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सत्यमेव जयते

Wednesday

3 August, 2016

12 Sravana, 1938 (Saka)

PARLIAMENTARY DEBATES

RAJYA SABHA

OFFICIAL REPORT

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# RAJYA SABHA

*Wednesday, the 3rd August, 2016/12 Shravana, 1938 (Saka)*

*The House met at eleven of the clock,*

MR. DEPUTY CHAIRMAN *in the Chair.*

## MEMBER SWORN

**Dr. Subhash Chandra** (Haryana)

## PAPERS LAID ON THE TABLE

### **Report and Accounts (2014-15) of MGIRI, Maharashtra and related papers**

**सूक्ष्म, लघु और मध्यम उद्यम मंत्री (श्री कलराज मिश्र):** महोदय, मैं निम्नलिखित पत्रों की एक-एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखता हूँ:-

- (a) Annual Report and Accounts of the Mahatma Gandhi Institute for Rural Industrialization (MGIRI), Wardha, Maharashtra, for the year 2014-15, together with the Auditor's Report on the Accounts.
- (b) Statement by Government accepting the above Report.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (a) above. [Placed in Library. See No. L.T. 4972/16/16]

### **I. Notifications of the Ministry of Petroleum and Natural Gas.**

### **II. MoU between GoI and M/s Balmer Lawrie and Company Ltd.**

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): Sir, I lay on the Table:-

- I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Petroleum and Natural Gas, under Section 62 of the Petroleum and Natural Gas Regulatory Board Act, 2006:-
  - (1) F. No. PNGRB/M(C)/48, dated the 29th April, 2016, publishing the Petroleum and Natural Gas Regulatory Board (Imbalance Management Services) Regulations, 2016. [Placed in Library. See No. L.T. 4974/16/16]
  - (2) F. No. PNGRB/CGD/Amendment/2015/2/SC, dated the 27th April,

2016, publishing the Petroleum and Natural Gas Regulatory Board (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Amendment Regulations, 2016.

[Placed in Library. *See* No. L.T. 4974/16/16]

- II. A copy (in English and Hindi) of the Memorandum of Understanding between the Government of India (Ministry of Petroleum and Natural Gas) and M/s Balmer Lawrie and Company Limited, for the year 2016-17.

[Placed in Library. *See* No. L.T. 4975/16/16]

**I. Notifications of the Ministry of Culture.**

**II. Reort and Accounts (2014-15) of National Museum Institute of History of Arts, Conservation and Museology, New Delhi and related Papers.**

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE AND THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA):  
Sir, I lay on the Table:—

- I. A copy (in English and Hindi) of the Ministry of Culture Notification No. G.S.R. 391 (E), dated the 1st April, 2016, publishing the Ancient Monuments and Archaeological Sites and Remains (Amendment) Rules, 2016, under sub-section (4) of Section 38 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958. [Placed in Library. *See* No. L.T. 4978/16/16]
- II. A copy each (in English and Hindi) of the following papers:—
- (a) Annual Report and Accounts of the National Museum Institute of History of Art, Conservation and Museology, New Delhi, for the year 2014-15, 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 (a) above. [Placed in Library. *See* No. L.T. 5068/16/16]

**Notifications of the Ministry of Home Affairs**

गृह मंत्रालय में राज्य मंत्री (श्री हंसराज गंगाराम अहीर): महोदाय, मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ:-

- (i) A copy (in English and Hindi) of the Ministry of Home Affairs Notification No. S.O. 1697 (E), dated the 10th May, 2016, appointing Shri Mukesh Mittal, Joint Secretary (IS-II) as the Designated Authority for the purpose of the Unlawful Activities (Prevention) Act, 1967 in supersession of the S.O. No. 3067 (E), dated 4th December, 2014, under Section 53 of the Unlawful Activities (Prevention) Act, 1967.

[Placed in Library. *See* No. L.T. 4988/16/16]

(ii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Home Affairs, under Section 26 of the National Investigation Agency Act, 2008:—

- (1) S.O.2052 (E), dated the 9th June, 2016, appointing Shri Navneet Kumar, Judicial Commissioner, Ranchi as the Judge to preside over the Special Court for the State of Jharkhand.
- (2) S.O. 2053 (E), dated the 9th June, 2016, appointing Shri Sanjeev Kumar Tamak, 1st Additional Sessions Judge, Jagdalpur as the Judge to preside over the Special Court having jurisdiction over Civil District Uttar Bastar Kanker, Bastar at Jagdalpur, Dakshin Bastar (Dantewada) and Kondagaon in the State of Chhattisgarh.
- (3) S.O. 2054 (E), dated the 9th June, 2016, appointing Shri Tarsem Mangla, Senior Most Additional Sessions Judge, Mohali as the Judge to preside over the Special Court for the State of Punjab.
- (4) S.O. 2055 (E), dated the 9th June, 2016, appointing Shri Gulab Singh, Senior Most Additional Sessions Judge, Panchkula as the Judge to preside over the Special Court for the State of Haryana.
- (5) S.O. 2056 (E), dated the 9th June, 2016, appointing Shri Ranjit Kumar Jain, Additional Sessions Judge-I, Chandigarh as the Judge to preside over the Special Court for the Union Territory of Chandigarh.

[Placed in Library. For (1) to (5) See No. L.T. 4989/16/16]

#### **Notification of the Ministry of Home Affairs**

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): Sir, I lay on the Table, under sub-section (3) of Section 155 of the Sashastra Seema Bal Act, 2007, a copy (in English and Hindi) of the Ministry of Home Affairs Notification No. G.S.R. 64 (E), dated May 1 — May 7, 2016, (Weekly Gazette) publishing the Sashastra Seema Bal Group 'C' Combatised (Non-Gazetted) Para-Veterinary Posts Recruitment (Amendment) Rules, 2016.

[Placed in Library. See No. L.T. 4995/16/16]

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#### **REPORTS OF THE JOINT COMMITTEE ON OFFICES OF PROFIT**

SHRI DILIPBHAI PANDYA (Gujarat): Sir, I lay on the Table, a copy (in English and Hindi) of the Sixth, Seventh and Eighth Reports of the Joint Committee on Offices of Profit.

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**MOTION FOR ELECTION OF THE COIR BOARD**

**सूक्ष्म, लघु और मध्यम उद्यम मंत्री (श्री कलराज मिश्र):** महोदय, मैं निम्नलिखित प्रस्ताव उपस्थित करता हूँ:-

'कयर उद्योग नियम, 1954 के नियम 4 के उपनियम (1) के खंड (ड) और नियम 5 के उपनियम (1) के साथ पठित कयर उद्योग अधिनियम, 1953 (1953 का 45) की धारा 4 की उपधारा (3) के खंड (ड) के अनुसरण में, यह सभा उस रीति से, जैसा सभापति निदेश दें, सभा के सदस्यों में से एक सदस्य को कयर बोर्ड का सदस्य होने के लिए निर्वाचित करने की कार्यवाही करे।'

*The question was put and the motion was adopted.*

**RE. INCIDENTS OF RAPE AND OTHER ATROCITIES AGAINST WOMEN  
IN THE ENTIRE COUNTRY**

MR. DEPUTY CHAIRMAN: Now, 'Matters to be raised with permission of the Chair'; Zero Hour submissions. Shri Sukhendu Sekhar Roy. ...*(Interruptions)*... One second, one second. ...*(Interruptions)*...

**सुश्री मायावती (उत्तर प्रदेश):** माननीय उपसभापति जी, मैं आपके संज्ञान में यह बात लाना चाहती हूँ कि उत्तर प्रदेश सहित पूरे देश में महिलाओं के साथ जो जुल्म और ज्यादाती हो रही है, बलात्कार की घटनाएं हो रही हैं, उत्तर प्रदेश में तो अति हो गई है। ...*(व्यवधान)*... बुलंदशहर के साथ-साथ बरेली तथा शामली में अति हो गई है, महिलाओं के साथ गैंपरेप हुआ है, मां-बेटी के साथ यह घटना हुई है। ...*(व्यवधान)*... दिल्ली के अंदर यह हो रहा है, देश के कोने-कोने में जो हमारी बहन, बेटियां और माँएँ हैं, उनके साथ बलात्कार की घटनाएं हो रही हैं, जुल्म और ज्यादाती हो रही है। ...*(व्यवधान)*... सरकार क्या कर रही है? सरकार को इस मामले को देखना चाहिए, इसको गंभीरता से लेना चाहिए। ...*(व्यवधान)*... पूरे देश में चाहे किसी भी राज्य में किसी भी पार्टी की सरकार क्यों न हो, हमें दलगत राजनीति से ऊपर उठकर महिलाओं के बारे में, उनके मान और सम्मान के बारे में सोचना चाहिए। ...*(व्यवधान)*... जो जुल्म-ज्यादती हो रही है ...*(व्यवधान)*... माननीय उपसभापति जी, रात की घटना तो छोड़िए, बरेली में दिन में एक टीचर को उठा कर ले गए, अभी तक उस लेडी का पता नहीं है। ...*(व्यवधान)*... शामली के अंदर एक छात्रा को उठा कर ले गए। ...*(व्यवधान)*...

**श्री नरेश अग्रवाल (उत्तर प्रदेश):** उपसभापति महोदय ...*(व्यवधान)*...

**सुश्री मायावती:** आखिर उनको कहां ले गए? यह ठीक नहीं है। ...*(व्यवधान)*... सरकार को इस पर बोलना चाहिए। सरकार चुप क्यों है? ...*(व्यवधान)*... क्या आप वहां पर मिले हुए हैं? ...*(व्यवधान)*...

**श्री नरेश अग्रवाल:** उपसभापति महोदय ...*(व्यवधान)*...

**श्री दिलीप कुमार तिकी** (ओडिशा): सर, मेरा प्रिविलेज नोटिस है। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Okay. Hon. Minister. ...**(Interruptions)**...

**अल्पसंख्यक कार्य मंत्रालय के राज्य मंत्री तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री मुख्तार अब्बास नकवी)**: सर, बहन मायावती जी ने और अन्य माननीय सदस्यों ने जो बात उठाई है, निश्चित तौर से यह दरिंदगी और वहशीपन की पराकाष्ठा है और इस तरह की जो वहशी और शैतानी घटनाएं हैं, उनको किसी भी तरह से न्यायोचित नहीं ठहराया जा सकता है। ...**(व्यवधान)**... ऐसे लोगों के खिलाफ कानून के कड़े-से-कड़े प्रावधानों के तहत कार्रवाई होनी चाहिए। हम इसके पक्ष में हैं। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Shrimati Rajani Patil. ...**(Interruptions)**...

**श्रीमती रजनी पाटिल** (महाराष्ट्र): सर, मैं चार दिनों से इस विषय पर चर्चा के लिए आपके पास आ रही हूँ। ...**(व्यवधान)**... मैं जिस विषय पर बोलना चाहती हूँ, जो मुद्दा उठाना चाहती हूँ, वह यह है कि जिस देश में यह सरकार घोषणा कर रही है कि बेटी बचाओ, बेटी बढ़ाओ, उसी देशमें आज लड़कियों के साथ, नाबालिग लड़कियों के साथ और महिलाओं के साथ जो ज्यादती हो रही है, उसके लिए मैं आवाज उठाना चाहती हूँ। ...**(व्यवधान)**... सर, हाल ही में उत्तर प्रदेश के बुलंदशहर में चार लोगों ने दिन-दहाड़े नोएडा से उत्तर प्रदेश जाते हुए ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Shrimati Jaya Bachchan. ...**(Interruptions)**...

**श्रीमती जया बच्चन** (उत्तर प्रदेश): सर, महिलाओं के मामले में राजनीति नहीं करनी चाहिए। ...**(व्यवधान)**... You cannot do this. For the last so many days I have been asking for a discussion on women's protection, but it has not been agreed to by the Business Advisory Committee. ...**(Interruptions)**...

MR. DEPUTY CHAIRMAN: Shrimati Jaya is speaking. I will call you. ...**(Interruptions)**...

**SHRIMATI JAYA BACHCHAN**: Sir, they have been shedding crocodile tears since the time of Nirbhaya. ...**(Interruptions)**... I am really embarrassed to stand here and speak. Please don't do politics on women and torture on women. ...**(Interruptions)**.. I have been asking for a discussion on women's issues for the last so many days and that has not been agreed upon. ...**(Interruptions)**... This is very unfair, Sir. You cannot allow one person to speak. I want a discussion. ...**(Interruptions)**... I want a discussion on women's protection. I do not care which place; it is happening all over the country. I want a discussion. ...**(Interruptions)**... I don't want politicizing of ...**(Interruptions)**...

MR. DEPUTY CHAIRMAN: I will allow you. ...**(Interruptions)**... I will call you. ...**(Interruptions)**...



SHRI ANAND SHARMA (Himachal Pradesh): Sir, please listen to me. ...*(Interruptions)*... Sir, please listen to me. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Now you may sit down. ...*(Interruptions)*... I allowed her. Sit down. ...*(Interruptions)*... Ms. Selja, sit down. I allowed her. Sit down. You want to... ...*(Interruptions)*... No, no. Please. ...*(Interruptions)*... I allowed her. Sit down. ...*(Interruptions)*... One of you. ...*(Interruptions)*... Shrimati Ambika Soni, what are you saying? ...*(Interruptions)*...

SHRIMATI AMBIKA SONI (Punjab): Sir, comments have been made that we are playing politics on this. We are not. ...*(Interruptions)*... It is the Ministers of the Uttar Pradesh Government, who are playing politics on women and there are rapes taking place in almost every city. ...*(Interruptions)*... These people have given a notice four days ago. That matter has not been taken up. ...*(Interruptions)*...

SHRIMATI JAYA BACHCHAN: For the last so many Sessions, not only the last four days. ...*(Interruptions)*...

KUMARI SELJA (Haryana): She is already on her legs. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Now, was it a notice under Zero Hour or... ...*(Interruptions)*... What notice? ...*(Interruptions)*... Zero Hour. Okay. ...*(Interruptions)*...

**श्री दिलीप कुमार तिकी:** सर, मेरा प्रिविलेज नोटिस है। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: Is it a Privilege Notice? I will give you a chance after him. ...*(Interruptions)*... I will allow you. ...*(Interruptions)*... What do you want to say about this? ...*(Interruptions)*...

**श्री दिलीप कुमार तिकी:** सर, मेरा प्रिविलेज नोटिस है। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: I will allow you after him. ...*(Interruptions)*...

**श्री मुख्तार अब्बास नकवी:** सर, इस तरह की जो दरिंदगी है, इस तरह की जो वहशी घटना है, ऐसी घटनाओं की कड़े शब्दों में निन्दा भी होनी चाहिए और कड़े कानूनी प्रावधानों के तहत इस पर कार्रवाई भी होनी चाहिए। ...*(व्यवधान)*... वह चाहे उत्तर प्रदेश में हो या देश के किसी भी हिस्से में हो। ...*(व्यवधान)*... इस तरह जो दरिंदगी की पराकाष्ठा को पार करती हुई घटना है, उसको किसी भी तरह से किसी भी रूप में उचित नहीं कहा जा सकता, बल्कि वह निन्दनीय है और जो इस तरह की शैतानी ताकतें हैं, शैतानी हरकतें कर रहे हैं, उनके खिलाफ कानूनी प्रावधानों के तहत कार्रवाई होनी चाहिए। ...*(व्यवधान)*... चूंकि लॉ एण्ड ऑर्डर राज्य का विषय है, इसलिए हम यह समझते हैं कि उत्तर प्रदेश की सरकार भी मजबूती के साथ उस पर कार्रवाई करेगी। ...*(व्यवधान)*... जहां तक चर्चा का

सवाल है, जो जया जी ने कहा, हम चर्चा के लिए तैयार हैं। ...**(व्यवधान)**... महिलाओं की सुरक्षा के मुद्दे पर नोटिस दे दिया जाए, हम उस पर चर्चा करने के लिए तैयार हैं, चेयर जब अनुमति देगी, तब चर्चा हो जाएगी। ...**(व्यवधान)**...

SHRIMATI JAYA BACHCHAN: You people are not serious about discussing this issue. ...**(Interruptions)**...

MR. DEPUTY CHAIRMAN: I will allow you. Sit down. ...**(Interruptions)**... Now, all of you please take your seats. I heard you. Sit down. ...**(Interruptions)**...

**श्री नरेश अग्रवाल:** माननीय उपसभापति महोदय, हम लोग भी बोलना चाहेंगे। ...**(व्यवधान)**...

**श्री पी.एल. पुनिया** (उत्तर प्रदेश): सर, उन्हें अपनी बात पूरी करने दीजिए। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Now, all of you please sit down. ...**(Interruptions)**... Puniaji, sit down. ...**(Interruptions)**... बैठिए, बैठिए। जया जी, बैठिए। ...**(व्यवधान)**... Please sit down. ...**(Interruptions)**... Hon. Members, the matter is very, very serious; I have no doubt about it. Every Member is asking for discussion. There is no problem in discussion. Please give notice. ...**(Interruptions)**...

**श्री शमशेर सिंह दुलो** (पंजाब): सर, हम चार दिन से लगातार नोटिस दे रहे हैं। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Let me complete. ...**(Interruptions)**... Let me complete. ...**(Interruptions)**... Shrimati Kanimozhi, have you given notice and under what rule? ...**(Interruptions)**...

SHRIMATI KANIMOZHI (Tamil Nadu): Sir, I have given notice last week. ...**(Interruptions)**...

MR. DEPUTY CHAIRMAN: Is it Zero Hour notice? ...**(Interruptions)**... Isn't it? ...**(Interruptions)**...

SHRI TAPAN KUMAR SEN (West Bengal): Sir, Short Duration Discussion notice has already been given by her. ...**(Interruptions)**... It is already in your office. ...**(Interruptions)**... You fix the date. ...**(Interruptions)**...

MR. DEPUTY CHAIRMAN: Let me deal with that. ...**(Interruptions)**... Nareshji, I will allow you. ...**(Interruptions)**... Let me deal with that. ...**(Interruptions)**... What I have said is, if you are referring to Zero Hour notice ...**(Interruptions)**...

**श्री शमशेर सिंह दुलो:** हम चार दिन से नोटिस दे रहे हैं, लेकिन हमें मौका नहीं मिलता है। ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Let me deal with that. *...(Interruptions)...* If you are referring to notice of discussion under some other rule, and if there is a notice, that is under examination and the hon. Chairman will take decision and come back to you. *...(Interruptions)...* Yes, there can be a discussion; I assure you. *...(Interruptions)...* No problem in it. *...(Interruptions)...*

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): It is an important issue. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Sit down. *...(Interruptions)...* I have already said that there is no problem. *...(Interruptions)...* The Government is ready for a discussion. *...(Interruptions)...* On the issue of women's protection and atrocities committed on women, the subject is very important and very serious, there can be a discussion; we will come back to you. *...(Interruptions)...* Now, sit down. *...(Interruptions)...*

**श्रीमती रजनी पाटिल:** हम पिछले चार दिन से नोटिस दे रहे हैं। *...(व्यवधान)...*

MR. DEPUTY CHAIRMAN: I told you that there can be a discussion. *...(Interruptions)...* What else do you want? *...(Interruptions)...* Now let me take Zero Hour. *...(Interruptions)...* I have already said that there can be a discussion. *...(Interruptions)...* Mr. Naresh Agrawal. *...(Interruptions)...*

**श्री नरेश अग्रवाल:** माननीय उपसभापति जी, जया बच्चन जी पहले ही इस पर रूल 176 के अंतर्गत नोटिस दे चुकी हैं। उन्हें नोटिस दिए हुए एक महीना हो गया है। श्रीमन्, महिलाओं के ऊपर अत्याचार से हम सब चिंतित हैं। बुलंदशहर के मामले में जिस तरीके से उत्तर प्रदेश की सरकार ने एक्शन लिया है, पूरे देश ने उसको सराहा है, हमारे गवर्नर ने भी उसको सराहा है। *...(व्यवधान)...*

**श्री सतीश चन्द्र मिश्रा** (उत्तर प्रदेश): किसी ने नहीं सराहा है। जिस तरह से वहां पर यह सब हुआ, अभी तक कोई पकड़ा नहीं गया है। *...(व्यवधान)...* ये क्या बात कर रहे हैं? *...(व्यवधान)...* वहां पर बलात्कार हो गए हैं और ये कह रहे हैं कि सराहा है! *...(व्यवधान)...*

**श्री नरेश अग्रवाल:** पूरे देश ने उसको सराहा है। *...(व्यवधान)...*

MR. DEPUTY CHAIRMAN: No discussion now. *...(Interruptions)...* The Government is ready for a discussion. *...(Interruptions)...*

**श्री नरेश अग्रवाल:** यह ठीक नहीं है। अगर इसका राजनीतिकरण किया गया तो हम भी राजनीति करेंगे। *...(व्यवधान)...*

**श्री सतीश चन्द्र मिश्रा:** इसमें राजनीति की बात नहीं है। यह महिलाओं की इज्जत की, उनकी सुरक्षा की बात है। *...(व्यवधान)...* इसमें कोई राजनीति नहीं है। *...(व्यवधान)...*

श्री नीरज शेखर (उत्तर प्रदेश): इसमें भी राजनीति करने लगेंगे तो कैसे चलेगा?  
...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Misraji, in any case, if there is any notice, that will be examined, and we can have a discussion. The Government has no objection on that.  
...(Interruptions)...

श्री दिलीप कुमार तिरकी: सर, मेरा प्रिविलेज नोटिस है। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: That is under examination. ...(Interruptions)...

श्री दिलीप कुमार तिरकी: मेरा प्रिविलेज नोटिस है। ...(व्यवधान)... जब कॉलिंग अटेंशन हुआ था  
...(व्यवधान)... उस समय हमारे Minister of State in the Ministry of Water Resources की तरफ से सदन को सही तथ्य नहीं दिए गए। ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: That is under examination. ...(Interruptions)...  
Sit down. ...(Interruptions)... Mr. Anubhav Mohanty, what is your problem?  
...(Interruptions)...

SHRI ANUBHAV MOHANTY (Odisha): Sir, I have also given a privilege notice against the Minister of State in the Ministry of Water Resources. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: When did you give it? ...(Interruptions)...

SHRI ANUBHAV MOHANTY: Sir, yesterday. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Hon. Chairman will examine it. ...(Interruptions)...  
Please sit down. ...(Interruptions)...

SHRI ANUBHAV MOHANTY: Sir, he misled the House ...(Interruptions)... He spoke untruth on the statement. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: You needn't say anything about this.  
...(Interruptions)... You can only raise the question of Privilege Motion and I have given the answer that it is under examination. ...(Interruptions)... Now, please, sit down.  
...(Interruptions)... Now, I am taking up Zero Hour. ...(Interruptions)... Shri Sukhendu Sekhar Roy ...(Interruptions)...

SHRIMATI RENUKA CHOWDHURY: Sir, listen to me. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: Not allowed. ...(Interruptions)... I told you that there can be a discussion. ...(Interruptions)... Then, what do you want? Sit down.  
...(Interruptions)...

SHRIMATI RENUKA CHOWDHURY: Sir, it is an important issue.  
...(Interruptions)...

MR. DEPUTY CHAIRMAN: Not allowed. ...(Interruptions)... Now, Shri Sukhendu Sekhar Roy ...(Interruptions)...

SHRIMATI RAJANI PATIL: Sir, I need your protection.

MR. DEPUTY CHAIRMAN: What protection do you need?

SHRIMATI RAJANI PATIL: Sir, I requested you twice that this is a very important issue. Sir, let me speak. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: I allowed you. It is on record. What are you talking?  
...(Interruptions)... It is on record.

SHRIMATI RAJANI PATIL: I did not ...(Interruptions)...

MR. DEPUTY CHAIRMAN: No more discussion on this issue is allowed. Sit down. I allowed you and it is on record. I know the matter that you raised. I know every sentence that you spoke. Now, you cannot misuse this opportunity. Sit down. ...(Interruptions)... Also, I know your problem. ...(Interruptions)...

SHRIMATI RAJANI PATIL: As a Member of this House, I have a right.  
...(Interruptions)...

MR. DEPUTY CHAIRMAN: Listen to me. ...(Interruptions)... Rajani Patilji, you have given a Zero Hour notice. I know that. But yesterday, the same subject was raised by another hon. Member in the Zero Hour. So, the rule does not permit me to allow you. ...(Interruptions)... Listen. That is why I told you to give notice, and we will have a discussion. Why do you want to give a notice for Zero Hour, in which you will be able to speak only for three minutes? Let all the Members participate. It is such a serious subject. There can be discussion under Rule 167. Give notice. What more do you want? You can speak then; not now. ...(Interruptions)... Now, Shri Sukhendu Sekhar Roy. Nothing else will go on record. ...(Interruptions)... Rajeev Shuklaji, sit down. ...(Interruptions)... My sisters are troubling me. Why? Sisters should take care of their brothers. ...(Interruptions)...

SHRI SUKHENDU SEKHAR ROY (West Bengal): Sir, I am addressing you.  
...(Interruptions)...

MR. DEPUTY CHAIRMAN: Rajeev Shuklaji, why are you taking his time? It is his time.

SHRI RAJEEV SHUKLA (Maharashtra): Just one minute, Sir.

MR. DEPUTY CHAIRMAN: What is your problem?

SHRI RAJEEV SHUKLA: Sir, there is only one week left. A lot of issues still remain to be discussed. ...*(Interruptions)*... So, why don't you give an instruction that this issue should be taken up for discussion during this week only? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: If you want to take up this discussion during this week only, tomorrow morning, we can decide about it. There is no problem in that. Now, Shri Sukhendu Sekhar Roy, your time starts now.

### MATTERS RAISED WITH PERMISSION

#### Irregularities being committed by third party mediclaim agents

SHRI SUKHENDU SEKHAR ROY (West Bengal): Sir, in the Government insurance companies, ये जो third-party agents नियुक्त कर रहे हैं, जिसको TPA कहा जाता है, जिन लोगों की मेडिकलेम की पॉलिसी है, उन पॉलिसी होल्डर्स को ये लोग हमेशा ठग रहे हैं और इन लोगों का कोई राइट नहीं है। As per the Insurance Regulatory and Development Authority guidelines, TPA can neither slash nor reject the claim in any manner whatsoever because यह इश्योरेंस कम्पनी का अधिकार है। जिस क्लेम को घटाना है या किसको disapprove करना है, यह राइट इश्योरेंस कम्पनी के पास ही है। यह TPA नहीं कर सकता है। लेकिन देश में जो हजारों लाखों मेडिकलेम पॉलिसी होल्डर्स हैं, उन सबको ये ठग रहे हैं। इसलिए मेरी माँग है कि सीएजी के माध्यम से एक स्पेशल ऑडिट करवायी जाये कि पिछले 5 सालों में हमारे हिन्दुस्तान में मेडिकलेम पॉलिसी होल्डर्स के कितने सारे पैसे ये लोग खा चुके हैं। सर, यह एक बहुत बड़ा घोटला है और इन कम्पनीज़ के साथ TPAs का nexus है। इसको भंग करना है, इसको तोड़ना है। इसलिए मैं आपके माध्यम से सरकार से यह अर्ज करता हूँ कि सीएजी के माध्यम से एक स्पेशल ऑडिट करवा के ये सारे तथ्य पार्लियामेंट के सामने पेश करें, ताकि इन लोगों के खिलाफ उचित कार्रवाई की जाए, धन्यवाद।

श्री विवेक गुप्ता (पश्चिमी बंगाल): महोदय, मैं स्वयं को इस विषय के साथ सम्बद्ध करता हूँ।

श्री अहमद हसन (पश्चिमी बंगाल): महोदय, मैं भी स्वयं को इस विषय के साथ सम्बद्ध करता हूँ।

श्री मो. नदीमुल हक़ (पश्चिमी बंगाल): महोदय, मैं भी स्वयं को इस विषय के साथ सम्बद्ध करता हूँ।

†جناب محمد ندیم الحق (مغربی بنگال) : مہودے، میں بھی خود کو اس موضوع کے

ساتھ سمبڈھ کرتا ہوں۔

†Transliteration in Urdu script.

**श्री राम नाथ ठाकुर** (बिहार): महोदय, मैं भी स्वयं को इस विषय के साथ सम्बद्ध करता हूँ।

SHRI TAPAN KUMAR SEN (West Bengal): Sir, while associating myself with the matter raised by the hon. Member, I would like to say that the IRDAI should be put into action. It is their responsibility to see to these things.

DR. K. V. P. RAMACHANDRA RAO (Telangana): Sir, I also associate myself with the matter raised by Shri Sukhendu Sekhar Roy.

SHRI D. BANDYOPADHYAY (West Bengal): Sir, I also associate myself with the matter raised by Shri Sukhendu Sekhar Roy.

**Cancellation of passenger trains by Moradabad Railway  
Division of Northern Railways**

**श्री जावेद अली खान** (उत्तर प्रदेश): माननीय उपसभापति जी, भारतीय रेल को भारतवासियों की जीवन-रेखा कहा जाता है। उत्तर रेलवे का एक मंडल मुरादाबाद में स्थित है। मुरादाबाद मंडल के अंदर 202 रेलवे स्टेशंस हैं। मुरादाबाद मंडल के अंतर्गत 504 किलोमीटर लम्बी रेलवे लाइन आती है। उत्तर प्रदेश के 26 जिलों में रहने वाले लगभग 3 करोड़ लोग मुरादाबाद मंडल के अंदर रेलवे की सेवाओं का उपयोग करते हैं। लेकिन जुलाई की 27 तारीख को रेलवे की तरफ से एक फरमान जारी किया गया और मुरादाबाद मंडल के अंदर चलने वाली सवारी गाड़ियाँ, जो गरीब लोगों और गाँव-देहात में रहने वाले यात्रियों को एक स्थान से दूसरे स्थान ले जाती हैं, ऐसी 19 सवारी गाड़ियाँ बंद करने का निर्देश रेलवे की तरफ से दिया गया है। जिनमें से 16 गाड़ियाँ पूरे तरीके से बन्द कर दी गई हैं और तीन गाड़ियों को हफ्ते में एक या दो दिन चलाया जाएगा। मैं यह कहना चाहता हूँ कि इतनी बड़ी जनसंख्या और गरीबों को यात्रा करने और एक छोटे गाँव से दूसरे गाँव या कस्बे तक पहुँचने का एकमात्र सस्ता साधन वहाँ रेलवे के रूप में उपलब्ध है, इसलिए रेलवे की तरफ से पैसेंजर गाड़ियों को बन्द करना निश्चित रूप से सरकार का जन-विरोधी और गरीब-विरोधी कदम है। सर, मैं आपसे यह दरखास्त करूँगा कि आप सरकार को निर्देशित करें और सरकार इस बात का संज्ञान ले। जहाँ आप रेल बजट के वक्त भाषण देते हुए कह रहे थे कि हमारी रेल का बजट जनता का बजट है, लोगों का बजट है, वहीं आप गरीब लोगों को रेल की सुविधाओं से दूर रखने का काम कर रहे हैं। मेरी सरकार से यह अपील है कि वह इस बात पर गौर करे और अगला आदेश जारी करे कि वहाँ कब से रेलगाड़ियाँ चलेंगी, क्योंकि उस आदेश में यह नहीं कहा गया है, बल्कि यह कहा गया है कि अनिश्चितकाल के लिए ये रेलगाड़ियाँ बन्द कर दी गई हैं। अब अगला आदेश कब आएगा? अगला आदेश कब जारी होगा? कहीं ऐसा न हो कि अच्छे दिनों की तरह और काले धन की तरह हमें उसका भी इंतजार ही करना पड़े। इसलिए आप सरकार को निर्देशित करें कि वह पैसेंजर गाड़ियाँ दोबारा चलाने के लिए जल्दी से जल्दी कार्रवाई करे।

† جناب جاوید علی خان (اثر پردیش): مائے اب سبھا جی، بھارتیہ ریل کو بھارت واسیوں کی جیون-ریکھا کہا جاتا ہے۔ اثر ریلوے کا ایک منڈل مرادآباد میں قائم ہے۔ مرادآباد منڈل کے اندر 202 ریلوے اسٹیشن ہیں۔ مرادآباد منڈل کے انٹرگٹ 504 کلومیٹر لمبی ریلوے لائن آتی ہے۔ اثر پردیش کے 26 ضلعوں میں رہنے والے لگ بھگ تین کروڑ لوگ مرادآباد منڈل کے اندر ریلوے کی سیواؤں کا استعمال کرتے ہیں۔ لیکن جولائی 27 تاریخ کو ریلوے کی طرف سے ایک فرمان جاری کیا گیا اور مرادآباد منڈل کے اندر چلنے والی سواری گاڑیاں، جو غریب لوگوں اور گاؤں دیہات میں رہنے والے یاتریوں کو ایک جگہ سے دوسری جگہ دوسری جگہ لے جاتی ہیں، ایسی 19 سواری گاڑیاں بند کرنے کا نردیش ریلوے کی طرف سے دیا گیا ہے۔

جن میں سے 16 گاڑیاں پورے طریقے سے بند کر دی گئی ہیں اور تین گاڑیوں کو ہفتے میں ایک یا دو دن چلایا جائے گا۔ میں یہ کہنا چاہتا ہوں کہ اتنی بڑی آبادی اور غریبوں کو یاترا کرنے اور چھوٹے گاؤں سے دوسرے گاؤں یا قصبے تک پہنچنے کا صرف ایک سستا سادھن وہاں ریلوے کے روپ میں مہیا ہے، اس لئے ریلوے کی طرف سے پسینجر گاڑیوں کو بند کرنا یقینی طور سے سرکار کا جن-ورودھی اور غریب-ورودھی قدم ہے۔

سر، میں آپ سے یہ درخواست کروں گا کہ آپ سرکار کو نردیش کریں اور سرکار اس بات کا سنگیان لے۔ جہاں آپ ریل بجٹ کے وقت بھاشن دیتے ہوئے کہہ رہے تھے کہ ہماری ریل کا بجٹ 'جنتا کا بجٹ' ہے، لوگوں کا بجٹ ہے، وہیں آپ غریب لوگوں کو ریل کی سویدھاؤں سے دور رکھنے کا کام کر رہے ہیں۔ میری سرکار سے یہ اپیل ہے کہ وہ اس بات پر غور کرے اور اگلا آدیش جاری کرے کہ وہاں کب سے ریل گاڑیاں چلیں گی، کیوں کہ اس آدیش میں یہ نہیں کہا گیا ہے، بلکہ یہ کہا گیا ہے کہ غیر معینہ مدت کے لئے یہ ریل گاڑیاں بند کر دی گئی ہیں۔ اب اگلا آدیش کب آئے گا؟ اگلا آدیش کب جاری ہوگا؟ کہیں ایسا نہ ہو کہ اچھے دنوں کی طرح اور کالے دھن کی طرح ہمیں اس کا بھی انتظار ہی کرنا پڑے۔ اس لئے آپ سرکار کو نردیش کریں اور وہ پسینجر گاڑیاں دوبارہ چلانے کے لئے جلدی سے جلدی کاروائی کرے۔



SHRI TAPAN KUMAR SEN (West Bengal): Sir, I associate myself with the issue raised by the hon. Member.

SHRI T. K. RANGARAJAN (Tamil Nadu): Sir, I also associate myself with the issue raised by the hon. Member.

SHRI AHAMED HASSAN (West Bengal): Sir, I also associate myself with the issue raised by the hon. Member.

डा. चन्द्रपाल सिंह यादव (उत्तर प्रदेश): सर, मैं भी इस विषय के साथ स्वयं को संबद्ध करता हूँ।

श्री प्रमोद तिवारी (उत्तर प्रदेश): सर, मैं भी इस विषय के साथ स्वयं को संबद्ध करता हूँ।

श्री नरेन्द्र बुढानिया (राजस्थान): सर, मैं भी इस विषय के साथ स्वयं को संबद्ध करता हूँ।

श्री राम नाथ ठाकुर (बिहार): सर, मैं भी इस विषय के साथ स्वयं को संबद्ध करता हूँ।

श्री अली अनवर अंसारी (बिहार): सर, मैं भी इस विषय के साथ स्वयं को संबद्ध करता हूँ।

श्री नीरज शेखर (उत्तर प्रदेश): सर, मैं भी इस विषय के साथ स्वयं को संबद्ध करता हूँ।

चौधरी मुनव्वर सलीम (उत्तर प्रदेश): सर, मैं भी इस विषय के साथ स्वयं को संबद्ध करता हूँ।

چودھری منور سلیم (اُتر پردیش): سر، میں بھی اس موضوع کے ساتھ خود کو  
سمبڈھ کرتا ہوں۔

#### **Suicide committed by a girl student being unable to pay the fee in a private school**

श्रीमती विप्लव ठाकुर (हिमाचल प्रदेश): माननीय उपसभापति जी, मैं आपके सामने एक बहुत ही महत्वपूर्ण विषय लाना चाह रही हूँ। आजकल प्राइवेट स्कूल्स मशरूम की तरह हर कस्बे, हर जिले और हर तहसील में खोले जा रहे हैं। वे लोगों की भावनाओं से खेलते हैं और उनकी फीस बहुत ज्यादा होती है। हर गरीब परिवार यह चाहता है कि उनका बच्चा उन स्कूलों में पढ़े और अच्छी शिक्षा ले। इसका एक उदाहरण मैं आपके सामने देने जा रही हूँ। गाजियाबाद के एक प्राइवेट स्कूल में एक लड़की जसमीन तोमर पढ़ती थी, जिसके पिताजी स्कूल की दो महीने की फीस नहीं दे सके। इस पर टीचर्स ने उसके घर में जाकर उसके पिताजी के साथ बुरा व्यवहार किया, उनको बुरा-भला कहा और उल्टा उसके पिताजी के ऊपर ही केस कर दिया कि इन्होंने टीचर्स को छेड़ा है या मिसबिहेव किया है। इस पर पुलिस उसके पिताजी को पकड़कर ले गई। इतना ही नहीं, उस स्कूल के प्रिंसिपल ने उस लड़की से कहा कि तुम्हारे पिताजी जेल चले गए, अब तुम सड़कों पर भीख माँगोगी। इसका उस लड़की के ऊपर इतना असर पड़ा कि इस घटना ने उसको आत्महत्या करने पर मजबूर कर दिया और उस लड़की ने आत्महत्या कर ली।

†Transliteration in Urdu script.

सर, मैं आपसे कहना चाहती हूँ कि अभी महिलाओं के ऊपर अत्याचार की बात हो रही थी। हम रोज़ यह खबर पढ़ रहे हैं कि हर जगह यह अत्याचार हो रहा है। कहीं पर बलात्कार हो रहा है, कहीं पर उनको गाड़ियों से निकालकर उनके साथ अत्याचार किया जा रहा है। इस चीज़ को रोकना हमारी संसद के लिए बहुत जरूरी हो गया है, इसलिए मैं आपसे अनुरोध करती हूँ कि इसके ऊपर केवल lip-service न की जाए, बल्कि इसके ऊपर पूरा ध्यान दिया जाए। ये जो प्राइवेट स्कूल्स खुल रहे हैं, इनके बारे में मैं शिक्षा मंत्री जी से कहूँगी कि जो नई पॉलिसी बन रही है, उसमें भी वे इस बात का ध्यान रखें और इनके ऊपर एक अंकुश लगाया जाए, बहुत-बहुत धन्यवाद।

PROF. M.V. RAJEEV GOWDA (Karnataka): Sir, I associate myself with the issue raised by the hon. Member.

SHRI D. RAJA (Tamil Nadu): Sir, I also associate myself with the issue raised by the hon. Member.

SHRI TAPAN KUMAR SEN (West Bengal): Sir, I also associate myself with the issue raised by the hon. Member.

SHRI VIVEK K. TANKHA (Madhya Pradesh): Sir, I also associate myself with the issue raised by the hon. Member.

SHRI ANANDA BHASKAR RAPOLU (Telangana): Sir, I also associate myself with the issue raised by the hon. Member.

SHRI PALVAI GOVARDHAN REDDY (Telangana): Sir, I also associate myself with the issue raised by the hon. Member.

SHRI D. BANDYOPADHYAY (West Bengal): Sir, I also associate myself with the issue raised by the hon. Member.

SHRI AHAMED HASSAN (West Bengal): Sir, I also associate myself with the issue raised by the hon. Member.

SHRI K.K. RAGESH (Kerala): Sir, I also associate myself with the issue raised by the hon. Member.

श्री अली अनवर अंसारी (बिहार): सर, मैं भी इस विषय के साथ स्वयं को संबद्ध करता हूँ।

श्री नरेन्द्र बुढानिया (राजस्थान): सर, मैं भी इस विषय के साथ स्वयं को संबद्ध करता हूँ।

श्री पी.एल. पुनिया (उत्तर प्रदेश): सर, मैं भी इस विषय के साथ स्वयं को संबद्ध करता हूँ।

श्रीमती झरना दास बैद्य (त्रिपुरा): सर, मैं भी इस विषय के साथ स्वयं को संबद्ध करती हूँ।

श्री रणविजय सिंह जूदेव (छत्तीसगढ़): सर, मैं भी इस विषय के साथ स्वयं को संबद्ध करता हूँ।

#### **Concern over increase in food adulteration in the country**

श्री मो. नदीमुल हक़ (पश्चिमी बंगाल): सर, मैं आज एक बहुत जरूरी सब्जेक्ट पर बात करना चाह रहा हूँ, जिसका शीर्षक है - Adulteration in Food. सर, पहले सब्जी घी में बनती थी, लेकिन अब घी भी सब्जी से बन रहा है। अभी दशहरा पूजा और दिवाली आने में ज्यादा समय नहीं है, दो-तीन

[श्री मो. नदीमुल हक]

महीने के अंदर ही ये त्यौहार आने वाले हैं। जैसे ही त्यौहार का मौसम आता है, जितनी तरह की मिठाइयाँ हैं, वे सब बननी शुरू हो जाती हैं, लेकिन जितनी मिठाइयाँ बन रही हैं, उनके अंदर जो ingredients डाले जा रहे हैं, उन सबमें adulteration है। आप देखिए कि यूरिया से दूध बनाया जा रहा है, ताकि मिठाई बनाने में उसका उपयोग किया जा सके। अभी किसी भी मार्केट में आप चले जाइए, वहाँ जिस जगह पर मिठाई बनती है, वहाँ आपको सभी लोगों के हाथ अलग-अलग रंग के मिलेंगे, जैसे वे होली खेल रहे हों। वहाँ पर किसी का हाथ नीला है तो किसी का हाथ पीला है, यानी ये सारे रंग मिठाई में मिलाए जा रहे हैं। सर, ये रंग बहुत अच्छे स्टैंडर्ड के नहीं होते हैं, जिनसे आगे जाकर मौलिक बीमारियाँ भी हो सकती हैं। सर, अभी टीवी पर दिखाया जा रहा था कि एक ड्रम है, उसमें कच्चे केले को डुबाया जाता है और जब उसे निकाला जाता है, तो दूसरे दिन वह पक जाता है। सर, यह क्या हो रहा है? मैं कहना चाहता हूँ कि आप सिगरेट की डिब्बी पर वॉर्निंग देते हो कि सिगरेट पीने से यह-यह बीमारी होती है, तो ऐसा खाने के सामान पर क्यों नहीं है? आप हर खाने पर भी वॉर्निंग दे दीजिए कि केले खाने से या मिठाइयाँ खाने से आपको कैंसर या ये-ये बीमारियाँ हो सकती हैं।

† جناب محمد ندیم الحق (مغربی بنگال): سر، میں آج ایک بہت ضروری سبجیکٹ پر بات کرنا چاہ رہا ہوں، جس کا موضوع ہے ”Adulteration in Food.“ سر، پہلے سبزی گھی میں بنتی تھی، لیکن اب گھی بھی سبزی سے بن رہی ہے۔ ابھی دسپرا پوجا اور دیوالی آنے میں زیادہ وقت نہیں ہے، دو تین مہینے کے اندر ہی یہ تیوبار آنے والے ہیں۔ جیسے ہی تیوبار کا موسم آتا ہے، جتنی طرح کی مٹھائیاں ہیں، وہ سب بننی شروع ہو جاتی ہیں، لیکن جتنی مٹھائیاں بن رہی ہیں، ان کے اندر جو ingredients ڈالے جارہے ہیں، ان سب میں adulteration ہے۔ آپ دیکھیں کہ یوریا سے دودھ بنایا جا رہا ہے، تاکہ مٹھائی بنانے میں اس کا آپوگ کیا جاسکے۔ ابھی کسی بھی مارکیٹ میں آپ چلے جائیے، وہاں جس جگہ پر مٹھائی بنتی ہے، وہاں آپ کو سبھی لوگوں کے ہاتھ الگ الگ رنگ کے ملیں گے، جیسے وہ بولی کھیل رہے ہوں۔ وہاں پر کسی کا ہاتھ نیلا ہے تو کسی کا ہاتھ پیلا ہے، یعنی یہ سارے رنگ مٹھائی میں ملانے جارہے ہیں۔ سر، یہ رنگ بہت اچھے اسٹینڈرڈ کے نہیں ہوتے ہیں، جن سے آگے جاکر مولک بیماریاں بھی ہوسکتی ہیں۔ سر، ابھی ٹی وی پر دکھایا جا رہا تھا کہ ایک ٹرم ہے، اس میں کچے کیلے کو ڈوبایا جاتا ہے اور جب اسے نکالا جاتا ہے تو دوسرے دن وہ پک جاتا ہے۔

سر، یہ کیا ہو رہا ہے؟ میں کہنا چاہتا ہوں کہ آپ سگریٹ کی ڈبی پر وارننگ دیتے ہیں کہ سگریٹ پینے سے یہ-یہ بیماریاں ہوتی ہیں، تو ایسا کھانے کے سامان پر کیوں نہیں ہے؟ آپ ہر کھانے پر بھی وارننگ دے دیجیئے کہ کیسے کھانے سے یا مٹھائیاں کھانے سے آپ کو کینسر یا یہ-یہ بیماریاں ہوسکتی ہیں۔

†Transliteration in Urdu script.

Sir, healthy people will lead to a healthy nation. जब nation healthy होगा, अभी ओलम्पिक में हमारा contingent गया है, वह मेडल भी जीतकर आएगा। Sir, another very important issue that I want to raise is this. इसके साथ-साथ, we all know this brand called Maggie. It was recently banned by many States for many reasons, but only the State of West Bengal gave it a clean chit after examining it. Later on, this ban was lifted. इसमें जो सबक हमें सीखना है, We need to be strict but we should not go on a witch-hunt, and genuine manufacturers should not be harassed.

MR. DEPUTY CHAIRMAN: Okay; thank you. Shri K. K. Ragesh.  
...(Interruptions)...

श्री मो. नदीमुल हक़: सर, मैंने अभी पूरा पढ़ा नहीं है। अभी मेरा टाइम बचा है।

† جناب محمد ندیم الحق: سر، میں نے ابھی پورا پڑھا نہیں ہے۔ ابھی میرا ٹائم بچا ہے۔

MR. DEPUTY CHAIRMAN: You deviated to another subject.

SHRI MD. NADIMUL HAQUE: Sir, my time is left.

MR. DEPUTY CHAIRMAN: Then you became \*. How can it be?  
...(Interruptions)...

SHRI MD. NADIMUL HAQUE: Sir, as per the Annual Public Laboratory Testing Report for the year 2014-15, 17 per cent of the samples tested were adulterated. It is an increase of 2 to 3 per cent from the previous year. Whereas the conviction rate has gone down; from 3,175, it has gone down to 1,445. Sir, fine collected by the FSSAI has doubled. At the end, Sir, I would like to say that ... (Interruptions)... stringent and strict actions should be taken against people indulging in food adulteration.

MR. DEPUTY CHAIRMAN: Okay; time over. Shri K. K. Ragesh you can associate.  
...(Interruptions)... Just associate. ... (Interruptions)...

SHRI DEREK O'BRIEN: Sir, with all respects, you said that he has become\*.

MR. DEPUTY CHAIRMAN: No, no; I expunge that. Sorry, I expunge that. I agree with you. Thank you. That is expunged. It was an off-the-cuff remark.

SHRI ANANDA BHASKAR RAPOLU (Telangana): Sir, I associate myself with the issue raised by the hon. Member.

†Transliteration in Urdu script.

\* Expunged as ordered by the Chair.

SHRI RIPUN BORA (Assam): Sir, I also associate myself with the issue raised by the hon. Member.

SHRI C. P. NARAYANAN (Kerala): Sir, I also associate myself with the issue raised by the hon. Member.

SHRI D. BANDYOPADHYAY (West Bengal): Sir, I also associate myself with the issue raised by the hon. Member.

SHRI AHAMED HASSAN (West Bengal): Sir, I also associate myself with the issue raised by the hon. Member.

**श्री रणविजय सिंह जूदेव** (छत्तीसगढ़): सर, मैं भी माननीय सदस्य के वक्तव्य से स्वयं को संबद्ध करता हूँ।

**श्री विवेक के. तन्खा** (मध्य प्रदेश): महोदय, मैं भी माननीय सदस्य के वक्तव्य से स्वयं को संबद्ध करता हूँ।

**श्रीमती विप्लव ठाकुर** (हिमाचल प्रदेश): महोदय, मैं भी माननीय सदस्य के वक्तव्य से स्वयं को संबद्ध करती हूँ।

**श्री विशम्भर प्रसाद निषाद** (उत्तर प्रदेश): महोदय, मैं भी माननीय सदस्य के वक्तव्य से स्वयं को संबद्ध करता हूँ।

**श्री अली अनवर अंसारी** (बिहार): महोदय, मैं भी माननीय सदस्य के वक्तव्य से स्वयं को संबद्ध करता हूँ।

SHRI K. K. RAGESH (Kerala): Sir, while associating the hon. Member, last year, the Ministry ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no; only associate. There is no time for explaining.

SHRI K. K. RAGESH: Sir, I will make only two points, please. Last year, the Ministry of Agriculture conducted a study. In that study, it was revealed that 18.7 per cent of the total samples collected contained pesticide residues, that also in the vegetables and many other food items, which is very alarming. So, I am requesting the Central Government to immediately intervene and ensure safe food for the people of our country.

MR. DEPUTY CHAIRMAN: Yes, that is very important.

SHRI K. K. RAGESH: And also, the Food Safety and Standards Authority of India has to immediately intervene. The Government should ensure that this particular

organisation functions. That is also very important. So, the Government must be concerned about hazardous food. I request the Government to ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay, okay. That is very important. I think the Health Minister is also here. The point is, adulteration in food items is something you have to give special attention to. Kindly take note of it and take stringent action; ensure this.

### Problems of Narmada dam oustees

**श्री मधुसूदन मिस्त्री** (गुजरात): सर, मैं आज आपके सामने एक बहुत ही महत्वपूर्ण विषय को उठा रहा हूँ और वह यह है कि नर्मदा डैम के अंदर गुजरात, महाराष्ट्र और मध्य प्रदेश के लोगों को डैम बनने की वजह से बसाया गया है। सर, वैसे भी इस देश के अंदर ज्यादा से ज्यादा डेवलपमेंट का विक्रिम अगर कोई बना है, तो वे इस देश के आदिवासी हैं। इनकी करीब साढ़े आठ परसेंट पॉपुलेशन है। फॉरेस्ट पॉलिसी की वजह से वहां से जंगल काटे गए, उनके पास जंगलों का कोई अधिकार नहीं रहा और उनको वहां से बिल्कुल अलग कर दिया गया। इसी तरह से देश में जितने भी मेजर डैम्स बने हैं, उन डैम्स के अंदर जितने गांव गए हैं, उनकी जमीनें गई हैं, वे सभी आदिवासी इलाकों के अंदर गईं। यहां पर भी किसी स्टेट का मसला उठा था, जिसके अंदर पूरा मुआवजा नहीं दिया गया है। अगर डैम में पानी भर जाएगा, तो लोग अपने आप वहां से छोड़कर चले जाएंगे, ऐसी स्थिति का निर्माण हुआ। सर, नर्मदा डैम के तहत आदिवासियों को बसाने के लिए एक लम्बी लड़ाई चली थी। उसके अंदर नर्मदा ट्रिब्यूनल और गुजरात सरकार ने रिहेबिलिटेशन और रिसेटलमेंट का पूरा पैकेज नर्मदा के लोगों को दिया था। सर, 19 गांव के लोगों को गुजरात के अंदर बसाया गया था, जिनको रिसैटलमेंट और रिहेबिलिटेशन पैकेज के तहत जो 5 एकड़ जमीन दी गई थी, उसी में से दो एकड़ जमीन वापस एक्वायर की गई। अभी तक उनके पास 3 एकड़ जमीन है। ये लोग 15 तारीख से रिसैटलमेंट ऑफिस के सामने प्रोटेस्ट कर रहे हैं, वहां बैठे हैं। न उनकी बस्तियाँ बसाई गईं, न उसमें रोड़ बनाए गए। प्रधान मंत्री ग्राम सड़क योजना के हिसाब से भी वहां पर रोड़ बननी चाहिए थी। वहां पीने के पानी की भी सुविधा नहीं है। रिसैटलमेंट पैकेज के अंदर उनके बच्चों को नौकरी दी जाएगी, ऐसा कहा गया था। उनको या तो कैचमेंट एरिया के अंदर बसाकर पानी की और सिंचाई की व्यवस्था की जाएगी। वैसा भी उनको बताया गया था। लोग अपना घरबार, जमीन सब छोड़ कर बिल्कुल नई जगह के ऊपर आकर बसे हुए हैं। इसके अंदर सरकार का खास करके गुजरात सरकार का जो pathetic एटिट्यूड है, उसकी मैं भर्त्सना करता हूँ, क्योंकि डेवलपमेंट प्रोजेक्ट के अंदर सबसे ज्यादा सेक्रिफाइस जिस किसी ने भी किया हो, इस देश की आदिवासी पॉपुलेशन ने किया है और इसके प्रति हमारी बिल्कुल सेंसेटिविटी नहीं है, ऐसा मेरा मानना है और सरकारों की ओर से बहुत सी जगहों पर ऐसा देखा गया है। उनकी जमीन भी जाती है, सब कुछ चला जाता है, उसके बावजूद भी वे कुछ नहीं कर सकते। मेरी गुजरात सरकार से और आपसे मांग है कि इनकी जितनी भी मांगें पैकेज के अंदर दी गई थीं, वे सभी मांगें पूरी की जाएं, उनको अच्छी तरह से बसाया जाए, ताकि उनको कुछ न्याय मिल सके।

**श्री पी.एल. पुनिया** (उत्तर प्रदेश): सर, मैं इस विषय के साथ स्वयं को संबद्ध करता हूँ।

**श्री परवेज़ हाशमी** (राष्ट्रीय राजधानी क्षेत्र, दिल्ली): महोदय, मैं भी इस विषय के साथ अपने आपको संबद्ध करता हूँ।

**श्रीमती विप्लव ठाकुर** (हिमाचल प्रदेश): महोदय, मैं भी इसके साथ स्वयं को संबद्ध करती हूँ।

**श्री शरद यादव** (बिहार): महोदय, मैं भी इसके साथ अपने को एसोसिएट करता हूँ।

**श्री अली अनवर अंसारी** (बिहार): महोदय, मैं भी इसके साथ अपने को एसोसिएट करता हूँ।

SHRI ANANDA BHASKAR RAPOLU (Telangana): Sir, I associate myself with the matter raised by Mr. Madhusudan Mistry.

SHRI HUSAIN DALWAI (Maharashtra): Sir, I also associate myself with the matter raised by Mr. Madhusudan Mistry.

MR. DEPUTY CHAIRMAN: Names of all those who are associating may be added. ...*(Interruptions)*... All others are associating. ...*(Interruptions)*... बस, एसोसिएट करो, ठीक है। ...*(व्यवधान)*...

#### **Trafficking of young girls from Assam and other parts of the country**

SHRIMATI JHARNA DAS BAIDYA (Tripura): Sir, I want to express shock and protest the trafficking of 31 young tribal girls from Assam, in the name of education to Punjab and Gujarat to indoctrinate them in *Hindutva* in RSS camps, which was flashed by media. This violates the national and international laws of child trafficking. The victim girls belong to Bodo and Santhal communities of Kokrajhar district of Assam. They were all aged between eight and fourteen years. Anti-trafficking unit of Delhi Crime Branch opened the case up from the complaint lodged by the Child Line India Foundation.

सर, यहां बहुत है। *Outlook* में रिपोर्ट है कि इतना सारी trafficking हो रही है हमारे देश में। NCRB ने जो रिपोर्ट किया है, गवर्नमेंट ने आइडेंटिफिकेशन किया है, at least 6,216 victims in 2014; 3,332 sex trafficking, 279 bonded labour and 2,605 uncategorised victims. इतनी सारी ट्रैफिकिंग हो रही है। मैं सरकार से पूछना चाहती हूँ कि Child Trafficking Act और Juvenile Justice Act वह तो हैं ही, लेकिन पूरे देश में जैसे West Bengal, तमिलनाडु, Tamil Nadu में 528 cases of human trafficking हुए हैं। कर्नाटक में 1,379 cases of human trafficking हुए हैं। तमिलनाडु में 2,244 whereas Andhra Pradesh has 2,157 cases of human trafficking. Delhi is the hub of human trafficking trade and half of world's slaves are from India.

तो इसमें प्रोटेक्शन क्या हो रहा है और गवर्नमेंट इसके लिए क्या प्रोटेक्शन दे रही है? ऐसे कैसे किसी के नाम पर ट्रैफिकिंग हो सकती है, लड़की को बेच दिया जाता है और उनको दुर्बई भी भेज देते हैं। हमारे स्टेट में डिस्ट्रिक्ट में ऐसा हो रहा था। हमारी गवर्नमेंट ने इसके ऊपर कार्यवाही की है।

MR. DEPUTY CHAIRMAN: Time over. ...(Interruptions)... Dr. T. Subbarami Reddy. ...(Interruptions)...

**श्री अली अनवर अंसारी** (बिहार): महोदय, माननीय सदस्य ने जो विषय उठाया है, मैं भी अपने आपको इससे संबद्ध करता हूँ।

**श्री जोवद अली खान** (उत्तर प्रदेश): महोदय, माननीय सदस्य ने जो विषय उठाया है, मैं भी अपने आपको इससे संबद्ध करता हूँ।

† جناب جاوید علی خان (اترپردیش): مہودے، ماننے سہ سے نے جو موضوع اٹھایا ہے، میں بھی اپنے آپ کو اس سے سمبڈ کرتا ہوں۔

**श्री विशम्भर प्रसाद निषाद** (उत्तर प्रदेश): महोदय, माननीय सदस्य ने जो विषय उठाया है, मैं भी अपने आपको इससे संबद्ध करता हूँ।

**श्री नीरज शेखर** (उत्तर प्रदेश): महोदय, माननीय सदस्य ने जो विषय उठाया है, मैं भी अपने आपको इससे संबद्ध करता हूँ।

**चौधरी मुनव्वर सलीम** (उत्तर प्रदेश): महोदय, माननीय सदस्य ने जो विषय उठाया है, मैं भी अपने आपको इससे संबद्ध करता हूँ।

† چودھری منور سلیم (اترپردیش): مہودے، ماننے سہ سے نے جو موضوع اٹھایا ہے، میں بھی اپنے آپ کو اس سے سمبڈ کرتا ہوں۔

**श्री रणविजय सिंह जूदेव** (छत्तीसगढ़): महोदय, माननीय सदस्य ने जो विषय उठाया है, मैं भी अपने आपको इससे संबद्ध करता हूँ।

SHRI K.K. RAGESH (Kerala): Sir, I associate myself with the issue raised by the hon. Member.

SHRI SANTIUSE KUJUR (Assam): Sir, I too associate myself with the issue raised by the hon. Member.

SHRI RIPUN BORA (Assam): Sir, I too associate myself with the issue raised by the hon. Member.

SOME HON. MEMBERS: Sir, we too associate ourselves with the issue raised by the hon. Member.

MR. DEPUTY CHAIRMAN: Yes; all the names will be added. ...(Interruptions)... All the names. ...(Interruptions)... Dr. T. Subbarami Reddy, stand up and start. ...(Interruptions)... All the names will be added. ...(Interruptions)... Dr. T. Subbarami Reddy, please. ...(Interruptions)...

†Transliteration in Urdu script.



SHRI RIPUN BORA: Sir, please. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You are associating. It is noted. ...*(Interruptions)*...  
Dr. T. Subbarami Reddy. ...*(Interruptions)*... No, no. ...*(Interruptions)*... Mr. Reddy, you start speaking. ...*(Interruptions)*... You are associating. ...*(Interruptions)*... You start speaking, otherwise, I will call the next person. ...*(Interruptions)*...

DR. T. SUBBARAMI REDDY: Sir, ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You are associating. Sit down. ...*(Interruptions)*...  
Mr. Subbarami Reddy, you speak. ...*(Interruptions)*...

### **Concern over missing children in the National Capital Region**

DR. T. SUBBARAMY REDDY (Andhra Pradesh): Sir, this is regarding increasing incidents of missing children in Delhi. I would like to draw the attention of the House and, particularly, the Home Ministry that more 4,700 children are missing or untraced from NCR of Delhi — and it is very painful to know that over 60 per cent of them are girls — in the last two years. A majority of them are in the age group of 12-15 years. Delhi had the maximum share of missing children in the Region. Though Juvenile Welfare officers have been appointed to closely coordinate with missing squad units and to work with various NGOs, it has not yielded the desired results. Still, it presents a grim picture.

Even the Delhi High Court last week directed the Centre to place Standard Operating Procedure and wanted to know the mechanism to take action against those who commit lapses in cases dealing with missing children. Earlier, this year, a separate Bench of Delhi High Court expressed strong displeasure on the increasing number of missing children. Parents losing a child is horrible. Delhi Legal Service Authority on its analysis has said: '30 per cent children left due to circumstances; 15 per cent due to some mischievous types of people and also by friends and neighbours, and academic pressure is also found to be in 10 per cent cases. But this is very serious. If the children are not traced out, they can become anti-social elements, or they may become beggars. ...*(Interruptions)*... They may be misused in many ways. So, there is a concern of the people of India towards missing children living in pathetic situation.

National portal, 'Track-the-missing-child' has been dedicated to the cause of tracking missing children. The Ministry of Home Affairs also issued advisory on missing children and measures needed to prevent trafficking and trace the children. Sir, the ZIPNET project of Delhi police is launched to share crime and criminal information in realtime. There are NHRC guidelines on missing children, and supervision of investigation of cases by senior

police officials of the rank of Additional SP or SP or Deputy SP. However, this is not happening. I would like to draw the attention of the Home Ministry.

MR. DEPUTY CHAIRMAN: Okay.

DR. T. SUBBARAMI REDDY: Just one minute, Sir. There are various NGOs that are being involved into this whole effort, the Government has agreed. But the Central Government should act fast and sensitise the concerned authorities to not only rescue or track them back but also prevent such incidents from happening, like strengthening Intelligence and monitoring the situation.

So, lastly, I demand from the Home Ministry to tell us what action they are taking about the missing children in Delhi.

**श्री अली अरवर अंसारी** (बिहार): महोदय, माननीय सदस्य ने जो विषय उठाया है, मैं भी अपने आपको इससे संबद्ध करता हूँ।

**श्री प्रमोद तिवारी** (उत्तर प्रदेश): महोदय, माननीय सदस्य ने जो विषय उठाया है, मैं भी अपने आपको इससे संबद्ध करता हूँ।

SHRIMATI AMBIKA SONI (Punjab): Sir, I too would like to associate myself with the issue raised by the hon. Member.

MR. DEPUTY CHAIRMAN: Okay. Time Over. Dr. Vinay P. Sahasrabuddhe.

### **Need to promote development tourism**

DR. VINAY P. SAHASRABUDDHE (Maharashtra): Sir, I am really happy that you have looked at your right side also. वैसे भी बहुत ज्यादा लेफ्ट की ओर देखना ...**(व्यवधान)**... आपकी गर्दन में दर्द हो सकता है।

MR. DEPUTY CHAIRMAN: No; the usual complaint I am getting is I am looking. ...**(Interruptions)**...

DR. VINAY P. SAHASRABUDDHE: I know, Sir. ...**(Interruptions)**... It was in lighter vein, Sir. ...**(Interruptions)**...

MR. DEPUTY CHAIRMAN: Now, please. ...**(Interruptions)**...

DR. VINAY P. SAHASRABUDDHE: Sir, I am raising the issue of the need for evolving what I have described as 'Development Tourism'. In India, currently we are witnessing emergence of an aspirational society. Mark Tully had rightly said that there are just no full stops in India and today we are all experiencing a society, especially,

[Dr. Vinay P. Sahasrabuddhe]

the younger generation experimenting and innovating, and their creativity, skills and talents are for everybody to see. For this younger generation, aspirational India needs to be further strengthened. In this regard, what is also required is to provide avenues for the young aspirational generation to travel around and visit successful and model or replicable development projects undertaken by both, Government and non-Government agencies.

Today, private and Government tour operators do not provide any opportunity to visit centres of scientific advancement, infrastructure marvels, or social work projects undertaken by voluntary organisations. Many Government departments do undertake several development projects which people may want to visit and learn about so that they have a sense of participation. Such on-the-spot study opportunities are rare, if not almost unavailable. Projects by Departments like Railways, Energy, Ports, Petroleum and Natural Gas, Space and Earth Sciences as well as Mining, Industry and even Rural and Village Industries are required to be showcased to achieve two specific objectives. Firstly, facilitating such Development Tourism would serve creating a strong sense of participation amongst the people at large. Secondly, it would give further impetus to the process of educating people at enhancing the level of Governance Literacy. Sir, we have seen the fire brigade operating. But, we never go and see as to how the Fire Department operates or, for that matter, the Telecom Department, or how horticulture and food processing take place in very nook and corner of our country or as to how the Meteorological Department operates. People are required to get more knowledge about it. Therefore, these facilities are required. While raising this issue, I call upon the Government to explore the possibility of opening up a Department of Development Tourism under the Ministry of Tourism.

SHRI AJAY SANCHETI (Maharashtra): Sir, I associate myself with the matter raised by the hon. Member.

**श्री रणविजय सिंह जूदेव** (छत्तीसगढ़): सर, मैं भी अपने को इस विषय से संबद्ध करता हूँ।

**श्री नारायण लाल पंचारिया** (राजस्थान): सर, मैं भी अपने को इस विषय से संबद्ध करता हूँ।

**Alleged injustice meted out to the Ravidasiya community in Punjab**

**श्री शमशेर सिंह दुलो** (पंजाब): सर, पिछले दो सालों से हिंदुस्तान में, जहां धर्म के नाम पर कुछ स्टेट्स में सरकारें राज कर रही हैं, दलित, मजदूर और गरीब लोगों पर अत्याचार बढ़ रहे हैं। चाहे वह गुजरात की घटना हो, चाहे वह मध्य प्रदेश में मंदसौर की घटना हो, एटा की घटना हो। ऐसे ही पंजाब में कांडा का कांड हुआ। सर, 24 मई, 2009 में वियना में रबिदासिया समाज के धर्म गुरु डेरा बलां के रामानंद और संत नरिंजन दास जी पर sikh militants ने वहां के एक गुरुद्वारे पर हमला कर रामानंद

जी की हत्या की, नरिंजन दास जख्मी हुए। सर, न सिर्फ पंजाब में बल्कि देश के different states में उनकी हत्या के विरोध में धरने और protests हुए। उन protests में न केवल दलितों ने हिस्सा लिया बल्कि बाकी धर्मों के लोग, जो डेरा बलां के ऊपर श्रद्धा रखते थे, उन सभी ने न केवल पंजाब में बल्कि उत्तर प्रदेश, महाराष्ट्र, आंध्र प्रदेश और तमिलनाडु में भी धरने दिए।

सर, मैं मानता हूँ कि मौजूदा सरकार ने नादिरशाही हुक्म कर के 2013 में एक कमीशन बनाया और उस कमीशन ने यह ऑर्डर पास किया और जो innocent लोग हैं, जो डेरा बलां के साथ संबंध रखते हैं, उन पर 700 करोड़ रुपए के damages का भार उन पर डाला जा रहा है। वह उन के रिकवर करने की कोशिश की जा रही है।

सर, देश में धरने दिए जाते रहे हैं, चाहे वह किसानों का धरना हो, चाहे जंतर-मंतर पर हो या देश में कहीं भी धरने दिए जाते हैं, लेकिन यह बीजेपी व अकाली सरकार का पहला नादिरशाही हुक्म है, जिसको सेंटर की सरकार का protection है, उसने डेरा बलां के अनुयाइयों पर false cases किए हैं। अभी भी 500-600 लोगों पर अदालतों में false केस चल रहे हैं और 700 करोड़ रुपए डेरा बलां के अनुयाइयों से वसूल करने के लिए दबाव डाला जा रहा है। यह बहुत ही नादिरशाही हुक्म है। मैं आपके जरिए देश की सरकार को कहना चाहता हूँ कि वह intervene करे और इसे रोके। देश में शांति बहाल करने के लिए यह जरूरी है क्योंकि आप सेंटर में रूलिंग करते हैं। आगे भी ऐसे लोगों के sentiments उभारने की कोशिश होती रही है। ऐसे नादिरशाही हुक्म दलितों पर क्यों हों? सर, यहां किसानों के धने होते हैं, different castes के लोगों के धरने होते हैं, उनसे मुआवजा क्यों नहीं लिया जाता? रेलवे की और दूसरी सरकारी प्रॉपर्टीज फूंक दी जाती हैं, फिर दलितों पर ऐसा अत्याचार क्यों हो रहा है? उनसे ही रिकवरी क्यों की जा रही है? मैं सेंटर की सरकार को हिंदुस्तान के दलितों की तरफ से एक चेतावनी देना चाहता हूँ कि ऐसे नादिरशाही हुक्म आप करेंगे ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN : Your time is over. Now, Mr. Naresh Agrawal.

**श्री प्रदीप टम्टा** (उत्तराखंड): महोदय, मैं इस विषय से अपने आप को संबद्ध करता हूँ।

**श्री प्रमोद तिवारी** (उत्तर प्रदेश): सर, मैं भी इस विषय से अपने आप को संबद्ध करता हूँ।

SHRIMATI AMBIKA SONI (Punjab): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI ANANDA BHASKAR RAPOLU (Telangana): Sir, I also associate myself with the matter raised by the hon. Member.

KUMARI SELJA (Haryana): Sir, I also associate myself with the matter raised by the hon. Member.

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI RANJIB BISWAL (Odisha): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI B.K. HARIPRASAD (Karnataka): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI PALVAI GOVARDHAN REDDY (Telangana): Sir, I also associate myself with the matter raised by the hon. Member.

SHRI P.L. PUNIA (Uttar Pradesh): Sir, I also associate myself with the matter raised by the hon. Member.

SOME HON. MEMBERS: Sir, we also associate ourselves with the matter raised by the hon. Member.

MR. DEPUTY CHAIRMAN: Your time is over. Now, Shri Naresh Agrawal. ...*(Interruptions)*... Your time is over. ...*(Interruptions)*... The names of all the hon. Members, who have associated themselves with it, may be included. ...*(Interruptions)*... Now, Shri Naresh Agrawal.

**Concern over increasing road accidents due to absence of  
an effective road safety system**

श्री नरेश अग्रवाल (उत्तर प्रदेश): सर, हर साल सड़क दुर्घटनाओं में देश में करीब डेढ़ लाख लोग मारे जाते हैं, जिस में 50 परसेंट नौजवान होते हैं। सर, overloading से भी करीब 25000 लोगों की हर साल डेथ होती है। हमारे मंत्री श्री नितिन गडकरी जी देश में नेशनल हाइवे बनाने की घोषणा करते हैं। एनएचएआई ने पेट्रोल, डीज़ल पर सेस भी लगाया है ताकि देश में सड़कों का निर्माण हो। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: No, no. ...*(Interruptions)*... Sit down. ...*(Interruptions)*...

श्री नरेश अग्रवाल : लेकिन उस cess से रोड़ सेफ्टी सिस्टम को डेवलप नहीं किया जा रहा है। आप विश्व में कहीं भी चले जाइए, तो वहाँ स्पीड हमसे दोगुनी है, अगर कहीं धोखे से accident हो जाए, तो फौरन क्रेन आएगी, trauma centre available है, ambulance available है, लेकिन हमारे देश में क्या है? क्या कहीं भी रोड़ सेफ्टी सिस्टम है? श्रीमन्, आज accident हो जाए, तो accident करने वाला अगर यह चाहता है कि जिसका accident हुआ है, वह उसको हॉस्पिटल पहुँचा दे, तो वह उसे इस डर से हॉस्पिटल नहीं पहुँचाता है कि कहीं उसको जनता पीट-पीट कर मार न दे, क्योंकि कोई protection नहीं है। जब मैं ट्रांसपोर्ट मिनिस्टर था, तो रोड़ सेफ्टी सिस्टम के ऊपर कई मीटिंग्स हुई थीं, भारत सरकार से भी मीटिंग्स हुई थीं और यह तय हुआ था कि देश में हर 50 किलोमीटर पर एक trauma centre होगा, डॉक्टर्स होंगे, रोड़ सेफ्टी पुलिस होगी, पुलिस की वैन होगी, क्रेन होगी, ambulance होगी, लेकिन यह कभी implement नहीं हुआ। आज यह हालत है कि हर तीसरा ड्राइविंग

लाइसेंस फर्जी है। हिन्दुस्तान में तो जो चाहे घर बैठे ड्राइविंग लाइसेंस पा ले। श्रीमन्, जो road safety symbols हैं, मैं कह सकता हूँ कि जिनके पास ड्राइविंग लाइसेंस है, उनमें से 80 प्रतिशत को road safety symbols का ज्ञान नहीं है। मैं तो सरकार से कहूँगा कि 10th से 11th के बीच जो शिक्षा है, वह उसमें road safety symbols का एक पाठ्यक्रम रख कर एक पर्चा शुरू कर दे, तो कम से कम लोगों को पता लग जाए कि जो सिग्नल लगा हुआ है, उस सिग्नल के अनुसार हमें किस हिसाब से चलना है।

श्रीमन्, मैं भारत सरकार से यह अनुरोध करता हूँ कि वह अपने cess में से कुछ प्रतिशत रोड सेफ्टी के लिए जरूर निकालें, नहीं तो जो बढ़ती हुई मौतें हैं, जितनी accidents की वजह से मौतें हो रही हैं, वे हमारे देश के लिए बहुत अच्छी नहीं हैं और टू-व्हीलर्स के लिए पूरी कंट्री में हेलमेट अनिवार्य किया जाए।

MR. DEPUTY CHAIRMAN: Mr. Ramesh, you can associate yourself.

SHRI C.M. RAMESH (Telangana): Sir, I associate myself with the issue raised by the hon. Member.

SHRI T.K. RANGARAJAN (Tamil Nadu): Sir, I also associate myself with the issued raised by the hon. Member.

श्री अली अनवर अंसारी (बिहार): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

चौधरी मुनवर सलीम (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

†چودھری منور سلیم (اُتر پردیش): مہودے، میں بھی خود کو اس موضوع کے ساتھ سمبद्ध کرتا ہوں۔

श्री विशम्भर प्रसाद निषाद (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्री नीरज शेखर (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्री तपन कुमार सेन (पश्चिमी बंगाल): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्रीमती जया बच्चन (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करती हूँ।

श्री आलोक तिवारी (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

डा. चन्द्रपाल सिंह यादव (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्री मोती लाल वोरा (छत्तीसगढ़): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

†Transliteration in Urdu script.

श्री राम नाथ ठाकुर (बिहार): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्री संजय सेठ (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्री सुरेन्द्र सिंह नागर (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

चौधरी सुखराम सिंह यादव (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

**Concern over slow implementation of the Pradhan Mantri Fasal  
Bima Yojana in certain districts of Telangana**

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): Mr. Deputy Chairman, Sir, this House has often discussed the tragedy of farmers' suicides. What we are going to speak about is the anatomy of such suicides and why this happens. The Government of India has said that they have launched the Pradhan Mantri Fasal Bima Yojana all over the country. This was released according to a time-table wherein, for Telangana, the dates have been for cotton 14th June, for Chilli 19th June and 31st July for kharif. Accordingly, the money should have reached the banks. The money is being released to the State Government. But only partially it is being released to the banks. As a result of which farmers in half of the districts in Telangana have not got any loan disbursement at all. Not only that, the kharif season has started one month ago. Everyone knows that we had delayed rains and subsequently, we got extra rains, as a result of which the farmers were unable to access any of these loans because 31st July date is over. The time has expired according to the time-table of the Government of India. No Utilisation Certificates have been collected by the Collector or the Agricultural Officers, so much so that the banks have not got Utilisation Certificates, they have not disbursed loans at all. Farmers are running from pillar to post to get loans. The State Level Bankers' Committee has decided that 29 lakh farmers should have got the money by now. Not even 30 per cent of the farmers have got any kind of relief. This target has not been met at all. The banks in Telangana State have not even started disbursement of loans in half of the districts.

Now, Sir, under these circumstances, through you, I am requesting the Government that they should extend the date of the Pradhan Mantri Fasal Bima Yojana. You can't go by your Central time-table for your administrative convenience. This has to reach the farmers. Otherwise, farmers are left with no money to purchase fertilizers or seeds and perform their farming duties. They have no access to any loans because they have already exhausted other loans. As a result of this, there is going to be a disaster Kharif Season in the Telangana State. Nearly five districts have not received even one paisa as of now.

The insurance companies have been very, very sluggish in this matter. The Government should pull up these companies; otherwise, blacklist them if they don't disburse loans on time, and farmers need relief. I want an assurance from the Government that the Pradhan Mantri Fasal Bima Yojana dates will be extended to facilitate farmers in getting loans.

SHRI ANANDA BHASKAR RAPOLU (Telangana): Sir, I associate myself with the issued raised by the hon. Member.

श्री प्रमोद तिवारी (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्री पी.एल. पुनिया (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

श्रीमती विप्लव ठाकुर (हिमाचल प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

चौधरी मुनव्वर सलीम (उत्तर प्रदेश): महोदय, मैं भी स्वयं को इस विषय के साथ संबद्ध करता हूँ।

†چودھری منور سلیم (اُتر پردیش): مہودے، میں بھی خود کو اس موضوع کے ساتھ سمبڈھ کرتا ہوں۔

SHRI ANANDA BHASKAR RAPOLU (Telangana): Sir, I associate myself with the matter raised by the hon. Member.

चौधरी मुनव्वर सलीम: महोदय, मैं इनके उल्लेख से स्वयं को संबद्ध करता हूँ।

†چودھری منور سلیم (اُتر پردیش): مہودے، میں ان کے اَلِیکھ سے خود کو سمبڈھ کرتا ہوں۔

श्री प्रमोद तिवारी : महोदय, मैं भी इनके उल्लेख से स्वयं को संबद्ध करता हूँ।

श्री प्रताप सिंह बाजवा (पंजाब): महोदय, मैं भी इनके उल्लेख से स्वयं को संबद्ध करता हूँ।

श्री पी.एल. पुनिया : महोदय, मैं भी इनके उल्लेख से स्वयं को संबद्ध करता हूँ।

SOME HON. MEMBERS: Sir, we also associate ourselves with what the hon. Member has mentioned.

MR. DEPUTY CHAIRMAN: Names of those Members who associate may be added.

†Transliteration in Urdu script.



**Problem of bonded labour in India**

SHRIMATI KANIMOZHI (Tamil Nadu): Sir, in 1976, bonded labour was abolished. But even today we have nearly two crore bonded labourers in the country. In one of his replies in the Rajya Sabha, the Minister has said that there are plans to release and rehabilitate these bonded labourers by 2030. Sir, more than forty years have passed since this Act came into practice, but we have not been able to really do much. Since 1976 till today, only around 2,83,000 bonded labourers have been released and rehabilitated in this country. These rehabilitation measures barely reach these people. They are not getting much help from any of the Governments. This is continuing.

Sir, one more issue is, from a reply to one of the RTIs, we found that there are inter-State migrant labourers. There is no helpline or anything to reach out to them or for them to actually look for help. These migrant labourers are brought from one State to another with false promises and they end up as bonded labourers with nowhere to escape. Even in Tamil Nadu, in many districts, from textile units to farms to sugarcane factories, even in textile mills, there are different kinds of schemes. For example, there is one scheme called the *Sumangali Thittam*, where young girls from different parts of the State are brought promising them good jobs and a good salary, but they are hardly paid anything and they are subjected to various kinds of exploitation. There are many children who end up as bonded labourers too.

Sir, 2030 is a very long time to be talking about. I think something needs to be done now to release and rehabilitate these people.

SHRI ANANDA BHASKAR RAPOLU (Telangana): Sir, I associate myself with the matter raised by the hon. Member.

SOME HON. MEMBERS: Sir, we associate ourselves with what the hon. Member has mentioned.

**Human losses due to national calamity**

श्री हुसैन दलवाई (महाराष्ट्र): सर, महाराष्ट्र में बड़े पैमाने पर बारिश होने की वजह से कई जगह बाढ़ आई है, जिससे वहां बहुत अधिक नुकसान हो रहा है। वहां मुम्बई-गोवा रोड पर, कोंकण में बहुत अधिक बारिश होने की वजह से Mahad के नजदीकी सावित्री नदी के ऊपर बना ब्रिज टूट गया, जिसकी वजह से बाढ़ में दो बसें बह गईं, साथ ही कई गाड़ियों भी बह गईं। बस में 22 लोगों की मृत्यु हो गई, जिनमें 18 पैसेंजर्स, 2 ड्राइवर्स और 2 कंडक्टर्स थे। वहां की सरकार कुछ मदद नहीं कर रही है, ऐसा नहीं है, लेकिन एक बात मैं आपके ध्यान में लाना चाहता हूं। सावित्री नदी के ऊपर जो ब्रिज है, वह सौ साल से भी पहले, ब्रिटिश के समय में बनाया गया था। उसके बारे में ब्रिटिश गवर्नमेंट ने यहां

लैटर भी लिखा था, उसके साथ ही कई ब्रिजेज और कई प्रोजेक्ट्स के बारे में लिखे गये लैटर यह बताते हैं कि इनकी मुद्दत खत्म हो चुकी है। वहां दूसरा ब्रिज बनाया जाए, महाराष्ट्र गवर्नमेंट को इसकी जानकारी दो साल पहले ही दे दी गई थी, लेकिन फिर भी कुछ नहीं हुआ।

वहां पर पीपल के पेड़ उग गए हैं, एक बार वहां बड़े पैमाने पर होल गिरा था, लेकिन उसकी मरम्मत ठीक ढंग से नहीं हुई थी। ऐसी हालत में वह ब्रिज गिर जाएगा, यह बात वहां के लोगों को मालूम थी, लेकिन फिर भी उस ब्रिज के बारे में कुछ नहीं किया गया। वहां पर इतना बड़ा हादसा हो गया, सरकार को इसके बारे में सोचना चाहिए, साथ ही इसके लिए महाराष्ट्र गवर्नमेंट को मदद देनी चाहिए।

नासिक में भी बाढ़ आने की वजह से बड़े पैमाने पर घरों में पानी घुस गया है। यह मैं आपकी जानकारी में लाना चाहता हूँ।

**श्रीमती विप्लव ठाकुर** (हिमाचल प्रदेश): महोदय, मैं इनके उल्लेख से स्वयं को संबद्ध करती हूँ। यह समस्या आज और भी कई राज्यों में बनी हुई है।

**SHRI ANAND BHASKAR RAPOLU** (Telangana): Sir, I associate myself with the matter raised by the hon. Member.

**Problem due to non-availability of track and other facilities at  
Gulbarga railway station in Karnataka**

**श्री बसावाराज पाटिल** (कर्णाटक): माननीय उपसभापति जी, कर्णाटक प्रदेश के अंदर गुलबर्गा एक ऐतिहासिक शहर है, जो कर्णाटक प्रदेश का महत्वपूर्ण नगर माना जाता है। वहां का जो रेलवे स्टेशन है, उसकी हालत बहुत खराब है। यहां एक तरफ मुंबई स्टेशन आता है, तो दूसरी तरफ चैन्नई और बेंगलुरु का स्टेशन आता है। एक तरह से यह सिटी इन तीनों बड़ी सिटीज के बीच में है। यहां की पापुलेशन लगभग 13 लाख है, यहां सेंट्रल युनिवर्सिटी भी है। रेलवे विभाग द्वारा यहां पर डिवीजनल हैडक्वार्टर की घोषणा करने के बाद कर्णाटक सरकार ने 40 एकड़ जमीन दी। ट्रेवल करने वाले जो गरीब पैसेंजर्स होते हैं, उनको अगर वहां से इन तीन बड़ी सिटीज से जुड़ने के लिए सुविधा नहीं मिलेगी, तो लाखों-लाखों गरीब लोगों को बड़ी दिक्कत होनी है। इसलिए हमने बार-बार सरकार से विनती की है कि हमें जो आपने वायदा किया है, उसके अनुसार आप वहां डिवीजनल हैडक्वार्टर बनाइए, जिससे रेलवे की सुविधा वहां के लोगों के लिए अपने आप आ जाएगी।

महोदय, आखिरी एक बात यह है कि इसके न होने के कारण वहां इतनी बुरी हालत है कि एक अत्यंत महत्वपूर्ण ट्रेन जो गुलबर्गा से गुजरती है, जबकि वहां की पापुलेशन 15 लाख है, लेकिन वहां पर वह ट्रेन रुकती नहीं है। इस दिशा में रेल मंत्रालय काम करे, मैं यही विनती करता हूँ।

**श्री बी.के. हरिप्रसाद** (कर्णाटक): महोदय, मैं इस विषय से अपने आपको संबद्ध करता हूँ।

**Concern over activities of ISIS and reported joining of youths  
in terror activities in the country**

**श्री संजय राउत** (महाराष्ट्र): उपसभापति महोदय, आज ही मैंने दिल्ली के अखबार में यह खबर पढ़ी है कि IS से जुड़ी एक महिला को दिल्ली से गिरफ्तार किया गया। आजकल हमारे देश में इस प्रकार की घटनाएं जिस तेजी से बढ़ रही हैं, वे हमारे लिए चिंता का विषय हैं। हमारा गृह मंत्रालय बार-बार यह कहता है कि हिंदुस्तान में ISIS बहुत सीमित है, लेकिन जो तथ्य सामने आए हैं, अगर उन्हें देखें तो यह जहर हमारे देश में युवाओं में जोर से फैल रहा है। पिछले महीने केरल में जो 21 लोग लापता हुए थे, उन्होंने अफगानिस्तान पहुंच कर ISIS टेरेरिस्ट ग्रुप को ज्वाइन कर लिया और वे अपना पहला टास्क पूरा कर चुके हैं। यह पहला टास्क क्या था, यह तो हमारी जांच एजेंसियां बता सकती हैं, लेकिन चिंता की बात यह है कि जिन लोगों ने अफगानिस्तान जाकर इसे ज्वाइन किया, उनमें पांच लोगों ने धर्म-परिवर्तन किया हुआ था। इसका मतलब यह है कि उनके दिलों में दूसरे धर्मों के प्रति किस कदर जहर घोला गया होगा, इसका अंदाजा लगाया जा सकता है।

महोदय, धर्म परिवर्तन करने के बाद उन्होंने सीधे ISIS ज्वाइन कर लिया और आतंकवादी बन गए। सवाल यह है कि यह सब किसने करवाया? विवादित धर्मगुरु जाकिर नायक की संस्था इस्लामिक रिसर्च फाउंडेशन ने यह किया था इसी जाकिर नायक का नाम बंगलादेश के आतंकी हमले में भी आया था। उसकी संस्था इस्लामिक रिसर्च फाउंडेशन आतंक का एक बहुत बड़ा गेम इस देश में खेल रही है। यह चिंता का विषय है कि केरल से अफगानिस्तान जाकर ISIS ज्वाइन करने वालों में चार महिलाएं और तीन बच्चे भी हैं, उनमें दो महिलाएं प्रेग्नेंट हैं, एक की तो इसी महीने में डिलीवरी की डेट है।

महोदय, महाराष्ट्र के परभणी और यवतमाल से भी इस प्रकार की गिरफ्तारियां होने के बाद यह साफ हो गया है कि हमारे पूरे ग्रामीण इलाकों में ISIS का जाल और घुसपैठ फैल रही है। यह केवल महाराष्ट्र और केरल की बात नहीं है, कल मैंने पढ़ा था कि पश्चिमी बंगाल के सीमावर्ती जिले में भी यही चल रहा है। जमात-उल-मुजाहिदीन बंगलादेश, जेएमडी ने पश्चिमी बंगाल के अनेक जिलों में अपना नेटवर्क बढ़ाया है और बेरोजगार युवकों को अपने चंगुल में फंसाकर आतंकवादी ग्रुप में भर्ती कर रहे हैं। यह बात हिंदुस्तान के बाहर की है, लेकिन हमारे देश में ISIS की तर्ज पर एक नया आतंकवादी संगठन बन रहा है जुनुद अल खिलाफा-ए-हिंद, उसका अर्थ एक बटालियन जो हिंदुस्तान की खिलाफत के लिए तैयार हो गई है और उनका काम है जेहादी ग्रुप को तैयार करना और हिंदुस्तान के खिलाफ बगावत करना।

महोदय, मैं आपके माध्यम से सरकार को यह बताना चाहता हूँ कि अगर इस तरह से यह फैल गया, तो हमारे देश में एक बार फिर कुछ हो सकता है।...

MR. DEPUTY CHAIRMAN: Time is over. Now, Shri Tapan Kumar Sen.

SHRITAPANKUMARSEN (West Bengal): Do we have any time?... (*Interruptions*)... The most unfortunate part is that the judgment is being made without understanding the issues, and I am a victim of that. ... (*Interruptions*)...

**12.00 NOON**

MR. DEPUTY CHAIRMAN: You can raise your point.

SHRI TAPAN KUMAR SEN: Mr. Deputy Chairman, Sir, the issue is that the Government is going to encroach upon unlawfully on the life-time savings of the workers in the Employees' Provident Fund for a purpose which is not related to the EPF subscribers. The Government is wanting to make all Senior Citizens Welfare Fund. ...*(Interruptions)*...

श्री अली अनवर अंसारी (बिहार): सर, इनको कल पहले नंबर पर समय दे दीजिएगा।

MR. DEPUTY CHAIRMAN: Let him complete.

श्री शरद यादव (बिहार): सर, कल इनका पहला नंबर होना चाहिए।

MR. DEPUTY CHAIRMAN: Yes, tomorrow, we can give time to him. Mr. Tapan Kumar Sen, tomorrow, you will be given the first opportunity. It was there already. But the point is that since the Calling Attention was raised, that is why. ...*(Interruptions)*... सीनियर मेम्बर शरद यादव जी ने suggest किया और मैंने उसे accept कर लिया। ...*(व्यवधान)*... आपका suggestion accept कर लिया है।

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## ORAL ANSWERS TO QUESTIONS

### Phone snooping racket busted by Delhi Police

\*181. SHRIMATI AMBIKA SONI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Delhi Police busted the racket of phone snooping by obtaining Call Detail Records (CDRs) data illegally by private detective agencies to make hefty amount;

(b) if so, the details thereof;

(c) whether any enquiry has been made to ascertain that such CDRs were obtained illegally from other cities in collusion with telecom providers, if so, the details thereof;

(d) whether CDRs were also used for illegal activities, like blackmailing, kidnapping and also by the terrorists; and

(e) if so, the action proposed to be taken by Government to ensure that such things do not happen in future?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJUJU): (a) to (e) A Statement is laid on the Table of the House.

***Statement***

(a) to (d) The Delhi Police has recently detected two cases of obtaining Call Detail Records (CDRs) illegally and registered two cases. The first case is registered with FIR No. 110/16 u/s 409/420/464/120-B of IPC and 24/25 of the Indian Telegraph Act dated 04.07.2016 at P.S. Crime Branch and six persons have been arrested so far. The second case is registered with FIR No. 119/16 u/s 409/419/420/120-B/34 of IPC dated 12.07.2016 at P.S. Crime Branch and four persons have been arrested so far.

(e) In so far as Law Enforcement Agencies are concerned the Government has, from time to time, issued guidelines to them for seeking Call Detail Records (CDRs) under law from Telecom Service Providers. When cases of illegally obtaining CDRs are detected, or come to notice, strict action as per law is taken.

SHRIMATI AMBIKA SONI: Sir, I have seen the reply given to me by the hon. Minister. It gives us details not of this very serious crime, which is increasingly taking place in our country, but the details have been given about the number of FIRs; the police station where these are registered; the date on which these are registered and nothing more. Sir, I would like to say that this is a very serious and sensitive issue and the way one of the cases, which have been registered as an FIR, came to light was that of an ordinary consumer who apparently got an SMS on his cell phone saying, "if you want the CDR of anyone in India, you can contact the following number and get it." Then, an inquiry was made. It has now been found that in the case of nearly 4,000 people, what is their private confidential right, as a citizen, is today in the public arena. The whole nexus between those who are running detective agencies and police stations is now there for everyone to see. The amounts being charged for pre-wedding, blackmailing, extortion and business details are anything from ₹ 8,000 to ₹1 lakh plus. So, it is not a crime which is diminishing. It is increasing because the Government is not apparently serious if this is the reply that has been given. Sir, my first question is what, besides registering the FIR, are the details, that have come out through an internal inquiry, which should have been or must have been held in the last one-and-a-half months when all these details were daily coming out in the newspapers?

SHRI KIREN RIJUJU: Sir, I do admit the concern being raised by the hon. Member, Ambika Soniji, and Government is definitely looking into the issue with all seriousness

that it deserves. The privacy of any citizen, the confidentiality of the numbers, being used by any citizen of this country for conversation or for any kind of communication, must be protected and if anybody breaches into that, then, Government has to take serious action and one of the cases, which is in the knowledge of this House, involved the then Leader of the Opposition, who is now the Leader of the House. The Rajya Sabha Privileges Committee also submitted its 61st Report which also talks about the privileges of Members of Parliament. The question which the hon. Member has raised is related to everybody and not only the Members of Parliament and we have issued subsequent guidelines also. The initial guideline was in general and, again, we have just a few days before, 28th July, revised the guidelines. Accordingly, for obtaining the CDR of any Member of Parliament, the head of the Police organization — in a city, it has to be the Police Commissioner; in a State, it has to be the Director General of the Police — must authorize and only then can the CDR of any Member of Parliament be obtained. Otherwise, the authorized officer, the nodal officer, the designated officer in the Centre or in a State, wherever it may be, has been authorized with clear stipulation of maintenance of a particular email id and a particular password, which needs to be updated timely, more preferably monthly. These kinds of guidelines have been issued and I do again admit that we are taking serious note of this concern. Of course, in the last month only, we have detected two important cases and many arrests have also been made. In both the cases, the Delhi Police has arrested many people. So, we are updating ourselves, and other suggestions made by the hon. Member are also welcome.

SHRIMATI AMBIKA SONI: Sir, the hon. Minister will definitely agree that in the 21st century information is power, with everything going digital, e-marketing, e-ticketing in the whole world. This is not just a guideline; it has been in place for a long time. I want to know from the hon. Minister one thing. Considering the way these guidelines are being violated increasingly, if 4,000 CDRs are in public arena, that is not a small number. I am talking not only of MPs but also of the ordinary citizens. Sir, I want to know from the hon. Minister as to what security measures the Government has put in place or is contemplating to put in place, which are comparable with international mechanisms in this case.

SHRI KIREN RIJIJU: Sir, we are very much on the line, and I am just rejoining to what I have stated earlier. Let me give a little bit more detail about what guidelines we have issued. Every Additional C.P. or D.C.Ps. of the District, Crime Branch, Economic Wing, Special Cell, Vigilance and the I.G.I. Airport, A.C.Ps. of Special Cell and Crime Branches have been authorized to obtain CDRs. It is because we have found that some of the police officers are also involved. That is why we have been very, very strict that within the system we must have very, very strong measures in place.

Individuals whom we have found in their different addresses, have been misusing the CDRs through the telecom service providers. That is why after the detection of two cases by the Delhi Police, we are very confident that it will really help in further getting into similar cases as well as in stopping such misuse happening in the present time.

**श्री शरद यादव:** उपसभापति जी, अम्बिका जी ने जो सवाल उठाया है, उसकी गंभीरता यह है कि इस देश के अंदर यह जो नया मीडिया आया है, उसका कैसे मिसयूज हो सकता है, उसका उदाहरण यह है कि यहां जो बजट है, उसको पहले ही निकाल लिया गया, राष्ट्रीय सुरक्षा सलाहकार का फोन टैप कर लिया गया। स्वर्गीय प्रमोद महाजन जी का भी फोन टैप हुआ था। देश के 125 करोड़ लोग अपने प्रतिनिधि को चुनते हैं और कॉरपोरेट का एक धन पशु, एक पैसे वाला इस तरह की घटनाओं को अंजाम देता है। आज कल एक अलग तरह की डिवाइस आ गयी है, जिसके माध्यम से किसी का भी फोन टैप किया जाता सकता है। मैं आपके माध्यम से सरकार से पूछना चाहता हूँ कि चूंकि यह गंभीर मामला है, इसलिए इसमें आपने क्या कार्रवाई की? आप एक तरह से छोटी सी inquiry करके इसको छोड़ने का काम कर रहे हैं। इस आदमी को जेल जाना चाहिए था। अगर कोई मामूली आदमी होता, तो आप उसको जेल में डाल देते, लेकिन यह जो धन पशु है, यह जो कॉरपोरेट है, आप इस पर सीधे केस क्यों नहीं चलाते हैं? आप उसके कर्मचारी पर केस क्यों चला रहे हैं? इसका मतलब यह है कि आप उसको बचाना चाहते हैं। मैं आपसे पूछना चाहता हूँ कि आप उस कॉरपोरेट को सबसे पहले गिरफ्तार करने का काम क्यों नहीं कर रहे हैं? सर, यह केस अब अदालत में डाल दिया गया ताकि इसको यहां पर कोई उठा न सके। मैं आपके माध्यम से यह जानना चाहता हूँ कि उस मामले में, जिसमें बजट को निकाल लिया गया, राष्ट्रीय सुरक्षा सलाहकार का फोन टैप कर लिया गया, महत्वपूर्ण मंत्रियों का फोन टैप कर लिये गये, उसके ऊपर आप क्या करने वाले हैं? आप इसका सीधा-सीधा जवाब दीजिए, इधर-उधर करने का काम मत कीजिए।

**श्री किरन रिजिजू:** सर, चूंकि यह फोन टैपिंग का जो मामला है, यह मूल प्रश्न यानी सीडीआर वगैरह जो निकलता है, उससे जरूर जुड़ा हुआ है, इसलिए शरद यादव जी ने जो मामला उठाया है, वह बहुत ही गंभीर मामला है। हमारे पास यानी गृह मंत्रालय में जो केसेज आए थे, उनके संबंध में हमने सीधे दिल्ली पुलिस से कहा है कि आप इन पर तुरंत कार्रवाई शुरू कीजिए। इस मामले में कोर्ट में केस डाला गया है, हमने कोर्ट को भी इस संबंध में पूरी जानकारी दी है कि इस मामले में हमने कार्रवाई शुरू कर दी है। इसके लिए स्पेशल सेल का भी गठन हो गया और वह काम भी शुरू कर दिया है। जैसे ही वहां से कुछ जानकारी प्राप्त होती है, उसके बारे में सदन को भी पता चल जाएगा और देश को भी पता चल जाएगा।

सर, फोन टैपिंग का जो मामला है, इस संबंध में मैं यह बताना चाहता हूँ कि गृह सचिव के final approval के बाद ही किसी का फोन टैप किया जा सकता है। इसके अलावा राज्य में भी जो वहां पर होम कमिशनर एजेंसी, पुलिसकर्मी किसी की फोन टैपिंग नहीं कर सकते हैं। इसलिए इस मामले को हमने बहुत गंभीरता से लेते हुए एडिशनल गाइडलाइंस भी इश्यू की हैं। क्योंकि शरद यादव जी ने जो एक बड़ा मुद्दा उठाया, मैं सदन की जानकारी के लिए जो सेंट्रलाइज्ड मॉनिटरिंग सिस्टम है, इसको पक्का करने के लिए जो सरकार के अधीन है, क्योंकि मैं पूरा बतला नहीं सकता हूँ, क्योंकि इस पर

अभी पूरी कार्यवाही नहीं हुई है, यह बड़ा काम्प्लेक्स इश्यू है, इसको बहुत गंभीरता से हमको लेना चाहिए। अगर गंभीरता से नहीं लेंगे तो जो यह बहुत ही सेंसेटिव चीज़ है, सरकार का हो या पार्लियामेंट का हो, या किसी इंडिविजुअल का भी हो, वह कोई भी किसी आदमी का गलत तरीके से न हो जाए, इसका हम लोगों को पूरा इंतजाम करना है। सरकार बाध्य है, वह इसको जरूर करेगी।

**श्री मधुसूदन मिश्री:** सर, ...(व्यवधान)...

**श्री शरद यादव:** सर, आपसे मेरी विनती है कि हमारे सवाल को और हमारे अधिकार को आप प्रोटेक्ट करिए। ये जो जवाब दे रहे हैं, यह ऊपर-ऊपर ही जवाब दे रहे हैं। मैंने सीधा कहा है, बहुत से फोन टैप हो रहे हैं, अलग-अलग हैं, उनकी बात नहीं है। यह गंभीर सवाल इसलिए है कि इस देश के लोग, 125 करोड़ लोग चुनाव करते हैं, सरकार बनाते हैं और एक आदमी जो कॉरपोरेट है, वह बाहर बैठ करके अपने पैसे के दम पर बजट को ले लेता है। जिसको आप सुरक्षा सलाहकार बनाते हो, वह उसका फोन टैप करा देता है। प्रमोद महाजन जैसा मजबूत आदमी है, जो यहां मंत्री थे, उनका भी फोन टैप हुआ था। कितने ही ऐसे केसेज़ हैं, जिनके विस्तार से मैं नहीं जाना चाहता। इसलिए मंत्री जी को यह कहना चाहिए कि जो आदमी इसके पीछे है, वे उसको क्यों नहीं पकड़ते हैं? ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Mr. Minister, would you like to say anything more?  
...(Interruptions)...

SHRI KIREN RIJJU: Sir, I would like to add that we have already ordered for an inquiry and the investigation is on. At this point of time, if I stand here, take somebody's name and take action without investigation getting completed, it would be unfair.  
...(Interruptions)...

MR. DEPUTY CHAIRMAN: Shri Basawaraj Patil. ...(Interruptions)... Nothing else will go on record. ...(Interruptions)...

SHRI MADHUSUDAN MISTRY: \*

**श्री बसावाराज पाटिल:** माननीय उपसभापति जी, आदरणीया अम्बिका सोनी जी और शरद यादव जी ने जो प्रश्न उठाया है, इस प्रकार की गतिविधियों कॉरपोरेट के लोग भी करते हैं। क्या देश में किसी विदेशी एजेंसी द्वारा भी इस प्रकार की घटना करने की कोई जानकारी सरकार के पास है, यह भी हमें बताएं।

**श्री किरन रिजिजू:** सर, इस वक्त बाहर की कोई एजेंसी या बाहर का कोई तथ्य इस मामले में कोई घटना ऐसी हुई है, हमारे पास नहीं है। लेकिन शरद जी की इंफॉर्मेशन के लिए मैं वे 11 एजेंसीज़ जिनको हमने ऑथराइज़ किया है, उनके नाम मैं बतला देता हूँ। Intelligence Bureau, Narcotics Control Bureau, Directorate of Enforcement, Central Board of Direct Taxes, Directorate of Revenue Intelligence, Central Bureau of Investigation, National Investigation



Agency, Research and Analysis Wing, Directorate of Signal Intelligence, NATGRID and Delhi Police. These are the authorized agencies to conduct whatever they need for investigative purposes.

SHRI RAJEEV SHUKLA: Sir, this CDR menace is manifested in phone-tapping. Private detective agencies are thriving like mushrooms because they can easily import equipment from Israel and other countries and which can tap phones in the vicinity of one kilometre or two kilometres. Why don't you ban import of these equipments? I would like to know from the Minister because illegal tapping is going on.

Secondly, some Government agencies, authorized or not authorized, are also tapping phones illegally through these equipments. I would like to know from the Minister whether he has got any direct answer or not. Kindly respond to this.

SHRI KIREN RIJIJU: Sir, those unauthorized equipments available in this country have either been seized or deposited with the Government. As per the records, we don't have such unauthorised equipments in place.

SHRI RAJEEV SHUKLA: Why don't you allow import of that? If we smuggle, then it is a very serious matter.

SHRI KIREN RIJIJU: I agree to the point of Rajeev Shuklaji that if the Government decides on those equipments which are useful for the purpose for which it is to be imported, they will be regulated. We can't allow the equipments to be imported just because it is useful. It must be useful for the country, for the agencies, not for misuse.

#### **Land acquired for Visakhapatnam Steel Plant**

\*182. SHRI V. VIJAYASAI REDDY: Will the Minister of STEEL be pleased to state:

(a) whether Government had promised people whose land was acquired for Visakhapatnam Steel Plant, that every family would get one permanent job at the plant;

(b) how many such jobs were eventually given at the Visakhapatnam Steel Plant;

(c) whether many families whose land was acquired never got any benefit from the Visakhapatnam Steel Plant;

(d) the reasons for neglecting families to whom promises were made solemnly by Government for the land acquired for the plant; and

(e) what steps will be taken to review the entire history of relief and compensation promised and not given by the Visakhapatnam Steel Plant to local people?

THE MINISTER OF STEEL (CHAUDHARY BIRENDER SINGH): (a) to (e) A Statement is laid on the Table of the House.

*Statement*

(a) to (e) The land for Visakhapatnam Steel Plant (VSP) was acquired by Government of Andhra Pradesh. The compensation and rehabilitation benefits are made to the land owners/ displaced persons by the Government of Andhra Pradesh.

Rashtriya Ispat Nigam Limited-VSP has provided employment to 7473 displaced persons as against 5,000 agreed to.

SHRI V. VIJAYASAI REDDY: Sir, the information that has been provided by the hon. Minister is factually incorrect and contrary to the information that has been obtained by me through RTI. Sir, 23,000 acres have been acquired and 16,500 families, either poor farmers or poor farm labourers, residing in 64 villages since early 1990s have been displaced. Sir, my question is, whether the assurances that have been given to these farmers and farm labourers have been honoured or not. According to the information available to me, these promises have not been honoured. My humble request to the hon. Minister is, the Minister has to give a direction to CMD of Rashtriya Ispat Nigam Limited to receive the delegation and accept the memorandum so that the facts that have been obtained by me through RTI and the information that has been provided by the Minister can be compared and verified and the memorandum to be submitted to the Rashtriya Ispat Nigam Limited can be accepted in letter and spirit.

CHAUDHARY BIRENDER SINGH: Mr. Deputy Chairman, Sir, as far as meeting of the delegation with the CMD of Rashtriya Ispat Nigam Limited is concerned, there is no problem. Any delegation can meet. Even there is no need for my direction to be issued. The other question which was raised was that the information which is supplied to the hon. Minister is contradictory to what the information that he has got. Sir, if you see, the total land which was acquired, was acquired way back in 1972 and it continued to be in process for about 20 years. The last acquisition was only four acres of land which was acquired way back in 2004. What I mean is, there was this understanding that the families who are displaced would be considered for jobs because most of the families were given R-Cards (Rehabilitation Cards) and rather a tripartite agreement was signed between Andhra Pradesh Government, the Ministry of Steel and the representative of the displaced persons and it was agreed upon that for these 5000 families, one member from

each family, would be given jobs and now I would say that out of these 16,000 families, to 5000 families the jobs have already been given. Not 5000, Sir, employment has been provided for 7,473 persons -unskilled-4,407, semi-skilled-3066. Whereas it was agreed upon to give jobs only to 5000 families.

SHRI V. VIJAYASAI REDDY: Sir, a separate sub-Employment Exchange has been established at Gazuvaka in Visakhapatnam wherein even today 7,500 R-Cardholders remained to be employed by the RINL.

Further, in reply, the hon. Minister said that it is a fact that 16,500 families residing in 64 villages have been displaced. Out of 16,500 families displaced, only 7,500 families have been provided with employment and the remaining 9,000 families who were promised that they would be provided with employment have not been accommodated and promises have not been fulfilled. Sir, the hon. Minister says that it is the responsibility of the State Government which has given the commitment while acquiring land. But, my humble submission is: According to law, the buyer cannot get a better title than what seller has got. Therefore, land acquired by the State Government with a rider that employment would be provided to the displaced families should be honoured by the RINL, because these 23,000 acres of land ultimately came to RINL's fold.

CHAUDHARY BIRENDER SINGH: Sir, as far as setting up of Employment Exchange in that area is concerned, it is a fact and they have been asked to register their names in that Employment Exchange. Also, one of the conditions was that they should also produce the R-Card. I say that the entire land was acquired by the Government of Andhra Pradesh and Government of Andhra Pradesh, in turn, gave that land to the Ministry of Steel. The Ministry of Steel, in turn, gave the Power of Attorney to the RINL for erection of plant on that site. So, Sir, as I explained, when the Tripartite Agreement was signed between all the three concerned parties, it was decided that employment would be given to 5,000 families. And, giving employment is a continuous process. Whenever there is vacancy, this very Employment Exchange is also given information. If somebody claims that he is in the third generation of that family and he should also be given the benefit of land acquisition, then it is not possible.

And, Sir, in 2008, the Supreme Court judgment was very clear. The judgment says that article 14 does not permit that one should get double advantage — compensation and employment. But, still, what I say is...

MR. DEPUTY CHAIRMAN: No, no. They say it is a promise of the Government. Now, they are saying that the Government has promised that one member of each family

would be given job. So, it is only a question of fulfillment of the promise. That is what they are saying.

CHAUDHARY BIRENDER SINGH: No, Sir. What I have said is: When land was handed over to the RINL, there was a Tripartite Agreement. A Committee was constituted and one section of the ousters was represented by one of the Commissioners and the Government of Andhra Pradesh and the Ministry of Steel all put together decided, ultimately, that 5,000 families would be given jobs. As I have explained, it is not just 5,000; rather, we have given jobs to 7,473. It means, we even did not stick to the figure of 5,000. Still, what I would like to say is that Employment Exchange is provided with all information that whenever there is any vacancy, it is informed and whosoever qualify for any particular technical job is also given an opportunity.

DR. T. SUBBARAMI REDDY: Sir, I have been associated with the Visakhapatnam Steel Plant for the last thirty years. The hon. Minister, in his reply, has stated that the land for Vishakhapatnam Steel Plant was acquired by the Government of Andhra Pradesh. Before putting my question, let me clarify this. Though, in principle, the Government of Andhra Pradesh had acquired land, yet a lot of agitation had been going on at that time. The land-owners were not prepared to give their land unless they had been promised that one member from each family would be provided a job in the steel plant. After that, the Ministry of Steel, the Government of Andhra Pradesh and the Ispat Nigam joined together and assured the land-owners that one member each from all the 16,000 families would be provided jobs. I do not know how the hon. Minister has got the figure of 5,000. The fact is that even today whenever I go to Vishakhapatnam, people keep on crying that their land has gone, they are very poor people, they have nothing to eat and the ispat Nigam has not given them jobs. Therefore, my question is this. What steps will be taken to review the entire history of relief and jobs not being provided? When are you going to review all this — what your promise was; what has been given; what you are going to give. ...*(Interruptions)*... When the land was acquired, there was no expansion programme of the steel plant. Now, it has expanded many times. But despite so much expansion, jobs have not been provided to one member each of all the sixteen thousand families. ...*(Interruptions)*... When are you going to fulfil your commitment?

CHAUDHARY BIRENDER SINGH: Sir, if you see, the tripartite agreement was confined only to 5,000 families. And, when I say that more than 7,000 families have been given jobs, ...*(Interruptions)*... There were only 450 families of two villages who were a bit reluctant to part with their land. Ultimately, they went to the court. The Visakhapatnam Steel Plant, during the last phase of acquisition, and the Government of Andhra Pradesh

were still in the process of rehabilitating those 450 families. The problem was that those 450 families of two villages were insisting that they should be placed at one place and should not be spread over different colonies. So, that was the problem. And, when this problem could be sorted out, then, the entire 450 families are ready to go to the ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Shri Tapan Kumar Sen. ...*(Interruptions)*... Shri Tapan Kumar Sen. ...*(Interruptions)*... Shri Tapan Kumar Sen, please put your question. ...*(Interruptions)*... Okay; okay. That's all. ...*(Interruptions)*... Shri Tapan Kumar Sen. ...*(Interruptions)*... Mr. Tapan, you start and put your question. ...*(Interruptions)*...

DR. T. SUBBARAMI READY: Sir, 16,000 families ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No; no. ...*(Interruptions)*... No, please. ...*(Interruptions)*...

SHRI TAPAN KUMAR SEN: Sir, the hon. Minister is again and again referring to ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please sit down. ...*(Interruptions)*... Dr. Subbarami Ready, please sit down. ...*(Interruptions)*... You cannot disturb like this after putting your question. ...*(Interruptions)*... No; no. ...*(Interruptions)*... After putting your question, you cannot disturb like this. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*... You are disturbing Mr. Tapan. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*...

SHRI TAPAN KUMAR SEN: Sir, the hon. Minister is again and again repeating that the tripartite agreement had committed 5,000 jobs. You may personally see the area that has been taken over. It involves more than 20,000 families. So, the tripartite agreement, which had taken place at that point of time, had excluded the majority part on local political considerations. While working in the trade union, I have been associated with the Visakhapatnam Steel Plant right from its erecting stage. I know the entire story. At different times, there had been spells of agitations. You also understand that for a giant steel plant like the RINL, the figure of 5,000 itself is very much under rated. It is a very old problem. You have rightly said that about three generations are involved in that. But the agitations are still alive. So, let it be reviewed practically, and, I think, the RINL is on an expanding mode. So, there are rooms for accommodation of all the affected land-oustee families. Will the Minister kindly review these aspects from a practical point of view? I think, the problem can be addressed and it is possible to address it to the satisfaction of all concerned. Will you kindly review these things? Don't hinge on that tripartite agreement.

CHAUDHARY BIRENDER SINGH: Sir, the hon. Member is right. As far as the families are concerned, the number may be around 20,000. But if the plant itself is not having the full capacity of 20,000, all put together, then how would it be possible? Now, we have the total strength of 17,700. That is the strength of the RINL. But, on the other hand, you are right that expansion is taking place and also there is modernization of the plant. As the hon. Member has mentioned, there is an Employment Exchange situated in that area where the land was acquired. So, we would also see that the people or the job-seekers are registered in that Employment Exchange. I will ensure that they should also be given that kind of priority but, as I have put it, they are asking for jobs for the second generation, third generation. But we would try that in case of expansion and we are to take more on our roll, then, naturally, they may also get that kind of consideration.

