस चर्चा में सारी बातें कह दी थीं, इसलिए उनको रिपीट करने से कोई फायदा नहीं है। मैं लॉ मिनिस्टर साहब से इतना जरूर कहना चाहूंगा कि आप इस समय लॉ मिनिस्टर हैं और आज आपने सदन को यह आश्वासन दिया है कि हमारी पार्टी की लीडर सुश्री मायावती जी ने जो बात रखी है कि जो एक सोशल इनइक्वैलिटी है, वह इस देश में जिस तरीके से चल रही है, हमारा जो ज्युडिशियल सिस्टम है, जहां हायर ज्युडिशियरी है, यहां चाहे कोई कोर्ट हो या सुप्रीम कोर्ट हो, वहां पर शैड्यूल्ड कास्ट का एक भी व्यक्ति नियुक्ति नहीं पा रहा है। अभी हम जिस बिल पर चर्चा कर रहे हैं, आपने उस चर्चा में इस बात का आश्वासन दिया है कि हम लोग जो प्रोसिज़र बना रहे हैं, उसके तहत आप इस बात का ध्यान रखेंगे कि इस तरीके का जो एक डिस्क्रिमिनेशन हो रहा है, वह न हो और जो अच्छे लोग उपलब्ध हैं, वे चाहे शैड्यूल्ड कास्ट/शैड्यूल्ड ट्राइब्स वर्ग, बैकवर्ड क्लास या माइनॉरिटी से हों। उनको इसमें नियुक्ति दी जा सके। अच्छा यह होता कि आप इस बिल में इस तरह के प्रावधान पहले से लेकर आते, लेकिन यदि आगे चलकर आपको यह लगता है कि इस सिस्टम में आपकी जो मंशा है, वह पूरी नहीं हो पा रही है, तो आप आगे चलकर इसको बिल में लाकर, एक मेंडेटरी प्रोविज़न बना दें कि इस चीज़ का ध्यान रखा जाएगा कि इनका रिप्रेजेन्टेशन जरूर होना चाहिए। यह मैं इसलिए कह रहा हूँ, क्योंकि माननीय लॉ मिनिस्टर साहब जानते हैं कि अभी जो प्रक्रिया चल रही है, उसमें एक एडवाइज़री जाती है, जो इश्यूड भी है। उसमें यह है कि आप शैड्यूल्ड कास्ट/शैड्यूल्ड ट्राइब्स वर्ग से भी नाम भेजें, लेकिन आज तक उस पर कोई कार्रवाई नहीं हो पाई है, भेजने की बात तो दूसरी है। यदि नाम भेजे भी जाते हैं तो उनकी नियुक्ति नहीं होती है। यह एक बहुत ही गंभीर विषय है। इसके बारे में हमने कल भी चर्चा की थी। आज हमारी पार्टी की लीडर ने आपके सामने यह बात रखी है तो आपने आश्वासन दिया है। उस आश्वासन को मानते हुए इस कैविएट के साथ कि इसको एप्लाइ किया जाएगा, मैं इसकी प्रशंसा करूंगा। In fact, it will be operated upon and acted upon while the appointments are made with a further caveat that the present Government should ensure to us that the present Law Minister will remain Law Minister for five years, at least, so that in his period, we see that these appointments are done and this procedure is followed. I end by saying – Mr. Abhishek Manu Singhviji is not here- उन्होंने एक बात कही थी कि खिचड़ी वर्क नहीं करती है। मैं सिर्फ इतना बताना चाहता था कि जब शरीर में कोई प्रॉब्लम या परेशानी होती है तो डॉक्टर्स खिचड़ी खाने की एडवाइज़ देते हैं और कहते हैं कि खिचड़ी खाने से आपका शरीर स्वस्थ हो जाएगा, इसलिए मैं नहीं समझता

कि यह वर्क नहीं करेगा, यह वर्क करना चाहिए। With all those hopes, on behalf of our party, we are supporting the Bill.

SHRI SUKHENDU SEKHAR ROY (West Bengal): Sir, I rise to support this Bill on behalf of All India Trinamool Congress in as much as this Bill seeks to uphold the balance of power between the Executive and the Judiciary as enshrined in our Constitution. Looking at the Bill, Sir, I have two-three points to make very quickly. In Clause 5, sub-clause 2, in the second proviso, the Bill says that 'if two members do not agree'... What will happen and what will be the consequences? There would be a logjam. Nothing has been said about as to what will be the consequences. In the process, the majority view will be scuttled. Secondly, Sir, the Central Government has been given a certain time-limit to intimate the vacancies. But the National Judicial Commission has not been given any definite time frame within which it will have to make its recommendations. So, I suggest that the National Judicial Commission should make its recommendations within three months or so or whatever the Government deems fit and proper. This was clause 6, sub - clause 6.

My next point is that in clause 6, sub-clause (5), the words are 'The Commission may recommend...' Here, I think, the word 'may' should be replaced by the word 'shall' because it is the duty of the Commission to recommend, while the word 'may' sometimes may be 'may not'. So, the Judicial Commission cannot withhold its recommendations for indefinite period. That is why I am suggesting that there should be a time-frame for the Judicial Commission and within that period the Judicial Commission will have to make its recommendations, otherwise, what we have experienced, the appointment of Judges is kept, on hold for years together. There are number of vacancies in different High Courts of the country. But, for years together, the vacancies are not filled.

So, Sir, this was my humble suggestion on behalf of my party. I must congratulate the Law Minister for the pain and trouble he has taken to bring forward this Bill. He has tried to give a broader consensus before drafting the Bill. As he told, he have had consultations with eminent Jurists, different stakeholders. Certain recommendations were given by our Standing Committee also. One recommendation was, as one of my AIADMK friend said in the morning, that there should be a State Appointment Commission. Though it is futile to discuss it now because the Constitutional (Amendment) Bill is going to be passed, yet the Government should keep it in mind for future.

Thank you very much.

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Thank you for confining yourself to the time limit.

Now, Dr. Anil Kumar Sahani. You have been allotted three minutes.

डा. अनिल कुमार साहनी (बिहार) : उपसभाध्यक्ष महोदय, आपने राष्ट्रीय न्यायिक नियुक्ति आयोग जैसे महत्वपूर्ण विषय पर बोलने के लिए मुझे समय दिया, इसके लिए मैं आभार व्यक्त करता हूँ। साथ ही मैं माननीय मंत्री आदरणीय रवि शंकर प्रसाद जी का स्वागत करता हूँ कि उन्होंने पहले से हम लोगों की जो चिर-प्रतीक्षित मांग थी, उसको स्वीकार किया। जब सन् 1977 में कर्पूरी ठाकुर जी बिहार के मुख्य मंत्री बने थे, तो वहाँ उन्होंने सबसे पहले नौकरी में आरक्षण देने का काम किया था। सन् 1989 में जब वी.पी. सिंह जी भारत के प्रधान मंत्री बने थे, तो उन्होंने इस देश को मंडल कमीशन देने का काम किया था। रवि शंकर जी, आज उसी कड़ी में आपका नाम भी जुड़ने जा रहा है, क्योंकि आप भी ओ.बी.सी., मोस्ट बैकवर्ड, दलित, शोषित, उपेक्षित, शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्स को इस विधेयक के माध्यम से हिस्सेदारी देने जा रहे हैं। यह एक सराहनीय काम है। आप भी उसी धरती से उपजे हैं, जहाँ से जे.पी. आन्दोलन उपजा था। आप जे.पी. आन्दोलन की देन हैं। जो गरीब, गुरबा, शोषित, उपेक्षित हैं, उनके घरों में भी न्याय पहुंचे, इसके लिए जे.पी. आन्दोलन ने संघर्ष किया। आज देश में माओवाद और नक्सलवाद क्यों पैदा हो रहा है, क्योंकि समय पर न्याय नहीं मिल पाता है। समय पर न्याय मिले, इसके लिए आप एक आयोग बना रहे हैं। मैं अपने दल की ओर से आपका हार्दिक स्वागत करता हूँ और आपको हार्दिक बधाई देता हूँ।

साथ ही, हमारे एक साथी ने कहा है कि पैराग्राफ 6 में यह दिया गया है-

"The Commission shall not recommend a person for appointment if any two Members of the Commission do not agree for such a recommendation." यह इस लोकतंत्र में सरासर बेईमानी है। जब इस देश में हर चीज बहुमत के आधार पर तय हो रही है, तो अगर इनमें से दो व्यक्ति ही कह देंगे कि यह व्यक्ति जज बनने के लायक नहीं है, यह व्यक्ति रिकमेंड होने लायक नहीं है, तो यह सरासर गलत है। इसमें ऐसा किया जाना चाहिए कि यह बहुमत के आधार पर तय होगा। इस आयोग के जितने मेम्बर्स हैं, इसमें बहुमत के आधार पर निर्णय होना चाहिए। इसमें हो सकता है कि किसी गरीब, गुरबा व्यक्ति का रिकमेंडेशन होना हो और अगर दो व्यक्ति न कह दें, तो उसका रिकमेंडेशन नहीं होगा। आप यहाँ से ओ.बी.सी., शैड्यूल्ड कास्ट, शैड्यूल्ड ट्राइब के अच्छे-अच्छे वकील की सिफारिश भेजिएगा, लेकिन अगर दो व्यक्ति कह देंगे कि इस व्यक्ति का नाम वहाँ नहीं जाना चाहिए, तो वह उसी जगह छंट जाएगा। मैं आपसे निवेदन करूँगा कि आप इसमें सुधार करें और इसे बहुमत के आधार पर करें। जजेज़ की नियुक्ति के लिए जो आयोग बनने जा रहा है, उसमें हर वर्ग के लोगों का प्रतिनिधित्व होना चाहिए। इसमें हर वर्ग को प्रतिनिधित्व न देकर और जिस प्रकार केवल दो व्यक्ति किसी के नाम पर विचार न करने के लिए कह सकते हैं, इससे आने वाले दिनों में आपको बहुत दिक्कत का सामना करना पड़ेगा।

अभी हमारे मिश्रा जी ने कहा कि इसके लिए नियम हैं, लेकिन वे छंट जाते हैं। इसमें जब तक उन व्यक्तियों का प्रतिनिधित्व नहीं होगा, ओ.बी.सी. का प्रतिनिधित्व नहीं होगा, एस.सी./एस.टी. का प्रतिनिधित्व नहीं होगा, तब तक हो सकता है कि वहाँ पर उनकी सिफारिश ही न जाए। आप ओ.बी.सी., शैड्यूल्ड कास्ट्स/शैड्यूल्ड ट्राइब्स के बड़े-बड़े वकीलों के नाम देख लीजिए, वे भी जज नहीं बन पाए। इसीलिए मैं आपसे निवेदन करना चाहता हूँ कि आप यह जो

आयोग बनाने जा रहे हैं, आप इस आयोग में ऐसे वर्गों का प्रतिनिधित्व करने वाले लोगों को भी सदस्य बनाएं। इन्हीं चन्द शब्दों के साथ मैं पुनः आपको हार्दिक बधाई देता हूँ। धन्यवाद।

THE VICE-CHAIRMAN (DR. E.M. SUDARSANA NATCHIAPPAN): Thank you for confining to the time-limit.

SHRI A. NAVANEETHAKRISHNAN (Tamil Nadu): Mr. Vice-Chairman, Sir, I thank our hon. Law Minister for making it very clear that the Governor has to act on the aid and advice of the Council of Ministers.

(MR. DEPUTY CHAIRMAN *in the Chair*.)

So, the Governor's views means the views of the Council of Ministers. My humble request to the hon. Law Minister would be that the views of the Governor and the views of the hon. Chief Minister must have the binding force. This is my humble request, my Lord. (*Time-bell rings.*) Sir, I would like to draw the kind attention of the hon. Law Minister to clause 5 (2), which says, "Provided that while making recommendation for appointment of a High Court Judge, apart from seniority, the ability and merit of such Judge shall be considered." I think in place of 'High Court Judge', it must be 'Supreme Court Judge'. Because clause 5 deals only with the Supreme Court Judge. This is subject to correction and approval of the hon. Law Minister. Thank you, Sir.

MR. DEPUTY CHAIRMAN: Now, Shri K.N. Balagopal. You have only two minutes.

SHRI K.N. BALAGOPAL (Kerala): Sir, I congratulate the hon. Minister for bringing forward this Bill within such a short time span. But I fear even after the tricky ruling that the Presiding Officers will never go into the legal details, some issues may arise later because the Constitutional (Amendment) Bill is formally not yet finalized. So, this is one thing I want to say, Sir. Earlier, when my friend, Shri P. Rajeeve, spoke, he also mentioned about this. It should be a Commission for ensuring the quality of the judicial system in the country and for inquiring the misbehavior of the judicial officers in the country. Sir, about the public domain, there should be a provision for notifying the vacancies. Now, this is a private business because through some consultation, names will come. So, it should be notified and the people should get the chance, which means the people who are eligible should get the chance to apply for the post.

Then, I come to the Tribunal Judges. A lot of Tribunal Judges are there. High Court Judges, the Supreme Court Judges, same category of judges are there. They should also come under the purview of this. Then, clause 5(1) which deals with the procedure for selection of Judge of the Supreme Court says, "The Commission shall recommend for

[Shri K.N. Balagopal]

appointment of the senior most Judge of the Supreme Court as the Chief Justice of India if he is considered fit to hold the office." 'If he is considered fit to hold the office' is a subjective aspect. If the Commission thinks that he is not fit to be the Supreme Court Chief Justice, then, without any proper criterion, they can decide that he should not be a Judge. So, the senior most Judge in the Supreme Court cannot be the Chief Justice. So, we have to clarify that aspect through some regulation or something; otherwise, it will be misused. (*Time-bell rings*)

Then, with regard to veto power, two Judges can veto. There are some other issues and concerns that other Members have raised; I also join with them.

With regard to Bar Council membership, hon. Member, Shri Ram Jethmalani, also spoke here. The Bar Council should also be represented in the Commission. These are my points, Sir.

श्री नरेश अग्रवाल (उत्तर प्रदेश) : माननीय कानून मंत्री जी, पेशे से मैं भी वकालत करता हूँ। यह ठीक है कि मैंने बहुत दिनों से अदालत जाना छोड़ दिया है। मैं जिस समय डिस्ट्रिक्ट कोर्ट में वकालत करता था, 1972 से 1980 तक, उस समय ऐसे जजेज़ होते थे कि अगर जिरह या बहस में कहीं भी हम लोग गलत हो जाते थे, तो वे खुद बताते थे कि आप इस लाइन पर चलिए। लेकिन आज जो आपने फास्ट ट्रेक या तेज वाला सिस्टम किया है, उसने कहीं न कहीं वकालत पर उंगली उठाई है। एक जमाना था कि एक निर्दोष को बचाने के लिए अगर दो दोषी भी छूट जाते थे, तो उसको जजमेंट कहा जाता था, लेकिन आज तो एक दोषी को फंसाने के लिए दस निर्दोषों को भी सजा दे दी जाए, तो उस पर सी.आर. अच्छी लिखी जाती है। मैं आपसे कहूंगा कि हाई कोर्ट का जज बनने में डिस्ट्रिक्ट जजेज़ का जो कोटा है, वह बहुत कम है। आप देखिए कि हर जगह प्रमोशन में, आई.ए.एस. में भी 50-50 परसेंट का कोटा होता है, लेकिन डिस्ट्रिक्ट जजेज़ के प्रमोशन का हाल बहुत बुरा है। वे लोग हाई कोर्ट के जज बनते-बनते 60 साल की उम्र क्रॉस कर जाते हैं। उनको अपोर्चुनिटी नहीं मिलती है। तो मैं पहली बात आपसे यह कहूंगा कि उनका कोटा बढ़ाया जाए, क्योंकि वे लोग तजुर्बे से आते हैं, योग्य हो कर आते हैं, नीचे से जिन्दगी के बहुत साल गुजार कर आते हैं।

दूसरा, आपने जो सिस्टम बनाया है, वह ठीक है। हम इसका स्वागत करते हैं। लेकिन मैं आपसे कहता हूँ कि आप हाई ज्युडिशियरी सर्विस एग्जाम क्यों नहीं लागू कर देते हैं? आप एग्जाम लीजिए और आप जो कमिशन बना रहे हैं, वह एग्जाम पास होने वालों को enlist करे, उनका गाइडलाइन बनाए और उनमें से बनाकर यह काम करे, तो कहीं उँगली नहीं उठेगी। क्योंकि जितने योग्य वकील होंगे, वही हाई ज्युडिशियरी सर्विस एग्जाम में पास होंगे और उसके माध्यम से आपको देश में, आप जो कह रहे थे कि अय्यर टाइप के जज क्यों नहीं मिलते हैं, आप जो नाम ले रहे थे, उस टाइप के जज मिलेंगे।

मुझे आपसे एक और बात कहनी है। हाई कोर्ट के जजेज पर इस कारण उँगली उठती है कि तमाम जजेज के बेटे उसी कोर्ट में या उसी हाई कोर्ट में प्रैक्टिस करते हैं। श्रीमन्, हम इसे रोक नहीं सकते। अगर नेता का बेटा नेता है, तो वकील का बेटा वकील बनेगा और डॉक्टर का बेटा डॉक्टर बनेगा। तो जज साहब भी क्या कर सकते हैं? लेकिन कहीं न कहीं इसमें उँगली उठने लगती है। यह ठीक है कि वह लड़का अपने पिता की कोर्ट में नहीं जा सकता है, लेकिन यह भी एक जो सिस्टम है, उसमें उँगली उठती है। **...(समय की घंटी)...** सर, अब मैं खत्म कर रहा हूँ। इस सिस्टम को आप कैसे ठीक करेंगे, इस पर भी आपको एक गाइडलाइन बनानी चाहिए।

मैं अंत में इतना कहूँगा कि पी.आई.एल. के लिए भी आपको गाइडलाइन बनानी चाहिए। आज अगर किसी नाली में पानी बह रहा है, तब पी.आई.एल., चौराहे पर गाड़ी खड़ी है, तब पी.आई.एल., तो फिर सरकार किस बात की है? यह जानते हुए कि कुछ लोग पी.आई.एल. के प्रोफेशनल हो गए हैं और पी.आई.एल. के माध्यम से वे जो कर रहे हैं, वह किसी से छिपा नहीं है। तो मैं यह कहूँगा कि अगर आप सिस्टम में बदलाव चाहते हैं, अगर आप सिस्टम से करप्शन हटाना चाहते हैं और अगर आप वाकई लोगों को जस्टिस दिलाना चाहते हैं, तो कम से कम इस पी.आई.एल. पर भी विचार कर लें, जिससे कि देश को सही रूप मिल सके और लोगों को सही न्याय मिल सके। बहुत-बहुत धन्यवाद।

MR. DEPUTY CHAIRMAN: That point is very correct. Now, Shri Bhupinder Singh. Your time is only two minutes.

SHRI BHUPINDER SINGH (Odisha): Mr. Deputy Chairman, Sir, I would like to congratulate the Law Minister. The premier duty of every Parliamentarian is to make law and to make legislation. Sir, I think, the hon. Minister and the House should not feel shy that the amendment of the Constitution is with the requirement of time. We are in the 21st Century. The time is going very fast. We have to cope with the time. Now what you like, the Government likes or I like or any other person likes is not important. For us, in a democracy what is more important is, what the people want, what is the people's perception outside about the Judiciary or about our activities. That is more important.

Sir, I have very less time. So, I would just submit before the Law Minister a couple of things. रवि शंकर प्रसाद जी, मैं आपसे निवेदन करूँगा कि लोअर कोर्ट्स में बहुत से कॉम्पिटेंट वकील हैं। आप भी एक वकील हैं। मैं भी उसी प्रोफेशन से आया हूँ। आप जानते हैं कि वहाँ पर डिस्ट्रिक्ट लेवल पर जो एडवोकेट्स हैं, वे क्रॉस-एग्जामिन करते हैं। हाई कोर्ट और सुप्रीम कोर्ट में आने पर वह मौका नहीं मिलता है, इसलिए उसकी तरफ भी ध्यान देना है। जो प्रेजेंटली एग्जिस्टिंग सिस्टम है कि केवल हाई कोर्ट में जो प्रैक्टिस करता है, वही हाई कोर्ट का जज बनेगा, तो लोअर कोर्ट से भी या डिस्ट्रिक्ट कोर्ट से भी अच्छे वकील हैं उनको भी उसमें लाइए। यह सिर्फ मेरा ही निवेदन नहीं है, बल्कि पूरे देश की आवश्यकता है, ऐसा सब चाहते हैं।

इसके साथ ही मैं आपसे यह निवेदन करूँगा कि जो शैड्यूल्ड कास्टस्, शैड्यूल्ड ट्राइब्स और जो बैकवर्ड कास्टस् हैं, इस मुद्दे पर बहुत चर्चा हो चुकी है। मैं आपसे निवेदन करूँगा कि

[Shri Bhupinder Singh]

अपने कमिटमेंट पर आपने जिस हिसाब से हाउस को आज कन्वेंस किया है, मुझे उम्मीद है कि आप उस पर खरे उतरेंगे। ...**(समय की घंटी)**... मैं उम्मीद करता हूँ कि उसको ध्यान में रखते हुए आप इसमें उनको भी मौका देंगे। धन्यवाद।

MR. DEPUTY CHAIRMAN: Now, Shri D. P. Tripathi. Your Party time is one minute. You may take two minutes; only two minutes.