SHRI MAHESH PODDAR: Sir, during 60s to 90s, many public sector steel plants were put up and huge tracts of land were acquired, say, in RINL or Bokaro Steel in Jharkhand and, maybe, in other States. Now, even after fifty years, this Government has inherited the problem of rehabilitation of the people who gave the land. Now, this is also causing resistance to the new proposals of the steel plant. Sir, the technology has changed. Now you require lesser number of people and also lesser amount of land. Thus, gradually, the requirement is coming down. All these steel plants have a lot of unutilized land. Sir, through you, my question to the hon. Minister will be: Can't the Government think of finding solution to this problem by considering in terms of rehabilitation and some other means rather than by only providing the jobs?

CHAUDHARY BIRENDER SINGH: The land which was acquired way back forty years or fifty years was under the 1894 Land Acquisition Act and that is a fact that at that time any quantum of land which was projected in the plan of putting up a plant was given consent and accordingly in some of the plants — I am new to this Ministry — I have seen that the land is to the tune of 26,000 acres. So, in some of the plants, they have established a lot of good work. Colonies are there. Even in one of the plants, Bokaro, there is 700-bed hospital. Sir, these kinds of facilities are provided not only to the residents of that plant area, but even in the neighbouring areas also. The hon. Member has asked, "Why can't there be any possibility that the vacant land is utilized for this?" Sir, we are not in the real estate business. I am sorry to say.

#### **Cases registered under NDPS Act, 1985**

\*183.SHRI K.T.S. TULSI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total number of cases registered under the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 in the country in the last two years and that in Punjab out of those cases; and

(b) the steps, if any, taken by Government to help the State Government of Punjab to curb the menace of drug trafficking and drug addiction in the last two years?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) and (b) A Statement is laid on the Table of the House.

***Statement***

(a) As per the available information from NCB, 23709 cases in 2014 and 27231 cases in 2015 were registered under the NDPS Act, 1985 in the country. Out of these, 9159 and 10233 cases were registered in Punjab in 2014 and 2015 respectively.

(b) Steps taken by the Government to help the State Government of Punjab in tackling drug trafficking and drug addiction include deployment of BSF along the border, strengthening of Indo-Pak border by erection of border fencing, installation of floodlights strengthening of presence of NCB in Amritsar and Chandigarh, training to the Punjab Police on interdiction of drugs, financial assistance for procurement of surveillance, laboratory and other equipment, empowering Border Security Force for interdiction under NDPS Act, coordination and sharing of intelligence with various Drug Law Enforcement Agencies of Centre like BSF, CRPF, DRI, Central Excise and Customs and of State agencies like Police and State Excise, supply of Drug Detection Kits to all the Drug law enforcement agencies including State Police by NCB and co-ordination meetings between Central and State Drug Law Enforcement agencies of Punjab. NCB has also been sensitizing various agencies like prisons, AIDS control and Drug Controllers and licensing authorities on the misuse of pharmaceutical and other Drugs containing Opium. Further, drug awareness programmes are undertaken to reduce demand for narcotics/drugs and de-addiction and rehabilitation centres have also been set up for the treatment of drug addicts.

SHRI K.T.S. TULSI: Sir, through you, I would like to know from the hon. Minister, keeping in view the facts which are given in the written reply laid on the Table, if drug menace in Punjab has assumed alarming proportions, because the figures given by them are themselves quite alarming. In 2014 and 2015, a total of 50,940 cases of drug abuse are said to have been registered in the whole of India while in Punjab alone, 19,392 cases were registered. This means that 50 per cent of the total drug cases registered in the country are registered in Punjab, and yet it is being said that this is not a serious situation.

Sir, according to the Times of India dated 23rd June, 2016 and the National Crime Records Bureau data, there are 40 drug-related cases that are registered in Punjab every day. There are 15 top districts which are afflicted with drug menace. Out of those 15 districts, 13 are in Punjab. According to the Live-Mint edition of 10th June, between February and April, 2015, there were 2,30,000 drug-users in Punjab. It means that there are 836 drug-users per lakh of people in Punjab, whereas the all-India figure is 250 drug-users per lakh. In this alarming situation, what does the Government propose to do?

SHRI KIREN RIJIJU: Sir, the hon. Member has stated that the situation in Punjab is alarming. Now, we have not said that it is not serious. Any situation arising out of drug abuse amongst the youth has to be taken seriously. Of course, figures show that the incidents, the number of cases registered, seizures, etc. in Punjab are higher when compared to the other States in the country. That is why, the Home Ministry has taken various steps to ensure that we could not only contain but also eradicate this menace. Now, the reasons are many. I may not be in a position to explain that in detail because of the very position that Punjab is located. But coming to the core of the question, we are in direct and constant touch with Punjab, with our Narcotic Control Bureau, and we have given assistance to the Punjab Government. We have conducted various awareness programmes and we have strengthened the capacity within Punjab. Recently, in one of the cases filed in the Punjab and Haryana High Court, it was observed by the High Court that the steps taken by the Home Ministry are appreciable and the third phase of the projects which we have initiated should be expedited.

So, I agree that the situation in Punjab is quite serious and we are taking action but, at the same time, we have also seen some improvement. We have made a number of seizures. Our Border Security Forces have conducted various raids and even eliminated some of the smugglers. This shows that we are really committed to it. Presently, the Central Government and the Punjab Government are working jointly to ensure that this menace is taken care of.

SHRI K.T.S. TULSI: Hon. Deputy Chairman, Sir, I regret to say that the hon. Minister is skirting the issue. What has also been said is the manner in which the assistance is sought to be rendered to tackle this menace. Deployment of BSF, fencing, floodlights, etc., was being done for the last 20 years! And training, surveillance and Intelligence are not the issues. What do you do when it is widely believed that even Ministers in the Government are involved in smuggling? ...*(Interruptions)*... What action has been taken against them? Sir, no action has been taken. Only drug users have been arrested. No major trafficker is being touched. It seems that the Central Government is complicit in protecting the Ministers of Punjab.



SHRI KIREN RIJJU: Sir, the hon. Member, Tulsiji, is an eminent lawyer. He knows the system. Merely taking the name of a State Government is not sufficient to act. There are procedures to act, I will not go into the details of that. At the same time, I do not agree that we have not done anything in addition to what has been done in the last 20 years. What I have stated earlier is the steps we have taken in the last two years. I can inform the hon. House the details, because we have taken a large number of steps. Especially, in Chandigarh zone and Amritsar sub-zone, we have adequately placed our resources and manpower. The Border Security Force is there to control drug trafficking from across the border. Everybody knows that the Punjab sector of India-Pakistan border is densely populated, it is heavily cultivated, and there are local people involved in that. There are various means being used to traffic heroin from across the border. We are sitting in the middle of the 'Golden Crescent' on this side and the 'Golden Triangle' in the South East Asia. Punjab being one of the States in the North-West part of India is very vulnerable. That is why we have to accept the challenges. I do not deny the points made by the hon. Member. We accept that there are challenges and we are committed to taking very drastic actions, and results are showing that.

MR. DEPUTY CHAIRMAN: Okay. Shri Partap Singh Bajwa.

SHRI PARTAP SINGH BAJWA: I thank you, Sir, for giving me this opportunity. सर, यह प्रश्न पंजाब को involve करता है। सबसे पहले तो मैं ऑनरेबल मेम्बर को मुबारकबाद देना चाहता हूँ, क्योंकि इनका सवाल बहुत महत्वपूर्ण है। मैं हाउस का ध्यान इस बात पर लाना चाहता हूँ कि आनरेबल मिनिस्टर ने जो जवाब दिया, वह बहुत अच्छा जवाब है, मगर ये जो हेरोइन की बात कर रहे हैं, यह सारी प्रॉब्लम्स का 10 परसेंट है। हमारे 20 परसेंट drugs conventional हैं, जिनमें शराब, opium, poppy husk शामिल हैं। मिनिस्टर साहब, तुलसी साहब ने जिस बात का जिक्र किया है, वह विशेष तौर से synthetic drugs के बारे में है, जो पंजाब में drugs का 70 परसेंट है। Synthetic drugs पंजाब में, manufacture भी होते हैं। मैं एक महत्वपूर्ण बात बताना चाहता हूँ। हमारे यहाँ wrestling के एक नेशनल चैंपियन थे, जिनका नाम जगदीश सिंह भोला था। As he was an excellent athlete and an excellent wrestler, उनको पंजाब पुलिस में भर्ती किया गया, वे डीएसपी बन गए। आज से तीन साल पहले वे गिरफ्तार हुए और जब गिरफ्तारी के बाद वे कोर्ट में पेश हुए, तो उन्होंने एक हैरानी की बात कही, जिस बयान से सारा हिन्दुस्तान घबरा गया। उन्होंने यह बात कही कि पिछले 7 साल के दौरान अकाली दल और भाजपा की गवर्नमेंट में हमने 6 हजार करोड़ के synthetic drugs सिर्फ पंजाब में ही नहीं, हिन्दुस्तान की विभिन्न मंडियों में बेचे हैं। ...**(व्यवधान)**... एक मिनट, सबसे important बात ...

MR. DEPUTY CHAIRMAN: Now, please put your question.

**श्री प्रताप सिंह बाजवा:** सर, मैं question पूछ रहा हूँ। उन्होंने यह बात कही कि सरदार प्रकाश

सिंह बादल की गवर्नमेंट में तीन ऐसे मंत्री हैं और उन्होंने एक मंत्री का नाम लिया, जिसके बारे में उन्होंने कहा कि वह हमारा kingpin है, जिसके नीचे हम smuggling का सारा operation चलाते हैं। होम मिनिस्टर साहब बैठे हुए हैं। मैं होम मिनिस्टर साहब को याद दिलाना चाहता हूँ कि हमारे ऑनरेबल प्राइम मिनिस्टर, नरेन्द्र मोदी जी ने 'मन की बात' में पंजाब और हिन्दुस्तान के नौजवानों से यह बात कही थी कि मैं यकीन दिलाता हूँ ..

MR. DEPUTY CHAIRMAN: Now, please put the question.

**श्री प्रताप सिंह बाजवा:** सर, यह बहुत important है। Sir, it is a matter of our children's future. उन्होंने यह बात कही है कि मैं आपको यकीन दिलाता हूँ, आप हमारी गवर्नमेंट लाइए और जब बीजेपी की गवर्नमेंट बनेगी, तो पंजाब का जो ड्रग माफिया है, हम उसको demolish करेंगे। मेरी एक ही गुजारिश है, हाथ जोड़ कर विनती है, मैं किसी पार्टी, किसी आदमी के बारे में नहीं कहना चाहता, आप सीबीआई की inquiry करवा दीजिए। रिजिजु साहब, आप तो बात कर रहे हैं, यह तो प्रॉब्लम का 10 परसेंट है। 70 परसेंट प्रॉब्लम synthetic drugs की है। जब तक synthetic drugs के बारे में पंजाब की गवर्नमेंट और पुलिस इकट्ठा होकर इसका फैसला नहीं करती, तब तक दूध का दूध और पानी का पानी नहीं हो सकता है। यह हमारी डिमांड है। क्या आपकी गवर्नमेंट पंजाब के मामले में ...(व्यवधान)... सीबीआई की इंक्यावरी करवाएंगी और उन मंत्रियों का पर्दाफाश करेगी, जिन मंत्रियों का नाम लिया है? ...(व्यवधान)... This is my request to the hon. Minister.

MR. DEPUTY CHAIRMAN: That is okay. ...(Interruptions)... Don't take so much time for a question. ...(Interruptions).. Now, you have put your question. ...(Interruptions)... Sit down. ...(Interruptions)...

**श्री किरन रिजिजु:** उपसभापति जी, यह बात सही है कि सिर्फ heroin से ही पूरा component नहीं बनता है। ऑनरेबल मेम्बर ने यहाँ पर काफी डिटेल् में अपनी बात रखी है। सर, तीन एलिमेन्ट्स, बेसिकली आप जो पंजाब को लेकर कह रहे हैं, मैं सदन को इसकी जानकारी दूंगा कि जो smuggling of heroin across the border पाकिस्तान से आती है, वह एक component है। इसके अलावा, smuggling of opium, poppy, husk, charas, ganja, etc. यह सिर्फ across the border से आता है, मैं यह मानता हूँ कि, लेकिन यह inter-State, यानी भारत के अंदर से भी देश में आता है। ...(व्यवधान)... मैं बता रहा हूँ। ...(व्यवधान)...

**श्री शरद यादव:** आप सीबीआई की inquiry कराएंगे या नहीं कराएंगे? इन्होंने एक ही सवाल पूछा है कि आप सीबीआई की inquiry कराएंगे या नहीं कराएंगे? ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Let him reply. ...(Interruptions)...

**श्री किरन रिजिजु:** उपसभापति जी, इन्होंने इतनी लंबी पृष्ठभूमि बनाई है। ...(व्यवधान)...

**श्री उपसभापति:** आप रिप्लाइ कीजिए। ...(व्यवधान)...

**श्री प्रताप सिंह बाजवा:** उपसभापति जी, एक मिनट ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: The question is clear. *...(Interruptions)...* Please, sit down. *...(Interruptions)...* There is no need for repetition. *...(Interruptions)...*

**श्री किरन रिजिजू:** मैंने वह पहले भी बताया। *...(व्यवधान)...*

**श्री उपसभापति:** रिपिटिशन की जरूरत नहीं है। *...(व्यवधान)...* मंत्री जी पूरा समझ गए हैं, वे उत्तर देंगे, आप बोलिए।

**श्री किरन रिजिजू:** मुझे पूरा समझ में आ गया है, आपने क्या कहा है, आपने सही कहा है। मैं आपको यह बताना चाहता हूँ कि यह heroin का ही मामला नहीं है। जो precursor items होते हैं, बाकी चीजें होती हैं, यह मामला उनका भी है। आपने जिन cases की बात कही है, मैंने पहले भी आपको, इस सदन को जानकारी दी है कि सिर्फ नाम लेने से केस नहीं बनता है। केस बनने की प्रक्रिया होती है। आप किसी का भी राजनीतिक नाम ले लेंगे और हम यहाँ सदन में कहेंगे कि हम केस की जाँच करेंगे, यह ठीक नहीं है। एक मिनट *...(व्यवधान)...* लेकिन मैं इस सदन को *...(व्यवधान)...* मैं इस सदन को बताना चाहता हूँ कि पिछले दो सालों में, नरेन्द्र मोदी जी की सरकार बनने के बाद ड्रग्स को contain करने के लिए जितने कदम उठाए गए हैं और हमने जितनी सफलता प्राप्त की है, उतनी इससे पहले कभी नहीं हुई। *...(व्यवधान)...* यह भी सच है। *...(व्यवधान)...*

**श्री प्रताप सिंह बाजवा:** मेरी मंत्री जी से सिर्फ इतनी गुजारिश है कि यह बहुत sensitive मामला है। *...(व्यवधान)...* सीबीआई की inquiry होनी चाहिए। *...(व्यवधान)...*

**कुमारी शैलजा:** उपसभापति जी, यह पंजाब के फ्यूचर का सवाल है। *...(व्यवधान)...*

MR. DEPUTY CHAIRMAN: Now, Shri Sanjiv Kumar. *...(Interruptions)...*

SHRI SANJIV KUMAR: Sir, the Narcotic Drugs and Psychotropic Substances Act is the most serious enactment of our time and the minimum sentence provided for the offence is *...(Interruptions)...*

**श्री प्रताप सिंह बाजवा:** \*

MR. DEPUTY CHAIRMAN: Don't interrupt. *...(Interruptions)...* Don't interrupt. *...(Interruptions)...* Bajwaji, you are not allowed. *...(Interruptions)...* How can you do that? *...(Interruptions)...* You cannot do that. *...(Interruptions)...* It is not going on record. *...(Interruptions)...*

SHRI PARTAP SINGH BAJWA: \*

MR. DEPUTY CHAIRMAN: Mr. Sanjiv Kumar, you put your question. ...*(Interruptions)*... You put your question. ...*(Interruptions)*...

SHRI SANJIV KUMAR: Sir, I...*(Interruptions)*..

MR. DEPUTY CHAIRMAN: Mr. Sanjiv Kumar, you put your question. ...*(Interruptions)*...

SHRI SANJIV KUMAR: Sir, I want to ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You put your question. ...*(Interruptions)*... It is not allowed. ...*(Interruptions)*... It is not going on record. ...*(Interruptions)*... None of what you are saying is going on record. ...*(Interruptions)*... Only what Mr. Sanjiv Kumar says will go on record. ...*(Interruptions)*... If you want a Half-an-Hour Discussion, give notice. ...*(Interruptions)*... Listen to me. If you are not satisfied with the reply, there are rules in the Rules Book. You can give a notice for Half-an-Hour Discussion, and it can be discussed. ...*(Interruptions)*... But you cannot usurp his time. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*... Mr. Sanjiv Kumar, only what you say will go on record.

SHRI SANJIV KUMAR: Sir, the Narcotic Drugs and Psychotropic Substances Act, 1985 is the most serious enactment of our time. A person who is caught with commercial quantity of narcotic drugs is sentenced to ten years. But with the passage of time, Sir, after the enactment of the Act, it has been revealed that in maximum cases the prosecuting agencies themselves are involved. In Punjab also, it was revealed that Narcotics Control Bureau itself was involved in leaking narcotic drugs from Malkhana and distributing it to the members of general public. In Delhi and other parts of the country also, it was found that the prosecuting agency...

MR. DEPUTY CHAIRMAN: Put your question.

SHRI SANJIV KUMAR: So, I want to ask the hon. Minister as to what are the steps the Government is taking to stem out this menace of indulgence of prosecuting agencies in cases relating to the Narcotic Drugs and Psychotropic Substances Act.

SHRI KIREN RIJJU: Sir, as per the provisions of the Narcotic Drugs and Psychotropic Substances Act, there is a complete prohibition on the manufacture, production, trade or use of narcotic drugs and psychotropic substances except for medical and scientific purposes. So, based on that, we have a two-fold method. One is to stop the

supply chain or reduce it, and the other is the demand side. We have to control it from both sides. Our agencies are updated to meet the menace, the challenging scenario, we are facing today, and all the appropriate measures are being taken. But, at the same time, I do admit that as a large country, as a country having porous borders, we face challenges from within the country as well as from across the borders. So, we are mindful of the situation and we are taking all necessary steps.

**श्री संजय राउत:** उपसभापति जी, आपका बहुत-बहुत धन्यवाद। अभी-अभी एक फ़िल्म आई थी, 'उड़ता पंजाब'। उसके ऊपर हंगामा भी हुआ था, लेकिन ड्रग्स के मामले में सिर्फ पंजाब ही नहीं उड़ रहा है, बल्कि देश के बहुत से राज्य उड़ रहे हैं। इनमें महाराष्ट्र उड़ रहा है, मैंने कल गुजरात में भी देखा है, राजस्थान में भी देखा है। आज ड्रग्स के मामले में देश की उड़ता हिन्दुस्तान जैसी स्थिति हो गई है। मंत्री जी ने बहुत-सी ड्रग्स के नाम लिए हैं, जिनमें हेरोइन, व्हाइट पाउडर, अफु है, गांजा है, लेकिन आजकल बाजार में, जो ड्रग जोरशोर से चल रही है, जो स्कूल, कॉलेज, पार्टी, Page-3 party में प्रयोग हो रही है, वह ड्रग है ephedrine. जो ephedrine ड्रग है, आजकल लोग उसका इस्तेमाल दवा में मिलाकर, या सीधे नशे के तौर पर, या आइसक्रीम में मिलाकर स्कूल, कॉलेज और पार्टीज में इस्तेमाल करते हैं। यह खास कर जो फीमेल पार्टीज होती हैं, page-3 party, आज यह ड्रग उस पार्टी में खुले आम मिलता है। अमरीका, ऑस्ट्रेलिया, कनाडा में इस ड्रग पर बैन है। मुझे लगता है कि 2004 में हिंदुस्तान में भी इसके ऊपर बैन लगा था।

उपसभापति जी, महाराष्ट्र के शोलापुर में एक महीने पहले 2000 करोड़ का यह ephedrine ड्रग पकड़ा गया था। इंटरनेशनल बाजार में यह 2000 करोड़ रुपये की रकम बहुत बड़ी रकम है। उसके ऊपर एक ...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Put your question.

**श्री संजय राउत:** ड्रग पकड़ा गया है। यहाँ गृह मंत्री जी बैठे हैं, मेरा माननीय मंत्री जी से सवाल है कि क्या हमारे देश की जो युवा पीढ़ी है, उसको बरबाद करने का यह कोई अंतर्राष्ट्रीय षडयंत्र है? आपके जो कानून हैं, लॉज हैं, उन कानूनों को तोड़कर - यह ड्रग आसमान से तो नहीं गिरा होगा, जमीन में से भी ऊपर नहीं आया होगा, मैं पूछना चाहता हूँ कि क्या यह across the border आया है या हमारे देश में बना है? ये कौन लोग हैं। आपने हेरोइन की बात कही, लेकिन उसके कारोबार में बड़े-बड़े नाम सामने आए हैं। इसमें बड़े-बड़े लोग शामिल हैं। मैं आपके माध्यम से जानना चाहता हूँ कि सरकार के पास इस षडयंत्र के बारे में क्या जानकारी है और वह क्या करना चाहती है?

**श्री किरन रिजिजू:** उपसभापति जी, माननीय सदस्य ने जो मुद्दा उठाया है, वह सरकार के संज्ञान में है। मैं आपको recently, दो सालों का ब्योरा बता सकता हूँ। यह जो एफिड्रिन और सुदोएफिड्रिन का मामला है, सचमुच में इसका कारोबार फैला हुआ है और इस पर काफी seizure भी

हुआ है। मैं आपको आंकड़ों के हिसाब से बताता हूँ कि हमने यह 2014 में 654.06 k.g. सीज़ की थी, 2015 में 97.5 कि.ग्रा. एफिड्रिन और लास्ट ईयर ही, 2015 में सुदोएफिड्रिन 729 कि.ग्रा. सीज़ की है। तो यह बिल्कुल banned है, इसलिए इसको seize किया गया है। इसके खिलाफ युवाओं में कोई षडयंत्र है, यह तो हम कह नहीं सकते हैं, लेकिन युवाओं पर इसका जो प्रभाव पड़ा है, उसको रोकने के लिए कदम उठाए जा रहे हैं।

### **बेरोजगारी के कारण युवाओं का आतंकवादी और नक्सली संगठनों में शामिल होना**

\*184. चौधरी सुखराम सिंह यादव : क्या गृह मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या कोई ऐसा अध्ययन करवाया गया है जिससे यह पता चल सके कि देश के कितने नौजवान बेरोजगारी से उत्पन्न कुंठा के कारण आतंकवादी या नक्सली संगठनों में शामिल हो रहे हैं;

(ख) क्या मंत्रालय नक्सलवाद प्रभावित क्षेत्रों में जागरूकता लाने और रोजगार के अवसरों हेतु कोई कदम उठा रहा है जिससे नक्सलवाद की ओर नौजवानों के झुकाव को कम करने में मदद मिल सके; और

(ग) यदि हां, तो तत्संबंधी ब्यौरा क्या है?

**गृह मंत्रालय में राज्य मंत्री (श्री हंसराज गंगाराम अहीर):** (क) से (ग) एक विवरण सदन के पटल पर रख दिया गया है।

### **विवरण**

(क) इस मंत्रालय के पास उपलब्ध सूचना के अनुसार, बेरोजगारी के कारण वामपंथी उग्रवादी संगठनों में शामिल हो रहे देश के युवाओं की संख्या का पता लगाने के लिए कोई विशिष्ट अध्ययन नहीं कराया गया है।

(ख) और (ग) वामपंथी उग्रवाद से प्रभावित क्षेत्रों में रोजगार के अवसर पैदा करने के उद्देश्य से, केन्द्र सरकार राज्य सरकारों के प्रयासों में सहायता पहुंचाती है तथा उनसे वामपंथी उग्रवाद से प्रभावित क्षेत्रों में सड़कों के निर्माण, संचार नेटवर्क के सुदृढ़ीकरण, मोबाइल टावरों की स्थापना, बैंकों, डाकघरों के नेटवर्क में सुधार, स्वास्थ्य एवं शिक्षा की सुविधाओं सहित विभिन्न उपाय किए हैं।

केन्द्र सरकार कौशल विकास एवं उद्यमिता मंत्रालय द्वारा क्रियान्वित की जा रही विकास संबंधी दो योजनाओं अर्थात् "वामपंथी उग्रवाद से प्रभावित 34 जिलों में कौशल विकास" (मार्च, 2011 से मार्च, 2016 तक क्रियान्वित) और "प्रधानमंत्री कौशल विकास योजना" के माध्यम से वामपंथी उग्रवाद से प्रभावित राज्यों में युवाओं के कौशल विकास को बढ़ावा देने तथा रोजगार के अवसर बढ़ाने के लिए भी राज्य सरकारों के प्रयासों में सहायता पहुंचाती है।

नक्सलवाद की ओर युवाओं के झुकाव को समाप्त करने के लिए जागरूकता फैलाने संबंधी राज्य सरकारों के प्रयासों में केन्द्र सरकार मदद पहुंचाती है, जिसमें, अन्य बातों के साथ-साथ सरकार की विभिन्न विकास एवं कल्याण संबंधी योजनाओं/कार्यक्रमों के बारे में सूचना का प्रचार-प्रसार, वार्षिक जनजातीय युवा विनिमय कार्यक्रम (टीवाईईपी) और हिंसा की निरर्थकता, राष्ट्रीय अखंडता, देशभक्ति, राष्ट्र-निर्माण और सांप्रदायिक सौहार्द आदि के बारे में सूचना का प्रचार-प्रसार शामिल है।

**Youths joining terrorist and naxalite organisations due to unemployment**

†\*184. CH. SUKHRAM SINGH YADAV: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether any study has been conducted to ascertain the number of youths in the country, who are joining terrorist or naxalite organisations due to their frustration stemming from unemployment;

(b) whether the Ministry is taking any step to create awareness and employment opportunities in naxal-affected areas so that inclination of the youths towards naxalism may wane; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) to (c) A Statement is laid on the Table of the House.

***Statement***

(a) As per information available with this Ministry, no specific study has been conducted to ascertain the number of youth in the country who are joining Left Wing Extremist organizations due to unemployment.

(b) and (c) In order to create employment opportunities in the LWE affected areas, Central Government supplements the efforts of the State Governments and have undertaken various measures including construction of roads, strengthening of communication network, installation of mobile towers, improving network of banks, post offices, health and education facilities in Left Wing Extremism affected areas.

Central Government is also supplementing the efforts of State Governments for

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† Original notice of the question was received in Hindi.

promoting skill development and enhancing job opportunities for the youth in LWE affected States through two developmental schemes namely 'Skill Development in 34 districts affected from Left Wing Extremism' (implemented from March, 2011 to March 2016) and 'Pradhan Mantri Kaushal Vikas Yojana' being implemented by the Ministry of Skill Development and Entrepreneurship.

The efforts of the State Governments in creation of awareness so that the inclination of youth towards naxalism may wane, are supplemented by the Central Government, which, *inter-alia*, includes dissemination of information about various developmental and welfare schemes/programmes of the Government, the annual Tribal Youth Exchange Programme (TYEP), and dissemination of information about the futility of violence, about national integration, patriotism, nation building and communal harmony etc.

**चौधरी सुखराम सिंह यादव:** माननीय उपसभापति जी, मैंने माननीय मंत्री जी से यह सवाल पूछा था कि आज पूरे देश में नक्सलवाद व आतंकवाद की समस्या है, इस समस्या से निपटने के लिए सरकार द्वारा क्या कदम उठाए जा रहे हैं, लेकिन इसका जो उत्तर आया है, वह बहुत गोलमोल उत्तर आया है। मैं मंत्री जी से स्पष्ट रूप से यह जानना चाहता हूँ कि इस प्रकार के नौजवानों की संख्या में कितनी वृद्धि हुई है, क्योंकि यह समस्या एक ऐसी समस्या है, जिससे आज हमारा पूरा देश लड़ रहा है। माननीय मंत्री जी स्पष्ट रूप से यह बताएं कि आज ऐसे नौजवानों की कितनी संख्या है और वह संख्या घटी है अथवा बढ़ी है? यदि घटी है, तो किन कारणों से घटी है और यदि बढ़ी है, तो हमारी ऐसी कौन सी लापरवाही रही, जिससे उनकी संख्या बढ़ गई?

**श्री हंसराज गंगाराम अहीर:** माननीय सदस्य ने जो प्रश्न पूछा है, उन्हें देश में उग्रवाद की ओर अग्रसर होने वाले युवाओं की संख्या बढ़ाने की आशंका है, लेकिन हमारे मंत्रालय से जो जानकारी प्राप्त है, वह ऐसी नहीं है। माननीय सदस्य के द्वारा यह प्रश्न पूछा गया है कि नक्सलवाद या वामपंथी उग्रवाद में हमारे देश में युवा अधिक सम्मिलित हो रहे हैं, लेकिन हमारे सामने ऐसा कोई चित्र नहीं आया है।

मैं माननीय सदस्य को बताना चाहता हूँ कि हमारे देश में करीब दस राज्यों के 106 जिले वामपंथी उग्रवाद से ग्रसित हैं, लेकिन वहां पर उग्रवादियों की संख्या बढ़ नहीं रही है, बल्कि कम होती जा रही है। हाल ही में कश्मीर में घटी घटनाओं को लेकर पूरे भारत के लोग चिंतित हैं, इसको लेकर यदि आप कुछ पूछना चाहते हैं, तो मैं बता सकता हूँ। निश्चित ही अन्य राज्यों में भी विभिन्न उग्रवादी संगठन काम कर रहे हैं और सभी जगह भारत सरकार अथवा गृह मंत्रालय के माध्यम से सुरक्षा दल काम कर रहे हैं, जिसके कारण सभी स्थानों पर व्यवस्था ठीक तरह से चल रही है।

मैं आपको और भी दावे के साथ कहता हूँ, आप वामपंथी उग्रवाद बढ़ने की बात सोच रहे हैं,



[श्री हंसराज गंगाराम अहीर ]

**1.00 P.M.**

लेकिन उसमें बहुत कमी आई है। इसके लिए सरकार अनेक उपाय कर रही है, जिससे युवाओं का आकर्षक उस तरफ न बढ़े। सरकार ने अनेक कार्यक्रम चलाए हैं, ताकि युवाओं को सुगमता से रोजगार सुलभ हो सके। जहां पर उग्रवादी संगठन क्रियाशील हैं, वहां विकास के कार्य भी बहुत जोरों से चल रहे हैं।

**चौधरी सुखराम सिंह यादव:** मैं माननीय मंत्री जी से जानना चाहता हूं कि जिन क्षेत्रों में पहले उग्रवादी घटनाएं घटी थीं, उन क्षेत्रों के विकास के लिए क्या सरकार के द्वारा कुछ विशेष योजना बनाई गई है, ताकि वहां का विकास हो सके और नौजवानों में जो नकारात्मक भावना पैदा हुई है, वह भावना दूर हो सके?

मैंने उत्तर प्रदेश में देखा था कि जब माननीय मुलायम सिंह जी उत्तर प्रदेश के मुख्य मंत्री थे, उस समय कुछ ऐसे क्षेत्र थे, जहां उन्होंने विकास की विशेष व्यवस्था करवाई थी। वहां शिक्षा और चिकित्सा की व्यवस्था करवाई गई थी। क्या इस सरकार के पास भी ऐसी कोई योजनाएं हैं, जिनके द्वारा आतंकवाद और उग्रवाद को घटाया जा सके? क्या सरकार भविष्य में ऐसी कोई योजनाएं बनाएगी?

**श्री हंसराज गंगाराम अहीर:** जैसा माननीय सदस्य ने पूछा है, वहां पर सरकार विकास के काफी काम कर रही है। कई जगह सड़कों का निर्माण करवाया जा रहा है, साथ ही संचार और दूरसंचार, मोबाइल टॉवर्स, बैंक, डाकघर, स्वास्थ्य सेवाओं इत्यादि की समुचित व्यवस्था की जा रही है। शिक्षा के प्रति जागरूकता पैदा करने के लिए भी वहां बहुत से कार्यक्रम चलाए जा रहे हैं। मंत्री जी के माध्यम से युवाओं में कौशल विकास के लिए, स्किल डेवलपमेंट के लिए नये-नये कार्यक्रम चलाए गए हैं, साथ ही इन कार्यक्रमों की संख्या और अधिक बढ़ाई गई है। इतना ही नहीं, वहां सुरक्षा व्यवस्था में भी सुधार लाया जा रहा है, जिसमें पुलिस स्टेशंस को अपग्रेड किया जा रहा है। इसके लिए एसआईएस के माध्यम से एक स्कीम चलाई गई है, जिससे पुलिस स्टेशंस को अपग्रेड किया गया है, आधुनिक बनाया गया है।

इनके अतिरिक्त और भी कई कार्यक्रम चल रहे हैं। वहां पर हम 400 से अधिक पुलिस स्टेशंस को अपग्रेड करना चाहते हैं, जिनमें से 306 पुलिस स्टेशंस पूरी तरह नये बन गए हैं। वहां पर उग्रवाद को बढ़ावा न मिले, इसके लिए काफी अच्छा बंदोबस्त किया जा रहा है। कई जगह पर रोड बनाने के काम किए गए हैं। अभी हमने 5,422 किलोमीटर रोड बनाने का काम हाथ में लिया था, जिसमें से 4,092 किलोमीटर का काम पूरा हो चुका है। साथ ही 126 ब्रिज बनाने का कार्य हाथ में लिया गया था, जिसमें से अधिकांश का काम पूरा हो चुका है। इस प्रकार वहां पर विकास के कई काम किए जा रहे हैं, युवाओं को रोजगार देने के प्रोग्राम चल रहे हैं, इस तरह वहां का समग्र डेवलपमेंट हो सके, हमारी ओर से इस प्रकार का प्रयास जारी है।

MR. DEPUTY CHAIRMAN: Now, Shri Rangasayee Ramakrishna. Sorry, the Question Hour is over. The House is adjourned till 2.00 p.m.

**WRITTEN ANSWERS TO STARRED QUESTIONS****Beautification of tourist places in Bihar**

†\*185. SHRI RAM NATH THAKUR: Will the Minister of TOURISM be pleased to state:

- (a) whether it is a fact that Government has drawn up a new plan for the beautification of tourist places;
- (b) if so, the details thereof; and
- (c) the names of tourist places in the country and particularly in Bihar, which have been included under the said plan of beautification and amount released for this purpose, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) to (c) Pursuant to the Budget announcements of 2014-15, Ministry of Tourism launched two schemes for the development and promotion of tourism in the country.

The Swadesh Darshan Scheme was launched for Integrated Development of Tourist Circuits around Specific Themes. The National Mission on Pilgrimage Rejuvenation and Spiritual Augmentation Drive (PRASAD) was launched to beautify and improve amenities and infrastructure at major pilgrimage sites in the country.

Thirteen theme based circuits have been identified under the Swadesh Darshan Scheme namely, North-East India Circuit, Buddhist Circuit, Himalayan Circuit, Coastal Circuit, Krishna Circuit, Desert Circuit, Tribal Circuit, Eco Circuit, Wildlife Circuit, Rural Circuit, Spiritual Circuit, Ramayana Circuit and Heritage Circuit. Under PRASAD, 13 pilgrimage sites namely Ajmer, Amritsar, Amaravati, Dwarka, Kamakhya, Kanchipuram, Kedarnath, Mathura, Puri, Varanasi and Velankanni, including two sites in Bihar namely Gaya and Patna Sahib have been identified.

The State-wise details of projects sanctioned under Swadesh Darshan and PRASAD including Bihar during 2014-15, 2015-16 and 2016-17 are given in the Statement.

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†Original notice of the question was received in Hindi.

**Statement**

*State-wise details of projects sanctioned under Swadesh Darshan and PRASAD including Bihar during 2014-15, 2015-16 and 2016-17*

**2014-15****Swadesh Darshan Scheme**

(₹ in crore)

Sl. No.	Name of the Circuit	State	Name of Project	Amount Sanctioned	Amount Released
1.	Coastal Circuit	Andhra Pradesh	Development of Kakinada Hope Island Konaseema as World class coastal & Eco Tourism Circuit in Andhra Pradesh	69.83	13.96
2.	North-East India Circuit	Arunachal Pradesh	Bhalukpong-Bomdila-Tawang in Arunachal Pradesh	49.77	10.00
3.	Buddhist Circuit	Bihar	Cultural Centre, Bodhgaya	33.17	6.63
TOTAL				152.77	30.59

**PRASAD Scheme**

(₹ in crore)

Sl. No.	Name of the State & project	Amount Sanctioned	Amount Released
Bihar			
1.	Development of basic facilities at Vishnupad temple, Gaya, Bihar	4.29	2.14
Uttar Pradesh			
2.	Development of Mathura-Vrindavan as Mega Tourist Circuit (Ph-II)	14.93	2.99
3.	Construction of Tourist Facilitation Centre at Vrindavan, Distt. Mathura	9.36	1.76
Odisha			
4.	Infrastructure Development at Puri, Shree Jagannath Dham-Ramachandi-Prachi River front at Deuli under Mega Circuit	50.00	10.00
TOTAL		78.58	16.89

**2015-16****Swadesh Darshan Scheme**

(₹ in crore)

Sl. No.	Name of Theme	State	Name of Project	Amount Sanctioned	Amount Released
1	2	3	4	5	6
1.	North-East India Circuit	Manipur	Development of Tourist Circuit in Manipur: Imphal-Moirang-Khongjom-Moreh	89.66	17.93
2.	North-East India Circuit	Sikkim	Development of Tourist Circuit linking - Rangpo (entry) - Rorathang-Aritar-Phadamchen - Nathang Sherathang - Tsongmo - Gangtok -Phodong - Mangan -Lachung - Yumthang - Lachen - Thangu -Gurudongmer Mangan - Gangtok -Tumin Lingee Singtam (exit) in Sikkim	98.05	19.61
3.	Eco Circuit	Uttarakhand	Integrated Development of Eco-Tourism, Adventure Sports, Associated Tourism related Infrastructure for Development of Tehri Lake & Surroundings as New Destination-District Tehri, Uttarakhand	80.37	16.07
4.	Coastal Circuit	Andhra Pradesh	Development of Coastal Tourism Circuit in Sri Potti Sriramalu Nellore in Andhra Pradesh	60.38	12.08
5.	North-East India Circuit	Arunachal Pradesh	Integrated Development of Adventure Tourism in Arunachal Pradesh	97.14	19.43
6.	Eco Circuit	Kerala	Gavi-Patha-Namthitta-Vagamon-Thekkady	99.22	19.84

1	2	3	4	5	6
7.	Desert Circuit	Rajasthan	Development of Sambhar Lake Town and Other Destinations under Desert Circuit in Swadesh Darshan Scheme	63.96	12.79
8.	Tribal Circuit	Nagaland	Development of Tribal Circuit Peren-Kohima-Wokha, Nagaland	97.36	19.47
9.	Eco Circuit	Telangana	Integrated Development of Eco Tourism Circuit in Mahaboobnagar District, Telangana.	91.62	18.32
10.	Wildlife Circuit	Madhya Pradesh	Development of Wildlife Circuit at Panna - Mukundpur-Sanjay-Dubri-Bandhavgarh-Kanha-Mukki-Pench in Madhya Pradesh	92.22	18.44
11.	Wildlife Circuit	Assam	Wildlife Circuit of Assam	95.67	19.13
12.	North-East India Circuit	Tripura	Development of North East Circuit: Agartala - Sipahijala - Melaghar - Udaipur -Amarpur Tirthamukh - Mandirghat - Dumboor-Narikel Kunja - Gandachara - Ambassa	99.59	19.92
13.	Eco Circuit	Mizoram	Integrated Development of New Eco-Tourism at Thenzawl & South Zote, District Serchhip and Reike, Mizoram	94.91	18.98
14.	Coastal Circuit	West Bengal	Development of Beach Circuit - Udaipur - Digha - Shankarpur - Tajpur - Mandarmani -Fraserganj - Bakkhilai -Henry Island	85.39	17.08
15.	Coastal Circuit	Puducherry	Development of Union Territory of Puducherry as Tourist Circuit under "Swadesh Darshan" Scheme	85.28	17.06

1	2	3	4	5	6
16.	Tribal Circuit	Chhattisgarh	Development of Tribal Tourism Circuit Jashpur-Kunkuri-Mainpat-Ambikapur-Maheshpur-Ratanpur-Kurdar-Sarodadadar-Gangrel-Kondagaon-Nathyanawagaon - Jagdalpur-Chitrakoot-Tirthgarh in Chhattisgarh	99.94	19.99
17.	Coastal Circuit	Maharashtra	Development of Sindhudurg Coastal Circuit in Maharashtra	82.17	12.79
TOTAL				1512.93	298.93

**PRASAD Scheme**

(₹ in crore)

Sl. No.	Name of the State & project	Amount Sanctioned	Amount Released
<b>Punjab</b>			
1.	Development of Karuna Sagar Valmiki Sthal at Amritsar	6.45	1.29
<b>Rajasthan</b>			
2.	Integrated Development of Pushkar/Ajmer	40.44	8.09
<b>Andhra Pradesh</b>			
3.	Development of Amaravati Town, Guntur District of Andhra Pradesh as Tourist Destination	28.36	5.67
<b>Assam</b>			
4.	Development of Kamakhya Temple and Pilgrimage Destination in and around Guwahati	33.98	6.80
<b>Bihar</b>			
5.	Development of Patna Sahib	41.54	8.31
<b>Uttar Pradesh</b>			
6.	Development of Varanasi	20.40	4.08
<b>Uttarakhand</b>			
7.	Development of Kedarnath	34.78	4.47
TOTAL		205.95	38.71

**2016-17****Swadesh Darshan Scheme**

(₹ in crore)

Sl. No.	Name of Theme	State	Name of Project	Amount Sanctioned	Amount Released
1.	Coastal Circuit	Goa	Development of Coastal Circuit (Sinquerim-Baga-Anjuna-Vagator-Morjim-Keri-Aguada Fort and Aguada Jail) in Goa under Swadesh Darshan Scheme	99.99	20.00
2.	Himalayan Circuit	Jammu & Kashmir	Integrated Development of Tourism Infrastructure Projects in the State of Jammu and Kashmir under Himalayan Circuit of Swadesh Darshan Scheme	82.97	16.59
3.	Tribal Circuit	Telangana	Integrated Development of Mulugu-Laknavaram-Tadavi-Damaravi-Mallur-Bogatha waterfalls as Tribal Circuit in Telangana under Swadesh Darshan Scheme	84.40	16.88
4.	North-East India Circuit	Meghalaya	Development of Umiam Lake-Ulum Sohpetbneng-Mawdiangdiang under North East Circuit of Swadesh Darshan Scheme	99.13	19.83
5.	Buddhist Circuit	Madhya Pradesh	Buddhist sites of Madhya Pradesh (Mandsaur - Dhar-Sanchi - Satna -Rewa)	74.94	14.99
TOTAL				441.43	88.29

**Impact of FTAs on commercial crops**

\*186. SHRI C.P. NARAYANAN: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Free Trade Agreements (FTAs) entered into with other countries have detrimentally affected the prices and market of commercial crops produced in the country; and

(b) whether Government propose to assess gains and losses to our people due to such FTAs and to review if they go generally against interests of those engaged in agriculture?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) and (b) The Government has largely adopted a conservative policy on liberalization of tariffs for commercial crops including plantation crops in the Free Trade Agreements (FTAs) signed by India. Based on inputs from stakeholders, most of the commercial crops have been kept in the negative list of FTAs. Hence, FTAs *per se* have not negatively impacted the commercial crops in the country. The assessment of FTAs is a continuous process which starts even before FTA negotiations are entered into. Before entering into negotiations with trading partners, studies are undertaken internally, as well as through the Joint Study Group (JSG) to study the feasibility of the proposed FTAs, including their impact on the domestic stakeholders.

**Meeting of NCST on tribals evicted at Polavaram dam**

\*187. SHRI D. RAJA: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether it is a fact that the National Commission for Scheduled Tribes (NCST) called Chief Secretaries of Andhra Pradesh, Telangana, Odisha and Chhattisgarh in a meeting in May, 2016 to discuss tribal evictions and displacement due to Polavaram dam; and

(b) if so, the details and outcome thereof?

THE MINISTER OF TRIBAL AFFAIRS (SHRI JUAL ORAM): (a) and (b) A meeting was held by Dr. Rameshwar Oraon, Chairperson, National Commission for Scheduled Tribes (NCST) on 24.5.2016 with Chief Secretary of Odisha; Additional Chief Secretary of Chhattisgarh; Secretary, Water Resources, Government of Andhra Pradesh on issues relating to displacement of tribals and other local people in Devaragodhi, Polavaram Mandalam, West Godavari District and Pudipall Panchayat in East Godavari District, Andhra Pradesh due to construction of Indira Sagar (Polavaram) Multi Purpose Project on river Godavari, West Godavari District, Andhra Pradesh. Member Secretary, Polavaram Project Authorities, Ministry of Water Resources and Secretary (Land Resources) from Ministry of Rural Department were also present in the meeting.

While taking note of the fact that the matter is *sub-judice* before the Hon'ble Supreme Court of India due to suit filed by Government of Odisha on 9.10.2007, NCST



has observed that the project is under implementation since 1948 and compensation has been provided as per Land Acquisition Act, 1894 or Andhra Pradesh State Resettlement and Rehabilitation Policy 2005. The Commission further advised the following:

- Government of Andhra Pradesh should take into account the concerns/issues of Government of Odisha and Chhattisgarh.
- As pattas under the Forest Right Act, 2006 has not been conferred to displaced tribal families, Governments of Andhra Pradesh, Odisha and Chhattisgarh should take immediately action in this regard.
- Allotted Banjar land to project affected families should be developed by the concerned State Governments.
- State Governments were also advised to create a data base bank for issuance of Scheduled Tribes certificates to displaced families so that they are not put to any disadvantages on their displacement.

#### **States facing wrath of floods**

\*188. SHRIMATI JHARNA DAS BAIDYA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that in Northern India, many States are facing the wrath of floods;
- (b) if so, whether Government has taken any step for rehabilitation of those people whose houses have been flushed in the floods; and
- (c) if so, the details thereof?

THE MINISTER HOME AFFAIRS (SHRI RAJNATH SINGH): (a) Yes Sir.

(b) and (c) The primary responsibility to undertake rehabilitation operations in the wake of natural disasters for the people who are affected by the natural calamities rests with the concerned State Government. The Government of India assists the State Government by way of logistics support for immediate rescue, relief and restoration activities. The Status of the relief and rehabilitation measures taken by the State Government is not maintained centrally, since concerned State Government undertake rehabilitation measures from its own resources/Plan funds and also based on the availability of Government land as per their existing land policy.

**Funds allocated in Child Labour Fund**

\*189. SHRI DEREK O' BRIEN: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) the year-wise amount of funds allocated in Child Labour and Rehabilitation Welfare Fund;

(b) the amount and proportion of these funds that have been spent;

(c) the number of cases of child labour that have been reported in the past three years; and

(d) the number of cases of child labour exploitation that have been prosecuted in the last three years?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) The Hon'ble Supreme Court of India in its judgement on child labour dated 10.12.1996 had recommended constitution of district-wise or area-wise Child Labour Rehabilitation-cum-Welfare fund out of the compensation collected from the offending employers of children. The fund is managed by the State/ District Administration. As per the information received from the States the amount collected during the last three years by way of penalty imposed/fund raised under Child Labour Act is as under:

Year	Fund collected (₹)
2013	68,86,198
2014	69,11,805
2015	18,85,418

Government is implementing National Child Labour Project (NCLP) Scheme for rehabilitation of child labour. The fund allocated and spent under NCLP Scheme during the last three years are as under:

Year	Budget Allocations (Final) (₹ in crore)	Expenditure (₹ in crore)
2013-14	111.00	110.73
2014-15	110.87	102.34
2015-16	99.50	93.21

(c) and (d) As per the information received from the States/UTs, during the last three years, 6,45,321 inspections have been carried out, 9,225 violations detected and 8,840 prosecutions have been launched under Child Labour (Prohibition & Regulation) Act, 1986.

**Extension of tax holiday for startups**

190. SHRI C.M. RAMESH: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether it is a fact that startups are demanding for extending tax holiday to seven years from the current three years;
- (b) if so, the reasons and justification for their demand;
- (c) whether the Ministry has taken up this issue with the Ministry of Finance, if so, the details thereof;
- (d) to what extent the longer tax holidays would help entrepreneurs and whether there are any plans before the Ministry to put a condition that a minimum number of persons should be employed for the extension of tax concessions; and
- (e) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) Yes, Sir.

(b) and (c) As part of the Startup India Action Plan, tax-holiday of 3 years to Startups incorporated on or after the 1st day of April, 2016 but before the 1st day of April, 2019 have been introduced under Section 80-IAC of the Finance Act, 2016. As highlighted during Department of Industrial Policy and Promotion's (DIPP) numerous interactions with Startups, most of them may not be able to take advantage of the exemption as during the initial years Startups incur losses and it takes considerable time to make profit. Therefore, to address the issue DIPP has requested Department of Revenue, Ministry of Finance to extend the said exemption from 3 years to 7 years. Implementation of the said recommendation shall provide relief to the Startups and certainty to the stakeholders of the Startup ecosystem on taxation related matters.

(6) Longer tax holidays are expected to help Startups become competitive and grow. No proposal is under consideration of the Ministry to put a condition that a minimum number of persons should be employed for extension of tax concession.

(e) The Government does not intend to put any condition of employing certain minimum number of persons since the Government is committed to provide a conducive eco-system to Startups to thrive in. If any further conditions are imposed those may be detrimental to the growth of Startups in the country.

**Fake currency notes racket busted by Delhi Police**

\*191. DR. T. SUBBARAMI REDDY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Delhi Police Special Cell recently busted international syndicate involved in smuggling and circulation of Fake Indian Currency Notes (FICNs), if so, the details thereof;

(b) whether FICNs are pushed through porous Indo-Bangladesh borders with the backing of ISI to destabilize Indian economy;

(c) whether protest has been lodged with Pakistan; and

(d) the reasons due to which smuggling of FICNs could not be reduced or effectively controlled by BSF authorities who are responsible for securing the borders from smuggling, the details thereof?

THE MINISTER OF HOME AFFAIRS (SHRI RAJNATH SINGH): (a) During the year 2016, the Special Cell of Delhi Police has registered three cases of FICN seizures having a face value of ₹14.29 lakhs. Out of the three cases registered, the route of FICNs was Indo-Bangladesh border in two cases and Indo-Nepal border in one case. A total of 8 accused persons have been arrested in these three cases.

(b) As per the information available high quality fake Indian currency notes printed in Pakistan is directly or indirectly smuggled into India through the Indo-Bangladesh border with the connivance of ISI.

(c) The matter is taken up by the Government of India with Pakistan at various forums such as Foreign Secretary level talks and Home Secretary level talks as and when they are held.

(d) Seizure of FICN during the last three years by the BSF, details of which are given below clearly indicate the efforts of BSF towards preventing the circulation of FICN in border areas.

Year	Amount of FICN seized	Persons arrested
2013	₹ 95.75 lakhs	51
2014	₹194.52 lakhs	57
2015	₹287.70 lakhs	37
2016	₹112.50 lakhs	15
(upto June)		

#### **Increasing the strength of BSF at international borders in Punjab**

\*192. SHRI NARESH GUJRAL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) what is the strength of Border Security Force (BSF) personnel posted at international borders in Punjab;

(b) whether the State Government has requested the Centre to increase the strength, given the recent infiltration by terrorists in the State; and

(c) whether the Central Government is considering this request and if so, by when will additional forces be deployed?

THE MINISTER OF HOME AFFAIRS (SHRI RAJNATH SINGH): (a) A suitable strength of Central Armed Police Forces (CAPFs) has been posted at the International Border in Punjab. However, the level of deployment of CAPFs is not disclosed in the interest of National Security.

(b) and (c) A request was received in August, 2015 from Government of Punjab regarding increase in deployment of BSF in Gurdaspur Sector. As mentioned earlier, the increased or decreased levels of deployment of CAPFs is not disclosed in the interest of National Security.

#### **Promotion of mythological inheritance as tourist spots**

†\*193. SHRI RAM VICHAR NETAM: Will the Minister of TOURISM be pleased to state:

(a) whether it is a fact that Government proposes to conserve the places of mythological inheritance and turning them into tourist spots;

(b) if so, the details thereof; and

†Original notice of the question was received in Hindi.

(c) the details of the funds allocated by the Central Government towards the maintenance, beautification and development of all tourist centres in Gujarat and Rajasthan?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) and (b) For development of tourism infrastructure in the country, the Ministry of Tourism has launched two new schemes in 2014-15 *i.e.* Swadesh Darshan - Integrated Development of Theme-Based Tourist Circuits and PRASAD- Pilgrimage Rejuvenation and Spiritual Augmentation Drive. Under Swadesh Darshan scheme thirteen thematic circuits have been identified for development namely; North-East India Circuit, Buddhist Circuit, Himalayan Circuit, Coastal Circuit, Krishna Circuit, Desert Circuit, Tribal Circuit, Eco Circuit, Wildlife Circuit, Rural Circuit, Spiritual Circuit, Ramayana Circuit and Heritage Circuit. Under PRASAD scheme also thirteen cities/sites have been identified for development namely: Amritsar, Ajmer, Kedarnath, Dwaraka, Mathura, Varanasi, Gaya, Kamakhya, Puri, Amaravati, Kanchipuram, Vellankanni and Patna.

The Ministry of Tourism in consultation with the State Governments and Union Territory Administrations identifies projects for development of various tourism destinations and products including Mythological sites as tourist spots in the country. The Central Financial Assistance is provided to State Governments/Union Territory Administrations subject to availability of funds, liquidation of pending utilization certificates against the funds released earlier, submission of suitable Detailed Project Report and adherence to the scheme guidelines.

(c) The details of projects sanctioned/recommended for sanction under the Swadesh Darshan and PRASAD schemes for the development of tourist destinations in Gujarat and Rajasthan are given in the Statement.

**Statement**

*Details of projects sanctioned/recommended for sanction for Gujarat and Rajasthan*

State	Sl. No.	Scheme	Name of Project	Status
Gujarat	1	Swadesh Darshan	Development of Ahmedabad-Rajkot-Porbandar -Bardoli-Dandi under Heritage Circuit	Recommended for sanction by Central Sanctioning and Monitoring Committee of Swadesh Darshan scheme.

State	Sl. No.	Scheme	Name of Project	Status
	2	PRASAD	Infrastructure Development in Dwaraka	Recommended for sanction by Central Sanctioning and Monitoring Committee of PRASAD scheme.
Rajasthan	1	Swadesh Darshan	Development of Sambhar Lake Town and other Destinations in Jaipur District, Rajasthan under Desert Circuit.	Sanctioned for ₹ 63.96 crore during the year 2015-16.
	2	Swadesh Darshan	Integrated Development of Govind Dev ji temple Jaipur, Khatu Shyam Ji, Sikar and Nathdwara, Rajsamand Under Krishna Circuit	Recommended for sanction by Central Sanctioning and Monitoring Committee of Swadesh Darshan scheme.
	3	PRASAD	Integrated Development of Pushkar/Ajmer	Sanctioned for ₹40.44 crore during the year 2015-16.

#### **Tribal battalion of CRPF in Chhattisgarh**

\*194. SHRI DILIP KUMAR TIRKEY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the Ministry has decided to create a tribal battalion of CRPF in Chhattisgarh;

(b) if so, the details thereof; and

(c) the rationale behind such a decision?

THE MINISTER OF HOME AFFAIRS (SHRI RAJNATH SINGH): (a) An approval for raising of a Battalion in Central Reserve Police Force (CRPF) from Schedule Tribe (ST) candidates belonging to four districts viz. Bijapur, Dantewada, Narayanpur and Sukma of Chhattisgarh, has been accorded by the Central Government.

(b) The Battalion is to be raised on existing attached Battalion pattern by recruiting 744 ST candidates from the above mentioned four districts.

(c) The rationale behind this decision is to give more employment to the tribal youth keeping in mind their unique characteristics.

**Labour courts in the country**

\*195. SHRI R. VAITHILINGAM: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) the State-wise details of the existing number of labour courts in the country, for resolution of labour disputes;

(b) the State-wise details of the number of cases pending with them for the last three years along with the reasons therefor; and

(c) the steps taken by Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) As per provisions of Industrial Disputes Act, 1947, the Central Government has set up 22 Central Government Industrial Tribunal-cum-Labour Courts (CGIT-cum-LCs) in various States for resolution of industrial disputes arising in Central Sphere. Out of these, two CGIT-cum-LCs at Mumbai and Kolkata also function as National Industrial Tribunals (NITs). The list of CGIT-cum-LCs and NITs is given in Statement-I (*See* below).

The details in respect of Labour Courts and Industrial Tribunals falling in the State Sphere are not maintained centrally.

The number of cases received, disposed of and pending in various CGIT-cum-LCs and NITs during the last three years, *i.e.* during 2013-14, 2014-15 and 2015-16 are given in Statement-I, II, III and IV respectively (*See* below). The reasons for pendency of cases, *inter alia*, include:

- (i) Absence of affected parties at the time of hearing;
- (ii) Seeking of frequent adjournments by the parties to file documents;
- (iii) Parties approaching the High Courts challenging orders of reference issued by the appropriate Government as well as orders issued by the Tribunals on preliminary points.

(c) A Scheme of Holding of Lok Adalats as an "Alternative Grievance Redressal Mechanism" has been introduced from the Tenth Five Year Plan (2002-07) for speedy disposal of industrial disputes in the CGIT-cum-LCs as a remedial measure to tide over



the backlog of industrial disputes. In addition, the Presiding Officers of the CGIT-cum-LCs hold camp courts in various parts of the area of their jurisdiction so that workers are not required to travel long distance for disposal of their disputes.

***Statement-I***

*List of Central Government Industrial Tribunal-cum-Labour Courts (CGIT-cum-LC) and National Tribunals.*

Sl. No.	Name of CGIT-cum-LC
1.	Mumbai I
2.	Mumbai II
3.	Dhanbad I
4.	Dhanbad II
5.	Asansol
6.	Kolkata
7.	Chandigarh I
8.	New Delhi I
9.	Kanpur
10.	Jabalpur
11.	Chennai
12.	Bangalore
13.	Hyderabad
14.	Nagpur
15.	Bhubaneswar
16.	Lucknow
17.	Jaipur
18.	New Delhi II
19.	Guwahati
20.	Ernakulam
21.	Ahmedabad
22.	Chandigarh II
	Mumbai I    National Tribunal
	Kolkata National Tribunal

**Statement-II**  
*Details regarding cases and applications during the Financial Year 2013-14*  
**Central Government Industrial Tribunal-cum-Labour Courts (CGIT-cum-LC) and National Tribunals**

Sl. No.	CGIT	Cases				Applications			
		B/F from previous year	Received	Disposed	Pending	B/F from previous year	Received	Disposed	Pending
1	2	3	4	5	6	7	8	9	10
1.	Mumbai I	208	50	16	242	94	51	7	138
2.	Mumbai II	417	96	43	470	381	12	17	376
3.	Dhanbad I	1457	107	167	1,397	297	12	110	199
4.	Dhanbad II	751	170	140	781	39	1	4	36
5.	Asansol	518	29	76	471	51	5	14	42
6.	Kolkata	265	74	14	325	48	5	8	45
7.	Chandigarh I	205	312	75	442	30	27	9	48
8.	New Delhi I	387	144	155	376	42	24	23	43
9.	Kanpur	612	172	44	740	261	21	59	223
10.	Jabalpur	1897	96	398	1,595	224	3	56	171

1	2	3	4	5	6	7	8	9	10
11.	Chennai	320	101	123	298	14	5	6	13
12.	Bangalore	538	56	65	529	102	35	22	115
13.	Hyderabad	1053	156	309	900	613	6	30	589
14.	Nagpur	356	95	200	251	7	8	2	13
15.	Bhubaneswar	383	73	72	384	357	33	10	380
16.	Lucknow	497	72	55	514	46	16	11	51
17.	Jaipur	360	67	29	398	114	1	4	111
18.	New Delhi II	506	140	95	551	59	64	14	109
19.	Guwahati	76	44	29	91	8	31	7	32
20.	Ernakulam	100	56	28	128	11	7	12	6
21.	Ahmedabad	2219	198	81	2,336	1,624	18	76	1,566
22.	Chandigarh II	515	95	107	503	54	20	10	64
TOTAL		13,640	2,403	2,321	13,722	4,476	405	511	4,370
Mumbai I National		6	2	0	8	153	0	1	152
Kolkata National		10	1	1	10	79	0	0	79
TOTAL CGIT+National		13,656	2,406	2,322	13,740	4,708	405	512	4,601

**Statement-III***Details regarding cases and applications during the Financial Year 2014-15***Central Government Industrial Tribunal-cum-Labour Courts (CGIT-cum-LC) and National Tribunals**

Sl. No.	CGIT	Cases				Applications			
		B/F from previous year	Received	Disposed	Pending	B/F from previous year	Received	Disposed	Pending
1	2	3	4	5	6	7	8	9	10
1.	Mumbai I	242	23	22	243	138	15	17	136
2.	Mumbai II	470	106	57	519	376	29	10	395
3.	Dhanbad I	1397	79	183	1293	199	10	127	82
4.	Dhanbad II	781	71	145	707	36	0	14	22
5.	Asansol	471	27	79	419	42	9	6	45
6.	Kolkata	325	74	80	319	45	11	1	55
7.	Chandigarh I	442	143	122	463	48	8	32	24
8.	New Delhi I	376	360	47	689	43	38	0	81
9.	Kanpur	740	103	40	803	223	26	94	155
10.	Jabalpur	1595	122	374	1343	171	5	35	141

1	2	3	4	5	6	7	8	9	10
11.	Chennai	298	144	173	269	13	10	8	15
12.	Bangalore	529	34	145	418	115	47	15	147
13.	Hyderabad	900	222	121	1,001	589	12	527	74
14.	Nagpur	251	78	99	230	13	8	6	15
15.	Bhubaneswar	384	69	31	422	380	25	10	395
16.	Lucknow	514	78	68	524	51	24	8	67
17.	Jaipur	398	81	32	447	111	1	4	108
18.	New Delhi II	551	145	89	607	109	86	108	87
19.	Guwahati	91	7	60	38	32	20	21	31
20.	Ernakulam	128	54	46	136	6	20	7	19
21.	Ahmedabad	2336	88	68	2,356	1,566	38	81	1,523
22.	Chandigarh-II	503	124	179	448	64	27	1	90
TOTAL		13,722	2,232	2,260	13,694	4,370	469	1,132	3,707
Mumbai I National		8	1	0	9	152	0	0	152
Kolkata National		10	1	2	9	79	0	0	79
TOTAL CGIT+ National		13,740	2,234	2,262	13,712	4,601	469	1,132	3,938

**Statement-IV***Details regarding cases and applications during the Financial Year 2015-16***Central Government Industrial Tribunal-cum-Labour Courts (CGIT-cum-LC) and National Tribunals**

Sl. No.	CGIT	Cases				Applications			
		B/F from previous year	Received	Disposed	Pending	B/F from previous year	Received	Disposed	Pending
1	2	3	4	5	6	7	8	9	10
1.	Mumbai I	243	0	0	243	136	9	8	137
2.	Mumbai II	519	49	9	559	395	73	4	464
3.	Dhanbad I	1293	101	201	1193	82	21	29	74
4.	Dhanbad II	707	96	76	727	22	1	1	22
5.	Asansol	419	19	87	351	45	55	17	83
6.	Kolkata	319	112	65	366	55	13	6	62
7.	Chandigarh I	463	56	87	432	24	26	12	38
8.	New Delhi I	689	252	97	844	81	47	23	105
9.	Kanpur	803	115	78	840	155	29	25	159
10.	Jabalpur	1348	128	355	1,121	147	1	96	52

1	2	3	4	5	6	7	8	9	10
11.	Chennai	269	115	140	244	15	23	9	29
12.	Bangalore	418	38	6	450	147	33	1	179
13.	Hyderabad	1001	136	32	1105	74	1	1	74
14.	Nagpur	230	59	1	288	15	12	0	27
15.	Bhubaneswar	422	52	14	460	395	18	1	412
16.	Lucknow	524	78	85	517	67	23	28	62.
17.	Jaipur	447	83	58	472	108	6	5	109
18.	New Delhi II	607	153	73	687	88	7	71	24
19.	Guwahati	38	10	11	37	31	2	1	32
20.	Ernakulam	136	59	24	171	19	14	5	28
21.	Ahmedabad	2356	99	225	2230	1,523	9	226	1,306
22.	Chandigarh II	448	166	104	510	90	65	18	137
TOTAL		13,699	1,976	1,828	13,847	3,714	488	587	3,615
Mumbai I National		9	0	1	8	152	2	2	152
Kolkata National		9	0	0	9	79	0	0	79
TOTAL CGIT+National		13,717	1,976	1,829	13,864	3,945	490	589	3,846

**WRITTEN ANSWERS TO UNSTARRED QUESTIONS****India lagging behind in business optimism index**

†1822. SHRI P.L. PUNIA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that India has lagged behind other countries on Business Optimism Index in the last quarter (April-June, 2016), if so, the sectors where it has lagged behind other countries on the said index, the details thereof; and

(b) the reasons for which India has lagged on Business Optimism Index, the remedial action taken by Government, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) and (b) According to media reports on Grant Thornton International's Business Optimism Index, India was ranked number one among 36 countries in the last (October-December) quarter of 2015 as well as first (January-March) quarter of 2016. Due to certain factors though, for example, delay in implementation of key reforms like GST, performance of the banking sector due to NPAs and less than expected investment in R & D our ranking has slipped to third place in the 2nd quarter of 2016. To improve the business environment in the country Government is taking various steps towards ease of doing business. The recent reform initiatives taken by the Government in this regard is given in the Statement.

***Statement***

*Details of recent reform initiatives taken by the Government towards ease of doing business*

**Ease of Doing Business**

India's rank in the Doing Business Report 2015 was 142 among 189 countries, which improved to 130 in the Doing Business Report, 2016. Government of India has emphasized on the importance of 'Ease of Doing Business' and it is a major pillar of 'Make in India' initiative. It is working extensively on improving India's rank in the World Bank Group's Doing Business Study.

**A. Achievements in Delhi and Mumbai****Delhi**

- Unified building Bye-laws has been notified.
- Online registration of Value Added Tax (VAT) with real-time Tax Identification Number (TIN) allotment has been introduced.

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†Original notice of the question was received in Hindi.



- Delhi VAT Sewa App has been developed whereby permanent business registration is done without need for field verification by VAT inspector. This step has eliminated instances of corruption and irregularities during field verification.
- Commercial divisions and appellate divisions in Delhi High Court have been established.
- Municipal Corporations have introduced fast track approval system for building permits with features such as:
  - I. Common application form
  - II. Use of digital signature for filing application and issue of permits
  - III. Online transfer of application and receipt of NOC
  - IV. Online system has been integrated with Airport Authority of India (AAI), Delhi Urban Arts Commission (DUAC), Delhi Metro Rail Corporation (DMRC) & National Monument Authority (NMA).

**Mumbai**

- Requirement of inspection has been removed to make registration of shops and establishments real-time.
- Commercial divisions and appellate divisions have been established in Bombay High Court.
- VAT and Profession Tax registration has been integrated into a single process.
- Municipal Corporation of Greater Mumbai (MCGM) has introduced fast track approval system for building permits with features such as:
  - I. Common application form
  - II. Online transfer of application and receipt of NOC
  - III. Online system has been integrated with AAI & NMA.
- Brihanmumbai Electricity Supply and Transport (BEST) has improved its System Average Interruption Duration Index (SAIDI) by 3% and its System Average Interruption Frequency Index (SAIFI) by 11% in the period June, 2015-March, 2106.
- Permission for removal of trees has been integrated with the Municipal Corporation of Greater Mumbai (MCGM) single window application system.

- Site inspection for construction permits has been minimized by way of self-certification and introducing third party certification. During construction, submission of video clips by architects has been introduced in online Auto DCR system.
- VAT Registration Certificate is issued within 1 working day (24 hours).
- AutoCAD based software to scrutinize building plans has been implemented.
- MCGM has implemented a risk based assessment framework with risk parameters in order to enable fast track approval for buildings.
- Cost and time for obtaining construction permit has been reduced by 79.6% and 132 days respectively.
- Property Tax can be paid through mobile app, which can be downloaded from *apps.mgov.gov.in*.

**B. Reforms undertaken on various parameters of doing business**

**1. Starting Business**

- Registration with ESIC and EPFO has been made real-time by eliminating all physical touch-points.
- The requirement of opening a bank account has been removed as a mandatory condition for registration with ESIC and EPFO.
- The system of issuing PAN and TAN has been put in place together within T+1 days on an application using digital signature on the ebiz platform. PAN and TAN numbers can be issued on CBDT's portal within T+3 days, without digital signature.
- Maharashtra State has combined the process of registration with VAT and Profession Tax. The registration will now be granted in 24 hours and the same has been adopted by Delhi VAT.
- Form INC 29 has been launched by Ministry of Corporate Affairs to avail 3 pre-registration services viz. 'Name Availability', 'Director Identification Number' and 'incorporation of company' with one form and one payment.
- No environment clearance, that is, consent to establish and operate is required for 36 white industries.

- Mine prospecting projects are exempted from the requirement of compensatory afforestation and Forest Rights Act (FRA) certificate for grant of forest clearance.
- No site inspection is required for mine prospecting projects on forestland for less than 100 ha. For construction of new roads/drilling of bore hole/sample collection pits.
- Industrial sheds and educational institutions have been exempted from Environmental Clearance (EC).
- Validity of EC has been increased from 5 years to 7 years.
- Online submission of applications for environment/forest/wildlife clearances for transparent and expeditious decision-making.
- District Environment Impact Assessment authority has been constituted to grant EC for mining of minor minerals for 5 ha. of individual lease and 25 ha. in cluster.
- Regional empowered committees at sub national level have been delegated higher powers to dispose of proposals for Forest Clearance
  - (a) Involving diversion of 5 to 40 hectares of forest land and
  - (b) All proposals involving diversion of forestland for linear projects irrespective of area of forest land involved.
- The competent authorities in the State Government have been delegated the powers to issue permission for tree felling and commencement of work for a period of one year of linear projects without waiting for final approval under the FC Act.
- EIA notification, 2006 has been amended delegating more powers to SEIAA'S in respect of category B projects.

## **2. Construction Permits**

- Municipal Corporation of Greater Mumbai (MCGM) has completed the process of single window approval by integrating with internal departments as well as, AAI and NMA through a common application form.
- NoCs from Maharashtra Industrial Development Corporation (MIDC), Director of Industries, Collector and Maharashtra Housing and Area Development Authority (MHADA) have been eliminated.

- MCGM has introduced digital signing of building permit application, as well as sanctioned maps, thereby eliminating need of physical submission of documents. The manual application for grant of construction permits has been discontinued.
- Municipal Corporations of Delhi has completed the process of single window approval by integrating with internal departments as well as DMRC, Delhi Fire Services, DUAC, AAI and NMA through a common application form.
- NOC from Labour Department of Delhi Government is not required if no manufacturing activity is undertaken in the building.
- MCD has introduced digital signing of building permit application, as well as sanctioned maps, thereby eliminating the need of physical submission of documents. Manual submission of application for grant of construction permits has been done away with.
- Ministry of Urban Development and Delhi Development Authority (DDA) have notified the Unified Bye-laws.
- Colour coded maps have been developed by AAI, NMA, DUAC and DMRC to enable applicants to determine whether NOC is required for the land for which permission is applied for.
- AAI, NMA, DUAC, DMRC, Delhi Fire service, Mumbai Metropolitan Region Development Authority (MMRDA) and Mumbai Metro Rail Corporation (MMRC) have created their own independent online application systems for receiving and issuing NOC/approval. Their requirements have also been integrated in the common application form developed by SDMC/MCGM.

### **3. Getting Electricity**

- Maharashtra and Delhi have implemented lump-sum charges for electric connection thereby removing the need of an estimate and an inspection for the same.
- Online application for connections above 100KVA has been made mandatory in Maharashtra and Delhi.
- Delhi Electricity Regulatory Commission (DERC) has rationalized LT and HT tariff thereby allowing LT connections upto 150KVA.
- DERC has revised the application format of Delhi Electric Supply Code and Performance Standards Regulations, 2007 for faster release of electricity

connection. The distribution licensees have been directed to process applications in the revised format along with the declaration form.

Following are the two documents required for getting electricity connection:

1. Identity proof
2. Proof of ownership/ occupancy of premises.

- NOC/Consent to Establish is not required for getting industrial electricity connection for setting up new industries and projects.

#### **4. Trading Across Borders**

- Central Board of Excise and Customs (CBEC) has implemented Single Window Interface for Facilitating Trade (SWIFT) (online single window for clearance of goods) on the ICEGATE portal by integrating FSSAI, Animal Quarantine, Plant Quarantine, Drug Controller and Wildlife Control Bureau for imports.
- Online message exchange system connectivity under single window system between Customs' ICEGATE and Plant Quarantine Information System (PQIS) has been implemented for import clearances of Agriculture commodities.
- Customs' risk management system has been extended to other regulatory agencies to ensure risk- based inspections.
- 168 low phytosanitary risk agricultural commodities listed under schedule VII of the Plant Quarantine order, 2003 have been identified for 5% random inspection.
- Mandatory testing of imports from countries where azo dye has not been banned has been reduced to 25%.
- TEU volume limit on the number of consignments released under direct delivery has been removed facilitating prompt delivery of goods.
- Terminal handling receipts have been eliminated from Jawaharlal Nehru Port Container Terminal, GTI and NSICT by web based e-form 13.
- Filing of import and export declarations and manifests has been made online with digital signature.
- An electronic messaging system between Shipping lines and Custodians for electronic delivery order has been introduced.

- Customs' Clearance Facilitation Committee has been set up at every major customs seaport and airport at Central level.
- The system of physical control and locking of public and private warehouses by Customs has been dispensed with and replaced with record based controls.
- 24x7 customs clearance facilities have been extended to 19 seaports and 17 air cargo complexes.
- Documents required for export and import has been reduced to three.

**5. Resolving Insolvency:-**

- The Insolvency and Bankruptcy Code 2016, a legislation that is expected to introduce new dimensions in resolving insolvency in India has been enacted.

**6. Enforcing Contracts**

- The Arbitration and Conciliation Act has been amended to reduce the time taken in arbitration proceedings and grounds on which an award may be challenged.
- Commercial Appellate Division Bench and Commercial Division Benches are functioning in Bombay High Court and Delhi High Court.

**7. Digitization Process for Registering Property**

- In Delhi, all sub-registrar offices have been digitized and Sub-registrar's records have been integrated with the Land Records Department.
- In Maharashtra, all property tax records have been digitized.

**8. Getting Credit**

SARFAESI (Central Registry) Rules, 2011 has been amended to record security interest created on all types of property covered by the definition of property in Section 2(1)(t) of the SARFAESI Act, 2002.

**C. Online Portal**

- One-stop access for Investors to know more about Investment opportunities and information on number of licenses/approvals required from Government agencies.
- User-friendly features such as Payments through netbanking, credit & debit cards, status tracking, SMS alerts and Help-desk support enabled.

- Single face of Government - Composite Application Form and one-time payment designed for obtaining approvals from multiple Ministries/ Departments viz., Ministry of Corporate Affairs, Central Board of Direct Taxes, Ministry of Labour and Employment including Employees' State Insurance Corporation and Employees Provident Fund Organization.
- Elimination of multiple visits to different agencies. Investor can apply for 20 Central Government services; 14 Andhra Pradesh, 14 Odisha and 2 Delhi State Government services have been integrated with eBiz IT platform as detailed below.

*Central Government Services integrated on e-biz platform*

Sl. No.	Ministry/ Dept. Name	Service Name
1.	Employee's State Insurance Corporation	Employer Registration
2.	Department of Industrial Policy and Promotion	Industrial License
3.	Department of Industrial Policy and Promotion	Industrial Entrepreneur Memorandum
4.	Ministry of Corporate Affairs	Name Availability
5.	Ministry of Corporate Affairs	Director Identification Number
6.	Ministry of Corporate Affairs	Certificate of Incorporation
7.	Ministry of Corporate Affairs	Commencement of Business
8.	Central Board of Direct Taxes	Issue of Permanent Account Number (PAN)
9.	Central Board of Direct Taxes	Issue of Tax Deduction Account Number (TAN)
10.	Reserve Bank of India	Advanced Foreign Remittance (AFR)
11.	Reserve Bank of India	Foreign Collaboration-General Permission Route (FC-GPR)
12.	Employees' Provident Fund Organization	Employer Registration

Sl. No.	Ministry/ Dept. Name	Service Name
13.	Petroleum and Explosives Safety Organization	Issue of Explosive License
14.	Directorate General of Foreign Trade	Importer Exporter Code License
15.	Reserve Bank of India	1 Foreign Currency- Transfer of Shares
16.	Department of Heavy Industry (DHI)	Issue of custom duty concession certificate to entrepreneurs under project import scheme
17.	Central Board of Direct Taxes (CBDT)	Changes or correction in PAN data
18.	Ministry of Labour and Employment (MoL&E)	Registration under the Contract Labour Act, 1970
19.	Ministry of Labour and Employment (MoL&E)	Registration under the Building and other construction workers Act, 1996
20.	Ministry of Labour and Employment (MoL&E)	Registration under the Inter-State Migrant Workmen Act, 1979

*State Government Services integrated on e-BIZ platform*

Sl. No.	Department Name	Service Name
<b>Andhra Pradesh (14 Services)</b>		
1.	AP-Ground Water Department	Permission to draw Ground Water
2.	AP-Department of Factories	Approvals of plans from Factories Department
3.	AP-Department of Factories	Factories License
4.	AP-Department of Factories	Annual Filing under Factories Act
5.	AP-Fire Department	NOC from Fire Services Department
6.	AP-Department of Industries	Industrial Incentives (Power)
7.	AP-Department of Industries	Industrial Incentives (VAT)
8.	AP-Department of Industries	Allotment of Scarce raw materials



Sl. No.	Department Name	Service Name
9.	AP-Department of Industries	MSME Registration
10.	AP-Department of Industries	NOC Acknowledgement from GM, DIC for MSME
11.	AP-Department of Drug Controller	License for manufacturing Bulk Drugs and Formulations
12.	AP - Department of Town and Country Planning	Permission from TCP for Site and Building
13.	AP-Commercial Taxes Department	VAT Registration
14.	AP-Commercial Taxes Department	Central Sales Tax (CST) Registration
<b>Odisha (14 Services)</b>		
1.	Industries Department, Odisha	Project Evaluation cum Allotment of Land
2.	Directorate of Factories & Boilers, Odisha	Registration under Boilers Act
3.	Labour Directorate, Odisha	Registration under Shops and Establishment Act
4.	Labour Directorate, Odisha	Registration of Establishment Employing Contract Labour
5.	Water Resources Department, Odisha	Permission to draw Water for Industries-Ground Water & Surface Water
6.	Directorate of Factories & Boilers, Odisha	Approvals of Plan under Factories Act, 1948
7.	Department of Energy, Odisha	New Power Connection
8.	Housing and Urban Development Department, Odisha	Permission for Site and Building
9.	Directorate of Factories & Boilers, Odisha	Factories License under Factories Act, 1948
10.	Housing and Urban Development Department, Odisha	Completion cum Occupancy Certificate

Sl. No.	Department Name	Service Name
11.	Commercial Taxes Organisation, Odisha	VAT Registration
12.	Commercial Taxes Organisation, Odisha	CST Registration
13.	Odisha State Pollution Control Board	Consent to Establish
14.	Odisha State Pollution Control Board	Consent to Operate

**Delhi (2 Services)**

1.	Factories Department	Factory Filling
2.	BYPL (BSES Yamuna Power Limited)	New Power Connection

*Composite Application forms integrated*

**List of joined-up (L3) services**

Sl. No.	Service Name	Department /Ministry
1.	INC-29 with 7 services viz., Name Availability (MCA), Director Identification Number (MCA), Certificate of Incorporation (MCA), PAN (CBDT), TAN (CBDT), Employer registration of EPFO and ESIC	Ministry of Corporate Affairs, CBDT, EPFO & ESIC
2.	INC-7 with 5 services viz., Certificate of Incorporation (MCA), PAN (CBDT), TAN (CBDT), Employer registration of EPFO and ESIC,	Ministry of Corporate Affairs, CBDT, EPFO & ESIC
3.	5 registration services under Employer registration under EPFO and ESIC Act, Contract Labour Act, Building and other Construction Workers Act, and Inter-state Migrant Workmen Act	Ministry of Labour & Employment

**Institutional mechanism for export facilitation**

1823. SHRI T. RATHINAVEL: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether it is a fact that in order to boost farm exports, Government is

considering creating an institutional mechanism to address all Inter-Ministerial issues related to market access and export facilitation for agri-products;

(b) if so, the details thereof;

(c) whether Government is trying to get new markets for the export of various commodities like mangoes and grapes;

(d) whether these proposals are pending for want of appropriate documents prescribed by the importing nation; and

(e) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) and (b) The mechanism to address all issues including market access and export facilitation for agri-products in the form of Inter-Ministerial meetings with relevant stakeholders are held as per need, from time to time. As on date, no new Institutional mechanism has been formalized.

(c) Yes, Sir. Market access efforts for Grapes have been made in the countries like USA, Japan, New Zealand, Australia, South Africa and Vietnam. For Mangoes, the efforts have been made in South Africa and Iran.

(d) and (e) No request is pending with the Department of Agriculture, Cooperation and Farmers Welfare on technical information related to bio-security with respect to market access of mangoes and grapes.

#### **Fall in trade deficit**

1824. SHRI RAJKUMAR DHOOT: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that trade gap of the nation has recently hit five year low;

(b) if so, the details thereof and the reasons behind this development; and

(c) what remedial measures Government has taken/proposes to take in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) and (b) The merchandise trade deficit of India has narrowed over the last five years as per the details given below:

*Value in US \$ Billion*

Year	Export	Import	Trade Deficit
2011-12	305.96	489.32	-183.36
2012-13	300.40	490.74	-190.34
2013-14	314.41	450.21	-135.80
2014-15	310.35	448.03	-137.68
2015-16*	261.14	379.60	-118.46

Source: DGCI&S, \* Figures as per Quick Estimates.

The main reason behind this development is the differential impact of the global slowdown, which has caused a greater absolute fall in the value of India's imports than in exports since 2011-12.

(c) While the reduction in trade deficit is a positive development, some key remedial measures Government has taken to address the fall in exports are as follows:

- (i) The New Foreign Trade Policy (2015-20) was announced on 1st April, 2015 with a focus on supporting both manufacturing and services exports and improving the 'Ease of Doing Business'.
- (ii) In the light of the major challenges being faced by Indian exporters in the backdrop of the global economic slowdown, the envisaged revenue outgo under MEIS was increased from ₹ 18000 crore to ₹ 21000 crore in October 2015 with accompanying enhancement in benefits on certain products and inclusion of certain additional items. On 04.05.2016, the Government has - extended the market coverage to all countries in respect of 2787 lines. Hence Landing Certificates shall not be required under MEIS w.e.f 04.05.2016. This step has been taken as part of 'Ease of Doing Business' and reduction of Transaction Cost of exporters. Accordingly, revenue foregone under the scheme has been revised from ₹21000 crore per annum to ₹ 22,000 crore per annum.
- (iii) The Government is implementing the Niryat Bandhu Scheme with an objective to reach out to the new and potential exporters including exporters from Micro, Small and Medium Enterprises (MSMEs) and mentor them through orientation programmes, counselling sessions, individual facilitation, etc., on various aspects of foreign trade for being able to get into international trade and boost exports from India.

- (iv) By way of trade facilitation and enhancing the ease of doing business, Government reduced the number of mandatory documents required for exports and imports to three each, which is comparable with international benchmarks. The trade community can file applications online for various trade related schemes. Online payment of application fees through Credit/Debit cards and electronic funds transfer from 53 Banks has been put in place.
- (v) Further, the Government continues to provide the facility of access to duty free raw materials and capital goods for exports through schemes like Advance Authorisation, Duty Free Import Authorization (DFIA), Export Promotion Capital Goods (EPCG) and drawback/refund of duties.

#### **Decline in Exports**

1825. SHRI DARSHAN SINGH YADAV:

SHRI R. VAITHILINGAM:

SHRIMATI RAJANI PATIL:

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether it is a fact that exports have declined during the last two years, the reasons therefor;
- (b) the month-wise and sector-wise details thereof; and
- (c) the action taken by Government to boost exports and to increase foreign exchange?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) There has been a decline in value of merchandise exports of India during last two years, FY 2014-15 and 2015-16. However, in the month of June 2016 there has been an increase of 1.27% in India's exports in dollar terms. The key reasons for the decline in the last two years, FY 2014-15 and 2015-16 are as follows:

- (i) Slowdown in developed and emerging economies barring moderate but uncertain recovery in the US Economy. The significant slowdown includes the Chinese Economy,
- (ii) Sharp Fall in Crude and petroleum product prices-Brent crude declining from 66.78 USD in April 2015 to 35.97 USD in February 2016. Fall in other commodity prices-Gold prices fell by 10.4%; high Grade Copper by about 26% in last one year,

- (iii) Currency Fluctuations -depreciations of Euro, Rouble, Brazilian Real, Yuan and
- (iv) Negative aggregate import growth in our key export destinations in the recent period.
- (b) (i) Month-wise details of merchandise exports of India for 2014-15 and 2015-16 are as follows:

*(Values in Billion USD)*

Months	2013-14	2014-15	% change 2014-15 over 2013-14	2015-16*	% change 2015-16 over 2014-15
April	24.52	26.03	6.17%	22.05	-15.28%
May	24.92	28.0	12.35%	22.35	-20.18%
June	24.0	25.9	7.93%	22.29	-13.95%
July	25.84	25.79	-0.18%	23.14	-10.30%
August	26.34	26.8	1.76%	21.27	-20.66%
September	28.14	28.87	2.59%	21.84	-24.33%
October	27.48	25.89	-5.78%	21.35	-17.53%
November	24.2	26.49	9.45%	20.01	-24.43%
December	26.39	26.15	-0.89%	22.3	-14.75%
January	26.89	24.39	-9.28%	21.08	-13.58%
February	25.35	21.98	-13.28%	20.74	-5.66%
March	30.34	24.03	-20.79%	22.72	-5.46%
Apr-March	314.41	310.34	-1.29%	261.14	-15.85%

Source: DGCIS, \* Figures as per Quick Estimates.

- (ii) Sector-wise details for 2014-15 and 2015-16 are as follows:

*(Values in Million USD)*

Major Sector	2013-14	2014-15	% change 2014-15 over 2013-14	2015-16*	% change 2015-16 over 2014-15
1	2	3	4	5	6
Carpet	1178.34	1360.77	15.48%	1440.2	5.84%
Cashew	842.32	909.26	7.95%	768.48	-15.48%

1	2	3	4	5	6
Ceramic Products and Glassware	1292.16	164438	27.26%	1707.97	3.87%
Cereal Preparations and Miscellaneous Processed Item	1149.49	1257.7	9.41%	1312.51	4.36%
Coffee	798.83	814.02	1.90%	783.82	-3.71%
Cotton Yarn/Fabs./Madeups, Handloom Products etc.	11015.93	10774.55	-2.19%	10104.14	-6.22%
Drugs and Pharmaceuticals	14949.53	15431.5	3.22%	16904.42	9.54%
Electronic Goods	7842.99	6260.73	-20.17%	5939.81	-5.13%
Engineering Goods	63902.69	73074.87	14.35%	60601.1	-17.07%
Fruits and Vegetables	2255.32	2153.51	-4.51%	2160.59	0.33%
Gems and Jewellery	41388.34	41266.07	-0.30%	39440.91	-4.42%
Handicrafts Excl- Hand Made Carpet	1499.28	1378.04	-8.09%	1635.44	18.68%
Iron Ore	1557.63	526.5	-66.20%	183.97	-65.06%
Jute Mfg. Including Floor Covering	381.58	347.48	-8.94%	559.89	61.13%
Leather and Leather Manufactures	5572.77	6029.96	8.20%	5406.52	-10.34%
Man-Made yarn/Fabs./Madeups etc.	5183.66	5275.03	1.76%	4651.39	-11.82%
Marine Products	5016.63	5510.49	9.84%	4762.46	-13.57%
Meat, Dairy and Poultry Products	5292.88	5385	1.74%	4574.77	-15.05%
Mica Coal and Other Ores, Minerals Including Process	4022.55	3903.5	-2.96%	3614.98	-7.39%
Oil Meals	2796.44	1324.17	-52.65%	543.68	-58.94%
Oil Seeds	1291.71	1735.38	34.35%	1242.01	-28.43%
Organic and Inorganic Chemicals	14209.66	14425.41	1.52%	13692.97	-5.08%
Other Cereals	1204.16	869.11	-27.82%	246.72	-71.61%

1	2	3	4	5	6
Petroleum Products	63179.37	56794.15	-10.11%	30477.33	-46.34%
Plastic and Linoleum	6147.81	5746.79	-6.52%	5753.46	0.12%
Rice	7790.05	7853.12	0.81%	5792.53	-26-24%
RMG of All Textiles	14990.49	16833.32	12.29%	16963.46	0.77%
Spices	2497.3	2430.35	-2.68%	2504.85	3.07%
Tea	798.79	681.79	-14.65%	720	5.60%
Tobacco	1011.39	958.62	-5.22%	981.45	2.38%
Others	23355.63	17396.42	-25.52%	16559.41	-4.81%

Source: DGCI&S, \*Sector-wise data as on 31.7.2016

(c) Some of the key actions taken by Government to boost exports and to increase foreign exchange are as follows:

- (i) The New Foreign Trade Policy (2015-20) was announced on 1st April, 2015 with a focus on supporting both manufacturing and services exports and improving the 'Ease of Doing Business'.
- (ii) In the light of the major challenges being faced by Indian exporters in the backdrop of the global economic slowdown, the envisaged revenue outgo under MEIS was increased from ₹ 18000 crore to ₹ 21000 crore in October 2015 with accompanying enhancement in benefits on certain products and inclusion of certain additional items. On 04.05.2016., the Government has extended the market coverage to all countries in respect of 2787 lines. Hence Landing Certificates shall not be required under MEIS w.e.f 04.05.2016. This step has been taken as part of 'Ease of Doing Business' and reduction of Transaction Cost of exporters. Accordingly, revenue foregone under the scheme has been revised from ₹ 21000 crore per annum to ₹22,000 crore per annum.
- (iii) The Government is implementing the Niryat Bandhu Scheme with an objective to reach out to the new and potential exporters including exporters from Micro, Small and Medium Enterprises (MSMEs) and mentor them through orientation programmes, counselling sessions, individual facilitation, etc., on various aspects of foreign trade for being able to get into international trade and boost exports from India.



- (iv) By way of trade facilitation and enhancing the ease of doing business, Government reduced the number of mandatory documents required for exports and imports to three each, which is comparable with international benchmarks. The trade community can file applications online for various trade related schemes. Online payment of application fees through Credit/Debit cards and electronic funds transfer from 53 Banks has been put in place.
- (v) Further, the Government continues to provide the facility of access to duty free raw materials and capital goods for exports through schemes like Advance Authorisation, Duty Free Import Authorization (DFIA), Export Promotion Capital Goods (EPCG) and drawback/refund of duties.

#### Import of pulses and edible oil

†1826. CH. SUKHRAM SINGH YADAV:

SHRI VISHAMBHAR PRASAD NISHAD:

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) the details of import of pulses and oil (edible oil) in the last three years and quantity of pulses planned to be imported from the African countries in the next two years;
- (b) the amount paid for import of oil and pulses during the said period;
- (c) whether there is any plan towards reduction of import of pulses and oil; and
- (d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) and (b) The details of import of pulses and edible oil (vegetable oil) in the last three years are as under:

Sl. No.	Year	Pulses		Edible oil (vegetable Oil)	
		Qty (lakh MT)	Val. (Million US\$)	Qty. (lakh MT)	Val. (Million US\$)
1.	2013-14	36.44	2119.32	104.67	9389.74
2.	2014-15	45.85	2786.10	127.32	10621.48
3.	2015-16	57.97	3902.22	156.39	10485.18

Figures for 2015-16 are provisional.

†Original notice of the question was received in Hindi.

The Government has signed a Memorandum of Understanding (MoU) with the Government of Mozambique, which fixes targets of minimum quantities of import of Tur and other pulses from Mozambique over three financial years as given below:

Year	Quantity (in Tonnes)
2016-2017	100,000
2017-2018	125,000
2018-2019	150,000

(c) and (d) To increase domestic production of Pulses and Oilseeds and to reduce dependency on imports, the Government has taken the following steps:

- (i) National Food Security Mission (NFSM) – Pulses under Krishonnati Yojna (State Plan) is operational in 29 States and 638 districts of the country with an allocation of Central share of ₹1100 crore during the current financial year, 2016-17. The sharing pattern of Centre and States is in the ratio of 60:40 for General States and 90:10 for the North Eastern States and Himalayan States. Further, various developmental interventions under NFSM-Pulses scheme are being implemented by respective State Governments, the details of which are given in the Statement (*See below*).
- (ii) National Mission on Oilseeds and Oil Palm (NMOOP) under Krishonnati Yojna (State Plan) is operational under Mini Mission-I on Oilseeds in 26 States, Mini Mission-II on Oil Palm in 20 States, Mini Mission-III on Tree Borne Oilseeds (TBOs) in 29 States of the country with an allocation of Central share of ₹500 crore during current financial year 2016-2017. The sharing pattern of Centre and States is in the ratio of 60:40 for General States and 90:10 for the North Eastern States and Himalayan States.

#### **Statement**

##### *Details of various Developmental Interventions under NFSM-Pulses Scheme during 2016-17*

Sl. No.	Intervention	Approved rates/ Unit
1	2	3
1.	<b>*Demonstrations on Improved Technologies:</b>	
	(a) Cluster Demonstrations (of 100 ha each)	₹7500/-ha
	(b) Demonstration on Inter-cropping	₹7500/-ha

1	2	3
	(c) Cropping System based Demonstration [Pulse (Urad, moong, Moth, Cowpea, Pigeonpea) -Wheat]	₹12500/-ha
2.	<b>Distribution of Certified Seeds:</b>	
	(a) HYVs seeds	₹2500/-Qtls
3.	<b>Integrated Nutrient Management:</b>	
	(a) Micro-nutrients	₹500/-ha
	(b) Gypsum/80% WG Sulphur	₹750/-ha
	(d) Bio-fertilizers	₹300/-ha
4.	<b>Integrated Pest Management (DPM)</b>	
	(a) Distribution of PP Chemicals	₹500/-ha
	(b) Weedicides	₹500/-ha
5.	<b>Resource Conservation Technologies/Tools:</b>	
	(a) Manual Sprayer	₹ 600/Unit
	(b) Power Knap Sack Sprayer	₹3000/Unit
	(c) Zero Till Seed Drill	₹15000/Unit
	(d) Multi Crop Planter	₹15000/Unit
	(e) Seed Drill	₹15000/Unit
	(f) Zero Till Multi Crop Planter	₹15000/Unit
	(g) Ridge Furrow Planter	₹15000/Unit
	(h) Chiseller	₹8000/Unit
	(i) Rotavator	₹35000/Unit
	(j) Laser Land Leveler	₹150000/Unit
	(k) Tractor mounted sprayer	₹ 10000/Unit
	(i) Multi crop thresher	₹ 40000/Unit
6.	<b>Efficient Water Application Tools:</b>	
	(a) Sprinkler Sets	₹ 10000/-
	(b) Pump Sets	₹ 10000/Unit
	(c) Pipe for carrying water from source to the field	₹ 15000 or ₹25/m

1	2	3
	(d) Mobile Rain gun	₹ 15000/Unit
7.	<b>Cropping System based trainings</b>	₹3500/ Sess. ₹ 14000/ Trai.
8.	<b>Local Initiative</b>	
	(a) Seed Treatment Drum	₹ 1000/Unit
	(b) Spiral Grader	₹ 2000/Unit
9.	<b>Demonstrations by (KVK)</b>	₹7500/ha

#### Export of spices

†1827. SHRI MAHENDRA SINGH MAHRA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the amount of foreign currency being earned by Government through export of cloves, small and long cardamom and black pepper;

(b) the details of foreign currency earned in the financial years 2010-11 to 2015-2016;

(c) whether the Ministry will consider sending a team of agricultural experts to the hilly areas of the country to explore the potential of farming of cloves, cardamom and black pepper in order to increase their production; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) and (b) The details of foreign currency earnings of the Government through export of pepper, cardamom (small), cardamom (large) and clove in the financial years 2010-11 to 2015-16 is given in the Statement (*See below*).

(c) and (d) Government is implementing several programmes for development and production of spices through State Horticulture Mission under the Mission for Integrated Development of Horticulture (MIDH) of Ministry of Agriculture. For small and large cardamom, Spice Board is implementing various programmes for enhancing the production. Government has also established Spice Development Agencies in different parts of the country for overall development of spices at regional level. At present there

†Original notice of the question was received in Hindi.

is no proposal for sending a team of agricultural experts to the hilly areas of the country to explore the potential of farming of cloves, cardamom and black pepper in order to increase their production.

***Statement***

*Details of foreign currency earnings of the Government through export of pepper, cardamom (small and large) and cloves from India*

Item/Year	Value in Million US\$					
	2010-11	2011-12	2012-13	2013-14 (P)	2014-15 (Est.)	2015-16 (Est.)
1	2	3	4	5	6	7
Pepper	84.18	182.90	116.54	155.20	197.31	264.58
Cardamom (small)	29.04	75.65	38.74	46.86	52.82	68.78
Cardamom (large)	9.80	14.23	11.42	13.14	13.72	11.21
Clove	1.89	4.05	3.74	4.67	6.92	5.69
TOTAL	124.91	276.83	170.44	219.87	270.77	350.26

P: Provisional, Est.: Estimated

**Impact of import of fruits**

1828. SHRIMATI VIPLOVE THAKUR: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government is aware of import of fruits including apple by some foreign countries in India, thus affecting domestic fruit growers adversely;

(b) if so, the details thereof along with the names of those countries from which fruits are being imported;

(c) whether Government has received requests from various quarters including public representatives for increasing import duty on fruits especially on apple;

(d) if so, the details thereof along with the reaction of Government thereto; and

(e) the other corrective measures taken/ being taken by Government to protect domestic fruits growers in the country?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) Import of agricultural commodities like

fruits depends on several factors such as Market access, demand, supply, prices (both domestic and international), quality and availability of specific varieties. Import of fruits thus may merely be required to fill the gap between demand and supply and may not necessarily adversely affect the domestic fruit growers.

(b) Country-wise details (top 5 countries) of import of fruits during the last three years and the current year (Apr-May) are as under:

Country	2013-14		2014-15		2015-16 (P)		2016-17 (Apr to May) (P)	
	Quantity	Value	Quantity	Value	Quantity	Value	Quantity	Value
Afghanistan	21,155.19	93.29	30,846.71	131.40	26,080.44	119.90	2,246.00	8.74
USA	55,394.74	75.85	64,828.95	84.93	99,520.51	114.09	15,955.28	19.28
Pakistan	1,30,125.78	95.55	1,31,973.96	99.24	1,15,433.94	88.17	12,784.58	9.74
Iraq	1,43,405.44	56.69	1,45,756.66	58.62	1,44,674.19	56.55	28,778.27	11.04
China	99,206.02	100.50	71,317.78	74.42	63,540.89	56.17	37,868.28	30.79
Other Countries	1,33,149.77	118.58	2,08,376.41	195.73	2,00,927.35	186.31	63,858.40	50.72
TOTAL	582,436.95	540.45	6,53,100.47	644.34	6,50,177.31	621.19	1,61,490.80	13032

Source: DGCI&S, (P) - Provisional

(c) and (d) The Government has received requests from several quarters, including public representatives, for increasing import duty on apples. The present import duty rates for apples is 50% which is also the bound rate of duty agreed to in GATT/WTO. As such, there is no scope for further increase in tariff rates without further negotiation under the WTO regime.

(e) The import policy for agricultural products like fruits is framed keeping in view the interests of farmers/growers as well as the consumers and international law.

#### **Achievements under 'Make in India' programme**

1829. SHRIMATI VIPLOVE THAKUR: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- the year since 'Make in India' programme has been launched;
- what gains have been made so far;
- the details of amount spent/to be spent on the scheme; and
- the employment generated from the scheme so far?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) 'Make in India' initiative was launched by Hon'ble Prime Minister on 25th September, 2014.

(b) 'Make in India' initiative is aimed at promoting India as an important investment destination and a global hub for manufacturing, design and innovation. During the period from October, 2014 to May, 2016, the FDI equity inflow has increased by 46%, *i.e.* from US\$ 42.31 billion to US\$ 61.58 billion in comparison to previous 20 months (February, 2013 to September, 2014).

(c) The Make in India initiative aims at promoting India as an important investment destination and a global hub for manufacturing, design and innovation. The initiative is aimed at creating a conducive environment for investment, development of modern and efficient infrastructure, opening up new sectors for foreign investments and forging a partnership between Government and industry through a positive mindset. All these efforts under Make in India initiative cannot be through any specific scheme and thus no details can be provided.

(d) No such information is centrally compiled.

#### **Price stabilisation of rubber**

1830. SHRI M.P. VEERENDRA KUMAR: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the amount disbursed to the rubber farmers as part of price stabilization effort by Government during the last two years. State-wise;

(b) whether any special package has been given to Kerala in the current year and the amount disbursed till date;

(c) whether the Central Government has received any request from Kerala Government regarding the price stabilization of rubber; and

(d) the steps taken/proposed by Government?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) The Price Stabilization Fund Scheme was implemented by the Central Government from the year 2003 to 2013 with a view to protect the farmers of plantation crops including rubber, from losses on account of price fluctuations with the support from the Price Stabilisation Fund (PSF). No amount was disbursed to the rubber farmers during the last two years as the scheme ended in 2013.

(b) to (d) State Government of Kerala has requested the Central Government to earmark ₹ 500 crores from the Price Stabilization Fund maintained by the Department of Commerce for Plantation Crops with a view to provide additional price support of at least ₹50/Kg to NR farmers. Natural Rubber being a commercial crop is not considered for minimum price support. Moreover, price support of ₹ 50/Kg involves cash subvention of large amounts at the current level of production for which adequate financial resources are currently not available. However, the Government has proposed a market-linked Revenue Insurance Scheme for Plantation Crops (RISPC) for protecting the farmers of plantation crops, including rubber plantations, against losses arising from fluctuations in yield as well as prices. The scheme has been shared with the State Governments to meet their share of insurance premium.

#### **Foreign investment in pharma sector**

†1831. SHRI HARIVANSH: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) the total foreign investment made in pharmaceutical sector during previous year;
- (b) the sector wherein India is ahead of China in terms of exports; and
- (c) the total foreign investment attracted by India during the last two years?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) During the Financial Year 2015-16, Foreign Direct Investment (FDI) amounting to US\$ 0.754 billion has been received in Drugs and Pharmaceutical Sector through equity inflow.

(b) According to World Trade Organization (WTO)'s database for the year 2014, India's export is higher than China in the sectors of 'Fuels' and 'Fuels & Mining Products'.

(c) A total of US\$ 138.01 billion of Foreign Investment (FDI + investment by Foreign Institutional Investors) has been made in the country during the last two years *i.e.* F.Y. 2014-15 and 2015-16.

#### **Violation of DPE guidelines on cafeteria based perks and allowances**

1832. SHRI MD. NADIMUL HAQUE: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether Department of Public Enterprises is aware that State Trading

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†Original notice of the question was received in Hindi.



Corporation (STC) has violated DPE guidelines regarding Cafeteria based perks and allowances;

(b) if so, what action has been taken against STC officials who have violated DPE guidelines regarding Cafeteria based perks and allowances;

(c) the details of total loss to the exchequer of the country by taking of perks and allowances by top officials of STC beyond the prescribed limit; and

(d) whether STC top management has discontinued some perks and allowances beyond 50 per cent during this year, if so, the details of these allowances?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) to (d) In terms of Department of Public Enterprises (DPE) guidelines dated 26.11.2008 and 2.4.2009, the Cafeteria based perks and allowances are paid to employees of STC including Board level functionaries within the prescribed ceiling of 50% of the Basic pay. However, keeping in view the functional requirement and administrative needs, STC was also reimbursing certain expenses to CMD, Directors, CVO, Chief General Managers, other Executives and employees at different levels, incurred in connection with official work within the prescribed limits fixed from time to time as per policy of the corporation. In addition, certain service awards/ facilities are provided to the employees by the corporation as welfare measures as per policy of the Corporation, including the medical facilities to ex-employees. The matter regarding grant of other benefits beyond 50% of the basic pay in violation of the extant guidelines, came to the notice of Department of Commerce and the same was examined in consultation with DPE.

After receiving the clarification from DPE, STC was advised *vide* this Department letter dated 21.1.2016 that the extension of perks, allowances and other benefit being provided beyond 50% of the basic pay to the executives may be dis-continued forthwith and the process of recovery of extra allowances/perks and other benefits may be placed before the Board of Directors since the facilities had been provided with the prior approval of the Board.

STC has withheld the following expenses payable on account of functional requirements to CMD/Directors/CVO/CGMs, with effect from 1.2.2016:-

- (1) Reimbursement of Electricity charges
- (2) Attendant charges
- (3) Gardener allowances
- (4) Reimbursement of entertainment expenses.

**Impact of Tier-2 visa rule by U.K.**

1833. SHRI DEVENDER GOUD T.: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) how the Ministry looks at the new British rule that professionals living and working in Britain on a Tier-2 Visa and earning less than 35,000 pounds annually could be deported after five years;
- (b) whether it is not a violation of WTO rules;
- (c) how many Indians are likely to be hit due to the above rule;
- (d) how the Ministry is planning to discuss and resolve the issue through diplomatic and political channels; and
- (e) if U.K. refused to budge, will the Ministry knock at the doors of WTO as has been done in the case of U.S.?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) In 2012, the UK government announced that from 6th April, 2016, those applying for settlement from Tier-2 and who entered Tier 2 after 6th April 2011 must be paid at least £35,000 salary p.a. This means that those non-EU migrants who came to UK after 6th April 2011 and want to apply for settlement/permanent residency/indefinite leave to remain after five years of staying in the UK on Tier-2 visa must have at least £35,000 salary p.a. The new rules also do not apply to anyone who entered the country on a Tier 2 visa on or before 5 April 2011.

Workers who cannot satisfy the salary requirement will not be able to stay in the UK for longer than six years. They will be able to apply for another Tier 2 visa after they have completed a 12 month 'cooling off' period outside the UK. Further, there are exceptions to the salary threshold rule for occupations on Shortage Occupation List.

Tier 2 visas are usually valid for a maximum of six years. They give the possibility of applying for Indefinite Leave to Remain/Permanent Residency after five years' residence in the UK. The new rules that came into effect on 6th April 2016 would mean that those non-EU migrants who came to UK after 6th April 2011 and want to apply for settlement/permanent residency to remain after five years of staying in the UK on Tier-2 visa must have at least £35,000 salary p.a.

- (b) and (e) Does not arise as the said matter relates to settlement/permanent residency/indefinite leave to remain after five years of staying in the UK on Tier-2 visa'.

On the other hand, GATS/WTO deals with temporary entry and specifically excludes residency or employment on a permanent basis from its purview.

(c) UK Home Office Impact Assessment conducted in 2012 estimated that around 16% of Tier 2 migrants would no longer qualify for permanent settlement due to the salary threshold. But there is no specific official data available on the impact of these visa changes on Indian migrants in particular.

(d) The Government of India has taken up the matter bilaterally with the UK government at various levels and expressed concern over the changes in the UK visa rules.

#### **Oil-for-drugs proposal with Venezuela**

1834. SHRI DEVENDER GOUD T.: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that India has put-forth oil-for-drugs proposal before Venezuela as it is struggling to pay money to our pharma companies;

(b) if so, the details of the proposal; and

(c) whether Venezuela is willing to accept this agreement?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) The Government of India has put-forth an 'Oil for Export Mechanism' between Government of Venezuela and Government of India to settle pending payments of Pharma companies.

(b) The proposal seeks to work out a mechanism to offset payments which are to be made to oil companies of Venezuela against due payments of Indian entities.

(c) There has been no response from Venezuelan side.

#### **Reconstitution of Coffee Board**

1835. SHRI OSCAR FERNANDES: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government has reconstituted the Coffee Board and if so, the details thereof;

(b) whether Government is in violation of Rule 8 of the Coffee Rules, 1955 in reconstituting the Board before the completion of the previous term for members, and if so, the details thereof; and

- (c) the corrective measures taken by Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) to (c) The functioning of the Coffee Board was reviewed by the Union Commerce and Industries Minister and in the light of the views expressed during the consultations it was felt that the functioning of the Coffee Board needs to be improved with regard to the key issues affecting the interests of coffee industry. Accordingly, the Coffee Board was re-constituted *vide* Gazette notification no. S.O.3413(E) dated 15.12.2015 for a period of three years in exercise of the powers conferred under Section 4(2) of the Coffee Act, 1942 read with rule 3 and rule 4(1) of the Coffee Rules, 1955. There is no violation of Rule 8 of the Coffee Rules, 1955 in reconstitution of the Coffee Board.

#### **Startups that applied for recognition**

1836. SHRIMATI KANIMOZHI: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) the number of startups that have applied for recognition so far under the 'Startup India' programme; and
- (b) the number of startups recognized by Government so far and the funds disbursed thereon, State-wise?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) 793 startups have applied for recognition so far under the 'Startup India' programme.

(b) 223 startups have been recognized by the Government so far. A 'Fund of Funds' (FFS) of INR 10,000 crores for Startups has been established which is being managed by SIDBI. The fund will invest in SEBI registered Alternative Investment Funds (AIFs) which, in turn, will invest in Startups. Till date, SIDBI has sanctioned an amount of ₹168 crore towards the corpus of 6 AIFs under FFS. These AIFs shall invest in startups across sectors and States. At present no such information, State-wise, is available.

#### **Dumping of solar panels and modules**

1837. SHRI PALVAI GOVARDHAN REDDY: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether it is a fact that US, China and other countries are dumping solar panels and solar modules into the country and thereby impacting the domestic manufacturers;

(b) if so, the details of such dumping in the last three years and current year, year-wise and country-wise;

(c) whether it is also a fact that Government has so far not imposed antidumping duty on such countries; and

(d) if so, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) At present, there is no petition of domestic industry alleging dumping of solar panels and solar modules from US, China and other countries pending with the Directorate General of Anti-dumping and Allied Duties.

(b) to (d) Do not arise.

#### **Steps to stop export of fake goods**

1838. SHRI PALVAI GOVARDHAN REDDY: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that as per the study of OECD and EU, India is the fifth biggest exporter of fake goods in the world;

(b) how the Ministry looks at this Report;

(c) whether it is also a fact that postal parcels are the top method of shipping fake goods;

(d) what steps the Ministry is proposing to stop export of fake goods from India; and

(e) to what extent the reputation of the country would be at stake with surge in export of fake goods?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) and (b) According to a study by OECD (Organisation Economic Cooperation and Development) and the European Union's Intellectual Property Office, titled "Trade in Counterfeit and pirated goods: Mapping the Economic Impact" (published in April, 2016), international trade in counterfeit and pirated products represents up to 2.5% of world trade in 2013. A perusal of the Report shows that in terms of number of counterfeit shipments seized, India ranked 6th as an originating country of such shipments for the years 2011, 2012 and 2013 accounting, respectively, for 1.46%, 0.83% and 1.16% of the total number of shipments seized during these years.

(c) According to the OECD report, postal parcels are the most popular way of shipping counterfeit and pirated product. Between 2011 and 2013, an average of almost 62% of seizures worldwide concerned postal shipments.

(d) and (e) According to the Central Board of Excise and Customs, with regard to exports of fake and counterfeit goods, the Customs Department is following all the procedures and directions issued by the Government in this regard. Field formations are advised from time to time to maintain strict vigil and check/examine export consignments thoroughly in order to prevent such fake exports.

Also, Directorate General of Foreign Trade (DGFT) has informed that with a view to check export of counterfeit drugs, it has notified the procedure for implementation of the Track and Trace system for export of pharmaceutical and drug consignments on 1st April, 2015.

#### **Interest subvention scheme to boost exports**

1839. SHRI R. VAITHILINGAM: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether it is a fact that Government had decided on some Interest Subvention Scheme in some select sectors of the economy to boost exports;
- (b) if so, the details thereof and if not, the reasons therefor; and
- (c) the details of the measures taken by Government to enhance exports?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) and (b) The Government has introduced the Interest Equalization Scheme on Pre and Post Shipment Rupee Export Credit *w.e.f.* 01.04.2015 for 5 years. The scheme has been notified *vide* RBI circular No. 62 dated 04.12.2015. The scheme is available to all exports by manufacturers under 416 specified tariff lines [at ITC (HS) Codes at 4 digit level] and exports made by manufacturing Micro, Small and Medium Enterprises across all ITC (HS) Codes. The rate of interest equalisation is 3% per annum.

- (c) Government has taken suitable measures to promote exports, which include:
  - (i) **The Merchandise Exports from India Scheme (MEIS)** was introduced in the Foreign Trade Policy (FTP) 2015-2020 with effect from April 1, 2015. MEIS aims to incentivize export of merchandise which is produced/ manufactured in India.
  - (ii) The Government has introduced the **Interest Equalisation Scheme on Pre & Post Shipment Rupee Export Credit** with effect from 1.4.2015. The scheme

is available to manufacturers for all exports under 416 specified tariff lines [at ITC (HS) Codes at 4 digit level] and to exports made by manufacturers in Micro, Small and Medium Enterprises across all ITC (HS) Codes. The rate of interest equalisation is 3% per annum.