SHRI D.P. TRIPATHI (Maharashtra): Thank you, Sir. I would abide by the time.

Sir, I first congratulate the hon. Law Minister for restoring the law in the appointment of Judges, because nowhere in the world except India, Judges appoint Judges. Therefore, this collegium system is being done away with and I welcome the Law Minister and the Government for this endeavour.

Sir, the point that I wanted to make has been made by the hon. Member, Shri Sukhendu Sekhar Roy. When the Government is to advance the Commission six months in advance about the possible vacancies, the Commission should not take more than 90 days in recommending the appointment of Judges. There should be a time limit.

Secondly, a point was made by hon. Member, Shri Naresh Agrawal, that the District Courts have many experienced lawyers. In appointments, the provision is mentioned in this Judicial Commission that the Commission will pick up the names once they know about the vacancy. If there is a Commission for Appointment, why cannot there be application? There should be a provision for people who can give their applications from District Courts onwards. And, therefore, it is for the Commission to choose, to select the proper kind of persons. I must mention one anecdote, told to me by one of the distinguished lawyers of the Allahabad High Court, late Shekhar Sharan. He told me an anecdote about Sardar Patel. A lawyer from Allahabad High Court went to Sardar Patel and said that he should be made a Judge of the High Court. The great Sardar looked at him and said, "Judgeship is neither sought nor requested for. The time for your appointment is over. You can leave now." So, this was the standard and approach as far as the appointment of Judges is concerned, and that approach should be restored.

Sir, in conclusion, I must say — this is not to dishonour the lawyers; I have great regard for lawyers —that even among the lawyers, even among the judicial fraternity, there are all kinds of people. Therefore, without saying much, I would just quote an Urdu couplet about lawyers, which was mentioned by the late Kushwant Singh, who was a lawyer himself. He quoted this Urdu couplet, which means that when the lawyer was born, the *Satan* said, 'I am thankful, God; you have blessed me with a progeny!'

"पैदा हुआ वकील तो इबलीस ने कहा,
अल्लाह ने आज हमको बाअौकात कर दिया।"

Thank you, Sir.

MR. DEPUTY CHAIRMAN: Thank you. Now, Shri K.T.S. Tulsi. Tulsiji, I know you are a legal luminary, but you have only two minutes. You can speak in two minutes. There are three-four Members. Everybody must stick to two minutes.

SHRI K. T. S. TULSI (Nominated): Sir, we want to say that the real issue in the matter of appointment of Judges is not who will appoint, but how we will appoint. And, there needs to be transparency, there needs to be wider consultations, in the matter of establishing data. The Law Minister was saying that there will be a pool of Judges for the whole country. Now, even at that stage, there could be some mechanism through which the Bar can be consulted, or the Bar Council can be consulted, because we know the quality of Judges better; we appear before them. Just as they know about our ability or lack of it, we also know about the level which they possess. And I would commend to this House the American system whereby the name is proposed by the Attorney General. The Attorney General sends the name to the President. The President first sends that to the FBI and another one to the American Bar Association. The American Bar Association considers the validity of that name. They put up ballots in every State Supreme Court. In those ballots, there are three options recommended, strongly recommended, not recommended. In 230 years, there has not been one appointment in the United States where the Bar has not recommended the proposal and not endorsed it. There should be some process and consultation. The Bar can summon the nominees, can cross-examine them, can find out about their integrity. So, I believe that eventually we must have a mechanism where we can broaden the conspectus of examination of the suitability of Judges.

MR. DEPUTY CHAIRMAN: Shri K. Parasaran, I know you are a luminary, but I am constrained by the time limit.

SHRI K. PARASARAN (Nominated): Sir, I only say that I support the Bill.

MR. DEPUTY CHAIRMAN: You can take two minutes.

SHRI K. PARASARAN: No, I am happy. I don't want to add anything.

MR. DEPUTY CHAIRMAN: There are two minutes for you. I feel guilty. ...*(Interruptions)*... There are two minutes for you. I feel guilty. ...*(Interruptions)*...

SHRI K. PARASARAN: Give it to somebody else.

MR. DEPUTY CHAIRMAN: Okay. Now, Shri D. Raja; you have only two minutes.

SHRI D. RAJA (Tamil Nadu): Sir, my congratulations to our Minister, Shri Ravi Shankar Prasad. While supporting the Bill, I share the two concerns expressed by many of our colleagues. One, about the tenability of this Bill. Second, about the procedure for selection of Judge of High Court, that is, clause 6(6). Hon. Minister may clarify these two. Then, Sir, in this regard, I would like to ask one question from the hon. Minister. The Constitutional Amendment in 1977 in Article 312 qualified to get all-India Judicial Service. It is mentioned under Article 312 (3) that Judicial service shall not include any post inferior to that of a District Judge. It means that there should be a separate selection process for the District Judges. I want the hon. Minister to respond because it gives an opening for you to get representations from diverse cross-sections of our society. This is very important. If not now, in future, the Government will have to address this issue and question. Having said that, I once again congratulate you for taking this initiative.

MR. DEPUTY CHAIRMAN: Even D. Raja confined to the time! That is a revolution.

SHRI NARESH AGRAWAL: Sir, D. Raja means 'Disciplined Raja'.

MR. DEPUTY CHAIRMAN: Now, Shri Tiruchi Siva; you have two minutes.

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, the Law Minister in his reply to a Starred Question in the Lok Sabha on 11th August, 2014 stated: There are more than 250 vacancies of High Court Judges which have not been filled. I think the Bill, which you are introducing, once comes into effect, these things will not be a disturbance. Sir, there are increasing number of litigations — maybe lakhs in the Supreme Court and millions in the High Courts. These litigations are because of the vacancies in the Courts. I think the Judicial Appointments Commission will take care of that. I have just one more observation to make. Why is it an imperative need for bringing in this Bill? According to a Report by the United States Institute of Peace, the system of judicial self-appointment is seen as providing very little accountability. Many of these judiciaries have become extensively involved in politics in ways that can undermine their own legitimacy. So, Sir, I think that it is a right move. It is the need which we have felt for quite a long time. I would like to appreciate the Law Minister and his team in the Ministry. Sir, in the absence of the LOP in the Lok Sabha, he said, 'the leader of the single largest party'; so also, Sir, 'Governor may be consulted' is substituted with 'eliciting views of the Chief Minister and the Governor.' That is to be appreciated. I thank him. I think, it is a very important Bill.

MR. DEPUTY CHAIRMAN: Now, Shri Anil Desai. You have two minutes.

SHRI ANIL DESAI (Maharashtra): Whatever minutes are left by others ...*(Interruptions)*... I am the last speaker, Sir.

MR. DEPUTY CHAIRMAN: No, no. I cannot do that. So many minutes are left but you have only two minutes.

SHRI ANIL DESAI: Mr. Deputy Chairman, Sir, first of all, I thank you ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no. ...*(Interruptions)*... You speak. Your time will be lost. It has already started.

SHRI ANIL DESAI: Sir, at the outset, let me congratulate the hon. Law Minister, Ravi Shankar Prasadji, for having this National Judicial Appointments Commission Bill, 2014 in place. I am confident that the new system, that is, the National Judicial Appointments Commission will stand the test of time, and prove, beyond doubt, to be the best commission ever in selection of meritorious judges of Supreme Court and the High Courts, on whom the people of India repose their faith for delivery of justice.

Sir, the system which was prevailing prior to 1993, where the Executive supremacy or primacy was there, and, which had the deficiency and defects in it, was replaced by the Judicial Collegium system. From 1993 onwards, after this Collegium system was put in place, seeing the way things have happened, people have started thinking whether to continue reposing their faith in the judiciary. There was a huge question mark on the judicial system itself. To replace that, now the Judicial Appointments Commission Bill, which is broad based, has come in. Here, I would say only one thing. In the procedure for selection of High Court Judges, it says that the Commission shall elicit, in writing, the views of the Governor and the Chief Minister of the State concerned, before making such recommendation in such a manner as may be specified. This needs a little clarification by the Law Minister.

Secondly, the vacancies in various courts which are coming up, should be identified beforehand so that the vacancies are not piled up. Another thing is relating to the data base of the Judges. Sir, it should be there not only of Judges in the High Courts but also of Judges in the District courts or the lower courts, where really talented Judges are working because if their data base is also in place, then, more transparency and accountability will be there. With these words, I support the Bill. Thank you.

श्री नरेश अग्रवाल : उपसभापति जी, मेरी एक आपत्ति है। इस बिल के लिए आधा घंटे का समय तय हुआ था, लेकिन इस पर समय बढ़ता जा रहा है। हमारी फ्लाइट्स मिस हो रही हैं। ...*(व्यवधान)*...

4.00 P.M.

MR. DEPUTY CHAIRMAN: What do you want? ...*(Interruptions)*...

श्री नरेश अग्रवाल : लॉ मिनिस्टर बताएं कि हम लोग कब तक बैठेंगे? हम कितनी फ्लाइट छोड़ेंगे? इस बिल पर चर्चा साढ़े 3 बजे समाप्त हो जानी थी, लेकिन ऐसा लग रहा है कि यह चर्चा तो शाम 6 बजे तक चलेगी। ...*(व्यवधान)*... लॉ मिनिस्टर जवाब दें और आप इसे पास करा दें।

श्री उपसभापति : नरेश जी, मेरे पास श्री वी.पी. सिंह, श्री जयराम रमेश और प्रो. सोज़ के नाम हैं। इन्हें दो मिनट और एक-एक मिनट बोलना है। ...*(व्यवधान)*... Why not? ...*(व्यवधान)*... आज साढ़े 4 बजे के पहले सारा बिजनेस समाप्त हो जाएगा। ...*(व्यवधान)*... अरे, आपको कहां जाना है? मुझे तो केरल जाना है।

श्री नरेश अग्रवाल : मेरी पार्टी के बहुत से मेम्बर्स जाना चाहते हैं, हम उन्हें बिल के लिए रोक रहे हैं, लेकिन यह कब तक चलेगा? हम कितनी फ्लाइट्स और छोड़ेंगे? ...*(व्यवधान)*... ठीक है, आप नाराज़ मत होइए।

SHRI V.P. SINGH BADNORE (Rajasthan): Mr. Deputy Chairman, Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay, Mr. V.P. Singh Badnore, ...*(Interruptions)*... So, you do not speak. ...*(Interruptions)*... Mr. Jairam Ramesh. ...*(व्यवधान)*... आप नाराज़ मत होइए, बैठिए।

SHRI JAIRAM RAMESH (Andhra Pradesh): Sir, I do not want to speak but I just want to put two questions to the hon. Law Minister. My first question is whether the activities of the Commission and the selection process for the eminent persons will be subject to the RTI or not. That is my first question. My second question is relating to the expression 'eminent persons'. Will the domain as to who constitutes 'eminent persons' be restricted to the legal fraternity or will it also extend to professions outside law? These are my two questions.