- (iii) **Duty Exemption/Remission Schemes** viz Advance Authorisation (AA), Duty Free Import Authorisation (DFIA) and Duty Drawback (DBK) Scheme enable duty free import of inputs for export production, including replenishment of input or duty remission. Schemes to promote exports of Gem and Jewellery include Advance Procurement / Replenishment of Precious Metals from Nominated Agencies, Replenishment Authorisation for Gems, Replenishment Authorisation for Consumables and Advance Authorisation for precious metals. Export Promotion Capital Goods (EPCG) Scheme facilitates import of capital goods at zero duty for producing quality goods and services to enhance India's export competitiveness. Authorisation holder under EPCG is not required to maintain average Export Obligation in respect of export of goods from following sectors viz. Handicrafts, Handlooms, Cottage and Tiny sector, Agriculture, Aqua-culture (including Fisheries), Pisciculture, Animal husbandry, Floriculture and Horticulture, Poultry, Viticulture, Sericulture, Carpets, Coir, and Jute.
- (iv) **Market Access Initiative (MAI) Scheme** is an Export Promotion Scheme envisaged to act as a catalyst to promote India's exports on a sustained basis. The scheme provides assistance to Export Promotion Organizations/ Trade Promotion Organizations/National Level Institutions/ Research Institutions/Universities /Laboratories, Exporters etc., for enhancement of exports through accessing new markets or through increasing the share in the existing markets.
- (v) **Market Development Assistance (MDA) Scheme** is under operation through the Department of Commerce to assist exporters for export promotion activities abroad, assist Export Promotion Councils (EPCs) to undertake export promotion activities for their product(s) and commodities and assist approved organizations/ trade bodies in undertaking exclusive non-recurring innovative activities connected with export promotion efforts for their members.

#### **New IPR Policy**

1840. DR. PRADEEP KUMAR BALMUCHU: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether Government has announced the new Intellectual Property Rights (IPR) Policy recently, if so, the details thereof;

(b) whether it is a fact that though the Policy has been termed as comprehensive but it lacks specifics;

(c) if so, the details thereof; and

(d) the steps being taken by Government to make the Policy comprehensive by considering all the matters into account?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) The Government has approved the National IPR Policy on 12th May 2016. The policy lays down the following seven objectives:

1. IPR Awareness: Outreach and Promotion—Generation of IPRs: To create public awareness about the economic, social and cultural benefits of IPRs among all sections of society;
2. Generation of IPRs—To stimulate the generation of IPRs;
3. Legal and Legislative Framework: To have strong and effective IPR laws, which balance the interests of rights owners with larger public interest;
4. Administration and Management: To modernize and strengthen service-oriented IPR administration;
5. Commercialization of IPR: Get value for IPRs through commercialization;
6. Enforcement and Adjudication: To strengthen the enforcement and adjudicatory mechanisms for combating IPR infringements;
7. Human Capital Development: To strengthen and expand human resources, institutions and capacities for teaching, training, research and skill building in IPRs;

(b) to (d) The policy is a vision document that lays the roadmap for future development in the field of IPRs. It is comprehensive and holistic, and cannot be said to lack specifics. It lists specific action points to be implemented towards fulfillment of the aforementioned objectives. These action points have been assigned to specific nodal departments for implementation. Already, certain points like transfer of Copyright and Semiconductor Integrated Circuits Layout-Design to Department of Industrial Policy and Promotion have been acted upon and the Government of India (Allocation of Business) Rules accordingly changed. Similarly, augmentation of manpower, including recruitment of 458 Patent Examiners, has been done.



**Ban on FDI in Tobacco**

1841. SHRI ANIL DESAI: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Crusade Against Tobacco (CAT) has requested Government to impose a complete ban on FDI in tobacco, a pre-requisite to provide a levelling ground for tobacco control policies; and

(b) if so, the steps taken to ban the same and if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) and (b) The Government regularly receives suggestions/views from various stakeholders and public on liberalization of FDI regime. These are examined in the Ministry and thereafter suitable action is taken. Similarly, a number of suggestions have been received from various stakeholders including Crusade Against Tobacco (CAT) for and against complete ban of FDI in Tobacco Sector. However, no decision has been taken by the Government in this regard.

**Targeting markets for agri exports**

1842. SHRI T. RATHINAVEL: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that at present India is targeting markets in Australia, South Africa and South Korea for mangoes;

(b) whether Government is also looking at the US, Japan and Vietnam for grapes, while China for rice, fruits and vegetables;

(c) whether the country's agri exports fell to ₹ 95,744 crores during April-February of 2015-16 fiscal from ₹1,20,316 crores in the previous fiscal year; and

(d) if so, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) Yes, Sir. Some varieties of mangoes from northern India are already being exported to Australia. In order to boost-export of other varieties, the matter was pursued with the concerned Australian authorities to consider different varieties and other mitigation measures of Hot Water Treatment and Irradiation. In this regard, a delegation visited India in the month of June, 2016 to verify and certify three irradiation facilities for export of irradiated mangoes from the western and southern parts of India. Approval for certification of these facilities is under process.

In case of South Africa, the market access efforts are continuing. The National Plant Protection Organization (NPPO), Ministry of Agriculture and Farmers Welfare, has sent the required information to the South African Authorities and the response from them is awaited. The matter is being pursued through the Indian High Commission in South Africa to receive the final import requirement.

In case of South Korea, market access has been gained on 7th June, 2016. South Korean Quarantine Inspector has arrived in India on 11th July, 2016 for on-site pre-clearance programme at VHT facility at Saharanpur, Uttar Pradesh, for export of mangoes to South Korea.

(b) Yes, Sir. For export of grapes, the finalization of import risk analysis is awaited from the USA. In case of Japan and Vietnam, the import risk analysis with post-harvest mitigation measures is yet to be finalized by them. The matter is being pursued through the Indian Embassies in the respective countries.

As for China, India has already submitted priority list for market access of 5 fruits and vegetables to AQSIQ, China, as per their request for providing the priority list. Out of 5 products submitted in the priority list, the finalization of protocol for okra is in the final stage and is pending with AQSIQ, China.

(c) India's export of Agricultural and Allied Products, during the period April, 2015 —February 2016, was ₹ 1,43,802.55 crore as compared to ₹ 1,68,918.94 crore over the same period in the previous financial year.

(d) The primary reasons for decline are: low commodity prices in the international market; shrinking of global demand; high domestic prices, as compared to the international prices, which has made our exports uncompetitive; unfavourable currency rate movements as compared to the competing countries etc.

Encouraging exports of agricultural products is a continuous process. The Agricultural and Processed Food Export Development Authority (APEDA), an autonomous organisation under the Department of Commerce, provides financial assistance to the exporters through various components of its Plan Scheme *viz.* Infrastructure Development, Market Promotion, Quality Development and Transport Assistance. Besides these measures, the Ministry of Commerce and Industry has put in place various schemes namely Market Development Assistance (MDA), Market Assistance Initiative (MAI) and Merchandise Export Incentive Scheme (MEIS) etc. to provide assistance to encourage exports.

**Institutional mechanism for seeking market access**

1843. SHRI A.K. SELVARAJ: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether it is a fact that the process of seeking market access in other countries is a very long drawn out process;
- (b) whether getting market access is the first crucial step towards promoting exports;
- (c) whether an institutional mechanism is necessary for such purposes and we do not have a coherent mechanism to respond to notices of the importing countries; and
- (d) if so, the steps taken by Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) to (d) Market access with trading partners can be achieved through multilateral, plurilateral and bilateral trade negotiations. The time period for completion of the negotiations is contingent on factors such as the number of partners involved, areas being negotiated, sensitivities of trading partners, complexities of the issues involved etc. The market access through these negotiations is one of the tools available for promotion of exports to the trading partner. Each of these negotiations requires a specific institutional mechanism and India has a coherent structure to handle it.

**Balance of trade with countries**

1844. SHRI KIRANMAY NANDA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) the number of countries with whom our exports are higher than imports to maintain positive trade balance in last three years; and
- (b) the names of countries with whom our exports are lower than imports and having negative trade balance during last three years?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): (a) The number of Countries/Trade and Transport Locations with whom our merchandise exports are higher than merchandise imports, resulting in positive trade balance in last three years, is as follows:

*No. of countries/Trade and Transport Locations with  
Positive Trade Balance for India\**

Year	No. of Countries/ Trade & Transport Locations
2013-14	160
2014-15	149
2015-16	147

Source: DGC&S

\* As per UN/LOCODE List of Trade and Transport Locations.

(b) The names of Countries/ Trade and Transport Locations with whom our exports are lower than imports, resulting in negative trade balance during last three years, are as follows:

*Names of Countries/Trade and Transport Locations with  
Negative Trade Balance for India\**

Sl. No.	FY 2013-14	Sl. No.	FY 2013-14
1.	Albania	16.	Cape Verde IS
2.	Ameri Samoa	17.	Chile
3.	Angola	18.	China P RP
4.	Antartica	19.	Christmas IS
5.	Argentina	20.	Colombia
6.	Australia	21.	Costa Rica
7.	Austria	22.	Czech Republic
8.	Azerbaijan	23.	Equatl Guinea
9.	Bahamas	24.	Estonia
10.	Belarus	25.	Falkland IS
11.	Belgium	26.	Finland
12.	Botswana	27.	FR S ANT TR
13.	Brunei	28.	Gabon
14.	Cameroon	29.	Germany
15.	Canada	30.	Guinea Bissau

Sl. No.	FY 2013-14	Sl. No.	FY 2013-14
31.	Indonesia	55.	Nigeria
32.	Bran	56.	Niue Is
33.	Iraq	57.	Norway
34.	Ireland	58.	Oman
35.	Japan	59.	Panama C Z
36.	Kazakhstan	60.	Papua N Gna
37.	Korea RP	61.	Qatar
38.	Kuwait	62.	Romania
39.	Latvia	63.	Russia
40.	Libya	64.	San Marino
41.	Liechtenstein	65.	Saudi Arab
42.	Luxembourg	66.	Solomon IS
43.	Macao	67.	South Africa
44.	Macedonia	68.	St Helena
45.	Malaysia	69.	Swaziland
46.	Marshall Island	70.	Sweden
47.	Mexico	71.	Switzerland
48.	Monaco	72.	Taiwan
49.	Morocco	73.	Thailand
50.	Myanmar	74.	Tokelau IS
51.	N. Mariana IS	75.	Ukraine
52.	Nauru RP	76.	Us Minor Outlying Islands
53.	New Caledonia	77.	Vatican City
54.	New Zealand		
78.	Venezuela	3.	Andorra
79.	Wallis F IS	4.	Angola
Sl. No.	FY 2014-15	Sl. No.	FY 2014-15
1.	Albania	5.	Anguilla
2.	Ameri Samoa	6.	Antartica

Sl. No.	FY 2014-15	Sl. No.	FY 2014-15
7.	Argentina	37.	Ghana
8.	Australia	38.	Guinea
9.	Austria	39.	Guinea Bissau
10.	Azerbaijan	40.	Indonesia
11.	Belarus	41.	Iran
12.	Belgium	42.	Iraq
13.	Botswana	43.	Japan
14.	Br Virgn IS	44.	Kazakhstan
15.	Brunei	45.	Korea Dp Rp
16.	Burkina Faso	46.	Korea Rp
17.	Cameroon	47.	Kuwait
18.	Canada	48.	Lao Pd Rp
19.	Chad	49.	Liechtenstein
20.	Chile	50.	Lithuania
21.	China P Rp	51.	Luxembourg
22.	Christmas Is.	52.	Malaysia
23.	Colombia	53.	Mexico
24.	Congo P Rep	54.	Monaco
25.	Costa Rica	55.	Morocco
26.	Cote D' Ivoire	56.	Myanmar
27.	Czech Republic	57.	Nauru Rp
28.	Dominic Rep	58.	New Caledonia
29.	Ecuador	59.	New Zealand
30.	Equtl Guinea	60.	Nigeria
31.	Eritrea	61.	Niue Is
32.	Estonia	62.	Norfolk Is
33.	Falkland Is	63.	Norway
34.	Finland	64.	Panama C Z
35.	Gabon	65.	Papua N Gna
36.	Germany	66.	Pitcairn IS

Sl. No.	FY 2014-15	Sl. No.	FY 2014-15
67.	Qatar	78.	Switzerland
68.	Russia	79.	Taiwan
69.	San Marino	80.	Thailand
70.	Saudi Arab	81.	Tokelau IS
71.	Serbia Montngro	82.	Tuvalu
72.	Slovak Rep	83.	Ukraine
73.	Solomon Is	84.	Us Minor Outlying Islands
74.	South Africa	85.	Vatucab City
75.	South Sudan	86.	Venezuela
76.	Suriname	87.	Wallis F Is
77.	Sweden		
Sl. No.	FY 2015-16	Sl. No.	FY 2015-16
1.	Ameri Samoa	18.	Canada
2.	Angola	19.	Cape Verde Is
3.	Antartica	20.	Chad
4.	Argentina	21.	Chile
5.	Australia	22.	China P Rp
6.	Austria	23.	Congo P Rep
7.	Azerbaijan	24.	Cote D' Rvoire
8.	Bahamas	25.	Czech Republic
9.	Belarus	26.	Dominic Rep
10.	Belgium	27.	Ecuador
11.	Bolivia	28.	Equtl Guinea
12.	Botswana	29.	Eritrea
13.	Br Virgn Is	30.	Estonia
14.	Brazil	31.	Falkland Is
15.	Brunei	32.	Finland
16.	Burkina Faso	33.	Gabon
17.	Cameroon	34.	Germany

Sl. No.	FY 2015-16	Sl. No.	FY 2015-16
35.	Ghana	61.	Norway
36.	Guinea	62.	Palau
37.	Guinea Bissau	63.	Papua N Gna
38.	Indonesia	64.	Paraguay
39.	Iran	65.	Peru
40.	Iraq	66.	Pitcairn Is.
41.	Ireland	67.	Qatar
42.	Japan	68.	Romania
43.	Jordan	69.	Russia
44.	Kazakhstan	70.	Samoa
45.	Korea Rp	71.	San Marino
46.	Kuwait	72.	Saudi Arab
47.	Lao Pd Rp	73.	Serbia Montngro
48.	Liechtenstein	74.	Solomon Is
49.	Lithuania	75.	South Africa
50.	Luxembourg	76.	St Pierre
51.	Macao	77.	Suriname
52.	Malaysia	78.	Sweden
53.	Mali	79.	Switzerland
54.	Monaco	80.	Taiwan
55.	Morocco	81.	Thailand
56.	Nauru Rp	82.	Tokelau IS
57.	Netherlandantil	83.	Ukraine
58.	New Caledonia	84.	US Minor Outlying Islands
59.	New Zealand	85.	Venezuela
60.	Nigeria	86.	Wallis F Is
		87.	Zambia

\* As per UN/LOCODE List of Trade & Transport Locations.

Source: DGCIS&S.



**Monuments and heritage sites in Kerala**

1845. SHRI M.P. VEERENDRA KUMAR: Will the Minister of CULTURE be pleased to state:

(a) whether Government proposes to include certain monuments/heritage sites in the list of monuments of national importance/protected monuments; and

(b) if so, the details thereof, monument-wise and heritage site-wise in Kerala as well as other States?

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE (DR. MAHESH SHARMA): (a) and (b) Yes, Sir. The list of monuments identified for declaration as monument of National importance in the country including Kerala is given in the Statement.

**Statement**

*Details of monuments/sites identified for declaration as monuments/site of national importance*

Sl. No.	Name of Monument/Site	State
1.	Zimskhang Gongma in the locality of Tiger Village, District Leh	Jammu and Kashmir
2.	Ancient Caves Saspol in the locality of Saspol, District Leh	Jammu and Kashmir
3.	Ancient Monastery in the locality of Wanla, District Leh	Jammu and Kashmir
4.	Ancient Buddhist Institute Remains in the locality of Nyarma Thiksay, District Leh	Jammu and Kashmir
5.	Janardana Temple, Panamaram, District Waynad	Kerala
6.	Thekkumbhagom Synagogue, Jews Street, Ernakulam	Kerala
7.	Group of Temples at Ranipur Jhariyal, District Bolangir	Odisha
8.	Protection Proposal of Hathi Khana, Tajganj, Agra	Uttar Pradesh
9.	Protection Proposal of Haveli of Khan-i-Dauran, Agra	Uttar Pradesh
10.	Protection Proposal of Haveli of Agah Khan, Tajganj, Agra	Uttar Pradesh

Sl. No.	Name of Monument/Site	State
11.	Protection proposal of 'Ancient Brick Temple (Tundare Baba), Deokalia (Unchagaon) in Sitapur District	Uttar Pradesh
12.	Protection proposal of Archaeological Site, Sisvania, District Basti	Uttar Pradesh
13.	Protection proposal Kothi Talab (Tank), Karwi, District Chitrakut	Uttar Pradesh
14.	Protection proposal Nakkarkhana, District Lucknow	Uttar Pradesh
15.	Someshwar Mahadev Temple (Mahadera), Char. District Chitrakut	Uttar Pradesh
16.	Archaeological Site and Remains in the locality of Virpur Khurd, Virbhadra, District Dehradun	Uttarakhand
17.	Vishnu Temple in the locality of Village Kotali, Pithoragarh, District Dehradun	Uttarakhand

#### Scholarship to artists in traditional arts

†1846. SHRI MEGHRAJ JAIN: Will the Minister of CULTURE be pleased to state:

(a) whether Government has any scheme to grant scholarship to artists in the field of traditional exhibition art, if so, the details thereof;

(b) whether some norms have been fixed by Government to provide financial assistance under this scheme, if so, the details of those norms; and

(c) the details of scholarship amount being provided, art-wise and State-wise?

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE (DR. MAHESH SHARMA): (a) No, Sir. There is no such scheme. However, the Government is implementing Scheme of Scholarships to Young Artists in Different Cultural Fields for advanced training in the field of Indian Classical Music, Indian Classical Dance, Theatre, Mime, Visual Art, Folk, indigenous Art, Light Classical Music including traditional arts.

(b) Applications are invited online every year and meritorious candidates are selected on the basis of their performance/interview by the Expert Committee constituted by the Ministry for this purpose.

†Original notice of the question was received in Hindi.

(c) Under the Scheme up to 400 scholarships are given every year to selected young artistes in the age group of 18-25 years @ ₹ 5,000/- per month for a period of two years. However, there is no art-wise and State-wise quota for grant of scholarship.

**Digitization of books in National Library, Kolkata**

1847. SHRI SUKHENDU SEKHAR ROY: Will the Minister of CULTURE be pleased to state:

(a) how many rare books in the National Library, Kolkata have been digitized so far out of total collection and opened for public reading, the details thereof;

(b) whether a Blind Chamber measuring 1000 square feet without any entry or trapdoors was found by conservation engineers of Archaeological Survey of India in 2010 on the ground floor of National Library, Kolkata;

(c) if so, the articles recovered from the said Blind Chamber so far, the details thereof; and

(d) if no, attempt to open the Blind Chamber was made, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE (DR. MAHESH SHARMA): (a) Madam, the total number of rare, old or brittle books digitized at National Library is 21,291 as on date. They are made available to the public through onsite intranet.

(b) to (d) The erstwhile Main Building of the National Library called the Belvedere House is a heritage building. This building has been handed over to the Archaeological Survey of India (ASI) for thorough renovation. During the year 2010-11, existence of a room/chamber was traced in the basement/ground floor of National Library, Kolkata by ASI. It was not accessed by ASI as it was full of earth/mud. Therefore, the question of articles recovered from the said Chamber does not arise.

**First ever festival of India in Australia**

1848. SHRI MOHD. ALI KHAN: Will the Minister of CULTURE be pleased to state:

(a) whether India's art and culture will be on display during the first ever festival of India to be held across Australia; and

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

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE (DR. MAHESH SHARMA): (a) Yes Sir.

(b) The Festival of India was announced by Hon'ble Prime Minister during his visit to Australia in Nov., 2014. The Festival will run from August to November, 2016 in 7 cities across Australia. It will present some of the finest elements of India's classical and contemporary culture through a variety of dance, music, theatre, visual arts and textiles. The Festival is being organized under the aegis of the Ministry of Culture with the support of ICCR and India Tourism. It has also received local support. The Festival is coordinated by the High Commission of India in Australia. Media launch was held by the High Commissioner of India in Australia.

#### **Survey for cultural mapping**

†1849. SHRI HARIVANSH: Will the Minister of CULTURE be pleased to state:

- (a) by when survey for cultural mapping would be completed and the expected cost to be incurred on this scheme;
- (b) whether local art would be promoted after this survey; and
- (c) the amount that Government has spent to promote art?

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE (DR. MAHESH SHARMA): (a) The proposal for survey of Cultural mapping is at a preliminary stage. The time-line and expected cost can not be confirmed at this stage.

- (b) The genesis of cultural mapping is to promote local art among others.
- (c) In view of (a) above, no amount has been spent on the survey.

#### **Funds to Goa for repair of churches, temples and mosques**

1850. SHRI SHANTARAM NAIK: Will the Minister of CULTURE be pleased to state:

- (a) whether Government has any scheme to give financial assistance to carry out repairs of churches, temples, mosques and gurudwaras;
- (b) if so, whether any financial assistance is given to the State of Goa;
- (c) names of the scheme under which, these repairs are carried out; and
- (d) the names of the churches, temples, mosques and gurudwaras in Goa where such repairs have been carried out in the last three years and amount spent/allotted and the present status thereof?

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†Original notice of the question was received in Hindi.

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE (DR. MAHESH SHARMA): (a) to (d) No Sir. No such scheme is there for financial assistance on religions basis, however, there is a scheme for financial assistance to monuments/historical buildings which are less than 100 years old. The details of protected monuments in Goa are given in the Statement (*See below*). The conservation work on them is attended regularly as per the availability of resources and requirements of particular site and they are in a good state of preservation. The details of expenditure incurred for conservation work of protected monuments in Goa, during last three years are as follows:-

(Amount ₹ in lakhs)

Sl. No.	Year	Expenditure
1	2013-14	144.50
2	2014-15	397.36
3	2015-16	240.99

***Statement****Details of protected monuments in Goa*

Sl. No.	Name of Monument/Site	Location	District
1.	Basilica of Bom Jesus	Old Goa	Old Goa
2.	Se' Cathedral	Old Goa	Old Goa
3.	Chapel of St. Cajetan	Old Goa	Old Goa
4.	Church and Convent of St. Francis Assisi	Old Goa	Old Goa
5.	Chapel of St. Catherine	Old Goa	Old Goa
6.	Church of Lady of Rosary	Old Goa	Old Goa
7.	Mortal remains of St. Paul's College	Old Goa	Old Goa
8.	Arch of Viceroy	Old Goa,	Old Goa
9.	Arch of Adil Shah's Palace	Old Goa	Old Goa
10.	Church of St. Augustine	Old Goa	Old Goa
11.	Auguda Fortress (Upper)	Candolim	Goa
12.	Safa Masjid	Ponda	Goa
13.	Rock cut caves	Arvalem	Goa
14.	Mahadev Temple	Tamdisurla	Goa

Sl. No.	Name of Monument/Site	Location	District
15.	Mahadev Temple	Kurdi	Goa
16.	Excavated site	Chandore	Goa
17.	Fortification Wall of Auguda Fortress (Lower)	Candolim	Goa
18.	Chapel of St. Francis Xavier and connected buildings	Old Goa	Old Goa
19.	House of Bull	Old Goa	Old Goa
20.	Largo of St. Francis Xavier	Old Goa	Old Goa
21.	Largo of St. Cajetan together with other monuments	Old Goa	Old Goa

#### **Sexual harassment in Asiatic Society**

1851. SHRI RITABRATA BANERJEE: Will the Minister of CULTURE be pleased to state:

(a) whether any action has been taken against the accused in the sexual harassment of a minority lady in Asiatic Society, Kolkata;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE (DR. MAHESH SHARMA): (a) and (b) Yes, Sir.

(i) After receiving a copy of FIR lodged by a contractual employee of the minority community against Dr. Aresh Ranjan Misra, an employee of the said Society, the Asiatic Society, Kolkata formed an Internal Complainants Committee on Sexual Harassment of Women in work place consisting of three members. In the said Committee meeting held on 12.01.2015, the accused appeared in the meeting and the Chairman Prof. Mahua Mukherjee was satisfied with the replies of the accused. It was brought to the notice of the Council that formation of the said committee is not as per Vishaka Guidelines of the Hon'ble Supreme Court and it was dissolved.

(ii) Then the Council reconstituted Internal Complaints Committee on 8th May, 2015 with three members as per Vishakha Guidelines of the Hon'ble Supreme Court of India. The said committee resolved that since the complainant did

not appear before the Committee, the Committee was not in a position to accuse and impute any charge of sexual harassment against Dr. Aresh Ranjan Misra as complained by the complainant. In the Council meeting of 24th July, 2015, question was raised as to the legality of the constitution of the Internal Complaints Committee as per relevant Act. Since the Presiding Officer who shall be woman employed at a senior level at work place from the amongst the employees. Since the First and Second Internal Complaints Committee did not fulfill the requirement as per the Act, Council had to reconstitute the third Internal Complaints Committee.

The Asiatic Society revoked the extension of services of Dr. Aresh Ranjan Misra w.e.f. 19.06.2015 as per the directives of the Ministry and also informed that thereafter Dr. Aresh Ranjan Misra was not found within the premises of the Asiatic Society till date.

- (iii) Third Internal Complaints Committee was constituted with 8 members by the Council on 24th July, 2015. The said Committee in its meeting on 30.09.2015 proposed to issue charge sheet in proper form against the accused. The Council in its meeting resolved that "after a vivid discussion the Council decided to place a white paper relating to the decisions since beginning of the constitution of the Committee and updated information chronologically done by the administration of the Society in the meeting of the Council for a decision". However, the then Council did not take any decision till its tenure up to April, 2016.

On receipt of complaint from the complainant by the Ministry, the same was forwarded on 13.06.2016 to the Officer-in-Charge, Park Street Police Station, Kolkata for taking further necessary action on the basis of F.I.R. dated 18.11.2014 lodged by the complainant against the accused.

- (iv) The newly elected Council of the Asiatic Society assumed the charge on 2nd May, 2016 and considering the pending case of sexual harassment very serious in nature, in its first meeting on 20th May, 2016 formed an Internal Complaints Committee as per relevant Act. In the Council meeting of 24th June, 2016, the Internal Complaints Committee was finally constituted with 5 members. The Internal Complaints Committee met on 25.07.2016 and adopted the following resolution:

"The petitioner was asked to submit a written complaint about grievance along with the names and address of the witness. It was decided that

after receiving the complaint, a copy of the same would be sent to the accused asking his reply in writing within 10 days failing which Committee would start their proceedings. The committee would again meet on 11th August, 2016."

The purpose for asking written complaint from the complainant was to give the complainant further opportunity to add any further information, if she has any, in the matter from her. The newly constituted Internal Complaints Committee resolved to take further proceedings to consider the written statement from the accused which is supposed to be submitted by the accused by 4th August, 2016.

- (c) Does not arise.

#### **Restoring Humayun's tomb in Delhi**

1852. SHRI NARESH GUJRAL: Will the Minister of CULTURE be pleased to state:

- (a) whether the Agha Khan trust had helped in restoring the Humayun's tomb in Delhi;
- (b) whether the recent reports indicate that substandard material was used in restoring the monument; and
- (c) whether an inquiry has been ordered, if so, what is the status of the inquiry?

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE (DR. MAHESH SHARMA): (a) to (c) Yes Sir. Agha Khan trust has executed the conservation work of the Humayun's tomb in Delhi under the overall supervision and control of Archaeological Survey of India. No report about use of substandard material has been received. No enquiry has been ordered with regard to use of substandard material.

#### **Survey of libraries under NML**

1853. SHRI TIRUCHI SIVA: Will the Minister of CULTURE be pleased to state:

- (a) whether the Ministry has concluded its survey of libraries under the National Mission on Libraries (NML);
- (b) if so, the details thereof and if not, the reasons therefor; and
- (c) the State-wise list of libraries identified under NML to be developed into Model Libraries?

THE MINISTER OF STATE OF THE MINISTRY OF CULTURE (DR. MAHESH SHARMA): (a) No Sir.



(b) National Mission on Libraries has under taken the programme of the Quantitative & Qualitative Survey of Public Libraries in all major States/Union Territories of India covering both rural and urban areas. The agency which has been entrusted Survey work has reported collection of Quantitative survey data from 4600 libraries (out of sample size of 5000) and Qualitative Survey data from 6950 individuals (out of a sample size of 7000). Public Libraries function under the administrative control of respective State/Union Territory authorities. Due to coordination issues progress of survey work, specifically the data collection work from the libraries has been delayed as reported by the entrusted Agency.

(c) The State-wise list of Libraries identified under the National Mission on Libraries (NML) to be developed into Model Libraries is given in the Statement.

***Statement***

*State-wise list of libraries identified under NML to be developed into Model Libraries*

Sl. No.	State	Library Name
1.	Andhra Pradesh	State Regional Library, Guntur
2.	Andhra Pradesh	Regional Library, Rajamundry
3.	Arunachal Pradesh	State Central Library
4.	Arunachal Pradesh	District Library, Phasighat
5.	Assam	District Library, Jorhat, Assam
6.	Assam	District Library, Guwahati, Assam
7.	Chhattisgarh	District Library, Dhantawada
8.	Chhattisgarh	District Library, Raigarh
9.	Goa	Krishnadas Shama State Central Library
10.	Goa	Dr. Francisco Luis Gomes District Library
11.	Gujarat	State Central Library, Gandhinagar
12.	Karnataka	State Central Library, Bangalore
13.	Karnataka	Government District Library, Shimoga
14.	Kerala	State Central Library, Thiruvananthapuram
15.	Manipur	State Central Library, Imphal, Manipur

Sl. No.	State	Library Name
16.	Manipur	District Library, Senapati, Manipur
17.	Mizoram	State Central Library
18.	Mizoram	District Library Building Kolasib
19.	Odisha	State Library Odisha
20.	Odisha	District Library, Ganajam Odisha
21.	Puducherry	Dr. S. R. Ranganathan Government Public Library
22.	Puducherry	District Library, Karaikal
23.	Rajasthan	Dr. Radhakrishnan Rajya Kendriya Pustakalaya, Jaipur
24.	Rajasthan	Sarbajanik Mandal Pustakalaya, Kota
25.	Tamil Nadu	District Library Vellore, Tamil Nadu
26.	Tamil Nadu	District Library Tiruchiralulli, Tamil Nadu
27.	Telangana	State Central Library Hyderabad
28.	Telangana	District Central Library, Mahaboobnagar
29.	Tripura	Birchandra State Central Library
30.	Tripura	Unakoti District Library
31.	Uttar Pradesh	State Central Library, Allahabad
32.	Uttar Pradesh	Government District Library, Etawah
33.	West Bengal	West Bengal State Central Library
34.	West Bengal	North Bengal State Library Coochbehar

#### Scheme of Grading Artists

1854. SHRI DILIP KUMAR TIRKEY: Will the Minister of CULTURE be pleased to state:

- (a) whether it is a fact that the Ministry is going to initiate a scheme for grading artists;
- (b) if so, the details thereof; and
- (c) the rationale behind this idea?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) The proposal for grading of artists is at a very preliminary stage.

(b) In view of (a) above, no details have been firmed up.

(c) Not applicable in view of (a) and (b) above.

#### **Return of 200 antiquities from US**

1855. SHRI NARENDRA KUMAR SWAIN: Will the Minister of CULTURE be pleased to state:

(a) whether the US authorities have returned a consignment of 200 antiquities to the Prime Minister of India, during his visit to US recently;

(b) if so, the details of antiquities and their values in international market;

(c) whether 1000 year old Ganesh idol made of bronze is also included in the consignment of 200 antiquities; and

(d) if so, the details of the place, States and period of these rare antiquities collected from US Government?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) and (b) US authorities have returned only eight antiquities to the Hon'ble Prime Minister of India during his recent visit to U.S. Details are given in the Statement (*See below*).

It is not the mandate of Archaeological Survey of India to determine the market value of antiquities.

(c) Yes, Sir. One bronze image of Ganesha along with seven antiquities has also been returned.

(d) The image is of 11th century AD from Tamil Nadu.

#### ***Statement***

*Details showing the retrieved antiquities from recent visit of Hon'ble Prime Minister to United States of America*

Sl. No.	Description of object	Provenance	Country from which retrieved	Date/ year of Retrieval	Means of Retrieval
1	2	3	4	5	6
1.	Bronze image of Saint Manikkavachaka	Tamil Nadu	U.S.A	2016	Voluntarily returned

1	2	3	4	5	6
2.	Metal image of Ganesha	Tamil Nadu	U.S.A	2016	Voluntarily returned
3.	Female Figure (Honolulu Museum)	Eastern India	U.S.A	2016	Voluntarily returned
4.	Male Deity (Honolulu Museum)	Madhya Pradesh	U.S.A	2016	Voluntarily returned
5.	Floral Tile, Harvan	Kashmir	U.S.A	2016	Voluntarily returned
6.	Sri Devi, Chola Period	Tamil Nadu	U.S.A	2016	Voluntarily returned
7.	Bahubali Probably	Andhra Pradesh	U.S.A	2016	Voluntarily returned
8.	Metal image of Parvati	Tamil Nadu	U.S.A	2016	Voluntarily returned

#### Relic caskets of Lalitgiri

1856. SHRI NARENDRA KUMAR SWAIN: Will the Minister of CULTURE be pleased to state whether the relic caskets found from the main stupa of Lalitgiri in the year 1985-87 will be displayed for tourists?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): Yes, Sir. The relic caskets recovered during the excavation in the year 1985-87 from the main stupa of Lalitgiri is proposed to be displayed by ASI in a site museum at Lalitgiri.

#### Renovation and maintenance of heritage sites/forts

1857. SHRI M.P. VEERENDRA KUMAR: Will the Minister of CULTURE be pleased to state:

- (a) whether heritage sites/forts in the country are being given to States and private agencies for their renovation and maintenance;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether Government is monitoring the renovation and maintenance by the States and private companies; and

- (d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) and (b) Conservation and maintenance work of protected monuments is executed by the Archaeological Survey of India (ASI). On request from Aga Khan Trust for Culture (AKTC) the conservation work of Khan-e-Khana's Tomb in Delhi is permitted to them for execution under overall control and supervision of ASI.

- (c) No Sir.

#### **Sale of surplus land of PSUs**

1858. SHRI RIPUN BORA: Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state:

- (a) whether Government proposes to sell surplus land of the PSUs for urban re-development;
- (b) if so, the proposal details therein and the plan on the closed PSUs under the Board for Industrial and Financial Reconstruction (BIFR) notices therein; and
- (c) the auction and/or disinvestment process plan report of any committee therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI BABUL SUPRIYO): (a) to (c) An in-principle decision has been given by the Cabinet Committee on Economic Affairs (CCEA) in respect of four closing companies, viz. HMT Chinar Watches Ltd., HMT Watches Ltd., HMT Bearings Ltd. and Tungabhadra Steel Products Ltd. (TSPL) that after their closure, their land would be transferred/sold to Central Government Ministries/Departments/CPSEs/Public Sector Banks/State Government Departments or their entities. The land will be sold/transferred by following the Expression of Interest (EOI) route. In case of land taken on lease from state governments, the same has been approved for being returned to them as per lease conditions.

#### **Loss making CPSEs**

1859. SHRI SHADI LAL BATRA: Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state:

- (a) the details of loss making Central Public Sector Enterprises (CPSEs) during the last two years along with the capital invested and their net asset value;

- (b) whether Government has any proposal to amalgamate these loss making CPSEs to profit making CPSEs;
- (c) if so, the details thereof;
- (d) whether Government has surveyed such CPSEs;
- (e) if so, the details thereof; and
- (f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI BABUL SUPRIYO): (a) As per information available from Central Public Sector Enterprises (CPSEs) for Public Enterprises Survey 2014-15 which was laid in the Parliament on 26.02.2016, 87 CPSEs were incurring losses during the years 2013-14 and 2014-15. The details of Capital Employed and Net Fixed Assets of these loss making CPSEs as on 31.03.2015 is given below.

*Capital Employed and Net Fixed Assets of loss making CPSEs*

(₹ in crore)	
Particulars	As on 31.03.2015
Capital Employed	102762
Net Fixed Assets	134994

(b) to (f) Department of Public Enterprises has issued guidelines for "Streamlining the mechanism for revival and restructuring of sick/incipient sick and weak CPSEs: General principles and mechanism of restructuring" and under these guidelines the administrative Ministries /Departments are expected to take measures for revival of loss making CPSEs under their administrative control on case to case basis.

**Vacancies in CPSUs**

1860. SHRI PREM CHAND GUPTA: Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state:

- (a) the names of the Central Public Sector Undertakings which do not have regular Heads/CMDs/CEOs at present;
- (b) the date of occurrence of each vacancy and reasons for the same remaining vacant; and
- (c) the steps being taken to fill up the vacancies?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI BABUL SUPRIYO): (a) and (b) As per available information, there are 40 Central Public Sector Enterprises (CPSEs) which presently do not have a regular Chief Executive (Chairman/Chairman and Managing Director/ Managing Director). The list of these 40 CPSEs along with the date of vacancy is given in the Statement. The main reasons for vacant positions of Chief Executives in CPSEs are (i) unforeseen vacancies due to resignation/death/vertical shift of incumbents, non-confirmation/non-extension of tenure of incumbents or scrapping of the recommended panel by the competent authority, (ii) pending vigilance clearance or approval of the competent authority, (iii) court cases, (iv) creation of new posts, and (v) decision of the administrative Ministry to keep a particular post in abeyance, etc.

(c) Filling up of Board level posts in CPSEs is a continuous process and vacant posts of Chief Executives are manned by assigning additional charge arrangements so that regular functioning of these CPSEs is not affected. It has been the constant endeavour of the Government to ensure that top level vacancies in CPSEs are filled up as per extant guidelines in a timely manner.

***Statement***

*List of CPSEs presently without regular Chief Executive (Chairman/Chairman and Managing Director/Managing Director) (as per available information)*

Sl. No.	Name of CPSE	Date of Vacancy
1.	HMT Chinar Watches Limited	19.01.2009
2.	Hindustan Photo Films Manufacturing Company Limited	04.06.2010
3.	Nagaland Pulps & Paper Company Limited	29.04.2011
4.	Hindustan Cables Limited	07.10.2011
5.	Central Inland Water Transport Corporation Limited	01.02.2013
6.	North Eastern Regional Agriculture Marketing Corporation Limited	20.06.2014
7.	Bharat Wagon & Engineering Company Limited	03.07.2014
8.	Bharat Broadband Network Limited	01.08.2014
9.	Hooghly Dock and Port Engineers Limited	13.09. 2014
10.	British India Corporation Limited	13.11.2014

Sl. No.	Name of CPSE	Date of Vacancy
11.	HMT Machine Tools Limited	01.12.2014
12.	Brahmputa Valley Fertilizer Corporation Limited	20.03.2015
13.	HMT Watches Limited	01.06.2015
14.	North Eastern Handicrafts & Handloom Development Corporation Limited	01.06.2015
15.	ITI Limited	05.06.2015
16.	Mahanagar Telephone Nigam Limited	09.06.2015
17.	Eastern Coalfields Limited	03.08.2015
18.	Bharat Coking Coal Limited	08.08.2015
19.	Scooters India Limited	03.08.2015
20.	Burn Standard Company Limited	20.11.2015
21.	Biotechnology Industry Research Assistance Council	15.12.2015
22.	Hotel Corporation of India Limited	26.12.2015
23.	PEC Limited	30.12.2015
24.	Hindustan Paper Corporation Limited	31.12.2015
25.	Shipping Corporation of India Limited	01.01.2016
26.	Hindustan Insecticides Limited	01.01.2016
27.	Telecommunication Consultants (India) Limited	01.02.2016
28.	NMDC Limited	22.02.2016
29.	Hindustan Organic Chemicals Limited	22.02.2016
30.	Brahmaputra Crackers & Polymers Limited	01.03.2016
31.	Power System Operation Corporation Limited	25.03.2016
32.	Andrew Yule & Company Limited	01.04.2016
33.	HMT Limited	01.05.2016
34.	Bengal Chemicals & Pharmaceuticals Limited	01.06.2016
35.	HLL Lifecare Limited	01.06.2016



Sl. No.	Name of CPSE	Date of Vacancy
36.	Rashtriya Chemicals & Fertilizers Limited	15.06.2016
37.	Indian Railway Finance Corporation Limited	01.07.2016
38.	North Eastern Electric Power Corporation Limited	01.07.2016
39.	HMT Bearings Limited	01.07.2016
40.	Security Printing and Minting Corporation of India Limited	12.07.2016

**Review of present child labour laws**

1861. SHRI OSCAR FERNANDES: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) the details of existing laws to curb and prevent the child labour from exploitation and the extent to which these laws have been effective;

(b) whether Government has revamped or proposes to review/revamp the present child labour laws to allow children below 14 years of age to 'help' in family enterprises; and

(c) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) Government is implementing Child Labour (Prohibition & Regulation) Act, 1986 which prohibits the employment of children below 14 years of age in certain occupations and processes and regulates the working conditions of children in employment where they are not prohibited. The number of main workers in the age group of 5-14 years in the country is 43.53 lakh as per 2011 Census which shows a decline from 2001 Census.

(b) and (c) The Child Labour (Prohibition & Regulation) Amendment Bill, 2016 has recently been passed by both the Houses of Parliament. The Amendment *inter-alia* covers complete prohibition on employment of children below 14 years and linking the age of prohibition with the age under Right of Children to Free and Compulsory Education Act, 2009. The amendment will also prohibit children to work in their family/family enterprise. However, considering the social fabric and socio-economic conditions in the country where children acquire and imbibe basic skill sets while helping their parents, an exception has been made where the child helps his family or family enterprises, which is other than any hazardous occupations or processes set forth in the Schedule,

after school hours or during vacations. It is important to notes that the weird used is "help" and this doesn't include "engagement in employment" or the situation where a relationship of "employer-employee" exists.

### **Achievements of the Ministry**

1862. SHRI C. M. RAMESH: Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state:

- (a) the details of achievements of the Ministry in the last two years;
- (b) whether presentation was made before the Prime Minister about the Ministry's last two years' achievements;
- (c) if so, the details thereof;
- (d) where the Ministry has fallen short of its target and where it has excelled;
- (e) what are the targets set for the coming three years and roadmap to achieve the same;
- (f) the details of difficulties brought before the prime Minister and suggestions made to overcome them; and
- (g) the details of core areas the Ministry is going to focus on in the coming three years?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI BABUL SUPRIYO): (a) Ministry of Heavy Industries and Public Enterprises, comprises the Department of Heavy Industry (DHI) and the Department of Public Enterprises (DPE). The details of achievements of both these Departments in the last two years are given in the Statement (*See below*).

(b) and (c) No, Sir. However, the details of progress/achievements made in respect of various important activities/issues concerning this Ministry are conveyed from time to time to Prime Minister's Office and Cabinet Secretariat by the Ministry.

(d) No, Sir. The Ministry has not fallen short of its target and the details of areas where the Ministry has excelled are available in the Annexure.

(e) The Ministry is continuously working for improving management and performance of Central Public Sector Enterprises (CPSEs) (including 31 CPSEs under its administrative control) through Corporate Governance, Performance Evaluation, Human

Resources Management, Research and Development etc. so as to enhance their global competitiveness. In addition, the Ministry is also focused at ensuring the development and growth of three core sectors *i.e.* Capital Goods Sector, Automotive Sector and Heavy electrical equipment industry in the future.

- (f) Does not arise.
- (g) Same as para (e) above.

***Statement***

*(A) Details of achievements of Department of Heavy Industries  
in the last two years*

**(A) – Automotive Industry**

1. **FAME India Scheme:** This Department has notified a scheme namely FAME - India (Faster Adoption and Manufacturing of (Hybrid &) Electric Vehicles in India) to encourage progressive induction of reliable, affordable and efficient electric and hybrid vehicles (xEV) with effect from 1st April, 2015 for the initial period of Two years. This scheme is one of the Green initiatives of the Government aiming at cumulative fuel savings of about 9500 million litres (Value over ₹ 60000 crore by 2020). Aligned with the Make in India initiative, the scheme aims that India emerge as a leader in the xEV 2-Wheeler and 4-Wheeler market in the World 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 (PEVs) (collectively termed as xEVs) thereby leading to creation of a strong, globally competitive, viable & self-sustaining electric vehicle industry and its eco system in India. This is a key initiative which is a palliative for environmental concerns due to use of fuels.

2. **Automotive Mission Plan (2016-26)**

- The vision of AMP 2026 is:

"By 2026, the Indian Automotive industry will be among the top three of the world in engineering, manufacture and export of vehicles and components, and will encompass safe, efficient and environment friendly conditions for affordable mobility of people and transportation of goods in India comparable with global

standards, growing in value to over 12% of India's GDP, and generating an additional 65 million jobs."

- The salient features of AMP 2026 are:
  - The Indian Automotive industry to be a top job creator - 65 million additional jobs.
  - The Indian Automotive industry to be the prime mover of Manufacturing sector and "Make in India" Programme.
  - The Indian Automotive industry to aim at increasing exports of vehicles by 5 times and Components by 7.5 times.
  - For success of AMP 2026, there is a need of coordinated and stable policy regime for the automotive sector.
  - Specific interventions are envisaged to sustain and improve manufacturing competitiveness and to address challenges of environment and safety.
  - AMP 2016-26 is proposed to be launched by Hon'ble Prime Minister

#### **NATRiP**

The National Automotive Testing R&D infrastructure Project (NATRiP) envisages setting up of world class automotive testing and homologation facilities in India with a total investment of ₹2288.06 crore by 31st Dec., 2014. However due to various reasons project came to a standstill resulting time and cost overruns, court cases on contractual issues and other critical issues. With efforts of the Department and NATRiP, during the last 2 years, most of the critical issues have been resolved, contracts worth ₹740 crore. The NATRiP project was brought on track and Union Cabinet approved the extension of NATRiP Project from 1st January 2015 to December 2017 with a revised cost estimate of ₹3700 crore. NATRiP has completed the following facilities at different centres:-

#### **\* Power Train:**

- (a) Mileage Accumulation Chasis Dynamometer (MACD) for 2W, 3W and 4W at ARAI, Pune.
- (b) Engine Test cell (ETC) for Heavy Duty and Light Duty Engines at ARAI, Pune and ICAT, Manesar.
- (c) Sealed Housing Evaporation Determination (SHED) facility for 2W, 3W and 4W at ARAI, Pune.
- (d) Vehicle Test Cell (VTC) for 4W at ARAI, Pune.

4. Hon'ble Minister (HI&PE) inaugurated five facilities at GARC, NATRiP, Chennai on 27th August, 2015. With the inauguration of these facilities, more world class auto testing and homologation facilities created under the NATRiP project are now available to the auto industry.
5. The Hon'ble Minister (HI&PE) inaugurated ICAT, Manesar on 23rd February 2016 with four test facilities i) Climate Vehicle Test Cell (CVTC); (ii) Computer Aided Design & Computer Aided Engineering (CADCAE); (iii) Engine Test Cell (ETC) and; (iv) Infotronics Lab under NATRiP.

**(B) Heavy Engineering and Machine Tools (HE & MT):**

6. A Memorandum of Understanding (MoU) between the Department of Heavy Industry, Government of India and Fraunhofer - Gesellschaft, Germany on cooperation for technology resourcing in the field of Capital Goods was signed on 5th October, 2015 during the visit of the German Chancellor to India from 4th to 6th October, 2015. Fraunhofer Society (Gesellschaft) is a German applied research organization of global repute. The objective is to support and augment the "Make in India" programme through increasing the innovation and technology prowess of Indian industry. A similar MOU has also been signed with M/s Steinbeis, Germany for technology partnership.

In addition, DHI launched its Technology Acquisition Fund Programme (TAFP) in association with Global Innovation and Technology Alliance (GITA), a technology body set up by Department of Science and Technology and CII.

WIN India, India's leading industrial and engineering trade fair, organised by Hannover Milano Fairs India (HMF) Pvt. Ltd, was held in partnership with DHI from December 9-11, 2015 in New Delhi.

7. **A National Policy on Capital Goods** was formally announced by the Minister (HI&PE) on 15th February, 2016 during the 'Make in India Week' in Mumbai. The policy has got approval from cabinet after extensive industry and stakeholders consultations. The policy has been launched in fulfilment of commitment made before the Hon'ble PM. Some of the important recommendations made in the policy are as below:
  - (i) To integrate with Make in India initiative:
  - (ii) To create an enabling scheme as a pilot for 'Heavy Industry Export & Market Development Assistance Scheme (HIEMDA)
  - (iii) To Strengthen the existing Capital Goods scheme

- (iv) To launch a Technology Development Fund under PPP model to fund technology acquisition
- (v) To create a 'Start-up Center for Capital Goods Sector'
- (vi) To ensure Mandatory Standardization
- (vii) To upgrade development, testing and certification infrastructure.
- (viii) To enhance Skill development: to set up 5 regional State-of-the-Art Greenfield Centers of Excellence for skill development of CG sector.
- (ix) To provide schemes for enhancing competitiveness through a cluster approach
- (x) To modernize the existing CG manufacturing units, especially SMEs

**(C) Requirement for Schemes on Capital Goods— ₹ 2000 cr. to 3000 cr.**

**8. CRITICAL PROJECTS APPROVED UNDER THE CG SCHEME**

- As an initiative under "Make in India", setting up of a world class Machine Tool Park at Tumkur in collaboration with Government of Karnataka, in coordination with IMTMA approved. The project cost of Rs 421 crore will be partially met from the Government of India grant support of Rs 125 crore. When implemented fully, the park is expected to double Indian turnover of machine tools to ₹9000 crore, with matching saving in imports/ forex.
- Creation of Centre of Excellence (COE) at Indian Institute of Technology, Madras (IIT-M) for development of Machine tool Technologies.
- Creation of Centre of Excellence (COE) at PSG College of Technology, Coimbatore for development of welding Technologies.
- Technology support sought by HMT Machine Tools Limited from M/s Fraunhofer of Germany, under Technology Acquisition Fund Programme.
- Common Engineering Facility Centre for electro slag re-melting, welding, gear box manufacturing and non-destructive testing by HEC.
- Creation of Centre of Excellence at CMTI, Bangalore for Development of Advanced technologies for hi-tech Shuttle less Looms (Textile Machinery).
- Creation of Common Engineering Facility Centre for hi-tech tools, dies and moulds by TAGMA.

**(D) Central Public Sector Enterprises (CPSEs):****9. Major Achievements:-**

- **BHEL** has retained its leadership position in a shrinking & highly competitive market during last two years with 72% share in Indian Power sector business for the second consecutive year.
- **BHEL** joined the elite club of select global giants having installed base of over 150 GW of power generating equipment for 3rd Year in a row.
- **BHEL** secured orders worth ₹74,541 crores from Power & Industry segments covering both domestic & international markets in last two years.
- **BHEL** has signed an MoU with the newly formed Telangana State for 6000 MW Power projects.
- **BHEL** has commissioned/synchronized Power projects totaling 27000 MW during the last 2 years.
- **BHEL** has manufactured the first indigenously 660 MW supercritical thermal set commissioned at NTPC Barh, and first indigenously manufactured 800 MW supercritical boiler commissioned at Krishnapatnam.
- **BHEL** has achieved a major milestone of the year by commissioning of power plants in Ethiopia, Oman, Rwanda and Sudan totaling to 319 MW. In 2015-16, it also forayed into new markets with maiden orders from Belgium and Mozambique, expanding its global footprint to 78 countries.
- During the year **BHEL** set a new record in its Solar PV business in a single year by setting up of 480 MW Integrated Solar PV Manufacturing Facility at Bhandara, Maharashtra. At a time when the country is considering large scale-up plan for Solar PV Energy *i.e.* 100 GW by 2022, this manufacturing facility assumes significance by enhancing domestic manufacturing base.
- **BHEL** has commissioned 736 MW hydro projects during the year which is highest in the last 10 years.
- **BHEL** achieved the highest order booking in the last five years, at ₹43727 crore, a 42% leap over 2014-15.
- During the year, **BHEL** filed the highest ever 477 patents and copyrights in a year, enhancing the company's intellectual capital to 3,487.
- Andrew Yule & Company Limited (AYCL) and Scooters India Limited (SIL), CPSEs under this Department, which had been under reference to BIFR, were discharged from its purview as their net worth has turned positive.

- **AYCL** was awarded the PSE Excellence Award 2014 for being the Best Turnaround PSU.
- **HMT** (Machine Tools) Ltd. indigenously developed a multi blade shearing machine to cut the irradiated nuclear fuel bundle into smaller pieces for disposing nuclear waste and to retrieve the weapon grade plutonium. The machine developed by HMT cuts total bundle in one stroke giving 1300% more productivity with improved reliability to work in radioactive area.
- **HMT** (International) Ltd. has been awarded an order valued at ₹ 14.19 crore to upgrade and modernize the existing facilities of Rajiv Gandhi School of Production and Art (RGSPA) at Ulaanbaatar, Mongolia on request from the Government of Mongolia.
- Scooter India Ltd. (SIL) has reported a Profit after Tax of ₹11.08 crore for the year 2014-15, a highest in the history of SIL.
- Engineering Project India Ltd. (EPI) has successfully completed a prestigious 'Engineer-3 Project' Phase-I (valuing US\$ 255 Million) in Oman. The Phase-II of this project (valuing US\$ 470 Million) has also been awarded to EPI in June, 2015. This is the highest value order ever received by EPI.
- Signing of MoU between HEC and M/s Paul Wurth, Luxembourg in the presence of HE the Dy PM of Luxembourg and Minister HI&PE.
- The Braithwaite Burn and Jessop Construction Company Ltd (BBJ) has completed supply, fabrication and erection of Open Web Steel bridges over river Torsha & Jaldhacca at West Bengal for North Frontier Railway, Open Web Steel bridge over river Khatjodi at Odisha for RVNL, Open Web Steel bridge over river Gandak at Bihar for East Central Railway and 4 KM long Rail cum Road bridge over river Ganga at Munger, Bihar for East Central Railway. The last bridge was inaugurated by Hon'ble Prime Minister of India on 12.03.2016.
- Despite the down turn in the economy of the country, the Cement Corporation of India (CCI) has achieved higher capacity utilization, production and turnover during the last two years. Two loss making plants at Rajban in Himachal Pradesh & Bokajan in Assam have turned into profit.

#### **Rationalization and Restructuring of CPSEs:**

Apart from growth registered by CPSEs, it has been a conscious effort of DHI to put to optimal use the assets of its CPSEs. Accordingly, approval has been obtained for giving a golden handshake to employees followed by closure of 5



CPSEs, viz. TSPL, HMT Bearings, HMT Watches, HMT Chinara Watches and Hindustan Cables Limited. This is likely to free up valuable land assets for greater public use. Restructuring proposals are under active consideration for HEC, HPC and HEC Limited.

**(B) Details of achievements of Department of Public Enterprises in the last two years**

- Allocation of Business Rules in respect of DPE were got amended in August 2015 to enable DPE to monitor CAPEX projects of CPSEs. For the first time compilation of CAPEX of select CPSEs is being done by DPE. This has led to better spending by the CPSEs on infrastructure projects. Besides, DPE has prescribed high weightage (15-20) for CAPEX/ leveraging net-worth in MoU guidelines for the year 2016-17.
- In order to streamline the multiple mechanisms for revival of sick CPSEs, the Board for Reconstruction of Public Sector Enterprises (BRPSE) has been wound up on 9th November, 2015. DPE has issued on 29.10.2015 guidelines for "Streamlining the mechanism for revival and restructuring of sick/ incipient sick and weak Central Public Sector Enterprises: General principles and mechanism of restructuring" to be followed by the administrative Ministries /Departments in preparation of proposals for revival/restructuring or closure of CPSEs under their administrative control in a time bound manner. For the first time Government would identify the CPSEs, which are prone to sickness. A new category of 'weak CPSEs' has been introduced in guidelines issued by DPE to identify CPSEs at an early stage, before they become sick/ incipient sick.
- Greater emphasis has been given on Corporate Governance/ Professionalization of Boards, (a) The Search Committee meetings were held regularly and names for filling up 231 positions of non-official Directors in various CPSEs recommended, (b) Nine posts of full time Directors were created on the Boards of CPSEs (BIRAC, Air India Limited, Pawan Hans Limited and Bharat Petro Resources Limited) to improve their functioning, (c) Besides, DPE organized four training programmes for capacity building of non-official and Government Directors of CPSEs. The participants were sensitized about their role and responsibilities in the context of newly enacted Companies Act, 2013 and important issues related to better functioning of Boards.
- Guidelines on MoU system for performance evaluation of CPSEs have been issued on 31.12.2015. Emphasis has been given on result oriented parameters

(instead of process oriented) to measure profitability and efficiency - such as Capacity Utilization, revenue from Operations, Trade Receivable as percentage of Revenue from operations, Inventory as percentage of Sale of products. In addition efficiency parameters (physical operations) have been incorporated which would be evaluated against well-established benchmarks.

- For the first time after the enactment of Companies Act, 2013 providing for mandatory expenditure of certain percentage of profit on CSR activities, DPE has started monitoring of CSR activities of CPSEs. As per available information in respect of 127 CPSEs, the 2% of average PBT for these 127 CPSEs for 2014-15 works out to be ₹ 3492.29 crore. Against this, the total CSR spending in 2014-15 for these 127 CPSEs is approx. ₹ 2450.23 Crore.
- With the objective of minimum government maximum governance rationalization of old/obsolete BPE/DPE guidelines done after a review of approx. 635 such guidelines are revised Compendium containing 320 guidelines has been published in January 2016 for the benefit of CPSEs and their Concerned administrative Ministries Departments. This compendium published after a gap of almost ten years is available on the website of DPE.
- The Department of Public Enterprises brings out the Public Enterprises Survey on the performance of Central Public Sector Enterprises (CPSEs), which is laid in the Parliament every year during Budget session. The current (55th Survey) Public Enterprises survey 2014-2015 was laid in both the Houses of Parliament on 26.2.2016. The Public Enterprises Survey 2013-14 was also laid in both the Houses of Parliament on 26.02.2015.
- During the 12th Five Year Plan, DPE is implementing a Plan Scheme in respect of Skill Development/Training of executives in SLPEs. Under the Scheme Management Development Programmes on various topics for increasing the knowledge and skill of executives of SLPEs are organized at various Centre for Excellence such as IIIMs, IITs, IIPA, Delhi etc. During the year 2015-16, nine training programmes have been planned and successfully conducted under which 275 Executives of State Level Enterprises have been benefited with the said training programmes. During the year 2014-15, seven training programmes were organised under the above scheme in which 237 executives from SLPEs have participated.
- Under the DPE's Plan Scheme of Research Development and Consultancies (RDC) on generic issues related to Public Sector Enterprises, following workshops have been organized during the year 2014-15 and 2015-16 in which around 200 executives of CPSEs and SLPEs have participated.

**Workshops organised during the year 2015-16**

Sl. No.	Institute	Subject	Place	Date
1	Institute of Chartered Accountant of India (ICAI)	Companies Act 2013- Implications for Public Sector Enterprises	New Delhi	04.09.2015
2	ICWAI Management Accounting Research Foundation	International Financial Reporting Standards (IFRS) and Indian Accounting standards (IND AS)	New Delhi	22.09.2015

**Workshops organised during the year 2014-15**

Sl. No.	Organisation	Subject	Place	Date
1	NEEPCO	Workshop on MoU system in SLPEs	Shillong	01.09.2014
2	Government of Himachal Pradesh	Workshop on MoU system in SLPEs	Shimla	29.09.2014

- The Department tables the Reports of the Comptroller and Auditor General of India in the Parliament and also follows up with the respective administrative Ministries/Departments for submission of Action Taken Notes (ATN) on Audit Paras to Committee on Public Undertakings as well as C & AG. During the year 2015-16, Report of the C & AG namely, No. 2 of 2015 General Purpose Financial Report of Central Public Sector Enterprises (Compliance Audit) was placed in the Parliament on 5.5.2015 and Report No. 21 (Volume I & II) was placed in the Parliament on 30.7.2015 (Rajya Sabha) and 31.7.2015 (Lok Sabha) respectively.

Similarly in the year 2014-15. Report of the C & AG namely, Report No. 2 of 2014 (General Purpose Financial Reports of Central Public Sector Enterprises (Compliance Audit and Report No. 13 of 2014 (Compliance Audit Observations) of the Comptroller and Auditor General of India was laid in the Parliament on 01.08.2014.

- Government has constituted 3rd Pay Revision Committee (PRC) under the Chairmanship of Justice Satish Chandra vide resolution dated 09.06.2016 for revision of pay scales for Executives and Non-unionized Supervisors of CPSEs w.e.f. 01.01.2017.

**Ban on plying of diesel vehicles**

1863. SHRI SHADI LAL BATRA: Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state:

- (a) whether Government is aware of the ban on plying of vehicles using diesel fuel;
- (b) if so, the details thereof;
- (c) whether any assessment has been made for the adverse impact due to such ban on the automobile sector in the country;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI BABUL SUPRIYO): (a) and (b) No. However, the Hon'ble Supreme Court has in the recent past ordered for ban on the registration of new diesel cars of engine capacity of more than 2000 cc in NCR of Delhi.

Hon'ble National Green Tribunal has also ordered for de-registration of diesel vehicles of more than 10 years old *vide* its orders dated 18th July, 2016 and dated 20th July, 2016.

(c) to (e) No, Madam. Above orders of Hon'ble Supreme Court and Hon'ble National Green Tribunal (NGT) are being contested in Hon'ble Supreme Court and Hon'ble NGT respectively.

**Progress made in implementation of Vanbandhu Kalyan Yojana**

1864. PROF. M.V. RAJEEV GOWDA: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) the progress made in the implementation of the Vanbandhu Kalyan Yojana launched in 2014 and allocations made to it;
- (b) whether there has been an increase in the allocation of funds for Tribal Sub-Plan component of Centrally Sponsored Schemes or State Plans; and
- (c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) Ministry has adopted a strategic

process namely Vanbandhu Kalyan Yojana (VKY) which aims at creating enabling environment for need based and outcome oriented holistic development of tribal people. This process envisages to ensure that all the intended benefits of goods and services under various programmes / schemes of Central as well as State Governments actually reach the target groups by convergence of resources through appropriate institutional mechanism. In the first year, 2014-15, it was launched in ten Blocks of States having Scheduled Areas as a pilot. The total allocation was ₹ 100.00 crore. Allocation of ₹ 200.00 Crores made for the year 2015-16 has extended to 21 States based on perspective plan. The State wise allocations made during Financial Year 2014-15 and 2015-16 is given in Statement-I (*See below*).

(b) and (c) Yes, Sir. There has been an increase in Tribal Sub-Plan component during the last years. The details of allocation of funds for Tribal Sub-Plan (TSP) component of Central Ministries and State Plans is given in Statement-II.

***Statement-I***

*Details of State-wise allocations made during Financial Year  
2014-15 and 2015-16*

Sl. No.	States	(₹ in lakh)		
		2014-15		2015-16
		Funds released	UC received	Funds released
1	2	3	4	5
1.	Andhra Pradesh	1000.00	1000.00	500.00
2.	Arunachal Pradesh	0.00	0.00	600.00
3.	Assam	0.00	0.00	852.00
4.	Bihar	0.00	0.00	760.00
5.	Chhattisgarh	1000.00	637.41	1384.50
6.	Gujarat	1000.00	1000.00	1723.00
7.	Himachal Pradesh	1000.00	600.51	0.00
8.	Jharkhand	1000.00	1000.00	1344.80
9.	Jammu and Kashmir	0.00	0.00	500.00
10.	Kerala	0.00	0.00	100.00
11.	Madhya Pradesh	1000.00	1000.00	1909.28

1	2	3	4	5
12.	Maharashtra	1000.00	1000.00	1400.00
13.	Mizoram	0.00	0.00	490.50
14.	Nagaland	0.00	0.00	766.65
15.	Odisha	1000.00	1000.00	1650.00
16.	Sikkim	0.00	0.00	135.00
17.	Rajasthan	1000.00	750.00	1046.42
18.	Tamil Nadu	0.00	0.00	700.00
19.	Telangana	1000.00	750.00	400.00
20.	Tripura	0.00	0.00	613.00
21.	Uttar Pradesh	0.00	0.00	200.00
22.	West Bengal	0.00	0.00	2450.00

**Statement-II**

*Details of allocation of funds for TSP component of Central Ministries and State Plans*

(₹ in crore)					
Availability of TSP funds	2012-13 (Actual)	2013-14 (Actual)	2014-15 (RE)	2015-16 (RE)	2016-17 (BE)
Funds under CS/CSS	20184	22030	20536	20963	24005
TSP component under State Plans	55019	59938	70240	82971 (BE)	NR*
Funds under Article 275(1)	852	1050	1133	1392	1400
Funds under SCA to TSP	820	1097	1040	1132	1250
TOTAL	76875	84115	92949	106458	Not available

\* NR-Not reported.

As reflected in the above table the allocation of funds under TSP has been on the increase with respect to previous year allocation.

**Guidelines for filing FIR by Delhi Police**

†1865. SHRI RAM KUMAR KASHYAP: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the guidelines prescribed for filing FIR by Delhi Police and how it is ensured that these guidelines are being followed by them or not;
- (b) whether Government is aware that even in a number of clear-cut cases, police either dodge filing of FIR or do not file FIR;
- (c) if so, the number of such complaints received and action taken by Government thereon in the last three years; and
- (d) the total number of cases of loss of mobile registered, the number of cases where those were put on surveillance and the number of mobiles recovered during the last two years?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) Ministry of Home Affairs has issued following advisories to all State Governments / Union Territory Administrations on registration of FIRs:

- (i) Advisory dated 10.05.2013 on registration of FIR irrespective of territorial jurisdiction.
- (ii) Advisory dated 06.02.2014 on Compulsory Registration of FIR u/s 154 CrPC when the information makes out a cognizable offence.
- (iii) Advisory dated 12.10.2015 on no discrimination in compulsory registration of FIRs.

Delhi Police has reported that they register FIR in each and every complaint which discloses commission of cognizable offence. Delhi Police has also issued a number of Standing Orders and guidelines for filing of FIR viz. Standing Order No. 145/1989 regarding First Information Reports, Standing Order No. 430/2014 regarding Mobile App integrated with Web based application to lodge police report regarding article/document lost in Delhi and Standing Order No. 443/2016 regarding functioning of Theft e-FIR Web Application.

- (b) and (c) Details of number of complaints received against Delhi Police officials

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†Original notice of the question was received in Hindi.

regarding non-registration of First Information Reports (FIRs) during the last three years and the current year 2016 (upto 30.06.2016) are as under:-

	2013	2014	2015	2016 (upto 30.06.2016)
Complaints Received	449	363	271	113
Total Complaints found Genuine	42	50	34	9

The details of action taken against erring police personnel for non-registration of FIRs are given in the Statement (*See* below).

(d) The details of cases of loss (including theft) of mobile registered, the number of cases where those mobiles were put on surveillance and the number of mobiles recovered during the last two years and the current year (upto 30.06.2016) are as under:-

Year	No. of mobile loss (including theft)	No. of Mobile at Surveillance	Number of Mobile recovered
2014	66724	47310	2237
2015	62373	47976	3415
2016 (upto 30.06.16)	24482	19698	1068

**Statement**

*Year-wise details of action taken against erring police officials in cases of  
non registration of FIRs*

**Action Taken: 2013**

	Inspector	Sub- Inspector	Assistant Sub- Inspector	Head Constable	Total
Warning/Displeasure/ Explanation/ Advisory Memo	10	14	02	2	28
Censure	5	4	4	8	21
Departmental Enquiry	3	2	0	0	5
Major Punishment (forfeiture of service)	0	2	0	0	2
TOTAL	18	22	6	10	56



**Action Taken: 2014**

	Assistant Commissioner of Police	Inspector	Sub- Inspector	Assistant Sub- Inspector	Head Constable	Total
Warning/Displeasure/ Explanation/Advisory Memo	2	6	13	6	7	34
Censure	0	2	9	6	0	17
Departmental Enquiry	0	0	0	1	0	1
TOTAL	2	8	22	13	7	52

**Action Taken: 2015**

	Inspector	Sub- Inspector	Assistant Sub- Inspector	Head Constable	Total
Warning/Displeasure/ Explanation/Advisory Memo	8	15	0	4	27
Censure	2	5	0	4	11
Departmental Enquiry	0	2	0	1	3
Major Punishment (withholding one year increment)	0	0	0	1	1
TOTAL	10	22	0	10	42

**Action Taken: 2016 (upto 30.06.2016)**

	Inspector	Sub- Inspector	Assistant Sub- Inspector	Head Constable	Total
Warning/Displeasure/ Explanation/Advisory Memo	0	18	2	6	26
Censure	0	1	0	3	4
Departmental Enquiry	0	0	1	0	1
TOTAL	0	19	3	9	31

**Confiscated narcotics stolen from police custody**

1866. SHRI ANUBHAV MOHANTY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the quantum of narcotics confiscated by various methods by the police in the country during the years 2013-14, 2014-15 and 2015-16, State/UT-wise detailed list thereof;

(b) whether any of the narcotics confiscated and placed in the custody of the police has been stolen from their custody, if so, the details thereof;

(c) whether the narcotics was stolen from the police custody with the nexus of the police; and

(d) if so, how many such cases has come to the notice of Government and what action has been taken against those found guilty?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) The State/UT-wise quantum of Narcotics Drugs confiscated by the Police in the country in the calendar years 2014, 2015 and 2016, as reported to NCB, is given in the Statement (*See* below).

(b) to (d) Yes, Sir. As per available information, there have been three cases of missing of confiscated narcotics from go-downs of law enforcement agencies in Manipur (1) and Jammu and Kashmir (2), in the last three years. In all these cases action against police/NCB officials concerned has been taken under the relevant provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985 and the Indian Penal Code. FIRs have been registered in all three cases.

**Statement**

*Details of State/UT-wise quantum of Narcotics drugs confiscated by the Police in the country in 2014, 2015 and 2016*

*(A) State-wise quantity of various drugs seized in 2014*

State/UT	Cocaine (In Kg)	Ephedrine (In Kg)	Ganja (In Kg)	Hashish (In Kg)	Heroin (In Kg)	Methamphe tamine (In Kg)	Methaqualone (Mandrax) (In Kg)	Opium (In Kg)
1	2	3	4	5	6	7	8	9
Andaman and Nicobar	0	0	68.73	0.45	0	0	0	0
Andhra Pradesh	0	69	7884	0	0	0	0.02	0
Arunachal Pradesh	0	0	347.28	0	1.06	0	0	31.27
Assam	0	0	8613.98	0	14.55	0	0	9.49
Bihar	0	0	332.98	0	0	0	0	0
Chandigarh	0.05	0	29.17	30.92	40.6	0	0	39.43
Chhattisgarh	0	0	1524.57	0	0.89	0	0	0.07
Dadra and Nagar Haveli	0	0	0	0	0	0	0	0
Goa	0.06	0	23.62	5.94	0.06	0	0.11	0.04
Gujarat	2.28	4.68	453.94	89.38	2.88	0	0	0
Haryana	0	0	1032.87	87.42	4.35	0	0	42.54
Himachal Pradesh	0.08	0	0	377.37	0.79	0	0	8.02

Jammu and Kashmir	0	122.86	226.66	130.73	0	0	0
Jharkhand	0	452.71	0	0.69	0	0	3.52
Karnataka	1.47	2120.36	2.96	3.21	0	0	0.93
Kerala	0	1027.2	9.66	7.62	0	0	0.04
Madhya Pradesh	0	3431.24	8.91	21.35	0	0	506.84
Maharashtra	2.16	5543.15	42.24	4.8	10.17	7.05	57.01
Manipur	1.55	3033.36	0	5.1	0	0	72.03
Meghalaya	0	0	0	0.14	0	0	0
Mizoram	0	781.95	0	6.24	15.6	0	0.52
Nagaland	0	3239	0	1.7	0	0	5
New Delhi	5.5	12598.47	164.18	271.53	3.35	46.8	44.52
Odisha	0	25588.21	0	0.16	0	0	29.5
Punjab	0	206.78	55.77	729.91	0	0	392.66
Rajasthan	0	1564.34	53.86	33.08	0	0	452.04
Sikkim	0	0.6	0	0	0	0	0
Tamil Nadu	0.12	272.43	0.98	5.13	1.03	0.01	0
Tripura	0	2525	0	0	0	0	0
Uttar Pradesh	1.41	8682.82	993.81	41.3	0	0	46.13
Uttarakhand	0	32.3	116.01	2.58	0	0	0

1	2	3	4	5	6	7	8	9
West Bengal	0	0	16765.81	13.99	40.44	0	0	24.78
TOTAL	14.68	654.03	1,08,299.72	2,280.48	1,370.87	30.15	53.99	1,766.37

(B) State-wise quantity of various drugs seized in 2015

State/UT	Cocaine (In Kg)	Ephedrine	Ganja (In Kg)	Hashish (In Kg)	Heroin (In Kg)	Mephedrone (In Kg)	Methaqualone (Mandrax) (In Kgs)	Opium (In Kg)
1	2	3	4	5	6	7	8	9
Arunachal Pradesh	0	0.00	894.24	0	1.23	0	0.00	8.78
Assam	0	20.00	1085.33	0	7.38	0	0.00	21.27
Bihar	0	0.00	14.37	0	1.12	0	0.00	1.97
Chandigarh	0	0.00	53.4	10.76	0.8	0	0.00	39.1
Chhattisgarh	0	0.00	6074.98	0	2.52	0	0.00	12.21
Dadra and Nagar Haveli	0	0.00	18.66	0	0	0	0.00	0
Goa	0.24	0.00	107.12	293.79	87	0.06	0.00	0
Gujarat	0	0.00	1867.42	13.89	0	0	0.00	2.75
Haryana	0.23	0.00	473.11	727.98	155.92	0	0.00	184.85
Himachal Pradesh	0.01	0.00	0.84	406.27	0.64	0	0.00	4.12
Jammu & Kashmir	1.44	0.00	114.03	155.45	72.07	0	0.00	2.11
Jharkhand	0	0.00	1203.53	0	3.63	0	0.00	46.6

Karnataka	7.19	0.00	2472.75	15.19	3.22	0	0.00	8.55
Kerala	0.01	0.00	810.55	96.8	3.2	0	0.00	0.01
Madhya Pradesh	0	24.84	5373.94	5.21	8.56	0	0.00	85.65
Maharashtra	62.01	1.99	4147.08	31.78	235.61	142.31	2.68	271.75
Manipur	0	24.84	4745.23	0	4.18	0	0.00	39.1
Meghalaya	0	1.99	3.2	0	0	0	0.00	0
Mizoram	0	0.00	525.42	0	5.59	0	0.00	0.35
Nagaland	0	0.00	69.57	0	4.6	0	0.00	9.5
New Delhi	20.87	50.2	5389.87	421.48	98.47	1125.57	80.51	50.21
Odisha	0	0.00	19219.77	0	0.02	0	0.00	0
Punjab	0	50.20	881.6	78.66	601.88	0	4.79	420.88
Rajasthan	0.15	0.00	5066.25	35.56	45.39	0	0.26	409.98
Tamil Nadu	3.7	0.00	0	2	0	0	1.55	0
Tripura	0	0.00	460.7	53	0.05	0	0.00	0
Uttar Pradesh	1.65	0.00	10516.49	899.24	20.34	0	0.00	15.32
Uttarakhand	0	0.00	113.89	90.74	0.76	0	0.00	16.9
West Bengal	14.88	0.00	15785.88	12.93	50.79	0	0.00	34.79
TOTAL	113.15	97.03	94,403.03	3,350.73	1,416.01	1,267.94	89.79	1,686.74

**Cases of human rights violations**

1867. SHRI PARIMAL NATHWANI: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether several cases of human rights violations have been reported in the country;
- (b) if so, the total number of such cases reported and the action taken against the guilty persons during each of the last three years and current year, State-wise;
- (c) whether Government proposes to classify the cases of violation of human rights including atrocities by police and cases of encounter with foreign terrorists and criminals separately;
- (d) if so, the details thereof; and
- (e) the steps taken by Government to check human rights violation and for effective protection of human rights?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) to (b) The number of complaints of alleged violations of human rights registered by the National Human Rights Commission (NHRC) during the period 2013-14, 2014-15, 2015-16 and 2016-17 (upto 30.6.2016) State-wise along with the status is given in Statement-I. The details of cases where the Commission has made recommendations about monetary relief and the case where NHRC has recommended disciplinary action during the said period are given in Statement-II and III (*See below*).

(c) and (d) NHRC is the nodal agency to conduct investigation and inquiry of cases regarding alleged violations of human rights. While registering cases, the Commission classifies complaints of human rights violation under various heads including police excesses, encounter deaths and complaints about alleged death in fake encounters. However, no separate record of foreign terrorists and criminals is maintained.

(e) As per Seventh Schedule of the Constitution of India, 'Police' is a State subject and it is primarily the responsibility of State Governments to formulate legislation, rules, regulations etc for bringing transparency in investigations in cases in respect of violation of human rights. However, NHRC have issued guidelines to all the State Governments for the procedure to be followed in the cases of death during the course of police action, involving expeditious magisterial enquiry and reporting of deaths in police action to NHRC within 48 hours of such incidents etc.

During various workshops, seminars and camp sittings, the Commission makes efforts to sensitize senior officers in State Governments for better protection of human rights.

**Statement-I**

*Details showing State-wise Total No. of Cases Registered, Disposed, Pending in respect of human rights violations during 2013-14, 2014-15, 2015-16 and 2016-17*

Sl. No.	State/UT Name	2013-14			2014-15			2015-16			2016-17 (upto 30.6.2016)		
		No. of Cases Registered	Disposed	Pending	No. of Cases Registered	Disposed	Pending	No. of Cases Registered	Disposed	Pending	No. of Cases Registered	Disposed	Pending
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.	Andhra Pradesh	931	846	85	1224	1069	155	1335	1136	199	336	308	28
2.	Arunachal Pradesh	48	29	19	158	140	18	38	20	18	5	1	4
3.	Assam	407	310	97	644	495	149	366	259	107	77	52	25
4.	Bihar	4362	4047	315	4516	3925	591	4141	3606	535	1113	1021	92
5.	Goa	55	54	1	54	47	7	69	62	7	23	21	2
6.	Gujarat	1585	1496	89	1565	1442	123	1445	1278	167	274	237	37
7.	Haryana	10297	10088	209	13331	12793	538	11606	11157	449	2271	2167	104
8.	Himachal Pradesh	256	224	32	285	236	49	223	196	27	55	47	8
9.	Jammu and Kashmir	389	356	33	369	325	44	213	191	22	50	45	5
10.	Karnataka	698	662	36	1515	1380	135	979	901	78	287	258	29
11.	Kerala	583	542	41	648	506	142	998	656	342	164	143	21



1	2	3	4	5	6	7	8	9	10	11	12	13	14
12.	Madhya Pradesh	2392	2232	160	3652	3317	335	2969	2700	269	731	627	104
13.	Maharashtra	3164	2973	191	2980	2683	297	3015	2794	221	669	604	65
14.	Manipur	93	69	24	124	95	29	76	38	38	17	8	9
15.	Meghalaya	59	43	16	96	39	57	53	22	31	12	9	3
16.	Mizoram	19	11	8	19	17	2	20	10	10	6	1	5
17.	Nagaland	20	13	7	42	22	20	8	3	5	1	0	1
18.	Odisha	5435	4857	578	5853	4871	982	16278	15807	471	1492	1430	62
19.	Punjab	1908	1786	122	1807	1546	261	1435	1199	236	325	249	76
20.	Rajasthan	2649	2433	216	3195	2698	497	3263	2649	614	797	679	118
21.	Sikkim	17	15	2	20	18	2	11	8	3	1	1	0
22.	Tamil Nadu	2678	2554	124	2280	2094	186	3138	2948	190	620	553	67
23.	Tripura	1040	1027	13	83	66	17	54	39	15	8	4	4
24.	Uttar Pradesh	44800	42651	2149	50723	46448	4275	49721	44709	5012	13191	11857	1334
25.	West Bengal	1465	1339	126	2001	1705	296	2127	1852	275	412	365	47
26.	Andaman and Nicobar	35	32	3	23	19	4	32	25	7	5	4	1
27.	Chandigarh	165	155	10	202	182	20	206	177	29	59	53	6
28.	Dadra and Nagar Haveli	18	17	1	14	11	3	8	8	0	3	3	0

29.	Daman and Diu	13	12	1	10	9	1	22	19	3	3	1	2
30.	Delhi	7168	6798	370	9076	8322	754	7626	6731	895	1707	1506	201
31.	Lakshadweep	36	35	1	11	10	1	9	6	3	1	1	0
32.	Puducherry	75	67	8	92	77	15	123	109	14	35	26	9
33.	Chhattisgarh	820	703	117	1192	914	278	822	600	222	192	159	33
34.	Jharkhand	1645	1497	148	1983	1712	271	1670	1386	284	406	351	55
35.	Uttarakhand	1857	1820	37	3101	2978	123	1821	1692	129	481	441	40
36.	Telangana	654	583	71	903	770	133	1092	958	134	275	245	30
37.	ALL OVER INDIA	75	72	3	80	79	1	416	411	5	123	120	3
GRAND TOTAL		97911	92488	5463	113871	103060	10211	117428	106362	11066	66227	23597	2630

**Statement-II**

*Details showing State-wise total no. of cases where NHRC recommended monetary relief during 2013-14, 2014-15, 2015-16 and 2016-17*

State/UT	2013-14		2014-15		2015-16		2016-17 (Upto 30.06.2016)	
	No. of Cases	Amount (In lakhs)	No. of Cases	Amount (In lakhs)	No. of Cases	Amount (In lakhs)	No. of Cases	Amount (In lakhs)
1	2	3	4	5	6	7	8	9
Andaman and Nicobar	1	3.00	0	0.00	0	0.00	0	0.00
Andhra Pradesh	11	23.85	7	11.00	7	8.30	3	1.75

1	2	3	4	5	6	7	8	9
Arunachal Pradesh	3	36.00	0	0.00	1	1.00	0	0.00
Assam	30	186.20	4	7.50	4	7.50	8	45.00
Bihar	21	40.80	21	23.40	19	28.45	6	7.85
Chandigarh	1	0.15	2	4.00	0	0.00	2	6.00
Chhattisgarh	8	29.50	15	31.00	14	22.60	0	0.00
Daman and Diu	1	1.00	0	0.00	0	0.00	0	0.00
Delhi	31	49.80	23	55.10	17	37.05	5	3.50
Gujarat	7	40.40	11	17.80	6	12.25	3	5.00
Haryana	16	39.65	13	23.00	15	32.50	9	17.20
Himachal Pradesh	1	5.00	3	11.00	2	2.00	0	0.00
Jammu and Kashmir	2	11.00	0	0.00	2	9.00	0	0.00
Jharkhand	14	46.50	14	118.00	17	61.00	7	13.35
Karnataka	7	10.60	0	0.00	5	5.80	2	3.25
Kerala	8	13.50	6	16.00	2	1.50	0	0.00
Madhya Pradesh	18	48.45	20	86.00	14	30.70	8	13.00
Maharashtra	19	63.75	14	16.50	13	38.00	11	35.00
Manipur	17	91.00	7	40.50	10	61.00	3	20.00

Meghalaya	3	20.00	1	0.25	1	5.00	1	20.00
Mizoram	0	0.00	1	0.50	0	0.00	2	2.00
Odisha	12	50.85	26	106.45	20	31.60	16	26.00
Puducherry	1	3.00	0	0.00	6	11.50	0	0.00
Punjab	6	29.78	6	7.50	5	7.25	3	2.25
Rajasthan	17	41.30	20	49.65	11	13.45	5	7.75
Sikkim	1	3.00	0	0.00	0	0	0	0
Tamil Nadu	8	20.15	10	13.50	7	9.25	4	10.00
Telangana	7	12.00	4	4.00	8	16.00	1	1.00
Tripura	2	12.00	2	1.30	4	1.30	0	0
Uttar Pradesh	146	489.85	128	239.05	102	137.45	41	56.20
Uttarakhand	6	36.30	7	15.20	5	4.35	0	0
West Bengal	18	63.30	12	20.10	9	18.75	6	8.75
TOTAL	443	1521.68	377	918.3	326	614.55	146	304.85

**Statement-III**

*Details showing State-wise total no. of cases where NHRC recommended disciplinary action and prosecution during 2013 to 2016*

State/UT Name	Disciplinary Action	Prosecution
Andhra Pradesh	1	
Bihar	5	
Chhattisgarh	4	
Delhi	6	
Haryana	4	
Himachal Pradesh	1	
Jharkhand	2	
Karnataka	1	
Madhya Pradesh	7	
Maharashtra	2	
Meghalaya	1	
Mizoram	1	
Odisha	5	
Puducherry	1	
Punjab	5	
Rajasthan	6	
Tamil Nadu	1	
Telangana	1	
Uttar Pradesh	49	1
Uttarakhand	2	
West Bengal	2	
<b>TOTAL</b>	<b>107</b>	<b>1</b>

**Children abducted and indulged into begging**

†1868. SHRI MEGHRAJ JAIN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government is aware that small children are abducted to indulge them in beggary at road crossings, etc. in many cities of the country;

†Original notice of the question was received in Hindi.

(b) if so, the State-wise details of complaints received against such abductions and the action taken thereon;

(c) whether Government is contemplating formulation of any stringent law to curb such incidents and beggary; and

(d) if so, the details thereof and by when it is likely to be implemented?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) As per information provided by the National Crime Records Bureau (NCRB), a total of 5 children were kidnapped or abducted for the purpose of begging during 2014. City wise details is given in the Statement (See below).

(c) and (d) As per the seventh schedule to the Constitution of India Police and Public Order are State subjects and, as such, the primary responsibility of prevention, detection, registration, investigation and prosecution of crime, lies with the State Governments/ Union Territory Administrations. Ministry of Home Affairs has issued Advisories dated 25th June, 2013 on "Hon'ble Supreme Court's direction to file FIR in case of Missing Children" and dated 14th July, 2010 on "Crime against Children" which are available at.

[http://mha.nic.in/sites/upload\\_files/mha/files/CSAdviMissingChild-170713.pdf](http://mha.nic.in/sites/upload_files/mha/files/CSAdviMissingChild-170713.pdf)

[http://mha.nic.in/sites/upload\\_files/mha/files/pdf/AdvCrime-children-280710.pdf](http://mha.nic.in/sites/upload_files/mha/files/pdf/AdvCrime-children-280710.pdf)

#### **Statement**

*Details of city-wise number of children kidnapped or abducted for the purpose of begging during 2014*

Sl. No.	Cities	No. of Children
1.	Agra	0
2.	Ahmedabad	0
3.	Allahabad	0
4.	Amritsar	0
5.	Asansol	0
6.	Aurangabad	0
7.	Bengaluru	0
8.	Bhopal	0
9.	Chandigarh City	0

Sl. No.	Cities	No. of Children
10.	Chennai	0
11.	Coimbatore	0
12.	Delhi (City)	0
13.	Dhanbad	0
14.	Durg-Bhilainagar	0
15.	Faridabad	0
16.	Ghaziabad	1
17.	Gwalior	0
18.	Hyderabad	0
19.	Indore	0
20.	Jabalpur	0
21.	Jaipur	0
22.	Jamshedpur	0
23.	Jodhpur	0
24.	Kannur	0
25.	Kanpur	0
26.	Kochi	0
27.	Kolkata	0
28.	Kollam	0
29.	Kota	0
30.	Kozhikode	0
31.	Lucknow	0
32.	Ludhiana	0
33.	Madurai	0
34.	Malappuram	0
35.	Meerut	0
36.	Mumbai	2
37.	Nagpur	0
38.	Nasik	0

Sl. No.	Cities	No. of Children
39.	Patna	0
40.	Pune	0
41.	Raipur	0
42.	Rajkot	0
43.	Ranchi	0
44.	Srinagar	0
45.	Surat	0
46.	Thiruvananthapuram	2
47.	Thrissur	0
48.	Tiruchirapalli	0
49.	Vadodara	0
50.	Varanasi	0
51.	Vasai Virar	0
52.	Vijayawada	0
53.	Vishakhapatnam	0
TOTAL CITIES		5

Source: Crime in India

### **Traffic jams at Havelock Square, New Delhi**

†1869. SHRI SHIV PRATAP SHUKLA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn towards the fact that a Red Light installed at Havelock Square in Central Delhi has been out of order for last ten years, and an urbanite has sent an e-mail to concerned police authorities in this regard;

(b) whether it is also a fact that there are several schools in the said area and dysfunctional Red Light and inadequate deployment of Traffic Police lead to massive traffic jams during day time there; and

(c) if so, the action taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) to (c) As reported by Delhi Police, the status

†Original notice of the question was received in Hindi.



of functioning of two traffic blinker lights installed at Havelock Square (behind RML Hospital, near Gole Market) is as under:-

- (i) Blinker light at Havelock Square near Havelock School and N.P. Co-Ed. Sr. Secondary School between RML Red Light and GPO is functional. There is routine congestion during 'drop off and 'pick up' time of children for which adequate traffic staff is deployed.
- (ii) Another blinker light, installed near Kendriya Vidyalaya, Gole Market at Kali Bari Marg Crossing which was earlier not functional has now been made functional through overhead cables.

Delhi Police has also reported that 7 Traffic Police personnel are deployed in the area to regulate the traffic.

**Noise pollution by garbage vans in NDMC area**

†1870. SHRI SHIV PRATAP SHUKLA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Government is aware that the garbage van of New Delhi Municipal Council (NDMC) causes noise pollution everyday by its ear-splitting announcements;
- (b) if so, whether Government is considering to find a better alternative to this ear-splitting announcement; and
- (c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) to (c) NDMC is a body corporate which functions under the provisions of the New Delhi Municipal Council Act, 1994. The Central Government does not interfere in the day-to-day functioning of the NDMC. The New Delhi Municipal Council has intimated that the announcement is only to inform the people about the arrival of the garbage collection vehicles for door to door collection of garbage in NDMC area. It starts from 7.00 a.m. onwards and its decible noise is less than other vehicles and their horns on the road. The Ministry of Home Affairs has advised the NDMC to get the announcement decible level tested to look for any noise pollution and take necessary action accordingly.

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†Original notice of the question was received in Hindi.

**Cases of social atrocities**

1871. SHRI K. SOMAPRASAD: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) how many cases of social atrocities are reported in the country during the last three years;
- (b) how many of them are against SCs/STs; and
- (c) the number of cases registered for such atrocities?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) to (c) National Crime Records Bureau (NCRB) does not maintain data on social atrocities centrally. However, as per information provided by the National Crime Records Bureau (NCRB), a total of 39346, 40300 and 38564 cases of atrocities against persons belonging to SCs and a total of 6768, 6826 and 6275 cases of atrocities against persons belonging to STs reported during 2013, 2014 & 2015 respectively. Crime head wise such details are given in the Statement. Data for the year 2015 is provisional.

As per the seventh schedule to the Constitution of India 'Police and Public Order' are State subjects and, as such, the primary responsibility of prevention, detection, registration, investigation and prosecution of crime, lies with the State Governments/ Union Territory Administrations.

**Statement**

*(A) Cases reported under crime (including atrocities) against persons belonging to Scheduled Castes (SCs) during 2013 to 2015*

Sl. No.	Crime Head	2013	2014	2015*
1.	Murder	676	704	707
2.	Attempt to commit Murder	-	420	547
3.	Rape	2073	2233	2326
4.	Attempt to commit Rape	-	87	74
5.	Assault on women with intent to outrage her Modesty	-	2346	2800
6.	Insult to the Modesty of Women	-	56	58
7.	Kidnapping & Abduction	628	755	687

Sl. No.	Crime Head	2013	2014	2015*
8.	Dacoity	45	32	34
9.	Robbery	62	67	43
10.	Arson	189	179	179
11.	Grievous Hurt	4901	2155	1007
12.	Riots	-	838	1465
13.	Other IPC Crimes	16797	21541	22632
14.	SC/ST (Prevention of Atrocities) Act only	13975	8887	6005
TOTAL		39346	40300	38564

*Note:* '-' data not collected separately.

\* data is provisional

Atrocities includes cases registered under murder, attempt to commit murder, rape, attempt to commit rape, assault on women with intent to outrage her modesty, insult to the modesty of women, kidnapping & abduction, dacoity, robbery, arson, grievous hurt, riots, other IPC crimes and the SC/ST (Prevention of Atrocities) Act

*Source:* Crime in India

*(B) Cases reported under Crime (including atrocities) against persons belonging to Scheduled Tribes (STs) during 2013-2015*

Sl. No.	Crime Head	2013	2014	2015*
1.	Murder	122	157	144
2.	Attempt to commit Murder	-	78	88
3.	Rape	847	925	952
4.	Attempt to commit Rape	-	24	15
5.	Assault on women with intent to outrage her Modesty	-	863	818
6.	Insult to the Modesty of Women	-	16	12
7.	Kidnapping & Abduction	130	166	124
8.	Dacoity	8	2	4
9.	Robbery	7	12	9
10.	Arson	33	28	25
11.	Grievous Hurt	930	287	145
12.	Riots	-	101	133

Sl. No.	Crime Head	2013	2014	2015*
13.	Other IPC Crimes	3301	3045	2974
14.	SC/ST (Prevention of Atrocities) Act only	1390	1122	832
TOTAL		6768	6826	6275

Note: '-' data not collected separately.

\* data is provisional for the year 2015.

Atrocities includes cases registered under murder, attempt to commit murder, rape, attempt to commit rape, assault on women with intent to outrage her modesty, insult to the modesty of women, kidnapping & abduction, dacoity, robbery, arson, greivous hurt, riots, other IPC crimes and the SC/ST (Prevention of Atrocities) Act

Source: Crime in India

### **IR battalion at Pratapgarh, Rajasthan**

†1872. SHRI NARAYAN LAL PANCHARIYA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government of Rajasthan has sent a proposal to Government of India for granting approval to a new IR battalion at Pratapgarh in Rajasthan, if so, the details thereof; and

(b) whether Central Government proposes to approve the proposed battalion, if so, by when and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) Request has been received from Government of Rajasthan for sanction of one IR Battalion at Pratapgarh district, Rajasthan. A total number of 17 proposals have been received from States/UTs to sanction 44 additional IR Battalions. IR Battalions are sanctioned taking into account various factors like threat perception of the State, status of the State Police and the existing IR Battalions earlier sanctioned to the State.

### **Compensation to victims of acid attacks**

1873. SHRI HUSAIN DALWAI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Ministry has taken cognizance of cases of acid attacks on women and that they are required under law to be paid compensation;

(b) whether the Ministry has received complaints from acid attack victims that they do not receive timely compensation;

†Original notice of the question was received in Hindi.

(c) what steps are taken by the Ministry to intervene on behalf of acid attack victims to ensure that they receive timely compensation; and

(d) whether the Ministry runs any special schemes or offers other forms of assistance to acid attack victims, if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) Yes Sir. A new Section 357A has been inserted in the Code of Criminal Procedure 1973; *vide* the Code of Criminal Procedure (Amendment) Act, 2008, which provides for compensation to victims of crime. In pursuance of this, a Victim Compensation Scheme (VCS) is required to be framed by the State Governments/ Union Territories in coordination with the Central Government. All the States /UTs have notified their VCS.

(b) No such complaint has been received in this Ministry.

(c) and (d) On 6.7.2016, the Central Government has launched the Central Victim Compensation Fund (CVCF) Scheme for women with one time grant of ₹200.00 Crore under the Nirbhaya Fund to support and supplement the existing Victim Compensation Schemes notified by States/UT Administrations, to reduce disparity in quantum of compensation amount notified by different States/UTs for victims of similar crimes and to encourage States/UTs to effectively implement the Victim Compensation Schemes (VCS) notified by them under the provisions of section 357A of Cr.P.C. and provide financial support to victims of various crimes like sexual offences including rape, acid attacks, crime against children, human trafficking etc. A minimum compensation of ₹ 3.00 lakh has been allocated for the victim of acid attack under this scheme.

#### **States hit by devastating floods**

1874. SHRIMATI RAJANI PATIL:

SHRI DARSHAN SINGH YADAV:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether various States of the country are hit by devastating floods this year;

(b) if so, the details of extent of loss of life and property occurred thereby; and

(c) the Central aid sought and given for the relief and rehabilitation?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) to (c) Various States of the country have been affected by natural calamities including heavy rains and floods this year. As per the information received from the various State Governments, 478 human lives and 5,758 cattle heads have been lost, 8.60 lakh ha. cropped area affected and 1,07,209 houses/ huts have been reportedly damaged due to heavy rains/ floods/ cloudburst/ landslides during the year 2016.

The primary responsibility to undertake relief and rehabilitation measures in the wake of natural disasters for the people who are affected by the natural calamities rests with the concerned State Government. The Government of India assists the State Government by way of logistics support for immediate rescue, relief and restoration activities.

In order to support the affected people of the State Governments, the Government of India has released an amount of ₹3608.25 crore from State Disaster Response Fund (SDRF) and an amount of ₹5955.27 crore from National Disaster Response Fund (NDRF) for immediate relief operations during the current financial year.

#### **Enforcing a single Police Act across the country**

†1875. SHRI PRABHAT JHA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether all States in the country have separate Police Acts and if so, the details thereof;
- (b) whether enforcing a single Police Act throughout the country will be more effective for strengthening the policing system and bringing uniformity therein;
- (c) if so, the details thereof;
- (d) whether the previous Governments had made any effort in this regard;
- (e) whether the incumbent Government is taking any initiative with regard to implementing a single Police Act across the country; and
- (f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) to (f) 'Police' is a State subject under the Seventh Schedule of the Constitution of India. State Governments are mandated to maintain their individual Police Act.

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†Original notice of the question was received in Hindi.

Further, to make police more effective, efficient, responsive to needs of the people for strengthening the policing system and bringing in uniformity therein, the Ministry of Home Affairs prepared a new Model Police Act in 2006, to replace the Police Act of 1861.

A copy of the draft Model Police Act, 2006 was forwarded to States for consideration and appropriate action, on 31st October, 2006. As per information available, so far 17 States, viz. Assam, Bihar, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Kerala, Karnataka, Maharashtra, Meghalaya, Mizoram, Punjab, Rajasthan, Sikkim, Tamil Nadu, Tripura and Uttarakhand have either enacted the Police Act or amended their existing Act.

In May, 2013, Ministry of Home Affairs had constituted a Committee to revise the Model Police Act, 2006, in tune with modern policing needs and democratic values. The attributes of the concept of 'SMART' Policing have also been incorporated in draft Model Police Bill, 2015, submitted by BPR&D, on 24th August, 2015. The draft Model Police Bill, 2015 has been uploaded on BPR&D's website for public comments.

#### **Women personnel in Delhi Police**

†1876. SHRI PRABHAT JHA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that the number of women personnel in Delhi Police is less than 10 per cent;
- (b) if so, the details thereof;
- (c) whether Central Government had approved 33 per cent reservation to women in the police force of all States/Union Territories including Delhi;
- (d) if so, the details thereof;
- (e) whether any recruitment process is being conducted to ensure that women personnel must constitute 33 per cent of Delhi Police; and
- (f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) As reported by Delhi Police, there are 7166 women police personnel in Delhi Police out of 76461 police personnel, which comes to 9.37 %.

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†Original notice of the question was received in Hindi.

(c) and (d) Government of India has approved reservation of 33% for women horizontally and in each category (SC, ST, OBC and others) in the direct recruitment in non-gazetted posts from Constables to Sub-Inspector in the Police forces of all the Union Territories including Delhi Police. The reservation will be available for women against all such vacancies existing on 26th March, 2015 and vacancies arising thereafter. Advisories have been issued to all the State Governments to increase women representation in their Police Force to 33%.

(e) and (f) Delhi Police has reported that they have already started implementing the above decision of Government of India. Delhi Police has already conveyed vacancies of Constables (Exe.) (3115 male and 1554 female) and 204 vacancies of Women Sub-Inspector (Exe.) to Staff Selection Commission for direct recruitment.

**Tribals killed in encounter between Maoists and police in Odisha**

†1877. CH. SUKHRAM SINGH YADAV:

SHRI VISHAMBHAR PRASAD NISHAD:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that many tribals were killed in an encounter between the Maoists and police near Kurtamgarh in Odisha in July which has caused a sense of insecurity among the local tribal people;

(b) the details of such incidents in the country in the last three years in which common people lost their lives in the course of an encounter between police and naxals in naxal-affected areas;

(c) whether the Central Government provides any financial help to the families of those who are killed in these incidents; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI HANSRAJ GANGARAM AHIR): (a) No, Sir.

(b) Details of incidents of civilians killed during encounters/exchanges of fire in LWE affected States during last 3 years are given in the Statement.

(c) and (d) Ministry of Home Affairs has been implementing a scheme namely "Central Scheme for Assistance to Civilian Victims of Terrorist/Communal/Naxal violence"

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†Original notice of the question was received in Hindi.



under which an amount of ₹ 3 lakh is given to civilian victims/Next of Kin (NOK) of the victim in the case of death or incapacitation/disability with 50% or more, subject to the condition that no employment has been provided to any of the family members of the victims by the State Governments. Besides, under the Security Related Expenditure(SRE) Scheme, the Central Government has been reimbursing the expenditure incurred in 106 districts by the 10 LWE affected States for payment of ex-gratia to the families of victims of LWE violence at the rate of ₹ 1.00 lakh per civilian killed. This scheme was in operation upto 31.03.2016.

***Statement***

*Details of incidents of civilians killed during encounter/exchanges of fire*

State	2013	2014	2015	2016 (upto July 25)
Chhattisgarh	0	0	0	2
Jharkhand	4	0	0	0
Maharashtra	2	0	0	0
Odisha	0	0	2	5
TOTAL	6	0	2	7

**Talks with NSCN (IM) in view of recent outburst**

1878. SHRI NARESH AGRAWAL:

SHRI A.K. SELVARAJ:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that National Socialist Council of Nagaland (Isak-Muivah) (NSCN/IM) with whom Government has signed a pact last year has stated that it has not given up its demand for sovereignty;

(b) whether it is also a fact that NSCN/IM says that a separate flag and passport for Nagas was not just a demand but a right as the Nagas were never under Indian rule;

(c) whether Government is considering to hold talks with NSCN/IM in view of the recent outburst; and

(d) if so the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) to (d) The Naga Peace Talks are in progress. Subsequent to

the framework signed on 3rd August, 2015, details are being worked out. Consultations with all the stakeholders and the State Governments involved will be held before reaching the final agreement.

**Synchronized police patrolling in metropolitan cities**

1879. SHRIMATI AMBIKA SONI:

DR. T. SUBBARAMI REDDY:

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Government is considering proposal to get synchronized police patrolling in metropolitan cities to beef up patrolling and security on time, in view of rise in crimes against women, dalits and incidents of theft, burglary and murder;
- (b) if so, the details thereof; and
- (c) whether Government would provide any special funds for the State Governments to implement this proposal to have a visible police network, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) As per the Seventh Schedule to the Constitution of India, "Police" and "Public Order" are State subjects and, as such the primary responsibility of prevention, detection, registration, investigation and prosecution of crime lies with the States/UT Administrations.

(c) Under the component of Megacity Policing (MCP) a total of ₹184.527 crores have been provided to 6 cities (Ahmedabad, Mumbai, Chennai, Hyderabad, Kolkata and Bengaluru) initially. The technical component of MCP comprises of CCTV surveillance, Command Control Centre (CCC), Dial 100 system, Fusion Centre/Data Centre, Highway Patrol Cars and Aerial Surveillance (UAV/Helicopters). The non-technical component includes Community Policy, Reaching out through Educational System, Training on soft skilling, attitudinal change in policemen and women police.

**Autonomous Council for North Coastal Andhra**

1880. DR. T. SUBBARAMI REDDY: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Government has received any memorandum/representation demanding constitution of Autonomous Council for North Coastal Andhra to lay emphasis on developmental activities with the package;

- (b) if so, the details thereof; and
- (c) the steps proposed to be taken by Government to have targeted approach to counter backwardness in the region?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) No Sir, the Government has not received any representation.

(c) Based on the information provided by the Department of Expenditure, Ministry of Finance:-

- (i) The Union Government having regard to the provisions made under Section 46(2), 46(3) and 94(2) of Andhra Pradesh Reorganisation Act, 2014, has been providing special assistance towards development programmes for seven backward districts of the States covering Rayalseema and North Coastal Region. Based on recommendation of NITI Aayog, an amount of ₹700 crore @ ₹50 crore per district annually has so far been released during 2014-15 (₹350 crore) and 2015-16 (₹350 crore) to the State of Andhra Pradesh for development of seven backward districts of the State covering Rayalseema and North Coastal Region.
- (ii) To provide special assistance to the State of Andhra Pradesh to address issue of resource gap, based on the recommendation made by NITI Aayog, special assistance of ₹2,803 crore in total during 2014-15 (₹2,303 crore) and 2015-16 (₹500 crore) has been released to the Government of Andhra Pradesh (GoAP) besides other infrastructure and developmental measures.

#### **Meeting of Inter-State Council**

1881. DR. T. SUBBARAMI REDDY:

SHRIMATI AMBIKA SONI:

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Government called a meeting of Inter-State Council recently;
- (b) if so, the details thereof and the issues that were discussed;
- (c) whether any proposals/suggestions were made by CMs for good governance and direct benefit schemes, Aadhaar Card, etc. and if so, the response of Government thereto; and

- (d) whether any decision was taken in the meeting, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) Yes Sir. The Agenda items discussed during the 11th meeting of Inter-State Council held on 16-07-2016, were as under:

- (i) Consideration of the Recommendations of the Punchhi Commission on Centre-State relations,
- (ii) Use of Aadhaar as an identifier for providing subsidies, benefits and Public services,
- (iii) Improving quality of school education with focus on improving learning outcomes, incentivising better performance, and Internal security with focus on intelligence sharing and coordination for combating Terrorism/insurgency and Police Reforms and Police Modernization.

(c) and (d) The Chief Ministers made proposals for good governance and direct benefit schemes and use of Aadhaar as an identifier for providing subsidies; benefits and public services etc. The suggestions/proposals of the Chief Ministers have been noted by the Inter State Council Secretariat.

**Cases of rape, harassment and other atrocities against women**

1882. SHRIMATI RAJANI PATIL: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that cases of rape, harassment and other atrocities have increased against women particularly against girl children in various parts of the country during the last six months; and

- (b) if so, the steps taken by Government to prevent such incidents in the country particularly in Maharashtra?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) As per information provided by the National Crime Records Bureau (NCRB), a total of 58,976 cases were registered under crime against women (including girl children) during January to April, 2016. The comparison cannot be made as the data is provisional.

- (b) The Criminal Law (Amendment) Act 2013, which has come into force since 3rd Feb, 2013 on crimes against women, has enhanced punishment for crimes like rape,

sexual harassment, stalking, voyeurism, acid attacks, indecent gestures like words and inappropriate touch etc. The new law has provisions for increased sentence for rape convicts, including lifeterm and death sentence, besides providing for stringent punishment for offences such as acid attacks, stalking and voyeurism.

The Protection of Children from Sexual Offences (POCSO) Act, 2012, has come into effect from 14th November, 2012 as a special law to protect children from sexual abuse and exploitation.

As per the Seventh Schedule to the Constitution of India, "Police" and "Public Order" are State subjects and, as such the primary responsibility of prevention, detection, registration, investigation and prosecution of crime lies with the States/UT Administrations.

Ministry of Home Affairs has issued advisories on 04.09.2009, 14.7.2010, 5.1.2015, 20.4.2015 and 12.05.2015 on Crime against women and crime against children to all State Governments/UTs. These advisories have advised State Governments to adopt appropriate measures for swift and salutary punishment to the persons found guilty of violence against women and children, set up Fast Track Courts, Family Courts, Crime against Women/Children desks in each Police Station, improve the quality of investigations, minimize delays in investigations of crime against women and children and to undertake gender sensitization of the police personnel. These advisories specifically direct the States/UTs that "cases should be thoroughly investigated and chargesheets against the accused persons should be filed within three months from the date of occurrence, without compromising on the quality of investigation. Speedy investigation should be conducted in heinous crimes like rape, murder etc. The medical examination of rape victims should be conducted without delay.

State Government of Maharashtra has taken the following steps to prevent crime against women and children:-

- PAW (Prevention of Atrocities on Women) Cell: The applications regarding ill treatment and crime against women etc. are received in the Cell. These are inquired into by the units in order to provide justice to needy women. This cell sensitize police men from various units by arranging training programs and circulating the subject material about the crime against women and child.
- Mahila Police Kaksha (Women Help Desk Police station level): In Maharashtra prevention, detection & Investigation of crime against women is dealt with

by the jurisdictional police stations. The Director General of Police, Maharashtra State, Mumbai has issued circulars to create Mahila Police Kaksha in each police Station, to handle the cases regarding crime against women. As per availability Women Police Officers & Police Constables are appointed in these cells. 1062 such cells are established till date.

- Mahila Suraksha Samittee(District level): These committees are established in all Headquarters of all 46 Police Units and all Police Stations. These committees are helping for legal assistance to the women in crises with the help of police intervention. The cell includes women doctors, women advocates, women professor and social worker etc.
- Special Juvenile Police Unit and Child Welfare Officer: In all Districts of Maharashtra Child Welfare Committee and Juvenile Justice Boards are formed for protection and care of children in distress. Special Juvenile Police Unit is formed in all 46 Police Units and one police officer is appointed as Child Welfare Officer in 1062 Police Stations.
- Help centres at S.T. stand: To prevent crime against women and children 364 help centers are established at State Transport bus station and CCTV cameras are installed.
- Women Help Line: The dedicated Toll-free Help Line No.103 for Mumbai, Thane and Navi Mumbai and for the rest of Maharashtra Help Line No.1091 are functioning.
- Special and Fast Track Courts: Totally 27 Special Courts for the speedy disposals of cases of crimes against women are functioning 25 Fast Track Courts are established for speedy disposal of cases relating to the atrocities on women and mentally handicapped girls. Complaint Committees at work places: As per the Vishakha Guidelines of Hon. Supreme Court, New Delhi these committees are established in all 46 Police Units head quarters and State CID office, Pune. These committees are tackling the complaints related to sexual harassment at work places of women police officers/staff and other ministerial staff working in police officers.
- Preventive Action for Eve-Teasing: Instruction and circulars are issued by office of DGP, MS, for preventive such incidents. Foot patrolling, patrolling in college area, Nakabandi etc are organized regularly by Police units. The lectures on security measures and existing laws are being delivered in school and college level.

- Sensitivity of Police Officers and Men towards the Complaints of Women: Curriculum of basic training programme of Police Officers at Maharashtra Police Academy, Nashik and all Police Training Schools and refresher courses at unit head quarters includes laws related to crime against women and children and gender issues. Regular training workshops have been held for police officers, NGOs and prosecutors to sensitize them regarding Anti Human Trafficking and its seriousness and impact on society, to develop victim friendly approach and to enhance their investigative skills.
- Manodhairya Yojana: Women and Child Welfare Dept. has implemented this scheme since 02.10.2013 for rehabilitation of victim of rape and acid attack. This scheme gives compensation.

Instruction Book: To investigate crime against women and children, the book about all circulars, guidelines, advisories, Criminal Law Amendment Act, 2013, has been published and circulated to all Police Units.

- As per the recommendation of Sukanu Committee the counseling centers have been sanctioned and managed by Women and Child Welfare Dept. However the Women Help Desks, at the Police Station level and Manila Suraksha Samittee, at the Police Station and unit headquarters perform the role of counseling in regards to complaints related to women and children.
- The Maharashtra State has established Anti Human Trafficking Cell on 31.03.2008 12 Anti-Human Trafficking units are established in the state of Maharashtra. Police Inspectors working in the Social Service Branch in the Commissionerate and District Crime Branch of Maharashtra Police have been notified as 'Special Police Officer' for the purpose of Anti Human Trafficking.
- Domestic Violence Act, 2005: To protect the women from domestic violence, this act has come in force. To implement this act Protection Officers are appointed- by Women and Child Welfare Dept. in all districts and the detail information is consolidated by the said dept. however the review at the district level is taken by the district committee headed by Dist. Collector.
- The District Vigilance Committee was formed in each district of Maharashtra State. The District collector was the president of this cell and the Superintendent of Police, Social Welfare Officer, advocate, women medical officer, principal of local college, social worker and member of women

organization were working in this cell. This Committee works for various issues related to women atrocity such as Dowry, Domestic Violence, Immoral Trafficking Devdasi etc.

- Prevention of Female Foeticide:- For the effective implementation of (1) Pre - Conception and Pre - Natal Diagnostic Techniques (Prohibition of Sex Selection) Act - 1994 (PCPNDT), (2) Medical Termination of Pregnancy Act - 1971 (MTP) the Police Officer of the rank of DySP/ ACP has been appointed as a nodal officer.
- Social awareness programmes: The Social awareness programs are conducted by respective departments such as Home dept., WCD, Labur Dept., Public Health dept., Social Welfare Dept., as per their subjects by using medias such as T.V., cable network, radio, advertisement boards, news media, pamphlets etc.
- Mobile Apps: Various units of Maharashtra police had developed mobile applications for the safety and security of women. These apps are web based and can be downloaded. These apps are free and are becoming very much popular in Maharashtra. Women are extensively using these apps.

#### **Withdrawal of AFSPA from Manipur**

1883. SHRI D. RAJA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the comment made by the Supreme Court that the indefinite deployment of armed forces in the name of restoring normalcy under Armed Forces Special Powers Act (AFSPA) would mock at our democratic process and is indicative of the failure of the civil administration and the armed forces;

(b) if so, the details thereof; and

(c) in such a situation, whether Government would consider the withdrawal of AFSPA particularly from Manipur at the earliest possible?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) and (b) Yes, Sir. The Hon'ble Supreme Court has made the comment in its judgement, dated 08.07.2016, passed in the matter of writ petition (criminal) No. 129 of 2012, extra Judicial Execution Victim Families Association.



(c) AFSPA is reviewed periodically and an objective assessment of the ground situation is made in consultation with security agencies and the concerned state Governments. The declaration of disturbed area under AFSPA in case of Manipur has been issued by the State Government.

**Persons missing from North Kerala suspected of joining IS**

1884. SHRI D. RAJA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the complaint about 16 Muslims including a doctor, his wife and child missing from North Kerala who are suspected to have travelled to the Middle East to join militant groups such as the Islamic State (IS);

(b) if so, whether any enquiry has been conducted to trace them and bring them back; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) Yes, Sir.

(b) and (c) Nine cases have been registered and are under investigation by the Kerala Police in connection with missing persons, who are suspected to have joined the militant groups such as Islamic State (IS).

**Providing latest equipment to paramilitary forces**

1885. SHRI P. BHATTACHARYA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether our paramilitary forces are fully equipped to tackle the present security situation of the country;

(b) if so, the details thereof;

(c) whether Government proposes to provide latest equipment to the paramilitary forces of the country to tackle any of the terrorists and other security situations of the country; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) Yes, Sir, all Central Armed Police Forces

(CAPFs) are well equipped in terms of Arms/Ammunition/Special equipment like Night Vision devices, Deep Search Metal Detector, BP Jackets, BP Helmet, Hand Held Search Light and Global Positioning Systems etc. to tackle the present security situation of the country.