MR. DEPUTY CHAIRMAN; Thank you very much. Now, Prof. Soz. There is only one minute for you.

PROF. SAIF-UD-DIN SOZ (Jammu and Kashmir): Sir, it is so kind of you that you have allowed me. What prompted me to speak out of turn is a situation of my mind that I must congratulate the hon. Law Minister as it is a celebration. I want to remind this august House that we have been together irrespective of our political affiliations for comprehensive judicial reforms. I am a layman; I am not a lawyer. Today, it is a major step towards that. But there have to be comprehensive judicial reforms. My Private Members'

Bill came here for discussion and Members, cutting across party lines, supported that. The then Law Minister, for whom it is a celebration, Arun Jaitleyji, came to my seat and said, 'kindly don't press it because there is harmony in the House'.

MR. DEPUTY CHAIRMAN: Now, you can support.

PROF. SAIF-UD-DIN SOZ: No, no. The remark he made was – I don't have papers, I am speaking from my memory — 'next week or within ten or fifteen days, we shall get the Bill'. *(Time-bell rings)*

MR. DEPUTY CHAIRMAN: Okay, okay.

PROF. SAIF-UD-DIN SOZ: So many years have passed. Now, through you, Sir, I congratulate the hon. Law Minister.

MR. DEPUTY CHAIRMAN: It is better late than never.

PROF. SAIF-UD-DIN SOZ: He has come forward for comprehensive judicial reforms. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is okay. ...*(Interruptions)*... Now, Message from Lok Sabha.

PROF. SAIF-UD-DIN SOZ: The retiring Chief Justices ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay. Sit down. ...*(Interruptions)*... Mr. Soz, please sit down. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*...

PROF. SAIF-UD-DIN SOZ: Therefore, for comprehensive judicial reforms ...*(Interruptions)*... For this major step, I congratulate the Government.

MESSAGE FROM LOK SABHA

The Apprentices (Amendment) Bill, 2014

SECRETARY-GENERAL: Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha:-

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Apprentices (Amendment) Bill, 2014, as passed by Lok Sabha at its sitting held on the 14th August, 2014".

Sir, I lay a copy of the Bill on the Table.

**The National Judicial Appointments
Commission Bill, 2014 – Contd.**

SHRI RAVI SHANKAR PRASAD: Sir, I am grateful to all the hon. Members who have spoken substantially in support of the Bill. I am deeply touched by the kind words many of them have spoken about me.

MR. DEPUTY CHAIRMAN: All of them congratulated you.

SHRI RAVI SHANKAR PRASAD: Yes, Sir. I am deeply grateful and very, very profoundly touched. Sir, I know the pressure on time, but I will very quickly go to the point straightaway. I don't think Mr. Abhishek Manu Singhvi is here. His first objection was the likely supersession about the senior-most Judge as the Chief Justice because it says, 'if found fit'. I would like to inform him and the House that it is not my invention. It is there in the Memorandum of Procedure prepared in consultation with the Supreme Court since 1998 that the senior-most Judge, if found fit, shall be appointed as the Chief Justice. And this whole, apprehension that the two juniors will conspire to deny him, there will be Law Minister, the eminent persons are there to consider this. Therefore, I think, the same is there. He should not at all have any apprehension. He talked of regulations. Sir, again, I would like to tell the House the eligibility of a Judge for the Supreme Court is under Article 124(3). The eligibility of a High Court Judge is under Articles 271 (2) and (3). That is the Constitutional eligibility, Mr. Roy will know it. That is the eligibility which the Commission has to take into account. But how shall they recommend and what procedures will be followed will be in regulations. And who will frame the regulations? The Commission itself, headed by the Chief Justice and two senior-most Judges, will frame them. Mr. Abhishek said that the Supreme Court may strike it down. If the Supreme Court will strike down a regulation by a Commission headed by the Chief Justice, of which the two senior-most Judges are the Members, what do can I do? Therefore, I am surprised. Again, I say we have taken the maximum care to make it as flawless as possible and I think that is very clear. We should not be a little troubled about that.

Mr. Sukhendu Sekhar Roy talked of two members; Mr. Balagopal also talked of two members. Sir, why two members? Let me repeat, it is something where we are dealing with the appointment of Supreme Court and High Court Judges, not of clerks or lower-level grade officers, one of the highest Constitutional office in the country. Let us trust the element of maturity and decision-making of people at that level. And, as I said in the other House, if one is a dissenter, two is a voice of reason. This is not my invention. I would again like to read from the Supreme Court Judgement in the collegium case, 1998. And this is what was said by how many Judges? This was said by 1, 2, 3, 4, 5, 6, 7, 8, 9. Nine Judges said, "Similarly, if two or more members of the collegium dissent, the CJI should

not persist with the recommendation.” ...*(Interruptions)*... I agree with you there, and I am telling you a healthy balance has been ensured in the whole Commission and the Act which we have framed. Sir, let me share with this House today.

SHRI P. RAJEEVE: That is of three members or five members?

SHRI RAVI SHANKAR PRASAD: That was five.

Sir, let me share with this House. I just talked to Satishji because he is an eminent lawyer himself. A lot of suggestions came to me that the State Government and the Central Government should also nominate the Judges of High Courts and Supreme Court for consideration. We said, ‘No, we must maintain the sanctity of the institution of judiciary.’ Let the starting of the name be by the High Court Chief Justice in consultation with as many judges, as laid down by the regulation, and also eminent lawyers.

Mr. Tulsi, your concern as to how many eminent lawyers from which High Court has been addressed. These regulations will be framed by the Chief Justice. If there is a big High Court which has more than hundred Judges, then the regulation will postulate that you consult seven or eight lawyers. In a small High Court, they will say two or three lawyers. Even the exposure of the eminent lawyer or legal fraternity is also inbuilt in the whole scheme of the Act itself.

Probably Balagopalji or you said about High Court Judges being not only considered for seniority but also for ability. Why have we given this? I would like to share it with the House. We want senior judges to come to the Supreme Court. We also want able judges to come to the Supreme Court. Again, I will take the shelter in Justice Krishna Iyer. Today, what is happening? Only senior-most judges, who are the Chief Justices, are coming to the Supreme Court. Justice Krishna Iyer was the seventh in the hierarchy. Yet he was picked up. And there were so many others. Therefore, the Commission is having only the enabling provision that apart from seniority, merit and ability will also be considered. There is no element of supersession at all. I would like to clarify it very clearly and categorically.

Certain other issues were there. One was related to time-frame within which the Commission must give its recommendations. That point is very well taken, Sukhendu Babu. I respect your suggestion. That is exactly the point to be decided by the regulation itself. Because some job we must give to a Commission headed by the Chief Justice himself. They will understand the heavy duty imposed upon them.

Nareshji said that there are many vacancies in the Allahabad High Court. You are right. नरेश जी, देश भर में हाई कोर्ट्स की लगभग 300 वैकेंसीज़ खाली हैं और मैं इस सदन को बताना चाहता हूँ कि ...*(व्यवधान)*...

श्री नरेश अग्रवाल : सौ से ऊपर तो यू.पी. में खाली हैं।

श्री रवि शंकर प्रसाद : सतीश जी ने बताया था कि कानून मंत्री बनने के बाद अब तक मैं भारत के हाई कोर्टस् के मुख्य न्यायाधीशों को तीन-चार चिट्ठियां लिख चुका हूँ कि जल्दी से वैकेंसीज़ भरने की रिंकमडेशन कीजिए। किसकी कब रिटायरमेंट है, उन वैकेंसीज़ को anticipate करने की चिंता कीजिए। देश भर में लोअर कोर्टस् में 4,000 वैकेंसीज़ हैं। मैंने चिट्ठी लिखी है कि इनको भी आप भरिए। तो मैं कर रहा हूँ अपने तरीके से, उसकी चर्चा कभी और करेंगे। That concern is very much alive. I am sure the great consensus, which has been shown in both the Houses, will also be reflected in the working of the Commission.

Certain other issues have been raised by Mr. Jairam Ramesh. Would the eminent persons' selection process be open to scrutiny in RTI? Sir, I cannot say this today. When they will sit, when other standards, norms and precedents will be available, they will take a call.

And the second thing which he stated was this. Will the eminent persons only be lawyers? How can I say that? Never. They can be jurists also. They can be eminent public persons also, but political men, certainly not. Again I say this. Trust the great trinity of the Prime Minister of India ...*(Interruptions)*...

श्री नरेश अग्रवाल : माननीय मंत्री जी, आपने 'non-political man' कहा, तो क्या पोलिटिकल लोग सबसे खराब होते हैं?

श्री रवि शंकर प्रसाद : नहीं...नहीं ...*(व्यवधान)*...

श्री नरेश अग्रवाल : मैं इसलिए कह रहा हूँ कि यह हर जगह हो गया है।

श्री रवि शंकर प्रसाद : अच्छा, मैं उसको विदड़ों करता हूँ। ...*(व्यवधान)*...

श्री नरेश अग्रवाल : अगर पारासरन जी योग्य हैं, अगर तुलसी जी योग्य हैं, तो ये क्यों हो सकते? आप इस शब्द को निकालिए, मैं इसको नहीं मानता हूँ। ...*(व्यवधान)*... Other than political क्या होता है? ...*(व्यवधान)*... हमारे वी.पी. सिंह जी योग्य हैं, ये क्यों नहीं हो सकते? ...*(व्यवधान)*... यह क्या बात कर रहे हैं आप?

MR. DEPUTY CHAIRMAN: You made your point.

श्री नरेश अग्रवाल : इस शब्द को मैं पसंद नहीं करता हूँ। मैं इस पर disagree करता हूँ। ...*(व्यवधान)*...

श्री रवि शंकर प्रसाद : सर, मैं एक बात क्लैरिफाई कर दूँ। नरेश जी और त्रिपाठी जी ...*(व्यवधान)*...

श्री उपसभापति : हो गया.. हो गया। ...*(व्यवधान)*...

SHRI K. PARASARAN: The U.P. Assembly versus Judiciary came by a

reference to the Supreme Court. A Judge issued a notice for release of the politician. The Assembly issued a notice of privilege against the party. Can that Judge issue a notice. The U.P. Assembly sent a notice of breach of privilege to the Judges. Then the Chief Justice contacted the Chief Minister and asked, "What are you doing? What is happening?" Chief Minister Sucheta Kriplani was a politician. She said, "What are you talking? The remedy is in your hand." The Chief Justice said, "We issue a notice but we are getting back notices for breach of privilege." What do we do? She said that the remedy is in their hands and that they were not able to understand that. Then, she said that if all of them sat and issued a notice, would the House issue a privilege notice for breach of privilege and bring Judiciary to a standstill? All the 22 Judges sat. The Allahabad High Court has two Benches. In that Bench, only 22 Judges were there. All of them assembled and issued notice. The result was that the President made a Presidential reference to the Supreme Court and the problem was solved. It was a Chief Minister, a politician and a woman. Yesterday, we were talking about women. Women have knowledge and also wisdom. They have got native intelligence. She solved the problem. Don't say politicians.

MR. DEPUTY CHAIRMAN: Okay.

श्री रवि शंकर प्रसाद : उपसभापति महोदय, मैं नरेश जी से या त्रिपाठी जी से यह कहना चाहता हूँ कि मैं तो अपने छात्र जीवन से ही पॉलिटिकल एक्टिविस्ट हूँ जेल भी गया हूँ तो पॉलिटिकल एक्टिविस्ट्स और पॉलिटिकल लोगों का क्या सम्मान है, मैं जानता हूँ इसलिए आप कभी भी यह न समझें। मैं इस हाउस के सामने यह मानता हूँ कि एक पॉलिटिशियन देश को चला सकता है, प्रदेश को चला सकता है, मेरा जरा भी यह भाव नहीं था। आप मुझे क्षमा करिएगा, मैंने कहा, 'not a politician', in the sense कि पब्लिक मैन दोनों में होते हैं। कहीं ऐसा न हो कि पॉलिटिशियंस का इसमें काफी प्रभाव बढ़ जाए। मेरा और कोई दृष्टिकोण था। मैं तो यह मानता हूँ कि देश की डेमोक्रेसी को चलाने में हर पॉलिटिकल पार्टी के नेताओं ने, कार्यकर्ताओं ने मदद की है, यह मैं आपके माध्यम से कहना चाहता हूँ।

MR. DEPUTY CHAIRMAN: So, how many more minutes would you take?

SHRI RAVI SHANKAR PRASAD: Sir, two more minutes. Hon. Nareshji talked about PIL. His concern is quite well-founded. सर, मैं और कुछ नहीं कहूँगा, केवल सुप्रीम कोर्ट का ही जजमेंट कोट करूँगा। The Public Interest Litigation has become Paise Interest Litigation, Publicity Interest Litigation, etc. I think those concerns are there and the House is taking note of them.

श्री सतीश चन्द्र मिश्रा : पर्सनल इंटरस्ट लिटिगेशन।

श्री रवि शंकर प्रसाद : जी। It is also referred to as Personal Interest Litigation. सर, यह बात की गयी कि...।

श्री नरेश अग्रवाल : डिस्ट्रिक्ट जजेज का भी मामला है।

श्री रवि शंकर प्रसाद : जी। यह बात भी सही है, मैं इस हाउस के सामने कहना चाहता हूँ कि लॉ मिनिस्टर बनने के बाद से मुझे देश भर के डिस्ट्रिक्ट्स जजेज की बहुत चिंता है कि हाई कोर्ट जज की प्रमोशन में उनके साथ न्याय नहीं हो रहा है। I would like to share with this House that there is a concern which I am hearing from many sources. Surely it is a matter to be looked into. Collegium system has a limited role. I think in the National Commission, this concern needs to be addressed.

Now, Balagopalji, Nareshji and Rajaji talked about the All India Judicial Service. That is a problem pending for the last 40 years. Satishji knows it very well. The debate goes on. There is an issue of federation, federal principles and the State judiciary. The State judiciary is opposed to that because if they will come from the All India Service, then the rights of the Additional District Judges and the District Judges would be curtailed. Therefore, that is a question to be considered and a consensus to be built upon. Sir, I think, I have met nearly all the points.

Sir, as far as the issue of reservation is concerned, Misraji knows that the issue of reservation in Judiciary is a larger question on which a national consensus has to be built. But as I said earlier, we need to make a collective effort to have the best talent available. By the way, Satishji, I have one more point. अगर सब कुछ रिजर्वेशन से ही होता तो अम्बेडकर जी रिजर्वेशन से नहीं आए थे। मैं मानता हूँ कि आज इस देश में बहुत योग्य दलित समाज के वकील हैं, जिन्हें खोजने की जरूरत है, जिन्हें अवसर नहीं मिलता और शायद कमीशन उस दिशा में प्रयास करेगा, इस संबंध में मेरी पूरी कोशिश होगी, यह मैं आपके माध्यम से कहना चाहता हूँ।

श्री सतीश चन्द्र मिश्रा : जैसा आपने कहा कि रिजर्वेशन की जरूरत नहीं है और डा. अम्बेडकर रिजर्वेशन से नहीं आए थे। मैं आपसे कहना चाहता हूँ कि आप उसके बाद का इतिहास देख लीजिए, कंस्टीट्यूशन बनने के बाद - हायर ज्युडिशियरी में रिजर्वेशन नहीं रखा गया तो आज वहां क्या प्रपॉर्शन है और जहां आपने रिजर्वेशन रखा है, लोअर ज्युडिशियरी में रखा है, कम्पलसरी रखा है, वहां पर वे मौजूद हैं, वहां पर appointment दिया जा रहा है, देना पड़ रहा है, लेकिन जहां पर आपने इसे रिलैक्स कर दिया है, जिस जगह पर भी रिलैक्स कर दिया और इसे कम्पलसरी नहीं किया, वहां वह शून्य तक पहुंच गया है। इलाहाबाद हाई कोर्ट उसका एक उदाहरण है।

श्री रवि शंकर प्रसाद : सर, सतीश चन्द्र मिश्रा जी को इलाहाबाद की बहुत चिंता है, मैं इस बात को समझता हूँ। इलाहाबाद हाई कोर्ट की चिंता कई मामलों में है vacancy के मामले में, डिस्पोजल के मामले में, पेंडेसी के मामले में - लेकिन मैं इतना कहना चाहता हूँ कि एडिशनल डिस्ट्रिक्ट जज के लैवल पर तो रिजर्वेशन है, लोग आते हैं...(व्यवधान)...

श्री उपसभापति : आप इसको एग्जामिन करिए।

SHRI RAVI SHANKAR PRASAD: Yes, Sir, we will examine the matter. I would request the House to show the unanimity which we showed while passing the Constitutional Amendment. Today is the occasion. Mr. Parasaran rightly pointed out the sagacity and foresight of Sucheta Kriplani. Today, when we are discussing this historic Bill, this Parliament has shown great foresight, that is, this House and that House, not even a single vote was put against the National Judicial Appointments Commission Bill. That is a great foresight the House has shown. By invoking that spirit, I would request the hon. Members of this House to pass the Bill.

MR. DEPUTY CHAIRMAN: The question is:

That the Bill to regulate the procedure to be followed by the National Judicial Appointments Commission for recommending persons for appointment as the Chief Justice of India and other Judges of the Supreme Court and Chief Justices and other Judges of High Courts and for their transfers and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration.

The motion was adopted.

MR. DEPUTY CHAIRMAN: Now, we shall take up clause-by-clause consideration of the Bill. In clause 2, there is an amendment (No.3) by Shri P. Rajeeve and Shri K.N. Balagopal.

Clause 2 - Definitions

SHRI P. RAJEEVE: Sir, I move:

(3) That at page 2 line 3, the word "Appointments" be *deleted*.

Amendment (No.3) was negatived.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clause 4 - Reference to Commission for filling up of vacancies

MR. DEPUTY CHAIRMAN: Clause 4, there is an amendment (No.4) by Shri P. Rajeeve. Are you moving it?

SHRI P. RAJEEVE: Sir, I move:

That at page 2, *after* line 22, the following be *inserted* namely:-

“(4) The Central Government shall within three months of the receipt of a complaint relating to misbehaviour of a Judge of the Supreme Court or the High Courts refer it to the Judicial Commission.”

Amendment (No.4) was negatived.

Clause 4 was added to the Bill.

Clause 5 - Procedure for selection of Judge of Supreme Court

MR. DEPUTY CHAIRMAN: Clause 5 there are seven amendments. Amendment Nos.5 to 8 by Shri P. Rajeeve and Shri K.N. Balagopal. Are you moving it?

SHRI P. RAJEEVE: Sir, I am not moving it.

MR. DEPUTY CHAIRMAN: Nos. 11 to 13 by Shri Sukhendu Sekhar Roy and Shri Derek O'Brien. Are you moving it?

SHRI SUKHENDU SEKHAR ROY: Sir, I am not moving it.

MR. DEPUTY CHAIRMAN: Okay, amendments not moved.

Clause 5 was added to the Bill.

Clause 6 - Procedure for selection of Judge of High Court

MR. DEPUTY CHAIRMAN: Clause 6, there are three amendments. Amendment (No.9) by Shri P. Rajeeve and Shri K.N. Balagopal. Are you moving it?

SHRI P. RAJEEVE: Sir, I am not moving it.

MR. DEPUTY CHAIRMAN: Amendment Nos. 14 and 15 by Shri Sukhendu Sekhar Roy and Shri Derek O'Brien. Are you moving it?

SHRI SUKHENDU SEKHAR ROY: I am not moving it.

Clause 6 was added to the Bill.

Clauses 7 to 9 were added to the Bill.

MR. DEPUTY CHAIRMAN : Clause 10, there is one amendment (No.10) by Shri P. Rajeeve and Shri K.N. Balagopal. Are you moving it?

Clause 10 - Procedure to be followed by Commission in discharge of its functions

SHRI K.N. BALAGOPAL: Sir, I move:

(10) That at page 3, *after* line 43, the following be *inserted* namely:-

“(3) The Commission shall consult with different sections of Judiciary, Bar and Jurists in the society regarding the credentials of the proposed names for appointments.”

Amendment (No. 10) was negatived.

Clause 10 was added to the Bill.

Clauses 11 to 14 were added to the Bill.

Clause 1 - Short title and commencement

MR. DEPUTY CHAIRMAN: Clause 1, there is one amendment by Shri P. Rajeeve and Shri K.N. Balagopal. Are you moving it?

SHRI K.N. BALAGOPAL: I am not moving it.

Clause 1 was added to the Bill.

The Enacting Formula was added to the Bill.

Long Title

MR. DEPUTY CHAIRMAN: In Long Title there is one amendment by Shri P. Rajeeve and Shri K.N. Balagopal. Are you moving it?

SHRI P. RAJEEVE: I am not moving it.

The Long Title was added to the Bill.

SHRI RAVI SHANKAR PRASAD: I move:

That the Bill be passed.

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: Now, Special Mentions to be laid on the Table.

SPECIAL MENTIONS*

Demand to give financial assistance to the family of Chamel Singh, murdered in Pakistani jail

श्री अविनाश राय खन्ना (पंजाब) : महोदय, पिछले दिनों पाकिस्तान की जेल में चमेल सिंह, जो जम्मू का रहने वाला था, उसकी वहां के अधिकारियों ने पिटाई करके हत्या कर दी। उसकी मृत देह लाने के लिए संसद में इस विषय को उठाया गया था, तब उसकी मृत देह वापस आ

*Laid on the Table.