(c) and (d) Yes, Sir, Government has approved Modernization Plan -II with a total outlay of ₹ 11009.19 crores for the period 2012 to 2017, for the Central Armed Police Forces (CAPFs) for procurement of more and new equipment of advanced version to tackle any of the terrorists and other security situation of the country.

#### **Steps taken to maintain internal and external security**

1886. SHRI P. BHATTACHARYA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) keeping in view the recent incidents of terrorists and other activities that have taken place in some foreign countries, what are the appropriate steps taken by Government to maintain internal and external security of the country; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) In order to counter terror activities, there exists a close and effective coordination between intelligence and security agencies at the Centre and the States level, which has resulted in the busting of many terror modules in the country.

The Islamic State (IS)/Islamic State of Iraq and Levant (ISIL)/ Islamic State of Iraq and Syria (ISIS)/ Daesh has been notified as a Terrorist Organization and included in the First Schedule of the Unlawful Activities (Prevention) Act, 1967 by the Central Government.

The ISIS is using various platforms to propagate its ideology. The Intelligence and Security agencies maintain a close watch to identify potential recruits and take further action, if necessary.

The Government of India has taken various other measures which, *inter-alia*, include the following:

- Augmenting the strength of Central Armed Police Forces;
- Establishment of NSG hubs at Chennai, Kolkata, Hyderabad and Mumbai;

- Empowerment of DG, NSG to requisition aircraft for movement of NSG personnel in the event of any emergency;
- Tighter immigration control;
- Effective border management through round the clock surveillance & patrolling on the borders;
- Establishment of observation posts, border fencing, flood lighting, deployment of modern and hi-tech surveillance equipment;
- Upgradation of Intelligence set up;
- Strengthening the coastal security.
- Amendments to the Unlawful Activities (Prevention) Act, 1967 in 2008 and 2012 to strengthen the punitive measures to combat terrorism.
- The creation of the National Investigation Agency under the National Investigation Agency Act, 2008 to investigate and prosecute offences under the Acts specified in its Schedule.
- Establishment of the National Intelligence Grid (NATGRID) with an intention to link data bases for collecting actionable intelligence to combat terrorism and internal security threats.
- Amendments to the Prevention of Money Laundering Act in 2009 to *inter alia*, include certain offences under the Unlawful Activities (Prevention) Act, as predicate offence.
- Raising of the issues of Cross-Border Terrorism in all its manifestations including its financing in various multi-lateral and bilateral fora as part of India's zero tolerance policy towards terrorism.

#### **Upgrading Chhattisgarh to Category A under MPF Scheme**

†1887. DR. BHUSHAN LAL JANGDE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether in view of the fact that Chhattisgarh is a highly naxal-infested region, Government will consider upgrading B category central assistance to A category assistance under Modernisation of Police Forces (MPF) Scheme; and

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†Original notice of the question was received in Hindi.

(b) whether it is possible that Central Government will provide entire support to the State for raising its resources considering the fact that the police force of the State has gone up from 22549 to 68354 after State's formation?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) There is no proposal to shift the state Chhattisgarh from category B to category A. The increase in financial support under the MPF Scheme due to increase in police force is taken into account while releasing funds under MPF. Accordingly for the year 2015-16, total fund released to the Chhattisgarh state was ₹ 14.24 crore, including ₹ 6.80 crore under contingency fund and supplementary fund of ₹ 1.80 crore.

So far as Chhattisgarh State is concerned, there is no proposal to shift the state to category A or to increase financial support under the MPF Scheme. MPF Scheme is a 'core' scheme and a part of National Development Agenda and funding pattern is as per the decision by the Government after considering the report of the Sub-Group of Chief Ministers on Rationalization of Centrally Sponsored Scheme constituted by the NITI Aayog. For the year 2015-16, total fund released to the Chhattisgarh state was ₹ 14.24 crore, including ₹ 6.80 crore under contingency fund and supplementary fund of ₹ 1.80 crore.

#### **Fake offer for paramilitary jobs**

†1888. SHRI LAL SINH VADODIA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that a large number of cases of looting money in name of providing jobs in paramilitary forces have come to light;

(b) if so, whether Government has taken any action in these cases so far; and

(c) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) to (c) No such information is maintained Centrally. However, Central Reserve Police Force (CRPF) has reported three cases and in one case the person has been punished with compulsory retirement. Central Industrial Police Force (CISF) has reported three cases, Assam Rifles has reported three cases of conviction and BSF has reported eleven cases out of which punishment has been served in ten cases. ITBP has also received complaints from unsuccessful candidates that they have received an appointment letter *vide* which they have been advised to deposit some amount in bank account prior to joining as training charges. The

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†Original notice of the question was received in Hindi.

appointment letters received by various candidates were found to be fake. In order to create awareness among the public, ITBP has released model format of offer of appointment for the information of public on its website and also issued public notice in the national /local newspapers to sensitize the general public about fake appointment letters.

#### **NGOs engaged in religious conversion**

†1889. SHRI LAL SINH VADODIA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that some NGOs engaged in the country are involved in religious conversion;
- (b) if so, whether it is also a fact that they are being funded from other countries;
- (c) if so, whether Government is contemplating to take any action to control it; and
- (d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) to (d) Certain Non-Governmental Organizations (NGOs) receive foreign contributions for religious, educational, economic, social and cultural programmes, and Foreign Contribution Regulation Act (FCRA), 2010 provides for registration of such associations for accepting foreign contributions. There have been reports from time to time regarding allegations that some institutions are engaging themselves in religious conversions.

'Public Order' and 'Police' are State subjects as per the Constitution of India, and hence prevention, detection, registration, investigation and prosecution of crimes are primarily the concerns of the State Governments/Union Territory Administrations. Action is taken as per existing laws by the law enforcing agencies whenever instances of violation come to notice.

#### **Development works in LWE affected States**

1890. SHRI MOHD. ALI KHAN: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Government has reviewed the progress in the development works being undertaken in the Left Wing Extremism (LWE) affected States, if so, the details thereof;

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†Original notice of the question was received in Hindi.

(b) whether Government has asked the States to complete the projects sooner, if so, the details thereof; and

(c) whether the deaths due to Naxal violence had declined by 42 per cent during 2015, compared with 2013, if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) Yes, Sir. The progress of works in various developmental as well as security related schemes is reviewed and monitored regularly by the concerned Ministries and the Ministry of Home Affairs through meetings and Video Conferences.

Recent reviews were done in the meetings taken by the Home Secretary on 24.06.2016 and Cabinet Secretary on 08.07.2016.

(b) The Government monitors and advises to the States, as required, to complete the projects in time.

(c) Number of deaths reported in 2013 were 397 which reduced to 230 deaths in 2015, a 42% decline.

#### **Surge in terror related activities in J&K**

1891. SHRI AMAR SINGH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that there has been a constant surge in terror related activities in Jammu and Kashmir during 2016 in comparison to previous years;

(b) if so, the details thereof;

(c) whether it is also a fact that cancellation of diplomatic initiative with militants by the Central Government is one of the reasons for the rise of militancy in that State; and

(d) if so, what is Government's reaction in this regard thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) The number of terrorist violence incidents in the State of Jammu and Kashmir during 2016 (upto July) in comparison to the corresponding period of previous 2 years is as under:-

	2014	2015	2016
No. of terrorist violence incidents	117	101	163

(c) and (d) No, Sir. Since a larger number of terrorist neutralization has taken place, the terrorist organizations based in Pakistan are now increasing their efforts to promote radicalization through vested interest groups and social media and increase the attack on the Security Forces in J&K forcing them to retaliate and give it a shape of civil resistance.

#### **Reopening of cases related to anti-sikh riots**

1892. SHRI AMAR SINGH: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Government has decided to reopen 237 cases out of 241 relating to anti-Sikh riots by the Special Investigation Team constituted by Government;
- (b) if so, the details thereof;
- (c) whether it is also a fact that Justice Nanavati Commission had recommended reopening of only four cases of the 241 cases closed by the police; and
- (d) if so, the specific reasons for reopening 237 cases?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) The Government has, *vide* order dated 12th February, 2015 constituted a Special Investigation Team (SIT) for investigating/re-investigating the appropriately serious criminal cases which were filed in the National Capital Territory of Delhi in connection with the 1984 Riots and have since been closed. Out of the 650 cases registered in connection with the Anti-Sikh riots, 1984 in Delhi, 49 cases have been identified for re-investigation by SIT as on 29.7.2016.

(c) Justice Nanavati Commission had, however, recommended the Government to examine ten cases mentioned in its Report.

(d) Justice Mathur Committee which was constituted to examine various grievances pertaining to 1984 riots recommended to constitute a SIT to investigate/reinvestigate appropriately serious cases and have since been closed.

#### **Human trafficking from North-Eastern States**

1893. SHRIMATI JHARNA DAS BAIDYA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) how many missing and human trafficking cases have been reported from North-Eastern States in the last year; and

(b) whether Government has details of those missing and trafficked from North-Eastern States and break up of these cases according to sex, age group, religion, caste, community, education and district?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) As per the information provided by the National Crime Records Bureau (NCRB), the information on cases reported in respect of missing persons and religion, caste community, education and district details of missing and trafficked is not maintained centrally. However, the information on number of missing persons and the cases reported for kidnapping and abduction of persons and human trafficking is maintained.

Age and gender wise number of missing persons in North Eastern States including Sikkim during 2013-2015, is given in Statement-I. (*See below*). Age group-wise and gender wise cases reported under kidnapping and abduction and gender-wise cases reported under Human Trafficking in North Eastern States including Sikkim during 2014 are given in Statement-II and III respectively.

***Statement-I***

*Details of persons missing age-group-wise and gender-wise in North-Eastern States During 2013-2015*

State	Gender	Age-Group	2013	2014	2015
Arunachal Pradesh	Male	0-Below 5 Yrs	0	0	5
		05-Below 14 Yrs	8	0	17
		14-Below 18 Yrs	4	0	11
		18-Below 25 Yrs	14	8	7
		25-Below 40 Yrs	0	0	7
		40 -Below 60 Years	0	0	4
		60 & Above	0	0	0
		TOTAL	26	8	51
	Female	0-Below 5 Yrs	4	1	3
		05-Below 14 Yrs	13	24	41
		14-Below 18 Yrs	6	10	40
		18-Below 25 Yrs	12	1	20
		25-Below 40 Yrs	3	0	15



State	Gender	Age-Group	2013	2014	2015
Assam	Male	40 -Below 60 Years	0	0	4
		60 & Above	0	0	0
		TOTAL	38	36	123
		0-Below 5 Yrs	8	16	18
		05-Below 14 Yrs	281	228	259
		14-Below 18 Yrs	329	325	368
		18-Below 25 Yrs	377	368	462
		25-Below 40 Yrs	339	396	434
		40 -Below 60 Years	163	175	211
	Female	60 & Above	32	39	61
		TOTAL	1529	1547	1813
		0-Below 5 Yrs	13	14	25
		05-Below 14 Yrs	266	268	228
		14-Below 18 Yrs	650	724	776
		18-Below 25 Yrs	898	918	1290
		25-Below 40 Yrs	460	572	725
		40 -Below 60 Years	69	92	108
		60 & Above	12	26	20
		TOTAL	2368	2614	3172
Manipur	Male	0-Below 5 Yrs	0	1	3
		05-Below 14 Yrs	8	2	9
		14-Below 18 Yrs	9	10	12
		18-Below 25 Yrs	11	20	11
		25-Below 40 Yrs	21	20	26
		40 -Below 60 Years	9	7	8
		60 & Above	8	2	2
		TOTAL	66	62	71
	Female	0-Below 5 Yrs	0	0	2
		05-Below 14 Yrs	5	2	4

State	Gender	Age-Group	2013	2014	2015
Meghalaya	Male	14-Below 18 Yrs	16	17	10
		18-Below 25 Yrs	21	26	15
		25-Below 40 Yrs	21	21	12
		40 -Below 60 Years	3	6	2
		60 & Above	0	0	1
		TOTAL	66	72	46
		0-Below 5 Yrs	4	2	5
		05-Below 14 Yrs	27	19	31
		14-Below 18 Yrs	35	32	42
		18-Below 25 Yrs	25	24	31
	Female	25-Below 40 Yrs	50	33	41
		40 -Below 60 Years	20	21	19
		60 & Above	4	5	5
		TOTAL	165	136	174
		0-Below 5 Yrs	1	2	0
		05-Below 14 Yrs	20	25	24
		14-Below 18 Yrs	62	54	65
		18-Below 25 Yrs	49	68	71
		25-Below 40 Yrs	28	25	32
		40 -Below 60 Years	5	0	3
Mizoram	Male	60 & Above	1	2	4
		TOTAL	166	176	199
		0-Below 5 Yrs	0	0	0
		05-Below 14 Yrs	0	0	3
		14-Below 18 Yrs	0	2	2
		18-Below 25 Yrs	0	5	0
		25-Below 40 Yrs	3	8	0
		40 -Below 60 Years	0	2	3
		60 & Above	0	0	0
		TOTAL	3	17	8

State	Gender	Age-Group	2013	2014	2015
Nagaland	Female	0-Below 5 Yrs	1	0	0
		05-Below 14 Yrs	0	1	2
		14-Below 18 Yrs	0	4	3
		18-Below 25 Yrs	0	1	2
		25-Below 40 Yrs	1	1	1
		40 -Below 60 Years	0	0	0
		60 & Above	0	0	0
		TOTAL	2	7	5
	Male	0-Below 5 Yrs	0	2	1
		05-Below 14 Yrs	45	52	40
		14-Below 18 Yrs	33	26	27
		18-Below 25 Yrs	5	6	9
		25-Below 40 Yrs	6	7	18
		40 -Below 60 Years	1	5	8
		60 & Above	0	2	3
		TOTAL	90	100	106
Tripura	Female	0-Below 5 Yrs	1	1	1
		05-Below 14 Yrs	36	38	26
		14-Below 18 Yrs	53	66	67
		18-Below 25 Yrs	19	43	40
		25-Below 40 Yrs	16	22	9
		40 -Below 60 Years	3	1	1
		60 & Above	0	1	1
		TOTAL	128	172	145
	Male	0-Below 5 Yrs	2	2	580
		05-Below 14 Yrs	45	36	7
		14-Below 18 Yrs	89	81	7
		18-Below 25 Yrs	0	0	0
		25-Below 40 Yrs	0	0	0

State	Gender	Age-Group	2013	2014	2015
Sikkim	Female	40 -Below 60 Years	0	0	0
		60 & Above	0	0	0
		TOTAL	136	119	594
		0-Below 5 Yrs	3	3	0
		05-Below 14 Yrs	42	46	7
		14-Below 18 Yrs	305	278	35
		18-Below 25 Yrs	0	0	0
		25-Below 40 Yrs	0	0	0
		40 -Below 60 Years	0	0	0
		60 & Above	0	0	0
		TOTAL	350	327	42
	Male	0-Below 5 Yrs	2	0	0
		05-Below 14 Yrs	34	34	34
		14-Below 18 Yrs	12	18	18
		18-Below 25 Yrs	51	52	52
		25-Below 40 Yrs	46	65	65
		40 -Below 60 Years	23	20	20
		60 & Above	7	8	8
		TOTAL	175	197	197
	Female	0-Below 5 Yrs	0	0	0
		05-Below 14 Yrs	42	14	14
		14-Below 18 Yrs	34	33	33
		18-Below 25 Yrs	145	116	116
		25-Below 40 Yrs	97	118	118
		40 -Below 60 Years	23	11	11
		60 & Above	2	0	0
		TOTAL	343	292	292

*Details of Age Group and Sex-wise victims of kidnapping and abduction (Total) during 2014 in NE States*

*Source:* Crime in India

*Details of Cases Reported (CR), during the Year Male Victims (VICM), Female Victims (VICF) Transgender Victims (VICTG), No. of Victims in the Registered Cases (VICT) under Human Trafficking during 2014*

[illegible]

*Details of Cases Reported (CR), during the Year Male Victims (VICM), Female Victims (VICF) Transgender Victims (VICTG), No. of Victims in the Registered Cases (VICT) under Human Trafficking during 2014*

Importation of Girls from Foreign Country (Sec-366-B IPC)		Human Trafficking (Sections 370 & 370-AIPC)						Immoral Traffic (Prevention) Act, 1956 (Under Secs. 5, 6, 7, 8 & others)								
Sl. No.	State/UT	CR	VICM	VICF	VICTG	VICT	CR	VICM	VICF	VICTG	VICT	CR	VICM	VICF	VICTG	VICT
1.	Arunachal Pradesh	0	0	0	0	0	0	0	0	0	0	1	1	0	0	1
2.	Assam	1	0	1	0	1	68	38	30	0	68	35	6	29	0	35
3.	Manipur	0	0	0	0	0	3	3	0	0	3	0	0	0	0	0
4.	Meghalaya	0	0	0	0	0	0	0	0	0	0	6	3	3	0	6
5.	Mizoram	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.	Nagaland	0	0	0	0	0	3	2	1	0	3	1	0	1	0	1
7.	Sikkim	0	0	0	0	0	0	0	0	0	0	2	2	0	0	2
8.	Tripura	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL		1	0	1	0	1	74	43	31	0	74	45	12	33	0	45

*Details of Cases Reported (CR), during the Year Male Victims (VICM), Female Victims (VICF) Transgender Victims (VICTG), No. of Victims in the Registered Cases (VICT) under Human Trafficking during 2014*

Sl. No.	State/UT	Total Cases under Human Trafficking				
		CR	VICM	VICF	VICTG	VICT
1.	Arunachal Pradesh	2	1	1	0	2
2.	Assam	407	44	363	0	407
3.	Manipur	3	3	0	0	3
4.	Meghalaya	17	4	13	0	17
5.	Mizoram	0	0	0	0	0
6.	Nagaland	4	2	2	0	4
7.	Sikkim	2	2	0	0	2
8.	Tripura	0	0	0	0	0
TOTAL		435	56	379	0	435

**IS motivated modules in India**

1894. SHRIMATI WANSUK SYIEM: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether, of late, the presence of IS-motivated modules is being felt across India, the latest reports indicating recruitment of men and women from northern Kerala for joining IS cadres;

(b) whether India's Intelligence inputs are regularly examined to establish the links/presence of IS sympathisers in India; and

(c) whether many Muslim organisations and religious leaders have come out strongly against IS's machinations to target Indian youth and have cautioned Indian Muslims to be wary of such nefarious moves by IS and its sympathisers?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) The National Investigation Agency (NIA) and States Police have registered cases to investigate the alleged links of Indian youth with ISIS/ISIL/IS and have so far arrested 54 persons. Recently some persons have been reported missing from Kerala. The Kerala Police has registered 9 cases in this connection.

(b) The terrorist outfit, ISIS, is using various platforms to propagate its ideology and to attract recruits from across the world. The Intelligence and Security Agencies maintain a close watch to identify potential recruits.

(c) Yes, Sir. Many religious organisations and their leaders have strongly condemned the ideology of ISIS through different platforms and have cautioned Indian youth against the ideology being propagated by ISIS.



**Fake encounters in Manipur**

1895. SHRIMATI WANSUK SYIEM: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Supreme Court while deciding to order a probe into 1528 cases of alleged fake encounters in Manipur in last 20 years, questioned the indefinite continuation of AFSPA even after almost sixty years of its imposition;

(b) whether a court mandated Commission headed by former Judge Santosh Hegde had examined six random cases involving seven killings allegedly by security forces and found them fake; and

(c) whether the apex court has asked four stakeholders - the civil society in Manipur, the insurgents, the State of Manipur and the Government of India to work towards a lasting and peaceful solution?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJU): (a) to (c) Yes Sir, the Supreme Court of India, vide its Judgement dated 8.7.2016 passed in Writ Petition(CrL) No. 129 of 2012, reiterating the view expressed by the Constitution Bench of Apex Court including upholding the constitutionality of AFSPA in Naga People's Movement of Human Rights, *inter-alia*, observed that State of Manipur is facing insurgency problems and internal disturbance since 1958 and an allegation of excessive force resulting in the death of any person by the Manipur Police or the armed forces in Manipur must be thoroughly enquired into. The Supreme Court also noted that all the six cases of encounters examined by the three-member Commission headed by Justice N Santosh Hegde were not genuine. The Supreme Court further observed that it is high time that concerted and sincere efforts are continuously made by the four stakeholders - civil society in Manipur, the insurgents, the State of Manipur and the Government of India to find a lasting and peaceful solution to the festering problem, with a little consideration from all quarters.

**Fencing along India-Bangladesh border in Tripura**

1896. SHRI MAJEED MEMON: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has issued directions to the agencies erecting a fence along the border in Tripura sector to complete the fencing along the India-Bangladesh border in Tripura by March next year;

(b) whether the fencing work on all other borders have also been targeted to be completed as early as possible to check the major problems of infiltration and smuggling, India is crippled with; and

(c) a detailed report thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) The target date for completion of ongoing fence work along Indo-Bangladesh Border is March, 2019. However, the agencies erecting fence along the border in Tripura have been asked to complete the work at the earliest.

(b) and (c) Fencing work on all other borders have also been targeted to be completed as early as possible. However, the stretches in which encumbrance free site is not available, fence work is targeted for completion in three years from the date of availability of encumbrance free site.

#### **Pakistani delegation visiting Pathankot**

1897. SHRI SHANTARAM NAIK: Will the Minister of HOME AFFAIRS be pleased to state:

(a) what was the agreement between India and Pakistan when Pakistani team visited Pathankot to examine issues related to attack on Pathankot by Pakistani terrorists;

(b) whether the agreement had provided for permitting Indian delegation to visit Pakistan;

(c) if so, the reasons as to why Indian delegation has not been able to visit Pakistan so far;

(d) whether the agreement was vetted by the Ministry of Defence, Ministry of External Affairs and Ministry of Law and Justice;

(e) if so, whether there was any lacuna in the agreement; and

(f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) to (f) In furtherance of the Terms of Reference mutually agreed on the basis of reciprocity and followed in accordance with extant legal provisions, the Joint Investigation Team (JIT) from Pakistan had visited India between 27th March, 2016 and 31st March, 2016 to collect, review and document physical evidences and to interview key witnesses and victims, through the National Investigation

Agency (NIA), with regard to the Pathankot Airbase terror attack. During the meeting of the Foreign Secretaries of the two countries on the sidelines of 'Heart of Asia -Senior Officials meeting' in New Delhi on 26th April, 2016, it was conveyed to Pakistan that it was time for reviewing progress in the investigation of the attack after return of Pakistan's JIT, which had gathered all evidences that it had wanted when it visited India.

### **National Disaster Mitigation Fund**

1898. SHRIMATI RENUKA CHOWDHURY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that neither a national plan has been drawn nor any National Disaster Mitigation Fund has been set up so far under the Disaster Management Act, 2005;

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

(c) the fresh steps taken by Government to set up a Disaster Management Fund for drought affected areas of the country?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) to (c) The Government of India has released the National Disaster management Plan (NDMP) on 01.06.2016

The National Disaster Mitigation Fund (NDMF) has not been set up. The objective of creation of National Disaster Mitigation Fund (NDMF) is for the projects exclusively for the purpose of mitigation which is being served by the existing Centrally Sponsored Schemes/Central Sector (CS) Schemes such as Pradhan Mantri Krishi Sinchai Yojana, Krishonnati Yojana, National Mission on Sustainable Agriculture, MGNREGA, Major Irrigation projects, Namami Gange-National Ganga plan, River Basin Management, National River Conservation Plan and Water Resource Management. Additionally, the Ministry of Finance (MoF) has made a provision of 10% of total outlay for all CSS schemes (except for schemes which emanate from a legislation (eg.MGNREGA), as flexi fund. Keeping in view the above, the Government feels that at present there are sufficient schemes to take care of mitigation measures in different projects and the need for creation of separate NDMF has not been felt. Financial management of disasters is undertaken as per the mechanisms available in DM Act, 2005 and there is no fund namely Disaster Management Fund.

**Nepal route for return of Kashmiri youth from PoK**

1899. SHRIMATI RENUKA CHOWDHURY: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Government proposes to legalise the Nepal route for return of Kashmiri youth from Pakistan occupied Kashmir (PoK);
- (b) if so, the details thereof along with the estimated number of Kashmiri youth likely to be returned from PoK; and
- (c) the time by which the modalities for the purpose are likely to be worked out?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) No such proposal has been finalized.

(b) and (c) Questions do not arise.

**Decline in Maoist violence in Telugu speaking States**

1900. SHRI C.M. RAMESH: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that violence of Maoists in Telugu speaking States has come down during the last two years;
- (b) if so, the details thereof, State-wise; and
- (c) the steps taken by the Ministry to provide livelihood to surrendered Maoists in Telangana and Andhra Pradesh?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) While Left Wing Extremism violence has been showing varying trends in Andhra Pradesh during last two years, it is declining in Telangana during the same period. The details of Left Wing Extremism violence in Andhra Pradesh and Telangana during 2014 to 2016 (up to 15th July) are given in the Statement (*See* below).

(c) In order to bring Left Wing Extremists into the mainstream, the State Governments have their own Surrender and Rehabilitation policies. In order to supplement the efforts of the State Governments, the Central Government has been reimbursing the expenditure incurred by the State Governments on rehabilitation of surrendered Left Wing Extremists in terms of its Surrender and Rehabilitation policy under the Security Related Expenditure Scheme for Left Wing Extremism affected States.

As per the revised policy in effect from 01.04.2013, the Central Government had been providing reimbursement of expenditure incurred on the grant for surrendered LWE cadres subject to ceiling of ₹2.5 lakh for a higher ranked LWE cadre and ₹1.5 lakh for a middle/lower ranked LWE cadre. The additional incentives given for surrender of weapons/ammunition has been reimbursed which ranged from ₹ 10 to ₹ 35,000 per weapon depending on type of weapon surrendered from detonator to Light Machine Gun, Rocket Launcher etc. In addition, the monthly stipend of up to ₹4,000 per month has been paid for a maximum period of 36 months to the surrenderee. The Scheme was in operation up to 31.03.2016.

***Statement***

*Details of Left Wing Extremism violence in Andhra Pradesh and Telangana*

State	2014		2015		2016 (upto 15th July)	
	Incidents	Deaths	Incidents	Deaths	Incidents	Deaths
Andhra Pradesh	18	4	35	8	12	5
Telangana	14	5	11	2	(15)	(5)
					5(4)	0(1)

\*Figures in bracket shows details of the corresponding period of 2015.

**Missing women in Delhi untraced due to police negligence**

†1901. SHRI HISHEY LACHUNGPA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that in spite of lodging FIR in different police stations of Delhi regarding missing women, they have not been traced due to the negligence of police, despite having evidences and the number of such cases registered especially in Roop Nagar;

(b) the police station-wise details thereof;

(c) whether Members of Parliament have apprised the Delhi Police regarding the information of such cases;

(d) if so, the reaction of Government towards overlooking of the letters of VIPs by Delhi Police; and

(e) the details thereof?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) Delhi Police has reported that in some cases, despite all possible efforts, missing women could not be traced.

Details of such untraced registered cases for the last two years and the current year (upto 30.06.2016) are given in the Statement (*See below*).

As per the records of Police Station, Roop Nagar, Delhi, only one report of missing of a woman has been lodged *vide* DD No. 21A dated 12.07.2016. In this incident, the complainant reported that her daughter, aged 22 years old, went to Spark Mall, Kamla Nagar, Delhi with her sister and from there she went missing. All efforts are being made by Delhi Police to trace the missing woman, but she could not be recovered so far.

(c) to (e) Delhi Police has reported that letters received from the Hon'ble Members of Parliament apprising Delhi Police regarding missing of women are given all necessary priority and appropriate action is taken by Delhi Police under close monitoring by senior officers, on the issues raised by the Hon'ble Members of Parliament.

#### ***Statement***

*Details of cases in which FIRs regarding missing women have been lodged but missing women have not been traced/recovered so far for the last two years and the current year (upto 30.06.2016)*

Name of P.S.	No. of registered case	Status of the case
<b>Year-2014</b>		
<b>East District</b>		
Gandhi Nagar	01	Pending Investigation
Gazipur	01	Pending Investigation
Geeta Colony	01	Pending Investigation
Jagat Puri	02	Untraced
Kalyanpuri	01	Pending Investigation
Madhu Vihar	01	Pending Investigation
Mandawali	02	Pending Investigation
New Ashok Nagar	02	Pending Investigation
Vivek Vihar	01	Pending Investigation

Name of P.S.	No. of registered case	Status of the case
<b>North-East District</b>		
Khajuri Khas	02	Pending Investigation
Sonia Vihar	01	Pending Investigation
Harsh Vihar	03	Pending Investigation
Nand Nagri	04	Pending Investigation
Jyoti Nagar	01	Pending Investigation
Gokul Puri	06	Pending Investigation
<b>South District</b>		
MalviyaNagar	01	Pending Investigation
Saket	01	Pending Investigation
V.Kunj (North)	01	Pending Investigation
Fateh Pur Beri	01	Pending Investigation
Neb Sarai	01	Pending Investigation
Kotla Mubarkpur	03	Pending Investigation
<b>South-East District</b>		
Sarita Vihar	02	Pending Investigation
Jaitpur	01	Pending Investigation
Sunlight Colony	01	Pending Investigation
Govind puri	01	Pending Investigation
<b>West District</b>		
Ranhola	03	Pending Investigation
Kirti Nagar	01	Pending Investigation
Khyala	01	Pending Investigation
Janak Puri	01	Pending Investigation
<b>South-West District</b>		
Kapashera	04	Pending Investigation
Najafgarh	02	Pending Investigation
Chhawla	02	Pending Investigation
Sagar Pur	01	Pending Investigation

Name of P.S.	No. of registered case	Status of the case
Bindapur	01	Pending Investigation
Delhi Cantt.	01	Pending Investigation
<b>North-West District</b>		
Mahendra Park	01	Pending Investigation
Subhash Place	01	Pending Investigation
Bharat Nagar	01	Pending Investigation
<b>Outer District</b>		
Bawana	01	Pending Investigation
Kanjhawala	01	Pending Investigation
Prashant Vihar	02	Pending Investigation
Aman Vihar	02	Pending Investigation
Alipur	01	Pending Investigation
Mangolpuri	05	Pending Investigation
<b>Central District</b>		
Anand Parbat	01	Pending Investigation
<b>North District</b>		
Sabzi Mandi	01	Pending Investigation
<b>New Delhi District</b>		
Parliament Street	01	Pending Investigation
TOTAL	77	

**Year-2015****East District**

Anand Vihar	01	Pending Investigation
Farsh Bazar	02	Pending Investigation
Gazipur	01	Pending Investigation
Geeta Colony	01	Pending Investigation
Kalyanpuri	01	Pending Investigation
Mandawali	02	Pending Investigation



Name of P.S.	No. of registered case	Status of the case
Mayur Vihar	03	Pending Investigation
New Ashok Nagar	07	Pending Investigation
Shakarpur	02	Pending Investigation
Vivek Vihar	02	Pending Investigation
<b>North-East District</b>		
Seelampur	02	Pending Investigation
New Usmanpur	01	Pending Investigation
Harsh Vihar	02	Pending Investigation
Seema Puri	03	Pending Investigation
GTB Enclave	02	Pending Investigation
Bhajanpura	03	Pending Investigation
Jyoti Nagar	01	Pending Investigation
Gokul Puri	01	Pending Investigation
<b>South District</b>		
R. K. Puram	01	Pending Investigation
Safdarjung Enclave	02	Pending Investigation
Sarojini Nagar	01	Pending Investigation
Malviya Nagar	02	Pending Investigation
Saket	02	Pending Investigation
Vasant Vihar	01	Pending Investigation
Vasant Kunj (North)	03	Pending Investigation
Mehrauli	23	Pending Investigation
Neb Sarai	23	Pending Investigation
Defence Colony	01	Pending Investigation
Lodhi Colony	01	Pending Investigation
Kotla Mubarkpur	07	Pending Investigation
<b>South-East District</b>		
Sarita Vihar	01	Pending Investigation
Jaitpur	03	Pending Investigation

Name of P.S.	No. of registered case	Status of the case
Sangam Vihar	02	Pending Investigation
Amar Colony	01	Pending Investigation
Kalkaji	01	Pending Investigation
Ambedkar Nagar	02	Pending Investigation
<b>West District</b>		
Nihal Vihar	01	Pending Investigation
Ranhola	01	Pending Investigation
Mundka	03	Pending Investigation
Tilak Nagar	01	Pending Investigation
Punjabi Bagh	01	Pending Investigation
Kirti Nagar	01	Pending Investigation
Khyala	01	Pending Investigation
Uttam Nagar	01	Pending Investigation
Vikas Puri	01	Pending Investigation
<b>South-West District</b>		
Kapashera	01	Pending Investigation
Sec. 23 Dwarka	01	Pending Investigation
Naraina	01	Pending Investigation
Bindapur	01	Pending Investigation
Sagarpur	02	Pending Investigation
<b>North-West District</b>		
Keshav Puram	01	Pending Investigation
Bharat Nagar	01	Pending Investigation
Swaroop Nagar	03	Pending Investigation
Mukherjee Nagar	01	Pending Investigation
<b>Outer District</b>		
Bawana	02	Pending Investigation
Sahababad Dairy	01	Pending Investigation
Samaypur Badli	02	Pending Investigation
Aman Vihar	02	Pending Investigation

Name of P.S.	No. of registered case	Status of the case
Alipur	01	Pending Investigation
Mangolpuri	04	Pending Investigation
<b>Central District</b>		
Anand Parbat	01	Pending Investigation
Nabi Karim	02	Pending Investigation
<b>North District</b>		
Kotwali	01	Pending Investigation
<b>New Delhi District</b>		
Chanakya Puri	02	Pending Investigation
<b>Railway and Metro</b>		
Old Delhi Rly. station	01	Pending Investigation
TOTAL	156	
<b>Year-2016</b>		
<b>East Distric</b>		
Farsh Bazar	01	Pending Investigation
Gandhi Nagar	01	Pending Investigation
Geeta Colony	01	Pending Investigation
Kalyanpuri	01	Pending Investigation
Krishna Nagar	01	Pending Investigation
Madhu Vihar	01	Pending Investigation
<b>North-East District</b>		
New Ashok Nagar	11	Pending Investigation
Shakarpur	01	Pending Investigation
Madhu Vihar	01	Pending Investigation
New Usmanpur	01	Pending Investigation
Jafrabad	01	Pending Investigation
Khajuri Khas	02	Pending Investigation
Sonia Vihar	03	Pending Investigation
Harsh Vihar	01	Pending Investigation
Seema Puri	04	Pending Investigation

Name of P.S.	No. of registered case	Status of the case
Nand Nagri	01	Pending Investigation
Bhajanpura	01	Pending Investigation
Jyoti Nagar	02	Pending Investigation
Gokul Puri	02	Pending Investigation
<b>South District</b>		
Safdarjung Enclave	02	Pending Investigation
Mehrauli	07	Pending Investigation
Fateh Pur Beri	02	Pending Investigation
Neb Sarai	21	Pending Investigation
Kotla Mubarkpur	04	Pending Investigation
<b>South-East District</b>		
Jaitpur	03	Pending Investigation
Kalkaji	01	Pending Investigation
Govind Puri	01	Pending Investigation
Sarita Vihar	01	Pending Investigation
Sangam Vihar	05	Pending Investigation
Pul Prahlad Pur	01	Pending Investigation
<b>West District</b>		
Nangloi	02	Pending Investigation
Mundka	01	Pending Investigation
Ranhola	03	Pending Investigation
<b>South-West District</b>		
Delhi Cantt.	02	Pending Investigation
Jaffarpur Kalan	02	Pending Investigation
Chhawla	04	Pending Investigation
Najafgarh	05	Pending Investigation
Baba Haridas Nagar	06	Pending Investigation
<b>North-West District</b>		
Jahangir Puri	01	Pending Investigation
Maurya Enclave	01	Pending Investigation

Name of P.S.	No. of registered case	Status of the case
<b>Outer District</b>		
Sahababad dairy	02	Pending Investigation
Sultanpuri	01	Pending Investigation
Begampur	01	Pending Investigation
Aman Vihar	01	Pending Investigation
Narela	02	Pending Investigation
Mangolpuri	01	Pending Investigation
<b>Railways and Metro</b>		
New Delhi Rly. Station	02	Pending Investigation
TOTAL	122	

*Note:-* The Police Stations in which no such case of missing women who is not recovered/traced so far is pending have not been mentioned in the above list.

### **Spying racket involved in stealing call detail records**

†1902. SHRI VISHAMBHAR PRASAD NISHAD: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that investigation agencies have unearthed a spying racket involved in illegally stealing call detail records, in which confidential information of people were being stolen in total violation of law;

(b) whether it is also a fact that the personnel of Kanpur Police in Uttar Pradesh have also been found involved in this racket;

(c) if so, whether these stolen call detail records also include the call records of leaders and high level bureaucrats; and

(d) the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) The Delhi Police has recently registered two cases involving obtaining of Call Detail Records (CDRs) illegally.

(b) A Constable of Uttar Pradesh Police, posted at Surveillance Cell, Kanpur has been arrested in case FIR No. 110/116 u/s 409/420/464/120B IPC.

(c) and (d) This is a matter of investigation.

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†Original notice of the question was received in Hindi.

**Human trafficking cases**

1903. SHRI DEREK O'BRIEN: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the number of cases of human trafficking recorded in India over the past three years in each State/UT;
- (b) the number of such cases that involved the trafficking of minors;
- (c) whether it is a fact that a large number of human trafficking cases are not reported or recorded under official crime numbers;
- (d) if so, measures taken by Government to improve accuracy of statistics and record all true cases; and
- (e) the initiatives Government is taking to tackle human trafficking in India or to support States' efforts to do so?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) As per the information provided by the National Crime Records Bureau (NCRB), a total 3554, 3940 and 5466 cases of human trafficking and a total 991, 1361 and 2204 cases of child trafficking were reported during 2012, 2013 and 2014, respectively. State/UT wise details of cases reported under total Human Trafficking and under Child Trafficking are given in Statement-I and II respectively (*See below*).

(c) and (d) Some of the measures adopted by NCRB to improve data quality of police recorded criminal cases are:-

- Standardized uniform performance for data collection for all the States/UTs.
- Common reference period for data collection.
- A regular training programme on Training of Trainers (ToT) to concerned officials of States/UTs dealing with data collection work.
- Workshop/ consultation meeting with various stakeholders including States/UTs on contained and quality of data.
- Use of Information and Communication Technology for data management of data and speedy transmission of data.
- Data scrutiny and checking for statistical consistencies.

(e) 'Public Order' and 'Police' as per the Seventh Schedule of the Constitution of India are State subjects and as such detection, registration, investigation and prevention of crime is primarily the responsibility of the State Governments. However, Government of India has taken various steps to combat human trafficking and has adopted a multi-pronged approach along with concerned Ministries and stakeholders, as detailed below:-

- (i) Enactment of Criminal Law (Amendment) Act, 2013, wherein Section 370 of the Indian Penal Code has been substituted with Section 370 and 370A of IPC which provide for comprehensive measures to counter the menace of Human Trafficking.
- (ii) Establishment of Anti Human Trafficking Units (AHTUs) in 259 districts of the country.
- (iii) As per MHA's guidelines dated 13.7.2016, one-time Budgetary Grant of ₹200 crore, out of the Nirbhaya Fund has been sanctioned for the Central Victim Compensation Fund (CVCF) to encourage States/UTs for financial support to victims of various crimes, providing for a minimum amount of compensation of ₹ 1 lakh for rehabilitation of victims of human trafficking. It is available at MHA web site at [http://mha.nic.in/sites/upload\\_files/mha/files/CVCFGuidelines\\_140716.PDF](http://mha.nic.in/sites/upload_files/mha/files/CVCFGuidelines_140716.PDF).
- (iv) Issued following advisories on Human Trafficking to all States/UTs:
  - Advisory for preventing crime of human trafficking dated 9.9.2009.
  - Advisory on missing children - measures needed to prevent trafficking and trace the children - dated 31.1.2012
  - Advisory on Human Trafficking as Organised Crime dated 30.4. 2012.
  - Advisory on Preventing and combating human trafficking in India-dealing with foreign nationals dated 1.5. 2012
  - Standard Operation Procedure (SOP) to handle trafficking of children for child labour dated 12.8.2013

These advisories are available at [www.mha.gov.in](http://www.mha.gov.in).

- (v) Organization of periodic meetings with Nodal Officers of AHTUs and concerned Ministries to review the efforts taken to combat Human Trafficking.

**Statement-I***State/UT-wise Cases Reported under Total Human Trafficking<sup>#</sup> during 2012-2014*

Sl. No.	State/UT	2012	2013	2014
1.	Andhra Pradesh	506	531	365
2.	Arunachal Pradesh	1	2	2
3.	Assam	154	149	407
4.	Bihar	99	267	395
5.	Chhattisgarh	18	53	51
6.	Goa	40	28	23
7.	Gujarat	63	78	56
8.	Haryana	69	67	356
9.	Himachal Pradesh	9	5	9
10.	Jammu and Kashmir	3	2	1
11.	Jharkhand	43	37	184
12.	Karnataka	412	412	472
13.	Kerala	220	195	155
14.	Madhya Pradesh	45	53	74
15.	Maharashtra	403	345	360
16.	Manipur	32	22	3
17.	Meghalaya	7	12	17
18.	Mizoram	1	0	0
19.	Nagaland	4	1	4
20.	Odisha	29	106	152
21.	Punjab	86	138	77
22.	Rajasthan	120	130	180
23.	Sikkim	0	0	2
24.	Tamil Nadu	528	549	509
25.	Telangana	-	-	398
26.	Tripura	0	0	0
27.	Uttar Pradesh	51	37	43



Sl. No.	State/UT	2012	2013	2014
28.	Uttarakhand	19	14	24
29.	West Bengal	549	669	1096
	TOTAL STATE(S)	3511	3902	5415
30.	Andaman and Nicobar Islands	2	4	12
31.	Chandigarh	0	6	1
32.	Dadra and Nagar Haveli	2	2	1
33.	Daman and Diu	3	6	8
34.	Delhi UT	32	20	27
35.	Lakshadweep	0	0	0
36.	Puducherry	4	0	2
	TOTAL UT(S)	43	38	51
	TOTAL (ALL INDIA)	3554	3940	5466

# Include cases under section 370 & 370A IPC (started collecting data since 2014), Procurement of minor girls (section 366A IPC), Importation of girls from foreign country (section 366B IPC), Selling of minors for prostitution (section 372 IPC), Buying of minors for prostitution (section 373 IPC) and The Immoral Traffic (P) Act

Source: Crime in India

### ***Statement-II***

*Details of State/UT-wise Cases Reported under Child Trafficking\* during 2012-2014*

Sl. No.	State/UT	2012	2013	2014
1.	Andhra Pradesh	34	42	46
2.	Arunachal Pradesh	0	0	1
3.	Assam	124	131	304
4.	Bihar	64	203	285
5.	Chhattisgarh	13	45	3
6.	Goa	0	0	0
7.	Gujarat	19	2	1
8.	Haryana	0	4	280
9.	Himachal Pradesh	3	1	4
10.	Jammu and Kashmir	0	1	0

Sl. No.	State/UT	2012	2013	2014
11.	Jharkhand	31	26	24
12.	Karnataka	77	72	71
13.	Kerala	10	15	4
14.	Madhya Pradesh	32	31	8
15.	Maharashtra	37	56	31
16.	Manipur	17	22	0
17.	Meghalaya	0	8	12
18.	Mizoram	1	0	0
19.	Nagaland	0	0	0
20.	Odisha	5	79	75
21.	Punjab	0	1	5
22.	Rajasthan	21	56	61
23.	Sikkim	0	0	0
24.	Tamil Nadu	28	0	1
25.	Telangana			
26.	Tripura	0	0	0
27.	Uttar Pradesh	20	0	2
28.	Uttarakhand	7	1	3
29.	West Bengal	440	565	947
	TOTAL STATES(s)	983	1361	2198
30.	Andaman and Nicobar Islands	0	0	1
31.	Chandigarh	0	0	0
32.	Dadra and Nagar Haveli	0	0	0
33.	Daman and Diu	0	0	0
34.	Delhi UT	8	0	5
35.	Lakshadweep	0	0	0
36.	Puducherry	0	0	0
	TOTAL UT(s)	8	0	6
	TOTAL (ALL INDIA)	991	1361	2204

\* Includes importation of girls from foreign country, buying of minors for prostitution, selling of minors for prostitution, procurement of minor girls and Immoral Traffic (Prevention) Act

Source: Crime in India

**Replacement of fencing work on Indo-Bangladesh border**

1904. SHRI DEREK O'BRIEN: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that the fencing work completed under Phase-I of Indo-Bangladesh border fencing is now being replaced under Phase-III of the project;
- (b) if so, the time period within which fencing work needed to be replaced;
- (c) the reasons that fencing work required replacement so soon after completion; and
- (d) the cost of each phase of fencing, including replacement work in Phase-III?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJIJU): (a) and (b) In the year 2006, the Government had sanctioned phase-III project for replacement of fence constructed under Phase-I. The Phase-III project is closed with effect from March, 2012.

(c) Under Phase-I, single row fence was constructed during 1986-2000. Later, it was observed that in many places the fencing constructed under Phase-I had exceeded its normal life and had become dilapidated due to weather conditions, rains, floods etc. Accordingly, it was decided to replace the Phase-I fence with improved design for better security of Indo-Bangladesh border.

(d) Under Phase-I and II, cost of fence was approved along with border roads. The cost of each Phase of fencing is as follows:-

Phase	Works	Cost approved
Phase-I	Border Roads and Fence	₹1049.36 crore
Phase-II	Border Roads and Fence	₹ 4405.00 crore
Phase-III	Fence	₹ 884.00 crore

**Coastal Security Scheme**

1905. SHRI D. KUPENDRA REDDY: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the proposal of Government regarding coastal security scheme;
- (b) the amount and items sanctioned by Government;

(c) whether additional coastal police stations and also additional amount for coastal security has been sanctioned; and

(d) the details of amount spent during the last three years?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) to (d) The Government of India is implementing the Coastal Security Scheme in phases, in nine Coastal States and four Union Territories, with the objective of strengthening infrastructure of Coastal Police Force for patrolling and surveillance of coastal areas, particularly shallow areas close to the coast.

The Phase-I of the Scheme was implemented with an outlay of ₹495 crores for non-recurring expenditure and ₹151 crores for recurring expenditure, during the period from 01.04.2005 to 31.03.2011. Under Coastal Security Scheme (Phase-I) the coastal States/Union Territories were provided with 73 Coastal Police Stations (CPSs), 97 Check posts, 58 outposts, 30 barracks, 204 boats, 153 jeeps and 312 motor cycles. The implementation of the phase-I of the Scheme has been completed on 31.03.2011. The implementation of Coastal Security Scheme (Phase-II) commenced w.e.f. 01.04.2011, for a period of five years with an outlay of ₹1154.91 crores under non-recurring expenses and ₹425 crores under recurring expenses. Under Coastal Security Scheme (Phase-II) Coastal States/UTs have been sanctioned with 131 CPSs, 60 jetties, 10 Marine Operation Centres, 150 boats (12 Tons), 10 boats (5 Tons), 20 boats (19 mtr.), 35 Rigid Inflatable Boats (RIBs), 10 large vessels, 131 four wheelers and 242 two wheelers. All the components of the Coastal Security Scheme including their cost have been finalized subsequent to vulnerability/gap analysis and in consultation with all the Coastal States/UTs. Each component, including their cost, is fixed and frozen at the beginning of the Scheme itself.

The details of amount spent during the last three years, for Coastal Security Scheme is as under:

Year	Amount spent (₹in crore)
2013-14	₹ 70.00
2014-15	₹ 37.13
2015-16	₹ 48.89

#### Measures for safety and security of weaker sections

†1906. DR. SATYANARAYAN JATIYA: Will the Minister of HOME AFFAIRS be pleased to state the measures being taken in the current scenario to make the safety

†Original notice of the question was received in Hindi.

and security of weaker sections, Scheduled Castes, Scheduled Tribes, women and deprived classes more effective to make social environment favourable for them through law and justice?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): The Criminal Law (Amendment) Act 2013, which has come into force since 3rd Feb, 2013 on crimes against women, has enhanced punishment for crimes like rape, sexual harassment, stalking, voyeurism, acid attacks, indecent gestures like words and inappropriate touch etc. The new law has provisions for increased sentence for rape convicts, including lifeterm and death sentence, besides providing for stringent punishment for offences such as acid attacks, stalking and voyeurism.

With an objective to deliver members of SCs and STs, a greater justice as well as be an enhanced deterrent to the offenders, the PoA Act has been amended by the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (No. 1 of 2016), notified in the Gazette of India Extraordinary on 01.01.2016 and enforced with effect from 26.01.2016. A new Chapter IV which specifically relates to 'Rights of Victims and Witnesses', *inter-alia*, includes provisions in regard to the duty and responsibility of the State to make arrangements for the protection of victims, their dependents, and witnesses against any kind of intimidation or coercion or inducement or violence or threats of violence.

As per the seventh schedule to the Constitution of India 'Police' and 'Public Order' are State subjects and, as such, the primary responsibility of prevention, detection, registration, investigation and prosecution of crime, lies with the State Governments/ Union Territory Administrations.

Ministry of Home Affairs has issued advisories on 04.09.2009, 5.1.2015, 20.4.2015 and 12.05.2015 on Crime against women to all State Governments/UTs. These advisories have advised State Governments to adopt appropriate measures for swift and salutary punishment to the persons found guilty of violence against women, set up Fast Track Courts, Family Courts, Crime against Women desks in each Police Station, improve the quality of investigations, minimize delays in investigations of crime against women and to undertake gender sensitization of the police personnel. These advisories specifically direct the States/UTs that "cases should be thoroughly investigated and chargesheets against the accused persons should be filed within three months from the date of occurrence, without compromising on the quality of investigation. Speedy investigation

should be conducted in heinous crimes like rape, murder etc. The medical examination of rape victims should be conducted without delay.

Ministry of Home Affairs has issued Advisories dated 23rd May, 2016 on "The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015", dated 1st April, 2010 on "Measures needed to curb crime against Scheduled Castes/ Scheduled Tribes" and dated 3rd February, 2005 on "Need for effective implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989" which are available at:

[http://mha.nic.in/sites/upload\\_files/mha/files/Advisory23052016\\_improve.pdf](http://mha.nic.in/sites/upload_files/mha/files/Advisory23052016_improve.pdf)

[http://www.mha.nic.in/sites/upload\\_files/mha/files/pdf/Advisory-SCST\\_010610.pdf](http://www.mha.nic.in/sites/upload_files/mha/files/pdf/Advisory-SCST_010610.pdf)

<http://www.mha.nic.in/apcr>

#### **Steps taken to crack down all ISIS/ Extremist modules**

1907. SHRI B.K. HARIPRASAD: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the NIA has cracked any ISIS module in Hyderabad;
- (b) if so, the details thereof;
- (c) if not the reasons therefor; and
- (d) the details of steps taken to crack down all the ISIS/extremist modules existing in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) to (c) The National Investigation Agency (NIA) has registered a case to investigate the allegations that some youth and their accomplices have entered into a criminal conspiracy to wage war against the Government of India and were collecting weapons and explosive material to target public places including religious sites etc., in various parts of the country. NIA has so far arrested seven persons from Hyderabad in this case.

(d) In order to counter terror activities, there exists a close and effective coordination between intelligence and security agencies at the Centre and the State levels. This has resulted in busting of several terrorist modules including ISIS/ISIL cadres, by the Security Agencies.

**Utilising the talent of ex-jawans in paramilitary and CAPFs**

1908. PROF. M.V. RAJEEV GOWDA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether there has been an assessment of lateral-entry initiatives having been successful in the past;
- (b) whether there has been any progress on the proposal made by the Prime Minister's Office for utilizing the talent of ex-jawans in the Nation's paramilitary and Central Armed Police Forces (CAPFs); and
- (c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJU): (a) to (c) The issue of lateral shift of Armed Forces personnel to CAPFs etc. has been deliberated at various levels and different Committees. However, no common view could be evolved on the issue in view of complexities involved, divergent views and requirements of Armed Forces and CAPFs etc. So far as induction of Ex-servicemen in Central Armed Police Forces (CAPFs) is concerned, provision already exists for the same.

**NSCN-K behested by neighbouring countries**

1909. SHRI RIPUN BORA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Government has admitted that National Socialist Council of Nagaland-Khaplang (NSCN-K) is behested by neighbouring countries;
- (b) if so, the details thereof; and
- (c) the action taken by Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJU): (a) to (c) Yes, Sir. There are inputs to suggest that NSCN/K has established camps across the border in a neighbouring country. The Government has taken measures to eliminate security threats from insurgent groups having camps outside the country.

**Sexual offences by juveniles**

1910. SHRI SHADI LAL BATRA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the number of sexual and other offences by juveniles reported in the country during last three years and the current year, State/Union Territory-wise; and
- (b) the remedial measures taken by Government to control the crimes by juveniles in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) and (b) The State/UT-wise total number of cases reported against juveniles during the year 2012-2014 is given in the Statement (*See below*).

The Ministry of Home Affairs issues various Advisories regarding matters of urgent importance from time to time which are available on the website of the Ministry of Home Affairs *viz.* <http://mha.nic.in>. Further, 'Police' and 'Public Order' being State subjects, action with respect to maintenance of law and order lies primarily in the domain of the State Governments. The issue of crime by juveniles is mainly dealt through Juvenile Justice (Care and Protection of Children) Act, 2000 which provides for reformatory care in case of children/juvenile in conflict with law. 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 difficult circumstances.



## Statement

Details of State/UT-wise juveniles in conflict with law under various sexual crimes under IPC during 2012-2014

Code	State/UT	2012					2013					2014				
		Rape	Assault on women with intent to outrage her Modesty	Insult to the Modesty of Women	Total Sexual Crimes	Rape	Assault on women with intent to outrage her Modesty	Insult to the Modesty of Women	Total Sexual Crimes	Rape	Attempt to commit Rape*	Assault on women with intent to outrage her Modesty	Insult to the Modesty of Women	Total Sexual Crimes		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15		
1.	Andhra Pradesh	70	39	62	171	98	105	117	320	40	6	33	20	99		
2.	Arunachal Pradesh	1	5	0	6	0	0	0	0	11	0	4	0	15		
3.	Assam	56	12	0	68	49	5	0	54	58	1	7	0	66		
4.	Bihar	26	14	2	42	66	33	1	100	43	27	18	11	99		
5.	Chhattisgarh	0	60	6	66	122	112	7	241	105	2	87	1	195		
6.	Goa	2	2	0	4	1	1	0	2	4	1	1	0	6		
7.	Gujarat	20	24	0	44	24	41	2	67	36	0	35	2	73		
8.	Haryana	41	14	6	61	50	56	12	118	65	5	65	0	135		
9.	Himachal Pradesh	10	4	0	14	13	6	1	20	10	0	10	0	20		
10.	Jammu and Kashmir	2	3	0	5	3	4	3	10	4	0	4	0	8		
11.	Jharkhand	22	1	0	23	32	0	0	32	22	0	1	0	23		

12.	Karnataka	12	2	0	14	17	5	1	23	26	0	8	0	34
13.	Kerala	25	5	4	34	32	16	5	53	39	0	17	0	56
14.	Madhya Pradesh	249	217	49	515	347	359	58	764	434	3	425	14	876
15.	Maharashtra	89	96	40	225	197	312	76	585	208	0	328	28	564
16.	Manipur	0	0	0	0	1	0	0	1	7	0	0	0	7
17.	Meghalaya	25	2	0	27	23	1	0	24	11	0	1	1	13
18.	Mizoram	21	1	0	22	8	3	0	11	15	0	0	0	15
19.	Nagaland	2	0	0	2	0	0	0	0	2	0	2	0	4
20.	Odisha	70	15	0	85	91	34	2	127	79	0	37	4	120
21.	Punjab	14	0	0	14	12	17	0	29	44	6	8	0	58
22.	Rajasthan	102	39	1	142	183	101	1	285	149	6	101	1	257
23.	Sikkim	0	0	0	0	0	0	0	0	3	0	2	0	5
24.	Tamil Nadu	27	11	0	38	32	7	2	41	12	0	1	4	17
25.	Telangana	63	0	29								29	15	107
26.	Tripura	23	1	0	24	8	3	0	11	24	1	7	0	32
27.	Uttar Pradesh	110	10	0	120	196	47	0	243	176	7	159	0	342
28.	Uttarakhand	10	0	0	10	14	4	0	18	12	2	12	0	26
29.	West Bengal	86	22	3	111	118	22	1	141	161	24	46	4	235
TOTAL STATES(S)		1115	599	173	1887	1737	1294	289	3320	1863	91	1448	105	3507

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
30.	Andaman and Nicobar Islands	0	0	0	0	2	1	0	3	2	0	1	0	3
31.	Chandigarh	3	0	0	3	3	2	0	5	3	1	2	0	6
32.	Dadra and Nagar Haveli	0	0	0	0	2	0	0	2	1	0	0	0	1
33.	Daman and Diu	0	0	0	0	0	0	0	0	0	0	0	0	0
34.	Delhi UT	57	14	9	80	137	127	23	287	120	1	140	8	269
35.	Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0	0
36.	Puducherry	0	0	1	1	3	0	0	3	0	0	0	0	0
	TOTAL UT(s)	60	14	10	84	147	130	23	300	126	2	143	8	279
	TOTAL (ALL INDIA)	1175	613	183	1971	1884	1424	312	3620	1989	93	1591	113	3786

Note: \* data started collecting, since 2014.

Source: Crime in India.

**Looting of people by goons in the guise of policemen in National Capital**

1911. SHRI RAJ KUMAR DHOT: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that goons are looting people particularly women and senior citizens in the guise of policemen in the National Capital;
- (b) if so, the details thereof for the last two years, year-wise; and
- (c) what action including preventive action Government has taken or proposes to take in such cases?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) to (c) Delhi Police has reported that no case of robbery (loot) of women and senior citizens committed by goons in the guise of policemen in Delhi is registered during the last two years and the current year (up to 30.6.16). However, the measures taken by Delhi Police to prevent incident of street crime like robbery are as under:-

- Emphasis on Beat Patrolling System and enhanced police presence.
- Identification of vulnerable areas based on crime pattern in each police station.
- Targeted checking of suspicious looking youth on motor bikes.
- Quicker reaction time through increased police presence in the area.
- Gathering of macro-intelligence by District police as well as specialized units against criminal gangs operating.
- Public participation to control crime through schemes like 'Eyes and Ears' Scheme.

**Destruction due to heavy rains and cloudbursts**

1912. SHRI RAJKUMAR DHOT: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that heavy rains and cloudbursts have caused human deaths and destruction of properties in several parts of the country recently;
- (b) if so, the details thereof, State-wise; and

(c) what relief and rehabilitation measures were provided by Government to the States and affected people?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) and (b) Several parts of the country have been affected by natural calamities including heavy rains and cloudburst in the recent past. The details of the losses due to natural calamities during the year 2016-17 as reported by the State Government is given in Statement-I (*See below*).

(c) The primary responsibility to undertake relief and rehabilitation measures in the wake of natural disasters for the people who are affected by the natural calamities rests with the concerned State Government. The Government of India assists the State Government by way of logistics support for immediate rescue, relief and restoration activities.

State-wise details of allocation and releases from State Disaster Response Fund (SDRF) and National Disaster Response Fund (NDRF) during the current financial year is given in Statement-II.

***Statement-I***

*State-wise details of damage due to Cyclonic storm/ flash floods/ floods / landslides/ cloudburst etc. during 2016-17*

(Provisional) As on 31.07.2016

Sl. No.	State	No. of human lives lost	No. of cattle heads lost	No. of houses damaged	Cropped area affected (lakh hectatres)
1	2	3	4	5	6
1.	Arunachal Pradesh	37	155	344	0.02
2.	Assam	30	2300	5107	4.08
3.	Bihar	26	02	10162	3.39
4.	Gujarat	26	150	06	—
5.	Himachal Pradesh	12	01	54	0.001
6.	Karnataka	45	200	1632	0.01
7.	Kerala	27	55	4637	0.012
8.	Madhya Pradesh	67	318	40802	—

1	2	3	4	5	6
9.	Maharashtra	19	40	2825	—
10.	Nagaland	—	1200	3537	—
11.	Odisha	1	—	—	—
12.	Punjab	8	—	6	0.004
13.	Rajasthan	21	43	28	—
14.	Sikkim	1	—	—	—
15.	Uttar Pradesh	20	11	542	0.97
16.	Uttarakhand	57	643	1867	—
17.	West Bengal	81	640	35660	0.11
	TOTAL	478	5,758	1,07,209	8.60

**Statement-II**

*State-wise details of allocation and releases of SDRF and NDRF during 2016-17*

As on 28.07.2016				(₹ in crore)
Sl. No.	State	Allocation under SDRF	Centre's share of SDRF released (till date)	Released from NDRF (till date)
1	2	3	4	5
1.	Andhra Pradesh	462.00	173.25	344.88
2.	Arunachal Pradesh	55.00	24.75	51.06
3.	Assam	483.00	217.35	—
4.	Bihar	492.00	184.50	—
5.	Chhattisgarh	253.00	94.875	313.385
6.	Goa	4.00	—	—
7.	Gujarat	740.00	—	—
8.	Haryana	323.00	—	—
9.	Himachal Pradesh	248.00	111.60	81.22
10.	Jammu and Kashmir	268.00	—	—
11.	Jharkhand	382.00	143.25	—

1	2	3	4	5
12.	Karnataka	290.00	108.75	606.98
13.	Kerala	194.00	—	—
14.	Madhya Pradesh	921.00	345.375	863.81
15.	Maharashtra	1557.00	583.875	955.77
16.	Manipur	20.00	9.00	—
17.	Meghalaya	25.00	11.25	—
18.	Mizoram	18.00	8.10	—
19.	Nagaland	10.00	4.50	0.965
20.	Odisha	785.00	294.375	425.66
21.	Punjab	409.00	153.375	—
22.	Rajasthan	1158.00	434.25	911.64
23.	Sikkim	33.00	14.85	—
24.	Tamil Nadu	713.00	—	365.67
25.	Telangana	288.00	108.00	328.16
26.	Tripura	33.00	14.85	—
27.	Uttar Pradesh	709.00	265.875	430.25
28.	Uttarakhand	220.00	99.00	—
28.	West Bengal	542.00	203.25	275.82
TOTAL		11635.00	3608.25	5955.27

*Note:* Installment of Centre's share of SDRF is released to State Government subject to fulfilling the conditions of scheme.

#### **Facility of paperless immigration**

1913. SHRI A.U. SINGH DEO: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has successfully introduced the facility of paperless immigration to individuals holding official and diplomatic passports, if so, the details thereof and if not, the reasons therefor;

(b) whether Government plans to extend the facility of paperless immigration to all travellers, if so, the details thereof and time-line for implementation, if not, the reasons therefor; and

(c) whether Government plans to introduce e-gate facility at airports, if so, the details thereof and time-line and costs for the same, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) As per bilateral agreements with 70 countries there is exemption from requirement of visa for a prescribed duration for holders of Diplomatic and Official passports.

Diplomats/officials passport holders of other countries can apply for visa through online visa application system.

(b) There is no such proposal. However, Government of India has extended e-TV facility to 150 countries to visit India for short duration of 30 days, which involves online application and grant of travel authorization through e-mail. Other than e-TV category, travellers need to apply online and get the visa from Indian Missions.

(c) Visa reforms are a continuous process involving appropriate consultation with stake holders and security agencies.

#### **Installing CCTV cameras on Indo-Pak border**

1914. SARDAR SUKHDEV SINGH DHINDSA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has decided to install CCTV cameras on Indo-Pak border in Punjab to check infiltration across the border especially in rainy season; and

(b) if so, the progress made in this regard so far?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) and (b) Government of India has decided to deploy technological solutions in the form of integration of Radars, Sensors, Cameras, Communication Networks and Command and Control Solution in various difficult terrains where fencing could not be installed. Initially, it has been decided to launch pilot project in Punjab, Gujarat (Sir Creek), South Bengal, Tripura and Jammu regions. Tender for two patches of 05 to 06 Kms. in Jammu region has been floated.

#### **Proposal to increase BSF/CRPF personnel on Indo-Pak border in Punjab**

1915. SARDAR SUKHDEV SINGH DHINDSA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government proposes to increase the strength of BSF/CRPF personnels on Indo-Pak border in Punjab; and



- (b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJIJU): (a) and (b) A suitable strength of Central Armed Police (CAPFs) has been posted at the International Border in Punjab. However, the level of deployment of CAPFs is not disclosed in the interest of National Security.

**Financial assistance to bonded labourers**

1916. SHRI A.K. SELVARAJ: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether it is a fact that Government has decided to revise the financial assistance to the victims of bonded labour and trafficking from ₹ 20,000 to ₹ 1,00,000;
- (b) whether it is also a fact that this may extend upto ₹ 2,00,000 in special cases;
- (c) whether it is also a fact that Government will ensure an assistance of ₹ 3,00,000 in case of extreme deprivation; and
- (d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) to (d) The Government has revamped the Centrally Sponsored Plan Scheme for Rehabilitation of Bonded Labourers with effect from 17th May, 2016. The revamped scheme is known as 'Central Sector Scheme for Rehabilitation of Bonded Labourer, 2016'. The salient features of the Scheme are as under:—

- (i) The revised scheme is a Central Sector Scheme. The State Government is not required to pay any matching contribution for the purpose of cash rehabilitation assistance.
- (ii) Financial assistance has been increased from ₹ 20,000/- to one lakh per adult male beneficiary, ₹ 2 lakh for special category beneficiaries such as children including orphans or those rescued from organized and forced begging rings or other forms of forced child labour and women and ₹ 3 lakh in cases of bonded or forced labour involving extreme cases of deprivation or marginalization such as trans-genders, or woman or children rescued from ostensible sexual exploitation such as brothels, massage parlours, placement agencies etc., or trafficking, or in cases of differently abled persons, or in situations where the District Magistrate deems fit.

- (iii) The above cash benefits would be additionally to other land and housing elements etc. of the original scheme as provided by the District Administration.
- (iv) The amount of assistance for survey of bonded labourers is ₹ 4.50 lakh per district.
- (v) The release of rehabilitation assistance has been linked with conviction of the accused.
- (vi) Scheme provides for creation of District Bonded Labour Rehabilitation Fund with a permanent corpus of at least ₹ 10 lakh at the disposal of the District Magistrate for extending immediate help to the released bonded labourers.
- (vii) The fund is released by the Ministry under the Scheme directly to the District National Child Labour Project Society and the District Project Society in turn releases the fund to the implementing agencies including district administration for the purpose of the Bonded Labourer Rehabilitation Scheme forthwith.
- (viii) Transfer of benefits to beneficiary account is on DBT (Direct Benefit Transfer) mode from District National Child Labour Project Society for cutting delay.
- (ix) Special care is made available by the State for addressing the needs of the disabled persons, females freed bonded labourers and bonded child labour by providing safe and secure environment for the capacity building of child bonded labourers, facilities for ensuring their proper education, short stay home till education upto class 12th, Skill development, marriage assistance etc.

**Persons registered in employment exchanges in Punjab**

1917. SARDAR SUKHDEV SINGH DHINDSA: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the number of persons, including graduates, post graduates, engineers, skilled labourers registered with various employment exchanges in Punjab as per their live registers, as on date; and
- (b) the various schemes started by Government to impart training to unskilled persons?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) As per information received from State, the number of job seekers including graduates, post graduates, engineers, skilled labourers, all of whom may not necessarily be unemployed, registered with employment exchanges in Punjab as on 31st December, 2014 were around 3.62 lakh.

(b) Government has created a separate Ministry, Ministry of Skill Development and Entrepreneurship (MSDE) for making broad policies for all other Ministries/ Departments with regard to market requirements and skill development and co-ordination with concerned for evolving an appropriate skill development framework and removal of disconnect between the demand and supply of skilled manpower through vocational and technical training. In order to improve the employability of youth, around 20 Ministries run skill development schemes across 70 sectors. National Skill Development Agency (NSDA) under Ministry of Skill Development and Entrepreneurship has been set up to coordinate action among Central Ministries.

MSDE is also imparting vocational training under Craftsmen Training Scheme (CTS), Apprenticeship Training Scheme (ATS) and skill development through modular courses under Skill Development Initiative Schemes.

Government has launched Pradhan Mantri Kaushal Vikas Yojana (PMKVY) under which skill training is imparted across the country for various traditional jobs like Carpenter, Mason, tailor, Black-smith, etc. In addition, vocational training is imparted through 13,105 Industrial Training Institutes (ITIs) in 126 trades across the country.

A new Scheme 'Apprentice Protsahan Yojana' has been started to share 50% of prescribed stipend to the apprentices by Government of India for the first two years of training engaged by eligible establishments particularly in manufacturing sector and other establishments covered under the Apprentices Act, 1961.

#### **Schemes for creating additional employment opportunities**

†1918. SHRI PRAMOD TIWARI: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the development schemes running presently in the country are not creating additional employment opportunities; and

(b) if so, the reaction of Government thereon?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) Employment generation is both a cause

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†Original notice of the question was received in Hindi.

and consequence of economic growth and is impacted by demographic shifts and technological transformations. Employment generation has been one of the most important priorities of the Government.

Reliable estimates of employment and unemployment are obtained through labour force surveys on employment and unemployment conducted by National Sample Survey Office (NSS), Ministry of Statistics and Programme Implementation. As per the results of the recent surveys conducted during 2009-10 and 2011-12 total employment increased from 46.55 crore to 47.41 crore persons. In addition, according to the Labour Bureau Annual Employment Unemployment Survey the workforce grew by 4.37 crores during 2013-14.

Further, to assess the effect of economic slowdown on employment in India since January, 2009, Labour Bureau, Ministry of Labour and Employment, has been conducting Quarterly Quick Employment surveys in the selected labour-intensive and export-oriented sectors namely textiles including apparels, metals, gems & jewellery, automobiles, transport, IT/BPO, leather and handloom/ powerloom. So far twenty eighth such surveys have been conducted by Labour Bureau and reports released. According to the survey results, overall estimated employment in all selected sectors has experienced a net addition of 38.81 lakh (persons) starting from the first survey (October, 2008 to December, 2008) till the 28th Survey (Oct., 2015 to December, 2015).

In order to facilitate online matching of jobs and provide information about employment opportunities, Ministry of Labour and Employment has launched the National Career Service Portal for transforming the employment services in the country.

Government has taken various steps for generating employment in the country like encouraging private sector of economy, fast tracking various projects involving substantial investment and increasing public expenditure on schemes like Prime Minister's Employment Generation Programme (PMEGP) run by Ministry of Micro, Small & Medium Enterprises, Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGA), Pt. Deen Dayal Upadhyaya Grameen Kaushalya Yojana (DDU-GKY) scheme run by Ministry of Rural Development and Deendayal Antyodaya Yojana - National Urban Livelihoods Mission (DAY-NULM) run by Ministry of Housing and Urban Poverty Alleviation.

For skilling to provide employment, a new Ministry of Skill Development and Entrepreneurship has been established to coordinate the skill activities across Ministries. In order to improve the employability of youth, around 20 Ministries run skill development schemes across 70 sectors.

A new Scheme "Pradhan Mantri Rojgar Protsahan Yojana" has been announced in the Budget for 2016-17 with the objective of promoting employment generation and an allocation of ₹ 1000 crores has been made. The scheme is being implemented by the Ministry of Labour and Employment in 2016-17. Under the scheme employers would be provided an incentive for enhancing employment by reimbursement of the 8.33% EPS contribution made by the employer in respect of new employment.

#### **Number of unemployed persons**

1919. SHRI K. T. S. TULSI:

SHRI P. L. PUNIA:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the recent estimated number of unemployed persons between 18 to 60 years, category-wise, *e.g.* rural and urban, SCs, STs, OBCs and Others, State-wise;
- (b) details of increase in unemployment in the country during last three years, both in rural and urban areas, for SCs, STs, OBCs and Others, State-wise;
- (c) the unemployment rate in the country, category-wise, rural and urban, SCs, STs, OBCs and Others, State-wise; and
- (d) the number of persons employed through employment exchanges during last five years, State-wise and year-wise and the details of percentage of persons registered in different categories *viz.*, matriculate, graduate, post graduate?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) to (c) As per results of the labour force surveys on employment and unemployment conducted during 2004-05, 2009-10 and 2011-12 by National Sample Survey Office (NSSO), Ministry of Statistics and Programme Implementation, estimated number of unemployed persons (rate) on usual status basis were 1.08 crore (2.3%) during 2004-05, 0.95 crore (2.0%) during 2009-10 and 1.06 crore (2.2%) during 2011-12. The unemployment rate among different social groups is as follows:—

(in per cent)					
Year	Social Group	Rural Male	Rural Female	Urban Male	Urban Female
2004-05	SC	1.7	1.4	5.5	4.6
	ST	1.1	0.4	2.9	3.4
	OBC	1.5	1.9	3.3	6.7
	Others	2.0	2.9	3.7	8.5

2009-10	SC	1.7	1.5	3.1	4.2
	ST	1.7	0.9	4.4	4.3
	OBC	1.4	1.4	2.8	6.2
	Others	2.0	2.5	2.7	6.2
2011-12	SC	2.0	1.4	3.2	4.5
	ST	1.3	1.1	3.4	4.8
	OBC	1.7	1.7	2.5	4.7
	Others	1.8	2.4	3.4	6.3

(d) As per information received from the States, State-wise details of placement effected through employment exchanges in the country during the last five years are given in the Statement (*See* below). Total number of educated job seekers on the live register of employment exchanges in the country as on 31st December, 2013 was around 4 crore out of which 46.9 per cent was 10th pass, 30.3 per cent 10+2 pass and 22.8 per cent graduates and post graduates.

**Statement**

*Details of State-wise placement effected through employment exchanges*

(in thousands)

Sl. No.	State/Union Territory	Placement effected by the Employment Exchanges during the years				
		2010	2011	2012	2013	2014
1	2	3	4	5	6	7
1.	Andhra Pradesh	0.9	0.8	0.4	0.6	0.4
2.	Arunachal Pradesh	0.0	0.0	0.0	0.0	0.0
3.	Assam	0.6	3.1	0.7	0.5	1.1
4.	Bihar	3.2	2.3	2.1	2.2	0.1
5.	Chhattisgarh	2.2	0.9	0.3	0.5	0.9
6.	Delhi	4.1	0.2	0.0	0.0	0.2
7.	Goa	1.8	1.4	1.8	0.9	2.2
8.	Gujarat	202.8	225.6	246.0	271.6	290.8
9.	Haryana	5.8	6.9	12.3	0.7	0.3
10.	Himachal Pradesh	1.1	3.2	4.1	1.9	2.3
11.	Jammu and Kashmir	1.7	1.3	0.5	0.1	0.4

1	2	3	4	5	6	7
12.	Jharkhand	12.5	8.7	12.1	3.4	1.1
13.	Karnataka	2.0	2.1	2.6	3.9	2.1
14.	Kerala	11.5	13.5	9.4	7.9	8.0
15.	Madhya Pradesh	9.0	6.6	8.5	2.7	0.3
16.	Maharashtra	207.3	165.6	103.8	18.6	9.6
17.	Manipur	0.6	@	0.1	0.0	0.0
18.	Meghalaya	0.0	@	@	0.0	0.0
19.	Mizoram	0.0	0.0	0.0	0.1	0.1
20.	Nagaland	0.0	@	0.2	0.0	0.0
21.	Odisha	5.4	2.9	2.8	1.4	0.7
22.	Punjab	2.1	3.2	2.7	2.5	2.4
23.	Rajasthan	0.8	1.1	0.5	0.3	0.4
24.	Sikkim*					
25.	Tamil Nadu	17.4	11.2	10.8	20.9	8.8
26.	Tripura	0.7	0.9	0.4	0.4	2.4
27.	Uttarakhand	1.3	1.1	1.2	0.6	0.6
28.	Uttar Pradesh	7.2	5.6	1.6	4.0	1.3
29.	West Bengal	2.5	3.0	2.2	1.4	1.5
30.	Andaman and Nicobar Islands	0.3	0.1	0.1	0.1	0.1
31.	Chandigarh	0.0	0.2	0.1	0.1	0.1
32.	Dadra and Nagar Haveli	0.0	0.0	0.0	0.0	0.0
33.	Daman and Diu	0.0	0.0	0.0	0.0	0.0
34.	Lakshadweep	0.0	0.0	0.1	0.0	0.0
35.	Puducherry	0.5	0.1	0.3	1.2	0.3
TOTAL		509.6	471.5	427.6	348.4	338.5

*Note:* \* No Employment Exchange is functioning in this State.

Total may not tally due to rounding off.

@ Figures less than fifty.

*Source:* D.G.E. M/o Labour & Employment.

**Central share under Bonded Labour Rehabilitation Scheme**

†1920. DR. BHUSHAN LAL JANGDE: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that the entire Central share under the bonded labour rehabilitation scheme, has still not been received; and

(b) whether the Central Government will provide assistance for making houses available for the beedi workers, textile workers, bonded labourers, agricultural workers, workers engaged in industries and other workers, even as their pension has been enhanced?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) No proposal for release of central share under BLR scheme is pending in this Ministry.

(b) The beedi workers working in the establishments covered under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, get a minimum pension of ₹ 1000/- per month. For the workers in the unorganised sector there is no pension scheme specific to beedi labourers, textile labourers, bonded labourers, peasants and other labourers. Unorganised Workers aged 60 years and above are covered by the Indira Gandhi National Old Age Pension Scheme. All IGNOAPS beneficiaries aged 60 to 79 are entitled to receive a monthly pension of ₹ 200/- from the Central Government. Similarly, those 80 years and above are entitled to ₹ 500/- per month. However, the State Governments have the freedom to pay more amount in addition to the Central assistance.

Under the Revised Integrated Housing Scheme, 2016, for beedi workers, housing subsidy of ₹ 150,000/- is provided in three installments on 25:60:15 ratio. The first installment of ₹ 37,500/- per tenement as advance is released on receipt of proposal, the second installment of ₹ 90,000/- is released on reaching the lintel level and third installment of ₹ 22,500/- per tenement is released on receipt of 100% inspection conducted by the Engineers/ Officers of the Labour Welfare Organisation that the construction of houses has been completed in all respect. The Scheme is implemented by the Welfare Commissioners of the Labour Welfare Organisation of the Ministry.

Further, "Housing for All" Mission has been launched on 25.06.2015 by the Ministry of Housing and Urban Poverty Alleviation, Government of India, to help facilitate the efforts of the State Governments/ Union Territories in providing a pucca house to all the urban poor eligible under the mission.

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†Original notice of the question was received in Hindi.



**Action against companies not providing PF**

1921. DR. R. LAKSHMANAN: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether Government has taken any action against those companies which were not providing Provident Fund (PF) for their employees; and

(b) if so, the details of the action taken against those companies in all the States of the country during last three years?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) Actions as per provisions contained in Employees' Provident Funds & Miscellaneous Provisions (EPF & MP) Act, 1952 are taken against the defaulting establishments. The details are as under:—

(i) Action taken under Section 7 A of EPF & MP Act, 1952 against the defaulting establishments for assessment of dues:

Year 2012-13 number of cases initiated	Year 2013-14 Number of cases initiated	Year 2014-15 Number of cases initiated
17665	181124	14087

(ii) Action taken under Section 7Q of the Act for levy of interest and 14B of the Act for levying of damages for belated deposit of dues:

Year 2012-13 Number of cases initiated	Year 2013-14 Number of cases initiated	Year 2014-15 Number of cases initiated
38363	79060	203781

(iii) Recovery actions taken as provided under Section 8B to 8G of the Act:

No. of cases	Year 2012-13	Year 2013-14	Year 2014-15
Bank A/c Attached	12397	13151	20160
Movable Property Attached	78	394	89
Immovable Property Attached	125	119	107
Arrest Defaulters	30	45	64
Public Auction made of Movable/ Immovable Property	21	9	5

- (iv) Action taken under Section 14 of the Act for filing prosecution against the defaulters before the competent court of law:

Year 2012-13 No. of cases filed	Year 2013-14 Number of cases filed	Year 2014-15 Number of cases initiated
2055	3811	1491

- (v) Action taken under Section 406/409 of Indian Penal Code (IPC) against the employer for non-payment of employees' share of contribution deducted from the wages/salary of the employees but not deposited in the fund:

Year 2012-13 No. of cases filed	Year 2013-14 Number of cases filed	Year 2014-15 Number of cases initiated
393	425	228

#### Revising minimum wages of workers

1922. SHRI RANJIB BISWAL: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether Government is in the process of revising the minimum wages of workers working in several sectors including agriculture, construction and mining;
- (b) if so, the details thereof;
- (c) the likely increase in the daily wages of both skilled and unskilled workers working in organised and unorganised sectors; and
- (d) the time by when a final decision is likely to be taken in this regard and the increased wages are likely to be paid?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) The revision of Basic Minimum Wage in respect of 45 scheduled employments in the Central Sphere is done in consultation with the Minimum Wages Advisory Board (MWAB) which is a tripartite body. The last meeting of MWAB was held on 26.05.2016 where suggestions were received for review of the minimum wages in the scheduled employment.

However, to check price escalation, the idea of Variable Dearness Allowance (VDA) was mooted. Accordingly, in the Central sphere, the minimum rates of wages are revised by adding VDA effective from 1st April and 1st October every year. The rates of minimum wages for scheduled employments in the Central Sphere *w.e.f.* 01.04.2016 are given in the Statement.

(c) and (d) The Minimum Wages Act (MW Act), 1948 mainly safeguards the interest of unorganized Sector. Under the provision of MW Act, 1948 both Central and State Governments are appropriate Governments to fix, review and revise the minimum wages of the workers employed in the scheduled employment under their respective jurisdictions. The rates are reviewed and revised periodically by respective Governments.

**Statement**

*Details of area-wise Rates of Minimum Wages for Scheduled  
Employments in the Central Sphere*

(As on 01.04.2016)

Name of Scheduled Employment		Category of Worker	Rates of wages including V.D.A per day (in ₹)		
			Area A	Area B	Area C
1	2	3	4	5	6
1.	Agriculture	Unskilled	234.00	213.00	211.00
		Semi Skilled/Unskilled Supervisory	256.00	236.00	216.00
		Skilled/Clerical	278.00	256.00	235.00
		Highly Skilled	308.00	286.00	256.00
2.	Workers engaged in Stone Mines for Stone Breaking and Stone Crushing	1. Excavation & removal of over burden with 50 meters lead/1.5 meters lift: (a) Soft Soil (b) Soft Soil with Rock (c) Rook  2. Removal and Staking of rejected stones with 50 metres lead 1.5 metres lift  Stone breaking or Stone Crushing for the stone size (a) 1.0 inch to 1.5 inches (b) Above 1.5 Inches to 3.0 Inches (c) Above 3.0 Inches to 5 Inches (d) Above 5.0 Inches	247.00 373.00 494.00  199.00   1528.00 1307.00 765.00 628.00		

1	2	3	4	5	6
3.	Sweeping and Cleaning	Unskilled	368.00	307.00	246.00
4.	Watch and Ward	Without Arms	407.00	347.00	288.00
		With Arms	448.00	407.00	347.00
5.	Loading and Unloading	Unskilled	368.00	307.00	246.00
6.	Construction	Unskilled	368.00	307.00	246.00
		Semi-Skilled/Unskilled Supervisory	407.00	347.00	288.00
		Skilled/Clerical	448.00	407.00	347.00
		Highly Skilled	487.00	448.00	407.00
7.	Non-Coal Mines		Above Ground	Below Ground	
		Unskilled	246.00	307.00	
		Semi-Skilled/Unskilled Supervisory	307.00	368.00	
		Skilled/Clerical	368.00	429.00	
		Highly Skilled	429.00	487.00	

Name of Scheduled Employment		Nomenclature
1.	Agriculture	Agriculture
2.	Workers engaged in Stone Mines for Stone Breaking and Stone Crushing	Workers engaged in Stone Mines for Stone Breaking and Stone Crushing
3.	Sweeping and Cleaning	Employment of Sweeping and Cleaning excluding Activities prohibited under the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993
4.	Watch and Ward	Employment of Watch and Ward
5.	Loading and Unloading	Employment in Loading and Unloading in (i) Goods Sheds, Parcel Offices of Railways;

		(ii) Other Goodssheds, Godowns, Warehouses etc. and; (iii) Docks and Ports
6.	Construction	Construction or maintenance of Roads or Runways or in Building Operations including laying down Underground Electric, Wireless, Radio, Television, Telephone, Telegraph and Overseas Communication Cables and similar other Underground Cabling Work, Electric Lines, Water Supply Lines and Sewerage Pipe Lines
7.	Non-Coal Mines	Employees engaged in the employment of Gypsum, Barytes, Bauxite, Manganese, China Clay, Kyanite, Copper, Clay, Magnesite, White Clay, Stone, Steatite (including the mines producing Soap Stones and Talc), Orchre, Asbestos, Fire Clay, Chromite, Quartzite, Quartz, Silica, Graphite, Felspar, Laterite, Dolomite, Red Oxide, Wolfram, Iron Ore, Granite, Rock Phosphate, Hematite, Marble and Calcite, Uranium, Mica, Lignite, Grave, Slate and Magnetite Mines

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Classification of area

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Area - "A"

Ahmedabad	(UA)	Hyderabad	(UA)	Faridabad complex
Bangaluru	(UA)	Kanpur	(UA)	Ghaziabad
Kolkata	(UA)	Lucknow	(UA)	Gurgaon
Delhi	(UA)	Chennai	(UA)	Noida
Greater Mumbai	(UA)	Nagpur	(UA)	Secunderabad
Navi Mumbai				

Area - "B"

Agra	(UA)	Jodhpur		Jabalpur	(UA)
Ajmer		Kochi	(UA)	Jaipur	(UA)
Aligarh		Kolhapur	(UA)	Jalandhar	(UA)
Allahabad	(UA)	Kozhikode	(UA)	Jamshedpur	(UA)
Amravati		Kota		Puducherry	(UA)

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Aurangabad	(UA)	Ludhiana		Jalandhar-cantt.	
Bareilly	(UA)	Madurai	(UA)	Dhanbad	(UA)
Bhavnagar		Meerut	(UA)	Dehradun	(UA)
Bikaner		Moradabad	(UA)	Durg-Bhilai Nagar	(UA)
Bhopal		Mysore	(UA)	Jammu	(UA)
Bhubaneswar		Nasik	(UA)	Jamnagar	(UA)
Amritsar	(UA)	Pune	(UA)	Vijayawada	(UA)
Chandigarh	(UA)	Patna	(UA)	Vishakhapatnam	(UA)
Coimbatore	(UA)	Raipur	(UA)	Warangal	
Cuttack	(UA)	Rajkot		Mangalore	(UA)
Durgapur		Ranchi	(UA)	Salem	(UA)
Gorakhpur		Sholapur		Tiruppur	(UA)
Guwahati City		Srinagar	(UA)	Tiruchirappalli	(UA)
Guntur		Surat	(UA)	Asansol	(UA)
Gwalior	(UA)	Thiruvananthapuram	(UA)	Belgaum	(UA)
Indore	(UA)	Vadodara	(UA)	Bhiwandi	(UA)
Hubli-Dharwad		Varanasi	(UA)		

Area 'C' will comprise all areas not mentioned in this list.

Note: U.A. stands for Urban Agglomeration.

### Child labour in MSMEs

1923. SHRIMATI JHARNA DAS BAIDYA: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether system of engaging child labourers in different States especially in the factories of Micro, Small and Medium Enterprises (MSMEs) has come to the notice of Government;

(b) if so, the details thereof;

(c) whether any child labourers working in the factories of MSMEs have been freed by Government during the last three years; and

(d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) As per the data of Census 2011, there are 43.53 lakh main workers in the age group of 5-14 years in the country. State-wise details of main workers are given in Statement-I (*See below*). The Child Labour (Prohibition & Regulation) Act, 1986 provides for action by the appropriate Government to secure the compliance with its provisions.

(c) and (d) Ministry of Labour and Employment is implementing the National Child Labour Project (NCLP) Scheme for rehabilitation of child labour rescued/withdrawn from the prohibited occupations and processes which may include factories of Micro, Small and Medium Enterprises (MSMEs). The number of child labourers rescued/withdrawn from work, rehabilitated and mainstreamed under National Child Labour Project Scheme during the last three years, State-wise, are given in Statement-II.

***Statement-I***

*State-wise details of main workers in the age group of 5-14 years  
as per Census 2011*

Sl. No.	Name of State/UT	No. of working children in the age group of 5-14 years
1	2	3
1.	Andaman and Nicobar Islands	999
2.	Andhra Pradesh**	404851
3.	Arunachal Pradesh	5766
4.	Assam	99512
5.	Bihar	451590
6.	Chandigarh U.T.	3135
7.	Chhattisgarh	63884
8.	Dadra and Nagar Haveli	1054
9.	Daman and Diu U.T.	774
10.	Delhi U.T.	26473
11.	Goa	6920
12.	Gujarat	250318
13.	Haryana	53492
14.	Himachal Pradesh	15001

1	2	3
15.	Jammu and Kashmir	25528
16.	Jharkhand	90996
17.	Karnataka	249432
18.	Kerala	21757
19.	Lakshadweep U.T.	28
20.	Madhya Pradesh	286310
21.	Maharashtra	496916
22.	Manipur	11805
23.	Meghalaya	18839
24.	Mizoram	2793
25.	Nagaland	11062
26.	Odisha	92087
27.	Puducherry U.T.	1421
28.	Punjab	90353
29.	Rajasthan	252338
30.	Sikkim	2704
31.	Tamil Nadu	151437
32.	Tripura	4998
33.	Uttar Pradesh	896301
34.	Uttarakhand	28098
35.	West Bengal	234275
TOTAL		4353247

\*\* Including Telangana.

### Statement-II

*No. of children rescued/withdrawn from work, rehabilitated and mainstreamed under National Child Labour Project (NCLP) Scheme during the last three years, State-wise (based on the available information received from District Project Societies)*

Sl. No.	State	2013-14	2014-15	2015-16
1.	Andhra Pradesh#	5715	346	716
2.	Assam	0	60	9346
3.	Bihar	3736	14028	2656



Sl. No.	State	2013-14	2014-15	2015-16
4.	Chhattisgarh	8034	10173	0
5.	Gujarat	453	892*	0
6.	Haryana	631	2583	0
7.	Jammu and Kashmir	469	0	10
8.	Jharkhand	1028	2989	3450
9.	Karnataka	2391	2519	1984
10.	Madhya Pradesh	8323	7879	7472
11.	Maharashtra	5614	3804	2177
12.	Odisha	6114	21315	1900
13.	Punjab	957	290	880
14.	Rajasthan	3585	3349	8476
15.	Tamil Nadu	3436	4492	3727
16.	Telangana	-	2691	1748
17.	Uttar Pradesh	7310	16277	0
18.	West Bengal	6254	22689	9793
19.	Uttarakhand	-	145	0
20.	Nagaland	-	436	0
TOTAL		64050	116957	54335

# Andhra Pradesh includes Telangana upto 2013-14.

\*\* as per Quarterly Progress Reports (QPRs) for the quarter ending March, 2016 received from the Project Society so far.

#### **ESI hospital at Tuticorin**

1924. SHRIMATI KANIMOZHI: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether Government is planning to build an Employees' State Insurance (ESI) hospital at Tuticorin with a capacity of 100 beds; and

(b) if so, at what date, this hospital will be expected to start functioning?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) Yes, Sir.

(b) Construction of hospital building depends on many variables like availability of land, statutory permissions from local bodies and appointment of construction agencies etc. hence, definite time frame for completion and functioning of this hospital is not known.

#### **Number of EPF subscribers**

1925. SHRI TAPAN KUMAR SEN: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the State-wise total number of contributing subscribers of Employees' Provident Fund (EPF);
- (b) the estimated number of workers and establishments entitled to be covered by EPF, but not actually covered; and
- (c) the steps taken for covering all entitled workers and establishments under EPF?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) The State-wise details of average contributing members of Employees' Provident Fund (EPF) during the year 2015-16 are given in the Statement (*See* below).

(b) As per Employees' Provident Funds & Miscellaneous Provisions (EPF & MP) Act, 1952, factories specified in scheduled I and establishments notified having 20 or more employees are entitled to be covered. Based on available information any establishment which is determined as entitled for coverage, would be covered. As such, the statistics of estimated number of workers and establishments entitled to be covered under the Act, but not actually covered is not feasible to be maintained.

(c) The following actions are taken by Employees' Provident Fund Organisation (EPFO) for coverage of all entitled workers and establishments under EPF & MP Act, 1952:—

- (i) Inspections are conducted under Section 13 of the Act to ascertain whether an establishment has complied with the provisions of the Act.
- (ii) Action under Section 7A of the Act against the defaulting establishments for assessment of dues.
- (iii) Data of coverable establishments are collected by the Central Analysis & Intelligence Unit (CA&IU) of EPFO regarding Engineering Colleges, Dental

Colleges, Medical Colleges, Spices Establishments, Coffee Exporters, private universities, National Rural Health Mission, etc. and conveyed to field offices to cover coverable establishments.

- (iv) Recovery actions including attachment of property and arrest as provided under Section 8B to 8G of the Act.
- (v) Action under Section 14 of the Act for filing prosecution against the defaulters before the competent court of law.
- (vi) Action under Section 406 read with Section 409 of Indian Penal Code (IPC) against the employer for non-payment of employees' share of contribution deducted from the wages/salary of the employees but not deposited in the fund.

***Statement***

*State/UT-wise details of average contributing members of Employees' Provident Fund (EPF) during the year 2015-16*

State/UT	Average contributing Members (in lakh)
1	2
Andaman and Nicobar Islands	0.11
Andhra Pradesh	8.89
Arunachal Pradesh	0.06
Assam	2.03
Bihar	2.90
Chandigarh	1.42
Chhattisgarh	3.60
Dadra and Nagar Haveli	0.05
Daman and Diu	0.82
Delhi	24.82
Goa	1.64
Gujarat	24.11
Haryana	19.20
Himachal Pradesh	2.59

1	2
Jammu and Kashmir	-
Jharkhand	4.27
Karnataka	45.60
Kerala	10.08
Lakshadweep	0.00
Maharashtra	75.05
Madhya Pradesh	9.02
Manipur	0.10
Meghalaya	0.26
Mizoram	0.04
Nagaland	0.07
Odisha	6.78
Puducherry	0.74
Punjab	8.47
Rajasthan	8.76
Sikkim	0.15
Tamil Nadu	44.49
Telangana	24.04
Tripura	0.31
Uttar Pradesh	16.53
Uttarakhand	4.77
West Bengal	24.46
TOTAL	376.23

**Modernisation of ESIC dispensaries in the country**

1926. SHRI R. VAITHILINGAM: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether Government has decided to modernise the Employees' State Insurance Corporation (ESIC) dispensaries in the country;
- (b) if so, the State-wise details thereof;

(c) whether it is a fact that some ESIC hospitals are even now running on rented accommodation;

(d) if so, the details thereof; and

(e) the steps taken by Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) Yes, Sir. Under its Agenda-ESIC 2.0, the Employees' State Insurance Corporation (ESIC) has taken a number of initiatives to modernize and upgrade ESIC Dispensaries. These are as under:—

- To upgrade ESIC own dispensaries to 6 bedded hospital under phased manner
- To set up Path Labs under PPP model
- To set up X-ray facility in select dispensaries under PPP model
- To start AYUSH service in ESIC dispensaries
- To provide Dental and Physiotherapy services

(c) No, Sir. All ESIC Hospitals are functioning in ESIC owned building.

(d) and (e) Does not arise in view of answer at (c) above.

#### **Bringing of contract workers under EPFO**

1927. SHRI SANJAY RAUT: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that a large number of workers from the unorganised sector are not covered under the Employees' Provident Fund Organisation (EPFO);

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

(c) whether Government is also considering to bring contract labourers under EPFO ambit;

(d) if so, the details thereof indicating by when it will happen; and

(e) the details of steps taken or proposed to be taken by Government for the enrolments in the EPFO scheme in the country?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) The provisions of EPF & MP Act, 1952

apply to every establishment which employs 20 or more persons and which is either engaged in an industry specified in Schedule-1 to the Act or belongs to a class of establishment specified by the Central Government. The industries/classes of establishments to which the Act applies include the following classes that are generally considered to fall under unorganized sector:—

- Beedi Industry
- Brick Industry
- Building and Construction Industry

The workers working in establishments employing less than 20 employees or workers working in an establishment, which is neither listed in Schedule-I of the Act nor in the classes of establishments specified by the Government, are not covered under EPFO. For the workers of unorganized sector, there is separate legislation *viz.* Unorganized workers' Social Security Act, 2008.

(c) to (e) The workers employed by or through a contractor in or in connection with the work of an establishment covered under EPF & MP Act, 1952, come under the ambit of EPFO in accordance with the definition of employee given in Section 2(f) of the Act. Sub-Committee of Central Board of Trustees on contract workers is constituted for monitoring the enrolment of contract workers. EPFO developed web portal of principal employer where the employer uploads the details of contractors. On the basis of these details the concerned EPFO, Regional/Sub-Regional Offices will watch and secure the contract workers compliance.

#### **Recommendations of the 45th ILC**

1928. SHRI ANIL DESAI: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether recommendations of the 45th Indian Labour Conference (ILC) to recognize the Anganwadi employees as workers, upper limit wages and pension have been totally ignored;

(b) if so, the reasons therefor; and

(c) by when the ILC recommendations will be implemented?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) No, Sir.

(b) Question does not arise.

(c) The recommendations of the 45th Indian Labour Conference have been circulated among all stake holders. Government of India has also taken a good note of the recommendations. The recommendations so given by the Indian Labour Conference helps the Government in its long term policy formulation thus no fixed time-line can be set for its implementation.

#### **Housing facilities for tea garden workers**

1929. SHRI SANTIUSE KUJUR: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that Government is aware that tea garden labourers both permanent as well as casual in the States do not have proper housing facilities or accommodation and are deprived of minimum living standards;

(b) if so, the details thereof; and

(c) the steps taken or proposed to be taken by Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) to (c) Housing facilities to tea labourers are considered under Section 15 of the Plantations Labour Act, 1951 which was amended in the year 2010 to make it more useful and welfare oriented. It is the duty of every employer to provide and maintain necessary housing accommodation to every worker (including his family) residing in the plantation and those who reside outside the plantation but have put in six months of continuous service in such plantation. The provision of the said Act are governed and monitored by the concerned State Government. The State Governments are also vested with powers to extend all or any of the provisions of the Act to any plantation notwithstanding that it measures less than 5 hectares or the number of persons employed therein is less than 15.

#### **Minimum wages for tea garden workers**

1930. SHRI SANTIUSE KUJUR: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that the Central Government is aware that the minimum wages of tea garden workers is different or varies in different parts of the country or within a State itself from garden to garden;

(b) if so, the details thereof;

(c) whether Government proposes to have uniform minimum wages for tea garden labourers/workers throughout the country and fix the norms thereon; and

(d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) Under the Minimum Wages Act, 1948, the fixation of minimum wages for the Plantation Sector, falls under the purview of State Government which is the appropriate Government to fix/revise the minimum wages.

As per the available data, the wages being paid (₹/day) in the major four tea growing states are as under:

Assam		West Bengal	Tamil Nadu	Kerala
Barak Valley	Brahmaputra Valley			
105.00	126.00	132.50	240.41	307.73

The wages in the above mentioned major tea growing states are as per agreement reached between the producer associations and workers unions.

(c) and (d) It may not be possible to develop uniform system for fixing rates of wages throughout the country due to differences in socio-economic and agro-climatic conditions, prices of essential commodities, paying capacity, productivity and local conditions influencing the wage rate.

#### **Rehabilitation of child labour**

1931. SHRI AJAY SANCHETI: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether there is a decline in child labour in the country;

(b) if so, the State-wise details showing declining trend; and

(c) the strategy adopted by Government for rehabilitation of children withdrawn from work?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) Yes, Sir. The number of main workers in the age group of 5-14 years in the country is 43.53 lakh as per 2011 Census which shows a decline from 2001 Census. The number of main workers in the age group of 5 to 14 years, as per 2011 Census, State-wise is given in the Statement (*See* below).



(c) Government is implementing the National Child Labour Project (NCLP) Scheme for rehabilitation of children withdrawn from work. The major objective of the Scheme is to withdraw children from work and mainstream them into formal education system. Children rescued/withdrawn from work in the age group of 9-14 years are enrolled in the NCLP Special Training Centres, where they are provided with bridge education, vocational training, mid day meal, stipend, health care, etc. before being mainstreamed into formal education system. Children in the age group of 5-8 years are directly linked to the formal education system through a close coordination with the Sarva Shiksha Abhiyan (SSA).

***Statement***

*State-wise details of main workers in the age group of 5-14 years  
as per Census 2011*

Sl. No.	Name of State/UT	No. of main workers in the age group of 5-14 years
1	2	3
1.	Andaman and Nicobar Islands	999
2.	Andhra Pradesh **	404851
3.	Arunachal Pradesh	5766
4.	Assam	99512
5.	Bihar	451590
6.	Chandigarh U.T.	3135
7.	Chhattisgarh	63884
8.	Dadra and Nagar Haveli	1054
9.	Daman and Diu U.T.	774
10.	Delhi U.T.	26473
11.	Goa	6920
12.	Gujarat	250318
13.	Haryana	53492
14.	Himachal Pradesh	15001
15.	Jammu and Kashmir	25528
16.	Jharkhand	90996
17.	Karnataka	249432

1	2	3
18.	Kerala	21757
19.	Lakshadweep U.T.	28
20.	Madhya Pradesh	286310
21.	Maharashtra	496916
22.	Manipur	11805
23.	Meghalaya	18839
24.	Mizoram	2793
25.	Nagaland	11062
26.	Odisha	92087
27.	Puducherry U.T.	1421
28.	Punjab	90353
29.	Rajasthan	252338
30.	Sikkim	2704
31.	Tamil Nadu	151437
32.	Tripura	4998
33.	Uttar Pradesh	896301
24.	Uttarakhand	28098
35.	West Bengal	234275
TOTAL		4353247

\*\* Including Telangana.

### **Rationalisation of Labour Acts**

1932. DR. PRADEEP KUMAR BALMUCHU: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that Government is planning to increase the employment opportunities by amending and easing the 43 Labour Acts into Four Code Acts;

(b) if so, the details thereof;

(c) whether Government has discussed the matter with International Labour Organisation (ILO), the details thereof; and

- (d) the steps being taken by Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) to (d) Reforms in labour laws are an ongoing process to update legislative system to address the need of the hour and to make them more effective and contemporary to the emerging economic and industrial scenario. The Second National Commission on Labour has recommended that the existing Labour Laws should be broadly grouped into four or five Labour Codes on functional basis. Accordingly, the Ministry has recently taken steps for drafting four Labour Codes on Wages; Industrial Relations; Social Security & Welfare; and Safety and Working Conditions respectively, by simplifying, amalgamating and rationalizing the relevant provisions of the existing Central Labour Laws. Similarly, the Ministry has taken steps to draft Small Factories Bill, a special legislation for the small manufacturing units, based on the recommendations of 2nd National Commission of Labour. These legislative initiatives will improve the employment opportunities and social security of the workers. During consultation stage, the draft Code on Wages and Code on Industrial Relations have also been shared with experts of International Labour Organisation(ILO) who have provided their suggestions on the provisions of the Draft Codes.

**Conversion of employment exchange into career development centres**

†1933. SHRI RAM VICHAR NETAM: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether it is a fact that Government proposes to convert the employment exchanges into career development centres, if so, the details thereof;
- (b) whether Government proposes to consider the requests for financial assistance submitted by various States, including Gujarat, for this purpose; and
- (c) if so, the details of State-wise action taken thereon?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) to (c) The Ministry is implementing the National Career Service (NCS) Project for transformation of the National Employment Service to provide a variety of employment related services like career counseling, vocational guidance, information on skill development courses etc. These service are available online on the National Career Service Portal ([www.ncs.gov.in](http://www.ncs.gov.in)) supported by Call Centre/ Helpdesk and is accessible by all users. The Government has decided to convert the Employment Exchanges into Career Centres in collaboration with the State Governments

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†Original notice of the question was received in Hindi.

for providing employment related services to the students and job-seekers. The Government has approved the establishment of 100 Model Career Centres during 12th Five Year Plan.

The State-wise details of these model career centres is given in the Statement.

**Statement**

*List of Proposals of State/UTs (EE) approved to be upgraded into Model Career Centre with fund details*

State/UT	Institutions	Location	Total Amount Approved
1	2	3	4
Assam	State Govt.	Guwahati -EEX	4,000,000
	State Govt.	Jorhat -EEX	3,907,000
	State Govt.	Haflong EEX	3,985,000
	State Govt.	Silchar EEX	3,371,200
	State Govt.	Nagaon EEX	3,985,000
	DGET	VRC Guwahati	2,160,000
Andaman and Nicobar Islands	State Govt.	Port Blair - EEX	4,487,000
Andhra Pradesh	State Govt.	Chittoor - EEX	785,000
	State Govt.	Anantapur - EEX	3,191,000
	Other than Govt.	Rashtriya Sanskrit Vidyapeeth, Tirupati	1,517,000
Bihar	State Govt.	Muzaffarpur - EEX	3,256,500
	State Govt.	Patna- EEX	3,479,500
	State Govt.	Bhagalpur - EEX	3,272,500
Chhattisgarh	State Govt.	Durg - EEX	4,223,000
	State Govt.	Bastar EEX	2,868,000
	State Govt.	Bilaspur EEX	2,846,000
	State Govt.	Ambikapur EEX	2,879,000
Delhi	State Govt.	R.K. Puram -EEX	4,079,000

1	2	3	4
DGET	VRC Delhi	3,457,357	
Goa	State Govt.	Panaji -EEX	1,375,550
Gujarat	State Govt.	Vadodara -EEX	4,413,500
	State Govt.	Surat -EEX	3,438,000
	State Govt.	Bhavnagar-EEX	3,093,000
	State Govt.	Sardar Patel University, Anand	3,032,000
	State Govt.	Mehsana-EEX	3,090,000
	State Govt.	Rajkot -EEX	3,090,000
Haryana	State Govt.	Hisar - EEX	4,185,000
	Other than Govt.	CII Gurgaon	3,744,700
Himachal Pradesh	State Govt.	Una - EEX	2,287,970
	State Govt.	Shimla -EEX	2,792,500
Jammu and Kashmir	State Govt.	Samba -EEX	2,634,000
	Other than Govt.	NIELIT Leh (Laddakh)	2,251,600
	Other than Govt.	NIELIT Srinagar	4,096,500
Jharkhand	State Govt.	Ranchi -EEX	4,686,000
Karnataka	State Govt.	Mysuru -EEX	3,747,800
	State Govt.	Hasan-EEX	3,422,400
	State Govt.	Hubli EEX	2,824,800
	Other than Govt.	DON BOSCO, Bengaluru	2,567,600
Kerala	State Govt.	Trivendrum -UEIGBX	3,828,000
	Other than Govt.	NIELIT Calicut	4,096,500
Lakshadweep	State Govt.	Kavaratti -EEX	1,775,800
Maharashtra	State Govt.	Yavatmal -EEX	3,801,262
	Other than Govt.	NIELIT Aurangabad	4,096,500
	Other than Govt.	CII Mumbai	3,744,700
	Other than Govt.	University of Mumbai	1,302,000

1	2	3	4
Meghalaya	State Govt.	Shillong -EEX	4,757,467
	State Govt.	Tura -EEX	3,695,374
Madhya Pradesh	State Govt.	Gwalior -EEX	4,960,000
	State Govt.	Shivpuri -EEX	2,809,600
	State Govt.	Bhopal -EEX	4,950,000
	State Govt.	Jabalpur -EEX	4,950,000
	State Govt.	Sagar-EEX	4,950,000
	State Govt.	Indore EEX	4,950,000
	State Govt.	Rewa EEX	4,950,000
	State Govt.	Ujjain EEX	4,950,000
	Other than Govt.	Devi Ahilya University, Indore	1,550,200
	Other than Govt.	AISECT, Indore	913,000
Nagaland	Other than Govt.	NIELIT Imphal	4,096,500
	State Govt.	Kohima -EEX	3,736,900
Odisha	State Govt.	Sambalpur -EEX	4,757,000
	State Govt.	Dhenkanal EEX	2,996,000
	State Govt.	Rourkela EEX	3,158,000
	State Govt.	Cuttack EEX	2,798,000
	Other than Govt.	CUTM	1,663,250
	DGE	VRC Bhubneswar	4,998,500
Puducherry	State Govt.	Puducherry -EEX	3,920,500
Punjab	State Govt.	Bathinda	3,658,000
	State Govt.	Fatehgarhsahib	2,572,500
	State Govt.	Guru Nanak Dev University, Amritsar	3,244,500
	State Govt.	Kota	2,311,000
Rajasthan	State Govt.	Bikaner-EEX	461,500
	State Govt.	Bharatpur -EEX	1,691,000

1	2	3	4
	State Govt.	Gangtok EEX	2,892,932
Sikkim	State Govt.	Jorethang	2,779,532
	State Govt.	DENTAM Bazar EEX	2,779,532
Telangana	State Govt.	Hyderabad-EEX	2,959,500
	State Govt.	Warangal-EEX	3,019,000
	State Govt.	Osmania University, Hyderabad	3,711,000
	State Govt.	Agartala -EEX	3,848,350
Tripura	State Govt.	Pharmanagar - EEX	1,731,900
	DGE	VRC Agartala	5,415,000
Tamil Nadu	State Govt.	Coimbatore -EEX	3,329,800
	State Govt.	Vellore -EEX	3,369,226
	Other than Govt.	CII Chennai	3,744,700
Uttar Pradesh	State Govt.	Lucknow -EEX	2,453,386
	State Govt.	Ghaziabad - EEX	4,700,280
	State Govt.	Meerut -EEX	3,124,000
	State Govt.	Bundelkhand Univ., Jhansi	2,064,500
	State Govt.	Moradabad -EEX	1,781,829
	DGE	CIRTES Noida	4,007,000
	State Govt.	University of Allahabad, Allahabad	2,829,333
	Other than Govt.	FICCI, Greater Noida	2,012,000
	Other than Govt.	NIELIT Gorakhpur	4,096,500
	State Govt.	Banaras Hindu University	1,494,000
	DGE	VRC Kanpur	3,357,100
Uttarakhand	State Govt.	Dehradun-EEX	3,320,000
	State Govt.	Udham Singh Nagar	3,288,000
	State Govt.	Kolkata-EEX	3,425,000
West Bengal	State Govt.	Asansol -EEX	2,862,900
	Other than Govt.	NIELIT Kolkata	2,142,000

**Rehabilitation of bonded labour**

1934. SHRI T. RATHINAVEL: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether it is a fact that Government had identified victims of bonded labour and trafficking in many parts of the country;
- (b) whether it is also a fact that rehabilitation had been made simple;
- (c) if so, the details thereof;
- (d) whether it is also a fact that a permanent and renewable district level rehabilitation fund would be made available which would be used as a stop gap arrangement before reimbursement by Government through the direct benefit transfer system; and
- (e) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) As per centrally sponsored plan scheme for rehabilitation of bonded labour, ₹ 2.00 lakh per sensitive district had been provided to sensitive districts of states for survey of bonded labour, evaluatory study and awareness generation. The list is given in the Statement (*See* below).

(b) to (e) The Government has revamped the Centrally Sponsored Plan Scheme for Rehabilitation of Bonded Labourers with effect from 17th May, 2016. The revamped scheme is known as 'Central Sector Scheme for Rehabilitation of Bonded Labourer, 2016. The salient features of the Scheme are as under:—

- (i) The revised scheme is a Central Sector Scheme. The State Government is not required to pay any matching contribution for the purpose of cash rehabilitation assistance.
- (ii) Financial assistance has been increased from ₹ 20,000/- to one lakh per adult male beneficiary, ₹ 2 lakh for child labour & women and ₹ 3 lakh to trans-genders, or woman or children rescued from ostensible sexual exploitation.
- (iii) The above cash benefit is additional to other land and housing elements etc.
- (iv) The amount of assistance for survey of bonded labourers is ₹ 4.50 lakh per district.



- (v) The release of rehabilitation assistance has been linked with conviction of the accused.
- (vi) Scheme provides for creation of District Bonded Labour Rehabilitation Fund with a permanent corpus of at least ₹ 10 lakh at the disposal of the District Magistrate for extending immediate help to the released bonded labourers.
- (vii) The fund is released by the Ministry under the Scheme directly to the District National Child Labour Project Society and the District Project Society in turn releases the fund to the implementing agencies including district administration for the purpose of the Bonded Labourer Rehabilitation Scheme forthwith.
- (viii) Transfer of benefits to beneficiary account is on DBT (Direct Benefit Transfer) mode from District National Child Labour Project Society for cutting delay.
- (ix) Special care is made available by the State for addressing the needs of the disabled persons, female freed bonded labourers and bonded child labour by providing safe and secure environment for the capacity building of child bonded labourers, facilities for ensuring their proper education, short stay home till education upto class 12th, Skill development, marriage assistance etc.