[श्री अविनाश राय खन्ना]

सकी थी। इस घटना के कुछ समय बाद पंजाब के सरबजीत सिंह को भी मार दिया गया था। उसका मृत शरीर लाने के लिए स्पेशल जहाज लाहौर गया था। केन्द्र सरकार ने सरबजीत सिंह के परिवार को 30 लाख रुपए की आर्थिक मदद दी थी और पंजाब सरकार ने उसके परिवार को एक करोड़ रुपए और उसकी दोनों बच्चियों को सरकारी नौकरी दी। चमेल सिंह के परिवार को न तो केन्द्र सरकार की और से कोई आर्थिक सहायता मिली और न ही जम्मू-कश्मीर सरकार ने उसके परिवार की कोई आर्थिक मदद की।

मेरा सरकार से अनुरोध है कि चमेल सिंह के परिवार को भी सरबजीत सिंह के परिवार की तरह वित्तीय सहायता मिलनी चाहिए और यदि इसमें कोई अड़चन है, तो उसका कारण भी बताया जाना चाहिए। अन्यथा यह समझा जाएगा कि चमेल सिंह के साथ पाकिस्तान में तो अन्याय हुआ ही, भारत सरकार भी उसके परिवार के साथ अन्याय कर रही है।

**Demand to take steps to protect cultural identity of tribals
in Arunachal Pradesh**

SHRI TARUN VIJAY (Uttarakhand): Sir, Arunachal Pradesh is inhabited by various ethnic tribes and communities like Buddhists, Nature Worshippers of Donyi Poloism, Rangfraism, Nani-Intayaism, Amik-Mataism, etc. All these groups talk under the Scheduled Tribes category. Now, a large number of State's population has converted into Christianity, but still they enjoy all the benefits from the Government as Scheduled Tribes.

In the light of the Supreme Court views on Article 16(4) of the Constitution, OBCs, SCs and STs are all backward classes, but all these are distinct groups. Further, the Court says that they cannot be clubbed together because if they are clubbed, then an ST or SC loses his chance and the benefits are occupied by a better equipped OBC candidate. It means, one can apply to one quota only. But, the tribal Christians of Arunachal Pradesh are enjoying not only the status and the benefits of the Scheduled Tribes, but also the facilities meant for the minority communities being provided as a Special Package of funds under the Ministry of Minority Affairs. I demand that no person or community in Arunachal Pradesh should be given double benefits because this would promote mass conversion to the faiths classified as minority community resulting in adverse effect on the preservation and promotion of the indigenous faiths, traditions and culture of the State.

Denial of promotion to Assistant Teachers (Nursery) in Delhi

SHRI AAYANUR MANJUNATHA (Karnataka): Sir, under the existing rules for the post of TGT, all Assistant Teachers whether primary or nursery are eligible for promotion

to the post of TGT. However, it is sad that only Assistant Teachers (Primary) are being promoted whereas Assistant Teachers (Nursery) with B.Ed/M.Ed are being neglected. Even the Lab Assistants, who were originally Class-IV employees, are being promoted to the post of TGT. Sir, this denying the promotion to the Assistant Teachers is clear violation of fundamental rights as held by the Supreme Court in *Union of India and Others Vs Hemraj Chauhan and Others* in 2010. So far, Delhi Administration has promoted Assistant Teachers (Nursery) on the direction of Central Administrative Tribunal. In the era of women empowerment, this sort of discrimination is highly condemnable and that too happening in capital of the country under the nose of Central Government. The Directorate of Education, Delhi may be directed to consider the Assistant Teachers (Nursery) for promotion while filling up the vacancies of TGT this year.

**Demand to take strict steps to inculcate probity and integrity
in administration**

DR. K.P. RAMALINGAM (Tamil Nadu): Hon. Deputy Chairman, Sir, a startling revelation states that during the last 10 years corruption cases have been filed under the provisions of Sections 7 to 14 of the Prevention of Corruption Act, 1988 against 157 IAS Officers. Out of 157 IAS Officers, permission for prosecution has been sanctioned against 15 Officers. Besides this, 71 Officers are facing CBI inquiry.

The Indian Administrative Service is considered as steel frame of the Indian Administration. But the above said information has made a dent in that steel frame. With corruption at such a high level, how shall we be able to provide clean administration and effective delivery mechanism?

Sir, it is very shameful and unfortunate that India has been ranked at 94th place among 176 countries by the Transparency International on the basis of Corruption Perceptions Index. It is also very unfortunate for every Indian who wants India to be a super power.

All the steps taken by the Government, right from the Santhanam Committee in 1964 to the latest one *i.e.*, the Second Administrative Reforms Commission (ARC) to prevent corruption did not provide desired results. Though Lokayuktas at State Level and Central Vigilance Commission at the Central are taking various steps to curb corruption, there is no respite from this menace. Not only that, Civil Servants and other higher officials are also facing corruption charges. Recently, CMD of a public sector bank was arrested by CBI while taking bribe in Mumbai.

Therefore, I urge the Government to take stringent steps for improving probity and integrity in administration. Thank you.

Demand to recognise mid-day meal workers as workers and giving them minimum wages and other social security benefits

SHRI D. BANDYOPADHYAY (West Bengal): Mr. Deputy Chairman, Sir, I want to raise, through you, the issue of suffering of lakhs of mid-day meal workers in the country who were fearing loss of job.

Sir, the mid-day-meal scheme was started in 1995 to end class-room hunger, to achieve the millennium development goal of universal education and to provide mid-day meals to nearly 11 crore children in nearly 12 lakhs schools in the country. Nearly 26 lakhs workers, mostly women, belonging to the backward section of the society, who spend around 6 to 8 hours a day for the preparation, cooking and cleaning, are not recognised as workers. They are not paid anything near the minimum wages, but merely a pittance of rupees one thousand per month, that too, only in ten months.

Sir, after long years of service, they are retrenched without any social security or pension on the pretext that only a parent of a child studying in that particular school can be employed as mid-day meal workers. The 45th Session of the Indian Labour Conference held in May 2013 recommended that mid-day meal workers, along with the workers in other schemes of Government of India, be recognised as workers, paid minimum wages and given social security benefits.

Therefore, Sir, I urge upon the Government through you to recognise mid-day meal workers as workers and provide them minimum wages and other social security benefits without any delay.

Demand to utilise the infrastructure of Begumpet airport in Hyderabad for domestic flights

SHRI ANANDA BHASKAR RAPOLU (Telangana): Sir, ever since the commencement of usage of Rajiv Gandhi International Airport at Shamshabad near Hyderabad in 2008, the centrally located Begumpet Airport is kept idle. Begumpet Airport is spread on 800 acres with runway, suitable even for large flights with the entire up-to-date infrastructure. Now, with the availability of spacious flyovers, widened roads, Begumpet Airport deserves usage for domestic flights. With the growing air traffic, Hyderabad and Secunderabad twin cities are in need of a few more airports. With this, inter-State and intra-State air travel, besides tourism, will also increase. From Begumpet, Hyderabad, Vijayawada, Visakhapatnam, Tirupathi and Rajahmundry of residuary State of Andhra Pradesh besides to be re-launched Warangal Mamunooru Airports of Telangana can be connected for time saving and cheaper air travel. Keeping the fuel conservation, time saving and scope of utilization of available infrastructure, it will be in the best interest of

National Resources Optimum Utilization initiating for reutilizing Begumpet Airport shall be considered, for which, I request the Ministry of Civil Aviation to expedite measures.

MR. DEPUTY CHAIRMAN: Shri Praveen Rashtrapal, not present.

**Demand to formulate a concrete plan to give employment
to youth in the country**

SHRI BHUPINDER SINGH (Odisha): Sir, there is no second opinion about the heart-rending problem created by huge unemployment in India. We need to have a scheme to wipe out unemployment from the soil of India. This must be done with speed.

Secondly, our unemployed youth ought to be given the scope for training so that they acquire skills for effective employment. All such acquiring of skills should be done on a grand scale. Each youth must have such skill so that he or she becomes employable. I would like to know from the hon. Prime Minister of India what blueprint Government is having in this regard to end unemployment. The whole world is not safe for employment. Why should our unemployed youth migrate to Iraq, Afghanistan and such other countries to become easy targets for the religious extremist? If the Government of India acts with foresighted dynamism, no Indian youth will ever be 'gunned down' elsewhere in the world.

**Demand to give adequate funds for implementation of
programmes under MGNREGA in West Bengal**

SHRI DEREK O'BRIEN (West Bengal): Sir, the Government's decision to intensify implementation of MGNREGA in certain blocks, leaving other blocks out, while the Centre's share of funds for previous financial years still remains pending.

West Bengal's approved Budget for the implementation of MGNREGA in the previous financial year was ₹ 6,124.98 crores, of which, the Central share was supposed to be ₹ 5,512 crores. The State received only ₹ 2,894.38 crores against the promised ₹ 5,500 crores.

On account of reduced funding from the Centre, the State share payable fell to ₹ 321.60 crores. However, the State Government released an enhanced share of ₹ 424.44 crores to make up for the Centre's shortfall in an understanding that it would be adjusted during 2014-15.

Sir, 2014-15, again began with a pending liability of ₹1,962.15 crores. The first tranche of the Central share was released in April 2014 and the State received only ₹1,782.99 crores, a sum not enough to cover even the Centre's liability from the previous

[Shri Derek O'Brien]

year. The State Government once again released an additional sum of ₹ 400 crores. As of today, the Centre's liability towards West Bengal stands at ₹ 1,962.67 crores.

The Ministry of Rural Development has asked States to identify 2500 backward blocks for an Intensive Participatory Planning Exercise for MGNREGA for the coming financial year. There are 124 such blocks in West Bengal. The stated objective of the exercise is to intensify planning in the identified blocks. There are apprehensions that all future MGNREGA activities would be concentrated in these blocks only. Such a measure would be against the spirit of the MGNREGA which stipulates 100 days assured employment on demand to every job card-holder.

In 2012-13, West Bengal had achieved a total man days of about 20 crores which was 109 per cent higher than the national target. In 2013-14, the State was able to exceed its target once again. The West Bengal Government is committed to the MGNREGA Programme and could have made giant strides in implementing the Scheme had the State not been starved of funds. Will the intensification of the Scheme in a few blocks not adversely affect the implementation in other blocks, given that the Centre is already unable to release the full share of funds committed by it?