***Statement***

*Details of central assistance provided to States for survey of bonded labour, evaluatory study and awareness generation under the Modified Centrally Sponsored scheme since May, 2000.*

(₹ in lakhs)					
Year	States	Survey of bonded Labour	Evaluatory Study	Awareness Generation	Total
1	2	3	4	5	6
2000-01	Haryana	16	-	-	16
	Punjab	10	-	-	10
	Rajasthan	18	5	-	23
	Tamil Nadu	6	-	-	6
	TOTAL	50	5		55

1	2	3	4	5	6
2001-02	Rajasthan	0	0	10	10
	Karnataka	54	-	-	54
	U.P.	10	5	10	25
	Odisha	20	5	10	35
	Bihar	10	-	-	10
	Jharkhand	16	-	-	16
	TOTAL	110	10	30	150
2002-03	Bihar	-	5	7	12
	Jharkhand	14	-	10	24
	M.P.	10	5	10	25
	Arunachal Pradesh	8	-	-	8
	Chhattisgarh	32	-	-	32
	Uttarakhand	16	-	10	26
	TOTAL	80	10	37	127
2003-04	Maharashtra	24	-	-	24
	TOTAL	24	-	-	24
2004-05	Delhi	18	-	-	18
	Manipur	-	-	5	5
	TOTAL	18	-	5	23
2005-06	Uttar Pradesh	10	10	5	25
	Gujarat	6	-	10	16
	TOTAL	16	10	15	41
2006-07	Tamil Nadu	60	5	10	75
	TOTAL	60	5	10	75
2007-08	Uttar Pradesh	10	5	10	25
	Nagaland	22	10	22	10
	TOTAL	32	5	20	57
2008-09	Manipur	18		10	28
	Haryana	26	-	-	26

1	2	3	4	5	6
	Madhya Pradesh	6.60		10	16.60
	TOTAL	50.60	-	20	70.60
2009-10	Madhya Pradesh	45.40	-	-	45.40
	Sikkim	8.00	-	-	8.00
	TOTAL	53.40			53.40
2010-11	NIL	NIL	NIL	NIL	NIL
2011-12	Karnataka	60.00			60.00
	Uttar Pradesh	10.00	05.00	10.00	25.00
	Andhra Pradesh	32.00	-	-	32.00
	TOTAL	102.00	05.00	10.00	117
2012-13	NIL	NIL	NIL	NIL	NIL
2013-14	Tripura	10.00	01.00	3.20	14.20
	Gujarat	12.00	01.00	--	13.00
	TOTAL	22.00	02.00	3.20	27.20
2014-15	Gujarat	--	--	10.00	10.00
	TOTAL	--	--	10.00	10.00
2015-16		--	--	--	-- --
	GRAND TOTAL	618.00	52.00	160.20	830.20

#### **Traditional Industries under SFURTI**

1935. DR. K.V.P. RAMACHANDRA RAO: Will the Minister of MICRO, SMALL AND MEDIUM ENTERPRISES be pleased to state:

(a) whether PSUs and private industries are coming forward to contribute for the development of the traditional industries clusters identified under Scheme of Fund for Regeneration of Traditional Industries (SFURTI);

(b) the State-wise details of clusters identified under the Scheme; and

(c) the type of traditional industries and number of clusters along with the details of coverage, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES (SHRI GIRIRAJ SINGH): (a) No, Sir.

(b) and (c) 45 [21-Khadi and Village Industries Commission (KVIC), 18-Coir Board, 3-Indian Institute of Entrepreneurship, Guwahati (IIEG) & 3-National Institute of MSME, Hyderabad (NIMSME)] Clusters have been given final approval by the Scheme Steering Committee (SSC) and the State-wise and industry-wise list is given in the Statement.

**Statement**

*State-wise details of KVI, Coir, IIE-Guwahati, Ni-MSME-Hyderabad Clusters under SFURTI (upto 30.7.2016)*

**Khadi and Village Industries (KVI)**

State	Name of the Cluster	Industry
Uttar Pradesh	1. Hand Knotted Carpet Bhadohi	Carpet
	2. Crochet Cluster Deoria	Crochet
	3. Pottery Cluster, Mau, Azamgarh	Mineral Based Industry
Karnataka	4. Harihara Khadi Cluster Davangere	Khadi
	5. Hudli Khadi Cluster Belgaum	Khadi
	6. Sidhalgatta Khadi Cluster Chikballarpur	Khadi
Tamil Nadu	7. Kanagayam Khadi Cluster Tirupur	Khadi
	8. Sarkar Steel & Wooden Furniture Salem	Rural Engineering Industry
Chhattisgarh	9. Bastar Handicraft Industry	Rural Engineering
	10. Dry Flowers Raipur	Dry Flower articles
Gujarat	11. Blacksmithy & Agri Tools Surat Industry	Rural Engineering
Manipur	12. Ningomthong Reed Cluster	Forest Based Industry
Madhya Pradesh	13. Hoshangabad Bamboo Cluster	Forest Based Industry
Pradesh	14. Betul Pottery	Mineral Based Industry
Andhra Pradesh	15. Srikalahasthi Kalamkari Crafts Cluster	Wood craft
West Bengal	16. Chak Islampur Khadi Cluster	Khadi
Odisha	17. Aabahan Fruit & Vegetable Processing	Agro Based & Food Processing Industry

State	Name of the Cluster	Industry
	18. Jagmohan Brass Metal Industry	Rural Engineering
Jharkhand	19. Gumla Food Processing	Mineral Based Industry
	20. Santhal Pragna Food Procesing	Khadi
	21. Koderma Agarbatti	Forest Based Industry
	Coir Clusters	
Tamil Nadu	1. Dindigul Coir Cluster	Coir
	2. Kangayam Coir Cluster Tirupur	Coir
	3. Palladam Coir Growbag Cluster	Coir
	4. Pollachi Coir Cluster	Coir
	5. Tirunelveli	Coir
	6. Salem Coir Mat Consortium	Coir
	7. Madurai Coir Cluster	Coir
	8. Dharmapuri Coir Cluster	Coir
	9. Ethamozy Coir Cluster Nagercoil	Coir
Karnataka	10. Tumkur	Coir
	11. Kumta Uttara Kannada	Coir
Kerala	12. Balusserry	Coir
	13. Haripada Coir Cluster Allapuzha,	Coir
	14. Neyyattinkara Coir Cluster	Coir
Maharashtra	15. Pendur Coir Cluster Sindhudurg	Coir
	16. Sawantwadi Coir Cluster Sindhudurg	Coir
Andhra Pradesh	17. Vishakhapatnam Coir Cluster	Coir
Gujarat	18. Samvedana	Coir
Indian Institute of Entrepreneurship, Guwahati (IIEG)		
Assam	1. Majuli Handicraft, Endi Silk, Diversified Handloom	Handicraft and Handloom
	2. Barpeta Brass Metal cluster Barpeta Assam	Mineral Based Industry
	3. Manas Traditional Dress	Khadi

## National Institute of MSME, Hyderabad (NIMSME)

State	Name of the Cluster	Industry
Telangana	1. Mothkur Ikat Handloom Weaving Cluster	Ikat Handloom
	2. Pembarthi Metalware cluster Warangal	Mineral Based Industry
	3. Ieeza Gadwal Silk cluster Mehaboobnagar	Khadi

**Target of employment by Khadi and Village Industries Commission**

1936. SHRI DARSHAN SINGH YADAV:

SHRIMATI RAJANI PATIL:

SHRI P. BHATTACHARYA:

Will the Minister of MICRO, SMALL AND MEDIUM ENTERPRISES be pleased to state:

- (a) whether Khadi and Village Industries Commission has set a target of employment of crore of persons during the current year plan;
- (b) if so, whether the rural youths, artisans, weavers, etc. are fully employed or work is given to them on casual basis; and
- (c) the status of employment of persons as on 30th June, 2016?

THE MINISTER OF STATE IN THE MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES (SHRI GIRIRAJ SINGH): (a) to (c) Khadi and Village Industries Commission (KVIC) has not set a target of employment of crore of persons during the current year. However, Ministry of MSME is implementing Prime Minister's Employment Generation Programme (PMEGP) which is a major credit-linked subsidy programme aimed at generating self-employment opportunities through establishment of micro-enterprises in the non-farm sector by helping unemployed rural youth, traditional artisans, etc. KVIC is the national level nodal agency for implementation of PMEGP Scheme.

During the current Financial Year 2016-17, Ministry of MSME has allocated ₹1139 crore under the PMEGP Scheme for generating an estimated employment of 4,41,600 persons by setting up of 55,200 units. As on 30th June, 2016, 15494 projects have been set up by utilizing Margin Money of ₹ 367.73 crore and providing employment to 1,20,008 persons.

**Setting up of offices in Amravati**

1937. SHRI T.G. VENKATESH: Will the Minister of MICRO, SMALL AND MEDIUM ENTERPRISES be pleased to state:

- (a) whether the ministry has initiated setting up of the offices / departments that come under the ministry in the Amravati, the new capital of Andhra Pradesh;
- (b) whether any issues relating to procurement of Land and infrastructure are needed for the purpose from Government of Andhra Pradesh; and
- (c) whether any requests have been made to the Government of Andhra Pradesh in this regard, if so, the details thereof and if not, the reason therefor?

THE MINISTER OF STATE IN THE MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES (SHRI HARIBHAI PARTHIBHAI CHAUDHARY): (a) Yes, Sir. KVIC and Coir Board, statutory bodies under the Ministry of Micro Small and Medium Enterprises (MSME) with prime objective of planning, promotion, organization and implementation of KVIC and Coir Board's programmes throughout the country. Consequent to bifurcation of Andhra Pradesh State into two States *i.e.* Telangana and Andhra Pradesh, the erstwhile state office of KVIC at Andhra Pradesh has been bifurcated into two state offices *i.e.* Telangana and Andhra Pradesh, presently working from Hyderabad, the joint capital of Telangana and Andhra Pradesh. The staff has been divided between the two state offices. The Coir Board is already having its regional office at Rajahmundry and a showroom at Vishakhapatnam.

(b) and (c) Request for allotment of office building and staff quarter in the proposed new capital for KVIC has been made.

**Status of cottage and agro-based rural industries**

†1938. SHRI RAM VICHAR NETAM: Will the Minister of MICRO, SMALL AND MEDIUM ENTERPRISES be pleased to state:

- (a) the credit linked programmes including the schemes/programmes being implemented by Government to promote the cottage and agro-based rural industries, the details thereof, including the number of beneficiaries;
- (b) whether any panel has been constituted by Government to undertake a study regarding the status of cottage and agro-based industries in the country; and
- (c) if so, the details and findings thereof?

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†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES (SHRI GIRIRAJ SINGH): (a) Ministry of Micro, Small and Medium Enterprises (MSME) through Khadi and Village Industries Commission (KVIC) and Coir Board is implementing the following schemes to promote cottage and agro-based rural industries:—

**Prime Minister's Employment Generation Programme (PMEGP)** is a credit linked subsidy scheme, for setting up of new micro-enterprises and to generate employment opportunities in rural as well as urban areas of the country through KVIC, State Khadi & Village Industries Board (KVIB) and District Industries Centre (DIC). General category beneficiaries can avail of margin money subsidy of 25% of the project cost in rural areas and 15% in urban areas. For beneficiaries belonging to special categories such as SC/ST/Women/PH/Minorities/Ex-Servicemen/NER, the margin money subsidy is 35% in rural areas and 25% in urban areas. The maximum cost of projects is ₹25 lakh in the manufacturing sector and ₹10 lakh in the service sector. Since inception and up to 2016-17 (upto 30.6.2016), 3.80 lakh micro enterprises have been set up by utilizing margin money amounting to ₹7735.13 crore. 32.13 lakh jobs have been created from these units.

**Scheme of Fund for Regeneration of Traditional Industries (SFURTI)** was launched in 2005-06 for making Traditional Industries more productive and competitive by organizing the Traditional Industries and artisans into clusters. Upto 31.07.2016, 45 clusters have been granted final approval with a total project cost of ₹ 86.12 crore benefiting around 37356 artisans. 9 clusters out of these have already been established till May 2016, benefitting more than 14000 artisans.

**Coir Udyami Yojana** (formerly known as REMOT Scheme) is a credit linked subsidy scheme, which provides assistance for setting up of coir units with a maximum cost of project upto ₹10 lakhs plus working capital, which shall not exceed 25% of the project cost. The pattern of assistance is 40% as Govt. subsidy, 55% as loan from Banks and 5% as beneficiary contribution. Scheme is open to all individuals, companies, SHGs, NGOs, Institutes, etc. Upto 26.7.2016, 6606 units have been set up by utilizing subsidy amounting to around ₹88.04 crore.

**Mahila Coir Yojana** (a component of Coir Vikas Yojana-CVY) is an exclusive skill development programme for rural women artisans in coir sector. Training is provided in spinning of coir yarn/various coir processing activities. The scheme envisages distribution of motorized ratts/motorized traditional ratts and other coir processing equipments at 75% subsidy subject to a maximum amount of ₹7500/- on successful



completion of the training programme. During the training period, the women artisans are given a stipend amounting to ₹1000/- per month. Coir Vikas Yojana also includes Skill Development & Training Programme in coir sector, Domestic & Export Market Promotion and Development of Production Infrastructure. ₹21.67 crore has been released under CVY during 2015-16 and ₹3.375 crore has been released upto 31.7.2016 during 2016-17.

(b) No, Sir.

(c) Does not arise.

#### **Free LPG refills under PMUY**

1939. SHRI NEERAJ SHEKHAR: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether Government would provide at least six LPG refills free of cost per year under recently launched Pradhan Mantri Ujjwala Yojana (PMUY) from Ballia, Uttar Pradesh to provide free connections to BPL families;

(b) if so, the details thereof; and

(c) if not, the reasons therefor and how the BPL families would be able to refill their LPG cylinders?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) to (c) The Government has launched "Pradhan Mantri Ujjwala Yojana" for providing LPG connections to 5 crore women belonging to the Below Poverty Line (BPL) families with Government assistance over a period of 3 years starting from FY 2016-17. Under the scheme, the Government provides deposit free LPG connection to the women member of BPL families, which includes, security deposit towards cylinder and Pressure Regulator, DGCC Card, suraksha hose and administrative/installation charges. The cost of refills is required to be borne by the LPG consumers.

Further, Public Sector Oil Marketing Companies (OMCs) also provide financial assistance for purchasing of hot plate or first refill or both, if any consumer opts for it. The amount financed by OMCs is recovered in instalments from future subsidy accrual on account of purchase of refills by the consumer.

**Appointment of LPG dealers in Uttar Pradesh**

1940. SHRI NEERAJ SHEKHAR: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to refer to answer to Unstarred Question 2024 given in the Rajya Sabha on 11th May, 2016 and state:

- (a) whether LPG dealers to be appointed for Narahi, Majharia and Daulatpur in Ballia district, Uttar Pradesh would be readvertised under RGGLV or under normal LPG distributorship;
- (b) whether re-advertisement for the same is likely to be advertised in 2016;
- (c) if so, the details thereof; and
- (d) if not, the reasons for delay and by when the same is likely to be advertised in view of the sufferings of the residents due to black marketing of LPG cylinders?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) to (d) The Government has issued "Unified Guidelines for Selection of LPG Distributorship 2016" recently. Public Sector Oil Marketing Companies (OMCs) are conducting feasibility to identify new locations for appointment of LPG distributorships under various categories of distributorships including the locations Narahi, Majharia and Daulatpur in Ballia District, Uttar Pradesh. Appointment of LPG distributorships is a continuous process. OMCs conduct feasibility study and all the locations found economically viable are rostered and advertised on industry basis.

**Impact of increase in prices of petrol and diesel of inflation**

†1941. SHRI P.L. PUNIA: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) the details of percentage increase in prices of petrol and diesel in the last one year;
- (b) whether it is a fact that inflation rate rises by 0.07 per cent with increase of rupee one in prices of diesel and the wholesale inflation rises by 0.02 per cent if petrol prices increase by rupee one, if so, the extent of increase in total wholesale inflation rate due to escalation of prices of diesel and petrol in the last one year, the details thereof; and

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†Original notice of the question was received in Hindi.

(c) whether Government proposes to reduce excise duty on these products, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) The details of percentage increase/decrease in prices of Petrol and Diesel at Delhi since July 2015 is given below:

Product	RSP as on 1.8.2015 (in ₹)	RSP as on 1.8.2016 (in ₹)	% Change
Petrol	64.47	61.09	-5.2%
Diesel	46.12	52.27	+13.3%

(b) The estimated increase in WPI index as a result of increase in price of Petrol and Diesel by ₹ 1/litre is 0.02% and 0.09% respectively. As per the information of WPI monthly index provided on the website of Office of the Economic Adviser, Ministry of Commerce and Industry, the increase in monthly index of Petrol and Diesel from June, 2015 to June 2016 is as under:

Product	Weight	June, 2015 index	June, 2016 index	Increase	Impact on WPI
	1	2	3	4(3-2)	5 (4*1)
Petrol	1.09015	181.9	166.0	-15.90	-0.17
High Speed Diesel	4.67020	212.0	214.4	+2.40	+0.11

Source: Economic Adviser, Ministry of Commerce and Industry.

(c) As per information furnished by Ministry of Finance, Department of Revenue, there is no such proposal under consideration at present.

#### **Setting up of mega oil refinery on West Coast of Maharashtra**

1942. SHRI HUSAIN DALWAI: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether Government has approved setting up of a mega oil refinery and petrochemical project on the West Coast of Maharashtra;

(b) if so, the details thereof;

(c) whether land has been identified and acquired for this project; and

- (d) whether any target has been fixed for the operationalisation of this project?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) and (b) Oil PSUs namely Indian Oil Corporation Limited (IOCL), Bharat Petroleum Corporation Limited (BPCL) and Hindustan Petroleum Corporation Limited (HPCL) have announced the plan to jointly set up an integrated refinery-cum-petrochemical complex with a refining capacity of 60 MMTPA (million metric tonnes per annum) in 2 phases in Maharashtra. Engineers India Limited (EIL) is carrying out detailed feasibility study.

(c) and (d) Oil PSUs and EIL are in the process of site selection for the refinery in consultation with Government of Maharashtra. Setting of operationalisation targets depend on land availability, environment clearance etc.

#### **Extraction of natural gas by Cairn India**

†1943. SHRI NARAYAN LAL PANCHARIYA: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) whether the Cairn India Company has extracted domestic natural gas in Rajasthan, if so, the details thereof;
- (b) whether Cairn India intends to set up distribution point and gas sale centre for the said gas at Palanpur in Gujarat, if so, the details thereof; and
- (c) whether Rajasthan would not suffer any revenue loss due to non-existence of the above centre in the State and undertaking and commitment would not be violated on account of it, if so, the views of Government on this?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) Gas production in the RJ-ON-90/1 block operated by M/s. Cairn India Limited has started in the year 2009-10 and commercial sale of natural gas has started in the year 2013-14 Year-wise Gas production and sale in RJ-ON-90/1 block

Year	Gas Production (MMSCM)	Sales (MMSCM)
09-10 (Starts from Oct-09)	19.75	-
10-11	243.60	-
11-12	287.84	-
12-13	403.55	-

†Original notice of the question was received in Hindi.

Year	Gas Production (MMSCM)	Sales (MMSCM)
13-14	539.53	75.09
14-15	605.68	92.71
15-16	699.36	130.98
16-17 (April-June, 2016)	181.87	37.27
TOTAL	2981.17	336.05

(b) and (c) While submitting Revised Field Development Plan (RFDP) of Raageshwari Deep Gas (RDG) field, the contractor had proposed to construct a 200 km. pipeline to Palanpur Gujarat as there was no gas demand centre and evacuation facility near Rajasthan block. However, RFDP was approved by the Management Committee excluding the Gas Export pipeline, considering the delivery point at Raageshwari Gas Terminal (RGT) within Contract area of the block. The revenue to the Government of Rajasthan will be dependent on the gas production from the contract area and also as per applicable tax laws.

#### **Exploration of deep water blocks in Andaman and Nicobar Islands**

1944. SHRI SUKHENDU SEKHAR ROY: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) whether India is importing oil and natural gas worth ₹9 lac crores every year;
- (b) if so, the details thereof;
- (c) whether companies like ONGC, OIL, NTPC, GAIL, ENI (INDIA), GSPC had been awarded 11 (eleven) deep water blocks in Andaman and Nicobar Islands areas during the years between 2004 and 2010;
- (d) if so, how much crude oil/gas has been explored/produced there, the details thereof; and
- (e) if no production has yet been done, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) and (b) The details of import of crude oil, LNG and POL products during 2013-14 to 2015-16 are given in Statement-I (*See* below).

(c) Production Sharing Contracts for 11 exploration blocks covering an area of 83,419 square Kilometers in Andaman deep-water area have been signed under various rounds of NELP during the period 2004-10. The details of 11 exploration blocks, their operators and other consortium partners and year of PSC signing etc. are given in Statement-II (*See* below).

Out of 11 exploration blocks awarded; 1 exploration block operated by M/s ENI is operational at present. 8 exploration blocks have been proposed for relinquishment by operator of the blocks (ONGC) and other 2 exploration blocks have been relinquished by ONGC due to poor prospectivity. The details of 10 exploration blocks along with reason for relinquishment are given in Statement-III (*See below*).

(d) and (e) As a result of exploration work carried so far, one gas discovery in the block AN-DWN-2002/1 was notified by ONGC in May, 2011. However, the Potential Commercial Interest (PCI) of the discovery was not submitted by the Operator and block has been relinquished by the operator in March, 2013 due to poor prospectivity. Currently, there is no production of oil/gas from any of the awarded blocks.

**Statement-I**

*Details of Crude oil, LNG and POL Import during 2013-14,  
2014-15 and 2015-16(P)*

Year	2013-14		2014-15		2015-16(P)	
	Qty.	Value	Qty.	Value	Qty.	Value
	MMT	₹ Crore	MMT	₹ Crore	MMT	₹ Crore
Crude oil	189.2	864875	189.4	687416	202.9	416361
LNG	13.0	51699	13.3	56340	14.4	43782
POL products	16.7	75896	21.3	74644	28.3	65803
TOTAL IMPORTS	218.9	992470	224.0	818400	245.6	525946

Source: Petroleum Planning & Analysis Cell, (P) Provisional.

**Statement-II**

*Details of 11 exploration blocks, their operators and other consortium partners  
and year of PSC signing etc.*

Bidding Round	Blocks	Operator	Consortium	Signing Contract Date	Awarded Area
1	2	3	4	5	6
NELPIV	AN-DWN-2002/1	ONGC	Oil and Natural Gas Corporation Ltd. (100%) (Op.)	6/2/2004	10990
NELPIV	AN-DWN-2002/2	ONGC	Oil and Natural Gas Corporation Ltd. (100%) (Op.)	6/2/2004	12495

1	2	3	4	5	6
NELP V	AN-DWN-2003/1	ONGC	Oil and Natural Gas Corporation Ltd. (100%) (Op.)	23/9/2005	9970
NELP V	AN-DWN-2003/2	ENI (India) Ltd.	ENI (India) Ltd. (40%) (Op.), Oil and Natural Gas Corporation Ltd. (45%), GAIL (India) Limited. (15%)	23/9/2005	13110
NELP VII	AN-DWN-2005/1	ONGC	Oil and Natural Gas Corporation Ltd. (90%) (Op.), Oil India Ltd. (10%)	22/12/2008	11837
NELP VIII	AN-DWN-2009/1	ONGC	Oil and Natural Gas Corporation Ltd. (70%) (Op.), Oil India Ltd. (30%)	30/6/2010	4981
NELP VIII	AN-DWN-2009/13	ONGC	Oil and Natural Gas Corporation Ltd. (70%) (Op.), GAIL (India) Limited. (10%), Gujarat State Petroleum Corporation Ltd. (10%), National Thermal Power Corporation (10%)	30/6/2010	4007
NELP VIII	AN-DWN-2009/18	ONGC	Oil and Natural Gas Corporation Ltd. (60%) (Op.), Oil India Ltd. (30%), GAIL (India) Limited. (10%)	30/6/2010	4040
NELP VIII	AN-DWN-2009/2	ONGC	Oil and Natural Gas Corporation Ltd. (60%) (Op.), Oil India Ltd. (40%)	30/6/2010	3995
NELP VIII	AN-DWN-2009/3	ONGC	Oil and Natural Gas Corporation Ltd. (60%) (Op.), Oil India Ltd. (40%)	30/6/2010	3992

1	2	3	4	5	6
NELP VIII	AN-DWN-2009/5	ONGC	Oil and Natural Gas Corporation Ltd. (90%) (Op.), Gujarat State Petroleum Corporation Ltd. (10%)	30/6/2010	4002
GRAND TOTAL					83419

**Statement-III***Details of 10 exploration blocks along with reason for relinquishment*

Status	Bidding Round	Blocks	Operator	Reason for Relinquishment
Operational	NELP V	AN-DWN-2003/2	ENI (India) Ltd.	-
Proposed for Relinquishment	NELP IV	AN-DWN-2002/2	ONGC	Poor prospectivity
	NELP V	AN-DWN-2003/1	ONGC	Poor prospectivity
	NELP VIII	AN-DWN-2009/1	ONGC	Poor prospectivity
		AN-DWN-2009/13	ONGC	Poor prospectivity
		AN-DWN-2009/18	ONGC	Poor prospectivity
		AN-DWN-2009/2	ONGC	Poor prospectivity
		AN-DWN-2009/3	ONGC	Poor prospectivity
		AN-DWN-2009/5	ONGC	Poor prospectivity
Relinquished	NELP IV	AN-DWN-2002/1	ONGC	Poor prospectivity
	NELP VII	AN-DWN-2005/1	ONGC	Poor prospectivity



**Benefits to consumers due to falling oil prices**

1945. SHRI K.T.S. TULSI: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) the reasons for not passing the full benefits of declining prices of crude oil in international market to consumers of petroleum products;
- (b) the total revenue generated by Government and other undertakings due to the decreased crude oil prices in the international market in financial year 2015-16; and
- (c) the efforts made by Government to pass on the full benefits of declining prices to consumers as well as to set up a Price Stabilization Fund in order to meet the challenge of any possible price rise of crude oil in international market in future?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) to (c) The prices of Petrol and Diesel have been made market determined by the Government effective 26th June, 2010 and 19th October, 2014 respectively. Since then, the Public Sector Oil Marketing Companies (OMCs) take appropriate decision on pricing of Petrol and Diesel in line with their international prices and other market conditions. Public Sector OMCs are at present applying Trade Parity Pricing methodology to compute the RSP. Other cost elements in the RSP of Petrol and Diesel *viz.* Excise Duty, BS IV premium, marketing cost and margins etc. are specific costs which do not increase/decrease with the volatility in international prices of Petrol and Diesel. The element of excise duty which is specific in nature has been increased since November, 2014. Most of the State Governments have also increased VAT on Petrol and Diesel. After taking into account these factors, Public Sector OMCs have passed on major portion of the decrease in price to the consumers of Petrol and Diesel. Further, Government continues to modulate the effective price to consumer for Subsidized Domestic LPG and Retail Selling Price (RSP) of PDS Kerosene. As per the Refinery Transfer Price (RTP) effective 1.8.2016, the Public Sector OMCs are incurring under recovery of ₹ 11.49 per litre on sale of PDS Kerosene and ₹33.93/cylinder (14.2 kg.) on Subsidized Domestic LPG.

Fall in international oil prices results in reduction of under-recovery/ subsidy burden on sale of PDS Kerosene and Subsidized Domestic LPG. The under recovery/ subsidy burden on sale of sensitive petroleum products *i.e.* Diesel (upto 18.10.2014), PDS Kerosene and Subsidized Domestic LPG has reduced from ₹ 76,308 crore in 2014-15 to ₹ 27,570 crore in 2015-16 However, it reduces the realization on sales of crude by the Upstream Oil Companies.

At present, there is no proposal to set up a Price Stabilization Fund before the Government.

**Employment to displaced families of Paradip refinery**

1946. SHRI BISHNU CHARAN DAS: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) the status of employment provided to displaced families of Paradip Refinery under Indian Oil Corporation Limited (IOCL) in Odisha; and
- (b) the number of persons who got employment under the rehabilitation policy of Government?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) and (b) IOCL has informed that as per the Rehabilitation & Resettlement plan for Paradip Refinery Project approved in 2002, there is provision for preference in engagement for identified displaced families, who have not taken cash compensation in lieu of engagement option. 143 nos. of families were identified by the district administration as displaced families. Out of 143 families, 94 families have taken cash compensation in lieu of engagement. Out of 49 families which did not take cash compensation, 40 are presently engaged in project/maintenance jobs. Others are presently not keen to do the project construction jobs.

**Uniform rate of petroleum products**

1947. SHRI SANJAY RAUT: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) whether All India Petroleum Dealers' Association representing more than 52,000 petrol pumps has demanded for 'One Nation One Rate' for petroleum products in order to eliminate disparity in prevailing prices of petrol and diesel;
- (b) if so, Government's response thereto;
- (c) whether Government is considering to bring uniformity in VAT rates in the country; and
- (d) if so, by when it will be implemented?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) As per Bharat Petroleum Corporation Limited (BPCL), a representation was received from All India Petroleum Dealers' Association with regard to 'One Nation One Rate' for Petrol and Diesel.

(b) The basic prices of Petrol and Diesel are uniform across the country. However, the final selling prices vary from state to state/market to market due to changes in other elements such as freight, delivery charges, Sales tax/VAT, local levies etc.

(c) and (d) Rate of VAT on petroleum products is decided by the concerned State Governments.

#### **Increase in domestic production of crude oil**

1948. SHRI AJAY SANCHETI: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether there has been an increase in the domestic production of crude oil during the last three years;

(b) if so, the details thereof;

(c) whether domestic production is also supplemented by oil and gas assets acquired abroad;

(d) if so, the details thereof;

(e) whether this has helped in reducing imports of crude oil; and

(f) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) and (b) In spite of natural decline from existing ageing mature fields, oil and gas companies have been able to maintain the level of Production as can be seen from the oil Production details given below:

Crude Oil Production (in MMT)			
Year	2013-14	2014-15	2015-16
ONGC	22.24	22.26	22.37
OIL	3.466	3.41	3.22
Pvt/JVs	12.08	11.78	11.36
TOTAL	37.79	37.46	36.95

(c) to (f) ONGC Videsh Limited is the overseas arm and wholly owned subsidiary of ONGC engaged in acquisition of overseas equity oil and gas assets. Global acquisition or E&P assets are one or several measures to ensure energy security for our country. ONGC Videsh share of Production from overseas projects was 8.91 MMToe during

2015-16. However, acquisition of assets abroad and whether to bring the oil and gas so acquired to India or to sell them in the International market is a commercial decision to be taken by the company concerned. Detail of Crude oil imported during 2013-14 to 2015-16(P) is as under:

Year	Qty. (MMT)
2013-14	189.2
2014-15	189.4
2015-16 (P)	202.9

(P) - Provisional

#### **Tax on production cost of petrol and diesel**

1949. SHRI NARESH AGRAWAL: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether it is a fact that Government is imposing maximum tax on per litre production cost of diesel and petrol resulting in very high prices of diesel and petrol;

(b) if so, the reasons therefor;

(c) whether Government is contemplating to bring down the tax; and

(d) if not, the cost of production of petrol, diesel and quantum of the tax Government imposes on it?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) to (d) The prices of Petrol and Diesel have been made market determined effective 26th June, 2010 and 19th October, 2014 respectively. Since then, the Public Sector Oil Marketing Companies (OMCs) take appropriate decision on price of these products in line with changes in the prices in international market and other market conditions. Considering, *inter alia*, the continued fall in international prices of crude oil (Indian Basket) and petroleum products, the Basic Excise duty has been increased since November, 2014. The details of price before tax and taxes levied by the Central and State Government on Petrol and Diesel as on 01.08.2016 is as follows:

	Petrol ₹/ Ltr.	Diesel ₹/ Ltr.
Price before taxes and dealer commission	23.82	25.16
Central Taxes	22.02	17.91
State Taxes	12.99	7.75
Dealer Commission	2.26	1.45
RSP per litre	61.09	52.27

*Note:* Petrol and Diesel prices (at Delhi) as per IOCL.

There is no proposal to reduce the Excise duty on Petrol and Diesel at present.

Also, refining of crude oil is a process industry, where crude oil constitutes around 90% of the total cost. Crude oil is processed through several processing units. Each of these units produces intermediate products streams, which require extensive reprocessing and blending. This results in difficulty in apportioning the total cost of individual refined products with reasonable accuracy. Therefore, individual product-wise costs are not identified separately.

#### **LPG consumers**

1950. SHRI RIPUN BORA: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) the total number of domestic LPG consumers in the country as on date;
- (b) the total number of subsidized consumers in the country therein;
- (c) the number of customers who have surrendered subsidy during last one year;
- (d) the total amount saved by Government on surrender of subsidy during the last year; and
- (e) the total amount spent towards advertisement for creating awareness and motivation of consumers during the year thereof?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) As on 28.07.2016, there are 17.13 crore active LPG consumers in the country.

(b) As on 28.07.2016, 15.82 crore LPG consumers are registered under PAHAL Scheme and getting subsidy.

(c) and (d) As on 28.07.2016, 1,04,12,718 consumers have surrendered LPG subsidy. The approximate annual subsidy saving is likely to be in the range of ₹ 1884 crore (approx.) assuming an average subsidy of ₹ 150.82 per cylinder during Financial Year 2015-16 for 12 cylinders.

(e) Public Sector Oil Marketing Companies (OMCs) have reported that ₹ 29.7 crore has been spent towards advertisement for creating awareness and motivation of consumers.

#### **Subsidy given on LPG without Aadhaar details**

1951. SHRI A.K. SELVARAJ: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether it is a fact that in many parts of the country the subsidy on LPG is given even without Aadhaar card;

(b) if so, the details thereof;

(c) whether it is also a fact that the subsidy in such places are given on the basis of documents other than Aadhaar; and

(d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) to (d) LPG consumers, on joining the PAHAL scheme get subsidy, had been given two alternatives, either by submission of their Aadhaar Card to LPG distributorship and to bank or the customers not having the Aadhaar number, by submitting their bank account details to distributorship or LPG ID to their Banks. As on 28.07.2016, out of total 15.82 crore Cash Transfer Compliant LPG consumers registered under PAHAL scheme, 10.79 crore LPG consumers are Aadhaar Transfer Compliant (ATC) and 5.03 crore LPG consumers are Bank Transfer Compliant (BTC).

Further, the Government has decided that from 01.07.2016, the subsidy will be transferred to those LPG customers who are Aadhaar seeded or ATC except for the States of Assam and Meghalaya. Subsidy for the customers who have not seeded Aadhaar will be kept on hold till 30.09.2016, after which the parked subsidy will lapse and the customer would not be eligible for subsidy of the refills after 01.10.2016 till he

submits his Aadhaar number to his/her LPG distributor. If the customer submits Aadhaar number after 01.07.2016 but before 30.09.2016, his/her subsidies, if any, will be transferred to his/her bank account and the consumer will start receiving subsidies thereafter.

### **Cost of crude oil**

1952. SHRI KIRANMAY NANDA: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) the month-wise cost of crude oil in last three years;
- (b) the month-wise average ruling price for per litre petrol and diesel in the country during last three years; and
- (c) the month-wise rate of dealer margin and rate of excise duty charged by Government during last three years?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) The average monthly price of Indian basket of crude oil during the last 3 years is given in Statement-I (*See below*).

(b) The details of revision in Retails Selling Price (RSP) of Petrol and Diesel since 1st April, 2013, at Delhi, are given in Statement-II (*See below*).

(c) The per litre amount of dealer commission on Petrol and Diesel on 1st date of each month since April, 2013 is given in Statement-III (*See below*). The details of changes in the rates of excise duty on Petrol and Diesel since 2013 are given in Statement-IV.

### ***Statement-I***

#### *Details of monthly average price of Indian basket of crude oil*

	(\$/bbl)		
Month	2013-14	2014-15	2015-16
April	101.57	105.56	59.07
May	101.10	106.85	63.82
June	101.11	109.05	61.75
July	104.86	106.30	56.30
August	108.45	101.89	47.33
September	109.47	96.96	46.10

Month	2013-14	2014-15	2015-16
October	107.37	86.83	46.68
November	106.55	77.58	42.50
December	108.72	61.21	35168
January	105.29	46.59	28.08
February	106.19	56.43	30.53
March	105.30	55.18	36.42

*Note:* The Indian basket of Crude Oil represents a derived basket comprising of Sour grade (Oman & Dubai average) and Sweet grade (Brent Dated) of Crude oil processed in Indian refineries in the ratio of processing in the previous year.

#### **Statement-II**

*Details of revision in RSP of Petrol and Diesel at Delhi since 1.4.2013*

	(₹/litre)	
Date	Petrol	Diesel
01.04.2013	68.31	48.63
02.04.2013	67.29	
16.04.2013	66.09	48.67
01.05.2013	63.09	
11.05.2013		49.69
01.06.2013	63.99	50.25
16.06.2013	66.39	
29.06.2013	68.58	
01.07.2013		50.26
02.07.2013		50.84
15.07.2013	70.44	
01.08.2013	71.28	51.40
01.09.2013	74.10	51.97
14.09.2013	76.06	
01.10.2013	72.40	52.54
01.11.2013	71.02	53.10
01.12.2013		53.67



Date	Petrol	Diesel
21.12.2013	71.52	53.78
04.01.2014	72.43	54.34
01.02.2014		54.91
01.03.2014	73.16	55.48
01.04.2014	72.26	55.49
16.04.2014	71.41	
16.05.2014		56.71
01.06.2014		57.28
07.06.2014	71.51	
25.06.2014	71.56	
01.07.2014	73.60	57.84
01.08.2014	72.51	58.40
16.08.2014	70.33	
31.08.2014	68.51	58.97
01.10.2014	67.86	
15.10.2014	66.65	
19.10.2014		55.60
01.11.2014	64.24	53.35
01.12.2014	63.33	52.51
16.12.2014	61.33	50.51
17.01.2015	58.91	48.26
04.02.2015	56.49	46.01
16.02.2015	57.31	46.62
01.03.2015	60.49	49.71
01.04.2015	60.00	48.50
16.04.2015	59.20	47.20
1.05.2015	63.16	49.57
16.05.2015	66.29	52.28
16.06.2015	66.93	50.93

Date	Petrol	Diesel
01.07.2015	66.62	50.22
16.07.2015	66.90	49.72
01.08.2015	64.47	46.12
15.08.2015	63.20	44.95
01.09.2015	61.20	44.45
01.10.2015		44.95
16.10.2015		45.90
01.11.2015	60.70	45.93
16.11.2015	61.06	46.80
01.12.2015	60.48	46.55
16.12.2015	59.98	46.09
01.01.2016	59.35	45.03
02.01.2016	59.35	45.03
16.01.2016	59.03	44.18
19.01.2016	59.99	44.71
01.02.2016	59.95	44.68
18.02.2016	59.63	44.96
01.03.2016	56.61	46.43
17.03.2016	59.68	48.33
05.04.2016	61.87	49.31
16.04.2016	61.13	48.01
01.05.2016	62.19	50.95
17.05.2016	63.02	51.67
01.06.2016	65.60	53.93
16.06.2016	65.65	55.19
01.07.2016	64.76	54.70
16.07.2016	62.51	54.28
01.08.2016	61.09	52.27
Current price	61.09	52.27

*Note:* 1. Prices of Petrol (since 26.6.2010) and Diesel (since 19.10.2014) are as per IOCL.

***Statement-III****Details of Dealers' Commission on Petrol and Diesel as on 1st of each month.*

Month	Petrol*	Diesel**
April 2013	1.79	1.09
January 2014	2.00	1.19
February 2014	2.01	1.19
March 2014	2.02	1.19
April 2014	2.01	1.19
May 2014	2.00	1.19
July 2014	2.02	1.19
August 2014	2.01	1.19
September 2014	1.98	1.19
November 2014	2.05	1.27
December 2014	2.04	1.26
January 2015	2.03	1.26
February 2015	2.00	1.25
March 2015	2.02	1.26
May 2015	2.04	1.26
June 2015	2.07	1.26
August 2015	2.30	1.43
September 2015	2.27	1.42
October 2015	2.27	1.43
November 2015	2.26	1.43
January 2016	2.25	1.43
February 2016	2.25	1.42
March 2016	2.22	1.43

\* As per IOCL.

\*\* As per IOCL (After deregulation of price of Diesel effective 19.10.2014).

**Statement-IV***Details of changes in the rates of Excise duty on Petrol and Diesel since 2013*

(₹/Litre)		
Date	Petrol	Diesel
As on 01/04/2013	9.48	3.56
12/11/14	11.02	5.11
03/12/14	13.34	6.14
02/01/15	15.40	8.20
17/01/15	17.46	10.26
07/11/15	19.06	10.66
17/12/15	19.36	11.83
02/01/16	19.73	13.83
16/01/16	20.48	15.83
31/01/16	21.48	17.33

*Note:* includes applicable education cess up to 28.2.2015. Effective 1st March, 2015, education cess has been subsumed in excise duty.

**Enhancing monthly SKO PDS quota of Odisha**

1953. SHRI NARENDRA KUMAR SWAIN: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether the Central Government is considering the request of the State Government of Odisha to enhance the monthly Superior Kerosene Oil (SKO) (PDS) quota of the State to 40,000 Kl.; and

(b) whether the Central Government is also considering the request of the State Government of Odisha to open outlets for non-PDS SK Oil by the Oil Marketing Companies as no PDS SK Oil will be distributed to the non-card holders as well as bulk consumers?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI DHARMENDRA PRADHAN): (a) Quota of PDS Kerosene in respect of States/UTs, including Odisha is rationalized based on various factors, *inter-alia*, increase in Domestic LPG/PNG connections, non-lifting of PDS Kerosene quota by the concerned States/UTs etc. However, in view of the requests of various State Governments, including

Odisha, for restoration of Kerosene quota, the Government has allowed the States/UTs to draw one month of quota of PDS Kerosene at non-subsidized rates during each financial year w.e.f. 2012-13 for special needs.

(b) On the request of State Government of Odisha, the Public Sector Oil Marketing Companies (OMCs) have commenced supplies of non-PDS Kerosene at market driven price through their five nominated Kerosene Wholesale Dealers and non-PDS Kerosene is now available at five Municipal Corporations identified by the State Government, namely, Rourkela, Sambalpur, Berhampur, Cuttack and Bhubaneswar.

#### **Contract workers in Visakhapatnam Steel Plant**

1954. SHRI V. VIJAYASAI REDDY: Will the Minister of STEEL be pleased to state:

(a) whether it is a fact that as on date, there are over 15000 contract workers in different capacities working at Visakhapatnam Steel Plant (VSP) in Andhra Pradesh;

(b) whether it is a fact that these workers are not given basic health and other facilities at the plant;

(c) the steps proposed to extend diverse services and other benefits to the contract workers at the Visakhapatnam Steel Plant;

(d) the number of contract workers at VSP who get such benefits as permanent workers get; and

(e) the measures proposed to address the diverse demand of contract workers at Visakhapatnam Steel Plant in a time-bound manner?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL (SHRI VISHNU DEO SAI): (a) As on 30.6.2016, a total of 15033 contract workers are deployed by the contractors engaged at Visakhapatnam Steel Plant (VSP).

(b) to (d) All contract workers engaged by the contractors and deployed by them at VSP are covered under the Employees State Insurance (ESI) Act, 1948 and Employees Provident Fund and Miscellaneous Provisions Act, 1952, for various benefits and other facilities including health facilities stipulated under these Acts. Rashtriya Ispat Nigam Limited (RINL)-VSP as Principal Employer ensures compliance of statutory provisions by the contractors and in addition provides first aid and emergency medical treatment at its Plant Hospital/Health Centers. Further, facilities such as rest rooms, subsidized canteens, creche, wash rooms, drinking water, latrines, urinals etc. are also provided by RINL to them at par with regular employees of VSP.

(e) The contractors are the employers in respect of the contract workers, deployed by them. RINL encourages dialogue between the contract workers and the contractors for resolution of issues, if any, by the contractors.

### **Import and export of steel**

1955. SHRI RAJEEV SHUKLA: Will the Minister of STEEL be pleased to state:

(a) the details of steel imported and exported during each of the last three years, country-wise;

(b) whether Government proposes to increase the production and export of steel in the country;

(c) if so, the details thereof including the targets fixed and achieved for production, domestic consumption and export of steel during the said period and the next three years; and

(d) the number of steel projects running behind schedule and the steps taken by Government to complete them on time and for further strengthening the Steel industry?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL (SHRI VISHNU DEO SAI): (a) Details are given in Statement-I and II (*See below*).

(b) and (c) Steel is a deregulated sector and Government does not set production and export targets for steel sector.

(d) There are two public sector steel projects of Central Public Sector Enterprises (CPSEs) under the Ministry of Steel with time overruns, *viz.*, (i) Expansion of Bhilai Steel Plant and (ii) NMDC Integrated Steel Plant at Nagarnar, Chhattisgarh, which are implemented by SAIL and NMDC respectively. The Government facilitates timely implementation of steel projects by periodic review of the same.

### **Statement-I**

*Country-wise details of import of total finished steel ('000t)  
during each of the last three years*

Country	2013-14	2014-15	2015-16*	April-June 2016-17*
Argentina	0.5	0.82	0.5	0
Australia	5.1	8.28	3.9	0.74
Bahrain	0.8	0.22	0.1	0

Country	2013-14	2014-15	2015-16*	April-June 2016-17*
Belgium	94.8	126.13	95.7	20.82
Brazil	70.0	128.87	186.8	6.7
Canada	18.1	7.31	6.6	0.53
Chile	0.1	0.02	0.0	0.13
China	1088.4	3600.42	4125.2	510.69
Denmark	1.0	4.78	3.9	1.48
Djibouti	0.0	0	0.6	0
Finland	13.8	11.8	11.8	1.63
France	36.5	155.84	66.4	31.54
Germany	186.0	149.03	197.3	54.27
Hongkong	0.4	1.5	0.6	1.46
Indonesia	2.3	14.41	242.8	7.43
Iran	100.7	0	20.7	7.23
Italy	25.2	54.95	28.3	6.23
Japan	1355.7	1583.31	2160.4	299.83
Kazakhstan	8.1	8.93	4.9	0
Korea	1312.6	1874.93	3007.3	511.26
Kuwait	0.1	1.79	0.0	0
Malayasia	29.9	95.99	53.1	6.29
Netherlands	21.6	40.21	16.0	3.62
Romania	26.2	11.14	1.9	0.27
Russia	145.9	226.02	364.4	168.92
Saudi Arabia	47.8	4.19	0.8	0.11
South Africa	44.1	71.47	51.8	7.56
Spain	21.1	29.67	28.3	5.78
Sri Lanka	0.2	0.12	0.4	0.18
Taiwan	118.8	190.33	202.4	45.28
Thailand	21.9	15.93	41.9	17.8
Turkey	14.1	29.09	1.2	0.29

Country	2013-14	2014-15	2015-16*	April-June 2016-17*
U.K.	28.0	30.26	30.7	5.06
UAE	19.6	34.14	36.4	6.61
Ukraine	323.0	348.77	238.3	14.76
USA	79.3	120.12	82.5	19.77
Others	188.7	339.24	397.0	67.73
TOTAL	5450	9320	11711	1832

\* Provisional

Source: JPC;

**Statement-II**

*Country-wise details of export of total finished steel ('000 tonnes)  
during each of the last three years*

Country	2013-14	2014-15	2015-16*	Apr-June 2016-17*
Australia	48.3	49.29	29.38	16.31
Baharin	14.7	8.48	12.41	0.73
Bangladesh	95.9	136.5	55.06	21.04
Belgium	395.0	198.39	287.42	144.10
Bhutan	0.0	0	0.00	0.00
Brazil	37.6	42.95	11.98	2.37
Canada	60.6	132.95	17.32	6.36
Chile	18.3	9.51	18.35	2.14
China	11.2	3.32	3.92	1.00
Colombia	34.5	34.03	15.90	5.59
Congo	6.8	3.83	3.25	0.21
Denmark	2.2	9.69	8.90	1.16
Djibouti	18.1	21.45	22.98	9.01
Ecuador	47.9	31.99	16.78	7.32
Egypt	33.4	9.82	17.30	4.51
Ethiopia	109.8	133.58	157.82	47.12
Finland	0.4	0.59	14.33	0.70
France	7.6	9.46	19.75	2.07



Country	2013-14	2014-15	2015-16*	April-June 2016-17*
Germany	28.8	54.84	47.13	12.99
Ghana	68.9	39.25	41.24	14.07
Greece	10.0	12.2	46.57	5.12
Indonesia	126.5	83.87	118.33	32.14
Iran	179.9	495.8	321.43	8.03
Iraq	19.6	8.27	30.84	1.18
Israel	3.7	5.47	6.66	1.54
Italy	442.1	470.86	345.41	100.86
Japan	0.7	0.48	0.56	0.22
Jordan	3.4	0.73	1.89	0.05
Kazakhstan	0.0	0	0.00	0.00
Kenya	197.6	61.28	45.65	7.28
Korea	24.7	26.63	26.57	6.01
Kuwait	26.7	12.83	28.16	10.73
Madagascar	0.0	11.81	15.91	4.63
Malayasia	70.3	96.55	46.31	49.08
Maldives	3.6	4.32	9.17	2.59
Mexico	35.3	45.29	52.66	8.38
Morocco	0.6	1.44	2.52	3.29
Myanmar	50.7	29.48	18.49	5.56
Nepal	75.7	236.35	310.54	128.27
Nigeria	109.1	30.36	39.37	0.77
Peru	28.2	44.33	71.16	13.78
Philippines	11.9	6.08	7.20	2.86
Poland	36.1	34.56	39.19	12.44
Qatar	14.7	11.55	9.03	3.68
Romania	28.0	27.69	27.24	5.22
Russia	71.3	27.85	20.56	5.28
Saudi Arabia	319.3	248.86	60.50	14.56

Country	2013-14	2014-15	2015-16*	April-June 2016-17*
South Africa	56.3	36.89	19.60	3.55
Spain	145.3	180.41	155.44	46.54
Sri Lanka	127.8	138	100.51	30.35
Sweden	4.5	4.48	3.16	2.34
Taiwan	79.7	129.46	12.90	10.16
Tanzania	80.1	41.18	25.75	3.75
Thailand	283.7	188.13	69.80	13.97
Turkey	34.9	49.66	44.66	46.25
U.K.	121.4	64.56	39.34	8.86
UAE	585.2	606.05	315.93	130.31
Ukraine	8.5	10.89	1.05	0.65
USA	591.8	501.29	295.63	42.89
Vietnam	409.4	163.12	38.11	44.75
Others	526.8	516.03	453.97	110.11
TOTAL	5985	5595	4079.00	1227

\*provisional  
Source: JPC

### Setting up of steel plants in the country

†1956. SHRI RAM NATH THAKUR: Will the Minister of STEEL be pleased to state:

- (a) whether it is a fact that Government is considering to set up steel plants;
- (b) if so, the details thereof; and
- (c) the number of steel plants which are going to be established in the country, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF STEEL (SHRI VISHNU DEO SAI): (a) to (c) No, Sir. The Government is not considering to set up steel plants. Steel being a deregulated sector, the role of Government is limited to that of a facilitator only for the growth of steel industry in the country. Decision relating to setting up of steel

†Original notice of the question was received in Hindi.

plants etc are, therefore, the sole decision of the individual steel manufacturer based on various factors including commercial considerations and market dynamics.

**Development of tourism based economy**

1957. SHRI KIRANMAY NANDA: Will the Minister of TOURISM be pleased to state:

- (a) whether Government is aware that there are many countries in the World whose economy is based on tourism;
- (b) if so, whether Government has any proposal to develop such States or cities or places in our country also specially from tourist objectives;
- (c) if so, the details thereof; and
- (d) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) Yes, Sir.

(b) to (d) Development and promotion of tourism is responsibility of the respective State Governments/Union Territory Administrations. The Ministry of Tourism provides Central Financial Assistance (CFA), from various plan schemes, to them for tourism projects on receipt of proposal subject to adherence of existing scheme guidelines, availability of funds and liquidation of utilisation certificates for funds released earlier.

**Promotion of medical tourism**

1958. DR. K.V.P. RAMACHANDRA RAO: Will the Minister of TOURISM be pleased to state:

- (a) whether any significant breakthrough has been achieved in promoting medical tourism in the country;
- (b) if so, the State-wise details thereof;
- (c) whether Government has chalked out plans to make Hyderabad as a medical tourism hub since a large number of people from Arab and African countries are visiting the city for treatment; and
- (d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) to (d) The development and promotion of tourism is primarily the

responsibility of the State Governments/Union Territory Administrations. The Ministry of Tourism as part of its ongoing promotional activities releases campaigns in the international and domestic markets and also undertakes other promotional activities including Promotion of Medical Tourism.

However, in order to provide dedicated institutional framework to take forward the cause of promotion of Medical and Wellness Tourism and any other format of Indian system of medicine covered by Ayurveda, Yoga, Unani, Siddha and Homoeopathy (AYUSH) across the country, a National Medical and Wellness Tourism Board has been constituted. The Board shall work as an umbrella organization that governs and promotes this segment of tourism in an organized manner. The Ministry would drive the promotion of Medical & Wellness Tourism and act as a facilitator and support the medical/wellness segment in all parts of India in promoting tourism and promoting India as a medical and wellness destination.

#### **Development of Buddhist sites**

†1959. SHRI RAM KUMAR KASHYAP: Will the Minister of TOURISM be pleased to state:

- (a) whether Government has formulated any comprehensive scheme for development of tourism at locations related to Buddhist religion;
- (b) if so, the details thereof;
- (c) the quantum of amount which would be spent for the development of tourism at each location in this regard; and
- (d) the kind of cooperation being received from abroad for the development of these Buddhist sites, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) and (b) The Ministry of Tourism has launched a new plan scheme Swadesh Darshan for Integrated Development of Theme-Based Tourist Circuits in the country in the year 2014-15. Buddhist Circuit has been identified as one of the thirteen thematic circuits for development under the scheme. All places associated with Buddhist Heritage in the country are covered under this theme.

(c) The Ministry of Tourism provides Central Financial Assistance to State Governments/Union Territory Administrations for tourism projects including Buddhist sites in consultation with them subject to availability of funds, liquidation of pending utilization certificates and adherence to the scheme guidelines.

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†Original notice of the question was received in Hindi.

Under Buddhist Circuit theme, Ministry has sanctioned projects "Construction of Cultural Centre at Bodhgaya, Bihar" for ₹33.17 crore in 2014-15 and "Development of Buddhist Circuit in Sanchi-Satna- Rewa-Mandsaur-Dhar in Madhya Pradesh" for ₹74.94 crore in 2016-17.

(d) The details of projects carried out with foreign assistance for development of Buddhist sites during the last five years is given in the Statement.

***Statement***

*Details of projects carried out with foreign assistance for development of  
Buddhist sites during the last five years*

1. **Ajanta Ellora Conservation and Tourism Development Project (Phase-II) 2003-2014:** A loan agreement for an amount equivalent to 7331 million JPY was signed between Government of India and Japan International Cooperation Agency (JICA) in March 2003 for the above project. The places covered under the project were Ajanta, Ellora, Aurangabad, Daultabad, Patnadevi, Lonar in Maharashtra. The project was completed in July 2014 and the total expenditure incurred on the project is ₹250.30 crore approx.
2. **Designing of comprehensive plan for upgradation of Buddhist sites in Bihar and Uttar Pradesh.** The Ministry of Tourism, Govt, of India, the Departments of Tourism of the Governments of Bihar and Uttar Pradesh and the International Finance Corporation (IFC) (World Bank Group) had entered into an agreement for advisory services in October 2013 for designing and implementing a comprehensive plan for upgradation of Buddhist sites in Bihar and Uttar Pradesh. The work on the project is over and the strategy formulated by IFC "**Investing in Buddhist circuit-2014-2018**" was released in July 2014. The total cost of project was ₹4.50 crore of which the share of Ministry of Tourism was 50%, IFC 40% and the States of Bihar and UP was 5% each.

**Decline in inflow of foreign tourists**

†1960. SHRI MAHENDRA SINGH MAHRA: Will the Minister of TOURISM be pleased to state:

- (a) whether the inflow of foreign tourists into India has registered a decline;
- (b) if so, the reasons for this decline and the details thereof; and

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†Original notice of the question was received in Hindi.

(c) if not, the details of inflow of the foreign tourists to the country from the financial year 2011-12 to 2015-16?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) No, Sir.

(b) Does not arise.

(c) The number of Foreign Tourist Arrivals (FTAs) in India during 2011-12, 2012-13, 2013-14, 2014-15 and 2015-16 along with the growth registered over previous year are as below:

Year	FTAs (in million)	Growth rate (%)
2011-12	6.49	9.5
2012-13	6.66	2.6
2013-14	7.12	7.0
2014-15	7.76	8.9
2015-16 (P)	8.25	6.4

P: Provisional

#### **Status of HDPB**

†1961. SHRI AMAR SHANKAR SABLE: Will the Minister of TOURISM be pleased to state:

(a) the present status of the Hospitality Development and Promotion Board (HDPB);

(b) by when Government plans to establish HDPB in each State;

(c) the names of the States where HDPB has been established and the details of progress made so far in this regard; and

(d) the State-wise details of the amount allocated by Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) Hospitality Development and Promotion Board (HDPB) was created in the Ministry of Tourism, Government of India *vide* Notification issued on 21.01.2011.

†Original notice of the question was received in Hindi.

(b) and (c) The Ministry of Tourism, Government of India has no plan to set up HDPB in every State/Union Territories. However, all State Government and Union Territories have been advised to set up similar Boards in their respective States/Union Territories. As on date, the State Government of Maharashtra has set up this board.

(d) The Ministry of Tourism, Government of India has not allocated any funds in this regard.

**Status of rural tourism in the country**

1962. SHRI K.K. RAGESH: Will the Minister of TOURISM be pleased to state:

- (a) what is the status of rural tourism in the country;
- (b) whether Government has the details about the tourists who visited sites/villages identified for rural tourism;
- (c) if so, the details of the last three years thereof;
- (d) whether Government is allocating any special funds for rural tourism projects; and
- (e) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) to (c) India has witnessed positive growth over the years on Foreign Tourist Visits (FTVs) as well as Domestic Tourist Visits (DTVs). During 2015, the number of DTVs to the States/UTs was 1432 Million as compared to 1282.8 Million in 2014 registering a growth of 11.63% over 2014 and the FTVs was 23.3 Million in 2015 as compared to 22.3 Million 2014 registering a growth of 4.4%. These visits also include visits of foreign tourists as well as domestic tourists to the sites/villages identified for Rural Tourism.

However, Ministry of Tourism does not compile separate data of tourist visits to sites.

(d) and (e) The Ministry of Tourism had a Rural Tourism Scheme which was a part of Product/Infrastructure Development for Destinations and Circuits (PIDDC) Scheme. The main objective of this scheme was showcasing rural life, art, culture and heritage in villages, which have core competence in art & craft, handloom, textiles, natural environment etc. Under this scheme, Central Financial Assistance (CFA) upto ₹50.00 lakh for infrastructure development was provided to the State/UT Government. The details of the projects sanctioned during Twelfth Plan Period is given in the Statement (*See below*).

However, the PIDDC Scheme for States was delinked from Union Support w.e.f. 2015-16.

Ministry of Tourism has identified the Rural Circuit as one of the thirteen thematic circuits to promote local arts, culture, handicraft, cuisine etc. to generate livelihoods under the Swadesh Darshan Scheme, launched during 2014-15.

However, no project has been sanctioned so far for Rural Circuit under the said scheme.

**Statement**

*Details of the projects sanctioned during 12th plan period*

2012-13 (₹ in Lakh)

Sl. No.	Name of the States	No. of Projects	Amt. Sanctioned	Amt. Released
1.	Maharashtra	1	49.08	39.26
2.	Meghalaya	1	50.00	40.00
3.	Mizoram	1	45.70	36.56
4.	Nagaland	3	143.34	28.66
TOTAL		6	288.12	144.48

2013-14

1.	Jammu and Kashmir	15	674.03	507.26
Total		15	674.03	507.26

2014-15

1.	Jammu and Kashmir	2	94.05	18.80
TOTAL		2	94.05	18.80

**Development of tourism in Kerala**

1963. SHRI ABDUL WAHAB: Will the Minister of TOURISM be pleased to state:

(a) whether any plan has been chalked out at national level to develop tourism in Kerala; and



- (b) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) The Ministry of Tourism has formulated the Swadesh Darshan Scheme in which thirteen thematic circuits have been evolved to develop tourism in the country including the State of Kerala. The thirteen circuits are North-East India Circuit, Buddhist Circuit, Himalayan Circuit, Krishna Circuit, Desert Circuit, Eco Circuit, Spiritual Circuit, Coastal Circuit, Tribal Circuit, Wildlife Circuit, Rural Circuit, Ramayana Circuit & Heritage Circuit.

(b) Accordingly, the Ministry of Tourism has sanctioned the following tourism projects to the State of Kerala as submitted by them:-

1. Under Eco Circuit "Development of Pathanamthitta Gavi Vagamon Thekkady in Idukki and Pathanamthitta District in Kerala". The project was sanctioned for an amount of ₹99.22 crore in the year 2015-16.
2. Under Spiritual Circuit "Development of Sabarimala-Erumeli-Pampa - Sannidhanam in District Pathanamthitta, Kerala". An amount of ₹99.99 crore was sanctioned during the year 2016-17.

**Development of Himalayan circuits in NE region and Sikkim**

1964. SHRI HISHEY LACHUNGPA: Will the Minister of TOURISM be pleased to state:

(a) whether under the Himalayan Circuits the Ministry is developing some tourist routes in North-East Region particularly in Sikkim;

(b) if so, the details of Himalayan Circuits being developed in North-East Region and in Sikkim;

(c) how much money has been earmarked for the development of these Himalayan Circuits in these States; and

(d) how much time will be taken to complete work on these circuits?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) The Ministry of Tourism has launched a new plan scheme Swadesh Darshan for Integrated Development of Theme-Based Tourist Circuits in the country in the year 2014-15. Under the scheme thirteen thematic circuits have been identified for development, namely: Himalayan Circuit, North-East India Circuit, Tribal Circuit, Eco Circuit, Buddhist Circuit, Wildlife Circuit, Rural Circuit, Spiritual Circuit, Coastal Circuit, Krishna Circuit, Desert Circuit, Ramayana Circuit and Heritage Circuit.

(b) and (c) The Ministry has sanctioned 10 projects worth ₹875.08 crores covering all 8 North Eastern States including Sikkim under the Swadesh Darshan scheme. The detail of projects sanctioned to these States is given in the Statement (*See* below).

(d) The completion time of projects sanctioned under the above scheme varies from 18 to 36 months.

**Statement**

*Details of projects sanctioned to the States of North-East Region*

(₹ in crore)				
Sl. No.	Name of Theme	State	Name of Project	Sanction Amount
1	2	3	4	5
Year 2014-15				
1.	North-East India Circuit	Arunachal Pradesh	Development of Bhalukpong-Bomdila-Tawang in Arunachal Pradesh	49.77
Year 2015-16				
1.	North-East India Circuit	Manipur	Development of Tourist Circuit in Manipur: Imphal-Moirang-Khongjom-Moreh	89.66
2.	North-East India Circuit	Sikkim	Development of Tourist Circuit linking- Rangpo (entry)-Rorathang-Aritar- Phadamchen - Nathang - Sherathang -Tsongmo - Gangtok - Phodong -Mangan - Lachung - Yumthang -Lachen - Thangu - Gurudongmer -Mangan - Gangtok-Tumin Lingee -Singtam (exit) in Sikkim	98.05
3.	North-East India Circuit	Arunachal Pradesh	Integrated Development of Adventure Tourism in Arunachal Pradesh	97.14
4.	Tribal Circuit	Nagaland	Development of Tribal Circuit Peren-Kohima-Wokha, Nagaland	97.36

1	2	3	4	5
5.	Wildlife Circuit	Assam	Wildlife Circuit of Assam	95.67
6.	North-East India Circuit	Tripura	Development of North East Circuit: Agartala - Sipahijala - Melaghar - Udaipur - Amarpur - Tirthamukh - Mandirghat-Dumboor-NarikelKunja - Gandachara - Ambassa	99.59
7.	Eco Tourism Circuit	Mizoram	Integrated Development of New Eco-Tourism at Thenzawl, Reike & South Zote	94.91
Year 2016-17				
1.	North-East India Circuit	Meghalaya	Development of Umiam (Lake View)- U Lum Sohpetbneng-Mawdiangdiang- Orchid lake Resort, Meghalaya	99.13
2.	Spiritual Circuit	Manipur	Development of Spiritual Circuit in Manipur- Shrl Govindajee temple - Shri Bijoy Govindajee Temple- Shri Gopinath Temple- Shri Bungshibodon Temple - Shri Kaina Temple	53.80

#### **Funds to J&K for tourism**

1965. SHRI RITABRATA BANERJEE: Will the Minister of TOURISM be pleased to state:

(a) whether the money promised by Hon'ble Prime Minister for tourism in Jammu and Kashmir has been released;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) to (c) Ministry of Tourism has sanctioned a project for "Integrated Development of Tourism Infrastructure projects in the State of Jammu & Kashmir" under Himalayan Circuit in Swadesh Darshan Scheme in 2016-17 with Central Financial Assistance of ₹82.97 crore and ₹ 16.59 crore has been released towards payment of first

instalment. As regards Development Package for Jammu and Kashmir announced by the Hon'ble Prime Minister, the State Government has been requested to submit project proposals as per Swadesh Darshan Scheme guidelines.

**Tourism infrastructure in Karnataka under PRASAD**

1966. SHRI D. KUPENDRA REDDY: Will the Minister of TOURISM be pleased to state:

(a) whether Government has prepared any action plan for strengthening of tourism infrastructure in the country including Karnataka;

(b) if so, the details thereof and the steps taken for implementing the action plan;

(c) the achievements/progress made under PRASAD scheme, if so, the details thereof along with the criteria laid down in selecting the religious places/stations under the scheme; and

(d) whether Government plans to include new/more religious places/stations in the country, if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) to (d) Ministry of Tourism launched two schemes pursuant to the Budget announcements of 2014-15 for the development and promotion of tourism in the country, including Karnataka.

The Swadesh Darshan Scheme was launched for Integrated Development of Tourist Circuits around Specific Themes. The National Mission on Pilgrimage Rejuvenation and Spiritual Augmentation Drive (PRASAD) was launched to beautify and improve amenities and infrastructure at major pilgrimage sites in the country.

Thirteen theme based circuits have been identified under the Swadesh Darshan Scheme namely, North-East India Circuit, Buddhist Circuit, Himalayan Circuit, Coastal Circuit, Krishna Circuit, Desert Circuit, Tribal Circuit, Eco Circuit, Wildlife Circuit, Rural Circuit, Spiritual Circuit, Ramayana Circuit and Heritage Circuit. Under PRASAD, 13 pilgrimage sites have been identified namely Ajmer, Amritsar, Amaravati, Dwarka, Gaya, Kamakhya, Kanchipuram, Kedarnath, Mathura, Patna, Puri, Varanasi and Velankanni.

11 projects have so far been sanctioned under the PRASAD Scheme during 2014-15 and 2015-16. Details of funds sanctioned/released are given in the Statement (See below).

Selection of sites/destinations is done in consultation with State Governments, subject to the availability of funds, liquidation of pending utilization certificates against the funds released earlier and adherence to the relevant scheme guidelines.

Identification of new sites/destinations is a continuous process.

**Statement**

*Details of funds sanctioned/ released under the PRASAD scheme during 2014-15 and 2015-16*

PRASAD Scheme		(₹ in Crore)	
Sl. No.	Name of the State & project	Amount Sanctioned	Amount Released
1	2	3	4
2014-15			
<b>Bihar</b>			
1.	Development of basic facilities at Vishnupad temple, Gaya, Bihar	4.29	2.14
<b>Uttar Pradesh</b>			
2.	Development of Mathura-Vrindavan as Mega Tourist Circuit (Ph-II)	14.93	2.99
3.	Construction of Tourist Facilitation Centre at Vrindavan, Distt. Mathura	9.36	1.76
<b>Odisha</b>			
4.	Infrastructure Development at Puri, Shree Jagannath Dham- Ramachandi-Prachi River front at Deuli under Mega Circuit	50.00	10.00
TOTAL		78.58	16.89
2015-16			
<b>Punjab</b>			
1.	Development of Karuna Sagar Valmiki Sthal at Amritsar	6.45	1.29
<b>Rajasthan</b>			
2.	Integrated Development of Pushkar/Ajmer	40.44	8.09

1	2	3	4
<b>Andhra Pradesh</b>			
3.	Development of Amaravati Town, Guntur District of Andhra Pradesh as Tourist Destination	28.36	5.67
<b>Assam</b>			
4.	Development of Kamakhya Temple and Pilgrimage Destination in and around Guwahati.	33.98	6.80
<b>Bihar</b>			
5.	Development of Patna Sahib	41.54	8.31
<b>Uttar Pradesh</b>			
6.	Development of Varanasi	20.40	4.08
<b>Uttarakhand</b>			
7.	Development of Kedarnath	34.78	4.47
TOTAL		205.95	38.71

#### Rejuvenation of Ayodhya and Mathura

1967. SHRI B.K. HARIPRASAD: Will the Minister of TOURISM be pleased to state:

- whether Government has any proposal to rejuvenate the historic and religious value of the cities like Ayodhya and Mathura;
- if so, the details thereof;
- if not, the reasons therefor; and
- the details of the plan outlay and funds allocation in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) to (d) The Ministry of Tourism has launched a scheme Pilgrimage Rejuvenation And Spiritual Augmentation Drive (PRASAD) for development and beautification of important pilgrimage sites of the country in 2014-15. Under the scheme 13 sites have been identified so far for development, namely Ajmer, Amritsar, Amaravati, Dwarka, Gaya, Kedarnath, Kamakhya, Kanchipuram, Mathura, Patna, Puri, Varanasi and Velankanni.

Details of the funds sanctioned for the projects of Mathura under PRASAD Scheme are as under:

(₹ in crore)

Sl. No.	State	Name of the project	Sanctioned Amount
2014-15			
1.	Uttar Pradesh	Development of Mathura-Vrindavan as Mega Tourist Circuit (Ph-II)	14.93
2.	-do-	Construction of Tourist Facilitation Centre at Vrindavan, Distt. Mathura	9.35

The Ministry of Tourism has also launched another scheme, Swadesh Darshan for integrated development of theme based tourist circuits in the country in 2014-15. Ramayana and Krishna Circuits are among the thirteen thematic circuits identified for development under the scheme.

The destinations initially identified for development under the Ramayana, Krishna Circuits in the country are as under:

- **Ramayana Circuit:** Ayodhya, Nandigram, Shringverpur & Chitrakoot (Uttar Pradesh); Sitamarhi, Buxar & Darbhanga (Bihar); Chitrakoot (Madhya Pradesh); Mahendragiri (Odisha); Jagdalpur (Chhattisgarh); Nashik & Nagpur (Maharashtra) Bhadrachalam (Telangana); Hampi (Karnataka) and Rameshwaram (Tamil Nadu).
- **Krishna Circuit:** Dwarka (Gujarat); Nathdwara, Jaipur & Sikar (Rajasthan); Kurukshetra (Haryana), Mathura, Vrindavan, Gokul, Barsana, Nandgaon & Govardhan (Uttar Pradesh) and Puri (Odisha).

In the current financial year, the budget allocation for the PRASAD scheme is ₹100 crore while that for the Swadesh Darshan scheme is ₹706.35 crore. Suitable projects relating to the identified sites/circuits are eligible for sanction subject to adherence to scheme guidelines, availability of resources and submission of previous utilisation certificates.

#### **Increase in tourist arrivals**

1968. DR. KANWARDEEP SINGH: Will the Minister of TOURISM be pleased to state:

- (a) whether there has been a spurt/increase of about 294 per cent in tourist arrivals on e-visa during first half of 2016 as compared to that of 2015;

- (b) if so, the details thereof;
- (c) what has been their arrival, airport-wise; and
- (d) the facilities increased at those airports for efficient handling of the tourists?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) and (b) Yes, Sir. During January- June 2016, a total of 4,71,909 tourists arrived on e-Tourist Visa (e-TV) as compared to 1,26,214 during January-June 2015, registering a growth of 274%.

(c) The facility of e-TVs is available for foreign tourists arriving at 16 airports. The airport-wise number of tourists arriving on e-TVs is given in the Statement (*See below*).

(d) Exclusive counters for the foreign tourists arriving on e-TVs are earmarked/ installed at all the 16 airports where this facility is available.

Ministry of Tourism organizes training in behavioural and communication skills through Indian Institute of Travel and Tourism Management (IITTM) for Immigration Officers posted at various airports handling the e-Tourist Visa (e-TV) Scheme. The number of Immigration Officers trained during 2012, 2013, 2014 and 2015 were 110, 190, 250 and 190, respectively.

#### *Statement*

##### *Details of airport-wise FTAs on e-TVs during January-June 2016*

Sl. No.	Airport	Jan-Jun, 2016
1	2	3
1.	New Delhi Airport	199276
2.	Mumbai Airport	95921
3.	Bengaluru Airport	29051
4.	Chennai Airport	30223
5.	Hyderabad Airport	10606
6.	Kochi Airport	16008
7.	Kolkata Airport	12233
8.	Ahmedabad Airport	6533



1	2	3
9.	Tiruchirapalli Airport	2043
10.	Trivandrum Airport	7789
11.	Amritsar Airport	6341
12.	Dabolim (Goa) Airport	53874
13.	Jaipur Airport	1261
14.	Lucknow Airport	233
15.	Varanasi Airport	45
16.	Gaya Airport	472
TOTAL		471909

**Pending tourism projects of West Bengal**

1969. DR. KANWAR DEEP SINGH: Will the Minister of TOURISM be pleased to state:

(a) whether it is a fact that a number of tourism projects concerning West Bengal are pending with Ministry for approval (awarded);

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

(c) whether some tourism projects are underway and yet to be completed; and

(d) if so, the reasons therefor and the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM (DR. MAHESH SHARMA): (a) and (b) No, Sir.

(c) and (d) Central Financial Assistance has been provided to the State Government of West Bengal in 2015-16 under the Coastal Circuit Theme of Swadesh Darshan Scheme for an amount of ₹85.39 crore for "Development of Beach Circuit in West Bengal-Udaipur, Digha-Shankarpur-Tajpur-Mandarmani-Fraserganj-Bakkhlai-Hennery Island.

Implementation of sanctioned projects is the responsibility of the State Governments/Union Territory Administrations and the Government of West Bengal has informed that tender process for the project has been completed and the work has just started after the election process was over.

**Nutritious food to tribals**

1970. SHRI PARIMAL NATHWANI: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether Government proposes to introduce a programme for providing nutritious food for the tribal community, particularly to women and children in the tribal areas and if so, the details thereof;
- (b) whether Government has also conducted study regarding the health condition of tribal population and if so, the details of such survey; and
- (c) the steps taken by Government to provide sufficient funds for distribution of nutritious food to the tribal community in order to address the issue of chronic under-nutrition among them?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) Government of India through Ministry of Women & Child Development is administering Integrated Child Development Services (ICDS) Scheme which is a centrally sponsored scheme being implemented by the State Government/UT Administrations. The scheme aims at holistic development of children below 6 years of age and pregnant women & lactating mothers, by providing a package of six services comprising (i) Supplementary nutrition; (ii) Pre-school non-formal education; (iii) Nutrition and health Education; (iv) Immunization; (v) Health check-up; and (vi) Referral services through Anganwadi Centres at grassroots level. Three of the six services, viz., immunization, health check-up and referral services are related to health and are provided by Ministry of Health & Family Welfare through NHM and Public Health Infrastructure.

Under the ICDS Scheme, Supplementary Nutrition is one of the services provided to the children below 6 years of age and pregnant women and lactating mother in Anganwadi Centres. The Scheme is universal and open to all including tribal community across the country.

The provision of supplementary nutrition under ICDS Scheme prescribed for various categories of beneficiaries is as follows:

**Children in the age group of 6 months to 3 years:** Food supplement of 500 calories of energy and 12-15 gms of Protein per child per day as Take Home Ration (THR) in the form of Micronutrient Fortified Food and/or energy-dense food marked as ICDS Food Supplement'.

**Children in the age group of 3-6 years:** Food Supplement of 500 calories of energy and 12-15 gms. of Protein per child per day. Since a child of this age group is not capable of consuming of meal of 500 calories in one sitting, the guidelines prescribed provision of morning snack in the form of milk/ banana/ seasonal fruits /micronutrient Fortified Food etc. and a Hot Cooked Meal.

**Severely underweight children:** Food supplement of 800 calories of energy and 20-25 gms. of Protein per child per day in the form of micronutrient Fortified and/or energy dense food as Take Home Ration.

**Pregnant Women and Lactating Mothers:** Food supplement of 600 calories of energy and 18-20 gms. of Protein per day in the form of Micronutrient Fortified Food and/or energy dense food as Take Home Ration.

In order to address various programmatic, management and institutional gaps and to meet administrative and operational challenges, ICDS Scheme was strengthened and restructured in September, 2012.

(b) The Ministry of Health & Family Welfare conducts periodic surveys to ascertain levels of health indicators. The latest national survey was the National Family Health Survey-3, conducted in 2005-06. Recently, District level household Survey- 4 has been conducted in 2012-13 for 26 States and UTs. The Surveys are conducted for the whole population, but have disaggregated estimates for all social groups including Scheduled tribes.

The health indicators for tribal population, as per NFHS 3 (2005-06) are as under:

	Schedule Tribes	Total Population
• Infant Mortality Rate	62.1	57
• Under-five mortality Rate	95.7	74.3
• Percentage of pregnant women	70.5	77.1
• Provided at least 1 ANC check up		
• Percentage of pregnant women	17.7	38.7
• Conducted institutional deliveries		
• Percentage of children received	31.3	43.5
• Full immunization		
• Total Fertility Rate	3.12	2.7

(c) Government through various interventions has strategized the overall development of tribal people across the country, which takes care of necessary support for tribal population including health, sanitation, water supply etc. to ameliorate their health conditions. The major part of development activities is carried out through various schemes / programmes of concerned Central Ministries and the State Governments, while the Ministry of Tribal Affairs provides additive to these initiatives by way of plugging critical gaps. This Ministry has released ₹4669.04 lakhs and ₹8153.83 Lakhs, during 2014-15 and 2015-16 respectively, for health sector. In addition to this, Ministry of Women & Child Development (WCD) has allocated a sum of ₹8335.77 crore at the Budget Estimates(BE) stage which was further enhanced to ₹ 15483.77 crore by way of two supplementary grants during 2015-16. During 2016-17, a sum of ₹ 14000.00 crore was allocated at the BE stage by M/o WCD. The funds for Supplementary Nutrition Programme are released to States/UTs on the basis of number of beneficiaries availing the services.

#### **Survey of ascertain tribes**

†1971. SHRI AMAR SHANKAR SABLE: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether Government has ever conducted a survey to ascertain the total types of tribes in the country;
- (b) the State-wise details of types and population of Particularly Vulnerable Tribal Groups (PVTGs) among these tribes;
- (c) the percentage of PVTGs living in Maharashtra out of their total population, the details thereof;
- (d) the details of schemes being run/proposed to be introduced for the development of all the PVTGs of the State; and
- (e) the details of amount allotted out of total budgetary allocation made by the Central Government towards schools and education for tribal people in the State of Maharashtra, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) The Office of Registrar General & Census Commissioner, India conducts decadal Population Census wherein data of all persons living in India at the time of Census are collected without any omission and duplication. However, only those tribes are enumerated separately which are specifically

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†Original notice of the question was received in Hindi.

notified as Scheduled Tribes (STs) as per Presidential Order under the Constitution (Scheduled Tribes) Order, 1950 amended from time to time. It has been the policy of the Government of India not to enumerate tribes other than STs in the decadal Census since independence. Accordingly, the enumeration of tribes other than STs has not been done separately in any of the decadal Censuses since 1951 Census.

(b) State-wise details of population of Particularly Vulnerable Tribal Groups (PVTGs), are given in the Statement (*See* below).

(c) There are three Particularly Vulnerable Tribal Groups (PVTGs) identified in Maharashtra, namely, Katkaria (Kathodia), Kolam and Maria Gond. The Katkaria (Kathodia) and Kolam do not appear as main STs. Hence, population figures based on Census data on these sub tribes are not available separately, but merged with concerned main STs. The Maria Gonds do not figure in present ST list. Hence, population figures based on Census data are not available for this PVTG.

(d) The Ministry of Tribal Affairs is implementing a Central Sector Scheme, namely, "Development of Particularly Vulnerable Tribal Groups (PVTGs)" for the overall development of Particularly Vulnerable Tribal Groups (PVTGs). The scheme aims at planning their socio-economic development in a comprehensive manner while retaining the culture and heritage of the community by adopting habitat development approach and intervening in all spheres of their social and economic life, so that a visible impact is made in improvement of the quality of life of PVTGs. The funds under this scheme are made available to the States/UTs having PVTG population including Maharashtra, for important items/activities for the survival, protection and development of PVTGs and which are not specifically catered to by any other scheme of State or Central Government.

(e) Details of amount allotted out of total budgetary allocation made by Ministry of Tribal Affairs towards schools and education for STs in the State of Maharashtra, during 2015-16, are as follows:

		(₹ in lakhs)
(i)	Funds released for Hostels under Article 275(1) and Special Central Assistance to Tribal Sub-Plan:	₹ 3593.62
(ii)	'Grant under Article 275(1) of the Constitution of India' for setting up Eklavya Model Residential Schools:	₹ 4383.60
(iii)	Funds released for Post Matric Scholarship for ST students:	₹ 5209.83

**Statement***State-wise details of population of Particularly Vulnerable Tribal Groups (PVTGs)*

Sl. No.	State /UT	Name of PVTGs	Population (Census 2011)
1	2	3	4
1.	Andhra Pradesh (including Telangana)	1. Bodo Gadaba++ 2. Bondo Poroja+ 3. Chenchu 4. Dongria Khond++ 5. Gutob Gadaba++ 6. Khond Poroja+ 7. Kolam++ 8. Kondareddis 9. Konda Savaras+ 10. Kutia Khond++ 11. Parengi Poroja++ 12. Thoti	64,227        1,07,747     4,811
2.	Bihar	13. Asurs 14. Birhor 15. Birjia 16. Hill Kharia++ 17. Korwas 18. Mai Paharia 19. Parhaiyas 20. Sauria Paharia 21. Savar	4,129 377 208  452 2,225 647 1,932 80
2a	Jharkhand	13a. Asur 14a. Birhor 15a. Birjia 16a. Korwa	22,459 10,726 6,276 35,606

1	2	3	4
		17a. Mai Paharia	1,35,797
		18a. Parhaiyas	25,585
		19a. Sauria Paharia	46,222
		20a. Savar	9,688
3.	Gujarat	22. Kathodi++	
		23. Kotwalia++	
		24. Padhar	30,932
		25. Siddi	8,661
		26. Kolgha++	
4.	Karnataka	27. Jenu Kuruba	36,076
		28. Koraga	14,794
5.	Kerala	29. Cholanaikayan (a section of Kattunaickans)++	
		30. Kadar	2,949
		31. Kattunayakan	18,199
		32. Koraga	1,582
		33. Kurumbas	2,586
6.	Madhya Pradesh	34. Abujh Marias++	
		35. Baigas	4,14,526
		36. Bharias++	
		37. Hill Korwas++	
		38. Kamars	666
		39. Saharias++	
		40. Birhor++	
6a.	Chhattisgarh	35a. Baigas	89,744
		38a. Kamars	26,530
7.	Maharashtra	41. Katkaria (Kathodia)++	
		42. Kolam++	
		43. Maria Gond+	

1	2	3	4
8.	Manipur	44. Marram Nagas+	
9.	Odisha	45. Birhor	596
		46. Bondo+	
		47. Didayi	8,890
		48. Dongria-Khond+	
		49. Juangs	47,095
		50. Kharias++	
		51. Kutia Kondh+	
		52. Lanjia Sauras+	
		53. Lodhas	9,785
		54. Mankidias	2,222
		55. Paudi Bhuyans+	
		56. Soura+	
		57. Chuktia Bhunjia+	
10.	Rajasthan	58. Seharias++	
11.	Tamil Nadu	59. Irular	1,89,661
		60. Kattu Nayakans	46,672
		61. Kotas	308
		62. Kurumbas	6,823
		63. Paniyans	10,134
		64. Todas	2,002
12.	Tripura	65. Reangs	188,220
13.	Uttar Pradesh	66. Buxas	4,710
		67. Rajis	1,295
13a.	Uttarakhand	66a. Buxas	54,037
		67a. Rajis	690
14.	West Bengal	68. Birhor	2,241
		69. Lodhas++	
		70. Totos++	



1	2	3	4
15.	Andaman and Nicobar Islands	71. Great Andamanese+ 72. Jarawas 73. Onges 74. Sentinelese 75. Shorn Pens	380 101 15 229
TOTAL			17,02,545

*Note:*

- + These 13 communities do not figure in present ST list. Hence, Census data are not available community-wise for these PVTGs.
- ++ These 22 PVTGs do not appear as main STs. Hence, Census data on these subtribes are not available separately, but merged with concerned main STs.

#### **Documentation of impacts of tribal welfare projects**

1972. SHRI K.K. RAGESH: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether the impacts of tribal welfare projects are being documented;
- (b) if so, the details of impacts of the last three years; and
- (c) the details of procedure, guidelines, systems, if any, on the basis of impacts are measured?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) No, Sir. Such documents are not documented in the Ministry of Tribal Affairs.

- (b) and (c) Does not arise.

#### **Utilization of budgetary allocation for Nagaland**

1973. SHRI D.P. TRIPATHI: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) the budget allocation under the Ministry for the State of Nagaland for the financial year 2014-2015;
- (b) whether the allocated budget was fully utilized;
- (c) if so, the details thereof; and
- (d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) to (d) Details of funds released and utilized Scheme-wise during the year 2014-2015 to the State Government of Nagaland is given below:

(₹ in lakh)			
Sl. No.	Name of the Scheme/Programme	Funds Released	Funds Utilized
1	Article 275(1) of Constitution	2067.15	2067.15
2	Grant-in-aid to Voluntary Organisations working for the Welfare of STs	32.50	0
3	Vocational Training in Tribal Areas	103.92	0
4	Post Matric Scholarship for ST students	2329.59	2329.59

Any proposal received from State Government including Nagaland are considered by a Project Appraisal Committee (PAC) consisting of Secretary (Tribal Affairs) as Chairman with representatives of NITI Aayog, Financial Advisor and representatives of concerned States as members/invitees. Through the process of PAC, detailed discussions are made with the State Government representatives of tribal development departments at the time of appraisal and approval of the proposals received from the States for delivery of goods and services to the tribals. This has helped in ensuring consultation with the States, convergence of various schemes of the Ministry, transparency in the process of appraisal and funds releases and ensuing optimal utilization of financial resources.

#### Schemes for Nagaland

1974. SHRI D.P. TRIPATHI: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) the budget allocation under the Ministry for the State of Nagaland for the financial year 2015-2016; and

(b) the details of various schemes under the Ministry available for Nagaland?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) Details of funds released and utilized Scheme-wise during the year 2015-16 to the State Government of Nagaland is given below:

(₹ in lakh)

Sl. No.	Name of the Scheme/Programme	Funds Released
1.	Article 275(1) of Constitution	5469.34
2.	Vanbandhu Kalyan Yojana (VKY)	766.65
3.	Hostels for ST Girls and Boys	1798.45
4.	Post Matric Scholarship for ST students	2646.34
5.	Pre-Matric Scholarship for ST students	851.47

(b) Ministry of Tribal Affairs implements various Schemes/Programmes for the welfare and development of STs in the country including Nagaland. A List of Schemes/Programmes of the Ministry is as under:-

Sl. No.	Name of the Scheme/Programme
1.	Scheme of Hostels for ST Girls and Boys.
2.	Establishment of Ashram Schools in Tribal Sub-Plan Area.
3.	Scheme of Vocational Training in Tribal Areas (State).
4.	Scheme of Post Matric Scholarship for ST students.
5.	Scheme of Upgradation of Merit.
6.	Scheme of Pre-Matric Scholarship for ST students studying in classes IX & X.
7.	Scheme of National Overseas scholarship (NOS) to Ministry of External Affairs
8.	Scheme of Top Class Education for ST students to concerned Institutes.
9.	Rajiv Gandhi National Fellowship for ST students (RGNF) to University Grants Commission
10.	Grants-in-aid to Voluntary Organisations Working of STs
11.	Coaching for Scheduled Tribes.
12.	Strengthening Education of ST Girls in Low Literacy Districts.
13.	Vocational Training in Tribal Areas (VOs).
14.	Development of Particularly Vulnerable Tribal Groups (PVTGs).
15.	Programme Article 275 (1) of the Constitution of India.

Sl. No.	Name of the Scheme/Programme
16.	Programme Special Central Assistance to Tribal Sub-Plan (SCA to TSP).
17.	Vanbandhu Kalyan Yojana (VKY).
18.	Grants-in-aid to Tribal Research Institutes
19.	Centre of Excellence Scheme.
20.	Scheme of Institutional Support for Development and Marketing of Tribal Products/Produce.
21.	Scheme of Mechanism for Marketing of Minor Forest Produce (MFP) through Minimum Support Price (MSP) and Development of value chain for MFP.

**Amendment in list of Scheduled Tribes in Maharashtra**

1975. DR. VIKAS MAHATME: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) what procedure was adopted by NDA Government in 2003 for amending the list of Scheduled Tribes as per GR DL 33004/2003 dated 8th January, 2003, the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002 passed in Parliament on 7th January, 2003;

(b) whether in three States, Bihar, Jharkhand and Odisha, the Dhangars were treated as Dhangad and necessary rectifications were made in list of Scheduled Tribes;

(c) why in Maharashtra they are treated as different community; and

(d) whether same procedure will be followed for Maharashtra if amendment is to be done in list of Scheduled Tribes treating Dhangar as Dhangad?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) The procedure (modalities), as laid down by Government in 1991 was adopted by the Government for revision in list of Scheduled Tribes (STs) *vide* Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002. As per the said modalities, all proposals for revision of list of STs were processed by Ministry in consultation with the concerned State Government/ Union Territory Administration, the Registrar General of India and the National Commission for Scheduled Castes and Scheduled Tribes.

(b) Dhangar community is listed at Sl. No. 53 in STs list of Odisha. Dhangar (Oraon) community is listed at Sl. No. 25 in STs list of Jharkhand and at Sl. No. 26 in STs list of Bihar.

(c) and (d) Dhangad community is listed at SI. No. 36 in STs list of Maharashtra. The extant procedure (modalities), as laid down by Government of India in 1999 and further amended in 2002 is followed for deciding claims for inclusion in, exclusion from and other modifications in Orders specifying lists of STs.

### **Non-implementation of Forest Rights of Tribals**

1976. SHRI V. VIJAYASAI REDDY: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether Government has received representations on non-implementation of forest rights of tribals under the Forest Rights Act, 2006 from parts of the country in 2016;

(b) the representations Government received on the rights of tribals with regard to the Forest Rights Act in Andhra Pradesh from January, 2015 to present date;

(c) what steps have been taken in the last six months to rectify these problems and specifically address issues of tribals in Andhra Pradesh;

(d) whether any team has been sent to meet the tribals in this regard in 2016; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) Yes, Sir.

(b) and (c) As per record available, representation(s) from Dr. Pentapati Pullarao, regarding non-implementation of Forest Rights Act, 2006 in Polavaram, Chegondapalli and Mamidigondhi of Andhra Pradesh have been received. Representations are received from time to time regarding implementation of the Forest Rights Act, 2006. The onus of implementation of the Act lies with State/UT Governments which is an ongoing process. Hence, these complaints are referred to the respective State Government/UT Administrations for taking necessary action at their level. This Ministry constantly follows up with the concerned States/UTs and provides support by holding consultations in different parts of the county and clarify doubts whenever required.

(d) No Sir.

(e) Does not arise in view of reply to part (d) above.

**Recognition of Sidho-Kanho Movement**

1977. SHRI SANJIV KUMAR: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether it is a fact that in the movement spearheaded by Sidho and Kanho, over twenty thousand tribals of Jharkhand were martyred;
- (b) whether it is also a fact that the largest number of people were martyred during India's freedom struggle against the British in this movement; and
- (c) if so, in what ways the Ministry has taken due cognizance of their contribution?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) and (b) The tribal leaders Sidho Murmu and Kanho Murmu were instrumental in the "Santhal Hul (Revolt)" of 1855-57, a heroic episode in India's prolonged struggle for freedom.

(c) The State Government of Jharkhand has made memorial to these great freedom fighters at important places related to them. They have named many public parks etc. after them in the State. The University in Santhal Pargana is named after Sidho-Kanho by the State Government as 'Sidho-Kanho Murmu University' at Dumka. A housing scheme named as 'Sidho Kanho Awaas Yojana' is being run by the State Government of Jharkhand to accord due recognition to the tribal leaders.

**Review of the Forest Rights Act, 2006**

1978. SHRI RAJEEV SHUKLA: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether there is any proposal to review the Forest Rights Act, 2006 and to change the definition of 'forest' as defined in the said Act;
- (b) if so, the details thereof; and
- (c) considering the issues relating to climate change and livelihood of the tribal population associated with this Act, what necessitates Government to bring change therein?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) No. Sir.

(b) and (c) Do not arise in view of reply to part (a) above.

**Impact of changes in tribal way of life**

1979. PROF. M.V. RAJEEV GOWDA: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether the Ministry has carried out any study to find out the impact of changes in tribal way of life and food habits among the indigenous tribes;

(b) if so, the details thereof;

(c) whether the Ministry is working along with the Ministry of Health and Family Welfare to prepare a plan to counter increasing incidence of lifestyle diseases among tribals; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) No, Sir,

(b) Does not arise in view of (a) above.

(c) and (d) The Ministry of Tribal Affairs has been focusing on universal access to basic health facilities for tribal population including improving their nutritional status with special focus to counter increasing incidences of lifestyle diseases among tribals. It supplements interventions of other Ministries through critical gap filling. The Ministry has been coordinating with the Ministry of Health and Family Welfare and Ministry of Women and Child Development in this regard. Besides, the funds allocated by the Ministry to the States/UTs, inter-alia, address the issues covering health of tribal population in general. The Ministry have also emphasized use of traditional food, minor millet in the food basket through intervention in schools, inclusion in curriculum personal hygiene, habit of clean toilets etc. for dissemination by State Tribal Research Institutes as well.

**Formulation of National Tribal Policy**

1980. SHRI DILIP KUMAR TIRKEY: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether it is a fact that Ministry is considering to come up with a National Tribal Policy;

(b) if so, by when this policy will be formulated; and

(c) whether the tribal-dominated States will also be consulted in the process?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) Ministry of Tribal Affairs had prepared a draft National Tribal Policy (NTP) in the year 2006. Consultations were held with all stakeholders on the draft NTP. Meanwhile, certain legislative and policy changes have taken place which necessitates further revision of the draft Policy. Further, a High Level Committee (HLC) was also constituted to prepare a status paper on socio-economic status of Scheduled Tribes and suggest a way forward. As the recommendations contained in the Report of HLC would have far reaching implications on policy formulation, it has been felt that a new comprehensive, concise and focussed National Tribal Policy be brought out.

(b) and (c) No time line has been stipulated for formulating the Policy. All stakeholders would be consulted as and when the policy is formulated.

**Identification of weavers in tribal areas**

1981. SHRI ANUBHAV MOHANTY: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether the Ministry has identified the number of weavers in the tribal areas involved in the traditional weaving practices;
- (b) if so, whether there is any scheme to promote any such traditional weaving;
- (c) if so, whether any fund has been allocated for this purpose; and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI JASWANTSINH SUMANBHAI BHABHOR): (a) The details of tribal weavers identified and handicraft training imparted by Tribal Cooperative Marketing Development Federation of India Ltd. (TRIFED) to tribal artisans in weaving activity is given in the Statement (*See below*).

(b) Ministry of Tribal Affairs is implementing a scheme named "Institutional Support for Development and Marketing of Tribal products" under the scheme TRIFED undertakes Direct Marketing of Tribal products including training of artisans. Comprehensive training programme (CTP) and Design Workshop Training (DWT) are the two components on training for artisans under the scheme.

(c) and (d) The details of funds utilized in trainings in the past and allocated in the current financial year is also given in the Statement.



**Statement**

*Details of tribal weavers identified and handicrafts training imparted by TRIFED to tribal artisans in weaving activity*

Sl. No.	Regional Office	Number of Weavers in the tribal areas involved in the traditional weaving practices	Scheme to Promote Traditional Weaving	(₹ In lakhs)				
				2013-14 (Utilised)	2014-15 (Utilised)	2015-16 (Utilised)	2016-17 (Allocated)	
1	2	3	4	5	6	7	8	
1.	Delhi	One tribal weaver of NE based at Delhi	-	-	-	-	-	
2.	Chandigarh	6 number of tribal weaver suppliers from Himachal Pradesh and Jammu and Kashmir, under whom 152 tribal families are associated	-	-	-	-	-	
3.	Gangtok	Proposed training - 20 No of Tribal women belonging to Oroam Tribes selected for Weaving of Oroam motif & 20 Tribal Women belonging to Matigara Area	Comprehensive Training Programme (CTP)	-	-	-	3.70	
4.	Bhopal	20 Number of Tribal beneficiaries given training for weaving of Hathkargha at Bharatpur in Dist-Siddhi, MP	Comprehensive framing Programme (CTP)	-	-	-	-	
5.	Jaipur	40 No of Tribals beneficiaries given training on Rugs & Carpets	Design & Workshop Training (DWT)	1.65	2.08	-	-	
6.	Bhubaneswar	20 traditional weavers of Burdwan Dist involved in kantha weaving	Primary Level Training (PLT)	-	-	-	-	

	20 traditional weavers of Burdwan Dist involved in kantha weaving	Advance Level Training (ALT)	-	-	-	-
	20 traditional weavers of Burdwan Dist involved in kantha weaving	Design & Workshop framing (DWT)	-	-	-	-
	20 traditional weavers of cotton handloom from Burdwan Dist	Primary Level Training (PLT)	-	-	-	-
	20 traditional weavers of Mat Craft in Midnapore Distt. of West Bengal	Design & Workshop Training (DWT)	-	-	-	-
	20 traditional weavers of Mat Craft in Midnapore Dist. Of West Bengal	Primary Level Training (PLT)	-	-	-	-
	20 tribal weaver families of Rayagada Dist involved in the traditional weaving practices for making dongria Kandha Shawls.	Primary Level Training (PLT)	-	-	-	-
7.	Ranchi 20 number of tribal artisans were identified in the village Soharia, Bashwa, Block- Bagha-II, Bihar Proposed training in woolen weaving craft	Comprehensive Training Programme (CTP) Design & Workshop Training (DWT)	-	3,31	-	- 2,00
8.	Guwahati 16 No of Mishing Tribes Weavers of North Lakhimpur, Assam 20 No. of Rabha Tribes Weavers of Mirza Kamrup, Assam	Advance level Training (ALT) Advance Level Training (ALT)	1,48	-	-	- 3,40

1	2	3	4	5	6	7	8
	20 No. of Dimasa Tribes Weavers of Kumrakata Nagaon, Assam		Comprehensive Training Programme (CTP)	-	3,12	-	-
	40 No. of Mishing Tribes Weavers of North Lakhimpur, Assam		Comprehensive Training Programme (CTP)	-	6,55	-	-
	20 No. of Bodo Tribes Weavers of Sonitpur, Assam		Comprehensive Training Programme (CTP)	-	-	2,15	-
	20 No. of Karbi Tribes Weavers of Morigaon, Assam		Comprehensive Training Programme (CTP)	-	-	2,10	-
	20 No. of Tiwa Tribes Weavers of Morigaon, Assam		Comprehensive Training Programme (CTP)	-	-	1,92	-
	Proposed weaving and Stitching training at Assam		Comprehensive Training Programme (CTP)	-	-	-	3,70
	Proposed training in Dimasa motif in Meghalaya		Comprehensive Training Programme (C TP)	-	-	-	3,70

*The House then adjourned for lunch at one of the clock.*

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*The House reassembled after lunch at two of the clock.*

MR. DEPUTY CHAIRMAN *in the Chair.*

**GOVERNMENT BILL**

**The Constitution (One Hundred and Twenty-second  
Amendment) Bill, 2014 - Contd.\***

MR. DEPUTY CHAIRMAN: Now, the Constitution (One Hundred and Twenty-second Amendment) Bill, 2014. Further consideration of the Motion moved by Shri Arun Jaitley on 11th August, 2015. Now, hon. Minister.

THE MINISTER OF FINANCE AND THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY): Mr. Deputy Chairman, I rise to move:

That the Bill further to amend the Constitution of India, as passed by Lok Sabha and as reported by the Select Committee of Rajya Sabha, be taken into consideration.

Sir, just a few brief comments at the very outset, and then, I will be replying to the issues raised by the hon. Members in the course of debate itself. Sir, this is one of the most significant tax reforms in India in recent history. This reform itself has been debated within the political and economic system of India for the last almost over 15 years. The Government had, in the last decade itself, appointed a Task Force headed by Dr. Kelkar, which had in 2003 first mooted this idea of a uniform Goods and Services Tax in India based on the VAT principle. This was considered by the Government and it was first put into public domain through the Parliament in the year 2006 when it was referred to in the Budget Speech of the then Finance Minister, Mr. Chidambaram. A tentative date that it could be implemented and rolled out by 2010 was also indicated at that stage. Discussion paper on it was released in November, 2009. There was a Joint Group of Officers between the Centre and the States, which was formed in order to do a lot of technical coordination, and a formal Constitutional Amendment was introduced along with the Budget in the year 2011 itself. There were two parallel tracks on which discussion on this went on. The first was that the Government had created an Empowered Committee of State Finance Ministers, which considered the draft, which also interacted with the Union Government, and this Empowered Committee of State Finance Ministers from time to time had been suggesting several changes as far as the Goods and Services Tax proposals were concerned.

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\*Further discussion continued from 11th August, 2015

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Simultaneously, this was also referred to the Standing Committee of the Ministry of Finance, which in August, 2013 submitted a Report. The Report was also sent to the Empowered Committee and again, in November, 2013, some suggestions were made by the Empowered Committee, which were duly incorporated by the Government at that time. The revised Bill finally was ready some time towards the early 2014 but it lapsed on account of the dissolution of the Lok Sabha itself. In December, 2014, after the change of Government, the Cabinet again approved the amendments. This was preceded by a series of discussions between the Government and the Members of the Empowered Committee. If I may recollect here, one of the contentious issues was to bring on board several States which had reservations. Now, reservations were broadly of two categories. Some States felt that the power to impose tax within the State or subjects in the State List were within their domain and, therefore, this was their exclusive jurisdiction. Some manufacturing States felt that since this was intended to be based on the destination principle and the consuming States would benefit more, hence, there would be a loss suffered by the manufacturing States themselves. They wanted an adequate mechanism for their own compensation. Most of the States were brought on board and the December, 2014 Amendments were on the basis of that consensus which had been reached at that stage. That Bill that was approved by the Empowered Committee, was also approved by the Lok Sabha in 2015. When it came before this hon. House, it was then referred to a Select Committee. The Select Committee made certain suggestions, some of which have been incorporated. Thereafter, the Government considered it absolutely necessary to build a larger consensus. The need for a larger consensus proposal was to change the taxation structure as far as the country was concerned. Today, within the domain of the Union Government and the States, there are different categories of taxes which are imposed. These were all intended to be subsumed into the Goods and Services Tax. Now, for some of those who felt that this was surrendering their sovereignty, this was, in fact, pooling in of sovereignty of the States at the Centre so that we could have a system which was a far better and a more modern conducive system, which would help the assessees, which would raise larger revenues and eventually give a boost to the Indian economy itself. The merits of the system itself are that it would convert India into one uniform economic market with a uniform tax rate, bring about a seamless transfer of goods and services across the country, enable us to check evasion and, therefore, enlarge the revenue, as far as the Centre and the States are concerned. This should also be equitable in as much as the consuming States could also be benefited as far as the economy is concerned. Many economists and analysts believe that this would also give a boost as far as the growth rates in the country are concerned. It was, therefore, extremely important that before a Bill of

this kind, which brings about a major change, is considered, there is a political consensus built up to the extent that it is possible. Therefore, once the Select Committee and earlier, the Standing Committee made their recommendations; the Empowered Committee of State Finance Ministers was consulted from time to time to suggest various changes and improvements in the Bill. Simultaneously, a process of dialogue with all major political parties in Parliament was also undertaken. Therefore, the two discussions, both in the Empowered Committee, and dialogue with the political parties, had to be balanced with each other and the best possible outcome had to be incorporated as far as the Bill was concerned. It was obvious that this exercise would take time but I would say this has yielded effect and there has been a large consensus building which has taken place, which was absolutely necessary in a Bill of this kind, for the simple reason that a legislation of this kind cannot be based on partisan considerations. Almost every major political party in the country is a part of the power structure in some part of the country or the other or, at least, it is likely to be. Therefore, since this impacts across the Centre and the States, a larger political consensus was necessary and, therefore, we have systematically worked towards that political consensus and I am extremely grateful to all the political parties, whose Members are present here. I am, particularly, grateful to Shri Ghulam Nabi Azad, the Leader of the Opposition, who was a part of the discussions that I had along with his colleagues on this subject as also various other political parties, Chief Ministers of almost all States, Leaders of all political parties, whom I had discussed this issue with and the Empowered Committee of State Finance Ministers that we have been able to achieve as far a consensus as it is possible, if not unanimity, as far as the language and the spirit of this legislation is concerned. Sir, the Bill seeks to subsume -- and I am sure the hon. Members would reflect on this and if there are issues raised, I will answer them in the reply -- various taxes, as far as the Central Government is concerned and the State Governments are concerned, into a uniform Goods and Services Tax. As a part of the consensus, the States strongly felt that alcohol had to be kept out. Many States felt that petroleum products should be kept out. So the arrangement that has been made is that alcohol, at least, consumable alcohol, is not a part of the GST. Technically, petroleum products are kept, but, they are being zero-rated. They will be brought within the taxation structure itself once the Empowered Committee -- which will subsequently convert itself into the GST Council itself -- gives an approval to the idea. Sir, the whole concept of the GST Council is, Indian federalism at play in the best possible mode. Two-third of the voting power, in the GST Council, would belong to the States, and one-third of the voting power, in the GST Council, would belong to the Centre. The votes required to settle a particular issue are three-fourths and therefore, necessarily, the GST Council has to work, particularly, under a consensus and, therefore, the Centre and the States will have to work

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together. The Centre will have a veto on the States; the States will have a veto on the Centre. Therefore, this would be federalism at play, under which the GST Council itself, would then be able to take its decisions. Sir, the whole object is that after this Constitution Amendment is approved and ratified by the States, the Council would come into existence. Subsequently, three enabling laws, two by the Central Parliament and one by State legislatures, will have to be passed. The two Central laws would be in relation to the Central GST and the inter-State GST. The State legislation would be with regard to the State GST. It is needless to say that the Council itself would discuss the drafts of those laws. Various modalities, including taxation structures and operational modes, would then be discussed with the Council so that there is no overlapping left as far as the functioning of the GST is concerned, and all the areas which will then be smoothened out. And hopefully, once the Council approves those legislations, those legislations would be brought before this hon. House. Parallely, the IT backbone, which is required to support the GST network, is also being prepared. It is at reasonably advanced stages and once these proposals are carried out, we will be able to put this in actual action as soon as we pass these legislations and provide the IT infrastructure which is necessary for that. I hope this is done as quickly as we can. I am sure that the enactment of the GST, as I have said earlier, will bring about the best as far as the economic management of this country is concerned, in a federal form. It will empower the States. It will increase the revenue of the States as also of the Central Government. It will try to dissuade and discourage, and bring down levels of evasion. It would ensure that there is no tax on tax. So the cascading effect of taxes in the value of goods itself, will no longer be there and that would even make some of the products cost less. It would, certainly, give a boost, as far as the economy is concerned, which is required at this very critical stage. And I am sure, as we discuss this, a large number of issues will come out as to what the eventual GST rates would be. Some suggestions were made to that effect. There were some suggestions made by my learned colleagues in the Opposition with regard to one per cent additional tax on inter-State trade, where there was an alternate view and it was felt that it would have a cascading effect and would go contrary to the destination principle. The Leader of Opposition, along with his colleagues, had made that point. We have accepted their viewpoint. There was a suggestion with regard to the rephrasing of the Dispute Redressal Mechanism that if there are disputes, how the disputes are to be resolved. We all have agreed that disputes would be resolved in the GST Council itself and if the Council cannot resolve the disputes, then the Council would refer the matter to an adequate Disputes Redressal Mechanism that the Council itself would set up. That authority also has been vested into the Council. With

regard to the rate, it is the rate which is in the domain of the GST Council. But at the last meeting of the Empowered Committee which reflects what possibly could be the intention of the GST Council, the Empowered Committee suggested certain guiding principles for itself. The two guiding principles were that the rate of taxation as it is leviable today with the implementation of the GST will gradually come down from its present level so that it is more citizen-friendly. That is the first step that they have suggested. The second was that the taxation should be adequate enough to maintain the present levels of taxation to make sure that the Central and State Governments are able to discharge their duties and obligations with the fullest amount that they collect. This is the guiding principle which the Empowered Committee -- that is the intent of the State Governments -- has set for themselves.

With these few observations, I commend this Bill to the hon. House for its acceptance. When the issues are raised in the course of discussion, I will respond to them towards the end.

*The question was proposed.*

MR. DEPUTY CHAIRMAN: Thank you, hon. Finance Minister. Now, Mr. P. Chidambaram, maiden speech. It will be for 15 minutes. ...*(Interruptions)*...

**श्री नरेश अग्रवाल** (उत्तर प्रदेश): सर, यह इनकी मेडन स्पीच है। ...*(व्यवधान)*...

SHRI P. CHIDAMBARAM (Maharashtra): Mr. Deputy Chairman, I am happy to be able to speak in this House once again. I do so, for the first time, on this side of the aisle and that makes me doubly happy.

I welcome the friendly and conciliatory tone of the hon. Finance Minister's speech. I think, the tone and approach have changed over the last three or four weeks, and that augurs well for this Bill. Although it will depend upon the outcome of this debate; and the assurances that the Government is able to give, many issues, which he himself hinted, are still outstanding issues and need to be resolved. If I may say in the lighter vein, between 2011-14, I did virtually, what was called, "चार धाम" travelling between my Prime Minister, the Leader of the Opposition in the Lok Sabha, the Leader of the Opposition in Rajya Sabha and the Empowered Committee of State Finance Ministers'. We tried to pass the GST Bill with the support of the principal Opposition party and we failed. In the last 18 months, the Government tried to pass it without the support of the principal Opposition party, and I am glad that they have also failed. Today, if we pass the Bill, which I hope we will, after we listen to your speech, it will be on the basis of serious discussions, serious negotiations and serious debate. It is a far too important legislation to be passed on a



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partisan basis. In fact, I commented once, I hope the Finance Minister will pass the Bill not on the strength of numbers, but on the strength of his arguments.

Sir, I am glad that the finance Minister has acknowledged that it was the UPA Government which first officially announced the Government's intention to bring about the GST. On the 28th February, 2005 it was announced in the Lok Sabha in the course of the Budget Speech, I quote: "In the medium to long term, it is my goal that the entire production and distribution chain should be covered by a national VAT or even better a goods and services tax encompassing both the Centre and the States." It has, of course, taken us 11 years to arrive at this point. But I think the journey has been a learning experience for everyone. Sir, let me make it very clear that the Congress Party was never opposed to the idea of a GST. In fact, I believe, about an hour ago, the Finance Minister said so much in an interview to a television channel, and I thank him for making that acknowledgment. We were never opposed to the idea of a GST. We are not discussing or debating the idea of a GST. That debate has gone on in this country for several years, and I think the country is now ready to embrace the idea of a GST. Just as the 2011 GST Bill, introduced by Mr. Mukherjee, was opposed by several Parties including the BJP, the 2014 Bill was being opposed. The idea was not opposed; the Bill was opposed because we felt that it was possible to have a more perfect Bill. And I choose my words carefully. There can be no such thing as a perfect Bill. And in a legislation as transformative and as revolutionary as the Goods and Services Tax Bill, I don't think anyone from the Government side will claim that this is a perfect Bill. It can never be a perfect Bill. But when we found that there were too many flaws in the Bill, and many of those flaws could be fixed by addressing them seriously, we decided that we could support the Bill. I am happy that in the last few weeks there has been a serious engagement by the Government with the Opposition Parties, including my Party, and I am glad that considerable progress has been made.

Sir, there are four major issues. I will touch briefly upon the first three issues because it is the last issue that concerns me the most and I want to take my time dealing with that at some length.

The first one is this. I wish to point out to the hon. Finance Minister, that there are still pieces of clumsy drafting in this Bill. For example, in the present List of Amendments circulated, you have made some provisions for what will go into the Consolidated Fund of India and what will not go into the Consolidated Fund of India. This problem should have

been noticed much earlier. It should have come in the Draft Bill. But it has come today in the form of an amendment, and while I will not take too much time explaining what I have in mind, if the hon. Finance Minister reads it more carefully, he will find that these are exquisite pieces of clumsy drafting.

Revenue has to go into a Consolidated Fund. That is the mandate of Article 266 of the Constitution. It has to either go into the Consolidated Fund of India or the Consolidated Fund of a State. It cannot go nowhere, and I am afraid the draft amendment circulated leaves this question unanswered. I can understand the problem that you faced. I think, to the best of my understanding, the problem was how to avoid double-counting. But I think there was a more elegant way of dealing with the problem of double-counting. I think the draft is clumsy. Maybe, it can't be rectified at this stage when we are in the final stages of debating the Bill. But I would just add a word of caution that the drafting in this respect is rather clumsy.

The second issue was, I think, an issue that could have been resolved in five minutes. How can you in a destination-based tax have a retrograde provision like some States being allowed to impose an additional one per cent? What is the rationale of a GST? The rationale of a GST is that we must avoid multiplicity of taxes; we must avoid cascading of taxes and we must be able to capture every taxable transaction. If you give to some States the power to impose an additional one per cent tax, and in the Bill that was circulated, it could have been imposed by more than one State as goods pass from State 'A' to State 'B', to State 'C' and to State 'D', it would have led to multiplicity of tax rates, it would have led to cascading, and it would have led to a situation where several transactions may or may not be captured. This was immediately pointed out, but, I think, the Government was, during that time, not today, rather stubborn. The Chief Economic Adviser of the Government pointed out that this was a retrograde provision, and this should be scrapped, and I am happy that this has been scrapped. GST does not stand only for goods and services tax, it also stands for "good sense triumphs". Ultimately, good sense triumphs, you have dropped the one per cent tax and I thank you for accepting our suggestion to drop the one per cent tax.