Demand to take steps for completion of construction of roads under Pradhan Mantri Gramin Sadak Yojna (PMGSY) in Uttar Pradesh

श्री विशम्भर प्रसाद निषाद (उत्तर प्रदेश) : महोदय, उत्तर प्रदेश में प्रधान मंत्री ग्राम सड़क योजना के अन्तर्गत सैकड़ों सम्पर्क मार्ग, जो वर्ष 2008-09 से 2011-12 तक स्वीकृत थे, अधूरे छोड़ दिये गये हैं। बुन्देलखंड के बांदा, हमीरपुर, चित्रकूट, महोबा, जालौन, झांसी, ललितपुर उक्त वर्षों के स्वीकृत सम्पर्क मार्ग, जो पी.एम.जी.एस.वाई. (प्रधान मंत्री ग्राम सड़क योजना) के अन्तर्गत स्वीकृत थे, अधूरे पड़े हैं, सड़कें अधूरी हैं। जनपद बांदा में तिन्दवारी सिधौली सम्पर्क मार्ग, शेखूपुर से पचकौरी सम्पर्क मार्ग गत कई वर्षों से स्वीकृत होने के बावजूद अधूरे पड़े हैं तथा छिलोलर से भदांव सम्पर्क मार्ग, लोहरा का अवशेष कार्य, सया से अकौना सम्पर्क मार्ग का छूटा कार्य, कायल सम्पर्क मार्ग, मरौली से केवटनपुरवा सम्पर्क मार्ग का अधूरा कार्य तथा सिंहपुर से मझीवा सम्पर्क मार्गों के न बनने से हजारों लोगों को कठिनाइयों का सामना करना पड़ रहा है।

अतः मैं सदन के माध्यम से पी.एम.जी.एस.वाई. (प्रधान मंत्री ग्राम सड़क योजना) के उक्त सम्पर्क मार्गों के शीघ्र निर्माण कराने की मांग करता हूँ।

Demand to grant Central assistance to Keeriyaru Dam Project in Tamil Nadu

SHRI S. THANGAVELU (Tamil Nadu): Sir, Kiriyaaru Dam Project was planned with the aim of generating 500 megawatt electricity, drinking water, providing irrigation facilities for 10 thousand hectares of land spread across Sankarankoil Taluka, Sivakiri taluka and Thiruvengadam of Tirunelveli District, Vemabakoottai in Virudhunagar

District, Vilathikulam and Kovilpatti in Thuthukudi District and some parts of Ramanad District, and also increasing the ground water in catchment areas. Sir, this project was first shelved off. But due to persistent efforts of our leader Dr. Kalaingar during his tenure as Chief Minister from 1996 to 2001 this project was revived for creating irrigation facilities and hydropower project and ₹ 1300 crore was allocated by National Water Development Agency. At that time a request was also made to develop Kiriyaru Dam project. Sir, more than 18 years have elapsed. Till now, the project remains a distant dream for the people of Tirunelveli, Thuthukudi, Virudhunagar and Ramnad District of Tamil Nadu. These districts in deep South of Tamil Nadu are water starved and economically less developed. Agriculture is the mainstay in these districts. If sufficient funds are allocated and the project is developed, it will be helpful to the people of these districts to do agriculture, fulfill their drinking water needs and also will pave way for generation of 500 MW of electricity through hydropower, which will give boost to industries. Hence, I urge the Government to immediately allocate sufficient funds to develop the Keeriyaru Dam Project in Tamil Nadu.

Demand to give financial assistance to set up industrial effluent treatment plants in Maharashtra

SHRI HUSAIN DALWAI (Maharashtra): The Vashishti River covers an area of 2233 sq. km. in the blocks of Guhagar, Dapoli, Khed and Chiplu of Konkan region of Maharashtra. The river is in a very bad shape today, as around 120-125 chemical and few engineering units, set up in Chiplun way back in 1980s, release untreated effluents into the Vashishti Creek for almost 30 years now. The presence of heavy metals, such as, chromium, copper, cobalt, zinc, etc. have polluted the water. Over 6000 fishing families have been robbed of their livelihood. Cases of lung disorder, cancer, etc. are on increase. There were instances of death of animals after drinking the river water. Presence of toxics in soil and water has resulted in crop rotting and crop burning. The only effluent treatment plant is not fully functional. The performance of the plant is unsatisfactory. I am not against industries. But sufficient number of treatment plants should be set up in the region to treat industrial effluents.

I urge upon the Government to provide assistance to the Government of Maharashtra for setting up of effluent treatment plants. I expect Government of Maharashtra to come forward in setting up of effluent treatment plants in the region. Let it be on sharing basis between the Centre and the State through Public Private Partnership.

MR. DEPUTY CHAIRMAN: Shri Y.S. Chowdary, not present.

Demand to remove irregularities at railway reservation centres in getting train tickets

श्री अरविन्द कुमार सिंह (उत्तर प्रदेश) : महोदय, पूरे देश में रेलवे टिकट के आरक्षण विंडो पर अप्रत्यक्ष रूप से निजी आरक्षण एजेंसियां काम कर रही हैं। ट्रेनों से करोड़ों यात्री पूरे देश के अंदर यात्रा करते हैं। रेलवे विभाग के आरक्षण से जुड़े सुपरवाइजर्स, बुकिंग क्लर्कों व निजी आरक्षण एजेंसियों की सांठ-गांठ से आम यात्री को शयनयान द्वितीय श्रेणी से लेकर वातानुकूलित शयनयान तक की सभी श्रेणियों के टिकटों में वेटिंग दी जा रही है। मजबूरी में प्राइवेट एजेंटों के माध्यम से दोगुनी धनराशि देकर यात्रियों द्वारा आरक्षित टिकट लिए जा रहे हैं तथा तत्काल टिकटों में भी दलालों का बोलबाला है। इससे प्रतिदिन करोड़ों का लेन-देन हो रहा है। ये दलाल बुकिंग क्लर्क से मिलकर नई दिल्ली रेलवे स्टेशन, वी.टी. मुम्बई, दादर, अहमदाबाद, सूरत, नागपुर, चेन्नई, जम्मू तवी, झाँसी, मानिकपुर, लखनऊ, कानपुर, वाराणसी, गोरखपुर, पटना और कोलकाता रेलवे स्टेशनों सहित सैकड़ों रेलवे स्टेशनों पर आरक्षित टिकट के नाम पर यात्रियों से दोगुनी राशि ले रहे हैं। इसलिए सभी स्टेशनों की आरक्षण खिड़की के बारह व अंदर सी.सी.टी.वी. कैमरे लगाकर निगरानी की जानी चाहिए तथा प्रत्येक माह छापा मारकर दलालों व भ्रष्ट क्लर्कों के विरुद्ध कार्रवाई की जानी चाहिए।

अतः सदन के माध्यम से मैं रेल मंत्री जी से यह मांग करता हूँ कि उपरोक्त का अवलोकन कर रेलवे टिकट के आरक्षण में हो रही अनियमितताओं की नियमित निगरानी कराकर आम यात्री को बिना सुविधा शुल्क के आरक्षित टिकट दिलवाने की व्यवस्था करें।

Demand to make embankments on major rivers in Eastern U.P. so as to check loss of life and property

श्री आलोक तिवारी (उत्तर प्रदेश) : महोदय, उत्तर प्रदेश में प्रति वर्ष राप्ती, बूढ़ी राप्ती गंगा, बाणगंगा नदी, नारायणी, सरयू नदी, गोमती नदी, यमुना नदी, बेतवा नदी, केन नदी आदि के किनारे बसी बस्तियों को बाढ़ के कारण नुकसान होता है और लाखों लोग प्रभावित होते हैं। इसके अलावा प्रति वर्ष नदियों की कटान से बस्तियां समाप्त हो रही हैं। इसलिए नदियों के किनारे तथा बाढ़ पीड़ित क्षेत्रों को चिन्हित कर तटबंध बनाकर प्रति वर्ष लाखों जनों को बचाया और धन हानि को रोका जा सकता है। चित्रकूट मंडल बौदा के जनपट हमीरपुर में शहर से लगे हुए यमुना पुल के पास से महेश्वरी मंदिर तक भीषण कटान हो रहा है। मेरापुर गांव पूरी तरह से क्षतिग्रस्त व कटाव से उजड़ गया है। इसी तरह से केन नदी से बौदा जनपद के ग्राम करवारा छावनी डेरा, ब्रह्माडेरा तथा चकचटगन, पथरी, चटगन, छेहराव, मरौली क्योटरा, अछरौड़, खट्टिहा कला, पैलानी, सिन्धनकला साड़ी खैरेई आदि ग्राम की बस्तियां तथा उपजाऊ भूमि कट कर नदी में चली गई है तथा प्रति वर्ष बाढ़ से भीषण तबाही को रोकने के लिए तटबंध बनाकर बाढ़ पीड़ित बस्तियों को ऊंची जगह में बसाना आवश्यक है।

पूर्वी उत्तर प्रदेश के तमाम जिले जो नेपाल की सीमा से सटे हैं, जिनमें गोरखपुर, महाराजगंज, सिद्धार्थ नगर, बलरामपुर, बहाराइच, बनारस, इलाहाबाद, गाजीपुर, जौनपुर जिले हैं, वहां नेपाल से आने वाली नदियां राप्ती, बूढ़ी राप्ती, बाणगंगा, नारायणी से सीमावर्ती गांव में कटान, बाढ़ और फसलों का नुकसान होता है।

अतः मेरा सदन के माध्यम से अनुरोध है कि उपरोक्त नदियों से हो रही कटान को रोकने हेतु तटबंधों को बनाकर भारत सरकार प्रति वर्ष रही जन-धन की हानि रोकने की व्यवस्था करें। धन्यवाद।

MR. DEPUTY CHAIRMAN: Prof. M.V. Rajeev Gowda, not present.

**Demand for implementation of recommendations of
Bezbaruah Committee Report**

SHRI PANKAJ BORA (Assam): Sir, incidents of assault, harassment, abuse, rape, molestation and also racial discrimination with the people of North- East, particularly, students, youths and professionals, are constantly growing in Delhi and NCR. Besides such periodic occurrence of harassment against students of North-East, an instance of alleged murder has also been registered. A few days ago, one boy hailing from Manipur was beaten up mercilessly and he died on the spot at Kotla Mubarakpur, which is in the heart of the Capital. Such incidents always raise question about the safety and security of the students of the North-East Region in Delhi. In early this year, when Nido Tania, a boy from Arunachal Pradesh, was brutally assaulted, resulting in his death, a Committee headed by Shri M.P. Bezbaruah, a retired IAS Officer, was constituted to look into the various concerns of persons hailing from the North-Eastern States and to suggest suitable remedial measures which could be taken by the Government. Recently, the Bezbaruah Committee has submitted its Report to the Central Government prepared with broad consultations with different student bodies of the North-East in Delhi, NGOs and individuals. The Bezbaruah Committee has put up various suggestions, including the need to engage the civil society to weed out these hate crimes. It also suggested enactment of a suitable law by amending the IPC, for safeguarding the people from the North-East and for ensuring their civil liberty rights. It has, therefore, become imperative that the Bezbaruah Committee Report should be implemented immediately and we urge the Central Government to take immediate action in this matter.

MR. DEPUTY CHAIRMAN: Shri Ahamed Hassan, not present.

**Demand to issue guidelines and framing rules to ensure salary and service
conditions of academic staff of higher education in private sector**

SHRI K.N. BALAGOPAL (Kerala): Sir, the education sector, especially, the higher education sector in the country, is increasingly shifting to self-financing system. The involvement of private sector is helpful to promote education, if it is with a positive intention. The private sector, both individuals and organizations, in the past did a lot for the education sector.

[Shri K.N. Balagopal]

But now the self-financing sector model of education is subjected to a lot of criticism. The quality of teaching and the quality of teachers in the self-financing colleges is a major point of criticism. Even the courts raised concerns about the poor condition of some of these colleges.

If the serious introspection is there, we can find different aspects from University-level academic intervention, admission procedure, physical infrastructure to the quality of teachers and staff, etc., are responsible for this. Out of all this, the quality of academic staff is more important.

For ensuring the quality of teachers and academic staff, strict quality control mechanism should be followed. Now the national level agencies are stipulating the qualifications. But regular monitoring, approving the teachers by the Universities, ensuring the salary and service conditions to attract better staff, etc., are lacking. This leads to the exploitation by the managements, which reciprocally alienates good teachers from the system.

Hence, the Government is requested for initiating necessary directions and Rules to ensure the Salary and Service conditions of academic staff of self-financing institutions in India.

Demand for Central assistance to develop state-of-the-art facilities for various sports in Tamil Nadu

SHRI K.R. ARJUNAN (Tamil Nadu): Sir, the Tamil Nadu Government, under the dynamic leadership of our hon. Chief Minister, has taken a host of measures for the upgradation of Integrated Sports Complexes in Tamil Nadu. Under her patronage and allocation of money towards various measures, the Tamil Nadu sportspersons have brought pride to the State by winning Gold medals in the Commonwealth Games in Glasgow, 2014.

To provide world class training to Ooty students learning in sports hostels and other budding talent, youth in the remote rural villages and tribal children, I urge the Central Government to provide assistance to the State of Tamil Nadu in providing state-of-the-art infrastructure facilities in the Nilgiris' sports complexes and stadia. The Government must also introduce scholarship programmes for tribal children in order to equip them in a particular sport or in team sport. Developing their gymnastic skills and improving their performance in athletics and archery needs more attention through an improvised system of extracting unique capabilities and identifying budding talent among the tribal brethren in the Nilgiris, Tamil Nadu.

Conducting national level competitions in all disciplines of sports and identifying extraordinary talent of the Tamil Nadu youth needs Government of India's priority in the promotion of sports in India.

Need to reconsider the proposal for cancellation of the stoppage of Rajdhani Express at Naugachhia in Bihar

श्रीमती कहकशां परवीन (बिहार) : महोदय, अखबारों में छपा है कि 12423/12424 राजधानी एक्सप्रेस ट्रेन 1 अक्टूबर से नौगछिया स्टेशन पर नहीं रुकेगी। नौगछिया स्टेशन से इस ट्रेन के लिए टिकटों की अग्रिम बुकिंग बन्द कर दी गई है, इसलिए अब नौगछिया तथा भागलपुर के यात्रियों को इस ट्रेन को पकड़ने के लिए पटना जाना पड़ेगा। इस कारण तमाम सांसदों, उद्योगपतियों तथा व्यापारियों को दिल्ली पहुंचने में परेशानी होगी। महोदय, 11 मार्च, 2012 से यह राजधानी ट्रेन नौगछिया स्टेशन पर रुक रही थी, किन्तु अचानक अब इसका ठहराव बन्द करने का निर्णय लिया जा रहा है। इसमें नौगछिया के लिए एसी-3 की छः सीटें, एसी-2 दो सीटें व एसी-1 की दो सीटें आरक्षित थीं, जिससे यहां के लोगों को बड़ी सहूलियत थी और इससे रेलवे को फायदा भी था, क्योंकि सारी सीटें भर जाती थीं। दिल्ली से नौगछिया जाने वाली विक्रमशिला एक्सप्रेस व बह्मपुत्र मेल पांच घंटे ज्यादा समय लेती हैं और इसके बन्द हो जाने से उनमें भीड़ भी बढ़ जाएगी।

अतः मेरी रेल मंत्रालय से गुजरिश है कि राजधानी एक्सप्रेस 12423/12424 के नौगछिया स्टेशन पर ठहराव को रद्द करने के निर्णय पर पुनर्विचार किया जाए और इसका ठहराव बहाल किया जाए, जिससे यहां के यात्रियों को हो रही भारी परेशानी से बचाया जा सके।

Demand to take concrete steps to curb the increasing incidents of missing of women and children in Madhya Pradesh

श्री मोती लाल चोरा (छत्तीसगढ़) : मध्य प्रदेश में महिलाएं और बच्चे अपने आपको सुरक्षित महसूस नहीं कर रहे हैं। स्थिति यह है कि पिछले पांच वर्षों में महिलाओं और बच्चों के लापता होने की संख्या में निरन्तर वृद्धि हो रही है। गत 2010 में बच्चों के लापता होने की 440, 2011 में 517, 2012 में 630, 2013 में 748 और वर्ष 2014 में मई माह तक 406 घटनाएं हो चुकी हैं। महिलाओं के मामले में वर्ष 2013 में 3209 प्रकरण दर्ज हुए और 2014 में मई मत 2904 प्रकरण दर्ज हो चुके हैं। शायद यह सब मानव तस्करी के लिए किया जा रहा हो।

मेरा केन्द्र सरकार से अनुरोध है कि वह प्रकरण की गम्भीरता को देखते हुए तत्काल राज्य सरकार से परामर्श कर ठोस कदम उठाये, ताकि मध्य प्रदेश में महिलाएं और बच्चे अपने आपको सुरक्षित महसूस कर सकें।

Demand to take steps to prevent encroachment and misuse of land belonging to Defence Forces in the country

SHRI AMBETH RAJAN (Uttar Pradesh): Sir, large extent of land is under the control of the Defence establishment. An estimate states that 17.31 lakh acres of land is under the control of the Defence Ministry. Out of this, 1.57 lakh acres of land is situated within the 62 notified Cantonments. About 15.96 lakh acres of land is situated outside the

[Shri Ambeth Rajan]

Cantonment area. A recent estimate states that as on 1st August, 2014 around 11,455 acres of Defence land in the country have been encroached upon.

Due to mismanagement, the records pertaining to Defence lands are not maintained properly. Because of mismanagement, there is rampant encroachment and misuse of Defence land. This has led to loss to exchequer. Besides this, the encroachment of defence land has put the defence establishments at security risk. Director General of Defence Estate (DGDE) is entrusted with the task of prevention, detection and removal of encroachments. The Adarsh Housing Society Scheme and Sukna land scams pertaining to Defence establishment is outcome of mismanagement of defence land records.

Land is a precious resource. Particularly, for Defence establishment, it is very much essential for various activities. If rampant encroachment and misuse of Defence land is not prevented, it will have adverse impact on Defence establishment, who are protecting our country from enemies.

Therefore, I urge upon Government through this august House to take immediate and necessary steps to prevent encroachment and misuse of land belonging to Defence forces, to instill confidence among the people that they will protect us from enemies.

MR. DEPUTY CHAIRMAN: Dr. R. Lakshmanan, not present. Shri K.C. Tyagi, not present.

Demand to take steps to check the worsening condition of communal harmony in the country

श्री नरेन्द्र कुमार कश्यप (उत्तर प्रदेश) : महोदय, भारत वर्ष में पिछले कुछ वर्षों से सांप्रदायिक घटनाओं की बाढ़ सी आ गई है, जिससे सामाजिक सद्भाव में कमी आ गई है, जिसके कारण व्यक्ति एक-दूसरे का विरोधी हो गया है। उत्तर प्रदेश, विशेषकर इस अभिशाप का बड़े पैमाने पर शिकार हुआ है, जिसका प्रतिफल, खरखौदा (मेरठ) व लोनी (गाजियाबाद) में बलात्कार व जबरदस्ती धर्म परिवर्तन से फैली अशांति के रूप में देखने को मिल रहा है और इससे पूर्व भी माठ (मुरादाबाद), सहारनपुर, मुजफ्फरनगर, शामली, आदि जिलों में सांप्रदायिक दंगे हुए, जिनमें सैकड़ों निर्दोष लोग मारे गए, अरबों रुपए कीमत की संपत्ति भी नष्ट हुई और पूरी तरह से सांप्रदायिक सद्भाव बिगाड़ने की कोशिश की गई। अभी तक इन अप्रिय घटनाओं से प्रदेश व देश को छुटकारा नहीं मिल पाया है। आखिर क्यों सरकार की जांच एजेंसियां या इच्छा शक्ति कमजोर हो गई है? आखिर इन दंगों के पीछे किसकी साजिश है? इसका पर्दाफाश क्यों नहीं होता। क्यों नहीं इसका स्थायी समाधान खोजा जाता? आखिर कब तक हमारा देश व उत्तर प्रदेश राज्य इसे देखता रहेगा? अब इसे आगे सह पाना संभव नहीं होगा।

अतः मेरा सरकार से अनुरोध है कि इस गंभीर समस्या के निदान के लिए कोई ठोस नीति बनाकर सरकार को आगे आना चाहिए।

MR. DEPUTY CHAIRMAN: Shri Pramod Tiwari, not present.

(MR. CHAIRMAN *in the Chair*)

VALEDICTORY REMARKS

MR. CHAIRMAN: Hon. Members, we have come to the close of the 232nd Session of Rajya Sabha, which had 27 sittings. We welcomed 17 newly or re-elected Members to our House. Considerable legislative business has been transacted apart from discussions on the Railway and the General Budgets, 2014-2015. In all more than 20 hours were devoted to Government Legislative Business, apart from discussing three Ministries. On the whole, the House conducted business for more than 140 hours.

A wide spectrum of issues were taken up through Questions, Special Mentions, Calling Attention and Short Duration Discussions. The House also discussed significant national and international developments. There was ample opportunity for Members to seek clarifications.

On numerous occasions disruptions, principally in the Question Hour occurred which forced repeated adjournments. This deprived Members of the opportunity to seek the accountability of the Executive. I take this opportunity to thank the Leader of the House, the Leader of the Opposition, the Leaders of various political Parties and Groups and the hon. Members for the cooperation extended by them in the overall functioning of the House.

I also thank the Deputy Chairman, the Members on the Panel of Vice-Chairmen and the officers and staff of the Secretariat, for their help and cooperation.

I have asked the Secretary-General to make available the statistical information relating to the Session.

On the eve of our Independence Day, I take this opportunity to convey my greetings to all of you and the good wishes of Parliament to the citizens of our nation.

Now, before we adjourn the House *sine die*, we will have the National Song.

(The National Song, 'Vande Mataram', was then played.)

MR. CHAIRMAN: The House stands adjourned *sine die*.

The House then adjourned sine die at twenty-seven minutes past four of the clock.