The second major issue is dispute resolution. Now, please remember that dispute resolution between the Centre and States, between one State and one or more States, between a group of States and a group of States, is not a matter on which the Constitution is silent. Whatever we do here, we must acknowledge the fact that the Constitution is not silent on dispute resolution between States. Article 131 speaks loud and clear. It provides for a machinery for dispute resolution. Nothing that we do here can derogate

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from Article 131 unless you amend Article 131, and that is not what we are doing today, which is why the Bill introduced by Mr. Mukherjee in 2011, laid out a clear provision for dispute resolution called the Dispute Resolution Authority, and recognized that dispute resolution is an exercise of judicial power. Just as the Government is zealous of guarding its Executive power, just as we in Parliament are zealous of guarding our Legislative power, the judges of this country are zealous about guarding their Judicial power. Time and again, the judges have said, if you encroach upon our judicial power, we will strike it down. I still maintain that the provision introduced in Mr. Mukherjee's Bill was the best provision, or clearly a much better provision than the provision introduced in the present Bill. The draft circulated was abominably deficient. It did not even require the GST Council to establish a mechanism. It said 'may lay down the modalities', and in discussions with us, and I believe, discussions with other parties, it was pointed out to the Government that this is hopelessly deficient. You must oblige the GST Council to set up a Dispute Resolution Authority, and it must be set up *ex ante*. A mechanism cannot be set up after the dispute arises; that is the difference between rule of law and rule by law. In a country governed by rule of law, the Dispute Resolution Authority is known to everybody even before a dispute arises so that you know if a dispute arises; you go there. If you set up the machinery after the dispute, that is not rule of law. That is, show me the person and I will show you the rule. I am glad that some strengthening has been done to this provision. I would still urge the Finance Minister, if he is inclined to do that, to strengthen it, there is still time to strengthen, during the course of this debate, he can move an official amendment. I would still urge him that the clause which he is introducing now, namely, Amendment No. 7 to Clause 12, can be strengthened. It only contemplates, 'disputes arising out of the recommendations of the GST Council'. I think he should add, 'disputes arising otherwise also between States', and in the first part of that Amendment, he should say, 'The Goods and Services Tax Council shall, by regulation, establish a mechanism'. I think it is still deficient. I am not sure whether it is constitutionally suspect. It may be constitutionally suspect. But I am trying to save that provision. It falls far short of the provision introduced by Mr. Mukherjee but, given the fact that it is the best that the Government can do at the moment, I would still urge him to amend that provision to say, 'That the GST Council shall, by regulation, establish a dispute resolution mechanism' and also include 'disputes arising otherwise than out of the recommendations of the GST Council'.

Sir, I now come to the more important part of this Bill, which is, the heart of the Bill, the core of the Bill. This is about the rate of tax. I will presently read portions from the

Chief Economic Advisor's Report. The heart of this Bill is what the tax will be. It is not a matter between the Union Finance Minister and the State Finance Ministers. There is a third side to the triangle; that is the people of this country. Every Union Finance Minister wants to maximize revenues. Every State Finance Minister is under pressure to maximize revenues. There is nothing wrong with that. But, please remember we are dealing with an indirect tax. An indirect tax, by definition, is a regressive tax. Any indirect tax falls equally on the rich and poor. If you buy a soft drink bottle; whether a rich man buys it or a poor man buys it, he pays the same excise duty on the soft drink bottle. That is why, world over, indirect taxes, being regressive in nature, the trend is to keep them as low as possible. I am sure many Members have read the Chief Economic Advisor's Report. If not, I would urge you to please read it. The cover tells the story. "In high income countries, the average GST rate is 16.8 per cent. In emerging market economies like India, the average is 14.1 per cent." So, world over, over 190 countries have one form or the other of GST. It is between 14.1 per cent and 16.8 per cent. The idea is, being an indirect tax, it should be kept as low as possible. The taxes that fall more on the rich and less on the poor are income tax and corporate tax. Those are the taxes consistent with other goals which the country may have. Those are the taxes which must be the principal sources of revenue. In fact, for many-many years in this country, there is a complete tax distortion. The collection from indirect taxes is larger than the collection from direct taxes. I think we crossed the line some time in the year 2006 or 2007. Maybe in 2008, we crossed the line when the collection from direct taxes overtook the collection from indirect taxes and that remains so even today and that is how it should be. In fact, the collection from direct taxes should far outweigh the collection from indirect taxes. So, what do we do? We need to keep the taxes low. At the same time, we must protect the existing revenues of the Union Government and the State Government. So, how do we go about it? We go about it by discovering what is called a Revenue Neutral Rate, RNR. That is not the actual rate of tax. That is simply a step in deciding the slab rates. It is not so technical. In fact, it can be explained in fairly simple terms. You derive an RNR; and then from that RNR, you work out the slab rates. Suppose you derive the RNR as 'x', the slab rates will be, x(-) will be the first slab; 'x' will be the second slab; and 'x(+)' will be the third slab, 'x'(-) will fall on goods of mass consumption, what we call wage goods, goods that are consumed by the poor people. 'x' will be the standard rate or nodal rate. 'x(+)' will fall on what is called 'demerit goods' or sin goods, the so-called sin goods like alcohol, tobacco, imported luxury cars, etc., etc. It is perfectly a balanced structure. The question is: What is 'x'? Today, please remember, over 80 per cent of goods have Excise Duties between 12 and 14 per cent. Over 56 per cent of VAT on goods is in the range of about 13-14 per cent. So, on an average, 70 per cent of the goods have a tax incidence of about 13-14 per cent.

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But there are huge tax losses because of an inefficient collection machinery and a large number of goods escape taxes. They are neither captured by the Union nor captured by the States, etc., etc. The GST is supposed to be a more efficient tax. If the Union captures it, it cannot escape State tax. If the State captures it, it cannot escape Union tax. Therefore, it is more efficient. And because it is non-cascading, more people will comply with it. Because it is a self-audit method, a chain of transactions, it is very difficult to escape the tax. All these are argued everywhere, and I don't wish to repeat those arguments.

Now, the Chief Economic Adviser of the Government, working with experts, including State Government representatives, arrived at an RNR of 15 to 15.5. And, then, suggested that the standard rate should be 18. The Congress Party did not pluck 18 from the air. This 18 came out of your report; the standard rate must be 18. You can have then a lower rate 18(-), and you can have a demerit rate 18(+). But the standard rate, the rate that will apply to most goods and most services must be 18, and the Chief Economic Adviser has argued very cogently that that alone will make it non-inflationary, acceptable to the public and an efficient way of taxing without tax evasion.

Now, when we say, 'cap the tax rate', what are we saying? We are saying that this rate should not be changed by the whim of the Executive. Today Excise Duties are changed by the whim of the Executive. Three days ago, they reduced the price of petrol and diesel. Three days later, they may increase the price of petrol and diesel. They do not come to Parliament for approval. The Customs Duties are changed by the whim of the Executive. But the Income-tax cannot be changed by the whim of the Executive because it is enshrined in the law. Therefore, we argued, please now, on the basis of your own reports, cap the rate. When we used the word 'cap the rate', what do we mean? It cannot be changed by the whim of the Executive. A rate must only be changed with the approval of Parliament. Now, I ask all of you; Do you agree with me or do you disagree with me on the question that a rate of this importance must be changed only with the approval of Parliament? It cannot, ought not to be changed by the whim of the Executive. Now, I want to speak up loud and clear and tell the people of India that we want Parliament to change the rate; we don't want the Executive to change the rate. The people of India expect low Indirect Taxes. There are a lot of people, a lot of corporates, I have seen in the last few days, speak up for passing the GST Bill. It does not matter to them whether the rate is 18 or 20; they will pass it on to the consumer. In any way, there are many voices in the country to speak up for the corporate supporters. But, somebody must speak up for the people. That is precisely what my party is doing, what I am doing today. In the name of

the people, I ask you to keep this rate at the rate recommended by your CEA, namely, the standard rate should not exceed 18 per cent. I know, you are not incorporating it in the Constitution Amendment Bill. But, willy-nilly, you have to incorporate it in the GST Bill. No tax Bill will survive judicial scrutiny unless the tax rate is mentioned. So, today, you may avoid mentioning of it, but three months later, when you come back with the GST Bill, the CGST Bill and the IGST—now called Goods and Services Tax on Inter-State Trade and Commerce—must mention a tax rate. And we will repeat this demand again then. In the meanwhile, we will campaign throughout the country appealing to the people of India to support the idea that this tax, the standard rate of GST, should not exceed 18 per cent. With the greatest respect, I don't buy the argument that by fixing the standard rate at 18 per cent the States will lose revenue.

Sir, just read paragraphs 29, 30, 52 and 53 of this Report. It categorically argues on sound data that a rate which is the standard rate, which is based on implied RNR 15 to 15.5, a standard rate of 18 per cent, will protect the revenues of the Centre and States, will be efficient, will be non-inflationary, will avoid tax evasion and will be acceptable to the people of India. However, if the Government does not care about inflation, does not care about acceptability to the people of India, does not care about efficiency, then go ahead and charge 24 per cent or charge 26 per cent! That is defeating the purpose of GST. If you are going to charge 24 or 26 per cent ultimately on goods and services, why bring a GST Bill at all? Your Excise and Customs will take care of it. Please remember, services today represent 57 per cent of India's GDP. It suffers a tax rate of 14 per cent today. With Swachh Bharat cess and other cess, it may have gone up to 14.5 per cent. But, if you suddenly jack it up to something like 24 per cent, it is hugely inflationary. Let me caution you, let me go on record, it is hugely inflationary and there will be a huge backlash if you raise the service tax rate from the current 14.5 per cent to 23 or 24 per cent.

Sir, likewise, in VAT, most goods suffer a very low rate of VAT. There is a huge number of exemptions and only 56 per cent are at the standard rate. If you suddenly jack it up to 23 or 24 per cent, it will be inflationary. And a high rate will lead to tax evasion. A high rate will mean an inefficient system. So, I would urge the Government to reflect on it again. Yes, we have today agreed because, I believe, even the Government has not made up its mind on what the RNR is. The Government and the State Ministers are not agreeable on what the RNR is. In the last meeting that took place the last Tuesday, according to our information, there was a clear cleavage, a disagreement between the State Finance Ministers on the one side and the Union Finance Minister on the other. I can't vouchsafe that they have not agreed on RNR. They are going back to their drawing board and working on the RNR. I don't know. Perhaps, within the Government, there is a

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disagreement between the Revenue Department and the Economics Division. I don't know that either. Eventually, you will have to come to an agreement on this point. Eventually, you have to put a rate in a tax Bill. I, on behalf of my party, loudly and clearly demand that the standard rate of GST which applies to most of the goods and services, over 70 per cent of goods and services, should not exceed 18 per cent and the lower rate and the demerit rate can be worked on that 18 per cent.

Sir, the worry that we have is creeping taxation. Every Government is guilty of creeping taxation, including mine. I am not denying that. I am not denying that, but that is precisely what Parliament is for. Taxation is the exclusive power of Parliament. It should remain the exclusive power of Parliament. We can give some flexibility to the Executive, but eventually, it is Parliament which must call the shots on what the rate is. That is why I appeal to you that while today we may not put the rate in the Constitution (Amendment) Bill, tomorrow when the Bill comes, the rate has to be mentioned and we will, in the meanwhile, campaign and persuade all political parties and all sections of the people that a standard rate of 18 per cent is the most acceptable rate, given the economic situation of this country. Sir, let me conclude by saying that when this Bill is passed today we will prepare for the next stage of the debate. The next stage is the Central GST Bill and the Bill, which was earlier called, the IGST Bill and perhaps, it will be called today the Goods and Services Tax Bill. I want an assurance from the Finance Minister. This is far too important legislation which will last for the next 100 years. Not to hide behind any technical arguments, I want an assurance from the Leader of the House, the hon. Finance Minister, my good friend and fellow lawyer that when that Bill is brought, it will be brought as a Financial Bill and not as a Money Bill. Therefore, both the Houses will debate on both. ...*(Interruptions)*... Too many Bills have slipped through the cracks as Money Bill. It has been challenged in the Supreme Court by one of our distinguished colleagues here and let us see what the outcome is. But this is far too transformative, far too revolutionary a legislation that one House will vote and the other House will speak. I think, both the Houses must debate it. Both the Houses must be allowed to vote and this is something within the power of the Government to say, 'yes, we will introduce the CGST Bill and the IGST Bill as Financial Bills and both the Houses will debate, both the Houses will vote', and I ask the Finance Minister that assurance, and, I say, after the debate, my Party will support this Bill, but we require assurances from the Finance Minister. Thank you.

श्री भुपेन्द्र यादव (राजस्थान): सम्माननीय उपसभापति महोदय, आज यह एक ऐतिहासिक

अवसर है कि सारा सदन देश में नए आर्थिक परिवर्तन के लिए जो एक संवैधानिक संशोधन किया जा रहा है, उस पर सर्वसम्मति से एक राय रख रहा है। महोदय, मैं यह कहना चाहूँगा कि हमारे जो भी संवैधानिक संशोधन हैं, अगर उनका एकमात्र उद्देश्य है, तो वह उद्देश्य यही है कि हमने अपने संविधान में इस देश के आम नागरिकों को जो राजनीतिक न्याय, सामाजिक न्याय और आर्थिक न्याय देने की संकल्पना की है, उसके अन्तर्गत आज यह सदन लोगों को आर्थिक न्याय मिले, इसके लिए संविधान में एक बहुत बड़ा संशोधन करके आर्थिक परिवर्तन के लिए एक मार्ग प्रशस्त कर रहा है। इसके लिए निश्चित रूप से मैं माननीय प्रधान मंत्री जी और माननीय वित्त मंत्री जी को उनके उत्कृष्ट कार्य के लिए बधाई देना चाहता हूँ।

माननीय उपसभापति महोदय, हम आज जिस प्रक्रिया में आए हैं, यह प्रक्रिया कोई अभी से प्रारम्भ नहीं हुई है। देश में indirect taxes में परिवर्तन आए, इसके अलाए कभी 1976 में एल.के. झा कमिटी बनी, एनडीए सरकार के समय में भी टास्क फोर्स का गठन हुआ और निश्चित रूप से यूपीए कार्यकाल के समय में इस बिल को लाया गया, Empowered Committee का गठन किया गया और राज्यों के मध्य एक बहुत बड़ी सहमति खड़ी हो, इसके प्रयास Empowered Committee के द्वारा किए गए। बाद में यह बिल स्टैंडिंग कमिटी को भेजा गया। जब हमारी सरकार इस बिल को लेकर आई और लोक सभा में इसे पास किया गया, तो इस सदन में कार्य करते हुए हमारे सदन के सभी वरिष्ठ सदस्यों ने अपना पूरा सहभाग दिया और संशोधनों के साथ यह बिल सरकार के सामने रखा गया और सरकार ने भी कुछ संशोधनों को स्वीकार किया। इसके लिए मैं आपके माध्यम से सदन को और सेलेक्ट कमिटी के सदस्यों को बधाई देना चाहूँगा।

महोदय, सामान्यतः संवैधानिक संशोधन में तीन मुख्य प्रावधानों में जो परिवर्तन किए जा रहे हैं, उनमें अनुच्छेद 246(ए) में राज्यों के जो टैक्स अधिकार हैं, उनको केन्द्र के साथ जोड़ा जा रहा है। वहीं अनुच्छेद 269(ए) में IGST का प्रावधान किया गया है और सबसे बढ़ कर इस बिल में अनुच्छेद 279(ए) में एक GST Council का निर्माण करने का प्रावधान किया गया है। वास्तव में जो GST Council है, उस GST Council के अधिकार और कर्तव्य में देश की टैक्स दरों के बारे में, उनके संग्रहण के बारे में और उनके विवादों को सुलझाने के बारे में हमने एक कार्यकारी व्यवस्था की है। इस संवैधानिक संशोधन के द्वारा जिस GST Council का निर्माण किया जा रहा है, वह हमारे माननीय प्रधान मंत्री जी की प्रगतिशील संघवाद और सहकारी संघवाद के साथ 'टीम इंडिया' की जो कल्पना है, उसके अनुरूप ही हम यह संवैधानिक संशोधन करने जा रहे हैं।

हमारे देश में जो पूरा टैक्स सिस्टम है, उस सिस्टम की तीन-चार बातों को लेकर लम्बे समय से एक विषय चलता रहा है। हमारे टैक्स सिस्टम में जो सबसे बड़ी समस्या रहती है, वह है indirect taxes की समस्या। हमारे यहां taxes का एक मकड़जाल बन गया है। Tax के ऊपर tax की जो व्यवस्था है, उसके कारण देश की व्यापारिक गतिविधियों में विस्तार करने की संभावनाएं सीमित हो जाती हैं। जब भी कोई नया व्यक्ति या कोई भी नया entrepreneur किसी चीज़ की manufacturing के बारे में सोचना शुरू करता है, तो सबसे पहले उसे input tax का सामना करना पड़ता है। जब वह चीज़ बन करके आती है, तो उस पर manufacturing tax, फिर व्यापारिक गतिविधियों के लिए लम्बे समय तक octroi, उसके बाद sale tax, फिर surcharge and additional surcharge.



[श्री भुपेन्द्र यादव]

GST की इस व्यवस्था में पूरे देश के जनमानस में एक विषय यह बना है कि देश में अगर हमें व्यापारिक गतिविधियों का विस्तार करना है, तो tax के ऊपर tax का जो बोझ है, उसे खत्म करके एक सरलीकृत व्यवस्था बननी चाहिए। देश में व्यापारिक गतिविधियों के विस्तार के लिए टैक्स के नाम पर बार-बार जो ब्रेकर लगते हैं, उन ब्रेकर्स से निजात दिलवाकर एक सामान्य गति से पूरे देश में व्यापारिक गतिविधियों का विकास हो, इसके लिए इस प्रक्रिया में संवैधानिक संशोधन के माध्यम से origin tax की जगह जो destination based tax लगाया है, वह न केवल इस प्रक्रिया को सरल करेगा, बल्कि इससे देश के आर्थिक विकास को तीव्र करने का मार्ग भी मिलेगा। एक प्रकार से सभी को tax credit मिलने लगेगा और टैक्स के ऊपर टैक्स का बोझ कम होगा।

हम लोगों ने इतने लम्बे समय से जटिल टैक्स व्यवस्था खड़ी की है। हम जितनी जटिल कर की प्रणाली को खड़ा करेंगे अथवा जो कर प्रणाली हमने खड़ी कर रखी है, उसमें जितनी जटिलता आएगी, उसके लिए जो compliance का सिस्टम है, उसका अनुपालन करने वाली जो व्यवस्थाएं हैं, उनके सामने भी उतनी ही ज्यादा चुनौतियां रहती हैं। टैक्स चोरी का सबसे बड़ा कारण यही है कि हमने अपनी व्यवस्थाओं में टैक्स प्रणाली को काफी जटिल बना रखा है। अतः यह जो complicated व्यवस्था है, इस व्यवस्था को सरल करने के लिए इसमें व्यवस्थागत पारदर्शिता कायम करने के लिए यह बिल लाया गया है। देश में टैक्स की सही व्यवस्था रहे, इसके लिए motivation और self discipline भी चाहिए। हमारी सरकार के द्वारा जो नये व्यवस्थागत विषयों को खड़ा किया गया है, उनके माध्यम से इन सारी समस्याओं को solve करने का प्रयास किया गया है। आज सबसे बड़ी समस्या यह है, अगर कोई व्यक्ति सामान्यतः किसी restaurant में खाना खाने जाता है, तो जहां उसको VAT देना पड़ता है, वहीं उसको service tax भी देना पड़ता है। इस पर छोटी सी व्यवस्था के लिए उसकी कंपलाइंस की दो एजेन्सियां पूरी व्यवस्था में खड़ी हैं, इसलिए इस जीएसटी के माध्यम से जो अलग-अलग तरह के टैक्स हैं, उनको एक व्यवस्था में ही समाहित करके एक ही रजिस्ट्रेशन, एक ही चालान के द्वारा टैक्स का भुगतान करने और एक ही रिटन देने के प्रावधान के कारण पूरे कंपलाइंस का सरलीकरण करने का प्रयास किया गया है। दुनिया के सामने हिंदुस्तान एक बहुत बड़े बाजार के रूप में माना जाता है, लेकिन देश में अगर हम अपनी व्यापारिक गतिविधि के रूप में देखें, तो हमने अभी भी व्यवस्था के अंतर्गत अलग-अलग 29 बाजारों को खड़ा कर रखा है। हर राज्य के अंतर्गत व्यापारिक गतिविधियों के विस्तार के लिए जो एक सरल प्रवाह होना चाहिए, वह सरल प्रवाह नहीं हो पा रहा है। जीएसटी को लाने का जो अर्थ है और जीएसटी के प्रति लोगों का जो इतना बड़ा विश्वास बना है, जो भारत की पूरी आर्थिक बाजार की ताकत है, अब 29 बाजार न रहकर भारत समग्र रूप से पूरे एक बाजार के रूप में अपनी गतिविधियों का विस्तार कर सकेगा। इस समय "ईज ऑफ डूइंग बिजनेस" की बात बहुत अच्छे तरीके से भारत सरकार के द्वारा की जा रही है, यह ईज ऑफ डूइंग का नारा जो सरकार दे रही है, उसके साथ ही साथ हमारी सरकार "ईज ऑफ फ्रेंडली सिस्टम" के ऊपर यकीन करके चल रही है। हमारे माननीय प्रधान मंत्री जी का हमेशा विश्वास रहा है कि अगर पूरे देश का विकास होना है, तो जैसे हिन्दुस्तान के पश्चिमी भाग का विकास हुआ है उसके समान ही देश का जो पूर्वी भाग है उस पूर्वी भाग का भी विकास होना चाहिए। विकास की व्यवस्था में जो पूर्वी राज्य हमारे से छूट गए हैं, उन पूर्वी राज्यों के विकास के लिए निश्चित रूप से जीएसटी में ओरिजिन बेस की जगह

3.00 P.M .

हम डेस्टिनेशन बेस लाएंगे, इससे देश में जो विभिन्न प्रकार के ट्रेड और नॉन-ट्रेड बैरियस हैं, उनको खत्म करके पूरे देश को एक बाजार के रूप में और एक आर्थिक ताकत के रूप में हम विकसित कर पाएंगे।

महोदय, सबसे बड़ी बात टैक्स कलेक्शन को लेकर जो प्रशासनिक स्ट्रक्चर है, निश्चित रूप से आने वाले समय में हम पूरे देश में टैक्स के ऊपर टैक्स का बोझ खत्म करके एक बाजार का विकास करेंगे और कंपलाइंस सिस्टम को हम लोग सरल करने का प्रयास करेंगे और आने वाले समय का एक बहुत बड़ा लक्ष्य यह भी रहेगा कि पूरे देश में एक यूनिफार्म टैक्स स्ट्रक्चर बने। इसके लिए आने वाले समय में केन्द्र और राज्य सरकारों को मिलकर इसके ऊपर एक बड़ा काम करने की आवश्यकता भी रहने वाली है, क्योंकि सेंट्रल में जो टैक्स का सिस्टम है वह बोर्ड का सिस्टम है और राज्यों में जो टैक्स कलेक्शन का सिस्टम है, वह कमिशनर बेस्ड सिस्टम है। इसलिए यूनिफार्म एडमिनिस्ट्रेटिव सिस्टम का जो विषय है, उसमें पूरे देश के एडमिनिस्ट्रेटिव स्ट्रक्चर के लिए सरकार के द्वारा भी काफी अच्छे प्रयास किए जा रहे हैं।

महोदय, अभी एक विषय टैक्स-रेट को लेकर चल रहा है। टैक्स-रेट का जहां तक विषय है, यह सही बात है कि देश में एक बहुत बड़ा उपभोक्ता है, वह 70 प्रतिशत के करीब कंज्यूमर गुड्स के ऊपर डिपेंड रहता है, लेकिन कंज्यूमर गुड्स के साथ-साथ जो स्टैंडर्ड वस्तुएं हैं, जो लग्जरी आइटम्स हैं और जो दुष्परिणामकारी वस्तुएं हैं, उनके ऊपर अलग-अलग टैक्स रहता है। इस विषय पर हमारी सेलेक्ट कमेटी द्वारा भी विचार किया गया था और सेलेक्ट कमेटी द्वारा यह भी विचार किया गया था कि जो राज्यों की एक लंबे समय से मांग आ रही थी कि जो मैनुफैक्चरिंग राज्य हैं, जहां पर उत्पादन ज्यादा होता है, जिन्होंने उत्पादन के लिए अपना आधारभूत ढांचा खड़ा किया है, उन राज्यों को कुछ न कुछ लाभ मिलना चाहिए। यह एक बहुत ही सराहनीय प्रयास है कि केन्द्र सरकार द्वारा सेलेक्ट कमेटी की अनुशंसा के अनुसार जहां एक परसेंट एडिशनल टैक्स का विषय था, उस पर परसेंट एडिशनल टैक्स को अपने अमेंडमेंट में समाप्त किया गया है, वहीं केन्द्र सरकार के द्वारा राज्यों को कंपनसेशन देने का भी प्रावधान किया गया है। यह सराहनीय है। जब जीएसटी आएगा, तो उसके द्वारा राज्यों में जो अलग-अलग फ्लोर रेट्स तय होंगे, उसके कारण अभी जिस प्रकार से हमारे राज्यों का जो दावा है, उनकी जो आय और व्यय है, उसमें कुछ परिवर्तन होने वाला है, क्योंकि देश भर में हमारी अलग-अलग भौगोलिक परिस्थिति है, उस हिसाब से सभी राज्यों में उपभोक्ता सामग्री के विषय में, बाजार के विषय में और व्यवस्थागत विषयों के मामले में पैमाना अलग है। इसलिए केन्द्र सरकार के द्वारा जो पांच वर्षों का कंपनसेशन का प्रावधान किया गया है, मैं मानता हूँ कि यह केन्द्र सरकार द्वारा एक ऐतिहासिक और क्रांतिकारी पहल की गई है और इन पांच वर्षों के फुल कंपनसेशन के द्वारा हम देश में सभी क्षेत्रों का जो विकास चाहते हैं, वह विकास हमारा पूरा होगा।

इस जीएसटी के द्वारा, जो एक सबसे बड़ा विषय है कि देश में अगर हमें नीचे स्तर तक लोकतंत्र को मजबूत करना है, तो हमारे यहाँ जो नगरीय निकाय और पंचायती राज संस्थान हैं, उन पंचायती राज संस्थाओं और नगरीय निकायों के मन में एक विषय था कि उनके संस्थागत विषयों का क्या होगा।

[श्री भुपेन्द्र यादव]

केन्द्र सरकार ने इस बार भी माननीय नरेन्द्र मोदी जी के नेतृत्व में, चौदहवें वित्त आयोग की जो अनुशंसाएँ हैं, उनको स्वीकार करके नगरीय निकायों को सीधा केन्द्र की तरफ से भी एक तरह से आर्थिक स्वावलम्बित बनाने का कार्य किया है। लेकिन निश्चित रूप से राज्यों के भी जो वित्तिय आयोग हैं, उनके सम्बन्ध में अगर इस बात का विचार किया जाएगा, तो नीचे के स्तर पर हमारे नगरीय निकायों को होने वाली जो आय है, उसको भी हम कम्पन्सेट कर पाएँगे।

एक विषय जीएसटी काउंसिल के मैकेनिज्म को लेकर भी कहा जाता है। इस विषय को बार-बार कहा जाता है कि जीएसटी काउंसिल का मैकेनिज्म क्या होना चाहिए। जब प्रारम्भ में सेलेक्ट कमेटी के सामने भी जो विचार आया, तो पूर्व के कानून में यह विचार जरूर था, इसके लिए अलग से एक ट्रिब्यूनल की व्यवस्था की गई थी। बाद में Empowered Committee ने सभी राज्यों के साथ विचार किया। सेलेक्ट कमेटी ने भी विभिन्न राज्यों के साथ और विभिन्न एक्सपर्ट्स के साथ विचार किया। सबको यह लगता है कि जो जीएसटी काउंसिल का मैकेनिज्म है, वह जीएसटी काउंसिल के द्वारा ही तय किया जाना चाहिए और सरकार ने भी उसी दिशा में अपने कदम को आगे बढ़ाया है।

अर्थव्यवस्था एक ऐसा गतिशील विषय है कि कोई लम्बे समय तक वह एक ही तरीके से रहेगा, यह तय नहीं किया जा सकता है और भविष्य में टैक्स किस चीज़ पर लगेगा, इसके बारे में भी बाज कल्पना नहीं की जा सकती है। जिन्होंने 80 के दशक में बजट कभी प्रस्तुत किया होगा.. तो 2016 में सॉफ्टवेयर पर भी टैक्स लगाना पड़ेगा, भविष्य में ई-कामर्स बढ़ने के कारण हमारे सामने कौन से व्यापार में, कौन से विषयों में टैक्स का विषय कहाँ जाएगा, ये सब चुनौतियों वाले विषय हैं। इसलिए जीएसटी काउंसिल के द्वारा मैकेनिज्म की जो व्यवस्था की गई है, वह व्यवस्था का सरलीकरण करने के लिए है, वह त्वरित निर्णय करने के लिए है। अर्थव्यवस्था में लम्बे समय तक विषयों को हम बाँध कर नहीं रख सकते। इसलिए सरकार ने जो जीएसटी काउंसिल का विषय किया है, सरकार ने जीएसटी काउंसिल को ताकत देने का जो प्रयास किया है, वह अर्थव्यवस्था की गतिशीलता के लिए हमने जो एक नयी व्यवस्था की रचना खड़ी की है.. अभी तक टैक्स के विषय में हमने राज्यों का जो सक्रिय सहभाग होता था, उनकी जो अपेक्षाएँ तथा आवश्यकताएँ होती थीं, उनको उतने ज्यादा व्यावहारिक रूप से स्वीकार करने में एक देरी का सिस्टम होता था, लेकिन जब राज्य और केन्द्र सरकार जीएसटी काउंसिल में एक साथ आकर टैक्स के सम्बन्ध में विभिन्न रेट्स जो तय करेंगे, उसके कारण मुझे लगता है कि देश का जो सहकारी संघवाद है, वह आगे बढ़ने के लिए उसका मार्क काफी प्रशस्त होगा। उसका जो निर्णय लेने का भी मैकेनिज्म तय किया गया है, न केवल उसमें राज्य और केन्द्र की उपस्थिति के बारे में उनका वोट शेयर इस प्रकार से तय किया है कि निर्णय लेने में किसी भी एक पक्ष का पलड़ा भारी नहीं है। पूरे देश में दीर्घकालिक रूप से टैक्स की नीति क्या हो, जमीनी स्तर के हिसाब से रेट्स क्या तय हो, यह समग्रता से जीएसटी काउंसिल के द्वारा अनुमोदित होने वाला है। इसलिए जीएसटी काउंसिल की, एक नये संवैधानिक संशोधन के द्वारा, यह जो एक नयी व्यवस्था खड़ी कर रहे हैं, आने वाले समय में देश में आर्थिक परिवर्तन के लिए हम लोग जो जीएसटी को लेकर आए हैं, उसमें एक महत्वपूर्ण कारक सिद्ध होगी।

यह सच कहा गया है ...**(समय की घंटी)**... कि GST के लिए GSTN की बात की गई है और सरकार के द्वारा GSTN के कार्य को काफी आगे बढ़ाया गया है। सरकार के द्वारा न केवल CGST और Central IGST के प्रारूप को जनता के बीच में चर्चा के लिए रखा गया है, बल्कि उसके लिए जो आवश्यक कदम हैं, उन पर जनता के बीच में चर्चा के लिए इस समय सरकार के द्वारा वह विषय लाया गया है। मैं यह कहना चाहूंगा कि GST से जहाँ पूरे राज्यों का एक tax base बढ़ने वाला है, वहीं उस टैक्स बेस के बढ़ने के कारण जो उद्योग जगत की भी एक बहुत बड़ी मांग रहती है कि हमारे यहाँ जो multiplicity of tax है, उस multiplicity of tax के कारण व्यापारी वर्ग हमेशा से परेशान रहता है। इसलिए अगर देश की आर्थिक ताकत को बढ़ाना है, तो उसको राहत देने के लिए यह बहुत आवश्यक है। मैं यह कहना चाहूंगा कि GST के माध्यम से जो एक पूरा common procedure खड़ा होगा, उसमें registration of tax, refund of tax, uniform format of tax return, common tax base, common tax system of classification of goods and services हैं। ये पूरे देश में, एक निश्चितता और निश्चिन्तता, दोनों का माहौल पूरे देश के व्यापार जगत के लिए स्थापित करेंगे। अभी तक जो सस्ते रेट की बात हम करते हैं कि कंज्यूमर्स को सामान सस्ते रेट में मिले, तो मुझे लगता है कि GST में जब एक समान रूप से टैक्स लगेगा, तो उसके कारण ये चीज़ें सस्ते रेट में आवश्यक रूप से मिलेंगी। आज अलग-अलग राज्यों के टैक्स रेट अलग-अलग होने के कारण, कई बार हम देखते हैं कि लोग एक तरीके से दूसरे राज्य से गाड़ियाँ रजिस्ट्रेशन कराकर लाते हैं, खाद्य वस्तुओं में भी ऐसा है। एक राज्य में खाद्यान्न पर टैक्स नहीं है, दूसरे राज्य में टैक्स है, एक जगह परचेज़ होती है और दूसरी जगह बिलिंग होती है। अगर हम जीएसटी के माध्यम से इन सारी व्यवस्थाओं को खत्म करेंगे, तो पूरे देश में एकरूपता बनेगी। इस तरह से जीएसटी हमारे व्यापारियों के लिए, उपभोक्ताओं के लिए, देश के आर्थिक विकास के लिए बहुत बड़ा कदम साबित होगा। इसको लागू करने के समय जो सबसे बड़ी चुनौती है, वह time constraint की है। यह सच है कि सरकार ने इसको दो सालों में लाने के लिए पूरी प्रतिबद्धता के साथ प्रयास किया है। देश में आर्थिक सुधारों को जितनी तेजी से आगे बढ़ाना चाहिए था, उतनी तेजी से वह नहीं बढ़ा है। देश में 1960 के दशक में bankruptcy और insolvency की रिपोर्ट थी, 56 सालों के बाद सरकार ने bankruptcy और insolvency बिल को लाकर उस जड़ता को दूर किया है। इसी तरह जीएसटी और indirect taxes में सुधार के लिए एक लंबे समय से प्रक्रिया चल रही थी। विभिन्न राजनीतिक गतिविधियों और स्तरों पर उस प्रक्रिया को पूरा करने के लिए सभी जगह संवाद और बातचीत हुई और यह अच्छा विषय है कि देश में आर्थिक व्यवस्था में परिवर्तन के लिए सभी राजनीतिक दल एक सहमति पर आकर बात कर रहे हैं।

महोदय, हम यह जो नया आर्थिक परिवर्तन जीएसटी के माध्यम से लाने जा रहे हैं, मेरा यह मानना है और अंत में मैं यही कहना चाहूंगा कि कई बार यह कहा जाता है कि हमारे देश के पास बहुत बड़ा human resource है, हमारे देश में बहुत बड़ी bio-diversity है, हमारे देश में बहुत संभावनाएं हैं, हमारे देश में बहुत बड़ा परम्परागत इतिहास रहा है, फिर हिन्दुस्तान की मान्यता पूरी दुनिया में क्यों नहीं होती है? हिन्दुस्तान की दुनिया में मान्यता तभी होगी, जब हिन्दुस्तान आर्थिक रूप से ताकतवर होगा और इसलिए जीएसटी के माध्यम से हमने देश में एक नए आर्थिक परिवर्तन के संकल्प को आगे बढ़ाने का प्रयास किया है। मेरा यह मानना है कि दुनिया को अच्छा बनाने के लिए अच्छा भारत जरूरी है, अच्छा भारत बनाने के लिए आर्थिक रूप से संपन्न भारत जरूरी है और आर्थिक रूप से संपन्न भारत

[श्री भुपेन्द्र यादव]

बनाने के लिए इस देश के गरीब आदमी को आर्थिक और सामाजिक न्याय मिले, उस प्रकार की व्यवस्था को खड़ा करना जरूरी है। जीएसटी के माध्यम से हमारी सरकार ने इस संकल्प को पूरे सदन की सहमति से करने का जो प्रस्ताव पारित किया है, उसके कारण पूरे देश में एक नया परिवर्तन आएगा।

आज के संदर्भ में, देश के संदर्भ में मैं एक बात बताना चाहूंगा कि देश में आज एक नई पीढ़ी आगे आ रही है। वह नई पीढ़ी जातियों से ऊपर उठ रही है, वह नई पीढ़ी रूढ़ियों से ऊपर उठ रही है, वह नई पीढ़ी क्षेत्रीय व्यवस्थाओं से ऊपर उठ रही है, वह नई पीढ़ी हमारे देश की नई आकांक्षाओं की पीढ़ी है। वह नई पीढ़ी देश में एक नया व्यवस्थागत परिवर्तन चाहती है, वह नई पीढ़ी देश में नई व्यवस्थाओं का सरलीकरण चाहती है, वह नई पीढ़ी ईमानदारी से देश के लिए काम करना चाहती है, लेकिन वह नई पीढ़ी यह भी चाहती है कि देश के सुदूर गांव तक, इस देश के हर गरीब और हर वर्ग को सामाजिक और आर्थिक न्याय मिले और जीएसटी का यह संवैधानिक संशोधन उस रास्ते में एक महत्वपूर्ण पड़ाव साबित होगा, बहुत-बहुत धन्यवाद।

MR. DEPUTY CHAIRMAN: Thank you Bhupender Yadavji. Now, Shri Naresh Agrawal. ...*(Interruptions)*...

SHRI MADHUSADAN MISTRY (Gujarat): Sir, just a minute.

MR. DEPUTY CHAIRMAN: No, no. ...*(Interruptions)*...

SHRI MADHUSADAN MISTRY: Sir, the Select Committee Report was not unanimous. There was a note of dissent in that. So, I want to make it clear that there was. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no; do it when your Party Member speaks.

SHRI MADHUSADAN MISTRY: Sir, this is just to put it on record. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Not now. ...*(Interruptions)*... Not now. ...*(Interruptions)*...

SHRI MADHUSADAN MISTRY: This is just to put it on record. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Shri Naresh Agrawal. ...*(Interruptions)*... Not now. Do it when your Party Member speaks. Your Party Members will be speaking. Tell them. ...*(Interruptions)*... Please. ...*(Interruptions)*... Shri Naresh Agrawal.

**श्री नरेश अग्रवाल:** माननीय उपसभापति जी, न चाहते हुए भी हम इसका समर्थन इसलिए कर रहे हैं ताकि यह संदेश न जाए कि समाजवादी पार्टी आर्थिक सुधार में कहीं रोड़ा बनना चाहती है। आपने इस पर स्टेट मिनिस्टर्स की जो मीटिंग बुलाई, उसमें हमारे राज्य ने बहुत सारी बातें आपके सामने रखीं। मैं तो सोच रहा था कि भुपेन्द्र यादव जी, जो उस समय सेलेक्ट कमेटी के चेयरमैन थे, जब वे अपनी बात कहेंगे, तो वे जरूर सेलेक्ट कमेटी के एक-एक बिन्दु पर अपनी बात रखेंगे, क्योंकि जो बिल यहां आया है, वह सेलेक्ट कमेटी का original बिल नहीं है। सेलेक्ट कमेटी ने बिल के बहुत-से clauses में अमेंडमेंट किए थे, लेकिन इस बिल में वे सारे अमेंडमेंट्स नहीं आए हैं। इसको सिर्फ सेलेक्ट कमेटी का बिल न माना जाए, जैसा कि अभी मधुसूदन मिश्री जी कह रहे थे, इसको सेलेक्ट कमेटी का original bill नहीं मानना चाहिए। अभी पूर्व वित्त मंत्री जी ने जो बहुत-सी बातें रखीं, मैं उनसे सहमत हूँ।

मैं खुद उनको कहूंगा कि आप इस बिल को ला रहे हैं, यह आपकी होशियारी है कि आप जब भी बिल लाते हैं, तो जनता को ऐसा आईना दिखाते हैं कि इस बिल से क्रांतिकारी परिवर्तन हो जाएगा। चाहे देश में corruption मिटाने की बात रही हो, चाहे देश में आर्थिक सुधार की बात रही हो, लेकिन क्या वह सही हुआ? पिछली आपकी काउंसिल में जब मेकेनिज्म नहीं तय हो पाया, तो आपने जीएसटी को छोड़ दिया कि मेकेनिज्म बनाएगा, जिसमें राज्यों और केन्द्र के बीच जो विवाद होंगे, वे विवाद उस मेकेनिज्म से तय हो जाएंगे। श्रीमन, मेकेनिज्म बना लेंगे? वैसे भी राज्यों को इस पर एतराज था कि जीएसटी काउंसिल में आपने टू-थर्ड राज्यों का हिस्सा रखा, वन-थर्ड आपने अपना रखा, लेकिन काउंसिल में निर्णय श्री-फोर्थ मेजॉरिटी से आएगा, यानी वीटो पावर तो आपके पास रह गई। आपके बिना कोई राज्य अपनी बात को पास ही नहीं करा सकता। उस मेकेनिज्म को क्यों नहीं यहां डिक्लेयर करते, आखिर पूरा देश जान तो सके कि कितना बड़ा आर्थिक सुधार ले रहे हैं। क्योंकि यह तो बहुत से देशों में पहले से लागू हो गया। जब वैट लागू हुआ था तब भी यह कहा गया था कि वैट लागू किया जा रहा है, इस देश में समान टैक्स की दर सभी राज्यों में हो जाएगी। लेकिन जब वैट लागू हुआ तो क्या समान दर रही? आप बता दीजिए। हर राज्य ने अपने-अपने कर को तय किया और टैक्स रेट अलग रहा। आज आपने 18 परसेंट का कैप नहीं दिया। कांग्रेस कहती रही, अभी चिदम्बरम जी कह रहे थे कि आप कैप इसलिए नहीं कर रहे हैं कि आपकी नीयत टैक्स बढ़ाने की है। अरविंद सुब्रह्मण्यन जी ने जो रिपोर्ट आपको दी, उसके दो पैरा हम आपके सामने रखना चाहते हैं। एक RNR में उन्होंने कहा, 'The Committee recommended that the range of the RNR be fixed between 15 percent and 15.5 percent to be delivered by the Centre and the States combined. However, a rate of 15 per cent would be preferable.' लेकिन साथ ही साथ उन्होंने दूसरा क्या सुझाव दिया, 'three rate structures'. 'The Committee suggested that the standard rate to be applied to most goods and services should be between 17 and 18 per cent. The lower rate to be applied should be 12 per cent. Further, the sin/demerit rate to be applied to luxury cars, aerated beverages, paan masala and tobacco should be 40 per cent.' अब यह अरविंद सुब्रह्मण्यन कमेटी की रिपोर्ट में दिया है। अब आपने इसको फ्री छोड़ दिया। आप कह रहे हैं कि हम रेट ऐसा रखेंगे कि इस देश में महंगाई न बढ़े। मैं कहता हूँ कि आप आज क्यों नहीं इसको डिक्लेयर करते? आप कहते हैं कि अगर हमने 18 परसेंट कर दिया तो कभी रेट चेंज करना पड़ेगा तो कांस्टीट्यूशनल

[श्री नरेश अग्रवाल]

बाइंडिंग होगी हमको, फिर कांस्टीट्यूशनल अमेंडमेंट करना पड़ेगा। तो क्यों अमेंडमेंट करना पड़े? आप मैक्सिमम तय कर दीजिए, मिनिमम रखिए, कभी आपको अमेंडमेंट करना ही नहीं पड़ेगा। लेकिन अगर आप यह स्वीकार कर रहे हैं कि इस समय स्टेट में जो टैक्स रेट है और सेंट्रल का जो टैक्स रेट है, दोनों टैक्स मिलाकर 32 से 34 परसेंट टैक्स देश में इस समय पड़ रहा है। आप 32-34 परसेंट को जब स्वीकार कर रहे हैं, और फिर आप कहते हैं कि 14-15 परसेंट रखेंगे, तो इससे आपकी आमदनी कैसे बढ़ेगी? आप कहते हैं कि जब जीएसटी लागू हो जाएगा, रेवेन्यू बढ़ जाएगा और हम राज्य सरकारों को बराबर शेयर देंगे। तो राज्य सरकारों के अंदर इस बात का भय है और यह भय संभावित होना चाहिए, क्योंकि आपकी नीयत अगर साफ हो, तो ऐसा थोड़े दिनों में करने वाले हैं, राज्य सरकार कटोरा लेकर आपके सामने खड़ी रहेगी, आप राज्य सरकारों को दुत्कारते जाएंगे। जहां आपकी सरकार होगी वहां की सरकार को तो आप सहायता दे देंगे, लेकिन जहां नहीं होगी, आन्ध्र प्रदेश का आपने कमिटमेंट किया था, आप अपने कमिटमेंट से मुकर गए कि नहीं मुकर गए इसी सदन में? कितने दिन सदन नहीं चला, लेकिन अभी उस दिन डिस्कशन हुआ तो आन्ध्र प्रदेश पर आप मुकर गए। तो राज्यों को कैसे गारंटी मिले? आपने जीएसटीएन बनाया, लेकिन जीएसटी नेटवर्क में बहुत पैसा उसमें खर्च कर दिया, बहुत आपसे मांग रहे हैं। करीब अब दो सौ करोड़ रुपए तो तनख्वाह पर खर्च कर चुके हैं। लेकिन क्या आप जीएसटी नेटवर्क ऐसा बनाएंगे कि जो जीएसटी कलेक्ट हो, वह राज्य का शेयर ऑटोमेटिक राज्य को चला जाए और केन्द्र का शेयर ऑटोमेटिक केन्द्र को चला जाए। मैं कहता हूँ कि आज टेक्नोलॉजी इतनी फास्ट है कि इनको आप इस बात पर बाध्य करिए कि जीएसटीएन जो टेक्नोलॉजी आएगी, उस टेक्नोलॉजी में यह इस तरह से होगा कि जो टैक्स वसूला जाएगा, राज्यों का हिस्सा राज्यों को मिल जाएगा और केन्द्र का हिस्सा केन्द्र को मिल जाएगा। अभी आप हमको यही घोषणा बतला दें कि कब से यह लागू होगा। हम बहुत जगह गए, लोगों ने पूछा कि नरेश जी, जीएसटी पास हो जाएगा? तो हमने कहा कि पास हो जाएगा। कहने लगे कि कब से लागू होगा, हमने कहा कि पहली अप्रैल से। केन्द्रीय वित्त मंत्री जी कह रहे हैं कि 1 अप्रैल, 2017 से इस देश में जीएसटी लागू कर दिया जाएगा। लेकिन आप कैसे लागू कर देंगे? अभी आप यहां से इसको पास करेंगे, उसके बाद इसे राज्यों को भेज देंगे। कम से कम 15 राज्यों को इसे पास करना जरूरी है, उसके बाद फिर यह आपके पास आएगा, लेकिन उसके बाद फिर आप इसको फाइनंस बिल न बनाइएगा, क्योंकि आपकी नीयत इसको फाइनंस बिल बनाने की है। ...**(व्यवधान)**...

**कई माननीय सदस्य:** मनी बिल। ...**(व्यवधान)**...

**श्री नरेश अग्रवाल:** सॉरी, मनी बिल। मैं चिदम्बरम जी की बात से सहमत हूँ कि आप इसको मनी बिल मत बनाइएगा, क्योंकि यह मनी बिल नहीं बन सकता है। इस पर यहाँ एक बार डिस्कशन हो चुका है और डिस्कशन होने के बाद जब यह स्टेट्स से पास होकर आए तो ऐसा न हो कि आप इसको मनी बिल बनाकर सिर्फ लोक सभा से पास करा लें और राज्य सभा में इस पर डिस्कशन न हो। हम कहेंगे कि जब यह पास हो, तो दोनों जगह से पास हो। आप इस बात की गारंटी दीजिएगा और अपने उत्तर में इस बात को साफ कीजिएगा, क्योंकि यहाँ पर जो बात हो रही है, इसको मनी बिल बनाने की बात हो रही है। उसके बाद यह फिर राज्यों को जाएगा और राज्य इस पर अपना लॉ बनाएँगे, फिर यह दिल्ली

आएगा और तब जाकर आप इसको लॉ बना पाएँगे। आप यह भी बता दीजिए कि आप इसको कब तक लागू करेंगे? आपने कह दिया, up to five years. आप अपने बिल में देखिए, उसमें यह लिखा है - up to five years, जबकि यह for five years होना चाहिए।

**प्रो. राम गोपाल यादव** (उत्तर प्रदेश): 'For' कर दिया गया है। (व्यवधान)

SHRI A. NAVANEETHAKRISHNAN (Tamil Nadu): It should be 'not less than five years'. ... (Interruptions)...

**श्री नरेश अग्रवाल:** ठीक है, इसको भी आप क्लियर कर दीजिएगा, क्योंकि हमारी जो सेलेक्ट कमिटी थी, उसमें भी यह क्लियर हुआ था। बल्कि राज्य सरकारें तो चाहती हैं कि पांच साल के बाद भी अगर उनको कोई हानि होती है, उनको कोई लॉस होता है, तो उस लॉस को आप बियर कीजिए, इसमें क्या दिक्कत है? वैसे भी राज्यों को जो पैसा आप देते हैं, वह आप राज्यों को दीजिए। सेंट्रल जीएसटी, आईजीएसटी और स्टेट जीएसटी, ये तीन जीएसटी हैं और इनमें से हरेक का काम अलग-अलग है। हमें आप यह भी बता दीजिए कि इन तीनों के काम के बाद समान रेट कैसे रहेगा? क्या राज्यों के जीएसटी को यह अधिकार नहीं होगा कि वे राज्य में कितना टैक्स लगाएँ? अब जैसे तम्बाकू पर टैक्स लगाने की बात है, तो राज्य सरकारें कहती हैं कि हम उस पर अलग से टैक्स लगाएंगे। स्टेट जीएसटी को इंडिपेंडेंट पॉवर है और जब स्टेट लॉ बन जाएगा तो फिर उस लॉ को सेंट्रल supersede नहीं कर सकता है। जब स्टेट जीएसटी अपना लॉ बना लेगा और उस लॉ के बनने के बाद अगर स्टेट किसी चीज़ पर टैक्स लगाएगा, तो क्या आप उसको रोक पाएँगे? मैं यह पूछना चाहता हूँ कि क्या यह वैसा ही नहीं हो जाएगा जैसा कि वेट में था कि जब राज्यों ने अलग-अलग दर लगाई तो आप उसको नहीं रोक पाए? यह कहीं वैसा ही न हो जाए। अब जैसे कि स्टेट कह देगा कि हमको some amount का loss हो रहा है और आप कहेंगे कि इतना नहीं, बल्कि इतना लॉस हुआ है। जब उस मैटर को आप अपनी कमिटी में ले जाएँगे, तो वहाँ बहुमत आपका होगा और वीटो पॉवर भी आपकी होगी, तो फिर स्टेट को संरक्षण कैसे मिलेगा?

राज्यों ने आपसे कहा कि 10 लाख रुपये तक के टर्न ओवर के व्यापारियों को इससे छूट मिलनी चाहिए। कुछ राज्य, जिनमें असम और नॉर्थ-ईस्ट की सेवन-सिस्टर्स स्टेट्स के साथ-साथ अन्य छोटे-छोटे राज्य शामिल थे, उन्होंने कहा कि हम इसको 5 लाख रुपये से अधिक नहीं होने देना चाहते हैं। यानी करीब-करीब सभी राज्य इस बात पर सहमत थे कि 10 लाख रुपये तक के टर्नओवर के व्यापारियों को इस टैक्स से एग्जैम्प्ट कर देना चाहिए। इसको आप बिल में नहीं लाए हैं, तो कम से कम आप यहाँ पर इस बारे में घोषणा कर दीजिए, क्योंकि देश में बहुत-से छोटे व्यापारी हैं जो जीएसटी का विरोध कर रहे हैं। हमारे राज्य में चुनाव है और हम चुनाव के समय इसे स्पष्ट करना चाहते हैं कि हम कितने टर्नओवर तक के व्यापारी से टैक्स लेंगे, क्योंकि यह भी एक चुनावी मुद्दा होगा। इसलिए मैं चाहता हूँ कि हमारे राज्य ने माँग की है कि 10 लाख रुपये तक के टर्नओवर के व्यापारियों को जीएसटी से छूट मिलनी चाहिए। हमारे राज्य ने ही नहीं, बल्कि तमाम राज्यों ने यह माँग की है। मुझे मालूम है, क्योंकि मैं उस मीटिंग में था। आप कम से कम यहाँ पर यह डिक्लेयर कर दें कि 10 लाख रुपये तक



[श्री नरेश अग्रवाल]

छूट की राज्यों की जो माँग है और जिन राज्यों ने 5 लाख रुपये तक की छूट की माँग की है, उन दोनों को आप अलग-अलग छूट दे दीजिए, जिससे उन राज्यों के व्यापारी एक सहमति का रूप बना सकें।

अब लोकल बॉडीज़ की बात आती है कि लोकल बॉडीज़ के टैक्स का क्या होगा? भुपेन्द्र जी, आप जब उस कमिटी में थे तब हम लोगों ने यब बात भी उठाई थी। यह शायद सेक्शन 55 अथवा किसी और सेक्शन में था। आप कहते हैं कि लोकल बॉडीज़ के टैक्स को राज्य सरकार पूरा करे। वैसे भी फाइनेंस कमीशन के बाद लोकल बॉडीज़ के टैक्स की दर इतनी घट गई है कि स्टेट फाइनेंस कमीशन और सेंट्रल फाइनेंस कमीशन, इन दोनों की अलग बात थी। आज लोकल बॉडीज़ को जो सहायता मिल रही है, वह बहुत घट गई है। लोक बॉडीज़ के टैक्स का क्या होगा और लोकल बॉडीज़ की इनकम कहाँ से होगी? राज्यों ने आपसे कहा कि जो घाटा होगा, वह आप बियर करें, लेकिन आपने वह क्लियर नहीं किया। वह अभी तक क्लियर नहीं है, इसलिए मैं चाहूंगा कि आप उसको भी क्लियर कर दें। इसके अतिरिक्त खाद्य पदार्थों पर कितना GST होगा, जैसे अनाज है, गेहूँ है, चावल है, दाल है, दूध है, अंडा है — मैं चाहूंगा कि आज इस सदन के माध्यम से देश को यह पता चले कि खाद्य पदार्थों पर GST लागू होगा या नहीं होगा। यह भी आप ensure करें कि महंगाई बढ़ेगी या नहीं बढ़ेगी, क्योंकि जो आर्थिक सर्वे की रिपोर्ट आयी है, उस सर्वे की रिपोर्ट के अनुसार तीन साल महंगाई बढ़ेगी। आप तो अभी भी यह स्वीकार नहीं कर रहे हैं कि महंगाई बढ़ी हुई है। उस दिन मैं देख रहा था, रामविलास पासवान जी जब बहस का उत्तर दे रहे थे तो उन्होंने कह दिया कि दाल के अलावा किसी चीज़ के दाम नहीं बढ़ें। यह तो ठीक है, राहुल जी ने जवाब दिया, "अरहर मोदी, अरहर मोदी" — उनका कांग्रेस की तरफ से यह जवाब आया, लेकिन मैं यह स्पष्ट जानना चाहता हूँ, देश स्पष्ट जानना चाहता है कि खाद्य पदार्थों पर GST लगेगा या नहीं लगेगा? अभी तो राज्य केवल मंडी टैक्स लगाते थे, लेकिन अगर आपने 12 परसेंट, 14 परसेंट से भी शुरुआत की और खाद्य पदार्थों पर GST लगा दिया तो खाद्य पदार्थ तो बहुत महंगे हो जाएंगे और उससे महंगाई की दर काफी बढ़ेगी। हम लोग महंगाई की दर का विरोध करते हैं, इसीलिए मैंने शुरू में कहा कि न चाहते हुए भी हम इसका समर्थन कर रहे हैं। यह Goods and Service Tax है। माननीय वित्त मंत्री जी, बाबा रामदेव जी आजकल अपनी चीज़ों की बड़ी advertisement कर रहे हैं। उन्होंने हरिद्वार से advertisement किया, मीडिया ने हरिद्वार में उनका बिल काटा और मीडिया ने वहाँ पेमेंट ले ली। इस प्रकार GST तो उस राज्य का हो गया, आपका शेयर हो गया, लेकिन service उन्होंने पूरे इंडिया में दी। अब टीवी में बाबा रामदेव ने सारे उत्पादकों का advertisement दिया, उससे अन्य राज्य भी प्रभावित हुए और उन्होंने उस माल को खरीदा। अब उसका Service Tax उस राज्य को कैसे मिलेगा? जैसे कोका कोला, पेप्सी कोला है, जहाँ से हैं, वहाँ पर उन्होंने बिल कटवा लिया, मीडिया ने वहाँ से बिल काट दिया, लेकिन सर्विस तो उन्होंने पूरे कंट्री को दी। तो सर्विस टैक्स कैसे लगेगा? आपका Goods and Service Tax है, आप केवल Goods Tax की बात क्यों कर रहे हैं, Service Tax की बात क्यों नहीं करते? इन advertisements के माध्यम से जो service हो रही है, उस पर राज्यों का टैक्स कितना बनेगा और उन राज्यों को वह कैसे मिलेगा, मैं चाहूंगा कि इसके बारे में भी आप बताएं।

इन्हीं शब्दों के साथ, चूंकि हमारे दूसरे भाई श्री सुरेन्द्र सिंह नागर भी बोलेंगे, क्योंकि real estate

वगैरह में भी बहुत सी problems हैं, जिन पर नागर जी बोलेंगे, मैं अपनी पार्टी की तरफ से इसका समर्थन करूंगा, लेकिन यह चाहूंगा कि जो आपत्तियां हमने जताई हैं, जो बातें हमने कही हैं, उनका जवाब आप दे दें, बहुत-बहुत धन्यवाद।

SHRI A. NAVANEETHAKRISHNAN: Mr. Deputy Chairman, Sir, I thank hon. Amma. ...*(Interruptions)*... Yes, I reiterate hundred times that I will be a loyal worker of AIADMK and I will be loyal to Amma. I want to make it very clear that only because of her, I am able to speak here on this very important Constitution (Amendment) Bill. I was a first-generation lawyer hailing from a village, practising in the munsif court, and I was appointed as the Advocate-General of Madras High Court. In the history of 150 years, a lawyer with my background never became the Advocate-General of the State. I was also appointed as the first Chairman of the Tamil Nadu Public Service Commission. I have also been re-nominated as a Member of Parliament. I am also the leader of AIADMK Party here.

MR. DEPUTY CHAIRMAN: Let us all congratulate him. ...*(Interruptions)*... I also congratulate you.

SHRI A. NAVANEETHAKRISHNAN: Hon. Amma has provided social justice to all the poor people. That is the unique feature in her. I thank her. I would like to humbly submit that this Constitution (Amendment) Bill is not valid. It is not Constitutional because it violates the States' fiscal autonomy. There will be a permanent revenue loss to the State of Tamil Nadu because of this Bill. Hence, we strongly oppose this Constitution (Amendment) Bill. On 14th June, 2016, our hon. Chief Minister, Amma, has presented to the hon. Prime Minister of India a memorandum in which she has narrated all the grievances of the Tamil Nadu Government. On behalf of AIADMK, I have also submitted a dissent note to the Select Committee. Sir, my dissent note has also been mentioned by our senior Congress leader, Shri P. Chidambaram, in one of his articles published in the 'Financial Express'. I have also given amendments to this Bill, which are part of the records of this august House.

Sir, very well known lawyers and jurists are sitting in this House. Hon. Finance Minister and the Law Minister know the law better than me, and I know this fact. Anyhow, as per the mandate given by our Chief Minister, Amma, I have to make the submissions.

Sir, my humble submission is that democracy and federalism are the basic features of the Indian Constitution. Now, this Bill violates the basic structure of the Constitution; particularly, it encroaches upon the right of Tamil Nadu Assembly to pass laws with regard to levy of taxes. So, it is unconstitutional. I would also like to make it very clear

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that it violates Article 21 of the Constitution. Let me read Article 21 of the Constitution. It says, "No person shall be deprived of his life or personal liberty except as according to the procedure established by law." My humble submission to this august House is that the Constitutional Bill is not a validly enacted law because I am of the view that this Parliament, this Council of States, has no jurisdiction or the legislative competence to enact this Constitutional Bill as it violates the federal structure of our Constitution.

Further, Sir, no proper procedure has been contemplated to levy the taxes. I would like to draw your kind attention to the memorandum submitted by our hon. Chief Minister, *Amma*, in which she has clearly mentioned some factors. I may be permitted to read them out as there must be a broad consensus on important issue like, (a) compensation period (b) methodology, (c) revenue-neutral rates, (d) floor rates with bands, (e) commodities to be excluded from the GST, (f) the IGST model, and (g) clarity on dual administrative control. These are all mentioned by our hon. Chief Minister, *Amma*, in the memorandum submitted to the hon. Prime Minister. My humble submission is that the entire clauses definitely will not stand the judicial scrutiny. Sir, Article 21, Article 14 and everything has been interpreted by the Supreme Court very clearly. Now, with regard to the federal structure, after the Bommai's case, no State Government can be dissolved by the Central Government. Arunachal Pradesh and other cases also followed. My humble submission would be that Article 368 of the Constitution is now abused, it is not properly used. Also, the composition of the GST Council is not fair. The weightage of votes given to the Central Government should be reduced to one-fourth of the total votes cast, and, that of the States should be correspondingly increased to three-fourths. Further, the weightage of each State's vote should be in proportion to the representation of the States in the Council of States, that is, this House. Further, the Bill did not take note of the diversity of India because the GST has different implications for different States based on their sizes and reliance on their own tax revenues. Further, I have also moved some amendments. Petroleum and petroleum products must be kept outside GST permanently. Now, as per the provisions of the Bill, the GST Council will decide on which date it can be brought in. But our Government is of the view that petroleum and petroleum products must be kept outside the purview of the GST permanently. Then only we can save our people.

Further, there is a need to enable the States to levy higher taxes on tobacco and tobacco products on at par with the Centre, as States like Tamil Nadu already levy a higher rate of tax on tobacco and tobacco products on account of the public health concerns.

Then, it is a well-known fact that Tamil Nadu State is a manufacturing State, and

because of this GST Bill, the Tami Nadu State will lose permanently a substantial amount of revenue. Also, it is a well-known fact that the method of levying of tax under the GST Bill is destination-based, and not origin-based. So, we strongly oppose it. Also, till date, revenue neutral rate is not fixed by the Government. It is a difficulty because no State will have a particular revenue neutral rate. Of course, the Congress has claimed 18 per cent relying upon the Report of the Chief Economic Adviser. But nobody knows the stand to be taken by other States and other political parties. The rate is very, very important. Without knowing the tax rate, how can this law be passed? In the absence of tax rate, the enactment will become a waste paper. This is my humble submission. Also, the Tamil Nadu Government is going to lose to the extent of ₹ 9,270 crores because of this Bill. It is not a small amount.

We have moved an amendment to the effect that the compensation must be for not less than five years. Even after the expiry of five years, if there is a loss, it must be compensated only by the Central Government.

With regard to one per cent and four per cent tax, I quote from the memorandum submitted by the hon. Chief Minister *Amma* to the Prime Minister, "Tamil Nadu suggests that the origin States may be allowed to retain 4 per cent of the Central GST part of the inter-State GST that would be leviable on inter-State supply of goods and services, as this would ensure speedy recompense for a portion of the revenue loss and will reduce the amount of compensation payable. Further, as this comes out of the CGST component, it does not affect the destination State's revenue or cause any cascading."

Then, I would like to draw your attention on the administrative side also. The Tamil Nadu Government wants that it should administer the dealers with a turnover of less than Rs. 1.5 crores. Now, it has been proposed by the Central Government that all dealers below a turnover of Rs. 25 lakhs should be exempted from registering under GST. This would mean that around 60 per cent of the dealers presently registered under the ward system would be out of GST. We have been insisting that the threshold limit for levy of Goods and Services Tax should be fixed at ₹ 10 lakhs. So, now, the proposal by the Central Government is unfair, arbitrary, unconstitutional and illegal. Very earnestly and humbly, I request our hon. Finance Minister to respond to my amendments and the memorandum submitted by the hon. Chief Minister, *Amma*, in his reply so that the AIADMK can to take a decision on this Bill. Thank you, Sir. For the opportunity given to me, once again, I thank hon. *Amma*.

SHRI DEREK O'BRIEN (West Bengal): Sir, I am still often asked: Is your Party supporting the GST Constitution (Amendment) Bill? I am asked this question and I am

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actually sad that I am asked this question because we should put that question to the Government and the principal opposition party. We often get confused when they are supporting and when they are not supporting because what their stand is, depends on where they sit, whereas there are many here in the middle, who have been the most consistent on this, like my Party, the Trinamool Congress. In 2009, 2011, 2014 and 2016 manifestos, we have promised GST. We promised it as an idea and also for implementation. But I will come to that later. When people get up here, especially when they are such articulate lawyers, maybe, I feel like a teenager in their presence. But I am going to talk about the details of the Bill. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: A lawyer can argue both ways. ...*(Interruptions)*...

SHRI DEREK O'BRIEN: I have great experience of being in the Select Committee and we discussed the Bill in great detail. But, before we get into the nitty-gritty of the Bill, there is the politics of the Bill. Sometimes, when it is convenient, the Government or the principal opposition don't want to discuss the politics of the Bill. If we ask someone what is GST, he will probably tell you that it is Goods and Services Tax. ...*(Interruptions)*... But, GST could also be interpreted as *Girgit Samjhauta* Tax because of the way these two people have behaved. That is parliamentary. ...*(Interruptions)*... The way these two people have behaved, it has been ten years of ping-pong. Olympics are coming. They would have won ping-pong medals. ...*(Interruptions)*... No, no. Let me tell you that it is only unparliamentary — I checked this — when you call an MP a *girgit*. I am referring to a tax and not an MP. Thank you. ...*(Interruptions)*... Now, let me tell you about this ping-pong. ...*(Interruptions)*... Please don't disturb me. Let me tell you about this ping-pong match between this side and that side. Sir, you please listen to this. Election manifesto of 2009, page 19, point 6. ...*(Interruptions)*... I will tell you later. ...*(Interruptions)*... It says that CST will be abolished and GST will be rationalised between 12 and 14 per cent. Whose manifesto is it? It is the BJP manifesto. They have not taken it off. It is still on the site. My senior learned friend, the Leader of the House, it was said, "...we won't be fairly treated and we cut off our own hands, our Constitutional authority and hand over our fiscal powers to the Centre." Who said this? It was said by the hon. Leader of the House, Mr. Jaitley. He had said many things about FDI in retail also when he was the Leader of the Opposition. But, as I said, what stand they take depends on where they sit. And they are such great lawyers that you give them any brief and, with all respect, they will twist it to meet that only.

Sir, I found a very interesting quote from 2011. It said, "The new Constitution

Amendment draft proposed by the Government of India is retrograde. It is completely against fiscal federalism." It was said by Mr. Saurabh Patel, Finance Minister of Gujarat, in 2011. I have forgotten who the Chief Minister of Gujarat was in 2011. But this was said, Sir. And, the now hon. Prime Minister said in February, 2014, "Without proper IT and infrastructure, GST is impossible to implement". Sir, this politics of GST is very, very important because for two years, two Houses were stalled by two abbreviations by the BJP — one was GST and the other one was FDI. So, the memory is very, very short.

We are done with the BJP. Now, we get to this side. Mr. Chidambaram used a very nice one. GST, he said, was 'Good Sense Triumphs'. Nice one, Sir, but our interpretation or your interpretation, when you came to the Select Committee with your colleagues, was not 'Good Sense Triumphs'; but was 'Go Slow Tactics'. This is exactly what your colleagues did in the Select Committee. This is all of us here in the middle, who were not the Congress or the BJP, that is, the SP, the BSP, the BJD, the DMK, the NCP, the CPI, all of us saw the 'Go Slow Tactics' but, unfortunately, ...*(Interruptions)*... Thank you, Sir. The Select Committee is not on primetime television, these parliamentary debates are. But this is the situation of the Select Committee and Mr. Chidambaram, today, made the point that his Party is for the idea of GST. Of course, we are also for the idea but only having an idea is no good. We are for the implementation of GST. Mr. Chidambaram made a nice point about the triangle. The triangle has to be decided between the Finance Minister, the States and the people. Yes, Sir, I want to tell the Congress Party, we also believe that that is where you have to find a solution. But the difference between us and the Congress is, we believe, the bottom of that triangle is the people. All of us are on the same page on this. Sir, 18 per cent cannot go into that Constitutional Amendment. You spent every minute of the Select Committee stopping it. The Empowered Committee of State Finance Ministers numbering 21 or 22 were unanimous that you cannot have the 18 per cent either in the Constitutional Amendment or in the GST Bill. But the language I was hearing today is, - hold on - "We will let you play the first innings, when it comes to the second innings, we will try and block you." I think, if the tone is conciliatory, and the tone ought to be conciliatory, this Parliament must debate, must deliberate, must legislate. Good! We also need to implement. We must implement.

Sir, now let us come to the role of this Select Committee. I said, if we shoot 'right', we will shoot this side also. Thank heavens that we have the Rajya Sabha because if there was no Rajya Sabha, there would have been no Select Committee. And, then, you would not have got the wisdom of the Rajya Sabha. But let me quote to you, what was said, very recently, that is, in April 2016, "To what extent is the Upper House going to be used to block economic decision-making? In Australia, UK and Italy, the debate

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is on because ultimately the weight of a directly elected House will always have to be maintained." It was said by the Leader of the House. Mr. Arun Jaitley, Sir, if you are being in a conciliatory mood, this is not what the Leader of the House should have said because, otherwise, we would have used the Lok Sabha and bulldozed legislation. It came to the Rajya Sabha. There were points made. Everyone had points to make and based on these points, there was a lot of change to the legislation. Yes, there was the exempted category on petroleum crude. States had a problem with that and we appreciate that it was taken care of. So, was tobacco products, so was inter-State transactions, so was the dispute resolution mechanism and we did not want a separate authority. So, all that is fine and we appreciate that the Government reached out to the States, worked with the States, worked with the Finance Ministers there. But on the ground, Sir, I want to flag one issue on implementation. I would give one example of my own State; I am trying to flag how difficult is to implement this. On CST, ₹ 6,500 crores is the dues to my State, compensation remaining to be paid. I must use this opportunity to flag that not only my State — Odisha has it at about ₹ 3,000 crores — Punjab, Uttar Pradesh, Assam, Telangana, also have a lot of outstanding on CST.

Sir, on Clause 19, all the States made the point that the word 'shall' will become 'may' and the compensation will be taken care of, the word 'up to' was dropped and that is for five years. Sir, we appreciate that. The word 'full compensation' was not used in the legislation. I would request the Finance Minister to please clarify that on the floor of this House. Sir, I want to refer to one point where you said, 'the Constitution (172nd Amendment) Bill as reported by the Select Committee of the Rajya Sabha.' Here, Sir, in clause (10), it is not what was unanimously recommended by the Select Committee. I will read clause (10), which was the Select Committee's recommendation. It says, "The GST levied and collected by the Government of India, except the tax apportioned with the States under clause (1) of article 269A, shall also be distributed between the Union and the States in the manner provided in clause (2)." Sir, this is not there in the Bill. What is the problem now?

SHRI ARUN JAITLEY: It says, "except the tax apportioned with the States, under clause (1) of article 269 A". So, moneys which have been kept by the Centre were not intended to go by devolution. This was in the Select Committee's recommendation — a drafting error — which would have deprived the States of certain revenue. So we have given more revenue to the States by correcting that error.

SHRI DEREK O'BRIEN: Okay; I will respond to that, Sir.

SHRI ARUN JAITLEY: Please cross check it.

SHRI DEREK O'BRIEN: Sir, I will. We are not posturing because we really believe that after this Bill is passed today, it will go to the States and it will come back. But, I want to flag an issue – again I don't speak on behalf on myself and my party, but, across the Empowered Committee – that the small business cap of below ₹ 1.5 crore will be handled by the States and once that figure goes above by ₹ 1.5 crores, then, it will be done jointly between the Centre and the State. Sir, this is very, very crucial because we don't want to come in November and think that they are going to implement it in April, 2017. I need this clarification. I am very scared when I hear 1st April, 2017 because that is April Fools' Day and this ping-pong match cannot continue any longer. We need to implement this on 1st April, 2017 and that is why I am being specific.

Sir, there are other issues regarding implementation. Sir, there are issues which are of concern and through you, I want to flag those issues to the Finance Minister. One of the issues – these are not legislative issues, but regarding implementation – is of GST registration because people will be registering not once, not twice, but three times in a State. Sir, GST compliance also cannot be beyond four per cent, five per cent. There is also an ambiguity – and I don't want to get very technical in this discussion– of supply and value of taxable supply. I think in the implementation, we need to really seriously look at this.

I would be failing in my duty if I did not put on record here the great job done by the Empowered Committee of Finance Ministers across the States. It was our pleasure and privilege that my colleague, Dr. Amit Mitra, the hon. Finance Minister of West Bengal, led the team for 150 days. There was broad consensus across the States and the Empowered Committee did what they could do.

I was wondering whether the politics of GST will, actually, continue in November or this, otherwise, from a ping-pong match, will become a cricket match, where you will win the first innings and then, the second innings in November will stop because of rain or something else. So, I did a little bit of research. I will assure the BJP first – after the GST was passed, there were four-five countries where elections were held within one to two years, like Australia, New Zealand, Russia, Argentina, Indonesia – and this will be of interest to you.

SHRI SITARAM YECHURY (West Bengal): In Canada also.



SHRI DEREK O'BRIEN: In all those places, the elections were won. Okay; that is the good news. Now, there is bad news. There are also some countries wherein GST was also implemented. The elections were lost – want to perk this side up – in Brazil, Germany and South Africa. As you see, it is a 50/50 tossup. My appeal to the BJP and the Congress Party – since we are sitting in the middle – do not let those elections bother you because they could go either way, but bring in this GST.

Sir, I want to end with a little story. There was a boy of Class 10 at Xavier School in Delhi – a little known Delhi school compared to fancy Delhi schools – he was born at the time the GST concept was first introduced. He was in Class X in 2005. The boy, who was in Class X, is today winning us fame and great victory in West Indies. His name is Virat Kohli. There are millions of young Virat Kohlis across the country who are looking at us today. For their sake and for the sake of India tomorrow, we need to deliberate, we need to debate, we need to legislate and we need to implement the GST Bill. The faster we do it, the better it would be. Thank you.

**श्री शरद यादव** (बिहार): उपसभापति जी, मैं नेता सदन, जो अभी फाइनेंस मिनिस्टर हैं और कांग्रेस पार्टी के नेता, चिदम्बरम जी, दोनों का आभार व्यक्त करूंगा कि दोनों ने बहुत विस्तार से इस मामले को समझा है और हमारे सामने रखा है। इसकी प्रक्रिया कितनी लंबी रही है और कितने लंबे समय तक इसको रखा गया है, यहाँ इसकी चर्चा की गई है। मैं मानता हूँ कि आज का दिन मुबारक दिन है, क्योंकि 12 वर्षों से यह मामला लटका हुआ था। जब कोई मामला लटक जाता है, तो वह दिमाग को ठीक नहीं रहने देता है, दिमाग हमेशा उसको देखता रहता है। ...**(व्यवधान)**... जी हाँ, जो लटका था, वह आज सटक कर यहाँ आ गया है।

महोदय, मैं इसके हक में खड़ा हूँ, लेकिन इसके बारे में मैं एक बात जरूर कहना चाहता हूँ कि जो लोकल बॉडीज़ हैं, उनकी बड़ी बुरी हालत है। आपने राज्य सरकार और भारत सरकार के बीच काफी लम्बी बहस की है, देश भर के सारे वित्त मंत्रियों के साथ इस पर चर्चा हो चुकी है, सेलेक्ट कमिटी से लेकर स्टैंडिंग कमिटी तक, सब तरह से इस पर बहस हो चुकी है। मैं इस पर बहुत लंबी बहस नहीं करना चाहता हूँ, लेकिन मैं इतना ही कहना चाहता हूँ कि इसमें जो लोकल बॉडीज़ हैं, उनके ऊपर ध्यान देने की जरूरत है।

आज कल बरसात हो रही है, तो बुरी हालत है। आप देख रहे होंगे कि दिल्ली के आसपास भी जितने नगर हैं, वे कैसी बुरी हालत में हैं। यानी इस मामले में, जो जीएसटी लागू हो रहा है, उसमें गाँव-देहात और खास कर लोकल बॉडीज़ के बारे में जब वित्त मंत्री जी बोलेंगे, तो वे जरूर बताएँ कि इसके बाद उनकी सेहत कैसी रहेगी। कई वर्षों से उनकी जो बिगड़ी हुई सेहत है, वह बनेगी कि नहीं। फिर भी इसमें यह बात आती है कि State GST होगा, Interstate GST होगा या Central GST होगा, यानी अभी भी इसमें कई तरह के कई मामले हैं, जिनको सुलझाने का और जिनका निदान करने का आपको काम करना होगा।

मैं इतना ही निवेदन करना चाहता हूँ कि इतने ज्यादा टैक्स वसूली के खेल हैं और इतनी तरह के कानून हैं। मैं मानता हूँ कि देश के अंदर जो भ्रष्टाचार है, करप्शन है, खासकर goods and service taxes में जो करप्शन है, उसका कारण यह है कि देश के अंदर कई तरह के टैक्स चल रहे हैं। अब पूरे देश में एक ही तरह का बाजार बनेगा। यह मैं जरूर मानता हूँ कि अब अगर किसी भी सूबे में कोई बाहर का आदमी, एफडीआई के माध्यम से, पूंजी लेकर जाना चाहता है, तो उसको एक बड़ी राहत रहेगी, क्योंकि अब उसको मालूम है कि भारत सरकार के साथ सीधे बातचीत करके रास्ता निकल सकता है। इसमें सबसे बड़ी बात है, आपका Income Tax Department है अथवा कई तरह के डिपार्टमेंट बने हुए हैं और आजकल मेघवाल जी भी इस बड़े विभाग में आ गए हैं। वैसे इस विभाग में काफी मालदार लोग रहते हैं। मंत्री मालदार हैं या नहीं हैं, लेकिन इसमें इनकम टैक्स से लेकर आपके कई तरह के विभाग हैं, मैं अफसरों के नाम लेना नहीं चाहता, लेकिन इस जीएसटी के आने के बाद मुझे एक बात लगातार महसूस होती है, क्योंकि अगर भ्रष्टाचार के लिए कई ठिकाने बन जाते हैं तो भ्रष्टाचार बढ़ जाता है, लेकिन जीएसटी के आने के बाद ये ठिकाने घटेंगे। जब ठिकाने घटेंगे, तो निश्चित तौर पर भ्रष्टाचार पर बहुत रोक लगेगी, मैं तो कहता हूँ कि भ्रष्टाचार में बहुत कमी आएगी। मेरे साथियों ने कई तरह के सवाल यहां रखे हैं, देरेक ओब्राइन जी ने भी बहुत रखे हैं, नरेश अग्रवाल जी भी रख रहे थे और चिदम्बरम साहब ने भी रखे हैं। मैं इतना ही कहना चाहता हूँ, ज्यादा नहीं कहना चाहता कि हमारी पार्टी शुरू से इसके हक में थी। हमने बहुत प्रयास भी किया है। नेता सदन जी, इसमें आम सहमति बनाने के लिए हमने भी कहीं न कहीं सहयोग किया है। मैं मानता हूँ कि आज यह एक ऐसा मौका है, जब आम सहमति से यह पारित होने वाला है। हां, अन्ना डीएमके, अम्मा के लोग इसमें थोड़ा सा ...*(व्यवधान)*...

**डा. वी. मैत्रेयन** (तमिलनाडु): थोड़ा-सा नहीं, पूरा।

**श्री शरद यादव:** पूरा! अम्मा देख रही है, आपने बोल दिया। अम्मा के लिए यह बोल रहे हैं, मैत्रेयन जी। ...*(व्यवधान)*... तो निश्चित तौर पर पूरा सदन साथ है, लेकिन फिर इसको मनी बिल बनाकर लाने का काम, जैसा चिदम्बरम साहब ने अंत में कहा, उससे मैं सहमति जाहिर करता हूँ, क्योंकि उसका कारण यह है कि उस सदन और इस सदन में कोई फर्क नहीं है। जैसा आप देख रहे हैं, इसके बारे में कई तरह की बातें कही गईं, लेकिन आज इस सदन में आम सहमति जो हुई है, वह आम सहमति दर्शाती है कि देश में आम सहमति उस सदन और इस सदन में हमेशा रहनी चाहिए। इसलिए मेरी आपसे विनम्र विनती है कि इसको मनी बिल बनाकर आप नहीं लाएंगे। आप इसमें आगे बढ़ने का काम करेंगे, तो हम सब लोग आपसे सहयोग करेंगे, लेकिन आप बातचीत का सिलसिला मत तोड़िए, बातचीत, इंटरैक्शन करते रहिए। हम लोग चाहते हैं कि सदन भी चले और आपने जितने भी वादे इस देश के अंदर किए हैं, खासकर के बेकारी, बेरोजगारी और ऐसे तमाम तरह के वादे, वे आपके पूरे हों।

महोदय, आप कहते हैं कि इससे आपकी जीडीपी बढ़ेगी। महंगाई घटेगी या नहीं घटेगी, मैं नहीं जानता, लेकिन आपने जो आज भाषण दिया, उसमें सारा सिलसिला बताया कि कब से शुरू होगा, किसके समय में हुआ, चिदम्बरम साहब ने क्या किया, मुखर्जी साहब ने क्या किया, कहां-कहां आया, कहां-कहां अटका, यह सारा आपने विस्तार से बताया, लेकिन आज देश के सामने जीएसटी पर जितने भी सवाल हुए हैं, उन पर पूरी तरह से सफाई देने का काम करना चाहिए। निश्चित तौर पर जब

[श्री शरद यादव]

**4.00 P.M.**

यह लागू होगा, तो हमारा जो एक तरह से फेडरल स्ट्रक्चर है, उसके बारे में लोगों में शंका है कि जो हमारा फेडरल कंस्टीट्यूशन है, जो राज्यों के अधिकार हैं, उनका क्या होगा? मैं यह मानता हूँ कि जीएसटी लगने के बाद तो फिर पुलिस हाथ में रह जाएगी और जमीन हाथ में रह जाएगी, लेकिन आपने जो जीएसटी की एक कमेटी बनाई है, वह भी फेडरल स्ट्रक्चर में काम करने में सहायक होगी। इन सारी बातों के ऊपर मैं आपसे ज्यादा नहीं कहना चाहता, सिर्फ इतना कहना चाहता हूँ कि आपने शुरू में विस्तार से इसके प्रयासों पर, बातचीत पर प्रकाश डाला था, लेकिन जो यहां बहस हुई है उसका जवाब देने का आप काम करेंगे और भ्रष्टाचार पर कितना असर पड़ेगा, कितनी इसमें कमी आएगी, महंगाई में कितनी कमी आएगी, जो लोकल बॉडीज़ हैं इनकी सेहत का क्या होगा, अंत में जब आप अपना समापन भाषण करेंगे, तो इन सारी चीजों पर भी जानकारी देंगे। इसके अलावा खासकर मनी बिल के बारे में भी आप बताएं कि आप मनी बिल बनाकर इसको वहीं से वहीं न करेंगे। आप सदन के बाहर चीजों को न ले जाएं, क्योंकि हम भी शरीक हैं, हम भी आपके साथ सहयोग करके चलना चाहते हैं, इसलिए हमें हटाने का काम मत कीजिएगा। मैं विनती करूंगा कि इसको मनी बिल कराने का काम नहीं करना चाहिए। बहुत-बहुत धन्यवाद।

SHRI SITARAM YECHURY: Sir, I think, this is a very important amendment to the Constitution that we are considering, and it requires a certain degree of serious attention, serious consideration. I would like to make five major points. The first point concerns the Federal Structure of our Constitution. I remember that it was very wonderful and very nice to hear my old friend, colleague, somebody with whom I had interacted for more than two decades, and somebody with whom I had many a contentious argument, and particularly, on this issue as well, and it was wonderful to hear him once again. So, welcome back, and thank you very much for what you have said. But I would have also like to add as a compliment, and not to be considered as an offence, that he sounds much better from the other side of the House instead of this side of the House. So, thank you very much for that.

MR. DEPUTY CHAIRMAN: Better or realistic.

SHRI SITARAM YECHURY: Better, therefore, realistic. Sir, this is an issue on which we have a very serious point. Article 1 of the Constitution of India says: "India, that is, Bharat, is a Union of States." Without the States, there is no India, and the Federal Structure of our Constitution springs from that concept. And therefore, the entire structure, the Federal Structure and the rights of the States is something that is absolutely fundamental to the Indian Constitution. It is that Constitution because of which all of us are here and are discussing, and therefore, this issue of a General Goods Tax-Services were not included at that point of time when the Constitution was being debated— what is

being talked about was taxes on goods. This is not a new concept that has come up now. It has been going on in our country at least since the Constituent Assembly debates. The question was whether the States should have the right to have a sales tax. Let me quote Dr. Ambedkar on this issue. In the Constituent Assembly debates, what does he say? I quote, "It seems to me that if we permit the sales tax to be levied by the Provinces, then the Provinces must be free to adjust the rate of the sales tax to the changing situation of the Province, and therefore, a ceiling from the Centre would be great handicap in the working of the sales tax." He continues. I quote: "There are a large number of resources on which the Provinces depend, have been concentrated in the Central List. It is desirable, at least, to leave one important source of revenue with the Provinces. Therefore, I think that the proposal to leave the sales tax in the hands of the Provinces, from that point of view, is a very justifiable thing." This issue has been under debate since then. We introduced the VAT in our wisdom. Much of that has been encroached upon. Now, the GST bringing the services also into its ambit along with the goods, will virtually take away this right. Now, the State Governments, which were called the Provinces then, not having any right to raise resources from whatever they would consider, as they are elected; they consider as important for the welfare of the people in those States, that will now be prohibited. How are you going to address this issue? I myself told this to the Finance Minister and he said that at the time when the GST Bill comes, this should be addressed, leaving some flexibility to the States. I will tell you why Today, you have the Kerala Government from where you come, Sir. The State has imposed a tax called the health tax. It is on your fast food and all these sorts of food items that increase obesity. It is a very noble thought. It has been welcomed internationally. But such rights will not exist after we enact this amendment and the Bill subsequently. Take the case of the State where I come from. A tax has been imposed, a surcharge on cigarettes has been imposed to raise revenue to pay for the victims of the Sharda Scam. People are being asked to pay for the victims of the Sharda Scam! Whatever be that issue, that is a separate issue. Such rights do not exist in case of national calamities. Are we to reduce the elected State Governments wherefrom the people of these States come to the Centre with a begging bowl saying that declare so and so issue as a national disaster and give us certain amount of money? What will be the legitimate rights of the States? And, we are the Council of States in this august House, how do we protect that right? That is an important point that needs to be considered and, therefore, I would request the Finance Minister, when he replies today and more than that when the GST Bill actually comes up, to ensure that there is a flexibility of this nature, whereby, the States do not end up, actually, coming with a begging bowl to the Centre and the concept of federalism of the States and the Centre is destroyed from our Constitution. That is something we cannot accept. So, I demand that an assurance comes on this count and also a provision comes when we actually discuss the GST Bill.

SHRI JAIRAM RAMESH (Karnataka): If it comes!

SHRI SITARAM YECHURY: If and when it comes. The second major point that I want to take is the point which I was so happy as I said earlier, you already heard it from my good friend, Mr. P. Chidambaram. The entire concept of the Goods and Services Tax (GST) is, actually, an indirect tax and an indirect tax is a regressive tax and a regressive tax has been explained. All of us know what a regressive tax is and how it burdens the poor much more and it should not burden those people for whose welfare we are all supposed to work for. Now, you consider this situation. In India today, the direct tax component revenue in our country, today, for our country's resources is 37.7 per cent; 62.3 per cent already comes from your indirect taxes. That is, the people are burdened by that amount. In the last Budget, which the hon. Finance Minister presented, he said, "Indirect taxes have been hiked to the tune of around twenty thousand crores of rupees while the direct taxes have been reduced by over a thousand crores." What are you doing – enriching the rich, impoverishing the poor? Now, in this sort of an atmosphere, compare our 37.7 per cent of direct tax collections with the other emerging economies in South Asia. Look at Indonesia; they have a direct tax revenue component of 55.8 per cent. Look at South Africa – part of your BRICS – they have a direct tax revenue component of 57.5 per cent. We have it at 37.7 per cent, and on top of that is the GST. If you do not have a cap on its limit, a limit on the GST, it will be an increasingly regressive tax that will impose greater and greater burdens on the people. Now, you have worked out, I don't want to name him but those of us who have read the Chief Economic Advisor's Report would think that they are very, very reasonable economic arguments. Those are economical sound arguments that have been put in there. The Revenue Neutral Rate, RNR as it is called, was estimated and that has already been explained, in the House, to be 15 per cent or 15.5 per cent, whatever that exact figure is. But, remember, Sir, there was an RNR calculated in 2014, which we then very strongly opposed and that RNR that was calculated then was 27 per cent, 12.77 per cent as the Central taxes and 13.91 per cent as the State taxes. Now, if you have this sort of an RNR and on top of that you have the bands, you may have bands less than that, but then a tax rate of around 24 per cent or 25 per cent, that will just cripple a vast majority of our people. I have said this before; what is the reality today. In the last one year, the number of US \$ billionaires in our country, it is reported to have increased from 100 to 150. Wonderful, may that tribe increase. So, as your own saying goes, that is, 'Shining India'. What does the 2011 Census Economic Data Report show, "In 90 per cent of Indian families, the bread-earner of the family earns less than ₹ 10,000 rupees a month". These are the two Indias you already have. On top of that, if you get a regressive tax regime, you are only widening the hiatus between the two Indias and

that is not the spirit which our Constitution enjoins us to come to this House to legislate. Therefore, I think, it is absolutely necessary that instead of a Revenue Neutral Rate; you start considering, what I would call, a 'Fair Revenue Rate'. I am seriously suggesting to the hon. Finance Minister that this be considered as a 'Fair Revenue Rate'; and to work on it. By the time you bring the GST Bill, you can actually work on a 'Fair Revenue Rate' for the States concerned, and, then, you have a cap on it. So, that assurance must also come when the GST Bill is brought before us; how it will be brought, I will come to later. So, when it is brought before the House that should be taken into account.

The third major point that I have, Sir, is concerning the concrete amendments. There are certain problems in the concrete amendments which the hon. Finance Minister has moved. In the third amendment, for instance, of Clause 9, he suggests three categories. He has given (1A), (1B) and (1C). Sir, (1A) says, "The amount apportioned to a State under Clause (1) shall not form part of the Consolidated Fund of India." Yes, because it has to be shared. So, once it goes in there, then, you and I will have to sit again to apportion it. It is correct. The second amendment is also by the same logic. Okay. The third amendment, namely, (1C) says, "Where an amount collected as tax levied by a State under Article 246A has been used for payment of the tax levied under Clause (1), such amount shall not form part of the Consolidated Fund of the State." Now, why should that be there? A tax collected by the State for the State GST naturally has to go to the Consolidated Fund of the State. There is actually a conceptual problem. Where do revenues collected go? What is the mechanism whereby the distribution is done immediately so that the revenue can be collected and somebody sits on it? That is an important aspect that needs to be clarified. So, that is what I would want the hon. Finance Minister to reconsider (1C) of Amendment No.3 that he has moved.

SHRI SUKHENDU SEKHAR ROY (West Bengal): The word 'not' should be deleted.

SHRI SITARAM YECHURY: Yes. Secondly, that is an important point. You collect revenue. What is the mechanism and what is the timeframe within which it is shared between the States and the Centre? If you don't have that clarity, then, how can you collect revenue which does not go into the Consolidated Fund? That is not permissible under our Constitution. That cannot remain in vacuum, hanging somewhere, that amount. Therefore, this is a serious lacuna, according to me, that needs to be addressed.

Then, there is another Amendment No. 4 that has been moved by the hon. Finance Minister. Sir, I have with me, letters from the Chairman of the Empowered Committee of State Finance Ministers, a body that this Bill has discussed over the last two decades,

[Shri Sitaram Yechury]

a position that was occupied by the Left Front Government's Finance Minister, now occupied by the current Finance Minister of West Bengal, and a letter also from the Finance Minister of Kerala. I know letters by the State Finance Ministers should not normally be read out here. So I am not reading out these letters.

SHRI SUKHENDU SEKHAR ROY: And you cannot authenticate also.

SHRI SITARAM YECHURY: Why? I can. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: He can say that.

SHRI SITARAM YECHURY: I can say so, Mr. Vice-Chairman. But you are saying it from there, not from the Chair. So, there is no problem.

Now, both the West Bengal Finance Minister and the Kerala Finance Minister; and I think there is a point in which they argue that there has been an issue on the question of the tax levied and collected by the Union under Clause 2, etc., etc. This is the newly proposed Amendment (1B) under the same Amendment No. 4 of the Finance Minister to Clause 10, whereby, this amendment, I am informed, has not been discussed in the last Empowered Committee meeting of the State Finance Ministers, and it goes against the decision of the Empowered Committee of 2014 where it was decided that the residual amount in the IGST shall be shared with the States as per the Finance Commission's formula. Therefore, both the States, the Chairman of the Empowered Committee have suggested that this be deleted, and let Clause 10 remain what it was as the Lok Sabha passed it. That needs serious consideration, and I would like the hon. Finance Minister to respond to that when he sums up this discussion. The fourth major point is on the dispute resolution mechanism. Right now, it appears that it is left to the GST Council; they will work out a mechanism. I think, a greater thought must be given to that. That mechanism must be spelt out more concretely and in a tangible form at the time when the GST Bill is brought for consideration. I am requesting the Finance Minister to do so.

Finally, Sir, I will end with only one point. This is a very, very serious piece of legislation. We are making a very major radical departure from the revenues collected by the States and the Central Governments for their functioning. We are making a very major departure from the objectives for which these revenues are collected and how they will be spent. This is of such a major importance that not only the GST Bill should come back for consideration but also all connected with the GST Bill—there is IGST, SGST, and CGST—must be brought here also for our deliberations. Therefore, they should not be brought as Money Bills. I myself made an appeal to the Finance Minister. You are

aware that I told you earlier of my interpretation of Article 110 of the Constitution of India. It is a non-legal, non-lawyer, common sense interpretation. Article 110(1) says what are the items that constitute a Money Bill; Article 110(2) says what are the items that don't constitute a Money Bill; Article 110(3) states that in the case of a dispute, the decision of the Speaker of Lok Sabha will be final. Common sense interpretation is that the matters under adjudication of the hon. Speaker of Lok Sabha are matters that are not mentioned either in Article 110(1) or Article 110(2). Only then Article 110(3) should come into operation. But, now what is happening? Article 110(3) is coming into operation for matters listed in Article 110 (1) & (2). I think, that is wrong. But, anyway, one of our colleagues has taken it to the Supreme Court. Let us wait for the verdict. In that spirit, I had even said this once before. In our, let us say, indiscretion or 'hang over' from the colonial rule, we have inherited many practices from the Westminster. We are trying to correct some of them now. We have corrected at least one. We thankfully no longer present the Budget at 5.00 p.m. We present it at 11 o'clock. Since in London they would be waking up at 5 p.m., that practice was there.

Sir, one of the things that remain, which we have inherited, is the colour code. The Westminster has a three-colour code. It has green, red and the royal blue for the Queen, Her Majesty. Mercifully, we have eliminated that royal blue, by declaring ourselves a Republic, very correctly and I am very happy for that. But, we continue with the green and the red colour code. Lok Sabha is green and Rajya Sabha is red. In its indiscretion, if Lok Sabha passes any legislation, which, in our wisdom and consideration, we think is not in the interest of the people, we will show the red and stop it in the interest of the people in the country. That right can't be denied.

Sir, in the Constitution, the supremacy of sovereignty is with the people. We begin the Constitution by saying, "We, the people, give to ourselves and enact this Constitution..." The interest of the people is supreme. In the GST Bill, when we give the final consideration, are we going to improve the interest of the people or are we allowing it to deteriorate? Sir, earlier when it was quoted about experiences of other countries wherein the GST Bill was brought, one country has been left out by our colleagues and that is Canada. Remember, Sir, Mr. Mulroney of the Progressive Conservatives in 1991, who had a two-third majority, brought the GST Bill. There was a big uproar in the country. They had to invoke the colonial provision as saying, 'The order of the Majesty, the Queen of England' and then it was passed. In 1993, two years later, the elections took place in Canada. From a two-third majority, it came down to two representatives. So, that example is also there. ...(*Time-bell rings*)... So, finally the interest of the people should be the prerogative, priority, and, I hope on that basis we may take up the other Bills that will come up. Thank you very much.



SHRI A. U. SINGH DEO (Odisha): Sir, 140 countries across the world have implemented the GST and the functioning of consolidated markets. We stand as a testament, Sir, to the advantages of the system. India has got 30 markets and they are divided today, as various taxes are imposed on them. To bring the markets closer for a smoother functioning and to boost up our economy, this Bill is necessary.

[THE VICE-CHAIRMAN (DR. SATYANARAYAN JATIYA) *in the Chair*].

Sir, United Nations ने अपनी रिपोर्ट में यह कहा है कि India has the highest youth population in the world. This population of the youth flows into the market looking for jobs and business. The Indian business environment on the other hand is one written with red tape and a large number of indirect taxes is not compatible or equipped to keep the increasing demand for jobs, इसलिए we support the Bill brought in by the hon. Finance Minister, but we have certain issues Sir, we need to put forward our case. Sir, there is a green tax which doesn't seem to find favour with a lot of people here. Sir, Odisha is a mineral rich State. In every mineral rich State, वहां पर माइन्स में काम होता है, environment impact होता है, उसके लिए हमें environment संभालने की जरूरत है। हम चाहते हैं कि mineral-rich States में, जहां माइनिंग होती है, उनको ग्रीन टैक्स लगाने की इजाजत दी जाए। We propose the addition of a non-rebatable cess as determined by the GST Council to be levied by the States, subject to suitable guidelines of the Council. सर, एक और टैक्स, जो GST में है, वह tobacco and tobacco products पर है। यह टैक्स केवल सेंट्रल गवर्नमेंट लगाती है। हम चाहते हैं कि स्टेट गवर्नमेंट को भी यह टैक्स लगाने की जरूरत है। We heard that tobacco and tobacco products should be included in Entry 54 of the State List so as to enable the States to levy tax in addition to GST, as is being done by the Centre in Entry 84 of the Union List. Tobacco products को हम लोग discourage करते हैं। अगर उन पर टैक्स लगे, उनके दाम बढ़ें तो लोगों को खरीदने में मुश्किल होगी और वह फायदेमंद चीज है। स्टेट गवर्नमेंट्स को भी इसका फायदा मिलना चाहिए। सर, Integrated Goods and Service Tax आएगा, पार्लियामेंट उसे पास करेगी, उसमें भी एक मुद्दा है, जिसे मैं अभी आपके सामने रख दूँ। There is a narrow scope of redressal for the States in cases where there is an evasion of payment of these taxes to the States. स्टेट गवर्नमेंट को अर्थोरिटी होनी चाहिए, उनको empower करना चाहिए to administer IGST through provisions such as audits, assessment and demands for recovery. जब आएगा, उसमें हम लोग देखेंगे, लेकिन इसकी भी हमको जरूरत पड़ती है। GST Council. Sir, why should the Central Government have a veto power? आपने एक काउंसिल बनायी और अगर सेंट्रल गवर्नमेंट न चाहे, तो जो भी उनका मुद्दा है, जो भी उनकी सोच है, उसको वे नाकाम कर सकते हैं। Weightage of voting and the process in itself is giving the Centre despite the unanimous approval of the States. स्टेट गवर्नमेंट एक चीज को चाहे और सेंट्रल गवर्नमेंट न चाहे, तो उसको वह वीटो कर देगी। मैं समझता हूँ कि यह ठीक नहीं है। This makes a lopsided balance in the process of States. States should be given 3/4th of the

weightage while the Centre be given 1/3rd and the decision should be taken by 3/4th majority, by which if the States want, they can pass any resolution without giving a veto power to the Centre ...*(Interruptions)*... That is a matter to be considered, Sir. मैं समझता हूँ कि इसकी जरूरत है। जेटली साहब, इसको क्लेरिफाई कर रहे हैं। अच्छी बात है कि अगर क्लेरिफिकेशन में बात आ जाती है। National Institute of Public Finance and Policy, under the Ministry of Finance, has collected a State-wise tax rate determined on a State's average which is based on a number of assumptions, अभी assumptions का बेस फाइनल नहीं किया है। बातचीत चल रही है, इसकी चर्चा भी यहां हुई है। In the case of Odisha, a number of commodities such as paddy, pulses, maida are taxable, as opposed to some other States. The projects' number fails to take this into account while calculating the average. This is one of the many examples of assumptions that have been made while coming to the number-designated for taxation to Odisha. मेरे कहने का मतलब यह है, If these assumptions are abandoned and if more accurate data is not collected, then Odisha will suffer; Odisha will badly lose on its revenue collection.

इस मुद्दे को देखने की जरूरत है और इसे हम अपने केलकुलेशन में लाएं। इस बात को और लोग भी कह चुके हैं और मैं भी इससे सहमत हूँ कि इसमें एक cap की जरूरत है। हमारे कुछ सदस्यों ने इस बात को यहां उठाया है। आज आप सरकार में हैं, इसलिए आप इस पर गौर फरमायेंगे। सरकारें बदलती हैं और कोई सरकार में आए और इसका advantage लेकर टैक्स बहुत ऊपर बढ़ा दे, जो आम लोगों के लिए ठीक न हो, उस पर आपको गौर फरमाना चाहिए। यह लॉ बहुत पहले बन जाना चाहिए था। जैसा कि देरेक साहब ने कहा कि ping-pong, देरेक साहब ने कहा कि इसमें political one-upmanship की चीज़ रह गई। ...*(समय की घंटी)*... अब इसमें और विलम्ब तो होगा नहीं, क्योंकि यह बिल पास होने जा रहा है। यह लोगों के लिए अच्छा होगा। कुछ समय मैं अपनी पार्टी के दूसरे सदस्य के लिए छोड़ना चाहता हूँ, क्योंकि वे भी कुछ बोलेंगे। आप उनको भी दो-तीन मिनट का समय देंगे।

SHRI SATISH CHANDRAMISRA (Uttar Pradesh): Thank you, Vice-Chairman, Sir. My party leader, Sushri Mayawatiji, has again and again, even yesterday also, answered this query raised to her by the media whether the party is going to support the GST or not. And, she has always replied in affirmative. I would like to thank her for having given me an opportunity to me first to be in the Select Committee and, now, today, to speak on this issue. At the same time, she had also said that we would be seeking certain clarifications on certain issues. And, I am sure, those clarifications would definitely be coming up.

The GST Bill has always been welcomed by us. We are welcoming it today also. But, at the same time, we will have to keep in mind our federal structure also and will have to ensure that this Constitutional Amendment is not going to affect it in any manner. If it is, we will have to see how to overcome it. This is a Constitutional Amendment. After this, there will be a Bill. This Constitutional Amendment is

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amending the Constitution to give a power to the Parliament as well as the State Legislatures to frame laws with respect to GST. This, in itself, is not a law that is taking care of everything. We have to keep in mind that different States have different issues of certain natures. If, for example, if we take Uttar Pradesh, वहां बनारस में जो हमारे कारीगर हैं, वे काम करते हैं। जो हमार पीतल के कारीगर हैं, वे दूसरे जिले में हैं। लखनऊ में चिकन का काम होता है, वहां उसके कारीगर हैं। इस तरह की बहुत सी activities हैं, जो अलग-अलग स्टेट्स में और गरीब व मिडल तथा नीचे तबके के लोग हैं, वे पूरे देश में 90 प्रतिशत हैं, वे लोग काम करते हैं। उनके संबंध में या उनको उत्साहित करने के लिए स्टेट के laws बनते हैं, अलग-अलग States में इस तरीके से है, जो उनको tax में benefits देने के लिए कि अगर sales tax लग रहा था, तो एक trade tax लगता था, तो उनके लिए कम लगे और दूसरी चीज में ज्यादा लगे, जो कि वे दे सकते हैं। इस Constitutional Amendment के बाद इसमें जो प्रोविजन किया गया है, इसमें कहा गया है कि Goods and Services Tax Council बनेगी। The Goods and Services Tax Council has been given wide powers. It will also decide the capping. It will not only decide the maximum tax, but also decide the minimum. Therefore, the powers of the State in respect of various items - on which the State used to make laws on its own and changing that according to the requirements of the State and its people - have been taken away. Now, these powers have been conferred upon the Goods and Services Tax Council. Now, it has been submitted that the Goods and Services Tax Council has the representatives of the States too. Therefore, they have an opportunity to have their say. But there can be a matter where only one State has some issues, and other States do not have any issue. What will happen in such a situation? There will be only one vote. There will be only one State which would be raising objection and asking to look into the capping. But, the other States may not be agreeing with that State. Will this be taken care of? If this is not going to be taken care of, it will create problems in various manners. That is why I am saying that the federal structure would be affected. And the poor people of that particular State would be affected. How will such a situation be dealt with? The Goods and Services Tax Council says that with 75 per cent and above votes a matter will be passed. It will not be easy for a particular State to garner 75 per cent votes, if it is a matter concerning only that particular State. Therefore, this issue has to be looked into from that angle also. Besides that, it says that one-third votes would be of the Centre and two-thirds would be of the States. Is this not giving a complete veto power when it has to be negated by the Centre in any manner? Again, the question of federal structure arises, because one-third power is with the Central Government. Sir, I had raised this issue in the Select Committee also. Sir, 33.3 per cent power is with the Centre and the remaining 66.6 per cent is with the State Government and 75 per cent is the requirement for passing a thing in the Council. If 33.3 per cent say 'no' to a particular thing, then, it will be completely 'no'. Therefore, it will be a complete veto to all the States together.

Therefore, I would, definitely, like this aspect to be looked into and clarified, so that our doubts get cleared on this aspect.

The second aspect which was raised, and which has already been submitted today, is that with regard to the GST, its constitution, the capping, etc. etc., all powers have been given to the Council. The Council will come through the Act. The Upper House should have the power not only to debate but also to vote on it. Please look into the Act itself, which is the Amending Act to the Constitution. In clause 2, while amending Section 246 A, it says, " Notwithstanding anything contained in articles 246 and 254, Parliament, and, subject to clause (2), the Legislature of every State, have power to make laws....." So, it is not only the Parliament which will make laws, the States will also make laws with respect to the GST. Therefore, if Parliament makes a law, that law will decide all the aspects which have been mentioned in the GST Council. This should be brought before the House for a debate and voting. Therefore, it should not be a Money Bill; it should be a Finance Bill. ...*(Time-bell rings)*... Sir, if you say, I will sit down. But if you allow me a few minutes more, I would like to speak.

THE VICE-CHAIRMAN (DR. SATYANARAYAN JATIYA): Please conclude in two minutes.

SHRI SATISH CHANDRA MISRA: Sir, I am concluding. Now, under Article 279A (3), the amendment which is being brought is that this Council will select amongst themselves a Vice-Chairman. My suggestion is that for Vice-Chairman's selection, there should be a procedure. The Vice-Chairman should be of a party which is not in power at the Centre, so that parties of respective States which do not have a say at the Centre will have their say. Then, they will be able to raise their voice. ...*(Interruptions)*... Sir, there are only two points I would like to make now. One is with respect to the special provisions for some States. In the Amendment, certain States have been named. In the Constitutional Amendment, they have mentioned that this Council, with respect to these States, will have special provisions, which will be, otherwise, generally applicable. My Party feels that fixing this limit on to these particular States would not be advisable and would not be proper, because there are also other States which have been left out like Jharkhand, Chhattisgarh and also Bundelkhand in Uttar Pradesh, which are much more backward with respect to various matters. They need more concessions. Therefore, if you are mentioning only specific States, then, they will never get a chance of being considered.

Now, the last point I would like to make is this. As various law experts are here and the hon. Finance Minister himself is a Constitutional Expert, I would just like to bring to their notice a provision which has been brought here. I would like to know whether it is

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a Constitutional provision or it would be an unconstitutional provision and that is about giving powers to the President to amend or modify this. Sir, I would just like to read those two lines. Section 21 of this Act says, "If any difficulty arises in giving effect to the provisions of the Constitution as amended by this Act (including any difficulty in relation to the transition from the provisions of the Constitution as they stood immediately before the date of assent of the President to this Act to the provisions of the Constitution as amended by this Act), the President may, by order, make such provisions, including any adaptation or modification of any provision of the Constitution as amended by this Act." Now, Article 368 gives the power under which the Constitution Amendment today is also being discussed and is being brought. It is for giving the power as to how the Constitution can be amended and who can amend it. The procedure has been laid down in Article 368. It can be done only by the Parliament, and other detailed procedure has also been given. Then, it will go to the States and then the amendment takes place. Now can this amendment which is being brought today in the Constitution have a provision that the President, by an order, can modify and amend the Constitution? I would like to know from the hon. Minister whether this provision is constitutional or this would be totally unconstitutional and against Article 368.

With this, I conclude my submissions. I am once again saying that we are supporting this Bill.

इस उम्मीद के साथ कि इसके आने के बाद, जो 90 परसेंट जनता है, जो 90 परसेंट से भी ऊपर 95 परसेंट तक, इस देश की गरीब जनता है, जो लोग इस बिल की तरफ इस उम्मीद से देख रहे हैं, जो उम्मीद आपने बाँधी है कि इस बिल के आते ही, इस देश में एकदम से सुधार हो जाएगा, लोगों की गरीबी दूर हो जाएगी, चीजों की कीमतें कम हो जाएंगी, कहीं ऐसा न हो कि ये वादे भी उसी तरह के वादे बनकर रह जाएं, जो वादे हम पिछले दो सालों से सुनते आ रहे हैं, इस देश की गरीब जनता सुनती आ रही है। ये वादे आज तक पूरे नहीं हो पाए हैं, कहीं इसका भी असर वैसा ही न हो, यह बात कहते हुए मैं अपनी स्पीच समाप्त करता हूँ, थैंक यू।

SHRI C.M. RAMESH (Telangana): Thank you, Mr. Vice-Chairman, Sir, for giving me this opportunity to speak on the historic Constitution Amendment Bill which plays a crucial role in not only shaping the economy but also GDP and tax structure.

I compliment the hon. Prime Minister of India and the hon. Finance Minister for the sincere efforts in bringing the consensus among all the political parties to make the GST a reality.

Sir, I am not going into the technicalities because the other eminent leaders and

advocates who have spoken on the Bill have already spoken about it. After bifurcation of my State, being a new State, we wanted to bring in investment. We conducted road shows in different parts of the world. I went to the World Economic Forum, China, U.K., Russia and also some other countries. Wherever we went, people were asking, 'When people have given you a good mandate and there is a stable Government, why is the GST not going through?' I did not answer. But some other people said that 'though people have given a good mandate, still the Congress is thinking of slowing down the economy. They don't want to get this GST Bill passed.' Everywhere people are thinking like this outside. Today, not only in India but the entire world manufacturing industry investors are watching this Bill as to what is going to happen. See, even my State may temporarily be benefited from this GST Bill. Our State is progressing under the leadership of Shri Chandrababu Naidu. We have become number two in 'Ease of Doing Business.' We want to become number one. My State has 970 kilometres of coastal line. We have been given some tax incentives. It is also there in the Bifurcation Act. So, some incentives may come. We want to become number one manufacturing State in India. In future, we are going to lose. But, even then, for the sake of this country – since the GDP has to increase to enable the economy become good – we are supporting this Bill.

Sir, I carefully listened to the speech of the ex-Finance Minister, Mr. Chidambaram. He is asking for a cap. My State is a coastal State. Sometimes, we have cyclones and sometimes, we have drought. Suppose we want to compensate. How have we to do? If we want to increase half per cent or one per cent, how can we do? For that, again, we need to come to Parliament for amendment. We have seen this Bill. It has taken 13 years. It is not at all possible. The Bill says, 'There is a Council.' The GST Council is there. The GST Council will sit and they will finally decide where it is necessary and where it is not necessary. Then, immediately, it will come into force. Otherwise, the States would suffer. This is an important point for consideration.

Sir, talking about the Bill, many assurances and promises have been made. In our State, we have been the sufferers. The Bill has been passed but till now, nothing has happened. Again, assurances have been made. Our Parliament is a temple of democracy. All the promises that are made here must be fulfilled. There are our CST dues too. Our State was bifurcated into Telangana and Andhra. After the passage of the Bill, whatever is being given to Andhra Pradesh must be immediately passed on to our State.

Sir, there are some other issues too. I would meet the hon. Finance Minister and talk to him, in detail, about issues concerning our State. There is one more thing that I forgot to mention. Mr. Chidambaram said, we must debate it both in Lok Sabha and

[Shri C.M. Ramesh]

Rajya Sabha. Now, what happened in the Lok Sabha on the last day of the Session? Doors were closed, TVs switched off and the Bill bifurcating Andhra Pradesh was passed. He was instrumental in getting that Bill passed. Today, when he has got the opportunity, he says that we must debate and discuss. In our case, he acted differently. But he is a good advocate. Today he is saying something else. This is something that I wanted to bring to the notice of the House.

Sir, we are in support of this Bill. Thank you.

SHRI PRAFUL PATEL (Maharashtra): Mr. Vice-Chairman, Sir, it is not every day that we discuss and debate Constitution (Amendment) Bills in this House. Therefore, I think it is very important that this Bill, as is being discussed here, gets its due consideration. This has been going on for many years and, practically, all the States, all political parties, in some form or the other, have been associated with the stage at which this Bill has come to be. Unfortunately, in the last few years, at least ever since the change in Government took place, it has appeared to be, more or less, a bilateral issue between the Congress and the BJP and it has virtually been taken for granted that the other Parties are for the passage of the Bill. At least in our case, the NCP, we have been progressive. We are not going to come in the way of any progressive legislation, but nonetheless, the discussion was mainly focussed between the two sides. Notwithstanding that, I am happy that it has come to a stage where we are now discussing it in Parliament. I am sure, going by the tone and tenor of most of the political parties, this is going to be a reality very soon.

Sir, the issues are many. The manufacturing State, especially the State which I come from, Maharashtra, has been one of the few States which have always had a contrary line, and rightly so, because States like Maharashtra, Gujarat, Karnataka and Tamil Nadu, where they have been getting more revenue than the other States, had this apprehension whether their revenues would be protected. That has, fortunately, been addressed. On the other hand, it would be very fair to say that the States which were earning lesser revenues are going to be compensated. In fact, they are going to be better off than they are today. In a federal structure and in a country as large as India, where most of us express our concerns over backwardness, poverty and other issues, I think it is also fair that we address the issues of the poorer States, the States which need to have more revenues, and for the betterment of the people. I think it is in that spirit that even States like Maharashtra and other progressive States have fallen in line and agreed to come forward and support this Bill.

Sir, the most important part was, of course, the one per cent cap, which was a contentious issue. Our Party's Finance Minister represented Maharashtra in the GST negotiations when the State Empowered Committee was to be constituted. We remember that Maharashtra had its big concerns. Other States like even Gujarat - the Prime Minister was then Chief Minister of the State — and some others too did mention it. But, rising above that, in the larger interest, a progressive legislation was necessary. For far too long, we have had many different tax structures in our country, starting from the octroi to municipality taxes to local taxes and then going on to the State taxes. We all remember that we used to have 'C-Forms' for inter-State transactions. We do remember that there were many avenues of pilferages that led to the loss of revenue to the Exchequer. Therefore, the kind of structure under which businesses were conducted in India was certainly needing a major reform and the GST is a step in that direction, rightly so, and, I think, it needs to be taken to its logical conclusion. However, the compliance of this Act also is going to be very challenging. The transition from the current model to a GST model is going to be certainly challenging, both at the Central level and the State level. Many people have voiced their concerns about the pressures, especially the inflationary pressure, because in India services constitute 57 per cent of our GDP. I think the first impact of the GST, especially of the higher rate, is going to be felt on services, and that is the large portion which is being consumed by most people of the country. Hence, service sector is going to be under pressure. The first advantage will accrue to the manufacturing sector, but on the service sector, it is going to be certainly a very big pressure. I think it will be a tight-rope walk for you as the Finance Minister to be able to steer the economy keeping the inflationary pressures away. I think you need to keep that in mind. And the Revenue Neutral Rate, which Mr. Chidambaram also mentioned, is something which needs to be looked at, especially in the context of the service sector because the Revenue Neutral Rate is going to affect the economy in a big way. I share the concerns of most of the colleagues who have spoken here that the principle of equity will be disturbed if we do not keep the RNR in mind and work adequately to resolve those issues which have been highlighted here. Sir, I will give you an example. Sharad Yadavji mentioned about local bodies. Sir, in Maharashtra, we have a local body called Mumbai Municipal Corporation. The revenue of the Mumbai Municipal Corporation by way of octroi alone is more than the revenues of most States of this country. Only the octroi collection is more than the revenue of many major States in this country! We are talking of the tune of more than Rs.8,000 crores to Rs.9,000 crores annually. If that Rs.8,000 crores to Rs.9,000 crores has to be given by way of devolution to the States and that, in turn, the State has to pass it on to the Mumbai Municipal Corporation, what would be the state of affairs, how would you manage the civic affairs and the finances of a big city like Mumbai if the moneys are not paid in



[Shri Praful Patel]

time? I am saying it from my own small experience. Sir, I started my political career as a President of the Municipal Council of Gondia, and I remember that a small town of one-and-a-half lakh people used to depend heavily, obviously, on State support for various schemes of the Municipality and the moneys which were due this year used to come the third year or the fourth year down the line. If that be the situation, how would we be able to manage the civic affairs of a large city like Mumbai, and many other cities? Why only Mumbai? Tomorrow, it could be Bengaluru; it could be Chennai and it could be any other city which requires large funds to be given by the State to its own civic authorities. So, I think, please keep that in mind. It is something which needs a lot more monitoring. Though you may say that you have passed on or given the money to the State, there is a State within a State that also needs to be adequately adjusted. So, Sir, I will keep myself limited to a few points like this.

As I said earlier, this is a Constitution (Amendment) Bill and rarely do such Bills come to the House. But this has ramifications far beyond just amending the Constitution. Even the implementation of this Bill is going to be a serious challenge which requires the wisdom and the participation of all sections of this House and all sections of polity inside and outside the House. Therefore, as and when you do come with your amended version of the Bill for passage in due course, I think, that also would need the collective wisdom of this House. I would urge you to please bring it as a Finance Bill not as a Money Bill so that we also, as the Members of the Rajya Sabha and all political parties put together, can participate meaningfully. And, we assure you of our participation. There is no question about it. Going by the mood of the House, I don't think there is any reason for the Government to feel that any section of this House is mistrusting the intentions of the Government. I think, certainly, this side, including myself, has no right to do so. We were part of the Government which worked continuously for ten years to make sure that the GST becomes a reality. Therefore, there is no reason for that. And, I am sure, there would be a lot of pressure even on this side if, tomorrow, there is an unmeaningful or wrong attempt to derail the process of making the GST a reality. I think all of us should work collectively. We have to rise above all other considerations to make sure that the GST becomes a reality. I would say that these are the new challenges. This is a new environment. I think, somebody mentioned that in the good old days, goods were the only things at which people looked at. Today, services play a major role. And, the services we talk about today are going to change in a very radical way. Today, half the work which we do is through our mobile phones and our small little hand-held tablets. I would like to say that commerce, e-commerce and the changing environment requires reformist and

progressive measures, and GST is a step maybe a small step, but a meaningful step in that direction. I urge upon all sections of the House, but I also urge upon the Government to please carry us along, take us along as partners in progress and please discuss in this House before you take the final steps. Thank you, Sir.

DR. NARENDRA JADHAV (Nominated): Sir, this is, indeed, a historic occasion. After so many debates and deliberations for more than ten years, we have finally reached a stage where we are now in a position to take a momentous decision that will change our lives for a foreseeable future. Sir, I think, this is singularly the most important economic reform since the days of 1991 when Dr. Manmohan Singh, the then Finance Minister, launched the new Economic Policy. This Bill is really a game-changer.

Sir, GST is essentially a consolidated indirect tax levied on the value added at every stage from manufacturing to consumption without making any differentiation between goods and services. Hon. Members, Shri P. Chidambaram and Shri Sitaram Yechury, have rightly warned against the possible regressivity of the high GST rate. Let me add that the theory of public finance also recommends moving towards optimal taxation, and this is certainly a move in that direction. GST is certainly a move in the direction towards optimal taxation because it avoids taxation of intermediate goods.

Sir, what are the potential benefits of GST? Sir, properly-designed GST laws and regulations can potentially deliver six benefits. First of them is simplification and unification of the indirect tax regime. Central taxes, such as Excise and Service Tax; State taxes, such as Sales Tax and VAT; and, local taxes, such as octroi, would all be consolidated in terms of one uniform tax rate and the simplicity would improve the tax compliance. The second benefit is the elimination of geographical fragmentation thereby creating one common market for the entire country. The third benefit would be that with built-in transparency and self-eliciting feature, it would have the effect of reducing the black money and there would be a greater probability of detection of tax evasion. This would certainly help arresting corruption and rent-seeking by indirect tax bureaucracy. The fourth advantage, and a great one of that, would be that GDP growth could be accelerated by 1.5 to 2.0 percentage points, and this would be possible on two counts. First of all, there would be productivity gains from simplified and more efficient tax system and removal of inter-State tax barriers, and secondly, it would be possible because of greater price competitiveness due to lower logistic and tax cost thereby promoting exports as well as promoting investment.

[Shri Praful Patel]

**5.00 P.M.**

The fifth advantage would be that it would facilitate fiscal consolidation by widening the tax base because of the reduction in black economy, and, thereby, it would improve the tax collection which would also release resources for spending in social sectors like education and health. The final advantage would be lowering the inflation rate over time due to lower logistic and tax cost and improvement in productivity.

Sir, having discussed the potential benefits, let me now turn to the potential downside risks which are involved here. It would be naive to believe that the GST alone would be a panacea to all our economic ills. In fact, the worldwide experience shows that if GST structure is not properly designed, there may be a little or no benefit in terms of accelerating GDP growth and lowering inflation rate.

Sir, in our case, at least, three downside risks are noteworthy. First of all, if the standard rate is too high, it could become regressive, thereby hitting the poor most. Secondly, higher taxation services may have the adverse effect, at least, in the short run, of impeding economic growth. Thirdly, at least, in the short run, the prices of clothing, healthcare and education may go up and add to the inflationary pressures. Clearly, the devil is in the details of formulation and implementation. Sir, we must be mindful of the downside risks and the potential pitfalls. Nevertheless, there is no doubt whatsoever that the passage of this Bill would be a giant leap forward. I heartily commend the hon. Finance Minister for rigorously pursuing this historic Bill and also congratulate all the party leaders for their sagacity in supporting this momentous move.

उपसभाध्यक्ष महोदय, आज सदन में जो विस्तृत चर्चा हो रही है, उससे यह स्पष्ट रूप से प्रतीत होता है कि अविश्वास के काले बादल अब बिखर गए हैं, दूर हो गए हैं और बहुतांश राजनीतिक दलों का दिल अब साफ हो गया है। सर, किसी शायर ने कहा है-

"करम हों तेरे अच्छे, तो किस्मत तेरी दासी है।

अगर दिल तेरा साफ हो, तो घर ही में मदीना और काशी है।"

सारे राजनीतिक दलों का दिल अब साफ है और वित्त मंत्री जी का बिल भी अब बहुत साफ है। अतः मैं इस बिल का तहेदिल से, पूरी तरह से समर्थन करता हूँ, धन्यवाद।

**उपसभाध्यक्ष (डा. सत्यनारायण जटिया):** धन्यवाद। संदेह के बादल छंट गए हैं और वर्षा हो रही है।

**SHRI RAJEEV CHANDRASEKHAR (Karnataka):** Sir, I thank you for giving me

the opportunity to speak on this historic Constitution (Amendment) Bill. Sir, we all agree in this House that our country's challenges of poverty and equitable development can only be addressed through sustained high economic growth thereby creating the necessary economic headroom for the Government to expand and direct its welfare spending for those who truly need it.

Sir, it is for this objective of growing our economy that reforms become important. Sir, GST is independent India's biggest indirect taxation reform, and, as my senior colleague mentioned in his speech, indirect taxes impact every Indian rich or poor and every business, big or small. Sir, given the low direct taxes coverage, indirect taxes form the backbone of our economic model. I disagree with him when he says that indirect taxes are regressive taxes. He knows that India is an outlaw nation amongst other nations in terms of taxation. Given our low tax-GDP ratio and the low direct tax coverage, indirect taxes become very important, and reforming and simplifying indirect taxes, therefore, becomes very important to make the lives of consumers, citizens and businesses easier.

Sir, let me just quickly make four points in support of GST. Many of my colleagues have already mentioned this but let me repeat it. Sir, the GST, without any doubt, is a significant reform. It results firstly in a large Indian common market. There is enough evidence to show that a large common market creates economic growth, creates more jobs and gives wider choices for products and services for consumers with less corruption and red-tape. There is enough empirical evidence from the economists and studies, which show that the GST reform would expand our economy by 1 - 2 per cent.

Sir, the second point is that apart from creating transparency and ease to consumers along with creation of this large Indian common market, GST makes it much easier for small businesses in terms of complying with laws in the inter-State trade. The intimidating task of complying with and paying 14 to 16 different taxes will now stand reduced to State GST and Central GST. This reduction in the cost of compliance will also bring down the cost and increase the ease of doing business, directly benefiting small and medium businesses.

Sir, thirdly, most importantly, GST will bring significant benefits to the consumers. By reducing the cascading effects of taxes, it also reduces cost to consumers and producers directly. With reduced costs and easier compliance will also come expansion of the taxbase. With expansion of the tax base will come increased revenues to Government for its welfare and social spending needs. All these things finally contribute to transforming our economy to one which is more efficient and more competitive — an important criterion in a world of increasingly competitive economies. Sir, that is why I don't quite

[Shri Rajeev Chandrasekhar]

get the point that when the whole objective of the GST is to make it pro-consumer, this fear of having a high GST as GST expands its coverage, in my opinion, respectfully to the Finance Minister, is misplaced.

Fourthly, Sir, the GST is also a consumer and business friendly taxation regime because it invests heavily in technology and it addresses the core issues of corruption and evasion that has plagued taxation and tax administration for decades in our country. So, Sir, these are the four points that make GST a truly transformational reform.

Before I end, Sir, I must admit that I am a bit mystified by this recent cry of perfection and the Bill being imperfect. It is ironical and without basis for two broad reasons. Firstly, it is admittedly less than perfect, but that is because it has its origins as a Bill that came out of the consensus with States that are truly fearful of losing their revenues and taxation powers. It is a consensus that has driven this Bill and, therefore, it has some of that fear built into the Bill. GST too, Sir, will evolve, as most taxation laws have evolved, as it lays its roots and expands its coverage. Secondly, Sir, this recently discovered virtue of perfection is a bit ironical because I can point out in painful, embarrassing detail about the real imperfections over the last decade in legislation and policies that Parliament and the Governments have passed. But, Sir, I will resist the temptation to do so to preserve the spirit of bipartisanship we have in the House today. So, Sir, in my opinion, a less than perfect GST is better than no GST.

Sir, we have already missed the deadline of 1st April, 2016 for implementing the GST because of the political football for the last three Sessions. I hope now, with this consensus, the focus will move to executing well so that the April, 2017 deadline may be met.

Let me end, Sir. I can see you pointing at me; so let me end. This year, 2016, marks 25 years of economic liberalization, a milestone in India's economic history. The process of unshackling our economy and benefiting consumers remains incomplete. It can only be completed with taxation reforms. Questions need to be asked and answered. Where does the future lie — in a higher direct taxation and moderating indirect taxation model or the other way around? There is much work to be done in reforming tax administration and use of technology to make it simpler, easier and friendlier. Today, we stand ready to take the first step in these reforms and changes by undertaking the biggest, most significant, indirect tax reforms since India's Independence. I congratulate all my colleagues for supporting this Bill. Thank you. Jai Hind.

THE VICE-CHAIRMAN (DR. SATYANARAYAN JATIYA): Now, Shri Vivek Tankha.

SHRI DEREK O'BRIEN: Is it your maiden speech?

SHRI VIVEK K. TANKHA (Madhya Pradesh): Yes, Sir, but I have been rationed to five minutes. ...*(Interruptions)*... I will do it again.

Mr. Vice-Chairman, Sir, I entirely agree with what Mr. Chidambaram said when he opened his submissions for us. What he said was that we support this Bill; we support the idea of this Bill. What we want is clarifications on certain issues which are affecting the people at large in the States. This Bill, I know, is a Constitutional Amendment and not a Parliamentary Act. So, the point that we are going to make is more in the context of the clarity in the Constitutional amendment, but it would also transgress on certain aspects about which States and others are fearful whenever the Act comes. A very important issue here is about the dispute resolution, जहाँ तक स्टेट का सवाल है, जब भी पैसा कलेक्ट होगा and there is a dispute about that collection, how is it going to be resolved, वह अभी तक अनटच्छ है। It will come later. जब तक यह definite body emerge नहीं होगी, and it has to come before the regime starts, till then, the confidence level would lack. As somebody said earlier, dispute resolution systems must be in place before you start the process of tax. अच्छा होता अगर संविधान में ही इसका संशोधन करते, क्योंकि यह प्रोविजन, it is not a provision of fixing the rate. अगर आप रेट फिक्स करते हैं तो उसमें चेंजेज़ आ सकते हैं। Dispute resolution mechanism में बहुत ज्यादा चेंज नहीं आता है। In any case, whatever mechanism is started or initiated, it will be subject to the jurisdiction of the Supreme Court and the High Courts जो आप ले भी सकते हैं। At least इस अमेंडमेंट में उसके पास वह चीज़ नहीं है। Under Article 131, whenever there is a Centre-State dispute or inter-State dispute, you can go to the Supreme Court which has original jurisdiction. Under Article 226, any statutory order can be challenged. तो कहीं न कहीं इस इश्यू पर अभी भी there is a hiatus, there is a gap. और इस गैप के कारण कहीं न कहीं confidence level or the trust level gets diluted.

The second important issue is about the cap. Cap means हर आदमी चाहता है यह बताइए कि आप टैक्स सेविंग लेवल को किस लिमिट तक ले जाएंगे। एक पब्लिक परसप्शन है based upon the report that 18 per cent should be the maximum. ...*(Interruptions)*... I did not want to take the name. So, 18 per cent is the maximum. Eighteen per cent is a very, very big rate. आप सिंगापुर देखिए। The tax rate in Singapore is seven per cent. In Malaysia, it is six per cent. So, India will also have to rethink as to how can we bring our rates down. Unless we are able to bring our rates down, the revenue-generation which we expect will not happen. आप देखिए, जब income-tax was somewhere 90 per cent, what was the compliance level?

[Shri Vivek K. Tankha]

और होता क्या है ऐसी सिचुएशन में आप पूरे देश को दोषी बना देते हो। The whole population is in crime. The problem is, हम अपने टैक्स रेट को अगर compliant नहीं रखेंगे, easy नहीं रखेंगे, friendly नहीं रखेंगे तो compliance also becomes difficult. वह चीज़ एक बहुत ही महत्वपूर्ण बात है कि जो हर आदमी को परेशान कर रही है। It is not only the States, it is the people of India, who want to know कि 18 परसेंट रहेगा कि कम रहेगा या ज्यादा रहेगा। अगर यह 18 परसेंट से ज्यादा रहता है तो उसका कहीं न कहीं इंप्लेशन होगा, उसका कहीं न कहीं लोगों की जिंदगी पर असर पड़ेगा और जब आप सर्विसेज कवर करते हो, services cover a very broad spectrum of charges in India. Fifty-five per cent of Indian revenue collection is from services. इसी तरह एक बहुत इंपॉर्टेंट facet है, exemption. आप क्या चीज़ों को एकजम्ट करोगे, आपको अंदाज नहीं है कि जो model code बना है, उसमें एक क्लॉज है कि subsidies are going to be taxed. Now, if subsidies are going to be taxed, are you going to tax the fertiliser subsidy? मैंने उसमें वर्कआउट किया था - industrial fertilisers are about ₹ 72,000 crore and GST at 18 per cent would be around ₹ 12,960 crore whereas current subsidy of one tonne of urea is about ₹ 1,500 or ₹ 750 per bag for UP manufacturers. A tax of 18 per cent on the same will be additional ₹ 135 per bag. आपके जो किसान हैं, वे वैसे ही बहुत परेशान हैं। Subsidy is not a bargain between a buyer and a seller. Subsidy is the State contribution to the product to subsidise the thing. आप उस पर भी टैक्स लगाएँगे! इसी तरह, world over, there are exemptions for children, there are exemptions for disabled, there are exemptions for education, मेरे पास पूरी लिस्ट है। आप डिफरेंट कंट्रीज में देखेंगे कि जितने सॉफ्ट सेक्टर्स होते हैं, सेंसिटिव सेक्टर्स होते हैं, there are exemptions. Today, we do not know, how this is going to work. क्योंकि अगर आप 18 परसेंट, 20 परसेंट और 23 परसेंट add-on करते जाएँगे, against all sectors across the board, it is going to impact the life of the nation. That is why, कांग्रेस के जो fears थे, those are real fears. Today, you talk about any country, आप जिस देश के बारे में भी बात करेंगे, वहाँ पर आपको लोग एक प्रकार से बताएँगे कि first few years of GST are extremely difficult and the teething troubles are immense. The challenges are great. In fact, ऐसी बहुत सारी बातें हैं, time is quite short.

**उपसभाध्यक्ष (डा. सत्यनारायण जटिया):** आप पाँच मिनट बोलना चाहते हैं, इसलिए मैंने घंटी बजाई। अगर आप ज्यादा बोलना चाहें, तो आपका पार्टी का टाइम आपके पास है।

**श्री विवेक के. तन्खा:** नहीं, मैं एक-दो मिनट में ही अपनी बात खत्म करूँगा। इसी तरह एक और प्रॉब्लम है, जो अभी इस अमेंडमेंट में emerge out नहीं हो रही है। पिछले दो-तीन सालों में गवर्नमेंट ने इतने सारे अमेंडमेंट्स किए हैं, जिनमें इकोनॉमिक केसेज में अरेस्ट एंड प्रॉसिक्यूशन को मॉडेटरी बना दिया है। इसके मॉडल कोड में भी आपने जो अरेस्ट का प्रोविजन रखा है the first time offender will be arrested and the range is from one year to five years, कहीं न कहीं, these provisions are becoming very draconian. Whenever you bring the Bill, all these

provisions are going to be there. इसलिए कहीं न कहीं इस पर क्लैरिटी चाहिए कि ऐसा तो नहीं है कि this is another facet जहां पर आप पब्लिक को, you make them look like criminals.

Similarly, I would like to say that the Bill must be treated as a Finance Bill and not as a Money Bill. I completely endorse because there is a need to discuss and it is not just a money matter; it is a matter which concerns the nation.

**उपसभाध्यक्ष (डा. सत्यनारायण जटिया):** आप अगर कन्क्लूड करना चाहें तो कर सकते हैं, नहीं तो आपका समय है, आप जितना समय लेना चाहें...

**श्री विवेक के. तन्खा:** नहीं, सर। मैं एक-दो मिनट और बोल देता हूँ। Another very important facet is the local taxes. आप all States के local taxes को subsume कर रहे हैं। अब लोकल टैक्स के बारे में जैसा प्रफुल्ल जी बॉम्बे म्युनिसिपल कॉरपोरेशन के बारे में कह रहे थे। We have corporations in all States, उनमें disputes हो जाएंगे, उनको money release नहीं होगा, उसके लिए आपके पास अभी कोई defined mechanism नहीं दिख रहा है। Somebody may even go to court. There will be stay orders. How is it going to work? People want clarity. What I am trying to say is we all want clarity on these issues. Similarly, the revenue sharing mechanism should also be spelt out.

Lastly, clause 21 of the Bill says that President can do adaptations, modifications of the provisions, लॉ में difficult provisions होते हैं, but these are in the Rules. आपको सर्विस रूल्स में मिलेगा कि to remove difficulties, you can make adaptations, modifications. But through adaptations, modifications, you cannot modify a provision of the Constitution. So, these are some of the things which are flawed but as I said, Mr. Chidambaram from our Party has already said that we support the concept, we support the idea, subject to what clarifications are received from the hon. Finance Minister. Thank you, Sir.

**SHRI AJAY SANCHETI (Maharashtra):** Sir, today, I rise to speak in support of the 122nd Constitutional (Amendment) Bill, 2014, popularly, called as GST Bill. देश के डेमोक्रेटिक स्ट्रक्चर में केन्द्र और राज्यों के co-operative federal mechanism को मजबूत करने वाला यह एक ऐतिहासिक कदम है। सर, बहुत सारे eminent speakers, including former Finance Minister, इस महत्वपूर्ण अमेंडमेंट बिल पर बोल चुके हैं। More or less, इस बिल को सभी का समर्थन प्राप्त है। मुझे इस बिल को लेकर बनाई गई सेलेक्ट कमिटी में काम करने का मौका मिला और इसलिए उसी के माध्यम से कई स्पीकर्स जो चीजें बोल चुके हैं, उनका कुछ रिपीटीशन हो सकता है, लेकिन मैं कुछ और तथ्यों को आपके सामने रखना चाहूँगा। सर, यह बिल क्या है, इसकी जरूरत क्यों है, इससे क्या फायदा है, इन सब बातों को एक right perspective में समझने की बड़ी आवश्यकता है। आज स्थिति यह है कि अलग-अलग राज्यों में, कहीं octroi है, कहीं cess है, कहीं और कोई लोकल बॉडी टैक्स है। ये इतने सारे taxes हैं, लेकिन कहीं भी uniformity नहीं है। इसलिए इस



[Shri Ajay Sancheti]

बिल के पारित होने के बाद इस देश में indirect-taxes में uniformity आएगी और सारा देश will be one market, एक बाज़ार बन जाएगा जिससे काम करने में सुविधा हो जाएगी।

Sir, India is considered as globally the best investment destination. आज दुनिया की जो global economic स्थिति है, उसमें investment की दृष्टि से भारत को एक महत्वपूर्ण राष्ट्र की दृष्टि से देखा जाता है। हमारे यहां जितना FDI आ रहा है, उससे भी यह अंदाजा लगाया जा सकता है, लेकिन जो कम्पनियां या जो पैसा बाहर से लाकर यहां लगाता है, वह चाहता है कि taxation में clarity हो, लॉ एंड ऑर्डर अच्छा हो और importantly, federal structure में जब वह अलग-अलग स्टेट्स में invest करता है, तो वह चाहता है कि सारी स्टेट्स में अगर एक ही कानून हो तो उसे काम करने में सुविधा हो सकती है। इस बिल के पारित होने से हम सबको यह सुविधा मिलेगी।

सर, सारे राज्यों को मिलाकर एक Empowered Committee बनी। काफी वर्षों से यह बिल discuss हो रहा है। कुछ manufacturing States के रिजर्वेशंस हो सकते हैं, लेकिन, more or less, राष्ट्र हित में वे साथ में आने के लिए तैयारी हो जाएंगी, ऐसा मेरा विश्वास है। सबका solution निकालते-निकालते बहुत वक्त बीत चुका है, लेकिन आज जब बिल पेश हुआ है तो केन्द्र ने सभी राज्यों के हितों को अपने सामने रखा हुआ है। मैं आदरणीय प्रधान मंत्री जी और वित्त मंत्री जी को इसके लिए बहुत-बहुत बधाई देता हूं कि केन्द्र और राज्य, दोनों के हितों को ध्यान में रखकर इस बिल के structure को उन्होंने यहां पर आप सबके सामने submit किया है।

सर, सभी पार्टिज़न ने, पिछली सरकारों ने, सभी ने अपने-अपने समय में इस बिल के प्रावधानों को discuss किया, solutions निकाले, suggestions दिए और आगे बढ़ते रहे। इस सरकार ने जब सत्ता संभाली तो उसके बाद इसे गति दी, राज्यों से बात की, Empowered Committee से बात की, उनके अधिकारों की चिंता की। विपक्ष ने जितने constructive suggestions दिए, Select Committee में काम करते समय सम्माननीय मिस्त्री जी, मुण्गेकर जी और मणि शंकर अय्यर जी - इन तीनों ने जितने भी constructive suggestions दिए, dissent की बात अलग थी, वे तो, more or less, सब दूर हो चुके हैं, लेकिन जितने भी constructive suggestions उन्होंने दिए, उन्हें कमेटी ने बड़ी positively स्वीकार किया, उनके अधिकारों की चिंता की और उन्हें incorporate करने के बाद देश हित में आज इस बिल को यहां पेश किया गया है।

सर, मैं आज इधर बैठे और उधर बैठे हुए सभी दलों के सांसद साथियों को बधाई देता हूं कि political ideology अलग-अलग होने के बावजूद भी, in the interest of development of the nation, सामूहिक निर्णय लेकर इस बिल को पारित कराने के लिए हम सब लोग एक साथ आए हैं, यह वास्तव में एक मज़बूत लोकतंत्र की निशानी है। Sir, in a few lines, I would like to submit as to what the broad advantages of this Bill are. India will become one market. समान टैक्स होने से distribution network बहुत strong हो जाएगा। चिदम्बरम साहब शायद इससे agree करेंगे। ...**(व्यवधान)**... मैं तो कह रहा हूं। उनके साथ मुझे भी Consultative Committee में काम करने का मौका मिला, उनसे सीखने का भी मौका मिला है, ऐसी बात नहीं है, इससे देश के logistic business में

एक क्रांति आ जाएगी। Global economic turmoil का जो फायदा है, वह देश को मिलेगा और FDI ज्यादा तादाद में यहां आने में हमें मदद मिलेगी। सर, business में आदमी adjustments की जिंदगी जीता रहता है कि आज यह कर लो, कल वह कर लो, अभी यहां बचा लेते हैं। इस बिल के आने के बाद वह करने की संभावनाएं बहुत कम हो जाएंगी और एक neat and clean transparent system प्लेस में आ जाएगा। एक बड़ी बात यह है, जो शायद किसी को बुरी लग सकती है, लेकिन सच्चाई यह है कि व्यापारियों के ऑफिसर्स के यहां चक्कर लगाने भी कम हो जाएंगे। यह सच्चाई है, इसको स्वीकार करना पड़ेगा। ...**(व्यवधान)**...

SHRI P. CHIDAMBARAM: Are you sure?

SHRI AJAY SANCHETI: You need to be.

**श्रीमती रेणुका चौधरी** (आन्ध्र प्रदेश): इस बात का कोई भरोसा नहीं है। ...**(व्यवधान)**...

**श्री अजय संचेती**: कोई बात नहीं। आप बिल लाए थे, हम इसको आगे बढ़ा रहे हैं। Sir, this will help, in a big way, ease of doing business in a true spirit. सर, सबसे बड़ी बात है कि इससे देश और राज्य दोनों का रेवेन्यू बढ़ेगा। Most importantly, इससे कंज्यूमर benefited होगा। इसका फायदा कंज्यूमर को निश्चित रूप से होने वाला है।

सर, जैसा मैंने कहा कि एफडीआई के लिए हमारा देश preferred destination बनेगा, लेकिन अभी ऐसा होता है कि एफडीआई कुछ सेलेक्टिव राज्यों में आता है। यह कानून पारित होने के बाद में जो भी पिछड़े राज्य हैं, वहां भी पैसा आएगा और इससे हम लोगों को वहां पर इंडस्ट्री लगाने में मदद हो सकती है।

सर, लिस्ट लम्बी है, लेकिन, in a nutshell, कहा जा सकता है कि इस बिल के पारित हो जाने के बाद जिस दिन से ये लागू हो जाएगा, उससे केन्द्र और राज्य दोनों का फायदा ही फायदा है।

सर, हमारे प्रधानमंत्री जी का कोई भी कार्यक्रम हो, उन्होंने हमेशा यह कहा है कि समाज के हर वर्ग को, अंतिम व्यक्ति को इस देश के सामाजिक और आर्थिक उत्थान का लाभ मिलना चाहिए। इस बिल के पारित होने से, वे जो सपना देख रहे हैं, उसको हकीकत में बदलने में, आप सबकी सहायता से मदद मिलेगी।

सर, अभी प्रफुल्ल भाई ने भी कहा है और मेरा सरकार से एक आग्रह है कि इससे लोकल बॉडीज के टैक्सेशन का कुछ नुकसान होने वाला है। इससे जो immediate नुकसान दिखना है, जिसकी भरपाई बाद में केन्द्र करेगा, लेकिन जितना पैसा हम राज्यों को देंगे, जितना नुकसान लोकल बॉडीज को हो रहा है, उतना पैसा लोकल बॉडीज को मिलना चाहिए। हमारे फेडरल स्ट्रक्चर में सरकारें कहीं किसी की होती है, कहीं दूसरों की होती है, लेकिन लोकल बॉडीज बिना पैसे के नहीं चल सकती हैं। जितनी भी लोकल बॉडीज हैं, वे सरकारों पर निर्भर रहती हैं। इसलिए वह पैसा बराबर उनको मिले, इसकी व्यवस्था कानून में हो, ताकि बाद में उनको सरकार के ऊपर निर्भर न रहना पड़े, ऐसा मेरा सरकार से आग्रह है।

[श्री अजय संचेती]

सर, मैं अंत में इतना ही कहना चाहूंगा कि यहां और यहां बैठे हुए तमाम साथियों की मदद से हम आज इस मुकाम पर पहुंचे हैं और एक आदर्श उदाहरण हम लोगों ने प्रस्तुत किया है। देश के हितों के निर्णय में हमारी ideology अलग-अलग होने के बावजूद, In the interest of development of the country, we are together.

सर, एक हिन्दी का पुराना गाना है, उसकी दो लाइनें हैं-

"साथी हाथ बढ़ाना,  
एक अकेला थक जायेगा,  
मिलकर बोज़ उठाना।"

इसी भावना को ध्यान में रखकर हम लोग आज इस बिल को पारित करें। मैं सभी साथियों से नम्रतापूर्वक आग्रह करता हूँ कि हम एकमत से, एक स्वर से, इस बिल को पारित कराकर देश को एक मैसेज दें कि हम सब जनता के साथ हैं। बहुत-बहुत धन्यवाद।

**श्री सुरेन्द्र सिंह नागर** (उत्तर प्रदेश): उपसभाध्यक्ष जी, आपका बहुत-बहुत धन्यवाद। आपने मुझे इस बिल पर बोलने का मौका दिया, इसके लिए मैं आपका आभारी हूँ। यह बिल लगभग एक दशक की चर्चा के बाद आज यहां सदन में आया है। मैं जब 15वीं लोक सभा का सदस्य था, तब इस बिल को, जो अब हमारे राष्ट्रपति हैं, आदरणीय श्री प्रणब मुखर्जी लेकर आए थे। उस समय, आज जो पक्ष इधर है, उसने अनेक खामियां इस बिल में गिनाई थीं। उस समय चिदम्बरम जी ने भी अपना पक्ष रखा था, लेकिन जो काम आज हुआ है, जो शंकाएं आपकी थीं, खासतौर से आपने कहा था कि इस बिल के आने के बाद जो देश के छोटे व्यापारी हैं, उनको इसका कोई फायदा नहीं होगा। अब मुझे समझ में नहीं आता है कि कौन सी ऐसी चीज़ इसमें आ गई कि जिससे छोटे व्यापारियों को इसका फायदा मिलेगा। हमारी पार्टी ने और हमने मांग की थी कि इसकी सीमा 10 लाख रुपए रखी जाए, जिससे कि छोटे व्यापारियों को इसका लाभ मिल सके, लेकिन उसे इसमें शामिल नहीं किया गया है। इस बिल के बारे में एक गलतफहमी है कि यह उद्योग क्षेत्र को लाभ पहुंचाने वाला है और उनसे संबंधित यह बिल है। लेकिन मेरा मानना है कि यह बिल आम व्यक्ति से जुड़ा हुआ है। जिस व्यक्ति को रोटी, कपड़ा और मकान की चिंता है, जरूरत है, यह बिल उनके लिए भी महत्वपूर्ण है। आप लोग जो बिल लेकर आए हैं, इसमें खासतौर से जो हमारी सर्विसेज हैं, वे महंगी होंगी और इससे आम व्यक्ति प्रभावित होगा। सरकार ने सबको सस्ता मकान उपलब्ध कराने की बात कही थी।

(श्री उपसभापति पीठासीन हुए)

आप इस बिल में रीयल क्षेत्र में टैक्स तो 18 per cent ले आए हैं, लेकिन इसके साथ-साथ जो दूसरे टैक्स हैं, जैसे कि स्टैम्प ड्यूटी, रजिस्ट्रेशन फीस है, इनके बारे में कुछ स्पष्ट नहीं किया है। अगर ये चीजें इसमें शामिल हो जाएंगी, तो निश्चित रूप से मकान महंगा होगा और प्रधान मंत्री जी ने जो सबको मकान देने का सपना देखा था और जो वायदा किया था, वह पूरा नहीं हो सकता। आजादी के बाद सबसे बड़ा टैक्स सुधार इस बिल को बताया गया है। यह बात सही है कि इस बिल का लाभ कुछ

क्षेत्रों में जरूर मिलेगा और इसीलिए हमारी पार्टी और हम इसका समर्थन भी करते हैं। माल दुलाई से लेकर यदि क्षेत्रों की बात करें, तो निश्चित रूप से उनमें इस GST बिल का लाभ मिलेगा, लेकिन इसके अंदर कई शंकाएं भी हैं। खास तौर से जो मेरी शंकाएं हैं, लगभग सभी वक्ताओं की भी वही शंकाएं हैं, इसलिए मैं चाहूंगा कि माननीय वित्त मंत्री जी जब जवाब दें, तो जो इसकी (टाइम बाउंड) समय सीमा है, वे हमें जरूर बताने का काम करें कि वे इसको कितने समय में लागू करेंगे? यहां पर कैप की बात सभी माननीय सदस्यों ने की है, तो अधिकतर कर की सीमा क्या होगी, यह भी बताएं। जिस तरह किसी दूसरे टैक्स की दरें, किसी न किसी नाम पर बढ़ती रही हैं, तो इसमें भी बढ़ने की गुंजाइश है। आदरणीय वित्त मंत्री जी जब जवाब दें, तो इसकी अधिकतम टैक्स की सीमा क्या होगी, यह बताने का कष्ट करें। आप छोटे व्यापारियों को क्या लाभ देंगे? खास तौर से जो एग्री प्रोडक्ट्स हैं, जो किसानों के प्रोडक्ट्स हैं, आपने उनमें इस बिल के अंदर स्टेट गवर्नमेंट को टैक्स लगाने की छूट दी है। आपने अपनी कोई दर नहीं बताई है। अगर आप एग्री प्रोडक्ट्स के ऊपर, जैसे मंडी शुल्क स्टेट गवर्नमेंट लगा देती है और अब आप यह टैक्स लगा देंगे, तो निश्चित रूप से उसके बाद एग्री प्रोडक्ट्स महंगे हो जाएंगे और आम व्यक्ति को इस महंगाई की मार झेलनी पड़ेगी। आदरणीय वित्त मंत्री जी, मैं आप से अनुरोध करूंगा कि आप इसे स्पष्ट करें।

दूसरी, जो स्टेट्स हैं, वे उद्योगों को अपनी कुछ exemptions देती हैं। वहां टैक्स रिफंड होता है। मैं माननीय मंत्री जी से यह जानना चाहूंगा कि क्या इस बिल के अंदर जो स्टेट गवर्नमेंट्स बेनिफिट्स देती हैं, आपने उनको रिफंड करने की बात कही है? तो क्या आप उन इंडस्ट्रीज को क्रेडिट देने का काम करेंगे जिस से उन्हें जो पैसा जमा करना पड़ता है, उससे छूट मिल सके? दूसरे, सजा की बात तो आजकल हर बिल में आती है, तो सजा के साथ-साथ हमें penalty पर जोर देना चाहिए। सर, सजा से काम नहीं चलता।

आखिरी बात, सभी वक्ताओं ने कहा है कि ये बिल ऐसे हाउस में आए तो वे फायनेंस बिल के रूप में आएंगे, मनी बिल के रूप में न आएंगे, आप इस बात का आश्वासन हाउस को दें। इन्हीं बातों के साथ मैं अपनी बात समाप्त करता हूं। बहुत-बहुत धन्यवाद।

**श्री दिलीप तिकी (ओडिशा):** सर, आज हम सब जीएसटी बिल पर चर्चा कर रहे हैं। यह बिल 10-12 साल के बाद आज पारित होने जा रहा है। मुझे मालूम नहीं मैं किसे धन्यवाद दूं? मैं न उधर के लोगों को दूंगा, न उधर के लोगों को दूंगा, लेकिन इतना sure हूं कि हम सब lucky हैं और यह एक welcome Bill है, निश्चित तौर पर एक progressive Bill है। इस से हमारे manufacturers, retailers और consumers - सबको फायदा होने वाला है।

सर, जब से इस बिल को पारित करने की कोशिश की जा रही थी, मुझे मालूम नहीं कि इन 10-12 सालों में देश को कितना फायदा हुआ या कितना नुकसान हुआ, कौन हारा और कौन जीता? यह तो इस के लागू होने के बाद मालूम होगा।

महोदय, आज हमारा देश भगवान के आशीर्वाद से चल रहा है और आज मैं sure हूं कि भगवान के दो हाथों से चल रहा है - एक हाथ "बी" है और दूसरा हाथ "सी" है, एक हाथ "बड़ा भाई", दूसरा हाथ "छोटा भाई", एक हाथ बीजेपी, एनडीए और दूसरा हाथ कांग्रेस, यूपीए। सर, हमें इस से कोई

[श्री दिलीप तिकी]

एतराज नहीं है कि ये आगे भी देश चलाते रहें, लेकिन हमें इस बात का एतराज है कि हमारे ओडिशा की मांग को दबाया जा रहा है। महोदय, बहुत सालों से हमारा जीएसटी सेंट्रल गवर्नमेंट के पास है और करीबन 2,669 करोड़ सेंट्रल गवर्नमेंट के पास कई सालों से पड़ा है। मैं चाहूंगा कि आज बड़े अच्छे माहौल में इस बारे में भी announcement हो जाए, सर, इसी के साथ-साथ मैं यह भी कहना चाहूंगा कि हमारे ओडिशा एक Natural calamity prone area है। आप अगर पिछले सौ सालों का रिकॉर्ड देखें, तो हरेक दूसरे साल वहां कोई-न-कोई cyclone या ऐसी विपदा आती है जिस से हजारों करोड़ों का नुकसान हो जाता है। इसलिए इस बिल में 12.4(जी) में जो special provision रखा है, जिस में 11 स्टेट्स के नाम दिए गए हैं, हमारे ओडिशा का नाम भी शामिल किया जाए।

महोदय, मैं एक और बात कहना चाहूंगा कि जीएसटी में जो टैक्स कैप है, हम इस के पक्ष में नहीं हैं। इसे लोगों की सुविधा के अनुसार रखा जाए और इसे जीएसटी काउंसिल तय करेगी। मैं इस बिल को सपोर्ट करता हूं, धन्यवाद।

SHRI GARIKAPATI MOHAN RAO (Telangana): Mr. Deputy Chairman, Sir, I thank you for giving me an opportunity to speak on this Bill. I also thank my leader, Shri Chandrababu Naidu. I want to bring two or three aspects to the attention of the hon. Finance Minister, Shri Arun Jaitley. Especially, both the Telugu States, today, are in serious crisis because of various reasons. So, in view of this, I want to give one or two suggestions to the hon. Finance Minister. Sir, first is, as per Section 279A(4) of the Bill, the Goods and Services Tax Council being set up under the Act shall recommend the rates including floor rates with bands of goods and service taxes. Sir, in this regard, what my friend, Shri Naresh Agrawal also quoted earlier, there is the Arvind Subramaniam panel on GST which has recommended that the Revenue Neutral Rate (RNR) should be in the range of 15 to 15.5 per cent. Sir, with this, what I am requesting the Finance Minister is that it should be increased. Only then can the States be financially stable. Also, Sir, the State of Telangana and Andhra Pradesh earn ₹ 700 crores and ₹ 1,000 crores per year on VAT imposed on rice and food grain items. This amount will be foregone by these States with the passing of GST Bill. Of course, the Bill provides that the revenue loss of the States for the first five years will be fully compensated by the Government. However, our two States want a Constitutional guarantee and a clear-cut roadmap on the mode of payment towards compensation for the revenue loss they will incur on account of implementation of GST Bill. Sir, also, I want to make one more request that this apprehension of the two States, that is, Andhra Pradesh and Telangana has a basis. When Central Sales Tax (CST) was introduced in 2002, the Centre had promised to compensate States for the revenue loss they would incur on account of the new tax regime. Sir, I wish to urge upon the Government that adequate representation should be made in the GST Council to be set

up. I requested the hon. Finance Minister earlier and wish to request him again that there is a huge amount of arrears from the Government of India relating to CST. Please release that amount immediately before passing of this Bill. Sir, the House is well aware that Andhra Pradesh is a newly formed State and there are so many issues. The State is in a serious financial crisis. Even though our leader, Shri Nara Chandrababu Naidu, is doing his best to overcome the crisis with the support of the Government of India is very much required. Thank you, Sir.

SHRI K. PARASARAN (Nominated): Thank you Deputy Chairman, Sir, for the kind indulgence. We are now concerned with the Constitutional Amendment as all aspects are going to be taken care of in the plenary legislation. In the first instance, I would like to submit that the definition of 'service' appears to be a little vague. It says, "Services means anything other than goods". There is no link to the GST Act. On the contrary, if you see the pattern of definitions in the Constitution, for instance, Agricultural Income, it says, "As defined for the purposes of enactments relating to Indian Income Tax Act". That will be more appropriate in the present case also. Similarly, for Sales Tax also, it says, "Tax on the sale or purchase of goods". Sir, that link is missing in the definition of 'service' and in the absence of that, it may appear to be vague. The second aspect which I want to point out is this Council. There will be the Goods and Services Tax Council comprising of only Union Executives *i.e.*, Cabinet Ministers & Ministers of States. Therefore, they will be performing an executive function or, at the maximum, may be a subordinate legislative function. But, it would be appropriate, if a provision is made, which is absent here, of placing its recommendations before each House of Parliament.

There are similar provisions in the Constitution itself. For instance, Article 151 relates to Audit Report of the CAG; Article 281 relates to recommendations of the Finance Commission; Article 320 relates to the Union Public Service Commission; and Article 323 relates to the Report of the State Public Service Commissions. Then, there is the National Commission for the Scheduled Castes and Scheduled Tribes. Therefore, the safeguard is to place it before each House of Parliament. Already a grievance has been made; please treat it as a Finance Bill and not as a Money Bill. Therefore, it is better that both the Houses consider its recommendations.

Sir, one other aspect which is important, which has been stressed also by many hon. Members, including Mr. Chidambaram, is the cap. It is not as if necessarily the cap has to be made only by a Constitutional amendment. The Supreme Court has ruled that in the matter of Indirect Taxes, the levy has to be determined from both the statutes as well as the exemption notifications. But all those notifications are also placed before

[Shri K. Parasaran]

each House of the Parliament. Therefore, it would be sufficient if a provision is made in the plenary legislation. Out of curiosity, I was looking to the etymology of the word 'tax'. The dictionary says, "Tax, the etymology is, 'touch'; touch up the sovereign." You won't squeeze, you only touch. This is on the western side. If you go to the oriental laws, now, sometimes we talk of *Ram rajya*. Valmiki says, "One-sixth is the tax." He puts a ceiling. To cut short the time of the hon. Members, I am not quoting the Sanskrit. I have got the Valmiki's text also. Apart from that, Kalidasa, a great poet, also says, "Taxation, don't exceed one-sixth." He says, "तान्युच्छृष्टांकितसैकतानि शिवानी वस्तीर्थजलानि कच्चित्॥" So, whether you go by the west or by the oriental laws, there has to be a ceiling. It has been missed in the Constitutional amendment. It is necessary to be there in the plenary legislation. So, these were the three aspects which I wanted to present before the hon. Members, particularly in the context of definition of service being very vague because supply is also a subject to tax. Blood donation by a friend; it is also supply but not sale. There, the service tax does not come in. Therefore, if the link is there, saying as defined in taxation laws relating to services, it would be complete. More particularly, there are cases where there is tax on services, there is tax on the composite service of goods. The agricultural definition of tax in Article 366(1) is very appropriate, because in agriculture also, there may be instances of composite transaction on the agricultural income and non-agricultural income. Therefore, I would respectfully suggest that such a definition borrowed in the pattern of the Constitution itself be more appropriate. Thank you, Mr. Deputy Chairman, Sir. I believe in sticking to the time.

MR. DEPUTY CHAIRMAN: Than you very much. You spoke to the point, focussed and within the time. 'Within the time', this should be an example for others.

SHRI P. CHIDAMBARAM: Very relevant points. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Yes, very relevant points also. Now, Shri Hishey Lachungpa.

SHRI HISHEY LACHUNGPA (Sikkim): Mr. Deputy Chairman, Sir, I thank you very much for giving me the opportunity to speak on this Bill. Sir, I, on behalf of my party, Sikkim Democratic Front, and my leader, the Chief Minister of Sikkim, Shri Pawan Chamling, welcome this legislation. I understand that this Bill is a major reform agenda of the Government and as per the projections given by the Government, the Bill is going to bring a sea of change in the Indirect Tax structure of the country. Having said that, Sir, I have some points to make in regard to revenue earning of my State.

Sir, earlier as per the Discussion Paper on the GST Bill, one per cent additional tax was allowed to be levied by the manufacturing States on export of goods. In Sikkim, there are 22 pharmaceutical packaging companies and hydro projects with a huge investments and most of the export are done through stock transfer in the absence of warehouses. However, with the Bill being changed by the Select Committee, the manufacturing States can't levy one per cent additional tax on stock transfer. This will, therefore, lead to a loss in revenue for the State. The second point I wish to make is with regard to change in the distribution of revenue to the States. As per the recommendation of the Fourteenth Finance Commission, States' share in the net proceeds of Union tax revenue has been increased to 42 per cent from 32 per cent earlier. Though this is the largest ever jump in percentage of devolution, Sikkim is actually going to get even less than before. The reason being the calculation of per capita income of the State done by the Fourteenth Finance Commission, based on the investments in the State. The "Grant-in-aid for Revenue deficit States" has not been allocated to the State of Sikkim. Unfortunately, the State is not getting the desired revenue from the investments made within the State. Therefore, Sikkim will be losing on two accounts, (i) getting less share under the recommendation of the Fourteenth Finance Commission and, (ii) loss from not being able to levy one per cent additional tax of manufacturing units on stock transfer. I hope that while replying to this debate, the Finance Minister will address these points.

At this point, Sir, I also wish to raise the Rs.43,000 crores economic package requested by Sikkim for completion of the ongoing projects. I would request the Finance Minister to inform about the request of the Government on the package also and to provide a guarantee to compensate any revenue loss in the first five years of introducing the new indirect tax regime.

Once again, I welcome and support this legislation. Thank you, Sir.

SHRI P. BHATTACHARYA (West Bengal): Mr. Deputy Chairman, Sir, presently we are discussing one of the most important economic reforms of our times. Goods & Services Tax is proposed to be a uniform and comprehensive tax. It will subsume within itself all the current multiple taxes levied by Central and State Governments, at various stages of economic activities, from production to consumption. A National Uniform Tax regime is a welcome step, which Congress has been advocating since a long time. Former Prime Minister, Dr. Manmohan Singh, and former Finance Ministers of the UPA Government enriched the provisions of this Bill. However, the Government of the day, which was then in the Opposition, fought tooth and nail in opposing the passage of this Bill. Otherwise, this Bill would have been a reality long back. So, Sir, I feel, now our friends should apologise for delaying this Bill for a long time.



[Shri P. Bhattacharya]

However, we need to ensure that this Bill does not result into an unbridled greed of Governments to tax consumers for higher revenues. The very purpose of this Bill would be defeated if it leads to high inflation as is being perceived widely by the common man. Sir, the direct taxes are levied proportionately according to the income of the individual. Thus, rich people pay higher income tax rate than poor ones. The indirect tax, contrastingly, does not make any such differentiation. Thus, what a rich man pays as tax when he buys a product from market, the same rate is also paid by a poor man. We do not want a situation in future where the Government decreases the share of direct taxes in the Governments' revenue by increasing the share of indirect taxes. This will be a great economic injustice for the common man. Therefore, we strongly believe that a ceiling rate on GST should have been specified in the Constitution itself. I also feel that the cap of 18 per cent must, therefore, be specified in the GST and IST in the interest of the poor people. In this regard, I would like to mention one thing. How the common people, the ordinary people, those who are consumers of different products, will be protected is not clear in this Bill. This is not at all clear. The Bill has also failed to establish a neutral and independent Dispute Resolution Authority which was provided in 2011 Bill in the form of a GST Disputes Settlement Authority. This is a serious lacuna and it violates the fundamental legal principle that no one who is a party to a dispute can be a judge in their own cause. The GST Council has been given the powers of dispute resolution when that itself would be taking all decisions related to implementation and administration of the GST Bill provisions. The contention of the present Finance Minister that a GST Disputes Settlement Authority headed by a judge will be equivalent to handing over taxation powers to judiciary, is completely wrong and in bad taste. It would serve as an independent authority and making a retired judge its Chairman does not mean that Judiciary will be calling the shots. It would only mean that the power of the Executive is not absolute and justice can be served in cases of disputes through a reliable checks and balances system. Sir, I have two more points. One is the State Finance Commission. What is the functioning of the State Finance Commission? Sir, page 60 of the Committee Report says, 'The Committee is perturbed to know that the State Finance Commission in some of the States are either non-existent or even if it existed, the recommendation was not accepted by the respective State Government. The Committee understands that each tier of the Government draws its power from the Constitution and there is a clear demarcation of it. In the Lists 1, 2 and 3 within which each tier has to function, any encroachment by any of them could paralyse the whole system and defeat the very foundation of our Constitution. So, very relevant questions are coming. What would be the future of the State Finance Commission or its recommendation? How can it be implemented by this

6.00 P.M .

Act, by changing the Constitution? That has to be clarified by the hon. Finance Minister. Otherwise, Sir, the State Finance Commission has to be abolished. So, all these things have to be clarified very clearly because it has not yet been clarified. Thank you.

**श्री महेश पोद्दार (झारखंड):** माननीय उपसभापति महोदय, मैं भी लॉयल और आभारी हूँ अम्मा का, लेकिन मैं भारतीय अम्मा का आभारी और लॉयल हूँ। मैं अपनी पार्टी के नेताओं को धन्यवाद देना चाहता हूँ, जिन्होंने मुझे इस महत्वपूर्ण मुद्दे पर बोलने का, मेडन स्पीच देने का मौका दिया।

महोदय, मैं इस जीएसटी बिल को सपोर्ट करता हूँ। मुझे ऐसा लगता है कि यह बिल्कुल सही वक्त पर आया है, यद्यपि मुझे कभी-कभी ईर्ष्या भी होती है, क्योंकि हम तो बिजनेस रिटायर हो चुके, लेकिन जो लोग बिजनेस आने वाले हैं, वे साफ-सुथरे माहौल में काम कर पाएंगे और अपने व्यापार को तेजी से बढ़ा पाएंगे। इस बिल के आने से 29 स्टेट्स के बीच जो अदृश्य बर्लिन वॉल थी, वह टूट जाएगी और हमारे भारतवर्ष का एक विशाल कॉमन मार्केट बनेगा। जब हम अखंड की बात करते हैं, तो हम विशाल भारत के मार्केट की छोटी सी कल्पना को भी इग्नोर नहीं कर सकते। इस बिल पर हर प्लेटफॉर्म पर काफी डिबेट हो चुकी है, काफी विवेचना हो चुकी है, मुझे यह बोलने में कोई शक नहीं कि आजादी के बाद आर्थिक मामलों में यह एक सबसे बड़ा महत्वपूर्ण कदम है और यह देश को आगे ले जाएगा। इसके लिए मैं अपने देश के प्रधान मंत्री माननीय नरेन्द्र मोदी जी को, वित्त मंत्री माननीय जेटली जी को, सभी को धन्यवाद देता हूँ।

इसके साथ ही मैं उन सभी साथियों को धन्यवाद देता हूँ, जिन्होंने हर तरह से इस बिल को सपोर्ट किया, इस पर विवेचना की। इससे एक आम सहमति बनती हुई दिख रही है।

महोदय, मैं इस बात के डिटेल में नहीं जाना चाहता हूँ कि यह बिल क्या है और इसकी क्या overall significance है, चूँकि इसको काफी हद तक माननीय वित्त मंत्री जी ने भी बताया है और दूसरे साथियों ने भी बताया है। लेकिन फिर भी कुछ ऐसी बातें हैं, जिनकी मैं चर्चा करना चाहूँगा। माननीय संस्थाओं द्वारा यह बताया गया है कि इस बिल के, इस कानून के और इस संविधान संशोधन के पश्चात् 0.9 परसेंट से 1.7 परसेंट का GDP gain होगा और एक्सपोर्ट में 3.2 परसेंट से लेकर 6.3 परसेंट की बढ़ोत्तरी की सम्भावना है और साथ ही साथ इम्पोर्ट में भी कुछ बढ़ोत्तरी की सम्भावना है। यह हमारे प्रधान मंत्री जी के 'मेक इन इंडिया' हेतु विदेशियों को भी निवेश हेतु आमंत्रण देगा और लुभाएगा। इन रिपोर्टों में यह भी कहा गया कि कुछ सेक्टर्स में दाम में बढ़ोत्तरी होगी और यह भी तथ्य है कि तत्काल सेवा की दरों में कुछ वृद्धि होगी, लेकिन यह भी माना जाता है कि कुछ दिनों बाद इसमें कुछ कमी भी आएगी। ये बदलाव उत्पादन को प्रोत्साहित करेंगे और GDP यानी सकल घरेलू उत्पाद और निर्यात को भी प्रोत्साहन प्रदान करेंगे।

Sir, this would enhance economic activity, redress and will help the factors of production i.e., land labour and capital. GST हमारे देश में कई टैक्स नीतियों में परिवर्तन लाएगा और काम करने के तरीकों में भी मूलभूत बदलाव आएँगे। उदाहरण के तौर पर, जैसे मेर साथी संचेती जी ने कहा कि अपने धंधे को ईमानदारी से करें, ऐसी प्रवृत्ति बढ़ेगी। कुछ बातें मैं स्पष्ट रूप से mention

[श्री महेश पोदार]

करना चाहूंगा, जिनसे trade and industry को फायदा होगा, लोगों को फायदा होगा और economy को भी फायदा होगा। यह तो तथ्य है और मेरे ख्याल से सभी वक्ताओं ने इस बात को माना है कि यह cost of production को कम करेगा, जिससे हम देश के अन्दर या विदेशों में भी अधिक सक्षम होंगे। The additional duty, CENVAT, Service Tax Surcharge, Customs, CVD, SAD ये सारी चीजें जो हम लोग अभी तक बेकार में झेलते आए हैं, बहुत सारे कानून, multiplicity of laws, multiplicity of taxing authorities, assessment system इन सारी चीजों को हम थोड़ा कम कर पाएँगे और यह एक बहुत बड़ी उपलब्धि होगी। ये सारी चीजें GST के दो heads में merge होंगी। This will help to simplify and synchronize the indirect tax regime in the country. अभी फिलहाल हर taxpayer को कम से कम 5 टैक्स कानूनों का पालन करना पड़ता है। इन 5 टैक्स कानूनों की वजह से यदि ये 2 हो जाएँगे, तो यह भी अपने आप में एक बहुत बड़ी उपलब्धि होगी और यह common market को बनाने में मदद करेगा। हम सब जानते हैं कि राज्यों के borders पर अनेक विवाद उत्पन्न होते हैं, जिनमें productivity और capital का भी काफी नुकसान होता है। ये विवाद लीगल विवाद के रूप में भी दिखते हैं। मुझे समझ में आता है कि ये विवाद अपने आप में काफी कम हो जाएँगे।

दूसरा, on the side of tax compliance, the GST will broaden the tax base. इसमें भी कोई शक नहीं कि जिस तरह से आज टेक्नोलॉजी का... This will be a technology-based taxation system. This is going to reach to the lowest level of taxation chain, i.e., consumer. So, this is bound to enhance the value-chain and tax base of the country. And, there will be an inbuilt mechanism so that it will incentivize tax compliance and one of them will be passing on the tax credit. Sir, I must mention that this is possible because of the new technology and IT infrastructure which this country has been witnessing since last few years. Gradually, this is becoming more and more strong, more and more reliable. Even in the remote places, now, you have the Internet connectivity 24x7. Thirdly, it will reduce the multiplicity of tax within the economy. This multiplicity has created a lot of disturbances in the business and व्यापार करने में या उद्योग करने में जो hidden cost होती है, यह उसको कम करने में मदद करेगी। The GST will be reformed across the States in the country. But what I understand is, there will be a narrow band of taxes, जिसमें सारे स्टेट्स involve होंगे और मुझे ऐसा लगता है कि this is like something taking सबका साथ। हम सारे राज्यों को साथ में लेकर, एक सूत्र में बांध करके आगे बढ़ेंगे। This is something very, very positive thing that is happening. As a nation, not only for defence and other things, but for the taxation also we will be talking like a nation. Many speakers have mentioned about the cascading effects of tax on tax. यह तो fact है कि ultimately consumers को टैक्स के ऊपर भी टैक्स देना पड़ता है और वह पैसा consumer को ही देना पड़ता है। अगर हम इसको करेंगे, तो मुझे लगता है कि इसमें हमें कुछ रिलीफ जरूर मिलेगा और दाम कम करने में मदद मिलेगी।

सर, हमारे देश में एक निशान है, एक विधान है, एक संविधान है, तो हम एक कराधान में कितनी और देरी करेंगे? मुझे लगता है कि समय आ गया है कि सारे देश में हम एक कराधान की पॉलिसी को follow करें। एक निशान, एक विधान और एक कराधान।

सर, इसमें कुछ दिक्कतें आएंगी, but this will change the way we do the business. But, at the same time, we face a lot of problems and now हमें यह मान कर चलना पड़ेगा कि इसमें सबको साथ लेना पड़ेगा और सबको विश्वास में लेना पड़ेगा। 2003 में केलकर समिति ने सिफारिश की थी, फिर यूपीए ने इसमें काफी प्रयास किए और आज 2016 में मुझे गर्व है कि मैं भी इस नीति के निर्धारण का एक हिस्सा बन रहा हूँ।

सर, अंत में जो दिक्कतें संभावित हैं, मैं उनके बारे में कुछ शेयर करना चाहता हूँ। Fine और legal implications के बारे में कुछ आशंकाएं हैं। मुझे बताया गया है कि इसमें सज़ा और फाइन काफी कड़े हैं। चूंकि यह नया कानून होगा, हमने उस समय को भी देखा है, जब कि हम वैट के कानून से उलझ रहे थे, उस समय भी बहुत सारे विवाद उत्पन्न हुए थे। यह इतना बड़ा कानून है, सारे देश के लिए यह कानून है और इसमें सारे राज्यों के टैक्स से संबंधित सारे कानून भी involve होंगे, तो यह बिल्कुल मान कर चलना पड़ेगा कि इससे बहुत सारे विवाद, बहुत सारे confusions होंगे। ...**(समय की घंटी)**... यदि हम उनके कारण लोगों को penalise करेंगे, तो इससे लोगों में अविश्वास का माहौल पैदा होगा। अतः सरकार से गुजारिश होगी, I request that some scope of correction should be there. यदि किसी ने गलती की है, तो कम से कम शुरुआत के दिनों में हमें सहानुभूतिपूर्वक अप्रोच लेकर उन्हें अपनी गलती सुधारने का मौका देना चाहिए। दूसरा यह है कि majority of law-makers are on board in the making of this legislation. इसमें कोई शक नहीं है, लेकिन टैक्सपेयर्स और टैक्स कलेक्टर को भी हम अपने साथ लेकर चलेंगे। तीसरी बात यह है कि at least कुछ समय तक हमें 24x7 या daily basis पर कोई consultative committee या कोई सुधारकारी समिति होनी चाहिए ताकि समस्याओं को दूर किया जा सके।

सर, कौटिल्य जी ने कहा है:-

*"प्रजा के सुख में राजा का सुख है,*

*प्रजा के हित में उसका हित है।*

*राजा का अपना प्रिय (स्वार्थ) कुछ नहीं है,*

*जो प्रजा का प्रिय है, वही राजा का प्रिय है।"*

मैं समझता हूँ कि इस बदलाव का सारा देश स्वागत करेगा, धन्यवाद।

SHRI V. VIJAYASAI REDDY (Andhra Pradesh): Hon. Deputy Chairman, Sir, I, on behalf of my party and the President of my Party, Shri Y.S. Jaganmohan Reddy, compliment the hon. Finance Minister for bringing in this 122nd Constitutional (Amendment) Bill, which we consider as a game-changing reform for the Indian economy, by developing a

[Shri V. Vijayasai Reddy]

common Indian market and reducing the cascading effect of taxes at the cost of goods and services. It will have an impact on tax structure, tax incident, tax computation, tax payments, tax compliance and credit utilisation, leading to complete overhaul of indirect taxation. Therefore, we support the Constitution (One Hundred and Twenty-second Amendment) Bill, 2014. I wish to place my views on certain important issues before the hon. Finance Minister, and urge him to ponder over those issues and take appropriate decisions in this regard.

Sir, I draw the kind attention of the hon. Finance Minister, particularly, to clause 12, sub-clause 4(g) of the Amendment Bill, which says that the GST Council will make recommendations in so far as special provisions to all Special Category Status States are concerned. I request the hon. Finance Minister to include Andhra Pradesh also in the list of States under this category, that is, clause 12, sub-clause 4(g) of the Amendment Bill. It is required for two important reasons. One, the Finance Minister of Andhra Pradesh has categorically stated that for Andhra Pradesh, the revenue loss on account of implementation of this GST Bill would be ₹ 4,700 crores. If this is considered as a Special Category State, to some extent, this problem would be solved. Therefore, the loss on account of this would get reduced. Further, I draw the kind attention of the hon. Finance Minister to clause 19 of the Bill, which says that compensation to the States for the loss on account of implementation of this GST Bill would be made for the first five years. Sir, in the course of discussion, as I understand, it was mentioned that the compensation for the first three years would be 100 per cent, in the fourth year, it would be 50 per cent, and in the fifth year, it would be 25 per cent. It should not be the case, Sir. That is what I am saying.

SHRI ARUN JAITLEY: No, no.

SHRI V. VIJAYASAI REDDY: Please correct me if I am wrong. That is what some of the Members have expressed. It should not be the case. In fact, the compensation to the States should be like this. For the first five years, it should be full 100 per cent; in the sixth year, it should be 50 per cent; and, in the seventh year also, in case there is a loss to the State, it should be, at least, 25 per cent. That is our point of view.

The next point which I would like to bring to the notice of the hon. Finance Minister, through you, Sir, is, first of all, the loss arising on account of this implementation of GST has to be worked out, for which a methodology has to be stipulated, if not in the Act, in the Rules thereto. As was done in the case of Andhra Pradesh Reorganisation Act, in the case of GST also, the same should thing not be repeated. That is what our intention is. Sir, the

next point is, for creating the infrastructure, according to the Bill, a non-profit company under Section 125 of the Companies Act is to be incorporated which will provide the services. ...(*Time-bell rings*)... Two more points, Sir. The issues which others have not covered, I would be bringing them to the notice of the hon. Finance Minister, which are considered to be very important.

MR. DEPUTY CHAIRMAN: There is time constraint.

SHRI V. VIJAYASAI REDDY: I will complete it; two more minutes. Sir, according to the Bill, Section 125 Company would be incorporated and 30 per cent of the equity-holding would be held by the private sector banks. My question is, why private sector banks only, why not public sector banks also? Therefore, I request the hon. Finance Minister to consider including the public sector banks in this regard.

MR. DEPUTY CHAIRMAN: Okay.

SHRI V. VIJAYASAI REDDY: There are two more points, Sir. Under clause 12, sub-clause 5, the petroleum products and alcohol for human consumption are exempted. I request the hon. Finance Minister, through you, that even the electricity duty which is currently being charged by the States should also be exempted because most of the State Electricity Boards are incurring losses and the tariffs are exorbitantly high which are leading to the inflationary tendency in the economy. ...(*Time-bell rings*)...

MR. DEPUTY CHAIRMAN: Okay. That's all.

SHRI V. VIJAYASAI REDDY: One more point, Sir. Please. This is my last point.

Sir, the GST recognizes the services like advertisement, Internet services and what not — Twitter, Google, Facebook, WhatsApp and so many things. Therefore, the appropriate categorization is required. See, according to the debate, we have participated in the debate, there are three types of tariffs — last issue, Sir, - that are being proposed, *i.e.*, 14 per cent, 18 per cent and another is for the 'sin' goods which is likely to be 40 per cent according to the debate. According to us, there is absolutely no necessity, as rightly pointed out by the hon. Finance Minister, to include it in the Constitutional Bill as is being done right now. See, in the case of the Finance Act, every year when the Budget is presented before the Parliament, in case some variations or amendments are required in the rates, they can always be brought in the annual Finance Bill. ...(*Time-bell rings*)...

MR. DEPUTY CHAIRMAN: Okay.

SHRI V. VIJAYASAI REDDY: Sir, the final point.

MR. DEPUTY CHAIRMAN: How many final points!

SHRI V. VIJAYASAI REDDY: Sir, my last point is about the redressal mechanism, resolution mechanism. Sir, as rightly pointed out by the hon. Finance Minister, in case some disputes arise out of any issue, those are required to be solved, to the extent possible, within the National Council itself, the GST Council itself. In case a situation arises and the courts have to be approached, then that should be seen as a last resort. Thank you very much, Sir.

MR. DEPUTY CHAIRMAN: Shri Rajeev Gowda.

PROF. M.V. RAJEEV GOWDA (Karnataka): Thank you, Sir, for giving me this opportunity. It is an honour to be able to speak on the 122nd Constitutional Amendment Bill.

MR. DEPUTY CHAIRMAN: But keep in mind the time constraint.

PROF. M.V. RAJEEV GOWDA: Happily, Sir. When we started this debate, it was so touching to see Dr. Manmohan Singh right there in the first row and Mr. P. Chidambaram right here. This is the 25th Anniversary of India's historic reforms, liberalization; and their presence here gave us that continuity and told us about how reforms are a continuous process. Well, this reform was something that the Congress Government, the UPA, tried to usher in many, many years ago now and it has taken a long time and two different regimes to ultimately bring this Constitutional Amendment, the GST Bill to fruition. Sir, when we think about some of the issues that delayed the passage, I will not dwell what happened when we were in power, in the last couple of years, the Congress Party has spent a lot of effort trying to improve this Bill and make it as effective and perfect as possible.

Sir, I will only address that one issue of cap on the GST rates. Sir, everyone is focussing on 18 per cent. We are already at 15.5 per cent, which is, as Shri Chidambaram pointed out, the revenue-neutral rate that has been mentioned as appropriate by the Chief Economic Advisor in that report. Essentially, if we go ahead and add to the taxation, it will be absolutely inflationary and regressive. These two points bear reiteration. We cannot build a nation by breaking the backs of the poor of this country. The backs will be broken by a higher service tax, by a higher GST. The backs will be broken by the inflation which also will come with that. That is something that we must keep in mind. The service sector is the sector that is growing the fastest and we should do whatever we can to ensure that it continues to grow without burdening it with higher tax rates.

Sir, let me continue and point out that the Finance Minister is very proud of his commitment to fiscal rectitude. We have the Fiscal Responsibility and Budget Management Act that focusses on the 'spend' side. Fiscal Policy is tax-and-spend. Today, we are on tax. Why can't we have a cap of 18 per cent, which is accepted and put into the GST Bill, and ensure that we maintain this fiscal rectitude as we go forward?

Sir, I would like to address two or three issues that have come up, or have not come up. One is this issue of dual control. Now, in the last week's meeting of the Empowered Committee, there was a decision to leave the administration of small taxpayers to the State Government. The reports indicate that the cap is being kept at a turnover of ₹ 1.5 crore. So, I would actually suggest that you go up to ₹ 5 crore, so that the small taxpayer is not burdened with having to juggle the Central Government and the State Government tax authorities.

Sir, similarly, some of the other issues that came up had to do with urban India, local bodies and their loss of revenues. Shri Pradeep Bhattacharya, my senior colleague, raised the point about State Finance Commissions, asking whether they were effective or not. So, this whole area is still very murky. Much more needs to be done to resolve the contradictions and the challenges that are faced by urban India, by local bodies, when their revenue sources would dry up as a result of the GST.

Sir, one point that nobody seems to have focussed on is the administrative reforms that are needed after the GST is rolled out. Today, we have the Indian Revenue Service, which deals with Excise, another with Customs and another with something else. And going forward, we may need a GST Service, we may need some kind of a reorganization, a whole bunch of newly trained people focussed on the new digital backbone that has been established.

Sir, I am mindful of the time. I want to focus on one last point. This has to do with e-commerce. I come from Bangalore, which is at the cutting edge of digital technology, of the e-commerce revolution, etc. Sir, e-commerce is a platform that is giving us opportunities. Thanks to the mobile phone, the smart phone that is in people's hands, in every village people are able to purchase the same goods and services that you and I could purchase in urban India. This is something that must be encouraged. There is a lot of ambiguity in what constitutes a good or a service in the electronic digital domain, and much more needs to be done in terms of bringing clarity there. Sir, the tax at source, which applies in that context, would really hurt the small seller who also tries to use e-commerce platforms to try and reach a bigger platform, a bigger market. There is this whole issue of who is a platform, who is an aggregator - they are all adding value. They are changing the



[Prof. M.V. Rajeev Gowda]

way the economics of various sectors are actually evolving. We need to pay attention to the fact that these need to be nurtured rather than hampered in their progress.

Finally, Sir, I would like to argue that there is so much more to be done on the part of the Government in terms of reassuring us that the commitments that have been made outside will also be honoured in the GST Bill going forward. I reiterate the demand of our senior colleague, Shri P. Chidambaram, that we need assurances on the floor of the House that the GST Bill will incorporate the cap, it will come in as a financial Bill rather than a Money Bill and that the Rajya Sabha will have full say in helping to evolve India's tax administration system, in the spirit of a united common market within India, in the spirit of ensuring better tax compliance and in the spirit of ensuring that the economy grows and revenue increases and the country prospers without hampering the common man.

Thank you very much.

MR. DEPUTY CHAIRMAN: Thank you for confining to the time allotted to you. Thank you very much. That is great. Now, Shri T.K.S. Elangovan; your time is also five minutes.

SHRI T.K.S. ELANGO VAN (Tamil Nadu): Mr. Deputy Chairman, Sir, this Bill has been discussed in both the Houses of Parliament for the past ten years. It was the worry and concern of the political parties earlier that the State Governments' powers and financial independence could be curbed. It is now, after ten years, that it has become a matter concerning stakeholders like the manufacturers, the traders and the consumers. Now, they are worried; they want the Bill to be introduced and passed. So, the situation has changed. At the same time, this has an impact on the powers of State Governments in having their say in their finances and in having control over their finances. But, still, we work for the people. The stakeholders, the traders, the consumers and the manufacturers are the people for whom this Parliament works and the State Legislatures work. We have to accept the facts. At the same time, there are losses to States. For instance, my State, Tamil Nadu, has a huge borrowing of about more than ₹ 2 lakh crores. So, it should not be further impinged by reduction in the tax resources. So, the compensation for loss for the first five years should be 100 per cent, but it is not mentioned here. We have given certain amendments. Some of the amendments were accepted but certain other amendments were not accepted. It should be 100 per cent compensation. This Bill says, '...such a period which may extend to five years'. Instead it should say, 'for a period not less than five years'. If in the sixth year also the State Government suffers a loss, the Central Government should compensate that loss also. So, the wordings should be 'for

not less than five years' and 100 per cent compensation should be paid by the Centre. Further, there should be a mechanism for paying compensation, which should be fair and transparent, so that the States will have a trust on the Government of India. Sir, the other subject, which we have proposed or my hon. colleague or group leader, Shrimati Kanimozhi has proposed, is to include tobacco and tobacco products in the exemption category. But this Bill has not included tobacco and tobacco products. It has only included alcohol and liquor for human consumption. Tobacco and tobacco products should also be included in this Bill. Our concern is that there should be a fair and transparent mechanism to assess the compensation and payment of compensation. Finally, Sir, this should not be considered a Money Bill because a Bill should be considered a Money Bill on its merit, not on the strength of this House. So, please, do not take such a step to consider GST Bill a Money Bill, otherwise this House would not have an opportunity to discuss the impact of this Bill. With these words, I support the Bill.

**श्री उपसभापति:** श्री नरेन्द्र बुढानिया जी। आपका बोलने का टाइम भी पांच मिनट है।

**श्री नरेन्द्र बुढानिया** (राजस्थान): उपसभापति जी, सरकार आज जिस बिल को लेकर आई है, यह बिल मूलतः कांग्रेस का बिल है। जब कांग्रेस इस बिल को लेकर आई थी, तब इस बिल का वर्तमान सरकार की पार्टी ने बड़ा भारी विरोध किया था।

उपसभापति महोदय, जब यूपीए सरकार ने इस बिल की कल्पना की, जब यूपीए सरकार इस बिल को लेकर आई, तब गुजरात के मुख्य मंत्री, वर्तमान के प्रधान मंत्री ने इस बिल को राष्ट्रहित के विरुद्ध बताया, संघ राज्य का विरोधी बताया और इस बिल का भारी विरोध किया। आज वही गुजरात के मुख्य मंत्री, जो देश के प्रधान मंत्री बन गए हैं, आज वे उपदेश दे रहे हैं कि ये बिल राष्ट्रहित में है।

[उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय) पीठासीन हुए]

उपसभाध्यक्ष महोदय, हम बड़ी विनम्रता से कहना चाहते हैं कि इस बिल का विरोध करने वाले प्रधान मंत्री जी इस सदन में आएँ और इस देश से माफी मांगें। यदि उनमें यह साहस नहीं है, तो जेटली साहब, हम आपसे भी काम चला लेंगे। आप हमारे सदन के नेता हैं, बड़े सीनियर नेता हैं, आप भी माफी मांगेंगे, तो हम मान लेंगे, पूरा देश मान लेगा। महोदय, इस बिल को लेकर कांग्रेस पार्टी की कई चिंताएँ थी, कई सुझाव थे। सरकार ने इन सुझावों को माना और मानकर यह संविधान संशोधन बिल लेकर आई। हम इससे संतुष्ट हैं। महोदय, मैं यह बताना चाहता हूँ कि कांग्रेस पार्टी हमेशा देश के कल्याण के लिए और देश की प्रगति के लिए काम करती रही है। आज आप इस बिल को लेकर आए हैं, क्या ये कांग्रेस पार्टी का परिणाम नहीं है कि आप सत्यता के रास्ते पर आए हैं? आपको इस सत्यता के रास्ते पर आने के लिए कांग्रेस ने मजबूर किया है।

महोदय, मैं सरकार से एक ही उम्मीद करता हूँ कि जब यह बिल पास हो, तो इसके क्रियान्वयन को ईमानदारी से करें। इसमें पारदर्शिता होनी चाहिए। यदि इसमें ईमानदारी नहीं होगी, पारदर्शिता नहीं होगी और ये सदन को साथ लेकर नहीं चले, तो मैं यह बताना चाहता हूँ कि कांग्रेस पार्टी सही

[श्री नरेन्द्र बुढानिया]

रास्ते पर लाने का काम फिर करेगी। आज मेरे दिल में एक शंका है, एक प्रश्न है कि चार साल तक इस बिल का भारी विरोध किया और आज जेटली जी कहते हैं कि इस बिल के पास होने से देश का डेढ़ से दो परसेंट जीडीपी बढ़ेगा। मेरे मन में यह प्रश्न है और मैं कहना चाहता हूँ कि यदि आप 4 साल, 18 महीने पहले समर्थन करते और इस देश के हित में इस बिल को पास करते, तो देश की जीडीपी क्या होती? आज हमारा नक्शा क्या होता, यह मैं जानना चाहता हूँ।

महोदय, मेरे दिमाग में और भी बहुत सी चीज़ें हैं तथा मैं यहां टेक्नीकल चीज़ों में नहीं जाना चाहता हूँ, क्योंकि मेरे पास समय बहुत कम है। मैं कहना चाहता हूँ कि मैं एक छोटे से कस्बे के छोटे से गांव से आया हूँ। मेरे मन में यह चिंता है कि लोकल बॉडीज़ का क्या होगा? आपने इसका कोई प्रावधान नहीं किया है और न ही आपने कोई चीज़ स्पष्ट की है। जो लोकल बॉडीज़ हैं, जब वे GST में आ जाएंगी, तो उनकी भरपाई कौन करेगा? आप कहेंगे कि स्टेट करेगी, लेकिन स्टेट ईमानदारी से करेगी, इसका कोई जिक्र नहीं है। वह ईमानदारी से क्यों करेगी? किसी स्टेट में लोकल बॉडीज़ के खिलाफ पोलिटिकल पार्टी की सरकार है, तो इससे उनमें झगड़े बढ़ेंगे। जब उनमें झगड़े बढ़ेंगे, तो उनका कौन समाधान करेगा?

महोदय, आज मेरे सामने ये इस प्रकार की कुछ शंकाएं हैं। मैं यह कहना चाहता हूँ कि जो आप कर वसूल कर रहे हैं, उसका बंटवारा कैसे होगा? मैं आपको एक छोटा सा उदाहरण देना चाहता हूँ। मैं एक छोटी सी ग्राम पंचायत से आया हूँ। यदि हम ग्राम पंचायत के अंदर गांव के सभी लोगों से पैसा इकट्ठा करेंगे, तो वह पैसा कहां जाएगा, उसको कहां रखेंगे और उसका सही ढंग से बंटवारा कैसे करेंगे? मेरे मन में यह प्रश्न है। उस पैसे का बंटवारा सही ढंग से हो और जल्दी हो।

मेरे सामने दूसरी बात यह है कि आज जो स्थितियां पैदा हो रही हैं और लग रहा है स्टेट आपके सामने भीख का कटोरा लेकर खड़ी होंगी। ...**(समय की घंटी)**... देश में प्राकृतिक आपदा आ गई तो क्या करेंगे, उस प्रदेश की कैसे मदद होगी, आपको यह बताना चाहिए।

महोदय, आपने घंटी बजाई है, लेकिन मेरे मन में एक बात है। ...**(व्यवधान)**...

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** क्योंकि आपके डिप्टी लीडर को भी बोलना है।

**श्री नरेन्द्र बुढानिया:** आप हमारे पुराने साथी हैं, मैं आपका आदर करता हूँ।

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** जब चेयर पर बैठते हैं, तो यह सब भूल जाइए।

**श्री नरेन्द्र बुढानिया:** सर, आज देश जानना चाहता है कि आप कर की मानक दर क्या रखेंगे? यह सबसे बड़ा प्रश्न है और आपके सलाहकारों ने भी अपनी कुछ बातें रखी हैं, लेकिन हाउस के बाहर भी हमने आप से कुछ बातें सुनी हैं और अखबारों में भी पढ़ी हैं कि आप 18 परसेंट रखने वाले हैं। यदि आप इसे 18 परसेंट रखने वाले हैं, तो मैं समझता हूँ कि देश के साथ कुछ न्याय होगा, लेकिन यदि आप 18 परसेंट से बदलते हैं और इस से आगे बढ़ते हैं, तो यह देश गरीब लोगों के साथ अन्याय होगा।

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** अब समाप्त कीजिए।

**श्री नरेन्द्र बुढानिया:** मैं जानना चाहूंगा कि आप इस अन्याय की भरपाई कैसे करेंगे? महोदय, आज देश में टैक्स कौन देता है? आज देश का गरीब आदमी टैक्स देता है, मध्यम वर्ग का आदमी टैक्स देता है। मैं उन लोगों की बात नहीं करता जो टैक्स की चोरी करते हैं, लेकिन साधारण व्यक्ति, गरीब व्यक्ति टैक्स देता है, तो वह रिलीफ भी चाहता है।

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** धन्यवाद।

**श्री नरेन्द्र बुढानिया:** अंत में मैं इतना ही कहना चाहूंगा कि आप यह जो जीएसटी बिल लेकर आए हैं, क्या इस बिल में आम वस्तुओं के भाव घटेंगे या भाव बढ़ेंगे? महोदय, जो बातें कांग्रेस पार्टी ने रखीं, जो बातें हमारे युवा नेता राहुल गांधी जी ने रखीं, उन बातों पर विचार कर आप सर्व-सम्मति से यह बिल लेकर आए हैं। मैं राहुल गांधी जी को धन्यवाद देना चाहता हूँ और इस बिल का समर्थन करता हूँ।

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** धन्यवाद। श्री अनिल देसाई।

SHRI ANIL DESAI (Maharashtra): Mr. Vice-Chairman, Sir, I thank you for giving me the opportunity to speak on the Goods and Services Tax Bill, 2014.

Sir, hon. Finance Minister has tabled a historic Bill for its passage in this august House. It is a Bill which will transform the economic scenario in the country. It is termed to be a game-changer in the indirect tax structure of the nation. Sir, as of now, the multiplicity of taxes at the State and the Central levels has resulted in complex indirect structure with hidden costs for the trade and industry. As a matter of fact, there is no uniformity in tax rates and the structure across the States. There is tax on tax. In fact, no credit of excise duty or service tax paid at the stage of manufacturing is available to the traders while paying State level taxes like Sales Tax or VAT. Moreover, no credit of State tax paid in one State could be availed of in other States. Consequently, the prices of goods and services are artificially inflated, and, resultantly, the common man or the consumer is affected. I hope that with the enactment of the GST Bill, above-stated complexities will be resolved to the satisfaction of all the States.

The Constitution (122nd Amendment) Bill, 2014 was passed by the Lok Sabha on 6th May, 2015 and the said Bill, on a motion moved by the hon. Finance Minister, was referred to the Select Committee for examination. The Select Committee submitted its report in the last Monsoon Session. I was also a Member of that Select Committee. The Select Committee while framing the specific and general recommendations on the Bill has duly taken into consideration the suggestions made by the State Governments, experts and other stakeholders, and, of course, the Department of Revenue.

[Shri Anil Desai]

Many political parties had expressed their reservations on certain provisions in the Bill such as constitutional cap on the rate of GST; scrapping of one per cent additional tax on inter-State transactions to compensate manufacturing States; hundred per cent compensation to the States for the loss of revenue in the first five years of implementation of GST; and, Independent Dispute Resolution Mechanism. While addressing these issues, the NDA Government promised to do away with one per cent additional tax on inter-State transactions to avoid cascading effects of taxation. As demanded by majority of the States, the NDA Government should give more weightage to the States *vis-a-vis* the Centre in the Dispute Resolution Mechanism.

Sir, with the GST on the scene, my State, Maharashtra, stands to lose revenue of around ₹ 14,000 - 15,000 crore, and, I think, the Centre is committed to compensate that loss of revenue to my State. Sir, in this context, I would state that the spirit of cooperative federalism needs to be taken care of because with the introduction of the GST, most of the taxes and the rights of the States would be subsumed in the GST and the States would not be left with maneuvering room to generate their revenue elsewhere, as the rights, which are existing now, will not be there. Sir, now I would like to highlight the issue of the Mumbai Municipal Corporation, the biggest urban local body in the country with a whopping annual budget of around ₹ 40,000 crores. With the implementation of the GST Bill, Entry 52 and Entry 55 of List-II in the State List stand to be subsumed under the GST. Entry 52 stands for taxes on the entry of goods into a local area for consumption, use or sale therein; and Entry 55 stands for taxes on advertisements other than advertisements published in newspapers.

Sir, the Municipal Corporation of Mumbai makes more than ₹ 7,000 crores annually out of octroi collection. In the year 2014-15, crude prices were low to the tune of 36 per cent and in the financial year 2015-16, it fell by 32 per cent. Otherwise, this revenue of ₹ 7,000 crores annually, which the Municipal Corporation of Mumbai made, would have been ₹ 8,000 crores or so. Sir, with the implementation of the GST, this revenue would be subsumed under the State GST. Mumbai being the financial capital of India and the capital city of Maharashtra is a world-renowned business hub. It is a fact that Mumbai has contributed every year by way of maximum revenue of taxes to the Centre and hardly anything comes in return to Mumbai. Despite it, these ₹ 7,000 crores, which comes by way of octroi are literally spent on developmental programmes in the city of Mumbai. Today, the Mumbai Municipal Corporation gives around 800 litres free water per person. 7,000 buses are plying on 400 routes in Mumbai. Education in different languages is given to

poor people of the city. Health care is taken care of at affordable rates. There are projects like Middle Vaitarna, which is a very big reservoir built by the Municipal Corporation, to take care of water shortage. Water shortage is not felt by the people of Mumbai.

With the deletion of Entry 52 and Entry 55, there will be severe dent on the finances of the Corporation, and, therefore, it will adversely affect the development projects in the city. The development of the city would come to a standstill which will reflect badly not only on the image of Mumbai, but it will also have ramifications for the State and for the country. ...(*Time-bell rings*)...

Sir, give me just two minutes. I will conclude.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Take only one minute.

SHRI ANIL DESAI: Sir, the Mumbai Municipal Corporation generates octroi collection of Rs. 17 crore a day, and that amount is spent on a regular basis on various expenditure accounts and other overheads. The hon. Finance Minister should ensure that the Mumbai Municipal Corporation is compensated towards revenue loss of octroi with an annual accretion of around 10 per cent towards the buoyancy in taxes. The hon. Finance Minister should also ensure that the quantum of amount due to the Corporation should not be going to the State corpus. There has to be a distinct provision in the GST legislation itself in regard to the funds earmarked for Mumbai Municipal Corporation.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Please conclude.

SHRI ANIL DESAI: The said funds need to be devolved directly from Centre to the Mumbai Municipal Corporation on a monthly basis to enable the Corporation to run its state of affairs smoothly.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Please conclude. Now, Shri Naresh Gujral.

SHRI ANIL DESAI: Sir, I am making the last point.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): No, no.

SHRI ANIL DESAI: Sir, like the recommendations made by the Fourteenth Finance Commission - the hon. Finance Minister may throw more light on it -- regarding devolving funds from the Centre directly to *Gram Sabhas* to take care of their developmental activities, unless this mechanism of direct transfer of funds from Centre to ...(*Interruptions*)...

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Now, Shri Naresh Gujral.

SHRI ANIL DESAI: Sir, just one second.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): I have called your name, Mr. Gujral. Please speak.

SHRI ANIL DESAI: Sir, I am making the last point.

Sir, unless this mechanism of direct transfer of devolution of funds from Centre to Mumbai Municipal Corporation is made or coming in the legislation itself, it will be a very bad situation and the Corporation which is cash-rich as of day ...*(Interruptions)*..., will have to go with the begging bowls to the State and with that, the entire activity ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Shri Naresh Gujral. I have called you thrice. ...*(Interruptions)*... I will switch over to the other speaker. ...*(Interruptions)*... If you don't speak, I will switch over to the next speaker. ...*(Interruptions)*...

SHRI ANIL DESAI: I urge upon the Finance Minister to take care of this issue. ...*(Interruptions)*... Thank you, Sir.

SHRI NARESH GUJRAL (Punjab): Sir, the Indian Constitution, by which we all swear, has been amended 121 times since its inception. However, this is the first time that we are going to usher in an economic Constitution Amendment. The GST Bill, which has been hanging fire for almost a decade, will totally transform the Indian economy just as abolition of the license quota raj did in 1991. Incidentally, and, very significantly, both are the brainchild of Dr. Manmohan Singh and I feel that he deserves the nation's applause and a debt of gratitude.

Sir, 69 years after India unified politically, we will finally have a unified market and a uniform tax regime where there will be a free flow of goods and services within the country on the lines of the European Common Market. This Bill will result in much greater compliance and to a large extent help in the elimination of black money in this country. I know that certain States will suffer in the beginning. My State will also suffer but I do know that Punjab is a high consuming State; so, eventually, we will benefit a lot when the compliance is better.

Sir, with the passage of this Bill, tax would be payable only on value added at each

stage of output and input tax credit would be available automatically for taxes paid. This would create an element of self-policing at every stage as it would be in the interest of the stakeholders to ensure that the tax chain is maintained. The removal of the State and city toll barriers will result in free flow of inter-State traffic. Long lines of trucks that we see on our borders would be a thing of the past. Businessmen will not have to run from one State to another for VAT registration and claiming of VAT, which would lead to huge ease of doing business in the country.

Sir, while goods like alcohol and tobacco would remain out of the GST ambit, and rightly so, we need to have a zero tax base for essential items, especially, food items. For the time being, petroleum and petroleum products and electricity etc. are out of the GST ambit. But I am sure, as time goes by and GST regime becomes more successful, all stakeholders will agree and this would also be included.

Sir, there is one major lacuna in the Bill. Input tax credit on capital goods will not be made available on many sectors like transportation, construction and infrastructure. I would like to have some clarification from the hon. Finance Minister on that because this has been widely reported. If that is so, this would make India a high cost economy. I would like to have one more clarification from the hon. Finance Minister. Certain States were given tax concessions and companies that set up businesses there, do not have to pay excise or any other tax. What would be the status of those companies once the GST regime comes into play?

Sir, the Congress Party had raised many objections to many Clauses of this Bill and some of their concerns were totally justified. But I disagree with my friends in the Congress on enshrining the rate in the Constitution because in case of a national calamity, we cannot keep on amending the Constitution time and again.

I would like to point out one more thing that high taxes never fetch votes. So, it does not suit any regime to put high taxes. Today, they are in power, tomorrow you may be in power. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): No, no. Please continue. ...*(Interruptions)*...

SHRI NARESH GUJRAL: But, I feel, ...*(Interruptions)*... I was looking at you -The Third Front. But, I feel, that. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Please do not waste your time. The GST has to be revenue neutral. Of course, the rates would be



[Shri Sukhendu Sekhar Roy]

worked out by the experts, but, eventually, I am certain, as there is more compliance, it will see a downward trend. Sir, this is like mobile telephony. If you remember, when mobile telephones came into being, average per minute rate used to be ₹ 5-6-7. ...*(Interruptions)*... Maybe, ₹ 15. And now it has come to a few paise. It is primarily because the base expanded. Once the base expands, once there is more compliance, I am certain that the hon. Finance Minister will start reducing the rates even further.

Sir, when it comes to Disputes Redressal Mechanism between States, I feel it is not wise to have the courts intervene. In any case, I look at it differently. There are brilliant lawyers; some go to the courts, some come here and others go to State politics. Many of them were Finance Ministers, they are Finance Ministers here, and some are Finance Ministers in the States. How do we presume that those lawyers, who went to the courts, have more wisdom than those lawyers who came here? So, I think, we should leave it to them. And I am sure ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): I am afraid, your time is over. ...*(Interruptions)*...

SHRI NARESH GUJRAL: Sir, I will take only one minute. Brexit, according to all exports, is going to adversely impact the global growth. Our exports, especially, the labour-intensive exports are suffering. We need to create jobs and this is one way jobs are going to be created. That is why it is important that we all support it fully.

Sir, in the end, I would say, hon. Finance Minister, I know that you will have to face many challenges going ahead. This is a historic Bill, but, there is an old saying that no sailor ever won laurels on calm seas. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Your time is over.

SHRI NARESH GUJRAL: Sir, let me finish. I will take only thirty seconds. While I wish the hon. Finance Minister all the luck, I commend him for his persistence, perseverance, his flexibility and his ability to carry all sides of the House with him on this Bill. Thank you very much.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Now, Shri D. Raja.

SHRI D. RAJA (Tamil Nadu): Sir, I had the opportunity to work in the Select

Committee, which scrutinized this Bill in detail. We, two Left Members, had given the dissent note which is part of the report given by the Select Committee. Sir, today, I was delighted to hear Mr. Chidambaram, telling the Government that this GST regime should not go in favour of corporate houses, but, it should be in favour of the people. I wish the Congress Party continues to review its own economic policies in the interest of the people. Having said that, Sir, the Finance Minister presented the Bill; the former Finance Minister spoke on this Bill. Several colleagues have spoken on this Bill till now, but, we are yet to understand as to what would be the future because the whole effort is to create a pan-Indian common economic zone or market. Thereby, we are going to enter into a terrain which is, really, unknown terrain. We are not very clear as to what the consequences will be. India is a very diverse country. We have uneven economic development and uneven regional development. You are going to create a common market. People are the producers of goods and, in fact, they are also the service providers. By people, I mean the working people. Their interest should be kept in mind. In the Select Committee, there were several issues. There were several contentious issues such as whether we can go for 18 per cent cap. That was one of the most contentious issues. It has been asked repeatedly whether in the Constitution (Amendment) Bill, it is proper to put a cap. On the other hand, it is to ensure that the indirect-tax does not go more and more regressive and adversely affect the people. They are real taxpayers that way. They are not tax evaders. So, how will you protect the interest of the taxpayers, that is, the people? There the Finance Minister will have to explain further what this issue is.

The other issue is how to maintain the fiscal federal structure. The States are having an apprehension. I think, it is a very genuine apprehension. With this Bill, their rights will be curbed. Their fiscal autonomy will be taken away. There will not be any flexibility in the hands of the State Governments to plan out their finances. In the same way, the question of local body institutions came up. Now, it is for the State Governments to plan out how to finance the local body institutions. So, the State Governments must have that fiscal autonomy and fiscal powers. The Finance Minister will have to explain this further how he is going to do that.

The other issue is about the GST Council. In my dissent note also I said that it is in favour of the Union Government. In fact, I myself wanted the weightage should be one-fourth for the Central Government and three-fourth for the States put together. The Finance Minister will have to explain how he is going to do this because fiscal federalism is very important. I am not going to discuss what happened in other countries after the GST was passed and how it led to political fallout and the defeats of the Governments of the day. I am not going into those issues. I am concerned with India as a diverse country.

[Shri D. Raja]

**7.00 P.M.**

When we move to new area, new tax regime, we will have to take the States' fears. States have real apprehension how the Centre is going to allay their fears and remove their apprehensions. The Finance Minister will have to explain about the composition of the GST Council.

Having said that, once this Bill is passed, you will have to bring the follow up Bills, the Central GST, the State GST and the integrated GST. Nobody knows what is going to be the content of these Bills, what would be their impact and implications. I am asking all the parties: are we clear what would be the content and what would be the implication? We are really entering into a new terrain and unknown terrain. As everybody has said, this is Parliament, Rajya Sabha is equally important. We will have to discuss all the issues related to this threadbare keeping the interests of the people in view. There, I think, the Finance Minister has consulted all the political parties. You also acknowledge that we are in a multiparty democracy. Every party is in power in some States. If that is your understanding, be more democratic, allow discussion in Rajya Sabha, do not bog down the discussion in the name of Money Bill and Finance Bills. We will discuss these Bills. After all, we are concerned of the future of the country and the people of the country. Our ideologies may differ but we keep on fighting.

I was delighted to hear my former Finance Minister, Mr. Chidambaram. He said, "It should not go in favour of the corporate houses, but in favour of the people." I wish the Congress Party continues to review its own policy in the interest of the people. The BJP also should take some lessons on what they are saying today.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): The Congress Party may take your advice outside. But please conclude.

SHRI D. RAJA: Now, I appeal to the hon. Finance Minister that he should explain all these contentious issues. Let him explain to the House the thinking of the Government on these issues.

**श्री संजय राउत (महाराष्ट्र):** डिप्टी चेयरमैन सर, लगभग 10-12 सालों का समय बीत गया है और आज जीएसटी विधेयक पारित होने जा रहा है। यह ऐतिहासिक घड़ी हो सकती है। मैं 10 साल की बात नहीं करने जा रहा हूँ, लेकिन दो साल से तो अपनी सरकार देश में चल रही है और फिर भी यह बिल लटक रहा था, लेकिन अब सटक गया है। आज सुबह जब मैं आज का अखबार पढ़ रहा था, तो मैंने देखा कि सभी का लगभग एक ही कहानी है कि यह बिल इसलिए आज पास होने जा रहा है, क्योंकि काफी हद तक कांग्रेस की माँगें माने जाने के बाद जीएसटी विधेयक को हरी झंडी मिली है।

कांग्रेस की क्या माँगें हैं, अगर कांग्रेस की माँगें कुछ हद तक पूरी होती हैं, तो हमारी क्यों नहीं होती? आप ज्यादा नहीं, थोड़ी-बहुत हमारी माँगें भी पूरी करिए। बात यह है कि हमारी बात तो बहुत छोटी है। इस विधेयक के बाद मुम्बई जैसे जो बड़े शहर हैं, मैं खास करके मुम्बई की बात करता हूँ। हमारी जो म्युनिसिपल कॉरपोरेशन है, उसका जो नुकसान हो रहा है, उसकी भरपाई कौन करेगा और वह कैसे होगा? इस मामले में एक्सपर्ट नहीं हूँ, लॉयर नहीं हूँ और मैं टैक्स मैनेजमेंट के बारे में ज्यादा जानता ही नहीं हूँ। लेकिन जिस जीएसटी को आप ऐतिहासिक बता रहे हैं, उस ऐतिहासिक जीएसटी से सबसे ज्यादा नुकसान मुम्बई शहर का हो रहा है। सरकार को जरूर फायदा हो गया होगा, स्टेट को फायदा होता है, सेंटर को फायदा होता है, लेकिन मुम्बई के लिए यह घाटे का सौदा है। वित्त मंत्री जी ने अपने opening remarks में कहा कि It is the best economic management. यह अच्छी बात है। हम इसका स्वागत करते हैं। आपने यह भी कहा कि it will increase the revenue of the Centre and of all the States. यह भी अच्छी बात है। लेकिन अपना revenue increase करने के लिए आपने मुम्बई का revenue खा लिया।

सर, BMC (Mumbai Municipal Corporation), यह भी अपने आपमें गवर्नमेंट है, सरकार है, एक स्टेट है। आपके लिए यह मायानगरी हो सकती है, लेकिन हमारे लिए माँ है। यह सिर्फ महाराष्ट्र की राजधानी ही नहीं है, बल्कि देश की financial capital भी है। अगर ऐसे शहरों में इस विधेयक से आर्थिक अराजकता आप पैदा करते हैं, तो हमारे लिए यह फायदे का सौदा नहीं है। वित्त मंत्री जी, मैं यह आपको बताना चाहता हूँ। तो सर, जरूर यहां octroi की बात हुई। Mumbai Municipal Corporation का एक सबसे बड़ा revenue source octroi है। यह तकरीबन 7,500 करोड़ सालाना है, जो बढ़ भी सकता है। तो 7,500 करोड़ कोई छोटी रकम नहीं है। जीएसटी के बाद यह octroi पूरी तरह से खत्म होगा और उसका नुकसान सिर्फ Corporation को नहीं, बल्कि आप सबको झेलना पड़ेगा, क्योंकि आप भी मुम्बई के निवासी हैं। यह हम सबको झेलना पड़ेगा। आज 7,500 करोड़ का जो नुकसान होगा, तो क्या आने वाले दिनों में, हमारा जो मेयर है, वह यहाँ आकर कटोरा लेकर खड़ा रहेगा और क्या वह मुख्य मंत्री के पास यह कहने जाएगा कि हमारी municipality नहीं चल रही है? हमारे यहाँ सबसे ज्यादा health services का ही बजट 3,500 करोड़ का है। हम मुम्बई में बेस्ट ट्रांसपोर्ट सर्विस देते हैं, एजुकेशन सर्विस देते हैं और अगर आप इसमें से हमारे 7 हजार करोड़ रुपए निकाल कर मुम्बई शहर को भिखारी बनाना चाहते हैं, तो मुझे लगता है कि हम आपका स्वागत जरूर करेंगे, लेकिन मुम्बई के ऊपर भी आपको ध्यान देना पड़ेगा। अगर आप मुम्बई को कमजोर बनाने का कोई काम कर रहे हैं, तो यह आपके लिए भी अच्छा नहीं है। मुम्बई जितनी मजबूत रहेगी, उतनी ही देश को ताकत मिलेगी, रेवेन्यू को ताकत मिलेगी। आप 100 स्मार्ट सिटीज़ बनाने की बात कर रहे हैं, आप बनाइए, लेकिन मुम्बई को जो स्मार्ट सिटी बनाया है, मुम्बई सुपर स्मार्ट सिटी है और मुम्बई की वजह से और सिटीज़ बनती हैं। हमने आपसे पैसा नहीं मांगा है कि हमको मुम्बई बनानी है। हम अपने आप अपना सोर्स बना लेते हैं। हमारा जो खर्चा है, हम अपने आप उठा लेते हैं। हम कभी यहां पर आकर मांगते नहीं हैं। मुम्बई ने देश को हमेशा दिया है। मैं आपको आंकड़े बताना चाहता हूँ। सर, कृपया आप bell मत दबाइए।

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** समय की पाबंदी है।

**श्री संजय राउत:** अगर आपको लगता है, bell दबाने की आपकी इच्छा हो, तो समझ लीजिए कि यह मेरी मेडन स्पीच है।

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** नहीं, नहीं, यह तो नहीं हो सकता है।

**श्री संजय राउत:** सर, देश के कुल इनकम टैक्स का 30 परसेंट से ज्यादा मुम्बई से आता है, 60 परसेंट से ज्यादा कस्टम ड्यूटी मुम्बई से आती है, 20 परसेंट सेन्ट्रल एक्साइज ड्यूटी मुम्बई से आती है, 40 परसेंट फॉरेन ट्रेड सेल्स टैक्स मुम्बई से मिलता है सेन्ट्रल गवर्नमेंट को। 40 हजार करोड़ रुपए से ज्यादा कॉर्पोरेट टैक्स मुम्बई से सेन्ट्रल गवर्नमेंट को मिलता है। देश हमारा है। मुम्बई ने देश की जीडीपी में 278 बिलियन अमरिकन डॉलर का contribution 2015 में दिया है। यह मुम्बई का महत्व राष्ट्र निर्माण के लिए है, देश की अर्थव्यवस्था के लिए है। हम वहां पर सबको जो सर्विस देते हैं, इसलिए बड़े-बड़े कॉर्पोरेट ऑफिस वहां बैठे हैं, चाहे बीकेसी हो, चाहे नरीमन प्वाइंट हो। जहां-जहां पर ऑफिसोज हैं, उनको सर्विस मुम्बई म्युनिसिपल कॉर्पोरेशन देती है। उसके बदले में आप मुम्बई को क्या देते हैं? ...**(समय की घंटी)**...

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): Please conclude.

**श्री संजय राउत:** सर ...**(व्यवधान)**...

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): No, I am sorry. Your time is over.

**श्री संजय राउत:** सर, मैं बार-बार नहीं बोलता हूँ। आज आप मेरा टाइम ओवर मत कीजिए। आप इसको मेरी मेडन स्पीच समझ लीजिए। ...**(व्यवधान)**...

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** नहीं, नहीं, मेडन स्पीच कैसे करेंगे?

**श्री संजय राउत:** सर, मुम्बई के कॉर्पोरेशन के रेवेन्यू का जो मेन रास्ता है, उसी को आपने बंद कर दिया है। मुम्बई कॉर्पोरेशन का जो इनकम है, वह octroi से है। अगर आप उसको बंद करेंगे, तो क्या हम हमारी सर्विस के लिए, सेवा के लिए लोगों के ऊपर टैक्स बढ़ाएंगे? हम मुम्बई में यह अच्छे दिन नहीं ला सकते हैं कि इस प्रकार से टैक्स बढ़ाया जाए और मुम्बई वालों पर ज्यादा बोझ डाला जाए। यह नहीं होगा।

मुम्बई में हमारे बहुत प्रोजेक्ट्स हैं, आज हम उनका budgetary provision नहीं कर सकते हैं, क्योंकि पैसे कम पड़ते हैं।

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** धन्यवाद, अब आप समाप्त कीजिए। ...**(व्यवधान)**...

**श्री संजय राउत:** सर, यह मेरी मेडन स्पीच है। No, no. This is my maiden speech.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): You cannot decide that.

**श्री संजय राउत:** सर, मैं लास्ट प्वाइंट बताना चाहता हूँ। मैं आपके माध्यम से सरकार को बताना चाहता हूँ कि octroi abolition का मामला सिर्फ आर्थिक मामलों से नहीं जुड़ा है, बल्कि यह नेशनल सिक्युरिटी से भी जुड़ा है, यह मुम्बई की सिक्युरिटी से भी जुड़ा है। मैं आपको बताना चाहता हूँ, यह सरकार को मालूम नहीं होगा। मुम्बई में चार main octroi check posts हैं, जहां से लाखों ट्रक्स और टेम्पोज़ मुम्बई में एंट्री करते हैं। ये चेक पोस्ट्स केवल octroi के लिहाज से महत्वपूर्ण नहीं हैं, बल्कि ये सिक्युरिटी स्कैनर्स हैं। इन चेक पोस्ट्स पर हर वाहन को रोका जाता है, इसलिए इन एंट्री पोस्ट्स से कोई गलत वाहन नहीं आ पाता है। ...**(समय की घंटी)**...

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** धन्यवाद। श्री राम कुमार कश्यप, आप बोलिए। Nothing will be go on record.

**श्री संजय राउत:** सर, यह मेरी मेडन स्पीच है। This is my maiden speech.

THE VICE-CHAIRMAN (SHRI SUKHENDU SEKHAR ROY): How?

**श्री संजय राउत:** सर, यह मेरी मेडन स्पीच है, इसलिए मैं और पांच मिनट बोलूंगा। ...**(व्यवधान)**...

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** ठीक है, आप बैठ जाइए। Please continue. आप बोलिए। ...**(व्यवधान)**...

**श्री संजय राउत:** सर, एंट्री प्वाइंट से जब भी कोई ट्रक और टेम्पो मुम्बई में घुसता है, तो वहां सिक्युरिटी चेक होता है, वहां स्कैनिंग होती है। Octroi check post निकालने के बाद सारी सड़कें खुले हो जाएंगे, तो इससे यह होगा कि अब तक कसाब जैसे लोग समुद्र के रास्ते से आते थे, अब वे सीधे रोड़ से अंदर घुस जाएंगे। आरडीएक्स और हथियार लेकर सब लोग मुम्बई में घुसेंगे और इससे मुम्बई की सुरक्षा कमजोर होगी। सरकार से मेरी यह विनती है कि आप इस लिहाज से भी Octroi के बारे में विचार कीजिए। मुम्बई को आप भिखारी मत बनाइए। मुम्बई को कंगाल करेंगे, तो देश कंगाल होगा, मैं आपको बता देता हूँ। हम मेहनत करने वाले लोग हैं।

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** संजय जी, एक सेकंड, जो नए मेम्बर आते हैं उनकी मेडन स्पीच होती है। आप थर्ड टाइम मेम्बर हैं, यह मेडन स्पीच नहीं है। It will not be considered as maiden speech. जैसा नियम है मैंने आपको बता दिया। Please bear with me.

**श्री संजय राउत:** मेरी एक रिक्वेस्ट है कि मुम्बई के लिए आप कोई विशेष अधिकार, विशेष स्टेटस भी बनाइए। जो मुम्बई का टैक्स कलेक्शन का मामला है, वह मुम्बई के पास रहेगा और जब मुम्बई खुश रहेगी तो आप सब खुश रहेंगे। जय हिन्द। धन्यवाद।

**श्री राम कुमार कश्यप :** महोदय, आपने मुझे बहुत ही महत्वपूर्ण एवं ऐतिहासिक बिल पर बोलने का मौका दिया, इसके लिए मैं आपका धन्यवाद करता हूँ। देश में जीएसटी का लागू होना टैक्स सुधार की दिशा में आज़ादी के बाद सबसे बड़ा कदम होगा। यह वह कर है जिसे वस्तुओं एवं सेवाओं दोनों पर लागू किया जाएगा। सेवा कर तो सभी राज्यों में समान है, परन्तु वस्तुओं पर लगने वाला कर प्रत्येक

[श्री राम कुमार कश्यप]

राज्य अपने ढंग से निर्धारित करता है, जिस कारण औद्योगिक समूहों को उत्पादन एवं वस्तुओं की बिक्री पर काफी कर चुकाना पड़ता है। As a whole, अगर मैं इस बिल की बात करूँ तो यह बिल भारतीय अर्थव्यवस्था के लिए बहुत ही महत्वपूर्ण सिद्ध होगा। इसके आने के बाद सभी राज्यों में वस्तुओं पर समान कर लगने लगेगा, जिससे उत्पादकों एवं विक्रेताओं को काफी सहूलियतें मिलेंगी। ऐसी संभावना है कि इसके आने पर राजस्व तो बढ़ेगा ही, साथ ही राजकोषीय घाटे में कमी आएगी। मैन्युफैक्चरिंग के क्षेत्र में प्रतिस्पर्द्धा बढ़ेगी, विभिन्न प्रकार के करों का बोझ कम होने से वस्तुओं के दाम भी कम होंगे, जिसका सबसे बड़ा फायदा आम आदमी को होने वाला है। ऐसा इसलिए है क्योंकि कोई भी सामान पूरे देश में एक दर पर मिलेगा, चाहे वह सामान किसी भी जगह से क्यों न खरीदा गया हो। इससे तमाम टैक्स से भी राहत मिलेगी, आम धारणा यह है कि जब हम बिना जीएसटी के सामान खरीदते हैं तो हमें उस पर 30 से 35 प्रतिशत तक का बिल कर के रूप में चुकाना पड़ता है। परन्तु इस बिल में कर की दर निश्चित तो नहीं है। अगर यह दर जैसे कि माननीय पूर्व वित्त मंत्री ने कहा कि 18 प्रतिशत या इससे भी कम होगी तो निश्चित तौर पर सामान सस्ते दर पर मिलने की संभावना बढ़ जाएगी, जिसका सीधा फायदा उपभोक्ताओं को होगा। महोदय, अंत में मैं आपके माध्यम से दो बिन्दुओं पर मंत्री महोदय से स्पष्टीकरण चाहूंगा।

मंत्री महोदय, मैं हरियाणा प्रांत से संबंध रखता हूँ और हरियाणा एक कृषि प्रधान राज्य है। यह मैन्युफैक्चरिंग प्रदेश नहीं है। मुझे आशंका है कि इस बिल के आने से कहीं हरियाणा प्रदेश को राजस्व का नुकसान न उठाना पड़े, क्योंकि इस बिल में ज्यादा मैन्युफैक्चरिंग प्रदेशों के हितों की ओर ध्यान दिया गया है। अतः इस बिल से कृषि प्रधान राज्यों के हितों की अनदेखी हो सकती है। अगर हरियाणा को इस बिल के पारित होने के बाद राजस्व का घाटा होता है तो उसकी भरपाई कैसे होगी? क्या केन्द्र सरकार ऐसे राज्यों को आर्थिक सहायता प्रदान करेगी? मैं इस बारे में माननीय मंत्री जी से स्पष्टीकरण चाहता हूँ।

मेरी दूसरी ऐसी आशंका है कि इस बिल के आने से अनिर्वाचित जीएसटी काउंसिल को राज्य विधान सभाओं से ज्यादा ताकत हो जाएगी, जो कि न्यायसंगत नहीं होगा। अगर ऐसा होता है तो सरकार इस दिशा में क्या कारगर कदम उठाएगी?

अंत में मैं मंत्री महोदय से कहना चाहता हूँ कि अगर आप मेरी उक्त दोनों शंकाओं का समाधान कर देते हैं तो मैं इस विधेयक का समर्थन करता हूँ। जय हिन्द, जय भारत।

**श्री प्रेम चन्द गुप्ता (झारखंड):** श्रीमान जी, इस महत्वपूर्ण बिल पर बोलने के लिए आपने मुझे समय दिया, इसके लिए मैं आपका आभारी हूँ। श्रीमान जी, पिछले 10 साल से जीएसटी को लेकर चर्चा हो रही है। जब ये लोग इधर थे, तो इन लोगों को इस बिल में बहुत खामियां नजर आ रही थीं, बहुत समस्याएं थीं और तीन साल तक लगातार ये लोग अपोज करते रहे। अब ये लोग उधर हैं और उधर वाले इधर हैं, तो अभी इनका भी रुख चेंज हो रहा है, अपने बनाए हुए बिल में भी इनको कमियां नजर आ रही हैं। श्रीमान जी, हमारे देश में आज हम चर्चा कर रहे हैं कि जीएसटी के ऊपर। जीएसटी का यह पहला स्टेप है। इस अमेंडमेंट के बाद जीएसटी बिल बनेगा और उसको कैसे लागू किया जाएगा, यह बातें हो रही हैं।

श्रीमान जी, हमारे देश में टैक्स का एक मकड़जाल है। टैक्स के ऊपर टैक्स है, मल्टीपल टैक्स हैं, मल्टी-एन्ट्री टैक्स हैं। टैक्सेशन सिस्टम के कारण ऐसे बहुत से मौके आए हैं, जिनकी वजह से लोगों को एक्सप्लॉइट भी किया गया है, चाहे कोई भी सरकार रही हो। मान्यवर, आप एक चीज़ मानेंगे कि यदि किसी देश में टैक्सेशन का रेट एक सीमा से ज्यादा होगा तो आज का जो माहौल है, उसमें उस देश में आर्थिक तरक्की होना बहुत डिफिकल्ट है, क्योंकि आज पूरी दुनिया एक है। आज कम्प्यूटर साइंस और टेक्नोलॉजी इतनी बढ़ गई है कि हर देश यह चाहता है कि उसके यहाँ प्रोडक्शन बढ़े, उसकी अर्थव्यवस्था आगे बढ़े। सब देश इसमें लगे हुए हैं, जबकि हमारे यहाँ मल्टीपल टैक्स है। अब यह कहा गया कि साहब, जीएसटी आ जाएगा तो सब ठीक हो जाएगा, एफडीआई आ जाएगी और देश में "मेक इन इंडिया" का प्रोग्राम चालू हो जाएगा, प्रोडक्शन शुरू हो जाएगा। श्रीमान जी, प्रोडक्शन ऐसे शुरू नहीं होती है। किसी भी देश में अर्थव्यवस्था में तब तक ऐसे चेंजेज नहीं आते हैं, जब तक कि उसमें मूलभूत बदलाव न किए जाएँ।

आज हम सब लोग यहाँ जीएसटी पर बात करने के लिए इकट्ठे हुए हैं। आज क्यों न हम इस चीज़ के ऊपर फैसला करें कि हमारे देश का जो टैक्सेशन सिस्टम है, वह एक ऐसा टैक्सेशन सिस्टम हो, जिससे महंगाई को कम किया जा सके, ताकि गाँव का जो गरीब किसान और मजदूर है, जिसको रोज़ अपनी रोजी-रोटी का साधन जुटाना पड़ता है, उसके ऊपर भार न पड़े। क्योंकि आज सवा सौ करोड़ लोगों के ऊपर टैक्स का भार पड़ रहा है और हर चीज़ के ऊपर मल्टीपल टैक्स सिस्टम लगा हुआ है। इसके लिए आपको बैठकर सोचना चाहिए।

श्रीमान जी, जीएसटी का हमने कभी भी विरोध नहीं किया और न हम इसके विरोधी थे, लेकिन आज तक यह इम्प्रेशन दिया गया कि जीएसटी का मतलब या तो ये लोग हैं या ये लोग हैं, बीच वाले कोई नहीं हैं, जबकि ऐसा नहीं है। हम लोग जीएसटी के विरोधी नहीं हैं। हम लोग भी चाहते हैं कि गरीब और किसान का फायदा हो और देश में जो रीजनल इम्बैलेंस है, उसका भी समाधान हो। श्रीमान जी, मैं इसके क्लॉज़ेज को पढ़ रहा था। इसमें दिया गया है, Goods and Services Tax Council shall make recommendations to the Union of India and the States on -- यह अलग-अलग प्वाइंट्स पर दिया गया है। Special provisions in respect of the States of Arunachal Pradesh, Assam, Jammu and Kashmir, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura, Himachal Pradesh and Uttarakhand. हम लोग इन राज्यों को भी सपोर्ट करते हैं। इन राज्यों को भी स्पेशल स्टेटस मिलना चाहिए, स्पेशल प्रोविज़न मिलना चाहिए, लेकिन देश में जो रीजनल इम्बैलेंस है, जैसे बिहार तथा झारखंड जैसे राज्य हैं, तो हर तरीके से पिछड़े हुए हैं, उनको आपने इसमें से क्यों डिलीट किया है? क्या विशेष कारण है, जिसकी वजह से आपने इसमें से बिहार और झारखंड को exclude किया है? क्या बिहार और झारखंड देश के दूसरे प्रदेशों की तरह बहुत एडवांस्ड हैं? बिहार और झारखंड आज देश के पिछड़े प्रदेशों से आते हैं। यह हम सबकी जिम्मेदारी है, सब सरकारों की जिम्मेदारी है और विशेषकर केन्द्र सरकार की जिम्मेदारी है। जब तक आप रीजनल इम्बैलेंस को समाप्त नहीं करेंगे...

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** अब समाप्त कीजिए।



**श्री प्रेम चन्द गुप्ता:** श्रीमान जी, आप तो हमें बोलने दीजिए, आप हमारे पड़ोसी हैं। ...**(व्यवधान)**... पश्चिमी बंगाल, बिहार, झारखंड, ये सारे प्रदेश पड़ोसी हैं। ...**(व्यवधान)**...

**उपसभाध्यक्ष (श्री सुखेन्दु शेखर राय):** अब समाप्त कीजिए।

**श्री प्रेम चन्द गुप्ता:** आपसे मेर विशेष आग्रह है कि मुझे दो मिनट और दिए जाएँ। श्रीमान जी, मैं आपके माध्यम से मंत्री जी से पूछना चाहता हूँ कि रीजनल इम्बैलेंस को खत्म करने के लिए आप क्या कर रहे हैं? दूसरा प्वाइंट मैं आपसे यह पूछना चाहता हूँ कि मान लीजिए गुड्स एंड सर्विस टैक्स काउंसिल की रिकमंडेशंस को अगर कोई स्टेट नहीं मानता है, तो उसका क्या होगा? आपने अपने पास उसकी एक वीडियो पॉवर रख ली है। लेकिन हर प्रदेश की अपनी समस्या है। आज गुजरात प्रदेश ने जो इतनी तरक्की की - गुजरात आपके बंगाल से कार का प्लांट वहाँ पर लेकर गया, सेल्स टैक्स का benefit ऑफर किया। इसी तरह से दूसरी स्टेट्स भी दूसरे taxes का benefit ऑफर करती हैं। इन सब चीजों का इसमें क्या प्रावधान है, इस बात को तय किया जाए। श्रीमन्, मैं यह कहना चाहता हूँ कि यह एक ऐसा मौका है, जब हम सब लोग बैठकर ब्रेन डिस्कशन कर सकते हैं, सबके साथ मिलकर एक healthy discussion की जा सकती है। एक जो चर्चा है, मैंने सुना कि सब लोगों का concern था कि आप इसको मनी बिल के रूप लाकर clear करना चाहते हैं - यह बात ठीक नहीं है। यह भी Council of States है, इसलिए, आपको चाहिए कि उस विचार को आप अपने दिमाग से निकाल दें और दोनों Houses को confidence में लेकर इसको आप फाइनेंस बिल के रूप में लाइए, ताकि इसके ऊपर discussion की जा सके, एक healthy चर्चा की जा सके। मैं वित्त मंत्री महोदय से एक assurance चाहूँगा। वे इस हाउस को और देश को assure करें कि GST आने के बाद महंगाई बढ़ेगी नहीं, बल्कि घटेगी - इस चीज़ को आप confirm कीजिए, धन्यवाद।

**श्री विश्वजीत दैमारी (असम):** धन्यवाद उपसभाध्यक्ष महोदय, इस विषय पर यहां पर बहुत अच्छी तरह से चर्चा हुई, specially टैक्स के बारे में, इसलिए मैं उसके संबंध में ज्यादा नहीं कहूँगा। मैं यहां पर हमारे फाइनेंस मिनिस्टर और इस हाउस की दृष्टि में कुछ बातें लाना चाहता हूँ। इस अमेंडमेंट बिल पर टैक्स के संबंध में हो या Finance के ऊपर जो भी काम किया जाए, उसमें स्टेट की क्या पॉवर होगी, Union Territory की क्या पॉवर होगी और सेंट्रल गवर्नमेंट की क्या पॉवर होगी, वह specially mention किया गया है, लेकिन नॉर्थ-ईस्ट में राज्यों के अलावा भी कुछ administrative व्यवस्था है, जैसे Bodoland Territorial Council और बाकी दो-तीन राज्यों में Sixth Schedule में autonomous councils हैं। वहां पर भी टैक्स impose करने का अधिकार है - लेकिन यह जो tax sharing की बात हम लोग कर रहे हैं कि इसको impose करने के बाद कैसे स्टेट लैवल पर और सेंट्रल लैवल पर यह काम किया जाएगा तो काउंसिल में कैसे किया जाएगा, इसमें स्पष्ट भाव से इसका कोई उल्लेख नहीं है। इसलिए मैं बताना चाहता हूँ कि यह हमारे नॉर्थ-ईस्ट के लिए बहुत ही sensitive issue है, जैसे बोडोलैंड under Sixth Schedule, एक territorial council है। इसको जब बनाया गया था, तो यह तय हुआ था कि यह सिर्फ राज्य नहीं होगा, लेकिन उसकी functioning राज्यों के जैसी ही होगी। आज एक राज्य की जो जिम्मेदारी है, ऐसा ही नागरिकों को लेकर, वहां की प्रशासनिक व्यवस्था को लेकर, Bodoland Territorial Council भी एक parallel सरकार असम में चला रही है। वहां की आबादी नॉर्थ-ईस्ट के असम और त्रिपुरा के बाद में आती है, वहां पर 32 लाख की population है और 9,000 स्क्वेयर

किलोमीटर एरिया है। नॉर्थ-ईस्ट की other States में इतनी pollution नहीं है, तब भी वे स्टेट हैं। स्टेट न होते हुए भी जो वहां पर स्टेट जैसा काम कर रही है, उनकी भी एक बहुत बड़ी जिम्मेदारी होती है। अगर जिम्मेदारी होती है तो जिस तरह से वहां संविधान के प्रावधान के अनुसार इस व्यवस्था को किया गया, उसी तरह से वहां पर भविष्य की financial स्थिति को ध्यान में रखते हुए एक व्यवस्था संविधान में रखना बहुत जरूरी है। अगर हम ऐसा नहीं कर पाएंगे तो सारे देश को अच्छा प्रशासन देने में हम विफल हो जाएंगे। इसलिए, मैं अनुरोध करता हूं कि इसमें कुछ नहीं होने से भी बाद में जब GST का बिल आएगा, तो उसमें इसकी व्यवस्था होनी चाहिए। सरकार इसके लिए बिल जब भी क्यों न लाए? Sixth Schedule के अंतर्गत जो administrative व्यवस्था की गयी है, वहां पर सरकार के जो कार्यक्रम होते हैं, उन्हें कैसे वहां implement किया जाएगा... उसके बारे में स्पेसिफिक रूप से हमारे रूल्स में, हमारे लॉज में mention होना चाहिए, ताकि इसके अनुसार वहां पर भी प्रशासन अच्छी तरह से चल सके। बोडोलैंड टेरिटोरियल काउंसिल हो, कारबी आंगलोंग आटोनाॅमस काउंसिल हो, असम, मेघालय, मिजोरम का, जो भी 6th शैड्यूल क्यों न हो, वह हमारे संविधान के द्वारा की गई प्रशासनिक व्यवस्था है। अगर यह प्रशासनिक व्यवस्था है, तो हम देश के लिए चाहे जो भी कानून बनाएं, उसको भी साथ में लेकर, उसके बारे में सोचकर काम करना चाहिए।

सरकार हर समय, हर विभाग में बहुत ही कानून बनाती है, लेकिन इन कानूनों में वहां पर जो आटोनाॅमस काउंसिल काम कर रही है, वहां पर वह कैसे काम करेगी, इसका कोई उल्लेख नहीं होने के कारण वहां पर अच्छी तरह से इसका पालन नहीं हो रहा है। नेशनल रूरल हेल्थ मिशन को राज्य सरकार कैसे इम्प्लिमेंट करेगी, इसका उल्लेख है, लेकिन टेरिटोरियल काउंसिल और 6th शैड्यूल में हेल्थ डिपार्टमेंट को full काम करने की जिम्मेदारी दी गई है। नेशनल रूरल हेल्थ मिशन की तरफ से वहां पर कोई फंड मिलने की व्यवस्था नहीं है। "प्रधान मंत्री ग्राम सड़क योजना" बनाई गई है, वहां पर PWD Department को 6th शैड्यूल में दिया गया और राज्य सरकार PWD Department के द्वारा इस "प्रधान मंत्री ग्राम सड़क योजना" को इम्प्लिमेंट करती है, लेकिन काउंसिल एरिया में, इसको कैसे करेंगे, इसका हमारी गाइडलान्स में कोई उल्लेख नहीं है। "सर्व शिक्षा अभियान" और "राष्ट्रीय माध्यमिक शिक्षा अभियान" है, जो कि बहुत महत्वपूर्ण है, वहां पर जो 6th शैड्यूल एरिया है, बोडोलैंड टेरिटोरियल काउंसिल है, वह काउंसिल इस कार्यक्रम को कैसे लागू करेगी, इसका कोई उल्लेख नहीं है। वहां पर ग्रासरूट लेवल पर काम करने में बहुत प्रॉब्लम आ जाती है। जो टैक्स शेयरिंग की बात है, इसका भी वहां पर ग्राउंड लेवल पर प्रॉब्लम हो जाएगी। जीएसटी बिल पर सभी बात कर रहे हैं, लेकिन जब इसको असम में इम्प्लिमेंट किया जाएगा, तो ग्राउंड लेवल पर प्रॉब्लम आ जाएगी। बोडोलैंड एक इंटरनेशनल बाउंड्री पर है, वहां एक्सपोर्ट-इम्पोर्ट होता रहता है। एक दिन ऐसा समय आ जाएगा कि जो बोडोलैंड टेरिटोरियल काउंसिल है, उसकी भूमि पर टैक्स का share क्या हो सकता है? इसीलिए मैं आपके जरिए से सरकार से अनुरोध करता हूं कि कम से कम हम इस तरह की कोई नई संवैधानिक व्यवस्था करें। हमारे यहां छोटी-छोटी एडमिनिस्ट्रेटिव व्यवस्था, जो संविधान के द्वारा की गई है, उस पर नजर डालते हुए, वहां पर इस कानूनी व्यवस्था को कैसे लागू किया जाएगा, इसकी भी पूरी व्यवस्था सरकार करे। इसके साथ ही, मैं इस बिल का समर्थन करते हुए अपनी बात समाप्त करता हूं।

**श्री आनन्द शर्मा** (हिमाचल प्रदेश): माननीय उपसभाध्यक्ष महोदय, आज जिस संविधान संशोधन विधेयक पर सदन चर्चा कर रहा है, वह देश के लिए, जनता के लिए, अर्थ-व्यवस्था के लिए एक विशेष महत्व रखता है। इस संशोधन के माध्यम से जो आज़ादी के बाद पहली बार एक बड़ा परिवर्तन होगा, विशेष तौर पर राज्यों और केन्द्र के बीच में कर लगाना, कर वसूलना और जो कर से पैसा आता है, उसको राज्यों और केन्द्र के बीच में बांटना, उसकी हिस्सेदारी में इससे फर्क पड़ेगा। जीएसटी जो गुड्स एंड सर्विस टैक्स है, इसके बारे में हम सब को मालूम है। वित्त मंत्री जी ने सुबह इसके बारे में चर्चा शुरू की, पूर्व वित्त मंत्री चिदम्बरम जी ने विस्तार से इसके बारे में खुलासा किया। मैं उन बातों को फिर से नहीं दोहराता हूँ। जो देश के कारखानों में, उद्योग में सामग्री बनती है, माल और सेवा पर सही रूप में कर और राज्यों में वाणिज्य और व्यापार में इससे परिवर्तन होगा। इसका एक विशेष महत्व यह भी है, जहां तक देश की अर्थ-व्यवस्था का प्रश्न है कि सघ एवं राज्यों में राजस्व का वितरण, रेवेन्यू शेयरिंग और इस तरह से आने वाले समय में जीएसटी के लागू होने के बाद किस तरह से वह प्रभावित होगा, किस तरह से राजस्व में, रेवेन्यू कलेक्शन में इजाफा होगा? इसका एक उद्देश्य बड़ा स्पष्ट है। जैसा कहा गया कि एक तो राजस्व बढ़ेगा, दूसरा टैक्स की दर घटे, क्योंकि इनडायरेक्ट टैक्स हिन्दुस्तान के अंदर बहुत ज्यादा है, अगर दूसरे देशों की तुलना में comparative economy को देखें, तो हमारी जनता पर ज्यादा बोझ है। यह एक अच्छी बात नहीं है। प्रयास यही होना चाहिए और इसी को सोचकर इसकी परिकल्पना की गई थी कि इसको कम किया जाए, एक uniformity लाई जाए, सरलीकरण हो, एक कॉमन मार्केट बने, एक पूरा बाजार हिन्दुस्तान में बने, ताकि पूरे देश के अंदर एक राज्य से दूसरे राज्य में माल और सेवा, Goods and services का आवागमन बिना बाधा के हो। यह कहां तक संभव हो पाएगा, यह कहना शायद अभी किसी के लिए भी आसान नहीं है। केन्द्र के लिए और राज्यों के लिए इसमें कई चुनौतियां हैं तथा इसमें कई इम्तिहान भी होंगे। अभी तो संविधान का संशोधन है, उसके बाद सही रूप में GST का कानून बनेगा, Central GST, IGST और राज्यों की GST. जहां तक मेरी जानकारी और समझ है, उसमें अभी तक कोई सहमति नहीं बन पाई है।

महोदय, 2006 में उस समय के वित्त मंत्री द्वारा इसकी औपचारिक घोषणा की गई थी और दस वर्ष के बाद 2016 में हम आज इस पर चर्चा कर रहे हैं और इसको पारित करने का प्रयास कर रहे हैं। यह सही है कि दस वर्ष के इस लम्बे सफर में कई बातें हुईं, राज्यों व केन्द्र में चर्चा हुई और तमाम स्टेक होल्डर्स ने अपने विचार दिए तथा 2011 में बिल आया। आज जो देश के राष्ट्रपति हैं, उस समय के वित्त मंत्री प्रणब मुखर्जी जी ने इसको पेश किया था। अच्छा होता कि उस समय चर्चा होती, तो शायद तीन-चार साल का जो वक्त गुजर गया, इसमें देश की अर्थव्यवस्था को भी लाभ होता। आज जो बात हम कर रहे हैं कि टैक्स कम होगा, एब बाजार बनेगा, एक कॉमन मार्केट बनेगी, यह उस समय भी हो सकती थी। आज भी मेरा यह मानना है कि यह निर्णय कांग्रेस का, यूपीए सरकार का एक बड़ा निर्णय था, एक ऐतिहासिक कदम था। आज देश के प्रधान मंत्री माननीय नरेन्द्र मोदी जी, हमारे मित्र, नेता सदन, वित्त मंत्री अरुण जी इसके महत्व की बात बताते हैं कि इससे देश को कितना फायदा होगा? यह देश में चर्चा का विषय रहा है। जो विलम्ब हुआ, वह भी चर्चा और बहस का विषय रहा, इसमें कोई शक नहीं है। दुर्भाग्य की बात यह है कि दोषारोपण भी हुआ है, जिसको मैं अनावश्यक समझता हूँ। हाल का दोषारोपण न्यायोचित नहीं है, अगर वह न होता तो बेहतर होता। देश की जनता को गुमराह करके

इतना बड़ा फैसला नहीं होता और न ही बड़ा फैसला करने के लिए राजनैतिक दलों में विभाजन और राज्यों में विभाजन एक अच्छी सोच हो सकती है। कांग्रेस की सोच इसके बारे में स्पष्ट रही है कि राजनैतिक दलों के बीच बातचीत हो, आम सहमति बने। क्योंकि कोई भी संविधान संशोधन, कोई भी नया कानून शायद सर्वसम्मति से बनाना मुश्किल होता है और इसमें बिल्कुल कोई कमीबेशीन हो, परफेक्ट हो, वह भी शायद संभव नहीं है, इसीलिए आम सहमति, consensus जरूरी है। हमारे पूर्व प्रधान मंत्री डा. मनमोहन सिंह जी ने भी यह प्रयास किया और हमारे पूर्व वित्त मंत्रियों ने किया, जिसकी आज चर्चा भी हुई और आप उस बात के पूरी तरह से जानकार भी हैं कि बातचीत चली, सही तस्वीर बताने की, समझाने की कोशिश हुई, पर कामयाब नहीं हुए। इस चर्चा के माध्यम से यह जरूरी हो जाता है कि वह सही तस्वीर, पृष्ठभूमि और घटनाक्रम की, उसकी याददाश्त भी ताजा की जाए, वरना चर्चा अधूरी होगी। उसका जानना हिन्दुस्तान के लोगों का अधिकार है और उसको बताना हम अपना कर्तव्य समझते हैं। पूरे सदन के सदस्यों का यह कर्तव्य है। संविधान में जब इतना बड़ा संशोधन होगा, पिछले 10 वर्षों से उसके गुण, उस के लाभ की कहानी, देश की जनता को बताएं। उस समय इस का विरोध हुआ था। महोदय, इस सदन में बैठे सदस्य और देश की जनता जानती है कि उस समय का विरोध राजनीति से प्रेरित था, सैद्धांतिक विरोध नहीं था। वह विरोध वर्षों तक रहा। जब आप यहां इस तरफ बैठे थे, तो इस पर सोच दूसरी रही और मुख्य रूप से इस का विरोध भारतीय जनता पार्टी की सरकारों से हुआ था - गुजरात से विरोध हुआ था, मध्य प्रदेश से विरोध हुआ था। उस समय देश के अंदर जीएसटी बिल के खिलाफ जो मोर्चा निकाला गया, अभियान चलाया गया, उसका नेतृत्व, यह दुख की बात है कि मौजूदा प्रधान मंत्री, जो उस समय गुजरात के मुख्य मंत्री थे, श्री नरेन्द्र मोदी ने स्वयं किया। यह जिम्मेदारी उन्होंने स्वयं उठायी। उसके बाद, आज समय बदला। मैं यह बात कहना आवश्यक समझता हूं कि उस समय कहा गया कि यह जो जीएसटी बिल यूपीए की सरकार लायी है, वह संघीय प्रणाली को चोट पहुंचाता है, वह देश के हित में नहीं है, वह राज्यों के हित में नहीं है, वह राज्यों को कमजोर करता है, वह संविधान के खिलाफ है। जब ये बातें कही गयीं, तो हमें दुख पहुंचा था। उस समय वर्षों की सोच के बाद जो मसौदा तैयार हुआ, उस में सब की जिम्मेदारी थी क्योंकि यह देश सांझा है, आपका, हमारा, सभी राजनीतिक दलों का, सभी राज्यों का और 125 करोड़ हिन्दुस्तान के लोगों का है। यह देश, इस विषय पर या किसी और विषय पर बट नहीं सकता, चाहे सत्ता पक्ष हो या प्रतिपक्ष, इस बारे में राष्ट्रहित का प्रमाणपत्र देने की जरूरत न हम को है और न किसी और को है। सब को राष्ट्रहित, समाज का हित और जनता का हित अच्छी तरह से मालूम है, लेकिन उस समय यह हुआ और 2014 के बाद बात बदली। आप उस तरफ गए और हम इस तरफ आए। सी.एम. मोदी, पी.एम. मोदी बन गए, तो उनकी परिकल्पना, उनकी सोच, जीएसटी बिल के प्रति उनकी भावना बिल्कुल बदल गयी। हमें उस पर कोई आपत्ति नहीं है, लेकिन एक बात का आप से आग्रह करूंगा कि जब आप इतना बड़ा कदम उठा रहे हैं, अच्छा होता प्रधान मंत्री भी यहां होते क्योंकि उन्होंने हाल में काफी कुछ कहा है कि जो इस पर मदद नहीं कर रहे हैं, वे आत्महत्या कर रहे हैं, राष्ट्र का अहित कर रहे हैं। शायद ये बातें खत्म हो जातीं क्योंकि जब आपने महत्व समझ ही लिया, तो यह भी कह देते कि निरंतरता है और जो काम वर्षों से चल रहा था, उसे हम एक निष्कर्ष पर पहुंचाने की कोशिश कर रहे हैं और जो यूपीए की सरकार ने, कांग्रेस ने, डा. मनमोहन सिंह ने प्रधान मंत्री के रूप में और हमारे वित्त मंत्रियों ने, जो बात सामने रखी थी, वह राष्ट्र के हित में थी और जो कहा गया, उसके लिए खेद भी व्यक्त किया जाता, तो यह अच्छी बात होती। देश के लोग भी जानते कि सही रूप में दोनों दलों और

[श्री आनन्द शर्मा]

सब राजनीतिक दलों के बीच में एक सहमति बन गयी और सब लोग मिलकर आज इस काम को करने जा रहे हैं। मैं शिकायत नहीं कर रहा, लेकिन यह जरूरी है क्योंकि जब संसद के अंदर चर्चा होती है, तो इन बातों का जिक्र आवश्यक हो जाता है कि जो विरोध था, वह सिर्फ सैद्धांतिक नहीं था। जो भी कारण बने और 2014 में आप यह नया बिल लाए। कांग्रेस पार्टी ने कुछ बुनियादी बातें उठायीं और अन्य दलों ने भी कुछ बातें रखीं। यह रास्ता बातचीत का था और बातचीत से बड़ी-बड़ी समस्याओं का हल निकलता है। यह तो एक देश है, केन्द्र और राज्यों में बातचीत होती है, दो राज्यों में मतभेद या विवाद हो, तो बातचीत होती है और अगर देशों के बीच भी विवाद हो तो भी बातचीत से रास्ता निकलता है। चाहे जितना भी तनाव, टकराव रहा हो, आखिर में बातचीत से हल निकलता है और दूसरा कोई रास्ता नहीं है। हमने यह कहा था कि आप बात करें और आम सहमति बनाएं। हमारी कांग्रेस की अध्यक्ष श्रीमती सोनिया गांधी, पूर्व प्रधान मंत्री मनमोहन सिंह जी ने प्रधान मंत्री जी से, जिसमें वित्त मंत्री जी आप भी थे, वेंकैया जी आप भी थे, तब आप पार्लियामेंट्री अफेयर्स मिनिस्टर थे, आप अच्छे थे, उस चर्चा में मौजूद थे, उस चर्चा में आप सभी से तीन बातें कही गई थीं। वे मांगें क्या थीं? पहली एक मांग पर चर्चा हो चुकी थी कि राज्यों को जो रेवेन्यू लॉस होगा, राजस्व की हानि होगी, उसके लिए आप उनको पाँच साल के लिए compensate करें, उसको मान लिया गया था। अगर वह नहीं होता तो आम लोगों पर बोझ बढ़ता।

दूसरी बात, 1 परसेंट surcharge, जिसका cascading effect होता, उस पर हमारा विरोध था। हमारी यह मांग थी कि इसको वापस लें। इससे हिंदुस्तान के आम आदमी पर, उपभोक्ता पर बोझ बढ़ता है और जीएसटी के माध्यम से, आपकी जो मंशा है, आपका उद्देश्य है कि जीएसटी टैक्स को कम करें, वह टैक्स कम नहीं होगा, वह बढ़ेगा।

हमारी दूसरी मांग dispute redressal mechanism की थी, राजस्व की बातों को लेकर जब हमारे टैक्स इसमें समा जाएंगे, चूंकि जीएसटी एक समावेशी टैक्स है, राजस्व के लिए केन्द्र जो कर लगाता है, राज्य की सरकारें लगाती हैं, वे सभी कर इसमें शामिल हो जाएंगे। उसकी सूची लंबी है। उसके बाद GST Council की सिफारिशों के बाद, recommendations के बाद विवाद होंगे। ये विवाद राज्यों के बीच हो सकते हैं, केंद्र और राज्यों में हो सकते हैं, एक से ज्यादा राज्यों और केंद्र में हो सकते हैं। हमारी यह ठीक मांग थी कि एक mechanism बनाया जाए। जो पहले हमारे बिल में था, उसको सुबह चिदम्बरम जी ने भी कहा कि कोई अथॉरिटी बने। मैं इस बात को स्वीकार करने में बड़ी मुश्किल समझता हूँ कि टैक्स के विषय को लेकर अगर कोई dispute होता है, उसका adjudication नहीं होता, तो मैं कहूँगा कि वह हमेशा होता है। आप किसी भी टैक्स को ले लें, अगर विवाद होता है, कोई dispute खड़ा होता है, तो वह adjudication के लिए जरूर जाएगा। वह जो भी रहा, लेकिन बातचीत से हमारी आम सहमति बनी कि, the GST Council shall establish a dispute redressal mechanism. This is an improvement. Still, it could have been better, to bring more clarity.

(श्री उपसभापति पीठासीन हुए)

हमने जो किया, इन दो बातों पर जो रास्ता निकला, उसके बाद संभव हो पाया कि आज हम

इस पर गंभीरता से चर्चा कर रहे हैं और आगे बढ़ने की कोशिश कर रहे हैं, पर यह बात तो पहले भी हो सकती थी। हम इसको राजनीति की वजह से नहीं रोक रहे थे, बल्कि हमने तो यह बार-बार कहा था। हम जीएसटी लाए थे, हमने लिखा था, हमने इसको पेश किया था, हम आपसे आग्रह करते रहे, आपको मनाने की कोशिश करते रहे, आप नहीं माने, इसलिए यह कहना कि हम जीएसटी के विरोधी हैं, यह इन्साफ की बात नहीं है। हम जीएसटी के पक्षधर हैं। हम हमेशा चाहते थे कि जीएसटी हो और जो तीन बातें हमने उठाई थीं, अगर बातचीत पहले होती, राजहठ नहीं होता, तो शायद यह बिल पहले ही आ जाता। पर अच्छी बात है, देर आए-दुरुस्त आए। चलो आ तो गये, चाहे बातचीत से ही आए। जब हम पहले बातचीत की मांग करते थे, तो हमसे क्या कहा जाता था? हमने कहा जाता था कि ज्वाइंट सेशन बुला लो, कोई जरूरत नहीं है, बाकी सब दल इकट्ठे हो गए हैं, ऐसा नहीं होता, इतना बड़ा काम सबकी सहमति से, सबकी शामिलियत से होता है और उसी को सही कहा जा सकता है।

हमारी तीसरी बात, जिस पर चर्चा हुई, कई सदस्यों ने कहा, चिदम्बरम जी ने भी कहा, वह जीएसटी रेट कैप की है। जीएसटी रेट कैप क्या है? यह सही है कि इसकी मांग हुई थी कि इसको संविधान में रखें, जो कि सरकार के लिए संभव नहीं हुआ। उस पर राज्यों के अपने विचार हैं, राज्य स्वीकार नहीं करते थे। हमने उस बात को समझा, पर हम इस बात को आज भी मानते हैं कि GST का रेट जरूर तय होना चाहिए और GST का रेट कानून में जरूर आना चाहिए। हिन्दुस्तान के लोगों पर कोई भी टैक्स नहीं लग सकता, यह संवैधानिक प्रक्रिया है, अगर कानून के अन्दर टैक्स mention न हो। Without mentioning any tax rate in a law, no tax can be imposed, no tax can be collected. Now, this is a very clear position. So, our demands were most reasonable; and Mr. Finance Minister, you being a distinguished lawyer, you have a comprehensive understanding, sound understanding of these issues. Therefore, the issues that we were raising had merit, had the force of logic. We were being correct.

अब हमने जो 18 प्रतिशत की बात कही, वह 18 प्रतिशत की बात हम कोई हवा से लेकर नहीं आए। वह 18 प्रतिशत कहाँ से आया? आपके प्रमुख आर्थिक सलाहकार ने कहा, हमने रिपोर्ट पढ़ी। Chief Economic Advisor की रिपोर्ट का जिक्र हुआ। उसके साथ-साथ, अगर मेरी जानकारी सही है, तो 13th Finance Commission की recommendation में भी यह बात कही गई कि GST 18 प्रतिशत होना चाहिए। Finance Commission कहता है, आपकी सरकार के Chief Economic Advisor कहते हैं, तो उसमें कोई न कोई तो कारण है। उपसभापति महोदय, यह सही है कि आज देश में जो indirect taxes हैं, VAT है, Central Excise है, राज्यों की duties हैं, कई तरह के taxes हैं, उनमें केंद्र कोई 86 प्रतिशत goods पर 12.5 प्रतिशत टैक्स लगाता है और राज्य 56% goods पर 14-14.5 प्रतिशत के बीच टैक्स लगाते हैं, तो औसतन जो हमारा 70 प्रतिशत सामान बनता है, माल बनता है, goods बनती हैं, उन पर 26-27 प्रतिशत टैक्स लग रहा है। अब उसको नीचे लाना है। दुनिया में क्या तस्वीर है? जो अमीर देश है, developed countries हैं, वे 16.8 प्रतिशत पर हैं; कई emerging economies हैं, उनकी average 15 प्रतिशत से नीचे है और जो पूरी दुनिया की global average है, वह 16.4 प्रतिशत है। जब हम इसके लिए कहते हैं कि इसमें clarify होनी चाहिए, जब आप Central GST का, IGST का कानून लाएँगे, तो आप CGST में साफ तौर पर इसको बताएँगे कि कितना टैक्स लगेगा। कहते हैं कि

[श्री आनन्द शर्मा]

इसमें predictability जरूरी है, पर निश्चितता आवश्यक है। देश में उद्योग को, उपभोक्ता को यह पता होना चाहिए कि उन पर कितना बोझ पड़ेगा, वे कितना टैक्स देंगे। अगर देश की जनता पर बोझ बढ़ता है, ...(समय की घंटी)... तो वह हमारे लिए स्वीकार्य नहीं होगा। हमने पहले भी कहा है, हम इसलिए भी कहते हैं, यह बड़ा संशोधन है, इस पर चर्चा हो। वित्त मंत्री जी, इसलिए आज मेरा आपसे एक आग्रह रहेगा कि हम इसलिए कहते हैं कि इसको कानून में डालिए, क्योंकि हम इसको किसी भी सरकार की मनमानी पर नहीं छोड़ सकते हैं। ...(व्यवधान)...

**श्री नीरज शेखर** (उत्तर प्रदेश): सर, यह कब तक चलेगा, यह हम लोगों को पता चल जाता, तो अच्छा रहता। ...(व्यवधान)... सर, मैं पता करना चाहता हूँ कि यह कब तक चलेगा?

MR. DEPUTY CHAIRMAN: No, no please. ...(Interruptions)... Please try to conclude. ...(Interruptions)...

SHRI ANAND SHARMA: Sir, I am wrapping up the debate. ...(Interruptions)... Sir, this is an important issue, and I wish no one is interrupted.

MR. DEPUTY CHAIRMAN: That is why I am allowing you. Please

**श्री आनन्द शर्मा:** थैंक्यू सर, तो आपके माध्यम से मैं सदन में कह रहा था कि इसको हम executive arbitrage की तरह न करें कि आज बढ़ा दिया, कल घटा दिया, जिस तरह Excise Duty के साथ रोज होता है, हर सप्ताह होता है, महीने में चार बार होता है, वह इसके साथ नहीं होना चाहिए।

दूसरा, यहां पर जो मांग की गई है, मैं उसका पूरा समर्थन करता हूँ। हमको संविधान को भी देखना है और देश को भी देखना है। We are a Union of States. हमारे देश के अंदर एक संघीय प्रणाली है, संवैधानिक प्रजातंत्र है। राज्य सभा, Council of States है। यहां राज्यों के प्रतिनिधि बैठे हैं। यह जो कानून बनेगा, वह राज्यों से सीधा संबंध रखता है। राज्य इसमें principal stakeholders हैं। इसलिए जब यह कानून बनेगा, तो यह Finance Bill बनना चाहिए, यहां पर चर्चा होनी चाहिए। संघीय प्रणाली के अंदर, राज्य सभा को इससे बाहर रखना परम्पराओं के खिलाफ होगा और यह संविधान को कमजोर भी करता है। अगर आप इस बात को समझेंगे नहीं और स्वीकार नहीं करेंगे, तो वह उचित नहीं होगा।

अंत में मुझे आपसे एक बात कहनी है, आपकी exclusion list क्या है? केन्द्र की exclusion list और राज्यों की exclusion list के बारे में तो सबको मालूम होनी चाहिए। सबको पता लगे कि कितनी चीजें बाहर रखी गई हैं और उनमें राजस्व का कितना percentage loss होगा? आपने petroleum को डाल लिया, electricity को डाल लिया, लेकिन इनको zero tax पर रखा है। अगर आप भारत की इंडस्ट्री का core sector भी देखें, तो intensity of electricity बहुत हाई है।

अब petroleum की बात आती है। दिल्ली में petrol 62 रुपये में मिले, चेन्नई में 70 रुपये में मिले,

अहमदाबाद में 75 रुपए में मिले और लखनऊ में 60 रुपए में मिले, यह कोई अच्छी बात नहीं है, फिर आप इसको common market नहीं कह सकते। Shri Parthasarathi Shome, जो पहले आपके Economic Advisor रहे, अब तो वे नहीं हैं, लेकिन अगर मैं उन्हीं के शब्दों में कहूँ, तो उनका कहना है, "Petroleum is out; it is not GST; it will not be a common market; no tax policy designer will call it GST because petroleum, diesel - when we talk of the transaction cost - petroleum products, diesel and petrol are the biggest multipliers."

आप इसे कम करना चाहते हैं और दुनिया के बाजारों के लिए अपने industrial produce को competitive बनाना चाहते हैं, तो transaction cost कम करनी होगी और उसके लिए आपको petroleum पर यह लगाना पड़ेगा और उसके लिए आपको सहमति बनानी पड़ेगी।

इसके साथ alcohol की बात आती है। Alcohol को इससे बाहर क्यों रखा जाए? मुझे मालूम है कि इस पर सहमति नहीं बनी है, आपको भी परेशानी है और पहले वित्त मंत्री को भी रही थी, लेकिन इससे कितना राजस्व आता है? आप Revenue Neutral Rate बना रहे हैं। किसी भी राज्य को राजस्व की हानि होगी, उसको compensate करेंगे, लेकिन अगर राजस्व की हानि नहीं होगी, revenue loss नहीं होगा, तो alcohol को आप बाहर कैसे रखते हैं? जब आप अपना उत्तर देंगे, तो यह बताएं कि सिर्फ petroleum and alcohol, इन दोनों के कारण revenue tax-base पर 20 per cent का फर्क पड़ता है। आप कोशिश करें, अगर आपने इसमें tobacco को शामिल किया है, तो आप इसको भी शामिल करें। ...**(व्यवधान)**... जी हां, आप बिल्कुल ठीक कह रहे हैं, लेकिन मैं राजस्व के revenue tax-base की बात कर रहा हूँ।

उपसभापति महोदय, मेरे लिए यह बताना जरूरी है कि आज भी वे राज्य, जो alcohol पर excise collect करते हैं, जो tax authority की रिपोर्ट करते हैं, उस पर उनको जो आमदनी होती है, क्या वह भविष्य में भी होगी? अगर वे 10 रुपए लगाएंगे और उनको 10,000 करोड़ रुपए मिलेंगे, तो जीएसटी के framework में राज्यों को उससे वंचित तो नहीं किया जा रहा है? तब आप उसको इसमें शामिल करें और अगर उसके लिए बाद में सहमति बने, तो फिर एक बार, एक और संविधान संशोधन होगा और फिर तीन वित्त मंत्रियों के बीच में दस साल तक यह बात घूमेगी। लेकिन आप अभी से सोचें, इस पर बातचीत करें और GST Council में बात करके आम सहमति बनाएं। ...**(समय की घंटी)**...

मुझे अंत में आपसे एक बार पुनः यही बात कहनी है, वित्त मंत्री जी, एक अच्छे वातावरण में बड़ा काम हो, इसके लिए जो बातें हमने कही हैं, उनको आप गंभीरता से लें। और यह जो टैक्स का रेट है, आप प्रयास करें, जो कहा गया, जो आपने कहा, हमने आपकी बात मान ली, आपने कहा कि 18 प्रतिशत, हमने कह दिया कि 18 प्रतिशत, अब उस पर रहें। हमारी यह मांग हमेशा बनी रहेगी कि हिंदुस्तान की जनता पर, गरीब जनता पर बोझ नहीं पड़ना चाहिए। ...**(समय की घंटी)**... आप घंटी इतनी मत बजाया कीजिए। जीएसटी के मायने क्या हैं? यह सही रूप में उद्योग पर, उपभोक्ता पर बोझ कम हो, यह आप करेंगे, तो उसमें हमारा सहयोग रहेगा, जैसे आज सहयोग है। हमारी बात सुन कर, समझ कर, हमसे बातचीत करके फायदा ही हुआ है। आज आपके लोग जो मर्जी सिर हिलाएं, अगर हमारे साथ बैठ कर बातचीत नहीं होती, इसमें सुधार नहीं आता, इसमें खामियां थीं। आज यह हो रहा है, तो सबके सहयोग से हो रहा है, यह मैं साफ कहना चाहता हूँ, धन्यवाद। ...**(व्यवधान)**...



MR. DEPUTY CHAIRMAN: Hon. Members, all those ...*(Interruptions)*...

SHRI NEERAJ SHEKHAR: Sir, he was given more time than ...*(Interruptions)*...

SHRI DEREK O'BRIEN: Sir, we were given thirteen minutes, we spoke for thirteen minutes; the Samajwadi Party was given twenty-one minutes, they spoke for twenty-one minutes. ...*(Interruptions)*... Only the Congress and the CPM were given extra time. ...*(Interruptions)*... The CPM was given 100 per cent extra time. ...*(Interruptions)*... You please check the record. ...*(Interruptions)*...

श्री सत्यव्रत चतुर्वेदी (मध्य प्रदेश): सर, ऑन द रिकॉर्ड दिखवा दीजिए, किस को कितना टाइम दिया? ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: All have taken more time. ...*(Interruptions)*... All have taken more time. ...*(Interruptions)*... बैठिए, बैठिए। ...*(व्यवधान)*...

SHRI DEREK O'BRIEN: The Samajwadi Party, the Trinamool Congress, the Biju Janata Dal, the BJP, the PDP, the NCP ...*(Interruptions)*... Only the CPM was given extra time. ...*(Interruptions)*... Why is CPM given double time? ...*(Interruptions)*... Why? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Listen to me. ...*(Interruptions)*... All have taken...*(Interruptions)*... Mr. Derek O'Brien, all parties have taken more than the allotted time. ...*(Interruptions)*... Let me complete. ...*(Interruptions)*... Let me complete. ...*(Interruptions)*... Mr. Derek O'Brien, did I ask you to stop? When you didn't stop within your allotted time, did I ask you to stop? ...*(Interruptions)*... Don't say this. ...*(Interruptions)*...

THE LEADER OF THE OPPOSITION (SHRI GHULAM NABI AZAD): Are we interested in GST or are we interested to know who spoke how much? ...*(Interruptions)*...

SHRI DEREK O'BRIEN: I am not befalling the Congress. ...*(Interruptions)*... I am not befalling the Congress Party. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: What is your problem? ...*(Interruptions)*... What is your problem? ...*(Interruptions)*..

श्री नीरज शेखर: सर, जो टाइम है, समाजवादी पार्टी के लिए भी उतना होना चाहिए, कांग्रेस के लिए भी उतना ही होना चाहिए, बीजेपी के लिए भी उतना ही होना चाहिए, दूसरी पार्टियों के लिए भी उतना ही होना चाहिए। ...*(व्यवधान)*...

श्री सत्यव्रत चतुर्वेदी: टाइम जो है, पार्टी के मेम्बर्स के नंबर के आधार पर होता है। ...*(व्यवधान)*...

**8.00 P.M.**

MR. DEPUTY CHAIRMAN: From Samajwadi Party, Mr. Naresh Agrawal spoke; I didn't ask him to stop. ...*(Interruptions)*... Everybody took as much time as one wanted. So, why is this problem? ...*(Interruptions)*... This is very unfortunate. This being a very important discussion, I was liberal. After half time, I became strict. ...*(Interruptions)*... It is always done like that. ...*(Interruptions)*... Those who speak first take more time. ...*(Interruptions)*... I agree that Mr. Anand Sharma has taken more time. He was speaking in such a way that he didn't listen to me. ...*(Interruptions)*... What can I do? ...*(Interruptions)*... After the discussion had started, I got requests from Shri K.T.S Tulsi and Shri Abdul Wahab. If the House has no objection, we can give them two or three minutes. ...*(Interruptions)*...

SHRI K.T.S TULSI (Nominated): Sir, I give up; everything has been said. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay; Shri Abdul Wahab. ...*(Interruptions)*...

SHRI ABDUL WAHAB (Kerala): Sir, first of all, I thank you for allowing me, out of turn, to speak for one or two minutes. I congratulate the Government of India, especially Shri Arun Jaitley, for proposing this Bill even though it is better late than never. Regarding both the sides accusing each other, I would like to say that we, especially the Kerala State, are losing ₹ 3,000 crores every year because of GST. An amount ₹ 12,000 crores has already gone. So, please, जेटली साहब, हमारा compensation भी, at least, 50 per cent देना है। Secondly, this is a memorable day for me because I was longing for this day since a long time. Wherever I went in my State, people used to ask me, "You are a Member of Parliament. What are you doing in Rajya Sabha?" I am here for the last one year, but I could not ask anything on any single day because of the disturbances in the House, for whatever reasons it might be. Sometimes, there was a problem from the Congress side; and sometimes, it was a problem from some other side, but the House was not functioning. So, today, I have got this chance to speak. I thank you for this. It is a memorable day for me. The Government of India has got one award today from International Literacy Mission. I happen to be from Kerala's Malappuram District and I am the Chairman, JSS. I again thank you for having given me a chance to speak.

**श्री अरुण जेटली:** माननीय उपसभापति जी, जीएसटी लाने के लिए जो संविधान संशोधन विधेयक है, उस पर कई सम्मानित सदस्यों ने अपने विचार रखे हैं और एक सदस्य को छोड़ कर प्रायः सभी राजनीतिक दलों ने और जितने भी वक्ता बोले हैं, उन्होंने लगभग स्पष्ट रूप से जीएसटी का समर्थन किया है। स्वाभाविक है कि...

DR. V. MAITREYAN: If the hon. Finance Minister can speak in English, it will be better. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Translation is available. ...*(Interruptions)*... Listen. There should be no dispute over that. ...*(Interruptions)*...

श्री नरेश अग्रवाल: ऐसा क्यों? ...*(व्यवधान)*... आप हिन्दी में बोलिए। ...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: There should be no argument on this. ...*(Interruptions)*... The Minister can speak in any language he wants. There is translation available. ...*(Interruptions)*... Mr. Maitreyan, sit down. You cannot raise that point. That is up to the Minister.

SHRI ARUN JAITLEY: Sir, in both the languages, there is no difficulty. The language, at least, will not be an issue. Sir, I think some clarity is required on how the entire system would function if GST were to come into play. I said in my opening comments that the Parliament is sovereign in the matter of making laws in relation to taxation, which are the Central laws. The State Legislatures also have their sovereignty. Now, both of them are going to retain that sovereignty, but for the purposes of decision making, we are experimenting a new idea in a federal polity where a pooled sovereignty will come in. The Centre and the States will sit together and have a uniform tax structure.

Now, let me, at the very outset, clarify that in this uniform tax structure, both, Centre and States, need to have an effective stake. I used this phrase last week and I am repeating it in this House. This is something that a large number of Members have said. Mr. Sitaram Yechury, in particular, repeated it twice. I have said that the Constitution itself envisages federalism and mentions India as a Union of States. The States admittedly have to be stronger, but the Union also must be there. The Union of States can't exist without the Union being there. India is not a confederation of States; it's a Union of States. And, therefore, to envisage a tax system, as has been suggested by some hon. Members, where effectively, the Union Government gets excluded in the matters of taxation policy, would not be right. Now, what was the system which was envisaged? Sir, in the 2011 Bill, and, I should not be misunderstood. मेरा उद्देश्य यह नहीं है कि मैं यह कहूँ कि उसमें ये-ये गलतियाँ थीं, क्योंकि स्वाभाविक है कि इस तरह का कानून बनने के दरम्यान जब चर्चा होती है, तो वह सुधरता है, हर दिन सुधरता है। 2011 के कानून में यह लिखा था कि 'consensus' के माध्यम से निर्णय होंगे। अब प्रश्न यह आया कि 'consensus' का अर्थ क्या है? Is 'consensus' unanimity? Is 'consensus' 75 per cent of the votes, or, is 'consensus' 80 per cent of the votes? It was generally a word 'consensus'. Obviously, the intention was very

good but to implement it specifically was very difficult. So, the Standing Committee, represented by all political parties, suggested a new system to say that the States must have two-thirds of the votes, Centre will have one-third of the votes but the quorum required for succeeding should be three-fourth. Now, it is half truth when you say that the Centre has a veto on the States. The States also have a veto on the Centre. So, both have a veto on each other, and therefore, the Constitutional structure which they suggested was a structure by virtue of which, both the Centre and the States are compelled to work with each other, and reach an arrangement with minimum 75 per cent people agreeing. But a happier situation is where almost everybody agrees. So, who is there in the GST Council? The GST Council effectively represents all of us who are sitting here. We are the Council of States. It is the State Governments, the State Legislators, who have elected us. So, effectively, it is the same view. Today, when a suggestion is made by the GST Council, there will be seven or eight Finance Ministers of the Congress Party, there will be a Finance Minister of the Samajwadi Party, there will be two of the CPM, there will be one of Trinamool, there will be one of AIADMK, and therefore, every political party which is in power in some part of the country, would be almost directly represented, or, in future, is likely to be represented. So, that Council, along with the Central Government nominees, is the one which will take these decisions, and, if we look at the structure of the empowerment which is given, the powers of Parliament are not taken away; the powers of the State Legislatures are not taken away. If you look at the amendment, clause after clause, it is said, 'Notwithstanding anything contained, the Parliament may and subject to clause 2, make laws', 'Parliament will make this law', or, 'State legislatures will make this law'. Now, in particular, with regard to taxation, there are two matters in which a greater emphasis has been added where it is specifically said that Parliament will make a law on the recommendation of the Council. So, the Council will recommend to us and we will make a law. One is for the purposes of the IGST for the reason that if goods travel from Kerala to Tamil Nadu, who will adjudicate? It is either of the two States. So, one State will adjudicate on the rights of the other. Since the Centre is adjudicating but it affects the rights of the States, the power is with the Centre but our law will be based on what the Council says, which has two-thirds of the majority of the States.

Second more binding principle is the compensation principle. It speaks about the compensation, and, that is the point which Mr. Derek made. This language has been changed to give comfort to the State Governments. Normally, the authority of Parliament is supreme, and therefore, the Constitution throughout says, 'Parliament may make a law'. So, out of respect for Parliament, we always use the word 'may'. But

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the States had an apprehension because of some reason, what if Parliament does not make a law. So, they made a suggestion, which the Legislative Department felt was not correct, but we have still incorporated it, and, put it as, 'Parliament shall make a law'. So, this is going to be the only provision where Parliament is mandated rather than requested to provide for compensation. And this law will also be made on the recommendation of the GST Council so that we don't unilaterally make a law of our choice. So, we act on the advice of the Council. I will just read one more clause from this proposed Bill, and this will answer most of the questions raised in the debate, "The Goods and Services Tax Council will make recommendations to the Union and the States." वह दोनों को यह सुझाव देगी, "On (a) the taxes, cesses, surcharges levied by the Union, the States or the local bodies which are to be subsumed in the Goods and Services Tax; (b) the goods and services that may be subjected to or exempted". अब किसको एक्जम्पशन मिलेगा और किसको नहीं मिलेगा this will be recommended by the Goods and Services Tax Council which will recommend it to the State Assembly or to the Centre. The model goods and services tax laws, तो जिस कानून की हम लोग बात कर रहे हैं उसको वे लोग बनाकर हमारे पास भेजेंगे और इसलिए स्वाभाविक है संसद में उसकी चर्चा होनी अनिवार्य होगी। तीसरा , "(c) the threshold limit of turnover below which goods and services may be exempted; (d) the rates including floor rates with bands of goods and services tax." तो आज बहुत सारी चर्चा चिदम्बरम साहब ने शुरू की कि टैक्स रेट क्या होगा, मैं उसका उत्तर दूंगा। लेकिन जिन लोगों का दो तिहाई say है और वे कोई अनजान लोग नहीं हैं, they are all elected State Governments of States and Union Territories, 30 of them. Sitting with the Central Government, they are going to make a recommendation कि मुझे कितने टैक्स की आवश्यकता है। Are States enemies of the people that they will say that we are going to tax people twice more than it is necessary? If they do that, they will be voted out of power. So, we must trust the sense of responsibility of the States who belong to the same political parties as us, who have, in their meeting last week, said that our guiding principle is going to be, one, that we will lower the basis of the tax. So, we will lower the present rates. And, on lowering the present rates, I think, Mr. Anand Sharma just now made a very valid point. आज की स्थिति क्या है? सेंट्रल गवर्नमेंट एक्साइज चार्ज करती है। लगभग 80 परसेंट आइटम्स पर एक्साइज के साढ़े बारह परसेंट टैक्स है। आनन्द जी ने यही अभी आंकड़ा दिया। राज्य जो वैट चार्ज करते हैं, लगभग 55 परसेंट आइटम्स पर वैट साढ़े चौदह परसेंट है। अगर इसकी वैटेड ऐवरेज ले लें तो लगभग 65, 70 परसेंट आइटम्स पर कम्बाइंड टैक्स 27 परसेंट है राज्य और केन्द्र का मिलाकर। इसमें अब हम सेसेज भी डाल दें, लक्जरी टैक्स डाल दें, octroi और एन्ट्री टैक्स डाल दें और जितने छोटे-छोटे टैक्स लगते हैं, वे सब डाल दें तो यह फिगर 30 या 30 से ऊपर चली जाती है। अब आज उस आंकड़े के ऊपर जब वह टैक्स सब स्टेट और सेंटर में

बंटता है तो उससे गुजारा चलता है। लेकिन जीएसटी आने के बाद कम से कम तीन परिवर्तन आएंगे। पहला परिवर्तन यह होगा, और जो चिदम्बरम साहब ने ठीक कहा, I think he made a valid point when he said that the system will be more efficient; it will be more compliant. Avoidance will become more difficult because you will be detected at some stage or the other. So, from your raw material purchase right till the transfer of goods, every stage of value addition, right from the time it enters the network, till the point it is sold, if at some stage it enters the system, it is possible to enter the transaction and then check evasion. Now, once this is possible, the system will become more efficient. The second will be that there will be no cascading effect of tax on tax. आज अगर 6 स्टेजेज़ पर टैक्स लगता है तो हर स्टेज पर जो पहले टैक्स दिया गया है उस टैक्स कम्पोनेंट पर भी टैक्स लगता है। जीएसटी में there will be no tax on tax, तो उसकी दर कम आएगी। तीसरा, इसके साथ एक और तर्क यह है कि कई आइटम्स ऐसे हैं, जिनके ऊपर या तो लोअर रेट का टैक्स लगेगा या टैक्स नहीं लगेगा। When we speak of inflation, let me just give a figure for the benefit of this House. In the Consumer Price Index, 54 per cent of the CPI basket is tax exempt, GST exempt, as of today. And, probably, that kind of trend, the Council will take into consideration. Why would they want to add to inflation? Sir, 32 per cent are taxed at a lower rate, which is currently for the States. For Central Government, it is 6 per cent. Only 15 per cent are taxed at the standard rate. So, आज भी यह स्थिति है। When all these factors — there being no tax on tax, system becoming more efficient and evasion becoming more difficult plus lower rate of tax or tax on certain items, that this 27 to 30 per cent will bring the rate down etc., how much will it bring it down? Over a period of time it will increase. Now, those who have to decide this say, we are guided by two factors. Our first factor is that this 27 per cent or 30 per cent is too high. It is inflationary. It costs the people, therefore, the rate must come down. So, the first guiding principle, and that is a Resolution that the State Finance Ministers passed is, that the rate should come down. Second they said, we will collect what is essential for our present revenue requirements. Every State said, I have a commitment to my own people in terms of poverty alleviation schemes, social sector schemes, in terms of developmental activity. Now, it is very easy to speak in terms of, say, let me put a cap. Let me tell you, even the 18 per cent, that you suggested based on the Chief Economic Advisor's Report, even if you read that Report carefully, there are some factors and when the Report went to the State Finance Ministers, they said our calculations differed. So, that is the Chief Economic Advisor's view. But the State Finance Ministers did not agree with that view. They wanted a slightly higher one because they wanted a cushion. The first factor is that the Report does not take into consideration — it is based on the 2013-2014 figures — any cesses that have been levied subsequent to that. That is the first factor that the Report did not take into consideration.

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The second factor it did not take into consideration is the compensation that the Centre will have to pay to the States. The Chief Economic Advisor — I have got the Report before me — did not say 18 per cent. He gave a band of 16.9 per cent to 18.9 per cent. You can approximately treat it as 17 per cent to 19 per cent. If you take it as a band of 17 per cent to 19 per cent, and adding these two factors, it would move slightly up. He is optimistic that this figure can be maintained. If this figure can be maintained, it will be a very successful GST. The States were not as optimistic as him. The States felt that you are expecting us to come down from 27, 28 or 29. Suddenly, a 7, 8 or 10 per cent fall, seems utopian to us. It does not seem real. So, as we stand today, we are in the realm of a situation where the exact calculation of rupee and a pie will have to be done. That is an economic and an arithmetic exercise. That cannot be based on a political desire. The political objective is very clear. I share your objective, the rate has to come down. Therefore, the rate must be reasonable. We will try for the most reasonable rate. But this is effectively, as we stand today, as far as the rates are concerned. I think, to implement GST is a headache and to be a former Finance Minister is a luxury now. Mr. Chidambaram said, "he went from pillar to post and so did his predecessor." You must seriously, today, look back as to why it was not successful. As a political argument you can say, 'Oh! The Gujarat Chief Minister at that time did not agree.' ...*(Interruptions)*... Let me tell you. Put that 2011 Bill before the State Governments today and you will not find one State Government proposing the Bill in that shape. And I will tell you the reason. In the first meeting of the State Empowered Committee that I attended, I was told that all the Finance Ministers, including those of my party, including the Gujarat Finance Minister, even with the change of Government, were not willing to trust the Centre. I asked why they said, 'Since 2009, 2010 and 2011, for three years, CST had been promised. We are in 2014 and not a single rupee has been paid.' Therefore, I promised them that from 2014, in three instalments, I would pay the CST. And, for 2014-2015, I paid one-third and one-third each from the Central revenues. And this was the pre-condition for a dialogue. Every BJP Chief Minister and the NDA Finance Minister also took the same stand. For this year, the third instalment is being paid, of which the first part has been paid. So when Mr. Derek says, 'Please clear our dues', he is right. This was the pre-condition with this Act. What was the second problem they had? The second problem they had was: If we lose money, how do you compensate us? The 2011 Bill did not mention anything about the compensation. So, today, in the 2014 Bill, when we suggested that we would pay

compensation for five years, so distrustful were the States of the Centre — my original proposal was full compensation for three years, thereafter, one half for one year, one-fourth for the fifth year — that the States said, "Nothing doing, give us full compensation for five years." So, instead of the word 'may', — it was, earlier, "The Parliament 'may' by law provide for compensation" — they said, "We don't even trust your 'may', make it 'shall' because your intention in the past had never been to pay; CST was not paid." That is how 'may' has become 'shall'. ...*(Interruptions)*... It is unprecedented, but, that is how 'may' became 'shall'. Therefore, in the 2011 Bill, this provision for compensation was not there. Maharashtra, Tamil Nadu, Karnataka and Gujarat, all, at that time, belonged to different political parties. These four States were speaking one language. They said, "We are manufacturing States. We have invested thousands and thousands of crores for better infrastructure for manufacturing. We have invested more in power, we have invested more in ports, we have invested more in highways and so on. So, because we have invested more and now this is a destination tax, the consuming States will benefit. I have spent on creating a manufacturing infrastructure. I am going to lose. So, what is the methodology of compensating me and your Bill did not have a provision." That is why they led this entire protest. And I don't think we should, actually, take it in an adversarial sense that this is Congress *versus* BJP. Even amongst the BJP, there were consuming States, which had a stand diametrically opposite to the one that Gujarat had because that depended on the interest of the State itself. Mr. Chidambaram has mentioned that the Bill has a clumsy drafting because it says that some of the revenue collected will not be part of the Consolidated Fund of the Centre, or, the Consolidated Fund of the State. The argument was that every revenue has to go into the Consolidated Fund. I think using the word "clumsy drafting" is a bit too extreme expression. I thought probably the best draftsman India ever had was Mr. B.N. Rao who aided Dr. Ambedkar. And the phrase which you called "clumsy drafting" is verbatim of article 268 (2) of the original Constitution, you picked up. This was Mr. B.N. Rao's draft which Dr. Ambedkar, as the Chairman, forwarded. The procedure is that in any financial year, any such duty leviable within a State shall not form part of the Consolidated Fund of India, but shall be assigned to that State. Similarly, the Constitution has been amended, and the similar language has been included in article 269 (2) and the reason is the following. Why do you not include a part of the revenue into the Consolidated Fund? In a GST system — this is one of the questions, Mr. Derek O'Brien has raised — you can't have the same assessee being assessed simultaneously by the Centre and the States. In some cases, Mr. Derek O'Brien's point was, below ₹ 1.5 crores the States must have power; it is a functional necessity, they will have to find an answer to this. The State will do it. In higher cases, the Centre will do it. Where the Centre collects the revenue through the computer network, the State's



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share is then credited to the State. Similarly, जहां स्टेट रेवेन्यू इकट्ठा करता है और वह सेंटर के हस्से में थोड़ा-सा आना है, it is credited to the Centre. अब इसको अगर सेंटर या स्टेट के consolidated Fund में डाल दिया, तो फिर पहले संसद आना पड़ेगा और फिर Appropriation के through हर राज्य को उसका हस्सा मल्लिगा। So, if I collect some tax for Tamil Nadu, Tamil Nadu will have to wait till the Appropriation Bill is passed by the Parliament before it gets that revenue. To avoid that situation, you now have a provision that it will not be credited to the Consolidated Fund of the Centre or the State, and, therefore, the apportionment will take place outside itself.

With regard to dispute resolution, what was the position? It is true that the original Bill in 2011.

SHRI P. CHIDAMBARAM: I certainly do not claim to be as wise or clever as late Shri B.N. Rao. The hon. Finance Minister has pointed out two provisions in the Constitution where the phrase 'shall not form part of the Consolidated Fund of India' is used. I don't dispute that. But it doesn't stop there. "But shall not form part of the Consolidated Fund of India, "but shall be assigned to that State." Similarly, article 269 says, "Shall not part of the Consolidated Fund of India, but shall be assigned to that State." All I am pointing out is, when you say, in your Amendment No.3, "Such amount shall not form part of the Consolidated Fund of India", you should have added, "but shall be" what happens to that money. It has to go somewhere. I am implying it will go to the State. But you should spell it out and say, "but shall be assigned to that State." Likewise in Amendment (1 C) when you say, "Such amount shall not form part of the Consolidated Fund of the State", you could have added "but shall be assigned to"; it can't be that it can go nowhere. That is all I am pointing out. I didn't say it is a wrong drafting; it is a clumsy drafting.

SHRI ARUN JAITLEY: Well, since I drew out the history of the 'clumsy drafting' from the Constituent Assembly itself, I think a hair-splitting is not a response to this. Now, if you go back to the amendment to Article 269A, Sub-Clause (1) clearly says, "... shall be apportioned between the Union and the States in the matter provided..." so and so. Then, it further says in 1(a), "This amount apportioned to a State shall not be a part of the Consolidated Fund." So, it exactly says what you are trying to say. But, in any case, I take it that it was not a case of a clumsy drafting; it had a good Constitutional precedent.

One of the questions raised was with regard to the dispute redressal mechanism. The original Bill spoke in terms of a mechanism that would be judicial or quasi-judicial

in nature. When it went to the Standing Committee, the Standing Committee spoke in one voice. And, probably, the spirit of what the Standing Committee said was that these issues are predominantly political. मान लीजिए, दो राज्यों के बीच या राज्यों और केन्द्र के बीच टैक्स की दर कितनी हो, इसको लेकर समझौता नहीं हो पाता है या यह झगड़ा है कि किसी राज्य को कितना मुआवजा देना है, I mean, these are the kind of disputes which would come up. Suppose there is a stalemate and we are not able to decide as to what the percentage of division between the Centre and the States is going to be. So, the Standing Committee said that this issue is political between the Centre and the States. Why shouldn't we hand it over to a judicial tribunal headed by a Judge? Let there be a mechanism which the GST Council itself would decide. This is what the Standing Committee, in spirit, said. I have before me the recommendations of the Standing Committee, which were then processed by the Ministry of Finance, and the Ministry of Finance, on the 11th of March, 2014, on paper, accepted that recommendation. Therefore, the language of what was accepted in March, 2014, by the Ministry of Finance and the then Minister of Finance is exactly what I incorporated in the December, 2014 amendment. And I am now told, "Your Bill is completely flawed." But I did not want a confrontation on this issue and, therefore, when we sat in a process of discussion, on one of the questions which were raised, broadly, the consensus was that there would be a dispute redressal mechanism which would be decided by the GST Council itself. The power vests in the Council to decide that. Therefore, an alternate set of language specifying that was suggested. Probably what was suggested was a better language. I have absolutely no difficulty in accepting that language, because ultimately the spirit of what the Standing Committee had recommended was that the Council must decide the nature of mechanism required for a dispute redressal. So, we accepted that. I have no difficulty in conceding that the one per cent additional tax on inter-State transfer of goods, sale of goods, was really brought in with the intention of calming these four manufacturing States. This would have helped them. An expert opinion even at that time was that this would have a cascading effect. There was a divided opinion on this. And finally, since we were cushioning the States with compensation for the loss in five years, even if this one per cent went away, it would make no difference as far as these five States were concerned. Therefore, in the spirit of reconciling the entire issue, we have agreed to this.

Sir, important issues have been raised by several Members. Members particularly from Maharashtra had raised it. It applies both to Maharashtra and Karnataka with regard to the Entry Tax and Octroi. Now, when Octroi and Entry Tax is subsumed into the State GST, the State kitty would expand, but the fear is that the municipality could be, then, starved of funds. That is the entire objective. I had discussed it with the Members from

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Maharashtra, who had raised this issue. Then, in order to bring about clarity on the issue, I had discussed it with the Chief Minister of Maharashtra yesterday. There are various types of solutions which are possible. I have read out the powers of the GST Council, and therefore, you can have under Article 243X of the Constitution which provides for empowering the municipalities to raise taxes. The State Government is empowered to have a law which empowers the municipality to raise their own taxes. That is still open. Alternatively, I put it to the Chief Minister that in the State GST law, could you also consider providing a devolution since this anti tax problem is made in the context of Maharashtra and Karnataka and Maharashtra Chief Minister told me ...*(Interruptions)*...

SHRI PRAFUL PATEL: Sir, Maharashtra MPs are also sitting here...

SHRI ARUN JAITLEY: I will certainly look this way. I must say in all fairness that the day before yesterday, even Praful Patel discussed this issue with me ...*(Interruptions)*...

SHRI SITARAM YECHURY: Shri Chidambaram is also from Maharashtra.

SHRI ARUN JAITLEY: And, therefore, this entire question of the State law itself can give a devolution in favour of the local municipalities and the Chief Minister assured me that he would have absolutely no difficulty in doing that so that the interest of the municipalities in Maharashtra, particularly, Mumbai, which has a large amount of funding because of octroi itself is protected, and tomorrow, a stage does not come that the State Government refuses to give funds and the municipality itself is unable to receive funds. That is not a happy situation. Therefore, a solution within the framework of the GST is very much workable as far as that is concerned.

The AIADMK's basic objection is that it is Federalism. As I have been repeatedly saying, it is an exercise in which the Centre and the States are both pooling in their authority. You are not giving up your power in favour of somebody else. You will be a part of the exercise of that power, and therefore, with pooled sovereignty, if the Centre and the States can come out with a better mechanism and better system, I think, it is in the larger interest to accept that particular proposal. There were similar other questions which have been raised by hon. Members, particularly, the question which Shri Satish Chandra Misra, had raised with regard to Clause 21 of the Constitution Amendment which says, for a specified period, specified in the amendment itself, the President can pass an order altering any of the provisions if he finds that for better functioning, it is required. Now, this is equivalent in an ordinary legislation to a power to remove difficulties which you have in every ordinary law. Now, the argument was, can there be a Constitution

amendment in which, after the Parliament has passed it, the State Governments have ratified it, the President has a power to alter some provisions even for a temporary period itself? This power is conferred on the President under Article 392 of the Constitution, and therefore, Clause 21 is in consonance. Even the 2011 Bill had an identical Clause and most Constitutional Amendments carry that Clause that in case with regard to its functioning there is a difficulty within a given period of time, the President will have a power.

SHRI SATISH CHANDRA MISRA: Article 392 deals more particularly with the 1935 Act and when the new Constitution came into force. It says, the word used is, 'more particularly'.

SHRI ARUN JAITLEY: The words 'more particularly' deal with the original Constitution. I am reading Article 392. It says "The President may, for the purpose of removing any difficulties, particularly in relation to the transition from the provisions of the Government of India Act, 1935, to the provisions of this Constitution — that is from 1935 to the time of provisions of the Constitution — by order direct that this Constitution shall, during such period as may be specified in the order, have effect subject to such adaptations, whether by way of modification, addition or omission, as he may deem to be necessary or expedient. So, Article 392 permits the President, empowers the President to make such changes. It's like a power to remove difficulties, which is there in every law in order to avoid any difficulties itself.

Shri Naresh Gujral's point was whether the input credits are being taken into consideration or not, these will be decided by the Council. The Council is yet to be constituted. The Council will decide these and the Council, after it decides these, will make recommendations to that effect. That situation hasn't come. The Constitutional Amendment is only an enabling legislation. यह तो केवल हम लोगों को अधिकार दे रही है, इस प्रकार की Council और इस प्रकार का अधिकार बनाने के लिए। इसके अंदर वह विषय समाप्त नहीं होता है। दूसरा, एक विषय जो Shri Derek and Shri Sitaram had raised with regard to one particular Amendment which has been made. With regard to the extent of devolution, there was an error in the drafting based on the recommendations of the Select Committee. So, that is only intended to correct that error. We will be taking that up with the Empowered Committee itself. There was no other intention because we can't allow an error to creep into a Constitutional Amendment and therefore, that error had to be corrected. I have checked it up myself. I will explain it to the Chairman and the Members of the Empowered Committee at their next meeting itself. Sir, the principal

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concern is being that we must have a uniform tax structure and I agree with the point which Shri Chidambaram, Shri Anand Sharma and several other hon. Members have raised that an effort has to be made to see that the rate is kept at a reasonable extent. I think we are still one step away from there. Today, we are passing an Amendment which is enabling in character. After an enabling Amendment is passed and the Council is constituted; the Council will, certainly, make its recommendations. Those recommendations, in so far as, they relate to State Assemblies will go before the State Assemblies, to draft laws. The others will come up before the Parliament itself and therefore, when they come up before Parliament; Parliament will get an adequate opportunity to discuss each one of those laws. Then, even with regard to the quantum, I have already explained that there is today a range of opinion amongst experts and amongst the practitioners — I take the Members of the Empowered Committee as practitioners — as to what the rate should be, but on the guiding principle, I don't think we can take an exception to what the State Finance Ministers have decided. They are also trying to keep the rate as low as possible, certainly, much lower than what the present situation is and, as compliance increases, the possibility of that rate coming down further would be there and I am sure this House, as also the other House will always have an opportunity to speak on the subjects, to consider these subjects and find whether it is or it is not working out in a larger public interest. With these few observations, Sir, I commend this Bill to be accepted here.

SHRI A. NAVANEETHAKRISHNAN: Sir, ...*(Interruptions)*...

SHRI P. CHIDAMBARAM: Sir, ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no, please. ...*(Interruptions)*...

SHRI A. NAVANEETHAKRISHNAN: Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Yes, what is your point? ...*(Interruptions)*...

Yes, I will allow you. ...*(Interruptions)*...

SHRI A. NAVANEETHAKRISHNAN: Sir, only one minute. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Yes, okay. All right. ...*(Interruptions)*...

SHRI A. NAVANEETHAKRISHNAN: Thank you, Deputy Chairman, Sir. With due respect to our hon. Finance Minister, the demands made by our hon. Chief Minister of the State Government of Tamil Nadu are not being accepted *in toto* by the Central

Government. Hence, the AIADMK is walking out and not participating in the voting. Thank you. ...*(Interruptions)*...

*(At this stage, some Hon. Members left the Chamber)*

MR. DEPUTY CHAIRMAN: Okay. ...*(Interruptions)*... Yes, Shri Derek. ...*(Interruptions)*... Yes, Shri Derek, what is your question? ...*(Interruptions)*... Shri Derek, only question. ...*(Interruptions)*...

SHRI DEREK O'BRIEN: One clarification, Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Okay, all right. ...*(Interruptions)*... बोलो

SHRI DEREK O'BRIEN: Sir, one clarification only. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Do that.

SHRI DEREK O'BRIEN: Are you are allowing now? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Do that.

SHRI DEREK O'BRIEN: My only clarification to the hon. Finance Minister, through you, Sir, is, today everyone is on board and he has explained the idea of pool sovereignty. No problem; very, very good. We welcome that. Sir, my only one clarification is this. It is because 3rd of August is one date. Then, we have November, when the two other Bills will come, and then the April deadline. Sir, my direct question here is that in those enabling Bills this issue of below ₹ 1.5 crore — that money collected by the States — and above ₹ 1.5 crore goes into the Union and the States. Sir, this is an issue. Sir, today, it is all very well; we all say, 'no'; and then it is again in November. So, there should be no speed-breaker in November; it is all smooth.

SHRI P. CHIDAMBARAM: Mr. Deputy Chairman, Sir, I was quite happy to note very carefully the words used by the hon. Finance Minister towards the end of his speech. He said that the rates will be moderated; the rates will be far less than the current position; and you can expect that the State Finance Ministers are also sensitive to public opinion. Sir, whether they will, in fact, be moderated can be seen only after the recommendation, and only after the draft Bill comes before the House. I was also encouraged when he said, "Both Houses will have an opportunity to discuss it." But he left one thing unsaid. It is a unanimous demand of every political party in this House that the CGST Bill and the IGST Bill must not be brought as Money Bills. The Government ought not to stand on prestige. Any other Bill is passed by a simple majority. If you are a popular Government, as you believe you are, and, as I believe, you are; you can pass it with a simple majority.

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As one of my friends pointed out, there is no reason to believe that the Opposition will scuttle any responsible, reasonable Bill. Therefore, please give us a categorical assurance that when the CGST Bill and the IGST Bill are brought to this House, you will bring it as a financial Bill, and this House will discuss and vote upon that Bill. ...*(Interruptions)*... You lose nothing that way.

SHRI C.M. RAMESH: Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Just one second. ...*(Interruptions)*...

SHRI ARUN JAITLEY: Sir, as far as Mr. Derek O'Brien's objection is concerned,...

SHRI DEREK O'BRIEN: It is not an objection.

SHRI ARUN JAITLEY: As far as Mr. Derek O'Brien's point is concerned, it is a suggestion that he has made. This suggestion has also come up before the Empowered Committee. The Empowered Committee and the Central Government, which are in discussion on this issue, certainly see the substance behind that because we can't accept a system where an assessee has to be assessed twice; once by the Centre and once by the State. Therefore, the very purpose of the GST itself would not be served. Then, what should be the modality is the breakeven figure. There are discussions at a fairly advanced stage, and I am quite certain that a solution will be arrived at. And when we come before you in November, we will certainly have a solution, as far as we are concerned.

Regarding Mr. Chidambaram's point that he repeatedly made, he probably has presented more Budgets than most Finance Ministers or any other Finance Minister. Therefore, the constitutional position of Money Bill *vis-a-vis* Finance Bill is known to him. A discussion or a demand or an assurance does not override the Constitution. I have before me a folder full of Money Bills, which impose taxation, which my learned predecessor presented to the Parliament. I have a complete folder. Therefore, you clearly know the distinction. It is there in Article 110, and the contra-distinction with Article 117 as to what is the procedure to be followed. I can only tell you this that in accordance with whatever is the precedent, and the precedent normally which I have understood — I won't leave it vague — if a Bill imposes a burden on the money coming out of the Consolidated Fund or is a taxing Bill, and it provides for several other things, then, the Bill Section of Parliament recommends it to be a Financial Bill under Article 117. If these additional matters are not there, it recommends that to be a Money Bill. That is the provision of the Constitution which Parliament now has a history of almost 66

years in following that. We will fully comply with the Constitution and whatever are the precedents.....(*Interruptions*)... We have absolutely no intention of, in any way, bypassing the Constitutional provisions as far as the requirements of these Bills are concerned. Today, the first suggestion of the Empowered Committee is not known to me. I neither know the suggestion nor do I know what the text of that Bill is going to be. Therefore, in anticipation and imagining what that is going to be, I must give an assurance is something which is extremely unreasonable *per se*.

SHRI P. CHIDAMBARAM: With great respect to the hon. Leader of the House and the Finance Minister, there is, indeed, a definition of a 'Money Bill' in Article 110 and there is a definition of a Finance Bill in Article 117. There is nothing in the Constitution, which obliges him to bring a Bill as a Money Bill. He can bring it as a Finance Bill. He has made it clear; his intention is not to avoid a debate, not to avoid a discussion. In fact, he is inviting a discussion. He is inviting our opinion. If all that is so clear, if the intention of his Government is so clear, why can't he stand up and say, 'I will bring this as a Finance Bill and the other House and this House will. ...(*Interruptions*)...

SHRI ARUN JAITLEY: Can you give me a single precedent when without knowing what the Bill is going to be, on a possible Bill that will come, an assurance has been given? Is that Parliamentary practice?

SHRI P. CHIDAMBARAM: You are not obliged to bring any Bill as a Money Bill. Even if it satisfies, you are not obliged to bring it as a Money Bill. Show me one provision in the Constitution. ...(*Interruptions*)...

SHRI C.M. RAMESH: Sir, allow me to speak for a minute. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: There is no need for a discussion on this.

SHRI P. CHIDAMBARAM: Please show me the provision of the Constitution, which obliges you to bring it as a Money Bill. It does not oblige you to bring it as a Money Bill. So, in the interest of the country, this is the most important transformational legislative change in taxes that you are bringing for the next fifteen years. ...(*Interruptions*)... Please say, 'I will bring it as a Finance Bill; all of you discuss it and vote it.' ...(*Interruptions*)...

SHRI JAIRAM RAMESH: Sir, on this issue, I would like to say. ...(*Interruptions*)...

MR. DEPUTY CHAIRMAN: He has already said that he will go as per the Constitution.



SHRI JAIRAM RAMESH: Sir, in the past few months, there have been precedents where the Leader of the House has arbitrarily used discretion at the very last minute to declare Bills as Money Bills. He did it with the Adhaar Bill; he did with a Private Member's Bill. ...*(Interruptions)*... Sir, there is absolutely no guarantee that he will not declare it as a Money Bill.

MR. DEPUTY CHAIRMAN: No, please. Why do you discuss it again?  
...*(Interruptions)*...

SHRI JAIRAM RAMESH: I am sorry to say, this is a fundamental issue. He will foreclose a debate in the House.

MR. DEPUTY CHAIRMAN: Jairamji, that is okay. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: He will completely foreclose a debate.  
...*(Interruptions)*...

श्री शरद यादव: महोदय, इस पर इतनी बढ़िया बहस हो चुकी है, अब आप इसको आगे बढ़ाइए!  
...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: You see, the Minister has given an assurance that he will go only by the Constitution.

SHRI C.M. RAMESH: Sir, we are facing the problem only because of 'may be' and 'shall be'. ...*(Interruptions)*... We are still facing problems in implementation of the Andhra Pradesh State Reorganisation Act. Now, he is talking of 'clumsy drafting'! ...*(Interruptions)*... How was the Andhra Pradesh State Reorganisation Act drafted? Like 'may be' and 'shall be', there are so many things. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Let there be no dispute now; please sit down.

SHRI C.M. RAMESH: Why, Sir? ...*(Interruptions)*... He was instrumental in drafting the Andhra Pradesh State Reorganisation Act. ...*(Interruptions)*... How he has drafted the Bill, Sir! On that Bill, we are facing a lot of problems in our State now.

MR. DEPUTY CHAIRMAN: What I fail to understand is, the Minister said, "It will be shall be." Do you want that to be changed?

SHRI C. M. RAMESH: The entire State is facing problems. He was instrumental in drafting the Bill. ...*(Interruptions)*... Everything is "may be" or "shall be".

MR. DEPUTY CHAIRMAN: You seek clarifications. What are you doing?  
...*(Interruptions)*... No, no; ...*(Interruptions)*...

SHRI JAIRAM RAMESH: The issue is. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is over, I think. ...*(Interruptions)*...

SHRI KAPIL SIBAL (Uttar Pradesh): Sir, I just want to make one comment. I think, all the distinguished Members of this House and the Leader of this House and every Party will accept the fact that perhaps this particular reform is the most far-reaching reform that we have had since Independence. I think, in that context, for the Finance Minister to dilly-dally and to say that 'we will go by the Constitution and not say upfront, etc.' is not proper. He should categorically state that he intends to take this House into confidence for these far-reaching reforms and he will take our views into account for the purposes of taking decisions in the House, and if he does not do so, it is quite clear that he wants to bring it as a Money Bill and he doesn't want a discussion in this House.

MR. DEPUTY CHAIRMAN: All right. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Sir, ...*(Interruptions)*...

SHRI KAPIL SIBAL: Sir, the second point ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no; I have to proceed.

SHRI KAPIL SIBAL: Sir, I have not finished. The second point which is even more important is, it doesn't obligate the Finance Minister to bring it as a Money Bill under the Constitution. Under Article 117, he may bring it as a Finance Bill. So, I think it would be gracious of the Finance Minister to bring it as a Finance Bill. That is the assurance that this House wants from him.

MR. DEPUTY CHAIRMAN: All right. Okay. Now. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: The cat is out of the bag. It happened with the Private Member's Bill. It happened with the GST Bill.

MR. DEPUTY CHAIRMAN: Now, let me proceed with the Bill. I shall now put the Motion for consideration of the Constitution (One Hundred and Twenty-Second Amendment) Bill, 2014 to vote. The question is:

"That the Bill further to amend the Constitution of India, as passed by Lok Sabha and as reported by the Select Committee of Rajya Sabha, be taken into consideration."  
...*(Interruptions)*...

9.00 P.M.

SHRI GHULAM NABI AZAD: Hon. Deputy Chairman, Sir, we had already made it clear in our meeting, and here also, that we are not opposed to this. We are going to support this. We have been supporting this from the beginning. We will support right now also, but there is an apprehension in the minds of the Members on this side about whatever is going to come in the month of November and December in the Winter Session. We have been saying on earlier occasions also that a number of Bills have been presented here as Money Bills. So, we had no voting power. This is one of the most important Bills, as has been said by my colleagues, the most historical Bill since Independence. What is the harm if the hon. Leader of the House and the Finance Minister assures this House that this Bill, which is going to come in the month of November or December, will be a Finance Bill and not a Money Bill? Otherwise, I think, the whole purpose will be frustrated. The efforts made by the Government that side and the efforts made by us during the past few months will be totally frustrated. So, I think the purpose is not going to be solved. So, I would request the hon. Minister to make...

श्री अरुण जेटली: इससे ज्यादा क्या स्पष्ट होगा, आज बिल के ऊपर जीएसटी काउन्सिल में चर्चा नहीं हुई, पहला ड्राफ्ट नहीं मालूम, उसका कंटेंट नहीं मालूम कि वह क्या होगा, उसके संबंध में मैं आज आश्वासन दे दूँ ...(व्यवधान)... एक भी कोई ऐसी परंपरा है कि जो ड्राफ्ट तक नहीं हुआ, जिसका कंटेंट तक नहीं मालूम, ...(व्यवधान)... मैंने स्पष्ट कहा। मैं आपको इस बात का आश्वासन दे रहा हूँ कि हमारा कोई इरादा नहीं है कि उस बिल को आपसे बिना चर्चा किए हुए हम इस प्रकार से पारित करें। हम चाहेंगे कि एक बार ...(व्यवधान)... एक बार बिल का ड्राफ्ट बनने दीजिए और इसलिए ड्राफ्ट बनने के बाद हम आपसे चर्चा करेंगे। आप ही के 8 मंत्री होंगे। ...(व्यवधान)...

SHRIMATI RENUKA CHOWDHURY: What is your compulsion?  
...(Interruptions)...

SHRI ARUN JAITLEY: Eight of your Ministers are going to draft it.  
...(Interruptions)... And, this House will always have an opportunity to discuss whatever legislation that comes before the House. ...(Interruptions)...

श्री गुलाम नबी आज़ाद: यह प्रॉमिस रहा कि अगला जो फैसला होगा, मिलकर और बातचीत करके होगा। ...(व्यवधान)...

† قائد حزب اختلاف (جناب غلام نبی آزاد): یہ پرامس رہا کہ اگلا جو فیصلہ ہوگا، ملکر اور بات چیت کر کے ہوگا۔۔۔ (مداخلت)۔۔۔

†Transliteration in Urdu script.

MR. DEPUTY CHAIRMAN: That is okay. ...*(Interruptions)*... That is what he said ...*(Interruptions)*... I only wish to inform you that under Article 368 of the Constitution, the Motion will have to be adopted by a majority of the total Membership of the House and by a majority of not less than two-thirds of the Members of the House present and voting. So, division; first, let the lobbies be cleared.

THE MINISTER OF URBAN DEVELOPMENT, THE MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND THE MINISTER OF INFORMATION AND BROADCASTING (SHRI M. VENKAIAH NAIDU): Sir, there is no division. ...*(Interruptions)*... I am only just making this point ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: The question is:

That the Bill further to amend the Constitution of India, as passed by Lok Sabha and as reported by the Select Committee of Rajya Sabha, be taken into consideration.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A.K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das

Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsheer Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar

Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary

Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsheer Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani

Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T. K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K. V. P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola



Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C. P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa

Tripathi, Shri D. P.  
Tulsi, Shri K. T. S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

**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. DEPUTY CHAIRMAN: Now, we shall take up clause-by-clause consideration of the Bill.

First, we shall take up Clause 2 of the Bill. There is one Amendment (No.10) by Dr. T. Subbarami Reddy. Are you moving?

**CLAUSE 2 - INSERTION OF NEW ARTICLE 246A**

**Special provision with respect to Goods and Services Tax**

DR. T. SUBBARAMI REDDY (Andhra Pradesh): Sir, I move:

- (10) That at page 2, *for* lines 6 to 8, the following be *substituted*, namely: 'power to make laws to impose an *ad valorem* or specific cess to be called 'Green Cess' on the goods and services tax, which shall be utilized for prevention of environmental degradation'.

*The question was put and the motion was negatived.*

MR. DEPUTY CHAIRMAN: I shall now put Clause 2 to vote. The question is:-

That Clause 2 stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A.K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana

Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsher Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini

Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsher Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash

Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T. K.  
Rangasayee Ramakrishna, Shri

Rao, Dr. K. Keshava  
Rao, Dr. K. V. P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer

Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C. P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K. T. S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender



Yadav, Shri Darshan Singh

Yadav, Shri Sharad

Yechury, Shri Sitaram

**NOES- NIL**

**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.*

MR. DEPUTY CHAIRMAN: We shall now take up Clauses 3 to 8 of the Bill. The question is:

That Clauses 3 to 8 stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri

Abraham, Shri Joy

Agrawal, Shri Naresh

Akbar, Shri M. J.

Ali, Shri Munquad

Anand Sharma, Shri

Ansari, Shri Ali Anwar

Antony, Shri A. K.

Ashok Siddharth, Shri

Azad, Shri Ghulam Nabi

Bachchan, Shrimati Jaya

Baidya, Shrimati Jharna Das

Bajwa, Shri Partap Singh

Balmuchu, Dr. Pradeep Kumar

Bandyopadhyay, Shri D.

Banerjee, Shri Ritabrata

Batra, Shri Shadi Lal

Bharathi, Shri R. S.

Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsher Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush

Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.

Manhas, Shri Shamsheer Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Raneer  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar

Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T. K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K. V. P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil

Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C. P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K. T. S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.

Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

**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.**

*Clauses 3 to 8 were added to the Bill.*

MR. DEPUTY CHAIRMAN: We shall now take up Clause 9 of the Bill. There are three Amendments. Amendment (No.11) by Dr. T. Subbarami Reddy. Are you moving?

DR. T. SUBBARAMI REDDY: Sir, let me tell you. My Amendment (No. 11) to Clause 9, is to help the States. The net proceeds to be distributed to States shall not form part of the Consolidated Fund of India.

MR. DEPUTY CHAIRMAN: Are you moving?

DR. T. SUBBARAMI REDDY: Since the Minister has already brought the official amendment, I am not moving.

MR. DEPUTY CHAIRMAN: Okay. He is not moving. Now, there is one Amendment (No.23) by Shri A. Navaneethakrishnan. He is absent. There is one Amendment (No.3) by Shri Arun Jaitley.

#### **CLAUSE 9 - INSERTION OF NEW ARTICLE 269A**

##### **Levy and Collection of Goods and Services Tax in course of inter-State trade or commerce**

SHRI ARUN JAITLEY: Sir, I beg to move:

(3) That at page 3, *after* line 23, the following be *inserted*, namely:-

"(1A) The amount apportioned to a State under clause (1) shall not form part of the Consolidated Fund of India.

(1B) Where an amount collected as tax levied under clause (1) has been used for payment of the tax levied by a State under article 246A, such amount shall not form part of the Consolidated Fund of India.

(1C) Where an amount collected as tax levied by a State under article 246A has been used for payment of the tax levied under clause (1), such amount shall not form part of the Consolidated Fund of the State".

*The question was put and the motion was adopted.*

MR. DEPUTY CHAIRMAN: I shall now put Clause 9, as amended to vote.  
...(Interruptions)... Please sit down. Don't interrupt now.

The question is:

That Clause 9, as amended, stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A. K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das



Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsheer Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar

Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary

Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsheer Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani

Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T. K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V. P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola

Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C. P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa

Tripathi, Shri D. P.  
Tulsi, Shri K. T. S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

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

MR. DEPUTY CHAIRMAN: Now, in Clause 10, there is one Amendment (No. 4) by Shri Arun Jaitley.

**CLAUSE 10 - AMENDMENT OF ARTICLE 270**

SHRI ARUN JAITLEY: Sir, I move:

(4) That at page 4, for lines 1 to 8, the following be *substituted*, namely:-

'(ii) *after* clause (1), the following clauses shall be *substituted*, namely:-

"(1A) The tax collected by the Union under clause (1) of article 246A shall also be distributed between the Union and the States in the manner provided in clause (2).

(1B) The tax levied and collected by the Union under clause (2) of article 246A and article 269A, which has been used for payment of the tax levied by the Union under clause (1) of article 246A and the amount apportioned to the Union under clause (1) of article 269A, shall also be distributed between the Union and the States in the manner provided in clause (2)."

*The question was proposed.*

SHRI SITARAM YECHURY: Sir, just a minute. The hon. Finance Minister just assured in his reply that this is an issue which he would discuss with the Chairman of the Empowered Committee of the Finance Ministers and take them on board. In that case, why are you moving this Amendment? Once you put it in the Constitution, how would you take them on board? Why this complication? Again, you will have to come back for some revision. Please understand it, Sir. That is what he said.

SHRI TAPAN KUMAR SEN (West Bengal): The Empowered Committee was not in consensus at that time. There are written objections to these.

SHRI SITARAM YECHURY: Mr. Minister, you have yourself said that ...*(Interruptions)*...

SHRI ARUN JAITLEY: At the official level, we have discussed them. I will be discussing it with them. There is no confusion. This is just to obviate any error. So, we won't meet again for the Constitutional amendment.

SHRI SITARAM YECHURY: You don't have to come back here now. If you talk to them and something else comes up, you cannot again have an amendment to the Constitution. ...*(Interruptions)*...

SHRI ARUN JAITLEY: I would assure you that it is. ...*(Interruptions)*... sorted out there. ...*(Interruptions)*... We would sort it out. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: He said, he would sort it out. ...*(Interruptions)*... You may discuss it with him and sort it out.

SHRI SITARAM YECHURY: Sir, do you give that assurance?

MR. DEPUTY CHAIRMAN: Yes, yes. He said it.

SHRI SITARAM YECHURY: Sir, otherwise, we would have to vote against the Amendment. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: He said it. Now, I put the Amendment (No. 4) moved by Shri Arun Jaitley to vote.

*The motion was adopted.*

MR. DEPUTY CHAIRMAN: I shall now put Clause 10, as amended, to vote. The question is:

That Clause 10, as amended, stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A. K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib



Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsher Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.

Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsheer Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra

Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.

Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T. K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V. P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain

Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C. P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T. S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal

Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

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

MR. DEPUTY CHAIRMAN: Now, I shall take up Clause 11. The question is:

That Clause 11 stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A. K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.

Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsher Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai

Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas



Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsher Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh

Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T. K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V. P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj

Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C. P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K. T. S.  
Tundiya, Mahant Shambhuprasadji

Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

**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 11 was added to the Bill.*

MR. DEPUTY CHAIRMAN: In Clause 12, there are 10 Amendments; Amendment (Nos. 12 to 17) by Dr. T. Subbarami Reddy; Amendment (No.24) by Shri A. Navaneethakrishnan and Amendment (Nos.5 to 7) by Shri Arun Jaitley. Dr. Reddy, are you moving your Amendments?

**CLAUSE 12 - INSERTION OF NEW ARTICLE 279A**

**Goods and Services Tax Council**

DR. T. SUBBARAMI REDDY: Sir, I move:

(12) That at page 4, lines 15 and 16, *for* the words 'sixty days', the words 'thirty days' be *substituted*.

*The question was put and the motion was negatived.*

MR. DEPUTY CHAIRMAN: Amendment (No.24) is by Shri A. Navaneethakrishnan; he is absent. Yes, Mr. Minister.

SHRI ARUN JAITLEY: Sir, I move:

- (5) That at page 4, lines 17 and 18, *for* the words, bracket and figure "the Constitution (One Hundred — Amendment) Act, 2015", the words, bracket and figure "the Constitution (One Hundred and First Amendment) Act, 2016" be *substituted*.
- (6) That at page 5, line 16, *for* the words "Integrated Goods and Services Tax", the words, figure and alphabet "Goods and Services Tax levied on supplies in the course of inter-State trade or commerce under article 269A" be *substituted*.
- (7) That at page 7, *for* lines 10 to 12, the following be *substituted*, namely:-

"(11) The Goods and Services Tax Council shall establish a mechanism to adjudicate any dispute -

- (a) between the Government of India and one or more States; or
- (b) between the Government of India and any State or States on one side and one or more other States on the other side; or
- (c) between two or more States, arising out of the recommendations of the Council or implementation thereof."

*The question was put and the motion was adopted.*

MR. DEPUTY CHAIRMAN: I shall now put Clause 12, as amended to vote. The question is:

That Clause 12, as amended, stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri

Abraham, Shri Joy

Agrawal, Shri Naresh

Akbar, Shri M. J.

Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A. K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Pratap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh

Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsheer Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati

Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsher Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek



Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T. K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K. V. P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam

Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.

Tazeen Fatma, Dr.  
Thakur, Dr. C. P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K. T. S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

**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 12, as amended, was added to the Bill.*

MR. DEPUTY CHAIRMAN: We shall now take up Clause 13. The question is:

That Clause 13 stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A. K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen

Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsher Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj

Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsheer Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay

Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C.P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T.K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V.P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha

Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.



Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C.P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T.S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

**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 13 was added to the Bill.*

MR. DEPUTY CHAIRMAN: Now, in Clause 14, there are two Amendments; Amendment (No.18) by Dr. T. Subbarami Reddy, and Amendment (No.25) by Shri A. Navaneethakrishnan.

DR. T. SUBBARAMI REDDY: Sir, I am not moving the Amendment.

MR. DEPUTY CHAIRMAN: So, Dr. Subbarami Reddy has not moved the Amendment, and Shri A. Navaneethakrishnan is absent. Therefore, both the Amendments are not moved. So, we shall take up Clause 14. The question is:

That Clause 14 stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A.K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata

Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsher Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender

Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh

Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsher Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh

Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T.K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V.P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev

Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C.P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T.S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh

Veerendra Kumar, Shri M. P.

Vegad, Shri Shankarbhai N.

Venkatesh, Shri T. G.

Verma, Shri Ramkumar

Verma, Shri Ravi Prakash

Verma, Shrimati Chhaya

Vora, Shri Motilal

Yadav, Ch. Sukhram Singh

Yadav, Dr. Chandrapal Singh

Yadav, Prof. Ram Gopal

Yadav, Shri Bhupender

Yadav, Shri Darshan Singh

Yadav, Shri Sharad

Yechury, Shri Sitaram

**NOES - NIL**

**The motion was adopted 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 14 was added to the Bill.*

MR. DEPUTY CHAIRMAN: Now, we shall take up Clauses 15 and 16. The question is:

That Clauses 15 and 16 stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri

Abraham, Shri Joy

Agrawal, Shri Naresh

Akbar, Shri M. J.

Ali, Shri Munquad

Anand Sharma, Shri



Ansari, Shri Ali Anwar  
Antony, Shri A.K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain

Dullo, Shri Shamsher Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar

Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsher Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai

Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T.K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V.P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.

Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C.P.

Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T.S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES - NIL**

**The motion was adopted 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.**

*Clauses 15 and 16 were added to the Bill.*

MR. DEPUTY CHAIRMAN: Now, in Clause 17, there are three Amendments; Amendment (Nos.19 and 20) by Dr. T. Subbarami Reddy and Amendment (No.26) by Shri A. Navaneethakrishnan. Shri A. Navaneethakrishnan is absent.

**CLAUSE - 17 AMENDMENT OF SEVENTH SCHEDULE**

DR. T. SUBBARAMI REDDY: Yes, Sir, I move:

(19) That at page 9, line 20, *after* the words "sale of", the words "tobacco and tobacco products" be *inserted*.

(20) That at page 9, *after* line 27, the following be *inserted*, namely:-

"54A. Cess or tax on polluting goods and services to be notified by the Goods and Services Tax Council."

*The questions were put and the motions were negatived.*

MR. DEPUTY CHAIRMAN: Now, The question is:

That Clause 17 stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A.K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha

Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsher Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh



Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsher Singh

Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.

Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T.K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V.P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender

Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C.P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T.S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.

Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

**The motion was adopted 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 17 was added to the Bill.*

**CLAUSE 18 - ARRANGMENT FOR ASSIGNMENT OF ADDITIONAL TAX  
ON SUPPLY OF GOODS TO STATES FOR TWO YEARS OR SUCH  
OTHER PERIOD RECOMMENDED BY THE COUNCIL**

MR. DEPUTY CHAIRMAN: In Clause 18, there are two Amendments; Amendment (No. 8) by Shri Arun Jaitley and Amendment (No. 27) by Shri A. Navaneethakrishnan. Mr. Navaneethakrishnan is absent. So, Amendment (No.27) not moved. Shri Arun Jaitley to move the amendment (No.8).

SHRI ARUN JAITLEY: Sir, I move:

(8) That at page 19, lines 7 to 31, be *deleted*.

*The question was put and the motion was adopted.*

MR. DEPUTY CHAIRMAN: I shall now put Clause 18, as amended, to vote. The question is:

That clause 18, as amended, stands part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A.K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan

Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsheer Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan

Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsher Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.



Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T.K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V.P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar

Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.

Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C.P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T.S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

**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 18, as amended, was added to the Bill.*

MR. DEPUTY CHAIRMAN: Consequently, Clause 18 is deleted.

**CLAUSE 19 - COMPENSATION TO STATES FOR LOSS OF REVENUE ON  
ACCOUNT OF INTRODUCTION OF GOODS AND SERVICES TAX**

MR. DEPUTY CHAIRMAN: In Clause 19, there are four Amendments - Amendment (No. 21) by Shri T. Subbarami Reddy, Amendment (Nos. 28 and 29) by Shri A. Navaneethakrishnan, and Amendment (No. 9) by Shri Arun Jaitley.

Mr. Subbarami Reddy, are you moving your Amendment?

SHRI T. SUBBARAMI REDDY: No, Sir, I am not moving the Amendment.

MR. DEPUTY CHAIRMAN: Okay. Mr. Subbarami Reddy is not moving the Amendment. As Mr. Navaneethakrishnan is absent, Amendment (Nos. 28 and 29) are not moved. Now, Shri Arun Jaitley to move the Amendment (No.9).

SHRI ARUN JAITLEY: Sir, I move:

- (9) "That at page 10, *for* line 32, the following be *substituted*, namely:-"19 Parliament shall, by law, on the".

*The question was put and the motion was adopted.*

MR. DEPUTY CHAIRMAN: I shall now put clause 19, as amended, to vote. The question is:

That clause 19, as amended, stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar

Antony, Shri A.K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsheer Singh

Dungarpur, Shri Harshvardhan Singh

Dwivedi, Shri Janardan

Elangovan, Shri T. K. S.

Fayaz, Mir Mohammad

Fernandes, Shri Oscar

Gehlot, Shri Thaawar Chand

Goel, Shri Vijay

Gohel, Shri Chunibhai Kanjibhai

Goud T., Shri Devender

Gowda, Prof. M. V. Rajeev

Goyal, Shri Piyush

Gujral, Shri Naresh

Gupta, Shri Prem Chand

Gupta, Shri Vivek

Haque, Shri Md. Nadimul

Hariprasad, Shri B. K.

Harivansh, Shri

Hashmi, Shri Parvez

Hassan, Shri Ahamed

Hembram, Shrimati Sarojini

Heptulla, Dr. Najma A.

Irani, Shrimati Smriti Zubin

Jadhav, Dr. Narendra

Jain, Shri Meghraj

Jaitley, Shri Arun

Jangde, Dr. Bhushan Lal

Jatiya, Dr. Satyanarayan

Javadekar, Shri Prakash

Jha, Shri Prabhat

Judev, Shri Ranvijay Singh

Kalita, Shri Bhubaneswar

Kanimozhi, Shrimati

Karan Singh, Dr.

Kashyap, Shri Ram Kumar

Katiyar, Shri Vinay

Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsher Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.

Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T.K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V.P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul



Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C.P.  
Thakur, Shri Ram Nath

Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T.S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

**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 19, as amended, was added to the Bill.*

MR. DEPUTY CHAIRMAN: I shall now take up Clause 20 of the Bill. The question is:

"That clause 20 stand part of the Bill."

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A.K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan

Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsher Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan

Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsher Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.

Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T.K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V.P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar

Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.

Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C.P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T.S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

**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 20 was added to the Bill.*

MR. DEPUTY CHAIRMAN: We shall, now, take up Clause 21 of the Bill. There is one Amendment (No. 22) by Dr. T. Subbarami Reddy.

**CLAUSE 21 - POWER OF PRESIDENT TO REMOVE DIFFICULTIES**

DR. T. SUBBARAMI REDDY: Sir, let me clarify a point. I am moving some amendments whether I get support or not.

MR. DEPUTY CHAIRMAN: Are you moving?

DR. T. SUBBARAMI REDDY: I am proposing this Amendment because the Central Government may lay a Report of difficulties being faced in implementation of the Act and proposed for removing such difficulties before Parliament within one year from the date of implementation. So, I am moving the Amendment on principle, not that I get support. I know that we are all one. I am proposing my Amendment; I am with you. But, as a principle, I am moving the Amendment. So, Sir, I move:

(22) "That at page 11, *for* lines 19 to 30, the following be *substituted*, namely:-

"Constitution as amended by this Act, the Government may lay a report of such difficulties along with a proposal for removing such difficulties before each House of Parliament within one year from the date of assent of the President of India to this Act."

*The question was put and the motion was negatived.*

MR. DEPUTY CHAIRMAN: I shall, now, put Clause 21 to vote.

The question is:

That Clause 21 stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri

Abraham, Shri Joy

Agrawal, Shri Naresh

Akbar, Shri M. J.

Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A.K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh

Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsheer Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati

Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsher Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek

Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T.K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V.P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam

Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.

Tazeen Fatma, Dr.  
Thakur, Dr. C.P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T.S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

**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 21 was added to the Bill.*

MR. DEPUTY CHAIRMAN: We shall, now, take up Clause 1 of the Bill. There is one Amendment (No. 2) by the Minister.

**CLAUSE 1 - SHORT TITLE AND COMMENCEMENT**

SHRI ARUN JAITLEY: Sir, I move:

- (2) That at page 1, lines 3 and 4, *for* the words, bracket and figure "the Constitution (One Hundredth Amendment) Act, 2015", the words, bracket and figure "the Constitution (One Hundred and First Amendment) Act, 2016" be *substituted*.

*The question was put and the motion was adopted.*

MR. DEPUTY CHAIRMAN: I shall, now, put Clause 1, as amended, to vote. The question is:

That Clause 1, as amended, stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A.K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.



Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsheer Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush

Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.

Manhas, Shri Shamsher Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar

Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T.K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V.P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil

Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C.P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T.S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.

Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

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

MR. DEPUTY CHAIRMAN: We shall, now, take up the Enacting Formula. There is one Amendment (No. 1) by the Minister.

**ENACTING FORMULA**

SHRI ARUN JAITLEY: Sir, I move:

- (1) That at page 1, line 1, *for* the word "Sixty-sixth", the word "Sixty-seventh" be *substituted*.

*The question was put and the motion was adopted.*

MR. DEPUTY CHAIRMAN: I shall, now, put the Enacting Formula, as amended, to vote. The question is:

That the Enacting Formula, as amended, stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A.K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan

Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsher Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan



Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsher Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.

Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T.K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V.P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar

Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.

Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C.P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T.S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh  
Yadav, Prof. Ram Gopal  
Yadav, Shri Bhupender  
Yadav, Shri Darshan Singh  
Yadav, Shri Sharad  
Yechury, Shri Sitaram

**NOES- NIL**

**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 Enacting Formula, as amended, was added to the Bill.*

MR. DEPUTY CHAIRMAN: Now, I shall take up the Title of the Bill.

The question is:

That the Title stand part of the Bill.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri  
Abraham, Shri Joy  
Agrawal, Shri Naresh  
Akbar, Shri M. J.  
Ali, Shri Munquad  
Anand Sharma, Shri  
Ansari, Shri Ali Anwar  
Antony, Shri A.K.  
Ashok Siddharth, Shri  
Azad, Shri Ghulam Nabi  
Bachchan, Shrimati Jaya  
Baidya, Shrimati Jharna Das  
Bajwa, Shri Partap Singh  
Balmuchu, Dr. Pradeep Kumar  
Bandyopadhyay, Shri D.  
Banerjee, Shri Ritabrata  
Batra, Shri Shadi Lal  
Bharathi, Shri R. S. Bharti,  
Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev

Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsheer Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender  
Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez

Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh  
Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsher Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav

Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vichar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh  
Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam



Rangarajan, Shri T.K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V.P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev  
Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan

Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C.P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T.S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh  
Veerendra Kumar, Shri M. P.  
Vegad, Shri Shankarbhai N.  
Venkatesh, Shri T. G.  
Verma, Shri Ramkumar  
Verma, Shri Ravi Prakash  
Verma, Shrimati Chhaya  
Vora, Shri Motilal  
Yadav, Ch. Sukhram Singh  
Yadav, Dr. Chandrapal Singh

Yadav, Prof. Ram Gopal

Yadav, Shri Bhupender

Yadav, Shri Darshan Singh

Yadav, Shri Sharad

Yechury, Shri Sitaram

**NOES- NIL**

**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 Title was added to the Bill.*

SHRI ARUN JAITLEY: Sir, I move:

That the Bill, as amended, be passed.

*The House divided.*

MR. DEPUTY CHAIRMAN: Ayes: 205

Noes: Nil

**AYES-205**

Abdul Wahab, Shri

Abraham, Shri Joy

Agrawal, Shri Naresh

Akbar, Shri M. J.

Ali, Shri Munquad

Anand Sharma, Shri

Ansari, Shri Ali Anwar

Antony, Shri A.K.

Ashok Siddharth, Shri

Azad, Shri Ghulam Nabi

Bachchan, Shrimati Jaya

Baidya, Shrimati Jharna Das

Bajwa, Shri Partap Singh

Balmuchu, Dr. Pradeep Kumar

Bandyopadhyay, Shri D.

Banerjee, Shri Ritabrata

Batra, Shri Shadi Lal  
Bharathi, Shri R. S.  
Bharti, Shrimati Misha  
Bhattacharya, Shri P.  
Bhunder, Sardar Balwinder Singh  
Biswal, Shri Ranjib  
Bora, Shri Ripun  
Budania, Shri Narendra  
Chandrasekhar, Shri Rajeev  
Chaturvedi, Shri Satyavrat  
Chavan, Shrimati Vandana  
Chhatrapati, Shri Sambhaji Shahu  
Chidambaram, Shri P.  
Chowdary, Shri Y. S.  
Chowdhury, Prof. Jogen  
Chowdhury, Shrimati Renuka  
Daimary, Shri Biswajit  
Das, Shri Bishnu Charan  
Dasgupta, Shri Swapan  
Dave, Shri Anil Madhav  
Deo, Shri A. U. Singh  
Desai, Shri Anil  
Dhindsa, Sardar Sukhdev Singh  
Dhoot, Shri Rajkumar  
Dudi, Shri Ram Narain  
Dullo, Shri Shamsher Singh  
Dungarpur, Shri Harshvardhan Singh  
Dwivedi, Shri Janardan  
Elangovan, Shri T. K. S.  
Fayaz, Mir Mohammad  
Fernandes, Shri Oscar  
Gehlot, Shri Thaawar Chand  
Goel, Shri Vijay  
Gohel, Shri Chunibhai Kanjibhai  
Goud T., Shri Devender

Gowda, Prof. M. V. Rajeev  
Goyal, Shri Piyush  
Gujral, Shri Naresh  
Gupta, Shri Prem Chand  
Gupta, Shri Vivek  
Haque, Shri Md. Nadimul  
Hariprasad, Shri B. K.  
Harivansh, Shri  
Hashmi, Shri Parvez  
Hassan, Shri Ahamed  
Hembram, Shrimati Sarojini  
Heptulla, Dr. Najma A.  
Irani, Shrimati Smriti Zubin  
Jadhav, Dr. Narendra  
Jain, Shri Meghraj  
Jaitley, Shri Arun  
Jangde, Dr. Bhushan Lal  
Jatiya, Dr. Satyanarayan  
Javadekar, Shri Prakash  
Jha, Shri Prabhat  
Judev, Shri Ranvijay Singh  
Kalita, Shri Bhubaneswar  
Kanimozhi, Shrimati  
Karan Singh, Dr.  
Kashyap, Shri Ram Kumar  
Katiyar, Shri Vinay  
Kenye, Shri K. G.  
Khan, Shri Javed Ali  
Khan, Shri K. Rahman  
Khan, Shri Mohd. Ali  
Kom, Shrimati M. C. Mary  
Kore, Dr. Prabhakar  
Kujur, Shri Santiuse  
Mahatme, Dr. Vikas  
Mahra, Shri Mahendra Singh

Malik, Shri Shwait  
Mandaviya, Shri Mansukh L.  
Manhas, Shri Shamsheer Singh  
Mathur, Shri Om Prakash  
Mayawati, Km.  
Memon, Shri Majeed  
Misra, Shri Satish Chandra  
Mistry, Shri Madhusudan  
Mohanty, Shri Anubhav  
Mukut Mithi, Shri  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Naidu, Shri M. Venkaiah  
Naik, Shri Shantaram  
Nanda, Shri Kiranmay  
Naqvi, Shri Mukhtar Abbas  
Narah, Shrimati Ranee  
Narayanan, Shri C. P.  
Nathwani, Shri Parimal  
Netam, Shri Ram Vihar  
Nirmala Sitharaman, Shrimati  
Nishad, Shri Vishambhar Prasad  
O'Brien, Shri Derek  
Panchariya, Shri Narayan Lal  
Pandya, Shri Dilipbhai  
Parasaran, Shri K.  
Parrikar, Shri Manohar  
Patel, Shri Ahmed  
Patel, Shri Praful  
Patil, Shri Basawaraj  
Patil, Shrimati Rajani  
Pawar, Shri Sharad  
Perween, Shrimati Kahkashan  
Poddar, Shri Mahesh  
Prabhu, Shri Suresh

Pradhan, Shri Dharmendra  
Prasad, Shri Ravi Shankar  
Punia, Shri P. L.  
Ragesh, Shri K. K.  
Raja, Shri D.  
Rajaram, Shri  
Ramamurthy, Shri K. C.  
Ramesh, Shri C. M.  
Ramesh, Shri Jairam  
Rangarajan, Shri T.K.  
Rangasayee Ramakrishna, Shri  
Rao, Dr. K. Keshava  
Rao, Dr. K.V.P. Ramachandra  
Rao, Shri Garikapati Mohan  
Rao, Shri V. Lakshmikantha  
Rapolu, Shri Ananda Bhaskar  
Raut, Shri Sanjay  
Ravi, Shri Vayalar  
Reddy, Dr. T. Subbarami  
Reddy, Shri D. Kupendra  
Reddy, Shri V. Vijayasai  
Roy, Shri Sukhendu Sekhar  
Rupala, Shri Parshottam  
Sable, Shri Amar Shankar  
Sahasrabuddhe, Dr. Vinay P.  
Salam, Haji Abdul  
Saleem, Chaudhary Munvvar  
Sancheti, Shri Ajay  
Seetharama Lakshmi, Shrimati Thota  
Selja, Kumari  
Sen, Ms. Dola  
Sen, Shri Tapan Kumar  
Seth, Shri Sanjay  
Shekhar, Shri Neeraj  
Shukla, Shri Rajeev

Shukla, Shri Shiv Pratap  
Sibal, Shri Kapil  
Singh, Chaudhary Birender  
Singh, Dr. Kanwar Deep  
Singh, Dr. Manmohan  
Singh, Shri Amar  
Singh, Shri Bashistha Narain  
Singh, Shri Digvijaya  
Singh, Shri Gopal Narayan  
Singh, Shri Rewati Raman  
Singh, Shri Veer  
Singhvi, Dr. Abhishek Manu  
Sinh, Dr. Sanjay  
Sinha, Shri R. K.  
Somaprasad, Shri K.  
Soni, Shrimati Ambika  
Srinivas, Shri Dharmapuri  
Subhash Chandra, Dr.  
Suresh Gopi, Shri  
Swamy, Dr. Subramanian  
Syiem, Shrimati Wansuk  
Tamta, Shri Pradeep  
Tankha, Shri Vivek K.  
Tazeen Fatma, Dr.  
Thakur, Dr. C.P.  
Thakur, Shri Ram Nath  
Thakur, Shrimati Viplove  
Tirkey, Shri Dilip Kumar  
Tiwari, Shri Alok  
Tiwari, Shri Pramod  
Tlau, Shri Ronald Sapa  
Tripathi, Shri D. P.  
Tulsi, Shri K.T.S.  
Tundiya, Mahant Shambhuprasadji  
Vadodia, Shri Lal Sinh



Veerendra Kumar, Shri M. P.

Vegad, Shri Shankarbhai N.

Venkatesh, Shri T. G.

Verma, Shri Ramkumar

Verma, Shri Ravi Prakash

Verma, Shrimati Chhaya

Vora, Shri Motilal

Yadav, Ch. Sukhram Singh

Yadav, Dr. Chandrapal Singh

Yadav, Prof. Ram Gopal

Yadav, Shri Bhupender

Yadav, Shri Darshan Singh

Yadav, Shri Sharad

Yechury, Shri Sitaram

**NOES- NIL**

**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. DEPUTY CHAIRMAN: Hon. Members, the dinner was available from 8.00 p.m. onwards. It is still available. For Members and media personnel, the dinner arrangement is in Room No.70, first floor, Parliament House. For officers and staff, the arrangement is in Room Nos. 73 and 74. The packaged dinner is available at the Snack Bar, near Central Hall. All are requested to avail the facility of dinner.

Now, the House stands adjourned till 11.00 a.m. on Thursday, the 4th August, 2016.

*The House then adjourned at forty-three minutes past nine  
of the clock till eleven of the clock on Thursday,  
the 4th August, 2016.*